

Representations can be made using this form:

Please return to Hertsmere Borough Council by 5pm on 31st March 2014

By post: Policy and Transport team, Planning and Building Control Unit,
Hertsmere Borough Council, Elstree Way, Borehamwood, Herts, WD6 1WA

By email: elstreewaycorridor@hertsmere.gov.uk

This form has two parts:

Part A – Personal details (only needed once)

Part B – Your representation(s). Please complete a separate sheet for **every** representation you wish to make, remembering to insert your name or organisation's name.

Please read the guidance notes before completing this form.

PART A

	1. Personal details*	2. Agent details (if applicable)
Title		Mr
First name		Russell
Last name		Monck
Job title (where relevant)		Senior Planning Officer
Organisation (where relevant)	Hertfordshire County Council Property & Technology	HCC Development Services
Address		Room 308, County Hall, Pegs Lane, Hertford.
Post Code		SG13 8DN
Telephone number		01992 588274
Email address		Russell.monck@hertfordshire.gov.uk

*If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2

Please note that all representations received will be made publically available and cannot be treated as confidential.

Part B

Please use a separate sheet for each representation

Name or organisation: _____

For office use only

Ref No:

support:

object:

omission:

3. To which part of the Area Action Plan does this representation relate?

Paragraph

2.5

Policy

4. Do you consider the Area Action Plan is:

(1) Legally Compliant

Yes

☐

No

☐

(2) Sound

Yes

☐

No

☒

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Area Action Plan is unsound because it is not:

(1) Justified

☒

(2) Effective

☒

(3) Consistent with national policy

☐

6. Please give details of your answer to question 4 or 5 and why you have responded in this way .

It should be a positive objective of the plan to provide a reserve site for a primary school to serve the housing growth planned for the Elstree Way Corridor.

(continue on a separate sheet if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. Please set out what change(s) you consider necessary to make the Area Action Plan legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the Area Action Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The objectives should include the provision of a reserve site for a 2 FE primary school.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☐

No, I do not wish to participate at the oral examination

☒

Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

To hear discussions on the matter, to represent HCC's property and service evidence and to participate in any debate.

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Please note *the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.*

Signature: _____

Date: _____

☐

If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box

GUIDANCE NOTES

Introduction

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The Planning and Compulsory Purchase Act 2004¹ (the 2004 Act) states that the purpose of the examination is to consider whether the Area Action Plan complies with legal requirements and is 'sound'. The representations supporting, objecting or commenting more generally should be made within this context.

Soundness

Soundness is explained fully in the National Planning Policy Framework², in paragraph 182. The Inspector has to be satisfied that the Area Action Plan has been positively prepared, is justified, effective and consistent with national policy. To be sound the Area Action Plan should be:

Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

- 1) If you are seeking to make representations on the way in which the Local Planning Authority (LPA) has prepared the published Area Action Plan it is likely that your comments or objections will relate to a matter of legal compliance.
- 2) If it is the actual content on which you wish to comment or object it is likely it will relate to whether the Area Action Plan is justified, effective or consistent with national policy.

Please note that all respondents must complete their personal details as it is not possible for representations to be considered anonymously. Respondents should also note that representations are not confidential and that they will be published on the Council's website and copies will be placed at appropriate venues across the borough for public inspection, although the names and addresses of representations from individuals will be removed.

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- The Council is required to publish a Sustainability Appraisal Report when they publish the Area Action Plan. This should identify the process by which the Sustainability Appraisal has been carried out, and the baseline information used to inform the process and the outcomes of that process. Sustainability Appraisal is a tool for appraising policies to ensure they reflect social, environmental, and economic factors.
- The Area Action Plan should have regard to national policy.

General advice

Representations are only valid if your name and address are supplied. Agents should please state the full name or organisation of who they are representing.

If you wish to make a representation seeking a change to a Area Action Plan or part of an Area Action Plan you should make clear in what way the Area Action Plan or part of the Area Action Plan is not sound having regard to the legal compliance check and four tests set out above.

You should try to support your representation by evidence showing why the Area Action Plan should be changed. It will be helpful if you also say precisely how you think the Area Action Plan should be changed. Representations should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further submissions based on the original representation made at publication. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

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Where there are groups who share a common view on how they wish to see the Area Action Plan changed, it would be very helpful for that group to send a single representation which represents the view, rather than for a large number of individuals to send in separate representations which repeat the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

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Part B

Please use a separate sheet for each representation

Name or organisation: _____

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Ref No:

support:

object:

omission:

3. To which part of the Area Action Plan does this representation relate?

Paragraph

3.3 (e)

Policy

4. Do you consider the Area Action Plan is:

(1) Legally Compliant

Yes

☐

No

☐

(2) Sound

Yes

☐

No

☒

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

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(1) Justified

☒

(2) Effective

☒

(3) Consistent with national policy

☐

6. Please give details of your answer to question 4 or 5 and why you have responded in this way .

This development principle suggests a redesigned and improved "Maxwell Park" and additional open space but the document does not provide any further detail or policy mechanism to deliver the redesign and improvement of the park.

(continue on a separate sheet if necessary)

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Provide further detail or a policy mechanism to deliver the redesign and improvement of the park.

(continue on a separate sheet if necessary)

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☐

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☒

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Please use a separate sheet for each representation

Name or organisation: _____

For office use only

Ref No:

support:

object:

omission:

3. To which part of the Area Action Plan does this representation relate?

Paragraph

4.9

Policy

4. Do you consider the Area Action Plan is:

(1) Legally Compliant

Yes

☐

No

☐

(2) Sound

Yes

☐

No

☒

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Area Action Plan is unsound because it is not:

(1) Justified

☒

(2) Effective

☒

(3) Consistent with national policy

☐

6. Please give details of your answer to question 4 or 5 and why you have responded in this way .

Whilst it could be considered a worthy aspiration to try to retain key public sector uses and services in the corridor it is unclear why HBC are seeking to prevent service providers moving away from the EWC and/or Borehamwood. There is a clear distinction between a service provider such as the Police or Fire and Rescue service and those services that provide a community facility actually used by the public. This distinction will be elaborated on further under Policy EWC4. Service providers have statutory responsibilities to provide those services and are best placed to plan for sites and to make decisions as to their delivery of their services.

(continue on a separate sheet if necessary)

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Delete the following sentence - *However, if any service providers consider relocating outside of the EWC, the Council will seek their retention within Borehamwood.*

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☐

No, I do not wish to participate at the oral examination

☒

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3. To which part of the Area Action Plan does this representation relate?

Paragraph

4.11

Policy

4. Do you consider the Area Action Plan is:

(1) Legally Compliant

Yes

☐

No

☐

(2) Sound

Yes

☐

No

☒

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HCC is not solely responsible for the provision of education services (as suggested at Theme Three of the Public Consultation Report). It should be noted that under current arrangements Education providers, HCC and HBC work together in collaboration to try to ensure an adequate supply of school places. Hertsmere Borough Council has a critical role in ensuring the identification and allocation of appropriate supply of education land through its development plan documents. It can be clarified that HCC, as the Education Authority, has a statutory responsibility "to secure sufficient primary and secondary schools". See Appendix A attached to these representations which outlines HCC's role as an overseer and facilitator of an appropriate supply of school places.

The Hertsmere BC Core Strategy has a spatial objective for Borehamwood (Table 5 page 22) to provide a new 2FE primary school that is required to serve the housing growth that will come forward in the EWC. As the Local Planning Authority and, in line with their own Core Strategy policy commitments and Para 72 of the NPPF, Hertsmere BC has a key responsibility within the education planning process to ensure that there is an appropriate supply of education land. Accordingly as part of this collaborative approach to planning for

school places HCC has provided such feasibility as is necessary for land at Maxwell Park, Maxwell Park Community Centre and Guide hut to be considered as appropriate for a new 2 FE primary school. This reservation is necessary in the event that it is required (likely to be before 2018 if development comes forward in accordance with the current housing trajectory) or that other sites (considered at this stage to be largely outside the Elstree Way Corridor) fail to come forward. It is likely that Hertsmere Borough Council may be requested by HCC or other education providers to allocate appropriate land for education purposes during the emerging Site Allocations DPD.

