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Democratic Services

LICENSING AND PLANNING POLICY COMMITTEE

Tuesday 10 March 2026 at 7.30 pm

Place: Council Chamber, Epsom Town Hall

Online access to this meeting is available on YouTube: Link to online broadcast

The members listed below are summoned to attend the Licensing and Planning Policy Committee meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Councillor Peter O'Donovan (Chair)
Councillor Neil Dallen (Vice-Chair)
Councillor Steve Bridger
Councillor Alex Coley
Councillor Julian Freeman
Councillor Rob Geleit
Councillor Phil Neale
Councillor Humphrey Reynolds
Councillor Clive Woodbridge
Councillor Lucie McIntyre

Yours sincerely



Chief Executive

For further information, please contact democraticservices@epsom-ewell.gov.uk or tel: 01372 732000

EMERGENCY EVACUATION PROCEDURE

No emergency drill is planned to take place during the meeting. If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions.

- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move to the assembly point at Dullshot Green and await further instructions; and
- Do not re-enter the building until told that it is safe to do so.

Public information

Please note that this meeting will be held at the Town Hall, Epsom and will be available to observe live using free YouTube software.

A link to the online address for this meeting is provided on the first page of this agenda. A limited number of seats will be available on a first-come first-served basis in the public gallery at the Town Hall. If you wish to observe the meeting from the public gallery, please arrive at the Town Hall reception before the start of the meeting. A member of staff will show you to the seating area. For further information please contact Democratic Services, email: democraticservices@epsom-ewell.gov.uk, telephone: 01372 732000.

Information about the terms of reference and membership of this Committee are available on the Council's website. The website also provides copies of agendas, reports and minutes.

Agendas, reports and minutes for this Committee are also available on the free Modern.Gov app for iPad, Android and Windows devices. For further information on how to access information regarding this Committee, please email us at democraticservices@epsom-ewell.gov.uk.

Exclusion of the Press and the Public

There are no matters scheduled to be discussed at this meeting that would appear to disclose confidential or exempt information under the provisions Schedule 12A of the Local Government Act 1972 (as amended). Should any such matters arise during the course of discussion of the below items or should the Chair agree to discuss any other such matters on the grounds of urgency, the Committee may wish to resolve to exclude the press and public by virtue of the private nature of the business to be transacted.

Questions and statements from the Public

Up to 30 minutes will be set aside for questions and statements from members of the public at meetings of this Committee. Any member of the public who lives, works, attends an educational establishment or owns or leases land in the Borough may ask a question or make a statement on matters within the Terms of Reference of the Committee.

All questions must consist of one question only and cannot consist of multiple parts. Questions and statements cannot relate to planning or licensing committees matters, the personal affairs of an individual, or a matter which is exempt from disclosure or confidential under the Local Government Act 1972. Questions which in the view of the Chair are defamatory, offensive, vexatious or frivolous will not be accepted. Each question or statement will be limited to 3 minutes in length.

If you wish to ask a question or make a statement at a meeting of this Committee, please contact Democratic Services at: democraticservices@epsom-ewell.gov.uk

Questions must be received in writing by Democratic Services by noon on the fifth working day before the day of the meeting. For this meeting this is **Noon, Tuesday 3rd March**.

A written copy of statements must be received by Democratic Services by noon on the working day before the day of the meeting. For this meeting this is **Noon, Monday 9th March**.

For more information on public speaking protocol at Committees, please see Annex 4.2 of the Epsom & Ewell Borough Council Operating Framework.

Filming and recording of meetings

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Members of the Press who wish to film, record or photograph a public meeting should contact the Council's Communications team prior to the meeting by email at: communications@epsom-ewell.gov.uk

Filming or recording must be overt and persons filming should not move around the room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non-handheld devices, including tripods, will not be allowed.

AGENDA

1. QUESTIONS AND STATEMENTS FROM THE PUBLIC

To take any questions or statements from members of the Public.

2. DECLARATIONS OF INTEREST

To receive declarations of any Disclosable Pecuniary Interests or other registrable or non-registrable interests from Members in respect of any item to be considered at the meeting.

3. MINUTES OF THE PREVIOUS MEETING (Pages 7 - 10)

The Committee is asked to confirm as a true record the Minutes of the Meeting of the Committee held on 22 January 2026 (attached) and to authorise the Chair to sign them.

4. MINUTES OF LICENSING SUB-COMMITTEE (Pages 11 - 24)

To receive the Minutes of the Meetings of the Licensing Sub-Committee held on the 7 January 2026.

5. HERITAGE CHAMPION ANNUAL STATEMENT (Pages 25 - 62)

To report to the Committee the annual statement of the Heritage Councillor Champion.

6. APPROVAL OF STATEMENT OF POLICY UNDER THE LICENSING ACT 2003 (Pages 63 - 136)

A public consultation has been completed on a draft revised Licensing Act 2003 Statement of Policy, and the Committee are asked to consider the responses and approve a revised policy which can be recommended for adoption by Full Council.

7. APPROVAL OF STATEMENT OF PRINCIPLES UNDER THE GAMBLING ACT 2005 (Pages 137 - 202)

A public consultation has been completed on a draft revised Gambling Act 2005 Statement of Principles, and the Committee are asked to consider the responses and approve a revised policy which can be recommended for adoption by Full Council.

8. SECTION 106 MONITORING FEES (Pages 203 - 210)

Legislation and planning practice guidance enables the Council to charge a monitoring fee for Section 106 Agreements.

This report seeks to introduce new charges to cover some of the administration costs of monitoring future Section 106 agreements which if approved will be added to the Councils Planning Fees and Charges Schedule.

9. STONELEIGH AND AURIOL NEIGHBOURHOOD PLAN - TO 'MAKE' THE NEIGHBOURHOOD PLAN FOLLOWING A SUCCESSFUL REFERENDUM (Pages 211 - 218)

The Localism Act 2011 introduced a right for communities to draw up neighbourhood development plans. Stoneleigh and Auriol Neighbourhood Forum, with support and advice from Epsom and Ewell Borough Council has produced a neighbourhood plan.

The neighbourhood plan has been subject to community and stakeholder engagement and was subject to an Independent Examination during September and October 2025, which concluded with a recommendation by this committee that Neighbourhood Plan should proceed to Referendum.

A Referendum was held on 12 February 2026 with a positive outcome, with the following results based on a turnout of 20.7%:

- Yes: 93.4%
- No: 6.6%

10. NATIONAL PLANNING POLICY FRAMEWORK: PROPOSED REFORMS AND OTHER CHANGES TO THE PLANNING SYSTEM (Pages 219 - 424)

The Government launched a consultation on changes to the National Planning Policy Framework (NPPF) on the 16 December 2026. The proposals are a substantive update to the NPPF which includes comprehensive changes to the document structure and format with most chapters being split between 'plan making policies' and 'decision making policies' and the inclusion of a series of new annexes providing detail on the standard method for housing and grey belt assessment.

There are a significant number of changes proposed, these include:

- Stating that where local plan policies are inconsistent with national decision-making policies they should be given limited weight.
- Providing national policy to guide the content of spatial development strategies (SDSs); a new tier of strategic planning.
- That housing and mixed-use development around train stations defined as 'well- connected' will not be considered inappropriate.
- Proposing that plots around train stations should be built out at a density of at least 40 dwellings per hectare, rising to 50 where the station is "well-connected".
- Introducing a medium-size site category into the planning system, which will cover developments of between 10-49 homes, with an area of up to 2.5ha in size.
- Proposing a revision of the weight given to the consideration of the potential effect of a development proposal on a designated heritage asset from "great" to "substantial".

11. LOCAL PLAN UPDATE (Pages 425 - 434)

In accordance with Appendix 5 - 3.4 of the Constitution a member has requested that an item be placed on the agenda for the next scheduled Licensing & Planning Policy Committee on March 10th *"To update the committee on all submissions and modifications made to the Inspector for the Local Plan, following examination hearings last year."*

This report responds to the above item request and reflects the position as of 23 February 2026.

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Minutes of the Meeting of the LICENSING AND PLANNING POLICY COMMITTEE held at the Council Chamber, Epsom Town Hall on 22 January 2026

PRESENT -

Councillor Peter O'Donovan (Chair); Councillor Neil Dallen (Vice-Chair); Councillors Liz Frost (as nominated substitute for Councillor Steve Bridger), Alex Coley, Julian Freeman, Rob Geleit, Lucie McIntyre (as nominated substitute for Councillor Shanice Goldman), Phil Neale, Humphrey Reynolds and Clive Woodbridge

Absent: Councillor Steve Bridger and Councillor Shanice Goldman

Officers present: Sue Emmons (Chief Accountant), Anna Clements (Senior Accountant) and Phoebe Batchelor (Democratic Services Officer)

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21 QUESTIONS AND STATEMENTS FROM THE PUBLIC

One question was received from a Member of the Public. An answer was provided prior to the Committee Meeting and published on the Council's website.

The Member of the Public asked a supplementary question. The Chair agreed to provide a written response following the meeting.

22 DECLARATIONS OF INTEREST

No declarations of any Disclosable Pecuniary Interests or other registrable or non-registrable interests were made by Members with respect to any items to be considered at the meeting.

23 MINUTES OF THE PREVIOUS MEETING

The Committee confirmed as a true record the Minutes of the Meeting of the Committee held on 25 November 2025 and authorised the Chair to sign them.

24 FEES AND CHARGES 2026/27

The Committee received a report recommending the fees and charges for which they are responsible, with the new charges being effective from 1 April 2026.

The following matters were considered:

a) **Report Correction.** The Senior Accountant explained that there was an error on page 3 of the development fees and charges. The error is under

Major Development pre-application advice fees for Major (100+ dwellings, 5000sqm+)- With Follow Up Meeting/Letter (within 3 months). All three lines state the same unit narrative, the first line should say 'Letter only', the second line should say 'Add meeting' and the third line should say 'With Follow Up Meeting/Letter (within 3 months)'. The Senior Accountant noted that the fees and charges document will be updated before it comes into effect.

b) **Retrospective Planning Applications.** A Member of the Committee asked if there is a possibility to include an additional charge on retrospective planning applications. The Senior Accountant agreed to follow up this query with the Head of Place Development.

c) **Fee increase.** A Member of the Committee asked for clarification as to why discretionary place development charges are being increased by 4.8%, noting that this is considerably above the current inflation rate. The Chief Accountant explained that the 4.8% increase was set by the Medium-Term Financial Strategy, which stated that the fees and charges should increase by CPI plus 1%. The CPI used for 2026/27 is from September 2025, which is readily available online, and was 3.8%. The Chief Accountant informed the Committee that the increases to staff salaries, the government changes to National Insurance payments, and inflation across various areas, has placed additional costs on the Council, meaning the 4.8% increase in fees and charges is quite reasonable and reflective of the current financial situation.

d) **Tree Officer rate.** A Member of the Committee asked if the hourly rate of £133 for a Tree Officer means an 8-hour day rate of £1064 is what is charged for a day of the Tree Officer's time. The Chief Accountant explained that staff are contracted to 7.2 hours per day over a 36-hour work week. The Chief Accountant confirmed that if 8 hours of the Tree Officer's time was needed, it would cost £1064. The Vice Chair informed the Committee that the Tree Officer is charged out hourly, not on a full-day basis. The Chief Accountant explained that the rate also takes into account the fact that there might be travel time and costs associated for the Officer carrying out the required work. The Member raised that the borough is no more than 2 miles across from any point. The Member asked if currently the Tree Officer's daily rate is just shy of £900. The Chief Accountant confirmed that if the Tree Officer was contracted to spend 7 hours at one particular site, then the charge indicated by the Member is correct.

e) **Tree-planting.** A Member of the Committee raised that the Council charges £550 for tree planting. The Member said that is £50 for the tree and £500 for the Tree Officer. The Member continued to say that cost equates to 3 ½ hours for the Tree Officer to travel, fill out forms, and watch them implant the tree. The Chief Accountant agreed to take the query away and follow up with the Head of Service and the Tree Officer.

f) **Officer Day-rates.** A Member of the Committee raised that the day rates for Head of Planning Policy and Head of Place Development are higher than top cybersecurity people in London. The Member highlighted that the charges are not set by Central Government but are set by the Council.

g) **Comparative prices.** A Member of the Committee asked if the charges have been compared to other local councils and are similar. The Senior Accountant confirmed that the charges have been compared with other local councils. The service managers had raised that it is difficult to compare some services as each local council offers slightly different discretionary services. Another Member stated that Planning is a regulated activity in this country, as well as the NPPF. The Member stated that it is a quasi-judicial activity that local authorities take. The Member asked if the Senior Accountant was saying that the Head of Planning in Elmbridge is doing something different to the Head of Planning in Epsom. The Senior Accountant explained that each council will provide slightly different services, be it meetings, written responses, additional meetings, specialist comments and advice, hence why EEBC prices might differ from other local councils. The Senior Accountant explained that at other authorities, they may provide a service for an advice meeting with a follow up letter, with other councils offering that as two separate services, or offering longer meetings. The Chair invited the Member to put a question in writing to the Head of Place Development. The Member responded to say that all the fees and charges show is a job title and a rate, it does not show a breakdown of the service or a comparison with neighbouring councils and therefore, it is not possible to determine if these are reasonable costs for residents. The Chief Accountant explained that the fees and charges set out in appendix 1, are not for statutory planning applications, they are added value, discretionary services, which a resident or developer could procure from a private company or business. The Chief Accountant explained that the fees will include VAT and will be comparative to private sector companies who offer similar or the same services.

h) **Tree Advisory Board.** A Member of the Committee asked if when the founder of the Epsom and Ewell Tree Advisory Board passed away and the group wished plant a memorial tree, could they have gone elsewhere for that service. The Chief Accountant explained that they had been referring to officer rates when mentioning that some services could be procured by using a private company. Another Member explained that there is a lot more work involved in tree-planting than is listed in appendix 1 and encouraged members to look at the papers that went to Environment Committee to find out more.

i) **Use of particular services.** A Member of the Committee raised that it would be helpful for a future Committee Meeting to see how regularly the services listed in the fees and charges are used.

j) **Primates.** A Member of the Committee asked why new primate licences have been introduced. The Senior Accountant agreed to take the query away and circulate the response to Committee Members following the meeting.

Following consideration, the Committee resolved with 7 votes for and 2 abstentions to:

(1) Agree the fees and charges for 2026/27 as set out at Appendices 1 and 2.

25 REVENUE BUDGET 2026/27

The Committee received a report setting out budget estimates for income and expenditure for Licensing and Planning Policy services in 2026/27.

The following matters were considered:

a) **Local Plan Cost.** A Member of the Committee asked about the cost of the development of the Local Plan, as referenced in paragraph 4.4. The Member asked if there is not sufficient funding already allocated to the development of the Local Plan, would a request need to be sent to Strategy and Resources Committee to ask for more funding. The Senior Accountant confirmed that if further funding was required, a request would need to go to S&R Committee.

b) **Taxi Licensing.** A Member of the Committee asked about the risk of key licensees not renewing with Epsom and Ewell Borough Council, as set out in the table on page 26. The Member asked if a comparison has been done with other areas to determine if we are unnecessarily high which could contribute to the decision of key licensees to not renew with EEBC. The Senior Accountant informed the Committee that there is always a risk when it comes to increasing fees and charges. The Senior Accountant explained that we do not have control over taxi operators and whether they choose to remain licensed with EEBC or go elsewhere. The Senior Accountant highlighted that there has been a stable income when it comes to taxi licensing and both the licensing and finance teams are confident that this will continue over the next year.

Following consideration, the Committee resolved with 7 votes for and 2 abstentions to:

(1) Recommend the 2026/27 service estimates for approval at the budget meeting of Full Council in February 2026.

The meeting began at 7.30 pm and ended at 8.03 pm

COUNCILLOR PETER O'DONOVAN (CHAIR)

MINUTES OF LICENSING SUB-COMMITTEE

Head of Service:	Piero Ionta, Head of Legal and Monitoring Officer
Report Author	Phoebe Batchelor
Wards affected:	(All Wards);
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	N/A
Appendices (attached):	**Appendix 1** - Minutes of the Licensing Sub-Committee – 7 January 2026, 11.00am **Appendix 2** - Minutes of the Licensing Sub-Committee – 7 January 2026, 2.00pm

Summary

To receive the Minutes of the Meetings of the Licensing Sub-Committee held on the 7 January 2026.

Recommendation (s)

The Committee is asked to:

(1) Receive the Minutes of the Meetings of the Licensing Sub-Committee held on the 7 January 2026 and authorise the Chairs of the Sub-Committee meetings to sign them as a true record of that meeting.

1 Reason for Recommendation

1.1 The Draft Minutes of meetings of the Licensing Sub-Committees are presented to the Committee for information and to authorise their signature by the Sub-Committee Chair as a true record of the meeting.

2 Background

2.1 CPR 10.4 of Appendix 5 of the Constitution (Standing Orders relating to the Conduct of Committees, Sub-Committees, and Advisory Panels) set out a procedure for the signature of minutes should a committee, subcommittee or advisory panel not be scheduled or likely to meet again in the foreseeable future.

2.2 In such instances the minutes are presented to the parent committee or Full Council to authorise their signature as a true record, subject to the resolution of all questions of accuracy raised by members who were present at the meeting.

2.3 As meetings of the Licensing (Hearings) Sub-Committee and Licensing (General) Sub-Committee do not have an annual schedule (they are arranged as required) or static membership, it is necessary to present their minutes to the Licensing and Planning Policy Committee (as parent Committee) for approval.

2.4 The below procedure is followed for Minutes of Licensing (Hearings) Sub-Committee and Licensing (General) Sub-Committee:

2.4.1 Following each meeting of the Licensing (Hearings) Sub-Committee and Licensing (General) Sub-Committee the draft minutes will be provided by officers to all three sub-committee members for comment and agreement via email. Any questions of accuracy will be resolved to the agreement of all three members.

2.4.2 Once all three members have expressed their agreement to the minutes, a copy will be provided to the next ordinary meeting of the Licensing and Planning Policy Committee to receive and authorise a signature.

2.4.3 Following receipt and authorisation by the Licensing and Planning Policy Committee, a hard copy of the Minutes will be provided to the Chair of the Sub-Committee for signature.

2.5 This report presents the draft Minutes from the Meetings of the Licensing Sub-Committee held on:

- 7 January 2026 11:00am
- 7 January 2026 2:00pm

2.6 All members of each Sub-Committee meeting have expressed their agreement to the draft minutes, and any questions of accuracy raised by members of the Sub-Committee have been resolved to the satisfaction of all members of that meeting.

3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

3.1.1 None arising from this report.

3.2 Crime & Disorder

3.2.1 None arising from this report.

3.3 Safeguarding

3.3.1 None arising from this report.

3.4 Dependencies

3.4.1 None arising from this report.

3.5 Other

3.5.1 None arising from this report.

4 Financial Implications

4.1 None for the purposes of this report.

4.2 **Section 151 Officer's comments**: None for the purposes of this report.

5 Legal Implications

5.1 None for the purposes of this report.

5.2 **Legal Officer's comments**: None for the purposes of this report.

6 Policies, Plans & Partnerships

6.1 **Council's Key Priorities**: Not relevant to this report.

6.2 **Service Plans**: Not relevant to this report.

6.3 **Climate & Environmental Impact of recommendations**: None.

6.4 **Sustainability Policy & Community Safety Implications**: None.

6.5 **Partnerships**: None.

6.6 **Local Government Reorganisation Implications**: None.

7 Background papers

7.1 The documents referred to in compiling this report are as follows:

Other papers:

- Appendix 5 – Standing Orders relating to the Conduct of Committees, Sub-Committees, and Advisory Panels

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Minutes of the Meeting of the LICENSING (HEARING) SUB-COMMITTEE held at the Council Chamber, Epsom Town Hall on 7 January 2026

PRESENT -

Councillors Neil Dallen, Humphrey Reynolds and Clive Woodbridge

In Attendance: Ali Hassan (Applicant Representative), Shakiel Younis (Applicant Representative)

Officers present: Kate Gillman (Solicitor), Paul Holliday (Principal Licensing Officer), Dan Clackson (Democratic Services Officer) and Angela Guest (online) (Democratic Services Officer)

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7 APPOINTMENT OF THE CHAIR

The Sub-Committee unanimously agreed that Councillor Neil Dallen be appointed as Chair of the meeting.

8 DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interests or other registrable or non-registrable interests were made by Members in response of any items considered at the meeting.

9 DETERMINATION OF APPLICATION FOR PREMISES LICENCE

The Sub-Committee received a report to determine an application for a premises licence for 182 Kingston Road, Epsom KT19 0SF, and where the authority had received relevant representation.

The Principal Licensing Officer introduced the report. Within his introduction he stated the following:

a) He stated that the hours requested within the application was for serving refreshments both indoors and outdoors from 11pm to 1am on Sunday to Thursday and until 1.30am on Fridays and Saturdays as well as Christmas and New Year's Eve.

b) Page 31 of the agenda pack shows the applicant's proposals for promoting the licencing objectives and these would be made into enforceable conditions if application was granted.

c) One objection had been received and although the objector was not in attendance the sub-committee must consider this objection in their deliberations.

d) The Applicant had submitted further evidence following agenda publication which had been shared with the sub-committee. This included a letter of support from a local resident and because this had been received outside of the timescale for representations the supporter had not been invited to speak today.

e) The Applicant has confirmed they would provide a food delivery service using their own drivers. The Applicant had also confirmed that the seating area as shown on plans would be used for waiting customers as well as drivers waiting for deliveries.

The Sub-Committee invited other parties to ask questions of the Principal Licensing Officer.

a) No parties had any questions to ask of the Principal Licensing Officer.

The Sub-Committee asked questions of the Principal Licensing Officer.

a) The sub-committee asked if there had been any formal complaints of noise or disturbance in that area. It was confirmed that neither Licensing nor Environmental Health had received any complaints against the premises.

b) The sub-committee asked for clarification on the outdoors provision. It was confirmed that this was a takeaway and outdoors related to the delivery service only. No provision was made for eating indoors or outdoors.

The Sub-Committee invited the Applicant to make an opening submission. The Licensing Consultant (Applicant's representative) provided an opening submission on behalf of the Applicant.

a) The Applicant's representative explained that Pizza GoGo which is located beside this premises had a late license. He also stated that a letter of support from the resident above the premises was submitted and could not understand why the other resident had objected.

The Licensing Consultant responded to questions and comments from the Sub-Committee on behalf of the Applicant.

a) There were no questions from the sub-committee to the Applicant's Representative.

The Sub-Committee invited other parties to ask questions of the Applicant.

a) There were no other parties.

The Licensing Consultant responded to questions from the Sub-Committee's Legal Advisor on behalf of the applicant:

a) In respect of the objector's statement of a noisy fan and noisy youths outside the Licensing Consultant confirmed that there was little noise from this premises, and the resident upstairs had not indicated this was an issue. He also stated that a food hygiene rating inspection had recently taken place, and all the equipment was working fine.

The Licensing Consultant responded to questions from the Sub-Committee on behalf of the Applicant:

a) The Licensing Consultant confirmed that the CCTV was filming inside the premises only and not outside.

The meeting was adjourned at 11:20 and the Sub-Committee retired from the Council Chamber with their Legal Advisor to consider the application.

The Sub-Committee and their Legal Advisor returned to the Council Chamber and resumed the meeting at 11:37.

Having read the material presented in the agenda and all the written representations made, having listened to all the evidence and submissions presented at the hearing, and having regard to the Statutory Guidance and the Licensing Policy of the Council, the Sub-Committee has decided to grant the licence as applied for. The Chair explained the reasons for the decision as follows:

"We have received a letter from an objector and have noted their concerns. We note that we have received no objections from the responsible authorities and there have been no noise complaints recorded against the premises. The applicant has offered to address crime and disorder and nuisance objectives with notices and CCTV and has a contract with a waste company in place. We have also received a letter in support of the applicant which we have taken into account. We also note that the area is a busy dual carriageway with a number of businesses operating. We believe that the conditions proposed adequately address the licensing objectives and therefore grant the licence as applied for."

The Chair advised that the decision of the Sub-Committee would be followed up by written confirmation of the decision in due course and advised that the Applicant and representors had a right of appeal against the decision of the Sub-Committee, within 21 days of the notification in writing to the Applicant, to the Magistrates Court.

The meeting began at 11.04am, was adjourned between 11.20am -11.37am, and ended at 11.38am.

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Minutes of the Meeting of the LICENSING (HEARING) SUB-COMMITTEE held at the Council Chamber, Epsom Town Hall on 7 January 2026

PRESENT -

Councillors Steve Bridger, Humphrey Reynolds and Clive Woodbridge

In Attendance: Eminie Fezal Yurdakul (Applicant's Representative) Bilal Nadir Gilgiel (Applicant), Bilal Gilgiel, Jenny Billam (Police Licensing Officer) and Edward Elton (Legal Representative for Surrey Police)

Officers present: Kate Gillman (Solicitor), Paul Holliday (Principal Licensing Officer), Dan Clackson (Democratic Services Officer) and Angela Guest (online) (Democratic Services Officer)

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10 APPOINTMENT OF THE CHAIR

The Sub-Committee unanimously agreed that Councillor Steve Bridger be appointed as Chair of the meeting.

11 DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interests or other registrable or non-registrable interests were made by Members in respect of any items considered at the meeting.

12 VARIATION OF LATE NIGHT REFRESHMENT LICENCE

The Sub-Committee received a report to determine an application to vary a premises licence for Epsom Grill, 3 Waterloo Road, Epsom KT19 8AY where the authority had received relevant representation.

The Principal Licensing Officer introduced the report. Within his introduction he stated the following:

a) That the measures proposed by the Applicant to promote the four licensing objectives will be converted into enforceable conditions on the license if granted and unless the sub-committee make any changes.

b) Paragraph 2.7 of page 7 had been amended to say **no** reports or records of complaints in respect of the above events.

c) Paragraph 3.2 of page 7 had been amended to 11 December **2026** rather than 2025.

The Sub-Committee invited the Applicant and other parties to ask questions of the Principal Licensing Officer.

d) No parties had any questions to ask of the Principal Licensing Officer.

The Sub-Committee were invited to ask questions of the Principal Licensing Officer.

e) The Sub-Committee had no questions at this time.

The Sub-Committee invited the Applicant to make an opening submission. The Licensing Consultant (Applicant's representative) provided an opening submission on behalf of the Applicant.

f) Epsom Grill had been trading several years, was a takeaway service and did not deal with alcohol and were seeking a variation of operating hours on Friday and Saturday nights until 4am.

g) Several Temporary Events Notices (TENS) had been applied for in the past year to extend operating hours. Recently, 10 applications had been made for Christmas Day, Boxing Day and New Year's Eve which had no incidents and received no negative feedback from authorities. This showed the business acting responsibly and safely.

h) Relying on TENS was not good for the business as it was difficult to plan in advance especially when they have short notice of events. The Applicant did not hold a personal licence so can only do two lates per year and this does not cover customer demand.

i) During the application process the police registered a complaint citing concern about the crime rates in the town centre but confirmed that only a small number of incidences were directly linked to premises nearby. Therefore, Epsom Grill was not the main cause of crime or disorder. The police also cited that extended hours would contribute to people loitering in the area for longer periods but there was a club open not far from Epsom Grill that operated until 3am. Chicken Valley also operated until 2.30am. By allowing the application it would assist with dispersal of people as there would be multiple locations available rather than having them all at one venue.

j) The Applicant was happy to employ one SI door supervisor on Friday's and Saturday's if the Committee thought this necessary. The Applicant

was also happy to accept strong conditions such as CCTV, incident logs litter picking and dispersal signage.

The Sub-Committee were invited to ask questions of the Applicant.

k) The Sub-Committee had no questions at this time.

The Sub-Committee invited other parties to ask questions of the Applicant.

a) In response to a question regarding understanding the difference between the High Street, as the epicentre of nighttime activity and upper high street, the location of Chicken Valley, the Applicant's Representative responded that the Applicant was aware that it was only four or five minutes' walk which customers would do to get food.
b) The Applicant's Representative confirmed that the Applicant was related to the landowner and that another relative was a previous license holder. The Applicant confirmed he had been the license holder since October 2024.

The Sub-Committee invited the Responsible Authorities to make an opening submission. The Legal Representative for Surrey Police provided an opening submission:

l) Paragraph 5.7 was highlighted that explained the committee was not confined to the physical limits of the premises (Luminar and Wakefield Magistrate's Court 2008) but if reasonable to do so could consider the crime and disorder in relation to the areas outside of the Applicant's control and consider location and proximity of the premises to bars and nightclubs. It was the view of the police that in this case the wider limits should be considered.

m) It was the police view that the licensing objectives would not be served by this premises operating until 3am or 4am on the busy nights applied for because it would provide a geographical focus for the post club/pub people. The offer of a free cup of tea and food would keep those people in the location of the red zone for longer than otherwise.

n) The two licensing objectives of prevention of crime and disorder and prevention of nuisance are best served by people dispersing quickly when leaving clubs/pubs and having a geographical focus would do the opposite of that.

o) On each of the TENS the Applicant had an SIA registered door supervisor and this is not guaranteed in this application. In the opinion of the police at least one SIA should be provided on each occasion.

p) On 8 June 2025 there were three affrays in the immediate area of the premises but not on the premises. This was because the shop was a geographical magnet for people once pubs and clubs were shut.

q) The Committee were urged to consider the requirements of premises in the coloured zones in testing this application and how it promotes the four licensing objectives and if this application missed several of those, then that should be cause for alarm as it would show the application was not given the required level of aforethought.

r) The first sentence of the minute for a refusal on a previous application for another family member was read out and was considered to be the same reason for refusal in this case. This new application did not address 38 of the mandatory requirements under the red zone scheme and therefore could not promote the four licensing objectives and should be refused.

The Police Licensing Officer responded to questions from the Sub-Committee:

s) It was accepted that the applicant had used some TENS to test out staying open until 4am it should be noted that these were in what the police regard as exceptional period of time such as Christmas and the Derby weekend when there would normally be extra police resources deployed.

t) It was explained that this premises had a number of TENS that could be used and not just during busy periods only. If the premises had used TENS during normal periods this may have given a different opinion from the police.

u) It was confirmed that there was objection to both the time of the application and the management. The extended opening time would stop people from just going home and there will be problems in the future because of this.

v) It was confirmed that Uber reduce their prices from 4am which further compounded the police argument that people would hang around the premises waiting for prices to drop especially when food and refreshments were provided.

The Police Licensing Officer responded to questions from the Sub-Committee's Solicitor:

w) It was confirmed that the conditions listed in the report would be in addition to the conditions already in place although it was noted that some were duplicated.

x) Details of the 40 crimes recorded on Waterloo Road between 11pm and 5am from 25 December 2024 and 8 November 2025 were read out. The crimes were mostly affrays but there were also some sexual assaults. The five crimes directly associated with the premises were affrays.

The Police Licensing Officer responded to questions from the Applicant:

y) The explanation from the Applicant regarding the number of TEN applications was noted. That they could not use all their allocation of TEN applications in one calendar year in case there were events coming up in the area. This meant applying was difficult to manage.

z) It was also noted that application was not a new one but a variation of the present licence and that current conditions would apply as well as any new ones imposed. The Applicant was happy to employ an SIA door person on Fridays and Saturdays from hours of 11pm and 4am.

aa) The police would investigate claims of Papa John's breaching their license.

bb) Confirmation that the Applicant does not serve beverages as claimed by the Authorities was noted.

There were no closing statements.

The meeting was adjourned at 14:49 and the Sub-Committee retired from the Council Chamber with their Legal Advisor to consider the application.

The Sub-Committee and their Legal Advisor returned to the Council Chamber and resumed the meeting at 15:55.

Having read the material presented in the agenda and all the written representations made, having listened to all the evidence and submissions presented at the hearing, and having regard to the Statutory Guidance and the Licensing Policy of the Council, the Sub-Committee made their decision, which was relayed by the Chair as follows:

"We have heard the evidence from the police in relation to the crime and disorder and nuisance concerns should this application for variation of licence conditions be granted. We are mindful that the local nightclub close at 3am and that the police are apprehensive about inebriated individuals congregating in an area which is associated with crime and anti-social behaviour. We have heard from the applicant that they have managed several TENS (Temporary Events Notice) in 2024 and 2025 without incident. This has been confirmed by the Licensing Officer. We as a Subcommittee do feel the licensing objectives of prevention of crime and disorder, and nuisance would be undermined should the premises open until 4am. However, our fears can be allayed, and the licensing objectives can be promoted by the imposition of the following reasonable and proportionate conditions:

1. Keep all existing conditions with the additional conditions below:
    a. The licensable activities will cease at 3am on Fridays and Saturdays
    b. The management and staff will ensure that the premises are vacated by the public by 3am
    c. At least one SIA (Security Industry Authority) door staff employed every Friday and Saturday night from 11.30pm to 3.30am
    d. The SIA security staff employed at the premises shall be responsible for maintaining order and minimising noise and anti-social behaviour to the front of the premises
    e. Door staff will proactively encourage customers to leave the immediate area after being served."

The Chair advised that the decision of the Sub-Committee would be followed up by written confirmation of the decision in due course and advised that the Applicant and representors had a right of appeal against the decision of the Sub-Committee, within 21 days of the notification in writing to the Applicant, to the Magistrates Court.

The meeting began at 2pm, was adjourned between 2.49pm -3.55pm, and ended at 3.59pm.

The meeting began at 2.00 pm and ended at 3.59 pm

HERITAGE CHAMPION ANNUAL STATEMENT

Head of Service:	Simon Taylor, Head of Development Management and Planning Enforcement
Report Author	Phoebe Batchelor
Wards affected:	(All Wards);
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	N/A
Appendices (attached):	**Appendix 1 –** Annual Statement of the Heritage Councillor Champion

Summary

To report to the Committee the annual statement of the Heritage Councillor Champion.

Recommendation (s)

The Committee is asked to:

(1) Receive and note the annual statement of the Heritage Councillor Champion.

1 Reason for Recommendation

1.1 Section 8.3.1 of Annex 2.1 of the Operating Framework requires councillor champions to produce an annual statement to the relevant policy committee. This report presents the annual statement of the Heritage Councillor Champion to the committee in compliance with that requirement.

2 Background

2.1 Councillor champions are appointed annually by the Council in accordance with Annex 2.1 of the Operating Framework, to promote the cause for which they are a champion.

2.2 Section 8.2 of Annex 2.1 sets out that councillor champions will achieve this through:

i. Being outward-facing, enthusiastic, and focused on raising the profile of the area they champion.

ii. Developing in-depth knowledge and understanding of the issue(s) they champion.

iii. Using their in-depth knowledge to support the relevant committee Chair(s) and Vice Chair(s).

iv. Represent their area both within and outside the council, in line with council policies.

v. Engaging relevant stakeholders to include them in the council's work.

vi. Acting as an advocate or spokesperson for the council's business and activities.

vii. Providing positive support, and on occasions, constructive challenge to officers in driving forward the council agenda on relevant issues.

viii. Acting as the council's representative on relevant external bodies where appointed to by the council.

ix. Encouraging communications and positive action over the issue(s) they represent.

2.3 The annual statement of the Heritage Councillor Champion, Councillor Kim Spickett, is attached at Appendix 1.

2.4 The statement is presented to this Committee as it falls within the committee's terms of reference.

3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

3.1.1 No comments are provided on councillor champion annual statements.

3.2 Crime & Disorder

3.2.1 No comments are provided on councillor champion annual statements.

3.3 Safeguarding

3.3.1 No comments are provided on councillor champion annual statements.

3.4 Dependencies

3.4.1 No comments are provided on councillor champion annual statements.

3.5 Other

3.5.1 No comments are provided on councillor champion annual statements.

4 Financial Implications

4.1 No comments are provided on councillor champion annual statements.

4.2 **Section 151 Officer's comments**: None for the purposes of this report.

5 Legal Implications

5.1 No comments are provided on councillor champion annual statements.

5.2 **Legal Officer's comments**: None for the purposes of this report.

6 Policies, Plans & Partnerships

6.1 **Council's Key Priorities**: N/A

6.2 **Service Plans**: The matter is not included within the current Service Delivery Plan.

6.3 **Climate & Environmental Impact of recommendations**: N/A

6.4 **Sustainability Policy & Community Safety Implications**: N/A

6.5 **Partnerships**: N/A

7 Background papers

7.1 The documents referred to in compiling this report are as follows:

Previous reports:

- Representation on External bodies, report and minutes of Council meeting 13/05/2025

Other papers:

- Annex 2.1 of the Operating Framework – Further information on Councillors
- Appendix 3 of the Constitution – Terms of Reference of the Full Council and Committees

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HERITAGE CHAMPION'S REPORT 2025 - 2026

Councillor Kim Spickett, Residents' Association of Cuddington

All Hallows Eve, 2025

This document is my second report created from notes made on site visits and further research.

I am indebted to our heritage officers, museum curator, our archaeologist volunteers, my friend, the historian and archivist David Rymill, (look him up and buy his books!) historians of all interests and persuasions...all of whom I have referenced and credited... an endless list of thank yous.

Commentators seem to be in a spin about "what sort" of history is taught to children. What we OMIT to teach is equally important. Exciting and inspiring children as we do at our kids' club at the museum can give them a lifelong passion for not only history but fashion, engineering, the military, arts and crafts. You may not agree with radical historians, or humanists, or those of faith or traditions. Their history is still history; not all of us are believers. We need to hear it, even if we don't agree with the take! Put away your suspicions. Argue by all means! Have an opinion, take an interest. OPEN YOUR MIND! I love to read and I LOVE a mystery in my history...

"History isn't my thing". OK. But think of the stuff you DO like. It will become history by the minute. You will surprise yourself. How many of you like mysteries? Were the moon landings fake? Who shot President Kennedy?

Was there a monster at large on the A240?

"Late evening on Tuesday 14 February 2012 the Martin family were taking a taxi from Stoneleigh to their home in Banstead, when near the Reigate Road junction on the Ewell bypass, they saw a fast-moving dark figure with no obvious features dart across the road in front of them. After running across one lane, the figure easily jumped the central reservation fence before crossing over their carriageway - and was quickly and effortlessly up and over the 15 foot roadside bank. Naturally, the whole family and their taxi driver were shaken by this seemingly supernatural experience. Their young son was too scared to sleep on his own that night and the taxi driver voiced his fears of driving back alone"[1].



Kain White[2]

I'll leave that one with you. Happy quests!

1. https://eehe.org.uk/33406/springheeledjack/ retrieved 20/10/2025
2. https://kainsmonstersofmodernday.blogspot.com/2012/10/spring-heeled-jack-drawing-by-kain-white.html

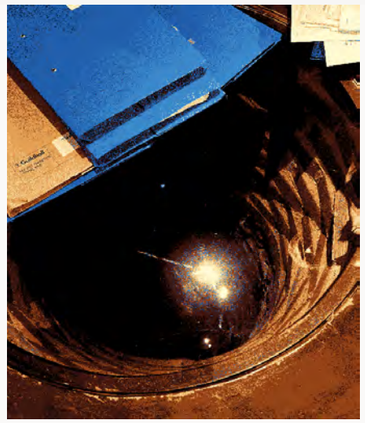
WHAT IS A JETTIED HOUSE?
AN IMPROMPTU VISIT, EWELL VILLAGE

This was a pre-Christmas lunch with our Heritage Officer, Lucy Buckland. As always, I was far too early so called in on my friend Tony, a fruit importer.

Tony and his business partner are the proud owners of this beautiful little property, complete with an indoor well (photo, right).
It is their office.

I was very interested in the life and times of 11 - 15 High Street; and what a life!

If buildings could only talk...



Heritage Category: Listed Building

Grade: II* List Entry Number: 1288469

Date first listed: 10-Apr-1954

List Entry Name:

11-15 (ODD) HIGH STREET, Ewell

Statutory Address 1:

HIGH STREET, EWELL

Post Medieval Finds:

17th century clay pipe, the neck of a Bellarmine bottle and other 18th century pottery found at 15 High Street, Ewell, during archaeological watching brief.

Excavated burnt timber remains suggest the presence of a medieval building which burnt down.

High Street, Ewell 16th century. Two storeys, plastered jettied timber framing, six casement windows, those 3 to right modern leaded ones. Ground floor has, from left to right, door, small modern shop, sash window, door, modern sash, door, modern sash. Old tiles. Portion of No 15 to right is not jettied and is double canted to corner as item 7/117. Modern leaded windows, plain 19th century shops. Old tiles.

So what is a jettied building? It is an extended upper storey, jutting beyond the storey below, formed by the beams and joists of the lower storey oversailing the wall. Surrey has plenty of these charming buildings; a late 15th - early 16th century jettied house can be seen at 33-35 High Street, Leatherhead (Surrey HER Listed Building 9327). Weller Eggar, Estate Agents, on the corner of Quarry Street and Mill Lane in Guildford is another 16th century example. (Surrey HER Listed Building 8519).[1]



Urban house with jetty: *Urban houses were usually timber framed with jetties providing extra room on upper floors and higher status. Some had the gable end facing the street; in others the roof ran parallel to it.*

Nos 11, 13 and part of 15 were built as one unit and have a continuous jetty. What is now regarded as two adjacent properties was probably three in earlier times as there are three front doors.

Ian West, in his Buildings in Ewell (1974), describes the whole property as two storeys with plastered jettied timber framing, six casement windows to first floor, and on the right hand three modern lead ones. Ground floor has from left to right, a doorway, small modern shop window, sash window, door, modern sash, door, modern sash. Old tiled roof. Cellar at each end. The remaining part of No. 15 is not jettied and is double canted to corner. Modern lead windows, plain 19th century shop front, old tiled roof, plastered elevations. The jettied part is mid-16th century while the other part is c.1600.

Cloudesley Willis in "A Short History of Ewell and Nonsuch" mentions a wooden cellar lattice and a front door with a hatch or upper half; these are no longer there. The buildings operated as tenements for a time.

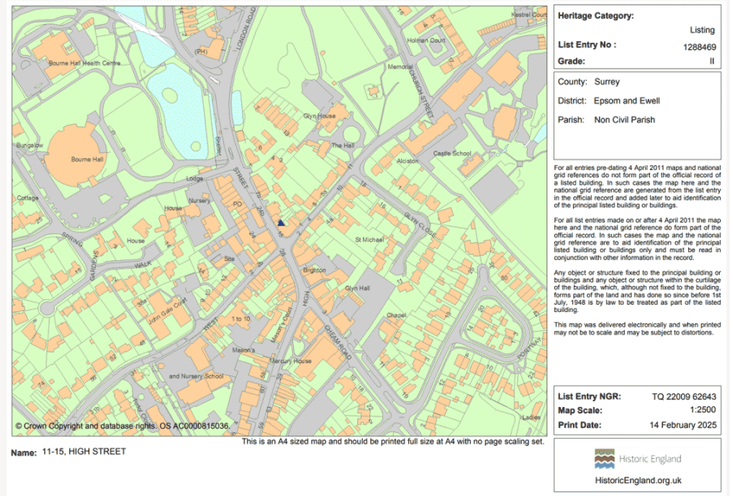
What we know as 9, 11, 13 and 15 High Street: 9 was known as the Red Lion public house.

1. https://www.exploringsurreyspast.org.uk/themes/subjects/monuments/jettied_house
Picture: British Architectural Styles: An Easy Reference Guide | Author: Trevor Yorke ISBN 9781846740824
Retrieved 07/02/2025

A map of the area (Ewell) with the property marked

Historic England is a fantastic organisation with resources and signposts available to the amateur history sleuth.

Our Heritage Officers at EEBC recommended it to me and I have not been disappointed!

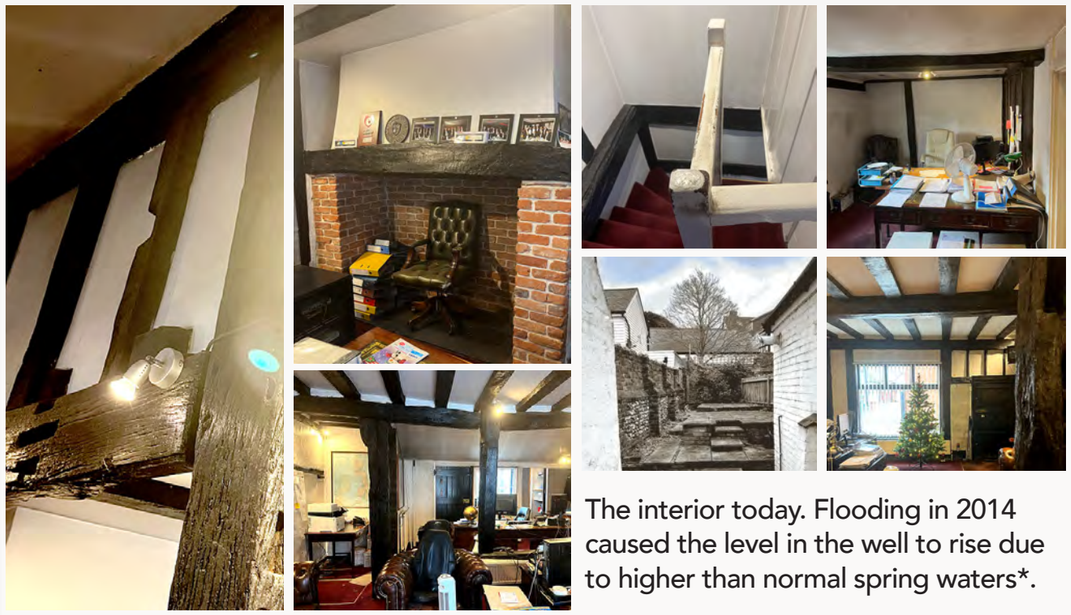


11-15 now include a physiotherapy clinic (excellent - I have been a patient) and Tony's Office at number 11.

OWNERS & TENANTS FROM 1595

In 1595, Sir Francis Carew (the uncle to Nicholas Saunders*) and Edmund Kidderminster owned the property. Owner prior to 1616 was Sir Alexander Clifford and his wife Jane (brother in law and sister to Nicholas Saunders*). Then in 1616 Arthur Garraway, 1633 Nicholas Knapp, then in 1684 by inheritance to Ann Fendall, 1691 Henry Fendall, 1702 Thomas Williams Snr. and his wife Ann. Ann married Nicholas Baxter and the houses then went to Henry Fendall. In 1747 they passed to Thomas Williams, his wife Anne and then to her eldest son, Thomas. Prior to 1760 Thomas Williams, nephew of Thomas Williams Jnr., 1760 Sir George Glyn. Between 1760–1802. Peter Collins, Seymour, Hotchkin and Scotcher were among the tenants. George Millet, glazier, Widow Bowen, Thomas Rau, baker, William Bailey, John Allingham, collar maker all leased the houses at various times.The properties, together with No. 15, were described as three houses and gardens 1841. Poor Law Award no. 357.

*We will hear more about the fascinating Mr Saunders further on in this article!



The interior today. Flooding in 2014 caused the level in the well to rise due to higher than normal spring waters*.

John Griggs owner, and James Hills occupier. Rateable value £5 10s. 1814 Sir Lewen Powell Glyn, 1842 Revd. Sir George Glyn. Some of these people are buried in St Mary's Churchyard, opposite the Spring Hotel. The properties remained in Glyn hands for nearly 200 years. 1841. Census. John Grix, gardener, William Callingham, agricultural labourer and James Hills, shoemaker, lived there with their families. 1851. Census. Stephen Blaber, labourer, George Callingham, plumber and James Hills, shoemaker. 1861 Census: William Baker, carrier, George Callingham, plumber and James Hills, shoemaker, were the tenants.

At the 1871 Census, the three houses seem to have become two as only two families occupied the site – William Baker, carrier, at no. 11 and Joseph Harper, a Greenwich pensioner, at no. 13. Joseph Harper had two lodgers – John Wiltshire, gardener and Henry Sturman, blacksmith. 1881. Census. William Baker was still there and in the other house was Elizabeth Birdseye, widow, who had James Wilkins, gardener as a lodger. 1891. Census. Mary Ann Baker, widow, carrier and fly. proprietor lived in one house and Elizabeth Birdseye lived in the other with their families. 2000. Since 1926 No. 11 has housed a cab business, run by Jack Launchbury & Son, then the Ewell Coal and Coke Offices, later an antiques shop, a solicitor's office, now a fruit importer. 13 High Street was residential until 1987 when it became Dolls' House Antiques.[1]

SIR NICHOLAS SAUNDERS OF NONSUCH

So who was the owner of 11 - 15 High Street before 1595? Nicholas Saunders. He had inherited the estate of Nicholas his father and is named as executor in his will. The estate was most of Ewell in those days!

Nicholas the younger was lacking in business skills. Citing the 'unjust dealings of others' he was already selling off Ewell properties between 1591 and 1601. This probably caused his removal from the commission of the peace in the late Elizabethan period. A career politician, his property holdings were still bringing in an

1. https://eehe.org.uk/wp-content/uploads/2019/05/MilleniumProject.pdf Retrieved 07/02/2025
*Despite enquiries, the Environment Agency have no record of the well.

Isabella Twysden - an English diarist born in 1605 - the youngest daughter of Sir Nicholas Saunders of Nonsuch and Elizabeth Blount.

Her father had been imprisoned for his Catholicism but converted to the Church of England to become an MP. Her mother kept her faith. After the Gunpowder plot of 1605, Nicholas Saunders sat on a committee to look at ways to stop Catholic plots.

Plots? Nicholas could have written a book on best practice...



income of over £500 a year in 1605.

A disastrous venture - bringing a water supply from Hertfordshire to Surrey - lost him a fortune. Despite knowing the difficulties involved in such a venture, he pushed ahead in 1627, with a plan to supply London with water from Hoddesdon, Hertfordshire. Presumably as a result of his losses that he sold remaining properties in Ewell and moved to a house in Nonsuch Park. He played no known part in the Civil War.

According to his youngest daughter Isabella he died at Nonsuch on 9 Feb. 1649 and was buried at Ewell: Saunders died at his home in Nonsuch Park. Isabella (1605-1657), wife to Sir Roger Twysden, Baronet, of Royden Hall, East Peckham, (and a keen diarist) wrote:

"My good father left this world and went to god the 9 of febru: 1648/9 betwene 6 and 7 a clock at night, being tusday, he was ill 3 or 4 dayes, and as he used to do, in cold wether many times laye a bed, and then rising and setting up a while, he undressing to go to bed agane, he fainted a waye, and came agane, and then fainted agane, and came no more tho all was dun that could be. he died at his hous in nounsuch park and was beried at ewell with his auncestors and by his wife, by torch lights, there was 6 by him at the time of his death, he wanted no helps, his son was one, my bro. Henry Saunder, my sister and bro. warham who lived with him was then on bisnes gone in to dorset shere, and I to my grefe was in Kent so could not know of his illnes, to be with him, he was 87."

He died intestate. Administration of his estate was granted to his only surviving son Henry. The last properties in Ewell had been sold by 1659. Nicholas rests, with his wife, in the churchyard at St Mary's, Ewell.

I discovered a further controversy - the details are sketchy, the story rather tawdry and sadly reminiscent of modern day misdeeds.

ENTER ONE JOHN DEE...

A mathematician and necromancer; a devotee of crystal gazing, alchemy, astrology etc., who was commonly suspected in his time of holding intercourse with the dead. Queen Elizabeth I frequently summoned Dee for



JOHN DEE PERFORMING AN EXPERIMENT BEFORE ELIZABETH I
BY HENRY GILLARD GLINDONI 1852-1913
COPYRIGHT WELLCOME LIBRARY, WELLCOME COLLECTION

consultations, as her 'adviser' on scientific matters during much of her reign. My research for this story references writings by Walker. Mr Walker's account omits any reference to young Nicholas' connection with Dr John Dee (he was a former pupil).

Dee's known interests in cryptography and wide travels across Europe have long suggested to later writers that he might have been a spy. Robert Hooke suggested that Dee's 'book of spirits' – his records of conversations with angelic beings and of the 'Enochian' language they revealed to him – was actually a book of code.

