



Public Document Pack

James Ellis
Head of Legal and Democratic Services

MEETING : EXECUTIVE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : TUESDAY 8 JULY 2025
TIME : 7.00 PM

MEMBERS OF THE EXECUTIVE

Councillor Ben Crystall	- Leader of the Council
Councillor Mione H Goldspink	- Executive Member for Neighbourhoods
Councillor Carl Brittain	- Executive Member for Financial Sustainability
Councillor Alex Daar	- Executive Member for Communities
Councillor Joseph Dumont	- Executive Member for Corporate Services
Councillor Vicky Glover-Ward	- Executive Member for Planning and Growth
Councillor Sarah Hopewell	- Executive Member for Wellbeing
Councillor Tim Hoskin	- Executive Member for Environmental Sustainability
Councillor Chris Wilson	- Executive Member for Resident Engagement

CONTACT OFFICER: Katie Mogan
Tel: 01279-502082
Email: [Katie Mogan@eastherts.gov.uk](mailto:Katie.Mogan@eastherts.gov.uk)

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- must not participate in any vote taken on the matter at the meeting;
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AGENDA

1. Apologies

To receive any apologies for absence.

2. Leader's Announcements

To receive any announcements from the Leader of the Council.

3. Minutes - 3 June 2025 (Pages 6 - 19)

To approve as a correct record the Minutes of the meeting held on 3 June 2025.

4. Declarations of Interest

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

5. Gilston Area Monitoring Framework (Pages 20 - 75)

6. Hatfield Forest Mitigation Strategy and Governance Arrangements (Pages 76 - 129)

7. Stocking Pelham Neighbourhood Area designation (Pages 130 - 138)

8. Refreshed LEAF priorities and annual report for 2024-25 (Pages 139 - 156)

9. Parking Enforcement Contract Award (Pages 157 - 164)

To move that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the discussion of item 9, Appendix A on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the said Act.

10. Consideration of the revised Statement of Gambling Principles (Pages 165 - 219)

11. Urgent Business

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

Agenda Item 3

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MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 3 JUNE 2025, AT 7.00 PM

PRESENT: Councillor (Chairman/Leader)
Councillors B Crystall, M Goldspink,
C Brittain, A Daar, J Dumont, V Glover-Ward,
S Hopewell, T Hoskin and C Wilson.

ALSO PRESENT:

Councillors E Buckmaster, Y Estop and
T Stowe.

OFFICERS IN ATTENDANCE:

Richard Crutchley	- Team Leader (Planning Policy)
James Ellis	- Director for Legal, Policy and Governance and Monitoring Officer
Jonathan Geall	- Director for Communities
Maria Hennessy	- Principal Planning Policy Officer
Katie Mogan	- Democratic and Electoral Services Manager
Brian Moldon	- Director for Finance, Risk and Performance

48 APOLOGIES

There were no apologies for absence.

49 LEADER'S ANNOUNCEMENTS

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

50 MINUTES - 18 MARCH 2025

Councillor Glover-Ward asked for a correction at minute number 393. The minutes read 'Councillor Glover-Ward said that there would be two mandatory consultations at various stages. She said that one would be expected towards the end of next year.'. She asked for it to be amended to say that there would be a consultation on the vision document and two consultations on the District Plan, with the first District Plan consultation not being before the end of 2026.

Councillor Dumont proposed, and Councillor Glover-Ward seconded a motion that the Minutes of the meeting held on 18 March 2025, as amended, be approved as a correct record, and be signed by the Leader. On being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 18 March 2025, as amended, be approved as a correct record, and signed by the Leader.

51 DECLARATIONS OF INTEREST

There were no declarations of interest.

52 COUNCIL TAX SUPPORT SCHEME

The Executive Member for Financial Sustainability presented the report which provided an update on the work done so far on the Council Tax Reduction Scheme 2026/27. He said the recommendation was seeking permission to consult with the public and other major

precepting authorities as the scheme needed to be updated to take account of the rollout of Universal Credit.

The Executive Member for Financial Sustainability said that the current scheme placed a high administrative burden on the council and the proposed banded scheme would reduce the number of changes that needed to be processed. He said that the scheme was a work in progress and the final Council Tax Support scheme would be agreed by Council at the end of the year.

The Executive Member for Financial Sustainability said he was amending the recommendation in the report to 'Agree that the Council will consult with the public and Major Precepting Authorities on the introduction of a new income banded/grid scheme for working age applicants with effect from 1 April 2026, with the final scheme to be consulted on delegated to the Executive Member for Financial Sustainability in conjunction with the Section 151 officer for agreement'.

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

Councillor E Buckmaster said he understood why the scheme was being updated but questioned whether this would be easily understood by residents. He asked if there was a way of making sure people understood the implications of the changes.

Councillor Brittain said that it could be difficult for residents to work out what they would be entitled to under the scheme. He said he would take the point away and try to find a way of making it simpler.

The Director for Finance, Risk and Performance said that the scheme was complicated at the moment. He said that the banded scheme would mean that residents did not

have to go through so many reassessments if their income changed on a weekly basis.

Councillor Glover-Ward said that she was quite shocked to see that 40% of residents were going through a monthly re-evaluation. She said that the banded scheme should have a significant reduction on the number of re-evaluations.

Councillor Estop asked what was meant in the report that this would improve the level of council tax collection.

Councillor Brittain said that the lowest collection rate was from those who received council tax support. He said that there was an opportunity to create a 100% rebate and take people of most need out of council tax rates altogether which would have a better impact on increasing collection rates.

Councillor Crystall asked if the consultation would be sent to organisations like the Citizens Advice Bureau or food banks, as these often dealt with people most in need.

The Director for Finance, Risk and Performance said that the paper was going to the Overview and Scrutiny Committee next week and the Benefits Manager would be in attendance to answer detailed questions. He said that the consultation would be open to everyone to get the views of as many people as possible.

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 - agree that the Council will consult with the public and Major Precepting Authorities on the introduction of a new income banded/grid scheme for working age applicants with effect

from 1 April 2026 with the final scheme to be consulted on delegated to the Executive Member for Financial Sustainability in conjunction with the Section 151 officer for agreement.

53 PROVISIONAL OUTTURN 2023/24 AND 2023/24 DRAFT STATEMENT OF ACCOUNTS

The Executive Member for Financial Sustainability presented the provisional outturn and draft statement of accounts. He said that the report had been subject to delays in the auditing process in 2020/21 and 2021/22. He said that the report showed a £224k underspend which would be transferred into the general fund to counter the anticipated overspend in 2024/25. There was also an increased provision of doubtful debts and £1.2million had been put into the interest equalisation reserve which would support the predicted loss on the property funds.

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

Councillor Buckmaster referred to the table on page 50 and sought clarification if the numbers presented were gross figures before any costs had been taken out and if the table on page 52 contained the net figures.

Councillor Brittain confirmed that was correct.

The Director for Finance, Risk and Performance said that the leisure contract income was provided in the income graph. The council received an annual income management fee from the contractor running the centre.

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 general fund revenue outturn of £224k underspend to be transferred to the general reserve be noted;

(B) the capital outturn position be noted; and

(C) the 2023/24 draft statement of accounts be received.

54 MONITORING 2024/25 QUARTER 4 CORPORATE RISK REGISTER

The Executive Member for Financial Sustainability presented the Monitoring 2024/25 Quarter 4 corporate risk register report. He said that the Leadership Team had reviewed the risks, scores and mitigations and they remained largely unchanged. He said that there were risks around the Local Government Review but there were currently insufficient details to make an assessment.

Councillor Brittain proposed that the recommendation in the report be supported. Councillor Daar 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 2024/25 quarter four corporate risk register and actions being taken to control and mitigate risk be noted.

55 OPTIONS FOR ELIZABETH ROAD SHOPS AND FLATS, BISHOP'S STORTFORD

The Executive Member for Financial Sustainability presented the report on the options for the Elizabeth Road shops and flats. He said that the parade of shops

had been left in a poor state due to a lack of investment and catch-up repairs were needed, especially to bring up to a higher minimum energy standard in order to be let out. Tables 1 – 3 in the report showed the outcome in Year 1 for each option and Table 5 forecasted the financial implications for a 30-year period.

The Executive Member for Financial Sustainability said that the best option for the council was to sell the site and reduce its debt. He accepted that the parade historically had not been managed well, and a sale was the best long-term option for the community as the management of small shops was not a core activity for the council.

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

Councillor Estop made a statement in opposition to the sale of the shops and flats. She raised issues such as the council only offering short lets on the shop units, the boundary for the sale containing the whole site, protection of existing businesses using the units, the failure to install roof insulation in the flats and the expenditure of green space. She also raised the concerns of the three business owners in the units and said that local residents had started a petition which currently had 400 signatures.

Councillor Brittain said that the council's resources would be better utilised for its core activities and landlord of shops tended to be within the private sector. He said that just because the council was selling the property, did not mean it would change its use. In relation to the boundary change, this option was considered but it was unknown as to what the future owner would want to do with the site. He said that the larger boundary allowed flexibility within the sale negotiations.

Councillor Glover-Ward said the council did not know what would happen to the site under the new owners. She said whatever design came forward, the planning application could be called in and determined by the Development Management Committee.

Councillor Hopewell said that any administration would be keen to make sure green spaces worked well, were enhanced and looked after. She reiterated that the wider boundary allowed greater options for flexibility and did not mean that would be the final boundary position.

Councillor Hoskin responded to Councillor Estop's point about the car park. He said that it would be odd to sell a commercial property without the car parking spaces and it was not an asset that earned money for the council. He said that the shops met the current standards of EPC but these requirements would increase in the future. He said that there was only one flat that did not meet the standards. He said that the exempt appendix showed the extraordinary money needed to bring it back to standard and the property would be placed better in a commercial environment to make judgements and market the shops more actively.

Councillor Goldspink said that the Executive were required to make difficult decisions. She appreciated that the community valued the local shops highly, but the council were not experts in the ownership and management of shops. She said that it was more realistic that they were looked after by experts in the field. She said that the best option would be to sell the block and the whole plot of land.

Councillor Estop said that the previous administration had planned an ugly development on this site. She said that the report did not mention that planning had been consulted. She felt that the units had been kept

deliberately vacant and leases kept at two years and the area was attracting anti-social behaviour.

Councillor Crystall said that the three empty units were not making it a dangerous area.

Councillor Brittian said he understood the fear in the community about the previous planning application happening again, but the planning system had prevented it, and the system would continue to prevent that kind of development.

Councillor Glover-Ward said that the council was wearing two hats in this situation; the planning authority and the landowner. She said it was not appropriate for the Director of Place to comment on the property sale.

Councillor Wilson said that the Executive had heard the passion from the residents, and it was clear the demand for the shops was there. He said that any commercially minded business would recognise that, and the Executive needed to look at its priorities to make sure core services were protected and improved.

Councillor Crystall said that one of the challenges arising from the local government review was to ensure councils were as financially sustainable as possible.

Councillor Dumont said that difficult decisions had to be taken, and this decision fell into that box. He said the Executive needed to look at the bigger picture and had given a lot of thought into this property and its options.

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 the freehold of the commercial and residential block owned by the council at

Elizabeth Road, Bishop's Stortford (as shown in the plan at Appendix A) be marketed for disposal, in its current condition and with the current short-term leases in place, with authority to determine the best means of disposal and to complete the sale delegated to the Director for Communities.

56 UPDATE OF THE STATEMENT OF COMMUNITY INVOLVEMENT

The Executive Member for Planning and Growth presented the update on the Statement of Community Involvement (SCI) which was updated every five years. The SCI set out how the council would consult with the public on planning matters and the revised version aligned with the council's LEAF priorities. She said that the Levelling Up and Regeneration Act 2023 would bring several implications for planning with many details to be set out in secondary legislation and the SCI allowed for this transition to meet any new requirements when details emerged.

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

Councillor Estop asked if there would be some provision for translating the big strategic studies into formats and ways the public could understand.

Councillor Glover-Ward said she could discuss this with the Executive Member for Resident Engagement but creating a synopsis from large documents would take a considerable amount of officer time.

Councillor Crystall suggested this could be a job for AI.

The Principal Planning Policy Officer said that one of the principles within the SCI was to avoid planning jargon and making digital technology more prevalent in planning was

on the government's radar.

Councillor Crystall said that table 6.1 on page 223 showed an excellent summary of consultation methods.

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 – To recommend to Council that the Statement of Community Involvement 2025, as detailed at Appendix A to this report, be approved for adoption.

57 HERTFORDSHIRE GREEN INFRASTRUCTURE STRATEGY

The Executive Member for Planning and Growth presented the Hertfordshire Green Infrastructure Strategy. The study was commissioned by HIIP and was an update to the 2011 plan. This report would form part of the evidence base for the new District Plan to inform strategies and policies.

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

Councillor Daar said it was good to see a lot of evidence in the plan and hoped a lot of this would be brought forward into the District Plan.

Councillor Hoskin felt that the infrastructure for active travel should be a high priority.

Councillor E Buckmaster said that this was an important document. He said that East Herts geographically covered a third of the whole county and this was a good framework to look at planning policies from this.

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 – To recommend to Council that 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.

58 MEMBERSHIP OF THE DISTRICT PLAN EXECUTIVE PANEL

The Executive Member for Planning and Growth presented the report on the District Plan Executive Panel. She said that the process of preparing the plan was a lengthy and complex exercise and required a wide range of supporting evidence. She said that the report was recommending that the District Plan Executive Panel be reconvened so that the panel could make recommendations to Council, via the Executive associated with the District Plan. This would allow the Panel to have full consideration of all issues, and the panel would be made up of three Executive Members and all Members were invited to their meetings.

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

Councillor Hopewell said that the District Plan was a big piece of work, and it was important that there was an opportunity to look at the detail. She said it was great that all Members could attend and participate, and she encouraged all Members to take advantage of the opportunity.

Councillor Crystall said it was great that the public had access to these meeting and encouraged members to attend.

Councillor E Buckmaster said he was on the previous panel and felt this was the best way to go about developing the District Plan.

Councillor Estop said she welcomed the panel and said that it was great to have a body that was open to contributions from all Members.

Councillor Dumont asked if there was a mechanism for members of the public to ask questions of the panel.

The Director for Legal, Policy and Governance said if there was a desire from the Executive to include this, he was happy to look at ways to potentially implement it.

Councillor Glover-Wards said she would welcome that and if it could not be done, the public could approach their ward members and ask questions through 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 – to recommend to Council that:

(A) The District Plan Executive Panel is reconvened as a sub1group 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.

59 URGENT BUSINESS

There was no urgent business.

The meeting closed at 8.20 pm

Chairman
Date

Agenda Item 5

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.

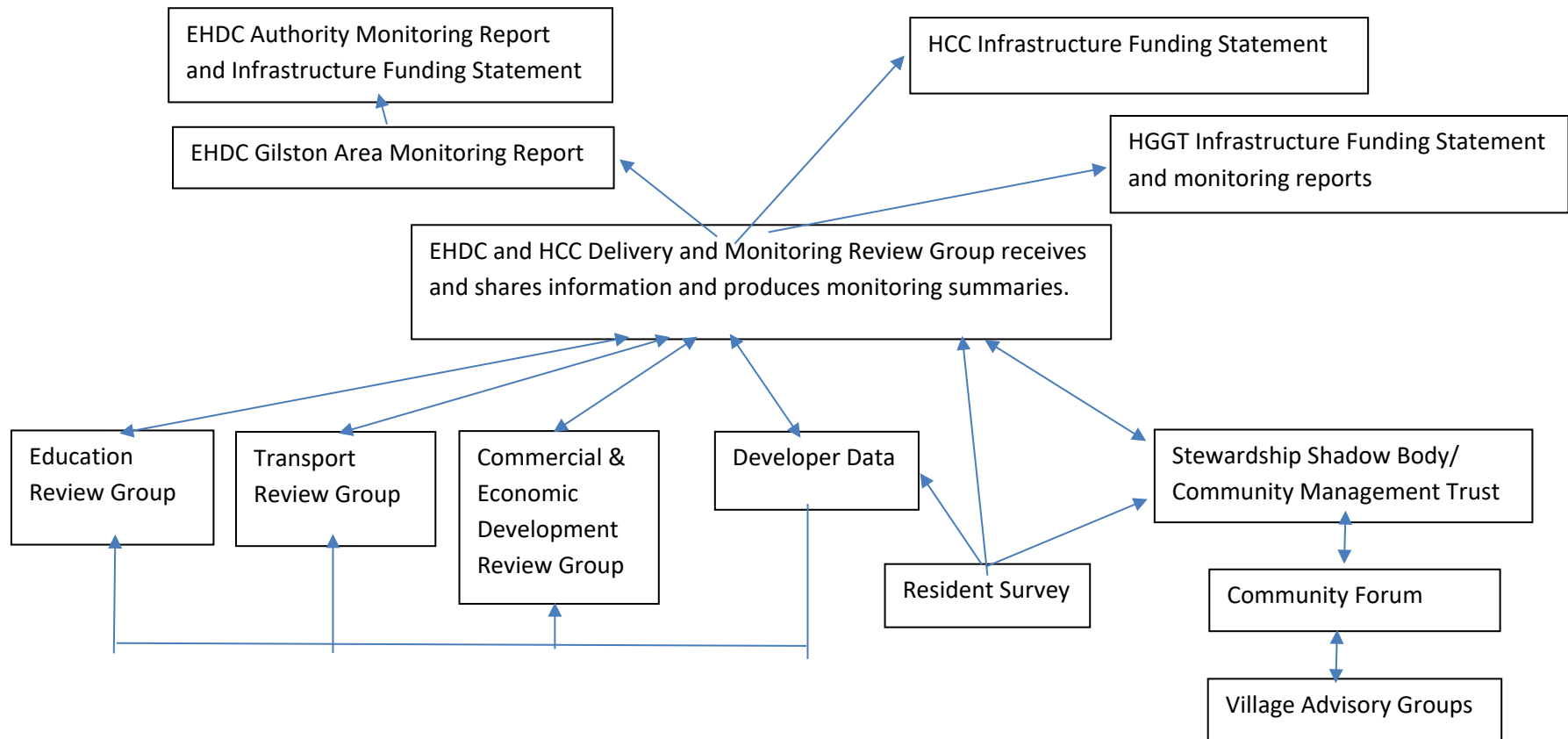
- 3.3 As local planning authority we have a policy obligation to meet. The Council is a party to the S106 Agreement along with Hertfordshire County Council and the two developers Places for People and Taylor Wimpey. The S106 Agreement contains significant monitoring obligations for the regular provision 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

Sara.Saunders@eastherts.gov.uk

Report Author

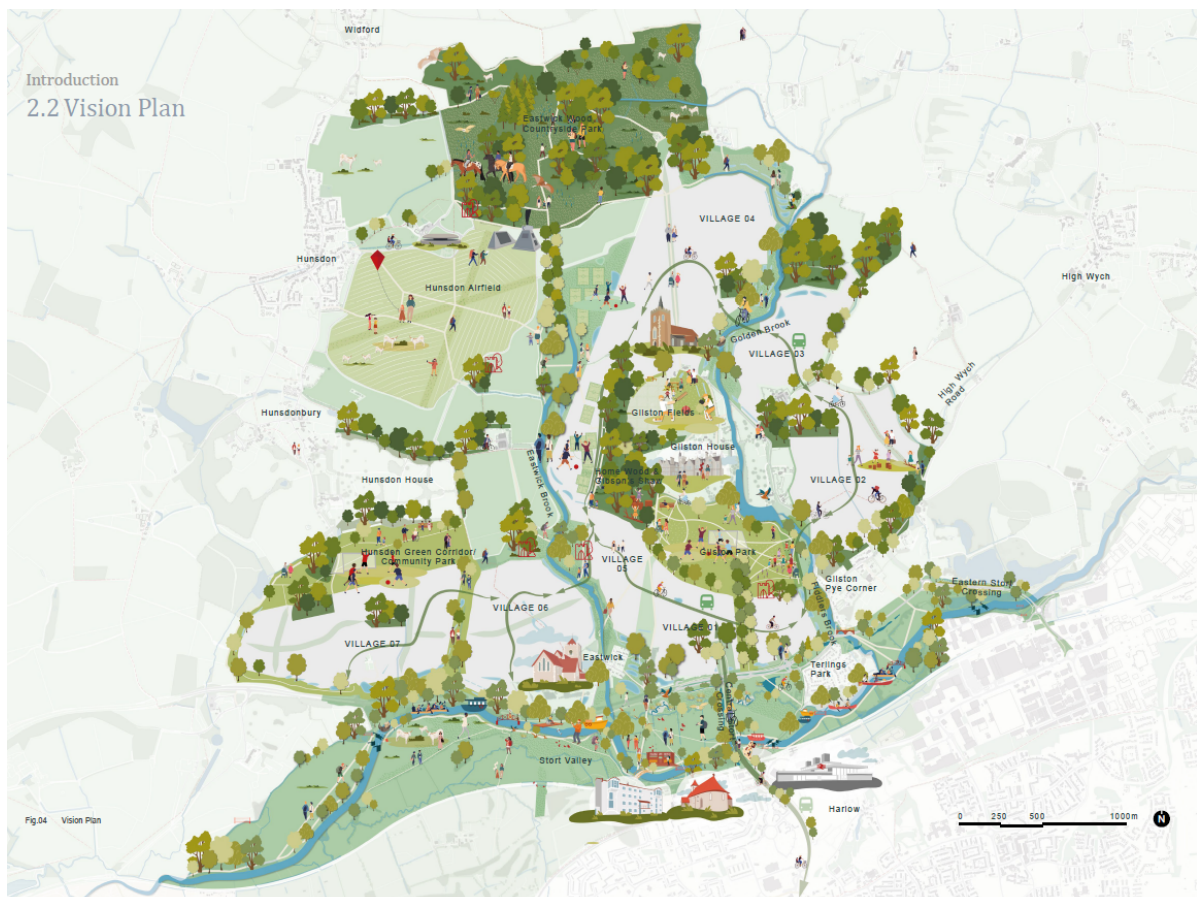
Jenny Pierce, Team Leader – Planning Policy

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
Appendix B: Monitoring Matrix	36
Appendix C: List of reference documents.....	51

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

Purpose of Framework

- 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.

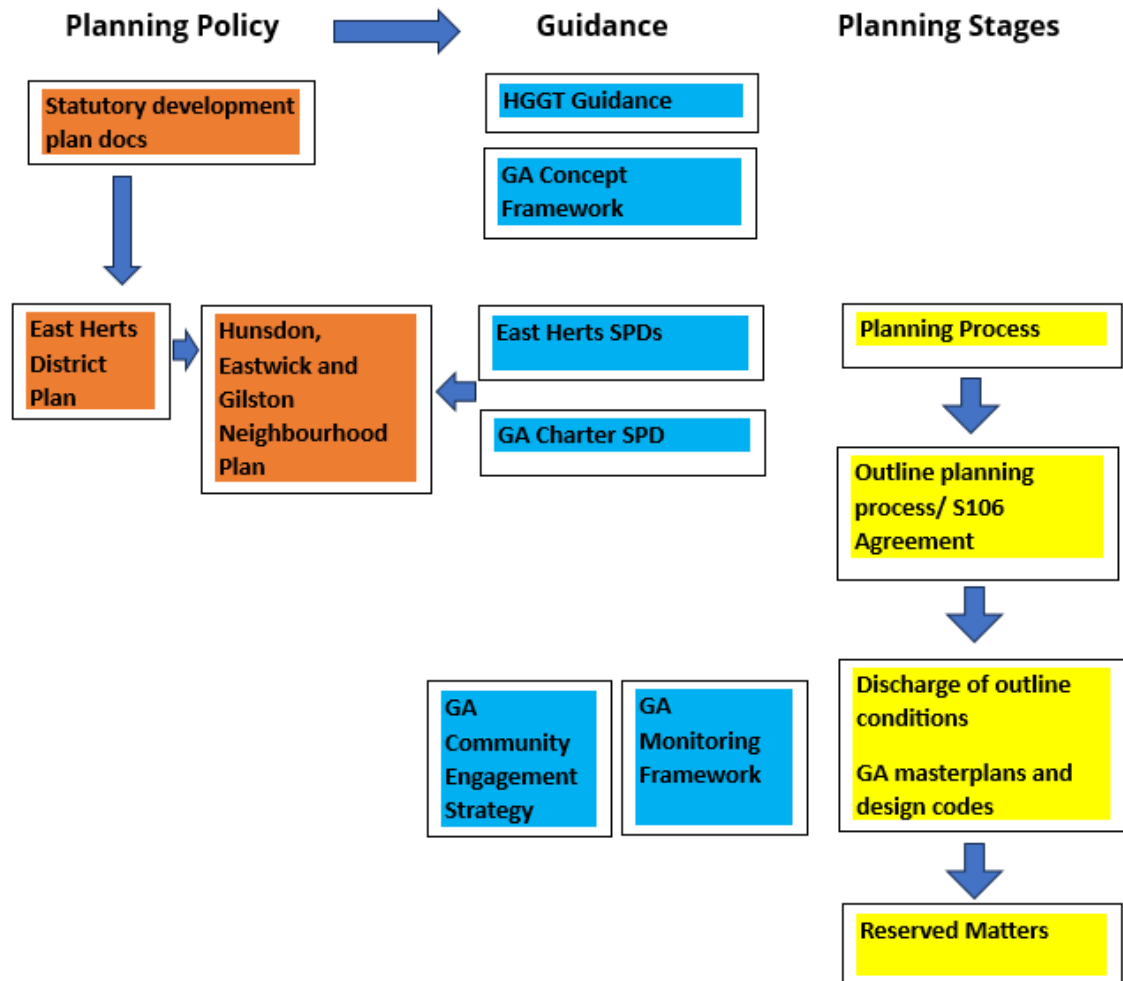
Local Policy Context

- 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) whilst 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.

