



OVERVIEW AND SCRUTINY COMMITTEE

Date: Monday, 15 June 2026

Time: 6.00pm,

Location: Council Chamber

Contact: Gemma O'Donnell

committees@stevenage.gov.uk

Members: Councillors: Ellie Plater (Chair), Matthew Hurst CC (Vice-Chair), Jim Brown, Andy McGuinness, Phil Bibby, Jeff Bullock, Leanne Brady, Peter Clark, Claire Parris, Jackie Hollywell, Ricki Rands, Jade Woods and Tom Wren

AGENDA

PART 1

1. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

2. MINUTES OF THE PREVIOUS MEETING

To approve as a correct record the minutes of the meetings of the Overview and Scrutiny Committee held on 17 March 2026.

5 – 10

3. TERMS OF REFERENCE

To note the Terms of Reference as agreed at Annual Council on 21 May 2026.

11 – 12

4. WORK PROGRAMME 2026 - 27

To approve the Overview and Scrutiny Committee Work Programme 2025 – 26.

13 – 18

5. PART I DECISION OF THE CABINET - PAVEMENT LICENCE POLICY

To consider the decision of the Cabinet for the Council's draft pavement licensing policy which sets out the Council's approach in the granting, monitoring and enforcement of Pavement Licences within the Borough of Stevenage (excluding the Town Centre), in accordance with the Business and Planning Act 2020.

Notice of Decisions to follow in separate document.

19 – 76

6. PART I DECISION OF THE CABINET - CIVIL PENALTIES POLICY

To consider the decision of the Cabinet of the revised Civil Penalty Policy which sets out the approach to determining the level of a civil penalty in all cases where regulatory breaches or offences are established under the Renters' Rights Act 2025 and other legislation relating to private rented sector housing standards.

Notice of Decisions to follow in separate document.
77 – 128

7. PART I DECISION OF THE CABINET - RENTERS' RIGHTS ACT ENFORCEMENT POLICY

To consider the decision of the Cabinet for the Renters' Rights Act 2025 Enforcement Policy.

Notice of Decisions to follow in separate document.
129 – 174

8. PART I DECISION OF THE CABINET - ADOPTION OF STEVENAGE BOROUGH LOCAL PLAN PARTIAL UPDATE

To consider the decision of the Cabinet on the outcomes of the Main Modifications consultation on the Stevenage Borough Local Plan Partial Update, following the Examination in Public Hearing Sessions.

Notice of Decisions to follow in separate document.
175 – 298

9. PART I DECISION OF THE CABINET - ADOPTION OF REVISED COMMUNITY INFRASTRUCTURE LEVY

To consider the decision of the Cabinet on the progress of the Stevenage Borough Revised Community Infrastructure Levy, now it has progressed through Examination in Public stage.

Notice of Decisions to follow in separate document.
299 – 332

10. PART I DECISION OF THE CABINET - LGR STRUCTURAL CHANGES ORDER SUBMISSION

To consider the decision of the Cabinet on the LGR structural changes order submission report.

Notice of Decisions to follow in separate document.
333 – 348

11. URGENT PART I DECISIONS AUTHORISED BY THE CHAIR OF THE OVERVIEW AND SCRUTINY COMMITTEE

To consider any urgent Part I Decisions authorised by the Chair of the Overview and Scrutiny Committee

12. URGENT PART I BUSINESS

To consider any Part I business accepted by the Chair as urgent

13. EXCLUSION OF PRESS AND PUBLIC

To consider the following motions:

1. That under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as described in paragraphs 1 – 7 of Part 1 of Schedule 12A of the Act as amended by Local Government (Access to Information) (Variation) Order 2006.
2. That Members consider the reasons for the following reports being in Part II and determine whether or not maintaining the exemption from disclosure of the information contained therein outweighs the public interest in disclosure.

14. PART II DECISION OF THE CABINET - LAND AND DEVELOPMENT PROGRAMME UPDATE WITH CONTRACT AWARDS/LAND SALES BRAGBURY END SCHEME

To consider the decision of the Cabinet on the progress with the Council's Housing Development Programme.

Notice of Decisions to follow in separate document.
349 – 362

15. PART II DECISION OF THE CABINET - BUSINESS TECHNOLOGY CENTRE CONTRACT

To consider the decision of the Cabinet to seek approval to conclude the procurement process for the management and operation of the Business Technology Centre (BTC) and Chells Industrial Units (CIU) and the provision of business support services for the period 2026-31.

Notice of Decisions to follow in separate document.
363 – 394

16. URGENT PART II DECISIONS AUTHORISED BY THE CHAIR OF THE OVERVIEW AND SCRUTINY COMMITTEE

To consider any urgent Part II Decisions authorised by the Chair of the Overview and Scrutiny Committee

17. URGENT PART II BUSINESS

To consider any Part II business accepted by the Chair as urgent

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STEVENAGE BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE MINUTES

Date: Tuesday, 17 March 2026

Time: 6.00pm

Place: Council Chamber

Present: Councillors: Jim Brown (Chair), Andy McGuinness (Vice-Chair), Philip Bibby, Stephen Booth, Robert Boyle, Leanne Brady, Kamal Choudhury, Peter Clark, Akin Elekolusi, Alistair Gordon and Ellie Plater

Start / End Time: Start Time: 6.00pm
End Time: 6.55pm

1 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Sandra Barr, Lynda Guy and Ceara Roopchand.

2 **MINUTES OF THE PREVIOUS MEETING**

The Minutes of the Overview and Scrutiny Committee Meeting held on 17 February 2026 were agreed as a correct record and signed by the Chair.

3 **PART I DECISION OF THE CABINET - STEVENAGE BIODIVERSITY DUTY MONITORING**

The Director of Planning updated the Committee with the Council's first Biodiversity Duty Report. Members were informed that the report outlined how Biodiversity Net Gain (BNG) had been monitored across the town, alongside the actions and strategies in place to enhance the local environment.

It was noted that Cabinet had expressed support for initiatives such as the Climate Change Community Fund and the work of the Green Space volunteers.

Observations were made regarding the limitations of using habitats as a proxy for biodiversity. It was suggested that while habitats may exist, this did not necessarily indicate that they were healthy or supporting species. Questions were raised about gaps in biodiversity data and the need for more comprehensive monitoring. Officers acknowledged that biodiversity monitoring was a relatively new legal requirement and that the current level of data required further development.

Members also considered the financial implications of biodiversity monitoring. It was explained that, in relation to BNG, monitoring costs associated with development would typically be secured through the planning process and funded by developers.

It was noted that the priority would be to avoid any negative impacts on biodiversity

and the need for offsetting elsewhere. Questions were raised about biodiversity offsetting occurring outside of Hertfordshire. Officers advised that, where local habitat banks were unavailable, developers may need to secure biodiversity gains elsewhere, though efforts would be made to identify more local opportunities, including collaboration with neighbouring authorities.

The Committee noted the decisions of Cabinet.

4 **PART I DECISION OF THE CABINET - CORPORATE PERFORMANCE - QUARTER 3 2025/26**

The Committee considered the Corporate Performance Report for Quarter 3. It was noted that the Regulator of Social Housing compliance measures had been maintained at 100%, and progress was also highlighted on the Brent Court Independent Living Scheme, alongside the forthcoming demolition works as part of the regeneration of the Oval.

However, it was acknowledged by the Portfolio Holder for Housing that further work was required to address the void rates. The introduction of the new food waste collection service was also noted, and thanks were extended to officers for their work in delivering this.

During discussion, a question was raised regarding the impact of the relocation of the indoor market, and Members questioned whether further clarification could be provided on the effect of the move on stallholders and overall footfall. In response, officers advised that a briefing note would be provided to Members, including footfall data.

Officers further noted that while there were some vacant units, a number were in the process of being let, with additional traders expected to join in the coming months. Officers further confirmed that engagement with traders was ongoing to understand feedback and support the transition to the new market.

Questions were raised in relation to Local Government Reorganisation (LGR) and the future monitoring of performance. Officers explained that this would be decided by the new unitary authority, as it would be responsible for determining how performance was reported in the future. Members noted this and highlighted the importance of encouraging reporting that still allowed for local comparisons.

The Committee noted the decisions of Cabinet.

5 **PART I DECISION OF THE CABINET - QUARTER 3 BUDGET MONITORING**

The Committee considered the Quarter 3 Budget Monitoring report. It was reported that Cabinet had reviewed the position for the General Fund, Housing Revenue Account (HRA), and Capital Programme.

It was noted that there was a projected overspend of £68,000 for the General Fund, while the HRA was forecasting an underspend of £1.2 million, largely due to

additional grant funding and interest income from increased cash flow linked to Right to Buy receipts.

Members raised questions regarding the potential financial risks, particularly in relation to energy price volatility. In response, Officers explained that energy costs had largely been secured in advance, with prices fixed until the end of the financial year, although some risk remained for unpurchased supply. It was confirmed that this risk would continue to be monitored.

A further question was raised regarding the status of the Hydrotreated Vegetable Oil (HVO) fuel-related contract, and whether cost inflation could arise from this. Officers confirmed that the current contract had been extended and that procurement for a new contract would take place in the coming months. It was acknowledged that market conditions were challenging, particularly in relation to pricing, although supply was not currently considered a significant risk. It was noted that the price of HVO was moving in line with conventional diesel during the current crisis.

6 **PART I DECISION OF THE CABINET - REVOCATION AND VARIATION OF TAXI RANKS TO THE HIGH STREET, STEVENAGE**

The Committee considered the report seeking the revocation of the existing taxi rank on the High Street. This was to support works being undertaken by the County Council as part of the Active Travel Fund.

The report outlined a number of associated changes, including arrangements for alternative ranks, timings, and the use of ranks for parking.

Members were informed that parking restrictions for the retained northbound rank would mirror existing High Street arrangements, with a maximum stay of two hours and no return within three hours, operating between 7:00am and 6:30pm, after which the taxi rank would be in use.

A further question was raised regarding the temporary taxi rank outside Tesco and whether it would be regulated. Officers advised that this would be a temporary arrangement put in place during the works, and further details would be provided to the Committee.

Questions were raised regarding additional signage, and it was noted that this would be installed to clearly communicate when parking was permitted on taxi ranks.

7 **OVERVIEW AND SCRUTINY WORK PROGRAMME 2025-26**

The Committee considered the development of the current and future Overview and Scrutiny work programme. Members acknowledged the importance of avoiding a situation where an incoming committee would be constrained by a pre-determined programme, whilst also recognising the need to allow officers sufficient time to prepare forthcoming work.

The Committee was informed that Members had previously been invited to submit suggestions for the work programme, and initial feedback had been received.

Discussions took place regarding LGR, and members agreed that this would need to form a key component of the future work programme, although it was acknowledged that the scope and detail of scrutiny activity would depend on the outcome of national decisions. Officers advised that, at this stage, the Council was in a holding position pending further clarity, but that future scrutiny could examine readiness for transition and the development of any formal transition plans.

It was further noted that the future shadow authority would have a formal role in overseeing organisational design and implementation.

Members noted that previously considered topics, such as corporate communications, workforce and Member complaints, would not require a new scrutiny review at this stage, but would instead be monitored through existing reporting mechanisms.

It was confirmed that the action tracker would be brought back to the Committee in July to ensure that previous recommendations and actions were not lost.

The Committee agreed that cyber security should remain an area of focus for future scrutiny.

In addition, the scope of the proposed review on social value and ethical investment was broadened to include consideration of how social value is delivered through procurement processes and contract management, including the extent to which social value commitments made in tenders are realised in practice.

Members also noted that certain statutory and recurring items, including the General Fund Budget, Council Tax setting, and Housing Rents, would continue to form part of the work programme.

In terms Council Tax Support, it was suggested that, depending on the progress of local government reorganisation, it may not be appropriate to undertake a full review of the scheme for a single year if significant structural changes were imminent.

The Committee concluded that, while a number of key themes had been identified, further input from Members was required to finalise the work programme. Members were invited to submit any additional suggestions or comments by the agreed deadline of 26 March 2026, after which the programme would be reviewed and reported back.

8 URGENT PART I DECISIONS AUTHORISED BY THE CHAIR OF THE OVERVIEW AND SCRUTINY COMMITTEE

There was no Urgent Part I Decisions authorised by the Chair of the Overview and Scrutiny Committee.

9 URGENT PART I BUSINESS

There was no Urgent Part I Business.

10 **EXCLUSION OF PRESS AND PUBLIC**

It was **RESOLVED**:

1. That, under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as described in paragraphs 1 to 7 of Part 1 of Schedule 12A of the Act, as amended by SI 2006 No. 88.

2. That having considered the reasons for the following item being in Part II, it be determined that maintaining the exemption from disclosure of the information contained therein outweighed the public interest in disclosure.

11 **PART II MINUTES OF THE PREVIOUS MEETING**

It was **RESOLVED** that the Part II minutes of the Overview and Scrutiny Committee meeting held on 17 February 2026 be agreed as a correct record and signed by the Chair.

12 **URGENT PART II DECISIONS AUTHORISED BY THE CHAIR OF THE OVERVIEW AND SCRUTINY COMMITTEE**

There were no Urgent Part II Decisions authorised by the Chair of the Overview and Scrutiny Committee.

13 **URGENT PART II BUSINESS**

There was no Urgent Part II Business.

CHAIR

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OVERVIEW & SCRUTINY COMMITTEE

1. Membership - 13 (Not to be Members of the Cabinet but to include the Chairs of the 2 Select Committees)
2. Quorum - 4
3. Terms of Reference
 - 3.1. To consider the activities of the Cabinet and to have responsibility to reconsider any executive decision that has been subject to call-in, in accordance with the provisions of the Scrutiny provisions as set out in the Council's Constitution.
 - 3.2. Responsibility for the scrutiny of all initial proposals for the development of the Council's Budget and Policy Framework in accordance with the Budget and Policy Framework provisions in the Council's Constitution.
 - 3.3. To determine a Scrutiny work programme to examine the spending, policies and administration of the Council's services within the direct purview for services of a Corporate and/or Council wide nature and relationships with partners and external agencies involved with these areas, together with a timetable and method of study for each topic.
 - 3.4. To determine formal recommendations in relation to scrutiny studies undertaken for reporting to the Council, Cabinet, other Committees, Officers and / or partner agencies as appropriate.
 - 3.5. To review the Forward Plan of Key Decisions in relation to services within the direct purview for services of a corporate and/or Council wide nature, considering if it wishes to make any input to policy issues contained in the Plan and if so, how. In undertaking this work the Committee may call upon the relevant Cabinet Member and/or Director to provide a briefing or take part in discussion.
 - 3.6. That in respect of policy development of matters that fall within the remit of this Committee, to meet with the relevant Portfolio Holder to comment on individual draft policies that are scheduled to be considered to the Cabinet.
 - 3.7. To work with other Select Committees, as appropriate when considering cross-cutting scrutiny studies and policy development when both Committees have so agreed.
 - 3.8. To consider matters referred to the Committee under the procedure for the Councillor Call for Action in relation to matters

within the direct purview for services of a Corporate and/or Council wide nature.

- 3.9 In accordance with the Petitions Scheme, consider Petitions, Petition Reviews and interview Senior Council Officers (as requested by a Petition) in relation to matters within the direct purview for services of a Corporate and/or Council wide nature.
- 3.10 In conjunction with the Select Committees, responsibility for the on-going development of the Scrutiny function of the Council.
- 3.11 To report to the Cabinet, other committees or Council, as appropriate.

Lead AD	SD Richard Protheroe
Deputy	
Chair	Cllr Ellie Platter
Vice-Chair	Cllr Matthew Hurst

Overview & Scrutiny Committee Work Programme 2026-27
(Including review items, statutory Budget and Policy Framework items, and policy development items)

Scrutiny Review items 2026/27:	Strategic Director, Assistant Director, Lead Officer(s) & Portfolio Holder	Provisional meeting date(s) identified	Other details: i.e. (i) Number of meetings item can be covered in? (ii) Whether scoping required? (iii) Expectation/ style of meeting & (iv) other details	Comment by lead Strategic Director/Assistant Director	Other Details	Complete ✓ * x	Inclusion in work programme for 2026/27
Local Government Reorganisation (LGR) ω	Head of HR & OD, Kirsten Frew, Head of Corporate Policy & Performance, Daryl Jedowski, Cabinet Portfolio Holder for Devolution, Cllr Loraine Rossati.	As required	(i) One-off meetings (ii) No scope required (iii) O&S Members to receive update as and when Cabinet receives reports/make decisions re LGR.		The Chair of O&S will meet with the Deputy CE, Strategic Director, Richard Protheroe to discuss how scrutiny can assist with the LGR decision making process in 2026-27 O&S Members to assist with LGR Preparedness as and when required.		✓ O&S Members will continue to scrutinise LGR at various stages throughout the year when the Cabinet receives formal reports.
ICT Cyber Security	Director, Chief Technology Officer & Senior Information Risk Owner, Matt Canterford.	June 2026	(i) One meeting. (ii) No scope required. (iii) Presentation from officers leading to a Q&A with Scrutiny Members.	The ICT Strategy is due to go to the Cabinet in June 2026, and Cyber Security features as a significant part of the strategy so			✓ It is recommended that the Director for IT, Matt Canterford, attend the O&S

Scrutiny Review items 2026/27:	Strategic Director, Assistant Director, Lead Officer(s) & Portfolio Holder	Provisional meeting date(s) identified	Other details: i.e. (i) Number of meetings item can be covered in? (ii) Whether scoping required? (iii) Expectation/ style of meeting & (iv) other details	Comment by lead Strategic Director/Assistant Director	Other Details	Complete ✓ ✘	Inclusion in work programme for 2026/27
				can be scrutinised at this time.			to present the strategy
Social Value of Contracts (as a subset of financial oversight) Page 14	Director Finance, Atif Iqbal		(i) One meeting. (ii) No scope required. (iii) Presentation from officers leading to a Q&A with Scrutiny Members.		The Strategic Director and Sec 151 Officer, Clare Fletcher, provided an explanation to the O&S Committee that the investments held by the Council as part of its treasury management are short term deposits with other local authorities, banks and money market funds, which were unlike Pension Funds, so the authority would not be able to use the same ethical investment decisions regarding these short term investments.		✓ Members could receive presentation on the Council's initiatives regarding social value in contracts and updated Stevenage Works in 2026/27

Monitoring of Previous Recommendations/Actions								
Scrutiny items:	Strategic Director, Assistant Director, Lead Officer(s) & Portfolio Holder	Provisional meeting date(s) identified	Number of meetings item can be covered in?	Expectation/ Style of meeting	Scoping details (whether full scope or simple scope required)	Other details	Comment by lead Assistant Director/ Deputy	Complete ✓ x
Consider the Committee's Action Tracker	Deputy CE & Strategic Director, Richard Protheroe, Scrutiny Officer, Stephen Weaver.	2026-27 date to be advised – likely to be July 2026	One meeting	Members comment on the document – which may lead to further monitoring	No scope required	This item will be scheduled for consideration at the O&S in July 2026. From 2025-26 Work Programme items – review: <ul style="list-style-type: none"> • Corporate Communications • Member Enquiries/ YourSay System • Workforce Survey 		✓

Any monitoring of previous reviews will be agreed when the Committee considers the action tracker at its meeting in July 2026.

Statutory Budget & Policy Framework Items:	Strategic Director, Assistant Director, Lead Officer(s) & Portfolio Holder	Provisional meeting date(s) identified	Number of meetings item can be covered in?	Expectation/Style of meeting	Scoping details (whether full scope or simple scope required)	Other details Completed ✓ x
The 2027/2028 HRA and Rent Setting	Clare Fletcher SD Sec 151 Officer/	December 2026	Yes, covered in one meeting	Presentation by AD with	No scoping required	

Statutory Budget & Policy Framework Items:	Strategic Director, Assistant Director, Lead Officer(s) & Portfolio Holder	Provisional meeting date(s) identified	Number of meetings item can be covered in?	Expectation/Style of meeting	Scoping details (whether full scope or simple scope required)	Other details Completed ✓ ✗
	Portfolio Holder for Resources			supporting papers		
Budget Options 2027/28	Clare Fletcher SD Sec 151 Officer/Cabinet Portfolio Holder for Resources	November 2026	Yes, covered in one meeting	Presentation by SD with supporting papers	No scoping required	
Council Tax Support Scheme (refresh of scheme reviewed annually by the Cabinet)	Clare Fletcher SD Sec 151 Officer Cabinet Portfolio Holder for Resources	January 2027	Normally covered in one meeting	Usually a presentation by SD & AD with supporting papers	No scoping required	Due to the proximity of LGR this may not be practicable to undertake in 2026-27 with the need to harmonise schemes.
General Fund Budget and Council Tax Setting	Clare Fletcher SD Sec 151 Officer/Executive Portfolio Holder for Resources	January 2027	Yes, covered in one meeting	Presentation by SD & AD with supporting papers	No scoping required	

Pre-Scrutiny Policy Development Items:	Strategic Director, Assistant Director, Lead Officer(s) & Portfolio Holder	Provisional meeting date(s) identified	Number of meetings item covered in?	Expectation/ Style of meeting	Scope details	Other details	Complete ✓ ✗

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Meeting Cabinet
Portfolio Area Environment, Transport and Planning
Date 10th June 2026



BUSINESS & PLANNING ACT 2020 – NEW PAVEMENT LICENSING POLICY

Authors Julie Dwan | 2493
Lead Officers Rory Cosgrove | 2888 & Alex Robinson | 2288
Contact Officer Julie Dwan | 2493

NON-KEY DECISION

1 PURPOSE

- 1.1 To consider the Council's draft pavement licensing policy which sets out the Council's approach in the granting, monitoring and enforcement of Pavement Licences within the Borough of Stevenage (excluding the Town Centre), in accordance with the Business and Planning Act 2020.
- 1.2 It ensures a consistent, fair and transparent approach in managing the use of public highways for commercial purposes while safeguarding public safety, accessibility and amenity. It also provides guidance to applicants, existing licence holders and authorised Officers of the Council, detailing how compliance will be regulated and what measures will be taken in cases of non-compliance or breaches of licence conditions.
- 1.3 To note that the draft Pavement Licence Policy was considered by the Council's General Purposes Committee at their meeting on 14th April 2026.

2 RECOMMENDATIONS

- 2.1 That Cabinet notes the recommendations of the Council's General Purposes Committee to adopt the Policy at their meeting on 14th April 2026.

- 2.2 That Cabinet agrees the proposed Stevenage Borough Council Pavement Licensing Policy 2026 (attached at **appendix A**)
- 2.3 That Cabinet recommend the Policy to Council for adoption.
- 2.4 That Cabinet recommends to the Council that minor inconsequential amendments to the Policy, following its adoption be delegated to the Director of Planning and Regulation, in consultation with the relevant Cabinet Member/Portfolio Holder.

3 BACKGROUND

- 3.1 This policy sets out how Stevenage Borough Council will administer, monitor and enforce pavement licences (outside the Town Centre) under the Business and Planning Act 2020, ensuring outdoor trading supports local businesses while protecting public safety, accessibility and amenity.
- 3.2 The Pavement Licence regime introduced under the Business and Planning Act 2020 does not apply to businesses operating within Stevenage Town Centre. This is because businesses seeking to place tables, chairs or other furniture on areas outside of their premises in the Town Centre are subject to separate arrangements managed by Stevenage Borough Council. These existing arrangements provide an alternative mechanism for regulating and managing the use of the external areas within the Town Centre.
- 3.2 The Council recognises the important contribution that local cafés, restaurants, pubs and other hospitality businesses make to Stevenage's economy and the vitality of its neighbourhood centres. Supporting safe, well-managed outdoor dining can help businesses attract customers, extend capacity in a flexible way and respond to changing consumer preferences, while creating a more vibrant street scene that encourages people to spend time in the borough. This policy therefore seeks to enable 'café culture' where appropriate, balancing business growth with the need to keep public spaces safe, accessible and welcoming for everyone.
- 3.3 The policy has been written following the Levelling Up and Regeneration Act 2023 which made permanent the provisions set out in the Business and Planning Act 2020 which was originally enacted to help businesses, particularly in the hospitality sector, operate safely during the COVID-19 pandemic.
- 3.4 This policy sets out how Stevenage Borough Council will comply with the requirements of the Business and Planning Act 2020, in the provision of pavement licences for the following activities:
- Use of furniture by the licence holder to sell or serve food or drink supplied from, or in connection with, the relevant use of the premises.
 - Use of the furniture by other persons for the purpose of consuming food or drink supplied from, or in connection with, the relevant use of the premises.

- 3.5 The policy applies to hospitality and other food-and-drink businesses seeking to place removable furniture (for example tables, chairs, barriers, umbrellas and heaters) on eligible parts of the public highway immediately adjacent to their premises, and sets clear standards to keep routes safe, accessible and unobstructed. Applications are assessed on their individual merits against the policy's objectives, including public safety, the prevention of nuisance and crime and disorder, sustainability and the suitability of proposed furniture, with particular emphasis on maintaining a clear pedestrian route (normally at least 2 metres, with limited discretion for constrained locations) and protecting disabled access.
- 3.6 The policy also explains how the Council will operate the statutory application process, including required plans, photographs and evidence of at least £5 million public liability insurance, along with public notice, consultation and decision-making timescales. Licences are generally granted for up to two years, subject to standard conditions (and, where necessary, additional case-specific conditions), with published fees for new and renewal applications and limited circumstances for refunds. It sets out the Council's proportionate approach to monitoring and enforcement, including how complaints will be investigated and the actions available where furniture is placed without a licence or licence conditions are breached, up to and including removal of items and revocation of the licence.
- 3.7 Hertfordshire County Council (HCC) has been consulted, and their endorsement of the policy is a strong indication that applicants are likely to get permission from them to use HCC land if their applications aligns with this policy.
- 3.8 Where possible, businesses will be encouraged to engage with the Council and Hertfordshire County Council (HCC) at an early stage so that they can better understand the likelihood of an application being successful before formally submitting an application and incurring any associated costs.
- 3.9 There will be a phased approach to implementation. Businesses operating prior to the implementation of this policy are being encouraged to become compliant in advance to reduce any impact upon businesses when needing to renew their licence

4 REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS

- 4.1 The Council recognises the importance of pavement licensing to businesses and value their contribution towards the local economy. 'Café Culture' is a growing trend, with an increasing demand for eating and drinking outdoors. Many pubs, restaurants and cafes want to provide facilities to meet this demand by using the pavement area outside of their premises.
- 4.2 The Pavement Licensing Policy will be used to create an alfresco dining environment which:

- Ensures fair trading between all licence holders in the Borough of Stevenage.
 - Protects the amenity of the residents by ensuring that licence holders do not cause nuisance, damage, disturbance or annoyance.
 - Ensures the safety of the people using the dining areas and the pavements.
- 4.3 Provides applicants and licence holders with advice and guidance on the Council's approach to the administration and enforcement in relation to pavement licences. The introduction of this policy is not expected to have any significant impact on businesses when compared to the current position. The Policy primarily provides greater transparency and consistency in the way applications are considered and managed. It does not introduce substantive changes to the existing legislative framework or place additional operational requirements on businesses beyond those already applicable under the pavement licensing regime. The Policy is therefore intended to provide a clear framework for applicants and decision making rather than create new burdens on businesses
- 4.4 Before determining its policy, the Licensing Authority has consulted informally by email with the following persons for comment:
- Hertfordshire County Council Highways
 - The Local Planning Authority
 - Hertfordshire Constabulary
 - Environmental Health
 - Stevenage Borough Council Engineering Services
 - Stevenage Borough Council Town Centre Management Team
 - Stevenage Borough Council Estates Team.
 - Stevenage Borough Council Street Scene and Amenities
 - All existing holders of a Stevenage Borough Council Pavement Licence.
- 4.5 The consultation was open for comment between 30th May and 13th June 2025. A copy of the consultation email is provided within the background documents attached to this report.
- 4.6 Consultation responses on the draft policy focused on improving clarity and operational detail, including the need to better distinguish between pavement licensing and outside seating arrangements, and to confirm that landowner permission is still required where a licence is not. Respondents also called for clearer definitions, particularly of "furniture," and for explicit confirmation that fixed structures fall outside the scope of the policy.
- 4.7 Stronger wording was recommended to emphasise licence holders' responsibilities, including the removal of items outside permitted hours and the maintenance of clean and tidy trading areas. Additional clarification was

also sought on the policy's application to privately owned retail areas, along with queries regarding fee arrangements, including the potential for partial refunds where businesses cease trading or cannot use licensed areas due to external works. Copies of the responses are attached in background documents

- 4.8 All consultation responses and comments have been carefully reviewed. All recommendations have been addressed and incorporated into version 2 of the policy attached at Appendix A, all amendments made are outlined in Section 12 (Version History) of the policy document.
- 4.9 A further informal consultation was undertaken on version 2 of the policy with all existing holders of a Stevenage Borough Council Pavement Licences. This consultation took place between 28 January and 25 February 2026.
- 4.10 No further comments were received.
- 4.11 The Council's General Purposes Committee considered the Policy at its meeting on 14th April 2026.
- 4.12 The Committee agreed to recommend the proposed Stevenage Borough Council Pavement Licensing Policy 2026 (attached at Appendix A) to Cabinet. No additional points or suggestions were made.

5 IMPLICATIONS

Financial Implications

- 5.1 Expenditure associated with the pavement licensing policy is likely to include:
- Administration and processing of applications
 - Consultation and engagement activities
 - Enforcement and compliance monitoring
 - Initial policy development
- 5.2 There is also potential for reduced income if refunds or fee adjustments are applied.
- 5.3 There will be financial implications for businesses applying for a pavement licence through the introduction of an application fee for each new licence application or renewal. The charges are intended to contribute towards the administrative costs outlined in 5.1. Whilst this will introduce an additional cost for applicants, the fee is intended to ensure that the service operates on a cost-recovery basis and that the financial burden of administering the regime is not solely met by the Council.

- 5.4 Businesses may also benefit from the commercial opportunities provided through the use of outdoor space, including increased seating capacity and enhanced customer experience.

Legal Implications

- 5.5 The pavement licensing policy must comply with the statutory and regulatory requirements governed by the Business and Planning Act 2020 as amended, which sets out the framework for issuing, renewing and enforcing pavement licences. The legal framework ensures licences are issued fairly, safely and transparently, balancing business interests with public safety and amenity.
- 5.6 Inadequate implementation of the Act would result in lack of clarity and direction for businesses and residents. Licences must also align with existing planning regulations, highway regulations and local bylaws.

Equalities and Diversity Implications

- 5.7 Equalities Impact Assessment was carried out in May 2025. The policy promotes the importance of safety and accessibility of the public highway, particularly for those with disabilities and those who are visually impaired
- 5.8 A copy of the Equalities Impact Assessment can be found at **Appendix 4** of the policy document.

Community Safety Implications

- 5.9 The introduction of a pavement licensing policy can have several positive impacts on community safety. Licences ensure that outdoor trading areas are properly managed, keeping pavements clear and accessible for pedestrians, including those with disabilities or pushchairs. The policy also allows the Council to revoke or modify licences if safety standards are not met, ensuring ongoing compliance.

BACKGROUND DOCUMENTS

- BD1 [Business and Planning Act 2020](#)
- BD2 [Pavement licences: guidance - GOV.UK](#)
- BD3 Informal Consultation Emails
- BD4 SBC pavement licence fees calculation sheet.
- BD5 Informal Consultation Responses



Appendix B -
Informal Consultation

APPENDICES

- A Pavement Licensing Policy (Final -15.04.2026)

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Pavement Licensing Policy

Stevenage Borough Council

2026

Date created	April 2025
Approved by	Full Council
Owner	Rory Cosgrove (Head of Environmental Health & Licensing)
Version	Version 2
Author	Julie Dwan (Licensing Manager)
Business Unit and Team	Planning & Regulation (Environmental Health & Licensing)
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For translations, braille or large print versions of this document please email equalities@stevenage.gov.uk.

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1. Purpose

- 1.1 This policy sets out the approach of Stevenage Borough Council to the granting of pavement licences in accordance with the Business and Planning Act 2020. The purpose of this policy is to set out the standards, expectations and application procedures associated with the granting, monitoring and enforcement of Pavement Licences within the Borough of Stevenage (excluding the Town Centre). It ensures a consistent, fair and transparent approach in managing the use of public highways for commercial purposes while safeguarding public safety, accessibility and amenity. It also provides guidance to applicants, existing licence holders and authorised Officers of the Council, detailing how compliance will be regulated and what measures will be taken in cases of non-compliance or breaches of licence conditions. Applicants and members of the public are advised to contact the Licensing Authority in the event of an enquiry for appropriate advice.
- 1.2 This policy is introduced following the Levelling Up and Regeneration Act 2023 which made permanent the provisions set out in the business and Planning Act 2020. This policy will be reviewed every 2 years or earlier if there are changes in legislation or guidance.

2. Scope

- 2.1 Stevenage Borough Council, as the Licensing Authority recognises the importance of pavement licensing to businesses and value their contribution towards the local economy. 'Café Culture' is a growing trend, with an increasing demand for eating and drinking outdoors. Many pubs, restaurants and cafes want to provide facilities to meet this demand by using the pavement area outside of their premises.
- 2.2 The Pavement Licensing Policy (hereafter referred to as 'The Policy') will be used to create an alfresco dining environment which:
- Ensures fair trading between all licence holders in the Borough of Stevenage;
 - Protects the amenity of the residents by ensuring that licence holders do not cause nuisance, damage, disturbance or annoyance;
 - Ensures the safety of the people using the dining areas and the pavements;
 - Provides applicants and licence holders with advice and guidance on the Council's approach to the administration and enforcement in relation to pavement licences.

2.3 In determining an application for a pavement licence, the principle adopted by the Licensing Authority, will be that each application will be determined on its own merits. All applications will be considered, under the terms of this policy, and regard will be given to the list of objectives outlined below:

2.3.1 **Public Safety**

The proposed licensed area of the street should not present a significant risk to the public in terms of an obstruction or safety on the highway. All applicants should consider the following which will help the Licensing Authority assess the suitability of the proposed site:

- Interference with the line of sight for road users
- Access to pedestrian crossings,
- Space for those with disabilities to pass by unhindered, and
- Proximity to roads or cycle paths

2.3.2 **Prevention of Crime and Disorder**

All applicants/licence holders are expected to operate in such a way as to promote the Prevention of Crime and Disorder, particularly those applicants/licence holders who intend to trade during later hours.

2.3.3 **Prevention of Public Nuisance**

All applicants/licence holders should consider measures to mitigate the risk of nuisance from noise, refuse, vermin, fumes and smells. Licence holders have an obligation to ensure that the licensed area does not impede those using the highway, particularly those with prams, wheelchairs or persons with disabilities.

2.3.4 **Sustainability**

All applicants/licence holders should consider steps which they intend to follow to reduce the environmental impact of the activity. i.e. the use of reusable/ recyclable products and energy efficient processes.

2.3.5 **Suitability of Street Furniture**

All applicants/licence holders must ensure that street furniture is able to be removed from the licensed pavement area at the end of the period for which it is licensed. Furniture should be strong, safe and well maintained.

3. Legal Framework

- 3.1 This policy sets out how Stevenage Borough Council will comply with the requirements of the Business and Planning Act 2020, in the provision of a pavement licences for the following activities:
- Use of furniture by the licence holder to sell or serve food or drink supplied from, or in connection with, the relevant use of the premises;
 - Use of the furniture by other persons for the purpose of consuming food or drink supplied from, or in connection with, the relevant use of the premises.
- 3.2 The Levelling Up and Regeneration Act 2023 came into effect on 31st March 2024 and made permanent the provisions set out in the Business and Planning Act (BPA) 2020 with a number of changes. The Levelling Up and Regeneration Act introduced a standard cap on fees for both new and renewals of licences as well as increased consultation and determination periods, the lengthening of the maximum duration of licences and provides Local Authorities with new powers to remove unlicensed furniture.
- 3.3 The Highways Act 1980 is no longer used to provide pavement licences for the activities specified in 3.1 and 3.2.
- 3.4 The Licensing Authority will exercise its functions with respect to pavement licensing in accordance with the provisions of the Business and Planning Act 2020, as amended. These functions will be carried out under the delegated authority granted by Stevenage Borough Council
- 3.5 All decisions made under this policy will be taken by Officers designated through the Council's approved scheme of delegations.
- 3.6 The Licensing Authority will only grant a pavement licence in respect of highways listed in section 115A (1) of the Highways Act 1980, these are generally footways restricted to pedestrians or are roads and places where vehicle access is restricted or prohibited. Highways maintained by Network Rail are exempt and a licence cannot be granted.

- 3.7 The granting of a pavement licence does not grant the right to permanently close a road. This would require a pedestrian planning order to be made under section 249 (2) or 249 (2A) of the Town and Country Planning Act 1990, to extinguish the right to use vehicles on the highway.
- 3.8 The granting of a pavement licence only permits the placing of furniture on the highway and does not negate the need for businesses to obtain approvals under other regulatory frameworks, such as the need for a licence to sell alcohol (Licensing Act 2003) and the need to comply with the registration requirements for food businesses.
- 3.9 The Local Authority has regard for the Public Sector Equality Duty, under the Equality Act 2010 in the implementation of this policy which includes the need to have due regard to eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Act. Any businesses which apply for a pavement licence will also need to have regard to their own duties under the Equality Act 2010, such as their duty under section 29 of the Act not to discriminate in providing their service and the duty to make reasonable adjustments.

3.10 **Changes to this Policy**

Minor inconsequential amendments to this policy may be made by the Assistant Director of Planning and Regulation, in consultation with the Cabinet Member/Portfolio Holder for the relevant service area. These amendments are limited to updates that reflect changes in legislation or other insignificant adjustments that do not materially alter the original intent or impact of the policy. These amendments will help keep the policy up to date, while ensuring that its core objectives and effectiveness remain unchanged.

4. **Equalities**

- 4.1 Under the Equality Act (2010), the Council has a legal duty to fulfil the requirements of the Public Sector Equality Duty (PSED). Through this duty and in the application of this policy, the Council will carry out its functions in a way that:
- a. Removes discrimination, harassment, victimisation and any other conduct that is unlawful under the Equality Act (2010)
 - b. Promotes equal opportunities between people who have a protected characteristic(s) and those who don't
 - c. Encourages good relations between people who have a protected characteristic(s) and those who don't

Further information on the Council's fulfilment of the Equality Act (2010) is set out in the Equality, Diversity and Inclusion (EDI) Policy (2022) and Reasonable Adjustment Policy (2024).

5. Data Protection

5.1 The Council regards respect for the privacy of individuals and the lawful and careful treatment of personal information as very important to delivery of services.

5.2 The Council will ensure that it treats personal information lawfully and proportionately as set out in the General Data Protection Regulation (GDPR) and Data Protection Act (2018). For further information on the Councils approach to handling information please see [Data Protection Act \(stevenage.gov.uk\)](https://www.stevenage.gov.uk)

6. Policy

6.1 A pavement licence is a licence which is granted by the Licensing Authority. It permits the licence holder to place removeable furniture on designated highways adjacent to the premises in relation to which the application was made. Typically, these licences support hospitality businesses such as cafes, restaurants and pubs, enabling them to utilise outdoor areas for customer seating and service.

6.1.1 To be suitable for a pavement licence, the area must be a public highway as defined by section 115 of the Highways Act 1980:

- A highway in relation to which a pedestrian planning order is in force;
- A restricted byway;
- A bridleway;
- A footpath (including a walkway as defined in section 35 (2) of the highways Act 1980);
- A footway
- A subway constructed under section 69 of the Highways Act 1980;
- A footbridge constructed under section 70 of the Highways Act 1980;
- A highway where the use of vehicular traffic is prohibited by a traffic order but the use by other traffic is not prohibited, restricted or regulated by such an order.

6.1.2 Seating areas that are located on privately owned land, land to the rear of buildings, or within the defined boundary of Stevenage Town Centre do not require a licence under this Policy. However, if you do not own the land, you will need to obtain permission from the landowner.

- 6.1.3 Those persons wishing to apply for outdoor seating within the area defined as Stevenage Town Centre, must contact the Town Centre Management team in the first instance at tcm@stevenage.gov.uk

6.2 Eligibility

- 6.2.1 A business which uses (or proposes to use) premises for the sale of food or drink for consumption (on or off the premises) can apply for a licence. Businesses that are eligible include: public houses, cafes, bars, restaurants, snack bars, coffee shops, and ice cream parlours including where such uses form an ancillary aspect of another use, for example supermarkets, or entertainment venues which sell food and drink.
- 6.2.2 A licence permits the business to use furniture placed on the highway to sell or serve food or drink and/or allow it to be used by people for consumption of food or drink supplied from, or in connection with the use of the premises.
- 6.2.3 Businesses that do not use their premises for the sale of food or drink, for example hair or beauty salons, are ineligible, though they can apply for permission to place furniture on the pavement through Hertfordshire County Council under the Highways Act 1980.

6.3 A Suitable Location

- 6.3.1 Before applying for a new or renewal of a pavement licence, applicants must ensure that the proposed licensed area is in a suitable location, and must meet all of the following criteria:
- 6.3.2
- A minimum width of 2 meters of clear, unobstructed access to the footpath must be maintained for the movement of pedestrians. This means there must be at least 2 meters of space between the edge of the licensable area and either the Highway, or any fixed objects such as trees, benches, bollards, or lampposts. This is to ensure, safe and unimpeded pedestrian movement at all times. In certain constrained locations, a reduced clear width of no less than 1.5 metres may be considered at the discretion of the licensing authority, provided it can be demonstrated that pedestrian access and public safety will not be compromised. In such cases where the licensable area extends across the entire width of a footpath, abutting the highway, the above space criteria is still required, but can be achieved by the pedestrian access sub-dividing the licensable area.

- Must not present a significant risk to the public in terms of an obstruction or safety on the highway such as interference with the line of sight for road users, access to pedestrian crossings, and space for those with disabilities to pass by unhindered.
- Must be suitably lit (particularly after dark) to promote the safe access and egress of customers and to be visible to other users of the public highway.
- Does not impede the passage of emergency vehicles.
- Does not impede the use of underground apparatus such as water valves, stopcocks, Fire Hydrants, and meter chambers.
- Will not cause a disturbance, damage, interference, annoyance, inconvenience (e.g. noise nuisance, litter, odour etc) to residents or other businesses.

6.3.3 Licence holders must ensure that members of the public using the licensed areas, or walking past the licensed area, are adequately protected from encountering hot surfaces (such as cookware or appliances).

6.3.4 Licence holders must ensure that any wires or cabling to the licensed area does not pose a tripping hazard to members of the public.

6.4 Furniture permitted by a pavement licence

6.4.1 Furniture is required to be removeable and related to the serving, sale and consumption of food or drink.

Furniture which may be placed on the pavement includes:

- Counters or stalls selling or serving food or drink
- Tables, counters or shelves on which food or drink can be placed
- Chairs, benches or other forms of seating; and
- Umbrellas, barriers, heaters and other articles used in connection with the outdoor consumption of food or drink

All furniture must be easily moveable and remain non-fixed at all times.

6.4.2 The licence holder must ensure that all furniture is removed from the highway and, securely stored away outside of the licensed operating hours and each night

Umbrellas

- 6.4.3 Applicants wishing to include umbrellas as part of the furniture in their pavement licence application must clearly state the number of umbrellas to be used. In addition, the application must provide full details of the method by which each umbrella will be safely secured to prevent movement or detachment in adverse weather conditions, particularly high winds. This is to ensure public safety and to avoid any hazard to pedestrians or other users of the highway. Failure to maintain umbrellas safely may result in them being removed from the licence.
- 6.4.4 **Permanent fixed structures and furniture which is not removable and used in connection with the outdoor selling or consumption of food or drink are not permitted by a pavement licence.**
- 6.4.5 Advertising boards are not included under the definition of furniture within the pavement licensing regime. Consent for Advertising boards will be required under the Highways Act 1980 and will also require express advertising consent under the Town and Country Planning Regulations 2007.
- 6.4.6 **Applicants wishing to place Advertising boards or non-removeable furniture onto the highway must apply for permission from Hertfordshire County Council, under the Highways Act 1980.**
- 6.5 Licensed Premises – Licensing Act 2003**
- 6.5.1 If an applicant/licence holder intends to carry out a licensable activity, i.e. the sale of alcohol, within the pavement license area, they should contact licensing@stevenage.gov.uk to find out if they need to vary their current premises licence to include the pavement licence area.
- 6.5.2 If using a pavement licence in conjunction with a premises licence under the Licensing Act 2003, licence holders should be aware of their obligations to promote the four licensing objectives;
- The prevention of crime and disorder
 - The prevention of public nuisance
 - The promotion of public safety, and
 - The protection of children from harm

6.6 Public Spaces Protection Order (PSPO)

- 6.6.1 A Public Spaces Protection Order (PSPO) can be used by the Council or the Police to deal with problems with alcohol related anti-social behaviour in public places. Failure to comply with an order is a criminal offence punishable by way of a fine or fixed penalty notice.
- 6.6.2 A PSPO will not apply to an area operating under a premises licence issued under the Licensing Act 2003, or if the area of highway is covered by a pavement licence.

6.7 Planning Permission

- 6.7.1 Once a pavement licence is granted, or deemed to be granted, applicants will also benefit from deemed planning permission to use the land for activities pursuant to the licence, for the duration of that licence.
- 6.7.2 Applicants are strongly encouraged to consult with the Stevenage Planning Authority prior to applying for a pavement licence. This is to determine whether any existing planning restrictions are in place for the premises, such as conditions relating to operating hours, permitted activities or land use that may impact the eligibility for a pavement licence. Failure to consider such restrictions may result in the refusal of the application.

6.8 Smoke Free

- 6.6.1 All tables and chairs provided under a pavement licence must be smoke free. Licence holders who place seating on the highway, for the purpose of the consumption of food and drink, must take reasonable steps to ensure smoking does not take place in the licensed area.

6.9 Public Liability Insurance

- 6.9.1 All applicants/licence holders must hold a valid public liability insurance policy with a minimum cover of £5 million.

6.9.2 It is the sole responsibility of the licence holder to ensure that the Public Liability Insurance remains valid and in force for the entire duration of the pavement licence.

6.9.3 Licence holders must provide copies of the current insurance certificate upon request of an officer of the Licensing Authority.

6.9.4 Any lapse or gap in the Public Liability Insurance coverage may result in enforcement action, including the immediate revocation of the pavement licence.

6.10 Accessibility

6.10.1 The Local Authority recognises that street and café furniture, such as tables, chairs planters, hanging baskets and barriers can contribute positively to the vibrancy and appeal of public spaces, however if these items are overused, poorly positioned or inadequately managed, they can become significant obstacles, particularly for disabled people and others with limited mobility.

6.10.2 A clear, unobstructed footway must be maintained at all times, with particular consideration given to wheelchair users and those with visual impairments.

6.10.3 Furniture must not block tactile paving, dropped kerbs or crossings.

6.10.4 Temporary or seasonal installations must be regularly monitored to ensure continued compliance.

6.10.5 Applicants must ensure the safety and accessibility of the public highway, particularly for those who are visually impaired. The use of tap barriers (also known as tapping rails or detectable barriers) is recommended to meet this requirement.

6.10.6 Businesses and individuals are responsible for maintaining their installations and responding promptly to any concerns raised.

6.10.7 The Council will work collaboratively with stakeholders to support outdoor activity and business growth while safeguarding public access and inclusivity.

6.11 Sustainability

6.11.1 Stevenage Borough Council are committed to battling climate change by setting a target for Stevenage to be net-zero emissions by 2030. Tackling climate change and improving sustainability must be a key foundation for all activities by the Council, local businesses, and residents. The Council encourages licence holders to recycle where possible and reduce the use of single use plastics and polystyrene which includes the following:

- Plastic and polystyrene cups
- Plastic cutlery and coffee stirrers

- Plastic plates
- Plastic drinks bottles
- Plastic bags
- Plastic straws
- Plastic and polystyrene takeaway packaging

6.11.2 For further information regarding Climate Change and Sustainability please click on the following link [Climate Change and Sustainability](#). If you have any questions, please direct them via email to the Climate Change team at climatechange@stevenage.gov.uk.

6.11.3 The licence holder must ensure that outdoor heaters used in the pavement area are infrared and are controlled by the customer, by timer or motion sensors. Gas heaters are not permitted.

6.12 Enforcement

6.12.1 The Legislative and Regulatory Reform Act 2006, Part 2, requires Stevenage Borough Council to have regard to the principles of good regulation when exercising its regulatory functions.

6.12.2 The Licensing Authority is committed to monitoring pavement licences issued under the provisions of the Business and Planning Act 2020. It will ensure that licence holders comply with the terms and conditions of their licence, as well as relevant statutory requirements.

6.12.3 Enforcement action will be undertaken where necessary to protect public safety, maintain accessibility, and uphold the amenity of public spaces.

6.12.4 The Licensing Authority will exercise its enforcement powers fairly, consistently and proportionately, taking into account the individual circumstances of each case.

6.12.5 The Licensing Authority aims to resolve issues through engagement and advice where appropriate but will not hesitate to take formal action where conditions are breached or if it is in the public interest to do so.

Dealing with complaints

6.12.6 All complaints received by the Council in relation to pavement licensing will be fully investigated and in carrying out investigations, the Council will consider the nature of the complaint, the evidence available and the relevant provisions of this policy.

6.12.7 Each case will be assessed on its own merits to determine the most appropriate course of action. The Council will take proportionate steps to resolve any issues

identified, which may include providing advice, issuing a warning, or taking formal enforcement action where necessary.

- 6.12.8 The Council is committed to ensuring transparency, fairness and consistency in how complaints are handled and resolved.

Placing furniture on the highway without a licence

- 6.12.9 Any individual or business that places tables, chairs or any other items of furniture, as defined in section 6.4 of this policy, on the public highway without appropriate authorisation is considered to be in breach of the Business and Planning Act 2020.
- 6.12.10 Where such a breach occurs, the Council will serve a notice to the licence holder under Section 7A of the Business and Planning Act 2020. This notice will require the removal of the unauthorised furniture by a specified date.
- 6.12.11 Upon receipt of the notice, the licence holder must remove the furniture in accordance with the terms of the notice and must refrain from placing any such furniture on the highway unless duly authorised by a valid pavement licence.
- 6.12.12 Failure to comply with the notice may result in further enforcement action, including the removal of the furniture by the Council and the recovery of costs associated with the removal and storage of the furniture.
- 6.12.13 Furniture which has been removed as a result of enforcement action will not be returned to the licence holder until associated costs have been paid.
- 6.12.14 If, within a period of three months, beginning on the day the notice is served, the individual does not pay the associated costs and recover the furniture, the Council may dispose of the furniture by sale or by any other means it considers appropriate.
- 6.12.15 The Council reserves the right to retain the proceeds of any sale and apply them for any purpose it deems appropriate, including but not limited to covering enforcement and administrative costs.

Breaching pavement licence conditions

- 6.12.16 Should a pavement licence holder breach any of the conditions set out in their licence, the Licensing Authority may take enforcement action in accordance with the Business and Planning Act 2020. In response to a breach, the Licensing Authority may:
- Revoke the licence, where the breach is serious, repeated or where the licence holder fails to comply with remedial action; or

- Serve a notice on the licence holder requiring them to take specific steps to remedy the breach. The notice will detail the actions required and the time within which those actions must be completed.

6.12.17 Failure to comply with a notice may result in further enforcement action, including the removal of any unauthorised furniture from the highway.

Revocation of a Pavement Licence

6.12.18 The Licensing Authority reserves the right to revoke a pavement licence in accordance with relevant legislation. A licence may be revoked where the Licensing Authority considers that:

a) Some or all of the part of the relevant highway to which the licence relates has become unsuitable for any purpose in relation to which the licence was granted.

b) The granting of a licence has resulted in:

- i. A risk to public health or safety;
- ii. Anti-social behaviour or public nuisance; or
- iii. Obstruction of the highway i.e. the arrangement of street furniture prevents disabled people, older people or wheelchair users to pass along the highway unimpeded.

c) The licence holder has provided information in their application which was materially false or misleading.

d) The licence-holder has failed to comply with the requirement to display the notice of application as prescribed by the relevant regulations.

6.12.19 Where the Council makes the decision to revoke a pavement licence, the licence holder will be informed of the Council's decision and the reason for that decision within 5 working days.

Enforcement by other agencies

6.12.20 In addition to any action taken by the Licensing Authority, licence-holders are reminded that they are required to comply with all relevant legislation and regulatory requirements enforced by other statutory bodies.

6.12.21 Where a licence holder fails to comply with legislation outside the scope of the Licensing Authority's remit, other enforcement agencies may take appropriate action. This may include, but is not limited to:

- **Trading Standards:** for breaches relating to fair trading, counterfeit goods, pricing, or unsafe products.

- **Highway Authority:** for unlawful obstruction, damage, or unauthorised use of the public highway.
- **Environmental Health:** for public health and safety concerns, including noise nuisance or food hygiene breaches.
- **Police and Community Safety Teams:** for anti-social behaviour, disorder, or breaches of public order.
- **Planning Authority:** for issues relating to unauthorised development or change of use.

6.12.22 Licence holders are expected to ensure full compliance with all relevant legal and regulatory frameworks. Failure to do so may result in enforcement action by the appropriate authority, which may also inform the Licensing Authority's decision on the continued suitability of the licence holder.

6.13 Making an application

6.13.1 A New Pavement Licence

6.13.2 New applicants are advised to read this Pavement Licence Policy before submitting an application to ensure they meet the criteria for the granting of a pavement licence.

6.13.3 Applicants must complete the application form attached at **Appendix 1** and must submit a complete application which includes the following:

- a) A completed application form, which is signed and dated
- b) A plan which must be in line with this policy (see section 6.23)
- c) Colour photographs of the proposed street furniture to be used (including barriers, planters or similar)
- d) A certificate of Public Liability Insurance, which covers the pavement licence activity. The insurance policy must provide cover for third-party and public liability risks arising from the use of the licensed area. The minimum amount of insurance cover shall be £5,000,000.

6.14 Consultation

6.14.1 Once a complete application for a pavement licence has been validated and deemed complete, and before a consent is granted, the Council will consult with the following:

- a) Hertfordshire County Council Highways
- b) The Local Planning Authority
- c) Hertfordshire Constabulary
- d) Environmental Health
- e) Stevenage Borough Council Engineering Services

6.14.2 During the consultation period the Licensing Authority and/or consultees may visit the premises to inspect the proposed licence area.

6.15 Public Notice

6.15.1 In accordance with statutory requirements and to ensure transparency in the decision-making process, applicants are required to notify the public of their pavement licence application.

6.15.2 Applicants must complete the public notice template provided at **Appendix 2** and display it prominently on or near the premises to which the application relates. The notice must:

- Be placed in a clearly visible and accessible location, such as a window or external wall facing the street.
- Be displayed for a continuous period of 14 days, starting from the date the applicant receives written confirmation from the Council that the application has been deemed complete.
- Remain legible and intact throughout the full 14-day consultation period.

6.16. Determination of an application for pavement licence

6.16.1 The Council is committed to ensuring a timely determination of pavement licence applications. Following the completion of the 14-day public consultation period the Council have a further 14-day decision period where it must decide whether to:

- Grant the application as it was applied for.
- Grant the application with conditions or amendments to the proposed area (reduce the size of the area or the number of tables and/or chairs)
- Refuse the application.

6.16.2 If the applicant has not received formal notification of the Council's decision by the end of the 14-day decision period, the licence will be automatically deemed granted, subject to the terms, conditions and layout specified in the original application.

6.16.3 This 'deemed grant' will be valid as if the licence had been formally issued by the Council, and the applicant may operate in accordance with its terms.

6.17 Pavement Licence conditions

6.17.1 All pavement licences granted by the Council will include standard conditions as set out in **Appendix 3** of this policy document. These conditions apply uniformly to all licences and are designed to uphold the Council's responsibilities with respect to public health, safety and the protection of the local amenity.

6.17.2 In addition to the standard conditions, the Council may impose further specific conditions on a case-by-case basis. These may be considered necessary and proportionate for the promotion of one or more of the licensing objective:

- Prevention of Crime and Disorder
- The Prevention of Public Nuisance and
- The promotion of Public Safety

6.17.3 Licence holders are required to comply with all conditions attached to their licence. Failure to do so may result in enforcement action, including modification, suspension or revocation of the licence.

6.18 Variation of conditions

6.18.1 The Council may, at any time with the permission of the licence holder, vary the conditions of a pavement licence. This will happen if some or all of the relevant highway, to which the licence relates, has become unsuitable for any purpose in relation to which the licence was granted or deemed to be granted.

6.19. The Licence

6.19.1 Details on the licence will include:

- a) A unique licence number
- b) The name of the licence holder
- c) The number of tables, chairs, umbrellas etc. permitted by the licence
- d) The days and times permitted by the licence
- e) The plan
- f) The conditions of licence

6.19.2. All licences will remain in force for a period of **2 years**, unless there is good reason for granting a licence for a shorter period i.e. there are plans in place for future changes in the use of the proposed space, or the licence is surrendered or revoked.

6.20 Renewal of a pavement licence

- 6.20.1 All renewal applications for a pavement licence will be reviewed in accordance with the provision of this policy. This requirement applies to all licences including those granted prior to the adoption of this policy.
- 6.20.2. Applicants wishing to renew a pavement licence must complete the application form attached at Appendix 1 and must submit a complete application which includes the following:
- a) A completed application form, which is signed and dated
 - b) A plan which must be in line with this policy (see section 6.23)
 - c) Colour photographs of the proposed street furniture to be used (including barriers, planters or similar)
 - d) A certificate of Public Liability Insurance, which covers the pavement licence activity. The insurance policy must provide cover for third- party and public liability risks arising from the use of the licensed area. The minimum amount of insurance cover shall be £5,000,000.
- 6.20.3. Applications to renew a pavement licence must be submitted two (2) full calendar months before the expiry date of an existing licence. If a valid renewal application is received prior to the licence's expiration, the licence holder will be permitted to continue operating under the existing terms until the application is determined.
- 6.20.4 If a renewal application is not submitted before the expiry date, the licence will lapse, and the licence holder must cease all related operations. In such cases, all tables, chairs and any other associated furniture must be removed from the licensed area until a new licence is granted.

Consultation

- 6.20.5 Applications for the renewal of a pavement licence are subject to the same consultation process as a new application, as explained in section 6.13 of this policy.

Public notice

- 6.20.6. Applications for the renewal of a pavement licence must include the completion and display of a public notice following the same process as a new application, as explained section 6.14.

Determination of an application to renew a pavement licence

6.20.6 Applications for the renewal of a pavement licence will be determined using the same decision-making process as a new application, as explained in section 6.16.

6.21. Applications previously granted under the Highways Act 1980

6.21.1 All pavement licences previously granted under the Highways Act 1980 for activities licensable under the pavement licensing legislation in the Business and Planning Act 2020 must be granted under the Business and Planning Act 2020 (as amended by section 229 and schedule 22 of the levelling Up and Regeneration Act) and should not be granted under the Highways Act 1980.

6.22 Existing Pavement Licences

6.22.1 Existing pavement licences granted after 31 March 2024 and prior to the adoption of this policy, will remain valid until the expiration date on the licence issued by the Licensing Authority. Once this has expired, businesses will be required to submit an application for a new licence and all applications will be assessed in accordance with the criteria set out in this policy and the legislative framework.

6.23 The Plan

6.23.1 All applications for a new or renewal of a pavement licence must be accompanied by an A4 plan clearly showing:

- The location of the premises to which the application relates.
- The precise area of the public highway that is proposed to be used for the placing of furniture. This must be clearly outlined in red to ensure it is easily identifiable.
- Access points, building lines and boundaries.
- The measurements of the area of the public highway that is proposed to be used for the placing of furniture, including measurements from the edge of the proposed seating area to obstacles or roads.
- The precise location/layout of the tables, chairs and any other furniture (including barriers) as defined in section 6.4 of this policy.

6.24. Appealing a decision

6.24.1 There is no statutory right of appeal against decisions made under the Business and Planning Act 2020 in relation to pavement licensing. As such decisions made under this Act and this policy are final.

6.24.2 Persons aggrieved by any decision made under this policy should follow the Council’s formal complaints procedure, details of which can be found using this link [Compliments and Complaints](#).