"To come then to the book it self. Upon turning it over, and comparing several Particulars in it one with another, and with other Writings of the said Dr Dee ... so far as I can be informed, I do conceive that the greatest part of the said Book, especially all that which related to the Spirits and Apparitions, together with their Names, Speeches, Shews, Noises, Clothing, Actions, and the Prayers and Doxologies, &c. are all Cryptography ... that is, under those feignd Stories, which he there seems to relate as Matters of Fact, he hath concealed Relations of quite another thing; and that he made use of this way of obsconding it, that he might the more securely escape discovery, if he should fall under the suspition as to the true Designs of his Travels ... conceiving that the Inquisition that should be made, or Prosecution, if discovered, would be more gently for a Pretended Enthusiast, than for a real Spy."

Personally, I think he was a man who styled himself as a visionary or magician to keep bread on the table, whilst looking in private for scientific discovery, which he found and developed away from the prying eyes of religious enforcers; it is feasible that he may have done some spying to pay the rent too.

The Royal College of Physicians in London hold more than 100 books from John Dee's library. They were stolen during his travels to the Continent in the 1580s. This valuable library and laboratories in Mortlake were trusted to the care of his brother-in-law Nicolas Fromond. John Dee had a link to Bartholomew Fromond(s) of East Cheam Manor; his daughter Jane Fromond became the second Mrs Dee on 5 February 1577/8. Fromond appears to have sold these, along with



laboratory equipment, behind Dee's back; he was never able to recover most of them.

By purchase or possibly by theft, the books from Dee's library (now housed at the Royal College of Physicians) came into the possession of Dee's former pupil Nicholas Saunders - who attempted to conceal Dee's signature or other identification by overwriting with his own.[1]



Saunders' bare faced cheek didn't stop there. Knowing that the keen antiquarian Robert Cotton[2] (the Cotton Library is certainly worth reading about!) was keen to find the missing books; Saunders wrote to Cotton on 30 November 1621, to offer a copy of Helinandus' Chronica mundi, a text that came from Mortlake. There was to be an exchange: for a Burghship!

'For truely were it the rarest and perfectest booke that is extant... Thus desyring yow, yf your Burroughs be allowed or confirmed, to remember me with one of the Burghesshippes'

* A campaign by Cotton and others to persuade the Commons to enfranchise three boroughs in Buckinghamshire, was not resolved until 1624.[3]

In other words, a bribe for a patronage. The high regard placed on Dee's books, - particularly since his demise - was not lost on the artful Nicholas!

Saunders' books passed to Henry Pierrepont. Pierrepont's family later donated them to the Royal College of Physicians.

I will never look at that jettied row in Ewell Village again without feeling the need to search for more!

With greatful thanks to my friend Tony Skinner.

1. https://history.rcp.ac.uk/blog/book-belongs-john-dees-library-rcp 29 January 2016 Katie Birkwood.
2. https://en.wikipedia.org/wiki/Sir_Robert_Cotton,_1st_Baronet,_of_Connington Retrieved 17/02/2025
3. https://www.historyofparliamentonline.org/volume/1604-1629/member/saunders-sir-nicholas-1563-1649 Retrieved 17/02/2025

*London, British Library, Cotton Julius MS C.III, fol. 334.

A CAST OF CHARACTERS: THE HISTORY OF THE OWNERSHIP OF THE GREAT PARK

Sir Richard de Coddington (grave in Ixworth, Suffolk, right), in no position to argue, sells Cuddington, which included the land of the "Great Park", of which the new nature reserve at Grafton Stables is a part, to:



Henry VIII

Queen Elizabeth I. The Queen granted George Evelyn a monopoly for manufacturing gunpowder in England around 1565. The Evelyn family became very successful, establishing gunpowder mills in Surrey. The mill at Long Ditton, on the Hogsmill, was highly successful. This was a significant achievement, as England had previously relied on imported gunpowder.



Edward Somerset, 4th Earl of Worcester who was appointed Keeper of the Great Park in 1606, owned by Queen Henrietta Maria (lived at Worcester House)

During the Civil War the palace and its estate was confiscated, along with other royal palaces, by Parliamentary Commissioners.

Algernon Sidney Whig hero and martyr, author of Discourses Concerning Government, takes over during the Civil War when the palace and its estate was confiscated, along with other royal palaces, by Parliamentary Commissioners. (picture, below: Algernon Sidney, after Justus van Egmont, based on a work of 1663. National Portrait Gallery, NPG 568. Reproduced under a Creative Commons Licence)

Charles Kirke son of MP and nobleman George Kirke (lived at Worcester House) becomes keeper of the parks.

Colonel Lilburne asks General Lambert for the land as payment for his regiment. Then sold to:

Colonel Thomas Pride Commonwealth officer and High Sheriff of Surrey (who executed a coup d'etat on parliament and sealed the death warrant of Charles I). He lives at Worcester House, at the top of what is now Grafton Road.

1658 Pride dies.

Property passes again to **Charles Kirke** (lived at Worcester House).

Restored to **Queen Henrietta Maria**, Charles I's widow.

Sir Robert Long (lived at Worcester House) 1663. By 1665 the house was being used by the exchequer as the plague hit London. Lease granted by Charles II in 1670.

Viscount Grandison (ownership of the Little and Great Parks).

Barbara Villiers, later Castlemaine, mother of King Charles II's children (as Duchess of Cleveland).

Charles, Duke of Grafton, Barabara's son, inherits (ownership of both parks).

John Walter, his steward (lived at Worcester House).

George his son (lived at Worcester House).

Gunpowder manufacturer **William Taylor** (lived at Worcester House).

WORCESTER PARK HOUSE (down the hill from Worcester House) THEN BECOMES THE GREAT HOUSE ON THE ESTATE THAT IS THE GREAT PARK

William Taylor his son (Worcester Park House is built)

William Taylor, his son (WPH)

Frederick Taylor, his son (WPH)

Frederick's son, **Warington Taylor**, business partner to William Morris, (lives at Worcester Park House, moves to London).

In his time, the pre-Raphaelites graced the doorstep - they were up the hill in Worcester House, then a farmhouse. Dante Gabriel Rosetti, a personal friend/colleague of Taylor and William Morris, stayed there, along with Ford Madox Brown, John Millais and William Holman Hunt; Warington Taylor falls out with his father over his choice of bride about this time.

Then Worcester Park House is owned by **Sir James Pennethorne**, Architect to Queen Victoria, former pupil of Nash. John Nash assists him in extending the property.

Pennethorne passes the house to his sons.

The **Wheeler** family live at the house.

World War two damage to the house. Much correspondence follows as by now the house and land has passed to the Dean family.

After much to and fro between adjoining councils, Surrey County Council own the land.

Surrey County Council declare the site of Worcester Park House, now known as Grafton Stables, to be a new nature reserve.

The Wheeler family (below) are shown in the garden; Worcester Park House is in the background.



A NEW NATURE RESERVE FOR CUDDINGTON: JUST LOOK AT THE BIODIVERSITY!



Eternal gratitude to my friends at Epsom and Ewell Times, who very kindly publicised our "call for entries" at: https://cuddingtonra.org/library/cuddington_bioguide_list.pdf with an excellent article. They also publicised our campaign to create this space. Look at all the green connections around us - a biodiversity superhighway!

Wherever you live in Epsom and Ewell - why not map your own green links and list what you find?

They scuttle, they hide, they fly, they make mysterious sounds and manoeuvres at night, cannibalise, spring from the earth, hibernate, swim, camouflage, predate, hiss, bark, steal... (I'm writing this up a week before Halloween) and they fascinate and startle us. The non-humans were here first and they are not always neighbourly. They can warm your soul, yet break your heart in so many ways. Who is guilty of mourning a pet as much and sometimes more than a fellow human? I for one.

Our UK nature reserves and parks are under threat. There are not enough of them. Our country is densely populated and hemmed in by polluting traffic. No governments during my lifetime, unless pressured to do so, have covered themselves in gold where biodiversity is concerned. The demand by central government to provide housing, schools and medical facilities has become overwhelming. Some of us cannot feed ourselves and are homeless too.

Our children's health is dependent on clean air to breathe, fresh food and water, safe places to learn and play, warm homes free of mould. Lung damage does not discriminate - it affects youngsters across the class divide. We hop up and down around the dangers of drugs, cigarettes and vapes, alcohol - all the while our children are breathing bad air. In this overcrowded borough, we are blessed with parks and nature reserves. This gives our children better air and a chance at life - better physical and mental health, places to go when they have no garden of their own. Such places offer learning experiences and the gift of imagination. My playthings were hideouts in trees, old shoeboxes filled with things that I had found, a little microscope that my Mum and Dad went broke to buy me. I was so lucky.

Yesterday I was sitting in the café at Bourne Hall. Schoolchildren were there with their teachers. There is a library, a museum, beautiful grounds, a river path...I want that experience to be repeated as much as possible in our borough - our new unitary - our county - our country - our world. I am so honoured to have served alongside some fine councillors, officers and residents. They have done so much to make what we have possible.

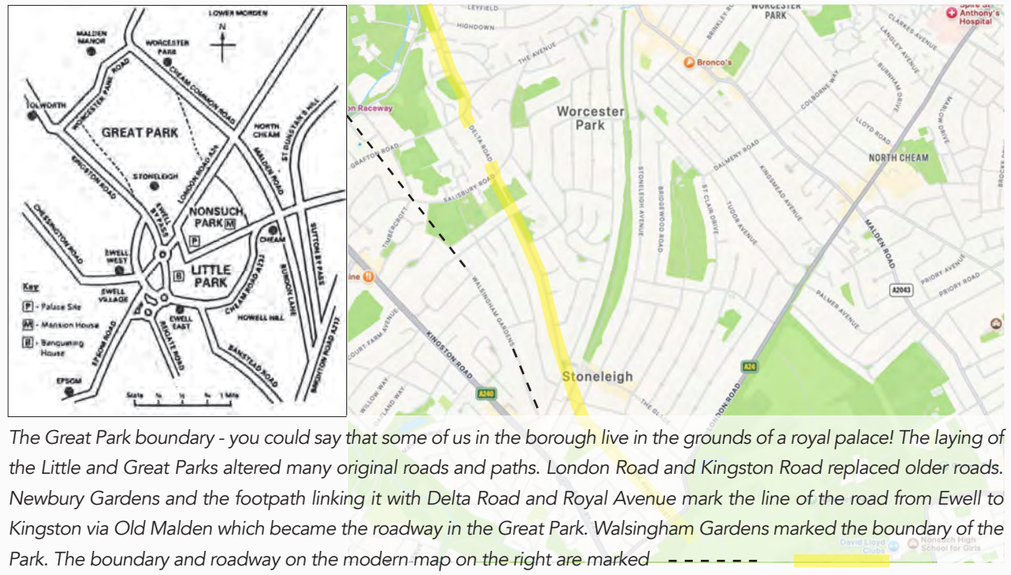
LOST BEAUTY OF WORCESTER PARK HOUSE - A NEW NATURE RESERVE FOR CUDDINGTON

During June 2025, Surrey Councillors Eber Kington, Steve McCormick (also Epsom & Ewell BC) and Natalie Bramhall came to my aid. With my fellow Local Councillors Graham Jones and Phil Neale, we made a plea for this remnant of the "Great Park" of the former Nonsuch estate. Originally marketed for possible development, this land was saved thanks to our campaigning. We can't take all the credit; our residents were tireless in their efforts to save this land! This includes one resident willing to buy the land from his own savings and Wandgas, our local sports club, who would form part of the bid with Cuddington Residents' Association. The Epsom and Ewell Tree Advisory Board were by our side too.

Just goes to prove what good we humans can do!

In which I look for a body - and a gunpowder dynasty/Arts & Crafts mash-up reveals itself...I dedicate this research to the residents of Cuddington who campaigned for this space, to the councillors who helped our dreams to become reality - and most importantly - to the man they couldn't hang.

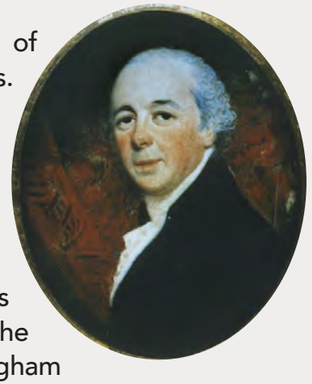
Worcester Park takes its name from Edward Somerset, 4th Earl of Worcester, who was appointed Keeper of the Great Park in 1606. The area was once part of the Great Park which covered around 1,100 acres and surrounded the Little Park which contained Nonsuch Palace, built by Henry VIII. Both parks were originally used as deer parks. King Henry VIII had obtained the land from Sir Richard de Cuddington.[1] During the ownership by Sir Richard, there was a manor house on a site which was later replaced by Worcester House and is

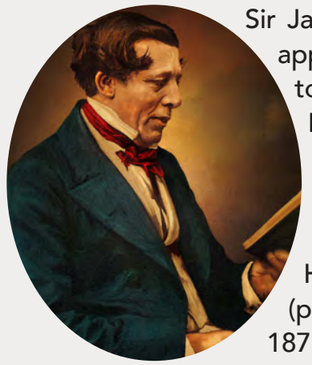


The Great Park boundary - you could say that some of us in the borough live in the grounds of a royal palace! The laying of the Little and Great Parks altered many original roads and paths. London Road and Kingston Road replaced older roads. Newbury Gardens and the footpath linking it with Delta Road and Royal Avenue mark the line of the road from Ewell to Kingston via Old Malden which became the roadway in the Great Park. Walsingham Gardens marked the boundary of the Park. The boundary and roadway on the modern map on the right are marked - - - - - -

1. https://eehe.org.uk/29845/nonsuchpalace Retrieved 07/02/2025

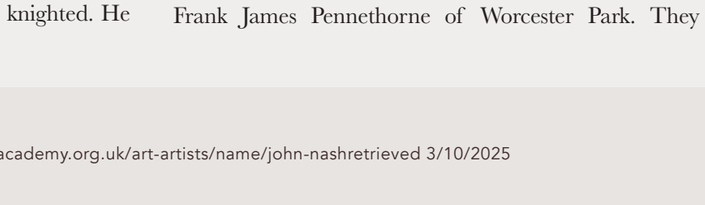
Welsh architect John Nash (1752–1835) designed many of our capital's neoclassical and picturesque buildings. Financed by the rich and famous, including the Prince Regent and successful property developer James Burton.





Sir James Pennethorne, a pupil of Nash, applied the same beauty with an up-to-date architectural design approach. He eventually inherited his master's practice and among his works were the new ballroom and kitchens at Buckingham Palace, designed for Queen Victoria.

He purchased Worcester Park and its stunning grounds (previously enlarged by Nash himself) in 1862. He died there in 1871 aged 70[1].



now the site of Worcester Close. There was also a church of St. Mary on roughly the same site where the church of St. Mary the Virgin, Cuddington, now stands. The diarist Samuel Pepys visited the district and in his diary commented on Worcester House.

On the nature reserve itself is a quantity of buried rubble (wish I was an archaeologist). This is the remains of a grand house that according to records had the input of "Mr Nash" in its design and build. It was finally destroyed by fire in 1948. It had been, at one time, the home of the architect Sir James Pennethorne. A former pupil of John Nash, Sir James eventually bought the practice from him. He retired on 30 June, 1870. As a long-standing civil servant he was given a pension of £1766 a year. With his London University building just completed, he was knighted. He had been healthy throughout his life but on 1 September 1871 he died suddenly of a heart attack, and was buried in Highgate Cemetery.

As his wife had predeceased him, his property was placed in the hands of three trustees: his brother John, who was still living at Hamstead in the Isle of Wight, and his two eldest sons. Dean Parker Pennethorne, a barrister, and Frank James Pennethorne of Worcester Park. They were to divide his property equally among the surviving children.

Our new nature reserve has a tale or two to tell. A surviving remnant of what was Henry VIII's "Great Park", there is some Civil War history.

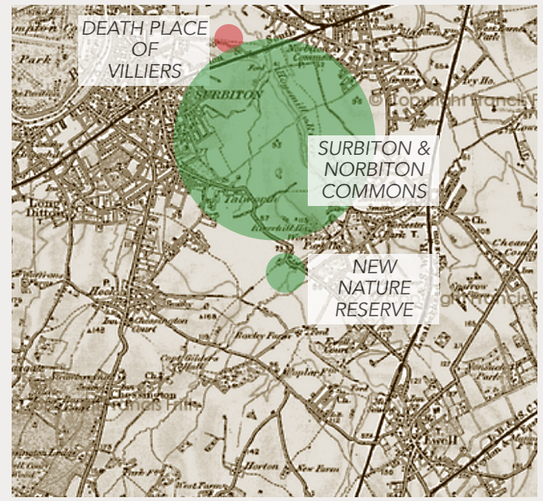


Here is a saker gun ball, like the one found in Grafton Road; 95mm in diameter, weighing around 3Kg; "That'll hurt in the morning..."



The FORMER Great Park "Keeper's House" known as Worcester House, was just up the hill from where Worcester Park House stood; it sat between Worcester Close and Delta Road:

SHHER_7721 GARDEN WALL TO REAR OF NOS 4, 5, 6 AND 7 AND GARDEN WALL TO REAR OF NOS 4, 5, 6 AND 7 WORCESTER GARDENS, Delta Road, Cuddington. Grid Reference: 521520 165401 Civil Parish: Cuddington. Monument Type: GARDEN WALL (1601 to 1700). Description: Remains of garden wall. 1606-1609 with later patching. Red brick in irregular bond. Formerly a rectangular enclosure, now only the south-east and north-east walls and north-east end of the north-west wall survive. The wall is approx 3 metres high with shallow brick buttresses, the top stepped with offsets and header - brick coping. This is now the only surviving above-ground structure of the buildings of Nonsuch Palace, and lay just to the east of Worcester House built 1606-09 for the 4th Earl of Worcester, keeper of the Great Park of Nonsuch. It is shown in the



plan of Worcester House 1609 by Robert Smythson. Listing NGR: TQ2152065401 Form: Listed Building. Nearby, there is another listing - also an intriguing relic of the English Civil wars:

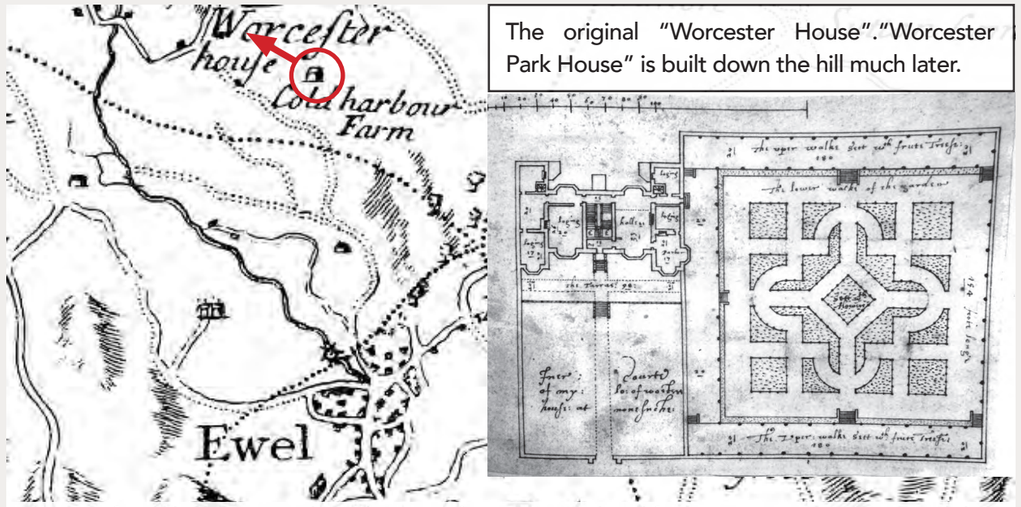
Site Name: Possible Civil War corroded iron ball, Worcester Park. Grid Reference: 520820 165130. Civil Parish: Ewell. Monument Type: FINDSPOT (1601 to 1700) Description: Corroded iron ball, probably shot from a saker field gun (nominally a 6 pounder) of 16-18 century date. Possibly fired

1. The Royal Academy https://www.royalacademy.org.uk/art-artists/name/john-nashretrieved 3/10/2025

Falconry and hunting at her Great Park, as well as fostering good political and business relations, were an escape for the queen. Her riding skills were above those of many men; she asked for larger, faster horses to be bought from abroad. There is a site in Nonsuch Park, opposite Briairwood Road, where it is said that she liked to crossbow shoot:



SHHER_21003
Site Name:
Queen Elizabeth's Elm. Site of ancient tree, Nonsuch Park
Grid Reference:
522810 163440
Civil Parish: Nonsuch
Monument Type: TREE MOUND (1540 to 1900) NAMED TREE (1540 to 1900)



The original "Worcester House"."Worcester Park House" is built down the hill much later.

Extract from the 1729 map by John Senex[3]. A revamped and four storey Worcester House plan drawn for Earl of Worcester, Keeper of the Great Park, in 1610 (from the RIBA collection).

during Second Civil War during action on 7 July 1648 by Royalist Troops under Earl of Holland retreating from Reigate to Kingston. Found in a garden at Grafton Road, Worcester Park.

POSSIBLE background could be:

(FORMER SURBITON COMMON, SHOWN ON 1800's MAP, PREVIOUS PAGE) death of Lord Francis Villiers, killed by Commonwealth forces. Royalists flee, eventually out to Reigate. Sir Michael Livesey, 1st Baronet and Regicide (signatory to the death warrant of Charles I), led the battle at Surbiton Common.

Surbiton Common and Tolworth were open countryside, so Cuddington, Malden and Long Ditton seem a logical escape and dispersal route. Royalist survivors fled to Reigate and St Albans, where they failed to enlist any support to have another go at the enemy.

Or PERHAPS:

Two hundred Royalists based at Worcester House were defeated at the junction of the Avenue and Salisbury Road. They retreated through Cheam Common to Putney. Three soldiers are buried in Cheam Churchyard.[1]

The period leading up to the firing of six-pounders in Cuddington was very interesting indeed!

The whole of the former village of Cuddington, with its mansion and church, were demolished by Henry VIII. The Great Park - Worcester Park was 911 acres. The Little Park, where the palace stood, was 671 acres. This "new build" celebrated the birth of his long awaited heir. Cuddington Manor, the property of Richard and Elizabeth Codington, was sold in exchange for land in Suffolk. The Cuddington we know is part of what remains.

Sir Thomas Cawarden, Keeper of the Banqueting House, was tasked with providing entertainment 'at the Quenes Majestie's House,' for the French ambassador, M. de Noailles, and his wife. In 1556 Cawarden's lease was granted to the Earl of Arundel. In 1559 he received Queen Elizabeth:[2]

'Her grace had as great cheer every night and banquets; but Sunday at night my lord of Arundell made her a great banquet at ye coste as ever was sene (at great cost not before seen), for soper, bankete, and maske (a supper banquet and Masque/plays), wt drums and flutes, and all ye mysyke yt cold be (all the music possible), tyll mydnyght; and as for chere, has not bene sene nor heard (such cheer had never been seen before). On Monday was a great supper made for her, but before night she stood at her standing in the further park, and there she saw a course (hare coursing and deer hunting). At nyght was a play of the Chylderyn of Powlles and theyr mysyke master Sebastian Phelyps and Mr. Haywode (the children of the Powells family, under the direction of their music teachers, entertained the queen); and after, a grete banket, wt drumes and flutes and the goodly bankets and dishes as costely as ever was sene, and gyldyd. . . . My Lord of Arundell gayfe to ye Quene grace a cubard of plate (a gift of a dining service, metal plated perhaps).'

In 1590–2 Elizabeth purchased the palace and park of John, Lord Lumley, heir of the Earl of Arundel, in exchange for lands to the value of £534.

In 1599 Mr. Roland White wrote to Robert Sydney: 'Her Majestie is returned again to None-such, which of all other places she likes best'; on this visit, the Earl of Essex, having returned from Ireland without the queen's permission, burst into her bedchamber at ten o'clock in the morning. She waved the incident away but he was committed four days later to the custody of the Lord Keeper. Eventually, Essex was executed. On hearing the news, the Queen paused momentarily from her music, then carried on playing the virginals as if it were an everyday occurence.

Lumley was appointed Keeper of the Palace and Little Park by James I, who was frequently resident there for hunting and racing, which probably took place on Banstead Downs (vide Banstead) - land we now call Epsom Downs.

On 1 December 1606 the Earl of Worcester was appointed Keeper of the Great Park at Nonsuch, whence no doubt it acquired the name Worcester Park, and the lodge in it the name of Worcester House.

1. History of St Mary's Church Cuddington, Robert Leach and others
2. Elizabeth I, Huntress of England: Private Politics, Diplomacy, and Courtly Relations Cultivated through Hunting Dustin M. Neighbours





A letter from Colonel Robert Lilburne to General Lambert offers "on behalf of the regiment" to sell Nonsuch to him. The men, it was thought, would be willing to accept 12s. in the £ for their service. The Little Park and Palace were purchased by Major-General Lambert, and in 1654–6 the Great Park and Worcester House were purchased by Colonel Thomas Pride, who died in 1658 at Worcester House, the house in the Great Park. Who were they?

Lambert (top left) seen as a dashing hero; probably more Royalist than radical; hobbies included gardening and needlepoint; once escaped from the Tower by climbing down an improvised rope. Lilburne: leveller, radical, unrepentant and determined that his men should be paid what they justly fought for. Pride, (right) shown on a satirical playing card made by somebody devoted to the Royalist cause: "simpleton drayman", survivor, fighter for freedom of religious expression, "wide boy". How much is heresay? How do they compare to politicians in our lifetime?



The estate formed part of the jointure of Queen Henrietta Maria, and was visited by Charles I in 1625, 1629, 1630, and 1632. Eventually, it fell into the hands of the Commonwealth; the exiled son and heir of Charles, Charles II, would not take the throne until the Restoration in 1660. During the Commonwealth, the palace was at first leased to Algernon Sidney for £150 per annum. Oliver Cromwell's Government soon afterwards assigned the whole place to Lilburne's regiment, then in Scotland, as security for the men's pay.

So was "Worcester Park House" once the home of English Civil War Colonel Thomas Pride? No - or really "no not quite" as the Taylor family, gunpowder manufacturers, took over the Great Park and decided that a new house was needed. Down the hill that we call Grafton Road and the Avenue - on the site behind Cromwell Road and Old Malden Lane - a house of splendour would eventually appear.[1] (It was said that Pride's house had barrels of rather fine liquor in the cellar when it was cleared)

So who was Colonel Thomas Pride?

At 7 a.m. on 6 December 1648 several regiments were posted in the precincts of parliament. Pride stood in the lobby with his guard, ready to execute the operation which has become associated with his name. The Council of Officers had ordered him to 'purge' the Long Parliament of those members who were obstructing the army in its desire to bring Charles I to trial. Altogether 186 members were 'secluded' or prevented from taking their seats in the Commons. A further forty-five were sent to prison. Out of a total of 471 MPs, only seventy-one continued into Westminster Hall on the path that would bring the king to trial and execution. Preventing members from entering and placing others under arrest, Pride was ignoring the parliamentary independence that the civil wars had been fought to preserve. The truncated 'Rump' Parliament that resulted was a poorer institution than anything the Stuarts could have come up with. Effectively, the 'purge' was a military coup[2].

His occupation after the first Civil War (raising recruits, policing St. James's) had been largely logistical and administrative, so his background in trade had equipped him well. The early 1650s saw Pride began to distancing himself from active military service.

Pride was now one of the burgeoning "middle class" looking for personal wealth and respectability. In 1650 he purchased his "country house" (Cuddington was certainly countryside in those days). Parliament had taken control of Crown lands following the abolition of monarchy.

The larger estate leased as 'Nonsuch Great Park' became Pride's purchase. He secured the lease against the arrears of pay due to his regiment. He payed his dues to his regiment (soldiers' wages) through the profit earned from the estate. The idea that he had taken up residence in a "palace" at Nonsuch begun with a satire from 1680: "I die here in my own house at Non-such. It was the king's house, and Queen Elizabeth love this above all her houses". A Regicide who had grown wealthy enough to live like royalty was too obvious a target for the Royalist satirists to miss. Pride was not living in Tudor splendour but in a new, regular family house.

The Great Park and the Surrey suburb that was eventually built over it retains the same name. Worcester House - named by the then keeper, the Earl of Worcester, was a modern and expensively built residence (entirely of brick and with a tile roof) three storeys and a cellar, with five bedrooms. This was to be the Pride family home during the 1650s. The estate - including house, outbuildings and deer park - was valued at just over £4,200.

The park keeper, Charles Kirke, received compensation for the loss of his job when Pride took over the running of the estate. Kirke was granted a portion of the land, Great Park Meadow, worth £110 a year (although Pride reserved the right to any wood growing there) Kirke, whose father had been Gentleman of the Robe, received nothing (he was a staunch Royalist). At the Restoration the property returned to his keepership, then passed

DEATH WARRANT OF KING CHARLES I[3]

Listed in the order that their names were signed.

1. John Bradshaw
2. Lord Grey of Groby
3. Oliver Cromwell
4. Edward Whalley †e
5. Sir Michael Livesey †
6. John Okey †x
7. Sir John Danvers
8. Sir John Bourchier †
9. Henry Ireton
10. Sir Thomas Mauleverer
11. Sir Hardress Waller †
12. John Blakiston
13. John Hutchinson †
14. William Goffe †e
15. **Thomas Pride**
16. Peter Temple †
17. Thomas Harrison †x
18. John Hewson †e
19. Henry Smith †
20. Peregrine Pelham
21. Richard Deane
22. Robert Tichborne †
23. Humphrey Edwards
24. Daniel Blagrave †
25. Owen Rowe †
26. William Purefoy
27. Adrian Scrope †x
28. James Temple †
29. Augustine Garland †
30. Edmund Ludlow †e
31. Henry Marten †
32. Vincent Potter †
33. Sir William Constable
34. Richard Ingoldsby †
35. William Cawley †e
36. John Barkstead †x
37. Isaac Ewer
38. John Dixwell †e
39. Valentine Walton †e
40. Simon Mayne †
41. Thomas Horton
42. John Jones †x
43. John Moore
44. Gilbert Millington †
45. George Fleetwood †
46. John Alured
47. **Robert Lilburne** †
48. William Say †e
49. Anthony Stapley
50. Sir Gregory Norton
51. Thomas Chaloner †e
52. Thomas Wogan †e
53. John Venn
54. Gregory Clement †x
55. John Downes †
56. Thomas Waite †
57. Thomas Scot †x
58. John Carew †x
59. Miles Corbet †x

† Still living at Restoration
e Escaped abroad
x Executed

Robert Lilburne, brother of radical Leveller John Lilburne[4], was imprisoned for life at Drake island, Plymouth, for life, along with Lambert (commuted from death sentences).

I wonder if they got on...

1. Epsom and Ewell History Explorer, retrieved 29/07/2023: https://eehe.org.uk/?p=60554
2. https://anglo-magyar-media.com/2020/11/13/regicides-rebels-revolutionaries-november-1648-october-1649-from-prides-purge-to-the-leveller-mutinies-in-england/ retrieved 16/10/2025
3. The Bristol Radical History Group https://www.brh.org.uk retrieved 20/10/2025
4. British Civil War Project https://bcw-project.org.uk/biography/regicides-index 20/10/2025

The regicide document: Charles I's death warrant. Within days, he was beheaded.



again into private hands and Kirke lost his position again.

Worcester Park was conveniently close to Pride's Surrey breweries, six miles away at Kingston-upon-Thames. Aside from the business opportunities, the Prides may have been attracted to the area because of its reputation for religious separatism, the town described at this time as a 'hotbed of radicals'.

When the Quaker preacher Edward Burroughs was tried for libel at Kingston in 1658, he announced to the court that he wished Pride could have been in attendance as the Colonel was a sober man who would have favoured his cause.

Worcester House was a show-piece for Thomas Pride's "country squire" aspirations. Visitors would be greeted by mementoes of his military career - in the main hall of the house hung a musket, a half-pike and a brace of pistols, as well as an antique two-handed sword. As well as reminding guests of his previous military career, Pride showed off that he was a cultured gentleman; a painted virginals in the dining room, a striking clock in the hall, with each bedroom carefully and distinctly furnished as the "red, yellow and blue chambers". It is telling, given the lingering rumours of Pride's illiteracy, that there was not a single book listed among the house contents when he died.

A survey carried out in 1650 numbered 6,000 trees in the park. Pride had felled two-thirds of these and sold them to the navy for ship building.

Over the next few years Pride would systematically strip Worcester Park of anything that would make money - ploughing land for agricultural use. His drive for profit led to Worcester Park becoming a working farm as much as a comfortable country estate.

Not everything was sacrificed to the axe or plough, though: when, in 1851, the Pre-Raphaelite artists Holman Hunt and John Everett Millais rented the dilapidated buildings of Worcester House for use as a studio, Hunt noted a



The diarist John Evelyn was born into landed gentry with royalist sympathies. John's brother, Richard, lived with his family in Woodcote, Epsom and is buried at St Martin of Tours Epsom.

He was a friend of Lord Berkely and often visited him at Nonsuch. His 1661 publication, ***Fumifugium,*** condemned "aer and smoak" pollution from coal fires in London and he argued for the mass plantation of trees to clean the air.

Three years later he published ***Sylva,*** a detailed study of trees and tree cultivation in Britain and Ireland. It explained the choice of seed and the best conditions for successful germination. It also offered advice on such issues as tree diseases, pruning, and how to fell and season timber.

Evelyn himself claimed to have written Sylva for purely practical reasons. The recent Civil War between supporters of the king and parliament had led to extensive deforestation, as trees were either felled for military purposes or sold off for ready cash, so fresh supplies of timber were urgently needed for shipbuilding. On the title page, Evelyn represented his work as responding to "Certain Queries" propounded by "The Principal Officers, and Commissioners of the Navy"[3].

"glorious avenue of elms" along the drive.



Pride's breweries were not far away, in Kingston. Aside from his business interests, he stood for election in Reigate, December 1656. He was already the Sheriff of Surrey and was embarrassed that he would have to return himself at the declaration of votes (so he didn't).

He held some belligerence toward the "Lord Protector"- as Royalist factions were urging Cromwell to take the crown, knowing that this act would cite another rebellion.

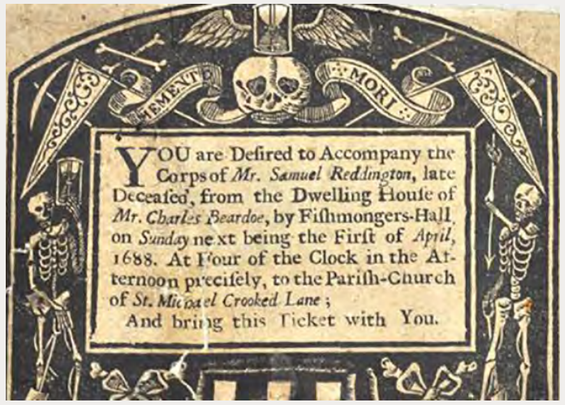
Between April 1657 and the end of June, Pride sat on twelve parliamentary committees. Did he have a genuine interest in the constitution? Some. But he was more concerned with local matters. He attended the hearing of the "Immoderate Living Bill" to curb those living in luxury that they had no means to pay for (cheeky!). He was also present as a teller when the house voted to reduce the excise on beer (he was already supplying his own booze to the armed forces). On the 5th of May he had voted to curb the building of houses in the suburbs of London. He had been called "a buffoon"; he had peculiarities of speech, teased behind his back for saying "wops" instead of "wasp"[1]. He apparently didn't read. Pro-Royalist jibes, satires and insults followed him for years beyond his death.

On the 23rd of October, 1658, Colonel Thomas Pride died. He had a history of urinary obstruction - perhaps stones, prostate cancer or both. His will was hastily drawn up, just eleven days before:

I Thomas Pride of Worcester House in the County of Surrey *being under the chastisement of the Lord, yet of perfect memory (blessed be my God for it) considering the frailty of*

1. From Cromwell's Buffoon: The Life And Career Of The Regicide, Thomas Pride 15 May 2017by Robert Hodkinson
2. From the Public Records Office
3. https://eehe.org.uk/76835/john-evelyn-diarist/ retrieved 18/10/2025

A puritan funeral was immediate and without ceremony, "superstitious kneeling and praying to the body" and "singing" are to be "laid aside". Look at this eerie example of an invitation - more like a Halloween Party! Some were buried in a shroud without a casket. Thomas Pride may have been buried in a simple cloth. The wealthier would have materials saved so that a box could be made. But think about his aspirations, his decoration of Worcester House, the muskets in the hall. Surely he would have gone for something smarter? I also think that his grave was unmarked - as the King's men could not find him[1].



mankind and the uncertainety of my abode in this world; here make this my last will and testament in manner and forme following.

Imprimis I bequeath my soule into the hands of my pretious Redeemer the Lord Jesus Christ, being p[er] swaded by the faith he hath wrought in me, that he will wash it throughly from its defilements and p[re]sent it to his Father and my Father as his owne puchas.

Item I bequeath my bodie to the dust from whence it came to {may..} {..} its sleeping {.ous.}untill the glorious day of appearance, being assured that in the meritts of Jesus Christ in my flesh I shall see God.

Item I give unto my sonne Thomas five pounds.

Item I give unto my faithfull and loving wife Foure hundred pounds a yeare, to be levied out of the rents and improvements of my parke, which so farr as {.....} her satisfaction in the said summe of fouer hundred pounds I give into her hands and possession by these p[re]sents for her security and revenue during her natural life and no longer.

***Item I give unto my sonne William; And to my sonne Samuell, and each of their heirs and assignees the risidue of the rents growing out from my parke**, or which by the best improvement may growe out therefrom, during the said naturall life of their mother my wife Elizabeth Pride; To be equally and iustly divided between them and each of them...*

It is known that once all the debts had been paid, he had certainly been living above his means; some are outstanding to this day. ***(I have included the entire will at the end of this section)***

He was buried at his home in Nonsuch on November the 2nd. Where exactly? We do not know. No church in the area bears any record. How far do you transport a body from the death place? I would say in this case, not far at all. My suspicions are that our friend is hidden away in Cuddington somewhere - perhaps on our new reserve. However, he could have been taken by dray-wagon to Kingston...or to the grounds of Nonsuch Palace? Cromwell made a donation toward repairs to St Mary's Church in nearby Long Ditton - could he be there? In reality, he could be buried anywhere from the site of the palace, across the Cheam, or Stoneleigh, Auriol, East Ewell...I guess we will never know.

A posthumous execution order was declared in parliament. On the 30th of January 1660, the bodies of Cromwell, Ireton, Bradshaw and Pride were to be dragged from their graves and hung at Tyburn before being beheaded and thrown into a pit.

Cromwell, Ireton and Bradshaw were easy - they were resting in Westminster Abbey. But where was Thomas? Rumours now abound: "He is too smelly" (poor Bradshaw certainly was as he had not been embalmed, as Cromwell had), he is "Too far decomposed" then finally "He could not be found".

George Evelyn's Diary reads: *This day (O the stupendous and inscrutable judgments of God!) were the carcases of those arch-rebels , Cromwell, Bradshawe (the judge who condemned his Majesty), and Ireton (son-in-law to the Usurper), dragged out of their superb tombs in Westminster among the Kings, to Tyburn, and hanged on the gallows there from nine in the morning till six at night, and then buried under that fatal and ignominious monument in a deep pit; thousands of people who had seen them in all their pride being spectators.*

How different to Cromwell's funeral procession of full honours. These were brutal times; the fate of their fellow regicides were similar, the difference being that these poor men were still alive. A lucky few on King Charles II's wanted list escaped abroad.

It is my mission to find the burial place. Or at least make some mark that he was here - he was a Cuddingtonian!

Whatever has been written about Thomas, an ordinary boy who grew up to be the man who threw out parliament, he was like any other really. Who wouldn't stand up for what he or she believes? Which one of us would not take a chance on a business opportunity if it presented itself to be a legal option? My sadness regarding his destruction of woodland - that was in his ownership - comes from the perspective of a woman who is an active conservationist, with a passion for biodiversity, benefited with a decent education. I cannot despise a man who, despite regularly standing in mixed congregations of Baptists and Separatists, believed that a man's soul was between the man and God only. He liked his material things - don't many of us?

The son of a Somerset Yeoman and lowly apprentice, a man who by all account made decent beer from the waters of the then pristine Hogsmill. Next time you are in the Hogsmill Tavern, or the Wheatsheaf, or perhaps the Ram

1. History of Death in the 17th Century by Ben Norman



Where is he? The area of the Great Park today, with an image of the possible site of Pride's Kingston "Berehouse".



Burial place? Our new nature reserve perhaps - or Dancer Dick Wood - or Parkers Field.

He could be in one of the gardens nearby! Maybe mine? But our water table "down the hill" is pretty high as we are near the river. Top of the hill is favourite. But where?





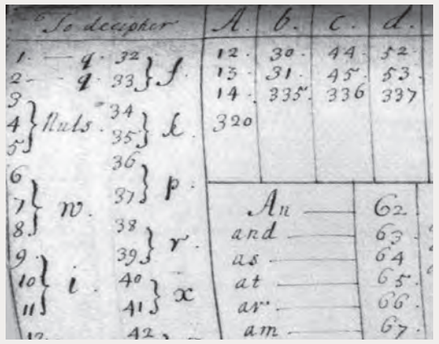
Which one is Barbara?

Of all her portraits, few show her as simply an attractive young woman. Instead, she was shown in the role of a seductress; a "scourge"; a "curse" to the king; "wanton and lustful".

Stories and prints at the time were designed as a draw-fire to my mind. What better way to divert the critical eyes of those suspicious of poor Catherine, "the Catholic queen"!

in Kingston (possible site of his "Berehouse") - raise a glass and drink a toast: "to the man they couldn't hang!"

At the Restoration, Nonsuch House and Parks were restored to Queen Henrietta Maria. In 1663 the reversion of part of the estate (under the name of Nonsuch Great Park or Worcester



Park, land called the Great Park Meadow, and the mansion-house called Worcester House) was leased by Charles II for a term of 99 years to Sir Robert Long, his late companion in exile, and at this date Chancellor of the Exchequer.

One of the conditions of the lease was that Sir Robert should from time to time convert part of the premises into pasture without destroying the trees and bushes (HURRAH!) so that the same might become fit for deer in case the king wanted to restore it as a fine hunting ground (BOO! But they didn't have the excellent Radfords' Butchers just up the road in Stoneleigh so fair's fair).

During the plague year of 1665 Nonsuch Palace was fitted up temporarily for the offices of the Exchequer. In 1670 Sir Robert Long pleaded for another life in his lease, at the same time representing that during the late disturbed times the site had been converted into tillage, the wood all down, and that he, Sir Robert, had compounded with the queen for her interest, bought out the keepers, and paid £2,500 for repairs of the house.

Sir Robert Long died in 1673, and his will mentions that he settled his lease on his nephew. But in 1670 the palace and both parks were bestowed by Charles II on Viscount Grandison and Henry Brounker, in trust for Barbara Villiers, Duchess of Cleveland, in that year created Baroness of Nonsuch.

Left: Robert Long's "cypher" - a code he used during the civil wars. His callsign was "295".



From the collection of Roy Hellings: postcards featuring views of Worcester Park House

Barbara was, of all the king's mistresses, a true character in her own right - by all accounts a great beauty, a party girl and a survivor, her family's fortunes having been lost. Her father had been killed in the English Civil War.

She was a keen card player - not terribly good as she began pulling panels and windows from Nonsuch Palace to pay off her gambling debts. The park became divided up into farms.

Barbara produced six children (none from her husband) - who were acknowledged by King Charles II and given various titles. She apparently sneaked into Hampton Court Palace to give birth to her first child - the king's - while he was honeymooning with his bride, Catherine of Braganza.



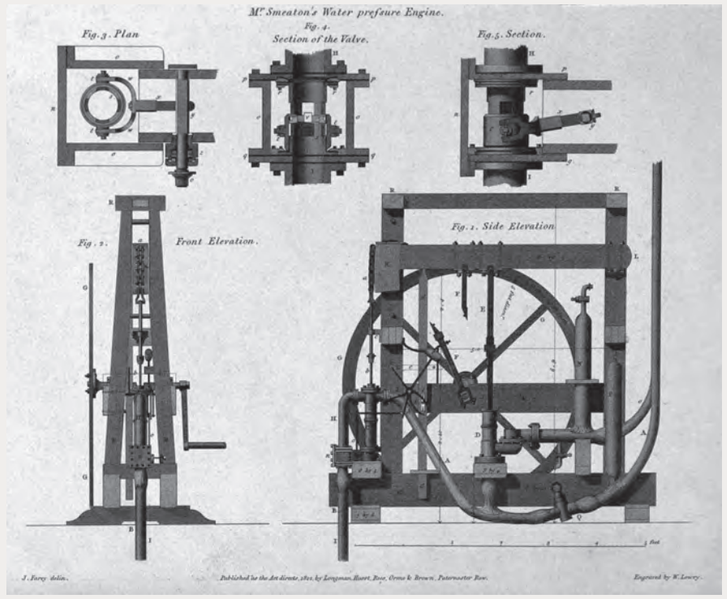
Barbara was made Lady of the Bedchamber to Catherine, who she openly hated. The feeling was mutual.

Far from being broken hearted when the king took a younger mistresses, she enjoyed the attentions of whoever she fancied. It is thought that Barbara's last child was fathered by a Churchill, one of her second cousins. She also enjoyed the rope acrobat, Jacob Hall (pictured), as her lover for a while. Jacob was a favourite of the king of France, as well as Charles II - and Samuel Pepys.

Fecund, flirty and fun, Barbara certainly caught the attention of Pepys, who wrote "I know her to be a whore". He made regular rides across the Great Park (from the inns of Epsom where he stayed) "with my little dog"; I think he was as obsessed with her as all the lads. Historical accounts are often judgemental - particularly on ladies.[1] Queen Catherine of Braganza, Charles' bride, did not get off lightly either: "Catholic!" - "BARREN!".

In 1710 the parks were held by Charles,

1. Ravenous: A Life of Barbara Villiers: by Andrea Zuvich



1.

Duke of Grafton, grandson of the duchess, whose son in 1731 sold Worcester Park to John Walter, his former steward. John Walter died in 1745, and was succeeded by his son George, afterwards knighted. The latter left two daughters, one of whom died single in 1749, while the other married a Reverend Clarke, who sold to a Mr. Taylor, from whom it passed to William Taylor, who died in 1764.

Mr. Taylor set up here a large gunpowder factory. His heir, William Taylor, built a new house, called Worcester Park House, in 1797. The property divided. Worcester Park House became the residence of a Miss Wheeler.[2]

Just across the lane from the reserve stands the Taylor (no relation) Wimpey development. You may remember my last report concerning the Cotswold Archaeology excavation of the John Smeaton built mill workings. This was the business interests of the Taylor family[3]

Worcester Park Powder Mills (Surrey HER Monument 1078) were the first authorised Malden gunpowder mills in England. They were licensed to the Evelyns and Hill in 1588-9. There were two wheels, each driving two mills at the Malden Mills, Long Ditton.

William Taylor Senior, gunpowder manufacturer, died in 1764. William Taylor Junior took over the mills on reaching the age of 21 in 1774.

An example of an entry in "The Catalogue of Old Engines":

428. William Taylor, Malden (N). Jun., Nov. 1810. 5 items.
14 horse power double-acting crank engine, with 20¾ inch cylinder, 4 foot stroke, parallel motion, cast iron beam, cast iron connecting rod.

Reverse plan and sections of the engine and boiler houses and boilers; sheet of sketches of steam pipe, shaft etc. and notes on the engine sent to the Foundry, Nov. 1810. All the drawings except the last item bear letter codes.

Original Portfolio or 'Book' No. 627. Catalogue of Old Engines p. 114.

For William Taylor. Gun powder mill, Malden, near Kingston upon Thames.

See also: 4/93 (Engine Order Book No. 7).

In 1809 Worcester Park was acquired by a grandson - another William Taylor. He used a mill on the banks

1. heritagecalling.com: hydraulic-Smeaton-Pump-public-domain image retrieved 18/10/2025
2. https://eehe.org.uk/29905/worcesteparkhouse/ retrieved 17/10/2025



The birthplace of a brilliant man. Plenty of people are born in car parks and survive to tell the tale - but this is the *site* of Warington Taylor's birthplace. Dorset House is on the right (image from Epsom and Ewell History Explorer[1]).

of the Hogsmill River to continue the manufacture of gunpowder, which had been carried out on and off in the area for several centuries. Frederick, his son born in about 1802, took over the mills. Frederick had a twin, Barrington. His life was interesting too. The Grave of the Reverend Barrington Taylor is in St Giles and St George church burial ground, Ashtead, Surrey, England. Barrington served as curate for 46 years and also ministered to residents in the Epsom Union Workhouse from 1840-66. In the 1881 Census, residents of the workhouse are listed. The youngest inmate was a girl, surname Childs, just one month old. The oldest: surname Gadd, a former farm labourer aged 96.

Frederick Taylor's children were born at the doctor's house - Dorset House, Ewell Village. Recognize the name? It is now a car park; it makes me sad to think that the lovely old walls are all that remain. Sadder still that his brilliant second son, Warington, a highly skilled and complicated boy, did not make old bones. He was probably the most pivotal figure in the Arts and Crafts movement in England, taking over the business management of the William Morris Company. Born on 25 August 1835 in Ewell, Surrey, Warington was the second son of Frederick and Frances Mary Taylor. His parents were both from affluent families: his father, Frederick, was the second son of William Taylor of Worcester Park, Surrey. His mother, Frances Mary, was the only child of Daniel Richard Warrington of Waddon, Croydon.

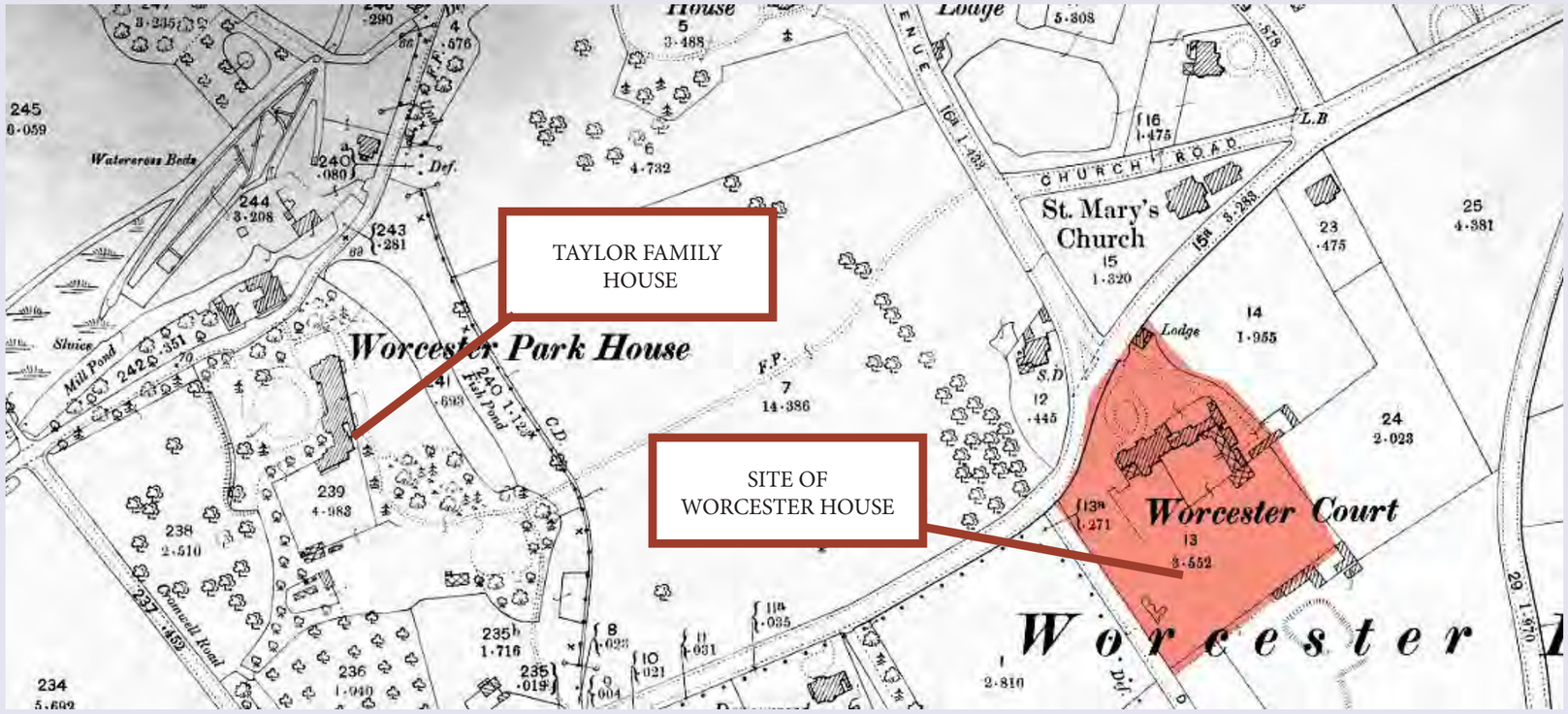
William Taylor Junior (Warington Taylor's grandfather) had taken over the running of the mills. In 1797 he built a mansion on the land - Worcester Park House. After the death of his father, Frederick took over the running of the mills until they closed in 1854 following an explosion.