Figure 1 - Relationship between strategic vision and objectives, 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 9th 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

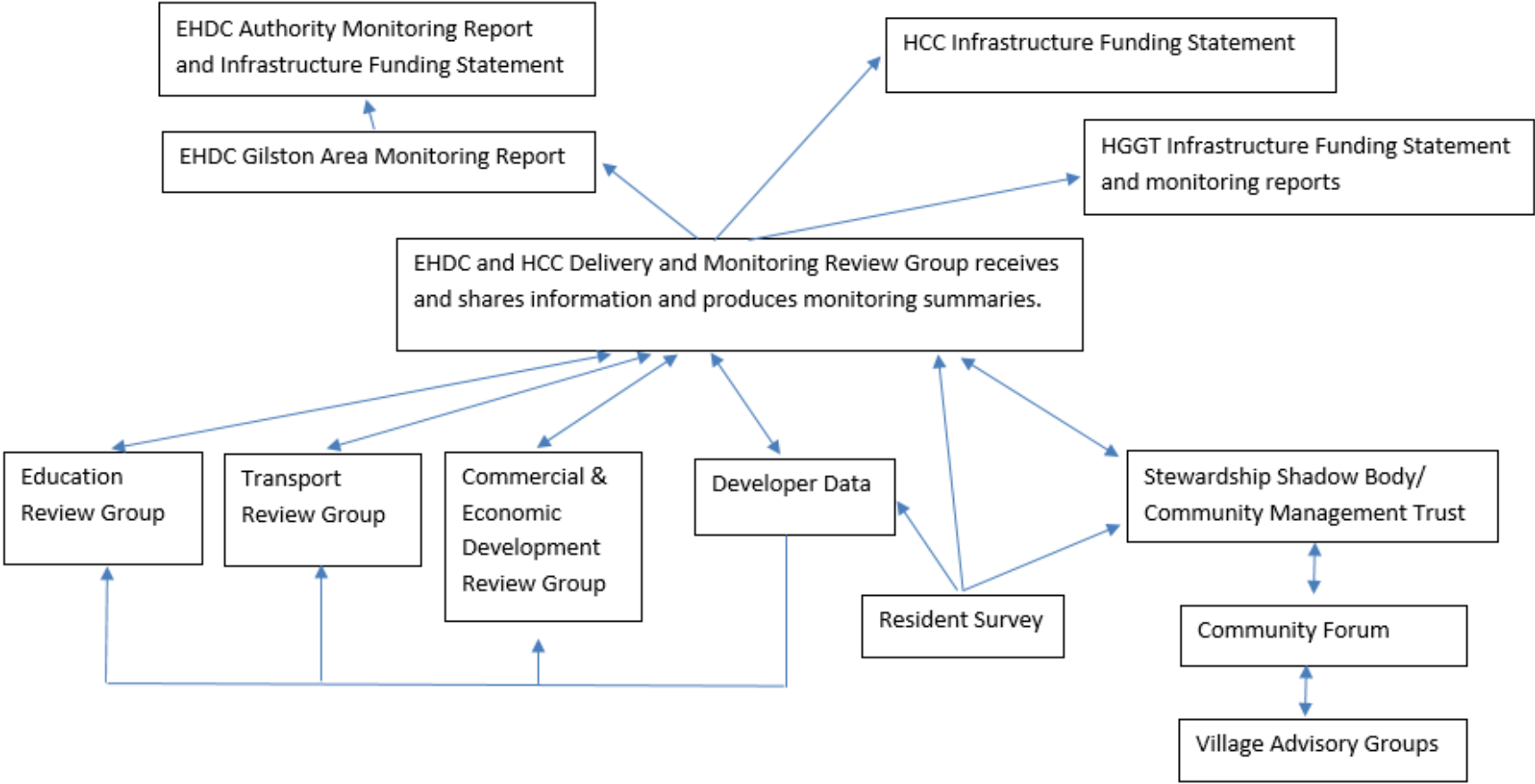
emerges, for example the GA Shadow Stewardship Group and GA Community Management Trust, themed workshops events and reviews.

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.

Figure 2 – The roles and responsibilities of partners and stakeholders in monitoring the Gilston Area development



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 a channel 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 on-site 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 Information 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 SLMP - discharge of V1-6 outline condition 6			
Submission/ determination of SLMP design code - discharge of V1-6 outline condition 8			
Submission/ determination of Strategic Landscape Infrastructure and Delivery Plan - discharge of V1-6 outline condition 9			
Submission/ determination of Village 1 masterplan – part discharge of V1-6 outline condition 31			
Submission/ determination of Village 1 Design Code and Regulatory Plan - part discharge of V1-6 outline condition 34			
Submission/ determination of Village 1 Infrastructure Delivery Plan – part discharge of V1-6 outline condition 33			
Submission/ determination of SLMP - discharge of V7 outline condition 10			
Submission/ determination of SLMP design code - discharge of V7 outline condition 11			

Stage/description	Date Information Submitted	Date decisions issued/ process completed	Additional information
Submission/ determination of Village 7 masterplan - discharge of V7 outline condition 13			
Submission/ determination of Village 7 design code - discharge of V7 outline condition 15			
Submission/ determination of Strategic SUDs Strategy for Village 7 -discharge of V7 outline condition E1- to be submitted and approved prior to or in parallel with Village 7 SLMP			
Submission/determination of Village 7 SUDS Strategy - discharge of TW outline condition E2 -to be submitted and approved prior to or in parallel with V7MP			
Submission/determination of Village 2 masterplan – part discharge of PFP outline condition 31			
Submission/determination of Village 2 Design Code and Regulatory Plan -part discharge of PFP outline condition 34			
Submission/determination of Village 2 Infrastructure Delivery Plan -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/construction			
V1-6 Strategic SUDS Strategy – discharge of outline condition 12 - to be submitted and approved prior to approval of SLMP			
V1-6 Supplementary FRA - discharge of outline condition 13 - to be submitted and approved prior to approval of SLMP			
V1-6 Strategic Landscape Ecology Strategy - discharge of outline condition 14 - to be submitted and approved prior to or in parallel with SLMP			

Stage/description	Date Information Submitted	Date decisions issued/ process completed	Additional information
V1-6 Strategic Landscape Energy and Sustainability Strategy - discharge of outline condition 14 - to be submitted and approved prior to or in parallel with SLMP			
V1-6 CTEMP - 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			
V1-6 Village Ecology Strategy -part discharge of outline condition 38 - to be submitted and approved prior to or in parallel with VMP			
V1-6 Village Energy and Sustainability Strategy -part discharge of outline condition 39 -to be submitted and approved prior to or in parallel with VMP			
V1-6 Parking Strategy - part discharge of outline condition 40 - to be submitted and approved prior to or in parallel with VMP			
Phasing Plan - 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			
Supplementary FRA for Village 7 - discharge of TW outline condition M1 - to be submitted and approved prior to or in parallel with Village 7 SLMP			
Village 7 Ecological Strategy - 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 Information 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
Highways and Transport (To be monitored through the Transport Review Group)			
1. V1 Interim Access from A414 (condition 22 of PFP outline)	To be fully open and operational prior to any occupations of Village 1	PFP	
2. V1 Interim Access from Eastwick Road (condition 23 of PFP outline)	To be fully open and operational prior to any occupations of Village 1	PFP	
3. Interim V2 Access (condition 26 of PFP outline)	Revised details to be submitted and approved by LPA. To be fully operational prior to occupation of first dwelling in Village 2 (unless the STC link between Village 1 and 2 is in place in which case the trigger shall be prior to the occupation of 1,000 homes in Village 2)	PFP	To be retained until the Eastern Stort Crossing and Final Village 2 Access has been delivered as approved through planning permission no. 3/19/1051/FUL.
4. STC V1-2 (condition 29 of PFP outline)	To be fully completed and operational prior to occupation of any homes in Village 2	PFP	
5. STC V3-6 (condition 30 of PFP outline)	To be completed and operational prior to the occupation of any homes in V3, 4, 5 and 6	PFP	
6. V6 Western Access Works -S106	Delivery by occupation of 200 Dwellings in Village 6	PFP	
7. Pardon Mill Cycle Improvements and A414 Crossing V1-6 -S106	Delivery by occupation of 200 Dwellings in Village 6	PFP	
8. Off Road Walking and Cycling Link to Elizabeth Way/ Pinnacles via	Delivery by occupation of [200] Dwellings within Village 6	PFP	

Infrastructure	Trigger /timescale for delivery	Who by	Information/updates
Pardon Mill Works V1-6 - S106			
9. Hunsdon Cycle Link Works V1-6 -S106	Delivery by occupation of 1,000 Dwellings within Village 1	PFP	
10. Cock Robin Lane V1-6 S106	Delivery by Occupation of 6,000 Dwellings within Villages 1 to 6	PFP	
11. Roydon Commuter Link (condition T6 of TW outline)	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.	TW	
12. Eastwick Commuter Link (condition T7 of TW outline)	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.	TW	
13. Hunsdon Lock Link (condition T8 of TW outline)	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.	TW	
14. V1-V7 STC road works Phase 1 (condition T9 of TW outline)	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.	TW	
15. V1-V7 STC Road works Phase 2 (condition T10 of TW outline)	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	TW	
16. V1-V7 STC Road works Phase 3a (condition T11 of TW outline)	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 completed and open to traffic.	TW	

Infrastructure	Trigger /timescale for delivery	Who by	Information/updates
17. V1-V7 STC Road works Phase 3b (condition T12 of TW outline)	No more than 350 residential occupations of Village 7 until highway works associated with STC inclusive of Primary Vehicular Route from Full V7 STC Transport Hub to V6/V7 boundary, are completed and open to traffic.	TW	
18. Supplemental V7 STC Bus Route Inclusive of Bus Gate – Road Works Phase 4 (condition T13 of TW outline)	No more than 1200 residential occupations of Village 7 until highway works associated with the construction of the Supplemental STC Bus Route Inclusive of Bus Gate, are completed.	TW	
19. V1-V7 Sustainable Transport Corridor Link Road (condition T14 of TW outline)	Details to be submitted and approved prior to any residential occupations of Village 7. No more than 350 residential occupations until Link constructed.	TW	
20.A414/Church Lane Junction – A414 Speed Limit Review (condition T15 of TW outline)	To be submitted and approved prior to comm of development excluding preliminary works. Any recommendations to be implemented prior to the completion of the Full A414 / Church Lane Junction Upgrade work.	TW	
21.A414/Church Lane Junction – Road Safety Audit (condition T16 of TW outline)	To be submitted and approved prior to comm of development excluding preliminary works. Any recommendations contained in the Stage 1 Road Safety Audit shall thereafter be incorporated at Stage 2 of the design process for the Full A414 / Church Lane Junction Upgrade work.	TW	
Community			
22. V1-6 Health Facility	Up to maximum of 3515m2	PFP	
23. V1-6 Youth Space/ Facilities	Up to 460m2	PFP	
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 Building	Up to 100m2 Prior to occupation of [900] Dwellings in Village 1	PFP	
26. V1-6 Library Floorspace			
27. V7 Community Building	Prior to occupation of xxxx Dwellings in Village 7	TW	

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/ 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	EHDC	Reserved matters, Annual Monitoring Scheme reports from developers, Village Housing Schemes S106/housing team monitoring activities	HGGT Vision - P9, P10, P21 EHDP - GA1, HOU3, DEL2 NP - AG1, BU1 GACF - OBJ. 1, 3, 5	
50/50 split on any review mechanism surplus				
Custom/Self build – plots equivalent to not less than 1% equivalent of total dwellings TW	EHDC	Reserved matters, Annual Monitoring Scheme reports from developers, Village Housing	HGGT Vision - P9, P10, P21 EHDP - GA1, HOU8, DEL2 NP- AG1, BU1 GACF - OBJ 1, 3, 5	

Requirement	Responsible lead body	How monitored	Strategic/local policies and objectives	Information/ 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 Monitoring Scheme reports from developers, Village Housing Schemes, monitoring activities of Council	HGGT Vision - P9, P10, P21 EHDP - GA1, HOU6, DEL2 NP- AG1, BU1 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, Annual Monitoring Scheme reports from developers, Village Housing Schemes, EHDC S106 monitoring processes, registered providers	HGGT Vision - P9, P10, P21 EHDP - GA1, HOU7, DEL2 NP - AG1, BU1 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 EHDP - GA1, HOU3, 6, 7, 8, DEL2 NP - AG1, BU1 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 EHDP - GA1, HOU3 NP - AG1 GACF - OBJ. 1, 3	
Gypsy/traveler provision – V1-6 -Serviced Land for 7 G&T pitches to be safeguarded to the north of V4	EHDC	Masterplans, Reserved matters, Annual Monitoring Scheme reports from developers, monitoring activities of Council	HGGT Vision - P9, P10, P21 EHDP - GA1, HOU9, DEL2 NP - AG1 GACF - OBJ. 1, 3	

Requirement	Responsible lead body	How monitored	Strategic/local policies and objectives	Information/ updates
<p>V1-6 -Serviced Land for 8 Plots for Travelling Showpeople to be safeguarded in Village 6</p> <p>V7 -Serviced Land for 8 G&T Pitches to be safeguarded</p> <p>To comply with marketing and delivery strategy</p>				
<p>Quantum of housing overall -up to 8500 on V1-6, up to 1500 on V7</p>	EHDC	<p>Masterplans, Reserved matters, Annual Monitoring Scheme reports from developers, Village Housing Schemes, monitoring activities of Council</p>	<p>HGGT Vision - P9, P10, P21 HGGT - GA1 NP - AG1 GACF - OBJ. 1, 3</p>	
Stewardship and Governance				
<p>Set up GA Community Management Trust/Shadow Group/Community Interest Company</p> <p>Prepare submit and agree outline and detailed business plans</p> <p>Provide initial endowment funding as 15% cost contribution for V7</p> <p>Monitoring Strategy</p>	<p>EHDC</p> <p>V1-6 owner Unless V7 proceeds first in which case V7 owner</p> <p>V7 owner</p> <p>V1-6 owner Unless V7 proceeds first in which case V7 owner</p>	<p>Through Monitoring Review Group/EHDC S106 monitoring processes</p>	<p>HGGT Vision - P9, P10, EHDP - GA1, DEL2 NP - D1, D2 GACF - OBJ. 12</p>	
Education				

Requirement	Responsible lead body	How monitored	Strategic/local policies and objectives	Information/ 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 Monitoring Review Groups, HCC S106 monitoring processes, HCC education team	HGGT Vision - P9, P10, P21 EHDP - GA1, CFLR10, DEL1, DEL2 NP - AG1, C1 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 EHDP - GA1, CFLR10, DEL1, DEL2 NP - AG1, C1 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 EHDP - GA1, CFLR10, DEL1, DEL2 NP - AG1, C1 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 Monitoring Review Groups, HCC S106 monitoring processes, HCC education team	HGGT Vision - P9, P10, P21 EHDP - GA1, CFLR10, DEL1, DEL2 NP - AG1, C1 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 Monitoring Review Groups, HCC S106 monitoring processes, HCC education team	HGGT Vision - P9, P10, P21 EHDP - GA1, CFLR10 NP - AG1, C1 GACF - OBJ. 1,13	
School transfers - Villages 1-7 -serviced land with access	HCC	Through Education and Monitoring Review Groups, HCC S106 monitoring processes, HCC education team	HGGT Vision - P9, P10, P21 EHDP - GA1, CFLR10, DEL1, DEL2 NP - AG1, C1 GACF - OBJ. 1,13	

Requirement	Responsible lead body	How monitored	Strategic/local policies and objectives	Information/ updates
Local Labour				
Site Wide Local Labour, Skills and Business 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 EHDP - GA1, DEL2 NP - BU2, BU3 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 EHDP - GA1, DEL2 NP - BU2, BU3 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 EHDP - GA1, DEL2 NP - BU2, BU3 GACF - OBJ. 1	
Commercial Floorspace				
V1-6 -minimum provision 10,000m2 V7 -minimum provision of 1745m2. 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 EHDP - GA1, DEL2 NP - BU2, BU3 GACF - OBJ. 1	
Commercial Delivery and Employment Review Group -V1-7- establishment by commencement 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 EHDP - GA1, DEL2 NP - BU2, BU3 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 EHDP - GA1, DEL2 NP - BU2, BU3 GACF - OBJ. 1	

Requirement	Responsible lead body	How monitored	Strategic/local policies and objectives	Information/ 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 EHDP - GA1, DEL2 NP - BU2, BU3 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 EHDP - GA1, DEL1, DEL2 NP - C1 GACF - OBJ. 1, 5, 13	
Transport				
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 EHDP - GA1, GA2, TRA2, DEL1, DEL2 NP - AG1, AG8 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, HCC S106 monitoring processes, highways team, masterplans, reserved matters	HGGT Vision - P8, P10, P18 EHDP - GA1, TRA2, DEL2 NP - AG1, AG8 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 EHDP - GA1, DEL2 NP - AG1 GACF - OBJ. 2, 10	

Requirement	Responsible lead body	How monitored	Strategic/local policies and objectives	Information/ 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 EHDP - GA1, TRA1, DEL1, DEL2 NP - AG1, AG8 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, HCC S106 monitoring processes, highways team	HGGT Vision - P16, P18 EHDP - GA1, TRA1, DEL2 NP - AG1, AG8 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, Monitoring Review Group and once set up through Transport Review Group	HGGT Vision P8, P10, P16, P17, P18 EHDP - GA1, GA2, TRA1, TRA2, DEL2 NP - AG1, AG8 GACF - OBJ. 6, 7,8, 13	

Requirement	Responsible lead body	How monitored	Strategic/local policies and objectives	Information/ updates
<p>Transport contributions:</p> <ul style="list-style-type: none"> *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. *Garden Town/Offsite STC Network V1-7. *Crossing HIG Funding Repayment 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	<p>HGGT Vision - P8, P10, P16, P17, P18 EHDP - GA1, TRA1, TRA2, DEL1, DEL2 NP - AG1, AG8 GACF - OBJ. 6, 7,8, 13</p>	

Requirement	Responsible lead body	How monitored	Strategic/local policies and objectives	Information/ updates
Open Space, Play and Community				
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 Space, Community Facilities and Public Art in accordance with S106 triggers. To comply with Certification procedures. Put in place Community User agreements.	EHDC / HCC	Through Monitoring Review Group and EHDC S106 monitoring processes, masterplanning, 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 EHDP - GA1, CFLR7, DEL1, DEL2 NP - C1 GACF - OBJ. 1, 5, 13	

Requirement	Responsible lead body	How monitored	Strategic/local policies and objectives	Information/ updates
Early Years Facilities in Village 7 up to 550m2	EHDC / HCC	Through Monitoring Review Group and EHDC S106 monitoring processes, masterplanning, reserved matters	HGGT Vision - P8, P9, P21 EHDP - GA1, CFLR7, DEL1, DEL2 NP - C1 GACF - OBJ. 1, 5, 13	
V7 Community Facilities (up to 1060 sqm) (Class F2)	EHDC	Through Monitoring Review Group and EHDC S106 monitoring processes, masterplanning, reserved matters	HGGT Vision - P8, P9, P21 EHDP - GA1, CFLR7, DEL1, DEL2 NP - C1 GACF - OBJ. 5, 13	
V7 Community Orchard and Allotments	EHDC	Through Monitoring Review Group and EHDC S106 monitoring processes, masterplanning, reserved matters; Management Trust	HGGT Vision - P8, P9, P21 EHDP - GA1, CFLR7, NE4, DEL1, DEL2 NP - C1 GACF - OBJ. 5, 9, 13	
V7 delivery of Community Park to include Outdoor Sports and Recreational Facilities and Strategic Football Hub. To include Village Playing Field.	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, 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 phase	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	

Requirement	Responsible lead body	How monitored	Strategic/local policies and objectives	Information/ updates
<p>V1-6 Strategic Open Space provision –</p> <ul style="list-style-type: none"> * Channoeks 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	<p>HGGT Vision - P8, P9, P10, P13, P21</p> <p>EHDP - GA1, CFLR7, DES2, NE4, DEL1, DEL2</p> <p>NP - AG2, AG3, AG4, AG5, AG7, LA1, TRA2,</p> <p>GACF - OBJ. 2, 5, 9, 10, 13</p>	
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/ updates
measures to be implemented to monitor Biodiversity Net Gain in line with planning conditions across the development		processes, masterplanning, reserved matters	EHDP - GA1, NE4, NE2, DEL1, DEL2 NP - AG2 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 and EHDC S106 monitoring 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 and EHDC S106 monitoring processes, masterplanning and reserved matters, Management Trust	HGGT Vision - P8, P9, P10, P13, P21 EHDP - GA1, CFLR7, DEL1, DEL2 NP - C1 GACF - OBJ. 5, 13	
Monitoring				
Monitoring contributions V1-V7	EHDC	Through Delivery and Monitoring Review Group and EHDC S106 monitoring processes	HGGT Vision - all 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 EHDC - GA1, DES1 GA Charter SPD NP - all GACF - all	
Design Codes	EHDC	Through Design Code Compliance Checklists, reserved matters,	HGGT Vision - all EHDC - GA1, DES1	

Requirement	Responsible lead body	How monitored	Strategic/local policies and objectives	Information/ updates
		Delivery and Monitoring Review Group, EHDC monitoring processes, reviews, workshops, lessons learned events	GA Charter SPD NP - AG6, BU1, BU4 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 HGGT Design Guide - all EHDP - GA1, DES1 NP - BU1, BU4 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 6

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’ (Zol). The Zol 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 Zol 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 Zol 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 (Zol) 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 Zol 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 Zol, 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 Zol 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 Zol 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 delivered 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 NNR & SSSI Mitigation Strategy

V6 February 2025



National
Trust



**National
Trust**

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.