The wording of paragraph 4.11 should be amended to make clear that land at Maxwell Park may be required in the event that an unmet proven need for school places exists. These circumstances may exist before an alternative site comes forward within a site allocations DPD or in the event that HCC or any another education provider (such as a new free school or academy) are unable to identify suitable alternative education sites within the site allocations DPD process.

For clarity HCC believes that any Education provider on the site would need the site of the Community Centre, the guide hut and part of the park itself to provide a 2 FE primary site. The exact detail would come forward within a planning application.

An illustrative layout is shown below.



It should be noted that in providing the new community facility now open at 96 Shenley Road the occupiers and users of Maxwell Park community centre were already re-provided for at this state of the art new facility. Any community use of the education facility should be complementary and secondary to the main purpose of the site as a primary school.

(continue on a separate sheet if necessary)

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Suggested amended wording

Para 4.11 To support the level of development proposed for Borehamwood as defined by the Core Strategy, a site for a new 2 form entry Primary school is required within Borehamwood. It is likely that education providers and/or HCC will seek to identify education sites outside the Elstree Way Corridor for allocation within the Site Allocations DPD. However in the event that there is an unmet proven need or in the event that alternative sites are not forthcoming the site comprising the current Girl Guide Hut, Maxwell Park Community Centre and a proportion of the Park has been reserved for a primary school (as shown on the Policies Map). Should the Maxwell Park sites, wholly or in part, come forward as a primary school, Hertsmere Borough Council will seek the facilities (buildings and outdoor space) to be designed in such a way to be capable of accommodating a range of community activities outside of normal school hours. Any community use of the education facility should be complementary and secondary to the main purpose of the site as a primary school.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☐

No, I do not wish to participate at the oral examination

☒

Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

To hear discussions on the matter, to represent HCC's property and service evidence and to participate in any debate.

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Date: _____

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Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

- 1) If you are seeking to make representations on the way in which the Local Planning Authority (LPA) has prepared the published Area Action Plan it is likely that your comments or objections will relate to a matter of legal compliance.
- 2) If it is the actual content on which you wish to comment or object it is likely it will relate to whether the Area Action Plan is justified, effective or consistent with national policy.

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If you wish to make a representation seeking a change to a Area Action Plan or part of an Area Action Plan you should make clear in what way the Area Action Plan or part of the Area Action Plan is not sound having regard to the legal compliance check and four tests set out above.

You should try to support your representation by evidence showing why the Area Action Plan should be changed. It will be helpful if you also say precisely how you think the Area Action Plan should be changed. Representations should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further submissions based on the original representation made at publication. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

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Where there are groups who share a common view on how they wish to see the Area Action Plan changed, it would be very helpful for that group to send a single representation which represents the view, rather than for a large number of individuals to send in separate representations which repeat the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

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By email: elstreewaycorridor@hertsmere.gov.uk

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Part B – Your representation(s). Please complete a separate sheet for **every** representation you wish to make, remembering to insert your name or organisation's name.

Please read the guidance notes before completing this form.

PART A

	1. Personal details*	2. Agent details (if applicable)
Title		Mr
First name		Russell
Last name		Monck
Job title (where relevant)		Senior Planning Officer
Organisation (where relevant)	Hertfordshire County Council Property & Technology	HCC Development Services
Address		Room 308, County Hall, Pegs Lane, Hertford.
Post Code		SG13 8DN
Telephone number		01992 588274
Email address		Russell.monck@hertfordshire.gov.uk

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Part B

Please use a separate sheet for each representation

Name or organisation: _____

For office use only

Ref No:

support:

object:

omission:

3. To which part of the Area Action Plan does this representation relate?

Paragraph

4.12 a

Policy

4. Do you consider the Area Action Plan is:

(1) Legally Compliant

Yes

☐

No

☐

(2) Sound

Yes

☐

No

☒

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Area Action Plan is unsound because it is not:

(1) Justified

X

(2) Effective

X

(3) Consistent with national policy

☐

6. Please give details of your answer to question 4 or 5 and why you have responded in this way .

The opening sentence of paragraph 4.12 is unnecessary and should be deleted

(continue on a separate sheet if necessary)

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PART A

	1. Personal details*	2. Agent details (if applicable)
Title		Mr
First name		Russell
Last name		Monck
Job title (where relevant)		Senior Planning Officer
Organisation (where relevant)	Hertfordshire County Council Property & Technology	HCC Development Services
Address		Room 308, County Hall, Pegs Lane, Hertford.
Post Code		SG13 8DN
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Part B

Please use a separate sheet for each representation

Name or organisation: _____

For office use only

Ref No:

support:

object:

omission:

3. To which part of the Area Action Plan does this representation relate?

Paragraph

4.12 b

Policy

4. Do you consider the Area Action Plan is:

(1) Legally Compliant

Yes

☐

No

☐

(2) Sound

Yes

☐

No

☒

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Area Action Plan is unsound because it is not:

(1) Justified

☒

(2) Effective

☒

(3) Consistent with national policy

☐

6. Please give details of your answer to question 4 or 5 and why you have responded in this way .

Reference to the reprovision of floor space or the relocation of Maxwell Park Community Centre within Para 4.12 is unnecessary from a planning perspective and should be deleted.

The reprovision of the community floor space provided by the Maxwell Park Community Centre has already been achieved with the opening of the new £4.5 million community hub facility at 96 Shenley Road. Multiple agencies were involved and the building opened in 2013. Further information on the project may be found from the 2008 HCC Cabinet Report. http://www.hertsdirect.org/your-council/civic_calendar/cabinet/15707877/

For clarity the Maxwell Park Community Centre is located in a former HCC youth club located in a building that is nearing the end of its useful life. It is currently leased to the Trustees of the Maxwell Park Club. There is no ongoing public funding of the premises. The activity is in effect a private venture although the Committee let various parts of the premises for use by the public.

To deal with the Management Committee's concern about relocating activities at Maxwell Park Community Centre elsewhere, Community Action Hertsmere (CAH) were instructed to

carry out a high level review of community centre capacity in the wider Borehamwood area. This CAH study was carried out in Spring 2012 and was jointly funded by Hertsmere Borough Council and the County Council and is attached as Appendix B.

CAH's report concluded that availability across the 14 community centres in Borehamwood exceeded demand. It is envisaged that certain activities at Maxwell Park Community Centre (such as indoor bowls) may have to relocate to 96 Shenley Road. However, there is sufficient capacity at other community centres to accommodate all the activities at Maxwell Park.

If Maxwell Park Community Centre were to remain in operation now that 96 Shenley Road is open, then there would be further increased capacity of community centres in Borehamwood. There is potential that this could result in a decrease in letting rates for all community facilities in the area.

In effect Maxwell Park Community Centre is a private venture providing community facilities where there is a surplus of existing capacity according to Community Action Hertsmere. The introduction of planning requirement to re-provide again the community floor space is inappropriate and not justified. HCC has enabled the building to be occupied by a private provider and whilst HCC will use best endeavours to help the occupier find suitable new premises (should it be necessary) it should not be required in the supporting text of a planning document. Ironically there is currently no requirement for the reprovision of the floor space in the wording of Policy EWC4.

(continue on a separate sheet if necessary)

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Delete this section insofar as it relates to Maxwell Park Community Centre.