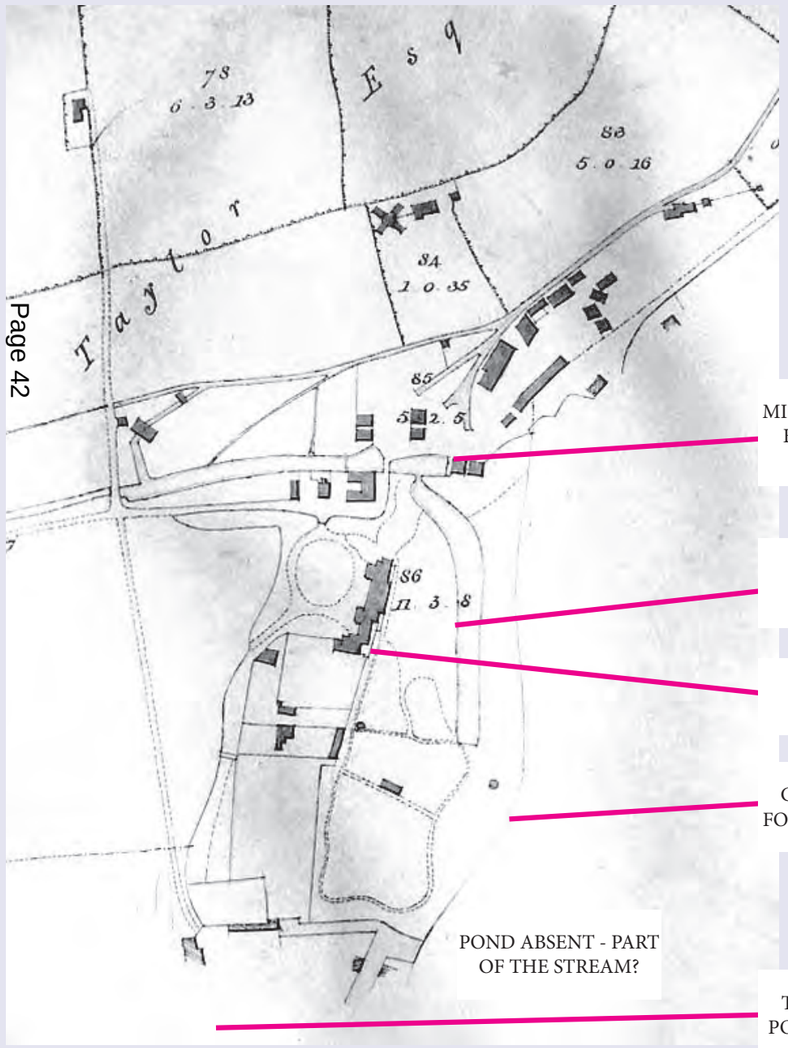
During the 1840s Frederick was a member of several management committees for newly formed independent railways across the country. Interestingly, the name "Taylor" survived in the area in Taylor's Shrubbery, a large wood in Kingston Road, Ewell, situated on either side of Salisbury Road.

CONTINUES ON PAGE 19

Coloured map, bottom right: Long Ditton sits on the Hogsmill; Taylor's Mill was "Malden Mill, Long Ditton". St John's at Old Malden is there. Epsom Downs is called "Banstead Downs". Worcester House is marked. Gunpowder manufacture was the industry of the area of the Hogsmill that makes up our new nature reserve. Previously, the Long Ditton branch of the Evelyn family (descendants of George Evelyn, who was granted a monopoly for manufacturing gunpowder in England by Queen Elizabeth I around 1565) established gunpowder mills in Surrey. The mill at Long Ditton, on the Hogsmill, was successful; England had previously relied on imported gunpowder. A descendant was *Sir Edward Evelyn, cousin of John Evelyn. John described him in 1685 as "an honest gentleman, much in favour with his Majesty", and marks of the royal favour were apparent: ***Edward Evelyn was knighted at Worcester Park, Surrey, on 13 September 1676, later created 1st Baronet Evelyn of Long Ditton on 13 February 1683 and made a deputy lieutenant of the county in the same year.***

OS MAP OF 1894





MILL STREAMS & WORKINGS BECOME A WATERCRESS FARM[1]

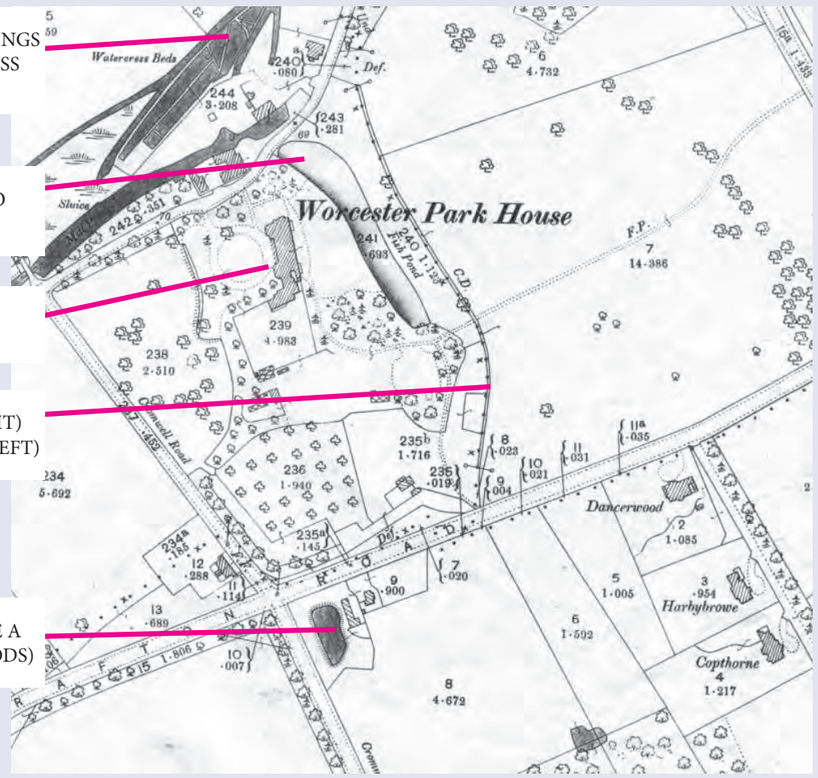
FISH POND SEEMS TO BE REDUCED?

HOUSE EXTENDED?

COUNTY DRAIN (RIGHT) FORMERLY A STREAM (LEFT)

POND ABSENT - PART OF THE STREAM?

THERE APPEARS TO BE A POND (THIS AREA FLOODS)





ENCLOSURE MAP

Enclosure began in the medieval period but the practice became particularly widespread in the 18th and 19th centuries, when it was established through local Acts of Parliament known as Enclosure Acts[2].

1. With thanks to historian, archivist and Cuddington neighbour David Rymill https://www.amazon.co.uk/stores/author/B0034PD672
2. https://eehe.org.uk/31214/gunpowdermills/



William Morris (24 March 1834 – 3 October 1896) English textile designer, creative writer, visual artist and socialist activist (Colonel Thomas Pride would have been most enthusiastic, I'm sure, to employ him as an interior designer). His revival of the decorative arts, furniture and textiles and his contributions to the world of literature were astounding. He was born in Walthamstow, Essex, to a wealthy family. He came under the strong influence of medievalism while studying classics at Oxford University. Whilst studying there he met and married Jane Burden, and developed close friendships with the Pre-Raphaelite set, including Dante Gabriel Rossetti, Algernon Charles Swinburne, and Edward Burne-Jones, as well as with Neo-Gothic architect Philip Webb. Webb and Morris designed Red House in Kent where Morris lived from 1859 to 1865, before moving to Bloomsbury, central London. In 1861, Morris founded the Morris, Marshall, Faulkner & Co. decorative arts firm3 with Burne-Jones, Rossetti, Webb, and others, which became highly fashionable throughout the Victorian period. In 1875, he assumed total control; the company was renamed Morris & Co[1].



Millais, Rossetti, Madox-Brown and Hunt. The sunsets and open skies that we enjoy in our borough became a real draw for the Pre-Raphaelite brotherhood. When we walk across our new nature reserve toward the river and join the river pathways, we will be walking in their footsteps. Their works shocked the art critics. Turner, who died in 1851, just as these lads got started, received flack too; Mark Twain recorded that "a Boston newspaper reported that one of his paintings reminded him of a tortoise-shell cat having a fit in a platter of tomatoes".

Warington joined his older brother at Eton College in 1848; his father and grandfather as former pupils. Two years later he was sent to school in Germany. He wrote much later to his friend, the architect Edward Robson about the free thinkers there and discussed recordings of the composer Richard Wagner.

Warington became a pupil of the liberal Protestant Minister Rev. Jean Auguste Reville in Dieppe, France. It was common in Victorian England for second sons of the successful, land owning middle class to either to take Holy Orders or to join the army, with first-born sons destined to manage the family's estate. Warington chose to join the 29th Regiment of Foot as Ensign, by purchase, on 20 January 1854. He retired from service by the sale of his commission on 3 October 1856. On 23 June 1855 he was made a Lieutenant without purchase; this secured him a profit. In March 1856, he was teaching troops at the School of Musketry at Hythe in the use and practice of the Enfield Rifle before their embarkation for foreign service. Whilst Chatham Garrison in October 1856 he resigned from service. Reasons for early release usually involved illness or lack of suitability for regimental life. From his letters in later life to Edward Robson and Philip Webb we know that Taylor was well read, bilingual and interested in architecture, theology, philosophy, music and the arts: it is likely that army life was not for him.

He does not appear in Worcester Park House records for the 1861 census taken on 7 April. He was back in England to marry twenty-one-year-old Fanny Florence Stent on 21 August 1861 in Kensington. Fanny was the eldest child of Henry Stent, a builder, and his wife Fanny. The Stents lived in Frame, Somerset, and had ten children. In a letter to Phillip Webb, Taylor described Fanny as 'an exquisite beauty with a heart full of love'[2].

The Taylors settled in London. Warington had an admiration for the work of Morris, Marshall, Faulkner and Co. of Bloomsbury. Writing to Edward Robson he noted that 'the beauty of Red Lion woodwork is that you cannot say it has any style - it is original, it has its own style, it is in fact Victorian, it is individual'. Around this time Taylor began to make acquaintance with members of the Morris circle. At some time during this period, he became employed by Her Majesty's Theatre as a financial manager and accountant. He received complimentary tickets, which, on one occasion, he passed on to his friend, the Pre-Raphaelite artist, Dante Gabriel Rossetti (1828-1882).

As an aside - it has been said that Rossetti never visited Cuddington, Ewell and the Hogsmill during Millais and Holman Hunt's time there - but he certainly did! I researched the diary entries from John Everett Millais memoirs:

October 19th (Sunday).
Expected Rossetti, who never came. Governor [his father] spent the day with us, saw Hunt's picture and mine, and was delighted with them. "November 9th, Sunday. - Whilst dressing in the morning saw F. M. (Ford Madox) Brown and William Rossetti coming to us in the avenue. They spent the day with us. All disgusted with the Royal Academy election. They left us for the train, for which they were too late, and returned to sleep here. Further chatted and went to bed[1].

Dante Gabriel Rossetti and Warington Taylor had bonded over their love of the work of William Morris. I thought it highly unlikely that with the Hogsmill River being the site of Warington's Father's mill - and also where fellow Pre-Raphaelite artists were hard at work - it was highly unlikely that they didn't drop in. Rossetti worked with William Morris on the decoration of two pieces which were sold at Christie's London in 1997 and are now at the Delaware Art Museum, Wilmington, Delaware, USA.

Warington Taylor joined the company in 1865 to act as the firm's manager. He was aware of its furniture prior to this date as letters by him to the architect, Edward Robert Robson, preserved among Burne-Jones papers at the Fitzwilliam Museum, mentioning 'a jolly little round table at Morris' on six legs with trays underneath' and 'their new sideboard'. The latter could have been the sideboard designed by Webb, several examples of which survive including the two-door version, one of which survives at Kelmscott Manor and another one, which was part of commission (1864-65) by Myles Birket Foster for The Hill, Witley, Surrey, which also included a music stand. Ford Madox Brown designed Sussex

1. https://bifmo.furniturehistorysociety.org/entry/morris-marshall-faulkner-co-later-morris-co-1861-1944
2. A New Look at the Life of Warington Taylor by Fiona Rose https://morrissociety.org/wp-content/uploads/23.1RoseTaylor69-82.pdf retrieved 16/10/2025

1. The Life and Letters of John Everett Millais by John Guille Millais





William Morris Co HQ in Red Lion Square London (photo: Cove Collective)

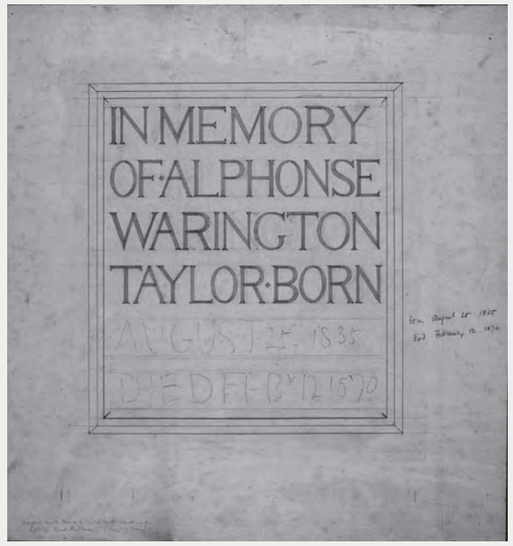
round seated chairs. So how did Warington Taylor become part of the success that was the William Morris Company? In early 1865 he was in dire straits as he had lost his job at the theatre. After returning from his travels around the world, he inherited money for the second time in his life and quickly spent it.

It seems likely that during the years after his marriage and before his engagement at the William Morris company, in his enthusiasm for the arts he spent beyond his means. Warington had fallen out with his father so there was no help from his family. Aside from his spending habits, his father did not approve of his choice of wife.

Robson, a friend, moved to Liverpool in 1864 to become the city's architect and surveyor and whilst visiting London during the early months of 1865: "I met AWT walking like an absent-minded beggar in Piccadilly. He had lost his position at the theatre and was in direst want, his wife at home starving." William Morris was not prepared to see this happening to a man he had come to respect and know as a friend; he offered him a job.

Within a few months of Warington joining the firm, his only child, three-year-old Maud, described as 'much loved', died of Whooping Cough on 6 May 1865. Despite his grief, he took up his appointment at Morris, Marshall, Faulkner and Co. Within a few weeks he was keeping the accounts of the firm "like a dragon", according to staff there. He attended to the orders of customers, and pushed Morris to be more organized and work at one thing at a time. He also felt that Morris was not charging enough, that some of the partners were unprofessional: neglecting deadlines and not investing enough. Despite his personal financial mishaps, he was an excellent manager of the firm's fortunes. William and May Morris (his daughter) by their own admission were artists and not accountants; they also inferred that the firm would not have survived without Warington's sound business sense. His instinct for what we call today "on trend" was uncanny too. He knew beautiful furniture and fabric when he saw it. Function was high on his list: "furniture should be easily moveable".

He was instrumental in what was to become known as "The Morris Chair". This reclining chair was a furniture staple of the Firm until it closed its doors in 1940. Taylor found the prototype for the Morris Chair in the workshop



Warington died, aged thirty-four, on 12 February 1870 at his home in Turnham Green. According to probate records he left 'effects under £6,000'. His funeral and other expenses of £89 19s were paid by the Firm and personally by Philip Webb. Webb designed Taylor's gravestone made of Portland stone. The original design, in the form of a working design for the stonemason, was made by Webb himself. It is now in the V & A, London.

Burial Place: St Thomas of Canterbury, Fulham

Architect: A.W.N. Pugin Original Date: 1847 Listed Grade II

of an old carpenter, Ephraim Colman, in Herstmonceux, Sussex. He sketched the chair and sent it to the designer Webb who modified the design slightly. The Morris Chair would go on to become immensely popular; indeed, it would become an icon of the Arts and Crafts Movement and was copied by Liberty, Heal's, and by Frank Lloyd Wright and Gustav Stickley in the United States[1].

Taylor was diagnosed with pulmonary tuberculosis sometime in 1865. He was a regular physical presence at Morris, Marshall, Faulkner and Co. for at least the next two years. He spent the winter period recuperating on the south coast, and the rest of the time he was in London. It appears that Taylor was back in London by May 1867 as a letter to Webb, written on 17 May, is addressed from the Firm's address in Queen Square.

One evening, whilst walking for the bus, he bled from the mouth due to his violent cough. He wrote to Webb *"I better not come to London any more nor leave home unattended. I was rather frightened. The feeling of dying in the streets is rather a violent shock - let Morris know this in a quiet way."*

On 30 June 1868 he wrote a frank letter to Webb explaining that his wife had been unfaithful to him with other lovers, and that she had left him. He reflected that it was his fault for being so engrossed in his work.

His wife, Fanny, eventually returned. Taylor knew he might easily have ended his days in the workhouse. His family stepped in to help, giving him an allowance of £150 per year. In his last letter to Robson, dated October 1869, Taylor wrote:

"Many thanks for your kind note. As to myself I am one day very ill, the next a little easier - go from bed to sofa - it is long lingering, a sore trial to patience and perseverance. Sympathy my own friend is valuable and right good when subjected to will and duty. I hope and hope for the release of the soul from matter and for peace, rest - the peace I yearn for and fear for but hope - the one thing that holds one - hope".

Six months and one day after Taylor died Fanny married again to a Walter Wieland, described as a gentleman on their marriage certificate. The 1881 census records her as living in a cottage in Millbrook, Hampshire, with a

1. https://bifmo.furniturehistorysociety.org/entry/morris-marshall-faulkner-co-later-morris-co-1861-1944





Warrington Taylor spotted a rustic, prototype chair with a similar adjustable back at a carpenter's workshop in Herstmonceaux, Sussex, run by Ephraim Colman.

He sent a sketch of the chair to Philip Webb, who then developed the design for the firm.

William Morris began producing the adjustable-back armchair around 1869; it continued to be produced for many decades.

The chair is known for its adjustable, reclining back[1].

gardener from Hammersmith, nine years her junior. Her death certificate is dated 9th August 1885, aged forty-four. The cause of death is listed as cirrhosis of the liver certified twelve years[2].

So to recap: in about 1862 it was bought by Sir James Pennethorne. In the Taylors' time the estate comprised the house, stables and about 100 acres, but a lot of the land had been sold off by the time Pennethorne acquired the property. The land that makes up the new reserve, and the land around Linden Bridge School, the sports club and woodland opposite, land at Barrow Hill and Parker's Field with the newer houses in the vicinity of Royal Avenue, Drumaline Ridge, Grafton Park Road, Parklands Way, Cleveland Road and the closes attached to it were probably all part of it.

Thanks to my friend, the historian David Rymill, we will unpick that part of the puzzle next!

WORCESTER PARK HOUSE: LATER YEARS AND EVENTUAL DECLINE

Mrs Portia Wheeler lived in the house with her (16!) children. Born in Palermo c.1814 she lived until her death with some of her unmarried children. There was a nurse in residence, five servants and a coachman living at the stables. She died at the house in 1889 but son Augustus, now a builder, stayed on with his single sisters. Augustus died in 1898. Portia died at Folkestone in 1906, followed by Ellen in 1910. In the 1911 census, Alice, Nina and Laura were still at Worcester Park House, now outnumbered by servants. The family story is told on the Epsom and Ewell History Explorer web at https://eehe.org.uk/29905/worcesteparkhouse/ It is sad to note that the house fell into ruin when they died. Portia's daughters had loved to living there; they punted on the lake, held teas for the locals, rang a bell on the jetty to tell the resident swans "grub's up". They loved the nesting swallows and fed wild birds.

It had been a place of great joy, fondly remembered in David Rymill's books about the area.

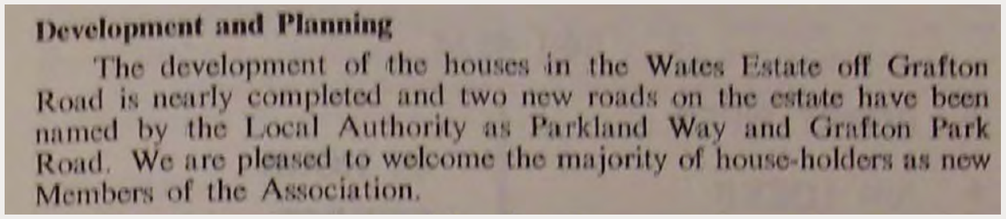
1. https://wmgallery.org.uk/object/adjustable-back-armchair/
2. Retelling the Tale of Taylor: A New Look at the Life of Warington Taylor by Fiona Rose https://morrissociety.org/wp-content/uloads/23.1RoseTaylor69-82.pdf retrieved 16/10/2025

Photos from the 1950s: Charles E. Brown. Copyright of the RAF Museum



What followed over the years was documented in our local magazine, "The Cuddingtonian" over time: *"Most Cuddingtonians will have heard by this time that the magnificent view from Royal Avenue across country to Headley is sanctioned by the Ministry for preservation...this satisfactory end to persistent efforts by the Cuddington Residents' Association is but another example of the importance of an organisation such as ours. It is over 21 years since founder members started a campaign to acquire the whole of Worcester Park House Estate as a public park. Its position was ideal for the purpose and the sloping ground with lake and Georgian mansion formed a lovely vista similar to the famous view from Richmond Hill. ...the amount of work put in on this particular project included photographs specially taken from a helicopter by Mr. Chas. Brown, a founder member. The Mayors and town-planning committees of the three boroughs concerned were personally interviewed and at one time there was good hope of a joint purchase of the estate which lies on the three boundaries. Surbiton said the position was too far from their centre and later withdrew support, a reverse which finally killed the proposition. Incidentally the latter shortly afterward enthusiastically backed a Brands Hatch type of motor-cycling racing course on land actually joining Worcester Park House when we successfully opposed this attempt to destroy our amenities with 50,000 spectators. hundreds of cars. stalls. noise, tiller and other disadvantages inseparable to crowds of this size.*

Energetic support came from the Society for Preservation of Rural England and letters and photographs appeared in the National Press. The Georgian Society arranged a special visit to the house and later borrowed a portfolio of aerial photographs for her late Majesty's inspection. At a subsequent Public Inquiry also the Minister asked for copies



Development and Planning

The development of the houses in the Wates Estate off Grafton Road is nearly completed and two new roads on the estate have been named by the Local Authority as Parkland Way and Grafton Park Road. We are pleased to welcome the majority of house-holders as new Members of the Association.

as they were considered unique in showing the vast tide of building surrounding the district and there is no doubt whatever his decision to delay development was mainly due them."

Later on: "*The plans for the special school have still to be cleared on points of detail but the Association is happy that the scheme is a good one...*" Linden Bridge School has been a wonderful asset to neurodiverse young people - and also our community. Good planning made a positive contribution; the cutting (from the Cuddingtonian, above) is another example. It was these very residents and their successors who campaigned with us so hard for this beautiful new nature reserve.

What follows are documents that show how the possible repair of Worcester Park House was considered and abandoned. The first aerial image, from the 1930s, shows Delta Road and a newer house on the site of Worcester House. Worcester Park House is marked.



Photos from the 1930s: Copyright of the RAF Museum.
Top: shows Cromwell Road running left to right.
Bottom: the "triangle" at Royal Avenue, bottom right.









File No. 52/1/16,99 - 2090

Inspected 24th October, 1945.

Re: Worcester Park House, Worcester Park, Surrey.

I note in a letter from Mr. Toy, F.R.I.B.A., that he considers this house to be "a most valuable example of its period and if judiciously treated could be made serviceable with its main features preserved".

Personally I very much resent old and beautiful structures, soundly constructed, being demolished, but I am bound to believe that jerry builders existed in those by-gone days as they do now.

I am asked to prepare a schedule of war damage and a cost of reinstatement, but where the dilapidations finish in this house is a difficult point to define.

The portion shaded red on the attached plan has been burnt out by incendiaries and would need reconstruction. The remaining portion of the building is of poor construction, the exterior walls being constructed of wood studs of various sizes, brick nogged, lathed and rough cast on the outside and lath and plastered inside. Some of the laths and roughcast has fallen off and the old rent laths show rot. The back loggia circular columns have a 4" x 4" wood post in the centre and are cased with wood, some of which is missing but not by [illegible]. The soffit and large wood dentals at eave level are rotten in parts and some of the dentals are loose. The window frames, very much out of square are much effected by old age but do not appear badly troubled by blast. Most of the glass is missing. The frame and large architrave of the door leading to one large room off the Hall is badly built and I was informed by the agent, Mr.Crosse, that this was war damage. This I cannot believe as door, nearer the supposed bomb are intact. Some of the chimney pieces are missing but they have been removed too carefully to have gone by blast. I consider the war damage on the part of the house standing is very small indeed. The [illegible] condition is very poor and the whole place is in such a state that I do not consider it worth spending money on its renovation.

(Signed) H. Carter. Assessor.

30th October, 1945.

An assessor was engaged by the War Office to look at the bomb damage to the house on the 24th of October 1945. As you can see from his findings, the house was not salvageable. Perhaps an enthusiast with funds and access to the right help could have saved it, but wartime changes everything.

Thankfully, we have an archive of photographs to take us back to happier times. I am very lucky, once again, to have my friend David Rymill on hand with his wonderful archives. Over an afternoon tea, I scanned the photograph with my trusty Iphone and we were amused to find the cows (left). Perhaps the lovely summer teas made for Cuddingtonians of the day included jammy strawberry scones topped with home produced cream.

The correspondence regarding the damage to Worcester Park House continues over the page.

466/57

28th June, 1946.

Ministry of Works

Historic Buildings - Treasury Direction No.10.

Property	Worcester Park House, Worcester Park Road, Worcester Park, Surrey.
Owners	Trustees of John Dean, deceased, c/o Messrs.H.W. Crosse and Company, 339 Putney Bridge Road, S.W.15.
Unit	Dwelling House
Architectural Period	The property is stated to be a good example of Regency building.

An application has been received on behalf of the owners that the payment to be made by the Commission should be one of cost of works in lieu of a value payment.

Serious damage was notified on 8th October, 1940 and the preliminary classification of the property is "total loss", the Assessor describing the property as an old and dilapidated mansion having no value as a habitation. The drainage system is understood to be of an obsolete type.

On 23rd February, 1944, Messrs. Grace and Farmer, acting for the freeholder, said it was proposed to demolish part of the structure considered to be dangerous. On 10th May,1944 their successors in the matter, Messrs. H.W. Crosse and Company, applied for a cost of works payment and suggested that the cost of reinstatement would not exceed the value when reinstated and on 7th November, 1944 the estimated cost of reinstatement was given by them as £2,000. On further consideration it was confirmed that the classification was "total loss", partly on account of dilapidations, and Messrs. Crosse and Company, were informed that the classification remained unchanged.

/Mr.

Mr. S. Fry, the Panel Architect of the area, wrote on [illegible] July, 1945, to say that the matter had been referred to him by the Local Authority. Whilst he recognised the difficulty and expense that would be involved in putting the property in sound repair, he was opposed to its classification as a total loss. In his view the house is a most valuable example of its Period and, if judiciously treated, could be made serviceable with its main features preserved.

A copy of a report by one of the Commission's Assessors, Mr.H.Carter, is attached, together with a copy of his plan.

It is understood that your architect, Mr. Pritchard, considers that the property has some architectural importance and is capable of preservation.

There has been an informal suggestion that only the centre of the building should be reinstated and made habitable, and the Ministry of Works is requested to indicate what part of the building, if any, is considered to be worthy of a cost of works payment. It is understood that it is intended to use the rebuilt house as a family dwelling house.

In the event of a cost of works payment being made it would be necessary for the War Damage Commission to agree with the owners what part of the damage was due to war damage and what part to dilapidations.

Cable Address: "TWAVAUX, WIRE, LONDON."
Telephone Number: REGENT 7611. Ext. 1501

MINISTRY OF WORKS
ANCIENT MONUMENTS, Room 403,
LAMBETH BRIDGE HOUSE,
ALBERT EMBANKMENT,
LONDON, S.E.1.

Your Ref. 466/57
Our Ref. A.M.26/166734

16 May, 1947

Dear Clarke,

Worcester Park House

I am very sorry we have taken so long in replying to your letter and brief of 29th June last about this case, but we found it necessary to have unavoidably lengthy discussions with Planning on technical aspects of both the condition and architectural assessment of the building.

As the photographs that I enclose show, the house is a charming example of an early 19th century villa, dated from about 1810. The plan is good and the interior details are restrained and well designed, with careful and scholarly treatment of classical detail. Unfortunately the appearance of the house belies its construction, which is very shoddy indeed. For instance, although the exterior appears to be of stuccoed bricks, as one would expect in a small country house of this period, it is actually of timber framework filled with brick-nogging, laths and plaster. As a result of this kind of construction, a good deal more deterioration has undoubtedly set in during the last few years than would have occurred had the house been built of more solid materials. To a large extent the cost of any restoration of the house would,therefore, be due, not directly to war damage, but to the inferior standard of construction employed.

Our own view is that if the house were all that it appears to the eye to be, we should advise the use of the Treasury Direction. But, as this is not the case, we feel very hesitant about suggesting that public money should be spent on restoring a building that is constructed in such a shoddy fashion.

I enclose a copy of a letter from Planning, which shows that they advise the application of the Treasury Direction, subject to certain conditions. For our part we are rather puzzled to know how these conditions could be implemented, for although we are

/bound

bound to admit that restoration is practicable, we are doubtful of the propriety of matching the original work with repairs that are equally shoddy.

Would you let us have our photographs back in due course?

Yours sincerely,

R. Miller

H.M.V. Clarke, Esq.,
War Damage Commission,
Devonshire House,
Mayfair Place,
Piccadilly, W.1.



ROYAL FINE ART COMMISSION
22A, QUEEN ANNE'S GATE, S.W.1.

Yr.Ref.466/57

July 9th.1947.

Dear Fraser,

I am directed by the Chairman of the Royal Fine Art Commission to say that at a meeting of the Commission held on the 9th. July 1947 careful consideration was given to the merits of the design of Worcester Park House.

The Commission while bearing in mind the evident poor construction of the house and the bad state of repair it is in, not all due to war damage, nevertheless feel it their duty to judge the building on its architectural or historical importance. They feel in regard to the former that in general the design is finely proportioned and has a quality of detail which makes it a valuable example of the diminishing number of early nineteen century Palladian Villa types of houses in the country. In particular the portico and colonnade represent a particularly sensitive piece of design in the classical tradition.

For these reasons the Commission would deprecate the loss of a house of such marked quality of design and so well representing an important period in the history of building and therefore recommend that the main features should be preserved and a cost of works payment be approved for the purpose.

Yours sincerely,

A.B. Knapp-Fisher
Temp: Secretary

Sir Robert Fraser,
War Damage Commission,
Devonshire House,
PICCADILLY. W.1.

Ref: AM 26/166734
Ref: 24/1/16499.K.8621

October, 1947.

Dear Fread,

Worcester Park House.

I am writing to confirm what I said on the telephone in answer to your letter of October 14th.

One of our architects visited the house on July 16th, 1948, about three weeks after the fire. He reported that the building had suffered very severely as a result; the whole roof was destroyed, large portions of the exterior walls had collapsed and the interior was gutted. The stone colonnade in front was intact, but some of the cornice had gone. The main entrance doorway was very little damaged. The two pedimented porticos of the end pavilion were entirely destroyed.

We were never much in favour of a cost-of-works payment, for though the house was of some architectural interest it was shoddily built. To-day, the scheme for restoration would mean almost complete rebuilding; technically there is just enough detail left to enable this to be done, but the result would no longer be an historic house, but only a reproduction. As a result, we cannot recommend the rebuilding of the house at public expense. (Our own estimate for this was not less than £20,000).

Yours sincerely,

(R. RUTHERFORD DAVIS).

E. H. Fread, Esq.,
Senior Assessor,
War Damage Commission,
55, Eden Street,
Kingston-on-Thames,
Surrey.

466/57

19th December, 1949.

Dear Sir,

Worcester Park House

The Commission wrote to you on 24th July, 1947, to the effect that they were prepared to exercise the discretion given to them by Treasury Direction to make a cost of works payment instead of a value payment in respect of the main features of the above property.

It now appears there was a civil fire in part of the main block of the property in June, 1948, which caused very extensive damage. The Commission are advised that the scheme for restoration of the property would now mean almost complete rebuilding, and that the result would no longer be a historic house but only a reproduction. In these altered circumstances the Commission consider

/that

Hammond J. Harvey, Esq., A.R.I.B.A.,
69 St Leonards Court, A.R.I.C.S.,
East Sheen,
S.W.14.

that they should no longer agree to the application of the Treasury Direction and will instruct their Regional Office to proceed to determine the amount of a value payment for the building as a whole.

Yours faithfully,

pp S. T. WILLIAMS

for the Secretary.

Mead,

John Dean, deceased
(Worcester Park House, Ewell, Surrey)

You asked on the 24th April last whether we could give you any information about the classification of this property. The War Damage Commission have been in consultation with other departments and with the Royal Fine Art Commission and have now decided that they will make a cost of works payment in respect of the main features, that is to say, the centre block and the two side pavilions. The rest of the building qualifies for a partial value payment, if, indeed, there was any decrease in value caused by war damage. Although it is no doubt, so far as the Estate Duty Office is concerned, a matter of valuation, I think I ought to mention that the property was in a dilapidated condition before it sustained any war damage and the cost of works payment will naturally exclude the cost of any repairs attributable to dilapidations.

Yours,

R. Mead, Esq.,
Estate Duty Office,
Rayners Lane,
Harrow,
Middx.

HAMMOND J. HARVEY
A.R.I.B.A. A.R.I.C.S., CHARTERED ARCHITECT AND SURVEYOR

RIVerside 3108
HJH/PEV.

8-10, KING STREET
HAMMERSMITH-W.6
28th September, 1950.

WAR DAMAGE COMMISSION
29 SEP 1950

The War Damage Commission,
Devonshire House,
Mayfair Place,
Piccadilly, W.1.

Mr Overed 2/9

Dear Sirs,

Reference: Worcester Park House. Your ref: 466/57.

Further to our telephone conversation today with Mr. Overed, please find enclosed herewith ex scale plans together with sketches showing how the elevations can be set out to incorporate the proposed reconstruction.

The enclosed are forwarded for you to form a basis for a discussion and if you are favourably disposed to same, then further details can be gone into.

Yours faithfully,

pp HAMMOND J. HARVEY

Page 48

HAMMOND J. HARVEY
A.R.I.B.A. A.R.I.C.S., CHARTERED ARCHITECT AND SURVEYOR

RIVerside 3108
HJH/PEV.

8-10, KING STREET
HAMMERSMITH-W.6
11th October, 1950.

WAR DAMAGE COMMISSION
1 OCT 1950
FILE No.

The War Damage Commission,
Devonshire House,
Mayfair Place,
Piccadilly, W.1.

Dear Sirs,

Re Worcester Park House, Your ref: 466/57. Mr Overed 4/10

Since writing you on the 6th instant I have received a communication from my client's surveyor informing me of details of the Notice for Compulsory Acquisition of the Property by the Surrey County Council.

Under the circumstances I presume Section 14 of the War Damage Act 1948 will come into operation, and that you will in due course proceed with the usual notices etc. for settlement of the Value for a Value Payment.

Whilst writing I must point out that the damage done by the fire in June 1948 was not sufficient to render the property unsuitable for a cost of works payment and that under any other circumstances this claim would still be pressed.

Yours faithfully,

Telephone.
Putney 2533.
2534.
2535.

J. DEAN.
(C.B. DEAN.)
Universal Blind Contractor.

329,331 & 333 Putney Bridge Road,
Putney, S.W. 15.

Ref. CBD.

Hammond J. Harvey, A.R.I.B.A., P.A.S.I.,
69 St. Leonards Court,
East Sheen.

Dear Sir,

re - Worcester Park House.

I would like to confirm that if the Property is restored, it is my intention to allow a member of my family, my eldest Son, an ex service man, to occupy a part, the remainder to be used as a Recreation Centre for the workers.

On my departure it is my intention to hand over to the Public Trust for the benefit of all.

Yours faithfully,

C. B. DEAN.

Some of you may remember Dean's Blinds? Their website say's "since 1894". I have contacted them.

DRAFT

466/57

Ministry of Works.

Historic Buildings - Treasury Direction No.10.

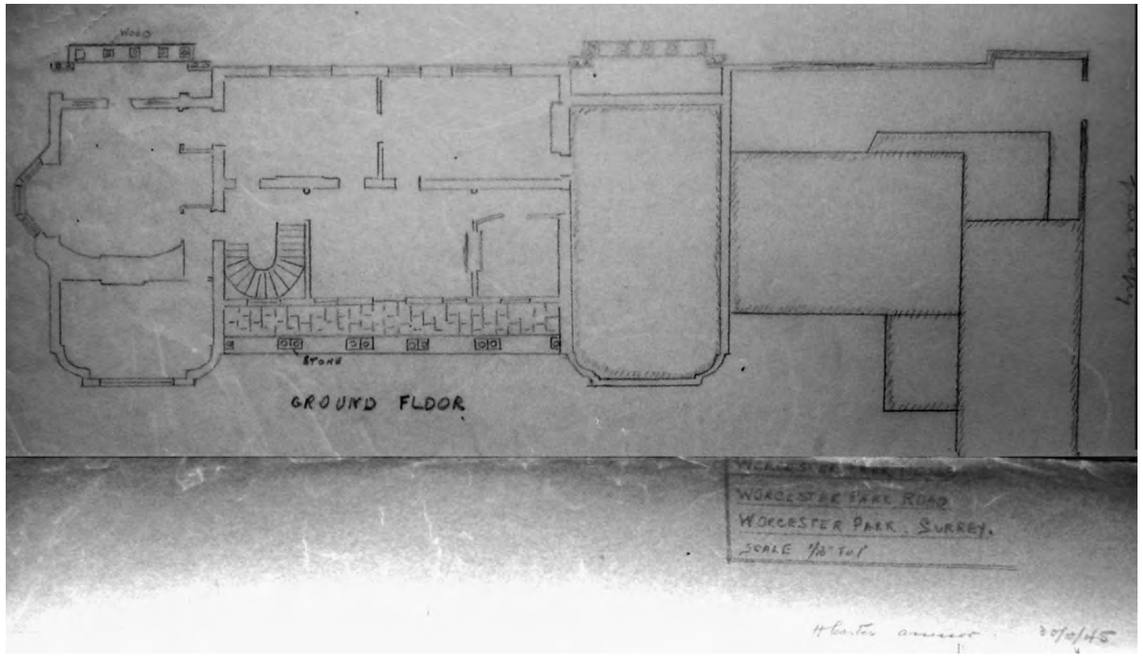
Property	Worcester Park House, Worcester Park Road, Worcester Park, Surrey.
Owners	Trustees of John Dean, deceased, c/o Messrs. H. W. Crosse & Co., 339, Putney Bridge Road, S.W.15.
Unit	Dwelling House.
Architectural Period	The property is stated to be a good example of Regency building.

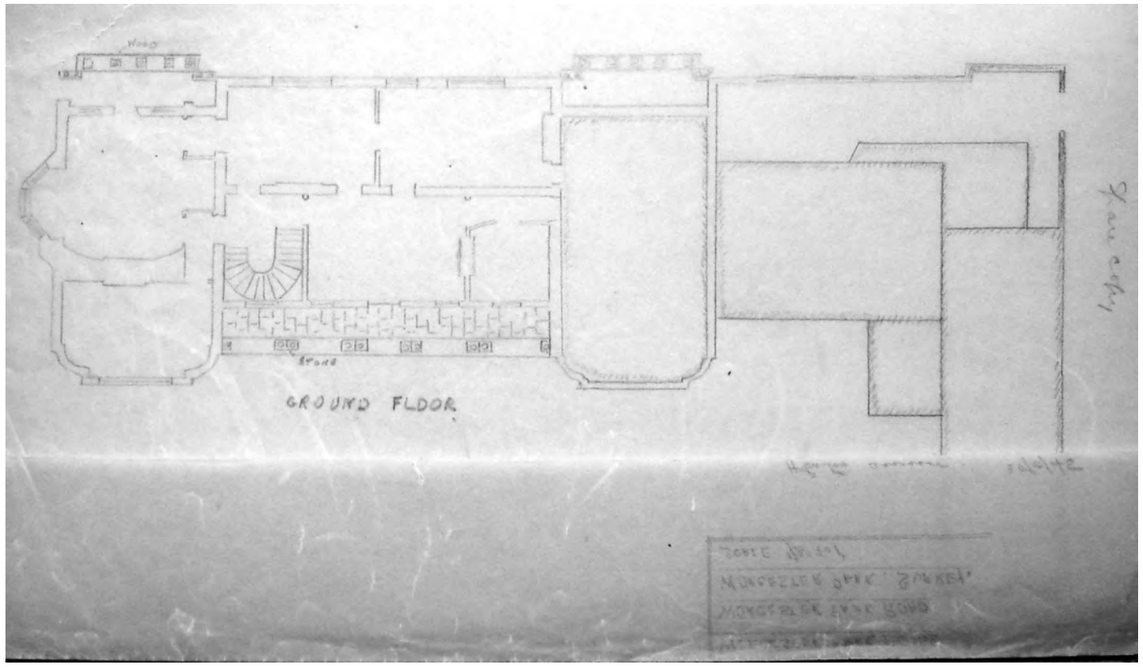
An application has been received on behalf of the owners that the payment to be made by the Commission should be one of cost of works in lieu of a value payment.

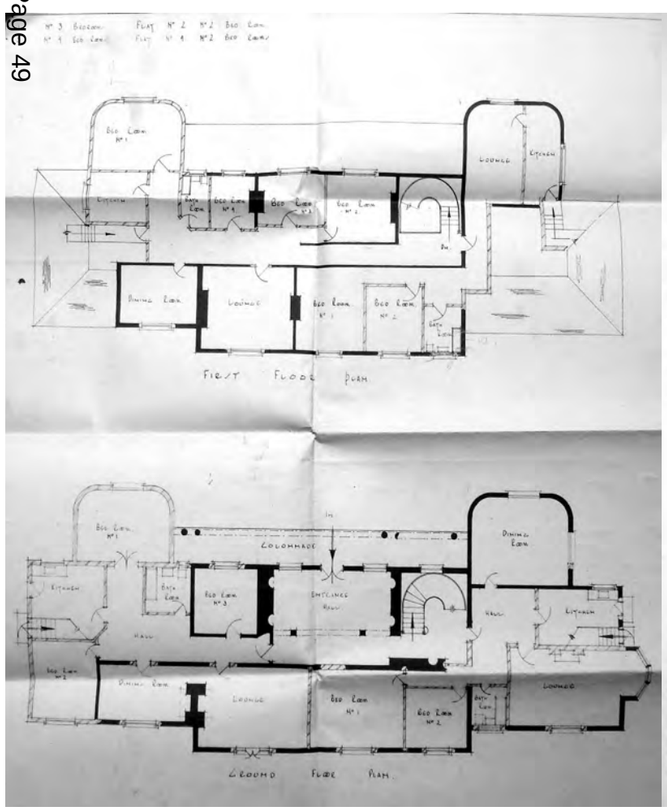
Serious damage was notified on 8th October, 1940 and the ~~estimated cost of reinstatement was given as £10,107.~~ On preliminary ~~inspection the~~ classification of the property ~~appeared doubtful but was eventually resolved as that of~~ is "total loss", the property being an old and dilapidated mansion and having no value as a habitation. assessor describing the as the drainage system is understood to be of an obsolete type.

On 23rd February, 1944, Messrs. Grace & Farmer, acting for the freeholder, said it was proposed to demolish part of the structure considered to be dangerous. On 10th May, 1944 their successors in the matter, Messrs. H. W. Crosse & Co., applied for a cost of works payment and suggested that the cost of reinstatement would not exceed the value when reinstated and on 7th November, 1944 the estimated cost of reinstatement was given by them as £2,000. On further consideration it was confirmed that the classification was "total loss", partly on account of dilapidations, and Messrs. Crosse & Co., were informed that the classification remained unchanged.

Mr. S. Toy, the Panel Architect of the area, wrote on 25th July 1945 to say that the matter had been referred to him by the Local Authority. Whilst he recognised the difficulty and expense that would be involved in putting the property in sound repair, he was opposed to its classification as a total loss. In [illegible] house is a most valuable example







DRAFT

466/57

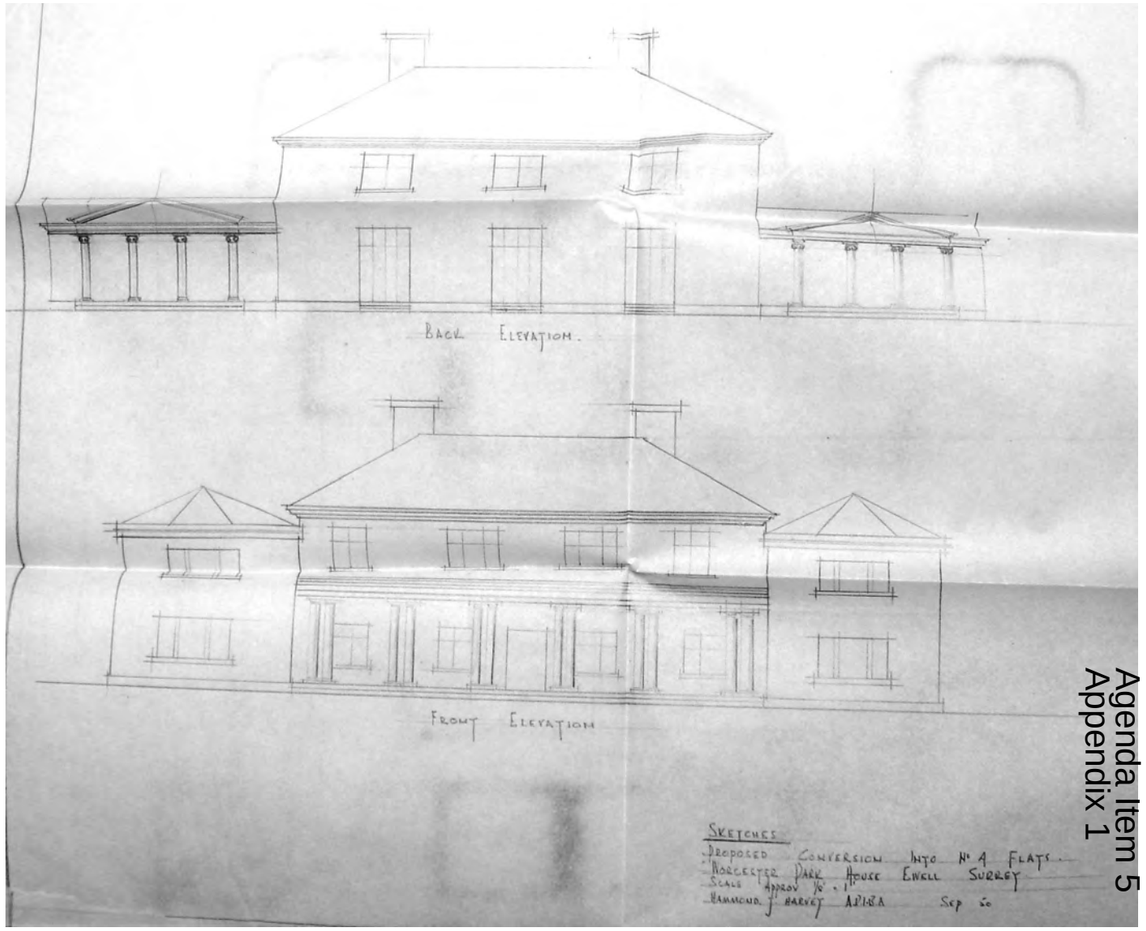
Dear Miller,

I enclose particulars of Worcester Park House, Worcester Park Road, Worcester Park, Surrey. We feel it is a very doubtful case. I spoke to ~~concerning which the owner's are anxious that the~~ Your Mr Pritchard on the telephone about this ~~Treasury Direction should be applied.~~ When you house & he seemed to regard it with a some- ~~have had an opportunity of considering the merits~~ what reserved enthusiasm. ~~of the application~~ no doubt you will let me know As the Estate Duty Office, Inland Revenue, want ~~the results.~~ us to make up our minds soon as to the Kind of payment, ~~Yours sincerely.~~ I shall be glad if you could let us have your views as soon as possible.

Yours sincerely,

A. Miller, Esq.,
Ministry of Works,
Dean Bradley House,
Horseferry Road,
S.W.1.

(~~Extra Large~~ largest envelope)



APPENDIX: PRIDE'S WILL (WORCESTER HOUSE PLAN: PAGE 35)

To all Christian People Greeting

I Thomas Pride of Worcester House in the County of Surrey being under the chastisement of the Lord, yet of perfect memory (blessed be my God for it) considering the frailty of mankind and the uncertainety of my abode in this world; here make this my last will and testament in manner and forme following.

Imprimis I bequeath my soule into the hands of my pretious Redeemer the Lord Jesus Christ, being p[er] swaded by the faith he hath wrought in me, that he will wash it throughly from its defilements and p[re] sent it to his Father and my Father as his owne puchas.

Item I bequeath my bodie to the dust from whence it came to {may..} {..} its sleeping {.ous.}untill the glorious day of appearance, being assured that in the meritts of Jesus Christ in my flesh I shall see God.

Item I give unto my sonne Thomas five pounds.

Item I give unto my faithfull and loving wife Foure hundred pounds a yeare, to be levied out of the rents and improvements of my parke, which so farr as {.....} her satisfaction in the said summe of fouer hundred pounds I give into her hands and possession by these p[re]sents for her security and revenue during her natural life and no longer.

Item I give unto my sonne William; And to my sonne Samuell, and each of their heirs and assignees the risidue of the rents growing out from my parke, or which by the best improvement may growe out therefrom, during the said naturall life of their mother my wife Elizabeth Pride; To be equally and iustly divided between them and each of them.

Item After the death of my wife I give and bequeath my whole parke with the house or houses and all its or their appurtenances unto my sonnes William and Samuell to bi equally and iustly between them so that there may not be the least fraude or cousinage;

Item it is my will and pleasure is that during the life time of my said wife imediatly after my decease; there may be such a righteous division made before the Lord; That my wife may have no more than foure hundred pounds p[er] anum, out of my parke and house or houses there, according to the bist improvement of the said houses or land. And that my sonnes William and Samuell may have no lesse thin their shares aforesaid;

Item I give unto my daughter Elizabeth Walton five pounds.