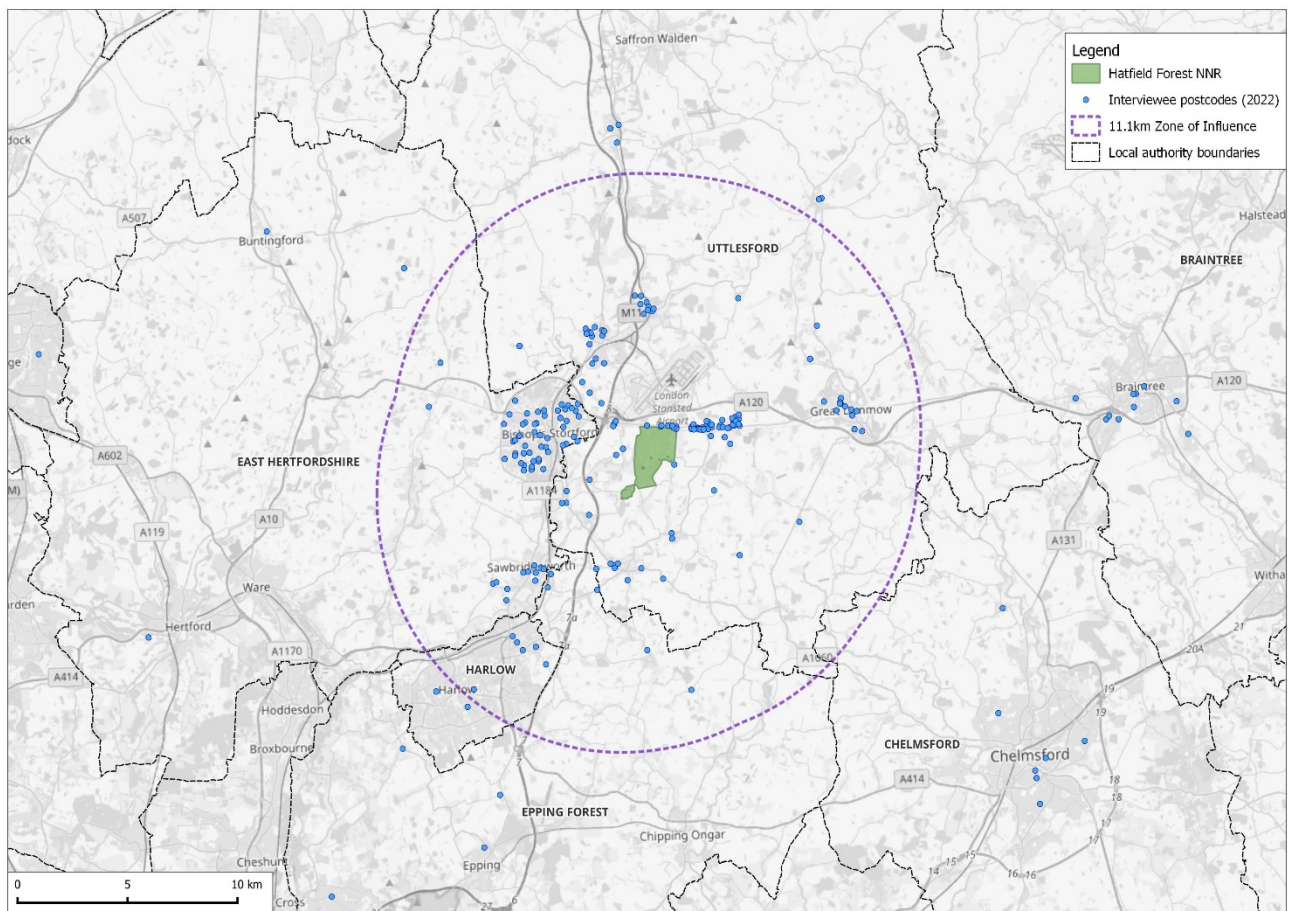
Zone of Influence

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.



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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 Measure	Measure	Description	Rationale & Justification	Capital/ One-off Cost (£)	Annual Cost (£)	No. of years	Total Cost (£)
Access management infrastructure - Veteran Tree Protection	Veteran tree root protection - barriers and protective 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 Mitigation	Ride management from ground level & soil decompaction in central 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 Measure	Measure	Description	Rationale & Justification	Capital/ One-off Cost (£)	Annual Cost (£)	No. of years	Total Cost (£)
Rides and Path Mitigation	Road, car park, track & boardwalk surfacing/maintenance	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 management infrastructure	Ride 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 Measure	Measure	Description	Rationale & Justification	Capital/ One-off Cost (£)	Annual Cost (£)	No. of years	Total Cost (£)
Access Management Infrastructure	Access Interpretation, Waymarking, 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 Resourcing - Staff (National 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

Type of Measure	Measure	Description	Rationale & Justification	Capital/ One-off Cost (£)	Annual Cost (£)	No. of years	Total Cost (£)
Human Resourcing - Staff (National Trust)	SAMMS Project Co-ordinator	0.5 FTE Gr.7 Consultant (based on 2023 pay data) Reviewed for on costs & inflation	<p>Providing interface between NT and statutory authorities / advisory bodies. Gaining all necessary PLCs. Delivering SAMMS projects. Interrogating, understand and report on statistical data – visitor and ecological. Procuring, implementing and supervising of external contractors/consultants. Working closely with Operations Manager on recreational pressure messaging. Working with Ranger team to help implement certain measures. Overseeing Monitoring Schedule, working with external consultant. Facilitating community out-reach. Chairing monthly project team meetings. Attending monthly Board meetings. Providing annual report to all stakeholders & LPAs. Creating end of five-year project review to direct the next five years. Set up a monitoring framework for planning applications. Monitor allocation, collection and spend of mitigation money.</p>		19,281	80	1,542,480

Type of Measure	Measure	Description	Rationale & Justification	Capital/ One-off Cost (£)	Annual Cost (£)	No. of years	Total Cost (£)
Monitoring	Visitor Surveys	Undertake summer and winter visitor surveys every 5 years prior to SAMMs review	<p>Ascertain visitor usage trends, Zone of Influence, mode of travel.</p> <p>Understand what recreational use and patterns. Enables targeted messaging and response to planning matters.</p> <p>Providing information on hotspots of high impact where focused attention can be made with mitigation measures allowing understanding of changes in usage over time.</p> <p>Providing necessary evidence to correlate visitor numbers with negative impacts to the SSSI.</p> <p>Aligning with survey strategies consistent with other sites to provide benchmarking / maximum credibility of Hatfield Forest survey.</p>		2,852 (Survey carried out every 5 years)	80	228,160

Type of Measure	Measure	Description	Rationale & Justification	Capital/ One-off Cost (£)	Annual Cost (£)	No. of years	Total Cost (£)
Monitoring	Impact Surveys	Annual autumn and Summer RAG surveys & fixed- point photography. Including survey design and preparation,	<p>Providing localized evidence of visitor impacts to soils and vegetation.</p> <p>Providing a good idea of impact hotspots where focused attention can be made with mitigation measures.</p> <p>Enabling understanding of changes in +/-impacts over time.</p> <p>Providing necessary evidence to correlate increasing visitor numbers resulting in cumulative negative impacts with high visitor numbers on the NNR.</p>		280 (Survey carried out every 5 years)	80	22,400
Monitoring	Compaction Analysis Surveys	Soil sample collection at 10 locations. Data handling, analysis & report writing.	<p>Providing localized evidence of visitor impacts to soils and vegetation through effective monitoring of soil condition at targeted locations.</p> <p>Providing a good idea of impact hotspots where focused attention can be made with mitigation measures.</p> <p>Enabling understanding of changes in impacts due to the increase in visitor usage over time.</p>		680 (Survey carried out every 5 years)	80	54,400

Type of Measure	Measure	Description	Rationale & Justification	Capital/ One-off Cost (£)	Annual Cost (£)	No. of years	Total Cost (£)
Monitoring	Ecological Impact 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 (Survey carried out every 5 years)	80	64,000
Monitoring	Gate 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 (Replaced every 7 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. DEFINITIONS	4
2. PURPOSE OF THE AGREEMENT.....	8
3. GOVERNANCE ARRANGEMENTS	9
4. COMMENCEMENT AND DURATION	10
5. OVERRIDING CONDITIONS.....	10
6. PROJECT MANAGEMENT.....	10
7. PROJECT RESOURCES.....	13
8. RESPONSIBILITIES OF THE PARTIES.....	13
9. ADDITION 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
SCHEDULE 1 - Hatfield Forest SAMM Strategy.....	24
SCHEDULE 2 - SAMM Contributions	24
SCHEDULE 3 - Financial Arrangements between the Partners and The Delivery Body.....	24
SCHEDULE 4 - Hatfield Forest SAMM Strategy Partnership Steering Group.....	24
SCHEDULE 5 - SAMM Delivery Flow Chart.....	24
SCHEDULE 6 - Hatfield Forest SAMMS Governance report.....	24
APPENDIX 1- National Trust's Contract and Procurement Rules	24

This agreement is made the day of

between:

(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 1st April of any given year to 31st 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 SAMP 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! 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 SAMP 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 SAMP 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 SAMP 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 SAMP Contributions and availability of SAMP 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 SAMP 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

Performance

8.1 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

11.5 The 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 sub-contractors 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
 - c) 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 of 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.

Schedules

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.

Assignment

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:

THE COMMON 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 ([Compilation and Review of Evidence Leading to SANG and SAMM Provision](#), 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 on-site 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 SSSI/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 [Discretionary Advice Service](#).

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.

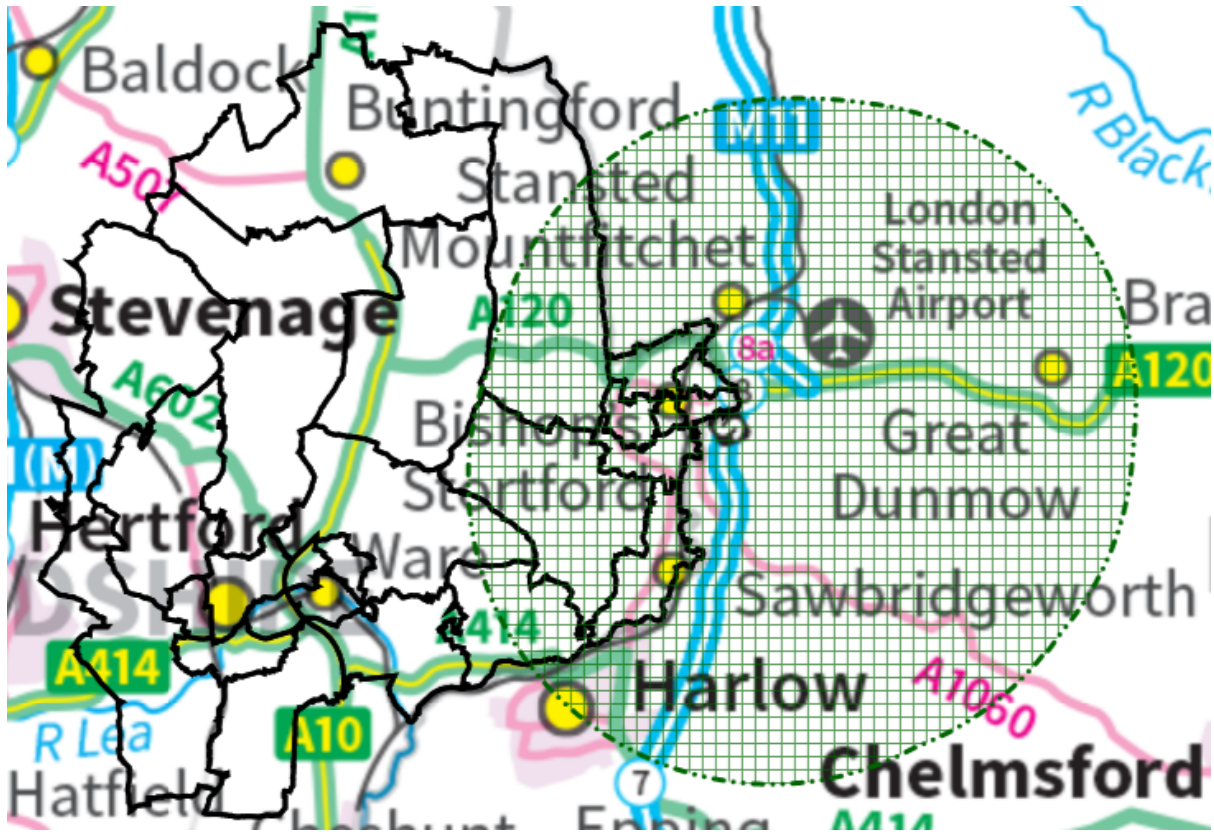
To meet the NE SANG Guidelines, open space should be provided at 8ha per 1000 new population; this could potentially be reduced with agreement from Natural England in exceptional circumstances and with appropriate justification.

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 [Discretionary Advice Service](#) 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 7

East Herts Council Report

Executive

Date of meeting: Tuesday 8 July 2025

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

Report title: Stocking Pelham Neighbourhood Area designation

Ward(s) affected: Little Hadham and The Pelhams;

Summary – This report considers the application submitted by Stocking Pelham Parish Council for the designation of a Neighbourhood Development Plan Area. In accordance with The Neighbourhood Planning (General) Regulations (as amended) the application is for the whole Stocking Pelham Parish area and the Council is required to designate the specified area as a neighbourhood area.

RECOMMENDATION FOR Executive: that

- a) The application for the designation of Stocking Pelham Neighbourhood Area, submitted by Stocking Pelham Parish Council, be supported**

1.0 Proposal(s)

- 1.1 The designation of a Neighbourhood Development Plan Area is the first formal stage in the plan making process. In accordance with the requirements of Section 5 -7 of the Neighbourhood Planning (General) Regulations 2012 (as amended), Stocking Pelham Parish Council must make a request to East Herts Council, as the local planning authority, to designate a Neighbourhood Area. East Herts Council must then determine the application.

2.0 Background

- 2.1 Neighbourhood Planning was introduced by the Government under the Localism Act in 2011. Neighbourhood planning provides an opportunity for local communities to produce a planning document that shapes and influences future development within their local area.
- 2.2 The Town and Country Planning England Neighbourhood Planning (General) Regulations 2012 (as amended) came into force on the 6 April 2012 and prescribe both the process, and role of the local planning authority in supporting neighbourhood planning. In East Herts, parish or town councils are qualifying bodies able to produce a Neighbourhood Plan.
- 2.3 On 27 May 2025, Stocking Pelham Parish Council, as the qualifying body, submitted an application for the designation of the whole of the Stocking Pelham Parish area as a Neighbourhood Area. The application was made in writing by Stocking Pelham Parish Council and includes a statement explaining why the area is considered appropriate for designation as a neighbourhood area, a statement confirming that the application has been made by a relevant body and a plan setting out the area to which the application relates. The letter and plan form **Appendix A** and **Appendix B** to this report.
- 2.4 The Parish Council has stated that the proposed Neighbourhood Development Plan Area comprises the whole of Stocking Pelham Parish Area and therefore no consultation is required as per regulation 5A of the Neighbourhood Planning (General) and Development Management Procedure (Amendment Regulations 2016).

3.0 Reason(s)

- 3.1 The two main areas of consideration to be taken into account when determining an application for the designation of a Neighbourhood Area are set out in Schedule 9 of the Localism Act 2011. One of these is that the authority determining the application must have regard to the desirability of maintaining the existing boundaries of neighbourhood plan areas already designated. The other area of consideration is that a specified area must be one

that consists of, or includes the whole or any part of, the area of the (Parish) Council.

- 3.2 The Stocking Pelham Neighbourhood Area designation complies with these requirements as it covers the whole of the parish area and does not overlap with existing neighbourhood area designations. As the application is for the entirety of the parish council area, with no part falling outside the parish boundary, the Council is obliged to approve the proposed "neighbourhood area" for the purposes of a neighbourhood plan (Reg 5A (1), Neighbourhood Planning (General) Regulations 2012).
- 3.3 At this stage no ideas have been developed about the policies in the Plan. However, this will be led by Stocking Pelham Parish Council in due course, with community engagement. The Neighbourhood Development Plan will need to be in conformity with the strategic policies of the District Plan and have regard to national policy. East Herts Council will advise and support the neighbourhood plan as it progresses.

Conclusion

- 3.4 In light of the above considerations, designation of Stocking Pelham Neighbourhood Area, for neighbourhood planning purposes is supported.

4.0 Options

- 4.1 The Local Planning Authority must determine whether the area should be designated as a Neighbourhood Area in accordance with The Neighbourhood Planning (General) Regulations 2012 (as amended). The proposed application meets the requirements of the legislation so refusing the application would be contrary to the legal requirements.

5.0 Risks

- 5.1 Designated Neighbourhood Areas allow for the development of Neighbourhood Plans. Neighbourhood planning enables residents and businesses/organisations to set out proposals for their local area, which will inform future planning decisions. The process

encourages the local community to shape their locality. If the neighbourhood area is not designated, then there is a risk that the community in Stocking Pelham may feel less engaged in the plan making process.

6.0 Implications/Consultations

6.1 No consultation is required as per regulation 5A of the Neighbourhood Planning (General) and Development Management Procedure (Amendment Regulations 2016).

Community Safety

There are no direct community safety implications as a result of this report.

Data Protection

There are no direct data protection implications as a result of this report.

Equalities

There are no direct equality, diversity, or inclusion implications in this report. The Neighbourhood Plan process is an opportunity to reach out to those whose voices sometimes go unheard.

Environmental Sustainability

There are no direct sustainability implications in this report. A future neighbourhood plan will be screened for its environmental impacts in accordance with the Neighbourhood Planning Regulations 2012 (as amended). The Neighbourhood Plan process is an opportunity to include policies on climate change mitigation and adaptation contributing to meeting wider environmental and sustainability objectives.

Financial

There are no additional financial implications beyond officer time as a result of this report. The Local Planning Authority is required to take decisions at key stages in the neighbourhood planning process. Government grants will be available to the Council if a neighbourhood plan progresses to Examination and Referendum.

Health and Safety

There are no direct health and safety implications as a result of this report.

Human Resources

There are no direct human resources implications as a result of this report.

Human Rights

There are no direct human rights implications as a result of this report.

Legal

The Local Planning Authority must determine whether the area should be designated as a Neighbourhood Area in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended).

Specific Wards

Yes – Little Hadham and the Pelhams

7.0 Background papers, appendices and other relevant material

7.1 Appendix A – Stocking Pelham Neighbourhood Area Designation Request Letter

7.2 Appendix B – Stocking Pelham Neighbourhood Area Designation Map

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

sara.saunders@eastherts.gov.uk

Report Author

Laura Guy

Principal Planning Policy Officer

laura.guy@eastherts.gov.uk

STOCKING PELHAM PARISH COUNCIL

STOCKING PELHAM PARISH NEIGHBOURHOOD DEVELOPMENT PLAN

Neighbourhood Area Application

27 May 2025

Introduction

LOCALISM ACT 2011 (SCHEDULE 9) AND TOWN AND COUNTRY PLANNING ACT 1990
(SECTIONS 61F & 61G)

NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012

Stocking Pelham Parish Council, as a "relevant body", hereby applies to East Hertfordshire Council, as the local planning authority, for the designation of a Neighbourhood Area pursuant to the preparation of a Neighbourhood Development Plan (NDP).

Background

On 22 May 2025, Stocking Pelham Parish Council at its full Council meeting passed a motion to instigate proceedings to establish a Neighbourhood Planning Steering Group to lead on the formulation of a NDP for the parish of Stocking Pelham. An application is hereby submitted under Regulation 5 of the Neighbourhood Planning (General) Regulations 2012.

The designation of the Neighbourhood Area is the first formal step in the process of producing the NDP. Regulation 5 requires the submission of the following as part of the application:

- (a) A map which identifies the area to which the application relates;
- (b) A statement explaining why the area is appropriate to be designated as a Neighbourhood Area; and
- (c) A statement that the organisation or body making the area application is a relevant body for the purposes of section 61G of the Town and Country Planning Act 1990 (as amended).

Neighbourhood Area Map

A map is attached showing the area to which this application relates.

Justification for Designation

In determining the application for designation, the local planning authority must have regard to the desirability of designating the whole of the area of a parish council as a neighbourhood. In East Herts, parish councils are recognised as qualifying bodies able to produce a Neighbourhood Plan.

The proposed area covers the administrative boundaries of Stocking Pelham Parish Council, and includes the village of Stocking Pelham and the surrounding rural area. There are no known overlaps with other relevant bodies promoting other neighbourhood areas

It is believed that there are compelling reasons why the neighbourhood area indicated on the attached map should be given favourable consideration. These are as follows:

1. Stocking Pelham is classed as a Group 3 Village in the East Herts District Plan and as such The Parish Council notes the guidance provided in Policy VILL3 Group 3 Villages in the East Herts District Plan and is confident that any development will be in compliance with this policy.

2. The village is next to the Pelham substation, which has encouraged significant net-zero infrastructure development. The villagers are keen to have a say as to where this development takes place.

Statement in relation to the "Relevant Body"

This application for designation is submitted by Stocking Pelham Parish Council, which is considered to be a relevant body under the terms of Section 61G (2a) of the Town and Country Planning Act 1990,

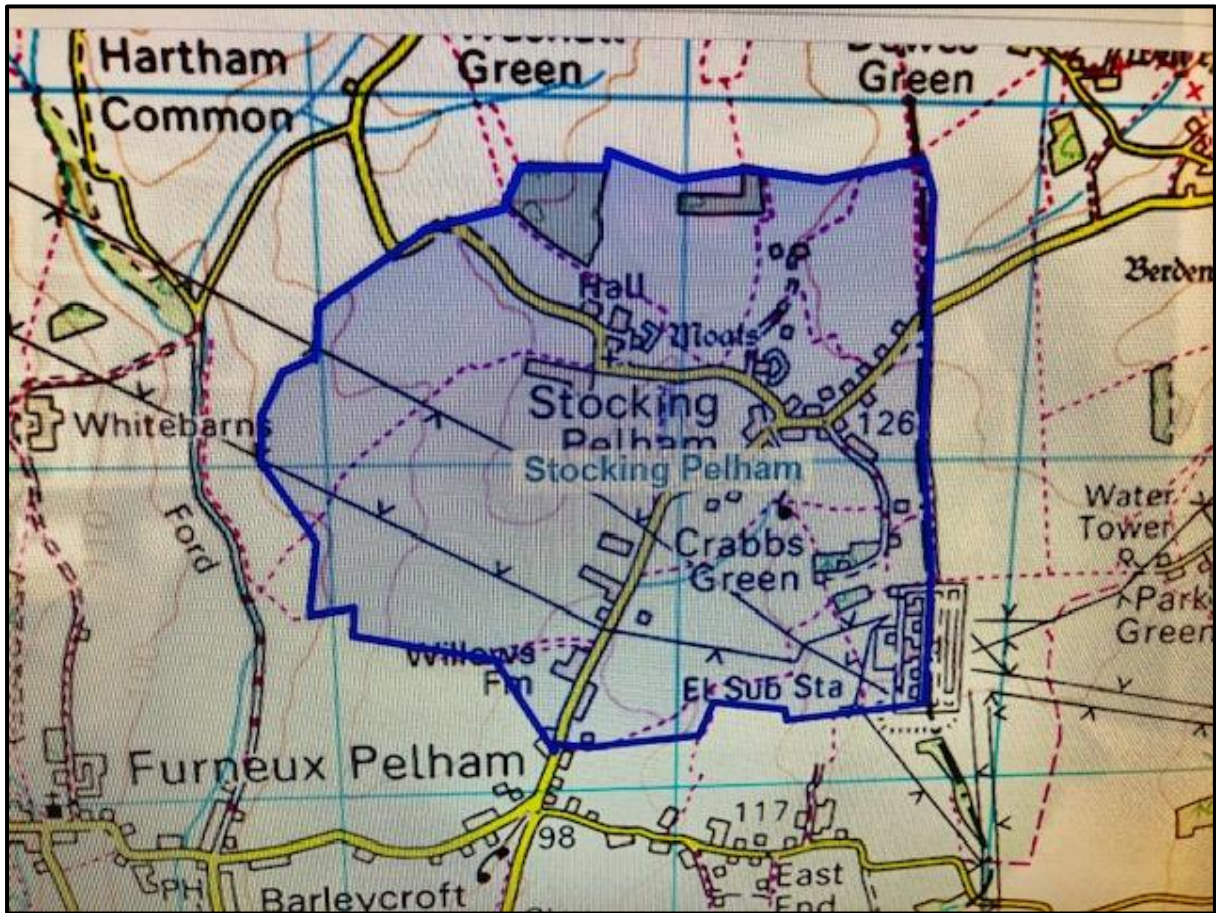
Conclusion

For the reasons outlined above, the proposed neighbourhood area, as shown on the attached map, is considered to be appropriate and justified. Under Section 61G of the Town and Country Planning Act 1990, Stocking Pelham Parish Council is considered to be a "relevant body" for the purposes of this application. The Parish Council therefore respectfully request East Hertfordshire Council to process this application in accordance with Regulation 6 of the Neighbourhood Planning (General) Regulations 2012.