(continue on a separate sheet if necessary)

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Please use a separate sheet for each representation

Name or organisation: _____

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Ref No:

support:

object:

omission:

3. To which part of the Area Action Plan does this representation relate?

Paragraph

4.15

Policy

4. Do you consider the Area Action Plan is:

(1) Legally Compliant

Yes

☐

No

☐

(2) Sound

Yes

☐

No

☒

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Area Action Plan is unsound because it is not:

(1) Justified

☒

(2) Effective

☒

(3) Consistent with national policy

☐

6. Please give details of your answer to question 4 or 5 and why you have responded in this way .

It is suggested that the sustainability and appeal of the new developments would be improved if some additional A1, A3 and/or A5 were to be allowed within the wording of Policy EWC4. Maybe a policy is appropriate restricting these type of uses to be small scale convenience stores or coffee shops may be appropriate - see later comments under EWC7.

(continue on a separate sheet if necessary)

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Possibly redraft or delete taking into account Policy EWC7

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☐

No, I do not wish to participate at the oral examination

☒

Yes, I wish to participate at the oral examination

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Signature: _____

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Please read the guidance notes before completing this form.

PART A

	1. Personal details*	2. Agent details (if applicable)
Title		Mr
First name		Russell
Last name		Monck
Job title (where relevant)		Senior Planning Officer
Organisation (where relevant)	Hertfordshire County Council Property & Technology	HCC Development Services
Address		Room 308, County Hall, Pegs Lane, Hertford.
Post Code		SG13 8DN
Telephone number		01992 588274
Email address		Russell.monck@hertfordshire.gov.uk

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Part B

Please use a separate sheet for each representation

Name or organisation: _____

For office use only

Ref No:

support:

object:

omission:

3. To which part of the Area Action Plan does this representation relate?

Paragraph

4.18

Policy

4. Do you consider the Area Action Plan is:

(1) Legally Compliant

Yes

☐

No

☐

(2) Sound

Yes

☐

No

☒

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Area Action Plan is unsound because it is not:

(1) Justified

☐

(2) Effective

☒

(3) Consistent with national policy

☒

6. Please give details of your answer to question 4 or 5 and why you have responded in this way .

The text as drafted does not provide meaning or direction and does not specify what is required for the park or what might happen and when.

(continue on a separate sheet if necessary)

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suggest this is clarified or deleted

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First name		Russell
Last name		Monck
Job title (where relevant)		Senior Planning Officer
Organisation (where relevant)	Hertfordshire County Council Property & Technology	HCC Development Services
Address		Room 308, County Hall, Pegs Lane, Hertford.
Post Code		SG13 8DN
Telephone number		01992 588274
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Part B

Please use a separate sheet for each representation

Name or organisation: _____

For office use only

Ref No:

support:

object:

omission:

3. To which part of the Area Action Plan does this representation relate?

Paragraph

5.1 – 5.5

Policy

EWC5

4. Do you consider the Area Action Plan is:

(1) Legally Compliant

Yes

☐

No

☐

(2) Sound

Yes

☐

No

☒

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Area Action Plan is unsound because it is not:

(1) Justified

☒

(2) Effective

☒

(3) Consistent with national policy

☐

6. Please give details of your answer to question 4 or 5 and why you have responded in this way .

It would seem more appropriate for the section to be redrafted as per the Public Realm and Townscape section at P.17. HCC would suggest that it would be more appropriate to have supporting text that outlines the broad design objectives for the public realm and then moves on to the suggested revisions and to the illustrative highway scheme and then moves on to the Key deliverable components as listed in the AECOM technical note.

Then to create a revised Policy EWC5 that outlines the key criteria that are required to be delivered such as the 4 metre wide shared use footways and junction improvements that seemingly can be delivered and are required to provide the vision for the scheme. The policy might then list some broader general criteria against which schemes would be assessed. As drafted the existing policy is seemingly inflexible and might constrain developers who may be at a much earlier stage in assessing the highway feasibility of their sites and the revised access components of schemes.

(continue on a separate sheet if necessary)

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See answer to Q 6.

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☐

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First name		Russell
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Name or organisation: _____

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Ref No:

support:

object:

omission:

3. To which part of the Area Action Plan does this representation relate?

Paragraph

6.17 – 6.23

Policy

4. Do you consider the Area Action Plan is:

(1) Legally Compliant

Yes

☐

No

☐

(2) Sound

Yes

☐

No

☒

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

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☒

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☒

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☐

6. Please give details of your answer to question 4 or 5 and why you have responded in this way .

As drafted this section is unclear and confusing. The terms "standard" and "rates" are used and mixed up to a point where we even have a "standard rate"

The text at 6.17 seemingly promotes the EWC as an accessible location and therefore worthy of the parking standard being discounted by between 25% and 100%. Then the text at 6.23 says the standard should be exceeded wherever possible.

(continue on a separate sheet if necessary)

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Suggest this section is redrafted to provide clarity.

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☐

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Hertsmere Borough Council, Elstree Way, Borehamwood, Herts, WD6 1WA

By email: elstreewaycorridor@hertsmere.gov.uk

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Part A – Personal details (only needed once)

Part B – Your representation(s). Please complete a separate sheet for **every** representation you wish to make, remembering to insert your name or organisation's name.

Please read the guidance notes before completing this form.

PART A

	1. Personal details*	2. Agent details (if applicable)
Title		Mr
First name		Russell
Last name		Monck
Job title (where relevant)		Senior Planning Officer
Organisation (where relevant)	Hertfordshire County Council Property & Technology	HCC Development Services
Address		Room 308, County Hall, Pegs Lane, Hertford.
Post Code		SG13 8DN
Telephone number		01992 588274
Email address		Russell.monck@hertfordshire.gov.uk

*If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2

Please note that all representations received will be made publically available and cannot be treated as confidential.

Part B

Please use a separate sheet for each representation

Name or organisation: _____

For office use only

Ref No:

support:

object:

omission:

3. To which part of the Area Action Plan does this representation relate?

Paragraph

7.3

Policy

4. Do you consider the Area Action Plan is:

(1) Legally Compliant

Yes

☐

No

☐

(2) Sound

Yes

☐

No

☒

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Area Action Plan is unsound because it is not:

(1) Justified

☒

(2) Effective

☒

(3) Consistent with national policy

☐

6. Please give details of your answer to question 4 or 5 and why you have responded in this way .

The text is imprecise – At this stage HBC should be able to say if a development partner approach is or isn't favoured – it isn't helpful to say it is "highly likely" it will be favoured. Also, who would be appointing a development partner to take this forward? The logical choice would be HBC as facilitator and development partner.

(continue on a separate sheet if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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7. Please set out what change(s) you consider necessary to make the Area Action Plan legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the Area Action Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Suggest this section is redrafted to provide clarity.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☐

No, I do not wish to participate at the oral examination

☒

Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

To hear discussions on the matter, to represent HCC's property and service evidence and to participate in any debate.

(continue on a separate sheet if necessary)

Please note *the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.*

Signature: _____

Date: _____

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If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box

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- 1) If you are seeking to make representations on the way in which the Local Planning Authority (LPA) has prepared the published Area Action Plan it is likely that your comments or objections will relate to a matter of legal compliance.
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	1. Personal details*	2. Agent details (if applicable)
Title		Mr
First name		Russell
Last name		Monck
Job title (where relevant)		Senior Planning Officer
Organisation (where relevant)	Hertfordshire County Council Property & Technology	HCC Development Services
Address		Room 308, County Hall, Pegs Lane, Hertford.
Post Code		SG13 8DN
Telephone number		01992 588274
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Part B

Please use a separate sheet for each representation

Name or organisation: _____

For office use only

Ref No:

support:

object:

omission:

3. To which part of the Area Action Plan does this representation relate?

Paragraph

7.8

Policy

4. Do you consider the Area Action Plan is:

(1) Legally Compliant

Yes

☐

No

☐

(2) Sound

Yes

☐

No

☒

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Area Action Plan is unsound because it is not:

(1) Justified

☒

(2) Effective

☒

(3) Consistent with national policy

☐

6. Please give details of your answer to question 4 or 5 and why you have responded in this way .

The EWC AAP might identify the key infrastructure required but it does not specify or estimate the costs to attempt to justify planning obligations that might be required. These cost estimates would also be the starting point for any infrastructure obligations that are to be sought from development within the EWC

In addition, it is noted that this paragraph states the timing of the required infrastructure is included within the document. However this information has not been included in respect of education requirements. The current forecasts (without the circa 300 houses recently proposed at the southern Hertswood site) show a shortage of 40 child places for primary as early as 2016. The forecasts are updated every twice a year.