6.25 Licence fees

6.25.1 The fees payable for the grant or renewal of a pavement licence are:

	Grant	Renewal
Pavement Licence under the BPA 2020	£500	£350

6.26 Refunding of fees

6.26.1 Fees and charges for pavement licences are set on a cost recovery basis, in accordance with the provisions of the Business and Planning Act 2020 and do not exceed the maximum amount set by government. As such, the Licensing Authority is limited in the circumstances under which it can offer refunds. Refunds **will only** be considered in the following situations:

- Where an application has been withdrawn before the application is determined and before any substantive processing has taken place.
- Where a duplicate payment has been made in error.

6.26.2 Refunds **will not** normally be issued in the following cases:

- Where an application has been processed and has been subsequently refused.
- Where a licence is granted for a shorter period than requested. (see section 6.19.2 of this policy).
- Where a licence is surrendered or revoked before the expiry date.

- Where the applicant no longer wishes to proceed after processing has commenced.

6.26.3 All requests for refunds must be made in writing to licensing@stevenage.gov.uk. Refund requests will be assessed on a case-by-case basis, taking into account the circumstances of each application. The Licensing Authority reserves the right to determine eligibility for a refund, and its decision will be final. Any approved refund will be subject to the deduction of administration fees.

7 Consultation

7.1 The Licensing Authority has consulted informally with the following persons for comment in relation to this policy which includes persons listed in section 6.14 of this policy, these include:

- a) Hertfordshire County Council Highways
- b) The Local Planning Authority
- c) Hertfordshire Constabulary
- d) Environmental Health
- e) Stevenage Borough Council Engineering Services
- f) Stevenage borough Council Town Centre Management Team
- g) Stevenage Borough Council Estates team
- h) Stevenage Borough Council Street Scene and Amenities
- i) All existing holders of a Stevenage Borough Council Pavement Licence

8 Monitoring and Review

8.1 This policy will be reviewed by the relevant Business Unit's Head of Service or Service Manager every 2 years (see page 1 for details of Business Unit) or earlier if there is a change in legislation. Where more than 10% of the policy content is

changed the Assistant Director and appropriate Portfolio Holder will be required to decide if the policy needs to be formally reconsidered by the Executive or appropriate decision-making body.

8.2 Where there is a request for the content of the policy to be reviewed in response to a complaint, the relevant Business Unit’s Assistant Director will be notified. If the Assistant Director agrees that a review of policy is required, this will be discussed with the appropriate Portfolio Holder. The Head of Service or Service Manager will be responsible for implementing a subsequent policy review.

9 References and Resources

- [Pavement licences: guidance - GOV.UK](#)
- [Business and Planning Act 2020](#)
- [Licensing Act 2003](#)
- [Highways Act 1980](#)
- [Climate Change and Sustainability](#)
- [Stevenage Climate Action Plan](#)
- [Climate Change Strategy - September 2020](#)
- [Equality Act 2010](#)
- [Home | Stevenage Town Centre](#)
- [Health Act 2006](#)

10 Abbreviations and Definitions

EDI	Equality, Diversity and Inclusion
GDPR	General Data Protection Regulation
PSED	Public Sector Equality Duty
SBC	Stevenage Borough Council
BPA2020	Business and Planning Act 2020

Licensed area the area where tables, chairs and other authorised removeable furniture can be placed.

Furniture For the purpose of this policy, furniture refers to moveable items placed on the highway for the purpose of a pavement licence, this may include, tables and chairs, barriers (used for demarcating licensed area), umbrellas or parasols, planters, heaters, waste bins associated with the licensed use) other items intended to be used by customers, such as benches or serving stands.

District the area covered by Stevenage Borough Council.

- Pavement licence** a licence which permits a business to place removeable furniture on the highway adjacent to their premises for the purpose of selling/consuming food and drink.
- Public Highway** refers to public areas such as footpaths or pedestrianised streets, carriage ways excluding trunk roads and motorways.
- Licensing Authority** the Local Authority responsible for carrying out licensing functions under various legislative frameworks including the Business and Planning Act 2020.
- Public Nuisance** An act that affects the reasonable comfort and convenience of the public or section of the community. i.e. excessive noise, obstruction of the highway or rights of way, littering, odours, or antisocial behaviour.
- Appeals** a formal process to review the decision made by the Licensing Authority under the grounds of unfairness, or a disagreement with the outcome.

11 Appendices

Appendix 1 – Application form

Application for the Grant/Renewal of a Pavement Licence

(Section 2 of the Business and Planning Act 2020)

All Applicants are advised to read the Council's [Pavement Licence](#) policy before completing/submitting an application to ensure they meet the criteria for the granting of a pavement licence.

APPLICATION TYPE (please tick the relevant box)	
Grant of a Pavement Licence	<input type="checkbox"/>
Renewal of pavement licence	<input type="checkbox"/>

Applicant's name:

Address & Postcode:	
Telephone:	
E-mail:	

Agent Details (if applicable):	
Address & Postcode:	
Telephone:	
E-mail:	

Name & Address of the premises to which this application relates:	
Telephone Number:	
Name of contact at the premises (if this differs from the applicant)	

Do you, the applicant occupy these premises as:

Freeholder Leaseholder Tenant Other (please specify)

--

Purpose of the application (please tick one or both)	
To sell or serve food or drink supplied from, or in connection with relevant use of, the premises.	<input type="checkbox"/>
Use of the furniture by other persons for the purpose of consuming food or drink supplied from, or in connection with relevant use of, the premises	<input type="checkbox"/>

Relevant use of the premises (please tick one or both)

Use as a public house, wine bar or other drinking establishment	
Use for the sale of food or drink for consumption on or off the premises	

What is the nature of the business at these premises? (please be specific)

Location (include photographs if possible):
Size of area (m), Length: <input type="text"/> Width <input type="text"/>

Number of tables, chairs and other items of removeable furniture proposed for use in the licensed area:	
Number of Tables	<input type="text"/>
Number of Chairs	<input type="text"/>
Number of Umbrellas	<input type="text"/>
Number of Heaters	<input type="text"/>
Other (please specify)	<input type="text"/>

Details of furniture and barriers e.g. type, colour, material, size (include photographs/images/brochures where possible)

Please indicate below the proposed days and times of operation for tables and chairs
(please use 24-hour clock):

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Start							
End							

Checklist:

- Completed Application form.
- A valid Public Liability Insurance Certificate to the sum of at least £5 million
- A scale plan of the area (showing the location of all items to be placed in the licensed area)
- A location plan (showing both the area to be licensed and the premises relating to the application outlined in **RED**)
- A copy of your completed public notice (must be displayed on the premises for 14 days)
- Once your application has been received a member of the licensing team will contact you to make payment.

Your Signature Date

Please return the completed application form to: licensing@stevenage.gov.uk or post to: Licensing Team, Stevenage Borough Council, Daneshill House, Danestrete, Stevenage, Hertfordshire, SG1 1HN.

Our Privacy Policy has been updated to reflect changes to data protection legislation and can be viewed at the following link <http://www.stevenage.gov.uk/privacy-policy>

Appendix 2 – Public Notice



**NOTICE for display by an applicant for a Pavement Licence.
(Section 2 Business and Planning Act 2020).**

I/We (1), give notice that on (2) I/we applied to Stevenage Borough Council for a ‘Pavement Licence’ at: (3)

known as (4)

The application is for: (5)

Proposed days and times of operation:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Start							
End							

Any person wishing to make representations regarding this application may do so by writing to:

Stevenage Borough Council, Daneshill House, Danestrete, Stevenage, SG1 1HN or by Email to: licensing@stevenage.gov.uk

by: (6)

The application and information submitted can be viewed at www.stevenage.gov.uk

Signed

Dated (10)

Appendix 3 – Pavement Licence Standard Conditions

These conditions apply to all licences issued under the Business and Planning Act 2020

“**Licence Holder**” – for the purposes of these conditions a licence holder is the person named on the licence or anyone managing or employed at the premises in any capacity that allows them to carry out the benefits of the licence.

1. The Licence Holder shall not cause any unnecessary obstruction of the highway or danger to persons using it. The Licence holder must have particular regard to the needs of disabled people, and the recommended distances required for access by disabled people as set out in guidance issued by the Secretary of State.
2. The Licence Holder shall not permit persons to cause a public nuisance or anti-social behaviour.
3. The Licence Holder shall not use, or permit to be used, any apparatus for the reproduction of sound, including but not limited to musical instruments, radios, televisions, or public address systems, while exercising any of the privileges granted by this licence.

4. The Licence Holder shall not make, or cause to be made, any excavation, indentation, or other alteration of any kind to the surface of the highway. Furthermore, the Licence Holder shall not place, install, or fix any equipment or apparatus of any description into or onto the surface of the highway without the prior written consent of the Highway Authority.
5. The Licence Holder shall not use the highway for any purpose other than that expressly permitted by this Licence, and only during the permitted hours specified herein. At all other times, the Licence Holder shall not make any use of the highway under the terms of this Licence, except for the lawful purpose of passing and repassing over it as a member of the public.
6. The Licence Holder shall ensure that any advertisement is placed strictly within the licensed area as indicated on the approved plan. Any such advertisement must not, under any circumstances, cause obstruction to the highway or interfere with the safe and convenient passage of pedestrians.
7. The Licence Holder shall keep the licensed area, together with the immediately adjacent area, in a clean and tidy condition at all times during the permitted hours. The Licence Holder shall also provide and maintain suitable litter bins or similar receptacles for the proper disposal of waste arising from the licensed activity.
8. The Licence Holder shall ensure the prompt removal of litter, spillages, food waste, cigarette ends, and any other debris arising from the use of the licensed area.
9. The Licence Holder shall also ensure that any accumulation of weeds, dirt, or debris around or within the licensed pavement area is regularly removed and that the area is kept clean and properly maintained at all times
10. Upon the expiry, surrender, or revocation of this Licence, the Licence Holder shall remove all furniture, equipment, litter bins, and any other articles placed on the highway under the authority of this Licence. The Licence Holder shall ensure that the highway is left in a clean, neat, and tidy condition to the satisfaction of the Council.
11. Nothing in this Licence shall be construed as granting, or purporting to grant, any tenancy or right of occupation to the Licence Holder under the Landlord and Tenant Act 1954, or any statutory modification or re-enactment thereof for the time being in force, except as may be expressly provided for under the provisions of the Business and Planning Act 2020
12. In the event of an emergency, and upon request by an authorised officer of the Local Authority, a Police Officer, Fire Officer, Paramedic, or a representative of a statutory undertaker, the Licence Holder shall immediately remove the permitted furniture from the highway to facilitate access or ensure public safety.
13. If requested to do so by the Highway Authority, where the licensed area is required for maintenance, repair, or any other operational purpose, the Licence Holder shall promptly remove all permitted obstructions from the highway as directed.

14. The Council reserves the right to remove, store, or dispose of:
 - (i) any structures or items placed on the highway by the Licence Holder that are not authorised under the terms of this Licence; and
 - (ii) any structures or items authorised by this Licence but placed on the highway by the Licence Holder outside the permitted hours or outside the designated licensed area. The Council shall not be liable to the Licence Holder for the condition, loss, or safe keeping of any such structures or items so removed.
15. The Licence Holder shall display a copy of this Licence, or a Notice of its grant as approved by the Council, in a clear and prominent position at the premises to which the Licence relates, so as to be visible to members of the public at all times during the permitted hours.
16. The Licence Holder shall observe and comply with any reasonable directions relating to the use of the highway given by or on behalf of the Council.
17. The Licence Holder shall provide suitable barriers around the permitted area, subject to prior approval by the Council. Only barriers approved in writing by the Council shall be used.
18. The Licence Holder shall comply with the “no-obstruction condition” as set out in section 5(5) of the Business and Planning Act 2020. This means that any activity carried out by the Licence Holder pursuant to this Licence, or any activity of other persons enabled by this Licence, must not cause any of the effects specified in section 3(6) of this Act. In particular, the Licence Holder must not:
 - (a) prevent traffic, other than vehicular traffic, from:
 - (i) entering the relevant highway at any point where such traffic could otherwise enter it (Disregarding any pedestrian planning order or traffic order applicable to the Highway);
 - (ii) passing along the relevant highway; or
 - (iii) having normal access to premises adjoining the relevant highway.
 - (b) prevent any use of vehicles permitted by a pedestrian planning order or not prohibited by a traffic order.
 - (c) prevent statutory undertakers from having access to any apparatus belonging to them under, in, on, or over the highway; or
 - (d) prevent operators of electronic communications code networks from having access to any electronic communications apparatus installed for the purposes of their network under, in, on, or over the highway.
19. The Licence Holder shall comply with the “smoke-free seating condition” as set out in section 5(6) of the Business and Planning Act 2020. This requires that where seating is placed on the highway for the purpose of the consumption of food or drink, the Licence Holder must make reasonable provision for seating areas where smoking is not permitted.

20. The Licence Holder must ensure that any outdoor heaters used within the licensed area are infrared heaters that can be controlled by the customer, a timer, or motion sensors. The use of gas heaters is strictly prohibited.

Appendix 4 – Equality Impact Assessment (EqIA) May 2025



Pavement Licence Policy
Equality Impact Assessment (EqIA) Form

April 2025

Date created	May 2025
Approved by	Assistant Director – Planning & Regulation

Owner	Head of Environmental Health & Licensing
Version	V1.1
Author	Julie Dwan Acting Licensing Manager
Business Unit and Team	Environmental Health & Licensing

Please [click this link](#) to find the EqlA guidance toolkit for support in completing the following form.

For translations, braille or large print versions of this document please email equalities@stevenage.gov.uk.

First things first:

Does this policy, project, service, or other decision need an EqlA?

Title:	Pavement Licence Policy	
Please answer Yes or No to the following questions:		
Does it affect staff, service users or the wider community?		Yes/No
Has it been identified as being important to particular groups of people?		Yes/No
Does it or could it potentially affect different groups of people differently (unequal)?		Yes/No
Does it relate to an area where there are known inequalities or exclusion issues?		Yes/No
Will it have an impact on how other organisations operate?		Yes/No
Is there potential for it to cause controversy or affect the council's reputation as a public service provider?		Yes/No

Where a positive impact is likely, will this help to:	
Remove discrimination and harassment?	N/A
Promote equal opportunities?	N/A
Encourage good relations?	Yes/No

If you answered 'Yes' to one or more of the above questions you should carry out an EqlA.

Or if you answered 'No' to all of the questions and decide that your activity doesn't need an EqlA you must explain below why it has no relevance to equality and diversity.

You should reference the information you used to support your decision below and seek approval from your Assistant Director before confirming this by sending this page to equalities@stevenage.gov.uk.

I determine that no EqIA is needed to inform the decision on the .

Name of assessor: Julie Dwan

Decision approved by:

Role: Licensing Manager

Role: Assistant Director

Date: 27 May 2025

Date:

Equality Impact Assessment Form

For a policy, project, strategy, staff or service change, or other decision that is new, changing or under review

What is being assessed?		Revised Licensing Statement of Principles		
Lead Assessor	Julie Dwan		Assessment team	
Start date	May 2025	End date		
When will the EqIA be reviewed? (Typically every 2 years)		Will be reviewed every 2 years, unless there are significant changes to the legislation which would require the Council to review the Pavement Licence Policy sooner.		

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Who may be affected by the proposed project?	All residents and businesses within Stevenage, in particular pubs, restaurants and cafes who want to place removeable furniture on designated highways adjacent to the premises, enabling them to utilise outdoor areas for customer seating and service.
What are the key aims of the proposed project?	To set out the standards, expectations and application procedures associated with the granting, monitoring and enforcement of Pavement Licences within the Borough of Stevenage (excluding the Town Centre). It ensures a consistent, fair and transparent approach in managing the use of public highways for commercial purposes while safeguarding public safety, accessibility and amenity. It also provides guidance to applicants, existing licence holders and authorised Officers of the Council, detailing how compliance will be regulated and what measures will be taken in cases of non-compliance or

	breaches of licence conditions. The Policy does not prevent anyone from making an application, and each application will be considered on its individual merits.
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What positive measures are in place (if any) to help fulfil our legislative duties to:					
Remove discrimination & harassment	N/A	Promote equal opportunities	N/A	Encourage good relations	Promotion of better understanding between those persons/businesses providing facilities for a removeable outdoor seating area and those potentially affected by them.

What sources of data / information are you using to inform your assessment?	The legislation, namely the Business and Planning Act 2020 which was made permanent by the Levelling Up and Regeneration Act 2023, on 31 st March 2024. Pavement Licences are only to be granted in respect of highways listed in Highways Act 1980 section 115A (1). Any businesses which apply for a pavement licence will also need to have regard to their own duties under the Equality Act 2010, such as their duty under section 29 of the Act not to discriminate in providing their service and the duty to make reasonable adjustments.
---	--

In assessing the potential impact on people, are there any overall comments that you would like to make?	The purpose of the Council's Pavement Licensing Policy is to provide information and guidance on the general approach that the Council will take to the granting of a pavement licence. The Policy does not prevent anyone from making an application, and each application will be considered on its individual merits. The draft policy document has gone out to Stevenage Borough Council Departments and outside agencies for comments and feedback.
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Evidence and Impact Assessment

Explain the potential impact and opportunities it could have for people in terms of the following characteristics, where applicable:

Age					
Positive impact	X	Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	No differential impact				
What opportunities are there to promote equality and inclusion?	N/A		What do you still need to find out? Include in actions (last page)	N/A	

Disability e.g., physical impairment, mental ill health, learning difficulties, long-standing illness					
Positive impact	X	Negative impact		Unequal impact	

<p>Please evidence the data and information you used to support this assessment</p>	<p>Under the Equality Act (2010), the Council has a legal duty to fulfil the requirements of the Public Sector Equality Duty (PSED). Through this duty and in the application of this policy, the Council will carry out its functions in a way that:</p> <ul style="list-style-type: none"> • Removes discrimination, harassment, victimisation and any other conduct that is unlawful under the Equality Act (2010) • Promotes equal opportunities between people who have a protected characteristic(s) and those who don't • Encourages good relations between people who have a protected characteristic(s) and those who don't. <p>Each licence application is assessed on its merits and takes into account the views of all concerned, including those departments and agencies who we consult with following the receipt of every application.</p> <p>The policy promotes the importance of accessibility. Applicants wishing to obtain a pavement licence must ensure safety and accessibility of the public highway, particularly for those with disabilities and those who are visually impaired.</p> <p>There is a licensing condition in place on pavement licences:</p> <p>'The Licence Holder shall not cause any unnecessary obstruction of the highway or danger to persons using it. The Licence holder must have particular regard to the needs of disabled people, and the recommended distances required for access by disabled people as set out in guidance issued by the Secretary of State'</p> <p>Licence holders found not to be complying with their licence and its conditions are in breach of their licence and risk enforcement action which may include the revocation of their licence by the Licensing Authority.</p>		
<p>What opportunities are there to promote equality and inclusion?</p>	<p>N/A</p>	<p>What do you still need to find out? Include in actions (last page)</p>	<p>N/A</p>

Gender Reassignment

Positive impact		Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	No differential impact.				
What opportunities are there to promote equality and inclusion?	N/A		What do you still need to find out? Include in actions (last page)	N/A	

Marriage or Civil Partnership					
Positive impact		Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	No differential impact.				
What opportunities are there to promote equality and inclusion?	N/A		What do you still need to find out? Include in actions (last page)	N/A	

Pregnancy & Maternity					
Positive impact		Negative impact		Unequal impact	
Please evidence the data and information	No differential impact.				

you used to support this assessment			
What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)	N/A

Race				
Positive impact		Negative impact		Unequal impact
Please evidence the data and information you used to support this assessment	No differential impact.			
What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)	N/A	

Religion or Belief				
Positive impact		Negative impact		Unequal impact
Please evidence the data and information you used to support this assessment	No differential impact.			

What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)	N/A
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Sex				
Positive impact		Negative impact		Unequal impact
Please evidence the data and information you used to support this assessment	No differential impact.			
What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)	N/A	

Sexual Orientation e.g., straight, lesbian / gay, bisexual				
Positive impact		Negative impact		Unequal impact
Please evidence the data and information you used to support this assessment	No differential impact.			
What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)	N/A	

Socio-economic¹ e.g., low income, unemployed, homelessness, caring responsibilities, access to internet, public transport users, social value in procurement					
Positive impact		Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	No differential impact.				
What opportunities are there to promote equality and inclusion?	N/A		What do you still need to find out? Include in actions (last page)	N/A	

Additional Considerations Please outline any other potential impact on people in any other contexts					
Positive impact		Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	N/A				

¹Although non-statutory, the council has chosen to implement the Socio-Economic Duty and so decision-makers should use their discretion to consider the impact on people with a socio-economic disadvantage.

What opportunities are there to promote equality and inclusion?		What do you still need to find out? Include in actions (last page)	
---	--	--	--

Consultation Findings

Document any feedback gained from the following groups of people:

Staff?	<p>SBC Town Centre Management Team – Wanted Paragraph 6.1.2 of the policy to be more precise to avoid any confusion around the pavement licence regime and the arrangements for outside seating in the Town Centre. She requested additional wording so that it was clear that although businesses wishing to use their outside space did not require a licence under this policy, they would still need to obtain permission from SBC as the landowner, and details of whom people would need to contact in this instance was also requested.</p> <p>-</p> <p>The SBC Engineering Services Manager – Requested that ‘Furniture’ be defined in section 10 of the policy and that it was made explicitly clear that fixed structures are beyond the scope of the pavement licence regime and that these permissions still lie with Herts County Council under s115a of the Highways Act.</p>	Residents?	None
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	<p>SBC Street Scene and Amenities - Concerns were raised regarding the maintenance and cleanliness of areas in front of shops where traders are permitted to use the paving. It was noted that some café-style trading areas are not being adequately cleaned at the end of each day, with spillages and cigarette ends left behind. Additionally, weeds and debris were reported to accumulate beneath trader trailers. It was suggested that responsibility for maintaining these areas in a clean and tidy condition should rest with the respective traders</p>		
<p>Voluntary & community sector?</p>	<p>None</p>	<p>Partners?</p>	<p>The Assistant Network Manager at Herts County Council - Main comment was around possibly placing a bit more emphasis on licence holders' duties for removing all associated apparatus from the highway outside of licensing hours. ("must remove" etc) Other than that, no significant concerns around the document raised</p>

Other stakeholders?	
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Overall Conclusion & Future Activity

Explain the overall findings of the assessment and reasons for outcome (please choose one) :		
<p>1. No inequality, inclusion issues or opportunities to further improve have been identified</p>		<p>The policy is intended to aid with local decision making in conjunction with the Business and Planning Act 2020 and associated guidance.</p> <p>The Statement supports a culture of openness where appropriate information can be accessed by all parties. Any enforcement will be in line with the principles promoted within the Regulators' Code. Partnership working and exchange of information (within legal constraints) is also supported with a view to promoting better understanding between those providing licensable activities and those potentially affected by them.</p> <p>The policy promotes the importance of accessibility. Applicants wishing to obtain a pavement licence must ensure safety and accessibility of the public highway, particularly for those with disabilities and those who are visually impaired</p> <p>The Council will seek to mediate between applicants and objectors and reach negotiated settlements wherever possible.</p>
<p>Negative / unequal impact, barriers to inclusion or improvement opportunities identified</p>	<p>2a. Adjustments made</p>	
	<p>2b. Continue as planned</p>	
	<p>2c. Stop and remove</p>	

Detail the actions that are needed as a result of this assessment and how they will help to remove discrimination & harassment, promote equal opportunities and / or encourage good relations :				
Action	Will this help to remove, promote and / or encourage?	Responsible officer	Deadline	How will this be embedded as business as usual?
N/A				

Approved by Assistant Director / Strategic Director:

Date:

Please send this EqIA to equalities@stevenage.gov.uk for critical friend feedback and for final submittance with the associated project.

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12 Version History

Date	Outlined Amendments	Author
April 2025	First Draft - Version 1	Julie Dwan
June 2025	Amendments following consultation	Julie Dwan
	Paragraph 6.1.2, wording amended from: 'Seating areas that are located on privately owned land, land to the rear of buildings, or in the Town Centre do not require a licence under	

	<p>this Policy. However, you may need permission from the landowner if you do not own the land'. To: Seating areas that are located on privately owned land, land to the rear of buildings, or within the defined boundary of Stevenage Town Centre do not require a licence under this Policy. However, if you do not own the land, you will need to obtain permission from the landowner. Paragraph 6.1.3 added which states: Those persons wishing to apply for outdoor seating within the area defined as Stevenage Town Centre, must contact the Town Centre Management team in the first instance at tcm@stevenage.gov.uk</p>	
	<p>Section 10 Abbreviations and Definitions – Definition of furniture added for the purpose of this policy with examples.</p>	
	<p>Paragraph 6.4.5 – ‘Applicants wishing to place Advertising boards or non-removeable furniture onto the highway must apply for permission from Hertfordshire County Council, under the Highways Act 1980’. Has been put in bold.</p>	
	<p>Paragraph 6.4.3 - ‘Permanent fixed structures and furniture which is not removable and used in connection with the outdoor selling or consumption of food or drink are not permitted by a pavement licence’. Has been put in bold.</p>	
	<p>Paragraph 6.4.1 – ‘Furniture must be able to be moved easily and stored away at night’. Amended to ‘All furniture must be easily moveable and remain non-fixed at all times.’ This has been put in bold.</p>	
	<p>Paragraph added at 6.4.2 – ‘The licence holder must ensure that all furniture is removed from</p>	

	the highway and, securely stored away outside of the licensed operating hours and each night’.	
	Standard Pavement Licence Conditions – The addition of two conditions, Condition 7 – ‘The Licence Holder shall keep the licensed area, together with the immediately adjacent area, in a clean and tidy condition at all times during the permitted hours. The Licence Holder shall also provide and maintain suitable litter bins or similar receptacles for the proper disposal of waste arising from the licensed activity’ and Condition 8 – ‘The Licence Holder shall ensure the prompt removal of litter, spillages, food waste, cigarette ends, and any other debris arising from the use of the licensed area’.	
26.09.2025	Following consultation with Cllr Rob Broom (Portfolio holder)	Julie Dwan
	Paragraph 6.26.3 - ‘All requests for refunds must be made in writing to licensing@stevenage.gov.uk and will be considered on a case-by-case basis. The Licensing Authority’s decision on refund eligibility is final’. Amended to: ‘All requests for refunds must be made in writing to licensing@stevenage.gov.uk Refund requests will be assessed on a case-by-case basis, taking into account the circumstances of each application. The Licensing Authority reserves the right to determine eligibility for a refund, and it’s decision will be final. Any approved refund	

	will be subject to the deduction of administration fees’.	
	Paragraph 6.26.2 – ‘Refunds will not be issued in the following cases’: Amended to: ‘Refunds will not normally be issued in the following cases’:	

DRAFT

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Meeting Cabinet
Portfolio Area Environment, Transport and Planning
Date 10th June 2026



CIVIL PENALTIES UNDER THE RENTERS' RIGHTS ACT 2025 & OTHER HOUSING LEGISLATION – REVISED ENFORCEMENT POLICY

NON-KEY DECISION

Authors Geoff Hammond | 2906
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Contact Officer Geoff Hammond | 2906

1 PURPOSE

- 1.1 To consider the Council's revised Civil Penalty Policy which sets out the approach to determining the level of a civil penalty in all cases where regulatory breaches or offences are established under the Renters' Rights Act 2025 and other legislation relating to private rented sector housing standards.
- 1.2 To note the recommendation of the Council's General Purposes Committee to adopt the policy at their meeting on 14th April 2026.
- 1.3 The Renters' Rights Act 2025 substantially increases the scope of civil penalties, creating new regulatory breaches and offences related to private rented housing, for which the issuing of a civil penalty by local housing authorities to non-compliant landlords is an available sanction, in some cases as an alternative to prosecution. This is in addition to existing breaches and offences for which a civil penalty can already be issued, under other legislation related to the regulation of the private rented sector. The potential maximum fine levels are also significantly increased as a result of the new legislation. The Civil Penalty Policy is revised to reflect these significant regulatory changes.

2 RECOMMENDATIONS

- 2.1 That Cabinet agrees the Civil Penalty Policy, attached as **Appendix A**.
- 2.2 That Cabinet recommends the Policy to Council for adoption.

3 BACKGROUND

- 3.1 This report presents the Council's revised Civil Penalty Policy under the Renters' Rights Act 2025 and related housing legislation. The policy explains, in a clear and consistent way, how the Council will assess breaches and offences in the private rented sector and determine appropriate financial penalties, having regard to statutory guidance. By setting out a transparent methodology that targets serious non-compliance, removes financial benefit from offending and strengthens deterrence, the Council demonstrates a robust, fair and proportionate approach to protecting residents, supporting compliant landlords and raising standards across Stevenage's housing market.
- 3.2 The Housing Act 2004 (as amended by the Housing and Planning Act 2016) makes provision for local housing authorities to impose civil penalties on landlords of private rented housing, as an alternative to prosecution, where specified offences have occurred. The Renters Rights Act 2025 makes further provision for civil penalties to be issued for regulatory breaches and criminal offences set out in the Act. Civil penalties may also be issued under other housing legislation as summarised in the policy. The applicable legislation sets out the maximum fine that can be imposed under a civil penalty.
- 3.3 Local housing authorities must have regard to revised statutory enforcement guidance which came into force on 1 May 2026 to support Part 1 of the Renters' Rights Act 2025 in determining the level of a civil penalty. The guidance makes clear that authorities should have their own policy in place to set out how civil penalties will be levied in a consistent and transparent manner.
- 3.4 The Civil Penalty Policy updates the Council's "Civil penalties under the Housing and Planning Act 2016 – policy and procedure" which was introduced on 20th September 2017 and revised in 2022. The 2017 Policy is provided as a Background Paper with the key policy changes summarised in **Appendix B**.

4 REASONS FOR RECOMMENDED COURSE OF ACTION

- 4.1 The Council is required to have a policy in place setting out how it will determine civil penalty levels. The existing policy requires substantial amendments commensurate with the changes brought in by the Renters' Rights Act 2025.
- 4.2 While starting points are largely prescribed, the Council has discretion to set minimum fine levels and to determine the range of fines within the limits set by the statutory guidance. The Association of Chief Environmental Health Officers (ACEHO) has published policy recommendations which have been made

available to local authorities nationally, which set out a recommended approach to applying this discretion.

The policy aligns with the ACEHO recommendations, which aim to achieve consistency of approach between authorities. A significant number of landlords operate across local authority boundaries. Consistency of approach can avoid a scenario where one local authority has a policy which results in significantly lower fines being issued than a neighbouring authority and therefore has a less effective deterrent to discourage criminal landlords from operating in its area.

- 4.3 In terms of benchmarking, the majority of Hertfordshire district Councils are known to be adopting an approach based on or consistent with the ACEHO recommendations.
- 4.4 The starting points for fine levels and the methodology for determining the final amount of a civil penalty as set out in the policy reflects the robust approach the Council is taking to enforcement. This reflects the statutory enforcement guidance which states that *'An important part of deterrence is the realisation that the local housing authority is proactive in levying civil penalties where the need to do so exists and the civil penalty will be set at a high enough level such that operating lawfully will be the sensible financial choice'*.
- 4.5 Prior to the Renters' Rights Act 2025 the issuing of civil penalties for housing-related offences as an alternative to prosecution has been an infrequently used sanction, averaging at one per year (over the past three years). This is partly because, while all reports of unauthorised HMOs are investigated, the identification of licensable HMOs (where five or more persons occupy a property and form separate households) being operated without a licence is a relatively infrequent occurrence within the borough. In addition, civil penalties have until now been available only for a limited range of breaches/offences.
- 4.6 Given that the Renters' Rights Act 2025 substantially increases the scope of civil penalties, it is anticipated that this will be a more frequently used sanction, particularly as Phase 2 of implementation of the Act is rolled out, with the introduction of mandatory registration for landlords with a new national Private Rented Sector Database and given that this will effect around 15% of the Council's housing stock. While there is uncertainty around quantifying the impact, a significant increase in the use of civil penalties is expected over the next two to three years as the legislative changes take effect.
- 4.7 Appendix 1 of the policy lists the breaches and offences for which a civil penalty can be issued while Appendix 2 of the policy shows the maximum fine level for each offence. In summary:
- Regulatory breaches, including breach of new tenancy rules inserted into the Housing Act 1988, and breach of rules prohibiting rental bidding and rental discrimination are subject to a maximum civil penalty of £7,000
 - For the following new offences created by the Renters' Rights Act 2025, a maximum civil penalty of £40,000 can be issued:
 - Unlawful eviction and harassment under the Protection from Eviction Act 1977

- Breach of new rules relating to possession of properties inserted into the Housing Act 1988
- Repeated or continuing breaches of new tenancy rules inserted into the Housing Act 1988
- The Renters' Rights Act 2025 increases the maximum civil penalty that can be issued for the following offences under other existing legislation from £30,000 to £40,000:
 - Failure to obtain an HMO licence
 - Failure to comply with HMO licence conditions or HMO management regulations
 - Contravention of an overcrowding notice under Section 139 of the Housing Act 2004
 - Failure to comply with an Improvement Notice under Section 30 of the Housing Act 2004.
 - Breach of a banning order under Section 21 of the Housing and Planning Act 2016

4.8 Application of the methodology as set out in the policy will lead to civil penalties that will be substantially higher than previously. For example, under the 2017 policy the maximum level of fine that would be issued for offences involving low or medium culpability range from £350 to £4,500. Under the revised policy the offence with the lowest starting point is set at £3,000. The most serious offences, such as illegal eviction or breaching a banning order, have a starting point of £35,000, compared to £25,000 until the 2017 policy. This largely reflects the higher prescribed starting points under the revised statutory guidance and that statutory maximum fine levels have been increased by the Renters' Rights Act 2025.

4.9 While the Government has conducted a national campaign targeted at landlords to inform them of what they need to do to prepare for the regulatory changes, steps have also been taken at a local level to engage with landlords, informing them of the key changes that affect their rental businesses and how they can access further information and advice. These steps are set out under the separate report to Cabinet concerning the Renters' Rights Act 2025 Enforcement Policy.

4.10 Internal consultation has taken place within the Environmental Health and Licensing service which is responsible for issuing civil penalties. No policy changes were required.

4.11 A public consultation exercise was not considered necessary as the policy is a revision of an earlier version, much of what the policy covers is prescribed by statute and the policy content aligns with the statutory guidance which prescribes the starting levels for most civil penalties and the factors to consider in making adjustments above or below these starting points.

4.12 The Council's General Purposes Committee considered the Policy at its meeting on 14th April 2026. The Committee agreed to recommend the proposed Stevenage Borough Civil Penalty Policy to Cabinet. No additional points or suggestions were made.

5 IMPLICATIONS

Financial

- 5.1 Civil penalties are recoverable through debt recovery proceedings. The legislation prescribes that income from civil penalties must be used to meet the Council's costs and expenses associated with its private rented sector enforcement functions.
- 5.2 Robust enforcement of the legislation relating to private rented housing together with efficient debt recovery procedures has the potential to bring in a significant amount of income over time.
- 5.3 Financial considerations relating to enforcement capacity within the Environmental Health and Licensing Service are addressed in the separate Cabinet report (dated 10th June 2026) on the Renters' Rights Act 2025 Enforcement Policy.

Legal

- 5.4 The Council has a statutory duty under Section 107 of the Renters' Rights Act 2025 to enforce the 'landlord legislation' as defined under that Act. The use of civil penalties as an enforcement sanction and the policy setting out the approach to their use will be a fundamental element of the Council's regulatory activities in meeting its statutory enforcement duty.
- 5.5 Where a civil penalty is issued by the Council, the recipient has an initial statutory right to make written representations to the Council, which must be considered and responded to in accordance with the legislation, and a further legal right of appeal to the First-tier Tribunal (FTT) and potentially to the Upper Tier Tribunal (UTT). Rulings by the UTT have developed the case law in this area, further necessitating the revised version of the policy to ensure legal compliance.
- 5.6 Given the higher potential fine levels under the policy and that the Renters' Rights Act 2025 has substantially increased the number of regulatory breaches and offences for which a civil penalty may be issued, it is likely that the Council will be required to respond to an increased number of appeals to the FTT in future. Having a robust policy in place which is compliant with the statutory guidance and case law will reduce the likelihood of such appeals succeeding.
- 5.7 An increase in formal complaints made to the Council through its complaints policy and subsequent complaints to the Local Government Ombudsman are anticipated to be received from landlords issued with a civil penalty. While the Council's complaints procedure is available to landlords where their complaint relates to service delivery, the available remedy to landlords seeking to have a civil penalty notice withdrawn, once the Council has responded to any written representations, will be by way of appeal to the FTT.

Equalities

- 5.8 An Equalities Impact Assessment was carried out in March 2026. This concluded that adherence to the policy will ensure that civil penalties are issued in a fair, transparent and consistent manner that does not unfairly discriminate against any disadvantaged group or against those with protected characteristics.
- 5.9 The assessment further concluded that the policy allows for certain relevant factors that may affect such groups to be considered in the Council's decision making, including disability and socio-economic factors. As stated above, those affected have recourse to appeal to an independent tribunal where they consider that the Council has acted unfairly in issuing a civil penalty.
- 5.10 A copy of the Equalities Impact Assessment can be found at **Appendix C** of the policy document.

6 BACKGROUND DOCUMENTS

BD1: *Civil and Financial Penalty Policy – as an alternative to prosecution under the Housing Act 2004 and calculation of financial penalties as prescribed in associated housing legislation (2017, incorporating 2022 amendments)*

BD2: [Civil penalties under the Renters' Rights Act 2025 and other housing legislation - GOV.UK](#)

BD3: [Renters' Rights Act 2025](#)

7 APPENDICES

- A Civil Penalty Policy – Renters Rights Act 2025 & Other Housing Legislation**
- B Summary of Civil Penalty Policy Key Changes**
- C Equalities Impact Assessment**

Civil Penalty Policy

Renters' Rights Act 2025 & Other Housing Legislation

Stevenage Borough Council

2026

Date created	March 2026
Approved by	Council
Owner	Rory Cosgrove Head of Environmental Health & Licensing
Version	1.0
Author	Geoff Hammond Residential and Animal Control Manager
Business Unit and Team	Planning and Regulation Environmental Health & Licensing
Policy Review Date	12 months from date of policy approval
Equality Impact Assessment Date	12 months from date of policy approval

For translations, braille or large print versions of this document please email equalities@stevenage.gov.uk.

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1 Purpose

- 1.1 The Housing Act 2004 (as amended by the Housing and Planning Act 2016) makes provision for local housing authorities (LHAs) to impose financial penalties (civil penalties) on landlords of private rented housing, as an alternative to prosecution, where specified offences have occurred.
- 1.2 The Renters Rights Act 2025, which gained Royal Assent on 27th October 2025, makes further provision for civil penalties to be issued to landlords by LHAs for new regulatory breaches and criminal offences set out in the Act. There is further provision for civil penalties to be issued to landlords by LHAs under other legislation as summarised below.
- 1.3 The applicable legislation sets out the maximum amounts that a civil penalty can require a landlord to pay, depending on the specific contravention that has occurred. LHAs are required to have their own policy in place to set out how civil penalties will be levied in a consistent and transparent manner.
- 1.4 In setting policy and determining civil penalty amounts, LHAs must have regard to the statutory guidance, *Civil penalties under the Renters' Rights Act 2025 and other housing legislation* (referred to in this policy as 'the statutory guidance'). This policy has been reviewed and updated having regard to that guidance.
- 1.5 While the statutory guidance sets out the factors which LHAs should take into account and the applicable starting points when deciding on the level of a civil penalty, it is for LHAs to determine the civil penalty amount in each case. Stevenage Borough Council ('the Council') therefore has wide discretion in determining the appropriate level of civil penalty in any particular case and seeks to set out further guidance through this policy as to how it will do so.
- 1.6 The Council introduced the "Civil penalties under the Housing and Planning Act 2016 – policy and procedure" on 20th September 2017, which incorporated principles set out in the Sentencing Guidelines for use in the Magistrates' Court published by the Sentencing Council in October 2019. The 2017 version of the policy is now revised to reflect the substantial changes affecting the range of matters for which civil penalties can now be issued, as a result of the Renters' Rights Act 2025, and the updates to the statutory guidance as a result of the Act.
- 1.7 This policy sets out the Council's methodology and mechanism for assessing and setting the level of a civil penalty at all stages where a civil penalty is under consideration, including the preparation of a notice of intent, and where a final decision has been made to impose a civil penalty.
- 1.8 The Council considers the need for transparency and consistency to be of primary importance to ensure fairness in the discharge of its functions. The general objective of this policy is, therefore, to promote both transparency and consistency in the imposition

of financial penalties so that those involved in the letting or management of accommodation (a) know how the Council will generally penalise relevant breaches and offences and (b) are assured that, generally, like cases will be penalised similarly, and different cases penalised differently.

- 1.9 This policy should be read in conjunction with the Council's Private Sector Housing Enforcement Policy (Housing Act 2004) and Renters' Rights Act 2025 Enforcement Policy.
- 1.10 Due to the nature of cases, there may be circumstances that justify departure from the policy and therefore each case will be dealt with on its own merits, having regard to the specific circumstances.
- 1.11 The term 'landlord' in this policy applies to any person who may be issued with a civil penalty for any specified breach of legislation, and as such can apply to both immediate and superior landlords and to persons acting on their behalf, including managing agents.

2 Scope

- 2.1 This policy is specific to the Planning and Regulation Business Unit. Its implementation will be overseen by the Head of Service for Environmental Health and Licensing.
- 2.2 This policy applies after 30th April 2026, when the provisions in the Renters' Right Act 2025 covered by the policy come into effect. The policy is applicable once the Council has made a decision to commence civil penalty proceedings in accordance with the Council's relevant enforcement policies.
- 2.3 The policy will impact primarily on landlords of privately rented properties in Stevenage and on the tenants of such properties. Some of the provisions of the Renters' Rights Act 2025, in particular the abolition of assured and fixed-term tenancies, also affect registered providers of social housing who have housing stock in Stevenage and the tenants of such properties. Accordingly, this policy will also affect landlords and tenants within the social housing sector.

3 Legal Framework

3.1 Schedule 9 of the Housing and Planning Act 2016 ('the 2016 Act') introduced amendments to the Housing Act 2004 ('the 2004 Act') that allow LHAs to impose financial penalties as an alternative to prosecution for the following relevant housing offences under the 2004 Act:

- Section 30 – offence of failing to comply with an improvement notice
- Section 72 – offences in relation to licensing of Houses in Multiple Occupation (HMOs)

- Section 95 – licensing of houses under Part 3
- Section 139(7) – failure to comply with overcrowding notice
- Section 234 – management regulations in respect of HMOs

3.2 Section 14 of the 2016 Act made provision for LHAs to apply to the First-tier Tribunal for a banning order against a landlord following a conviction for a specified offence (a 'banning order offence'). Section 23 of that Act provides for LHAs to issue a financial penalty where a banning order has been contravened, as an alternative to prosecution.

3.3 As stated above, the Renters' Rights Act 2025 introduced new regulatory breaches and offences for which LHAs may issue civil penalties. The Act also brought in changes to the maximum civil penalty amounts for existing housing offences under section 249A of the Housing Act 2004 and section 23 of the Housing and Planning Act 2016.

3.4 The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 require landlords to ensure minimum electrical safety standards are met. This includes inspection and testing of the electrical installation in a property every 5 years. Where the Council finds that a landlord is in breach of one or more specified duties under these regulations, it may issue the landlord with a financial penalty and may apply the proceeds to meet the cost and expenses in, or associated with, carrying out any of its enforcement functions in relation to the private rented sector. Financial penalties issued under these regulations will be determined by the Council in accordance with this policy.

3.5 The term 'breach' in this policy is used to refer to non-compliance by landlords where the Council may impose a civil penalty but there is no option to prosecute. The term 'offence' is used to refer to non-compliance by landlords where a local authority may either prosecute or impose a civil penalty.

3.6 The list of breaches and offences covered by this policy is provided in **Appendix 1**.

4 Equalities

4.1 Under the Equality Act (2010) the Council has a legal duty to fulfil the requirements of the Public Sector Equality Duty (PSED). Through this duty and in the application of this policy, the council will carry out its functions in a way that:

- a. Removes discrimination, harassment, victimisation and any other conduct that is unlawful under the Equality Act (2010)
- b. Promotes equal opportunities between people who have a protected characteristic(s) and those who don't
- c. Encourages good relations between people who have a protected characteristic(s) and those who don't

4.2 Further information on the Council's fulfilment of the Equality Act (2010) is set out in the Equality, Diversity and Inclusion (EDI) Policy (2022) and Reasonable Adjustment Policy (2024).

5 Data Protection

5.1 The Council regards respect for the privacy of individuals and the lawful and careful treatment of personal information as very important to delivery of services.

5.2 The Council will ensure that it treats personal information lawfully and proportionately as set out in the General Data Protection Regulation (GDPR) and Data Protection Act (2018). For further information on the Councils approach to handling information please see [Data Protection Act \(stevenage.gov.uk\)](https://www.stevenage.gov.uk).

5.3 The Council will ensure that it treats personal information lawfully and proportionately as set out in the General Data Protection Regulation (GDPR) and Data Protection Act (2018). For further information on the Councils approach to handling information please see [Data Protection Act \(stevenage.gov.uk\)](https://www.stevenage.gov.uk).

6 Policy

Determining the level of Civil Penalty

6.1 In accordance with the statutory guidance, the Council has considered the following factors in developing this policy to help ensure that civil penalties are set at an appropriate level in each case:

- **Severity of the breach or offence:** the more serious the breach or offence, the higher the penalty should be.
- **Culpability and track record of the offender:** a higher penalty will be appropriate where the offender has a history of failing to comply with their obligations and/or their actions were deliberate and/or they knew, or ought to have known, that they were in breach of their legal responsibilities.
- **The harm caused to the tenant:** This is a very important factor when determining the level of penalty. The greater the actual harm or the potential for harm, principally to the tenant but also potentially the local community, the higher the penalty should be.
- **Punishment of the offender:** The penalty should, in a way that is fair, both punish the offender and demonstrate the consequences of not complying with their responsibilities.
- **Detering the offender from repeating breaches or offences:** The ultimate goal is to prevent any further offending and help ensure that the offender fully complies

with all of their legal responsibilities in future. The level of the penalty should therefore be set at a level that it is likely to have a very significant deterrent effect.

- **Deter others from committing similar breaches or offences:** While the fact that someone has received a civil penalty may not be in the public domain, the civil penalty policy itself will be and local authorities should consider how their formal enforcement activity can be effectively publicised. An important part of deterrence is the realisation on the part of landlords that the local housing authority is proactive in levying civil penalties where the need to do so exists and the civil penalty will be set at a high enough level such that operating lawfully will be the sensible financial choice.
- **Remove any financial benefit the offender may have obtained as a result of committing the breach or offence:** The principle here is that it should not be in the offender's financial interest to commit a breach or offence rather than comply. The absence of any financial benefit to the landlord does not mean though that the penalty should be reduced.

6.2 In determining the level of a civil penalty, officers will:

1. **Determine the starting point:** based on the seriousness of the breach or offence
2. **Consider the 'landlord type:'** adjust for factors relating to the size and type of portfolio controlled, owned or managed and the experience of the landlord
3. **Consider mitigating and aggravating factors:** including, but not limited to, factors relating to the track record and culpability of the landlord and the actual or potential harm to the occupants.
4. **Take account of financial considerations:** i.e. any information supplied by the landlord about their financial circumstances.
5. **Apply the totality principle:** If a landlord has committed multiple breaches or offences for which separate civil penalties are being issued, consider whether the aggregate amount is just and proportionate.

6.3 In following this process, officers will apply the Civil Penalty Matrix set out in **Appendix 2** of this policy and will have regard to the guidance set out in **Appendix 3**.

6.4 When applying the civil penalties matrix, interim calculations at individual stages may result in figures that exceed the statutory maximum. Where the final amount reached following application of all relevant steps exceeds the statutory maximum, the civil penalty will be reduced to the applicable statutory maximum.

6.5 With regard to multiple breaches:

- If a landlord has committed multiple breaches or offences, a separate civil penalty can, and usually will, be imposed for each breach and offence.
- If multiple landlords have committed the same breach or offence at the same property, a separate civil penalty can, and usually will, be imposed on each offender. In all

cases, the level of civil penalty imposed on each offender will be in accordance with this policy.

- Where there are multiple breaches of a single Management Regulation at a single HMO, a single civil penalty will be imposed which will cover all the breaches of that Management Regulation.
- Where multiple Management Regulations have been breached at a single HMO, a separate civil penalty will be imposed for each Management Regulation that has been breached.
- Where multiple HMO licence conditions have been breached at a single property, a separate civil penalty will be imposed for each licence condition that has been breached.

6.6 The Council has a duty to act fairly, transparently and consistently when assessing civil penalties. To maintain fairness between all landlords, the Council will not give weight to claims advanced as factors that might reduce the amount of a civil penalty unless those claims are supported by evidence that the Council reasonably considers to be relevant, reliable, credible, and sufficient in scope and detail to enable proper assessment of the claim, having regard to the nature of the claim, the information ordinarily available to the landlord, and the need for consistent and fair decision-making. Allowing inadequately evidenced assertions to influence outcomes would risk rewarding those who provide incomplete or misleading information and would create an unfair advantage over landlords who provide a full and properly evidenced account.

6.7 Accordingly, the Council expects landlords against whom a civil penalty is being considered to provide all documents and records that would ordinarily exist if their account were accurate. Where claims are advanced without sufficient supporting evidence, the Council may request specified supporting material before determining whether to issue a final notice or whether any mitigation has been sufficiently evidenced to justify a lower civil penalty. In the absence of such information, or where the Council is not satisfied that it has been given sufficiently reliable information, it will draw the inference that the landlord is able to pay the civil penalty.

Process for imposing a civil penalty

Notice of Intent:

6.8 Before imposing a civil penalty on a landlord, the Council will give the landlord a notice of intent. The notice of intent will set out:

- The amount of the proposed civil penalty
- The reasons for proposing to impose the civil penalty
- Information about their right to make written representations

Representations:

6.9 A landlord who is given a notice of intent may make written representations to the Council about the proposal to impose a civil penalty. Any representations must be made within a

period of 28 days beginning with the day after the date on which the notice of intent was given.

6.10 After the end of the period for representations the Council will:

- Decide whether to impose a civil penalty on the landlord; and
- If it decides to impose a civil penalty, decide the amount of the penalty. This amount can be higher or lower than the amount stated in the notice of intent.

6.11 A landlord's rectification of the identified breach or offence during the representations period will rarely, of itself, lead the Council to conclude that the imposition of a civil penalty is inappropriate. However, compliance at that stage will usually be relevant to the assessment of mitigating factors that may reduce the level of any civil penalty imposed.

6.12 Similarly, an admission of liability will rarely, of itself, lead the Council to conclude that the imposition of a civil penalty is inappropriate. An admission of liability will, however, usually be relevant to the assessment of mitigating factors that may reduce the level of any civil penalty imposed.

Final Notice:

6.13 If, following the receipt of written representations and/or the expiry of the time period to make written representations, the Council decides to impose a civil penalty on the landlord, it will give the landlord a final notice imposing that penalty. The final notice will set out:

- The amount of the civil penalty
- The reasons for imposing the penalty
- Information about how to pay the penalty
- The period for payment of the penalty
- Information about rights of appeal
- The consequences of failure to comply with the notice

Discount for Prompt Payment:

6.14 Where a civil penalty imposed by a final notice is paid in full within the period specified in that notice (normally 28 days beginning with the day after the final notice is given), the Council will apply a discount of 15% to the amount of the civil penalty.

6.15 The availability of the discount is conditional upon full payment being received within the specified period. The discount period will not be extended or suspended by the bringing of an appeal. A landlord who chooses to appeal may still benefit from the discount by paying the civil penalty in full within the specified period; however, where payment is not made within that period, the discount will not apply.

Appeals:

- 6.16 A landlord who is given a final notice may appeal to the First-tier Tribunal (Property Chamber) against the decision to impose a civil penalty and/or the amount of the civil penalty. Any appeal must be made within 28 days beginning with the day after the date on which the final notice was given.
- 6.17 Where an appeal is brought, the final notice is suspended until the appeal is finally determined or withdrawn.
- 6.18 An appeal to the First-tier Tribunal is by way of a re-hearing of the Council's decision. In determining an appeal, the Tribunal may have regard to matters of which the Council was unaware at the time the decision to impose the civil penalty was made. The Tribunal may dismiss an appeal if it is satisfied that the appeal is frivolous, vexatious, an abuse of process, or has no reasonable prospect of success.
- 6.19 The First-tier Tribunal may invite the parties to consider mediation or another form of alternative dispute resolution. The Council will not generally agree to mediation in relation to the level of a civil penalty, as civil penalties are determined by reference to this policy to promote fair, consistent, and proportionate outcomes. Agreeing reductions outside the policy framework would risk undermining consistency and the Council's enforcement objectives.
- 6.20 On determination of an appeal, the Tribunal may:
- Confirm the civil penalty
 - Vary the amount of the civil penalty (whether by increase or reduction)
 - Cancel the civil penalty
- 6.21 Where the Tribunal varies a civil penalty by increasing its amount, it may do so only up to the applicable statutory maximum for the relevant breach or offence.
- 6.22 A party to the appeal may apply for permission to appeal the decision of the First-tier Tribunal to the Upper Tribunal (Lands Chamber).

7 Consultation

- 7.1 In developing this policy, it was not considered necessary to conduct a public consultation exercise. This policy is a revised form of the previous policy relating to civil penalties. Much of what the policy covers relates to matters prescribed by the legislation and statutory guidance. The statutory guidance sets out the starting levels, i.e. the fine amounts, for civil penalties (with the exception of offences relating to HMO licence conditions) depending on the specific breach or contravention that has occurred. The factors to consider in determining a civil penalty and the methodology for doing so are also established, to a large extent by the statutory guidance. LHAs have discretion to set minimum fine levels and determine the range of fines within the limits set by the statutory

guidance. For that purpose, this policy adopts the approach set out by the Association of Chief Environmental Health Officers.

7.2 Consultation has taken place within the Council, with those officers within the Environmental Health and Licensing service who are responsible for enforcing the relevant legislation.

8 Monitoring and Review

8.1 This policy will initially be reviewed by the Head of Service for Environmental Health and Licensing or Service Manager after 12 months, in anticipation of further provisions under the Act coming into effect. If necessary, this review will take place sooner. The policy will then be reviewed every 2 years by the Head of Service for Environmental Health and Licensing or Service Manager, or earlier if there is a change in legislation.

8.2 Minor changes to the policy may be made by the Head of Service for Environmental Health and Licensing or Service Manager in consultation with the relevant Business Unit's Director. Where more than 10% of the policy content is changed the Director and appropriate Portfolio Holder will decide if the policy needs to be formally reconsidered by Cabinet or the appropriate decision-making body.

8.3 Where there is a request for the content of the policy to be reviewed in response to a complaint, the relevant Business Unit's Director will be notified. If the Director agrees that a review of policy is required, this will be discussed with the appropriate Portfolio Holder. The Head of Service or Service Manager will be responsible for implementing a subsequent policy review.

9. References and Resources

- Statutory guidance: *Civil penalties under the Renters' Rights Act 2025 and other housing legislation*. 13th November 2025:
<https://www.gov.uk/government/publications>
- Guide to the Renters' Rights Act
<https://www.gov.uk/government/publications/guide-to-the-renters-rights-act/guide-to-the-renters-rights-act>

10. Abbreviations and Definitions

CPN	Civil Penalty Notice
EDI	Equality, Diversity and Inclusion
GDPR	General Data Protection Regulation

HMO House in Multiple Occupation
 LHA Local Housing Authority
 PSED Public Sector Equality Duty

11. Version History

Date	Outlined Amendments	Author
February 2022 Version 1.0	N/A	Rachel Wells
March 2026 Version 2.0	Revision of the method and guidance for determining the level of civil penalties in light of new legislation and revised statutory enforcement guidance. Updating of references to legislation, policy and guidance.	Geoff Hammond

Appendices

Appendix 1 – List of Breaches and Offences

Breaches:

The following breaches are subject to a civil penalty with a statutory maximum of **£7,000**:

1. Failure to give a written statement of terms and any other prescribed information under section 16D of the Housing Act 1988
2. Attempting to let a property for a fixed term under section 16E of the Housing Act 1988
3. Attempting to end a tenancy by service of a notice to quit under section 16E of the Housing Act 1988
4. Attempting to end a tenancy orally or requiring that it is ended orally under section 16E of the Housing Act 1988
5. Serving an eviction notice that attempts to end a tenancy outside the prescribed section 8 process under section 16E of the Housing Act 1988.
6. Relying on a ground where the landlord does not reasonably believe that the landlord is/will be able to obtain possession under section 16E of the Housing Act 1988.
7. Failing to provide a tenant with prior notice that a ground which requires it may be used under section 16E of the Housing Act 1988.
8. Failure to give an existing tenant prescribed information about changes made by the Renters' Rights Act 2025 in the prescribed form and timeframe under paragraph 7(2) of schedule 6 to the Renters' Rights Act 2025.
9. Discrimination relating to children in the lettings process under section 33 of the Renters' Rights Act 2025.
10. Discrimination relating to benefits in the lettings process under section 34 of the Renters' Rights Act 2025.
11. Failure to specify proposed rent within a written advertisement or offer under section 56 of the Renters' Rights Act 2025.
12. Inviting, encouraging or accepting any offer of rent greater than the stated rate under section 56 of the Renters' Rights Act 2025.

The following breaches are subject to a civil penalty with a statutory maximum of **£40,000**:

1. Breach of duty under Regulation 3, 3B, 3C, and 3D of The Electrical Safety Standards in the Private Rented Sector and Social Rented Sector (England) Regulations 2020.

Offences:

The following offences are subject to a civil penalty with a statutory maximum of **£40,000**:

1. Unlawful eviction and harassment of occupier – section 1 of the Protection from Eviction Act 1977.
2. Continuation of conduct subject to a relevant penalty (under s.16I or s.16K Housing Act 1988) after the 28-day period (or, if appealed, after conclusion of the appeal) where the final notice has not been withdrawn – section 16J of the Housing Act 1988
3. Conduct giving rise to liability (under s.16I), where within the preceding five years the landlord has either (i) had a relevant penalty (under s.16I or s.16K Housing Act 1988) imposed for different conduct and the final notice has not been withdrawn, or (ii) been convicted (under s.16J) for different conduct – section 16(J) of the Housing Act 1988.

4. Relying on a ground knowing the landlord would not be able to obtain possession or being reckless as to whether they would – section 16J of the Housing Act 1988.
5. Breach of restrictions relating to reletting (s16(E)(2) Housing Act 1988) or remarketing (s16(E)(3) Housing Act 1988) a property within the restricted period after using Grounds 1 or 1A of Schedule 2 Housing Act 1988 – section 16J of the Housing Act 1988.
6. Breach of a banning order – section 21 of the Housing and Planning Act 2016.
7. Failure to comply with an Improvement Notice – section 30 of the Housing Act 2004.
8. Contravention of an overcrowding notice – section 139 of the Housing Act 2004.
9. Failure to obtain a selective licence – section 95 of the Housing Act 2004.
10. Failure to obtain an HMO licence – section 72 of the Housing Act 2004.
11. Knowingly permitting over-occupation of an HMO – section 72 of the Housing Act 2004.
12. Failure to comply with management regulations in respect of HMOs – section 234 of the Housing Act 2004.
13. Failure to comply with HMO licence conditions – section 72 of the Housing Act 2004.
14. Failure to comply with selective licence conditions – section 95 of the Housing Act 2004.