Signed

Clerk for Stocking Pelham Parish Council

Stocking Pelham Neighbourhood Area Designation



East Herts Council Report

Executive

Date of meeting: 8th 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 Committee Members 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 EXECUTIVE MEMBERS:

- (A)** That Executive Members review performance over the 2024/25 year
- (B)** That Executive Members review the proposed amended LEAF priorities for 2025/26, taking on board any feedback from Overview and Scrutiny, and recommend Council adopt the new priorities

1.0 Proposals

- 1.1 That Executive Members review progress against last year's LEAF priorities and consider the amended LEAF priorities before adoption by Council in July.

2.0 Background

- 2.1 On 28th 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](https://democracy.eastherts.gov.uk/documents/s65262/East%20Herts%20Council%20Corporate%20Plan.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 progress 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	Ensure that information on our website is as up to date as possible
Provide full and timely publicity for all major Council decisions	<i>Removed</i>
Evaluate the impact of our communications to understand how we can do better	<i>Added to objective above</i>
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 new Community Forum events, to enhance planning outcomes at strategic sites.	Engage with residents through Community Forums and the Development Management

	Forum, to enhance planning outcomes at strategic sites
	Strive to achieve excellent customer service (<i>new</i>)
	Engage the community in Local Government reorganisation (<i>new</i>)

2.8 Environmentally Focused:

Current LEAF objective:	Proposed LEAF objective:
Develop and implement our new Air Quality Action Plan to cut pollution and improve 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 and other options including the LCWIP to encourage active 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	Encourage residents to play their part in supporting local

wildlife and improving our natural environment.	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 (<i>new</i>)

2.9 Acting with the Community

Current LEAF objective:	Proposed LEAF objective:
Consult with communities to review and refresh our Local Plan, prioritising improved sustainability standards	Consult with communities to update our Local Plan, prioritising improved sustainability standards
Prioritise actions that can provide Housing which is truly affordable	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	Help create thriving high streets, by encouraging local markets and by working positively with partners
Work with partners to help make town centres more attractive, safer and easier to navigate	
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 (<i>new</i>)

2.10 Fair and Inclusive

Current LEAF objective:	Proposed LEAF objective:
Deliver the Cultural Strategy, with support for new events such as Pride, Herts inclusive Theatre and the East Herts Arts Showcase	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	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	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 Support scheme to make it	Improve our Council Tax Support scheme to make it

fairer, simpler and more transparent	fairer, simpler and more transparent
Explore replacing a "strong leader and cabinet" system with a committee system	<i>Removed</i>

2.11 These are proposed for adoption by Council, via the Overview and Scrutiny Committee and Executive.

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

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, Head of Communications,
Strategy and Policy

Contact Tel No 01992 531699

benjamin.wood@eastherts.gov.uk

Report Author

Benjamin Wood, Head of Communications,
Strategy and Policy

Contact Tel No 01992 531699

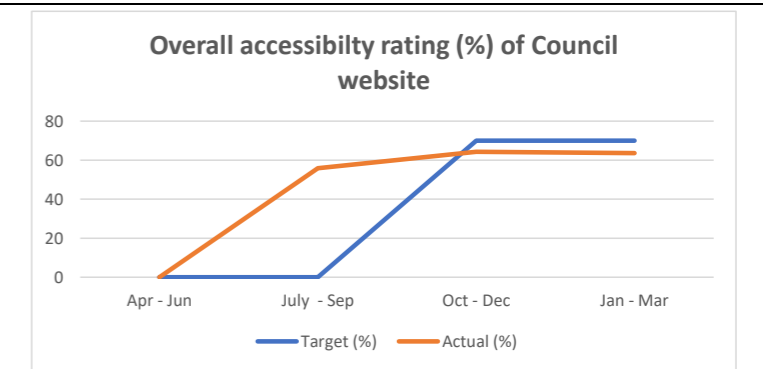
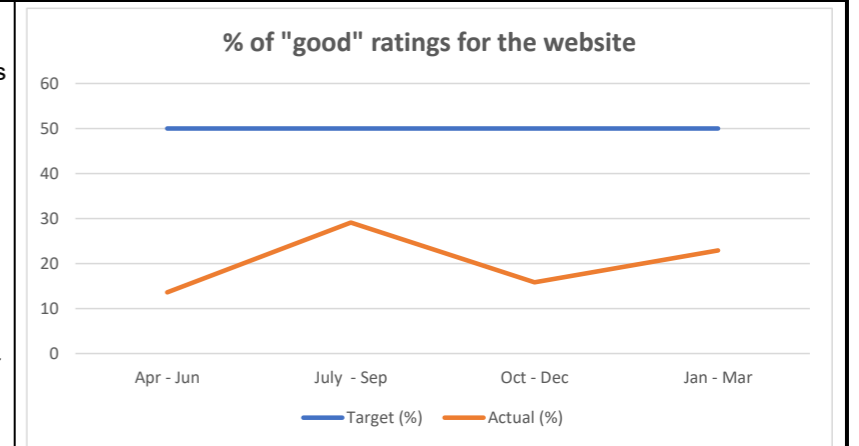
benjamin.wood@eastherts.gov.uk

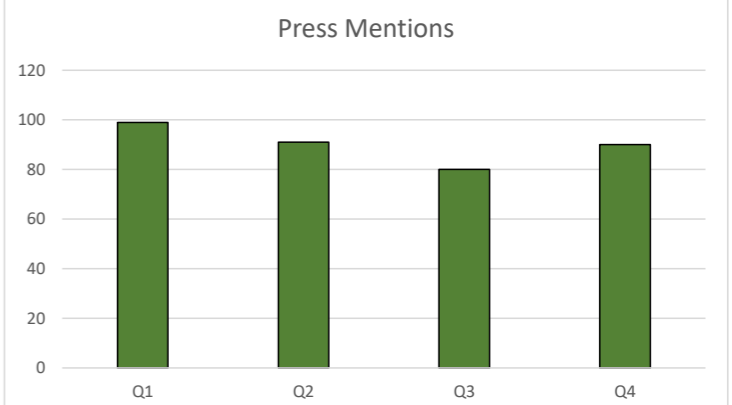
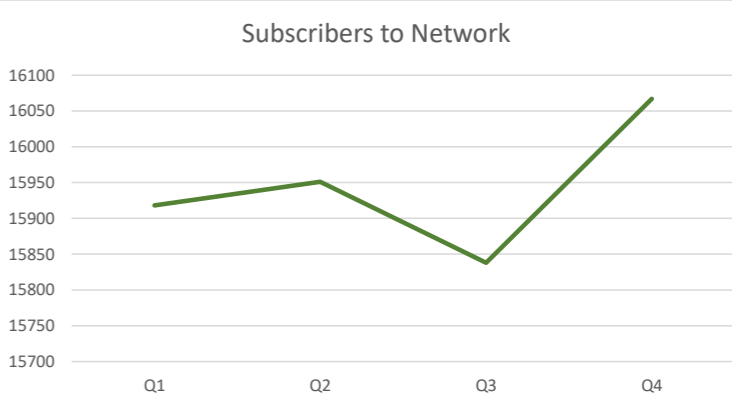
LEAF - ANNUAL REPORT FOR 2024 - 25



Listening, Open and Transparent

	Objective	Actions	Measure	Update for 2024/25	
				Progress	measure/ results
1	Listen and be open and transparent in decision making and actions. We will prioritise improved consultation, engagement and conversations with our communities	Publish the Listening Council Strategy	N/A		Listening Council Strategy was adopted by Executive in July 2024 after consultation with stakeholders. It sets out the principles for all consultation and engagement, including prioritising face to face engagement
		Publish a Forward Plan of Consultations	N/A		Due to the infrequent nature of consultations, a forward plan for 2024/25 only had two items on it (with a recent addition in regards to the District Plan Vision consultation planned for summer 2025 and the ORL masterplanning exercise June/ July 2025. We are piloting the using of a tool called Engage HQ as platform to host all consultations going forward.
		Undertake key consultations this year on the ORL Public Space and Parking Strategy	N/A		Both consultations undertaken. Each involved face to face sessions as well as online surveys to align with Listening Council principles. With ORL this was on market stalls attended by Members and officers as well as pro-active surveys of younger people undertaken by a third party company. We had 730 online responses and almost 300 via face to face. These designs will now feed into the planning application for the overall site. For parking this was roadshow/ workshops in 6 towns across the district. This resulted in 60 attendees across the five events and over 1600 online responses. The responses helped inform the Parking Strategy which was adopted by Council in early 2025. For partnership based consultations there were 900 responses to the LCWIP - Local Walking & Cycling Infrastructure Plan from East Herts residents, the highest of any district. For the LNRS (Local Nature Recovery Strategy) more than 1/4 of all respondents across Hertfordshire were from East Herts.
2	Ensure information on our website is as up to date as possible	Undertake review of web content	Govmetric rating for web pages - aim to reach 50% "good" rating		Overall ratings are well below target and have been for the past three years. Such low numbers of feedback make it challenging to draw any conclusions about issues or take any remedial action. Over 2024/25, we received just 268 ratings on our webpages, a drop from several thousand up and during Covid. Often there is no additional information given on why we receive a poor rating, free text comments are usually in regard to a service received rather than about website feedback. Eg. the parking pages often receive negative ratings with associated comments about why we haven't cancelled a PCN. We have tried various ways to increase engagement including changing the position, shape and colouring of the govmetric widget. We have also trialled just using it on specific pages (eg. positive things like giving out grants) and more challenging pages (eg. increases to charges) to see if feedback aligns in any way to content tone. However, the sample sizes have never been enough to draw any conclusions. As a consequence we intend to decommission govmetric as we move to a new platform called EngageHQ which will enable us to manage consultations more effectively and seek feedback via this route.
			Maintain accessibility standards (against WCAG 2.2 standards)		Our accessibility monitoring tool provides regular feedback on the website. The new tool (Monsido) was launched in late 2024 hence there is no earlier comparative data. Our score is lower than expected due to the number of pdf documents that are on the website and this tends to be a format which does not meet accessibility standards, which are often judged by availability of alternative text for images, captions for videos, colour schemes and keyboard use. The web team works with service areas to minimise the amount of low accessibility rated content on the website. Feedback from the monitoring tool is also shared with Webcurl, who host the website, too address any obvious fixes. We have set a target of 70% for 2025/26 which will require further removal of pdf documents



3	Provide full and timely advertising for all major council decisions	Keep forward plan up to date and ensure it is published	N/A	All committee items regularly published on modgov and forward plan. The Council's Leadership Team review the committee programme on a fortnightly basis to assist Members with ensuring forthcoming decisions are published											
4	Evaluate the impact of our communications and understand how we can do better	Review reach and impressions from all campaigns to see how we can target communications more effectively in future	Reach on social media	<p>Review of Cinders (BEAM panto) included digital marketing (eg. 129 posts across X/ Meta/ Insta and 59 videos) and print marketing including 19 adverts in local publications, train billboard at Hertford North and bus backs for 2 weeks. Paid digital adverts had a reach of 234,914. With print adverts it is hard to quantify the reach. Overall the panto made a net profit of £41k</p> <p>FACEBOOK Over the last year we've had 13.4 thousand content interactions (70% up from the previous year) an increase of 861 followers (5.4%) and 5.7 thousand link clicks. The top social content is as follows: changes to bin collections (227k interactions) solar together (101k interactions - please note this included paid for ads) UKSPF, maison de scarlett promotion (36.9k) 2 posts on christmas waste collections (19.2k/ 16.8k)</p> <p>INSTAGRAM 12.8k content interactions (up 50.3%) 814 follows (up 11.4%) 5.6k link clicks (down 2.6%)</p> <p>top content mirrored that of facebook</p>											
			Keep press favourability score above 0	Over the year we had 26 media enquiries, 360 mentions in the press and 64 number of press releases issued, our overall press score remains above 0. Even when titles of articles appear as though they are negative the majority of coverage is neutral or positive.	 <table border="1"> <caption>Press Mentions</caption> <thead> <tr> <th>Quarter</th> <th>Press Mentions</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>100</td> </tr> <tr> <td>Q2</td> <td>90</td> </tr> <tr> <td>Q3</td> <td>80</td> </tr> <tr> <td>Q4</td> <td>90</td> </tr> </tbody> </table>	Quarter	Press Mentions	Q1	100	Q2	90	Q3	80	Q4	90
		Quarter	Press Mentions												
Q1	100														
Q2	90														
Q3	80														
Q4	90														
Increase subscribers to Network by 10%		We started the year with 15,918 number of subscribers and finished with 16,067. Average open rate of 54% per newsletter with a total of 11,120 link clicks across the articles. We moved over to a new system which cleared out a lot of disengaged contacts, with the new email marketing system we are able to start building up our subscriber rate even more and target them better. our top network campaigns of 2024 are as follows: BEAM opening Bin Collections Hertford Town Council Support For Rivers Council Budget VE Day Street Party Application Gilston Planning Permission What goes in my bins AiEH Listings Statement of Persons Nominated New Bin Collection Service	 <table border="1"> <caption>Subscribers to Network</caption> <thead> <tr> <th>Quarter</th> <th>Subscribers to Network</th> </tr> </thead> <tbody> <tr> <td>Q1</td> <td>15920</td> </tr> <tr> <td>Q2</td> <td>15950</td> </tr> <tr> <td>Q3</td> <td>15850</td> </tr> <tr> <td>Q4</td> <td>16067</td> </tr> </tbody> </table>	Quarter	Subscribers to Network	Q1	15920	Q2	15950	Q3	15850	Q4	16067		
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Q4	16067														

5	Encourage residents to use our digital communication channels, so those who are not digitally able, can contact us by phone or in person	Maintain a front of house offer for residents who most need assistance	Number of people visiting reception	Receptions continue to be open between 10 - 2 at Wallfields on Tuesdays and Thursdays, and Jackson Square (Navigation House) on Wednesdays and Fridays. Over 2024/25 we had 1840 visitors. This compares to 3331 in 2023/24 and 3641 in 2022/23. We are seeing fewer people visit which we assume means more residents are able to transact with us online. However, those that do come and see us often need more support and assistance, mostly in relation to council tax, benefits and housing. The only exception would be for residents who visit to obtain parking vouchers, most of whom are seeking hard copy permits as they provide a level of flexibility for visitors that cannot be obtained through the parking system, permitsmarti	<table border="1"> <caption>Number of visitors</caption> <thead> <tr><th>Month</th><th>Visitors</th></tr> </thead> <tbody> <tr><td>1-Apr</td><td>160</td></tr> <tr><td>1-May</td><td>200</td></tr> <tr><td>1-Jun</td><td>140</td></tr> <tr><td>1-Jul</td><td>170</td></tr> <tr><td>1-Aug</td><td>160</td></tr> <tr><td>1-Sep</td><td>100</td></tr> <tr><td>1-Oct</td><td>120</td></tr> <tr><td>1-Nov</td><td>100</td></tr> <tr><td>1-Dec</td><td>100</td></tr> <tr><td>1-Jan</td><td>130</td></tr> <tr><td>1-Feb</td><td>150</td></tr> <tr><td>1-Mar</td><td>300</td></tr> </tbody> </table>	Month	Visitors	1-Apr	160	1-May	200	1-Jun	140	1-Jul	170	1-Aug	160	1-Sep	100	1-Oct	120	1-Nov	100	1-Dec	100	1-Jan	130	1-Feb	150	1-Mar	300																																					
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Encourage more digital take up of services	Increase proportion of digital contacts	The proportion of contacts via digital means has slowly increased since we introduced a new CRM in East Herts in late 2023. Prior to that it was less than 30% however it now averages close to 50%. Telephony remains the contact channel of choice with only 3 months (October, November and December 2024) where digital contacts exceeded telephony contacts. Over the year, customer services received 48,888 phone calls and 47,576 digital contacts. There were 1300 appointments booked (which consists of licencing interviews, planning, housing or benefit "call backs"), slightly more than last year (1041)	<table border="1"> <caption>Proportion of contacts by type</caption> <thead> <tr><th>Month</th><th>Digital</th><th>Telephony</th><th>Appointment</th><th>Face to Face</th></tr> </thead> <tbody> <tr><td>1-Apr</td><td>45%</td><td>55%</td><td>0%</td><td>0%</td></tr> <tr><td>1-May</td><td>40%</td><td>60%</td><td>0%</td><td>0%</td></tr> <tr><td>1-Jun</td><td>40%</td><td>60%</td><td>0%</td><td>0%</td></tr> <tr><td>1-Jul</td><td>45%</td><td>55%</td><td>0%</td><td>0%</td></tr> <tr><td>1-Aug</td><td>45%</td><td>55%</td><td>0%</td><td>0%</td></tr> <tr><td>1-Sep</td><td>45%</td><td>55%</td><td>0%</td><td>0%</td></tr> <tr><td>1-Oct</td><td>60%</td><td>40%</td><td>0%</td><td>0%</td></tr> <tr><td>1-Nov</td><td>55%</td><td>45%</td><td>0%</td><td>0%</td></tr> <tr><td>1-Dec</td><td>55%</td><td>45%</td><td>0%</td><td>0%</td></tr> <tr><td>1-Jan</td><td>45%</td><td>55%</td><td>0%</td><td>0%</td></tr> <tr><td>1-Feb</td><td>45%</td><td>55%</td><td>0%</td><td>0%</td></tr> <tr><td>1-Mar</td><td>45%</td><td>55%</td><td>0%</td><td>0%</td></tr> </tbody> </table>	Month	Digital	Telephony	Appointment	Face to Face	1-Apr	45%	55%	0%	0%	1-May	40%	60%	0%	0%	1-Jun	40%	60%	0%	0%	1-Jul	45%	55%	0%	0%	1-Aug	45%	55%	0%	0%	1-Sep	45%	55%	0%	0%	1-Oct	60%	40%	0%	0%	1-Nov	55%	45%	0%	0%	1-Dec	55%	45%	0%	0%	1-Jan	45%	55%	0%	0%	1-Feb	45%	55%	0%	0%	1-Mar	45%	55%	0%	0%
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	Increase % of businesses that have online NNDR accounts	The rate of take up of online business rates is significantly lower than for council tax. Numbers are slowly increasing however often businesses do not see this a priority.	<table border="1"> <caption>% business that pay rates' who have online accounts</caption> <thead> <tr><th>Month</th><th>% online accounts</th></tr> </thead> <tbody> <tr><td>Apr</td><td>10</td></tr> <tr><td>May</td><td>10</td></tr> <tr><td>Jun</td><td>10</td></tr> <tr><td>July</td><td>10</td></tr> <tr><td>Aug</td><td>10</td></tr> <tr><td>Sep</td><td>10</td></tr> <tr><td>Oct</td><td>10</td></tr> <tr><td>Nov</td><td>10</td></tr> <tr><td>Dec</td><td>10</td></tr> <tr><td>Jan</td><td>10</td></tr> <tr><td>Feb</td><td>10</td></tr> <tr><td>Mar</td><td>13</td></tr> </tbody> </table>	Month	% online accounts	Apr	10	May	10	Jun	10	July	10	Aug	10	Sep	10	Oct	10	Nov	10	Dec	10	Jan	10	Feb	10	Mar	13																																							
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6	Engage with residents at community forum events to enhance planning outcomes at strategic sites	Run community forums	N/A	Community Forums set up and running for the Gilston Area and Stortford Fields. During 2024, four Community Forums were held for the Gilston Area and two for Stortford Fields. The Forums have been well received with topics for the Forums identified through the issues and matters being raised by residents. They are well attended and supported by officers and relevant stakeholders including applicants
	Objective	Actions	Measure	Update for 2024/25

	Objective	Actions	Measure	Progress and measure/ results
<u>7</u>	Update the council's parking strategy to encourage sustainable travel	Develop a new strategy and consult on it	N/A	A new strategy was drafted and consultation took place over Autumn 2024. This involved an online survey and workshops in Ware, Bishop's Stortford, Hertford, Sawbridgeworth, Buntingford and Stansted Abbots. The strategy was discussed at Overview and Scrutiny in January 2025 and adopted by Council in February. The strategy focuses on encouraging greener types of travel, fairer and more consistent charging and active travel.
<u>8</u>	Develop and implement our new Air Quality Action Plan to cut pollution and improve health.	Develop and implement new strategy	Reduction in NO2 levels across the 3 AQMAs in East Hertfordshire	The East Herts Air Quality Action plan has been approved by DEFRA and formally adopted by the council. Work with partner agencies (eg HCC) already underway. Historic data can found in our air quality webpage: https://easthertsairquality.co.uk/ and in the 2024 report: https://easthertsairquality.co.uk/wp-content/uploads/2025/03/2024-Air-Quality-Annual-Status-Report.pdf
<u>9</u>	Roll out more EV chargers in urban and rural locations across the district.	Procure partner to install further EV chargers		Ambitious tender launched in November 2024 to find a partner to install ev chargers in the council's car parks across the district. Award to be let early in 2025/26.
<u>10</u>	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.	Run energy hub events	Number of events	17 Energy Hub events have taken place over the year with over 1,000 residents taking part. The Hubs have been instrumental in driving uptake of retrofit grants and schemes. They have helped East Herts consistently lead across the county in levels of engagement and participation, including: securing the most participation in teh county on consultation on the Local Cycling and Infrastructure Plan . Securing significant uptake of the Home Upgrade Grant. Encouraging over 200 residents and businesses to invest £2.2 million in solar panels through the Solar Together bulk purchasing scheme, installing 2,100 solar panels and saving 175,000kg CO2 to date.
<u>11</u>	Encourage residents to play their part in supporting local wildlife and improving our natural environment.	Encourage tree planting	Increase number of new trees planted in the district	In total, 11.24k trees were planted over the year. Big tree give away - 578 residents took part so engagement remains high. Great example of collaboration and co-ordination between County, East Herts and contractor teams. Have also undertaken a partnership with the County Council to plant trees in urban locations with a focus on air quality zone and flood prone areas with a projection of saving of 1000 CO2e annually

Acting with the Community

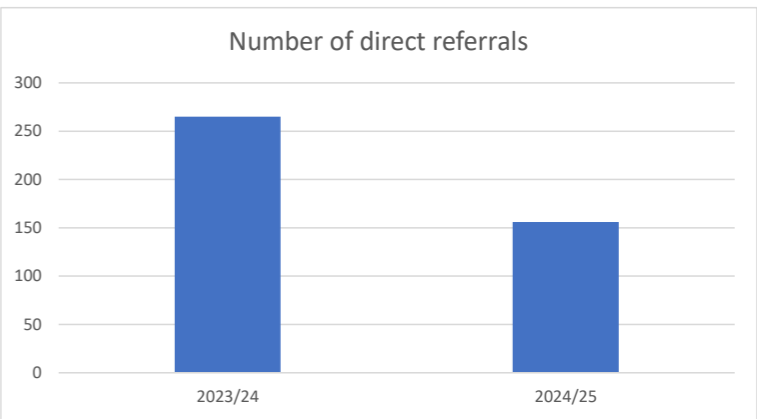
	Objective	Actions	Measure	Update for 2024/25 Progress and measure/ results
<u>12</u>	Consult with communities to review and refresh our Local Plan, prioritising improved sustainability standards.	Publish a new Local Development Scheme	N/A	A new Local Development Scheme (LDS) was agreed by the Council in October 2024. The LDS sets out the timetable for production of the new District Plan. It is anticipated that formal plan-making will commence in early 2026.
		Undertake a Call for Sites	N/A	A Call for Sites ran from the 5 July to 30 September 2024. Over 280 sites were submitted, including for housing and employment and nature recovery/BNG. A report was considered by the Executive in February 2025 which provided a summary of the sites and set out the next steps in relation to their assessment. Sites visits are currently being undertaken by the Planning Policy Team.
		Collaborate with stakeholders on a Vision for the new District Plan	N/A	A Strategic Vision has been produced to chart a clear and ambitious course for the District's future which will serve as the golden thread for the new District Plan, informing policies and decision-making that will shape East Herts in the years to come. It comes at a crucial time as East Herts faces significant growth pressure. The Vision will guide the Council as it seeks to balance development against protecting the District's unique character and ensuring a high quality of life for residents. Stakeholder and community engagement on the Vision was due to take place between 5 June and 18 July 2025 however has been postponed to later in the year due to elections in Hertford. This will include a series of in-person events across the District.