(continue on a separate sheet if necessary)

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It is suggested that following consultation with potential infrastructure providers additional tables are added to quantify the estimated costs and timing of infrastructure.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☐

No, I do not wish to participate at the oral examination

☒

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Last name		Monck
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Name or organisation: _____

For office use only

Ref No:

support:

object:

omission:

3. To which part of the Area Action Plan does this representation relate?

Paragraph

7.9

Policy

4. Do you consider the Area Action Plan is:

(1) Legally Compliant

Yes

☐

No

☐

(2) Sound

Yes

☐

No

☒

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Area Action Plan is unsound because it is not:

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☒

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☒

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6. Please give details of your answer to question 4 or 5 and why you have responded in this way .

Further additional wording is required to reflect the changes to planning obligations (S106) and the introduction of CIL, and its subsequent amendments. This could be in the form "...as a result of the impending adoption of the Hertsmere CIL Charging Schedule and changes to the planning obligation system, developers are advised to seek early advice from HCC Highways, HCC Development Services (for other HCC services such as education) and Hertsmere BC, in relation to the S106 requirements from developments within the EWC".

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HCC Estates and Asset Management January 2013 Draft Position Statement for District/ Borough Planning/ LDF purposes: HCC and the provision of school premises and/or school places.

1. When new housing development is proposed and existing school infrastructure hasn't the capacity now or in the future to absorb the child yield either new school places and/or new schools will need to be provided.
2. The LPA should ensure that the local planning process (DPDs and planning permissions) for those developments ultimately delivers planning obligations/Community Infrastructure Levy (CIL) receipts that, in combination, achieve a suitable site allocation for, land transfer for, and funding for, the development of the new school premises; or that the developers co-operate and provide a 'developer school' that is suitable and meets "standards".
3. That LPAs and HCC are clear thinking in separating the process of the achievement of the new school premises from the process of how the organisation that will operate the school will be brought into being.
4. That LPAs can assume that the County Council can be the party that will receive the land transfer for, and the funding (Section 106 or CIL) for, the new school premises; and that it will ensure that it is actually developed and ready for the operator. It is in HCC interests under section 14 of the Education Act 1996 to ensure that this takes place.
5. And if 4 above happens HCC would then lease the new premises to the new operator, under the standard DfE Academy lease - i.e. for 125 years at a peppercorn rent and use restricted to school purposes.
6. The summary taken from the new guidance on how 'new' schools are to come into existence is:

Key points

- The new "presumption" for an academy/Free School requires local authorities to seek proposals to establish an academy/Free School in the first instance where they identify a need for a new school.
- Local authorities must continue to plan for and secure sufficient schools for their area in line with their duties under section 14 of the Education Act 1996.
- Local authorities should assess the proposals they receive against the criteria in paragraph 12 below before forwarding all of the proposals to the Secretary of State. He will take into consideration any preference they indicate.
- Local authorities can no longer hold a school competition without the Secretary of State's consent, nor enter their own community or foundation school proposals into a competition.
- Despite the academy/Free School presumption, in certain exceptional circumstances it is still possible to publish proposals for a new maintained school outside of a competition, under sections 10 or 11 of the EIA 2006.

- The Secretary of State's consent is no longer required to publish certain proposals, including those for the establishment of new voluntary aided schools, primary schools resulting from infant/junior amalgamations, and new schools resulting from the reorganisation of existing faith provision.
- "Academy" is the legal term which also includes Free Schools of all types, University Technical Colleges (UTCs) and some Studio Schools, including 16-19 and alternative provision (PRU) establishments. This document uses "academy/Free School" as the collective term for these types of schools.
- "Proposer" in this document refers to the body or group that is proposing the new school.

7. And HCC is the 'promoter of last resort' of a new community school per bullet 5 above, should no satisfactory promotion of an academy/Free School occur.

8. So we are looking for the LDF site allocations stage to ensure that any site needed within the District or Borough is identified. And we would also look to ensure that the District or Borough uses Planning Policy and DC powers to ensure protection of and delivery of that site.

9. And in relation to the developers and/or landowners affected by the education allocation/planning application, we would look for them to enter into a planning obligation to provide, free, such land and money contributions as their development child yield justifies, and beyond that we should ensure that in the s 106 agreement, or preferably a contemporaneous option to acquire - for legal and clarity reasons it is purchased at fair value; and that any balance is funded from other s106 contributions if necessary. (Very early thinking is that where land/buildings are required as a result of the cumulative effect of a large number of small developments [ie more than 5 developments and of less than, for example, 500 dwellings] HCC would look to CIL to provide the necessary funding.)

10. Or the s106 for developer provided suitable school premises is transferred, lock stock and barrel [turn key solution] to a new education provider that that has been identified following the processes summarised at 6 above.

From this you will see it is apparent that HCC consider this matter as essentially a Planning Obligation led process, for which we have much prior experience, and the part that differs is the process to identify the new school operator; and we can get on with the development processes making the assumption that Education processes will follow in due course.

HCC Estates and Asset management have technical advisers ready to comment on the potential options for suitable new school sites that the site allocations process/LPA/developer proposals might identify.



Capacity available in Community Centres in and around Borehamwood

This report is based on research carried out by Community Action Hertsmere during spring 2012. Whilst we have attempted to produce a clear and up to date picture of availability of community spaces we must emphasise that the situation at individual centres can change and I would recommend you use this report as a guide and contact centre managers direct to discuss any specific requirements you may have.

In the this report you will find a breakdown for 14 community facilities in and around Borehamwood. For each centre we have included contact details, parking arrangements, details of space, hire charges (and scales where applicable) and current availability. In some instances we have also included information on storage facilities, kitchens and any limitations on use.

In general, this research suggests availability across the area exceeds current demand. There may be days or times when facilities are at a premium or running close to capacity and if this is the case we would suggest considering whether your activity could run at a different time or on a different day. The more flexible a potential user can be the more likely you are to find a facility that can accommodate your activity.

You will see from the breakdown provided that storage space is often very limited and this is understandable as storage cupboards etc. will inevitably cut down on the space available for activities. Again, we would recommend potential users talk to the centre organisers in the first instance to see what can be arranged but also think about possibly negotiating with other users to share storage or equipment which would ultimately mean that more services can use any one facility.

Finally, we would like to advise that virtually all of the facilities listed in this report are managed by volunteers who give their time freely to maintain their centres for the benefit of their community. Facilities may not always be quite what you are looking for but through negotiation we feel most activities can be accommodated working towards the ultimate target of full usage for all centres.



Community Venue	Aberford Hall
Address	Aberford Road, Borehamwood, WD6 1EH Centre contact: Jane DeLeslie - 07926 021151
Hire cost per hour	£26.62
Number of Rooms/Size	1 hall large enough to cater for weddings and events
Facilities available at the venue e.g. parking/storage	Disabled toilets, kitchen facilities & parking for 35 cars.
Availability of venue	Fully booked at present – no available time slots. Contact bookings secretary for future availability

Community Venue	Borehamwood Bowls Club
Address	Meadow Park. Brook Rd, Borehamwood. Herts. WD6 5HG Centre contact:Neville - 020 8905 1425
Hire cost per hour	To be confirmed in May 2012
Number of Rooms/Size	Large meeting room to cater for up to 30 people
Facilities available at the venue e.g. parking/storage	Pay & display parking, disabled access. Kitchen areas & possible storage.
Availability of venue	Availability will be limited during game season April - September / possibility of rescheduled meets so ring to check for one – off use. Rest of year would be available.