Item I give unto my sonne Joseph the foure thousand pounds that I have lyeing in ***stocke in the Brew houses at Kingston***, to be putt out for his best advantage untill he cometh to the age of twentie and one yeares, and then ({.iz.}) when he comes to the said age, the said foure thousand pounds with the improvement to be paid him; But if it shall happen that my sonne Thomas and Maior Yates, my partner in those Brew houses shall refuse or deny forthwith to pay, or to give surity for the payment of the said foure thousand pounds , Then I give unto my sonne Joseph my full and whole share, right, tytle, in Trust and propriety in the said two Brew houses, and in the stocke, utinsills, comodities, improvements and app[er] tenants in any wise to them or either of with them appertaning or providing. And I desire my wife that she would so provide and take care with all diligence that the same may be imployed by herself and assigned to the best advantage of my sonne Joseph until he come to the age of twenty and one yeares. And then with all the interest to be surrendered up unto him;

Item I bequeath all my Lands and Tenements lyeing, situate and being in any place or places whatsoever (unlesse in those places before mentioned) for be sold to the utmost value that may be made, for and

towards the payeing, satisfyeing, and dischargeing of debts. And if by the sale of them there shall not be so {....} money be paid for the price of them, and each of them, as shall satisfie all and every of my true and {.n...ed} Creditors, that then all those debts that are oweing unto me shall goe to the same use of paying debts; And if yet any should be be unsatisfied of my lawfull Creditors; That then my wife, my sonnes William and Samuell shall pay the rest out of the rent of their lands, each according to the proportion of Land that he or she shall hold and hast after my decease.

Item I give unto my sonne in lawe Robert Walton five pounds to buy him a ringe.

Item I hereby make and institute my trusty and well beloved wife Elizabeth Pride to be my true and lawfull Executrix, And my trusty and well beloved sonne Robert Walton to be my Executor to see all things done right and performed according to the true intent and meaninge of this my last will and testament which that it is for. In wittnesse thereof I have unto sett my hand and seale; this twelvth daie of October in the yeare one thousand five hundred Fiftie eight. Tho: Pride signed and sealed in the presence of us Jon {Lo.e}, Em: Rogers

Knowe all men by these presents that that whereas in my last will and testament {...ring} date with these {p[.]son..} for all other matters I have well and sufficiently provided for my wife and my sonnes William, Samuell, and Joseph, in giving unto them severall portions as by the said will may and doth at lawe appeare. But in the meane time ***have not disposed of my stocke and household stuffe in Worcester parke, nor my household stuffe in my house at Kingston;*** Nor have I laid that iniunction upon my wife, which was in my will and purpose for to doe;

I therefore doe appoint and order, doe will and desire, ***that all my stock of {.....} all in, of, or belonging to my house at worcester parke,*** or to me and my wife app[er]taining; And that all my household stuffe there together with all my household stuffe in my house at Kingston and every piece and p[ar]cell of them be sold to the utmost value, and that the money so arizing shall be equally divided between my two sonnes William and Samuell;

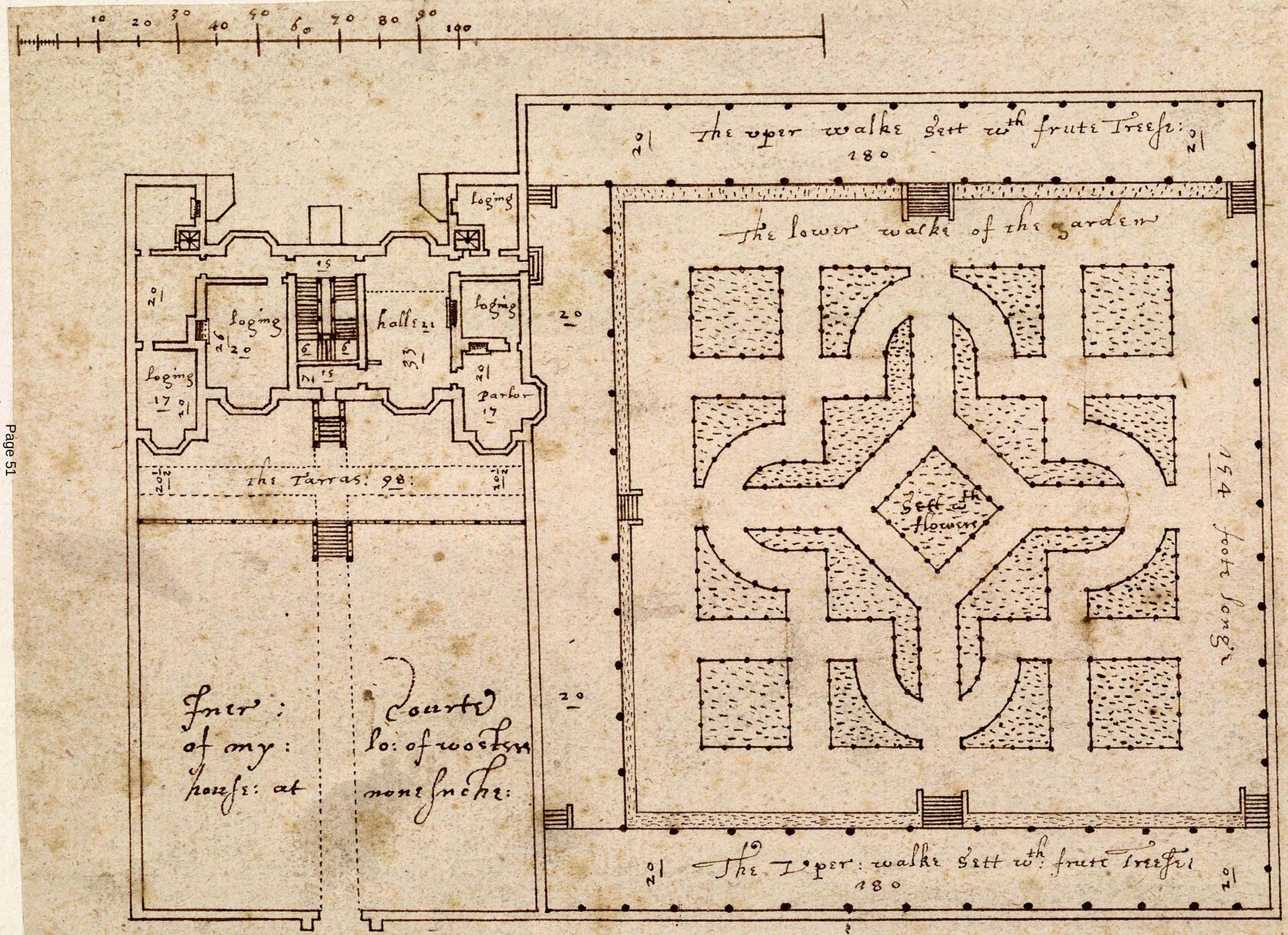
And I also further will and desire that my wife Elizabeth Pride part not with any of her interest or portion that she should have in my estate, unto any p[er]son or p[er]sons whatsoever unless it is unto my sonnes and daughter, any or one of them. And if it happen that she doth not p[er]forme this my desire and will, then my will and pleasure is, That from thence forth she shall not have the least propriety in any of my lands or {.emm...} nor the least benefitt by that my last will. Any thing therein contained to the contrary notwithstanding.

Now for a {.....} the said will is under my hand and seale, given and {g.h..ted} on the day of the date hereof, and is formed {.....} imp[er]fect wanting these my plainest desires.

I further desire that the said will shall not remaine in any forme, or permit to any intent or purpose, but that my effort shall fall where the lawe {.as.} unless unless these {p.sents} are ioyned with or added to it, to stand in full force and {.....}; In wittnesse whereof I have hereunto sett my hand and seale this twelfth day of October, several howers after the time of setting my hand and seale to the said will in the yeare one thousand five hundred and fifty eight. Tho Pride Signed and sealed in the presence of us Jon {L..e}, Em: Rogers

This Will with its Codicill thereto annexed was proved at London before the Judges for probate of wills and granting Administrations, the foure and twentieth daie of November in the yeare of our Lord God one thousand five hundred Fifty and eight. By the oath of {.....} Elizabeth Pride the relict and one of the Executors named in the said will. To whom Administration of all and {.....} the goods, chattells, and debts of the said deceased was committed and granted, She being first sworn well and truly to Administer the same; {Res..ing} {p[er]....} to Robert Walton the other Executor to make like probate when he shall come and in loyall {.....} desire the same[1].

1. Will of Thomas Lord Pride or Pride of Worcester House, Surrey, The National Archives. Ref: PROB 11/283/493, Date: 22 November 1658, (accessed 17/10/2025 Sep 2023).


10 20 30 40 50 60 70 80 90 100
the vper walke Sett wth frute Treesi
180
the lower walke of the garden
loging
loging
hall
loging
loging
Parlor
the Tarras: 98:
Sett wth flowers
154 foote longe
fnet:
of my:
house: at
Court
lo: of wostrs
none suche:
The Vper: walke Sett wth: frute Treesi
180

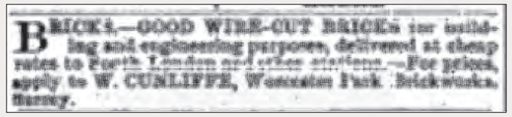
MORE ABOUT BRICKS
- AND A "MUST DO BETTER" FOR KIM



All aboard the good ship "FJORD" - Easter 1898. One of Epsom and Ewell's most successful industrialists is pictured here; sadly I do not know which of these gentlemen is our man.

You may remember from my last report a mention of "Cunliffe Siding", a small branch line and halt halfway between Worcester Park and Stoneleigh. I had described the line as being named for the engineer who signed off the project to build the line, assuming that he was a railway engineer. The moral of this story is: NEVER ASSUME.

The truth was, I looked everywhere for this gentleman and could not find a thing. I undertook further research into the industries associated with our UK railways and found "Cunliffe, William, Northfield Brick Works, Kettering, Northants". I also discovered an old journal from the 1800-1900 period, namely *The British Clayworker: The Organ of the Brick, Tile and Cement Trades.*



BRICKS.—GOOD WIRE-CUT BRICKS for building and engineering purposes, delivered at cheap rates to South London and other stations.—For prices, apply to W. CUNLIFFE, Worcester Park Brickworks, Surrey.

After giving myself a reprimand for not tying up loose ends, I set about reading and re-reading.

William Cunliffe was an enterprising gentleman - a contractor, brickmaker, moderniser, entrepreneur...he respected every level of trades and labours and was keen to travel abroad to meet like-minded people.

He was one of a party undertaking a trip to meet brickmakers in Denmark (and a later trip to Germany before WWI). I was amused to discover a photograph from one of his travels; I don't know who is who but all the same it is a lovely picture and I love all the hats! My mother's family were hatmakers, based around places like Brick Lane (BRICKS AGAIN!!!) ...but that is another story.

1. Epsom and Ewell History Explorer, retrieved 29/07/2023: https://eehe.org.uk/?p=60554

GUILDFORD.—For laying a surface water drain and other works, Foxenden Building Estate, for the Corporation. Mr. F. T. Maltby, C.E., Borough Surveyor, High-street, Guildford:—

Contract No. 1.

Fry Bros.	£85 0	William Cunliffe, Kingston-on-Thames*	£66 0
G. A. Franks	71 10		

* Accepted.

Contract No. 2.

Fry Bros.	£180 0	William Cunliffe	£123 10
G. A. Franks	155 13	W. J. Engall, Guildford*	86 10

* Accepted.

NEW SURREY YARD.—A new brickworks has been started at Worcester Park, Surrey, by Mr. W. Cunliffe, the enterprising brickmaker and contractor, of Kingston-on-Thames, the bed of clay being 21 acres in extent, and it is intended to make wire-cuts and red facing bricks. The works will be connected by a siding to the London and South-Western Railway. Messrs. Wootton Bros., of Coalville, have secured the order for the first portion of the machinery.

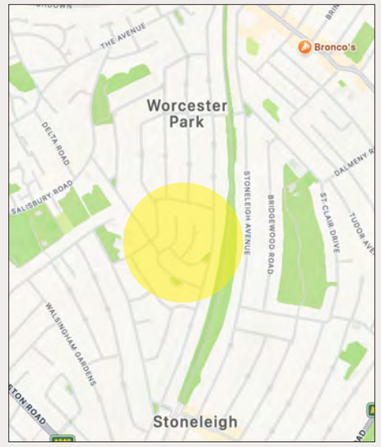


Clayworker, 43, Essex Street, Strand, London, W.C.

WANTED, A SETTER FOR HOFFMANN KILN. —Apply Cunliffe, Worcester Park Brickworks, Surrey.

FOREMAN WANTED for BLUE BRICKS and RED

An advertisement in "The Builder" from February 17th 1894 announces the awarding of two projects in Guildford. An article in volume seven of "The Clayworker" brings news of a "new yard in Surrey". Before long, William Cunliffe is hiring![1]





William Cunliffe moved to a villa in Gloucester Road, Norbiton. He founded brickworks all round this part of Surrey, including New Malden, Norbiton and Worcester Park. The Worcester Park Brickworks stood where Alsom Avenue and newer, modern homes now stand. Cunliffe Road, just over the border in Auriol Ward, commemorates the enterprise. An advertisement in "The British Architect" offers: *"Good wire-cut bricks for building and engineering purposes, delivered at cheap rates to South London and other stations..."*

William's brainwave in building what was effectively his own railway station paid off. The building boom of the early 20th century created a great demand for bricks.

World War II halted production at the brickworks but it proved itself to be a very useful training ground for the home guard units based in our borough. It was also a magnet for local children, who treated it as a playground. Childhood and parents' attitude to safety was certainly different in those days.

The area on this modern day map shows the area once taken up by the Worcester Park Brickworks.

Nothing lasts forever; much of what made up Surrey's brickworks became housing. The stubborn old band of clay was good for little else - but it tells quite a story! Potteries at Ashtead, Chimney pots and mechanical tiles made at Nonsuch, Bricks and tiles at Kiln Lane.

The industrial and scientific past of Epsom and Ewell has been a joy to research.

Brick photo: Richard Symonds

1. The resources in this chapter were located at Google Books - a real treasure trove!

THE HUGUENOT*



How many of us stumble upon this image from time to time? "The Huguenot" is one of Millais better known paintings.

OF COURSE we all know that Ophelia appeared in Millais painting of the Hogsmill River! There is also a story that the doorway featured in the painting of Christ, "The Light of the World", is an old outbuilding that once stood along the Hogsmill.

But "The Huguenot" was concieved at the same time - when the Pre-raphaelite artists were working at Worcester Park Farm - now the site of Delta Road and Worcester Close. We know that the male model was Arthur, an old schoolfriend of Millais, who lived in Ewell. But where is this ivy clad wall?

* *MORE BRICKS!!!....sorry.*

Much of the "Hogsmill History" - both industrial and cultural - and the stories around the Nonsuch "Great Park" - has yet to reveal itself. I spent some time look through the assets listed by Historic England.

One I have already discussed in this report (previous chapter on page one - LAND AT GRAFTON STABLES SITE); it is the following entry:

SHHER_7721 GARDEN WALL TO REAR OF NOS 4, 5, 6 AND 7 AND GARDEN WALL TO REAR OF NOS 4, 5, 6 AND 7 WORCESTER GARDENS, Delta Road, Cuddington. Grid Reference: 521520 165401 Civil Parish: Cuddington. Monument Type: GARDEN WALL (1601 to 1700). Description: Remains of garden wall. 1606-1609 with later patching. Red brick in irregular bond. Formerly a rectangular enclosure, now only the south-east and north-east walls and north-east end of the north-west wall survive. The wall is approx 3 metres high with shallow brick buttresses, the top stepped with offsets and header - brick coping. This is now the only surviving above-ground structure of the buildings of Nonsuch Palace, and lay just to the east of Worcester House built 1606-09 for the 4th Earl of Worcester, keeper of the Great Park of Nonsuch. It is shown in the plan of Worcester House 1609 by Robert Smythson. Listing NGR: TQ2152065401 Form: Listed Building[2].

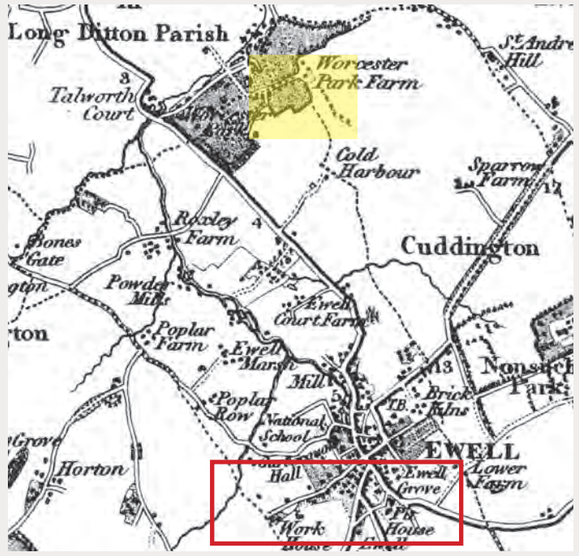
How long I have marvelled at this old wall - quite beautiful and in parts a hotch-potch of brick styles that tell stories about the numerous owners of this part of the Great Park. It is well documented that the site became a farm, where some very famous names took lodgings. In trying to find out more about the wall, I stumbled upon a notion that was to good to miss and met a resident who has researched this very subject!

A search through the story behind the ivy clad wall, with other wild plants adding symbolic clues about the subject matter (C16th - 17th Sectarianism in France)[1], led me to the work "The Life and Letters of John Everett Millais", written by John Guille Millais. It describes some charming scenes that have completed the puzzle of the wall. As I have already observed in my introduction on page one, the mystery in history brings out the Magpie in me. The models for the picture were Anne Ryan, a professional model and Arthur Reid Lempriere, Millais' childhood friend living in Ewell.

Look at the map on the right. Worcester Park Farm! In 1851, the Pre-Raphaelite artists Holman Hunt and John Everett Millais rented the dilapidated buildings of Worcester House - it was now a family farm - for use as a studio. Hunt noted a "glorious avenue of elms" along the drive; they are highlighted here in yellow[3].

Arthur, the gentleman who acted as artist's model for the painting, was living at Pit House.





Arthur was a British Army Major-General of the Royal Engineers; the Columbia Detachment founded British Columbia (of great interest to me, as I have dual citizenship as a British Canadian). Geographical features are named after him: Mount Lempriere in the Monashee Mountains, Lempriere, a railway point on the Canadian National Railway transcontinental main line, Lempriere Creek - a tributary of the North Thompson River. and Lempriere Bank, an ocean bank south of Aristazabal Island in the Pacific Ocean on the British Columbia Coast.

So what of the wall? John Guille Millais book tells us: ***"he secured a cottage near Kingston, with his friend Holman Hunt...two other members of the Pre-Raphaelite fraternity, bent on working together...the two moved into Worcester Park Farm, where an old garden wall happily served as a background for the Huguenot: "I am advised by Coventry Patmore to keep a diary. Commence one forthwith. — To-day, October, 16, 1851, worked on my picture ['The Huguenot']; painted nasturtiums; saw a stoat run into a hole in the garden wall; went up to it and endeavoured to lure the little beast out by mimicking a rat's or mouse's squeak - not particular which succeeded, to my astonishment.[4]"***



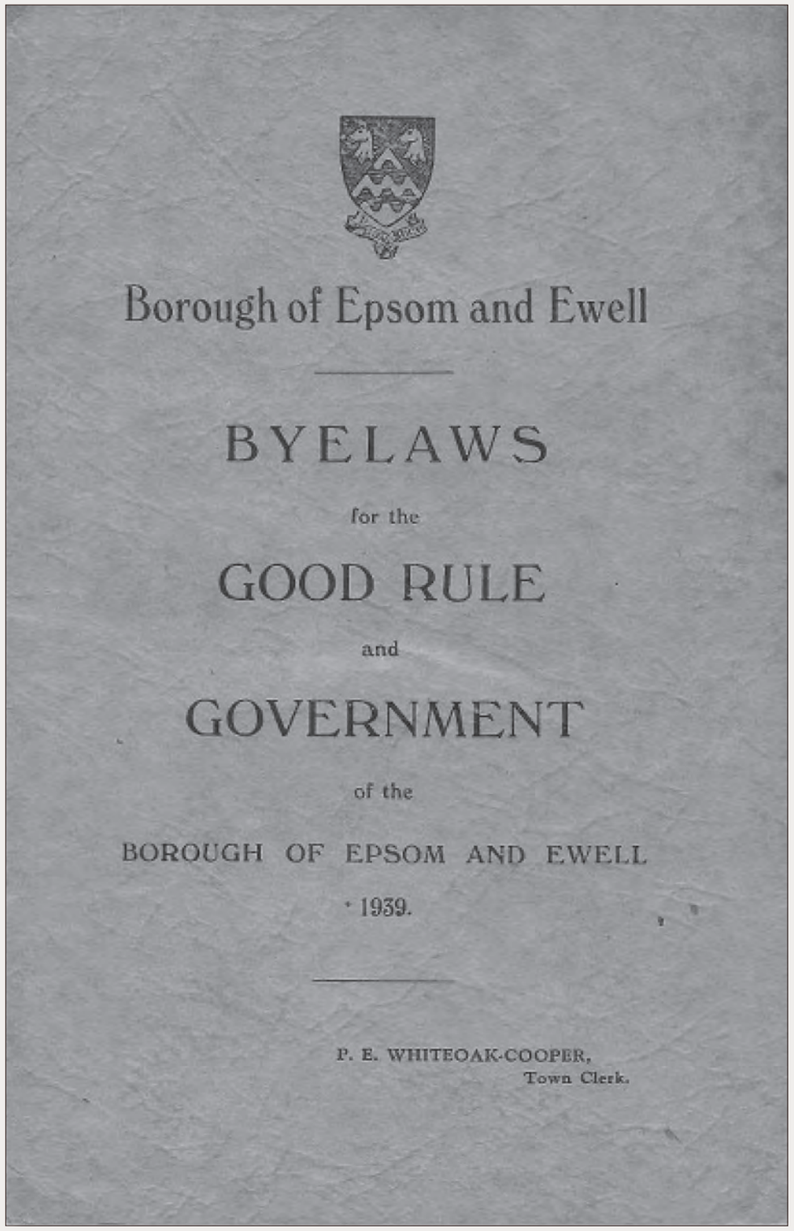
So here it is, in all it's glory (sadly, stoatless). It stretches from Delta Close, right along Delta Road, right again onto The Avenue, right into part of Worcester Close, close to the garden of my wonderful resident who helped me solve the puzzle. How nice it would be to commemorate it, perhaps as part of the heritage information at the Grafton Stables Nature Reserve?

1. https://www.britannica.com/topic/Huguenot retrieved 24/11/2025
2. Historic England
3. Epsom and Ewell History Explorer, retrieved 24/11/2025: https://eehe.org.uk/33389/preraphaelites
4. The Life and Letters of John Everett Millais, by his son, John Guille Millais

ARE YOU ON THE NAUGHTY STEP?

Residents and Councillors - how many of these 1939 byelaws have you violated?

Let me have your confessions! This document was passed to Councillor Phil Neale while he was in our local park (where he works as a volunteer). The gentleman, Mr Lelliot, who passed it to him, has given me a window into the early days of our wonderful little borough.



Borough of Epsom and Ewell

BYELAWS

for the

GOOD RULE

and

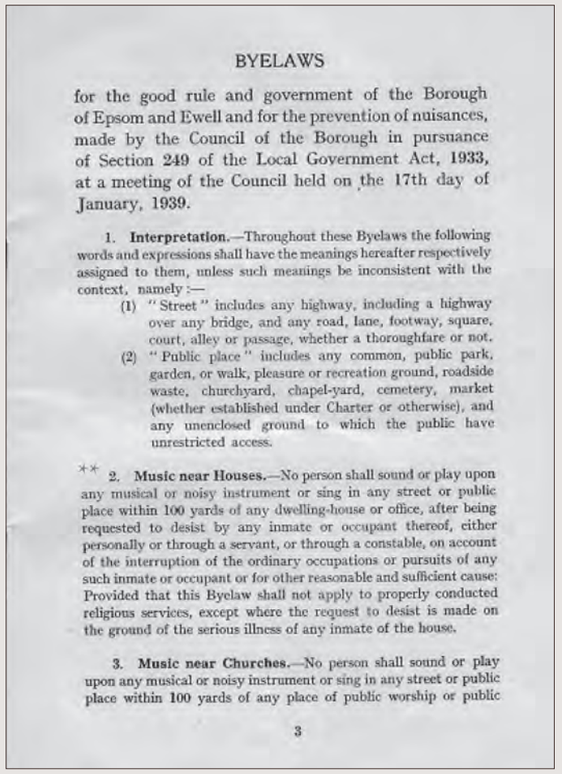
GOVERNMENT

of the

BOROUGH OF EPSOM AND EWELL

1939.

P. E. WHITEOAK-COOPER,
Town Clerk.



BYELAWS

for the good rule and government of the Borough of Epsom and Ewell and for the prevention of nuisances, made by the Council of the Borough in pursuance of Section 249 of the Local Government Act, 1933, at a meeting of the Council held on the 17th day of January, 1939.

1. **Interpretation.**—Throughout these Byelaws the following words and expressions shall have the meanings hereafter respectively assigned to them, unless such meanings be inconsistent with the context, namely :—

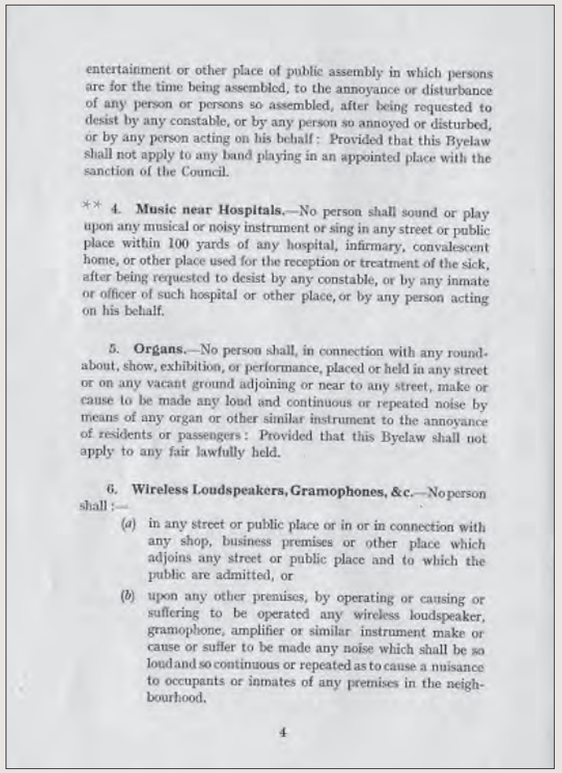
(1) "Street" includes any highway, including a highway over any bridge, and any road, lane, footway, square, court, alley or passage, whether a thoroughfare or not.

(2) "Public place" includes any common, public park, garden, or walk, pleasure or recreation ground, roadside waste, churchyard, chapel-yard, cemetery, market (whether established under Charter or otherwise), and any unenclosed ground to which the public have unrestricted access.

** 2. **Music near Houses.**—No person shall sound or play upon any musical or noisy instrument or sing in any street or public place within 100 yards of any dwelling-house or office, after being requested to desist by any inmate or occupant thereof, either personally or through a servant, or through a constable, on account of the interruption of the ordinary occupations or pursuits of any such inmate or occupant or for other reasonable and sufficient cause: Provided that this Byelaw shall not apply to properly conducted religious services, except where the request to desist is made on the ground of the serious illness of any inmate of the house.

3. **Music near Churches.**—No person shall sound or play upon any musical or noisy instrument or sing in any street or public place within 100 yards of any place of public worship or public

3



entertainment or other place of public assembly in which persons are for the time being assembled, to the annoyance or disturbance of any person or persons so assembled, after being requested to desist by any constable, or by any person so annoyed or disturbed, or by any person acting on his behalf: Provided that this Byelaw shall not apply to any band playing in an appointed place with the sanction of the Council.

** 4. **Music near Hospitals.**—No person shall sound or play upon any musical or noisy instrument or sing in any street or public place within 100 yards of any hospital, infirmary, convalescent home, or other place used for the reception or treatment of the sick, after being requested to desist by any constable, or by any inmate or officer of such hospital or other place, or by any person acting on his behalf.

5. **Organs.**—No person shall, in connection with any roundabout, show, exhibition, or performance, placed or held in any street or on any vacant ground adjoining or near to any street, make or cause to be made any loud and continuous or repeated noise by means of any organ or other similar instrument to the annoyance of residents or passengers: Provided that this Byelaw shall not apply to any fair lawfully held.

6. **Wireless Loudspeakers, Gramophones, &c.**—No person shall :—

(*a*) in any street or public place or in or in connection with any shop, business premises or other place which adjoins any street or public place and to which the public are admitted, or

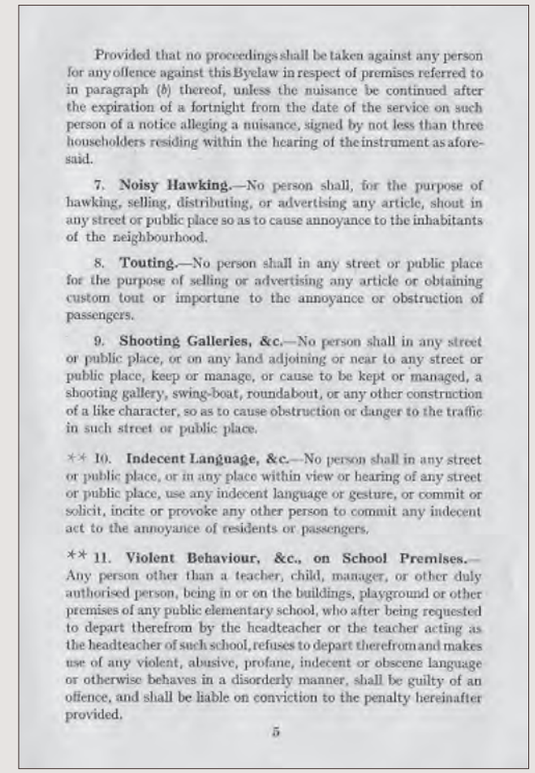
(*b*) upon any other premises, by operating or causing or suffering to be operated any wireless loudspeaker, gramophone, amplifier or similar instrument make or cause or suffer to be made any noise which shall be so loud and so continuous or repeated as to cause a nuisance to occupants or inmates of any premises in the neighbourhood.

4

NUMBER 4, ABOVE: I did hear some weekend carousing outside Epsom Hospital A & E when I was there for treatment; if this was you, please refrain from doing this sort of thing in the future.

** NUMBER 2, LEFT: Guilty, but not ALWAYS in Epsom - so I guess I'm in the clear.

As a student, I often cruised Ashley Road in a beaten up Citroen, playing the famous Led Zeppelin tape. (This was a frequent occurence; a pencil was kept in the glove box for when the useless radio tape player ritually disembowelled Robert Plant). I once stopped by the side of the road to wind the tape back into the cassette with my trusty "B" pencil (kept in the car for sketching) when somebody rapped on the window: "Who do you think you are, parking there in heavy traffic?" he thundered.



Provided that no proceedings shall be taken against any person for any offence against this Byelaw in respect of premises referred to in paragraph (*b*) thereof, unless the nuisance be continued after the expiration of a fortnight from the date of the service on such person of a notice alleging a nuisance, signed by not less than three householders residing within the hearing of the instrument as aforesaid.

7. **Noisy Hawking.**—No person shall, for the purpose of hawking, selling, distributing, or advertising any article, shout in any street or public place so as to cause annoyance to the inhabitants of the neighbourhood.

8. **Touting.**—No person shall in any street or public place for the purpose of selling or advertising any article or obtaining custom tout or importune to the annoyance or obstruction of passengers.

9. **Shooting Galleries, &c.**—No person shall in any street or public place, or on any land adjoining or near to any street or public place, keep or manage, or cause to be kept or managed, a shooting gallery, swing-boat, roundabout, or any other construction of a like character, so as to cause obstruction or danger to the traffic in such street or public place.

** 10. **Indecent Language, &c.**—No person shall in any street or public place, or in any place within view or hearing of any street or public place, use any indecent language or gesture, or commit or solicit, incite or provoke any other person to commit any indecent act to the annoyance of residents or passengers.

** 11. **Violent Behaviour, &c., on School Premises.**—Any person other than a teacher, child, manager, or other duly authorised person, being in or on the buildings, playground or other premises of any public elementary school, who after being requested to depart therefrom by the headteacher or the teacher acting as the headteacher of such school, refuses to depart therefrom and makes use of any violent, abusive, profane, indecent or obscene language or otherwise behaves in a disorderly manner, shall be guilty of an offence, and shall be liable on conviction to the penalty hereinafter provided.

5

NUMBER 10, ABOVE: ** This is what I call an "occupational hazard"; stricken by a deer fly in the Hogsmill, which drew blood on my cheek and turned me into a waders-cald fishwife. 11: ** Self defence. I changed schools after that. Anyway - it was in Kingston Upon Thames so doesn't count.



12. **Fighting.**—No person shall in any street or public place fight or provoke or incite any person or animal to fight.

13. **Indecent Bathing.**—No person shall within 220 yards of any street or public place, unless effectually screened from view, bathe from the bank or strand of any water, or from any boat thereon, without wearing a dress or covering sufficient to prevent indecent exposure of the person.

14. **Indecent Shows.**—No person shall exhibit any indecent show in any street or public place, or in any place to which persons are admitted with or without the payment of money.

** 15. **Wilful Jostling.**—If two or more persons assembled together wilfully obstruct the free use of any street, or wilfully jostle or annoy any foot passengers, and continue such obstruction, jostling, or annoyance after being required by a constable to desist, each such person shall be guilty of an offence, and shall be liable on conviction to the penalty hereinafter provided.

** 16. **Loitering at Church Doors.**—No person shall wilfully and persistently loiter at or near the entrance of any church, chapel, or other place of public worship to the annoyance or obstruction of any persons going to, attending at, or returning from divine service in such church, chapel, or other place of public worship.

17. **Advertising Vehicles.**—No person shall in any street draw, wheel or drive any vehicle used solely or chiefly for the purpose of exhibiting advertisements so as to cause obstruction or danger to the traffic in such street.

18. **Flags.**—No person shall place or suspend any flag containing any advertisement relating to any trade or business in, over or across any street to the annoyance of residents or passengers or to the alarm of horses.

19. **Defacing Pavements, &c.—No person shall for the purpose of advertising or of disseminating news, propaganda or the like deface the footway or roadway of any street by writing or other marks.

6



**NUMBER 15, LEFT: During the recession I did tour Waitrose branches for red ticketed items. There was jostling involved.

**NUMBER 16: I do this quite a lot. My first loiter was at St Martin of Tours for my very first heritage project.

** NUMBER 19: When I organise Urban Wildflower Walks in the borough, I chalk the name of interesting weeds on the pavement where they are growing.

20. **Advertising Bills.**—No person shall for the purpose of advertising throw about or deposit in any street or public place any bill, placard, or other paper.

21. **Waste Paper, Refuse, &c.**—No person shall (1) sweep or otherwise remove from any shop or house into any street any waste paper, shavings, or other refuse, or being a costermonger, newsvendor, or other street trader throw down and leave in any street any waste paper, shavings, or other refuse; (2) throw down and leave in any street any bill, placard, or other paper which shall have been torn off or removed from any bill-posting station.

22. **Deposit of Litter to the Detriment of Public Amenities.**—No person shall (except by permission of the owner or occupier, or of the person or authority having control thereof, or unless authorised by law so to do) place or deposit and leave on or in :—

(*a*) any highway or any roadside waste,
(*b*) any common, village green, park, recreation ground or other open space to which the public have access for the time being, or
(*c*) any stream, pond, or other water in or abutting on any such highway, roadside waste or other place aforementioned,

any glass, china, earthenware, tin, carton, paper or other refuse or litter so as to affect or tend to affect injuriously the public amenities of such highway, roadside waste, common, village green, park, recreation ground, open space or water.

Provided that where an offence is committed against this Byelaw and against any byelaw with respect to any pleasure ground, public walk, recreation ground, park, roadside waste, common, village green or open space, or any limitation or condition imposed by the Minister of Agriculture and Fisheries under section 193 of the Law of Property Act, 1925, a person shall not be liable to more than one penalty in respect of the same offence.

** 23. **Orange Peel, &c.**—No person shall in any street or public place throw or leave any orange peel, banana skin, or other dangerous substance on any footway.

7





**NUMBER 23, LEFT: Student days again - I dropped some orange peel in Ashley Road. I had no idea it was dangerous but since my hands full of books/equipment, I kicked it into a street drain. The lady who saw me however was extremely dangerous and chased me up the street.

ALL LITTERING IS WRONG. You live and learn.

24. **Broken Glass, &c.**—No person shall throw, place or leave any bottle or any broken glass or other sharp substance (not being road material) on or in any street or public place in such a position as to be likely to cause injury to passengers or damage to property.

25. **Dogs Fouling Footways.**—No person being in charge of a dog in any street or public place and having the dog on a lead shall allow or permit such dog to deposit its excrement upon the public footway.

** 26. **Carrying Soot, &c.**—No person shall in any street or public place, to the inconvenience or danger of passengers, carry or convey along any footpath any bag of soot, lime, or other offensive substance, or any pointed or edged tools or implements not properly protected.

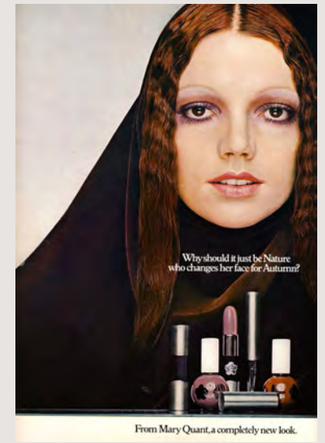
27. **Carrying Carcases, &c.**—No person shall carry or convey along or through any street or public place the undressed carcase of any animal, or any offensive offal, unless the same be properly covered.

** 28. **Dangerous Games near Streets.**—No person shall on any land adjoining a street play any offensive or dangerous game in such a manner as to cause obstruction to the traffic or danger to any person in such street.

29. **Posting Placards without Permission.**—No person shall affix, or cause to be affixed, any placard upon any gate, door, pillar, tree or post in or abutting on any street or public place without the permission of the owner or occupier or person having the charge thereof, or unless authorised so to do by law, nor shall any person, unless authorised by law or with such permission as aforesaid, deface by writing or other marks any such gate, door, pillar, tree or post, as aforesaid.

30. **Spitting.**—No person shall spit on the floor, side, or wall of any public carriage or of any public hall, public waiting-room or place of public entertainment, whether admission thereto be obtained upon payment or not.

8



**NUMBER 26, LEFT: it did look that way but eye make up at the time made us look like we had been up a chimney - boys too.

**NUMBER 28: One of the big kids got tipsy at his graduation drink-up in the Rising Sun. On the way back, he threw a frisbee at our little fresher girl gang. We ducked and it went straight into Ashley Road and bounced off a postman's van. We got the blame! So that doesn't count either.

** 31. **Bulls.**—No person shall drive or lead, or cause to be driven or led, in any street or public place, any bull exceeding the age of twelve months, unless it be properly secured and kept under proper control; or, being the occupier of any field or enclosure through which there is a public path, permit any such bull to be at large in such field or enclosure.

32. **Noisy Animals and Birds.**—No person shall keep within any house, building, or premises any noisy animal or bird which shall be or cause a nuisance to residents in the neighbourhood: Provided that no proceedings shall be taken against any person for an offence against this Byelaw unless the nuisance be continued after the expiration of a fortnight from the date of the service on such person of a notice alleging a nuisance, signed by not less than three householders residing within hearing of the animal or bird.

** 33. **Skating &c., on Footways.**—No person shall on any public carriageway or footway in the Borough skate or rink on rollers, wheels or other mechanical contrivances to the danger of any person lawfully using such carriageway or footway.

34. **Penalty Clause.**—Any person offending against any of the foregoing Byelaws shall be liable on summary conviction to a fine not exceeding five pounds.

35. **Repeal.**—From and after the date on which these Byelaws come into operation, any Byelaws made by the Surrey County Council under section 23 of the Municipal Corporations Act, 1882, and section 16 of the Local Government Act, 1888, or under section 249 of the Local Government Act, 1933, which immediately before that date are in force in the Borough of Epsom and Ewell, shall cease to apply to the Borough.

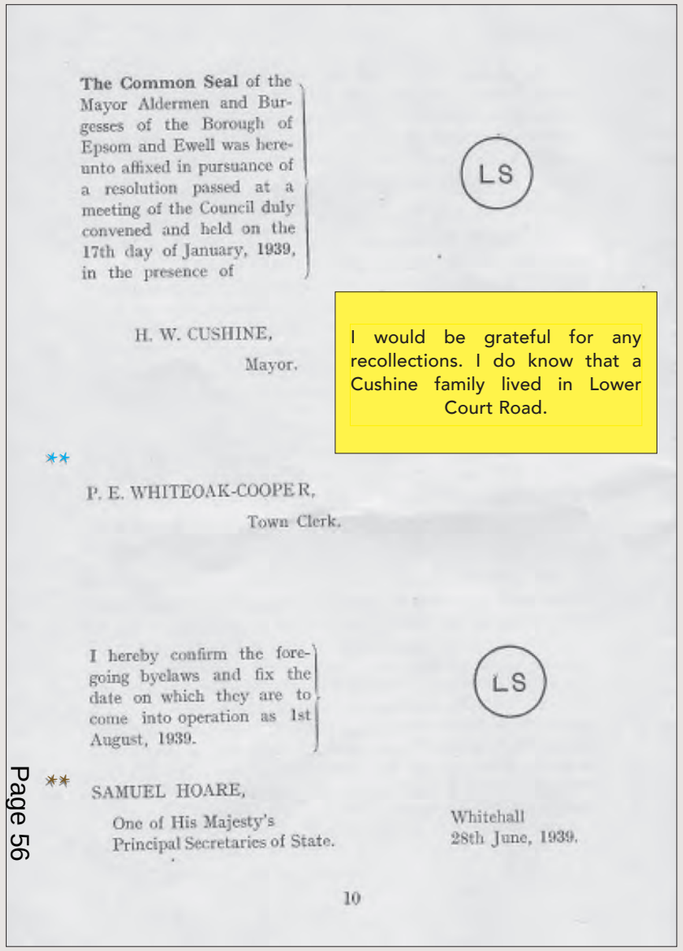
9





**NUMBER 31, LEFT: This really really makes me want to take a bull for a walk one day.

**NUMBER 33: Yes, but in Kingston Upon Thames where that sort of sordid degeneracy is encouraged. I was known as the gobby kid on wheels.



The Common Seal of the Mayor Aldermen and Burgesses of the Borough of Epsom and Ewell was hereunto affixed in pursuance of a resolution passed at a meeting of the Council duly convened and held on the 17th day of January, 1939, in the presence of

LS

H. W. CUSHINE,
Mayor.

I would be grateful for any recollections. I do know that a Cushine family lived in Lower Court Road.

**

P. E. WHITEOAK-COOPER,
Town Clerk.

I hereby confirm the foregoing byelaws and fix the date on which they are to come into operation as 1st August, 1939.

LS

**

SAMUEL HOARE,
One of His Majesty's
Principal Secretaries of State.

Whitehall
28th June, 1939.

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Page 56

**Mr Whiteoak-Cooper had also served as Clerk to the Burial Board in the borough

**https://en.wikipedia.org/wiki/Samuel_Hoare,_1st_Viscount_Templewood

I wonder if he has been judged harshley, factually or fairly in this Wiki - I have found a couple of articles to read including a thesis "The Political Career of Sir Samuel Hoare during the National Government 1931-40" by Dean-Coutts, Leicester University.

I asked some of my colleagues about this. All anonymous of course...

" No mention of balaclavas? "

" Nice that the Assembly Rooms have kept the tradition of "wilful jostling" on a Saturday night. "

" It all makes me wonder if they were relieved when war broke out a few months later, to give everyone something better to do! "

" Thanks for sharing Kim."

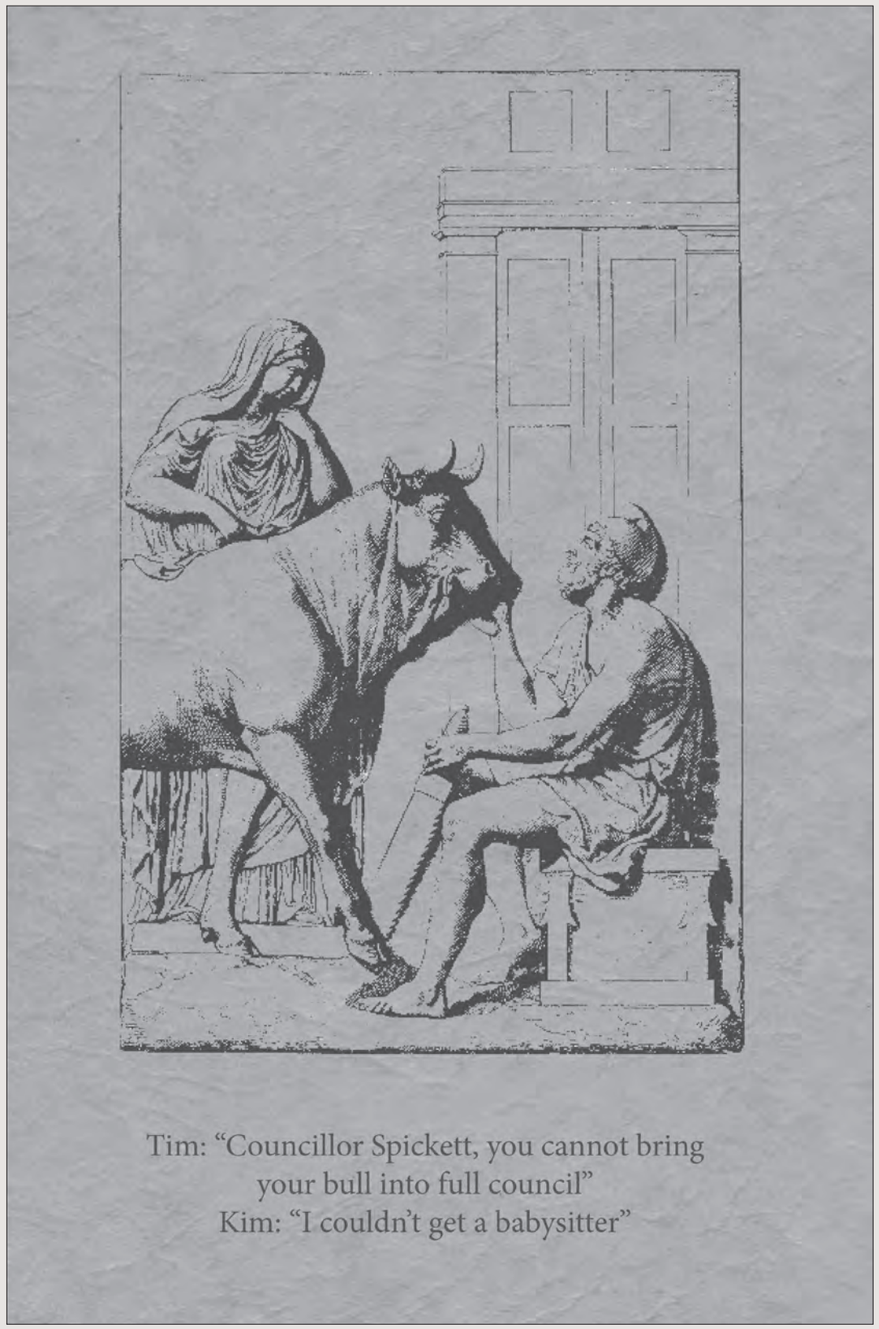
" I have played the piano in a street, and once played a harmonium outside my house."

" I do have a wind-up gramophone but only played it indoors.."

" No bull riding or bear baiting! "

We have experienced a trend of balaclava clad young gentlemen in the borough. It is rather blowy in these parts so perhaps they are worried about getting cold ears. Why don't they grow their hair long like we did instead of having these "fade" haircuts? You didn't have all this short hair in my day! All this jostling in the Assembly Rooms; what has society come to?

The comment about the war... at least we would have had very posh buskers with harmoniums, pianos and wind up gramophones to keep our spirits up. Imagine having to pack that lot up during an air raid.



Tim: "Councillor Spickett, you cannot bring your bull into full council"
Kim: "I couldn't get a babysitter"

BLANK BACK COVER? WICKED WASTE!
HERE'S MINE!

Agenda Item 5
Appendix 1

BRINGING JOY TO NONSUCH

I want everybody to know that we have a group of astronomers in the borough. Also, in nearby Holmbury St Mary, Dorking, we have University College London's Mullard Space Science Laboratory.

UCL Professor of Physics Andrew Coates is Patron of EAS - the Ewell Astronomical Society.

EAS worked with Nonsuch Joint Management Committee (Epsom and Ewell and London Borough of Sutton), WhistleStop Arts and Nonsuch Voles to create a Solar System Walk through the delightful grounds of Nonsuch Park. What a great way to keep fit and inspire the youngsters in your clan.

You may not have associated our borough with space exploration before; think again!

Before I lead you away down one of my meandering paths there are some important details to share.

whistlestoparts.org/solarwalk

ewellastronomy.org/solarwalk



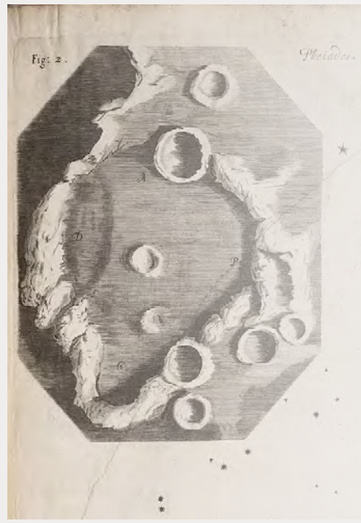


The opening ceremony was held on a beautiful Saturday in Autumn 2025. I had the pleasure of meeting with Professor Coates, members of EAS and the Nonsuch Voles. Our Voles look after the beautiful grounds of the "Little Park" of Nonsuch on a volunteer basis; don't they do a wonderful job!

My childhood interest in everything outer space started with newspaper pictures of Yuri Gagarin, American Astronauts and a song about a telecommunications satellite being blasted into orbit around the Earth - "Telstar" by the Tornados. The sound effects, rhythm and melody distortion helped me to imagine the whole adventure.

Clem Cattini, the Tornado's drummer, was in the same session circle as one of Epsom's famous sons, Jimmy Page). In 1968, music manager Peter Grant asked Clem to join a new band (and he said "no" to Led Zeppelin).

I also remember "The Planets" by Gustav Holtz being played to us at infant school, as a background track to the



Remember our friend Robert Hooke and his colleague John Wilkins, beavering away at Durdans? Lord Berkeley was originally lodged at Nonsuch Palace - until it was needed as an HQ for the exchequer. So he settled in at Durdans and made his new home available to the Royal Society, safe from the plague in London. Hooke's fascination with creating powerful lenses is more noted for his engravings of magnified insects than those of the lunar surface. However, he made early attempts to draw the crater Hipparchus, just south of the center of the moon. He also observed comets and the spots on Jupiter, Mars and discussed Saturn's rings.

If you recall from my last report, Hooke dropped musket balls into wet clay to simulate impact, and heated alabaster to produce volcanoes. From this he deduced that there was a gravitational force, since the debris remained on the surface around the crater.

nativity play. I fell in love with Jupiter - the bringer of joy.

During the Great Plague, scientists Robert Hooke and John Wilkins invited peers for philosophical chats at the Royal Society's temporary HQ at Durdans, Epsom: Lawrence Rooke, Edmond Halley (Astronomers), Robert Boyle, John Evelyn. John Wilkins, the clergyman scientist who had first employed Hooke as an assistant, was Oliver Cromwell's brother in law. Much earlier, John, then 26, was convinced that the gravitational and magnetic force of Earth extended for 20 miles. He drew plans for a flying chariot, with feather-coated flapping wings, powered by clockwork, springs, and gunpowder charges to blast it into the sky. Wilkins believed that spacemen would not need food, since there was no gravity to pull digested matter down the alimentary canal. The science caught



up; he later agreed that gravity and magnetism were separate forces and that the vacuum of space extended further than 20 miles. The Jacobean Space Race ended there; no men were blown to feathers and smithereens.[1]

Hooke continued to modify his telescopes: ***"...the only improvement they seem capable of, is the increasing of their length; for the Object being remote, there is no thought of giving it a greater light then it has; and therefore to augment the Aperture, the Glass must be ground of a very large sphere..."***

Hooke was on the right track and after the Durdans period, set to work with Christopher Wren, creating the London Monument (as part of the refurbishment after the Great Fire). The idea was that it would be a giant telescope. Had the plan suceeded, how far ahead would we be today? How would the data have been interpreted by this early science? We can only guess.

