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#### EAST HERTFORDSHIRE DISTRICT COUNCIL

NOTICE IS HEREBY GIVEN that a meeting of East Hertfordshire District Council will be held in the Council Chamber, Wallfields, Hertford on Wednesday 23rd July, 2025 at 7.00 pm, for the purpose of transacting the business set out in the Agenda below, and you are hereby summoned to attend.

Date this 15 day of July 2025

James Ellis Director for Legal, Policy and Governance

This meeting will be live streamed on the Council's Youtube page: https://www.youtube.com/user/EastHertsDistrict

#### **AGENDA**

1. Chair's Announcements

To receive any announcements from the Chair.

2. Leader's Announcements

To receive any announcements from the Leader of the Council.

3. Apologies for Absence

To receive any Members' apologies for absence.

4. Minutes - 14 May 2025 (Pages 5 - 28)

To approve as a correct record and authorise the Chair to sign the Minutes of the Council meeting held on 14 May 2025.

5. Declarations of Interest

To receive any Members' declarations of interest.

#### 6. Petitions

To receive any petitions.

- (A) Save Havers Shops from closure\_(Pages 29 30)
- 7. Public Questions

To receive any public questions.

8. Members' Questions

To receive any Members' questions.

9. Executive Report - 3 June and 8 July 2025 (Pages 31 - 34)

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

- (A) Update of the Statement of Community Involvement (Pages 35 112)
- (B) Hertfordshire Green Infrastructure Strategy\_(Pages 113 424)
- (C) Membership of the District Plan Executive Panel\_(Pages 425 434)
- (D) Gilston Area Monitoring Framework (Pages 435 490)
- (E) Hatfield Forest Mitigation Strategy and Governance Arrangements (Pages 491 544)
- (F) Refreshed LEAF priorities and annual report for 2024-25\_(Pages 545 554)
- Community Governance Review Final Recommendations (Pages 555 640)
- 11. Review of the Constitution (Pages 641 908)

#### 12. Motions on Notice

To receive Motions on Notice.

(A) Swift bricks\_(Page 909)

#### **Disclosable Pecuniary Interests**

A Member, present at a meeting of the Authority, or any committee, subcommittee, 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.

#### **Public Attendance**

East Herts Council welcomes public attendance at its meetings and meetings will continue to be live streamed and webcasted. For further information, please email <a href="mailto:democratic.services@eastherts.gov.uk">democratic.services@eastherts.gov.uk</a> or call the Council on 01279 655261 and ask to speak to Democratic Services.

The Council operates a paperless policy in respect of agendas at committee meetings and the Council will no longer be providing spare copies of Agendas for the Public at Committee Meetings. The mod.gov app is available to download for free from app stores for electronic devices. You can use the mod.gov app to access, annotate and keep all committee paperwork on your mobile device.

Visit <u>Political Structure</u>, <u>Scrutiny and Constitution | East Herts District Council</u> for details.

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

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

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

MINUTES OF A MEETING OF THE

COUNCIL HELD IN THE COUNCIL CHAMBER, WALLFIELDS, HERTFORD ON WEDNESDAY

14 MAY 2025, AT 7.00 PM

<u>PRESENT:</u> Councillor M Connolly (Chairman).

Councillors M Adams, D Andrews, R Buckmaster, C Brittain, M Butcher,

I Devonshire, E Buckmaster, S Bull, V Burt, R Carter, N Clements, S Copley, N Cox, B Crystall, A Daar, B Deering, T Deffley,

J Dumont, J Dunlop, Y Estop, V Glover-Ward,

M Goldspink, C Hart, G Hill, D Hollebon, A Holt, S Hopewell, C Horner, T Hoskin, D Jacobs, S Marlow, A Parsad-Wyatt, Smith, V Smith, T Stowe, M Swainston, J Thomas,

R Townsend, S Watson, D Willcocks,

G Williams, G Williamson, C Wilson, J Wyllie

and D Woollcombe.

#### **OFFICERS IN ATTENDANCE:**

James Ellis - Head of Legal and

Democratic Services and

**Monitoring Officer** 

Jonathan Geall - Head of Housing

and Health

Katie Mogan - Democratic and

**Electoral Services** 

Manager

Brian Moldon - Head of Finance

Helen Standen - Interim Chief

Executive

#### 1 CHAIR'S ANNOUNCEMENTS

The Chairman asked the Executive Member for

Communities to address the Council about VE Day commemorations.

Councillor Daar said that Thursday, 8th May, marked the 80th anniversary of Victory in Europe Day and across the district, commemorative events were held to mark the anniversary. These were organised by residents, community groups, and town and parish councils, each playing their part in ensuring that this moment in history continues to be honoured and remembered. The strong level of participation served as a reminder that the legacy of VE Day remains very much alive in communities.

Councillor Daar said that as a local authority, the council had an important responsibility to continue recognising the sacrifices made by the armed forces — both past and present — and to demonstrate, through action, its ongoing support.

In 2022, the council formalised its commitment by signing the Armed Forces Covenant, pledging to uphold the principles of fairness and respect for those who serve, or have served, in the armed forces, and their families. This included appointing an Armed Forces Member Champion, promoting armed forces events, supporting activities that help integrate the armed forces community into the local area, and encouraging job applications from those transitioning to civilian life.

That same year, the council received the Bronze Award under the Defence Employer Recognition Scheme — recognising its early steps in aligning council activities with the needs of the service community. Councillor Daar said she was pleased to share that the council was taking another important step forward by working towards achieving the Silver Award under the scheme. This would involve strengthening support for reservists, service leavers, and their families, while further embedding the values of the Armed Forces Covenant into the council's

employment and service policies.

Councillor Daar said that she was also proud to share that East Herts Council had recently joined Operation Ascend — a government-backed initiative offering tailored employment advice and support to veterans and their families. Crucially, the programme also connected veterans with job opportunities in organisations that appreciate their unique skills and experiences - and that East Herts Council would join these organisations in recognising and valuing the contributions of veterans.

The Council were shown the Annual Report video for 2024-25.

The Chairman welcomed Councillor Terry Smith to the Council following his successful election in the Braughing and Standon by election on 1 May 2025.

The Chairman thanked the Council for giving her the opportunity to represent them over the past year. She said that it had been an amazing experience and had attended many events across the year. She said that her year as Chairman had reinforced her confidence and pride that East Herts had fantastic communities doing great work.

#### 2 <u>ELECTION OF CHAIRMAN 2025/26</u>

It was proposed by Councillor Goldspink and seconded by Councillor Crystall that Councillor Adams be elected as Chairman of the Council for the 2025/26 Civic Year. After being put to the meeting and a vote taken, the motion was declared CARRIED.

**RESOLVED** — that Councillor Adams be elected as Chairman of the Council for the 2025/26 Civic Year.

Councillor Adams made the statutory declaration of acceptance of office and took the chair.

#### 3 ELECTION OF VICE CHAIRMAN 2025/26

It was proposed by Councillor Crystall and seconded by Councillor Wilson that Councillor Dunlop be elected as Vice-Chairman of the Council for the 2025/26 Civic Year. After being put to the meeting and a vote taken, the motion was declared CARRIED.

**RESOLVED** — that Councillor Dunlop be elected as Vice-Chairman of the Council for the 2025/26 Civic Year.

Councillor Dunlop made the statutory declaration of acceptance of office.

Councillor Dunlop thanked the Council for electing him to the position of Vice Chairman. He said he looked forward to making use of his position to ensure communities were inclusive for everyone.

#### 4 MINUTES - 26 FEBRUARY 2025

Councillor Hopewell referred to minute number 355 and asked for a correction. The minutes stated "Councillor Hopewell added that research had shown that businesses overestimate those who travel into town and park directly outside their premises. Visitors who drive stay within the towns for longer and were using the shops more."

Councillor Hopewell asked for it to be corrected to say "Councillor Hopewell added that research had shown that businesses overestimated those who travelled into town and parked directly outside their premises. She said that what was important for town centres and businesses was

dwell time, and people who walk/catch the bus, or who drove but parked for longer would visit more shops, and that free-parking disincentivised dwell time. Conversely, freeing up some of that space to make towns nicer could increase dwell time."

Councillor Copley proposed, and Councillor Cox seconded a motion that the Minutes of the meeting held on 26 February 2025, as amended, be approved as a correct record, and be signed by the Chairman. On being put to the meeting and a vote taken, the motion was declared CARRIED.

**RESOLVED** – that the Minutes of the meeting held on 26 February 2025, as amended, be approved as a correct record, and signed by the Chairman.

#### 5 FURTHER CHAIRMAN'S ANNOUCEMENTSANNOUNCEMENTS

The Chairman thanked Councillor Connolly for her service as the Chairman for 2024/25 and as a mentor for himself.

The Chairman asked Members to join him in a minute's silence for Paul Burt, a colleague in the Planning Team, Ralph Gilbert and Alan Warman, both previous Members of the Council who had all sadly passed away.

#### 6 LEADER'S ANNOUNCEMENTS

The Leader thanked the ongoing Chairman for her work over the last year and for presiding over the Council meetings. He said she had always been fair and thoughtful.

The Leader welcomed Councillor Adams and Councillor Dunlop as the new Chairman and Vice Chairman and wished them a wonderful year.

The Leader said the Hertfordshire County Council elections had taken place on 1 May 2025 and congratulated all the new county councillors across the district and to Councillor T Smith on the district council. He also thanked the Chief Executive and the Elections team for their huge amount of work in running the election and for all the council staff who worked long days in polling stations and at the count.

#### 7 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Boylan, Councillor McAndrew, Councillor Nicholls, and Councillor Redfern.

#### 8 DECLARATIONS OF INTEREST

There were no declarations of interest.

#### 9 <u>EXECUTIVE REPORT - 18 MARCH 2025</u>

The Leader of the Council presented a report setting out recommendations to the Council made by the Executive at its meeting on 18 March 2025.

#### 9 TREASURY MANAGEMENT MID-YEAR REVIEW 2024/25

The Executive Member for Financial Sustainability presented the Treasury Management Mid-Year Review which highlighted the key issues in the economic background and council borrowing. He said that all the council's borrowing was now short-term loans, and the report showed a reduction in property investment as investment funds would be wound up.

Councillor Brittain proposed that the recommendation in the report be supported. Councillor Swainston seconded the proposal.

The motion to support the recommendation having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED** – That the Mid-Year Treasury Management review and Prudential Indicators for 2024/25 be approved.

#### 9 <u>EAST HERTS DISTRICT PLAN REVIEW – BUNTINGFORD</u> EMPLOYMENT STUDY 2025

The Executive Member for Planning and Growth presented the Buntingford Employment Strategy. She said that to update the District Plan, there was a large evidence base to be collated and part of that evidence base was to understand the town's current employment market in order to guide policy decisions and whether further employment land was needed.

The Executive Member for Planning and Growth said that the key findings of the report were that Buntingford was experiencing significant housing growth, a lack of vacancies and a loss of employment land.

Councillor Glover-Ward proposed that the recommendation in the report be supported. Councillor Williams seconded the proposal.

Councillor E Buckmaster queried the predominant industry in Buntingford of construction and motor trade and asked if this was a factor to why there was so much house building there.

Councillor Glover-Ward said she would follow up the question with a written response outside of the meeting.

Councillor Woollcombe questioned the objectives listed in paragraph 3.4. He referred to objective five of

encouraging small and medium sized businesses. He asked how this would be included within the District Plan so the objectives could be met.

Councillor Glover-Ward said that the District Plan 2018 had the information included. She said that when the District Plan was produced in 2028-29 then these objectives would be included if they were still required.

Councillor Hart asked about the implications for planning applications and the impact of the changing focus to the NPPF.

Councillor Glover-Ward said that what was in the employment study was the material consideration for planning applications. She said that the NPPF was beyond the scope of the employment study.

The motion to support the recommendation having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED** – That the Buntingford Employment Study (2025) be agreed as part of the evidence base to inform the new East Herts District Plan and as a material consideration for Development Management purposes in the determination of planning applications.

#### 9 <u>EAST HERTS DISTRICT PLAN REVIEW – EAST HERTS</u> STRATEGIC VISION

The Executive Member for Planning and Growth presented the East Herts Strategic Vision report. She said that the strategic vision would be used to inform the debate and a unified direction of the council's approach to growth. She said that the report discussed the reasoning behind the vision based on the important issues and challenges facing the district. The Strategic Vision was

formed via a series of workshops with the Leadership Team and councillors and a result of engagement with strategic stakeholders.

Councillor Glover-Ward proposed that the recommendations in the report be supported. Councillor Copley seconded the proposal.

Councillor Devonshire said that the vision looked great but asked where the Council was with the five-year land supply.

Councillor Glover-Ward said the Council had made a statement at appeal about a month ago and had confirmed they had a 3.2-3.5 year housing land supply. She said that the new homes target had been increased by the government but there were plans for recovery by looking at all the strategic sites and see which ones could be accelerated at the earliest opportunity.

Councillor Deering said he was supportive of the work being done towards the District Plan. He said he was concerned about development and about the council not reaching the five-year land supply.

Councillor Estop said she welcomed the report. She referred to section 3 and the characteristics of the district where the council shares borders with Stevenage, Welwyn and Harlow. She asked if the council had consulted and had dialogue with these neighbouring authorities as part of the visioning work.

Councillor Glover-Ward said cooperation with other districts would be part of a separate exercise.

The motion to support the recommendations having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED** – That (A) the East Herts Strategic Vision is made available to stakeholders and the wider community to begin a discussion about the new District Plan, and to seek comments on the Vision;

- (B) Engagement on the Strategic Vision should commence, and take the form of a six week period of activity during Spring / Summer 2025 through a range of different forums, including online and inperson; and
- (C) A further report detailing any feedback is prepared following engagement to agree a final version of the Strategic Vision, and to set the out the next stages of plan-making.

#### 10 UPDATE ON LOCAL GOVERNMENT REFORM

The Leader of the Council presented an update on Local Government Reform. He said that East Herts had come up with interim proposals about how local government would look in Hertfordshire alongside the other nine councils. The proposals were submitted to the government on 21 March 2025 and Hertfordshire were still waiting to hear feedback on the proposals.

The Leader of the Council said the next deadline to submit final proposals for Hertfordshire was 28 November 2025. He said that there was a significant challenge and responsibility to find a way through political differences to result in proposals that helped served residents in the best and most effective way. The report was for Members to discuss their thoughts and for Council to endorse the continuing negotiations with other authorities in Hertfordshire.

Councillor Crystall proposed that the recommendations in the report be supported. Councillor Goldspink seconded

the proposal.

Councillor E Buckmaster said he agreed with Councillor Crystall about ending up with a proposal that served residents best.

Councillor Deering said that the Conservative group would work with the administration to arrive at the best possible outcome for residents.

Councillor Thomas said the report referred to discussions with other authorities and the Police and Crime Commissioner. He asked if East Herts had held specific discussions with the Police and Crime Commissioner.

Councillor Crystall confirmed there had been no discussions.

Councillor Butcher said that the government's proposals for local government reform had ignored Town and Parish Councils. He thanked Councillor Crystall for having dialogue with Ware Town Council about future governance and the five towns across East Herts had distinct identities.

Councillor Dumont said he had spoken to his parish councils on an informal basis about local governmental reform and had fed their responses back to the Leader and so other councillors may wish to do the same.

The motion to support the recommendations having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED** – That (A) the information contained within this report be noted; and

(B) the Leader and Interim Chief Executive's continued negotiation and debate with the other

10 Hertfordshire Councils be endorsed to develop a proposal for the future of Hertfordshire local government taking into consideration the options that best continue to deliver services for our residents in East Hertfordshire

(C) the final proposal be presented to this Council in Autumn 2025 for endorsement by members following public consultation.

## 11 POLITICAL BALANCE AND COMMITTEE MEMBERSHIP OF THE COUNCIL 2025/26

The Head of Legal and Democratic Services presented the report and said that at its annual meeting, Council was required to approve the decision-making arrangements for the discharge of functions for coming civic year. He said that the Constitution provided that it was the responsibility of the Leader of the Council to determine the Executive arrangements. The Leader's determination on the size of the Executive for 2025/26, as well as the portfolio responsibilities, remained unchanged from 2024/25.

The Head of Legal and Democratic Services said that later in the agenda there was a suggestion that the Overview and Scrutiny Committee increased their workload by utilising more task and finish groups, and so, in recognition of this, and also to ensure there was political balance across committees, it was recommended that there be an additional seat added to the that committee.

Councillor Dumont proposed that the recommendations in the report be supported. Councillor Burt seconded the proposal.

Councillor Deering said that they were happy with the proposals with one exception and the Conservative group

felt that the Chair of the Overview and Scrutiny Committee should be from their group. He therefore proposed that Councillor Wyllie should be Chair of this committee. Councillor Williamson seconded this proposal.

The motion to support the recommendation having been proposed and seconded was put to the meeting and upon a vote being taken, was declared LOST.

The Council then voted on the original proposal that Councillor Jacobs should be Chair of the Overview and Scrutiny Committee.

The motion to support the recommendation having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED** – That Councillor David Jacobs be Chair of the Overview and Scrutiny Committee for 2025/26.

The motion to support the recommendations in the report having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

> **RESOLVED** – That (A) That the Scrutiny Committees, Regulatory Committees and Joint Committees with the number of voting Members listed in paragraph 2.1 be appointed;

- (B) That the political balance of the Council at Appendix A be agreed
- (C) That the membership and Chairman of Scrutiny Committees, Regulatory Committees and Joint Committees be as set out in Appendix B, with Members being appointed in accordance with the wishes of the political group to whom the seats on

these bodies have been allocated;

(D) That the intention of the Leader of the Council to appoint Members to the Executive (in addition to the Leader) with the portfolio responsibilities as detailed in Appendix C be noted;

- (E) That the programme of Council meetings, as detailed at paragraph 4.1, be approved;
- (F) That the Head of Legal and Democratic Services be authorised to make changes in the standing membership of committees, joint committees and panels in (A) above, in accordance with the wishes of the political group to whom seats on these bodies have been allocated;
- (G) That the action to be taken by the Head of Legal and Democratic Services, in consultation with the Leader, under delegated authority, concerning the appointment of representatives to outside bodies, be noted; and
- (H) The Head of Legal and Democratic Services be authorised to make such amendments to the Council's Constitution as may be necessary to account for the decisions in (A) to (G) above.

# 12 <u>MEMBER CONSTITUTION REVIEW GROUP'S REPORT ON</u> <u>EXPLORING A CHANGE TO THE COUNCIL'S GOVERNANCE</u> SYSTEM

The Chair of the Member Constitution Review Committee presented the group's recommendations. He said that the group had been asked to explore the different governance systems to meet the aims of the Joint Administration's Corporate Plan. The group met five times and looked at four different governance systems: Leader/Cabinet, committee, elected Mayor and a hybrid

system.

Councillor Horner said the objectives from investigating a new model of governance was to increase transparency and member participation. He said that during the group's work, the government released their plans for local government reform and so it was felt that this alongside costs of changing the system meant that the group were suggesting no change to the system. The group had however, suggested some improvements to the current system to help Members feel more involved and make decision making more transparent.

Councillor Horner proposed that the recommendations in the report be supported. Councillor V Smith seconded the proposal.

Councillor Crystall thanked the group for their work and said it had been a useful exercise. He said the Executive would take away the group's suggestions and discuss with the Chair of the group to understand the ideas and how they saw them working.

Councillor Goldspink also thanked the group for their work. She said that the aim of the exercise was to see if there were ways of making councillors feel involved in the decision-making process. She said that some of the group's ideas were useful, and the Executive would work through them to see what could be implemented.

Councillor Wilson said that the invite to all councillors was always there for them to discuss ideas with the Executive. He said that the whole Executive were open to those discussions to assist in policy development and decision making.

The motion to support the recommendations having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED -** (A) that no formal change in the council's governance system be recommended.

- (B) that the following amendments within the Leader/Executive system be agreed:
- Consideration to setting up topic groups
- Extending public participation at committee meetings
- Greater use of task and finish groups
- Early consultation with ward members about future decisions that would be taken and that affect their ward.
- Member education programme in scrutiny and decision making
- Monthly updates from Executive Members via MIB to inform Members as to what policies are being developed and what the Executive are working on.
- (C) that the Member Constitution Review Group continue to work on developing the proposals and propose any constitution amendments required to the Council meeting on 23 July 2025.

#### 13 OUTSIDE BODIES' REVIEW 2024/25

The Leader of the Council presented the Outside Bodies Review 2024/25. He said that at the last Annual Council meeting in 2024, it agreed to carry out a review of the list of Outside Bodies to find out which ones were still in operation and which ones were no longer required. He thanked Democratic Services for carrying out the review and for chasing up the organisations for a response. The Leader said that Annual Council normally reviewed the annual reports from Members appointed to the bodies but due to the review taking place, a refreshed list would be presented to a future meeting of the Council.

Councillor Crystall proposed that the recommendations in the report be supported. Councillor Swainston seconded the proposal.

Councillor E Buckmaster said these partnerships with Outside Bodies were really important. He referred to page 189 which had an error. The Health Scrutiny Hertford should read Health Scrutiny Hertfordshire.

Councillor Daar felt it was disappointing that there was no representation on the housing association covering Hertford and Ware.

Councillor Goldspink said that there had been a change of leadership at the housing association and she had met briefly with the new representatives. They were aware of the need to have regular meetings with councillors and she hoped she would have an update on this soon.

Councillor Connolly said that as there were two associations merging into one imminently, it might be useful to visit when the new leadership were in post to maintain communication with them.

Councillor Williams said that issues with the housing association was the most popular reasons why residents got in touch with him so felt it was important to get something set up with them.

The motion to support the recommendations having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED** – that (A) the Outside Bodies' Review 2024/25 report be received;

(B) with effect from the commencement of the municipal year 2025/26 East Herts Council no

longer appoint representatives to the Outside Bodies tabled in Appendix A;

- (C) with effect from the commencement of the municipal year 2025/26 East Herts Council appoint representatives to the Outside Bodies tabled in Appendix B;
- (D) Members appointed to Outside Bodies continue to give an annual update report to Council on the key points from their attendance.

#### 14 ANNUAL SCRUTINY REPORT 2024 - 2025

The Chair of the Overview and Scrutiny Committee presented the Annual Scrutiny Report 2024 – 2025. He thanked Officers for supporting the work of the committee, especially the Committee Support Officers as well as the Executive Members that attend to respond to questions from the committee.

Councillor Jacobs felt that the work of the Overview and Scrutiny Committee was welcomed and recognised as important and a valuable part of the governance process. He said that the committee had a forward plan of work moving into 2026 and reminded all Members of the Council that they could submit a topic for consideration via the scrutiny proposal form.

Councillor Jacobs proposed that the recommendation in the report be supported. Councillor Horner seconded the proposal.

The motion to support the recommendation having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED** – that the Annual Scrutiny Report covering the 2024/25 Civic year be agreed and

published on the council's website.

#### 15 <u>STATUTORY RECOMMENDATIONS FROM EXTERNAL</u> AUDITORS ERNST AND& YOUNG

The Executive Member for Financial Sustainability presented the Statutory Recommendations from the External Auditors and said that the auditors had issued a disclaimer for both years. The report said that the Council had failed to complete the draft financial statement in the required timeframe and had issued three statutory recommendations.

The Executive Member for Financial Sustainability said that the council and the Leadership Team were committed to addressing the recommendations in the report and reaffirmed the commitment to sound financial management and effective governance. The Audit and Governance Committee would receive updates and progress on a regular basis.

Councillor Brittain proposed that the recommendations in the report be supported. Councillor Wilson seconded the proposal.

Councillor Williamson said it was reassuring that the council were taking on board the points raised. He said that it was important to make the point that Ernst & Young had not been performing as expected, not just with East Herts but across the country. He hoped the council could move forward with the new auditors in future.

Councillor E Buckmaster said that it sounded like Ernst & Young had been standing back throughout the process but was pleased to have the assurance that the recommendations were underway.

Councillor Brittain confirmed that these recommendations

were being taken seriously with a view to improving. He said that the council now had new auditors and a new Section 151 officer, so he looked forward to a much better relationship and more successful audits moving forward.

Councillor Wyllie referred to paragraph 2.1 and the national backlog of opinions. He said their backlog meant the council had not published their accounts which, to residents, might look suspicious. He asked if the council would be asking the auditors for compensation for their failure and the additional officer time involved.

Councillor Brittain said he was not aware of any claim being submitted.

Councillor Deering said he echoed the comments of others. He said that the conduct of Ernst & Young across local government had been appalling. He hoped that the new auditors could work with a clean slate and get things back on track.

Councillor Wilson said that there was a bigger problem across the whole of local government with getting audits completed. He said it was important that the public recognised what had happened. He said there was great value in external scrutiny and hoped the new government would get plans in place for auditing promptly.

The motion to support the recommendations having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED** – that (A) Council considers / accepts the recommendations made by the External Auditor within Appendix A.

(B) Agree that the Audit and Governance Committee receives updates on progress against

the recommendations and actions within this report on a regular basis.

#### 16 <u>UK SHARED PROSPERITY FUND 2025/26</u>

The Leader of the Council presented the UK Shared Prosperity Fund (UKSPF) 2025/26 report and said that since 2022, the UKSPF had provided the district with £2.2million of funding. The council had overseen an incredibly successful programme of funding and grant allocations including residential decarbonising, grants for town and villages centres and Arts in East Herts. He added that £750,000 of additional private sector investment had also been achieved.

The Leader of the Council said that although the fund had now finished, the government had provided some transitional funding and the report outlined the proposals for the spending allocation which fell into the government's missions and priorities.

Councillor Crystall proposed that the recommendations in the report be supported. Councillor Thomas seconded the proposal.

Councillor Butcher thanked the Executive for the money received for improving the toilets at the Priory in Ware. He said the funds had been incredibly useful and was pleased to see an additional year's funding.

The motion to support the recommendations having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED** – That (A) Rural Prosperity Funding of up to £141,828 is allocated to support rural businesses and infrastructure projects, with decisions on funding delegated to the Head of

Communications, Strategy and Policy in consultation with the Executive Member for Planning and Growth;

- (B) Up to £60,000 is allocated to the Arts in East Herts programme, with decisions on funding delegated to the Head of Housing and Health in consultation with the Executive Member for Communities;
- (C) Up to £130,000 is allocated to the improvement of community facilities, with decisions on funding delegated to the Head of Housing and Health in consultation with the Executive Member for Financial Sustainability;
- (D) Up to £390,075 to sustainability, with individual decisions to be delegated to the Head of Housing and Health in consultation with the Executive Member for Environmental Sustainability.

#### 17 <u>ACCEPTANCE AND PROPOSED USE OF WARM HOMES:</u> LOCAL GRANT MONIES

The Executive Member for Environmental Sustainability presented the Warm Homes: Local Grant monies and said that the council were able to accept £1.5million capital allocation for warmer homes. He said that this was a local grant from a government initiative which would involve retrofitting qualifying homes across the district.

The Executive Member for Environmental Sustainability said that the council would have a contract with experienced organisations to manage the interface with appropriate households. He said that the council would be able to help approximately 200 homes with the grant money.

Councillor Hoskin proposed that the recommendation in

the report be supported. Councillor Marlow seconded the proposal.

Councillor Crystall said it was a good news story and said it was important in a rural district as there was evidence to suggest that those in rural areas were more likely to suffer from fuel poverty.

Councillor E Buckmaster said it was good for those who would qualify for the scheme. He also said that there was a retrofit guide for those who could afford to retrofit their homes.

Councillor Deering said his group would be supporting the proposal but asked about section 4 which referred to possibly not accepting the money. He asked why this was being contemplated.

Councillor Hoskin said council officers would be taking significant steps to insulate the risk to council from expenditure.

The motion to support the recommendation having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED** – That the Council accepts central government's allocation of £1.5m Warmer Homes: Local Grant funding, thus adding it to the council's capital budget and enabling officers to contract with a suitably experienced organisation to distribution home energy efficiency grants to qualifying households.

| The | meeting | closed | at | 8.40 | pm |
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| Chairman |  |
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Date .....

### Agenda Item 6a

#### Petition - Save Havers Shops from closure

Our local shops are not just a place to purchase goods; they are the heartbeat of our community. Havers Shops provide a place for local people to gather, connect, and support each other. These shops are woven into the fabric of our daily lives, providing convenience and a personal touch that large chain stores simply cannot match. Many of us rely on these shops for our everyday needs, from fresh groceries to essential services.

However, our beloved Havers Shops are facing the threat of closure due to rising rents and increasing competition from large retail chains. This is not just the loss of a business - it's the loss of a central part of our community and the livelihoods of the people who work there. These shops employ many locals, offering them jobs, flexibility, and a sense of purpose.

Statistics show that every £ spent at a local independent business returns more money to the community than spending at a national chain. Supporting Havers Shops means preserving not only jobs but also the unique character and economic vibrancy of our neighbourhood.

We call on our local government and community stakeholders to take definitive action to protect our local businesses. This can include offering tax incentives to local business owners, reducing rental rates, and promoting community initiatives that encourage shopping locally.

Ensuring the survival of Havers Shops means preserving a way of life that values community, sustainability, and local identity. Please help us protect our local shopkeepers, maintain our neighbourhood's charm, and continue to support the people who reside and work here by signing this petition.

Together, we can make a difference and ensure that Havers Shops continue to be a vital part of our community for generations to come. Let's show that we value local over corporate and people over profits.

Not to mention the strain on our roads if those who can will need to rely on their cars to travel to further shops. This ePetition was started in June 2025 and is still open on the change.org website. As of 15 July 2025, 724 people had signed the petition.

## Agenda Item 9

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Date of Meeting: 23 July 2025

**Report by:** Councillor Ben Crystall, Leader of the

Council

**Report title:** Executive Report – 3 June and 8 July 2025

Ward(s) affected: All

Summary

• This report details the recommendations to Council made by the Executive at its meeting on 3 June and 8 July 2025.

#### 1.0 Item considered and recommended to Council

- 1.1 Since the last Council meeting, the Executive met on 3 June and 8 July 2025. At these meetings the Executive considered and supported a number of recommendations for Council on the following items:
  - 1.1.1 Update of the Statement of Community Involvement
  - 1.1.2 Hertfordshire Green Infrastructure Strategy
  - 1.1.3 Membership of the District Plan Executive Panel
  - 1.1.4 Gilston Area Monitoring framework
  - 1.1.5 Hatfield Forest Mitigation Strategy and Development Tariff
  - 1.1.6 Refreshed LEAF priorities and Annual Report for 2024/25
- 1.2 This report sets out the recommendation for the above items. The full report, including the Appendix, may be viewed on the council's website.
- 1.3 This report excludes items also considered by the Executive where those reports are separate agenda items on the Council agenda.
- 2.0 Update of the Statement of Community Involvement
- 2.1 The Executive was asked to consider a number of proposed changes to the Council's adopted Statement of Community Involvement (SCI) 2019 and recommend its adoption to Council.

#### RECOMMENDATION TO COUNCIL:

(a) The Statement of Community Involvement 2025, as detailed at Appendix A to this report, be approved for adoption.

#### 3.0 Hertfordshire Green Infrastructure Strategy

3.1 The Executive was asked to consider the Hertfordshire Green Infrastructure Strategy and recommend to Council that it be used as part of the evidence base to inform the new East Herts District Plan.

#### **RECOMMENDATION TO COUNCIL:**

- (a) The Hertfordshire Green Infrastructure Strategy (2022), attached in three sections as Appendix A, B and C, be agreed as part of the evidence base to inform the new East Herts District Plan.
- 4.0 Membership of the District Plan Executive Panel
- 4.1 The Executive was asked to consider the arrangements and membership for the District Plan Executive Panel an recommend to Council that it be reconvened.

#### **RECOMMENDATION TO COUNCIL:**

- (a) The District Plan Executive Panel is reconvened as a subgroup of Executive for the specific purposes of advancing the new District Plan;
- (b) Three Members are drawn from the Executive to sit on the DPEP, namely Cllrs Vicky Glover-Ward (Chair), Ben Crystall and Joseph Dumont, with Cllr Tim Hoskin nominated as a substitute for Green Party members and Cllr Chris Wilson for Cllr Joseph Dumont, and
- (c) The Council's website is updated to reflect the formation and purpose of the Panel and forms the primary source of information pertaining to the Panel.
- 5.0 Gilston Area Monitoring framework

5.1 The Executive were asked to consider the Gilston Area Monitoring Framework and recommend its endorsement to Council.

#### **RECOMMENDATION TO COUNCIL:**

- (a) The Gilston Area Monitoring Framework, attached at Appendix A, be endorsed.
- 6.0 Hatfield Forest Mitigation Strategy and Development Tariff
- 6.1 The Executive were asked to consider the outcome of the strategic mitigation solution for the adverse impacts of recreational pressure on the Hatfield Forest.

#### **RECOMMENDATION TO COUNCIL:**

- (a) The final version of the National Trust Hatfield Forest
  Mitigation Strategy (version 6, attached at Appendix A), which
  includes the Site Access Management and Monitoring
  Measures (SAMMS), is approved as a basis for seeking a
  financial contribution for mitigation at Hatfield Forest;
- (b) The apportionment of the SAMMS between the four LPAs via a hybrid method, taking equal account of both the percentage visitor impact and the proportion of new housing relative to existing within the Zol, is approved;
- (c) The apportioned SAMMS tariff for East Herts District Council is set at £540.07;
- (d) The tariff is applicable to new residential dwellings with immediate effect, subject to transitional arrangements to agree appropriate legal, financial and administrative mechanisms being brought into place to allow the collection and transfer of funds;
- (e) The draft Governance Agreement (Appendix B) between the four local planning authorities and the National Trust as landowners is approved and delegated authority is given to the Head of Legal and Democratic Services to work on the final version with an expectation that this is signed and sealed in Autumn 2025.

#### 7.0 Refreshed LEAF priorities and Annual Report for 2024/25

7.1 The Executive were asked to review progress against last year's LEAF priorities and consider the amended LEAF priorities before recommending to Council for adoption.

#### **RECOMMENDATION TO COUNCIL:**

(a) To adopt the revised LEAF priorities.

#### 8.0 Background papers, appendices and other relevant material

8.1 Executive minutes – 3 June 2025

#### **Contact Member**

Councillor Ben Crystall – Leader of the Council ben.crystall@eastherts.gov.uk

#### **Contact Officer**

James Ellis – Head of Legal and Democratic Services and Monitoring Officer, Tel: 01279 502170. james.ellis@eastherts.gov.uk

#### **Report Author**

Katie Mogan – Democratic Services Manager

Tel: 01279 502441. Katie.mogan@eastherts.gov.uk

## Agenda Item 9a

#### **East Herts Council Report**

#### **Executive**

Date of meeting: 3 June 2025

Report by: Councillor Vicky Glover-Ward - Executive Member for

Planning and Growth

**Report title: Statement of Community Involvement** 

Ward(s) affected: All Wards;

**Summary** – This report sets out a number of proposed changes to the Council's adopted Statement of Community Involvement (SCI) 2019 and seeks Members agreement to adopt a revised SCI.

# RECOMMENDATIONS FOR EXECUTIVE to recommend to Council that:

a) The Statement of Community Involvement 2025, as detailed at Appendix A to this report, be approved for adoption.

#### 1.0 Proposal

- 1.1 A Statement of Community Involvement (SCI) explains how the local authority intends to consult with the community and stakeholders on planning matters. The planning system can be complex, and the SCI aims to address uncertainty by setting out how the Council will engage with individuals and organisations at various stages of the planning process.
- 1.2 It is currently a legal requirement for the Council to update their SCI every five years. This is requirement of the Planning and Compulsory Purchase Act 2004 (Section 18) as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017.
- 1.3 This report sets out the content of an updated SCI, outlining what changes have been proposed and the reasoning behind them.

## 2.0 Background

- 2.1 The Council's existing SCI¹ was formally adopted by the Council on 23 October 2019. A review of this document is therefore required under the current legislation.
- 2.2 It should be noted that the Levelling Up and Regeneration Act (LURA) 2023 has proposed a number of changes to the planning system, in particular, the removal of the requirement for local planning authorities to have an SCI. At this point in time secondary legislation is required before these changes can be implemented.
- 2.3 An update to the SCI is therefore not required under the LURA. It is however noted that these changes are not currently in force, and an SCI can help to provide clarity to the public on how the Council will engage and consult on planning matters.
- 2.4 On 16 October 2024 the Council approved the latest Local Development Scheme 2024<sup>2</sup>, which sets out the timetable for the new District Plan. Updating the existing SCI would clearly demonstrate to communities and stakeholders how the Council wishes to engage with them through the preparation of the new District Plan. This also helps to ensure the planning process is transparent, which aligns with the Council's Corporate Plan 2024<sup>3</sup> in being open and transparent and acting with the community.
- 2.5 This report provides further details on the proposed changes to SCI for the Council.

# 3.0 Reason(s)

3.1 This section outlines the various changes proposed through the update to the SCI. These amendments are largely a consequence of changes to legislation, the Council's priorities and procedures,

<sup>&</sup>lt;sup>1</sup> Statement of Community Involvement (SCI) | East Herts District Council

<sup>&</sup>lt;sup>2</sup> Local Development Scheme (LDS) | East Herts District Council

<sup>&</sup>lt;sup>3</sup> Vision and Corporate Priorities | East Herts District Council

best practice and general updates to help make planning more accessible to the public and accurate. A copy of the updated SCI is attached at **Appendix A**.

## General updates

- 3.2 The SCI has been updated in the context of the latest Corporate Plan, which sets out the Council's LEAF priorities which were adopted by the Council in February 2024. These are soon to be updated and specifically relate to planning matters, such as the District Plan, Community Forums and Neighbourhood Plans. In addition to the LEAF priorities, the Council consulted on and then adopted 'A Listening Council' document, this sets out a framework for the principles over how we should consult with stakeholders and led by the Executive Member for Resident Engagement whose remit is to champion and lead community engagement. Both of these documents have a focus on the Council being open, transparent, listening and engaging with the community, in a fair and inclusive way. These attributes set out the ethos for the approaches to consultation and engagement within the updated SCI.
- 3.3 As highlighted at paragraph 2.2, the Government introduced the LURA in 2023 setting out a number of changes to the planning system. As secondary legislation is yet to be released, the proposed SCI has reflected this and where appropriate removed references to documents or phrases which will not be relevant in the new system, such as Sustainability Appraisals. This allows the document to transition smoothly into the new system, whilst ensuring the Council will continue to meet its legal duty.
- 3.4 The document also now includes a review section, highlighting what may trigger a review of the document, such as large changes as a consequence of the LURA 2023. This will allow the Council to review and update the document when necessary. This is particularly relevant to the introduction of Supplementary Plans which are proposed under the LURA. At this point in time it would be premature to outline the exact process for Supplementary Plans

- in the absence of the secondary legislation. This could be provided in a later review of the SCI.
- 3.5 The existing SCI sets out several principles that the Council would follow when consulting with the public in regard to planning matters. This section has been updated highlighting how these principles will be implemented through action. This demonstrates the Council's commitment in being open with the public.
- 3.6 The updated SCI provides more detail on the principles of consultation and gives examples of different consultation methods that could be utilised during consultations. This document could also be used as a guide to stakeholders when conducting consultations within the district, such as developers consulting on planning proposals.
- 3.7 An ever-growing topic in planning is digital technology. This has been reflected by the Government through the introduction of the Digital Planning Programme <sup>4</sup>. This seeks to modernise the planning system through utilising digital technology. The updated SCI provides commentary on this, highlighting how digital technology may be used to make planning consultations more accessible and inclusive, but also how it can help make the Council more efficient by speeding up processes that traditionally could use a lot of resources, such as processing responses manually.
- 3.8 Additionally, the updated SCI provides further detail on the level of participation that the public should expect at different stages of planning policy consultations. This illustrates how their responses will be used to shape planning decisions and the level of engagement that may be used, providing clarity to the process.

## Planning policy

3.9 The document provides an update to the stages of plan making in line with the LURA 2023 which is the system the Council intends to

<sup>&</sup>lt;sup>4</sup> The MHCLG Digital Planning Programme | Local Digital

- prepare the new District Plan under. This ensures the SCI is consistent with the adopted Local Development Scheme, including the proposed minimum length of consultation at the key stages of plan making.
- 3.10 There is a new requirement within the SCI to prepare and agree an engagement strategy for the two formal stages of plan making, as well as Supplementary Planning Documents (SPDs). A template for this can be found in Appendix B in the document. An engagement strategy at these key stages will help the Council to ensure the key messages of the consultation are clear, and highlighting from the outset where particular groups may be impacted and how the Council could try to reach such groups. This helps to make the process more inclusive from the outset. It also clearly sets the parameters of the consultation to the public at the start of consultations, such as timeframes, consultation methods etc which provides clarity.
- 3.11 An important part of consultation is the feedback loop, ensuring those that have taken the time to participate within consultations can see how their input has fed into the process, as well as keeping the public up to date on progress. The updated SCI includes a section on how the Council will keep respondents and the public informed of planning policy matters following periods of consultations. For example, when individuals may be notified at key stages and where information can be found on updates in the process.

## Neighbourhood planning

3.12 The district has seen several Neighbourhood Plans (NPs) adopted in recent years and more recently a number of these NPs have been reviewed. The proposed SCI therefore now includes further information on the process for NP reviews, including when Examinations may be appropriate and the level of consultation that may be required.

### Planning applications

- 3.13 Alongside updates to the planning application section, in line with planning practice guidance, updates have been made to signpost and update the public to information that accurately reflects the Council's current processes where they have changed since 2019. For example, the Council updated the Constitution<sup>5</sup> on 26 February 2025 which had implications for the masterplan process. The updated SCI illustrates these changes.
- 3.14 The Council has also updated the Amendments and Extensions of Time Protocol <sup>6</sup> and it is important to correctly link to that document within the SCI.
- 3.15 The Harlow and Gilston Garden Town project has progressed since the previous 2019 SCI, as a consequence the updated SCI provides the latest links to relevant resources on the project and details on the creation of the Joint Committee and future stewardship groups.
- 3.16 Lastly, there are a number of forums and steering groups set up around the district to engage communities and stakeholders in the planning application process. This ranges from agent forums, to community forums and the Development Management Forum. A new Appendix A in the SCI has been provided setting out what the different groups are and how they help to keep different groups engaged in the planning process.

## **Next Steps**

3.17 Following agreement to adopt the SCI found at **Appendix A**, the Planning Policy Team will replace the existing SCI on the Council's website with the revised document. The updated SCI will be used for consultation on planning matters from the date of adoption.

<sup>&</sup>lt;sup>5</sup> Agenda for Constitution on Wednesday 26th February, 2025 - East Herts District Council

<sup>&</sup>lt;sup>6</sup> Amendments and Extensions of Time Protocol.pdf

## 4.0 Options

4.1 The Council could choose not to approve the updated SCI for adoption and continue to use the existing adopted SCI. The latest review does however provide additional useful information and ensures that the document is up to date.

### 5.0 Risks

5.1 An SCI is currently a legal requirement for local planning authorities. This is why it is important to ensure the information within the SCI is up to date and accurate.

## 6.0 Implications/Consultations

6.1 An SCI forms an integral part of the planning process. It provides clarity to the public on how the Council will consult on such matters.

## **Community Safety**

There are no community safety implications arising from this report.

### **Data Protection**

There are no data protection implications arising from this report.

# **Equalities**

The SCI has a positive impact to equality, diversity, and inclusion as it outlines how planning can be more inclusive to all groups as set out in the Equality Act 2010. An Equalities Impact Assessment (EqIA) of the SCI has been carried out and is found at **Appendix B**.

# **Environmental Sustainability**

The SCI encourages more digital engagement with the public, providing a greater variety in the ways in which the public can engage with planning. This can help to reduce paper waste that was more typical in traditional consultation methods, such as hardcopy notifications, responses and leaflets.

### **Financial**

There are no direct financial implications arising from this report. The Council has a legal duty to consult on planning matters and the cost of this has been accounted for in existing budgets.

## **Health and Safety**

There are no health and safety implications arising from this report.

### **Human Resources**

There are no human resources implications arising from this report.

## **Human Rights**

There are no human rights implications arising from this report.

### Legal

The Council is required to have an up to date SCI under existing legislation. It also has a duty to consult on a number of planning matters, as set out in the SCI.

## **Specific Wards**

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## 7.0 Background papers, appendices, and other relevant material

- 7.1 Appendix A Statement of Community Involvement 2025
- 7.2 Appendix B Statement of Community Involvement Equalities Impact Assessment

### **Contact Member**

Councillor Vicky Glover-Ward, Executive Member for Planning and Growth

Vicky.Glover-Ward@eastherts.gov.uk

### **Contact Officer**

Sara Saunders, Head of Planning and Building Control

Contact Tel. No. 01992 531656

# Sara.Saunders@eastherts.gov.uk

# **Report Author**

Maria Hennessy, Principal Planning Officer

maria.hennessy@eastherts.gov.uk



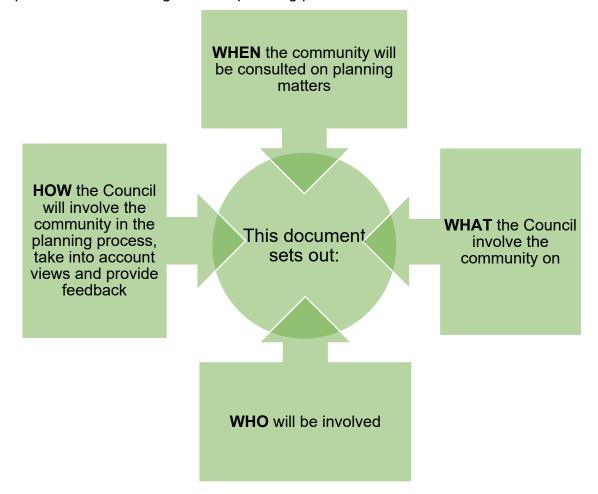
# Contents

| 1.0 Introduction                              | 3  |
|-----------------------------------------------|----|
| 2.0 Principles of consultation                | 6  |
| 3.0 Consultation techniques and participation | 12 |
| 4.0 Planning Policy Documents                 | 20 |
| 5.0 Neighbourhood Planning                    | 33 |
| 6.0 Planning Applications                     | 39 |
| 7.0 Review                                    | 53 |
| Appendix A: Forums and Steering Groups        | 54 |
| Appendix B: Engagement Strategy Template      | 56 |
| Appendix C: Glossary                          | 59 |

### 1.0 Introduction

### What is the Statement of Community Involvement?

1.1 This Statement of Community Involvement (SCI) explains how East Herts District Council will involve the community and stakeholders in plan making, neighbourhood planning and in the consideration of planning applications, including master planning. The planning system can be complex and the SCI aims to address uncertainty by setting out how the Council will engage with people at the various stages of the planning process.



### Why prepare an SCI?

1.2 Planning shapes the places where people live and work. Community engagement is fundamental to ensuring that stakeholders and the local community are involved with the planning system and can influence a wide range of planning decisions. The NPPF requires that local planning authorities engage early, proportionately and effectively.

1.3 The Council wants to involve all sectors of the community in the planning process and is committed to always either meeting or exceeding the minimum legal requirements for consultation set out in the Planning Regulations<sup>1</sup>. This approach is in accordance with East Herts District Council's Corporate Plan (2024-2027)<sup>2</sup>, which has a priority to listen, be open and transparent in decision making and actions, as well as making improvements to consultation, engagement and conversations with our communities. As the Local Planning Authority (LPA), the Council has a legal duty to prepare an SCI in accordance with the requirements of the Planning and Compulsory Purchase Act 2004 (section 18<sup>3</sup>).

### Why revise the current SCI?

1.4The Council's first SCI was published in 2008 and later revised in 2013 and then 2019. In 2020 an Addendum updated the SCI to reflect Covid-19 restrictions. Under the current system there is a statutory requirement to review the SCI every five years and also to include policies for giving advice or assistance on making and modifying neighbourhood development plans.

### **Contacting us and more information**

- 1.5 You can get in contact with the planning team on the email address below:
  - For questions relating to this document and planning policy matters contact the planning policy team - <u>planningpolicy@eastherts.gov.uk</u>
  - For questions relating to the planning application process please contact the development management service – planning@eastherts.gov.uk

<sup>&</sup>lt;sup>1</sup> Currently the Town and Country Planning (Local Planning) (England) Regulations 2012; the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017; The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended); Neighbourhood Planning (General) Regulations 2012; Neighbourhood Planning (General) (Amendment) Regulations 2015; The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2017; The Town and Country Planning (General Permitted Development) (England) Order 1995.

<sup>&</sup>lt;sup>2</sup> Corporate Plan 2024-27 - www.eastherts.gov.uk/about-east-herts-0/vision-and-corporate-priorities

<sup>&</sup>lt;sup>3</sup> As amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017.

- 1.6Both teams can be contacted on 01279 655261 or by post at East Herts District Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ.
- 1.7 You can also keep up to date by following the Council's social media accounts below:
  - Facebook @EastHertsCouncil;
  - Instagram @EastHertsCouncil;
  - X @EastHerts;
  - LinkedIn @EastHertsDistrictCouncil;
  - YouTube @EastHertsDistrict.

# 2.0 Principles of consultation

### What has informed the principles?

1.8 The 'Gunning Principles' set out four consultation principles that have been recognised through the courts as the basis for a fair public consultation. These are that:

Proposals are at a formative stage and a final decision has not been made or predetermined;

There is sufficient information to give intelligent consideration i.e. the information provided is related to the consultation, available, accessible and easily interpretable for consultees to provide an informed response;

Adequate time is given to consultees for consideration and response;

Conscientious consideration must be given to the consultation responses before a decision is made. For example, providing evidence that consultation responses were taken into account.

- 1.9 The Council will ensure that these principles are incorporated into all consultations. This commitment is illustrated through the Council's <u>Corporate Plan 2024-2027</u> which agreed the LEAF priorities for the Council, these include a number of planning matters such as the District Plan, Community Forums and Neighbourhood Plans. The priorities for the Council are:
  - Listening, opening and transparent;
  - Environmentally focused;
  - Acting with the community;
  - Fair and inclusive.
- 1.10 This further highlights the Council's agreed commitment to work with and engage with communities and stakeholders in decision making in the district. In addition to this commitment the Council consulted and adopted 'A Listening

Council' document in 2024, setting out principles for information giving, engagement and consultation, this includes:

- Transparency;
- Straightforward, jargon free messaging;
- Involvement methods tailored to the locality, community and topic;
- A genuine desire to listen;
- Multi-channel involvement;
- Reaching out to those whose voices can sometimes go unheard;
- Allowing people to be able to get the information from the Council at the level of detail they prefer;
- Councillors being fully involved;
- Listening to feedback.

### What are the guiding principles?

1.11 Taking account of all of the principles set out above, table 2.1 below sets out the guiding principles for consultations on planning matters. There are however statutory requirements that the Council needs to fulfil when consulting on planning applications which may set out different parameters, such as the length of time to consult. The specific process undertaken for planning applications is set out in section 6. Further details on the process and consultation methods used will be set out in section 3.

Table 2.1: Guiding principles of consultations

|   | Principle                                              | How will this be achieved?                                              |
|---|--------------------------------------------------------|-------------------------------------------------------------------------|
| 1 | Consultation publications will be clear and concise,   | Consultations will clearly state what is being proposed, how and when   |
|   | making them accessible to all groups and               | you can get involved. Planning jargon will be avoided as far as         |
|   | individuals, including those with little to no         | possible.                                                               |
|   | knowledge of the planning process.                     |                                                                         |
| 2 | Effective consultation is used as early as possible in | Where possible, consultations will be programmed early in the           |
|   | the process.                                           | planning process, ensuring enough time is given for responses to be     |
|   |                                                        | analysed effectively and feed into decision making.                     |
| 3 | Consultations clearly highlight how responses will     | The Council will highlight what consultations will inform and how they  |
|   | be taken into account and the next stages in the       | can view the Council's response to issues they have raised.             |
|   | planning process.                                      |                                                                         |
| 4 | Planning decisions are carried out in a transparent    | Planning decisions will be easily accessible to view to all and will be |
|   | way.                                                   | available to view on the Council's website.                             |
| 5 | We welcome a wide range of views from all and will     | Anyone can respond to planning consultations regardless of              |
|   | involve representatives of a cross-section of          | background and personal circumstances. Where proposals are likely       |
|   | stakeholders, ensuring that different needs and a      | to impact a certain group within the community, a targeted approach     |
|   | view of different sections or groups of the            | may be used.                                                            |
|   | community are considered.                              |                                                                         |
| 6 | Consultation material will be made accessible for      | We will ensure communication materials represent a diverse range of     |
|   | those with different needs.                            | people, including different ethnic backgrounds, genders, sexual         |

|   | Principle                                          | How will this be achieved?                                              |
|---|----------------------------------------------------|-------------------------------------------------------------------------|
|   |                                                    | orientations, disabilities and ages. We will ensure, wherever possible, |
|   |                                                    | that digital content (websites, social media, online resources) meets   |
|   |                                                    | accessibility standards (Web Content Accessibility Guidelines           |
|   |                                                    | (WCAG), screen reader compatibility, etc.). For non-digital material,   |
|   |                                                    | we will consider requests for translation services, including Easy      |
|   |                                                    | Read, Braille and multi-language formats.                               |
| 7 | We will adhere to legislative requirements in all  | We will monitor emerging legislative requirements as well as ensuring   |
|   | planning matters.                                  | all planning regulations and acts are followed. We will also handle     |
|   |                                                    | personal data in the Council's Data Protection Policy and Guidelines,   |
|   |                                                    | which are designed to ensure that the activities of the Council comply  |
|   |                                                    | with the General Data Protection Regulation (2018) which came in to     |
|   |                                                    | force on 25th May 2018.                                                 |
| 8 | We will reach out to our communities in the most   | We promote electronic methods of consultation, including email,         |
|   | direct and resource efficient manner possible, so  | website and social media, to make involvement easier, quicker and       |
|   | that we can deliver cost-effective mechanisms for  | more cost effective. This may also include the use of emerging digital  |
|   | consultation in planning matters.                  | technology.                                                             |
| 9 | Appropriate consultation methods are used in order | We will use inclusive engagement methods (making use of current         |
|   | to maximise opportunity for community involvement, | guidance and good practice), encouraging participation by people of     |
|   | including those who are hard to reach or seldom    | all backgrounds. Examples of 'hard to reach' or 'seldom heard' groups   |
|   | heard.                                             | may include young people, students, the elderly, ethnic minorities,     |

|    | Principle                                             | How will this be achieved?                                             |
|----|-------------------------------------------------------|------------------------------------------------------------------------|
|    |                                                       | Gypsies and Travellers, homeless people, single parent families,       |
|    |                                                       | people with disabilities, rural communities and more deprived areas of |
|    |                                                       | the district.                                                          |
| 10 | We will set out clear expectations in relation to how | Processes such as master planning will be clearly set out so the       |
|    | we want developers to engage with our                 | community and developers both understand how the Council wishes        |
|    | communities throughout the planning process.          | for engagement to be undertaken.                                       |

### Other consultation considerations

- 1.12 The SCI aims to ensure that all consultation is carried out in a professional, cost effective and coordinated way. The central role of elected Council members as representatives of their community is unaffected by the SCI; councillors are important as representatives of the Council and the local community. Their knowledge of, and role within, the community can be used to great advantage and should be regarded as central to the determination and implementation of both consultations and policy decisions.
- 1.13 It is important to note that the Council reserves the right not to consider or include in its documentation any inappropriate comments submitted from the consultations. These may include, but not be limited to:
  - Discriminatory comments;
  - Offensive or inflammatory remarks;
  - Personal information this will be redacted where needed.

# 3.0 Consultation techniques and participation

### **Consultation techniques**

- 1.14 There are various methods of consultation that we can use to notify communities and stakeholders about consultations as well as methods to engage throughout consultation periods. These can come in different forms such as written word, face to face events and social media.
- 1.15 We will use various techniques to consult on planning matters. The amount and type of consultation techniques deployed will depend on the scope, scale and topic that is being consulted on. Table 3.1 below provides examples of different consultation techniques that may be utilised.

Table 3.1: Examples of consultation methods

| Method      | Examples          | How they may be used                                                                              |
|-------------|-------------------|---------------------------------------------------------------------------------------------------|
| Traditional | Emails, letters,  | All information relating to consultations on planning policy documents, planning applications     |
| written     | noticeboards,     | and supporting information will be available on our website, and, where possible, in pdf          |
| methods     | posters,          | format so they can be downloaded.                                                                 |
|             | advertisements    | We will notify relevant parties on consultations and where relevant keep them updated on          |
|             | in local press,   | progress of proposals e.g. examination and adoption. This will be through email in the first      |
|             | website, surveys, | instance and then letters where that is not the preferred method.                                 |
|             | site notices      | For proposals affecting a large number of people, we will provide the local press with            |
|             |                   | consultation details in advance or within the first few days of its launch to ensure broad public |
|             |                   | awareness.                                                                                        |
|             |                   | Written advertisements or site notices will be used in appropriate locations, dependant on the    |
|             |                   | proposal/consultation.                                                                            |
|             |                   | Depending on the consultation, surveys may be made available online for people to respond.        |
| Face to     | Public meetings,  | Where appropriate we will meet with communities and stakeholders to discuss proposals in          |
| face        | community         | more detail.                                                                                      |
|             | forums, the       | We may facilitate workshops or focus groups to get more specific views on proposals.              |
|             | development       | Community forums or steering groups may be used to gather different stakeholders to               |
|             | management        | discuss matters relating to strategic sites or issues. Details of the different forums we have    |
|             | forum, steering   | can be found at Appendix A.                                                                       |
|             | groups, focus     |                                                                                                   |

| Method     | Examples         | How they may be used                                                                           |
|------------|------------------|------------------------------------------------------------------------------------------------|
|            | groups,          | In some cases, drop-in sessions may be provided for the public to discuss issues with the      |
|            | workshops, drop- | Council.                                                                                       |
|            | in sessions      |                                                                                                |
| Social     | Facebook, X      | The Council's social media accounts may be used to notify and signpost the public to           |
| media      | (formerly        | consultations.                                                                                 |
|            | Twitter),        | Local advertisements on social media may be used to help reach a larger demographic than       |
|            | Instagram,       | traditional methods.                                                                           |
|            | LinkedIn,        | Explanatory videos may be utilised to help explain complex planning matters.                   |
|            | YouTube,         | Formal Council meetings or planning events such as hearing sessions may be webcast and         |
|            | NextDoor         | available to view online.                                                                      |
| Digital    | AI, GIS, online  | The use of digital technology in planning is expanding with technology being used more widely. |
| technology | meetings and     | Where appropriate, these will be utilised to help visualise proposals, summarise responses to  |
|            | workshops.       | consultations and aide consultation on planning matters.                                       |

### **Digital technology**

- 1.16 The Council will seek to utilise digital technologies where appropriate to help improve access to planning and reach a wider audience through consultations, as well as streamlining the process and removing barriers to planning. We will also encourage developers to use these methods where appropriate when consulting on proposals to help improve engagement and get greater input from the community. This area of engagement is under rapid development as innovation and techniques emerge and improve. The Council will seek to harness methods, such as some of those discussed below, where we believe it can bring benefits and improvements to our own engagement exercises.
- 1.17 A digital transformation in planning is underway, with new technologies being created to help make planning more accessible to the public, diversify the ways that consultations are undertaken to reach a wider audience, illustrate complex proposals and issues in a clearer way, make responding to consultations easier and reducing the time required to process responses.
- 1.18 The Government set up the Digital Planning Programme, to help deliver better services, increase productivity within the public sector and use digital technology to modernise the planning system. East Herts has already utilised this programme through the 'call for sites' process which was undertaken in 2024. This helped develop a new online mapping technology for site submissions to be made directly online, allowing for more accurate boundary mapping of sites and reducing the amount of time taken to process responses. Building upon this we will look to see how digital technology can further help make consultations more inclusive, effective and clearer.
- 1.19 Below provides some examples of how technology has and could be used in the future to make planning more accessible and inclusive, whilst reducing the amount of internal resources used on processing information which in turn could be used more effectively on other planning matters.

Accessibility and inclusivity

- 1.20 Technologies such as pdf readers and translate services can make planning documents more accessible to different audiences. There is also a growing rate of online planning events and exhibitions which were more traditionally held in person, accessible online for those who may not want to or be able to make in person events.
- 1.21 Al software is increasingly being used to help answer specific questions that the public may have, this has been demonstrated in the Harlow and Gilston Garden Town project where an Al chat is set up on the website to allow people to ask direct questions about the project and get instant responses.
- 1.22 Emerging virtual reality technology and mapping is helping to create more visual proposals which can help make proposals easier to understand compared to traditional 2D maps. This can help empower those to make informed responses to proposals as they can clearly visualise the impact that a proposal may have to the wider area, such as impacts to landscape, design etc. It may also help to eliminate concerns that the public may have from such proposals.
- 1.23 GIS and mapping technology has improved helping to present multiple layers of planning data visually allowing individuals to interact with the data themselves and identify issues relating to particular locations that may impact them more clearly. This can be seen on the East Herts website through on the Policies Map<sup>4</sup>.

### Council resources and productivity

- 1.24 Surveys using interactive mapping are becoming the norm as this allows comments to be pinpointed onto a map. This helps to identify where key issues are located more accurately and could reduce the amount of time processing responses into a consistent format.
- 1.25 New technologies are also emerging that can help to summarise key issues raised through consultations. This can help to reduce the amount of time spent

<sup>&</sup>lt;sup>4</sup> Policies Map - <a href="https://cadcorp.cloud/963e0553-5238-483f-8fa7-005650c16546/webmap/1/en-gb/PublicMap/Planning#/">https://cadcorp.cloud/963e0553-5238-483f-8fa7-005650c16546/webmap/1/en-gb/PublicMap/Planning#/</a>

processing responses and allow the Council to use that time saved for other matters. Consultation software has also progressed to help create instant reporting to provide key statistics and charts from responses instantly, helping to present general, high-level views on certain matters quickly.

1.26 The use of AI is being investigated to see how this can help speed up the planning application validation process. The Government highlighted that up to 50% of planning applications are invalid on submission, which can lead to an estimated 34-day delay per invalid planning application<sup>5</sup>. This has implications for the speed of the planning process as well as officers time. The use of AI to help automate some aspects of validation will help to reduce the chance of invalid applications and speed up the overall process.

### Levels of participation

- 1.27 The level of participation from the community and different stakeholders will vary depending on the nature of the proposal/project and how advanced the proposal/project may be. We will use a range of methods and activities to involve a variety of stakeholders at different stages.
- 1.28 Table 3.2 will be used to help identify the level of participation required for the specific project or proposal being consulted on. This will help inform the type of consultation methods that may be used at that stage.

Table 3.2: Objectives and examples of the levels of participation

| Level of      | Objective          | Promise to the         | Examples           |
|---------------|--------------------|------------------------|--------------------|
| participation |                    | public                 |                    |
| Empower       | Devolving or       | We will support you to | Ballots, delegated |
|               | taking joint       | make informed          | decision making,   |
|               | responsibility for | decisions and          | referendums        |

<sup>&</sup>lt;sup>5</sup> Digital Planning Programme Overview - <a href="https://www.localdigital.gov.uk/digital-planning-programme-overview/">https://www.localdigital.gov.uk/digital-planning-programme-overview/</a>

| Level of      | Objective        | Promise to the         | Examples            |
|---------------|------------------|------------------------|---------------------|
| participation |                  | public                 |                     |
|               | decision         | implement what you     |                     |
|               | making.          | decide.                |                     |
| Collaborate   | Working in       | We will look to you to | Neighbourhood       |
|               | partnership with | formulate solutions    | Plan Group,         |
|               | stakeholders to  | and incorporate your   | steering groups.    |
|               | shape            | advice and             |                     |
|               | outcomes.        | recommendations into   |                     |
|               |                  | decisions.             |                     |
| Involve       | Work with the    | We will work with you  | Workshops, focus    |
|               | public to        | ensuring that your     | groups, interviews, |
|               | understand       | feedback is            | masterplanning, the |
|               | aspirations and  | incorporated into      | development         |
|               | concerns,        | proposals and          | management          |
|               | ensuring they    | projects.              | forum, community    |
|               | are understood   |                        | forums.             |
|               | and considered.  |                        |                     |
| Consult       | Obtaining        | We will take account   | Surveys, public     |
|               | feedback and     | of your views and      | meetings, website,  |
|               | views from the   | feedback.              | social media.       |
|               | public.          |                        |                     |
| Inform        | Sharing          | We will keep you       | Websites, social    |
|               | information on   | informed about what    | media posts,        |
|               | plans, projects  | we are doing and how   | newspapers,         |
|               | and/or progress. | we have considered     | noticeboards.       |
|               |                  | your opinions/         |                     |
|               |                  | responses.             |                     |

# **4.0 Planning Policy Documents**

### Introduction

- 1.29 This section outlines when, how and who the Council will consult on planning policy documents.
- 1.30 The current planning policy framework for East Herts is set out in two types of documents Development Plan Documents and Supplementary Planning Documents as well as supporting documents. Table 4.1 sets out the purpose of the different documents.
- 1.31 Development Plan Documents are the basis upon which planning applications will be decided, unless there are material planning considerations that indicate otherwise. They are subject to various stages of community involvement and examination by an independent Inspector. They must accord with national planning policy, be supported by technical evidence and informed by the views of residents, businesses and stakeholders, as appropriate.

Table 4.1: Types of planning documents

| Type of document | Document               | Description                                                                           |
|------------------|------------------------|---------------------------------------------------------------------------------------|
| Development Plan | Spatial Development    | A Spatial Development Strategy is a document that is prepared between two or          |
| Document         | Strategy (joint plans) | more local planning authorities. A Spatial Development Strategy will set the          |
|                  |                        | strategic framework and shared priorities within the wider area within which          |
|                  |                        | individual local plans can be prepared.                                               |
| Development Plan | Local Plan (District   | The Council is responsible for producing a Local Plan, which will set out how         |
| Document         | Plan) and Policies Map | the district will develop in the future. The Local Plan is locally referred to as the |
|                  |                        | District Plan. The most recent District Plan was adopted in October 2018. It          |
|                  |                        | contains strategic policies and site allocations alongside detailed policies for      |
|                  |                        | determining planning applications. These are set out spatially on a Policies          |
|                  |                        | Map.                                                                                  |
| Development Plan | Minerals and Waste     | Minerals and Waste Local Plans are produced by Hertfordshire County Council           |
| Document         | Local Plans            | so East Herts Council is a statutory consultee but not directly involved in their     |
|                  |                        | production. The County Council has produced its own SCI for matters to which          |
|                  |                        | it is responsible.                                                                    |
| Development Plan | Adopted                | Neighbourhood Plans are led by Parish and Town Councils or designated                 |
| Document         | Neighbourhood Plans    | Neighbourhood Plan Groups. However, East Herts Council has a legal                    |
|                  |                        | responsibility to advise or assist in the preparation of Neighbourhood Plans.         |
|                  |                        | Consideration of this role and the consultation involved is set out in section 5 of   |
|                  |                        | this SCI.                                                                             |

| Type of document     | Document             | Description                                                                       |
|----------------------|----------------------|-----------------------------------------------------------------------------------|
| Supplementary        | Supplementary        | These provide guidance to supplement the policies and proposals in the District   |
| Planning Documents   | Planning Documents   | Plan. They are not part of the development plan, but are a material               |
|                      |                      | consideration in planning decisions. SPDs cover a range of issues including       |
|                      |                      | topic based advice and site development briefs. They are subject to               |
|                      |                      | consultation but not to examination.                                              |
| Supporting documents | Local Development    | A timetable setting out when documents will be produced.                          |
|                      | Scheme               |                                                                                   |
| Supporting documents | Authority Monitoring | An annual report setting out the Council's progress against targets and policies. |
|                      | Report               |                                                                                   |
| Supporting documents | Statement of         | This sets out how the Council will involve the community and stakeholders in      |
|                      | Community            | planning matters.                                                                 |
|                      | Involvement          |                                                                                   |

#### Who will we consult?

- 1.32 The Council wants to know the opinions of the people who live, work and visit East Herts. We are required to consult a wide range of statutory organisations and stakeholders during the process of preparing our planning policies. However, the Council is also committed to involving as many local people, groups and organisations as possible in the preparation of planning policy documents.
- 1.33 We are legally required to consult a range of specific and general consultees when preparing planning policy documents. These are groups with specialist knowledge in certain areas or those that represent specific interest groups. These will be specific and general consultation bodies that may have an interest and/or the local planning authority consider appropriate to the consultation document being prepared. Examples of these consultation bodies include:
  - · Hertfordshire County Council;
  - Adjoining local authorities;
  - Parish or town councils within or adjoining the district;
  - Organisations that represent business interests in East Herts;
  - Organisations that represent the interests of specific parts of the community;
  - Infrastructure providers;
  - National agencies or bodies.
- 1.34 Legally the Council must also notify and consult such residents or other persons carrying out business as they consider appropriate. This includes those that have asked to be consulted. The Council recognises that the views of the wider community are important and consults a range of groups and individuals as relevant to the scope and subject of the planning document. These may include the following:
  - Residents' Associations and designated Neighbourhood Plan Groups;
  - Social, economic and environmental organisations;
  - Developers, agents and landowners.
- 1.35 The Council maintains a database of people and organisations and will consult them where relevant. Individuals, groups and organisations who want to

be involved in future planning policy consultations can be added to the database. They can register on the Council's consultation portal <a href="http://consult.eastherts.gov.uk/portal">http://consult.eastherts.gov.uk/portal</a> or contact the Planning Policy Team. Consultees on the database will also be emailed copies of the District Planning Bulletin as new editions are published.

### How will we consult?

- 1.36 The Council will use a variety of methods to engage and consult with the community and stakeholders. The principles for consultation will be used as a basis for all consultations and a variety of consultation techniques set out in section 3 will be used as and where appropriate. The scope of the planning document and the availability of resources will influence how the Council consult on a case-by-case basis. In all scenarios the Council will meet its statutory duty in regard to consultation.
- 1.37 For particular stages of consultation on planning policy documents an engagement strategy will be prepared, which will set out the scope of the consultation, timeframes, key messages, the materials required and the methods that will be undertaken in the specific consultation. A template engagement strategy can be found in Appendix B.
- 1.38 In relation to planning policy consultations we will:
  - Meet all of the consultation principles set out in section 2 of this document;
  - Directly contact those individuals or organisations we have a statutory duty to contact:
  - Directly contact those organisations and individuals in our planning policy database, as appropriate;
  - Publicise consultations on our website. We will also use an appropriate combination of other methods set out in table 3.1, to let individuals know that the consultation is underway;
  - Make consultation materials available on the Council's website and where appropriate at the Council offices and other deposit locations in the district.

How should people respond to consultations?

- 1.39 Consultation material will clearly highlight how people can respond to consultations. Comments can usually be made as follows:
  - the Council's online consultation portal <a href="http://consult.eastherts.gov.uk">http://consult.eastherts.gov.uk</a>;
  - by email planningpolicy@eastherts.gov.uk;
  - by post to Planning Policy, East Herts District Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ.
- 1.40 It is easy to register and respond via the online consultation portal and all the consultation documents and sections can be easily viewed and downloaded in pdf format. You can then submit comments against the relevant part of the document. The portal is particularly useful for managing a high volume of consultation responses efficiently. The Council can provide help on how to use it if required.

### How will consultation responses be dealt with?

- 1.41 Following consultation periods, it is essential to have a feedback loop to keep consultees and the public aware of how their comments have informed the process, what the next stages to provide comments is, and how the Council is progressing on planning policy documents. Following consultations on planning policy documents we will:
  - Send confirmation that comments have been received;
  - Publish all comments received as soon as feasible, usually planning policy consultations will publish responses in full, unless there is a reason to redact information, for example for GDPR purposes or if comments are discriminatory;
  - Comments received in hard copy format will be made available online in an appropriate format where practicable (either scanned or typed up), or if not practicable, the original documents will be available for viewing at the Council offices upon request;
  - Petitions will be addressed in accordance with Council policy. Details about the process are set out on the website: www.eastherts.gov.uk/petitions;
  - Standard responses will be considered collectively;

- We will address comments or provide a summary of the main issues raised by the comments, explaining how these have been considered. This process will be reported to either the District Planning Executive Panel (DPEP) or Executive and subsequently recommendations will be agreed by Full Council;
- At the required stages we will produce a consultation statement setting out who was consulted, the main issues raised and how those issues have been addressed:
- We will inform all those people who have requested to be notified of the adoption of future development plan documents and SPDs, when they have been adopted, including details of where and when they can be inspected.

### How will the public be kept informed following consultations?

- 1.42 To ensure that the planning process is transparent, it is vital that the community and stakeholders are kept up to date on how the Council are progressing with planning policy documents and clear communications are provided. Therefore, in addition to consultations and providing feedback we will:
  - Update our website, social media and issue press releases highlighting the next steps in the process, if appropriate;
  - Notify those that have requested to be kept up to date of key milestones e.g. adoption of documents;
  - During examination periods, the Council's website will be kept up to date on progress of the examination, relevant documentation and relevant consultees will be kept informed of the process;
  - When a document has been adopted by the Council, the document will be
    published on the Council's website and when required will be made available
    in hard copy at relevant locations in the district and relevant consultees will be
    notified that it has been adopted.

### **East Herts District Plan**

1.1. The District Plan is the local plan for East Herts. It sets out the framework for development in the area and involves various opportunities for public consultation. There are certain regulations that the Council must follow when consulting in the District Plan process, such as the length of consultation and some of the stakeholders with whom consultation is required.

1.2. Table 4.2 illustrates the District Plan making process. The process set out below is based on the new plan making system proposed through the Levelling Up and Regeneration Act 2023. These are the key steps anticipated in preparing the District Plan. It also highlights the level of participation that is expected at each stage based on table 3.2 in this document.

Table 4.2: District Plan Process and expected consultation at each stage

| Stage         | Level of      | Actions                                                                                              |
|---------------|---------------|------------------------------------------------------------------------------------------------------|
|               | participation |                                                                                                      |
| Scoping and   | Inform        | In the early phases of plan making we may consult with communities and stakeholders to inform        |
| early         | Consult       | research on matters that might shape the direction of the Plan. The level of consultation that may   |
| participation | Involve       | occur at this stage will depend on what information is being sought.                                 |
|               | Collaborate   |                                                                                                      |
| Plan          | Inform        | Once formal plan making has commenced a formal public consultation will be held, building on         |
| visioning and | Consult       | the outputs from the early participation at the scoping phase. Understanding what the issues are     |
| strategy      | Involve       | in the area will help to shape what should be included within the District Plan and what further     |
| development   | Collaborate   | research and/or evidence work is required to support the emerging plan. At this stage we will hold   |
|               |               | a minimum 8 week consultation, and prepare and agree an engagement strategy (as set out in           |
|               |               | Appendix B) setting out consultation methods that will be used.                                      |
| Engagement,   | Inform        | Following a period of evidence gathering a draft District Plan will be prepared. At this stage the   |
| proposing     | Consult       | draft District Plan will be formally consulted on with the community, statutory bodies and other key |
| changes and   | Involve       | stakeholders. This is the Plan that the Council is seeking to submit to the Planning Inpectorate for |
| submission    |               | examination.                                                                                         |
| of the Plan   |               |                                                                                                      |
|               |               | At this stage we will hold a minimum 6 week consultation, and prepare and agree an engagement        |
|               |               | strategy (as set out in Appendix B), setting out the consultation will be undertaken. The Council    |
|               |               | will have an opportunity to make changes prior to submission of the Plan following consultation.     |
| Examination   | Inform        | An examination in public on the draft District Plan will be held by an independent Inspector. They   |
|               | Consult       | will examine if the Plan meets the tests of soundness and is legally compliant. Those who made a     |

| Stage    | Level of      | Actions                                                                                                                                                                      |
|----------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | participation |                                                                                                                                                                              |
|          |               | representation in relation to the draft District Plan will be given an opportunity to appear before                                                                          |
|          |               | the Examiner. The Council will ensure that the details of the examination will be available to view                                                                          |
|          |               | on the Council's website and advertised, where appropriate.                                                                                                                  |
| Adoption | Inform        | The District Plan is finalised, and the Council formally adopts the District Plan. Details of the adoption and the District Plan will be available on the Council's website. |

### **Supplementary Planning Documents (SPDs)**

- 1.3. Supplementary Planning Documents (SPDs) do not have to go through the formal examination process, but consultation with stakeholders and the wider community is still a vital part of the preparation process. The scope of the consultation and decision on who will be consulted will reflect the nature of the SPD.
- 1.4. At this point in time the Levelling Up and Regeneration Act 2023 has been introduced and does not include the continuation of SPDs. We are currently awaiting secondary legislation before this legislation can be implemented. Therefore, it is likely that during the lifetime of this document SPDs will no longer be in use, and this will be picked up within a future review of this document.
- 1.5. Table 4.3 sets out the current process in creating SPDs and the level of participation expected at each stage.

Table 4.3: Supplementary Planning Document (SPD) process

| Stage         | Level of participation | Actions                                                                                                                    |
|---------------|------------------------|----------------------------------------------------------------------------------------------------------------------------|
| Preparation   | Inform                 | Depending on the content and scope of the SPD,                                                                             |
| and evidence  | Consult                | early consultation with relevant stakeholders may                                                                          |
| gathering     | Involve                | be used to inform research and evidence                                                                                    |
|               | Collaborate            | gathering.                                                                                                                 |
|               |                        | If consultation is required at this stage then the length of consultation will depend on what information is being sought. |
| Public        | Inform                 | Once an SPD has been drafted comments will be                                                                              |
| participation | Consult                | sought on the draft SPD from relevant                                                                                      |
|               | Involve                | stakeholders. An engagement strategy will be                                                                               |
|               |                        | prepared and agreed with key information about                                                                             |
|               |                        | the conusttation, a copy of the template can be                                                                            |
|               |                        | found at Appendix B.                                                                                                       |

| Stage    | Level of participation | Actions                                                                                                                                                                                                   |
|----------|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Adoption | Inform                 | A minimum 4 week consultation will be undertaken.  Following consultation the SPD will be updated and the Council will formally adopt the SPD and notify those who have asked to be notified of adoption. |

## 5.0 Neighbourhood Planning

#### Introduction

- 1.6. Neighbourhood planning is a tool to allow local people to have more control over the planning process. It gives communities statutory powers to identify local priorities and policies that shape development in their area. In East Herts neighbourhood planning is led by parish and town councils, but Neighbourhood Plan Groups may also be designated to lead the work. Neighbourhood Planning consists of:
  - Neighbourhood Development Plans a local framework for guiding the future development, regeneration and conservation of an area;
  - Neighbourhood Development Orders a way for Town and Parish Councils or designated Neighbourhood Plan Groups to grant planning permission for certain kinds of development within a specified area;
  - Community Right to Build Orders a special kind of Neighbourhood
     Development Order, which grant planning permission for certain development schemes.
- 1.7. East Herts District Council has a legal responsibility to advise or assist in the preparation of Neighbourhood Plans. As of April 2025 there are 15 adopted or 'made' Neighbourhood Plans in East Herts and three currently in development. Details about the production of all Neighbourhood Plans is set out on the Council's Neighbourhood Planning webpage<sup>6</sup>, which is updated regularly. There have not yet been any neighbourhood development orders or community right to build orders in East Herts.
- 1.8. A Neighbourhood Development Plan must follow a similar process to that carried out by the Council for the District Plan, including public consultation and an examination process. However, there is an additional step of a local referendum whereby if more than half the vote is in favour, the plan must then be adopted by the Council. Once brought into legal force, a Neighbourhood Plan will form part of the Development Plan, as set out in table 4.1, and decisions on whether or not

<sup>6</sup> www.eastherts.gov.uk/planning-and-building/planning-policy/neighbourhood-planning-activity-east-herts

age 75

to grant planning permission in the Neighbourhood Area will need to be made in accordance with it, unless material considerations indicate otherwise.

#### When and how are we involved in plan consultation?

1.9. The process for preparing Neighbourhood Plans and Orders is set out in the Regulations<sup>7</sup>. We have published our own guidance on Neighbourhood Planning which is available on the Council's website<sup>8</sup> and outlines the key stages of the preparation process and how the Council will work with groups to prepare Neighbourhood Plans. The Locality Neighbourhood Plans Roadmap Guide also provides additional advice and is available on its website<sup>9</sup>. A summary of the plan preparation process and how we guide and assist the neighbourhood planning process is set out in table 5.1. Where the Council consults on the Neighbourhood Plan, the consultation principles outlined in section 2 will be applied, with the level of participation expected at each stage highlighted in table 3.2 in this document.

<sup>&</sup>lt;sup>7</sup> Neighbourhood Planning (General) Regulations 2012; The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2017.

<sup>8 &</sup>lt;u>www.eastherts.gov.uk/planning-and-building/planning-policy/neighbourhood-planning</u>

www.neighbourhoodplanning.org/?gad source=1&gclid=EAlalQobChMI Pvj8v3eiwMV4IBQ Bh2jlhowEAAYASAAEgLapvD BwE

Table 5.1: Stages in advising and assisting Neighbourhood Planning

| Stage                                 | Level of      | Consultation opportunities and who leads on the consultation                                      |  |
|---------------------------------------|---------------|---------------------------------------------------------------------------------------------------|--|
|                                       | participation |                                                                                                   |  |
| Regulation 6 & 9 -                    | Inform        | No consultation is required where the whole of the parish is proposed. For other proposed         |  |
| Receipt of a                          | Consult       | areas the Council will consult for a minimum of 6 weeks. We will publish the application on the   |  |
| Neighbourhood Area                    |               | website and inform local people in the relevant locality.                                         |  |
| Designation                           |               |                                                                                                   |  |
| Regulations 7 & 10 -                  | Inform        | If the Council approves the application, we will publicise the decision on the website.           |  |
| Publishing designation of             |               |                                                                                                   |  |
| Neighbourhood Area/                   |               | If refusing, the Council will publish the reasons for the decision and details about where it can |  |
| Forum                                 |               | be viewed.                                                                                        |  |
| Regulation 14 - Publicity             | Led by the    | The Neighbourhood Forum can determine how to consult at this stage, but they will:                |  |
| of a Neighbourhood                    | Parish/ Town  | Draw up a consultation statement, setting out who and how they have consulted for the             |  |
| Development Plan prior                | Council or    | next stage of the process.                                                                        |  |
| to submitting to the                  | designated    | Consult for a minimum of 6 weeks.                                                                 |  |
| Council                               | Neighbourhood | Ensure that they consult the relevant consultation bodies and bring the plan to the               |  |
|                                       | Plan Group.   | attention of people who live, work or carry on business in the area the plan relates to.          |  |
|                                       |               | Send the Neighbourhood Plan to East Herts District Council. The Council will advise on            |  |
|                                       |               | the content of the Neighbourhood Plan and provide advice on key assessments.                      |  |
|                                       |               |                                                                                                   |  |
| Regulation 15 & 16 -                  | Inform        | Where a draft neighbourhood plan is submitted to the Council and the Neighbourhood Plan           |  |
| TAfter Neighbourhood                  | Consult       | meets the legal requirements we will publicise the final version of the Plan for a minimum of 6   |  |
| ປົAfter Neighbourhood<br>ຜ<br>ົວ<br>Φ |               | weeks.                                                                                            |  |

| _      | Stage                    | Level of      | Consultation opportunities and who leads on the consultation                                 |
|--------|--------------------------|---------------|----------------------------------------------------------------------------------------------|
| abr    |                          | participation |                                                                                              |
| -<br>C | Plan is submitted to the |               |                                                                                              |
|        | Council.                 |               | At this stage the Neighbourhood Plan and all representations (comments) made through         |
|        |                          |               | consultations will be submitted to the Examiner for their consideration.                     |
|        | Examination, referendum  | Inform        | The Plan will be examined by an independent Examiner and a report issued.                    |
|        | and adoption             | Empower       |                                                                                              |
|        |                          |               | The results of the examination will be published. The Council will decide if the Plan should |
|        |                          |               | move forward to a referendum, publicise that decision and the reasons for it and then        |
|        |                          |               | coordinate a referendum, where necessary.                                                    |
|        |                          |               |                                                                                              |
|        |                          |               | Following a successful referendum the Council will adopt the Neighbourhood Plan and notify   |
|        |                          |               | any person that has asked to be notified.                                                    |

#### **Reviews and updates to Neighbourhood Plans**

- 1.10. There is no requirement to review or update neighbourhood plans. However, policies in a Neighbourhood Plan may become out of date over time, for example if they conflict with policies in a local plan that is more up to date or where a policy has been in force for a while and new material planning considerations have emerged. Currently, three neighbourhood plans in East Herts have been updated. Once adopted, these revised plans replace the previous neighbourhood plans.
- 1.11. National Planning Guidance outlines that when updating a neighbourhood plan there are currently three types of modifications that can be made. The level of changes proposed will have implications for the level of consultation that may be undertaken and whether an examination or referendum is required. The different types of modifications are set out below:

Minor (nonmaterial) modifications Are those which would not materially affect the policies in the plan or permission granted by the order. This could include correcting minor errors such as typos or broken links. These would not require any consultation, or an examination or referendum. Changes must be made by the local planning authority following consent from the qualifying body (Parish/Town Council);

Material modifications

Which do not change the nature of the plan or order would require examination but not a referendum. An example could be the production of a design code which builds upon the existing design policies. A Regulation 14 and Regulation 16 consultation would take place for these proposed modifications. An examination would be required for any material modifications, it is unlikely that this type of modification would lead to a referendum, however this is to be decided by the Examiner;

Material modifications that change the nature of the plan or order

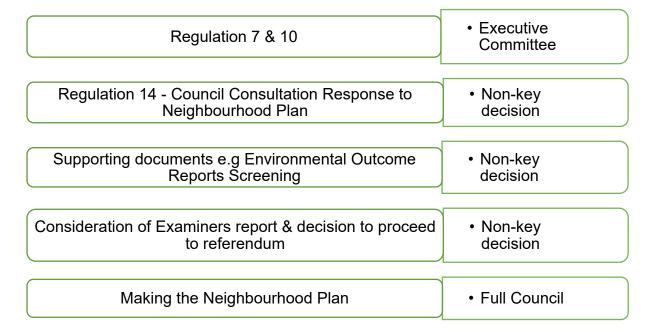
Such as allocating a significant site for development. This type of modification would require the same process as for new neighbourhood plans: a Regulation 14 and Regulation 16 consultation, an examination and a referendum before the plan or order is to be adopted.

1.12. The principles of this document will be used when consulting on neighbourhood plans and order reviews. In all instances the Council will keep the 'Neighbourhood Planning Activity in East Herts' webpage up to date.

#### How does the Council make decisions at each stage?

1.13. The District Council needs to make a number of decisions to support a Neighbourhood Development Plan through the process. Figure 5.1 below clearly sets out the different decision-making process behind each of the steps. The non-key decision process is explained in the glossary.

Figure 5.1: Stages in advising and assisting Neighbourhood Plan groups



#### How do I respond to a Neighbourhood Plan consultation?

- 1.14. During Council led consultations, comments must be made in writing either in hard-copy form or digitally via email, these can be sent to:
- planningpolicy@eastherts.gov.uk;
- Planning Policy, East Herts District Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ;
- Via the online consultation portal.

## 6.0 Planning Applications

#### Introduction

- 1.15. For many people, the submission of a planning application is the first experience of the planning system, either as an applicant submitting an application, or in relation to applications on a neighbouring or nearby site. While some development can be carried out as Permitted Development<sup>10</sup>, a significant amount of new development in East Herts will require planning permission.
- 1.16. There are a number of different types of planning application, with the type of application determined by the size, scale and nature of the proposed development. Whilst the process for consulting on all types of planning application is similar, there are some differences. As a minimum the relevant statutory requirements will always be met.
- 1.17. The key stages to the planning application process are illustrated in figure 6.1.
- 1.18. This section of the SCI therefore sets out the Council's approach to consulting and notifying statutory bodies and the wider community as part of the application processes.

Figure 6.1: Stages in the planning application process

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<sup>&</sup>lt;sup>10</sup> Permission to carry out certain limited forms of development without the need to make an application to a local planning authority, as granted under the terms of the Town and Country Planning (General Permitted Development) Order. The Planning Portal website is a useful resource for explaining when planning permission is required.

### **Pre-application**

Before an application is submitted, a developer is encouraged to engage with the Council, stakeholders and the community about its proposals.

#### **Application**

A planning application is submitted to the Council.

### **Decision-making**

A decision is made either by a planning committee or delegated officer.

### Masterplanning

All significant development proposals will be required to prepare a masterplan. This will be collaboratively prepared and informed by public participation. In most instances this is completed prior to an application, however some are dealt with post-decision.

### **Appeals**

The application has a right to appeal if they disagree with the decision to refuse permission.

#### Who will we consult?

- 1.19. The Government sets out minimum requirements for consultation in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and The Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended).
- 1.20. The legislation identifies statutory consultees that the Council must engage with. These currently include environmental organisations (such as Natural England, the Environment Agency and Historic England) and local services and infrastructure providers (including Highways Agency, Hertfordshire County

Council and utilities companies). The local community is also engaged as appropriate. The scale of consultation reflects the type and stage of the planning application.

#### How and when will we consult?

#### Masterplan process

- 1.21. All significant development proposals in the district are required to prepare a masterplan because the Council is committed to delivering well designed growth. They should deal with a range of issues including land use, infrastructure and design and once endorsed by the Council they are used as the basis by which planning applications on site will be determined.
- 1.22. Policy DES1 of The East Herts District Plan (2018)<sup>11</sup> outlines the approach that will be taken to masterplanning. The significance of a development will be measured not only on its scale, but on the potential impact on the community and the local character of a place.
- 1.23. Masterplans must involve collaboration with East Herts District Council, other stakeholders and the local community, including town/ parish councils. Engagement from an early stage should inform the development of the master plan. Steering groups have been established for certain towns in the district to help inform the development of strategic sites allocated in the adopted District Plan. These often comprise of East Herts councillors, town and parish councillors, representatives of the local community and other interested groups, where appropriate. Membership of the steering groups will be determined on a site by site basis, depending on the local issues and circumstances. Wider public participation should also be undertaken as appropriate.
- 1.24. Many of the strategic sites within the District Plan have prepared masterplans prior to a planning application being submitted. However, in some cases it has been appropriate for some speculative applications and larger sites, such as the Gilston Area to prepare a masterplan following the grant of planning permission. In such cases, a planning condition is applied to a planning decision which

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<sup>&</sup>lt;sup>11</sup> East Herts District Plan 2018

requires a masterplan to be prepared and submitted to the Council for approval. The amount of collaboration in creating masterplans should not differ on whether the masterplan is prepared prior to or post a decision. The Council's website provides further guidance on the process.

## Pre-application advice

- 1.25. Before submitting a planning application, we advise and encourage potential applicants to seek pre-application advice from the Council.<sup>12</sup> It is not a statutory requirement, but it allows for the identification of any issues, concerns and constraints at an early stage. This may help avoid delays or a refusal once a planning application has been submitted.<sup>13</sup>
- 1.26. This service allows the Council to provide advice and guidance to potential applicants on development proposals prior to the submission of any application. Subsequently, in accordance with the advice provided, amendments can be made to proposals prior to the submission of a planning application. Free advice may be available depending on the application type. However, for other application types there is a charge due to resource implications. Details of the pre-application process is set out on website:

https://www.eastherts.gov.uk/preapplicationservice

- 1.27. The advice provided by case officers during the pre-application process is based on the professional judgement of the officer and is therefore informal and not binding on any subsequent formal decision made by the Council. If a scheme progresses to a formal submission it will be subject to consultation and any formal decision will take the results of that consultation into account.
- 1.28. Except where required by legislation, submitted information and advice is not made available to the public via our online portal of applications, nor are any

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<sup>&</sup>lt;sup>12</sup> It should be noted that, in respect of the pre-application service, any advice given at this stage is not binding and there are no statutory requirements for pre-application discussions. Because of the resources involved in providing pre-application advice, in many cases it is necessary to charge a fee for this service.

<sup>&</sup>lt;sup>13</sup> It could also be helpful to have pre-app discussions with other relevant agencies including Hertfordshire County Council, Thames Water, and the Environment Agency.

surrounding neighbours notified. Therefore, the public and third parties are generally not provided with the opportunity to comment upon such enquiries.

1.29. In some instances, such as large, complex schemes, it may be appropriate for a Planning Performance Agreement (PPA) to be put in place. These are resourcing and management agreements between applicants and the Council, to enable the Council to adequately resource and provide an open dialogue on such applications, with an agreed programme. Further details on the PPA process can be found on the Council's website<sup>14</sup>.

### Pre-application (pre-app) consultation

- 1.30. We do not tend to consult statutory consultees on requests for pre-application advice. However, there may be instances where consultation with other teams within the Council or County Council may be required to aid the advice provided, for example on proposals which relate to Listed Buildings or major development proposals.
- 1.31. Pre-app consultation is not legally required for most types of development. It is however strongly encouraged that applicants involve the community in formulating their proposals as early as possible, particularly if the site is particularly sensitive or would have a significant impact on local communities. This is advised to assist in addressing any issues that may arise from the community and may help to avoid unnecessary objections during the consideration of a planning application.
- 1.32. For large scale major developments, it is expected that the applicant carries out pre-application consultation which may involve:
  - Public meetings and exhibitions;
  - Individual letters or leaflets;
  - Engagement with parish/ town councils;
  - Engagement with Design Review Panels;

<sup>&</sup>lt;sup>14</sup> Planning Performance Agreements - www.eastherts.gov.uk/planning-and-building/planning-performance-agreements-ppas

Social media.

### **Application stage**

- 1.33. Once an application has been submitted, East Herts District Council will meet its statutory consultation requirements as a minimum. The formal consultation period will normally last for 21 days.
- 1.34. Formal consultation on planning applications will be undertaken in accordance with article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and regulations 5 and 5A of The Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended) or any amending orders, and any relevant consultation directions <sup>15</sup>. Table 6.1 sets out the consultation methods used by the Council.
- 1.35. All new applications can be viewed on the Council's website. People can also use pre-set searches to see weekly lists of planning applications received or determined.
- 1.36. People can respond to applications online. Alternatively, comments can be made by email or post.
- 1.37. The Council holds regular Development Management Forums (DMFs) which provides residents the opportunity to present their views on complex or sensitive major planning applications to councillors, planning officers and the applicant in the early stages of the planning application process. Further details on DMFs can be found in Appendix A.

<sup>&</sup>lt;sup>15</sup> The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) includes powers for the Secretary of State to direct local planning authorities that additional consultation must take place in specific circumstances. These are referred to as 'consultation directions'.

Table 6.1: Consultation methods used to publicise planning applications

| Type of application                                                                                                                             | Site notice | Site notice OR<br>neighbour notification<br>letter/email | Press<br>notice in<br>local paper | Parish<br>Council<br>notification | Website | Ward<br>member<br>notification |
|-------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------------------------------------------------------|-----------------------------------|-----------------------------------|---------|--------------------------------|
| Major development                                                                                                                               | Х           | Х                                                        | X                                 | X                                 | X       | Х                              |
| Minor Development                                                                                                                               |             | X                                                        |                                   | Χ                                 | X       | X                              |
| Householder Applications                                                                                                                        |             | X                                                        |                                   | X                                 | X       | X                              |
| Applications subject to EIA which are accompanied by an Environmental Statement                                                                 | Х           |                                                          | X                                 | X                                 | X       | X                              |
| Applications that do not accord with the development plan                                                                                       | Х           |                                                          | X                                 | X                                 | Х       | X                              |
| Listed Building applications and applications affecting the setting of a Listed Building                                                        | Х           |                                                          | Х                                 | Х                                 | Х       | Χ                              |
| Applications relating to an advertisement                                                                                                       |             |                                                          |                                   | Χ                                 | X       | Χ                              |
| Applications which would affect a right of way                                                                                                  | Х           |                                                          | X                                 | Х                                 | Χ       | X                              |
| Applications for development which would affect the setting of a listed building, or affect the character or appearance of a conservation area. | Х           |                                                          | X                                 | X                                 | Х       | X                              |

- 1.38. Where an application falls within a Conservation Area, a site notice may be required where it may affect the setting of a listed building or the character or appearance of the Conservation Area. Prior Notification applications will be publicised as set out in the relevant regulations<sup>16</sup>.
- 1.39. There is no statutory requirement to consult on the following types of applications:
  - Certificates of Lawfulness of proposed use or development;
  - · Certificates of Lawfulness of existing use or development;
  - Approval of details/ discharge of conditions;
  - Non-material amendments.

### How will the Council deal with consultation responses?

- 1.40. All comments received will be made publicly available online alongside the planning application documents, in line with the Council's <u>Corporate Privacy Notice</u>. It is important to note that the Council reserves the right not to consider or include in its documentation any inappropriate comments submitted as a result of its consultations.
- 1.41. The Council will take account of all responses received as a result of its consultations on planning applications where the issues raised are material planning considerations. These comments will be considered in the officer's report.
- 1.42. All relevant planning issues raised within the consultation period will be taken into account in the Planning Officer's report to help inform the recommendation.

### Amendments to applications during the consideration of the application

1.43. The Council have set out where amendments to planning applications and requests for extensions of time for planning applications may be appropriate.
Details of this can be found in the <u>Amendments and Extensions of Time</u>
<u>Protocol</u>.

<sup>&</sup>lt;sup>16</sup> Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

1.44. Where an application has been amended following the initial period of consultation, it may be that additional consultation on the changes submitted by an applicant is considered necessary prior to a decision being made. In these cases, it is up to the Council to decide whether further publicity and consultation is necessary, and the requirement to consult will be determined based on whether the proposed changes are significant and whether there were objections or concerns raised in the original consultation stage. Where it is decided that reconsultation is necessary, it is open to the Council to set the timeframe for responses which is likely to be for a period of 14 days or less.

#### **Decision stage**

- 1.45. Once the consultation period has concluded, the Council will determine the planning application. It is therefore important to make comments before the statutory deadline for the end of the consultation period.
- 1.46. The Council typically deals with around 2,600 applications per year; most of these (over 90%) are determined by planning officers under delegated powers granted to them, as set out in the <a href="Council's Constitution">Council's Constitution</a>.
- 1.47. The remaining applications are determined by the Development Management Committee. This Committee generally meets every four weeks and handles the larger and more complex applications, in accordance with the criteria set out in the Council's Constitution. If the application is to be considered by the Development Management Committee, we will inform anyone who responded to the consultation before the meeting takes place.
- 1.48. The Council allows supporters, objectors and town/parish council representatives to make a short oral statement to the Development Management Committee on any of the planning applications which are being considered by

the Committee <sup>17</sup>. Further details on public speaking at Development Management meetings can be found on the website<sup>18</sup>.

1.49. Development Management Committee meetings are webcast<sup>19</sup>.

#### After a decision is made

- 1.50. The Council will:
  - Publish the decisions on all planning applications on its website;
  - Write back to respondents (by email if possible and by post where no email address is available) to inform them of the Council's decision;
  - In relation to applications that have been subject to an Environmental
    Impact Assessment, notify the public of the decision by reasonable means,
    including by local advertisement if deemed necessary. A copy of the
    decision notice, officer report and legal agreement (if relevant) will be
    placed on the planning portal.

### **Appeals**

1.51. An applicant may appeal to the Planning Inspectorate against a refusal or contest any of the conditions imposed to the granting of permissions or the non-determination of an application. The Council will inform all those people who responded to the consultation on the original planning application (although the rest of the appeal procedure will be handled by the Planning Inspectorate)<sup>20</sup>

#### **Implementation**

<sup>&</sup>lt;sup>17</sup> One person may be allowed to speak in support of an application, and one person to speak in objection to each application at the meeting. Each person or group of people opposing or supporting the proposal will be allowed up to three minutes (or 6 minutes for strategic sites allocated in the District Plan) to speak to the Committee. How to register to speak and the rules for these meetings are explained in greater detail on the Council's website http://www.eastherts.gov.uk

<sup>&</sup>lt;sup>18</sup> https://www.eastherts.gov.uk/councillors-and-committees/public-speaking-development-management-meetings

<sup>&</sup>lt;sup>19</sup> https://www.eastherts.gov.uk/councillors-and-committees/live-meetings-online

<sup>&</sup>lt;sup>20</sup> Further information on the appeals process is available on the Planning Inspectorate website: <a href="https://www.gov.uk/government/organisations/planning-inspectorate">https://www.gov.uk/government/organisations/planning-inspectorate</a>

1.52. Following a planning application, it is essential that the application is implemented to a high standard, ensuring that the best quality outputs are achieved. Below describes what may happen post an application decision to support delivery of an application.

### **Community Forums**

1.53. A number of community forums have been set up to assist with the delivery of some strategic sites and implementing the sites on the ground. These are public and open to residents and other stakeholders interested in the delivery of sites. The Council acts as the facilitator in bringing residents and developers together in order to resolve delivery issues as new developments progress. Examples include the Gilston Garden Town community forum. Further details on community forums can be found in Appendix A.

#### Harlow and Gilston Garden Town (HGGT)

- 1.54. Harlow and Gilston was designated as a Garden Town in 2017. The proposed development lies within East Herts, Epping Forest and Harlow Districts. The three local authorities, together with Hertfordshire and Essex County Councils are working together to deliver growth at the Garden Town which reflects local priorities.
- 1.55. Due to the scale of the project, some of the processes and governance arrangements differ to other strategic sites and applications within East Herts, and these have been implemented to oversee the progression of the development. The individual Councils remain the decision-makers for plan making and planning applications within their local authority area.
- 1.56. A Joint Committee has been set up for this project, which consists of one elected councillor from each of the five authorities. The purpose of the Joint Committee is to oversee the vision and delivery of the Garden Town, to enable collaboration and joint decision making by the Garden Town partners and to enable them to work together to respond to issues which may have an impact on the scale and quality of delivery, where these occur.

- 1.57. There are also a number of working groups that support the day to day work of the HGGT such as officer groups, the quality review panel and the developer forum. These help to provide up to date information to guide the implementation of the HGGT.
- 1.58. A designated website<sup>21</sup> has been set up which provides the latest updates to the project, it also includes details on latest consultations and how to subscribe to updates.
- 1.59. The Gilston Area developers have also set up a website<sup>22</sup> to provide updates relating to construction activity and for residents to inform the developers of issues arising relating to construction and development matters through an interactive mapping tool.

### Future Stewardships Groups

1.60. As implementation of the Gilston Area development progresses, it is essential to ensure that the long-term stewardship and management arrangements secured through the Section 106 Agreement are implemented. These require that a Stewardship Body is formed which includes representation on behalf of local residents. Its role will be to ensure that the community assets delivered in the Gilston Area that are transferred to the body are maintained to a high standard for years to come.

#### Enforcement

1.61. Planning Enforcement is concerned with works which have taken place in breach of normal planning controls. Where a breach of planning control is reported, an officer will investigate and assess the complaint, gather evidence and establish what, if any, the most appropriate course of action should be. Many investigations result in the submission of a planning application to potentially regularise a breach. This means the community will be involved in the same way as any other planning application. If a breach cannot be regularised the Council will consider formal enforcement action. Officers are delegated to

<sup>&</sup>lt;sup>21</sup> Harlow and Gilston Garden Town Website - <a href="https://hggt.co.uk/">https://hggt.co.uk/</a>

<sup>&</sup>lt;sup>22</sup> Gilston are developer website - https://gilston.info

make these decisions on behalf of councillors. The Council will ensure that the complainant is informed of decisions made in relation to the case. Further details about the process are set out in the <u>Planning Enforcement Plan</u>.

## 7.0 Review

- 7.1 In 2023 the Levelling Up and Regeneration Act<sup>23</sup> came into force. Part 3 of this legislation sets out large changes to the planning system, in particular, changes to the way in which local plans are made, the requirement for design codes and the introduction of Supplementary Plans. We are currently awaiting secondary legislation that will set out in more detail how the changes will be implemented.
- 7.2 Once secondary legislation is released there may be implications to the way in which consultations are undertaken, it therefore may be the case that this SCI will need to be updated to reflect these changes at that time.
- 7.3 In the meantime, in all instances, the Council will, as a minimum, meet the statutory requirements for consultation at any time.

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<sup>&</sup>lt;sup>23</sup> Levelling Up and Regeneration Act 2023 Part 3 Planning

## **Appendix A: Forums and Steering Groups**

There are a number of forums which the Council uses to engage with communities and stakeholders to share information and views on particular proposals. Details on the different forums and their purpose is set out below:

## **Agent Forum**

This forum has been set up to create an open dialogue between the Council and the development industry. It allows information to be shared and discussed, creating a channel to keep the development industry up-to-date to any changes to the planning service and procedures at the Council. This will help to create applications that meet the Council's requirements, reducing time spent processing incorrect information.

## **Community Forums**

These forums have been created to bring together residents, community groups, Town and Parish Councils, local councillors, developers and other interested parties to engage with each other about development proposals and aide the delivery of sites. The Council acts as the facilitator, with the Forums providing an opportunity for residents to share any topics, concerns and community projects as new communities are developed on the ground. It also provides regular, accurate and timely information to residents regarding relevant developments. There are currently active community forums for the Gilston Area and Stortford Fields where permission has been sought. Further community forums are likely to start in other locations where strategic allocations in the District Plan are based. Further details on the community forums and how to get involved can be found on the Council's website.

## **Development Management Forum**

This is a meeting where petitioners can present their views to councillors, planning officers and the applicant before a planning application is determined. The aim of this forum is to allow for early discussion of the planning issues raised by petitioners and to explore the scope for building consensus and resolving concerns. It is an informal meeting and does not determine the application. Further details on the process and requirements for a Development Management Forum can be found on the Council's website.

## **Garden Town Developer Forum**

Comprising landowners, developers and promoters active in the Harlow and Gilston Garden Town, for discussion and engagement in relation to planning policies, guidance, evidence and the sharing of information in respect of masterplans and planning applications.

## Site Specific Steering Groups

These are set up where there are strategic sites that require a masterplan. It brings together different organisations, groups and the community to discuss the specific site, key issues and guide the masterplan process.

## **Further Information**

- Community Forums www.eastherts.gov.uk/planning-and-building/community-forums
- Development Management Forum www.eastherts.gov.uk/planningand-building/development-management-forum

## **Appendix B: Engagement Strategy Template**

Disclaimer- This template is an example of how the engagement strategy could be filled out. This will be completed at the relevant stage of creating planning policy documents.

| Engagement Strategy       |                                                          |  |
|---------------------------|----------------------------------------------------------|--|
| Consultation              | Example Title                                            |  |
| Content                   |                                                          |  |
| What is being consulted   | Draft District Plan                                      |  |
| on?                       |                                                          |  |
| What is being sought      | The Council is looking for comments on the               |  |
| through the consultation? | soundness and the legal compliance of the draft          |  |
|                           | District Plan                                            |  |
| Key messaging             | This is a technical consultation on the draft District   |  |
|                           | Plan. This is the stage before the Plan is submitted for |  |
|                           | Examination.                                             |  |
| Length of consultation    | 6 weeks                                                  |  |
| Stage of consultation     | Publication of District Plan                             |  |
| Audience                  |                                                          |  |
| Define the area that is   | The whole district and surrounding areas are within      |  |
| being consulted           | the scope of the consultation                            |  |
| Who will be consulted?    | Duty to co-operate bodies, local organisations, local    |  |
|                           | communities, planning policy database, developers,       |  |
|                           | local businesses and residents                           |  |
| Will the planning policy  | The draft District Plan impacts the entirety of the      |  |
| document or consultation  | borough. The consultation is open to everyone and will   |  |
| impact any specific       | be publicised widely.                                    |  |
| groups? If so, will       |                                                          |  |
| different methods be      | If it becomes apparent during the consultation that      |  |
| used to reach them?       | particular groups have not engaged e.g. younger          |  |
|                           | people, then the Council may implement further           |  |
|                           | measures to try and increase participation in those      |  |
|                           | groups such as targeted methods e.g. going to            |  |
|                           | colleges and schools.                                    |  |
| Consultation methods      |                                                          |  |

| How will be people or            | Where contact information is held, notifications will be  |  |  |  |
|----------------------------------|-----------------------------------------------------------|--|--|--|
| organisations be directly        | sent via email in the first instance, and if that is not  |  |  |  |
| notified?                        | possible then a letter will be sent at the beginning of   |  |  |  |
|                                  | the consultation period.                                  |  |  |  |
|                                  | and contention points.                                    |  |  |  |
|                                  | If no direct contact information is held then indirect    |  |  |  |
|                                  | methods of consultation will be used through the          |  |  |  |
|                                  | promotion set out below.                                  |  |  |  |
| How will the consultation        | Social media posts                                        |  |  |  |
| be promoted?                     | Email newsletter                                          |  |  |  |
|                                  | Press release                                             |  |  |  |
|                                  | Community noticeboards                                    |  |  |  |
|                                  | ·                                                         |  |  |  |
|                                  | Local media advertising  Car Dublic drap in accessors     |  |  |  |
|                                  | 6 x Public drop in sessions                               |  |  |  |
|                                  | 2 x online public meeting                                 |  |  |  |
|                                  | Online exhibitions                                        |  |  |  |
| Will any digital                 | There will be 2 online public meetings that will be held  |  |  |  |
| technologies be used in          | on Microsoft Teams, these will be open to all.            |  |  |  |
| this consultation? If yes,       |                                                           |  |  |  |
| what technologies?               | An online exhibition will be available to view from the   |  |  |  |
|                                  | Council's website.                                        |  |  |  |
|                                  |                                                           |  |  |  |
|                                  | Al software will be used after the consultation to help   |  |  |  |
|                                  | summarise key issues and help report writing.             |  |  |  |
| How can the consultation         | The draft District Plan and supporting evidence base      |  |  |  |
| material be accessed?            | will be available on the Council's website and hard       |  |  |  |
|                                  | copies will be available at the Council offices and local |  |  |  |
|                                  | libraries.                                                |  |  |  |
| Next steps What will happen with | Responses will be analysed and sent to the Inspector      |  |  |  |
| responses?                       | Responses will be analysed and sent to the Inspector      |  |  |  |
| 1600011363 :                     | examining the District Plan. These responses will be      |  |  |  |
|                                  | made available to view on the Council's website with a    |  |  |  |
|                                  | report setting out how they have informed the Plan.       |  |  |  |

| Additional considerations |                                                       |
|---------------------------|-------------------------------------------------------|
| 1                         | Further public drop-in sessions may be necessary if   |
|                           | there is high public demand, these will be widely     |
|                           | publicised via all communications channels.           |
| 2                         | Responses will be made public on the Council          |
|                           | website, therefore those that respond will need to    |
|                           | confirm their name is to be published alongside their |
|                           | name. Other personal information will be in           |
|                           | compliance with the Council's privacy notice.         |

## **Appendix C: Glossary**

- Deposit or Inspection Point: Locations across the district where consultation documents can be viewed.
- Development Plan: This includes adopted Local Plans, Mineral and Waste Plans and Neighbourhood Plans and is defined in section 38 of the Planning and Compulsory Purchase Act 2004.
- Development Plan Documents: A generic term for the different plans that constitute the Development Plan.
- Environmental Impact Assessment (EIA): A procedure to be followed for certain types of projects to ensure that decisions are made in full knowledge of any likely significant effects on the environment.
- Local Development Scheme (LDS): The Local Authority's timetable for the preparation of Development Documents.
- Local Plan: The District Plan which sets out the Council's planning framework for the district. It consists of a Written Statement and Policies Map.
- Masterplan: A plan that shows an overall development concept that includes urban design, landscaping, infrastructure, service provision, movement, present and future land-use and built form.
- National Planning Policy Framework (NPPF): Sets out the Government's planning policies for England and how these are expected to be applied.
- Neighbourhood Plan: A plan prepared by a Parish/ Town Council or Neighbourhood Forum for a particular neighbourhood area.
- Non-key Decision: Executive decisions taken by Executive Members and Officers on less significant matters, rather than using the relevant committee process.
- Supplementary Planning Documents (SPDs): Documents which add further
  details to the policies of the Local Plan (District Plan). These documents are not
  part of the development plan but are material considerations in planning
  decisions.
- Disclaimer- This glossary is neither a statement of law nor an interpretation of law, and its status is only as an introductory guide to planning issues and it should not therefore be used as a source for statutory definitions.

# **Equality Impact Analysis for East Herts Statement of Community Involvement**

Created by Maria Hennessy April 2025

| Title of EqIA (policy/change it relates to)                                                                  | Statement of Community Involvement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Date                                                           | April 2025                                                           |  |
|--------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|----------------------------------------------------------------------|--|
| Team/Department                                                                                              | Planning Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                |                                                                      |  |
| Focus of EqIA  What are the aims of the new initiative?  Who implements it?  Define the user group impacted? | The Council is legally required to produce a Statement of Common This sets out how the Council will involve the community in the adopted in 2019 with a later 2020 Addendum in light of Covid-1 prepared taking account of changes to legislation and the increase.  The aim of the SCI is to ensure that, as far as possible, all parts                                                                                                                                                                                                                                                                                                                                                                                                   | planning process.<br>9 restrictions. The<br>ased use of digita | The previous SCI was a latest SCI has been I technology in planning. |  |
| How will they be impacted?                                                                                   | get involved in preparing planning documents and processing planning applications. In addition to setting out the Council's publicity and consultation procedures, the SCI also outlines what we expect applicants to do before they submit a planning application. When the Council consults on planning policy documents and planning applications it must comply with the SCI.                                                                                                                                                                                                                                                                                                                                                          |                                                                |                                                                      |  |
|                                                                                                              | The SCI will impact on a range of user groups. Generally it will have a positive impact on all people who live and work in East Herts because it encourages engagement with stakeholders and the wider community at various opportunities in the planning process. By providing clarity about when and how to get involved and the varied methods for notifying, consulting and responding, it is beneficial for various sections of the community as defined in the Equality Act 2010. Specific reference is made to promoting accessible and inclusive consultation procedures so no group should be disadvantaged. There is also an aim to increase the involvement of 'hard to reach groups' on the basis of age, race and disability. |                                                                |                                                                      |  |
|                                                                                                              | The SCI provides the framework for consultation that the Council's District Plan must comply with. By ensuring that all groups within the community are given the opportunity to participate in the planning process, this gives a greater chance for issues impacting different groups to be incorporated into the decision-making process, which in turn will create more inclusive decisions.                                                                                                                                                                                                                                                                                                                                           |                                                                |                                                                      |  |

## Review of information, equality analysis and potential actions

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

| Protected characteristics groups from the Equality Act 2010 | What do you know? Summary of data about your service-users and/or staff                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | What do people tell you? Summary of service-user and/or staff feedback                                                                                                    | What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)                                                                                                                                                                                                                                                                                                                                                 | What can you do? All potential actions to:     advance equality of opportunity,     eliminate discrimination, and     foster good relations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Age Page 103                                                | Age profile of the district (Census 2021):  • 4 years and under - 5.5%  • 5 to 9 years - 5.9%  • 10 to 15 years - 7.8%  • 16 to 19 years - 4.2%  • 20 to 24 years - 4.6%  • 25 to 34 years - 12.3%  • 35 to 49 years - 20.5%  • 50 to 64 years - 20.9%  • 65 to 74 years - 9.7%  • 75 to 84 years - 6.0%  • 85 years and over - 2.6%  Between the Census years of 2011 and 2021 the average age in East Herts has increased. The median age of residents in East Herts rose from 40 to 42. The share of residents aged between 50-64 rose by 1.9% and the number of residents aged between 35 and 49 years decreased by 8.5%. | Typically planning has less representation in consultations from younger and older people. These groups can be categorised as hard to reach groups for planning purposes. | The SCI seeks to ensure an inclusive approach to planning engagement regardless of background or personal circumstance, which is a positive impact.  However, the SCI identifies in particular that younger people and elderly people can be hard to reach groups and are less likely to engage in the planning process. The SCI aims to consult in a way that ensures hard to reach groups are involved in consultations from an early stage. | To foster good relations, the SCI aims to improve engagement by involving representatives of a cross-section of stakeholders, ensuring that different needs and views of different sections or groups of the community are considered.  Specific techniques that may attract younger people include promoting electronic methods of consultation and social media and where appropriate encouraging the use of community events/displays, producing summaries to make information easier to understand, visiting local schools and colleges and using digital technology to convey complex planning issues in a visual format.  In relation to the elderly population the ability for the population group to access consultations through digital means may be reduced. In this circumstance it may therefore be appropriate to promote the |

| Page Protegrand ground Equation |
|---------------------------------|
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| ق =                                                         |                                                                                                                                                   |                                                                                                                                                              |                                                                                                                                                     |                                                                                                                                                                                                                                                               |
|-------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Protected characteristics groups from the Equality Act 2010 | What do you know? Summary of data about your service-users and/or staff                                                                           | What do people tell you? Summary of service-user and/or staff feedback                                                                                       | What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)                                                      | What can you do? All potential actions to:     advance equality of opportunity,     eliminate discrimination, and     foster good relations                                                                                                                   |
|                                                             |                                                                                                                                                   |                                                                                                                                                              |                                                                                                                                                     | consultation through more physical means such as posters, community noticeboards, and letters, whilst allowing hardcopy responses. In addition, in-person events at various locations around the district could help improve accessibility to this age range. |
|                                                             |                                                                                                                                                   |                                                                                                                                                              |                                                                                                                                                     | In both age groups it may also be appropriate to engage with known groups or organisations that work with the relevant age groups, for example youth groups and Age UK.                                                                                       |
|                                                             |                                                                                                                                                   |                                                                                                                                                              |                                                                                                                                                     | This process will have a positive impact by increasing awareness of planning opportunities and enhancing opportunities to be involved and respond to planning consultations.                                                                                  |
| Disability                                                  | Percentage of population with a disability in the district (Census 2021):  Disabled under the Equality Act: Day-to-day activities limited a lot - | It is considered that those with disabilities can be harder to reach or are seldom heard in planning consultations. For planning purposes these are known as | The SCI seeks to ensure an inclusive approach to planning engagement regardless of background or personal circumstance, which is a positive impact. | To foster good relations the SCI aims to improve engagement by involving a cross-section of stakeholders, ensuring that different needs and views of different sections or groups of the community are considered.                                            |

| Protected characteristics groups from the Equality Act 2010 | What do you know? Summary of data about your service-users and/or staff                                                                                                                                                                                                                                                                                                                                                                                                                                                              | What do people tell you? Summary of service-user and/or staff feedback                                                                 | What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)                                                                                                               | What can you do? All potential actions to:     advance equality of opportunity,     eliminate discrimination, and     foster good relations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Page                                                        | <ul> <li>4.9%</li> <li>Disabled under the Equality Act: Day-to-day activities limited a little - 8.8%</li> <li>Not disabled under the Equality Act: Has long term physical or mental health condition but day-to-day activities are not limited - 7.5%</li> <li>Not disabled under the Equality Act: No long term physical or mental health conditions - 78.9%</li> <li>The number of people identifying themselves as not having a disability has increased between 2011 and 2021 from 85.3% to 86.1% of the population.</li> </ul> | 'hard to reach groups', meaning that this group can be harder to reach and therefore less representation is received in consultations. | However, people with disabilities are identified in the SCI as a 'hard to reach' group. The SCI aims to consult in a way that ensures hard to reach groups are involved in consultation from an early stage. | The SCI sets out a number of methods that could assist people with disabilities:  • Written information will be made available on request in accessible formats.  • Summaries of long documents will be produced when relevant to ensure information is easily accessible.  • The aim to improve engagement by promoting electronic methods of consultation and social media may help some people with disabilities access and respond to consultation materials.  • Events will be at accessible locations.  • Where appropriate events may be held online to allow individuals to take part who may not be able to attend in-person events. |

ensuring that different needs and

| Pag                                                         | EqIA updated as of 2018                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                        |                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Protected Characteristics groups from the Equality Act 2010 | What do you know? Summary of data about your service-users and/or staff                                                                                                                                                                                                                                                                                                                                                                                   | What do people tell you? Summary of service-user and/or staff feedback | What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)                                                                                                                            | What can you do? All potential actions to:     advance equality of opportunity,     eliminate discrimination, and     foster good relations                                                                                                                                                                                                                                                                                                                                                                                                 |
| Gender<br>reassignment                                      | Gender identity, by percentage of population (Census 2021):  • Gender identity the same as sex registered at birth - 115,220 persons - 95.1%  • Gender identity different from sex registered at birth but no specific identity given — 105 persons - 0.1%  • Trans woman — 66 persons - 0.1%  • Trans man — 54 persons - 0.0%  • Non-binary — 53 persons - 0.0%  • All other gender identities — 26 persons- 0.0%  • Not answered - 5,628 persons - 4.6% | No feedback has been provided.                                         | The SCI seeks to ensure an inclusive approach to planning engagement regardless of background or personal circumstance, which is a positive impact.  However, no specific gender reassignment impact has been identified. | To foster good relations the SCI aims to improve engagement by involving representatives of a cross section of stakeholders, ensuring that different needs and views of different sections or groups of the community are considered.  A range of consultation principles and techniques are proposed to ensure consultation is inclusive so all sectors of the community should benefit. In addition the SCI sets out clear processes for dealing with discriminatory comments, which is a positive approach to addressing discrimination. |
| Pregnancy and maternity                                     | No reliable data currently.                                                                                                                                                                                                                                                                                                                                                                                                                               | No feedback has been provided.                                         | The SCI seeks to ensure an inclusive approach to planning engagement regardless of background or                                                                                                                          | To foster good relations the SCI aims to improve engagement by involving representatives of a cross-section of stakeholders,                                                                                                                                                                                                                                                                                                                                                                                                                |

personal circumstance,

| Protected<br>characteristics<br>groups from the<br>Equality Act 2010 | What do you know? Summary of data about your service-users and/or staff                                                                                                                                                                                                                     | What do people tell you? Summary of service-user and/or staff feedback                                                                                                                                                                                                                             | What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)                                                                                                                                                                                                                                                                                          | What can you do? All potential actions to:     advance equality of opportunity,     eliminate discrimination, and     foster good relations                                                                                                                                                                                                                                                                                                                          |
|----------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                      |                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                    | which is a positive impact.  However, no specific pregnancy and maternity impact has been identified.                                                                                                                                                                                                                                                                                   | views of different sections or groups of the community are considered.  A range of consultation principles and techniques are proposed to ensure consultation is inclusive so all sectors of the community should benefit. In addition, the SCI sets out clear processes for dealing with discriminatory comments, which is a positive approach to addressing discrimination.                                                                                        |
| Race<br>Page 107                                                     | Ethnic Group, by percentage of population (Census 2021):  • Asian, Asian British or Asian Welsh - 2.7%  • Black, Black British, Black Welsh, Caribbean or African - 1.3%  • Mixed or Multiple ethnic groups - 2.8%  • White - 92.3%  • Other ethnic group - 0.9%  In comparison to the 2011 | It is considered that minority ethnic groups can be harder to reach or are seldom heard in planning consultations. For planning purposes these are known as 'hard to reach groups', meaning that this group can be harder to reach and therefore less representation is received in consultations. | The SCI seeks to ensure an inclusive approach to planning engagement regardless of background or personal circumstance, which is a positive impact.  However, people from ethnic minorities are identified in the SCI as a 'hard to reach' group. The SCI aims to consult in a way that ensures hard to reach groups are involved in consultations from an early stage to feed into the | To foster good relations the SCI aims to improve engagement by involving representatives of a cross-section of stakeholders, ensuring that different needs and views of different sections or groups of the community are considered.  A range of consultation principles and methods are proposed to ensure consultation is inclusive so all sectors of the community should benefit. In addition, the SCI sets out clear processes for dealing with discriminatory |

| P<br><u>a</u>                                               | EqIA updated as of <b>2018</b>                                                                                                                                                                                                                                                                                                                                                               |                                                                        |                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Protected Praracteristics groups from the Equality Act 2010 | What do you know? Summary of data about your service-users and/or staff                                                                                                                                                                                                                                                                                                                      | What do people tell you? Summary of service-user and/or staff feedback | What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)                                                                                                          | What can you do? All potential actions to:     advance equality of opportunity,     eliminate discrimination, and     foster good relations                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                                             | Census the amount of individuals identifying themselves as 'Asia, Asian British or Asian Welsh', 'Black, Black British, Black Welsh, Caribbean or African', 'Mixed or Multiple ethnic groups' and 'Other ethnic groups' all increased between the Census years. The number of individuals identifying themselves as 'White' decreased from 95.5% of the population in 2011 to 92.3% in 2021. |                                                                        | planning process. In some instances English may not be a first language of those with different ethnic backgrounds and taking part in planning consultations may be difficult to understand.            | comments, which is a positive approach to addressing discrimination.  The SCI includes principles such as making consultations accessible to different groups. Examples of how this can help those who do not have English as a first language is through the use of digital technology which can help translate documents, as well as using plain English, making documents easier to understand.  The SCI also promotes targeted consultation where relevant to help engage specifically with particular groups, for example Gypsy and Travellers. |
| Religion or belief                                          | Religion, by percentage of population (Census 2021):  No religion - 41.8% Christian - 49.1% Buddhist - 0.4% Hindu - 0.6% Jewish - 0.4%                                                                                                                                                                                                                                                       | No feedback has been provided.                                         | The SCI seeks to ensure an inclusive approach to planning engagement regardless of background or personal circumstance, which is a positive impact.  However, no specific religion or belief impact has | To foster good relations the SCI aims to improve engagement by involving representatives of a cross-section of stakeholders, ensuring that different needs and views of different sections or groups of the community are considered.                                                                                                                                                                                                                                                                                                                |

| Protected characteristics groups from the Equality Act 2010 | What do you know?<br>Summary of data about<br>your service-users and/or<br>staff                                                                                                                                                                                                                                                                    | What do people tell you? Summary of service-user and/or staff feedback | What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)   | What can you do? All potential actions to:     advance equality of opportunity,     eliminate discrimination, and     foster good relations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| P                                                           | <ul> <li>Muslim - 1.2%</li> <li>Sikh - 0.1%</li> <li>Other religion - 0.4%</li> <li>Not answered - 6.0%</li> <li>Since the 2011 Census the number of residents reporting having 'no religion' increased by 14.1%, while the number of residents who described themselves as 'Christian' decreased from 62.7% to 49.1% of the population.</li> </ul> |                                                                        | been identified.                                                                                 | A range of consultation principles are proposed to ensure consultation is inclusive so all sectors of the community should benefit. In particular, where different consultation techniques may benefit those with specific religions or beliefs, could be in relation to specific religious events or practices that could coincide with consultation events. Therefore, some in person events may be impractical for individuals, and the use of digital technology and online resources makes planning accessible at different times of the day for all. In addition, varying times and locations of events can help to minimise the impact of this.  In addition, the SCI sets out clear processes for dealing with discriminatory comments, which is a positive approach to addressing discrimination. |
| വ<br>യ<br>യ<br>ഇ<br><u>S</u> ex/Gender<br>O<br>O            | Sex, by percentage of population (Census 2021): Female – 51%                                                                                                                                                                                                                                                                                        | No feedback has been provided.                                         | The SCI seeks to ensure an inclusive approach to planning engagement regardless of background or | To foster good relations the SCI aims to improve engagement by involving representatives of a cross-section of stakeholders,                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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| Protected Praracteristics groups from the Equality Act 2010 | What do you know? Summary of data about your service-users and/or staff                                                                                                                                                                                                     | What do people tell you? Summary of service-user and/or staff feedback | What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)                                                                                                                           | What can you do? All potential actions to:     advance equality of opportunity,     eliminate discrimination, and     foster good relations                                                                                                                                                                                                                                                                                                |
|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                             | Male – 49%                                                                                                                                                                                                                                                                  |                                                                        | personal circumstance, which is a positive impact.  However, no specific sex/gender impact has been identified.                                                                                                          | ensuring that different needs and views of different sections or groups of the community are considered.  A range of consultation principles and methods are proposed to ensure consultation is inclusive so all sectors of the community should benefit. In addition, the SCI sets out clear processes for dealing with discriminatory comments, which is a positive approach to addressing discrimination.                               |
| Sexual orientation                                          | Sexual orientation, by percentage of population aged 16 and over (Census 2021):  • Straight or Heterosexual - 110,717 persons - 91.4%  • Gay or Lesbian - 1,431 persons - 1.2%  • Bisexual - 1,087 persons - 0.9%  • Pansexual - 105 persons- 0.1%  • Asexual - 46 persons- | No feedback has been provided.                                         | The SCI seeks to ensure an inclusive approach to planning engagement regardless of background or personal circumstance, which is a positive impact.  However, no specific sexual orientation impact has been identified. | To foster good relations the SCI aims to improve engagement by involving representatives of a cross-section of stakeholders, ensuring that different needs and views of different sections or groups of the community are considered.  A range of consultation principles and techniques are proposed to ensure consultation is inclusive so all sectors of the community should benefit. In addition the SCI sets out clear processes for |

|                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                        |                                                                                                                                                                                                                                      | •                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Protected<br>characteristics<br>groups from the<br>Equality Act 2010 | What do you know? Summary of data about your service-users and/or staff                                                                                                                                                                                                                                                                                                                                                                                    | What do people tell you? Summary of service-user and/or staff feedback | What does this mean? Impacts (actual and potential, positive and negative. Clearly state each)                                                                                                                                       | What can you do? All potential actions to:     advance equality of opportunity,     eliminate discrimination, and     foster good relations                                                                                                                                                                                                                                                                                                                                                                                               |
|                                                                      | <ul> <li>0.0%</li> <li>Queer – 20 persons-<br/>0.0%</li> <li>All other sexual<br/>orientations – 115<br/>persons- 0.1%</li> <li>Not answered - 7,634 -<br/>6.3%</li> </ul>                                                                                                                                                                                                                                                                                 |                                                                        |                                                                                                                                                                                                                                      | dealing with discriminatory comments, which is a positive approach to addressing discrimination.                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Marriage and civil partnership  Page 1111                            | Legal partnership status, by percentage of population aged 16 and over (Census 2021):  Never married and never registered a civil partnership - 33.9%  Married or in a registered civil partnership - 49.9%  Married - 49.7%  In a registered civil partnership - 0.2%  Separated, but still legally married or still legally married or still legally in a civil partnership - 1.9%  Divorced or civil partnership dissolved - 8.7%  Widowed or surviving | No feedback has been provided.                                         | The SCI seeks to ensure an inclusive approach to planning engagement regardless of background or personal circumstance, which is a positive impact.  However, no specific marriage and civil partnership impact has been identified. | To foster good relations the SCI aims to improve engagement by involving representatives of a cross-section of stakeholders, ensuring that different needs and views of different sections or groups of the community are considered.  A range of consultation principles and methods are proposed to ensure consultation is inclusive so all sectors of the community should benefit. In addition, the SCI sets out clear processes for dealing with discriminatory comments, which is a positive approach to addressing discrimination. |

| Protected Characteristics groups from the Equality Act 2010 | What do you know? Summary of data about your service-users and/or staff | What do people tell you? Summary of service-user and/or staff feedback | What does this mean? Impacts (actual and potential, positive and negative. Clearly state each) | What can you do? All potential actions to:     advance equality of opportunity,     eliminate discrimination, and     foster good relations |
|-------------------------------------------------------------|-------------------------------------------------------------------------|------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
|                                                             | civil partnership partner<br>- 5.7%                                     |                                                                        |                                                                                                |                                                                                                                                             |

#### Assessment of overall impacts and any further recommendations

It is not considered that the SCI will give rise to the actual or likely adverse impacts to the groups identified as being potentially affected. The role of the SCI is to clearly set out how consultation in planning matters will be undertaken, the approach to this document is for consultation to be open and inclusive, as far as possible. This will have positive impacts to all groups listed in the Equalities Act 2010, ensuring that a range of views are provided and considered in planning decisions, resulting in more positive outcomes for communities.

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

| <b>Title</b> (of data, research or engagement) | Date | Gaps in data   | Actions to fill these gaps: who else do you need to engage with? (add these to the Action Plan below, with a timeframe) |
|------------------------------------------------|------|----------------|-------------------------------------------------------------------------------------------------------------------------|
| Census Data                                    | 2021 | Not applicable | Not applicable                                                                                                          |

## **Prioritised Action Plan (If applicable)**

| Impact identified and group(s) affected                                                                            | Action planned | Expected outcome | Measure of success | Timeframe |  |
|--------------------------------------------------------------------------------------------------------------------|----------------|------------------|--------------------|-----------|--|
| ND. These setime was the transferred to semile on business plane and manifered to another these setimes identified |                |                  |                    |           |  |

NB: These actions must now be transferred to service or business plans and monitored to ensure they achieve the outcomes identified.

| NOT APPLICABLE |  |  |  |  |  |
|----------------|--|--|--|--|--|

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

Directorate Management Team rep or Head of Service: Sara Saunders, Head of Planning Date: 28/04/2025

Author of Equality Impact Analysis: Maria Hennessy, Principal Planning Officer Date: 24/04/2025

## Agenda Item 9b

#### **East Herts Council Report**

#### **Executive**

Date of meeting: Tuesday 3 June 2025

Report by: Councillor Vicky Glover-Ward – Executive Member for

Planning and Growth

**Report title:** Hertfordshire Green Infrastructure Strategy

Ward(s) affected: (All Wards);

**Summary** – Members have agreed to undertake a review of the District Plan, including an update of the evidence documents needed to support the new District Plan. The Hertfordshire Green Infrastructure Strategy, published in 2022, provides a strategic framework for the delivery of green infrastructure in the county, that can usefully inform local planning policies and strategy in East Herts. Therefore, this report summarises key priorities of the Strategy and seeks agreement to use the document as part of the new District Plan evidence base.

# **RECOMMENDATIONS FOR EXECUTIVE to recommend to Council that:**

a) The Hertfordshire Green Infrastructure Strategy (2022), attached in three sections as Appendix A, B and C, be agreed as part of the evidence base to inform the new East Herts District Plan.

#### 1.0 Proposal(s)

1.1 The purpose of this report is to agree that the Hertfordshire Green Infrastructure Strategy can be used as part of the evidence base for the new District Plan.

#### 2.0 Background

2.1 Local planning authorities are required to complete a review of their local plans at least once every 5 years from the adoption date

to ensure that plans remain relevant. In October 2023, the Council agreed that East Herts District Plan 2018 needs updating, and that work should commence in 2023/24 on updating the technical studies and other preparatory work required to provide a robust evidence base to support this Review<sup>1</sup>. The 30-month period of formal plan-making will then commence in early 2026.

- 2.2 A clear, relevant and proportionate evidence base is essential for efficient and sound plan-making to ensure that all future planning policy and decisions are based on up-to-date information. The National Planning Policy Framework (NPPF, 2024) sets out the requirement for the preparation and review of all policies to be, 'underpinned by relevant and up-to-date evidence' (paragraph 32).
- 2.3 The evidence base consists of supporting documents that will help inform the future policies and site allocations in the new District Plan. It will cover a range of social, economic, and environmental topics and help identify local needs, constraints and opportunities.
- 2.4 The evidence base will be developed throughout the preparation of the new District Plan and the planning policy team will seek agreement from Executive and Council to include relevant studies as part of the evidence base.

Development of the Hertfordshire Green Infrastructure Strategy

2.5 The current District Plan (2018) was informed by the 2011 Hertfordshire Green (GI) Infrastructure Plan, which was endorsed as part of the evidence base. Likewise, the new District Plan should take account of the latest green infrastructure evidence.

Page 115

<sup>&</sup>lt;sup>1</sup> Agenda for Executive on Tuesday 3rd October, 2023, 7.00 pm - East Herts District Council

2.6 Hertfordshire Infrastructure and Planning Partnership (HIPP),<sup>2</sup> commissioned the Hertfordshire Green (GI) Infrastructure Strategy to update the original 2011 Green Infrastructure (GI) Plan and provide a joint approach on green infrastructure planning. The relationship between the functions identified in the previous 2011 GI Plan and the themes in the updated Hertfordshire GI Strategy is set out in Figure 5.2 of Part 1 of the GI Strategy. For clarity, this figure is included below:

Proposed GI themes Climate Change cross-cutting 'theme' Heritage & People, A Resilient Nature Access and The Water Health and Sense of Recovery Environment Landscape Connectivity Wellbeing Place Previous 'Green Infrastructure functions' (taken from the 2011 plan) sustainability historic

Figure 5.2: Proposed GI themes and their relationship to the former GI functions from the 2011 Plan

2.7 Published in August 2022, the Hertfordshire GI Strategy presents an overview of the strengths and weaknesses of Hertfordshire's current green infrastructure network. It also identifies priorities, mechanisms and an overarching vision to provide green infrastructure enhancements, with the aim of delivering a more resilient and healthier Hertfordshire. It was developed by consultants, LUC (Land Use Consultants), in consultation with all the Hertfordshire local authorities, through the collection of data, agreement of green infrastructure assets within the county and online workshops. The final Strategy was reported to HIPP on 21

<sup>&</sup>lt;sup>2</sup> HIPP comprises the Planning/Transport Portfolio Holders and Heads of Planning from the eleven councils in Hertfordshire and its purpose is to provide a discussion forum for joint planning and infrastructure issues and work programmes.

September 2022, with the recommendation that partners take forward and deliver the priorities in the plan.

#### 3.0 Reason(s)

#### Importance of Green Infrastructure

- 3.1 Green Infrastructure (GI) is the network of green and blue spaces and routes, landscapes, biodiversity, water bodies and heritage, which provide a range of benefits for people, nature and the climate. Essential for creating high-quality, sustainable places, it is an important planning policy consideration. The NPPF requires strategic local plan policies to conserve and enhance green infrastructure. Therefore, policies and site allocations in the new District Plan will need to promote the protection, provision and enhancement of green infrastructure in East Herts, at various scales. GI can serve multiple functions, so will be relevant to a range of topic areas, including nature recovery, biodiversity net gain, sport and recreation, flood risk management, design, active travel, climate change mitigation and adaptation and improvements to air and water quality.
- 3.2 To support the development of a holistic approach to GI in the new District Plan, policies need to be underpinned by a robust evidence base. The Hertfordshire Green Instructure Strategy provides a strategic framework for considering GI in the district.