Appendix 2 - Civil Penalty Matrix

SECTION A: OFFENCES AND BREACHES – EXCLUDING BREACH OF HMO LICENCE CONDITIONS

Breach / Offence	Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment	Offence-specific mitigating factors	Offence-specific aggravating factors
Protection from Eviction Act 1977 Section 1 Unlawful eviction and harassment of occupier	£35,000	£40,000	£28,000	£35,000	£42,000	None	<ul style="list-style-type: none"> - Violence or threats of violence. - Disposal of possessions or threats to dispose of possessions. - Breach or evasion of an injunction or undertaking. - Loss of home
Housing Act 1988 Section 16D Failure to give a written statement of terms and any other prescribed information	£4,000	£7,000	£3,200	£4,000	£4,800	Provision of some of the required terms and prescribed information within the required period.	None
Housing Act 1988 Section 16E(1)(a) Attempting to let a property for a fixed term	£4,000	£7,000	£3,200	£4,000	£4,800	None	None
Housing Act 1988 Section 16E(1)(b) Attempting to end a tenancy by service of a notice to quit	£6,000	£7,000	£4,800	£6,000	£7,200	None	Tenant vacates property within four months of the date of service of the notice

Breach / Offence	Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment	Offence-specific mitigating factors	Offence-specific aggravating factors
Housing Act 1988 Section 16E(1)(c) Attempting to end a tenancy orally or requiring that it is ended orally	£6,000	£7,000	£4,800	£6,000	£7,200	None	Tenant vacates property within four months of the date of vacation or equivalent specified in the notice to quit
Housing Act 1988 Section 16E(1)(d) Serving a possession notice that attempts to end a tenancy outside the prescribed section 8 process	£6,000	£7,000	£4,800	£6,000	£7,200	None	Tenant vacates property within four months of the date of vacation or equivalent specified in the notice to quit
Housing Act 1988 Section 16E(1)(e) Misuse of grounds for possession	£6,000	£7,000	£4,800	£6,000	£7,200	None	None
Housing Act 1988 Section 16E(1)(f) Failing to provide a tenant with prior notice that a ground which requires it may be used	£3,000	£7,000	£2,400	£3,000	£3,600	None	None

Breach / Offence	Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment	Offence-specific mitigating factors	Offence-specific aggravating factors
Renter's Rights Act 2025 Sch. 6, 7(2) Failure to give prescribed information	£4,000	£7,000	£3,200	£4,000	£4,800	<ul style="list-style-type: none"> - Provision of some of the required information within the prescribed period - Provision of prescribed information but not in the prescribed form 	None
Housing Act 1988 Section 16J(3) Continuation of conduct subject to a relevant penalty	Double the starting level for the two constituent breaches added together	£40,000	Dependent on the constituent breaches	Dependent on the constituent breaches	Dependent on the constituent breaches	None	None
Housing Act 1988 Section 16(J)(4) Repeat offences (previous CPN or conviction in last five years)	Double the starting level for the two constituent breaches added together	£40,000	Dependent on the constituent breaches	Dependent on the constituent breaches	Dependent on the constituent breaches	Dependent on the most recent conduct giving rise to liability to a civil penalty under section 16I of the Housing Act 1988	Dependent on the most recent conduct giving rise to liability to a civil penalty under section 16I of the Housing Act 1988
Housing Act 1988 Section 16J(1) Misuse of grounds for possession resulting in surrender of tenancy within four months	£30,000	£40,000	£24,000	£30,000	£36,000	None	None

Breach / Offence	Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment	Offence-specific mitigating factors	Offence-specific aggravating factors
Housing Act 1988 Section 16J(2) Breach of restrictions relating to reletting or remarketing a property within the restricted period	£25,000	£40,000	£20,000	£25,000	£30,000	None	None
Housing and Planning Act 2016 Section 21(1) Breach of a banning order	£35,000	£40,000	£28,000	£35,000	£42,000	A single, isolated incident	Concealment or evasion
Renters' Rights Act 2025 Section 33(1) Discrimination relating to children in the lettings process	£6,000	£7,000	£4,800	£6,000	£7,200	None	None
Renters' Rights Act 2025 Section 34(1) Discrimination relating to benefits in the lettings process	£6,000	£7,000	£4,800	£6,000	£7,200	None	None
Renters' Rights Act 2025 Section 56(2) Failure to specify proposed rent within a written advertisement or offer	£3,000	£7,000	£2,400	£3,000	£3,600	None	None

Breach / Offence	Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment	Offence-specific mitigating factors	Offence-specific aggravating factors
Renters' Rights Act 2025 Section 56(3) Inviting, encouraging or accepting any offer of rent greater than the stated rate	£4,000	£7,000	£3,200	£4,000	£4,800	None	None
The Electrical Safety Standards in the Private Rented Sector and Social Rented Sector (England) Regulations 2020 Breach of duty under Regulation 3: (3)(b), (3)(d), (3)(e), or Regulation 3D: (a), (b), (c), (f)	£5,000	£40,000	£4,000	£5,000	£6,000	The report or record evidences that the electrical installations were compliant at all points	The number or nature or severity of the issues observed on the report or record
The Electrical Safety Standards in the Private Rented Sector and Social Rented Sector (England) Regulations 2020 Breach of duty under Regulation 3: (1)(a), (1)(b), (1)(c), (3)(a), (3)(c), (3)(ca), (5)(b), (5)(c). or Regulation 3B: (1)(a), (1)(b), (1)(c) or Regulation 3C: (1), (2)(a) or Regulation 3D: (d), (e)	£12,500	£40,000	£10,000	£12,500	£15,000	The report or record evidences that the electrical installations were compliant at all points	The number or nature or severity of the issues observed on the report or record

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Breach / Offence	Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment	Offence-specific mitigating factors	Offence-specific aggravating factors
The Electrical Safety Standards in the Private Rented Sector and Social Rented Sector (England) Regulations 2020 Breach of duty under Regulation 3: (4), (5a), (6) or Regulation 3C: (2)(b), (4)	£20,000	£40,000	£16,000	£20,000	£24,000	None	The number or nature or severity of the issues observed on the report or record
Housing Act 2004 Section 30(1) Failure to comply with an improvement notice	£25,000	£40,000	£20,000	£25,000	£30,000	<ul style="list-style-type: none"> - Reduced nature / extent of hazard(s) on expiry of notice - Property vacated by expiry of notice - Access to the property was obstructed by the occupant(s) but the landlord's actions fall short of establishing a reasonable excuse 	The nature and extent of hazard(s) that are present once the deadline for compliance has passed
Housing Act 2004 Section 139(7) Failure to comply with an overcrowding notice	£20,000	£40,000	£16,000	£20,000	£24,000	None	The level of overcrowding present
Housing Act 2004 Section 72(1) Failure to obtain an HMO licence	£17,000	£40,000	£13,600	£17,000	£20,400	None	<ul style="list-style-type: none"> - The landlord has knowledge or experience of licensing requirements - The condition of the unlicensed property

Breach / Offence	Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment	Offence-specific mitigating factors	Offence-specific aggravating factors
Housing Act 2004 Section 72(2) Knowingly permitting over-occupation of an HMO	20,000	£40,000	£16,000	£20,000	£24,000	There are suitable amenity and space provisions in the HMO	The level of over-occupation present
Housing Act 2004 Section 234(3) Failure to comply with HMO management regulations: Duty of manager to provide information to occupier	£3,000	£40,000	£2,400	£3,000	£3,600	The number, nature and extent of offences within the specific regulation	<ul style="list-style-type: none"> - The number, nature and extent of offences within the specific regulation - Failure to comply more than 48 hours after the specified information has been requested by an occupant or on their behalf
Housing Act 2004 Section 234(3) Failure to comply with HMO management regulations: Duty of manager to take safety measures	£20,000	£40,000	£16,000	£20,000	£24,000	The number, nature and extent of offences within the specific regulation	The number, nature and extent of offences within the specific regulation
Housing Act 2004 Section 234(3) Failure to comply with HMO management regulations: Duty of manager to maintain water supply and drainage	£10,000	£40,000	£8,000	£10,000	£12,000	The number, nature and extent of offences within the specific regulation	The number, nature and extent of offences within the specific regulation

Breach / Offence	Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment	Offence-specific mitigating factors	Offence-specific aggravating factors
Housing Act 2004 Section 234(3) Failure to comply with HMO management regulations: Duty of manager to supply and maintain gas and electricity	£12,000	£40,000	£9,600	£12,000	£14,400	The number, nature and extent of offences within the specific regulation	The number, nature and extent of offences within the specific regulation
Housing Act 2004 Section 234(3) Failure to comply with HMO management regulations: Duty of manager to maintain common parts, fixtures, fittings and appliances	£7,000	£40,000	£5,600	£7,000	£8,400	The number, nature and extent of offences within the specific regulation	The number, nature and extent of offences within the specific regulation
Housing Act 2004 Section 234(3) Failure to comply with HMO management regulations: Duty of manager to maintain living accommodation	£7,000	£40,000	£5,600	£7,000	£8,400	The number, nature and extent of offences within the specific regulation	The number, nature and extent of offences within the specific regulation

Breach / Offence	Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment	Offence-specific mitigating factors	Offence-specific aggravating factors
Housing Act 2004 Section 234(3) Failure to comply with HMO management regulations: Duty to provide waste disposal facilities	£7,000	£40,000	£5,600	£7,000	£8,400	The nature and extent of offences within the specific regulation	<ul style="list-style-type: none"> - The nature and extent of offences within the specific regulation - Lack of sufficient refuse and/or litter containers either inside and/or outside the property has been previously reported - The refuse and/or litter that requires disposal includes hazardous materials

SECTION B: BREACH OF HMO LICENCE CONDITIONS

- All granted HMO licences impose a set of conditions on the licence holder. It is important that the licence holder of a licensed property complies with all imposed conditions, but the Council recognises that a failure to comply with certain licence conditions is likely to have a much bigger impact on the safety and comfort of residents than others.
- The starting levels for each different type of licence condition breach is set out below based on the seriousness of the offence.
- Where a licence condition could be interpreted to fall within two different potential starting levels, the higher starting level will be chosen.
- The nature and extent of any licence condition breach may be either a mitigating or aggravating factor in determining the civil penalty amount

Matters Relating to the Breach	Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
<ul style="list-style-type: none"> - Provision for signage - Provision of information for tenants - Provision of written terms of occupancy - Procedures regarding complaints - Procedures for vetting tenants - Deposit protection - Recording and provision of information about rent payments - Procedures relating to rent collection - Provision of information regarding occupancy of the property - Provision of information regarding change of managers or licence holder details - Provision of information related to changes in the property - Requirements relating to sale of property - Attending training courses - Requirements to hold insurance - Provision of insurance documentation - Provision/obtaining of suitable references - Provision of keys and alarm codes - Security provisions for access to the property - Provision of suitable means for occupiers to regulate temperature - Non-compliance with items on a schedule of works other than those specified below 	£4,000	£40,000	£3,200	£4,000	£4,800

Matters Relating to the Breach	Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
<ul style="list-style-type: none"> - Procedures/actions regarding management inspections - Procedures regarding repairs - Maintenance and use of common parts - Safeguarding occupiers and minimising disruption during works - The provision of information regarding alterations and construction works - Procedures regarding emergency issues - Waste and waste receptacles, pests, minor repairs, alterations or decoration - Giving written notice prior to entry - Allowing access for inspections - Minimising risk of water contamination - The compliance of furnishings or furniture with fire safety regulations - Non-compliance with a schedule of works in relation to provision of mechanical extraction or electrical sockets 	£7,000	£40,000	£5,600	£7,000	£8,400
<ul style="list-style-type: none"> - The provision of documentation regarding energy performance certificates, fire detection and prevention, emergency lighting, carbon monoxide detection, fire risk assessments, gas installations, electric installations and appliances - Notification of legal proceedings, contraventions and other relevant information that may affect a fit and proper person status - Procedures and actions regarding ASB - Non-compliance with a schedule of works in relation to the provision of personal hygiene facilities, kitchen facilities or heating 	£12,500	£40,000	£10,000	£12,500	£15,000

Matters Relating to the Breach	Starting point	Statutory maximum civil penalty amount	Landlord Type downward adjustment	No Landlord Type adjustment	Landlord Type upward adjustment
<ul style="list-style-type: none"> - Minimum floor areas - Occupancy rates - Occupancy of rooms or areas that are not to be used as sleeping accommodation - Limits on number of households allowed to occupy the property or part of the property 	£20,000	£40,000	£16,000	£20,000	£24,000
<ul style="list-style-type: none"> - The condition or existence of smoke alarms, carbon monoxide alarms, emergency lighting, gas installations, electric installations and appliances, fire detection or other fire safety features or requirements - The provision and maintenance of safe means of escape, including requirements to keep escape routes and exits free from obstruction - Non-compliance with a schedule of works in relation to fire safety or the provision of a carbon monoxide detector 	£25,000	£40,000	£20,000	£25,000	£30,000

Appendix 3 – Factors in Determining the Level of Civil Penalty

1. Starting point based of seriousness of the breach or offence

- The government has provided statutory guidance that prescribes starting points for all breaches and offences based on the seriousness of the breach or offence.
- The exception to this prescription is for breaches of HMO licensing conditions under section 72(3) of the Housing Act 2004, where the Council has determined its own starting levels based on the seriousness of the specific licence condition or type of licence condition that has not be complied with.

2. Adjustment for “landlord type”

- Factors relating to the type of landlord include the size and type of portfolio controlled, owned or managed and the experience of the landlord
- While all landlords are expected to comply fully with their legal obligations, the Council considers that a higher standard of professionalism and regulatory awareness is reasonably expected of landlords who operate at greater scale, who have greater experience, or who are involved in more complex forms of letting. Where such landlords fail to comply with their obligations, this will ordinarily justify a higher civil penalty.
- In particular, a higher degree of professionalism is expected of landlords who:
 - Control, own, or manage a significant portfolio of properties
 - Have significant experience in the letting or management of property
 - Are or have been involved in the letting or management of HMOs
 - Are corporate landlords
 - Are or have been directors of corporate landlords.
- **An upward adjustment of 20% of the applicable starting point will be applied where the landlord meets any one or more of the following criteria:**
 1. The landlord has controlled, owned, or managed six or more properties. These properties need not have been held concurrently or at the time civil penalty proceedings are brought
 2. The landlord has controlled, owned, or managed three or more properties that operated as HMOs, whether or not concurrently
 3. The landlord is, or has previously been, a director of a corporate landlord
 4. The landlord is a corporate landlord
 5. The landlord has, in the Council’s assessment and by reference to the available evidence, significant experience in the letting or management of property.
- **A downward adjustment of 20% of the applicable starting point will be applied only where all of the following criteria are met:**

1. The landlord has, at any point in time, controlled, owned, or managed no more than two properties
2. The landlord has controlled, owned, or managed no more than one property that has operated as an HMO, at any point in time.
3. The landlord has, in the Council's assessment and by reference to the available evidence, very limited experience in the letting or management of property.

3. Mitigating and aggravating factors

- Factors that the Council deems significant include, but are not limited to, the track record and culpability of the landlord and the actual or potential harm to the occupants
- To promote fairness and consistency in the administration of civil penalties, the Council will apply a structured framework when determining the extent to which mitigating and aggravating factors affect the quantum of any civil penalty.

General approach

- Each breach or offence may have offence-specific mitigating and/or aggravating factors, which will be considered alongside the generic factors set out below.
- Where multiple civil penalties are issued under this policy against the same landlord at the same time, and except where expressly stated otherwise, mitigating and aggravating factors will be considered and applied separately to each civil penalty when determining the quantum of each penalty.

Mitigating factors

- **The Council may reduce the level of a civil penalty by up to 20% of the applicable starting point to reflect the presence of mitigating factors.**
- Only in exceptional circumstances may the Council depart from the application of this policy in respect of mitigating factors and apply a reduction in excess of 20%. Exceptional circumstances are rare and unusual and are not established merely by the presence of multiple mitigating factors.
- Within the framework of this policy, the Council has not sought to provide an exhaustive list of mitigating factors, recognising that a wide range of circumstances may potentially give rise to mitigation. However, the following generic mitigating factors will be considered in respect of each breach or offence:
 1. **Steps taken to remedy the basis of the breach or offence:** e.g. promptly remedying all (or all significant) elements of the breach or offence after receiving communication from the Council.
 2. **High level of cooperation:** e.g. proactive provision of significant relevant information beyond that required by statutory notice.

3. **Early acceptance of liability:** Accepting liability before or within the period for representations. Where a landlord relies on a reasonable excuse defence or otherwise contests liability, this mitigating factor will not usually apply.
4. **Health circumstances:** e.g. a serious health condition or medical incident experienced by the landlord during, or in the period immediately preceding, the breach or offence, where there is clear and reliable evidence that the condition had a direct and material impact on the landlord's ability to comply with the relevant legal obligation.
5. **Diminished culpability (limited responsibility), for example:**
 - A joint landlord who has evidenced that compliance arrangements for the subject property were directed and controlled by another joint landlord, and not by them.
 - A landlord who became involved only after an unforeseen change in circumstances (such as the death of the previous landlord) and who committed the breach or offence only for a limited period while putting their affairs in order.
 - The instruction of a managing or letting agent, or reliance on an agent's actions or omissions, will not of itself constitute diminished culpability.

Aggravating factors

- **The Council may increase the level of a civil penalty by up to 20% of the applicable starting point to reflect the presence of aggravating factors.**
- Only in exceptional circumstances may the Council depart from the application of this policy in respect of aggravating factors and apply an increase in excess of 20%. Exceptional circumstances are rare and unusual and are not established merely by the presence of multiple aggravating factors.
- The following generic aggravating factors will be considered in respect of each breach or offence:
 1. **Previous history of non-compliance:** e.g. previous successful prosecutions (including relevant spent convictions), previous civil penalties, rent repayment orders, works in default or simple cautions. Concurrent investigations or proceedings will not be treated as previous non-compliance.
 2. **Non-cooperation with the Council:** e.g. –
 - Failing to provide a substantive response to a letter of alleged offence
 - Failing to attend previously agreed meetings.
 - Failure to comply with notices requiring information – i.e. issued under section 16 of the Local Government (Miscellaneous Provisions) Act 1976, section 235 of the Housing Act 2004, or sections 114 or 115 of the Renters' Rights Act 2025 – **except** where the Council is prosecuting for the failure to comply with such a notice (to avoid double counting).

NB: Where multiple civil penalties are imposed against the same landlord at the same time, this aggravating factor will be applied only to the civil penalty with the

highest starting point, unless there is a clear and reasoned basis for applying it differently.

3. Deliberate intent or negligence: e.g. –

- Knowledge that the breach or offence was occurring.
- Continuation of offending after communication from the Council
- Evidence that a breach or offence was premeditated or planned
- Providing false or misleading information to the Council
- Applying pressure to occupants to deter cooperation with the Council
- Any other steps taken to evade detection or impede effective investigation of breaches or offences by the Council

4. The number of occupants affected

5. Duration of non-compliance

6. Vulnerability of occupants: e.g. –

- Persons vulnerable by reason of age, disability or sensory impairment
- Persons with drug or alcohol dependency
- Victims of domestic abuse
- Children in care
- Persons with complex health needs
- Persons who do not speak English as a first language
- Victims of trafficking or sexual exploitation
- Refugees and asylum seekers
- Pregnant women

4. Financial Considerations

- It is essential that, as an absolute minimum, landlords do not financially benefit from their offending behaviour.
- The Council will review the quantum of the civil penalty and consider whether it is sufficient to act as an effective deterrent to future non-compliance.
- Financial circumstances will ordinarily be considered after any written representations have been received and as part of the determination of any final notice.
- Where the Council has evidence that it considers to be sufficiently reliable regarding rental income and/or asset value from the landlord, it may determine that an increase in the level of the penalty is appropriate in order to achieve effective deterrence.
- Where a landlord seeks to rely on a strained or limited financial position as a basis for reducing the level of a civil penalty, that position must be supported by appropriate and verifiable evidence sufficient to enable the Council to assess the landlord's financial position consistently, objectively, and transparently. Unsupported assertions, partial disclosure, or selective provision of information will not be given weight. As a minimum, and where such information exists, the following should be provided as part of any written representations:

- 1) The last three months' bank statements for any account holding a balance in excess of £5,000
 - 2) The last three months' payslips
 - 3) P60 certificate for the most recent full tax year
 - 4) The most recent full tax year's full self-assessment tax return filed with HMRC, including all additional and supplemental pages
 - 5) The most recent full tax year's SA302 document & tax year overview
 - 6) Valuation statements for all ISAs and other savings accounts held (dated within the last three months)
 - 7) The most recent statements (dated within the last three months) for all secured and unsecured loans and credit card accounts
 - 8) A list of all property assets owned or jointly owned (not limited to rental properties), together with corresponding Land Registry title documents
 - 9) A list of all property assets owned, or held on a long lease, by any corporate entity in which the landlord has a beneficial interest, together with corresponding Land Registry documentation
 - 10) The most recent annual mortgage statement for each property to which 8) and 9) apply, or all monthly mortgage statements where the mortgage has been in place for less than twelve months
 - 11) A list of all shareholdings
 - 12) The last twelve months' Universal Credit payment statements
 - 13) Statements (dated within the last twelve months) of other state benefit payments
 - 14) Statements from any crypto asset exchange accounts showing balances and valuations
 - 15) Bankruptcy orders and official notifications of bankruptcy
- Where the Council is not satisfied that it has been provided with sufficiently reliable, complete, and accurate information to assess the landlord's financial position, the Council may draw the inference that the landlord is able to pay the civil penalty as imposed.
 - A claimed inability to pay will not, of itself, outweigh the need to ensure effective deterrence or to remove any financial benefit obtained as a result of the breach or offence.

5. The Totality Principle

- The Council will have regard to the totality principle to ensure that the overall outcome of its enforcement action is just and proportionate.
- In exceptional cases and having regard to the particular circumstances of the case, the Council may take account of totality at an earlier stage by deciding not to pursue a civil penalty in respect of a specific breach or offence where doing so would render the overall outcome disproportionate.
- In general, however, the application of the totality principle will form the final step in the Council's decision-making process, undertaken after any written representations

have been considered and before final notices are issued, once the level of each individual civil penalty has been assessed in accordance with this policy.

- As a final step before issuing final notices, the Council will consider whether multiple civil penalties being imposed under this policy against the same landlord at the same time result in an aggregate amount that is just and proportionate. Where the Council concludes that the aggregate amount would not be just and proportionate, it will consider whether a proportionate reduction of the penalties is appropriate.
- The totality principle does not operate across different legal persons who are separately liable in law, nor does it operate across civil penalties imposed at different times. In general, it applies only to multiple civil penalties imposed under this policy on the same person at the same time. Where, however, legislation provides that an officer of a body corporate, or a person concerned in its management, may be separately liable in relation to the same conduct as the body corporate, and that officer also holds a shareholding interest in the body corporate, the Council will, where civil penalties are imposed at the same time on both the body corporate and the officer arising from that same conduct, consider whether the combined outcome results in punitive duplication and is therefore not just and proportionate.
- Where a reduction is applied under the totality principle, the Council will ordinarily do so by applying a uniform percentage reduction across all relevant civil penalties being issued at the same time, being those civil penalties that form part of the same totality assessment.
- Where, however, the application of the totality principle is required to address punitive duplication arising from a shared economic interest between a body corporate and an officer, the Council may apply a differential adjustment to ensure that the overall outcome is just and proportionate.
- This approach reflects the statutory guidance on the application of the totality principle and is intended to promote consistency, transparency, and proportionality, while avoiding arbitrary or selective adjustment of individual penalties.
- In accordance with the statutory guidance, any rent repayment orders made in respect of the same breach or offence will be disregarded for the purposes of assessing the totality of civil penalties under this policy.

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Appendix B - Summary of Civil Penalty Policy Key Changes

Old Policy – 2017 (with 2022 updates)

Methodology for determining the level of financial penalty:

Starting point established by deciding level of culpability and harm to determine the seriousness of the offence. Adjustment then made taking into account aggravating and mitigating factors.

Scope of offences for which a civil penalty may be issued:

Applies to seven offence categories, primarily under the Housing Act 2004 and Housing and Planning Act 2016.

Potential fine levels:

Majority of starting points set below £5,000.
Most fines likely to be below £10,000.
Maximum fine level of £30,000.

New Policy – 2026

The new statutory guidance prescribes the starting point for fine levels for the majority of regulatory breaches and offences, before adjustments are made for aggravating and mitigating factors. ACEHO recommendations are applied where there is discretion to set the starting points for fine levels (e.g. for HMO licensing breaches).

Applies to 25 offence categories as a result of the Renters' Rights Act 2025 substantially increasing the number of regulatory breaches and offences for which a civil penalty may be issued.

Most starting points for fines set above £5,000.
Many offence categories likely to result in a fine of over £10,000. Maximum fine level for offences of £40,000.

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Equality Impact Assessment – Civil Penalty Policy

Equality Impact Assessment Form

For a policy, project, strategy, staff or service change, or other decision that is new, changing or under review

What is being assessed?		Civil Penalty Policy	
Lead Assessor	Geoff Hammond Residential and Animal Control Manager		Assessment team Environmental Health and Licensing
Start date	March 2026	End date	March 2027
When will the EqIA be reviewed? (Typically every 2 years)	March 2027, unless the policy to which it relates requires review at an earlier date.		

Who may be affected by the proposed project?	Landlords of private sector rented dwellings in Stevenage and persons acting on their behalf such as managing agents and letting agents, who may be liable to be issued with a civil penalty notice in accordance with this policy. Landlords who are registered providers of social housing may also be subject to civil penalty notices.
What are the key aims of the proposed project?	<p>To set out the Council's methodology and mechanism for assessing and setting the level of a civil penalty, as an enforcement sanction against a landlord where a contravention of relevant housing legislation has occurred.</p> <p>To ensure that civil penalties are issued in accordance with the relevant legislation and the statutory enforcement guidance.</p> <p>To ensure that civil penalties are issued in a fair, transparent and consistent manner.</p>

What positive measures are in place (if any) to help fulfil our legislative duties to:					
Remove discrimination & harassment	See comment below.	Promote equal opportunities	See comment below.	Encourage good relations	The policy will enable landlords and those acting on their behalf to have confidence that the Council will apply the law concerning civil penalties in a fair, consistent and transparent manner.
What sources of data / information are you using to inform your assessment?	UK legislation and associated Government guidance.				

In assessing the potential impact on people, are there any overall comments that you would like to make?	<p>The policy sets out a clear and consistent approach to the setting and issuing of civil penalties which is applied equally to landlords or persons acting on their behalf or who have failed to comply with their legal obligations. It is supported by separate housing enforcement policies which set out a consistent approach to investigating contraventions of relevant housing law and the making of enforcement decisions, including decisions to issue a civil penalty where there is sufficient evidence of a breach or offence of the relevant legislation.</p> <p>It is important to note that persons issued with a civil penalty have a legal right of appeal against the Council's decision to take this course of action, or against the amount of the civil penalty. This could include where a recipient of a civil penalty believes that they have been unfairly treated or were subject to discrimination.</p> <p>Appeals are heard by an independent body, the First Tier Tribunal. Landlords would have opportunity to put forward any evidence or argument as to why they believe the Council has acted unfairly or has not acted in accordance with the law or the associated statutory guidance. The First Tier Tribunal would then determine the outcome of the appeal.</p> <p>Persons affected by this policy therefore have clear recourse set out in law where they believe the Council has not acted fairly.</p>
--	---

Evidence and Impact Assessment

Explain the potential impact and opportunities it could have for people in terms of the following characteristics, where applicable:

Age					
Positive impact		Negative impact		Neutral impact	✓
Please evidence the data and information you used to support this assessment	<p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p>				
What opportunities are there to promote equality and inclusion?	N/A		What do you still need to find out? Include in actions (last page)	N/A	

Disability e.g., physical impairment, mental ill health, learning difficulties, long-standing illness					
Positive impact		Negative impact		Neutral impact	✓
Please evidence the data and information you used to support this assessment	<p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p> <p>In setting the level of a civil penalty fine, the policy allows the Council to take account of circumstances that may be a mitigating factor where a contravention of relevant housing legislation has occurred, where satisfactory evidence of such circumstances is provided. This may include evidence that ill health was a contributing factor in the act/omission that led to the breach/offence in question.</p>				

What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)	N/A
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Gender Reassignment					
Positive impact		Negative impact		Neutral impact	✓
Please evidence the data and information you used to support this assessment	<p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p> <p>Where known, preferred pronouns of those using the services to which this policy relates will be honoured during all communication.</p>				
What opportunities are there to promote equality and inclusion?	N/A		What do you still need to find out? Include in actions (last page)	N/A	

Marriage or Civil Partnership					
Positive impact		Negative impact		Neutral impact	✓
Please evidence the data and information you used to support this assessment	<p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p>				

What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)	N/A
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Pregnancy & Maternity					
Positive impact		Negative impact		Neutral impact	✓
Please evidence the data and information you used to support this assessment	<p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p>				
What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)	N/A		

Race					
Positive impact		Negative impact		Neutral impact	✓
Please evidence the data and information you used to support this assessment	<p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p>				
What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)	N/A		

Religion or Belief					
Positive impact		Negative impact		Neutral impact	✓

Please evidence the data and information you used to support this assessment	<p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p>				
What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)	N/A		
Sex					
Positive impact		Negative impact		Neutral impact	✓
Please evidence the data and information you used to support this assessment	<p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p>				
What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)	N/A		

Sexual Orientation e.g., straight, lesbian / gay, bisexual					
Positive impact		Negative impact		Neutral impact	✓
Please evidence the data and information you used to	<p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p>				

support this assessment			
What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)	N/A

Socio-economic¹ e.g., low income, unemployed, homelessness, caring responsibilities, access to internet, public transport users, social value in procurement					
Positive impact		Negative impact		Unequal impact	✓
Please evidence the data and information you used to support this assessment	<p>No differential impact.</p> <p>The policy sets out a clear, consistent and transparent approach to setting the level of civil penalty fines which is applied in all cases where a decision has been made – in accordance with separate housing enforcement policies – to issue a landlord or person acting on their behalf with a civil penalty.</p> <p>Under this policy, assessment of a landlord’s financial circumstances is a key stage in determining the level of civil penalty fine that should be issued. A landlord or any other person who has been issued with a notice of the Council’s intention to issue a civil penalty (which is a preliminary step in all cases), will have a period as specified in the policy within which to make representations to the Council, which the Council must consider before determining the level of fine to be issued. At the point of making representations, the landlord will be able to submit evidence of their financial circumstances to the Council. The Council will proactively request this information from landlords before determining the final level of civil penalty.</p>				
What opportunities are there to promote equality and inclusion?	N/A		What do you still need to find out? Include in actions (last page)	N/A	

Additional Considerations Please outline any other potential impact on people in any other contexts					
Positive impact		Negative impact		Unequal impact	✓

¹Although non-statutory, the council has chosen to implement the Socio-Economic Duty and so decision-makers should use their discretion to consider the impact on people with a socio-economic disadvantage.

Please evidence the data and information you used to support this assessment	Those using the services to which this policy relates may not speak English as their first language and may require additional language support services. While the Council is not obliged to translate written communications including statutory notices into other languages, options to facilitate communication in such cases will be considered. This may include the use of the Language Line service to provide an interpreter. Depending on the circumstances, it may also involve officers facilitating meetings with an interpreter present. Where there is sufficient justification for using translation services for written communications in a particular case, this option may also be considered.		
What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)	N/A

Consultation Findings

Document any feedback gained from the following groups of people:

Staff?	N/A	Residents?	N/A
Voluntary & community sector?	N/A	Partners?	N/A
Other stakeholders?	N/A		

Overall Conclusion & Future Activity

Explain the overall findings of the assessment and reasons for outcome (please choose one) :	
1. No inequality, inclusion issues or opportunities to further improve have been identified	Adherence to the policy will ensure that civil penalties are issued in a fair, transparent and consistent manner that does not unfairly discriminate against any disadvantaged group or against those with protected characteristics. The policy allows for certain relevant factors that may affect such groups to be considered in the Council's decision making, including disability and socio-economic factors. Those affected by this policy have recourse to appeal to an independent tribunal where they consider that the Council has acted unfairly in issuing a civil penalty.

Negative / unequal impact, barriers to inclusion or improvement opportunities identified	2a. Adjustments made	N/A
	2b. Continue as planned	N/A
	2c. Stop and remove	N/A

Detail the **actions that are needed** as a result of this assessment and how they will help to **remove discrimination & harassment, promote equal opportunities** and / or **encourage good relations**:

Action	Will this help to remove, promote and / or encourage?	Responsible officer	Deadline	How will this be embedded as business as usual?
N/A				

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Meeting Cabinet
Portfolio Area Environment, Transport and Planning
Date 10th June 2026



RENTERS RIGHTS ACT 2025 – ENFORCEMENT POLICY

NON-KEY DECISION

Authors Geoff Hammond | 2906
Lead Officers Rory Cosgrove| 2888 & Alex Robinson| 2257
Contact Officer Geoff Hammond | 2906

1 PURPOSE

- 1.1 To consider the Renters' Rights Act 2025 Enforcement Policy.
- 1.2 To note the recommendation of the Council's General Purposes Committee to adopt the Policy at their meeting on 14th April 2026.
- 1.3 The Renters' Rights Bill was introduced to Parliament on 11 September 2024 and gained Royal Assent on 27th October 2025, becoming the Renters' Rights Act 2025 ('the Act'). The Act makes substantial changes to the law concerning privately rented homes, abolishing fixed term assured tenancies and evictions under Section 21 of the Housing Act 1988, known as 'no fault' evictions, providing increased security for tenants. The Act provides additional rights and protections for tenants, including protection from discrimination in the rental market and the practice of 'rental bidding.'
- 1.4 The Act is being brought into effect in stages and the Government has published an implementation timetable. Part 1 of the Act, which gives effect to the abolishment of fixed-term tenancies and 'no fault' evictions, came into force on 1st May 2026.
- 1.5 Local Housing Authorities have been given new powers and duties to enforce the Act. The Renters' Rights Act 2025 Enforcement Policy sets out how the Council will fulfil its new enforcement duty and take effective regulatory action to address non-compliance.

2 RECOMMENDATIONS

- 2.1 That Cabinet agrees the proposed Renters' Rights Act 2025 Enforcement Policy attached as **Appendix A**.
- 2.2 That Cabinet recommends the Policy to Council for adoption.

3 BACKGROUND

- 3.1 The Act was introduced to strengthen the rights and protections for tenants in the private rented sector. Among the key changes are the abolition of fixed-term tenancies and Section 21 'no fault eviction' notices. Prior to Part 1 of the Act coming into force, tenants in the private rented sector would typically occupy a dwelling on an assured shorthold tenancy lasting either six months or 12 months. Tenants could be asked by their landlord to leave the property on expiry of the fixed-term tenancy or at any time thereafter, with two months' notice, and landlords would not be required to give a reason for seeking possession.
- 3.2 As of the 1st May 2026, new and existing assured tenancies are open-ended and landlords can only seek possession on specified grounds. Tenants can end a tenancy at any point by providing two months' notice. This Act therefore provides increased security of tenure while providing tenants with increased flexibility should their circumstances change.
- 3.3 The Act is also intended to empower tenants to seek redress where property conditions are substandard, without fear of retaliatory eviction. Other provisions of the Act are designed to address unfair property marketing practices, such as discrimination on the grounds that a prospective tenant receives benefits or has children, while still allowing landlords to consider the affordability and suitability of a property. In addition, landlords must now provide written tenancy agreements and provide tenants with prescribed information about their rights.
- 3.4 The Act places a statutory duty on local housing authorities to enforce the 'landlord legislation' as defined under the Act and confers on them new investigatory and enforcement powers.
- 3.5 The policy sets out how Stevenage Borough Council will enforce the new provisions and apply the new regulatory powers under the Act. The aims of this policy are to:
 - Ensure that effective regulatory action is taken where landlords are not complying with their legal obligations.
 - Ensure that enforcement powers are applied in a fair, transparent, proportionate and consistent manner.
 - Provide clarity to tenants, landlords and other interested parties on how the Council will enforce the new legislation.
- 3.6 The policy has been developed having regard to statutory enforcement guidance for regulators which has been published by the Government.
- 3.7 The policy relates to those provisions of the Act which came into effect on 1st May 2026. Provisions still to take effect include a requirement for landlords to register with a new Private Rented Sector Database and redress scheme, in

respect of which secondary legislation and statutory guidance is yet to be published. The policy makes provision for future updates to be made by the Director for Planning and Regulation in consultation with the portfolio holder for Housing and Housing Development.

- 3.8 Appendix B summarises how the Renter’s Rights Act 2025 Enforcement Policy interacts with the revised Civil Penalty Policy and existing related housing enforcement policy.
- 3.9 The private rented sector in Stevenage accounts for 15% of the total housing stock. The impact of the new legislation in Stevenage will therefore be substantial. A summary of the profile of the private rented sector is given in **Appendix C**.

4 REASONS FOR RECOMMENDED COURSE OF ACTION

- 4.1 Section 107 of the Act places a duty on the Council to enforce the defined ‘landlord legislation.’ Implementation of the policy will enable an enforcement approach that is consistent, complies with the statutory enforcement guidance and provides assurance to tenants and those operating rental businesses as to the approach that the Council will take.
- 4.2 A key consideration for local housing authorities in setting enforcement policy is the stage at which enforcement action should be initiated after non-compliance is identified. The statutory enforcement guidance makes clear that the Regulator’s Code does not apply to the Act and a ‘graduated’ approach to enforcement, whereby informal action is taken first, is not required. This is addressed in the policy content (section 6) which, in summary, sets out the position as follows:
- Landlords are expected to conduct their rental business in a professional manner and in full compliance with the law.
 - The statutory enforcement guidance makes clear that local housing authorities:
 - (a) Need not take informal steps to address non-compliance before commencing formal action (issuing a civil penalty notice or prosecuting).
 - (b) Should take account of the need for effective deterrence and punishment and what is in the best interests of tenants.
 - Where non-compliance with the landlord legislation is established, the Council will normally take formal action.
 - Informal action may be taken to achieve compliance in the first instance where there are good reasons for doing so which outweigh the considerations in favour of immediate formal action, having regard to the reasons for non-compliance and the other relevant circumstances of the case.
 - Where a decision is made to take informal action first, clear timescales for compliance will be given to the landlord. The investigating officer will then follow up promptly to determine whether the non-compliance has ceased and will proceed to formal action if necessary.

- 4.3 The approach outlined above is intended to balance the key policy aims of ensuring a fair and consistent approach to enforcement with the protection of tenants and the safeguarding of their rights.
- 4.4 In this regard, steps have been taken to promote the changes under the Act concerning the strengthening of tenants' rights and landlords' new responsibilities and to ensure the availability of timely and up-to-date housing advice and support, as summarised in **Appendix D**. As part of this process, the Housing Options service has reviewed and updated its service plan in relation to assistance and advice for both tenants and landlords and homelessness prevention.
- 4.5 Internal consultation took place within the Environmental Health and Licensing and Housing Options services, which are responsible, respectively, for enforcing the legislation and providing advice and assistance to tenants. No changes to the policy were required as a result of the internal consultation.
- 4.6 A public consultation exercise was not considered necessary as much of the policy content relates to matters prescribed by the legislation and statutory guidance. The Council has a legal duty to enforce the Act. The policy sets out how the Council will fulfil its functions within the framework established by the legislation and statutory guidance.
- 4.7 The Council's General Purposes Committee considered the policy at its meeting on 14th April 2026. The Committee agreed to recommend the proposed Stevenage Borough Council Renters' Rights Act 2025 Enforcement Policy to Cabinet. No additional points or suggestions were made.

5 IMPLICATIONS

Financial

- 5.1 The need to increase the enforcement capacity of the Environmental Health and Licensing Service has been identified, to fulfil the Council's new regulatory functions under the Act, which is estimated to cost £72,780 (1.1 FTE Environmental Health Officers).
- 5.2 New burdens funding of £60,000 was received in 2026/27 to enable all local housing authorities to recruit at least one new dedicated staff member. The government has indicated that new burdens funding will be supported throughout the current funding period, with the ultimate aim of establishing a sustainable funding system for PRS enforcement over the long term based on future Private Rented Sector Database fee revenues.
- 5.3 Based on the 2026/27 level of funding the Cabinet is requested to approve a supplementary estimate for the remaining funding of £12,780 which is within the amount delegated to the Cabinet to approve.
- 5.4 The Council also received £66,760 for the Renters Rights Act included in the Homeless, Rough Sleeping and Domestic Abuse core funding however this is for homeless prevention rather than enforcement.

- 5.5 The Renters' Rights Act 2025 is being implemented in phases as set out in the Government's published implementation timetable. Phase 2 will include the roll out of the Private Rented Sector Database, from Autumn 2026. The impact on regulatory demand and consequent resource need will be reviewed in line with the implementation stage of Phase 2. It is possible that additional resource requiring a growth bid may be needed after 2026/27.

Legal

- 5.6 The Council has a statutory duty under Section 107 of the Act to enforce the landlord legislation and must have regard to the statutory enforcement guidance. The policy has been developed with reference to this guidance.
- 5.7 The changes made by the Act to strengthen rights and protections for tenants have had a high profile, including in national media. There is significant interest among organisations which have campaigned for the changes. The Council's performance in implementing the new legislation is therefore likely to be subject to public scrutiny. The Act includes a statutory requirement for local housing authorities to report to the Government on their housing enforcement activity, on a quarterly and annual basis. Data requests from interested parties under the Freedom of Information Act are likely. Local authorities may face adverse publicity and legal challenges where they are perceived as failing to meet their enforcement duties.

Equalities

- 5.8 An Equalities Impact Assessment, attached as **Appendix E**, was carried out in March 2026 and concluded that the policy supports a consistent and transparent enforcement approach that will apply equally to landlords, rental businesses and other persons acting on a landlord's behalf.
- 5.9 The assessment further concluded that the policy will promote confidence that the Council's approach to enforcement is fair and applied on an equal and impartial basis.
- 5.10 The strengthened rights and protections for tenants within the private rented sector is expected to have an overall positive effect for those in disadvantaged groups or with certain protected characteristics.

6 BACKGROUND DOCUMENTS

[Renters' Rights Act: guidance for local authorities and councils - GOV.UK](#)
[Renters' Rights Act 2025](#)

7 APPENDICES

- A Renters' Rights Act 2025 Enforcement Policy**
- B Interaction of the RRA 2025 Enforcement Policy with Related Policies**
- C Summary Profile of the Private Rented Sector in Stevenage**
- D Preparing for Implementation – Housing Advice and Support**
- E Equalities Impact Assessment**

Renters’ Rights Act 2025 Enforcement Policy

Stevenage Borough Council

2026

Date created	March 2026
Approved by	For approval by Full Council
Owner	Rory Cosgrove Head of Service for Environmental Health and Licensing
Version	1.0
Author	Geoff Hammond Residential and Animal Control Manager
Business Unit and Team	Planning and Regulation Environmental Health and Licensing
Policy Review Date	12 months from date of policy approval
Equality Impact Assessment Date	12 months from date of policy approval

For translations, braille or large print versions of this document please email equalities@stevenage.gov.uk.

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1 Purpose

- 1.1 The purpose of this policy is to set out the Council's approach to regulation and enforcement of the Renters' Rights Act 2025. The policy details how the Council will apply the legislative provisions concerning the Renters' Rights Act 2025 and how the Council will fulfil its statutory duties under this Act to regulate the private rented sector.
- 1.2 The Renters' Rights Act 2025 brought in significant changes to the law concerning the provision of tenancies and the steps that landlords must follow to lawfully engage in the letting of accommodation, and in seeking possession of accommodation where there are grounds to do so. Local authorities were given new enforcement duties and powers to require that landlords comply with their obligations under the Renters' Rights Act 2025 and to sanction landlords who fail to comply.
- 1.3 The aims of this policy are therefore to:
- Ensure that, where landlords are not complying with their obligations under the Renters' Rights Act 2025 which fall within the remit of local housing authorities, effective regulatory action is taken by the Council using the enforcement powers available.
 - Ensure that enforcement powers are applied in a fair, transparent, proportionate and consistent manner.
 - Provide clarity to tenants, landlords and other interested parties on the approach that the Council will take in the regulation and enforcement of private sector housing standards under the Renters' Rights Act 2025.

2 Scope

- 2.1 The policy is specific to the Planning and Regulation Business Unit. Its implementation will be overseen by the Head of Service for Environmental Health and Licensing.
- 2.2 The policy will impact primarily on private sector landlords and the occupiers of privately rented accommodation. In this policy, the term 'landlord' should be read as including letting agents, managing agents, licensors, property owners, directors of corporate landlords and any other person involved in the letting or management of privately rented accommodation.
- 2.3 In addition, certain provisions of the Renters' Rights Act 2025 also affect social landlords. For example, prior to the Act assured tenancies were used by some landlords in the sector.
- 2.4 While the Act generally applies a wide scope in terms of who can potentially be held responsible for a breach of landlord duties under the legislation, legal representatives acting on behalf of landlords are expressly exempt from the enforcement measures.

3 Legal Framework

- 3.1 The Renters' Rights Act 2025 ('the Act') was enacted on 27th October 2025. The Act brought in substantial changes to the law relating to the private rented sector, aimed at providing tenants of privately rented accommodation with increased security and stability, through reforming private sector tenancies including the grounds for possession, preventing retaliatory evictions and strengthening tenants' rights and protections in a number of other areas.
- 3.2 With effect from 1st May 2026, the Act abolished all fixed-term tenancies, replacing them with statutory assured periodic tenancies, allowing a tenant to give their landlord two months' notice to end their tenancy at any time after their tenancy agreement is entered into. The Act made substantial reforms to the grounds for possession under the Housing Act 1988, meaning that landlords can no longer issue a 'Section 21' notice to obtain possession of their property without giving a reason – formerly known as 'no fault evictions' – and may only seek possession on the grounds specified in the amended Schedule 2 to the Housing Act 1988.
- 3.3 The Act amended the Tenant Fees Act 2019 to prohibit landlords or letting agents from requiring or accepting any payment of rent in advance of a tenancy being entered into and limiting the amount that can be required to be paid in advance once a tenancy agreement has been signed to one month's rent. In addition, the Act prohibits the practice of 'rental bidding' by requiring landlords and letting agents to publish an asking rent for their properties and by prohibiting them from asking for, encouraging, or accepting any offer to pay rent above the specified published amount.
- 3.4 Under the Act, landlords are required to provide tenants with a written statement of terms on which their tenants occupy the property. In addition, the Act brought in new provisions to prohibit landlords or letting agents from discriminating against prospective tenants in receipt of benefits or with children, by preventing or deterring them from viewing or letting properties.
- 3.5 With respect to private sector housing enforcement, Section 107 of the Act places a statutory duty on local housing authorities (LHAs) to enforce the 'landlord legislation,' which is defined as the provisions under:
- Chapters 3 and 6 of Part 1 of the Act
 - Part 2 of the Act
 - Sections 1 and 1A of the Protection from Eviction Act 1977
 - Chapter 1 of Part 1 of the Housing Act 1988
- 3.6 Section 110 of the Act imposes a duty on LHAs to report to the Secretary of State on the exercise of its functions under the landlord legislation.
- 3.7 The Act provides LHAs with new investigative powers to obtain information from relevant persons and powers of entry onto both residential and business premises. In

terms of sanctions for non-compliance with the 'landlord legislation,' the Act provides for LHAs to issue civil penalties (financial penalties) and, for specified offences, to prosecute landlords. The Act also widened the scope and extent of Rent Repayment Orders as set out under the Housing Act 2004 and the Housing and Planning Act 2016, under which LHAs and tenants can apply to a First Tier Tribunal for an order to recover rent or Housing Benefit or the housing element of Universal Credit paid, where a landlord has committed a specified housing offence.

3.8 The Act makes provision for further substantial changes to the regulation of private sector housing which are yet to come into force, including new requirements for all private landlords to register with their local housing authority via a national 'Private Rented Sector Database' and to register with a new 'Private Rented Sector Landlord Ombudsman,' which will provide a means of redress where disputes between private landlords and their tenants arise.

3.9 The Act also makes future provision for a new Decent Homes Standard to apply to the private rented sector, based on the standard which applies to the social housing sector. This will require private landlords to ensure that their properties are free from significant hazards and disrepair, meet adequate standards relating to energy efficiency and have reasonably modern facilities.

4 Equalities

4.1 Under the Equality Act (2010) the Council has a legal duty to fulfil the requirements of the Public Sector Equality Duty (PSED). Through this duty and in the application of this policy, the council will carry out its functions in a way that:

- a. Removes discrimination, harassment, victimisation and any other conduct that is unlawful under the Equality Act (2010)
- b. Promotes equal opportunities between people who have a protected characteristic(s) and those who don't
- c. Encourages good relations between people who have a protected characteristic(s) and those who don't

4.2 Further information on the Council's fulfilment of the Equality Act (2010) is set out in the Equality, Diversity and Inclusion (EDI) Policy (2022) and Reasonable Adjustment Policy (2024).

5 Data Protection

5.1 The Council regards respect for the privacy of individuals and the lawful and careful treatment of personal information as very important to delivery of services.

5.2 The Council will ensure that it treats personal information lawfully and proportionately as set out in the General Data Protection Regulation (GDPR) and Data Protection

Act (2018). For further information on the Councils approach to handling information please see: [Data Protection Act \(stevenage.gov.uk\)](https://www.stevenage.gov.uk).

- 5.3 The Council will ensure that it treats personal information lawfully and proportionately as set out in the General Data Protection Regulation (GDPR) and Data Protection Act (2018). For further information on the Councils approach to handling information please see: [Data Protection Act \(stevenage.gov.uk\)](https://www.stevenage.gov.uk).

6 Policy

Approach to Enforcement

- 6.1 As a local housing authority, the Council is under a duty to enforce the landlord legislation in its area. In doing so, the Council will have regard to the government-produced statutory enforcement guidance relating to the Act. This enforcement policy has been developed taking this enforcement guidance into account.
- 6.2 The Council wants to support responsible landlords to raise housing standards. However, the Council expects landlords to have a good understanding of their obligations under the Act and of the housing and management standards that should be met in privately rented accommodation. The Council considers that landlords, in renting their properties, are running a business, whether they have one property or multiple properties. Landlords are expected to conduct their rental business in a professional manner and in full compliance with the law.
- 6.3 It is noted that the Act and therefore the landlord legislation, as defined by Section 107 of the Act, do not fall within the scope of the Regulators' Code. The statutory enforcement guidance relating to the Act makes clear that LHAs need not take informal steps to address non-compliance first, for example by issuing warning letters, before commencing formal action i.e. issuing a civil penalty notice (CPN) or commencing prosecution proceedings.
- 6.4 The statutory guidance further states, *'In determining what steps to take to address the breach or offence, local housing authorities should take account of the need for effective deterrence and punishment and what is in the best interests of tenants.'*
- 6.5 Having regard to the above considerations, where non-compliance with the landlord legislation is established, the Council will normally take formal action, without recourse first to informal action. However, informal action may be taken to achieve compliance in the first instance where there are considered to be good reasons for doing so which outweigh the considerations in favour of immediate formal action, having regard to the reasons for non-compliance and the other relevant circumstances of the case,

including whether the landlord has a previous record of non-compliance with relevant legislation.

- 6.6 Where a decision is made to take informal action first, clear timescales for compliance will be given to the landlord. The investigating officer will then follow up promptly to determine whether the non-compliance has ceased. Where any steps to end the non-compliance have failed to do so, or where it is not possible to remove the non-compliance e.g. because tenants have already been illegally evicted, and the necessary evidential threshold is reached and proceeding is in the public interest, the Council will either issue a CPN or start prosecution proceedings.
- 6.7 Officers of the Council with responsibility for enforcing the relevant provisions of the Act may become aware of a suspected case of non-compliance in a number of ways, e.g. from complaints received from tenants, from proactive inspections undertaken or from other intelligence. Where non-compliance with the landlord legislation is suspected, officers will consider what steps may be reasonably necessary, within the limits of the Council's statutory powers and officers' delegated authority, to establish that a contravention of the Act has occurred.
- 6.8 Both the Council's Housing Options team and Environmental Health & Licensing team provide a frontline service for private rented sector tenants. In terms of the respective responsibilities between these teams, Housing Options will lead in assisting tenants to prevent homelessness and in advising both tenants and landlords respectively about their rights and responsibilities under the Act. Environmental Health & Licensing will be responsible for enforcing all of the provisions under the Act which fall under Section 107, i.e. the landlord legislation. Where a tenant approaches the Housing Options team and there are grounds to suspect that a contravention of the Act has occurred, the Housing Options team will refer the matter to the Environmental Health & Licensing team for investigation. In relation to cases of suspected illegal eviction or harassment falling under the Protection from Eviction Act 1977, officers should refer to the agreed protocols under *Protection From Eviction, Environmental Health & Housing Options - Joint Procedure*.

Enforcement by Trading Standards

- 6.9 The Act places the statutory duty to enforce the landlord legislation, as defined by Section 107, on LHAs. The Council is therefore the regulator with primary responsibility for investigating suspected contraventions under the Act.
- 6.10 However, Section 107 also provides County Councils with the same powers as LHAs to enforce the landlord legislation. Weights and Measures Authorities have existing enforcement duties and powers relating to the marketing and letting of private rented sector properties, including under the Tenant Fees Act 2019 and the legislation relating to Client Money Protection Schemes and the requirement for Energy Performance Certificates when rental properties are marketed.

- 6.11 Where County Councils choose to exercise their discretionary powers under the Act, they must notify the LHA in whose area the breach or offence occurred. If a County Council receives a report of a suspected contravention of the Act but does not take action, it must notify the LHA.
- 6.12 Where officers receive a report about suspected contraventions of certain provisions under the Act that relate to the marketing stage of a private rented sector property, before a tenancy agreement is signed, the officer may initially refer the matter to Hertfordshire County Council Trading Standards. The officer referring the matter should look to agree with Trading Standards which service will take the lead in investigating the suspected contravention. If Trading Standards agree to lead in the investigation, the officer can inform the tenant or person reporting the matter and need not take further action. If it is not possible for the officer to get timely confirmation that Trading Standards will take on the case, having regard to the urgency of the matter and the need to avoid undue delay in responding to the report, the officer should assume the lead role in investigating the complaint.
- 6.13 The provisions to which paragraph 6.12 applies are as follows (see below under Breaches and Offences for further detail):
- Section 16E(1)(a) of the Housing Act 1988 ('the 1988 Act') – as amended by the Renters' Rights Act 2025: Purporting to let a dwelling-house on the tenancy for a fixed term, at the stage where a fixed-term letting is being advertised.
 - Section 16E(3) of the 1988 Act, where the landlord, having used Ground 1 or 1A to obtain possession (see Appendix 1), markets the dwelling-house for re-letting within the 12-month restricted period.
 - Sections 33 and 34 of the Act relating to discrimination, where this occurs at the marketing stage i.e. before a tenancy agreement is signed.
 - Section 56 of the Act relating to the requirement to specify the proposed rent and not to engage in rental bidding when marketing a property.
- 6.14 In relation to suspected offences under the Tenant Fees Act 2019, the Renters' Rights Act 2025 makes amendments to the 2019 Act, bringing in prohibitions relating to rental payments in advance of a tenancy agreement being entered into. Local Weights and Measures Authorities i.e. Trading Standards continue to have the statutory duty to enforce the provisions of the Tenant Fees Act 2019. The Council, as a local authority, has discretionary powers to enforce these measures. However, complaints will normally be referred to Trading Standards to take the lead in investigating suspected offences.

Breaches and Offences

- 6.15 Enforcement of the new measures relates to two categories of conduct: breaches and offences. The term 'breach' is used to refer to non-compliance by landlords where the council may impose a civil penalty, with no option to prosecute. The term 'offence' is

used to refer to non-compliance by landlords where the council may either impose a civil penalty or initiate prosecution proceedings.

- 6.16 A list of breaches and offences under the Act is provided in Appendix 2. Officers must refer to the Civil Penalty Policy once a decision has been made to issue a CPN for a breach or offence under the Act (or for offences under other housing legislation to which CPNs apply).
- 6.17 Further detail on the investigation of specific breaches and offences under the Act, including factors that officers should take into account in their investigations, is set out below.

Assured Tenancies: Requirements and Prohibitions

- 6.18 Part 1, Chapter 1 of the Act made substantial changes to the law affecting private rented sector tenancies, through amendments to the Housing Act 1988 ('the 1988 Act') and additional provisions under the new Act. These changes took effect on 1st May 2026.
- 6.19 The Act abolished fixed-term tenancies and made new and existing tenancies Assured Tenancies. There are limited exceptions, such as for short-term lets or where the occupiers are lodgers.
- 6.20 The Act abolished evictions under Section 21 of the 1988 Act, known as 'no fault' evictions, which allowed landlords to serve notice of possession with two months' notice (to expire after any fixed-term period had ended) without specifying a reason. Under the new Act as it applies to Assured Tenancies, landlords can only seek possession on the grounds set out in Schedule 2 of the 1988 Act (as amended), as summarised in Appendix 1.
- 6.21 The Act created new regulatory breaches in giving effect to the changes, through amendments to the 1988 Act. In relation to the standard of evidence for taking formal action for these breaches and offences, officers must be satisfied beyond a reasonable doubt that a landlord or person acting on their behalf has committed the breach or offence in question.
- 6.22 Under Section 16D of the 1988 Act, landlords are required to provide a written tenancy agreement. For new tenancies, this applied from 1st May 2026 and for existing tenancies it applied from the 31st May 2026. Under Section 16D of the 1988 Act landlords must also provide prescribed information to new tenants (as specified in the *Assured Tenancies (Private Rented Sector) (Written Statement of Terms etc and Information Sheet) (England) Regulations 2026*). Landlords had to provide prescribed information to existing tenants by 31st May 2026 under Schedule 6, 7(2) of the Renters' Rights Act 2025. Failure to comply with either of these requirements is a regulatory breach.

6.23 Section 16E of the amended 1988 Act provides that landlords must not, in relation to an assured tenancy:

- (a) Purport to let a dwelling-house on the tenancy for a fixed term
- (b) Purport to bring the tenancy to an end by service of a notice to quit
- (c) Purport to bring the tenancy to an end, or require that it is brought to an end, orally
- (d) Serve on the tenant a purported notice of possession
- (e) Rely on a ground for possession in Schedule 2 of the 1988 Act, where the person does not reasonably believe that the landlord is, will or may be able to obtain an order for possession on that ground, or
- (f) Rely on possession grounds 1B, 2ZA to 2ZD, 4, 5 to 5H, 6A or 18 in Schedule 2 of the 1988 Act (see Appendix 1), if no prior statement was given to the tenant under section 16D(3) of the landlord's intention to use the possession ground being relied on.

6.24 In terms of using a 'notice to quit' or a 'purported notice of possession':

- A notice to quit is a written document which, for example, can include texts or WhatsApp messages, and may state that it is a 'notice to quit,' may specify a date when the tenancy will end and that the tenant must vacate the property by this date.
- A purported notice of possession is a written document, which can include various forms of written communication (as for notices to quit), which may wrongly claim to be a valid section 8 notice given before possession proceedings, or may claim to bring a tenancy to an end or require the tenant to leave, but is not a claim form or a document produced for the purpose of court proceedings.
- It should be noted that for possession notices, landlords must use the form prescribed by the government – 'Form 3A.'
- When assessing whether a section 8 notice is valid, regard should be had to any court determination on that matter.

6.25 Offences under Section 16J of the amended 1988 Act concerning the rules on Assured Tenancies include the following:

- Reletting or remarketing a property within the 12 month 'restricted period' after using statutory grounds for possession 1 or 1A (**see Appendix 1**), unless the landlord took all reasonable steps to avoid this, or an exception applies.
- Knowingly using a ground for possession despite knowing that a court would not order possession on this ground, or being reckless about that, resulting in the tenant leaving within 4 months without an order for possession being made.
- Committing a breach within 5 years of a previous offence, or within 5 years of receiving a CPN for a previous breach that has not been withdrawn.
- Continuing to commit a breach for more than 28 days after receiving a CPN that has not been withdrawn and is not the subject of an ongoing appeal.