Community Venue	Fairway Hall
Address	Brook Close, Borehamwood, Herts WD6 5BT Centre contact: Elstree & Borehamwood Town Council - 020 8207 1382
Hire cost per hour	£30ph before 6pm £40phr before 11pm 11pm to 1am £50phr Includes setting up & clearing away
Number of Rooms/Size	Large hall suitable for weddings and events caters for up to 200 people
Facilities available at the venue e.g. parking/storage	Limited parking, disabled access. Kitchen facilities. Limited storage
Availability of venue	Weekday dates- limited availability, but could have more access over school holidays. Sat & Sun bookings start from 12pm

Community Venue	Organ Hall Community Centre
Address	Bairstow Close, Borehamwood, Hertfordshire WD6 4TB Centre contact: Kate Beeching (Affinity Sutton) 0207 378 5630
Hire cost per hour	Weekend before 6pm £20 (after 6pm £24.) Weekdays before 6pm £15 (after 6pm £18)
Number of Rooms/Size	Large room would cater for up to 30 people
Facilities available at the venue e.g. parking/storage	Limited parking, disabled access. Kitchen facilities. Limited storage
Availability of venue	Mon 9am to 1pm, 4pm to 10pm Tues 9am to 10am, 12pm to 2pm, 4pm to 10pm Wed 9am to 10am, 12pm to 2pm, 4pm to 10pm Thurs 9am to 1pm, 4pm to 10pm Fri Free all day (cleaning day but can be rescheduled) Sat & Sun fully booked



Community Venue	Three Ways Community Centre
Address	Arundel Drive Borehamwood, Herts WD6 2 ND Centre contact: Pam Tune 020 8953 1871 / 07707 540696
Hire cost per hour	£25phr
Number of Rooms/Size	Large hall would cater for up to 100 people
Facilities available at the venue e.g. parking/storage	Parking, disabled access. Kitchen facilities. Limited storage
Availability of venue	Mon - 9am to 9pm Tues - 9am to 9pm Wed - 9am to 9pm Thurs - 9am to 9pm Fri - 9am to 9pm Sat & Sun - free all day

Community Venue	Windsor Hall Community Centre
Address	Blythe Close, Borehamwood Herts WD6 Centre contact: Kate Beeching (Affinity Sutton) 0207 378 5630
Hire cost per hour	Weekend before 6pm £20 (after 6pm £24). Weekdays before 6pm £15 (after 6pm £18)
Number of Rooms/Size	Large room would cater for up to 30 people
Facilities available at the venue e.g. parking/storage	Limited parking, disabled access. Kitchen facilities. Ltd storage
Availability of venue	Mon 9am to 9pm Tues 9am to 9pm Wed 9am to 12pm, 4.30pm to 9pm Thurs 1pm to 9pm Fri 9am to 12.30pm, 2.30pm to 9pm Sat & Sun free all day



Community Venue	Allum Lane - Manor House <i>Allum Lane - Hall</i>
Address	Allum Lane, Elstree Herts WD6 3PJ Contact: Centre Administrator.
Hire cost per	£15phr <i>£2100.00 for 8hr session</i>
Number of Rooms/Size	Various rooms to cater from 10 to 60 people Large hall for weddings cater up to 200 people
Facilities available at the venue e.g. parking/storage	Parking, disabled access. Kitchen facilities are available. Ltd storage <i>Parking, disabled access. Kitchen facilities are available.</i>
Availability of venue	Mon – 12.30pm to 9pm Thurs 5.30pm to 9pm Fri 12.30pm to 6pm Sat & Sun – Full Contact centre for current availability

Community Venue	Denbigh Lodge Berwick Rd
Address	Berwick Rd, Borehamwood Herts. WD6 4BG Centre contact: Carol Denbigh - 07956 529479
Hire cost per hour	£18phr
Number of Rooms/Size	1 large hall cater up to 50 people – will not cater for parties for ages between 18 & 25yrs old.
Facilities available at the venue e.g. parking/storage	Limited parking, disabled access. Kitchen facilities. Limited storage
Availability of venue	Mon – 9am to 9pm Tues – 9am to 9pm Wed – 9am to 4pm Thurs - 5.30pm to 9pm Sat & Sun – 9am to 4pm



Community Venue	Farriers Way Community Centre
Address	27 Farriers Way. Borehamwood. Herts WD6 2TB Centre contact: Kate Beeching (Affinity Sutton) 0207 378 5630
Hire cost p/h	Weekend before 6pm £20: After 6pm £24. Weekdays before 6pm £15: After 6pm £18
Number of Rooms/Size	Large hall would cater for up to 50 people
Facilities available at the venue e.g. parking/storage	Limited parking, disabled access. Kitchen facilities. Limited storage
Availability of venue	Wed 9am to 2pm Thurs 9am to 9pm Fri 9.30am to 6pm Sat 9am to 12pm

Community Venue	Hertswood Centre
Address	Potters Lane, Borehamwood. Herts. WD6 5LG Centre contact: Ricky Brown - 020 8386 9822
Hire cost per hour	£20phr
Number of Rooms/Size	Dance Studio- Will cater for 20-30 people
Facilities available at the venue e.g. parking/storage	Limited parking, disabled access - Possible storage
Availability of venue	6.30am to 10pm – depending on existing bookings. Ring for details.



Community Venue	St Michaels Church Hall
Address	Brook Road, Borehamwood, Herts WD6 Centre contact: Pat Clarke - 020 8386 5469
Hire cost per hour	£17.00 for established groups / Lower rate for new starters which will be increased after a couple of months / lower rate for charities
Number of Rooms/Size	Large hall for weddings and events caters for up to 100 people
Facilities available at the venue e.g. parking/storage	Limited parking, disabled access. Kitchen facilities
Availability of venue	Mon – 1pm – 1.45pm Tues 8pm to 9pm Sat 9am to 12pm (except when church fetes are on) ring for details.

Community Venue	St Teresa's Church Hall
Address	291 Shenley Road, Borehamwood Herts. WD6 1TG Centre contact: Sue Parrington - 0208 953 1294 between 10 am – 2 pm (not Thursdays).
Hire cost per hour	£22.50 (Deposit of £100 for function bookings) Liability & risk insurance required for groups & clubs.
Number of Rooms/Size	Large hall for weddings and events will cater for up to 100 people
Facilities available at the venue e.g. parking/storage	Limited parking, kitchen facilities. No storage
Availability of venue	Free all week except Thurs, Fri morning & weekends.



Community Venue	The Venue
Address	Elstree Way, Borehamwood. Herts. WD6 1JY Centre contact: Ricky Brown - 020 8386 9822
Hire cost per hour	Meeting Room - £20phr Xergaming Room £25phr (Refreshments available at extra cost)
Number of Rooms/Size	The Meeting Room- will cater for 20 people. Xergaming Room- will cater for 30-40 (this room also has a projector).
Facilities available at the venue e.g. parking/storage	Pay & Display parking and disabled access.
Availability of venue	6.30am to 10pm – depending on existing bookings ring for details.

Community Venue	Well End Activity Centre
Address	Scout Activity Centre, Well End, Borehamwood, WD65PR Centre contact: 020 8953 2326
Hire cost per hour	Ring for details
Number of Rooms/Size	Ring for details
Facilities available at the venue e.g. parking/storage	Ring for details
Availability of venue	Ring for details



With this information in mind we have looked at current and future bookings at Maxwell Community Centre and have produced the following suggestions for alternative venues to accommodate the various activities notified. In a number of instances we would have suggested the proposed Village Hall development as the most appropriate alternative venue but acknowledge that full details of availability and charging policy are not available at this time.