13	Help create thriving high streets, by encouraging local markets, and by delivering grants to support local businesses and enhance town and village centres.	Increase number of new traders on the charter and farmer's markets in Ware and Hertford	Number of traders	Temporary markets manager employed between September 2024 - March 2025 to assist with marketing and bringin in new traders. In the Hertford Commercial market we now have 17 traders licensed with an additional 1 pending, an increase of 4 from last year. In the Ware Commercial market there are 6 traders licensed with a further 2 in process of getting a licence (2 more in total than last year). The Hertford Farmers market has 4 traders.																																					
		Provide grants to businesses to encourage job growth and increased amount of commercial floorspace	Number and value of grants given out	14 new premises grants were given out over 2024/25, totalling £42,000. These went to a mixture of businesses across the 5 towns but also smaller industrial parks in Tewin and Aston. The grants have supported businesses open up new premises or expand, helping create employment and economic growth in the district. In addition we also gave out 5 large grants to businesses, totalling over £200,000 of investment. This included Honrbeck in Hertford to help export sustainable materials for street lighting and signage; UKPN in Much Hadham, towards developing new products for energy management on large sites; Skill at Arms in Sawbridgeworth) towards costs of refurbishing and fitting out old, disused agricultural barns into new commercial office space; the Black Horse Pub in Brent Pelham towards creating 6 accommodation units/ rooms on site to help diversify income and Air Energy in Hertford towards expanding on site manufacturing and distribution capacity for air compressors and heating systems. The grant funding has leveraged over £750k of private sector investment in the district and helped these businesses accelerate growth, bringing more employment to East Herts.																																					
14	Actively encourage more communities to create or update their Neighbourhood Plans.	Support production on neighbourhood plans	N/A	Neighbourhood Plans continue to be prepared and updated across the District. Support provided by the Planning Policy Team at key stages. Executive agreed the Hertford Castle Plus Neighbourhood Area Designation on 9 July 2024. Walkern Neighbourhood Plan First revision was adopted by the Council on 24 July 2024. An Examination on the Stanstead Abbots and St Margarets Neighbourhood Plan is due to commence shortly.																																					
15	Prioritise actions that can provide Housing which is truly affordable.		N/A	Negotiated innovative rent reduction scheme with Paradigm Housing. First tranche of scheme resulted in 4no. four bedroom houses having their rents reduced and capped at the three bedroom local housing allowance, meaning the rents are just 57% of market rents. Discussions now underway with Paradigm and other housing associations about lowering the rents for more properties.																																					
16	Work with partners to help make town centres more attractive, safer and easier to navigate.	Support town and village centre improvements with UKSPF funding to increase footfall	Number and value of grants delivered to town and village centres	<table border="1"> <thead> <tr> <th></th> <th>Apr-24</th> <th>May-24</th> <th>Jun-24</th> <th>Jul-24</th> <th>Aug-24</th> <th>Sep-24</th> <th>Oct-24</th> <th>Nov-24</th> <th>Dec-24</th> <th>Jan-25</th> <th>Feb-25</th> <th>Mar-25</th> </tr> </thead> <tbody> <tr> <td>% of collections emptied on the scheduled day</td> <td>99.9</td> <td>99.9</td> <td>99.9</td> <td>99.9</td> <td>99.9</td> <td>99.9</td> <td>99.9</td> <td>99.9</td> <td>99.9</td> <td>99.9</td> <td>99.9</td> <td>99.9</td> </tr> </tbody> </table> <p>11 grants were given out over the 2024/25 year totalling around £450,000 for town centres. These went to Ware as a contribution to the new public toilets refurbishment, Buntingford to refurbish the public toilets, Sawbridgeworth to support refurbishment costs of the Memorial Hall, Datchworth for outdoor play equipment, Watton-at-Stone for improvements to the Lammas common area, Cottered and Throcking to help refurbish the pavillion, Buntingford High Street for improvement works, Castle Park/ mound improvements in Bishop's Stortford and artwork in the Northgate End Car Park. Funds also supported rangers in Bishop's Stortford through the BID and costs of the market manager in Hertford and Ware. Over the course of the UKSPF project, 14 towns and parishes benefitted from grant funding which was usually matched by the town or parish council, creating or improving over 1000 sqm of community space. In addition £52,000 also funded 17 village hall decarbonisation plans and 150 small to large energy saving and warmth improvement initiatives in 10 village halls</p>		Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	% of collections emptied on the scheduled day	99.9	99.9	99.9	99.9	99.9	99.9	99.9	99.9	99.9	99.9	99.9	99.9											
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Deliver new contract for street cleansing and waste collections in the district	% of collections emptied on the scheduled day	Work was undertaken throughout 2024/25 in preperation for the new waste contract which went live on 6th May, 2025. Performance against the key metrics of missed bin collections and street cleansing quality was maintained thoroughout 2024/24 under FCC																																							
	Percentage of Contract Officer street inspections graded B and above	<table border="1"> <thead> <tr> <th></th> <th>Apr-24</th> <th>May-24</th> <th>Jun-24</th> <th>Jul-24</th> <th>Aug-24</th> <th>Sep-24</th> <th>Oct-24</th> <th>Nov-24</th> <th>Dec-24</th> <th>Jan-25</th> <th>Feb-25</th> <th>Mar-2</th> </tr> </thead> <tbody> <tr> <td>% of collections emptied on the scheduled day</td> <td>99.9</td> <td>99.9</td> <td>99.9</td> <td>99.9</td> <td>99.9</td> <td>99.9</td> <td>99.9</td> <td>99.9</td> <td>99.9</td> <td>99.9</td> <td>99.9</td> <td>99.9</td> </tr> <tr> <td>Percentage of Contract Officer street inspections graded B and above</td> <td>92.8</td> <td>95.2</td> <td>95.8</td> <td>94.3</td> <td>91.2</td> <td>92.6</td> <td>92.9</td> <td>95.0</td> <td>98.1</td> <td>97.3</td> <td>94.0</td> <td>88.5</td> </tr> </tbody> </table>		Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-2	% of collections emptied on the scheduled day	99.9	99.9	99.9	99.9	99.9	99.9	99.9	99.9	99.9	99.9	99.9	99.9	Percentage of Contract Officer street inspections graded B and above	92.8	95.2	95.8	94.3	91.2	92.6	92.9	95.0	98.1	97.3	94.0	88.5
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17	Support voluntary sector groups to continue their work support the whole community		N/A	We continue to provide grant support for Citizens Advice, Community Alliance Broxbourne and East Herts and Active in the Community (who provide sports development across the district). Also, we provided 15 community grants of up to £3,000 each to community groups for activities including mental health support, older people's physical health initiatives and community gardening.																																					

Fair and Inclusive

Objective	Actions	Measure	Update for 2024/25	
			Progress	measure/ results

<p><u>18</u></p>	<p>Deliver the Cultural Strategy, with support for new events such as Pride, Herts inclusive Theatre and the East Herts Arts Showcase</p>	<p>Open BEAM Theatre</p>	<p>N/A</p>	<p>In August 2024, East Herts Council opened up BEAM Theatre, following a three year redevelopment “growth and legacy” project at a cost of £30m. BEAM is a hugely ambitious expansion of the single stage facility which previously sat on the site (having closed in 2021). The council’s primary aims were to: Reach beyond the traditional ‘theatre crowd’ and attract more diverse audiences, creating a social and community space welcoming to all; drive the local economy, encouraging visitors to the district, generating employment and boosting business in surrounding areas; Achieve high building sustainability performance standards. On the opening weekend of August last year, BEAM welcomed 2,300 visitors and £30,000 in ticket sales. In terms of the economic impact BEAM has raised the profile of Hertford as a centre for culture and arts, but it is also attracting additional visitors to the town who will be spending in the local economy. It has also served as a venue for other events such as “Generation Hertford”, connecting over 800 year 10 & year 13 students with 35 local employers offering non university routes to employment, and business networking events. BEAM is also part of a net zero carbon pilot scheme to become the country’s first net zero theatre.</p>
		<p>Run the Arts in East Herts programme</p>	<p>Number of volunteers</p>	<p>The appetite for the Arts in East Herts Showcase from the cultural sector and residents was enough for us to run a 2 month programme, where we were able to offer participatory events every single day for the full two months, adding up to well over 300 individual events over September and October 2024. This included over 50 individual artists and groups, with 20 of these supported by grants from the council. Participation was phenomenal. Over 5,400 individuals attended the various taster sessions, artist-in-residence events and classes with more forming the audiences at various shows and exhibitions, giving a final estimate of 7,000+ beneficiaries. Perhaps the most amazing outcome of all was that over 1,700 people reported that they were engaging with the organisations and their chosen cultural activities for the first time ever. Of these, just over 500 people have gone to sign up for further sessions, demonstrating that running taster events really worked in drawing in completely new audiences. Furthermore, the showcase provided 213 volunteering opportunities for people to make connections, build their CVs or simply give back to their communities.</p>
<p><u>19</u></p>	<p>Deliver our Thriving Together Plan to promote physical exercise, healthy lifestyles and other measures that boost community wellbeing.</p>	<p>Promote the Healthy Hub</p>	<p>Number of events delivered/ referrals made</p>	<p>Between April and October 2024, the Healthy Hub East Herts (HHEH) continued its successful outreach approach using East Herts Libraries. Of 638 overall interactions, 196 interactions took place at Hertford, Sawbridgeworth, Bishop’s Stortford, Ware and Buntingford Libraries. At the HHEH venue in Fore Street, Hertford 346 lite-contact awareness raising conversations took place with 218 attendances at the HHEH Art Group and 112 slow cooker course attendees This same period saw 174 telephone conversations, enabling the HHEH team to support residents with a variety of healthy lifestyle issues. For the entire period of 1st April 2024 until 31st March 2025, 156 direct referrals were received from a variety of external and internal council team routes including follow on referrals to financial support, digital skills training and a further 200 slow cooker course attendees for Q3 2024 and Q4 2025. 66 residents contacted the HHEH support team directly via email for help with health, social and wellbeing concerns. Please note that the staffing and delivery arrangements changed from October 2024 due to a member of staff leaving, with no library engagement taking place and a volunteer provider arrangement put in place to cover an interim phase until 31st March 2025. As a consequence the number of referrals was less than the previous year</p>
<p><u>20</u></p>	<p>Improve our Council Tax Support scheme to make it fairer, simpler and more transparent.</p>	<p>Review the Working Age Council Tax Support Scheme to produce a status and income banded scheme</p>	<p>N/A</p>	<p>The scheme was reviewed over the 24/25 year with a view to making it fairer and simpler. Proposals are going to Executive and Overview and Scrutiny Committee in June 2025</p>



21	Support those facing homelessness or recovering from it, and include them in consultations and community activities	Continue to ensure developers build affordable homes	Number of affordable homes delivered	<p>439 affordable homes delivered over the year which is a big increase on previous years. This breaks down into 295 affordable rented, 102 shared ownership, 26 social rented and 16 intermediate. The council seeks to ensure up to 35% affordable housing is delivered on sites proposing 11 to 14 dwellings, and up to 40% affordable housing on sites proposing 15 or more dwellings.</p> <p>Overall, 31.16% of homes delivered in 2024/25 were affordable tenures.</p> <p>The proportion of affordable completions has increased by around 4% compared with the previous year.</p>	<p>No. of affordable homes delivered</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Affordable rent</th> <th>Social rent</th> <th>Shared ownership</th> <th>All</th> </tr> </thead> <tbody> <tr> <td>2024/25</td> <td>196</td> <td>5</td> <td>82</td> <td>278</td> </tr> <tr> <td>2023/24</td> <td>259</td> <td>5</td> <td>108</td> <td>372</td> </tr> <tr> <td>2022/23</td> <td>196</td> <td>21</td> <td>84</td> <td>301</td> </tr> <tr> <td>2021/22</td> <td>132</td> <td></td> <td>41</td> <td>173</td> </tr> <tr> <td>2020/21</td> <td>89</td> <td>15</td> <td>135</td> <td>239</td> </tr> <tr> <td>All</td> <td>872</td> <td>41</td> <td>450</td> <td>1363</td> </tr> </tbody> </table>	Year	Affordable rent	Social rent	Shared ownership	All	2024/25	196	5	82	278	2023/24	259	5	108	372	2022/23	196	21	84	301	2021/22	132		41	173	2020/21	89	15	135	239	All	872	41	450	1363
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			<p>Please note the figures above relate to planning permissions granted. The Housing team count the number of affordable dwellings which come to market for rent or sale and can be found in this table. There is always a lag in the permissions given to the time they make it to market hence the numbers are smaller</p>																																					
	Deliver a robust homelessness advice and assistance service	Number of people in temporary accommodation	<p>There were an average of 51 homeless households in temporary accommodation at any one time during 2024/25. This was higher than either of the two previous years (2023/24 = 47 on average at any one time - 2022/23 = 49). This reflects the growing numbers of approaches from people facing homelessness. In 2024/25, at one point there were 35 households in bed and breakfast accommodation because the council's hostels were full. In order to provide more suitable temporary accommodation, the council will be leasing five self-contained flats in Hertford town centre. During 2024/25, the owner was renovating the flats, with lettings to start in qtr1, 2025/26.</p>																																					
		Number of approaches for advice and assistance	<p>Trend is for continuing numbers of households seeking advice and assistance which is consistent with national trends. The housing team continue to provide support and advice as required</p>	<p>Number of approaches</p>																																				
22	Explore replacing a "strong leader and cabinet" system with a committee system.	N/A		<p>The Member Constitution Review Group have met four times to look at different governance systems, including contact with Spelthorne about their system. Since this priority was agreed, the government's re-organisation plans have been released. In May 2025 Council will consider a paper which postpones any changes in light of these developments.</p>																																				

23	<p>Maintain and improve council services while making them more cost efficient through the “Transforming East Herts” programme</p>		Savings delivered	<p>As of May 2025, the transformation programme has achieved substantial progress across a range of strategic and tactical initiatives, delivering meaningful change and improving the way we serve our communities.</p> <p>The Customer Relationship Management (CRM) programme has delivered a suite of integrated solutions to modernise service delivery and strengthen resident engagement. This includes the successful launch of the new waste services through the CRM system, supported by the integration of Echo and GovDelivery to automate customer updates and improve communication. The Customer Services team has been upskilled to manage service requests through the new platform, enabling a more efficient, consistent, and customer-focused approach. A major milestone within the CRM programme has been the launch of East Herts Your Voice, our new customer engagement platform powered by Engagement HQ. This platform represents a transformational shift in how we engage with residents, enabling transparent, inclusive, and accessible two-way conversations that will inform future service design and decision-making. In addition, Customer Experience Reviews have commenced, with a pilot focused on parking services to help shape improvements based on real customer insight.</p> <p>Alongside the CRM programme, the Revenues and Benefits improvement programme is progressing through four key workstreams. These include a review of the Council Tax Reduction scheme, enhancements to council tax collection activities, the development of a digital self-service toolkit, and a full service restructure to increase responsiveness and effectiveness.</p> <p>The Digital Workplace programme continues to enhance internal capabilities. Phase Two has delivered enhanced intranet features to improve collaboration and access to information, while Phase Three, focused on SharePoint migration, is currently in the planning and concept development stage.</p> <p>The corporate restructure, led by HR, is aligning our organisational design with future service models, ensuring teams are structured to deliver more flexible and effective support.</p> <p>Tactical projects are also delivering results. The leasing of Wallfields to High Oak has begun generating rental income, directly supporting our financial targets. Meanwhile, forward-looking initiatives such as Cloud Financials and the Cloud 9 application are progressing through early-stage scoping and business case development under the new governance model.</p> <p>The transformation programme delivered £206,000 in savings in time for the 2025 to 2026 financial year, reflecting a strong return on investment and a clear commitment to delivering high-quality, modern, and efficient public services.</p>
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East Herts Council Report

Executive

Date of meeting: Tuesday 8 July 2025

Report by: **Tim Hoskin** – Executive Member for Environmental Sustainability

Report title: Parking Enforcement Contract Award

Ward(s) affected: **All**

Summary

This report follows on from an earlier decision to proceed to tender for a new parking enforcement contract, given the existing contract runs out in January 2026. The procurement exercise is now complete and authority is sought to award the contract on behalf of East Herts Council, Stevenage Borough Council and Welwyn Hatfield Borough Council.

RECOMMENDATIONS FOR THE EXECUTIVE:

- a) **That the Parking Enforcement Contract be awarded to bidder B, following a tender process, subject to Welwyn-Hatfield Council Cabinet also approving the outcome of the tender process.**

1.0 Proposals

- 1.1 That Executive Members agree to award the Parking Enforcement Contract to bidder B, following a tender process and evaluation that offers the three Councils the most economically advantageous position.
- 1.2 Stevenage Borough Council's Cabinet have already provided delegated authority to proceed with procurement and award.

Welwyn-Hatfield Council Cabinet are considering the outcome of the procurement process the 9th July.

2.0 Background

- 2.1 The current parking enforcement contract began in January 2018 and is a joint contract between East Herts Council, Stevenage Borough Council and Welwyn Hatfield Borough Council with East Herts acting as the lead authority. It expires in January 2026, following a two-year extension 2024.
- 2.2 In order to ensure a new contract is in place in good time a procurement process needed to start around 12 months prior to launch. With this in mind a decision to move ahead with a tender process was published on 14th February 2025: [East Herts District Council - Issue details - Parking Enforcement Contract Procurement - Authority to proceed to tender](#)
- 2.3 Following the tender an evaluation process was completed on 13 June. Three bids were submitted and scored as follows:

Tender	Quality Score Total	Quality Score Ranking	Price Score	Price Ranking	Social Value Score	Social Value Ranking	Total Score (Max 100%)	Ranking Total Score
A	24.00%	3	35.78%	3	6.25%	3	66.03%	3
B	38.00%	1	40.00%	1	6.87%	2	84.87%	1
C	34.00%	2	38.74%	2	7.42%	1	80.16%	2

- 2.4 Bidder B scored the highest through the tender process and the recommendation to Executive is to proceed with awarding the contract, subject to Welywn-Hatfield Borough Council Cabinet also approving.
- 2.5 The contract is for six years with the option of one additional extension period of three years, at the discretion of the Authorities. The contract covers:

- On-street enforcement of parking
- Off-street parking enforcement
- The provision support, licensing and management of a fully hosted web-based IT system for PCNs and permits
- A car park Pay and Display machine maintenance, cash collection, counting, and banking service.

3.0 Reason(s)

- 3.1 The bidder that provided the highest score was bidder B and accordingly offers the most economically advantageous tender for this contract.
- 3.2 The Executive is requested to approve the award of the parking management contract, which is due to go live on 17 January 2026.
- 3.3 In addition, the Council's LEAF priorities also include "implement our parking strategy" as part of the "Environmentally Focused" objective. The parking enforcement contract is a key element of enabling the delivery of that strategy.

4.0 Options

To not award the contact

4.1 East Herts Council has a statutory duty to deliver traffic management services in accordance with the Traffic Management Act 2004. By not awarding the contract we would have no capacity to deliver these functions from January 2026. This option is not recommended.

5.0 Risks

5.1 There is a risk of legal challenge from the bidders that were not successful. However we are confident that the tender process was robust and can be defended.

5.2 A failure to effectively manage parking on the public highway may lead to additional congestion, increased pollution, higher risk of accidents, and reduce the available kerbside parking for customers visiting local businesses, thus reducing footfall and negatively impacting on the economic vitality of the towns.

5.3 The Council's managed car parks require Civil Enforcement Officers (CEOs) to patrol and to issue Penalty Charge Notices to vehicles not complying with the terms and conditions of the Traffic Regulation Order.

5.4 A failure to effectively manage parking in car parks through Civil Parking Enforcement will result in reduced capacity, which can impact on residents and visitors in the context of their ability to enjoy the leisure and shopping facilities, leading to a reduction in income for the council and reduced quality of life for residents.

6.0 Implications/Consultations

None

Community Safety

No

Data Protection

Yes

The service provider must meet the requirements of the Information Commissioner for the retention and proper management of data and meet obligations under the Data Protection Legislation, the Freedom of Information Act 2000 and any other relevant regulations or legislation.

All data stored on the Parking Software solution will be owned by the Local Authority.

Equalities

Yes

The service provider must be committed to the application of the Equality Act 2010 and therefore has a legal duty to promote fairness, eliminate unlawful discrimination and promote good relations between people.

Environmental Sustainability

Yes

The service provider commits to supporting the take-up of more environmentally friendly vehicles and sustainable alternatives to driving. Within the specification of the contract, it is a requirement that all the enforcement vehicles deployed are pure electric.

Financial

Yes

The service provider, in delivering traffic management services, will ensure that the Council's assets (car parks) are effectively regulated in terms of the turnover of parking spaces thus preserving this income source to ensure the council receives a fair return and is able to continue funding the operating costs and providing an important amenity to the community and businesses.

The income generated from payments generated from Penalty Charge Notices issued on street and off street contributes towards the Council's operating costs in paying for Civil Parking Enforcement (CPE) traffic management services. Any additional income generated will be reported under Section 55 of the Road Traffic Regulation Act 1984.

Health and Safety

Yes

The service provider must ensure that personnel carrying out traffic management activities do so within the appropriate Health and Safety Legislation and in accordance with best industry practice.

Human Resources

Yes

The TUPE regulations would apply to any staff involved in a transfer from one service provider to another.

Human Rights

Yes

The service provider must comply with the Human Rights Act 1998.

Legal

Yes

Herts District Council undertook an open procedure procurement exercise via Find A Tender in compliance with the Public Contracts Regulations 2015, which applied at the time the Tender was released.

The Council's constitution authorises the Executive to accept the most economically advantageous tenders for contract awards.

Section 67 of the Public Contracts Regulations 2015 (PCR 2015) requires the Council to base the award of public contracts on the MEAT assessed according to the prescribed evaluation methodology.

The evaluation methodology was set out in the invitation to tender and the recommendations in this report ensure the Council meets this legal requirement.

Upon communication of acceptance of the MEATS for this contract the Council would need to observe a 10 clear day standstill period. Upon expiry of this period, the Council may then proceed to formally award contracts.

A failure to comply with PCR 2015 can result in consequences including financial penalties for contracting authorities, the award of damages to any operator which has suffered loss or damages because of a breach and reputational damage.

The process may be challenged by any bidder under Chapter 6 of the Public Contracts Regulations 2015 or by judicial review

Statutory Guidance issued in conjunction with the Traffic Management Act 2004 confirms the core purposes of Civil Parking Enforcement (CPE) as:

- Managing the traffic network to ensure the expeditious movement of traffic
- Improving road safety
- Improving the local environment
- Improving the quality and accessibility of public transport
- Managing and reconciling competing demands for kerb space.

Specific Wards

No

7.0 Background papers, appendices and other relevant material

Contact Member

Tim Hoskin, Executive Member for Environmental Sustainability

Tim.Hoskin@eastherts.gov.uk

Contact Officer

Benjamin Wood, Director for Regeneration, Customer and Commercial Services

benjamin.wood@eastherts.gov.uk

Report Author

Dominique Kingsbury, Parking Services Manager

Dominique.Kingsbury@eastherts.gov.uk

Document is Restricted

East Herts Council Report Template

Executive

Date of Meeting: 08 July 2025

Report by: Jonathan Geall – Head of Housing and Health

Report title: Consideration of the revised draft Statement of Gambling Principles 2025-28

Ward(s) affected: All

Summary – The Gambling Act 2005 requires each local authority to adopt and publish a Statement of Gambling Principles at least every three years. The purpose of the Policy is to set out the principles the local authority will apply when carrying out its licensing functions under the Act.

RECOMMENDATIONS FOR Licensing Committee:

- (a) That the Executive reviews and comments on the draft Statement of Gambling Principles; and**
- (b) Approves a final draft for public consultation.**

1.0 Proposal(s)

- 1.1 That the draft document is considered by members of the Executive.