## Overview of the Strategy

- 3.3 The Hertfordshire Green Infrastructure Strategy is one document, split in three sections. These are:
  - Part One, a strategic review of GI in Hertfordshire;
  - Part Two (a) GI baseline, analysis and priorities;
  - Part Two (b), GI priority actions and delivery.
- 3.4 The three parts of the Strategy are attached to this report as **Appendices A, B and C**. Part One presents the strengths and weaknesses of the county's GI network. It sets the scene by

- providing an overview of changes since 2011. This includes an update on policy, examples of best practice in GI and the development of a vision for GI in the county.
- 3.5 Part Two (a) explores the GI baseline in Hertfordshire. The analysis was divided into 'themes' to help understand GI in the county. The review of existing GI functionality was to reflect the aims of climate and nature recovery as well supporting the wellbeing of communities within Hertfordshire. The relevance of green infrastructure to different themes is examined as well as the key assets and factors influencing the need for green infrastructure. The analysis reviews socio-economic indictors to assist with identifying severance and areas for intervention.
- 3.6 Part Two (b) is the final section of the strategy and reviews the priority actions and potential delivery mechanisms. The Green Infrastructure priority actions aim to repair, reconnect and restore GI across Hertfordshire. Of the priorities identified, the following are most relevant to planning policy:
  - Deliver environmental enhancement in vulnerable valleys and catchments, including requirements for Sustainable Drainage (SuDs) in policies, conservation of chalk rivers, enhancement of river corridors and integrating GI in planned growth;
  - Expand tree coverage and enhance woodland connectivity;
  - Protect, enhance and connect habitats to support species recovery and climate resilience;
  - Develop local plan policies to promote a GI-led design;
  - Deliver and manage GI as a mechanism to improve air quality and public health;
  - Improve the connectivity of active travel infrastructure, increasing walking and cycling routes and enhancing wildlife corridors.
- 3.7 Whilst not the only mechanism for delivering these GI priorities, the new District Plan can play a key role in conserving and enhancing GI in East Herts. It is officers' view that the strategic

analysis and actions in the Hertfordshire GI Strategy provide an overarching framework that can usefully inform the new District Plan, alongside other relevant documents and strategies that impact the consideration of GI (for example, the Local Nature Recovery Strategy, Local Cycling and Walking Infrastructure Plan (LCWIP), Open Space and Sport Assessment). Therefore, now work has commenced on collating the evidence base, it is recommended the Strategy is agreed as part of this District Plan evidence base.

#### 4.0 Options

4.1 The Council could choose not to agree to endorse the Hertfordshire Green Instructure Strategy as part of the new District Plan evidence base.

#### 5.0 Risks

5.1 If the Green Infrastructure Strategy is not agreed as part of the evidence base, it may be considered as having reduced weight in informing the strategy and the policy in the new District Plan. This would mean that significant information about local green infrastructure issues could be undervalued. This would be contrary to Government policy to have a robust evidence base and could undermine the Council's position in terms of successfully bringing forward the update of the East Herts District Plan, 2018.

## **6.0 Implications/Consultations**

6.1 The Strategy was informed by consultation with stakeholders. It will be subject to a number of statutory public consultations as part of the production of the new District Plan.

## **Community Safety**

There are no community safety implications arising from this report.

#### **Data Protection**

There are no data protection implications arising from this report.

#### **Equalities**

There are no direct equality, diversity, or inclusion implications in this report. An Equalities Impact Assessment (EqIA) will be carried out of the new District Plan in accordance with The Equality Act 2010.

#### **Environmental Sustainability**

The purpose of the planning system is to contribute to the achievement of sustainable development. Evidence to support the delivery of green infrastructure has a range of environmental benefits including nature recovery, flood alleviation, biodiversity enhancement and climate change mitigation.

#### **Financial**

There are no financial implications arising from this report

#### **Health and Safety**

There are no health and safety implications arising from this report

#### **Human Resources**

There are no human resources implications arising from this report

## **Human Rights**

There are no human rights implications arising from this report

## Legal

There are no legal implications arising from this report

## **Specific Wards**

ΑII

# 7.0 Background papers, appendices and other relevant material

- 7.1 Appendix A Part One, a strategic review of GI in Hertfordshire.
- 7.2 Appendix B part Two (a), GI baseline, analysis and priorities.
- 7.3 Appendix C part Two (b), GI priority actions and delivery.

#### **Contact Member**

Councillor Vicky Glover-Ward

Executive Member for Planning and Growth

Vicky.Glover-Ward@eastherts.gov.uk

**Contact Officer** Sara Saunders

Head of Planning and Building Control,

Contact Tel. No. 01992 531656

sara.saunders@eastherts.gov.uk

**Report Author** Laura Guy

Principal Planning Policy Officer

laura.guy@eastherts.gov.uk



# Hertfordshire Green Infrastructure Strategy

Part 1: Setting the Scene – A Strategic Review of Green Infrastructure in Hertfordshire

Hertfordshire Infrastructure and Planning Partnership in partnership with Hertfordshire County Council

Final report
Prepared by LUC
August 2022

| Version | Status | Prepared   | Checked | Approved | Date        |
|---------|--------|------------|---------|----------|-------------|
| 1       | Draft  | S Crewe    | K Ahern | K Ahern  | August 2021 |
|         |        | M Cooke    |         |          |             |
|         |        | V Roberts  |         |          |             |
|         |        | R Hammonds |         |          |             |
|         |        | A Peet     |         |          |             |
| 2       | Final  | S Crewe    | K Ahern | K Ahern  | August 2022 |

The Hertfordshire Infrastructure and Planning Partnership (HIPP) provides a forum to discuss and, where appropriate, develop a shared view and agree joint work programmes on infrastructure and planning issues of common concern. A key objective is to work co-operatively within Hertfordshire and across the county borders according to the principles of localism and the duty to co-operate. The Partnership works together with Hertfordshire Forward, Hertfordshire Local Enterprise Partnership, the Local Transport Body for Hertfordshire, the Local Nature Partnership and other appropriate organisations in areas of shared interest to develop and where possible and necessary agree joint approaches to common issues. The Chairman, or his or her deputy, represents the Partnership as appropriate on external bodies, including the Board of the Local Transport Body for Hertfordshire.











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Bertfordshire Green Infrastructure Strategy

# **Contents**

| Chapter 1<br>Introduction                                                                                                                                                                 | 5                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| What is GI? The benefits of good quality GI Hertfordshire's strategic GI context The Green Recovery: How the Strategy can help How should the Strategy be used? Structure of the Strategy | 6<br>8<br>9<br>10<br>11 |
| Chapter 2 Policy Update                                                                                                                                                                   | 16                      |
| Policy context                                                                                                                                                                            | 16                      |
| Chapter 3 Why is GI important to Hertfordshire?                                                                                                                                           | 31                      |
| The climate emergency The biodiversity emergency The health challenge The economy and delivering sustainable development                                                                  | 32<br>35<br>37<br>42    |
| Chapter 4 Evolution of GI Approach                                                                                                                                                        | 49                      |
| South Essex Strategic Green and Blue Infrastructure Study (2020)                                                                                                                          | 50                      |

#### Contents

| Essex Green Infrastructure Study (2020)                                | 52 |
|------------------------------------------------------------------------|----|
| Colne and Crane Valleys Green Infrastructure Strategy (2019)           | 55 |
| Enfield's Blue and Green Strategy (2020)                               | 57 |
| Wirral Green and Blue Infrastructure Strategy (2020)                   | 59 |
| Cambridgeshire Green Infrastructure Strategy (2011)                    | 61 |
| Balancing People and Wildlife                                          | 63 |
| Re-wilding Arable Farmland                                             | 65 |
| Growing Community Wellbeing                                            | 67 |
| Sustainable Growth                                                     | 69 |
| Urban Cycling and Green Retrofit                                       | 71 |
| Chapter 5                                                              | 73 |
| Development of the Vision                                              |    |
| Summary of GI delivery and implementation since 2011                   | 73 |
| Development of the vision                                              | 74 |
| The 'themed' approach                                                  | 75 |
| Next steps and recommendations to take forward as part of the Strategy | 78 |
| Barriers to GI delivery and their significance score                   | 79 |
| References                                                             | 80 |

# **Chapter 1**

## Introduction

This document will build on the existing Hertfordshire Green Infrastructure Strategy of 2011 to present a picture of both the strengths and weaknesses of the county's current GI network. It will also identify priorities, mechanisms and an overarching vision to provide green infrastructure enhancements, with the aim of delivering a more resilient and healthier Hertfordshire.

- **1.1** 'Green Infrastructure' (or GI) is an essential component of healthy, thriving communities and ecosystems. Working on behalf of the Hertfordshire Infrastructure and Planning Partnership (HIPP) in partnership with Hertfordshire County Council (HCC), and in consultation with key stakeholders, LUC was commissioned to prepare a GI Strategy for the county. The document will provide an update and refresh of the 2011 Hertfordshire GI Strategy (herein referred to as the '2011 Plan') [See reference 1].
- **1.2** This document (herein referred to as the 'Strategy') provides an update on the concept of GI and identifies opportunities across the county to protect and enhance the GI network. Importantly, the Strategy reflects on the successes and the shortcomings of the 2011 Plan in order to help guide and inform the investment and future delivery of GI in the context of the county's future growth agenda. The Strategy is divided into two parts:
  - Part 1 'sets the scene' by providing an overview of context since 2011; and
  - Part 2 outlines baseline analysis, an action plan of priority opportunities and delivery mechanisms.

## What is GI?

- **1.3** Since the publication of the 2011 Plan, the definition of GI has evolved to incorporate wider environmental and societal assets and benefits. The concept has also become increasingly prevalent in national policy and among a variety of other actors, including developers and transport authorities. In addition, GI has been promoted through the 2018 publication of the 25 Year Environment Plan (25YEP) [See reference 2]. The Landscape Institute, the chartered body for the landscape profession, has also urged that It has 'never been more necessary to invest in GI...the role of GI in addressing the challenges of the 21st century cannot be underestimated [See reference 3].
- **1.4** GI is now more broadly used to describe the network of natural and seminatural features (including the water environment) within and between our urban and rural areas. GI is not limited to traditional green spaces such as parks and can involve various interventions to thread nature into streetscapes or to increase connectivity between GI assets at various landscape scales.
- 1.5 The National Planning Policy Framework (NPPF) 2021 defines GI as:

"A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity." [See reference 4]

**1.6** GI as a term of reference, encompasses open spaces such as parks and public gardens, but also allotments, woodlands, hedgerows, fields, river corridors and catchments, lakes, ponds, playing fields, footpaths and cycle routes. At the street level, this might include green walls, green roofs, soft verges, trees/canopies and Sustainable Drainage Systems (SuDS).

- **1.7** The 'multi-functionality' of GI refers to the range of benefits it provides to people (both physical and mental wellbeing) and the natural environment. GI can help to create high quality and attractive places, providing a setting for healthy, active day-to-day living. It can also promote habitat creation, enhancement and connectivity (on site as part of development or through biodiversity off-setting) and plays an important role in climate change adaptation and mitigation and alleviating flood risk and soil erosion.
- **1.8** For GI to serve multiple functions recognises the need, at some locations, for a difference in the importance or weighting of each, particularly where differing functions conflict with each other. For example, the delivery of biodiversity enhancements (favourable status of statutorily designated sites or species) at select locations should be balanced with the need for active transport or recreation.

## Components of GI

#### **Elements of the built environment**

- Verges;
- Street trees;
- Private gardens;
- Amenity space and pocket parks;
- Green/brown roofs and green walls; and
- Bird/bat boxes.

## Managed and natural green spaces

- Public parks;
- Formal and informal open space;

- Allotments;
- Publicly accessible nature conservation site; and
- Undisturbed areas (to accommodate successful breeding, shelter and foraging of wildlife).

## Linear linkages

- Footpaths, greenways and bridleways;
- Cycle paths and cycle lanes within roads;
- Disused railway lines;
- Towing paths; and
- Waterways and river corridors.

## Aspects of the wider landscape and countryside

- Farmland;
- Wetlands/floodplains; and
- Wildlife habitat.

## The benefits of good quality GI

- **1.9** Owing to its multifunctionality, the benefits of high-quality GI are numerous and far reaching, including:
  - Improving residents' and visitors' physical and mental health;
  - Aesthetic value and reinforcing sense of place;
  - Play, education and interaction with nature;
  - Improving air quality and noise regulation;

- Increased economic activity and attractiveness for inward investment;
- Opportunities for community growing;
- Reducing the risk of flooding and improving water quality;
- Active transport opportunities, such as walking and cycling;
- Space for biodiversity and improved ecological resilience;
- Opportunities for social interactions and community cohesion;
- Carbon sequestration and mitigating climate change; and
- Urban cooling, natural air condition and shading.

## Hertfordshire's strategic GI context

- **1.10** Hertfordshire is home to an expansive and multifunctional network of GI at all scales. However, Hertfordshire's location in between a number of strategic GI assets or initiatives helps to strengthen the county's GI provisions, particularly in relation to recreation and movement corridors for wildlife. These include:
  - Chiltern Hills Area of Outstanding Natural Beauty (AONB): With over ten million people living within one hour of the Chilterns, this landscape of chalk downlands and escarpments is one of the most accessible protected landscapes in Europe.
  - Colne Valley Regional Park: A mosaic of farmland, woodland and wetlands, with over 200km of rivers and canals, providing access to the countryside to the immediate west of London.
  - Lee Valley Regional Park: A 26 mile long linear park which brings green and blue open space into the heart of London whilst providing considerable biodiversity and recreation value.
  - Epping Forest: A significant stretch of ancient woodland and a Special Area of Conservation (SAC) which was initially designated for recreation access, but is now experiencing significant pressures.

- Chalk Arc: A partnership which focuses on securing green space in and around housing growth within Luton, Dunstable, Houghton Regis and Leighton-Linslade.
- Green Arc: A partnership which encourages the bringing of the 'big outdoors' closer to people through conserving the Green Belt, protecting biodiversity and expanding open space.

# The Green Recovery: How the Strategy can help

- **1.11** Investment in infrastructure, including GI, will be essential to the post COVID-19 economic recovery process as it can play a direct role in stimulating economies and maintaining employment. During the pandemic and periods of lockdown, access to open space and nature were increasingly seen as vital for mental and physical well-being and rose up the list of priorities within people's lives [See reference 5]. Investment in nature based solutions and natural capital as supported by the UK's 25 Year Environment Plan (YEP) will help to ensure that nature's value is included in recovery packages and taken forward as a vital component to a more sustainable future.
- 1.12 The policy context for GI has changed significantly since 2011. The Strategy will be informed by this rapidly evolving environment to identify new 'policy hooks' which the document and its future delivery can take advantage of. As well as helping to reinvigorate the economy and improve people's wellbeing, GI will simultaneously help to address the ongoing climate/biodiversity emergencies and health challenges.
- **1.13** In order to achieve this type of recovery, a strategic approach is crucial to help direct funds to priorities which address identified needs and to link up isolated GI assets to form a resilient and multi-functional network. The approach should also inform the planning and delivery of GI at smaller scale within the county, such as within individual towns and settlements.

## How should the Strategy be used?

- **1.14** Initial consultation feedback from HIPP/Hertfordshire County Council (HCC) and other key stakeholders during June 2021 demonstrated that, whilst comprehensive and well received when originally published, delivery of the projects identified within the 2011 Plan has been limited. This has been largely due to a lack of understanding as to what GI is and what it can offer, but also on how to best interpret and use the existing 2011 Plan in a planning context both in the writing of planning policies and in the assessment of planning applications. The need for a clear delivery plan for the county was identified as being a key component for any future GI Strategy to consider.
- **1.15** Consequently, a user guide has been developed as part of the Strategy to demonstrate how the document should be used by various recipients and where it sits in the wider planning policy framework. This will provide a basis to assist in the effective delivery of GI. The Strategy will be developed to support the wider planning process and to address previous challenges of successful implementation and long-term management of GI.
- **1.16** The Strategy will provide a 'how-to' guide to help ensure that GI is successfully delivered across the county by HIPP/HCC, Local Planning Authorities (LPAs), infrastructure providers, developers, charities and other interested parties.
- **1.17** Close cooperation with partners, including a consultation event and virtual stakeholder workshop in Autumn 2021 will be a vital process to inform the development and raise the profile of the Strategy. This will also secure buy-in from those most likely to use it and deliver its stated vision.

## User guide

## **County Council level**

#### **1.18** Use the GI Strategy to:

- Respond to district or borough level strategies or plans and planning applications; and
- Ensure the HCC reflects the need to retain and enhance GI as part of its planning functions.
- 1.19 Maintain the GI Strategy as a live resource that can be updated with new evidence and opportunities as they emerge.

#### **District Council level - LPAs**

#### **1.20** Use the GI Strategy to:

- Protect and enhance existing GI;
- Incorporate its planning 'hooks' and policy context into district or borough strategies and plans (including Local Plans and district or borough level GI Strategies);
- Appraise development proposals to ensure a 'GI-led' design approach, with early engagement; and
- Identify mechanisms to fund and implement GI through developer contributions.

## **Developers**

**1.21** Use the GI Strategy to:

- Understand the role they can play in the delivery of GI across Hertfordshire;
- Identify existing GI to protect and enhance through development proposals;
- Integrate GI from the beginning of design work;
- Consult the GI checklist for deliverable enhancement opportunities on site;
- Develop sites design with input from stakeholders; and
- Demonstrate how proposals provide enhancements to GI.

## **External strategic partners/charities**

#### **1.22** Use the GI Strategy to:

- Identify existing GI for protection and enhancement;
- Share the priority actions with partnership agencies who have interest in delivering improvements across the GI network; and
- Communicate the deliverable enhancement opportunities to ensure all stakeholders are working towards the shared vision.

## Strategic and local planning

- District level GI Strategies and Local Plan policies;
- Neighbourhood Plans; and
- Local Community Action Groups.

## **Development planning**

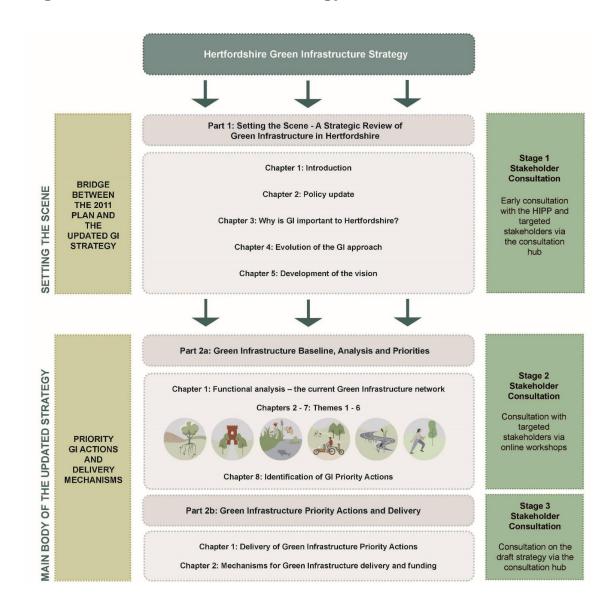
 Using policy and GI checklists to assess submitted details in planning applications; and Inform the creation of Masterplans and design codes.

## Structure of the Strategy

- **1.23** As shown in Figure 1.1, the process of developing this Strategy follows a series of stages, structured around two separate tasks as outlined below:
  - Part 1: Setting the Scene A Strategic Review of Green Infrastructure (GI) in Hertfordshire;
  - Part 2a: GI Baseline, Analysis and Priorities; and
  - Part 2b: GI Priority Actions and Delivery.
- **1.24** The remainder of this Part 1 report is structured as follows:
  - Chapter 1 provides an introduction;
  - Chapter 2 provides a policy update considering the key GI planning policy position and drivers at the international, national, county and local level;
  - Chapter 3 examines why the concept of GI is important to Hertfordshire, reflecting on the post-2011 context;
  - Chapter 4 explores some recent best practice examples of GI strategies to assess how the approach to GI has evolved since 2011; and
  - Chapter 5 sets out the development of the overarching vision for GI within Hertfordshire, informed by analysis of the post-2011 context and the results of stakeholder consultation.
- **1.25** Part 2a of the Strategy is structured as follows:
  - Chapter 1 provides a summary of the functional analysis of the Green Infrastructure (GI) network;
  - Chapters 2-7 examine the GI themes; and
  - Chapter 8 identifies the suite of GI Priority Actions.

- **1.26** Part 2b of the Strategy is structured as follows:
  - Chapter 1 provides an overview of delivery of the GI Priority Actions; and
  - Chapter 2 discusses the mechanisms for GI delivery and funding.

Figure 1.1: Structure of the Strategy



# Chapter 2

# Policy Update

This chapter provides an overview of the changes in national and local policy affecting GI since 2011.

**2.1** Many of the policies and strategies that informed the 2011 Plan have been subsequently updated. It is therefore important that this Strategy corresponds to the most pertinent updates in policy on an international, national, county and local scale. This full policy context is detailed below.

## **Policy context**

#### International

- International Convention on Biological Diversity;
- UN Paris Climate Agreement; and
- Bern Convention.

## **National**

- Environment Bill (currently in passage);
- National Planning Policy Framework; and
- 25 Year Environment Plan.

## County

- Hertfordshire Biodiversity Action Plan;
- Hertfordshire Infrastructure and Funding Prospectus;
- Hertfordshire Joint Strategic Needs Assessment;
- Hertfordshire Rights of Way Improvement Plan;
- Hertfordshire Local Transport Plan 4;
- Hertfordshire Pollinator Strategy;
- Hertfordshire Public Health Service Strategy;
- Hertfordshire Health and Wellbeing Strategy;
- Hertfordshire Equality Strategy;
- Hertfordshire's Ecological Networks Report;
- Hertfordshire Air Quality Strategy;
- Hertfordshire Active Travel Strategy;
- The Chilterns AONB Management Plan; and
- Hertfordshire Energy Strategy.

## Local

- **2.2** Hertfordshire Green Infrastructure Strategy will act as an evidence base for Local Planning Authorities, including:
  - Welwyn Hatfield;
  - Walford;
  - Three Rivers;
  - Stevenage;
  - St Albans;

- North Hertfordshire;
- Hertsmere;
- East Hertfordshire;
- Dacorum; and
- Broxbourne.

## International policy context

- **2.3** A number of international policies set out the high-level strategic objectives for enhancing the natural environment, addressing climate change and ensuring sustainable development. This Strategy is committed to our international obligations; building significantly from the International Convention on Biological Diversity [See reference 6] and European Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) [See reference 7].
- 2.4 Since 2011, the UN Paris Climate Change Agreement [See reference 8] has become a legally binding international treaty on climate change, which aims to ensure that global temperatures stay below 2 degrees Celsius compared to pre-industrial levels. The latest Intergovernmental Panel on Climate Change (IPCC) report [See reference 9] published in August 2021 states that:

"it is unequivocal that human influence has warmed the atmosphere, ocean and land. Widespread rapid changes in the atmosphere, ocean, cryosphere and biosphere have occurred."

2.5 This highlights the urgency for nations and governments to take action and ensure resilience across society, including through nature-based and sustainable solutions such as GI. The UK hosts the COP26 summit in late 2021 which will bring parties together to further accelerate action towards the goals of

the Paris Agreement and UNITED Nations Framework Convention on Climate Change (UNFCCC).

**2.6** At the European Union (EU) level, there are several important directives that focus on protecting and conserving the natural environment. Although the UK is no longer in the EU, the objectives of policy such as the EU Water Framework Directive, the Habitats Directive and the Birds Directive are still relevant as their primary goals are translated into UK legislation, for example, through the Environment Bill.

## National policy context

**2.7** The 25 Year Environment Plan (25YEP) [See reference 10], published in 2018, outlines the Government's support for habitat creation and connection, for multi-functional SuDS and for natural spaces close to where people live and work. It represents an important shift in thinking towards long term positive action to improve people's lives and the environment. It views the planning system as a key mechanism for delivering upon these ambitions. The first action of the 25YEP seeks to embed an 'environmental net gains' principle into development:

"We want to establish strategic, flexible and locally tailored approaches that recognise the relationship between the quality of the environment and development. That will enable us to achieve measurable improvements for the environment – 'environmental net gains' – while ensuring economic growth and reducing costs, complexity and delays for developers."

**2.8** The 25YEP goes on to state that in future the Government should aim to:

"expand the net gain approaches used for biodiversity to include wider natural capital benefits, such as flood protection, recreation and improved water and air quality. They will enable local planning authorities to target environmental enhancements that are needed most in their areas and give flexibility to developers in providing them."

- 2.9 The emerging Environment Bill [See reference 11] places the ambitions of the 25YEP on a statutory footing, by creating a new governance framework for the environment, to ensure a 'cleaner, greener and more resilient country for the next generation' as the UK leaves the EU. The bill is nearing the final stages of consideration, with the House of Lords scheduled to be considered further in September, with the aim of being given royal assent by the end of 2021. Requirements of the bill will then become mandatory after a two year transition period.
- **2.10** The NPPF emphasises the need for GI networks, stating that strategic policies in plans should set out an overall strategy that makes sufficient provision for the conservation and enhancement of GI (Paragraph 20). It also requires that planning policies should aim to achieve healthy, inclusive and safe places, including through the provision of 'safe and accessible GI' (Paragraph 92) and should plan positively for the provision of shared spaces and community facilities, including open space (Paragraph 93).
- **2.11** Regarding new development, the NPPF requires that it be planned in a way that avoids increased vulnerability to the range of impacts arising from climate change, particularly in vulnerable areas, and states that risks can be managed through the planning of GI (Paragraph 154).
- **2.12** Paragraph 175 of the NPPF also requires that a strategic approach is used to ensure that, within a plan area, networks of habitats and GI are maintained, and that planning is undertaken for the enhancement of natural capital at a catchment or landscape scale across LPA boundaries.

## County policy context

**2.13** Hertfordshire County Council has produced a number of strategy and policy documents which are relevant to the need for an updated GI Strategy. The Hertfordshire Corporate Plan 2019-2025 [See reference 12] outlines the vision and aspiration of the region and is underpinned by four ambitions. One of these ambitions, which is a key aspiration for the Strategy to help deliver, is to enable thriving places by creating:

"sustainable places where people can enjoy a good quality life, growth is sensitively managed, and the value of Hertfordshire's clean and green environment is respected."

- 2.14 In response to the climate emergency declared by HCC in 2019, an outcome of the Corporate Plan was to produce the 2020 Sustainable Hertfordshire Strategy and Action Plan [See reference 13], which acts to limit the impact of climate change by taking a county-wide approach to sustainable solutions. This, and the supporting Action Plan [See reference 14], recognise the 2011 Plan and its role in identifying a network of natural spaces and corridors across the county which provide valuable biodiversity benefits in need of protection. Eight out of the ten LPAs comprising HCC have also declared climate emergencies to date.
- **2.15** Key actions in the Sustainable Hertfordshire Strategy which are of current and future relevance to the Strategy include adopting the upcoming National GI Standards, embedding climate change policy in strategy development, and establishing a Hertfordshire Biodiversity Strategy.
- **2.16** The Sustainable Hertfordshire Strategy uses existing strategy documentation in place as its baseline, including the Energy Strategy [See reference 15], which sets a goal of reducing carbon dioxide emissions to 80% of those in 2012/13 by 2025, the Pollinator Strategy [See reference 16], and

the Air Quality Strategy [See reference 17], which were all published in 2019 and are considered within this GI Strategy.

- **2.17** The Hertfordshire Growth Board (HGB) forms a joint committee of all the LPAs in Hertfordshire; comprised of HCC, the 10 district or borough councils, the Integrated Care System, Homes England and the Hertfordshire Local Enterprise Partnership. The aim of the HGB is to manage future growth and support economic recovery within Hertfordshire, helping to deliver happy, healthy and diverse communities. In close collaboration with the Hertfordshire Climate Change and Sustainability Partnership, the HGB also promotes the delivery of climate change action with the objective of achieving lasting sustainable change.
- **2.18** The Local Transport Plan 4 (2018-2031) [See reference 18] identifies modal shift and encouraging active travel as one of its four key principles, with the plan making explicit reference to the production of this Strategy. It states that the emerging Strategy will highlight the key issues with managing GI in the county in the future, including its role in supporting and improving sustainable active travel, rights of way, health and wellbeing. This Strategy also recognises the priorities within the Active Travel Strategy [See reference 19] and Rights of Way Improvement Plan [See reference 20].
- **2.19** Other policy and strategy documents have been considered and integrated into the update of the GI Strategy, including the Health and Wellbeing Strategy [See reference 21], Equality Strategy [See reference 22], Joint Strategic Needs Assessment (JSNA) [See reference 23] which each focus on the health, wellbeing and social care needs of the local population. In terms of managing flood risk, the regulatory context since the 2011 Plan has also been fundamentally updated through the establishment of legislation and creation of Lead Local Flood Authorities (LLFA), a function fulfilled by HCC.

## Local planning context

- **2.20** HCC is the upper-tier authority of ten local authority districts/boroughs who each act as the LPA for their areas. County-level guidance is provided to districts/boroughs, such as Health and Wellbeing Guidance [See reference 24] which advises on the delivery of healthy developments and communities, including good quality open space and GI.
- **2.21** Guiding principles of planning for biodiversity and the natural environment [See reference 25] were developed by the Hertfordshire Local Nature Partnership (LNP) in 2014 to add local value to the protection and enhancement of biodiversity/habitat connectivity. This is considered in this Strategy, as is the Wildlife Trust's 2014 report detailing Hertfordshire's Ecological Networks [See reference 26] which produced a county-wide habitat inventory and potential habitat network maps.
- **2.22** Planning policy plays a key and critical role in the assessment and delivery of GI across Hertfordshire. The district or borough Local Plans are vital tools for conveying the priorities identified through the county level GI Strategy and delivering these through effective GI planning policy. However, the quality of GI policies and/or wider policies that deliver the key components of the GI network, varies throughout the county and is inconsistent due to the continuously evolving nature of district or borough-level Local Plans and updates that occur at different times.
- **2.23** Although this is to be expected, a cohesive and strategic vision and assessment at the county level would be of benefit to district or borough-level GI planning, eventually trickling down to sub-local GI for strategic allocations and smaller developments that responds to local character and need.

## Hislop Review of District or Borough Plans

- **2.24** A high-level assessment of the effectiveness of district or borough level Local Planning policy in delivering GI has been undertaken as part of the formation of this Strategy this was informed by the Hislop Review Tool [See reference 27].
- 2.25 The Hislop Review Tool is a framework complete with guidance that critically assesses the policies, objectives and actions relating to GI when assessed against a number of core GI functions, such as mainstreaming, integration, multifunctionality and long term management. The framework identifies seven GI subject areas that effective plans and policies should cover. This framework process has been refined for the purposes of this Strategy and has been undertaken to identify broad trends in the strength and coverage of GI policies in the ten Hertfordshire district or borough Local Plans at the time of writing.
- **2.26** Key facts and findings from this assessment are presented in the following section and demonstrate the areas where local GI policies perform well or where they could be improved in the future. It will be the role of this GI Strategy to provide guidance in how to effectively 'mainstream' GI into wider policy and Local Plan aspirations.

### **Key results from the Hislop Review Tool**

### General

#### General:

90% of districts have strong policies relating to at least one important aspect of designing and delivering GI.

### Policy plan mainstreaming

### GI recognised in vision:

- Under a third of districts do not make any reference to GI in the vision, principles or objectives of their Local Plan; and
- Only a fifth of districts were found to strongly value GI in the vision of their Local Plan.

### Policy integration:

■ Half of the districts poorly integrate GI outside the environment policies in their Local Plans.

### Development integration

### Early design and engagement:

■ The policies of half of the districts fail to sufficiently recognise the importance of early GI design and pre-application engagement.

### Multi-functionality:

Just under half of the districts strongly emphasise how GI can deliver multiple benefits on the same land parcel in Local Plan policies.

### Development setting:

■ There is poor policy coverage of the benefits of using site appraisals in relation to GI in over a third of districts.

### Landscape scale:

 Over half of all districts have policies which recognise wider landscape scale GI networks.

### Access networks

### Active travel and recreation:

 Over half of districts have very strong coverage and policy wording strength of using GI to enhance opportunities for sustainable travel.

### Biodiversity/habitats

### Biodiversity gain:

- Less than a quarter of districts currently have strong policy wording on the requirements for Biodiversity Net Gain (BNG); and
- Although delivering net gains for biodiversity are referenced in all Local Plans, wording is currently assessed as being weak in over a third.

#### Habitat connectivity:

- Over two thirds of districts have adequate or strong policies relating to
   GI's contribution to retaining and enhancing habitat networks; and
- Over a quarter of districts do not have policies regarding the expansion of habitat networks through GI.

### Physical environment

#### Water environment:

- Over half the districts have adequate or strong policies in relation to using SuDS as multifunctional GI assets; and
- Watercourses and blue infrastructure is poorly referenced or recognised as GI in the Local Plans of over a third of districts.

### Air quality:

 GI's contribution to tackling local air quality is poorly recognised in over half of the district Local Plans assessed.

### Greenspace

### Open space standards:

All districts in Hertfordshire have adequate or strong policy coverage in terms of using GI to meet open space standards.

#### User needs:

- Nearly three quarters of districts have strong policies that make provision for recreational facilities that meet local user and community needs; and
- The importance of multi-user design is not well realised in the policies of 20% of districts.

### Stewardship

### Management and Maintenance:

- Long term management and maintenance of GI is poorly documented or agreed in the Local Plans of just under half of the districts; and
- Over half of districts have policies which require GI proposals to be properly managed and maintained.

### Resourcing:

- At least half of the districts identify GI as being a potential requirement for financial contributions from development; and
- Nearly a quarter of districts fail to explicitly identify mechanisms to fund the management and maintenance of GI in their Local Plan policies.

## Taking forward the key findings from the Hislop Review

- **2.27** The findings of the Hislop Review of Hertfordshire's district or borough Local Plans demonstrates the varying nature and performance of GI in local planning policy. Whilst there are general areas of strength, such as referencing the use of GI to enhance opportunities for sustainable travel and meeting open space standards, there are other areas of weakness which will be of particular focus for this Strategy to consider. Key areas requiring further consideration include:
  - Ensuring that GI is considered as a mandatory and strategic planning issue, more explicit reference to it should be made throughout Local Plans to recognise its multifunctional benefits for placemaking. It should be included in the long-term vision for a district or borough, through its Local Plan Objectives and should weave itself through various policies within the Local Plan, not just be referenced through a GI policy alone. This GI

Strategy will emphasise the importance of mainstreaming GI into Local Plans and the importance of developing GI policy hooks.

- Ensuring that GI is designed into developments from the early stages of the design process will be a key focus for this GI Strategy. A Developer Checklist will be developed to provide guidance for developers and council officers (when assessing applications) in order to bridge the gap between high-level strategic GI planning and its delivery through strategic and local scale development across Hertfordshire.
- Approaching the GI Strategy as a live document that is adaptable to future changes in international and national policy context. In particular, the GI Strategy should be alert to upcoming changes in the Environment Bill which will introduce requirements for developments to achieve biodiversity net gain and establish nature recovery networks. Being adaptable to future legislation will ensure that district or borough level Local Plans can use the GI Strategy to respond to these changes effectively.
- There are currently missed references in policy regarding the role that SuDS can play as multifunctional GI assets, as well as missed opportunities for GI to improve other important issues such as air quality. Incorporating 'blue' infrastructure in the design and planning of GI in Hertfordshire will be an important focal point of this GI Strategy. Likewise, other multifunctional nature-based solutions should be sought to improve local air quality.
- The GI Strategy will identify how the multifunctional nature of GI should be addressed throughout Local Plans. Improving stewardship of GI at a strategic scale. It is important for GI to not only be delivered, but to ensure that there are strong processes in place for its management and maintenance. This GI Strategy will help identify key stakeholders and partnerships already involved in protecting and enhancing GI assets in Hertfordshire, engaging partners at all scales from national bodies to local community groups to help deliver and maintain improvements to the GI network across Hertfordshire.
- Establishing sources of GI funding, which is increasingly essential. Whilst this has been considered in part through many district or borough level Local Plans, this Strategy will make recommendations on suitable sources

of funding and help generate a cohesive approach to resourcing GI throughout Hertfordshire.

## **Chapter 3**

## Why is GI important to Hertfordshire?

The updated Strategy is being undertaken against the backdrop of global emergencies, which form the 'backbone' of key drivers for GI opportunities. These challenges relate to climate, biodiversity, health and delivery of sustainable development.

- **3.1** The role of the Strategy is to acknowledge these significant challenges and address them at a local scale, transforming the issues into opportunities for positive change. The following section identifies the key drivers and 'needs' for GI within Hertfordshire, updated to reflect the post-2011 context. Positively addressing these challenges alongside the pressures of future housing growth will help to strengthen the GI network across the county and its ability to accommodate future change.
- **3.2** The drivers essentially frame why Hertfordshire would benefit from an updated strategic approach to the provision of GI in both urban and rural areas. Driven by an emerging growth agenda, the enhancement of the GI network will aim to address these multiple challenges whilst helping to accommodate sustainable growth, secure high quality of life for all and protect and enhance the natural environment.
- **3.3** The key drivers for the Strategy are listed below:
  - 'Resilient spaces' which play a role particularly in addressing the climate emergency;
  - 'Wilder spaces' which play a role particularly in addressing the biodiversity emergency;
  - 'Healthier spaces' which play a role particularly in addressing local and nationally recognised health challenges; and

- 'Destination spaces' which play a role particularly in recreation and regeneration.
- **3.4** These drivers are generally 'cross-cutting' and often relate to the provision of all types of GI. This reflects the multifunctionality and range of benefits that may be derived from any given GI asset. Figure 3.1 presents typical GI network components in the context of the above 'key drivers'.

Figure 3.1: Drivers for GI



## The climate emergency

**3.5** Adopting a strategic approach to GI across the county will help to support HIPP/HCC and the individual LPAs in their response to the climate emergency. Climate change poses a significant risk to the landscapes and communities

### **Chapter 3** Why is GI important to Hertfordshire?

within Hertfordshire. Future climatic trends indicate more severe and frequent weather events, an increasing annual global average temperature and rising sea levels. By the end of the 21<sup>st</sup> century, all areas of the UK are projected to be warmer, more so in summer than in winter, consistent with future warming globally.

- **3.6** The UK Climate Projections (UKCP) [See reference 28] uses probabilistic projections to provide low, central and high changes across the UK corresponding to 10%, 50% and 90%. These events are expected to intensify in the coming decades. Projections also suggest up to a 28% decrease in summer rainfall in 2030 and a 45% reduction by 2050 (see Figure 3.2). Winter rainfall is predicted to increase by up to 14% by the 2030s and up to 25% by the 2050s. The effects of a changing climate will be far reaching, extending to impacts on health, resources and biodiversity within the county. However, GI can help to both mitigate climate change (address the causes) and support adaptation (address the effects). Well designed and managed GI is therefore a key component in the provision of climate resilience.
- 3.7 Following the declaration of a Climate Emergency in July 2019, HCC prepared the Sustainable Hertfordshire Strategy [See reference 29]. The document establishes HCC's commitment to ensuring an effective response to the threat of climate change through the integration of sustainability principles across all operations throughout the county. A suite of ambitious environmental aspirations are presented; including proposals for carbon neutrality for all HCC operations and improvements to biodiversity on council land by 20% by 2030. The document also acknowledges the importance of working collaboratively across local government, ensuring HCC and the ten LPAs work together to inspire environmental action across Hertfordshire.
- **3.8** The Hertfordshire Climate Change and Sustainability Partnership (HCCSP) was subsequently formed in March 2020 and acts as the lead partnership organisation for the collaboration and identification of joint work programmes on environmental, climate changes and wider sustainability issues. The partnership works collaboratively to deliver climate change action, address carbon reduction targets for Hertfordshire and achieve lasting change.

## Opportunity for GI?

The effective delivery of GI will aim to provide a positive response to the Climate Emergency. The GI network will play a vital role in climate change mitigation and adaptation through contributions such as surface water and flood management, storage of greenhouse gases, improvements to air quality and provision of habitats for wildlife. GI can also help mitigate against other predicted effects of climate change by sequestering carbon, promoting greenways for active travel and reductions to the urban heat island effect.

Figure 3.2: Projected rainfall variations with climate change in the UK



## The biodiversity emergency

- **3.9** Adopting a strategic and coordinated approach to the provision of GI within the county provides an opportunity to apply best practice principles for the conservation and enhancement of biodiversity. Securing a well-connected nature network will complement a cross-boundary approach to establish a framework for nature recovery, whilst also delivering resilience to climate change and the wider functions of GI. The network will need to accommodate future population growth, balancing the need for protection of habitats and species most sensitive to disturbance and therein, accommodate the delivery of locally appropriate Biodiversity Net Gain (BNG).
- 3.10 Approximately 14% (22,080ha) of the county is protected under designation - including 1,174 hectares of international Special Areas of Conservation (SAC), Special Protection Areas (SPA) and/or Ramsar designated land [See reference 30], 1,238 hectares of Sites of Special Scientific Interest (SSSI) and 13,729 hectares of Local Wildlife Sites (see Figure 3.3). Together with 5,941 hectares (partially overlapping the designations) of ancient woodland and Tree Preservation Order (TPO) trees, these form the foundation of the protected network. The mosaic of priority habitats and veteran trees that extend across and between these designations are critical to effective connection and buffering of the protected network. More widely, biodiverse habitats – grasslands, wetlands, hedgerows, scrub and green roofs and walls within urban areas – are essential to support abundant and thriving biodiversity, disperse through the landscape. The resilience of biodiversity to the pressures of agricultural intensification, climate change, increased urbanisation and transport infrastructure is not only dependent on sufficient space but the support of healthy soils, connected and functioning hydrology, etc.
- **3.11** The 2020 Hertfordshire State of Nature report [See reference 31] states that 20% (1,524 in number) of the species recorded are of conservation concern i.e. extinct [See reference 32] or threatened in a county context. Of these, approximately one third is associated with each woodland and grassland habitats and one quarter with wetland. The most dramatic decline reminiscent of the national picture is that of grassland and heathland habitats, both in

quality and total area. The 2020 report highlights "potential new threat is the recent ambition to plant trees to offset climate change impacts" in relation to these habitat types in particular.

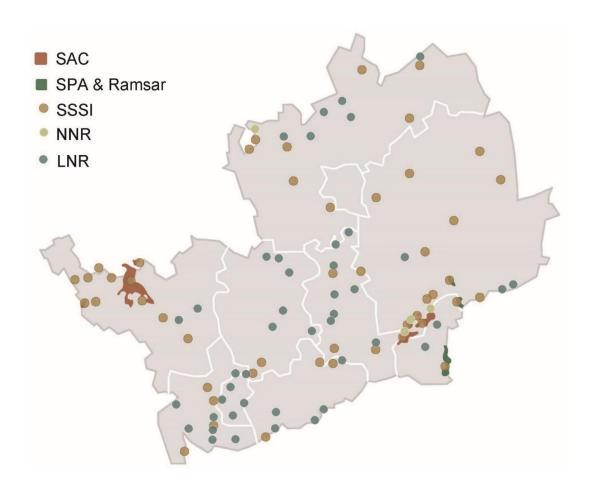
Figure 3.3: Total coverage of designated sites for nature conservation within Hertforshire



## Opportunity for GI?

To protect, enhance and expand the ecological resource in the coming years it will be necessary to ensure existing habitats are resilient to the effects of climate change and form a coherent nature network. Provision of GI in Hertfordshire should be informed by the need for natural spaces to become bigger, better and more joined up. It must also recognise variation in local character (including biodiversity imperatives and duties) and broaden the complexity and reach of biodiversity through the urban areas of the county.

Figure 3.4: Nature conservation designations across Hertfordshire and the surrounding area



## The health challenge

## Physical health

**3.12** The national government's 2020 Obesity Strategy [See reference 33] frames obesity as one of the greatest long-term health challenges faced by the country. Specific emphasis is placed on the need to address the problem of unhealthy lifestyles in childhood, which sow the seeds of adult diseases and health inequalities. The document was based on the recognised need to heed the 'wake up' call of COVID-19 in terms of health vulnerabilities. Evidence also increasingly recognises the role of green spaces and active travel networks —

### **Chapter 3** Why is GI important to Hertfordshire?

both key components of a successful GI network – in tackling health challenges. Public Health England (PHE) highlights that people who have greater exposure to green space have a range of more favourable physiological outcomes, however competing demands for space are putting pressure on these resources [See reference 34].

- **3.13** Health outcomes in Hertfordshire vary across the county. Overall, it is estimated that 63% of the population aged 16 years+ are obese or overweight, a statistic which is higher than the national average. However, significant disparities exist within individual districts/boroughs, with Stevenage exhibiting the highest proportion of excess weight (66.4%) compared with Welwyn Hatfield which has the smallest proportion (58%). Based on projection data from 2015, the estimated direct costs to the NHS of being overweight and obese equate to approximately £114 million. In addition, the cost of physical inactivity alone to the NHS within Hertfordshire has been estimated at £16.1 million. Pressure on the existing health and social care sector will also continue to grow as Hertfordshire sees increased population growth in those aged over 65.
- **3.14** Policy updates since 2011 have included the publication of Hertfordshire's Health and Wellbeing Planning Guidance [See reference 35] which aims to guide planning professionals, LPAs and developers in the delivery of healthy communities by increasing knowledge of health and wellbeing and its relationship to spatial issues. The document focuses on seven key areas, of which two are of particular relevance to GI in Hertfordshire:
  - Movement and Access: Focussing on improving active travel and connectivity and urban permeability; and
  - Quality Open Space, Play and Recreation: Focussing on the provision of open space and GI in design.
- **3.15** Evidence also increasingly recognises the role of green spaces and active travel networks both key components of a successful GI network in tackling health challenges. PHE highlights that people who have greater exposure to green space have a range of more favourable physiological outcomes, although competing demands for space are putting pressure on these resources [See reference 36]. This relationship is consistent with wider deprivation trends

acknowledged within Hertfordshire's JSNA. During 2013-2014, people in higher social grades within Hertfordshire were found to be more physically active (62%) than those in lower social grades (50.9%) [See reference 37].

## Opportunity for GI?

The potential benefits of GI are far reaching, including the development of priorities in relation to the health and wellbeing of Hertfordshire's residents. The expansion and improvement of GI projects offer the potential to support the delivery of health benefits within the county.

## Air quality

3.16 Evidence of the impact of air pollution on health outcomes – particularly those of children, who are more vulnerable – is building, with evidence from Public Health England highlighting that poor air quality is the largest environmental risk to public health in the UK [See reference 38]. In 2011, Hertfordshire exhibited a higher mean concentration (µg/m-3) of fine particulate matter than England (10.7 compared to 9.5). The proportion of mortality attributable to particulate air pollution in the county was also higher than the England average in 2015,a trend dating back to 2010 [See reference 39]. In addition, poor air quality is likely to contribute to health inequalities because its impact is greater on deprived communities. There are two major ways in which a GI network can help to address the challenge of poor air quality:

- Providing a strong network of active travel routes (requiring physical exertion) between developments and key services, in an attempt to reduce transport related emissions, and to build a sustainable '15-minute' neighbourhood; and
- Using vegetation to capture pollution particles as part of multi-functional public realm improvements. This approach could be targeted at key locations such as schools or along particular busy transport corridors.

**3.17** When utilising GI to improve air quality, it is important to use interventions which are suitable to the context and space. For instance, narrow urban canyons where the pollution source is at street level should not be characterised by dense avenues of trees.

## Air quality context and green infrastructure interventions

Street canyon where air at street level is more polluted than the air above (see Figure 3.5)

- **3.18** In these locations, limiting the movement of air upwards and downwards should be avoided. For example, a dense avenue of trees can trap pollution from vehicles.
- **3.19** Instead, a vegetated barrier, such as a green screen or hedge, between the pollution source and receptors can reduce the level of pollution reaching people. Green walls and roofs can also play a significant role in reducing pollution at street level.

Figure 3.5: Street canyon where air at street level is more polluted than the air above





Street canyon where air above the buildings is more polluted than the air at street level (see Figure 3.6)

- **3.20** In these locations, a dense avenue of trees can act as a barrier to downward dispersion. Scots pine, common alder, larch, Norway maple, field maple, ash and silver birch are all very effective.
- **3.21** An additional taller barrier combined with open space can protect people who are further away from the pollution source, for example school playgrounds. Oaks, poplars and willows can have a detrimental effect on air quality downwind so should be planted carefully when in numbers.

Figure 3.6: Street canyon where air above the buildings is more polluted than the air at street level



## Opportunity for GI?

GI can help reduce public exposure to air pollution produced by vehicles, particularly in the urban environment. However, the principal value of GI for urban air quality is not its ability to remove pollutants, but its capacity to control their flow/distribution. An integrated network of green and blue spaces can therefore play an important role in reducing future exposure as the transport system within the county develops.

# The economy and delivering sustainable development

## Housing demand

**3.22** Significant new development is planned for the county in the coming years. This proposed growth has the potential to affect GI assets across Hertfordshire, exacerbating current deficiencies as well as creating new issues. As defined within the Infrastructure and Funding Prospectus, Hertfordshire LPAs have identified housing growth over the 13 year period to 2031 of on average 6,425 dwellings per annum. This compares to average annual completions of 3,189 dwellings per year across Hertfordshire from 2011/12 to 2016/17. These projections equate to a total housing supply of 83,530 dwellings that are expected between 2017/18 and 2031/32, equating to 30% growth. In addition, significant financial constraints on local authorities have seen savings of almost £315 million since 2010, and with further savings required of £90 million per annum by 2023 [See reference 40].

**3.23** This increased housing demand will place greater pressure on the existing GI network and will require a strategic approach to landscape planning to ensure new GI is successfully delivered as part of new development. For this growth to be sustainable, GI must be considered alongside other forms of infrastructure and built development. Planned housing and economic growth will therefore require mitigation through provision of new strategic GI and enhancements to retain the quality of existing provision and mitigate existing localised issues.

## Objectively Assessed Housing Growth 2018-2031 (see Figure 3.7) [See reference 41]

Stevenage: 5,700 new homes;

■ Broxbourne: 7,015 new homes;

Three Rivers: 7,710 new homes;

Watford: 8,655 new homes;

Hertsmere: 8,985 new homes;

North Hertfordshire: 10,350 new homes;

Dacorum: 11,340 new homes;

Welwyn Hatfield: 12,000 new homes;

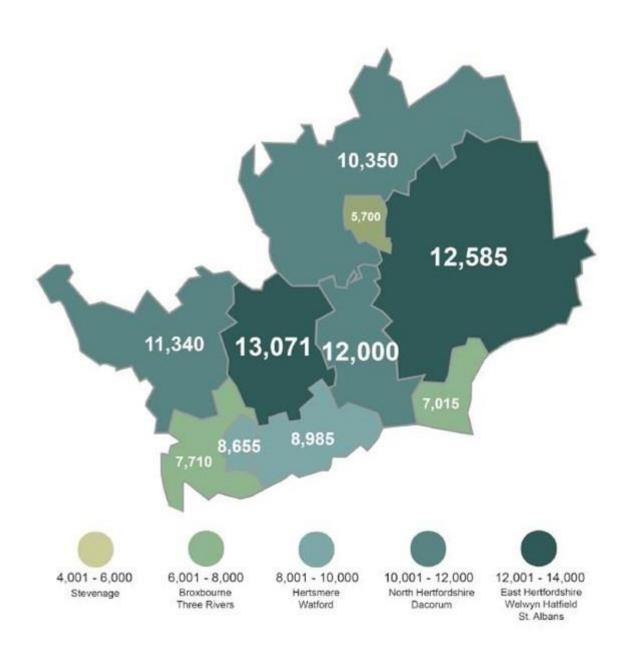
■ East Hertfordshire: 12,585 new homes; and

St Albans: 13,071 new homes.

## Opportunity for GI?

Through the provision of ecosystem services, GI can help alleviate many of the challenges faced by a growing urban population. Responding to issues such as unprecedented urban growth, affords the opportunity to integrate the innovative development of GI to provide future resilience. Well planned GI can help to create cohesive neighbourhoods, which is a fundamental requirement to accompany the county's projected housing growth.

Figure 3.7: Objectively Assessed Housing Need 2018-2031 [See reference 42]



## Projected population growth

**3.24** Analysis of the 2016 based Office for National Statistics Subnational Population Projections for England [See reference 43] indicate a population forecast up to 2031 of 1,302,400 people, forming an 9% increase from 2018.

### **Chapter 3** Why is GI important to Hertfordshire?

Measures are required to ensure this growth is accommodated in a balanced and sustainable way. In the context of a growing population, existing GI assets must be protected and enhanced so they are resilient to additional pressures, whilst providing a resource for a wide range of users.

**3.25** Projected population growth in Hertfordshire is also distributed unevenly across the county. The greatest population growth is forecast in East Hertfordshire, Welwyn Hatfield and Dacorum. However, Stevenage, Hertsmere and Broxbourne are forecast to experience relatively low population growth, none exceeding 8,000. This variation in growth patterns across the county is also reflected in the projected age profile of the county, illustrated by the projected largest increase in age categories in absolute terms will be those within the 65-69 cohort. This future demographic shift requires consideration when planning future access and provision of GI.

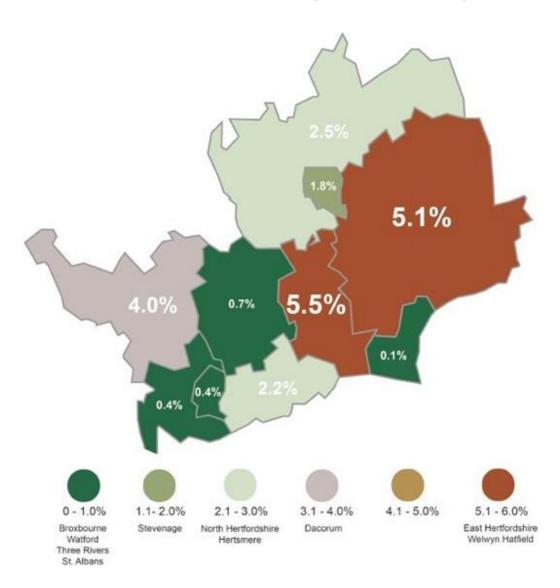
# Population change for LPAs within Hertfordshire between mid-2018 and mid-2028 (see Figure 3.8) [See reference 44]

- Stevenage: 1.8% increase in population;
- Broxbourne: 0.1% increase in population;
- Three Rivers: 0.4% increase in population;
- Watford: 0.4% increase in population;
- Hertsmere: 2.2% increase in population;
- North Hertfordshire: 2.5% increase in population;
- Dacorum: 4.0% increase in population;
- Welwyn Hatfield: 5.5% increase in population;
- East Hertfordshire: 5.1% increase in population; and
- St Albans: 0.7% increase in population.

## Opportunity for GI?

Population growth, associated urbanisation and competing demands for land use result in increased threats to the provision of accessible green space. The expansion and improvement of GI assets across the county may offer the potential to reduce pressure on the quality and quantity of existing GI in the wake of projected population growth.

Figure 3.8: Population change for LPAs within Hertfordshire between mid-2018 and mid-2028 [See reference 45]



## Infrastructure planning

**3.26** Planned population growth across the county will increase pressure on existing transport infrastructure. Previous years of growth have created deficits in existing infrastructure across Hertfordshire, with significant congestion apparent on the road and rail network across the county. This trend is partially due to a 80% private vehicle mode share in travel patterns putting additional strain on the road network [See reference 46].

**3.27** To reduce future reliance on the private car as a mode of transportation, settlements are required to be well connected to the GI network through provision of safe, active travel routes. Existing cycle infrastructure in the county is variable in quality and coverage, with many areas incomplete or not well-connected. Provision of a strong network of walking and cycling routes between developments and key services can therefore help to reduce transport-related emissions and contribute towards sustainable neighbourhoods.

## Options for enhancing active travel provisions and uptake within new development

- Flower-rich grassland/meadow verges provide space for pollinators and enhance the connectivity of the nature network. Features such as bug hotels and log piles should be included here;
- Raised table leading to tertiary roads, mews and courtyards to slow traffic;
- Resident parking using permeable paving and electric vehicle charging points;
- Private front gardens;
- Climate and pollution tolerant street trees which will provide shade,
   remove pollutants, sequester carbon and cool the urban environment;
- Direct and safe cycle route away from traffic; and

Hedgerow and hedgerow trees to provide a pollution barrier between vehicles, cyclists and pedestrians.

## Opportunity for GI?

GI provides opportunities to increase connectivity across Hertfordshire by encouraging the use of active travel as modes of sustainable transport. Increased active travel due to improved GI may also contribute towards reductions in noise pollution and improvements to air quality. The provision of GI offers the potential to link to planned transport infrastructure projects identified across the county.

## **Chapter 4**

## **Evolution of GI Approach**

This chapter explores some recent best practice examples of GI strategies to assess how the approach to GI has evolved since 2011. This includes determining their relevance to Hertfordshire, their positives and negatives, and the lessons that should be taken forward to inform the Strategy.

Following this review, six case studies of good practice GI, both within and outside Hertfordshire, have been identified and evaluated to establish a series of lessons and principles to take forward in the Strategy.

- **4.1** Six existing green infrastructure strategies have been reviewed, including:
  - South Essex Strategic Green and Blue Infrastructure Strategy (2020);
  - Essex Green Infrastructure Strategy (2020);
  - Colne and Crane Valley's Green Infrastructure Strategy (2019);
  - Enfield's Blue and Green Strategy (2020);
  - Wirral Green and Blue Infrastructure Strategy (2020); and
  - Cambridgeshire Green Infrastructure Strategy (2011).
- **4.2** Six examples of best practice case studies have been evaluated to give an idea of good mechanisms for delivery and multifunctional uses of space at a range of scales. These include:
  - Balancing people and wildlife Panshanger Park, Hertford;
  - Re-wilding arable farmland Heartwood Forest, St Albans;
  - Growing community wellbeing Community food hubs, Luton;

- Improving river corridors Rediscovering the River Colne, Watford;
- Sustainable growth Harlow and Gilston Garden Town; and
- Urban cycling and green retrofit Mini-Holland, Waltham Forest.

# South Essex Strategic Green and Blue Infrastructure Study (2020)

### Relevance to Hertfordshire

- The document is strategic in scale, produced on behalf of a number of LPAs;
- Both counties experience development pressures which subsequently lead to recreation pressure on designated sites; and
- Both contexts see a need to enhance sustainable agricultural productivity.

## Positives of the Strategy

- Graphical mapping was used extensively;
- There is a cohesive vision, which is to create the SEE Park, giving structure to the opportunities section and allowing the strategy to work as one unit;
- Themes are identified in line with challenges, objectives, opportunities and how these link to GI, giving a greater sense of meaning;
- The strategy uses a strong vision (South Essex Estuary Park) to guide the aims and act as an overall driver/catalyst for the delivery of the strategy's objectives through a series of 'key moves';
- The strategy has a very comprehensive baseline which directly feeds into the opportunities; and

### **Chapter 4** Evolution of GI Approach

■ The Strategy is well coordinated with the Local Plan process.

## Negatives of the Strategy

- Opportunity for the baseline analysis to be more concise and streamlined;
   and
- The use of case studies is good but could be more usefully intertwined throughout the document.

### Lessons to take forward

- The well thought out delivery mechanisms which drive forward the next steps of the strategy;
- The use of graphics which makes the report engaging to all;
- The simplifying of the objectives and opportunities into an overall vision broken down into six key moves can help to streamline the strategy and enable HIPP/HCC to deliver aspects efficiently; and
- The clear opportunity mapping, organised into sub-areas.

Figure 4.1: South Essex Green and Blue Infrastructure Study 2020



## **Essex Green Infrastructure Study (2020)**

### Relevance to Hertfordshire

- Both counties experience similar settlement patterns of nucleated towns with commuter routes which feed towards London, also causing severance:
- Both have significant expanses of agricultural land; and
- Both contain some significant landscape assets and designations, including AONB, SPA and SAC.

## Positives of the Strategy

The strategy is succinct and easy to follow, comprising of one wellstructured document;

### **Chapter 4** Evolution of GI Approach

- The assessment of the current assets it set out in quantitative way, which increases the objectivity of the strategy;
- The opportunities presented have been clearly linked to the overall strategy objectives. These opportunities include key proposals which are laid out in a phased Action Plan;
- There is a strong and clear understanding of how the Strategy fits into the wider policy context;
- The mapping of functions to display the diverse benefits of GI across the county reinforces the need for the Strategy; and
- This is also helped by relating GI benefits directly back to people.

## Negatives of the Strategy

- There is a lack of graphics, particularly mapping, and when coupled with a document which is quite text-heavy it can make it cumbersome to the reader;
- The description of current GI provision is brief and descriptive, offering little judgement on whether the provision is adequate, lacking or good, or where there is local variation; and
- Lacking focus on biodiversity benefits.

### Lessons to take forward

- The method of setting out a vision and linking clear, pragmatic opportunities to the vision;
- The use of partners and stakeholders which were involved in its preparation;
- The function mapping which shows the areas of GI which are delivering the most multifunctional benefits at present; and
- The use of case studies to demonstrate principles and effective delivery mechanisms.

Figure 4.2: Essex Green Infrastructure Strategy (2020)



# Colne and Crane Valleys Green Infrastructure Strategy (2019)

### Relevance to Hertfordshire

- A much smaller area covered by this strategy (309km2), population of study area is not known, but 1.6 million people live within 2km (20 minute walk), so similar visitor/growth pressures to some areas of Hertfordshire;
- Development pressure is identified as a key issue;
- Both experience severance by existing and planned major infrastructure routes; and
- Both share some significant GI assets, for example the River Colne and the setting of the Chilterns AONB.

### Positives of the Strategy

- The clear presentation which is easy to read in terms of graphics and mapping, as well as a lower density of text. It follows a clear and simple logical flow;
- The specific project examples which make it feel grounded in the real world, less aspirational yet more actionable; and
- The link to an interactive map where visitors can suggest projects and the map can be updated over time as projects come online, again keeping the strategy dynamic.

### Negatives of the Strategy

 There is no real sense of prioritisation between objectives or thinking about both synergies and trade-offs; and

### Chapter 4 Evolution of GI Approach

■ There is a focus on recreation and connections (because it has its roots in a regional park framework) and is largely an update of the previous All London Green Grid Framework for the Colne and Crane.

### Lessons to take forward

- The need for the prioritisation of projects;
- The need for consideration of synergies and trade-offs;
- The use of specific project examples to highlight viability; and
- The possibility of creating an interactive map to keep the Strategy current.

Figure 4.3: Colne and Crane Valleys Green Infrastructure Strategy (2019)



## **Enfield's Blue and Green Strategy (2020)**

### Relevance to Hertfordshire

- Both counties are experiencing development pressure;
- Both see severance by major infrastructure routes;
- Both suffer from poor access to greenspace in areas of high deprivation; and
- Both counties share some significant strategic GI assets, including the Lee Valley.

## Positives of the Strategy

- A concise, well presented GI Strategy with the majority of the underpinning detail contained in the appendices, including detailed project sheets (with detail around how each project meets the Vision and Objectives, timescales, partners, sources of funding, risks and challenges); and
- The strategy document has a clear, logical flow from vision to aims/objectives to setting out some key projects and programmes.

## Negatives of the Strategy

- The vision could be stronger and is supported by objectives that are a mix of precise metrics and vague or generic statements of intent; and
- The document also feels like a justification and promotion of what the Council has already planned to do (this works for Enfield but other local authorities will have less influence over many of their key GI assets).

### Lessons to take forward

- The concise nature of the Strategy with detail in the appendices;
- The flow of logical progression from vision to project delivery;
- The process of identifying realistic funding mechanisms and delivery partners as well as securing partner buy-in during the consultation phase to ensure momentum is upheld and projects are delivered; and
- The use of 'strategic programmes.'

Figure 4.4: Enfield's Blue and Green Strategy (2020)



# Wirral Green and Blue Infrastructure Strategy (2020)

### Relevance to Hertfordshire

- Both counties are experiencing pressure for development;
- Both see severance issues due to major roads and railways;
- Both have pockets of significant deprivation where people experience poor access too high-quality open space;
- Both contain SPA, SAC and SSSIs; and
- Both have poor accessibility to open space in some areas, particularly in relation to natural and semi-natural space, allotments and play spaces.

## Positives of the Strategy

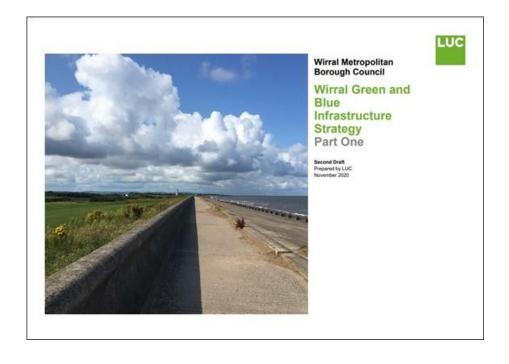
- Each of the priority projects are explained in detail, including a case study of a similar project which has worked well;
- The GI Strategy has a strong focus on place and is very specific to the Wirral;
- The Strategy is tied to planning policy, offering greater integration and therefore delivery of the opportunities;
- The overview of existing assets is very detailed and links to the objectives, giving the strategy a logical structure; and
- The extensive consultation which took place and which is weaved in throughout the strategy, particularly in Volume 1.

## Negatives of the Strategy

- The brief required less focus on building community networks, engagement, promotion, policy and marketing; and
- The Strategy was commissioned before Natural England produced their evidence-base study on functionally linked land across the Liverpool City Region.

- The process of including consultation within the GI strategy;
- The linking of the baseline/existing asset section to the themes, but with the possibility of putting some of the baseline detail in appendices;
- The setting out of priority projects as clear proformas; and
- The very clear and aesthetic GIS maps which a simplified base map, making it clearer for the reader'.

Figure 4.5: Wirral Green and Blue Infrastructure Strategy (2020)



# Cambridgeshire Green Infrastructure Strategy (2011)

### Relevance to Hertfordshire

- Both are experiencing pressure from development and infrastructure links;
- Both suffer from poor access to greenspace in areas of high deprivation;
- Cambridgeshire is roughly twice the size of Hertfordshire (3,389km2), and less densely populated (population estimated in mid-2019 at 852,523); and
- The Cambridgeshire Strategy was written at the same time as Hertfordshire's previous Strategy.

## Positives of the Strategy

- The Strategy is clear and logical, identifying key objectives and then setting out proposals for a strategic network, target areas and projects;
- The way it is broken down into regions, setting out the key issues in those areas and GI opportunities, making the scale of the county more manageable;
- The establishment of a diverse project group which involved representatives from ten bodies to review and manage the report. These then fed back to a Green Infrastructure Forum composed of 25 bodies; and
- The use of graphics to determine the level of influence each local area can have on achieving the strategy objectives.

# Negatives of the Strategy

- The Strategy is very long, text heavy, and not as engaging in its presentation compared to other more recent strategies. The maps are difficult to read: and
- There are no clear projects defined identifying GI projects is included at the end of the report under 'Further work and next steps', making this strategy feel more of a context document.

- The clear logical progression throughout the document; and
- The analysis of the pressures facing each region/target area of the county, which is then taken forward into opportunities within the target areas, ensuring the strategy objectives are achieved.

Figure 4.6: Cambridgeshire Green Infrastructure Strategy (2011)



# **Balancing People and Wildlife**

## Panshanger Park, Hertford

- 4.3 Opened to the public in 2014, Panshanger Park is a 1,000 acre site which balances the need for wildlife and recreation.
- **4.4** Panshanger Park, which comprises both a nature reserve and country park, provides a valuable resource for both wildlife and people in unison. Before its opening in 2014, the site was quarried for sand and gravel, having previously been the site of the 17th century Panshanger Estate. The Humphrey and Capability Brown landscape is a Grade II\* listed park and garden and elements of its heritage can be found dotted around the park, including the skeleton of the former orangery.
- 4.5 Following the park's extractive use, much of the site has now been restored to arable farming and a range of important county and national habitats, including a new section of chalk stream and lakes. The mosaic of habitats across the site, including woodlands, wetlands, grasslands and reedbeds, provide an important refuge for wildlife on the outskirts of Hertford. Furthermore, the scale of the country park and associated trails creates significant recreation opportunities and access to nature for people. Additional parcels of land will continue to open up and expand the site as extraction activities come to an end.
- 4.6 Panshanger Park relates back to Project 5: Mimram Valley greenspace within the 2011 Strategic Green Infrastructure Plan.

### **Considerations**

Only one relatively small car park serves the park, meaning informal parking on nearby roads can be an issue (note: there are currently plans for a new 173 space car park);

- Limited active travel routes to the park results in increased usage of private transport for access;
- Increased recreation pressures due to the new Panshanger Airfield development (around 900 homes); and
- Some heritage features, such as the orangery, continue to fall into disrepair.

- Recognise the importance of former industrial and extraction sites in providing new green space for both humans and wildlife;
- Understand the careful balance between recreation and disturbance to create multifunctional spaces;
- Plan for access by active travel, particularly between new development and recreation sites;
- Explore opportunities to restore county-wide and national priority habitat where possible; and
- Utilise heritage features for commercial activity.

Figure 4.7: Panshanger Park, Hertford [See reference 47]







# Re-wilding Arable Farmland

## Heartwood Forest, St Albans

- 4.7 Transforming arable farmland into a mosaic of connected biodiverse habitats and recreational assets for Hertfordshire's population and wildlife.
- 4.8 Located just 3 miles north of St Albans, Heartwood Forest comprises 347ha of newly planted woodland, ancient woodland, wildflower meadows and grassland. Although the site is still maturing, it provides important connections between new and existing habitats on an area which was previously commercially farmed for arable crops.
- 4.9 Now covered in over 600,000 native trees, the project was achieved through the help of thousands of volunteers and school children. When planting the trees, a variety of methods were trialled to assess their relative success for establishment. This included using both hay and traditional methods of protection, as well as unprotected planting.
- **4.10** Areas of open space intersperse the woodland planting and create opportunities for biodiversity-rich wildflower meadows and grassland. Furthermore, the creation of a community orchard and arboretum enhances local interaction with the space. Heartwood Forest has been sensitively planned in a way which allows the archaeological importance of the site to be revealed and therefore the time depth of the landscape to be perceived.

### **Considerations**

- High levels of foot, bike and horse traffic, including informal access, can cause damage to sensitive habitats, particularly within areas of ancient woodland;
- Large deer population can pose a threat to the establishment of new trees;

- Irresponsible dog owners can cause disturbance to wildlife, particularly ground nesting birds; and
- Climate change and drought can play a considerable part within the successful establishment of trees as watering on this scale not feasible.

- The methods of tree planting trials should be reviewed and assessed to inform successful largescale re-wilding projects in the future;
- Utilising a wide force of volunteers and school children to help deliver the project has seen high levels of engagement;
- volunteer experts as habitats establish is encouraged; and
- Planning for recreation should come at the start of any project to ensure sufficient space is given to both people and wildlife.

Figure 4.8: Heartwood Forest, St Albans [See reference 48]







# **Growing Community Wellbeing**

## Community Food Hubs, Luton

- **4.11** Supporting Luton's residents to address issues of food poverty, as well as enhancing mental and physical wellbeing alongside community cohesion.
- **4.12** Groundwork have supported the establishment of a series of community food growing hubs across Luton which have an overarching aim of addressing wellbeing issues and food poverty. The hubs offer a variety of low-cost activities which bring members of the community together in a manner which supports nutritious eating. Furthermore, the food grown within the hubs is redistributed within the community and used to enrich local food banks with nutritious produce.
- **4.13** Hubs have been established at Memorial Park Hub, Strathmore Hub, Farley Food Growing Hub, Dunstable South Children's Centre and Marsh Farm Futures. All of these provide opportunities for residents to learn new skills and meet new people. Furthermore, family learning and wild play sessions have been introduced to connect children with the outdoors, as well as enhance literacy and education.

## **Considerations**

- Many of Hertfordshire's towns suffer from similar social and economic issues that Luton experiences, for example food poverty, inequality and unhealthy lifestyles; and
- Both Luton and a number of Hertfordshire's towns experience high density interiors where residents do not have access to large expanses of private outdoor space.

- Partnership working has been a key driver for the success of these projects, with each hub having a different funding and start-up depending on its context and surrounding community;
- External funding has been the main driver behind the delivery of these hubs, including British Red Cross, Big Lottery Awards for All and Bedfordshire and Luton Community Foundation Community Investment Fund (CIF); and
- Small, underused and incidental green spaces have the potential to serve the community.

Figure 4.9: Community Food Hubs, Luton [See reference 49]





### Sustainable Growth

### Harlow and Gilston Garden Town

- **4.14** Delivering a new Garden Town which will create economically, environmentally and socially sustainable communities.
- **4.15** Harlow and Gilston was designated by the Government as a Garden Town in January 2017 and is proposed to supply an additional 23,000 homes to the region. Using Garden City principles, including beautifully designed neighbourhoods and homes, biodiverse landscapes, zero-carbon design, integrated active travel and sustainable transport, and long-term stewardship, the scheme will provide resilient communities of the future.
- **4.16** Green infrastructure plays an essential role from the outset of masterplanning within the Garden Town through its role in creating a framework for movement, delivering ecosystem services and integrating settlements with the wider countryside. Individual masterplans within the wider Garden Town will design new open space which expands on the existing Green Wedge network and connecting with strategic assets such as the Stort Valley. Furthermore, each individual settlement will require their own GI strategy which links with the overarching aims of the county. The existing settlement of Harlow will be a key focus for the retrofitting and regeneration of residential streets, public realm and employment space.

## **Considerations**

Much of the funding for green infrastructure projects within the Garden Town will come from developer contributions. The significant scale of new development means funding availability for large green infrastructure projects is viable, however this is not applicable to all projects across Hertfordshire; and

■ The need for additional infrastructure will be significant to serve new communities. This will require careful planning to ensure negative environmental impacts are mitigated, for example the Stort Crossing.

- A team of built environment and design professionals have been assembled to form a Quality Review Panel which will ensure the vision is delivered:
- Early and continued work with key stakeholders, including the Environment Agency, Canal and River Trust and RSPB, will be essential in the successful delivery of multifunctional GI; and
- The concept of Garden Towns requires holistic planning and multifunctional design, making GI work harder and to recognise theme imperatives.

Figure 4.10: Harlow and Gilston Garden Town [See reference 50]





# **Urban Cycling and Green Retrofit**

## Mini-Holland, Waltham Forest

- **4.17** London Borough of Waltham Forest have implemented 29km of segregated cycle lanes and improved 62 pedestrian crossings.
- **4.18** In 2013, London Borough of Waltham Forest secured funding from Transport for London (TfL) to upgrade the Borough's network of streets to tackle issues surrounding safety, air quality and public health. The scheme saw the introduction of significant stretches of new segregated cycle routes interspersed with greening, including trees, planters, parklets and pocket parks. Through enhancing the aesthetic appeal of Waltham Forest's streets, as well as reducing vehicular access, uptake of walking and cycling has increased dramatically within the Borough, with residents, on average, walking and cycling for 41 minutes a week more than those living in comparable areas.
- **4.19** The Mini-Holland scheme, now re-branded 'liveable neighbourhoods' across London, has changed residents' attitudes towards walking and cycling in a positive manner. This is reinforced through free safe cycling training within schools.
- **4.20** To ensure the legacy of the liveable neighbourhoods is continued and reinforced through development, the Council have produced a Mini-Holland Design Guide.

### **Considerations**

■ A number of active travel proposals are coming forward within Hertfordshire through the Active Travel Fund (£6.4 million). It is important these schemes are well-designed and link with the wider network;

- Identified barriers to walking and cycling include lack of physical infrastructure, safety, lack of awareness or training, and social and cultural attitudes; and
- Restricting car use and enhancing active travel in town centres can help to achieve aspirations for 15-minute, liveable neighbourhoods.

- Prioritise pedestrians and cyclists over vehicles;
- Offer direct walking and cycling routes;
- Install cycle hubs and hangars to make storing bikes more easily for residents;
- Design new outdoor space, including parklets and pocket parks, throughout the scheme;
- Upgrade bus stops to make them more attractive;
- Produce an active travel design guide; and
- Consider cross-boundary planning at an early stage within the design process.

Figure 4.11: Mini-Holland, Waltham Forest [See reference 51]







# **Chapter 5**

# Development of the Vision

This chapter explores the effectiveness of the 2011 Plan, outlines the updated vision and objectives, and introduces the 'themed' approach.

# Summary of GI delivery and implementation since 2011

**5.1** Early consultation with key stakeholders was undertaken to help identify key attitudes, expectations and aspirations for GI across Hertfordshire. A focussed website was used to gain an understanding of the strengths and weaknesses of the GI network, perceived GI deficits and opportunities across the county. The key findings are listed below.

# Summary of key issues

- Delivery of strategic projects since 2011 has been minimal or non-existent. Where progress was noted, this was often not attributed to pre-existing projects or schemes driven by other key drivers;
- Requirement to re-visit the overarching drivers and vision for GI within Hertfordshire and update to reflect the 2021 context;
- Projects identified as priority projects within the 2011 Plan are now out of date and should be updated to reflect revised county-wide objectives and needs;
- Limited usage of the 2011 Plan as a working document by Policy Planners and Development Control;

- Requirement for a renewed emphasis on strategy, delivery and implementation; and
- Updates required to reflect the emerging importance of the growth agenda across Hertfordshire.

# **Development of the vision**

- **5.2** The vision for GI within Hertfordshire aims to set the roadmap for delivering the county's future direction of travel in relation to delivering sustainable, healthy, biodiverse and prosperous communities. Figure 5.1 displays some of the most regularly used words by key stakeholders when they were asked the following questions:
  - Are there any outcomes you would like to see in the upcoming review that would enable more effective local planning policies for GI in Hertfordshire?
  - Are there any outcomes you would like to see in the upcoming review that would enable improved GI delivery mechanisms in Hertfordshire?
- **5.3** The prevalence of words such as 'projects' reinforces the need for deliverable and clear project opportunities to fall out of the Strategy which can easily be taken forward by the relevant authority. Furthermore, the use of words such as 'local,' 'strategic' and 'scale' highlights the importance of the Strategy in delivering opportunities across the spectrum. The frequency of the terms 'clear,' 'needs' and 'objectives' would point towards the creation of a strong set of objectives which are designed to achieve the vision and are informed by a thorough assessment of need.
- **5.4** Other key words which have been highlighted include 'development' and 'funding,' which could point towards developer contributions being an efficient mechanism for delivery, 'engagement' and 'authorities', which could reinforce the importance of engagement with stakeholders as well as between LPAs, and the use of 'linked' and 'network', which emphasises the importance of a cohesive and joined up green and blue network at both the county and local scale.

Figure 5.1: Themes and words which occurred regularly when stakeholders were asked how the Strategy could enable more effective GI delivery mechanisms and incorporation into local planning policy in Hertfordshire



# The 'themed' approach

**5.5** To provide a comprehensive baseline and evaluation of the GI network in Hertfordshire, a 'themed' approach to the assessment will be adopted. This desk-based analysis will be undertaken in order to understand the various

### **Chapter 5** Development of the Vision

functions and ecosystem services, including the multifunctional benefits, provided by the GI network. The 11 'GI ecosystem functions' captured in the 2011 Plan will be rationalised and categorised into six 'GI themes' to provide a holistic view of the GI network (see Figure 5.2). Climate change will act as an overarching theme, signalling its importance as a driver of the Strategy.

- A Resilient Landscape: Identifying areas to protect, connect and enhance, through the creation of a framework for resilient GI networks.
- Heritage and Sense of Place: Recognising and considering Hertfordshire's rich historic, archaeological and cultural assets alongside its distinctive landscape heritage.
- The Water Environment: Realising the full potential of the county's network of rivers, ditches, wetlands and open water in providing habitats and nature-based solutions to strategic challenges.
- Access and Connectivity: Creating permeable landscapes for sustainable travel whilst sensitively enhancing access to nature and green space.
- Nature Recovery: Identifying connected and conserved networks of habitats across Hertfordshire.
- People, Health and Wellbeing: Consideration of the health and societal benefits of GI within Hertfordshire.
- **5.6** GI themes will be structures with 'key GI assets,' which provide a detailed overview of the assets in Hertfordshire, and 'key opportunities', which highlight where the network can be enhanced upon the issues identified.

Development of the Vision

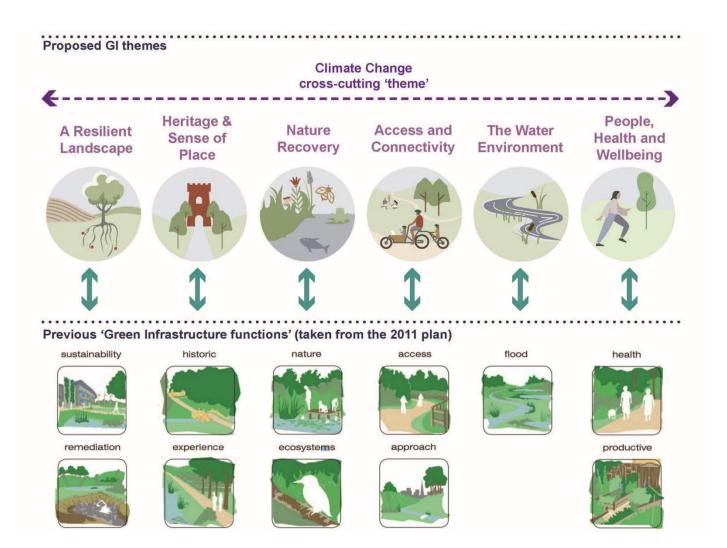
Development of the Vision

Solution

Development of the Vision

Too

Figure 5.2: Proposed GI themes and their relationship to the former GI functions from the 2011 Plan

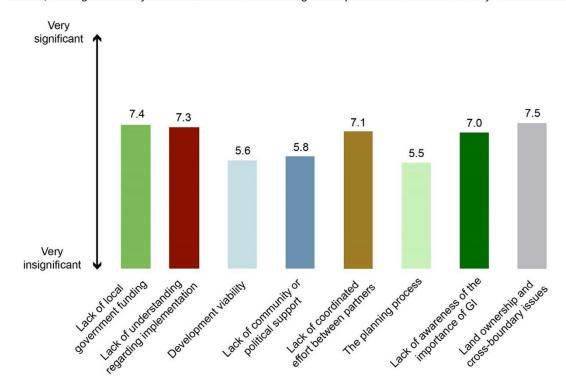


# Next steps and recommendations to take forward as part of the Strategy

- Integrate GI project proposals into planning policy and place a greater emphasis on embedding GI in spatial planning;
- Incorporate guidance regarding delivery and viability of large strategic schemes;
- Provide cross-cutting strategic guidance, recommendations, and priority actions for GI in Hertfordshire:
- Deliver greater focus on securing GI project implementation through a combination of delivery and funding models as well as the adoption of GI standards and principles;
- Integrate maintenance and management requirements as key considerations when identifying potential projects;
- Outline a prioritised set of GI projects and investments for the county;
- Ensure overarching ownership of GI delivery by a central body or organisation;
- Address the competing demands of ecological enhancement and recreational demand;
- Identify delivery partners and outline project costings to ensure that realistic 'asks' can be incorporated into Infrastructure Delivery Plans associated with Local Plan delivery Promote collaboration between LPAs within Hertfordshire regarding GI delivery;
- Ensure a greater alignment with strategic objectives in relation to the ambitions of the county, e.g. for education, highways etc; and
- Deliver a user friendly document which can be implemented as part of everyday planning procedures in the county.

Figure 5.3: Mean value score (from 0-10) by stakeholders when determining the significance of barriers to GI delivery





# Barriers to GI delivery and their significance score

- Lack of local government funding: 7.4;
- Lack of understanding regarding implementation: 7.3;
- Development viability: 5.6;
- Lack of community or political support: 5.8;
- Lack of coordinated effort between partners: 7.1;
- The planning process: 5.5;
- Lack of awareness of the importance of GI: 7.0; and
- Land ownership and cross-boundary issues: 7.5.

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# Report produced by LUC

#### **Bristol**

12th Floor, Colston Tower, Colston Street, Bristol BS1 4XE 0117 929 1997 bristol@landuse.co.uk

#### Cardiff

16A, 15th Floor, Brunel House, 2 Fitzalan Rd, Cardiff CF24 0EB 0292 032 9006 cardiff@landuse.co.uk

### **Edinburgh**

Atholl Exchange, 6 Canning Street, Edinburgh EH3 8EG 0131 202 1616 edinburgh@landuse.co.uk

### Glasgow

37 Otago Street, Glasgow G12 8JJ 0141 334 9595 glasgow@landuse.co.uk

#### London

250 Waterloo Road, London SE1 8RD 020 7383 5784 london@landuse.co.uk

#### **Manchester**

6th Floor, 55 King Street, Manchester M2 4LQ 0161 537 5960 manchester@landuse.co.uk

#### landuse.co.uk

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# Hertfordshire Green Infrastructure Strategy

Part 2a: Green Infrastructure Baseline, Analysis and Priorities

Hertfordshire Infrastructure and Planning Partnership in partnership with Hertfordshire County Council

Final report
Prepared by LUC
August 2022

| Page         |        |                             |         |          |               |  |  |
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The Hertfordshire Infrastructure and Planning Partnership (HIPP) provides a forum to discuss and, where appropriate, develop a shared view and agree joint work programmes on infrastructure and planning issues of common concern. A key objective is to work co-operatively within Hertfordshire and across the county borders according to the principles of localism and the duty to co-operate. The Partnership works together with Hertfordshire Forward, Hertfordshire Local Enterprise Partnership, the Local Transport Body for Hertfordshire, the Local Nature Partnership and other appropriate organisations in areas of shared interest to develop and where possible and necessary agree joint approaches to common issues. The Chairman, or his or her deputy, represents the Partnership as appropriate on external bodies, including the Board of the Local Transport Body for Hertfordshire.









S Crewe



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Hertfordshire Green Infrastructure Strategy

# **Contents**

| Chapter 1                                                      | 6  |
|----------------------------------------------------------------|----|
| Functional analysis – the current Green Infrastructure network |    |
| Chapter 2                                                      | 9  |
| Theme 1: A Resilient Landscape                                 |    |
| Why is the theme relevant to GI in Hertfordshire?              | 9  |
| Key assets                                                     | 9  |
| Key factors influencing the need for GI                        | 20 |
| Theme 1: Summary of GI Priorities                              | 22 |
| Chapter 3                                                      | 25 |
| Theme 2: Heritage and Sense of Place                           |    |
| Why is this theme relevant to GI in Hertfordshire?             | 25 |
| Key assets                                                     | 25 |
| Key factors influencing the need for GI                        | 37 |
| Theme 2: Summary of GI Priorities                              | 40 |
| Chapter 4                                                      | 42 |
| Theme 3: Nature Recovery                                       |    |
| Why is this theme relevant to GI in Hertfordshire?             | 42 |
| Key assets                                                     | 42 |
| Key factors influencing the need for GI                        | 52 |
| Theme 3: Summary of GI Priorities                              | 60 |

### Contents

| Chapter 5                                          | 62  |
|----------------------------------------------------|-----|
| Theme 4: Access and Connectivity                   |     |
| Why is this theme relevant to GI in Hertfordshire? | 62  |
| Key assets                                         | 62  |
| Key factors influencing the need for GI            | 68  |
| Theme 4: Summary of GI Priorities                  | 72  |
| Chapter 6                                          | 73  |
| Theme 5: The Water Environment                     |     |
| Why is this theme relevant to GI in Hertfordshire? | 73  |
| Key assets                                         | 73  |
| Key factors influencing the need for GI            | 78  |
| Theme 5: Summary of GI Priorities                  | 85  |
| Chapter 7                                          | 87  |
| Theme 6: People, Health and Wellbeing              |     |
| Why is this theme relevant to GI in Hertfordshire? | 87  |
| Key assets                                         | 87  |
| Key factors influencing the need for GI            | 99  |
| Theme 6: Summary of GI Priorities                  | 101 |
| Chapter 8                                          | 103 |
| Identification of GI Priority Actions              |     |
| Summary of GI Priorities for Themes                | 105 |
| GI Priority Actions                                | 107 |

### Contents

| <b>Appendix A</b> Key findings from stakeholder consultation – thematic analysis | 116 |
|----------------------------------------------------------------------------------|-----|
| Appendix B Overview of benchmarking and standards within Hertfordshire           | 120 |
| References                                                                       | 124 |

# **Chapter 1**

# Functional analysis – the current Green Infrastructure network

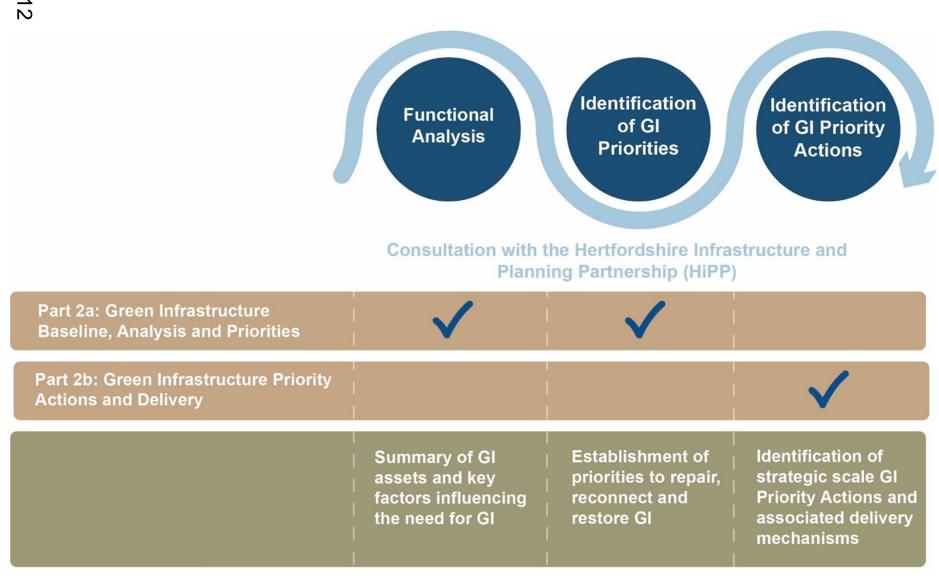
This chapter identifies and summarises Hertfordshire's existing Green Infrastructure (GI) assets and builds on the findings of Part 1: Setting the Scene.

- **1.1** The analysis has been divided into several 'themes', which provide a useful framework to understand and plan for GI in the county. The review of existing GI functionality also aims to reflect the twin emergencies of climate and nature recovery as well as the role of GI in supporting the wellbeing of communities within Hertfordshire. The themes are listed below:
  - Theme 1: A Resilient Landscape;
  - Theme 2: Heritage and Sense of Place;
  - Theme 3: Nature Recovery;
  - Theme 4: Access and Connectivity;
  - Theme 5: The Water Environment; and
  - Theme 6: People, Health and Wellbeing.
- 1.2 The relevance of GI to each theme is examined as well as the key assets and factors influencing the need for GI. This analysis includes a review of socioeconomic indicators in order to help identify severance and areas for GI interventions. Each theme is concluded with a summary of 'GI Priorities'. The chapters have been derived through a combination of desk study (including GIS analysis) and targeted stakeholder consultation. This thematic approach is then carried forward within the Strategy to identify a series of 'GI Priority Actions' (see Figure 1.1) with the aim of delivering protection, enhancement and

**Chapter 1** Functional analysis – the current Green Infrastructure network

additions to the county GI network. Key findings from the series of stakeholder workshops are included in Appendix A.

Functional analysis – the current Green Infrastructure network



# **Chapter 2**

# Theme 1: A Resilient Landscape

# Why is the theme relevant to GI in Hertfordshire?

2.1 The twin crises of climate change and biodiversity loss, plus the effects of economic and technological changes are having (and will continue to have) a profound effect on Hertfordshire's landscape. Threats include species decline and habitat loss through recreation pressures and fragmentation due to urbanisation and agriculture. GI forms an essential component in the creation of resilient, healthy and sustainable communities. All habitats can play a role in climate change adaptation and mitigation, providing climate resilience at the 'frontline' of effects, as well as providing multiple GI benefits. Examples of this includes riparian woodland and wetlands improving drainage, therefore reducing flood risk and improving water quality, or shelter belts of vegetation enhancing air quality next to trunk roads or regulating urban temperatures. The county's stock of natural capital assets – geology, soil, air, water, land and biodiversity provide flows of 'ecosystem' services as benefits for people. These assets and how they are managed provide the foundation of a resilient landscape.

# **Key assets**

# Geology and soils

**2.2** The geology of Hertfordshire is dominated by the solid formations of chalk, overlain in the south and east by London Clay, with small areas of Gault Clay located in the north and north-west (see Figure 2.1). The Chiltern Hills and Vale

### **Chapter 2** Theme 1: A Resilient Landscape

of St. Albans provide the principal topographical features within the county. Superficial deposits overlay the areas of solid geology, including clay-with-flints across much of west Hertfordshire; the boulder clay of central and east Hertfordshire as well as the gravels of the river valleys and the Vale at St. Albans (see Figure 2.2). Sand and gravel are the major aggregate minerals worked in the county. These extraction sites are concentrated primarily to the south of a line between Bishop's Stortford in the east and Hemel Hempstead in the west. The protection of GI forms a key component of the minerals planning process. The restoration/after-use of mineral extraction sites provides wideranging opportunities for positive GI planning, delivering landscape character enhancements and the restoration of degraded sites. The spatial clustering of sites also offers the potential for strategically connected initiatives to address GI gaps and needs as part of this Strategy.

2.3 The distribution of soils within the county is characterised by alkaline or neutral chalky soil in the north and east with acid leached soils covering the central and western areas of Hertfordshire (see Figure 2.3). However, settlements within the county are primarily located on the rich gravel deposits of the river valleys. The Government's 25 Year Plan to Improve the Environment [See reference 1] highlights the importance of soil health in achieving resilient communities. It also highlights its commitment to protecting the best agricultural land, placing a value on soils as a part of natural capital and emphasising the need to manage soils in a sustainable way by 2030.

### Woodland

2.4 The Forestry Commission National Forest Inventory (NFI) Map for England covers all forest and woodland area over 0.5 hectare. Woodlands occupy 10% of Hertfordshire, of which approximately 9% is broadleaved and 1% is coniferous (see Figure 2.4). However, this figure is considered to double when canopy cover including new planting, clearfell, windblow and restocked areas is included. Some 3,812 ha are also defined as ancient woodland, providing important habitats. Key opportunities for GI involve the potential enhancement and reconnection of woodland sites through the introduction of additional broadleaf woodland planting schemes. Woodland coverage contributes to

climate resilience and adaptation in a number of ways, including planning for changes in the ranges of species' range and assemblage, reducing habitat fragmentation and protecting species refugia. Trees and woodland also promote cooling, pollutant absorption and carbon sequestration. In addition, the woodlands of Hertfordshire influence landscape character and local distinctiveness. Examples include the oak/hornbeam dominated woodlands, the characteristic beech hangers of the Chiltern Hills and the network of traditional community orchards.

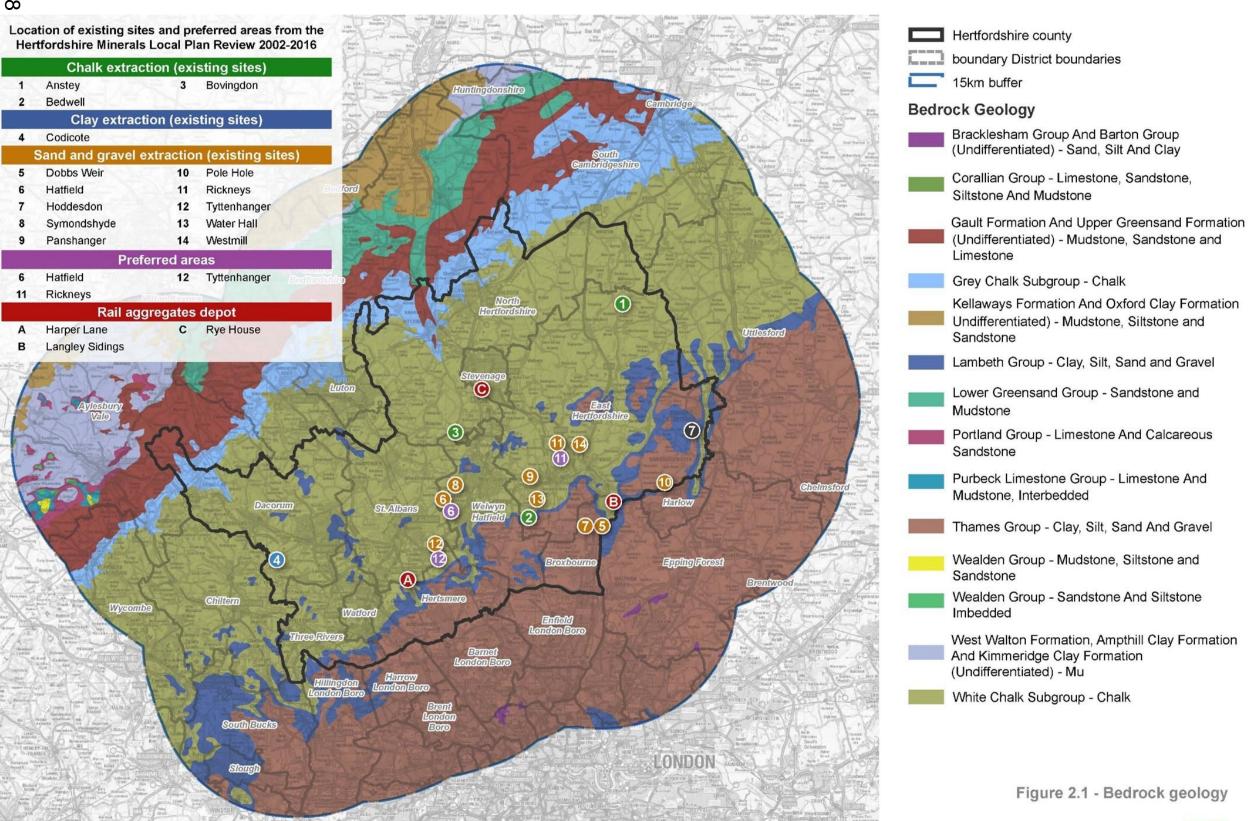
2.5 Hertfordshire's State of Nature [See reference 2] report highlights that whilst the area of woodland within the county has increased, species associated with this habitat continue to decline (refer to Theme 3: Nature Recovery). These changes are attributed to a range of issues including; variation in the structure and condition of established woodlands due to tree diseases, increased browsing pressure and changes to management practices. Human recreational disturbance is also noted as a contributory factor. Further issues for Hertfordshire's woodlands include habitat fragmentation, isolation and lack of beneficial management. The presence of tree pests, pathogens and disease are impacting on the county's characteristic trees including oak and ash, while the shallow rooted beech of the Chilterns Hills are vulnerable to increasing storms associated with climate change. The Strategy offers the potential to plan for new large scale woodland creation or community forests within Hertfordshire. Covering an area of approximately 186 km2, the Watling Chase Community Forest forms one of 12 Community Forests located within England.

## **Farmland**

**2.6** Over half of Hertfordshire's landscape is characterised by arable farmland, which is greater than the national average. There is a distinct east-west division within the county with the clayland landscapes to the east being primarily arable, with a greater proportion of improved grazing land lying to the west. A mosaic of traditional orchards also stretch across the county, covering approximately 145 ha and providing a wide range of wildlife benefits [See reference 3]. This assemblage of agricultural land uses contribute to the distinctive landscape character of the county.

- 2.7 Approximately 79% of Hertfordshire's agricultural land is classed as either Grade 1, Grade 2 or Grade 3 (see Figure 2.5). This denotes land which is either graded excellent, very good or good to moderate in quality, i.e. land that can produce high yields, has the widest versatility of use, produces the most consistent yield and therefore requires the least input [See reference 4]. On this land, food production will usually continue to be a priority. The county's highest quality agricultural land is generally found in the east of the county, located primarily within the administrative boundaries of North Hertfordshire and East Hertfordshire. Clusters of Grade 2 land are also found on the settlement edge of urban centres such as Hertford, Welwyn Garden City, Hatfield, St Albans and Hemel Hempstead.
- 2.8 While the primary agricultural product is crops, farmland within Hertfordshire provides many other ecosystem services and benefits if managed effectively. These include soil stabilisation, surface water storage and flood attenuation, sequestration of carbon, as well as provision of access to the countryside for recreation as part of the Public Rights of Way (PRoW) network (see Theme 4: Access and Connectivity). Farmland also forms the rural setting for Hertfordshire's towns and villages. However, agricultural management has been a significant driver of biodiversity loss in the UK, as management practices are often not geared to these wider environmental functions. The urge to maximise yields through intensification has often exacerbated issues such as soil erosion and hedgerow removal. Run-off of nutrients from intensive agriculture is also a key source of pollution of surface and ground waters.
- 2.9 Agri-environment schemes provide funding to farmers and land managers to farm in a way that supports biodiversity, enhances the landscape and improves the quality of water, air and soil. There is a high take up of Countryside Stewardship schemes in Hertfordshire, particularly within the highly agricultural districts of East Hertfordshire and North Hertfordshire, as shown in Figure 2.6. There are key opportunities to enhance multi functionality of farmland landscapes in Hertfordshire. The potential also exists to integrate GI by encouraging uptake of emerging initiatives such as the new Environmental Land Management scheme (ELMs) which will largely supersede the Countryside Stewardship scheme. This will provide a key opportunity for enhancement of agricultural land within the county.

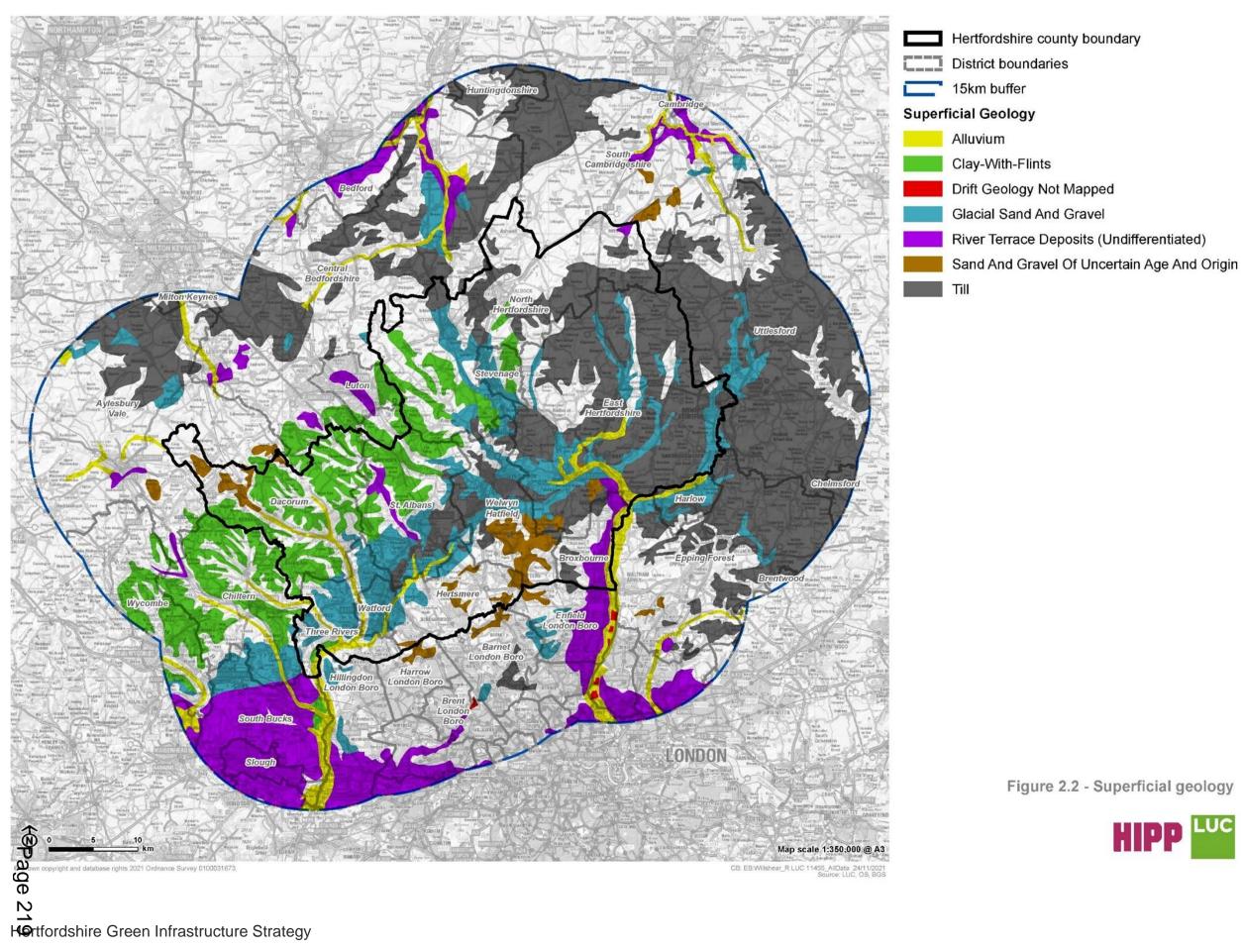
#### Chapter 2 Theme 1: A Resilient Landscape



Map scale 1:350,000 @ A3



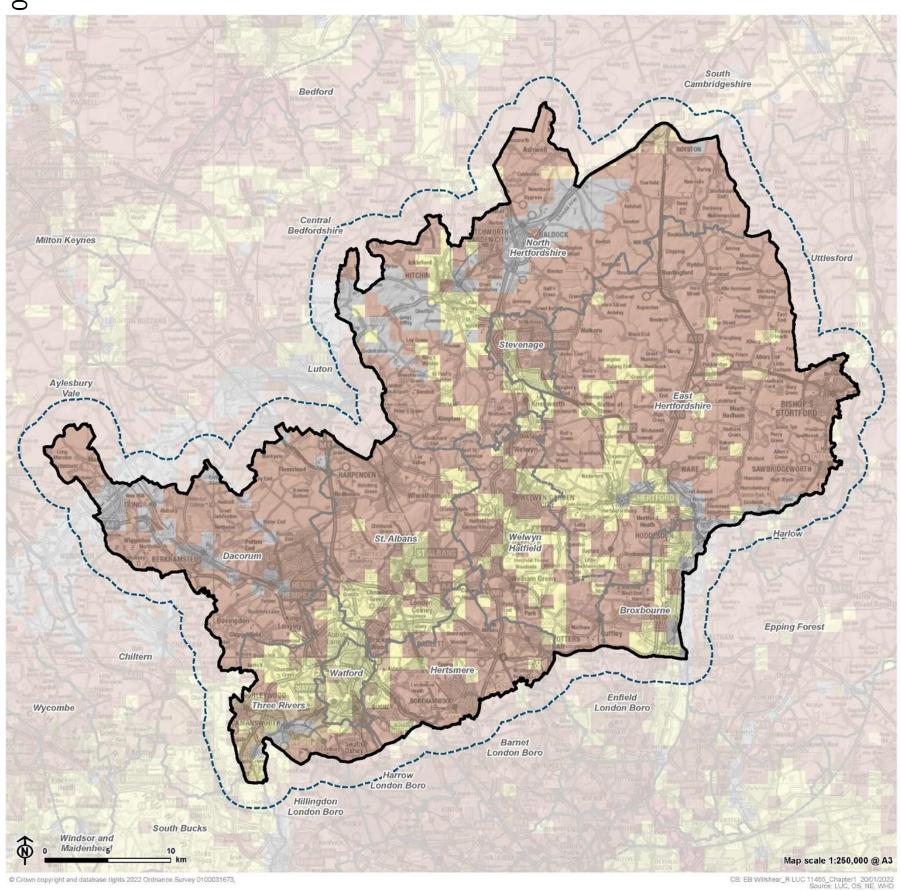
Figure 2.2: Superficial geology



Hertfordshire county boundary District boundaries 15km buffer **Superficial Geology** Alluvium Clay-With-Flints Drift Geology Not Mapped Glacial Sand And Gravel River Terrace Deposits (Undifferentiated)

Figure 2.2 - Superficial geology





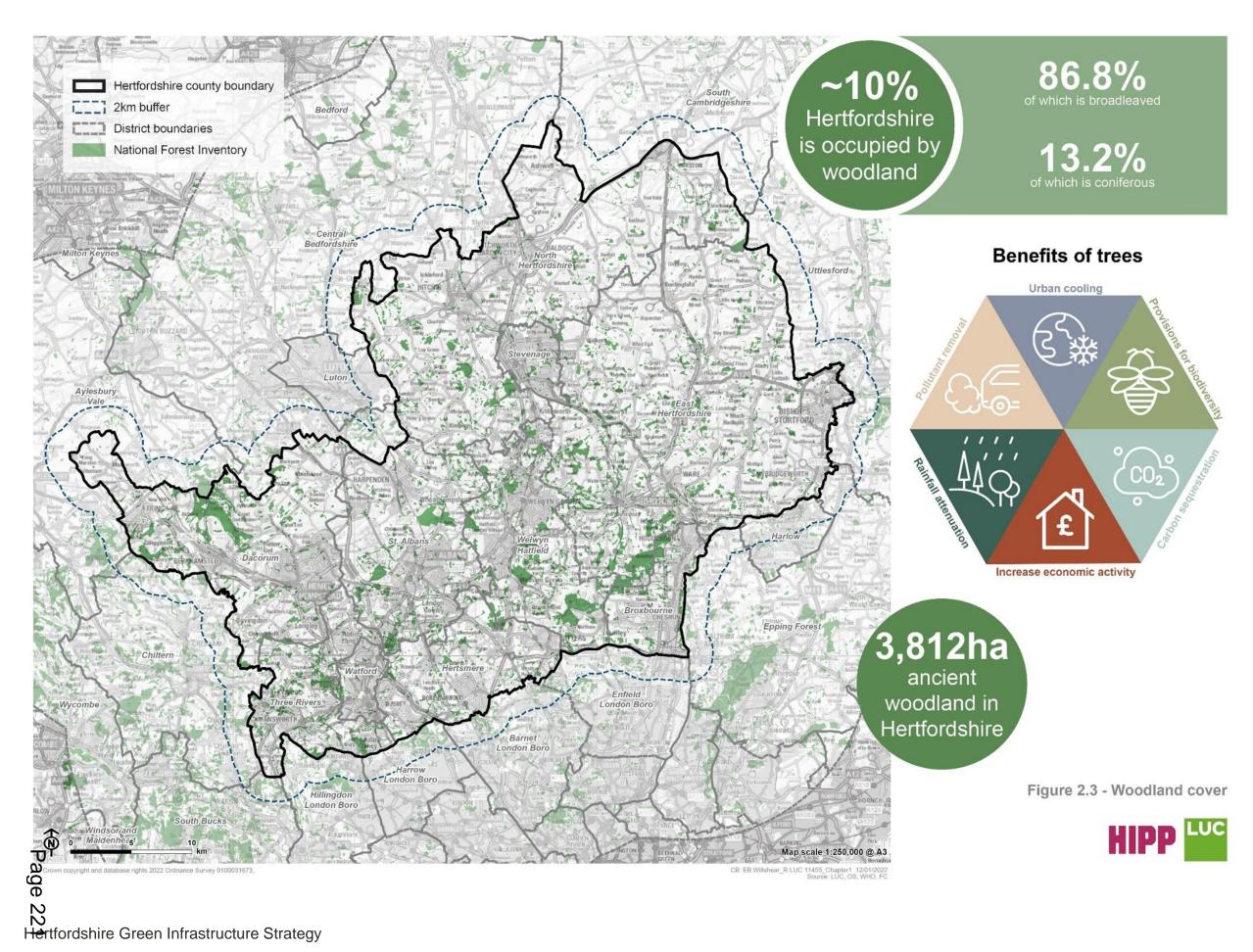


NA

Figure 2.3 - Soils



Figure 2.4: Woodland cover



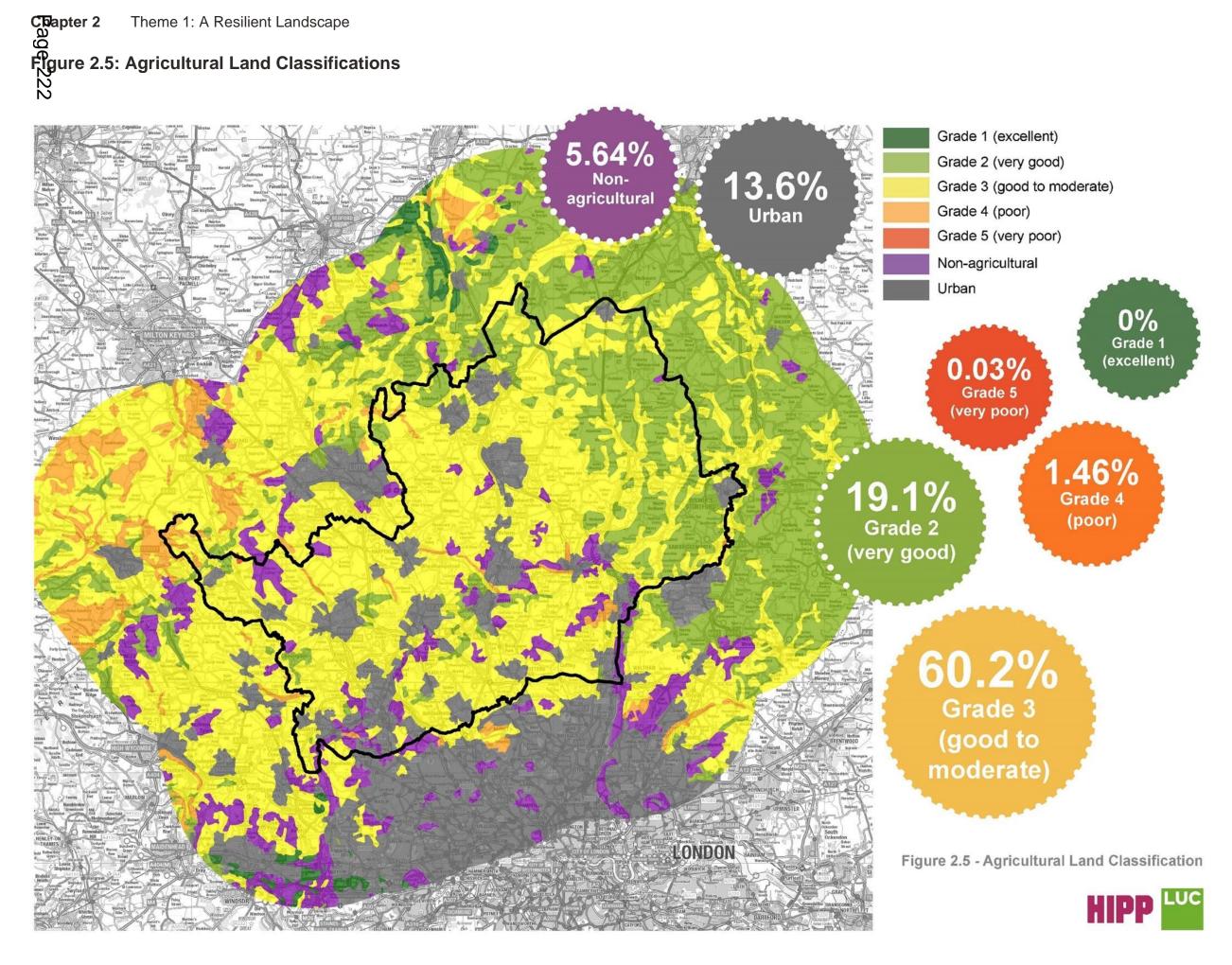
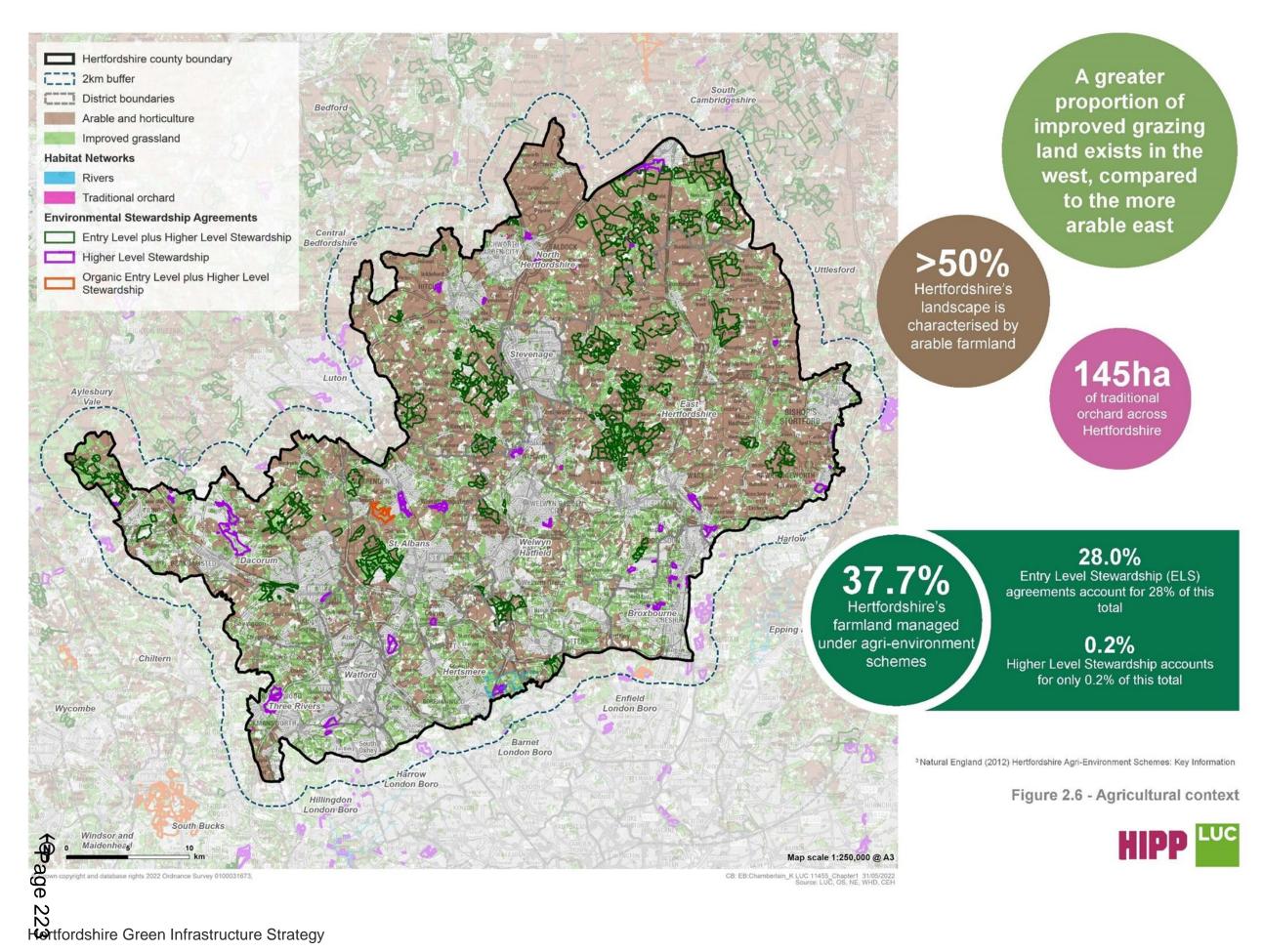


Figure 2.6: Agricultural context



19

### Key factors influencing the need for GI

#### The effects of a changing climate

- 2.10 In the case of farming, certain agricultural methods contribute to global warming, but a changing climate can have significant effects on the viability of agriculture and food production. Future effects on the agricultural sector at the county level will include greater pressure on water availability and competing demands for water. This trend is evidenced by noticeable reductions in ground water levels in recent years. Other effects include the likelihood of a decline in agricultural productivity as a result of extreme weather events. New and emerging pests and diseases also have the potential to cause severe impacts on animals and plants [See reference 5]. These effects are likely to be complex as systems adapt in different ways and impacts at the local level are not easy to predict. While initially the benefits of warmer temperatures and longer growing seasons may be experienced, in the longer term these will become outweighed by reductions in water availability [See reference 6].
- 2.11 Effects of climate change on woodland and forestry may be even more severe than effects on agriculture, due to the sector's long production cycle [See reference 7]. In addition to drought stress and mortality, natural regeneration could be adversely affected by rising temperatures as recently planted trees take longer to establish. Drier conditions will also increase the risk of wildfire damage, and forest pests and pathogens are likely to increase [See reference 8]. The recent rapid spread of 'ash dieback' (Hymenoscyphus fraxineus) disease across UK forests has highlighted the risk of such diseases to the country's tree cover and timber industry [See reference 9].
- **2.12** GI interventions in agricultural and woodland landscapes at the county level can help combat these challenges. For example, increasing the diversity of woodlands can make them less vulnerable to changes in temperature and pests. The introduction of greater diversity into agricultural systems (for example, incorporating trees and hedges into arable land) can also make farmland more resilient to the effects of climate change.

## Woodland expansion and the need to shape the landscape as a carbon sink

2.13 GI can boost the capacity of a local environment to accommodate sustainable development and contribute to the delivery of sustainable land management. Woodland creation and expansion offers the potential to deliver benefits for carbon sequestration, the creation of wildlife corridors as well as a contribution to natural flood management, therefore helping to increase climate adaptation. Mitigation of climate change and carbon capture could provide an incentive for woodland creation across Hertfordshire. Potential locations for woodland creation include the M1 and A1 transport corridors, land within the Watling Chase Community Forest and the Lee/Stort river valleys to ensure the provision of strategic county linkages. The Emerging post-Brexit payment mechanisms for the agriculture sector suggests that agro-forestry is likely to play an important role in the expansion of tree cover. The opportunity therefore exists to maximise sequestration and carbon storage within the county through afforestation, agro-forestry, hedge creation, broadleaf management and habitat restoration.

# Increased uptake of sustainable farming practices, including the move away from meat towards plant-based diets

**2.14** The move towards sustainable, environmentally friendly farming practices which work with nature aim to deliver a range of environmental services beyond food production. There is growing evidence that conventional, intensive farming practises have led to environmental decline and in part contributed to the biodiversity and climate crises [See reference 10]. Farmland managed sustainably can help to address these issues whilst delivering a number of other ecosystem services (e.g. food production, access to nature, quality water, sufficient water).

- 2.15 Now is a time of great change in the agriculture sector, but one which provides huge opportunity to enhance the environment. The new ELMs is currently being rolled out in England and is based upon a system that rewards farmers for maximising the range of public goods delivered by farmland, including clean water, carbon sequestration and providing access for people to enjoy the countryside. The shift towards plant-based diets is also a trend with the potential to significantly impact agriculture in the UK. Approximately 25% of the population of the UK now a adopt a meat-free or meat-reduced diet. This trend is partly driven by increased consumer awareness of the negative environmental, health and animal welfare implications of meat and dairy consumption [See reference 11].
- **2.16** GI also offers a wide range of opportunities for local food growing, including community growing projects, traditional allotments, orchards and growing as an integral part of domestic, community, employment and education development. These initiatives offer the potential for a change in the diversity of food production with a move to much greater community involvement and a significant reduction in food miles for the food that is grown.

#### **Theme 1: Summary of GI Priorities**

2.17 1A: Expand tree coverage and enhance woodland connectivity within the county. Woodland creation and enhancement should include allowing natural regeneration to occur (for example through relaxing land management techniques, removing opportunities for grazing or reducing trampling) and the introduction of mixed, multi species and complex/diverse canopy plantations. This approach recognises the vulnerability of Hertfordshire oak, ash and beech. As a consequence, the creation of new woodland must be aligned with beneficial management of the existing woodland resource. Potential locations for woodland creation include the M1 and A1 transport corridors, land within the Watling Chase Community Forest and the Lee/Stort river valleys to ensure county linkages are provided. The potential for re-invention of a community forest and the provision of tree coverage to provide a vegetated buffer to settlements should also be explored.

- 2.18 1B: Integrate GI and sustainable farming practices to support biodiversity and encourage uptake of agri-environment schemes. Management of arable farmland should enhance soil health, carbon sequestration, manage soil erosion and address flood risk/water quality run off through regenerative farming and agro-forestry. These principles should involve the restoration and enhancement of the distinctive chalk scarp landscape. The restoration of hedgerow cover and pollinators within the county should also be explored. In order to achieve these aims, the opportunity exists for the introduction of farmland GI projects to encourage uptake of agri-environment schemes. This includes a framework to integrate into new and future land management schemes, including agri-environment payments (e.g. ELMs), Biodiversity Net Gain (BNG), biodiversity off-setting and payment for ecosystem services.
- **2.19** 1C: Enhance and remediate the landscape condition of deteriorating landscapes within the county. GI delivery offers the opportunity to focus on remediating the deteriorating landscapes of Hertfordshire e.g. lowland agricultural landscapes characterised by a loss of hedgerows and trees, urban fringe influences and linear infrastructure. The potential exists to increase the health and resilience of the landscape to create high quality and functioning landscapes close to where people live. This should also form a key consideration in areas where new development is proposed. Opportunities to focus on providing a network of connected restoration of sand and gravel extraction sites should be explored in order to achieve wider GI objectives.
- 2.20 1D: Anticipate and plan for future climate change by introducing enhancements to the diversity of woodland and wider agricultural systems. Climate change has significant potential to alter the pressures placed on Hertfordshire's landscape. GI and the introduction of Nature based Solutions (NbS) should therefore be utilised as mechanisms to adapt to and combat future climatic change. This should include enhancements to the diversity of agricultural systems and woodlands with the aim of making them less vulnerable and more resistant to future change. The restoration of ecosystems should address these challenges, including by utilising the role of the landscape as a carbon sink. Consideration should also be given to re-wilding opportunities working with nature to create richer, dynamic, more resilient landscapes with wider connections which link landscape-scale interventions across

#### **Chapter 2** Theme 1: A Resilient Landscape

Hertfordshire. This will help species and wildlife communities adapt to the pressures of changing microclimates and habitats.

## **Chapter 3**

### Theme 2: Heritage and Sense of Place

# Why is this theme relevant to GI in Hertfordshire?

**3.1** Hertfordshire has a unique and varied landscape which contains a range of historic assets, providing the county with a distinctive sense of time-depth. The diversity of this landscape plays an important role in the enjoyment and experience of the county's GI assets. The strategic management of this multifunctional network is essential in maintaining Hertfordshire's distinct landscape character and the setting and interpretation of heritage features.

#### Key assets

#### Landscape character

3.2 Hertfordshire has a diverse landscape character which is represented by six distinct National Character Areas (NCA) [See reference 12], as detailed below in Figure 3.1, and 173 local Landscape Character Areas (LCA) [See reference 13]. Although the local LCAs are not explored fully within this strategy, it is recommended that the relevant character information is consulted when developing proposals for GI to ensure design is context-led and appropriate to its setting. Stretching from the wooded chalk scarp of the Chilterns Area of Outstanding Natural Beauty (AONB) in the north-west, towards the floodplains of the River Lea and River Colne in the south-east and south-west, the landscape beyond the urban settlements is typified by an agricultural character. This mosaic of functional landscape; including chalk grasslands, rolling farmland, historic parkland and ancient woodland, is dissected by the

predominantly chalk river valleys which act as natural corridors for the movement of people and wildlife. Furthermore, Hertfordshire has a number of rare historic landscape types, including Co Axial Enclosure across Hertsmere, Dacorum and St Albans, as well as a small distribution of watercress beds within the county's river valleys.

#### **Hertfordshire's National Character Areas (NCAs)**

- NCA 86: South Suffolk and North Essex Clayland A gently undulating, ancient landscape of arable farmland dissected by small river valleys with a distinct sense of wooded enclosure.
- NCA 87: East Anglia Chalk A continuation of the Chilterns chalk ridge, comprised of a rolling landscape with large regular fields, few trees and expansive views to the north.
- NCA 88: Bedfordshire and Cambridgeshire Claylands A predominantly arable and productive landscape with a patchwork of semi-natural habitats and ecological designations which provide opportunities for human interaction with nature.
- NCA 110: Chilterns An attractive mosaic of agriculture, woodland and chalk grassland dissected by chalk streams. The NCA is highly influenced by the proximity of major settlements, their fringes and growth areas.
- NCA 111: Northern Thames Basin An area rich in geodiversity, archaeology and ecology which is characterised by its open arable landscape. Interspersed between the wooded plateau and river valleys is significant urbanisation.
- NCA 115: Thames Valley A low-lying landscape characterised by hydrological features, semi-natural habitats and the corridor of the River Thames. Human influence and infrastructure provide urbanising features.

#### Landscape designations and Green Belt

3.3 7% of Hertfordshire is designated as Area of Natural Beauty (AONB). The Chilterns AONB comprises the north-western extents of the county, as shown in Figure 3.2, forming a significant GI asset within Hertfordshire. Special qualities of the AONB include panoramic views, nationally important chalk grassland, expanses of farmland, relative tranquillity, high woodland coverage, nationally important chalk streams, a diverse archaeological landscape, national trails, distinctive buildings and industrial heritage [See reference 14]. The importance of the AONB in providing access to high-quality natural environments has been recognised through recent proposals by Natural England to expand the AONB in response to the findings of the Landscapes Review ("the Glover Review") [See reference 15].

**3.4** Hertfordshire does not have any local landscape designations; however, this is not an indication that there are no landscape worthy of this designation across the county (as the application of local landscape designations across England is inconsistent due to past changes in national planning guidance emphasis) [See reference 16]. Although not formally recognised, landscape of high local value occur across Hertfordshire. The outputs of the county's Landscape Character Assessment, alongside stakeholder engagement, can be a starting point for identifying these areas of high value.

#### Green Belt

**3.5** 51% of Hertfordshire's rural landscape, excluding the north-east of the county, is protected as Metropolitan Green Belt. Green Belt is a planning designation, not a landscape designation, and is designed to minimises the potential for unchecked sprawl and coalescence of settlements, whilst retaining a sense of place and openness, safeguarding green space and enhancing the urban setting. This is particularly important for the county's numerous market towns, new towns and garden village communities, where GI formed an essential tool within their masterplanning and settlement configuration. The Green Belt designation also provides a nod to Hertfordshire's role in the

development of modern town planning. Consequently, tighter conditions for the release of land for development is created, ensuring the delivery of well-designed built form and GI which is sensitive to its surrounding visual and landscape setting.

#### Town planning heritage

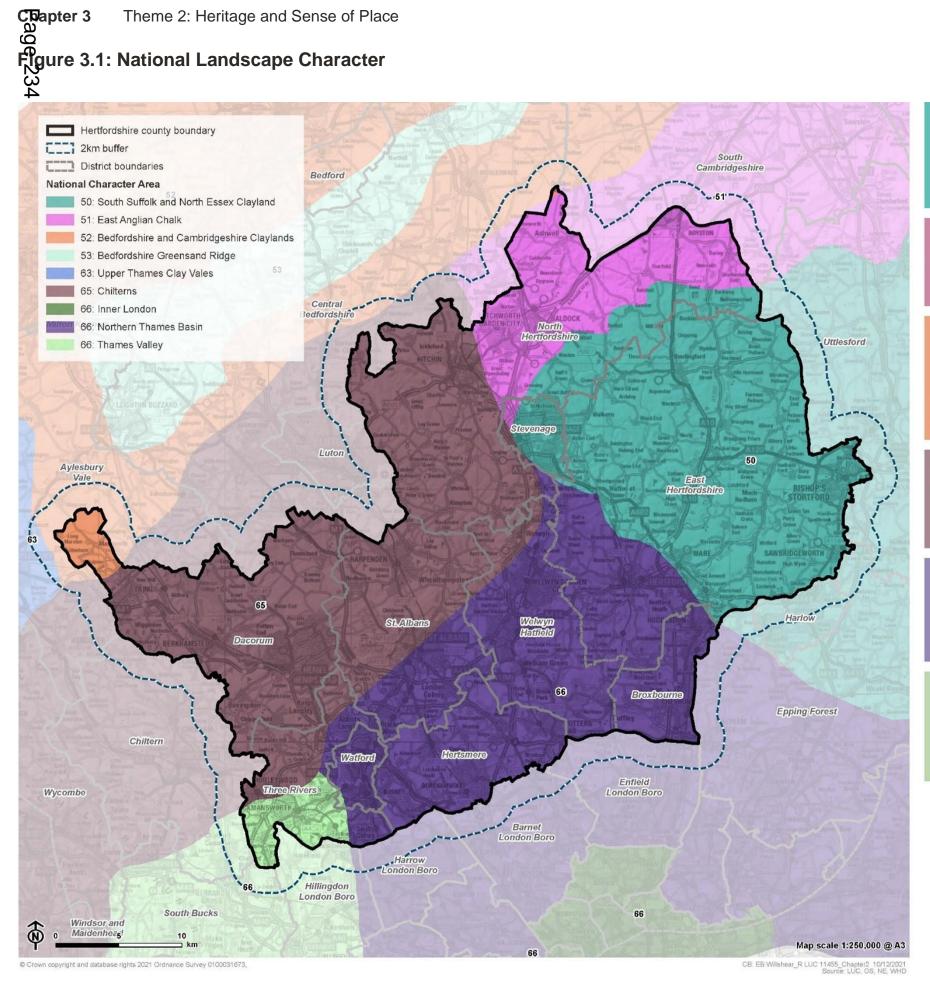
3.6 Hertfordshire has a particularly high concentration of planned and designed twentieth century urban greenspace assets which contributed a significant role in settlement masterplanning. Much of this heritage is highlighted by the Garden City movement and the presence of the world's first Garden City at Letchworth. Founded by Ebenezer Howard, the settlement is characterised by a mosaic of green spaces and GI which contribute to the character of the townscape. The Garden City at Welwyn also lies within Hertfordshire itself. The development of the New Town movement has also influenced the county, typified by the settlements at Hemel Hempstead, Stevenage and Hatfield. In addition, Hemel Hempstead features notable examples of formal landscape design which form part of the wider GI network e.g. the Jellicoe Water Gardens. Greenspace provision and the wider GI framework contributes to a strong sense of place within Hertfordshire, forming an integral component of settlement layouts.

### Landscape condition

**3.7** Landscape condition is determined from an evaluation of the relative state of elements within the landscape which are subject to change, such as survival of hedgerows, extent and impact of built development. Landscape condition is variable through the county with many local landscape character areas in moderate condition. Areas in poor condition include the Vale of St Albans, largely due to the presence of the M25 corridor, overhead pylons and associated urban fringe development. The historic character of the area is now somewhat degraded and characterised by an open and disjointed area with road and rail noise forming detracting features. Pirton Lowlands in North Hertfordshire is also in poor condition owing primarily to its character as a large

#### **Chapter 3** Theme 2: Heritage and Sense of Place

scale open, flat farming landscape with very little woodland cover and fragmented remnant hedges [See reference 17]. Both Ashridge and Tring Scarp Slopes in Dacorum are recognised as exhibiting good landscape condition due to their historical continuity and cultural pattern, high proportion of woodland cover and panoramic views.