Date	Day	Group	Capacity	Suggested alternative.
07/07/2012	Sat.	50 th Birthday	120	St.Teresa's or Threeways
25/08/2012 or 01/09/12	Sat.	Engagement party	100	St.Teresa's or Threeways

Potential regular bookings:

Activity	Suggested alternative.
Folk Dancing	St.Teresa's or Threeways
Ballroom	St.Teresa's or Threeways
Extra Rosemary Conley Classes	Windsor / Farriers / Organ Hall
Youth Club	Organ Hall
After School Club / Tutoring	Organ Hall
Strive Training - Getting people back to work	Organ Hall
Meghan's Children's Dance Classes	Threeways
Boxercise	St Teresa's, Threeways Windsor / Farriers / Organ Hall



Maxwell Community Centre Schedule and potential alternative venues (in brackets).

Monday

Hall

Bowls 50+ 10
am- 12pm
(Allum Lane, St
Teresa's,
Denbigh Lodge,
ThreeWays,
Venue,
Hertswood)

Bowls 50+ 2pm -
4pm (Allum
Lane, St
Teresa's,
Denbigh Lodge,
ThreeWays,
Venue,
Hertswood)

Zumba 6.30pm -
7.30pm
(Threeways
Venue)

Table Tennis
8pm - 10.30pm
(Threeways,
Venue,
Hertswood,
Allum Lane)

Lounge

Pilates 11.15 -
12.15(Windsor
Hall)

Bridge 50+
1.30pm -
3.30pm (Organ
Hall, Bowls Club)



Tuesday

Hall

Rosemary Conley
10am - 11.30am
(Windsor Hall)

Line Dance 50+
2.15pm - 3.45pm
(Denbigh Lodge,
Threeways)

K's Dance 5pm -
8.30pm (Threeways,
Denbigh Lodge, St
Teresa's)

Lounge

Art 50+ 2pm -
4pm (Windsor
Hall & Organ
Hall)

Elstree
Productions
7.30pm -
10.30pm
(Windsor Hall &
Organ Hall)

Wednesday

Hall

Bowls 50+ 10 am-
12pm (Farriers
Way, Denbigh
Lodge, ThreeWays,
Venue, Hertswood)

K's Dance 5pm -
8.30pm
(Threeways, St
Teresa's)

Line Dance
9.30pm - 10.30pm
(Denbigh Lodge)

Lounge

Mums Business
Club Every 2
months 9.30am -
11.30am
(Windsor Hall)

Tap Dancing 50+
Due to resume
spring 2012
(Hertswood,
Threeways)

Church Service
6pm - 8.30pm
(Threeways, St
Teresa's)



Thursday

Hall

Zumba 9.45am -
10.45am
(*Farriers Way*)

K's Dance 5pm -
7pm (*Farriers
Way, Threeways,
St Teresa's*)

Keep Fit 8pm -
9pm (*Organ
Hall, Windsor
Hall, Bowls
Club*)

Lounge

Beginner Bridge
50+ 10am -
12pm (*Organ
Hall*)

B.D.I.A Mtgs
Every 2 months
7.30pm -
9.30pm (*Organ
Hall, Windsor
Hall, Bowls Club*)

Friday

Hall

Table Tennis 50+
10am - 12pm
(*Threeways*)

Shogun Karate
4.30pm - 7pm
(*Venue,
Hertswood,
Threeways, St
Teresa's*)

Zumba 7.30pm -
8.30pm (*Venue,
Hertswood,
Threeways, St
Teresa's*)

Lounge

Guitar Group
Lessons 10am -
11am (*Organ
Hall, Windsor
Hall*)

3rd Friday
Church Service
6pm - 8.30pm
(*Organ Hall &
Windsor Hall*)



Saturday

Hall

Lounge

2nd & 3rd Saturday
Church Service 9am -
11.30am (*Organ Hall,
Farriers Hall*)

B'Nai Synagogue
11.30am - 14.30pm
(*Windsor Hall*)

CA Meeting 5.30pm to
7.30pm (*St Teresa's,
Windsor Hall*)

Sunday

Hall

Lounge

Church Service
9am - 1pm
(*Windsor Hall,
Possibly
Threeways*)

Church Service
9am - 1pm
(*Windsor Hall,
(Possibly
Threeways)*)

VRCC 2pm - 4pm
(*Farriers Way*)

2nd Sunday
English Heritage
Meetings
7.30pm -
9.30pm
(*Windsor Hall,
Organ Hall,
Bowls Club*)



I trust that the information contained in this report will be of use and will go some way to stimulating greater use of the community facilities referred to.

Heather Walsh
Chief Executive
Community Action Hertsmere
07950549331
heatherw@communityactionhertsmere.org
www.communityactionhertsmere.org

Resources and Performance

Mark Silverman
Planning Policy Team
Hertsmere Borough Council
Civic Offices, Elstree Way
Borehamwood
Hertfordshire
WD6 1WA

Hertfordshire County Council
Development Services
County Hall
Hertford SG13 8DN

Tel: 01992 588274
Email: Russell.monck@hertfordshire.gov.uk
Contact: Russell Monck

Date 27th March 2014

Dear Mark

Consultation Elstree Way Corridor Area Action Plan for Submission to the Secretary of State March 2014

Thank you for consulting Hertfordshire County Council on the above document. This response is made by Hertfordshire Property (Development Services) on behalf of Children's Services, Health and Community Services, Early Years and Childcare, Youth, Libraries, Fire and Rescue Services, Gypsy Section and also on behalf of the Waste Disposal Authority.

This letter and document have also been sent electronically to elstreewaycorridor@hertsmere.gov.uk.

We continue to positively welcome the ongoing opportunity being provided to engage in discussions with the Local Planning Authority (LPA) to identify the implications, where possible, for the services, service delivery and HCC sites.

Further to previous representations made during earlier stages of the AAP and the now Adopted Core Strategy it is worth re-stating that when undertaking high level school place planning related to new residential development (e.g. at Local Planning stage), a ratio of 1FE (210 pupils) per 500 dwellings is applied based on a study of 49 Hertfordshire developments undertaken by Hertfordshire County Council's (HCC) demographer (c 2008). This work produced a yield range of 1FE per 500 dwellings (42 children per 100 dwellings/97.5% confidence of not underestimating child yield) to 1FE per 850 dwellings (24.7 children per 100 dwellings/50% confidence of not underestimating child yield). The County Council applies the upper end of the range, 1FE/500 dwellings, in the first instance, for reasons of prudence.

These representations should be read in conjunction with our earlier representations on the Area Action Plan from Feb 2013 which are also attached.

The County Council welcomes the opportunity which has been provided to comment upon the Area Action Plan. There a number of typographical errors within the document which will no doubt be picked up before submission to the Secretary of State.

I hope that the representations attached are of assistance and no doubt there will be further dialogue in advance of the examination in public.

If you wish to discuss the matter please do not hesitate to contact me.

Yours sincerely

Russell Monck
Senior Planning Officer
Development Services

Representations can be made using this form:

Please return to Hertsmere Borough Council by 5pm on 31st March 2014

By post: Policy and Transport team, Planning and Building Control Unit,
Hertsmere Borough Council, Elstree Way, Borehamwood, Herts, WD6 1WA

By email: elstreewaycorridor@hertsmere.gov.uk

This form has two parts:

Part A – Personal details (only needed once)

Part B – Your representation(s). Please complete a separate sheet for **every** representation you wish to make, remembering to insert your name or organisation's name.

Please read the guidance notes before completing this form.

PART A

	1. Personal details*	2. Agent details (if applicable)
Title		Mr
First name		Russell
Last name		Monck
Job title (where relevant)		Senior Planning Officer
Organisation (where relevant)	Hertfordshire County Council Property & Technology	HCC Development Services
Address		Room 308, County Hall, Pegs Lane, Hertford.
Post Code		SG13 8DN
Telephone number		01992 588274
Email address		Russell.monck@hertfordshire.gov.uk

*If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2

Please note that all representations received will be made publically available and cannot be treated as confidential.