2.0 Background

- 2.1 Regulation of non-remote gambling activities such as betting, prize gaming (including bingo and poker), provision of gaming machines and promotion of lotteries under the Gambling Act 2005 (the Act) is a regulatory regime under which the council has statutory responsibilities.
- 2.2 The Act requires licensing authorities (district councils or unitary authorities) to publish a written policy, setting out how they intend to exercise the licensing and enforcement powers

conveyed to them, the principles that they will follow, and their expectations of licensees. The Policy must be periodically reviewed, to ensure that they reflect the current legislation and are relevant to the issues arising in the authority's area.

2.3 Historically and currently East Herts District has low numbers of licences and authorisations issued under the Act and low numbers of complaints.

2.4 To give the context for East Herts, the following table sets out the current licences held in comparison with three years ago.

Type of Licence	Issued in 2018	Issued in 2021	Issued in 2025
Adult Gaming Centre	0	0	0
Betting Shop	15	15	13
Bingo	0	0	0
Club Gaming Permit	0	0	2
Club Machine Permit	11	9	6
Gaming Machines (up to 2 machines)	113	119	124
Gaming Machines (3 or more machines)	15	11	11
Small Society Lotteries	75	47	75
Track Betting	0	0	0
Totals	229	201	231

2.5 Once the draft statement of principles has been before Executive on 08 July 2025 a final draft will be approved for consultation. A four-week consultation will then commence.

3.0 Reason(s)

3.1 As the Licensing Authority, East Herts Council is required to have a Statement of Gambling Principles and revise this at least every three years.

3.2 The Statement is an important document which sets out the principles the council will apply when carrying out its licensing function.

3.3 Since the last statement was adopted there have been no

substantive changes to either the law or guidance in relation to the areas of Gambling which the authority is responsible for. As a result, there are no substantive changes proposed to the existing statement.

- 3.4 The existing Statement of Gambling Principles can be found here: <https://www.eastherts.gov.uk/licences-and-registration/gambling-policy-guidance-and-fees>
- 3.5 The proposed revision of the Statement of Gambling Principles is attached at **Appendix A**.
- 3.6 Prior to being brought to Executive for consideration the draft was considered by Licensing Committee on 18 June 2025. The Licensing Committee members proposed no changes to the draft Statement of Gambling Principles.

4.0 Options

- 4.1 To make amendments to the draft document before consultation commences.
- 4.2 Endorse the draft version of the document for consultation.

5.0 Risks

- 5.1 None identified by author.

6.0 Implications/Consultations

Community Safety

Proper scrutiny of the work of the Licensing & Enforcement team helps to ensure that policies and procedures promote community safety.

Data Protection

None

Equalities

None

Environmental Sustainability

None

Financial

None as any work either carried out or proposed will be possible within existing budgets.

Health and Safety

Some parts of the regulatory regimes covered in this report contribute to health & safety by ensuring standards are maintained.

Human Resources

None

Human Rights

None

Legal

None

Specific Wards

None

7.0 Background papers, appendices, and other relevant material

7.1 Appendix A – Draft Statement of Gambling Principles 2025-28

Contact Member

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

Vicky.Glover-Ward@eastherts.gov.uk

Contact Officer

Jonathan Geall, Head of Housing & Health
Contact Tel No 01992 531594

Jonathan.Geall@eastherts.gov.uk

Report Author

Oliver Rawlings – Service Manager, Licensing &
Enforcement

Oliver.Rawlings@eastherts.gov.uk

East Hertfordshire District Council

Statement of Principles under the Gambling Act 2005

2025-2028

Published TBC

CONTENTS

Subject	Page
Preface	4
Introduction	5
Authorised activities	7
Statement of Principles	7
Types of licences and permissions	8
The Gambling Commission	8
General Statement of Principles	9
Preventing gambling from being a source of crime and disorder	10
Ensuring gambling is conducted in a fair and open way	11
Protecting children and other vulnerable people from gambling	11
Background to East Herts	13
Local Authority Functions	15
Responsible Authorities	16
Child protection	18
Public health and well-being	18
Interested parties	19
Exchange of Information	21
Compliance and Enforcement	21
Gaming Machines	23
Local Area Profile (LAP)	24
Local risk assessments	25
Premises licences - Definition of "premises"	26
Access restrictions	27
Provisional Statements	28
Buildings to be complete	28
Plan	29
Location	29
Conditions	30
Duplication with other regulatory regimes	31
Access by Children	31
Door Supervisors	32
Types of Premises Licences - Adult Gaming Centres	33
(Licensed) Family Entertainment Centres	34
Casinos	35
Bingo premises	35
Bingo in clubs and alcohol-licensed premises	37
Betting premises	37
Primary Gambling Activity	38
Tracks	39
Gaming machines on tracks	40
Betting machines on track premises	40
Condition on rules being displayed	41
Travelling Fairs	41
Reviews	42
Permits, Temporary & Occasional Use Notices	44

Subject	Page
Unlicensed Family Entertainment Centre gaming machine permits	44
(Alcohol) Licensed premises gaming machine permits	45
Prize Gaming Permits	47
Club Gaming and Club Machines Permits	48
Lotteries	49
Temporary Use Notices	52
Occasional Use Notices	53
Administration, Exercise and Delegation of Functions	54
Contact Point	55
Appendix 1 - Consultation	56

1.0 Preface

- 1.1 Under the Gambling Act 2005, a new regime for regulating gambling and betting was introduced throughout the United Kingdom from 1 September 2007. Apart from spread betting, gambling and betting (including the National Lottery) are regulated by the Gambling Commission, whose duties include licensing the operators and individuals involved in providing gambling and betting facilities.
- 1.2 East Herts Council, along with other local licensing authorities, has a duty under the Act to license premises where gambling takes place, and to licence certain other activities (such as registering small society lotteries). This document sets out how we intend to approach this task.
- 1.3 The Gambling Act requires that the following parties are consulted by licensing authorities:
 - the chief officer of Police for the authority's area
 - one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area
 - one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act.
- 1.4 Our consultation took place between XX/XX/2025 and XX/XX/2025, and we followed the guidance on Consultation principles issued by the Cabinet Office.
- 1.5 Where either the relevant guidance or the legislation are amended this authority will will seek to revise this document as swiftly as possible to ensure consistency.

2.0 Introduction

- 2.1 The Gambling Act 2005¹ (the “Act”) modernised the law on gambling and introduced a gambling regulator, the Gambling Commission. The Gambling Commission regulates the gambling industry, and the Act also gave responsibility for gambling premises licensing to Local Authorities.
- 2.2 The Act requires East Herts Council (the “licensing authority”) to publish a Statement of Principles that it applies when exercising its functions under the Act. The statement must be published every three years and is kept under constant review. Consultation is required before changes to the Statement of Principles can be made. The statement must then be re-published.
- 2.3 This statement of principles supports East Herts Council’s corporate plan which has 4 key themes:
- 1. Listening, open and transparent;**
 - 2. Environmentally focused;**
 - 3. Acting with the community; and**
 - 4. Fair and inclusive.**
- 2.4 Our vision for licensing is to support responsible premises and to encourage the development of a diverse and varied licensed offering across the District.
- 2.5 As long as premises management strive to act responsibly; run safe, well managed venues and facilities; and work together with the local community, they can make a positive contribution toward providing entertainment and satisfaction.
- 2.6 Of course, negative impacts can occur if good management practices are not followed. We recognise that gambling related harm does negatively impact upon both public health and well-being.
- 2.7 Our policy, therefore, seeks to provide a necessary balance between providing a platform upon which responsible business operators may contribute towards a thriving economy while ensuring that the quality of life of those who use gambling facilities and live and work in the District is protected and enhanced through the licensing system. We believe these aims are achievable if all parties concerned work together.
- 2.8 This policy was drafted giving the guidance by the Gambling Commission² due consideration and will broadly follow it.
- 2.9 The Act requires this Authority to carry out its various licensing functions to be reasonably consistent with the following three licensing objectives:
- 1. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.**

¹ The Gambling Act 2005 can be accessed via: [Gambling Act 2005](#)

² The Gambling Commission’s guidance for licensing authorities can be accessed via: [GC-guidance-to-licensing-authorities](#)

2. Ensuring that gambling is conducted in a fair and open way.

3. Protecting children and other vulnerable persons from being harmed or exploited by gambling.

2.10 As required by the Guidance issued by the Gambling Commission, in carrying out its licensing functions under the Act, particularly with regard to premises licences, the Council will generally aim to permit the use of premises for gambling as long as it is considered to be:

- In accordance with any relevant code of practice issued by the Gambling Commission;
- Reasonably consistent with the licensing objectives; and
- In accordance with the Policy statement published by this Authority under section 349 of the Act.

2.11 **This Statement of Principles will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence. Each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005. In producing this statement, the Licensing Authority has had regard to the licensing objectives, the guidance issued by the Gambling Commission and any responses to the consultation on this statement.**

3.0 Authorised activities

- 3.1 'Gambling' is defined in the Act as gaming, betting, or taking part in a lottery:
- **'gaming'** means playing a game of chance for a prize
 - **'betting'** means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not true
 - a **'lottery'** is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance.
- 3.2 Private gaming in private dwellings and on domestic occasions is exempt from licensing or registration providing that no charge is made for participating. Domestic betting between inhabitants of the same premises or between employees of the same employer is also exempt.; Private gaming can potentially take place on commercial premises in very specific circumstances, and where the public have access, but organisers are advised to seek advice before organising events of this nature.
- 3.3 Non-commercial gaming and betting (where no parts of the proceeds are for private gain) may be subject to certain exemptions. Further advice should be sought from the council's licensing team where appropriate.

4.0 Statement of Principles

- 4.1 This Statement of Principles is intended to meet the council's obligations under section 349 of the Act. In carrying out its' functions in relation to premises licences and temporary use notices, the council will generally aim to permit the use of premises for gambling as long as it is considered to be:
- in accordance with any relevant Codes of Practice issued by the Gambling Commission
 - in accordance with any Guidance issued by the Gambling Commission. All references to the guidance refer to the Gambling Commission's Guidance to Licensing Authorities (published April 2021 and updated April 2023)
 - reasonably consistent with the licensing objectives
 - in accordance with this Statement of Principles.

5.0 Types of Licences and Permissions

- 5.1 Under the Act, the Gambling Commission is responsible for issuing operating licences and personal licences. The council in its' capacity as a licensing authority will:
- be responsible for the licensing of premises where gambling activities are to take place by issuing premises licences.
 - issue provisional statements.
 - regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing club gaming permits and/or club machine permits.
 - issue club machine permits to commercial clubs.
 - grant permits for the use of certain lower stake gaming machines at unlicensed family entertainment centres.
 - receive notifications from alcohol licensed premises (under the Licensing Act 2003) of the use of two or less gaming machines.
 - grant licensed premises gaming machine permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where more than two machines are required.
 - register small society lotteries below prescribed thresholds.
 - issue prize gaming permits.
 - receive and endorse temporary use notices.
 - receive occasional use notices.
 - provide information to the Gambling Commission regarding details of licences issued.
 - maintain registers of the permits and licences that are issued under these functions.
 - exercise its powers of compliance and enforcement under the Act in partnership with the Gambling Commission and other relevant responsible authorities.

6.0 The Gambling Commission

- 6.1 The Gambling Commission regulates gambling in the public interest. It does so by keeping crime out of gambling; by ensuring that gambling is conducted in a fair and open way; and by protecting children and vulnerable people. The Commission provides support and advice to the government about the way gambling is carried out, the effects of gambling, and the regulation of gambling generally.
- 6.2 The Commission has issued guidance under section 25 of the Act about the way a Licensing Authority should exercise its licensing functions under the Act and, in particular, the principles to be applied.
- 6.3 The Commission will issue Codes of Practice under section 24 about the way in which facilities for gambling are provided, which may include provisions about the advertising of gambling facilities.
- 6.4 The Gambling Commission can be contacted at:

Gambling Commission
4th Floor
Victoria Square House
Birmingham
B2 4BP
Website: [Gambling Commission](#)

7.0 General Statement of Principles

- 7.1 The council recognises the wide variety of premises which will require a licence or a permit. These include casinos, betting shops, bingo halls, pubs, clubs, and amusement arcades.
- 7.2 In carrying out its licensing functions the council will have regard to any guidance issued by the Gambling Commission.
- 7.3 The council will not seek to use the Act to resolve matters more readily dealt with under other legislation.
- 7.4 To ensure the licensing objectives are met the council will try to establish a close working relationship with the Police, the Gambling Commission and, where appropriate, other responsible authorities.
- 7.5 Where children, young persons and other vulnerable people are allowed access to premises where gambling takes place, the council may take whatever steps are considered necessary to either limit access generally or by introducing measures to prevent under-age gambling where it believes it is right to do so for the prevention of their physical, moral or psychological harm from gambling, especially where it receives representations to that effect.
- 7.6 Applicants seeking premises licences are encouraged to propose any prohibitions or restrictions of their own in circumstances where it is felt that the presence of children would be undesirable or inappropriate.
- 7.7 However, the overriding principle is that all applications and the circumstances prevailing at each premise will be considered on their own individual merits. When applying these principles the licensing authority will consider, in the light of relevant representations, whether exceptions should be made in any case. As with the Gambling Commission, the licensing authority will regulate gambling in the public interest.

8.0 Preventing gambling from being a source of crime and disorder

- 8.1 The Gambling Commission will play a leading role in preventing gambling from being a source of crime and will maintain rigorous licensing procedures that aim to prevent criminals from providing facilities for gambling.
- 8.2 Anyone applying to the council for a premises licence will have to hold an operating licence from the Commission before a licence can be issued, with the only exception being applications for track premises licences. Therefore, the

council will not generally be concerned with the suitability of an applicant and where concerns about a person's suitability arise the council will bring those concerns to the attention of the Commission.

- 8.3 If an application for a licence or permit is received in relation to premises which are in an area noted for problems with organised crime, the council will, in consultation with the Police and other relevant authorities, consider whether specific controls need to be applied to prevent those premises from being a source of crime.
- 8.4 There are already powers in existing anti-social behaviour and licensing legislation to deal with measures designed to prevent nuisance, whether it arises because of noise from a building or from general disturbance once people have left a building. The council does not intend to (and indeed, cannot) use the Act to deal with general nuisance issues, for example, parking problems, which can easily be dealt with using other powers.
- 8.5 Issues of disorder should only be dealt with under the Act if the disorder amounts to activity which is more serious and disruptive than mere nuisance and it can be shown that gambling is the source of that disorder. A disturbance might be serious enough to constitute disorder if Police assistance was required to deal with it. Another factor which could be considered is how threatening the behaviour was to those who could see or hear it, and whether those people live sufficiently close to be affected or have business interests that might be affected.
- 8.6 When making decisions in this regard the council will give due weight to any comments made by the Police.

9.0 Ensuring gambling is conducted in a fair and open way

- 9.1 The Gambling Commission does not generally expect local authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will either be a matter for the management of the gambling business or will relate to the suitability and actions of an individual. Both issues will be addressed by the Commission through the operating and personal licensing regime.
- 9.2 Because betting track operators do not need an operating licence from the Commission the council may, in certain circumstances, require conditions on a licence relating to the suitability of the environment in which betting takes place.

10.0 Protecting children and other vulnerable people from gambling

- 10.1 Apart from one or two limited exceptions, the intention of the Act is that children and young persons should not be allowed to gamble and should therefore be prevented from entering gambling premises which are 'adult-only' environments.
- 10.2 In practice, steps will generally be taken to prevent children from taking part in, or being near, gambling especially with regard to premises situated in areas where there may be a high rate of reported truancy. There may be restrictions on

advertising so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children.

- 10.3 When considering whether to grant a premises licence or permit the council will consider whether any measures are necessary to protect children, such as the supervision of entrances, the segregation of gambling from areas frequented by children and the supervision of gaming machines in non-adult gambling specific premises, such as pubs, clubs, betting tracks etc.
- 10.4 In seeking to protect vulnerable people the council will include people who gamble more than they want to, people who gamble beyond their means, and people who may not be able to make informed or balanced decisions about gambling, perhaps due to a mental impairment, alcohol, or drugs.
- 10.5 Children (defined in the Act as under 16s) and young persons (16-17s) may take part in private and non-commercial betting and gaming, but the Act contains a number of restrictions on the circumstances in which they may participate in gambling or be on premises where gambling is taking place. An adult is defined as 18 and over. In summary:
- betting shops cannot admit anyone under 18.
 - bingo clubs may admit those under 18 but must have policies to ensure they do not gamble, except on category D machines.
 - Adult Entertainment Centres cannot admit those under 18.
 - Family Entertainment Centres and premises with an alcohol premises licence (such as pubs) can admit under-18s, but they may not play category C machines which are restricted to those over 18.
 - clubs with a Club Premises Certificate can admit under-18s, but they must have policies to ensure those under 18 do not play machines other than category D machines.
 - tracks will be required to have policies to ensure that under 18s do not participate in gambling, except on category D machines.
- 10.6 The council will always treat each case on its own individual merits and when considering whether specific measures are required to protect children and other vulnerable people will balance its considerations against the overall principle of aiming to permit the use of premises for gambling.
- 10.7 In January 2018 Public Health England, the Local Government Association and the Gambling Commission wrote to Directors of Public Health in England outlining the links between Public Health and gambling; specifically, that problem gambling can have an impact on physical, mental, and emotional health and wellbeing. The letter suggested that local Public Health teams have a critical role to play in developing statements of principles as they have a good understanding of health issues within a local authority area.
- 10.8 Although Local Public Health Departments are not Responsible Authorities the licensing authority will seek advice from the local Public Health team in order to assess applications and this statement of principles. This approach will be taken to assist the licensing authority in exercising its own functions as a responsible authority, and reflects the comments made in the guidance.

11.0 Background to East Herts

- 11.1 East Herts is the largest of the 10 districts in Hertfordshire. It covers about 480 square miles, around a third of the Hertfordshire, and offers a blend of rural and town living. The benefits of this mixture are greatly appreciated by the approximately 150,000 people who live in the District.
- 11.2 The District has Broxbourne to the South, Welwyn and Hatfield and Stevenage to the West and North Hertfordshire as its Northern boundary. To the East, the District borders on the county of Essex.
- 11.3 Although the District is mainly comprised of farmland, five busy market towns (Bishop's Stortford, Buntingford, Hertford, Sawbridgeworth and Ware) and more than 100 villages and hamlets are scattered across the area. The majority of the people who live in the district live in one of the five towns. Bishop's Stortford has the largest population, followed by Hertford, Ware, Sawbridgeworth and Buntingford.
- 11.4 East Herts is regarded as an attractive rural location for those moving out from (and commuting into) London because of its excellent transport links.
- 11.5 Unemployment in East Herts is low at 2.8% compared to the national average of 3.8%. The people of East Herts are predominantly employed and enjoy higher than average earnings of £919.10 gross weekly pay for full-time workers compared to the £729.80 average for the whole of the country³.
- 11.6 The 2021 Census showed 23.4% of people are aged 19 or under and 24.2 of people are aged over 60. East Herts has the lowest population density of all the Districts in Hertfordshire.
- 11.7 87.0% of usual residents of East Hertfordshire in March 2021 were born in England. This compares to 80.0% in Hertfordshire, 83.1% in East of England and 80.3% in England.
- 11.8 Over a third of people are educated to NVQ level 4 or higher e.g. Bachelor's degree (38.6%, 46,724). However, under a fifth of the population have no qualifications (13.8%, 16,756).
- 11.9 As at May 2025 the numbers of premises issued with licences, permits or registrations within East Herts are as follows:
- 13 Bookmakers or betting shop (decrease of 2 on 2021);
 - 135 Alcohol premises with gaming machines (increase of 2 on 2021);

³ [nomis official labour market statistics website - Labour Market Profile - East Hertfordshire](#)

- 6 Registered clubs with gaming machines (decrease of 3 on 2021);
- 2 Club Gaming permits (increase of 1 on 2021);
- 73 Small society lottery registrations (increase of 26 on 2021);
- 0 Family Entertainment Centres (no change);
- 0 Bingo premises (no change);
- 0 Track betting premises (no change);
- 0 Casinos (no change); and
- 0 Adult Gaming Centres (no change).

12.0 Local Authority Functions

12.1 Under the Act, the Gambling Commission is responsible for issuing operating licences and personal licences. The council in its' capacity as a Licensing Authority will:

- be responsible for the licensing of premises where gambling activities are to take place by issuing premises licences.
- issue provisional statements.
- regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing club gaming permits and/or club machine permits.
- issue club machine permits to commercial clubs.
- grant permits for the use of certain lower stake gaming machines at unlicensed family entertainment centres.
- receive notifications from alcohol licensed premises (under the Licensing Act 2003) of the use of two or less gaming machines.
- grant licensed premises gaming machine permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where more than two machines are required.
- register small society lotteries below prescribed thresholds.
- issue prize gaming permits.
- receive and endorse temporary use notices.
- receive occasional use notices.
- provide information to the Gambling Commission regarding details of licences issued.
- maintain registers of the permits and licences that are issued under these functions.
- exercise its powers of compliance and enforcement under the Act in partnership with the Gambling Commission and other relevant responsible authorities.

12.2 Private gaming in private dwellings and betting between inhabitants of the same premises on domestic occasions or between employees of the same employer is exempt from licensing or registration if:

- no charge is made for participating;

- only equal chance gaming takes place; and
 - it does not occur in a place to which the public have access.
- 12.3 Private gaming can potentially take place on commercial premises in very specific circumstances, and where the public have access, but organisers are advised to seek advice before organising events of this nature.
- 12.4 The Authority will not be involved in licensing remote gambling - this is dealt with by the Gambling Commission via Operator Licences. The Financial Services Authority regulates spread betting, and the National Lottery Commission regulates the National Lottery.

13.0 Responsible Authorities

- 13.1 These are generally public bodies that must be notified of all applications and who are entitled to make representations to the council if they are relevant to the licensing objectives.
- 13.2 Section 157 of the Act defines those authorities as:
- the Gambling Commission
 - the Police
 - the Fire Service
 - a competent body to advise the authority about the protection of children from harm
 - the local Planning Authority
 - Environmental Health
 - HM Revenue and Customs
 - A Licensing Authority in whose area the premises is situated (that is, the council itself and any adjoining council where premises straddle the boundaries between the two).
- 13.3 The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:
- (i) The need for the body to be responsible for an area covering the whole of the licensing authority's area.
 - (ii) The need for the body to be answerable to democratically elected persons, rather than any vested interested group.
- 13.4 This authority designates Hertfordshire Safeguarding Children Partnership (HCSP)⁴ for this purpose.
- 13.5 The Licensing Authority will not consider irrelevant representations, such as:

⁴ <https://www.hertfHertfordshire-Safeguarding-Children-Partnership>

- there are too many gambling premises in the locality (because need for gambling facilities cannot be taken into account)
- the premises are likely to be a fire risk (because public safety is not a licensing objective and there is other primary legislation regarding fire risk)
- the location of the premises is likely to lead to traffic congestion (because this does not relate to the licensing objectives)
- the premises will cause crowds to congregate in one area causing noise and nuisance, because other powers are generally available to deal with these issues.
(Unlike the Licensing Act 2003, the Gambling Act does not include as a specific licensing objective, the prevention of public nuisance. Any nuisance associated with gambling premises should be dealt with under other relevant laws).

13.6 Any concerns expressed by a responsible authority cannot be considered unless they are relevant to the application itself and the licensing objectives.

13.7 Each representation will, however, be considered on its own merits and careful consideration will be given to any concerns raised by a responsible authority and where a representation is ultimately considered irrelevant the responsible authority will be given the reasons for reaching this decision.

14.0 Public health and well-being

14.1 Although Local Public Health Departments are not responsible authorities the Licensing Authority will seek advice from the local Public Health team to assess applications and its statement of principles. This approach will be taken to assist the Licensing Authority in exercising its own functions under various pieces of legislation.

14.2 East Herts has decided to try to understand and, where appropriate, incorporate Public Health and well-being concerns within its policies and its decision-making process.

14.3 East Herts Council's Environmental Health, Licensing and Community Safety teams already work closely together, including the Public Health officers. The alignment of these different service areas has highlighted synergies, which, with appropriate policies and partnership support, could see significant benefits for residents.