1. "The Jacobean Space Race" was the subject of a lecture by Professor Allan Chapman of Oxford University.

THE DRAMA OF DRAMATIC ARTS

How were performances in Epsom staged before the theatre came into being?

Entertainers were typically travelling groups who would perform wherever they could. Actresses were considered to be of "low virtue"; this is strange, because many wealthy gentlemen of note went out of their way to leave the capital for our borough, in order to seek out gatherings where their performances were going on.

The wealthy ladies rather enjoyed themselves too - remember good old Barbara Castlemaine and the fun she had with the rope dancer Jacob Hall? (pictured right).

Jacob was a favourite of Samuel Pepys, the Dutch King (Jacob became a Dutch citizen and lived in the Hague) and Charles II.



Please do read the histories of the Ebbisham and Myers Halls. Before we had a theatre in the town, this was, despite a small stage, a popular place for performance.

The Epsom Brotherhood was a Christian society with a membership of any man sharing their values - regardless of who they were. A popular operetta, "The Geisha"was performed around one year after the foundation stone was laid. The stage has its limitations - it was small. But the endeavours of these men paved the way for how groups in this borough band together to make everything work so beautifully. Happily, our borough is still a shining example of how we welcome others.

Epsom and Ewell History Explorer website has some lovely stories.[1]

The Adrian Mann Theatre, a 215-seat venue at Nescot College in Ewell, is named for its first Chairman of Governors. Adrian served until 1963 and remained a governor for years after. The theatre is used by Nescot for teaching and is also used by local amateur drama groups like Leatherhead Operatic Society, who have performed there since the late 1970s. Other regulars are Wallington Operatic & Dramatic Society and Worcester Park Dramatic Society.

Near neighbours to Adrian Mann is the Mayfield Lavender Outdoor Theatre, also known as The Lavender Theatre, a 250-seat open-air venue surrounded by beautiful lavender fields at Mayfield Lavender Farm in Epsom. It opened in 2023 and offers West End-quality productions under the stars, complete with pre-show dining at the farm's café and restaurant. Interestingly, theatrical and musical performances all started life in the open air - more about that later.

The Epsom Playhouse, now a thriving centre for the arts in Surrey, opened in 1984 at around the same time as the Ashley Centre. It is managed by Epsom and Ewell Borough Council and famous for hosting top comedians (including Jack Dee, a favourite of mine) and musicians - the Royal Philharmonic Orchestra, the Counterfeit Stones (Mick Jagger's favourite Stones band) and later our Royal Military concerts. The theatre also features sculptures by dancer and artist Tom Merrifield.

In early 2025 two new murals were completed at Epsom Playhouse. They celebrate the 40-year history of the Playhouse. The main mural in the theatre's foyer is an homage to creative people who have contributed to the history of the theatre.

The second mural in the downstairs bar celebrates British Jazz singer Evelyn Dove. It depicts beautifully the Art Deco period of the 1920s.

These artworks involved you, the residents, as far as possible: Positive Arts, responsible for the design and direction of the project, consulted with residents during the Christmas lights switch on in the Ashley Centre in Epsom, at Bourne Hall in Ewell and our Girlguiding Division.

Both murals were funded via the Arts, Culture and Heritage UKSPF 2024/25 allocation. The council's overall vision is "curating art projects that build pride with local community stakeholders, nurture creative talent and raise the profile of our borough's rich heritage".

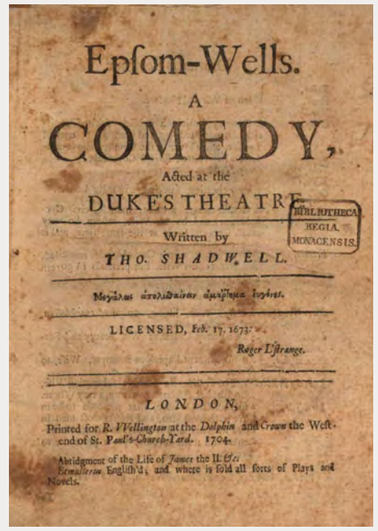
The way that we celebrate gifts, talents and the contribution of ordinary people is a million miles away from Restoration Epsom, which seems to be famous for involving the residents in all the wrong things for all the wrong reasons. However, there was money to be made from these wealthy incomers, who saw our town as nothing but a holiday in the country with certain benefits. Aside from the spa waters[2] there were inns, street entertainment, horse riding and wagering on the Downs - you get the picture.

During the Commonwealth period, Cromwell closed theatres and banned "performance" for 23



Epsom Wells, a 1672 Restoration comedy by Thomas Shadwell, sends up the fashionable characters of the age. It contrasts country visitors, seeking better health with bawdy adventures, wise cracks and social faux pas. The characters are London stereotypes: rakes with delusions of country squire status, health-water zealots... throw in some naive country girls - you get the picture. The London lads, desperate for what most are at "that age" try to chat up the girls, leading to mistaken identities and amorous pursuits, all set against the backdrop of the spa's social scene: inns and assembly rooms: "Carry on Epsom". Perhaps we should stage a cleaned-up version, just for tourism purposes.

The play includes satire of medical/health-kick fads (these continue to be a fad today); it also pokes fun at social climbers (Margot and Gerry in "The Good Life") and the contrast between "sophisticates" and "regulars".


Epsom-Wells.
A
COMEDY,
Acted at the
DUKE'S THEATRE
Written by
THO. SHADWELL.
LICENSED, Feb. 17. 1673.
Roger L'Estrange.
LONDON,
Printed for R. Wellington at the Dolphin and Crown the West-end of St. Paul's-Church-Yard. 1704.
Abridgement of the Life of James the II. &c.
BIBLIOTHECA REGIA MONACENSIS

1. Epsom and Ewell History Explorer, retrieved 19/01/2026: https://eehe.org.uk/65821/ebbisham-hall-the-epsom-brotherhood

2. https://eehe.org.uk/wp-content/uploads/2024/10/Walford-Epsom-2.pdf retrieved 13/01/2026



The actress Alex Kingston and sisters Susie and Nicola (also an actress) were born and raised in Epsom. Her father Anthony was a butcher and his German wife was Margarethe (née Renneisen). Her uncle is actor Walter Renneisen.

Kingston was inspired to get into acting by her teacher (Rosebery School). Kingston auditioned and performed in the Surrey County Youth Theatre production of ***Tom Jones*** as Mrs. Fitzpatrick, alongside Sean Pertwee as Captain Fitzpatrick, and Thwackum played by Tom Davison.

Her TV and film greats include ***Who Do You Think You Are***, ***Dr Who***, ***The Cook, the Thief, His Wife & Her Lover*** and the popular US medical drama ***ER***.

This photograph is licensed under the Creative Commons Attribution 2.0 Generic license.



THE MAYOR AND MAYORESS AT THE 2025 PRODUCTION OF ALADDIN, EPSOM PLAYHOUSE. PHOTO: GO EPSOM

years. Inns were closed. Imagine the delight when we could spend and make money again. Inevitably, things got out of hand.

One notorious group of men, named the "Merry Gang", were titled people who gave the young King Charles II great amusement; not that they needed a Royal Warrant or anybody's permission. Two of their crowd, Lord Buckhurst and Sir Thomas Ogle, were openly blasphemous and obscene.

Merry Gangsters Rochester and Etherege (Etherege was an English Dramatist who wrote some intriguing and amusing Restoration Comedies) were involved in a brawl with the watch in Epsom. After tossing in a blanket certain fiddlers who refused to play or find girls for them, Rochester, Etherege and others "skirmished the watch" violently before absconding; they left one of their gang thrust through with a pike. The deceased, a Captain Downs, had merely tried to break up the fight.[1]

Etherege married into money; apparently, for reasons unknown, he was knighted - having never answered for the death of poor Captain Downs.

Samuel Pepys encountered one of the Merry Gang entourage in London:[2]

(Sedley) "showed his nakedness – and abusing of scripture and as it were from thence preaching a mountebank sermon from the pulpit, saying that there he had to sell such a pouder as should make all the (expletive) in town run after him, 1000 people standing underneath to see and hear him, and that being done he took a glass of wine and washed his (!) in it and then drank it off, and then took another and drank the King's health."

A riot followed.

The Lord Chief Justice opined "it was because of wretches like him that God's anger and judgement hang over us".

Unsurprisingly, Sedley was later elected member of parliament for New Romney in Kent.

Around that time, the actress and Royal Mistress Nell Gwyn made a match with Merry Gang member Lord Buckhurst. They left London for a country break in Epsom, accompanied by Sir Charles Sedley. Pepys reports, on the 13th of July: "Lord Buckhurst hath got Nell away from the King's house, lies with her, and gives her £100 a year, so she hath sent her parts to the house, and will act no more."

Gwyn acted again in the autumn of that year. Her brief affair with Buckhurst had ended. She was bored with riding drunk across the Downs and entertaining Sedley and Buckhurst, with all their over-the top jokery. Also - theatre work had picked up again; it had stalled as a result of war with the Dutch.

She had complained that the Barbara Castlemaine set had abandoned her; Barbara guarded the King jealously.

As for the King, he was unhappy to have lost Nell and was keen to rekindle what had been a happy relationship.

All too easy to dismiss Nell as "just another girl"; she was the King's friend. She taught him how to fish[3]. Later, she bore him two sons: Charles - and the youngest, James, who died when he was only a child.

As for the King - my goodness our spa water must have had something in it...he had more kids than a frog.

Every year, I take my seat for the Pantomime in Epsom. The dialogue is clever, the slapstick so excellently timed, our Dame calls the shots, the baddie goads the children, who goad him back.

The story always incorporates good old fashioned variety acts - dancers, singers, acrobatic moves. Yes, there are some crafty double-entendres and near the knuckle jokes - but they are so expertly done! It goes over the heads of our tiny audience and has Mum and Dad in fits of laughter. There is no cruelty, exclusion or jokes that punch down. All this is a fine-tuned set of traditional performance skills, handed down through many generations.

All panto scripts are expertly customised to the audience by Spillers Pantomimes. They can be contacted at...wait for it...

Hardup Hall, Lady Lane,

Hadleigh, Suffolk IP7 6AF

info@spillers-pantomimes.co.uk

I would love to pop in for refreshments (served by a butler wearing squeaky shoes - while two dames wash my car with buckets of tinsel) just to say that I had taken tea with Lord and Lady Hardup.

1. https://www.bartleby.com/lit-hub/volume-viii-english-the-age-of-dryden/19-etherege-and-his-place-in-the-history-of-restoration-drama/#:~:text=On%20one%20occasion%2C%20at%20Epsom,his%20next%20venture%20into%20comedy. 12/01/2026
2. https://www.pepysdiary.com retrieved 12/01/2026
3. https://lyon.ecampus.com/cupid-king-five-royal-paramours-reprint/bk/9780743270861 retrieved 12/01/2026

TOWN TWINNING: FLAGS FOR GOOD

Oh no...she's done it this time...the F-word.

I'm just trying to rehabilitate them; honest!

National flags have had a hard time of it lately. Please, in future, let us fly them for good - let's love them - and each other.

My earliest memory of flags was at the seaside. If the red flag flew on the pole next to the breakwater, no paddling for me. Never mind though! I had flags of my own. Here is my favourite; in my young mind, it was a man running in a circle and getting nowhere. I also liked the mixed bag that Mum and Dad bought in the bucket and spade shop. (The bucket was always inspected on the last day of the holiday because I had a habit of bringing home sea shells - complete with their occupants. The terrible smell in the understairs cupboard had my parents investigating the whole house for weeks)





Dad had an embroidered patch on the breast pocket of his best (his only) formal jacket. A maple leaf - it depicted his homeland. I knew that I was a dual national English - Canadian like my Dad. When Mum spoke about her family "from France" Dad would jump in with jokes about smelly cheese and Mum's mysterious aversion to pork. Mum would jibe back that Canadians were uncivilised because they pour maple syrup and mayonnaise over everything. She also made Irish jokes if Dad really got going. My brother and I jibed at each other about far more cerebral things, like being sick down your jumper at school, crying at the dinner table because you hated chops, that sort of thing.

Mum and Dad's best mates were a Burmese family who lived next door. Dad would get together with the lads and they would all play guitar. I helped out in the kitchen and cultivated my chilli obsession; Mum showed my friend's Mum how to make vol-au-vents.

My friend introduced me to Joni Mitchell, Crosby Stills Nash & Young and Van Morrison. She told me that her Grandfather ate "wild food" back home. I had "stories" too - but they came from Nanny from Canada, who lived upstairs in our house. Her tales were the first hints that "Canadian" and "English" had pieces missing.

When my Dad died, I discovered that my great grandparents/uncles on Dad's side were Travellers from Cork, in Ireland - they dug canals, laboured on farms, harvested brick clay and fought in WWI. Canada was a place to go for a better life - so that's what they did - only to find that the Canadians didn't like them either. (The REAL Canadians, it turned out, were the Plains Cree who sold flower seed and beads to my grandmother) Eventually, Dad's family did extremely well for themselves in their new country.

Curious, I researched Mum's side - Jews from France. Mum's family name had been made up - it was changed/Anglicised in the 1800s. Mum showed me a picture of her grandparents, who were hat makers. Her maternal side were market gardeners. Dad's maternal side were from Suffolk - fruit farmers. The last orchards they owned, in Middlesex, are now part of Heathrow Airport. Dad went to great lengths to show me the English family tree, which went back as far as 1730.

So many of us are a mixture of many heritages; that is what the UK is all about. The greatest part of my childhood were all the stories about the characters in my family. Why do we have to fit in all the time? Fit in with what exactly? (I gave up trying in my first week of infant school; it just wasn't me) But surely it is important to always try your best to be neighbourly, polite, share food and stories, to play fair, to respect your environment and to help each other: "Teach Your Children Well".

Cats can't write down laws (having no thumbs must be really annoying), or discuss social etiquette, so they have to do things another way, hence the terrible arguments. Humans are perfectly capable of sorting things out - but shy away from confrontational subjects, rather than talking them through; some of them behave far worse than the cats.

I am proud of my flags - all of them. I am proud of yours too, in equal measure.

It is my great honour to be involved in a wonderful project that started after WW2. Yes, it involves flags... and it is full of love.



When you enter many towns and cities in the UK you are greeted by a "Twinning" sign - here is one of ours. They represent co-operation and friendship between communities. Twinning became popular in Great Britain after WW2; an opportunity to build links "between where you live and where I live" after years of conflict. Since 1996, Epsom & Ewell has been twinned with the French town of Chantilly, one of the most beautiful and historic towns in France. Chantilly lies just north east of Paris. The original twinning ties were based largely on the two towns' common horse racing heritage. Both are world renowned horse race training centres and while Epsom is home to the 'original' Derby, Chantilly hosts the French Derby at its racecourse. Chantilly is also famed for the impressive Château de Chantilly. Since Epsom & Ewell was officially twinned with Chantilly, the Town Twinning Association, comprising councillors and volunteer residents, has been responsible for developing and running twinning activities. It has worked with Chantilly counterparts to help enrich the lives of residents on both sides of the Channel via visits to and from Chantilly by individuals and interest groups, such as Epsom Rotary, schools, musicians and choirs. The association also runs a programme of cultural, educational and social events in the borough.



My badge design! Chantilly is twinned with Watermael-Boitsfort, Belgium Überlingen, Germany and Epsom & Ewell, England, UK



Please join the Town Twinning Association! You can find out more by emailing: contact@epsomtwinning.com[1]

Our Epsom & Ewell and Chantilly family has turned 30! The Twinning committee needed a metal badge designed for the occasion - and it was my pleasure to help.

Chantilly, like us, tells stories of sacrifice and bravery. Aside from striving to keep the racing industry going during WWII, which was resistance in itself, a secret army in France helped us to bring Nazism to an end:

RESISTANCE AND COMRADESHIP

The Wehrmacht entered Chantilly on 13 September 1940. They used the Great Stables as a veterinary hospital for their horses. The military command took over the hôtel du Grand Condé. Following the assassination of a collaborator, the parish priest, Abbot Charpentier, who authored a 1943 anti-Nazi sermon, was arrested along with several French Resistance fighters he had supported. He was deported to the Mauthausen camp, where he died 7 August 1944. The town was liberated by American tanks on 31 August 1944.

THE SPIDER OF CHANTILLY

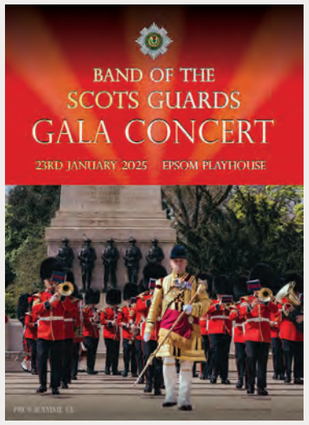
A reward was offered for the capture of a French resistor during WW2. "The Spider" climbed a telegraph pole at Rue d'Aubigny, cut the wires and swinging on them, entered a house to dispatch a Nazi colonel. With others, The Spider raided a military post at the Chantilly racecourse, overpowered the occupiers and stole arms and ammunition. Under the cover of darkness, the group eliminated the sentries and then entered the camp, where they overpowered the enemy in a similar manner.[2]

1. epsomtwinning.com retrieved 03/02/2026
2. https://trove.nla.gov.au/newspaper/article/257531098 03/02/2026

MILITARY MUSIC FOR A GOOD CAUSE







In my last report, I covered our new "royal connection" in the borough.

Councillor Graham Jones (former Lieutenant Colonel and Director of Music for Her Majesty Queen Elizabeth II) has created a "new tradition" in the borough of Epsom and Ewell. Our Military Music concerts take place at the Epsom Playhouse. ***The fourth in the series, Band of the Irish Guards, takes place on Saturday, the 21st of February.***

It is fitting that the concert will benefit two of our local charities in Epsom and Ewell: Epsom and Ewell British Legion and Age Concern Epsom. Both charities have provided support for older residents in our borough (and some of them were war veterans).

If you can't make it to the concert, please do think about attending the smaller fundraising events held by the nominated charities.

During my time as a local councillor, I have had requests for advice from members of another army - unpaid carers. Epsom and Ewell British Legion and Age Concern Epsom websites are two of my go-tos when resources to help residents are needed.

Who are unpaid carers? According to carers.org: "A carer is anyone who cares, unpaid, for a friend or family member who due to illness, disability, a mental health problem or an addiction cannot cope without their support". 7.7 million of us do this, unsupported.

"So why not? Isn't that what any good person would do?"

Of course it is. However, it is worth bearing in mind that these carers may be children! In 2011, there were approximately 507,000 children and young people (aged up to 24 years) who were providing unpaid care across the UK.[1] Some of our unpaid carers are those in the older age groups, who are more likely to put in the most hours - 19% of carers aged 65 years and over and 23% of carers aged 75 years and over, provided 50 hours or more of care, compared to 15% on average across carers of all ages.[2]

Caring can be lonely. Our voluntary organisations are a blessing; a lifeline for carers that we cannot do without.

GUARDSMAN TURLOUGH MÓR

Irish Guards mascot "Séamus" is officially named Turlough Mór, after a 12th-century High King of Ireland (traditionally named after ancient Irish royalty). Séamus is based with the 1st Battalion at Hounslow Cavalry Barracks. He is a central figure in military parades, often accompanying the Regimental Band and supporting regimental ceremonial duties, including Trooping the Colour.



1. https://stateofchildhealth.rcpch.ac.uk/evidence/family-and-social-environment/young-carers/#page-section-5
2. https://www.kingsfund.org.uk/insight-and-analysis/data-and-charts/unpaid-carers-nutshell

GIMME SHELTER

Before I go - a preview of something I will be examining with the help of experts.

I suppose it is correct now to speak about our dear little borough in "divisions".

One sunny afternoon in January a family in my division invited me to view what would have been their "second home"...had we been in a state of war.



Welcome to the shelter! The front door (not original) opens to steps down into the shelter itself.

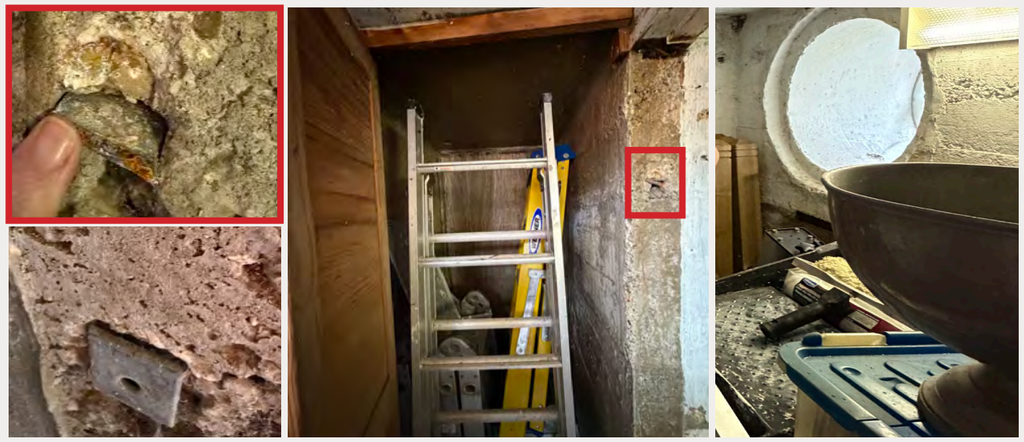
Mysteriously, research has pointed me to a single lady occupant during WW2 (according to the street directory); that is all I know at the moment.

The new owners have turned it into a shed/workshop. They treasure it and it is a feature of their lovely garden. My first impression was that it could be an air raid warden's shelter as it is so solidly made.



Left: side and back view. Centre: blockwork detail Right: the "porthole". The owner added the window.

More to follow in my next report!



Left: hinges to what was a second door at the bottom of the steps. Centre: the loo, with the doorway to the main area on the right. Right: the "porthole".

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APPROVAL OF STATEMENT OF POLICY UNDER THE LICENSING ACT 2003

Head of Service:	Rod Brown, Head of Housing & Community
Report Author	Paul Holliday
Wards affected:	(All Wards);
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	
Appendices (attached):	**Appendix 1**- Amended Statement of Policy Appendix 2 – Police Alcohol Licensing Officer response to amended Statement of Policy

Summary

A public consultation has been completed on a draft revised Licensing Act 2003 Statement of Policy, and the Committee are asked to consider the responses and approve a revised policy which can be recommended for adoption by Full Council.

Recommendation (s)

The Committee is asked to:

(1) Consider the responses to the public consultation,

(2) Agree the amendments to the draft Licensing Act 2003 Statement of Policy

(3) Recommend Council adopt the updated Statement of Policy

1 Reason for Recommendation

1.1 The current Statement of Licensing Policy has passed its renewal date and must be reviewed, and the revised draft consulted on prior to adoption for a further 5-year period. This is a statutory requirement, and as such there is no alternative option.

2 Background

2.1 The Council is the Licensing Authority (LA) responsible for granting licences, certificates and notices in the Epsom & Ewell Borough in respect of licensable activities including the sale of alcohol, the provision of regulated entertainment and the provision of late night refreshment. Currently the Borough has 214 Premise Licences, and 14 Club Premises Certificates, and 1083 Personal Licences in effect. In a typical year the Licensing Authority is served with approximately 240 Temporary Event Notices.

2.2 There are four licensing objectives under the Licensing Act 2003 (the Act) which guide the way that LAs perform their functions and the way that licensable activities are carried on. These four objectives are:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm

3 Consultation

3.1 On 23 September 2025 the Licensing and Planning Policy Committee approved officers to consult on a draft revised Statement of Policy. This approval was subject to the draft policy wording being amended, in consultation with Chair and Vice Chair, in order to ensure the wording was sufficiently robust, prior to the public consultation commencement. The Statement of Policy attached at Appendix 1 includes the amendments agreed with Chair and Vice Chair, highlighted as ‘track changes’. The Committee also agreed that consultation should be on an extend Special Stress Area, to include Upper High Street and Waterloo Road. Appendix 4 of the Statement of Policy (Appendix 1 to this report) has been updated to show revised Special Stress Area.

3.2 The consultation ran from Monday 27 October 2025 until Sunday 18 January 2026.

3.3 During the consultation period details on how to comment on the policy were published on the Council’s website, advertised on Facebook, Instagram and Nextdoor, featured in the November and December E-Borough Insight, (approx. 1,500 subscribers) and was also advertised on the Council’s social media streams. All statutory consultees and ward Councillors were e-mailed inviting them to make comment on draft policy, as were over one hundred people representing licence holders in the Borough.

3.4 4 responses were received to the public consultation, as shown in Appendix 1 of the Statement of Policy (Appendix 1).

3.5 One response emphasized how businesses were struggling and was broadly negative towards over regulation.

3.6 One comment was supportive of the Special Stress Area being expanded under Waterloo Road bridge .

3.7 One comment was supportive of the policy's aims of ensuring premises compliance was monitored, particularly with respect to online deliveries.

3.8 A response was received from the Surrey Police Alcohol Licensing Officer. This was supportive of the Special Stress Area ('SSA') policy for Epsom Town Centre, but raised concerns that the policy was ambiguous, possibly resulting in more objections from the police to applications, when instead the policy could 'rule these concerns out' upfront.

3.9 Further to this response, the more robust wording 'will require' has been inserted into Sections 22, 23, 24 and 24 replacing 'will expect'. A further section has also been added to 8.2 of the Policy indicating that the police will be the main source of advice on crime and disorder and their recommendations are likely to be followed, if they stand up to scrutiny. However, it should be noted that the Licensing Act 2003 is permissive legislation, and it is a fundamental principle that the Licensing Authority's discretion in only engaged when objections to an application are received, or when an application to review a licence is made, and that each application is considered on its individual merits. In proposing a 'Special Stress Area' policy, the Council is alerting applicants to the concerns of increased antisocial behaviour in Epsom town centre, and placing clear expectations on the measures applicants would be expected to include in their operating schedules. The policy sets out that when valid representations are received, the Licensing Authority will scrutinise the application carefully and will look at the measures proposed in the operating schedules, and where insufficient mitigation has been proposed take the appropriate measure, including if necessary refusing the application. Outside of a Cumulative Impact Policy it is not possible a Statement of Policy to have a presumption of refusal for any type of application, and Surrey Police have never requested the Council consider a Cumulative Impact Policy or provided evidence to support such a policy. For this reason, it is not possible, as suggested in the Surrey Police response, for conditions be included within the policy out lining a minimum requirements, as such minimum requirements would indicate that applications not meeting these requirements should be refused, irrespective of the individual merits of the application or the specific evidence contained within the representation.

3.10 The updated Statement of Policy was shared with the Police Alcohol Licensing Officer, and on 24 February 2026 they confirmed the amendments addressed their concerns, and that they were happy with the revised Policy wording. A copy of this e-mail is attached as Appendix 2.

4 National Licensing Policy Framework

4.1 On 26 November the Government published the National Licensing Policy Framework for the hospitality and leisure sectors. This framework encourages licensing authorities to adopt a pro-industry approach to on-trade businesses. In doing so it seeks to rebalancing licensing, moving away from an approach focused solely on risk mitigation towards one designed to enable innovation and investment across the sector.

4.2 As the Licensing Policy Framework was published without forewarning in the middle of the Council's policy consultation, it is not possible to review our policy in light of it at this stage. However, many of the principles set out in the Framework are not new, and should really be considered as a reminder to licensing authorities (e.g. the need for proportionate and evidence-led decision-making), and the Licensing Policy consulted on already aligned with these principles. However, having reviewed the Licensing Policy Framework it is recommended that the new paragraph shown at 5.6 of the policy be added, stating that the Council shall have regard to the National Licensing Policy Framework for the hospitality and leisure sectors as guidance when determining applications.

5 Surrey Police re-evaluation of ASB and Serious Violence Epsom hotspots

5.1 On 16 January 2026 Surrey Police provide updated data analysis of the reports of antisocial behaviour and serious violence in Epsom, covering the period April 24 to December 25. This analysis showed that the geographic boundaries of the two hotspots in Epsom (High Street and Ashley Centre) remain unchanged, and continued to show significantly higher number of incidents than the surrounding areas. Appendix 4 of the Statement of Policy (Appendix 1 to this report) has been updated to show this analysis.

6 Recommendation

6.1 The Licensing Act 2003 was designed to strike a balance between promoting a vibrant, flexible hospitality industry and protecting the public from alcohol-related harm. It shifted away from rigid, court-based licensing to a system that, while more permissive, gave local authorities, police, and residents greater powers to deal with problem premises. Whilst acknowledging the demands on the police that result from the night time economy, a consultation response was also received raising concerns about over regulation, and the new Government National Licensing Policy Framework acts as a reminder that a balance must be found that allows for a pro-hospitality industry approach. It is recommended that the amended policy as attached at Appendix 1 strikes the appropriate balance and should be approved for adoption.

6.2 Appendix 1 of the Statement of Policy has been updated following the consultation responses (Appendix 1 of this report). This document shows the amendments in 'track changes' format. If approved for adoption, the track changes formatting will be removed for the adopted Statement of Policy.

6.3 The amendments to the Statement of Policy are not considered to be significant changes to the policy that would require further consultation.

6.4 It is recommended the Committee approve the amendments to the draft Licensing Act 2003 Statement of Policy so the Council can fulfil its statutory obligations under the Act.

7 Risk Assessment

Legal or other duties

7.1 Equality Impact Assessment/ Crime & Disorder/ Safeguarding

7.1.1 The licensing objectives of 'The Prevention of Crime and Disorder', 'Protection of Children from Harm', and 'Public Safety' are central to the proposed Statement of Policy, and ensure that the Council as Licensing Authority fulfils its statutory duties with respect to Crime & Disorder and Safeguarding.

7.1.2 It is not considered that a separate Equality Impact Assessment is necessary as a result of the proposed changes to the statement of Policy.

8 Financial Implications

8.1 Under the Act, the Council has nationally fixed fees and charges to help recover the costs of administering application and monitoring premises licensed under the Act.

8.2 The financial implications associated with the revision of the Statement of Policy can be financed from the Licensing budget.

8.3 **Section 151 Officer's comments**: None for the purposes of this report.

9 Legal Implications

9.1 The Council must approve and publish its revised Statement of Policy in order to undertake its role as a Licensing Authority.

9.2 **Legal Officer's comments**: It is a requirement under Section 5 of the Licensing Act that each licensing authority determine and publish a statement of licensing policy every 5 years. The previous policy is significantly out of date and the new Policy must be implemented in order to comply with Statutory requirements. The draft policy strikes a balance between promoting and supporting the hospitality industry and regulating it, along with supporting the Licensing Objectives. The contents of the draft policy are in line with Statutory Guidance and have addressed the aims of the National Licensing Policy Framework.

10 Policies, Plans & Partnerships

10.1 **Council's Key Priorities**: The following Key Priorities are engaged:

- Opportunity & Prosperity: Boosting the local economy, supporting high streets
- Safe & Well: Ensuring a safe environment and supporting community health.

10.2 **Service Plans**: The matter is not included within the current Service Delivery Plan.

10.3 **Climate & Environmental Impact of recommendations**: None identified.

10.4 **Sustainability Policy & Community Safety Implications**: None identified.

10.5 **Local Government Reorganisation Implications**: There is a legal requirement that the new authority will have an adopted Statement of Policy in place on vestment day. This could be an entirely new document, or, as an interim measure, take the form of an overarching policy document, combining the separate Statement of Policy that would be applied in each area, pending review once the new Council's priorities are established.

11 Background papers

11.1 The documents referred to in compiling this report are as follows:

Previous reports:

- Licensing and Planning Policy Committee - Tuesday, 23rd September, 2025 7.30 pm

Other papers:

- None

Statement of Policy made under the Licensing Act 2003

Setting out how Epsom & Ewell Borough Council proposes to exercise its functions under the Licensing Act 2003.

This policy is in force between [TBC], unless revised beforehand.

Issued in accordance with section 5 of the Licensing Act 2003.

Draft version number ~~1~~3
Date ~~[TBC]~~10 March 2026

Document history

Date and version number	Key Changes Made	Approved by
7/10/25 Ver 2	Wording amended to emphasise expectation on applicants, following request of 23 September 2025 Licensing and Planning Policy Committee	Chair and Vice Chair of
3/2/26 Ver 3	Wording amended following consultation and publication of the National Licensing Policy Framework for the hospitality and leisure sectors	

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Part A Introduction and Legislative Basis

1. Introduction

1.1 Epsom & Ewell Borough Council ('EEBC'), as the Llicensing aAuthority for the Borough of Epsom & Ewell, is required by section 5 of the Licensing Act 2003 ('the Act') to publish and keep under review a policy with respect to the exercise of its licensing functions.

1.2 This policy, along with the Act, secondary legislation and current national guidance issued by the Secretary of State, forms the basis on which licensing decisions are made and how licensed premises are likely to be permitted to operate.

1.3 It is intended that this policy provides guidance to a wide range of people in the Borough - EEBC Councillors and officers, organisations who need authorisations under the Act, residents and others who may be affected by their activities, and the statutory bodies with responsibilities under the Act

1.4 EEBC, in adopting this policy, aims to strike a balance between the needs of residents and visitors for a safe and healthy environment and the importance of prosperous and well-run entertainment, recreational and cultural premises to the local economy and vibrancy of the town centres and Borough as a whole.

1.5 To achieve this, EEBC is committed to working in partnership with enforcement agencies, local businesses, the licensed trade, residents and others towards the promotion of the four licensing objectives set out in the Act

2. Scope of this Policy

2.1 EEBC is a licensing authority for the purposes of the Act and is responsible for granting licences, certificates and notices in the Epsom & Ewell Borough in respect of activities described by the Act as 'Licensable Activities'.

2.2 Licensable activities include:

- Retail sale of alcohol
- Supply of alcohol to club members
- The provision of regulated entertainment
- The provision of late night refreshment

2.3 Regulated entertainment is entertainment falling within the following description;-

- Performance of a play
- An exhibition of a film
- An indoor sporting event
- Boxing or wrestling entertainment

- A performance of live music
- Any playing of recorded music
- A performance of dance
- Entertainment of a similar description to that falling within the performance of live music, the playing of recorded music and the performance of dance

That is provided:

a) For members of the public or a section of the public,
b) Exclusively for members of a club which is a qualifying club in relation to the provision of regulated entertainment, or for members of such a club and their guests, or
c) In cases not falling within paragraph (a) or (b), for consideration and with a view to profit, and includes:

There are a number of exemptions and details of these are set out in full in Part 2 of Schedule 1 of the Licensing Act 2003. A summary of when a licence is likely to be required is provided on the Entertainment Licensing page of .GOV.UK

Irrespective of whether the provision of music is regulated entertainment you may still need permission from the Performing Rights Society if you are playing music for customers, employees or for the public that is copyrighted. The requirements for a PRS licence is outside the scope of this policy, please contact the PRS for advice. Their website is www.prsformusic.com/

2.4 Late night refreshment is the supply of hot food and/or drink from any premises, other than private members clubs, between 11pm and 5am. There are a number of exemptions and details of these are set out in full in Part 3 to 5 of Schedule 2 of the Licensing Act 2003.

2.5 Part 2 of Schedule 2 of the Act allows the ~~licensing authority~~Licensing Authority to exempt from the requirement for a late night refreshment licence either;-

- Certain types of designated premises, or
- premises within a designated area, or
- activities within a designated time period (e.g. 11pm to midnight),

Epsom & Ewell Borough Council has not exempted any such premises, locations or periods from the requirement for a late night refreshment licence.

2.6 This policy will set out how EEBC as the Licensing Authority will seek to promote the licensing objectives through the issue of licences and the assessment of notices covered by the Act. These are:

- Personal Licences for individuals – necessary where alcohol is to be sold or provided on premises.

- Premises Licences and Club Premises Certificate – subject to suitability of premises and measures taken by applicant to ensure the promotion of the licensing objectives.
- Temporary Event Notice – a simplified process for occasional events of a smaller scale.

Detailed information on the process for obtaining these authorisation is provided on Alcohol and Entertainment page of EEBC's website.

2.7 This policy does not depart from the statutory guidance issued under section 182 of the Act.

3. Policy consultation

3.1 In determining this policy the Licensing Authority has undertaken formal consultation with members of the public, community stakeholders, specific groups and individuals as listed in section 5(3) of the Licensing Act 2003. These are;

- the chief officer of police for the ~~licensing authority~~Licensing Authority's area,
- the fire and rescue authority for that area,
- the Local Health Board for an area any part of which is in the ~~licensing authority~~Licensing Authority's area,
- each local authority in England whose public health functions within the meaning of the National Health Service Act 2006 are exercisable in respect of an area any part of which is in the ~~licensing authority~~Licensing Authority's area
- Persons/ bodies representative of local premises licence holders
- Persons/ bodies representative of local club premises certificate holders
- Persons/ bodies representative of local personal licence holders
- Persons/ bodies representative of businesses and residents in its area

3.2 In addition the Licensing Authority has consulted with;-

- Buckinghamshire & Surrey Trading Standards,
- Surrey Safeguarding Children Board,
- Epsom & Ewell Borough Council's Environmental Health
- Epsom & Ewell Borough's Planning Department.
- Surrey District and Borough Licensing Authorities
- Epsom Business Improvement District ('Go Epsom')
- Borough Councillors
- Epsom Pubwatch

The draft policy has also been published on Epsom & Ewell Borough Council's website.

3.3 The views of all these bodies and the evidence presented have been given due weight in the determination of this policy. Further details of the consultation process and the results of the consultation are set out in Appendix 1 ~~[to be attached following consultation]~~.

4. Policy Review

4.1 The policy will be regularly reviewed and formally re-published every 5 years. Any changes considered necessary between the 5 yearly reviews will be referred to Full Council, subject to consultation in accordance with the provisions of the Act, and revisions published accordingly.

4.2 Subject to approval of the Chair of the Licensing Committee and in consultation with the Council's Monitoring Officer, inconsequential changes to the policy (e.g. updating contact details/links) may be updated without the requirement for formally reviewing the policy or consultation. Any such inconsequential changes will be logged in the 'Document History' section of this policy.

Part B Epsom & Ewell Borough Council as Licensing Authority

5. Fundamental principles

5.1 The Council will carry out its various licensing functions with a view to promoting the four licensing objectives:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm

Each objective is of equal importance.

5.2 Each licence application will be considered on its own merits in the context of the four licensing objectives.

5.3 Although the four objectives are the only matters that the ~~licensing authority~~Licensing Authority may take into account when making licensing decisions, as a public body the ~~licensing authority~~Licensing Authority is also required:

- Under the Crime and Disorder Act 1998 to have due regard of the crime and disorder implications of any of its decisions, including the adoption of this policy;
- To implement the Licensing Act in a manner consistent with the Human Rights Act 1998 by giving due consideration to the rights contained in the European Convention on Human Rights and Fundamental Freedoms;
- To implement the Licensing Policy in a manner consistent with its legal requirement under the Equality Act 2010, to ensure that all decisions made give due consideration to the Council's Public Sector Equality Duty.
- To act in accordance with the Regulators Code under the Legislative and Regulatory Reform Act 2006
- To fulfil its obligations under the Immigration Act 2016 and the Modern Slavery Act 2015, including identifying and supporting victims of modern slavery.

5.4 Unless relevant representations or objections are received with respect to an application the ~~licensing authority~~Licensing Authority has no discretion to impose conditions on a licence other than those proposed within an application along with any prescribed mandatory conditions.

5.5 The Council recognises that proper account will have to be taken of the need to encourage and promote live music, dancing and theatre for the wider cultural benefit of the community. Conditions to be imposed on relevant licences will not, therefore, discourage the promotion of such entertainment but will relate solely to the promotion of the licensing objectives.

~~5.5~~

5.6 The Council will regard the National Licensing Policy Framework for the hospitality and leisure sectors as guidance when determining applications, supplemental to statutory guidance and this Statement of Policy. This Statement of Policy supports the stated aims of the framework that licensing should be 'proportionate, evidence-based and responsive, giving responsible operators the freedom and flexibility to meet changing consumer expectations, diversify their offer, and invest in innovation'. Where the Council has identified in the policy a 'Special Stress Area' (in which applicants for licences are expected to consider additional measures to address the evidence based concerns around anti-social behavior and violence) this has been tailored to proportionally uphold the core licensing objectives, thereby protecting residents from pressures resulting from anti-social behaviour and harm from violence.

~~5.6~~5.7 The Council acknowledges that licensing law is not the primary mechanism for the general control of anti-social behaviour by individuals once they are away from the premises and beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy in town and city centres. It is of note that there is currently a Borough wide PSPO in place in an effort to tackle antisocial behaviour (see 6.12)

~~5.7~~5.8 Nothing in the policy statement should be regarded or interpreted as an indication that any requirement of licensing or other law may be overridden.

~~5.8~~5.9 Nothing in this policy overrides the right of any person to make an application, make representations about an application or apply for a review of a licence. Each will be considered on its own merits and in accordance with the statutory requirements of the Act.

~~5.9~~5.10 As this policy cannot foresee every scenario or set of circumstances, EEBC may depart from this policy where, in the Council's view, the matter requires it; in any such case the Licensing Authority will give full reasons, in writing, for this decision.

6. The Local Context

6.1 A map showing the geographical area covered by this Statement of Policy can be viewed at Appendix 2.

6.2 Epsom & Ewell Borough has a population of approx. 82,000 people; it is Surrey's smallest borough geographically but the most densely populated.

6.3 The Borough is bordered by outer London boroughs to the North (with some of the Borough's urban areas forming part of the wider Greater London Built-up Area), and the Surrey Hills National Landscape to the South (designated an Area of Outstanding Natural Beauty). The neighbouring districts are Reigate and Banstead, Mole Valley, Kingston upon Thames and Sutton.

6.4 The Bborough is located entirely within the M25 motorway, and boasts excellent transport links, with direct train lines to Waterloo, London Bridge, and London Victoria, and with Gatwick Airport only 20 miles south of Epsom.

6.5 Epsom & Ewell Borough has a vibrant local economy in the retail, engineering and leisure sectors. The area comprises three main conurbations;

- Epsom, a historic market town with a vibrant evening economy.
- Ewell Village, with renowned taverns and independent shops, cafés and restaurants .
- Stoneleigh, with a parade of shops and restaurants located near opens spaces and a nearby park.

6.6 The area is probably best known worldwide for the running of the Derby at Epsom Downs Racecourse. Horse racing has taken place in Epsom for over 350 years (the first recorded race days were in the 1640's). As well as being a significant local employer, the Derby Festival also indirectly benefits significantly the hospitality sector and local suppliers across the Borough, as well as the wider Surrey area.

6.7 The Borough is home to significant educational establishments, with the ~~borough~~Borough hosting campuses for the University for the Creative Arts, the North East Surrey College of Technology and Laines Theatre Arts.

6.8 Epsom & Ewell Borough is a relatively economically prosperous area, with the Borough having the highest employment rate across Surrey, with resident's earning on typically higher than the national average. However, this picture does mask pockets of deprivation across the Bborough, for example, Court Ward is the 4th most deprived ward in Surrey.

6.9 Epsom & Ewell Borough has a relatively low crime rate when compared with the rest of the country, although within Surrey the total number of recorded offences is slightly above average. Of the crimes reported in the Borough, violence and sexual offences is the most prevalent crime type, although this category is usually the largest in any urban area (partly because 'Violent Crime' covers so many offences compared to say Burglary). The next most prevalent crime is antisocial behaviour, followed by public order offences

6.10 Surrey Police have mapped incidents of antisocial behaviour and serious violence across Surrey, and identified Epsom as a primary hotspot, along with Guildford, Woking / Knaphill, Redhill, Staines and Camberley. The primary area of interest in Epsom is around the High Street and Station Approach, and

the Ashley Shopping Centre. Two peak times for incidents have been identified: 17:00 – 20:00 and 00:00 – 04:00 at the weekends. A summary of the police ~~hotspot mapping~~analysis of ASB and violence in Epsom is attached at Appendix 3. The last train from Epsom usually departs around 23:49, and the second peak of incidents may be related to associated problems with dispersal from the town when late night licensed venues close.

6.11 Public Health is not a licensing objective, however health data may be helpful in assessing the related impact of alcohol on Public Safety. The Surrey Office of Data Analytics produced a summary of alcohol related hospital admissions and 999 Call-outs in the Epsom & Ewell, and a copy of this is attached as Appendix 4. This showed that within Epsom & Ewell, Epsom Town ward saw the highest numbers for both alcohol related admissions and 999 call-outs. The age ranges from 41 onwards had the higher number of alcohol related admissions. Ewell East had a very large number of alcohol related admissions for 81-90 year olds. Alcohol related 999 call-outs were the highest for 51-70 year old range. It should be noted though that within Surrey, Epsom & Ewell Borough has the second lowest rate of alcohol related hospital admissions, although this data may not produce an accurate picture, as it is based on the home address of the person being admitted, rather than the location of any alcohol related incident.

6.12 To help tackle anti-social behaviour in the Borough, in May 2025 EEBC implemented a Public Spaces Protection Order. This order, which can last up to three years, allows authorised individuals like police officers and council staff to address prohibited activities, including alcohol consumption in public spaces after a warning. EEBC has also within this policy created a 'Special Stress Area', designed to promote good practice and minimise the adverse impact from alcohol-use in Epsom Town centre.

6.13 At the time of publication of this Statement there were 214 Premise Licences, and 14 Club Premises Certificates in the Borough, and 1083 Personal Licences in effect within the Epsom & Ewell Borough. In a typical year the Licensing Authority is served with approximately 240 Temporary Event Notices.

7. Council aspirations and vision for the Borough ~~place~~

7.1 Five distinct themes come together to create the Council's vision for Epsom and Ewell;-

- Green & Vibrant

Where people are passionate about the environment
Rich with biodiversity and the best that nature has to offer
A great place to go walking or cycling with friends and family
A place with access to fantastic countryside and clean air
Tree lined streets with some of the best examples of eco-buildings
Clean and well-maintained environment
Beautiful and well-designed public spaces

- Opportunity & Prosperity

A great place to start and grow your business
An ambitious place where there is investment in the future
A place to innovate and try out new ideas
Affordable homes for families and local workers
There's an excellent education
A place that offers an excellent start in life whatever your background
Where ambition is encouraged and nurtured

- Safe and Well

Where I can feel safe and secure at any time of day
A place that is family friendly, where people support each other
Easy access to world class health and wellbeing services
Where it's easy to keep healthy and active
Where I can breathe clean air
Where there is a strong community spirit Where people come before traffic

- Cultural & Creative

Proud of the rich local history and heritage
A clear and compelling identity that excites and inspires
A thriving market and unique retail offer
A home for creative enterprises
There's a wide range of local events and activities for people to take part in
A great place to meet up after work with friends and family
Where people work together for the benefit of the community

- Smart & Connected

Easy to get around and get things done
Climate friendly public transport options
A strong community where it's easy to network and meet like-minded people
Part of Zone 6 and Cross Rail 2
Where it's easier not to own a car
Innovative and forward looking with the right skills for the future
High speed digital connectivity where it's easy to plug in

7.2 It is the aspiration of this Statement of Licensing Policy to support these themes through the promotion and application of the four licensing objectives.

7.3 In accordance with these priorities Epsom & Ewell Borough Council would positively encourage applications that;-

- support the use of open space, sport and recreation facilities to meet current and future requirements.

- promote a broad range of entertainment, particularly live music, dance and theatre for the wider cultural benefit of the community
- support local community events and organisations.
- commit to involvement in community safety partnership initiatives
- reduce traffic growth by providing local community services
- through innovation, are likely to ensure the Borough's towns and village centres remain successful and viable places for people to live, shop and spend their leisure time.

When considering applications for such events and the imposition of conditions on licences or certificates, the Licensing Authority will carefully balance the wider benefits with the necessity of promoting the licensing objectives.

7.4 The Licensing Authority believe that as long as licensed premises operate as compliant, well-regulated businesses and that their management acts responsibly in promoting the licensing objectives i.e.; run safe, well managed venues and facilities; and engage and work with the local authority, its partners and the local community; then the premises make a positive contribution toward building community cohesion and cultural development. It is also important to appreciate that alcohol plays an important and inherent role within the leisure and entertainment industry.

7.5 However, it is equally recognised that negative impacts will occur if good management practices are not followed by licensed premises. These can include anti-social behaviour, nuisance and disturbance caused to local residents, sometimes together with serious crime and disorder problems. Alcohol, in particular, is an important contributing factor to all of these issues. Alcohol-related violence, disorder and rowdiness impact on our community, public health and the public purse through the demands made upon hospital attendances and admissions; additional policing; additional street cleaning; and the criminal justice system. The Authority does not consider that it is reasonable for local residents and compliant businesses to suffer because of a small number of irresponsible, poorly managed operators.

7.6 This Statement of Licensing Policy, therefore, seeks to provide a necessary balance between providing a platform upon which compliant, well-regulated businesses may operate and contribute towards a successful business and night-time economy, and ensuring that the quality of life of those who live and work in the Borough is protected through the licensing system. We believe these aims are achievable if all parties concerned work together.

8. Cumulative Impact, Special Stress Area Policy, Early Morning Restriction Orders (EMRO), and Late Night Levy

8.1 The Licensing Authority has decided that, at present, it is not appropriate for any area of the Borough to be covered by a special policy on cumulative impact (as per section 5A Licensing Act 2003). There is therefore no special policy creating a rebuttable presumption that applications within a particular

area of the Borough for new premises licences or club premises certificates will normally be refused, if relevant representations are received.

8.2 However, Epsom town centre is deemed an area of special concern in terms of the level of crime and disorder, particularly at night, and is recommended for further monitoring and detailed guidance as set out in the Special Stress Area ('SSA') section in Part C. New and varied applications for late night premises and club premises certificates within the SSA will not be subject to the presumption of refusal, but operators will be expected to pay special attention when drawing up their operating schedules and to make fulsome, written positive proposals to ensure that their operation will not add to the problems faced in these areas. As per the Section 182 Statutory Guidance, in completing an operating schedule, applicants are expected to have regard to this statement of licensing policy and due regard to the non-exhaustive lists of example measures to promote the licensing objectives detailed later in this policy. Applicants must also be aware of the expectations of the ~~licensing authority~~Licensing Authority and the responsible authorities as to the steps that are appropriate for the promotion of the licensing objectives, and demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. Applicants should demonstrate that they understand the layout of the local area and physical environment including crime and disorder hotspots as well as proximity to residential premises and proximity to areas where children may congregate. Any risk posed to the local area by the applicants' proposed licensable activities should also be addressed. Applicants are expected to include positive proposals in their application on how they will manage any potential risks For example, applicants proposing to sell alcohol within the SSA at night should consider what effect this will have on anti-social behaviour, crime or nuisance in the area, and are expected to demonstrate in their application any necessary measures they will take to mitigate the impact. Appendix 5 shows the show the extent of the SSA, and Appendix 6 of this policy sets out a list of measures the ~~licensing authority~~Licensing Authority considers it appropriate for applicants to consider with respect to premises in this area. These may be more or less appropriate depending upon the style of operation applied for, and for some premises, it is possible that no measures will be appropriate to promote one or more of the licensing objectives (for example, because they are adequately covered by other existing legislation). ~~.~~ However, those applying to sell alcohol at night in the SSA will be expected to consider and address the potential risks this activity will be to the licensing objectives as outlined above. On receipt of any application in the SSA, where a relevant representation has been made, the ~~licensing authority~~Licensing Authority will scrutinise the application carefully and will look at the measures proposed in the operating schedules and compare them to the measures set out in Appendix 6, Licensing Best Practice Measures. Where discretion has been engaged, those applications which fall short in considering appropriate measures may be refused or conditions applied to comply with policy measures. As per the Statutory Guidance, the Licensing Authority and Licencing Subcommittees will look to the police as the main source of advice on crime and disorder (9.12). Each Responsible Authority will be treated as experts in their respective fields. Each case will be taken on its merits, but where a representation from a Responsible Authority has been received and

not resolved, the Licencing Authority will generally accept the recommendations of the Responsible Authority, provided they stand up to scrutiny.