NCA 86: South Suffolk and North **Essex Clayland** 

NCA 87: East Anglia Chalk

NCA 88: Bedfordshire and **Cambridgeshire Claylands** 

NCA 110: Chilterns

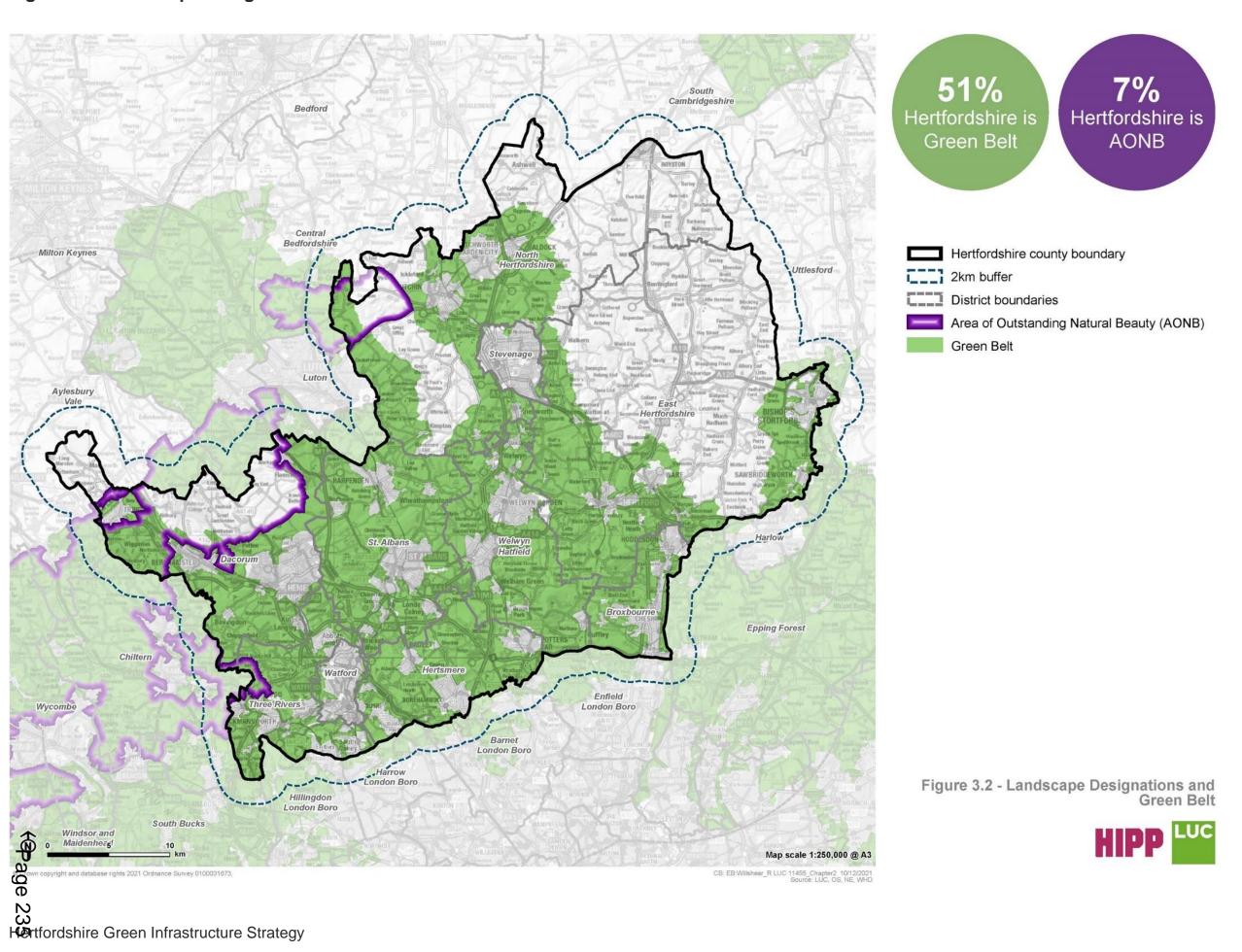
NCA 111: Northern Thames Basin

NCA 115: Thames Valley

Figure 3.1 - National Landscape Character



Figure 3.2: Landscape Designations and Green Belt



#### Heritage and cultural designations

- 3.8 As shown in Figure 3.3, Hertfordshire accommodates a significant number of heritage and cultural designations which are afforded various levels of statutory protection. These features play a central role in reinforcing the timedepth of the county's landscape, as well as forming an important asset within the GI network to be enjoyed by visitors and residents alike. A total of 46 registered parks and gardens can be found across the county, most of which are accessible by the general public. This legacy provides one of the highest concentrations of historic parks and gardens in the country. A number of these, including Moor Park, Cassiobury Park and Ashridge Park, display the intact designs of iconic designers, including Capability Brown and Charles Bridgeman, who had a significant influence on the development of designed landscapes across Hertfordshire in the 18th Century [See reference 18].
- **3.9** An impressive, 113 Grade I, 484 Grade II\* and 7,535 Grade II Listed Buildings are located within Hertfordshire, alongside a further 202 scheduled monuments, 201 conservation areas and a registered battlefield [See reference 19]. Hertfordshire also has a number of its designated features on Historic England's Heritage at Risk register, denoting sites which are at risk of being lost due to neglect, decay or inappropriate development (see Table 3.1 and Figure 3.4). The GI network has an essential role to play in creating the setting for these features, together with managing their associated recreation pressures.

#### Heritage at Risk Register

The Heritage at Risk Register is a programme maintained by Historic England and helps to keep track of the state of England's historic assets, identifying sites which are most at risk of being lost due to neglect, decay or inappropriate development. These assets play an important part in creating a sense of time depth in the landscape, as well as reinforcing character and delivering spaces for visitors and recreation.

#### Non-designated heritage

3.10 The county contains a significant number of non-designated, albeit locally important heritage assets. These are recognised through a number of Local Lists which are identified and managed by each Local Planning Authority (LPA) across Hertfordshire. Currently eight out of the ten LPAs across Hertfordshire have adopted a Local List of Heritage Assets. Non-designated assets also include a number of heritage trails, such as Hertford, Hatfield Aerodrome, Wheathampstead, Chiltern, de Havilland Airfield, Leavesden Country Park and the emerging St Albans Heritage Trail. Hertfordshire is also home to substantial areas of ancient woodland which although is recognised within UK planning policy, is not given statutory protection. This forms an important historic feature and valued landscape component (see Theme 1: A Resilient Landscape and Theme 3: Nature Recovery for additional information).

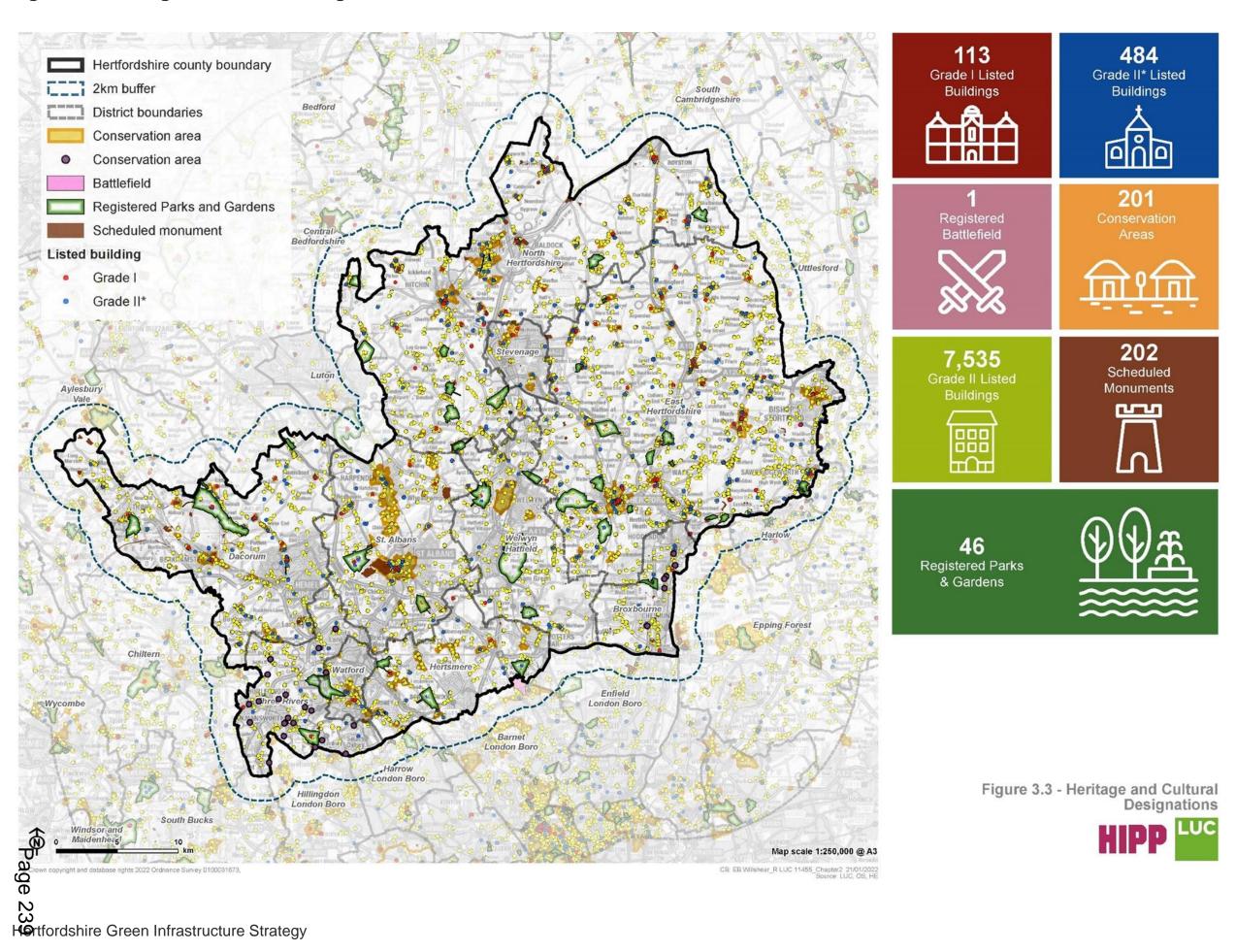
Table 3.1: Overview of Hertfordshire's assets on the Heritage at Risk Register [See reference 20]

| Type of Asset at Risk           | District/Borough    | Number at Risk |
|---------------------------------|---------------------|----------------|
| Conservation Areas              | Stevenage           | 3              |
|                                 | Broxbourne          | 2              |
| Listed Building Grade I         | Dacorum             | 1              |
|                                 | North Hertfordshire | 3              |
| Listed Building Grade II*       | Three Rivers        | 1              |
|                                 | Watford             | 2              |
|                                 | Welwyn Hatfield     | 1              |
|                                 | East Hertfordshire  | 1              |
|                                 | Dacorum             | 1              |
|                                 | North Hertfordshire | 3              |
| Registered Park and Gardens II* | East Hertfordshire  | 1              |
| Registered Park and Garden II   | East Hertfordshire  | 1              |

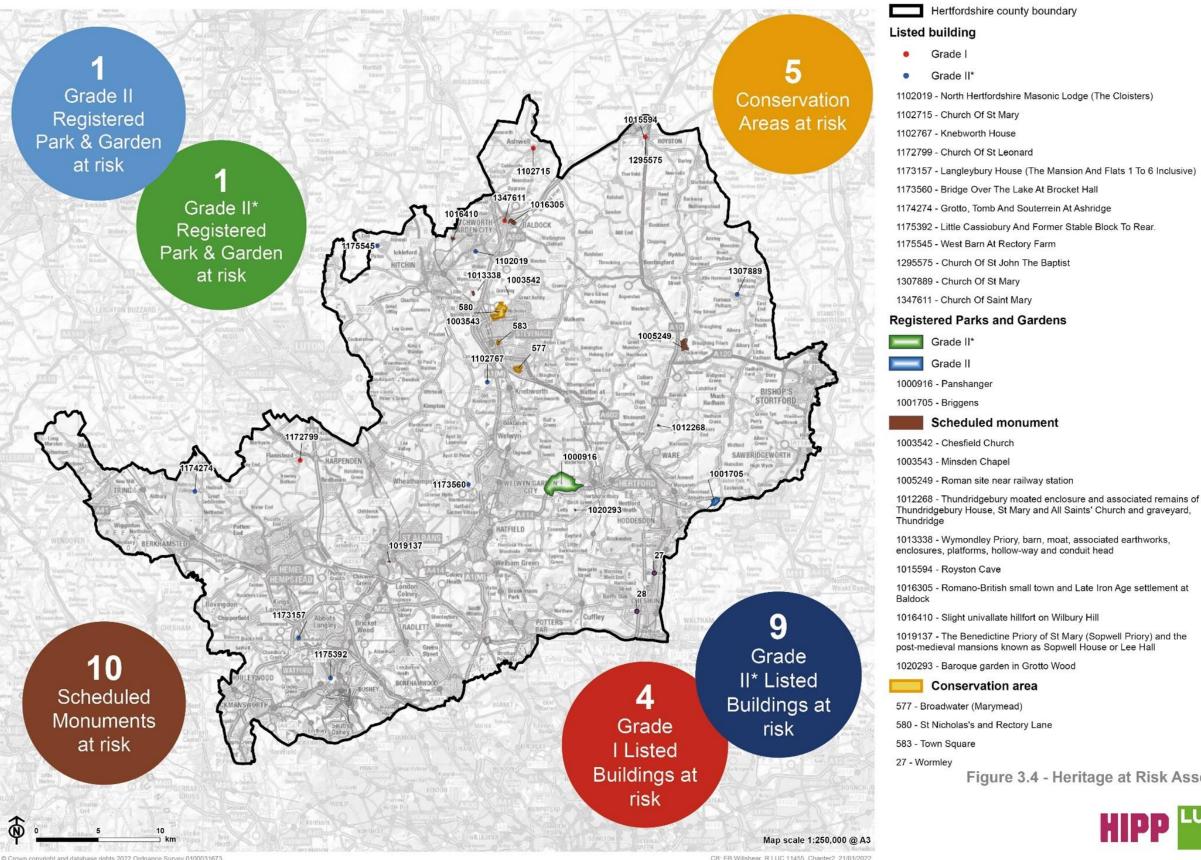
#### **Chapter 3** Theme 2: Heritage and Sense of Place

| Type of Asset at Risk | District/Borough    | Number at Risk |
|-----------------------|---------------------|----------------|
| Scheduled Monument    | St Albans           | 1              |
|                       | East Hertfordshire  | 4              |
|                       | North Hertfordshire | 6              |

Figure 3.3: Heritage and Cultural Designations



# Theme 2: Heritage and Sense Chapter 3 Theme 2: Heritage and Sense Chapter 3 Figure 3.4: Heritage at Risk Assets



Thundridgebury House, St Mary and All Saints' Church and graveyard,

1013338 - Wymondley Priory, barn, moat, associated earthworks,

1016305 - Romano-British small town and Late Iron Age settlement at

1019137 - The Benedictine Priory of St Mary (Sopwell Priory) and the

Figure 3.4 - Heritage at Risk Assets



### Key factors influencing the need for GI

#### Protecting Hertfordshire's heritage assets

**3.11** GI provides a tool for preserving and enhancing heritage assets, including the setting of built features (such as listed buildings and conservation areas). The historic legacy of the county provides a rich resource for conservation and interpretation as part of a multi-functional GI network. Parks and greenspaces, amongst other historical assets, all play valuable roles in their contribution to GI. This also links to the potential for managing recreation pressure experienced by archaeological features, cultural attractions and designed landscapes (see Theme 6: People, Health and Wellbeing).

#### Promoting local landscape character

3.12 Many of Hertfordshire's landscapes facilitate high quality interactions with nature and a distinctive sense of place, achieving high relative tranquillity and remoteness (see Figure 3.5). GI interventions should be landscape-led, drawing on an understanding of local character. The distinctive character of Hertfordshire, typified by distinct opportunities provides a framework for generating area-specific GI interventions. The Chilterns AONB is a significant asset for the county in performing this function and the proposed extension of the designation is an important opportunity to provide enhanced access to high-quality natural environments for communities in and around Luton and Hemel Hempstead. The newly designated land would benefit from increased protection, safeguarding the landscape for future generations.

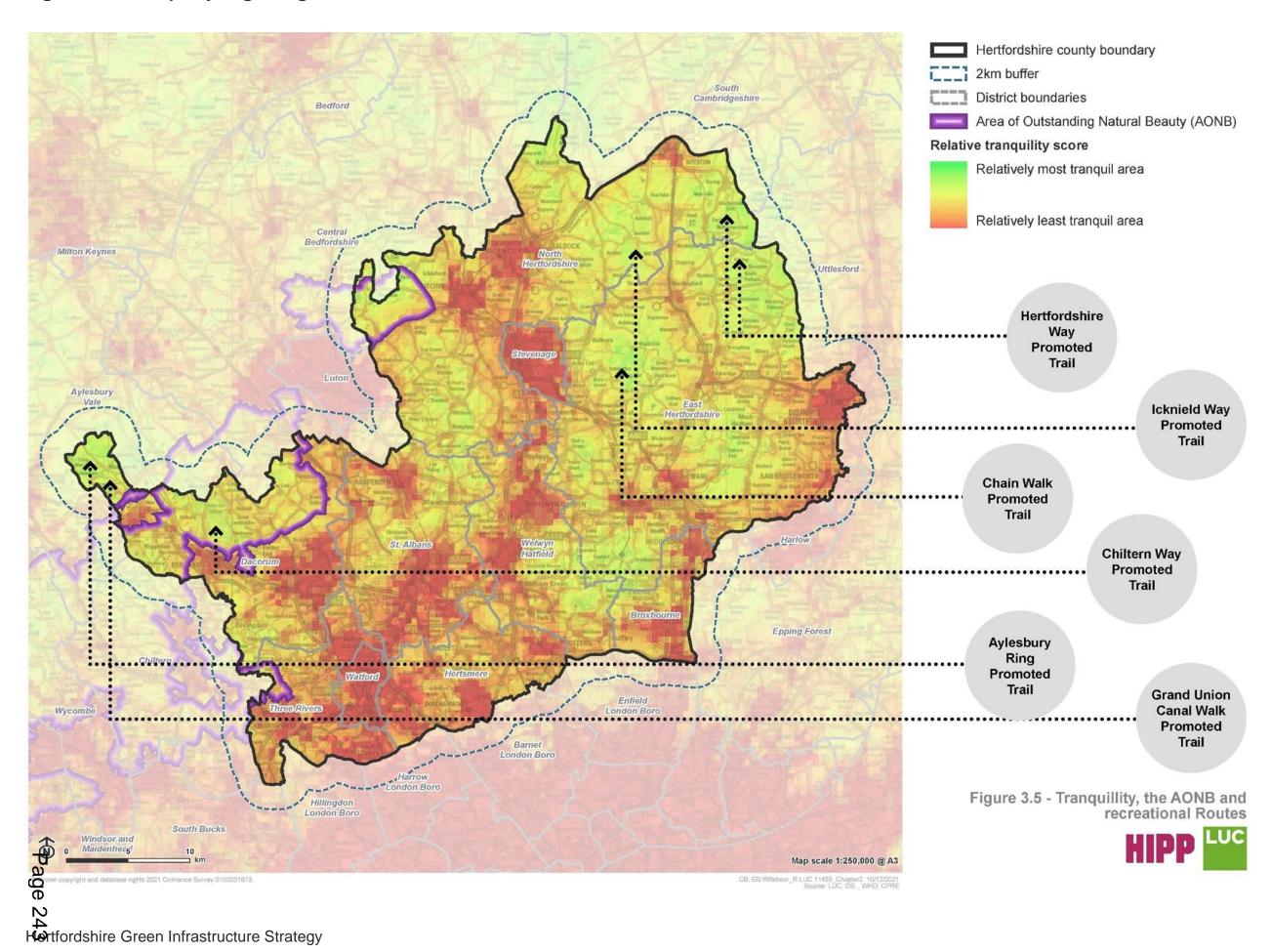
**3.13** Nature recovery and landscape are also closely related concepts. Principle 1 of the Nature Networks Evidence Handbook [See reference 21] states to 'avoid inadvertent degradation to landscape character, or significant changes which have not been well planned and agreed and can both reduce landscape resilience and lose stakeholder and community support for the project'. A Local

Nature Recovery Strategy (LNRS) should be informed by an understanding of place and consider future landscape changes. However, it is unlikely to consider fully other important aspects of Hertfordshire's Landscape Character Assessment (LCA), including landscape patterns, settlements and built form, topography, and visual and sensory perception. This reinforces the importance of cross-team working and developing a united response to GI in tackling nature recovery, landscape recovery, climate change and other planning issues.

#### Integrating development

**3.14** The current and future pressure for Green Belt release to make way for development is currently a prominent issue facing Hertfordshire due to forecasted population growth. This could have a significant impact on the landscape setting and openness experienced on the fringes of existing settlements. However, this also provides an opportunity for the improved integration of development using the GI network, alongside on and off-site compensatory improvements such as community orchards, new accessible greenspace and woodland planting. This requirement for good quality and sensitive design and planning could be achieved through the use of local GI strategies, design guides and design codes, such as the proposals at Harlow and Gilston Garden Town.

Figure 3.5: Tranquility, night blight, the AONB and recreational routes



#### **Theme 2: Summary of GI Priorities**

- **3.15** 2A: Utilise GI to promote access to high quality landscapes from urban areas as part of the extension to the Chilterns AONB. The Chilterns AONB is currently subject to proposals for a "boundary extension" in response to the findings of the Glover Review. This will form an important component of the GI network for communities around Luton and Hemel Hempstead. The designation would allow the area to benefit from greater protection, safeguarding the landscape for future generations.
- **3.16** 2B: Expand and enhance the landscape framework which form an important feature of the character of Garden City communities. GI forms an essential component of the structure, use and character of Garden City communities. The retention and enhancement of greenspace provision and the wider GI framework within these settlements offers the potential to contribute to a strong sense of place within Hertfordshire. GI interventions should also reflect the existing and historic landscape character, and where possible enhance the setting of heritage assets.
- **3.17** 2C: Utilise GI to enhance the beneficial use of Green Belt within the county. Appropriate GI interventions should be used to minimise the impacts of necessary Green Belt release on the wider landscape of Hertfordshire through both on-site and off-site compensation measures. This could be achieved through the delivery of strategic initiatives at the county scale, and/or through enhancements in close proximity to sites proposed for release or in land retained within the Green Belt itself.
- **3.18** 2D: Undertake informed studies and assessments to understand the sensitivity of the landscape to accommodate future land use changes and any potential overlaps with the LNRS. A comprehensive understanding of landscape character and local distinctiveness at the county scale should be used to inform the siting of GI interventions. Proposals should respond to the distinctive landscape features and unique sense of place of the county, whilst seeking to improve landscape condition and tying in with the LNRS.

#### **Chapter 3** Theme 2: Heritage and Sense of Place

**3.19** 2E: Utilise GI as a tool for enhancing the interpretation, use and setting of heritage assets. This is particularly relevant within built-up areas where gradual urbanisation and development over the years can erode the townscape character and setting of heritage features. The sensitive enhancement or creation of open spaces and green features surrounding these assets should be explored to help revive them and integrate them back into the townscape.

## **Chapter 4**

Theme 3: Nature Recovery

# Why is this theme relevant to GI in Hertfordshire?

**4.1** Biodiversity is declining faster than at any time in human history. However, the UK has committed to become Nature Positive by 2030 [See reference 22], with the aim of reversing the current declines in biodiversity to enable species and ecosystems to recover. Strengthening the condition and connectivity of ecologically protected sites, supported by wider habitat restoration, creation and enhancement is therefore a principal focus within the county. The creation of habitat corridors within the landscape provides the opportunity for permeability allowing the movement of species, nutrients, seeds and genes and the creation of greater resilience to climate change. These aspirations are reflected in the recently published Wilder Future Strategy by Herts and Middlesex Wildlife Trust [See reference 23] where the three top priorities include more land to be managed and protected for nature, more people standing up for wildlife, and nature playing a central role in helping to address climate issues and people's health and wellbeing.

#### Key assets

#### Designated sites

**4.2** Protected sites provide the core of a resilient nature recovery network and form the areas where nature conservation efforts have traditionally been focussed. To be effective, these sites must be large enough to ensure functioning ecosystems. The county currently accommodates three

internationally significant sites (see Figure 4.1), as recognised by their designation as a Special Protection Area (SPA)/Ramsar and a Special Area of Conservation (SAC) as well as a network of 43 Sites of Special Scientific Interest (SSSI). Hertfordshire's National Nature Reserve (NNR) (Broxbourne Woods) as well as the network of Local Nature Reserves (LNR) and Local Wildlife Sites (LWS) also provide vital stepping stones to link designated sites, particularly in St Albans, North Hertfordshire, Stevenage and Watford where they are more sparse. Table 4.1 sets out the total percentage of designated sites for each of Hertfordshire's districts.

**4.3** Hertfordshire's southern border with London is highly designated. Stevenage, North Hertfordshire, Hertsmere and St Albans are less designated than the other Boroughs/Districts relative to their total area. Hertfordshire's State of Nature Report notes that golf courses cover over 3.455 ha, some five times the land area of Hertfordshire and Middlesex Wildlife Trust nature reserves.

Table 4.1: Percentage of each of Hertfordshire's districts designated as RAMSAR, SPA, SAC, SSSI and Local Wildlife Sites

| District                     | Percentage of<br>District Designated<br>as RAMSAR, SPA,<br>SAC and SSSI | Percentage of District Designated as Local Wildlife Sites |
|------------------------------|-------------------------------------------------------------------------|-----------------------------------------------------------|
| Three Rivers District        | 1.26%                                                                   | 19.52%                                                    |
| Hertsmere District           | 0.41%                                                                   | 8.73%                                                     |
| Broxbourne District          | 13.43%                                                                  | 10.33%                                                    |
| Dacorum District             | 5.02%                                                                   | 10.11%                                                    |
| East Hertfordshire District  | 2.13%                                                                   | 7.54%                                                     |
| Welwyn Hatfield District     | 2.60%                                                                   | 15.43%                                                    |
| North Hertfordshire District | 0.80%                                                                   | 5.60%                                                     |

#### **Chapter 4** Theme 3: Nature Recovery

| District           | Percentage of<br>District Designated<br>as RAMSAR, SPA,<br>SAC and SSSI | Percentage of District Designated as Local Wildlife Sites |
|--------------------|-------------------------------------------------------------------------|-----------------------------------------------------------|
| Watford District   | 0.00%                                                                   | 13.78%                                                    |
| Stevenage District | 0.00%                                                                   | 4.10%                                                     |
| St Albans District | 0.45%                                                                   | 9.44%                                                     |
| Hertfordshire      | 2.2%                                                                    | 9.07%                                                     |

#### **Priority habitats**

- **4.4** The composition and distribution of Hertfordshire's habitats and species is greatly influenced by the county's underlying geodiversity. The north of the county is dominated by surface chalk soils, making this an important area for chalk grassland. Acidic soils are found in the south of the county giving rise to the most wooded area of Hertfordshire as well as the majority of the county's remaining heathland and acid grassland. The county includes a network of strategic assets such as Ashridge, the Whippendell and Broxbourne Woods which add to the network of locally significant tracts of ancient woodlands (see Figure 4.2). Only 1% of the total area of Hertfordshire is covered by wetland, compared to 3% wetland nationally [See reference 24].
- **4.5** Many local wildlife sites protect areas of ancient woodland. 36% of ancient woodland is ancient replanted woodland. Three main types of ancient woodland can be identified for Hertfordshire:
- 1. Ash/maple/hazel woodlands in the north and east;
- 2. Oak/hornbeam woodlands in the south, central and south-east; and
- 3. Beech woodlands in the west and chalk escarpment.

#### **Chapter 4** Theme 3: Nature Recovery

#### **4.6** Hertfordshire is made up of the following:

- 3,812 ha Ancient woodland One of the most biodiverse and irreplaceable habitats in the UK. Largely captured by Local Wildlife Site network.
- 12,989 hectares of Deciduous woodland In southern and eastern England there is a high likelihood that there will be impacts on droughtsensitive tree species due to climate change.
- 211 hectares of Traditional orchard Orchards can support a wide range of wildlife due to the mosaic of habitats they encompass including fruit trees, standing and fallen dead wood, scrub and hedgerows.
- 1,062 hectares Wood pasture parkland Very high distinctiveness habitat.
- 209 hectares of Lowland calcareous grassland Develop on nutrient-poor, base-rich substrates in the north of Hertfordshire.
- 2.15 hectares of Lowland acidic grassland Only found at Knebworth Woods SSSI in Stevenage.
- 150 hectares of Lowland meadows As the more productive deeper soils these grasslands have in more recent times been largely lost to agriculture.
- 826 hectares Coastal and floodplain grazing marsh An increasingly rare habitat that is an important home for wading birds.
- 6.97 hectares purple moor grass and rush pasture Found only at Lemford Springs Nature Reserve.
- 365 hectares of Lowland heathland Since 1940 the area of heathland in Hertfordshire has declined by over 97%.
- 62 hectares of Lowland Fens Can be found along the stretch of the River Lea, the River Gade and the River Chess.
- 6.55 hectares Reedbeds Large-scale drainage schemes meant that extensive areas of reedbed were converted to agricultural land from the 17th century onwards.

#### **Chapter 4** Theme 3: Nature Recovery

- **4.7** The chalk rivers within the county are both internationally and nationally important and historically the lower stretches of many of these watercourses would have supported extensive wetlands. However, water abstraction, river canalisation, drainage and flood defence determine that only a few ancient fragments of wetlands currently remain intact, such as Thorley Wash. Figure 4.3 identifies the Key Biodiversity Areas within the county, as identified within the Biodiversity Action Plan [See reference 25]. The Biodiversity Action Plan for Hertfordshire aims to prioritise conservation efforts in areas where there is a concentration of important habitats, helping to make the most efficient use of resource. Analysis of the spatial distribution of these sites highlights the opportunity to enhance the connectivity between individual habitats as part of a landscape scale approach, specifically where sites border the major settlements and designated wildlife sites.
- **4.8** Much of Hertfordshire's priority and notable habitats are fragmented. This is in part attributed to the high proportion of intensively-managed agricultural land and urbanisation [See reference 26]. Table 4.2 indicates the number of habitat parcels per priority habitat and the average area of each parcel as a proxy measure for fragmentation. Traditional orchards are typically fragmented, as are deciduous woodland and lowland fens. Figure 4.4 illustrates the spatial distribution of Priority Habitats within the county.
  - 14% of grassland/heathland species have gone extinct since 1970 and 48% have noticeably declined. This loss is primarily attributed to intensification of arable farming.
  - 14% of woodland species have gone extinct and 35% have noticeably decline/The biggest threat to woodland biodiversity in Hertfordshire is a lack of beneficial woodland management.
  - 7% of wetland species have gone extinct since 1970 and 47% have noticeably declined. Loss of wetlands is due to historical drainage, modification of floodplains and groundwater abstraction.
  - 17% of the Hertfordshire Species of Conservation Concern associated with farmland are now extinct and 70% have noticeably declined since 1970. Farmland habitat is now unsuitable for most species due to changed management practices [See reference 27].

**Table 4.2: Fragmentation of priority habitats** 

| Habitat                                         | Number of<br>Habitat<br>Parcels | Average<br>Area (ha) |
|-------------------------------------------------|---------------------------------|----------------------|
| Coastal and floodplain grazing marsh            | 471                             | 1.75                 |
| Deciduous woodland                              | 14,300                          | 0.91                 |
| Wood pasture and parkland                       | 22                              | 48.26                |
| Good quality semi-improved grassland            | 855                             | 1.44                 |
| Lowland calcareous grassland                    | 74                              | 2.82                 |
| Lowland dry acid grassland                      | 5                               | 0.43                 |
| Lowland fens                                    | 83                              | 0.74                 |
| Lowland heathland                               | 301                             | 1.21                 |
| Lowland meadows                                 | 87                              | 1.72                 |
| No main habitat but additional habitats present | 756                             | 1.05                 |
| Purple moor grass and rush pastures             | 7                               | 0.97                 |
| Reedbeds                                        | 7                               | 0.94                 |
| Traditional orchard                             | 1,185                           | 0.18                 |

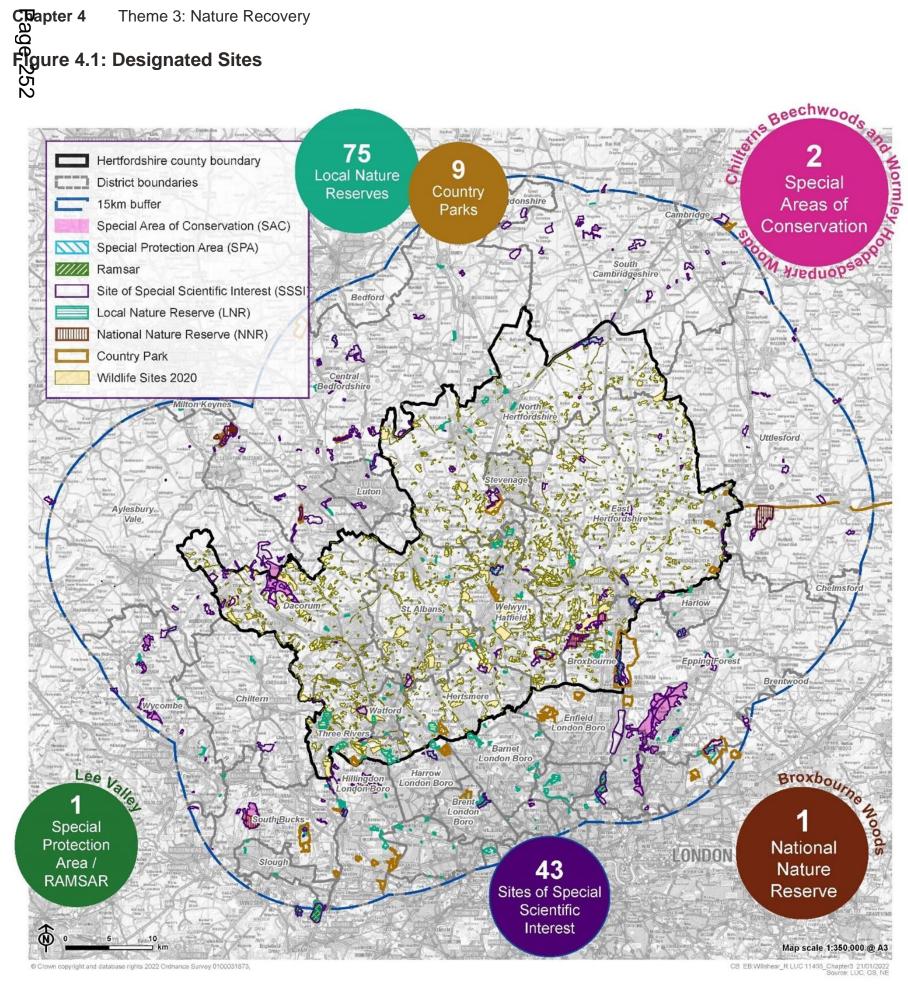


Figure 4.1 - Designated Sites



Figure 4.2: Ancient woodland

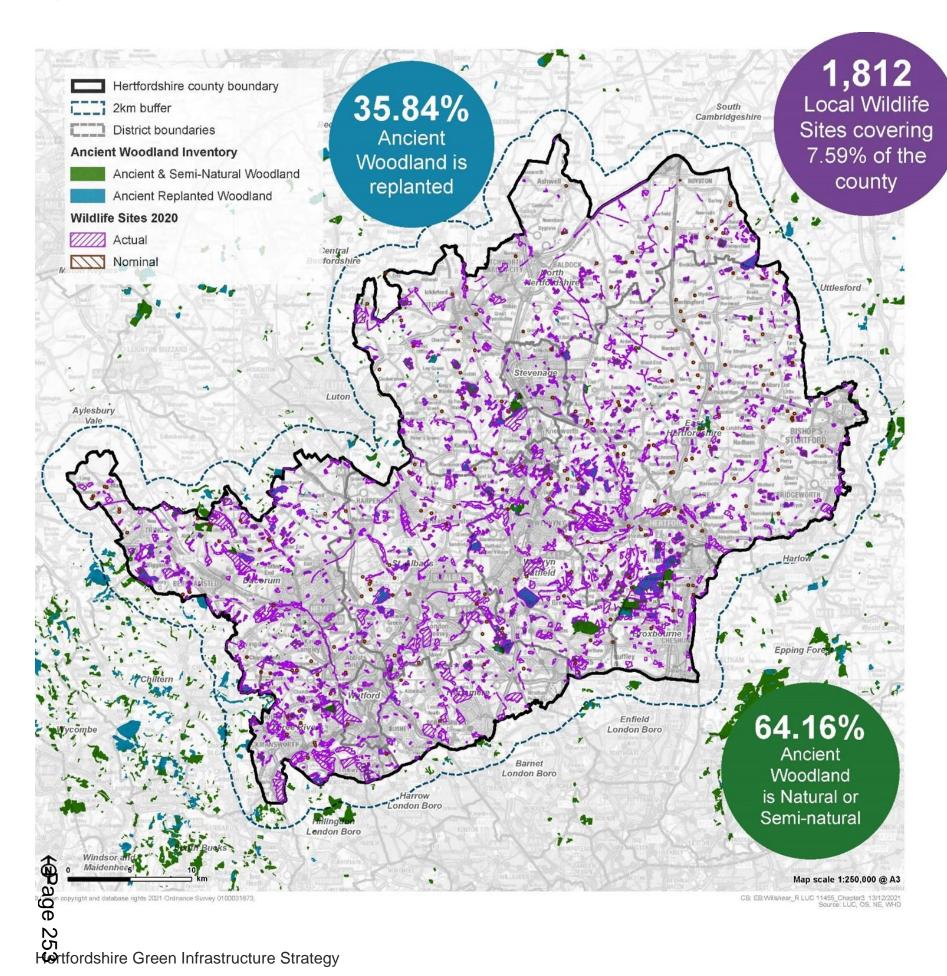
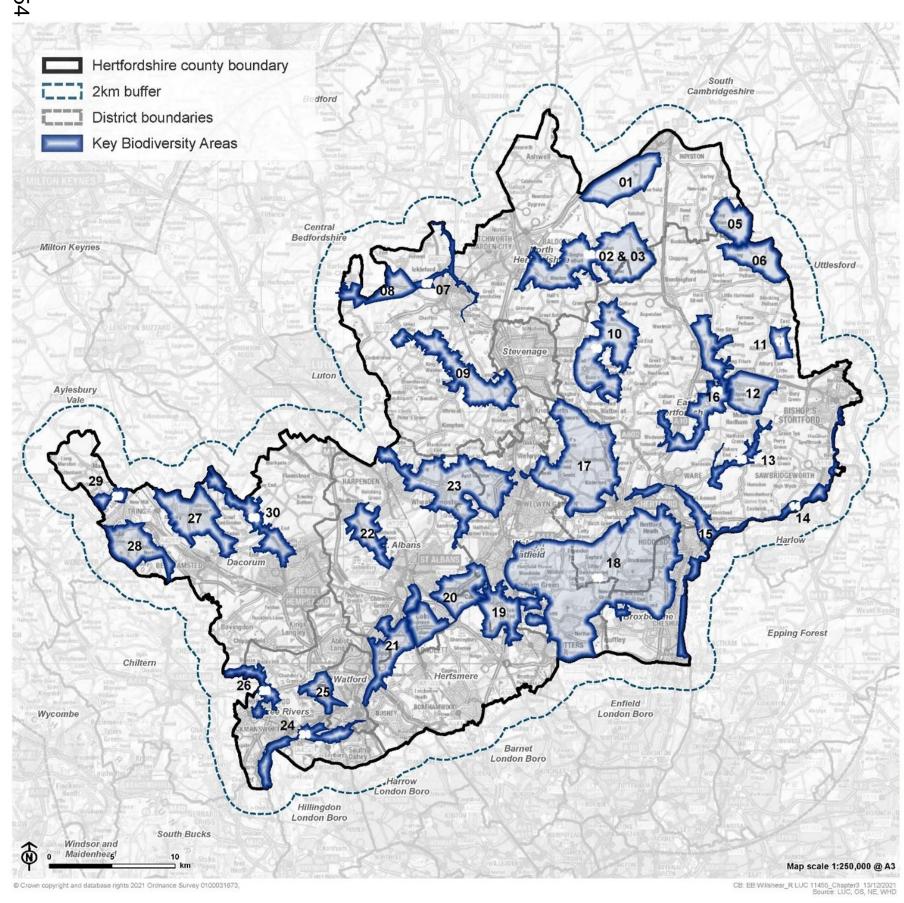


Figure 4.2 - Ancient Woodland



# Figure 4.3: Key biodiversity areas



- 1. Therfield Heath/ Coombe Bottom chalk grasslands
- Sandon/ Green End chalky boulder clay woodlands and meadows
- Clothall/ Wallington/ Weston chalky boulder clay woods and meadows
- 4. Reed chalky boulder clay woodlands and meadows
- 5. Cokenach Estate chalky boulder clay woodlands
- Scales Park/ Meesden/ Beeches Wood chalky boulder clay woodlands and meadows
- Hiz Valley Catchment (Ickleford/ Oughton Head/ Purwell) - wet meadows and fens
- 8. Hexton/ Pirton/ Great Offley chalk grasslands
- Great Offley/ Preston/ Knebworth oak-hornbeam woodlands
- Cottered/ Ardeley/ Benington oak-hornbeam and ash-maple woodlands and meadows
- Patmore Heath/ Upwick Green heath, grasslands and woodland
- 12. Wellpond Green/ Westland Green
- 13. River Ash Valley woodlands and wetlands
- 14. Stort Valley grasslands and wetlands
- 15. Lea Valley wetlands
- 16. Rib Valley wetlands and woodlands
- Lower Mimram/ Lower Beane/ Bramfield Plateau wetlands and woodlands
- Broxbourne Woods/ Hatfield Park oak-hornbeam woodlands, grasslands and heaths
- 19. Mymmshall/ Water End woodlands
- 20. Upper Coine Valley wetlands and heath
- 21. Bricket Wood/ Moor Mill wetlands, woodlands and heath
- 22. River Ver/ Gorehambury wetlands and woodlands
- 23. Upper Lea Valley wetlands, woodlands and heath
- 24. Mid-Colne Valley wetlands (gravel pits) and grasslands
- 25. Whippendell Woods and surrounds woodlands, grasslands and wetlands
- River Chess Valley wetlands, grasslands, woodland and heath
- Ashridge/ Berkhamsted Common/ Aldbury beech woodland, heath, chalk grassland
- Tring Park/ High Scrubbs beech woodland, chalk grassland
- 29. Tring Reservoirs wetlands
- 30. Upper Gade Valley wetlands, grasslands and woodland

Figure 4.3 - Key Biodiversity Areas



Figure 4.4: Priority habitats

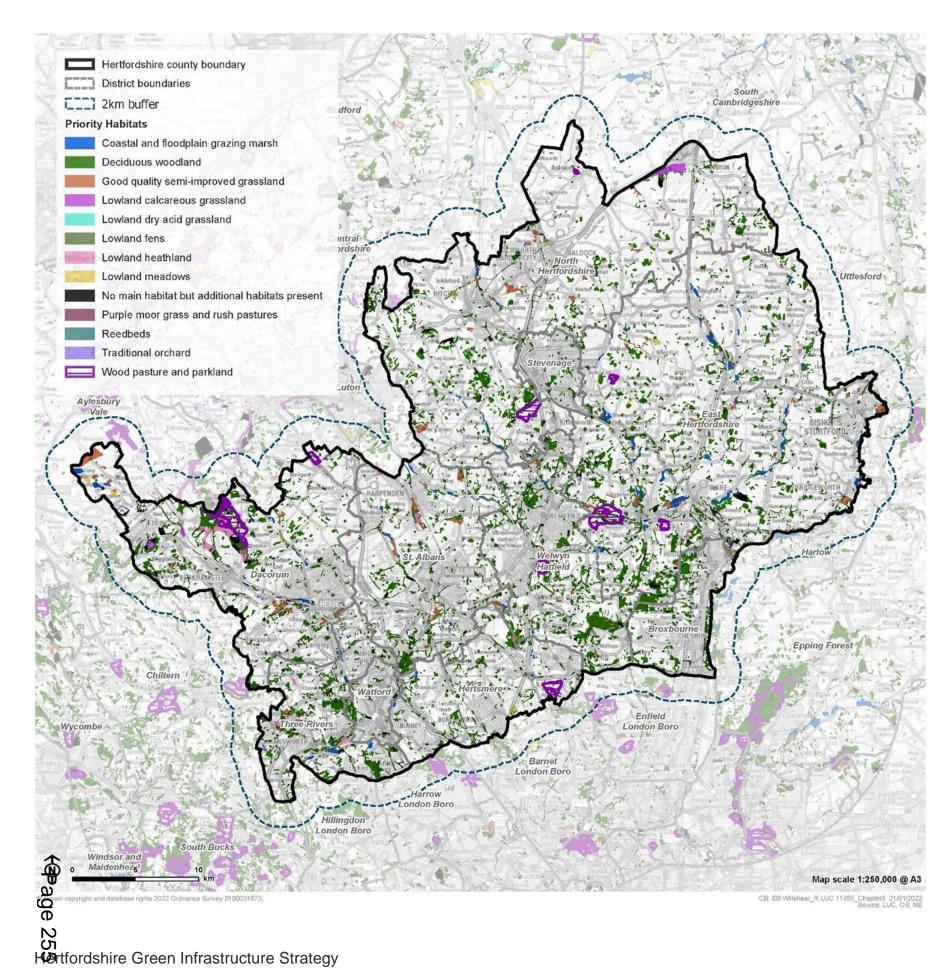


Figure 4.4 - Priority Habitats



# Key factors influencing the need for GI

#### Urbanisation and intensive agriculture

4.9 Hertfordshire's natural environment is currently under substantial pressure from extensive urbanisation and intensive agriculture. Hertfordshire's State of Nature Report found that over the last 50 years, the county has lost on average three species every two years. Intensive agriculture often results in the loss of hedgerow extent as well as structural and species diversity. In addition, substantial housing pressures within Hertfordshire have the potential to affect wildlife directly through habitat loss and fragmentation, or indirectly through recreational pressure and disturbance as well as air and water quality impacts. Working with individual LPAs, the opportunity exists to adopt a number of mechanisms to future proof GI within the county. Biodiversity Net Gain (BNG), now a requirement through the Environment Act, is "an approach to development that leaves biodiversity in a better state than before". In addition to minimising loss of biodiversity, BNG should support restoration of ecological networks.

#### Condition of protected sites

- **4.10** Hertfordshire's network of protected sites is currently somewhat fragmented. Table 4.3 indicates that 45% of SSSIs units are in unfavourable condition (shown in Figure 4.5). This is largely due to poor management and recreation pressures, examples of which can be found below:
  - Great Hormead Park;
  - Tewinbury;
  - Wormley Hoddesdonpark Woods North;
  - Castle Lime Works Quarry;
  - Aldbury Nowers; and

Bricket Wood Common.

Table 4.3: SSSI Condition in Hertfordshire

| SSSI Condition          | Number of Sites | Percentage of Sites |
|-------------------------|-----------------|---------------------|
| Favourable              | 74              | 55.22%              |
| Unfavourable recovering | 49              | 36.57%              |
| Unfavourable no change  | 7               | 5.22%               |
| Unfavourable declining  | 4               | 2.99%               |

**4.11** The most recent assessment by Hertfordshire and Middlesex Wildlife Trust found that only 30% of Hertfordshire's LWS are in positive conservation management relevant to their features of interests [See reference 28]. Furthermore, Figure 4.6 shows that many urban areas lie within SSSI Impact Risk Zones. Impact Risk Zones are a tool which allows a rapid initial assessment of the potential risks new development poses to SSSIs. They are reflective of the individual features of each site, meaning they define zones relating to the particular sensitivities of the designation. They also indicate they type of development which could potentially have adverse impacts on the SSSI. The settlements within Impact Risk Zones are sensitive to all types of planning application. When considering application for these areas, thought should be given to the lasting impacts on these sites. Below are some of the settlements across Hertfordshire which are most constrained by SSSI Risk Zones:

- Royston;
- Tring;
- Berkhamstead;
- Watford;
- Welwyn Garden City;
- Hoddesdon;
- Potters Bar and Brookmans Park;

#### **Chapter 4** Theme 3: Nature Recovery

- Cheshunt and Goff's Oak;
- South Oxhey; and
- Rickmansworth.

#### Recreational access and pressure

**4.12** Minimal disturbance is recognised as a key environmental condition in the site improvement plans of all three of Hertfordshire's internationally designated sites. The Lee Valley SPA and Ramsar sits within the 4,000ha Lee Valley Regional Park which receives approximately 4.4 million visits a year. Bittern, gadwall, and northern shoveler are all under threat from public access and associated disturbances in Lee Valley SPA and Ramsar. Dacorum Borough Council's (DBC) Local Plan has triggered the need for an Appropriate Assessment of recreational impacts on the Chiltern Beechwoods SAC. Ashridge Commons and Woods SSSI (Ashridge Estate), of which the National Trust is the majority landowner, is the principal pressure point. Disturbance by visitors and soil compaction are resulting in adverse effects on stag beetle habitat, as well as other qualifying features of the SAC (including beech forest and seminatural grasslands and scrubland). DBC is currently in the process of undertaking visitor surveying, parking transects, carrying capacity studies and biological condition surveying to identify potential mitigation measures [See reference 29].

**4.13** A strategic solution is currently being determined to mitigate recreational disturbance impacts on Hatfield Forest SSSI and NNR [See reference 30] [See reference 31]. Heavy footfall, exceeding the sites carrying capacity, have caused the ancient woodland mosaic habitat to fall into unfavourable condition. Visitor surveys have identified a zone of influence of 14.6km, which includes East Hertfordshire district. It's expected that strategic housing sites within this radius provide Suitable Alternative Natural Greenspace (SANG) to absorb any further demand on this former royal hunting forest.

#### Nature recovery networks

**4.14** The large proportion of both urban and agricultural land use in Hertfordshire compared to the UK average provides a challenge to nature conservation efforts which aim to prioritise habitat creation and the reconnection of fragmented landscape networks. The principles of the 2010 Lawton Review [See reference 32] of 'more, bigger, better and more joined-up' continue to underpin the emerging LNRS. In order to achieve resilient functioning ecosystems and allow wildlife to adapt to climate change, it will be necessary to increase the amount of existing habitat within Hertfordshire. An increase in the amount of existing habitat managed positively for conservation will also be required. It is noted that a lack of beneficial woodland management, rather than total woodland extent, forms the biggest threat to woodland biodiversity within the county. Further opportunities for enhancement of the ecological network are outlined below and shown in Figure 4.7.

#### **Restorable Habitat**

- Areas of land where the primary habitat is present in a degraded or fragmented form and which are likely to be suitable for restoration.
- There are restorable habitat opportunities in Welwyn Hatfield, Broxbourne Woods, north St Albans and north Berkhamstead.

#### **Network Enhancement Zone 1**

- Land connecting existing patches of primary and associated habitats which is likely to be suitable for creation of the primary habitat.
- There are network enhancement opportunities in to the south-west of Stevenage.

#### **Network Enhancement Zone 2**

Land connecting existing patches of primary and associated habitats which is less likely to be suitable for creation of the primary habitat.

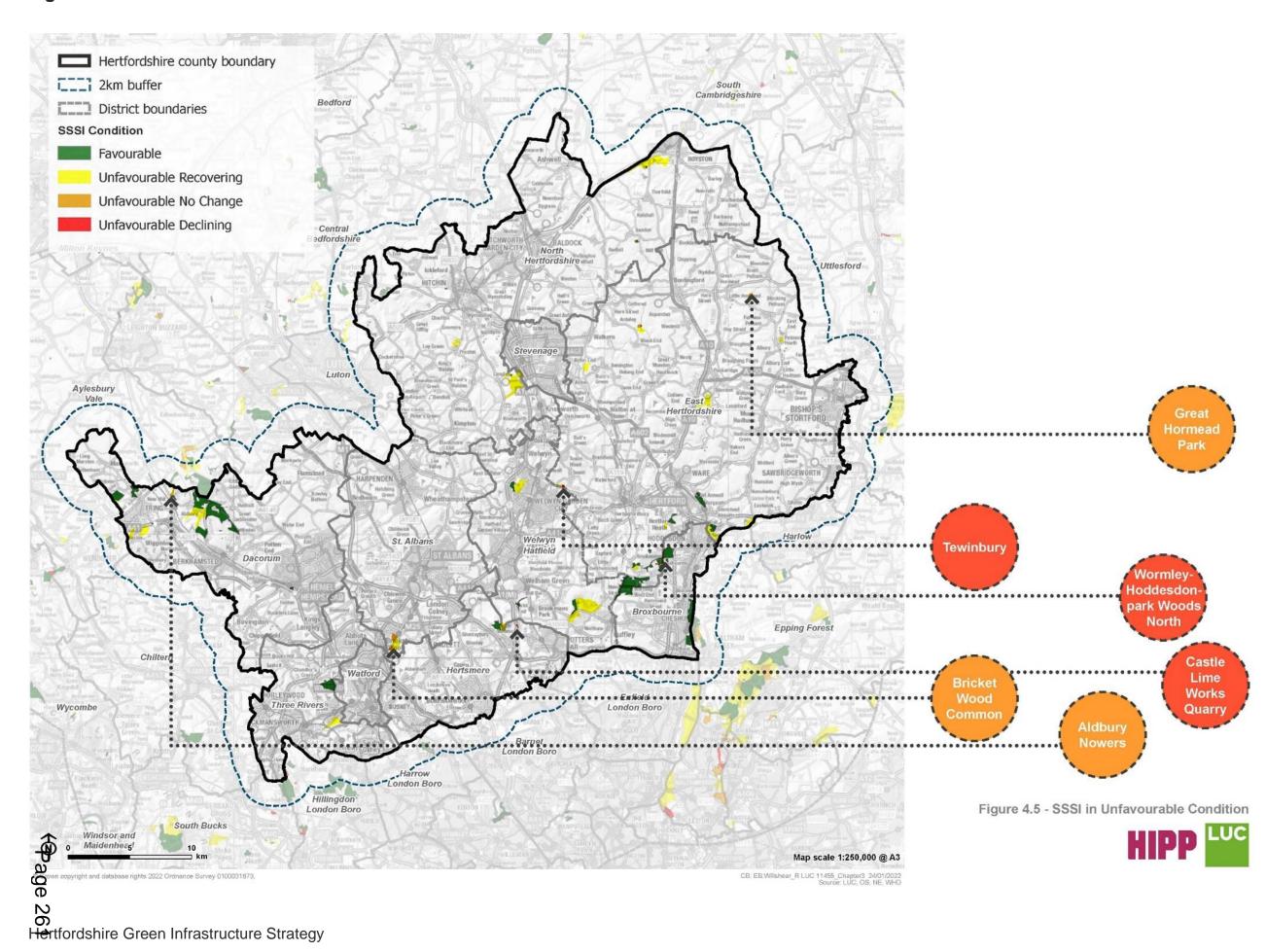
#### **Fragmentation Action Zone**

■ Land within Enhancement Zone that connects existing patches of primary and associated habitats which are currently highly fragmented.

### **Network Expansion Zone**

- Land beyond the Network Enhancement Zones with potential for expanding, linking/joining networks across the landscape.
- There are expansion opportunities to the east of Royston.

Figure 4.5: SSSIs in unfavourable condition



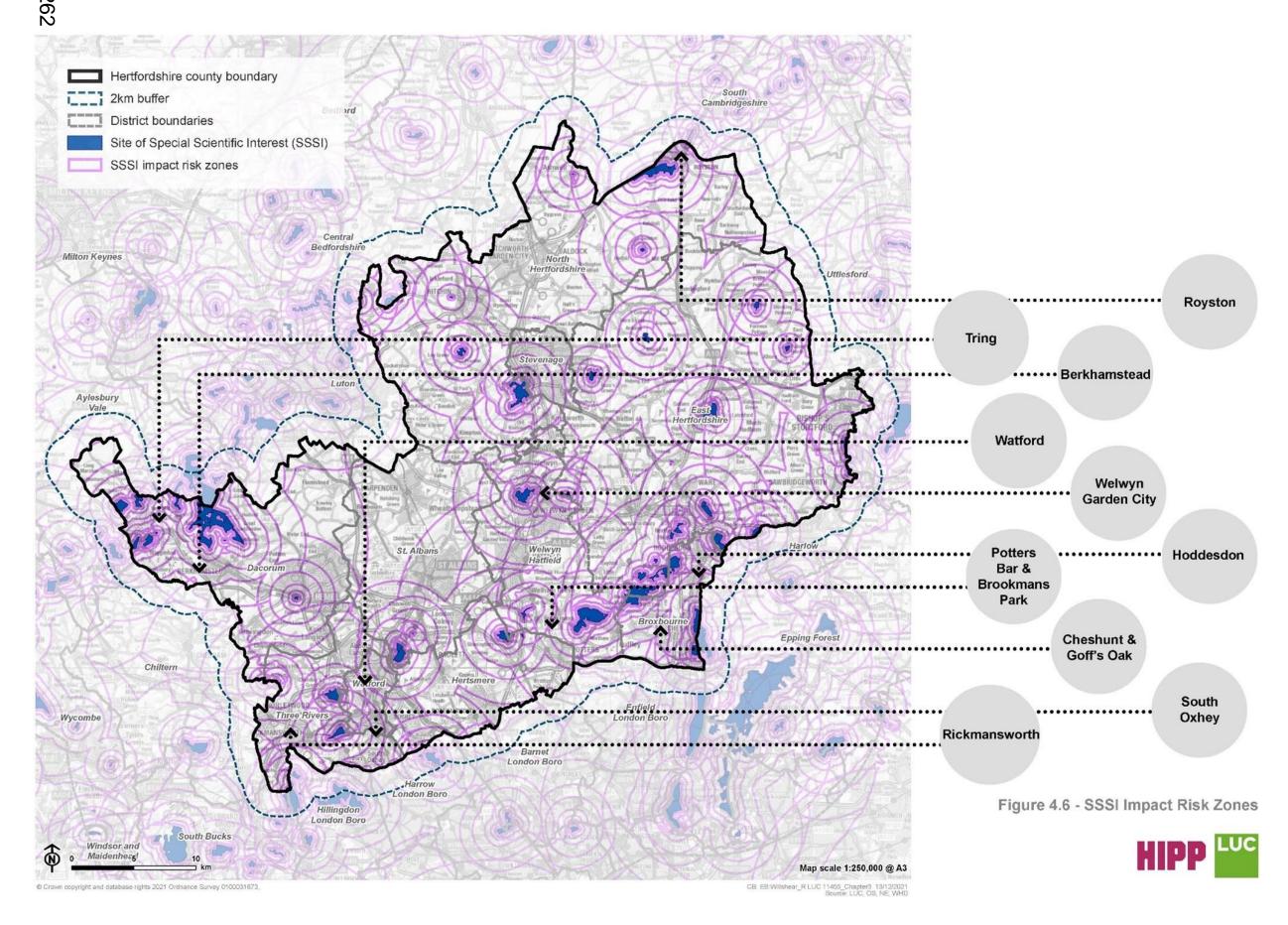
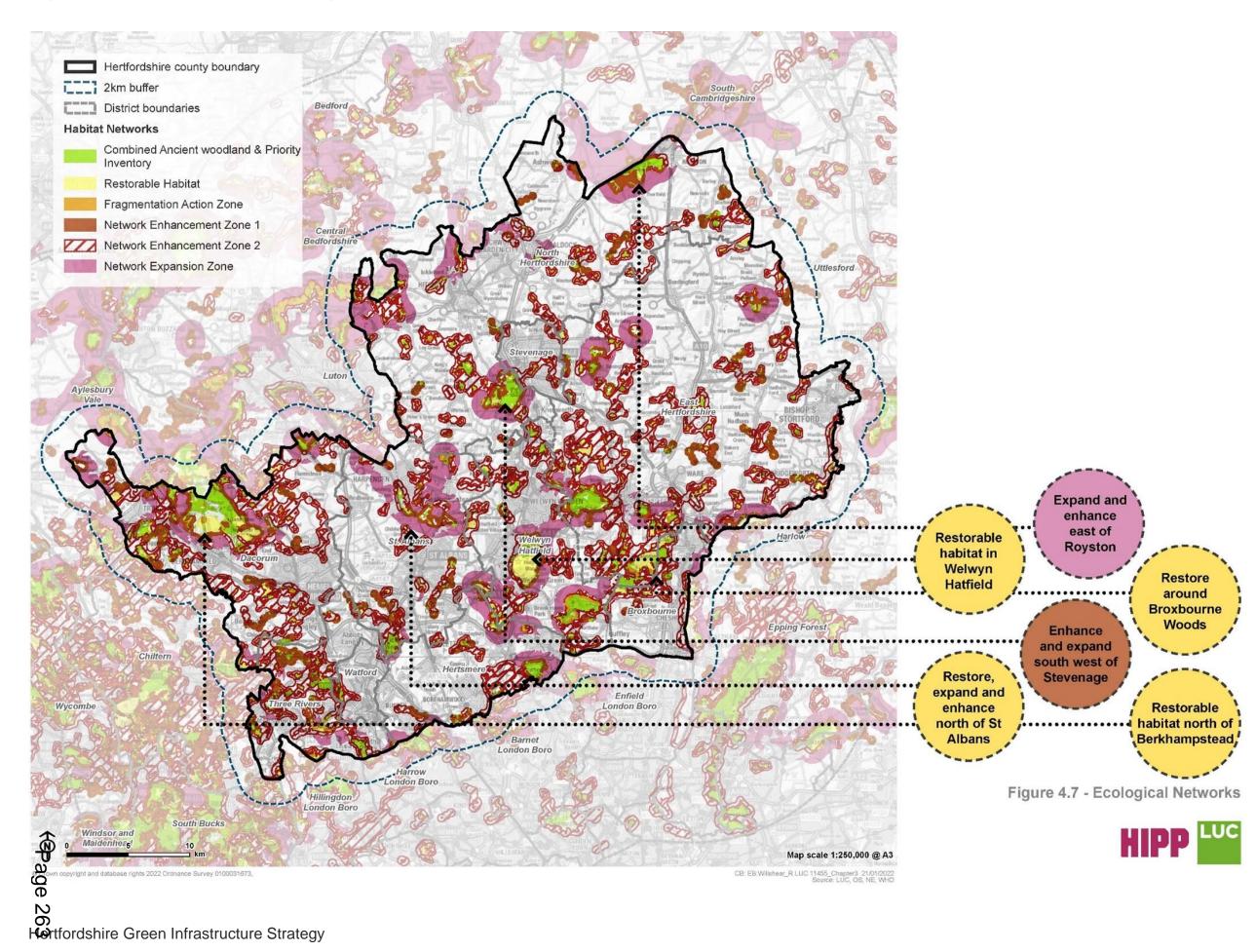


Figure 4.7: Opportunities for ecological enhancement



59

## **Theme 3: Summary of GI Priorities**

- **4.15** 3A: Protect, enhance and connect habitats across the county to support species recovery and greater climate resilience. The Hertfordshire State of Nature Report found that in the last 50 years more than three species became extinct in the county every two years. Similarly, the average area of deciduous woodland in the County is 0.91ha smaller than required to support viable populations of most woodland species. The potential also exists to enhance the connectivity along the chalk escarpment and restore fragmented sites. Action is required to become nature positive, whereby current declines in biodiversity are reversed, so that species and ecosystems begin to recover and are resilient to future climate change.
- **4.16** 3B: Incorporate biodiversity into existing and future new developments in accordance with upcoming BNG requirements. Given the extent of growth and housing development planned for Hertfordshire over the coming years, BNG could provide a significant funding mechanism and driver for the creation and enhancement of habitats.
- **4.17** 3C: Bring more of the county's LWS into positive management to support the wider network of statutory designated sites. Hertfordshire's network of LWS provide vital buffering and habitat connectivity between the statutory designated site network. Less than 12% of Hertfordshire's LWS are known to be under conservation management relevant to their features of interest. Monitoring is vital to gain a full picture of how well habitats and species are doing and target management interventions to ensure the coherence and resilience of ecological networks.
- **4.18** 3D: Expand the ecological mapping resource to underpin the identification of future local nature recovery networks. Hertfordshire's future nature recovery strategy will have the advantage of being set within the wider context of the updated Strategy. The future LNRS will require that areas of particular importance for biodiversity, or those where the recovery or enhancement of biodiversity, could make a particular contribution to other environmental

#### **Chapter 4** Theme 3: Nature Recovery

benefits, are mapped. Ecological mapping will ensure the LNRS remains current, relevant and forward-looking.

# **Chapter 5**

# Theme 4: Access and Connectivity

# Why is this theme relevant to GI in Hertfordshire?

**5.1** Sustainable transport connections are intrinsically linked with GI planning. Ensuring better access and connectivity in Hertfordshire is an important mechanism for improving residents' health and wellbeing. Use of the countryside as a 'Natural Health Service' through increased use of the wider PRoW network is highlighted as a specific aim within the Sustainable Hertfordshire Strategy. Improved opportunities for cycling and walking through the provision of well-connected travel corridors also have the potential to provide reductions in road traffic congestion and local air quality improvements by discouraging the use of private vehicles. In 2019 [See reference 33], 47.7% of CO2 emissions in the county were a product of the transport sector, which is a 10% increase from transport's share of emissions in 2009. Whilst this is reflective of nationwide trends, it highlights the important role of GI in providing access and connectivity for people.

### **Key assets**

### PRoW network and long distance footpaths

**5.2** Hertfordshire has more than 3,100 km of PRoW, including over 200 promoted routes/long distance footpaths (see Figure 5.1) which stretch across a network of 5,220 individual routes. This connectivity is important as it provides access wider linkages to/from key destinations (see Theme 6: People, Health and Wellbeing) as well as other recreational benefits. The routes also promote

increased usage of sustainable transport by providing a safe network of routes for users. As recorded within the Definitive Map and Statement of Hertfordshire, public footpaths form the largest component of the PRoW network (70%). Bridleways (21%), restricted byways (4%) and Byways open to all traffic (5%) comprise the remaining provision within the county. Rates of walking and cycling within Hertfordshire are highest within relatively small towns such as Baldock and Hertford [See reference 34]. However, these rates are generally low across the county, even in dense urban areas, such as Stevenage, Hemel Hempstead and Welwyn Garden City [See reference 35]. The spatial distribution of the PRoW network also highlights that dense urban areas such as Stevenage and Broxbourne tend to contain fewer promoted routes than the districts of Hertsmere and St Albans.

5.3 National trail provision in Hertfordshire is limited to sections of The Ridgeway at the western extent of the county. Stretching from the World Heritage Site of Avebury to Ivinghoe Beacon lying to the north-west of London, the route crosses through the wooded landscape of the Chiltern Hills. The three settlements with the most direct off-road links to access the surrounding countryside are St Albans, Welwyn Garden City and Hemel Hempstead [See reference 36]. Stevenage has the greatest number of bridleways leading to rural areas. Overall, there are 23 settlements which do not offer links to the countryside via footpaths or bridleways.

#### Hertfordshire's promoted walking routes

- Hertfordshire Way;
- London Countryway;
- London Green Belt Way;
- Hertfordshire Border Walk;
- St Bernard's Way;
- Icknield Way Trail;
- Ashridge Estate Boundary Trail;

#### **Chapter 5** Theme 4: Access and Connectivity

- North Chiltern Trail;
- Lea Valley Walk;
- Chiltern Way;
- John Bunyan Trail;
- Ivinghow Beacon Ridgeway Walk;
- Hertfordshire Chain Walk;
- Grand Union Canal;
- Welwyn Garden City Centenary Circular Walk;
- New River Path;
- Stort Valley Way;
- Abbey Line Trail;
- Chess Valley Walk; and
- Kingfisher Way.

#### Cycle provision

**5.4** The Rights of Way Improvement Plan for Hertfordshire indicates that 30% of the available PRoW network within the county is accessible by cyclists. National Cycle Network (NCN) routes 1, 6, 12, 57 and 61 all pass through the county, with each district/borough containing at least one of these routes. In addition, off-road cycle tracks within the county stretch across approximately 38km. The county also accommodates sections of the Chilterns Cycleway, a 274 km circular route managed by the Chilterns Conservation Board. The districts with the greatest number of cycle routes are Dacorum and St Albans. However, Stevenage has particularly low rates of cycle usage in comparison to the extent of its cycle path network [See reference 37].

**5.5** Data from the Department for Transport highlights that approximately 15.6% of adults (aged 16 or over) in Hertfordshire cycled (irrespective of length or

purpose) at least once per month in 2014/2015. This compares favourably to the national figure of 14.7% [See reference 38]. This trend is also supported by data suggesting that over 7,000 children and adults in the county completed formal cycle training in 2018 (up 16% on figures from 2017) [See reference 39]. The redevelopment of Watford High Street with increased pedestrian, cycling and bus provision provides an example of where initiatives have been implemented across Hertfordshire to improve local facilities for sustainable modes of travel.

### Navigable waterways

**5.6** The Grand Union Canal provides a navigable waterway in Hertfordshire, connecting Berkhamstead, Kings Langley, Watford and Rickmansworth in the west of the county. The Lea and Stort Rivers lie between London and both Hertford and Bishop's Stortford respectively. Management of access to the water along the towpaths of these assets is provided by the Canal and River Trust (Grand Union Canal).

#### Transport corridors in Hertfordshire

**5.7** The county is well served by major north-south rail links radiating from London, but less well served with east-west links. Key north-south routes crossing the county include the M1 and A1(M); whilst the M25 runs east-west. The M11 lies to the east. It is estimated that there are four million road journeys daily in the county. In addition, there is a comprehensive A road network of 1,864 miles (3,818km). Every day 140,000 people commute out (nearly 100,000 to London) and 85,500 enter the county, mostly from London and Bedfordshire. An extensive commercial bus network also operates in the county, offering strong east-west connections.

**5.8** Five railways pass through Hertfordshire, in addition to the London Underground. Over 11 million rail journeys are made per year in Hertfordshire (over 60,000 daily commuter journeys to London). There are also three major

#### **Chapter 5** Theme 4: Access and Connectivity

airports adjacent to Hertfordshire: Luton, Stansted and Heathrow. A total of 11 train operating companies provide services in Hertfordshire and are responsible for the management of 50 stations. The stations range in footfall from 20,000 passengers per year at Park Street to over 8 million at Watford, and 23 stations each handle over 1 million passengers per year [See reference 40].

Figure 5.1: National walking and cycling routes

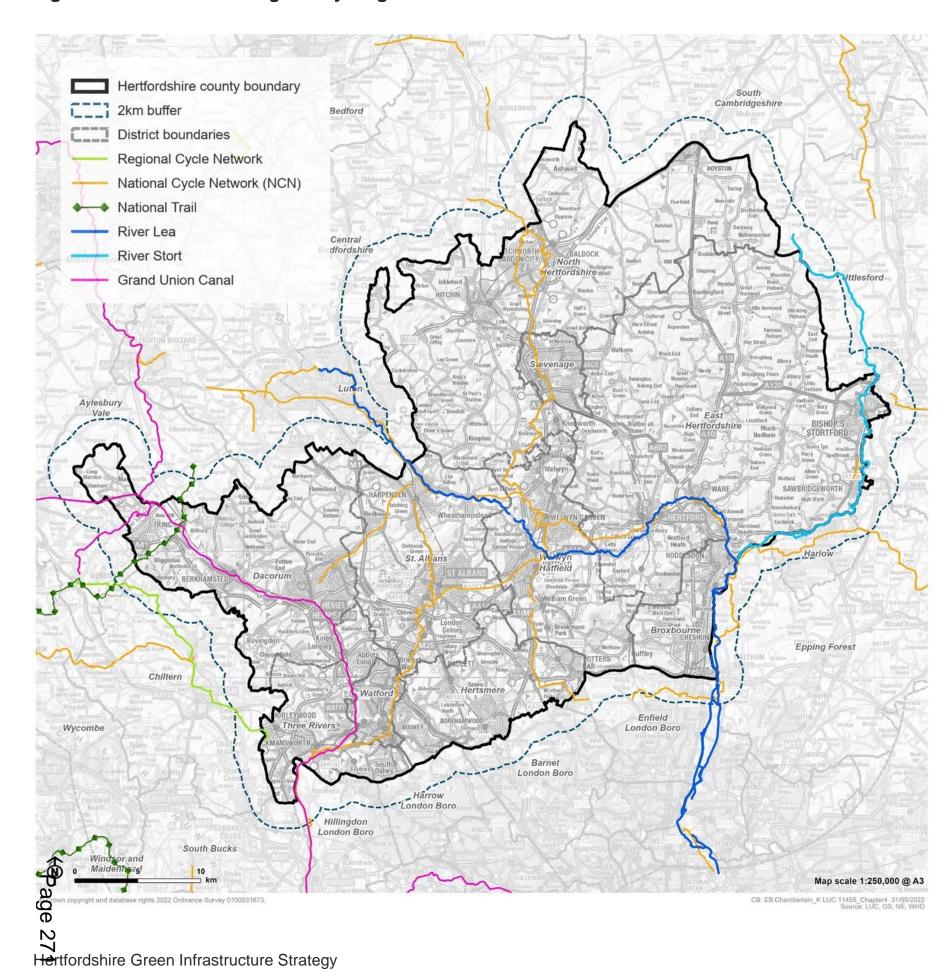


Figure 5.1 - National Walking and Cycling Routes

# Key factors influencing the need for GI

# Addressing future growth in transport infrastructure

**5.9** There are significant problems attributed to the current road network within the county, including congestion on trunk roads, high modal share by private car and poor access to some major employment sites. These problems are expected to increase as the county experiences future population growth, which is expected to increase by 175,000 between 2018 and 203129. Higher demand for road travel across Hertfordshire will also exacerbate the already regular congestion and network disruption, resulting in unreliable journeys and limited resilience as well as harmful vehicle emissions and other environmental impacts.

**5.10** Hertfordshire's Local Transport Plan 2018 – 2031 seeks to implement measures to increase the priority of pedestrians and cyclists relative to motor vehicles. This represents a shift away from the currently significant amount of journeys currently undertaken by private car. Providing increasingly sustainable connections for users and residents should alleviate the demand on the road network, whilst providing multifunctional benefits and greater linkages to the 15-minute neighbourhood concept.

### Dominance of private transport

**5.11** Hertfordshire's Local Transport Plan 2018 - 2031 outlines the 'Sustainable Travel Towns' scheme, which provides comprehensive packages and behaviour change initiatives within Hertfordshire. The project is aimed at achieving a significant modal shift to non-car modes and reduction in single occupancy car use. Approximately 60% of commuters within Hertfordshire drive to their place of employment. However, significant variations exist between districts. Commuters living in East Hertfordshire (62.7%) and Dacorum (66.2%) are most

likely to drive to work whereas this figure reduces to 50.9% and 53.5% in Watford and St. Albans respectively [See reference 41]. A number of Hertfordshire's rail lines are forecast to be over capacity by 2031 [See reference 42], albeit this figure does not consider the consequences of the COVID-19 pandemic. This includes the Midland Main Line with long distance services to St Pancras at 133% capacity, suburban West Coast Main Line services at 107%, Great Northern services to Moorgate at 104%, and Chiltern services to Marylebone at 100%.

### Challenging severance and barriers to access

**5.12** A number of PRoWs are severed by busy roads which fragment sections of the network, forming barriers to wider connectivity within the county. Many PRoWs terminate where they meet a primary road thereby forcing users either onto busy roads or to turn back. Road crossings are also not often provided and this demonstrates the poor connectivity of the network in some areas of the county. Whilst linear routes are beneficial for some, particularly for commuting routes, there is an identified deficiency in the number of circular routes for recreational use which support health and wellbeing30. The opportunity exists to promote wider strategic linkages across the network. Hertfordshire's Rights of Way Improvement Plan identifies a number of suggestions of issues relating to all users of the network, including minimising the number of obstructions, making structures easier to use, increasing the number of circular routes, and improving information available about the network and how to access it.

**5.13** A number of other barriers exist to wider use of the PRoW network in Hertfordshire, especially by cyclists and other non-walking users. Hertfordshire's Rights of Way Improvement Plan identifies these main barriers with an action plan for strategic solutions. These barriers include obstructions that are found along paths for those with limited mobility (e.g. gates or vegetation), the poor condition of structures (e.g. gates or bridges), poor surface conditions, inconsistent signage on the network and road safety.

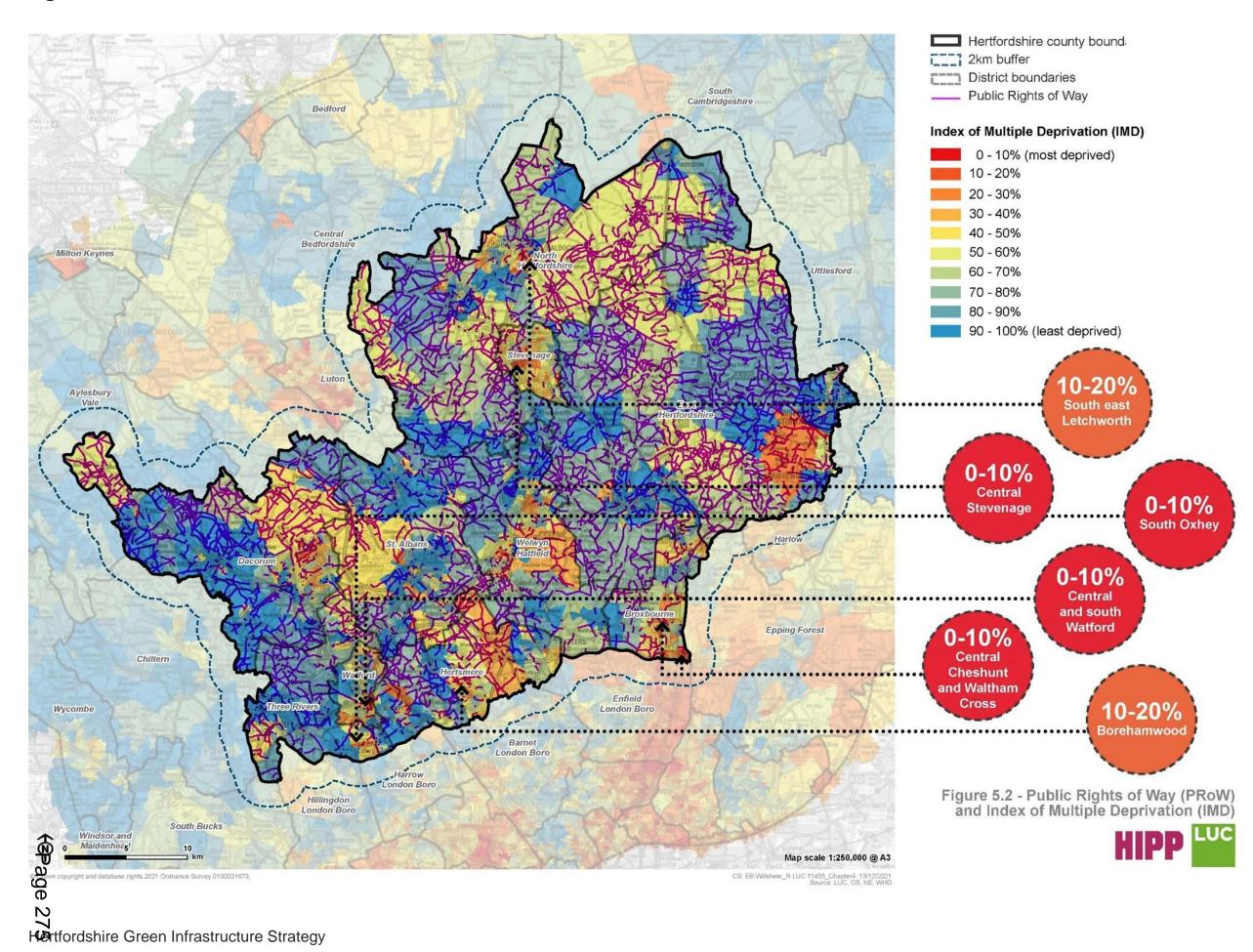
# Linking active travel routes with key destinations

**5.14** The PRoW network offers the potential to develop well-connected sustainable transport links between settlements and key destination sites. The establishment of promoted routes from regional transport connections provides the opportunity to address difficulties accessing key destinations and countryside sites without access to a private car30. Sufficient bus and rail capacity and service levels are essential for strategic regional travel. However, consideration should also be given to enabling these services to better serve local inter-urban travel needs. Promoting travel options and facilitating accessible travel information provision, including open data initiatives, can increase the ease with which people, particularly disadvantaged groups, can access key services by using sustainable and green routes.

# Use of sustainable transport to tackle socioeconomic equalities

**5.15** The more densely populated wards within the county, such as Central Stevenage, Central and South Watford, South Oxhey and Central Cheshunt and Waltham Cross, exhibit the highest levels of socio-economic deprivation (see Figure 5.2). Safeguarding and improving the provision of local PRoWs in these areas may encourage sustainable forms of movement and help to tackle socio-economic inequalities. Although physical inactivity is one of a number of contributory causes to poor public health, particularly obesity, targeted active travel in more deprived wards could potentially help to address health inequalities.

Figure 5.2: PRoW and IMD



# **Theme 4: Summary of GI Priorities**

**5.16** 4A: Reconnect and create multi-functional links by addressing issues of network severance within the county. Consideration should be given to ensuring PRoW connections in Hertfordshire are sustainable, equitable and accessible. This should involve tackling the issue of severance to ensure that PRoW do not terminate once they meet a primary road. This issue is pertinent to large areas of Hertfordshire. The opportunity also exists to promote wider strategic linkages across the network, whilst also exploring the potential introduction of circular recreational routes which complement the network of active travel routes within the county.

**5.17** 4B: Target improvements to the provision of active travel routes within areas currently exhibiting lower walking and cycling rates or containing fewer promoted routes. The opportunity exists to prioritise PRoW and active travel improvements within denser urban areas such as Stevenage, Hemel Hempstead and Welwyn Garden City. Consideration should be given to the implementation of a range of scales of proposals, including the potential to develop linkages into the countryside from these settlements. These could include addressing local scale barriers to access through to wider strategic routes which encourage recreational access or active travel.

**5.18** 4C: Ensure the delivery of a strong network of active travel routes between developments and key services with the aim of delivering sustainable 15-minute neighbourhoods within the county. Promote a significant modal shift to non-car transport modes by targeting the removal of barriers to the use of the PRoW network as part of development proposals within the county.

# **Chapter 6**

Theme 5: The Water Environment

# Why is this theme relevant to GI in Hertfordshire?

**6.1** Rivers are a key GI asset as they create natural corridors through the landscape and provide vital habitat for a number of species. Hertfordshire is an area of significant water stress with some catchments classified as overabstracted and failing to meet good chemical or ecological condition. Planning for and making space for water forms a key component of managing future landscapes in the face of climate change, particularly through catchment sensitive land management practices and flood risk management.

## **Key assets**

**6.2** Hertfordshire's blue infrastructure consists of priority chalk rivers, historic canal navigations and urban rivers, that weave amongst internationally important wetlands, flooded gravel pits and lakes, in both rural and urban settings. Figure 6.1 illustrates this network of watercourses across the county. These are set within two river basin catchments – the Thames (majority of the county) and Anglian (covering parts of North Hertfordshire) and comprises six operational catchment areas (see Figure 6.2).

## Flooding in Hertfordshire

#### **Chapter 6** Theme 5: The Water Environment

The Environment Agency records data of historic flooding events from rivers, the sea, groundwater and surface water. A number of Hertfordshire's rivers have flooded in the past, including:

- River Rib and River Quin;
- River Ash;
- River Stort;
- River Beane:
- River Mimram;
- Small sections of the River Ver;
- Long stretches of the River Colne; and
- Large portions of the River Lee and its floodplain through Hertford and Broxbourne.

**6.3** The River Lea Catchment Partnership [See reference 43], River Colne Catchment Action Network [See reference 44] and the Upper and Bedford Ouse Catchment Partnership [See reference 45] all operate in Hertfordshire to boost the natural capital and value of Hertfordshire's river catchments for people and wildlife. The priority issues facing the catchment areas are outlined in the Thames and Anglian River Basin Management Plans as follows:

- Colne: Changes to natural level and flow of water, pollution from waste water, transport infrastructure and rural areas, and the extent of physical modifications such as weirs and concrete channels.
- Lee Upper: Low flows in rivers, pollution from waste water and from rural and urban areas, and modifications, structures and changes to the natural form of rivers.
- Lower Lee North: Poor water quality rom waste water treatment, pollution incidents and misconnections, pollution and poor water quality from urban run-off and historic land use and physical modifications for urbanisation and flood protection.

- Upper Ouse and Bedford: Negative impacts on habitats and ecological diversity caused by the physical modification of watercourses, invasive non-native plant and animal species and pollution (diffuse and point source).
- The River Lea Catchment Partnership [See reference 46], and the Upper and Bedford Ouse Catchment Partnership [See reference 47] all operate in Hertfordshire to .
- **6.4** One of the most distinctive and important characteristics of Hertfordshire's landscapes are its chalk rivers. Across the entire world, there are less than 200 chalk streams. Almost all of these are found in the UK and 10% are located in Hertfordshire itself [See reference 48]. Their stable temperature, mineral rich, and neutral pH, create unique conditions that support a huge range of plants and animals, including some of the UK's most threatened wildlife, including water vole and lamprey.
- **6.5** Gravel pits are common in the county's lower river valleys and comprise the single largest proportion of Hertfordshire's remaining wetland. Whilst many of these areas are of low biodiversity value, some of these sites such as Amwell Nature Reserve, the Colne Valley SSSI and parts of the Lea Valley are now excellent habitat for wildfowl and other birds. In some locations, the newly created gravel pit wetlands have created suitable conditions for reedbeds, attracting nationally important species such as bitterns [See reference 49].
- **6.6** Hertfordshire's blue infrastructure is a multifunctional resource which attracts a range of recreational activities. Of particular importance are Hertfordshire's canals, which include the Grand Union Canal, the Lee Navigation and the Stort Navigation (refer to Theme 4: Access and Connectivity).

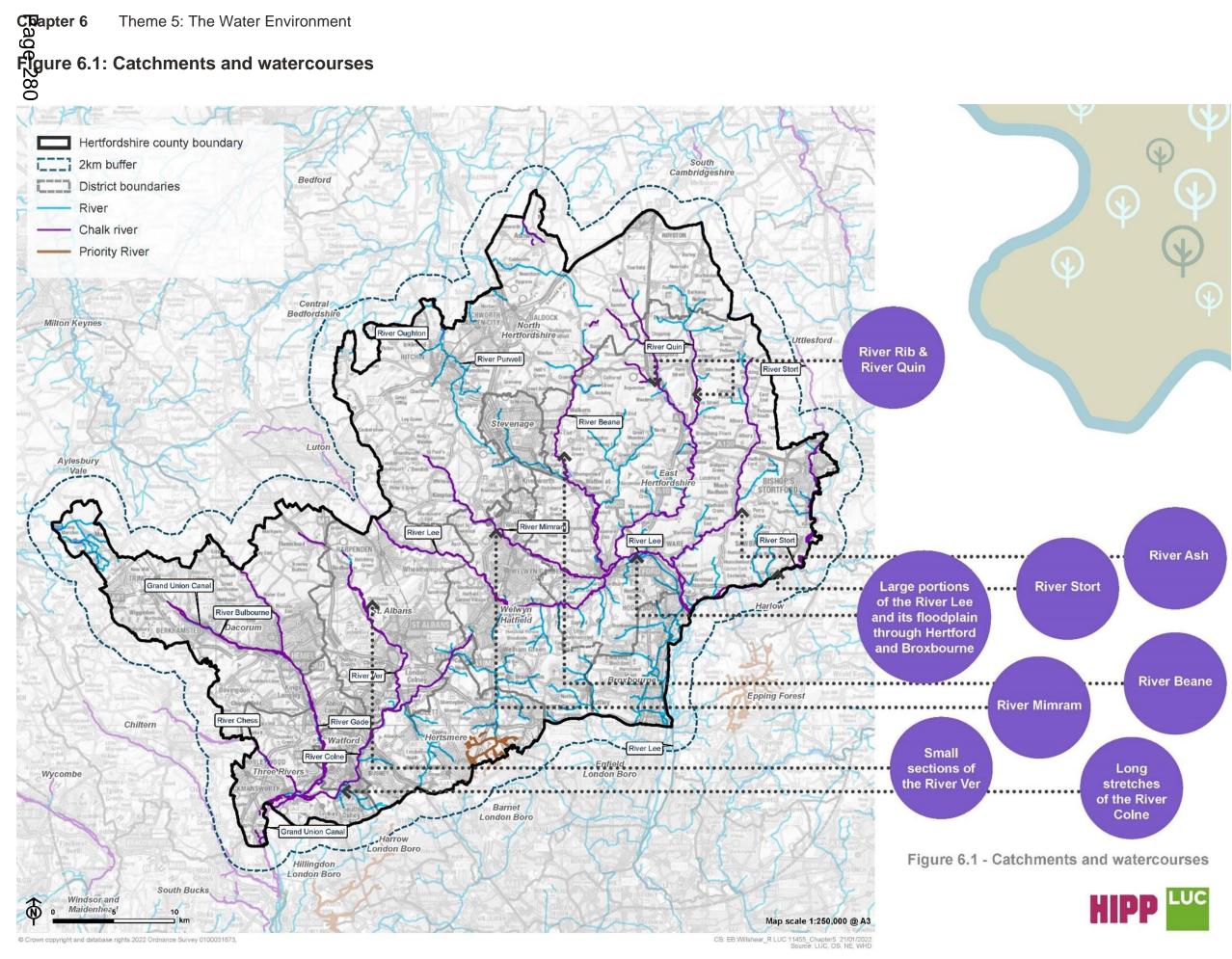
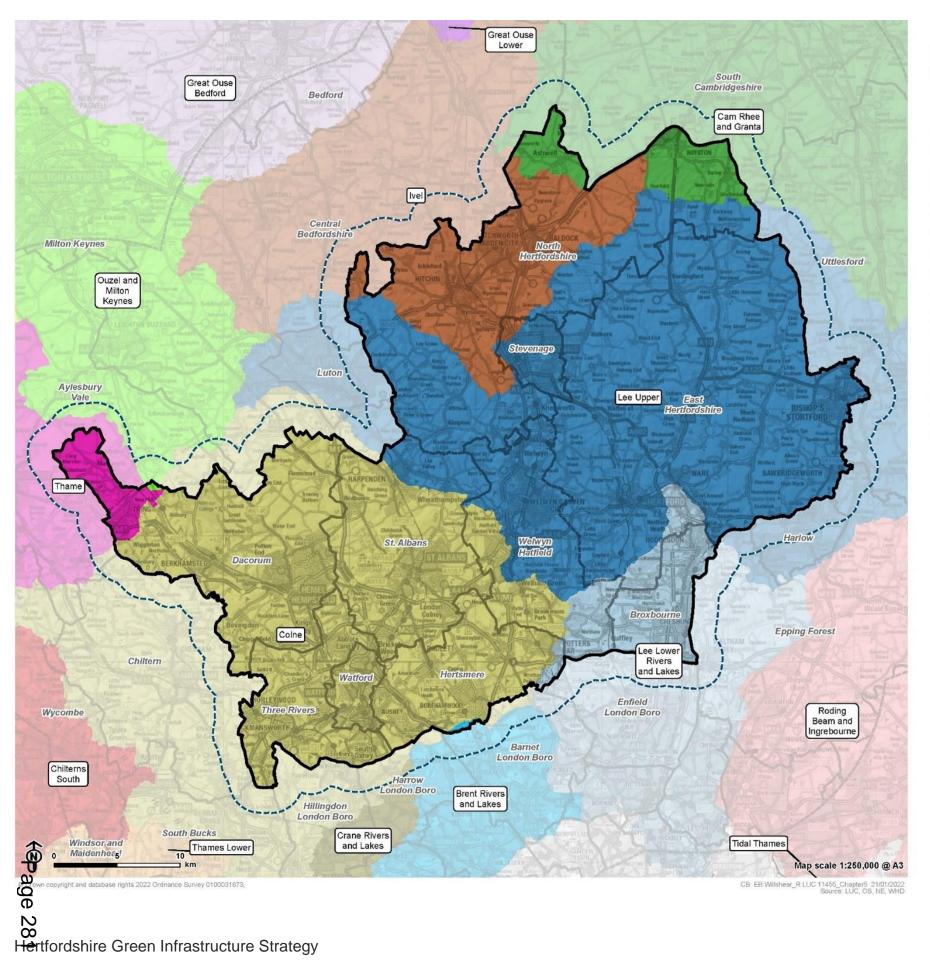


Figure 6.2: Optional catchment areas



Hertfordshire county boundary 2km buffer

District boundaries

#### **Operational Catchment**

Brent Rivers and Lakes

Cam Rhee and Granta Chilterns South

Colne

Crane Rivers and Lakes

Great Ouse Bedford Great Ouse Lower

Great Ouse Upper

Lee Lower Rivers and Lakes

Lee Upper

Ouzel and Milton Keynes

Roding Beam and Ingrebourne

Thame

Thames Lower

**Tidal Thames** 

Figure 6.2 - Operational Catchment Areas



# Key factors influencing the need for GI

#### Water quality

**6.7** Many of Hertfordshire's rivers are not achieving good ecological status and failing chemical status under the Water Framework Directive, primarily due to over-abstraction and physical modifications (see Table 6.1 and Table 6.2). Chalk rivers and their aquifers have historically been chosen as sites for abstraction points as their water is mineral rich and requires much less filtration than other sources.

**6.8** Due to a combination of land management practices, land vulnerability and climatic factors, losses of nutrients from agricultural land is a key contributor to the pollution of surface and ground waters. Agriculture, however, is not the only contributor, urban and point sources of pollution, including effluents from sewage treatment works, also contribute to the pollution of these water bodies with nitrogen and phosphate. Over 50% of Hertfordshire falls within a Nitrate Vulnerable Zone. Figure 6.3 illustrates areas where the land use is causing pollution of the water. Actions should be targeted in these zones to address pollution so that extra treatment of raw wastewater can be avoided.

#### Chapter 6 Theme 5: The Water Environment

Table 6.1: Water Framework Directive (WFD) assessment for ecological classification of surface waters 2019 Cycle 2

| Catchment                                                       | Bad Ecological<br>Status | Poor Ecological<br>Status | Moderate<br>Ecological Status | Good Ecological<br>Status | High Ecological<br>Status |
|-----------------------------------------------------------------|--------------------------|---------------------------|-------------------------------|---------------------------|---------------------------|
| Colne – includes the River<br>Bulborne, Chess, Gade, Ver, Colne | 1                        | 5                         | 20                            | 0                         | 0                         |
| Lee Upper – includes the River Ash,<br>Beame, Miram, Lee, Stort | 1                        | 9                         | 13                            | 0                         | 0                         |
| Lower Lee – includes the River Lee                              | 1                        | 9                         | 16                            | 1                         | 0                         |

Table 6.2: Water Framework Directive (WFD) assessment for chemical classification of surface waters 2019 Cycle 2

| Catchment                                                    | Failed Chemical Status | Good Chemical Status |
|--------------------------------------------------------------|------------------------|----------------------|
| Colne – includes the River Bulborne, Chess, Gade, Ver, Colne | 26                     | 0                    |
| Lee Upper – includes the River Ash, Beame, Miram, Lee, Stort | 23                     | 0                    |
| Lower Lee – includes the River Lee                           | 27                     | 0                    |

# Main issues preventing waters reaching good status in river catchments

#### Colne Catchment

- Physical modifications and over-abstraction are the main issues preventing waters reaching good status.
- The water industry is the sector primarily responsible.

#### Lee Upper Catchment

- Physical modifications and over-abstraction are the main issues preventing waters reaching good status.
- Agriculture and rural land management are the sectors primarily responsible.

#### Lower Lee Catchment (Rivers and Lakes)

- Physical modifications, over-abstraction and pollution from towns, cities and transport are the main issues preventing waters reaching good status.
- The urban and transport sectors are primarily responsible.

#### Flood risk

**6.9** In Hertfordshire, the main source of flood risk is derived from surface water, rivers and other watercourses (fluvial) and, less frequently, groundwater. The pattern of flood risk is dispersed across the county with an estimated 30 to 60 thousand properties located in or near areas where there is a predicted high or medium risk of flooding from surface water [See reference 50]. Flood management and the potential integration of GI therefore requires careful consideration, particularly where rivers pass through urban contexts and are

heavily modified. Hitchin, Bishop's Stortford, Hempel Hempstead and Watford are Surface Water Management Plan Hotspots [See reference 51].

**6.10** The existing level of flood risk in Hertfordshire is predicted to increase over time. Wetter winters and more intense rainfall may increase river flooding in both rural and urban catchments. More intense rainfall causes greater surface runoff, increasing localised flooding and erosion. Increased probability of intense summer rainfall may lead to incidences of flash flooding. There's a need to ensure that new major development does not contribute to increased flood risk from surface water and that surface water arising from the development is managed in a sustainable way e.g. by prioritising the use of Sustainable Drainage Systems (SuDS).

#### Water availability

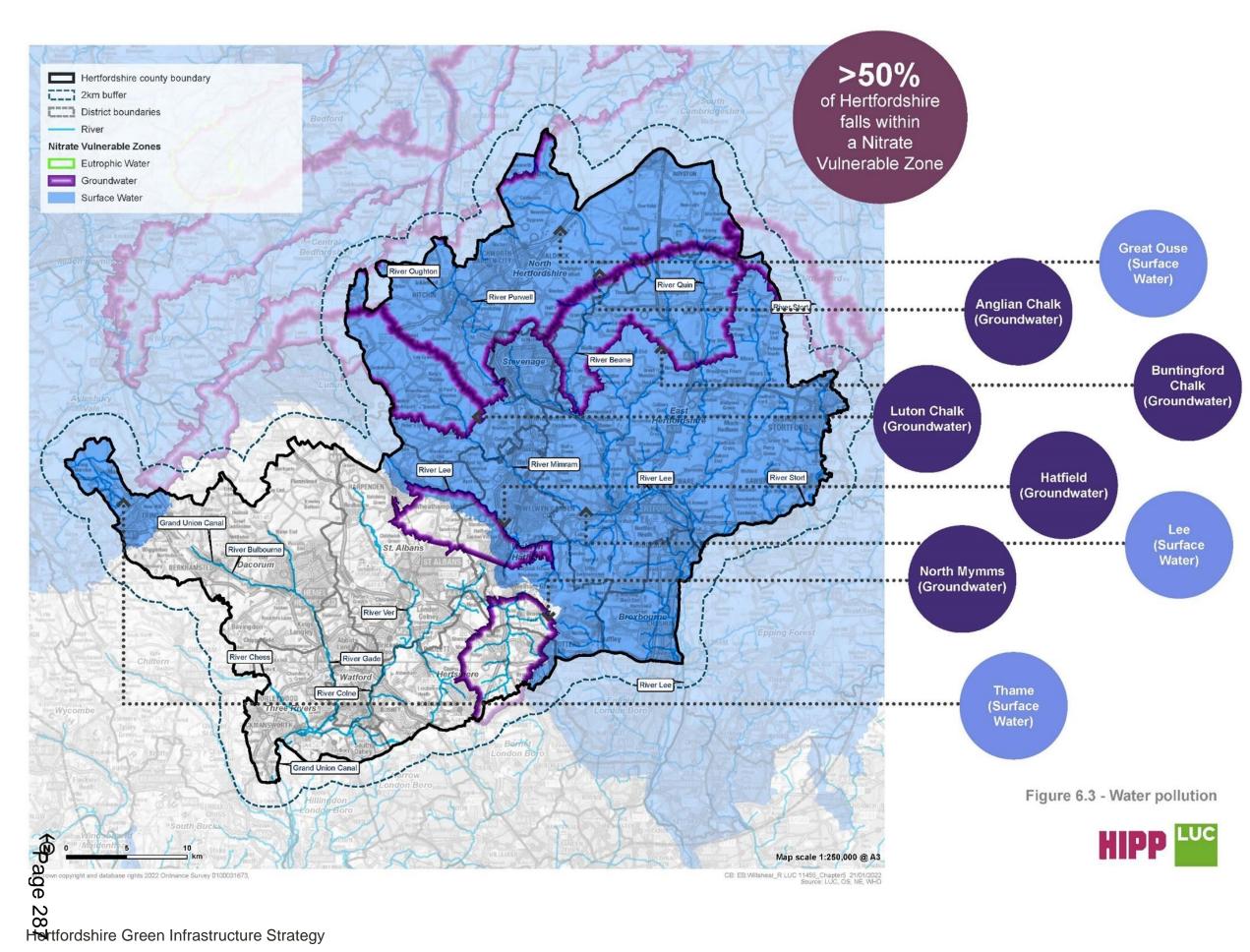
**6.11** Hertfordshire is located in the driest region in the country. The east of England receives only two thirds of the average UK annual rainfall. Chalk rivers and streams are particularly vulnerable to drier weather as they are reliant on rainfall to recharge the groundwater aquifers [See reference 52] [See reference 53]. Drinking Water Safeguard Zones are established around water supplies which require additional measures to control pollution. For both groundwater and surface water zones, actions to address water contamination are implemented to try and avoid extra treatment. The distribution of drinking water safeguard zones within the county are displayed on Figure 6.4. Following two successive very dry winters and hot summers in Hertfordshire, the summer of 2019 saw catastrophic drying out of approximately 50km of chalk rivers and many wetland features on important nature reserves, such as the wetlands at King's Meads and ponds at Hertford Heath [See reference 54]. The climate risk is exacerbated by over abstraction, further decreasing the water volume and flow in Hertfordshire's streams.

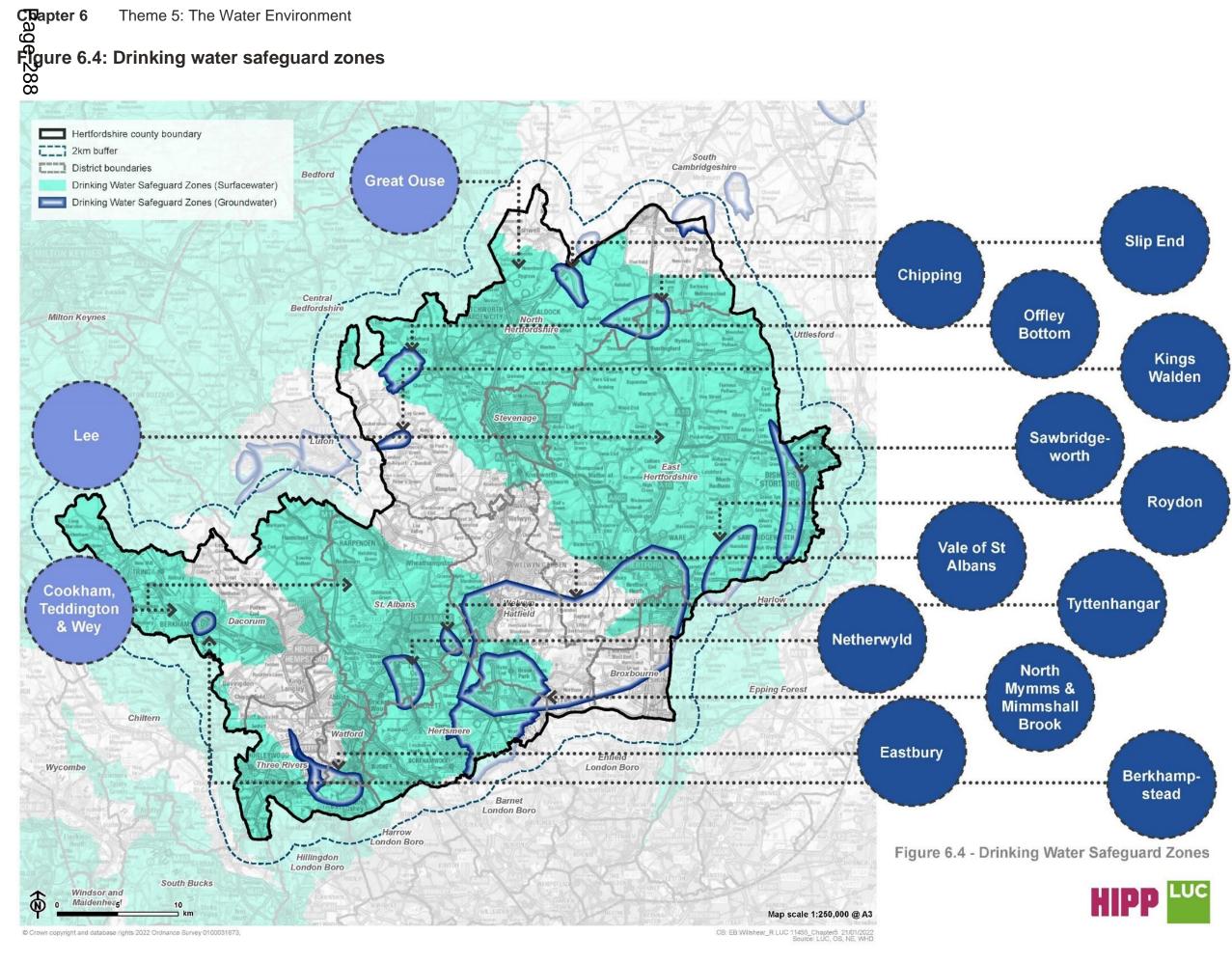
**6.12** Since 2015, Affinity Water and the Environment Agency have been working together in the Colne and Lee catchments under the 'Revitalising Chalk Rivers' project [See reference 55]. The programme has reduced groundwater

#### **Chapter 6** Theme 5: The Water Environment

abstraction by 63 million litres of water a day since 1993 and implemented river restoration works to help over 120 km of chalk streams. Affinity Water is committed to further reducing groundwater abstraction by 36 million litres of water a day by 2025.

Figure 6.3: Water pollution





### **Theme 5: Summary of GI Priorities**

**6.13** 5A: Deliver environmental enhancements to chalk streams within the county, ensuring improvements to ecological and chemical qualities. Hertfordshire's chalk streams form an internationally important asset, and their conservation should be considered at a landscape scale. Increasing connectivity and enhancing wetland habitat mosaics will help contribute to the objectives of the Thames River Basin Management Plan, River Catchment Management Plans and restore favourable SSSI and Water Framework Directive condition. Consideration should also be had for the importance of maintaining river levels within Hertfordshire's chalk streams. How the recommendations for water quantity, quality, as well as habitat quality, which are set out within the Chalk Stream Restoration Strategy [See reference 56], can be applied should be explored.

**6.14** 5B: Identify opportunities for increased recreational access to river corridors. Watercourses provide an effective corridor to reconnect communities with nature on their doorstep. New recreational routes should be opened up where there is capacity to do so without exceeding biodiversity sensitivity thresholds. Inspiration for multi-functional blue network can be taken from projects such as Rediscovering the River Colne.

**6.15** 5C: Integrate flood risk into the design of new developments. Future development in close proximity to the rivers within Hertfordshire could exacerbate existing pressures. For example, settlement growth is likely to increase pressures during periods of high river flows and could lead to flooding of developed land, particularly in already high-risk areas such as Hempel Hempstead and Watford. Proposals for additional natural flood storage should be coupled with biodiversity enhancement, for example wetland creation or SuDS.

**6.16** 5D: Incorporate and complement existing river partnerships and projects. The River Lea Catchment Partnership, River Colne Catchment Action Network and the Upper and Bedford Ouse Catchment Partnership are just some of the organisations already working to improve Hertfordshire's river catchments for

#### **Chapter 6** Theme 5: The Water Environment

people and wildlife. The opportunity exists to provide linkages between the Strategy and these existing partnerships and projects, such as the Revitalising Chalk Rivers and the Chiltern Chalk Stream Project, in order to maximise knowledge sharing and efficient use of resources.

**6.17** 5E: Retrofit nature-based solutions for surface water run-off into urban areas. Although the use of SuDS and other nature-based solutions designed to reduce flood risk and water pollution are heavily scrutinised within new development proposals, existing urban areas, and their role in contributing to water-based pressures, should not be ignored. Adopting 'grey to green' schemes within urban areas, for example by reclaiming carriageway space from cars for greenery and people, should be explored across all of Hertfordshire's urban areas. The potential for any greening opportunities should be considered alongside all routine highways upgrades, helping to enhance efficiency and value for money. Focus should also be had on how nature-based solutions can be used to table hotspots of water pollution, for example where run off from main roads enters watercourses, or where local surface water flooding is an issue.

### **Chapter 7**

Theme 6: People, Health and Wellbeing

# Why is this theme relevant to GI in Hertfordshire?

**7.1** Good physical and mental health can have a major impact on quality of life and well-being for individuals, their families, communities and wider society. However, health inequities are mostly determined by social factors. There is a clear social gradient to life expectancy, with those living in deprived areas tending to not only live shorter lives but also experience more years in poor health [See reference 57]. Hertfordshire follows these trends, with 63% of the population aged 16 years+ either obese or overweight, with disparities between districts/boroughs. Physical inactivity in Hertfordshire has been estimated to cost the NHS an estimated £16.1 million. During 2013-2014, people in higher social grades within Hertfordshire were found to be more physically active (62%) than those in lower social grades (50.9%) [See reference 58]. These health challenges form key drivers for the Strategy and interlink with the emerging priorities of the Hertfordshire Health and Wellbeing Strategy 2022-26.

#### **Key assets**

#### Open space and deprivation

**7.2** Hertfordshire is a prosperous county [See reference 59], however, there are still areas of deprivation, disadvantage and social exclusion. Table 7.1 sets out the Indices of Multiple Deprivation (IMD) ratings of Hertfordshire's publicly accessible open spaces [See reference 60] (also see Figure 7.1). Almost all boroughs/districts have areas of high deprivation where there appears to be a

#### **Chapter 7** Theme 6: People, Health and Wellbeing

deficit in open space which should be considered for a focus of resources. This deprivation could be attributed to severance from infrastructure corridors and the relative density of development in areas of the county.

Table 7.1: Indices of Multiple Deprivation (IMD) rating of Hertfordshire's open spaces

| IMD Rating            | Open Space                                                                                                                                                                     |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 0-10% (most deprived) | Borehamwood (Aycliffe)                                                                                                                                                         |
| 10-20%                | Stevenage (Bedwell and Poplars) Watford (Central and South Oxhey) Hemel Hepstead (Highfield and Grovehill) Hatfield (Roe Green) Letchworth (Radburn Way) Cheshunt (Churchgate) |
| 20-30%                | Watford (Holywell) Patchetts Green Borehamwood Hemel Hampstead (Bennetts End) St Albans (Townsend) Welwyn (Peartree and Panshanger) Cheshunt Stevenage (Bedwell)               |
| 30-40%                | Stevenage Welwyn (Woodhall) Hatfield (South and Birchwood) St Albans (Sopwell) Hemel Hampstead (Cupid Green) Watford (The Rookery) Borehamwood Hoddesdon (Rye Park)            |

#### **Chapter 7** Theme 6: People, Health and Wellbeing

| IMD Rating | Open Space                                                                                                                                                             |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 40-50%     | Hoddesdon Cheshunt (Bury Green) Potters Bar (South) Borehamwood (Rowley Green) Watford (South Oxhey and Central) Hemel Hampstead (Warners End) Stevenage               |
| 50-60%     | Watford (West and North) Bushey Hemel Hampstead (Paradise) St Albans (The Camp) Hatfield Welwyn (Hatfield Hyde) Hoddesdon Stevenage (Fishers Green) Hitchin Letchworth |
| 60-70%     | Baldock Bishop's Stortford Bushey Borehamwood (Well End) London Colney Hemel Hampstead (Adeyfield) Hatfield (Oxlease) Welwyn (Digsfield Park) Potters Bar (South)      |
| 70-80%     | Borehamwood (Central) Bushey Watford (Garston and Leavesden Green) Welwyn (Handside) Baldock                                                                           |

**Chapter 7** Theme 6: People, Health and Wellbeing

| IMD Rating               | Open Space                          |
|--------------------------|-------------------------------------|
|                          | Ware                                |
|                          | Cheshunt (Hammon Street)            |
| 80-90%                   | Hemel Hempstead (South)             |
|                          | Hemel Hempstead (Felden)            |
|                          | Watford (Central and Watford Heath) |
|                          | Potters Bar (Little Heath)          |
|                          | St Albans (Central)                 |
|                          | Harpenden (Hatching Green)          |
|                          | Hertford (Central)                  |
|                          | Hitchin                             |
| 90-100% (least deprived) | Letchworth (South)                  |
|                          | Hitchin (Oakfield)                  |
|                          | Bishop's Stortford                  |
|                          | Welwyn (Digswell)                   |
|                          | Hertford (Pine Hurst)               |
|                          | Cuffley                             |
|                          | Radlett                             |
|                          | St Albans (Marshalswick)            |
|                          | Berhamstead                         |
|                          | Tring                               |
|                          | Chorleywood                         |
|                          | Rickmansworth                       |

**7.3** Table 7.2 sets out the IMD health ratings in Hertfordshire provide a comparison of understanding (also see Figure 7.2). In more deprived parts of the county, people have poorer health and wellbeing, living on average 7.4 years less than elsewhere. Some vulnerable and minority groups have significantly worse health outcomes than the majority of the population, particularly people with mental health problems and learning disabilities [See reference 61]. 70% of districts/boroughs have pockets where communities are within the top 20% of the most deprived in the country. These should be a focus for investment in securing GI and equitable access to open space.

Table 7.2: Indices of Multiple Deprivation (IMD) health ratings in Hertfordshire

| IMD Health Ratings | Area                             |
|--------------------|----------------------------------|
| 10-20%             | Watford (Central)                |
|                    | Borehamwood (North)              |
|                    | Stevenage (Central and Poplars)  |
|                    | Letchworth (North)               |
| 20-30%             | Stevenage (Central)              |
|                    | Welwyn (Peartree)                |
|                    | Hemel Hempstead (Highfield)      |
|                    | Watford (Holywell)               |
|                    | Borehamwood                      |
| 30-40%             | Watford                          |
|                    | Chesunt (Churchgate)             |
|                    | Welwyn (Panshanger)              |
|                    | Hatfield (South)                 |
|                    | Stevenage (Pin Green)            |
| 40-50%             | Stevenage (Bedwell)              |
|                    | Hemel Hempstead (Warners End)    |
|                    | Waford (North, West and Meriden) |
|                    | Letchworth                       |
|                    | Borehamwood (North)              |

#### Greenspace and health

**7.4** Evidence shows that GI has a positive influence on population and individual level health and wellbeing. All social groups are likely to benefit, although some groups, including more socio-economically deprived and disadvantaged populations appear to disproportionately benefit from greener living environments [See reference 62]. In 2011, monitoring of air quality in

Hertfordshire found the mean concentration of fine particulate matter was higher in Hertfordshire compared with the mean for England; this was still the case in 2015 (although levels had fallen). By March 2019, 31 Air Quality Management Areas (AQMAs) had been officially declared across Hertfordshire, with wider monitoring being undertaken outside of these areas [See reference 63]. Particular hotspots for poor air quality include the major roads that cross the county, including the M25, M1 and A1(M). Busy town centres also contribute to higher levels of air pollution. Hertfordshire is further impacted by Luton and Stansted Airports which lie close to the western and eastern borders of the county, which contribute to increased noise pollution for location populations.

**7.5** Poor air quality can result in detrimental environmental health risks. However, the contribution of GI to tackling air quality issues is poorly recognised in over half the district/borough Local Plans. One of the objectives in the Sustainable Hertfordshire Strategy 2020 is to have clean air for all by 2030. Key action plans will need to be developed and implemented to ensure these aims are met, albeit GI could help achieve this goal. Reducing the need for car use by improving infrastructure to support active travel and supporting vehicle-free zones in busy town centres will also help to meet these targets. In addition, ambitious projects such as re-establishing the historic Enfield Chase by creating 15 ha of woodland to buffer the M25 should be supported.

#### Recreational sites and visitor attractions

**7.6** When the Countryside Management Services (CMS) at HCC was established in 1975, the approach was taken to manage the whole county as a country park connected by the wider PRoW network (refer to Theme 4: Access and Connectivity). Now part of the Countryside and Rights of Way (CRoW) team at HCC, CMS still exists as a conceptual brand but not as a separate entity. The strategic approach to management of the PRoW network was adopted as an alternative to focussing on the designation of individual sites. For this reason, Hertfordshire has relatively fewer country park assets. Those that are present include:

Bishop's Wood Country Park – Three Rivers;

#### **Chapter 7** Theme 6: People, Health and Wellbeing

- Leavesden Country Park Three Rivers;
- Aldenham Country Park Hertsmere;
- Knebworth Country Park North Hertfordshire;
- Stanborough Park Welwyn Hatfield; and
- Southern Country Park East Hertfordshire.
- **7.7** Hertfordshire includes sections of two regional parks, the Lee Valley Regional Park and Colne Valley Regional Park, which provide green buffers to the east and west of London respectively. Following the corridors of the River Lee and River Colne, both parks are regionally significant destinations for recreation and relaxation. These GI assets provide recreational resources combined with rich wildlife habitat. The county also accommodates a large network of common land and designated village greens which form locally valued areas of public open space. Hertfordshire's cultural assets also play an important role in attracting visitors into the county, including the Henry Moore Foundation, Knebworth House, Hatfield House, Warner Bros. Studios and Watford Palace Theatre [See reference 64].
- **7.8** Buffering the northern fringe of London, Watling Chase Community Forest lies predominantly within the boundary of Hertsmere Borough. The Watling Chase Community Forest Plan identifies a series of objectives for the site, including increasing opportunities for sport and recreation, improving access to the countryside and creating new opportunities for nature conservation. However, landownership issues have precluded the development of the site into a functional unit in comparison to some of England's other 12 Community Forests, such as the Thames Chase Community Forest.
- **7.9** Other major open spaces and commons within the county include Heartwood Forest, Therfield Heath, Chorleywood Common and numerous other parks and green spaces. Owned and managed by the National Trust, the Ashridge Estate forms a significant landscape scale recreational asset within the county. Located at Welwyn Garden City, Shaw's Corner is another example of a National Trust property within the county. The Green Flag Award, the benchmark standard for publicly accessible parks and green spaces in the UK,

#### **Chapter 7** Theme 6: People, Health and Wellbeing

was awarded to 49 sites across Hertfordshire in 2016. The majority of these sites are in the ownership of district/borough councils and have management plans produced by their owners or the Land Management team within the CRoW service which guide their use and development.

**7.10** Developed with the aim of delivering accessible and good quality online information regarding the county's parks and open spaces, the ParksHerts Project provides a single web based point of access. The database facility provides details of over 140 parks and open spaces within Hertfordshire, from recreation grounds through to woodlands and award winning Green Flag sites. Parks Herts is supported by the Land Management Team within the CRoW service whose programmes include weekly groups for conservation volunteers who deliver practical conservation and access improvements.

# Community initiatives and engagement with green space

**7.11** The county currently accommodates a large number of community based initiatives, including growing projects and outdoor volunteering opportunities, which provide opportunities for individuals to remain active and encourage personal investment in their local space. These projects contribute to a vibrant community as well as enhanced health and wellbeing. Hertfordshire Health Walks is an example of a successful scheme, with over 65,000 walks held in 2018/2019 with a total of over 1,350 participants [See reference 65]. Examples of other current initiatives are highlighted in below.

## **Current community growing and outdoor volunteering opportunities in Hertfordshire**

#### Community gardens

Countywide independent community garden initiatives: The Triangle Community Garden (Hitchin, North Hertfordshire), CDA Herts Community Garden (St Albans), Grow Cheshunt Community Project (Cheshunt, Broxbourne), Sunnyside Rural Trust Hemel Food Garden (Hemel Hempstead, Dacorum), Mudlarks (Hertford, East Hertfordshire), Digswell Community and Gardening Project (Digswell, Welwyn Hatfield).

#### **Allotments**

 Countywide private allotments available across the 10 districts/boroughs via local councils.

#### Community growing initiatives

■ Incredible Edible St Albans offering monthly 'Come and Grow' sessions at two locations.

### Practical conservation volunteering and green space management

- Countryside Management Service: Practical conservation volunteering,
   Friends of Greenspaces, Wood Wardens, Rights of Way volunteers.
- Hertfordshire and Middlesex Wildlife Trust: Practical Work Parties,
   Conservation volunteering, Community engagement and events.
- Groundwork: range of opportunities including community growing, practical conservation, greenspace management.
- Woodland Trust: practical conservation.

#### **Chapter 7** Theme 6: People, Health and Wellbeing

■ The Conservation Volunteers: Green Gym (Watford).

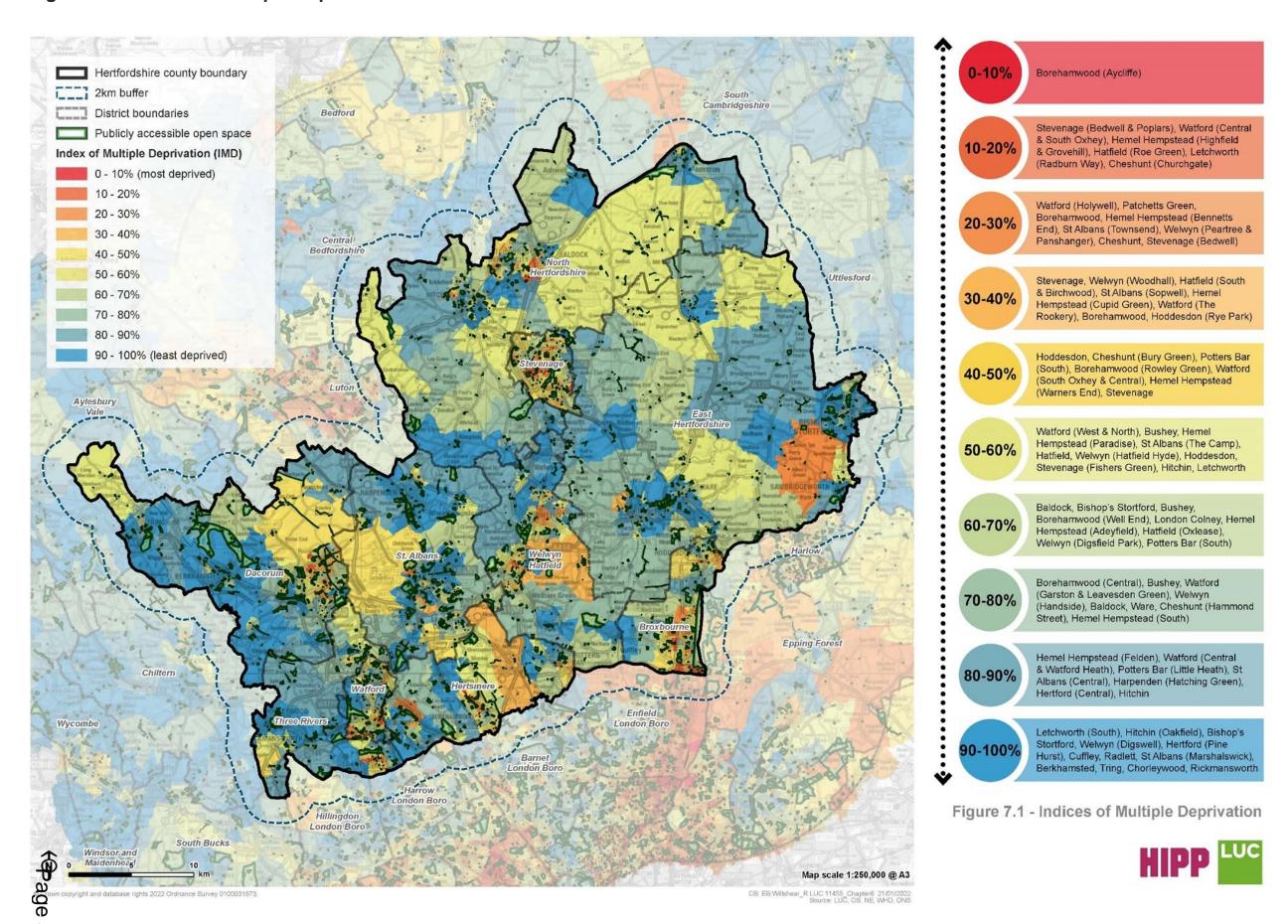
#### Hertfordshire Health Walks

■ 60 walks each week of between 30 – 90 minutes led by volunteers and coordinated by the Land Management team within the CRoW service. In 2018/19 over 65,000 walks were led across the County.

#### ParkRun

■ 13x 5k and 8x junior events (2k) each week across Hertfordshire led by volunteers.

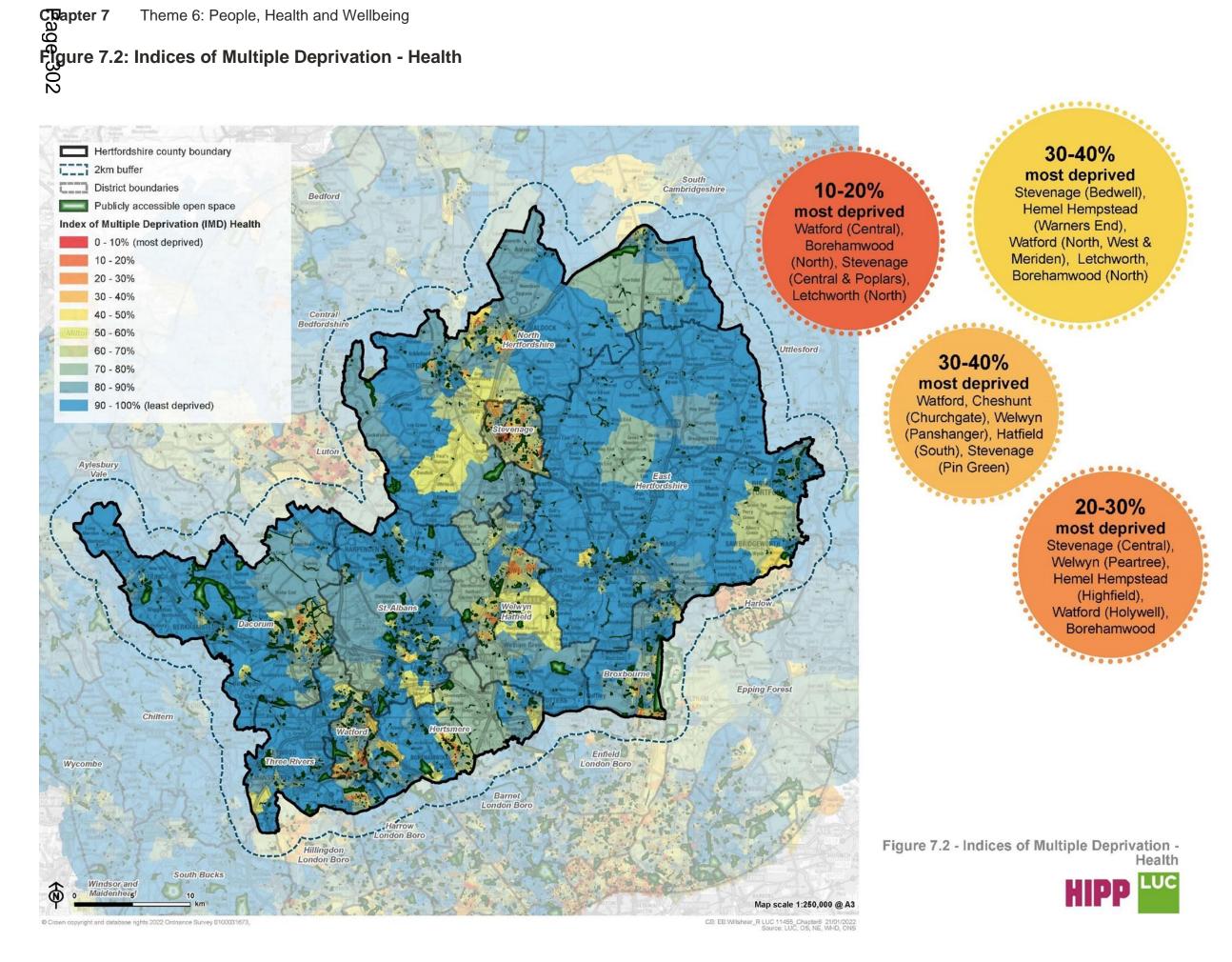
**Figure 7.1: Indices of Multiple Deprivation** 



ω Hertfordshire Green Infrastructure Strategy

CB: EB:Willshear\_R LUC 11455 Chapter8 21/01/2022 Source: LUC, OS, NE, WHD, ONS

97



### Key factors influencing the need for GI

## Addressing open space accessibility and barriers

**7.12** The need for equitable access to quality open space and nature has been highlighted during the COVID-19 pandemic. At a national scale, exercise levels were highest during lockdown in high income households, whilst low income households stayed the same. Use of parks and public green spaces increased in comparison to previous years; and although mental health declined overall, 9 out of 10 people felt the natural environment helped with their wellbeing [See reference 66].

7.13 The review of planning policies across the 10 LPAs found that whilst all have adequate or strong policy coverage in terms of using GI to meet open space standards, over 25% of districts/boroughs did not have strong policies that make provision for recreational facilities to meet local user and communities' needs. This presents an important opportunity to ensure that communities' needs are met with robust policies in place. This must be informed by a sound evidence base to ensure barriers to use are fully understood and addressed. Currently, adequate analysis of existing open space provision to meet present and future population growth is inconsistent across districts/boroughs. This varying evidence baseline will need to be addressed in order to ensure adequate strategic investment and provision for current and future needs are met across the county. An overview of benchmarking and standards within Hertfordshire, including the evolving work by Natural England regarding the Green Infrastructure Framework, is provided in Appendix B. Consideration should be given to adopting a Hertfordshire specific approach to be implemented by individual LPAs.

#### Recreational pressure

7.14 Where management objectives for people and wildlife co-exist, there is often the potential for conflict. This is particularly notable at two important biodiversity sites within the county, Ashridge Estate, a 2,000 hectare area of the Chiltern Beechwoods SAC, and Panshanger Park, a former guarry site managed by Tarmac in conjunction with several other organisations (including Hertfordshire and Middlesex Wildlife Trust) [See reference 67] [See reference 68]. Both sites have experienced intense recreational pressure as a consequence of COVID-19 lockdowns. Recreational usage of sites can result in significant negative effects on sensitive habitats and species but also lead to deliberate and accidental fires, litter, predation from people and pets, eutrophication, fly-tipping, trampling, traffic-induced air pollution and site management problems. One approach to manage these pressures are 'Suitable Alternative Natural Greenspaces' (SANGs). The aim is to redirect and encourage more visitors to enjoy SANGs in order to relieve pressure on protected sites for nature. The opportunity exists to create SANGs from the following scenarios:

- Existing open space of SANG quality with no existing public access or limited public access, which for the purposes of mitigation could be made fully accessible to the public;
- Existing open space, which is already accessible, but which could be changed in character so that it is more attractive to the specific group of visitors who might otherwise visit the SPA; or
- Land in other uses which could be converted into SANG.

#### A growing population

**7.15** The population of Hertfordshire is expected to grow by 1.3 million people over the next 10 years, with the greatest increases forecast in Welwyn Hatfield (5.5%), East Hertfordshire (5.1%) and Dacorum (4%). To accommodate this growth, over 100,000 new homes and 100,000 jobs are planned by 2031, alongside the regeneration of Stevenage, Hatfield and Watford Riverwell town

centres [See reference 69]. Thirty major housing locations have also been identified across the county, each with over 550 new homes planned, including Gilston Garden Town in East Hertfordshire. Population growth, associated urbanisation and competing demands for land use may result in increased threats to the provision of accessible green space. However, this presents key opportunities to ensure that GI and equitable access to open space form primary considerations in development planning. Consideration should also be given to expanding the network of urban greening initiatives within the county as a key component of community focused GI. This is particularly relevant to higher density settlements within Hertfordshire.

### **Theme 6: Summary of GI Priorities**

7.16 6A: Introduce improvements to the quality of greenspaces in the county, as well as urban greening more generally, to provide health improvements within areas of deprivation. Despite the relative affluence of Hertfordshire compared with the UK average, 70% of districts/boroughs within the county are characterised by communities within the top 20% of the most deprived in the country. These areas should provide a focus for future GI investment and the provision of health benefits through measurable improvements to air quality. Furthermore, GI should support the ambition to improve community cohesion and investment in local green spaces. Additional local analysis is needed to understand the relationship between deprivation and access to natural and semi-natural greenspace. The outputs of this will be a useful tool in considering how to improve areas for wildlife and people through forthcoming biodiversity net gain (BNG) contributions from developers.

**7.17** 6B: Embed GI and equitable access to open space policies in development planning in response to projected population growth and development pressures. It is crucial that the ambitious growth targets for the county are accommodated in a sustainable manner, harnessing opportunities for GI and offering a high quality of life for future residents. Improvements to urban greenspace should therefore be undertaken in a way that meets the needs of the local community and improves resilience to climate change. Areas of dense housing also offer the opportunity for the integration of urban greening

#### **Chapter 7** Theme 6: People, Health and Wellbeing

initiatives. A mandated requirement to use a GI-led design process would improve design quality, and result in better provision for green infrastructure at the strategic scale.

7.18 6C: Address visitor needs and recreational pressure on important wildlife sites through a strategic county-wide approach. Some of the county's most important recreational sites are exceeding their carrying capacity for people, damaging and degrading sensitive habitats and species. This is creating issues for LPAs such as Dacorum where they're required under the Habitat Regulations Assessment (HRA) process to avoid adverse effects on the integrity of designated sites. An opportunity exists to evaluate the impact of recreational pressure on semi-natural green spaces and identify solutions to address these issues. This should be achieved by meeting HRA and wider green space provision requirements through a strategic country-wide approach. GI interventions can provide a range of solutions for addressing recreational pressure such as new country parks, revitalising Wattling Chase Community Forest, new green space through development, enhancement of amenity provisions at existing sites, enhancement or creation of SANGs. Approaches should be underpinned by borough/district level visitor surveys to understand the demographic of visitors and drivers for usage.

**7.19** 6D: Explore community-based and sustainable food growth as a tool for addressing issues surrounding health, wellbeing and biodiversity. Local food growth can take shape in a number of different forms, including small-scale private growing, allotments, community gardens and market gardens. Opportunities to identify and support the emergence of market gardens should be of particular priority, not only due to their health and biodiversity benefits, but also the positive impact they can have on local food security and small-scale economic growth. A further assessment to quantify need/desire and identify potential spaces to host market gardens should be explored.

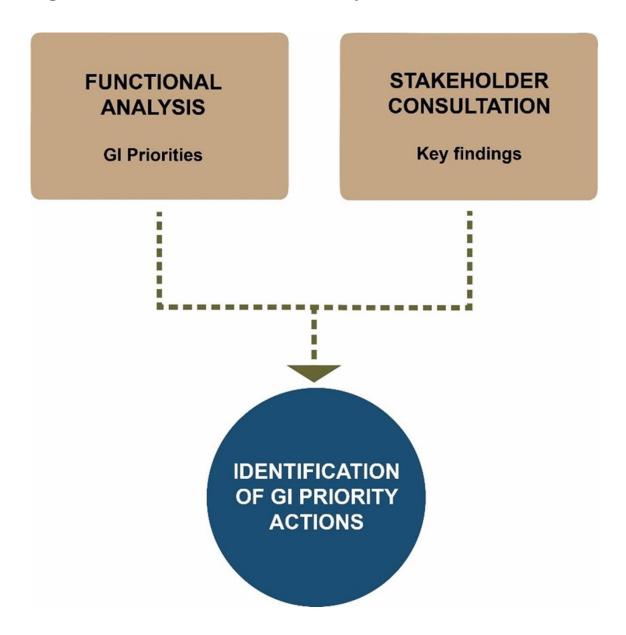
### **Chapter 8**

### Identification of GI Priority Actions

In this chapter, GI Priorities identified by theme are brought together with the key findings of stakeholder consultation to understand commonalities. Utilising all information generated within the functional analysis and initial stakeholder consultation, a series of ten GI Priority Actions are identified.

- **8.1** Working in conjunction with the Hertfordshire Infrastructure and Planning Partnership (HiPP), GI Priority Actions have been defined with the aim of delivering a range of multifunctional benefits through improvements to the GI network. These provide a list of improvements to repair, reconnect and restore GI across the county. Informed by the GI Priorities within each theme and the findings of stakeholder consultation (see Figure 8.1), their aim is to guide the direction of Hertfordshire's GI and set a framework for sustainable growth and development within the county. A breakdown of the GI Priorities for each theme are listed below in the following section. In order to ensure robustness, linkages are provided to the evidence base to indicate how GI Priority Actions have been derived. The following section summarises the findings of stakeholder consultation and the specific GI priorities which have informed the identification of GI Priority Actions.
- **8.2** Further detail regarding delivery and implementation of individual GI Priority Actions is provided in Part 2b: Green Infrastructure Priority Actions and Delivery. Each GI Priority Action is guided by its own vision which will be realised through a set of project specific objectives. Additional information is provided regarding each GI Priority Action, as well as potential delivery partners.

Figure 8.1: Identification of GI Priority Areas



### **Summary of GI Priorities for Themes**

#### Theme 1: A Resilient Landscape

- 1A: Expand tree coverage and enhance woodland connectivity within the county;
- 1B: Integrate GI and sustainable farming practices to support biodiversity and encourage uptake of agri-environment schemes;
- 1C: Enhance and remediate the landscape condition of deteriorating landscapes within the county; and
- 1D: Anticipate and plan for future climate change by introducing enhancements to the diversity of woodland and wider agricultural systems.

#### Theme 2: Heritage and Sense of Place

- 2A: Utilise GI to promote access to high quality landscapes from urban areas as part of the extension to the Chilterns AONB;
- 2B: Expand and enhance the landscape framework which form an important feature of the character of Garden City communities;
- 2C: Utilise GI to enhance the beneficial use of remaining Green Belt within the county;
- 2D: Undertake informed studies and assessments to understand the sensitivity of the landscape to accommodate future land use changes and any potential overlaps with the LNRS; and
- 2E: Utilise GI as a tool for enhancing the interpretation, use and setting of heritage assets.

#### Theme 3: Nature Recovery

- 3A: Protect, enhance and connect habitats across the county to support species recovery and greater climate resilience;
- 3B: Incorporate biodiversity into existing and future new developments in accordance with upcoming BNG requirements;
- 3C: Bring more of the county's LWS into positive management to support the wider network of statutory designated sites; and
- 3D: Expand the ecological mapping resource to underpin the identification of future local nature recover networks.

#### Theme 4: Access and Connectivity

- 4A: Reconnect and create multi-functional links by addressing issues of network severance within the county;
- 4B: Target improvements to the provision of active travel routes within areas currently exhibiting lower walking and cycling rates or containing fewer promoted routes; and
- 4C: Ensure the delivery of a strong network of active travel routes between developments and key services with the aim of delivering sustainable 15minute neighbourhoods within the county.

#### Theme 5: The Water Environment

- 5A: Deliver environmental enhancements to chalk streams within the county, ensuring improvements to ecological and chemical qualities;
- 5B: Identify opportunities for increased recreational access to river corridors;
- 5C: Integrate flood risk into the design of new developments;
- 5D: Incorporate and complement existing river partnerships and projects;
   and

■ 5E: Retrofit nature-based solutions for surface water run-off into urban areas.

#### Theme 6: People, Health and Wellbeing

- 6A: Introduce improvements to the quality of greenspaces in the county, as well as urban greening more generally, to provide health improvements within areas of deprivation;
- 6B: Embed GI and equitable access to open space policies in development planning in response to projected population growth and development pressures;
- 6C: Address visitor needs and recreational pressure on important wildlife sites through a strategic county-wide approach; and
- 6D: Explore community-based and sustainable food growth as a tool for addressing issues surrounding health, wellbeing and biodiversity.

### **GI Priority Actions**

# GI Priority Action 1: Create a GI Champion Programme and wider GI Delivery Board

**8.3** GI Priority Action 1 is informed by findings of the stakeholder consultation. Stakeholders highlighted that the lack of an overarching body or organisation to lead the delivery of strategic GI projects formed a significant barrier to the delivery of GI in the county. The cross-boundary nature of landscape-scale GI reinforces the need for this role as a mechanism to drive the successful delivery of projects.