Part B

Please use a separate sheet for each representation

Name or organisation: _____

For office use only

Ref No:

support:

object:

omission:

3. To which part of the Area Action Plan does this representation relate?

Paragraph

Policy

EWC4

4. Do you consider the Area Action Plan is:

(1) Legally Compliant

Yes

No

(2) Sound

Yes

No

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Area Action Plan is unsound because it is not:

(1) Justified

(2) Effective

(3) Consistent with national policy

6. Please give details of your answer to question 4 or 5 and why you have responded in this way .

C) see earlier comments on the distinction between service providers and later comments on community facilities but stress that HCC has no plans to move the Fire and Rescue station away from the EWC.

D) Suggest delete as Borehamwood Library and the floor space previously provided by MPCC has already been re-provided at 96 Shenley Road. So it is unnecessary to include this within the policy.

E) It is unclear what is proposed for the wider Maxwell Park open space. Without justification this reference is not justified and should be deleted.

F) insert "reserve" 2 FE Primary school "site"

HBC need to be very clear on exactly how they are going to interpret policy EWC4 Supporting Community Facilities and its over-arching Core Strategy Policy CS19 Key community facilities in the light of the supporting text at paragraph 4.9.

This is different to community facilities where the general public has access. Whilst HBC may have commendable aspirations to seek retention of those services in Borehamwood

the policy as drafted does not provide that clarity and raises doubts regarding its interpretation.

HBC will no doubt also be aware of the recent Appeal Decision (APP/N1920/A/12/2186478) in respect of the former Radlett Fire Station where Hertsmere Borough Council required the re-provision of “community facilities” where actually there was no use by the community. It is suggested that there is a distinction between assets containing floor space which is actually used by the community and those assets which are merely owned but not actually used by the community and therefore not providing a community facility as such. It is not acceptable or appropriate in planning terms to try to prevent the proper recycling of publicly owned assets as happened in the case of the former Radlett Fire Station. In allowing the appeal the inspector was very clear in her opinion.

11. Core Strategy Policy CS19 aims to prevent the loss of key community facilities. There was very strong local opposition to the closure of the fire station in 2006. There is a hope that the fire station will eventually re-open, but this is not a realistic possibility. At the Hearing it was argued that the fire station had been an important community facility, originally started by local volunteers, which should be replaced with a use of similar standing. However, it seems to me that although the fire station (a sui generis use) had an important function in the community in terms of the service provided, apart from occasions such as open days or visits by scout groups etc., it was not a community building to which the general public routinely had access

In the light of this relevant appeal decision the Area Action Plan should provide clarity with all stakeholders as to what “community facilities” are required to be re-provided under this policy and which aren’t. Suggest the insertion of clarification text. This may need to be down to an agreement on amounts of “community floor space” and a justification from the LPA as to what they consider might need to be re-provided. This uncertainty creates planning risk to developers and may result in reluctance from landowners and occupiers to bring their sites forward to recycle, regenerate and re-provide as is appropriate.

(continue on a separate sheet if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. Please set out what change(s) you consider necessary to make the Area Action Plan legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the Area Action Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

EWC4

D) Suggest delete as Borehamwood Library and the floor space previously provided by MPCC has already been re-provided at 96 Shenley Road. So it is unnecessary to include this within the policy.

E) It is unclear what is proposed for the wider Maxwell Park open space. Without justification this reference is not justified and should be deleted.

F) insert "reserve" 2 FE Primary school "site"

Suggest the insertion of clarification text. This may need to be down to an agreement on amounts of "community floor space" and a justification from the LPA as to what they consider might need to be re-provided.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☐

No, I do not wish to participate at the oral examination

☒

Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

To hear discussions on the matter, to represent HCC's property and service evidence and to participate in any debate.

(continue on a separate sheet if necessary)

Please note *the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.*

Signature: _____

Date: _____

☒

If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box

GUIDANCE NOTES

Introduction

These guidance notes have been produced to assist anyone who wishes to make a formal representation on the published Elstree Way Corridor Area Action Plan submission document, which is subject to a period of representations from 17th February 2014 to 31st March 2014. The Area Action Plan is published in order for representations to be made prior to the submission for public examination. The representations will be considered alongside the submitted Area Action Plan, by a independent Planning Inspector.

The Planning and Compulsory Purchase Act 2004¹ (the 2004 Act) states that the purpose of the examination is to consider whether the Area Action Plan complies with legal requirements and is 'sound'. The representations supporting, objecting or commenting more generally should be made within this context.

Soundness

Soundness is explained fully in the National Planning Policy Framework², in paragraph 182. The Inspector has to be satisfied that the Area Action Plan has been positively prepared, is justified, effective and consistent with national policy. To be sound the Area Action Plan should be:

Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

- 1) If you are seeking to make representations on the way in which the Local Planning Authority (LPA) has prepared the published Area Action Plan it is likely that your comments or objections will relate to a matter of legal compliance.
- 2) If it is the actual content on which you wish to comment or object it is likely it will relate to whether the Area Action Plan is justified, effective or consistent with national policy.

Please note that all respondents must complete their personal details as it is not possible for representations to be considered anonymously. Respondents should also note that representations are not confidential and that they will be published on the Council's website and copies will be placed at appropriate venues across the borough for public inspection, although the names and addresses of representations from individuals will be removed.

¹ View the Planning Act online at <http://www.legislation.gov.uk/ukpga/2004/5/contents>

² View the National Planning Policy Framework online at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

Legal Compliance

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	1. Personal details*	2. Agent details (if applicable)
Title		Mr
First name		Russell
Last name		Monck
Job title (where relevant)		Senior Planning Officer
Organisation (where relevant)	Hertfordshire County Council Property & Technology	HCC Development Services
Address		Room 308, County Hall, Pegs Lane, Hertford.
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Part B

Please use a separate sheet for each representation

Name or organisation: _____

For office use only

Ref No:

support:

object:

omission:

3. To which part of the Area Action Plan does this representation relate?

Paragraph

Policy

EWC5

4. Do you consider the Area Action Plan is:

(1) Legally Compliant

Yes

No

(2) Sound

Yes

No

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Area Action Plan is unsound because it is not:

(1) Justified

(2) Effective

(3) Consistent with national policy

6. Please give details of your answer to question 4 or 5 and why you have responded in this way .

EWC5 opening paragraph refers to development not prejudicing the outlined transport and movement improvements - as per p.14 and 15 inflexibility in this approach would render certain schemes difficult to implement and may prevent sites coming forward.

(continue on a separate sheet if necessary)

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Redraft to enable flexibility provided proposed development adheres to key design objectives.

(continue on a separate sheet if necessary)

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☐

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Name or organisation: _____

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Ref No:

support:

object:

omission:

3. To which part of the Area Action Plan does this representation relate?

Paragraph

Policy

EWC7

4. Do you consider the Area Action Plan is:

(1) Legally Compliant

Yes

No

(2) Sound

Yes

No

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Area Action Plan is unsound because it is not:

(1) Justified

X

(2) Effective

X

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6. Please give details of your answer to question 4 or 5 and why you have responded in this way .

Policy wording mentions kiosks and cafes which is seemingly inconsistent with the wording of para 4.15 which says such developments will be refused.

(continue on a separate sheet if necessary)

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Requires some clarification.

(continue on a separate sheet if necessary)

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☐

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Name or organisation: _____

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Ref No:

support:

object:

omission:

3. To which part of the Area Action Plan does this representation relate?

Paragraph

Policy

EWC9

4. Do you consider the Area Action Plan is:

(1) Legally Compliant

Yes

No

(2) Sound

Yes

No

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(1) Justified

X

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Policy EWC9 should be amended to read "... a primary school with associated early years provision serving the residents of the Elstree Way Corridor, a health care facility within the Elstree Way Corridor ." This is as opposed to a primary school within the corridor to be consistent with the "Education, Retail and Other uses" section and reflect the fact the new school serving this area may not ultimately be located within the EWC boundary itself.