8.3 The Licensing Authority has decided that at present it is not appropriate for any area of the Borough to be covered by an Early Morning Alcohol Restriction Order (EMRO). This Licensing Authority does not consider it appropriate for the promotion of the licensing objectives to restrict sales of alcohol in the whole or a part of the Borough for any specified period between 12 midnight and 6 am.

8.4 The Licensing Authority has decided that, at present, it is not appropriate for the Borough to be covered by a late-night levy. The Licensing Authority does not consider it desirable that all licence holders operating a licence which allows for the sale of alcohol between midnight and 6am be required to pay into the levy for policing the night-time economy.

8.5 The Licensing Authority will keep the need for a special cumulative impact policy, a SSA policy, EMRO and late-night Levy under review. Should the authority find that problems of crime and disorder are not improving, or are worsening, the Statement of Policy will be reviewed.

9. Promotion of equality

9.1 The Equality Act 2010 imposes a duty on the Council as the Licensing Authority to have due regard to the need to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations between people with different protected characteristics.

9.2 To show how the Council meets its Equality Duty the Council publishes a Diversity, Equity & Inclusion Report, available on the Council's website.

9.3 All licensed premises are subject to the Equality Act 2010 which lists a number of protected characteristics that must not be used as a reason to treat a person less favourably than another person, these are;

- Age
- Disability
- Gender reassignment
- Marriage and civil partnerships
- Pregnancy and maternity
- Race (this includes colour; nationality; ethnic and national origins)
- Religion or belief
- Sex
- Sexual orientation.

9.4 Treating a person less favourably than someone else because that person has one or more of these characteristics is discriminatory.

9.5 The Equality Act 2010 also imposes a duty on any person providing a service to the public, including operators of licensed premises, to make reasonable adjustments to enable disabled people to access the service, where a disabled person would be at a substantial disadvantage compared to a non-disabled person.

9.6 The Licensing Authority urges applicants and existing operators to plan ahead to meet their legal responsibilities under the Equality Act 2010. Further information and guidance can be obtained from the Home Office website.

10. Exercise and delegation of function

10.1 The powers of the Licensing Authority under the Act may be carried out by the Council's Licensing Committee, Licensing Sub-Committees or by one or more officers acting under delegated authority.

10.2 In the interests of speed, efficiency and cost-effectiveness to all parties involved in the licensing process, the Council has established a scheme of delegation to deal with applications received under the Act. A table of these delegations are shown in Appendix 7.

11. Partnership working

11.1 The promotion of the licensing objectives relies on a partnership between licence holders, authorised persons, residents, responsible authorities and the Authority. The Authority is keen to work in partnership with licensees and with bodies such as licensee forums, pub watches, Business Improvement Districts (e.g. Go Epsom), tenants' and residents' groups and those representing such groups to develop a prosperous and well managed economy whilst promoting the licensing objectives.

11.2 The Council has set up multi-disciplinary working groups to ensure the proper integration of local crime prevention (e.g. Joint Action Group (JAG), Community Harm and Risk Management Meeting (CHaRMM)). The Council also has a role in the Business Improvement District's Business Crime Reduction Partnership.

12. Planning

12.1 The planning and licensing regimes operate independently, involving consideration of different, albeit related, matters. The Licensing Authority is not bound by planning decisions, and vice versa. The two schemes take different matters into account when determining hours, so differences between terminal hours may arise, with the more restrictive set of hours always applying.

12.2 Nevertheless, where applicants have indicated that they have also applied for planning permission or that they intend to do so, and where relevant

representation has been received, officers will consider discussion with their planning service prior to determination with the aim of recommending mutually acceptable operating hours and scheme designs to the Licensing Sub-Committee. Licensing decisions will not normally cut across planning decisions, however the licensing regime will not seek to duplicate the role of the Local Planning Authority.

12.3 It is noted that any decision of the Licensing Authority on an application for a premises licence does not relieve the premises user of any requirements under planning law for appropriate planning permission where it is required. Premises operating in breach of their planning permission could ultimately be liable to prosecution under planning law. Applicants are recommended to obtain planning consents prior to applying for a licence to avoid potentially inoperative licences.

13. Fire safety

13.1 The Regulatory Reform (Fire Safety) Order 2005 requires the responsible person to make a suitable and sufficient assessment of the risks from fire, to which relevant persons are exposed, and to remedy any findings of the assessment. The risk assessment should be conducted by a suitably competent person.

13.2 Licensed Premises are required under the above legislation to document the Fire Safety arrangements and any significant findings resulting from the required risk assessment.

13.3 A lLicensing aAuthority may not allow fire-safety related conditions to be applied to a licence. However, all applicants and licence holders are reminded that current fire safety legislation requires an employer or other responsible person to carry out a regular review of their fire risk assessment and as a result of changes to the workplace, revise the fire safety arrangements to reduce any increased risk. Please refer to the Government's guidance on completing fire risk assessments for more information.

14. Integrated Strategies

14.1 This Licensing Policy supports the Community Safety Partnership Action Plan which looks at reducing crime and disorder by working with various agencies to address community safety issues.

15. Responsible authority and children

15.1 The Council considers Surrey County Council's Children's Services competent to act as the responsible authority in relation to the Protection of Children from harm.

16. The Licensing Authority as a responsible authority

16.1 Within the Act provision is made for a ~~licensing authority~~Licensing Authority itself to make representations. However, the Licensing Authority will not normally make representations that should be made by another responsible authority with the expertise in that area.

16.2 However, the Licensing Authority may in exceptional circumstance wish to make representations on its own account. For example, reasons could include bringing together a number of minor unconnected complaints that in themselves do not require another responsible authority to make a representation, but when taken together may constitute a public nuisance, represent breaches of licence conditions only observed by ~~licensing authority~~Licensing Authority officers or which undermine the licensing objectives.

17. Information sharing

17.1 Epsom & Ewell Borough Council is committed to open data principles. Subject to the provisions of the Data Protection Act 2018 and General Data Protection Regulation 2016/679 and any other applicable legislation, the Authority will share information about licensees, licensed premises and activities associated with them to all partners. Operating schedules, results of compliance checks, and details of enforcement action may also be shared.

18. Minor errors in applications

18.1 Applications will not be returned if they contain obvious and minor errors such as typing mistakes, or small errors that can be rectified with information already in the authority's possession.

19. Significant errors in applications

19.1 If required information is missing or incorrect, the Council will 'hold' the application until the applicant has supplied all the required information. This resets the 28-day period for determining an application and may be done any number of times until the application form is complete. The Council will ensure that they notify the applicant as quickly as possible of any missing (or incorrect) information, and explain how this will affect the statutory timescale and advertising requirements.

19.2 If an application has been given at the weekend, the notice advertising the application (where applicable) may already be displayed outside the premises by the time that the ~~licensing authority~~Licensing Authority downloads the application. If we are holding an application, the Council will inform the applicant that the original (or if necessary, amended) notice must be displayed until the end of the revised period. The Council advise the applicant that they should not advertise the application in a local newspaper until they have

received confirmation from the ~~licensing authority~~Licensing Authority that the application includes all the required information.

19.3 If an applicant persistently fails to supply the required information, the ~~licensing authority~~Licensing Authority may refuse the application, and the applicant must submit a new application. If the applicant has not sought pre-application advice or followed the application guidance provided on the Council's website, the full application fee will be retained by the Licensing Authority.

19.4 The Council may also 'defer' electronic applications once if the application is particularly complicated, for example if representations are received and a hearing is required. This allows the ~~licensing authority~~Licensing Authority to extend the statutory time period for the determination of the application by such time as is necessary, including, if required, arranging and holding a hearing. Licensing authorities must ensure that applicants are informed as quickly as possible of a decision to defer, and the reasons for the deferral, before the original 28 days has expired.

Part C Premises Licences and Club Premises Certificates

20. Pre-application discussions

20.1 The Licensing Authority would strongly encourage applicants to hold pre-application discussions with Licensing Officers, other relevant statutory bodies and local residents or businesses before submitting all but the most straightforward applications. Taking this step may prevent misunderstandings as to what is being proposed and stop formal representations being made that will result in licensing hearings.

21. Promoting the licensing objectives

21.1 The Licensing Authority expects all applicants for licences to demonstrate that they have addressed any local concerns and have thought about how the premises will be run responsibly and in such a way as to promote the licensing objectives. A risk assessment approach is strongly encouraged such that appropriate controls can be identified to manage such risks, and incorporated within the operating schedule of the application. Whilst this policy recommends measures that should be considered in order to promote the licensing objectives, applicants are expected to undertake their own enquiries about the area in which the premises are situated to inform the content of the application. Please refer to section 8.2.

21.2 The operating schedule forms the basis of any conditions placed on a licence other than those which are mandatory. It provides valuable information to interested parties and responsible authorities assisting their assessment of the impact of the licensed activity on the licensing objectives and provides information about how the applicant will address these issues. It is likely to form the basis of any decision to submit a representation against the application.

21.3 Providing as much information as possible in the operating schedule demonstrates that the applicant has seriously considered the issues, is aware of their duty to promote the licensing objectives at all times and is aware of how this may be best achieved. The Licensing Authority considers the effective and responsible management of the premises, including instruction, training and supervision of staff and the adoption of best practice to be amongst the most essential control measures for the achievement of the licensing objectives. For this reason, the Council expects applicants and licence holders to consider the risks associated with their activities, in the context of the local environment, and to identify appropriate measures. These measures should be specifically considered, detailed and addressed within an applicant's operating schedule

21.4 Types of premises vary throughout the Borough, as do the types of licensable activities carried on at those premises, and therefore the steps appropriate to

promote the licensing objectives will vary by premises, so the measures identified below should not be considered exhaustive.

22. Prevention of Crime and Disorder

The Licensing Authority will require~~expect~~ applicants to explain in their Operating Schedule how the operation of the premises will promote the Prevention of Crime and Disorder, if relevant. Examples of measures that may be appropriate to ~~control~~ promote the Prevention of Crime and Disorder include;-

- The employment of Security Industry Authority licensed door staff
- The advertised use of CCTV in and around the premises
- Ensuring adequate lighting
- Managing the flow of people and reducing congestion
- Effective and responsible management and supervision of a premises, including associated outside areas
- Incident and refusals log books
- Acceptance of only accredited proof of age documentation;
- 'Ask for Angela' training for all staff
- It is mandatory for premises that sell or supply alcohol to have an age verification policy in place. The Authority favours the adoption of the Challenge 25/Check 25 type schemes.
- Appropriate 'drinking up times' or 'winding down' periods to avoid customers being ejected en masse from the premises the moment the entertainment finishes, or immediately after being served alcohol for consumption on the premises. To allow for the safe and orderly dispersal of customers the Licensing Authority would expect the premises to close at least 20 minutes later than the finishing time allowed for the licensed activity.
- Undertaking right to work checks on all staff employed (whether permanent or temporary) at the licensed premises, with a physical copy of any document checked as part of a right to work check retained at the licensed premises, or a digital copy be immediately accessible from the premises, to be made available to a licensing officer, the police or the home office on request.

Possible measures where the risk of theft is identified (from both customers and premises)

- The provision of clips fitted to tables, walls bars etc to secure personal belongings and prevent bag snatching
- Posters/Training on staff to advise customers not to leave bags etc on the back of chairs
- For off-licences, storing high strength alcohol products (those most likely to be stolen and cause harm) behind the counter;

Possible measures where the risk of the sale of and use of psychoactive substances on premises is identified

- Measures and policies to prevent the use or supply of illegal substances or the illegal supply of alcohol, including search and entry policies.
- An agreed protocol with the police on the handling and disposal of illegal drugs founds on the premises.
- Measures and policies specifically designed to address the risk of drug or alcohol spiking on the premises such as;-
    - more rigorous searches by SIA door staff,
    - the provision of covers/stoppers for drinks, and
    - training for staff on how to identify the symptoms of drink or drug spiking
    - the collection of unintended drinking vessels as soon as possible to avoid the risk of injuries or drink spiking
    - reporting and recording of incidents to the police

Possible measures where a risk of violence is identified

- Appropriate instruction, training and supervision of those employed or engaged to prevent incidents of crime and disorder, including measures to ensure that alcohol is not served to persons who are drunk, and that empty glasses are collected as soon as possible
- Policies to manage capacity
- Procedures for the management of customers congregating outside of premises (in particular late night refreshment houses)
- Dispersal arrangements, considering the potential effect of the premises on dispersal arrangements from other licensed premises or the cumulative impact in the area.

The list of possible measures above to promote the Prevention of Crime and Disorder should not be considered exhaustive. Applicant are expected to demonstrate in their application they have taken into account all the relevant considerations to reduce the likelihood of crime and disorder occurring as a result of the grant of the application.

23. Prevention of Public Nuisance

The Licensing Authority will require~~expect~~ applicants to explain in their Operating Schedule how the operation of the premises will promote the Prevention of Public Nuisance, if relevant. Examples of measures that may be appropriate to ~~control~~ promote the Prevention of Public Nuisance include:-

- Effective and responsible management and supervision of the premises, including associated open areas
- Adoption of and adherence to best practice guidance, for example, the Noise Council Code of Practice on Environmental Noise Control at Concerts, and other recognised codes of practice
- The adoption of procedures and policies to actively manage noise on an ongoing basis
- Policies for the timely dispersal of customers
- Appropriate closing times having regard to the nature of the surrounding area, for example in predominantly residential areas and/or in areas

where vehicular noise related to departing patrons may be a source of noise nuisance
- Appropriate instruction, training and supervision of those employed or engaged to prevent public nuisance from arising
- Measures to prevent excessive noise from customers eating, drinking or smoking in external areas to the premises
- Keeping doors and windows closed and providing adequate mechanical ventilation
- Reducing sound levels and installing a sound limiting device to prevent sound exceeding the appropriate level
- Installing sound proofing measures to contain sound and vibration
- Making contact telephone numbers available to local residents
- Displaying prominent notices asking customers to leave the premises quietly
- Provision of adequate litter bins and regular emptying/collection of rubbish
- Measures for the prevention of noxious smells arising from the premises, for example, in relation to the provision of late night refreshment
- Measures to prevent unreasonable disturbance arising from deliveries of alcohol to premises and/or collections of e.g. refuse.

The list of possible measures above to promote the prevention of Public Nuisance should not be considered exhaustive. Applicant are expected to demonstrate in their application they have taken into account all the relevant considerations to reduce the likelihood of public nuisance occurring as a result of the grant of the application.

24. Public Safety

The Licensing Authority will require~~expect~~ applicants to explain in their Operating Schedule how the operation of the premises will promote Public Ssafety, if relevant. Examples of measures that may be appropriate for the promotion of Ppublic Ssafety include:-

- Appropriate access for emergency services and vehicles such as ambulances
- Good communication with local authorities and emergency services;
- Ensuring the presence of sufficient trained first aiders on the premises and appropriate first aid kits.
- For larger public events, including those in public spaces, an appropriate risk assessment and event management plan
- Any capacity issues not covered by the Fire Safety regime
- Adoption of and adherence to best practice guidance and other recognized codes of practice. For example, when holding events with an anticipated larger capacity, the Purple Guide
- Measures and policies to prevent the use or supply of illegal substances, including search and entry policies
- Physical safety features e.g. use of safety/ toughened glass
- Written policies on dealing with accidents and personal injury incidents and drunkenness
- The promotion of schemes to discourage drink driving

- Dispersal policies including provisions for the safe dispersal of the vulnerable; and/or policies concerning the safe and responsible ejection or refusal of entry of vulnerable or potentially vulnerable people.

The list of possible measures above to promote Public Safety should not be considered exhaustive. Applicant are expected to demonstrate in their application they have taken into account all the relevant considerations to reduce the likelihood of danger to the public occurring as a result of the grant of the application.

25. The Protection of Children from Harm

The Licensing Authority will require~~expect~~ applicants to explain in their Operating Schedule how the operation of the premises will promote the Protection of Children from Harm, if relevant. Examples of measures that may be appropriate for the P~~p~~rotection of C~~c~~hildren from H~~h~~arm include;-

- Adoption of a voluntary age verification policy such as Challenge 25
- Acceptance of accredited proof of age documentation
- Effective and responsible management and supervision of the premises, including associated open areas
- Appropriate instruction and training for those employed or engaged to prevent harm to children, in particular, child sexual exploitation (CSE)
- Provision of effective CCTV in and around premises
- Refusals log books
- Measures to deter proxy sales
- For off licence premises, a restriction on sales of individual cans or bottles of alcohol (as the reduced cost may make the purchase of alcohol more accessible to those under 18)
- Exclusions at certain times, or when adult entertainment is being provided.
- Policies or procedures in respect of: restrictions on the hours children may be present and parts of the premises to which they may not have access to; excluding children under a certain age when specified activities are taking place; accompanying adults
- Policies and procedures for e.g. lost and found children at events
- Systems for the collection of glass and bottles to minimise the risk of young people finishing off dregs.
- Staff to receive regular and adequate training on the law and practice relating to age restricted sales (including challenging purchasers, checking identification), such training to be properly documented and records made available for inspection.
- Where necessary, measures limiting the access of children to licensed premises where that is appropriate for the prevention of harm to children e.g.;-
    - adult entertainment is provided;
    - a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the

exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
- it is known that unaccompanied children have been allowed access;
- there is a known association with drug taking or dealing; or
- in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.

Possible measures where entertainment takes place on licensed premises and is directed specifically at children;-

- Children-specific risk assessments being carried out in advance and, where appropriate, in consultation with the appropriate authorities including the Police
- Appropriate vetting of staff on duty
- Appropriate child safeguarding training for all staff
- Ensure that all staff have read and know where to find the Government Guidance: "What To Do If You're Worried a Child is Being Abused"
- Record all concerns raised by staff;
- Provide advice and support to staff when they have a concern about safeguarding a child;
- Additional measures to ensure that no sales of alcohol to children are made
- Additional measures to ensure attendees are safely dispersed following the event

Conditions requiring the admission of children cannot be attached to licences or certificates.

The list of possible measures above to promote the Protection of Children from Harm should not be considered exhaustive. Applicant are expected to demonstrate in their application they have taken into account all the relevant considerations to reduce the likelihood of harm to children occurring as a result of the grant of the application.

26. Special Stress Area ('SSA) Policy

26.1 The map attached at Appendix 5 shows the area of Epsom town centre delineated in red which is deemed an area of special concern in terms of the level of crime and disorder, particularly between 17:00 – 20:00 and 00:00 – 04:00 at the weekends. The Special Stress
~~26.1~~26.2 Area ('SSA') includes premises on;-

- The High Street
- The following areas immediately adjacent to the High Street: The Ashley Centre, Oak Square, Derby Square, the Market Place, and 2 Church Street
- Station Approach

- Waterloo Road, from ~~the railway bridge~~Chase Road to the junction with Ashley Road
- Ashley Road, from the junction with Waterloo Road to the junction with Ashley Avenue
- The Parade, from the junction with Ashley Road to the first vehicle entrance to the Town Hall
- Ashley Avenue
- South Street, from the junction with West Street/High Street to the junction with Ashley Avenue
- West Street, from the junction with High Street and South Street to the junction with Sation Approach
- Upper High Street, from the junction with Church Street to the entrance with Upper High Street Car Park

~~26.2~~26.3 In order to address these concerns within the SSA, applications for premises within this area will be expected to pay special attention when drawing up their operating schedules and to make positive proposals to ensure that their operation will not add to the problems identified in these areas. See sections 8.2, 22 and 23 of this Policy.

~~26.3~~26.4 New and varied applications for late night premises and club premises certificates within the SSA will **not** be subject to the presumption of refusal. However, where representation has been made, the ~~licensing authority~~Licensing Authority will scrutinise the application carefully and will look at the measures proposed in the operating schedules to address the ~~local~~ issues with anti-social behaviour and violence and nuisance identified within the SSA. In some cases, where there is significant concern associated with an application and its impact on the licensing objectives, and insufficient mitigation has been proposed within the applicants' operating schedule or through further submissions, the Licensing Authority may have no other option than to refuse the application.

26.5 Appendix 6 of this policy sets out a list of potential measures the ~~licensing authority~~Licensing Authority expects applicants to consider when applying for late licences in the SSA. These may be more or less appropriate depending upon the style of operation applied for. For example, applications for non-alcohol lead premises, that do not offer late night refreshment for consumption off the premises, and with no outside areas of service (e.g. theatres, cinemas), are unlikely to contribute negatively to the SSA, and will likely not need to consider adopting the measures proposed in Appendix 6 in their operating schedules.

26.6 Applicants requesting the sale of alcohol at night, or closing after midnight, within the Special Stress Area are strongly recommended to seek the views of Surrey Police before formally submitting their application if they are in any doubt on how their application will impact on promotion the licensing objectives. In the context of anti-social behaviour concerns in the local area, proactively working in partnership with the police will minimise the scope for problems to arise following the grant of any licence. The Licensing Authority will look to the police as their main source of advice on Crime & Disorder.
~~26.4~~

~~26.5~~26.7 Each application will be considered on individual merits.

27. Films

27.1 Where films are intended to be shown, the Licensing Authority will expect Operating Schedules to include arrangements to prevent children viewing age-restricted films as classified by the BBFC or by the Licensing Authority itself.

28. Alcohol Delivery Services

28.1 Since the last Statement of Licensing Policy there have been an increasing number of applications for licences relating to delivery services. These tend to fall into three groups:

- Premium specialist product mail order-type services;
- Food delivery services (both meal and grocery) that include alcohol delivery but are primarily food lead; and
- Convenience-type alcohol delivery services that are targeted at convenience for those drinking at home.

28.2 Although these types of services are not provided for in the Licensing Act 2003 in any way differently from other licensed premises they do provide their own unique circumstances that need to be addressed. In particular the Licensing Authority expects licence applications for delivery services that include the delivery of alcohol will ensure the following:

- Age verification at both purchase point and delivery point;
- The safety of delivery drivers at point of delivery;
- Possible public nuisance caused by delivery drivers collecting deliveries from the licensed premises.

29. Large-Scale Events

29.1 While the Licensing Authority encourages all applicants to consider contacting Responsible Authorities in advance of any application, where the application is unusual because of its size (e.g. in excess of 500 people) or type (e.g. a festival) the Licensing Authority expects that early contact is made well in advance of any application being made. This will ensure that appropriate consideration can be given to a bespoke programme of consultation which might, as the case may be, include submission of risk assessments, a full event management plan and/or the convening of a Safety Advisory Group ('SAG') to advise on the implications of the proposed application.

29.2 The SAG, consisting of the emergency services and other statutory agencies such as the highways authority, advise and co-ordinate planning for public events in the Borough, whether or not a premises licence or a temporary

event notice is needed. Large-scale event organisers are encouraged to consult with the Safety Advisory Group as part of their event planning process. The SAG organiser can be contacted via contactus@epsom-ewell.gov.uk

29.3 Organisers of large-scale events must be mindful that a premises licence application may take up to two months to determine should representation be received. Notwithstanding these minimum requirements, the Licensing Authority advises anyone organising a large scale event to consider using the Epsom & Ewell Template Event Management Plan as early as possible, as it includes helpful guidance notes as well as ensuring that all the necessary information is provided. Even if you are do not need to notify the Epsom & Ewell SAG of your event you may find the template a useful tool to help you in planning your event. This will ensure that partner organisations receive adequate notice of the event so it can take place safely and successfully.

29.4 The Licensing Authority expects organisers of large events to have regard to the following documents as appropriate:

- The Event Safety Guide – A guide to health, safety and welfare at music and similar events (HSE 1999) ("The Purple Book") https://www.thepurpleguide.co.uk/ (requires subscription)
- Managing Crowds Safely (HSE 2000) https://www.hse.gov.uk/event-safety/crowd-management.htm
- 5 Steps to Risk Assessment: https://www.hse.gov.uk/simple-health-safety/risk/steps-needed-to-manage-risk.htm
- The Guide to Safety at Sports Grounds https://sgsa.org.uk/document/greenguide/

30. Martyn's Law

30.1 The Terrorism (Protection of Premises) Act 2025, also known as Martyn's Law, received Royal Assent on Thursday 3 April 2025. Certain larger premises will be required to consider and, where appropriate, take reasonably appropriate steps to reduce their vulnerability to acts of terrorism.

30.2 A tiered approach is established under the new Act, with those responsible for premises and events in scope required to fulfil different requirements according to the number of individuals it is reasonable to expect may be present.

30.3 Smaller premises where 200 to 799 individuals may be present will be in the 'standard tier'. The requirements in this tier are centred on simple, low-cost activities designed to ensure those working at premises or events are better able to reduce harm, and save lives, in the event of an attack.

30.4 Larger premises – and qualifying public events – where 800 or more individuals may be present will be in the 'enhanced tier'. In addition to the requirements for the standard tier, these larger premises and events will have

further requirements placed upon them. This includes having in place, so far as is reasonably practicable, appropriate public protection measures to reduce their vulnerability to acts of terrorism and the risk of physical harm if an act of terrorism was to occur.

30.5 The legislation established the Security Industry Authority as the regulator of Martyn's law, and the SIA and the Government will be issuing guidance to support qualifying premises. In advance of this guidance being published, the Council expects the following measures to be taken with respect to qualifying premises;-

- Ensure that the management team of the business register and successfully complete the nationally recognised counter terrorism training product referred to as ACT e-learning package. Further information can be found at: E-Learning | Protect UK. ACT awareness trained staff are better prepared to recognise and respond accordingly to threats from extremist and civil emergencies, as well as the everyday criminality that affects communities.
- Ensure that the existing CCTV systems are correctly working and are compliant with the Data protection Act 1998, Information Commissioners requirements, and other local CCTV Code of Conduct produced by the Police or Local Authority. Imagery must be retained for at least 28 days and images produced to a Police Officer or Local Authority Enforcement Officer upon reasonable request. Faults which render the CCTV system or parts of it inoperable should normally be rectified within 24 hours.
- The applicant should consider their Security Minded Communications and adopt the NPSA Employee Vigilance Campaign. Further information can be found here: Employee vigilance campaign | NPSA
- Any implemented application should consider ingress/egress routes of those within the premises, along with the safety of adjacent carriageway users, and those with disabilities etc. Allowances should be made for rapid dispersal of people in the event of an emergency/incident.

30.6 Applicants are encouraged to view the Protect UK website which is an official platform that provides some good information, guidance and leading advice, to help detect vulnerabilities and connect with some useful resources. Further information can be found at: www.protectuk.police.uk

31. Music entertainment at alcohol on-licensed premises

31.1 The Live Music Act 2012 and Deregulation Act 2015 amended the Licensing Act 2003 by deregulating aspects of the performance of live and recorded music so that, in certain circumstances, it is not a licensable activity. A summary of when a licence is likely to be required is provided on Entertainment Licensing page of .GOV.UK

31.2 As a result of the deregulation a licence is not required to stage a performance of live music, or the playing of recorded music if:

- it takes place between 8AM and 11PM; and
- it takes place at an alcohol on-licensed premises; and
- the audience is no more than 500 people

31.3 Any conditions relating to musical entertainment on a premises licence do not have effect when the above requirements are met. However, if the premises licence is reviewed as a result of musical entertainment causing a nuisance the Licensing Authority can exert control by re-imposing conditions relating to music, or may add a new condition as if music were regulated entertainment.

31.4 Many of the Borough's licensed premises are often in older historic buildings located in constrained locations, where it may not always be possible to contain the noise from music entertainment. However, the Licensing Authority recognises that alcohol licensed premises have a rich history of supporting music entertainment in the community, and considers it unlikely that public nuisance will result from a well-managed weekly performance that ends at 11PM.

32. Outside spaces

32.1 Outside spaces are an increasingly popular part of licensed premises, particularly in summer where there is more demand for outside drinking and eating options. There is a need for all outside spaces that are used for smoking, eating and drinking by patrons of licensed premises to be well managed to reduce the potential for nuisance to be caused to nearby residents.

32.2 Where smoking, eating and drinking takes place outside, the Authority expects applicants to provide comprehensive details in their operating schedule on:

- the location of outside areas and the times when they will be available for use;
- how the outside areas will be managed to prevent:
  a) noise;
  b) smell; and
  c) pavement obstructions, and littering.
- the arrangements for clearing tables and chairs; and
- preventing nuisance from smoke fumes to residents living in close proximity to smoking areas.

32.3 Where outside spaces are used for eating, and where children may also be present in the outside space, the Authority expects applicants to provide details as to how smoking areas will be separated from the general use areas of the outside space.

32.4 Licensees must take into account the needs of patrons with disabilities and comply with the requirements of the Equalities Act 2010.

32.5 Where the use of outside spaces by the patrons of a licensed premises is unplanned and makes use of the pavement there is need for specific consideration. Members of the public can sometimes feel intimidated and crowds of drinkers spilling out onto the street may cause obstruction. Safety problems can also be caused with drinkers moving into the road. Wherever possible drinking should be contained within areas that are part of the licensed premises, such as beer gardens, terraces or where a pavement licence has been granted by Surrey County Council for tables and chairs on the public highway, and consideration should be made for local residents with mobility difficulties.

32.6 Applications for the use of licensing of tables and chairs on the highway are not within the remit of this policy. In the event that the hours under any such licence do not match those on a licence issued under the Licensing Act 2003 the earlier hours will apply.

33. Use of space adjacent to vehicular highway

33.1 At time of publication the current UK threat level from terrorism is assessed as SUBSTANTIAL - an attack is likely. Threat levels are based upon the intent and capability of our adversaries. Threat is a snapshot in time and it must be recognised that attacks can take place with little or no notice.

33.2 The most likely attack methodologies expected within the UK include Vehicle as a Weapon (VAW) attacks.

33.3 There is no specific information or intelligence to suggest that the Borough is under any immediate threat to the above type attack, however applicants and licence holders should be mindful of the risks to events or land outside of premises which may be accessed by vehicles. It should be borne in mind that even if the use of outside space offered is relatively modest (i.e. providing seats for a few customers), other nearby premises with similar arrangements may ease the identification and attractiveness of the location as a whole to an attacker, as a potential target.

33.4 Applicants for premises including the use of spaces adjacent to the vehicular highway should consider the risks of VAW, and should include the following in their operating schedule if appropriate:

- Ensure that the management team of the business register and successfully complete the nationally recognised counter terrorism training product referred to as ACT e-learning package. Further information can be found at: E-Learning | Protect UK. ACT awareness trained staff are better prepared to recognise and respond accordingly to threats from extremist and civil emergencies, as well as the everyday criminality that affects communities.
- Ensure that the existing CCTV systems are correctly working and are compliant with the Data protection Act 1998, Information Commissioners requirements, and other local CCTV Code of Conduct produced by the Police or Local Authority. Imagery must be retained for

at least 28 days and images produced to a Police Officer or Local Authority Enforcement Officer upon reasonable request. Faults which render the CCTV system or parts of it inoperable should normally be rectified within 24 hours.

- The applicant should consider their Security Minded Communications and adopt the NPSA Employee Vigilance Campaign. Further information can be found here: Employee vigilance campaign | NPSA
- Any implemented application should consider ingress/egress routes of those within the premises, along with the safety of adjacent carriageway users, (this includes patrons using the proposed tables and chairs) and those with disabilities etc. (as per National Conditioning Guidance of the Business & Planning Bill 2020). Allowances should be made for rapid dispersal of people in the event of an emergency/incident. The tables and chairs should NOT impede this.
- Subject to opening hours, adequate lighting should illuminate the deployment of the tables and chairs.
- All tables and chairs must be removed when the premises is closed & should be monitored for inappropriate use. 'Customer Only' signage may assist with this.

33.5 Applicants are encouraged to view the Protect UK website which is an official platform that provides some good information, guidance and leading advice, to help detect vulnerabilities and connect with some useful resources. Further information can be found at: www.protectuk.police.uk

34. Public Spaces Protection Order

34.1 In May 2025 EEBC implemented a Public Spaces Protection Order (PSPO'). This order, which can last up to three years, allows authorised individuals like police officers and council staff to address prohibited activities, including alcohol consumption in public spaces after a warning.

34.2 The PSPO does not apply to premises authorised by a premises licence to be used for the supply of alcohol or for areas of the public highway within a current pavement licence relating to an alcohol licensed premises.

35. Variation of licences

35.1 Applicants for standard variations of premises licences or club premises certificates are expected to conduct a thorough risk assessment with regard to the licensing objectives when preparing their applications (see above). Any new control measures identified as necessary to promote the licensing objectives should be included within the application.

35.2 A premises licence/club premises certificate holder may apply under the minor variation procedure for small variations that will not impact adversely on the four licensing objectives. Minor Variations are decided by licensing officers under delegated powers, and there is no right to a hearing if the minor

variation application is rejected. Where there is any doubt as to any adverse impact the licensing officer will contact the relevant responsible authority for advice before determining an application. If the application is refused the Licensing Authority will give the applicant reasons for the decision.

36. Shadow Licences

36.1 A "shadow licence" is a simple way of describing a licence which has been obtained by one party in respect of premises to which another licence has already been granted to someone else. The usual reason for this would be to protect the landlord in case the tenant surrenders the licence without giving the landlord any notice or if review proceedings are brought against the licence and the licence is revoked and the landlord has no knowledge of this. In such a scenario there is a primary or live licence operated usually by a tenant and the 'shadow licence' is an additional licence often by the landlord which sits behind the primary licence.

36.2 The word Shadow Licence is used in practice, but has no legal definition. It is simply another licence on exactly the same terms as the first licence, normally granted to a landlord, whose sole purpose is to provide the landlord with the comfort and protection of having a licence in its own name. If the original operating licence then lapses or is surrendered, the landlord is able to use the Shadow Licence to replace it and market the premises as having the benefit of a licence of the same quality.

36.3 The Authority recognises that there is no restriction in the Licensing Act 2003 for there to be more than one licence to be in effect at any one time at the same premises. The Licensing Authority has concerns however that the holding of additional licences has the potential to undermine the decisions made as a result of determining applications to review a premises licence whereby if one licence was modified, suspended or revoked the premises could effectively continue to operate under the second licence.

36.4 Similarly Responsible Authorities, including the Police, Trading Standards and the Licensing Team, have expressed concerns regarding the enforcement of the terms and conditions of the premises licences if it is unclear under the authorisation of which premises licence the licensable activities are taking place and who is the relevant premises licence holder and DPS.

36.5 In order to promote the licensing objectives and provide clarity as to which premises licence is being used to provide licensable activities~~.~~, the ~~licensing authority~~Licensing Authority would expect applicants for shadow licences to consider the following measures within the operating schedule:

- The Licensing Authority and Police shall be informed at least 14 days prior to the provision of licensable activities under this licence.
- When this licence is used to provide licensable activities and the licence summary is displayed on the premises, the licence summary of any other premises licence shall not be displayed at the same time.

- The premises licence holder shall not trade/operate the premises for a period of 3 months after the revocation of the existing trading premises licence. This condition will not apply if the aforementioned licence is surrendered or lapses due to insolvency or death.
- The conditions will remain in exactly the same terms as licence number [LICENCE NUMBER]

37. Pool of Model Conditions

37.1 Where the applicant volunteers conditions as part of their operating schedule they will be imposed on any licence granted, unless amended at a hearing following receipt of representation. The Council has published on its website a Pool of Model Conditions to assist applicants in considering and promoting the licensing objectives, within the context of their application. Applicants are under no compulsion to use these when preparing their operating schedules, but may find the wording helpful when identifying the appropriate steps to ensure the promotion of the licensing objectives.

Part D Temporary Event Notices

38. Limits

38.1 Temporary Event Notices('TENs') authorise 'one-off' activities not otherwise authorised by a premises licence, for example, later hours than those permitted by the premises licence for a particular event, or licensable activities on premises without a premises licence..

Events authorised by a TEN must:

- have fewer than 500 people at all times – including staff running the event
- last no more than 168 hours (7 days)

An applicant must be at least 18 to apply for a TEN.

A TEN is required for each event held on the same premises.

Someone who does not hold a personal licence can get up to 5 TENs a year. A holder of a personal licence to sell alcohol can be given up to 50 TENs a year.

A single premises can have up to 15 TENs applied for in one year, as long as the total length of the events is not more than 21 days.

Consecutive events authorised by separate TENs must have at least a 24 hour gap between them.

38.2 A standard TEN must be served on the ~~licensing authority~~Licensing Authority 10 clear working days before the event. Clear working days do not include the day we receive your application or the day of the event.

38.3 However it is possible to serve a 'late TEN' for a limited number of events. The latest a 'late TEN' can be served is 5 clear working days before the event (but not earlier than 9 clear working days). If the applicant does not hold a personal licence, they can serve up to 2 late TENs per year. If the applicant hold a personal licence, the limit is 10 late TENs in a calendar year. Late TENs count towards the total number of permitted TENs.

38.4 Notwithstanding these minimum requirements as to notice, the Licensing Authority recommends anyone thinking of applying for a TEN to do so at least 6 weeks in advance of the event to avoid disappointment, as the less notice that is given may increase the likelihood of the police or environmental health objecting.

39. Risk Assessment

39.1 When organising any small-scale event, organisers should conduct a risk assessment. It may be that the short-term, small-scale nature means the risks

resulting from the event would not be the same as for a premises licence (see section 19), but the following are examples of what the ~~licensing authority~~Licensing Authority would expect to be considered as a minimum:

Public Safety

- the fire alarm in the premises – how does it work? Has it been tested and maintained? Are all staff aware of how to raise the alarm in an emergency?
- fire extinguishers – are the correct number and type available? Have they been serviced within the last year?
- is emergency lighting needed and is it suitable for the purpose? Has it been tested and maintained?
- have you considered whether you need to make any provision for First Aid should anyone need it, and the means for calling the emergency services?

Prevention of Crime and Disorder

- have any crime prevention measures been considered – for example, will steps be taken to regularly bank large amounts of cash during the event, or to keep it in secure location?
- Are there a suitable number of stewards or door supervisors available?
- Have right to work checks been completed on all staff employed (whether permanent or temporary) at the licensed premises, with a physical copy of any document checked as part of a right to work check retained at the licensed premises, or a digital copy be immediately accessible from the premises, to be made available to a licensing officer, the police or the home office on request?

Prevention of Public Nuisance

- have nearby occupiers been considered – have you notified neighbours of the event and provided a contact telephone number?
- have you considered noise reduction measures (such as keeping windows and doors shut or turning noise down late at night)? Have you considered how visitors will arrive and leave the event?

Protection of Children from Harm

- if alcohol is being sold, what are the age verification measures?
- if films are being shown that have been classified as not being suitable to all age groups, how is the admission of children to a film being controlled.

Where the risk assessment identifies that the event may be detrimental to the promotion of a licensing objectives advice should be sought from Epsom & Ewell Environmental Health (ehpublichealth@epsom-ewell.gov.uk) or East Surrey Police Licensing Department (LicensingEastern@surrey.pnn.police.uk)

40. Errors with notice

40.1 Temporary Event Notices will not be accepted for the purposes of calculating the date received until all significant errors are corrected.

Part E Policy for representations/objections

41. Representations made electronically

41.1 The ~~licensing authority~~Licensing Authority encourage representation to be made electronically, and has waived the requirement that a subsequent hard copy needs to be submitted.

42. Disclosure of personal details

42.1 Where a notice of a hearing is given to an applicant, the ~~licensing authority~~Licensing Authority is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations that have been made.

42.2 In exceptional circumstances, persons making representations may be reluctant to do so because of fears of intimidation or violence if their personal details, such as name and address, are divulged to the applicant.

42.3 Where the Authority considers that the person has a genuine and well-founded fear of intimidation and may be deterred from making a representation on this basis, it may consider alternative approaches.

42.4 For instance, the Authority may advise the persons to provide the relevant responsible authority with details of how they consider that the licensing objectives are being undermined so that the responsible authority can make representations if appropriate and justified.

42.5 The Licensing Authority's policy with regards to disclosure of details will depend on the merits of each individual case. The Authority will decide whether to withhold some or all of the person's personal details from the applicant, possibly giving only minimal details (such as street name or general location within a street). However, withholding such details will only be considered where the circumstances justify such action and those making representations should be aware their details will ordinarily form part of a report and will be published before any hearing.

43. Determining relevance of representations

43.1 Only where a representation concerning the licensing objectives is made about a proposed operating schedule and it is 'relevant' will the Licensing Authority's discretion be engaged. 'Relevant' means that they relate to the application and the way in which the application might impact on one or more of the licensing objectives.

43.2 The ~~licensing authority~~Licensing Authority cannot accept representations that it considers frivolous or vexatious. Additionally, in the case of a review of a licence or certificate, repetitive representations are also invalid. Normally more than one review originating from a person other than a responsible authority in relation to a particular premises within a 12-month period on similar grounds would be considered repetitious, save in compelling circumstances or where it arises following a closure order or illegal working compliance order.

43.3 Licensing A~~a~~uthority officers will determine whether a representation is irrelevant, frivolous, vexatious or repetitive in accordance with the Licensing Act and Guidance. In cases of doubt the representation will be allowed to stand and to be considered by a Licensing Sub-committee.

43.4 Where the Licensing Authority determines that a representation is invalid it will notify the person of the decision and the reason. Where time exists, the person will be invited to make a further valid representation.

43.5 When a representation is made which purports to be on behalf of a group, society or other association, the Licensing Authority will require reasonable proof to verify that a signatory is genuinely speaking on behalf of the members of that group. This could take the form of minutes to a meeting, a resolution passed or similar documentation. 'Group' has a wide meaning and can include a residents' association or similar.

43.6 Petitions will be accepted by the Licensing Authority. The Licensing Authority's approach will be to enquire how the petition was compiled, and whether each signatory signed in full knowledge of the facts of the application in order to assess how much weight to give the petition when determining the application. Names and addresses will be examined to ensure they appear to be prima facie genuine, and that signatories have not also submitted their own representation independently of the petition.

43.7 In the absence of contrary evidence, the organiser(s) of the petition will be deemed to have been the person making the representation. Consequently they will be deemed to have the right to speak at and present evidence to any Licensing Sub-committee and to exercise any right of appeal. They may invite other petitioners to speak and present evidence on their behalf but the other petitioners may not do so on their own behalf. The other petitioners will not be treated as parties to the hearing unless they have submitted their own independent and relevant representations.

43.8 The Licensing Authority will carefully scrutinise representations to ensure signatories have signed in full knowledge of the facts of the application. It is likely that more weight will be given to standard or 'round robin' letters than to petitions. Each signatory on a standard or 'round robin' letter will be deemed to be a party to the application with their own right to speak and present evidence to any Licensing Sub-Committee, and to exercise any right of appeal.

44. Mediation

44.1 Where a Responsible Authority or any other person has made:

- valid representations about an application; or
- a valid application for a licence to be reviewed

then the Licensing Authority may initially arrange a mediation meeting to address, clarify and try to resolve the issues of concern.

44.2 This process will not override the right of any Responsible Authority or any individual to ask that the Licensing Authority consider an application for a review of the premises licence or club premises certificate, or for any licence holder to decline to participate in a mediation meeting.

44.3 The Licensing Act 2003 makes specific allowance for a hearing being dispensed with for new and variation applications when the Authority and anyone who has made representations agree that the hearing is unnecessary. Notwithstanding that the Act does not make the same specific provision with respect to review applications, the Licensing Authority will normally dispense for the need for a hearing where the applicant for review and anyone who has made representations agree that the hearing is unnecessary.

45. Licensing Sub-Committees

45.1 Where representations have been received and not withdrawn a Sub-Committee is required to determine the application. Where no representations have been received, the Authority must grant the authorisation in the terms sought.

45.2 Licensing Sub-Committees shall consist of three members unless there is reason to have more members for a particular hearing.

45.3 To avoid potential conflicts of interests, members will not normally consider applications relating to premises located in their ward.

45.4 No member will be permitted to sit on a committee or Sub-Committee without first having been formally trained. All training will be formally recorded by the Council and require a signature by the councillor. Training will be refreshed at regular intervals, for example, following changes in legislation.

45.5 The procedure to be followed at the hearing is set out in Section 2.14 of the Council's Code of Conduct and Procedure in Licensing Matters. Hearings will normally be held in person. Virtual hearings will normally only be considered in truly exceptional circumstance (e.g. a pandemic).

46. Determination of variations of licence

46.1 When considering an application for the variation of a licence, the Authority will consider the impact of the variation in terms of the policies in this document and the four licensing objectives. It will not use such an application as a means to review the licence terms and conditions already granted.

47. Approach to setting conditions

47.1 When deciding to grant or vary a premises licence under the Licensing Act 2003, the Licensing Authority may do so subject to conditions which it considers are appropriate in promoting the licensing objectives.

47.2 Conditions should be individual to a premise and tailored to meet the individual merits of an application, area and other contextual factors. Standardised conditions often do not reflect the individual aspects of applications and should be avoided. The Council has published on its website a Pool of Model Conditions to assist with the drafting of unambiguous and enforceable conditions to address properly evidenced licensing objective concerns, before considering whether to refuse an application.

47.3 The Licensing Authority shall avoid attaching conditions that duplicate other regulatory regimes as far as possible. It is not intended to duplicate existing legislation and regulatory regimes that already place obligations on employers and operators e.g. The Health & Safety (First Aid) Regulations 1981 and the Regulatory Reform (Fire Safety) Order 2005.

48. Approach to licensing hours

48.1 The Act does not promote or prohibit longer licensing hours. However, the Licensing Authority recognises that the Guidance emphasises that the aim through the promotion of the four licensing objectives should be to reduce the potential for concentrations, and a slower dispersal, of people from licensed premises through flexible opening times. This may be important to ensure that large concentrations of people do not leave premises at the same time and it may reduce the friction at late night hot food outlets, taxi ranks (hackney carriage stands), taxi or private hire operator's offices and other sources of transport that can lead to disorder and disturbance.

48.2 The Licensing Authority will not set fixed opening hours within certain areas, as this may lead at particular times to the movement of significant numbers of people seeking premises opening later, resulting in concentrations of disturbance and noise.

48.3 The Licensing Authority may consider imposing stricter conditions in respect of noise control where premises are situated in areas of dense residential accommodation and/or are close to sensitive areas, for example hospitals, schools, places of worship or nursing homes. However, regard will be given to the individual merits of any application, and the Licensing Authority would only have discretion to consider restricting licence hours where a relevant

representation is received in respect of an application, and then only where considered appropriate for the promotion of the four licensing objectives.

Part F Ensuring effective control of licensed premises

49. Complaints

49.1 The Licensing Authority will investigate complaints relevant to the four licensing objectives in relation to licensed premises. In the first instance, complainants will be encouraged to raise the complaint directly with the licensee or business concerned.

50. Enforcement

50.1 The Licensing Authority will carry out its enforcement powers under the Act in a transparent and proportionate way, and consistent with its responsibilities under the Regulator's Code, and its own enforcement policies. The Licensing Authority takes a risk-based approach, pursuant to which, those premises considered lower risk, will be likely to be inspected less frequently than those considered to be higher risk. Epsom & Ewell Borough Council publishes and updates from time to time an Environmental Health & Licensing Enforcement Policy that sets out in detail the approach taken with respect to enforcement under environmental health and licensing legislation. That enforcement policy can be viewed on the Epsom & Ewell Borough Council's website.

50.2 The Licensing Authority recognises Surrey Police as the primary agent for enforcement under the Licensing Act 2003, save for enforcement of provisions in respect of the sales of alcohol to children for which the Licensing Authority recognises Buckinghamshire & Surrey Trading Standards as the primary agent for enforcement. Surrey Fire and Rescue are primarily responsible for the enforcement of fire risk legislation in licensed premises and will usually take the lead on such matters, although the Licensing Authority will seek to work in cooperation with them where the matter concerns licensed premises.

50.3 Depending on the severity of an offence, the Licensing Authority will usually look to lead on enforcement under s.136 of the Act (unauthorised licensable activities). In such cases the Licensing Authority may seek the support of Surrey Police.

50.4 Nothing in the paragraphs above prevents any Responsible or other authority from taking enforcement action, where they are empowered to do so and where circumstances justify.

50.5 The Licensing Authority has established protocols with Surrey Police on the enforcement of the Act, including regular discussions and information-sharing concerning applications and notices received and complaints arising from licensed premises. This approach assists with the efficient deployment of the Police and Licensing Officers engaged in enforcing licensing law and inspecting licensed premises where required, in order to ensure a proportionate approach.

50.6 The Licensing Authority takes a serious view of the sale and supply of alcohol to those under age. It will share information and assist Surrey Police and Trading Standards in order to ensure a zero-tolerance approach to such sales.

51. Reviews

51.1 Reviews of premises licences represent a key protection for the community where problems associated with the licensing objectives are occurring. If an application is made, the Council is required to ensure the application is not repetitious, frivolous or vexatious before asking a Licensing Sub-Committee to determine the application.

51.2 In order that an application for review can achieve its intended aims it should be accompanied by evidence to support the allegations. The determination of the review will be made on the balance of probabilities, that is, that it is more likely than not that the circumstances being complained of did actually occur. However, due to the potentially serious consequences to a licence holder following a licence review, mere anecdotal or hearsay evidence will not be sufficient on its own. Individuals considering making an application for review are strongly encouraged to liaise with the relevant responsible authority who can advise on how evidence may be gathered to support an application.

51.3 It is important to recognise that the promotion of the licensing objectives relies heavily on a partnership between licence holders, authorised persons, local residents or businesses and responsible authorities in pursuit of common aims. It is therefore equally important that reviews are not used to drive a wedge between these groups in a way that would undermine the benefits of co-operation. Responsible authorities are encouraged to give an early warning of concerns about problems identified at the premises concerned and of the need for improvement, although it is recognised this is not always practicable or desirable. It is expected that a failure to respond to such warnings would lead to a decision to request a review.

51.4 Generally the Licensing Authority expects each Responsible Authority under the Act to be the primary agent for making representations and/or bringing a review where premises fail to promote the licensing objective for which that Authority is primarily responsible. In exceptional circumstance the Licensing Authority will consider supporting any representations made or reviews brought in its capacity as a Responsible Authority (see para 16.2).

51.5 Full details of the review process can be provided by contacting a Licensing Officer or they may be found in Chapter 11 of the Guidance issued under section 182 of the Act.

52. Self-regulation

52.1 The Licensing Authority recognises the merit of the PubWatch scheme and the contribution it makes to the promotion of the licensing objectives. The Licensing Authority would encourage licensed premises to join the scheme if it operates in their area.

52.2 The Council also recognises and commends the Portman Group's Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. Compliance with the Code will contribute to the achievement of the licensing objectives and all suppliers of alcohol within the Borough are encouraged to comply with the Code.

53. Personal Licence holders

53.1 Personal Licences allow the holder to supply, or authorise the supply of alcohol in accordance with a premises licence. Anyone wishing to be named as a designated premises supervisor must hold a personal licence. There is a prescribed form for applying for a personal licence which can be found on the Council's website.

53.2 Where an applicant for a Personal Licence has certain types of conviction (for relevant or foreign offences as defined by the Act) or has been required to pay an immigration penalty, the Authority is obliged to notify the police and, in the case of immigration offences and penalties, the Secretary of State. In these cases a licence will still be granted unless an objection is received within the prescribed period.

53.3 Where objection notices are received they will be considered at a hearing of the Licensing Sub-Committee.

53.4 Existing Personal Licence holders are under a duty to notify the Authority if they are convicted for a relevant offence, foreign offence or if they are required to pay an immigration penalty and a failure to do so is also a criminal offence. The courts are also obliged to inform the ~~licensing authority~~Licensing Authority of any such conviction. The licensing authority has the power to revoke or suspend personal licences under these circumstance. Whilst this is a discretionary power, this licensing authorities will give consideration to revocation or suspension of all personal licence's where the holder is subject to convictions for relevant offences, foreign offences or civil penalties for immigration matters. Officers will serve a notice on the personal licence holder inviting them to make representations, in accordance with the timescales set out in the legislation, and will then refer the matter for the consideration of the licensing sub-committee for determination. The Act does not require a hearing to be held at any stage during this process.