# GI Priority Action 2: Ensure greenspaces is meeting local needs for people and wildlife

**8.4** GI Priority Action 2 is informed by findings of the stakeholder consultation. The need for a strategic cross-district or borough approach to balancing needs for recreation and ecology were raised in light of Dacorum Borough Council's ongoing issues regarding Chiltern Beechwoods SAC and the Habitats Regulation Assessments process. It was recognised that other open green spaces across the county are underutilised which results in pressure on honeypot sites.

**8.5** GI Priority Action 2 is also informed by the findings of the functional analysis and is relevant to the following themes and GI priorities:

- Theme 2: Heritage and Sense of Place
  - 2A: Utilise GI to promote access to high quality landscapes from urban areas as part of the extension to the Chilterns AONB.
- Theme 3: Nature Recovery
  - 3C: Bring more of the county's LWS into positive management to support the wider network of statutory designated sites.
- Theme 6: People, Health and Wellbeing
  - 6A: Introduce improvements to the quality of greenspaces in the county, as well as urban greening more generally, to provide health improvements within areas of deprivation.
  - 6B: Embed GI and equitable access to open space policies in development planning in response to projected population growth and development pressures.
  - 6C: Address visitor needs and recreational pressure on important wildlife sites through a strategic county-wide approach.

# GI Priority Action 3: Increase health, connectivity and accessibility of Hertfordshire's water environment

**8.6** GI Priority Action 3 is informed by findings of the stakeholder consultation. Chalk streams were highlighted as an internationally important asset. Rather than work to restore and protect them within administrative boundaries, the need for a landscape scale approach was stressed. Stakeholders signposted to previous projects illustrating how river corridors and catchments are an excellent way to reconnect communities with nature on their doorstep.

**8.7** GI Priority Action 3 is also informed by the findings of the functional analysis and is relevant to the following themes and GI priorities:

- Theme 1: A Resilient Landscape
  - 1B: Integrate GI and sustainable farming practices to support biodiversity and encourage uptake of agri-environment schemes.
- Theme 5: The Water Environment
  - 5A: Deliver environmental enhancements to chalk streams within the county, ensuring improvements to ecological and chemical qualities.
  - 5B: Identify opportunities for increased recreational access to river corridors.
  - 5D: Incorporate and complement existing river partnerships and projects.

# GI Priority Action 4: Deliver landscape scale recovery through woodland planting and the development of the Woodland Arc

- **8.8** GI Priority Action 4 is informed by findings of the stakeholder consultation. The Woodland Arc was noted as an existing sub-regional initiative which could help provide a context for tree planting priority areas.
- **8.9** GI Priority Action 4 is also informed by the findings of the functional analysis and is relevant to the following theme and GI priorities:
  - Theme 1: A Resilient Landscape
    - 1A: Expand tree coverage and enhance woodland connectivity within the county.
    - 1D: Anticipate and plan for future climate change by introducing enhancements to the diversity of woodland and wider agricultural systems.

# GI Priority Action 5: Restore and reconnect distinctive chalk landscapes

- **8.10** GI Priority Action 5 is informed by findings of the stakeholder consultation. Stakeholders stated the 'Chalk Arc' action from the 2011 Strategy was still worthwhile and needed. They drew attention to the need to resolve the issue of suitable grazing animals in order to achieve restoration and connectivity of chalk grassland.
- **8.11** GI Priority Action 5 is also informed by the findings of the functional analysis and is relevant to the following theme and GI priorities:
  - Theme 1: A Resilient Landscape

- 1B: Integrate GI and sustainable farming practices to support biodiversity and encourage uptake of agri-environment schemes.
- 1C: Enhance and remediate the landscape condition of deteriorating landscapes within the county.

# GI Priority Action 6: Promote community action for nature recovery

**8.12** GI Priority Action 6 is informed by findings of the stakeholder consultation. The 'Wilder St Albans' project lead by Hertfordshire and Middlesex was raised as an example of supporting and enabling communities to take their own action for nature's recovery by meeting them where they are and working from there. The need to evaluate the success of this project and roll out similar initiatives more widely was highlighted.

**8.13** GI Priority Action 6 is also informed by the findings of the functional analysis and is relevant to the following themes and GI priorities:

- Theme 3: Nature Recovery
  - 3A: Protect, enhance and connect habitats across the county to support species recovery and greater climate resilience.
  - 3C: Bring more of the county's LWS into positive management to support the wider network of statutory designated sites.
- Theme 6: People, Health and Wellbeing
  - 6D: Explore community-based and sustainable food growth as a tool for addressing issues surrounding health, wellbeing and biodiversity.

# GI Priority Action 7: Produce an overarching county-wide GI Design Code for development

**8.14** GI Priority Action 7 is informed by findings of the stakeholder consultation. The use of local GI strategies, design guides and design codes were highlighted as a mechanism to achieve good quality design and inform GI delivery. A county-level design guide was also suggested as a means to provide GI enhancements and ensure a coherent and consistent approach to design across districts/boroughs.

**8.15** GI Priority Action 7 is also informed by the findings of the functional analysis and is relevant to the following themes and GI priorities:

- Theme 2: Heritage and Sense of Place
  - 2B: Expand and enhance the landscape framework which form an important feature of the character of Garden City communities.
  - 2C: Utilise GI to enhance the beneficial use of remaining Green Belt within the county.
  - 2E: Utilise GI as a tool for enhancing the interpretation, use and setting of heritage assets.
- Theme 3: Nature Recovery
  - 3B: Incorporate biodiversity into existing and future new developments in accordance with upcoming BNG requirements.
- Theme 4: Access and Connectivity
  - 4C: Ensure the delivery of a strong network of active travel routes between developments and key services with the aim of delivering sustainable 15-minute neighbourhoods within the county.
- Theme 5: The Water Environment
  - 5C: Integrate flood risk into the design of new developments.
- Theme 6: People, Health and Wellbeing

■ 6C: Address visitor needs and recreational pressure on important wildlife sites through a strategic county-wide approach.

# GI Priority Action 8: Deliver and manage GI as a mechanism to improve air quality and public health

**8.16** GI Priority Action 8 is informed by findings of the stakeholder consultation. The findings from consultation emphasised the need to integrate GI into future design proposals as a mechanism to support the growing evidence for health and wellbeing benefits.

**8.17** GI Priority Action 8 is also informed by the findings of the functional analysis and is relevant to the following themes and GI priorities:

- Theme 4: Access and Connectivity
  - 4B: Target improvements to the provision of active travel routes within more deprived wards within Hertfordshire.
- Theme 6: People, Health and Wellbeing
  - 6A: Introduce improvements to the quality of greenspaces in the county, as well as urban greening more generally, to provide health improvements within areas of deprivation.

# GI Priority Action 9: Reconnect and create multi-functional links to facilitate the movement of people and wildlife

**8.18** GI Priority Action 9 is informed by findings of the stakeholder consultation. Stakeholders gave support to the 'Reconnect' project from the 2011 Strategy

#### **Chapter 8** Identification of GI Priority Actions

and then need to keep the issue of severance on the agenda. Local Transport Plan 4 was noted as seeking to deliver active travel and encouraging behaviour change.

- **8.19** GI Priority Action 9 is also informed by the findings of the functional analysis and is relevant to the following themes and GI priorities:
  - Theme 3: Nature Recovery
    - 3A: Protect, enhance and connect habitats across the county to support species recovery and greater climate resilience.
  - Theme 4: Access and Connectivity
    - 4A: Reconnect and create multi-functional links by addressing issues of network severance within the county.
  - Theme 5: The Water Environment
    - 5B: Identify opportunities for increased recreational access to river corridors.

# GI Priority Action 10: Improve understanding of existing GI baseline and projects

- **8.20** GI Priority Action 10 is informed by findings of the stakeholder consultation. Stakeholders noted a lack of interactive mapping to provide access to progress updates. The opportunity exists for mapping of assets and projects, including delivery.
- **8.21** GI Priority Action 10 is also informed by the findings of the functional analysis and is relevant to the following themes and GI priorities:
  - Theme 2: Heritage and Sense of Place
    - 2A: Utilise GI to promote access to high quality landscapes from urban areas as part of the extension to the Chilterns AONB.

#### **Chapter 8** Identification of GI Priority Actions

- 2D: Undertake informed studies and assessments to understand the capacity of the landscape to accommodate land use changes and future development.
- Theme 3: Nature Recovery
  - 3D: Expand the ecological mapping resource to underpin the identification of future local nature recovery networks.
- Theme 5: The Water Environment
  - 5D: Incorporate and complement existing river partnerships and projects.

### **Appendix A**

# Key findings from stakeholder consultation – thematic analysis

### **Theme 1: A Resilient Landscape**

- Consideration should be given to landscape resilience at the sub-regional scale, including opportunities for strategic scale GI within urban environments. The Woodland Arc is a sub-regional proposal which could help provide the context for tree planting priority areas. The Lee Valley and Colne Valley corridors are other successful sub-regional scale GI initiatives within the county.
- Enhanced knowledge and understanding of Watling Chase Community Forest and its objectives is required across the county. Cross boundary interest exists from the London Borough of Barnet to take the idea forward with enhanced active transport links. This community forest asset is also referenced in the Hertsmere Local Plan. Previous barriers to implementation include the complexities of land ownership and lack of landowner buy-in.
- Consideration should be given to the appointment of a GI Delivery Officer to co-ordinate partnerships and collaboration across the County and ensure the recommendations of the updated Strategy are taken forward. Existing partnerships for delivery at a strategic scale include the Countryside and Rights of Way team at HCC.
- Targeted training and education is required to increase awareness and understanding of GI amongst communities and landowners.

### Theme 2: Heritage and Sense of Place

- A county-level Design Guide for GI enhancements would be useful to inform GI delivery and ensure a coherent and consistent approach across districts/boroughs. The guidance should outline GI typologies, essential amenities and recreational needs of local communities whilst ensuring effective engagement with historic environment specialists and other professionals.
- Consideration should be given to both recorded and unrecorded heritage assets, to ensure that GI contributes positively to the setting of these features.

### **Theme 3: Nature Recovery**

- The requirement for a county-wide strategic approach to addressing recreational pressure on semi-natural green spaces was highlighted. The opportunity exists to consider designated sites to inform and meet HRA requirements and address wider green space provision. This should be underpinned by district/borough level visitor surveys as well as Natural England's People and Nature Survey.
- Lee Valley, Ashridge Estate (part of Chiltern Beechwoods SAC) and Panshanger Park are sites where habitats and species are facing acute recreational pressure and disturbance.
- The Woodland Arc (identified in the 2011 Plan) still offers great potential for successful GI delivery. Opportunities exist to enhance and connect woodland between Watling Chase and Thames Chase Community Forest, working with Hertfordshire Wildlife Trust and Essex Wildlife Trust. The Woodland Arc closely relates to the Green Arc.
- The Chalk Arc (identified in the 2011 Plan) also has continued potential, but the challenge remains the availability of suitable grazing stock.
- The network of grassland and wetland habitat within Hertfordshire has been detrimentally affected over the last 50 years. Whilst woodland area

- has increased, species richness has decreased due to a decline in appropriate woodland management.
- Importance of the chalk streams in Hertfordshire.

#### **Theme 4: Access and Connectivity**

- The requirement exists to balance recreation and access to ecologically sensitive sites. Some areas within the county are under-utilised (due to access issues and perception of safety) which results in increased pressure on honeypot sites. Recreational opportunities such as country parks offer the opportunity to reduce impacts on the Chilterns SAC.
- More sustainable transport links are required across the county. Welwyn Hatfield Borough Council continue to promote the Green Corridor project though the Local Plan process. The initiative will run east-west across the Borough linking and improving GI, including through major development sites where developer contributions will be used to facilitate delivery. Potential cycle connections from Stansted to Stortford, Harlow and on to the Lea Valley are under consideration through Hertfordshire's Local Transport Plan (LTP4).
- 'Reconnect' (identified in the 2011 Plan) has potential but needs significant investment. Major infrastructure, e.g. green bridges and underpasses, are required to address severance, particularly affecting south-north movement.
- Data suggests that the first COVID-19 lockdown saw a 400% increase in footfall on Hertfordshire's PRoWs. The National Farmers Union have reported issues of trespassing across private land.

#### **Theme 5: The Water Environment**

Chalk streams form an internationally important asset for Hertfordshire and provide an opportunity to reconnect communities with nature on their doorstep. These assets should be considered at a landscape scale and not by administrative boundaries.

- The river valleys as a whole form important opportunity corridors. The River Colne Valley Regional Park is a huge success due to Heritage Lottery Funding, as is the Rediscovering the Colne project.
- Nature-based solutions are essential to address flooding and adapting to the impacts of climate change.
- SuDS can help to re-charge depleted groundwater bodies and sustain biodiversity.
- Issues regarding water pollution should consider all aspects, including urban, road, sewage, and agricultural sources.

### Theme 6: People, Health and Wellbeing

- Increased evidence is needed to understand the economic benefits of GI to support the growing evidence for health and wellbeing benefits in order to encourage the integration of GI into future design proposals.
- Increased traffic along country lanes continues to increase air quality issues.
- The urban environment provides limited horizontal space on the ground for GI. Green roofs and green walls have great potential. We need to consider what type of GI is 'best' in urban areas, including consideration of all the benefits including cost of maintenance.
- Retrofitting GI into existing developments may be more of a challenge than into new developments, which will have GI built in through planning considerations. This may risk creating disparities in deprivation over time without intervention.

### **Appendix B**

# Overview of benchmarking and standards within Hertfordshire

**B.1** The range of standards applicable to the county are summarised below. Standards will be applied at the strategic level within the Strategy in order to refine Priority Actions and provide recommendations on their application within the strategic context of Hertfordshire.

# **Local Nature Partnership Natural Standards**

**B.2** A Local Nature Partnership's (LNP) role is to ensure that the county's natural environment is fully considered in local decision making and that it delivers benefits for wildlife, people, landscapes and the local economy. The Hertfordshire LNP was set up in 2012 but has been inactive for a number of years.

# Accessible Natural Greenspace Standards

**B.3** Accessible Natural Greenspace Standards (ANGSt) aim to address the disparity in accessibility communities experience in relation to natural and seminatural green space of various sizes. The concept was developed in the early 1990s to address recreational pressures around specific habitat types. The tool is a powerful mechanism in assessing current levels of accessible natural greenspace and planning for better provision. The standards recommend that provision should be made of at least 2ha of accessible natural greenspace per

1000 population according to a system of tiers into which sites of different sizes fit:

- No person should live more than 300m from their nearest area of natural greenspace;
- There should be at least one accessible 20ha site within 2km from home;
- There should be one accessible 100ha site within 5km; and
- There should be one accessible 500ha site within 10km.

**B.4** These standards were updated in 2021 to include a Doorstep Green Space (0.5ha in size, 200m from home) and a Neighbourhood Space (10ha in size, 1km distance from home). Provision of this standard will be relevant across Hertfordshire.

#### **SANGs**

**B.5** SANGs is the name given to a green space that is of a quality and type suitable to be used as mitigation in the context of a Special Protection Area. Its role is to provide alternative open space to divert visitors from visiting the SPA. SPAs within Hertfordshire include: the Lee Valley in Broxbourne and East Hertfordshire, and areas within a 400m buffer zone of the SPA.

## **BNG**

**B.6** BNG is an approach to development, and/or land management, that aims to leave the natural environment in a measurably better state than it was beforehand. The biodiversity metric is a habitat based approach used to assess an area's value to wildlife and measure change in biodiversity value following development. It is now a mandatory requirement for all new developments through the Environment Act and aims to provide "an approach to development that leaves biodiversity in a better state than before".

# **Urban Green Factor**

**B.7** The Urban Greening Factor (UGF) is a policy initiative from the London Plan. It aims to increase green cover and be considered at the beginning of the design and planning for new buildings and developments. It is a tool that evaluates and quantifies the amount and quality of urban greening that a development scheme provides to inform decisions about appropriate levels of greening in new developments. The aims of the UGF include:

- To accelerate greening of the built environment making sure London is greener as it grows; and
- To ensure better planned, better quality greening interventions that contribute to a functioning GI network.

**B.8** The UGF works by attributing a score to various landscaping elements such as trees, green roofs and permeable paving. It does not take into account the losses or gains in biodiversity or the value of individual habitats. Its focus is instead on the overall ratio of built to natural landscaping. Zero is the lowest score, given to impermeable surfaces such as asphalt concrete and 1, the highest, given to natural vegetation on deep soils. An overall score is calculated for the whole site and a target can be set (typically 0.4 or 0.5 depending on the setting and ambitions for greening).

# Natural England's Green Infrastructure Framework

**B.9** The GI Framework is a commitment in the Government's 25 Year Environment Plan. It supports the greening of our towns and cities and connections with the surrounding landscape [See reference 70]. Natural England has been developing the Framework which is still a work in progress. As of December 2021, two elements of this Framework have been published – the GI Principles and GI mapping tools. These are designed to help local planning authorities and developers meet requirements set out in the National

Planning Policy Framework to consider GI in local plans and new development, and for local parks and green space managers and communities to plan and improve GI in their local area.

**B.10** The full GI Framework will be available in Autumn 2022. This will include the core GI standards from which local authorities can set out their own local standards, for example, on accessible natural green space or urban greening. The GI Framework will not replace existing standards such as the Green Flag Award or ANGSt, but rather work in tandem. The Framework will also include a GI Design Guide and case studies to aid implementation.

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# Report produced by LUC

#### **Bristol**

12th Floor, Colston Tower, Colston Street, Bristol BS1 4XE 0117 929 1997 bristol@landuse.co.uk

#### Cardiff

16A, 15th Floor, Brunel House, 2 Fitzalan Rd, Cardiff CF24 0EB 0292 032 9006 cardiff@landuse.co.uk

#### **Edinburgh**

Atholl Exchange, 6 Canning Street, Edinburgh EH3 8EG 0131 202 1616 edinburgh@landuse.co.uk

#### Glasgow

37 Otago Street, Glasgow G12 8JJ 0141 334 9595 glasgow@landuse.co.uk

#### London

250 Waterloo Road, London SE1 8RD 020 7383 5784 london@landuse.co.uk

#### Manchester

6th Floor, 55 King Street, Manchester M2 4LQ 0161 537 5960 manchester@landuse.co.uk

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# Hertfordshire Green Infrastructure Strategy

Part 2b: Green Infrastructure Priority Actions and Delivery

Hertfordshire Infrastructure and Planning Partnership in partnership with Hertfordshire County Council

Final report
Prepared by LUC
August 2022

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The Hertfordshire Infrastructure and Planning Partnership (HIPP) provides a forum to discuss and, where appropriate, develop a shared view and agree joint work programmes on infrastructure and planning issues of common concern. A key objective is to work co-operatively within Hertfordshire and across the county borders according to the principles of localism and the duty to co-operate. The Partnership works together with Hertfordshire Forward, Hertfordshire Local Enterprise Partnership, the Local Transport Body for Hertfordshire, the Local Nature Partnership and other appropriate organisations in areas of shared interest to develop and where possible and necessary agree joint approaches to common issues. The Chairman, or his or her deputy, represents the Partnership as appropriate on external bodies, including the Board of the Local Transport Body for Hertfordshire.











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# **Contents**

| Chapter 1                                                                          |     |  |  |  |
|------------------------------------------------------------------------------------|-----|--|--|--|
| Delivery of Green Infrastructure Priority Actions                                  |     |  |  |  |
| GI Priority Action 1: Create a GI Champions Programme and wider GI Deliver         | ery |  |  |  |
| Partnership                                                                        | 9   |  |  |  |
| GI Priority Action 2: Ensure greenspace is meeting local needs for people at       |     |  |  |  |
| wildlife                                                                           | 16  |  |  |  |
| GI Priority Action 3: Increase health, connectivity and accessibility of           |     |  |  |  |
| Hertfordshire's water environment                                                  | 22  |  |  |  |
| GI Priority Action 4: Deliver landscape scale recovery through woodland            |     |  |  |  |
| planting, management and the development of the Woodland Arc                       | 29  |  |  |  |
| GI Priority Action 5: Restore and reconnect distinctive chalk landscapes           | 39  |  |  |  |
| GI Priority Action 6: Promote community action for nature recovery                 | 44  |  |  |  |
| GI Priority Action 7: Produce an overarching county-wide GI Design Code for        | r   |  |  |  |
| development                                                                        | 49  |  |  |  |
| GI Priority Action 8: Deliver and manage GI as a mechanism to improve air          |     |  |  |  |
| quality and public health                                                          | 55  |  |  |  |
| GI Priority Action 9: Reconnect and create multi-functional links to facilitate to | he  |  |  |  |
| movement of people and wildlife                                                    | 61  |  |  |  |
| GI Priority Action 10: Improve understanding of existing GI baseline and           |     |  |  |  |
| projects                                                                           | 67  |  |  |  |
| Chapter 2                                                                          | 76  |  |  |  |
| Mechanisms for GI delivery and funding                                             | , 0 |  |  |  |
| Weenanisms for Ordenvery and funding                                               |     |  |  |  |
| Delivering GI through the planning process in Hertfordshire                        | 77  |  |  |  |
| Strengthening GI through Environmental Land Management Schemes (ELN                | ls) |  |  |  |
|                                                                                    | 78  |  |  |  |
| Alternative financing routes for GI in Hertfordshire                               | 80  |  |  |  |

# **Chapter 1**

# Delivery of Green Infrastructure Priority Actions

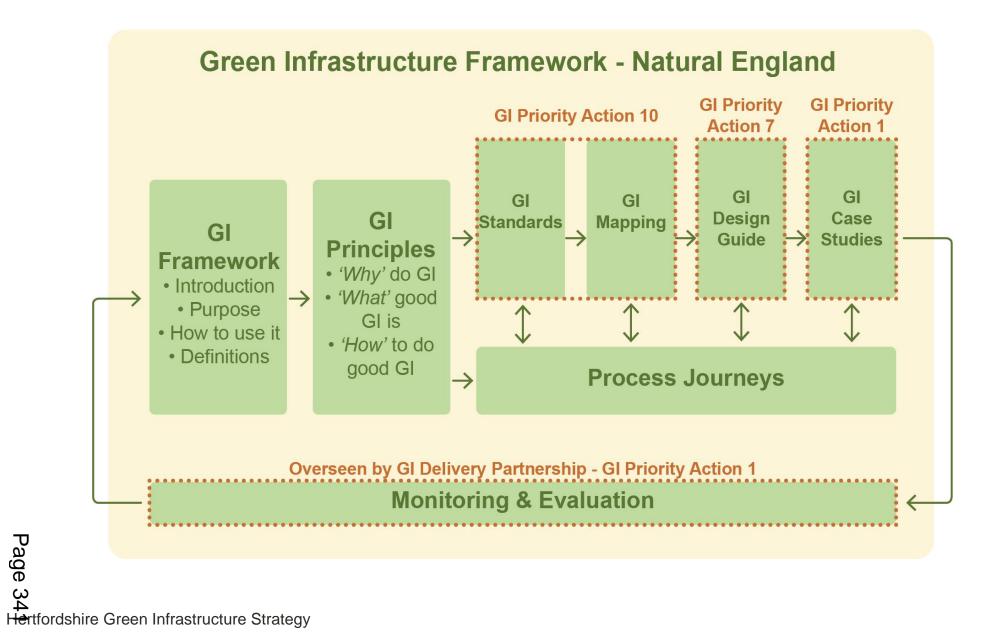
- 1.1 The justification for the development of 10 Green Infrastructure (GI) Priority Actions is provided in Hertfordshire GI Strategy Part 2a: GI Baseline, Analysis and Priorities. This detail is not repeated here for succinctness. The future delivery of the GI Priority Actions aims to repair, reconnect and restore GI across Hertfordshire. Each GI Priority Action is guided by its own overview which would be realised through project specific objectives. This chapter provides a breakdown of each GI Priority Action, with further detail outlined regarding delivery and implementation. For each GI Priority Action, the following information is presented:
  - An overview of the GI Priority Action;
  - Details of the proposed intervention;
  - Key delivery risks;
  - Potential delivery mechanisms;
  - Potential key delivery partners; and
  - Potential funding mechanisms.
- **1.2** This chapter aims to provide and support a framework for the delivery of each identified GI Priority Action. The list of GI Priority Actions is outlined below:
  - GI Priority Action 1: Create a GI Champions Programme and wider GI Delivery Partnership;
  - GI Priority Action 2: Ensure greenspace is meeting local needs for people and wildlife:
  - GI Priority Action 3: Increase health, connectivity and accessibility of Hertfordshire's water environment;

- GI Priority Action 4: Deliver landscape scale recovery through woodland planting, management and the development of the Woodland Arc;
- GI Priority Action 5: Restore and reconnect distinctive chalk landscapes;
- GI Priority Action 6: Promote community action for nature recovery;
- GI Priority Action 7: Produce an overarching county-wide GI Design Code for development;
- GI Priority Action 8: Deliver and manage GI as a mechanism to improve air quality and public health;
- GI Priority Action 9: Reconnect and create multi-functional links to facilitate the movement of people and wildlife; and
- GI Priority Action 10: Improve understanding of existing GI baseline and projects.
- 1.3 The development of the GI Priority Actions has cross referenced the emerging outputs from the Natural England GI Framework, including the Beta GI Mapping Tool (see Figure 1.1). The use of this data, in conjunction with other up to date data sources, should help provide the evidence base for the development of specific projects linked to each GI Priority Action. This will aim to maximise the creation or improvement of GI to ensure the delivery of a wide range of multi-functional benefits. The application of the Natural England GI Framework would also assist Local Planning Authorities (LPA) and developers in meeting the requirements of the National Planning Policy Framework [See reference 1] relating to the consideration of GI in Local Plans and new development.
- **1.4** Figure 1.1 is based on an existing diagram published on the Natural England GI Framework's website [See reference 2]. The diagram indicates how a number of GI Priority Actions identified within this Strategy relate to and will help to achieve various elements of Natural England's GI Framework. At present, a number of these elements of the framework are unpublished, including the GI Standards, GI Design Guide and GI Case Studies. The Process Journeys element of the Framework is intended to be published in Autumn 2022 and is aimed to assist LPAs in the embedding of GI within decision making and

policy development. The guidance will set out the recommended steps for developing GI policy, including visioning, building partnerships, gathering evidence, planning strategically, designing interventions and adopting policies for ongoing management and monitoring.

1.5 The creation of a GI Champion Programme and wider GI Delivery Partnership are proposed to form the foundation of future GI project delivery in the county, as outlined within GI Priority Action 1. The GI Delivery Partnership, responsible for monitoring and evaluation of the GI network at the county-scale, would be accountable to the HIPP. The overarching county GI Champion would be responsible for oversight of the Strategy, with the aim of delivering good quality networks of multi-functional GI at the strategic scale. Each GI Priority Action highlights the role of the GI Champions and the LPA in the delivery of the specific GI intervention.

Figure 1.1: Summary of how the GI Priority Actions relate to the Natural England Green Infrastructure Framework



# GI Priority Action 1: Create a GI Champions Programme and wider GI Delivery Partnership

Action overview: Establish an overarching GI Champion for the county to provide oversight of the Strategy. The role would complement individual GI Champions at the district or borough level to promote delivery within the planning context. Each role would review the governance of GI assets (management and maintenance of existing assets and delivery of new GI) across Hertfordshire. If considered necessary, job specifications for existing posts would be revised to create the GI Champion role at the county as well as at each district or borough level. Each GI Champion would also become a member of a newly created GI Delivery Partnership responsible for the monitoring and evaluation of the GI network across Hertfordshire. This would become a network where progress on GI delivery is shared, where existing and new partnerships are co-ordinated and collaboration across the county is promoted.

Action area of focus: County-wide

#### The details

**1.6** It will be essential to ensure 'buy-in' to the Strategy at both the county and district or borough contexts. In order to achieve this, it is recommended that GI Champions should be introduced at both administrative contexts. This could be achieved either by amending existing job descriptions to add new roles and responsibilities as required or by seeking volunteers to become a GI Champion

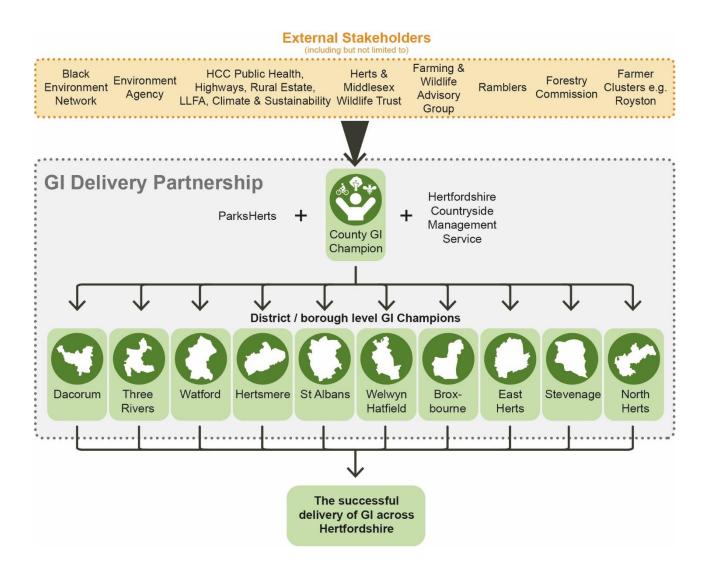
from members of staff who are interested in assuming this role. Additionally, and in time, it may be necessary to create dedicated GI Champion job posts. However, this would be dependent on funding availability at the county and district or borough contexts.

- **1.7** The county GI champion would work alongside district or borough GI Champions to oversee and co-ordinate cross boundary GI projects or initiatives, such as the Colne Valley and Lee Valley Regional Parks. Reflecting the scope of Hertfordshire County Council (HCC), the role would also oversee the delivery of GI projects relating to minerals and waste restoration, highways green estate management and Public Rights of Ways (PRoWs) within Hertfordshire. A key responsibility of the county GI champion would be to coordinate and consult with various stakeholder groups, as highlighted in Figure 1.2. Acting as the primary port of call for stakeholders concerned about GI, the role would help to create an efficient two-way channel for advice to be communicated. This information would then be disseminated to the relevant district/borough GI champions. It would also encourage collaboration at both the county and district or borough scale with statutory agencies, charities, community groups and tenants of the rural estate. The County GI Champion would help to assign responsibility of particular projects to district or borough GI Champions and aim to deliver GI training to local authority policy staff and elected members. The role would also be responsible for sharing best practice and successful case studies in order to promote GI delivery within the county.
- 1.8 The exact relationship between the forthcoming Local Nature Recovery Strategy (LNRS) and GI Strategy is yet to be defined. However, complementary overlap will inevitably exist as LNRS operationalises the nature conservation, biodiversity and ecology objectives of the GI Strategy. As a consequence, it is recommended that the county GI champion oversees the implementation of both the landscape recovery and nature recovery agenda to ensure the achievement of one is not detrimental to the goals of the other. The organisation of the county GI champion within HCC's internal structure should also aim to promote strong links with HCC's Sustainable Growth Directorate.
- **1.9** The district or borough GI Champion would oversee delivery of GI projects or initiatives in their administrative area, in conjunction with HCC Service Heads

(as appropriate). The district or borough GI Champion would work with other district or borough council policy staff to ensure that GI principles are woven into Local Plans (as well as other plans or strategies as necessary). To secure 'buy in' across district or borough departments, the district or borough GI Champion would deliver training to relevant staff and elected members regarding the importance of GI and the need to consider GI principles in their day-to-day work or decision making.

**1.10** It is recommended that each GI Champion liaises with district or borough LPAs over the wording of proposed Local Plan GI policies and priority projects that could be added to charging schedules (Community Infrastructure Levy (CIL) and Infrastructure Development Plans (IDP) etc). All GI Champions, in collaboration with representatives from the Hertfordshire Land Management team within the Countryside and Rights of Way (CRoW) service and ParksHerts, would form the GI Delivery Partnership (see Figure 1.2) where they would collaborate to report on progress, agree Priority GI Actions, objectives and reflect on the results of monitoring and evaluation. The GI Delivery Partnership would ensure that there is a strong connection between planning and delivery functions within the borough and district LPAs – understanding and strengthening these connections to ensure the effective delivery of GI aspirations and investment in identified projects and wider initiatives. A diversity of backgrounds and interests between the district or borough GI champions would be beneficial for delivering a multifunctional GI network across Hertfordshire (e.g. representatives from landscape, ecology, planning, transport, and health and wellbeing).

Figure 1.2: Structure of the proposed GI Delivery Partnership across Hertfordshire



# **Key responsibilities of the GI Champions**

- Co-ordinate training in GI for district, borough or county staff and elected members. This would include promoting greater understanding of GI, its role and function and how it can be delivered through the planning system. Training should be provided to assist planners (policy and development managers) and inform them of how they should use this Strategy to guide the process of Local Plan GI policy formation and the review of planning applications. The GI Champions should also highlight the importance of GI to elected members, with the aim of securing 'buy in' to the Strategy. Yearly progress reports and refresher sessions could also be provided to staff to keep the Strategy relevant.
- Work with district or borough policy planners to demonstrate how the principles of multi-functional GI can be embedded both within specific GI policies and woven as a golden thread into a range of 'traditional' policies (e.g. housing, transport etc) to support wider delivery of GI. This includes over-seeing the implementation of a number of different agendas and ensuring the delivery of one planning goal is not detrimental to the achievement of another, for example the fulfilment of a nature recovery goal should not be damaging to landscape character and amenity priorities. The effectiveness of future Local Plan policies could be tested through the 'Mainstreaming GI' tool kit developed by the Natural Environment Research Council (NERC). This tool kit also provides a set of 'exemplar GI policies' that could be utilised.
- Working together to co-ordinate the creation of a county-level Design Guide (see GI Priority Action 7) for GI enhancements to inform GI delivery and ensure a coherent and consistent approach across districts or boroughs. This could include guidance on the design of strategic scale GI, the design of small-scale GI within new development and guidance on retrofitting GI into existing built areas. The opportunity also exists for the county GI Champion to work alongside the Hertfordshire Design Review Panel to promote the delivery of GI interventions.
- Through training of county and district or borough level staff, demonstrate how GI can be delivered 'on the ground' when an effective policy

framework is followed. Promote the importance of existing delivery partnerships (such as Hertfordshire Climate Change and Sustainability Partnership (HCCSP), ParksHerts, HCC Highways and Tree Officer group), engagement with local communities in the management of GI (learning from existing approaches and best practice) and local promotion of the GI network. It would be vital for the GI Champion positions to provide understanding of delivery partners and organisations that LPA officers or local action groups can consult with to help in the delivery of GI.

- Co-ordinate the development and delivery of a GI Communication Strategy which promotes the benefits of GI to the wider community or landowners to secure buy-in. The document should accommodate different approaches to landscape management across districts and boroughs whilst seeking to provide information to people about what is going on around them and why this is happening. Examples include leaving grass uncut in places or sowing wildflower meadows which may make areas look unkept but provide vital spaces for wildlife. The approach should also convey to landowners how to engage with these processes and include references to examples of existing landowner initiatives within the county.
- Working in conjunction and embedded within the Building with Nature Awards, pursue the creation of a yearly awards process for best GI project or wildlife enhancement initiative within Hertfordshire. This would help to reward best practice, allow for promotion of successful schemes for people to learn from and keep the Strategy current and visible.

## **Key delivery risks**

- Achieving corporate buy-in across district and borough local authorities to ensure the GI Champions programme is supported and resourced;
- Local authority funding and staff capacity;
- Establishment of effective public and private partnerships; and
- Co-ordination of, and buy-in across, multiple county, district or borough local authority department staff and existing or new partnerships.

#### Potential delivery mechanisms

- Amendment to existing job specifications for appropriately selected posts across county and district or borough contexts or delivered by interested staff volunteering to take on each role; and
- Creation of dedicated GI champion posts where funding is available.

# Potential key delivery partners

- County and district or borough local authorities (including but not limited to Hertfordshire County Council Public Health, Highways, Rural Estate, Local Lead Flood Authority, Climate and Sustainability Partnership);
- Non-governmental organisations (NGOs), including Herts and Middlesex Wildlife Trust, Black Environment Network, Ramblers and Farming and Wildlife Advisory Group;
- Farming clusters;
- Supportive capacity offered by charities, Community Interest Companies (CICs) and other community organisations; and
- Statutory and non-statutory authorities, including Environment Agency,
   Natural England, Forestry Commission and Historic England.

# Potential funding mechanisms

- County and district or borough local authority staffing budgets (where possible); and
- Sponsorship of yearly awards by local businesses, land owners or charities with the aim of raising the profile of the GI Delivery Partnership.

# GI Priority Action 2: Ensure greenspace is meeting local needs for people and wildlife

Action overview: Through the implementation of a Parks Delivery
Framework and the development of further strategic documents, build a
comprehensive and coordinated understanding of greenspaces across the
county. The approach should complement robust open space assessments
and gap analysis or deficiency mapping undertaken at the district or
borough level, providing a greater understanding of greenspace pressures
across Hertfordshire. The aim would be to develop a county-wide
framework for the identification of projects which would protect, create and
enhance greenspace assets. In addition to implementation, the scheme
would provide a mechanism for overarching county-wide monitoring of
greenspace delivery.

Action area of focus: County-wide

#### The details

1.11 The need for equitable access to quality open space and nature has been highlighted in response to the COVID-19 pandemic. In areas where the provision is limited, it is also important that open space is well designed and managed to a high quality. The review of planning policies across the 10 districts or boroughs (see Hertfordshire GI Strategy Part 1: Setting the Scene – A Strategic Review of GI in Hertfordshire) found that whilst all have adequate or strong policy coverage in terms of using GI to meet open space standards, 30% of district or boroughs did not have strong policies that make provision for recreational facilities to meet local user and community needs. This presents an

important opportunity to ensure that communities' needs are met with robust policies in place. This must be informed by a sound evidence base to ensure barriers to use are fully understood and addressed.

1.12 Currently, adequate analysis of existing open space provision to meet present and future population growth is inconsistent across the districts or boroughs of Hertfordshire. Although open space assessments have been developed at the district or borough level, wider pressure points require consideration at the county level. This issue, in addition to gaps in the evidence baseline, should be addressed in order to ensure adequate strategic investment and provision for current and future needs are met across Hertfordshire. The opportunity exists to adopt a county-wide approach to addressing the challenge of long-term management and sustainable funding which can be implemented across individual districts or boroughs.

#### **1.13** This Parks Delivery Framework (see Figure 1.3) should:

- Assess whether local needs are being achieved and where investment is required – in the improvement of existing greenspace, creation of new greenspace at local scales or strategic scales as well as the alleviation of pressures or shortfalls in key growth areas. The approach would develop a county-wide alliance to help identify funding opportunities and investment for the long-term management of greenspaces.
- Evaluate the impact of recreational pressure on semi-natural greenspaces and identify solutions to address existing and future pressures, informing the delivery of a new Hertfordshire Recreational Access and Mitigation Strategy. The document would function as a tool for evaluating the current and future recreational impact on greenspaces as well as existing sensitive sites, including woodland, heathland and grassland habitats. Potential sites and strategic options which offer the potential to re-direct pressure way from 'honey pot' sites of biodiversity importance. The document would also explore other strategic options such as Suitable Alternative Natural Greenspace (SANGs) where impacts from development affect European designated sites and the potential development of country parks. The aim would be to address issues such

as ownership and management which fall beyond the remit of the Strategy.

- Utilise the findings of district or borough level visitor surveys at selected sites to understand the demographic of visitors, drivers for usage and gauge people's experience of the space they are visiting.
- Review, recognise and publicise successes of existing greenspace management to highlight and share best practice. The approach would explore the potential for alternative modes of greenspace management, including the delivery of a strategic approach to help provide sustainable funding solutions for greenspaces within the county.
- Identify alternative uses and functions for parks such as flood management, for example Verulamium Park and Sopwell, as well as other ecosystem service such as carbon sequestration, habitat provisions, local food growth and income generation.
- Identify challenges impeding the delivery of GI through greenspace management and develop solutions to address these challenges (learning from best practice).
- Provide a link to the future LNRS to recognise the key role that managing greenspace for ecology can aid in nature recovery, whilst recognising the need to limit disturbance to sensitive sites or habitats. Opportunities to connect parks with other types of GI should also be explored.
- Within new development, ensure that greenspace provision is aligned with the Strategy (i.e. delivery of GI interventions within a particular location or proximity to key GI network). There are clear opportunities to deliver improvements for nature by linking with Biodiversity Net Gain (BNG) requirements (either through on site or offsite credits).
- Seek opportunities for external expertise to feed into the Parks Delivery Framework, for example from Tidy Britain Group, a Parks Accelerator representative, Parks Alliance or Natural England.
- Provide a framework for the future monitoring and evaluation of greenspace delivery.

····· District / Borough-wide ······ .....County-wide ..... Evidence base Evidence base Identify areas experiencing... Pressure for **Imbalances Population** and housing recreation or in equality growth resources + Ongoing stewardship 1. Open space assessment, including quality and value 2. Gap analysis and deficiency mapping, inclusing over provisions 3. Footfall and visitor surveys 4. Socio-economic analysis **Funding** Monitoring Management 5. Stakeholder communication e.g sustainable e.g. exploring alterative modes of e.g. examining the 6. Identify the successes of existing benefits of Green solutions management Flag uptake green spaces **PARKS** Incorporate external expertise e.g. Tidy Britain **DELIVERY** Group, Parks Accelerator **Links to Local Nature FRAMEWORK** represenative, Parks **Recovery Strategies Alliance and Natural** (LNRS) England

Figure 1.3: Formation of the Parks Delivery Framework

#### **Key delivery risks**

Reliant on the supply of up to date data, including open space assessments, supplied by district or borough local authorities.

#### Potential delivery mechanisms

 ParksHerts Group, Hertfordshire Health and Wellbeing Strategy 2022-2026, Hertfordshire Land Management team within the CRoW service, development of the Hertfordshire Recreational Access and Mitigation Strategy and BNG.

## Potential key delivery partners

- County and district or borough local authorities; and
- External expertise (as required) Tidy Britain Group, a Parks Accelerator representative, Parks Alliance or Natural England.

# **Potential funding mechanisms**

- Natural Investment Readiness Fund;
- Neighbourhood CIL;
- Levelling Up Parks Funds; and
- BNG onsite or offsite credit scheme.

# Role of the county GI Champion

- Actively champion GI projects across the county, operating strategically and decisively;
- Engage with national initiatives as well as prepare bids for significant funding. The role should also promote land assembly, Compulsory Purchase Orders (CPOs) as well as actively engage as part of negotiations with developers and water companies;
- Develop the county-wide framework for the identification of projects which would protect, create and enhance greenspace assets; and
- Collate and disseminate information regarding funding opportunities and investments promoting the long-term management of greenspaces.

# Role of the district or borough GI Champion

- Ensure that GI is effectively policy is encompassed within Local Plan practice and operational management;
- Responsible for developing public/private partnerships, seeking funding opportunities and influencing regeneration/housing proposals;
- Ensure that gap analysis or greenspace deficiency mapping undertaken at the district or borough level is up to date in order to inform the delivery of future proposals;
- Highlight and share best practice relating to existing greenspace initiatives as well as challenges impeding the delivery of GI at the district/borough scale; and
- Coordinate the implementation of BNG contributions as part of natural and semi-natural greenspace improvements to ensure areas of socioeconomic, health and greenspace deprivation are prioritised.

# Role of the Local Planning Authority

Provide the GI Champions with evidence base information relating to the analysis of existing open space provision as well as growth and development pressures in order to inform where GI investment is required. This information should be informed by up to date population projections and demography data as well as an in-depth knowledge of existing and future requirements for greenspace provision within the county.

# GI Priority Action 3: Increase health, connectivity and accessibility of Hertfordshire's water environment

Action overview: Deliver environmental enhancement in vulnerable river valleys and catchments. The aim should be to deliver benefits such as flood alleviation, landscape resilience, climate change adaptation and nature recovery to restore wetland habitat and conserve nationally important chalk rivers. Adding to the multi-functionality of river corridors, recreational access should also be improved where it is feasible and appropriate to do so at specific sites.

Action area of focus: County-wide, with specific focus on east and south Hertfordshire

#### The details

1.14 Hertfordshire's river valleys form an important anchor for wider GI across the county. However, concerns regarding future flood risk and ongoing river quality issues are driving the need to transform the way that these 'blue corridors' are managed. Many of Hertfordshire's rivers are not meeting obligations for good ecological and chemical status under the Water Framework Directive. The opportunity exists to provide multiple benefits for people and nature — especially as large-scale development is brought forward in identified growth areas. The chalk rivers in Hertfordshire form an important freshwater habitat with approximately 85% of the global habitat occurring in the UK, located predominantly in the south of England. However, increased water abstraction for new residential and agricultural development continues to threaten this habitat and significantly reduce water flows.

- 1.15 Landscape-scale river corridor restoration, regeneration of the canal network and the creation of links between these features and the wider water environment can help to ensure landscapes are both more resilient to climate change and richer in biodiversity. Opportunities exist to shape 're-wilded' multifunctional blue corridors so that they provide access to the natural environment on the doorsteps of communities located along these routes. By creating space for water and the construction of greenspaces and wetlands within these corridors, it is possible to break up heavily modified watercourses and initiate the process of re-naturalisation. If strategically located, this would help to alleviate surface water flooding during large rainfall events, a key issue for Hertfordshire. River restoration must be carried out on a catchment-scale, including upper catchment schemes (which slow the flow of water downstream) as well as re-wilding river channels and landscapes to de-intensify farming.
- **1.16** Future identified projects should align with, and take their steer from, the priorities, themes and objectives of relevant Environment Agency river basin management plans and Catchment Partnership websites. Effort should be focussed on delivery of interventions identified in existing plans and projects including:
  - The River Lea Catchment Partnership [See reference 3];
  - River Colne Catchment Action Network [See reference 4];
  - Thames River Basin Management Plan [See reference 5];
  - The Revitalising Chalk Rivers Partnership Project [See reference 6];
  - The Farming 4 Clean Water Project [See reference 7];
  - Catchment-based Approach Chalk Stream Restoration Strategy 2021
     [See reference 8]; and
  - Strategic Regional Water Resource Solutions: Standard Gate One Final Decision for Grand Union Canal Transfer [See reference 9].
- 1.17 Increasing connectivity and enhancing wetland habitat mosaics would help contribute to the objectives of the Thames River Basin Management Plan, River Catchment Management Plans and restore favourable Site of Special Scientific Interest (SSSI) and Water Framework Directive condition. Working in

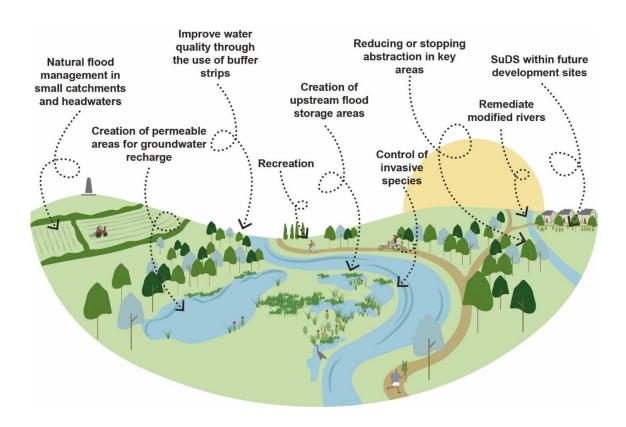
partnership with Hertfordshire Land Management team within the CRoW service, new recreational routes should be established where there is capacity to do so without exceeding biodiversity sensitivity thresholds. Inspiration for a multi-functional blue network can be taken from projects such as 'Rediscovering the River Colne' which seeks to bring the River Colne into the heart of Watford Town whilst improving the riparian environment along its route. Additionally, recreational access routes (such as Beane, Ver, (St Albans to Watford Abbey Flyer), Chess Valley Way, Pollards and Poplars (Stort Valley)) and riverside site based recreational routes (like Oughtonhead Common) should be introduced where appropriate.

- **1.18** As summarised in Figure 1.4, the key priorities should address the following:
- Natural flood management in small catchments and headwaters: Particularly
  in steeper areas, to reduce runoff rates and flood risk downstream. This can
  provide multiple benefits to channel biodiversity enhancement. This would
  require a partnership approach with future Environmental Land Management
  schemes (ELMs) potentially offering a funding route.
- 2. Sustainable Drainage Systems (SuDS) within future development sites: Settlement growth is likely to increase pressures during periods of heavy rain and could lead to flooding of developed land, particularly in already high-risk areas such as Hemel Hempstead and Watford. Proposals for additional natural flood storage should be coupled with biodiversity enhancement, for example wetland creation or SuDS. The requirement for well-designed SuDS should be reinforced in new development to reduce surface water impacts from hard standing areas and reduce nitrogen runoff in sensitive areas.
- 3. Creation of upstream flood storage areas: Areas located upstream and at the confluence of watercourses may be appropriate flood storage areas. This could help to filter run-off pollutants from local upstream agricultural landscapes and help to improve water quality further downstream. The opportunity exists to support this initiative through Section 106 (S106)

payments. Consideration should also be given to the restoration or potential creation of ponds on agricultural land.

- 4. Creation of permeable areas for groundwater recharge: Aquifer recharge should be promoted by using long term water sinks to capture and infiltrate water, slowing run-off rates across the landscape through sustainable cultivation techniques, and capturing and storing peak flows.
- 5. Reducing or stopping abstraction in key areas: Reducing or stopping abstraction in key areas for agriculture or for domestic use would help restore and sustain chalk streams, and the important habitats they support. Affinity Water are promoting a 'Save Our Streams' campaign in the south of England which could be supported and other similar schemes could be introduced.
- Recreation: Multi-functional river corridors should be created by increasing recreational access routes and riverside site based recreational routes (such as Oughtonhead Common) where there is capacity to do so without exceeding biodiversity sensitivity thresholds.

Figure 1.4: Overview of recommended enhancements to Hertfordshire's water environment



# Key delivery risks

- Constrained floodplains due to development can restrict the scope of corridor restoration and some measures (such as 'daylighting' rivers) can incur significant costs; and
- Securing land owner support (e.g. for flood storage opportunities on a landscape scale).

# Potential delivery mechanisms

- Project inclusion in district or borough IDPs to support planned growth;
- ELMs (including Local Nature Recovery (LNR) scheme) and Landscape Recovery Scheme; and
- Strategic off-site BNG.

## **Potential delivery partners**

■ Environment Agency, Water companies, Internal Drainage Boards (IDB), Lead Local Flood Authority (LLFA), Rivers Trust, Royal Society for Protection of Birds (RSPB), Herts & Middlesex Wildlife Trust, Colne Valley Fisheries Consultative, Rediscovering the River Colne (Groundwork), Canal and Rivers Trust, River Catchment Partnerships, Hertfordshire Land Management team within the CRoW service and landowners.

# **Potential funding mechanisms**

- CIL contributions for development to pay into major or local river infrastructure enhancement projects;
- S106 payments if deemed to meet the test required to make development acceptable (if in immediate vicinity of a river corridor requiring improvement);
- Ecosystem development or payment for ecosystem services (including through green investment);
- Neighbourhood CIL;
- ELMs;
- BNG onsite or offsite credit scheme; and
- Water company grant funding (e.g. INNS Out).

# Role of the county GI Champion

Adopting a strategic and catchment-based approach, identify and promote GI projects that support flood management, river restoration and multifunctional river corridors.

#### Role of the district or borough GI Champion

Working in partnership with relevant organisations and the local authority, identify potential environmental enhancement projects for each district or borough, with a specific focus on delivering multi-functionality.

#### Role of the Local Planning Authority

- Ensure the requirement for SuDS as part of new development is integrated within local planning policy;
- Utilise planning obligations as a mechanism for delivering GI projects relating to the water environment; and
- Support the inclusion of GI projects in district or borough IDPs to support planned growth.

# GI Priority Action 4: Deliver landscape scale recovery through woodland planting, management and the development of the Woodland Arc

Action overview: Deliver landscape scale recovery for nature through woodland planting. This could include the creation of linkages and landscape buffers at strategic sites in order to provide alternative seminatural greenspace, habitat mosaics and enhanced resilience to climate change. The proposals should be informed by the principles established within the Hertfordshire County Council Tree and Woodland Strategy. Enhanced woodland management should also be promoted as a mechanism to support landscape scale woodland recovery, ensuring that existing woodland is rich in biodiversity and better able to withstand intense weather events.

Action area of focus: County-wide and focus on south Hertfordshire (e.g. Hertsmere, Welwyn Hatfield, Broxbourne, southern extent of East Hertfordshire)

#### The details

**1.19** National targets to increase the UK's tree cover as part of net zero goals require all areas of the country to identify areas where woodland can be expanded or created. Woodlands provide multiple functions, including an effective carbon store, recreational benefits, health and wellbeing resource and

#### **Chapter 1** Delivery of Green Infrastructure Priority Actions

habitat linkages. Key opportunities for GI within the county involve the potential enhancement and reconnection of woodland sites through the introduction of additional broadleaf woodland planting schemes. Woodland creation in Hertfordshire should also aim to promote natural regeneration and the establishment of mixed, multi species and diverse canopy plantations. These interventions recognise the vulnerability of the county's oak, hornbeam and beech woodlands as well as Hertfordshire's significant ash populations. Community orchards are a historical habitat that bring together vital landscape, ecological and community benefits.

- **1.20** The creation of new woodland must be aligned with beneficial management of the existing woodland resource, whilst also promoting local distinctiveness and landscape character. Woodland creation and enhancement proposals should therefore consult the relevant information contained within the Hertfordshire Landscape Character Assessment to guide their design. The Hertfordshire County Council Tree and Woodland Strategy identifies lack of investment in landscape management as a significant issue affecting Hertfordshire's woodlands. As a consequence, it would be necessary to ensure that woodland creation delivered via the planning system is funded and maintained in perpetuity. A decline in the species associated with woodland habitat in the county is also partially attributed to human recreational disturbance. As a consequence, greater investment in wider greenspace management should be used to redirect visitor and recreation pressure away from key biodiversity sites such as Broxbourne Woods and Chiltern Beechwoods. The current moratorium on planning determinations in Dacorum Borough Council and adjacent LPAs is a reflection of the need under Habitats Regulation Assessments (HRA) to identify acceptable solutions to this issue.
- **1.21** The Woodland Arc forms an existing sub-regional initiative which could help provide a context for tree planting priority areas within Hertfordshire. This intervention continues to offer great potential for successful GI delivery. The opportunity also exists to enhance and connect woodland within the following locations:
  - Along major transport corridors (such as the M1, A1, A10 and A414);

#### **Chapter 1** Delivery of Green Infrastructure Priority Actions

- Developed land in the south of the county within the Watling Chase Community Forest area; and
- The Lee and Stort Valley (linking to the Green Arc see Hertfordshire GI Strategy Part 1: Setting the Scene A Strategic Review of GI in Hertfordshire).
- 1.22 The key challenge in delivering large-scale woodland creation or community woodlands lies in ensuring suitable sites are selected and adherence with the principle of the 'right tree in the right place' and the wider sustainability principles outlined within the UK Forestry Standard (UKFS) [See reference 10]. The potential also exists to compile comprehensive woodland opportunity mapping (see GI Priority Action 10) to help guide future woodland expansion. This would function as a mechanism to identify habitat gaps and potential sites through desktop review. The steps required to deliver successful woodland planting in Hertfordshire are detailed in the following section and summarised in Figure 1.5, including as part of the England Woodland Creation Offer. Working in partnership or collaboration with organisations, offers the opportunity to access specialist services or expertise as well as various funding sources. Additional mechanisms for securing woodland creation include the following:
  - Planting as part of wider site design (led by robust, GI-led design guidance) or through the BNG process;
  - Ecosystem development/payment for ecosystem services (e.g. carbon credits – buying and selling gas emission allowances to reduce an organisation's environmental impact); and
  - Alternative management structures (e.g. transfer of management responsibility of GI assets from a local authority to a charitable trust).

## Overview of the steps required to deliver successful woodland planting in Hertfordshire (see Figure 1.5)

#### Strategies for identifying location

- District/borough level GI strategies;
- Hertfordshire County Council Tree and Woodland Strategy;
- District/borough level woodland and tree strategies; and
- Emerging LNRS.

#### Datasets for identifying locations

- Working With Natural Processes (WWNP);
- Natural England Habitat Network and Priority Habitats;
- National Forestry and Ancient Woodland Inventories;
- Agricultural land classification; and
- Opportunities for nature-based solutions (e.g. flooding, amenity, carbon sequestration, air quality, nature recovery).

#### Routes for delivery on public land

- **1.23** Engage with community groups and neighbourhoods who could be interested in hosting and helping to deliver new woodland.
  - Urban Tree Challenge Fund;
  - Local Authorities Treescapes Fund;
  - Woodland Carbon Code as a validation tool/carbon credits;

#### Chapter 1 Delivery of Green Infrastructure Priority Actions

- BNG and developer contributions;
- Woodland Trust community tree packs;
- The Tree Council; and
- Charitable trusts.

#### Routes for delivery on private land

- **1.24** Engage with landowners through a 'woodland call for sites,' ensuring they are aware of the 100% capital and management grants available.
  - England Woodland Creation Offer;
  - Woodland Creation Planting Grant;
  - ELMs:
  - Farming in Protected Landscapes;
  - BNG, both on-site and off-site;
  - Woodland Trust MOREwoods and MOREhedges; and
  - Woodland Carbon Code as a validation tool/carbon credits.

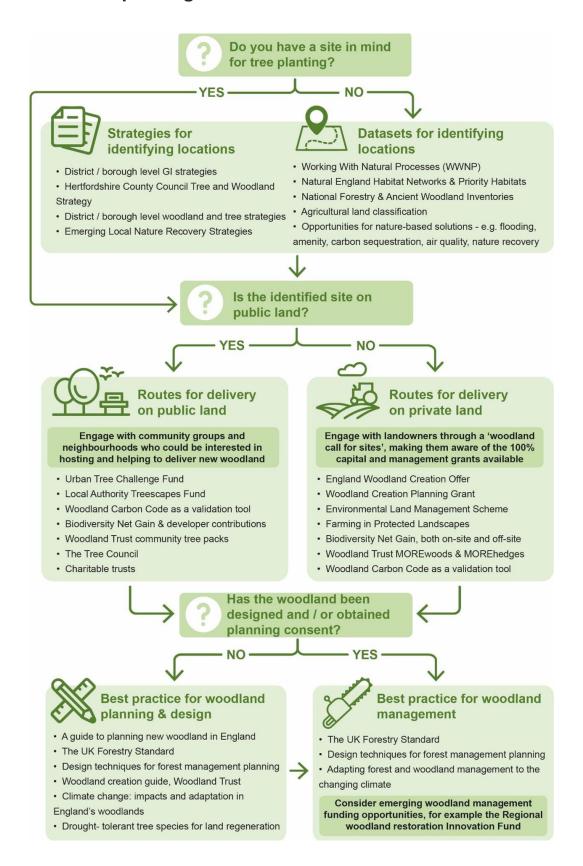
#### Best Practice for woodland planning and design

- A guide to planting new woodland in England;
- The UK Forestry Standard;
- Design techniques for forest management planning;
- Woodland creation guide, Woodland Trust;
- Climate change: impacts and adaption in England's woodlands; and
- Drought-tolerant tree species for land regeneration.

#### Best practice for woodland management

- The UK Forestry Standard;
- Design techniques for forest management planning;
- Adapting woodland and forest management to the changing climate; and
- Consider emerging woodland management funding opportunities, for example, the Regional woodland restoration Innovation Fund.

Figure 1.5: Overview of the steps required to deliver successful woodland planting in Hertfordshire



#### Key delivery risks

■ The 'right tree in the right place' is vitally important in order to ensure that other valuable habitats such as species-rich grasslands and heathland reach establishment. Management and maintenance beyond the initial establishment phase must therefore be integrated into proposals.

#### Potential delivery mechanisms

■ ELMs (including LNR scheme) and Landscape Recovery Scheme.

#### Potential delivery partners

Land Management team within the CRoW service, Woodland Trust, Forestry Commission, major landowners (including large estates, not for profit orgs, public sector and water companies) and Herts & Middlesex Wildlife Trust.

#### **Potential funding mechanisms**

- Planning and development opportunities (e.g. woodland creation delivered alongside new sites and BNG (onsite or offsite credit scheme);
- National tree planting grants (England Woodland Creation and Maintenance Grant, Woodland Tree Health Grant, Woodland Management Plan Grant, Woodland Creation Planning Grant, Urban Tree Challenge Fund and Local Authority Treescapes Fund);
- Woodland Trust MOREwoods and MOREhedges;
- ELMs;
- Natural Investment Readiness Fund;
- Evergreen Fund;
- Alternative management structures (e.g. community owned woodlands or trusts);

- Charitable giving (e.g. the 'Co-forest initiative'); and
- Ecosystem development/payment for ecosystem services (e.g. agrienvironment schemes, emerging payment system for landowners and farmers or carbon offsetting schemes such as the Woodland Carbon Code.

#### Role of the county GI Champion

- Consistent with the principles of the Hertfordshire County Council Tree and Woodland Strategy, identify and promote strategic initiatives for woodland creation, management and linkages (e.g. in pursuit of a Woodland Arc); and
- Collaborate with others to guide in-house woodland management to deliver an appropriate range of societal, environmental and economic objectives.

#### Role of the district or borough GI Champion

- Promote the role of residents, local businesses and communities in the establishment of trees and woodlands through the use of grant schemes and volunteering opportunities;
- Disseminate and recommend the use of guidance material to ensure adherence with the principle of the 'right tree in the right place;'
- Oversee the implementation of both the landscape recovery and nature recovery agenda to ensure the achievement of one is not detrimental to the goals of the other; and
- Collaborate with others to guide in-house woodland management to deliver an appropriate range of societal, environmental and economic objectives.

#### Role of the Local Planning Authority

- Ensure that woodland creation schemes delivered via the planning system allow for landscape management of the scheme as part of the establishment phase and beyond; and
- Continue to apply group Tree Preservation Orders (TPOs) where appropriate.

### GI Priority Action 5: Restore and reconnect distinctive chalk landscapes

Action overview: Restore, enhance and conserve chalk scarp and grassland landscape character, primarily to the north of the county. The intervention should promote landscape linkages across the county and within designated landscapes by promoting appropriate land management and habitat creation.

Action area of focus: North Hertfordshire, St Albans, Dacorum and Three Rivers

#### The details

1.25 Chalk grassland is a nationally important, specialised and fragile habitat, valuable for landscape and historical value as well as wildlife. Chalk grassland within Hertfordshire is largely restricted to the chalk escarpment in the north and west of the county. Strategic core areas include Tring, Luton-Hitchin and Royston-Baldock. The presence of nationally important chalk grassland also forms one of the 'special qualities' of the Chilterns Area of Outstanding Natural Beauty (AONB), located at the north-western extents of the county. The importance of the AONB in providing access to these natural environments has been recognised through recent proposals by Natural England to expand the AONB in response to the findings of the Landscapes Review ("the Glover Review"). Hertfordshire's remaining nationally rare and important chalk grassland sites are likely to provide a focal point for Hertfordshire's Local Nature Recovery Network. Biodiversity is influenced by the structure and management of the landscape, and it is this structure that gives an area a particular sense of place. The spatial patterns in the landscape and the resulting historic and

#### **Chapter 1** Delivery of Green Infrastructure Priority Actions

current land use, govern the habitats and species that can thrive. Better outcomes can therefore be achieved by planning for recovery of the whole landscape, rather than discrete habitats within it.

- 1.26 Hertfordshire's chalk grasslands are now one of the most vulnerable and poorly connected habitats in the county, primarily as a result of the conversion of land to arable farming. Restoration of grazing management is also considered essential on the remaining chalk grassland sites if their conservation value is to be enhanced and maintained. However, traditional grazing management of chalk grassland is often not profitable for farmers or landowners. Key to the success of this GI Priority Action would be collaborating with landowners to identify solutions to conserve farming traditions and reintroduce appropriate livestock grazing. The proposed extension of the Chilterns AONB designation also offers the opportunity to provide a framework for the delivery of area and habitat specific GI interventions within the county. Any proposals should be developed in consultation with the Hertfordshire Landscape Character Assessment to ensure the special qualities of these landscape features are protected and reinforced.
- 1.27 Options to enhance chalk grassland across the county are summarised in Figure 1.6. Potential interventions include working with existing farming enterprises to support conservation grazing, maintaining and using sheep in an arable rotation or fostering missing links with the local food economy including developing niche markets for products where possible. A demonstration farm or the establishment of a forum to share management resources; including equipment, advice and experience could also help promote the benefits of a low input livestock and mixed farm. In addition, road verges also have potential to provide links between fragmented grassland sites. The A505 corridor in particular is important, containing an almost continuous strip of chalk grassland road verge across North Hertfordshire. As such, it is a priority for management.

### Enhancing chalk grassland across Hertfordshire (see Figure 1.6)

- Better outcomes can be achieved by planning for recovery of the whole landscape, rather than individual habitats;
- Grazing is an important management tool for chalk grassland, therefore, options may include the use of sheep in an arable rotation; and
- Road verges have the potential to provide links between fragmented grassland sites.

Figure 1.6: Enhancing chalk grassland across Hertfordshire



#### **Key delivery risks**

- Few graziers exist in the area and appropriate management requires necessary knowledge and skills;
- Absence of local abattoirs;
- Need to demonstrate profitability or benefits to landowners;
- Perception that livestock farming (e.g. methane) is detrimental to the environment;
- Concern from dog owners regarding increased number of livestock and potential conflicts;
- Requires clear partnership working and liaison with many landowners and stakeholders; and
- The transition to ELMs represents a significant reduction in the overall agricultural funding budget.

#### Potential delivery mechanisms

- LNRS; and
- Private landowners.

#### **Potential delivery partners**

Private landowners, Hertfordshire Land Management team within the CRoW service, Chilterns AONB, HCC Highways, Farming & Wildlife Advisory Group East and Herts & Middlesex Wildlife Trust.

#### **Potential funding mechanisms**

- ELMs; and
- Offsite developer contributions.

#### Role of the county GI Champion

- Work with experts to identify and disseminate strategic and practical solutions to conservation grazing, including potential funding mechanisms;
- Promote and advocate for a change in landscape management to provide biodiversity benefits on land owned by the local authority; and
- Support the identification and promotion of approaches that lower verge/soil fertility to enhance biodiversity.

#### Role of the district or borough GI Champion

- Identify and engage with local private landowners who are interested in grazing their land for enhanced biodiversity benefits;
- Engage and consult with local residents with knowledge of opportunities for improved and ongoing verge management;
- Work with Herts & Middlesex Wildlife Trust as well as colleagues within HCC to identify road verges that could be cut less often;
- Oversee the implementation of both the landscape recovery and nature recovery agenda to ensure the achievement of one is not detrimental to the goals of the other; and
- Support the identification and promotion of approaches that lower verge/soil fertility to enhance biodiversity.

#### Role of the Local Planning Authority

Promote and advocate for a change in landscape management to provide biodiversity benefits or the creation of wildlife-rich areas (where appropriate).

### GI Priority Action 6: Promote community action for nature recovery

Action overview: Encouraging and facilitating local communities and school groups to take responsibility for large or small actions for wildlife in their area. This intervention recognises the tangible difference this approach can make to buffering and connecting priority habitats as well as enhancing people's perception and engagement with nature.

Action area of focus: County-wide

#### The details

1.28 Nature networks offer a multitude of benefits to people. However, these are only sustained in the long-term if people are engaged in their design, planning and delivery. To understand how local communities can be best empowered to deliver nature recovery at a local scale, a survey should be conducted of local authorities as well as local friends groups, environmental volunteer networks and the Herts & Middlesex Wildlife Trust. The survey would seek to understand what existing initiatives exist by local authorities and community groups, how effective projects have been and what barriers prevent community action. The survey would also function as a mechanism to evaluate the output and effectiveness of community engagement initiatives. Findings from the survey would be used to direct investment in local level nature-based project and create a new web-based plan, with the aim for this to be a live record of action and proposals.

**1.29** People can often be at a loss about what they can practically do to support nature. Quarterly Community Action for Nature workshops or webinars would provide an opportunity to learn from experts and access advice on complex

issues, such as tree-planting. This intervention would also bring together people across the county who are already taking action on nature-related topics, forming a mechanism to share best practice and lessons learnt. This would help to maintain enthusiasm and generate new projects and ideas. The outputs would also recognise and celebrate the work of existing groups who are actively engaged in improving and caring for local GI, including friends groups and volunteers. These groups should be the starting point, helping to empower and build on their work done to-date. Skills and knowledge needs would be identified through the results of the survey. Outputs from this action would then be used to inform the design and implementation of the Hertfordshire Nature Recovery Network, as detailed in the following section and in Figure 1.7. Providing a voice and sense of empowerment in the community offers people a stronger commitment to their local area. As a consequence, the community would be more likely to contribute to local activities and participate in the longer-term care and investment in a place.

### Community-based actions which could help to enhance and connect the Local Nature Recovery Network

- Hedgerow planting;
- Tree planting;
- Community orchards;
- Hedgehog highways;
- Pollinator-friendly planting;
- Vertical gardens;
- Community gardens and market gardens (subject to an assessment of need, desire and space);
- Wildlife ponds;
- Garden Champions;
- Community monitoring;

- Training days;
- Bug hotels; and
- Bat corridors.

Figure 1.7: Community-based actions which could help to enhance and connect the Local Nature Recovery Network



#### **Key delivery risks**

- The survey requires central co-ordination and usefulness of output depends on response uptake;
- Relies on continued good will of volunteer networks to implement nature recovery projects;
- Dependent on effective collaboration with communities and local business;
- Lack of smaller scale local grants to deliver community nature recovery projects; and
- Acknowledgement that community-based action is sometimes not guided by expert advice and therefore fails to achieve objectives.

#### Potential delivery mechanisms

- LNRS;
- CIL contributions to deliver community-based nature recovery projects;
   and
- Promote and expand the use of ParksHerts website to communicate key accessible GI assets to the public.

#### Potential delivery partners

■ District and borough local authorities, Hertfordshire Land Management team within the CRoW service, ParksHerts, HCC Highways, Local environmental action groups, schools, volunteer networks, local businesses and Hertfordshire & Middlesex Wildlife Trust.

#### **Potential funding mechanisms**

- Natural Investment Readiness Fund:
- National Lottery Heritage Fund; and

Corporate Social Responsibility (CSR) contributions.

#### Role of the county GI Champion

- Design, collate results and share findings of community action for nature survey;
- Organise Community Action for Nature workshops; and
- Coordinate with future LNRS leads to ensure Hertfordshire's nature network delivers for people as well as wildlife.

#### Role of the district or borough GI Champion

- Disseminate community action for nature survey and gather ideas for workshops;
- Signpost volunteers to the relevant guidance/best practice; and
- Provide a conduit for local environmental and community groups to feedback to the GI Delivery Partnership on barriers and opportunities for grassroots level action. This includes where Environmental Forums are already established at the district or borough level.

#### Role of the Local Planning Authority

- Provide the GI Champion with access to evidence regarding development of the LNRS so that community events are tailored and targeted to delivering on LNRS priorities; and
- Provide financial and logistical support for holding Community Action for Nature workshops.

## GI Priority Action 7: Produce an overarching county-wide GI Design Code for development

Action overview: Overseen by the county GI Champion, produce a county-level GI Design Code in accordance with best practice set out in the National Model Design Code [See reference 11] and the Building with Nature standard, a GI-led design process tool. The document would be accessible to all and complement resources provided by Building Futures, specifically the Sustainable Design Toolkit, to promote a GI-led design approach for new development. The aim would be to deliver improvements to the design of new developments across the county in relation in GI provision. The outputs should provide consideration of local character and the integration of GI Standards to inform the development of well-designed GI in design coding. This approach is highlighted as a recommended step for developing GI policy as part of the 'process journey,' developed as a component of the Natural England GI Framework.

Action area of focus: County-wide

#### The details

**1.30** Sensitive and good quality design is required throughout the county to tackle cross-cutting issues identified in this Strategy. Projected population growth and increased development has the potential to change the character of settlements and the wider landscape. However, this presents an opportunity to incorporate GI as an integral component of new development. This should be achieved through the production of a county-wide GI Design Code to produce high level principles which can be utilised by districts or boroughs in the first

#### **Chapter 1** Delivery of Green Infrastructure Priority Actions

instance. These principles can then be adapted into more detailed guidance at a masterplan or site-specific scale.

- 1.31 Principles embedded as part of a GI Design Code would be expected to include details on the design of GI assets, urban greenspace, play spaces, and SuDS to inform a consistent approach to development across the districts or boroughs. The GI Design Code should also incorporate measures of protection and enhancement for biodiversity and the historic environment. By "designing in" GI earlier in the planning process, and through landscape-led design practices, costs can be better managed and GI form a key element of the county's wider placemaking strategy. Clear design parameters would also reinforce distinctiveness of place and help communities decide which GI interventions are incorporated in future developments in their area. This work should also complement the design codes emerging in Gilston as part of the Strategic Landscape Masterplan and Village 1 Masterplan work being led by East Herts District Council (EHDC).
- 1.32 The information required to deliver a successful GI Design Code in Hertfordshire is summarised in further details below and illustrated in Figure 1.8. The GI Design Code would be required to build on the existing 'Sustainable Design Toolkit' developed by Building Futures, culminating in a simple to use 'Developer Checklist' that clearly conveys the types of onsite GI developers should provide as part of development proposals. Working with Building Futures, the opportunity exists to either update the existing toolkit to reflect this information or prepare the checklist as an addendum to the existing resource. The Hertfordshire Landscape Character Assessment should also be consulted when providing design recommendations for more rural locations to ensure the appropriate landscape context is delivered.
- **1.33** District or borough GI Champions should liaise with the Hertfordshire Design Review Panel to promote the delivery of impartial design advice and guidance relating to the integration of GI features into future development proposals. Representation on the Hertfordshire Design Review Panel should also potentially be sought from the county GI Champion. Building with Nature Standards should also be incorporated into the GI Design Code and the existing resources developed as part of Building Futures. This would provide a valuable

#### **Chapter 1** Delivery of Green Infrastructure Priority Actions

mechanism to facilitate these measures, ensuring GI is incorporated effectively into development. The toolkit would help to deliver good practice, providing a framework for designers to ensure they consider a wide range of GI elements.

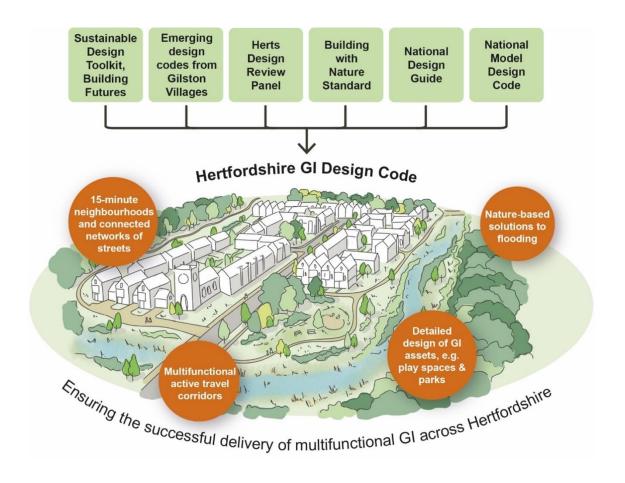
1.34 Key principles of a GI Design Code should also include a connected network of streets, good public transport and the promotion of walking and cycling routes. These can serve as multi-functional GI networks with active travel playing a key role in the delivery of sustainable 15-minute neighbourhoods (see Hertfordshire GI Strategy Part 2a: GI Baseline, Analysis and Priorities). A county-wide GI Design Code should establish these principles and identify strategic corridors in which improvements can be made. Strong placemaking leadership is required at the district or borough level, which the GI Champion should seek to ensure through strategic engagement. The county GI Champion would support the development of the GI Design Code to help prioritise GI in achieving well-designed places at various scales of development. The Parks Delivery Framework (see GI Priority Action 2), the Recreational Access and Mitigation Strategy (see GI Priority Action 2) and consultation with historic environment specialists should also inform the development of the GI Design Code to ensure that the recreational needs of the local communities, protection of semi-natural spaces and protection of heritage assets are all considered as part of the process.

### Delivering a successful GI Design Code in Hertfordshire (see Figure 1.8)

- **1.35** To ensure the successful delivery of multifunctional GI across the Hertfordshire, the Hertfordshire GI design code should be facilitated by the following mechanisms:
  - Sustainable Design Toolkit, Building Future;
  - Emerging design codes from Gilston Villages;
  - Herts Design Review Panel;
  - Building with Nature Standard;

- National Design Guide; and
- National Model Design Code.
- **1.36** These mechanisms will facilitate the delivery of the key principles of the Hertfordshire GI design code, which include:
  - 15-minute neighbourhoods and connected network of streets;
  - Multifunctional active travel corridors;
  - Detailed design of GI assets, examples include play spaces and parks;
     and
  - Nature-based solutions to flooding.

Figure 1.8: Delivering a successful GI Design Code in Hertfordshire



#### Key delivery risks

- Identifying or allocating funding to produce the GI Design Code;
- Although newly supported by central government, future changes in policy could potentially reduce the relevance of design codes; and
- Complexity of adopting a GI Design Code due in part to extensive consultation and stakeholder engagement.

#### Potential delivery mechanisms

- Adherence with national guidance;
- Achieving adopted status the GI Design Code should be adopted by all district and borough local authorities;
- Supplementary planning documents on the subject of design to signpost and highlight the use of a GI-led design process;
- Building with Nature assessment of new development;
- Development Checklist; and
- Strategic Development Masterplans; and Hertfordshire Design Review Panel.

#### Potential delivery partners

Districts or boroughs local authorities, Building Futures (including the Hertfordshire Design Review Panel), Hertfordshire Development Management Group, Building with Nature, Building Futures and Hertfordshire Environmental Resource specialists.

#### Potential funding mechanisms

Potential future allocations of government funding; and

 County and district or borough local authority staffing budgets (where possible).

#### Role of the county GI Champion

- Responsible for providing strategic oversight relating to delivery of the GI
   Design Code and the county's wider placemaking strategy; and
- Consider providing representation on the Hertfordshire Design Review
   Panel to promote the successful delivery of GI across the county.

#### Role of the district or borough GI Champion

- Promote the use of the county-wide GI Design Code and Developer Checklist as a mechanism to inform a consistent approach to development across each district or borough; and
- Consult with Hertfordshire Design Review Panel to promote the integration of GI features into future development proposals.

#### Role of the Local Planning Authority

- Develop Local Plan policies and supplementary planning documents (where appropriate) to promote a GI-led design process;
- Consult with the county and district or borough GI Champions in the preparation of a 'Developer Checklist' which conveys the types of onsite GI developers should provide as part of development proposals;
- Utilise the GI-led design approach to complement other policy planning policy initiatives, such as BNG, by providing a framework by which to appraise a site and identify opportunities; and
- Use the Building with Nature Standards to structure or inform future supplementary planning documents to promote the delivery of GI.

## GI Priority Action 8: Deliver and manage GI as a mechanism to improve air quality and public health

Action overview: Focus on creating tangible and measurable improvements (working alongside air quality programme managers) to air quality in locations that are within or around areas of deprivation. This should be achieved by identifying and promoting urban greening opportunities within the county.

Action area of focus: County-wide

#### The details

1.37 The potential exists for the Strategy to support the delivery of the Hertfordshire Air Quality Strategy and Implementation Plan [See reference 12] to investigate opportunities to reduce urban traffic impacts, whilst linking to Hertfordshire's Local Transport Plan [See reference 13]. Further connections to GI and urban greening should also be established as part of the Hertfordshire Health and Wellbeing Strategy and Public Health Strategy. Interventions focusing on projects in areas of deprivation would help secure the most benefits to people and their wellbeing. This not only applies to ensuring communities have accessible local greenspace but would also require that areas subject to high pollution are more effectively mitigated.

**1.38** Improvements to air quality and public health through GI should therefore be incorporated into local planning policies and formally recognised by districts or boroughs to enable improved delivery from the outset. Public health and indices of deprivation data such as the Joint Strategic Needs Assessment [See

**reference** 14] should be used as a basis in policies to identify areas to prioritise for urban greening interventions (see Figure 1.9). This process would assist in reducing disparities in deprivation, ensuring GI is retrofitted into communities with existing pollution issues and not solely built into new developments. This process should be supported and monitored by the county and district or borough GI Champions.

- 1.39 Urban greening opportunities should be identified in town centres, including street tree planting, segregated bike lanes (i.e. located adjacent to roads and separated by greening) and pocket parks. The installation of green walls, screens and roofs as part of development (including retro-fitting on existing built form) may be more suitable interventions where there is a lack of available space for vegetation. The choice of greening would therefore depend on built form, climatic conditions and existing vegetation, as well as specific pollution issues in specific geographical areas. SMART monitoring of interventions should be established from the outset of any intervention or opportunity, in line with wider approaches to monitoring GI assets and their ecosystem services.
- **1.40** Consideration should also be given to expanding the network of urban greening initiatives throughout the county as a key component of community-focused GI. This is particularly relevant to higher density settlements within Hertfordshire and in areas where Air Quality Management Areas (AQMAs) have been established. Developer contributions such as CIL and S106 would play a key role for allocating funding for urban greening when new development is approved. However, investment in greening projects and accessible local greenspaces can also be sourced through alternative financing routes (see Chapter 2) or via initiatives such as The Sustainable Hertfordshire Central Fund. Once investment has been established, communities of interest to particular assets should be identified and integrated into the management of GI in their area.

## Policies and strategies for identifying urban greening locations and their benefits (see Figure 1.9)

### Policies and strategies to guide the identification of locations for urban greening

- Hertfordshire Air Quality Strategy;
- Local Transport Plan (LTP4);
- Hertfordshire Health and Wellbeing Strategy 2022-2026;
- Hertfordshire Public Health Strategy; and
- Joint Strategic Needs Assessment.

#### Areas to assess urban greening

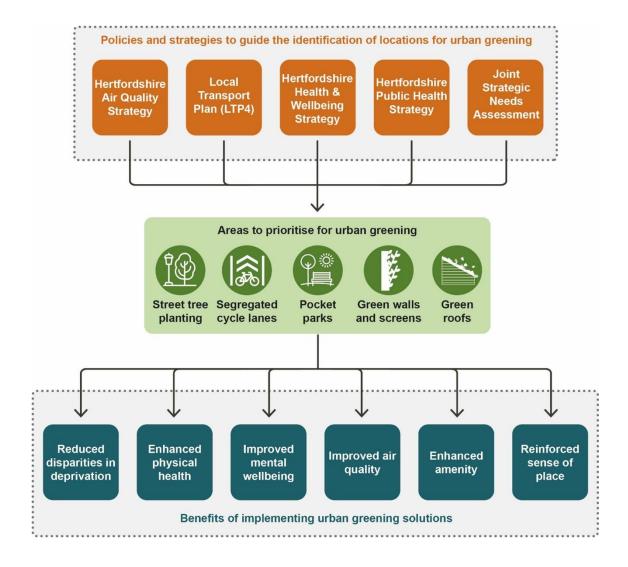
- Street tree planting;
- Segregated cycle lanes;
- Pocket parks;
- Green walls and screens; and
- Green roofs.

#### Benefits of implementing urban greening solutions

- Reduced disparities in deprivation;
- Enhanced physical health;
- Improved mental wellbeing;
- Improved air quality;

- Enhanced amenity; and
- Reinforced sense of place.

Figure 1.9: Policies and strategies for identifying urban greening locations and their benefits



#### Key delivery risks

- Increasing lack of traditional public funding resources to deliver GI;
- The process and delay of adopting effective GI local planning policies across the 10 district or boroughs;

- Resources required for ongoing maintenance and monitoring; and
- Ensuring long term retention of interventions beyond the scope of planning conditions.

#### Potential delivery mechanisms

- Hertfordshire Air Quality Strategy and Implementation Plan;
- Hertfordshire Public Health Strategy;
- GIS mapping and software;
- District or borough implemented Local Cycling and Walking Infrastructure Plans (LCWIPs); and
- Working in partnership with LPA Air Quality Programme managers.

#### Potential delivery partners

HCC Air Quality and Public Health staff, Local Access Forum, Hertfordshire Tree Officer Group, HCC Highways, HCC Transport and Active Travel staff, NHS, Public Health England, and National Highways.

#### **Potential funding mechanisms**

- CIL contributions for development to pay into greening projects;
- S106 payments if deemed to meet the test required to make development acceptable;
- Alternative funding mechanisms such as charitable trusts or the Sustainable Hertfordshire Central Fund;
- Incorporated within wider urban public realm improvements; and
- Local community volunteers and action groups.

#### Role of the county GI Champion

Monitor and provide strategic oversight, establishing linkages to GI as part of the Hertfordshire Health and Wellbeing Strategy and Public Health Strategy.

#### Role of the district or borough GI Champion

- Review existing evidence relating to public health and indices of deprivation to identify priority locations for the delivery of urban greening interventions within each district or borough;
- GI Champions should be aware of existing and emerging best practice guidance in relation to urban greening, including tree planting in urban areas, species selection, SuDS placement and design, green roof and green wall specifications and incorporating active travel into streets; and
- Support the SMART monitoring of GI interventions and share lessons learnt and best practice with the county GI Champion.

#### Role of the Local Planning Authority

- Embed the requirement for air quality and public health into local planning policy; and
- Utilise planning obligations as a mechanism for allocating funding for urban greening initiatives.

## GI Priority Action 9: Reconnect and create multi-functional links to facilitate the movement of people and wildlife

Action overview: Focus on improving the connectivity of active travel infrastructure across the county. This should seek to deliver an increase in the coverage and quality of the PRoW network, other walking and cycling routes and use of redundant features – such as former railway lines for active travel routes and green corridor links.

Action area of focus: County-wide

#### The details

#### For people

**1.41** This intervention should be aligned with the Strategic Transport and Rail Team to deliver Hertfordshire's Local Transport Plan and net zero aspirations across the county to improve active travel infrastructure. This includes increased use and improved quality of the PRoW network, redundant railway lines that can be re-commissioned to walking and cycling routes, or the introduction of wider cycle infrastructure.

**1.42** Consideration should be given to ensuring PRoW connections in Hertfordshire are sustainable, equitable and accessible. This should involve tackling the issue of severance to ensure that PRoW do not terminate once they meet a primary road. This issue is pertinent within large areas of Hertfordshire, alongside other barriers to use of the network including route obstructions and

wayfinding. The opportunity also exists to promote wider strategic linkages across the network, whilst also exploring the potential introduction of circular recreational routes which complement the network of active travel routes within the county. However, all proposals should ensure alignment with the action plan for strategic solutions included within Hertfordshire's Rights of Way Improvement Plan (ROWIP) [See reference 15].

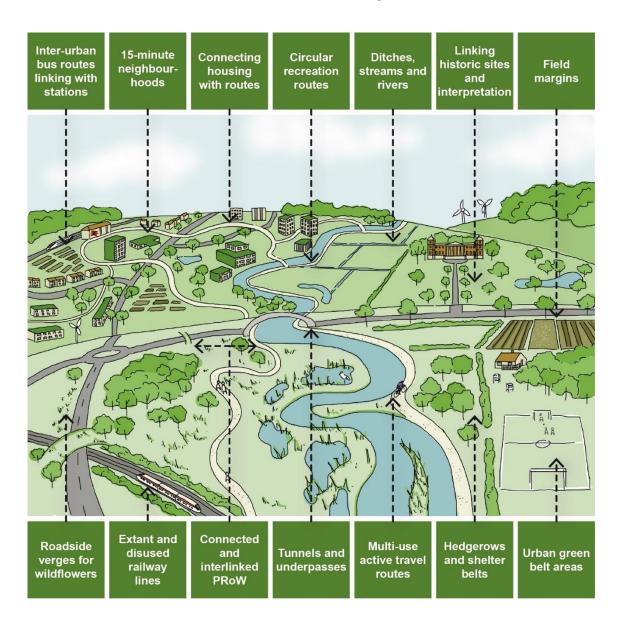
- **1.43** Input into the strategic objectives identified through district or borough Local Plans should include GI provision within relevant housing allocation policies. This includes where these come forward in areas where opportunities exist to link to and strengthen existing GI assets and corridors. Districts or boroughs should also seek to utilise LCWIPs to implement corridor improvements.
- **1.44** In existing urban areas and town centres, the county and district or borough GI Champions should promote the possibilities of GI. This could include links to the 15-minute neighbourhood concept, optimising urban greening, providing segregated pedestrian and cycle routes, improved walking and cycling routes in general, inter-urban bus routes and the provision of connections to rail and bus stations. Opportunities to link historic sites as part of promoted routes should also be pursued.

#### For nature

**1.45** Infrastructure such as roads, railways and canals can often result in habitat severance and fragmentation. However, if managed sensitively, the linearity of these routes offer the opportunity for the provision of vital wildlife corridors that link habitats and reduce the isolation of populations (see Figure 1.10). For example, a change in the landscape management approach aimed at delivering roadside verges for wildflowers offers the potential for enhanced floristic diversity. Other vital green links include, hedgerows, railway tracks, tunnels and underpasses, rivers, streams, ditches, field margins and urban green belt areas. Many of these features provide multi-functional benefits for people and can be strategically planned to maximise the benefits of their ecosystem services. Green bridges create a safe crossing point for wildlife movement across busy

traffic routes such as roads and railways. These are usually planted with a variety of local trees or shrubs and other vegetation and provide wider benefits such as landscape integration. These features are largely absent in the county, other than examples such as the cut and cover tunnel at the A505 Baldock Bypass, which was created to preserve the skyline. Consideration of how GI networks and wildlife corridors apply to Hertfordshire should be understood and applied by the county or district/borough GI Champions.

Figure 1.10: Summary of how linear GI features, green links and connections relate to the wider landscape



# Key delivery risks

- Reliant on a broad and strategic planning approach with buy-in from multiple stakeholders;
- Dependency on CIL and S106 developer contributions;
- Significant legal challenges associated in making alterations to the existing PRoW network which would need to be overcome; and
- Management and maintenance costs of infrastructure and the PRoW network.

# Potential delivery mechanisms

- LCWIPs;
- Masterplanning exercises (e.g. through strategic developments);
- Highways Integrated Transport Projects (ITP); and
- Updates to the Hertfordshire Rights of Way Improvement Plan.

#### **Potential delivery partners**

Hertfordshire Strategic Transport and Rail Team, HCC Highways, National Highways, Department for Transport and Local Access Forum.

# **Potential funding mechanisms**

- CIL contributions for development to pay into enhancement projects;
- S106 payments if deemed to meet the test required to make development acceptable;
- BNG onsite or offsite credit schemes; and
- Allocations of Levelling Up funding, specifically in urban areas.

# Role of the county GI Champion

- Promote the multi-functional benefits of utilising GI interventions within active travel initiatives. The role should support the general principles of Hertfordshire's ROWIP, whilst also promoting modifications (where appropriate) to enable enhanced GI connectivity;
- Encourage Elected Members to lobby where proposals would lead to increased severance of the network;
- Liaise with colleagues in HCC Highways to promote and advocate for a change in landscape management to provide biodiversity benefits (where appropriate); and
- Coordinate a wildlife corridor response from borough or district GI Champions to help form a strategic map of Hertfordshire's wildlife corridors.

# Role of the district or borough GI Champion

- Working with the Land Management team within the CRoW service, identify localised interventions at the district/borough to restore fragmented sections of the PRoW network as well as opportunities to introduce urban greening initiatives;
- Act as an advocate for inclusion of wildlife-sensitive management in grounds maintenance contracts or with in-house teams; and
- Identify existing and potential future wildlife corridors across each district or borough which can be fed back to the county GI Champion to form a strategic wildlife corridor map.

# Role of the Local Planning Authority

 Commission LCWIPs as a mechanism to implement corridor improvements; and

Consult with colleagues in HCC Highways to promote and advocate for a change in landscape management to provide biodiversity benefits (where appropriate).

# GI Priority Action 10: Improve understanding of existing GI baseline and projects

Action overview: Create an interactive GI map (including ecological designations, park management, open space usage, existing and proposed projects and environmental pressures) with the aim of providing a comprehensive evidence base on county-wide GI delivery, needs and priorities. This mapping resource would be used to support districts and boroughs to inform Local Plan making and by the third sector when coordinating project delivery. In addition, the interactive outputs would aim to assist local authority planners in applying the Natural England GI Framework when developing GI policy.

Action area of focus: County-wide

#### The details

- **1.46** The aim of this intervention would be to deliver a comprehensive interactive mapping resource of functional GI, providing a consistent baseline across Hertfordshire. The evidence gathering exercise should place specific emphasis on understanding how well the GI in the county functions. An assessment of assets against identified needs and local priorities would therefore form a component of the GI evidence analysis.
- **1.47** The Beta GI Mapping Tool, the emerging evidence base provided by the Natural England's GI Framework, would form the basis of the digital outputs.

This data would be supplemented with locally specific information, current projects and initiatives as well as emerging core GI standards relating to accessible greenspace or urban greening, as detailed in the following section and illustrated in Figure 1.11. Woodland opportunity mapping (see GI Priority Action 4) should also be integrated as a mechanism to help guide future woodland expansion. The biodiversity baseline mapping commissioned by HCC should also be included. The addition of this local data would aim to enhance local understanding and locally relevant issues. The outputs would support the GI Design Guide (see GI Priority Action 7), best practice case studies and 'process journeys', with the intention of embedding GI informed decision making across local authority departments and facilitating the sharing of information with external stakeholders.

- **1.48** Key assets, designations and GI projects would be mapped to enable districts or boroughs to use the GIS datasets to inform their own policy mapping and wider evidence base. This would allow for a clear link to be made between the Strategy (and the assets identified within it) and Local Plans. In addition, the mapping resource should be supplemented with informed studies and assessments to understand the sensitivity of the county's landscape to potential land use change. Consideration should also be given to the delivery of an update to the existing county-wide Landscape Character Assessment [See reference 16] to help define the landscape baseline and help shape future development, providing a foundation for the delivery of GI within the county. The outputs of these two studies could be utilised as an evidence base, alongside stakeholder and community engagement, to adopt a series of local landscape designations across Hertfordshire which will to help protect landscapes of particular local value. These non-statutory designations can be especially useful for LPAs seeking to manage growth, implement GI, protect valued landscapes, and guide positive landscape change.
- **1.49** The development of the comprehensive mapping evidence base would help LPAs in assessing quality, quantity and connectivity of current GI assets. Gaps in provision, inequalities in distribution and opportunities for enhanced GI would also be identified in order to inform the 'process journey' and develop GI policy. The recommended steps for developing GI policy, as detailed within the Natural England GI Framework, are detailed in below. Once the evidence base

is compiled, the next step in developing GI policy would require LPAs to plan strategically by setting benchmarks and standards through local policy and guidance.

1.50 The digital outputs would allow for improved county-wide understanding of ecology, parks management, visitor usage of open space and environmental pressures. The deliverables would enable users to plan for the creation and enhancement of GI at a strategic scale, whilst providing a key tool in aiding implementation, reporting and monitoring of identified GI Priority Actions. Furthermore, this information would be used as a tool for development managers, spatial planners and other local authority departments to use as a means of assessing development impacts or determining suitable locations of housing or employment allocations in Local Plans (and help to inform on or offsite GI delivery requirements). The data would be inputted as part of Authority Monitoring Reports (AMR) to inform indicators and a means to record or measure loss and gain across the GI network. Appropriate levels of data would also be provided to key local organisations or charities and delivery partners to support engagement, co-ordination and delivery of identified GI projects.

# Steps involved in the compilation of the data forming the evidence base

#### Hertfordshire's Interactive GI Map Inputs

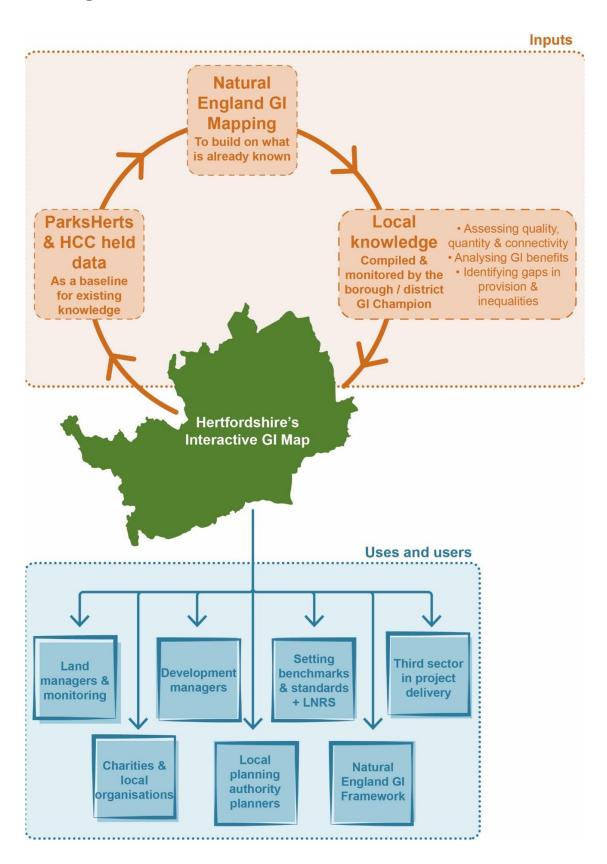
- ParksHerts and existing Hertfordshire County Council held data:
  - As a baseline for existing knowledge.
- Natural England GI Mapping:
  - To build on what is already known.
- Local knowledge:
  - Compiled and monitored by the borough/district GI Champion.

- Assessing quality, quantity and connectivity.
- Analysing GI benefits.
- Identifying gaps in provision and inequalities.

#### Hertfordshire's Interactive GI Map Uses and Users

- Land managers and monitoring;
- Charities and local organisation;
- Development managers;
- LPA planners;
- Setting benchmarks and LNRS;
- Natural England GI Framework; and
- Third sector in project delivery.

Figure 1.11: Steps involved in the compilation of the data forming the evidence base

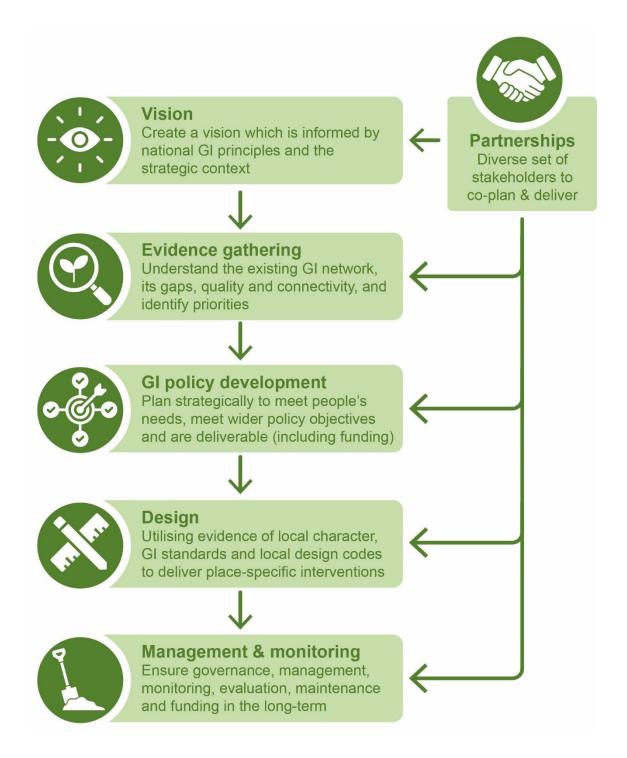


# Recommended steps for developing GI policy, as outlined within the 'Process Journey' forming a component of the Natural England GI Framework

Partnerships – Diverse set of stakeholders to co-plan and deliver the following:

- Vision Create a vision which is informed by GI principles and the and the strategic context.
- Evidence gathering Understand the existing GI network, its gaps, quality and connectivity, and identify priorities.
- GI policy development Plans to strategically meet people's needs, meet wider policy objectives and are deliverable (including funding).
- Design Utilising evidence of local character, GI standards and local design codes to deliver place-specific interventions.
- Management and monitoring Ensure governance, management, monitoring, evaluation, maintenance and funding in the long-term.

Figure 1.12: Recommended steps for developing GI policy, as outlined within the 'Process Journey' forming a component of the Natural England GI Framework



# **Key delivery risks**

Requires a dedicated GIS resource within HCC to ensure the mapping resource is kept up to date.

# Potential delivery mechanisms

- Promote and expand the use of ParksHerts website to communicate key accessible GI assets to the public; and
- Amendment to existing job specifications for appropriately selected posts at HCC.

# Potential delivery partners

ParksHerts Group, Hertfordshire Land Management team within the CRoW service and district or borough local authorities.

### **Potential funding mechanisms**

 County and district or borough local authority staffing budgets (where possible).

# Role of the county GI Champion

- Responsible for oversight of the mapping resource, ensuring its effective use is promoted and data remains up to date; and
- Commission informed studies and assessments, including a county-wide landscape sensitivity study and update to the Hertfordshire Landscape Character Assessment.

# Role of the district or borough GI Champion

Responsible for collating data regarding current projects and initiatives in relation to their specific district or borough.

# Role of the Local Planning Authority

- Utilise the mapping resource to help meet the requirements in the National Planning Policy Framework to consider GI in the development of Local Plans, policies and GI strategies; and
- Apply the mapping outputs as a mechanism to assess development impacts or determine suitable locations of housing or employment allocations in Local Plans (helping to inform on or offsite GI delivery requirements).

# **Chapter 2**

# Mechanisms for GI delivery and funding

- **2.1** In recent years, there have been far fewer public resources available for funding the delivery, management and maintenance of GI. It is now rare to find local authorities relying on the traditional models of the past whereby local government funded and maintained the GI network. This is leading to a visible disconnect between the needs of the GI network to address climate change and support nature recovery on the one hand, and the financing mechanisms available to do so on the other. One solution is to piece together a number of alternative mechanisms in order to deliver and maintain GI in Hertfordshire. Not all mechanisms would be appropriate for all types of GI interventions. However, the categories set out below outline how some of these tools might be used in the local context.
- **2.2** This chapter provides an overview of the following delivery routes and how they might apply to Hertfordshire's GI network:
  - Delivering GI through the planning process;
  - Strengthening GI through ELMs; and
  - Alternative financing routes for GI in Hertfordshire.
- **2.3** The potential delivery mechanisms are summarised in Figure 2.1 and explained in the following section.

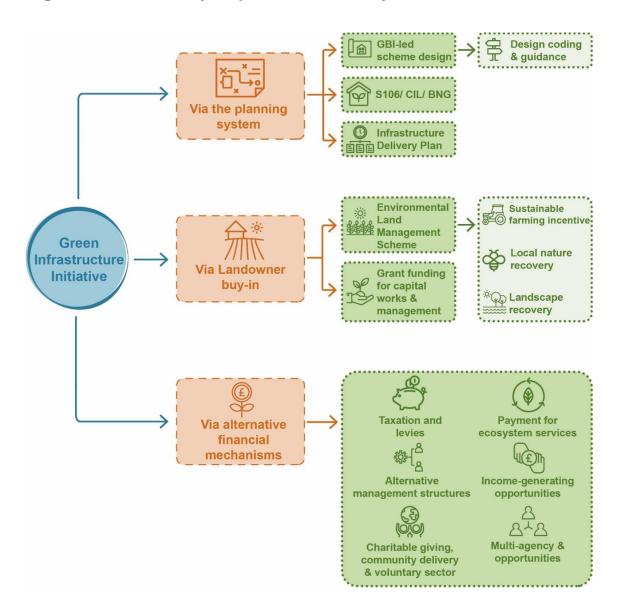


Figure 2.1: Summary of potential delivery mechanisms

# Delivering GI through the planning process in Hertfordshire

**2.4** Significant new development is planned for the county in the coming years (see Hertfordshire GI Strategy Part 1: Setting the Scene – A Strategic Review of GI in Hertfordshire). It is therefore vital that high-quality, tailored GI is delivered alongside these developments – both as an integral component of the masterplanning process for new housing or employment land, as well as

through contributions to the surrounding GI network. This would boost the ability of the county to accommodate change, provide a high quality of life and environmental resilience. New development can fund GI either directly through levies or planning obligations. Two important mechanisms for delivering this are outlined below:

- Design guidance and coding: The principles set out in this Strategy should be fully integrated into any emerging design guidance and design coding work. By "designing in" GI earlier within the planning process, and through landscape-led design practices, costs can be better managed and GI can sit at the heart of a wider placemaking strategy.
- Delivery of GI through planning gain or levies: S106 agreements and CIL offer the opportunity to contribute towards the funding of infrastructure associated with new developments. This might include the creation of greenspace. The opportunity also exists to deliver improvements for nature by linking with BNG requirements (either through on site or offsite credits).

# Strengthening GI through Environmental Land Management Schemes (ELMs)

- **2.5** As highlighted in Hertfordshire GI Strategy Part 2a: GI Baseline, Analysis and Priorities, over half of Hertfordshire's landscape is characterised by arable farmland. The move towards sustainable, environmentally friendly farming in the county would be vital in strengthening the GI network resulting in farming practices which work with nature and help to deliver a range of environmental services beyond food production. However, the management of agricultural land lies beyond the remit of the planning process. As a consequence, GI could be delivered through the following interventions:
  - Effective long-term management of carbon-rich soils and wetland habitats;

#### **Chapter 2** Mechanisms for GI delivery and funding

- Implementing landscape scale natural flood management and reconnecting floodplains;
- Promoting woodland creation, natural regeneration and hedgerow planting and management; and
- Encouraging greater uptake of ELMs by HCC and partner organisations, albeit the transition to ELMs represents a significant reduction in the overall agricultural funding budget.
- **2.6** Now is a time of great change in the agriculture sector, but one which provides huge opportunity to enhance the environment. ELMs is currently in the process of being rolled out in England. The scheme is based upon a public money for public goods model which provides an opportunity to move away from an intensive production-only approach and a subsidy system that rewards farmers based on the size of their landholding to one which recognises and rewards farmers for maximising the range of public goods delivered by farmland. This includes:
  - Clean water;
  - Sequestering carbon; and
  - Providing access for people to enjoy the countryside.
- **2.7** There are three tiers in ELMs, as listed below:
- Sustainable Farming Incentive Intended to be accessible by all land holders to ensure good environmental practices are conducted as a baseline standard.
- 2. Local Nature Recovery Encouraging land managers to work collaboratively for local nature recovery and deliver local environmental benefits.
- 3. Landscape Recovery Long-term, land use change projects (e.g. woodland, peatland and wetland restoration).

**2.8** Private investment would also supplement public money to deliver environmental enhancements. This might include through the voluntary carbon market, water quality, nitrate neutrality and habitat provision (e.g. through offsite BNG). It is important to explore and promote these opportunities to enable Hertfordshire's farming community to tap into available markets, alongside public money from the emerging ELMs. Appropriate support for the farming community is required to ensure the successful delivery of these interventions.

# Alternative financing routes for GI in Hertfordshire

2.9 In 2021, a coalition of public and private partners called the South West Partnership for Environment & Economic Prosperity (SWEEP) produced a report named Alternative Funding Mechanisms for Green Space [See reference 17]. The document is designed to assist individuals, organisations and authorities in delivering and managing greenspaces. The contents of the report informs the categories set out below. Importantly, the approach outlined in the report looks beyond public sector funding and planning mechanisms for the financing and funding of GI. It outlines a number of innovative mechanisms which require collaboration with the private sector, local communities and local business. The alternative funding mechanisms include:

- 1. Income-generated opportunities and loans and taxation:
  - Sponsorship/naming rights;
  - Events of special uses;
  - Tax Increment Financing (TIF);
  - Business Improvement Districts;
  - Location specific tax;
  - Concessions; and
  - Rental charges.

#### Chapter 2 Mechanisms for GI delivery and funding

- 2. Alternative management structures:
  - Endowments;
  - Community asset transfers; and
  - Non-profit distributing organisations (NDPOs).
- 3. Planning and development opportunities:
  - Property assets/investment portfolios;
  - Private sector;
  - Land sales; and
  - Planning obligations.
- 4. Charitable giving and voluntary sector involvement:
  - Subscription schemes;
  - Investment crowd-funding;
  - Donations/philanthropic partnerships;
  - Community/volunteer groups; and
  - Corporate volunteering.
- 5. Ecosystem development/payment for ecosystem services:
  - Renewable energy tariffs;
  - Utility and rights-of-way leasing;
  - Offsetting; and
  - Water management.
- 6. Multi-agency opportunities:
  - Grant funding;

- Innovative use of public budgets;
- Shared-use agreements; and
- Special designations.

# Income generating opportunities

#### How does this work?

**2.10** Under this mechanism, GI can be used for commercial purposes to generate income. For example, through the provision of services, including sports events, nature recreation/tourism or settings for cafés. Local food festivals or farmers markets can help support local people and demonstrate the relationship between land management, biodiversity and people. This can include sponsorship opportunities, such as sponsoring an activity in a space. It can also provide one-off events, such as weddings or natural burials. It can involve charging the public for using facilities such as parking, tennis or pools, or by selling products (e.g. firewood). This model can offer substantial, long-term funding. However events should be limited at ecologically sensitive sites (e.g. ancient and semi-natural woodland sites or areas with ground nesting birds) to reduce disturbance and degradation. It also requires skill and expertise to develop a business model. It also risks excluding certain groups from using the GI network if not managed carefully.

#### **Case studies**

**2.11** The Heart of the Forest cooperative [See reference 18] within the National Forest (Leicestershire) was formed through the collaboration three companies with a passion for trees. Seed funding was provided by the National Forest Company the company which runs an annual music and arts festival within the forest. Three partners produce high quality, sustainable charcoal. All proceeds

from sales help support the group to meet running costs and to provide sustainable income for charities within the forest.

#### Loans and taxation

#### How does this work?

2.12 This mechanism uses local and national taxation to allocate funding to GI interventions. This might include location-specific taxes or business levies. Service charges on new developments – which pay for the management and maintenance of the on-site GI network – are one increasingly common example of this approach. Business Improvement Districts (BIDs) and Park Improvement Districts are another. In the US, the use of tax-increment financing (TIF) [See reference 19] is a more ambitious approach but there has been little experimentation of this approach in the UK. This model can help businesses to see GI improvements as an investment – for example if improvements lead to increased footfall in town centres. However these businesses must be persuaded of the benefits. There is also a risk of excluding those who would benefit most from living near greenspace if not managed carefully.

#### **Case studies**

- **2.13** The Land Trust **[See reference** 20**]** is a non-profit entity that manages residential service charges at several sites across England. This management is driven by five key charitable objectives which focus on long term benefits to the community and the environment, as well as providing great spaces to visit and enjoy. In 2019-20 the Trust estimated the social value created at these sites to be nearly £2.5 million, rising to over £16 million when the uplift in property prices is taken into consideration.
- **2.14** The Greening the BIDs [See reference 21] initiative across London supported 15 GI audits and part-funded demonstration projects with the aim of

catalysing urban greening in central London. Key objectives included reducing the Urban Heat Island effect and tackling flood risk.

# Alternative management structures

#### How does this work?

2.15 This mechanism allows a local authority to transfer control for the management of specific GI features to structures such as charitable trusts. This approach opens access to new sources of funding and can allow for a more strategic approach to finance to achieve stable annual funding. The benefits of this mechanism are that land ownership can remain with the local authority but that wider management boards can bring together skills and expertise. This can help to provide access to new funding sources and provide opportunities for more long term, strategic thinking. However, this may result in limited oversight by local authorities in how the space is managed. It may also make it harder to work in partnership with the delivery of other local authority services.

#### **Case studies**

- **2.16** As a response to budget cuts of 90% over seven years, Newcastle Council worked with the National Trust to research this possibility of transferring the operation, delivery and maintenance of a large proportion of the city's parks and allotments to a new Charitable Trust. In November 2017, the Newcastle Parks Trust [See reference 22] was created to develop and car for the parks for future generations.
- 2.17 This model also builds on the earlier example of the Milton Keynes ParkTrust [See reference 23]. This was established by the Milton KeynesDevelopment Corporation as part of the establishment of the post-war NewTown to own and manage the strategic open space in the town in perpetuity.

It took a 999 year lease of 4,500 acres and was given an endowment at the time of £20 million – mainly in the form of commercial property.

# Charitable giving and voluntary sector

#### How does this work?

**2.18** This mechanism harnesses the work of local communities and volunteers in greenspace, including seeking out corporate or philanthropic investment. This model can be powerful in supporting regeneration initiatives and creating a sense of community ownership – contributing to the long term sustainability of GI. However, it can be unpredictable, requests for donations can be off-putting if not managed correctly, and it relies on highly motivated individuals or groups.

#### **Case studies**

**2.19** Heeley People's Park **[See reference** 24**]** in Sheffield is the largest community run park in the country. Instead of being paid for or managed by Sheffield City Council, it has been maintained by local people and businesses since 1996. The 3.5 hectares of land the park occupies lay derelict until the mid-1990s, when a local group came together to protect the interests of the community. The park is run by the Heeley Development Trust on a 125-year lease from Sheffield City Council. It is run by the Trust's staff and a community of volunteers.

# Payment for ecosystem services

#### How does this work?

2.20 Under this mechanism, the environmental services and benefits provided by GI can be utilised to generate income. It is a relatively new area of financing and is one way of helping to boost investment by a range of public and private actors in the natural environment. This might include the production of renewable energy or offsetting through carbon credits or tools to offset impacts on biodiversity. It can also include funding for water management to reduce flood risk through SuDS. This model can be a useful way of reducing costs and funding ongoing maintenance for certain types of intervention. However, it requires upfront investment and work to make a viable case for investment.

#### **Case studies**

**2.21** The River Lyd Nature Bid project **[See reference** 25**]** in Devon saw farmers and landowners in the Lyd catchment submit bids to an online auction to obtain grant funding for projects aimed at improving water quality. Examples of projects included woodland planting, aeration or sub-soiling of grassland, cover crops for arable areas, watercourse fencing, field buffer strips, installing ponds or wetland features. Demand for the scheme outstripped supply, thanks to a clear and simple application process.

**2.22** A somewhat different demonstration of this model is the Powering Parks [See reference 26] initiative in Hackney (east London) which uses heat pumps to collect ambient heat stored in the ground, water or air and then concentrate it so that it can be pumped into nearby buildings – either run by the local authority or nearby buildings. The initiative began at Abney Park cemetery but created a replication package for use by other park managers – including an online early-stage feasibility model.

- **2.23** The Forest Carbon [See reference 27] initiative is one of many ways to use carbon credits for organisations to offset their environmental impact.
- **2.24** Finally, Triodos Bank is working with a number of partners [See reference 28] to link investment in nature-based solutions to economic and social outcomes to make this kind of investment a recognised commercial proposition. The bank selected four projects to receive funding as part of a pilot scheme to become 'investment ready.' They include the restoration of wetlands in Devon and natural flood management in the Wyre catchment.

# Multi-agency opportunities

#### How does this work?

2.25 This mechanism involves working in partnership or collaboration among multiple organisations. It pieces together different funding sources, including grants. This model creates opportunities for large-scale change through new infrastructure. Special designations (e.g. for landscape in particular) can allow access to alternative funding sources. However the funding available is often for specific short-term uses and rarely funds core capacity. The time commitment for putting together detailed applications and identifying co-funding can also be onerous.

### **Case studies**

**2.26** The planned Clyst Valley Regional Park [See reference 29] in Devon is an area almost the same size as Exeter. It is protected through Strategy 10 of East Devon District Council's Local Plan and will be high quality greenspaces linked by trails and public transport. The project was in large part driven to provide access to nature while protecting local sensitive habitats. The capital for projects will often arrive from a variety of sources: national government, grants from charities, developer contributions and other places.

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# Report produced by LUC

#### **Bristol**

12th Floor, Colston Tower, Colston Street, Bristol BS1 4XE 0117 929 1997 bristol@landuse.co.uk

#### Cardiff

16A, 15th Floor, Brunel House, 2 Fitzalan Rd, Cardiff CF24 0EB 0292 032 9006 cardiff@landuse.co.uk

#### **Edinburgh**

Atholl Exchange, 6 Canning Street, Edinburgh EH3 8EG 0131 202 1616 edinburgh@landuse.co.uk

#### Glasgow

37 Otago Street, Glasgow G12 8JJ 0141 334 9595 glasgow@landuse.co.uk

#### London

250 Waterloo Road, London SE1 8RD 020 7383 5784 london@landuse.co.uk

#### Manchester

6th Floor, 55 King Street, Manchester M2 4LQ 0161 537 5960 manchester@landuse.co.uk

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# Agenda Item 9c

#### **East Herts Council Report**

#### **Executive**

Date of meeting: 3 June 2025

**Report by:** Councillor Vicky Glover-Ward – Executive Member for

Planning and Growth

Report title: District Plan Executive Panel (DPEP) Membership

Ward(s) affected: (All Wards);

**Summary** – To assist with the progression of the new District Plan, the District Plan Executive Panel (DPEP) is proposed to be reconvened. This paper discusses the purpose of the Panel and proposes the format and membership arrangements.

# RECOMMENDATIONS FOR EXECUTIVE to recommend to Council that:

- a) The District Plan Executive Panel is reconvened as a subgroup of Executive for the specific purposes of advancing the new District Plan;
- b) Three Members are drawn from the Executive to sit on the DPEP, namely Cllrs Vicky Glover-Ward (Chair), Ben Crystall and Joseph Dumont, with Cllr Tim Hoskin nominated as a substitute for Green Party members and Cllr Chris Wilson for Cllr Joseph Dumont, and
- c) The Council's website is updated to reflect the formation and purpose of the Panel and forms the primary source of information pertaining to the Panel.

#### 1.0 Proposal(s)

1.1 The purpose of this report is to set out the arrangements and membership for the reconvened DPEP.

#### 2.0 Background

- 2.1 Local Planning Authorities are required to complete a review of their local plans at least once every 5-years from the adoption date of a plan to ensure that plans remain relevant and take account of changing circumstances. Members resolved to undertake an update of the East Herts District Plan at its Executive meeting on 3 October 2023, with a view to formal work commencing in January 2026 (subject to secondary legislation).
- 2.2 Since that time, officers have been taking preparatory steps to facilitate progress on the new District Plan, including:
  - Agreeing a revised timetable for the preparation of the District Plan in the form of a Local Development Scheme (LDS).
  - Undertaking a 'Call for Sites', the initial outcome of which was discussed at the Executive meeting on 11 February 2025.
  - Agreeing a 'Strategic Vision' to chart a clear and ambitious course for the district's future, informing policies and decisionmaking that will shape East Herts in the years to come.
- 2.3 Planning Policy officers presented an indicative programme of work for the new District Plan to the Council's Leadership Team on April 8, 2025. This was informed by an initial discussion with the Executive Member for Planning and Growth. **Appendix A** sets out the anticipated programme of work expected to be considered by the Executive over the course of the coming 12 months, and also the extent of evidence that is likely to be required to inform the policies of the new District Plan, much of which will need to be considered by Members.
- 2.4 The current adopted District Plan was enabled by a District Plan Executive Panel (DPEP) consisting of a sub-group of Executive Members whose remit was to make recommendations to Council, via the Executive, on matters associated with the District Plan. For details on how DPEP will operate, see paragraph 3.4 below. For the reasons set out below, the intention is to reconvene the DPEP in advance of formal work on the new District Plan starting in early 2026.

2.5 The Constitution (paragraph 8.5.2) sets out that the DPEP will be appointed annually by the Executive and formal membership will be drawn from the Executive only, but that all members will be invited to the meetings and may speak at the DPEP.

#### 3.0 Reasons

- 3.1 The process of preparing a statutory District-wide plan is a lengthy and complex exercise for a Council, but essential in planning for the future needs of a place. The process, which can take several years from start to finish, requires a wide range of evidence to support it and is subject to public engagement and independent examination through various stages and procedures that are set out in law. Some of these stages are yet to be fully established because they are to be rolled out later this year through new procedures introduced in the Levelling Up and Regeneration Act 2023 (LURA), which proposed a new approach to plan-making.
- 3.2 These factors mean that it is highly likely there will be an ongoing, continuous need to inform members of progress, both on the plan's preparation and on feedback from the community. From previous experience, this would become time consuming for the Executive meeting, which clearly needs to consider other Council business as well.
- 3.3 As a sub-group of the Executive, the DPEP provides a means of ensuring there is a forum for considering the District Plan in a comprehensive and consistent way. The current adopted District Plan used DPEP as a means of focusing discussion on progression between 2007 and 2017, with the Panel being employed eleven times in 2015 and 2016 as the Plan approached its critical stages. During this time, DPEP considered reports on many aspects of plan-making, including evidence, duty to cooperate, delivery and compliance with various stages of the process. A similar agenda for DPEP is envisaged this time.

- 3.4 The Executive has previously nominated three Executive Members to sit on the DPEP, with all other Members able to attend sessions to allow a discussion of the matters on the agenda and questions to be raised with Planning Policy officers who will be present to address these. There is flexibility to convene meetings as and when they are required. Meetings are open to the public, and agendas and minutes will be made available on the Council's website. Items considered by the DPEP are then discussed at Executive and full Council.
- 3.5 Planning policy officers have discussed potential membership with the Executive Member for Planning and Growth, which has resulted in nominations for:
  - Cllr Vicky Glover Ward (Chair)
  - Cllr Ben Crystall
  - Cllr Joseph Dumont

#### **Substitutes**

- Cllr Tim Hoskin
- Cllr Chris Wilson

The nominations and substitutes ensure Panel involvement from both parties that form the administration.

3.6 As mentioned in para 2.4, it is anticipated that DPEP would establish itself with the commencement of formal plan-making in early 2026 and be convened on a regular basis through the 30-month period anticipated timeline for producing the District Plan. However, as the programme of work is already gathering momentum and becoming of interest to our communities, there may be scope for DPEP to be used later in 2025, and it is prudent to consider the format of DPEP now to allow for earlier meetings, should they be required.

3.7 As with other formal committees, DPEP would be managed through the Democratic Services team, and meetings and agendas would be available on the Council's website.

#### 4.0 Options

4.1 The Council could choose not to establish a separate committee forum for the District Plan.

#### 5.0 Risks

- 5.1 If DPEP was not to be reconvened, the progression of the new District Plan would be primarily delivered through the Executive, which may limit the amount of debate and discussion on the issues the Plan raises across the District for all Members.
- 5.2 DPEP adds a further layer of meetings into the committee hierarchy, but the separate discussion of matters relating to the new District Plan in a dedicated forum is intended to reduce the time that these items would take at Executive, thereby giving more time to other Council matters at the Executive meetings.

#### 6.0 Implications/Consultations

6.1 The DPEP page will be updated on the Council's website, and terms of reference established for the meetings. The Planning Policy team will maintain close communication with the Portfolio Holder to establish a programme for DPEP as meetings become required.

#### **Community Safety**

There are no community safety implications arising from this report.

#### **Data Protection**

There are no data protection implications arising from this report.

#### **Equalities**

There are no direct equality, diversity, or inclusion implications in this report. An Equalities Impact Assessment (EqIA) will be carried out of the updated District Plan in accordance with The Equality Act 2010.

#### **Environmental Sustainability**

The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development and infrastructure in a sustainable manner.

#### **Financial**

The District Plan is being updated from existing budgets, including reserves that have been safeguarded for this purpose.

#### **Health and Safety**

There are no health and safety implications arising from this report.

#### **Human Resources**

There are no human resources implications arising from this report.

#### **Human Rights**

There are no human rights implications arising from this report.

#### Legal

There are no legal implications arising from this report.

#### **Specific Wards**

ΑII

# 7.0 Background papers, appendices, and other relevant material

7.1 Appendix A – Anticipated Programme of Future Executive Reports and Evidence Requirements for the new District Plan

#### **Contact Member**

Councillor Vicky Glover-Ward, Executive Member for Planning and Growth

Vicky.Glover-Ward@eastherts.gov.uk

#### **Contact Officer**

Sara Saunders, Head of Planning and Building Control

Contact Tel. No. 01992 531656

# Sara.Saunders@eastherts.gov.uk

# **Report Author**

Richard Crutchley, Team Leader – Planning Policy

richard.crutchley@eastherts.gov.uk

# Appendix A: Anticipated Programme of Future Executive Reports and Evidence Requirements for the new District Plan

Executive June 3

- Statement of Community Involvement
- Endorsement of Green Infrastructure Study (Herts County Council)
- DPEP membership

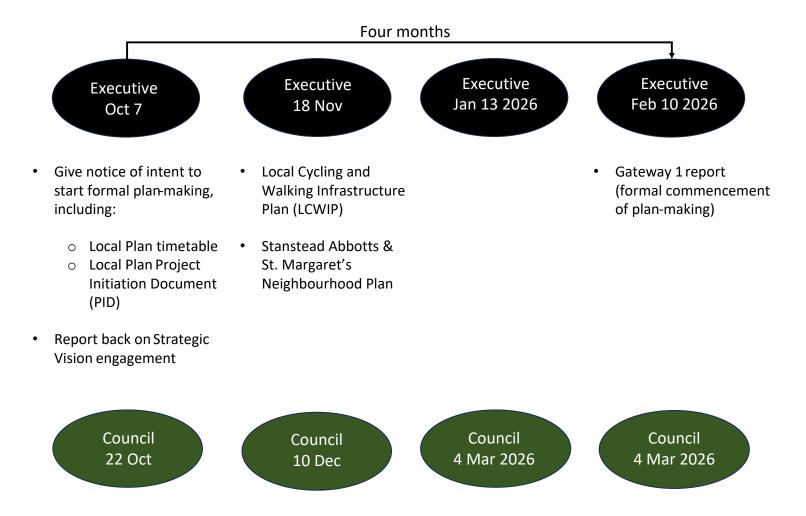
Council 23 July Executive July 8

- Bishop's Stortford Employment Study
- Hatfield Forest Strategic Access Management and Monitoring Strategy (SAMMS) Governance
- Gilston Monitoring Framework
- Stocking Pelham Neighbourhood Area designation

Council 23 July Executive Sept 9

- Sport and Open Space Strategy
- District Design Code
- District-wide Employment Land Review

Council 22 Oct



### **New District Plan - Evidence Documents**

#### **District Plan Documents**

Local Development Scheme

Strategic Visioning Document

Statement of Community Involvement

Sustainability Appraisal

Habitat Regulation Assessment

Plan Viability

### Housing and Population

Strategic Housing Market Assessment

Affordable Housing Needs Assessment

Gypsy & Traveller Accommodation Needs Assessment

Call for Sites/ Strategic Land Availability Assessment

#### Community and Leisure

Open Space and Sport Facilities Assessment

Village Hierarchy Study

### Employment and Retail

Employment Studies: Buntingford Bishop's Stortford Hertford & Ware Sawbridgeworth

Employment Land Review

Economic Needs Assessment

Retail and Town Centres Study

#### Environment and Landscape

Green Belt Review

Local Nature Recovery Strategy

Level 1 & 2 Strategic Flood Risk Assessment

Climate Change Study

Water Cycle Study

Local Areas of Special Landscape Value Study

Hertfordshire Green Infrastructure Strategy

#### Transport and Infrastructure

Infrastructure Delivery Plan

Local Cycling & Walking Infrastructure Plan

Transport Modelling

### Design and Heritage

District Design Code

Local List of Historic Buildings

Local List of Historic Parks and Gardens

# Agenda Item 9d

# **East Herts Council Report**

# **Leadership Team**

Date of meeting: 17 June 2025

**Report by:** Councillor Vicky Glover-Ward – Executive Member for Planning and Growth

**Report title: Gilston Area Monitoring framework** 

Ward(s) affected: Hunsdon, Sawbridgeworth;

# **Summary** -

Policy DEL4 of the East Herts District Plan 2018 requires that the Council produces an action plan in relation to the monitoring of the Gilston Area development. Officers have therefore developed a Monitoring Framework to set out what will be monitored and how, and this paper summarises the purpose of the Framework.

The Framework will be used in the production of an annual Gilston Area Monitoring Report, the first of which will be due in January 2026.

# **RECOMMENDATIONS FOR EXECUTIVE to recommend to Council that:**

a) The Gilston Area Monitoring Framework, attached at Appendix A, be endorsed.

# 1.0 Proposal(s)

- 1.1 To seek endorsement of the Gilston Area Monitoring Framework as a basis upon which annual monitoring reports will be produced on the progress of the Gilston Area development.
- 1.2 To seek endorsement for the creation of a new review group comprising representatives from East Herts and Hertfordshire County Council, in addition to those required in the S106

agreement, to ensure the coordination and oversight of the various monitoring activities.

# 2.0 Background

- 2.1 Policy DEL4 of the District Plan requires the preparation of an action plan against which annual monitoring will be prepared.
- 2.2 Planning permission was granted for the Gilston Area outline applications by the Development Management Committee in February and March 2023. In resolving to grant planning permission, members expressed a desire for the Council to have a responsibility in overseeing progress of the development and added to the resolutions that "Officers report back to the Committee in 12 months' time in relation to the subsequent monitoring of the development unless there was a constitutional reason why this was not possible."
- 2.3 This report describes how officers intend to take this forward.

### 3.0 Reasons

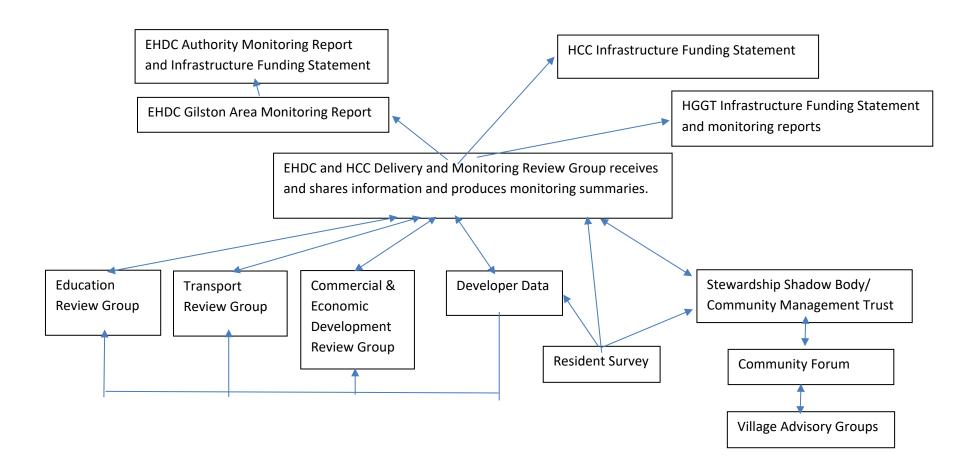
- 3.1 The Council granted planning permission on 9 January 2025 for 10,000 homes and supporting community infrastructure, which includes two major new roads and bridges. The Gilston Area development is of a scale and nature previously unseen in East Herts and the monitoring of this development is therefore important for many reasons.
- 3.2 The site will take over thirty years to construct and will eventually be home to over twenty thousand new residents. The impact of construction will be felt by current residents in the vicinity of the site and beyond, particularly when construction starts on the major road and bridge infrastructure. The current community are

- therefore predominantly concerned with understanding what will be delivered and when, and how their daily lives will be affected by construction activities.
- 3.3 As local planning authority we have a policy obligation to meet. The Council is a party to the S106 Agreement along with Hertfordshire County Council and the two developers Places for People and Taylor Wimpey. The S106 Agreement contains significant monitoring obligations for the regular provision of data and information to assist in decision-making relating primarily to education provision, transport and travel planning and economic development. There are also many triggers and milestones associated with the delivery of on-site infrastructure and the payment of financial contributions towards the provision of off-site infrastructure.
- 3.4 The S106 places obligations on East Herts Council to undertake monitoring and maintain a record of costs associated with the monitoring and administration of the S106 Agreement. This obligation extends to Hertfordshire County Council in their role as authority for transport, education, adult and children's services and library service areas.
- 3.5 Monitoring information will be gathered from various sources. Primarily data will be provided by the developers, but over time the number of delivery bodies will increase, each generating information that will require collation and sharing with necessary stakeholders. At least three Review groups will be established with a focus on transport, education and economic development.
- 3.6 Close collaboration will continue between officers at East Herts and Hertfordshire County Councils through a wider Delivery and Monitoring Review Group. This group will enable regular liaison across East Herts and Hertfordshire County Council for other specialisms not covered by the S106 Review Groups, such as affordable housing, construction management and delivery programmes. Given the timescales of the development the

- monitoring will span several district plan-making periods and will need to respond to changes in governance at the County and District levels. The group will therefore provide a means for liaising on changes to plans and policies, regulations and guidance relevant to the development and any updates that may be required to the monitoring baseline as a result.
- 3.7 The Shadow Stewardship Body has been established comprising representees from existing parishes, the developers and the Councils. This will evolve into a Community Management Trust, which over time will comprise more community representation. As the new community grows, residents will also contribute valuable information relating to the quality of places through the Village Advisory Groups (under the Stewardship trust) and resident questionnaires. Figure 1 below, sets out the roles and responsibilities of partners and stakeholders in monitoring the Gilston Area development.
- 3.8 It is therefore important that there is a mechanism for the collation of information to assist in understanding and reporting of relevant information to stakeholders involved in managing the delivery of the development over time. The first step is to produce a framework to provide a basis for regular reporting. The objectives of the Monitoring Framework are as follows:
  - To provide a mechanism for tracking the progress of the development throughout the planning processes and build out period to help ensure delivery of homes, infrastructure and mitigations in accordance with the required development milestones and triggers
  - To set out the objectives, targets and indicators against which the development outcomes, will be monitored, measured and evaluated
  - To provide a record of delivery

- To provide clarity on how the development will be monitored, what methods will be used, which organisations/ stakeholders will be involved in the process and who will be responsible for what
- To set out the Councils' approach to how information about the progress of the development will be publicised and shared with local communities and other key stakeholders.

Figure 1 - The roles and responsibilities of partners and stakeholders in monitoring the Gilston Area development



- 3.9 Once the Monitoring Framework has been agreed an annual monitoring report will be produced. It had originally been anticipated that key information would be also included in the Council's Authority Monitoring Report; however, it is not currently clear what format this document will take in the future. This is because the Levelling Up and Regeneration Act 2023 has set out a requirement for a clearer, more focused approach to monitoring, including the use of a template to standardise the way in which this data is prepared and presented. The specific details and requirements will be set out in new regulations which are yet to be published. Once these have been published the Council will need to review how future monitoring information is presented, including on the Gilston Area. In the meantime, a separate report on the Gilston Area will be produced and reported to Members on an annual basis.
- 3.10 The annual Gilston Area Monitoring Reports will be published on the Council's website so the information is readily available to interested parties.
- 3.11 A copy of the Gilston Area Monitoring Framework is attached at **Appendix A**.

# 4.0 Options

4.1 The Council could choose not to create a monitoring framework. Regardless of whether a Monitoring Framework is produced and agreed, Officers are legally obliged to carry out monitoring under the legal obligations of the S106 Agreement. The terms of the planning permissions require annual reporting of progress of the development, but the resulting monitoring exercises would likely be disjointed and harder to administer moving forward.

### 5.0 Risks

5.1 To not produce a monitoring framework or action plan would mean non-compliance with the District Plan policy DEL4.

5.2 A disjointed or uncoordinated approach to monitoring may have resource and officer time implications, or risk missing important information.

# 6.0 Implications/Consultations

6.1 The Monitoring Framework and subsequent monitoring reports will be made available on the Council's website and the Gilston Area Team Leader will continue to meet with the Leader, Portfolio Holder and ward members on a regular basis to provide regular updates on progress in addition to the annual reporting.

# **Community Safety**

There are no community safety implications arising from this report.

## **Data Protection**

There are no data protection implications arising from this report. Subsequent monitoring activities undertaken under the remit of the Framework will adhere to necessary data protection rules or will be anonymised.

# **Equalities**

There are no direct equality, diversity, or inclusion implications in this report.

# **Environmental Sustainability**

The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development and infrastructure in a sustainable manner. The framework will be a means for the Council to monitor the achievement of these objectives through the Gilston Area development.

### **Financial**

The S106 Agreement makes provision for the payment of an annual financial contribution towards the monitoring of the S106. The monitoring of matters outside the S106 obligations will require Officer time and resource.

# **Health and Safety**

There are no health and safety implications arising from this report.

### **Human Resources**

There are no human resources implications arising from this report.

# **Human Rights**

There are no human rights implications arising from this report.

# Legal

There are no legal implications arising from this report.