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object:

omission:

3. To which part of the Area Action Plan does this representation relate?

Paragraph

Policy

Figure 3

4. Do you consider the Area Action Plan is:

(1) Legally Compliant

Yes

No

(2) Sound

Yes

No

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Area Action Plan is unsound because it is not:

(1) Justified

(2) Effective

(3) Consistent with national policy

6. Please give details of your answer to question 4 or 5 and why you have responded in this way .

Figure 3

See later supportive comments at page 16 but as described in Figure 3 the Highway Works anticipate the closing of existing access points directly onto Elstree Way such as those used by the existing fire station. Areas of enhanced landscaping are depicted in positions that replicate the existing form of open areas – such as the area to the front of the existing clinic and library but no enhanced landscaping would be required in front of the adjacent building. As a landowner and service provider HCC are concerned that if the highway approach suggested by Figure 3 is inflexibly applied it may prejudice the appropriate redevelopment of the sites.

(continue on a separate sheet if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. Please set out what change(s) you consider necessary to make the Area Action Plan legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the Area Action Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It may be appropriate to have an illustrative layout to precede the actual scheme depicted in Figure 3. The illustrative/artistic layout or streetscene could convey the key design objectives that HBC are seeking to achieve in the public realm and townscape section. This approach might demonstrate an exemplar approach - emphasise the 4 metre wide shared use footpaths, additional/enhanced landscaping and public realm improvements.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☐

No, I do not wish to participate at the oral examination

☒

Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

To hear discussions on the matter, to represent HCC's property and service evidence and to participate in any debate.

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: _____

Date: _____

☒

If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box

GUIDANCE NOTES

Introduction

These guidance notes have been produced to assist anyone who wishes to make a formal representation on the published Elstree Way Corridor Area Action Plan submission document, which is subject to a period of representations from 17th February 2014 to 31st March 2014. The Area Action Plan is published in order for representations to be made prior to the submission for public examination. The representations will be considered alongside the submitted Area Action Plan, by a independent Planning Inspector.

The Planning and Compulsory Purchase Act 2004¹ (the 2004 Act) states that the purpose of the examination is to consider whether the Area Action Plan complies with legal requirements and is 'sound'. The representations supporting, objecting or commenting more generally should be made within this context.

Soundness

Soundness is explained fully in the National Planning Policy Framework², in paragraph 182. The Inspector has to be satisfied that the Area Action Plan has been positively prepared, is justified, effective and consistent with national policy. To be sound the Area Action Plan should be:

Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

- 1) If you are seeking to make representations on the way in which the Local Planning Authority (LPA) has prepared the published Area Action Plan it is likely that your comments or objections will relate to a matter of legal compliance.
- 2) If it is the actual content on which you wish to comment or object it is likely it will relate to whether the Area Action Plan is justified, effective or consistent with national policy.

Please note that all respondents must complete their personal details as it is not possible for representations to be considered anonymously. Respondents should also note that representations are not confidential and that they will be published on the Council's website and copies will be placed at appropriate venues across the borough for public inspection, although the names and addresses of representations from individuals will be removed.

¹ View the Planning Act online at <http://www.legislation.gov.uk/ukpga/2004/5/contents>

² View the National Planning Policy Framework online at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

Legal Compliance

The Inspector will first check that the Area Action Plan meets the legal requirements under Section 20(5)(a) of the 2004 Act before moving on to test for soundness. You should consider the following before making representation on a legal compliance:

- The Area Action Plan should be within the current Local Development Scheme (LDS) and the key stages should have been followed. The LDS is effectively a programme of work prepared by the Council, setting out the documents it proposes to produce over a set period. It sets out the key stages in the production of any documents the Council propose to bring forward for independent examination. The LDS is published on the Council's website and available at their main offices.
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- The Area Action Plan should comply with the Town and County Planning (Local Planning) (England) Regulations 2012³. On publication, the Council must publish the documents prescribed in the regulations, and make them available at their principal offices and on their website. The Council notify statutory consultees and any persons who have requested to be notified.
- The Council is required to publish a Sustainability Appraisal Report when they publish the Area Action Plan. This should identify the process by which the Sustainability Appraisal has been carried out, and the baseline information used to inform the process and the outcomes of that process. Sustainability Appraisal is a tool for appraising policies to ensure they reflect social, environmental, and economic factors.
- The Area Action Plan should have regard to national policy.

General advice

Representations are only valid if your name and address are supplied. Agents should please state the full name or organisation of who they are representing.

If you wish to make a representation seeking a change to a Area Action Plan or part of an Area Action Plan you should make clear in what way the Area Action Plan or part of the Area Action Plan is not sound having regard to the legal compliance check and four tests set out above.

You should try to support your representation by evidence showing why the Area Action Plan should be changed. It will be helpful if you also say precisely how you think the Area Action Plan should be changed. Representations should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further submissions based on the original representation made at publication. After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

³ View the Planning Regulations online at <http://www.legislation.gov.uk/ukxi/2012/767/contents/made>

Where there are groups who share a common view on how they wish to see the Area Action Plan changed, it would be very helpful for that group to send a single representation which represents the view, rather than for a large number of individuals to send in separate representations which repeat the same points. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

Representations can be made using this form:

Please return to Hertsmere Borough Council by 5pm on 31st March 2014

By post: Policy and Transport team, Planning and Building Control Unit,
Hertsmere Borough Council, Elstree Way, Borehamwood, Herts, WD6 1WA

By email: elstreewaycorridor@hertsmere.gov.uk

This form has two parts:

Part A – Personal details (only needed once)

Part B – Your representation(s). Please complete a separate sheet for **every** representation you wish to make, remembering to insert your name or organisation's name.

Please read the guidance notes before completing this form.

PART A

	1. Personal details*	2. Agent details (if applicable)
Title		Mr
First name		Russell
Last name		Monck
Job title (where relevant)		Senior Planning Officer
Organisation (where relevant)	Hertfordshire County Council Property & Technology	HCC Development Services
Address		Room 308, County Hall, Pegs Lane, Hertford.
Post Code		SG13 8DN
Telephone number		01992 588274
Email address		Russell.monck@hertfordshire.gov.uk

*If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2

Please note that all representations received will be made publically available and cannot be treated as confidential.

Part B

Please use a separate sheet for each representation

Name or organisation: _____

For office use only

Ref No:

support:

object:

omission:

3. To which part of the Area Action Plan does this representation relate?

Paragraph

Figure 5 Site 4

Policy

4. Do you consider the Area Action Plan is:

(1) Legally Compliant

Yes

☐

No

☐

(2) Sound

Yes

☐

No

☒

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Area Action Plan is unsound because it is not:

(1) Justified

☒

(2) Effective

☒

(3) Consistent with national policy

☐

6. Please give details of your answer to question 4 or 5 and why you have responded in this way .

Site 4. "Elstree Way North" Cheeky Monkeys day nursery is a commercial operation. The requirement to re-provide the existing commercial nursery is inappropriate and not justified. HCC has enabled the building to be occupied by a private nursery provider as a result of the need for the vacation of 96 Shenley Road to facilitate the construction of the community facility and whilst HCC will use best endeavours to support the occupier whilst they find suitable new premises, from an Estates perspective it is not justified to make this a planning requirement and would enable that occupier to gain an unfair commercial advantage over other private providers. Such a requirement if widely applied would be a disincentive for HCC to allow private nursery providers and other commercial service providers to occupy temporarily vacant sites.

The Elstree Way North bullet points also require a main vehicular access from the North of the site. Highways feasibility technical requirements for this site has not yet been proven and there may be a requirement to access this from the East or even Elstree Way itself –see earlier comments . Given that it is hoped to re-provide the Fire and Rescue station at

this location it is essential that there is flexibility and this bullet point policy requirement should be deleted

(continue on a separate sheet if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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Delete bullet points 3 and 4

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