53.5 The Authority has a duty when exercising its licensing functions to promote the prevention of crime and/or disorder and the other licensing objectives. Unless the circumstances are exceptional granting a licence to an individual with a relevant conviction when an objection has been received, would undermine the Authority's ability to promote the crime prevention objective. Personal Licence holders are expected to act in accordance with the law and will be key to ensuring that the provisions of the Act, and any conditions attached to a premises licence, are complied with. The Authority also has a duty under the Crime and Disorder Act 1998 to have regard to the effect on crime and disorder on the exercise of any of its functions and to do all it can to prevent such crime and disorder. Under this duty it would normally be expected that a Personal Licence would be revoked by the Authority when the individual is subject to convictions for relevant offences, foreign offences or civil penalties for immigration matters.

53.6 Where a Personal Licence holder authorises others to make sales of alcohol, the Licensing Authority recommends (although this is not required by the Act) that such authorisations are made in writing and specify the names of those to whom the authority is given; and up-to-date records are kept of any authorisations so made. This is because the Personal Licence holder will remain responsible for any sales made in this way.

54. Designated Premises Supervisors

54.1 The Authority strongly believes in the value of working in partnership with the police, other agencies and designated premises supervisors to promote the licensing objectives that may be associated with premises licensed for the sale of alcohol.

54.2 Designated premises supervisors (and the holders of premises licences or club premises certificates) for any other premises may be invited to a meeting where the police or ~~licensing authority~~Licensing Authority feel it is appropriate – for example, where there has been a prior history of the premises being run badly, or following a licence review or enforcement action.

54.3 The Authority does not expect the premises supervisor to be physically present at the premises at all times when it is open. However, they remain responsible for any sales that may be made, and it is expected the premises supervisor to be able to exercise sufficient management control over the premises and for the responsible authorities to be able to contact them easily in the event of problems at the premises.

55. Fees

55.1 It is the responsibility of the licence holder to pay the annual fee by the due date. Whilst the Licensing Authority may send an invoice for the annual fee, it is not obliged to do so. If for any reason a prompt for payment is not received

by the licence holder they should contact the Licensing Authority so that arrangements for payment can be made.

55.2 Where an annual fee for a licence or certificate has become due but has not been paid, the Licensing Authority will suspend the licence until that fee is paid, unless the non-payment is due to an administrative error, or where liability to pay is in dispute and that dispute has been raised in writing with the Council prior to the fee falling due. The Licensing Authority will normally only provide the statutory minimum notice period before a suspension takes effect. The suspension will cease to be in place when the payment is received.

If you would like the Statement of Policy for the Licensing Act 2003 in large print, Braille, audiotape or in another language, please contact the Licensing Team.

Licensing
Epsom & Ewell Borough Council (EEBC)
The Old Town Hall,
The Parade,
Epsom
KT18 5BY

Phone: 01372 732000
Email: licensing@epsom-ewell.gov.uk

Appendix 1 Consultation

In determining this policy the Licensing Authority ~~has undertaken~~undertook a twelve-week consultation from Monday 27 October 2025 until Sunday 18 January 2026. with members of the public, community stakeholders, specific groups and individuals as listed in section 5(3) of the Licensing Act 2003. These are;

- the Cchief Oofficer of Ppolice for the Llicensing Aauthority's area,
- the Ffire and Rrescue Aauthority for that area,
- the Local Health Board for an area any part of which is in the Llicensing Aauthority's area,
- each local authority in England whose public health functions within the meaning of the National Health Service Act 2006 are exercisable in respect of an area any part of which is in the ~~licensing authority~~Licensing Authority's area
- Persons/ bodies representative of local premises licence holders
- Persons/ bodies representative of local club premises certificate holders
- Persons/ bodies representative of local personal licence holders
- Persons/ bodies representative of businesses and residents in its area

In addition the Licensing Authority has consulted with;-

- Buckinghamshire & Surrey Trading Standards,
- Surrey Safeguarding Children Board,
- Epsom & Ewell Borough Council's Environmental Health
- Epsom & Ewell Borough's Planning Department.
- Surrey District and Borough Licensing Authorities
- Epsom Business Improvement District ('Go Epsom')
- Borough Councillors

The results of the consultation are summarised below:

- Comment ID: **5**

'Due to years of bad Government and bad council decisions, businesses are on their knees. We must save the businesses that we have and we must be as supportive as possible for new businesses and innovations of business. The council need to be as liberal and as accomodating as possible on the issue of alcohol and entertainment. Restrictions should be relaxed, not tightened. Taxes lowered, not increased. And red tape should be thinned out. As a council, you have done a terrible job on almost ever'

- Comment ID: **1**

'It is pleasing to see the [special stress] area [policy] expanded to include under the rail bridge, as that area likewise requires additional attention when licensing premises (particularly given the availability of premises beyond the bridge).'

- Comment ID: **2**

'This is a good way to monitor licences that were granted to ensure all necessary conditions are met.'

- Comment ID: **3**

'I believe there should be some modules taught in School to guide children away from certain behaviours that are caused by other people on streets.'

- Comment ID: **4**

'This is very important that is gets monitored due to rise in online delivery and fake online profiles with delivery drivers.'

- Response from Surrey Police Licensing Officer

'Surrey Police support the idea to introduce the SSA in Epsom town centre, we agree with the area identified and believe it will help upkeep the hard work of current government initiatives being used by Police. It will also uphold the work of Town JAGs in the prevention of crime and disorder and the safety work around VAWG.

We do however wish to address that there is no enforcement of the SSA. Any new application is to only consider addressing the concerns around the licensing objectives and not specifically address them. This leaves the policy around SSI rather ambiguous about the applicant addressing the concerns. Police will likely object to most applications where the risk is higher in the SSA. Therefore, more need to go to Subcommittee hearings where the policy could rule these concerns out upfront and foremost.

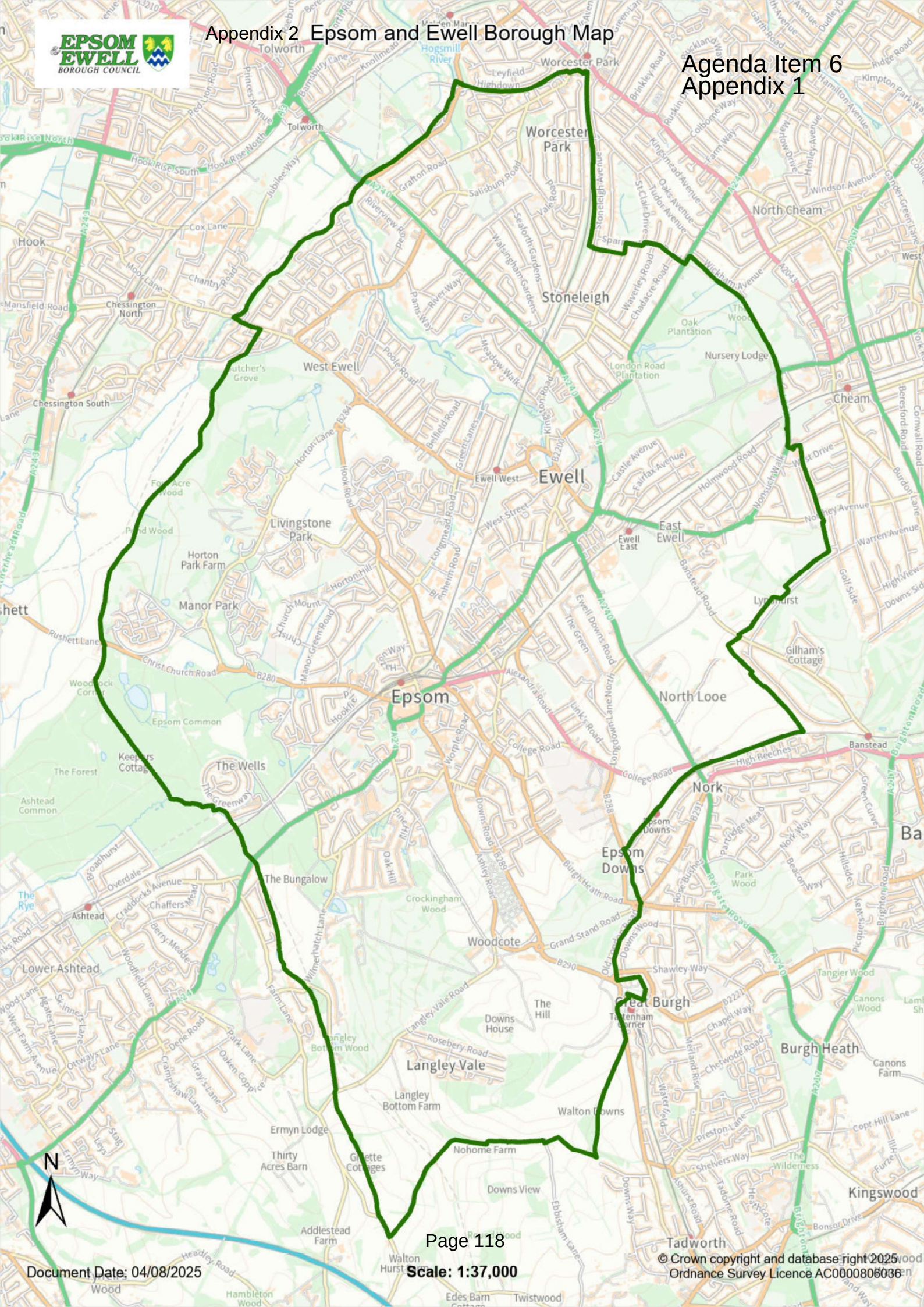
Whilst each application is based on its own merits there are concerns in the NTE that the policy needs to address. We understand that one LNR licence for a Kebab shop will be different to a LNR restaurant but there needs to be enforceable adjustments to each within the policy.

Could conditions be included within the policy out lining a minimum requirement not just a minimum consideration?'

NB: Add police comment and explain amendments and additions made in light of this

Appendix 2 Epsom and Ewell Borough Map

Agenda Item 6
Appendix 1



Document Date: 04/08/2025

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Epsom Hotspots

Anti-Social Behaviour and Serious Violence, 2024/25 and 2025/26

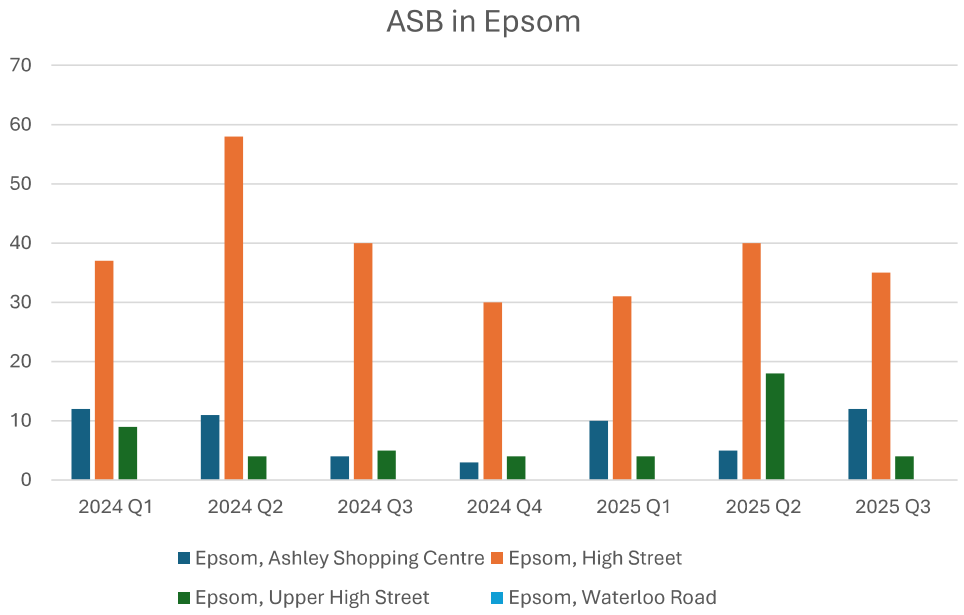
Please note that data is taken from analysis undertaken for the hotspot policing programme, as well as bespoke analysis for ancillary areas on request. Geographical data accuracy is reliant on technology which may not always perform with 100% accuracy and, as such, small volumes of data may be missing.

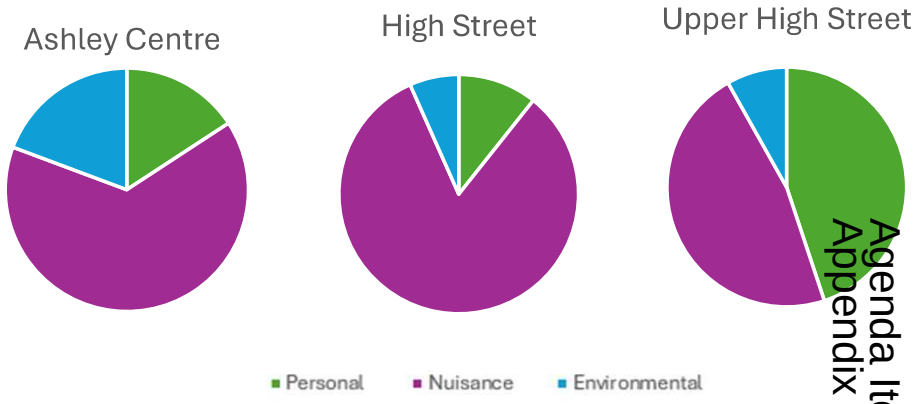
ASB

The majority of ASB incidents within Epsom town centre continues to be within the High Street hotspot.

The overall pattern of ASB in Epsom follows the force-wide trend whereby the highest number of incidents takes place within Q2 both years.

Of the three types of ASB – Nuisance, Personal and Environmental – Nuisance ASB is by far the most prevalent within the Epsom area. The proportions of these three incidents incidents fall in line with those across all Surrey hotspots, except in Epsom Upper High Street. This area has a far higher proportion of Personal ASB incidents than average.





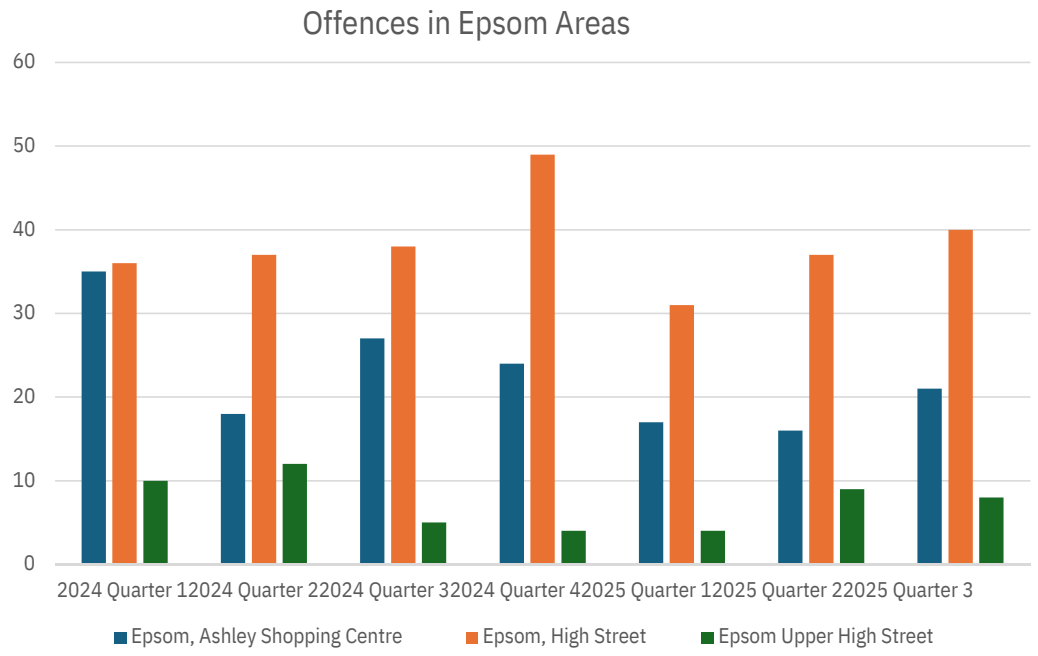
Serious Violence

Thelevels of serious violenceincidents* in the relevant Epsom areas have remained broadly consistent through 2024/25 and 2025/26.

In addition, there is a mild downward trend in incidents in the Ashley Shopping Centre hotspot, from the peak of 35 incidents (0.39/day) in Q1 2024.

Data from the most recent quarter (Oct-Dec 2025) suggests that 70% of all incidents occur between 6pm and 4am.

A quarter of all incidents between 1 October and 31 December 2025 were flagged as having some relation to a licenced premises. In the Ashley Centre hotspot, 14 of the 21 incidents had this flag. Further research would be required to determine whether this pattern is repeated over the full time period.



*Crimes within this category measured for evaluation include assault with and without injury, robbery, threats to kill, weapons offences and sexual offences. For a full list please contact the analyst.

Hotspot re-evaluation

"Please advise whether analysis of the updated data indicates that the areas previously identified as hotspots within Epsom (High Street and Ashley Centre) continue to have significantly higher levels of ASB and violent crime, or whether these areas have significantly reduced or increased in area, using the same criteria as applied when identify the Epsom hotspots for Operation Chariot. If it is no possible to apply the same criteria as for Operation Chariot, please provide data using as similar methods as possible, and if possible identify any known differences in criteria used."

The geographic boundaries of the two Epsom hotspots have not changed, as refreshed density analysis shows that these locations have significantly higher numbers of incidents than the surrounding areas. The levels of incidents within these hotspots continues to meet the overall criteria for inclusion in the Op Chariot programme.

In terms of evaluating crime levels within these areas, it is not possible to look at reduction alone when conducting a re-evaluation. This is because increased patrolling in an area can lead to an increase in the number of incidents recorded, due to:

- Increased detection
- Increased reporting by members of the public
- Increased incidents of assault on officers, which is recorded as part of the serious violence category

In the past two years Epsom has benefitted from a number of initiatives, including Op Chariot and the Safe Streets programmes, which will likely have contributed to the above.

Over the most recent reporting periods, 2024/25 and 2025/26, Epsom hotspots have performed similarly to other hotspots within Surrey.

Review of Alcohol Related Hospital Admissions and 999 Call-Outs

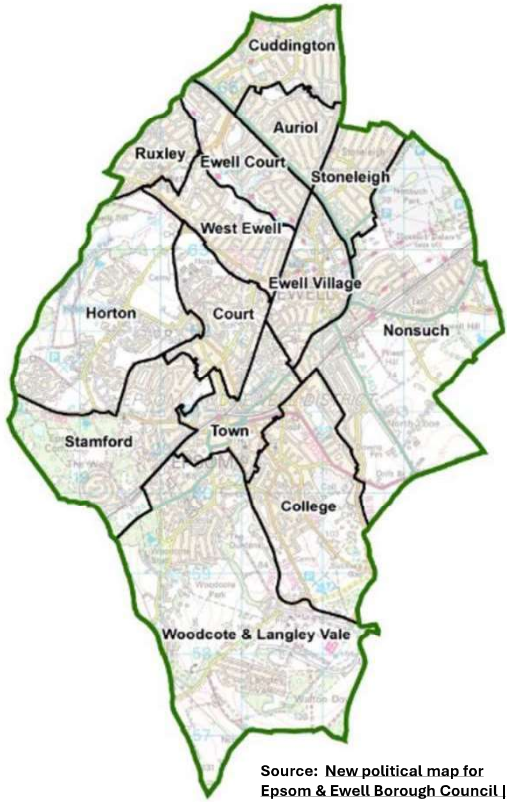
Focus Area: Epsom and Ewell

September 2024

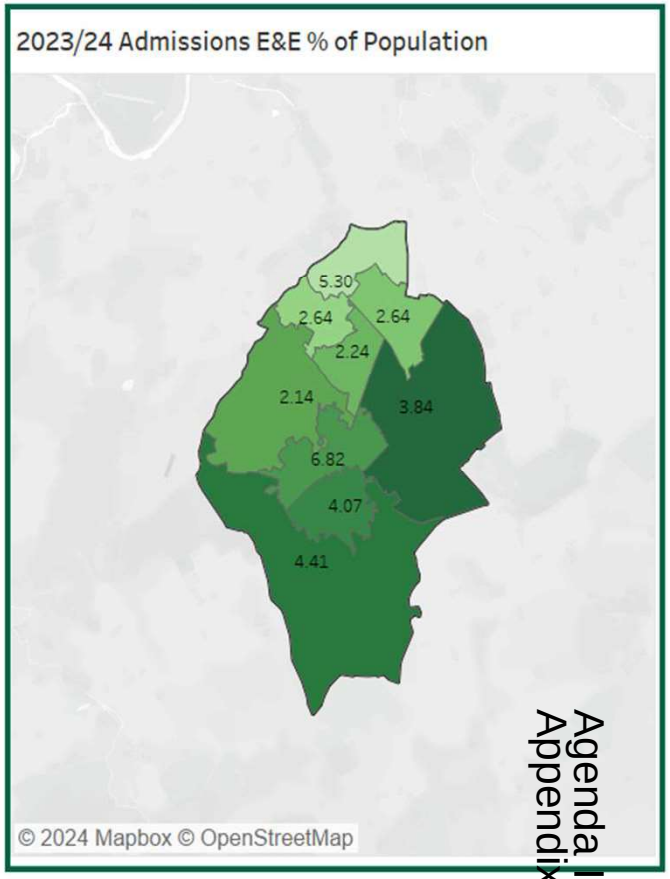
Key Points for Epsom and Ewell

- The alcohol related 999 call-outs provided low numbers with Epsom and Ewell accounting for 15% of the total for Surrey.
- The 999 call-outs for Epsom and Ewell are mainly for the 51-70 years old age band whereas the admissions span over those aged 51-90 years old.
- The hospital alcohol related admissions data provided was based on the narrow measure – this is where the primary diagnosis is an alcohol related condition. Epsom and Ewell represented 6% of the total for Surrey.
- Two hotspots for serious violence for Epsom and Ewell have been identified within the Town area.
- Epsom North and Epsom Town have the highest percentage per population for alcohol related admissions. This correlates with the serious violence hotspot areas and town centre licensing areas within Epsom and Ewell.

Epsom and Ewell Map



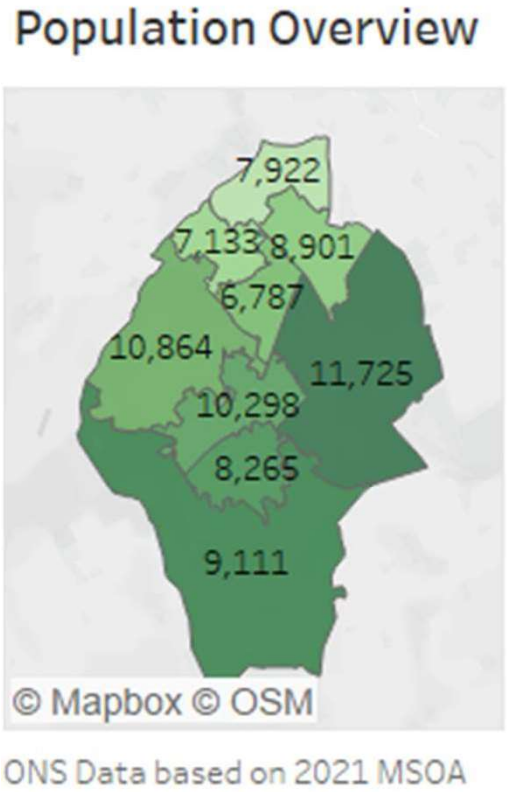
Source: New political map for Epsom & Ewell Borough Council | Epsom and Ewell Borough Council (epsom-ewell.gov.uk)



Key Points for Epsom and Ewell

- Epsom North saw an increase in hospital admissions during 2023/24 compared to previous years. Against the average for previous years there were 185 more admissions, and they were higher than the average for Males.
- Epsom Town saw a decrease against the average on previous years, with 100 fewer admissions.
- Ruxley Lane and Horton & Manor Park saw lower admissions compared to the average from previous years.
- The gender split for admissions and 999 calls was higher for males. 999 call-outs were 85% compared to 3% females (39/825 are unknown). The differences in hospital admissions wasn't as big with 58% male compared to 41% female (96/20,537 unknown).

Epsom and Ewell Map



ONS Data based on 2021 MSOA

Table to show latest full year of data – 2023/2024 - against averages from the periods 2018 to 2022

Epsom & Ewell Areas	All		Female		Male	
	April 23 - March 24	Average for Years April 18 - March 23	April 23 - March 24	Average for Years April 18 - March 23	April 23 - March 24	Average for Years April 18 - March 23
Worcester Park West	420	398	175	157	245	240
Ruxley Lane	188	273	64	116	124	157
Stoneleigh & Auriol	235	290	55	123	180	165
West Ewell	152	185	56	80	96	105
Horton & Manor Park	232	315	116	114	116	202
Epsom North	702	517	216	221	486	350
Epsom Town	336	436	128	142	208	294
Epsom Downs & Common	402	347	150	162	252	184
Ewell East	450	512	192	258	258	254
Total	3117	3236	1152	1372	1965	1861

Summary of Alcohol Hospital Admissions and 999 Calls - Focus on Epsom and Ewell

Overview for Surrey

Admissions	340,670
SECAMB	5,615

Overview for Epsom & Ewell

Admissions	6% of All Surrey	20,537
SECAMB	15% of All Surrey	825

Objective

Provide an overview and assessment of alcohol related ambulance call-outs and hospital admissions within the Epsom and Ewell boundaries to inform a Cumulative Impact Assessment (CIA) around the licensing of alcohol premises in this area.

Datasets

- Data has been provided from Surrey Heartlands on 999 Ambulance calls and Hospital Admissions for Surrey. The 999 calls cover the years 2019 to August 2024 and the Admissions from 2018 to August 2024. Only full years have been included in this summary and the hospital data is based on the the narrow measures in order to identify any major issues linked to alcohol.
- Population figures are based on the 2021 ONS dataset.
- Note no information was received for MSOA 006 for either dataset.

Highlights

Age related admissions data is comparable with the rest of Surrey, with slightly less 41-50 year olds presenting at hospital. Ambulance 999 calls were higher for the 51-70 year old ages (70% compared to 30%), whilst 31-50 year olds were lower (9% compared to 27% for the whole of Surrey).

There were no 999 call outs for under 21 year olds in Epsom and Ewell. 8% of the total Surrey hospital admissions for under 21 year olds were from Epsom and Ewell.

Males account for 58% of the total admissions for Surrey, which is the same for Epsom and Ewell for Admissions. The 999 calls dealt with 25% of males in Surrey, which was less than the 51% for Epsom and Ewell. Women ambulance call outs only accounted for 3% in Epson and Ewell, with admissions being at 41% for females.

The gender was not provided in 19 of the hospital admissions and 96 of the 999 call outs.

Hospital admissions in Epsom and Ewell have remained around 5% of the total for Surrey since 2020. The previous two years were around 7%. In 2019/20 saw a slight increase for Epsom and Ewell admissions (19%), other years were between 4% and 16%.

Ambulance call outs saw a decline in Epsom and Ewell between 2021/22 to 2022/23 with rates at 4% and 5%. It went up to 26% in 2023/24. The highest remained in 2019/20 with 45%.

Summary of Alcohol Hospital Admissions and 999 Calls – Focus on Epsom and Ewell

- This data shows all the combined years from 2018 to August 2024.
- Epsom Town saw the highest numbers for both admissions and 999 call-outs.
- The age ranges from 41 onwards had the higher number of alcohol related admissions.
- Ewell East had a very large number of admissions for 81-90 year olds.
- 999 call-outs were the highest for 51-70 year old range.

Admissions and 999 Call-Outs by Area and Age Range

Age Ranges	Admissions	SECAMB
0-4	25	0
5-12	20	0
13-15	119	0
16-17	131	0
18-20	253	0
21-30	896	12
31-40	1084	0
41-50	1527	74
51-60	3292	374
61-70	3536	752
71-80	3668	61
81-90	4291	0
90+	1695	0
Unknown	0	96
Total	20537	825

999 Call-Outs							
	Age Ranges						
Epsom & Ewell Areas	21-30	41-50	51-60	61-70	71-80	Unknown	Total
Worcester Park West					25		25
Ruxley Lane						4	4
Stoneleigh & Auriol						10	10
West Ewell						12	12
Horton & Manor Park			4			4	8
Epsom North					36	18	54
Epsom Town		32	364	196		36	628
Epsom Downs & Common	12						12
Ewell East		42	6	12		12	72
Total	12	74	374	208	61	96	825

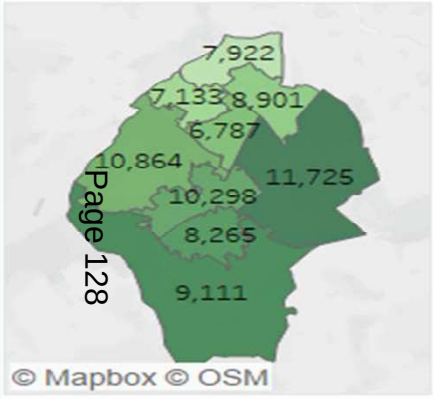
Hospital Admissions														
	Age Ranges													
Epsom & Ewell Areas	0-4	5-12	13-15	16-17	18-20	21-30	31-40	41-50	51-60	61-70	71-80	81-90	90+	Total
Worcester Park West	5		10		5	110	70	155	530	440	515	550	150	2540
Ruxley Lane	12		4		8	128	252	148	376	332	172	168	56	1656
Stoneleigh & Auriol			15	15	40	80	60	110	190	280	365	495	135	1785
West Ewell			12	4	24	44	60	116	196	96	232	256	88	1128
Horton & Manor Park	8		12	12	16	84	140	196	464	436	272	200	100	1940
Epsom North			30	30	90	162	156	282	702	624	798	612	24	3780
Epsom Town		8	12	16	28	72	160	232	288	308	324	528	8	2248
Epsom Downs & Common		12	12	48	30	90	78	96	210	498	402	558	18	2232
Ewell East			12	6	12	126	108	192	336	522	588	924	4	3228
Total	25	20	119	131	253	896	1084	1527	3292	3536	3668	4291	165	20537

Summary of Alcohol Hospital Admissions and 999 Calls - Focus on Epsom and Ewell

Overview where alcohol has been deemed to be a contributory factor

Overview for Epsom and Ewell

Population Overview

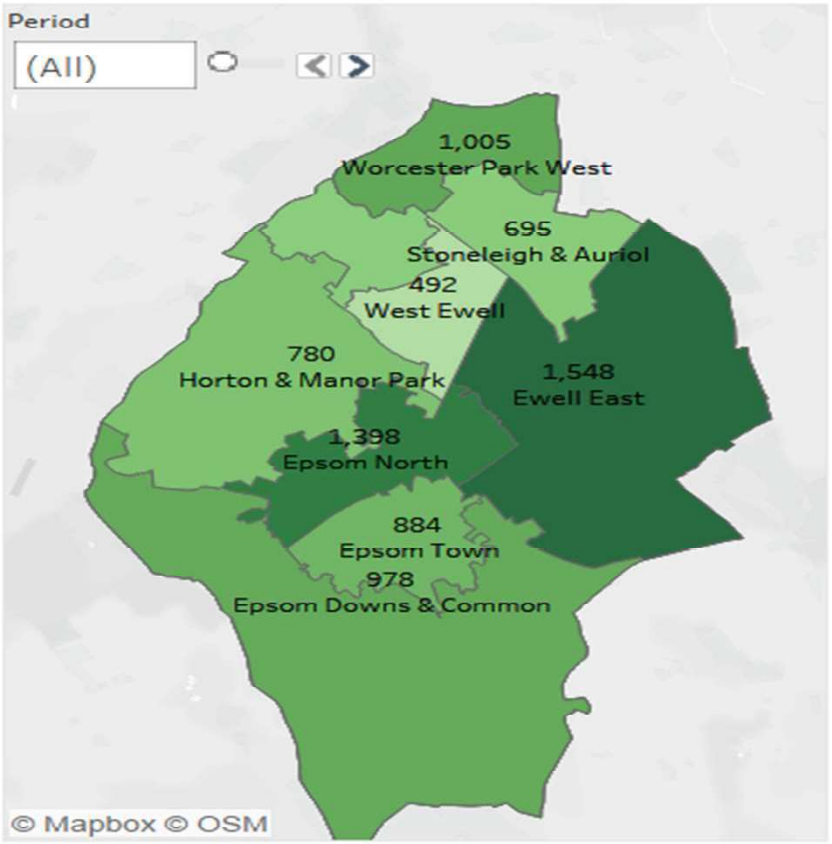


ONS Data based on 2021 MSOA

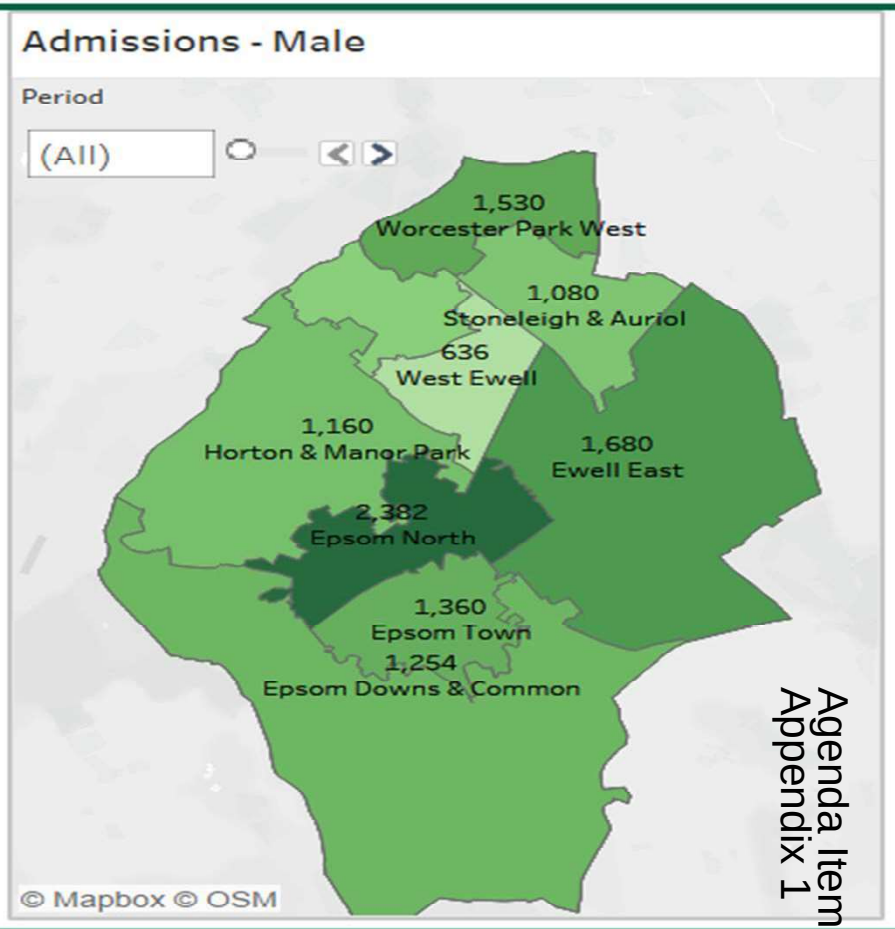
Year Comparison against Average

Epsom & Ewell Areas	All		Female		Male	
	April 23 - March 24	Average for Years April 18 - March 23	April 23 - March 24	Average for Years April 18 - March 23	April 23 - March 24	Average for Years April 18 - March 23
Worcester Park West	420	398	175	157	245	240
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Epsom Downs & Common	402	347	150	162	252	184
Ewell East	450	512	192	258	258	254
Total	3117	3236	1152	1372	1965	1861

Admissions - Female



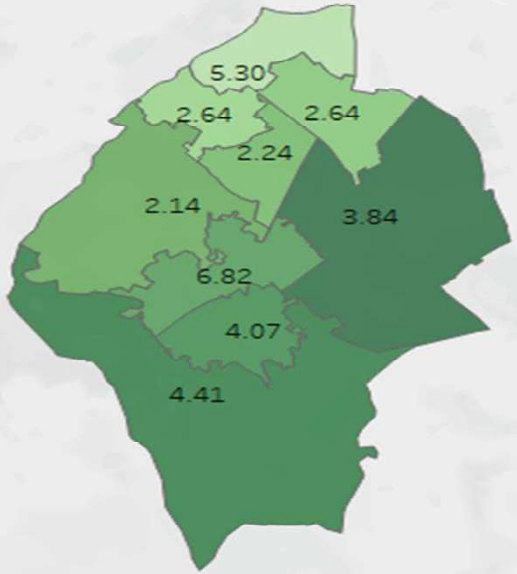
Admissions - Male



Summary of Alcohol Hospital Admissions and 999 Calls - Focus on Epsom and Ewell

Percentage of Alcohol Related Admissions and Call-Outs by Population

2023/24 Admissions E&E % of Population



2021 ONS Data against the latest full year dataset.

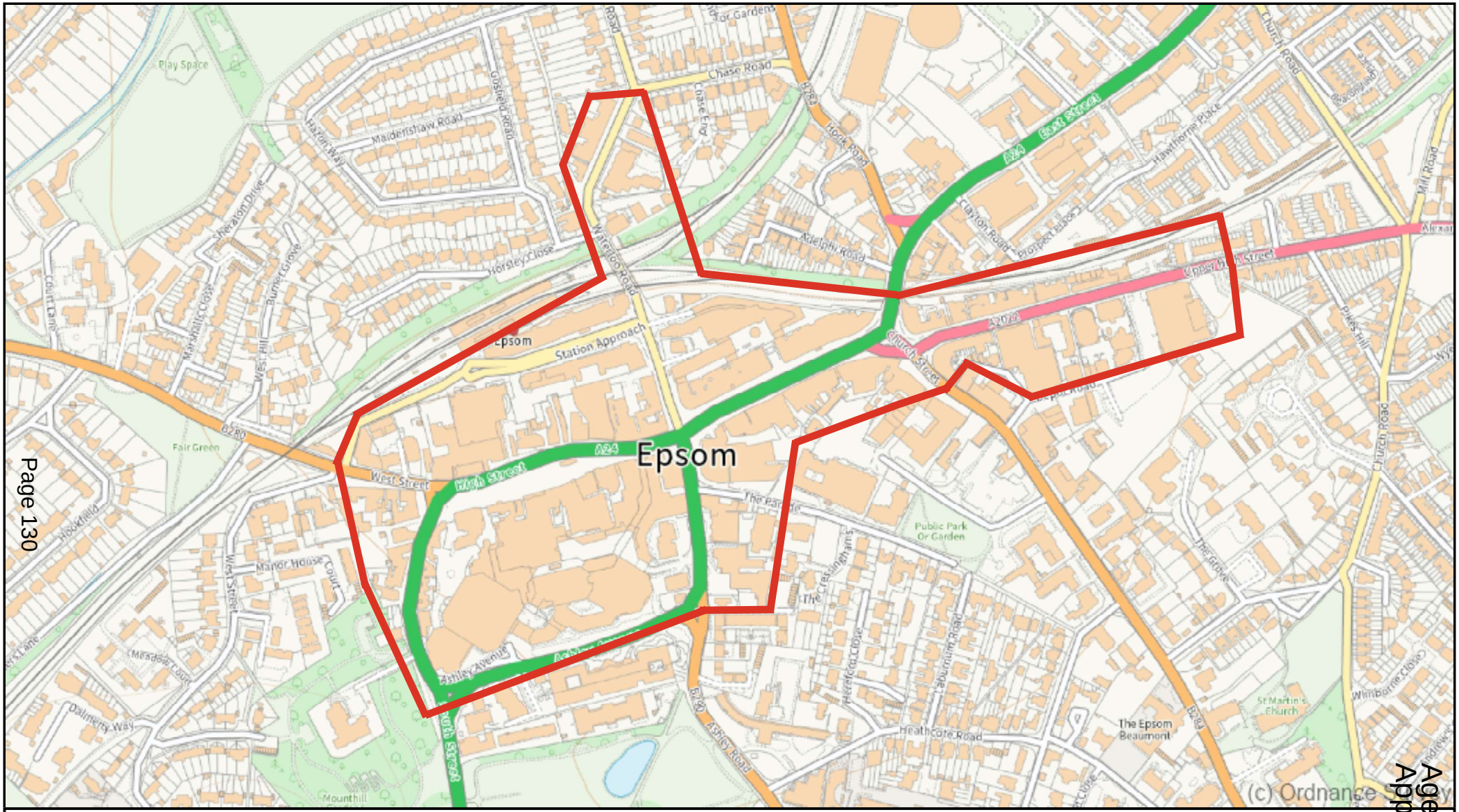
© 2024 Mapbox © OpenStreetMap

2023/24 SECAMB E&E % of Population



2021 ONS Data against the latest full year dataset.

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(c) Ordnance Survey

Enter map title

Appendix 5 Special Stress Area map

N Scale: 1:4961

Printed on: 2025-10-03 15:47:29 by hollidp1@epsom-ewell.gov.uk

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Appendix 6 – Licensing Best Practice Measures for consideration within the Special Stress area

Matters that would normally be expected in operating schedules:

- the adoption of a Challenge 25 age verification policy with acceptable proof of ID
- all off sales to be made in sealed containers for consumption away from the premises
- a smoking policy which includes an assessment of noise and litter created by premises users
- the use of plastic or polycarbonate drinking vessels and containers, especially in outside areas or after specified hours
- a policy in relation to searching customers and for drugs, weapons, seized or lost and found property
- use of a refusals book for registering attempts to buy alcohol by under-age persons or refusals to those intoxicated
- the installation of a digital CCTV system by liaison with, and to a standard approved by, Surrey Police
- policies for dispersal of customers considering the potential effect of the premises on dispersal arrangements from other licensed premises or the cumulative impact in the area. This may include signage regarding taxi services' telephone numbers and advice to respect neighbours and minimize noise.
- Incident and refusals log books
- 'Ask for Angela' training for all staff

Items to which positive consideration would be given:

- membership of Pubwatch, or similar scheme
- regular training and reminders for staff in respect of licensing legislation, policies and procedures; records of which should be properly recorded and available for inspection
- records of regular checks of all parts of the premises in relation to drug use
- systems in place to ensure details of barred clients are exchanged with other operators
- giving an agreed minimum notice of special events (screening of major sports events, birthday parties, adult entertainment, etc.) to relevant authorities and use of appropriate additional measures at such events

Recommend best practice for both on and off premises

- Staff must be aware of the risk of the problem of proxy sales and offer assistance to responsible authorities to deter offences
- Signage on premises should set out legal duties
- Voluntary restriction of high strength alcohol – operating schedules may be used to limit high ABV beers and ciders
- Staff training – in addition to personal licence holders training, staff must be adequately trained for duties
- Signage to deter proxy sales

TABLE OF DELEGATIONS OF LICENSING FUNCTIONS

MATTER TO BE DEALT WITH	FULL COMMITTEE	SUB-COMMITTEE	OFFICERS
Application for personal licence		If a representation made	If no representation made
Application for personal licence, with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a representation made	If no representation made
Application for provisional statement		If a representation made	If no representation made
Application to vary premises licence/club premises certificate		If a representation made	If no representation made
Application to vary designated premises supervisor		If a Police representation	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a Police representation	All other cases
Application for Interim Authorities		If a Police representation	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious, repetitious, in the vicinity etc			All cases
Decision to object when local authority is a consultee and not the relevant Authority considering the application		All cases	
Determination of a Police representation to a temporary event notices		All cases	
Issue Counter Notices where the limitations relating to temporary event notices are exceeded.			All cases
Consider and determine applications for minor variations			All cases

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Paul Holliday

From: Billin, Jenny 16229 <Jenny.Billin@surrey.police.uk>
Sent: 24 February 2026 11:15
To: Paul Holliday
Subject: RE: [Caution External] FW: FOI Request ASB and violent crime hotspots in Epsom 006354/25

Caution: This is an external email and could contain malicious content. Do not open any link or attachments if you were not expecting them. If the e-mail looks suspicious, please report this via the 'Report Phishing' button found within Outlook.

Good Morning Paul,

Thank you for the revised Policy and giving Police the chance to read the amendments. I can confirm that the wording chosen fulfils the concerns Police had around the enforcement of SSA. By using “will require” gives a definitive objective the applicants must do. We felt “will expect” was too vague and gave the applicant the opportunity to bypass these recommendations. This is what we were referring to regards to enforcing the SSA. How it was worded in the first revision we felt it was not being addressed in a manner of importance and almost felt like the SSA was a secondary thought for applicants. Police and EEBC Licensing Department already do conduct joint enforcement visits to licensed premises in the Borough. This was not what we were referring to regarding enforcement of SSA.

We understand that conditions cannot be put in as mandatory local ones without a Cumulative Impact Zone Policy, this is something Police may investigate this avenue in the future. As always Licensing is a stepped approach to things and believe for the moment, Epsom will benefit from a SSA over a CIZP. Police will always be the main source for information regarding crime & disorder within EEB. This will show through any enforcement visits, application objections and general work to provide a safer neighbourhood.

Police are happy with all the amendments and additions made to the Policy since initial consultation and support the work being done by yourself and others.

Regards,

16229 Jenny Billin
Police Alcohol Licensing Officer (PALO)
Eastern Division
Surrey Police, PO Box 101, Guildford, GU1 9PE
Alternative Email: licensingeastern@surrey.police.uk
Tel: 01483 638476 / 07967986441
CLASSIFICATION - OFFICAL

LGBTQ+ Liaison Officer

Website: surrey.police.uk

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APPROVAL OF STATEMENT OF PRINCIPLES UNDER THE GAMBLING ACT 2005

Head of Service:	Rod Brown, Head of Housing & Community
Report Author	Paul Holliday
Wards affected:	(All Wards);
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	
Appendices (attached):	Appendix 1 Updated Statement of Principles

Summary

A public consultation has been completed on a draft revised Gambling Act 2005 Statement of Principles, and the Committee are asked to consider the responses and approve a revised policy which can be recommended for adoption by Full Council.

Recommendation (s)

The Committee is asked to:

(1) Consider the responses to the public consultation,

(2) Agree the amendments to the draft Gambling Act 2003 Statement of Principles

(3) Recommend Council adopt the updated Statement of Principles

1 Reason for Recommendation

1.1 The current Statement of Licensing Principles has passed its renewal date and must be reviewed, and a revised draft is required to be consulted on prior to adoption for a further 3-year period. This is a statutory requirement, and as such there is no alternative option.

2 Background

2.1 The Council is the licensing authority (LA) for certain prescribed gambling activities in the Borough, which covers licensing gambling premises; considering temporary use notices for gambling at premises; granting permits for gaming and gaming machine in clubs and premises licensed for the supply of alcohol; granting permits to family entertainment centres for the use of certain lower stake gaming machines; granting permits for prize gaming; considering occasional use notices for betting at tracks and registering small lotteries that fall below certain limits. Currently in the Borough there are seven licensed betting shops and 42 small society lottery registrations. Other non-premises-based gambling is regulated by the Gambling Commission (the Commission).

2.2 There are three licensing objectives under the Gambling Act 2005 (the Act) which guide the way that the Commission and LAs perform their functions and the way that gambling businesses carry on their activities. These 3 objectives are:

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime
- ensuring that gambling is conducted in a fair and open way
- protecting children and other vulnerable persons from being harmed or exploited by gambling

3 Consultation

3.1 On 23 September 2025 the Licensing and Planning Policy Committee approved officers to consult on a draft revised Statement of Principles.

3.2 The consultation ran from Monday 27 October 2025 until Sunday 18 January 2026.

3.3 During the consultation period details on how to comment on the policy were published on the Council's website, advertised on Facebook, Instagram and Nextdoor, featured in the November and December E-Borough Insight, (approx. 1,500 subscribers) and was also advertised on the Council's social media streams. All statutory consultees, ward Councillors and businesses operating gambling premises were e-mailed inviting them to make comment on draft policy.

3.4 Three responses were received in response to the consultation, as summarised in Appendix 1 of the updated Statement of Policy.

3.5 One respondent was satisfied with the contents of the policy.

3.6 One response was generally negative on the effects of Gambling, and requested the policy be much stricter. However, section 153 of Act requires the licensing authority to permit the use of premises for gambling in so far as the authority think it is:

(a) in accordance with any relevant code of practice…,

(b) in accordance with any relevant guidance issued by the Commission…,

(c) reasonably consistent with the licensing objectives (subject to paragraphs (a) and (b)), and

(d) in accordance with the statement published by the authority under section 349 (subject to paragraphs (a) to (c)).

These principles require the licensing authority to have a Statement of Principles that 'aims to permit gambling', subject to the above requirements. The request to make the Gambling Policy much tougher based on the personal views of the respondent, in the absence of evidence relating to the licensing objectives, is insufficient grounds to amend the policy.

3.7 Surrey County Council Public Health made a detailed response to the consultation. This public body is not defined as a Responsible Authority under the Gambling Act, and 'Protection of Public Health' is not a licensing objective, although there is an interconnection between public health and the licensing objective 'protecting children and other vulnerable persons from being harmed or exploited by gambling'. Most of the comments made by Surrey Public Health have been accepted in full and incorporated into the revised policy, as shown as 'track changes' updated statement of Principles attached at Appendix 1.

3.8 However, one Surrey Public Health comment could not be accepted in its entirety; -

'13. Risk Assessment

- *Suggest adding: Where applications are made for new gambling premises that are near to;-*
    - *Key Neighbourhoods (as identified in Surrey's Health and Wellbeing Strategy) and areas within one mile of them and containing key amenities used by residents of those Key Neighbourhoods*
    - *Services/venues for vulnerable adults and for children*

the council will consider they are very likely to adversely affect the gambling objective: protecting children and other vulnerable people from being harmed or exploited by gambling'

This proposed wording if accepted entirely could leave the Council open to legal challenge, as it would be a significant change to the policy that was not itself consulted on, and would likely affect applications made in an entire neighbourhood without considering the individual merits of the application. Whilst accepting that section 13 should be updated to place an expectation that applicants should consider the location of Key Neighbourhoods when conducting their local risk assessment, it is proposed section 14.5 be amended to set out how the Council will approach such applications, as follows; -

'Key Neighbourhoods are areas of socio-economic deprivation and poorer health outcomes. Research (e.g. The Gambling-related harms evidence review) shows that the most socio-economically deprived and disadvantaged groups in England have the lowest gambling participation rates, but the highest levels of harmful gambling and are the most susceptible to harm. Where applications are made for new gambling premises that are near to;-

- *Key Neighbourhoods (as identified in Surrey's Health and Wellbeing Strategy) and areas within one mile of them and containing key amenities used by residents of those Key Neighbourhoods,*
- *or services/venues for vulnerable adults and for children,*

the Council when making decisions will consider the likely adverse affect of the premises being located near such places on the gambling objective: protecting children and other vulnerable people from being harmed or exploited by gambling."

This wording allows the Council to engage its discretion to consider such matters, whilst still allowing it to consider each case on its individual merits.

3.9 Other comments by Surrey Public Health that could not be accommodated were; -

- ***'Section 6,** 6.1b & 6.4 – please add Public Health to the of Interested Parties'*

  Section 158 of the Act defines what are 'interested parties', and it is not possible for the licensing authority to change this legal definition. However, s 158 (c) includes *'people who represents people [living] sufficiently close to the premises to be likely to be affected by the authorised activities.'*, and our policy states at para. 6.2; -

  'When determining whether a person is an interested party for the purposes of the Act, the Licensing Authority will not apply rigid rules but will treat each case on its merits.'

This paragraph in the Statement of Principles allow Public Health to be considered by the Licensing Authority as an interested party.

- ***'Section 10** 9. Consider use of Runnymede Betting Shop Checklist when receive from Kelly Dutfield (adapted from Gambling Commission template)'*

  It is neither necessary or practical for a licensing policy to refer to specific inspection template used for inspecting premises. Whilst officers are aware of the Gambling Commission inspection templates, we are grateful for the recommendation with respect to Runnymede's work.

- ***'Section 13**…Where application is granted – ensure enforcement includes consideration of identification and support given to vulnerable people – as not all vulnerabilities are visible'*

  Gambling Act enforcement and compliance work will be undertaken in accordance with the Council's own Enforcement Policy, and in accordance with any relevant code of practice and any relevant guidance issued by the Commission, with the Licensing Objectives being central to this work. It is not necessary for the Statement of Principles to detail what will be considered when undertaking enforcement work in accordance with these codes, guidance, and objectives.