6.26 In terms of the exceptions to the 12 month 'restricted period' referred to above during which a property cannot be relet or remarketed:

- This does not apply or ends early if:
 - the landlord or a close family member (as defined in ground 1) moves in and uses the property as their only or main home
 - a licence to occupy is entered into where the licensee has agreed to buy the property or lease it for more than 21 years
 - the new lease being marketed or granted will be for more than 21 years
 - the court makes an order for possession of the property on a ground other than ground 1 or 1A

- 'Remarketing' includes:
 - advertising that the property is or may be available to let, for example, posting an advert online (the restrictions do not apply to businesses that host property adverts but aren't themselves involved in lettings agency work)
 - while conducting lettings agency work, telling someone that the property is or may be available to let

Discrimination in the Rental Market

- 6.27 Chapter 3 of the Act sets out the regulatory breaches concerning discrimination by landlords against tenants or prospective tenants in the private rented sector who have children or receive benefits.
- 6.28 The provisions on discrimination apply to landlords who let out properties on assured and regulated tenancies. This includes tenancies offered by or on behalf of the Crown Estate, but not the Parliamentary Estate, nor those of social or supported housing.
- 6.29 Formal action for breaches under the discrimination provisions require evidence to the civil standard. Officers must therefore decide on the balance of probabilities whether a breach has taken place, i.e. that it is more likely to have occurred than not. Officers must have credible, reliable and sufficient documentary or other evidence to determine this.
- 6.30 Sections 33 and 34 of the Act relate respectively to discrimination against those with children living with or visiting them and against those in receipt of benefits, by a landlord applying a provision, criterion or practice in order to make such people less likely to enter into a tenancy of the dwelling. For example, by preventing them from accessing information about a property (including its availability), or viewing a property, or signing a tenancy agreement.
- 6.31 'Children' means anyone under 18 years old who would either visit or live at the property. The term 'benefits' has a wide definition: officers should refer to the statutory guidance and Chapter 3 of the Act for the full definition, which includes:
1. Universal Credit
 2. Jobseeker's Allowance
 3. Personal Independence Payment

4. Employment and Support Allowance
5. Income Support
6. Housing Benefit
7. State Pension or Pension Credit
8. Council Tax Support
9. Tax Credits (Child and Working)
10. Child Benefit
11. Guardian's Allowance
12. Carer's Allowance

6.32 Landlords and anybody acting on their behalf may be found liable for a breach of the provisions under Chapter 3 of the Act, whether formally contracted or where someone (e.g. a family member) is acting for the landlord on an informal basis. A person or firm cannot be liable for discrimination if they only publish adverts for rental properties or provide a means for landlords and prospective tenants to communicate directly. This means that websites which host property adverts only are not caught by the rental discrimination restrictions.

6.33 Discriminatory terms in tenancies and mortgages are invalidated by the Act. Discriminatory terms in insurance contracts that predate 1st May 2026 only have effect until the insurance contract ends or is renewed.

6.34 Discrimination based on a belief that a tenant or prospective tenant has children or receives benefits, even if that belief is false, is still discrimination under the Act. Therefore, in investigating suspected breaches, evidence that the prospective tenant receives benefits or has children is not necessarily required where it is evident that the landlord had such a belief.

6.35 The following are **not** considered discrimination under the Act:

- **Consideration by a landlord of a prospective tenant's income in assessing whether the rent is affordable.** Landlords are not liable for a breach if a set income requirement is not met, regardless of whether the prospective tenant receives benefits, provided that the same income requirement is applied to all prospective tenants. However, in assessing rent affordability, landlords must take into account any income that a prospective tenant receives from state benefits and treat them as being of equal value. Officers investigating a complaint from a tenant should consider if:
 - the prospective tenant has demonstrated that they could meet the set income requirement
 - the landlord has accounted for any income from benefits and treated them as being of equal value as other forms of income
 - the requirement has been raised because the person has children or receives benefits
- **Where preventing children from living in a property is a proportionate means of achieving a legitimate aim.** There is no such exception made for discrimination

against benefits claimants. To be considered legitimate, the limit has to be genuine: someone other than the landlord must benefit and it must not in itself aim to discriminate against families with children. Examples may include where a property would be unsuitable for children e.g. in a HMO with shared facilities, or to comply with HMO licensing conditions limiting occupancy of a property. Further examples are included in annexes A and B of the statutory guidance. When deciding if an aim is proportionate, officers should consider whether there are reasonably alternative ways of achieving the same aim, or whether the restriction could be limited, e.g. whether it is proportionate to ban all children from living in a property rather than those in certain age groups.

Stating the Proposed Rent and Rental Bidding

- 6.36 Section 56(2) of the Act requires that a prospective landlord must not advertise in writing, or otherwise offer in writing, a proposed letting unless the proposed rent is stated in the advertisement or offer. A written advert or offer may include an online property advert, a printed advert, social media post, handwritten advert/offer or digital communication including emails, texts and direct messaging. The requirement does not apply to a sign displayed at the relevant premises which merely advertises that the dwelling is to let.
- 6.37 Section 56(3) of the Act prohibits a prospective landlord from inviting, encouraging or accepting an offer from any person to pay an amount of rent that exceeds the stated rent.
- 6.38 The effect of Section 56 is that there must be a single, specified rent amount. Publishing another advert with a higher advertised price for the same letting, or publishing a price range for the property, is not permitted. The statutory enforcement guidance contains further examples of practices that may amount to breaches under Section 56, and practices that would not amount to breaches.
- 6.39 The above provisions apply to landlords and any person acting on a landlord's behalf, such as a letting agent. This includes tenancies offered by or on behalf of the Crown Estate, but not social or supported housing. Websites that only host rental adverts cannot be found liable for rental bidding breaches.
- 6.40 In terms of the burden of proof, formal action for breaches under Section 56 of the Act requires evidence to the civil standard.

Investigatory Powers

- 6.41 Chapter 3 of the Act provides investigatory powers for authorised officers of LHAs to investigate whether a landlord or an agent letting out private rented housing has broken certain laws. These powers came into effect on 27th December 2025.

6.42 Officers of the Council authorised to use these investigatory powers will use them when it is necessary and proportionate to do so and having regard to the statutory guidance on their use.

6.43 **Appendix 3** provides further detail on the investigatory powers under the Act.

Advice and Guidance for Tenants

6.44 Not all of the new provisions under the Act relating to the duties of landlords and rights of tenants are enforced by local authorities. Instead, tenants have alternative recourse to resolve disputes. These provisions include:

- **Section 6 – Statutory procedure for increases of rent.** This limits rent increases to once per year (and not within the first year of the tenancy). Landlords will need to follow the process under Section 13 of the 1988 Act (as amended), which requires that they give their tenant at least two months' notice of a proposed rent increase, using the form prescribed by the government (Form 4A). Tenants have the right to challenge a rent increase if they think it's above the open market rent, by applying to the First-Tier Tribunal, which will then determine what the rent amount should be.
- **Section 11 – Right to request permission to keep a pet:** this section of the Act inserts implied clauses into all assured tenancy agreements, with the effect that tenants are entitled to make a written request to keep a pet (including a description of the pet they wish to keep), following which the landlord must respond in writing within 28 days. Landlords must not unreasonably refuse such requests. Where a landlord does refuse permission to keep a pet, they must have a fair reason for refusing which takes account of the circumstances. Landlords cannot have a blanket policy of refusing permission. Landlords will be able to ask for more information from their tenant e.g. about the type or size of pet, but must then respond within 7 days of receiving the additional information. If a tenant keeps a pet without permission, they may be breaching the terms of the tenancy agreement. If a landlord doesn't follow the procedure, the tenant can apply to the county court to enforce the implied terms of the tenancy agreement. They may also complain to the Private Rented Sector Landlord Ombudsman – once this service is operational.
- Where tenants contact the Council's Environmental Health & Licensing team about these matters, officers may provide advice directly to tenants about their rights. Officers may also signpost tenants to other sources of information and advice, e.g. Government guidance for tenants, Stevenage Citizens Advice Bureau or Shelter.

7 Consultation

7.1 In developing this policy, it was not considered necessary to conduct a public consultation exercise. Much of what the policy covers relates to matters prescribed by

the legislation and statutory guidance, as opposed to the Council consulting on options for delivering a service. The Council has a statutory duty to enforce the landlord legislation to which this policy relates. This policy sets out how the Council will fulfil its functions under the Act within the framework established by the legislation and the statutory guidance.

7.2 Consultation has taken place within the Council, with those services responsible for providing frontline advice and support to tenants and for enforcing the new legislation. This includes the Housing Options service and enforcement officers within the Environmental Health and Licensing service.

8 Monitoring and Review

8.1 This policy will initially be reviewed by the Head of Service for Environmental Health and Licensing or Service Manager after 12 months, in anticipation of further provisions under the Act coming into effect. If necessary, this review will take place sooner. The policy will then be reviewed every 2 years by the Head of Service for Environmental Health and Licensing or Service Manager, or earlier if there is a change in legislation.

8.2 Minor changes to the policy may be made by the Head of Service for Environmental Health and Licensing or Service Manager in consultation with the relevant Business Unit's Director. Where more than 10% of the policy content is changed the Director and appropriate Portfolio Holder will decide if the policy needs to be formally reconsidered by Cabinet or the appropriate decision-making body.

8.3 Where there is a request for the content of the policy to be reviewed in response to a complaint, the relevant Business Unit's Director will be notified. If the Director agrees that a review of policy is required, this will be discussed with the appropriate Portfolio Holder. The Head of Service or Service Manager will be responsible for implementing a subsequent policy review.

9 References and Resources

- Renters' Rights Act 2025
<https://www.legislation.gov.uk/ukpga/2025/26/contents/enacted>
- Renters' Rights Act: guidance for local authorities and councils
<https://www.gov.uk/government/collections/renters-rights-act-guidance-for-local-authorities-and-councils>
- Renters' Rights Act: changes for private tenants
https://england.shelter.org.uk/housing_advice/private_renting/renters_rights_act_changes_for_private_renters

- Renting out your property: guidance for landlords and letting agents
<https://www.gov.uk/guidance/renting-out-your-property-guidance-for-landlords-and-letting-agents>
- Guide to the Renters’ Rights Act
<https://www.gov.uk/government/publications/guide-to-the-renters-rights-act/guide-to-the-renters-rights-act>
- Renters’ Rights Act 2025 (Stevenage Borough Council webpage)
<https://www.stevenage.gov.uk/housing/private-sector-housing/renters-rights-act-2025>

10 Abbreviations and Definitions

- CPN: Civil Penalty Notice
- EDI: Equality, Diversity and Inclusion
- GDPR: General Data Protection Regulation
- LHA: Local housing authority
- PSED: Public Sector Equality Duty

11 Version History

Date	Outlined Amendments	Author
March 2026	Original version – 1.0	Geoff Hammond Residential and Animal Control Manager

Appendices

Appendix 1 – Grounds for Possession under Schedule 2 of the Housing Act 1988 (as amended by the Renters’ Rights Act 2025)

Grounds for possession are separated below into mandatory grounds (Table 1) and discretionary grounds (Table 2). Refer to the government guidance on possession grounds for further detail.

Where a mandatory ground is proven, the court must grant a possession order. Where evidence is provided in support of a discretionary ground, the court will consider if it is reasonable to grant a possession order.

Table 1 – Mandatory grounds

Ground	When it Applies	Notice Period
1	Occupation by landlord or family: Where the landlord or a close family member needs to move into the property. Only available after the first 12 months of a new tenancy.	4 months
1A	Sale of dwelling house: Where the landlord intends to sell the property. Only available after the first 12 months of a new tenancy.	4 months
1B	Sale of dwelling house that is part of Rent to Buy: where the landlord has offered the tenant the opportunity to buy the property at the end of the scheme but the tenant has declined.	4 months
2	Sale by mortgagee: where a lender is taking steps to gain possession of a property due to missed mortgage payments. A court order will determine the date when the tenant must leave.	4 months
2ZA	Possession when superior lease ends: applies only to landlords who are agricultural landlords, rent out supported accommodation or represent a company that a council owns half of or more.	4 months
2ZB	Possession when fixed term superior lease ends: Where the immediate landlord is a leaseholder and the lease is not going to be extended and has ended or will end within 12 months. This ground only applies if the lease was for a fixed term of over 21 years.	4 months

2ZC	Possession by superior landlord: applies only to an agricultural landlord, supported accommodation, a company that the council owns half of or more or a private registered provider of social housing.	4 months
2ZD	Possession by superior landlord (fixed term): Where a lease ends but remains tenanted, the superior landlord will be able to apply to court for a possession order to evict the tenant. This ground only applies if the lease was for a fixed term of over 21 years and the possession order application is made within six months from reversion of the lease.	4 months
4	Student accommodation: applies to universities and colleges only.	2 weeks
4A	Properties rented to students for occupation by new students: applies only to house of multiple occupation with shared facilities let to full-time students. Available where the property is needed for a new group of students in line with the academic year between 1 June and 30 September. This ground is not available if the tenancy was agreed more than six months before the tenancy started. Landlords must have given advance notice under S.16D Housing Act 1988.	4 months
5	Ministers of religion	2 months
5A	Occupation by agricultural worker	2 months
5B	Occupation by person who meets employment requirements: Where a property is let to a tenant based on their employment, for example, key workers, and the tenant no longer meets the employment criteria.	2 months
5C	End of employment by the landlord: where accommodation is tied to the employment.	2 months
5D	End of employment: social landlords only.	2 months
5E	Occupation as supported accommodation	4 weeks
5F	Dwelling-house occupied as supported accommodation: where the support has stopped, funding for the support has ended or the supported accommodation is no longer	4 weeks

	suitable for the tenant because their support needs have changed.	
5G	Tenancy granted for homelessness duty: Where the property was temporary accommodation used to house a tenant when they were statutorily homeless and the council has told the landlord that the housing is no longer needed.	4 weeks
5H	Occupation as ‘stepping stone accommodation’	2 months
6	Redevelopment: Where the property needs to be redeveloped or demolished and the tenant cannot live there whilst this takes place. Usually not available within the first six months of the tenancy but the exact requirements can vary.	4 months
6A	Decant accommodation: applicable to social housing only.	4 months
6B	Compliance with enforcement action. Under this ground, the court will be able to order the landlord to pay compensation to their tenant.	4 months
7	Death of tenant: where a person inherits a tenancy and they were not living at the property immediately before the former tenant’s death.	2 months
7A	Severe antisocial or criminal behaviour: where the tenant or a person living with them or visiting them is convicted of criminal behaviour or breached an order to prevent antisocial behaviour, or the police have applied for a closure order lasting for more than 48 hours.	No notice period applies but the court will not be able to make a possession order for 14 days from the date of the Section 8 notice.
7B	No right to rent: where the landlord receives notification from the Home Office that the tenant has no right to rent under immigration law.	2 weeks
8	Rent arrears: Where the tenant owes at least 3 months’ rent, if they pay rent monthly or at least 13 weeks’ rent, if the rent is paid weekly or fortnightly. The amount must still be owed at the date of the court hearing.	4 weeks

Table 2 – Discretionary grounds

Ground	When it Applies	Notice Period
9	Suitable alternative accommodation Where the tenant has been offered accommodation that is suitable for them.	2 months
10	Any rent arrears	4 weeks
11	Persistent rent arrears	4 weeks
12	Breach of tenancy condition(s)	2 weeks
13	Deterioration of property	2 weeks
14	Antisocial behaviour: where the tenant, a person that lives with them or a person who visits them commits antisocial behaviour or has committed a serious offence near to the property.	No notice period applies but the court will not be able to make a possession order for 14 days from the date of the Section 8 notice.
14A	Domestic abuse: Where the tenant has perpetrated domestic abuse against their partner or a person living with them who has left the property and is unlikely to come back.	2 weeks
14ZA	Rioting: where the tenant or another adult living with them has been convicted of an offence during a riot.	2 weeks
15	Deterioration of furniture	2 weeks
17	False statement: Where the tenant or someone acting on their behalf gave false information to get the property.	2 weeks
18	Supported accommodation: Where the tenant is in supported accommodation and does not engage with the support.	4 weeks

Appendix 2 – List of Breaches and Offences under the Renters’ Rights Act 2025

Breaches:

1. Failure to give a written statement of terms and any other prescribed information under section 16D of the Housing Act 1988
2. Attempting to let a property for a fixed term under section 16E of the Housing Act 1988
3. Attempting to end a tenancy by service of a notice to quit under section 16E of the Housing Act 1988
4. Attempting to end a tenancy orally or requiring that it is ended orally under section 16E of the Housing Act 1988
5. Serving an eviction notice that attempts to end a tenancy outside the prescribed section 8 process under section 16E of the Housing Act 1988.
6. Relying on a ground where the landlord does not reasonably believe that the landlord is/will be able to obtain possession under section 16E of the Housing Act 1988.
7. Failing to provide a tenant with prior notice that a ground which requires it may be used under section 16E of the Housing Act 1988.
8. Failure to give an existing tenant prescribed information about changes made by the Renters’ Rights Act 2025 in the prescribed form and timeframe under paragraph 7(2) of schedule 6 to the Renters’ Rights Act 2025.
9. Discrimination relating to children in the lettings process under section 33 of the Renters’ Rights Act 2025.
10. Discrimination relating to benefits in the lettings process under section 34 of the Renters’ Rights Act 2025.
11. Failure to specify proposed rent within a written advertisement or offer under section 56 of the Renters’ Rights Act 2025.
12. Inviting, encouraging or accepting any offer of rent greater than the stated rate under section 56 of the Renters’ Rights Act 2025.

Offences:

1. Continuation of conduct subject to a relevant penalty (under s.16I or s.16K Housing Act 1988) after the 28-day period (or, if appealed, after conclusion of the appeal) where the final notice has not been withdrawn under section 16J of the Housing Act 1988
2. Conduct giving rise to liability under s.16I, where within the preceding five years the landlord has either (i) had a relevant penalty (under s.16I or s.16K Housing Act 1988) imposed for different conduct and the final notice has not been withdrawn, or (ii) been convicted under s.16J for different conduct under section 16(J) of the Housing Act 1988.
3. Relying on a ground knowing the landlord would not be able to obtain possession or being reckless as to whether they would under section 16J of the Housing Act 1988.
4. Breach of restrictions relating to reletting (s16(E)(2) Housing Act 1988) or remarketing (s16(E)(3) Housing Act 1988) a property within the restricted period after using Grounds 1 or 1A of Schedule 2 Housing Act 1988 under section 16J of the Housing Act 1988.

Appendix 3 – Investigatory Powers under the Renters’ Rights Act 2025

Powers to Require Information

1. Under Chapter 3 of the Act, authorised officers can require information from a ‘relevant person,’ meaning a person who has, in the preceding 12 months:
 - Had an estate or interest in residential accommodation in relation to which the investigatory powers are being exercised (excluding a mortgagee not in possession)
 - Held a licence relating to that accommodation
 - Acted or purported to act on behalf of a person to whom either of the above applies
 - Marketed any relevant accommodation for the purposes of creating a residential tenancy
2. Section 114 of the Act gives an authorised officer power to issue a notice to a relevant person to require that person to provide the specified information. It may be given in regard to any of the LHA’s functions under the following Legislation:
 - Sections 1 and 1A of the Protection from Eviction Act 1977
 - Chapter 1 of Part 1 of the Housing Act 1988
 - Section 83(1) or 84(1) of the Enterprise and Regulatory Reform Act 2013
 - Sections 21 to 23 of the Housing and Planning Act 2016
 - Chapter 3 of Part 1 and Part 2 of the Renters’ Rights Act 2025
3. Section 115 of the Act permits an authorised officer to issue a notice to **any** person requiring them to provide the information specified, when the officer reasonably suspects a breach/offence under the ‘rented accommodation legislation’ or to determine the amount of a CPN. The rented accommodation legislation includes the legislation listed above in relation to S.114 notices and also includes the Housing Act 2004, parts 1 to 4 and 7.
4. Notices served under either S.114 or S.115 of the Act must include information about the possible consequences of not complying with the notice and may specify:
 - The time period for compliance
 - The manner in which the relevant person to must comply e.g. to who the information must be given.
 - The form in which information must be provided. The required information must be provided in legible form.
 - Requirements for the creation of documents of a description specified in the notice and the provision of those documents to an enforcement authority or officer
5. Failure to comply with a S.114 notice without reasonable excuse is an offence under S.131 of the Act, as is intentionally or recklessly making false or misleading statements in response to the notice. Where an individual has not complied with a S.115 notice, S.116 of the Act enables the Council to make an application to the court to enforce the provisions of the notice and seek reimbursement for the costs of the application.

6. There are limitations on the powers to require information under S.114 and S.115:
 - A notice served under S.114 does not require a person to provide information or documents that might incriminate them or which they could refuse to provide in High Court proceedings due to legal professional privilege.
 - If someone provides information in compliance with a notice served under S.115, that information may not be used against the person who provided it in any criminal proceedings.

Powers to Obtain and Seize Documents on Business Premises

7. S.122 allows an authorized officer at any reasonable time to require a relevant person on the premises to produce any documents relating to the business and to take copies. This may only be exercised to ascertain whether there has been a breach of relevant legislation, where an officer reasonably suspects there has been a breach or an offence, or to ascertain whether the documents may be required in evidence for proceedings regarding a breach or offence. Copies of the documents produced can be taken and if a document is electronic, it can be required to be produced in a format that allows it to be taken away e.g. a hard copy.
8. S.123 of the Act enables an authorised officer to seize and detain documents that the officer reasonably suspects may be required as evidence in proceedings relating to a breach/offence under the relevant legislation. Officers must provide evidence of their identity and authority if reasonably practicable and must take reasonable steps to inform the person from whom documents have been seized that they have been seized, and provide that person with a written record of what has been taken.
9. Officers cannot seize documents that are legally confidential, such as communications between a lawyer and their client. Retention periods apply to keeping documents: generally, documents can be kept for up to three months, unless needed for legal proceedings – in which case they can be kept for longer but only for as long as necessary for those proceedings.
10. If there are electronic devices on the premises which it is suspected may hold information that the officer may wish to seize under S.123, the officer can require someone with approved access to access that information if that is reasonably necessary. If such a person does not access the device after being required to do so, the officer can access the device.
11. Where officers reasonably believe that a document is something they are allowed to search for or seize, but it's not reasonably practical to decide this on the premises or to separate it on the premises, officers can take the document using additional powers under Section 50 of the Criminal Justice and Police Act 2001. Where this power is used, officers will then need to assess if the document is relevant as soon as reasonably practicable afterwards and return it promptly if it is determined not to be relevant. In using this power, officers must comply with the prior notice requirements to the occupier under 52 of that Act.
12. Where documents are seized under S.123 of the Act, the person who had possession or control of the document has rights to request access to the documents. There are also rights of appeal to a magistrate's court against the detention of seized documents.

Powers to Enter Business and Residential Premises

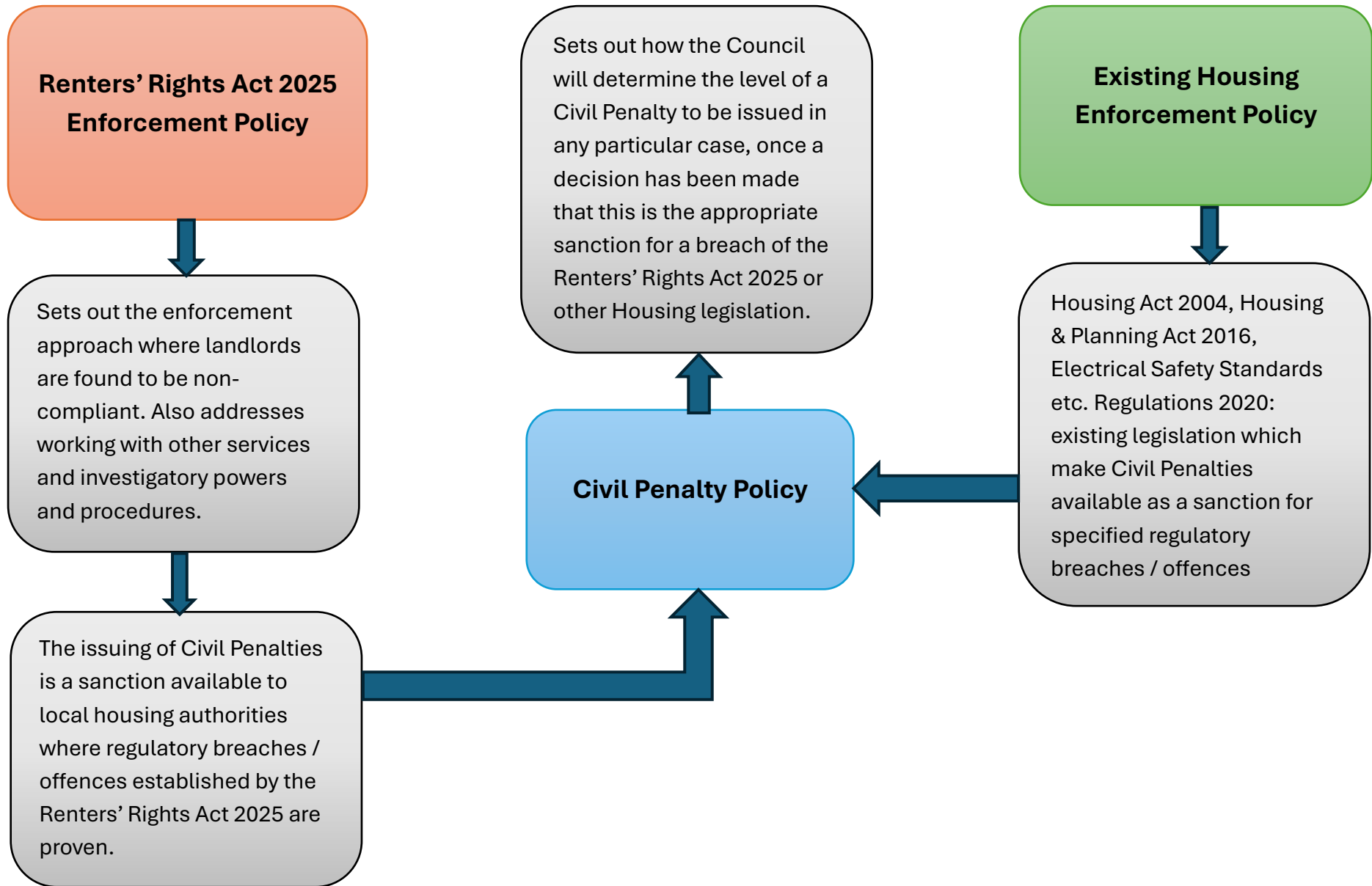
13. Section 118 of the Act permits authorised council officers to enter business premises occupied by a relevant person for the purposes of a rental sector business, at any reasonable time, if there are reasonable grounds to suspect a breach or offence has been committed under the rented accommodation legislation (as defined above) and entry is necessary to require documents to be produced (under S.122) or to seize documents which are on the business premises (under S.123) which could help the investigation. The power under Section 118 is exercised without a warrant. It may not be used where the premises is wholly or mainly used as a residential dwelling.
14. The occupier of the business premises must be given at least 24 hours' written notice of the intended entry (setting out why the entry is necessary and explaining the offences of non-compliance and obstruction under Section 131[1] and [2] of the Act) **unless**:
 - It is not reasonably practical to give notice, or
 - Doing so would defeat the purpose of entry, or
 - At least one occupier has waived their right to be given notice.
15. Where entry to business premises takes place otherwise than in the course of a routine inspection, unless it is not reasonably practicable to do so, the officer must:
 - Provide evidence of their identity and authority to at least one occupier present
 - Provide to at least one occupier present a document that sets out why the entry is necessary and indicates the nature of the offences under Section 131(1) and (2) of the Act.
16. Section 121 of the Act allows an authorised council officer named in a warrant to enter premises used for a rental sector business if there are documents on the premises which the officer could require under S.122 or seize under S.123 of the Act. The warrant permits reasonable force if necessary to enter the premises. For a court to grant a warrant, one of the following conditions must be met:
 - Access to the premises has been or is likely to be refused and the Council has provided notice of their intention to apply for a warrant to the occupier
 - Documents on the premises would likely be concealed or interfered with if notice of entry were to be given
 - No occupier is present and waiting for their return might defeat the purpose of the entry
17. When applying for a warrant, officers must be able to show that there are reasonable grounds to suspect the premises are used by a relevant person for a rental sector business, are not wholly or mainly residential accommodation and that relevant documents to be produced/seized are expected to be on the premises. Once granted, the warrant will be valid for one month starting on the day it is issued.
18. Section 126 of the Act permits specially authorised officers to enter residential premises used for a residential tenancy at any reasonable time where necessary to investigate suspected

offences under Section 1 of the Protection from Eviction Act 1977, or the provisions under the Renters' Rights Act that relate to the Private Rented Sector Database

19. Before exercising the power under Section 126, the Council must give at least 24 hours' written notice to:
 - the occupier of the premises concerned (unless all occupiers waive their right to receive this notice)
 - to persons with an estate or interest in the premises (other than a mortgagee not in possession) who have supplied the council with an address for this purpose – unless any such persons waive their right to receive this notice.
20. **NB:** the requirement for prior notice does **not** extend to residential landlords (as defined by Part 2, S.63 of the Act) but landlords must be informed within a reasonable period after the inspection has taken place.
21. Section 128 of the Act provides for application to the court for a warrant to enter residential premises on specified grounds. A warrant under S.128 authorises the officer named in the warrant to enter the premises at any reasonable time, using reasonable force if necessary. The warrant ceases to have effect when the inspection of the premises has been completed.
22. As with entry to business premises, officers entering residential premises in exercise of their power of entry must produce evidence of their identification and authorisation, unless it is not reasonably practicable to do so.
23. An officer entering residential or business premises (with or without a warrant) may be accompanied by such persons, and may take onto the premises such equipment, as the officer thinks necessary, and may take photographs or make recordings.
24. On entry under warrant to both business and residential premises, the officer must produce the warrant for inspection to at least one of the occupiers present. Where no occupier is present, the officer must:
 - Leave a notice on the premises stating that the premises has been entered under a warrant under the relevant section of the Act, and
 - Leave the premises as effectively secured against trespassers as the officer found them.
25. Under Section 131 of the Act, it is an offence for an individual to obstruct a council officer seeking to exercise their powers, or to fail to give an officer any additional assistance or information which they reasonably require, without reasonable excuse.

Appendix B

Interaction of the Renters' Rights Act 2025 Enforcement Policy, Civil Penalty Policy and Existing Housing Enforcement Policy



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Appendix C – Summary Profile of the Private Rented Sector In Stevenage

A stock condition report, the *Stevenage Private Sector Housing Stock Condition Survey 2024*, was produced by Opinion Research Services on behalf of the Council and published in June 2024.

Key findings from the report include the following:

- Within Stevenage, the private rented sector accounts for 15% of the housing stock, equating to around 5,500 households.
- Of those households, an estimated 5.3% live within properties with category 1 hazards. The private rented stock in Stevenage is modelled to have the highest rate of Category 1 hazards compared to owner-occupied and social rented sector properties.
- An estimated 16.4% of privately rented properties in Stevenage would fail the Decent Homes Standard (as it currently applies to the social rented sector), compared with 8.6% in owner-occupied properties and 3.6% in social housing.
- Privately rented homes are more likely than other tenure types to be poorly insulated.
- Around 11% of dwellings in the private rented sector have heating systems which are considered to be fairly poor or very poor, in terms of energy efficiency and running costs.
- Over 9% of privately rented properties in Stevenage are estimated to be overcrowded.
- 10.5% of households within the private rented sector in Stevenage include at least one person with a limiting long-term illness.
- Rent levels in the private rented sector in Stevenage are high compared to regional and national rent levels. Local Housing Allowance will typically leave a £300 per month shortfall after Housing Benefit and Universal Credit is paid, based on median rents.
- Additionally, Housing Benefit and Universal Credit rates are below private sector rent levels in the lowest quartile, meaning that families dependent on benefits will generally be unable to afford the lowest private rents in the borough.

Appendix C – Summary Profile of the Private Rented Sector In Stevenage

- Between 2019 and 2023, the number of Stevenage households in temporary accommodation doubled to 148. The second most common reason for the Council accepting a homelessness application was a private rented tenancy coming to an end.
- The long-term growth in the private rented sector in Stevenage is consistent with national trends. Growth in the sector seems likely to continue, driven by a combination of demand and supply factors including increasing demand from more households and recent reductions in average household income (in real terms).
- On this basis, in terms of the national picture the number of households renting privately could double again over the next twenty years. A similar increase is possible in Stevenage given that in recent years growth in the sector has been similar to levels seen in the country as a whole.

Appendix D – Preparing for Implementation: Housing Advice and Support

The Renter's Rights Act 2025 places new legal responsibilities on landlords of privately rented properties and provides increased protection for tenants.

In the period leading up to Part 1 of the Act coming into effect on 1st May 2026 and subsequently, the Council's Environmental Health & Licensing and Housing Options services have worked to:

- Promote the Act to landlords, providing them with information on their new responsibilities and where they can get advice to ensure that their rental business are operated in compliance with the legislation
- Promote the Act to tenants to raise awareness of their strengthened rights and protections under the Act, how they can report problems and where they can get further assistance.
- Review and update new processes to ensure that both tenants and landlords can access timely advice and support

Steps that have been taken include:

- Writing to all registered HMO landlords in Stevenage.
- Writing to local letting agents.
- Holding an online landlord forum with relevant presentations and a Q&A session.
- The development of new related webpages on the Council website providing information for both landlords and tenants, with links to further sources of advice and support.
- The publicising of landlord and tenant 'toolkits' and links to other online resources developed by government – e.g. via social media channels.
- Updating of online reporting links on the Council's website, so that tenants have a clear route to report concerns about housing standards, their landlord's conduct or compliance with the new rules applying to tenancies.
- Review of the Advice Aid tool accessed via the Council's Housing Advice website, which allows customers to receive information tailored to their own circumstances, which has now been updated to include information about the Renters' Rights Act.
- Working jointly with the Customer Service Centre management team to agree and implement referral routes where service requests relating to the new legislation are received.

In addition, the Housing Options service has:

- Reviewed the processes in place for monitoring any impact of the Act on homelessness presentations. As a result of this review, a new KPI is to be added which will enable the Housing Options service manager to report on presentations from those that have presented as homeless due to eviction from privately rented accommodation.
- Reviewed and updated the Homeless Prevention Action Plan for 2026/27, which sets out that the Council will:
 - Proactively respond to the implementation of the Renters' Rights Act by adapting prevention and advice services to reflect changes within the private rented sector.
 - Ensure staff are equipped to provide accurate, up-to-date advice.
 - Strengthen early engagement with tenants and landlords to resolve disputes before escalation.
 - Develop clear protocols for responding to revised possession grounds to ensure timely prevention activity.
 - Increase tenancy sustainment work to reflect longer, more secure tenancies and reduce avoidable tenancy breakdown
 - Monitor changes in homelessness presentations linked to new eviction grounds, rent increases or landlord withdrawal from the market. Utilise data trends to adapt prevention strategies and target interventions effectively.

Appendix D – Preparing for Implementation: Housing Advice and Support

- Provide guidance and engagement forums to help landlords understand new legal duties, tenancy reforms, and dispute resolution processes
- Work with enforcement teams to identify and respond to non-compliant landlords, reducing unsafe or unstable tenancies.

Equality Impact Assessment Form

For a policy, project, strategy, staff or service change, or other decision that is new, changing or under review

What is being assessed?		Renters’ Rights Act 2025 – Enforcement Policy			
Lead Assessor	Geoff Hammond Residential and Animal Control Manager			Assessment team	Environmental Health and Licensing
Start date	March 2026	End date	March 2027		
When will the EqIA be reviewed? (Typically every 2 years)	March 2027, unless the policy to which it relates requires review at an earlier date.				

Who may be affected by the proposed project?	Tenants living in private sector rented dwellings in Stevenage. Landlords of private sector rented dwellings in Stevenage. Private rental sector businesses in Stevenage, i.e. managing agents and letting agents.
What are the key aims of the proposed project?	To set out the Council's approach to regulation and enforcement of the Renters’ Rights Act 2025. To detail how the Council will apply the legislative provisions under the Renters’ Rights Act 2025 To set out how the Council will fulfil its statutory duties under this Act to regulate the private rented sector.

What positive measures are in place (if any) to help fulfil our legislative duties to:					
Remove discrimination & harassment	The policy supports the effective enforcement of the legislative provisions	Promote equal opportunities	The policy supports the effective enforcement of legislative provisions that	Encourage good relations	The policy aims to ensure consistency and transparency in enforcement and thereby give

	concerning discrimination against certain groups of residential occupier.		benefit disadvantaged groups such as low-income tenants.		confidence to private sector tenants, landlords and rental businesses.
What sources of data / information are you using to inform your assessment?	UK legislation and associated Government guidance.				

In assessing the potential impact on people, are there any overall comments that you would like to make?	The policy aims to support the effective enforcement of new legislation which increases rights and protections for private rented sector tenants, which includes disadvantaged groups. Landlords and businesses will benefit from a transparent and consistent approach by the Council to regulation, which the policy aims to set out. The policy is therefore expected to have an overall positive impact in relation to equalities.
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Evidence and Impact Assessment

Explain the potential impact and opportunities it could have for people in terms of the following characteristics, where applicable:

Age					
Positive impact	✓	Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	The legislation to which the policy relates includes provisions prohibiting the discrimination by private rented sector landlords against prospective tenants with children. The policy is therefore expected to have an overall positive impact.				
What opportunities are there to promote equality and inclusion?	Engagement with tenants to promote their rights under the legislation and how they can access advice and support. Engagement with landlords about their new duties.	What do you still need to find out? Include in actions (last page)	N/A – engagement with these groups has already begun, e.g. Landlord Forum, website resources for tenants		

Disability e.g., physical impairment, mental ill health, learning difficulties, long-standing illness					
Positive impact	✓	Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	Residents living within the private rented sector include those in disadvantaged groups, including those with disabilities such as mental ill health. The policy is concerned with the effective enforcement of new legislation which strengthens the rights and protections for private rented sector tenants.				
What opportunities are there to promote equality and inclusion?	See above under Age		What do you still need to find out? Include in actions (last page)	See above under Age	

Gender Reassignment					
Positive impact		Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	No differential impact. Where known, preferred pronouns of those using the services to which this policy relates will be honoured during all communication.				
What opportunities are there to promote equality and inclusion?	N/A		What do you still need to find out? Include in actions (last page)	N/A	

Marriage or Civil Partnership					
Positive impact		Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	No differential impact.				
What opportunities are there to promote equality and inclusion?	N/A		What do you still need to find out? Include in actions (last page)	N/A	

Pregnancy & Maternity					
Positive impact	✓	Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	The legislation to which the policy relates includes provisions prohibiting the discrimination by private rented sector landlords against prospective tenants with children – or who will have children living with them during their tenancy. The policy is therefore expected to have an overall positive impact.				
What opportunities are there to promote equality and inclusion?	See above comments under Age		What do you still need to find out? Include in actions (last page)	See above comments under Age.	

Race					
Positive impact		Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	No differential impact. The discrimination provisions of the legislation to which this policy relates are concerned specifically with prospective tenants with children or who receive income from state benefits. Other forms of discrimination are not addressed by the Act.				

What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)	N/A
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Religion or Belief

Positive impact		Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	<p>No differential impact.</p> <p>The discrimination provisions of the legislation to which this policy relates are concerned specifically with prospective tenants with children or who receive income from state benefits. Other forms of discrimination are not addressed by the Act.</p>				
What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)		N/A	

Sex

Positive impact		Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	<p>No differential impact.</p> <p>The discrimination provisions of the legislation to which this policy relates are concerned specifically with prospective tenants with children or who receive income from state benefits. Other forms of discrimination are not addressed by the Act.</p>				
What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)		N/A	

Sexual Orientation e.g., straight, lesbian / gay, bisexual					
Positive impact		Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	<p>No differential impact.</p> <p>The discrimination provisions of the legislation to which this policy relates are concerned specifically with prospective tenants with children or who receive income from state benefits. Other forms of discrimination are not addressed by the Act.</p> <p>Property owners' preferred pronouns, where this known, will be honoured during all communication.</p>				
What opportunities are there to promote equality and inclusion?	N/A		What do you still need to find out? Include in actions (last page)	N/A	

Socio-economic¹					
e.g., low income, unemployed, homelessness, caring responsibilities, access to internet, public transport users, social value in procurement					
Positive impact	✓	Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	<p>The legislation to which the policy relates includes provisions prohibiting the discrimination by private rented sector landlords against prospective tenants who receive income from benefits. The policy is therefore expected to have an overall positive impact for low-income tenants (or prospective tenants) within the private rented sector.</p> <p>In addition, the legislation to which the policy relates makes substantial changes to the existing law affecting private rented sector tenancies. This includes making most tenancies Assured Tenancies (with effect from 1st May 2026), which provides increased security of tenure. Landlords can no longer evict tenants without a reason and there are limitations on what grounds for eviction can be used. This is expected to have an overall positive impact in terms of the prevention of homelessness among existing private rented sector tenants.</p>				
What opportunities are there to promote equality and inclusion?	See above under Age.		What do you still need to find out? Include in actions (last page)	See above under Age.	

¹Although non-statutory, the council has chosen to implement the Socio-Economic Duty and so decision-makers should use their discretion to consider the impact on people with a socio-economic disadvantage.

Additional Considerations					
Please outline any other potential impact on people in any other contexts					
Positive impact		Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	Those using the services to which this policy relates may not speak English as their first language and may require additional language support services. While the Council is not obliged to translate written communications including statutory notices into other languages, options to facilitate communication in such cases will be considered. This may include the use of the Language Line service to provide an interpreter. Depending on the circumstances, it may also involve officers facilitating meetings with an interpreter present. Where there is sufficient justification for using translation services for written communications in a particular case, this option may also be considered.				
What opportunities are there to promote equality and inclusion?			What do you still need to find out? Include in actions (last page)		

Consultation Findings

Document any feedback gained from the following groups of people:

Staff?	N/A	Residents?	N/A
Voluntary & community sector?	N/A	Partners?	N/A
Other stakeholders?	N/A		

Overall Conclusion & Future Activity

Explain the overall findings of the assessment and reasons for outcome (please choose one) :	
1. No inequality, inclusion issues or opportunities to further improve have been identified	The policy aims to result in a consistent and transparent approach to the enforcement of the Renters' Rights Act 2025. This approach will apply equally to private rented sector landlords, rental businesses and other persons acting on a landlord's behalf in the course of such a business. Having a clear, consistent and transparent

		<p>approach to regulation is beneficial to landlords and others in the sector. It helps to ensure confidence that the approach that the Council will take will be fair and applied on an equal and impartial basis to those with duties as landlords under the legislation.</p> <p>As set out above, the strengthened rights and protections for tenants within the private rented sector is expected to have an overall positive effect for those in disadvantaged groups or with certain protected characteristics.</p>
Negative / unequal impact, barriers to inclusion or improvement opportunities identified	2a. Adjustments made	N/A
	2b. Continue as planned	N/A
	2c. Stop and remove	N/A

Detail the actions that are needed as a result of this assessment and how they will help to remove discrimination & harassment, promote equal opportunities and / or encourage good relations:

Action	Will this help to remove, promote and / or encourage?	Responsible officer	Deadline	How will this be embedded as business as usual?
N/A				

Meeting Cabinet
Portfolio Area Environment, Transport and Planning
Date 10 June 2026



STEVENAGE BOROUGH LOCAL PLAN PARTIAL UPDATE: ADOPTION

KEY DECISION

Author Lewis Claridge | 2158
Lead Officer Alex Robinson | 2257
Contact Officer Lewis Claridge | 2158

1 PURPOSE

- 1.1 To provide Members with an update on the outcomes of the Main Modifications consultation on the Stevenage Borough Local Plan Partial Update, following the Examination in Public Hearing Sessions.
- 1.2 To inform Members of the Inspector's Report and to report any further changes recommended by the Inspector (over and above the Main Modifications proposed).
- 1.3 To consider the adoption of the Stevenage Borough Local Plan Partial Update.

2 RECOMMENDATIONS

That Cabinet:

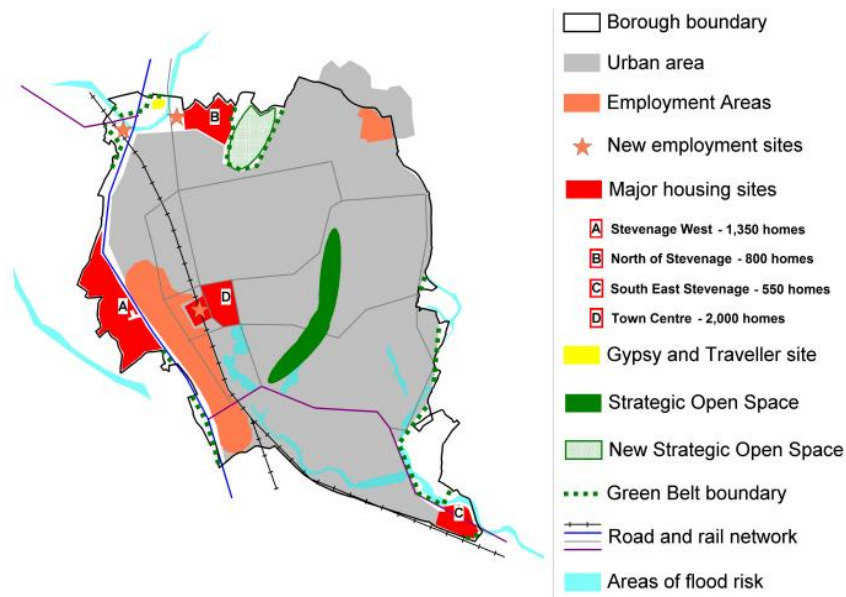
- 2.1 Agrees to adopt the Stevenage Borough Local Plan Partial Update, incorporating Main Modifications (Appendix C to E) and associated Proposals Map (Appendix F).
- 2.2 Recommends the Partial Update to Council for adoption.
- 2.3 Recommends to the Council that minor inconsequential amendments to the Local Plan be delegated to the Director of Planning and Regulation, in consultation with the relevant Cabinet Member / Portfolio Holder, prior to the Local Plan being adopted.
- 2.4 Notes the feedback from the Planning & Development Committee on the content of this Cabinet Report.

3 BACKGROUND

Stevenage Borough Local Plan

- 3.1 The Stevenage Borough Local Plan [BD1] was adopted on 22 May 2019. The Plan sets out a spatial vision for the town to 2031 and contains detailed land use policies for the Borough.
- 3.2 The Local Plan aligns closely with several themes set out in the Council's Making Stevenage Even Better Corporate Plan 2024–2027 [BD2]. Under the priority "Transforming our Town" and the Council's wider regeneration agenda, the Local Plan's objectives and related policies support the regeneration of the Town Centre and other strategic growth areas. This includes delivering benefits for residents and businesses through new homes, enhanced public services, improved local amenities, increased employment opportunities, better transport connections, and greater access to green spaces.
- 3.3 The Government places high importance in having an up-to-date Local Plan in place and in there are implications for the Council if it does not, including severely weakening a local authority's control over its area. It would open the Council to speculative development, results in a loss of power to dictate where and what gets built and hinders the delivery of much-needed affordable housing and infrastructure.
- 3.4 Without an up-to-date Plan in place, Councils struggle to mandate developer contributions (like Section 106 agreements) toward critical community assets like schools, healthcare facilities, green spaces, and transport links. Delays in passing Local Plans consistently lead to a drop in overall housing delivery, which exasperates housing affordability crises. Ultimately, if a Council continually fails to produce an updated plan, the Government can step in and directly intervene, essentially writing and imposing a Local Plan on the local area, taking local decision-making completely out of the Council's hands
- 3.5 Therefore, the adoption of this plan is also important in safeguarding the Council and its communities as well as enabling the delivery of our strategic priorities including Stevenage Even Better.
- 3.6 Under the priority "More Social, Affordable and Good Quality Homes", the Local Plan's objectives and policies promote both the delivery of new, sustainable homes and the maintenance of high-quality existing housing. The following key diagram illustrates the key spatial illustration of the Local Plan (2019).

Figure 1. Local Plan Key Diagram (2019).



Local Plan Review and Partial Update

- 3.7 The requirement to review the plan was triggered in May 2024 as it had reached 5 years since it was adopted; with just under seven years of the plan period remaining.
- 3.8 The Council duly carried out a full review of the Local Plan which revealed a number of areas where policies required updating. In light of the review, the Council considered the following options:
 - a) Carry out a comprehensive update of the plan, with strategic policies looking ahead over the following 20 years (in effect, an entirely new Local Plan).
 - b) Carry out a comprehensive update of the plan, with the plan period unchanged (a full update).
 - c) Carry out a limited update of the plan, including only the changes most immediately necessary to keep the plan up-to-date and with the plan period unchanged (a partial update).
- 3.9 The Council decided to proceed with option (c) – a partial update of the Local Plan, with the changes limited to those most urgently necessary to ensure that the plan remains up-to-date and effective in dealing with the most pressing issues facing the borough.
- 3.10 It was agreed, following legal advice that there should be a two-stage process to reviewing the Stevenage Borough Local Plan, given the position the local authority finds itself regarding the age of the current Local Plan being 5 years since adoption; Stage 1 consisting of a Partial Update with Stage 2 comprising a full New Local Plan.

- 3.11 The scope of the Local Plan Partial Update is limited to new and revised policies of the existing adopted Stevenage Borough Local Plan (2019) and that it was limited to making necessary changes only relating to key drivers of change since the Plan was adopted in 2019. There are no proposed changes to housing or employment targets in the Local Plan Partial Update. More information on the changes proposed to the adopted Local Plan are detailed in the Officer Report to Cabinet in June 2024 [BD3] and November 2024 [BD4] and focus on the continued effort to tackle Climate Change.
- 3.12 There are no proposed changes to housing or employment targets in the Local Plan Partial Update. Housing and employment targets are key pillars of the Local Plan. In Stevenage, housing supply remains a challenge; however, the Council is confident that it can meet the targets of the Plan and that it maintains a healthy housing land supply, as well as meeting employment needs of the borough; in the context of the wider delivery challenges facing the South East region as well as the country. The following table compares key provisions of the 2019 Local Plan with the Partial Update.

Figure 2. Local Plan Status Comparison (2019 to 2026).

	Adopted Local Plan (2019)	Local Plan Partial Update (2026)
Relevant NPPF	March 2012	December 2023 (Transitional Arrangements)
Plan Period	2011 – 2031	2011 – 2031
Housing requirement	7,600 homes 2011 – 2031	7,600 homes 2011 – 2031
Employment space requirement	At least 140,000 sq m employment floorspace to be completed 2011 – 2031	At least 140,000 sq m employment floorspace to be completed 2011 – 2031

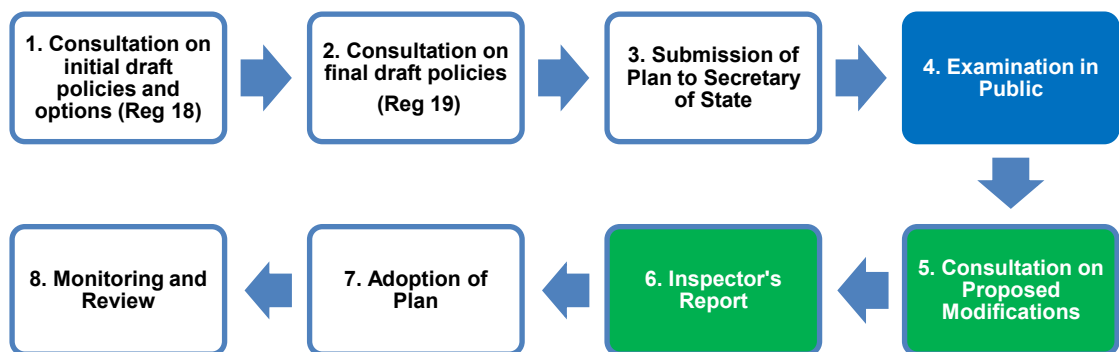
Progress with Local Plan Partial Update

- 3.13 The first consultation on the Local Plan Partial Update was held from 5 July to 15 August 2024 and took place in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012).
- 3.14 A second round of public consultation (under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012) was held from 21 November 2024 to 14 February 2025.
- 3.15 The Local Plan Partial Update was submitted to the Secretary of State (MHCLG) on 15 August 2025, ahead of an independent Examination in Public by an appointed Planning Inspector [BD5].
- 3.16 The Stevenage Borough Local Plan Partial Update Examination in Public Hearing sessions were held from 2–10 December 2025 and conducted by an independent Planning Inspector (PINS). Further details regarding the Examination in Public can be viewed at the dedicated Examination website: <https://www.hwa.uk.com/projects/stevenage-local-plan-partial-update/>

Recommendation 2.1: That Cabinet agrees to adopt the Stevenage Borough Local Plan Partial Update, incorporating Main Modifications (Appendix C to E) and associated Proposals Map (Appendix F).

Recommendation 2.2: That Cabinet recommends the Partial Update to Council for adoption.

Recommendation 2.3: That Cabinet recommends to the Council that minor inconsequential amendments to the Local Plan be delegated to the Director of Planning and Regulation, in consultation with the relevant Cabinet Member / Portfolio Holder, prior to the Local Plan being adopted.



Main Modifications Consultation

- 4.1 At the conclusion of the Examination in Public Hearing sessions, the Inspector advised that the Plan was capable of being found sound, but that Main Modifications (MM) would be required. The letter setting out the detail was received on 16 December 2025 and is attached as a supporting document [BD6].
- 4.2 Officers reported to Cabinet in February 2026 [BD8] to seek approval to consult on the Main Modifications to the Local Plan Partial Update, following Examination in Public Hearings.
- 4.3 The full schedule of proposed Main Modifications to the Local Plan Partial Update (MMs) [BD7] provides a schedule of proposed modifications to the submitted Local Plan Partial Update [BD5]. The substantive changes to the Partial Update (as submitted) and the version of the Local Plan that were subject to Main Modifications consultation include:
- *Ensure the new Climate Change Policies are effective, justified by the evidence base and are sufficiently flexible to ensure they do not prejudice the delivery of development in the Borough.*
 - *Partial updates to the housing elements of the adopted Plan to make clear that the housing requirement remains unchanged as a result of the partial update.*

- *Replace the proposed requirement for M4(3)(2)(b) wheelchair accessible dwellings with the requirement for M4(3) wheelchair user dwellings. This is because the specific requirement for M4(3)(2)(b) dwellings is not justified.*
 - *Ensure the updated policies and new policies are consistent with national policy, justified and effective.*
- 4.4 Consultation on the Main Modifications, and associated Sustainability Appraisal (SA), was held between 18 February and 31 March 2026.
- 4.5 A total of 12 representations were received from 9 respondents. Responses were received from the National Grid Electricity Transmissions, Hertfordshire Gardens Trust, Natural England, Historic England, Environment Agency, Hertfordshire County Council, National Highways, NHS and McCarthy & Stone / Churchill Living. A full schedule of responses can be found in Appendix A.
- 4.6 Natural England, Historic England and the Environment Agency responded to the SA and agreed with our conclusions or gave no comment in relation to this specific area. Representations received on the Main Modifications generally agreed with the flexible approach proposed in the modified policies.
- 4.7 Other comments were out of scope for this part of the consultation; however, these have been noted in preparation for a new Local Plan. Officers will work with these respondents going forward to ensure future work can incorporate new approaches or evidence.
- 4.8 Overall, the comments welcomed the flexible approach to the modified comments. The Inspector took them into consideration when preparing his final report, and where required, proposed further changes to the modifications.

Inspector's Report

- 4.9 Following consultation on the Main Modifications of the Plan the Council has received the Inspector's Final Report into the Local Plan on 27 May 2026 (Appendix B).
- 4.10 The Inspector's Report contains his assessment of the Partial Update Plan in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended) and as applied by Regulation 4 and paragraph 2 schedule 1 of the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026. It considers whether the Partial Update Plan is compliant with the relevant legal requirements (including in terms of the Town and Country Planning (Local Planning) (England) Regulations 2012, also as applied by Regulation 4 and paragraph 2 schedule 1 of the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026) and whether it is sound.
- 4.11 The Inspector's Report concludes that with the Main Modifications proposed the Stevenage Borough Local Plan Partial Update satisfies the requirements referred to in Section 20(5)(a) of the 2004 Planning & Compulsory Purchase Act and is sound and is recommended for adoption.
- 4.12 Upon receipt of the Inspector's Report, the Council can either adopt the Stevenage Borough Local Plan Partial Update, with the recommendations proposed, or it must withdraw the Plan completely.

Local Plan Partial Update Adoption

- 4.13 The final draft version of the Local Plan Partial Update, incorporating the main modifications recommended by the Inspector, as well as any minor modifications, is attached to this report at Appendix C to E and should be read in conjunction with the 2019 Local Plan, as the 2019 Plan is being partially updated. Appendix C provides the updates to the 2019 Plan as submitted to the Government in August 2025; Appendix D provides the final Main Modifications as consulted on from February to March 2026 and agreed by the Planning Inspector; Appendix E provides some minor “Additional Modifications” (AMs) for the purposes of clarity and consistency. This is supported by an updated Local Plan Proposals Map at Appendix F and an Adoption Statement at Appendix G.
- 4.14 If approved by Cabinet, the Stevenage Borough Local Plan, as partially updated, will be adopted on 22 July 2026 following the meeting of Full Council; a mandatory 6-week legal challenge period will then follow.
- 4.15 It is requested that Cabinet agree to delegate powers to the Director for Planning and Regulation to make any required inconsequential final amendments to the Local Plan prior to being published for adoption. This will include producing a clean version of the revised Plan, final wording amendments, graphics, maps, and any final publishing as required.
- 4.16 Once adopted, the Local Plan as partially updated will update the adopted 2019 Stevenage Borough Local Plan.

Recommendation 2.4: That Cabinet notes the feedback from the Planning & Development Committee on the content of this Cabinet Report.

- 4.17 Planning & Development Committee Chair and Vice Chair were briefed in advance of the Cabinet meeting. The views of the Planning & Development Committee Members are of significant value in shaping the future direction the Local Plan takes, as future Committee decisions will be based on revised and new Local Plan policies. Any comments will be reported back orally at the Cabinet meeting.

Post Adoption and New Local Plan

- 4.18 Following adoption of the Stevenage Borough Local Plan Partial Update the Local Plan will have less than five years remaining before the Plan is timed out. As such officers will provide Cabinet with a further report setting out the new Local Plan system, as set out in regulations laid in March 2026 and the implications this has for preparing a new Local Plan for Stevenage.
- 4.19 Whilst the Local Plan as partially updated runs for the remaining 5 years of the 2011–2031 plan period, the National Planning Policy Framework (NPPF) requires Local Plans to be kept up to date and Government legislation is changing; Government issued a new roadmap in May 2026 for a more efficient plan making process. Officers will report back in late Summer / early Autumn on the options.

5 IMPLICATIONS

Financial Implications

- 5.1 There are no financial implications arising from the adoption of the Local Plan Partial Update.
- 5.2 Any potential future schemes or plans that are referenced in the Local Plan Partial Update and subsequently developed would need to be subject to a business case and / or will require developer or potentially Council funding.
- 5.3 A legal challenge(s) to the Local Plan following its adoption would have financial implications for the Borough Council. These costs will be dependent upon the nature of the challenge(s).

Legal Implications

- 5.4 The Local Plan Partial Update has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 5.5 Officers have sought legal advice from Counsel on the broad approach and Counsel are content that they are following the most appropriate process.
- 5.6 The Local Plan Partial Update, once adopted on 22 July 2026, is subject to a 6-week legal challenge period.

Risk Implications

- 5.7 Given that the adopted Local Plan is now over 5 years old, there is a risk that, if the Local Plan Partial Update is not adopted, policies will be considered out of date and therefore carry reduced weight in planning decision-making, increasing reliance on national policy and the risk of speculative development being approved.
- 5.8 The Local Plan Partial Update serves to provide greater certainty in the plan making process and therefore reduce elements of risk in the overall process. Further delay to progressing the Local Plan Partial Update could also potentially mean that the new NPPF (currently out for consultation) would be in place by the time the Local Plan reached adoption stage, resulting in further uncertainty, as well as the pressures under the new Local Plan system to prepare a brand new Plan.

Planning and Policy Implications

- 5.9 The Local Plan Partial Update is proposed to revise, develop and update policies in the adopted Stevenage Borough Local Plan (2019).
- 5.10 The Local Plan Partial Update will align with other corporate Council documents such as the Climate Change Strategy (adopted September 2020), Action Plan and Charter as well as Stevenage's Future Town Future Transport Strategy.
- 5.11 The Local Plan Partial Update ensures that the Council's Making Stevenage Even Better key policies and objectives are improved and reflected as far as possible. Officers will work with the Corporate Policy team to ensure the relevant links and references are made.
- 5.12 The Local Plan Partial Update will build upon the adopted Development Plan for Stevenage. It will be a material consideration for planning applications. Future proposals will need to be in accordance with revised and new policies in the Local Plan.
- 5.13 The Local Plan Partial Update will build upon the adopted Development Plan for Stevenage and will form part of the statutory development plan once adopted. In

accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. As such, future proposals will be expected to accord with the revised and new policies within the Local Plan, ensuring decisions are made against an up-to-date and robust policy framework.

- 5.14 In the absence of adoption, there is a risk that existing policies will increasingly be considered out of date and therefore attract reduced weight in decision-making. This would increase reliance on national policy and could result in less certainty in determining planning applications, including an increased risk of speculative development proposals being approved where the Council's policy framework is afforded limited weight.

Environmental Implications

- 5.15 The Local Plan Partial Update includes revisions to policies on environmental protection and management. These have been informed by internal engagement with the Council's Green Spaces and Environmental Policy and Development teams to ensure the policies are robust, up-to-date and deliverable.