# **Specific Wards**

Hunsdon, Sawbridgeworth

# 7.0 Background papers, appendices, and other relevant material

7.1 Appendix A – Gilston Area Monitoring Framework

### **Contact Member**

Councillor Vicky Glover-Ward, Executive Member for Planning and Growth

Vicky.Glover-Ward@eastherts.gov.uk

# **Contact Officer**

Sara Saunders, Director of Place

Contact Tel. No. 01992 531656

<u>Sara.Saunders@eastherts.gov.uk</u>

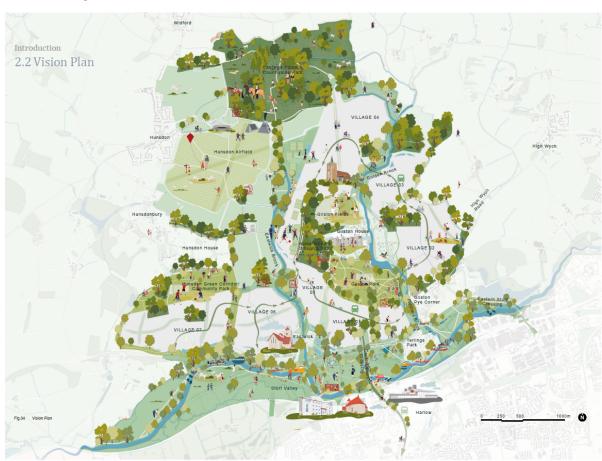
# **Report Author**

# Jenny Pierce, Team Leader – Planning Policy

jenny.pierce@eastherts.gov.uk



# Gilston Area Monitoring Framework Leadership Team Draft June 2025



# Contents

| List                                   | of Abbreviations                                 | 3  |  |
|----------------------------------------|--------------------------------------------------|----|--|
| 1.                                     | Introduction                                     | 4  |  |
| 2.                                     | How the Development will be Monitored            | 7  |  |
| 3.                                     | Roles and Responsibilities for Monitoring        | 10 |  |
| 4.                                     | How we will report Monitoring outcomes           | 20 |  |
| 5.                                     | How we will manage compliance and resolve issues | 23 |  |
| 6.                                     | Review of Monitoring Framework                   | 27 |  |
| Appendix A: Key Development Milestones |                                                  | 28 |  |
| Арр                                    | Appendix B: Monitoring Matrix                    |    |  |
| Δnn                                    | Annendiy C: List of reference documents          |    |  |

# **List of Abbreviations**

This document contains a list of abbreviations which are included below for reference:

| Abbreviation | Meaning                                                |
|--------------|--------------------------------------------------------|
| CLEMP        | Construction Landscape and Ecological Management Plan  |
| CTEMP        | Construction Traffic and Environmental Management Plan |
| EHDC         | East Hertfordshire District Council                    |
| EHDP         | East Hertfordshire District Plan                       |
| EIA          | Environmental Impact Assessment                        |
| ES           | Environmental Statement                                |
| GA           | Gilston Area                                           |
| GANP         | Gilston Area Neighbourhood Plan                        |
| GASMF        | Gilston Area Strategic Monitoring Framework            |
| GP           | General Practice (Doctor's surgery)                    |
| HCC          | Hertfordshire County Council                           |
| HGGT         | Harlow and Gilston Garden Town                         |
| LAP          | Local Play Area                                        |
| LEAP         | Local Equipped Play Area                               |
| LLFA         | Lead Local Flood Authority                             |
| NEAP         | Neighbourhood Equipped Play Area                       |
| NPPF         | National Planning Policy Framework                     |
| OLEMP        | Operational Landscape and Ecological Management Plan   |
| PFP          | Places for People                                      |
| SPD          | Supplementary Planning Document                        |
| SLMP         | Strategic Landscape Masterplan                         |
| SUDS         | Sustainable Drainage Systems                           |
| STC          | Sustainable Transport Corridor                         |
| TW           | Taylor Wimpey                                          |
| VMP          | Village Masterplan                                     |

### 1. Introduction

# <u>Purpose of Framework</u>

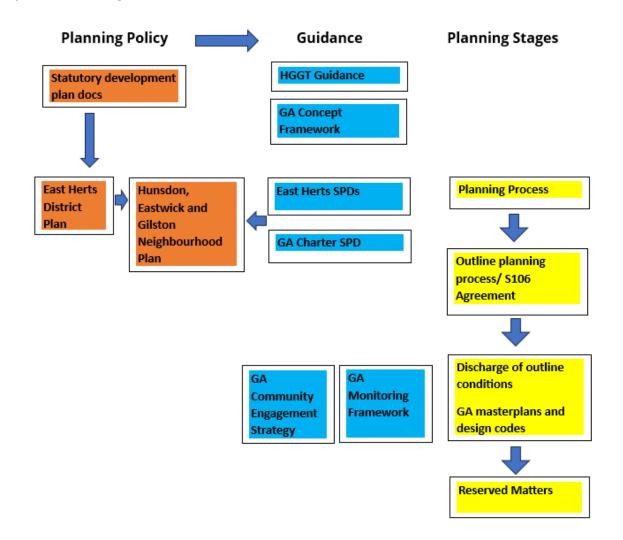
- 1.0 The purpose of this Monitoring Framework is to provide an overarching approach that explains how the Gilston Area (GA) development will be monitored, the key milestones for delivery and helps to ensure that relevant planning policies are implemented. It explains how the required infrastructure and identified mitigations to support the development will be monitored to ensure they are delivered in accordance with the agreed timescales, throughout the build out of the development. The Monitoring Framework sets out how the monitoring process for the development will ensure that the high-level vision and objectives of the Development Plan and other relevant guidance, are delivered. It outlines:
  - The policy and planning context for the Framework
  - How the development will be monitored
  - The role of various parties in undertaking monitoring activities
  - How monitoring outputs will be reported
  - How we will manage compliance and resolve issues
  - The need to ensure the framework is up to date.

# **Local Policy Context**

- 1.1 Policy DPS3 of the EHDP allocates the Gilston Area for development to accommodate 10,000 homes with at least 3,000 to be delivered by 2033. Policy GA1 sets out the vision and key requirements for the development including supporting infrastructure and mitigations. Policy DEL 4 requires the Council to establish a monitoring action plan.
- 1.2 The Hunsdon, Eastwick and Gilston Neighbourhood Plan (Adopted July 2021) (GANP) sets a vision and objectives for development at Gilston and supports the sustainable development of growth at Gilston (Policy AG1) whist seeking to protect and enhance the surrounding countryside setting (Policy AG3) and respecting Local Significance (Policy AG5). The GANP also includes a range of design led policies which seek to inform and guide the detailed Reserved Matters applications and the form of development. Policy AG9 encourages the early and phased delivery of infrastructure to support the GA development. Chapter 4 of the Neighbourhood Plan further describes how monitoring the delivery and quality of the development will inform future reviews of the Neighbourhood Plan. Paragraph 263 requires regular monitoring of GA development outcomes against the GANP policies and objectives and paragraph 267 recommends the creation of a live web-based monitoring platform.

- 1.3 The Gilston Area Charter Supplementary Planning Document (SPD) adopted in 2020 identifies the need for the establishment of a monitoring framework to review progress and outcomes through the planning, construction and post-construction stages. The Charter recommends the use of design code compliance checklists and the creation of a series of targets that can be measured.
- 1.4 In addition, the HGGT Vision (November 2018) setting out the key principles for healthy growth and the range of supporting strategies such as the Transport Strategy and Design Guide are material considerations, setting overall objectives for the quality of development in the HGGT area and the timely delivery of supporting strategic and on-site infrastructure. The HGGT partners collected key baseline data in relation to the perceptions of local residents regarding their quality of life in late 2022. This survey approach can be repeated at subsequent stages during the growth of the Garden Town to indicate how perceptions have changed. If used across all HGGT developments, this will provide a comprehensive means of assessing all sites against the HGGT Vision and objectives. Figure 1 illustrates the relationships between the various policies and guidance that inform the monitoring of the development.

<u>Figure 1 - Relationship between strategic vision and objectives,</u> policies and guidance



### Planning Context

- 1.5 Resolutions to grant outline planning permissions for the development were granted in February and March 2023. The applications comprise an outline application for up to 8,500 homes (Villages 1-6) and a second outline application for up to 1,500 homes (Village 7). A single s106 legal agreement was completed, signed and permissions issued for the development on 9<sup>th</sup> January 2025. The outline permissions contain several approved documents including Development Specifications, a Strategic Design Guide and parameter plans that provide a planning framework for the development as a whole. In addition, the V1-6 permission includes an approved Placemaking Strategy.
- 1.6 The planning conditions attached to the outline permissions require the submission of a Strategic Landscape Masterplan (SLMP) and Design Code and

- individual Village Masterplans (VMPs) and Design Codes. These documents and others will inform the subsequent reserved matters applications that describe detailed layouts and designs.
- 1.7 The masterplans are all important and relevant to the Monitoring Framework because they build on the outline planning permission and begin to prescribe the development in a spatial and more detailed form outlining how the delivery of the vision and objectives for the development will be met. Therefore, each stage will require monitoring, which will continue through the construction stage to ensure compliance with details approved. **Appendix 1, Table 1** shows the key planning process milestones for the development and the information that will be recorded.

# Phasing and Build Out

1.8 It is currently estimated that the development will be built out over a period of more than 30 years (although this timescale is indicative at this stage). Given the scale of development it will be divided into phases, focused on each of the 7 villages. Village 1 comes first with Village 7 likely to be either in parallel or soon after. Indicative phasing information was provided as part of the outline planning applications which anticipate delivery will progress in the order of Village 2, 5, 3, 4 and 6. Each village is also likely to have its own 'sub-phases' within the overall phasing. It is likely that the delivery of the villages will overlap and multiple villages/ phases will be under construction at the same time. Construction of the new homes is currently anticipated to start from early 2027, with homes being completed from late 2027/ early 2028, with infrastructure works having already begun at the Central Stort Crossing.

# 2. How the Development will be Monitored

### Conditions

2.1 The outline planning permissions contain many planning conditions and provisions that require the developers to submit a range of information at a set stage of the development that will enable the Council and other key stakeholders to track the progress of the development. These include phasing and delivery plans and management plans for specific technical of environmental interests. In particular, the conditions require the submission of masterplans comprising regulatory plans and design codes, and each masterplan will have a compliance checklist against which detailed reserved matters applications will be assessed.

2.2 The Council will create a tracker spreadsheet or database to record submissions against each planning condition, which will include partial submissions against individual phases of the development. This spreadsheet will likely evolve over time in response to any future sub-phases within villages.

# S106 Agreement obligations

- 2.3 Regular monitoring of the housing delivery and trajectory data is necessary to inform the planning of and delivery of each piece of infrastructure within and beyond the site as the S106 agreement contains triggers that require infrastructure to be delivered, payments to be made to the Councils (East Herts and Hertfordshire County Council) or other actions to be carried out at specific points related to timing in the development process for example on occupation of so many dwellings.
- 2.4 The s106 obligations will be tracked in a spreadsheet or database using notifications submitted by the developer at specific points in the development as set out in the S106 agreement to support effective monitoring. In particular, relating to:
  - education, including completions and occupations
  - employment, skills and commercial development
  - travel planning and mode share targets
  - housing trajectory delivered and planned, including types and tenures
- 2.5 A key part of the S106 agreement monitoring relates to the delivery of affordable housing. The agreement provides for a review of the viability of each outline development at set stages of each village. This will consider elements like the cost of delivering infrastructure and homes compared to the value of homes delivered and those due to be delivered. Following each review, agreement will be reached on the percentage of affordable homes to be delivered in subsequent phases of development, always subject to a minimum of 23% of homes being affordable. The GA Monitoring Report will detail the types of properties provided in the previous year and track the percentage of affordable homes delivered.

### Site visits and related activities

2.6 In addition to receiving notifications from the developers, to ensure that milestones and triggers are continually monitored throughout the construction process, Council officers (both District and County), and key stakeholders may carry out site visits and inspections to monitor compliance. As well as the planning teams, housing, environmental health, minerals and waste, transport and highways, the LLFA and Environment Agency will be closely involved

relevant to their particular expert interests. The S106 agreement provides for contributions from both developers to the Councils (East Herts and Hertfordshire County) to administer the continued monitoring of S106 obligations.

2.7 Because of the large number of organisations involved at any one time and the importance of collaborative working and maximising efficiency, this report recommends that a cross-Council Delivery and Monitoring Review Group is set up from commencement of development to be led by EHDC and HCC officers, with attendance from the developer team and other Council services and key stakeholders invited at regular intervals or as needed. This group will facilitate the collation and sharing of data which will assist in ensuring that critical information, including compliance, is shared in a timely way.

# Quality of Development

- 2.8 Development quality will be monitored against the objectives and indicators set out in the Monitoring Matrix in **Appendix 2** which cross-references to the plans, policies and guidance in Figure 1. As referred to above, the HGGT partners can undertake repeat survey work focused on the perceptions of residents of the quality of life in the area. This work can be seen as complimentary to the GA Monitoring Framework and the report's objectives and recommendations are therefore included as one of the tools for assessing quality of life in the GA Monitoring Framework.
- 2.9 A variety of mechanisms will be used to assess quality issues. These include:
  - Through the design coding process, subsequent compliance checklists, reserved matters and follow up site visits.
  - Through the GA Community Forum, Development Management Forum and Stewardship Body activities and feedback.
  - Through engagement with existing and new residents and users of the GA development. This could include the use of themed workshop review events, focus groups with new and existing residents, questionnaires, surveys, task and finish groups and lessons learned or peer review processes.
- 2.10 The HGGT Quality Review Panel will have an ongoing role in the GA development process, in terms of review of masterplans, design codes and some reserved matters proposals for specific important infrastructure related applications such as schools. The Panel may also continue to be engaged in post construction review processes as the site is built out, to provide an independent view on the scheme's delivery against HGGT objectives and to

- provide opportunities for learning and identifying the need for adjustments for future phases.
- 2.11 All these processes will have important roles in providing opportunities to review, refine, identify required changes and adjustments to the development on an ongoing basis, to ensure that the quality objectives for the development are met and where there are indications that objectives are not being met, these issues are addressed in a timely way.

# 3. Roles and Responsibilities for Monitoring

- 3.1 EHDC and HCC, as the two Councils directly involved in the GA development, will have the primary responsibility for the monitoring of the development; for ensuring that all objectives are met, infrastructure is delivered in accordance with agreed timings, that contributions or payments are made in accordance with the S106 trigger requirements.
- 3.2 Both Councils have S106 monitoring officers who will play a pivotal role in the process, working alongside council planners. There will also be at least one GA monitoring officer funded through the S106 agreements.

### East Herts District Council

- 3.3 EHDC, as the Local Planning Authority (LPA), will have the main responsibility for the coordination of the monitoring process across the various stakeholders. The Council has a key role in ensuring that local communities are kept informed of progress and engaged in the process.
- 3.4 EHDC Officers will ensure that conditions are discharged in a timely way, and all other requirements set out in the outline planning permission, masterplans, design codes, conditions, reserved matters and other commitments set out in a range of planning documentation, are met.
- 3.5 EHDC will collaborate with HCC as the education, and highways authority and the developers, to ensure that the Review Groups, that are a S106 requirement, are set up and operational by the agreed trigger points. It is important to ensure they fulfil their roles effectively and complete tasks within the required timescales.
- 3.6 EHDC, as the LPA, is responsible for ensuring that the development is compliant with planning and other requirements, and for investigating and enforcing non-compliance issues in most cases other than where another

- partner organisation has legal or other designated responsibilities in specific areas. This includes HCC, developers, the LLFA and Environment Agency.
- 3.7 Whilst the planning teams will be responsible for most delivery and monitoring issues and for overall coordination, other Council services will have roles in specific areas including in respect of affordable housing, household waste and environmental health. Advice will be sought from other teams such as parks and leisure in matters such as park design and management plans.

## Hertfordshire County Council

- 3.8 HCC has statutory responsibilities for education and special educational needs, transport and highways matters, minerals, and strategic waste management issues. HCC is responsible for providing technical advice on archaeology and ecology planning conditions including advising East Herts on whether relevant conditions can be discharged. HCC will also liaise with developers through pre-application advice, through the planning process and as works progress on site.
- 3.9 In its role as LLFA, the County Council has responsibility under the Flood and Water Risk Management Act 2010 for the management and reduction of flood risk from surface water, ground water and ordinary watercourses. This includes providing technical advice and oversight on the design of sustainable urban drainage systems (SUDS) and their implementation. As such, the LLFA will be closely involved in working with the developers, housebuilders, the District Council and water and sewage companies to ensure that the development is implemented in accordance with the approved Flood Risk Assessment (FRA), approved plans and relevant conditions relating to flood risk, surface water drainage and wastewater management.

### Role of Review Groups

3.10 The S106 agreement requires the establishment of topic-specific Review Groups, with separate groups to be established for transport, education and commercial and employment generating development. These groups, which will include East Herts and Hertfordshire County Council officers, plus developer representatives will assist in the collation and sharing of data relevant to the topic which will feed into strategies, plans, and monitoring. For example, details such as the completion and occupation of homes, plus their house type and size will be used alongside GP registration numbers and other data to inform decisions relating to the delivery or expansion of education facilities.

- 3.11 As transport and highways matters, commercial development, local skills and employment matters have cross-boundary interests, representatives from the HGGT partners will also attend the Transport and Commercial and Economic Development Review Groups. These will review data relevant to the monitoring of objectives agreed within Travel Plans and share information relevant to securing commercial floorspace and enabling benefits to local people through the development of construction and related skills.
- 3.12 Whilst not a requirement of the S106 agreement, ensuring the coordination and oversight of the various monitoring activities is an important function of a proposed Delivery and Monitoring Review Group. This will enable regular liaison across East Herts and Hertfordshire County Council for other specialisms not covered by the Review Groups, such as affordable housing, construction management and delivery programmes. Given the timescales of the development the monitoring will span several district plan-making periods and will need to respond to changes in governance at the County and District levels. The group will therefore provide a means for liaising on changes to plans and policies, regulations and guidance relevant to the development and any updates that may be required to the monitoring baseline as a result.
- 3.13 Likewise, the development may be impacted by forces outside the developer's control, such as changes affecting housing, financial and economic markets, or even changes in government policy and planning legislation. Therefore, regular liaison meetings between the planning team and the developers will provide a means for early identification of issues such as whether delivery milestones will not be met or whether amendments are required to the outline permission or the S106 agreement through a Deed of Variation, to the Central and Eastern Stort Crossing permissions, to reserved matters approvals or discharged planning conditions.

### Role of the Master Developer, other developers and housebuilders

3.14 The master developer for Villages 1-6 (Places for People), the developer for Village 7 (Taylor Wimpey North Thames and Taylor Wimpey London) and subsequent developers, house builders and principal contractors who may purchase and/ or deliver parcels or infrastructure or facilities across the GA development also play a critical role in the delivery and monitoring process. The S106 binds the master developer and Village 7 developer as responsible for compliance with the requirements of the relevant outline planning permission(s), submission of the masterplans and associated documents including design codes, discharge of planning conditions, compliance with the S106 agreement and infrastructure delivery. The master developer and Village 7 developer will therefore be closely involved in the Review Groups, Community Forum and other key groups associated with the development

- and are responsible for sharing information on progress. This will be through formal submissions like the individual Village Infrastructure Delivery Plans and phasing information but also on a more informal ongoing basis with the Councils and the local communities and other stakeholders.
- 3.15 The master developer is likely to retain responsibility for delivery of strategic infrastructure requirements secured through the S106 agreement or by condition, particularly transport and highways related ones, where these are fundamental to the early progress of the development. The Village 7 developer is likely to be responsible for the delivery of a significant part of the Strategic Transport Corridor and the Football Hub. The master developer and Village 7 developer will collaborate on the delivery of infrastructure such as internal highways. The master developer is also likely to retain responsibility for submission of (at least) the earlier masterplans and design codes relating to Villages 1-6 and for overall compliance with the S106 agreement. However, this may change as the development advances and depending on agreements reached in the event of any future land sale(s) or joint venture(s) or consortium arrangements. It is important that there is clarity on individual developer and house builder roles and responsibilities throughout each stage of the development, particularly if land is sold on, which will be discussed at the regular liaison meetings between the developers and the planning team.
- 3.16 When land parcels or potentially whole villages are sold on to other developers and housebuilders, then the compliance requirements set out in approved planning documents may pass to them, normally at reserved matters stage. This does not automatically mean the master-developer role is no more. It may be that more parties are involved, and responsibilities split or shared, but the Master Developer will still be involved.
- 3.17 Just as the master developer plays a critical role, so do the plot developers and house builders who are responsible for the design, delivery and implementation of homes and facilities. At the Village masterplanning, design coding, reserved matters, and discharge of related conditions stages, it is important for all the developers and housebuilders to be fully engaged in the collaborative working arrangements with the Councils, local communities and other stakeholders including through the Review Groups and Community Forum, in addition to or instead of the master developer as appropriate. This will include representation at the Delivery and Monitoring Review Group, once established. Either the master developer or subsequent developers will be responsible for providing the Councils with the S106 notifications and other regular reporting on progress as construction progresses.

Harlow and Gilston Garden Town

3.18 Monitoring information will be shared with HGGT in order to help inform the HGGT master programme of delivery. Relevant updates will also be provided to the Joint Committee. The HGGT will be represented in the various Review Groups either as an attendee or as an observer, to ensure strategic Garden Town related interests are considered. e

## Role of Other Key Stakeholders

- 3.19 There are several other key stakeholders who will be involved in the delivery and monitoring process. These include registered providers (usually housing associations but could include community land trusts and other similar organisations) who are responsible for delivery or management of the affordable housing, the Environment Agency with responsibility for strategic flood risk and water management, utility providers including Affinity Water, Thames Water and energy suppliers, National Highways with responsibility for trunk roads and future bodies including the Gilston Area Shadow Stewardship Group and Gilston Area Community Management Trust.
- 3.20 The Environment Agency is the body with responsibility for strategic flood risk and water management issues. Whilst the Environment Agency would not be involved in the development on a day-to-day basis, given the large scale of the site and quantum of development, the Environment Agency will monitor the development, working with the LLFA, District Council and water supply and wastewater companies to ensure that the requirements of the Environmental Statement and Flood Risk Assessment are adhered to. The Environment Agency may also have a role in compliance issues.
- 3.21 Natural England, Historic England, and Sport England, in their role as statutory bodies are likely to also retain an interest in the development and in the monitoring outputs related to their particular fields.
- 3.22 Registered providers and other bodies involved in the delivery and management of affordable housing will become involved in the development process from the stage of signing agreements with the developers. They play an important role in working with the District Council to ensure that the affordable housing is delivered in accordance with the requirements of the outline permissions and S106 agreements in terms of quantum, type and tenure and that it is constructed in accordance with agreed Village Housing Schemes, Village Phasing Plans, reserved matters approvals and planning conditions. In addition, the registered providers and other affordable housing bodies can provide useful information and feedback as the development progresses, in terms of placemaking, quality, community engagement and cohesion objectives, whether these are being met and for identification of issues. As such, they should also be regularly represented at the Community Forum, in any groups that have responsibilities for the new community as it

emerges, for example the GA Shadow Stewardship Group and GA Community Management Trust, themed workshops events and reviews.

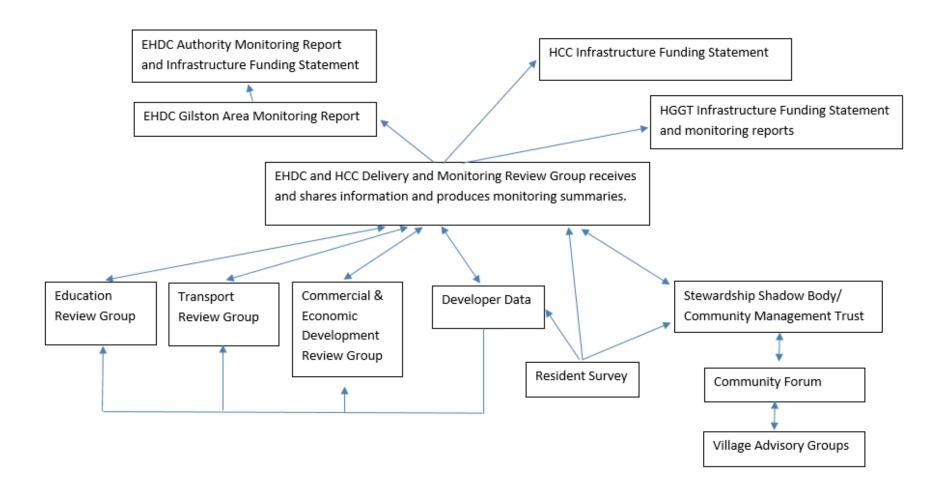
# The Role of the Community in Monitoring

- 3.23 Local communities have an integral role in monitoring the quality of new developments and can provide helpful and constructive feedback at each stage of the process through community forums, workshops, focus groups, and reviews. These inputs and feedback from the local communities are an important part of the monitoring process and can help shape developments as they evolve.
- 3.24 It is likely that in the early stages, following development starting on site, as is normal with a large-scale complex development, there will be some early snagging issues particularly with respect to construction activities. It is important that the developer teams provide regular communications and put in place their emergency helplines, publish contact lists and website information as soon as possible to ensure that issues are not escalated unnecessarily. These form part of the requirements of the CTEMPs and CLEMPs that are secured through conditions on the outline permissions.
- 3.25 As a first step the developers have created a new website designed specifically for the sharing of information related to the development, where residents can spatially map issues as they arise, such as estate management or construction-related issues, and conversely, the developers can spatially map where particular works are planned to take place. As a live web-based platform this enables real-time engagement on issues arising without the need for residents to be required to call to report an issue during office hours.
- 3.26 The GA Community Management Trust and GA Shadow Stewardship Group (to be in place from the outset of the development until the Management Trust is formally set up) will provide a key strategic stewardship role for the Gilston Area as the development moves forward. Policy GA1(h) of the EHDP states that ownership of open spaces and parkland "will be transferred to a community trust or other mechanism that ensures long-term stewardship and governance for the benefit of the community." Part VII of the Policy details this further in terms of "protection and maintenance of the parkland, open spaces, play areas and community assets." Given their stewardship role, the Management Trust and the Shadow Stewardship Group will play a key role in engaging with the Councils, developers, housebuilders, existing and new communities and other key stakeholders in the implementation and monitoring process and helping to ensure that the strategic vision and objectives for the Gilston Area are achieved through the fulfilment of the Trust's responsibilities.

- 3.27 The Trust will establish a Trust-led Community Forum, and as part of the local governance arrangements, each individual Village will have a Village Advisory Group as soon as there are sufficient occupations and level of interest. They will have a Village-specific focus and will support the Management Trust in understanding local priorities, issues and challenges. As such, the Village Advisory Groups will have a significant contribution to make to the development monitoring process in terms of providing feedback from residents who live in the new communities. The Village Advisory Groups will feed into the Trust-led Community Forum, which will feed into the Community Management Trust. The Trust will then share information with the Delivery and Monitoring Review Group as the central liaison for monitoring information.
- 3.28 Figure 2 overleaf illustrates the roles of each of these groups and how the information gathered will inform monitoring output reports.

Page 463

<u>Figure 2 – The roles and responsibilities of partners and stakeholders in monitoring the Gilston Area development</u>



# 4. How we will report Monitoring outcomes

4.1 The output of monitoring activities will vary to ensure it is suitable for different audiences. The planning permissions require that the Council reports on an annual basis from the date of permission on progress of the developments.

### Reporting to Members

- 4.2 Once the Monitoring Framework has been agreed an annual monitoring report will be produced. It had originally been anticipated that key information would be also included in the Council's Authority Monitoring Report; however, it is not currently clear what format this document will take in the future. This is because the Levelling Up and Regeneration Act 2023 has set out a requirement for a clearer, more focused approach to monitoring, including the use of a template to standardise the way in which this data is prepared and presented. The specific details and requirements will be set out in new regulations which are yet to be published. Once these have been published the Council will need to review how future monitoring information is presented, including on the Gilston Area. In the meantime, a separate report on the Gilston Area will be produced and reported to Members on an annual basis and be published on the Council's website.
- 4.3 In addition, there will continue to be regular reporting to members by officers on progress and key issues.. This provides achannel for sharing information and raising issues that may require member involvement or intervention, or that have been brought to the attention of members via the communities they represent.
- 4.4 There will be member involvement in the GA Community Forum and the Development Management Forum, including ward and parish members. Officers will continue to offer monthly catchups with Ward members, the Leader and Portfolio-Holder for Planning and Growth.
- 4.5 Opportunities for wider members to be involved in regular site visits, workshops, working groups and reviews will arise as the development makes progress.

### Reporting to the Gilston Area Community Forum

4.6 The GA Community Forum provides an effective mechanism for engagement with local communities and for providing progress updates and monitoring information as development progresses. Prior to each Community Forum,

- Council Officers will be available to meet with the parish councillors and Neighbourhood Plan Group Representatives should this be requested in advance to enable the sharing of information to community representatives.
- 4.7 The focus of the GA Community Forum is currently on implementation, including construction and delivery ensuring that there is an interactive communications channel for the Councils, developers and other key stakeholders to share the latest information on progress and key issues but also for the local communities to develop their understanding of the key stages of the development and relationships with the developer and Council teams.
- 4.8 In addition, the Forum provides a channel for residents to raise concerns, ask questions and provide feedback. It will remain in place throughout the development process, unless alternative community engagement arrangements are put in place that supersede it, such as the Community Forum to be established by the Community Management Trust.
- 4.9 Officers will update the Gilston Area pages of the Council's website with copies of monitoring reports when they are completed.

# 5. How we will manage compliance and resolve issues

5.1 EHDC and HCC will be responsible for the monitoring and investigation of most compliance issues. It is important to have a clear strategy in place to deal with compliance and other issues of concern identified through the monitoring process. This is particularly the case on a development of this scale and complexity, as otherwise, failure to take timely and appropriate action to address these may undermine the overall quality of the development and the confidence and quality of life of local communities. The GA development will be built out over a period of more than 30 years. It is therefore important to establish good long-term relationships and collaborative engagement between the developers, Councils and local communities so that compliance and other issues of concern can be addressed through constructive dialogue at an early stage.

# The collaborative approach

5.2 The development comprises two outline planning permissions and will be followed by many reserved matters applications for detailed designs for onsite infrastructure, homes and commercial proposals. These are likely to result in further detailed conditions, which in addition to the outline

permission conditions and the S106 agreement all contain requirements that prescribe the development and must be complied with. These will be monitored by the planning, S106 monitoring teams and other key Council services.

- 5.3 The purpose of continual monitoring is to enable issues to be identified at an early stage and to discuss the appropriate means for resolving these without the need for formal actions. For example, the delivery of a particular piece of infrastructure may be delayed beyond the s106 trigger. Early dialogue will allow Officers to consider the reasons for the delay, the expected timescale for its completion and decide whether it is necessary to prevent further occupations until its completion. The outcome will depend on multiple considerations at the specific point in time.
- 5.4 Where issues have not been resolved at first point of contact levels or the issues are of a high-level strategic nature, these may be escalated to stakeholder groups with a more appropriate strategic remit. This will very much depend on the nature of the issue, the implications and level of risk in each case. For example, some contained issues may be escalated to senior representatives within the Councils and developer teams where that is the most appropriate means for resolution.
- 5.5 While the Community Management Trust will have responsibilities relating to its governance role, including the collection of service charges, the Trust does not have planning responsibilities and will therefore need to raise such matters to East Herts Council.
- 5.6 Each responsible body, including the Community Management Trust, should maintain tracking systems or processes for logging issues identified, who is responsible and their resolution.

### The regulatory or formal approach

- 5.7 The planning system operates under a regulatory framework of legislative controls. Breaches of planning control are defined in Section 171A of the Town and Country Planning Act 1990 and as well as carrying out development without planning permission, include "failing to comply with any condition or limitation subject to which planning permission has been granted." Anyone can report a suspected breach of planning control to the local planning authority.
- 5.8 Paragraph 60 of the National Planning Policy Framework (NPPF 2024) states that: "effective enforcement is important to maintain public confidence in the

planning system..." However, it also states that: "enforcement action is discretionary and local planning authorities should act proportionately in responding to alleged breaches of planning control." Paragraph 60 goes on to advise that local authorities should put Local Enforcement Plans in place which should set out how the monitoring of planning permissions will be carried out, as well as investigations of unauthorised development.

- 5.9 The EHDC Planning Enforcement Plan 2021 sets out the Council's approach to investigating and acting in respect of breaches of planning control. The Plan explains the process for carrying out investigations, enforcement priorities, performance targets and the service that members of the public can expect. In addition, it includes a summary of potential circumstances where the Council will not pursue formal action, in accordance with the NPPF.
- 5.10 There are different types of breaches of planning control and there are several enforcement tools that can be used, tailored to the specific circumstances. These include:
  - Enforcement Notices
  - Stop Notices
  - Temporary Stop Notices
  - Breach of Condition Notices
  - Planning Contravention Notices
  - Injunctions
- 5.11 To note is that S106 agreements are normally enforced by Injunction through the High Court.
- 5.12 Formal enforcement action is a last resort in many cases and local authorities will normally seek to secure compliance, negotiate acceptable alternative solutions or invite retrospective planning applications where this is the most appropriate way forward. Where planning breaches have significant impacts on local communities or on the environment and when rapid action is required, Stop Notices, Temporary Stop Notices and Injunctions may be used, if other measures have failed or where the breach needs to be stopped with immediate or urgent effect because of the extent of harm it is causing. Examples of circumstances where these could be used include contaminated land or pollution issues and serious implications arising from construction works that are not in accordance with conditions. In deciding whether to take such action local authorities can only prohibit only what is essential to safeguard amenity or public safety in the neighbourhood; or to prevent serious or irreversible harm to the environment in the surrounding area.
- 5.13 There are other bodies that have a role in compliance monitoring, aside from the Councils such as the Environment Agency. This would be on an

exceptional basis, where issues with wider, more strategic implications have been highlighted.

# **Legal Implications**

- 5.14 In terms of resolving issues arising in the fulfilment of the S106 agreement, the S106 agreement includes an external and independent means of dispute resolution that will need to be followed if agreement cannot be met through discussion and negotiation, prior to the Council considering the need for enforcement action.
- 5.15 Legal advice is likely to be required in situations where formal enforcement action is proposed to be taken by the Councils or any other form of formal action by other stakeholders. Legal advice will also be required where an issue or proposed course of action has legal implications for the Councils or any other parties. For example, the Councils would take legal advice before proceeding to serve Stop Notices, Temporary Stop Notices or Injunctions since these may have significant financial implications for the Councils.

# 6. Review of Monitoring Framework

- 6.1 The long-term complex nature of the build out of the development means that there will be an ongoing need for adjustments and changes to be made during the process. These may arise from a range of factors including:
  - Changes in national legislation and policies;
  - Regulatory changes such as in Building Control, Planning or Environmental Health;
  - Local Plan policy changes;
  - Changes required to respond to issues identified or learning arising from the development process;
  - Changes identified by the Councils or developers as part of ongoing masterplanning, design coding, pre-application and reserved matters processes.
- 6.2 Some of the changes will be very minor and can be addressed through the required regulatory or other appropriate processes such as submission of detailed amendments to conditions or Reserved Matters applications or regularized through written agreement. Where changes are more significant or have wider strategic importance, these will be subject to consultation and engagement processes. Changes that have wider strategic implications for the HGGT would be considered by the wider HGGT partners and any action agreed as appropriate.

6.3 The Monitoring Framework will therefore need to be agile and respond to amendments over time, particularly given the construction period will likely exceed thirty years. When Officers prepare the annual GA Monitoring Report, they will consider whether amendments are required to the Monitoring Framework. If amendments are required, these will follow the same steps set out in paragraph 4.2.

### **Appendix A: Key Development Milestones**

This appendix will be updated as part of the annual GA Monitoring Report preparation and Monitoring Framework review process. Each of the tables will be updated and further information added, reflecting progress of the development at that time and using the most up to date development trajectory from the developer teams, GA Annual Monitoring Reports and planning submissions for Phasing and Infrastructure Delivery Plans.

Table 1 Planning process milestones

| Stage/description                                                                                                                | Date<br>Information<br>Submitted | Date decisions issued/ process completed | Additional information |
|----------------------------------------------------------------------------------------------------------------------------------|----------------------------------|------------------------------------------|------------------------|
| Outline                                                                                                                          |                                  |                                          |                        |
| Issuing of V1-6 outline permission and completion of S106 agreement                                                              |                                  |                                          |                        |
| Issuing of V7 outline permission and completion of S106 agreement                                                                |                                  |                                          |                        |
| Masterplanning and design code processes                                                                                         |                                  |                                          |                        |
| Submission/ determination of <b>SLMP</b> - discharge of V1-6 outline condition 6                                                 |                                  |                                          |                        |
| Submission/ determination of <b>SLMP design code</b> - discharge of V1-6 outline condition 8                                     |                                  |                                          |                        |
| Submission/ determination of <b>Strategic Landscape Infrastructure and Delivery Plan</b> - discharge of V1-6 outline condition 9 |                                  |                                          |                        |
| Submission/ determination of <b>Village 1 masterplan</b> – part discharge of V1-6 outline condition 31                           |                                  |                                          |                        |
| Submission/ determination of <b>Village 1 Design Code and Regulatory Plan</b> - part discharge of V1-6 outline condition 34      |                                  |                                          |                        |
| Submission/ determination of <b>Village 1 Infrastructure Delivery Plan</b> – part discharge of V1-6 outline condition 33         |                                  |                                          |                        |
| Submission/ determination of <b>SLMP</b> - discharge of V7 outline condition 10                                                  |                                  |                                          |                        |
| Submission/ determination of <b>SLMP design code</b> - discharge of V7 outline condition 11                                      |                                  |                                          |                        |

| Stage/description                                                                                                                                                                         | Date<br>Information<br>Submitted | Date decisions issued/ process completed | Additional information |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|------------------------------------------|------------------------|
| Submission/ determination of <b>Village 7 masterplan</b> - discharge of V7 outline condition 13                                                                                           |                                  |                                          |                        |
| Submission/ determination of <b>Village 7 design code</b> - discharge of V7 outline condition 15                                                                                          |                                  |                                          |                        |
| Submission/ determination of <b>Strategic SUDs Strategy for Village 7</b> -discharge of V7 outline condition E1- to be submitted and approved prior to or in parallel with Village 7 SLMP |                                  |                                          |                        |
| Submission/determination of <b>Village 7 SUDS Strategy</b> - discharge of TW outline condition E2 -to be submitted and approved prior to or in parallel with V7MP                         |                                  |                                          |                        |
| Submission/determination of <b>Village 2 masterplan</b> – part discharge of PFP outline condition 31                                                                                      |                                  |                                          |                        |
| Submission/determination of <b>Village 2 Design Code and Regulatory Plan</b> -part discharge of PFP outline condition 34                                                                  |                                  |                                          |                        |
| Submission/determination of <b>Village 2 Infrastructure Delivery Plan</b> -part discharge of PFP outline condition 33                                                                     |                                  |                                          |                        |
| Further information to be added as the development moves forward/phasing details are submitted                                                                                            |                                  |                                          |                        |
| Discharge of other key outline conditions linked to SLMPs and VMPs/const                                                                                                                  | truction                         |                                          |                        |
| <b>V1-6 Strategic SUDS Strategy</b> – discharge of outline condition 12 - to be submitted and approved prior to approval of SLMP                                                          |                                  |                                          |                        |
| <b>V1-6 Supplementary FRA</b> - discharge of outline condition 13 - to be submitted and approved prior to approval of SLMP                                                                |                                  |                                          |                        |
| <b>V1-6 Strategic Landscape Ecology Strategy</b> - discharge of outline condition 14 - to be submitted and approved prior to or in parallel with SLMP                                     |                                  |                                          |                        |

| Stage/description                                                                                                                                                       | Date<br>Information<br>Submitted | Date decisions issued/ process completed | Additional information |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|------------------------------------------|------------------------|
| <b>V1-6 Strategic Landscape Energy and Sustainability Strategy</b> - discharge of outline condition 14 - to be submitted and approved prior to or in parallel with SLMP |                                  |                                          |                        |
| <b>V1-6 CTEMP</b> - discharge of outline condition 20 – to be submitted and approved prior to commencement of any development including enabling works                  |                                  |                                          |                        |
| V1-6 Village SUDS Strategy - part discharge of outline condition 36 -to be submitted and approved prior to approval of each VMP                                         |                                  |                                          |                        |
| <b>V1-6 Village Ecology Strategy -</b> part discharge of outline condition 38 - to be submitted and approved prior to or in parallel with VMP                           |                                  |                                          |                        |
| <b>V1-6 Village Energy and Sustainability Strategy</b> -part discharge of outline condition 39 -to be submitted and approved prior to or in parallel with VMP           |                                  |                                          |                        |
| <b>V1-6 Parking Strategy</b> - part discharge of outline condition 40 - to be submitted and approved prior to or in parallel with VMP                                   |                                  |                                          |                        |
| <b>Phasing Plan</b> - discharge of condition C2 of TW outline - to be submitted and approved prior to or in parallel with first RM                                      |                                  |                                          |                        |
| CTEMP for Village 7 - discharge of TW outline condition G1- to be submitted prior to commencement of development other than preliminary works                           |                                  |                                          |                        |
| SUDS CEMP for Village 7 - discharge of TW outline condition G2 - to be submitted and approved prior to any preliminary works taking place                               |                                  |                                          |                        |
| <b>Supplementary FRA for Village 7</b> - discharge of TW outline condition M1 - to be submitted and approved prior to or in parallel with Village 7 SLMP                |                                  |                                          |                        |
| <b>Village 7 Ecological Strategy</b> - discharge of TW outline condition P2 - to be submitted and approved prior to or in parallel with VMP for Village 7               |                                  |                                          |                        |
| Framework Travel Plan for Village 7 - discharge of TW outline condition T1 -to                                                                                          |                                  |                                          |                        |

be submitted and approved at same time as submission as first RMA

| Stage/description                                                                                                                                                                     | Date<br>Information<br>Submitted | Date decisions issued/ process completed | Additional information |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|------------------------------------------|------------------------|
| Access and Movement Statement and Parking Strategy for Village 7 - discharge of TW outline condition T5 - to be submitted and approved prior to or in parallel with VMP for Village 7 |                                  |                                          |                        |
| Reserved Matters                                                                                                                                                                      |                                  |                                          |                        |
|                                                                                                                                                                                       |                                  |                                          |                        |
|                                                                                                                                                                                       |                                  |                                          |                        |
|                                                                                                                                                                                       |                                  |                                          |                        |

Table 2 Development Phasing and Infrastructure Delivery Milestones

| Infrastructure                | Trigger /timescale for delivery                                   | Who by | Information/updates                      |
|-------------------------------|-------------------------------------------------------------------|--------|------------------------------------------|
| <b>Highways and Transport</b> |                                                                   |        |                                          |
| (To be monitored through t    | he Transport Review Group)                                        |        |                                          |
| 1. V1 Interim Access from     | To be fully open and operational prior to any occupations of      | PFP    |                                          |
| A414 (condition 22 of PFP     | Village 1                                                         |        |                                          |
| outline)                      |                                                                   |        |                                          |
| 2. V1 Interim Access from     | To be fully open and operational prior to any occupations of      | PFP    |                                          |
| Eastwick Road (condition      | Village 1                                                         |        |                                          |
| 23 of PFP outline)            |                                                                   |        |                                          |
| 3. Interim V2 Access          | Revised details to be submitted and approved by LPA. To be fully  | PFP    | To be retained until the                 |
| (condition 26 of PFP          | operational prior to occupation of first dwelling in Village 2    |        | Eastern Stort Crossing                   |
| outline)                      | (unless the STC link between Village 1 and 2 is in place in which |        | and Final Village 2 Access               |
|                               | case the trigger shall be prior to the occupation of 1,000 homes  |        | has been delivered as                    |
|                               | in Village 2)                                                     |        | approved through planning permission no. |
|                               |                                                                   |        | 3/19/1051/FUL.                           |
| 4. STC V1-2 (condition 29     | To be fully completed and operational prior to occupation of any  | PFP    | 3/13/1031/102.                           |
| of PFP outline)               | homes in Village 2                                                |        |                                          |
| 5. STC V3-6 (condition 30     | To be completed and operational prior to the occupation of any    | PFP    |                                          |
| of PFP outline)               | homes in V3, 4, 5 and 6                                           |        |                                          |
| 6. V6 Western Access          | Delivery by occupation of 200 Dwellings in Village 6              | PFP    |                                          |
| Works -S106                   |                                                                   |        |                                          |
| 7. Pardon Mill Cycle          | Delivery by occupation of 200 Dwellings in Village 6              | PFP    |                                          |
| Improvements and A414         |                                                                   |        |                                          |
| Crossing V1-6 -S106           |                                                                   |        |                                          |
| 8. Off Road Walking and       | Delivery by occupation of [200] Dwellings within Village 6        | PFP    |                                          |
| Cycling Link to Elizabeth     |                                                                   |        |                                          |
| Way/ Pinnacles via            |                                                                   |        |                                          |

| Trigger /timescale for delivery                                    | Who by                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Information/updates                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| Delivery by occupation of 1,000 Dwellings within Village 1         | PFP                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| Delivery by Occupation of 6,000 Dwellings within Villages 1 to 6   | PFP                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| Scheme to be submitted and approved by LPA prior to occupation     | TW                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| of 350 dwellings in Village 7. No more than 1000 occupations in    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Village 7 before link has been constructed and implemented.        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Scheme to be submitted and approved by LPA prior to start of       | TW                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| development in Village 7 (excluding preliminary works) No          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| occupations in Village 7 until link constructed and implemented.   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| to be submitted and approved prior to any occupations of           | TW                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| residential in Village 7. No more than 200 residential units to be |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| implemented.                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| To be submitted and approved and implemented by LPA /open to       | TW                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| alternative to be implemented prior to any occupations of Village  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 7.                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| No more than 150 residential occupations of Village 7 before Full  | TW                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| A414/ Church Lane Junction upgrade and upgrade of Interim          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Primary Vehicular Route to STC standard alongside Full STC         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| ,                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|                                                                    | TW                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| highway works associated with Primary Vehicular Route from Full    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| ,                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| ,                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|                                                                    | Delivery by occupation of 1,000 Dwellings within Village 1  Delivery by Occupation of 6,000 Dwellings within Villages 1 to 6  Scheme to be submitted and approved by LPA prior to occupation of 350 dwellings in Village 7. No more than 1000 occupations in Village 7 before link has been constructed and implemented.  Scheme to be submitted and approved by LPA prior to start of development in Village 7 (excluding preliminary works) No occupations in Village 7 until link constructed and implemented. to be submitted and approved prior to any occupations of residential in Village 7. No more than 200 residential units to be occupied in Village 7 until link has been constructed and implemented.  To be submitted and approved and implemented by LPA /open to traffic prior to any occupations of Village 7. If not approved alternative to be implemented prior to any occupations of Village 7.  No more than 150 residential occupations of Village 7 before Full A414/ Church Lane Junction upgrade and upgrade of Interim Primary Vehicular Route to STC standard alongside Full STC Transport Hub are completed and open to traffic  No more than 350 residential occupations of Village 7 before | Delivery by occupation of 1,000 Dwellings within Village 1  PFP  Delivery by Occupation of 6,000 Dwellings within Villages 1 to 6  Scheme to be submitted and approved by LPA prior to occupation of 350 dwellings in Village 7. No more than 1000 occupations in Village 7 before link has been constructed and implemented.  Scheme to be submitted and approved by LPA prior to start of development in Village 7 (excluding preliminary works) No occupations in Village 7 until link constructed and implemented.  to be submitted and approved prior to any occupations of residential in Village 7. No more than 200 residential units to be occupied in Village 7 until link has been constructed and implemented.  To be submitted and approved and implemented by LPA /open to traffic prior to any occupations of Village 7. If not approved alternative to be implemented prior to any occupations of Village 7.  No more than 150 residential occupations of Village 7 before Full A414/ Church Lane Junction upgrade and upgrade of Interim Primary Vehicular Route to STC standard alongside Full STC Transport Hub are completed and open to traffic  No more than 350 residential occupations of Village 7 before highway works associated with Primary Vehicular Route from Full V7 STC Transport Hub to join Church Lane towards Hunsdon are |

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| Infrastructure                | Trigger /timescale for delivery                                   | Who by | Information/updates |
| 17. V1-V7 STC Road            | No more than 350 residential occupations of Village 7 until       | TW     |                     |
| works Phase 3b                | highway works associated with STC inclusive of Primary Vehicular  |        |                     |
| (condition T12 of TW          | Route from Full V7 STC Transport Hub to V6/V7 boundary, are       |        |                     |
| outline)                      | completed and open to traffic.                                    |        |                     |
| 18. Supplemental V7 STC       | No more than 1200 residential occupations of Village 7 until      | TW     |                     |
| <b>Bus Route Inclusive of</b> | highway works associated with the construction of the             |        |                     |
| Bus Gate - Road Works         | Supplemental STC Bus Route Inclusive of Bus Gate, are             |        |                     |
| Phase 4 (condition T13 of     | completed.                                                        |        |                     |
| TW outline)                   | ·                                                                 |        |                     |
|                               |                                                                   |        |                     |
| 19. V1-V7 Sustainable         | Details to be submitted and approved prior to any residential     | TW     |                     |
| Transport Corridor Link       | occupations of Village 7. No more than 350 residential            |        |                     |
| Road (condition T14 of        | occupations until Link constructed.                               |        |                     |
| TW outline)                   | ·                                                                 |        |                     |
| 20.A414/Church Lane           | To be submitted and approved prior to comm of development         | TW     |                     |
| Junction – A414 Speed         | excluding preliminary works. Any recommendations to be            |        |                     |
| Limit Review (condition       | implemented prior to the completion of the Full A414 / Church     |        |                     |
| T15 of TW outline)            | Lane Junction Upgrade work.                                       |        |                     |
|                               |                                                                   |        |                     |
| 21.A414/Church Lane           | To be submitted and approved prior to comm of development         | TW     |                     |
| Junction – Road Safety        | excluding preliminary works. Any recommendations contained in     |        |                     |
| Audit (condition T16 of       | the Stage 1 Road Safety Audit shall thereafter be incorporated at |        |                     |
| TW outline)                   | Stage 2 of the design process for the Full A414 / Church Lane     |        |                     |
| ,                             | Junction Upgrade work.                                            |        |                     |
| Community                     | 1                                                                 |        |                     |
| 22. V1-6 Health Facility      | Up to maximum of 3515m2                                           | PFP    |                     |
| 23. V1-6 Youth Space/         | Up to 460m2                                                       | PFP    |                     |
| Facilities                    |                                                                   |        |                     |
| 24. V1-6 Leisure Centre       | Prior to occupation of [ 4,500] Dwellings within Villages 1 to 6  | PFP    |                     |

| Infrastructure   | Trigger /timescale for delivery                      | Who by | Information/updates |
|------------------|------------------------------------------------------|--------|---------------------|
| 25. V1 Community | Up to 100m2                                          | PFP    |                     |
| Building         | Prior to occupation of [ 900] Dwellings in Village 1 |        |                     |
| 26. V1-6 Library |                                                      |        |                     |
| Floorspace       |                                                      |        |                     |
| 27. V7 Community | Prior to occupation of xxxx Dwellings in Village 7   | TW     |                     |
| Building         |                                                      |        |                     |
|                  |                                                      |        |                     |

### **Appendix B: Monitoring Matrix**

This appendix provides an overview of the different categories of the development that require monitoring broken down by theme, which body organisation is responsible for leading on monitoring, requirements, triggers and targets and strategic objectives, principles and policies against which they will be assessed in terms of outcomes.

HGGT Vision - Strategic Objectives/principles:

P8 -Responsive and distinctive design; P9 -Balanced diverse and functional communities; P10 -Healthy safe and connected neighbourhoods and villages; P11 - Maximising visibility and appreciation of our heritage; P12 - Enhancing the Green Belt and expanding the Green Wedge network; P13 - Landscape-led masterplanning; P14- Biodiversity, climate resilience and food security; P15-Using technology in energy regeneration and conservation; P16 -Revitalising the cycling and walking network; P17 -Changing the Character of Roads to Streets; P18 - Integrated transport: a viable and preferred alternative to cars; P19 - Anticipating Change and Future Proofing Infrastructure; P20 - The heart of the LSCC UK Innovation Corridor; P21 – The right workspaces, homes and community facilities; P22- A diverse employment base and skilled labour supply; P23 -A vibrant and resilient town centre for all the Garden Town

For the purposes of this appendix Neighbourhood Plan = NP and GA Concept Framework = GACF

| Requirement                                                                                                                                                                                                     | Responsible lead body | How monitored                                                                                                                       | Strategic/local policies and objectives                                                      | Information/<br>updates |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|-------------------------|
| Housing                                                                                                                                                                                                         |                       |                                                                                                                                     |                                                                                              |                         |
| V1-7- Affordable housing -minimum of 23 % with view to increase (except in V1) subject to S106 review mechanism/ 60% affordable rent/40% intermediate tenure split  50/50 split on any review mechanism surplus | EHDC                  | Reserved matters, Annual Monitoring Scheme reports from developers, Village Housing Schemes S106/housing team monitoring activities | HGGT Vision - P9, P10, P21<br>EHDP - GA1, HOU3, DEL2<br>NP - AG1, BU1<br>GACF - OBJ. 1, 3, 5 |                         |
| Custom/Self build – plots equivalent to not less than 1% equivalent of total dwellings TW                                                                                                                       | EHDC                  | Reserved matters, Annual<br>Monitoring Scheme reports from<br>developers, Village Housing                                           | HGGT Vision - P9, P10, P21<br>EHDP - GA1, HOU8, DEL2<br>NP- AG1, BU1<br>GACF - OBJ 1, 3, 5   |                         |

| Requirement                                                                                                                                                                                                                                                                                                                                              | Responsible lead body | How monitored                                                                                                                                                                    | Strategic/local policies and objectives                                                            | Information/<br>updates                                   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                          |                       | Schemes, monitoring activities of Council                                                                                                                                        |                                                                                                    |                                                           |
| Assisted Living Housing/Extra Care housing - not less than 20 of total number of dwellings in V7.  Not less than 130 of residential units across GA to be for Older People /over 55s /Learning Disabilities /Extra Care                                                                                                                                  | EHDC                  | Reserved matters, Annual<br>Monitoring Scheme reports from<br>developers, Village Housing<br>Schemes, monitoring activities of<br>Council                                        | HGGT Vision - P9, P10, P21<br>EHDP - GA1, HOU6, DEL2<br>NP- AG1, BU1<br>GACF - OBJ. 1, 3, 5        |                                                           |
| Accessible Dwellings - all houses and ground floor apartments to be constructed to M4 (2) standards.  15% of all affordable houses and 15% of all affordable ground floor apartments (shall be built to comply with M4 (3) standard.  1% of all market houses and 1% of all market ground floor apartments shall be built to comply with M4 (3) standard | EHDC                  | Masterplanning, reserved matters,<br>Annual Monitoring Scheme<br>reports from developers, Village<br>Housing Schemes, EHDC S106<br>monitoring processes, registered<br>providers | HGGT Vision - P9, P10, P21<br>EHDP - GA1, HOU7, DEL2<br>NP - AG1, BU1<br>GACF - OBJ. 1, 3, 5       |                                                           |
| One Site Wide Housing Scheme to be submitted by V1 and individual Village Housing Schemes to be submitted with each Village Masterplan. To include affordable quantum and housing mix/tenure details.                                                                                                                                                    | EHDC                  | Masterplanning, reserved matters, EHDC S106 monitoring processes                                                                                                                 | HGGT Vision - P9, P10, P21<br>EHDP - GA1, HOU3, 6, 7, 8, DEL2<br>NP - AG1, BU1<br>GACF - OBJ. 1, 3 | Site Wide Housing Scheme may be updated from time to time |
| Residential Reserved Matters Area Affordable Housing Scheme to be submitted with each affordable housing area within reserved matters submissions.                                                                                                                                                                                                       | EHDC                  | Reserved matters, Annual Monitoring Scheme reports from developers, Village Housing Schemes, monitoring activities of Council                                                    | HGGT Vision - P9, P10, P21<br>EHDP - GA1, HOU3<br>NP - AG1<br>GACF - OBJ. 1, 3                     |                                                           |
| Gypsy/traveler provision – V1-6 -Serviced Land for 7 G&T pitches to be safeguarded to the orth of V4                                                                                                                                                                                                                                                     | EHDC                  | Masterplans, Reserved matters,<br>Annual Monitoring Scheme<br>reports from developers,<br>monitoring activities of Council                                                       | HGGT Vision - P9, P10, P21<br>EHDP - GA1, HOU9, DEL2<br>NP - AG1<br>GACF - OBJ. 1, 3               |                                                           |

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| Requirement                                                                                                                                                                                                                                   | Responsible lead body                                                                                                  | How monitored                                                                                                                                          | Strategic/local policies and objectives                                     | Information/<br>updates |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|-------------------------|
| V1-6 -Serviced Land for 8 Plots for Travelling<br>Showpeople to be safeguarded in Village 6                                                                                                                                                   |                                                                                                                        |                                                                                                                                                        |                                                                             |                         |
| V7 -Serviced Land for 8 G&T Pitches to be safeguarded                                                                                                                                                                                         |                                                                                                                        |                                                                                                                                                        |                                                                             |                         |
| To comply with marketing and delivery strategy                                                                                                                                                                                                |                                                                                                                        |                                                                                                                                                        |                                                                             |                         |
| Quantum of housing overall -up to 8500 on V1-6, up to 1500 on V7                                                                                                                                                                              | EHDC                                                                                                                   | Masterplans, Reserved matters,<br>Annual Monitoring Scheme<br>reports from developers, Village<br>Housing Schemes, monitoring<br>activities of Council | HGGT Vision - P9, P10, P21<br>HGGT - GA1<br>NP - AG1<br>GACF - OBJ. 1, 3    |                         |
| Stewardship and Governance                                                                                                                                                                                                                    |                                                                                                                        |                                                                                                                                                        |                                                                             |                         |
| Set up GA Community Management Trust/Shadow Group/Community Interest Company  Prepare submit and agree outline and detailed business plans  Provide initial endowment funding as 15% cost contribution for V7  Monitoring Strategy  Education | V1-6 owner Unless V7 proceeds first in which case V7 owner  V1-6 owner Unless V7 proceeds first in which case V7 owner | Through Monitoring Review Group/EHDC S106 monitoring processes                                                                                         | HGGT Vision - P9, P10,<br>EHDP - GA1, DEL2<br>NP - D1, D2<br>GACF - OBJ. 12 |                         |

| Requirement                                                                                                                                                                                                                          | Responsible lead body | How monitored                                                                                              | Strategic/local policies and objectives                                                          | Information/<br>updates |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|-------------------------|
| School contributions:  *For temporary secondary education provision.  *SEND education contribution.  *Secondary education off-site transport contribution;  *V1, 2, 3, 4, 5, 6 and 7 primary schools.  * V1 secondary school Phase 1 | HCC                   | Through Education and<br>Monitoring Review Groups, HCC<br>S106 monitoring processes, HCC<br>education team | HGGT Vision - P9, P10, P21<br>EHDP - GA1, CFLR10, DEL1, DEL2<br>NP - AG1, C1<br>GACF - OBJ. 1,13 |                         |
| V1 Secondary School Phase 2 V1-6                                                                                                                                                                                                     | HCC                   | Through Education and Monitoring Review Groups, HCC S106 monitoring processes, HCC education team          | HGGT Vision - P9, P10, P21<br>EHDP - GA1, CFLR10, DEL1, DEL2<br>NP - AG1, C1<br>GACF - OBJ. 1,13 |                         |
| V5 Secondary School Contributions V1-6                                                                                                                                                                                               | HCC                   | Through Education and Monitoring Review Groups, HCC S106 monitoring processes, HCC education team          | HGGT Vision - P9, P10, P21<br>EHDP - GA1, CFLR10, DEL1, DEL2<br>NP - AG1, C1<br>GACF - OBJ. 1,13 |                         |
| School land safeguarding requirements:  *V1-6 – up to 6 primary schools/17FE  V7 primary school up to 3FE.  *V1 Land safeguarded for up to 8FE Secondary School.  *V5 Land safeguarded for up to 12FE Secondary School               | HCC                   | Through Education and<br>Monitoring Review Groups, HCC<br>S106 monitoring processes, HCC<br>education team | HGGT Vision - P9, P10, P21<br>EHDP - GA1, CFLR10, DEL1, DEL2<br>NP - AG1, C1<br>GACF - OBJ. 1,13 |                         |
| Education Reviews and Review Group V1-7 to carry out reviews at agreed timings and secure contributions as required to later school delivery.                                                                                        | HCC                   | Through Education and<br>Monitoring Review Groups, HCC<br>S106 monitoring processes, HCC<br>education team | HGGT Vision - P9, P10, P21<br>EHDP - GA1, CFLR10<br>NP - AG1, C1<br>GACF - OBJ. 1,13             |                         |
| School transfers - Villages 1-7 -serviced land<br>with access<br>ບ<br>ຜ                                                                                                                                                              | HCC                   | Through Education and Monitoring Review Groups, HCC S106 monitoring processes, HCC education team          | HGGT Vision - P9, P10, P21<br>EHDP - GA1, CFLR10, DEL1, DEL2<br>NP - AG1, C1<br>GACF - OBJ. 1,13 |                         |

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| Requirement                                                                                                                                                                                                    | Responsible lead body | How monitored                                                                                                                                            | Strategic/local policies and objectives                                          | Information/<br>updates |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|-------------------------|
|                                                                                                                                                                                                                |                       |                                                                                                                                                          |                                                                                  |                         |
| Local Labour                                                                                                                                                                                                   |                       |                                                                                                                                                          |                                                                                  |                         |
| Site Wide Local Labour, Skills and Business<br>Action Plan for Villages 1-7                                                                                                                                    | EHDC                  | Through Commercial Delivery and Employment Review Group and Monitoring Review Group, EHDC S106 monitoring processes                                      | HGGT Vision - P9, P21, P22<br>EHDP - GA1, DEL2<br>NP - BU2, BU3<br>GACF - OBJ. 1 |                         |
| V1-7 Local Labour and Business Action Plan - prior to implementation in individual Village                                                                                                                     | EHDC                  | Through Commercial Delivery and Employment Review Group and Monitoring Review Group, EHDC S106 monitoring processes                                      | HGGT Vision - P9, P21, P22<br>EHDP - GA1, DEL2<br>NP - BU2, BU3<br>GACF - OBJ. 1 |                         |
| V1-6 Skills Hub Action Plan                                                                                                                                                                                    | EHDC                  | Through Commercial Delivery and Employment Review Group and Monitoring Review Group, EHDC S106 monitoring processes                                      | HGGT Vision - P9, P21, P22<br>EHDP - GA1, DEL2<br>NP - BU2, BU3<br>GACF - OBJ. 1 |                         |
| Commercial Floorspace                                                                                                                                                                                          |                       |                                                                                                                                                          |                                                                                  |                         |
| V1-6 -minimum provision 10,000m2<br>V7 -minimum provision of 1745m2.<br>To include early years/blue light provision                                                                                            | EHDC                  | Through Commercial Delivery and Employment Review Group and Monitoring Review Group, EHDC S106 monitoring processes, masterplanning and reserved matters | HGGT Vision - P9, P21, P22<br>EHDP - GA1, DEL2<br>NP - BU2, BU3<br>GACF - OBJ. 1 |                         |
| Commercial Delivery and Employment Review<br>Group -V1-7- establishment by commencement<br>of development                                                                                                      | EHDC                  | Monitoring Review Group, EHDC S106 monitoring processes and Commercial Delivery and Employment Review Group once set up                                  | HGGT Vision - P9, P21, P22<br>EHDP - GA1, DEL2<br>NP - BU2, BU3<br>GACF - OBJ. 1 |                         |
| Market needs analysis and master planning - use reasonable endeavours to deliver 29,000 m2 for commercial operations in Villages 1-6 and 5,100m2 for commercial operations in V7/carry out employment strategy | EHDC                  | Through Commercial Delivery and Employment Review Group and Monitoring Review Group, EHDC S106 monitoring, masterplanning and reserved matters           | HGGT Vision - P9, P21, P22<br>EHDP - GA1, DEL2<br>NP - BU2, BU3<br>GACF - OBJ. 1 |                         |

| Requirement                                                                                                                                                                                                                                           | Responsible lead body | How monitored                                                                                                                            | Strategic/local policies and objectives                                                                       | Information/<br>updates                                                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|
| Marketing Plan for V1-6 and V7/produce monitoring report every 6 months                                                                                                                                                                               | EHDC                  | Through Commercial Delivery and Employment Review Group and Monitoring Review Group, EHDC S106 monitoring, masterplans, reserved matters | HGGT Vision - P9, P21, P22<br>EHDP - GA1, DEL2<br>NP - BU2, BU3<br>GACF - OBJ. 1                              |                                                                            |
| Commercial Early Years Facilities *V1-6 To deliver a min of 300sqm floorspace, as a location for an Early Years Facility (min of 300sqm) in each Village; *For V7- to deliver a minimum of 275 m2 and up to 550m2 floorspace.  Submit marketing plan. | EHDC                  | Through Commercial Delivery and Employment Review Group and Monitoring Review Group, EHDC S106 monitoring, masterplans, reserved matters | HGGT Vision - P9, P21, P22<br>EHDP - GA1, DEL1, DEL2<br>NP - C1<br>GACF - OBJ. 1, 5, 13                       |                                                                            |
| Transport                                                                                                                                                                                                                                             | <u>'</u>              |                                                                                                                                          |                                                                                                               | _                                                                          |
| V1-7 -Access points and highways link roads - delivery secured by conditions                                                                                                                                                                          | HCC                   | Through Transport Review Group, HCC S106 monitoring processes, highways team                                                             | HGGT Vision - P8, P10, P18<br>EHDP - GA1, GA2, TRA2, DEL1,<br>DEL2<br>NP - AG1, AG8<br>GACF - OBJ. 6, 7,8, 13 | These are set out individually in the infrastructure section of Appendix A |
| Road adoption processes V1-7                                                                                                                                                                                                                          | HCC                   | Through Transport Review Group,<br>HCC S106 monitoring processes,<br>highways team, masterplans,<br>reserved matters                     | HGGT Vision - P8, P10, P18<br>EHDP - GA1, TRA2, DEL2<br>NP - AG1, AG8<br>GACF - OBJ. 6, 7,8, 13               |                                                                            |
| ESC Ecology Compensation Area V1-7. (V1-6 Delivery/ V7 Occupation and Financial Contribution Obligation equivalent to 15% of                                                                                                                          | HCC                   | Through Transport Review Group, HCC S106 monitoring processes, highways team,                                                            | HGGT Vision - P13, P14<br>EHDP - GA1, DEL2<br>NP - AG1<br>GACF - OBJ. 2, 10                                   |                                                                            |
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| Requirement                                                                                                                                                                                                                                                                                                                                                                           | Responsible lead body | How monitored                                                                                                  | Strategic/local policies and objectives                                                                                  | Information/<br>updates |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|-------------------------|
| actual costs) -delivery by 1500 dwellings in V1-7                                                                                                                                                                                                                                                                                                                                     |                       |                                                                                                                |                                                                                                                          |                         |
| Pye Corner Public Realm Works V1-7 (V1-6 Delivery/ V7 Occupation and Financial Contribution Obligation equivalent to 15% of actual costs). Delivery by Occupation of 3,500 Dwellings in Villages 1 to 7.                                                                                                                                                                              | HCC                   | Through Transport Review Group, HCC S106 monitoring processes, highways team                                   | HGGT Vision - P8, P10, P16, P17, P18  EHDP - GA1, TRA2, DEL1, DEL2  NP - AG1, AG8  GACF - OBJ. 6, 7,8, 13                |                         |
| V1 and V7 Travel Hubs —  *V1-6 -Delivery of final travel hub by Occupation of 1,500 Dwellings in Village 1. An initial hub will be provided on the occupation of 200 dwellings.  *V2, V3, V4, V5, V6 satellite travel hubs — by 500 occupations in each Village  *V7 -Interim hub delivered prior to occupation and full completed travel hub prior to the occupation of 150 dwelling | HCC                   | Through Transport Review Group, HCC S106 monitoring processes, highways team                                   | HGGT Vision - P18<br>EHDP - GA1, TRA1, DEL1, DEL2<br>NP - AG1, AG8<br>GACF - OBJ. 6, 7,8, 13                             |                         |
| Site Wide GA Travel Plan including a bus strategy -V1-7 -to be produced jointly prior to first occupation/Travel Plans for V1-7, Travel plan Coordinator V1-V6, V7                                                                                                                                                                                                                    | HCC                   | Through Transport Review Group,<br>HCC S106 monitoring processes,<br>highways team                             | HGGT Vision - P16, P18<br>EHDP - GA1, TRA1, DEL2<br>NP - AG1, AG8<br>GACF - OBJ. 6, 7,8, 13                              |                         |
| Transport Review Group V1-7 Including implementation of Travel Plan and achievement of modal share target of 60% of trips by sustainable modes                                                                                                                                                                                                                                        | HCC                   | HCC S106 monitoring processes,<br>Monitoring Review Group and<br>once set up through Transport<br>Review Group | HGGT Vision P8, P10, P16, P17,<br>P18<br>EHDP - GA1, GA2, TRA1, TRA2,<br>DEL2<br>NP - AG1, AG8<br>GACF - OBJ. 6, 7,8, 13 |                         |

| Requirement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Responsible lead body | How monitored                                                                | Strategic/local policies and objectives                                                                      | Information/<br>updates |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|-------------------------|
| *Amwell Roundabout upgrade V1-6, V7. *Bus Stop contribution V1-6, V7. *Harlow Town Station Northern Access V1-7; *Harlow Town Station Cycle Capacity Improvement V1-7. *Off Road Walking and Cycling Link to Elizabeth Way/ Pinnacles via Parndon Mill Works V7. *Edinburgh Way/ Howard Way Junction Improvements. *Pye Corner Public Realm Contribution. *ESC Ecology Compensation Area. *Roydon Station – Cycle Capacity Improvements Contribution *London Road, Sawbridgeworth Improvements V1-7. *ESC Contribution. *CSC Contribution. *CSC Contribution. *Garden Town/Offsite STC Network V1-7. *Alternative Projects HIG funding repayment V1-6. *V1-7 Bus Services Enhancement. *Residential Vouchers (sustainable travel incentives) V1-7. *Monitoring Fund contribution V1-7. *Sustainable Transport and Innovation (STI) Fund V1-7 | HCC                   | Through Transport Review Group, HCC S106 monitoring processes, highways team | HGGT Vision - P8, P10, P16, P17, P18 EHDP - GA1, TRA1, TRA2, DEL1, DEL2 NP - AG1, AG8 GACF - OBJ. 6, 7,8, 13 |                         |

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| Requirement                                                                                                                                                                                                                                                                                                                                                                                                | Responsible lead body   | How monitored                                                                                                 | Strategic/local policies and objectives                                                                                                           | Information/<br>updates |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|---------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| <b>Open Space, Play and Community</b>                                                                                                                                                                                                                                                                                                                                                                      |                         |                                                                                                               |                                                                                                                                                   |                         |
| Contributions: *Athletics V1-7. *Household Waste Recycling V1-7. *Library V1-7. *Playhouse Square V1-7. *Rugby V1-7. *Stort Valley V1-7. *Youth facilities V1-7. * Community Football Hub V1-6. *Bowling and tennis club V1-7. *Strategic Open Space V7. *Hertfordshire Fire and Rescue/Police V1-7. *V7 15% cost contribution towards Leisure Centre in V1-6. *Community Orchard -V1-6. *Allotments -V1-6 | EHDC/HCC as appropriate | Through Monitoring Review Group and EHDC/ HCC S106 monitoring processes as appropriate                        | HGGT Vision - P8, P9, P10, P13, P21 EHDP - GA1, CFLR7, DEL1, DEL2 NP - C1 GACF - OBJ. 1, 5, 13                                                    |                         |
| Provision of Open Space, Strategic Open<br>Space, Community Facilities and Public Art in<br>accordance with S106 triggers.<br>To comply with Certification procedures.<br>Put in place Community User agreements.                                                                                                                                                                                          | EHDC / HCC              | Through Monitoring Review Group<br>and EHDC S106 monitoring<br>processes, masterplanning,<br>reserved matters | HGGT Vision - P8, P9, P10, P13, P21 EHDP - GA1, CFLR7, NE4, DES2, DEL1, DEL2 NP - AG2, AG3, AG4, AG5, AG7, LA1, TRA2, GACF - OBJ. 2, 5, 9, 10, 13 |                         |
| Early Years Facilities in Village 1- 6 each up to 300m2                                                                                                                                                                                                                                                                                                                                                    | EHDC / HCC              |                                                                                                               | HGGT Vision - P8, P9, P21<br>EHDP - GA1, CFLR7, DEL1, DEL2<br>NP - C1<br>GACF - OBJ. 1, 5, 13                                                     |                         |

| Requirement                                                                                                                                                                                                                                        | Responsible lead body | How monitored                                                                                                                      | Strategic/local policies and objectives                                                                                                           | Information/<br>updates |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| Early Years Facilities in Village 7 up to 550m2                                                                                                                                                                                                    | EHDC / HCC            | Through Monitoring Review Group<br>and EHDC S106 monitoring<br>processes, masterplanning,<br>reserved matters                      | HGGT Vision - P8, P9, P21<br>EHDP - GA1, CFLR7, DEL1, DEL2<br>NP - C1<br>GACF - OBJ. 1, 5, 13                                                     |                         |
| V7 Community Facilities (up to 1060 sqm) (Class F2)                                                                                                                                                                                                | EHDC                  | Through Monitoring Review Group<br>and EHDC S106 monitoring<br>processes, masterplanning,<br>reserved matters                      | HGGT Vision - P8, P9, P21<br>EHDP - GA1, CFLR7, DEL1, DEL2<br>NP - C1<br>GACF - OBJ. 5, 13                                                        |                         |
| V7 Community Orchard and Allotments                                                                                                                                                                                                                | EHDC                  | Through Monitoring Review Group<br>and EHDC S106 monitoring<br>processes, masterplanning,<br>reserved matters; Management<br>Trust | HGGT Vision - P8, P9, P21<br>EHDP - GA1, CFLR7, NE4, DEL1,<br>DEL2<br>NP - C1<br>GACF - OBJ. 5, 9, 13                                             |                         |
| V7 delivery of Community Park to include<br>Outdoor Sports and Recreational Facilities and<br>Strategic Football Hub. To include Village<br>Playing Field.                                                                                         | EHDC                  | Through Monitoring Review Group<br>and EHDC S106 monitoring<br>processes, masterplanning,<br>reserved matters, Management<br>Trust | HGGT Vision - P8, P9, P10, P13, P21 EHDP - GA1, CFLR7, NE4, DEL1, DEL2 NP - C1 GACF - OBJ. 5, 9, 13                                               |                         |
| V1-7 Delivery of open space –  *Natural and semi-natural green space.  *Parks and Public Gardens.  *Amenity Green Spaces.  *Allotments (Orchards).  *Play provision; NEAPs, LEAPs, LAPs - all  provision prior to occupations within specific hase | EHDC                  | Through Monitoring Review Group<br>and EHDC S106 monitoring<br>processes, masterplanning,<br>reserved matters, Management<br>Trust | HGGT Vision - P8, P9, P10, P13, P21 EHDP - GA1, CFLR7, DES2, NE4, DEL1, DEL2 NP - AG2, AG3, AG4, AG5, AG7, LA1, TRA2, GACF - OBJ. 2, 5, 9, 10, 13 |                         |

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| Requirement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Responsible lead body | How monitored                                                                                                          | Strategic/local policies and objectives                                                                                                           | Information/<br>updates |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| V1-6 Strategic Open Space provision — * Channocks Farm Green Corridor -prior to 1,100 occupations V2. * Eastwick Hall Green Corridor -prior to 750 occupations of V6. * Eastwick Valley Green Corridor (northern zone) - prior to 500 occupations in V5 and 6. * Eastwick Village Buffer - prior to 750 occupations in V1. * Eastwick Wood Park -Stage 1 prior to 6250 occupations V1-6 Stage 2 prior to 7300 occupations V1-6. *Fiddler's Brook Green Corridor -prior to 1400 occupations V1. *Gilston Fields -earlier of 100 occupations V4 or 5000 occupations V1-6. *Gilston Park — prior to 2100 occupations V1-6. * Golden Brook Riparian Corridor -Stage 1 prior to 500 occupations V3 south/Stage 2 prior to 500 occupations V3 north. * Golden Grove and Sayes Coppice -prior to 1000 occupations V3. *Home Wood -prior to x occupations V1-6. * Hunsdon Airfield Community Agriculture Park-Stage 1 prior to 1000 occupations V1-6. Stage 2 prior to 4500 occupations V1-6. *Maplecroft Wood & Great Pennys Farm -prior to 1000 occupations V4 | EHDC                  | Through Monitoring Review Group and EHDC S106 monitoring processes, masterplanning, reserved matters, Management Trust | HGGT Vision - P8, P9, P10, P13, P21 EHDP - GA1, CFLR7, DES2, NE4, DEL1, DEL2 NP - AG2, AG3, AG4, AG5, AG7, LA1, TRA2, GACF - OBJ. 2, 5, 9, 10, 13 |                         |
| V1-7 Biodiversity Net Gain                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | EHDC                  | Through Monitoring Review Group and EHDC S106 monitoring                                                               | HGGT Vision - P13, P14                                                                                                                            |                         |

| Requirement                                                                                                               | Responsible lead body | How monitored                                                                                                                         | Strategic/local policies and objectives                                                              | Information/<br>updates |
|---------------------------------------------------------------------------------------------------------------------------|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|-------------------------|
| measures to be implemented to monitor<br>Biodiversity Net Gain in line with planning<br>conditions across the development |                       | processes, masterplanning, reserved matters                                                                                           | EHDP - GA1, NE4, NE2, DEL1,<br>DEL2<br>NP - AG2<br>GACF - OBJ. 9,10                                  |                         |
| V1-7 Public Art – up to £886,047 V1-6 /up to £137,200 to be spent on V7 based on costed schemes                           | EHDC                  | Through Monitoring Review Group<br>and EHDC S106 monitoring<br>processes, reserved matters                                            | HGGT Vision - P8, P9, P10, P13, P21 EHDP - GA1, CFLR7, DEL2 NP - C1 GACF - OBJ. 5, 13                |                         |
| Delivery of: Leisure Centre. Youth facility. Health facility. All in V1-6                                                 | EHDC                  | Through Monitoring Review Group<br>and EHDC S106 monitoring<br>processes, masterplanning and<br>reserved matters, Management<br>Trust | HGGT Vision - P8, P9, P10, P13, P21<br>EHDP - GA1, CFLR7, DEL1, DEL2<br>NP - C1<br>GACF - OBJ. 5, 13 |                         |
| Monitoring                                                                                                                |                       |                                                                                                                                       |                                                                                                      |                         |
| Monitoring contributions V1-V7                                                                                            | EHDC                  | Through Delivery and Monitoring<br>Review Group and EHDC S106<br>monitoring processes                                                 | HGGT Vision - all<br>EHDP - GA1, L3, DEL4                                                            |                         |
| Planning process/compliance                                                                                               |                       |                                                                                                                                       |                                                                                                      |                         |
| Masterplans                                                                                                               | EHDC                  | Through reserved matters, Delivery and Monitoring Review Group, EHDC monitoring processes, reviews, workshops, lessons learned events | HGGT Vision - all<br>EHDC - GA1, DES1<br>GA Charter SPD<br>NP - all<br>GACF - all                    |                         |
| design Codes                                                                                                              | EHDC                  | Through Design Code Compliance Checklists, reserved matters,                                                                          | HGGT Vision - all<br>EHDC - GA1, DES1                                                                |                         |

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| Requirement                                                                     | Responsible lead body   | How monitored                                                                                                          | Strategic/local policies and objectives                                                               | Information/<br>updates |
|---------------------------------------------------------------------------------|-------------------------|------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|-------------------------|
|                                                                                 |                         | Delivery and Monitoring Review<br>Group, EHDC monitoring<br>processes, reviews, workshops,<br>lessons learned events   | GA Charter SPD<br>NP - AG6, BU1, BU4<br>GACF - OBJ. 1, 2, 3, 8,9                                      |                         |
| Other discharges of conditions including sustainability and energy requirements | EHDC/HCC as appropriate | Through EHDC monitoring processes, themed reviews                                                                      | Specific to each condition                                                                            |                         |
| Reserved matters/ planning permissions/S73                                      | EHDC/HCC                | Through EHDC monitoring processes, site visits, lessons learned workshops and reviews, GA Quality Review Panel         | Specific to each application - reference officer reports                                              |                         |
| Quality outcomes                                                                |                         |                                                                                                                        |                                                                                                       |                         |
| To include built form and delivery outcomes and quality of life                 | EHDC/HCC                | Themed reviews, workshops, lessons learned, task and finish groups, questionnaires and focus groups, HDRP, site visits | HGGT Vision - all<br>HGGT Design Guide - all<br>EHDP - GA1, DES1<br>NP - BU1, BU4<br>GACF - OBJ. 3, 8 |                         |

### **Appendix C: List of reference documents**

National Planning Policy Framework December 2024

**HGGT Vision November 2018** 

**HGGT Transport Strategy Autumn 2022** 

**HGGT Design Guide November 2018** 

**HGGT Communications and Engagement Strategy September 2021** 

East Hertfordshire District Plan adopted 2018

Gilston Area Concept Framework July 2018

Gilston Area Charter SPD adopted July 2020

Gilston Area Neighbourhood Plan adopted May 2021

Gilston Area Community Engagement Strategy March 2021

East Hertfordshire Planning Enforcement Plan 2021

HGGT -Your Quality of Life -Reflections and Recommendations report Jan 2023

# Agenda Item 9e

### **East Herts Council Report**

**Executive** 

Date of meeting: 8 July 2025

Report by: Councillor Vicky Glover-Ward - Executive Member for

Planning and Growth

Report title: Hatfield Forest Mitigation Strategy and Development

**Tariff** 

**Ward(s) affected:** Sawbridgeworth, Bishop's Stortford South, Bishop's Stortford Thorley Manor, Bishop's Stortford Central, Bishop's Stortford All Saints, Bishop's Stortford Parsonage, Bishop's Stortford North, Little Hadham and the Pelhams (part), Braughing and Standon (part), Much Hadham (part), Ware Rural (part), Hunsdon (part).

**Summary** – Uttlesford District Council, East Herts District Council, Harlow District Council and Epping Forest District Council, the National Trust as landowners of Hatfield Forest Site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR) and Natural England have been working in partnership to agree a strategic mitigation solution for the adverse impacts of recreational pressure on Hatfield Forest SSSI / NNR. This report sets out the outcomes of this process and the obligations to the Mitigation Strategy for future development within the defined Zone of Influence (ZoI) around Hatfield Forest.

# RECOMMENDATIONS FOR EXECUTIVE to recommend to Council that:

- a) The final version of the National Trust Hatfield Forest
  Mitigation Strategy (version 6, attached at Appendix A), which
  includes the Site Access Management and Monitoring
  Measures (SAMMS), is approved as a basis for seeking a
  financial contribution for mitigation at Hatfield Forest;
- b) The apportionment of the SAMMS between the four LPAs via a hybrid method, taking equal account of both the percentage

- visitor impact and the proportion of new housing relative to existing within the Zol, is approved;
- c) The apportioned SAMMS tariff for East Herts District Council is set at £540.07;
- d) The tariff is applicable to new residential dwellings with immediate effect, subject to transitional arrangements to agree appropriate legal, financial and administrative mechanisms being brought into place to allow the collection and transfer of funds;
- e) The draft Governance Agreement (Appendix B) between the four local planning authorities and the National Trust as landowners is approved and delegated authority is given to the Head of Legal and Democratic Services to work on the final version with an expectation that this is signed and sealed in Autumn 2025.

### 1.0 Proposal(s)

1.1 The purpose of this paper is to outline new arrangements for the collection of a tariff to support mitigation measures to Hatfield Forest, an important historic park in Uttlesford District. The paper sets out why the tariff is required and why it should be applied to residential development proposed in East Herts District, and seeks agreement for the tariff to be collected immediately, subject to transitional arrangements to enable this to happen.

### 2.0 Background

2.1 Located within Uttlesford District, five kilometres east of Bishop's Stortford, Hatfield Forest is the finest surviving example of a small medieval Royal Hunting Forest in Europe. Covering 404 hectares, it now offers local people unique opportunities for access and recreational activities. It is within easy reach of East Hertfordshire residents, being located close to the B1256 and the A120, which

- both run east to west, and the M11 which lies just 1.6 kilometres to the west.
- 2.2 The National Trust owns the freehold of Hatfield Forest; 392 hectares are designated as a Site of Special Scientific Interest (SSSI) and a National Nature Reserve (NNR) and the Forest also contains two Scheduled Ancient Monuments and four listed buildings. This means that the National Trust is legally obliged to observe the provisions of the Wildlife and Countryside Act, 1981 (as amended). The National Trust has a Conservation Management Plan for Hatfield Forest which is agreed with Natural England and sets out the key management activities required to protect and enhance the notified features of the SSSI designation.
- 2.3 According to the Trust's Mitigation Strategy, Hatfield Forest is currently experiencing rapid and unsustainable growth in visitor numbers which is putting it under considerable pressure. The nature of the special landscape is extremely vulnerable to this growth in numbers and habitat loss is occurring and not recovering.
- 2.4 Through visitor surveys, it has been established that most of the visitors to the Forest arrive from Uttlesford and the neighbouring authorities of Epping Forest, Harlow and East Hertfordshire. These surveys have determined a 'Zone of Influence', within which new housing developments are likely to have the greatest impact on the Forest.
- 2.5 It is the collective statutory responsibility of the local authorities and Natural England as public bodies, and the National Trust as landowners, to take steps to conserve and enhance the Forest and to mitigate against its deterioration for the enjoyment of current and future generations.
- 2.6 Natural England have advised the four Councils to apportion the cost towards a package of mitigation improvements; the Hatfield Forest NNR & SSSI Mitigation Strategy (February 2025, see

Appendix A). The Councils, together with the National Trust and Natural England, have come together in response to form a working partnership in order to meet these goals. This report, attachments and schedules set out the various elements to the partnership which are now in their final form and for which each of the partners governing committees or board need formal approval. In the case of East Herts Council, this body is the Executive and Council.

2.7 The following section describes the key elements and draw Members attention to the Partnership and Governance Agreement which represents the legal documentation underpinning the Partnership and the obligations placed upon new development within the Zone of Influence as it affects specific wards within the district.

#### 3.0 Reasons

Structuring a fund for the Mitigation Strategy

- 3.1 Hatfield Forest is a unique historic recreational resource in neighbouring Uttlesford District, accessible to many people living around it, including residents within East Hertfordshire. As owners, the National Trust have historically managed and maintained the site, covering the costs of reactively repairing the negative impacts of visitor pressure over time.
- 3.2 Over the last decade, the site has experienced a doubling of visitor numbers. This growth in numbers is rapid and unsustainable and has brought signs that the SSSI, NNR and other designated and protected features are being degraded and damaged. Habitat loss is occurring and not recovering. Growth in visitor numbers is being partly attributed to significant increases in housing completions, a trend which will continue as the Harlow and Gilston Garden Town and other development gradually completes.
- 3.3 In seeking to mitigate this, the National Trust have focused on fundraising and testing on-site mitigation measures with the

- objective of revising the Mitigation Strategy and its Site Access Management and Monitoring Measures (SAMMS).
- 3.4 In order to determine the extent to which development specifically new homes should contribute to mitigating the impact of visitors to the Forest, the Trust have established a 'Zone of Influence' (ZoI). The ZoI is determined every five years through a visitor survey conducted by external ecology consultants to understand how people are travelling to the Forest and where their journeys originate. The last survey was conducted in 2022 and established a 11.1km ZoI around the forest, which is shown on the map at Appendix D. Within East Hertfordshire, this includes Bishop's Stortford and Sawbridgeworth as well as the B1004 corridor through the Hadhams. The ZoI also takes in parts of the administrative areas of Epping Forest, Harlow and Uttlesford Councils.
- 3.5 Various laws and planning policies protect the interest features of SSSIs and other assets of acknowledged importance from development, from other damage or neglect. Local Planning Authorities (LPAs) are required to have policies in their development plans which protect SSSIs, as required by the National Planning Policy Framework (NPPF, December 2024), particularly at paragraphs 192 to 195. This advises that development which results in loss or deterioration of irreplaceable habitats should be refused but, if development cannot be avoided (as is the case in meeting the housing needs of a district) mitigation or compensation should be sought.
- 3.6 LPAs are also required to consult Natural England on planning applications which might affect the interest of an SSSI. Consistent with this, Natural England screens planning applications that fall within Hatfield Forest's 11.1km Zone of Influence (ZoI) and advises when mitigation should be sought from new developments.
- 3.7 As a means of funding the SAMMS, it is expected that developers proposing new residential development within the ZoI should be

expected to address the impacts on the Forest (as required by the NPPF) and, because of the unique nature of the Forest, this should not be offset by the provision of other green infrastructure obligations that would ordinarily be sought in residential schemes (i.e. compensatory costs towards mitigation of the Forest are additional). The Mitigation Strategy advises that financial contributions from developments – any development proposing an additional residential unit – would collectively ensure that mitigation measures are compatible with the Mitigation Strategy and increase the resilience of the Forest to future visitor pressure.

### Implications for East Herts Council

- 3.8 The authorities within the ZoI, along with Natural England and the National Trust, have been working together in partnership for a number of years with the ambition of agreeing a form of developer contribution through a tariff that can contribute to the Mitigation Strategy and fund the SAMMS. This process has reached a full agreement, resulting in the summation of the agreement by Natural England through a letter distributed to the partners on June 19, 2025 (attached at Appendix C).
- 3.9 The agreement with Natural England and the National Trust effectively defines the ZoI as an area within which a tariff will be sought on all new residential development consented within it. The tariff differs for each local authority dependent on the number of homes planned within the ZoI and the likely impact generated from this on the Forest based on the visits attributed by the survey. The tariff for East Herts is calculated at £540.07 per new dwelling, and is applicable with immediate effect. The Gilston Area (defined by Policy GA1 of the East Herts District Plan (2018)) is the only exception to this condition. This is due to the substantial areas of green infrastructure being provided by this development.
- 3.10 At the current time, the tariff is not reflected in the policies of the East Herts District Plan, as it was adopted prior to the tariff being

conceived. Natural England have committed to work with the Council to ensure that the tariff and its implications is reflected in policies for the new District Plan which will begin to emerge next year.

3.11 In the meantime, the Planning Policy team have been liaising with Development Management colleagues and the Section 106 Programme Manager to ensure that the appropriate procedures and triggers are in place to support the processing of applications and the collection of the tariff within the ZoI as it exists in East Herts. Through liaison with Natural England on major applications prior to the formal agreement of the tariff, the Council has already collected some contributions to the mitigation measures for the Forest. The formal agreement of the tariff and the procedures for managing and distributing them will enable these collected funds to be passed to the National Trust.

### 4.0 Options

4.1 The Council could choose not to approve the tariff and not abide by the arrangements set up to support the mitigation strategy for Hatfield Forest. This would be contrary to our obligations towards heritage assets of acknowledged importance, and to national planning guidance. It would also undermine any efforts to mitigate for degradation to Hatfield Forest arising out of new homes being delivery in the district which have a direct impact on that degradation and would compromise recreational and health benefits derived from this open space for current and future residents. Any delay to a decision would lead to similar issues, albeit on a temporary basis.

#### 5.0 Risks

5.1 Whilst Natural England's stated ambition is for the tariff to be collected with immediate effect, there are complications associated with this. The application of the tariff is across four authorities and two further organisations. Whilst these organisations have a shared goal, there is a risk of delay through democratic procedures.

- 5.2 Similarly, within East Herts, the immediate change to collecting a tariff not previously sought has a risk associated with the transition for development management, including for officers working with an additional requirement and having to manage another financial contribution. On the client side, the imposition of a further tariff on existing and imminent proposals may have an impact on some schemes where the additional financial expectation deters development from proceeding.
- 5.3 If East Herts was to resist the tariff, it would risk Natural England objecting to all applications within the district that should otherwise be contributing, leading to delays in processing applications and, potentially, reputational damage to the Council.

#### 6.0 Implications/Consultations

6.1 The arrangement for the tariff have been worked up between the four authorities and The National Trust and Natural England. The process has required specialist input throughout and requires approval by relevant determining bodies within each organisation. The tariff has a direct implication for all developments proposed across the Zol.

### **Community Safety**

There are no community safety implications arising from this report.

#### **Data Protection**

There are no data protection implications arising from this report.

### **Equalities**

There are no direct equality, diversity, or inclusion implications in this report. An Equalities Impact Assessment (EqIA) will be carried out of the updated District Plan in accordance with The Equality Act 2010.

### **Environmental Sustainability**

The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development and infrastructure in a sustainable manner.

#### **Financial**

There are no financial implications arising from this report. Monitoring costs will be sought in addition to the tariff payment per dwelling.

#### **Health and Safety**

There are no health and safety implications arising from this report.

#### **Human Resources**

There are no human resources implications arising from this report.

### **Human Rights**

There are no human rights implications arising from this report.

### Legal

The Wildlife and Countryside Act 1981 (as amended) places a legal duty on the Council to consider whether proposals would cause harm to SSSIs and, where they might, to notify Natural England and take their advice into account.

### **Specific Wards**

Sawbridgeworth, Bishop's Stortford South, Bishop's Stortford Thorley Manor, Bishop's Stortford Central, Bishop's Stortford All Saints, Bishop's Stortford Parsonage, Bishop's Stortford North, Little Hadham and the Pelhams (part), Braughing and Standon (part), Much Hadham (part), Ware Rural (part), Hunsdon (part).

### 7.0 Background papers, appendices, and other relevant material

- Appendix A Hatfield Forest NNR & SSSI Mitigation Strategy (February 2025)
- Appendix B draft Governance Agreement between the four local planning authorities and the National Trust
- Appendix C Natural England letter dated June 19, 2025
- Appendix D Zone of Influence Map

A number of supporting documents have been prepared through the Partnership Arrangement between the local authorities, the National Trust and Natural England to support the delivery of the tariff and the SAMMS. These documents are listed below, and are available on request:

- Schedule 2: Note on Calculation of SAMMS Tariff Contributions
- Schedule 3: Financial Arrangements between the Partners and the Delivery Body (detailing how tariff collection will be transferred between the LPAs and the Delivery Body, as well as the required reporting process, and how the money will be held)
- Schedule 4: Hatfield Forest SAMMS Partnership Steering Group Terms of Reference
- Schedule 5 SAMMS Delivery Flow Chart
- Schedule 6: Hatfield Forest NNR & SSSI Strategic Access Management and Mitigation Strategy (SAMMS) Governance Document (March 2025)
- Schedule 7: Hatfield Forest Zone of Influence and NNR for Delivery of SAMMS
- Spreadsheet: Tariff Calculations (Natural England)

#### **Contact Member**

Councillor Vicky Glover-Ward, Executive Member for Planning and Growth

Vicky.Glover-Ward@eastherts.gov.uk

#### **Contact Officer**

Sara Saunders, Head of Planning and Building Control

Contact Tel. No. 01992 531656

Sara.Saunders@eastherts.gov.uk

### **Report Author**

Richard Crutchley, Team Leader – Planning Policy

richard.crutchley@eastherts.gov.uk





### Hatfield Forest National Nature Reserve and SSSI

## **Mitigation Strategy**

Approach to Managing Recreational Pressures on the Hatfield Forest Site of Special Scientific Interest and National Nature Reserve

#### **Executive Summary**

For over a decade Hatfield Forest has witnessed increasing recreational pressure due to a doubling of visits. Recent housing developments in the local area and an exponential growth of the local population have contributed to this, largely within a 11.1km zone of influence. The National Trust, who owns and manages this unique site, has covered the costs of reactively repairing the negative impacts this visitor pressure has made on its unique range of SSSI features over this period. In seeking to address this, the National Trust has increased its management effort and associated resources within the 'Every Step Counts' feasibility project which focused on fundraising for and testing a suite of on-site mitigation measures which are now at a stage where those deemed feasible can be fully implemented as Site Access Management and Monitoring Measures (SAMMS). These are detailed extensively throughout this document.

Please note that this document considers the costings and measures required to deliver SAMMS. It does not address the strategic requirement or costings to deliver substantial offsite greenspace provision, which is also considered to be necessary to effectively avoid and mitigate impacts on Hatfield Forest.

#### **Hatfield Forest**

Hatfield Forest (the Forest) is the finest surviving example of a small medieval Royal Hunting Forest in Europe. Covering 404 hectares, it is the single largest open space in the Uttlesford District, offering great opportunities for access and recreational activities. It is situated in northwest Essex, lying five kilometres east of Bishop's Stortford, eight kilometres west of Great Dunmow, and nine kilometres to the north east of Harlow. It is bounded on the northern edge by the Flitch Way, a disused railway line, then beyond that the B1256 and the A120, both running east to west. The M11 from London to Cambridge lies just 1.6 kilometres to the west of the Forest. Farmland forms the remaining boundaries. The National Trust owns the Freehold of the site and the land has been declared inalienable in

accordance with the National Trust Act of 1907. Edward North Buxton gifted it to the National Trust in May of 1924.

All 392 hectares of Hatfield Forest are designated as a Site of Special Scientific Interest (SSSI) and a National Nature Reserve (NNR). This means that the National Trust is legally obliged to observe the provisions of the Wildlife and Countryside Act, 1981 (as amended). The National Trust has a Conservation Management Plan for Hatfield Forest which is agreed with Natural England and sets out the key management activities required to protect and enhance the notified features of the SSSI designation. The Forest's key features are: wood pasture with cattle grazing, unimproved grassland and veteran pollards; ancient coppice woodland with a long continuity of management; freshwater habitats and very high species richness of invertebrates, fungi, lichens and plants, including many nationally rare or threatened species. Sites of Special Scientific Interest (SSSIs) are bound by a conservation designation denoting a protected area in the United Kingdom. SSSIs are the basic building block of site-based nature conservation legislation and most other legal nature/geological conservation designations are based upon them, including National Nature Reserves. The current legal framework for SSSIs is provided in England and Wales by the Wildlife and Countryside Act 1981, amended in 1985 and further substantially amended in 2000 by the Countryside and Rights of Way Act. SSSIs are also covered under the Water Resources Act 1991 and related legislation.

Ongoing surveys and data collation reveal the significant diversity of flora and fauna of Hatfield Forest, which is especially important and impressive for a site in the arable claylands of north-west Essex. The species lists include 510 vascular plants 150 bryophytes, 166 lichens, over 640 fungi and over 2300 invertebrate species. These assemblages significantly contribute to the grassland, woodland and freshwater habitats, but some (e.g. fungi, lichens and invertebrates) may also be regarded as outstanding assemblages in their own right by meeting SSSI selection criteria. Of particular note is the richness of the beetle (over 700 species), fly and moth fauna. In addition, a list of 17 waxcap fungi species (*Hygrocybe*) in the grasslands. There is also a great diversity of breeding and wintering birds, with more than 60 species breeding on the site.

There are two Scheduled Monuments within the site; The Warren and Portingbury Hills, afforded protection under the Ancient Monuments and Archaeological Act, 1979. There are four listed buildings; The Shell House; Warren House; Forest Lodge; Wall Wood Cottage, all of which are Grade II except for The Shell House which is Grade II\*.

#### Concerns relating to recreation

Hatfield Forest is currently experiencing rapid and unsustainable growth in visitor numbers which is putting it under considerable pressure and there are signs that the SSSI, NNR and other designated/protected features are being degraded and damaged. Part of the growth in visitor numbers can be attributed to the exponential increase in housing in the local area over the last 10-15 years. The Forest's clay soils are vulnerable to visitor pressure. For example, while such soils can become very hard and resistant to foot traffic in summer, in the wetter winter they are very vulnerable to poaching. Habitat loss is occurring and not recovering.

The whole of the Forest was assessed as 'Unfavourable Recovering' condition when it was last formally assessed by Natural England in 2011. The trampling impacts are considered to be causing direct damage to a sizeable area of the Forest's vegetation and therefore represent a threat to achieving favourable condition status. Thus, if the recreational impacts are not adequately addressed, with implications for sustained recovery, there is a significant risk that the Forest will be assessed by

Natural England to be in 'Unfavourable' condition, with significant losses of biodiversity.

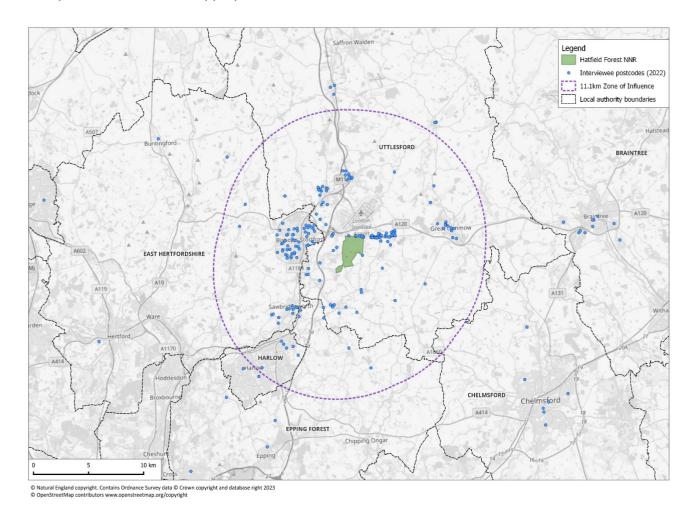
#### Zone of Influence

The National Trust commissions visitor surveys every 5 years, conducted by external conservation consultants, Footprint Ecology. The most recent survey was carried out in 2022, in which 281 interviews were completed, and it is this data which has informed the most current Zone of Influence.

These interviews ascertain information including what drives that individual to visit Hatfield Forest, their mode of transport to get there, but vitally a home post code which gives an insight into where visitors to Hatfield Forest travel from. These post code locations are plotted onto a map and the linear distance between the home post code and survey point is recorded. The mean distance is then taken from all values and calculated at the 75th percentile (industry standard), to give a Zone of Influence. This is illustrated on the map below.

This exercise is completed, according to survey data, every 5 years and the Zone of Influence may be updated as necessary in consultation with NE and LPA partners.

The Zone of Influence and associated maps are utilised to define which developments will directly impact Hatfield Forest, which LPA's are required to observe this mitigation strategy, and where developer contributions are appropriate.



#### The Role of the Local Authorities

Various laws and planning policies protect the interest features of SSSIs from development, from other damage or neglect. Local Planning Authorities (LPAs) are required to have policies in their development plans which protect SSSIs, as required by the National Planning Policy Framework (NPPF).

Para.180 of NPPF (20 July 2021 update) states: 'When determining planning applications, local planning authorities should apply the following principles':

- a) If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- b) Development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest.
- c) Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists
- d) Development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

LPA's are then required to consult Natural England on planning applications which might affect the interest of an SSSI (such a development might not be within or even close to the SSSI itself). Consistent with this, Natural England screens planning applications that fall within Hatfield Forest's 11.1km Zone of Influence (ZOI) and advises when mitigation should be sought from new developments.

It is considered that developers proposing new residential developments within the Zone of Influence (11.1km of Hatfield Forest) should be expected to address the impacts of their development on Hatfield Forest and apply the mitigation hierarchy as set out in Para.180 of the National Planning Policy Framework and set out above. It should be ensured that housing developments of an appropriate size avoid impacts on vulnerable sites by including high quality green infrastructure within their design. Where there would be adverse residual recreational impacts upon Hatfield Forest, a financial contribution towards mitigation measures within the Forest's own boundaries via a Strategic Access Management and Monitoring Strategy (SAMMS) should be proposed.

The provision of substantial high-quality Green Infrastructure (GI) incorporated within development sites is essential as it provides the recreational resource close to where people live, which then limits the need for new residents to travel to Hatfield Forest for recreational purposes, therefore minimising

future visits. However, Hatfield Forest provides a unique experience for its visitors which cannot be replicated at other locations, meaning that developments providing Substantial On-Site Green Infrastructure will not prevent / intercept all visits to Hatfield Forest. It would therefore be expected that with a growing population within its zone of influence (ZOI), there would also be a corresponding growth of visits, regardless of alternative green space within the ZOI. This would inevitably result in adverse residual impacts on Hatfield Forest which must be mitigated by additional means. Accordingly, financial contributions from developments would collectively ensure that mitigation measures are compatible with the ongoing SSSI habitat restoration and strategically help to increase the resilience of Hatfield Forest to future visitor pressure.

The combined approach of substantial high-quality GI provision and SAMMS are both essential components to effectively alleviate the adverse impacts on Hatfield Forest SSSI, NNR from the development (either allocated within Local Plans or speculative / windfall). They would also help prevent further deterioration of the SSSI features and ensure the ability to achieve favourable condition status is not constrained.

#### Evidence base

The evidence gathered to highlight and measure the attributable impacts both the visitor numbers and habits of those utilising Hatfield Forest can be divided in to five main areas:

**People counters** – Electronic "counters" at the 24 external entrances to Hatfield Forest provide an accurate measure of how many visitors come to the Forest, and where they arrive. The figures from these counters provide indication that increasing visitor numbers linked to exponential local housing growth correlated with increasing impacts particularly to the woodland ride (grassy path) network and subsequently the coppice interiors and wood pasture.

**Visitor surveys** – Working with independent, reputable conservation consultants, Footprint Ecology, face-to-face interviews are carried out at several locations within the Forest boundaries, across 4 days in contrasting seasons. Interview data was collated and analysed to provide evidence on visitor origins, attitudes and behaviour. Extrapolations were made, within the limits of the available data, to gauge how overall numbers of visits may compare with numbers of individual visitors. Visitor surveys are repeated every 5 years.

**Vegetation surveys** - Since 2014, the National Trust has used a Red/Amber/Green (RAG) method to evaluate the condition of the grassy paths (traditionally called rides). These RAG surveys are carried out by independent, reputable conservation consultants The 9.3 km network of paths are subject to a simple Forest-wide survey, assessing the proportionate cover of vegetation and bare soil as a measure of the impact of human trampling. Paths were assessed over their normal width and categorized as red, amber or green status. This data is then combined with fixed point photography to produce a report. Surveys are undertaken and reports are written every 5 years.

**Soil compaction monitoring** – The Forest's soils are analysed to give an insight into soil health, and the ecological impacts. Nationally acclaimed contractors research and measure soil density, resistance to penetration and aeration levels which are then examined against species richness. The data gathered highlights human impact across the Forest and indicates effectiveness of mitigation measures.

**Ecological Impact Surveys** – Carefully selected ecological surveys designed to provide insight into recreation impacts on sensitive habitats, including the Forest ride network. Data will inform effectiveness of mitigation measures and support adaptive management decisions.

All surveys and reports are commissioned every 5 years prior to SAMMS review. All monitoring mitigation measures are costed annually but only spent every 5 years.

All data, surveys and reports can be obtained from the National Trust, Hatfield Forest Estate Office on request. All surveys and reports commissioned by the National Trust are shared with Natural England.

# Sustainable mitigation measures

While there is a clear need to continue to monitor visitor usage and impacts on Hatfield Forest, all the evidence gathered thus far provides the National Trust with the underpinning knowledge required for the preparation of this Mitigation Strategy in order to locally address the impacts created by increased recreational pressure arising from new residential development.

With twenty-four external entrances to the Forest, and a northern border shared with the Flitch Way, a linear Country Park, former railway line and well-used greenway connecting Braintree and Bishops Stortford, there is no immediately effective way of preventing the effects that come with rising visitor numbers, as the local population with the ZOI grows as a result of new residential development. Therefore, there is a need to undertake SAMMS measures within Hatfield Forest to mitigate for increase in adverse impacts created by the predicted rise in visitor numbers and for new developments to contribute towards their implementation.

The SAMMS mitigation measures outlined below are divided in to four key areas:

Access Management and Infrastructure
Ride and Path Mitigation
Human Resources
Monitoring

They are designed to directly protect the designated features of Hatfield Forest from impacts created by a future increase in visitor usage directly linked with development within the 11.1km ZOI. While these might be adequate in protecting the site from further usage, the associated impacts under this scenario are difficult to predict due to the unprecedented volume of visitors using the site. Therefore, it will be required to review the measures on a five-yearly basis, in conjunction with ongoing monitoring of visitor impacts and interim progress reviews of the effectiveness of each of the measures. Costs were derived from invoiced items achieved under project feasibility trials, known costs through previous invoiced works, quotations from contractors engaged for future works and previous costs with an uplift for inflation added. Wage costs have been derived from National Trust standard rates. As advised by Natural England, all measures have been costed in perpetuity (minimum of 80 years)

| Type of<br>Measure                                                     | Measure                                                                                   | Description                                                                                                                                                                                                                                                                                                      | Rationale & Justification                                                                                                                                                                                                                                                                                                                                                                                                                  | Capital/<br>One-off<br>Cost (£) | Annual Cost<br>(£) | No.<br>of<br>years | Total Cost (£) |
|------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|--------------------|--------------------|----------------|
| Access<br>management<br>infrastructure -<br>Veteran Tree<br>Protection | Veteran tree<br>root<br>protection -<br>barriers and<br>protective<br>mulching            | Installation of protective barriers around key vulnerable veteran tree crown drip lines.                                                                                                                                                                                                                         | Increasing resilience of soil near key vulnerable veteran trees to trampling and protect tree roots from compaction pressure experienced from visitor footfall.                                                                                                                                                                                                                                                                            | 40,000                          | 1,500              | 80                 | 160,000        |
| Rides and Path<br>Mitigation                                           | Ride<br>management<br>from ground<br>level & soil<br>decompactio<br>n in central<br>zones | Improve ride resilience through soil aeration measures and mowing regime, promoting faster recovery of soil compaction and mitigating against further compaction as a result of visitor number increase. Measures to repair and promote recovery on rides where damage through increasing footfall has occurred. | Providing greater resilience of rides / paths to be able to cope better with increasing visitor impacts and in doing so, minimise the likely impact on ride edges and the notable flora/fauna they support. Funds will support year-round mowing, spiking and aeration regime and upkeep of required equipment. Inevitable repairs will be required following periods of intense usage and extreme weather, through auguring and mulching. |                                 | 10,000             | 80                 | 800,000        |

| Type of<br>Measure                     | Measure                                                              | Description                                                                                                                                                                                                                                                                                                  | Rationale & Justification                                                                                                                                                                                                                                                                                                                      | Capital/<br>One-off<br>Cost (£) | Annual Cost (£) | No.<br>of<br>years | Total Cost (£) |
|----------------------------------------|----------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|-----------------|--------------------|----------------|
| Rides and Path<br>Mitigation           | Road, car<br>park, track &<br>boardwalk<br>surfacing/ma<br>intenance | Capital cost to waymark parking spaces, improving space efficiency, and safe movement of pedestrians from parking facilities to footpath network. Annual programme of hardstanding track maintenance and development to account for increasing car traffic and footfall on popular, easily accessible areas. | Essential up-keep of the most resilient surfaces which will continually see an increase in usage and demand. Funding will future-proof our facilities and provisions to those with access requirements.                                                                                                                                        | 120,000                         | 18,000          | 80                 | 1,560,000      |
| Access<br>management<br>infrastructure | Ride<br>Rotation                                                     | Prioritised seasonal programme of resting damaged rides and opening others up using hurdles and interpretative signage. Annual refresh of interpretive signage and hurdle maintenance. Community engagement to raise awareness of seasonal rotation and the long-term benefits to access and nature.         | Rest periods for woodland rides has proved to be the most effect method to reverse the effects of erosion and promote the regrowth of vegetation, ultimately improving the resilience of the surface. Annual costs will also promote access, drawing visitors to healthy, nature-rich rides that have previously benefited from a rest period. |                                 | 4,000           | 80                 | 320,000        |

| Type of<br>Measure                                 | Measure                                                 | Description                                                                                                                                                                                                                                      | Rationale & Justification                                                                                                                                                                                                                                                                                                                                                              | Capital/<br>One-off<br>Cost (£) | Annual Cost<br>(£) | No.<br>of<br>years | Total Cost (£) |
|----------------------------------------------------|---------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|--------------------|--------------------|----------------|
| Access<br>Management<br>Infrastructure             | Access<br>Interpretatio<br>n,<br>Waymarking,<br>Signage | Design, manufacture and install signage informing, influencing and guiding visitors around the property, ensuring ease of movement and alleviating capacity pressures. Purchase and annually refresh temporary signage and associated materials. | Interpretive and waymarking signage used to channel footfall and promote access to the most resilient areas and divert footfall from sensitive areas and certain times of the year and during weather events. Capital cost will fund new age of interpretation providing info on the "why" behind ride network management, to establish a lasting culture of respect and understanding | 50,000                          | 3,000              | 80                 | 290,000        |
| Human<br>Resourcing -<br>Staff (National<br>Trust) | Ranger x 1                                              | 1.0 FTE Gr.9 x 1, 37.5 hrs/wk contract (based on 2023 pay data). Reviewed for on costs & inflation                                                                                                                                               | Providing support for SAMMS Consultant. Delivering effective mitigation measures. Assisting with co-production through Stakeholder Working Group and Forest Users' Forum. SAMMS-related visitor engagement. Photographic monitoring. Role to focus on community engagement and promoting sustainable access, as well as practical implementation of mitigation measures.               |                                 | 26,029             | 80                 | 2,082,320      |

Description

inflation

0.5 FTE Gr.7 Consultant

(based on 2023 pay data)

Reviewed for on costs &

Measure

SAMMS

Project Co-

ordinator

Type of

Human

Trust)

Resourcing -

Staff (National

Measure

Rationale & Justification

Gaining all necessary PLCs.

Delivering SAMMS projects.

Procuring, implementing and

ecological.

Providing interface between NT and

statutory authorities / advisory bodies.

Interrogating, understand and report on statistical data - visitor and

Capital/

One-off

Cost (£)

No.

vears

of

80

Total Cost (£)

1,542,480

**Annual Cost** 

(£)

19,281

| Type of<br>Measure | Measure            | Description                                                                     | Rationale & Justification                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Capital/<br>One-off<br>Cost (£) | Annual Cost (£)                          | No.<br>of<br>years | Total Cost (£) |
|--------------------|--------------------|---------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|------------------------------------------|--------------------|----------------|
| Monitoring         | Visitor<br>Surveys | Undertake summer and winter visitor surveys every 5 years prior to SAMMs review | Ascertain visitor usage trends, Zone of Influence, mode of travel. Understand what recreational use and patterns. Enables targeted messaging and response to planning matters. Providing information on hotspots of high impact where focused attention can be made with mitigation measures allowing understanding of changes in usage over time. Providing necessary evidence to correlate visitor numbers with negative impacts to the SSSI. Aligning with survey strategies consistent with other sites to provide benchmarking / maximum credibility of Hatfield Forest survey. |                                 | 2,852 (Survey carried out every 5 years) | 80                 | 228,160        |

| Type of<br>Measure | Measure                           | Description                                                                                               | Rationale & Justification                                                                                                                                                                                                                                                                                                                                                                         | Capital/<br>One-off<br>Cost (£) | Annual Cost (£)                                    | No.<br>of<br>years | Total Cost (£) |
|--------------------|-----------------------------------|-----------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|----------------------------------------------------|--------------------|----------------|
| Monitoring         | Impact<br>Surveys                 | Annual autumn and Summer RAG surveys & fixed- point photography. Including survey design and preparation, | Providing localized evidence of visitor impacts to soils and vegetation.  Providing a good idea of impact hotspots where focused attention can be made with mitigation measures.  Enabling understanding of changes in +/-impacts over time.  Providing necessary evidence to correlate increasing visitor numbers resulting in cumulative negative impacts with high visitor numbers on the NNR. |                                 | 280<br>(Survey<br>carried out<br>every 5<br>years) | 80                 | 22,400         |
| Monitoring         | Compaction<br>Analysis<br>Surveys | Soil sample collection at 10 locations. Data handling, analysis & report writing.                         | Providing localized evidence of visitor impacts to soils and vegetation through effective monitoring of soil condition at targeted locations.  Providing a good idea of impact hotspots where focused attention can be made with mitigation measures.  Enabling understanding of changes in impacts due to the increase in visitor usage over time.                                               |                                 | 680<br>(Survey<br>carried out<br>every 5<br>years) | 80                 | 54,400         |

| Type of<br>Measure | Measure                         | Description                                                                                                                                                                     | Rationale & Justification                                                                                                                                                                                                                                                   | Capital/<br>One-off<br>Cost (£) | Annual Cost<br>(£)                                 | No.<br>of<br>years | Total Cost (£) |
|--------------------|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|----------------------------------------------------|--------------------|----------------|
| Monitoring         | Ecological<br>Impact<br>Surveys | Targeted ecological work to provide data on condition of rides, as well as wider recreation impacts on sensitive habitats. Carefully designed to feed into adaptive management. | Give clarity on visitor impact upon nature and habitat as well as measure of success of mitigation measures.                                                                                                                                                                |                                 | 800<br>(Survey<br>carried out<br>every 5<br>years) | 80                 | 64,000         |
| Monitoring         | Gate<br>Counters                | Ongoing 7-yearly replacement of 22 electronic gate counters on all perimeter gates and some at strategic locations within Forest.                                               | Providing accurate and localized data of visitor usage over time. Enabling substantive correlation of visitor impacts with peak visitor numbers / poor weather events. Enabling prioritised messaging / deployment of staff effort at specific locations throughout Forest. |                                 | 3,500<br>(Replaced<br>every 7<br>years)            | 80                 | 280,000        |
| Total              |                                 |                                                                                                                                                                                 | £                                                                                                                                                                                                                                                                           | 210,000                         | £89,922                                            |                    | £7,403,760     |

#### **Review of Costs**

The individual costings will be reviewed for their accuracy and adjusted for pre-existing overestimations / underestimations, inflation and pay increments as guided by the National Trust. Changes to on - costs as a result of changes in nationally set levels of employer contributions for National Insurance purposes will be taken into account. Whilst the SAMMS will be formally reviewed every 5 years in line with the receipt of updated survey data, the costs of each measure will be adjusted for inflation annually, using the BCIS index as an indicator of the rate of inflation for measures relating to infrastructure, access management and monitoring, with rates of inflation for measures relating to human resourcing being steered by data published by the National Trust each year detailing changes to pay. The sums of monies secured by way of a Section 106 Agreement or CIL will be subject to an inflation related clause.

# How the Costs of Mitigation will be Secured and Collected

Financial contributions towards mitigation for Hatfield Forest can be provided by developer contributions which are secured through a S016 Agreement (entered into under section 106 of the Town and Country Planning Act 1990) or via a Unilateral Undertaking (entered into by a person with an interest in the land without the local planning authority) or from Community Infrastructure Levy (CIL) monies (a fixed charge levied on new developments) where a local authority has a CIL in place. Legal obligations are entered into to mitigate the impacts of an unacceptable development proposal to make it acceptable in planning terms. They are used where it is not possible to address unacceptable impacts through a condition.

The responsibility for calculating the tariff applicable to contributions payable to the National Trust, Hatfield Forest will fall to the Local Planning Authorities.

The Local Planning Authorities will collect the contributions which will then be passed to the National Trust to spend on the mitigation measures set out in this document.

If you require any further information, please contact the National Trust or the relevant Local Planning Authority.

# Schedule 1

DATED (as of April 2025) 2025

East Hertfordshire District Council

and

**Epping Forest District Council** 

and

Harlow District Council

and

**Uttlesford District Council** 

and

**National Trust** 

Hatfield Forest National Nature Reserve (NNR)
Strategic Access Management and Monitoring (SAMM)
Strategy

**Partnership and Governance Agreement** 

# **DRAFT**

# Contents

| 1. D | EFINITIONS                                                                   |    |
|------|------------------------------------------------------------------------------|----|
| 2. P | URPOSE OF THE AGREEMENT                                                      | 8  |
| 3. G | OVERNANCE ARRANGEMENTS                                                       | 9  |
| 4. C | OMMENCEMENT AND DURATION                                                     | 10 |
| 5. O | VERRIDING CONDITIONS                                                         | 10 |
| 6. P | ROJECT MANAGEMENT                                                            | 10 |
| 7. P | ROJECT RESOURCES                                                             | 13 |
|      | ESPONSIBILITIES OF THE PARTIES                                               |    |
| 9. A | DDITION OF PARTIES TO THE PARTNERSHIP                                        | 16 |
| 10.  | REMOVAL OF PARTIES FROM THE PARTNERSHIP                                      | 16 |
| 11.  | DATA PROTECTION & MANAGEMENT                                                 | 17 |
| 12.  | CONFIDENTIALITY                                                              | 18 |
| 13.  | TERMINATION                                                                  | 19 |
| 14.  | GOVERNING LAW AND DISPUTE RESOLUTION                                         | 19 |
| 15.  | GENERAL PROVISIONS                                                           | 20 |
| SCH  | HEDULE 1 - Hatfield Forest SAMM Strategy                                     | 24 |
| SCH  | HEDULE 2 - SAMM Contributions                                                | 24 |
| SCH  | HEDULE 3 - Financial Arrangements between the Partners and The Delivery Body | 24 |
| SCH  | HEDULE 4 - Hatfield Forest SAMM Strategy Partnership Steering Group          | 24 |
| SCH  | HEDULE 5 - SAMM Delivery Flow Chart                                          | 24 |
| SCH  | HEDULE 6 - Hatfield Forest SAMMS Governance report                           | 24 |
| APF  | PENDIX 1- National Trust's Contract and Procurement Rules                    | 24 |

- (1) East Hertfordshire District Council (as partner to the Agreement)
- (2) Epping Forest District Council (as partner to the Agreement)
  - (3) Harlow District Council (as partner to the Agreement)
  - (4) Uttlesford District Council (as partner to the Agreement)
    and
  - (5) National Trust (as 'Delivery Body' only)

(Hereinafter referred to jointly as the "Parties" or "Authorities" and individually as a "Party" or "Authority" with terms to be used interchangeably throughout this Agreement.)

#### **RECITALS**

- (A) The Parties to this Partnership and Governance Agreement are all Local Authorities who have joined together to undertake certain activities as a partnership for the purposes set out in this Agreement (together with the National Trust ("the NT") which joins this Agreement in its capacity as landowner of Hatfield Forest and as Delivery Body pursuant to this Partnership and Governance Agreement).
- (B) The Parties wish to co-operate over the implementation of a Hatfield Forest Strategic Access Management and Monitoring (SAMM) Strategy as described in more detail in Schedule 1 ('the Hatfield Forest SAMM Strategy').
- (C) This Partnership and Governance Agreement sets out the relationship between the Parties, the governance arrangements, and the organisation of the work.

#### IT IS HEREBY AGREED AS FOLLOWS: -

# 1. **DEFINITIONS**

1.1 In this Partnership and Governance Agreement, the following terms shall have the following meanings:

"Business Day" Any day other than a Saturday or Sunday

or a public or Bank Holiday in England.

"Commencement Date" The date of this Partnership and

Governance Agreement

"Collecting Authority"

This means the Authority that is acting on

behalf of the Partners to collect and pay monies collected by the Partners for the purposes of delivering the Strategic

Management and Monitoring Strategy. For

the purpose of this Partnership and Governance Agreement the Collecting Authority is Uttlesford District Council. The date of this Partnership and Governance Agreement

"Confidential Information"

All information that is marked as
Confidential and that is disclosed by one
Party to any of the others for the purpose
of the Partnership and Governance
Agreement, including, without prejudice to
the generality of the foregoing, any ideas;
finance; financial, marketing, development
or manpower plans; computer systems and
software; products or services, including
but not limited to know-how and
information concerning relationships with
other parties and all records, reports,
documents, papers and other materials
whatsoever originated pursuant to this
Partnership and Governance Agreement.

"Delivery Body"

The National Trust, or any successor properly constituted body responsible for the management of the site, the subject of this agreement, being the body appointed by the Partners to deliver the day-to-day operation of the Project, in this case referred to as NT throughout this document.

"Developer Contribution"

Means a payment a developer is required to make to its Local Planning Authority in compliance with the Wildlife and Countryside Act 1981 (as amended), in respect of consent for each new dwelling which is likely to have a significant impact on the natural habitat the subject of this agreement, in accordance with Schedule 2 of this Agreement

"Financial Year"

Means the period commencing from 1<sup>st</sup> April of any given year to 31<sup>st</sup> March of the succeeding year

"Hatfield Forest National Nature Reserve and Site of Special Scientific Interest " or "Hatfield Forest NNR and SSSI" Hatfield Forest is a statutory designated site, which is protected under the Wildlife & Countryside Act 1981 (as amended), and which this Strategy is designed to protect.

"Hatfield Forest NNR SAMM Strategy"

Means the Strategy as agreed by the parties to deliver the mitigation necessary to avoid adverse effects from the impacts of any net increase in dwellings which will result in an increase of recreational disturbance to the Hatfield Forest National Nature Reserve (NNR) and Site of Special Scientific Interest (SSSI), and monitoring its effectiveness in accordance with the Programme of Investment and the Project Deliverables and as set out at Schedule 1 and as may be amended by agreement through the mechanisms set out in the clauses of this Partnership Agreement.

"Local Planning Authority" or "LPA"

Means the local authority whose duty it is to carry out specific planning functions for a particular area.

"National Trust" or NT"

Means National Trust or any successor properly constituted body responsible for the management of the site the subject of this agreement

"Natural England or any successor"

Means the body set up by Government (DEFRA)as a non-executive non-departmental public body whose purpose is to help conserve, enhance and manage the natural environment for the benefit of present and future generations, and with responsibility for enforcing laws that protect wildlife and the natural environment

"Nominated Representative

Means a member/s of staff or other representative appointed by a Party to attend the Partnership Steering Group meetings.

"Party/Parties"

Means a/the local authority/(ies) which is/are a signatory to this Agreement as a member of the Partnership and NT as the Delivery Body (and shall include any

successor to any party's statutory

functions.

"Partner" Means a local authority member of the

Partnership

"Partnership and Governance Agreement" Means this Agreement, as agreed and

signed by the Partnership local authorities

and the NT as the Delivery Body

"Partnership Steering Group"

The group comprised of representatives of

the Partners (and such technical experts as the Partners may appoint) whose Terms of Reference are detailed in Schedule 4

"Personnel" Any employee, director, agent,

subcontractor, or other person engaged by

a Party in relation to this Agreement

"Programme" Means the joint initiative as set out in this

Partnership Agreement for securing the Project Deliverables and/or individual

projects or tasks

"Programme of Investment" Means the annual Programme to deliver

the Project Deliverables established by the Delivery Body and reviewed and approved annually by the Partnership Steering Group for the holding, allocation and investment

of SAMM Contributions

"Project Deliverables" Means the list of projects in the agreed

Hatfield Forest NNR SAMM Strategy at Schedule 8. The measures to be funded by the Partnership by which the Hatfield

Forest SAMM Strategy will deliver the mitigation necessary to avoid adverse effects on integrity from the impacts of any net increase in dwellings which will result in an increase of recreational disturbance to Hatfield Forest NNR/SSSI as set out in Schedule 6 (the Hatfield Forest SAMM Strategy) and as may be varied in agreement between the Parties or by decision of the Partnership Steering Group.

"Qualifying Development"

Means residential or any other relevant visitor development which is located within the Zone of Influence and so has been deemed likely to have a significant impact on the Hatfield Forest NNR & SSSI and is required to contribute toward the delivery of Project Deliverables.

"SAMM"

Means Strategic Access Management and Monitoring. These are the measures that will be implemented within Hatfield Forest NNR/SSSI to manage and monitor the

impacts of visitors.

"SAMM Contribution"

Means the Developer Contribution received by a Partner payable to the Delivery Body in accordance with Schedule 2 to this

agreement.

"Senior Dispute Management Group"

The group of senior officers from each of the Partners to which any disputes will be escalated if they cannot first be resolved

informally.

"Zone of Influence"

Refers to the evidenced Zone of Influence within which any new residential or relevant other visitor generating development will have an in-combination impact from recreational pressure on Hatfield Forest NNR/SSSI. Currently, as at the signing of this Agreement in 2025, this stands at 11.1km based on data collected in

the 2022 visitor surveys. and set out in

Schedule 7.

- 1.2 Headings contained in this Partnership and Governance Agreement are for reference purposes only and shall not be deemed to be an indication of the meaning of the clause to which they relate.
- 1.3 Where the context so implies, words importing the singular number shall include the plural and vice versa and words importing the masculine shall include the feminine and vice versa.

# 2. PURPOSE OF THE AGREEMENT

- 2.1 The purpose of this Partnership and Governance Agreement is to:
- specify the organisation of the work between the Parties in collecting and

- administering SAMM Contributions;
- set out the rights and obligations of the Parties;
- secure and monitor delivery of the Project Deliverables by the Delivery Body
- specify arrangements for the monitoring and review of the effectiveness of the Partnership and Governance Agreement including the associated SAMM Strategy; and
- establish the governance structure for the purposes of implementing this Agreement and securing delivery of the Project Deliverables.

#### 3. GOVERNANCE ARRANGEMENTS

- 3.1 Full details of Governance are included in Schedule 6. The Parties agree that the National Trust will be the Delivery Body and authorise it to sign agreements in relation to the implementation of the agreed and approved Project Deliverables of the SAMM Programme. To optimize the function of the Partnership, the Parties shall permit the Delivery Body to procure external services in accordance with the Procurement Act 2025 (or any successor legislation) and the Delivery Body's internal Contract and Procurement Process (as set out in the 'National Trust Procurement Code Part One: Rules' attached at Appendix 1, any changes which will be communicated by the Delivery Body to the Partnership Steering Group) to ensure that the approach continues to be 'fit for purpose'. The Delivery Body will provide financial systems and processes to enable the efficient and transparent implementation of the Hatfield Forest SSSI SAMM Strategy. The Delivery Body will provide the Partnership Steering Group with annual business plans and financial statements. This should include a year-end statement of account for the financial reporting period 1st April 31st March and be provided by 30th September each year.
  - 3.2 The National Trust as the Delivery Body will submit an annual Programme of Investment, with input from and for approval by the Partnership Steering Group. The Programme of Investment shall be reviewed and amended in writing from time to time as the Parties consider appropriate and as may be agreed by the Partnership Steering Group. Further financial details can be found in Schedule 3.
  - 3.3 The Parties have agreed an allocation formula for the SAMM Contributions across the partners to be collected from all relevant development for the benefit of the Partnership as set out in Schedule 5
  - 3.4 The Parties acknowledge their intention that Natural England as statutory adviser would be requested to attend Partnership Steering Group meetings unless alternative agreements are made or should Natural England review its involvement.

#### 4. COMMENCEMENT AND DURATION

4.1 This Partnership and Governance Agreement shall come into effect on the Commencement Date<sup>1</sup>. A review of the Agreement shall be undertaken by the Partnership Steering Group and completed within five years of the date appearing on the front page of this Agreement. Any changes to this Agreement, as a result of the review, shall be agreed in writing between all Parties and formally documented by way of a deed of variation to this Partnership Agreement.

#### 5. OVERRIDING CONDITIONS

- 5.1 All Parties have a responsibility to contribute towards and properly perform their roles and responsibilities in accordance with this Partnership and Governance Agreement and the Hatfield Forest SAMM Strategy as detailed in Schedule 1
- 5.2 It is the intention that the Partners shall be responsible and liable in equal shares for all legal, professional and financial advice procured under this Partnership and Governance Agreement, including by the Partnership Steering Group.
- 5.3 The Partners shall provide a forecast of annual income to the Delivery Body and Partnership Steering Group by 31st December each year based on the amount of qualifying development that was commenced in the preceding 1st April 31st March reporting year, in order to inform the programme of work for the next financial year.
- 5.4 With regard to responsibility and liability for shared costs, the SAMM contributions are detailed in Schedule 2 of this Agreement. If Parties leave or join the Partnership or the ZOI changes, costs will be recalculated, with the amount/s to be determined at that time having had regard to the principles applied to the apportionment of those shared costs as they relate to mitigating any adverse effects on the Hatfield Forest NNR.

#### 6. PROJECT MANAGEMENT

# **Partnership Steering Group**

6.1 The details of the Partnership Steering Group including purpose, membership, governance, functions and procedures are set out in the Partnership Steering Group Terms of Reference at Schedule 4 to this Partnership Agreement.

Responsibilities of the Partnership Steering Group

#### (i) Project Oversight

6.2 The Partnership Steering Group shall be responsible for ensuring the delivery of the Project Deliverables by the Delivery Body and to this end will keep the proposals for implementation and progress towards meeting it, under review.

# (ii) Appointment of Delivery Body

6.3 The Partner Authorities hereby appoint the National Trust as the Delivery Body for the Hatfield Forest SAMM Strategy. The Delivery Body will have responsibility for a Programme of Investment and the day-to-day management and implementation of the Project and of the agreed Project Deliverables (subject to the receipt of the SAMM Contributions and availability of SAMM Contributions for expenditure on the Project Deliverables in accordance with Schedule 2 and the Programme of Investment). The Delivery Body will hold and/or invest the SAMM Contributions paid to it in accordance with Schedule 3 and report to the Partnership Steering Group in accordance with Schedule 4 and Clause 2.1 above.

- 6.4 The cost of funding the works and activities undertaken/provided by the Delivery Body will be met by the SAMM Contributions. The Delivery Body will not be expected to fund the costs of managing the implementation and monitoring of the Project, or the Programme of Investment or the Project Deliverables separate from its own resources.
- 6.5 For the avoidance of doubt the breakdown of the proposed measures and costs of the Project are set out in Schedule 1. This includes the professional and administrative costs incurred by the Delivery Body in undertaking its responsibilities under this Agreement, including the responsibilities relating to financial systems, processing, accounting, business planning and reporting as outlined in Clause 2.1 of this Agreement and its responsibilities in respect of the Programme of Investment. The Partners shall transfer money, via the Collecting Authority, to the Delivery Body in accordance with the Terms set out in Schedule 3.

# (iii) Financial Management

- 6.6 The Partners shall be responsible for holding and administering the SAMM Contributions until such time as they are paid to the Collecting Authority (as under the Terms of Schedule 3).
- 6.7 The Collecting Authority shall be given authority by the Partners to act on their behalf for the receipt of contributions in accordance with the timescales set out in clause 5.2 and payment to the Delivery Body. This should also include authority to initiate the process for changing which authority acts as the Collecting Authority should a change be needed.
- 6.8 The SAMM Contributions must be available to spend on or invest for the purposes of the Project Deliverables (subject to and in accordance with Schedule 1) and will be sent every six months (on 28th February and 31st August) from each Partner to the Collecting Authority unless otherwise agreed between the Partner and the Collecting Authority. The Collecting Authority shall send the SAMM contributions to the Delivery Body no later than 28 days following the receipt of the contributions paid by each Partner. Each Partner will be responsible for monitoring contributions received and forecasting their future SAMM Contribution income in accordance with Schedule 2 to this agreement.
- 6.9 The Partnership Steering Group may choose to take financial advice from third parties as required. The four Partner local authorities (East Hertfordshire, Epping, Harlow and Uttlesford District Councils) will take responsibility for choosing the relevant third party, with the cost to be split across all Partners.
- 6.10 SAMM contributions will be index linked. The Programme of Investment and the Project Deliverables will be reviewed each year in terms of costings. For physical measures this shall be in line with the most up to date version of the BCIS (or other industry recognised standard in its absence). Staff costs as set out in the SAMM Strategy will be increased in line with any annual pay increase and changes to pension and national insurance contributions required by the Delivery Body. The increase in the SAMM Contribution will be agreed and set in March each year and brought into effect on 1st April each year. Where there is a shortfall/ deficit in the SAMM Contribution as a result of the final costs being above the relevant contribution by a Party, it will be the responsibility of the Delivery Body to raise this matter with the Partnership Steering Group, within a period of 12 months of payment. Decisions, including any required revisions of projects, can

then be made for the benefit and continuity of the overall mitigation project, and so that no particular Partner, nor the Delivery Body, becomes financially liable.

- 6.11 The Partners agree to levy a SAMM Contribution in accordance with Schedule 2 of this Partnership and Governance Agreement on all qualifying development.
- 6.12 The Partners agree that they will pay the SAMM Contribution to the Collecting Authority in accordance with Schedules 2 and 3 upon being satisfied that qualifying development has commenced in accordance with the relevant Planning Permission and legal obligations or any other local authority funding mechanism which equates to the financial value that would be generated using the tariff.
- 6.13 Where there is a shortfall / deficit in the SAMM Contribution as a result of the non-- collection of a relevant contribution by a Party to this Agreement it will be the responsibility of the individual Partner Authority to make good such shortfall and not the Delivery Body or other Partner Authorities. Such liability will only arise where the individual Partner Authority in question is not making reasonable endeavor to pursue the non-payment from the party who has obligation to pay the Partner Authority.
- 6.14 In the event the SAMM Contribution is not spent or invested in accordance with the requirements of this Agreement by the Collecting Authority or the Delivery Body and a refund is required then the Collecting Authority or the Delivery Body will be liable to repay the monies to Partners in line with the percentage apportionment set out in Schedule 2.
- 6.15 The Partnership Steering Group, having had regard to regular advice from the Delivery Body in relation to the appropriate and realistic timing of Project Deliverables, will be responsible for determining an appropriate apportionment between the spending of and investment of the SAMM Contributions, in line with the Programme of Investment and Project Deliverables (as outlined in Schedule 1). In the case of disagreement, Natural England, as a neutral party, will be requested to mediate the deliberations and propose a resolution for decision by the group. If a decision cannot be reached, this will be escalated, in line with the process set out in clause 14 of this Agreement.

# (iv) Publications and Press Releases

6.16 The Partnership Steering Group in discussion with the Delivery Body shall decide procedures for dissemination of publications and press releases, joint or otherwise, relating to the Project.

# (v) Partnership Steering Group Meetings

6.17 The Partnership Steering Group shall meet on a quarterly basis in accordance with the Partnership Steering Group Terms of Reference at Schedule 4. The frequency of meetings may be reduced at any time in accordance with the Partnership Steering Group Terms of Reference. Meetings will operate under the conditions outlined in Schedule 4.

# (vi) Responsibilities of Individual Members of the Partnership Steering Group

6.18 In addition to the Partnership Steering Group's collective responsibility, individual members of

the Partnership Steering Group will have specific responsibilities as determined by the Partnership Steering Group from time to time as set out in the Terms of Reference at Schedule 4.

### 7. PROJECT RESOURCES

# Allocation

7.1 The total SAMM Contributions to be paid by the Partner to the Collecting Authority will be set out in Schedule 2 and are to be adopted by the Partners as a material consideration in the determination of Planning and development related applications.

# Changes to Contract and Procurement Process

7.2 Any changes to the Delivery Body's Contract and Procurement Process will be reviewed at the earliest opportunity by the Partnership Steering Group to determine if they remain appropriate for the Project Deliverables.