14.4 East Herts Council has taken the decision, with the full understanding and knowledge of the Guidance and relevant legislation, to engage with Public Health as a consideration in its decision making process. As a result, where a relevant representation is made regarding the undermining of the 'Protecting children and other vulnerable people from gambling' objective, and that representation relates to Public Health and well-being, and is supported by

evidence, that representation will be considered during the decision making process.

- 14.5 This includes considering information about the impact of gambling upon wider Public Health issues, such as the impacts on families where a parent is a problem gambler, and not just immediate impacts on that individual. The purpose of this is not to attempt to make Public Health the fourth licensing objective, rather using a wider definition of the licensing objective to help address evidence based gambling related harms within our communities.
- 14.6 While recognising that evidence based gambling related harms are a key concern, the Licensing Authority also recognises that gambling is just one component of the of the issues with which the licensing regime can address. The Licensing Authority will approach any Public Health representation within the wide framework of the regime and not exclusively on health and well-being considerations.

15.0 Interested parties

- 15.1 Interested parties can make representations about licence applications or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:
- 15.2 *A person is an interested party if, in the opinion of the licensing authority, the person:*
- a. lives sufficiently close to the premises to be likely to be affected by the authorised activities;*
 - b. has business interests that might be affected by the authorised activities; or*
 - c. represents persons who satisfy paragraph (a) or (b).*
- 15.3 The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:
- Each case will be decided on its merits. This authority will not apply a rigid rule to its decision making. The benefit of doubt will be given to the party making the representation until the doubt can be resolved.
 - Interested parties include trade associations, and residents' or tenants' associations, if they represent someone who would be classed as an interested party in their own right. Councillors and MPs may also be interested parties. Elected Councillors may represent interested parties but may not also sit on the Licensing Sub-Committee determining the application.
 - In determining whether someone lives sufficiently close to a particular premises as to likely to be affected by the authorised activities, or has business interests likely to be affected, the authority may take account of:
 - the size of the premises;

- the nature of the premises;
- the nature of the authorised activities being proposed;
- the distance of the premises from the person making the representation;
- the characteristics of the complainant; and
- the potential impact of the premises.

15.4 The licensing authority will not consider representations that are frivolous or vexatious, or which relate to demand or need for gambling facilities. Decisions on whether representations are frivolous or vexatious will be made by officers objectively and not based on any political judgement. Where representations are rejected, the person making that representation will be given a written reason. A report will be made to the Licensing Sub-Committee determining the application (if appropriate), indicating the general grounds of the representation and the reason it was rejected.

15.5 A vexatious representation is generally taken to be one which is repetitive, without foundation or made for some other reason such as malice. A frivolous representation is generally taken to be one that is lacking in seriousness, or is unrelated to the licensing objectives, the guidance issued by the Gambling Commission or this statement of licensing policy.

15.6 In deciding whether a representation is frivolous or vexatious the Licensing Authority will normally consider:

- Who is making the representation and whether there is a history of making representations that are not relevant.
- Whether the representation raises a relevant issue or not.
- Whether the representation is specific to the premises that are the subject of the application.

15.7 Interested parties should appreciate that moral objections to gambling, or the need for gambling premises, are not valid reasons to reject applications for premises licences.

15.8 Representations must be made in writing (which includes electronically) and must:

- indicate the name and address of the person or organisation making the representation.
- indicate the premises to which the representation relates.
- indicate the proximity of the premises to the person making the representation. A sketch map or plan may be helpful to show this.
- clearly set out the reasons for making the representation. Reference to a specific licensing objective may be helpful.

16.0 Exchange of Information

- 16.1 Licensing authorities are required to include in their Policy statement the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.
- 16.2 The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the General Data Protection Regulations and the Data Protection Act 2018 will not be contravened. The licensing authority will have regard to Guidance issued by the Gambling Commission to Local Authorities, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
- 16.3 The authority may from time to time exercise its' powers under section 115 of the Crime and Disorder Act 1998 to exchange data and information with the Police and other partners to fulfil its' statutory objective of reducing crime in the area.
- 16.4 Details of applications and representations which are referred to a Licensing Sub-Committee for determination will be published in reports that are made publicly available in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000. Personal details of people making representations will be disclosed to applicants and only be withheld from publication on the grounds of personal safety where the licensing authority is asked to do so.

17.0 Compliance and Enforcement

- 17.1 Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to begin criminal proceedings in respect of the offences specified.
- 17.2 This licensing authority's principles are guided by the Gambling Commission's Guidance for local authorities, and it will endeavour to be:
- Proportionate: intervening only when necessary, with remedies appropriate to the risk posed, and costs identified and minimised;
 - Accountable: justifying decisions, and subject to public scrutiny;
 - Consistent: with joined up rules and standards implemented fairly;
 - Transparent: being open, with simple and user friendly rules; and
 - Targeted: to focus on the problem and minimise side effects.

- 17.3 This Licensing Authority will seek to work with other agencies in enforcing this legislation and work to create a joint protocol with all the relevant agencies to avoid duplication with other regulatory regimes as far as possible, following the Gambling Commission's guidance for licensing authorities.
- 17.4 This Licensing Authority will, as recommended by the Gambling Commission's guidance for local authorities, adopt a risk-based inspection programme and will consider any risk models produced in conjunction with the Gambling Commission.
- 17.5 The main enforcement and compliance role for this Licensing Authority will be to ensure compliance with the premises licences and other permissions which it authorises.
- 17.6 The Gambling Commission will be the enforcement body for Operator and Personal Licences. Concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission.
- 17.7 The authority proposes that a graduated response is taken where offences against licensing legislation are found or where licence conditions have been contravened. An isolated and minor offence may be dealt with purely by way of a written warning whilst more serious offences which have either been committed over a period of time or which jeopardise public safety may result in a referral for prosecution.
- 17.8 We continue to work actively with other responsible authorities in seeking compliance and enforcing licensing legislation. We share information about licence-holders and licensed premises under the Crime and Disorder Act 1998 and expect to be closely consulted when any enforcement action may be required.
- 17.9 As a Council we have signed up to the Hertfordshire Better Business for All Partnership Charter which is a voluntary undertaking between Hertfordshire Regulatory Services and all local businesses, irrespective of size or resources. It aims to support a relationship between businesses and regulators built upon trust, understanding and a desire to improve together in terms of compliance with regulation and support of business growth.
- 17.10 The authority's approach to the carrying out of premises licence reviews is set out later in this document.

18.0 Gaming Machines

- 18.1 Within both the gambling legislation and this document, references are made to gaming machines as being within categories A, B, C or D, or in some cases, sub-categories such as B1, B2, B3 or B45.
- 18.2 Gaming machines are categorised according to the nature of their operation, the

⁵ [Gambling Commission/gaming-machine-categories](#)

maximum charge to use, and the maximum prize available, and the legislation sets out the categories and sub-categories of machines that holders of each type of premises licence or permit are entitled to make available for use.

- 18.3 As both machine entitlements and the values applicable to each category are prescribed in secondary legislation, and may be changed at relatively short notice, it is not considered appropriate to include this information within this document.
- 18.4 Persons under the age of 18 years are not permitted to use any gaming machine other than a category D machine, which are generally low-value machines located in family entertainment centres. Holders of licences and permits which allow the provision of higher-category machines in premises where children are present should take appropriate steps either to locate those machines in a segregated area with age-restricted access, or to locate the machines so that their usage can be monitored at all times – the appropriate action is dependent upon the nature of the premises and the authorisation held.
- 18.5 Some types of licence, permit or entitlement limit the number of gaming machines which may be made available for use in the authorised premises. The licensing authority notes the Commission's guidance on the meaning of 'available for use', including the provision that a greater number of machines may be located in the premises so long as there is a mechanism in place to disable machines and prevent the number of gaming machines which are actively available for use from exceeding the limit. Simply switching the gaming machine off at an adjacent power socket will not be acceptable to the licensing authority if a customer is able to reactivate the machine by switching it back on. Where an operator or permit-holder wishes to provide a greater number of machines on their premises than may be made available for use under the licence or permit, the onus will be on that operator or permit-holder to demonstrate to the licensing authority that they have a sufficiently robust mechanism in place to prevent a breach of the licence or permit.
- 18.6 All gaming machines which are made available for use in premises must adhere to the appropriate technical standards set by the Gambling Commission, including bearing the correct categorisation markings and any other signage required.
- 18.7 A number of premises which are not entitled to provide gaming machines (including fast-food outlets, taxi booking offices, shopping centres and transport hubs) provide other types of machines, which operate differently to gaming machines. These may include skill machines (where the likelihood of winning a prize is dependent solely on the player's skill or knowledge, and not on chance), and non-prize machines (where players play for a high-score or for amusement only, and no prize can be won as a result). Such machines fall outside of the scope of the 2005 Act and are not subject to control by the licensing authority. However, the authority will investigate complaints where it is believed that a machine purporting to be a skill game, or a non-prize machine is actually a (licensable) gaming machine. In determining whether such complaints are accurate we may seek advice from machine suppliers, manufacturers, and from the Gambling Commission.

19.0 Local Area Profile (LAP)

- 19.1 As of 6 April 2016, it is a mandatory condition for holders of operating licences to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks.
- 19.2 We expect operators, both when applying for new premises licences and when reviewing their existing premises, to take account of the local area within their own local risk assessments (described below), and to implement suitable and sufficient measures to mitigate any risks identified which may arise as a result of the opening or continuation of trade at those premises.
- 19.3 It is not a requirement for the Licensing Authority to complete a Local Area Profile. Although the council has not completed a Local Area Profile we encourage operators to contact the licensing authority to consider and identify potential areas of mutual concern affecting their business in a way that aims to permit gambling without presenting risks to the licensing objectives, as required by the Gambling Act.

20.0 Local risk assessments

- 20.1 We do not intend to specify a format or mandatory content for these local risk assessments, as we believe that these will be decisions for the operator to take, and will be dependent upon the location, size, and operational nature of the premises in question.
- 20.2 However, we would expect that operators have considered the individual circumstances of each of their premises when compiling the risk assessments – a single generic risk assessment covering every premises in an operator's estate will not be considered by the authority to be suitable nor sufficient.

Premises licences –

21.0 Definition of “premises”

- 21.1 Premises are defined in the Act as “any place”. Different premises licences cannot apply in respect of single premises at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances. However, the Gambling Commission does not consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.
- 21.2 This Licensing Authority attaches particular weight to the Gambling Commission’s Guidance for local authorities:
- the third licensing objective seeks to protect children from being harmed or exploited by gambling and premises should be configured so that children are prohibited from participating in gambling, such that they are not invited to participate in, have accidental access to, or closely observe gambling.
 - entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised, and people do not ‘drift’ into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit. The council would expect the plan of the premises to clearly denote entrances and exits.
 - customers should be able to participate in the activity named on the premises licence.
- 21.3 The Licensing Authority will take account of the following factors when considering whether premises are separate:
- do the premises have a separate registration for business rates?
 - is the neighbouring premises owned by the same person or by someone else?
 - can each of the premises be accessed from the street or a public passageway?
 - can the premises only be accessed from any other gambling premises?

22.0 Access restrictions

- 22.1 The Licensing Authority notes that any premises subject to multiple premises licences must be able to comply with the mandatory conditions restricting access to each licensed premises, as follows:

Premises Type	Access restrictions
Adult gaming centre	No direct access from any other licensed gambling premises, or from premises with a family entertainment centre gaming machine permit, a club

Premises Type	Access restrictions
	gaming/machine permit, or an alcohol-licensed premises gaming machine permit
Betting (other)	Access from a street or another betting premises only No direct access from any other premises used for retail sale of goods or services
Betting (track)	No direct access from licensed casino or adult gaming centre premises
Bingo	No direct access from licensed casino, adult gaming centre or betting (other) premises
Family entertainment centre	No direct access from licensed casino, adult gaming centre or betting (other) premises

22.2 In the case of some divided premises, it appears that the intended primary use of a premises licence had not been offered, with operators seeking solely to make use of any additional machine entitlement (for example, holding a bingo premises licence but not making any facilities for playing bingo available in the licensed premises). The Gambling Commission consulted on this issue in 2008, and subsequently issued a revision to the Licence Conditions and Codes of Practice affecting Bingo, Betting and Casino operating licences. Holders of these licences are now mandated to provide suitable and sufficient facilities for their primary licensable activity (e.g. provision of facilities for non-remote betting in a betting (other) licensed premises), now referred to in the Guidance as offering an appropriate licensing environment.

22.3 Tracks may be subject to one or more premises licences, provided each licence relates to a specified area of the track. This licensing authority will consider the impact of the licences on the third licensing objective and the need to ensure that entrances to each premises are distinct and that children are excluded from gambling areas where they are not permitted.

23.0 Provisional Statements

23.1 A person may apply to the Licensing Authority for a provisional statement in respect of premises:

- they expect to be constructed;
- they expect to be altered; or
- they expect to acquire a right to occupy.

23.2 Such applications are dealt with in the same manner as applications for premises licences. Once the premises are constructed, altered, or acquired the holder of a provisional statement may apply for the necessary premises licence.

23.3 Where the holder of a provisional statement applies for a premise licence, no further representations from responsible bodies or interested parties can be considered unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the Licensing Authority may refuse the premises

licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- (a) which could not have been raised by objectors at the provisional licence stage; or
- (b) which in the authority's opinion reflect a change in the operator's circumstances.
- (c) where the premises has not been constructed in accordance with the plan and information submitted with the provisional statement application. In accordance with the guidance, there must be substantial changes to the plan for such a decision to be made, and each decision will consider the merits of the individual application. The council will discuss any concerns of this nature with the applicants before making a decision.

24.0 Buildings to be complete

24.1 A licence to use premises for gambling will only be issued in relation to premises that are ready to be used for gambling: The Gambling Commission has advised that references to "the premises" are to the premises in which gambling may now take place. Thus, an applicant cannot obtain a full premises licence until the premises in which it is proposed to offer the gambling are constructed. It is a question of fact and degree whether premises are finished to a point that they can be considered for a premises licence. The Gambling Commission emphasises that requiring the building to be complete ensures that the authority can, if necessary, inspect it fully, as can other responsible authorities with inspection rights.

25.0 Plan

25.1 The Licensing Authority will expect compliance with the Gambling Act 2005 (Premises Licences and Provisional Statements) Regulation 2007 (as amended) in relation to the submission of plans with applications.

25.2 The Regulations state that plans shall contain the following information:

- the extent of the boundary or perimeter of the premises.
- where the premises include, or consist of, one or more buildings, the location of any external or internal walls of each such building.
- where the premises form part of a building, the location of any external or internal walls of the building which are included in the premises.
- where the premises are a vessel or a part of a vessel, the location of any part of the sides of the vessel, and of any internal walls of the vessel, which are included in the premises.
- the location of each point of entry to and exit from the premises, including in each case a description of the place from which entry is made or to which the exit leads.

26.0 Location

- 26.1 This authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, and to gambling becoming a source of crime or disorder. No areas in East Herts have been identified as areas where gambling premises should not be located.
- 26.2 Should any specific policy be decided upon as regards areas where gambling premises should not be located, this document will be updated. It should be noted that any such policy would not preclude any application being made and each application would be decided on its merits, with the onus upon the applicant to show how the concerns can be overcome. Reference would be made to the local area risk assessment prepared by the operator.

27.0 Conditions

- 27.1 Any conditions attached to licences will be proportionate and will be:
- relevant to the need to make the proposed building suitable as a gambling facility;
 - directly related to the premises and the type of licence applied for;
 - fairly and reasonably related to the scale and type of premises: and
 - reasonable in all other respects.
- 27.2 Decisions on individual conditions will be made on a case-by-case basis. Where there is a need this Licensing Authority will consider:
- the use of door supervisors;
 - supervision of adult gaming machines; and
 - appropriate signage for adult only areas.
- 27.3 This Licensing Authority will expect the licence applicant to offer their own conditions, where appropriate, to ensure the licensing objectives can be met effectively.
- 27.4 The Licensing Authority will expect applicants to be able to comply with any mandatory and default conditions imposed on their premises licence through regulations made by the Secretary of State. Applicants seeking to remove or amend default conditions must demonstrate that there will be little or no risk to the licensing objectives or the Licensing Authority's statement of principles by removing the default conditions.
- 27.5 It is noted that there are conditions which the licensing authority cannot attach to premises licences:
- any condition on the premises licence which makes it impossible to comply with an operating licence condition.
 - conditions relating to gaming machine categories, numbers, or method of operation.
 - conditions which provide that membership of a club or body be required.
 - conditions in relation to stakes, fees, winning or prizes.

28.0 Duplication with other regulatory regimes

- 28.1 This authority will seek to avoid any duplication with other statutory/regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning or building consent, in its consideration of it. This authority will though listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.
- 28.2 Under section 210 of the Act the Licensing Authority is not entitled to have regard to whether a proposal by the applicant is likely to be permitted in accordance with the law relating to planning or building. The licensing authority will however consider relevant representations from the local Planning Authority about the effect of the grant of a premises licence on an existing planning permission where this relates to the licensing objectives, a Commission code of practice, or this statement of principles.

29.0 Access by Children

- 29.1 When considering applications for premises to which children may be admitted, in cases where the issue of a licence would authorise the provision of gaming machines of categories C or higher, the licensing authority will expect the operator to ensure that:
- all such machines are in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
 - only adults are admitted to the area where these machines are located;
 - access to the area where the machines are located is supervised;
 - the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
 - at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.
- 29.2 These considerations will apply equally to single premises and to buildings where multiple, separate premises licences may have effect (for example, a multi-unit shopping centre, or a mixed use development with a number of retail and leisure units).

30.0 Door Supervisors

- 30.1 This Licensing Authority will consider whether there is a need for door supervisors to ensure the operation of any premises upholds the licensing objectives.
- 30.2 There is no evidence that the operation of betting offices has required door supervisors for the protection of the public. The Licensing Authority will make a door supervision requirement only if there is clear evidence from the history of trading at the premises that the premises cannot be adequately supervised from the counter and that door supervision is both necessary and proportionate.
- 30.3 The Gambling Act 2005 amended the Security Industry Act and door supervisors at casinos or bingo premises need **not** be licensed by the Security Industry Authority (SIA). However, the Licensing Authority strongly recommends that any door supervisors or security staff who are employed should be licensed by the SIA.
- 30.4 This Licensing Authority will require that premises licence holders undertake Criminal Records Bureau checks and evidence of suitable training for door supervisors, or are SIA licensed where this is possible, where this is imposed as a condition. This recognises the nature of the work which may include checking ages, searching individuals, and dealing with aggressive persons. This Licensing Authority may require specific requirements for door supervisors, which are shown to be appropriate to individual premises and subject to any codes of practice.

Types of Premises Licences

31.0 Adult Gaming Centres

- 31.1 This licensing authority has specific regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and expects the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18-year-olds cannot access the premises.
- 31.2 This licensing authority will expect applicants to offer their own measures to meet the licensing objectives; however appropriate measures or licence conditions may cover issues such as:
- Proof of age schemes
 - CCTV
 - Supervision of entrances / machine areas
 - Physical separation of areas
 - Location of entry
 - Notices / signage
 - Specific opening hours
 - Self-barring schemes
 - Provision of information leaflets / helpline numbers for organisations such as GamCare⁶.
- 31.3 This list is not mandatory, nor exhaustive, and is merely indicative of example measures.
- 31.4 As regards the protection of vulnerable persons, this Licensing Authority will consider measures such as the use of self-barring schemes, provision of information leaflets or helpline numbers for organisations such as GamCare.

⁶ <https://www.gamcare.org.uk/>

32.0 (Licensed) Family Entertainment Centres

- 32.1 This licensing authority has specific regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18-year-olds do not have access to the adult only gaming machine areas.
- 32.2 This licensing authority expects applicants to offer their own measures to meet the licensing objectives; appropriate measures / licence conditions may include:
- CCTV
 - Supervision of entrances / machine areas
 - Physical separation of areas
 - Location of entry
 - Notices / signage
 - Specific opening hours
 - Self-barring schemes
 - Provision of information leaflets / helpline numbers for organisations such as GamCare.
 - Measures / training for staff on how to deal with suspected truant school children on the premises.
 - Staff are trained to have a full understanding of minimum age limits on participation in gambling.
- 32.3 This list is not mandatory, nor exhaustive, and is merely indicative of example measures.
- 32.4 Measures such as the use of self-barring schemes, provision of information leaflets or helpline numbers for organisations such as GamCare will be considered to protect children and vulnerable persons.

33.0 Casinos

- 33.1 Under the Act, licensing authorities in England and Wales have the role of issuing premises licenses for casinos and monitoring those licenses.
- 33.2 New casino premises licenses issued under the Act will fall into one of two categories namely large casino premises licence or small casino premises licence. These are subject to separate regulations, involving a two-stage application process.
- 33.3 At the time of publication of this document this District is not an area chosen for a new casino and no applications have been received. If the Council decides in the future to adopt a 'no casino' policy under section 166 of the Gambling Act 2005 it will update this document with details of that resolution.

34.0 Bingo premises

- 34.1 Bingo is a class of equal chance gaming and will be permitted in alcohol licensed premises and in clubs provided it remains below a certain threshold, otherwise it will be subject to a bingo operating licence which will have to be obtained from the Gambling Commission.
- 34.2 The holder of a bingo operating licence may provide any type of bingo game including cash and prize bingo.
- 34.3 Commercial bingo halls will require a bingo premises licence from East Herts Council.
- 34.4 Amusement arcades providing prize bingo will require a prize gaming permit from East Herts Council.
- 34.5 In each of the above cases it is important that where children are allowed to enter premises licensed for bingo, in whatever form, they are not allowed to participate in any bingo game, and they are only allowed to game on category D machines. When considering applications of this type the council will therefore consider, among other things, the location of the games or machines, access to those areas, general supervision of the premises and the display of appropriate notices.
- 34.6 Where category C or above machines are available in premises to which children are admitted the Licensing Authority will seek to ensure that:
- all such machines are in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
 - only adults are admitted to the area where the machines are located;
 - access to the area where the machines are located is supervised;
 - the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
 - at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

34.7 The Licensing Authority notes that the Gambling Commission's Guidance states:

18.5 *Licensing authorities need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. An operator may choose to vary their licence to exclude a previously licensed area of that premises, and then apply for a new premises licence, or multiple new premises licences, with the aim of creating separate premises in that area. Essentially providing multiple licensed premises within a single building or site. Before issuing additional bingo premises licences, licensing authorities need to consider whether bingo can be played at each of those new premises.*

18.7 *Children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed. Social Responsibility (SR) code 3.2.5(3) states that „licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises“ in order to prevent underage gambling.*

18.9 *The gaming machines must remain within the licensed area covered by the premises licence. In the unusual circumstance that an existing bingo premises covered by one premises licence applies to vary the licence and acquire additional bingo premises licences (so that the area that was the subject of a single licence will become divided between a number of separate licensed premises) it is not permissible for all of the gaming machines to which each of the licences brings an entitlement to be grouped together within one of the licensed premises.*

18.10 *Equipment operated by a bingo operating licence for the purpose of playing bingo, for example what are currently known as mechanised cash bingo, electronic bingo terminal (EBTs) and video bingo terminals (VBTs), will be exempt from controls on gaming machines provided they comply with any conditions set by the Commission and, in the case of EBTs, do not hold gaming machine content.*

18.11 *An EBT that offers gaming machine content in addition to bingo content is considered to be a gaming machine and would count towards the total number of gaming machines or towards the offering of bingo. Any EBTs that do not offer gaming machine content would not count towards the number of gaming machines.*

34.8 Operators' attention is drawn to paragraphs 18.25 – 18.32 of the Gambling Commission Guidance which relate to primary gambling activity and the location of gaming machines.

35.0 Bingo in clubs and alcohol-licensed premises

35.1 Bingo may be provided on alcohol-licensed premises and in members' clubs and miners' welfare institutes either in accordance with a permit or providing that the

limits in section 275 of the Act are complied with. These restrictions limit the aggregate stake or prizes within any seven days to £2000 and require the Commission to be notified as soon as is reasonably practicable if that limit is breached. Stakes or prizes above that limit will require a bingo operator's licence and the corresponding personal and premises licences.