Climate Change Implications

- 5.16 The Local Plan Partial Update includes updates to policies relating to tackling climate change in the borough. This has been informed by internal consultation by officers with officers in the Climate Change team, to ensure the relevant policies created and updates incorporated.
- 5.17 The Local Plan Partial Update includes a comprehensive update to policies relating to Climate Change in the borough. Policies were significantly strengthened as part of the submission to the Secretary of State in August 2025. Following Examination in Public Hearings in December 2025 and the fact that Government have reneged on Climate Change ambitions in recent months, the ambition of new Climate Change policies has been scaled back to provide a degree of flexibility in their application, rather than being a strict requirement. However, this still goes significantly above what is prescribed in the adopted Local Plan.
- 5.18 The Local Plan Partial Update supports the aims and objectives of the Stevenage Climate Change Strategy (September 2020) [BD9] and contributes to the overall climate change aspirations of the Council. In addition to being reflected in the Local Plan Partial Update and Climate Change Strategy, the Council's "Making Stevenage Even Better" Corporate Plan includes a priority "Tackling Climate Change" and is therefore applied across a range of Council functions.
- 5.19 The Government has published the Future Homes and Buildings Standards (Building Circular 01/2026), introducing significant changes to the Building Regulations. These will come into force from 24 March 2027. The new standards amend the Building Regulations 2010 to require low-carbon heating and significantly improved energy efficiency in new homes and buildings. This is intended to ensure that new development achieves high environmental performance and will not require future retrofit to meet net zero as the electricity grid decarbonises.
- 5.20 With respect to wider planning reforms, the proposed reforms to the NPPF seek to strengthen the role of the planning system in supporting the Government's net zero 2050 target, including through enhanced requirements relating to both climate change mitigation and adaptation. The reforms place a greater emphasis on energy-efficient design, sustainable transport and a more "vision-led" approach to development, alongside improved resilience to climate impacts such as overheating and flood risk.

- 5.21 Once the new NPPF is in place, it will enable the Council to embed policies within a future Local Plan with a stronger emphasis on achieving net zero carbon development. Alongside the introduction of National Development Management Policies and updated Building Regulations relating to future homes standards, these would when combined will help support the Council's ambition to become net zero by 2030.
- 5.22 Given the changes to Building Regulations and the revisions to the NPPF, the new Local Plan should consider stronger measures to tackle Climate Change and related challenges.

Equalities and Diversity Implications

- 5.23 There are no significant equalities and diversity risks associated with producing the Local Plan Partial Update.
- 5.24 An Equalities Impact Assessment [BD10] on the Main Modifications to the Local Plan Partial Update was prepared to accompany the Main Modifications consultation in February to March 2026.

Community Safety Implications

- 5.25 There are no significant community safety implications associated with producing the Local Plan Partial Update.

BACKGROUND DOCUMENTS

- BD1 Stevenage Borough Local Plan 2011–2031 (May 2019)
<https://www.stevenage.gov.uk/documents/planning-policy/stevenage-borough-local-plan/stevenage-borough-local-plan.pdf>
- BD2 Making Stevenage Even Better: Corporate Plan 2024–2027 (April 2024)
<https://www.stevenage.gov.uk/documents/corporate-plan/appendix-a-making-stevenage-even-better-2024-2027.pdf>
- BD3 Meeting of the Stevenage Borough Council Cabinet, Item 4: Local Plan Review and Revised Local Development Scheme (5 June 2024)
<https://democracy.stevenage.gov.uk/documents/s36560/4%20Cabinet%20Report%20Local%20Plan%20Review%20LC%20Final%20230524.pdf>
- BD4 Meeting of the Stevenage Borough Council Cabinet, Item 4: Local Plan Partial Review and Update: Regulation 18 Consultation Feedback and Regulation 19 Consultation (13 November 2024)
<https://democracy.stevenage.gov.uk/documents/s37640/4%20Cabinet%20Report%20Local%20Plan%20Review%20LC%20Final%20011124.pdf>
- BD5 Partial Update of the Stevenage Borough Local Plan 2011 – 2031: Schedule of Changes from Adopted Local Plan to Submission Version – Changes since Adoption of Local Plan in May 2019 (August 2025) <https://www.hwa.uk.com/site/wp-content/uploads/2025/07/CD3-Schedule-of-Changes-Adopted-Local-Plan-to-Partial-Update-Submission.pdf>
- BD6 Formal response from the Inspector to the Council, inviting Main Modifications to the Local Plan Partial Update (December 2025) <https://www.hwa.uk.com/site/wp-content/uploads/2025/08/Stevenage-Partial-Update-PHN-161225-.pdf>
- BD7 Full Schedule of MMs for Consultation (February to March 2026)
<https://www.hwa.uk.com/site/wp-content/uploads/2025/08/local-plan-partial-update-mms-schedule-of-changes-final.pdf>
- BD8 Meeting of the Stevenage Borough Council Cabinet, Item 6: Stevenage Borough Local Plan Partial Update: Main Modifications following Examination in Public Hearings (February 2026)
<https://democracy.stevenage.gov.uk/documents/s42518/6%20Cabinet%20Report%20Local%20Plan%20MMs%20FINAL.pdf>
- BD9 Stevenage Climate Change Strategy (September 2020)
<https://www.stevenage.gov.uk/documents/about-the-council/climate-change-strategy/climate-change-strategy-september-2020.pdf>
- BD10 Stevenage Borough Local Plan Partial Update: Main Modifications Equalities Impact Assessment (February 2026) <https://www.hwa.uk.com/site/wp-content/uploads/2025/08/eqia-local-plan-partial-update-mms.pdf>

APPENDICES

- A: Proposed Main Modifications to the Local Plan Partial Update: Consultation Responses (February to March 2026)
- B: Inspector’s Report on the Examination of the Stevenage Local Plan 2011–2031 Partial Update (May 2026)
- C: Stevenage Borough Local Plan Partial Update: Submission to Secretary of State (August 2025)

- D: Stevenage Borough Local Plan Partial Update: Main Modifications to make the Plan Partial Update sound (May 2026)
- E: Stevenage Borough Local Plan Partial Update: Additional Modifications (May 2026)
- F: Stevenage Borough Local Plan Partial Update: Final Draft Policies Map (May 2026)
- G: Stevenage Borough Local Plan Partial Update: Adoption Statement (May 2026)

Row ID	Respondent ID for Main Mods	SBC_ Comment ID for Main Mods	Date	Respondent ID Name	Theme of Comment	Local Plan Policy No.	Comments for Main Modifications to the Local Plan Partial Update	SBC Response
1	SBC_001	1	26/3/2026	National Grid Electricity Transmission	Sites in close proximity to power lines.	Sites HO3, EC1/4 and EC1/7	<p>Policy HO3: North of Stevenage This site has the above listed asset interacting with it through the central part of the allocation. We continue to agree with the inclusion of HO3(o) which makes clear that development proposals must demonstrate that an appropriate buffer around existing power lines is incorporated for development proposals to be permitted. We also agree with provisions at 9.34 which recognises the asset as a constraint and further requires implementation of a suitable buffer. However, we ask that the relevant guidance be referred to within a footnote, as with footnote 68 (previously footnote 57) to ensure consistency in approach to addressing the constraint across numerous sites. The updated link to provide is provided below in relation to Policy EC1.</p> <p>Policy EC1: Allocated sites for employment development (EC1/4 Land west of North Road) and (EC1/7 Land west of Junction 8) Both these sites have the above listed asset interacting with them, to varying degrees. In recognition of this, we support the continued inclusion of the following text, in reference to EC1/4, within Policy EC1: "Development proposals will need to have regard to the constraints on this site and, in particular, ensure appropriate clearances from the</p>	<p>Comments noted and appreciated. These are currently out of scope for this consultation on the Local Plan Partial Update - Main Modifications. Sites within the Local Plan have not changed from the adopted Local Plan (2019). However these will be noted for a new Local Plan, and the Council are keen to collaborate with NGET in all parts of the planning process.</p> <p>Therefore, these comments will be noted because they do not relate to the main modifications the Council are consulting on.</p> <p>Some of the current sites within the plan will have been built out / or are currently underway. The planning permission for EC1/4 is planning application number 21/00529/FPM and Housing site HO3 is 17/00862/OPM. These will show the levels of communication and work regarding the power lines,</p>

						<p>overhead lines” but ask that EC1 be adapted to reference both the above sites, not just EC1/4. For additional clarity, a suitable location for this might be within the site discussion at 6.7 of the policy. We also support the direct reference to National Grid guidance. However the link provided in footnote to the plan (footnote 68 – previously 57) is no longer active and should be updated to the most recent version as follows: https://www.nationalgrid.com/document/345326/download Without appropriate acknowledgement of the NGET assets present within the sites, these policies should not be considered effective as they cannot be delivered as proposed; unencumbered by the constraints posed by the presence of NGET infrastructure and we must continue to object on this basis.</p>	<p>which run through the sites. This level of collaboration is essential to ensure development is carried out accordingly, especially for the sites yet to be completed such as EC1/7.</p> <p>Therefore, the Council will note these comments and ensure these are incorporated in to the future work of planning in the Council.</p>
2	SBC_002	2	19/03/2026	Hertfordshire Gardens Trust	General	<p>We have no comment to make on the proposed modifications which are outside of the area of interest and remit of Hertfordshire Gardens Trust.</p>	<p>Comments noted.</p>

3	SBC_003	3	11/3/2026	Natural England	General	<p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Natural England has no comments to make on the Main Modifications for the Local Plan, Sustainability Appraisal, Habitats Regulations Assessment or Appropriate Assessment for the Stevenage Borough Council. We agree with your conclusions on these screening reports.</p> <p>The lack of comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment. Other bodies and individuals may wish to make comments that might help the Local Planning Authority (LPA) to fully take account of any environmental risks and opportunities relating to this document.</p> <p>If you disagree with our assessment of this proposal as low risk, or should the proposal be amended in a way which significantly affects its impact on the natural environment, then in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, please consult Natural England again.</p>	Comments noted.
4	SBC_004	4	30/3/2026	Historic England	General	<p>Thank you for inviting us to comment on the Council's Main Modifications, the updated Sustainability Appraisal, and the HRA / Appropriate Assessment. Having reviewed the documents, I can confirm</p>	Comments noted.

							that we have no specific comments on the modifications themselves, and we agree with the conclusions of the SA and the Appropriate Assessment that the previous assessment remains valid.	
5	SBC_005	5	31/3/2026	Environment Agency	MM37	FP2	<p>Main Modifications MM37 – Policy FP2 We do not agree with MM37. First, we disagree that the policy language is softened from must to should. It is a requirement to ensure flood risk is appropriately managed and therefore it is not unreasonable to expect that new developments must adhere to the policy. In addition to this, we are particularly concerned with the removal of ‘provide an 8m undeveloped buffer zone from the top of the bank of main rivers’ from the policy wording. We strongly recommend that it is reincorporated into the modified wording. We’ve set out a recommendation for this below: “Provide an undeveloped buffer zone of 8m from the top of the bank of any adjacent main rivers or 3m from the top of the bank of adjacent ordinary watercourses;” We also disagree with the change of wording to an all-encompassing ‘All development proposals will be assessed against national planning policies for flood risk’.</p> <p>We strongly encourage local authorities to have their own local policy requirements for flood risk. We therefore suggest that the original specific policy points (a, b, c, d, g, i and j) are reinstated, to go alongside the modified ‘new’ list of a, b and c. Our concerns about MM37’s alterations to the policy wording for FP2 are further amplified by the fact that the SFRA is out of date and no new SFRA has been submitted in support of the Local</p>	<p>The comments from the Environment Agency are noted and much appreciated with their level of expertise. The changes were made due to lengthy discussions held at the Examination at Public Hearing Sessions in December 2025 with the Planning Inspector.</p> <p>The changes were agreed to bring the wording in line with national guidance, particularly the National Planning Policy Framework (NPPF) and The Flood Risk & Coastal Change Planning Practice Guidance (PPG).</p> <p>Flood risk is an important consideration in planning and these changes were made to be flexible in language with the PPG and NPPF. This is to ensure consistency and avoid duplication at a local level.</p> <p>The Council will work closely with the Environment Agency on our new Local Plan for Stevenage and this policy approach can be reviewed</p>

						<p>Plan.</p> <p>Other Main Modifications We have no comments on the rest of the main modifications proposed.</p>	<p>with them to ensure consistency with National Policy.</p>
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6	SBC_005	6	31/3/2026	Environment Agency	Evidence Base - Strategic Flood Risk Assessment	Evidence Base In our response to the Regulation 19 Consultation, we highlighted the need for an updated Strategic Flood Risk Assessment (SFRA). This has not been completed. We expect that if the Local Plan is adopted, you must begin work on an updated SFRA within 6 months. If it is not adopted, an updated SFRA should be produced as part of any revised Local Plan consultation.	<p>Comments are noted on the Council's evidence base. As responded at Regulation 19, flood risk mapping is sent annually to the Council and is uploaded on to our GIS web mapping to ensure we are using the most up to date data and ensure the Council is using the most up to date data.</p> <p>We agree with the age of the SFRA, but due to the Local Plan Partial Update not changing any of its allocated sites or housing numbers, the Sustainability Appraisal, and Appropriate Assessment concluded that an updated SFRA was not necessary for this partial update of the Local Plan.</p> <p>It was agreed that a new Local Plan will need an updated SFRA to ensure flooding is considered and kept up to date and in line with electronic documentation. This will be a priority when we commence work on the new Local Plan and the Council are keen to work collaboratively with the Environment Agency at all stages.</p>
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7	SBC_006	7	31/3/2026	National Highways	General		Many thanks for consulting National Highways on the proposed Main Modifications for the Local Plan Partial Update. Having reviewed the proposals, National Highways would wish to make no comments on the amendments.	Comments noted.
8	SBC_007	8	31/3/2026	NHS HWE ICB	MM9	CC1	<p>Thank you for consulting the NHS HWE ICB on the Local Plan Partial Update Main Modifications. I have reviewed main modification 9 (MM9) relating to the proposed changes to Policy CC1: Energy Efficiency. The HWE ICB raised concerns with Policy CC1 at the Regulation 18 and 19 consultation stages on the grounds that any major development proposals for Stevenage brought forward by the NHS from 2026 onwards would likely to be contrary to Policy CC1, due to the Council's locally set and earlier net zero target dates when compared to the NHS' later set targets . As such the NHS was duly concerned that this will may impact on the delivery of capital projects and the provision of adequate health services and infrastructure to meet housing growth in the borough.</p> <p>The proposed changes to Policy CC1 now allow for the policy to be applied flexibly, recognising that it may not always be appropriate to achieve zero emissions; covering instances where it may not be technically feasible, financially viable, or would otherwise compromise the delivery of sustainable development. This clarity, allowing the Council to apply Policy CC1 to decisions on planning applications flexibly is welcomed and supported by the NHS HWE ICB.</p>	Comments noted and support welcomed.

9	SBC_008	9	31/3/2026	Hertfordshire County Council	General	<p>SP11, CC3, TC4, HO10, HO11</p> <p>Thank you for consulting HCC on the Stevenage Local Plan Partial Update & Review Main Modifications. HCC has the following comments to make.</p> <p><u>MM8 - Policy SP11</u> No comments.</p> <p><u>MM11 – Policy CC3</u> Welcome changes to para 6A.26 and 27</p> <p><u>MM18 – Policy TC4</u> Welcome the requirement for a comprehensive strategic masterplan for the entire allocation. HCC would like to be involved in the creation of this masterplan, particularly consultations associated with this work. HCC welcomes the re-use of the good work produced for the AAP in this replacement masterplan process.</p> <p><u>MM32 - Policy HO10</u> HCC welcomes the support for sheltered and supported housing schemes.</p> <p><u>MM33 - Policy HO11</u> No comments.</p>	Comments noted.
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10	SBC_008	10	31/3/2026	Hertfordshire County Council	Flooding	FP1, FP2	<p>MM36 – Policy FP1</p> <p>No issues with the changes to the first paragraph</p> <p>We would see the updating of “SuDS proposals must” to “should” as a step backwards. If SuDS proposals do not ensure that peak discharge rates from the site will not increase, then that is likely to increase flood risk, as it not achieving greenfield run-off rates on greenfield sites, etc.</p> <p>We would see the removal of the sentence seeking to refuse the discharge of surface water to foul sewers as a downgrade. Foul sewer networks are not designed to accommodate surface water flows and would never normally accept “clean” surface water runoff. Discharging surface water runoff to foul sewers is likely to increase flood risk, is not in accordance with PPG in which the foul sewer is not listed as a viable discharge location, and is contrary to paragraph 1.10 of the National Standards for SuDS (2025), which states “Surface water runoff from the development shall not discharge to a foul drainage system.” It is understood if the LPA considers the above (regarding PPG and the National Standards for SuDS) as sufficient national guidance, and because it is not included in Table 4 (page 183) of the Local Plan, that it is not necessary to stipulate this in the Local Plan itself – however it does make this aspect less robust.</p> <p>Removal of the paragraph “proposals reliant on underground attenuations... will be refused” is reasonable provided the SuDS hierarchy is shown to be explored and there are no scope to provide SuDS attenuation in above-ground features.</p>	<p>As per SBC's response to the Environment Agency (Row ID 5), the comments from HCC are noted and much appreciated with their level of expertise. The changes were made due to lengthy discussions held at the Examination at Public Hearing Sessions in December 2025 with the Planning Inspector.</p> <p>The changes were agreed to bring the wording in line with national guidance, particularly the National Planning Policy Framework (NPPF) and The Flood Risk & Coastal Change Planning Practice Guidance (PPG).</p> <p>Flood risk, SuDS and watercourses (not limited to) are an important consideration in planning, and these changes were made to be flexible in language with the PPG and NPPF. This is to ensure consistency and avoid duplication at a local level.</p> <p>The Council will always closely with HCC's Lead Local Flood Authority (LLFA) in all areas of planning from applications to policy.</p>
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							<p>Removal of the paragraph “At the application stage, development proposals involving SuDS...” is reasonable as this is covered by NPPF / PPG.</p> <p>MM37 – Policy FP2 The updated wording is less robust for flood risk management, however much of what has been removed is covered by national legislation/guidance. FP2 part C regarding watercourses is in accordance with the draft NPPF which includes new policy on re-naturalisation of watercourses where flood risk would not be increased as a result. A 3m undeveloped buffer from ordinary watercourses is a local LLFA requirement that we will be seeking at application stage – this is to ensure that watercourses can be accessed for maintenance by the relevant landowner(s). The removal of “must” in favour of “should” with regards to protecting existing flood defences including allowing space for maintenance access etc is less robust.</p>	
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11	SBC_009	11	31/3/2026	Hertfordshire County Council	Trees	NH5	<p>MM38 – Policy NH5</p> <p>Part ‘b’ states “replacement trees or planting are provided which are; i Of equal or better quality than the trees which are lost...”. How is quality to be defined. Clarity on this term should be provided (size, condition, suitability of species for location etc). This term is too open for interpretation.</p>	Comments noted. The Council will consider this point closely when embarking on its new Local Plan.
12	SBC_010	12	31/3/2026	McCarthy Stone and Churchill Living	Sheltered housing	HO10 and HO11	<p>Thank you for the opportunity to comment on the Stevenage Local Plan main modifications consultation.</p> <p>McCarthy Stone (MS) and Churchill Living (CL) are independent housebuilders specialising in specialist housing for older people. Together, they are responsible for delivering approximately 90% of England’s specialist owner-occupied retirement housing. Both operators are therefore well placed to provide comment on the policy barriers that may have the potential to restrict supply within the sector.</p> <p>With respect to MM32 and MM33 we support the flexibility introduced by the main modifications.</p>	Comments noted.

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Report to Stevenage Borough Council

by L Fleming B.Sc. (Hons) MRTPI IHBC

an Inspector appointed by the Secretary of State

Date 27 May 2026

Planning and Compulsory Purchase Act 2004 (as amended and applied by the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026)

Report on the Examination of the Stevenage Local Plan 2011-2031 Partial Update

The Plan was submitted for examination on 15 August 2025

The examination hearings were held between 2 December and 9 December 2025

File Ref: PINS/U4230/429/11

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Abbreviations used in this report

AAP	Area Action Plan
HRA	Habitats Regulations Assessment
MM	Main Modification
NPPF	National Planning Policy Framework
PPG	Planning Practice Guidance
SA	Sustainability Appraisal
SFRA	Strategic Flood Risk Assessment
SHMA	Strategic Housing Market Assessment
SoCG	Statement of Common Ground
SPA	Special Protection Area
SPD	Supplementary Planning Document
SuDS	Sustainable Drainage Systems
WMS	the Written Ministerial Statement on local energy efficiency standards (December 2023)

Non-Technical Summary

This report concludes that the Stevenage Local Plan 2011-2031 Partial Update (along with the adopted Stevenage Borough Local Plan 2011-2031) provides an appropriate basis for the planning of the Borough provided that a number of main modifications (MMs) are made to it. Stevenage Borough Council (the Council) has specifically requested that I recommend any MMs necessary to enable the Partial Update Plan to be adopted.

Following the hearings, the Council prepared schedules of the proposed modifications and, where necessary, carried out sustainability appraisal (SA) and habitats regulations assessment (HRA) of them. The MMs were subject to public consultation over a six-week period. I have recommended their inclusion in the Plan after considering the SA, HRA and all the representations made in response to consultation on them.

The MMs can be summarised as follows:

- MMs to ensure the new climate change policies are effective, justified by the evidence base and are sufficiently flexible to ensure they do not prejudice the delivery of development in the Borough and to delete Policy CC5: Carbon Sinks because it is not justified or effective.
- MMs to the partial updates to the housing elements of the adopted Plan to make clear that the housing requirement remains unchanged as a result of the Partial Update Plan.
- MMs to replace the proposed requirement for M4(3)(2)(b) wheelchair accessible dwellings with the requirement for M4(3) wheelchair user dwellings because the specific requirement for M4(3)(2)(b) dwellings is not justified.
- A number of other modifications to ensure that the Partial Update Plan is positively prepared, justified, effective and consistent with national policy.

Introduction

1. The Partial Update of the Stevenage Borough Local Plan 2011-2031 Schedule of Changes from Regulation 18 to Regulation 19 (CD2c) and the Partial Update of the Stevenage Borough Local Plan 2011-2031 Schedule of Changes from Regulation 19 to Pre Submission (CD2b) (combined for ease of referencing into CD3) (referred to together hereafter as the Partial Update Plan) upon adoption will update parts of the adopted Stevenage Borough Local Plan 2011-2031 (CD1) (the adopted Plan).
2. This report contains my assessment of the Partial Update Plan in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended) and as applied by Regulation 4 and paragraph 2 schedule 1 of the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026. It considers whether the Partial Update Plan is compliant with the relevant legal requirements (including in terms of the Town and Country Planning (Local Planning) (England) Regulations 2012, also as applied by Regulation 4 and paragraph 2 schedule 1 of the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026) and whether it is sound.
3. In December 2024, the revised National Planning Policy Framework (NPPF) alongside other revisions to national policy were published. Paragraph 235 of that document indicates that the Partial Update Plan should be examined against the version of the NPPF published in December 2023 because it was consulted on under Regulation 19 of the 2012 Regulations before 12 March 2025 and includes a draft housing requirement¹ which is more than 80% of local housing need calculated according to the revised standard method published in December 2024. Therefore, when I refer to the NPPF in this report, I am referring to that published in December 2023.
4. The NPPF (paragraph 35) explains that in order to be sound, a local plan should be positively prepared, justified, effective and consistent with national policy. The starting point for the examination is the assumption that the Council have submitted what it considers to be a sound plan. The Partial Update Plan was submitted in August 2025 and is the basis for my examination. The Council undertook two consultations under Regulation 19 of the 2012 Regulations. The document published for consultation in June 2025 included further changes which superseded those detailed in the previous consultation. The document published for consultation under Regulation 19 of the 2012 Regulations in June 2025 is the same as the document that was submitted in August 2025.

¹ The housing requirement is detailed in the adopted Plan and the Council does not seek to amend it through the Partial Update Plan see Issue 3 for further details.

Main Modifications

5. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any MMs necessary to rectify matters that make the Partial Update Plan unsound and / or not legally compliant and thus incapable of being adopted. My report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form MM1, MM2 etc, and are set out in full in the Appendix.
6. Following the examination hearings, the Council prepared a schedule of proposed MMs and, where necessary, carried out SA and HRA of them as explained below. The MM schedule, SA and HRA were subject to public consultation for six weeks. I have amended the detailed wording of **MM34** from that consulted upon, the reason for this amendment is explained under Issue 3 of the report.

Policies Map

7. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map is the plan identified as the Partial Update of the Stevenage Borough Local Plan 2011 – 2031: Submission Draft Policies Map (August 2025) (CD4).
8. The changes detailed in CD4 are limited. They involve the “Correction of an error to the southern boundary of the Old Town High Street Conservation area” which is a matter for the Council and the “Deletion of Policy TC10: Primary and Secondary Shopping Frontages” (CD23) which is discussed under Issue 4 below. No further changes were proposed to the submission policies map alongside the consultation on the MMs.
9. When the Partial Update Plan is adopted, in order to comply with the legislation and give effect to its policies, the Council will need to update the adopted policies map to include the changes proposed in CD4.

Context and Scope of the Partial Update Plan

10. The Council undertook a review of the adopted Plan and concluded that only parts of it required updating at that time and thus only a partial update to the adopted Plan was required. The Council's process for reaching this decision is summarised in a briefing note (CD15 and CD16). Sections of the adopted Plan

which would be unchanged by the Partial Update Plan are outside of the scope of my examination.

11. In 1946 Stevenage was selected as the location for the first 'new town', one of eight in the Greater London area. The new town was developed alongside the historic market town to create a series of distinctive urban neighbourhoods with a pedestrianised commercial centre. Stevenage is well connected to London and the north because it is centred on a railway station on the East Coast Main Line and on the A1(M). However, it has a growing proportion of older residents, some areas of acute deprivation and parts of the new town particularly in and around the town centre are in need of regeneration.
12. The Partial Update Plan, in summary, seeks to update the adopted Plan to reflect the Town and Country Planning (Use Classes) Order 1987 (as amended) (the Use Classes Order) and add a degree of flexibility to its town centre policies intended to assist regeneration. It also introduces new strategic and non-strategic climate change related policies intended to reflect the Council's net zero ambitions. Furthermore, it updates housing policies to address the needs of older people and wheelchair users, adjusts affordable housing requirements and incorporates work undertaken on the Station Gateway Area Action Plan into the adopted Plan.

Public Sector Equality Duty

13. I have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included my consideration of several matters during the examination including Policy SP3: A strong, competitive economy, Policy SP5: Infrastructure, Policy SP6: Sustainable Transport, Policy SP7: High quality homes, Policy IT5: Parking and access, Policy HO4: South East of Stevenage, Policy HO11: Accessible and adaptable housing, Policy HO14: Houses in Multiple Occupation, Policy GD1: High quality design, Policy HC3: The Health Campus and Policy HC5: New health, social and community facilities. The Council's Equalities Impact Assessment (CD6) demonstrates that the Partial Update Plan would be unlikely to lead to any adverse impacts or cause discrimination to any particular groups with protected characteristics within the plan area or beyond and I find no reason to disagree with its findings. The Council updated its assessment in light of the MMs (MMC5) and reached the same conclusions which I am also in agreement with.

Assessment of Legal Compliance

14. The Partial Update Plan has been prepared in accordance with the Council's Local Development Scheme (EB3.11).

15. The Council's Consultation Statement (CD8a and CD8b) summarises the consultation and engagement undertaken and explains how the response has informed the Partial Update Plan. Consultation on the Partial Update Plan and the MMs was carried out in compliance with the Council's Statement of Community Involvement (EB3.12) and the 2012 Regulations.
16. The Council have carried out a SA and HRA of the Partial Update Plan. This was contained in a series of combined SA and HRA reports (CD5, CD5a-CD5d) which were published along with the Partial Update Plan and other submission documents under Regulation 19 of the 2012 Regulations. The SA and HRA report was updated to assess the effect of the MMs (MMC4). The Council's SA appropriately assesses all reasonable alternatives including the MMs. The SA is robust and legally compliant.
17. The Council's HRA screening report (CD5) identified that the Partial Update Plan could have a likely significant effect on the Lee Valley Special Protection Area (SPA). This is because the SPA is a habitat for rare birds and most wastewater in Stevenage is currently treated at the Rye Meads sewerage treatment works which is located inside the SPA. Therefore, water quality and volume within the SPA could be affected by the operation of the works within the SPA. The screening report also notes that, if human activities such as recreation are not appropriately managed or if any part of the SPA site is developed, this could also have likely significant effects on the integrity of the SPA.
18. However, the Partial Update Plan does not increase or alter spatially the growth already planned for in the adopted Plan. CD5 concludes that the proposed policy changes within the Partial Update Plan would not be likely to have a significant effect on the SPA. The Council updated its HRA report to assess the MMs and reached the same conclusions (MMC4). Natural England have been consulted and have not objected to the Partial Update Plan or the MMs. Overall, I find there would be no significant adverse effect on the integrity of internationally designated nature conservation sites arising from the adoption of the Partial Update Plan as modified by the MMs.
19. The development plan, taken as a whole, includes policies to address the strategic priorities for the development and use of land in the local planning authority's area.
20. The Partial Update Plan also contains a range of new policies and updates to existing policies which are intended to facilitate climate change mitigation and adaptation in the Borough. These include a new strategic policy, Policy SP1: Climate Change, supported by a new chapter of detailed Climate Change policies (Policies CC1 to CC7) addressing matters including energy efficiency, heating and cooling, water efficiency, energy infrastructure, carbon sinks, green

roofs and the green economy. The Partial Update Plan also introduces a new sustainable drainage policy (Policy FP1: Sustainable drainage), updates the existing flood risk policy through Policy FP2: Flood risk management, and updates the adopted trees policy as Policy NH5a: Trees and woodland, alongside a new policy on tree-lined streets (Policy NH5b). Together with related revisions to design and transport policies, these changes require development to address flood risk mitigation and adaptation, promote sustainable travel, and secure high-quality design, all of which are responsive to climate change. The legal requirement to include policies designed to secure that the development and use of land in the plan area contributes to the mitigation of, and adaptation to, climate change is therefore met.

21. Regulation 8 (5) of the 2012 Regulations sets out that where plans contain policies that are intended to supersede other policies in the adopted development plan, this fact should be stated, and the superseded policies must be identified. The Plan does not clearly do this and is therefore not legally compliant in this respect. **MM1** addresses this by adding details to the Partial Update Plan which make it explicit which policies of the adopted Plan are to be updated / replaced by each of the policies in the Partial Update Plan upon its adoption. The Council have also proposed to incorporate an additional modification to amend the contents pages of the adopted Plan to add further clarity as detailed in AM1 of Additional Modifications to the Local Plan Partial Update (MMC3).
22. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

Assessment of Soundness

Main Issues

23. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified six main issues upon which the soundness of the Partial Update Plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy or policy criterion in the Partial Update Plan.

Issue 1 – Whether the plan period ,approach to cooperation and the scope and are justified, effective and consistent with national policy

24. The adopted Plan covers the period between 2011 and 2031. This means that the new and updated policies in the Partial Update Plan will only have a lifespan of around 5 years on the assumption that it is adopted in 2026. Whilst the new

strategic policies would not meet the NPPF requirement for fifteen years from adoption, the Partial Update Plan has a limited scope with the majority of the adopted Plan unchanged. The level of growth in the adopted Plan is not within the scope of the examination. The apparent inconsistency with the NPPF in this regard is unavoidable within the limited scope of the examination.

25. The Council has clearly maintained effective cooperation through on-going joint working in a way that accords with the expectations of paragraphs 24 to 27 of the NPPF. Details are set out in the Council's summary of cooperation CD11 and the Council's hearing statements. These documents set out where, when, with whom and on what basis cooperation has taken place over all relevant strategic matters. CD11 demonstrates that throughout the plan-making process the Council have worked closely and cooperated on relevant strategic matters with relevant bodies.
26. However, the scope and purpose of the Partial Update Plan is not clearly explained. Thus, upon adoption it will not be clear in the adopted Plan which policies are new, have been updated or are unchanged. Consequently, it will not be entirely clear how decision makers or developers should react to different components of the adopted Plan as amended by the Partial Update Plan. MMs are therefore necessary to have the effect of amending the introductory sections of the adopted Plan to explain the five-year review trigger, why a partial update was chosen over a full update and explain how and which specific components of the adopted Plan have been updated. **MM1** achieves all this and is therefore needed for effectiveness.

Conclusion

27. Subject to the MMs discussed above the Council's approach to cooperation, the scope and the plan period are justified, effective and consistent with national policy.

Issue 2 – Whether new and updated policies on climate change, sustainable development and design are justified, effective and consistent with national policy

28. The adopted Plan includes only general aims for sustainable development and climate change mitigation. However, in 2019, the Council declared a climate change emergency, committing to be net zero by 2030 (CD29a). The Council subsequently prepared a Climate Change Strategy, supported by an Action Plan (CD29b) which includes a wide range of measures and interventions which the Council have been implementing and monitoring following the declaration (CD29). The commitment to responding to climate change is also an integral part of the Stevenage Borough Council Corporate Plan 2024-2027. Thus, since the adoption of the adopted Plan, responding to climate change has become a clear strategic priority for the Council.

29. The Council's Climate Change Technical Paper (EB3.2) explains that emissions from buildings constitute a significant proportion of Borough-wide emissions and that relying solely on existing Building Regulations would not deliver reductions at the scale or pace considered necessary to realise the net zero by 2030 ambition or the Government's commitment to achieving net zero greenhouse gas emissions by 2050.
30. The Partial Update Plan therefore introduces a new chapter on climate change into the adopted Plan. The Council's overall approach and strategic priority is detailed in a new Strategic Policy SP1: Climate Change. This sets out the Council's commitment to net zero and how new development in the Borough will be expected to contribute towards achieving it through mitigation and adaptation with detailed requirements set out in development management policies underpinning each strategic climate change related theme.
31. However, MMs are needed for effectiveness to Policy SP1 to explicitly make clear that development proposals are expected to mitigate and adapt to climate change and that applications that do not make an appropriate contribution may be refused. It is also necessary to adjust the wording of the policy for effectiveness to ensure it is consistent with the wording of new policies relating to emission reduction, water efficiency, carbon sequestration, sustainable transport and green/renewable energy which are discussed below (**MM3**).

Energy efficiency

32. Policy CC1: Energy efficiency introduces local energy efficiency standards for major development. It requires all major development to achieve net zero regulated operational emissions and also requires "large scale major development" outside Stevenage Town Centre to be whole-life carbon net zero. Compliance with these requirements is expected to be demonstrated through the submission of Energy Statements and, where relevant, whole-life carbon assessments.
33. However, the Written Ministerial Statement on local energy efficiency standards (December 2023) (the WMS) makes clear that "the Government do not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned Building Regulations", and further states that any such policies "should be rejected at examination if they do not have a well reasoned and robustly costed rationale".
34. Current Building Regulations Part L (2021), together with the anticipated Future Homes and Buildings Standards, are intended to ensure that new development is "net-zero ready", rather than to require net zero regulated operational emissions to be achieved at the point of construction. The additional requirements in Policy CC1 for net zero regulated operational emissions and whole-life carbon net zero therefore set higher standards that go beyond current or planned Building Regulations. Furthermore, as submitted, Policy CC1 does

not explicitly define “net zero regulated operational emissions”, nor does it refer to a percentage uplift against the Target Emissions Rate. As a result, it is unclear what evidence would be necessary to demonstrate or assess compliance, rendering the policy ineffective.

35. The Council relies on its whole-plan viability assessment, together with the Climate Change Technical Paper (EB3.2), to provide the “well-reasoned and robustly costed rationale” required by the WMS. However, the viability testing includes only a generic allowance or buffer intended to reflect the cumulative impact of policy requirements, including Policy CC1. While EB3.2 explains in broad terms the estimated additional costs associated with achieving net zero operational emissions and whole-life carbon, this evidence is not specific to the types of development expected to come forward in Stevenage during the remainder of the plan period. The evidence also does not include a sufficiently detailed assessment of how and why these standards are necessary to address circumstances particular to the Borough as opposed to anywhere else in the country.
36. Consequently, while the evidence indicates that development meeting the requirements of Policy CC1 could, in general terms, be delivered, the absolute requirement through the use of the word “must”, for all major development to meet these standards is not justified. In addition, the submitted policy lacks the flexibility necessary to address circumstances where achieving net zero would not be technically or financially feasible. This approach risks prejudicing the delivery of development in the Borough and is not therefore effective or consistent with national policy.
37. MMs are therefore necessary to define “net zero regulated operational emissions” as “a 100% improvement on the Target Emissions Rate determined using the Standard Assessment Procedure 10.2” to align it with the WMS but clarify this not an absolute requirement and instead is encouraged. It is also necessary for effectiveness to clarify that minor and householder development are not expected to meet the requirements of Policy CC1, clarify what information is necessary to demonstrate compliance, and, most importantly, make clear that “the Council will apply Policy CC1 to decisions on planning applications flexibly” where achieving net zero would not be technically feasible, financially viable or compatible with sustainable development. This will mean that any schemes which are able to meet these requirements along with all other development plan requirements can be viewed favourably without making them mandatory. **MM9** achieves all this having the effect of making the standards measurable and clear, but crucially not mandatory and subject to it, Policy CC1 is justified, effective and consistent with national policy.

Heating and cooling

38. EB3.2 notes rising temperatures and the urban heat island effect associated with higher density and taller buildings which is particularly relevant to buildings in the new town. Policy CC2: Heating and cooling seeks to address this by

requiring development proposals to minimise reliance on energy dependent air conditioning systems through passive design measures. It requires major development proposals to demonstrate through an Energy Statement how heating and cooling demands will be managed over time.

39. However, Part O of the Building Regulations (2021), seeks to reduce the risk of indoor overheating through design-based measures but does not restrict the use of mechanical or energy-dependent cooling systems. Policy CC2 goes further than Part O because it expects reliance on such systems should be minimised and states that planning permission may be refused where proposals rely on energy dependent cooling unless it is demonstrated that their use is essential. This goes beyond Part O without a clear locally costed rationale and as such in this regard Policy CC2 is not justified.
40. MM is therefore needed to the policy wording and justification text to clarify that the policy applies to all development, whilst limiting the requirement for detailed evidence to support major development proposals only. It is also necessary to clarify that permission will only be refused for proposals relying on energy dependent cooling systems where it is not demonstrated that their use is essential. Furthermore, MM is necessary to make clear “the council will apply Policy CC2 to decisions on planning applications flexibly”, including where alternatives are not technically feasible, would not be financially viable or would otherwise compromise the delivery of sustainable development. MM is also necessary to clarify the circumstances in which mechanical cooling may be justified in the justification text. **MM10** addresses these issues in the interests of justification, effectiveness and consistency with national policy.

Water efficiency

41. Stevenage lies within an area of serious water stress (EB3.2). Policy CC3: Water Efficiency therefore seeks to reduce water consumption and improve water efficiency in new development requiring new residential development to consume no more than 110 litres per person per day. It also requires the incorporation of rainwater harvesting in residential schemes and grey water recycling in non-residential development.
42. The adopted Plan already requires consumption of no more than 110 litres per person per day, is fully accounted for in the Council's viability evidence and in principle is justified. However, Part G of the Building Regulations (2015 incorporating the 2020 amendments) does not require rainwater harvesting or grey water recycling and the detailed costs associated with achieving them can vary wildly from scheme to scheme particularly for grey water recycling. Again, the Council's viability evidence has not considered the detailed cost implications of these standards relevant to the types of development expected in the Borough over the remainder of the plan period.
43. MMs are therefore necessary to clarify that the 110 litres per person per day requirement aligns explicitly with the optional standard in Building Regulations

Part G. It is also necessary to provide a more accurate definition of water neutrality and provide clearer justification text explaining the purpose and practical application of rainwater harvesting and grey water recycling. Furthermore, it is also necessary to make clear that Policy CC3 will be applied flexibly where measures are demonstrated to be technically unfeasible or unviable. **MM11** achieves all this and ensures Policy CC3 is justified, effective and consistent with national policy.

Carbon sinks

44. Policy CC5: Carbon Sinks seeks to protect significant carbon sinks and to support proposals that deliver net gains in carbon sequestration. However, there is no definition of what constitutes a carbon sink or a significant carbon sink and they are not defined on the policies map or in the local plan evidence base. It is also unclear how deterioration should be assessed. Thus, this policy is not justified or effective. **MM13** addresses this by deleting the proposed new policy and the associated justification to ensure the Partial Update Plan is justified and effective.

Energy infrastructure, green roofs and the green economy

45. The remainder of the new climate change chapter to be added to the adopted Plan through the Partial Update Plan comprises Policies CC4: Energy infrastructure, CC6: Green roofs and CC7: The green economy. I deal with these policies together because they do not seek to impose development standards, instead, they are supportive or protective of matters which the Council will use to attribute positive or negative weight in determining planning applications.
46. Policy CC4 supports development proposals that incorporate decentralised energy networks, district heat networks, intelligent energy systems and on-site renewable or low-carbon energy generation. However, **MM12** is necessary to make clear that the measures referred to are not mandatory but schemes incorporating them will be strongly supported for effectiveness.
47. Policy CC6 (as amended to CC5) supports the incorporation of green roofs, blue-green roofs, bio solar roofs and green walls, while Policy CC7 (as amended to CC6) promotes circular economy principles, green jobs and local food production. However, as submitted, both policies contain ambiguous wording, creating uncertainty as to when proposals would be supported and how compliance would be assessed. **MM14** is therefore necessary to clarify that green roofs and walls will be strongly supported where appropriate to the building and site context and where they represent an effective means of achieving environmental benefits avoiding inappropriate provision. **MM15** provides clearer definitions and justification text for the green economy policy which explains how circular economy principles, green jobs and food production will be assessed. Thus, **MM14** and **MM15** are both needed for effectiveness.

Design certification

48. Policy GD2: Design certification seeks to encourage high-quality and safe design by supporting development proposals that achieve recognised sustainability and safety certifications, including BREEAM, Secured by Design and the BRE Home Quality Mark. The Council explained at the hearing that proposals which voluntarily achieve such certification will be afforded positive weight in decision-making without making any particular design certification regime mandatory. However, **MM35** is necessary to make it explicit that certification is encouraged rather than required in the interests of effectiveness.

Conclusion

49. Subject to the MMs discussed above the new and updated policies on climate change, sustainable development and design are justified, effective and consistent with national policy.

Issue 3 – Whether new and updated housing policies are positively prepared, justified, effective and consistent with national policy

50. The Partial Update Plan does not seek to alter the housing requirement, spatial strategy or allocate any new sites for housing. Insofar as it relates to housing, it aims to update the adopted Plan to simply reflect housing delivery to date and new evidence on the type of homes needed in the Borough to meet housing needs, particularly substantively updating policies relating to affordable housing and specialist accommodation and introduces a new policy on houses in multiple occupation.

Housing requirement and spatial strategy

51. The adopted Plan, through Strategic Policy SP7: High Quality Homes requires 7,600 dwellings over the period 2011–2031, supported by a spatial strategy and a range of housing allocations.
52. However, the updated wording of Policy SP7 in the Partial Update Plan removes the housing distribution figures previously included in the adopted policy without justification or explanation. Furthermore, the residual requirements should be informed by the latest evidence on completions. **MM7**, **MM28** and **MM29** necessarily address these issues by incorporating into the Partial Update Plan the latest housing completion figures, clearly stating the residual housing requirement to 2031, and confirming that the sites identified in the adopted Plan continue to provide the planned housing supply over the remainder of the plan period. Subject to **MM7**, **MM28** and **MM29**, Policy SP7 and the approach to the housing requirements in the Partial Update Plan is justified, effective and consistent with national policy.

Affordable Housing

53. Policy HO7: Affordable Housing Targets sets out the proportion of affordable housing expected to be delivered as part of residential development within the Borough. The Partial Update Plan proposes to increase the affordable housing requirement on greenfield sites from 30% to 40%, while retaining the existing 25% requirement on previously developed land.
54. The Council's Revised Housing Technical Paper (ED3.1) explains that this change is intended to respond to updated evidence of need in the Strategic Housing Market Assessment Part II Update (EB3.7), which identifies a substantial shortfall in affordable housing provision, equivalent to a requirement for approximately 2,114 affordable dwellings over the remainder of the plan period. The increase to 40% was tested in the Council's viability assessment which clearly shows that even with other policy requirements and community infrastructure levy, the increase would not prejudice the delivery of development on greenfield sites in the Borough.
55. However, **MM7** is necessary to amend Policy HO7 and the justification text to more clearly articulate the need for the increase with reference to the evidence. Furthermore, it is also necessary to amend the policy wording to add flexibility accounting for circumstances where it is demonstrated to be technically or viably unfeasible to meet the requirement.
56. In addition, a number of allocated sites already have the benefit of planning permission but have not been built out, specifically allocations known as, Policy HO2: Stevenage West and Policy HO3: North of Stevenage. **MM30** (Policy HO2: Stevenage West) and **MM31** (Policy HO3: North of Stevenage) are necessary to explain that these allocations retain the 30% affordable housing requirement because applying the uplift would risk compromising their deliverability or other development requirements.
57. A MM is also necessary to clarify the interaction between affordable housing requirements and the delivery of sheltered and supported housing under Policy HO10 and recognise the need for flexibility as demonstrated by the Council's viability assessment which shows it to be less viable than other forms of housing as explained in more detail below. **MM32** is therefore necessary to introduce flexibility to ensure that the application of Policy HO7 does not constrain the delivery of specialist accommodation required to meet identified needs. Subject to **MM7**, **MM30**, **MM31** and **MM32** Policy HO7 as updated by the Partial Update Plan would be justified, effective and consistent with national policy.

Sheltered and Supported Housing

58. Policy HO10: Sheltered and Supported Housing of the adopted Plan seeks to support the provision of accommodation for older people and those requiring supported living.

59. The Revised Housing Technical Paper (ED3.1) and the Strategic Housing Market Assessment Part II Update (EB3.7) identify a significant projected increase in the older people in Stevenage and a corresponding need for a range of specialist housing types, including sheltered housing, extra-care housing and residential care. In response the Partial Update Plan, would replace detailed criteria which repeat other design related provisions in the adopted Plan with criteria which positively support proposals for sheltered and supported housing provided they comply with other relevant development plan policies. This means that there are no separate duplicative tests which effectively add a layer of unnecessary restriction which may prevent this type of housing from coming forward.
60. However, as discussed above, the Council's viability evidence identifies specific viability and delivery characteristics of sheltered and affordable housing schemes which differ from general market housing which could negatively affect scheme viability. **MM32** is therefore necessary to clarify the purpose and operation of the policy by confirming that proposals for sheltered and supported housing are expected to comply with relevant development plan policies, while also making clear that flexibility in meeting other development plan requirements may be necessary where it can be demonstrated that the viability of this form of development would prejudice development of this type from taking place in the Borough. Thus, subject to **MM32**, Policy HO10 as amended by the Partial Update Plan would be justified, effective and consistent with national policy.

Accessible and adaptable housing

61. Policy HO11: Accessible and Adaptable Housing of the adopted Plan seeks a proportion of new homes designed to meet the needs of people with mobility impairments or can be easily adapted to do so. As submitted, the Partial Update Plan would amend the policy to require 10% of dwellings within major residential developments to comply with Building Regulations optional requirement M4(3)(2)(b) for wheelchair-accessible dwellings, with a further 40% required to comply with optional standard M4(2) for accessible and adaptable dwellings.
62. The Council's evidence (EB3.1 and EB3.7) identifies a growing need for wheelchair user housing and accessible homes over the remainder of the plan period in part due to a lack of provision over the plan period to date. However, the Housing: optional technical standards Planning Practice Guidance (PPG) distinguishes between wheelchair-accessible dwellings (M4(3)(2)(b)) and wheelchair-adaptable dwellings (M4(3)(2)(a)) with wheelchair user dwellings being much more expensive to deliver.
63. Whilst the Council's Note on Accessible and Adaptable Housing (CD30) provides detailed evidence of need for wheelchair user housing generally, it does not demonstrate that the Council would operate an appropriate

allocation-based system consistent with the PPG² or the needs of any specific individual which might require this type of housing in the Borough. Overall, the requirement for M4(3)(2)(b) is not justified.

64. **MM33** is therefore necessary to remove the requirement for M4(3)(2)(b) dwellings and ensure that Policy HO11 instead applies the M4(3) wheelchair-user standard flexibly, in accordance with national guidance and local circumstances. **MM33** also necessarily confirms that the policy will be applied flexibly where compliance has been demonstrated to be technically or viably unfeasible. **MM33** is therefore needed to ensure Policy HO11 as updated by the Partial Update Plan is justified, effective and consistent with national policy.

Homes in multiple occupation

65. Policy HO14: Houses in Multiple Occupation is a new policy which establishes criteria for applications involving the creation of new HMOs. It seeks to ensure noise and disturbance, parking, cycle storage are appropriately managed to mitigate adverse impacts whilst recognising the value of HMOs in meeting housing needs in Stevenage.
66. However, references to the need to avoid an “unacceptable impact on housing supply” without an explanation of how such impact should be assessed or what would constitute harm is ambiguous. Because of this the policy is also not positively prepared because it assumes harmful impacts when in fact such proposals can contribute positively to meeting housing needs without always giving rise to harm.
67. **MM34** is therefore necessary to amend Policy HO14 to avoid conflicts with the aims of other relevant policies by making clear that impacts, such as noise, parking and residential amenity, will be assessed through reference to other relevant development plan policies. **MM34** is therefore needed to ensure Policy HO14 is positively prepared, justified and effective. **MM34** has been adjusted post consultation to clarify that regard should be had to non-development plan guidance rather than accord with it. This is a factual clarification because Supplementary Planning Document and other guidance are not part of the development plan. There is no prejudice to anyone arising from this change.

Conclusion

68. Subject to the MMs discussed above the new and updated housing policies are positively prepared, justified, effective and consistent with national policy.

² Paragraph: 009 Reference ID: 56-009-20150327 Revision date: 27 03 2015

Issue 4 – Whether updated Employment, Town Centres and Opportunity Areas policies are positively prepared, justified, effective and consistent with national policy

69. The adopted Plan establishes a strategy to support economic growth, protect employment land, maintain the vitality and viability of town centres, and deliver regeneration through a series of defined Opportunity Areas. The Partial Update Plan does not seek to alter the overall economic or town centre strategy or make any new relevant allocations. Instead, it focuses on updating specific policies and supporting text to reflect national policy and legislative changes and incorporating progress made with regeneration proposals into the adopted Plan.

Employment

70. Strategic Policy SP3: A strong and competitive economy would be updated through the Partial Update Plan to reflect changes to the Use Classes Order. This includes aligning the use classes specified in the policy wording and adding wording seeking to define what constitutes an employment use. Policies EC1 to EC7 of the adopted Plan would be amended by the Partial Update Plan in the same way.

71. However, whilst the approach is sound in principle, all references to employment uses and employment land are not entirely consistent which creates ambiguity and uncertainty for decision makers and developers. **MM4** is therefore necessary to insert an explicit definition of “employment uses” within the justification text confirming employment uses as B2, B8 and E(g)(i-ii) use classes. **MM4** is therefore needed for effectiveness.

72. Policy EC1: Allocated Sites for Employment sets out indicative targets for employment floorspace to be delivered on allocated sites. Through the Partial Update Plan, Policy EC1 would be amended to reflect updated evidence on employment need, as set out in the Council's Employment Technical Paper (EB3.3), and to address long standing delivery issues on specific sites, most notably site EC1/2 (South of Bessemer Drive, Gunnels Wood). EB3.3 demonstrates a surplus of office floorspace, a broadly balanced position in relation to research and development uses, and a deficit in industrial and warehousing floorspace. The Partial Update Plan therefore amends Policy EC1 to remove the office element from allocation EC1/2 and allow E(g)(iii), B2 and B8 uses to reflect known demand. This is justified by the evidence and sound.

Town Centres and Retail

73. Policy SP4 of the adopted Plan sets the strategic framework for town centres and retail development.

74. However, the Retail Study Update 2024 (EB3.5 and EB3.6) identifies that since 2014 there has been a significant net loss of comparison goods floorspace within the Town Centre, modest residual capacity for additional convenience

goods floorspace, and increased competition from retail provision outside of town centres.

75. The Partial Update Plan retains the retail strategy established in the adopted Plan, but seeks to bring the town centre related policies into line with national policy for development management purposes.
76. However, as submitted the Partial Update Plan does not fully reflect the conclusions of EB3.5 and EB3.6 or national policy. MMs are therefore necessary to Policy SP4 and the justification text to clarify that the retail floorspace figures are indicative and not requirements, to reinforce the town centre first and impact assessment approach and tighten the policy wording with regard to additional comparison retail development outside of town centres. It is also necessary to make clear in the justification text that matters relating to retail capacity, new allocations and potential boundary changes will be addressed through a future new local plan. **MM5** is therefore necessary to ensure Policy SP4 as amended by the Partial Update Plan is justified, effective and consistent with national policy.
77. Policy TC8: Town Centre Shopping Area through its geographical application on the policies map defines the town centre shopping areas where a range of main town centre uses are supported. EB3.5 and EB3.6 identify changes in retailing patterns, including a decline in traditional comparison retail floorspace and the growing importance of mixed-use town centres that support leisure, cultural and service uses alongside retail. The Partial Update Plan seeks to amend Policy TC8 to reflect this evidence. However, **MM22** is necessary to Policy TC8 to ensure consistency with national policy and allow a broader range of appropriate town centre uses in line with the definition of main town centre uses given in the NPPF. Furthermore, for effectiveness **MM22** also clarifies the approach with regard to heritage assets in town centres.
78. Policy TC9: High Street Shopping Area provides more detail for the High Street within the wider town centre, while Policy TC10 High Street and Secondary Frontages seeks to manage development in primary and secondary shopping frontages. However, EB3.5 and EB3.6 highlight that rigid frontage controls can act as a barrier to adaptation and regeneration. The Partial Update Plan therefore seeks to amend Policies TC8 and TC9, and to delete TC10, to reflect this evidence and to ensure that the town centre and High Street are able to adapt to changing patterns of demand in a manner consistent with national policy.
79. The deletion of TC10 is sound because it will improve the adaptability of Stevenage's town centres assisting their vitality and viability. The geographical application of this policy would also be removed from the Council's policies map upon adoption as detailed on the submission policies map (CD4).
80. However, **MM22** is necessary to Policy TC8 and the justification text to ensure consistency with national policy by allowing a broader range of appropriate town

centre uses in line with the definition of main town centre uses in the NPPF, while also clarifying the approach to the consideration of heritage assets within town centres for effectiveness. **MM23** is also required to Policy TC9 to update the policy to reflect the current Use Classes Order and to remove unnecessary rigidity that would otherwise constrain the ability of the High Street to diversify and respond to change. Subject to **MM22** and **MM23** Policies TC8 and TC9 as amended by the Partial Update Plan would be justified, effective and consistent with national policy.

81. Policies TC11: Graveley Road Major Retail Development, TC12: Out-of-Centre Retail Development and TC13: Town Centre Uses Impact Assessments provide a framework for managing retail development outside defined centres and for protecting town centre vitality and viability. EB3.5 and EB3.6 identify that while there may be residual capacity for additional retail floorspace outside of centres, this would put at risk the regeneration of Stevenage Town Centre and need to be considered as part of a comprehensive review of the spatial strategy for the Borough. The Partial Update Plan updates these policies to reflect the changes to the Use Classes Order and note the findings of EB3.5 and EB3.6 and explain the future role of the Graveley Road site will be reconsidered through a future new Local Plan. This approach is sound in principle.
82. However, Policies TC11, TC12 and TC13 as amended by the Partial Update Plan do not clearly explain the risks associated with further out of centre retail floorspace at Graveley Road and the associated need to undertake the sequential and impact tests. It is also unclear how the amended policies should be applied to proposals seeking to vary conditions on existing permissions. **MM24** and **MM25** are therefore necessary for effectiveness to amend Policies TC11 and TC12 and their justification text to clarify that there is no identified need for additional out of centre retail floorspace at this time and need for such will be assessed through the development of a new local plan. **MM19** is also necessary to Policy TC13 to align the thresholds for impact assessments in the NPPF, and confirm that the policy applies both to new development and to proposals seeking to vary existing permissions. Thus, subject to **MM24**, **MM25** and **MM19** Policies TC11, TC12, and TC13 as updated by the Partial Update Plan are justified, effective and consistent with national policy.

Station Gateway Major Opportunity Area

83. Policy TC4: Station Gateway Major Opportunity Area is an existing policy in the adopted Plan which identifies the area around Stevenage Railway Station as a key regeneration opportunity capable of delivering a regenerated and extended station, high-density residential development, offices, a hotel, supporting town centre uses, and significant improvements to public realm, connectivity and sustainable transport.
84. To date the Council have been working on an Area Action Plan (AAP) for the opportunity area. The Station Gateway AAP Preferred Options (EB2.15) identifies severe functional and environmental shortcomings in the area but also

exceptional potential for comprehensive, mixed-use regeneration. However, the Council no longer wish to proceed with a separate AAP and instead the Partial Update Plan seeks to incorporate the work to date into the development plan and set out requirements for a masterplan for the area to be developed. The land within the opportunity area has complex land ownerships, infrastructure dependencies not least requiring redevelopment of the railway station. This means an AAP would be at risk either becoming quickly out of date or could even constrain delivery if circumstances changed relating to what is a very complex regeneration proposal. As such this approach in principle is soundly based.

85. However, Policy TC4 as amended by the Partial Update Plan does not provide sufficient clarity or certainty as to how the ambitions identified in EB2.15 would be translated into an effective decision making framework in the absence of an adopted AAP. In particular, the policy does not clearly define the requirements of the proposed strategic masterplan, does not include criteria to secure comprehensive and phased delivery across the whole Opportunity Area guarding against piecemeal development that could prejudice the future delivery of a new or enhanced station. It also doesn't specify the need for improved east-west connectivity, or a high-quality public realm. This creates uncertainty for both applicants and decision makers rendering the policy ineffective. **MM18** is therefore necessary to adjust the policy wording and justification text for Policy TC4 in the interests of effectiveness.

Other Opportunity Areas

86. Policies TC2: Southgate Park Major Opportunity Area, TC3: Centre West Major Opportunity Area, TC5: Central Core Major Opportunity Area, TC6: Northgate Major Opportunity Area and TC7: Marshgate Major Opportunity Area are all existing policies in the adopted Plan, forming a coordinated framework for the regeneration of Stevenage. The Partial Update Plan amends these policies to reflect changes to the Use Classes Order, updated national policy terminology, and the Council's continued emphasis on flexibility and mixed-use regeneration.
87. However, **MM16**, **MM17**, **MM19**, **MM20** and **MM21** are necessary to clarify the range of appropriate town centre uses, and reinforce the expectation for comprehensive, high-quality mixed-use redevelopment within each Opportunity Area. Subject to these MMs Policies TC2, TC3, TC5, TC6 and TC7 as amended by the Partial Update Plan are soundly based.

Conclusion

88. Subject to the MMs outlined above the updated Employment, Town Centres and Opportunity Areas policies are positively prepared, justified, effective and consistent with national policy.

Issue 5 – Whether new and updated Transport, Flood Risk, Drainage and Trees policies are positively prepared, justified, effective and consistent with national policy

89. I now deal with the remaining policies which are within the scope of my examination which comprise new and updated policies relating to transport, flood risk, drainage and trees.

Transport

90. Policy SP6: Sustainable Transport, Policy IT1: Strategic Development Access Points and Policy IT4: Transport Assessments and Travel Plans together provide the strategic and development management framework for addressing transport impacts arising from development and direct development to the most accessible locations. Through the Partial Update Plan, these policies are updated to reflect changes in national policy and the Council's increased emphasis on active travel and public transport use.
91. However, Policy SP6 as amended by the Partial Update Plan does not distinguish between strategic principles and detailed development requirements making it unclear how decision makers or developers should respond. Policy IT1 as amended identifies preferred access points for strategic sites without explanation how alternative solutions would be considered. Policy IT4, as amended includes thresholds for assessment which do not reflect the most up to date highway authority guidance which creates uncertainty for applicants and decision makers.
92. **MM6** revises Policy SP6 to provide clearer, more structured criteria for assessing sustainable transport impacts. **MM26** amends Policy IT1 to clarify the role of preferred strategic access points and confirm that alternatives may be acceptable where they are demonstrably preferable in transport terms. **MM27** updates Policy IT4 to align transport assessment and travel plan requirements with current local highway authority guidance. These MMs are therefore all needed for effectiveness.