#### 8. RESPONSIBILITIES OF THE PARTIES

## <u>Performance</u>

- 81 Each Party undertakes to each other Party to perform and fulfil, on time, the tasks assigned to it by the Partnership Steering Group along with all other obligations under this Partnership and Governance Agreement.
- 8.2 Each Partner hereby undertakes to supply promptly to the Delivery Body all such information or documents as the Delivery Body and the Partnership Steering Group need to fulfil obligations pursuant to this Partnership Agreement.
  - 8.3 Each Partner undertakes to each other Partner and to the Delivery Body to:
    - notify each of the other Parties as soon as a Party becomes aware of any significant delay in performance; or a significant change in a Parties ability to meet its funding and other commitments under this Partnership and Governance Agreement.
    - inform other Parties of communications and planning decisions it receives from third parties relevant to the Project e.g. planning appeals and Local Plan examination Inspector correspondence.
- 8.4 Each Party shall use all reasonable endeavor to ensure the accuracy of any information or materials it supplies hereunder and promptly to correct any error therein of which it is notified.
- 8.5 Subject to clause 6.16 of this Partnership Agreement each Party agrees not to issue any press releases or other such publicity materials relating to the work of the Partnership without obtaining prior approval from the other Parties.

# Warranties and Undertaking

8.6 Each Partner warrants that under its contractual relationships with each of its Personnel, any

intellectual property rights arising out of or relating to work undertaken by the Personnel for the Party will vest in such Party and that the Personnel will have no right, title or interest, whether legal or beneficial, in any such intellectual property rights. A Partner shall, if so, required by the Partnership Steering Group, produce written evidence of this to the Partnership Steering Group signed by its Personnel.

- 8.7 Each Partner acknowledges that it is and shall remain liable for the consequences of any failure on its part or on the part of its Personnel to fulfil the tasks and work packages assigned to it under this Partnership and Governance Agreement and shall accordingly:
  - Procure and maintain its own insurance, with insurers of good repute, to cover its own liabilities and those on behalf of its Personnel;
  - Comply and assist the Partnership, the Partnership Steering Group and the Delivery Body in complying with all relevant statutes, laws, regulations and codes of practice, in force, relating to its tasks and work packages from time to time;
  - Comply with all recommendations and requirements of its insurers; and
  - Indemnify, keep indemnified and hold harmless the other Parties from and against all costs (including the costs of enforcement), expenses, liabilities, injuries, direct, loss), damages, claims, demands, proceedings or legal costs (on a full indemnity basis) and judgments which they incur or suffer as a result of a breach of this Partnership and Governance Agreement or negligent acts or omissions or wilful misconduct of the Party and/or its Personnel including without limitation any resulting liability the Partnership has to the funder or to any third party PROVIDED THAT that Party shall:
    - a) not make any admission of liability, agreement or compromise in relation to the foregoing without the prior written consent of the other Parties (such consent not to be unreasonably conditioned, withheld or delayed);
    - b) give the other Parties and its professional advisers access at reasonable times (on reasonable prior notice) to its officers, directors, employees, agents, representatives or advisers, and to any relevant assets, accounts, documents and records within the power or control of the Party, so as to enable the other Parties and its professional advisers to examine them and to take copies for the purpose of assessing any propose settlement under this indemnity;
    - c) take such action as the other Parties may reasonably request to avoid, dispute, compromise or defend the Claim; and
    - d) use reasonable endeavour to mitigate any loss.
    - e) Nothing in this clause shall restrict or limit the Party's general obligation at law to mitigate a loss it may suffer or incur as a result of an event that may give rise to a claim under this indemnity.
- 8.8 Each Party agrees and undertakes at its own expense to make the Nominated Representative available to attend the Partnership Steering Group.
- 8.9 Each Partner shall provide the Partnership Steering Group with statements of SAMM Contributions received every six months.

#### 9. ADDITION OF PARTIES TO THE PARTNERSHIP

9.1 Other local authorities may be invited to join the Partnership following any reviews of the Zone of

Influence of Hatfield Forest NNR and SSSI (which would be determined by further visitor surveys or as part of the five year review of the Agreement of the specifications, methodology and analysis approved by Natural England and agreed by the parties), only by the unanimous decision of the Parties and on the condition that the new local authority becomes a Partner to this Partnership Agreement. The creation of a new authority as the result of boundary or local government review may result in a new Partner authority and agreement to join the Partnership would be subject to the same scrutiny by the existing Partnership.

#### 10. REMOVAL OF PARTIES FROM THE PARTNERSHIP

10.1 Without prejudice to any other rights or remedies open to the Partnership, the Parties may, after a two-thirds majority vote of all Parties in favour of termination, ratified and via a written notice served on the Party, terminate a Party's membership of the Partnership, if the Party:

- Is in material breach of any of the terms of this Partnership and Governance Agreement and, where the breach is capable of remedy, the Party fails to remedy such breach within 30 days' service of a written notice specifying the breach and requiring it to be remedied; or
- In the opinion of a majority of the Partnership Steering Group, is incompetent, commits any act of gross or persistent misconduct and/or neglects or willfully omits to perform any of its duties or obligations under this Partnership Agreement; or
- Fails or refuses after written warning from the Partnership Steering Group to carry out the duties or obligations reasonably and properly required of it under this Partnership and Governance Agreement; or
- ceases to operate its business or undertaking;
- Intentionally provides the Partnership Steering Group with any false or misleading information with regard to its ability to perform its duties or obligations under this Partnership Agreement; or
- is guilty of a conduct which in the reasonable opinion of the Parties has brought or might reasonably be expected to bring the Parties or the Project into disrepute or otherwise damage in connection with the Project.

10.2 Any monies already collected from the Party will be held by the Delivery Body, and a review of the SAMM contributions going forward will be undertaken by the Partnership Steering Group alongside the Collecting Authority.

10.3 If any Party wishes to leave the Partnership, then it must give notice of its intention to do so in writing giving not less than three months' notice. Any monies already collected from the Party will be held by the Delivery Body, and any monies owing, resulting from the application of the tariff to new residential development, shall be paid to the Collecting Authority within the three-month Notice Period. The Partnership Steering Group will subsequently review the SAMM contributions going forward alongside the Collecting Authority.

#### 11. DATA PROTECTION & MANAGEMENT

#### **Definitions**

Data Controller and Data Processor take the meaning given in the UK GDPR;

**Data Protection Legislation** means (i) the UK GDPR as amended from time to time; (ii) the DPA 2018 to the extent that it relates to processing of personal data and privacy; (iii) all applicable Laws about the processing of Personal Data and privacy; and (iv) all applicable guidance and codes of practice issued by the information commissioner or other relevant regulatory authority as may be amended from time to time;

Data Subject takes the meaning given in the DPA 2018;

**DPA 2018** means the Data Protection Act 2018;

Personal Data has the meaning given to it in the UK GDPR;

**UK GDPR** means the United Kingdom General Data Protection Regulation (the retained EU Law version of the General Data Regulation EU 2016/679).

#### **Data Collection & Data Protection**

- 11.1 During the course of the Project, each Party, as well as the Delivery Body, may be involved in the collection and production of data such as surveys or questionnaires. Data produced or collected by any Party, which that Party considers relevant to the Project, will be provided to the Partnership Steering Group, and made available to the other Parties on request.
- 11.2 Each Party agrees to ensure that all data made available pursuant to this clause is anonymised where necessary in accordance with relevant legislation. Whilst it is not envisaged that Personal Data will be shared and processed as part of the Project, the Parties hereby acknowledge that in the event that Personal Data is deemed as being collected/shared/processed, then, pursuant to this clause and prior to gathering such Personal Data, the Data Subject must be expressly informed in writing that their Personal Data will be collected/shared/processed, by the relevant Partner(s)/Delivery Body and each Partner shall ensure such Personal Data are accompanied by all necessary consents (as and when required by Data Protection Legislation).
- 11.3 The Parties (including the Delivery Body where relevant) further agree and undertake that no Personal Data will be shared or processed until all necessary data sharing agreements have been complied with (Data Controller)
- 11.4 Data processing agreements (Data Controller to Data Processor) are entered into by the affected Parties.

# Freedom of Information

11.5The Partnership acknowledges that the Partners are all subject to the requirements of the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR) and they shall assist and cooperate with each other, and the NT as Delivery Body shall also assist as required, to enable them to comply with their information disclosure obligations.

11.6 A Partner in receipt of a request for information shall be responsible for determining in its absolute discretion and notwithstanding any other provision in this Partnership Agreement or any other contract whether the confidential and /or any other information is exempt from disclosure in accordance with the (FOIA) or the (EIR).

#### **12. CONFIDENTIALITY**

12.1 Each Party hereby undertakes to the other Parties that it shall procure that its employees, agents and sub-contractors shall:

- Keep confidential all information of a confidential nature (whether written or oral) concerning
  this Partnership and Governance Agreement and the business affairs of another Party that it
  shall have obtained or received as a result of the discussions leading up to or entering into
  or performance of this Partnership and Governance Agreement (the "Information");
- Not without the prior written consent of the relevant other Party disclose the Information
  either in whole or in part to any other person save those of its employees, agents and subcontractors involved in the implementation or evaluation of the Project who have a need to
  know the same for the performance of their duties;
- Use the Information solely in connection with the implementation of the Project and not otherwise for its own benefit or the benefit of any third party.
- These provisions above shall not apply to the whole or any part of the Information to the extent that it can be shown by the receiving Party to be:
  - a) Known to the receiving Party prior to the date of this Partnership and Governance Agreement and not obtained directly or indirectly from any other party; or
  - b) Obtained from a third party who lawfully possesses such Information which has not been obtained in breach of a duty of confidence owed to any party by any person: or
  - In the public domain in the form in which it is possessed by any other party other than as a result of a breach of a duty of confidence owed to such other party by any person; or
  - d) Required to be disclosed by legal process, law or regulatory authority.

12.2 Each Party hereby undertakes to the other Parties to make all relevant employees, agents and subcontractors aware of the confidentiality of the Information and provisions of this clause and Without Prejudice to the generality of the foregoing to ensure compliance by such employees, agents and sub-contractors with the provisions of this clause.

# 13. TERMINATION

13.1 This Agreement may be terminated at any time by the unanimous written agreement of the

Parties where there is a material change in circumstances, policy, legislation which renders the Partnership unworkable or where it is no longer required for the purpose for which it was established.

13.2 The termination of this Partnership Agreement, howsoever arising, is without prejudice to the rights, duties and liabilities of the Parties accrued prior to termination and in relation to the protection of the Hatfield Forest NNR by the Wildlife & Countryside Act 1981 (as amended) or any successor legislation. The provisions in this Partnership Agreement which either expressly or implied have effect after termination shall continue to be enforceable notwithstanding termination. In the event of termination, the SAMMs Contributions as shall have been paid to the Delivery Body shall remain with the Delivery Body for expenditure in accordance with this Agreement or otherwise for the protection of the Hatfield Forest NNR from increased recreational disturbance.

#### 14. GOVERNING LAW AND DISPUTE RESOLUTION

- 14.1 This Partnership Agreement shall be governed by and construed in accordance with English law and the Parties irrevocably agree that any dispute arising out of or in connection with this Partnership Agreement will be subject to and within the jurisdiction of the English courts.
- 14.2 All Parties shall each be under a general obligation to use all reasonable endeavours to negotiate in good faith and to settle amicably any dispute of whatever nature arising in connection with this Partnership and Governance Agreement. If the Parties are unable to resolve a dispute(s) in an informal manner the dispute will be escalated by referring to a Senior Dispute Management Group for resolution. This group will consist of a nominated Senior Manager from each of the signatory LPAs, or successor authority, as listed below:
  - East Hertfordshire District Council Director of Planning
  - Harlow District Council Assistant Director
  - Epping Forest District Council Planning Services Director
  - Uttlesford District Council Strategic Director of Planning and Development
- 14.3 Having followed the procedure set out in clause 14.2 and the dispute in question has not been resolved where the Parties agree that a dispute arising out or in connection with this Partnership Agreement would best be resolved by the decision of an expert, they will agree upon the nature of the expert required and together appoint a suitable expert by agreement.
- 14.4 Any person to whom a reference is made under Clause 14.3 shall act as an expert and not as an arbitrator and their decision (which shall be given by them in writing and shall state the reasons for their decision) shall be final and binding on the Parties except in the case of manifest error or fraud.
- 14.5 Each Party shall provide the expert with such information and documentation as they may reasonably require for the purposes of his decision.
- 14.6 The costs of the expert shall be borne by the Parties in such proportions as the expert may determine to be fair and reasonable in all circumstances or, if no determination is made by the expert, by the Parties in equal proportions.

#### 15. GENERAL PROVISIONS

#### Sole Agreement

15.1 Subject to Clause 5, this Partnership and Governance Agreement contains all the terms which the Parties have agreed in relation to the subject matter of this Partnership and Governance Agreement and supersede any prior written or oral agreements, representations or understandings between the Parties relating to such subject matters. No Party to this Partnership and Governance Agreement has been induced to enter into this Partnership and Governance Agreement by a statement or promise which it does not contain save that this clause shall not exclude any liability which one Party would otherwise have to the other in respect of any statements made fraudulently by that Party.

#### <u>Schedules</u>

15.2 The schedules shall have the same force and effect as if expressly set in the body of this Partnership and Governance Agreement and any reference to this Partnership and Governance Agreement shall include the Schedules.

# Waiver

15.3 No failure or delay by any Party to exercise any right, power or remedy will operate as a waiver of it nor will any partial exercise preclude any further exercise of the same, or of some other right, power or remedy.

# Severability

15.4 If any clause or part of this Partnership and Governance Agreement is found by any court, tribunal, administrative body or authority of competent jurisdiction to be illegal, invalid or unenforceable then that provision shall, to the extent required, be severed from this Partnership and Governance Agreement and shall be ineffective without, as far as is possible, modifying any other clause or part of this Partnership and Governance Agreement and this shall not affect any other provisions of this Partnership Agreement which shall remain in full force and effect.

# Force Majeure

15.5 No Party will be deemed to be in breach of this Partnership and Governance Agreement, nor otherwise liable to the other for any failure or delay in performance of this Partnership and Governance Agreement if it is due to any event beyond its reasonable control other than strike, lock-out or industrial disputes but including, without limitation, acts of God, war, fire, flood, tempest and national emergencies and a Party so delayed shall be entitled to a reasonable extension of time for performing such obligations.

#### <u>Assignment</u>

15.6 Save as permitted for under this Partnership and Governance Agreement, neither this

Partnership and Governance Agreement nor any of the rights and obligations under it may be sub-contracted or assigned by any Party without obtaining the prior written consent of the other Parties. In any permitted assignment, the assignor shall procure and ensure that the assignee shall assume all rights and obligations of the assignor under this Partnership and Governance Agreement and agrees to be bound to all the terms of this Partnership and Governance Agreement.

## **Variation**

15.7 This Partnership Agreement may be amended at any time by written agreement of the Parties. No variation to this Partnership and Governance Agreement shall be effective unless in writing signed by a duly authorised officer of each of the Parties.

#### **Notice**

15.8 Any notice in connection with this Partnership and Governance Agreement shall be in writing and may be delivered by hand, pre-paid first class post or Special Delivery post (but not by e-mail), addressed to the recipient's registered office or its address or as the case may be (or such other address, or as may be notified in writing from time to time).

15.9 The notice shall be deemed to have been duly served:

- if delivered by hand, when left at the proper address for service;
- if given or made by prepaid first-class post or Special Delivery post, 48 hours after being posted or in the case of Airmail 14 days after being posted (excluding days other than Business Days); provided that, where in the case of delivery by hand, such delivery occurs either after 4.00 p.m. on a Business Day, or on a day other than a Business Day, service shall be deemed to occur at 9.00 a.m. on the next following Business Day (such times being local time at the address of the recipient).

#### Rights of Third Parties

15.10 It is agreed for the purposes of the Contracts (Rights of Third Parties) Act 1999 or any successor legislation that this Partnership and Governance Agreement is not intended to, and does not, give to any person who is not a party to the Agreement any rights to enforce any provisions contained in this Agreement except for any person to whom the benefit of this Partnership and Governance Agreement is assigned in accordance with clause 15.6 (Assignment).

# Counterparts

15.11 This Partnership and Governance Agreement may be executed in one or more counterparts and any Party may enter into this Partnership and Governance Agreement by executing a counterpart. Any single counterpart or set of counterparts executed in either case by all the Parties shall constitute one and the same agreement and a full original of this Partnership and Governance Agreement for all purposes.

IN WITNESS whereof the Parties hereunto have affixed their Common Seal the day and year first before written

THE COMMON SEAL of EAST HERTFORDSHIRE DISTRICT COUNCIL was hereunto affixed to this Deed in the presence of:

THE COMMON SEAL of EPPING FOREST DISTRICT COUNCIL was hereunto affixed to this Deed in the presence of:

THE COMMON SEAL of HARLOW DISTRICT COUNCIL was hereunto affixed to this Deed in the presence of:

THE COMMON SEAL of UTTLESFORD DISTRICT COUNCIL was hereunto affixed to this Deed in the presence of:

THECOMMON SEAL of NATIONAL TRUST was hereunto affixed to this deed in the presence of:

- **SCHEDULE 1 Hatfield Forest SAMM Strategy**
- **SCHEDULE 2 SAMM Contributions**
- SCHEDULE 3 Financial Arrangements between the Partners and The Delivery Body
- **SCHEDULE 4 Hatfield Forest SAMM Strategy Partnership Steering Group**
- **SCHEDULE 5 SAMM Delivery Flow Chart**
- **SCHEDULE 6 Hatfield Forest SAMMS Governance report**
- **APPENDIX 1 National Trust's Contract and Procurement Rules**

Date: 19 June 2025

Uttlesford District Council
Harlow District Council
East Hertfordshire District Council
Epping Forest District Council
cc The National Trust

BY EMAIL ONLY



Hornbeam House Crewe Business Park Electra Way Crewe Cheshire CW1 6GJ

T 0300 060 3900

Dear Sir/Madam

# Hatfield Forest Mitigation Strategy - Project update

Uttlesford District Council (UDC), East Herts District Council (EHDC), Harlow District Council (HDC) and Epping Forest District Council (EFDC), the National Trust (NT) as landowners of Hatfield Forest Site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR) and Natural England (NE) have been working in partnership to agree a strategic mitigation solution for the adverse impacts of recreational pressure on Hatfield Forest SSSI / NNR.

At the most recent partnership meeting (26 March 2025), it was agreed that Natural England would issue an updated note to all relevant parties, as the partnership had reached agreement on several documents relating to the mitigation strategy. The purpose of this note is to outline the recent updates to the strategy and the next steps.

This advice should be used to inform all development management decisions for new residential dwellings within the Hatfield Forest Zone of Influence. See Appendix A for further details on the types of development and T&CPA use classes that apply.

This letter should be circulated to all Development Management Officers within the four LPAs, to help inform their development casework, and be used in conjunction with the Impact Risk Zone for Hatfield Forest on Magic Maps. The validation lists for each LPA should be updated to include reference to 11.1km ZOI around Hatfield Forest.

This letter follows on from and supersedes, previous correspondence with the local authorities (letters dated 5 April and 25 September 2019, and 28 June 2021). The 2021 letter has been included as an attachment to this letter and should be read in conjunction with this update.

#### **Review of the Mitigation Strategy**

In 2023, Natural England took the decision to review the Strategic Access Management and Monitoring (SAMM) measures based on findings from a *Lepus* report comparing Strategic Solutions across the country (<u>Compilation and Review of Evidence Leading to SANG and SAMM Provision</u>, published in March 2024). The aim was to ensure that the strategy was robust and consistent with other projects, and to feed in our experience on developing similar strategies for the Chiltern Beechwoods Special Area of Conservation (SAC), Epping Forest SAC and the Essex Coast. The main changes are summarised below:

1) The costings for the on-site mitigation measures (Strategic Access Management and Monitoring (SAMM) measures) have been changed to be in-perpetuity (80 years minimum). The residual impact will remain for the long-term and this provides sufficient certainty that the

mitigation will be secured for the future.

- 2) Natural England and National Trust worked closely **to refine the on-site mitigation measures** to ensure a realistic, workable tariff that is broadly consistent with other similar projects.
- 3) The ZOI was updated to reflect a consistent evidence base. **The updated ZOI is now 11.1km based on the 2022 visitor data.** Natural England has updated the Impact Risk Zone on MAGIC

  Maps for Hatfield Forest SSSI/NNR, to reflect this change. This revised ZOI of 11.1km supersedes the previous ZOI referenced in our letter dated 28 June 2021.
- 4) Superseding previous NE advice in our letter dated 28 June 2021, ALL new dwellings within Uttlesford District and East Hertfordshire District (excluding the Gilston Area allocation GA1) are required to pay the SAMM measures tariff. ALL new dwellings within the East of Harlow Masterplan site (Epping Forest District and Harlow District) will be required to pay the SAMM measures tariff. Proposals for 50+ dwellings will normally be required to pay the SAMM measures tariff AND provide substantial on-site greenspace provision. Consideration will be given to this on-site provision on a case-by-case basis depending on the size and location of housing developments in relation to Hatfield Forest SSSI/NNR, Suitable Alternative Natural Greenspace (SANG) will be required (see Appendix B for a note on NE requirements). Applicants are advised to consult early with NE to determine the greenspace requirements for their proposal. NE will also advise LPAs as part of Local Plan preparation in relation to strategic housing allocations.

Natural England discussed these changes with the representatives of each of the Local Authorities and no specific concerns were raised.

#### LPA officers' recommendations to their respective LPA Cabinet Members

Officers representing the four LPAs are now able to recommend to LPA Cabinet Members the following, which have received input from the National Trust and Natural England.

- 1) The final version of the National Trust SAMM measures (version 6, included as an attachment to this letter). The total cost of the package is valued at £7,403,760 over 80 years.
- 2) The apportionment of the SAMM measures between the four LPAs via a hybrid method. This method takes equal account of both the percentage visitor impact and the proportion of new housing relative to existing within the ZOI.
- 3) The apportioned SAMM tariff for each LPA:
  - i. Uttlesford District Council: £1,333.60/new dwelling
  - ii. East Herts District Council: £540.07/new dwelling
  - iii. Harlow Council & Epping Forest District Council (East of Harlow Masterplan Area only): £146.59/new dwelling
- 4) The SAMM tariff is applicable with immediate effect, as is the requirement for substantial onsite greenspace, as per Appendix B.

#### Requirement for provision of substantial natural greenspace for larger developments

Natural England engaged with Uttlesford District Council regarding the need for larger site allocations within the ZOI to provide Suitable Alternative Natural Greenspace (SANG), as part of the work to inform their new Local Plan.

The Open Space Update Report (Knight, Kavanagh & Page, June 2024) notes that Hatfield Forest SSSI/NNR accounts of 75% of the total natural and semi-natural greenspace provision within UDC. As such, our advice was that large site allocations within the ZOI are required to provide SANG to address this deficit in accessible open space. The SANG and Country Park Study (LUC, June 2024), submitted as part of the evidence base for the UDC Local Plan Submission Version, demonstrates that the four

large UDC housing allocations within the ZOI will provide sufficient semi-natural open space to meet NE SANG criteria, subject to detailed design.

Natural England will engage with East Herts District Council in due course regarding the need for SANG on larger housing allocations within the ZOI, as the LPA progresses the updating of its Local Plan.

Both Harlow District Council and Epping Forest District Council have adopted Local Plans which have, except for the East of Harlow Garden Community site, only a small level of housing proposed within the ZOI and on the periphery of it. As such NE does not anticipate the need for engagement on SANG provision with these two LPAs until such time as they progress an update of their adopted Local Plans.

Natural England notes that Policy SP4 of the adopted Epping Forest District Local Plan 2011-2033 requires the provision of strategic green and blue infrastructure on the East of Harlow site, comprising in particular natural/semi natural open space and that Policy HS3 of the adopted Harlow Local Development Plan requires the East of Harlow site to include the provision of Green Wedges and Green Fingers, incorporating public natural/semi-natural open space within the development to link with the existing network of Green Wedges and Green Fingers in the district.

Large windfall sites within the ZOI will be dealt with on a case-by-case basis. As mentioned above, Appendix B sets out Natural England's approach to the requirement for accessible green space to mitigate the recreational pressure of larger housing allocations (50+ dwellings) on Hatfield Forest SSSI/NNR.

#### Next steps

Officers from each of the four LPAs have drafted a committee report for their respective LPA Cabinet Members, to seek approval of the SAMM measures, cost and apportionment. Approval will also be sought for a draft Governance Agreement between the four LPAs and the National Trust as landowners, with delegated authority to work on a final version of the Governance Agreement with LPA lawyers. It is expected that the Governance Agreement, with the SAMM measures, cost and apportionment, and other supporting schedules, will be signed and sealed in autumn 2025.

We recognise that further work is needed over the coming months to legally secure this strategy, and, in due course, further work will be needed on SANG for larger developments as the LPAs review their Local Plans. Natural England will continue to support the strategic mitigation solution for Hatfield Forest SSS/NNR via the regular partnership meetings and ad hoc advice as required, and we look forward to continuing our relationship with all four LPAs and the National Trust for the benefit of Hatfield Forest SSSI/NNR.

Should you wish to discuss any of the above in more detail please do not hesitate to contact Fiona Martin via fiona.martin@naturalengland.org.uk.

Yours sincerely

Fiona Martin Senior Officer – Sustainable Development (Strategic Solutions) West Anglia Area Team Natural England

Attachments to this letter:

- NE Letter to LPAs (Hatfield Forest Mitigation Strategy) 28 June 2021
- National Trust Hatfield Forest SAMM measures v6 (February 2025)

#### Appendix A

#### SAMM tariff - types of development

The SAMM tariff applies to all new residential development where there is a net increase in dwelling numbers. It excludes replacement dwellings where there is no net gain in dwelling numbers.

The full per dwelling tariff applies to all C3 dwellings and sites for gypsy, traveller and travelling show people (one pitch = one C3 dwelling).

For C1 (hotels), C2 (residential institutions) and C4 (houses in multiple occupation), depending on the circumstances of the planning application, such applications may not be liable to pay the SAMM tariff. Alternatively, a reduced tariff compared to the equivalent C3 tariff/dwelling may be required. Natural England can advise on the SAMM tariff requirement on a case-by-case basis via our <u>Discretionary Advice Service</u>.

Sui Generis developments will similarly be considered on a case-by-case basis according to the type of development proposed.

#### SAMM tariff - types of planning application

Natural England is of the opinion that Reserved Matters applications within the ZOI will have to demonstrate no negative impacts on Hatfield Forest SSSI/NNR, in accordance with the WACA 1981 and NPPF. This will require mitigation if none has been secured at Outline stage.

Similarly, Section 73 applications are new planning applications under the 2017 Environmental Impact Assessment (EIA) Regulations and will also be required to adhere to the Hatfield Forest mitigation strategy.

#### Appendix B

#### Accessible Greenspace requirements for developments of 50+ dwellings

For developments of 50+ dwellings, Natural England advice is that recreational pressure on Hatfield Forest should be mitigated via payment of the SAMM tariff and provision of substantial on-site greenspace. Ideally, this open space would meet Natural England Suitable Alternative Natural Greenspace (SANG) standards, in order to ensure that on-site greenspace provision is designed to include high quality, semi-natural areas, with sufficient visual screening from new development and of a sufficient size and quality that it is attractive to a range of visitors. You should refer to the Thames Basin Heath SANG guidelines for further background information, as well as the key criteria listed below.

As a minimum, we advise that the substantial on-site greenspace provision must include:

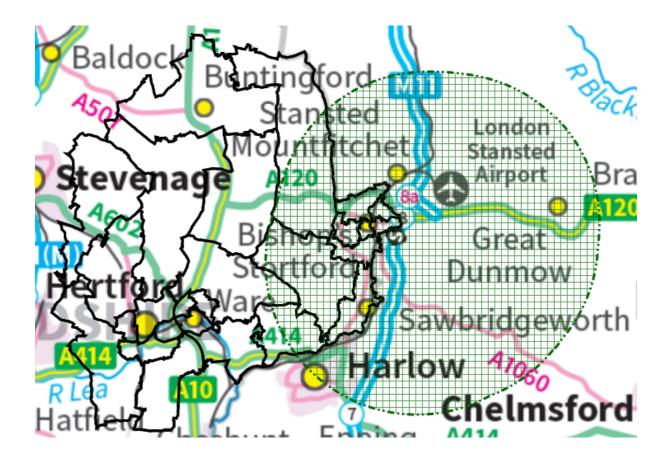
- High-quality, informal, semi-natural areas;
- Circular dog walking routes of 2.3 km within the site and/or linking to surrounding Public Rights of Way (PRoW) and highways;
- 'Dogs-off-lead' areas;
- Signage on-site and information leaflets to first occupiers to promote these areas for recreation;
- Dog waste bins; and,
- The long-term maintenance and management of these provisions secured in-perpetuity.

To meet the NE SANG Guidelines, open space should be provided at 8ha per 1000 new population; this could potentially be reduced with agreement from Natural England in exceptional circumstances and with appropriate justification.

Larger sites and/or those in close proximity to Hatfield Forest SSSI/NNR are likely to need to provide a full SANG, i.e. a greenspace of 9-10ha minimum that includes a 2.3-2.5km circular walk within the boundaries of the SANG, rather than a smaller on-site greenspace and a circular walk that makes use of existing PRoW and highways.

Natural England should be consulted on all proposals which includes provision of site-specific on-site greenspace and/or where other bespoke mitigation for recreational impacts is included as part of the proposal (e.g. an off-site Country Park). We would also strongly recommend that applicants seek pre application advice from Natural England through its <u>Discretionary Advice Service</u> if they are proposing site-specific green infrastructure (i.e. SANG or substantial on-site greenspace).

# Appendix D Extent of the Zone of Influence as it affects East Herts



# Agenda Item 9f

## **East Herts Council Report**

Council

Date of meeting: 23rd July 2025

Report by: Councillor Ben Crystall, Leader of the Council

Report title: Refreshed LEAF Priorities and Annual Report for 2024/25

Ward(s) affected: All

**Summary** – this report provides Council with an update on performance against LEAF priorities over the 2024/25 year, and proposed amended LEAF priorities for the 2025/26 year onwards

#### RECOMMENDATIONS FOR COUNCIL:

- a) That Members review performance over the 2024/25 year
- **b)** That Council adopt the amended LEAF priorities for 2025/26

# 1.0 Proposals

1.1 That Council review progress against last year's LEAF priorities and adopt the amended LEAF priorities for 2025/26 and beyond

# 2.0 Background

- 2.1 On 28<sup>th</sup> February 2024, Council approved its new "LEAF" corporate priorities. These set out the strategic priorities of the Council and were grouped under the following four headings:
  - Listening, Open and Transparent
  - Environmentally Focused
  - Acting with the Community

- Fair and Inclusive
- 2.2 Under each of these headings are a series of sub objectives and actions which officers were tasked with delivering. The paper to Council can be found here:

  democracy.eastherts.gov.uk/documents/s65262/East Herts
  Council Corporate Plan.pdf?J=3
- 2.3 A further, more detailed set of actions, projects and measures were then implemented at an operational level. This framework helped inform the delivery plans for services, teams and individual staff performance goals. In theory, every member of East Herts Council staff should be able to relate their day to day actions to strategic delivery of LEAF priorities agreed by Members.
- 2.4 With the 2024/25 year completed, progress against the LEAF priorities can be found in Appendix A, which sets out updates against each area in detail.
- 2.5 The LEAF priorities are kept under review by Executive on an annual basis and adjusted/ amended as required. This enables The Council to change priorities to accommodate new challenges (eg. in national legislation) and local issues.
- 2.6 For 2025/26 Executive are keen to stay with the LEAF framework with an update to some of the sub-objectives. These reflect the fact that progess has been made in some areas but also that new challenges have arisen which need to be accommodated. The proposed new LEAF framework is presented below alongside the previous version to illustrate what has changed. Please note this request follows on from discussion at Overview and Scrutiny Committee where Members wanted to see the two iterations of LEAF, side by side.
- 2.7 Listening, Open and Transparent:

| Current LEAF objective:                                                                                                                                       | Proposed LEAF objective:                                                                                                                                                              |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Listen and be open and transparent in decision making and actions. We will prioritise improved consultation, engagement and conversation with our communities | Listen and be open and transparent in decision making and actions. We will prioritise improved consultation, engagement and conversation with our communities and evaluate the impact |
| Ensure that information on our website is as up to date as possible                                                                                           | Add back in                                                                                                                                                                           |
| Provide full and timely publicity for all major Council decisions                                                                                             | Removed                                                                                                                                                                               |
| Evaluate the impact of our communications to understand how we can do better                                                                                  | Added to objective above                                                                                                                                                              |
| Encourage residents to use our digital communication channels so those who are not digitally able can easily talk to us by phone or in person.                | Encourage residents to use our digital communication channels so those who are not digitally able can easily talk to us by phone or in person                                         |
| Engage with residents through<br>new Community Forum events,<br>to enhance planning outcomes<br>at strategic sites.                                           | Engage with residents through<br>Community Forums and the<br>Development Management<br>Forum, to enhance planning<br>outcomes at strategic sites                                      |
|                                                                                                                                                               | Strive to achieve excellent customer service (new)                                                                                                                                    |
|                                                                                                                                                               | Engage the community in Local Government reorganisation (new)                                                                                                                         |

# 2.8 Environmentally Focused:

| Current LEAF objective:                                                                                                                                                                          | Proposed LEAF objective:                                                                                                                                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Develop and implement our<br>new Air Quality Action Plan to<br>cut pollution and improve<br>health                                                                                               | Implement our Air Quality Action Plan to cut pollution and improve health                                                                                                    |
| Update our Parking Strategy to encourage sustainable travel                                                                                                                                      | Implement our Parking Strategy<br>and other options including the<br>LCWIP to encourage active<br>travel                                                                     |
| Reduce carbon emissions from homes and businesses by creating "Energy Hubs" in towns and parishes that offer information on grants and other support to help residents save money and cut carbon | Encourage the reduction of carbon emissions from homes and businesses through training and by supporting "Energy Hubs" in towns and parishes                                 |
| Roll out more EV chargers in urban and rural locations across the district                                                                                                                       | Roll out more EV chargers in urban and rural locations across the district                                                                                                   |
| Encourage residents to play their part in supporting local wildlife and improving our natural environment.                                                                                       | Encourage residents to play their part in supporting local wildlife and improving our natural environment and support delivery of the Hertfordshire Nature Recovery Strategy |
|                                                                                                                                                                                                  | Maximising the positive environmental impacts with the delivery of the new waste contract (new)                                                                              |

# 2.9 Acting with the Community

| Consult with communities to review and refresh our Local Plan, prioritising improved sustainability standards Prioritise actions that can provide Housing which is truly affordable                                                                    | Consult with communities to update our Local Plan, prioritising improved sustainability standards  Prioritise actions that can provide housing which is truly affordable |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Help create thriving high streets, by encouraging local markets, and by delivering grants to support local businesses and enhance town and village centres  Work with partners to help make town centres more attractive, safer and easier to navigate | Help create thriving high streets, by encouraging local markets and by working positively with partners                                                                  |
| Actively encourage more communities to create or update their Neighbourhood Plans                                                                                                                                                                      | Support communities to create or update their Neighbourhood Plans                                                                                                        |
| Support voluntary sector groups to continue their work support the whole community.                                                                                                                                                                    | Support voluntary sector groups to continue their work supporting the whole community.                                                                                   |
|                                                                                                                                                                                                                                                        | Create a long term asset management plan based on community values (new)                                                                                                 |

# 2.10 Fair and Inclusive

| Current LEAF objective:        | Proposed LEAF objective:          |  |  |
|--------------------------------|-----------------------------------|--|--|
| Deliver the Cultural Strategy, | Deliver the Cultural Strategy,    |  |  |
| with support for new events    | with support for art and cultural |  |  |
| such as Pride, Herts inclusive | events                            |  |  |

| Theatre and the East Herts Arts Showcase                                                                                                          |                                                                                                                                                                      |
|---------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Maintain and improve council services while making them more cost efficient through the "Transforming East Herts" programme                       | Maintain and improve council services while making them more cost efficient through the "Transforming East Herts" programme                                          |
| Deliver our Thriving Together<br>Plan to promote physical<br>exercise, healthy lifestyles and<br>other measures that boost<br>community wellbeing | Deliver our Thriving Together Plan to promote physical exercise, healthy lifestyles and support other measures including healthy hubs that boost community wellbeing |
| Support those facing homelessness or recovering from it, and include them in consultations and community activities                               | Support those facing homelessness or recovering from it, and include them in consultations                                                                           |
| Improve our Council Tax<br>Support scheme to make it<br>fairer, simpler and more<br>transparent                                                   | Improve our Council Tax<br>Support scheme to make it<br>fairer, simpler and more<br>transparent                                                                      |
| Explore replacing a "strong leader and cabinet" system with a committee system                                                                    | Removed                                                                                                                                                              |

- 2.11 These are proposed for adoption by Council, following consideration by Overview and Scrutiny Committee and Executive. Appendix B contains the amended plan.
- 2.12 After adoption, Council officers will identify any additional actions or measures that need to be implemented in order to deliver the priorities. These will then filter into service, team and individual performance plans.

#### 3.0 Reason(s)

3.1 The LEAF Corporate Plan helps residents understand the priorities of the Council and how resources are used to achieve them. The plan also drives service, team and individual performance goals.

## 4.0 Options

4.1 The new priorities have been developed by the Joint Administration 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 priorities there may be a risk that resources are not directed towards achieving key priorities.

## 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. A key priority is to ensure that consultation is carried out effectively.

# Community Safety

Not directly however some of the priorities and subsequent actions will be focused on supporting community safety

| Data Protection                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| No                                                                                                                                                                                   |
| Equalities  As the Corporate Plan is translated into operational priorities, individual equalities impact assessments will be undertaken where there is a change to service delivery |
| Environmental Sustainability                                                                                                                                                         |
| Actions under the Environmentally Focused section of the Corporate Plan will address issues around Sustainability                                                                    |
|                                                                                                                                                                                      |
| Financial                                                                                                                                                                            |
| No                                                                                                                                                                                   |
| Health and Safety No                                                                                                                                                                 |
| Human Resources                                                                                                                                                                      |
| No                                                                                                                                                                                   |
|                                                                                                                                                                                      |
| Human Rights                                                                                                                                                                         |
| No                                                                                                                                                                                   |
| Legal                                                                                                                                                                                |
| No                                                                                                                                                                                   |
| Specific Wards                                                                                                                                                                       |
| No No                                                                                                                                                                                |
|                                                                                                                                                                                      |
|                                                                                                                                                                                      |

Background papers, appendices and other relevant material:

# Appendix A - Annual Plan for 2024/25

**Contact Member** 

Ben Crystall, Leader of the Council

ben.crystall@eastherts.gov.uk

**Contact Officer** 

Benjamin Wood, Director for Regeneration,

**Customer and Commercial** 

Contact Tel No 01992 531699

benjamin.wood@eastherts.gov.uk

Report Author

Benjamin Wood, Director for Regeneration,

**Customer and Commercial** 

Contact Tel No 01992 531699

benjamin.wood@eastherts.gov.uk

## Appendix B - Amended LEAF Plan

#### Listening, Open and Transparent (L)

Listen and be open and transparent in decision making and actions. We will prioritise improved consultation, engagement and conversation with our communities and evaluate the impact

Ensure that information on our website is as up to date as possible

Strive to achieve Customer Service Excellence

Encourage residents to use our digital communication channels so those who are not digitally able can easily talk to us by phone or in person.

Engage the community in Local Government reorganisation

Engage with residents through Community Forums and the Development Management Forum, to enhance planning outcomes at strategic sites

#### **Environmentally Focused (E)**

Implement our new Air Quality Action Plan to cut pollution and improve health

Implement our Parking Strategy and other options including the LCWIP to encourage active travel

Encourage the reduction of carbon emissions from homes and businesses through training and by supporting "Energy Hubs" in towns and parishes

Roll out more EV chargers in urban and rural locations across the district

Maximising the positive environmental impacts with the delivery of the new waste contract

Encourage residents to play their part in supporting local wildlife and improving our natural environment and support delivery of the Hertfordshire Nature Recovery Strategy

#### Acting with the Community (A)

Consult with communities to review and refresh our Local Plan, prioritising improved sustainability standards

Prioritise actions that can provide Housing which is truly affordable

Help create thriving high streets, by encouraging local markets and by working positively with partners

Create a long term asset management plan based on community values

Support communities to create or update their Neighbourhood Plans

Support voluntary sector groups to continue their work support the whole community.

#### Fair and Inclusive (F)

Deliver the Cultural Strategy, with support for art and cultural events

Maintain and improve council services while making them more cost efficient through the "Transforming East Herts" programme

Deliver our Thriving Together Plan to promote physical exercise, healthy lifestyles and other measures that boost community wellbeing

Support those facing homelessness or recovering from it, and include them in consultations and community activities

Improve our Council Tax Support scheme to make it fairer, simpler and more transparent

# Agenda Item 10

#### Council

Date of meeting: Wednesday 23 July 2025

Report by: The Community Governance Review working group

Report title: Community Governance Review - Final Recommendations

Ward(s) affected: (All Wards);

Summary – This report updates the Council on progress with the Community Governance Review (CGR) of parish arrangements within East Hertfordshire District Council. The report invites the Council to consider the final recommendations of the Community Governance Review Working Group (CGRWG) and the outcome of the second and final stage of consultation and approve the recommendations accordingly so that a Community Governance Order can be made where required.

#### RECOMMENDATIONS FOR COUNCIL:

- a) That the proposals set out below be adopted by the Council as Final Recommendations for the purposes of the Community Governance Review.
  - I. That the final recommendation for Aston Parish Council be deferred until 2026 where a further CGR should look at creating a community council for the Hazel Park development when the implications of Local Government Reorganisation are fully understood and there are a greater number of registered electors.
  - II. That the boundary for Bishop's Stortford Town Council be extended parallel to Thorley Street, running behind the existing houses, down to the A1184 along to Obrey Way to incorporate the St James' Park development.
  - III. That Sawbridgeworth Town Council be warded into four wards along the polling district boundaries and the number of councillors be as follows:South ward = 5, Spellbrook ward = 1, Central ward = 2, West ward = 4

- IV. That Buntingford Town Council be split into two wards named North and South along the B1038 with six councillors representing each ward.
- V. That the Rush Green roundabout be moved into the Hertford Kingsmead East ward of Hertford Town Council.
- VI. That the boundary between Ware Town Council and Wareside Parish Council remain unchanged.
- VII. That Hertingfordbury Parish Council have their councillor numbers reduced to 9.
- VIII. That Stanstead St Margaret's and Stanstead Abbotts parish councils remain unchanged.
  - IX. That the southern boundary to follow the entire length of the B181 to the Amwell Roundabout, then follow the northern part of that roundabout, and proceed along the B1502 to its current intersection with Old Hertford Road.
  - X. That no change be made to Brent Pelham parish council's name.
- XI. That Buckland Parish Council be renamed Buckland and Chipping Parish Council.
- XII. That Stapleford Parish Council be renamed Stapleford and Waterford Parish Council
- b) That the consent of the Local Government Boundary Commission for England (LGBCE) be sought in respect of those Final Recommendations where required before a reorganisation order is made.
- c) That the Director for Law, Policy and Governance be given delegated authority to prepare and make an order under Section 86 of the Local Government and Public Involvement in Health Act 2007.

# 1.0 Proposal(s)

1.1 To consider and approve the final recommendations from the Community Governance Review working group so that the Council can issue a reorganisation Order.

## 2.0 Background

- 2.1 The 2007 Act devolved powers to local authorities to review parish arrangements within their respective areas and agree changes. The Act created the title of Community Governance Review (CGR) to cover such activity.
- 2.2 When conducting a review the Council must act in accordance with the requirements of the Act, the associated regulations and statutory guidance. The Council must consult and take account of any representations received in connection with the review. The Council must also have regard to the need to secure community governance arrangements that are effective and convenient and which reflect the identities and interests of the community in the area under review.
- 2.3 The Community Governance Review working group was set up by Council at its meeting 24 July 2024. Its role was to carry out the review and propose draft and final recommendations to Council following public consultation. Its membership is as follows:
  - Councillor Joe Thomas (Chair)
  - Councillor David Jacobs
  - Councillor Maura Connolly
  - Councillor George Williams
  - Councillor David Andrews
  - Councillor Aubrey Holt
- 2.4 The review was conducted in accordance with the <u>Terms of</u>

  <u>Reference</u> agreed by Full Council at its meeting on 16 October

  2024 and the following timetable was followed:

| Timetable for Community Governance Review                         |                                                                          |  |
|-------------------------------------------------------------------|--------------------------------------------------------------------------|--|
| Stage of process                                                  | Proposed dates                                                           |  |
| Publication of terms of reference                                 | 16 October 2024                                                          |  |
| Initial submissions                                               |                                                                          |  |
| Initial submissions invited/publicity campaign                    | 28 October to 6 January 2025                                             |  |
| Deadline for initial submissions                                  | 6 January 2025                                                           |  |
| Consideration of submissions/preparation of draft recommendations | January/February 2025 (report to<br>Council meeting 26 February<br>2025) |  |
| Consultation of draft recommendations                             |                                                                          |  |
| Publication of draft recommendations                              | 3 March 2025                                                             |  |
| Consultation on draft recommendations/publicity campaign          | 3 March to 12 May 2025                                                   |  |
| Deadline for consultation responses                               | 12 May 2025                                                              |  |
| Consideration of responses/preparation of final recommendations   | May/June 2025 (report to Counci                                          |  |
| Decisions and Implementation                                      |                                                                          |  |
| Publications of final recommendations                             | July 2025                                                                |  |
| Council meeting to make any Reorganisation Order                  | July 2025                                                                |  |

| Timetable for Community Governance Review             |                                                          |  |
|-------------------------------------------------------|----------------------------------------------------------|--|
| Stage of process                                      | Proposed dates                                           |  |
| Effective date for any revised electoral arrangements | 6 May 2027 (next ordinary town/parish council elections) |  |

## Decision Making Process and Public Consultation

- 2.5 Following the end of Initial submissions invited/publicity campaign stage, the Community Governance Review Working Group (CGRWG) met on 6 February 2025 to review all submissions and proposals and prepared proposed draft recommendations to Council at its meeting on 26 February 2025.
- 2.6 Council reviewed the CGRWG proposed draft recommendations and all the other submissions at that meeting. Council voted to accept the CGRWG proposed draft recommendations for the next stage of the review.
- 2.7 Once Council had agreed the draft recommendations, the information was updated on the website, emails send to all affected Parish and Town Councils and explanatory leaflets were delivered to properties in Sawbridgeworth, Buntingford and the Kingsmeadow development area in Thorley. A copy of the leaflet is at Appendix E.
- 2.8 The Community Governance Review working group met on 26 June and 3 July 2025 to consider the consultation responses and form final recommendations to Council.
- 2.9 At the meeting on 26 June, the working group heard representations from the following councils:
  - Aston Parish Council
  - Bishop's Stortford Town Council

- Thorley Parish Council
- Sawbridgeworth Town Council
- Buntingford Town Council

Their representations can be found in the minutes at Appendix C.

- 2.10 At the meeting on 3 July, the work group came up with their final recommendations for each parish considered in the review. The minutes of this meeting are attached at Appendix D.
- 2.11 Each final recommendation is detailed and explained below.
  Maps relating to recommendations with boundary changes are shown at Appendix A.

## **Aston Parish Council**

- 2.12 The Review received submissions from Aston and Walkern Parish Council requesting that the development of 610 properties know as Hazel Park have its own Community Council.
- 2.13 The Working Group considered this proposal at its meeting on 6 February 2025. However, because Hazel Park is still in the early stages of development and does not yet have a sufficient electorate to support the creation of a new community council, the Working Group recommended to the Council that the current community governance arrangement remain in place
- 2.14 The original proposal from Aston and Walkern and the recommendation from the Working Group were presented to Council at the meeting on 26 February 2025.
- 2.15 Council accepted the Working Group's recommendation, and this formed the draft recommendation that was consulted on at Stage Two of the CGR.
- 2.16 During Stage Two, the Review received 24 further submissions supporting the creation of a separate community council for Hazel Park. Representatives for Aston Parish Council also spoke at the Working Group meeting on 26 June.
- 2.17 The CGRWG noted during their meeting 3 July that they were sympathetic to the argument being made but did not feel there

were enough electors currently in Hazel Park to justify creating a community council and the uncertain future of local democracy due to Local Government Reorganisation. The group recognised that Aston Parish Council felt that the community council should be created when the development was 50% occupied, scheduled for 2027. Therefore, the working group proposed a recommendation to Council that a further CRG is carried out to look at this issue when there is an established population in Hazel Park to engage and consult with.

2.18 **Final recommendation:** That the final recommendation for Aston Parish Council be deferred until 2026 where a further CGR should look at creating a community council for the Hazel Park development when the implications of Local Government Reorganisation are fully understood and there are a greater number of registered electors.

## Bishop's Stortford Town Council and Thorley Parish Council

- 2.19 At Stage 1, Bishop's Stortford Town Council requested that the Review consider two options:
  - a. To move the boundary between Bishop's Stortford and Thorley so that new developments currently straddling the boundary would fall entirely within Bishop's Stortford; and
  - b. To absorb the entirety of Thorley Parish into Bishop's Stortford.
- 2.20 Thorley Parish Council proposed an alternative boundary change, suggesting it run "along the centre lines of Whittington Way, along Obrey Way, and onto Thorley Lane East."
- 2.21 The Council accepted the CGWG's recommendation that only option (a) above, proposed by Bishop's Stortford Town Council, be consulted on at Stage 2.
- 2.22 In making this decision, the CGWG and Council considered the *Guidance on Community Governance Reviews* issued by the Department for Communities and Local Government and the Local Government Boundary Commission for England. Specifically:

- Page 24, Paragraph 84, which states:
   "In many cases a boundary change between existing parishes, or parishes and unparished areas, rather than the creation of an entirely new parish, will be sufficient to ensure that parish arrangements reflect local identities and facilitate effective and convenient local government..."
- Page 36, Paragraph 125, which states:
   "It is desirable that any changes do not upset historic traditions but do reflect changes that have happened over time, such as population shift or additional development, which may have led to a different community identity."
- 2.23 The Review received six submissions (see Appendix B) supporting the boundary change to absorb the new development into Bishop's Stortford. All of them also requested that the Review reconsider the full absorption of Thorley.
- 2.24 Four of the submissions came from Town Councillors or Town Council staff, one from a resident, and one from an East Herts District Councillor.
- 2.25 A submission was received from Thorley Parish Council objecting to the draft recommendation, along with two additional objections

   one from the Parish Clerk and one from a Parish Councillor (see Appendix B).
- 2.26 At the meeting on 26 June, both Councils reiterated their positions on the changing of the boundary in the St James' Park development and their opposition to the other proposal.
- 2.27 The CGWG final recommendation to Council was that the St James' Park development becomes part of Bishop's Stortford. The group also discussed where the boundary line should fall and felt the houses on Thorley Street should remain in Thorley parish. A map of the boundary contained in the final recommendation is attached at Appendix A.
- 2.28 **Final recommendation:** That the boundary for Bishop's Stortford Town Council be extended parallel to Thorley Street, running behind the existing houses, down to the A1184 along to Obrey Way to incorporate the St James' Park development.

## Sawbridgeworth Town Council

2.29 At stage one of the review Council accepted the CGRWG draft proposal that Sawbridgeworth Town Council be divided into four separate wards for consultation.

The Review received 11 submissions (see Appendix B):

- 1 submission supported the draft recommendation.
- 10 submissions objected to the proposal, including one from the Town Council. Of the 11 submissions, 9 were from Sawbridgeworth Town Councillors.
- 2.30 Councillor Angus Parsad-Wyatt from Sawbridgeworth Town Council spoke at the 26 June meeting in support of the position that the Town Council should not warded.
- 2.31 The working group considered that Sawbridgeworth was unique in the fact it was not warded and could not find other examples of town councils of the same size that were not warded across the country.
- 2.32 The group felt that warding the town would not prevent the whole council working together and this was demonstrated in other town councils across the district.
- 2.33 The CGRWG agreed that their final recommendation to Council is that Sawbridgeworth Town Council be warded into four ward along the polling district boundaries. Following the meeting, the group agreed to name the wards as Sawbridgeworth Spellbrook, Central, South and West. This is presented on a map in Appendix A.
- 2.34 Sawbridgeworth is divided into four polling districts and their electorates are shown below (correct as July 2025) alongside the proposed number of councillors for each ward:

| Polling district | Electorate | Cllr number | Name               |
|------------------|------------|-------------|--------------------|
| SAW1             | 3,652      | 5           | South ward         |
| SAW2             | 174        | 1           | Spellbrook<br>ward |

| SAW3 | 1,151 | 2 | Central |
|------|-------|---|---------|
| SAW4 | 2,267 | 4 | West    |

2.35 **Final recommendation:** that Sawbridgeworth Town Council be warded into four wards along the polling district boundaries and the number of councillors be as follows:

South ward = 5

Spellbrook ward = 1

Central ward = 2

West ward = 4

## **Buntingford Town Council**

- 2.36 Referencing Paragraphs 158 to 168 (pages 45–47) of the guidance, the CGWG recommended that Buntingford Town Council be divided into two wards.
- 2.37 The Review received three submissions (see Appendix B):
  - One from the Town Council objecting to the proposal.
  - Two in support one from a Town Councillor and one from a District Councillor.
- 2.38 Councillor Duncan Wallace from Buntingford Town Council spoke at the 26 June meeting in support of the position that the Town Council should not be warded.
- 2.39 The CGRWG agreed that their final recommendation to Council is that Buntingford Town Council be warded into two wards, North and South.
- 2.40 **Final recommendation:** That Buntingford Town Council be split into two wards named North and South along the B1038 with six councillors representing each ward.

#### Hertford Town Council - Rush Green Roundabout

2.41 The Council accepted the CGWG recommendation that the boundaries on the Rush Green Roundabout are changed so that the whole area sits within Hertford Kingsmead East Ward of Hertford Town Council.

- 2.42 This change will require consequential changes to district ward and county division boundaries.
- 2.43 There were no comments or objections regarding this proposal.
- 2.44 **Final recommendation:** that the Rush Green roundabout be moved into the Hertford Kingsmead East ward of Hertford Town Council.

#### Ware Town Council and Wareside Parish Council

- 2.45 At Stage 1, Ware Town Council submitted a proposal to change the boundary with Wareside Parish Council to absorb areas covered by the Ware2 development (as designated in the District Plan) into Ware Town Council
- 2.46 Wareside Parish Council objected to this proposal, and the Council accepted the CGWG recommendation to leave the boundary unchanged due to the Ware2 development not even having planning permission granted at the time of the review.
- 2.47 Both councils agreed with the draft proposal and indicated that they will submit a request for a further CGR when appropriate.
- 2.48 The CGRWG agreed that their final recommendation to Council is to leave this boundary unchanged and to await the submission from Ware Town Council and Wareside Parish Council.
- 2.49 **Final recommendation:** that the boundary between Ware Town Council and Wareside Parish Council remain unchanged.

# **Hertingfordbury Parish Council**

- 2.50 During Stage 1, Hertingfordbury Parish Council requested that the Review consider:
  - a. Changing the boundary so that the village of Hertingfordbury is included within the parish and the Birchall Garden Suburb development is excluded.

- b. Reducing the number of parish members from the current 10 if boundaries remain unchanged
- c. Reducing the number of members to 9 should the village be included.
- d. Changing the name of the parish council.
- 2.51 The CGWG recommended that the Council consult at Stage 2 on reducing the number of members and considering a name change.
- 2.52 The Parish Council responded by requesting a reduction to nine members but expressed no preference on a name change and asked that no change be made at this time.
- 2.53 The CGRWG agreed that their final recommendation to Council is to leave the Parish name unchanged and reduce the number off Parish Councillors to 9.
- 2.54 **Final recommendation:** that Hertingfordbury Parish Council have their councillor numbers reduced to 9.

# Stanstead Abbotts Parish Council and Stanstead St Margaret's Parish Councils

- 2.55 At Stage 1, both Parish Councils proposed that they be merged, which was accepted by the CGWG and Council.
- 2.56 Stanstead Abbotts Parish Council has since withdrawn its support for the proposal. (see Appendix B).
- 2.57 The CGRWG agreed that their final recommendation to Council is to leave this boundary unchanged.
- 2.58 **Final recommendation:** that Stanstead St Margaret's and Stanstead Abbotts parish councils remain unchanged.

#### **Great Amwell Parish Council**

- 2.59 Great Amwell Parish Council submitted a Stage 1 proposal to move the southern boundary to follow the entire length of the B181 to the Amwell Roundabout, then follow the northern part of that roundabout, and proceed along the B1502 to its current intersection with Old Hertford Road.
- 2.60 The CGWG recommended that this proposal be included in the draft proposals
- 2.61 No comments or submissions were received on this issue
- 2.62 The CGRWG agreed that their final recommendation to Council is to change the boundary as described above
- 2.63 **Final recommendation:** that the southern boundary to follow the entire length of the B181 to the Amwell Roundabout, then follow the northern part of that roundabout, and proceed along the B1502 to its current intersection with Old Hertford Road.

#### **Brent Pelham Parish Council**

- 2.64 The CGWG recommended changing the parish name to *Brent Pelham and Meesden Parish Council*.
- 2.65 The Parish Clerk confirmed that the parishes of Brent Pelham and Meesden were grouped in 1976, and therefore there is no need to change the parish name (see Appendix B).
- 2.66 The CGRWG agreed that their final recommendation to Council no further action is needed on this issue.
- 2.67 **Final recommendation:** that no change be made to Brent Pelham parish council's name.

#### **Buckland Parish Council Parish Council**

- 2.68 The CGWG recommend to Council that the name of the Parish be changed to Buckland and Chipping Parish Council.
- 2.69 The Parish Council supported this proposal at stage 1.

- 2.70 There were no comments on this proposal.
- 2.71 The CGRWG agreed that their final recommendation to Council is change the Parish name to Buckland and Chipping Parish Council.
- 2.72 **Final recommendation:** that Buckland Parish Council be renamed Buckland and Chipping Parish Council.

#### **Stapleford Parish Council**

- 2.73 The CGWG recommend to Council that the name of the Parish be changed to Stapleford and Waterford Parish Council
- 2.74 There were no comments on this proposal.
- 2.75 The CGRWG agreed that their final recommendation to Council is change the Parish name to Stapleford and Waterford Parish Council.
- 2.76 **Final recommendation:** that Stapleford Parish Council be renamed Stapleford and Waterford Parish Council.

## **Reorganisation Order**

- 2.77 A Reorganisation Order, made by the District Council, is the legal instrument which brings into legal force the changes which are to be made.
- 2.78 The Reorganisation Order will set out the changes, and the date these come into force. For administrative and financial purposes, Reorganisation Orders implementing CGRs should take effect from 1 April following the date on which it is made. For electoral purposes, areas which are affected by the Order come into effect at the next scheduled parish elections in May 2027.
- 2.79 Once the Reorganisation Order has been made, it must be made available for public inspection.

# 3.0 Reason(s)

3.1 CGRs are undertaken within a statutory framework. The Council is required to consult and must take decisions at the conclusion of

each phase of the consultation as to how to proceed. The first formal consultation ran 28 October 2024 to 6 January 2025. This consultation produced a range of proposals that were considered by the Community Governance Review working group and subsequently approved by the Council. The second formal consultation ran from 3 March to 12 May 2025 and sought the views of residents about the specific proposals under consideration.

3.2 Both stages of formal consultation have now concluded. The Community Governance Review working group considered the outcome of the consultation and determined the final proposals to be recommended to Council. Final recommendations must be clear and specific as they form the basis of a reorganisation order.

# 4.0 Options

4.1 To not approve the final recommendations. Council has the final decision on the recommendations.

#### 5.0 Risks

5.1 If the Council chooses not to approve the final recommendations, there would be a risk that governance arrangements in respect of Town and Parish Councils are inefficient. In addition, there is a risk that the organisation, and governance, of Town and Parish Councils will not reflect the communities they serve.

# 6.0 Implications/Consultations

6.1

# **Community Safety**

No

**Data Protection** 

No

#### **Equalities**

No

## **Environmental Sustainability**

No

#### **Financial**

Not directly for East Herts Council. However, should the movement of boundaries be approved, there will be some residents that will be moved into a new parish and this may have an impact on their Council Tax precept. Those residents affected will be notified.

## **Health and Safety**

No

#### **Human Resources**

No

## **Human Rights**

No

## Legal

Guidance on undertaking CGRs was issued in 2010 jointly by the Department for Communities and Local Government and the LGBCE. This report takes account of that Guidance, which is available at the following link:- Community governance reviews: guidance - GOV.UK

In undertaking a CGR, the District Council has a number of statutory duties, set out in the Local Government and Public Involvement in Health Act 2007 (the Act). Under Section 93(3) of the Act, the Council must consult local government electors for the area under and any other person or body (including a local authority) which appears to the District Council to have an interest in the Review. This was complied with.

# **Specific Wards**

Yes

# 7.0 Background papers, appendices and other relevant material

Appendix A – Maps relating to boundary changes

Appendix B – Consultation responses

Appendix C – Minutes from the CGRWG on 26 June 2025.

Appendix D – Minutes from the CGRWG on 3 July 2025.

Appendix E – Consultation leaflet delivered to affected households.

#### **Contact Member**

Councillor Joe Thomas, Chair of the CGRWG

joe.thomas@eastherts.gov.uk

#### **Contact Officer**

James Ellis

Director for Legal, Policy and Governance,

james.ellis@eastherts.gov.uk

# **Report Author**

Katie Mogan, Democratic and Electoral Services

Manager

katie.mogan@eastherts.gov.uk

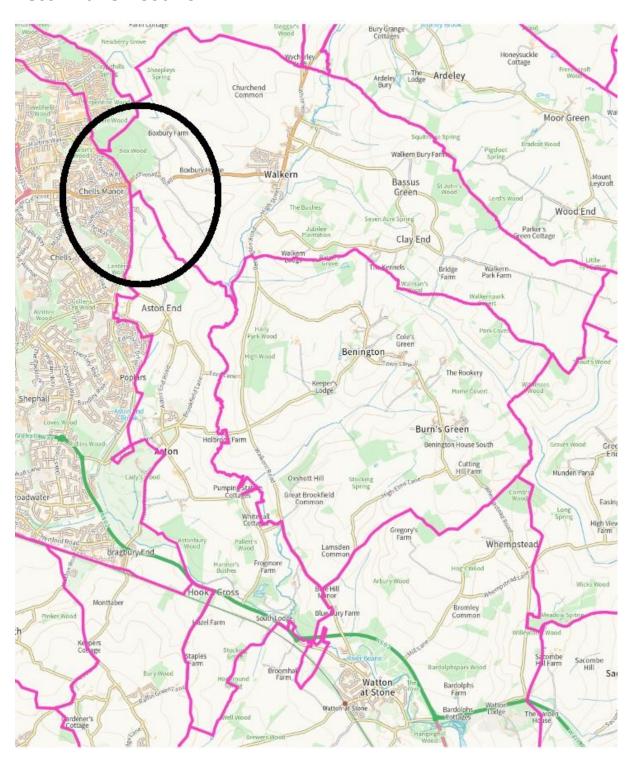
Edward McCreadie, Deputy Electoral Services

Manager

Edward.mccreadie@eastherts.gov.uk

# Maps for final recommendations

# **Aston Parish Council**



Area of the new development is show in the circle

# **Bishop's Stortford and Thorley Parish Council**

**Final recommendation:** That the boundary for Bishop's Stortford Town Council be extended parallel to Thorley Street, running behind the existing houses, down to the A1184 along to Obrey Way to incorporate the St James' Park development.



The blue shaded area shows the part of the St James' Park Development that is already part of Bishop's Stortford.

The red shaded will be transferred from Thorley to Bishop's Stortford under the recommendations.

Note the boundary will run to the west of Thorley Street along the back of the established properties.

# **Sawbridgeworth Town Council**

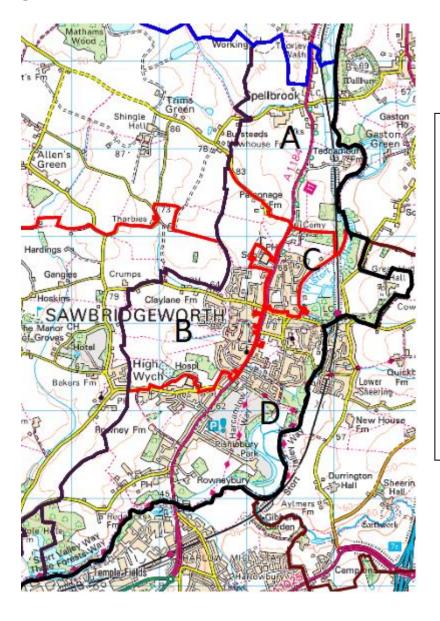
**Final recommendation:** that Sawbridgeworth Town Council be warded into four wards along the polling district boundaries and the number of councillors be as follows:

SAW 1 = 5

SAW 2 = 1

SAW 3 = 2

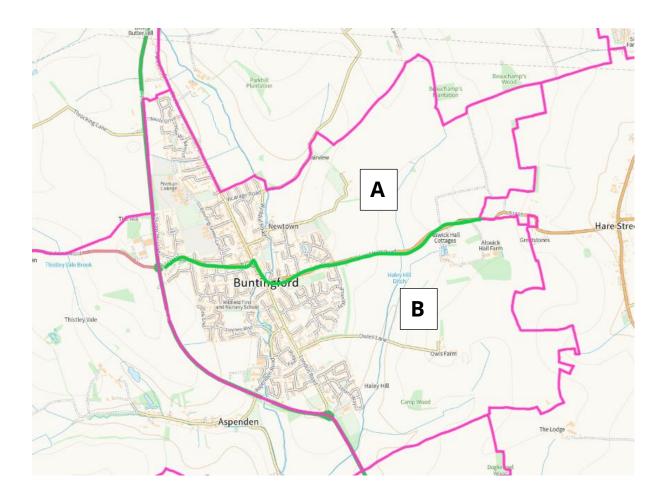
SAW 4 = 4



- A- Sawbridgeworth
  Spellbrook Ward
  Polling District (SAW-2)
- B- Sawbridgeworth West Ward Polling District (SAW-4)
- C- Sawbridgeworth
  Central Ward Polling
  District (SAW-3)
- D- Sawbridgeworth South Ward Polling District (SAW-1)

# **Buntingford Town Council**

**Final recommendation:** That Buntingford Town Council be split into two wards along the B1038 with six councillors representing each ward.



A = Buntingford North Ward

B= Buntingford South Ward

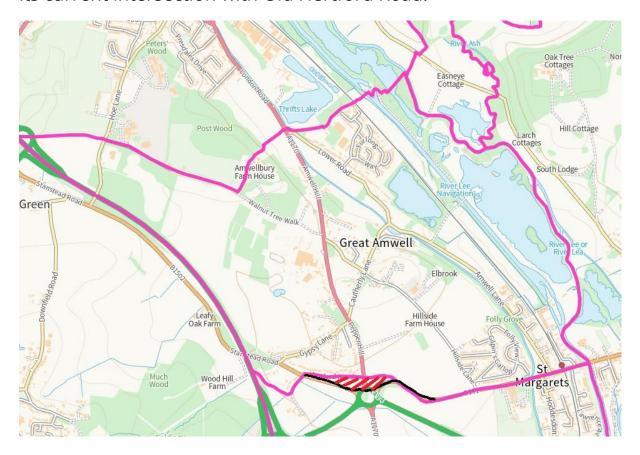
## **Hertford Town Council - Rush Green Roundabout**

**Final recommendation:** that the Rush Green roundabout be moved into the Hertford Kingsmead East ward of Hertford Town Council.



#### **Great Amwell Parish Council**

**Final recommendation:** that the southern boundary to follow the entire length of the B181 to the Amwell Roundabout, then follow the northern part of that roundabout, and proceed along the B1502 to its current intersection with Old Hertford Road.



#### Appendix 1 Aston Submissions

#### **Submission Details**

Case Reference Number | EHDC702529041

| Full Name:     | (Chair of Parish Council) |
|----------------|---------------------------|
| Organisation:  |                           |
| Address:       |                           |
| Email Address: |                           |

Which town/parish council or area does your submission relate to?: Aston

What is your submission: Aston Parish Council's response to East Herts District Council's Governance Review's draft recommendation that Hazel Park remains within Aston Parish – April 2025: We disagree with the Review's draft recommendation. Leaving the creation of a separate Council for Hazel Park until the development is completed, will have a detrimental impact on the two communities for the following reasons:

#### 1) Community Identity

- Aston is rural in character and has a strong village community. The seven parish councillors are long term village residents and their regular meetings are held in the cricket and bowls pavilions (both facilities were funded completely by the clubs members). The annual parish meeting is attended by around 70 villagers and is held in the voluntary funded village hall. The village has several clubs and societies that use their own facilities and work closely with the Parish Council to ensure they continue to thrive. The village is accessed by single track lanes and surrounded by open, pasture and arable fields on three sides. There are several wooded areas, the biggest being Astonbury Woods, an ancient woodland of 55 acres. The village centre is where most people live, separated by fields and woodland from the small satellite hamlets of Frogmore, Hooks Cross and Aston End. Residents in these rural hamlets have strong linkages to the main village. There is a primary school, two pubs, two recreation grounds (both funded by village societies and trusts), a church, a village hall, a farm shop, four working farms, several small holdings, five livery stables, with over fifty horses stabled across the parish and two vineyards.
- Hazel Park will be a densely built urban development, accessed directly from Stevenage and facing onto the main road around the eastern boundary of Stevenage. Planning permission has been granted for a primary school, a community centre, green recreational spaces and five retail outlets. The communal facilities and green spaces will be maintained by the estates

management company. The two communities will have very little in common and the residents will have different outlooks and expectations of identity.

## 2) Size

- Aston currently has c.365 dwellings and c.700 voters.
- Hazel Park on completion, will have 618 dwellings, a 66 bed Care Home and a 64 bed Assisted Living Home. All are currently forecast to be completed by summer 2030 and there could be c.1,400 voters. 1 Aston Voters v Hazel Park Voters 1600 1400 1200 1000 800 600 400 200 0 50% more voters 100% more voters 2025 2026 Aston Voters 2027 2028 Hazel Park Voters By Year End 2029 2030 The current build plan shows that by the time of the next Parish Council election in May 2027, there will be 348 dwellings out of the 618 built, which is 56% of the total. This could mean that there are almost as many, if not more Hazel Park voters as Aston voters at this election, especially when the potential voters from the 64 bed assisted living home are included. The assisted living home is due to open next year. If the review is delayed until completion in 2030, there will have been a majority of voters from Hazel Park in Aston Elections for 4 years. With twice as many voters in Hazel Park, managing the priorities of two very different communities will make the day-to-day management of the Parish Council more difficult for the volunteer Councillors than it need be.

#### 2) Location

- Aston the access roads to the village centre pass through the satellite hamlets of Frogmore, Hooks Cross and Aston End, as do many of the public footpaths linking them together. There is a bus service twice a day.
- Hazel Park the dwellings are orientated around three access roads which join the main road on the eastern boundary of Stevenage. The houses at the front of the development face onto this main road and are opposite the Chells Manor housing estate. The regular Stevenage bus service will be rerouted through the development giving residents access to the railway station, industrial areas and town centre. The only link between the two communities will be via an unlit footpath from the southwestern corner, across a field to the hamlet of Aston End. The two communities are physically separated, making it more difficult for linkages to be created.

#### 3) Financial

- Aston the Parish Council is able to manage its precept effectively, maintaining and enhancing services and supporting the well being of residents. The addition of Hazel Park dwellings to the tax base for Aston will mean that residents will pay less for their share of the precept for Aston in their Council Tax.
- Hazel Park all roads (bar the spine road), the lighting, the green spaces, recreational equipment and bins are to be managed via a managing agent

and paid 2 for by a service charge levied on each householder. The residents will also pay their share of the precept for Aston in their Council Tax. As the Governance Review is recommending that the communities aren't separated until Hazel Park is completed, this means that until 2031, Hazel Park residents will be unnecessarily paying their service charge (currently £200 per annum) and a precept (currently £63.62 for a Band D). Having their own Council means that Hazel Park can set their own precept and agree how that money is spent within their community. To minimise the impacts of not separating the two communities until Hazel Park is completed, we are asking the Governance Review Working Group to recommend holding a governance review for Aston once Hazel Park has reached an occupancy rate of 50%. This is expected to be by the end of 2027.

| Submission Details                    |  |  |
|---------------------------------------|--|--|
| Case Reference Number   EHDC713655314 |  |  |
|                                       |  |  |
| Full Name:                            |  |  |
| Organisation:                         |  |  |
| Address:                              |  |  |
| Email Address:                        |  |  |

Which town/parish council or area does your submission relate to?: Aston

What is your submission: I disagree with the Council's recommendation to wait until Hazel Park is complete before creating a council for them. By the time it's complete, sometime in the early 2030s, there will be twice as many voters as in the current Parish. The current parish is a rural farming village with a distinct community, many families going back generations. Hazel Park is physically separate from the parish and is very urban fronting the ring road round Stevenage. They residents will form their own community and there will be little interaction between the two. Hazel Park residents will also be paying a precept for at least six years and get nothing in return. Only the spine road of the development is to be adopted so over 600 properties are paying money for a service charge and to Aston for nothing in return, this is a ridiculous situation. I would like you to create a new parish council for Hazel Park when the occupancy rate reaches 50%. This will mean there will be roughly the same number of voters in each parish.

#### **Submission Details**

Case Reference Number | EHDC706184914

| Full Name:                                                                                                                                                                                                                                                                                                                                                                                                              |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Organisation:                                                                                                                                                                                                                                                                                                                                                                                                           |
| Address:                                                                                                                                                                                                                                                                                                                                                                                                                |
| Email Address:                                                                                                                                                                                                                                                                                                                                                                                                          |
| Which town/parish council or area does your submission relate to?: Aston                                                                                                                                                                                                                                                                                                                                                |
| <b>What is your submission:</b> It is not appropriate for Hazel Park to remain within Aston parish until at least 2030 The 2 communities have very little in common and the fact that Hazel Park voters will likely exceed the number of Aston voters well before 2030 will have a detrimental effect on Aston. I fully endorse all the comments made to you by Aston Parish council and hope that reason will prevail. |
| Submission Details                                                                                                                                                                                                                                                                                                                                                                                                      |
| Case Reference Number   EHDC706659653                                                                                                                                                                                                                                                                                                                                                                                   |
| Full Name:                                                                                                                                                                                                                                                                                                                                                                                                              |
| Organisation: Personal                                                                                                                                                                                                                                                                                                                                                                                                  |
| Address:                                                                                                                                                                                                                                                                                                                                                                                                                |

Which town/parish council or area does your submission relate to?: Aston Parish within East Herts District Council

What is your submission: We very much support the line taken by, and submitted by the Aston Parish Council. That is that the matter of determining the Community Governance Review should be excercised by 2027 at the very latest when over 50% of the homes, the care and assisted living homes will have been completed. That will provide democratic engagement of the two very different communities in their respective futures. As EHDC will be aware from the its EOS Masterplan the design, and the membership of that Committee was heavily informed by its strong membership of Stevenage Borough Council Member and Offiicer representation. For very good, historical and community cohesion reasons the residents of Aston have been a self-supporting rural community. Its Parish boundary, now denuded by the transfer of land from EHDC to SBC (Poplars and Chells Manor) to support Stevenage expansion by some 20%, It's a small vibrant and strategically social community. Its Parish Meetings per capita are one if not the best attended Parish meetings in the District Council Area. East Herts will no doubt wish to encourage continued community cohesion.hat.

Email Address:

## Submission Details

## Case Reference Number | EHDC709999818

| Full Name:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Organisation:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Email Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Which town/parish council or area does your submission relate to?: Aston                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| What is your submission: Aston is a small village in East Herts lying on the border with Stevenage. Despite Stevenage having been only "one field away" for 40 years the village has retained its "rural community feel" with a number of clubs, societies and facilities (Village Hall & playing field, Centre Field featuring cricket and wild flower meadow, Tennis Club & Bowls Club) all funded by members and local fund raising activities. However East Herts gave approval for a new 650 house development within the Parish of Aston: Hazel Park. This development is physically separate from the rest of Aston and borders onto one of the Stevenage perimeter roads. The proposal from the Community Governance review is to give consideration to the formation of a separate council when the development is complete. Given the plan is for 650 new houses and the projected completion date is 2030 - we estimate that the current 700 "Aston voters" will be outnumbered by "Hazel Park voters" during 2026. It is likely that the projected completion date will be extended. There currently appear to be 20-30 houses occupied and more new houses completed every week. We are faced with future Parish Council Elections, the next one in 2027, being dominated by non village voters and I urge that the Community Governance Proposal be reviewed in 2026 at the latest. |
| Submission Details                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Case Reference Number   EHDC710594919                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Full Name:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Organisation:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Email Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

#### Which town/parish council or area does your submission relate to?: Aston

What is your submission: EHDC Governance Review regarding the recommendation that Hazel Park should remain part of Aston Parish Mrs Jennifer Woodget and Mr Brian Woodget wish to wholeheartedly support the comments submitted by Aston Parish Council to EHDC that Hazel Park should cease to be part of Aston Parish. The only link to the Parish, as has been alluded to, is an unlit footpath to Aston End and as far as I am aware there is no intention of adding to this in the foreseeable future. Given the location of Hazel Park, close to Chells and Chells Manor, both of which are suburbs of Stevenage, the sensible solution to this issue, would be to transfer the whole development to Stevenage, which will inevitably be providing many of the facilities required by the residents of Hazel Park. I can see that EHDC do not wish to do this as Hazel Park, when fully completed, will be providing a significant amount of Council Tax to the District Council. Therefore why not set up a Community Council or even a separate Parish, to manage the affairs of this substantial development, a process that will enable EHDC to continue to collect the Council Tax. Residents of Hazel Park will inevitably be using facilities within Stevenage for day to day shopping and leisure, whilst paying Council Tax to EHDC. I am assuming that the SB1 (Stevenage Bus) bus service to Poplars, will be re-routed to include Hazel Park, giving them a service frequency of up to 3 buses an hour as opposed to 2 per day from Aston Village to Stevenage and Hertford. As shown in the graph of year versus voter numbers, by the end of the decade there will be 100% more voters in Hazel Park than in Aston Village (and surrounding hamlets). This will effect the workings of the Parish Council, as we shall have moved from a rural village to an urban village, a situation that current residents of Aston do not want to happen.

#### Aston2.01

Dear Sir or Madam

I write to support the views put forward by Aston Parish Council concerning Hazel Park.

Hazel Park is a large new development which has more in common with the urban environment of Stevenage than with the village of Aston. Hazel Park should therefore be separated from the Aston Parish Council area as soon as possible and not delayed until the end of the development whenever that will be.

Yours faithfully

Sent via BT Email App

| Case Reference Number   EHDC710415828                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| Full Name:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Organisation:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Email Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Which town/parish council or area does your submission relate to?: Aston                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| What is your submission: I urge EHDC and its Governance Review Working Group to take a much more proactive approach towards separating the parish council governance of Hazel Park from that of Aston. Delaying until the development of Hazel Park is completed is entirely inappropriate and would be a dereliction of duty towards the very active community of Aston. The two physically separated communities are very different in character and needs, yet Hazel Park residents would dominate the voting for Parish councillors from 2027, well before Hazel Park is fully developed and occupied in 2030. The situation is already clear, and there is little merit in delaying the split between the governance of two very different communities. |
| Submission Details                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Case Reference Number   EHDC710835590                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Full Name: Organisation:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

**Submission Details** 

**Email Address:** 

Which town/parish council or area does your submission relate to?: Aston

What is your submission: The proposal to include Hazel Park as part of Aston Parish until 2031 is flawed and should be reversed. The two areas are completely different in nature - housing density, location and financial arrangements. this should be recognised now and a separate governance regime set up which can help shape Hazel Park as occupancy grows over the next few years. Waiting for six years to sever the connection with Aston seems pointless and detrimental to both communities.s

| Submission Details                                                                                                                                                                                                                                                                                                                                                            |
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| Case Reference Number   EHDC711707681                                                                                                                                                                                                                                                                                                                                         |
| Full Name:                                                                                                                                                                                                                                                                                                                                                                    |
| Organisation:                                                                                                                                                                                                                                                                                                                                                                 |
| Address:                                                                                                                                                                                                                                                                                                                                                                      |
| Email Address:                                                                                                                                                                                                                                                                                                                                                                |
| Which town/parish council or area does your submission relate to?: Aston                                                                                                                                                                                                                                                                                                      |
| What is your submission: I propose that Hazel Park should be separated from Aston Parish Council before the next Parish Elections in May 2027. By that time there should be a similar number of voters in Hazel Park as in Aston village and it's rural surrounds and the very different identity and needs of the two communities requires that they be governed separately. |
| Submission Details                                                                                                                                                                                                                                                                                                                                                            |
| Case Reference Number   EHDC711855353                                                                                                                                                                                                                                                                                                                                         |
| Full Name:  Organisation:                                                                                                                                                                                                                                                                                                                                                     |
| Address:                                                                                                                                                                                                                                                                                                                                                                      |
| Email Address:                                                                                                                                                                                                                                                                                                                                                                |
| Which town/parish council or area does your submission relate to?: ASTON                                                                                                                                                                                                                                                                                                      |
| What is your submission: I object to EHDC Governance review's draft recommendation that Hazel Park remains within Aston Parish. They are totally different in character ie rural/urban and a Governance review for Aston should happen when Hazel Park has 50% occupancy                                                                                                      |
| Submission Details                                                                                                                                                                                                                                                                                                                                                            |
|                                                                                                                                                                                                                                                                                                                                                                               |
| Case Reference Number   EHDC713110011                                                                                                                                                                                                                                                                                                                                         |

| Organisation:                                                                                                                                                                                                                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Address:                                                                                                                                                                                                                         |
| Email Address:                                                                                                                                                                                                                   |
| Which town/parish council or area does your submission relate to?: STEVENAGE                                                                                                                                                     |
| <b>What is your submission:</b> I'm writing to say I disagree with Hazel Park remains within the parish of Aston. Aston is a small village & its character should be protected from being swamped by a large outside development |
| Case Reference Number   EHDC713483487                                                                                                                                                                                            |
| Full Name:                                                                                                                                                                                                                       |
| Organisation: Aston Village Society                                                                                                                                                                                              |
| Address:                                                                                                                                                                                                                         |
| Email Address:                                                                                                                                                                                                                   |

Which town/parish council or area does your submission relate to?: Aston

What is your submission: Aston Village Society's response to East Herts District Council's Governance Review's draft recommendation not to create a new Community Council for the Hazel Park Development resulting in Hazel Park remaining within Aston Parish. The completion of Hazel Park is scheduled for the summer of 2030 and will consist of 618 dwellings, a Care Home for 66 residents and an Assisted Living Home for a further 64. Thus, it is highly likely that it would have an electorate approaching 1,400. It will be a densely built urban development that is effectively an extension of Stevenage and has planning permission for a primary school, a community centre, green recreational spaces and five retail outlets. The community facilities (including roads, lighting, green spaces, recreational equipment and bins) will be maintained by the estates management company, paid for by the Hazel Park residents - currently £200 per household per annum. Access to Hazel Park is via the main road on the eastern Stevenage boundary and the Stevenage bus service will be rerouted through the development giving access to the town centre, industrial areas and Stevenage Station. There is no public transport link with Aston. Before the development of Hazel Park, Aston Parish constituted Aston and Aston End and the small hamlets, Frogmore and Hooks Cross with approximately 365 dwellings and an electorate of 700. The population benefits from assets, both developed and maintained by the community, including two recreation grounds and a Village Hall as well as clubs and societies that have their own facilities. There is a Primary School, church and three pubs – one of which is community owned. All this

is set within a rural environment supporting agriculture as well as a range of small businesses. Thus, the Parish is not a dormitory – it is a thriving mixed economy with a strong sense of belonging, nurtured by a Parish Council that has a thorough understanding of its needs. This is exemplified by a regular attendance of 70 to 80 at the Annual Parish Meeting and the success of Aston Village Society that has of a membership of over 140 households. The current build plan for Hazel Park predicts that 348 of the 618 dwellings will be built by the time of the next Parish Council election in May 2027. This is likely to equate to an electorate that has a majority of voters based in the new development. Thus, there will be a dichotomy in the Parish with the two sectors having very different needs that would have to be met by the Parish Council – with the likely outcome that neither community will be content with the result. A separate Council for Hazel Park would resolve this difficulty and enable a precept to be set commensurate with the needs of the Hazel Park electorate. Aston Village Society endorses Aston Parish Council's request: To minimise the impacts of not separating the two communities until Hazel Park is completed, we are asking the Governance Review Working Group to recommend holding a governance review for Aston once Hazel Park has reached an occupancy rate of 50%. This is expected to be by the end of 2027. Peter Stanbury President, Aston Village Society.

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Case Reference Number | EHDC713484916

| Full Name:     |   |
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| Organisation:  |   |
| Address:       |   |
| Email Address: | I |

Which town/parish council or area does your submission relate to?: Aston

What is your submission: The completion of Hazel Park is scheduled for the summer of 2030 and will consist of 618 dwellings, a Care Home for 66 residents and an Assisted Living Home for a further 64. Thus, it is highly likely that it would have an electorate approaching 1,400. It will be a densely built urban development that is effectively an extension of Stevenage and has planning permission for a primary school, a community centre, green recreational spaces and five retail outlets. The community facilities (including roads, lighting, green spaces, recreational equipment and bins) will be maintained by the estates management company, paid for by the Hazel Park residents – currently £200 per household per annum. Access to Hazel Park is via the main road on the eastern Stevenage boundary and the Stevenage bus service will be rerouted through the development giving access to the town centre, industrial areas and Stevenage Station. There is no public transport link with Aston. Before the development of Hazel Park, Aston Parish constituted Aston and

Aston End and the small hamlets, Frogmore and Hooks Cross with approximately 365 dwellings and an electorate of 700. The population benefits from assets, both developed and maintained by the community, including two recreation grounds and a Village Hall as well as clubs and societies that have their own facilities. There is a Primary School, church and three pubs - one of which is community owned. All this is set within a rural environment supporting agriculture as well as a range of small businesses. Thus, the Parish is not a dormitory – it is a thriving mixed economy with a strong sense of belonging, nurtured by a Parish Council that has a thorough understanding of its needs. This is exemplified by a regular attendance of 70 to 80 at the Annual Parish Meeting and the success of Aston Village Society that has of a membership of over 140 households. The current build plan for Hazel Park predicts that 348 of the 618 dwellings will be built by the time of the next Parish Council election in May 2027. This is likely to equate to an electorate that has a majority of voters based in the new development. Thus, there will be a dichotomy in the Parish with the two sectors having very different needs that would have to be met by the Parish Council – with the likely outcome that neither community will be content with the result. A separate Council for Hazel Park would resolve this difficulty and enable a precept to be set commensurate with the needs of the Hazel Park electorate. We endorse the requests made by both Aston Parish Council and Aston Village Society To minimise the impacts of not separating the two communities until Hazel Park is completed, we are asking the Governance Review Working Group to recommend holding a governance review for Aston once Hazel Park has reached an occupancy rate of 50%. This is expected to be by the end of 2027. Peter and Lesley Stanbury

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Case Reference Number | EHDC713853218

| Full Name:    |   |
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| Organisation: |   |
| Address:      | I |
| Email Address |   |

Which town/parish council or area does your submission relate to?: Aston Nr Stevenage

**What is your submission:** I support the submissions made by AVH and Aston Parish Council. The completion of Hazel Park is scheduled for the summer of 2030 and will consist of 618 dwellings, a Care Home for 66 residents and an Assisted

Living Home for a further 64. Thus, it is highly likely that it would have an electorate approaching 1,400. It will be a densely built urban development that is effectively an extension of Stevenage and has planning permission for a primary school, a community centre, green recreational spaces and five retail outlets. The community facilities (including roads, lighting, green spaces, recreational equipment and bins) will be maintained by the estates management company, paid for by the Hazel Park residents - currently £200 per household per annum. Access to Hazel Park is via the main road on the eastern Stevenage boundary and the Stevenage bus service will be rerouted through the development giving access to the town centre, industrial areas and Stevenage Station. There is no public transport link with Aston. Before the development of Hazel Park, Aston Parish constituted Aston and Aston End and the small hamlets, Frogmore and Hooks Cross with approximately 365 dwellings and an electorate of 700. The population benefits from assets, both developed and maintained by the community, including two recreation grounds and a Village Hall as well as clubs and societies that have their own facilities. There is a Primary School, church and three pubs - one of which is community owned. All this is set within a rural environment supporting agriculture as well as a range of small businesses. Thus, the Parish is not a dormitory – it is a thriving mixed economy with a strong sense of belonging, nurtured by a Parish Council that has a thorough understanding of its needs. This is exemplified by a regular attendance of 70 to 80 at the Annual Parish Meeting and the success of Aston Village Society that has of a membership of over 140 households. The current build plan for Hazel Park predicts that 348 of the 618 dwellings will be built by the time of the next Parish Council election in May 2027. This is likely to equate to an electorate that has a majority of voters based in the new development. Thus, there will be a dichotomy in the Parish with the two sectors having very different needs that would have to be met by the Parish Council - with the likely outcome that neither community will be content with the result. A separate Council for Hazel Park would resolve this difficulty and enable a precept to be set commensurate with the needs of the Hazel Park electorate.

| Submission Details                    |
|---------------------------------------|
| Case Reference Number   EHDC713901255 |
| Full Name:                            |
| Organisation:                         |
| Address:                              |
| Email Address:                        |

Which town/parish council or area does your submission relate to?: Aston

**What is your submission:** Aston is a small ,lively village community. It has a JMI Church school which is fully subscribed. Good amenities and facilities are run by our village organisations and cared for by our 800 residents. It is very disturbing therefore to find that Hazel Park housing development which will comprise 1000

potential voting residents will form a large majority in our Parish. They will have more voters than the village when electing the next Parish council. They may well never have visited or even driven through the village, as there are no direct main link or access roads between Hazel Park and Aston.

Case Reference Number | EHDC711453283

Full Name:

Organisation: Self

Address:

Email Address:

Which town/parish council or area does your submission relate to?: East Herts

**What is your submission:** I wish to express my opposition to the proposal that Hazel Park be amalgamated with Aston and submit that Hazel park should have a separate identity

I wish to comment on this review regarding Aston and the Hazel Park Development.

I believe it will not benefit either community to be combined until the completion of Hazel Park. I agree with all the reasons why, that have been put forward by Aston Parish Council and therefore support their request that a Governance Review for Aston is held once Hazel Park has reached 50% occupancy, which I understand is expected by 2027.



**Submission Details** 

Case Reference Number | EHDC711550309

| Full Name:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| Organisation:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Email Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Which town/parish council or area does your submission relate to?: Aston Parish council                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| What is your submission: Hazel Park is a development in Aston Parish. It needs to be separated from Ason before voter numbers in Hazel Park are enough to unbalance the parish council. By 2027 there will be double the number of voters. By 2030 on completion there will be about 600 Aston voters and 1200 in Hazel Park. As Hazel Park is an urban development, looking to Stevenage its residents have very different interests from the rural community of Aston. Hazel Park needs to be removed from Aston Parish before the number of voters therehave a significant influence on our Parish Council |
| Submission Details                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Case Reference Number   EHDC711614630                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Full Name:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Organisation:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Email Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Which town/parish council or area does your submission relate to?: Aston Parish                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>What is your submission:</b> We agree with Aston Parish Council that Hazel Park is NOT part of Aston and that they have their own Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Submission Details                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| A B ( N                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Case Reference Number   EHDC711619776                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Full Name:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

| Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| Email Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Which town/parish council or area does your submission relate to?: STEVENAGE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| What is your submission: I disagree with the draft recommendation. Leaving the creation of a separate Council for Hazel Park until the development is completed is likely to be a poor choice for both communities. Aston is a rural community and not suited to represent Hazel Park, effectively, an urban expansion of Stevenage. A more appropriate arrangement would be to plan for Hazel Park to have separate representation at the earliest opportunity and certainly before the end of 2027 when its population is planned to be greater than Aston's. |
| Submission Details                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Case Reference Number   EHDC711011373                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| Full Name:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Organisation:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Email Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Which town/parish council or area does your submission relate to?: Aston                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| What is your submission: It is not appropriate for Hazel Park to remain within Aston parish until at least 2030 The 2 communities have very little in common and the fact that Hazel Park voters will likely exceed the number of Aston voters well before 2030 will have a detrimental effect on Aston. I fully endorse all the comments made to you by Aston Parish council and hope that reason will prevail.                                                                                                                                                |
| Aston 2.03                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Dear Sirs,                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| I wish to register my objection to the continued association of Aston and Hazel Park. As you can see from the attached document, there is no logic in this and Hazel Park should be considered as part of Stevenage, not Aston.                                                                                                                                                                                                                                                                                                                                 |
| Yours faithfully,                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

# Aston Parish Council's response to East Herts District Council's Governance Review's draft recommendation that Hazel Park remains within Aston Parish – April 2025:

We disagree with the Review's draft recommendation. Leaving the creation of a separate Council for Hazel Park until the development is completed, will have a detrimental impact on the two communities for the following reasons:

#### 1) Community Identity

• Aston - is rural in character and has a strong village community. The seven parish councillors are long term village residents and their regular meetings are held in the cricket and bowls pavilions (both facilities were funded completely by the clubs members). The annual parish meeting is attended by around 70 villagers and is held in the voluntary funded village hall. The village has several clubs and societies that use their own facilities and work closely with the Parish Council to ensure they continue to thrive.

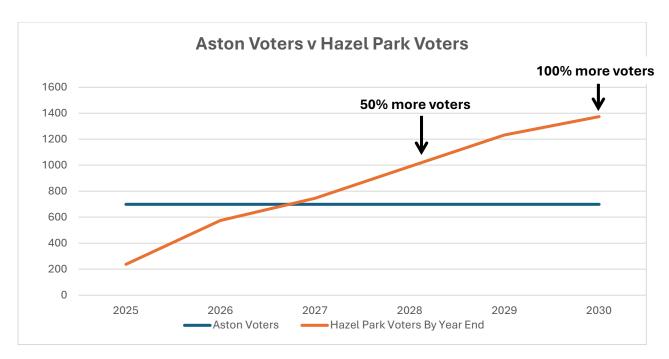
The village is accessed by single track lanes and surrounded by open, pasture and arable fields on three sides. There are several wooded areas, the biggest being Astonbury Woods, an ancient woodland of 55 acres. The village centre is where most people live, separated by fields and woodland from the small satellite hamlets of Frogmore, Hooks Cross and Aston End. Residents in these rural hamlets have strong linkages to the main village. There is a primary school, two pubs, two recreation grounds (both funded by village societies and trusts), a church, a village hall, a farm shop, four working farms, several small holdings, five livery stables, with over fifty horses stabled across the parish and two vineyards.

Hazel Park - will be a densely built urban development, accessed directly
from Stevenage and facing onto the main road around the eastern boundary
of Stevenage. Planning permission has been granted for a primary school, a
community centre, green recreational spaces and five retail outlets. The
communal facilities and green spaces will be maintained by the estates
management company.

The two communities will have very little in common and the residents will have different outlooks and expectations of identity.

#### 2) Size

- Aston currently has c.365 dwellings and c.700 voters.
- **Hazel Park** on completion, will have 618 dwellings, a 66 bed Care Home and a 64 bed Assisted Living Home. All are currently forecast to be completed by summer 2030 and there could be c.1,400 voters.



The current build plan shows that by the time of the next Parish Council election in May 2027, there will be 348 dwellings out of the 618 built, which is 56% of the total. This could mean that there are almost as many, if not more Hazel Park voters as Aston voters at this election, especially when the potential voters from the 64 bed assisted living home are included. The assisted living home is due to open next year. If the review is delayed until completion in 2030, there will have been a majority of voters from Hazel Park in Aston Elections for 4 years.

With twice as many voters in Hazel Park, managing the priorities of two very different communities will make the day-to-day management of the Parish Council more difficult for the volunteer Councillors than it need be.

#### 3) Location

- Aston the access roads to the village centre pass through the satellite
  hamlets of Frogmore, Hooks Cross and Aston End, as do many of the public
  footpaths linking them together. There is a bus service twice a day.
- Hazel Park the dwellings are orientated around three access roads which join the main road on the eastern boundary of Stevenage. The houses at the front of the development face onto this main road and are opposite the Chells Manor housing estate. The regular Stevenage bus service will be rerouted through the development giving residents access to the railway station, industrial areas and town centre. The only link between the two communities will be via an unlit footpath from the southwestern corner, across a field to the hamlet of Aston End.

The two communities are physically separated, making it more difficult for linkages to be created.

#### 4) Financial

- Aston the Parish Council is able to manage its precept effectively, maintaining and enhancing services and supporting the well being of residents. The addition of Hazel Park dwellings to the tax base for Aston will mean that residents will pay less for their share of the precept for Aston in their Council Tax.
- **Hazel Park** all roads (bar the spine road), the lighting, the green spaces, recreational equipment and bins are to be managed via a managing agent and paid for by a service charge levied on each householder. The residents will also pay their share of the precept for Aston in their Council Tax.

As the Governance Review is recommending that the communities aren't separated until Hazel Park is completed, this means that until 2031, Hazel Park residents will be unnecessarily paying their service charge (currently £200 per annum) and a precept (currently £63.62 for a Band D). Having their own Council means that Hazel Park can set their own precept and agree how that money is spent within their community.

To minimise the impacts of not separating the two communities until Hazel Park is completed, we are asking the Governance Review Working Group to recommend holding a governance review for Aston once Hazel Park has reached an occupancy rate of 50%. This is expected to be by the end of 2027.

| Appendix 2 Bishop's Stortford Submission                                                                                                                                                                                                                                                                    |
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| Submission Details                                                                                                                                                                                                                                                                                          |
| Case Reference Number   EHDC705205901                                                                                                                                                                                                                                                                       |
| Full Name:                                                                                                                                                                                                                                                                                                  |
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| Organisation:                                                                                                                                                                                                                                                                                               |
| Address:                                                                                                                                                                                                                                                                                                    |
| Email                                                                                                                                                                                                                                                                                                       |
| Which town/parish council or area does your submission relate to?: Bishop's Stortford                                                                                                                                                                                                                       |
| What is your submission: That Thorley Parish Council be subsumed into Bishop's Stortford Town Council                                                                                                                                                                                                       |
| Full Name:                                                                                                                                                                                                                                                                                                  |
| Organisation: Bishop's Stortford Town Councillor                                                                                                                                                                                                                                                            |
| Address:                                                                                                                                                                                                                                                                                                    |
| Email Address:                                                                                                                                                                                                                                                                                              |
| Which town/parish council or area does your submission relate to?: Bishop's Stortford and Thorley Parish                                                                                                                                                                                                    |
| What is your submission: Move the boundary between Bishop's Stortford and Thorley so the new developments that currently straddle the boundary will be completely in Bishop's Stortford and for EHDC to agree to consider the Town Council absorbing the entirety of Thorley Parish into Bishop's Stortford |
| Case Reference Number   EHDC705559955                                                                                                                                                                                                                                                                       |
| Full Name:                                                                                                                                                                                                                                                                                                  |
| Organisation: Bishops Stortford Town Council                                                                                                                                                                                                                                                                |
| Address:                                                                                                                                                                                                                                                                                                    |
| Email Address:                                                                                                                                                                                                                                                                                              |
| Which town/parish council or area does your submission relate to?: BISHOP'S STORTFORD                                                                                                                                                                                                                       |

What is your submission: Move the boundary between Bishop's Stortford and Thorley so the new developments that currently straddle the boundary will be completely in Bishop's Stortford and for EHDC to agree to consider the Town Council absorbing the entirety of Thorley Parish into Bishop's Stortford

| Case Reference Number   EHDC705160819                                                                                                                                                                                                                                                                                                                                       |
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| Full Name:                                                                                                                                                                                                                                                                                                                                                                  |
| Organisation:                                                                                                                                                                                                                                                                                                                                                               |
| Address:                                                                                                                                                                                                                                                                                                                                                                    |
| Email Address:                                                                                                                                                                                                                                                                                                                                                              |
| Which town/parish council or area does your submission relate to?: Bishop's Stortford                                                                                                                                                                                                                                                                                       |
| What is your submission: Move the boundary between Bishop's Stortford and Thorley so the new developments that currently straddle the boundary will be completely in Bishop's Stortford and for EHDC to agree to consider the Town Counci absorbing the entirety of Thorley Parish into Bishop's Stortford                                                                  |
| Full Name:                                                                                                                                                                                                                                                                                                                                                                  |
| Organisation: Bishop's Stortford Town Council                                                                                                                                                                                                                                                                                                                               |
| Address: Bishop's Stortford Town Council                                                                                                                                                                                                                                                                                                                                    |
| Email Address:                                                                                                                                                                                                                                                                                                                                                              |
| Which town/parish council or area does your submission relate to?: Bishop's Stortford                                                                                                                                                                                                                                                                                       |
| What is your submission: Bishop's Stortford Town Council should wish EHDC to consider: 1. To move the boundary between Bishop's Stortford and Thorley so the new developments that currently straddle the boundary will be completely in Bishop's Stortford; and 2. A possible option of the Town Council absorbing the entirety of Thorley Parish into Bishop's Stortford. |
| Submission Details                                                                                                                                                                                                                                                                                                                                                          |
| Case Reference Number   EHDC703332018                                                                                                                                                                                                                                                                                                                                       |
| Full Name:                                                                                                                                                                                                                                                                                                                                                                  |

Organisation: east herts district council.

Email Address:

Which town/parish council or area does your submission relate to?: Thorley Parish Council

What is your submission: Agree that Thorley Parish Council should be incorporated into the Bishop's Stortford Town Council boundaries.. It would also be fully incorporated into the B.S. South Ward boundary. Reason is that the the main roads around this area should become the boundary for the Ward. Thorey Parish Residents all use the facilities within the B.S.T.C. area e.g. shops. schools, community halls etc.

## Appendix 3 Thorley Responses

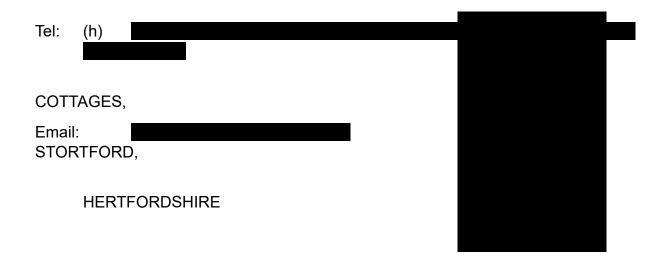
Stortford. It should stay with Thorley.

| Case Reference Number   EHDC700533240                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Full Name:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Organisation:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Email                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Which town/parish council or area does your submission relate to?: Bishop's Stortford/Thorley                                                                                                                                                                                                                                                                                                                                                                                                      |
| What is your submission: I am opposed to the move of St James' Park from Thorley parish to Bishops Stortford Parish. This would lead to an unnecessary increase in council tax for all residents during a cost of living crisis which is unjustified when the roads are atrocious, the bin collections are moving to 3 weekly, the recycling centre has only just opened after months of being closed. Where exactly would my money be going? This money should go towards Thorley Parish Council. |
| Case Reference Number   EHDC700768886                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Full Name:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Organisation:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Email Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Which town/parish council or area does your submission relate to?: Thorley/ Bishops Stortford                                                                                                                                                                                                                                                                                                                                                                                                      |

What is your submission: I reject the proposal to move St.James Park to Bishops

Page 600

#### THORLEY PARISH COUNCIL



4thst April

2025

Legal and Democratic Services

East Herts District Council

Wallfields

Pegs Lane

Hertford

**SG13 8EQ** 

Dear

THORLEY PARISH COUNCIL - RESPONSE TO THE EAST HERTS COUNCIL PROPOSAL OF THE AMENDMENT OF THE THORLEY PARISH COUNCIL BOUNDARY WITH BISHOPS STORTFORD

We have seen the draft proposal from Bishops .Stortford .Town .Council which has been has been adopted by EHDC, but no demonstration from EHDC as to why they have adopted it, and no reference to the proposal put forward by Thorley Parish Council, nor any reasons for rejecting it, despite the mitigation provided by TPC for the proposal. We iterate the great amount of input and direct consultation from TPC in regard to all of the planning issues on the St. James's Park development, and the minimal input from Bishop's Stortford Town Council.

We have read the latest government guidance on possibility of combining already diversified areas of local government, and we do not believe that the guidelines particularly refer to the situation in relation to the boundaries in question, thus we have accordingly submitted a proposal stating boundary changes which we believe will consolidate the Parish of Thorley. Our proposal follows the guidelines which avoids having differing situations in local communities, and forming easily maintained [non-spurious] permanent boundary lines, all as described in our proposal.

We cannot see anything in the proposal suggested by EHDC which improves any of the suggestions in the government guidelines, nor any demonstration that the said proposal does follow, or augment, the desired outcome of issues in the guidelines. More, we believe that the EHDC proposals diminish community cohesion. In the last boundary governance review Thorley lost the Major part of the St.Michaels Mead development [the only vehicular access into this is via Thorley] and having asked a good number of those residents since the takeover, no advantages to the residents have been noted from the takeover.

As described in our proposal, we iterate that some of the amenities in Thorley are -viz:- Thorley Parish Church and Church Hall, The Emmaus Centre, The Barnabas Centre, all available for hire for functions including weddings and funerals [including burials], the Southern Country Park, The Thorley Scout Group and Old School and Hall [also available for hire], Thorley Parish Allotments, the Bishops Stortford Town Council Allotments, all of the St. James Park 810 house development except for 132 houses on Whittington Way. This includes the Bishop's Stortford High School for Boys and the area where the community centre and associated development will be.

Yours sincerely

#### Appendix 4 Sawbridgeworth Responses

I understand that some Parish and Town Councils are requesting meetings with the Community Governance Review committee.

As Sawbridgeworth Town Council have repeatedly stated (and voted unanimously) that we do not believe warding to be right for Sawbridgeworth, and yet the draft recommendation is for warding, could we please also ask for a meeting to further explain and set out why warding is not appropriate in this case?

We are happy to host in our Town Council chamber, or to bring a delegation to the next committee meeting.

Our Clerk, Chris, is currently on leave, so we have agreed that I would submit this request, but he is copied in to this email for reference.

Thanks

tt

East Herts District Councillor

### **Submission Details**

Case Reference Number | EHDC702171800

Full Name:

Organisation: District and town councillor

Address:

Email Address:

Which town/parish council or area does your submission relate to?: Sawbridgeworth

**What is your submission:** I object to Sawbridgeworth being warded. By having the election open to all candidates across the town it is equal and fair. On the Town Council we have a mix of parties and independents because all stand for the whole town, not just small areas. In being warded it can become divisive and acrimonious.

| Case Reference Number   EHDC705197418                                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------|
| Full Name:                                                                                                                                    |
| Organisation:                                                                                                                                 |
| Address:                                                                                                                                      |
| Email Address:                                                                                                                                |
| Which town/parish council or area does your submission relate to?: Sawbridgeworth                                                             |
| <b>What is your submission:</b> Don't imposezazward structure where one is not needed and has been rejected several time by our town council. |
| Submission Details                                                                                                                            |
| Case Reference Number   EHDC696949918                                                                                                         |
| Full Name:                                                                                                                                    |
| Organisation:                                                                                                                                 |
| Address:                                                                                                                                      |

Which town/parish council or area does your submission relate to?: Sawbridgeworth

What is your submission: I am writing to express my strong opposition to the proposal of dividing Sawbridgeworth into separate electoral wards. Our current system, where the town elects councillors collectively, ensures that each councillor remains accountable to all residents equally. This holistic approach fosters unity and shared responsibility among elected representatives, promoting decisions that consider the interests of the entire community rather than specific geographical segments. Introducing wards risks fragmenting our community, potentially leading to division and localised politics that prioritise individual ward interests over the broader welfare of Sawbridgeworth. Smaller wards may also discourage collaboration between councillors, creating unnecessary competition and diluting the effectiveness of collective town representation. Moreover, our town is of a size and demographic that does not necessitate ward divisions. The

**Email Address:** 

**Submission Details** 

current system allows voters to choose from a wider pool of candidates, enabling greater democratic choice and encouraging representatives to consider diverse perspectives and needs. Wards would limit voter options, reducing choice and potentially marginalizing certain areas or groups. In short, maintaining our current electoral system ensures accountability, promotes unity, and preserves the democratic strength and collective identity of Sawbridgeworth. For these reasons, I am against these proposals.

#### **Submission Details**

Case Reference Number | EHDC696238105

| Full Name:                                   |
|----------------------------------------------|
| Organisation: East Herts District Councillor |
| Address:                                     |
| Email Address:                               |

Which town/parish council or area does your submission relate to?: Sawbridgeworth

What is your submission: Unlike some other towns of a similar size, it does not make sense to ward Sawbridgeworth. The town lies on a cross-roads, on the main route between Harlow and Bishop's Stortford. This means that in most cases an issue in one part of the town has an impact on the other parts of the town. As such, Sawbridgeworth Town Councillors works collaboratively as a group of 12 people from across the community to address issues across the whole community. This is also reflective of the very strong 'village-style' sense of community found in Sawbridgeworth. The primary motive for bringing in warding would be to improve representation, but given the closeknit nature of the Sawbridgeworth community, residents are already well-represented as shown by the mix of parties (and independents) on the Town Council. Seeking to shave time off an election count once every four years should not be a legitimate reason to carve up what works well as a cohesive Town Council. The Town Council has consistently, unanimously, and on a cross-party basis voted against warding, and this position remains unchanged. Furthermore, the draft recommendation is to create wards based on the current polling districts - this would not work due to the significant variance in the size of electorate in each polling district: ranging from 179 voters in SAW2 to 3,648 voters in SAW1. Even if you allocated the number of councillors based on the polling district's percentage of the total electorate, you would have a ratio of 608 residents to 1 town councillor in SAW1 and 179:1 in SAW2. Currently - with 7,129 electors and 12 whole-town councillors, the ratio is 594:1; so surely anything which worsens this ratio is not beneficial to representation. We strongly reject the recommendation to ward Sawbridgeworth, and urge the review committee to maintain the status quo in Sawbridgeworth.

## **Submission Details**

Case Reference Number | EHDC696708638

| Full Name:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Organisation: Sawbridgeworth Town Council                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Email Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Which town/parish council or area does your submission relate to?: Sawbridgeworth                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| What is your submission: The inclusion of Sawbridgeworth in the review was initiated by officers, not by the town council nor by residents. There has never been any explicit demand for this. The geography of the town is quite tight and cohesive, and there is a strong local identity being situated between two much large towns. Most of the social and cultural facilities are in the town centre. At the time I joined the town council in 2007 it was very often the case that elections were unopposed owing to there not being a fell complement of candidates and co-option was common. Only since 2015 has there a few more candidates than the required 12. When there are issues residents come to the full council meetings to express their views as they tend to relate to the town council as a body rather than to individual councillors. This is often the case for planning and licensing issues. Equally Sawbridgeworth is not warded for District so residents can go to any of the three councillors. For the town council being un warded it provides the most fair mechanism for candidates of any party and especially for independents to be elected since residents can vote for the entire body of candidates with or without political bias and it creates the purest type of proportional representation since the 12 candidates with the highest votes are always elected. This is not always the case in warded areas where turnouts could be different and candidates could be elected with a lower vote than an unsuccessful one in another ward. This was not requested locally and should not be imposed. |
| Full Name:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Organisation: Sawbridgeworth Town Council                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| Email Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Which town/parish council or area does your submission relate to?: Sawbridgeworth                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

What is your submission: Our Cllrs have repeatedly voted against having wards. Any imposition of wards by EHDC would be undemocratic and dictatorial. Our Town Council works very well as it is. Consultation is not welcome as our views locally have been signposted. On the basis that EHDC is leaderless at the moment and facing abolition by this Government this is not the right time to be discussing changing our Towns representation which is working well. Of course this could be a political ploy to change the status quo. No Change

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| Case Reference Number   EHDC696434869 |  |   |  |  |
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| Full Name:                            |  | l |  |  |
| Organisation:                         |  |   |  |  |
| Address:                              |  |   |  |  |
| Email Address:                        |  |   |  |  |

Which town/parish council or area does your submission relate to?: Sawbridgeworth

What is your submission: I strongly disagree with the proposal to ward Sawbridgeworth for several reasons. 1/ The town is like a village in terms of the links between people and areas - we do not see ourselves as a town of separate locations, but rather as a community with common interests and aims. 2/ The vast majority of issues and concerns are town-wide e.g. parking, transport, community events etc. Therefore, warding the town would put artificial barriers in place that prevent the town working cohesively. 3/ Warding would be divisive pitting area against area in terms of projects, finding funding and prioritising issues. 4/ The ward numbering suggested means some areas are woefully underrepresented while others are over represented. 5/ Changing to a warded system simply to reduce time on election night is not a valid reason for making such changes that would have a detrimental impact on Sawbridgeworth.

#### **Sawbridgeworth Town Council**

Sayesbury Manor. Bell Street, Sawbridgeworth Hertfordshire CM21 9AN Tel: 01279 724537

**MAYOR** 



e-mail: info@sawbridgeworth-tc.gov.uk

**TOWN CLERK** 

web: www.sawbridgeworth-tc.gov.uk

Dip CSMP®

Subject: Objection to Warding Proposal in the Community Governance Review

Date: Tuesday 25<sup>th</sup> February 2025

Dear

I am writing on behalf of the Sawbridgeworth Town Council to express our strong objection to the proposal of warding our town as part of the ongoing Community Governance Review. This decision has been unanimously agreed upon by all twelve Sawbridgeworth Town Councillors on a cross-party basis.

The Town Council firmly believes that warding is not in the best interest of our community. We have carefully considered the implications and have concluded that such a change would not enhance the governance or representation of our residents. Instead, it would create unnecessary divisions and complexities within our town.

We have made our position clear on two separate occasions via email from me, the Town Clerk, on 19th August 2024 and 4th November 2024. Despite this, the Council's view remains unchanged.

We urge the East Herts District Council to respect the unanimous decision of the Sawbridgeworth Town Council and to exclude our town from any warding proposals. Our community's unity and effective governance are of paramount importance, and we believe that maintaining our current structure best serves these goals.

We trust that you will give due consideration to our position and look forward to your favourable response.

Yours sincerely,



| Case Reference Number   EHDC696395283                                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Full Name:                                                                                                                                                                      |
| Organisation: Councillor                                                                                                                                                        |
| Address:                                                                                                                                                                        |
| Email Address:                                                                                                                                                                  |
| Which town/parish council or area does your submission relate to?: Sawbridgeworth                                                                                               |
| <b>What is your submission:</b> I agree with warding Sawbridgeworth I think if you had a pocket of voters voting for a percific candidate they will be represented in that ward |
| Submission Details                                                                                                                                                              |
| Case Reference Number   EHDC696434869                                                                                                                                           |
| Full Name:                                                                                                                                                                      |
| Organisation:                                                                                                                                                                   |

Which town/parish council or area does your submission relate to?: Sawbridgeworth

Address:

What is your submission: I strongly disagree with the proposal to ward Sawbridgeworth for several reasons. 1/ The town is like a village in terms of the links between people and areas - we do not see ourselves as a town of separate locations, but rather as a community with common interests and aims. 2/ The vast majority of issues and concerns are town-wide e.g. parking, transport, community events etc. Therefore, warding the town would put artificial barriers in place that prevent the town working cohesively. 3/ Warding would be divisive pitting area against area in terms of projects, finding funding and prioritising issues. 4/ The ward numbering suggested means some areas are woefully underrepresented while others are over represented. 5/ Changing to a warded system simply to reduce time on election night is not a valid reason for making such changes that would have a detrimental impact on Sawbridgeworth.

#### **Submission Details**

Case Reference Number | EHDC709840847

Full Name:

**Organisation:** Buntingford Town Council

Address: The Manor House

Email Address: clerk@buntingford-tc.gov.uk

Which town/parish council or area does your submission relate

to?: Buntingford

What is your submission: The Town Council responded to the previous consultation in that it is not felt necessary to ward Buntingford Town. It's felt that the size of the town does not justify warding.

## **Submission Details**

Case Reference Number | EHDC705239869

Full Name:

Organisation:

Address:

Email Address:

Which town/parish council or area does your submission relate to?: Buntingford

**What is your submission:** With the town growing fast and with the current Town Council setup consisting of 12 Councillors, I would suggest warding the town into 4 parts

Submission Details

Case Reference Number | EHDC705200561

|                          | <del></del>        |
|--------------------------|--------------------|
| Full Name:               |                    |
| Organisation: East Herts | s District Council |
| Address:                 |                    |
| Fmail Address            |                    |

Which town/parish council or area does your submission relate to?: Buntingford

What is your submission: I am in favour of the recommendation to ward Buntingford. I would be in favour of four wards, rather than two suggested in the draft recommendations as the town is growing rapidly and better respresentation would be achieved with four wards in the town

## **Submission Details**

Case Reference Number | EHDC712884953

| Full Names                                                |  |
|-----------------------------------------------------------|--|
| Full Name:                                                |  |
| Organisation:                                             |  |
| Address:                                                  |  |
| Email Address: clerk@stansteadabbottsparishcouncil.gov.uk |  |

Which town/parish council or area does your submission relate to?: Stanstead Abbotts

What is your submission: In response to the original consultation Stanstead Abbotts Parish Council confirmed that they would be interested in exploring the possibility of merging Stanstead Abbotts Parish Council with Stanstead St Margarets Parish Council together with the area of Great Amwell Parish Council known as the Folly so that the new Parish area would align with the Neighbourhood Plan area. Our response was as follows. "We would like to investigate merging with Stanstead St Margarets Parish Council and possibly the part of Great Amwell parish that lies within the Neighbourhood Plan area as agreed with East Herts District Council" It was always envisaged that following our response to the consultation there would be discussions around how any new council would be constituted and how any interim arrangements would be finalised including whether the enlarged area would be warded, how many councillors there would be, how the finances would be rearranged etc. No discussions were forthcoming and when the recommendations were published, they included a recommendation that the two parishes should be combined and that both Parish Councils were in favour of the change which is not what was said in the response to the consultation. Following the initial consultation the Government has called for a wide-ranging revision of district and county councils with the introduction of unitary authorities across the county and this change introduces uncertainty over the structure of local government. This reorganisation makes little or no reference to Parish and Town Councils who are currently the most local tier of local government. Against this background the Stanstead Abbotts Parish Council believe that any merging of the two parishes is premature as it is unclear what, if any, additional functions the Parish and Town councils will be required/asked to take on and what, if any, resources would be provided to enable them to fulfil any expanded role. Parish Councils are almost entirely run by volunteers and apart from the Clerks tend to have no staff to take on additional roles. Also as has been said above there have been no discussions with the district council about the mechanics of any change which should be a pre-requisite for making a decision as to whether to go ahead with the merger or not. For these reasons Stanstead Abbotts Parish

Council are now not in favour of any amalgamation as the council feels that it is premature and that the original expression of interest in merging has been misinterpreted by the working group as being a vote in favour of merging when it was solely an expression of interest in exploring the possibility further.

#### **Submission Details**

| Case Reference Number   EHDC712046760 |  |   |
|---------------------------------------|--|---|
|                                       |  |   |
| Full Name:                            |  |   |
| Organisation:                         |  |   |
| Address:                              |  | I |
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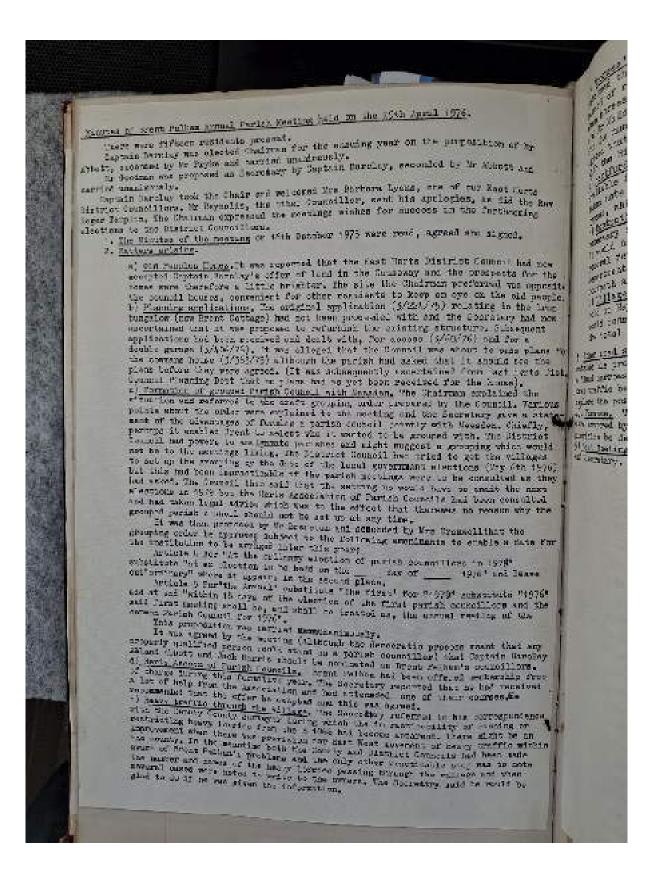
Which town/parish council or area does your submission relate to?: Stanstead Abbotts

What is your submission: I have a lot of concerns with the proposal to merge Stanstead Abbotts Parish council with St Margarets. These two Parishes are very different and have different needs. Already a number of Stanstead Abbotts Prish Councillors do not live here and have been pushing their own agenda for a numbe of years. They devised the neighbourhood plan and deliberately fudged some of the facts to push new housing in Netherfield Lane and avoid having building in their own area. If the two Parishes merge it is clear that the decisions made will be to the benefit of St Margarets and the detriment of Stanstead Abbotts. With flooding a big issue for residents of Marsh Lane and Roydon Road and Netherfield Lane I feel that combining the Parishes would reult in the needs of St Margarets being prioritised and Stanstead Abbotts residents suffer.

#### Appendix 7 Brent Pelham Submission

Minutes dated 29<sup>th</sup> April 1976 for the **Brent Pelham Parish Council** chaired by Captain Barclay record the formation of a grouped Parish Council with Meesden. Minutes dated 11<sup>th</sup> November 1976 up to and including 22<sup>nd</sup> September 1977 are for "**Brent Pelham and Meesden Grouped Parish Council**". Minutes dated 24<sup>th</sup> November 1977 onwards stop using the word Grouped, but here is no actual mention in the minutes of this.

| cc'd here may be able to add further comments on this. |                                                                         |  |
|--------------------------------------------------------|-------------------------------------------------------------------------|--|
|                                                        |                                                                         |  |
|                                                        | <ul> <li>Clerk for Brent Pelham &amp; Meesden Parish Council</li> </ul> |  |



## **Public Document Pack**

MINUTES OF A MEETING OF THE COMMUNITY GOVERNANCE REVIEW WORKING GROUP HELD IN THE COUNCIL CHAMBER, WALLFIELDS, HERTFORD ON THURSDAY 26 JUNE 2025, AT 6.00 PM

#### PRESENT:

Councillors D Andrews, M Connolly, A Holt, D Jacobs, J Thomas and G Williams

### **OFFICERS IN ATTENDANCE:**

Erica Gant - Electoral Services

Officer

Edward McCreadie - Deputy Elections

Manager

Katie Mogan - Democratic and

**Electoral Services** 

Manager

## ALSO IN ATTENDANCE:

1 APOLOGIES FOR ABSENCE There were no apologies for absence.

#### 2 APPOINTMENT OF A CHAIR

It was proposed by Councillor Connolly and seconded by Councillor Jacobs, that Councillor Thomas be appointed Chair of the Community Governance Review working group for the 2025/26 civic year.

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

**RESOLVED** – that Councillor Thomas be appointed Chair of the Community Governance Review working group for the 2025/26 civic year.

3 CONSIDERATION OF CONSULTATION RESPONSES AND

#### FINAL RECOMMENDATIONS

Councillor Thomas welcomed everyone to the meeting. He said that councils were required to review their community governance arrangements every 10-15years and the group had been set up to consider those changes.

He said he would hear representations in the order of the agenda and said each parish council had ten minutes to speak. The working group would be able to ask for clarification.

He said that the group would meet again on 3 July 2025 to consider all representation received and to make their final recommendations to Council.

- 4 REPRESENTATIONS FROM ASTON PARISH COUNCIL Councillors Lovett and Cantwell and Roy Falder, the clerk gave their representations to the group as follows:
  - At its Annual meeting in 2024, the parish council discussed and held vote on the creation of new community council for Hazel Park. 90 out of 91 residents voted in favour of this. East Herts Council (EHC) then announced its intention to undertake a Community Governance Review (CGR), and Aston Parish Council asked to be included.
  - Consultation launched, a number of residents, the village society and the parish council commented. There was a great strength of feeling on matter and there was concern about the draft recommendation to wait until the development was completed in 2030. There felt this was too long to wait as the next local election was in 2027, and there could be as many voters from Hazel Park as there were in Aston. The consensus view was that the opportune time to create a new council was when the development was at 50% occupancy.
  - Residents of two parts of parish, different outlooks for four reasons:
    - Lack of community cohesion Aston was a rural community with a farming heritage with some Some families going back generations and a significant

- number of residents had lived there over 30 yrs. There was a strong community identity with a number of clubs and facilities all funded by villagers and supported by the parish council. Hazel Park was an urban development on the Stevenage ring road. No residents are currently from parish or East Herts and look to Stevenage for their facilities. The two communities have different identities, and little if any community cohesion.
- 2) Physical separation no road links between them. To reach Aston from Hazel Park, it is a 2 mile trip mostly on Stevenage ring road. The residents look to Stevenage for their amenities and the development will eventually have their own facilities meaning residents of Hazel Park don't need to interact with parish at all.
- 3) Democratic inequality Aston currently has 693 voters, and Hazel Park has 8 making 701 total. The number of voters has been constant over the years with a slight decline in recent years. When the development is complete with 618 dwellings and a care home, there could be around 1,400 voters. With the current completion date of 2030, Aston could have 2,100 voters of which 65% are from Hazel Park, meaning that Hazel Park residents could have a clear majority and could take over the Parish Council. At 50% occupancy, each community would be roughly equal and the current build out plan suggests 50% occupancy would be reached at some point in 2027.
- 4) Financial disadvantage Hazel Park are in effect paid twice for services. Residents pay Aston Parish Council a precept of £66 on a band D property. On top of this, they would be paying annual maintenance charge of £200. At 50% occupancy, £66 x 309 properties equals £20k. Residents spending on own community rather than subsidising Aston Parish Council.
- Hazel Park seen as extension of Stevenage in all but law. The marketing website for the development places it in Stevenage and although external boundary changes are outside the scope of the review, they therefore

asked the working group to reconsider the draft recommendation and create a new council when 50% occupied to ensure democratic and financial parity for two disparate communities.

# 5 REPRESENTATIONS FROM BISHOP'S STORTFORD TOWN COUNCIL

Councillors Swainston, Skinner, Wyllie and Estop presented the Bishop's Stortford Town Council (BSTC) representation.

- There was unanimous support at BSTC for moving the boundary to take on the St James' Park development.
   The people that have moved in have moved into a town, not a rural location. Bishop's Stortford has the facilities that residents will look to use.
- BSTC also support (although not unanimously) moving this boundary even further to considering incorporating the whole of Thorley parish into Bishop's Stortford.
- There were far more councillors per voter, 200 residents and 6 cllrs in Thorley and BSTC had 17 cllrs for 40k residents. Appreciate for some people that they don't like the idea of paying more precept on their council tax but it was not much more when all the service the TC provide are taken into consideration. St James' development should be part of the community and contribute to it.
- Some assets may well be handed down from largest authority in the local government reorganisation and BSTC has infrastructure and funds to look after larger assets such as the Southern Country Park and were capable of making sure continues as good as it is at the moment. Have office 5 days a week, sharing services, could be looking at opening that for new authority and town council.
- St James' Park was justified in planning terms as a strategic extension to the town and would be sustained by the town. There was a precedence for the town growing and previously the TC has taken in St Michaels

Mead. There were central services that the TC provide such as the play park, splash park and South Mill Arts. The governance arrangements make sense as a whole town council. Some meshing with District Council representation and ward boundaries would be good.

 Thorley had a problem with identity as it was not one coherent area and residents there look to Bishop's Stortford.

#### Councillor Jacobs asked BSTC if:

- a) there had been any consideration about warding arrangements should this recommendation be agreed;
- b) St James' Park was moved into BSTC, where would they draw the boundary line; and
- c) BSTC had evidence of clear and sustained local support for the abolition of Thorley PC as required under the MHCLG guidance.

BSTC responded and said that they felt the boundary should lie between Obrey Way and Thorley Street and BS South ward was under represented currently and one member could be added to this ward.

- 6 REPRESENTATIONS FROM THORLEY PARISH COUNCIL Councillors Lumsden and Arnott presented Thorley Parish Council's representation.
  - EHC appears to have endorsed the proposal put forward by BSTC. Thorley also put forward a proposal and there was no demonstration from EHC why the BSTC suggestion had been taken forward.
  - Government guidance states that an abolition of a parish cannot be undertaken unless clearly justified and cannot see anything in proposals that demonstrate this. Thorley lost St Michaels Mead in the last review. No advantages to residents noted from takeover.
  - Amenities in Thorley parish include the church and hall, used for local events and available to hire, the Southern country park, Thorley scout group, allotments. All of these were accessible to BS residents, no demonstration of advantages for residents in BSTC.

- Thorley continues to be impacted by the development which was still not complete, and Thorley PC had been heavily involved in the remaining planning development process. 80% of the development was in Thorley and the PC were heavily involved in monitoring it. BSTC had not actively participated in any stage of this still ongoing process and do not have an understanding of how development is to be delivered.
- Thorley had a leading consultation role at all stages of development, with strong representation at original district plan examination in 2017. No participation by TC, despite all development areas under consideration by examiner.
- The controversial McDonalds application had received 1100 community and stat objections with the PC leading consultations with EHC and the school with planning and procedural objections. Most of remaining green belt south of BS was in Thorley and under pressure for development in new district plan. PC lead engagement on the District Plan.
- PC believes it to be wholly inappropriate and premature make sign changes until majority changes at unitary are resolved.

Councillor Jacobs asked the councillors if they were concerned about the viability of the parish council if the proposed changes do go ahead.

Thorley PC said they would be concerned about the viability of the parish council at a practical level.

Councillor Jacobs asked if Thorley were concerned about the increase of residents from the development impacting their community.

Thorley PC said they would welcome new residents to the community. They felt that Thorley's proposal about their boundary had not been considered by the working group.

Councillor Jacobs asked if Thorley PC would step back from their involvement in the planning process if the boundary was moved.

Thorley PC said they would not have a central role in the process like they do currently.

Councillor Thomas asked how many Thorley parish councillors lived in the St James' Park development.

Thorley PC said none.

## 7 REPRESENTATIONS FROM SAWBRIDGEWORTH TOWN COUNCIL

Councillor Parsad-Wyatt presented the representation from Sawbridgeworth Town Council (STC):

- STC had been consistently opposed to warding. This
  cross party view was a long standing one and well
  evidenced and had been rejected by a clear majority of
  cllrs with 11 cllrs against and 1 abstention. This position
  was also shared by all three EH district cllrs and the
  county cllr.
- Community identity and interests Sawbridgeworth had a single community and did not have distinct zones and neighbourhoods with all facilities centrally located.
   Issues that arise in one area affect others and the reality demands town wide governance.
- Community cohesion there were strengths with the current model as residents can contact any of the 12 representative without having to check who is their cllr. STC was a collective body serving a single community. Warding of the town would be a major change and residents were likely not be aware where boundaries fell. There was currently a thematic responsibility amongst members and warding the town could cause unnecessary friction.
- Effective and convenient governance there were various political groups and diverse representation without the need to ward the town. There were instances where cllrs had to be coopted in 2020 and 2022 and warding could worsen recruitment. A resident

wishing to stand might want to stand to serve whole town, not one ward and this would be a loss to democracy. Operationally, STC had a small team of officers and warding of the town could increase their workload, and cllrs may have to compete for officer time and increase need from residents.

- Every four years, the Town Action Plan reflects community priorities and guides the term. The plan making process actively seeks and collates views across the town. Warding introduces risks that approach becomes fragmented. Think about own ward instead of whole town.
- Fair and balance elected representation residents know who local cllrs are and balanced as can be.
- If review was to proceed with draft recommendation, there should be consideration given to how fair.
   Currently proposal suggests warding based on current polling districts which would be unworkable due to the variance in electoral sizes. SAW1 has 3000 electors, SAW2 has 280 electors. There was no detailed implementation plan presented as part of process.
- There had been repeated objections and it was important to reflect on whole review process. If it moves forward against direct objections, residents might feel that the process has been predetermined which would be damaging to trust in local democracy.
- Hope that committee give due consideration to objections.
- Understand thought process behind, and there was a logic on the surface and recognise that it would make administration of elections more straightforward. But this should not be the driving reason to split up a cohesive town.

Councillor Jacobs said that Sawbridgeworth was one of the largest towns that was not warded. He asked if Sawbridgeworth could see a time where it could be beneficial to ward the town, especially if the town was to grow.

STC said that they were fair minded and were not saying never. If there was a significant increase in residents and a change to how the community operated then there could be case. They stressed that this should not be a blanket approach.

# 8 REPRESENTATIONS FROM BUNTINGFORD TOWN COUNCIL

Councillor Wallace presented the representations on behalf of Buntingford Town Council (BTC):

- Not opposed to change and the 2016 review was initiated at the request of BTC due to significant development north of the town. Having accommodated far in excess of its allocation, further significant change in short term unlikely.
- BTC is focussed centrally on traditional high street with the Council offices based centrally, with a reception open Monday – Thursday providing an efficient central hub for council business.
- Allocate enquiries based on natural skill base instead of geographical area. Current size of BTC means that there is 1 cllr for approx. 700 residents. Compares favourably with Hertford which has 1 cllr for 1750. Issues raised can be addressed in timely manner.
- Have asked and been assured that there have been no enquiries to discuss benefits or negatives of ward division. See warding as significant change and consider it unnecessary and could cause division not cohesion.
  - Most importantly, fail to see how proposal will benefit or enhance services provided to community.
- Holding of opinion does not mean it has not been considered. At the town's last election, three places were available to anyone wishing to stand but went untaken. BTC had to Coopt members to fill the vacancies. If there was a strong feeling of under representation in the town then why didn't those people contribute.
- Not saying never, further applications were coming in for development and the town was encircled by agricultural

- land, secured by developers. Should these planning applications be approved, there would be a significant change to town identity.
- In response of opposition to application, BTC stated that we would seek CGR if that application were to be approved should not automatically be triggered.
   Necessity may dictate a more appropriate need in the future.
- Uncertainty around unitary auth and implications that have on parishes, may need to be reviewed in future.
   Urge that do not change until future when balanced consideration can be applied.

## The meeting closed at 7.10 pm

| Chairman |  |
|----------|--|
| Date     |  |

## **Public Document Pack**

MINUTES OF A MEETING OF THE COMMUNITY GOVERNANCE REVIEW WORKING GROUP HELD IN THE COUNCIL CHAMBER, WALLFIELDS, HERTFORD ON THURSDAY 3 JULY 2025, AT 6.00 PM

PRESENT: Councillor

Councillors M Connolly, D Jacobs, J Thomas

and G Williams

### ALSO PRESENT:

Councillors D Hollebon and J Wyllie

#### OFFICERS IN ATTENDANCE:

Edward McCreadie - Deputy Elections

Manager

Katie Mogan - Democratic and

**Electoral Services** 

Manager

1 APOLOGIES FOR ABSENCE
An apology for absence was received from Councillor Holt.

#### 2 MINUTES - 26 JUNE 2025

Councillor Connolly proposed, and Councillor Jacobs seconded a motion that the Minutes of the meeting held on 26 June 2025, be approved as a correct record, and be signed by the Chair. On being put to the meeting and a vote taken, the motion was declared CARRIED.

**RESOLVED** – that the Minutes of the meeting held on 26 June 2025, be approved as a correct record, and signed by the Chair.

3 CONSIDERATION OF CONSULTATION RESPONSES AND FINAL RECOMMENDATIONS

The Chair presented the report and said he would be going through each parish council in the order given in the report.

He said the group had listened to representations from various parish councils at last week's meeting. Councillor Holt had given his apologies to the meeting but had sent round his thoughts following last week's meeting.

#### **Aston Parish Council**

Councillor Thomas said that he sympathised with the comments from Aston Parish Council about requesting that Hazel Park have its own community council separate to Aston. He recognised that the communities were very different but felt that it was too early to recommend that a new community council be formed given the small number of registered electors in the development. He felt that this was something that should be reconsidered in the near future.

Councillor Connolly said that the representative from the parish council had suggested that a new community council should be formed when the development was 50% occupied. It was currently forecast to be at 50% in 2027, and 100% in 2030. She asked if the group could make a recommendation to revisit this at a set point in the future.

The Deputy Electoral Services Manager said that the Community Governance Review working group could be reconvened next year and this recommendation could be put to Council. He said that any final recommendations agreed in this review would be in place for the 2027 elections, and the next scheduled elections following 100% completion of this development would be 2031. He added that the government's proposed change to unitary councils was currently speculative.

Councillor Jacobs asked for clarification that if the group recommended that a community council was established for Hazel Park, then it would not be in place until 2031.

The Deputy Electoral Services Manager said that it would not come in until a normal election cycle. If a council was set up in between, then they could appoint councillors for a shorter term to then fall into the normal election cycle. He said that

there were currently 30 people registered in the development which was not enough to form a council and the guidance points to a minimum of 150 people.