36.0 Betting premises

- 36.1 Anyone wishing to operate a betting office will require a betting premises licence from the Council. Children and young persons will not be able to enter licensed betting premises.
- 36.2 Betting premises may provide a limited number of gaming machines and some betting machines.
- 36.3 The authority recognises that certain bookmakers have several premises within its area. To ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the authority a single named point of contact, who should be a senior individual, and whom the authority will contact first should any compliance queries or issues arise.
- 36.4 The Licensing Authority has the power to restrict the number of betting machines, their nature, and the circumstances in which they are made available. It will not generally exercise this power unless there are good reasons, considering, among other things, the size of the premises and the level of management and supervision especially where vulnerable people are concerned.
- 36.5 This Licensing Authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the gaming machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number, nature or circumstances of betting machines an operator wants to offer

37.0 Primary Gambling Activity

- 37.1 Operating licences issued by the Commission provides that gaming machines may be made available for use in licensed betting premises in combination with the named activity on the operating licence.
- 37.2 The Licensing Authority must be satisfied that the premises applying for a premises licence to permit betting, or a premises which is already licensed to provide betting, is or will operate in a manner which a customer would reasonably expect to recognise as a premises licensed for the purposes of providing facilities for betting. In this respect, the authority would expect such facilities must include information that enables customers to access details of events on which bets can be made, make such bets, learn the outcome and collect any winnings. Where betting facilities are provided only by betting machines the number of betting machines must exceed the number of gaming machines made available for use.

- 37.3 The Licence Conditions and Codes of Practice (LCCP) sets out the full requirements on operators. To assist operators of betting premises the Commission has published a document setting out the indicators that are used to assess as to whether the requirements for betting being the primary gambling activity in any premises are being met.
- 37.4 Should the Licensing Authority receive an application to vary a premises licence for bingo or betting to extend the opening hours, the authority will satisfy itself that the reason for the application is in line with the requirements on primary gambling activity. (i.e. the need for operating licence holders to ensure that there are still sufficient facilities available to participate in the gambling activity appropriate to the licence type (“the primary activity” or “the principal activity”) at those premises and not replaced by the making available of gaming machines). Therefore, the applicant should be able to demonstrate that the extension of the opening hours is not designed solely to benefit from the machine entitlement and activity which is ancillary to the primary activity of the premises, namely betting or bingo.

38.0 Tracks

- 38.1 Only one premises licence can be issued for any premises at any time unless the premises are a ‘track’. A track is a site where races or other sporting events take place.
- 38.2 Track operators are not required to hold an ‘operator’s licence’ granted by the Gambling Commission. Therefore, premises licences for tracks, issued by the Council are likely to contain requirements for premises licence holders about their responsibilities in relation to the proper conduct of betting. Indeed, track operators will have an important role to play, for example in ensuring that betting areas are properly administered and supervised.
- 38.3 Although there will, primarily, be a betting premises licence for the track, there may be several subsidiary licences authorising other gambling activities to take place on specific parts of the premises. Unlike betting offices, a betting premises licence in respect of a track does not give an automatic entitlement to use gaming machines.
- 38.4 In accordance with the Gambling Commission's guidance, this Licensing Authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.
- 38.5 This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

38.6 This Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Location of gaming machines
- Self-barring schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare
- Staff are trained to have a full understanding of minimum age limits on participation in gambling

38.7 This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

39.0 Gaming machines on tracks

39.1 The Licensing Authority needs to consider the location of gaming machines at tracks, and applications for track premises licences will need to demonstrate that, where the applicant holds a pool betting operating licence and is going to use his entitlement to have four gaming machines, these machines are in areas from which children are excluded. Children and young persons are not prohibited from playing category D gaming machines at a track.

40.0 Betting machines on track premises

40.1 Licensing authorities have a power under the Gambling Act 2005 to restrict the number of betting machines, their nature, and the circumstances in which they are made available, by attaching a licence condition to a betting premises licence.

40.2 This Licensing Authority will, in accordance with the Gambling Commission's guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

41.0 Condition on rules being displayed

41.1 It is a mandatory condition of premises licence that clear and accessible information about the terms on which a bet may be placed must be displayed at betting premises, including tracks. The licensing authority will adopt the approach in line with guidance from the Gambling Commission that it may be

disproportionate and unnecessary to display betting rules at each distinct betting location. The Licensing Authority will expect betting rules to be accessible to all customers, regardless of which area of the track they are in, and the track premises licence holder should make necessary arrangements to ensure to achieve this aim. This could include displaying rules at various parts of the track if certain areas are restricted to specific customers, or that other measures are taken to ensure that they are made available to the public, such as being printed in the race-card or made available in leaflet form from the track office.

42.0 Travelling Fairs

- 42.1 Where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, it is a statutory requirement that the facilities for gambling are no more than an ancillary amusement at the fair. This Licensing Authority decides whether that requirement is met and whether the applicant falls within the statutory definition of a travelling fair.

43.0 Reviews

- 43.1 Responsible Authorities and Interested Parties may apply to the Licensing Authority for a review of a premises licence.
- 43.2 However, it is for the Licensing Authority to decide whether to accept any application for review of a licence, after considering whether the application is:
- frivolous, vexatious, will certainly not cause this authority to wish to alter/revoke/suspend the licence, or substantially the same as previous representations or requests for review;
 - in accordance with any relevant code of practice issued by the Gambling Commission;
 - in accordance with any relevant guidance issued by the Gambling Commission;
 - reasonably consistent with the licensing objectives; and
 - in accordance with the authority's statement of principles.
- 43.3 In the interest of fairness, Responsible Authorities (including the licensing authority) are encouraged to give an early warning of concerns about problems identified at premises concerned and of the need for improvement, although it is recognised this is not always practicable or desirable. It is expected that a failure to respond to such warnings would lead to a decision to apply for a review.
- 43.4 Any enforcement action taken by the Licensing Authority, including considering a review, will be undertaken in accordance with any internal policies in place at that time. The Licensing Authority may reject an application if it thinks that the grounds on which the review is sought:
- do not raise an issue relevant to the objectives;
 - are frivolous or vexatious;
 - will certainly not cause the Licensing Authority to wish to alter, revoke or suspend the licence;
 - are substantially the same as previous representations or requests for review.
- 43.5 Licensing Authority officers may be involved in the initial investigations of complaints leading to a review or may try informal mediation or dispute resolution before a full review is conducted.
- 43.6 The Licensing Authority may review premises licences of its own volition based on any reason which it thinks is appropriate. This may be on the grounds that a premises licence holder has not provided facilities for gambling at the premises. A referral to a Licensing Sub-Committee of a set of premises for a review will be first approved by the Director for Communities.
- 43.7 This can extend to a review of a class of licences where it considers issues have arisen. Reviews of a class of premises will be first agreed to by the Director for Communities in consultation with the Executive Member for Planning & Growth.

- 43.8 The purpose of a review is to determine whether the Licensing Authority should take any action in relation to the licence. If action is justified the Licensing Authority may:
- add, remove, or amend a licence condition (other than a mandatory condition).
 - exclude or amend a default condition imposed by regulations.
 - suspend the premises licence for a period not exceeding three months.
 - revoke the premises licence.
- 43.9 In determining the appropriate course of action the licensing authority must have regard to the principles set out in section 153 of the Act as well as any relevant representations.
- 43.10 The Gambling Commission will be a responsible authority in premises licence reviews.
- 43.11 The Licensing Authority must have reasonable grounds to take action to amend, refuse, suspend or revoke a licence. In every case, an evidentiary basis for the review will need to be laid before the Licensing Authority.
- 43.12 It is noted that as per the Gambling Commission's guidance for local authorities "*moral objections to gambling are not a valid reason to reject applications for premises licences*" (except when concerning any 'no casino resolution) and that unmet demand is not a criterion for a Licensing Authority. This may not be the case with respect to gaming permits.

Permits, Temporary & Occasional Use Notices

44.0 Unlicensed Family Entertainment Centre (FEC) gaming machine permits

- 44.1 Where premises do not hold a Premises Licence but wish to provide only category D gaming machines, it may apply to the Licensing Authority for this permit. It should be noted that under section 238 of the Gambling Act, the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use.
- 44.2 The Act states that a Licensing Authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit. In preparing that statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25 of the Act.
- 44.3 Accordingly this Licensing Authority will also have regard to the licensing objectives when considering applications relating to unlicensed FEC permits.
- 44.4 An unlicensed FEC gaming machine permit cannot be granted unless the Chief Officer of Police has been consulted, and no conditions may be imposed upon the grant of a permit. Therefore, the Licensing Authority will wish to be satisfied as to the applicant's suitability before granting a permit. Unlicensed FECs, by definition, will not be subject to scrutiny by the Gambling Commission as no operating (or other) licences will be applied for and issued.
- 44.5 Statement of Principles
This Licensing Authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits; however, they may include appropriate measures or training for staff to deal with suspected truant school children on the premises, measures or training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on or around the premises.
- 44.6 This licensing authority will expect, following Gambling Commission guidance, that applicants demonstrate:
- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs.
 - that they have no relevant convictions (those that are set out in Schedule 7 of the Act).
 - and that staff are trained to have a full understanding of the maximum stakes and prizes.

- an awareness of local school holiday times and how to identify the local education office should truants be identified.
- 44.7 Compliance with any relevant industry Code of Practice for FECs issued by BACTA7 or other trade associations may be taken by the licensing authority as evidence that (apart from the criteria relating to criminal convictions) the applicant has met the above.
- 44.8 Applicants must submit with their application with a plan of the premises, to a scale of 1:100, showing the exits/entrances to the premises, location of gaming machines, and the location of safety equipment such as fire extinguishers.
- 44.9 The Licensing Authority may refuse an application for renewal of a permit only on the grounds that an authorised local authority officer has been refused access to the premises without reasonable excuse, or that renewal would not be reasonably consistent with pursuit of the licensing objectives.

45.0 (Alcohol) Licensed premises gaming machine permits

- 45.1 The Act provides that premises licensed to sell alcohol for consumption on the premises, are automatically authorised to have 2 gaming machines of categories C and/or D. These premises merely need to notify the authority and the notification process is prescribed under the Gambling Act.
- 45.2 Under section 284 the licensing authority can remove the automatic authorisation in respect of any premises if:
- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
 - gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (for example the gaming machines have been made available in a way that does not comply with the requirements on the location and operation of gambling machines);
 - the premises are mainly used for gaming; or
 - an offence under the Gambling Act has been committed on the premises.
- 45.3 Should it be necessary to issue a section 284 order, the licence-holder will be given at least twenty-one days' notice of the intention to make the order and consider any representations which might be made. The authority will hold a hearing if the licensee requests.
- 45.4 If a premises wishes to have more than 2 machines, then it must apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and '*such matters as they think relevant*'.
- 45.5 Statement of Principles

⁷ <https://bacta.org.uk/>

This Licensing Authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. The authority will consider whether access by children to the premises under the Licensing Act 2003 is restricted or not.

- 45.6 Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff that will monitor that the machines are not being used by those under 18. Notices and signage may be of help. As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets or helpline numbers for organisations such as GamCare.
- 45.7 A plan must accompany applications indicating where, and what type, of gambling machines are to be provided. This plan may take the form of an amendment to the plan attached to the premises licence issued under the Licensing Act 2003.
- 45.8 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would need to be applied for, and dealt with as an application for a new premises licence.
- 45.9 The Licensing Authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions other than these cannot be attached.
- 45.10 The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.
- 45.11 Administrative matters
Notifications for two or less machines shall be dealt with by the officers of the licensing authority under delegated authority.
- 45.12 Applications for three or more machines will be referred to a Licensing Sub-Committee.

46.0 Prize Gaming Permits

- 46.1 Prize gaming may be provided in bingo premises because of their Bingo Operating Licence. Any type of prize gaming may be provided in Adult Gaming Centres and licensed Family Entertainment Centres. Unlicensed family entertainment centres may offer equal chance prize gaming under a gaming machine permit. Prize gaming without a permit may be provided by travelling fairs, as long as none of the gambling facilities at the fair amount to more than an ancillary amusement. Children and young people may participate in equal chance gaming only.
- 46.2 The Licensing Authority can only grant a permit if they have consulted with Chief Officer of Police. Therefore, the Licensing Authority will consider the suitability of

the applicant in terms of any evidence provided by the Police that would make them unsuitable to hold a prize gaming permit.

46.3 In making its decision on an application for this permit the Licensing Authority does not need to have regard to the licensing objectives, but may wish to do so, but must have regard to any Gambling Commission guidance.

46.4 Applicants should set out the types of gaming they are intending to offer and should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations
- and that the gaming offered is within the law.

46.5 It should be noted that there are conditions in the Gambling Act 2005 with which the permit holder must comply, but that the Licensing Authority cannot attach conditions to a permit.

46.6 Applications may only be made by people who occupy or plan to occupy the premises, are aged 18 or over (if an individual), and no premises licence or club gaming permit under the Gambling Act 2005 may be in force.

46.7 Statement of Principles

The Gambling Act 2005 states that a Licensing Authority may “*prepare a statement of principles that they propose to apply in exercising their functions under this Schedule*” which “*may, in particular, specify matters that the licensing authority proposes to consider in determining the suitability of the applicant for a permit*”.

46.8 This Licensing Authority considers that such matters will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to unequal chances prize gaming. The authority will take into account whether access by children to the premises under the Licensing Act 2003 is restricted or not.

46.9 A plan must accompany applications indicating where, and what type, of prize gaming is to be provided.

47.0 Club Gaming and Club Machines Permits

47.1 Members Clubs and Miners’ welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit.

47.2 The Licensing Authority notes paragraphs 25.44 – 25.49 of the Commission’s Guidance as to matters to consider when determining that a club meets the statutory qualifying requirements. These include:

- the club’s constitution;
- the frequency of gaming; and

- ensuring that there are more than 25 members.
- 47.3 The club must be conducted “*wholly or mainly*” for purposes other than gaming, unless the gaming is in bridge and whist clubs covered by regulations made by the Secretary of State. A members’ club must be permanent in nature, not established to make commercial profit and be controlled by its members equally. Examples include working men’s clubs, branches of Royal British Legion and clubs with political affiliations.
- 47.4 The Licensing Authority may only refuse an application on the grounds that:
- the applicant does not fulfil the requirements for a members’ or commercial club or miners’ welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
 - the applicant’s premises are used wholly or mainly by children and/or young persons;
 - an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
 - a permit held by the applicant has been cancelled in the previous ten years; or
 - an objection has been lodged by the Commission or the police.
- 47.5 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.
- 47.6 Club gaming permit
A club gaming permit allows the premises to provide:
- up to three machines of categories B, C, or D
 - equal chance gaming and
 - games of chance as set out in regulations.
- 47.7 Club gaming machine permit
A club gaming machine permit will enable the premises to provide up to three machines of categories B, C or D.
- 47.8 The Licensing Authority will wish to be satisfied that applicants for these permits meet the statutory criteria for members clubs contained in sections 266 and 267 of the Act. Clubs which hold a club premises certificate under the Licensing Act 2003 are entitled to benefit from a fast-track application procedure.

48.0 Lotteries

- 48.1 The Gambling Act 2005 regulates almost all forms of fund-raising lotteries promoted in the UK. Except for the National Lottery, which is not regulated under this Act, it is illegal to promote a lottery for private or commercial gain.

- 48.2 While the term 'lottery' is used within the legislation, these provisions are also likely to apply to raffles, prize draws, tombola's, sweepstakes, scratch-card sales, and so on – in short, any arrangement in which a payment is made for a random chance of winning a prize. For the sake of simplicity, 'lottery' is used to define all of these.
- 48.3 Broadly speaking, there are two categories of lottery established under the Act –
- Licensed lotteries include those run by societies that aim to raise more than £20,000 in a single draw, or £250,000 in a calendar year, as well as any lotteries promoted by a local authority. An operating licence must be held by the promoter(s) of these lotteries.
 - Exempt lotteries fall into one of four sub-categories, each with its own limits on the amounts that can be raised, the purposes for which it can be promoted, and the way it must be run. These sub-categories comprise Incidental Non-Commercial Lotteries, Customer Lotteries, Private Lotteries, and Small Society Lotteries
- 48.4 Licensed Lotteries
The administration and enforcement of licensed lotteries is the responsibility of the Gambling Commission, although local authorities may provide information and intelligence to assist in the exercise of these functions.
- 48.5 Exempt Lotteries
Of the four sub-categories of exempt lotteries, only Small Society Lotteries require registration with a local authority – no authorisation is required for the other three categories. Both the Commission and local authorities may carry out compliance checks to ensure that any exempt lotteries are carried on in accordance with the relevant legal restrictions.
- 48.6 Registrations will remain in force indefinitely, incurring an annual fee in each year that they remain in force. Societies may request the cancellation of their registration, in writing, at any time. The licensing authority may also revoke a registration or cancel a registration for non-payment of annual fees. Revocation may only occur after the applicant has been given the opportunity to lodge representations.
- 48.7 Free prize draws & skill competitions
The Gambling Act 2005 does not include any measures to regulate prize draws where there is no charge to enter, nor any competition where the outcome relies significantly upon a participant's skill, judgement, or knowledge. Generally, the licensing authority will be not become involved in any matters relating to such schemes.
- 48.8 However, on some occasions, schemes that are presented as skill competitions will fall under the definition of lotteries or prize gaming and would therefore need to comply with the statutory requirements. Alongside the Gambling Commission, licensing authorities are obliged to monitor the boundaries between lotteries and skill competitions and will provide basic advice on ensuring that any competitions are run in compliance with the relevant laws. However, the Licensing Authority

will not offer advice or approval of individual schemes, nor will it offer in depth advice as to the legality of a particular activity. It is ultimately the responsibility of the promoter to ensure that a scheme is compliant with statutory requirements, and to seek independent confirmation of this from a legal adviser where appropriate.

- 48.9 This Licensing Authority notes the criteria set out in section 14 of the Act relating to the characteristics of a skill competition, and will expect the promoter of any such scheme to ensure that the competition includes a suitable challenge of skill, judgement or knowledge that will:
- prevent a significant proportion of people who wish to participate from doing so; or
 - prevent a significant proportion of people who participate from receiving a prize.
- 48.10 A small society lottery is a lottery promoted on behalf of a non-commercial society as defined in Section 19 of the Gambling Act 2005. A society is non-commercial if it is established and conducted:
- for charitable purposes
 - for the purposes of enabling participation in, or of supporting sport, athletics, or a cultural activity: or
 - for any other non-commercial purpose other than that of private gain.
- 48.11 All applications for registration must be in the form specified by the Secretary of State and accompanied by supporting documentation that the Licensing Authority will need to assess the application.
- 48.12 This Licensing Authority, when considering an application for registration may request additional information as deemed appropriate, this may include a declaration from the governing body of the society stating:
- the application is on behalf of a genuine non-commercial lottery.
 - that all persons connected with the promotion of the lottery have no relevant convictions or cautions against them.
 - briefly explaining the purpose of the society and the reasons for the fund raising.
 - confirmation of the appointment of 2 members of the Society who have the authority to sign and complete the necessary returns.
 - and where a society intends to employ an external lottery manager, evidence that person holds an operator's licence issued by the Gambling Commission.
- 48.13 The Licensing Authority will adopt a risk-based approach towards its enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exhaustive, could affect the risk status of an operator:
- submission of late returns (returns must be submitted within three months of the date that a lottery was drawn).
 - submission of incomplete or incorrect forms.

- breaches of the limits for small society lotteries.

48.14 If the authority is minded to refuse an application, the applicant will be notified in writing the reasons why it is considering refusal and the evidence on which it has based the preliminary conclusion. The applicant will be given the opportunity to provide further evidence in support of the application or to make representation regarding these matters.

49.0 Temporary Use Notices

49.1 Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. A Temporary Use Notice may only be granted to a person or company holding a relevant operating licence.

49.2 The Licensing Authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence i.e. a non-remote casino operating licence.

49.3 The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that temporary use notices may only be used to permit the provision of facilities for equal chance gaming, where the gaming is intended to produce a single overall winner. There can, however, be more than one competition with a single winner held at the individual event covered by a specific temporary use notice. The facilities may not be provided in circumstances where any person participating in the gaming does so by means of a gaming machine. Equal chance gaming is gaming which does not involve playing or staking against a bank and gives equally favourable chances to all participants. Examples of equal chance gaming include games such as backgammon, mah-jong, rummy, kalooki, dominoes, cribbage, bingo, and poker.

49.4 There are several statutory limits as regards Temporary Use Notices. The meaning of “premises” in Part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance to Licensing Authorities and at paragraph 14.10 of the Guidance. As with “premises”, the definition of a “set of premises” will be a question of fact in the circumstances of each notice that is given. In the Act “premises” is defined as including “any place”. In considering whether a place falls with the definition of a “set of premises”, the licensing authority need to look at, amongst other things, the ownership/occupation and control of the premises.

49.5 This Licensing Authority expects to object to notices where it appears that their effect would be to permit regular gambling in place that could be described as one set of premises, as recommended in the Gambling Commission’s Guidance to Licensing Authorities.

50.0 Occasional Use Notices

50.1 The Licensing Authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The Licensing Authority will need to consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

51.0 Administration, Exercise and Delegation of Functions

- 51.1 The Licensing Committee will consist of between 10 and 15 councillors, sitting at least annually to discuss this Statement of Principles, review delegated decisions and administrative matters. The Council will review this Statement of Principles at least every three years. Any changes to the Statement of Principles will include full consultation with Interested Parties and Responsible Authorities.
- 51.2 Sub-Committee(s) of three Councillors will determine applications where valid representations have been received.
- 51.3 The Licensing Committee will also deal with other matters not associated with the Gambling Act 2005.
- 51.4 Each decision of the Licensing Committee or its Sub-Committee(s) shall be accompanied with clear reasons for the decision. A summary of the decision will be posted on the Council's website as soon as possible after the decision has been confirmed, where it will form part of the statutory register required to be kept by the Council.
- 51.5 The Council's authorised officers will deal with all other licence/permit application where either no representation/objection(s) have been received, or where representations have been received and it is agreed by all parties that a hearing is not necessary.
- 51.6 Council officers will make decisions on whether representations or applications for reviews should be referred to the Licensing Committee or Sub-Committee(s) and upon whether representations are frivolous, irrelevant, vexatious, or repetitious. Where representations are rejected, the person making that representation will be given written reasons.
- 51.7 Where appropriate the Council will seek to delegate decision making so far as possible in the interests of speed, efficiency, and cost effectiveness.
- 51.8 The Council will seek to integrate this Statement of Principles with its various other strategies/policies, having regard to the licensing objectives and will utilise its collaborative and partnership working arrangements and networks that engage with Responsible Authorities, Interested Parties, and key stakeholders.

52.0 Contact Point

52.1 For further information about this statement or to discuss an actual or future applications, please contact:

Licensing & Enforcement Team
East Herts Council
Wallfields, Pegs Lane
Hertford, Hertfordshire
SG13 8EQ

Telephone: 01992 531503

E-Mail: community.protection@eastherts.gov.uk

Appendix 1 - Consultation

The consultation on this Statement of Gambling Principles was open to the public and has been widely publicised. Anyone who wanted to make comment was welcome to do so during the 4 week consultation. Below is a list of individuals, organisations and / or representatives directly consulted in the preparation of the Statement of Principles. The list is not exhaustive but gives a good indication of the scope of the consultation exercise.

- The responsible authorities designated under the Act
- Holders of licences, permission, notices, etc. issued by the Licensing Authority under the Gambling Act
- Solicitors and agents that have previously submitted applications
- Gambling Commission
- East Herts Councillors
- Town Councils
- Parish Councils
- Community Voice
- Hertfordshire County Council
- Neighbouring Local Authorities
- Chamber of Commerce
- Local Community Safety Partnership
- Hertfordshire Environmental Forum
- Hertfordshire Local Enterprise Partnership (LEP)
- Bishop's Stortford Business Improvement District (BID)
- Federation of Small Businesses
- Spectrum Drug & Alcohol Services
- East Herts Licensed Taxi Trade
- Community Safety Partnership (CSP)
- Safety Advisory Group (SAG)
- Hertfordshire Safeguarding Children Partnership
- Local planning authority
- Environmental Health
- HM Revenue & Customs
- Hertfordshire Modern Slavery Partnership Coordinator, Shiva Foundation
- Gambling support services both locally and nationally