Flood risk and drainage

93. The Council prepared a Strategic Flood Risk Assessment and related flood risk and drainage evidence to support the adopted Plan. Whilst this evidence is now of some age, any review or updating of it is more appropriately a matter for the preparation of a future new local plan where new allocations would be made and the spatial strategy reviewed.
94. The Partial Update Plan introduces Policy FP1: Sustainable Drainage as a new policy, and updates Policy FP2: Flood Risk Management, seeking to strengthen the adopted Plan's approach to surface water management, flood risk and climate change adaptation, and to bring the policy framework into line with national policy and guidance.

95. However, Policy FP1 states that new development “must” incorporate sustainable drainage systems and sets out what SuDS proposals “must” include whereas, paragraph 173(c) of the NPPF states that “development should only be allowed in areas at risk of flooding where it incorporates SuDS, unless there is clear evidence that this would be inappropriate.” Policy FP1 as drafted is therefore more prescriptive than national policy. This level of prescription creates a risk that the most technically appropriate and evidenced drainage and / or SuDS solutions may not be achieved in all cases. As such, Policy FP1 of the Partial Update Plan is not consistent with national policy and is not effective.
96. Policy FP2, as amended by the Partial Update Plan, retains detailed requirements in relation to matters such as buffers to watercourses, the treatment of culverted watercourses, and the application of flood risk considerations to site layout. However, it does not reflect the national requirements for a sequential, risk-based approach to flood risk, nor does it clearly link these matters to the need for site-specific flood risk assessment or the application of the sequential and exception tests, as set out in paragraph 173 of the NPPF and reinforced by the Flood Risk and Coastal Change PPG. Furthermore, criteria f and g specify that development should include an undeveloped buffer zone of 8m from the top of the bank of any adjacent main rivers or 3m from the top of the bank of adjacent ordinary watercourses. These metrics are not specified in national policy and again such prescription limits the ability of a scheme to respond most effectively to site and development specific circumstances appropriately.
97. **MM36** is therefore necessary to amend Policy FP1 to clarify that decisions will be taken in accordance with national flood risk policy and guidance, and clarify that sustainable drainage systems should be provided unless demonstrably impracticable. Furthermore, **MM37** is necessary to amend Policy FP2 to remove unnecessary prescription and to align the policy with the NPPF sequential, risk-based approach, clarifying the role of flood risk buffers, climate change considerations, re-naturalisation of watercourses and site layout without duplicating detailed technical controls that are more appropriately applied through site-specific assessment. Taken together, **MM36** and **MM37** are necessary to ensure that Policies FP1 and FP2 are effective and consistent with national policy.

Trees and woodland

98. The adopted Plan trees and woodland related policies focus on protecting existing trees and woodland, with limited detail on replacement, long-term management or delivery through new development. However, the Tree and Woodland Strategy for Stevenage 2025–2035 (CD31) identifies the exceptional extent and importance of Stevenage’s treescape, including an unusually high proportion of ancient woodland within an urban area, significant variation in canopy cover between wards, and clear threats arising from development pressure, climate change, pests and disease. It also sets out quantified data on

canopy cover, carbon storage, flood mitigation and biodiversity value, together with clear long-term objectives and delivery actions.

99. The Partial Update Plan updates Policy NH5a: Trees and Woodland and introduces a new policy, NH5b: Tree-lined Streets which both seek to address issues and opportunities identified in CD31. However, Policies NH5a as amended by the Partial Update Plan and new policy NH5b do not clearly distinguish between different categories of trees and woodland, do not sufficiently explain how replacement ratios and management expectations should be applied in practice, and do not adequately set out where flexibility may be appropriate. **MM38** addresses this by refining the policy wording and justification text for both policies and adding in flexibility where compliance is demonstrably unfeasible. Subject to **MM38** Policies NH5a and NH5b (as amended to Policy NH5) are soundly based. The requirement for replacement trees or planting of equal or better quality than the trees which are lost is sufficiently precise to reflect the need for an assessment proportionate to the development proposed particularly as consultation at the applications stage will take place with tree and woodland experts as necessary.

Conclusion

100. Subject to the MMs outlined above the Council's new and updated Transport, Flood Risk, Drainage and Trees policies are positively prepared, justified, effective and consistent with national policy.

Issue 6 – Whether the approach to monitoring and the glossary are effective

101. The adopted Plan includes a Monitoring Framework intended to assess the effectiveness of policies and the delivery of the spatial strategy over the plan period. Through the Partial Update Plan, the Council introduces a number of new policies and significantly updates existing policies. However, the Monitoring Framework as updated by the Partial Update Plan does not identify monitoring indicators for a number of new and updated policies. **MM39** is therefore necessary to ensure that appropriate indicators are identified to monitor the implementation and effectiveness of new and amended policies, including those relating to transport, flood risk and drainage, trees and woodland, and regeneration. Subject to **MM39** the monitoring framework as amended by the Partial Update Plan is effective.
102. The adopted Plan as updated by the Partial Update Plan includes a glossary. However, in light of the MMs discussed above and to deal with omissions **MM40** is necessary to make consequential amendments to the glossary to ensure that key terms used throughout the adopted Plan as updated by the Partial Update Plan and as modified are clearly and consistently defined. Subject to **MM40** the glossary at Appendix D is effective.

Conclusion

103. Subject to the MMs outlined above the Council's approach to monitoring and the glossary are effective.

Overall Conclusion and Recommendation

104. The Partial Update Plan has a number of deficiencies in respect of soundness for the reasons set out above, which means that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained above.

105. The Council have requested that I recommend MMs to make the Partial Update Plan sound and / or legally compliant and capable of adoption. I conclude that with the recommended MMs set out in the Appendix, the Partial Update Plan satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

L Fleming

Inspector

This report is accompanied by an Appendix containing the Main Modifications.

Appendix D – Preparing for Implementation: Housing Advice and Support

The Renter's Rights Act 2025 places new legal responsibilities on landlords of privately rented properties and provides increased protection for tenants.

In the period leading up to Part 1 of the Act coming into effect on 1st May 2026 and subsequently, the Council's Environmental Health & Licensing and Housing Options services have worked to:

- Promote the Act to landlords, providing them with information on their new responsibilities and where they can get advice to ensure that their rental business are operated in compliance with the legislation
- Promote the Act to tenants to raise awareness of their strengthened rights and protections under the Act, how they can report problems and where they can get further assistance.
- Review and update new processes to ensure that both tenants and landlords can access timely advice and support

Steps that have been taken include:

- Writing to all registered HMO landlords in Stevenage.
- Writing to local letting agents.
- Holding an online landlord forum with relevant presentations and a Q&A session.
- The development of new related webpages on the Council website providing information for both landlords and tenants, with links to further sources of advice and support.
- The publicising of landlord and tenant 'toolkits' and links to other online resources developed by government – e.g. via social media channels.
- Updating of online reporting links on the Council's website, so that tenants have a clear route to report concerns about housing standards, their landlord's conduct or compliance with the new rules applying to tenancies.
- Review of the Advice Aid tool accessed via the Council's Housing Advice website, which allows customers to receive information tailored to their own circumstances, which has now been updated to include information about the Renters' Rights Act.
- Working jointly with the Customer Service Centre management team to agree and implement referral routes where service requests relating to the new legislation are received.

In addition, the Housing Options service has:

- Reviewed the processes in place for monitoring any impact of the Act on homelessness presentations. As a result of this review, a new KPI is to be added which will enable the Housing Options service manager to report on presentations from those that have presented as homeless due to eviction from privately rented accommodation.
- Reviewed and updated the Homeless Prevention Action Plan for 2026/27, which sets out that the Council will:
 - Proactively respond to the implementation of the Renters' Rights Act by adapting prevention and advice services to reflect changes within the private rented sector.
 - Ensure staff are equipped to provide accurate, up-to-date advice.
 - Strengthen early engagement with tenants and landlords to resolve disputes before escalation.
 - Develop clear protocols for responding to revised possession grounds to ensure timely prevention activity.
 - Increase tenancy sustainment work to reflect longer, more secure tenancies and reduce avoidable tenancy breakdown
 - Monitor changes in homelessness presentations linked to new eviction grounds, rent increases or landlord withdrawal from the market. Utilise data trends to adapt prevention strategies and target interventions effectively.

Appendix D – Preparing for Implementation: Housing Advice and Support

- Provide guidance and engagement forums to help landlords understand new legal duties, tenancy reforms, and dispute resolution processes
- Work with enforcement teams to identify and respond to non-compliant landlords, reducing unsafe or unstable tenancies.

Partial Update of the Stevenage Borough Local Plan 2011–2031

Main Modifications proposed by the Council to make the Local Plan sound

Stevenage Borough Council (the Council) undertook a formal review of the adopted Plan, as required by Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (the Regulations) and concluded that only parts of the adopted Plan required updating at that time and thus only a partial update to the adopted Plan was required.

The Council's process for reaching this decision is summarised in a briefing note available on the Examination Website (CD16). The Council therefore undertook a consultation under Regulation 19 of the Regulations in November 2024 on a schedule of changes it proposed to make to update the adopted Plan (Partial Update of the Stevenage Borough Local Plan 2011–2031 Schedule of Changes from Regulation 18 to Regulation 19) (CD2c), in other words the Council's proposed partial update.

However, the Council undertook a further consultation under Regulation 19 of the Regulations in August 2025 on an addendum which effectively set out a small number of further changes, superseding some of the changes detailed in CD2c (Partial Update of the Stevenage Borough Local Plan 2011–2031 Schedule of Changes from Regulation 19 to Pre Submission) (CD2b).

For the avoidance of any doubt, the Inspector appointed to examine the partial update to the adopted Plan, is examining the changes proposed in CD2c except where they have been superseded by the changes proposed in CD2b. He is not examining any elements of the adopted Plan which are not being updated or in other words sections of the partial update to the Stevenage Borough Local Plan 2011–2031 of the adopted Plan which are not identified in CD2c or CD2b as subject to changes.

Sections of the adopted Plan which would be unchanged by the partial update are outside of the scope of the Examination. The Council has produced a consolidated document (Partial Update of the Stevenage Borough Local Plan 2011–2031 Schedule of Changes from Adopted Local Plan to Submission Version – Changes since Adoption of Local Plan in May 2019) (CD3) which simply combines CD2c and CD2b and is intended to assist the Examination. Thus, the schedule of main modifications proposed below, following the Examination hearings must be read alongside CD3.

The changes below are expressed either in the conventional form of a ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the change in *italics*.

There are no further changes proposed to the Submission Policies Map (CD4).

This document should be read alongside:

- Additional Modifications (AMs) to the Local Plan Partial Update;
- Sustainability Appraisal to the Local Plan Partial Update Main Modifications (including Habitats Regulation Assessment);
- Equalities Impact Assessment of the Local Plan Partial Update Main Modifications.

MM Ref	CD3 Ref	Policy / Paragraph of the Adopted Plan	Proposed Main Modification to the changes proposed in CD3
MM1	001	Introduction Paragraph 1.7	<p>Why have we carried out a <u>partial</u> review and <u>partial</u> update of the plan?</p> <p>1.7A Local planning authorities are required to review their planning policies every five years to ensure that they remain fit for purpose. The Local Plan was adopted in May 2019 and the five-year period therefore elapsed in May 2024. <u>The requirement to review the plan was therefore triggered in May 2024 i.e. with just under seven years of the plan period remaining.</u></p> <p>1.7B <u>The Council carried out a full review of the plan, which revealed a number of areas where policies would benefit from updating. In light of the review, the following options were considered by the Council:</u></p> <ul style="list-style-type: none"> a) <u>Carry out a comprehensive update of the plan, with strategic policies looking ahead over the following 20 years (in effect, an entirely new Local Plan). Carry out a comprehensive update of the plan, with the plan period unchanged (a full update).</u> b) <u>Carry out a limited update of the plan, including only the changes most immediately necessary to keep the plan up-to-date and with the plan period unchanged (a partial update).</u> <p>1.7C <u>The Council considered that immediately proceeding to introduce a new 15-to-20-year strategic horizon was not realistic given the timetable and progress of its neighbouring authorities with their Local Plans and would have risked producing a strategy that was neither effective nor deliverable. On that basis, option (a) was discounted.</u></p> <p>1.7D <u>Whilst the picture of cross-boundary growth is largely settled for the remainder of the existing plan period up to 2031, a comprehensive update of the Local Plan as envisioned by option (b) would still have required a commensurate review of the Council's evidence base. In the Council's view, this would have amounted to an additional one to two years' worth of preparation and by the point of adoption, with so little time remaining in the plan period, the updated plan would be of limited benefit.</u></p>

MM Ref	CD3 Ref	Policy / Paragraph of the Adopted Plan	Proposed Main Modification to the changes proposed in CD3
			<p><u>1.7E</u> In any case, this option would have been subject to the same constraints in terms of updates to strategic policies as a more limited update of the plan. For these reasons, option (b) was discounted.</p> <p><u>1.7F</u> The Council therefore decided to proceed with option (c) – a partial update of the Local Plan, with the changes limited to those most urgently necessary to ensure that the plan remains up-to-date and effective in dealing with the most pressing issues facing the borough. At the same time, the Council also committed to producing an entirely new Local Plan immediately upon the conclusion of the update process.</p> <p><u>1.7G</u> This approach ensures that the most important elements of the current plan are kept up to date now, avoiding an extended period during which key policies would otherwise be out of date. It also enables the Council to align a new plan with the timetables of its neighbours and the emerging work on a joint strategic plan for the region.</p> <p><u>1.7HB</u> The review identified that the spatial strategy remains fit for purpose but a number of individual policies required updating. Consequently, a partial update was carried out to address those issues. The key changes are as follows:</p> <ul style="list-style-type: none"> • Climate Change: The updated plan takes a stronger approach to climate change, with a new strategic climate change policy, a new chapter of detailed climate change policies, and revised policies relating to sustainable drainage and flood risk. • Station Gateway: The detailed policy for the Station Gateway Major Opportunity Area has been updated to reflect the Station Gateway Area Action Plan. • Housing: The requirements for accessible and adaptable housing have been updated to reflect the latest evidence of need. • Use Classes: Changes have been made throughout the plan to reflect the changes to the Use Classes Order, which came into effect in 2020.

MM Ref	CD3 Ref	Policy / Paragraph of the Adopted Plan	Proposed Main Modification to the changes proposed in CD3
MM2	007	Paragraph 4.6	4.6 Our strategy sets out how 7,600 homes will be built in and around Stevenage between 2011 and 2031 (4,956 homes between 2024 and 2031). This will mean that we can meet our objectively assessed housing needs within our own administrative boundaries, although we maintain an on-going dialogue with our neighbours on this topic.
MM3	008 010	Policy SP1 Paragraphs 5.1F and 5.1H	<p>Policy SP1: Climate Change</p> <p>We will require development to contribute to both mitigating and adapting to climate change. The extent to which developments reduce greenhouse gas emissions, sequester and store <u>carbon</u>, <u>consider the carbon stock and value on existing land</u>, prevent overheating and flooding and its negative effects, use water and other resources efficiently, produce clean energy, and contribute to a green local economy will be considered in the assessment of each planning application. Developments which demonstrate positive consideration of these issues will be supported.</p> <p>We will:</p> <ul style="list-style-type: none"> a. apply emission reduction targets to <u>major</u> developments according to their scale, supporting developments that achieve these targets by reducing overall energy demand, supplying energy efficiently, and generating ultra-low and zero carbon energy; b. require developments to prioritise active travel and public transport by providing the infrastructure necessary to maximise their use; c. ensure that any on-site shortfall against emission reduction targets is offset by an alternative off-site proposal; d. c. apply water usage targets to developments, seek rainwater harvesting and grey water recycling, and encourage water neutrality; e. d. encourage the sustainable use of all other resources throughout the development life-cycle;

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			<p> f. e. support the use of decentralised energy networks, district heat networks, and intelligent energy systems in developments; g. f. support the use of ultra-low and zero carbon combined heat and power systems in developments; h. g. strongly support development proposals whose primary purpose is to generate ultra-low and zero carbon energy with a surplus to be injected into the national grid; i. protect the borough's significant carbon sinks, support the creation of new carbon sinks, and encourage developments to deliver net gains in carbon sequestration; j. h. encourage urban greening, particularly through the use of green roofs and walls; k. i. promote a green economy through the provision of local green jobs, local food production, and supporting the principles of a circular economy; l. j. ensure site waste is disposed of as sustainably as possible; and m. k. work collaboratively with neighbouring authorities to exploit cross-boundary opportunities to mitigate and adapt to climate change. </p> <p>5.1F The planning system can aid these efforts by ensuring that places are designed to reduce greenhouse gas emissions. To this end, Policy SP1 promotes the sustainable use of resources, sustainable travel, green energy production, <u>and</u> energy efficiency and carbon sequestration, as well as outright emission reduction targets.</p> <p>5.1H Development proposals will be expected to contribute positively to mitigating and adapting to climate change. Planning applications will be assessed against the detailed policies in the new climate change chapter of this plan and applications which fail to make an acceptable <u>appropriate</u> contribution will be refused supported.</p>

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MM4	013	Paragraph 5.14	<p>5.14 The definition of “employment uses” is provided in appendix D to this plan.</p> <p><u>In planning, employment land usually refers to the following uses and is provided in appendix D:</u></p> <ul style="list-style-type: none"> • <u>Class E(g)(i) - offices</u> • <u>Class E(g)(ii) - research and development</u> • <u>Class E(g)(iii) - light industry</u> • <u>B2 - general industry; and</u> • <u>B8 - storage and distribution.</u>
MM5	018 019 021	Policy SP4 Paragraph 5.35 Paragraph 5.38	<p>Policy SP4: A vital Town Centre</p> <p>We will make provision for the type and range of retail facilities that are required to support Stevenage’s role, following the sequential test and the Borough’s retail hierarchy. We will:</p> <ol style="list-style-type: none"> a. Maintain the current retail hierarchy: <ol style="list-style-type: none"> i. Stevenage Town Centre; ii. High Street, Major Centre; iii. Poplars, District Centre; iv. Seven Local Centres; and v. Seven Neighbourhood Centres b. Promote the comprehensive and co-ordinated regeneration of Stevenage Central (Town Centre plus adjoining sites). This will provide for in the order of 4,700m² of additional comparison retail floorspace, 3,000 new homes and an improved range of shopping, bars, restaurants, leisure, community, civic and cultural facilities. A n extended and regenerated train station will be the focus of an enlarged Stevenage Central area, within which six Major Opportunity Areas will be designated to promote distinct mixed-use redevelopment schemes.

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			<p>c. Retain the primary retail frontages in both the Town Centre Shopping Area and the High Street Shopping Area as the focus of major comparison shopping.</p> <p>c. d-Support the provision of up to 7,600 m² net of additional convenience floorspace within the Borough boundary by 2031 to meet the needs of the expanded town. This will include:</p> <ul style="list-style-type: none"> i. 1,500m² for extensions to existing centres in the retail hierarchy, then other stores in accordance with the sequential test; ii. A Local Centre in the west of Stevenage development in the order of 500m² to meet the day-to-day needs of the residents of the new neighbourhood; iii. A Local Centre in the north of Stevenage development in the order of 500m² to meet the day-to-day needs of the residents of the new neighbourhood; iv. A Neighbourhood Centre in the south-east of Stevenage development of no more than 500m² with a convenience store and other related small-scale Use Class E(a) shops sufficient to meet the day-to-day needs of the residents of the new neighbourhood; v. A new allocation for a large new store, in the order of 4,600m² net convenience goods floorspace and 920m² net comparison goods floorspace, at Graveley Road to meet identified needs post-2023. <p>d. e-Tightly regulate new out-of-centre comparison goods floorspace and refuse the relaxation or removal of conditions on the type of goods that can be sold from existing out-of-centre comparison retail units.</p> <p>5.35 Our evidence studies show that there is a projected need for 4,700m² of additional comparison retail floorspace during the lifetime of this plan. In accordance with the retail hierarchy, and to support the regeneration of the Town Centre, this floorspace will be directed to the Town Centre. The projected significant increase in the resident population in and around the Town Centre may support some further growth in comparison floorspace: in which case, this will be directed towards the creation of additional floorspace in appropriate locations within the Stevenage Central area. In order to avoid potential adverse</p>

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			<p>impacts upon the town centre, this area will be re-examined at a Full Review to ensure existing and future need for comparison has been updated to reflect changes since the Plan was adopted.</p> <p>5.38 Provision is made for a major new convenience store on Graveley Road in the north of the Borough (on the existing garden centre site) to help to meet identified needs towards the middle of the plan period. In order to avoid potential adverse impacts upon the existing retail hierarchy, this site will be re-examined at a full review to ensure existing and future need for convenience has been updated to reflect changes since the Plan was adopted.</p>
MM6	024	Policy SP6 New Paragraph 5.56A	<p>Policy SP6: Sustainable transport</p> <p>We will create the conditions for a significant increase in active travel and the use of public transport <u>and reduce the need to travel by directing new development to the most accessible locations</u>. We will <u>achieve this by:</u></p> <ul style="list-style-type: none"> a. <u>reduce the need to travel by directing new development to the most accessible locations;</u> a. <u>requiring developments to first prioritise active travel in the layout of sites and by;</u> b. <u>providing connections to surrounding pedestrian and cycle networks and requiring developments to prioritise accessibility to public transport with layouts that maximise the catchment area for public transport services and infrastructure that encourages their use;</u> c. <u>requiring developments to provide appropriate cycle parking and supporting facilities, having regard to the supplementary planning documents and relevant Hertfordshire County Council guidance;</u> d. <u>requiring developments to then prioritise accessibility to public transport with layouts that maximise the catchment area for public transport services and infrastructure that encourages their use;</u>

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			<p>e. <u>supporting</u> the provision of new high-quality sustainable transport facilities <u>identified in the Infrastructure Delivery Plan</u>, including:</p> <ul style="list-style-type: none"> i. schemes identified in local transport plans and other relevant plans and strategies; ii. new pedestrian and cycle links, particularly between the town centre, the Gunnels Wood employment area, and Old Town; iii. a new borough-wide cycle hire scheme; a new bus termini and waiting facilities; and iv. a remodelled railway station that reflects Stevenage's position on the network and wider regeneration ambitions; <p>f. <u>reducing</u> car dependency by limiting the provision of car parking according to site accessibility;</p> <p>g. refuse permission where development proposals fail to provide any relevant plans or assessments relating to transport;</p> <p>h. seek any necessary developer contributions, in accordance with Policy SP5, to achieve all of the above.</p> <p><u>Development proposals should provide any relevant plans or assessments relating to transport necessary to the determination of the application.</u></p> <p><u>The Council will seek and to seek where required, any necessary developer contributions, in accordance with Policy SP5, to achieve all of the above.</u></p> <p><u>5.56A Active Travel comprises everyday journeys made by walking, wheeling (wheelchairs, scooters, adapted cycles), or cycling, aiming to make these low-carbon, healthy, and efficient transport choices for shorter trips, reducing car use and improving public health, air quality, and street life. Active travel is about creating communities where walking, wheeling, and cycling are safe, easy, and attractive alternatives to driving for everyday trips.</u></p>

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MM7	027 028 029 031	Policy SP7 Paragraph 5.67 Paragraph 5.68 Paragraph 5.68A Paragraphs 5.73 to 5.76	<p>Policy SP7: High quality homes</p> <p>This Local Plan supports significant growth in and around Stevenage to help meet needs across the market area. We will:</p> <ul style="list-style-type: none"> a. Provide at least 7,600 new homes within Stevenage Borough between 2011 and 2031, of which no fewer than 4,956 will be provided between 2024 and 2031. b. Deliver these through the sites and broad locations identified in this plan that allow for: <ul style="list-style-type: none"> i. <u>2,950</u> new homes in and around the Town Centre; ii. <u>1,350</u> new homes in a new neighbourhood on undeveloped land to the west of the town within the Borough boundary; iii. <u>1,350</u> new homes to the north and south-east of the town on land removed from the Green Belt; iv. <u>1,950</u> new homes elsewhere in the Borough; and v. 11 new, permanent Gypsy and Traveller pitches on a new site close to Junction 8 of the A1(M). c. Ensure at least 60% of new homes completed within the Borough boundary between 2011 and 2031 are on previously developed land. d. Make sure there is always enough land to build homes for the next five years. e. Support applications for housing development on unallocated sites where they are in suitable locations and will not exceed our environmental capacity. f. Build a full range of homes in terms of tenure, type and size. This plan positively addresses housing needs and existing imbalances in the housing stock by setting targets for: <ul style="list-style-type: none"> i. At least 20% of all new homes over the plan period to be Affordable Housing with an aspiration to deliver up to 40% affordable housing where viability permits;

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			<p>ii. An appropriate mix of housing sizes, in line with the most up-to-date evidence of need; and</p> <p>iii. At least 3% of new homes over the plan period to be 'aspirational' to deliver a more balanced housing stock; and</p> <p>iv. At least 1% of new homes on the urban extensions to be self-build.</p> <p>g. Supplement these homes through the provision of up to 200 bed spaces in supported accommodation subject to up-to-date evidence of need; and</p> <p>h. Work with North Hertfordshire District Council and, if necessary, East Hertfordshire District Council to ensure any homes provided on the edge of Stevenage but outside the Borough boundary are successfully integrated into the urban fabric of the town.</p> <p>5.67 The NPPF says that plans should normally meet the full, objectively assessed needs (OAN) for market and affordable housing in the housing market area. When the local plan was originally adopted in 2019, our evidence identifies a requirement for Stevenage of 7,300 homes over the period 2011-2031. This took <u>takes</u> into account migration trends over a 10-year period and also includes and adjustments in response to market signals in line with Government guidance.</p> <p>5.68 <u>This plan sets a target slightly above the identified level of OAN. This variously takes into account:</u></p> <ul style="list-style-type: none"> • <u>The acute need for affordable housing in the town. A modest increase in the target allows more homes in response to this pressure and particularly reflects the Council's emerging housebuilding programme which will deliver up to 100% affordable homes on sites in the Borough;</u> • <u>The fact that as people live for longer, and live in their own homes for longer, it may be appropriate to assume that more of their needs will be met in the normal housing stock;</u> • <u>Official Government household projections for the Borough;</u> • <u>The need to ensure development viability and set a challenging target that provides a clear signal that we are serious about delivering regeneration and change in the Borough; and</u> • <u>What we consider to be a reasonable and achievable rate of housing delivery.</u>

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			<ul style="list-style-type: none"> • <u>The partial review and update of the local plan identifies a requirement for 4,956 homes to be delivered over the remainder of the plan period (to 2031). This figure represents the overall plan period target of 7,600 homes minus the net housing completions from 2011 to 2024.</u> <p>5.68A <u>The housing requirement of the Plan is significantly above what would be required, using the National Planning Policy Framework’s standard housing methodology calculation.</u></p> <p>5.73 <u>Our most recent housing land study identifies sufficient sites within the Borough to meet our housing requirement to 2031. In trying to meet these needs, whilst ensuring sustainable development, we have chosen sites for development in the order shown below. The sites allocated in the 2019 version of the plan remain sufficient to meet our housing requirement to 2031. In trying to meet these needs, whilst ensuring sustainable development, we have chosen sites for development in the order shown below:</u></p> <ul style="list-style-type: none"> • Previously developed sites • Greenfield sites within the existing urban area • Greenfield sites outside of the existing urban area • Green Belt sites <p>5.74 <u>A technical paper has been produced to explain how we have decided which sites from the land availability assessment to take forward and allocate within this plan. how these sites will continue to meet the borough’s needs up to 2031.</u></p> <p>5.75 <u>Since 2011, 593 homes have been completed, and a further 1,758 are already in the planning process. This means that land for a further 5,249 homes need to be identified.</u></p>

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			<u>Locations</u>	<u>Minimum target 2011-2031</u>	<u>Already completed or permitted</u>	<u>Minimum still to be planned for to 2031</u>
			<u>In and around the town centre</u>	<u>2,950</u>	<u>950</u>	<u>2,000</u>
			<u>New neighbourhood to the west of the town</u>	<u>1,350</u>	<u>0</u>	<u>1,350</u>
			<u>New neighbourhoods to the north and south-east on land removed from the Green Belt</u>	<u>1,350</u>	<u>0</u>	<u>1,350</u>
			<u>Elsewhere within the Borough</u>	<u>1,950</u>	<u>1,401</u>	<u>549</u>
		<p>5.76 <u>National guidance encourages the reuse of land that has been previously developed (brownfield land). Since the start of the plan period around 85% of new homes and planning permissions (including prior approvals) have been on previously developed land (PDL). We also plan to redevelop a number of large PDL sites in the future, including the Town Centre and some of the Neighbourhood Centres. However, Stevenage has a limited supply of these sites, so we will also require a number of greenfield sites to be developed. Our evidence suggests that just over 45% of future housing could be built on PDL. Overall, we expect that approximately 60% of all housing completions over the period 2011-2031 will be on PDL. National guidance encourages the reuse of land that has been previously developed (brownfield land). We plan to redevelop a number of large PDL sites in the future, including the Town Centre and some of the Neighbourhood Centres. However, Stevenage has a limited supply of these sites, so we will also require a number of greenfield sites to be developed. Our evidence suggests that just over 43% of</u></p>				

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			<u>future housing could be built on PDL. Overall, we expect that approximately 43% of all housing completions over the period 2011 – 2031 will be on PDL.</u>
MM8	036	Policy SP11	<p>Policy SP11: Flooding, <u>drainage</u> and pollution</p> <p>We will work to minimise flood risk, <u>surface water run-off</u> and all forms of pollution. We will:</p> <ul style="list-style-type: none"> a. direct development to areas at the lowest risk of flooding through the application of a sequential approach; b. determine planning applications in accordance with national flood risk planning policies; c. ensure development utilises sustainable drainage systems wherever possible, with a preference for the most sustainable, surface SuDS features; d. recognise the multifunctional benefits of SuDS; i. protect existing flood storage reservoirs and require new flood storage reservoirs to be provided where appropriate; j. protect existing watercourses, including requiring their re-naturalisation, where appropriate; and k. ensure that development does not result in unacceptable harm to human health or the natural environment as a result of pollution.

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MM9	038 039	Policy CC1 Paragraphs 6A.1 to 6A.11	<p>6A Climate change</p> <p>Efficiency</p> <p>Policy CC1: Energy efficiency</p> <p>Development proposals must demonstrate how they will maximise reductions in greenhouse gas emissions, with consideration for the following:</p> <p><u>Where appropriate, major development proposals should aim to achieve net zero regulated operational emissions, with consideration for the following:</u></p> <ul style="list-style-type: none"> a. <u>The provision of demand-side energy efficiency measures;</u> b. <u>The provision of supply-side energy efficiency measures; and</u> c. <u>The adoption of ultra-low and zero carbon energy generation.</u> <p><u>The council will apply Policy CC1 to decisions on planning applications flexibly, in recognition of the fact that it may not always be appropriate to achieve net zero emissions.</u></p> <p><u>Any development proposal designed to be whole-life carbon net zero will be strongly supported.</u></p> <p>÷</p> <p><u>Major development</u></p> <p>Major development proposals (including large scale major development proposals) must achieve net zero regulated operational emissions:</p>

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			<p>At the application stage, an energy statement must be submitted to demonstrate how the proposal will meet the net zero target.</p> <p>Post permission, planning conditions will be used to ensure that the net zero target is met in practice.</p> <p><u>Large scale major development</u></p> <p>Outside of the town centre large scale major development proposals must also achieve net zero emissions during construction and demolition i.e be whole life carbon net zero.</p> <p>At the application stage, an energy statement, which includes a whole life cycle carbon (WLC) assessment, must be submitted to demonstrate how the target will be met.</p> <p>Post permission, planning conditions will be used to secure an updated WLC assessment, using actual emissions figures.</p> <p><u>Carbon offsetting</u></p> <p>Where it is clearly demonstrated that a development proposal cannot fully meet the relevant target on site, the shortfall may be offset by an alternative off site proposal but only where the proposal has already been identified and delivery is certain.</p> <p><u>6A.1</u> The council is committed to ensuring that Stevenage is net-zero carbon by 2030. Homes and workplaces account for a significant proportion of the borough's emissions and minimising these will be essential to meeting the 2030 target. For this reason, <u>new major developments must should aim to meet the emissions targets set by Policy CG1 achieve net zero regulated operational emissions where it is appropriate to do so.</u></p>

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			<p><u>6A.2 For the purposes of Policy CC1, “major development” has the meaning given in Annex 2 to the NPPF December 2023. Householder and minor development are excluded from the policy.</u></p> <p>The design, construction and operation of new buildings should be informed by the principles set out at the start of the policy. The priority is to implement demand-side efficiency measures before addressing supply-side efficiency measures and the production of clean energy.</p> <p><u>6A.3 “Net zero regulated operational emissions” will be achieved when the CO₂ emission rate for the development is equivalent to a 100% improvement on the Target Emission Rate determined using the Standard Assessment Procedure 10.2.</u></p> <p>Demand-side energy efficiency measures reduce the overall amount of energy required to operate and maintain a development. This includes energy conservation, monitoring, and the adoption of efficient design principles (e.g. those relating to the form, fabric and orientation of buildings).</p> <p><u>6A.4 The design, construction and operation of new buildings should be informed by the principles set out at the start of the policy. In achieving net zero regulated operational emissions, the priority is <u>should be</u> to implement demand-side efficiency measures before addressing supply-side efficiency measures and <u>finally</u>, the production of clean energy.</u></p> <p><u>6A.7 For the majority of developments, the production of clean energy is likely to involve the installation of solar panels but in some instances, there may be feasible alternatives. Where solar panels are considered, developers should be mindful of the benefits of combining them with green roofs to create bio-solar roofs.</u></p> <p>In practice, ensuring that the policy is effective will require the reporting of energy demand and emissions post construction. This should be done once for each development (or phase of development, where appropriate) at the earliest practicable opportunity following completion.</p>

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			<p><u>6A.8 Applicants for major development proposals will be expected to include details of how their proposal will comply with Policy CC1 as part of their submission. Major development proposals will be required to provide an energy statement which shows how the overall target net zero regulated operational emissions or a justified lower standard of operational emissions will be met achieved and the contribution made by each of the measures considerations listed under points (a) to (c) of the policy.</u></p> <p>Where the targets set by Policy CC1 cannot be wholly met on site, the calculated shortfall may be offset on a different site. However, the council will only consider this where the offsetting scheme has already been identified and its delivery can, for all intents and purposes, be guaranteed.</p> <p><u>6A.9 The council will apply Policy CC1 to decisions on planning applications flexibly, in recognition of the fact that it may not always be appropriate to achieve net zero emissions. This will include instances where doing so would not be technically feasible, would not be financially viable, or would otherwise compromise the delivery of sustainable development.</u></p> <p>If permission is granted for a proposal, planning conditions and/or a legal agreement will be used to secure any measures agreed at the application stage.</p> <p><u>6A.10 The council will also support any development which is designed to be whole life carbon net zero. This is achieved when a development results in net zero greenhouse gas emissions over its entire life and includes operational emissions as well as the emissions arising from construction and demolition.</u></p> <p><u>6A.11 Applicants who wish to demonstrate that a development will be whole life carbon net zero should do so by submitting a whole life carbon assessment produced in accordance with a nationally recognised standard (e.g. the RICS WLCA Standard).</u></p>

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MM10	040 041	Policy CC2 Paragraphs 6A.11 to 6A.20	<p>Policy CC2: Heating and cooling</p> <p><u>Where appropriate, all development proposals should minimise demand for energy-dependent air conditioning systems, with consideration for the following:</u></p> <ol style="list-style-type: none"> a. Balancing solar gain and solar shading b. Minimising internal heat generation c. Managing the heat within the building d. Providing passive ventilation e. Providing mechanical ventilaton <p>Major development proposals must demonstrate how buildings will be heated and cooled as part of an energy statement. Permission will be refused for proposals which rely on energy dependent cooling systems unless it is demonstrated that their use is essential.</p> <p><u>The council will apply Policy CC2 to decisions on planning applications flexibly, in recognition of the fact that it may not always be appropriate to minimise demand for active cooling systems. This will include instances where alternatives are not technically feasible, would not be financially viable, or would otherwise compromise the delivery of sustainable development.</u></p> <p>6A.1214 Climate change means Stevenage is already experiencing higher temperatures compared to the long-term average and more frequent severe heat events. For the majority of people, the impact of this is feeling uncomfortable or being unable to sleep but for vulnerable people, the impacts can be much more serious. <u>These impacts are often compounded by the urban heat island effect, where concentrations of buildings, hard surfacing and waste heat lead to increased local temperatures.</u> It is important that new development is designed to mitigate this <u>these</u> risks.</p> <p>6A.1312 Active Air conditioning systems have significant energy requirements and also require maintenance <u>typically require significant amounts of energy to operate and thereby contribute to</u></p>

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			<p><u>greenhouse gas emissions. They also usually expel waste heat to the external environment, which exacerbates the urban heat island effect. In this way, use of mechanical cooling systems can create a feedback loop, whereby higher temperatures drive greater cooling demand, further increasing emissions and local heat stress. In addition, mechanical cooling systems require regular maintenance and replacement over the life of a building, resulting in ongoing resource use.</u></p> <p><u>6A.1429 For these reasons, they air conditioning systems are usually not the most sustainable cooling solution. Instead, the risk of overheating should, first and foremost, be mitigated through building design. The most sustainable approach to managing overheating is usually to reduce cooling demand at source through passive design measures.</u></p> <p><u>6A.15 13The impacts of excessive cold can be just as serious as those of excessive heat and it is therefore important that buildings are suitably warm during periods of colder temperatures. Designing buildings to be cool during the summer only to require additional energy for heating during the winter would be counterproductive.</u></p> <p><u>6A.16 14Therefore, the challenge is to ensure that buildings remain comfortable and safe throughout the year, including during periods of extreme temperatures, without increasing whilst minimising energy demand for energy and other resources. Policy CC2 explains how new development should approach this challenge.</u></p> <p><u>6A.17 15The priority should be to balance the warming effects of the sun (i.e. solar gain) and the cooling effects of shade (i.e. solar shading). This can be done through careful consideration of building orientation, building fabric, and fenestration. High-albedo materials can be used to reflect sunlight where necessary, while green infrastructure, such as green roofs and walls, can also be used to great effect, acting as insulation during winter and providing cooling through evapotranspiration during summer.</u></p>

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			<p>6A.18 ¹⁶Following this, consideration should be given to minimising internal heat generation. This can be achieved through energy efficiency, which will limit the amount of waste energy being lost as heat.</p> <p>6A.19 ¹⁷The heat within buildings can be managed effectively through the use of high ceilings and exposed internal thermal mass. Both of these measures make buildings take longer to heat up, making them less susceptible to sudden temperature shocks.</p> <p>6A.20 ¹⁸For ventilation, passive or mechanical methods may be appropriate, depending on the approach to building design and site context. In any case, single-aspect dwellings should still be avoided as far as possible.</p> <p>6A.19 Policy CC2 recognises that in some instances, the use of active cooling systems may be unavoidable. This may include healthcare and laboratory settings, where precise temperature control is essential to the use. In these circumstances, the cooling systems should ideally be designed to reuse the waste heat that they produce.</p> <p>6A.21 The council also recognises that many of the borough's existing buildings were constructed at a time when the risk of overheating was not a significant design consideration and as a result, may be vulnerable to higher summer temperatures. In these circumstances, Policy CC2 seeks to ensure that passive alternatives, such as shutters or improved glazing, are considered ahead of mechanical cooling systems. However, it is not intended as a prohibition of such systems where they are genuinely necessary to maintain safe and comfortable living conditions.</p> <p>6A.22 ¹⁹In all cases where mechanical cooling systems are installed, these circumstances, the cooling systems <u>they</u> should ideally be designed to reuse <u>any</u> waste heat that they produce.</p> <p>6A.23 ²⁰ For major development proposals, applicants will be expected <u>should</u> include details of how Policy CC2 will be complied with as part of an energy statement at the point of application submission.</p>

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			<p>Applicants f For householder and minor development proposals, <u>a shorter technical note is likely to be more appropriate, and applicants need only provide this information if the proposals involve mechanical cooling.</u> will not need to submit an energy statement but will still be expected to comply with the policy by taking account of heating and cooling in the design of developments and avoiding reliance on energy dependent cooling systems.</p>
MM11	042 043	Policy CC3 Paragraphs 6A.23 to 6A.27	<p>Policy CC3: Water efficiency</p> <p>Development proposals involving the creation of new dwellings must ensure that water consumption does not exceed 110 litres per person per day, including external water use.</p> <p><u>Where appropriate, development proposals involving the creation of new dwellings must additionally incorporate should also provide</u> for rainwater harvesting schemes unless there is a clear and convincing reasons for not doing so.</p> <p><u>Where appropriate, all non-residential development must should</u> provide for the recycling of grey water unless there are clear and convincing reasons for not doing so.</p> <p><u>The Council will apply Policy CC3, insofar as it relates to rainwater harvesting and grey water recycling, to decisions on planning applications flexibly, in recognition of the fact that it may not always be appropriate for development to provide for such systems.</u></p> <p><u>Where appropriate,</u> development proposals which demonstrate water neutrality will be strongly supported.</p>

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			<p><u>6A.24</u> 6A.21 Stevenage lies in an area of severe water stress and water consumption is above the national average. With a growing population, it is therefore essential that we use our limited water resources more efficiently. For this reason, new development must comply with Policy CC3.</p> <p><u>6A.25</u> 6A.22 Proposals for new dwellings must ensure that wholesome water consumption does not exceed 110 litres per person per day. This aligns with the Building Regulations optional requirement G2(2)(b). Where planning permission is granted, planning conditions will be used to ensure that this target is met.</p> <p><u>6A.26</u> 6A.23 <u>Where appropriate, proposals for new dwellings must also incorporate should provide for rainwater harvesting, which is typically achieved by storing the water captured by gutters in a water butt schemes unless there are clear and convincing reasons for not doing so. This may include instances where it exceptionally difficult to install or impractical to maintain. Rainwater harvesting reduces demand on mains water supplies by substituting potable water with collected rainfall for appropriate non-potable uses, helping to conserve water resources and improve resilience to drought. By capturing water at source, it also reduces surface water runoff, easing pressure on drainage networks and lowering the risk of flooding.</u></p> <p><u>6A.27</u> 6A.24 <u>Where appropriate, all non-residential development must should provide for the recycling of grey water, which means treating the relatively clean wastewater from sources like basins, showers and laundry and re-using it for non-potable uses. Grey water recycling reduces demand on mains water supplies by reusing water that would otherwise be discharged to the sewer, helping to conserve water resources and improve resilience to water scarcity. It can significantly lower potable water consumption in buildings with high water use, reducing pressure on water infrastructure and associated energy use for water treatment and pumping. By decreasing wastewater volumes, grey water recycling can also reduce loads on sewerage networks unless there are clear and convincing reasons for not doing so. The council will consider this in the same way as rainwater harvesting for residential developments.</u></p>

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			<p>6A.28 6A.25 <u>The council will apply Policy CC3, insofar as it relates to rainwater harvesting and grey water recycling, to decisions on planning applications flexibly, in recognition of the fact that it may not always be appropriate for development to provide for such systems. This will include instances where it is not technically feasible, would not be financially viable, or would otherwise compromise the delivery of sustainable development. For the avoidance of doubt, financial cost will not, in and of itself, be accepted as a reason for failing to install rainwater harvesting or grey water recycling schemes. However, where the cost of installing these systems would demonstrably compromise other objectives in this plan (i.e. where a fully policy-compliant development is not viable), the council will seek to take a flexible and balanced approach to the requirements of Policy CC3.</u></p> <p>6A.29 6A.26 <u>Notwithstanding the mandatory requirements of the policy, all types of development are encouraged to limit water consumption and incorporate both rainwater harvesting and greywater recycling as far as possible. Water neutrality is achieved when the total water demand arising from new development is equal to or less than savings delivered by offsetting measures within the same water resource zone. The entirety of Stevenage Borough falls within the same water resource zone: WRZ 3 Lee in the South-East Region. Where a proposal can demonstrate water neutrality (i.e. not increasing demand for water abstraction above existing levels), the council will strongly support it by attributing weight in favour of granting permission.</u></p> <p>6A.27 <u>Where planning permission is granted, planning conditions will be used to secure any rainwater harvesting or greywater recycling measures agreed at the application stage.</u></p>

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MM12	044 045	Policy CC4 Paragraphs 6A.28 to 6A.31	<p>Policy CC4: Energy infrastructure</p> <p><u>Where appropriate</u>, development proposals which create, utilise, or facilitate connection to decentralised energy networks (DENs) or district heat networks (DHNs) will be strongly supported.</p> <p><u>Where appropriate, development proposals which incorporate</u> The use of ultra-low and <u>or</u> zero-carbon combined heat and power (CHP) systems, <u>or Intelligent Energy Systems (IES)</u> will also be strongly supported.</p> <p><u>Where appropriate</u>, developments that <u>which</u> produce local ultra-low and <u>or</u> zero-carbon renewable energy with surplus injected into the grid will <u>also</u> be strongly supported.</p> <p>The implementation of Intelligent Energy Systems (IES) is strongly encouraged.</p> <p><u>6A.30</u> 6A.28 Almost all of Stevenage's energy needs are currently met from outside of the borough, with electricity imported via the National Grid and pipelines supplying natural gas for heating. Work is underway to decarbonise the National Grid but this is not expected to be completed until 2035 and at present, only about 40% of UK electricity comes from renewable sources. It will be impossible to decarbonise heating without moving away from natural gas.</p> <p><u>6A.31</u> 6A.29 For these reasons, the council will strongly support development proposals that incorporate sustainable energy infrastructure. This includes DENs, DHNs, ultra-low and zero carbon CHPs, and renewable energy production which generates a surplus. Where these are proposed, the council will apply weight in favour of granting planning permission.</p> <p><u>6A.32</u> 6A.30 It is recognised that any large-scale proposals for renewable energy generation are likely to be located beyond the borough boundary. The council will, in principle, be supportive of such schemes</p>

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			<p>and will seek to work with neighbouring authorities, energy companies and developers to implement any necessary supporting infrastructure within the borough boundary.</p> <p>6A.33 6A.34 The council also strongly encourages developers to incorporate IES in their proposals. These are combinations of technologies which allow for the monitoring and management of energy usage, similar to smart meters but with a far greater level of detail. IES therefore acts as a tool to help understand and then reduce energy usage.</p>
MM13	046 047	Policy CC5 Paragraphs 6A.32 to 6A.34	<p>Policy CC5: Carbon sinks</p> <p>Development proposals should not result in the loss or deterioration of significant carbon sinks. Development proposals which deliver net gains in carbon sequestration and storage through the enhancement of existing carbon sinks or the provision of new carbon sinks will be strongly supported.</p> <p>6A.32 A carbon sink is anything which absorbs more carbon dioxide from the atmosphere than it releases. In Stevenage, grasslands, wetlands and woodlands are significant carbon sinks.</p> <p>6A.33 Some carbon sinks are already afforded a degree of protection by other policies in this plan. The council is also in the process of identifying specific carbon sinks within the borough and may, in the longer term, provide these with specific protection. In the interim, the contribution made by all significant carbon sinks to mitigating climate change will be recognised and proposals resulting in their loss or deterioration will be resisted on this basis.</p> <p>6A.34 In contrast, proposals resulting in net gains in carbon sequestration and storage through the enhancement of existing carbon sinks or the provision of new carbon sinks will be strongly supported.</p>

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MM14	048 049	Policy CC6 Paragraphs 6A.35 to 6A.39 (two paragraphs marked as 6A.39 in error)	<p>Policy CC6-CC5: Green roofs</p> <p>Where appropriate, development proposals which incorporate green roofs, blue-green roofs, bio-solar roofs or green walls will be strongly supported.</p> <p><u>6A.34 In Stevenage, the majority of land is already developed, which means that opportunities to provide new green space at ground level are often limited, especially in the town centre. As a result, roofs and vertical surfaces can play an important role in delivering green space and associated environmental benefits without placing additional pressure on scarce land resources.</u></p> <p>6A.35 Green roofs, also referred to as living roofs or sedum roofs, are rooftops covered by vegetation in a multi-layered system comprising a waterproof membrane, a substrate or growing medium and (usually) a drainage layer. Green roofs have a wide variety of benefits, including:</p> <ul style="list-style-type: none"> • sequestering carbon dioxide from the atmosphere; • delaying or reducing surface water run-off; • naturally treating surface water run-off before it is discharged; • increasing biodiversity by acting as a habitat; • insulating buildings during colder months; • cooling buildings through evapotranspiration during warmer months; • reducing the heat island effect in built-up areas; and • acting as a form of sound insulation <p>6A.36 In recognition of these benefits, Policy CC6 provides strong support for developments incorporating green roofs. This includes green roofs which have been combined with other technologies to deliver additional benefits.</p> <p><u>6A.36 6A.37 Blue roofs are roofs which store rainwater where it falls and then gradually release it through flow restrictor outlets. Although green roofs also naturally store rainwater, their effectiveness as a SuDS feature is limited by the fact that once the substrate is saturated, there is no control over the rate of</u></p>

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			<p><u>discharge. Blue-green roofs, as the name suggests, combine the benefits of blue and green roofs by providing an additional attenuation layer below the substrate and planted surface of the roof, with discharge rates then controlled by flow restrictor outlets.</u></p> <p><u>6A.37 6A.38 Green roofs and blue-green roofs are also compatible with solar panels. When designed properly, so-called biosolar roofs can actually improve the effectiveness of both the green roof (by providing shade) and the solar panels (by providing cooling).</u></p> <p><u>6A.38 Green walls are vegetated vertical building surfaces, typically consisting of climbing plants grown directly against a wall or supported by trellises, cables or mesh systems, or modular living wall systems in which plants are rooted in panels fixed to the building and supplied with water and nutrients. Green walls share many of the benefits of green roofs, although they are typically more difficult to install and maintain.</u></p> <p><u>6A.39 In recognition of the benefits provided by these systems, Policy CC5 provides strong support for developments incorporating green roofs, blue-green roofs, bio-solar roofs or green walls, where it is appropriate to do so. Appropriateness will vary between development proposals and will depend on a number of factors, most importantly whether green roofs or walls will be an effective means of achieving environmental benefits given the nature of the proposal and site context. They are most likely to be suitable on larger roof areas and developments in town centre or other highly constrained locations where opportunities for ground-level landscaping are limited.</u></p> <p><u>6A.40 6A.39 Given the wide array of potential benefits in providing green roofs, the council will take a flexible approach to visual considerations when proposals incorporating green roofs are assessed. Buildings which incorporate green roofs are currently the exception rather than the rule and to facilitate more widespread adoption, some degree of divergence from established character is likely to be necessary. However, applicants should note that this does not necessarily entail greater acceptance of flat roof designs, since solutions for pitched green roofs are now widely available.</u></p>

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			<p><u>6A.41</u> 6A.39 Visual considerations will be of greater importance where a site is located in an especially sensitive location or where there would be additional related impacts, for example on heritage assets. It is expected that proposals involving listed buildings or within conservation areas will generally not utilise green roofs but the council will support them where they are incorporated sensitively.</p>
MM15	050 051	Policy CC7 Paragraphs 6A.56 to 6A.60	<p>Policy CC7 CC6: The green economy</p> <p><u>Where appropriate</u>, development proposals which demonstrate consistency with the principles of a circular economy will be strongly supported.</p> <p><u>Where appropriate</u>, development proposals involving the provision of new local green jobs during the construction or operational phases will be strongly supported.</p> <p>Development proposals involving the loss of existing allotments, orchards, gardens and food markets will be refused unless there is clear and convincing justification. Where appropriate, development proposals involving their the provision or enhancement of existing allotments, orchards, gardens and food markets will be strongly supported.</p> <p><u>6A.42</u> 6A.56 A circular economy is one where materials are retained in use at their highest value for as long as possible, with minimal residual waste. A move to a more circular economy will save resources, increase the resource efficiency of businesses and help to drive down greenhouse gas emissions. For these reasons, the council will support development proposals which demonstrate consistency with the principles of a circular economy by applying weight in favour of granting permission.</p> <p><u>6A.43</u> 6A.57 In practice, the adoption of circular economy principles in development will mean designing buildings to be adapted, reconstructed and deconstructed. This is to extend the life of buildings and allow for their materials to be salvaged for reuse or recycling. How site waste is dealt with during demolition and construction will also be a key consideration. To this end, it is expected that applications for major</p>

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			<p>development will be accompanied by a site waste management plan. <u>Stevenage is a densely developed, growth-focused New Town with limited land availability and rising pressures on infrastructure, materials, energy and waste services. Supporting the provision of green jobs through development aligns with both Local Plan objectives and the Council’s wider corporate commitments.</u></p> <p><u>6A.44 6A.58</u> The definition of “local green jobs” is provided in appendix D to this plan. Development proposals resulting in the provision of new local green jobs will be strongly supported by the council, particularly where the positions would be filled by Stevenage residents. <u>In Stevenage it is estimated that 899 green jobs will be required by 2030, rising to 1,552 by 2050. These jobs include low carbon electricity, low carbon heat, alternative fuels, energy efficiency, low carbon services, and low emission vehicles and infrastructure.</u></p> <p><u>6A.45 6A.59</u> Producing food sustainably will also be an important component of the transition to a green economy. Producing food locally will reduce the greenhouse gas emissions associated with its transportation and processing, as well as reducing food waste and generally providing better nutrition. For these reasons, proposals that would reduce the borough’s ability to produce its own food will be refused unless there is clear and convincing justification. This is likely to be limited to instances where it would deliver overriding benefits when assessed against the objectives of this plan as a whole. Conversely, proposals that would increase local food production in appropriate locations through the provision or enhancement of allotments, orchards and gardens will be strongly supported.</p> <p><u>6A.46 6A.60</u> Food that is grown locally also requires space to be sold locally. For this reason, the council will apply similar protections to food markets and will strongly support the provision or enhancement of food markets in appropriate locations.</p>

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MM16	063	Policy TC2	<p>Policy TC2: Southgate Park Major Opportunity Area</p> <p>Within the Southgate Park Major Opportunity Area, as defined on the Policies Map, planning permission will be granted for:</p> <ul style="list-style-type: none"> a. High-density Use Class C3 residential units; b. New multi-storey or basement car parking; c. New Use F.1/F.2 <u>public services</u> civic-hub; d. A linear park running east-west parallel to Six Hills Way; and e. A new primary school on the Eastgate car park <p>7.23 Stevenage's original police station, The Towers residential block and its associated car parking, the Southgate Health Centre, NHS Southgate West, the central library, the Borough Council's Southgate surface car park, Matalan and The Plaza are the current principal uses in this area. <u>The planning application for the SG1 development references a public services hub.</u></p>
MM17	064 065	Policy TC3 Paragraph 7.30	<p>Policy TC3: Centre West Major Opportunity Area</p> <p>Within the Centre West Major Opportunity Area, as defined on the Policies Map, planning permission will be granted for:</p> <ul style="list-style-type: none"> a. High-density Use Class C3 residential units; b. <u>Appropriate uses for main town centres as defined in Annex 2 of the NPPF</u> b. Replacement Use Class E(b) restaurant and cafe, E(d) indoor sport and recreation, and sui generis leisure, bar and entertainment uses; c. New multi-storey or basement car parking; 95 d. New Use Class E(g)(i) office premises;

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			<p>e. New de minimis (by volume) Use Class E(a) shop units sufficient to serve the day-to-day convenience retail needs of the residents of Centre West;</p> <p>f. A new Use Class C1 hotel, with ancillary conference facilities, close to the train station;</p> <p>c. A taxi rank; and</p> <p>d. A series of interlinked public squares and open spaces;</p> <p><u>7.30A For the purposes of Policy TC3, “Main Town Centre Uses” has the meaning given in Annex 2 to the NPPF December 2023.</u></p>
MM18	066 067 068 069 070 071	Policy TC4 Paragraph 7.36 Paragraph 7.38 Paragraphs 7.38A to 7.38F Paragraph 7.39 Paragraphs 7.39A to 7.39E	<p>Policy TC4: Station Gateway Major Opportunity Area</p> <p>Within the Station Gateway Major Opportunity Area, as defined on the Policies Map, planning permission will be granted for:</p> <p>a. A regenerated train station;</p> <p>b. High-density Use Class C3 residential units;</p> <p>c. New Use Class E(g)(i) office premises;</p> <p>d. A new Use Class C1 hotel;</p> <p>e. New Use Class E(a) <u>retail</u> and Use Class E(b) restaurant and cafe uses; and</p> <p>f. New Use Class E(g)(ii) research and development.</p> <p>g. <u>Appropriate uses for a main town centre (as referenced in Annex 2 of the NPPF December 2023), including and not limited to, F1 Use Class.</u></p> <p><u>A comprehensive and deliverable developer led Strategic Masterplan for the entire allocation is to be prepared and agreed between the landowner/developer and the Council which should address the following design and land use principles Applications should address the following design and land use principles:</u></p>

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			<ul style="list-style-type: none"> i. <u>High-quality gateway and arrival experience to create a positive image of Stevenage for all visitors.</u> ii. Major reconfiguration of Lytton Way between Fairlands Way and Six Hills Way to incorporate sustainable travel and improved connectivity in all forms of travel; iii. <u>The creation of Greeting</u>-an exemplar, low carbon “urban village” with climate change consideration in all developments; iv. Demolition of the Arts & Leisure Centre to facilitate better east-west integration and create new development sites in the environs of the train station; v. The provision of replacement sports and theatre facilities elsewhere within Stevenage Central; vi. A significantly regenerated and enlarged high quality dual-frontage train station with associated facilities; vii. New public squares and the inclusion of green infrastructure on the eastern and western frontages of the train station; viii. High-quality, mixed-use developments within close to short walking distance of the train station to unlock economic and employment opportunities; ix. Improved cycle connectivity and <u>short stay</u> parking plus drop-off space to specifically serve train customers; x. Celebrate the heritage of the town in the fabric, layout and design of the Station Gateway; xi. Establishment of an attractive east - west pedestrian route across the East Coast Main Line; <p><u>7.36A Any application as part of the site will be assessed against its contribution to the Strategic Masterplan and must not prejudice the implementation of the site as a whole.</u></p> <p><u>7.36B For clarity, the following terms are defined as they are used in this policy:</u></p>

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			<ul style="list-style-type: none"> • <u>Urban Village: “Urban village” refers to creating a mixed-use neighbourhood around the railway station — combining homes, workspaces, shops, leisure, and public spaces in a walkable, community focused environment.</u> • <u>Stevenage Central: Is defined as the <i>primary town centre area</i> — the shopping precincts, civic buildings, and surrounding public spaces.</u> • <u>Dual Frontage: A dual frontage train station means a station that has two main entrances or “front doors”, each facing different sides of the surrounding urban area. In the context of Policy TC4, this principle is about ensuring the station is not just enlarged and modernised, but also designed to connect both the town centre side and the opposite side of the railway tracks.</u> • <u>New Public Square: This term is used to describe an open, accessible urban space designed for people to gather, move through, and enjoy in terms of the station and beyond. Its purpose acts as a focal point for community life, events, and social interaction; examples include (and are not limited to) paved areas, seating, lighting, landscaping, and sometimes fountains or public art; the function in the Station Gateway is to create welcoming entrances on both sides of the station; provide space for people to meet, wait, or host community activities; and improve the station’s identity as a civic landmark, not just a transport hub.</u> <p><u>7.36C Creating an attractive, healthy and memorable Station Gateway area will lay the foundation for high-quality mixed-use development that maximises the station’s potential and benefits the wider town.</u></p> <p>7.36 The Station Gateway area currently comprises the 1970s train station, the Arts and Leisure Centre (including the Gordon Craig Theatre), a series of surface level car parks and the southern section of Lytton Way. The train station is one of the top three busiest stations in Hertfordshire, alongside St Albans and Watford Junction. To ensure that such facilities continue to meet local shopping needs we will consider removing Permitted Development rights and / or using legal agreements under Policy SP4 to retain any new units in E(a) <u>retail</u> use.</p>