Councillor Williams referred to the proposed unitary reorganisation and asked if there was scope to incorporate this area into Stevenage.

The Deputy Electoral Services Manager said any incorporation into a unitary reorganisation was purely speculative currently. He said that councils can request that their district boundaries be changed via the Local Government Boundary Commission.

Councillor Williams said it was his preference that it was moved into the Stevenage district.

Councillor Thomas said that he understood the point but said that the development north of Stevenage has existed for over 20 years and had remained within North Herts District Council so there wasn't a precedent to potentially merge. He said that given the size of the planning permissions given for Hazel Park, it was worth looking at in its own light. Residents would be part of an estate management group and that might be a governing stepping stone to create a new community council.

Councillor Jacobs said he agreed with Councillor Williams about moving into Stevenage but he said that the group did not consult on that as an option and also had not consulted Hazel Park on having its own parish council.

Councillor Connolly referred back to her first point of simply deferring the conversations and look again at this in the future.

The Deputy Electoral Services Manager said that there could be a Community Governance Review looking at this area and he could contact the Local Government Boundary Commission to find out what information was needed for a district boundary change.

Councillor Jacobs said he was happy to defer this and send a message to Aston Parish Council that they supported it in principle but was too early to create at this stage.

Councillor Williams proposed that the recommendation say that the working group were sympathetic to the arguments from Aston Parish Council but in light of Local Government reorganisation and the current small electorate in the development, the group recommend that the proposal to create a new community council in Hazel Park be deferred to 2026. Councillor Jacobs seconded this motion.

The motion to support the recommendation, having been proposed and seconded, was put to the meeting and upon a vote being taken, was declared CARRIED.

The motion to support the recommendation, having been proposed and seconded, was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED –** To recommend to Council that the final recommendation for Aston Parish Council be deferred until 2026 where a further CGR should look at creating a community council for the Hazel Park development when the implications of LGR are fully understood and there are a greater number of registered electors.

# Bishop's Stortford Town Council and Thorley Parish Council

Councillor Thomas said it was good to hear both arguments last week from both councils. He said that he appreciated the work that Thorley Parish Council has done on the new development and the scrutiny of the site as it lies within their parish. However, he said that he could not see beyond the fact that the development was more Bishop's Stortford facing.

Councillor Connolly said she agreed, and the sticking point seemed to be where the boundary would lie as residents on Thorley Street had been in the parish for a long time. She thought that both sides of Thorley Street should remain in Thorley parish.

The Deputy Electoral Services Manager said that the boundary in the draft recommendations drew the boundary line down the back of the houses on Thorley Street.

Councillor Jacobs referred to the concerns from the parish councillors last week about the viability of the parish council if the boundary line went through Thorley Street. He supported the boundary as shown in the draft recommendations. In relation to the proposal that Bishop's Stortford Town Council absorbed the whole of Thorley, he said he would not support this as this was not proposed in the group's draft recommendations and therefore the residents of Thorley had not been consulted. He said that the guidance from the DCLG said that where consideration was being given to abolishing parishes, there should be evidence that there was clear and sustained local support, something that he did not think Bishop's Stortford had provided.

Councillor Thomas referred to Councillor Holt's comments distributed to the committee that he supported the boundary adjustment.

Councillor Hollebon spoke to the group as a District Councillor for the area. She believed that it made total sense for the whole of Thorley to be absorbed into Bishop's Stortford as people in the parish use all the facilities in Bishop's Stortford and local feeling is that these people are not paying the same council tax to use them. She took on board Councillor Jacob's comments about not consulting the parish but said this idea had been spoken about for some time.

Councillor Wyllie also spoke to the group as a District Councillor for the area. He said that Thorley parish had three main areas: Pigs Lane, Thorley Street and the area surrounding the church. He felt that the time had come to be pragmatic to see what was best for the residents of Thorley. He asked that the committee seriously consider moving the St James' Park development into Bishop's Stortford but said his preference would be to incorporate the whole of Thorley into

Bishop's Stortford.

Councillor Thomas said he understood the points presented about absorbing the whole parish but felt the lack of consultation with the residents could leave the Council open to challenge.

Councillor Wyllie said it was his understanding that East Herts Council had the legal right to extinguish parish councils.

The Deputy Electoral Services Manager said that he was unable to give a legal opinion but to propose that Thorley be absorbed into Bishop's Stortford would require a further CGR to ensure that consultation across the whole parish was undertaken and considered.

Councillor Williams said he was split and felt that larger councils will end up absorbing smaller ones in the future, but he did not like the idea of abolishing a council without looking deeper into the issues.

Councillor Connolly said that if the St James' Park development did transfer to Bishop's Stortford, then Thorley Parish Council would go back to the same population it had before the estate was built. She said that if the council was viable then, it would be viable in the future.

Councillor Jacobs referred back to the government's guidance and said that the group did not have clear and sustained evidence to absorb the whole parish into one. He was in favour of moving the St James' Park development only.

Councillor Thomas said that the development was not yet complete and took up a significant part of Thorley Parish Council yet the parish councillors felt that the parish still had its own identity and a functioning governance system made up of parish councillors outside of St James' Park.

Councillor Thomas proposed that the boundary of Bishop's Stortford Town Council be moved to incorporate the St James' Park development. Councillor Williams seconded the motion.

The motion to support the recommendation, having been proposed and seconded, was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED –** To recommend to Council that the boundary for Bishop's Stortford Town Council be extended parallel to Thorley Street, running behind the existing houses, down to the A1184 along to Obrey Way to incorporate the St James' Park development.

## Sawbridgeworth Town Council

Councillor Thomas said that the draft recommendation was to ward the town. He said that he understood the concerns explained by Councillor Parsad-Wyatt about not warding the town, specially about warding the town along polling districts.

The Deputy Electoral Services Manager said that the polling districts were used as a baseline and understood that the population splits were not perfect but there could be a different number of councillors per ward.

Councillor Jacobs said there could be an argument that there are distinct communities into Sawbridgeworth, such as Spellbrook that would justify warding the town.

Councillor Connolly said the Spellbrook point was a good one and wondered if the group could recommend warding the town and then look at where the wards would be with the town council.

Councillor Jacobs said that Sawbridgeworth was the largest town he had found in his own research that was not warded. He said there were many towns of similar size across the country with wards and said this was not a threat to Sawbridgeworth working collectively as a town. He said that he knew all the issues affecting his ward at Bishop's Stortford Town Council and this was a benefit to the town council as a whole. He also felt that the electoral process for

Sawbridgeworth could become unmanageable if there were large numbers of candidates standing for election if it remained unwarded. He said he was strongly in favour of warding the town but did recognise that the district and county councillors were also passionately opposed to the suggestion.

Councillor Thomas highlighted that Councillor Holt had opposed the warding recommendation.

Councillor Connolly responded to the concerns raised by the town councillor at the last meeting. She was concerned that there was an assumption that elected councillors would behave poorly if they had to represent ward and would become fragmented. She said she had visited the town councils in the district and saw great teams working hard in their respective wards and then came together to work hard for the whole council. She said she had not experienced a conflict in that scenario at her own town council. She also said that the fear of local government reorganisation was that democracy would be taken further away from residents and warding the town would make residents closer to their representatives.

Councillor Williams said he was a specialist in his ward at the town council but said it did not mean he did not work across the town as a whole. He said he was in favour of warding the town.

Councillor Thomas said he took heed of opinions expressed in the consultation. He said he agreed with all the points but was mindful of the members of the group who were not here. He said he was happy to propose warding the council.

The Democratic and Electoral Services Manager said that the group needed to make a specific recommendation and could not leave the decision on where to place the wards to Council.

Councillor Jacobs felt the group should take a clear decision now to ward the town and request that officer come back with a structure of the wards outside the CGR process. The Deputy Electoral Services Manager that the CGR gives the council the power to make the changes.

Councillor Jacobs felt the group should recommend that the town be warded into four wards and carry out further work purely on structure of those wards.

Councillor Thomas felt it would not be helpful to ward the town now along polling districts and then come back later to potentially change them again.

Councillor Jacobs proposed that Sawbridgeworth Town Council be warded along existing polling district and ensure that the number of councillors for each ward is proportionate to the electorate. Councillor Connolly seconded the motion.

The motion to support the amended recommendation, having been proposed and seconded, was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED –** To recommend to Council that Sawbridgeworth Town Council be warded into four ward along the polling district boundaries and the number of councillors be as follows:

SAW 1 = 5

SAW 2 = 1

SAW 3 = 2

SAW 4 = 4

## **Buntingford Town Council**

Councillor Thomas said that Buntingford Town Council was the same argument as Sawbridgeworth, as it was currently an unwarded town council.

Councillor Jacobs asked how many polling districts were in Buntingford.

The Democratic and Electoral Services Manager confirmed there were six.

The Deputy Electoral Services Manager said that the draft recommendations proposed a two ward structure in Buntingford that was split along the B1038.

Councillor Thomas proposed that Buntingford be split into two wards. Councillor Jacobs seconded the motion.

The motion to support the amended recommendation, having been proposed and seconded, was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED –** To recommend to Council that Buntingford Town Council be split into two wards along the B1038.

## Hertford Town Council and the Rush Green Roundabout

Councillor Thomas said the draft recommendation suggested that the Rush Green Roundabout be moved into the Kingsmead East Ward on Hertford Town Council.

Councillor Thomas proposed this be the final recommendation. Councillor Williams seconded the motion.

The motion to support the amended recommendation, having been proposed and seconded, was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED –** To recommend to Council that the Rush Green roundabout be moved into the Hertford Kingsmead East ward of Hertford Town Council.

## Ware Town Council and Wareside Parish Council

Councillor Thomas said that the proposal was to change the boundary to absorb the WARE2 development site. Since the review had started, both parish councils have agreed to continuing further discussions between them before requesting a future governance review.

Councillor Thomas proposed that this be accepted. Councillor

Jacobs seconded the motion.

The motion to support the amended recommendation, having been proposed and seconded, was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED –** To recommend to Council that the boundary between Ware Town Council and Wareside Parish Council remain unchanged.

## Hertingfordbury Parish Council

Councillor Thomas said that draft recommendation was to change the name of the parish council and to reduce the number of councillors. He said the council were requesting a reduction in councillors from 10 to 9.

Councillor Connolly said the group had not been provided with an explanation as to why it should be reduced.

The Deputy Electoral Services Manager said the council struggled to get councillors as it was quite a large council for the population.

Councillor Thomas proposed that the number of councillors be reduced to 9. Councillor Jacobs seconded the motion.

The motion to support the amended recommendation, having been proposed and seconded, was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED –** To recommend to Council that Hertingfordbury Parish Council have their councillor numbers reduced to 9.

# <u>Stanstead St Margaret's and Stanstead Abbotts Parish</u> Councils

Councillor Thomas said that these two councils had originally proposed that they merge together but seems like their support for this had now been withdrawn.

The Deputy Electoral Services Manager said that the parish councils felt that there was not enough prep work carried out. However, he said that the function of the working group was to make the proposal, not create a blueprint for a merger.

Councillor Thomas proposed that no change be made to the two parish councils. Councillor Connolly seconded the motion.

The motion to support the amended recommendation, having been proposed and seconded, was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED –** To recommend to Council that Stanstead St Margaret's and Stanstead Abbotts parish councils remain unchanged.

#### **Great Amwell Parish Council**

Councillor Thomas said the draft recommendation was to slightly adjust the southern boundary to the Great Amwell roundabout. He said this was an acceptable recommendation from the parish council and boundaries should be identified by hard, visible boundaries.

The Deputy Electoral Services Manager confirmed that no residents were affected by the change.

Councillor Thomas proposed moving the southern boundary to follow the entire length of the B181 to the Amwell Roundabout, then follow the northern part of that roundabout, and proceed along the B1502 to its current intersection with Old Hertford Road. Councillor Connolly seconded the motion.

The motion to support the amended recommendation, having been proposed and seconded, was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED** – To recommend to Council that the southern boundary to follow the entire length of the B181 to the Amwell Roundabout, then follow the

northern part of that roundabout, and proceed along the B1502 to its current intersection with Old Hertford Road.

#### **Brent Pelham Parish Council**

Councillor Thomas said the recommendation was the formally change the council's name but the parish clerk had confirmed that the two parishes had been formally grouped in 1976.

The Deputy Electoral Services Manager confirmed that the grouping had not shown up in the records held by the council but the parish clerk had sent the minutes recording the decision.

Councillor Thomas proposed no change to the council's name. Councillor Connolly seconded the motion.

The motion to support the amended recommendation, having been proposed and seconded, was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED** – To recommend to Council that no change be made to the parish council's name.

#### **Buckland Parish Council**

Councillor Thomas said this draft recommendation was to formally change the name of the parish council to Buckland and Chipping Parish Council.

Councillor Thomas proposed the name change. Councillor Williams seconded the motion.

The motion to support the amended recommendation, having been proposed and seconded, was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED –** To recommend to Council that Buckland Parish Council be renamed Buckland and Chipping Parish Council.

## **Stapleford Parish Council**

Councillor Thomas said this draft recommendation was to formally change the name of the parish council to Stapleford and Waterford Parish Council.

Councillor Thomas proposed the name change. Councillor Williams seconded the motion.

The motion to support the amended recommendation, having been proposed and seconded, was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED –** To recommend to Council that Stapleford Parish Council be renamed Stapleford and Waterford Parish Council.

## The meeting closed at 7.15 pm

| Chairman |  |
|----------|--|
| Date     |  |



## **Community Governance Review**

Town and parish councils are the first level of local government. They provide communities with a democratic voice and a structure for taking community action. East Herts has 46 town and parish councils.

A community governance review (CGR) is the process to consider whether existing town and parish council arrangements should be changed. These changes can include:

- The creation or dissolution of a parish / town council
- Separating or altering the boundaries of an existing parish / town council
- The name of a parish / town council
- Changes to the electoral arrangements (eg. changing the number of councillors)





It is the responsibility of the council to undertake Community Governance Reviews under the provisions of the Local Government and Public Involvement in Health Act 2007. Draft recommendations about changes to community governance in your area have been proposed.

#### How do we do this?

We are asking the public, parish council and any interested parties whether they feel their communities are represented and whether there should be any changes made to current governance arrangements.

We are carrying out a public consultation to seek the views of the community about the draft recommendations. The consultation is open until Monday, 12 May 2025.

For more information about this review and what it means to you please visit our website.

If you have any questions or would like more information about this review, please email: <a href="mailto:electors@eastherts.gov.uk">electors@eastherts.gov.uk</a> or phone 01279 655261.



## Agenda Item 11

### **East Herts Council Report**

#### Council

Date of meeting: Wednesday 23 July 2025

Report by: James Ellis – Director for Legal, Policy and Governance

Report title: Review of the Constitution

Ward(s) affected: All

**Summary** – In accordance with paragraph 2.6.3 of the Constitution, which requires the Monitoring Officer to make changes to staffing structures and changes in terminology, Council are asked to receive the amendments to the Constitution to reflect the Leadership Team restructure and job title change as well as the deadline for notice of a key decision.

#### RECOMMENDATIONS FOR COUNCIL:

a) That the updates and consequential amendments to the Constitution identified in the attached appendices are received.

## 1.0 Proposal(s)

1.1 As above.

## 2.0 Background

2.1 Under paragraph 2.6.5, the Council must be notified of any updates and changes to the Constitution at ordinary meetings throughout the year.

## Staffing updates

2.2 There has been a review of the Leadership Team with a change to job titles and services that report into them, requiring the

Constitution to be updated.

## 2.3 Heads of Service have been renamed Directors as follows:

- Director for Place (replacing Head of Planning and Growth)
- Director for Communities (replacing Head of Housing and Health)
- Director for Regeneration, Customer and Corporate Services (replacing Head of Communications, Strategy and Policy)
- Director for Finance, Risk and Performance (replacing Head of Strategic Finance and Property)
- Director for Legal, Policy and Governance (replacing Head of Legal and Democratic Services)

#### 2.4 The remits under the Directors have been amended to as follows:

| Director for Place                            | Planning and Building Control (inc.<br>Gilston), Leisure, Parks and Open<br>Spaces, Environmental Health, Land<br>Charges and Street Naming and<br>Numbering, Section 106                                                                                              |
|-----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Director for<br>Communities                   | Property Services, Housing Services, Licensing and Enforcement, Environmental Sustainability, Economic Development, Community Wellbeing and Partnerships, Shared Waste Service (from August once full mobilisation of the new service provider and design is complete) |
| Director for<br>Regeneration,<br>Customer and | BEAM, Customer Services,<br>Corporate Support Hub,<br>Communications and Digital Media,                                                                                                                                                                                |

| Commercial<br>Services                              | Parking Services, ORL                                                                                                                                                                                                                       |
|-----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Director for<br>Legal, Policy<br>and<br>Governance  | Legal Services, Democratic Services, Electoral Services, Transformation Team, Information Governance and Data Protection, Shared Waste Service (until August when the mobilisation of the new provider and service design will be complete) |
| Director for<br>Finance, Risk<br>and<br>Performance | Financial Services, Risk and<br>Insurance, Revenues and Benefits<br>Shared Service, ICT Shared Service                                                                                                                                      |

- 2.5 The delegations in Section 10 Officers' Responsibilities for Functions have been aligned to match the new Director responsibilities as listed above.
- 2.6 The tracked changes for job titles and the list of delegations are shown in Appendix A.

## Key decisions

- 2.7 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 provides that local authorities must give at least 28 clear days' notice of all key decisions.
- 2.8 The intention of the 28 days' notice is to be 28 calendar days, not 28 clear, working days as the Constitution currently suggests, so it has been amended to make this clear.
- 2.9 The relevant changes for this change are in Section 12 Access to Information Procedure Rules. All tracked changes to the relevant sections are attached at Appendix A.

## 3.0 Reason(s)

3.1 To ensure the Constitution is up to date to enable clarity of decision-making and procedures throughout the year.

## 4.0 Options

4.1 Not approving the Constitution amendments would mean that the Constitution would not be up to date.

#### 5.0 Risks

5.1 That decisions are not taken in accordance with correct authority, and risk challenge.

## 6.0 Implications/Consultations

6.1

## **Community Safety**

No

#### **Data Protection**

No

## **Equalities**

The proposed changes to the Constitution have no impact on equalities.

## **Environmental Sustainability**

No

#### **Financial**

There are no financial implications associated with the proposed constitutional changes.

## **Health and Safety**

No

#### **Human Resources**

No impact on Human Resources is envisaged as a result of these changes. The changes to job titles have been through relevant employment processes.

## **Human Rights**

No

## Legal

Yes – as indicated above

## **Specific Wards**

No

## 7.0 Background papers, appendices and other relevant material

7.1 Appendix A – tracked changes job titles

7.2 Appendix B – tracked changes for key decisions

#### **Contact Member**

**Executive Member for Corporate Services** 

firstname.surname@eastherts.gov.uk

(delete is not applicable)

#### **Contact Officer**

James Ellis, Director for Legal, Policy and Governance

james.ellis@eastherts.gov.uk

## **Report Author**

Katie Mogan, Democratic and Electoral Services Manager

katie.mogan@eastherts.gov.uk

#### 3.8 Council Procedure Rules

- 3.8.1 Ordinary Meetings of the Council will usually take place at least four times a year, commencing at 7:00pm, or at another time agreed by the Chairman.
- 3.8.2 Meetings will usually take place at the council's main offices but may take place at other venues with the agreement of the Chairman.
- 3.8.3 There are three types of Council meetings:
  - (a) the Annual Meeting;
  - (b) Ordinary Meetings; and
  - (c) Extraordinary Meetings.

These are dealt with in more detail below.

- 3.8.4 Council meetings will be chaired by the Chairman, or in his or her absence, by the Vice-Chairman.
- 3.8.5 Notice of all meetings of the Council will be given to the public by the Proper Officer in accordance with the Access to Information Rules, five clear working days before the date of the meeting. Notice by summons will also be given by the Proper Officer to each Member of the Council in the manner prescribed in the Access to Information Procedure rules. The summons shall contain the date, time and place of each meeting, specify the business to be transacted and be accompanied by such reports that may be available.

- 3.8.6 The Proper Officer is authorised to cancel a meeting where the agenda has already been issued if it is considered expedient. Before exercising this authority, the Proper Officer will consult with the Chairman and the Leader of the Council. Any outstanding business will be held over to the next Ordinary Meeting or an Extraordinary Meeting on a date to be arranged.
- 3.8.7 The council may make audio and/or visual recordings of meetings and broadcast or otherwise make them available to the public on its website or by other means.

## 3.9 Annual Meeting of the Council

- 3.9.1 The Annual Meeting of the Council will be held:
  - (a) in a year when there is an ordinary election of councillors to the Council, on such a day within the 21 days immediately following the day of retirement of the outgoing councillors as the Council may fix;
  - (b) in any other year, on such a day in the month of March, April or May as the Council may fix; and
  - (c) at such hour as the Council may fix.

## 3.9.2 At the Annual Meeting, the Council will:

- (a) elect a person to preside if the retiring Chairman and Vice Chairman are not present;
- (b) elect the Chairman for the ensuing year;
- (c) appoint the Vice Chairman of council for the ensuing year;
- (d) approve the minutes of the last meeting;

- (e) receive any announcements from the Chairman; and/or Head of Paid Service;
- (f) receive any announcements from the Officer advising the Chairman including apologies for absence;
- (g) elect the Leader at the post-election annual meeting;
- (h) if necessary, be told by the Leader about the composition and constitution of the Executive for the ensuing year, and the names of Members chosen to be Executive Members;
- (i) determine the Council's Committee structure and Chairmen/membership;
- (j) determine arrangements for Outside Bodies and receive annual updates on outside body activities;
- (k) appoint at least one scrutiny Committee, a Committee to carry out the functions of a Standards Committee and such other Committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions;
- (l) agree the scheme of delegation;
- (m) approve a programme of Ordinary Meetings of the Council for the year; and
- (n) consider any business set out in the notice convening the meeting.
- 3.9.3 Selection of Members on Committees and Outside Bodies

At the annual meeting, the Council meeting will:

- (a) decide which Committees to establish for the Civic Year;
- (b) decide the size and terms of reference for those Committees;
- (c) decide the allocation of seats and substitutes to political groups in accordance with the political balance rules;
- (d) receive, or arrange the delegation of, nominations of Members to serve on each Committee and any outside body for which a new appointment or reappointment is required.

## 3.10 Ordinary Meetings

- 3.10.1 Ordinary Meetings of the Council will usually take place at 7.00 pm, or at any other time agreed by the Chairman, in accordance with the programme previously approved by the Council.
- 3.10.2 The order of business at every Ordinary Meeting of the Council will include:
  - (a) electing a person to preside if the Chairman and Vice Chairman are not present;
  - (b) dealing with any business required by law to be dealt with first;
  - (c) confirming as a correct record and signing the minutes of the last meeting of the Council, except that minutes of the annual or Extraordinary Meeting

- will be submitted for confirmation to the next Ordinary Meeting of Council;
- (d) the Chairman's announcements;
- (e) the Leader's announcements;
- (f) any announcements from the Officer advising the Chairman (including apologies for absence);
- (g) receiving any declarations of interests from Members;
- (h) receiving any petitions in accordance with the Petition Scheme at paragraph 3.17 to these rules;
- (i) receiving and answering questions from members of the public in accordance with paragraph 3.18 below;
- (j) receiving and answering questions on notice from Members in accordance with paragraph 3.19 below;
- (k) dealing with any business remaining from the last Council meeting in accordance with paragraph 3.16;
- receiving reports from the Executive and from the Council's scrutiny and other Committees and receiving questions and answers on any of those reports;
- (m) receiving reports, questions and answers on the business of joint arrangements and external organisations as appropriate;
- (n) considering any motions under paragraph 3.20 in the order in which they are received;

- (o) considering any other business specified in the summons to the meeting.
- 3.10.3 The order of business (except for items (a), (b) and (c) of paragraph 3.10.2 of these Rules) may be changed:
  - (a) before or at a meeting, as the Chairman sees fit; or
  - (b) by a resolution of the meeting passed on a motion under paragraph 3.21.

## 3.11 Extraordinary Meetings

- 3.11.1 An Extraordinary Meeting is one that is additional to the scheduled Ordinary Meetings and is called to deal with matters that cannot conveniently be dealt with at one of those meetings. An Extraordinary Meeting will be called for specific purposes. Those listed below may request the Chief Executive to call extraordinary Council meetings in addition to Ordinary Meetings:
  - (a) the Council, by resolution;
  - (b) the Chairman of the Council;
  - (c) the Monitoring Officer;
  - (d) the Section 151 Officer; and
  - (e) in accordance with paragraph 3 of Schedule 12 of the Local Government Act 1972 (as amended), any five Members of the Council if they have signed a requisition presented to the Chairman of the Council and they have refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

## 3.11.2 Extraordinary Meetings will:

- (a) elect a person to preside if the Chairman and Vice Chairman are not present;
- (b) receive any declarations of interest; and
- (c) deal with the business for which the Extraordinary Meeting was called.

# 3.12 Appointment of substitute Members of Committees and Sub-Committees

- 3.12.1 As well as allocating seats on Committees and Sub-Committees, the Council will allocate seats in the same manner for substitute Members. Up to six named substitute Members per political group will be permitted for any Committees, joint and Sub-Committees having 10 or more Members, and up to three named substitutes per political group will be permitted for Committees, joint and Sub-Committees having fewer than 10 Members. For Committees or Sub-Committees exercising the functions of development management, licensing or appeals, only Members who have received satisfactory training to enable proper and lawful discharge of the functions may be appointed as substitutes.
- 3.12.2 In the case of Sub-Committees, the appointing committee will determine the number of substitutes and appoint them. Substitute Members must be from the same political group as the absent Member.
- 3.12.3 Substitute Members will have all the powers and duties of any ordinary Member of the Committee but will not be able to exercise any special powers or duties exercisable by the person they are substituting.

- 3.12.4 Substitute Members may attend meetings in that capacity only:
  - (a) to take the place of the ordinary Member for whom they are the designated substitute;
  - (b) where the ordinary Member will be absent for the whole of the meeting; and
  - (c) after notifying the Proper Officer by 12 midday on the day of the meeting of the intended substitution. This does not apply to the Development Management Committee where the required notification must be either to the Committee Chair or to the Executive Member whose portfolio includes Development Management who, in turn, will notify the Head of Legal and Democratic Services Director for Legal, Policy and Governance at least seven hours before commencement of the Development Management Committee meeting. The duration of the substitution shall form part of the notification.
- 3.12.5 The <u>Director for Legal, Policy and Governance Head of Legal and Democratic Services</u> shall change the standing membership of Committees and joint Committees in accordance with the wishes of the political groups to whom seats on these Committees have been allocated.

# 3.13 Notice of and summons to meetings

3.13.1 The Proper Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five Clear Days before a meeting, the Proper Officer will send a summons which will give the date, time and place of each meeting and

specify the business to be transacted, and will be accompanied by such reports as are available.

## 3.14 Chairman of the meeting

3.14.1 The person presiding at the meeting may exercise any power or duty of the Chairman. Where these rules apply to Committee and Sub-Committee meetings, references to the Chair also include the Chair of Committees and Sub-Committees.

### 3.15 Quorum

3.15.1 For Council, the Quorum of a meeting will be one quarter of the whole number of Members. For Committees, joint and Sub-Committees, the Quorum shall be one third of the membership of that body. During any meeting, if the Chairman counts the number of Members present and declares there is not a Quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairman. If they do not fix a date, the remaining business will be considered at the next Ordinary Meeting.

# 3.16 Duration of meeting

3.16.1 Unless the majority of Members present vote for the meeting to continue, any meeting that has lasted until 10.00 p.m. will adjourn on completion of the item being considered. Remaining business will be considered at a time and date fixed by the Chairman. If they do not fix a date, the remaining business will be considered at the next Ordinary Meeting.

#### 3.17 Petitions

- 3.17.1 The Council operates a petitions scheme details of which can be found at: <a href="https://www.eastherts.gov.uk/petitions">https://www.eastherts.gov.uk/petitions</a>
- 3.17.2 A document submitted by a Member or members of the public shall be identified as a petition where it is a formal written request signed by many people appealing to the authority in respect of a particular cause in the authority's remit. Petitions may be submitted in paper form or online.
- 3.17.3 Petitions with 150 signatures or more will be presented to the next Ordinary Meeting of the Council. Petitions must be submitted by midday, three working days before the Council meeting.
- 3.17.4 Lead petitioners shall be invited to address the Council for up to three minutes after which a response shall be given by the relevant Executive Member outlining how the council intends to deal with the petition. Local Ward Members may also speak on the subject of the petition.
- 3.17.5 Petitions with 50 149 signatures will be referred to the relevant Executive Member to provide a written response.
- 3.17.6 Petitions with fewer than 50 signatures will not be accepted as valid petitions.
- 3.17.7 If the petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, other procedures apply.

- 3.17.8 Petitions submitted to the council should be accompanied by contact details, including an address, for the petition organiser and must include:
  - (a) a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the council to take; and
  - (b) the name and address and signature of any person supporting the petition.
- 3.17.9 E-petitions which are created and submitted through the council's website must follow the same guidelines as paper petitions. The petition organiser will need to provide their name, postal address and email address. The petition organiser will also need to decide how long a petition should be open for signatures.
- 3.17.10 E-petitions organised on external websites and referred to the council will also be accepted if in accordance with the above guidelines.

# 3.18 Questions by the public

- 3.18.1 Members of the public may ask questions of the Leader and Members of the Executive at Ordinary Meetings of the Council.
- 3.18.2 Questions will be asked in the order notice of them was received, except that the Chairman may group together similar questions.
- 3.18.3 A question may only be asked if notice has been given by delivering it in writing or by electronic mail to <a href="mailto:democratic.services@eastherts.gov.uk">democratic.services@eastherts.gov.uk</a> no later than midday, three working days before the meeting. Each

- question must give the name and address of the questioner and must name the Member of the Council to whom it is to be put.
- 3.18.4 At any one meeting no person may submit more than one question and no more than one such question may be asked on behalf of one organisation.
- 3.18.5 The <u>Director for Legal, Policy and Governance Head of</u>
  <u>Legal and Democratic Services</u> may reject a question if it:
  - (a) is not about a matter for which the council has a responsibility or which affects the district;
  - (b) is defamatory, frivolous or offensive;
  - (c) is substantially the same as a question which has been put at a meeting of the Council in the past six months;
  - (d) requires the disclosure of Confidential or Exempt Information; or
  - (e) contravenes the rules around the Pre-Election
    Period of Sensitivity, where such rules are in place
    from time to time.
- 3.18.6 All questions and answers given will be summarised in the minutes of the meeting.
- 3.18.7 The Chairman will invite the questioner to put the question to the Member named in the notice. If a questioner who has submitted a written question is unable to be present, or if they so elect, they may ask the Chairman to put the question on their behalf. The Chairman may ask the question on the questioner's

behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

- 3.18.8 The time allowed for consideration of any questions submitted under 3.18 shall not exceed 15 minutes unless the Chairman consents to a longer period.
- 3.18.9 A questioner who has put a question in person may also put one supplementary question without notice to the Member who has replied to their original question. A supplementary question must arise directly out of the original question or the reply. The Chairman may reject a supplementary question on any of the grounds in paragraph 3.18.5 above.
- 3.18.10 Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the Member to whom it was to be put, will be dealt with by a written answer. Any answers which cannot be given during the meeting due to lack of time will also be summarised in a supplementary document to be published as soon as practical after the meeting.
- 3.18.11 Unless the Chairman decides otherwise, no discussion will take place on any question, but any Member may move that a matter raised by a question be referred to the Executive or the appropriate Committee or Sub-Committee. Once seconded, such a motion will be voted on without discussion.

# 3.19 Questions by Members

- 3.19.1 A Member of the Council may ask the Leader or Chairman of a Committee any question without notice upon an item of the report of the Executive or a Committee or statement by the Leader when that item is being received or under consideration by the Council.
- 3.19.2 A Member of the Council may ask:
  - (a) the Chairman;
  - (b) the Leader;
  - (c) a Member of the Executive; or
  - (d) the Chair of any Committee or Sub-Committee

a question on any matter in relation to which the council has powers or duties or which affects the district.

- 3.19.3 A Member of a Committee or Sub-Committee may ask the Chairman of it a question on any matter in relation to which the council has powers or duties or which affect the district and which falls within the terms of reference of that Committee or Sub-Committee.
  - 3.19.4 A Member may only ask a question under paragraph 3.19.2 or 3.19.3 if either:
    - (a) they have given notice in writing of the question to the <u>Director for Legal, Policy and Governance</u>Head of Legal and Democratic Services, which has been received not later than midday, three working days before the meeting; or
    - (b) the question relates to urgent matters, they have the consent of the Chairman to whom the question is to be put and the content of the question is given to the <u>Director for Legal</u>, <u>Policy and Governance</u>

Head of Legal and Democratic Services by midday on the day of the meeting.

- 3.19.5 Questions will be asked in the order notice of them was received, except that the Chairman may group together similar questions.
- 3.19.6 A Member may ask only two questions under 3.19.2 or 3.19.3 except with the consent of the Chairman of the Council, Committee or Sub-Committee.
- 3.19.7 A Member asking a question under 3.19.2 and 3.19.3 and a Member answering such a question shall ensure that the question and the reply is succinct.
- 3.19.8 The time allowed for consideration of any questions submitted under 3.19.2 shall not exceed 15 minutes unless the Chairman consents to a longer period.
- 3.19.9 Any remaining questions shall be responded to in writing before the next Ordinary Meeting of the Council. Any answers which cannot be given during the meeting due to lack of time will also be summarised in a supplementary document to be published as soon as practical after the meeting.
- 3.19.10 Every question on notice will be answered without discussion. The Member who is asked the question on notice may ask another Member to answer. An answer may take the form of:
  - (a) a direct oral answer;
  - (b) where the desired information is in a publication of the council or other published work, a reference to that publication;

- (c) a written answer circulated later to the questioner; or
- (d) a combination of any of the above
- 3.19.11 If the Member who gave notice of a question is not present at the meeting, the question shall be noted and the Member to whom the question was asked shall reply.
- 3.19.12 A Member asking a question under paragraph 3.19.2 or 3.19.3 may ask one supplementary question without notice of the Member to whom the first question was asked. The supplemental question must arise directly out of the original question or the reply. The Chairman has the right to prevent any Members from asking a protracted supplementary question or giving a protracted answer.
- 3.19.13 If the Member who gave notice of a question is not present at the meeting, there will be no supplementary question after the Member to whom the question was asked has given their response.

#### 3.20 Motions on notice

#### 3.20.1 Notice

Except for motions which can be moved without notice under paragraph 3.21, written notice of every motion, signed by at least two Members, or if sent by email, confirmed as submitted by at least two Members, must be delivered to the <u>Director for Legal</u>, <u>Policy and Governance</u> Head of Legal and Democratic Services in normal office hours not later than 12 noon, six clear working days

(excluding the day of the meeting) before the next meeting of the Council.

i.e. if the Council meeting is held on a Wednesday, the motion deadline would be 12 noon on the Monday the week before.

Motions on notice will be entered in a register open to public inspection. The Proper Officer may, with the consent of the Chairman, refuse to accept a motion if the matter to which it relates is referred to in the Forward Plan for consideration at a later meeting or there is otherwise an intention to consider that matter at a meeting of the Council within the next three months.

## 3.20.2 Motion set out in agenda

Motions for which notice has been given will be listed on the agenda in the order in which notice was received, unless the Member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.

# 3.20.3 Scope

Motions must be about matters for which the council has a responsibility or which affect the area.

# 3.20.4 One motion per Member

No Member may give notice of more than one motion at any Council meeting, except with the consent of the Chairman.

### 3.20.5 Debate at Council

Motions that have been proposed and seconded shall then be the subject of immediate debate unless the Chairman of the Council considers it to be appropriate for the motion to be referred to the Executive or a Committee for consideration. In such cases the Chairman shall provide reasons for such a decision.

#### 3.21 Motions without notice

- 3.21.1 The following motions may be moved without notice:
  - (a) to appoint a Chairman of the meeting at which the motion is moved;
  - (b) in relation to the accuracy of the minutes;
  - (c) to change the order of business in the agenda;
  - (d) to refer something to an appropriate body or individual;
  - (e) to appoint a Committee or Member arising from an item on the summons for the meeting;
  - (f) to receive reports or adoption of recommendations of Committees or Officers and any resolutions following from them;
  - (g) to withdraw a motion;
  - (h) to amend a motion;
  - (i) to proceed to the next business;
  - (j) that the question be now put;
  - (k) to adjourn a debate;

- (l) to adjourn a meeting;
- (m) that the meeting continue beyond 10.00 p.m. in duration;
- (n) to suspend a particular council procedure rule;
- (o) to exclude or readmit the public and press in accordance with the Access to Information Rules;
- (p) to not hear further a Member named under 3.30.4 or to exclude them from the meeting under 3.30.5; and
- (q) to give the consent of the Council where its consent is required by this Constitution.

#### 3.22 Rules of debate

3.22.1 No speeches until motion seconded

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

3.22.2 Right to require motion in writing

Unless notice of the motion has already been given, the Chairman may require it to be written down and handed to him or her before it is discussed.

3.22.3 Seconder's speech

When seconding a motion or amendment, a Member may reserve their speech until later in the debate.

3.22.4 Content and length of speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed five minutes without the consent of the Chairman.

## 3.22.5 When a Member may speak again

A Member who has spoken on a motion may not speak again without the consent of the Chairman whilst it is the subject of debate, except:

- (a) to speak once on an amendment moved by another Member;
- (b) to move a further amendment if the motion has been amended since they last spoke;
- (c) if their first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which they spoke was carried);
- (d) in exercise of a right of reply;
- (e) on a point of order; and
- (f) by way of personal explanation.

#### 3.22.6 Amendments to motions

- (a) An amendment to a motion must be relevant to the motion and will either be:
  - (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
  - (ii) to leave out words;

- (iii) to leave out words and insert or add others; or
- (iv) to insert or add words.

as long as the effect of (ii) to (iv) is not to negate the motion or otherwise substantially rewrite the motion.

- (b) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been decided.
- (c) If an amendment is not carried, other amendments to the original motion may be moved.
- (d) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- (e) After an amendment has been carried, the Chairman will read out the amended motion before accepting any further amendments, or if there are none, put the substantive motion as amended for debate to the vote.

#### 3.22.7 Alteration of motion

- (a) A Member may alter a motion of which they have given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- (b) A Member may alter a motion which they have moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.

(c) Only alterations which could be made as an amendment may be made.

### 3.22.8 Withdrawal of motion

A Member may withdraw a motion which they have moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

## 3.22.9 Right of reply

- (a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- (b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- (c) The mover of the amendment has no right of reply to the debate on his or her amendment.
- (d) A reply under this paragraph will be confined to matters raised in the debate on the motion or amendment.
- (e) After every reply to which this rule refers, a vote will be taken without further discussion.

# 3.22.10 Motions which may be moved during debate

When a motion is under debate, no other motion may be moved except the following procedural motions:

- (a) to withdraw a motion;
- (b) to amend a motion;
- (c) that the subject of debate:
  - (i) be referred to the appropriate forum for consideration; or
  - (ii) be referred back to the appropriate forum for further consideration.
- (d) that the meeting continue beyond 10.00 p.m. in duration;
- (e) to adjourn the debate
- (f) to adjourn a meeting
- (g) to exclude the public and press in accordance with the Access to Information Rules; and
- (h) to not hear further a Member named under Rule3.30.4 or to exclude them from the meeting underRule 3.30.5.

Any of the motions under paragraph 3.23.10 of these Rules will not take away from the mover of the original motion the right to reply.

#### 3.22.11 Closure motions

- (a) A Member may move, without comment, the following motions at the end of a speech of another Member:
  - (i) to proceed to the next business;
  - (ii) that the question be now put;

- (iii) to adjourn a debate; or
- (iv) to adjourn a meeting.
- (b) If a motion "to proceed to next business" or "that the question be now put" is seconded and the Chairman thinks the item has been sufficiently discussed, they will put the closure motion to the vote. If it is passed, the Chairman will give the mover of the original motion a right of reply and then put the original motion to the vote.
- (c) If a motion "to adjourn the debate" or "to adjourn the meeting" is seconded and the Chairman thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, they will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

#### 3.22.12 Point of order

A Member may raise a point of order at any time. The Chairman will hear them immediately. A point of order may only relate to an alleged breach of these Council Rules of Procedure or the law. The Member must indicate the rule of law and the way in which they consider it has been broken. The ruling of the Chairman on the matter will be final.

# 3.22.13 Personal explanation

A Member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the Member which may appear to have been misunderstood in the present debate. The ruling of the Chairman on the admissibility of a personal explanation will be final.

#### 3.23 Previous decisions and motions

## 3.23.1 Motion to rescind a previous decision

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least 25 Members. The restrictions contained in 3.25 do not apply to:

- (a) A recommendation contained in a referral from the Executive or any Committee to the Council;
- (b) A recommendation contained in a report presented individually or collectively by Chief Officers.

# 3.23.2 Motion similar to one previously rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least 25 Members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

# 3.24 Voting

# 3.24.1 Majority

Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those Members voting and present in the room at the time the question was put.

## 3.24.2 Chairman's casting vote

If there are equal numbers of votes for and against, the Chairman will have a second or casting vote. There will be no restriction on how the Chairman chooses to exercise a casting vote.

#### 3.24.3 Show of hands

The Chairman will take the vote by show of hands asking Members to indicate whether they are for, against or abstain, unless a ballot or recorded vote is taken in line with paragraph 3.26.4 and 3.26.5.

#### 3.24.4 Ballots

The vote will take place by ballot if five Members present at the meeting demand it. The Chairman will announce the numerical result of the ballot immediately once the result is known.

#### 3.24.5 Recorded vote

If five Members present at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a recorded vote will override a demand for a ballot.

3.24.6 There will also be a recorded vote when required by law.

This includes that a recorded vote will be required at a meeting of the Council on motions, amendments or substantive motions relating to the approval of the Budget or setting of council tax, whereby there shall be recorded in the minutes the names of the Members who

cast a vote for the motion/amendment or against the motion/amendment or who abstained from voting. As this is a mandatory standing order under the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, it cannot be suspended under paragraph 3.32.

3.24.7 Right to require individual vote to be recorded

Where any Member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

## 3.24.8 Voting on appointments

- (a) If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.
- (b) In the event that the removal of persons jointly having fewest of votes would result in only one candidate remaining (and that candidate does not have a majority), the above provision will not apply and the Chief Executive (or their representative) will draw lots to determine which of the candidates with fewest votes will proceed to the next round.
- (c) In the event of there being an equality of votes for the final two candidates, lots will be drawn by the Chief

Executive (or their representative) to decide which person is elected.

#### 3.25 Minutes

## 3.25.1 Signing the minutes

The Chairman will sign the minutes of the proceedings at the next suitable meeting. The Chairman will move that the minutes of the previous meeting be signed as a correct record and will seek a seconder. The only part of the minutes that can be discussed is their accuracy.

3.25.2 No requirement to sign minutes of previous meeting at an Extraordinary Meeting

Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of schedule 12 to the Local Government Act 1972 (an ), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of schedule 12 relating to signing of minutes.

#### 3.25.3 Form of minutes

Minutes will contain all motions and amendments in the exact form and order the Chairman put them.

#### 3.26 Record of attendance

3.26.1 All Members present during the whole or part of a meeting will be recorded as having been present by Democratic Services.

## 3.27 Exclusion of public

3.27.1 Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Section 12 of this Constitution or paragraph 3.31 (Disturbance by Public).

#### 3.28 Members' conduct

## 3.28.1 Speaking at Meetings

When a Member wishes to speak at Council they must notify their request by hand and address the meeting through the Chairman. If more than one Member signifies their intention to speak, the Chairman will ask one to speak. Other Members must remain silent whilst a Member is speaking unless they wish to make a point of order or a point of personal explanation.

# 3.28.2 Respect for the Chairman

When the Chairman calls for order during a debate, any Member speaking at the time must stop. The meeting must be silent.

### 3.28.3 Member not to be heard further

If a Member persistently disregards the ruling of the Chairman by behaving improperly or offensively or deliberately obstructs business, the Chairman may move that the Member be not heard further. If seconded, the motion will be voted on without discussion.

# 3.28.4 Member to leave the meeting

If the Member continues to behave improperly after such a motion is carried, the Chairman may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

#### 3.28.5 General disturbance

If there is a general disturbance making orderly business impossible, the Chairman may adjourn the meeting for as long as they reasonably think is necessary.

# 3.29 Disturbance by public

## 3.29.1 Removal of member of the public

If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room.

# 3.29.2 Clearance of part of meeting room

If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared. The Chairman may without debate or resolution adjourn the meeting to allow removal to take place.

# 3.30 Suspension and amendment of council procedure rules

# 3.30.1 Suspension

All of these Council Rules of Procedure except paragraph 3.26.5, 3.26.6, 3.27.2 and 3.29 may be suspended by

motion on notice or without notice if at least one half of the whole number of Members of the Council are present. Suspension can only be for the duration of the meeting.

#### 3.30.2 Amendment

Any motion to add to, vary or revoke these Council Rules of Procedure will, when proposed and seconded, stand adjourned, without discussion, to the next Ordinary Meeting of the Council.

## 3.31 Application to Committees and Sub-Committees

3.31.1 All of the Council Rules of Procedure apply to meetings of Council. None of the rules apply to meetings of the Executive. Only paragraphs 3.12 – 3.16, 3.19.3 – 3.19.7, 3.21, 3.24 – 3.29 and 3.31 – 3.32 apply to meetings of Committees and Sub-Committees.

# 3.32 Disclosable Pecuniary Interests

3.32.1 A Member must withdraw from the meeting room including from the public gallery during the whole of consideration of any item of business in which they have a Disclosable Pecuniary Interest, except where they are permitted to remain as a result of a grant of a dispensation.

# 3.40 Responsibility for Local Choice Functions

The Council has the discretion to choose which part of the structure should be responsible for certain functions (known as "Local Choice Functions"). These are set out in Schedule 2 of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended (the Regulations). The Council has determined that these functions will be the responsibility of the bodies set out in Column 2. In turn, the decision making body may delegate to the person or body specified in Column 3.

| Function                 | <b>Decision Making Body</b> | Delegation               |
|--------------------------|-----------------------------|--------------------------|
| Functions under local    | Council                     | Heads of                 |
| Acts (other than a       |                             | Service Directors within |
| function specified in    |                             | their area of            |
| Regulations 2 and        |                             | responsibility as        |
| Schedule 1 of the        |                             | defined in the Officer   |
| Regulations)             |                             | Scheme                   |
| The determination of     | Council                     | Committee of the         |
| an appeal against any    |                             | Council or an officer as |
| decision made by or      |                             | detailed elsewhere in    |
| on behalf of the         |                             | this Constitution        |
| authority                |                             |                          |
| Any function relating    | Council                     | Head of Housing          |
| to contaminated land     |                             | and Health Director      |
|                          |                             | for Communities          |
| The discharge of any     | Council                     | <u>Director for</u>      |
| function relating to the |                             | <u>Communities</u> Head  |
| control of pollution or  |                             | of Housing and           |
| the management of air    |                             | Health                   |
| quality                  |                             |                          |

| The service of an             | Council   | Head of Housing                                   |
|-------------------------------|-----------|---------------------------------------------------|
| abatement notice in           |           | and Health Director                               |
| respect of a                  |           | for Communities                                   |
| statutory nuisance            |           |                                                   |
| The passing of a              | Executive |                                                   |
| resolution that Schedule      |           |                                                   |
| 2 to the Noise and            |           |                                                   |
| Statutory Nuisance Act        |           |                                                   |
| 1993 should                   |           |                                                   |
| apply in the authority's area |           |                                                   |
| The inspection of the         | Council   | Head of Housing                                   |
| authority's area to           |           | and Health Director                               |
| detect any statutory          |           | for Communities                                   |
| nuisance.                     |           |                                                   |
| The investigation of any      | Council   | Head of Housing and                               |
| complaint as to the           |           | Health Director for                               |
| existence of a statutory      |           | <u>Communities</u>                                |
| nuisance                      |           |                                                   |
|                               |           |                                                   |
|                               |           |                                                   |
|                               |           |                                                   |
| The obtaining of              | Council   | Head of Legal and                                 |
| particulars of persons        | Courten   | Democratic                                        |
| interested in land under      |           | Services Director for                             |
| section 16 of the Local       |           | Legal, Policy and                                 |
| Government                    |           | Governance                                        |
| (Miscellaneous                |           | Governance                                        |
| Provisions) Act 1976 or       |           |                                                   |
| S.330 Town & Country          |           |                                                   |
| Planning Act as amended       |           |                                                   |
| 1990                          |           |                                                   |
|                               | Council   | Ac dologated alcombage                            |
| The appointment of            | Couricii  | As delegated elsewhere in this Constitution or by |
| any individual                |           | the decision of Council                           |
| (a) To any office other       |           | on a case-by-case basis                           |
| than an office in             |           |                                                   |
| L                             | <u> </u>  | <u> </u>                                          |

|     | which he is<br>employed by the<br>authority:            |
|-----|---------------------------------------------------------|
| (b) | To any body<br>other than                               |
|     | i. The authority;                                       |
|     | ii. A Joint  Committee of  two or more  authorities; or |
| (c) | To any Committee or Sub-Committee of such a body        |
|     | I the revocation of such appointment                    |

#### 4.7 Executive Procedure Rules

4.7.1 Executive functions

The Executive is the council's executive body and is responsible for carrying out those functions which by law or under this Constitution are designated as 'executive functions'.

- 4.7.2 The Leader decides how the executive functions shall be discharged. This may be by:
  - (a) the Executive as a whole;
  - (b) a committee of the Executive;
  - (c) an individual Member of the Executive;
  - (d) an officer;
  - (e) an area committee;
  - (f) joint arrangements; or
  - (g) another local authority.

# 4.7.3 Delegation by the Leader

At the annual meeting of the Council, the Leader will present to the Council a written record of delegations made by them for inclusion in the Council's scheme of delegation at Section 4 to this Constitution. The document presented by the Leader will contain the following information about executive functions in relation to the coming year:

- (a) the size of the Executive;
- (b) the names, and wards of the people appointed to the Executive by the Leader;
- (c) the name, and ward of the person appointed to be the Deputy Leader;
- (d) the extent of any authority delegated to Executive Members individually, including details of the limitation on their authority;
- (e) the terms of reference and constitution of such committees of the Executive as the Leader appoints and the names of Executive Members appointed to them;
- (f) the nature and extent of any delegation of executive functions to area committees, any other authority or any joint arrangements and the names of those Executive Members appointed to any joint committee for the coming year; and
- (g) the nature and extent of any delegation to officers, in addition to delegations already listed within this Constitution, with details of any limitation on that delegation, and the title of the officer to whom the delegation is made.

# 4.8 Further delegation of executive functions

4.8.1 Where the Executive, a committee of the Executive or an individual member of the Executive is responsible for an executive function, they may further delegate the

exercising of that executive function to an officer or via joint arrangements unless where disallowed by law.

4.8.2 Even where executive functions have been delegated, that fact does not prevent the discharge of delegated functions by the person or body who delegated.

# 4.9 The council's scheme of delegation and executive functions

- 4.9.1 The council's scheme of delegation will be subject to adoption by the Council and the Executive.
- 4.9.2 The Leader may amend the scheme of delegation relating to Executive functions at any time during the year by giving written notice to the Monitoring Officer and to the person, body or committee concerned. The notice must set out the extent of the amendment to the scheme of delegation and whether it entails the withdrawal of delegation from any person, body, committee or the Executive as a whole. The appropriate amendments to the Constitution will be made by the Monitoring Officer. This will have immediate effect and the change(s) will be referred to Council within the Constitution.
- 4.9.3 When the Executive seeks to withdraw delegation from a committee, notice will be deemed to be served on that committee when the Leader has served it on the Chair of the committee.

#### 4.10 Conflicts of Interest

4.10.1 Where any or all members of the Executive has or have a conflict of interest this should be dealt with as set out in the council's Code of Conduct for Members in Section 14 of this Constitution.

4.10.2 If the exercise of an executive function has been delegated to a committee of the Executive, an individual Member or an officer, and a conflict of interest arises, then the function will be exercised in the first instance by the person or body who made the delegation or otherwise if so specified in the council's Code of Conduct for Members in Section 14 of this Constitution.

## 4.11 Executive meetings

- 4.11.1 The Executive will meet at least five times a year at times to be agreed by the Leader. The Leader has the ability to cancel meetings of the Executive.
- 4.11.2 The Executive shall meet at the council's offices at Wallfields, Pegs Lane, Hertford, Hertfordshire or another location to be agreed by the Leader.
- 4.11.3 Notice of the dates and times of meetings, and their agendas, will be published in accordance with the Access to Information Procedure Rules.

## 4.12 Quorum

4.12.1 The quorum for a meeting of the Executive shall be a majority of the members of the Executive. The quorum of any committee of the Executive shall be a majority of the Members appointed to that committee.

# 4.13 Decisions taken by the Executive

4.13.1 Executive decisions which have been delegated to the Executive as a whole will be taken at a meeting convened in accordance with the Access to Information Rules in Section 12 of the Constitution.

4.13.2 Where an executive decision is delegated to a committee of the Executive, the rules applying to executive decisions taken by them shall be the same as those applying to those taken by the Executive as a whole.

#### 4.14 Executive meetings

- 4.14.1 The Leader will preside at any meeting of the Executive or its committees at which they are present, or may appoint another person to do so. If the Leader is not present and has not appointed another person to preside at the meeting, the members of the Executive who are present shall choose a member to preside.
- 4.14.2 All members of the Council may attend meetings of the Executive.
- 4.14.3 Without prejudice to the powers of the person presiding at the meeting to control debate as Chair, the following rights of address apply:
  - (a) members of the Executive are entitled to speak at any meeting on any agenda item;
  - (b) any Group Leader who is not a member of the Executive (or a member nominated by them) may speak on any item before the Executive;
  - (c) any Member Champion may speak on any particular agenda item so long as they have informed the Leader of the Council prior to commencement of the meeting of their wish to do so. So long as this requirement is met, the person presiding at the Executive meeting shall call on the Member Champion to speak on the agenda item immediately

following its presentation by the appropriate Executive Member(s) or Officer(s). The Member Champion shall make clear to those present at the meeting their particular Member Champion remit and that he or she is speaking in this capacity;

- (d) any member of the Council who is not an Executive Member may speak in accordance with paragraph 4.17.1(d) or with the consent of the person presiding; and
- (e) the person presiding may, at their discretion, permit one or more members of the public to address the Executive on a matter on the agenda provided they are satisfied that to do so would assist the Executive in coming to a decision on that matter. In giving such permission, the person presiding may attach such conditions as he or she thinks fit.
- 4.14.4 The person presiding has discretion to determine or limit the amount of time, and the number of times, that any member may speak on a particular item.

## 4.15 Conduct of the Executive meeting

- 4.15.1 At each meeting of the Executive or a Committee of the Executive the following business will be conducted:
  - (a) Leader's announcements, if any, whether made in person or by a person nominated to do so in the Leader's absence or the person presiding in the absence of such a nomination;
  - (b) apologies for absence;

- (c) confirm as a correct record and sign the minutes of the last meeting;
- (d) declarations of interest, if any;
- (e) matters referred to the Executive (whether by the Overview and Scrutiny Committee, Audit and Governance Committee, the Council or any other Member as provided at 4.17.1(d) below) for reconsideration by the Executive in accordance with the provisions contained in the Scrutiny Procedure Rules or the Budget and Policy Framework Procedure Rules set out in Section 13 of this Constitution;
- (f) consideration of recommendations from the Overview and Scrutiny Committee and/or Audit and Governance Committee if any; and
- (g) matters set out on the agenda for the meeting, which shall indicate which are key decisions and which are not in accordance with the Access to Information Procedure rules set out in Section 12 of this Constitution.
- 4.15.2 The person presiding at the meeting may vary the order of the agenda where it is necessary to do so for the proper conduct of the business of the meeting. Where the person presiding is of the opinion that there is insufficient information available to the Executive to enable a proper decision to be reached, they may defer consideration of the matter in question to a future meeting.

#### 4.16 Consultation

4.16.1 All reports to the Executive on proposals relating to the Budget and Policy Framework must contain details of the

nature and extent of consultation with stakeholders and the relevant Scrutiny Committee, where applicable, and the outcome of that consultation. Reports about other matters will set out the details and outcome of consultation as appropriate. The level of consultation required will be appropriate to the nature of the matter under consideration.

# 4.17 How items can be put on the agenda for an Executive meeting

- 4.17.1 Items may be placed on the agenda of an Executive meeting in any of the following ways:
  - (a) an item will be placed on the agenda of the next available meeting of the Executive where the Overview and Scrutiny Committee, the Audit and Governance Committee or the Council has resolved that an item be considered by the Executive. There will be an item on the agenda of each meeting of the Executive for matters referred by the Overview and Scrutiny and Audit and Governance Committees when required;
  - (b) The Chief Executive, the Monitoring Officer and/or the Chief Finance Officer may include an item for consideration on the agenda of an Executive meeting and may require that such a meeting be convened in pursuance of their statutory duties.
  - (c) the Leader or any other member of the Executive may require the Proper Officer to place on the agenda of the next available meeting an item for consideration;

- (d) the Leader may agree to a request of any member of the Council that an item be placed on the agenda of the next available meeting for consideration. The notice of the meeting will give the name of the member who asked for the item to be considered. This member will be invited to attend the meeting and will be allowed to speak on the item. There shall be a maximum of two such items on any one Executive meeting agenda; or
- (e) By giving the appropriate notice of an item on the Forward Plan

#### 4.18 Decision-making

- 4.18.1 Key decisions
- 4.18.2 A key decision is an executive decision which is likely to:
  - (a) result in new expenditure, income or savings of more than £200,000 in relation to the council's revenue or capital budget, this being deemed significant having regard to the council's overall budget; or
  - (b) be significant in terms of its effects on communities living or working in an area consisting of two or more wards.
- 4.18.3 Key decisions may be taken by:
  - (a) the Executive;
  - (b) an Executive Member to whom, or a committee of the Executive to which, authority over the function to which the key decision relates has been delegated;

- (c) an Executive Member or officer to whom, or a committee of the Executive to which, authority to make the specific key decision has been delegated; or
- (d) the delegator of the authority should the decision be returned to the delegator.

#### 4.19 Forward Plan

- 4.19.1 The Leader will ensure that the Proper Officer publishes a document, to be known as 'the Forward Plan', which shall include:
  - (a) all key decisions that are likely to be made on behalf of the council during the four month period following publication of the Forward Plan, with the proposed date of a decision on any matter appearing on the Forward Plan for the first time being no less than 28 clear calendar days after publication;
  - (b) a list of the documents to be submitted to the decision maker(s) for each key decision listed;
  - (c) details of how copies of the listed documents may be reasonably accessed along with the procedure for requesting copies; and
  - (d) other relevant documents which may be submitted to the decision-maker(s) along with details of to whom such documents should be submitted.
- 4.19.2 The Proper Officer will ensure that the current Forward Plan may be inspected at all reasonable hours and free of charge at the council's main offices and on the council's website.

#### 4.20 Making key decisions

- 4.20.1 Key decisions may be taken only if due notice has been given of them in the Forward Plan unless the procedure for taking decisions without due notice has been followed.
- 4.20.2 Key decisions may be taken by the Executive, by individual Executive Members, by committees of the Executive or by officers acting in accordance with powers delegated generally or specifically for that purpose.
- 4.20.3 No key decision shall be acted upon until either the deadline for submission of a requisition (often termed 'call in') has passed without one being submitted or any requisition submitted has been disposed of, unless the urgency provisions in paragraph 4.25 below apply.
- 4.20.4 Where an Executive Member or an Officer receives a report which they intend to take into account when making a key decision, they must not make that decision until the report has been available for public inspection for at least five clear days. This mirrors the notice period applicable to reports relating to key decisions to be considered by the Executive when meeting together.
- 4.20.5 The Executive Member or officer must ensure that the Proper Officer makes the report referred to in 4.20.4 above (and a list and copies of Background Papers) available for inspection by members and the public as soon as reasonably practicable after the Executive Member or officer receives it.
- 4.20.6 Before making a decision, the decision-maker shall give full consideration to all reports made available relating to the decision, any comments on the proposed decision made by

Members and, where necessary, consideration shall be given to the need for further consultation or information.

### 4.21 Non-key decisions

4.21.1 A non-key decision is an executive decision that does not meet either criterion of a key decision as defined above.

## 4.22 Making non-key decisions

- 4.22.1 Non-key decisions may be taken by the Executive, by an individual Executive Member, a committee of the Executive or by an officer. In all cases, the decision-making body or person will be determined in accordance with powers delegated generally or specifically for that purpose.
- 4.22.2 No non-key decision shall be acted upon until either the deadline for submission of a requisition (often termed 'call in') has passed without one being submitted or any requisition submitted has been disposed of, unless the urgency provisions under paragraphs 4.25.2 (b), 4.25.2 (c) and 4.25.3 below apply.
- 4.22.3 Where an Executive Member or an officer receives a report which they intend to take into account when making a non-key decision, they must not make that decision until the report has been available for inspection by members and the public for at least five clear days. This mirrors the notice period applicable to reports relating to key decisions.
- 4.22.4 The Executive Member or officer must ensure that the Proper Officer makes the report referred to in 4.22.3 above (and a list and copies of Background Papers) available for inspection by members and the public as soon as

- reasonably practicable after the Executive Member or officer receives it.
- 4.22.5 Before making a decision, the decision-maker shall give full consideration to all reports made available relating to the decision, any comments on the proposed decision made by Members and, where necessary, consideration shall be given to the need for further consultation or information.

#### 4.23 Executive Member Decisions: Supplemental Rules

- 4.23.1 Individual Executive Members are empowered in line with their portfolios and delegations listed in 4.26 to make Executive decisions. If an individual Executive Member intends to make a key and non-key decision, the following additional rules apply:
  - (a) If the Leader or an Executive Member has a
    Disclosable Pecuniary Interest in any matter which he
    or she is requested to consider, they shall
    immediately return the papers to the Chief Executive.
    The matter will then be considered by the Executive.
    It is incumbent on council officers to brief themselves
    as fully as possible to avoid this situation arising.
  - (b) If an Executive Member is absent or unavailable for any reason, the Leader of the Council (or in their absence the Deputy Leader) may, by written notice to the Chief Executive, have power to temporarily reallocate that portfolio to another Executive Member until the next Executive meeting (when the Executive can decide on the matter). The Leader or Executive Member will be able to take part in the decision-making process if a dispensation has been granted.

- (c) If an Executive Member is unable to act for any other reason, the Leader of the Council is authorised to make the decision or in their absence or at their request the Deputy Leader is authorised to make the decision. If the Leader is unable to act, the Deputy Leader is authorised to make the decision.
- (d) In respect of any ordinary business, the Leader or an Executive Member may exceptionally decline to decide the matter and instead ask the Proper Officer to put it on the agenda for the next Executive meeting.
- (e) In respect of any urgent business, if the Executive Member delays or declines to make a decision the Chief Executive shall have power to seek a decision from the Leader or Deputy Leader.
- 4.23.2 Individual Executive Members shall not be empowered to make a key or non-key decision if:
  - (a) the decision would be a departure from the agreed annual Budget or Policy Framework;
  - (b) the Leader has indicated that the decision should be taken collectively by the Executive. Notification of this by the Leader must be made to the Head of Legal and Democratic Services;
  - (c) the decision is solely in relation to the Executive Member's own ward including, for example, making a grant, unless this is agreed by the Leader;
  - (d) the Executive Member has either a Disclosable Pecuniary Interest or some other conflict of interest

- in which case the provisions in 4.23.1(a) above apply;
- (e) the authority to make the decision has been delegated to an officer, unless the officer refers the decision to the Executive Member; or
- (f) the Monitoring Officer or Chief Executive has determined that the decision is not an executive decision.
- 4.23.3 As with any executive decision, the Executive Member must consult those officers deemed appropriate by the Chief Executive and must take into account of this advice and the legal, financial and equalities implications of the decision under consideration.
- 4.23.4 Where there are significant implications across portfolios, the decision should be made in consultation with other appropriate Executive Members.
- 4.23.5 Where a decision has a significant impact on an individual ward the Executive Member should consult the appropriate ward member(s).
- 4.23.6 Where it is not clear in which Executive Member's portfolio an issue sits, the Leader shall decide. If the appropriate Executive Member is unavailable and a decision needs to be taken urgently, then the Leader may take the decision in consultation with the Chief Executive.
- 4.23.7 The rules relating to the notification and recording of decisions, along with call in procedures, as covered elsewhere in Section 4 of the Constitution apply to executive decisions taken by individual Executive Members.

#### 4.24 Recording of Key and Non-Key Executive decisions

- 4.24.1 The outcome of executive decisions, whether key decisions or non-key decisions, shall be recorded as soon as practicable after they have been made in accordance with Access to Information Procedure Rules.
- 4.24.2 An executive decision taken by the Executive at an Executive meeting shall be recorded in the minutes of that meeting. An executive decision taken by an individual Executive Member or an officer shall be recorded separately. In both cases, the Proper Officer shall produce a written statement in respect of that decision which includes:
  - (a) a record of that decision;
  - (b) a record of the reasons for that decision;
  - (c) details of any alternative options considered and rejected at the time;
  - (d) a record of any conflict of interest or of any dispensation granted.
- 4.24.3 Following the making of an executive decision as allowed by this constitution, the Proper Officer shall ensure that any records prepared in connection with and any report considered shall be available for inspection by members of the public.

# 4.25 Action where a key decision has not been shown on the Forward Plan

4.25.1 A key decision that has not been shown on the Forward Plan shall only be made in exceptional circumstances.

- 4.25.2 Such a key decision shall only be made if the Chair of the Overview and Scrutiny Committee signifies in writing on the report relating to the decision to be made that:
  - (a) it was reasonable in the circumstances for notice of the need for the decision not to appear on the Forward Plan;
  - (b) there is urgency for the decision to be made that justifies its being dealt with immediately rather than being processed in the normal way;
  - (c) there are no grounds for supposing that the decision would be called in if processed in the normal way.
- 4.25.3 Where the Chair so signifies, the decision may be made forthwith and implemented without delay in line with the urgency procedure at paragraph 5.32 of this Constitution.

# **Section 6 – Regulatory Committees**

#### 6.1 Development Management Committee

- 6.1.1 Remit
- 6.1.2 The Development Management Committee (in this Section 2 referred to as "the Committee") is authorised to undertake (or sub-delegate) all of the council's functions specified in Part A (town and countryplanning and development management) and paragraphs 46 (hedgerows), 47 (trees) and 48 (high hedges) of Part I of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, save that where the Committee has resolved to grant planning permission or listed building consent subject to completion of a planning obligation (including a deed modifying or discharging an existing obligation) and an obligation acceptable to the Head of Planning and Building Control has not been entered into within 3 months of the Committee's resolution, the Head of Planning and Building Control Director for Place may refuse that application for lack of an acceptable planning obligation.
- 6.1.3 The Committee is also authorised to exercise the council's localchoice functions in relation to the obtaining of information underSection 330 of the Town and Country Planning Act 1990 as to interests in land and the obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976 (as specified in the table inSection 1 above).

## 6.2 Membership and meeting arrangements

6.2.1 The Committee, consisting of 12 Members (and up to six substitutes), will be appointed by Annual Council and will be politically balanced.

6.2.2 The Committee will meet in accordance with a schedule of Ordinary Meetings, although meetings may be cancelled due to lack of business, or additional meetings may be arranged as necessary, inconsultation with the Chair of the Committee.

#### 6.3 Quorum

6.3.1 The Quorum for the Committee shall be four Members.

#### 6.4 Development Management Committee Chair

6.4.1 The Chair of the Development Management Committee will be appointed by Council at its annual meeting. The Vice-Chair will be appointed by the Committee at its first meeting of the Civic Year.

#### 6.5 Procedure at meetings

- 6.5.1 Procedure at meetings shall be in accordance with the Council Procedure Rules in Section 3, except as provided in 6.5.2 to 6.5.5 below.
- 6.5.2 At a meeting of the Development Management Committee, a person or their representative may, if notice in writing, by telephone or in person has been given by 5pm two working days before the meeting, speak on a particular planning application, provided that it is on the agenda to be considered at the meeting
- 6.5.3 For each planning application, which is subject to consideration at the meeting, the following process will be followed:

- a) An introduction and presentation of the application by Officers and/or the Chair
- b) Representations by objector(s) or their representatives
- c) Representations by Parish/Town Council
- d) Representations by applicant and/or supporters or their representatives
- e) Representations by Ward Councillor(s)
- 6.5.4 Members may seek clarification on any of the representations set out in 6.5.3 b) e) after they have spoken. The Chair has the discretion to refuse to allow a question to be asked or answered where it does not relate to something stated by the speaker and the proposal under consideration. The Chair has discretion as to the length of time questions and answers can be heard for. Members may ask questions of Officers at any point in proceedings, subject to the Chair's discretion.
- 6.5.5 The time limits for the process set out in 6.5.3 are as follows:
  - For b, c, and d) Three minutes in total for each section, unless the application relates to a strategic site in the District Plan , in which case six minutes.
  - For e) Five minutes, unless the application relates to a strategic site in the District Plan 2018, in which case 10 minutes.

The time limits are the total amount of time for each section and will be split where there are multiple

representors.

6.5.6 The Committee shall have authority to depart from the arrangements in 6.5.2 to 6.5.5 and determine specific arrangements for public speaking on certain applications, as it sees fit.

#### 6.5 Licensing Committee

6.5.1 Remit

The Licensing Committee (in this Section 3 referred to as "the Committee") is delegated by Council to form the statutory Licensing Committee as required under the Licensing Act 2003. Acting on this delegation, the Licensing Committee is authorised to address the registration and regulatory remit of the council as required under:

- (a) the Licensing Act 2003; and
- (b) the Gambling Act 2005.
- 6.5.2 Members of the Licensing Committee also have delegated authority as a Committee constituted under the Local Government Act 1972 to address issues relating to the registration and regulatory of the following, unless the authority to determine the matter has been delegated to another Committee or an individual officer:
  - (a) the Local Government (Miscellaneous Provisions) Act 1976 (as it relates to taxi licensing);
  - (b) health and safety at work (for non-council officers);
  - (c) food premises;
  - (d) scrap metal; and
  - (e) Local Choice Functions (as specified in Section 3C).
- 6.5.3 The Committee may authorise a prosecution for any offence within the scope of its delegation.
- 6.5.4 Unless otherwise delegated, the Committee will hear licensing and registration appeals which the council is required to

determine. The Committee will not take the place of any other appeals or complaints procedures nor will it provide a general appeal mechanism for any decision of the council.

### 6.6 Membership and meeting arrangements

- 6.6.1 The Committee shall consist of 12 Members (and up to six substitutes). It shall be appointed annually by the Council and shall be politically balanced.
- 6.6.2 Members appointed to the Committee will:
  - (a) be able to provide a sufficient, competent pool capable of carrying out the Committee's programme of work and anticipated number of Sub-Committees hearings for the forthcoming year;
  - (b) make themselves available to participate in the work of the council acting in its capacity as the Licensing Authority; and
  - (c) be required to undertake mandatory training on the functions and responsibilities of the Committee and its Sub-Committees.

#### 6.6.3 The Chair will:

- (a) be elected with full understanding of their procedural responsibilities, in accordance with the principles set out in paragraph 3.7.1in Section 3 of the Constitution;
- (b) be responsible for Member-to-Member engagement, in particular between the Committee and the Executive Member whose portfolio incorporates licensing-related policy; and

- (c) lead on other Member-related duties including the appointment of Members of the Committee and non-voting co-optees to Task and Finish Groups.
- 6.6.4 With the agreement of the Chair (or Vice-Chair in the absence of the Chair) and relevant Executive Member, additional meetings of the Committee may also be called if necessary. Sub-Committee meetings will be scheduled as and when required.

#### 6.7 Quorum

6.7.1 The Quorum for the Committee shall be four Members.

### 6.8 Delegation of functions

- 6.8.1 The Committee's functions will be determined in line with Tables A, B and C of this part of the Constitution. The Committee or a Sub-Committee will consider:
  - (a) matters which the council's policies dictate the Committee's involvement;
  - (b) appeals being made against an officer's decision; and
  - (c) matters when an officer to whom a decision has been delegated chooses to put the matter before the Committee.
- 6.8.2 A Sub-Committee will consist of any three Members drawn from the full membership of the Committee and appointed for each occasion when it is needed. All Members of the Committee should be given equal opportunities to sit on Sub-Committees following successful completion of the relevant training.
- 6.8.3 Applications made in respect of the Licensing Act 2003 will be brought before the Committee or a Sub-Committee in

accordance with any regulations published under the act, the guidance issued under section 182 of the act and summarised in Table A at page 155.

- 6.8.4 Applications made in respect of the Gambling Act 2005 will be brought before the Committee or a Sub-Committee in accordance with the Scheme of Delegation summarised in Table B at page 157.
- 6.8.5 Applications made in respect of sex establishments will be brought before the Committee or a Sub-Committee in accordance with the Schedule of Delegation summarised in Table C at page 159.
- 6.8.6 The Committee or Sub-Committee shall determine taxi licensing related matters reserved for the Licensing Committee All other taxi-licensing matters have been delegated to the Head of Housing and Health, acting in consultation with the Chair of the Licensing Committee.

## 6.9 Procedure at meetings

6.9.1 Meetings of the Committee will be conducted in accordance with the Council Procedure Rules, except when the Committee sits as a hearing, in which case the Hearing Procedure Rules (see Appendix A) will apply.

#### **TABLE A**

## **Licensing Act 2003: Delegation of Functions**

The Licensing Authority has adopted the following level of delegation of functions in accordance with the general guidance issued by the Government.

| М | atter to be dealt with                                                                                                            | Delegated to<br>Licensing Sub<br>Committee             | Delegated to<br>Officers |
|---|-----------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|--------------------------|
| • | Application for personal licence with unspent convictions                                                                         | All cases                                              |                          |
| • | Application to review premises licence/club premises certificate                                                                  |                                                        |                          |
| • | Decision to object when local authority is a consultee and not the lead authority                                                 |                                                        |                          |
| • | Determination of a Hertfordshire<br>Constabulary representation to a temporary<br>event notice                                    |                                                        |                          |
| • | Application for personal licence                                                                                                  | lf a relevant                                          | If no relevant           |
| • | Application for premises licence/club premises certificate                                                                        | n made and made or not withdrawn If represent made and |                          |
| • | Application for provisional Statement                                                                                             |                                                        | = '='                    |
| • | Application to vary premises licence/club premises certificate                                                                    |                                                        | made and<br>withdrawn    |
| • | Application to vary designated premises supervisor                                                                                |                                                        |                          |
| • | Application for transfer of premises licence                                                                                      |                                                        |                          |
| • | Applications for Interim Authorities                                                                                              |                                                        |                          |
| • | Determination of application for licence, or variation of licence, in respect of community premises: supervision of alcohol sales |                                                        |                          |

| • | Request to be removed as                         | All cases |
|---|--------------------------------------------------|-----------|
|   | designated premises supervisor                   |           |
| • | Decision on whether a complaint is               |           |
|   | irrelevant, frivolous or vexatious               |           |
| • | Determination of application for minor variation |           |
| • | Determination of relevance of representation     |           |
| • | Exercise of Responsible Authority Functions      |           |
|   | of applications and notices submitted to the     |           |
|   | Licensing Authority under the Licensing Act      |           |
|   | 2003 (as amended by the Police and Social        |           |
|   | Responsibility Act 2011) in accordance with      |           |
|   | the regulations                                  |           |

#### **TABLE B**

#### **Gambling Act 2005: Delegation of Functions**

#### **GAMBLING ACT 2005 Summary of permitted Licensing Authority delegations** Matter to be dealt with Delegated to the Delegated to Delegated to **Sub Committee Officers** the Licensing Committee Consideration of and the making All cases of proposals to the Executive prior to the Executive's recommendation to Council for approval of: • the Statement of Licensing Policy (including substantive amendments) policy not to permit casinos All cases Cancellation of club gaming / club machine permits Review of a premises licence Decision to give a counter notice to a temporary use notice If a relevant If no relevant Application for premises licences representation representation made and **not** made *or* Application for a variation to withdrawn a licence If representation Application for transfer of made and a licence withdrawn Application for a provisional statement Application for club

gaming/club machine permits

| • | Fee Setting (when appropriate)                                                                 |  | All cases |
|---|------------------------------------------------------------------------------------------------|--|-----------|
| • | Applications for other permits                                                                 |  |           |
| • | Cancellation of licensed premises gaming machine permits Consideration of temporary use notice |  |           |

# **TABLE C**

# **Sex Establishments: Schedule of Delegated Authority**

| Mat | tter to be dealt with                                                                                                                                                                                                                                                                                            | Delegated to                                                                                                                                                                                                   |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     | ant (First or New) of an application for any type<br>Sex Establishment Licence                                                                                                                                                                                                                                   | <ul> <li>The sub-committee*:</li> <li>if a relevant objection received and not withdrawn and/or</li> <li>if officers have concerns in respect of the application or characteristics of the locality</li> </ul> |
|     | Pofusal of an application for the great renewal                                                                                                                                                                                                                                                                  | Officers in all other cases The sub-committee* in all cases                                                                                                                                                    |
| •   | Refusal of an application for the grant, renewal or transfer of any type of Sex Establishment Licence on the grounds that:                                                                                                                                                                                       | The sub-committee" in all cases                                                                                                                                                                                |
| •   | the applicant is unsuitable to hold the licence<br>by reason of having been convicted of an<br>offence or for any other reason                                                                                                                                                                                   |                                                                                                                                                                                                                |
| •   | if the licence were to be granted, renewed or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewed or transfer of such a licence if he made the application himself                     |                                                                                                                                                                                                                |
| •   | Refusal of an Application for <i>the grant or</i> renewal of any type of Sex Establishment Licence on the grounds that:                                                                                                                                                                                          |                                                                                                                                                                                                                |
| •   | the number of sex establishments, or sex establishments of a particular kind, in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for that locality                                                                       |                                                                                                                                                                                                                |
| •   | the grant or renewal of the licence would be inappropriate, having regard to the character of the relevant locality; or to the use to which any premises in the vicinity are put; or to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made |                                                                                                                                                                                                                |
| •   | Refusal of an Application for <i>the variation</i> of the terms, conditions or restrictions on / or subject to which the licence is held for any                                                                                                                                                                 |                                                                                                                                                                                                                |

|   | type of Sex Establishment Licence                                                                                                                                           |                                          |
|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
|   |                                                                                                                                                                             |                                          |
|   |                                                                                                                                                                             |                                          |
|   |                                                                                                                                                                             |                                          |
| * | Matters ordinarily delegated to a sub-committee may be referred discretion of the Head of Housing and Health Director with the Chair and/or Vice-Chair of the Licensing Com | <u>of Communities</u> after consultation |

| Ma | atter to be dealt with                                                                                                                                                                           | Delegated to          |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
|    |                                                                                                                                                                                                  |                       |
| •  | Decision on whether an objection is frivolous or vexatious                                                                                                                                       | Officers in all cases |
| •  | Decision on whether an objection is relevant                                                                                                                                                     |                       |
| •  | Refusal of an Application for <i>the grant</i> of any type of Sex Establishment Licence on the grounds that the Applicant is:                                                                    |                       |
| •  | under the age of 18                                                                                                                                                                              |                       |
| •  | for the time being disqualified from holding a licence following revocation of such a licence                                                                                                    |                       |
| •  | a person, other than a body corporate, who is not resident in an EEA state or was not so resident throughout the period of 6 months immediately preceding the date when the application was made |                       |
| •  | a body corporate which is not incorporated in an EEA state                                                                                                                                       |                       |
| •  | a person who had, within a period of 12 months immediately preceding the date when the                                                                                                           |                       |
|    | application was made, been refused the grant or                                                                                                                                                  |                       |
|    | renewal of a licence for the premises, vehicle,                                                                                                                                                  |                       |
|    | vessel or stall in respect of which the application is                                                                                                                                           |                       |

\*Although matters will normally be referred to a sub-committee for determination, they may be referred to the full Committee at the discretion of the Head of Housing and Health, Direction of Communities after consultation with the Chair and/or Vice-Chair

#### **Appendix A**

#### **Procedure for Hearings of Licensing Matters**

Delegated authority is given to the Licensing Committee (referred to as 'the Committee' in this Appendix A) to amend its procedures from time to time to comply with legislative requirements and in the interests of fairness and efficiency.

#### **Licensing Act 2003 Hearing Regulations - Hearing Procedure**

#### 1. Introduction

- 1.1 The Licensing Committee or a Sub-Committee of the Licensing Committee sitting as a Hearing Panel acts as a Quasi-Judicial body. This means that it must follow the rules of natural justice by ensuring that:
  - (a) applicants and licensees know in advance and in reasonable detail anything that is claimed or alleged against them;
  - (b) all parties are given a proper opportunity to present their views;
  - (c) only relevant matters are considered; and
  - (d) the decision taken is reasonable.
- 1.2 A Hearing Panel will also have regard to:
  - (a) the Human Rights Act 1998;
  - (b) Guidance issued under Section 182 of the Licensing Act 2003 (hereinafter called the "2003 Act" in this Appendix A); and
  - (c) the council's Statement of Licensing Policy under the 2003 Act.
- 1.3 Where a Hearing Panel chooses to depart from the guidance and/or the council's Statement of Licensing Policy, it must give its reasons for doing so.

#### 2. Definitions

- 2.1 In this document the following definitions apply:
  - (a) "applicant/licensee" means the person who has made an application for a licence under the 2003 Act or a person who has served notice of a temporary event in accordance with the 2003 Act or a person who is the holder of a licence under the 2003 Act;
  - (b) "representation" means a submission by a responsible authority or interested party under the 2003 Act, whether made in response to a consultation, by application for review or served in the form of a notice;
  - (c) "party to a hearing" means a person to whom notice of the hearing has been given in accordance with column 4 of Schedule 1 attached or who is otherwise entitled to speak at a hearing;
  - (d) "member of the Licensing Authority" means a Member sitting as a member of the Licensing Sub-Committee (hereinafter called a Hearing Panel), or an Officer who has been appointed by the council as a proper officer of the Licensing Authority, to provide any advice that Members require to fulfil their functions whether or not it is asked for on:
    - questions of law;
    - questions of mixed law and fact;
    - matters of practice and procedure;
    - the range of options available to the Hearing Panel;
    - any relevant decisions of the courts;
    - relevant national guidance or local policy;
    - other issues relevant to the matter before the Hearing Panel;
    - the appropriate decision making structure to be applied in any case;
    - assistance on the formulation of reasons and recording decisions;
    - the questioning of any party to a hearing; or
    - assistance to any party to clarify evidence and issues

- (e) "discussion" means examination by argument and debate
- (f) "cross examination" means the examination of a party or witness with a view to querying or questioning his or her evidence.

#### 3. Composition of Licensing Hearing Panels

- 3.1 The Licensing Hearing Panel shall consist of three Members.

  Members of the Panel shall neither represent nor have a connection with:
  - (a) any party to the matter in hand;
  - (b) the Ward in which any party resides; or
  - (c) the Ward in which any premises concerned are located nor themselves live within the vicinity of any premises under consideration

# Hearings will be held in accordance with Schedule 1 below which sets out:

| Column 1                                                       | Provision under a which a hearing may be held                                                          |
|----------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
| Column 2 The period of time within which the hearing must take |                                                                                                        |
|                                                                | place                                                                                                  |
|                                                                | The period of notice that must be given about the hearing                                              |
| Column 4                                                       | The persons to whom notice of the hearing will be given                                                |
| Column 5                                                       | The documents that will accompany the notice of the                                                    |
|                                                                | hearing (if any)                                                                                       |
| Caluman                                                        | The period of time within which a party to a hearing must confirm whether or not they intend to appear |
| Column 6                                                       | confirm whether or not they intend to appear                                                           |

## 4. Notice of Hearing

- 4.1 A notice of hearing shall be accompanied by the following:
  - (a) the rights of a party to a hearing (see paragraph 5 below);
  - (b) the consequences of non-attendance;

- (c) the procedure to be followed at the hearing;
- (d) any particular points on which the Licensing Authority will want clarification at the hearing; and
- (e) any other documents in accordance with Column 5 of Schedule 1.

#### 5. Rights of a Party to a Hearing

#### 5.1 A party to a hearing:

- (a) may be assisted or represented, whether or not that person is legally qualified;
- is entitled to give further information in support of his, her or their application or representation where the Licensing Authority has given notice that clarification on certain points is required;
- (c) may question any other party if given permission to do so by the Licensing Authority;
- (d) may address the Licensing Authority;
- (e) must be aware that, in the event of non-attendance, the hearing may proceed in his, her or their absence. However, if a party has indicated that they intend to attend the hearing but fail to do so, the Licensing Authority may, where it is in the public interest, adjourn the hearing to a specified date (but see paragraph 6 below). Alternatively, the hearing may be held in that party's absence (in which case the Licensing Authority will consider the application, representation or notice made by the absent party); and
- (f) will be advised of the procedure to be followed (see Schedule 2 below).

#### 5.2 The following apply:

- (a) a party to a hearing must confine his, her or their submission to the information given in his, her or their application or representation unless they are asked otherwise by the Licensing Authority;
- (b) Where a party who has confirmed that they intend to appear at a hearing is unable to do so or is unavoidably delayed they must contact the Licensing Authority to explain the reason for his, her or their absence;
- (c) each party to a hearing will be allowed an equal maximum period of time to exercise the above rights;
- (d) the maximum period to be allowed will be determined at the commencement of each hearing; and
- (e) where a number of interested parties attend a hearing, all of whom wish to make the same or similar points, they will be invited to appoint a spokesperson. Other interested parties will then be asked to add anything that they consider his, her or their spokesperson has omitted. It is not necessary for each interested party to repeat the same points and the Chair of the hearing is expected to be firm on this point.

# 5.3 Action required by party to a hearing following receipt of notice of hearing

- 5.4 A party to a hearing is required to confirm to the Licensing Authority within the period set out in Column 6 of Schedule 1 below:
  - (a) whether or not they intend to attend or be represented;
  - (b) whether they consider the hearing unnecessary; and
  - (c) any request, in writing, for permission for any other person to attend (as a witness). Any such request must include the person's name and brief description of the point(s) that person may be able make in order to assist the Licensing Authority at the hearing. Any such request will be considered

at the beginning of the hearing but such permission shall not be unreasonably withheld.

#### 5.5 The following apply:

- (a) any such request will be considered at the commencement of the hearing; and
- (b) the submission of the witness must relate to the points contained in the representation made by the party on whose behalf they are appearing. Any other comment(s) must and will be disregarded.

#### 6. Dispensing with a hearing

6.1 The Licensing Authority may dispense with a hearing if all the parties to it (other than the Licensing Authority itself) have given notice in writing that it is unnecessary. If all parties give such notice, the Licensing Authority, if it agrees, must give notice to the parties that the hearing has been dispensed with and determine the application within 10 working days based on the representations that have been made in writing.

#### 7. Withdrawal of representation

- 7.1 A party to a hearing may withdraw any representation by giving notice no later than 24 hours prior to the commencement of the hearing or orally at the hearing itself.
- 7.2 If all representations are withdrawn the application will be approved as submitted.

## 8. Adjournments and Extensions of time

- 8.1 The Licensing Authority may:
  - (a) extend any time limit relating to a hearing set out in Schedule 1 if felt in the public interest, provided that any reviews can

still be determined within the prescribed time limits and provided that during the transition period the application is not consequently deemed grant or deemed refused;

- (b) adjourn or hold a hearing on additional specified dates where it considers this to be necessary; or
- (c) adjourn to enable a site meeting to be held.
- 8.2 Notice will be given to all the parties to the hearing stating the period of the extension or the date of the re-scheduled hearing and the reasons for it.
- 8.3 During the transition period any adjournment or extension of time will not re-schedule the hearing later than the following:

| Latest time for hearing                                                          |
|----------------------------------------------------------------------------------|
| Not later than 2 months beginning on the day the application was received by the |
| Licensing Authority                                                              |
| Not later than 3 months beginning on the                                         |
| day the application was received by the Licensing Authority                      |
|                                                                                  |

## 9. Hearings in Public

- 9.1 Hearings will take place in public, unless the Licensing Authority excludes the public from any part of a hearing on the grounds that the public interest in doing so outweighs the public interest in the hearing (or that part) taking place in public.
- 9.2 When the public are excluded from a hearing (or part), any party to the hearing, his, her or their representative and any person called by them as a witness may also be excluded.
- 9.3 The Chair may require any person attending the hearing who is behaving in a disruptive manner to leave and may determine whether and with what conditions if any they may return.

#### 10. Representations and Supporting Documentation

- 10.1 Members of the Licensing Authority may ask any question of any party or other person attending the hearing.
- 10.2 In considering any representation made by a party, the Licensing Authority may take into account supporting documentary or other information produced by that party either before the hearing or, with the consent of all the other parties, at the hearing itself.
- 10.3 If material is to be introduced at the hearing, the party must make it available for distribution to the members of the Licensing Authority and the other parties to the hearing if its submission is permitted.
- 10.4 The Licensing Authority will disregard any information given at a hearing that is not relevant to the matter under consideration.

#### 11. Procedure at a Hearing

- 11.1 The hearing will proceed in the following order:
  - (a) The Chair will elicit any Declarations of Interests.
  - (b) The Chair will introduce members of the Hearing Panel.
  - (c) The Chair will ask those present to introduce themselves.
  - (d) The Chair will ask all parties to the Hearing whether they are happy to proceed with their application or representation.
- 11.2 The Chair may ask the officer of the Licensing Authority to report:
  - (a) any requests from a party to the Hearing for permission for a witness to appear in support of his, her or their representation. Any such requests will be determined by the Hearing Panel; and

- (b) any documentary or other information that a party to the Hearing wishes to present. If there is any such material, the Chair will ask all the other parties to the Hearing whether they consent to it being presented. If they agree, the material will be distributed. If not, this material may not be distributed unless the Chair wishes it to be.
- 11.3 The Chair may invite the applicant/licensee or his, her or their representative to estimate the time required to present his, her or their case and ask questions of other parties to the hearing. The Chair will then ask the other parties to the hearing whether they will require a longer period to present their representation and question the applicant. The Hearing Panel will determine the maximum period of time allowed for each party to put his, her or their case. This decision will be final.
- 11.4 The Chair will ask the Officer of the Licensing Authority to summarise the matter under consideration.
- 11.5 The Members of the Hearing Panel, the applicant, and those making representations may ask questions of the Officer of the Licensing Authority.
- 11.6 Starting with the applicant or licensee, each party will exercise his, her or their rights within the identified maximum time, as follows:
  - (a) each party to present his, her or their case, including responding to any points of which the Licensing Authority has previously given notice, and call any approved witness or witnesses in support of his, her or their case; and
  - (b) if given permission by the Chair, and only through the Chair, each party may raise questions of any other party or witness/witnesses.
- 11.7 The applicant/licensee or his, her or their representative will be asked to sum up his, her or their case.

# 12. Determination of Applications

- 12.1 In the case of a hearing relating to:
  - (a) a counter notice following police objection to a temporary event notice; or
  - (b) a review of premises licences following closure order;
  - the Licensing Authority must make its determination at the conclusion of the hearing.
- 12.2 In the case of any other hearing, the members of the Hearing Panel may choose to determine the case at the conclusion of the hearing or after the hearing within five working days.
- 12.3 If determining the case at the hearing, it is for the members of the Hearing Panel to choose whether to retire to consider the case or discuss the case in front of all parties.
- 12.4 When determining a case, either during the hearing or after, and whether having retired or deliberating in front of the parties, the following shall apply:
  - (a) Members of the Hearing Panel will determine the case, not Officers or any other parties;
  - (b) Members of the Hearing Panel will be advised by a Legal Officer;
  - (c) a <u>Democratic ServicesCommittee Support</u> Officer will be available to make relevant notes and make a written record of the Panel's decision;
  - (d) if Members of the Hearing Panel have a question relating to the relevant legislation or the council's policies which the Legal Officer is unable to address, they may seek the advice of an officer of the council's Licensing Team; and

- (e) if Members of the Hearing Panel wish to attach conditions to an application under consideration they may seek the views of any or all of the parties before determining the case, especially if the details of the possible condition were not discussed with parties during the hearing and/or members of the Hearing Panel do not feel they have as clear a view as possible of the proposed condition's efficacy, applicability and/or acceptability to any or all of the parties.
- 12.5 Once the case has been determined, all parties will be advised of the decision and the reasons for it, together with their right of appeal. If determined at the hearing, the Legal Advisor to the Hearing Panel will advise those present of any advice that has been provided during the determination. If determined after the hearing, the notification of the outcome shall make reference to any such legal advice provided.
- 12.6 A determination may authorise an officer of the Licensing Authority to approve an application subject to conditions to be applied in accordance with the decision made at the hearing.
- 12.7 Whether determined at the hearing or after, the applicant shall be informed of the decision and rights of appeal in writing within five working days of the hearing.

# 13. Recording Proceedings

13.1 A written record of proceedings will be taken and kept for six years from the date of the determination or the disposal of any subsequent appeal, whichever is the later.

# 14. Irregularities

14.1 Any irregularity resulting from failure to comply with the Licensing Act 2003 (Hearings) Regulations 2005 (or any subsequent Regulations) will not of itself render the proceedings void but, if the Licensing Authority considers that any person has been prejudiced

- as a result of any irregularity, it will take steps to rectify this before reaching its determination.
- 14.2 Clerical mistakes in any document recording a determination, or errors in documentation arising from an accidental slip or omission, may be corrected by the Licensing Authority.

# Schedule 1

| Provision under which hearing may be held References are to sections of the Licensing Act 2003                            | Period of time<br>within which<br>hearing must<br>be take place                           | Period of<br>notice that to<br>be given<br>about the<br>hearing | be given                                                                                        | Documents to accompany notice of hearing (if any) | The period of time within which a party to the hearing must confirm whether or not they intend to appear |
|---------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|-----------------------------------------------------------------|-------------------------------------------------------------------------------------------------|---------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| Column 1                                                                                                                  | Column 2                                                                                  | Column 3                                                        | Column 4                                                                                        | Column 5                                          | Column 6                                                                                                 |
| Determination of application for premises licence Section 18(3)(a)                                                        | 20 working days<br>commencing<br>day after period<br>of consultation<br>ends              | Ten<br>working<br>days                                          | The person who has made the application  Persons who have made relevant representations         | The relevant representations that have been made  | Five working days<br>before day on which<br>hearing is held                                              |
| Determination of<br>application for a<br>provisional statement –<br>premises to be<br>constructed, extended<br>or altered |                                                                                           |                                                                 | '                                                                                               |                                                   |                                                                                                          |
| Determination of application to vary premises licence Section 35(3)(a)                                                    | 20 working days<br>commencing<br>day after period<br>of consultation<br>ends              | Ten<br>working<br>days                                          | Holder of premises licence who made application  Persons who have made relevant representations | The relevant representations that have been made  | Five working days<br>before day on which<br>hearing is held                                              |
| Determination of application to vary a premises licence to specify individual as the premises supervisor Section 39(3)(a) | 20 working days<br>commencing day<br>after period<br>within which<br>police may<br>object | Ten<br>working<br>days                                          | Holder of premises<br>licence who made<br>application Police<br>The DPS                         | The notice given by the Police                    | Five working days<br>before day on which<br>hearing is held                                              |

| Provision under which hearing may be held References are to sections of the Licensing Act 2003                        | Period of time<br>within which<br>hearing must<br>be take place              | Period of<br>notice that to<br>be given<br>about the<br>hearing | Persons to whom<br>notice of hearing will<br>be given                                                              | Documents to accompany notice of hearing (if any) | The period of time within which a party to the hearing must confirm whether or not they intend to appear |
|-----------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|-----------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| Column 1                                                                                                              | Column 2                                                                     | Column 3                                                        | Column 4                                                                                                           | Column 5                                          | Column 6                                                                                                 |
| Determination of application for transfer of premises licence  Section 44(5)(a)                                       | Five working days commencing day after period within which police may object | Ten<br>working<br>days                                          | The person who has made the application Police  The holder of the premises licences                                | The notice given by the Police                    | Five working days<br>before day on which<br>hearing is<br>held                                           |
| Cancellation of interim authority notice on death etc of licence holder following police objections  Section 48(3)(a) | Five working days commencing day after period within which police may object | Two<br>working<br>days                                          | The person who has given notice Police                                                                             | The notice given by the Police                    | One working day<br>before day on which<br>hearing is held                                                |
| Determination of application for review of premises licence Section 52(2)                                             | 20 working days<br>commencing<br>day after period<br>of consultation<br>ends | Ten<br>working<br>days                                          | The holder of the premises licence Persons who have made relevant representations Persons who asked for the review | The relevant representations that have been made  | Five working days<br>before day on which<br>hearing is held                                              |
| Determination of application for club premises certificate  Section 72(3)(a)                                          | 20 working days<br>commencing<br>day after period<br>of consultation<br>ends | Ten<br>working<br>days                                          | The club that has made the application  Persons who have made relevant representations                             | The relevant representations that have been made  | Five working days<br>before day on which<br>hearing is held                                              |

| Determination of                | ĺ | ĺ | ĺ |  |
|---------------------------------|---|---|---|--|
| Determination of                |   |   |   |  |
| application to vary             |   |   |   |  |
| club premises                   |   |   |   |  |
| certificate<br>Section 85(3)(a) |   |   |   |  |

| Provision under which hearing may be held References are to sections of the Licensing Act 2003 | Period of time within which hearing must be take place                                    | Period of<br>notice that to<br>be given<br>about the<br>hearing | Persons to whom<br>notice of hearing will<br>be given                                                                              | Documents to accompany notice of hearing (if any) | The period of time within which a party to the hearing must confirm whether or not they intend to appear |
|------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|-----------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| Column 1                                                                                       | Column 2                                                                                  | Column 3                                                        | Column 4                                                                                                                           | Column 5                                          | Column 6                                                                                                 |
| Determination of application for review of club premises certificate  Section 88(2)            | 20 working days<br>commencing<br>day after period<br>of consultation<br>ends              | Ten<br>working<br>days                                          | The club which holds the club premises certificate Persons who have made relevant representations Persons who asked for the review | The relevant representations that have been made  | Five working days<br>before day on which<br>hearing is held                                              |
| Counter notice following police objection to Temporary Event Notice Section 105(2)(a)          | Seven days<br>commencing day<br>after period<br>within which<br>police may<br>object      | Two<br>working<br>days                                          | The premises user Police                                                                                                           |                                                   | One working day before day on which hearing is held                                                      |
| Determination of application for grant of a personal licence Section 120(7)(a)                 | 20 working days commencing day after period within which police may object                | Ten<br>working<br>days                                          | The person who has made the application Police                                                                                     | The notice given by the Police                    | Five working days<br>before day on which<br>hearing is held                                              |
| Determination of application for renewal of a personal licence Section 121(6)(a)               | 20 working days<br>commencing day<br>after period<br>within which<br>police may<br>object | Ten<br>working<br>days                                          | The person who has made the application Police                                                                                     | The notice given by the Police                    | Five working days<br>before day on which<br>hearing is held                                              |

| Convictions coming to | 20 working days | Ten     | The holder of the | The notice given by the Police | Five working days   |
|-----------------------|-----------------|---------|-------------------|--------------------------------|---------------------|
| light after grant or  | commencing day  | working | personal licence  |                                | before day on which |
| renewal of personal   | after period    | days    | Police            |                                | hearing is held     |
| licence               | within which    |         |                   |                                |                     |
| Section 124(4)(a)     | police may      |         |                   |                                |                     |
|                       | object          |         |                   |                                |                     |

| Provision under which hearing may be held References are to sections of the Licensing Act 2003                                 | Period of time<br>within which<br>hearing must<br>be take place | Period of<br>notice that to<br>be given<br>about the<br>hearing | Persons to whom<br>notice of hearing will<br>be given                             | Documents to accompany notice of hearing (if any) | The period of time within which a party to the hearing must confirm whether or not they intend to appear |
|--------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|-----------------------------------------------------------------|-----------------------------------------------------------------------------------|---------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| Column 1                                                                                                                       | Column 2                                                        | Column 3                                                        | Column 4                                                                          | Column 5                                          | Column 6                                                                                                 |
| Review of premises licences following closure order  Section 167(5)(a)                                                         | Ten working days commencing day after notice given              | Five<br>working<br>days                                         | The holder of the premises licence Persons who have made relevant representations | The relevant representations that have been made  | Two working days<br>before day on which<br>hearing is held                                               |
| Determination of application for conversion of existing licence  Paragraph 4(3)(a) of Schedule 8                               | Ten working days commencing day after Police give notice        | Five<br>working<br>days                                         | The person who has made the application Police                                    |                                                   | Two working days<br>before day on which<br>hearing is held                                               |
| Determination of application for conversion of existing club certificate  Paragraph 16(3)(a) of Schedule 8                     | Ten working days commencing day after Police give notice        | Five<br>working<br>days                                         | The club that made<br>the application<br>Police                                   |                                                   | Two working days<br>before day on which<br>hearing is held                                               |
| Determination of application by holder of a justices' licence for grant of a personal licence Paragraph 26(3)(a) of Schedule 8 | Ten working days commencing day after Police give notice        | Five<br>working<br>days                                         | The person who has made the application Police                                    |                                                   | Two working days<br>before day on which<br>hearing is held                                               |

# 8.4 Local Joint Panel

8.4.1 Remit

The Local Joint Panel is the joint union and employer negotiation and consultative body.

- 8.4.2 The Local Joint Panel will consist of four Members of the Council ('the Employer') to be appointed annually by the Council and four representatives of officers drawn from the constituent trade union (currently UNISON).
- 8.4.3 Named substitute Members may be appointed by either side, to attend meetings of the Local Joint Panel in the absence of a Member thereof, provided prior notice is given to the Head of Legal and Democratic Services Director of Legal, Policy and Governance.
- 8.4.4 In the event of any failure to appoint/elect the number of representatives provided for by this Constitution, such failure to appoint/elect shall not invalidate the decisions of the Panel.
- 8.4.5 If a member of the Local Joint Panel ceases to be a Member or Officer of the council they shall cease to be a member of the Local Joint Panel; any vacancy shall be filled by the Council, the constituent trade union or the combination of the two.
- 8.4.6 A Chair and a Vice Chair shall be appointed by the Local Joint Panel at its first meeting in each year. If the Chair appointed is a Member of the Council, the Vice Chair shall be appointed from the employees' side, and vice versa. The appointment of the Chair of the Panel shall be rotated on an annual basis between the employer's side and the employees' side. The Chair of a meeting may vote as a Panel

member but shall not have a casting vote.

8.4.7 The Head of Human Resources and Organisational

Development or a senior Human Resources Officer shall act as secretary to the employer's side.

8.4.8 The Local Joint Panel shall meet during office hours as and when required, but not less than quarterly. The Chair or Vice Chair may direct Democratic Services to call a meeting at any time. A meeting shall be called within seven days of thereceipt of a requisition signed by at least two Members of either side. The matters to be discussed at any meeting of the Local Joint Panel shall be stated upon the notice summoning the meeting.

- 8.4.9 Agendas shall be prepared by Democratic Services, after discussion with the Head of Human Resources and Organisational Development (or a senior Human Resources Officer), the Chair and the Vice Chair, and shall be circulated at least five Clear Days before the meeting.
- 8.4.10 Either side will have the right to co-opt, in a consultative capacity, representatives of particular interests affected by aquestion under discussion which are not directly represented on the Panel but only for the period during which the relevant question is under consideration.
- 8.4.11 Either side shall arrange for the attendance in an advisory capacity of an officer or trade union official at any Panel meeting where it would be helpful to the business under discussion.
- 8.4.12 Attendances at 8.4.10 and 8.4.11 above shall be notified in advance to the Head of Human Resources and Organisational Development in his or her capacity as secretary to the employer's side.

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- 8.4.13 No recommendation shall be regarded as carried unless it has been approved by a majority of the Members present on each side of the Local Joint Panel, and in the event of either the Local Joint Panel being unable to arrive at an agreement or the relevant council body disagreeing with the Panel's recommendations, then the matter in dispute shouldbe referred to the Executive by way of mediation.
- 8.4.14 The proceedings of any meeting of the Local Joint Panelshall be recorded and reported at the next meeting of the Human Resources Committee.

## 8.4.15 Delegation of Functions

The functions of the Local Joint Panel shall be:

- (a) To establish regular methods of consultation and negotiation between the council and its officers on matters of mutual concern with the intent of maintaining and developing an efficient service. This process will aim to address differences should they arise with a genuine commitment to seek consensus and enter into agreements, as appropriate. No question of any individual's discipline, promotion, efficiency or conditions of employment shall be within the scope of the Joint Panel;
- (b) To consider any relevant matter referred to it by a Committee of the Council, or by any of the officer organisations;
- (c) To make recommendations to Human Resources Committee and/or a suitable Committee of the Council as to the application of the terms and conditions of service and the education and training of officers of the council;

- (d) To discharge such other functions specifically referred to the Local Joint Panel with the exception of staffing issues;
- (e) To consider matters relating to Health and Safety at Work referred to the Local Joint Panel by an Employee Association or by a Committee of the Council; and
- (f) the trade union(s) recognised by the council shall represent all council officers. This duty will include raising issues on behalf of non-trade union members, should they be requested to do so.
- 8.4.16 Procedure at meetings shall be in accordance with the Council Procedure Rules, except as provided for in 8.4.17 below.
- 8.4.17 The Quorum of the Local Joint Panel shall be two representatives of each side.

#### 9.2 Financial Procedure Rules

- 9.2.1 These Financial Procedure Rules (FPR) have been issued in accordance with Section 151 of the Local Government Act 1972, the Accounts and Audit (England) Regulations Act 2011, the provisions of Section 114 of the Local Government Finance Act 1988 and Sections 4 and 5 of the Local Government and Housing Act 1989.
- 9.2.2 The FPR have been adopted by East Herts District Council to provide a framework of control, responsibility and accountability for the administration of the council's financial affairs. The FPR are, in many of the areas detailed below, supported by more detailed guidance and procedures which set out how they will be implemented.
- 9.2.3 The FPR are intended to clarify the powers and duties to be exercised with regard to the principles of good financial management. All Officers must comply with the FPR. Officers must ensure that any Agents, consultants and contractual partners acting on the council's behalf also comply. Any queries regarding the interpretation of the FPR should be directed to the Chief Financial Officer.
- 9.2.4 For the purposes of these FPR there is a requirement for all communication to be in writing except where otherwise specified. This requirement shall be deemed to include electronic communication.
- 9.2.5 Where inconsistencies arise the order of precedence shall be:
  - (a) legislation;
  - (b) other rules of procedure in this Constitution;

- (c) Scheme for the Responsibility for Functions (Section 10 of this Constitution); then
- (d) Financial Procedure Rules.

# 9.2.6 Financial delegations

All Officers must operate within the council's Scheme of Financial Delegations as listed in Appendix 1. As a general principle, financial decisions will be taken at the lowest level allowable within the officer and Member hierarchy in the scheme. <sup>1</sup>

9.2.7 Officer responsibilities for financial management

The Chief Financial Officer is responsible for administering the financial affairs of the council and for establishing proper systems of internal control.

#### 9.2.8 The Chief Financial Officer shall:

- (a) ensure that the policies of the council and statutory requirements are adhered to;
- (b) ensure that the business of the council is carried out in an orderly, efficient and effective manner;
- (c) ensure that the council's records are complete and accurate;
- (d) ensure financial information and reporting is timely and accurate;

<sup>&</sup>lt;sup>1</sup> It should also be noted that the council has an authorised signatory list which lists specific values for delegated Council staff.

- (e) ensure the assets of the council are safeguarded;
- (f) make and control arrangements for the payment of the council's creditors and for the collection, custody and accounting of all monies received by the council;
- (g) establish an adequate and effective internal audit of the council's accounting records and system(s) of internal control;
- (h) have access to all records, cash or other council property as required for audit purposes. If required the Chief Financial Officer may also request access to such information and explanations from any officer or Member as may be necessary for audit purposes;
- (i) prepare and publish the annual accounts of the council in accordance with statutory requirements and the policies of the council; and
- (j) have responsibility for making all statutory returns and the like to HM Revenues and Customs in relation to Value Added Tax, and for the obtaining and giving of advice and guidance to the council and Heads of Service on all tax matters.
- 9.2.9 The Chief Financial Officer is the Officer designated by the Council as being responsible under section 151 of the Local Government Act 1972 for the proper administration of the council's financial affairs.
- 9.2.10 The role of budget holders

Budget holders are Officers who are responsible for monitoring a budget, including determining expenditure

from and/or income posted to that budget. Budget holders may be at any level within the council.

# 9.2.11 Budget holders shall:

- (a) maintain financial records and accounts that can be accessed by the Chief Financial Officer when required. The financial records shall be retained by budget holders for such periods as required for council or statutory purposes. Records should, wherever possible, be stored on the financial management system;
- (b) in consultation with the Chief Financial Officer ensure that all financial affairs of the council are managed in a properly controlled environment and compliant with the council's Information Security Policy;
- (c) manage budgets, including forecasting annual spend, using the council's financial management system. This will enable the Chief Financial Officer to maintain effective control and audit of the financial affairs of the council;
- (d) designate Officers to be responsible for authorising financial transactions on their behalf if and when required. Budget holders must inform the Chief Financial Officer of all Officers with delegated financial responsibilities; and
- (e) be responsible for ensuring the correct treatment of Value Added Tax on all accounts payable and all invoices raised.
- 9.2.12 Officer roles regarding financial reporting and investigation

Any officer who suspects any financial irregularity should raise his or her concerns with his or her line manager or a member of the council's Leadership Team in accordance with the Whistleblowing Policy. The Chief Executive, the Monitoring Officer and the Chief Financial Officer will take such steps as they consider necessary by way of investigation and report.

- 9.2.13 The Chief Financial Officer shall control the issue and use of controlled stationery. Controls on the use of such stationery must be adequate to enable usage to be traced and to prevent incorrect or fraudulent usage.
- 9.2.14 Budget holders shall be responsible for the security and use of controlled stationery and are not permitted to obtain controlled stationery other than in accordance with the internal arrangements set out by the Chief Financial Officer.

# 9.3 Banking arrangements

- 9.3.1 The Chief Financial Officer shall make and control arrangements as necessary for the operation of banking services for the council.
- 9.3.2 All monies received on behalf of the council should be brought to the attention of the Chief Financial Officer and banked in accordance with their instructions.
- 9.3.3 The Chief Financial Officer shall arrange payments or transfers to and from the council's bank accounts by the use of electronic methods.
- 9.3.4 The Chief Financial Officer shall ensure that all bank accounts and credit cards operated by the council are reconciled at intervals of no longer than one calendar month.

# 9.4 Forward financial planning

- 9.4.1 The Chief Financial Officer will prepare for the Executive, a timetable each year for the preparation, submission and approval of the forward financial plan covering revenue budgets and capital expenditure.
- 9.4.2 The Chief Financial Officer will ensure that the forward financial plan is prepared in accordance with the timetable and any guidelines issued by the Executive.
- 9.4.3 The Executive shall consider the proposed forward financial plan and each year shall submit appropriate recommendations to the Council. The report shall include a recommendation as to the council tax to be levied in the following financial year.
- 9.4.4 The Chief Financial Officer shall provide financial information in an appropriate form for the continuous monitoring and control of financial activities of the council by the Executive and each Committee with finances allocated to it.
- 9.4.5 The Chief Financial Officer shall inform the Executive of any significant variation to the financial plan during the financial year. If for any reason any budget of approved expenditure may be exceeded or the estimated income not reached, the Chief Financial Officer shall inform the Executive or relevant Committee together with a proposal to address the situation.
- 9.4.6 Any proposal to incur expenditure, either capital or revenue, above those limits set out in the council's budget and policy rules, that is not included in the existing financial plan or

budget shall be delegated to the relevant Committee or Officer as stated in Appendix 1.

## 9.5 Expenditure

#### 9.5.1 Official orders

Official orders shall be issued using the council's financial system, for all works, goods or services to be supplied to the council except for supplies of public utility services, for periodical payments such as rent or rates, for petty cash purchases or other exemptions approved by the Chief Financial Officer.

- 9.5.2 Procurement of works, goods or services to be supplied to the council shall be completed in accordance with the council's Contract Procedure Rules.
- 9.5.3 Official orders shall specify the nature and quantity of goods, services, or works required, any relevant contract, and the agreed prices.
- 9.5.4 Official orders shall not be issued for works, goods or services unless the cost is within an approved estimate or other financial provision.

## 9.5.5 Certificates for payment

All certificates for payment shall be authorised for payment by the signature, or electronic signature, or via the approval facility on the council's financial management system, of the appropriate budget holder or other authorised signatory, as agreed by the Chief Financial Officer. Such authorisation shall imply that:

- (a) the expenditure is within an approved estimate or other financial provision;
- (b) the expenditure has been coded to the correct financial heading;
- (c) the goods, services or works have been supplied and are satisfactory;
- (d) appropriate prices have been charged for the goods, services or works;
- (e) all conditions imposed by the order or contract agreement have been substantially complied with;
- (f) where applicable Value Added Tax, Construction Industry Tax or any other relevant taxation requirements are complied with;
- (g) the certificate for payment has not previously been passed to the Chief Financial Officer for payment; and
- (h) appropriate entries have been made in all relevant inventories, stock records or asset registers.
- 9.5.6 To reduce multiple certificates for payment, budget holders should aim to agree payment within 30 days of receipt of invoice. Invoices will be paid by BACS or other electronic funds transfer.
- 9.5.7 The Chief Financial Officer shall examine accounts passed for payment and shall make such enquiries and receive such information as necessary to establish that the payments are in order.

- 9.5.8 The Chief Financial Officer may provide advance accounts to designated Officers for petty cash or for change float purposes.
- 9.5.9 The maximum limit of advance accounts shall be agreed with the Chief Financial Officer and not exceeded without permission of the Chief Financial Officer. Appropriate safes and other receptacles shall be provided as required.
- 9.5.10 The Officers responsible for advance accounts shall maintain a record of their transactions in the form and manner required by the Chief Financial Officer.
- 9.5.11 Payments from advance accounts shall be limited to minor items of expenditure not exceeding £20. The claim must be supported by a receipted voucher and properly authorised claim form.
- 9.5.12 Officers with responsibility for an advance account shall be required to provide information about the state of the account to the Chief Financial Officer as necessary.
- 9.5.13 If the advance account is no longer required or an officer ceases to be responsible for holding an account, the relevant budget holder shall ensure that the balance of the advance account is returned to the Chief Financial Officer.

#### 9.6 Income

9.6.1 Budget holders shall notify the Chief Financial Officer of all money due to, or expected by, the council. This includes sponsorship or grant income, contracts, leases and other agreements entered into which involve the receipt of monies.

- 9.6.2 Where cheques are paid in, the amount of each cheque and a reference to enable the cheque to be traced shall be recorded on the banking paying-in-slip or a format agreed with the Chief Financial Officer.
- 9.6.3 An official receipt is a written or printed acknowledgement given on behalf of the council for monies received. Such acknowledgement shall be given from a cash receipting system which has been approved for use by the Chief Financial Officer.
- 9.6.4 All monies shall be held and transported securely in accordance with any requirements from the Chief Financial Officer.
- 9.6.5 Each budget holder is responsible for ensuring that accounts are promptly and accurately raised in respect of charges for work done or goods or services supplied. This includes cases where sponsorship money or grant income is due.
- 9.6.6 The Chief Financial Officer may write off irrecoverable debts up to a limit of £50,000 in any one case. Irrecoverable debts in excess of this amount shall be referred to the Executive.

#### 9.7 Contracts

- 9.7.1 All contracts made for and on behalf of the council shall be subject to the Contract Procedure Rules, these Financial Procedure Rules and any other statutory provision, except in circumstances where the council is acting as an Agent for another organisation which specifically directs otherwise.
- 9.7.2 The Chief Financial Officer shall maintain a register of payments due and made under formal contracts over £50,000 to show the state of account on each contract

- between the council and the contractor, together with any other payments.
- 9.7.3 Payment on account of the contract sum shall be made only on a certificate signed by the appropriate budget holder. The certificate shall show, as a minimum, the total amount of the contract, the value of work executed to date, retention money, amount paid to date and the amount now certified.
- 9.7.4 Before a certificate for final payment under a contract is paid, the appropriate budget holder shall produce to the Chief Financial Officer a detailed written statement of account, together with such other documents as may be required.
- 9.7.5 Subject always to the council's Contract Procedure Rules in paragraphs 9.12 9.30 of this Constitution, the appropriate budget holder shall be empowered to authorise a variation or addition to a contract. Where the variation or addition is estimated to result in a material increase, that is the higher of 5% of the contract value or £10,000, it must be approved in advance by the Chief Financial Officer.
- 9.7.6 Where completion of a contract is delayed, except for reasons qualifying for an extension of the contract, it shall be the duty of the budget holder to supply the Chief Financial Officer with all necessary information to allow the correct amount of Liquidated and Ascertained Damages to be claimed.

# 9.8 Treasury Management

9.8.1 The council has adopted the Charted Institute of Public Finance and Accountancy (CIPFA) Code for Treasury Management in Local Authorities. If deemed necessary, the

Chief Financial Officer shall advise the Executive of any significant amendment to the CIPFA Code.

- 9.8.2 The Chief Financial Officer shall be authorised to make investment, borrowing and financing decisions on behalf and in the name of the council. All decisions shall be taken in accordance with the council's Treasury Management Investment Strategy.
- 9.8.3 All monies held by the council shall be aggregated for the purposes of treasury management and shall be under the control of the Chief Financial Officer.
- 9.8.4 All investments and borrowing, including for any trust administered by the council, shall be made in the name of the council and any deeds relating to such funds shall be deposited with the Monitoring Officer or otherwise as deemed appropriate by the Chief Financial Officer.
- 9.8.5 The Chief Financial Officer is given the authority to deal with any emergency situation that may arise in relation to any matters not already delegated within the Treasury Management Policy. Use of emergency authority will be reported at the next meeting of the Executive.

## 9.9 Staffing

- 9.9.1 The Head of Human Resources and Organisational

  Development shall make and control arrangements for the payment of salaries, wages, expenses and benefits to Officers in accordance with the approved salary scales and wage rates.
- 9.9.2 The Head of Human Resources and Organisational

  Development shall be provided with the appropriate

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documentation required to ensure the payment of salaries, wages, pensions and other expenses due to Officers.

- 9.9.3 All claims for payment must be made as soon as possible and in no circumstances should a claim be delayed for more than three months after the date on which the work was done or the expenses incurred.
- 9.9.4 Matters which affect officer payments shall be referred directly to the Head of Human Resources and Organisational Development. Notification shall include:

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- (a) details of all appointments, resignations, dismissals, suspensions, secondments and transfers;
- (b) details of any training;
- (c) changes in remuneration except for national pay increases;
- (d) absence from duty for sickness or other reason, apart from approved leave; and
- (e) information necessary to maintain records for pension, income tax, national insurance and the like.
- 9.9.5 The Head of Human Resources and Organisational

  Development shall maintain appropriate records and make arrangements for the payment of sums due to Members in accordance with the Allowance Scheme approved by the Council.

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# 9.10 Insurance

- 9.10.1 The Chief Financial Officer shall make and control arrangements for the provision of necessary insurance cover and for the negotiation of any insurance claims.
- 9.10.2 The Chief Financial Officer shall obtain competitive quotations from insurers for the provision of insurance at least every five years unless otherwise determined by the current contract term or the Executive.
- 9.10.3 All budget holders shall notify the Chief Financial Officer of all insurable risks arising from the activities carried out in their area of operation. Such notification shall include:
  - (a) the acquisition of any property which is capable of insurance against fire or other risks;
  - (b) any amendment to the value of any council-owned asset likely to affect the insurable risk; and
  - (c) any insurable risk which may arise through the activities of Members or Officers of the council.
- 9.10.4 All Heads of Service shall notify the Chief Financial Officer of the occurrence of any event which may give rise to a claim under any policy of insurance held by the council or to an ex gratia payment.
- 9.10.5 The Chief Financial Officer shall be authorised to make the appropriate reimbursement of any insurance claim up to the excess limit of the insurance policy concerned.
- 9.10.6 The Chief Financial Officer shall in consultation with the Head of Human Resources and Organisational Development be authorised to make appropriate ex gratia payments and write off the loss of any stores, equipment and other assets up to £1,000.

- 9.10.7 All appropriate Officers of the council shall be included in a suitable fidelity guarantee insurance.
- 9.10.8 Officers shall consult the Chief Financial Officer in respect of the terms of any indemnity which the council is requested to give.

#### 9.11 Assets

- 9.11.1 The Chief Financial Officer is the council's Corporate Property Officer and shall maintain an asset register and associated records of all land, buildings, vehicles and equipment owned, leased or managed by the council.
- 9.11.2 An annual report of vacant and underused properties owned by the council shall be made to the Executive.
- 9.11.3 Where land or buildings are no longer required for their intended use the Corporate Property Officer shall report to the Executive on the suggested future use, or disposal, of the asset.
- 9.11.4 The Monitoring Officer shall have custody of and keep all title deeds in a secure manner.
- 9.11.5 All Officers shall be responsible for maintaining proper security of the assets under their control.
- 9.11.6 The Chief Financial Officer shall be responsible for ensuring that adequate controls and security procedures are maintained in connection with the council's information technology systems and installations.

**Appendix 1: Scheme of Financial Delegations** 

| Financial<br>action                                                                       | Council                                                       | Executive                    | Chief<br>Executive /<br>Deputy             | Chief Financial<br>Officer /<br>Deputy | <u>Directors</u> Heads of Service                                                                                                          | Service<br>Managers                                                                         | Budget<br>holders                                                         |
|-------------------------------------------------------------------------------------------|---------------------------------------------------------------|------------------------------|--------------------------------------------|----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| Budget                                                                                    |                                                               |                              |                                            |                                        |                                                                                                                                            |                                                                                             |                                                                           |
| Annual approval of the budget, the Medium Term Financial Plan and setting the Council Tax | No<br>financial<br>limit and no<br>delegation<br>of authority | No<br>delegated<br>authority | No delegated<br>authority                  | No delegated<br>authority              | No delegated authority                                                                                                                     | No delegated<br>authority                                                                   | No delegated<br>authority                                                 |
| In year<br>capital<br>funding<br>approval                                                 | No<br>financial<br>limit                                      | Up to<br>£500,000            | Up to £250,000                             | Up to £100,000                         | No delegated authority                                                                                                                     | No delegated authority                                                                      | No delegated authority                                                    |
| Managemen                                                                                 | t of approved                                                 | budgets                      |                                            |                                        |                                                                                                                                            |                                                                                             |                                                                           |
| Expenditure within approved capital and revenue budgets                                   | Delegated<br>to officers                                      | Delegated<br>to officers     | Delegated to<br>budget holders             | Delegated to budget holders            | Delegated to<br>budget holders                                                                                                             | Delegated to<br>budget holders                                                              | Up to approved budget                                                     |
| Authority to use earmarked reserves                                                       | Delegated<br>to officers                                      | Delegated<br>to officers     | Delegated to<br>Chief Financial<br>Officer | No financial<br>limit                  | No delegated authority                                                                                                                     | No delegated authority                                                                      | No delegated authority                                                    |
| Purchase<br>order<br>approval<br>and/or<br>contract<br>award                              | Delegated<br>to officers                                      | Delegated<br>to officers     | No financial<br>limit                      | No financial<br>limit                  | Up to £1,000,000 & delegated to Service Managers, Budget Holders & Service Officers as per Authorised Signatory list                       | No authority<br>unless<br>delegated by<br>Head of<br>ServiceDirector<br>- Up to<br>£250,000 | No authority unless delegated by DirectorHead of Service – Up to £100,000 |
| Payment of grants                                                                         | Delegated<br>to officers                                      | Delegated<br>to officers     | No financial<br>limit                      | No financial<br>limit                  | Up to £500,000<br>& delegated to<br>Service<br>Managers,<br>Budget Holders<br>& Service<br>Officers as per<br>Authorised<br>Signatory list | No authority unless delegated by DirectorHead of Service - Up to £100,000                   | No authority unless delegated by DirectorHead of Service - Up to £100,000 |

| Virements<br>within a<br>service's<br>approved<br>budgets                             | Delegated<br>to officers | Delegated<br>to officers | Delegated to<br>Chief Financial<br>Officer                                          | No financial<br>limit                                                                     | Up to £100,000                                                                                                   | No authority unless delegated by DirectorHead of Service – Up to £100,000 | No authority unless delegated by DirectorHead of Service – Up to £100,000 |
|---------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|---------------------------------------------------------------------------|
| Virements<br>across<br>services,<br>within<br>overall<br>approved<br>budget<br>levels | Delegated<br>to officers | Delegated<br>to officers | Delegated to<br>Chief Financial<br>Officer                                          | No financial<br>limit                                                                     | No delegated authority                                                                                           | No delegated authority                                                    | No delegated authority                                                    |
| Write offs /<br>waivers of<br>income due                                              | No financial<br>limit    | Up to<br>£100,000        | Delegated to<br>Chief Financial<br>Officer /<br><u>DirectorsHeads</u><br>of Service | Up to £50,000                                                                             | Up to £5,000 & delegated to Service Managers, Budget Holders & Service Officers as per Authorised Signatory list | No authority unless delegated by DirectorHead of Service – Up to £1,000   | No authority unless delegated by DirectorHead of Service – Up to £1,000   |
| Insurance<br>and other<br>settlements                                                 | No financial<br>limit    | No financial<br>limit    | Up to £100,000                                                                      | Up to £50,000<br>& up to<br>£10,000<br>delegated to<br>Insurance team<br>for small claims | No Delegated authority                                                                                           | No delegated authority                                                    | No delegated authority                                                    |

# Section 9 - Finance, Contracts and Legal Matters

#### 9.1 Introduction

# 9.1.1 Financial management

The management of the council's financial affairs will be conducted in accordance with the financial rules set out in paragraphs 9.2 – 9.11 of this Constitution.

#### 9.1.2 Contracts

Every contract made by the council will comply with the Procurement Rules set out in paragraphs 9.12 – 9.30 of this Constitution.

## 9.1.3 Legal proceedings

The Head of Legal and Democratic Services Director for Legal, Policy and Governance is authorised by the Scheme of Delegation to Officers set out in Section 10 of this Constitution to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the council or in any case where they consider that such action is necessary to protect the council's interests.

#### 9.1.4 Authentication of documents

Where any document is necessary to any legal procedure or proceedings on behalf of the council, it will be signed by the Chief Executive or the <u>Director for Legal, Policy and Governance Head of Legal and Democratic Services</u> or

other person authorised by the <u>Director for Legal, Policy</u> and <u>Governance Head of Legal and Democratic Services</u>, unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person.

9.1.5 Common Seal of the Council

The Common Seal of the Council will be kept in a safe place in the custody of the <u>Director for Legal, Policy and Governance Head of Legal and Democratic Services</u>.

- 9.1.6 A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision.
- 9.1.7 The Common Seal will be affixed to those documents which in the opinion of the <u>Director for Legal, Policy and GovernanceHead of Legal and Democratic Services</u> should be sealed. Sealed documents will be signed by any one of the following Officers of the council:
  - (a) the Chief Executive; or
  - (b) the Deputy Chief Executive; or
  - (c) the <u>Director for Legal, Policy and Governance Head of Legal and Democratic Services</u>; or
  - (d) the Legal Services Manager.

9.1.8 An entry of every sealing of documents shall be made and consecutively numbered in a register and be signed by the person who attested the seal.

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# Section 10 – Officers' Responsibility for Functions

#### 10.1 Introduction

10.1.1 The Council has adopted a Corporate Plan with four strategic priorities to be listening, open and transparent, environmentally focussed, acting with the community and fair and inclusive, to put environmental sustainability at the heart of everything it does; enable its communities and invest in its places; encourage economic growth; and maximise the benefits to the community and council services of digital connectivity and technology. To enable that vision, managerial and operational decisions are taken, within a framework of democratic accountability at the most appropriate level. The scheme is to be interpreted widely to give effect to this overall purpose by empowering staff to carry out their functions and deliver the council's services within the Budget and Policy Framework set by the Council, and subject to the guidelines set by the Executive and the council's Leadership Team.

#### **Overall Limitations**

- 10.1.2 The exercise of Delegated Powers is subject to the following overriding limitations.
- 10.1.3 Where broad functional descriptions are used, the delegations in this scheme should be taken to include powers and duties within all present and future legislation, and all powers incidental to that legislation, including the incidental powers and

duties under Section 111 of the Local Government Act 1972.

## **Sub-Delegation**

10.1.4 Any Officer with Delegated Powers in this scheme is also authorised to further delegate in writing all or any of the delegated functions to other Officers (described by name or post) either fully or under the general supervision and control of the delegating Officers. Administrative functions ancillary to the exercise of Delegated Powers are deemed to be carried out in the name of the officer exercising the function.

#### **Further Provisions**

- 10.1.5 It shall always be open to an officer not to exercise their Delegated Powers but to refer the matter to the Council, Executive, or relevant Committee (as appropriate) for decision.
- 10.1.6 In exercising Delegated Powers, Officers shall consult other Officers as appropriate and have regard to any advice given. In particular, Officers must have regard to any report by the Head of Paid Service or the Monitoring Officer under Sections 4 and 5 of the Local Government and Housing Act 1989.
- 10.1.7 In exercising Delegated Powers, Officers shall consider whether the matter is controversial or major and if so shall as appropriate consult or inform the relevant Executive Member(s) and/or Ward Member(s).

#### 10.2 Member Consultation

- 10.2.1 Officers exercising Delegated Powers in accordance with this scheme are expected in appropriate cases to:
  - (a) maintain a close liaison with the appropriate Executive Member or in their absence the Leader or another Executive Member;
  - (b) in the case of temporary or project specific delegations, Officers will consult relevant Executive Members;
  - (c) ensure the Ward Members are consulted or advised of the exercise of Delegated Powers;
  - (d) ensure that the Chief Executive, the Head of Strategic Finance and Property Services Director for Finance, Risk and Performance and the Head of Legal and Democratic Services Director for Legal, Policy and Governance are consulted and advised of any decisions as necessary; and
  - (e) before exercising any delegated power, Officers must consider whether to exercise the delegated power or refer the matter to the relevant Member or member body to decide.

#### 10.3 Reservations

- 10.3.1 This scheme does not delegate to Officers:
  - (a) any matter reserved by law to the Council, the Executive, the Leader of the Council, a

Committee or Sub-Committee of the Council; and

(b) any matter which is specifically excluded from delegation by the scheme or by resolution of the Council or Executive.

#### 10.4 Restrictions

- 10.4.1 Officers may only exercise Delegated Powers in accordance with:
  - (a) statutory requirements, guidance and codes of practice;
  - (b) the Budget and Policy Framework, including all plans, schemes and strategies approved by or on behalf of the Council or Executive:
  - (c) the council's Procedure Rules including Financial Limits; and
  - (d) the council's equalities and other policies, procedures, standards and the Local and National Conditions of Service.

## 10.5 Delegation in the case of absence or inability to act

10.5.1 If the officer/s having delegated authority under the Constitution are absent or otherwise unable to exercise their delegation, and there is no other

- officer to whom the authority has been subdelegated, these provisions shall apply.
- 10.5.2 The duties of the Monitoring Officer and the Chief Financial Officer can be carried out by a deputy, nominated by them, in cases of absence or illness.
- 10.5.3 The Head of Paid Service may nominate a deputy in the event of absence or illness.

#### 10.6 Permissions

# 10.6.1 Chief Executive, Deputy Chief Executive, all Heads of Service Directors and their duly authorised officers

The delegations that follow apply to the Chief Executive, Deputy Chief Executive and Heads of Service Directors or their duly authorised Officers when acting in accordance with the Rules of Procedure as described elsewhere in this Constitution. This scheme delegates to post holders named or described in the Areas of Responsibility section all the powers and duties relevant to those areas of responsibility that rest with the Council or Executive or which have been delegated or granted to the Council, subject to the limitations, restrictions and reservations set out above, within the delegations below and the detailed scheme of delegation. This includes all powers and duties under all legislation present and future within those descriptions and all powers and duties incidental to that legislation including but not limited to:

#### 10.6.1.1 Powers in relation to staff

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Take any action in accordance with the council's agreed policies and procedures with respect to the:

- (a) recruitment, appointment, promotion, training, grading, discipline of staff;
- (b) determination of wages and salary scales, determination of allowances of staff; and
- (c) determination and application of conditions of service, including but not limited to allocation of leave, honorariums, ill health retirements and determination of establishment except as specifically delegated to the Head of Human Resource and Organisational Development and except as detailed in the Officer Employment Procedure Rules.

10.6.1.2 Powers in relation to contracts and property

Powers in relation to:

- (a) contracts and property agreements to negotiate;
- (b) put out to tender, bid, submit Tenders, vary, terminate, dispute, extend and renew; and
- (c) in relation to contracts to buy and sell and in relation to the property to acquire, dispose of, let and licence except as detailed in the council's Financial Regulations and Contract Procedure Rules in Section 9 of this Constitution.

#### 10.6.1.3 Powers in relation to finance

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#### Powers to:

- (a) incur capital and revenue expenditure;
- (b) to seek recovery of amounts owed;
- (c) to exercise discretion in recovery;
- (d) alter or waive repayment periods or approve exemptions in relation to repayments;
- (e) agree refunds, reduce or remit payments and waive fines, as detailed in the Financial Regulations and Contract Procedure Rules in Section 9 of this Constitution.

### 10.6.1.4 Powers in relation to legal action

#### Powers to:

- (a) authorise, appoint or nominate Officers;
- (b) investigate, prosecute, enforce, lay summons, require individuals to disclose information;
- (c) serve requisitions for information, publish information, apply to a court, sign notices, issue, serve, vary, revoke and publish notices and orders, including fixed penalty notices and serve documents;
- (d) make prohibition orders, suspend or vary a prohibition order;
- (e) take emergency remedial action, carry out works in default, issue certificates, issue

- consents, issue licences, issue permits, refuse vary or revoke licensing applications or licences or consents;
- (f) issue temporary exemption notices, obtain, introduce, operate, amend extend, vary and revoke orders; and
- (g) impose conditions, introduce and maintain registers, exercise powers of entry without force, apply for a warrant and in relation to land relevant to the service functions to note applications for licences, planning, consent and approvals, declarations and grants except as specifically detailed in the delegations below.

These powers shall be taken with reference to the Head of Legal and Democratic Services Director for Legal, Policy and Governance where relevant.

### 10.7 Areas of responsibility

For the purposes of the Permissions above the areas of responsibility are as follows:

|                            | Overall responsibility for the delivery  |
|----------------------------|------------------------------------------|
| <b>Chief Executive and</b> | of the Council's vision through the      |
| <b>Deputy Chief</b>        | delivery of the Corporate Strategic      |
| Executive                  | Plan, including cross cutting individual |
|                            | initiatives and projects and the         |
|                            | leadership and management of the         |
|                            | organisation as a whole.                 |
|                            |                                          |
| <b>Head of Operations</b>  | Leisure Services                         |

|                           | _                                     |
|---------------------------|---------------------------------------|
|                           | Waste, Recycling and Street Cleansing |
|                           | Management                            |
|                           | Parks and Open Spaces                 |
|                           | Grounds Maintenance                   |
|                           | Hertford Theatre                      |
|                           | Parking enforcement                   |
|                           | Environmental enforcement and         |
|                           | Inspections*                          |
|                           | Stray Dogs                            |
|                           | Abandoned Vehicles                    |
|                           | Organisational Development            |
| Head of Human             | Payroll                               |
| Resources and             | Training and Development              |
| <b>Organisational</b>     | Health and Safety                     |
| Development               | HR Policy                             |
|                           | HR Services                           |
|                           | Employee Relations                    |
|                           |                                       |
| Head of                   | BEAM                                  |
| Communications            | <u>Customer Services</u>              |
| Strategy and              | Corporate Support Hub                 |
| Policy Director for       | Communications and Digital Media      |
| Regeneration,             | Parking Services                      |
| <b>Customer and</b>       | Old River Lane                        |
| <b>Corporate Services</b> | Communications and Digital Media      |
|                           | Customer Services                     |
|                           | Economic Development                  |
|                           | Improvement and Insight               |
|                           | Business Development                  |
|                           | Corporate Policy                      |
|                           | Corporate Consultation                |
|                           | ·                                     |
| Head of Strategic         | <u>Financial Services</u>             |
| Finance and               | Risk and Insurance                    |
| <b>Property</b> Director  | Revenues and Benefits Shared Service  |
|                           | ICT Shared Service Accountancy        |
|                           | ici silaica scivice recountancy       |

| for Finance, Risk         | Audit                              |
|---------------------------|------------------------------------|
| and Performance           | Transactional Finance              |
|                           | Treasury Management                |
|                           | Property and Estates               |
|                           | Facilities Management              |
|                           | Procurement                        |
|                           | Risk                               |
|                           | Insurance                          |
|                           |                                    |
| Head of Legal and         | <u>Legal Services</u>              |
| <b>DemocraticDirector</b> | <u>Democratic Services</u>         |
| for Legal, Policy         | <u>Electoral Services</u>          |
| and Governance            | <u>Transformation</u>              |
|                           | <u>Information Governance and</u>  |
|                           | <u>Protection</u>                  |
|                           | Shared Waste Service (Until August |
|                           | 2025)Democratic Services           |
|                           | Legal                              |
|                           | Electoral Services                 |
|                           | Member and Civic Support           |
|                           | Freedom of Information             |
|                           | <del>Data Protection</del>         |
|                           | Land Charges                       |
|                           | Scrutiny                           |
|                           |                                    |
| Head of Housing           | <u>Property Services</u>           |
| and Health Director       | <u>Housing Services</u>            |
| <u>for Communities</u>    | <u>Licensing and Enforcement</u>   |
|                           | Environmental Sustainability       |
|                           | Economic Development               |
|                           | Community Wellbeing and            |
|                           | <u>Partnerships</u>                |
|                           | Shared Waste Services (from August |
|                           | 2025)Housing                       |
|                           | Environmental Health               |
|                           | Environmental Sustainability       |

|                         | Licensing                            |
|-------------------------|--------------------------------------|
|                         | Market operations                    |
|                         | Community Safety                     |
|                         | Safeguarding                         |
|                         | Engagement and Partnerships          |
|                         | Public Health and Wellbeing          |
|                         | Emergency Planning                   |
|                         |                                      |
| <b>Head of Planning</b> | Planning and Building Control        |
| and Building            | (including Gilston)                  |
| Control Director for    | Leisure, Parks and Open Spaces       |
| Place                   | Environmental Health                 |
|                         | Land Charges and Street Naming and   |
|                         | Numbering                            |
|                         | Section 106Development Management    |
|                         | Planning Policy                      |
|                         | Heritage and Conservation            |
|                         | Urban Design                         |
|                         | Section106 Agreements / Community    |
|                         | Infrastructure Levy                  |
|                         | Building Control                     |
|                         | Planning Enforcement                 |
|                         | _                                    |
| Head of Shared          | Business and Technology Shared       |
| <b>Business and</b>     | Service                              |
| Technology              |                                      |
| Services (Strategic     |                                      |
| ICT Partnership         |                                      |
| Manager)                |                                      |
| ,                       |                                      |
| Head of Revenues        | Revenues and Benefits Shared Service |
| and Benefits            |                                      |
| Shared Service          |                                      |

\*parts of this area may move to Housing and Health following a review

#### 10.8 Officer Specific Delegations

Any delegation to an officer includes authority for any further delegation within the relevant Area of Responsibility, in the case of the Chief Executive or those acting as Chief Executive, this includes all Heads of Service Directors and below. Officers shall devolve responsibility for service delivery and management to those staff who represent the nearest practicable point of delivery to the service user.