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			<p>7.38B Since 2019, ongoing work has been commissioned to review the needs of the area. The Stevenage Station Gateway Area Action Plan (AAP) resulted from a holding direction placed on the Stevenage Borough Local Plan in 2017. This led to two rounds of consultation in 2021 and 2023 to review the vision and proposals for the area. <u>Work is ongoing to prepare a masterplan for the opportunity area. This will provide a clear, long-term vision that guides regeneration, sets development principles, and coordinates investment in housing, jobs, infrastructure, and public spaces. It will act as both a design framework and a delivery tool, ensuring that growth is sustainable, inclusive, and well-integrated. The AAP will no longer be pursued; the masterplan will utilise the work undertaken to date.</u></p> <p>7.38C Within this policy context, high-level policy <u>principles</u> objectives were developed which align with the Local Plan and national policy direction for the AAP to respond to. These include:</p> <ul style="list-style-type: none"> • A new gateway and arrival experience; • Creating an exemplar, low carbon “urban village”; • Sustainable travel considered throughout; • Mixed-use development to unlock economic opportunity; • Blue-green infrastructure in the public realm; • Climate change consideration in all development decisions; • Design of the highest architectural standards; • Celebrating the heritage of the town; and • Making the most of digital connectivity and high-speed broadband. <p>7.38D Climate change is one of the most important objectives for the AAP to respond to. The Council declared a climate emergency in June 2019 and reconfirmed a commitment to tackling climate change and its impacts by setting a target to ensure that Stevenage has net zero carbon emissions by 2030. Added to this, the Government has strategic targets to have net zero emissions by 2050. The Council has been proactive in producing a Climate Change Strategy and outlined a Climate Change Action Plan. Both</p>

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			<p>the Strategy and Action Plan are being updated to ensure that the Council’s commitment to battling climate change is kept at the top of its priorities.</p> <p>7.38E The high level, strategic options proposed for the area included within the AAP will be strongly influenced by the masterplan for the SG1 development, which lies to the east and within the town centre. Connections to this development and connections through into the town square and central area will form the emerging physical context within which the AAP sits.</p> <p><u>7.38E 7.38F</u> The Station Gateway area of Stevenage is a key location for economic competitiveness. Other locations which are a similar time distance away from London terminals are seeing considerable commercial growth, for example Reading, Slough, Milton Keynes and Croydon. Stevenage is perfectly placed in terms of mobility, and already hosts major international companies in the Gunnel Wood Industrial Area as well as GlaxoSmithKline (GSK) to the south, a major pharmaceutical company</p> <p>7.39 A high quality major mixed-use redevelopment around the train station that addresses these concerns is necessary to meet the growing expectations of a rising population and the international business community located in the Borough. Such schemes will enable the station to have an improved concourse and booking facilities, easy and improved accessibility for all pedestrians, introduce a customer-focused retail offer of an appropriate scale, create two passenger-friendly faces (to the Central Core and to Centre West MOAs) and to have active ground floor frontages. Taxi and <u>short stay parking drop-off facilities</u> should be <u>considered</u> designed with the proposals set out in the AAP and provide connectivity with the bus station and multi-storey car park to meet the growing needs of train passengers.</p> <p><u>7.39A The Station Gateway Major Opportunity Area will serve as a catalyst for the transformation of Stevenage, delivering a modern, dual frontage station, high quality public realm, and a balanced mix of homes, jobs, and cultural facilities. Development proposals should demonstrate how they contribute to an exemplar low carbon “urban village,” integrate sustainable travel, and celebrate the heritage of the town. By aligning with the Council’s Strategies, schemes brought forward under this policy will not only meet the</u></p>

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			<p><u>immediate needs of rail users and residents but also secure long-term economic competitiveness, resilience, and a renewed identity for Stevenage as a thriving regional centre.</u></p> <p>The AAP, through two rounds of consultation, has set out 4 “high-level” options or scenarios for the area adjacent to Stevenage Railway Station incorporating the section of Lytton Way, between Swingate and Danesgate:</p> <ul style="list-style-type: none"> • Option 0 – Do nothing. • Option 1 – All traffic modes: reduces the central area of Lytton Way between Swingate and Danesgate to a single carriageway suitable for all modes of traffic. • Option 2 – Bus and Taxi only: reduces the central area of Lytton Way between Swingate and Danesgate to a single carriageway and restricts movement to buses and taxis only. • Option 3 – Pedestrianised Plaza: removes regular vehicle movement from the front of the station and Lytton Way ceases to be a through-route. An access through-route is retained for emergency vehicles needing to access and egress the station and immediate environs. <p>7.39B There were two proposed cycle path options in the AAP. Potential Layout 1 retains the existing cycle route, running alongside the railway line and at the extreme western edge of the AAP site boundary and adds a cycle route alongside Lytton Way. Potential Layout 2 removes the existing cycle route and replaces it with a cycle route alongside Lytton Way.</p> <p>7.39C The proposed reconfiguration of Lytton Way is a bold idea but the options look to flexibility. The Preferred Options AAP presented the preferred approach as Option 2, but with flexibility to progress to Option 1 or Option 3 as and when circumstances developed. Potential Layout 1 for the cycle path option was taken forward in the Preferred Options AAP, as the preferred cycle layout.</p> <p>7.39D All proposed options for the reconfiguration of Lytton Way have a set of core enhancements, primarily in the northern and southern zones of the AAP area, north of Swingate and south of Danesgate. Further details can be viewed within the Stevenage Station Gateway Area Action Plan: Preferred Options</p>

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			<p>Report (2023)⁶⁶.</p> <p>7.39E Creating an attractive, healthy, memorable and enjoyable place in the Station Gateway area will provide the seeds for high quality mixed-use development to come forward and make the most of the station area and contribute widely across the town.</p>
MM19	073 074	Policy TC5 Paragraph 7.43	<p>Policy TC5: Central Core Major Opportunity Area</p> <p>Within the Central Core Major Opportunity Area, as defined on the Policies Map, planning permission will be granted for:</p> <ol style="list-style-type: none"> a. High-density Use Class C3 residential units; b. New Use Class E(a), E(b) <u>as within Main Town Centres Uses as defined by the NPPF; and sui generis which will be assessed on a case-by-case for their impact on vitality, amenity, and sustainability shop, bar, restaurant and café uses.</u> c. New multi-storey or basement car parking; d. New Use Class E(g)(i) office premises; e. New Use Class F.1 and E(d) leisure, cultural and civic uses, including a replacement theatre and museum; and f. Signature public spaces <p>Applications should address the following design and land use principles:</p> <ol style="list-style-type: none"> i. A replacement bus station, closer to the train station; ii. A southern extension to the Westgate Centre, containing in the order of 4,700m² additional comparison floorspace, facing onto an enlarged Town Square; iii. A continuation of the east - west pedestrian route linking Town Square with the train station; iv. Continuing preservation and enhancement of the Town Square Conservation Area;

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			<ul style="list-style-type: none"> v. Provision will be made for new green space within an enlarged Town Square; vi. A new municipal theatre and art gallery on the north-eastern edge of the enlarged Town Square; vii. New development should include active ground floor frontages to principal streets; viii. The layout of new streets and squares should facilitate east-west pedestrian access and create sequential views and vistas between the train station and Town Square; ix. High quality development with landmark buildings in appropriate locations, including fronting onto Town Square; x. High-rise buildings; and xi. Heritage assessment and design work to preserve and enhance the significance of the Town Square Conservation Area and the contribution made by its setting. <p><u>7.43A For the purposes of Policy TC5, “Main Town Centre Uses” has the meaning given in Annex 2 to the NPPF December 2023.</u></p> <p>7.43 The Central Core currently comprises the buildings surrounding Town Square, the Borough Council's Danestrete and Swingate offices, Mecca bingo, the magistrates courts, surface car parking and Use Class E(a) <u>retail shops</u>, E(c)(i) financial services and E(c)(ii) professional services uses. To ensure that such facilities continue to meet local shopping needs we will consider removing Permitted Development rights and / or using legal agreements under Policy SP4 to retain any new units in E(a) use.</p>

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MM20	075 076	Policy TC6 Paragraph 7.50	<p>Policy TC6: Northgate Major Opportunity Area</p> <p>Within the Northgate Major Opportunity Area, as defined on the Policies Map, planning permission will be granted for:</p> <ul style="list-style-type: none"> a. High-density Use Class C3 residential units; b. New Use Class E(g)(i) office premises; c. New Use Class E(a), E(b) <u>as within Main Town Centres Uses as defined by the NPPF and sui generis which will be assessed on a case-by-case for their impact on vitality, amenity, and sustainability shop, bar, restaurant and café uses.</u> d. Replacement Use Class E(a) major foodstore; e. New multi-storey or basement car parking; f. Replacement cycle and pedestrian footbridge between Ditchmore Lane and Swingate; and g. Signature public spaces. <p><u>7.50A For the purposes of Policy TC6, “Main Town Centre Uses” has the meaning given in Annex 2 to the NPPF December 2023.</u></p> <p>7.50 Northgate currently includes the Tesco Extra store and its associated large surface car park, servicing and filling station, together with the Saffron Ground office building. To ensure that such facilities continue to meet local shopping needs we will consider removing Permitted Development rights and / or using legal agreements under Policy SP4 to retain any new units in E(a) <u>retail</u> use.</p>

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MM21	077 078	Policy TC7 Paragraph 7.54	<p>Policy TC7: Marshgate Major Opportunity Area</p> <p>Within the Marshgate Major Opportunity Area, as defined on the Policies Map, planning permission will be granted for:</p> <ul style="list-style-type: none"> a. High-density Use Class C3 residential units; b. New Use Class F.1 and E(d) leisure, cultural and civic uses; c. New Use Class E(a), E(b) <u>as within Main Town Centres Uses as defined by the NPPF and sui generis which will be assessed on a case-by-case for their impact on vitality, amenity, and sustainability shops, bar, restaurant and café uses.</u> d. New multi-storey or basement car parking. <p>Applications should address the following design and land use principles:</p> <ul style="list-style-type: none"> i. Rejuvenation through new retail units and public realm improvements, including the northern underpass to Town Centre Gardens; ii. Replacement retail units at the eastern end of The Forum connecting to a new surface-level pedestrian crossing of St George's Way to link with the new leisure complex and Town Centre Gardens; iii. Active retail frontages along St George's Way to redefine the eastern edge of the Town iv. Centre; v. New high-density residential development along St George's Way, orientated to have views over Town Centre Gardens; vi. A new sports/swimming complex with an interactive frontage onto Town Centre Gardens; vii. Creation of a critical mass of uses and activities to stimulate greater day-to-day and event use of Town Centre Gardens; and viii. Heritage assessment and design work to preserve and enhance the significance of the Town Square Conservation Area and the contribution made by its setting.

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			<u>7.54A For the purposes of Policy TC7, “Main Town Centre Uses” has the meaning given in Annex 2 to the NPPF December 2023.</u>
MM22	079	Policy TC8 New Paragraph 7.61A	<p>Policy TC8: Town Centre Shopping Area</p> <p>The spatial extent of the Town Centre Shopping Area (TCSA) is defined on the policies map. Within the TCSA, uses appropriate to a town centre <u>falling with the definition of ‘main town centre uses’ in NPPF Annex 2 glossary will be permitted</u> will be permitted at ground floor level, including Use Classes E and C1, as well as some other sui generis uses.</p> <p><u>7.61A The Town Square Conservation Area, which falls within Stevenage’s Town Centre Shopping Area (TCSA) — is located around the Clock Tower and Town Square. Heritage assets are worthy of protection in all cases where they would be affected by development, regardless of their location or the nature of the proposal. This is reflected in national policy and in Local Plan policies SP13 and (specifically for Conservation Areas) Policy NH10.</u></p>
MM23	081	Policy TC9	<p>Policy TC9: High Street Shopping Area</p> <p>The spatial extent of the High Street Shopping Area (HSSA) is defined on the policies map.</p> <p>Within the HSSA, planning permission for development of a scale appropriate to the High Street's location in the retail hierarchy and <u>falling within the definition of ‘main town centre use’ in the NPPF Annex 2 except for hot food takeaway uses which falls into Use Classes E, C1, C3, F.1 or F.2 will be granted where it:</u></p>

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MM24	086	Paragraph 7.70	7.70 A site on Graveley Road, currently already in Class E(a) use as a garden centre, is identified to accommodate such a large store. The northern tip of the garden centre site lies in North Hertfordshire District: as it is outside of the Borough, this local plan cannot allocate that part of the site. Given the fact that there is no immediate need for additional floorspace, and allowing for construction and trading establishment, we will entertain a planning application for this store from 2018 onwards. This new store should not be trading before 2023. Although on the northern edge of the Borough, this store will be well located in respect of the new neighbourhood North of Stevenage (see Policy HO3). Also, there are no alternative sites capable of accommodating a store of the required size. In order to avoid potential adverse impacts upon the existing retail demand, this site will be re-examined at a full review to ensure existing and future need for convenience has been updated to reflect changes since the plan was adopted.
MM25	087	Paragraph 7.75	7.75 Because of the very significant quantum of out-of-centre comparison floorspace, and its adverse impact upon the vitality and viability of the Town Centre Shopping Area, the Borough Council will also resist any proposals to relax or remove conditions controlling the type of goods that can be sold from existing out-of-centre comparison units. In order to avoid potential adverse impacts upon the existing retail demand, this policy will be re-examined at a full review to ensure existing and future need for convenience has been updated to reflect changes since the plan was adopted.
MM26	090	Policy IT1	<p>Policy IT1: Strategic development access points</p> <p>The preferred vehicular access points to strategic development sites from the existing road network are shown on the policies map:</p> <ul style="list-style-type: none"> To land west of Stevenage via the existing road network at Bessemer Drive and Meadway; To land north of Stevenage from B197 North Road approximately 250 metres north of the junction with Granby Road;

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			<ul style="list-style-type: none"> • To land south-east of Stevenage from a new roundabout on the A602 approximately 200 metres east of the junction with Bragbury Lane; • To Stevenage Leisure Park from Argyle Way and Six Hills Way; and • To Stevenage town centre from reconfigured junctions between: <ul style="list-style-type: none"> ○ Fairlands Way and Lytton Way; and ○ Six Hills Way, Lytton Way and London Road <p>Planning permission will be granted where proposals demonstrate:</p> <ol style="list-style-type: none"> a. That these preferred access points have been incorporated into the scheme design; b. That new junctions adequately consider the needs of all users, including bus priority, and. <u>This includes, but is not limited to, pedestrians, cyclists, horse riders, mobility scooter users, wheelchair users, and other groups requiring safe and accessible movement. Development proposals should ensure that infrastructure improvements and design standards support inclusivity across this broad spectrum of users;</u> and c. For the development areas to the north and west of Stevenage, how they would integrate with any future phases of development beyond the Borough boundary. <p>Alternative access points and solutions will be permitted where they are demonstrably preferable in highway terms.</p>

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MM27	093 094	Policy IT4 Paragraph 8.26	<p>Policy IT4: Transport assessments and travel plans</p> <p>Planning permission will be granted where:</p> <ol style="list-style-type: none"> a. Development would not have an unacceptable <u>adverse</u> impact upon highway safety; b. Development reflects the principles of the Stevenage Mobility Strategy; c. Schemes exceeding the relevant thresholds are accompanied by a satisfactory Transport Statement or Assessment, which demonstrates that the residual cumulative impacts of development are not severe; and d. Developments exceeding the relevant thresholds are accompanied by an acceptable (green) travel plan. <p>8.26 The County Council, as highway authority, support the use of Transport Statements and Transport Assessments to assess the impact of new development upon the wider network as well as being a means to ascertain internal infrastructure needs. Guidance sets out the thresholds at which these are presently required <u>Highways Place and Movement Planning Design Guidance for Hertfordshire(HCC, 2024)</u>. Site-specific circumstances might result in an assessment or statement being requested for developments below these:</p>
MM28	098	Paragraph 9.2A	<p>9.2A The partial review and update of the local plan identifies a requirement for 4,956 homes to be built from 2024 to the end of the plan period in 2031. This figure represents the overall plan period target of 7,600 homes minus the net housing completions from 2011 to 2024.</p>
MM29	099	Paragraph 9.3	<p>9.3 Policy HO1 <u>includes</u> continues to include sufficient sites to meet the target, whilst also allowing for some flexibility if any of these sites do not come forward. Sites have been allocated where we think at least five homes can be built. A technical paper explains why this is the case.</p>

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MM30	100 101	Policy HO2 Paragraph 9.21A	<p>Policy HO2: Stevenage West</p> <p>Land to the west of Stevenage, as defined by the policies map, is allocated for the development of approximately 1,350 dwellings.</p> <p>A Masterplan for the whole site will be required as part of any planning application. The Masterplan must be approved prior to the submission of detailed development proposals for the site.</p> <p>Development proposals will be permitted where the following criteria are met:</p> <ol style="list-style-type: none"> a. The applicant can demonstrate that development can be expanded beyond the Borough boundary in the future, into safeguarded land within North Hertfordshire; b. The development incorporates employment floorspace of 10,000m², in accordance with Policy EC1; c. Improvements to existing access routes across the A1(M), via Bessemer Drive and Meadway, are provided, which link effectively into the existing road, cycleway and pedestrian networks; d. The scheme is designed to encourage the use of sustainable modes of transport; e. An appropriate buffer to mitigate against noise impacts from A1(M) is included; f. At least 5% aspirational homes are provided in line with Policy HO9; g. Plots to accommodate at least 1% new homes are made available for self-build purposes; h. <u>30-40% affordable housing is provided in accordance with Policy HO7;</u> i. Provision for supported or sheltered housing is made in line with Policy HO10; j. A primary school is provided in line with the most up-to-date evidence of need; k. Local facilities to serve the community are incorporated, including a GP surgery, subject to demand; l. Sports facilities are provided on-site, in line with Policy HC8, including, but not limited to: <ol style="list-style-type: none"> i. A skate park or MUGA for children; and

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			<ul style="list-style-type: none"> ii. Land to accommodate a new cricket facility; m. A full archaeological assessment is undertaken; n. A full flood risk assessment is undertaken; o. The scheme incorporates a network of green infrastructure, with an emphasis on high quality landscaping within and around the development to reduce the impact of the development on the surrounding greenfield / Green Belt land; p. Existing Public Rights of Way retained and incorporated, where possible; q. The impact of noise pollution from London Luton Airport is mitigated; and <p>9.21A The partial review and update of the local plan introduces an uplift in the proportion of affordable houses required on greenfield sites. However, planning permission has already been granted for the Stevenage West site. For this reason, the affordable housing requirement for the Stevenage West site remains at the level set in the 2019 version of the plan i.e. 30%.</p>
MM31	102 104	Policy HO3 Paragraph 9.34A	<p>Policy HO3: North of Stevenage</p> <p>Land to the North of Stevenage, as defined by the policies map, is allocated for the development of approximately 800 dwellings.</p> <p>A Masterplan for the whole site will need to be submitted as part of an outline planning application. The Masterplan must be approved prior to the submission of detailed development proposals for the site.</p> <p>Development proposals will be permitted where the following criteria are met:</p> <ul style="list-style-type: none"> a. The applicant can demonstrate that development can be expanded beyond the Borough boundary, and fully integrated with a wider, cross-boundary scheme;

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			<ul style="list-style-type: none"> b. Satisfactory vehicular access is provided. At least two access points to and from the site will be required, which link effectively into the existing road, cycleway and pedestrian networks; c. The scheme is designed to encourage the use of sustainable modes of transport; d. At least 5% aspirational homes are provided in line with Policy HO9; e. Plots to accommodate at least 1% new homes are made available for self-build purposes; f. 30-40% affordable housing is provided <u>in accordance with Policy HO7</u>; g. Provision for supported or sheltered housing is made in line with Policy HO10; h. Local facilities to serve the community are incorporated, including a GP surgery, subject to demand; i. A primary school is provided in line with the most up-to-date evidence of need; j. A skate park or MUGA for children is provided on-site; k. A full archaeological assessment is undertaken; l. A full flood risk assessment is undertaken; m. The proposal seeks to preserve or enhance the conservation area, including the setting of adjacent listed buildings. The following mitigation measures should be incorporated; <ul style="list-style-type: none"> i. As much of the requirement for aspirational homes (criteria d) as possible should be met on the part of the site that lies within the conservation area. Development within this area should also be heavily landscaped to reduce the visual impact of development; ii. Existing hedgerows should be maintained and additional screening implemented to reduce the visual impact of the development; iii. Tall buildings will not be permitted. Building heights will be a maximum of two storeys within the eastern part of the site; iv. No vehicular access to the site will be permitted from the east of the site, across the open fields; v. Existing Public Rights of Way are retained and designed into the development, where possible, and diverted where necessary; and

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			<p>vi. Building styles and layout within the conservation area to the east of the site should reflect the key features of the conservation area.</p> <p>n. The scheme incorporates a network of green infrastructure, with an emphasis on high quality landscaping within and around the development to reduce the impact of the development on the surrounding greenfield / Green Belt land;</p> <p>o. An appropriate buffer around existing power lines is incorporated; and</p> <p>p. Electric car charging points are provided at an easily accessible location within the site</p> <p>As part of any development proposal, we will require the open space to the east of the boundary to be retained as such, either via a Legal Agreement or through the transfer of land to the Borough Council.</p> <p>9.34A The partial review and update of the local plan introduces an uplift in the proportion of affordable houses required on greenfield sites. However, planning permission has already been granted for the North of Stevenage site. For this reason, the affordable housing requirement for the North of Stevenage site remains at the level set in the 2019 version of the plan i.e. 30%.</p>
MM32	111	<p>Policy HO10</p> <p>New Paragraph 9.85A</p>	<p>Policy HO10: Sheltered and supported housing</p> <p>Planning permission for sheltered and supported housing schemes will be <u>supported</u> granted where they comply with other relevant policies in this plan.</p> <p>On large developments in excess of 200 units, an element of sheltered or supported accommodation within use classes C3 should be provided where practicable as part of the general housing mix requirements of Policy HO9. The new neighbourhoods to the north and west of Stevenage should additionally include an element of accommodation in use class C2 as part of a comprehensive offer.</p>

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			<p>Schemes that would result in a net loss of sheltered or supported housing will not normally be permitted.</p> <p><u>9.85A The council will apply Policy HO10 to decisions on planning applications flexibly. This will include instances where doing so would not be technically feasible, would not be financially viable, or would otherwise compromise the delivery of sustainable development.</u></p>
MM33	113 115 117	Policy HO11 Paragraph 9.87A to 9.87E Paragraph 9.89	<p>Policy HO11: Accessible and adaptable housing</p> <p>At least 10% of dwellings within major residential developments to which Part M of the Building Regulations applies should comply with optional standard M4(3)(2)(b) for wheelchair user dwellings, with a further 40% complying with optional standard M4(2) for accessible and adaptable dwellings.</p> <p><u>The Council will apply Policy HO11 to decisions on planning applications flexibly, in recognition of the fact that it may not always be appropriate to provide M4(2) or M4(3) dwellings.</u></p> <p>Minor residential developments which meet these standards will be strongly supported.</p> <p>9.87A <u>Building Regulation M4(1) is mandatory for all new dwellings unless a planning condition requires compliance with one of the optional requirements M4(2) or M4(3). Where requirement M4(3) applies, a dwelling may either be designed to be readily adapted to the needs of a wheelchair user or designed to meet the needs of a wheelchair user from the outset. The former is known as a ‘wheelchair adaptable’ dwelling and conforms to requirement M4(3)(2)(a), while the latter is known as a ‘wheelchair accessible’ dwelling and conforms to requirement M4(3)(2)(b). Where no specific requirement is specified, the requirement defaults to a M4(3)(2)(a) wheelchair adaptable dwelling.</u></p> <p>9.87D Taking all of this evidence into account, Policy HO11 requires at least 10% of new dwellings within major residential developments to comply with optional requirement M4(3)(2)(b) and a further 40% to</p>

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			<p>comply with optional requirement M4(2), <u>where appropriate</u>. This applies to major developments which are entirely residential and major mixed-use developments which include a residential component.</p> <p>9.87E <u>The council will apply Policy HO11 to decisions on planning applications flexibly, in recognition of the fact that it may not always be appropriate to provide M4(2) or M4(3) dwellings. This will include instances where providing step-free access would not be technically feasible, would not be financially viable, or would otherwise compromise the delivery of sustainable development. All such developments should ensure the targets set by Policy HO11 are met unless there are clear and convincing reasons as to why it would be inappropriate. This may include practical difficulties, for example in converting existing buildings, or instances where compliance with the targets would compromise other Local Plan objectives, for example the delivery of affordable housing. In these circumstances, a revised requirement will be negotiated having regard to site-specific circumstances.</u></p> <p>9.89 <u>Compliance with the standard will ultimately be assessed through the Building Regulations process. However, any preceding planning application should clearly set out the extent of intended compliance.</u></p>
MM34	119 120	Policy HO14 Paragraph 9.98A	<p>Policy HO14: Houses in Multiple Occupation</p> <p><u>Proposals for new HMOs and extensions to existing HMOs that require planning permission (C4 or sui generis) will be supported where effective measures are proposed to mitigate any significant adverse effect on the living or working conditions of those living or working nearby or on highway safety. To achieve this, developers are expected to ensure:</u></p> <p>a. <u>Off street parking and manoeuvring space is provided having regard to meet the Council's Standards or, if on-street parking is necessary, it would not result in unacceptable congestion in the surrounding area, would not prejudice highway safety; and does not materially reduce the availability of existing on-street parking.</u></p>

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			<p>b. <u>Appropriate provision for secure cycle parking is made in accordance having regard to the Council's Standards;</u></p> <p>c. <u>Sufficient space is made available for storage provision for waste / recycling appropriate to the number of occupants in a suitable enclosure within the curtilage of the property.</u></p> <p>d. <u>Any external alterations or physical extensions to HMO's meet the requirements of Policy GD1 and having regard to the Council's Design Standards as contained within the Stevenage Design Guide Supplementary Planning Document.</u></p> <p>e. Planning permission will be granted for new similar (use class C4) and larger (sui generis) houses in multiple occupation where the proposed scheme would have an acceptable impact on housing supply and comply with other relevant policies in the plan.</p> <p>9.98A <u>Houses in Multiple Occupation (HMOs) can serve an important purpose within the housing market, fulfilling a need for low-cost accommodation when self-contained affordable houses or flats are unavailable.</u> A house in multiple occupation (HMO) is a house occupied by two or more separate households who share basic amenities such as cooking and washing facilities. For planning purposes, there are two types of HMO: 'smaller HMOs', which house up to and including six residents and fall within use class C4; and 'larger HMOs', which house more than six residents and are sui generis.</p>
MM35	124	Policy GD2	<p>Policy GD2: Design certification</p> <p><u>The Council will support developments that are designed to achieve high levels of certification against nationally and internationally recognised sustainability standards. This includes but is not limited to:</u></p> <p>Development proposals which demonstrate that they have been designed to achieve a rating of excellent or higher against the a relevant BREEAM standard;</p> <p>Development proposals which demonstrate that they have been designed to achieve the Secured by Design silver award or higher;</p>

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			And Residential development proposals which demonstrate that they have been designed to achieve the BRE Home Quality Mark will also be strongly supported.
MM36	137	Policy FP1	<p>13 Flooding, <u>drainage</u> and pollution</p> <p>Water management and flood risk</p> <p>Policy FP1: Sustainable drainage</p> <p>All major and minor development proposals <u>should utilise</u> sustainable drainage systems (SuDS) <u>unless it is demonstrated that their use would be impracticable unless there are clear and convincing reasons for not doing so. Development proposals involving SuDS should be supported by an appropriate SuDS strategy which demonstrates how principles a to e below will be complied with. Where relevant, this should include evidence of agreement to the proposed discharge rates with the appropriate statutory undertaker.</u></p> <p>SuDS proposals <u>should</u> must:</p> <ol style="list-style-type: none"> be designed to ensure that peak discharge rates from the site will not increase; on greenfield sites, achieve greenfield run-off rates; on brownfield sites, aim to achieve greenfield run-off rates; be designed in accordance with the surface water disposal hierarchy, as shown in Table 4; and be designed in accordance with the SuDS hierarchy, as shown in Table 5 below. <p>Proposals reliant on surface water discharge to the foul network will be refused unless it can be shown to be unavoidable.</p>

MM Ref	CD3 Ref	Policy / Paragraph of the Adopted Plan	Proposed Main Modification to the changes proposed in CD3
			<p>Proposals reliant on underground attenuation features or impervious hard surfaces will be refused unless their use can be shown to be unavoidable.</p> <p>At the application stage, development proposals involving SuDS must, as a minimum, be supported by a SuDS strategy which demonstrates how the above principles will be complied with. Where relevant, this must include evidence of agreement to the proposed discharge rates by the appropriate statutory undertaker.</p> <p>Post-permission, conditions will be used to secure the final detailed design of the drainage system and measures for management and maintenance.</p>
MM37	141	Policy FP2	<p>Policy FP2: Flood risk management</p> <p>All development proposals will be assessed <u>against national planning policies for flood risk and should <u>must</u>:</u></p> <ul style="list-style-type: none"> a. <u>Appropriately protect the integrity of adjacent flood defences and allow sufficient space for access, maintenance, future upgrades and new flood defence schemes;</u> b. <u>Provide an appropriate undeveloped buffer zone from the top of the bank of any adjacent main rivers or ordinary watercourses; and</u> c. <u>Unless impracticable, provide for the re-naturalisation of any on-site culverted watercourses;</u> <ul style="list-style-type: none"> a. Ensure that flood risk, whether on-site or elsewhere, is not increased and is reduced where appropriate, taking into account the future impacts of climate change; b. Where appropriate¹¹⁹, be supported by a site-specific flood risk assessment at the application stage; c. Pass the sequential and exception tests, as required¹²⁰, and then apply the sequential approach to site layout; d. Preserve the functional floodplain, also known as Flood Zone 3b;

MM Ref	CD3 Ref	Policy / Paragraph of the Adopted Plan	Proposed Main Modification to the changes proposed in CD3
			<p>e. Protect the integrity of adjacent flood defences and allow sufficient space for access, maintenance, future upgrades and new flood defence schemes;</p> <p>f. Provide an 8m undeveloped buffer zone from the top of the bank of any adjacent main rivers;</p> <p>g. Provide a 3m undeveloped buffer zone from the top of the bank of any adjacent ordinary watercourses;</p> <p>h. Provide for the re-naturalisation of any on-site culverted watercourses;</p> <p>i. Where appropriate, provide flood warning and evacuation plans; and</p> <p>j. Be appropriately flood resistant and resilient.</p>
MM38	149 150 151 152 153 154	Policy NH5a Policy NH5b Paragraph 14.32 Paragraphs 14.32A to 14.32E Paragraph 14.33 Paragraph 14.34	<p>Policy NH5a: Trees and woodland</p> <p><u>Proposals which affect, or are likely to affect, existing trees, will require an arboricultural report. Existing trees must be protected and retained where possible, and sensitively incorporated into developments.</u></p> <p><u>Planning permission for proposals where the loss of trees is demonstrated to be unavoidable will be granted where:</u></p> <p>a. <u>Sufficient land is reserved for appropriate replacement planting and landscaping;</u></p> <p>b. <u>Replacement trees or planting are provided which are:</u></p> <p><u>i. Of equal or better quality than the trees which are lost</u></p> <p><u>ii. Sensitively incorporated into the development; and</u></p> <p><u>iii. Where appropriate, locally native species of similar maturity; and</u></p> <p>c. <u>In the case of a loss of woodland:</u></p> <p><u>i. It can be demonstrated that any adverse affects can be satisfactorily mitigated;</u></p> <p><u>ii. The need for the use of the site outweighs the amenity of the woodland; or</u></p>

MM Ref	CD3 Ref	Policy / Paragraph of the Adopted Plan	Proposed Main Modification to the changes proposed in CD3																		
	155	Paragraphs 14.34A to 14.34C	<p>iii. <u>It can be demonstrated that there would be a net gain in the quality of any remaining woodland through the enhancement of the recreational, amenity, landscape and/or nature conservation value of the remaining woodland and that there would be provision for its improved long-term management.</u></p> <p>All development proposals which involve works to, or within the vicinity of, existing trees or woodland must be accompanied by an arboricultural impact assessment (AIA) at the application stage.</p> <p><u>Individual trees</u> Development proposals resulting in harm to the health or longevity of existing individual trees which are worthy of retention will be refused unless:</p> <p>a. The harm is demonstrated to be unavoidable;</p> <p>b. Replacement trees would be planted in accordance with Table 6 below; and</p> <p>c. Any replacement trees would be of an appropriate size and species, and planted in an appropriate location.</p> <p>Post-permission, conditions will be used to secure any replacement planting and safeguard any retained trees.</p> <table border="1" data-bbox="752 1050 1953 1273"> <thead> <tr> <th colspan="2" data-bbox="752 1050 1693 1090">Trees Felled</th> <th data-bbox="1693 1050 1953 1090">Replacements</th> </tr> <tr> <th data-bbox="752 1090 981 1126">Category</th> <th data-bbox="981 1090 1693 1126">Diameter at Breast Height</th> <th data-bbox="1693 1090 1953 1126"></th> </tr> </thead> <tbody> <tr> <td data-bbox="752 1126 981 1163">Small</td> <td data-bbox="981 1126 1693 1163">Less than or equal to 30cm</td> <td data-bbox="1693 1126 1953 1163">2</td> </tr> <tr> <td data-bbox="752 1163 981 1200">Medium</td> <td data-bbox="981 1163 1693 1200">Greater than 30cm and less than or equal to 60cm</td> <td data-bbox="1693 1163 1953 1200">5</td> </tr> <tr> <td data-bbox="752 1200 981 1236">Large</td> <td data-bbox="981 1200 1693 1236">Greater than 60cm and less than or equal to 90cm</td> <td data-bbox="1693 1200 1953 1236">10</td> </tr> <tr> <td data-bbox="752 1236 981 1273">Very Large</td> <td data-bbox="981 1236 1693 1273">Greater than 90cm</td> <td data-bbox="1693 1236 1953 1273">21</td> </tr> </tbody> </table> <p style="text-align: center;">Table 6 – Individual tree replacement standard</p>	Trees Felled		Replacements	Category	Diameter at Breast Height		Small	Less than or equal to 30cm	2	Medium	Greater than 30cm and less than or equal to 60cm	5	Large	Greater than 60cm and less than or equal to 90cm	10	Very Large	Greater than 90cm	21
Trees Felled		Replacements																			
Category	Diameter at Breast Height																				
Small	Less than or equal to 30cm	2																			
Medium	Greater than 30cm and less than or equal to 60cm	5																			
Large	Greater than 60cm and less than or equal to 90cm	10																			
Very Large	Greater than 90cm	21																			

MM Ref	CD3 Ref	Policy / Paragraph of the Adopted Plan	Proposed Main Modification to the changes proposed in CD3
			<p><u>Woodland</u> Development proposals resulting in the loss or deterioration of existing woodland will be refused unless:</p> <ul style="list-style-type: none"> a. There are exceptional reasons which justify the loss or deterioration; b. Replacement habitat would be provided in accordance with the statutory biodiversity metric; c. Following replacement, there would be no net-loss of woodland by area; and d. Appropriate measures are proposed for the long-term management of any replacement woodland. <p>Post-permission, the planting and management of any replacement woodland will be secured by conditions or legal agreement.</p> <p><u>Ancient and veteran trees</u> Development proposals resulting in the loss or deterioration of ancient or veteran trees will be refused unless:</p> <ul style="list-style-type: none"> a. There are wholly exceptional reasons which justify the loss or deterioration; and b. A suitable compensation strategy exists. <p>Post-permission, any compensation will be secured by conditions or legal agreement.</p> <p><u>Arboricultural offsetting</u> Replacement trees or woodland must be provided on-site unless there are clear and convincing reasons for not doing so. Where it is satisfactorily demonstrated that a development proposal cannot fully provide the necessary replacement planting on-site, any shortfall must be offset by either:</p> <ul style="list-style-type: none"> a. A cash in lieu contribution to the Council; or b. An alternative off-site proposal, where this has already been identified and delivery is certain. <p>The acceptability of option (b) will be subject to agreement with the Council and will be considered on a case-by-case basis.</p>

MM Ref	CD3 Ref	Policy / Paragraph of the Adopted Plan	Proposed Main Modification to the changes proposed in CD3
			<p><u>14.31 Significant areas of woodland were retained by the masterplans for the New Town to help create an attractive environment within Stevenage. Many of these areas are protected, either in their own right as Principal Open Spaces and wildlife sites (see Policies NH1 and NH2) or as part of the network of Green Links and Green Corridors identified across the town (see Policies NH3 and NH4).</u></p> <p><u>14.32 However, it is important that all woodlands and trees of amenity value are retained where this is practicable and desirable. An arboricultural report will be required where trees are to be affected. This should provide details about the location and characteristics of existing trees and clearly indicate which are to be removed or retained.</u></p> <p><u>14.33 Without sensitive planning, mature trees can be permanently damaged during construction or create long-term problems for the occupiers of new developments such as shade, storm damage and subsidence. Where new planting takes place, trees may not mature and achieve a similar canopy, ground cover or ecological value if inappropriate species or techniques are used.</u></p> <p><u>14.34 Tree Preservation Orders (TPOs) are used to protect important specimens. Consent is required to fell or carry out any tree surgery work on a TPO'd tree. Where individual trees, groups of trees or woodlands of particular value are under threat, the Council will consider making new TPOs. In considering TPO applications, the Council will have regard to expert advice, relevant British Standards and any other appropriate information.</u></p> <p>Policy NH5b: Tree-lined streets</p> <p>Development proposals involving the creation of new streets must ensure that those streets are tree-lined unless there are clear, justifiable and compelling reasons why this would be inappropriate.</p>

MM Ref	CD3 Ref	Policy / Paragraph of the Adopted Plan	Proposed Main Modification to the changes proposed in CD3
			<p>14.31—Significant areas of woodland were retained by the masterplans for the New Town to help create an attractive environment within Stevenage. Many of these areas are protected, either in their own right as Principal Open Spaces and wildlife sites (see Policies NH1 and NH2) or as part of the network of Green Links and Green Corridors identified across the town (see Policies NH3 and NH4).</p> <p>14.32—However, it is important that all woodlands and trees of amenity value are retained where this is practicable and desirable. An arboricultural method statement will be required where trees are to be affected. This should provide details about the location and characteristics of existing trees and clearly indicate which are to be removed or retained.</p> <p>14.32A Where it is proposed to fell individual trees, they should be replaced in accordance with Table 6. This tree replacement standard has been informed by the statutory biodiversity net gain (BNG) provisions insofar as the value of the existing tree is determined by its diameter at breast height (1.3 metres above ground level) and the number of replacements is equal to the number of small replacement trees required to achieve a 10% net gain according to the statutory metric.</p> <p>14.32B For applications subject to the statutory BNG provisions, Policy NH5a will effectively act as an additional trading rule, requiring that individual trees be replaced by individual trees. In all other cases, the policy will operate as an independent standard.</p> <p>14.32C Where replacement planting takes place, trees may not mature and achieve a similar canopy, ground cover or ecological value if inappropriate species or techniques are used. For these reasons, the acceptability of the size, species and location of replacement trees will be assessed on a case-by-case basis.</p> <p>14.32D The loss or deterioration of existing woodland should only take place where it is justified by exceptional reasons. In this context, “exceptional reasons” should be understood to mean instances where the proposed development is of an unusual nature, where the public benefits of the proposal would</p>

MM Ref	CD3 Ref	Policy / Paragraph of the Adopted Plan	Proposed Main Modification to the changes proposed in CD3
			<p>outweigh the harm caused by the loss of woodland, and where there is no reasonable and viable alternative to the loss or deterioration. Most residential development¹ will fail these tests and the council expects that the loss or deterioration of woodland will usually only be justified by proposals for public service infrastructure.</p> <p>14.32E The loss or deterioration of ancient or veteran trees should only take place where it is justified by wholly exceptional reasons. Here, “wholly exceptional reasons” should be understood to mean instances where refusal of the application would be very obviously contrary to the objectives of this plan when read as a whole.</p> <p>14.34 Tree Preservation Orders (TPOs) are used to protect important specimens. Consent is required to fell or carry out any tree surgery work on a TPO tree. Where individual trees, groups of trees or woodlands of particular value are under threat, the Council will consider making new TPOs. In considering TPO applications, the Council will have regard to expert advice, relevant British Standards and any other appropriate information.</p> <p>14.34A The NPPF requires new streets to be tree-lined unless there are clear, justifiable and compelling reasons why this would be inappropriate. This is reflected in Policy NH5b.</p> <p>14.34B In applying Policy NH5b, the council will be particularly mindful of the need to ensure that new trees are of an appropriate species and planted using appropriate techniques. When implemented poorly, tree-lined streets can discourage active travel and their other benefits (air quality, shelter, biodiversity, among others) can be significantly diminished.</p> <p>14.34C For these reasons, tree planting for new streets should be designed with regard to the width of the adjacent foot and cycleways, and the need to provide adequate cover whilst allowing pollution to disperse</p>

MM Ref	CD3 Ref	Policy / Paragraph of the Adopted Plan	Proposed Main Modification to the changes proposed in CD3
			through the canopy. Trees that are fast growing, thorny, or with destructive root systems or delicate leaves should be avoided. In some instances, it may also be necessary to provide separate lighting for pedestrians and cyclists.
MM39	157 159	Paragraph 15.2 Paragraph 15.10 (table)	<p>15.2 It is a key test of local plans that they are deliverable. The Local Plan is supported by a wide-ranging evidence base which demonstrates how and when the sites and proposals in this plan can be brought forward. Our Strategic Land Availability Assessments (SLAA) for both housing and employment demonstrate commitment from relevant landowners to ensure their sites are delivered. The IDP examines the cumulative impacts of providing 7,600 homes over the plan period (4,956 homes between 2024 and 2031) and identifies a series of interventions.</p> <p>At least 7,600 new homes to be completed 2011-2031 (4,956 homes between 2024 and 2031)</p>
MM40	160	Appendix D: Glossary	<p>Active travel: <u>Everyday journeys made by walking, wheeling (wheelchairs, scooters, adapted cycles), or cycling, aiming to make these low-carbon, healthy, and efficient transport choices for shorter trips, reducing car use and improving public health, air quality, and street life.</u></p> <p>Major Development: <u>Major development has the meaning given in Annex 2 to the NPPF December 2023. Householder and minor development are excluded from this definition.</u></p> <p>Whole Life Carbon: <u>Whole life carbon refers to the carbon impacts over the entire cycle of a built asset, from its construction through to its end of life. A whole life carbon assessment (WLCA) is the calculation and reporting of the quantity of carbon impacts expected throughout all life cycle stages of a project. It also includes an assessment of the potential benefits and loads occurring beyond the system boundary.</u> https://www.rics.org/content/dam/ricsglobal/documents/standards/%20Whole life carbon assessment PS_Sept23.pdf</p>

MM Ref	CD3 Ref	Policy / Paragraph of the Adopted Plan	Proposed Main Modification to the changes proposed in CD3
Footnotes			
MM7	029	Paragraph 5.68	(Footnote 30) Our previous SHMA (DCA, 2013) said 575 affordable homes were required each year. The latest SHMA suggests that our Objectively Assessed Needs should contain a 10% uplift in response to market signals and affordable housing needs. These extra homes would equate to a 14% uplift.
MM7	029	Paragraph 5.68	(Footnote 31) The 2012-based household projections (DCLG, 2015) suggest 7,700 households will form over the plan period. Although the evidence suggests our housing requirements should be calculated in a slightly different way, we think it is also important to aim towards this higher number.
MM7	031	Paragraphs 5.73 to 5.76	(Footnote 35) Strategic Land Availability Assessment: Housing. Update 2015
MM7	031	Paragraphs 5.73 to 5.76	(Footnote 37) Excludes some schemes that we know are unlikely to come forward in their current form, to avoid double-counting.
MM7	031	Paragraphs 5.73 to 5.76	(Footnote 38) Housing Technical Paper (SBC, 2015)

MM Ref	CD3 Ref	Policy / Paragraph of the Adopted Plan	Proposed Main Modification to the changes proposed in CD3
MM15	051	Paragraphs 6A.56 to 6A.60	(New Footnote) The Council's wider corporate commitments sit under its "transforming our town" priority regarding enterprise and skills (link: https://www.stevenage.gov.uk/about-the-council/plans-and-performance/corporate-plan-making-stevenage-even-better-2024-2027).
MM15	051	Paragraphs 6A.56 to 6A.60	(New Footnote) These figures are modelled estimates provided through the Local Government Inform Service (https://lginform.local.gov.uk/reports/view/lga-research/estimated-total-number-of-direct-jobs-in-low-carbon-and-renewable-energy-sector?mod-area=E07000243&mod-group=AllDistrictInRegion_East&mod-type=namedComparisonGroup)
MM27	094	Paragraph 8.26	(New Footnote) https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx#designguide

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Equality Impact Assessment Form

For a policy, project, strategy, staff or service change, or other decision that is new, changing or under review

What is being assessed?		Renters’ Rights Act 2025 – Enforcement Policy			
Lead Assessor	Geoff Hammond Residential and Animal Control Manager			Assessment team	Environmental Health and Licensing
Start date	March 2026	End date	March 2027		
When will the EqIA be reviewed? (Typically every 2 years)	March 2027, unless the policy to which it relates requires review at an earlier date.				

Who may be affected by the proposed project?	Tenants living in private sector rented dwellings in Stevenage. Landlords of private sector rented dwellings in Stevenage. Private rental sector businesses in Stevenage, i.e. managing agents and letting agents.
What are the key aims of the proposed project?	To set out the Council's approach to regulation and enforcement of the Renters’ Rights Act 2025. To detail how the Council will apply the legislative provisions under the Renters’ Rights Act 2025 To set out how the Council will fulfil its statutory duties under this Act to regulate the private rented sector.

What positive measures are in place (if any) to help fulfil our legislative duties to:					
Remove discrimination & harassment	The policy supports the effective enforcement of the legislative provisions	Promote equal opportunities	The policy supports the effective enforcement of legislative provisions that	Encourage good relations	The policy aims to ensure consistency and transparency in enforcement and thereby give

	concerning discrimination against certain groups of residential occupier.		benefit disadvantaged groups such as low-income tenants.		confidence to private sector tenants, landlords and rental businesses.
What sources of data / information are you using to inform your assessment?	UK legislation and associated Government guidance.				

In assessing the potential impact on people, are there any overall comments that you would like to make?	The policy aims to support the effective enforcement of new legislation which increases rights and protections for private rented sector tenants, which includes disadvantaged groups. Landlords and businesses will benefit from a transparent and consistent approach by the Council to regulation, which the policy aims to set out. The policy is therefore expected to have an overall positive impact in relation to equalities.
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Evidence and Impact Assessment

Explain the potential impact and opportunities it could have for people in terms of the following characteristics, where applicable:

Age					
Positive impact	✓	Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	The legislation to which the policy relates includes provisions prohibiting the discrimination by private rented sector landlords against prospective tenants with children. The policy is therefore expected to have an overall positive impact.				
What opportunities are there to promote equality and inclusion?	Engagement with tenants to promote their rights under the legislation and how they can access advice and support. Engagement with landlords about their new duties.	What do you still need to find out? Include in actions (last page)	N/A – engagement with these groups has already begun, e.g. Landlord Forum, website resources for tenants		

Disability e.g., physical impairment, mental ill health, learning difficulties, long-standing illness					
Positive impact	✓	Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	Residents living within the private rented sector include those in disadvantaged groups, including those with disabilities such as mental ill health. The policy is concerned with the effective enforcement of new legislation which strengthens the rights and protections for private rented sector tenants.				
What opportunities are there to promote equality and inclusion?	See above under Age		What do you still need to find out? Include in actions (last page)	See above under Age	

Gender Reassignment					
Positive impact		Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	No differential impact. Where known, preferred pronouns of those using the services to which this policy relates will be honoured during all communication.				
What opportunities are there to promote equality and inclusion?	N/A		What do you still need to find out? Include in actions (last page)	N/A	

Marriage or Civil Partnership					
Positive impact		Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	No differential impact.				
What opportunities are there to promote equality and inclusion?	N/A		What do you still need to find out? Include in actions (last page)	N/A	

Pregnancy & Maternity					
Positive impact		Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	<p style="text-align: center;">✓</p> <p>The legislation to which the policy relates includes provisions prohibiting the discrimination by private rented sector landlords against prospective tenants with children – or who will have children living with them during their tenancy. The policy is therefore expected to have an overall positive impact.</p>				
What opportunities are there to promote equality and inclusion?	See above comments under Age		What do you still need to find out? Include in actions (last page)	See above comments under Age.	

Race					
Positive impact		Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	<p>No differential impact.</p> <p>The discrimination provisions of the legislation to which this policy relates are concerned specifically with prospective tenants with children or who receive income from state benefits. Other forms of discrimination are not addressed by the Act.</p>				

What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)	N/A
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Religion or Belief

Positive impact		Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	<p>No differential impact.</p> <p>The discrimination provisions of the legislation to which this policy relates are concerned specifically with prospective tenants with children or who receive income from state benefits. Other forms of discrimination are not addressed by the Act.</p>				
What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)		N/A	

Sex

Positive impact		Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	<p>No differential impact.</p> <p>The discrimination provisions of the legislation to which this policy relates are concerned specifically with prospective tenants with children or who receive income from state benefits. Other forms of discrimination are not addressed by the Act.</p>				
What opportunities are there to promote equality and inclusion?	N/A	What do you still need to find out? Include in actions (last page)		N/A	

Sexual Orientation e.g., straight, lesbian / gay, bisexual					
Positive impact		Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	<p>No differential impact.</p> <p>The discrimination provisions of the legislation to which this policy relates are concerned specifically with prospective tenants with children or who receive income from state benefits. Other forms of discrimination are not addressed by the Act.</p> <p>Property owners' preferred pronouns, where this known, will be honoured during all communication.</p>				
What opportunities are there to promote equality and inclusion?	N/A		What do you still need to find out? Include in actions (last page)	N/A	

Socio-economic¹					
e.g., low income, unemployed, homelessness, caring responsibilities, access to internet, public transport users, social value in procurement					
Positive impact	✓	Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	<p>The legislation to which the policy relates includes provisions prohibiting the discrimination by private rented sector landlords against prospective tenants who receive income from benefits. The policy is therefore expected to have an overall positive impact for low-income tenants (or prospective tenants) within the private rented sector.</p> <p>In addition, the legislation to which the policy relates makes substantial changes to the existing law affecting private rented sector tenancies. This includes making most tenancies Assured Tenancies (with effect from 1st May 2026), which provides increased security of tenure. Landlords can no longer evict tenants without a reason and there are limitations on what grounds for eviction can be used. This is expected to have an overall positive impact in terms of the prevention of homelessness among existing private rented sector tenants.</p>				
What opportunities are there to promote equality and inclusion?	See above under Age.		What do you still need to find out? Include in actions (last page)	See above under Age.	

¹Although non-statutory, the council has chosen to implement the Socio-Economic Duty and so decision-makers should use their discretion to consider the impact on people with a socio-economic disadvantage.

Additional Considerations					
Please outline any other potential impact on people in any other contexts					
Positive impact		Negative impact		Unequal impact	
Please evidence the data and information you used to support this assessment	Those using the services to which this policy relates may not speak English as their first language and may require additional language support services. While the Council is not obliged to translate written communications including statutory notices into other languages, options to facilitate communication in such cases will be considered. This may include the use of the Language Line service to provide an interpreter. Depending on the circumstances, it may also involve officers facilitating meetings with an interpreter present. Where there is sufficient justification for using translation services for written communications in a particular case, this option may also be considered.				
What opportunities are there to promote equality and inclusion?			What do you still need to find out? Include in actions (last page)		

Consultation Findings

Document any feedback gained from the following groups of people:

Staff?	N/A	Residents?	N/A
Voluntary & community sector?	N/A	Partners?	N/A
Other stakeholders?	N/A		

Overall Conclusion & Future Activity

Explain the overall findings of the assessment and reasons for outcome (please choose one) :	
1. No inequality, inclusion issues or opportunities to further improve have been identified	The policy aims to result in a consistent and transparent approach to the enforcement of the Renters' Rights Act 2025. This approach will apply equally to private rented sector landlords, rental businesses and other persons acting on a landlord's behalf in the course of such a business. Having a clear, consistent and transparent

		<p>approach to regulation is beneficial to landlords and others in the sector. It helps to ensure confidence that the approach that the Council will take will be fair and applied on an equal and impartial basis to those with duties as landlords under the legislation.</p> <p>As set out above, the strengthened rights and protections for tenants within the private rented sector is expected to have an overall positive effect for those in disadvantaged groups or with certain protected characteristics.</p>
Negative / unequal impact, barriers to inclusion or improvement opportunities identified	2a. Adjustments made	N/A
	2b. Continue as planned	N/A
	2c. Stop and remove	N/A

Detail the actions that are needed as a result of this assessment and how they will help to remove discrimination & harassment, promote equal opportunities and / or encourage good relations:

Action	Will this help to remove, promote and / or encourage?	Responsible officer	Deadline	How will this be embedded as business as usual?
N/A				

Meeting Cabinet
Portfolio Area Environment, Transport and Planning
Date 10 June 2026



STEVENAGE BOROUGH REVISED COMMUNITY INFRASTRUCTURE LEVY: ADOPTION

KEY DECISION

Author Lewis Claridge | 2158
Lead Officer Alex Robinson | 2257
Contact Officer Sarah Martins | 2280

1 PURPOSE

- 1.1 To provide Members with an update on the progress of the Stevenage Borough Revised Community Infrastructure Levy, now it has progressed through Examination in Public stage.
- 1.2 To inform Members of the Inspector's Report and to report any further changes recommended by the Inspector.
- 1.3 To consider the adoption of the Stevenage Borough Revised Community Infrastructure Levy.

2 RECOMMENDATIONS

That Cabinet:

- 2.1 Notes the contents of the Inspector's Report (Appendix A), following the Examination in Public Hearing Session and agrees to adopt the Stevenage Borough Revised Community Infrastructure Levy Charging Schedule (Appendix B).
- 2.2 Recommends to Council that the Stevenage Borough Revised Community Infrastructure Levy Charging Schedule (Appendix B) be adopted.
- 2.3 Notes the feedback from the Planning & Development Committee on the content of this Cabinet Report.

3 BACKGROUND

Community Infrastructure Levy

- 3.1 The Community Infrastructure Levy (CIL) is a planning charge introduced by the Planning Act 2008, as a tool for local authorities to help deliver infrastructure to support the development of their area. It allows local authorities to raise funds from developers undertaking new building projects. The money can be used to fund a wide range of infrastructure, such as transport schemes, schools, community facilities, parks and leisure facilities, which are needed as a result of development taking place.
- 3.2 CIL is a non-negotiable tariff on most forms of new development. It is expressed in pounds per square metre (£/m²) and is levied on the net additional floorspace created by most new development
- 3.3 CIL is fairer, faster, and more certain and transparent than the system of planning obligations (S106), which causes delay as a result of lengthy negotiations and is subject to viability.
- 3.4 S106 is still used for site specific mitigation, particularly for the larger schemes i.e. where a whole school is required as part of a specific development or where road / cycleway improvements are required within or in close proximity to the development.
- 3.5 Unlike contributions made via S106 Agreements, CIL receipts are not earmarked for particular infrastructure related to the development from which they are raised. Instead, CIL monies are pooled into a fund which can be used for any infrastructure needed to support the development of the borough, or for strategic infrastructure needs elsewhere.

Stevenage Community Infrastructure Levy

- 3.6 The Council adopted a Community Infrastructure Levy (CIL) Charging Schedule at Full Council on 29 January 2020. CIL was implemented from 1 April 2020.
- 3.7 Details of the current CIL charges for different types and locations of development in Stevenage can be found in the adopted CIL Charging Schedule [BD1].
- 3.8 The Council is now 6 years on from the initial adoption of CIL. Having reviewed the latest Viability Assessment [BD2] and Addendum [BD3] which covers the period 2017 to 2024 and takes into account policy changes in the Local Plan Partial Update, it is considered that now is a prudent time to review the existing CIL levy rates.

Figure 1. Existing Stevenage Borough Community Infrastructure Levy Rates.

Development Type	CIL rate (per square metre)	
	Zone 1: Stevenage Central, Stevenage West urban extension and North of Stevenage Extension	Zone 2: Everywhere else
Residential		
Market Housing	£40/m ²	£100/m ²
Sheltered housing ⁽¹⁾	£100/m ²	
Extracare housing ⁽²⁾	£40/m ²	
Retail development	£60/m ²	
All other development ⁽³⁾	£0/m ²	

- 3.9 In accordance with the Community Infrastructure Levy Regulations 2010, consultation on a Preliminary Draft Charging Schedule was held from 14 October to 24 November 2024 [BD4]. This was followed by consultation on a Draft Charging Schedule, from 22 January to 18 February 2025 [BD5].
- 3.10 Following public consultations in 2024 and 2025, the finalised Draft Charging Schedule was submitted to the Secretary of State on 15 August 2025 [BD6].
- 3.11 A CIL Charging Schedule Examination is an independent public assessment to ensure a local authority's proposed development tax is legally compliant and economically viable. The appointed examiner tests the schedule against two primary criteria: legal and procedural compliance, and economic viability.
- 3.12 An independently appointed Planning Inspector will assess whether the CIL Schedule complies with Section 212 of the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (as amended) (the CIL regulations), with particular regard to:
- Regulation 14 – which sets out how a charging authority must determine the CIL rates in its charging schedule;
 - Regulation 16 – which governs the formal publication requirements before a draft charging schedule can proceed to examination; and
 - Regulation 34 – applies where CIL liability must be divided between different material interests in the relevant land.
- 3.13 The Revised CIL Charging Schedule proposes to include a new charge for industrial development in line with evidence presented in the Viability Assessment 2024 (and 2025 Addendum. Even with a new proposed charge for industrial development, the Council's estimated CIL income (based on the CIL rates we are proposing) will not reach the level required to fund all of the infrastructure we need.
- 3.14 Whilst it is important that the rates proposed follow the evidence and that rates set must not threaten the ability to develop viably the sites and scale of development

identified in the Local Plan. The Viability Assessment 2024 and 2025 evidence demonstrates that an increase in CIL rates is viable in principle.

- 3.15 Initial calculations show that from the Council's strategic sites delivery, the CIL income will bring in c. £14 million over the next 5 years, with c. £17 million to 2031 and c. £20 million to 2035. The funding gap identified as of October 2025 was £222m.
- 3.16 Cabinet has previously committed funding to the Sports and Leisure Hub redevelopment. In January 2026, £225,000 of CIL monies was committed to fund other neighbourhood schemes in the borough.
- 3.17 Looking ahead, more details on how the Council proposes to allocate future CIL funds and a spending protocol to guide future CIL spending decisions will be forthcoming. This will ensure that they align with Council priorities, as expressed in the Infrastructure Delivery Plan.

4 REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS

4.1 Following submission of the Draft Charging Schedule to the Secretary of State on 15 August 2025, an independent Planning Inspector was appointed to examine the Charging Schedule.

4.2 The proposed levy rates, as submitted [BD6] to the Secretary of State, were as follows:

Figure 2. Proposed Revised Stevenage Borough Community Infrastructure Levy Rates.

Development Type	CIL Rate	
	Zone 1: Stevenage Central	Zone 2: Everywhere else
Residential		
Market Housing	£50 per m2	£120 per m2
Sheltered Housing	£120 per m2	
Extracare Housing	£50 per m2	
Retail Development	£75 per m2	
Industrial Development	£40 per m2	
All other Development	£0 per m2	

Examination in Public Hearing Session

4.3 The Stevenage Borough Revised Community Infrastructure Levy Charging Schedule Examination in Public Hearing Session was held on 18 March 2026 and conducted by an independent Planning Inspector (PINS). Further details regarding the Examination in Public can be viewed at the dedicated Examination website: <https://www.hwa.uk.com/projects/stevenage-revised-cil-examination/>

4.4 The Inspector duly scrutinised the Revised CIL Charging Schedule, to assess whether the CIL Schedule complies with Section 212 of the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (as amended) (the CIL regulations), with particular regard to:

- Regulation 14 – which sets out how a charging authority must determine the CIL rates in its charging schedule;
- Regulation 16 – which governs the formal publication requirements before a draft charging schedule can proceed to examination; and
- Regulation 34 – applies where CIL liability must be divided between different material interests in the relevant land.