#### 10.9 The Chief Executive

- 10.9.1 The Chief Executive has been appointed the council's Head of Paid Service.
- The following powers and duties are delegated to the Chief Executive. With the exception of 10.9.2(q) below, for which there are separate arrangements, if they are absent or otherwise unable to exercise the delegation, they may be exercised by the Deputy Chief Executive. In the case of 10.9.2(e) below, should the Chief Executive and Deputy Chief Executive be absent or unable to act, the power may be exercised by a Head of Service:
  - (a) to carry out the powers and duties of any of the Officers in their absence or in consultation with them (excluding the statutory functions of the Monitoring Officer and the Section 151 officer);
  - (b) to authorise a Head of Service Director to act in their absence on any matter within their authority;

- (c) all matters relating to staffing, employment, terms and conditions and industrial relations for the council's workforce, save those matters which have been delegated to Heads of Service Directors above and those relating to the Head of Paid Service and Chief Officers;
- (d) to determine changes within the management structure where these involve substantial changes to responsibilities of first and second tier posts;
- (e) where emergency action is required, to take any action, including the incurring of expenditure;
- (f) to exercise the functions of the Head of Paid Service under the provisions of the Local Government and Housing Act 1989;
- (g) in cases of urgency take any decision which could be taken by the Council, the Executive or a Committee in consultation with the Leader, provided that any such decision shall be reported to the next meeting of the Executive, appropriate Committee or Council unless there is a need for confidentiality, in which case the reporting of the decision may be deferred until the need for confidentiality expires;
- (h) to alter the areas of responsibility of the Heads of ServiceDirectors set out in the Areas of Responsibility section of this scheme;
- (i) to issue redundancy notices immediately it becomes apparent that redundancies are likely

- to arise, subject to any policy constraints which may be applied;
- to rearrange dates and times of meetings, previously approved, following consultation with the Leader of the Council; such action being necessary in the interests of the efficient running of the Council;
- (k) to respond, in consultation with the Leader, to consultation documents in accordance with the council's approved policies;
- (l) to negotiate and settle claims by or against the council where this is considered to be in the best interests of the council in consultation with the relevant Head of Service Director and Head of Legal and Democratic Services Director for Legal, Policy and Governance;
- (m) to carry out all duties and responsibilities and exercise all power under the Localism Act 2011 in relation to a Community Right to Challenge and where appropriate to nominate Officers to carry out those duties or appoint external Officers to carry out part or all of those duties or exercise powers;
- (n) having consulted where appropriate with the relevant Member, to issue news releases and to call press conferences;
- to issue and renew authorisations for Officers, and appoint inspectors to enter premises for the purpose of their official duties, in pursuance of statutory provisions in that behalf;

- (p) after consultation with the Head of Legal and Democratic Services Director for Legal, Policy and Governance/Monitoring Officer to make revisions and amendments to the list of Politically Restricted Posts maintained under Section 2 of the Local Government and Housing Act, 1989 and to give Certificates of Opinion in connection with applications for exemption;
- (q) to act as Returning Officer, and any variation thereof as appropriate to different elections, and to appoint from time to time such Deputy Returning Officers as appear necessary for the proper conduct of elections; and to act as the Electoral Registration Officer, and appoint deputy Electoral Registration Officers. In the event that the Chief Executive is absent or incapacitated, the Proper Officer for the purposes of exercising the functions of the Electoral Registration Officer shall be the Elections Manager Assistant Director – Democracy, Elections and Information Governance;
- (r) within approved budgets, to determine all fees for functions carried out in respect of electoral registration and elections;
- (s) in consultation with the Leader to designate an officer of the council as its Monitoring Officer.
- (t) to designate a polling place for each polling district under Sections 18 and 18B of the Representation of the People Act 1983; and

(u) to undertake a review of polling districts and places under section 18C of the Representation of the People Act 1983.

#### 10.10 Deputy Chief Executive

- 10.10.1 To carry out the role of the Chief Executive and Head of Paid Service in their absence.
- 10.10.2 To lead on cross cutting projects spanning the council.
- 10.10.3 To take any steps necessary for the day to day management and routine administration of matters within their remit without reference to the Executive or a Committee but subject to any necessary reference to the Head of Paid Service.
- 10.10.4 To take emergency action necessary for the safety of the public or the preservation of property of the council.

#### **Human Resources**

10.10.5 Human Resource matters should be subject to the overall direction of the Head of Paid Service.

10.10.6 To interpret, administer and implement the council's organisational, employee development and human resources plans and policies in consultation with Leadership team.

10.10.7 To interpret and apply pay scales and conditions of service for all employees.

10.10.8 To administer the granting of awards and application of benefits in consultation with Leadership team.

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10.10.9 To be responsible for an effective policy for the health, safety and welfare of council employees to be implemented at all levels.

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10.10.4

**Heads of Service**Directors

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**Head of Human Resources and Organisational Development** 

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10.11.110.10.2 Human Resource matters should be subject to the overall direction of the Head of Paid Service.

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10.11.210.10.2 To interpret, administer and implement the council's organisational, employee development and human resources plans and policies in consultation with Leadership team.

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10.11.310.10.2 To interpret and apply pay scales and conditions of service for all employees.

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10.11.410.10.2—To administer the granting of awards and application of benefits in consultation with Leadership team.

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- 10.11.510.10.2 To be responsible for an effective policy for the health, safety and welfare of council employees to be implemented at all levels.
- **10.112 Head of Legal and Democratic Services** Director for Legal, Policy and Governance
- 10.1<u>1</u>2.1 To carry out all legal action as specified under Permissions above in consultation with the relevant

Head of Service <u>Director</u> or their appointed deputy in their absence.

- 10.112.2 To hold and revise the list of politically restricted posts, in consultation with the Chief Executive and advise on all applications from council employees (or prospective employees) for exemption from political restriction in respect of their posts including, where appropriate, signing the Certificate of Opinion required by the independent adjudicator under the Local Government and Housing Act 1989.
- 10.112.3 To carry out a review and submit a report to Council as to the allocation of seats in accordance with the Local Government and Housing Act 1989 political balance provisions.
- 10.112.4 To act as Chief Legal Officer to the Council and take all necessary steps in legal proceedings authorised by the council.
- 10.112.5 To authorise changes to the Constitution to reflect resolutions of Council or of the Executive, and changes of fact and law, or if required for practical purposes, in order to ensure the proper administration of the Council, subject to regular notification to all Members of such changes.
- 10.112.6 To authorise the institution, defence, withdrawal or settlement of any legal proceedings, civil or criminal, including Employment Tribunals (other than for Health and Safety proceedings, council tax, nondomestic rates and sundry debts) at their discretion

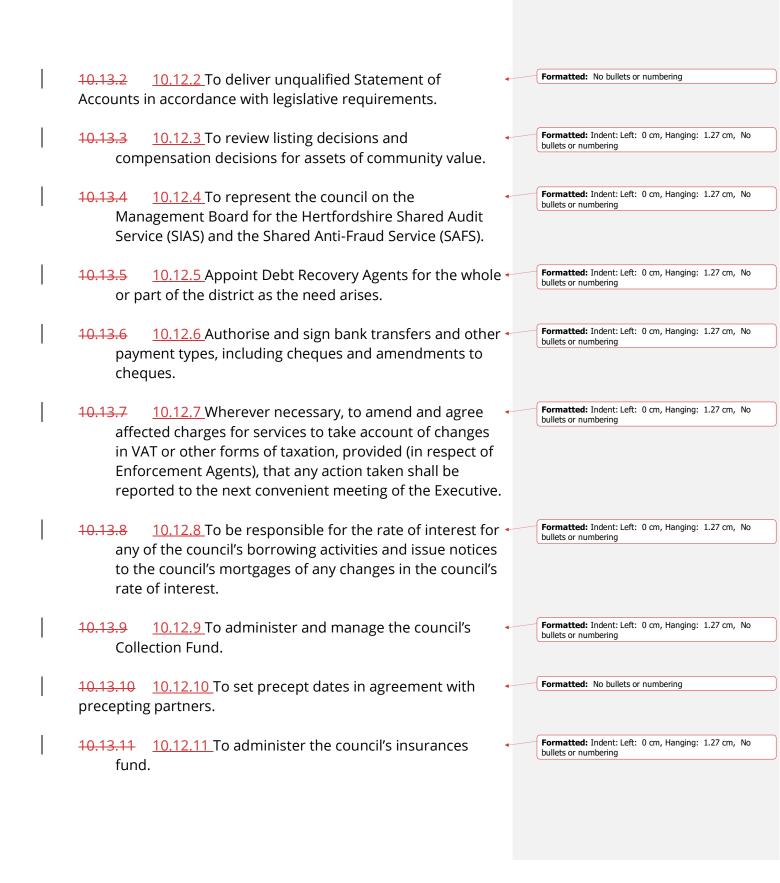
- 10.112.7 To negotiate and settle any claim or disputes without recourse to Court proceedings including the use of alternative dispute resolution.
- 10.112.8 To authorise Officers of the council to appear before the Magistrates' Court or County Court District Judges, including under sections 222 and 223 of the Local Government Act 1972.
- 10.112.9 To certify resolutions and documents as being correct
- 10.112.10 To obtain Counsel's Opinion, instruct Counsel to appear on behalf of the Council and/or retain the services of other experts or external solicitors whenever they consider such action advisable.
- 10.112.11 To insert and cancel entries in the Local Land Charges Register and otherwise to take all steps in respect of searches.
- 10.112.12 In consultation with appropriate Officers, to grant wayleaves to statutory undertakers.
- 10.112.13 To undertake the role of Senior Responsible Officer under the council's Regulation of Investigatory Powers Act 2000 (RIPA) Policy.
- 10.112.14 To fix charges for legal work carried out by the council, including for external bodies.
- 10.112.15 To institute legal proceedings in respect of any contravention of any licences, permits or consents and/or any breach of any condition attached thereto.

- 10.121.16 To sign, and where appropriate, affix the Common Seal of the Council to, any deed or other document, which, in his or her professional judgment, is necessary or desirable to sign and seal.
- 10.112.17 To act as Deputy Electoral Registration Officer.
- 10.112.18 To make changes to the Local Land Charge fees, including making changes to existing charges and the introduction of new charges and fee arrangements for new land charge services.
- 10.112.19 To administer the naming and numbering, including the renaming and renumbering, of streets and buildings in the District in consultation with parish and town councils.
- 10.112.20 To appoint the members of the Independent Remuneration Panel, having first consulted the Chief Finance Officer and Group Leaders as to any reason why someone may not be considered independent.
- 10.11.21 To authorise suitably qualified and experienced
  Officers to exercise powers and duties afforded to District
  Councils in the relevant legislation.

10.1310.12 Head of Strategic Finance and PropertyDirector for Finance, Risk and Performance

10.12.1 10.13.1 To deliver, direct and manage the medium term financial planning of the organisation ensuring it is monitored and reported in a timely accurate fashion.

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10.13.12 10.12.12 To make determinations within approved budget as are required under Part IV of the Local Government and Housing Act 1989 in respect of the funding of expenditure capital (but not in respect of borrowing limits) and report the action taken to the Executive for information.

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10.13.13 To take day-to-day decisions in respect of the investment of council funds in accordance with the Annual Treasury Management strategy last approved by the Council.

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10.13.14 10.12.14 To be responsible for the custody of any document required to be published and kept available for public inspection under the Audit Commission Act 1998.

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10.13.1510.13.2-To manage the council's property portfolio.

10.13.1610.13.2 Lettings of all properties including council offices; consents to assignments and sub-lettings; the granting of easements and licences; entering into leases, sub-leases, licences and easements on behalf of the council as lessee or lessor, sub-lessee, licensee or grantee as appropriate; consent to modification or release of restrictive covenants; rent reviews under existing and future leases, including the approval of terms, subject to reporting transactions half-yearly to the Executive.

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10.13.17 10.12.15 To pursue appeals against rating assessments on council-owned and council-occupied property which, in his or her judgement, are incorrect or excessive, and agree either new or revised rating assessments on council-owned and/or occupied property on behalf of the council.

Formatted: Indent: Left: 0 cm, Hanging: 1.27 cm, No 10.12.16 In consultation with the appropriate bullets or numbering Executive Member and Head of Legal and Democratic Services Director of Legal, Policy and Governance to prosecute or authorise the prosecution of persons committing malicious damage to council property. Formatted: No bullets or numbering 10.12.17 To convey the freehold of electricity substation sites and to grant the necessary easements to electricity suppliers/distributors in respect of developments. Formatted: No bullets or numbering 10.12.18 The appointment of Debt Recovery Agents (Enforcement Agents) and the issue of warrants to those appointed and taking such steps as may be necessary, including the levying of distress upon the goods and chattels of the tenant concerned, for the recovery of arrears of rent owing to the council in respect of the occupation of any Council dwelling. Formatted: No bullets or numbering <del>10.13.21</del> 10.12.19 To authorise Officers to discharge land drainage functions under the Public Health Act 1936 and the Land Drainage Act 1991. Formatted: Outline numbered + Level: 3 + Numbering 10.12.20 To approve and submit the annual National Non-Style: 1, 2, 3, ... + Start at: 20 + Alignment: Left + Aligned Domestic Rates (NNDR1) return to the Government. at: 0 cm + Indent at: 1.9 cm Formatted: List Paragraph, No bullets or numbering Formatted: Font: (Default) Open Sans, Font color: Text 1 10.12.21 Authorise Officers in consultation with the Head of Formatted: Outline numbered + Level: 3 + Numbering Legal and Democratic Services to institute and appear Style: 1, 2, 3, ... + Start at: 20 + Alignment: Left + Aligned at: 0 cm + Indent at: 1.9 cm in any legal proceedings relating to council tax and national non-domestic rates. Formatted: Indent: Left: 0 cm, Hanging: 2.5 cm, Outline 10.12.22 To receive and process housing benefit and council numbered + Level: 3 + Numbering Style: 1, 2, 3, ... + Start at: 20 + Alignment: Left + Aligned at: 0 cm + Indent at: 1.9 tax support applications including initial reviews of

decisions relating thereto and to approve the

backdating of housing benefit payments and council

tax benefit payments to attend, as necessary, valuation and council tax tribunal hearings.

10.12.23 To exercise discretion under the 1988 Housing

Benefits Scheme (and any amendments thereto) to

disregard, in determining a person's income, the

whole of any war disablement pension or war

widow's pension payable to that person.

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10.12.24 To carry out all the charging and collection functions arising out of Parts I to III of the Local Government

Finance Act 1988 (and any amendments thereto)

except for:

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(a) the determination of discretionary non-domestic rate relief under Section 47, which should be undertaken in accordance with the most recent discretionary rates relief policy approved by Executive;

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(b) other than for debts referred to in 14.5 below (bankruptcy, liquidation, and any other legally irrecoverable debt) the writing-off debts (including council tax, housing benefit and national non-domestic rates) in excess of £5,000; and

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- (c) the reduction or remission of liability under section 49.
- 10.12.25 10.14.5 To write-off all council tax, housing benefits, and national non-domestic rates outstanding debts which are the subject of formal

bankruptcy, liquidation claims, debt relief orders and any other legally irrecoverable debt at any level.

- 10.12.26 4.6 To determine charges for the service of a

  Summons and Liability Order for non-payment of
  council tax and national non-domestic rates and the
  issue of a Distress Warrant subject to the approval
  of the Court.
- 10.12.27 To enter into agreements for deferred payment of national non-domestic rates, subject to registration of a charge on the Land Register, and in accordance with council policy.
- 10.12.28 To consider, in respect of any reapplication for reduction in Non-Domestic Rate bills (within six months of refusal), whether there is a significant change in circumstances in which case the application shall be submitted to the relevant Executive Member for consideration.
- 10.12.29 To determine and pay Discretionary Housing
  payment in accordance with Housing Benefit
  regulations and section 13 (A)(1)(c) Local
  Government Finance Act 1992, relating to
  Exceptional Hardship in respect of council tax.
- 10.12.30 10.14.10 To apply powers relevant to Housing
  Benefit, Council Tax reduction, Council Tax and
  Business Rates included in the above stated
  regulations, and any relevant regulations (and any
  amendments thereto) other than where Executive or
  Council approval is required.
  10.13.22

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10.12.31 To authorise suitably qualified and experienced Officers to exercise powers and duties afforded to District Councils in the relevant legislation.

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#### 10.1410.13Head of Revenue and Benefits Shared Service

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10.14.110.12.27 Authorise Officers in consultation with the
Head of Legal and Democratic Services to institute
and appear in any legal proceedings relating to
council tax and national non-domestic rates.

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10.14.2<u>10.12.27</u> To receive and process housing benefit and council tax support applications including initial reviews of decisions relating thereto and to approve the backdating of housing benefit payments and council tax benefit payments to attend, as necessary, valuation and council tax tribunal hearings.

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10.14.310.12.27 To exercise discretion under the 1988 Housing
Benefits Scheme (and any amendments thereto) to
disregard, in determining a person's income, the
whole of any war disablement pension or war
widow's pension payable to that person.

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10.14.410.12.27 To carry out all the charging and collection functions arising out of Parts I to III of the Local Government Finance Act 1988 (and any amendments thereto) except for:

(a)10.12.27.1.1.1 the determination of discretionary non-domestic rate relief under Section 47, which

should be undertaken in accordance with the most recent discretionary rates relief policy approved by Executive;

- (b)10.12.27.1.1.1 other than for debts referred to in 14.5 below (bankruptcy, liquidation, and any other legally irrecoverable debt) the writing off debts (including council tax, housing benefit and national non-domestic rates) in excess of £5,000; and
- (c) the reduction or remission of liability under section 49.
- 10.14.5 To write off all council tax, housing benefits, and national non-domestic rates outstanding debts which are the subject of formal bankruptcy, liquidation claims, debt relief orders and any other legally irrecoverable debt at any level.
- 10.14.6 To determine charges for the service of a Summons and Liability Order for non-payment of council tax and national non-domestic rates and the issue of a Distress Warrant subject to the approval of the Court.
- 10.14.710.12.27 To enter into agreements for deferred payment of national non-domestic rates, subject to registration of a charge on the Land Register, and in accordance with council policy.
- 10.14.810.12.27-To consider, in respect of any reapplication for reduction in Non-Domestic Rate bills (within six months of refusal), whether there is a significant change in circumstances in which case the

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application shall be submitted to the relevant Executive Member for consideration.

10.14.910.12.27 To determine and pay Discretionary Housing payment in accordance with Housing Benefit regulations and section 13 (A)(1)(c) Local Government Finance Act 1992, relating to Exceptional Hardship in respect of council tax.

10.14.10 To apply powers relevant to Housing Benefit, Council Tax reduction, Council Tax and Business Rates included in the above stated regulations, and any relevant regulations (and any amendments thereto) other than where Executive or Council approval is required.

### 10.15 <u>Head of Planning and Building</u> ControlDirector for Place

10.13.1 10.15.1 To carry out all the functions of the Council as local planning authority, **except where this**Constitution limits those powers, including, but not limited to, the processing of all planning applications, appeals and pre-application enquiries; and the investigation and decision to take or not take enforcement action<sup>1</sup>.

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<sup>&</sup>lt;sup>1</sup> For the avoidance of doubt all of the functions of the Council as Local Planning Authority means any functions or activities that are beneficial to securing the proper planning of the authority area. This includes providing a development management service, the provision of a planning enforcement service and provision of a planning policy service to advise on the determination of planning applications, prepare policy and guidance (as set out in other sections of this Constitution) and provide specialist advice on a number of subjects including sustainability, urban design, landscaping and heritage.

- 10.1<u>3</u>5.2 To determine all applications submitted under the Acts or secondary legislation listed in footnote 2<sup>2</sup> <u>except where</u> the application:
  - is an outline or full application for a major development as defined in the Town and Country Planning (Development Management Procedure) Order (England) 2015 as amended, except:
    - applications which are for major development by virtue of the extent of the site area only;
    - (ii) where the application is a reserved matters application pursuant to a previous major application;
    - (iii) where the application is a major application which the Head of Planning and Building Control Director of Place recommends to be refused and has notified the Chair of the Development Management Committee of the intended decision.
  - (b) is a non-material or minor material amendment application (variation) pursuant to a previous major application except where the Head of Planning and Building Control Director of Place has notified the Chair of the Development Management Committee that the matter can be dealt with as a delegated decision;

<sup>&</sup>lt;sup>2</sup> All applications submitted under relevant town planning legislation, inter alia the Town and Country Planning Act 1990 (as amended), the Planning (Listed Building and Conservation Areas) Act 1990 (as amended), the Planning (Hazardous Substances) Act 1990 (as amended), Part 8 of the Anti-social Behaviour Act 2003, the Planning Act 2008 (as amended), the Environment Act 2021 the Levelling Up and Regeneration Act 2023 and secondary legislation related to these Acts)

- (c) is an application for planning permission or Listed Building Consent by a Member of the Council;
- (d) is an application other than an application to discharge a condition or make a non-material amendment and is by an officer of the council employed in the planning service area;
- is an application for planning permission or Listed Building Consent by an officer of the council, other than one employed in the planning service area and proposes development other than householder development;
- (f) is an application other than an application to discharge a condition or make a non-material minor amendment or one for prior approval where a Member considers that Delegated Powers should not be exercised by the <u>Director of PlaceHead of Planning and Building Control</u> and the Chair of Development Management Committee agrees that a delegated decision is not appropriate and the Member follows the procedure at a. -c. below. The procedure is:
  - a. The Member must submit a completed application referral form within 28 days of the application being notified or within 21 days of a revised notification being circulated to Ward Members or the Town and Parish Council.
  - b. The application referral form must state the relevant valid planning reasons why the decision should not be delegated and

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- whether the referral relates to a decision to approve or refuse the application.
- c. Where the Chair agrees that a delegated decision is not appropriate, the Member is expected to speak at Development Management Committee in support of their referral having followed the procedure set out in 6.5.2.
- d. Following receipt of a referral form as set out in a. and b. and prior to a recommendation being made, the <a href="Director of Place Head of Planning and Building Control-shall">Director of Place Head of Planning and Building Control-shall</a> brief the Chair of Development Management Committee and seek their confirmation as to whether a delegated decision is appropriate.

For the avoidance of doubt, a Member may withdraw their referral at any time in advance of the application being placed on an agenda for consideration by the Development Management Committee, which shall allow the application to be determined under delegated powers (unless another section of this Constitution requires a decision by Development Management Committee).

(g) is for development by or on behalf of the council, or which relates to a site in which it has a landowning interest, to which an objection has been made which is material to the development proposed. Formatted: Font: 14 pt

10.153.3 To take all actions as necessary with regard to the receipt, validation, consultation and administration of all application types.

10.13.4 To take all actions as necessary with regard to the administration and submission of the council's case, including any review, alteration, amendment or withdrawal of that case, following the appeal of a planning decision.

10.15.5 To take all actions to negotiate, vary and finalise the detail of legal agreements under section 106 of the Town and Country Planning Act 1990 as amended, following authorisation of the heads of terms of such agreements by the Development Management Committee on applications requiring their decision, or following authorisation as a delegated decision, or following the submission of a planning appeal.

10.13.6 To authorise the spending of collected 

s106 monies following notification to the Executive

Member for Planning and Growth.

10.13.7 To take planning enforcement action including registering, investigating and negotiating on alleged breaches of planning control and taking decisions as to whether or not it is expedient to take enforcement action where a breach of planning control has occurred and to take enforcement action both informally and formally, including the serving or withdrawal of notices.

10.15.8 10.13.8 In consultation with the Head of Legal and Democratic Services Director for Legal, Policy and Governance, to initiate prosecutions and the taking of direct action or other enforcement action where Notices have not been complied with, where considered necessary to secure the good planning of the area.

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10.15.9 10.13.9 In consultation with the Head of Legal and Democratic Services Director for Legal, Policy and Governance, to apply for injunctions in appropriate cases where there are any breaches of planning and/or building control, Tree Preservation Orders, or Listed Building and Conservation legislation where it is felt that contravention of planning and/or building control has taken place, and to give any undertakings in damages in such cases.

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10.15.10 10.13.10 To determine whether or not it is expedient to take enforcement action where a breach of planning control has occurred, save where a Member requests the matter be referred to the DM Committee and, in those cases with the agreement of the Chair of the DM Committee.

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10.13.11 To make Directions under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), where it is considered to be an urgent matter and directions relating to unlisted buildings in conservation areas.

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10.135.142To make Tree Preservation Orders, and to determine applications for consent for the cutting down, topping or lopping of trees applications under the Town and Country Planning Act 1990 (as amended) and those submitted under the Hedgerow Regulations 1997 and exercise the powers and duties relating to high hedges under the Anti-Social Behaviour Act 2003.

10.153.123 To exercise the council's powers under Section 70(a) of the Town and Country Planning Act 1990, by declining to determine an application for planning permission for the development of any land where,

within a period of two years, ending with the date on which the application is received, the Secretary of State has refused a similar application referred to him or her under Section 77, or has dismissed an appeal against the refusal of a similar application, and where, in the opinion of the Head of Planning and Building Control Director of Place, there has been no significant change since the refusal or dismissal in the Development Plan or in any other material considerations.

- 10.153.134The consideration, approval and payment of grants in respect of works to Listed Buildings, Heritage Assets at Risk, Undesignated Heritage Assets and with regard to Conservation Areas.
- 10.1<u>3</u>5.14<u>5</u>To exercise the council's planning powers for control of demolition.
- 10.135.156 To approve or reject plans submitted as non-material amendments to planning applications other than major planning applications.
- 10.153.167 To determine applications for certificates of appropriate alternative development.
- 10.1<u>3</u>5.1<u>78</u>To determine applications for certificates of lawful use and development in relation to proposed used and existing use.
- 10.135.189To make observations and respond to consultations on development proposals and consultations on other matters by or on which comments are sought by Government Departments, the Planning Inspectorate, statutory undertakers, and Hertfordshire and Essex County Councils and any

other Local Planning Authorities, which, where relevant, are substantially in accordance with the council's policies and are not likely to be controversial.

- 10.1<u>3</u>5.19<u>20</u> To carry out all functions relating to National Infrastructure Planning including co-ordination of the Council's response to any consultation, examination or other any other matter concerned with major infrastructure projects.
- 10.1<u>35</u>.2<u>01</u>To advertise in the local press applications required to be advertised by statute or orders or regulations made thereunder, planning applications and applications for listed building consent.
- 10.135.242To advertise in the local press and/or by a notice on site applications for planning permission as required by any Development Order made by the Secretary of State.
- 10.135.223 After consultation with the Head of Legal and Democratic Services Director of Legal, Policy and Governance, to institute legal proceedings in respect of the contravention of Tree Preservation Orders and unauthorised works to trees in Conservation Area.
- 10.1<u>3</u>5.2<u>34</u>To enter into Planning Performance and Extension of Time Agreements.
- 10.135.245 To provide advice regarding the potential use or development of land or buildings to prospective applications through either the pre-application

- system, a Planning Performance Agreement or informally.
- 10.1<u>3</u>5.25<u>6</u>To determine the submission of nominations for the registration of Assets of Community Value.
- 10.1<u>3</u>5.26<u>7</u>To authorise an officer to enter land at any time for enforcement purposes in cases where admission has been refused or a refusal is expected or in cases of urgency.
- 10.135.278 To determine submissions as to whether prior approval is required in relation to any of the forms of permitted development for which a prior approval process is required as set out in government regulations (as may be subsequently amended) and in relation to all of the matters which, as specified in the appropriate regulations, those approvals are to be made.
- 10.1<u>3</u>5.28<u>9</u>To give screening opinions and scoping opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 2017 as amended.
- 10.1<u>3</u>5.<u>2930</u> To determine fees for planning applications and planning performance agreements.
- 10.1<u>3</u>5.3<u>0</u>1To determine the building regulation fees charged by the council and to take all actions as necessary acting at the council's representative on the Commissioning Panel with regard to the commissioning of the Building Control service.

10.15.31 10.13.32 To determine applications submitted for approval under the Building

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Regulations and made under the Building Act 1984 (as amended) and the Local Government (Miscellaneous Provisions) Act 1976.

- 10.1<u>3</u>5.3<u>23</u> To be the Appointing Officer for the purposes of the Party Wall Act 1996.
- 10.1<u>3</u>5.3<u>4</u>3 To determine any footpath and bridleways matters including heir protection, creation, diversion, modification and extinguishment.
- 10.15.34 10.13.35 To finalise the wording and requirements of planning conditions and reasons for refusal following the approval or refusal to grant planning permission by Development Management Committee in line with the resolutions of the Committee.

10.15.35 10.13.36 To make minor amendments and/or corrections of a clerical, grammatical or editorial nature only to the wording of conditions, obligations, reasons and informatives.

- 10.15.36 10.13.37 To refuse an application where a planning obligation (including a deed modifying or discharging an existing obligation) acceptable to the Head of Planning and Building Control Director of Place and meeting the requirements of a decision of Development Management Committee (where relevant) has not been entered into.
- 10.15.37 10.13.38 To prepare, consult on, adopt and publish a list of information requirements to be submitted with planning applications, and to use the list to assess the validity of submitted applications.

10.13.39 To discharge obligations under s.106 TCPA 1990 (or s.52 of the TCPA 1971) where the Head of Planning and

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Building Control Director of Place deems that the obligation(s) has been complied with or is no longer relevant due to subsequent planning decisions or the passage of time.

- 10.13.40 10.17.4 Restriction of the use or closure of bowling greens during periods of drought.
- 10.13.41 10.17.5 Control of all grounds owned by the council.
- 10.13.42 The removal, storage and disposal of abandoned vehicles under the Refuse Disposal (Amenity) Act 1978.
- 10.13.43 To determine, in the first instance, whether street cleansing is necessary in the interests of public health or the amenity of the area pursuant to the Environmental Protection Act 1990 Code of Practice on litter and refuse.
- 10.13.44 To be identified as contact officer for the public under the Code of Practice of the Environmental Protection Act 1990.
- 10.13.45 To serve notices under the Environmental Protection
  Act 1990 and the Town and Country Planning Act
  1990 acting in consultation with the Director for Law,
  Policy and Governance.
- 10.13.46 Pursuant to Section 223 of the Local Government Act
  1972 to authorise and institute proceeding in any
  Court in respect of Officers or other matters falling
  within relevant legislation subject to the Director of
  Law, Policy and Governance being satisfied as to the
  sufficiency of the evidence.

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10.13.47 To authorise Officers to serve and sign in their own name all authorisation, variation, revocation and enforcement and other notices and orders as related to in the powers and duties afforded to the District Council in legislation. Formatted: Indent: Left: 0 cm, Hanging: 2.25 cm, No 10.13.48 To authorise suitably qualified and bullets or numbering experienced Officers to exercise powers and duties afforded to District Councils in the relevant legislation. 10.15.38 Formatted: No bullets or numbering 10.1610.14 Head of Housing and Health Director of **Communities** Housing Formatted: Indent: Left: 0 cm, Hanging: 1.27 cm, No 10.16.1 10.14.1 To exercise the council's functions with bullets or numbering regard to homeless persons. 10.16.2 10.14.2 To procure and/or manage temporary Formatted: Indent: Left: 0 cm, Hanging: 1.27 cm, No bullets or numbering accommodation in pursuance of the council's homelessness duties and powers. Formatted: Indent: Left: 0 cm, Hanging: 1.27 cm, No 10.16.3 10.14.3 To write off arrears and debts arising from bullets or numbering the discharge of homelessness powers and duties up to a maximum sum specified by the Head of Strategic Finance and Property Director for Finance, Risk and Performance. Formatted: Indent: Left: 1.27 cm, No bullets or numbering 10.16.4 10.14.4 To maintain registers and records of those in housing need requiring social or affordable housing and nominate applicants to properties owned by Registered Providers (RPs). Formatted: Indent: Left: 1.27 cm, No bullets or numbering 10.14.5 To determine levels of housing need, <del>10.16.5</del> stock condition and market conditions.

10.16.6 10.14.6 To make representations on or objections to housing development applications which are not in the public interest in relation to meeting local housing need.

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10.16.7 10.14.7 To draw up development and/or regeneration schemes with RPs and other partners and pay grants to RPs and others on approved development schemes.

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10.16.8 10.14.8 To make arrangements for and oversee the making of grants and loans and taking of other actions to enable the improvement or return to use of residential properties, including Disabled Facilities Grants.

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10.16.9 10.14.9 To take action under the Crime and Disorder Act 1998, Police and Justice Act 2006 and Anti-Social Behaviour, Crime and Policing Act 2014 or associated guidance and/or replacement legislation to tackle anti-social behaviour, acting in consultation with the Head of Legal and Democratic Services Director for Legal, Policy and Governance -as appropriate.

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10.16.10 10.14.10 In all cases involving arrears of mortgage payments to the council and in consultation with the Head of Strategic Finance and PropertyDirector for Finance, Risk and Performance and Director for Legal, Policy and Governance Head of Legal and Democratic Services or duly authorised Officers, to institute proceedings in the appropriate court to obtain an order for possession of the property and/or recovery of all monies remaining outstanding under the mortgage, legal charge or further charge as the case may be.

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- 10.14.116.11 In relation to the recovery of contributions to the cost of sewerage services in respect of council houses which are sold:
  - (a) to determine actual annual costs and payments on account; and
  - (b) to make special arrangements in the case of hardship or, where necessary, to comply with an existing agreement.

Licensing and Environmental Health

- 10.146.12 To exercise the council's functions relating to hackney carriage/private hire licensing unless relating to a matter reserved for Licensing Committee or Licensing Sub-Committee. To undertake, in consultation with the Head of Legal and Democratic Services Director for Legal, Policy and Governance, prosecutions of hackney carriage drivers and private hire vehicle drivers for road traffic offences and other drivers for criminal offences relating to taxi ranks.
- 10.16.13 10.14.13 To exercise functions, unless reserved for the Licensing Committee or Licensing Sub-Committee, under the Licensing Act 2003 and Gambling Act 2005 including all administrative functions and determinations of unopposed applications for premises licences, personal licences, club premises certificates, temporary events notices, regulated entertainment and late night refreshments, permits and the setting of fees and charges where the legislation allows local determination.

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Formatted: Indent: Left: 1.27 cm, No bullets or numbering 10.14.14 To apply the powers and duties of enforcement afforded to a District Council in all legislation relating to Licensing and Environmental Health matters. Formatted: Indent: Left: 1.27 cm. No bullets or numbering 10.16.15 10.14.15 To authenticate on the council's behalf any notice, certificate or other document required to apply any power or duty afforded to a District Council in legislation relating to Licensing and Environmental Health unless reserved for determination by another body of the Council. Formatted: Indent: Left: 0 cm, Hanging: 1.27 cm, No <del>10.16.16</del> 10.14.16 To exercise the powers of the council as bullets or numbering registration authority including the issue, renewal, transfer or variation of all licences, consents and registrations set out in legislation pertaining to Licensing or Environmental Health matters unless in the case of contested matters reserved for determination by another body of the Council. Formatted: Indent: Left: 0 cm, Hanging: 1,27 cm, No. 10.16.17 10.14.17 To authorise suitably qualified and experienced officers to act as inspectors and serve and sign in their own name all notices and enforcement instruments as related to the powers and duties afforded to District Councils in Licensing and Environmental Health legislation. Formatted: Indent: Left: 0 cm, Hanging: 1.27 cm, No 10.16.18 10.14.18 To appoint and instruct veterinary bullets or numbering surgeons to act on behalf of the council. Formatted: Indent: Left: 0 cm, Hanging: 1.27 cm, No 10.16.19 10.14.19 To nominate Officers for the council and bullets or numbering take appropriate actions as required under the National Assistance Act 1948. 10.146.20 To endorse any agreed transfers of enforcement responsibility for any particular premises, or parts of premises, or any particular activities carried on in

them, from the Health and Safety Executive to the council, or vice versa.

- 10.146.21 To make representation on or objections to any applications for activity in the District on the grounds that permission would be prejudicial to the public interest on environmental, health, nuisance or similar grounds.
- 10.1<u>46</u>.22 To give directions and make applications to Court in respect of unauthorised encampments in the District in consultation with the <u>Head of Legal and Democratic Services Director for Legal, Policy and Governance</u> as appropriate.

Health, Wellbeing and Community Safety

- 10.146.23 To determine requirements and make any necessary arrangements for CCTV cameras in public areas funded by the council.
- 10.146.24 To determine the case for activities under the Regulation of Investigatory Powers Act 2000 or associated guidance and/or replacement legislation, including, acting in consultation with the Head of Legal and Democratic Services the Director for Legal, Policy and Governance, applications to court to conduct covert surveillance.

10.16.25 To be responsible for emergency planning ◆ matters.

10.16.26 10.14.26 To exercise the council's functions to promote community safety and deter anti-social behavior and fly-tipping.

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- 10.1<u>46</u>.27 To act as the council's designated Lead Officer for Safeguarding, promote safeguarding and respond to safeguarding issues raised.
- 10.1<u>46</u>.28 To devise and administer arrangements for distributing grants to improve the health and wellbeing of local people.
- 10.1<u>46</u>.29 To make arrangements to promote environmental sustainability and reduce carbon emissions within the council and throughout the District.

Other

- 10.164.30 To submit monitoring returns to government departments, regulatory bodies and others.
- 10.14.31 To determine road closure applications under the Town Police Clauses Act 1847.
- 10.14.32 To manage the council's property portfolio.
- 10.14.33 Lettings of all properties including council offices:

  consents to assignments and sub-lettings; the granting of easements and licences; entering into leases, sub-leases, licences and easements on behalf of the council as lessee or lessor, sub-lessee, licensee or grantee as appropriate; consent to modification or release of restrictive covenants; rent reviews under existing and future leases, including the approval of terms, subject to reporting transactions half-yearly to the Executive.
- 10.14.34 To administer the Scheme for the collection of trade refuse.

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10.14.35 Approval of types and siting of litter bins provided by parish and town councils.

10.16.31

- 10.14.35 To take action under the Anti-Social Behaviour,

  Crime and Policing Act 2014 or associated guidance
  and/or replacement legislation acting in consultation
  with the Director for Law, Policy and Governance.
- 10.14.36 To authorise suitably qualified and experienced
  Officers to exercise powers and duties afforded to
  District Councils in the relevant legislation.

10.14.37

#### 10.17 Head of Operations

- 10.17.1 To authorise appropriate action to be taken in respect of any contravention of any Order made under Section 35 of the Road Traffic Regulation Act 1984 (as amended) by persons at any car park(s) detailed within such an Order, subject to the outcome of any legal proceedings taken being reported to a subsequent meeting.
- 10.17.2 To charge users a fixed charge equivalent to the charge for the first variable charging period on those occasions when a short stay car park's variable charge equipment is temporarily out of commission.
- 10.17.3 To authorise the use of the council's off-street car parks by commercial and non-commercial organisations on Sundays only, and to determine the charge to be levied in such circumstances.
- 10.17.4 Restriction of the use or closure of bowling greens during periods of drought.

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| <del>10.17.5</del> | Control of all grounds owned by the council.                 |                      |
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|                    |                                                              | Formatted: Highlight |
| 10.17.6            | The letting of council gardens and car parks.                |                      |
|                    |                                                              | Formatted: Highlight |
| 10.17.7            | The removal, storage and disposal of abandoned               |                      |
|                    | vehicles under the Refuse Disposal (Amenity) Act             |                      |
|                    | <del>1978.</del>                                             |                      |
|                    |                                                              | Formatted: Highlight |
| 10.17.8            | To administer the Scheme for the collection of trade refuse. |                      |
| 10.17.9            | Approval of types and siting of litter bins provided         |                      |
|                    | by parish and town councils.                                 |                      |
| 10.17.10           | To determine, in the first instance, whether street          |                      |
| 10.17.10           | cleansing is necessary in the interests of public            |                      |
|                    | health or the amenity of the area pursuant to the            |                      |
|                    | Environmental Protection Act 1990 Code of Practice           |                      |
|                    | on litter and refuse.                                        | Formatted: Highlight |
|                    | <u> </u>                                                     |                      |
| 10.17.11           | To deal with requests for the provision of signs to          |                      |
|                    | prohibit litter or other nuisances within the highway        |                      |
|                    | or car parks, in consultation with the Leader.               |                      |
|                    |                                                              | Formatted: Highlight |
| 10.17.12           | To be identified as contact officer for the public           |                      |
|                    | under the Code of Practice of the Environmental              |                      |
|                    | Protection Act 1990.                                         |                      |
| 10.17.13           | To serve notices under the Environmental Protection          |                      |
| 10.17.13           | Act 1990 and the Town and Country Act 1990 acting            |                      |
|                    | in consultation with the Head of Legal and                   |                      |
|                    | Democratic Services.                                         |                      |
|                    | <del>Democratic Services.</del>                              |                      |
| 10.17.14           | Pursuant to Section 223 of the Local Government              |                      |
|                    | Act 1972 to authorise and institute proceeding in            |                      |
|                    | any Court in respect of Officers or other matters            |                      |
|                    | arry court in respect of officers of other matters           |                      |
|                    | any court in respect of officers of other matters            |                      |

|                               | falling within relevant legislation subject to the Head |                      |
|-------------------------------|---------------------------------------------------------|----------------------|
|                               | of Legal and Democratic Services being satisfied as     |                      |
|                               | to the sufficiency of the evidence.                     |                      |
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| 10.17.15                      | To authorise suitably qualified and experienced         |                      |
|                               | Officers to exercise powers and duties afforded to      |                      |
|                               | District Councils in the relevant legislation.          |                      |
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| 10.17.16                      | To take action under the Anti-Social Behaviour,         |                      |
|                               | Crime and Policing Act 2014 or associated guidance      |                      |
|                               | and/or replacement legislation acting in consultation   |                      |
|                               | with the Head of Legal and Democratic Services.         |                      |
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| 10.17.18                      | To authorise Officers to serve and sign in their own    |                      |
|                               | name all authorisation, variation, revocation and       |                      |
|                               | enforcement and other notices and orders as             |                      |
|                               | related to in the powers and duties afforded to the     |                      |
|                               | District Council in legislation.                        | Formatted: Highlight |
|                               | •                                                       |                      |
| 10.17.19                      | To consider objections received in relation to          |                      |
|                               | proposed Traffic Regulation Orders in in                |                      |
|                               | consultation with the Executive Member for              |                      |
|                               | Environmental Sustainability.                           |                      |
| 40.450                        | Hand of ICT Street and Banks and his Manager (as        |                      |
| 10.1 <u>5</u> 8               | Head of ICT Strategic Partnership Manager (or           |                      |
|                               | equivalent post-holder as provided by Stevenage         |                      |
|                               | Borough Council under the shared services               |                      |
|                               | arrangements)                                           |                      |
| 10.1 <u>5</u> 8.1             | To develop the council's information systems,           |                      |
| 10.1 <u>2</u> <del>0</del> .1 | information technology and e-government                 |                      |
|                               | strategies.                                             |                      |
|                               | su augies.                                              |                      |
| 10.1 <u>5</u> 8.2             | To develop the council's information and                |                      |
| 10.1 <u>0</u> .2              | communications technology strategies including the      |                      |
|                               | communications technology strategies including the      |                      |
|                               |                                                         |                      |
|                               |                                                         |                      |

supply, withdrawal, data protection, security and integrity of the systems to Officers and Members. 10.158.3 To supply connections and services to public sector partners and other organisations as required, provided that the integrity of the council's information systems is maintained. 10.1<u>5</u>8.4 To advise on and provide resilient ICT hardware and software solutions to maximise the efficiency of the council's operations. Formatted: Indent: Left: 0 cm, Hanging: 2.5 cm **Director for Regeneration, Customer and Commercial Services Head of Communications, Strategy and Policy** 10.1<u>6</u>9.1 To lead interpretation of and promote council

10.19.2 10.16.2 To ensure compliance with Section 88 of the Localism Act regarding the registering of Assets of Community Value.

part of the Equality Act 2010.

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10.16.3 To ensure compliance with the Government's Code of Recommended Practice on Local Authority Publicity pursuant to the Local Government Act 1986.

compliance with the Public Sector Equality Duty as

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10.19.4 10.16.4 To advise on best practice in public consultation in line with the Cabinet Office's Consultation Principles 2016 and any successor guidance or requirements.

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10.16<del>9</del>

10.16.5 To administer the council's Complaints
Policy and liaise with the Ombudsman when complaints have been escalated.

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10.16.6 To take action against persistent and unreasonable complainants.

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10.19.6 10.16.7 To authorise appropriate action to be taken in respect of any contravention of any Order made under Section 35 of the Road Traffic Regulation Act 1984 (as amended) by persons at any car park(s) detailed within such an Order, subject to the outcome of any legal proceedings taken being reported to a subsequent meeting.

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10.16.8 10.17.2 To charge users a fixed charge equivalent to the charge for the first variable charging period on those occasions when a short stay car park's variable charge equipment is temporarily out of commission.

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10.16.917.3 To authorise the use of the council's offstreet car parks by commercial and non-commercial organisations on Sundays only, and to determine the charge to be levied in such circumstances. Formatted: Indent: Left: 1.63 cm, No bullets or numbering

10.16.10 To consider objections received in relation to proposed Traffic Regulation Orders in in consultation with the Executive Member for Environmental Sustainability.

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10.16.11 The letting of council gardens and car parks 10.19.7

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10.16.12 To deal with requests for the provision of signs to prohibit litter or other nuisances within the highway or car parks, in consultation with the Leader.

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Officers to exercise powers and duties afforded to
District Councils in the relevant legislation.

## 11.7 Designation of Statutory and Proper Officers

11.7.1 The following are the Statutory and Proper Officers of the Council under the enactments shown below.

## 11.7.2 Statutory Officers

| Legislation                                      | Function          | Post holder              |
|--------------------------------------------------|-------------------|--------------------------|
| Section 4(1) Local                               | Head of Paid      | Chief Executive          |
| Government and Housing                           | Service           | (Deputy Chief Executive  |
| Act 1989                                         |                   | nominated as deputy)     |
| Section 5(1) Local                               | Monitoring        | Head of Legal and        |
| Government and Housing                           | Officer           | Democratic               |
| Act 1989                                         |                   | Services Director for    |
|                                                  |                   | Legal, Policy and        |
|                                                  |                   | Governance               |
|                                                  |                   | (Legal Services Manager  |
|                                                  |                   | nominated as deputy)     |
| Section 151 Local                                | Chief Financial   | Head of Finance and      |
| Government Act 1972                              | Officer           | <del>Property</del>      |
|                                                  |                   | Services Director for    |
|                                                  |                   | <u>Finance, Risk and</u> |
|                                                  |                   | <u>Performance</u>       |
| Section 35 Representation of the People Act 1983 | Returning Officer | Chief Executive          |
| Section 8 Representation                         | Electoral         | Chief Executive          |
| of the People Act 1983                           | Registration      | (Elections Manager       |
|                                                  | Officer           | nominated as deputy)     |
| Article 37 General Data                          | Data Protection   | Data Protection Officer  |
| Protection Regulations 2016/679                  | Officer           |                          |

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#### Notes:

- Section 113 Local Government and Finance Act 1988 provides that the Chief Finance Officer must also be the Council Tax Registration Officer.
- 2. Under Section 114 Local Government and Finance Act 1988 the Chief Finance Act 1988 the Chief Finance Officer nominate a suitable qualified member of his/her staff to carry out his/her duties under that Section when s/he is unable to act through absence or illness.
- 3. Under 5(7) Local Government and Housing Act 1989 the Monitoring Officer must nominate a deputy to act when s/he is unable through absence or illness to fulfil the role him/herself.
- 4. Under Section 35 Representation of the People Act 1983 the Returning Officer may appoint deputies to assist him/her in his/her duties.
- 5. Under s52(2) Representation of the People Act 1983 the Electoral Registration Officer may appoint deputies to assist him/her in his/her duties.
- 6. Under s24 Representation of the People Act 1983 the Returning Officer at a parliamentary election is the Chairman of the Council. However under Section 28, the Electoral Registration Officer may discharge the functions of the Returning Officer as Acting Returning Officer. Under sub-section (5) the Acting Returning Officer has power to appoint deputies.
- 7. Under Article 37 of the General Data Protection Regulations 2016/679, the Council as a data controller shall designate a Data Protection Officer.

#### **Proper Officers**

| Legislation            | Function                                                                                                                                           | Post Holder                                                                             |
|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| Local Government Act 1 | 972                                                                                                                                                |                                                                                         |
| Section 83 (1) to (4)  | Provides that a declaration in the prescribed form of acceptance of office of Chairman, Vice Chairman or Councillor be made to the proper officer. | Head of Legal and Democratic Services Director for Legal, Policy and Governance         |
| Section 84(1)          | States that written notice of resignation must be given by Councillors to the proper officer.                                                      | Director for Legal, Policy<br>and GovernanceHead of<br>Legal and Democratic<br>Services |

| Legislation                           | Function                                                                                                                                                                                                                                                                                  | Post Holder                                                                             |
|---------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| Section 88(2)                         | Gives the proper officer power to convene a meeting for the purpose of convening a casual vacancy in case of Chairman of the Council.                                                                                                                                                     | Director for Legal, Policy<br>and GovernanceHead of<br>Legal and Democratic<br>Services |
| Section 89(1)(b)                      | Makes provision for the proper officer to accept notice in writing of the casual vacancy occurring in the office of councillor.                                                                                                                                                           | Chief Executive                                                                         |
| Section 96                            | Provides that the Proper<br>Officer is to receive and<br>record disclosures of<br>pecuniary interests<br>under Section 94.                                                                                                                                                                | Director for Legal, Policy<br>and GovernanceHead of<br>Legal and Democratic<br>Services |
| Section 100(a) to (h) (excluding (f)) | For all purposes connected in the Local Government Act 1972 and the Local Government Act 2000 concerned with the provision of information about the decisions made or to be made by councillors including access to agenda, reports, background papers, minutes and records of decisions. | Director for Legal, Policy<br>and GovernanceHead of<br>Legal and Democratic<br>Services |

| Legislation     | Function                                                                                                                                                                                                                                                                             | Post Holder                                                                                |
|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| Section 100 (f) | Provides that the proper officer is to deal with additional rights of access of documents for members of principal councils.                                                                                                                                                         | Chief Executive                                                                            |
| S115            | Provides that the proper officer shall receive any monies held or received by officers during the course of employment, or shall issue directions as to whom the monies should be paid.                                                                                              | Head of Strategic Finance<br>and Property Director for<br>Finance, Risk and<br>Performance |
| Section 137(a)  | Gives the proper officer power to require a voluntary organisation or similar body to supply information to him/her, where a local authority uses its powers under Section 137 to give financial assistance to that voluntary organisation or similar body above a relevant minimum. | Director for Finance, Risk and Performance Head of Strategic Finance and Property          |
| Section 146     | Provides that the proper officer is to make a statutory declaration, or give a certificate, in order                                                                                                                                                                                 | Director for Finance, Risk<br>and Performance Head<br>of Strategic Finance and<br>Property |

| Legislation            | Function                                                                                                                                                                            | Post Holder                                                                                |
|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
|                        | to allow for securities etc. to be transferred on change of name of local authority or change of area.                                                                              |                                                                                            |
| Section 210(6) and (7) | Appoints the proper officer to be vested with certain powers in respect of charities.                                                                                               | Chief Executive                                                                            |
| Section 225            | Imposes a duty on the proper officer to receive and retain documents deposited with him/her pursuant to standing orders of either House of Parliament or any statute or instrument. | Head of Legal and Democratic Services Director for Legal, Policy and Governance            |
| Section 228            | Accounts of any Proper Officer to be open to inspection by any Member of the Authority.                                                                                             | Director for Finance, Risk<br>and Performance Head<br>of Strategic Finance and<br>Property |
| Section 229(5)         | Provides that the proper officer must certify any photographic copies of documents.                                                                                                 | Director for Legal, Policy<br>and GovernanceHead of<br>Legal and Democratic<br>Services    |
| Section 234            | Provides that any notice, order or other document which a local authority are authorized or                                                                                         | Director for Legal, Policy<br>and GovernanceHead of<br>Legal and Democratic<br>Services    |

| Legislation                 | Function                                                                                                                        | Post Holder                                                                             |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
|                             | required to give under any enactment may be signed on behalf of the authority by the proper officer.                            |                                                                                         |
| Section 238                 | Provides that printed copies of bylaws are endorsed with a certificate signed by the proper officer.                            | Director for Legal, Policy<br>and GovernanceHead of<br>Legal and Democratic<br>Services |
| Schedule 12<br>Section 99   | Conduct of meetings including requirements for notices to be given and sign summons to attend meetings of the Council and polls | Director for Legal, Policy<br>and GovernanceHead of<br>Legal and Democratic<br>Services |
| Local Government Act        | 1974                                                                                                                            |                                                                                         |
| Section 30                  | Proper Officer must give<br>public notice of Local<br>Government<br>Ombudsman's Reports.                                        | Director for Legal, Policy<br>and GovernanceHead of<br>Legal and Democratic<br>Services |
| Local Land Charges Act 1975 |                                                                                                                                 |                                                                                         |
| Section 3(1)                | Chief Land Registrar for<br>the Register of Local<br>Land Charges                                                               | Director for Legal, Policy<br>and GovernanceHead of<br>Legal and Democratic<br>Services |

| Legislation                           | Function                                                                                                                                                           | Post Holder                                                                                |  |  |
|---------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|--|--|
| Representation of the People Act 1983 |                                                                                                                                                                    |                                                                                            |  |  |
| Section 67                            | Receipt of notice of an election agent for local elections.                                                                                                        | Chief Executive                                                                            |  |  |
| Sections 82 and 89                    | Receipt of election expense declarations and returns and the holding of those documents for public inspection.                                                     | Chief Executive                                                                            |  |  |
| Sections 128                          | Provides that a copy of any petition questioning a local government election shall be sent to the proper officer who shall publish it in the local authority area. | Chief Executive                                                                            |  |  |
| •                                     | oal Areas) (England and Wa<br>nities) (England and Wales)                                                                                                          |                                                                                            |  |  |
|                                       | Retention and public inspection of document after an election.                                                                                                     | Chief Executive                                                                            |  |  |
| Local Government Finance Act 1988     |                                                                                                                                                                    |                                                                                            |  |  |
| Section 114                           | Duty to Report.                                                                                                                                                    | Head of Strategic Finance<br>and Property Director for<br>Finance, Risk and<br>Performance |  |  |
| Section 116                           | Provides that the proper officer must give the authority's auditor notice                                                                                          | Director for Finance, Risk<br>and PerformanceHead of<br>Strategic Finance and<br>Property  |  |  |

| Legislation                  | Function                                                                                                             | Post Holder                                                                             |
|------------------------------|----------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
|                              | of meetings held under s115.                                                                                         |                                                                                         |
| Local Government and         | Housing Act 1989                                                                                                     |                                                                                         |
| Section 2                    | Proper Officer to hold a list of politically restricted posts.                                                       | Director for Legal, Policy<br>and GovernanceHead of<br>Legal and Democratic<br>Services |
| Local Government Act         | 2000                                                                                                                 |                                                                                         |
| All                          | All references to the Proper Officer in the Local Government Act 2000 and subordinate legislation.                   | Director for Legal, Policy<br>and GovernanceHead of<br>Legal and Democratic<br>Services |
| Assets of Community V        | alue (England) Regulation                                                                                            | s 2012                                                                                  |
| Assets of Community<br>Value | Decisions under Assets of<br>Community Value<br>(England) Regulations<br>2012                                        | Director for Legal, Policy<br>and GovernanceHead of<br>Legal and Democratic<br>Services |
| Miscellaneous                |                                                                                                                      |                                                                                         |
| All Provisions               | Any other miscellaneous proper or statutory officer functions not otherwise specifically delegated by the Authority. | Chief Executive or his/her nominee                                                      |

## 11.8 Officer Employment Procedure Rules

11.9 Recruitment and appointment

**Declarations** 

- 11.9.1 The council will require any candidate for appointment as an employee to state in writing whether they have any connections to an existing Member or employee of the council or of the spouse or partner of such persons.
- 11.9.2 A candidate who does not disclose such a relationship may be disqualified from consideration, and if appointed, may be liable to dismissal.
- 11.9.3 Every Member and Officer of the council will inform the Head of Service Director concerned when they become aware of an application by a relative.
- 11.9.4 No candidate connected to a Member or an Officer will be appointed without the authority of the Head of Paid Service or an officer nominated by him/her.
- 11.9.5 The council will disqualify any applicant who directly or indirectly seeks the support of any Member for any appointment with the council. The content of this paragraph will be included in any recruitment information.

#### 11.10 Recruitment of Head of Paid service and Chief Officers

11.10.1 For the purposes of these rules, the term "Chief Officers" shall mean the Chief Executive and the Deputy Chief Executive.

- 11.10.2 Where the council proposes to appoint a chief officer and it is not proposed that the appointment be made exclusively from among existing officers, the council will:
  - (a) draw up a statement specifying the duties of the officer concerned and any qualifications or qualities to be sought in the person to be appointed; and
  - (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it.

## 11.11 Appointment of Chief Executive

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

## 11.12 Appointment of Chief Officers

- 11.12.1 The Chief Officer Recruitment Committee will appoint Chief Officers.
- 11.12.2 An offer of employment as a Chief Officer shall only be made where no well-founded objection from any Member of the Executive has been received.

# 11.13 Other Appointments

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

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

## 11.14 Disciplinary Action – Statutory Officers

- 11.14.1 Disciplinary action for the dismissal of the Head of Paid Service, Chief Financial Officer or Monitoring Officer shall take place in accordance with Schedule 3 of the Local Authorities (Standing Orders) (England) Regulations 2015.
- 11.14.2 Suspension. The Head of Paid Service, Deputy Chief Executive, Monitoring Officer or Chief Financial Officer may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and last no longer than two months unless the Chief Officer Recruitment Committee recommends the suspension should continue beyond that point.
- 11.14.3 A Statutory Officer may not be dismissed by the authority unless the procedure set out in paragraphs 11.13.4 11.13.14 is complied with.
- 11.14.4 The Chief Officer Recruitment Committee will investigate any allegations against a Statutory Officer.
- 11.14.5 The Chief Officer Recruitment Committee must appoint an Independent Investigator taken from a list held by the National Joint Secretaries.
- 11.14.6 The Independent Investigator will investigate and prepare a report to be considered by the Chief Officer Recruitment Committee.
- 11.14.7 The Chief Officer Recruitment Committee will meet to consider the report and give the Statutory Officer an

- opportunity to state their case and to question witnesses where relevant.
- 11.14.8 The Chief Officer Recruitment Committee will have the following options available to them:
  - (a) Take no further action;
  - (b) Recommend informal resolution or other appropriate procedures;
  - (c) Refer back to the Independent Investigator for further investigation and report;
  - (d) Take disciplinary action against the Statutory Officer short of dismissal; or
  - (e) Propose dismissal of Statutory Officer to Full Council.
- 11.14.9 If the Chief Officer Recruitment Committee propose dismissal of the Statutory Officer to Full Council, this must be considered by the Independent Panel.
- 11.14.10 The authority must invite relevant independent persons to be considered for appointment to the Panel, with a view to appointing at least two such persons to the Panel.
- 11.14.11 Subject to paragraph 11.14.12, the authority must appoint to the Panel such relevant independent persons who have accepted an invitation issued in accordance with paragraph 11.14.10 in accordance with the following priority order:
  - (a) a relevant independent person who has been appointed by the authority and who is a local

#### government elector;

- (b) any other relevant independent person who has been appointed by the authority;
- (c) a relevant independent person who has been appointed by another authority or authorities.
- 11.14.12 The authority is not required to appoint more than two relevant independent persons in accordance with paragraph 11.14.11 but may do so.
- 11.14.13 The authority must appoint any Panel at least 20 working days before the meeting of the Council at which the recommendation for dismissal is to be considered. The Panel will review the decision and prepare a report for Council.
- 11.14.14 The Council must consider the proposal that the Statutory Officer be dismissed. Before the taking of a vote at the relevant Council meeting on whether or not to approve such a dismissal, the authority must take into account:
  - (a) any advice, views or recommendations of the Panel;
  - (b) the conclusions of any investigation into the proposed dismissal; and
  - (c) any representations from the Statutory Officer.
- 11.14.15 Any remuneration, allowances or fees paid by the authority to an independent person appointed to the Panel must not exceed the level of remuneration, allowances or fees payable to that independent person in respect of that person's role as independent person under the Localism Act 2011.

- 11.14.16 Subject to the provisions of The Local Authorities (Standing Orders) (England) Regulations 2015 all actions will be in accordance with both the JNC Conditions of Service for Chief Executives/Chief Officers and the council's employment policies.
- 11.14.17 Notice of the dismissal of the Chief Executive or any Chief Officers or assistant to a political group must be given to the Executive in accordance with paragraph 6 of Part II to Schedule I of the Local Authorities (Standing Orders) (England) Regulations 2015.
- 11.14.18 Chief Officers and the Head of Paid Service have a right of appeal against dismissal to a Joint Chief Officer Appeals Committee specifically appointed for that purpose.
- 11.14.19 Members will not be involved in disciplinary action against any Officer below Chief Officer level, except where such involvement is necessary for any investigation or inquiry into alleged misconduct. Such disciplinary action will be undertaken by the Head of Paid Service or an Officer nominated by them.

# Section 12 - Access to Information Procedure Rules

### 12.1 Scope

These rules apply to all meetings of the Council, Scrutiny and other Committee, Regulatory Committees, Joint Committees, Sub-Committees, panels and public meetings of the Executive (together called 'meetings' within this part of the Constitution).

## 12.2 Additional rights to information

These rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law.

# 12.3 Rights to attend meetings

- 12.3.1 Members of the public may attend all meetings subject only to the exceptions in these rules.
- 12.3.2 Any person is permitted to film or record any meeting of Council, a Committee, Sub-Committee or the Executive, save where the public have been excluded for the consideration of exempt or confidential business. The rules, as prescribed by legislation, will allow for the reporting of meetings via social media of any kind. The council will provide reasonable facilities to facilitate reporting.
  - 12.3.3 Any person exercising such rights must not disrupt the proceedings. Examples of what will be regarded as disruptive include, but are not limited to:

- (a) moving outside the area designated for the public;
- (b) making excessive noise;
- (c) intrusive lighting/flash; or
- (d) asking a Member to repeat a statement.

In addition, members of the public or the public gallery should not be filmed as this could infringe an individual's right to privacy, if their prior permission has not been obtained. Any person considered to be disruptive in filming or recording the public will be requested to cease doing so by the Chair of the Committee and may be asked to leave the meeting.

## 12.4 Notices of meeting

12.4.1 The council will give at least five Clear Days' notice of any meeting except where an urgent meeting is convened by posting details of the meeting at Wallfields, Pegs Lane, Hertford, Hertfordshire SG13 8EQ, the designated office and on the council's website.

## 12.5 Access to agenda and reports before the meeting

12.5.1 The council will make available for public inspection the agenda and reports on its website and at the council offices at least five Clear Days before the meeting. If an item is added to the agenda after publication, the supplementary agenda will be open to inspection from the time the item was added to the agenda and the t Monitoring Officer shall make each such report available to the public as soon as the report is completed and sent to Members.

## 12.6 Supply of copies

- 12.6.1 Agendas, reports and Background papers are available to view on the council's website. The council will, on request, and may for such reasonable charge as is from time to time agreed, supply hard copies of:
  - (a) any agenda and reports which are open to public inspection;
  - (b) any Background papers listed within the reports;and
  - (c) copies of any other documents supplied to
    Members in connection with an item to any person,
    on payment of a charge for postage and any other
    costs, if the Monitoring Officer thinks fit.

## 12.7 Access to documents after the meeting

- 12.7.1 In addition to publishing information on the council's website as soon as reasonably practicable the council will make available upon request, hard copies, for a reasonable charge, of the following for six years after a meeting:
  - the minutes of the meeting, reports and records of decisions taken, together with reasons, for all meetings which were opened to the public.
     However where the meetings discuss exempt or Confidential Information, the minutes open to the public will only include a record of the proceedings and the decision.
  - (b) records of Executive decisions taken by individual Executive Members or Officers including the reasons

for the decision and any alternative options considered and rejected.

(c) the agenda for the meeting.

## 12.8 Background papers

## 12.8.1 List of Background papers

The author of the report will set out in every report a list of those documents (called Background papers) relating to the subject matter of the report which in the report author's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) which have been relied on to a material extent in preparing the report;

but do not include published works or those which disclose exempt or Confidential Information (as defined in Paragraph 10 of this part of the Constitution).

- 12.8.2 The council will make available for public inspection for six years after the date of the meeting, one copy of each of the documents on the list of Background papers.
- 12.8.3 Arrangements for inspection should be made through Democratic Services at the designated office and on the council's website. In the case of reports to the Executive, the Background papers will be published on the council's website, subject to paragraph 12.10 in this part of the Constitution. The council may make a reasonable charge for access to Background papers to be inspected at the council's offices.

## 12.9 Exclusion of access by the public to meetings

12.9.1 Confidential Information – requirement to exclude public

The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that Confidential Information would be disclosed.

## 12.9.2 Meaning of Confidential Information

Confidential Information means information given to the council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order.

### 12.9.3 Exempt information – discretion to exclude public

The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed which falls into one of the seven definitions of information that is exempt from disclosure to the public and press which is at paragraph 12.9.4 below.

# 12.9.4 Meaning of exempt information

Exempt information means any information falling within the following seven categories (subject to any condition) as defined in Part 1 of Schedule 12A of the Local Government Act 1972 (as amended):

| Category                       | <u>Condition</u> |
|--------------------------------|------------------|
| 1. Information relating to any |                  |
| individual.                    |                  |

| 2. Information which is likely to reveal the identity of an individual.                                                                   |                                                                                                              |
|-------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information). | Information is not exempt information if it is required to be registered under:  (a) The Companies Act 2006; |
|                                                                                                                                           | (b) The Friendly Societies Act 1974;                                                                         |
|                                                                                                                                           | (c) The Friendly Societies Act<br>1992;                                                                      |
|                                                                                                                                           | (d) The Industrial and<br>Provident Societies Acts 1965<br>to 1978;                                          |
|                                                                                                                                           | (e) The Building Societies Act<br>1986; or                                                                   |
|                                                                                                                                           | (f) The Charities Act 1993.                                                                                  |
|                                                                                                                                           | "Financial and business affairs" includes contemplated, as well as past or current activities.               |
| 4. Information relating to                                                                                                                | Employee means a person                                                                                      |
| any consultations or                                                                                                                      | employed under a contact of                                                                                  |
| negotiations, or contemplated consultations                                                                                               | service. "Labour relations<br>matters" means any matters                                                     |
| or negotiations, in                                                                                                                       | specified in section 218(1)(a)                                                                               |

| connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority                                                                    | to (g) of the Trade Union and<br>Labour Relations<br>(Consolidation) Act 1992.<br>These matters also apply to<br>office holders as to<br>employees. |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| 5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.                                                                                                             |                                                                                                                                                     |
| 6. Information which reveals that the authority proposes:  (a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or  (b) To make an order or direction under any enactment. |                                                                                                                                                     |
| 7. Information relating to any action or any action proposed to be taken in connection with the prevention, investigation or prosecution of crime.                                                                               |                                                                                                                                                     |

Notes: (a) Information falling within any of categories 1-7 is not exempt by virtue of that category if it relates to proposed development for which the local

planning authority can grant itself planning permission under Regulation 3 of the Town and Country Planning General Regulations 1992.

- (b) Information which:- (a) falls within any of categories 1 to 7 above; and (c) is not prevented from being exempt by virtue of the condition is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- (d) Where the meeting will determine any person's civil rights or obligations, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in that Article.

## 12.10 Exclusion of access by the public to reports

12.10.1 If the Monitoring Officer thinks fit, the council may exclude access by the public to reports Such reports will be marked "Not for publication" together with the category of information likely to be disclosed.

## 12.11 Application of paragraphs to the Executive

12.11.1 Paragraphs 12.12 – 12.23 of this part of the Constitution apply to the Executive, its Committees and Executive Members.

# 12.12 Procedures prior to private meetings

- 12.12.1 At least 28 Clear Days before a private meeting of the Executive:
  - (a) notice of intention to hold the meeting must be made available at the council's offices; and
  - (b) that notice must be published on the council's website.

- The council's Forward Plan will be used to publish notices under this rule.
- 12.12.2 The notice under paragraph 12.12.1 must include:
  - (a) a statement of the reasons for the meeting being held in private.
  - (b) details of any representations received by the Executive about why the meeting should be open to the public; and
  - (c) a statement of its responses to any such representations.
- 12.12.3 Where the date by which a meeting must be held makes compliance with paragraph 12.12.1 impracticable, the Chief Executive must obtain agreement from:
  - (a) the Chair of the Overview and Scrutiny Committee; or
  - (b) if the Chair of the Overview and Scrutiny Committee is unable to act, the Chairman of the Council; or
  - (c) where there is no Chair of either the Overview and Scrutiny Committee or of the Council, the Vice-Chairman of the Council, that the meeting is urgent and cannot reasonably be deferred.
- 12.12.4 As soon as reasonably practicable after the Chief Executive has obtained agreement under paragraph 12.12.3 to hold a private meeting, they must:
  - (a) make available at the council's offices a notice setting out the reasons why the meeting is urgent and cannot reasonably be deferred; and

(b) publish that notice on the council's website

#### 12.13 Attendance at private meetings of the Executive

- 12.13.1 All Members of the Executive will be served notice of, and are entitled to attend, all private meetings of the Executive. The Chief Executive, Deputy Chief Executive, the Chief Financial Officer and the Monitoring Officer (or their deputies) can attend.
- 12.13.2 The provisions of paragraph 12.3.2 in this part of the Constitution will not apply.

#### 12.14 Rights of non-executive Members

- 12.14.1 All Members may request to attend a private meeting of the Executive and attendance will be at the Leader's discretion.
- 12.14.2 Any request for documentation will be provided as soon as reasonably practicable, but no later than 10 Clear Days after the request is made, subject to paragraph 12.14.3.
- 12.14.3 If the Leader of the Council determines that material will not be provided, they must provide the Member with a written statement, setting out its reasons for that decision.

#### 12.15 Procedures prior to public meetings

- 12.15.1 The council will give notice of the time and place of a public meeting by displaying it at the council's offices and publishing it on the council's website:
  - (a) at least five Clear Days before the meeting; or

- (b) where the meeting is convened at short notice, at the time that the meeting is convened.
- 12.15.2 An item of business may only be considered at a public meeting:
  - (a) where a copy of the agenda or part of the agenda including the item has been available for inspection by the public for at least five Clear Days before the meeting; or
  - (b) where the meeting is convened at shorter notice, a copy of the agenda including the item has been available for inspection by the public from the time that the meeting was convened;
  - (c) where an item which would be available for inspection by the public is added to the agenda, copies of the supplementary agenda and any report relating to the item for consideration at the meeting, must be available for inspection by the public when the item is added to the agenda.

#### 12.16 Access to agenda and reports for public meetings

- 12.16.1 A copy of the agenda and every report for a meeting will be made available for inspection by the public at the council's offices and on the council's website.
- 12.16.2 If the Monitoring Officer thinks fit, there may be excluded from the copy of any report the whole, or any part which relates only to matters during which, in the opinion of the Monitoring Officer the meeting is likely to be a private meeting.

- 12.16.3 A copy of the agenda item or report will not be available for inspection by the public until a copy is available to Members of the Council. Where the whole or of the part of a report for a public meeting is not available for inspection by the public:-
  - (a) every copy of the whole report or of the part of the report, as the case may be, must be marked "not for publication" and
  - (b) there must be stated on every copy of the whole or part of the report:
    - (i) that it contains Confidential Information; or
    - (ii) the description of exempt information by virtue of which the Executive is likely to exclude the public during the item to which the report relates.
- 12.16.4 Except during any part of a meeting during which the public are excluded, the council will make available for the use of members of the public present at the meeting a copy of the agenda and of the reports for the meeting on its website.
- 12.16.5 Unless they contain confidential or exempt information, following a request made by a member of the public or on behalf of the media and on payment being made of postage, copying or other necessary charge for transmission, the council will supply to that person or newspaper:
  - (a) a copy of the agenda for a public meeting and a copy of each of the reports for consideration at the meeting;

- (b) such further statements or particulars, as are necessary to indicate the nature of the items contained in the agenda; and
- (c) if the Monitoring Officer thinks fit in the case of any item, a copy of any other document supplied to Members of the Executive in connection with the item.

### 12.17 Publicity in connection with Key Decisions: the Forward Plan

- 12.17.1 Where a decision maker intends to make a Key Decision, the council will publish a document, known as the Forward Plan which states:
  - (a) that a Key Decision is to be made on behalf of the council;
  - (b) the matter in respect of which the decision is to be made;
  - (c) where the decision maker is an individual Executive Member or Officer, that individual's name and title/portfolio as appropriate, or if the decision maker is the Executive, a list of Executive Members;
  - (d) the date on which, or the period within which, the decision is to be made;
  - (e) a list of the documents submitted to the decision maker for consideration in relation to the matter in respect of which the Key Decision is to be made;

- (f) the address from, subject to any prohibition or restriction on their disclosure, copies of, or extracts from, any documents listed are available;
- (g) that other documents relevant to those matters may be submitted to the decision maker; and
- (h) the procedure for requesting details of those documents (if any) as they become available.
- 12.17.2 At least 28 <u>Clear Dayscalendar days</u> before a Key Decision is made, the document must be made available for inspection by the public at the council's offices and on the council's website.
- 12.17.3 Where, in relation to any matter:-
  - (a) the public may be excluded from the meeting at which the matter is to be discussed; or
  - (b) documents relating to the decision need not, be disclosed to the public,

the document will contain particulars of the matter but many not contain any confidential or exempt information.

#### 12.18 General exception and special urgency

- 12.18.1 If it is not possible to meet the requirements to give notice of a Key Decision laid out in paragraph 12.17.2 above, the making of the Key Decision can proceed so long as:
  - (a) the Monitoring Officer has sought and received in writing the agreement of the Chair of the Overview and Scrutiny Committee or, in their absence, the Vice

Chair of the Overview and Scrutiny Committee, to the general exception to the notice requirements; and

- (b) the Monitoring Officer has made available at the council's offices for inspection by the public and has published on the council's website, a copy of the notice of the decision, including the reasons why compliance with the publicity requirement is impracticable; and
- (c) five working days have elapsed following the day on which the Monitoring Officer made available the notice.
- 12.18.2 Where there is special urgency, the requirement in paragraph 12.18.1(c) above to give five working days' notice of the Key Decision may be withdrawn so long as requirements (a) and (b) in paragraph 12.18.1 above are met. In such cases, the notice of the Key Decision must include the reasons for the special urgency.

#### 12.19 Recording of Executive decisions made at meetings

- 12.19.1 As soon as reasonably practicable after any meeting of the Executive or its Committees at which an executive decision was made, the Monitoring Officer, must ensure that a written statement is produced for every executive decision made which includes the information specified in paragraph
- 12.19.2 The statement referred to in paragraph 12.19.1 must include:-

- (a) a record of the decision including the date it was made;
- (b) a record of the reasons for the decision;
- (c) details of any alternative options considered and rejected by the Executive at the meeting which the decision was made;
- (d) a record of any conflict of interest relating to the matter decided which is declared by any Member of which the decision was made;
- (e) in respect of any declared conflict of interest, a note of dispensation granted by the Head of Paid Service.

# 12.20 Recording of executive decisions made by Executive Members and Key Decisions made by Officers acting under delegated authority

- 12.20.1 As soon as reasonably practicable after an Executive Member has made an executive decision or an Officer has made a Key Decision, the Monitoring Officer will produce a written statement of that executive decision which should include the information specified in paragraph 12.20.2.
- 12.20.2 The statement referred to in paragraph12.20.1 must include:
  - (a) that a Key Decision has been made and details of the matter excluding any confidential or exempt information;
  - (b) the date it was made;

- (c) the reasons for the decision;
- (d) details of any alternative options considered and rejected by the decision maker when making the decision;
- (e) a record of any conflict of interest declared by any Executive Member who was consulted in relation to the decision; and
- (f) in respect of any declared conflict of interest, a note of dispensation granted by the Head of Paid Service.

#### 21.0 Recording of other decisions by Officers

- 12.21.1 Officer decisions of a significant nature, though not executive decisions made under delegated authority nor meeting the criteria for a Key Decision, should be recorded in writing as soon as reasonably practicable after the decision has been made. Such decisions are likely to be significant within the meaning of this rule where they:
  - (a) grant a permission or licence; or
  - (b) affect an individual's rights; or
  - (c) award a contract; or
  - (d) incur expenditure at a level which does not render it a Key Decision but would reasonably be expected to materially affects the council's finances; or
  - (e) may be reasonably expected to have an impact on the council's reputation.

- 12.21.2 The written record must contain the following information:
  - (a) the date the decision was made;
  - (b) a record of the decision taken along with the reasons for the decision;
  - (c) details of alternative options, if any, considered and rejected; and
  - (d) where relevant, any conflicts of interest declared.

### 12.22 Inspection of documents following executive decisions

- 12.22.1 Unless they contain confidential or exempt information, after a meeting of the Executive or its Committees at which an executive decision has been made, or after an Executive Member or an Officer has made an executive decision the Monitoring Officer must ensure that a copy of:
  - (a) any record of the decision; and
  - (b) any report considered at the meeting or, considered by the Executive Member or Officer and relevant to a decision record or, where only part of the report is relevant to such a decision, that part,

must be available for inspection by members of the public as soon as is reasonably practicable, at the council's offices, and on the council's website.

### 12.23 Additional rights of access to documents for Members of local authorities

- 12.23.1 Subject to paragraphs 12.23.5, any document which
  - (a) is in possession or under the control of the Executive; and
  - (b) contains material relating to any business to be transacted at a public meeting,

will be available for inspection by any Member of the Council.

- 12.23.2 Any document which is required by paragraph 12.23.3 to be available for inspection by any Member of the Council must be available for such inspection for at least five Clear Days before the meeting except that:
  - (a) where the meeting is convened at shorter notice, such as a document must be available for inspection when the meeting is convened; and
  - (b) where an item is added to the agenda at shorter notice, a document that would be required to be available under paragraph 12.23.1 in relation to that item, must be available for inspection when the item is added to the agenda.
- 12.23.3 Subject to paragraphs 12.23.5 to 12.23.6, any document which:
  - (a) is in the possession or under the control of the Executive; and
  - (b) contains material relating to:

- (i) any business transacted at a private meeting;
- (ii) any decision made by an Executive Member;
- (iii) any decision made by an Officer in accordance with Executive arrangements,

must be available for inspection by any Member of the Council when the meeting concludes or where an Executive decision is made by an Executive Member or an Officer immediately after the decision has been made.

- 12.23.4 Any documents which are required by paragraph 12.23.3 to be available for inspection by any Member must be available for such inspection, in any event, within 24 hours of the conclusion of the meeting or the decision being made, as the case may be.
- 12.23.5 Paragraphs 12.23.1 and 12.23.3 do not require a document to be available for inspection if it appears to the Monitoring Officer that it discloses exempt information.
- 12.23.6 Notwithstanding paragraph 12.23.5, paragraphs 12.23.1 and 12.23.3 do require the document to be available for inspection if the information:
  - (a) relates to the financial or business affairs of any particular person (including the authority holding that information) (except to the extent that the information relates to any terms proposed or to be proposed by or to the council in the course of negotiations for a contract); or
  - (b) reveals that the authority proposes:

- (i) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
- (ii) to make an order or direction under any enactment.
- 12.23.7 These rights are in addition to any other rights that a Member may have.

#### 12.24 Document retention schedule

12.24.1 The council's document retention schedule can be found on the council's website.

## Section 15 – Members' Planning Code of Good Practice

#### 15.1 Introduction

- 15.1.1 The aim of this code of good practice and to ensure that in the planning process there are no grounds for suggesting that a decision has been biased, partial or not well founded in any way.
- 15.1.2 One of the key purposes of the planning system is to regulate the development and use of land in the public interest. The role of a Member of the Planning Authority is to make planning decisions openly, impartially, with sound judgement and for justifiable reasons. Membersare also a democratically accountable decision-taker who have been elected to provide and pursue policies. Members are entitled to be predisposed to make planning decisions in accordance with their political views and policies provided that all material considerations have been considered and fair consideration has been given to relevant points raised.
- 15.1.3 This code applies to Members at all times when involving themselves in the planning process. This includes when taking part in the decision making meetings of the Council in exercising the functions of the Planning Authority or when involved on less formal occasions, such as meetings with Officers or the public and consultative meetings. It applies as equally to planning enforcement matters or site specific policy issues as it does to planning applications.
- 15.1.4 If there are any doubts about the application of this Code to Members' own circumstances, they should seek advice early,

from the Monitoring Officer or one of their staff, and preferably well before any meeting takes place.

#### 15.2 Relationship to the Members' Code of Conduct

- 15.2.1 Do apply the rules in the Members' Code of Conduct first, which must be always be complied with. This is both the rules on disclosable pecuniary interests (and other interests) and the general rules giving effect to the seven principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
- 15.2.2 Do then apply the rules in this Members' Planning Code, which seek to explain and supplement the Members' Code of Conduct for the purposes of planning control. If this Members' Planning Code is not abided by, it could put:
  - (a) the Council at risk of proceedings on the legality or maladministration of the related decision; and
  - (b) Members' at risk of either being named in a report made to the Standards Committee or Council or, if the failure is also likely to be a breach of the Localism Act 2011, a complaint being made to the police to consider criminal proceedings.

### 15.3 Development Proposals and Interests under the Members' Code

- 15.3.1 Do disclose the existence and nature of the interest as required by the Members Code of Conduct.
- 15.3.2 Do take into account when approaching a decision that the Principle of integrity is defined in terms that "Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to

influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships". It is therefore advisable that Members:

- 15.3.3 Don't seek or accept any preferential treatment, or place themselves in a position that could lead the public to think they are receiving preferential treatment, because of their position as a councillor. This would include, where they have a disclosable or other personal conflict of interest in a proposal, using their position to discuss that proposal with Officers or Members when other members of the public would not have the same opportunity to do so.
- 15.3.4 Do note that they are not prevented from seeking to explain and justify a proposal in which they may have a conflict of interest to an appropriate Officer, in person or in writing, but that the Members' Code of Conduct may place additional limitations on them in representing that proposal.
- 15.3.5 Do notify the Monitoring Officer in writing where it is clear to them that they have a disclosable pecuniary interest or other personal conflict of interest and note that:
  - (a) the notification should be sent no later than submission of that application where possible;
  - (b) the proposal will always be reported to the Committee as a main item and not dealt with by Officers under delegated powers;
  - (c) Members must not get involved in the processing of the

application; and

(d) it is advisable that they employ an agent to act on their behalf in respect of the proposal when dealing with Officers and in public speaking at Committee.

### **15.4 Fettering Discretion in the Planning Process** (natural justice, predisposition and predetermination)

- 15.4.1 Members should not fetter their discretion and therefore theirability to participate in planning decision making at the Council by approaching the decision with a closed mind. Fettering discretion in this way and taking part in the decision will put the Council at risk of a finding of maladministration and of legal proceedings on the grounds of bias, predetermination or a failure to take into account all of the factors enabling the proposal to be considered on its merits.
- 15.4.2 Members should be aware that in their role as an elected Member they are entitled, and are often expected, to have expressed views on planning issues and that these comments have an added measure of protection under the Localism Act 2011.
- 15.4.3 Members should keep in mind the following when they come to make a decision:
  - (a) keep an open mind and hear all of the evidence presented, both the officers' presentation of the facts and their advice and the arguments from all sides;

- (b) Members are not required to cast aside views on planning policy held when seeking election or when otherwise acting as a Member, in giving fair consideration to points raised;
- (c) Members are only entitled to take account a material consideration and must disregard considerations irrelevant to the question and legal context at hand; and
- (d) Members are to come to a decision after giving what they feel is the right weight to those material considerations.
- 15.4.4 Members should be aware that they can be biased where the Council is the landowner, developer or applicant and they have acted as, or could be perceived as being, a chief advocate for the proposal. (This is more than a matter of membership of both the proposing and planning determination committees, but that through significant personal involvement in preparing or advocating the proposal they will be, or perceived by the public as being, no longer able to act impartially or to determine the proposal purely on its planning merits.)
- 15.4.5 Members are able to take part in the debate on a proposal when acting as part of a consultee body (where they are also a member of the parish council, for example, or both a district/borough and county councillor), provided:
  - (a) the proposal does not substantially effect the well being or financial standing of the consultee body;

- (b) it is made clear to the consultee body that:
  - (i) any views are expressed on the limited information only;
  - (ii) personal judgement is reserved and the independence to make up your own mind on each separate proposal, based on the overriding duty to the whole community and not just to the people in that area, ward or parish, as and when it comes before the Committee and you hear all of the relevant information; and
  - (iii) you will not in any way commit yourself as to how you or others may vote when the proposal comes before the Committee.
- 15.4.6 Members should explain that they do not intend to speak and vote as a member of the Committee because they will be perceived as having judged (or you reserve the right to judge) the matter elsewhere, so that this may be recorded in the minutes.
- 15.4.7 Members should take the opportunity to exercise their separate speaking rights as a Ward Member where they have represented their views or those of local electors and fettered their discretion, but do not have a disclosable or other personal conflict of interest. Where a conflict of interest arises, Members should:
  - (a) advise the proper officer or Chair that they wish to speak in this capacity before commencement of the

item;

- (b) remove themselves from the seating area for members of the Committee for the duration of that item; and
- (c) ensure that their actions are recorded.

#### 15.5 Contact with Applicants, Developers and Objectors

- 15.5.1 Members should refer those who approach them for planning, procedural or technical advice to Officers.
- 15.5.2 Members should not agree to any formal meeting with applicants, developers or groups of objectors where they can avoid it. If a Member feels that a formal meeting would be useful in clarifying the issues, they should seek to arrange that meeting through a request to the <u>Director of Place Head of Service for Planning and Building Control</u> to organise it. The Officer(s) will then ensure that those present at the meeting are advised from the start that the discussions will not bind the authority to any particular course of action, that the meeting is properly recorded on the application file and the record of the meeting is disclosed when the application is considered by the Committee.

#### 15.5.3 Members should otherwise:

- (a) follow the rules on lobbying;
- (b) consider whether or not it would be prudent in the circumstances to make notes when contacted; and
- (c) report to the Head of Service for Planning and Building Control Director of Place any significant contact with the applicant and other parties, explaining the nature and

purpose of the contacts and your involvement in them, and ensure that this is recorded on the planning file.

#### 15.5.4 In respect of presentations by applicants/developers:

- (a) Members should not attend a planning presentation without requesting an Officer to be present.
- (b) Members should ask relevant questions for the purposes of clarifying their understanding of the proposals.
- (c) Members should remember that the presentation is not part of the formal process of debate and determination of any subsequent application, this will be carried out by the appropriate Committee of the planning authority.
- (d) Members should be aware that a presentation is a form of lobbying and, whilst they may express any view on the merits or otherwise of the proposal presented, Members should never state how you or other Members would intend to vote at a committee.

#### 15.6 Lobbying of Councillors

15.6.1 Members should explain to those lobbying or attempting to lobby them that, whilst they can listen to what is said, it may subsequently prejudice their impartiality, and therefore their ability to participate in the Committee's decision making, to express an intention to vote one way or another or such a firm point of view that it amounts to the same thing.

- 15.6.2 Members should remember that their overriding duty is to the whole community not just to the people in their Ward and, taking account of the need to make decisions impartially, that they should not improperly favour, or appear to improperly favour, any person, company, group or locality.
- 15.6.3 Members should not accept gifts or hospitality from any person involved in or affected by a planning proposal. If a degree of hospitality is entirely unavoidable, ensure it is of a minimum, its acceptance is declared as soon as possible, including its addition to your register of interests where relevant.
- 15.6.4 Members should copy or pass on any lobbying correspondence they receive to the Head of Service for Planning and Building Control Director of Place at the earliest opportunity.
- 15.6.5 Members should promptly refer to the Head of Service for Planning and Building Control Director of Place any offers made to them of planning gain or constraint of development, through a proposed s.106 Planning Obligation or otherwise.
- 15.6.6 Members should inform the Monitoring Officer where they feel they have been exposed to undue or excessive lobbying or approaches (including inappropriate offers of gifts or hospitality), who will in turn advise the appropriate Officers to follow the matter up.
- 15.6.7 Members should note that, unless they have a disclosable or overiding other personal conflict of interest, they will not have fettered their discretion or breached this Planning Code

#### through:

- (a) listening or receiving viewpoints from residents or other interested parties;
- (b) making comments to residents, interested parties, other Members or appropriate officers (making clear that they must keep an open mind);
- (c) seeking information through appropriate channels; or
- (d) being a vehicle for the expression of opinion of others in theirrole as a Ward Member.

#### 15.7 Lobbying by Councillors

- 15.7.1 Members should notbecome a member of, lead or represent an organisation whose primary purpose is to lobby to promote or oppose planning proposals. If they do, they will be seen to have fettered their discretion on the grounds of bias.
- 15.7.2 Members can join general interest groups which reflect their areas of interest and which concentrate on issues beyond particular planning proposals, such as the Victorian Society, CPRE, Ramblers Association or a local civic society, but they should normally disclose that interest on the grounds of transparency where the organisation has made representations on a particular proposal and make it clear to that organisation and the Committee that they have reserved judgement and the independence to make up their own mind on each separate proposal.

- 15.7.3 Members should not excessively lobby fellow councillors regarding their concerns or views nor attempt to persuade them that they should decide how to vote in advance of the meeting at which any planning decision is to be taken.
- 15.7.4 Members should not decide or discuss how to vote on any application at any sort of political group meeting, or lobby any other Member to do so. Political Group Meetings should never dictate how Members should vote on a planning issue.

#### 15.8 Site Visits/Inspections

- 15.8.1 Members should try to attend site visits organised by the Council where possible.
- 15.8.2 Members should not request a site visit unless they feel it is strictly necessary because:
  - (a) particular site factors are significant in terms of the weight attached to them relative to other factors or the difficulty of their assessment in the absence of a site inspection; or
  - (b) there are significant policy or precedent implications and specific site factors need to be carefully addressed.
- 15.8.3 Members should ensure that they report back to the Committee any information gained from the site visit that they feel would benefit all Members of the Committee

- 15.8.4 Members should ensure that they treat the site visit only as an opportunity to seek information and to observe the site.
- 15.8.5 Members should ask the Officers at the site visit questions or seek clarification from them on matters which are relevant to the site inspection.
- 15.8.6 Members should not hear representations from any other party, with the exception of the Ward Member(s) whose address must focus only on site factors and site issues. Where Members are approached by the applicant or a third party, advise them that they should make representations in writing to the authority and direct them to or inform the Officer present.
- 15.8.7 Members should not express opinions or views on the site visit.
- 15.8.8 Members should not enter a site which is subject to a proposal other than as part of an official site visit, even in response to an invitation, as this may give the impression of bias unless:
  - (a) they feel it is essential to visit the site other than through attending the official site visit;
  - (b) they have first spoken to the Head of Planning and Building Control Director of Place about their intention to do so and why (which will be recorded on the file); and
  - (c) they can ensure you will comply with these good practice rules on site visits.

#### 15.9 Public Speaking at Meetings

- 15.9.1 Members should not allow members of the public to communicate with them during the Committee's proceedings (orally or in writing) other than through the scheme for public speaking or through the Chair, as this may give the appearance of bias.
- 15.9.2 Members should ensure that they comply with the Council's procedures in respect of public speaking.

#### 15.10 Officers

- 15.10.1 Members should not put pressure on Officers to put forward a particular recommendation. (This does not prevent Members from asking questions or submitting views to the Head of Service for Planning and Building Control Director of Place, which may be incorporated into any committee report).
- 15.10.2 Members should recognise that Officers are part of a management structure and only discuss a proposal, outside of any arranged meeting, with a <a href="Head of ServiceDirector">Head of ServiceDirector</a> or those Officers who are authorised by their <a href="Head of ServiceDirector">Head of ServiceDirector</a> to deal with the proposal at a Member level.
- 15.10.3 Members should recognise and respect that Officers involved in the processing and determination of planning matters must act in accordance with the Council's Code of Conduct for Officers and their professional codes of conduct, primarily the Royal Town Planning Institute's Code of Professional Conduct.

As a result, planning officers' views, opinions and recommendations will be presented on the basis of their overriding obligation of professional independence, which may on occasion be at odds with the views, opinions or decisions of the Committee or its Members.

#### 15.11 Decision Making

- 15.11.1 Members should ensure that, if they request a proposal to go before the Committee rather than be determined through officer delegation, that their planning reasons are recorded and repeated in the report to the Committee.
- 15.11.2 Members should come to meetings with an open mind and demonstrate that they are open-minded.
- 15.11.3 Members should comply with section 38 of the Planning and Compulsory Purchase Act 2004 and make decisions in accordance with the Development Plan unless material considerations indicate otherwise.
- 15.11.4 Members should come to their decision only after due consideration of all of the information reasonably required upon which to base a decision. If Members feel there is insufficient time to digest new information or that there is simply insufficient information before them, request that further information. If necessary, defer or refuse.
- 15.11.5 Members should not vote or take part in the meeting's discussion on a proposal unless they have been present to hear the entire debate, including the Officers' introduction to

the matter.

- 15.11.6 The reasons for Committee's decision to defer any proposal should be recorded [and that this is in accordance with the Council's protocol on deferrals].
- 15.11.7 Members should make sure that if they are proposing, seconding or supporting a decision contrary to Officer recommendations or the development plan that they clearly identify and understand the <u>planning reasons</u> leading to this conclusion/decision. These reasons must be given prior to the vote and be recorded. Be aware that Members may have to justify the resulting decision by giving evidence in the event of any challenge.

#### 15.12 Training

- 15.12.1 Members should not participate in decision making at meetings dealing with planning matters if they have not attended the mandatory planning training prescribed by the Council.
- 15.12.2 Members should endeavour to attend any other specialised training sessions provided, since these will be designed to extend Members' knowledge of planning law, regulations, procedures, Codes of Practice and the Development Plans beyond the minimum referred to above and thus assist them in carrying out your role properly and effectively.
- 15.12.3 Members should participate in the annual review of a sample of planning decisions to ensure that Members` judgements have been based on proper planning considerations.

#### Section 16 - Officers' Code of Conduct

Policy Statement No 14 (Issue No 3) February 2021

#### 16.1 Introduction

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

- and legally called by a recognised trade union, shall be outside the scope of this policy.
- 16.1.7 Where 'employees' are referred to in this Code, the principles and conduct expectations also apply to agency staff, contractors and volunteers.

#### 16.2 Standards and General Conduct

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

### 16.3 Work Performance and following East Herts Council's procedures

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

#### 16.4 Attendance and Time Keeping

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

#### 16.5 Violence, Bullying and Harassment

- 16.5.1 East Herts Council will not tolerate any acts of violence, threatening behaviour, verbal abuse, malicious cruelty, bullying and/or harassment or any behaviour which can be reasonably determined as intimidating and unwanted.
- 16.5.2 What does not constitute bullying behaviour is a manager discussing with an employee concerns regarding their performance or behaviour where legitimate and constructive criticism is made (or a reasonable request/instruction given).

16.5.3 Further information can be obtained from the council's Bullying and Harassment Policy.

### 16.6 Honesty, Integrity and Avoidance of Conflicts of Interest

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

- 16.6.5 Conflicts of interest arises when an employee has a financial or personal interest, kinship or relationship, or engages in any activity (paid or unpaid) which could:
  - (a) enable him/her to secure some personal advantage (other than salary) or advantage for a close relative or friend as a result of his/her being employed by East Herts Council; or
  - (b) influence his/her judgment in relation to the performance of his/her duties on behalf of East Herts Council.
- 16.6.6 For a conflict of interest to arise, the advantage does not have to be realised. You have a duty to be aware of and declare any interests or potential conflict of interests and to take steps to resolve any conflicts that may arise.
- 16.6.7 Officers must declare to their manager and to the Head of Legal and Democratic Services Director of Legal, Policy and Governance any interests, financial or non-financial, which could bring about a conflict with the interests of the authority.
- 16.6.8 Once applicable at any time during employment by the council, employees must declare to their Head of ServiceDirector and the Head of Legal and Democratic ServicesDirector of Legal, Policy and Governance, membership of any organisation or group which:
  - (a) is open to the public and requires formal membership and commitment of allegiance and has secrecy about rules and members' conduct; or
  - (b) has views which oppose those of the council in a way

or to such a degree that this does, or could be seen to, compromise the employee's ability to carry out his or her duties on behalf of the council in an unbiased and impartial way.

- 16.6.9 New starters will be asked to confirm they have read and understood this code of conduct and will be required to declare any potential conflicts of interest as part of their new starter process.
- 16.6.10 For avoidance of doubt, Freemasonry is an 'organisation' within the meaning of paragraph 16.6.8.
- 16.6.11 You should not place yourself under any financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your job.

#### **16.7** Personal Relationships

- 16.7.1 In line with Section 16.6 above you have a duty to be aware of and declare any interests or potential conflict of interests and to take steps with management guidance to resolve any conflicts that may arise. This includes close personal relationships which can affect your ability to perform your role, essentially by declaring and being transparent it allows the council to manage the situation appropriately.
- 16.7.2 It is the employee's responsibility to inform their manager (who must then seek advice from HR), in confidence, if they are in a close personal relationship with another employee, a Member, service user, contractor or someone working from a partner organisation.

- 16.7.3 This requirement applies equally to relationships that existed prior to employment and to relationships that develop at the council.
- 16.7.4 The manager will discuss with the employee the potential impact of the relationship on the council.
- 16.7.5 Although the manager will treat the disclosure sensitively and in confidence, HR will be informed and it is possible that other parties will need to be made aware. This will be on a strictly need-to-know basis and this will be discussed with those concerned first.
- 16.7.6 The manager will be responsible for making appropriate alternative arrangements in relation to recruitment, selection, appraisal, promotion or other situations or processes where there may be a conflict of interest or where unfair advantage may be gained, or perceived to be gained over other employees.
- 16.7.7 In some cases it may be necessary to consider moving an employee to another service, if the actual or perceived risk of conflict of interest cannot be managed by other means.
- 16.7.8 Failure to disclose the existence of such a relationship will result in disciplinary action being considered.
- 16.7.9 It is important to note that where there is a close personal relationship of a romantic or sexual nature between employees or with one of those mentioned in 16.7.2 above, it is likely that public displays of affection at work may cause discomfort for their colleagues and portray an unprofessional image. Employees are therefore expected to behave professionally at work with each other and intimate contact and/or displays of affection should only be conducted outside of the work environment. Failure to act

professionally will lead to disciplinary action being considered.

#### 16.8 Gifts and Hospitality

- 16.8.1 You should not accept any fee or reward from organisations except for small gifts not exceeding £25 e.g. advertisement materials, calendars, chocolates, diaries etc. You must complete the declaration form in Appendix 2 and submit it to your Head of ServiceDirector, who can decide whether it should be returned or how it should be used (e.g. a box of chocolates may be appropriate to be shared amongst the team or used with a fundraising raffle). If a more substantial gift is offered it should always be tactfully refused and your Head of ServiceDirector informed that the offer was made.
- 16.8.2 Invitations to working meals, social functions to which other employees are invited, general celebrations or team sporting events are generally acceptable. However, offers of holidays, hotel accommodation, theatre or match tickets should be refused. You must seek advice from your Head of Service Director.
- 16.8.3 You should avoid accepting gifts and hospitality that might reasonably be thought to influence your judgement.
- 16.8.4 The receipt of gifts of money or gift vouchers from any service user, applicant for East Herts Council's services (prospective candidate or service user), or contractor or supplier is absolutely prohibited.
- 16.8.5 The acceptance of non-monetary gifts or benefits from all those listed above must be actively discouraged at all times. Whilst it is recognised that in a restricted number of

situations it may not be possible, without giving offence, to refuse a trivial gift (e.g. a bottle of wine or a box of chocolates from a contractor at Christmas-time, or flowers from a grateful resident). The gift and donor must be reported to your <a href="Head of ServiceDirector">Head of ServiceDirector</a>, who can decide whether it should be returned.

16.8.6 If an employee is invited to receive hospitality from or wishes to provide hospitality to a contractor, extravagance must be avoided, and permission must be sought from your <u>Head of Service Director</u>.

## 16.9 Alcohol, Drugs and Smoking

- 16.9.1 If an employee has an alcohol or drug related problem the council views this as a serious illness which should be treated. In these circumstances the council will be sympathetic but will insist that treatment is sought. However, if treatment is not sought for the condition the council may be forced to use the disciplinary procedure. The council has an Alcohol, Drug and Substance Misuse policy.
- 16.9.2 You should not be under the influence of alcohol or non-prescription drugs whilst at work, prejudicing performance of your duties and affecting the image of East Herts Council detrimentally. Employees on prescribed medication should inform their manager if they have been prescribed drugs which may affect their performance or other people's safety.
- 16.9.3 Employees whose job it is to work directly with members of the public must refrain from using alcohol before going on duty and whilst on duty until the working period has finished (it is not acceptable to smell of alcohol as this will potentially damage reputation both of the individual and

the council).

- 16.9.4 Alcohol should not be consumed in the workplace.
- 16.9.5 Bringing onto, taking or possessing illegal drugs whilst on East Herts Council premises is prohibited and will lead to disciplinary action and be treated as gross misconduct within the terms of East Herts Council's disciplinary procedure and brought to the attention of the police.
- 16.9.6 Smoking (including the use of e-cigarettes and vaping) is not permitted within East Herts Council's buildings. Smoking is only allowed in designated areas as outlined in the council's Smoke-Free Workplace Policy and in line with the law. The time spent taking smoking breaks should be accounted for in your own time (for example included in the time provided for your lunch break on your flexi sheet, or made before the beginning or after the end of the working day).

## **16.10** Health and Safety

- 16.10.1 All employees are responsible for ensuring reasonable care for the health and safety of him/herself and other persons who may be affected by his/her acts or omissions at work. Copies of the council's Health and Safety policies and guidance are available from the Council's Health and Safety Officer or on the intranet (as well as being circulated as part of the recruitment process).
- 16.10.2 You must not intentionally or recklessly interfere with or misuse anything provided by East Herts Council in pursuance of relevant health and safety legislation and good practice.

16.10.3 You should familiarise yourself with and comply with East Herts Council's Health & Safety Guide and procedures at all times including risk assessments that relate to areas of your work.

### **16.11** Diversity and Equality

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

# 16.12 Maintaining Professional Relationships and Safeguarding

- 16.12.1 Employees have a professional duty and a responsibility to safeguard the welfare of service users and visitors, maintain professional relationships especially in relation to children and vulnerable adults. Employees must follow, uphold and comply with East Herts Council's Safeguarding Policy.
- 16.12.2 Employees should take steps to protect children, young people and adults at risk so that they are safe when using our services.
- 16.12.3 The council is committed to ensuring that the needs and interests of children, young people and adults at risk are considered by Members, employees, volunteers and

- contractors in the provision of services and decisionmaking.
- 16.12.4 All employees must ensure they are conversant with the council's Safeguarding Policy and Procedure and follow it. Failure to do so may lead to disciplinary action.

## 16.13 Confidentiality and Processing Information

- 16.13.1 Within the council, communication should be open and informative to all. However, certain information should be considered confidential within the council. Information should not be divulged unless required by law and disclosure is expressly authorised. Personal information on anyone is internally confidential unless part of agreed procedures. Any breach of confidence is a serious disciplinary offence. If you are in doubt about such a matter you should consult your manager. In compliance with the General Data Protection Regulations (GDPR), the Council will process personal or "sensitive" data only for legitimate reasons.
- 16.13.2 All knowledge of East Herts Council's work, future plans, employees or Members is confidential and should not be divulged other than in the course of proper performance of duties.
- 16.13.3 Personal information gained about colleagues must not be maliciously spread or allowed to become the subject of gossip.
- 16.13.4 Employees should not be critical of one another to outside organisations or to individuals with whom we have a professional relationship.

16.13.5 Employees are expected to abide by East Herts Council's confidentiality & data protection policies at all times.

# 16.14 Use and Monitoring of East Herts Council Property, Equipment and Time

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

- 16.14.7 If friends, relatives or medical and professional contacts telephone you in a personal capacity, you may accept such incoming calls provided that:
  - (a) they are not given priority over or allowed to disrupt any work, meeting, or service user contact in which you are engaged;
  - (b) if the conversation which takes place lasts longer than a few minutes, it must be accounted for in your own time (for example included in the time provided for your lunch break).
- 16.14.8 Under no circumstances may employees use East Herts Council mobile telephones for their own personal use.
- 16.14.9 Personal mobile phones should be either switched off or put onto silent/vibrate mode during working hours to ensure that others are not disturbed: use of these at work should be restricted to authorised break times unless otherwise agreed by your manager.
- 16.14.10 The occasional use of computers, printers and photocopiers for personal use will be permitted under the following conditions:
  - (a) such use is occasional, and not regular;
  - (b) use of computers in no way contravenes the rules on computer use set out in East Herts Council's ICT Acceptable Use Policy;
  - (c) the time spent in producing documents is accounted for in your own time (for example included in the time provided for your lunch break, or made before the beginning or after the end of the working day).

- 16.14.11 You must not use East Herts Council's franking machine for private correspondence.
- 16.14.12 With the exception of printing and photocopying paper as above, you must not use East Herts Council stationery or other stock (e.g. staff kitchen supplies, cleaning materials) for private purposes. Unauthorised removal of East Herts Council stationery or other stocks/materials from an East Herts Council site will be treated as theft.
- 16.14.13 It should be noted that East Herts Council has the means, automated and otherwise, of monitoring individual usage of property and equipment, including:
  - •telephones;
  - mobile phones;
  - e-mail;
  - internet
  - Overt CCTV
  - Card reader entry systems.
- 16.14.14 In order to protect East Herts Council's resources, we reserve the right to use appropriate monitoring systems and information, and such information may form part of the evidence in any disciplinary or other management action that may be taken in connection with:
  - (a) any breach of our rules relating to personal use of property, equipment and time,
  - (b) any other matter upon which individual usage of property, equipment and time has a bearing.
- 16.14.15 East Herts Council will have due regard to relevant legislation that may impact on monitoring, including the

Human Rights Act (1998), the General Data Protection Regulations and the Regulation of Investigatory Powers Act (2016). To this end, we will not use monitoring systems that are excessive for purpose, for example interception/tapping of phone calls.

16.14.16 You must familiarise yourself with the contents of East Herts Council's ICT Acceptable Use Policy and must not use East Herts Council's e-mail/internet facilities other than within the very limited terms set out in the policy.

#### 16.15 Use of Computers

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

- sexual content, profane or vulgar language, racial or ethnic slurs or similarly insulting material.
- 16.15.6 You must not use the Internet/e-mail/social media to circulate materials with a political or religious content. This does not apply to materials circulated by East Herts Council's recognised trade union Unison.
- 16.15.7 Do not insert any disks/CDs or other storage devices brought in from outside East Herts Council into the East Herts Council computer equipment without prior agreement from a member of the ICT team. A virus check may need to be carried out first.
- 16.15.8 Any misuse of East Herts Council's computer resources may result in a criminal prosecution under the Computer Misuse and Cybercrimes Act (2018) as well as East Herts Council's own internal disciplinary action.

## 16.16 Mobile Phones whilst driving

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

## 16.17 East Herts Council's Profile and Reputation

- 16.17.1 Please ensure at all times that your words and actions do not bring East Herts Council into disrepute, either internally or in any dealings with external agencies or the public.
- 16.17.2 All those who work for East Herts Council are expected to be committed to the aims and objectives of the

organisation. Those who attend any external meeting or activity on behalf of East Herts Council are expected to promote the work and policies of the organisation in a positive way.

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

#### 16.18 Outside Activities

- 16.18.1 Secondary Employment: In line with the contract of employment, permission should be sought in writing from your Head of Service Director using the declaration form in Appendix 3 if you wish to engage in other business or employment outside of East Herts Council. The Head of Service Director will ascertain whether the activities in question could impair your ability to act at all times in the best interests of East Herts Council and will also refer to the Working Time Directive. Permission will not be unreasonably refused. If it is refused, the reasons will be explained in writing. You will not have the right of appeal. A copy of the declaration form will be placed on your personal file.
- 16.18.2 In work related social events or in mixing socially with colleagues outside of work you are expected to maintain and be responsible for your own appropriate behaviour in line with the code of conduct. The onus in such situations is on you to avoid behaving in a manner which could lead to a misconduct complaint. Any such complaint will be dealt with under the disciplinary procedure.

16.18.3 With the above stipulation, your off duty hours are your personal concern but your personal activities should not take precedence over your duty or put you in a position where your duty and private interests conflict. Employees should not engage in any activity which, in East Herts Council view, conflicts with or acts detrimentally to East Herts Council business or in any way weakens public confidence in the conduct of East Herts Council's business.

## 16.19 Political neutrality

- 16.19.1 Employees provide services for all Members and must ensure that their individual rights are respected.
- 16.19.2 Some employees may be required to advise political groups and must do so in ways which do not compromise their political neutrality.
- 16.19.3 Employees must follow lawful expressed policy of the authority and must not allow their own personal or political opinions to interfere with their work.
- 16.19.4 Any political assistants, appointed in accordance with the Local Government and Housing Act 1989, are exempt from the standards set in 16.19.1 to 16.19.3 above.
- 16.19.5 The council has a list of politically restricted posts within the meaning of the Local Government and Housing Act 1989.
- 16.19.6 Employees holding politically restricted posts are disqualified from membership of any local authority other than a parish or community council and from being an MP. The council will maintain a list of these posts and advise the postholders concerned.

# 16.20 Criminal proceedings, convictions and misconduct or impropriety allegations

- 16.20.1 For the protection of all parties you are required to notify a member of the Leadership Team in writing in the event that you are charged with or convicted of a criminal offence. The information will be treated with sensitivity and confidentiality. No action will be taken unless there is a direct impact on your position.
- 16.20.2 In the case of criminal proceedings or conviction involving an East Herts Council employee, East Herts Council reserves the right to consider the impact of such proceedings upon itself and the compatibility of the proceedings or offence with the employee's role, and to take appropriate action. In certain circumstances disciplinary action may follow.
- 16.20.3 Allegations/Misconduct outside of the workplace In the event that any allegations of impropriety or misconduct are made against you in respect of your conduct outside the workplace, you must notify your manager immediately (who must then consult with HR). This includes any allegations made in the course of any secondary employment, a voluntary role or holding a public appointment. A failure to notify the council through your manager of such allegations could result in disciplinary action being commenced against you, which may result in the termination of your employment.

## 16.21 Intellectual property rights, copyright etc

16.21.1 Any inventions, writings or drawings created in the course of an employee's normal duties are considered the 'intellectual property' of the council and should not be

- passed on to another party without the permission of the employee's manager.
- 16.21.2 Employees must not infringe copyright. Downloading, copying and/or distribution of copyright material including literature, text, music, sound, pictures, software and electronic files is prohibited unless the employee has the correct licences or permissions.

## **16.22** Tendering issues

- 16.22.1 Employees involved in tendering and dealing with contractors should be clear on the separation of service user and contractor roles within the Council. Employees must follow the procedures and rules incorporated in the Council's Financial Regulations, Financial Procedures, and rules/procedures relating to Contracts and Procurement requirements. Senior employees who have a service user and/or contractor responsibility must be aware of the need for accountability and openness.
- 16.22.2 Orders and contracts must be awarded on merit, in accordance with the Council's procurement regulations and demonstrating best value has been achieved. Employees must demonstrate impartiality. No part of the community should be discriminated against.
- 16.22.3 Employees in service user or contractor units must exercise fairness and impartiality when dealing with customers, suppliers, other contractors and sub-contractors.
- 16.22.4 Employees who have access to confidential information on tenders or costs, for either internal or external contractors, must not disclose that information to any unauthorised party, subject to the Freedom of Information Regulations.

- 16.22.5 Any employees contemplating a management buy-out should inform their manager as soon as they have formed an intent and withdraw from the contract awarding process.
- 16.22.6 Employees should ensure that no preferential treatment is shown to current or former employees, or their partners, relatives or assistants, in awarding contracts to businesses run by or employing them in a managerial capacity

#### 16.23 Use of financial resources

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

## 16.24 Sponsorship - Giving and Receiving

- 16.24.1 When an outside organisation wishes to sponsor a council event, the basic conventions concerning acceptance of gifts and hospitality apply (see paragraph 16.8). Acceptance of any support must come about through a transparent decision making process and the support accepted must be recorded.
- 16.24.2 Where the Council wishes to sponsor an event or service, no employee, partner or relative must benefit from the sponsorship in a direct way without there being a full disclosure to a member of the Leadership Team of any such interest.
- 16.24.3 When the Council gives support in the community, through sponsorship, grant aid or other means, employees should ensure that impartial advice is given and there is no conflict of interest involved.

#### 16.25 Standards of dress

- 16.25.1 The Council considers the way employees dress and their appearance to be of significant importance in portraying a professional image to all users of its services whether they are Councillors, visitors, residents of the district or colleagues.
- 16.25.2 All employees are individually responsible for their general presentation, appearance and personal hygiene, and have a responsibility to consider how others may perceive their appearance.
- 16.25.3 Employees are expected to dress appropriately for the duties of their post and are encouraged to adopt a common sense approach with regard to the clothing and jewellery that they wear to work. All external business meetings and contact with the public will require business

- dress, while more casual approach is permissible for employees working in the back office environment.
- 16.25.4 The council operates a 'dress down Friday' where employees may wear jeans and t-shirts. However, employees must ensure that casual dress is appropriate for the workplace.

#### 16.26 Breaches of the Code of Conduct

- 16.26.1 Any breach of the Code of Conduct will be investigated and may lead to disciplinary action. Breaches fall into two main categories:
  - (a) Breaches of the Code of Conduct which, if substantiated, constitute gross misconduct and will normally lead to summary dismissal, i.e. dismissal without notice or pay in lieu of notice and without previous warnings, following investigation and a disciplinary hearing. Gross misconduct is defined by East Herts Council as those acts which are so serious in their nature that they destroy the employment relationship between the employee and the employer and make any further working relationship and trust impossible.
  - (b) Breaches of the Code of Conduct which, if substantiated, warrant lesser penalties.
- 16.26.2 Further details and examples are incorporated into East Herts Council's Disciplinary Policy.

## **APPENDIX 1**

## **CODE OF CONDUCT**

I have read and understood the procedures:

| Name:         |  |
|---------------|--|
| Job Title:    |  |
| Team/Service: |  |
| Signature:    |  |
| Dated:        |  |

#### **APPENDIX 2**

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

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

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

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

| Has the gift / hospitality beer declined?                           | n accepted <b>or</b><br> |
|---------------------------------------------------------------------|--------------------------|
| Reason for accepting or declining                                   |                          |
| Signed (Employee)                                                   |                          |
| Date                                                                |                          |
| Signed ( <del>Head of</del><br><del>Service</del> <u>Director</u> ) |                          |
| Date                                                                |                          |

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

One copy to be returned to the employee.

## APPENDIX 3

## **DECLARATION OF SECONDARY EMPLOYMENT**

| Service:                                                              |
|-----------------------------------------------------------------------|
|                                                                       |
|                                                                       |
|                                                                       |
|                                                                       |
|                                                                       |
|                                                                       |
|                                                                       |
| s with the business or reputation of controls are in place to prevent |
| oncerns.                                                              |
|                                                                       |
| Date:                                                                 |
|                                                                       |

| Request App  | oroved  | Request Denied | Further Comments |  |
|--------------|---------|----------------|------------------|--|
| Signed: _    |         |                | _ Date:          |  |
| Decision cor | nfirmed | to officer:    |                  |  |
| Signed: _    |         |                | Date:            |  |
|              |         |                |                  |  |

For Head of Service Director



## Section 17 - Member/Officer Protocol

#### 17.1 Introduction

- 17.1.1 The purpose of this Protocol is to guide Members and Officers of the Council in their relations with one another.
- 17.1.2 The primary responsibility for Members is to set policy as a Member of Council. Officers are responsible for implementing those policies.
- 17.1.3 Given the variety and complexity of such relations, the Protocol does not seek to be prescriptive or comprehensive but does seek to provide guidance on some of the issues that most commonly arise. The approach to these issues will serve as a guide to dealing with other issues. The protocol seeks to supplement and help to interpret but not to supplant the statutory provisions, Members' Code of Conduct and other guidance, the provisions elsewhere in the Constitution, and the disciplinary code which applies to Officers.
- 17.1.4 The Protocol also seeks to reflect the principles underlying the respective rules of conduct that apply to Members and Officers. Its purpose, therefore, is to enhance and maintain the integrity of local government by seeking high standards of personal conduct.
- 17.1.5 Members and Officers are servants of the public and they are indispensable to one and other, but their responsibilities are distinct. Members are responsible

to the electorate and serve only so long as their term of office lasts. Officers are responsible to the council.

17.1.6 The relationship has to function without compromising the ultimate responsibilities of Officers to the Council as a whole, and with due regard to such technical, financial, professional and legal advice that Officers can legitimately provide to Members. The Protocol seeks to set a framework that assists the working relationships between Members and Officers.

#### 17.2 Roles of Members

- 17.2.1 Members undertake many different roles. Broadly these are:
  - (a) To determine council policy and provide community leadership
  - (b) To monitor and review council performance in delivering services
  - (c) To represent the council externally; and
  - (d) To act as advocates for their constituents.

#### 17.3 Roles of Officers

- 17.3.1 Briefly, Officers have the following main roles:
  - (a) Providing professional advice to the Council and its various bodies and to individual Members.
  - (b) Initiating policy proposals.

- (c) Implementing agreed policy, managing and providing services and being accountable for the efficiency and effectiveness of the services provided.
- (d) Ensuring that the Council always acts in a lawful manner.

## 17.4 Respect and Courtesy

- 17.4.1 For the effective conduct of Council business there must be mutual respect, trust and courtesy in all meetings and contacts, both formal and informal, between Members and Officers. It is important that both Members and Officers remember their respective obligations to enhance the Council's reputation and to do what they can to avoid criticism of other Members, or other Officers, in public places.
- 17.4.2 Members should not raise matters relating to the conduct or capability of an Officer at meetings held in public or before the press as an Officer has no means of responding to such criticisms in public. If a Member is dissatisfied with the conduct of an Officer, they should refer the matter to the relevant individual:
  - If dissatisfied with the conduct of an Officer, they should refer the matter to the relevant Head of Service Director who will carry out an investigation using the Council's agreed procedure.
  - If a complaint relates to a Chief Officer or the Statutory Officers the matter should be referred to the Chief Executive.

 If a complaint relates to the Chief Executive the matter should be referred to the Leader of the Council.

#### 17.5 Undue Pressure

- 17.5.1 A Member should not apply undue pressure on an Officer either to do anything that they are not empowered to do or to undertake work outside normal duties or outside normal hours. Particular care needs to be taken in connection with the use of Council property and services.
- 17.5.2 Members must respect the impartiality of Officers and do nothing to compromise it, e.g. by insisting that an Officer change their professional advice.
- 17.5.3 Similarly, an Officer must neither seek to use undue influence on an individual Member to make a decision in their favour, nor raise personal matters to do with their job, nor make claims or allegations about other Officers.

## 17.6 Familiarity

17.6.1 Close personal familiarity between individual Members and Officers can damage the principle of mutual respect. It could also, intentionally or accidentally, lead to the passing of Confidential Information. Such familiarity could also cause embarrassment to other Members and/or Officers and could give rise to suspicions of favouritism.

- 17.6.2 Members should be aware of the need for a professional relationship with Officers.
- 17.6.3 Any familial relations between a Member and an Officer must be declared to the Monitoring Officer as soon as it is known about. If the Officer is about to be appointed, following a recruitment process, the Monitoring Officer must confirm in writing that the appointment is still acceptable.

#### 17.7 Breach of Protocol

- 17.7.1 If a Member considers that he has not been treated with proper respect or courtesy they may raise the issue with the Officer's line manager. If direct discussion with the line manager does not resolve the complaint it should be referred to the Head of Service Director responsible for the Officer concerned. Breach of the Protocol may give rise to disciplinary proceedings against an Officer if the circumstances warrant it.
- 17.7.2 If an Officer considers that a Member has contravened the protocol they should consult their line manager who will, if necessary, involve the Head of ServiceDirector. In certain circumstances breach of the Protocol may also constitute a breach of the Members' Code of Conduct. If the breach is sufficiently serious this may warrant a formal reference to the Monitoring Officer as a complaint to be considered for potential investigation by the Standards Committee but many complaints will be capable of an informal resolution. The Monitoring Officer or the Chief Executive will assist in this process if necessary.

#### 17.8 Provision of Advice and Information to Members

- 17.8.1 Members are free to approach Officers of the Council to provide them with such information and advice as they may reasonably need in order to assist them in discharging their role as a Member of the Council. This can range from a request for general information about some aspect of the Council's activities to a request for specific information on behalf of a constituent.
- 17.8.2 Officers should always endeavour to respond to requests for information promptly and should in any event inform the Member if there is likely to be any delay in dealing with an enquiry. As a minimum the timescale for responding to correspondence should be observed i.e. either a full response or, if this is not possible, an acknowledgement that fully explains what is happening within five working days of the receipt of the enquiry.
- 17.8.3 The legal rights of Members to inspect Council documents are covered partly by statute and partly by common law.
- 17.8.4 The Access to Information Procedure Rules in the Constitution explain the position with regard to access to papers relating to the business of a Council body.
- 17.8.5 The exercise of the common law right depends upon a Member's ability to demonstrate a "need to know". In this respect a Member has no right to "a roving commission" to examine any documents of the Council. Mere curiosity is not sufficient.

- 17.8.6 Members may be entitled under the Freedom of Information Act 2000 to receive information which falls outside their common law rights based on the "need to know". Officers are encouraged to supply documents to Members without the need for a formal Freedom of Information request if it is apparent from the Member's enquiry that any individual would be entitled to receive such documentation. The Council's Information Governance and Data Protection Manager will be able to advise on whether any request would fall within the Freedom of Information Act 2000.
- 17.8.7 The information sought by a Member should only be provided by the respective service as long as it is within the limits of the service's resources. For their part, Members should seek to act reasonably in the number and content of the requests they make.
- 17.8.8 It is important for services and their staff to keep Members informed both about the major issues concerning the Council and, more specifically, about issues and events affecting the areas that they represent. Local Members should be informed about proposals that affect their Wards and should also be invited to attend Council initiated events within their Wards.
- 17.8.9 If a Member asks for specific information relating to the work of a particular service which is on the agenda of a Committee meeting, and it appears possible or likely that the issue could be raised or question asked on the basis of the information provided at that meeting, then the appropriate Executive Member or Committee Chair concerned should be advised about the information provided.

17.8.10 Officers have to advise Members from time to time that a certain course of action cannot be carried out. Members sometimes assume that this is a case of Officers deliberately obstructing the wishes of politicians. Officers are employed to give unbiased professional advice and. Officers are encouraged to accompany negative advice with suggestions as to how Members might achieve some or all of their objectives in other ways.

## 17.9 Confidentiality

- 17.9.1 Members should be aware of their data protection responsibility. The Council may disclose personal information to a Member which should only be used for the purposes of carrying out their duties.
- 17.9.2 Members must not disclose information given to them in confidence by anyone, or information acquired which they believe, or ought reasonably to be aware, is of a confidential nature, except where:
  - (a) they have the consent of a person authorised to give it;
  - (b) they are required by law to do so;
  - (c) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
  - (d) the disclosure is:

- (i) reasonable and in the public interest; and
- (ii) made in good faith and in compliance with the reasonable requirements of the authority.
- 17.9.3 Confidential Committee papers (pink papers) are to be treated as Confidential Information unless the relevant Committee resolves not to exclude press and public. Members are reminded that the author of the report makes the initial decision as to whether or not the papers are to be treated as confidential. The decision as to whether they remain confidential is for the Committee. Other information may be confidential if it falls into one of the seven definitions of information that is exempt from disclosure to the public and press which is at paragraph 12.9.4 in Section 12 Access to Information Procedure Rules.
- 17.9.4 Officers should make it clear to Members if they are giving them Confidential Information. If a Member is not sure whether information is confidential, they should ask the relevant Officer and treat the information as confidential in the meantime.
- 17.9.5 Any Council information provided to a Member must only be used by the Member in connection with the proper performance of the Member's duties as a Member of the Council.
- 17.9.6 If a Member receives Confidential Information and considers it should be disclosed to another person because it is reasonable and in the public interest to do so then he or she must first consult with the Monitoring Officer and shall not disclose the

information without having regard to any advice given by that Officer.

### 17.10 Safeguarding

17.10.1 Members and Officers must be cognisant of the councils safeguarding policy in their dealings with each other at all times and seek advice from the Council's Lead Safeguarding Officer.

#### 17.11 Involvement of Ward Members

- 17.11.1 Ward Members should be kept informed and consulted on relevant matters affecting their Ward, i.e. on Planning, Licensing and other relevant matters. In the case of public meetings in a particular locality, the Ward Member will normally be invited to attend and could normally be expected to be consulted on any form or consultative exercise on local issues.
- 17.11.2 So far as decision making is concerned, however, Members remain accountable to the whole electorate of the District and must make a personal decision on matters which come before them, balancing the interests of the electorate as a whole, including those members of the public who did not vote for them.

## 17.12 Provision of Support Services to Members

17.12.1 The only basis on which the Council can lawfully provide support services (e.g. stationery, word processing, printing, photocopying, transport, etc) to Members is to assist them in discharging their role as Members of the Council. Such support services must therefore only be used on Council business. They should never be used in connection with party

political or campaigning activity or for private purposes.

## 17.13 Correspondence

- 17.13.1 Official letters on behalf of the Council should be sent in the name of the appropriate Officer, rather than in the name of a Member. There are circumstances where a letter sent in the name of a Member is perfectly appropriate, for example, in response to a letter of enquiry or complaint sent direct to that Member. Letters which, for example, create obligations or give instructions on behalf of the Council should never be sent out in the name of a Member.
- 17.13.2 When acting in an official capacity Members shall only use the Council email address provided for that Member when acting in an official capacity as a Member. The use of personal e-mail addresses or those of other authorities (for example town/county) is strictly prohibited as it exposes the council to significant risks under the General Data Protection Regulation (Regulation (EU) 2016/679)

## 17.14 The Council's Role as Employer

17.14.1 In their dealings with Officers, Members should recognise and have regard to the Council's role as employer. Members should be aware that Officers could rely on inappropriate behaviour of a Member in an employment case against the Council.

## 17.15 Political Activity

17.15.1 There are a number of constraints that apply to an Officer who occupies a post that is designated as "politically restricted" under the terms of the Local Government and Housing Act 1989.

## 17.16 Political Party Group Meetings

- 17.16.1 Party groups are an integral part of the way the council works and it is a proper function of Officers to support and contribute to party group consideration if required.
- 17.16.2 It is common for party groups to give preliminary consideration to matters of Council business in advance of such matters being considered by the relevant decision making body. Officers may properly be called upon to support and contribute to such deliberations by party groups provided they maintain a stance which is politically impartial.
- 17.16.3 Any attendance of an Officer at a meeting of a party group shall be with the prior agreement of the Chief Executive. Usually the only Officers involved in attending group meetings will be the Chief Executive, Deputy Chief Executive and Heads of Service Directors.
- 17.16.4 Officers will provide factual information and advice only on areas within their professional remit and in relation to issues currently or shortly to be considered by the Council, provided that the request does not relate to an individual matter such as a planning application, or does not disclose information given at a confidential briefing with the Executive. Such advice should be available to all party groups.

- 17.16.5 Any such meeting will be held at the council offices or virtually.
- 17.16.6 The only other persons present at such a meeting should be Members of the Council.
- 17.16.7 Officers must leave group meetings before groups enter into political discussion. It is important that the political neutrality of Officers is preserved and that group confidentiality is maintained by Officers.
- 17.16.8 Both Members and Officers are subject to their own Codes of Conduct which can be found in the Constitution. This Protocol provides guidance on working relationships between Members and Officers. It is essential that both are familiar with the detailed obligations in their respective Codes of Conduct which will prevail in the event of any conflict between the Codes and this Protocol.

#### 17.17 Sanctions

- 17.17.1 Complaints about any breach of this Protocol by a Member may be referred to the Monitoring Officer. It should be noted that certain breaches may also amount to breaches of the Code of Conduct for Members.
- 17.17.2 Complaints about any breach of this protocol by an Officer may be referred to the Chief Executive or the relevant Head of Service. Director.

## **Section 19 - Media Protocol**

#### 19.1 Introduction

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

#### 19.2 The Role of the Communications Team

- 19.2.1 The purpose of the Communications Team is to increase public awareness of the Council's services and functions, to explain to the public and stakeholders what the policies and priorities are and to support the organisation in gathering public views on services, policies and priorities.
- 19.2.2 It fulfils this role through the production of content via the following printed media and digital media channels:

- (a) press releases and responses to press enquiries
- (b) press briefings
- (c) the hosting of photocalls and media events
- (d) electronic newsletters (network)
- (e) council website
- (f) council social media accounts (including Facebook, Twitter, Instagram, LinkedIn and Youtube)
- 19.2.3 The Communications Team provides Officers and Members with support on any communications matter that relates to the reputation of the Council as a whole, its policies and its services.

## 19.3 Who speaks for East Herts Council to the Media?

- 19.3.1 As democratically elected and publicly accountable representatives, the Members of East Herts are the primary spokespeople for the authority with the media. Only Members who hold particular positions should be individually identified in publicity.
- 19.3.2 These should be taken as:
  - (a) Leader and other Committee Chairmen
  - (b) Chairman and Vice Chairman (in their ceremonial roles)
  - (c) Executive Members
- 19.3.3 Therefore:

- (a) The Leader is the main spokesperson on cross cutting policies and issues at national level.
- (b) Executive Members are spokespeople for the Council in their respective portfolios.
- (c) Other leading Members (such as Chairmen of Scrutiny and Development Management) will be quoted and referred to in relation to issues within their own areas of expertise.
- (d) The Chairman will be the spokesman on all matters of a civic or ceremonial nature.
- (e) Officers are also important spokespeople for the Council. Whilst the Communications Team can and will handle many factual enquiries, there will be occasions when more specialist or technical information will be required.
- (f) In these instances it is expected that senior officers (Chief Officers and Heads of Service Directors) will handle media interviews.
- (g) Other officers, with the agreement of the respective Head of Service Directors, may also be the most appropriate person to handle media enquiries and this can be facilitated with support from the Communications Team.

## 19.4 Managing media enquiries

19.4.1 Media enquiries will be responded to as soon as possible (within 24 hours), unless agreed otherwise.

- 19.4.2 Deadlines for enquiries can vary. The journalist making the enquiry will be asked for a deadline and the Communications Team will endeavour to respond within this timeframe.
- 19.4.3 In certain circumstances, the deadline will not be achievable, such as when several questions have been asked in one single enquiry or the relevant Officer is not available. In such cases, the journalist making the enquiry will be notified and an agreement reached as to a new response deadline.
- 19.4.4 The media enquiry process is as follows:
  - (a) The media contact the council for a comment, clarification is sought on the topic and the deadline is checked and confirmed.
  - (b) The Communications Team contact the relevant Officer(s) to request information
  - (c) The Communications Team draft a response/statement
  - (d) The Officer who provided the information and the relevant Head of Service Director asked to approve or amend the prepared statement
  - (e) The statement sent to the Executive Member for amendments and approval
  - (f) Statement is re-circulated with amendments if necessary
  - (g) The Communications Team sends statement to the media.

#### 19.5 Other officers

- 19.5.1 Officers who are contacted directly by the media without advance knowledge, agreement or preparation are advised to politely redirect the request to the Communications Team.
- 19.5.2 All queries are subject to media deadlines. By missing a deadline, a story may appear without a council comment and the council's reputation could suffer. Contact from the Communications Team with a media query should be treated as a matter of priority and dealt with as soon as possible.
- 19.5.3 The Communications Officer should be provided with as much information as possible. The Communications Officer will agree with the Officer what goes in the public domain.
- 19.5.4 There are no circumstances where it would be acceptable to refuse to give a response. If the response is circumscribed, for example because of data or child protection issues, then the Communications Team will explain why in an official response.

#### 19.6 Ward Members

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

## 19.7 The Legal Framework

19.7.1 Council resources can only be used for non party-political publicity of the work of the Council.

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

#### 19.8 Election time

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

Note: It is acceptable for the Council to respond in appropriate circumstances to events and legitimate service enquiries provided that their answers are factual and not party political. Members holding key political or civic positions should be able to comment in an emergency or

where there is a genuine need for a Member level response to an important event outside the Council's control. Proactive events arranged in this period should not involve Members likely to be standing for election.

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

#### 19.9 General Media Relations Practice at East Herts

- 19.9.1 High performing councils proactively manage media relations, rather than letting the media set the agenda.
- 19.9.2 To maximise positive publicity across all media, the Communications Team use a Public Relations (PR) forward plan with activity agreed a quarter ahead.
- 19.9.3 The Communications Team will promote:

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

## 19.10 Photography / video

- 19.10.1 Photographs and videos are an excellent way to generate publicity, especially through the press and on social media. However, there are some important issues to consider, especially if children or young people are involved.
- 19.10.2 Where children are involved in media events at which film cameras and/or photographers are likely to be present, the lead Officer must obtain formal permission from the parent or guardian responsible for the child/young person. With older children (16 18 year olds) it is good practice to seek their permission directly as well as asking their parent or guardian. Consent forms are available from the Communications Team.

19.10.3 If it is not possible to gain consent due to the nature of the event being photographed, signs should be displayed for all attending the event informing them that photographs will be taken.

## 19.11 At Full Council and Executive Meetings

- 19.11.1 Agendas will be published on the council's website ahead of the meeting.
- 19.11.2 Where appropriate, press releases will be issued following the meeting describing the decision and quoting the Leader or Executive Member as appropriate. Such releases will highlight key issues and will help to explain and publicise Council policies and services.
- 19.11.3 Motions and questions from individual Members shown on the agenda will not be publicised through press releases.
- 19.11.4 The Communications Team will respond to subsequent press enquiries by providing a factual explanation at officer level (either directly or through another officer). Where a matter of policy is in question, the matter will be referred to the Leader of the Council or the appropriate Executive Member. Interviews and photo opportunities will be facilitated.
- 19.11.5 Where a reporter wishes to find out what was said by individual Members during a debate, Officers will refer the reporter to the webcast of the meeting in the first instance, or the Member directly.

#### 19.12 At Other Council Meetings

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

#### 19.13 Political Communications

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

## Agenda Item 12a

Motion - Swifts

In June local activists, Politicians and residents united to declare Ware the first swift town in the eastern England region, this comes of the back of an enormous amount of work from local swift groups and other voluntary organisations like our Mens sheds.

The reason for this work is that while swifts are beloved by many as a sign of summer, they have suffered large declines in number and are unfortunately now red listed, the causes for this are many but one driver is the reduction in their nesting sites something which we can help offset by mandating swift bricks in all new domestic buildings in the UK.

The UK rightly works to preserve its historic buildings and cultural heritage, our natural heritage is equally as important to who we are, more than that we have a moral duty to preserve for the future the wonders we are so fortunate to have Inherited. The only circumstance in which we should want to compare the scream of the swift with the purr of the turtle dove or the song of the nightingale is in their ubiquity not in their absence, Therefore this council should resolve, to empower its leader to write to all MP's representing areas in East Hertfordshire, on the councils behalf encouraging them to support (EDM 1065) which urges the government introduce regulations that "would require the incorporation into all new domestic buildings of swift bricks""

Proposed by Councillor George Williams, seconded by Councillor Vicky Glover-Ward