4.5 A series of “Matters, Issues and Questions” (MIQs) were addressed in turn by the Inspector, in order to scrutinise our submitted Revised CIL Charging Schedule to assess the CIL against the CIL Regulations. The MIQs addressed were as follows:

- *MIQ1: Scope, legal and procedural requirements*
- *MIQ2: Infrastructure Evidence*
- *MIQ3: Viability Evidence*
- *MIQ4: Charging Rates and Evidence*
- *MIQ5: Modifications*

- 4.6 The Hearing Session invited those who had objections or significant representations to appear at the Hearing. No invitations to attend were received and the Hearing Session was duly conducted between the Inspector and officers from the Council, with officers from Hertfordshire County Council in attendance as observers.
- 4.7 Prior to the Hearing Session, the Council prepared a statement that responded to each of the MIQs posed [BD7].
- 4.8 At the Hearing Session, apart from some matters of clarification relating to the Council's MIQ responses, no major concerns were raised regarding the Draft Charging Schedule and the Inspector was broadly satisfied with the Council's Statement responding to his MIQs.

Inspector's Report

- 4.9 At the end of the Hearing Session, the Inspector advised that he would be preparing a legally binding Report which would recommend adoption of the Revised CIL Charging Schedule.
- 4.10 Following the receipt of the Inspector's Report, Cabinet is requested to recommend to Council that it adopt the CIL Charging Schedule with effect from 22 July 2026.
- 4.11 The Inspector's Report provides assessment of the Charging Schedule in respect of Section 212 of the Planning Act 2008. It considers whether the schedule is compliant in legal terms and whether it is economically viable as well as reasonable, realistic and consistent with national guidance.
- 4.12 The Council has received the Inspector's Final Report into the Revised CIL Charging Schedule on 27 May 2026.
- 4.13 The Inspector's Report (Appendix A) concludes that the Revised Community Infrastructure Charging Schedule can be considered sound and is recommended for adoption.
- 4.14 The Inspector noted that in setting the CIL charging rate, the Council has had regard to detailed evidence on infrastructure planning and the economic viability evidence of the development market in its viability assessment. The Council has been realistic in achieving a reasonable level of income to address an acknowledged gap in infrastructure funding, while ensuring that a range of development remains viable across the authority area.
- 4.15 The Inspector noted that the requirements of the 2008 Planning Act and 2010 CIL Regulations (as amended) had been complied with, including the statutory processes and public consultation, financial appraisal, and consistency with the development plan and the charging schedule is consistent with national policy and guidance.
- 4.16 The Inspector concluded that the CIL Charging Schedule has satisfied the requirements of Section 212 of the 2008 Act and meets the criteria for viability in the 2010 Regulations (as amended), recommending that the Charging Schedule be approved.
- 4.17 Upon receipt of the Inspector's Report, the Council can either adopt the Stevenage Borough Revised Community Infrastructure Levy Charging Schedule, with the recommendations proposed, or it must withdraw the Schedule completely.
- 4.18 The final draft version of the Stevenage Borough Revised Community Infrastructure Levy Charging Schedule, incorporating the any

recommendations by the Inspector, as well as any minor modifications, is attached to this report at Appendix B.

- 4.19 If approved by Cabinet, the Revised Community Infrastructure Levy Charging Schedule will be adopted on 22 July 2026 following the meeting of Full Council.
- 4.20 The Council will seek to revisit CIL charging rates, in accordance with development of a new Local Plan which will plan beyond the current plan period of 2031.

CONSULTATION

- 4.21 Planning & Development Committee Chair and Vice Chair were briefed in advance of the Cabinet meeting. The views of the Planning & Development Committee Members are of significant value in shaping the future direction the Local Plan takes, as future Committee decisions will be based on revised and new Local Plan policies. Any comments will be reported back orally at the Cabinet meeting.
- 4.22 Planning & Development Committee Members have been briefed on CIL and the process as it has developed since the first CIL was developed in 2018–19.

5 IMPLICATIONS

Financial Implications

- 5.1 The costs of implementing CIL are met from 5% CIL income available for administration purposes, a further 15% for local initiatives.
- 5.2 The General Fund Capital Strategy 2025/26 to 2029/30 [BD8] highlights that to date, a significant portion of Strategic CIL has been committed to the Sports and Leisure Hub and, where applicable, the Public Sector Hub.
- 5.3 Officers will continue to work closely with Members to prioritise and progress future investments and expect to provide further update on spending in a subsequent General Fund Report.
- 5.4 Financial implications for the Council as landowner are examined further under 'Other Corporate Implications', paragraphs 5.15 to 5.17.
- 5.5 Following the adoption and publication of the CIL Charging Schedule on 22 July 2026, officers will review the CIL Instalments Policy [BD9] in accordance with best practice.

Legal Implications

- 5.6 The preparation of Community Infrastructure Levy is given effect by the 2008 Planning Act.
- 5.7 Detailed statutory requirements for the preparation of CIL, including consultation requirements, are set out in The Community Infrastructure Levy Regulations 2010 (as amended 2019).

Risk Implications

- 5.8 As an additional cost to developers, CIL has the potential to make individual development schemes financially unviable which could impact the delivery of housing and associated necessary infrastructure across the Borough. However, the risks are minimised by proposing CIL rates that align with the viability evidence used to inform the Local Plan and subsequent updates.
- 5.9 The Inspector confirmed that the proposed CIL rates are set at an appropriate level that does not put the viability of schemes at risk.

Planning and Policy Implications

- 5.10 The Revised CIL has been prepared in accordance with the Council's adopted Stevenage Borough Local Plan (2019) and soon to be adopted Local Plan Partial Update (2026) and supported by robust and up to date viability evidence.
- 5.11 The Council will seek to revisit CIL charging rates, in accordance with development of a new Local Plan which will plan beyond the current plan period of 2031.

Environmental Implications

- 5.12 CIL has a positive impact on the environment, as monies can be used towards improving, maintaining and providing new environmental infrastructure.

Staffing and Accommodation Implications

- 5.13 The Planning Policy Team currently includes one full-time professional employee, specialising in planning contributions including CIL.
- 5.14 As CIL contributions and income increase in time, the Council has begun to start to spend and allocate CIL. This is very likely to require further resources to manage the function for the Council.

Other Corporate Implications

- 5.15 CIL will continue to be payable for all qualifying development; therefore, it has the potential to impact on council-owned land, in terms of being a consideration in sales negotiations and in being levied when developing the Council's own schemes. This includes smaller residential sites (10 or less dwellings), which were previously exempt from making developer contributions (S106). This is an additional cost and has the potential to depress land values for the council's small sites. This is the same for larger sites, and there is a risk that developers will try to use this additional expense to negotiate down land values.
- 5.16 However, the viability evidence undertaken to inform the CIL charging rates, shows that the levy being proposed will be viable for both small and large-scale development. This considers land values at an appropriate market rate.
- 5.17 Officers report to Cabinet on CIL Governance. This informs Members of the amounts of Community Infrastructure Levy (CIL) secured and projected.

BACKGROUND DOCUMENTS

- BD1 Stevenage Borough Community Infrastructure Levy (January 2020) <https://www.stevenage.gov.uk/documents/planning-policy/community-infrastructure-levy-cil/cil-21042020/cil-charging-schedule.pdf>
- BD2 Stevenage Borough Council Local Plan & CIL Review Viability Assessment, Main Report (October 2024) <https://www.hwa.uk.com/site/wp-content/uploads/2025/09/cilsd3-whole-plan-viability-assessment-2024.pdf>
- BD3 Stevenage Borough Council Local Plan & CIL Review Viability Assessment, Main Report Addendum (November 2025) https://www.hwa.uk.com/site/wp-content/uploads/2025/09/251121-Stevenage-WPV-Affordable-Housing-Policy-Addendum-Report_Stevenage-Borough-Council_v1_Redacted.pdf
- BD4 Stevenage Borough Preliminary Draft CIL Charging Schedule 2024 (October 2024) <https://www.hwa.uk.com/site/wp-content/uploads/2025/09/cilsd4-preliminary-draft-charging-schedule-2024.pdf>
- BD5 Stevenage Borough Draft CIL Charging Schedule (January 2025) <https://www.hwa.uk.com/site/wp-content/uploads/2025/09/SBC-Draft-Charging-Schedule-DCS-January-2025.pdf>
- BD6 Stevenage Borough CIL Charging Schedule: Submission to Secretary of State (August 2025) <https://www.hwa.uk.com/site/wp-content/uploads/2025/07/CIL1-Draft-Charging-Schedule-DCS-2025-for-Submission.pdf>
- BD7 Stevenage Borough Revised Community Infrastructure Levy Examination in Public Matters, Issues and Questions: Council Response (March 2026) <https://www.hwa.uk.com/site/wp-content/uploads/2025/09/MIQ-response-FINAL.pdf>
- BD8 Meeting of the Stevenage Borough Council Cabinet: Item 5: The General Fund Capital Strategy 2025/26 to 2029/30 (11 February 2026) <https://democracy.stevenage.gov.uk/documents/s42545/5%20General%20Fund%20Capital%20Strategy%202025-26%20to%202029-30.pdf>
- BD9 CIL Instalments Policy <https://www.stevenage.gov.uk/documents/planning-policy/community-infrastructure-levy-cil/cil-21042020/cil-instalment-policy.pdf>

APPENDICES

- A Inspector's Report on the Examination of the Stevenage Revised Community Infrastructure Levy Charging Schedule, Submission Draft August 2025 (May 2026)
- B Stevenage Borough Revised Community Infrastructure Levy Charging Schedule (May 2026)



Report to Stevenage Borough Council

by L Fleming BSc (Hons) MRTPI IHBC

an Examiner appointed by the Council

Date 27 May 2026

Planning Act 2008 (as amended)

Section 212(2)

Report on the Examination of the Stevenage Revised Community Infrastructure Levy Charging Schedule, Submission Draft August 2025

Charging Schedule submitted for examination on 15 August 2026

The examination hearings were held on 18 March 2026

File Ref: PINS/U4230/429/12

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Abbreviations used in this report

BLV	Benchmark Land Value
CIL	Community Infrastructure Levy
CS Schedule	the Stevenage Revised CIL Charging Schedule Charging
DCS	Draft Charging Schedule
EUV+	Existing Use Value +
GDV	Gross Development Value
IDP	Infrastructure Delivery Plan
LP	Local Plan
PPG	Planning Practice Guidance
UCO	Use Classes Order
VA	Viability Assessment

Non-Technical Summary

This report concludes that the Stevenage Revised Community Infrastructure Levy Charging Schedule Submission Draft August 2025 (the CS) (CID1) provides an appropriate basis for the collection of the levy in Stevenage Borough. Stevenage Borough Council (the Council) has sufficient evidence to support the schedule and can show that the levy is set at a level that will not put the overall development of the area at risk. The CS supersedes the Stevenage Community Infrastructure Levy Charging Schedule January 2020 (the adopted CS).

I have recommended that the schedule should be approved in its published form, without changes.

Introduction

1. This report contains my assessment of the CS in terms of Section 212 of the Planning Act 2008. It considers whether the schedule is compliant in legal terms and whether it is economically viable as well as reasonable, realistic and consistent with national guidance.
2. To comply with the relevant legislation the Council as the local charging authority, has to submit a charging schedule which sets an appropriate balance between helping to fund necessary new infrastructure and the potential effects on the economic viability of development across the Borough and is prepared in accordance with relevant regulations.
3. The Council consulted on a Preliminary Draft Charging Schedule (Regulation 15) between 14 October and 24 November 2024 (CID8) in accordance with Regulation 15 of the Community Infrastructure Levy Regulations 2010 (as amended). Thereafter, the Council consulted on a Draft Charging Schedule (under Regulation 16 of the Community Infrastructure Levy Regulations 2010 (as amended) between 22 January and 18 February 2025 (CID16). Other than in title, date and formatting, the content of CID16 was unchanged as a result of the public consultation. The CIL CS was submitted by the Council on 15 August 2025. It is the same as CID16 and is the basis for the examination.
4. The adopted CS came into effect on 1 April 2020. The CS updates the adopted CS. Both the adopted CS and the CS divide the Borough into the same two charging zones. Zone 1 covers lands in and around Stevenage Town Centre (Stevenage Central), whereas Zone 2 covers everywhere in the Borough outside of Zone 1 (everywhere outside Stevenage Central). The CS proposes a new levy rate for industrial development and an increase in the existing levy rates for market housing, sheltered housing, extra care housing and retail development as explained below.

Is the charging schedule supported by background documents containing appropriate available evidence?

Infrastructure planning evidence

5. The Stevenage Borough Local Plan 2011-2031 was adopted in 2019 (the adopted Plan) (EX3). The Council subsequently prepared and adopted the CIL Charging Schedule which came into effect in 2020.
6. The CS subject to my examination was submitted alongside the partial update to the Stevenage Borough Local Plan 2011-2031 (EX3). The Partial Update comprises the Stevenage Borough Local Plan 2011-2031 Schedule of Changes from Regulation 18 to Regulation 19 (EX1) and the Partial Update of the

Stevenage Borough Local Plan 2011-2031 Schedule of Changes from Regulation 19 to Pre Submission) (EX2) (referred to together hereafter as the Partial Update Plan). The Partial Update Plan will when adopted update parts of the adopted Plan (EX3). I have examined the Partial Update Plan alongside the updated CIL CS.

7. The adopted Plan aims to facilitate some 140,000 square metres of employment floorspace, 4,700 square metres of comparison retail floorspace, 7,600 square metres of convenience retail floorspace and 7,600 new homes between 2011 and 2031. As at 1 September 2025, the Council has delivered 3,287 new net homes and approximately 102,000 square metres of employment floorspace leaving approximately 4,313 homes and around 38,000 square metres of employment floorspace to be delivered over the remainder of the plan period together with appropriate retail floorspace, in line with the adopted Plan as amended by the Partial Update Plan (SBC4).
8. Supporting the growth proposed in the adopted Plan and the Partial Update Plan is the Council's Infrastructure Delivery Plan, September 2024 (CID5). This was updated in October 2025 (CID14). CID5 and CID14 provide the main sources of infrastructure planning evidence necessary to justify the CS levy rates and support the delivery of the growth proposed in the adopted Plan up to 2031 as amended by the Partial Update Plan.
9. The Partial Update Plan does not alter the overall quantum or spatial distribution of development required or the plan period. The development that remains to be delivered up to 2031 will need to be supported by investment in infrastructure within the Borough. However, the Partial Update Plan does update a number of existing policies and introduce new policies which have implications for the viability of different forms of development in the Borough. These implications have been assessed by the Council and are considered in the economic viability evidence section of my report below.
10. Planned growth in Stevenage Borough gives rise to substantial community and infrastructure requirements. The Council's Infrastructure Delivery Plan (CID5 and CID14) identifies needs relating to transport and mobility (including public transport, cycling, walking and highway capacity), education (primary and secondary provision), healthcare (including primary care and acute services), green and blue infrastructure, community and leisure facilities, utilities, and emergency services.
11. Based on the growth proposed in the adopted Plan and Partial Update Plan, the Infrastructure Delivery Plan (CID14) identifies a substantial requirement for new and improved infrastructure. It indicates that the total cost of infrastructure required exceeds £200 million to deliver in full the growth proposed over the plan period. A range of funding sources have been identified, including

Government funding, capital investment by infrastructure providers and developer contributions secured through Section 106 agreements and the Community Infrastructure Levy. However, it demonstrates that these sources will only meet part of the overall infrastructure requirement. As such, a funding gap of over £200 million has been identified, representing the difference between total infrastructure costs and funding reasonably expected to be available. A projected income from CIL of between £15 million and £20 million for the remainder of the adopted Plan period up to 2031 has been identified (CID14).

12. The adopted CIL CS was brought into effect on 1 April 2020, applying to planning permissions granted on or after that date. The Council's latest Infrastructure Funding Statement for 2023/24 (CID6) shows that £992,661.67 was collected between 1 April 2023 and 31 March 2024, and that a further £390,403.61 had been collected in earlier years since the levy was first implemented. Taken together, this indicates that £1,383,065.28 of CIL has been collected between 1 April 2020 and 31 March 2024. Although the Infrastructure Funding Statement notes that additional sums may have been collected after the end of the reporting period and are not reflected in those figures.
13. As such, the Council's CIL receipts are not expected to be large enough to fully fund any significant infrastructure projects, and the Council will look to use its CIL receipts to "top up" the funding gaps for individual infrastructure schemes once Section 106 contributions and other potential funding streams have been secured or explored.
14. The CS makes clear that infrastructure provision is therefore expected to be funded principally through a combination of Section 106 obligations, central and local government capital funding, transport grants, NHS and education funding, and other public and private investment, with CIL operating as a complementary funding source to help address residual gaps rather than as the primary means of delivery. Section 106 receipts in 2023/24 were £1.37 million, demonstrating the importance of the contribution made from site-specific obligations alongside the levy.
15. In light of the information provided, the proposed charge would therefore make only a modest, but significant contribution towards filling the likely funding gap. The figures demonstrate the need to levy CIL.
16. The Infrastructure Delivery Plan (CID5 and CID14) identifies the infrastructure required to support development in Stevenage. The Infrastructure Funding Statement (CID6 and CID17) identifies a funding gap between the cost of required infrastructure and committed funding. Overall, I am satisfied that the CS is supported by appropriate available infrastructure planning evidence.

Economic viability evidence

17. The CIL CS is supported by comprehensive economic viability evidence, comprising the Local Plan & CIL Review Viability Assessment October 2024 (CID7) and the Affordable Housing Policy Addendum November 2025 (CID15) (referred to together hereafter as the viability evidence).
18. The viability evidence appraises a range of residential, non-residential and mixed-use typologies reflecting differences in location, value zone, scale and land type, with strategic sites appraised individually where these are critical to plan delivery. This approach is consistent with the relevant sections of the Viability Planning Practice Guidance (PPG)¹ and reflects the type and location of development expected in the Borough up to 2031.
19. The appraisals are based on a residual land value approach. They compare the residual value generated by policy compliant development against a benchmark land value. Benchmark land values are derived using an existing use value plus premium approach. The benchmark values are informed by local land value evidence and applied consistently across the typologies tested. I am satisfied that the benchmark land values adopted reasonably balance the requirement to incentivise land to come forward with the need to secure infrastructure funding.
20. In relation to gross development value, the Viability PPG (paragraph 011) confirms that area average figures may be used, provided they are adjusted to reflect differences in land use, form, scale and location, and are applied having regard to outliers in the data. The residential values used are informed by local market evidence and applied by value zone. The non-residential values are informed by much more limited available local transactional data but are supplemented by wider generic market evidence and professional judgement. I am satisfied that this approach is consistent with the Viability PPG and proportionate to the level of evidence reasonably available and its intended purpose.
21. The development costs accounted for in the viability evidence appraisals are informed by BCIS construction cost data, with appropriate allowances for external works, fees, contingency and finance, and they reflect the cumulative impact of affordable housing, sustainability standards, accessibility requirements, biodiversity net gain and residual Section 106 obligations. This accords with paragraph 012 of the Viability PPG. I am satisfied that the assumptions used are reasonable for the purposes of setting CIL rates.
22. For residential development, the Viability PPG indicates a developer return of around 15-20% of gross development value may be appropriate, with a lower

¹ Viability Planning Practice Guidance -Paragraph: 004 Reference ID: 10-004-20190509 Revision date: 09 05 2019 & Paragraph: 005 Reference ID: 10-005-20180724 Revision date: 24 07 2018

return potentially justified for affordable housing where risk is reduced. The Council's viability evidence cautiously assumes 17.5% for market housing and adopts a 6% return on GDV for affordable housing, which it describes as "broadly accepted as an industry-standard level". These figures are reasonable in this case and accord with the Viability PPG.

23. The non-residential development appraisals in the viability evidence are based on developer return of 15% of gross development value for all non-residential uses. This is the bottom end of the range suggested by the PPG, reflects the lower returns achieved compared to residential and overall is justified. The evidence shows that some forms of development are capable of supporting a levy while others are not and as reflected in the differential rates discussed below.
24. Overall, I conclude that the Council's viability evidence accords with Viability PPG and provides a robust and proportionate economic viability evidence base for the CIL CS.

Are the charging rates informed by and consistent with the evidence?

Market housing

25. The CIL CS proposes market housing levy rates of £50 per square metre within Zone 1 (Stevenage Central) and £120 per square metre within Zone 2 (everywhere else). This would be an increase of £10 per square metre from that required by the adopted CIL CS in Zone 1 and an increase of £20 per square metre in Zone 2.
26. The viability evidence shows higher sales values for market housing in Zone 2 than Zone 1. Even when taking full account of affordable housing provision, Section 106 obligations, and other requirements of the development plan, the appraisals indicate a clear surplus in excess of the proposed CIL rate. The increase to £120 per square metre leaves sufficient headroom to accommodate reasonable variations in costs and values which may be identified when considering real development proposals with bespoke development circumstances.
27. In Zone 1 the viability evidence notes higher build costs, more brownfield sites, and more complex site development conditions. However, the tested residential typologies generally show a surplus once the costs of development plan policy compliance are taken into account. The increase to £50 per square metre remains within the level of surplus identified in the majority of tested scenarios.

Sheltered housing

28. The CS proposes a rate of £120 per square metre for sheltered housing as a flat rate across the Borough. This is an increase of £20 per square metre from the £100 per square metre rate in the adopted CIL CS.
29. The Council's viability evidence recognises the unit values, cost structure and delivery model differ from that of market housing. The tested typologies assume lower sales values than market housing and apply lower allowances for development plan requirements than market housing. On this basis, the viability evidence indicates that after allowing for affordable housing where applicable, residual Section 106 obligations and other development plan requirements, sheltered housing schemes anywhere in the Borough are capable of generating a surplus. The viability evidence demonstrates that sheltered housing can viably support the proposed levy rate.

Extra care housing

30. The CIL CS proposes a rate of £50 per square metre for extra care housing, representing an increase of £10 per square metre from the £40 per square metre rate in the adopted CIL CS. Extra care housing differs from sheltered housing in that it typically provides self-contained homes alongside more comprehensive on-site care and support facilities, often including communal spaces, staff accommodation and care services. The viability evidence recognises these differences through higher build costs and demonstrates that, while extra care housing has less headroom than sheltered housing, the proposed CIL rate of £50 per square metre remains well below the maximum level indicated by the appraisals. I am satisfied that the proposed CIL rate for extra care housing is justified by the viability evidence and would not prejudice the delivery of this form of development.

Retail development

31. A rate of £75 per square metre for retail development is proposed, representing an increase of £15 per square metre from the £60 per square metre rate in the adopted CIL CS. The Council's viability evidence includes specific testing of retail development typologies, reflecting the fact that viability within the retail sector varies considerably by scale, format and performance. The assessment focuses on forms of retail development that are most likely to come forward in the Borough over the plan period. The viability evidence demonstrates that the proposed increase to £75 per square metre does not move the levy towards the margins of viability. The tested retail typologies continue to show adequate headroom above the proposed CIL rate, even when allowing for conservative assumptions on construction costs and developer returns. In this context, the revised rate leaves scope to accommodate reasonable fluctuations in costs and values which may arise in practice, while still securing a meaningful contribution towards infrastructure provision.

32. The proposed rate therefore strikes an appropriate balance between securing additional infrastructure funding and maintaining the viability of retail development in the Borough. The rate of £75 per square metre for retail development is supported by the evidence and represents a proportionate and justified increase from the adopted rate.

Industrial Development

33. It is proposed to introduce a new levy rate of £40 per square metre for industrial development.
34. The Council's viability evidence includes specific testing of industrial development typologies, reflecting the distinct costs, values and market considerations associated with this form of development. It acknowledges that industrial uses generally generate lower development values than residential or certain forms of retail development but usually have lower costs in terms of meeting development plan requirements. The viability evidence demonstrates that industrial development can generate a modest positive surplus after taking account of build costs, developer return, finance costs and residual Section 106 obligations, sufficient to accommodate the proposed CIL charge in most cases. I am satisfied that the introduction of a £40 per square metre CIL rate for industrial development is informed by and consistent with the evidence.

Does the evidence demonstrate that the proposed charge rate would not put the overall development of the area at serious risk?

35. Regulation 34 requires the charging authority to strike an appropriate balance between the desirability of funding infrastructure and the potential effects of CIL on development viability. Having regard to the evidence discussed above, I am satisfied that the proposed CIL rates would not put the overall development of Stevenage at serious risk.

Conclusion and Legal Requirements

36. In setting the CIL charging rate, the Council has had regard to detailed evidence on infrastructure planning and the economic viability evidence of the development market in its viability assessment. The Council has been realistic in terms of achieving a reasonable level of income to address an acknowledged gap in infrastructure funding, while ensuring that a range of development remains viable across the authority area.
37. The requirements of the 2008 Planning Act and 2010 CIL Regulations (as amended), including in respect of the statutory processes and public consultation, financial appraisal, and consistency with the development plan,

have been complied with, and the draft charging schedule is consistent with national policy and guidance.

38. I conclude that the CIL CS has satisfied the requirements of Section 212 of the 2008 Act and meets the criteria for viability in the 2010 Regulations (as amended). I therefore recommend that the Charging Schedule be approved.

L Fleming

Examiner

The Charging Authority

The Charging Authority is Stevenage Borough Council

Date of Approval

This Charging Schedule was approved by the Cabinet on 10 June 2026 and Council on 22 July 2026

Date of Effect

This Charging Schedule will come into effect on 22 July 2026

CIL Rates

The rate at which CIL is charged

What is the Community Infrastructure levy?

The Community Infrastructure Levy (CIL) was introduced under the Planning Act 2008. It is a tool local authorities can use to help deliver infrastructure to support the development of the area. CIL is a non-negotiable tariff on most forms of new development. It is expressed in pounds per square metre (£/m²) and is levied on the net additional floorspace created by most new development.

Stevenage Borough Council is the Charging Authority and Collecting Authority, and the charging area is within the local authority boundary.

The Council first adopted a Community Infrastructure Levy (CIL) Charging Schedule on 29 January 2020. CIL was implemented from 1 April 2020. A revised Community Infrastructure Levy (SCIL2) was approved at Cabinet on 10 June 2026 and by Full Council on 22 July 2026. This updates the adopted 2020 CIL charging schedule and is implemented from 22 July 2026.

Who is liable?

CIL is payable on development that creates net additional floorspace (based on gross internal area) of 100m² or more, or development of any size that results in a new house or flat. Some developments may be eligible for relief or exemption from the CIL. The following do not pay the levy:

- Development of less than 100m² – unless this is a whole house, in which case the levy is payable
- The creation of mezzanine floors within existing buildings (unless it forms part of a wider planning application that seeks to provide other works as well)
- Dwellings built by ‘self builders’
- Social housing that meets the relief criteria set out in the regulations (subject to an application for relief being submitted)
- Charitable development that meets the relief criteria set out in the regulations (subject to an application for relief being submitted)
- Buildings which people do not normally go into, or go into intermittently for the purpose of inspecting or maintaining fixed plant or machinery
- Structures which are not buildings, such as pylons and wind turbines
- Specified types of development which local authorities have decided should be subject to a ‘zero’ rate and specified as such in their charging schedules
- Vacant buildings brought back into the same use.

Please note that strict requirements apply with regard to the timing of the exemption process and you should refer to the regulations for details. In most cases a Commencement Notice must also be served prior to the commencement of development, in order for the exemption to apply.

Proposed levy rates

The rate at which CIL will be charged within Stevenage is as follows. The extent of each Charging Zone is set out in the maps on the following pages.

Table 1: SCIL2 charging rates for all development in Stevenage

Development Type	CIL Rate (£ per square metre)	
	Zone 1: Stevenage Central	Zone 2: Everywhere else
Residential		
Market Housing	£50	£120
Sheltered Housing	£120	
Extracare Housing	£50	
Retail Development	£75	
Industrial Development	£40	
All Other Development	£0	

Figure 1
CIL charging zones

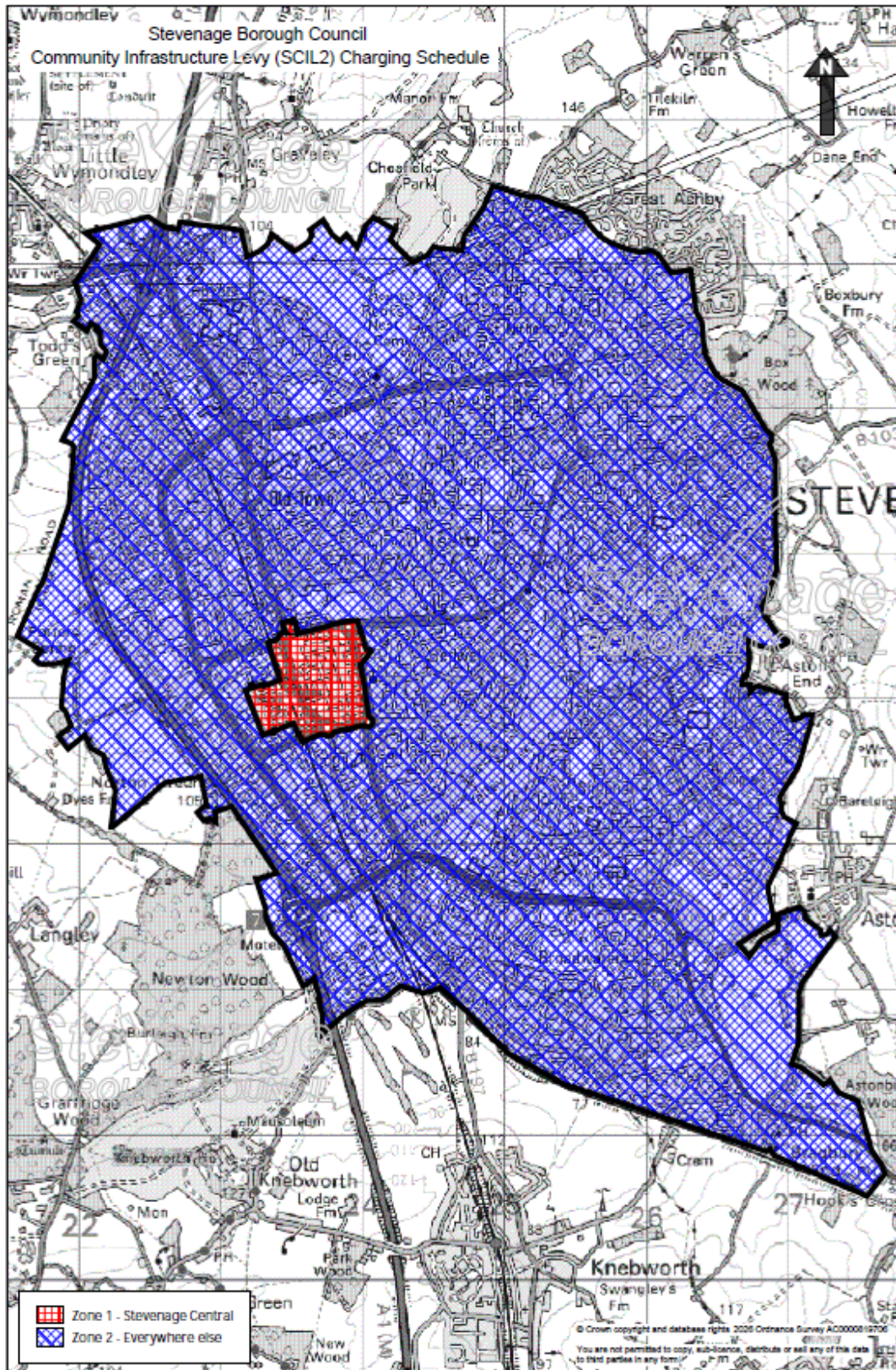


Figure 2
Zone 1: Stevenage Central

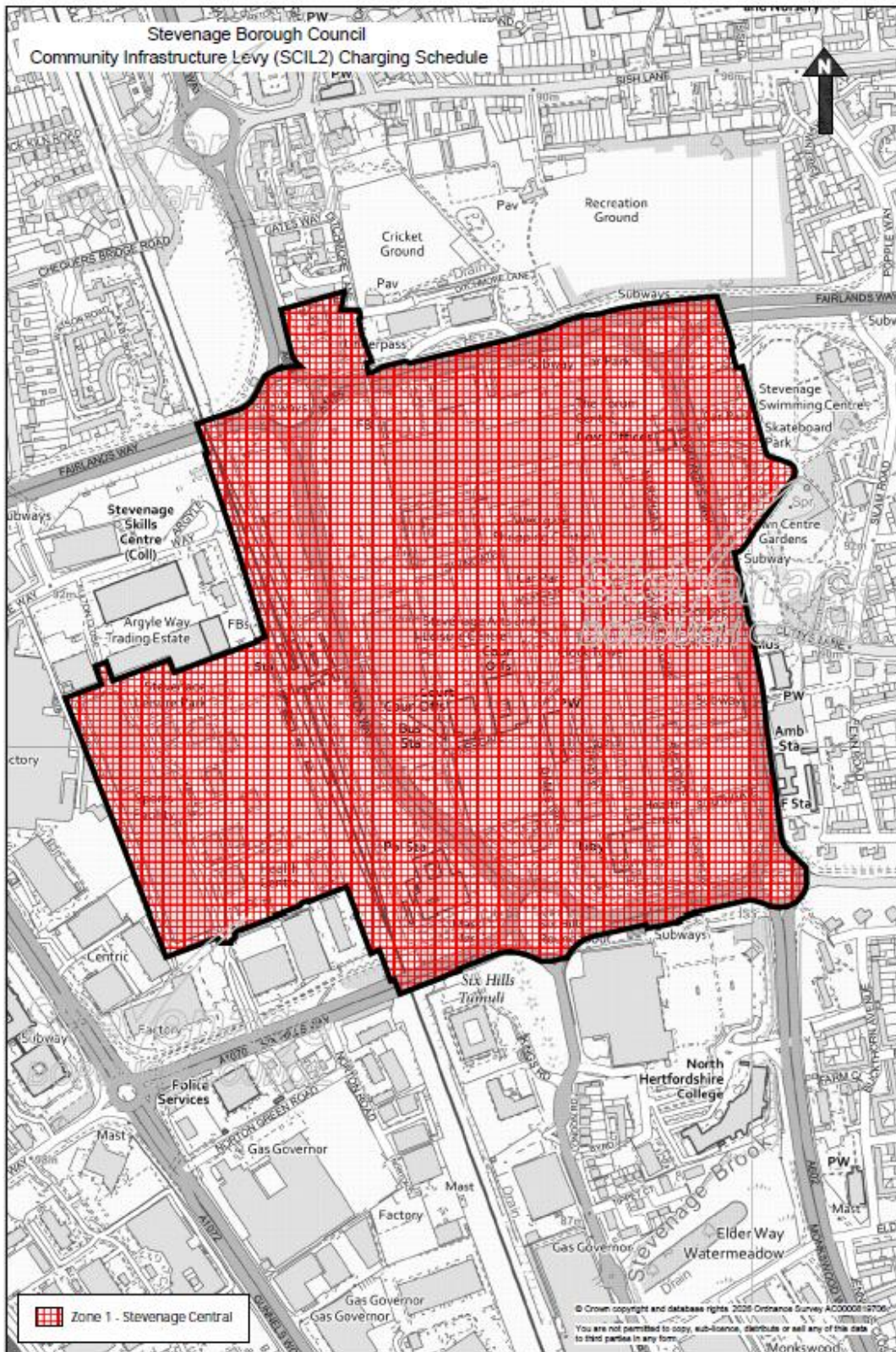
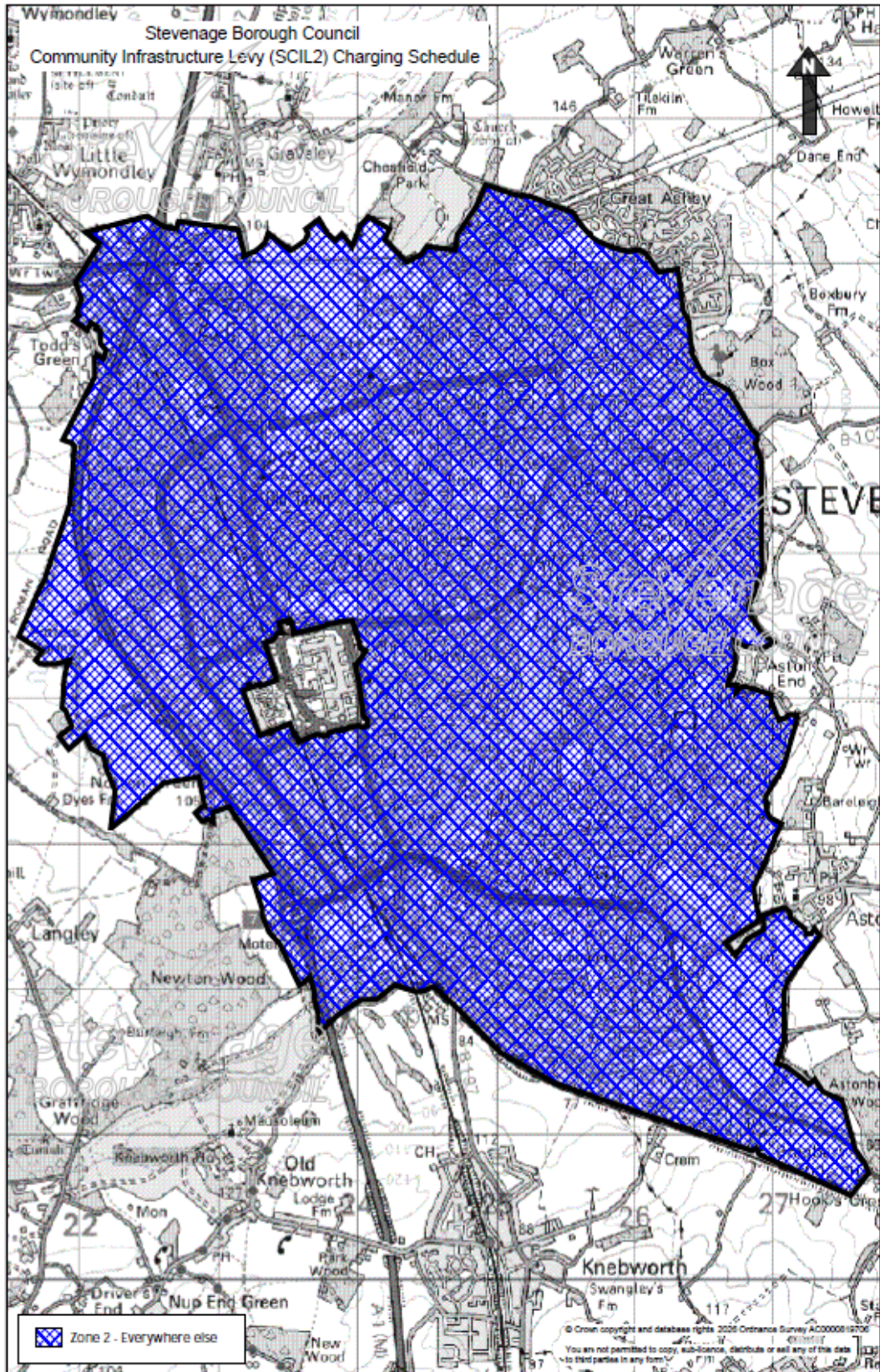


Figure 3
Zone 2: Everywhere else



Collection of CIL monies

The responsibility to pay CIL rests with the owner of the land on which the development will be situated. However, others involved in the development can take on the liability for CIL for the development by submitting an Assumption of Liability Notice. Applicants should include this notice Then submitting applications, along with a copy of a CIL Additional Information Form.

In line with the CIL regulations, the Council will issue a 'liability notice' as soon as practicable after the day on which a planning permission first permits development. The liability notice informs the applicant/landowner of the amount of CIL that they are required to pay, taking into account any relief or exemption for which the development qualifies.

Liability to pay CIL is triggered by the commencement of a development. The developer is required to submit a commencement notice at least 24 hours before development is due to start. The Council will then send out a demand notice, which sets out the payment due dates in line with the payment procedure. If a commencement notice is not submitted, further charges may apply and any exemptions to CIL will no longer apply.

By default the levy must be paid within 60 days, but for schemes with phased outline permission payment will be triggered separately for each phase. The Council has chosen to adopt an Instalments Policy, which allows developers to pay their CIL charges in phased stages, in line with the Regulations.

4Where development commences and a liability notice has not been provided; the CIL liability defers to the landowner. If the landowner then fails to pay, the council will issue a default liability notice. If there is persistent non-compliance, the Council can take direct action to recover the amount.

The relationship between CIL and S106

Currently, financial contributions are collected through Section 106 legal agreements. CIL does not fully replace S106 obligations, they work alongside one another. CIL is intended to provide infrastructure to support new development more generally and contributions are not tied to the location in which the development takes place, whereas S106 obligations are specifically required to make an individual planning application acceptable.

Unlike contributions made via S106 Agreements, CIL receipts are not earmarked for particular infrastructure related to the development from which they are raised. Instead, CIL monies are pooled into a fund which can be used for any infrastructure needed to support the development of the borough, or for strategic infrastructure needs elsewhere. The Council is responsible for allocating the money raised through CIL towards infrastructure required to support the development of the borough.

Appendix A – Evidence base

Authorities wishing to implement CIL must produce a charging schedule setting out the levy rates for their area(s). The rates set must not threaten the ability to develop viably the sites and scale of development identified in the Local Plan. Our evidence on infrastructure that underpins the Local Plan, and a subsequent viability assessment update, demonstrates that the rates we are proposing are appropriate.

Government guidance recommends that the evidence on infrastructure needs should be drawn directly from the infrastructure planning that underpins the Development Plan. The following documents, which were produced to support and inform the Local Plan, provide the evidence base for CIL:

- Stevenage Borough Infrastructure Funding Strategy, Aecom, September 2015
- Infrastructure Delivery Plan (IDP), SBC (most recent version is October 2025)
- Stevenage Borough Council Local Plan & CIL Review Viability Assessment, Main Report (October 2024) and Main Report Addendum (November 2025)

It is important to note, based on our growth proposed in the adopted Local Plan Partial Update, the Council has identified a funding gap of over £200 million, representing the difference between total infrastructure costs and funding reasonably expected to be available. Calculations show a projected income from CIL of between £15 million and £20 million for the remainder of the adopted Plan period. CIL income will therefore make only a modest contribution towards filling the funding gap.

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Meeting Cabinet

Portfolio Area Transforming Stevenage and Local Government Reorganisation

Date 10 June 2026



LOCAL GOVERNMENT REORGANISATION IN HERTFORDSHIRE- REPRESENTATIONS TO MINISTRY FOR HOUSING, COMMUNITIES AND LOCAL GOVERNMENT (MHCLG) ON THE STRUCTURAL CHANGES ORDER.

URGENCY PROCEDURE ARRANGEMENTS

AUTHOR

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1 PURPOSE

- 1.1 The purpose of this report is to approve the Council's proposed response to a consultation from the Ministry of Housing, Communities and Local Government

(MHCLG), regarding the drafting of the Local Government Reorganisation (LGR) Structural Change Order for Hertfordshire.

- 1.2 The proposed submission to Government has been developed as a joint single response by all 11 Hertfordshire local authorities and provides responses to a series of questions posed by MHCLG.

2. RECOMMENDATIONS

- 2.1 That Cabinet approves the proposed responses detailed in Appendix A and delegates authority to the Chief Executive Officer to finalise the response and submit to MHCLG in accordance with the required timeframe.

3. BACKGROUND

- 3.1 In November 2025, the 11 Councils of Hertfordshire submitted proposals for Local Government Reorganisation, in accordance with the timeline and approach determined by MHCLG. Since submission of these proposals, Councils in Hertfordshire have continued with a range of actions to prepare for Local Government Reorganisation. MHCLG have also undertaken public and stakeholder consultation on the proposals for Hertfordshire.
- 3.2 Under the anticipated timeline, elections to new Shadow Authorities are anticipated in May 2027, and new Unitary Authorities to commence in April 2028.
- 3.3 At the time of preparing this report, the Secretary of State has not made a decision in relation to LGR in Hertfordshire. Ahead of this decision, MHCLG are now consulting with Councils regarding a Structural Change Order that would be put in place later in 2026/27, following a decision on LGR. This consultation on the drafting of a Structural Change Order covers the three different proposals for 2, 3 and 4 Unitary Authorities for Hertfordshire.
- 3.4 The Structural Change Order (SCO), is affirmative secondary legislation that will:
 - Establish the new Councils for Hertfordshire, providing for their elections, Councillor numbers and warding arrangements
 - Abolish existing upper and lower tier Councils
 - Provides for the transitional arrangements to get from those two-tier predecessor Councils to successor Unitary Councils, such as implementation teams and joint committees
 - Provides preparatory functions for the new authorities before they are vested:
 - Prepare, review and revise an implementation plan

- Developing proposals such as a code of conduct, scheme of allowances for Councillors and appointment of statutory officers
- Duty to consult and cooperate placed on all Councils
- Other functions as necessary

- 3.5. On 19 May 2026, Officials from MHCLG met with Hertfordshire Chief Executive Officers to discuss the contents of the potential SCO and ask for representations on certain elements for inclusion within the Order.
- 3.6. Whilst the final decision on elements for inclusion in the SCO rests solely with the Secretary of State, seeking representations from existing Councils should ensure that preparatory functions best reflect local circumstances.
- 3.7. Following advice from Hertfordshire Monitoring Officers, a collective set of responses to these questions has been detailed within Appendix A for Cabinet consideration and approval.

4. REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS

- 4.1. The response to the questions (and as set out in Appendix A) have been drafted based continued joint working across all Hertfordshire Councils and are also based on the assumptions and information included LGR proposals submitted by Hertfordshire Councils in November 2025.
- 4.2. The draft responses are also informed by the recent Surrey Structural Change Order, the draft Structural Change Orders for other Council areas in the Devolution Priority Programme, and discussion with MHCLG officials regarding expectations for the Structural Change Order.
- 4.3. The draft responses have been developed collectively by Hertfordshire Chief Legal Officers and Chief Executives, reflecting the collaborative approach used throughout the LGR programme.
- 4.4. However, Members should note that the final decision making on the drafting of the SCO will be made by the Secretary of State.
- 4.5. Diagram 1 below, shows a visual representation of the transition from the existing Hertfordshire Council to the new unitary authorities. The questions posed by MHCLG broadly relate to the different stages of transition and as such reasons for recommendation have been aligned to these stages.

Journey to Vesting Day

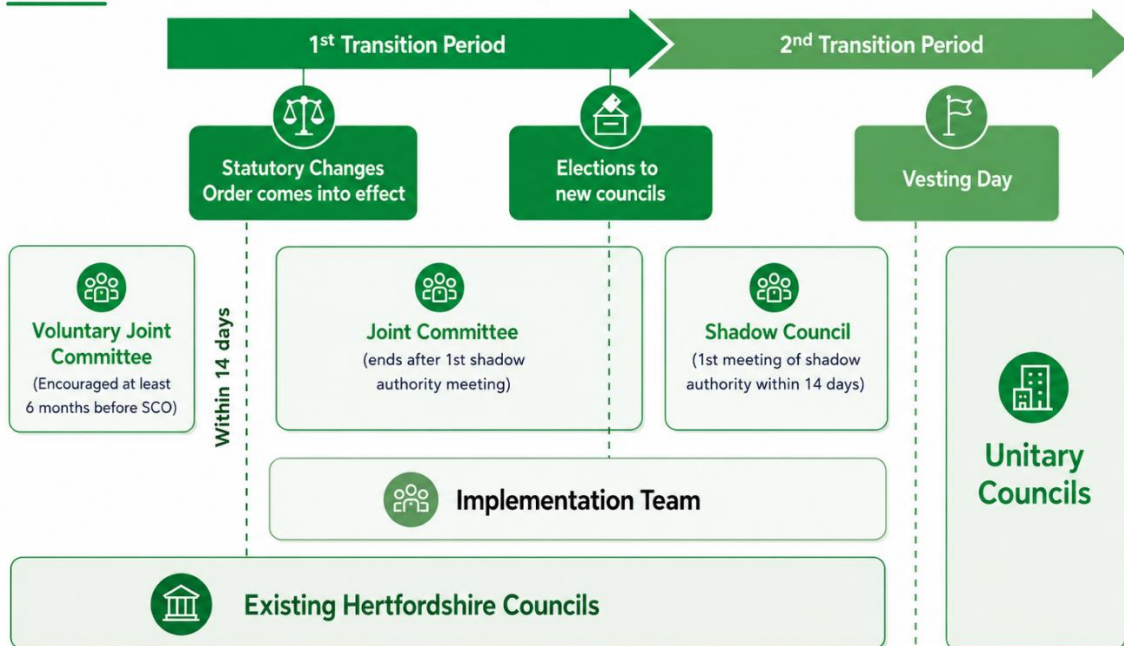


Diagram 1 – Transition from Existing Hertfordshire Councils to New Unitary Authorities

First Transition Period

- 4.6. This period of time follows a Secretary of State decision on LGR in Hertfordshire. While no date for a decision is formalised, it has been anticipated before August. In this phase of transition, the Secretary of State will have set out their decision for Local Government Reorganisation, including the number and geography of new Unitary Councils, and will invite the formation of Joint Committees with representation from existing Councils to support the preparation of the next phase.
- 4.7. Questions one to five within Appendix A broadly relate to the first transition period, which will start when the SCO comes into force. This is anticipated to be Spring 2027. This first transition period then lasts until 14 days after the Shadow Council Elections, which are anticipated in May 2027.
- 4.8. Question one relates to the proposed governance model for the first transition period. In relation to Hertfordshire, MHCLG is currently considering the proposals for two, three or four unitary authorities that were submitted by Hertfordshire Councils. As geographical boundaries do not closely align to any of the existing upper or lower tier Council boundaries, MHCLG advice is that a new Council model with a joint committee format must be used. The alternative the Preparing Council model has only previously been used where

the new unitary footprint closely matches that of that of a legacy County Council area and this is therefore not relevant for Hertfordshire.

- 4.9. Question two relates to the make-up of joint governance committees. MHCLG Guidance notes that committees should be between 8-16 members to provide sufficient capacity and representation. A detailed breakdown of the proposed committee make-up for the two, three and four authority models can be found in Appendix B. This breakdown aligns with MHCLG guidance and the make-up of joint committees within Councils who have previously gone through LGR and the arrangements for Local Government Reorganisation in Surrey and in the areas within Devolution Priority Programme.
- 4.10. Question three relates to the proposed chairing of these committees. As these are new committees, that will formally bring together representatives from existing upper and lower-tier Councils for the first time, it is proposed that the Chair and Deputy Chair are nominated at the first meeting of the committee as opposed to being defined in advance. This aligns with MHCLG guidance and the process for the nomination of Chairs and Deputy Chairs within Councils who have previously gone through LGR including the proposals for the areas covered by the Devolution Priority Programme.
- 4.11. Question four relates to the political balance requirements for these committees. Political balance requirements only apply where at least three seats on the joint committee are to be filled by appointments made by the authority concerned (paragraph 1(c) of Schedule 1 Local Government and Housing Act 1989). MHCLG have advised that authorities can request that political balance requirements are disapplied for Joint Committees. Stevenage Borough Council has less than three representatives in all of the proposed models and therefore the requirements for political balance do not apply. This question primarily therefore relates to representation from Hertfordshire County Council within these committees.
- 4.12. Question five relates to the Officer team who will support the first and second transition periods. Previous Local Government Reorganisation programmes elsewhere in England have all specified the requirement for a single Officer implementation team through to the commencement of the new Unitary Authorities. All 11 Councils across Hertfordshire have maintained collaborative working throughout the LGR submission and the current phase. Recommendations follow the format proposed by areas within the Devolution Priority Programme, where in all cases the Senior Responsible Officer for the transition has been proposed as the Chief Executive of the County Council. In addition, Deputy Senior Responsible Officers have been requested to come from lower tier Councils within the geography of the new unitary area. It is proposed that a formal process will be developed to seek expressions of interest for these roles as Deputy Senior Responsible Officers, a fair and transparent assessment method used, and it is currently proposed that they will be confirmed via the first meeting of new Joint Committees.

Future Electoral Arrangements

- 4.13. Question six relates to the nomination of Electoral Returning Officers for the Shadow Council elections, currently proposed to be in May 2027. It is anticipated that a local formal process will be developed to seek nominations to the role of Returning Officers for elections to Shadow Authorities, and not recommended to confirm named Returning Officers at this point in time.
- 4.14. Question seven relates to the alignment of Parish Council Elections to the new Unitary Council elections. It should be noted that there are currently no Parish Councils within the boundaries of Stevenage Borough Council and this question therefore relates to other areas of Hertfordshire. In line with the proposed arrangements for the Devolution Priority Programme, it is recommended that town and parish elections are aligned to the new unitary election cycle, simplifying the process for residents.

Second Transition Period (Shadow Council period)

- 4.15. Question eight relates to the names of the new Unitary Councils. The new Unitary Councils will have the powers to apply to change their legal names once they are formed. Therefore, any names agreed prior to this are not binding for the long term. It is therefore recommended that for ease and consistency the names used within the Hertfordshire LGR submission document are used for the new Councils. These are documented in full in Appendix C.
- 4.16. Question nine relates to the warding arrangements for the new unitary Councils. Detailed discussions and analysis took place on warding and councillor numbers during the submission phase of LGR. These arrangements were discussed and agreed with Hertfordshire Leaders Group and ratified at Full Council and Cabinet as part of the approval process for the LGR Submission in November 2025. It is not proposed to change these proposals.

Other Considerations

- 4.17. If the Council chose not to submit a response to these questions, the Structural Change Order will still be developed, however, the Council's views will not be represented.

5. IMPLICATIONS

Financial Implications

- 5.1. The Council has approved SBC's contribution to transition costs as part of the 2026/27 budget setting process which are summarised below.

SBC Budgeted LGR costs	2026/27 £M	2027/28 £M	2028/29 £M	Total
2026/27 Budget setting	£0.50	£0.50	£0.40	£1.40
Delegated to Cabinet to approve if required	£0.50			£0.50
Total Budgeted for Implementation/Transition costs	£1.00	£0.50	£0.40	£1.90

Legal Implications

- 5.2. The decision to agree the representations and to submit to MHCLG is an executive function.
- 5.3. The Local Government and Public Involvement in Health Act 2007 provides the legislative framework for local government reorganisation.
- 5.4. The legislation provides that it is the Secretary of State who will make the final decision about what is included within the SCO.
- 5.5. The SCO is affirmative secondary legislation, that will establish the new unitary councils and abolish the existing Councils in Hertfordshire. It is currently anticipated that the SCO will be drafted in Autumn 2026 and come into force in Spring 2027.
- 5.6. A new authorities must be 'safe and legal' on vesting day, which in Hertfordshire's context is currently 1 April 2028. This will be the responsibility of the shadow unitary authorities working in conjunction with the existing authorities.

6. BACKGROUND DOCUMENTS

- 6.1. All documents that have been used in compiling this report, that may be available to the public, i.e. they do not contain exempt information, should be listed here:

BD1 [LGR cabinet report.pdf](#)

BD2 [English Devolution White Paper](#)

Appendices

- A MHCLG Questions and Proposed Responses
- B Proposed Committee Representation
- C Proposed Council Names

Appendix A

Questions for response by 16 June 2026

Question Number	Question from MHCLG	Proposed Response
1	Whether you would prefer a preparing council and implementation executive model (where geographies align) or a new council model with a joint committee?	Stevenage Borough Council support the proposal for a new council model with Joint Committees.
2	How many members from each relevant council would you prefer to sit on each Joint Committee or implementation executive, including the balance of members from different councils?	<p>Representation to be a balanced between a 50/50 split between the County Council and Districts & Boroughs. based on the following principles and further illustrated in the tables below.</p> <ul style="list-style-type: none"> • 4 unitary model: 2 seats per District & Borough • 3 unitary model: 2 seats per District & Borough • 2 unitary model: 1 seat per District & Borough <p>Appendix B provides further information.</p>
3	Would you prefer for any individuals to be specified for the Chair/Deputy Chair roles, and if so, who?	Chair and Deputy Chairs to be agreed at the first meeting of the Joint Committee.

Question Number	Question from MHCLG	Proposed Response
4	What are your views on any requirement for political balance in the implementation executive/joint committee(s)?	In all Joint Committee models, Stevenage Borough Council would have a maximum of two seats. Representation is a local decision.
5	What would be your preferences for the membership of the Implementation Team and whether roles should be specified?	<p data-bbox="947 499 1823 571">One team comprising officers from the County Council and all District and Borough Councils.</p> <p data-bbox="947 643 1877 746">The Chair of the Implementation Team (also known as the Senior Responsible Officer – SRO) will be the Chief Executive of the County Council.</p> <p data-bbox="947 818 1877 1002">The Deputy SROs of the Implementation Team are to be one Chief Executive or other nominated senior officer for each proposed Unitary Area to be obtained from the District & Borough Councils to be agreed at the first meeting of the Implementation Team.</p>
6	Who should be the returning officer for the first election to each of the new unitary councils, that proposals would see established? (We anticipate that the SCO would specify the role at a particular council rather than an individual person)	This will be a local decision, based on a nomination and assessment process to be determined.

Question Number	Question from MHCLG	Proposed Response
7	Confirm if you would prefer the SCO to align future parish council elections with those of the new councils and set out when parish council elections currently take place across the four year electoral cycle for each of the new council areas?	We note the preference for a four-year cycle for the new Councils ending in 2032, with town and parish elections aligned to this.
8	What are the current legal names of the councils and what would be your preferred names for new councils?	<p>Current Legal Names</p> <p>Hertfordshire County Council</p> <p>Broxbourne Borough Council</p> <p>Dacorum Borough Council</p> <p>East Hertfordshire District Council</p> <p>Hertsmere Borough Council</p> <p>North Hertfordshire District Council</p> <p>St Albans City and District Council</p> <p>Stevenage Borough Council</p> <p>Three Rivers District Council</p> <p>Watford Borough Council</p> <p>Welwyn Hatfield Borough Council</p> <p>Preferred Future Names</p>

Question Number	Question from MHCLG	Proposed Response
		<p>It is Stevenage Borough Councils preference that the future Council names are taken from the Hertfordshire Local Government Reorganisation Submission of November 2028.</p> <p>Please see Appendix B</p>

Question for response by 17 August 2026

Question Number	Question from MHCLG	Proposed Response
9	<p>What are your suggested wards, that reflect the proposal and councillor numbers decided, and that best meet the LGBCE guidance, for inclusion in the SCO?</p>	<p>The warding and councillor numbers are unchanged from the submission documents.</p>

Appendix B- Detailed Breakdown of Committee Make Up

2UA - 10 seats

West	HCC	DBC	HBC	StA	TRDC	WBC	Total
LD	5	1	1	1	1	1	10

Eastern	HCC	BBC	EHDC	NHDC	SBC	WHD C	Total
LD	5	1	1	1	1	1	10

3UA - 12/16 seats

West	HCC	DBC	TRDC	WBC	Total
Seats	6	2	2	2	12

Central*	HCC	HBC	StA	WHDC	Total
LD	6	2	2	2	12

Eastern*	HCC	BBC	EHDC	NHDC	SBC	Total
LD	8	2	2	2	2	16

4UA - 8/12 seats

North West	HC C	DBC	StA	Total
Seats	4	2	2	8

South West	HC C	HBC	TRDC	WBC	Total
Seats	6	2	2	2	12

Central	HC C	NHDC	SBC	WHDC	Total
Seats	6	2	2	2	12

Eastern	HC C	BBC	EHDC	NHDC**	total
Seats	4	2	2	0	8

,+ 1NV @
NHDC

*** 2 division changes from Hertsmere in West to central - assume no change of representation**

**** One non voting co opted representative to reflect boundary changes**

Appendix C- Proposed Council Names

2 Unitary Model	Preferred name	Represented Councils
Eastern	Eastern Hertfordshire Council	HCC,BBC,EHDC,NHDC, SBC,WHDC
West	West Hertfordshire Council	HCC,DBC,HBC,StA,TRDC,WBC

3 Unitary Model	Preferred name	Represented Councils
Eastern	Eastern Hertfordshire Council	HCC, BBC, EHDC,NHDC,SBC
West	West Hertfordshire Council	HCC, DBC,TRDC,WBC
Central	Central Hertfordshire Council	HCC, HBC,StA, WHBC

4 Unitary Model	Preferred name	Represented Councils
North West	North West Hertfordshire Council	HCC, DBC St A
South West	South West Hertfordshire Council	HCC, HBC, TRDC, WBC

Central	Central Hertfordshire Council	HCC, HCC, NHDC, SBC, WHBC
Eastern	Eastern Hertfordshire Council	HCC, BBC, EHDC

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