4 Recommendation

4.1 The Statement of Policy has been updated in light of the consultation responses, as attached at Appendix 1. This document shows the amendments in 'track changes' format. If approved for adoption, the track changes formatting will be removed for the adopted Statement of Principles.

4.2 The amendments to the Statement of Principles are not considered to be significant changes to the policy that would require further consultation.

4.3 It is recommended the Committee approve the amendments to the draft Gambling Act 2003 Statement of Principles so the Council can fulfil its statutory obligations under the act.

5 Risk Assessment

Legal or other duties

5.1 Equality Impact Assessment/ Crime & Disorder/ Safeguarding

5.1.1 The Act requires the licensing authority to permit the use of premises for gambling in so far as the authority think it is reasonably consistent with the licensing objectives-

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime
- ensuring that gambling is conducted in a fair and open way
- protecting children and other vulnerable persons from being harmed or exploited by gambling

5.1.2 These objectives are central to the proposed Statement of Principles, and ensure that the Council as Licensing Authority fulfils it statutory duties with respect to Equality, Crime & Disorder, and Safeguarding.

5.1.3 It is not considered that a separate Equality Impact Assessment is necessary.

6 Financial Implications

6.1 Under the Act, the Council has the power to recover its costs and set fees and charges at such a level that the licensing process is cost neutral to the Council.

6.2 The financial implications associated with the revision of the Statement of Principles can be financed from the Licensing budget.

6.3 **Section 151 Officer's comments**: None for the purposes of this report.

7 Legal Implications

7.1 The Council must approve and publish its revised Gambling Policy Statement of Principles in order to undertake its role as a Licensing Authority.

7.2 **Legal Officer's comments**: Section 349 of the Gambling Act 2005 (the Act) requires all Licensing Authorities to prepare and publish a statement of licensing principles every three years. In exercising their functions under s153 (1) of the Act a Licensing Authority must have regard to the legislative requirements of the Act and the statement published by the Licensing Authority under section 349 of the Act. Failure to have an up-to-date Gambling Licensing Policy would mean that the Licensing Authority was in breach of legislation and would be open to challenge in relation to the exercise of its functions under the Act. The Statement of Gambling Policy is part of the Council's Budget and Policy Framework and therefore final approval is a matter reserved for Full Council.

8 Policies, Plans & Partnerships

8.1 **Council's Key Priorities**: The following Key Priorities are engaged:

- Opportunity & Prosperity: Boosting the local economy, supporting high streets

- Safe & Well: Ensuring a safe environment and supporting community health.

8.2 **Service Plans**: The matter is not included within the current Service Delivery Plan.

8.3 **Climate & Environmental Impact of recommendations**: None identified.

8.4 **Sustainability Policy & Community Safety Implications**: None identified.

8.5 **Local Government Reorganisation Implications**: There is a legal requirement that the new authority will have an adopted Statement of Principles in place on vestment day. This could be an entirely new document, or, as an interim measure, take the form of an overarching policy document, combining the separate Statement of Principles that would be applied in each area, pending review once the new Council's priorities are established.

9 Background papers

9.1 The documents referred to in compiling this report are as follows:

Previous reports:

- Licensing and Planning Policy Committee - Tuesday, 23rd September, 2025 7.30 pm

Other papers:

- None

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Statement of Principles made under the Gambling Act 2005

Setting out how Epsom & Ewell Borough Council proposes to exercise its functions under the Gambling Act 2005.

This policy is in force between [TBC], unless revised beforehand.

Issued in accordance with section 349 of the Gambling Act 2005.

Draft version ~~number~~ 2
Date ~~[TBC]~~10 March 2026

Document history

Date	Key Changes Made	Approved by
	Updated in response to consultation	

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Commented [PH1]: Update table following approval

Definitions Used in this Policy

'the Act' means the Gambling Act 2005

'the Council' means Epsom & Ewell Borough Council

'the Commission' means the Gambling Commission established under the Gambling Act of 2005

'the Guidance' means the Guidance to Licensing Authorities published by the Gambling Commission

'Licensing Authority' means Epsom & Ewell Borough Council

'Licensing Committee' refers to the Committee of Epsom & Ewell Borough Council with responsibility for licensing matters

'licensable activities' means those activities that are required to be licensed by the Council under the Gambling Act 2005

'Licensing Sub Committee' refers to a Sub Committee of the Licensing Committee to consider licence applications

'relevant representations' means a representation conforming to the legal requirements of the Gambling Act 2005

'Regulations' refers to Regulations under the Gambling Act 2005 issued by the Secretary of State

'responsible authorities' means the bodies designated under section 157 of the Gambling Act 2005. A list of the responsible authorities is published on the Council's website.

'the Statement' refers to this Statement of Principles for Gambling

Part A Introduction and Overview

1. General

1.1 Councils when acting as Licensing Authorities are required under the Gambling Act 2005 (the Act) to:

- license~~d~~ premises where gambling activities are to take place by issuing Premises Licences
- issue Provisional Statements
- regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- issue Club Machine Permits to commercial clubs
- grant permits for the use of certain lower stake gaming machines at licensed and unlicensed Family Entertainment Centres
- receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
- register small society lotteries below the prescribed thresholds
- issue Prize Gaming Permits
- receive and endorse Temporary Use Notices
- receive Occasional Use Notices for betting at tracks
- provide information to the Gambling Commission regarding details of licences, permits and other permissions issued
- maintain registers of the permits and licences that are issued under these functions.

1.2 Epsom & Ewell Borough Council ('the Council') is a LA for the purposes of the Act. In exercising our statutory functions, we have broad discretion in regulating the local provision of gambling through a wide range of powers, including:

- Requirement to issue a statement of principles (licensing policy), setting expectations about how gambling will be regulated in our area
- Granting, refusing, and attaching conditions to premises licences
- Reviewing premises licences and attaching conditions or revoking them as a result.

1.3 The Gambling Commission (the Commission) has responsibility for dealing with personal licences, online gambling and operating licences.

1.4 We will work in partnership with the Commission to regulate gambling. The Commission tends to focus on operators and matters of national or regional significance and LAs take the lead on regulating gambling locally.

2. Licensing Objectives

2.1 The Act places a duty on both the Commission and LAs to aim to permit gambling, in so far as it is reasonably consistent with the pursuit of the licensing objectives.

2.2 In exercising our functions under the Act, particularly in relation to premises licences, temporary use notices and some permits we must have regard to the licensing objectives as set out in section 1 of the Act.

2.3 The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way;
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

2.4 Gambling related harms are now widely recognised as a public health issue which require a broad response (see *PHE Gambling Related Harms Evidence Review (2023)*). Harmful gambling is a complex problem with many different but often interlinked factors. In considering the licensing objective of 'protecting children and other vulnerable people from being harmed or exploited by gambling' the Council will consider relevant information such as the link between gambling harms and socio-economic deprivation/disadvantage, poor physical and mental health, and substance use.

~~2.4~~2.5 The Licensing Authority is required by virtue of section 153 of the Gambling Act 2005 to aim to permit gambling in so far as it is:

(a) in accordance with the Gambling Commission's Licence Conditions and Codes of Practice under section 24 of the Act;

(b) in accordance with the Gambling Commission's Guidance to Licensing Authorities that is in effect at the time the application is considered;

(c) reasonably consistent with the licensing objectives (subject to (a) and (b) above), and

(d) in accordance with this Statement of Principles.

~~2.5~~2.6 The Gambling Commission issues Licence Conditions and Codes of Practice for gambling operators. Social Responsibility Codes have the force of a licence condition. The Gambling Commission also issue Ordinary Codes, which set out best industry practice. They are not licence conditions, but operators are expected to follow them unless they have alternative arrangements in place which they can demonstrate are equally as effective.

~~2.6~~2.7 The Licensing Authority, when carrying out inspections of gambling operators, reserves the right to assess compliance with such matters set out in the Gambling Commission's Licence Conditions and Codes of Practice as it sees fit, and will share intelligence with the Gambling Commission about any issues of non-compliance in this respect.

~~2.7~~2.8 The Council's statement of principles is intended to be reasonably consistent with the three licensing objectives set out in section 1 of the Act.

~~2.8~~2.9 Nothing in this Statement of Principles overrides the right of any person to make an application, make representations about an application or apply for a review of a licence. Each will be considered on its own merits and in accordance with the statutory requirements of the Act.

3. Review and Consultation

3.1 The Statement of Principles will be reviewed as necessary, and in any case subjected to a formal review at least every three years or in accordance with any revised legislation.

3.2 The Council consulted on the revision to the statement of policy, as detailed in Appendix One. In reviewing this Statement of Principles, the Council has had regard to the licensing objectives under the Gambling Act 2005, the Guidance to Licensing Authorities issued by the Gambling Commission and to the responses arising from our consultation.

4. Promotion of equality

4.1 The Equality Act 2010 imposes a duty on the Council as the Licensing Authority to have due regard to the need to eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations between people with different protected characteristics.

4.2 All licensed premises are subject to the Equality Act 2010 which lists a number of protected characteristics that must not be used as a reason to treat a person less favourably than another person, these are:;

- Age
- Disability
- Gender reassignment
- Marriage and civil partnerships
- Pregnancy and maternity
- Race (this includes colour; nationality; ethnic and national origins)
- Religion or belief
- Sex
- Sexual orientation.

4.3 Treating a person less favourably than someone else because that person has one or more of these characteristics is discriminatory.

4.4 The Equality Act 2010 also imposes a duty on any person providing a service to the public, including operators of licensed premises, to make reasonable adjustments to enable disabled people to access the service, where a disabled person would be at a substantial disadvantage compared to a non-disabled person.

4.5 The Licensing Authority urges applicants and existing operators to plan ahead to meet their legal responsibilities under the Equality Act 2010.

5. Responsible Authorities

5.1 The Council is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm.

The principles are:

- the need for the body to be responsible for an area covering the whole of the Council's area; and
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

The Council designates Surrey County Council's Children's Services to advise on the protection of children from harm under the Gambling Act 2005.

5.2 The full list of Responsible Authorities is published on the Councils website

6. Interested Parties

6.1 Interested parties are persons who may make representations to applications or apply to the Council for the review of an existing licence. These parties are defined in section 158 of the Act as a person who:

(a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,

(b) has business interests that might be affected by the authorised activities, or

(c) represents persons who satisfy paragraph (a) or (b).

6.2 When determining whether a person is an interested party for the purposes of the Act, the Licensing Authority will not apply rigid rules but will treat each case on its merits.

6.3 In considering whether a person lives sufficiently close to a premises to be considered to be an interested party the following matters will be taken into account:

- the size of the premises
- the nature of the premises
- the distance of the premises from the home of the person making the representation
- the potential impact of the premises (numbers of customers, routes likely to taken by those visiting the premises)
- the circumstances of the person, which may be relevant to the distance from the premises.

6.4 In determining whether a person or organisation "has business interests" the Licensing Authority will adopt the widest possible interpretation and include trade associations, trade unions, partnerships, charities, faith groups, voluntary organisations such as hostels and medical practices, as appropriate.

6.5 The Licensing Authority will regard bodies such as trade associations, trade unions, residents' and tenants' associations and professional advisors such as solicitors, barristers and consultants as capable of representing interested parties where they are satisfied that the interested party has asked for representation. The Licensing Authority will only regard representative bodies as interested parties in their own right if they have a member who can be classed as an interested person under the terms of the Act.

6.6 In principle, the Licensing Authority will allow any person to represent an interested party but will seek confirmation that the person genuinely represents the interested party. The Licensing Authority will generally require evidence that a person/body (e.g. an advocate or relative) 'represents' an interested party. If persons representing interested parties are Councillors, Members of Parliament or Members of the European Parliament, then no specific evidence of being asked to represent an interested person will be required so long as they represent the area likely to be affected.

6.7 If individuals wish to approach Councillors to ask them to represent their views those Councillors shall not sit on a Licensing Sub-Committee that meets to determine the licence application. If there are any doubts then either interested parties or Councillors should contact the Licensing Authority or Monitoring Officer for advice.

6.8 The Council considers harmful gambling to be a public health issue because it is associated with harms to individuals, their families, close associates and wider society ('Gambling-related harms evidence review: summary' updated by the Office for Health Improvement and Disparities and Public Health England on 11 January 2023).

~~6.7~~6.9 Research shows that the most socio-economically deprived and disadvantaged groups in England have the lowest gambling participation rates, but the highest levels of harmful gambling and they are also the most susceptible to harm. Where possible, we aim to work with partner agencies, such as Surrey County Council Public Health Team to improve health inequalities in the Borough due to harmful gambling.

7. Exchange of Information

7.1 The Council will act in accordance with the provisions of Section 350 of the Act in its exchange of information with the Gambling Commission.

7.2 Section 29 of the Gambling Act 2005 enables the Gambling Commission to require information from Licensing Authorities (including the manner in which it is compiled, collated and the form in which it is provided), provided that it:

- forms part of a register maintained under the Gambling Act 2005;
- is in the possession of the Licensing Authority in connection with a provision under the Gambling Act 2005.

7.3 Section 350 of the Gambling Act 2005 allows Licensing Authorities to exchange information with other persons or bodies for use in the exercise of functions under the Act. These persons or bodies are:

- A constable or Police force
- An enforcement officer
- A Licensing Authority
- HMRC
- The First Tier Tribunal
- The Secretary of State

7.4 Information requests from such parties should be made to the Licensing Authority in writing, setting out clearly what information is required and the reason the information is required. The requirements of the Data Protection Act 2018 will be complied with. Freedom of Information requests can be submitted the Council's website. The Council's website provides information on the rights of individuals and the Council's policies on the Data Protection and Freedom of Information pages.

8. Delegations

8.1 The Council regularly reviews its constitution and scheme of delegation to officers to ensure effective implementation of the Act. The Licensing Committee and Sub-Committee will be asked to deal with licensing issues and the determination of applications in certain cases, i.e. those where representations have been made or where premises licences require review. Non contentious issues are delegated to officers

9. Compliance and Enforcement

9.1 The Act requires the Council to state the principles we will apply in exercising our functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of specified offences.

9.2 The Council has adopted a risk-based approach to the inspection of premises including those where gambling takes place. This will allow for the targeting of high-risk premises, those that have had additional conditions added in response to representations, or those where a breach would have serious consequences. Premises that are low risk and/ or well-run will be subject to a less frequent inspection regime.

9.3 Our risk-based inspection of premises is based on:

- The licensing objectives;
- Relevant codes of practice;
- Guidance issued by the Commission, at Part 36;
- The principles set out in this statement of principles; and
- Epsom & Ewell Enforcement Policy

9.4 Our main enforcement role in terms of the Act is to ensure compliance with premises licences and other permissions, which we authorise. The Commission is the enforcement body for operating licences and personal licences.

9.5 All of our enforcement activities will be carried out in a way which is transparent, accountable, proportionate, and consistent and will be targeted only at cases in which action is needed.

9.6 The LA encourages licensees to seek advice from the Licensing Services and/or the Police for clarification, advice or assistance with issues which arise, but places the responsibility for effective management solely with licence holders.

9.7 Concerns about manufacture, supply or repair of gaming machines will not be dealt with by the Council but will be notified to the Commission.

10. Duplication with Other Regulatory Regimes

10.1 The Licensing Authority will seek to avoid duplication with other statutory and regulatory regimes where possible, including planning. The Licensing Authority will not consider whether a premises has been or is likely to be awarded planning permission or building regulations approval when making decisions under the Gambling Act. Nor will it regard the granting of a licence, permit or permission as fettering the Council's ability to consider planning applications independently on their planning merits.

10.2 Applicants should be aware that the granting of a Premises Licence does not permit the operator to provide gambling facilities where to do so would breach other legislative requirements such as the requirement for appropriate planning consent to be held. It is the operator's responsibility to ensure all relevant legal requirements are met and to seek their own independent legal advice. It is recommend for planning permission to be obtained before a

licensing application is submitted so proper consideration can be given to impact the premises will have on surrounding amenities, character & locality.
~~10.2~~

Part B Local Area Profile and Local Risk Assessments

11. Epsom & Ewell Local Area Profile

11.1 The Epsom & Ewell Local Area Profile (LAP) has been prepared in accordance with the Gambling Commission's (GC) Guidance to Licensing Authorities (LAs). It is intended that the LAP will help gambling premises operators to identify the risks their gambling venues may pose to the licensing objectives, when applying for a new licence or varying an existing licence.

11.2 The term 'gambling-related harm' is not defined in the Gambling Act 2005 (the Act) or the GCs guidance to LAs, but it can be defined as the adverse financial, personal, and social consequences from gambling activity upon individuals, their families, their social networks, or the community'.

11.3 The benefits of a LAP are set out in the GC guidance as follows:

- It enables licensing authorities to better serve their local community, by better reflecting the community and the risks within it;
- Provides greater clarity for operators as to the relevant factors in licensing authority decision making, which will lead to improved premises licence applications, with the operator already incorporating controls and measures to mitigate risk in their application;
- It enables licensing authorities to make robust but fair decisions, based on a clear, published set of factors and risks, which are therefore less susceptible to challenge; and
- It encourages a proactive approach to risk that is likely to result in reduced compliance and enforcement action.

12. Information about Epsom & Ewell Borough

12.1 A map showing the geographical area covered by this Statement of Policy can be viewed at Appendix 2.

12.2 Epsom & Ewell Borough has a population of approx. 82,000 people; it is Surrey's smallest borough geographically but the most densely populated.

12.3 The Borough is bordered by outer London boroughs to the North (with some of the Borough's urban areas forming part of the wider Greater London Built-up Area), and the Surrey Hills National Landscape to the South (designated an Area of Outstanding Natural Beauty). The neighbouring districts are Reigate and Banstead, Mole Valley, Kingston upon Thames and Sutton.

12.4 The Bborough is located entirely within the M25 motorway, and boasts excellent transport links, with direct train lines to Waterloo, London Bridge, and London Victoria, and Gatwick Airport 20 miles south of Epsom.

12.5 Epsom & Ewell Borough has a vibrant local economy in the retail, engineering and leisure sectors. The area comprises three main conurbations:;

- Epsom, a historic market town with a vibrant evening economy.
- Ewell Village, with renowned taverns and independent shops, cafés and restaurants .
- Stoneleigh, with a parade of shops and restaurants located near opens spaces and a nearby park.

12.6 The area is probably best known worldwide for the running of the Derby at Epsom Downs Racecourse. Horse racing has taken place in Epsom for over 350 years (the first recorded race days were in the 1640's). As well as being a significant local employer, the Derby Festival also indirectly benefits significantly the hospitality sector and local suppliers across the Borough, as well as the wider Surrey area.

12.7 The Borough is home to significant educational establishments, with the Bborough hosting campuses for the University for the Creative Arts, the North East Surrey College of Technology and Laines Theatre Arts.

12.8 Epsom & Ewell Borough is a relatively economically prosperous area, with the Borough having the highest employment rate across Surrey, with resident's earning on typically higher than the national average. However, this picture does mask pockets of deprivation across the Bborough, for example, Court Ward is the 4th most deprived ward in Surrey. Two deprived wards in the Borough - Ruxley and Court – are identified as Key Neighbourhood as in the Surrey Health and Wellbeing Strategy - where resident populations experience the poorest health outcomes;-

- Ruxley is the ward that encompasses the 4th most deprived LSOA (Lower Super Output (small geographic) Area) in Surrey and it is in the 20% most deprived LSOAs nationally;

- Court is the ward that encompasses the 18th most deprived LSOA in Surrey and is in the 30% most deprived LSOAs nationally

~~12.8~~

12.9 Epsom & Ewell Borough has a relatively low crime rate when compared with the rest of the country, although within Surrey the total number of recorded offences is slightly above average. Of the crimes reported in the Borough, violence and sexual offences ~~is~~are the most prevalent crime type, although this category is usually the largest in any urban area (partly because 'Violent Crime' covers so many offences compared to say Burglary). The next most prevalent crime is antisocial behaviour, followed by public order offences.

12.10 Surrey Police have mapped incidents of antisocial behaviour and serious violence across Surrey, and identified Epsom as a primary hotspot. The primary area of interest in Epsom is around the High Street and Station Approach, and the Ashley Shopping Centre. Two peak times for incidents have been identified: 17:00 – 20:00 and 00:00 – 04:00 at the weekends. Whilst it is acknowledged that crime and anti-social behaviour can occur at or near gambling premises, no local data has been identified of incidents that relate directly to gambling activity or gambling premises, or that show a direct link to people who are vulnerable to the risk of gambling related harm.

12.11 The following gambling activities operate under a licence or permit granted by Epsom & Ewell Borough Council:

- 7 betting shops – 3 in Epsom, 2 in Ewell Village, 1 in Stoneleigh and 1 in West Ewell
- 1 betting premises (track)
- 42 organisations registered to operate a small society lottery
- 3 Club gaming machine permits
- 2 Club gaming permits
- 9 alcohol licensed premises gaming machine permits (i.e. more than 2 machines)

A further 17 alcohol licensed premises have notified the Council of their automatic entitlement to operate 2 gaming machines.

~~There is no evidence of a saturation of gambling premises with the Borough, nor are there any identified problem hotspots for vulnerable persons insofar as gambling is concerned.~~

12.12 Department of Health and Social Care indicators for the determinants of health now include density of gambling premises per 100,000 population as a contributing factor to health inequalities. 2025 data shows that Epsom and Ewell has a higher number of gambling premises per 100,000 population than South-East England – 12.2 vs 10.7. (Department of Health and Social Care: Fingertips – Public Health Profiles).

12.13 With the Borough the following support centres provide help for people with mental health or addiction problems:

~~12.12~~

Addiction and Substance Use Services:

- Gamblers Anonymous, St Barnabus Church, Temple Road, Epsom KT19 8HA
- Community Mental Health Recover Service, The Horizon Centre in Upper Street, Epsom KT17 4QJ

Mental Health and Wellbeing Services:

- Horton Haven, 5 Horton Drive, Epsom, Surrey, KT19 7HA
- Epsom; Love Me Love My Mind – Temple Road, Epsom, KT19 8HA
- Safe Haven, Brickfield Centre, Portland Place, Epsom KT17 1DL

12.14 With the Borough the following services are for people with learning difficulties, disabilities and autism:

- Jasmine House, West Park Road, Epsom;
- My Time Epsom Day Opportunity Service, St Ebbas Hospital, Hook Road, Epsom

12.15 With the Borough the following services are provided for people that may have been affected by gambling:

- Domestic Abuse Services: monthly drop in at the Brickfield Centre Portland Place, Epsom KT17 1DL
- Emergency Interim Accommodation & Homelessness Services – Defoe Court 87 East Street KT17 1DT (supported accommodation for young people who are homeless/at risk).

~~12.13~~12.16 For further information about the Local Area Profile, please contact: licensing@epsom-ewell.gov.uk

13. Local Risk Assessments

13.1 Licence conditions and Code of Practice require gambling premises licence holders to undertake a Local Risk Assessments (LRA) taking into consideration local information. They may be required to share these risk assessments with the LA under certain circumstances. This includes when they are applying for a new premises licence, applying for a variation to an existing licence or otherwise on request.

13.2 Operators preparing LRA would be expected to be aware of the social and physical makeup of the immediate vicinity of their proposed or existing location and to take the following into account:~~;~~

a. Local crime statistics;

b. Any problems in the area relating to gambling establishments such as anti-social behaviour;

c. The location of any nearby sensitive premises such as facilities used by vulnerable persons e.g., drug and alcohol addictions (see section 12);

~~c.~~d. The location of services for children such as schools, playgrounds, youth centres, toy shops, leisure centres and other areas where children will gather, and

e. Whether there are any indications of problems with young person's attempting to access adult gaming facilities in that type of gambling premises in the area.

~~d.~~f. Whether the premises is located near to Key Neighbourhoods (as identified in Surrey's Health and Wellbeing Strategy) and areas within one mile of them and containing key amenities used by residents of those Key Neighbourhoods ('natural neighbourhoods'). Research (e.g. The Gambling-related harms evidence review) shows that the most socio-economically deprived and disadvantaged groups in England have the lowest gambling participation rates, but the highest levels of harmful gambling and are the most susceptible to harm.

13.3 To do so an operator should consider the information in the LAP (including section 12 above) and other information sources, including:

- the Office for National Statistics website,
- and local crime statistics available via the Surrey Police website,

~~13.3~~ .

13.4 Risk assessments would be expected to include relevant controls measures to counteract issues identified by the operator. It would be expected that these controls would normally include documented staff training on the recognition of substance use (drugs and alcohol), conflict management and prevention of under 18 gambling. Training records and refusals logs should be kept onsite and shall be made available upon request by a Licensing Officer or Police

~~13.4~~13.5 Risk assessments for existing premises must reference regulatory return data including any problem and underage customers. If a local risk assessment identifies any area of concern, they should contact the most appropriate responsible authority before submitting an application for a new licence or variation. In a similar manner the LA will inform an operator if they become aware of a substantial change to local circumstances with an expectation that the operator updates their risk assessment.

~~13.5~~13.6 The LRA must be updated:~~;~~

- When applications are made for a variation of a premises licence;
- To take account of significant changes in local circumstances;
- When there are significant changes at a licensee's premises that may affect their mitigation of local risks.

~~13.6~~13.7 Risks in this context include actual, potential, and possible future emerging risks to the licensing objectives.

Part C Premises Licences

14. General Principles

14.1 Any person or business that wishes to offer gambling for which an Operating Licence from the Gambling Commission is required, and which is premises based, must apply to the Licensing Authority for a Premises Licence.

14.2 Premises Licences can authorise the provision of facilities on:

(a) casino premises,
(b) bingo premises,
(c) betting premises including tracks and premises used by betting intermediaries,
(d) adult gaming centre premises, or
(e) family entertainment centres.

14.3 All licences will be subject to mandatory and/or default conditions and conditions imposed by the Licensing Authority. The Licensing Authority may consider that conditions other than the mandatory or default conditions are necessary to ensure the premises are reasonably consistent with the licensing objectives, the Gambling Commission's Codes of Practice and this Statement of Principles.

14.4 The Licensing Authority will take decisions in accordance with the Gambling Commission's Guidance and Licence Conditions and Codes of Practice and will have regard to the advice which it issues from time to time. The Licensing Authority will monitor the operation of premises and report any potential breach of Operating Licence conditions to the Gambling Commission. Applicants for new Premises Licences or variations to existing ones should be clear that the premises are intended to be used for the primary gambling activity proposed. For example a betting Premises Licence application that has four gaming machines but no betting counter or associated betting facilities shown on the proposed plans would not be considered as offering the primary gambling activity in accordance with that indicated on the application.

14.5 Key Neighbourhoods are areas of socio-economic deprivation and poorer health outcomes. Research (e.g. The Gambling-related harms evidence review) shows that the most socio-economically deprived and disadvantaged groups in England have the lowest gambling participation rates, but the highest levels of harmful gambling and are the most susceptible to harm. Where applications are made for new gambling premises that are near to:

- Key Neighbourhoods (as identified in Surrey's Health and Wellbeing Strategy) and areas within one mile of them and containing key amenities used by residents of those Key Neighbourhoods ('natural neighbourhoods'),

- or services/venues for vulnerable adults and for children,

~~14.4~~ ~~the Council when making decisions will consider the likely adverse affect of the premises being located near such places on the gambling objective: protecting children and other vulnerable people from being harmed or exploited by gambling.~~

~~14.5~~14.6 Matters the Licensing Authority may not take into account include:

- the expected demand for gambling premises in the area;
- planning or building law restrictions;
- moral or ethical objections to gambling as an activity;
- dislike of gambling;
- a general notion that gambling is undesirable.

15. Not permitted to licence Casinos

15.1 A casino is an arrangement whereby people are given the opportunity to participate in one or more casino games. Casino games are defined as a game of chance which is not equal chance gaming. This means that casino games offer the chance for multiple participants to take part in a game competing against the house or banks at differed odds to their fellow player.

15.2 Section 166(5) of the Gambling Act 2005 allows Councils to pass a resolution not to issue casino premises licences. However, the Gambling (Geographical Distribution of Large and Small Casino Premises Licences) Order 2008 then specified which authorities may issue large and small casino premises licences, and Epsom & Ewell Borough Council is not one of the local authorities permitted to issue these casino licences.

15.3 As the Council is not currently permitted to grant a casino licence it is not necessary for Council to consider whether to make a resolution under section 166 of The Act. If such a resolution were considered necessary in the future, the Council would carry out a full public consultation and consider all responses before passing such a resolution.

16. Conditions

16.1 The majority of Premises Licences will have mandatory and/or default conditions attached to the licence. These conditions are detailed in the Gambling Act 2005 (Mandatory and Default Conditions) Regulations 2007.

16.2 The Licensing Authority can attach its own conditions to a Premises Licence if it believes this will promote the licensing objectives. Any conditions attached will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- relate to the scale and type of premises; and
- reasonable in all respects.

16.3 Certain matters set out in the Act must not be the subject of conditions. These are:

- conditions which make it impossible to comply with an Operating Licence
- conditions as to gaming machines that contradict the provisions in the Act
- conditions making activities, premises or parts of them operate as a membership club
- conditions on fees, winnings, stakes or prizes.

16.4 Conditions will be attached to individual licences on the basis of their merits. However, there will be a number of measures the Licensing Authority will commonly consider utilising in order to pursue the licensing objectives. These may include measures such as:

- the supervision of entrances;
- separation of gambling from non-gambling areas frequented by children;
- the supervision of gaming machines in premises not specifically for adult gambling and
- appropriate signage for adult only areas.
- staff training, including recognition of substance use (drugs and alcohol), conflict management and prevention of under 18 gambling.
- training record documentation and retention (i.e. should be kept onsite and shall be made available upon request by a Licensing Officer or Police)

16.5 The Licensing Authority will expect the applicant to propose how the licensing objectives can be met effectively though the use of conditions.

17. Split Premises

17.1 The Gambling Commission's Guidance at paragraph 7.5 states that a building can, in principle, be divided into more than one premises and be subject to more than one Premises Licence provided they are for different parts of the building, and the different parts of the building can reasonably be regarded as being different premises. An example is given of units within a shopping mall, where each unit is separate self-contained premises contained within one building. It is also possible for licensed premises to be located next to each other.

17.2 The Gambling Commission state they do 'not consider that areas of a building that are artificially separated, for example by ropes or moveable partitions, can properly be regarded as separate premises'.

17.3 Whether different parts of a building can be reasonably regarded as different premises will depend on the circumstances of the individual building and how any division is proposed. To agree to accept applications to grant or vary a

licence for a building which has been divided, the Licensing Authority will need to be satisfied the premises are genuinely separate premises, and not an artificially created additional part of single premises.

17.4 In considering whether different areas of a building are genuinely separate premises the Licensing Authority will take into account factors which will include:

- whether there are separate registrations for business rates in place for each premises;
- whether separate sets of staff work in the individual premises;
- whether there is a separate cash desk/reception for each of the premises;
- whether each premises has its own postal address;
- whether the premises are owned or operated by the same person;
- whether each of the premises can be accessed from a street or public passageway;
- whether the premises can only be accessed from any other gambling premises.

17.5 When considering proposals to divide a building into separate premises, the Licensing Authority will also need to be satisfied that the form of separation between the premises is appropriate.

17.6 The separation between one premises and another must be clearly defined. Any barrier used to separate one premises from another must be permanent and constructed so the public cannot go from one premises to another.

17.7 It may be acceptable for staff working in adjacent premises to have access through barriers between premises. The applicant must demonstrate that in providing staff access there are suitable control measures in place that will ensure the safety and security of staff and will prevent the public from using the same access point to enter the other premises.

17.8 The Gambling Act 2005 (Mandatory and Default Conditions) Regulations 2007 restrict access to different types of licensed gambling premises. In considering proposals to divide a building into different premises, the Licensing Authority will have to be satisfied that proposals to divide buildings are compatible with the mandatory conditions relating to access between premises.

17.9 The Guidance at paragraph 7.22 states “There is no definition of ‘direct access’ in the Act or Regulations, but Licensing Authorities may consider that there should be an area separating the premises concerned (for example a street or café), which the public go to for purposes other than gambling, for there to be shown to be no direct access.”

17.10 It is the Licensing Authority’s opinion that any area which separates licensed premises, and from which those premises can be accessed, must be genuinely separate premises which are habitually and actually used by members of the public other than those using the licensed premises.

17.11 The Licensing Authority does not consider that provisions which prohibit direct access between licensed premises are satisfied where licensed premises are separated by an area created artificially within a building principally for members of the public attending the licensed premises, irrespective of whether this area is unlicensed or provides non-gambling facilities, for example refreshments or cashpoint machines.

17.12 Where the Licensing Authority is satisfied that a building can be divided into separate premises it will expect applicants to ensure that:

- the premises are configured so that children are not invited to participate in, have accidental access to, or closely observe gambling to which they are prohibited from taking part;
- the premises are not configured so children are likely to enter an adult only area to join a parent gambling in that adult only area,
- entrances and exits from parts of a building covered by one or more Premises Licences are separate and identifiable so the separation of different premises is not compromised and people do not 'drift' into a gambling area. In this context it should be possible to access the premises without going through another licensed premises or premises with a permit;
- customers should be able to participate in the activity named on the Premises Licence.

This is not an exhaustive list and the Licensing Authority will consider other aspects based on the merits of the application.

18. Access to Premises

18.1 The Gambling Act 2005 (Mandatory and Default Conditions) Regulations 2007 set out access provisions for each type of licensed gambling premises. The broad principle is there can be no direct access from one licensed gambling premises to another, except between premises which allow those aged under-18 to enter and with the further exception that licensed betting premises may be accessed via other licensed betting premises.

18.2 'Direct access' is not defined, but the Licensing Authority will consider there should be an area such as a street or café to which the public attend for purposes other than gambling for there to be no direct access.

Type of Premises	Access Provisions
Adult Gaming Centre	• No customer must be able to access the premises directly from any other licensed gambling premises.
Betting Shop	• Access must be from a 'street' or from other premises with a betting licence; • No direct access is permitted from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be

	any entrance to a betting shop from a shop of any kind unless that shop is in itself a licensed betting premises.
Track	• No customer must be able to access the premises directly from an Adult Gaming Centre.
Bingo Premises	• No customer must be able to access the premises directly from an Adult Gaming Centre or a betting premises, other than a track.
Family Entertainment Centre	• No customer must be able to access the premises directly from an Adult Gaming Centre or a betting premises, other than a track.

19. Plans

19.1 The Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007 state that a plan to accompany an application for a Premises Licence must show:

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

19.2 The Regulations also state that other than in respect of a track, the plan must show 'the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence'. The Licensing Authority may, however, consider that these minimum requirements are insufficient to satisfy them in respect of the licensing objectives at tracks, Gambling Commission Guidance, Codes of Practice or its own Statement of Principles. In such cases, the Licensing Authority may ask for such additional information to be shown on the plan as it deems necessary to enable it to discharge its duties effectively. Information shown on the plan that is not required by Regulations will not form part of the Premises Licence and will only be used by the Licensing Authority to help it make a considered decision on the application.

19.3 If plans change in any material respect during the lifetime of the licence, the applicant will be in breach of their licence and would either need to make a fresh application under s.159 or to seek an amendment to the licence under s.187 of the Gambling Act 2005. If the changes are substantial, this may, in the opinion of the Licensing Authority, render the premises different to those to which the licence was granted. In such cases, variation of the licence under

s.187 would not be possible and an application for a new application would be required under s.159.

20. General Requirements for All Premises

20.1 The Licensing Authority expects all applicants for gambling Premises Licences to ensure there is adequate provision for staff to supervise persons using the licensed premises. This is to identify:-

- those who have self-excluded (those that have asked a gambling provider to exclude them from gambling with them for a length of time, to enable the individual to deal with their problem gambling behaviour),
- vulnerable persons,
- under age persons,
- persons gambling beyond limits they have set for themselves,
- person who may be involved in crime,
- persons who may be prone to anti-social behaviour,
- persons who are drinking alcohol where this is prohibited,
- persons who may be under the influence of alcohol or drugs, and
- persons who are showing signs of distress in respect of their gambling.

20.2 Applicants must take the structure and layout of the premises into account when considering their own policies and procedures. For example, where it is not possible for counter staff to supervise persons using gambling facilities such as gaming machines, the Licensing Authority would expect applicants to volunteer conditions that floor walkers will be used or that counter staff will be able to view all areas of the premises on CCTV provided to the counter area where it can be clearly seen.

20.3 Arrangements must be made for how staff will deal with customers who become aggressive and for ejecting patrons who are, for example, self-excluded, vulnerable or under age. This will include staff training and ensuring there are appropriate numbers of staff to deal with problems.

20.4 Staff should be in a position to monitor entrances and gaming machines and challenges should be initiated at the earliest opportunity.

20.5 Where access to premises is age restricted, the Licensing Authority expects applicants to have a Think 21 policy in place and to train its staff in recognising acceptable forms of identification. Posters should also be displayed stating that the relevant policy is in place and that users may be challenged.

20.6 Licence holders should record details of persons who have self-excluded, persons who have been ejected or refused admission, persons who have been barred by the operator, and any instances of crime or disorder that occurs on, or in association with, the licensed premises.

20.7 Applicants should demonstrate how they will identify self-excluded persons.

20.8 Where applicable, operators shall be able to demonstrate they are participating effectively in the relevant multi-operator self-exclusion scheme.

21. Bingo

21.1 This policy applies to applications for a Bingo Premises Licence. Bingo has its ordinary and natural meaning and includes any version of the game irrespective of by what name it is described. A holder of a bingo Premises Licence will be able to offer bingo in all its forms.

21.2 Children and young persons are permitted in bingo premises, but may not participate in the bingo. If any Category B or C machines are made available for use, these must be separated from areas where children and young people are allowed.

21.3 The Licensing Authority expects that where children are permitted in bingo premises, any Category B or C machines are located in an area which is separated from the rest of the premises by barriers or in a separate room, where it is made clear that entry is permitted only for those aged 18 or over. Appropriate signage should be provided to this effect and the area should be monitored by staff, either through direct supervision or by monitored CCTV.

21.4 To avoid a situation where a premises holds a bingo Premises Licence primarily to benefit from the gaming machine allowance, the Licensing Authority will need to be satisfied that bingo is regularly played in any premises for which a Premises Licence is issued and that the premises presentation is clearly that of a bingo premises and readily identifiable as such to any customer using the premises.

21.5 In determining applications for bingo premises, the Licensing Authority shall consider the following:

- proof of age schemes
- CCTV
- entry control system
- staff numbers
- staff training
- supervision of entrances/ machine areas
- whether children are permitted on the premises and, if so, how the operator intends to prevent them from playing bingo or being able to access adult only machine areas
- notices/ signage
- opening hours
- the times and frequency of which bingo is offered
- whether bingo is offered by a caller or only electronically
- whether the premises are clearly identifiable as being licensed for the purposes of offering bingo facilities
- provision of responsible gambling information

- This list is not exhaustive, and is merely indicative of example measures the
- Licensing Authority will expect applicants to offer to meet the licensing objectives.

21.6 Young persons, aged 16 and 17, may be employed in bingo premises provided their duties are not connected with the gaming or gaming machines. The Licensing Authority will not grant licences unless the applicant demonstrates how they intend to meet this licensing objective and identify appropriate measures they will take to protect young employees.

21.7 Where hand held gaming devices are to be used on bingo premises, the Licensing Authority expects applicants to demonstrate how use of these devices will be monitored by staff.

22. Betting Premises

22.1 This policy applies to applications for off-course betting premises. This is betting that takes place other than at a track, typically in a betting shop.

22.2 The Licensing Authority must be satisfied that the primary use of the premises is to operate as betting premises. The applicant will be expected to demonstrate they are offering sufficient facilities for betting or otherwise must not make gaming machines available on the premises.

22.3 In determining applications for betting premises, the Licensing Authority shall consider the following:

- proof of age schemes
- CCTV
- entry control system
- staff numbers
- staff training
- counter layout
- supervision of entrances/ machine areas
- machine privacy screens
- notices/ signage
- self-barring schemes
- opening hours
- provision of responsible gambling information

This list is not exhaustive, and is merely indicative of example measures the Licensing Authority will expect applicants to offer to meet the licensing objectives.

22.4 Betting machines made available at betting premises that accept bets on live events such as horse racing (SSBT's or self-service betting terminals) are not gaming machines and therefore do not count towards the total number of gaming machines that may be permitted at betting premises. However, where

a machine is made available to take bets on 'virtual' races (e.g. results/images generated by a computer to resemble a real race or event), that IS a gaming machine and counts towards the maximum permitted number of gaming machines, and is subject to the relevant statutory limits on stakes and prizes.

22.5 Section 181 of the Gambling Act 2005 permits the Licensing Authority to restrict the number of SSBT's, their nature and the circumstances in which they may be made available by attaching a relevant condition to a Premises Licence for a betting office. When considering whether to do so, the Licensing Authority will consider, among other things, the ability of employees to monitor the use of the machines by children and young persons or by vulnerable people.

22.6 The Licensing Authority when considering the number, nature and circumstances of self-service betting terminals an operator wants to offer will take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines.

22.7 Where an SSBT includes functionality to be marketed or presented in languages other than English, the Licensing Authority will seek to ensure the operator has considered the ordinary code provision set by the Gambling Commission about making the following information also available in the relevant languages:

- information on how to gamble responsibly and access the help referred to in the Gambling Commission's Licence Conditions and Codes of Practice;
- the player's guide to any game, bet or lottery under the provisions of the Gambling Commission's Licence Conditions and Codes of Practice;
- the summary of the contractual terms on which gambling is offered, which is a condition of the licence holder's Operating Licence issued by the Gambling Commission.

23. Betting Tracks and Other Sporting Venues

23.1 Tracks include premises where a race or other sporting event takes place, or is intended to take place. These may be subject to one or more than one Premises Licence, provided each licence relates to a specified area of the track. The Gambling Commission Guidance identifies that operators of track betting premises will not necessarily hold an Operating Licence issued by the Commission. The Licensing Authority will have particular regard to proposals and measures to ensure the environment in which betting takes place is suitable for betting and that betting is conducted in a fair and open way.

23.2 Examples of tracks include:

- Horse racecourses
- Greyhound tracks
- Point to point meetings

- Football, cricket and rugby grounds
- Athletics stadia
- Golf courses
- Venues hosting darts, bowls or snooker tournaments
- Premises staging boxing matches
- Sections of river hosting fishing competitions
- Motor racing events

23.3 The offence of permitting a child or young person to enter gambling premises under section 47 of the Act does not apply to tracks. Therefore the Licensing Authority will consider the impact upon the objective of protection of children and vulnerable persons, the need to ensure that entrances to each type of licensed premises within the sporting venue are distinct, and that children are excluded from gambling areas which they are not permitted to enter.

23.4 The possibility of multiple licences at tracks is noted in Part 20 of the Gambling Commission Guidance. The Licensing Authority will expect the applicant for a Premises Licence to demonstrate suitable measures to ensure that children do not have access to adult-only gaming facilities. Children and young persons are permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but are still prevented from entering areas where gaming machines (other than Category D machines) are provided. Children and young persons are not prohibited from playing Category D machines on a track.

23.5 In determining applications for betting at tracks, consideration will be given to appropriate measures/licensing conditions to address the matters listed below:

- proof of age schemes such as Think 21
- CCTV
- entry control system
- supervision of entrances/ machine areas
- physical separation of areas
- notices/ signage
- opening hours
- provision of responsible gambling information
- provision of policies and procedures in relation to social responsibility measures as set out below
- staffing levels
- staff training and records of staff training
- recording of incidents such as underage challenges, customer interactions for problem gambling, self-exclusions and complaints and disputes relating to gambling
- details of action to be taken where an on course bookmaker has breached their Gambling Commission Operating Licence conditions repeatedly, for example where children have been able to gamble.

This list is not exhaustive, and is merely indicative of example measures the Licensing Authority will expect applicants to offer to meet the licensing objectives.

23.6 Track betting operators must be able to demonstrate their adoption of socially responsible gambling policies and procedures. Such policies and procedures must ensure that track betting activities promote the licensing objectives of ensuring that gambling is conducted in a fair and open way and children and other vulnerable people are not harmed or exploited by gambling.

23.7 A track Premises Licence does not in itself entitle the holder to provide gaming machines. However, by virtue of section 172(9) of the Act, track owners who hold both a track Premises Licence AND a pool betting Operating Licence issued by the Gambling Commission (this currently only applies to greyhound tracks) may provide up to four Category B2 to D gaming machines on the track.

23.8 The Licensing Authority will consider the location of gaming machines at tracks, and applicants for track Premises Licences will need to demonstrate that, where the applicant holds or seeks a pool betting Operating Licence and is going to use their full entitlement to gaming machines, these machines are located in areas from which children are excluded. The applicant will be required to provide information as to what measures it will put in place around the gaming machines to ensure that children are excluded.

23.9 The Licensing Authority will expect applicants to include detailed plans for the track itself and the area that will be used for temporary “on-course” betting facilities (often known as the “betting ring”), pool betting, and any other proposed gambling facilities. Plans should make clear what is being sought for authorisation under the track betting Premises Licence and what, if any, other areas are to be subject to a separate application for a different type of Premises Licence. Any such plans must also contain the information prescribed by regulations.

23.10 In respect of staff training, the Licensing Authority would expect staff involved with the provision of gambling facilities at the track to be trained in social responsibility measures including, but not limited to, age verification, problem gambling indicators and action to be taken, self-exclusion, complaints procedures and money laundering indicators and action to be taken. Records of such training should be retained by the track management showing the subjects the staff member was trained in and the date training took place. These should be signed off by the staff member and training should be refreshed at least annually.

23.11 The Licensing Authority expects track operators to have policies and procedures in place to deal with age verification, self-exclusion, money laundering, complaints and disputes and problem gambling as a minimum and to ensure that all staff involved in the provision of gambling facilities are aware of these policies and procedures and have been trained in their implementation.

23.12 The Licensing Authority expects track management to ensure appropriate problem gambling information is provided commensurate to the size and layout of the premises. This should be in the form of posters and also leaflets which a customer can take away. Leaflets should be provided in areas where they can be taken away discreetly by the customer.

23.13 Section 152 of the Act permits tracks to be the subject of multiple Premises Licences.

23.14 Access between premises licensed for gambling and non-gambling areas will be considered carefully by the Licensing Authority for the following reasons:

- To prevent operators from attempting to circumvent the Act by artificially subdividing premises and securing separate Premises Licences for its composite parts;
- To ensure operators do not circumvent the regulations governing the maximum number of gaming machines that may be provided at specific premises;
- To ensure people who have entered premises to take part in one form of gambling are not exposed to another form of gambling;
- To ensure there is no direct access between gambling premises to which children have access and those which they are prohibited from entering;
- To ensure all gambling premises have publicly accessible entrances;
- To ensure gambling premises are not developed in 'back rooms' of other commercial premises.

24. Adult Gaming Centres (AGC's)

24.1 Adult gaming centre (AGC) Premises Licences allow the holder of the licence to make gaming machines available for use on the premises. Persons operating an AGC must hold a relevant Operating Licence from the Gambling Commission and must seek a Premises Licence from the Licensing Authority. Gaming machines are a form of gambling attractive to children and AGC's may contain machines of a similar format to the Category D machines on which children are allowed to play. However, persons under the age of 18 are not permitted to enter an AGC.

24.2 Because gaming machines provides opportunities for solitary play and immediate pay-outs, they are more likely to engender repetitive and excessive play. The Licensing Authority in considering Premises Licences for AGC's will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds are not attracted to, or gain access to, the premises.

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

- proof of age schemes
- CCTV
- entry control system
- supervision of entrances/ machine areas
- physical separation of areas
- notices/ signage
- opening hours
- staffing levels
- self-barring schemes for individuals to bar themselves from premises
- staff training
- Provision of information leaflets / helpline numbers for organisations such as GamCare and the NHS Southern Gambling Service

This list is not exhaustive, and is merely indicative of example measures the Licensing Authority will expect applicants to offer to meet the licensing objectives.

25. Family Entertainment Centres (FEC's)

25.1 Generally, FEC's must be operated by a person or body having an Operating Licence from the Gambling Commission. Unlicensed Family Entertainment Centres do not require the operator to have a Gambling Commission Operator's Licence or Premises Licence from the Licensing Authority, but do need to have a gaming machine permit as set out in the section on Permits. Unlicensed Family Entertainment Centres must only be used to provide Category D gaming machines.

25.2 Gaming machines are a form of gambling which is attractive to children and licensed FEC's will contain both Category D machines on which they are allowed to play, and Category C machines on which they are not. Because gaming machines provide opportunities for solitary play and for immediate payouts, they are more likely to engender repetitive and excessive play. The Licensing Authority, in considering applications for FEC Premises Licences, will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

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

- CCTV
- supervision of entrances/ machine areas
- physical separation of areas for Category C machines
- location of entry
- notices/ signage
- opening hours

- staffing levels
- staff training
- self-exclusion schemes
- provision of problem gambling information
- measures and training for dealing with children on the premises suspected of truanting and how to recognise signs of child sexual exploitation and other safeguarding issues

This list is not exhaustive, and is merely indicative of example measures the Licensing Authority will expect applicants to offer to meet the licensing objectives.

25.4 The Licensing Authority expects applicants to demonstrate adequate separation between the area in which Category C gaming machines are made available and areas of the premises to which children may have access. This will include whether physical separation is provided, staff supervision, signage and layout and presentation of the premises as a minimum. Operators should be aware of the risk of children entering adult only areas to speak to a parent who may be gambling in that area for example and have appropriate controls in place to reduce the risk of this.

26. Door Supervisors

26.1 The Gambling Commission Guidance advises that Licensing Authorities may consider whether there is a need for door supervision in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, but there can also be a need for supervision to stop premises becoming a source of crime. Door supervisors at bingo premises are not required to be registered by the Security Industry Authority (SIA) under the Private Security Industry Act 2001. Door supervisors not directly employed by a bingo operator do however have to be SIA registered.

26.2 For betting offices and other premises, the operator and/or the Licensing Authority may decide that supervision of entrances or machines is appropriate in particular cases. The Licensing Authority will make door supervision a requirement where there is evidence, from the history of trading at the premises or in the area, that the premises cannot be adequately supervised by counter staff or that problem customers cannot be dealt with effectively by counter staff alone and that door supervision is both necessary and proportionate

27. Provisional Statements

27.1 Following the grant of a provisional statement under sections 204 and 205 of the Act, no further representations from responsible authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the authority may refuse

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

(a) which could not have been raised by objectors at the provisional licence stage; or

(b) which in the authority's opinion reflect a change in the operator's circumstances.

28. Reviews

28.1 Requests for a review of a Premises Licence can be made by interested parties or responsible authorities, including the Licensing Authority. However, it is for the Licensing Authority to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is relevant to the matters listed below:

- any relevant Code of Practice issued by the Gambling Commission;
- any relevant guidance issued by the Gambling Commission;
- the licensing objectives;
- this Statement of Principles.

28.2 The Licensing Authority may reject an application for review if it thinks the grounds on which the review is sought:

a) are not relevant to the relevant code of practice or guidance issued by the Gambling Commission, the licensing objectives or the Licensing Authority's statement of principles;

b) are frivolous;

c) are vexatious;

d) 'will certainly not' cause the Licensing Authority to revoke or suspend the licence or to remove, amend or attach conditions on the Premises Licence;

e) are substantially the same as grounds cited in a previous application relating to the same premises (the Licensing Authority will consider the length of time that has passed since the earlier application in deciding whether this is a reasonable reason to reject the review application);

f) are substantially the same as representations made at the time the application for the Premises Licence was considered. While the Licensing Authority will consider the length of time that has passed since the representations were made, it will not normally review a licence on the basis of the same arguments considered on the grant of the Premises Licence.

28.3 General objections to gambling as an activity are not likely to be considered relevant reasons for a review. Other examples of irrelevant considerations include demand for gambling premises, issues relating to planning, public safety and traffic congestion.

28.4 The Licensing Authority can initiate a review of a particular Premises Licence, or any particular class of Premises Licence, for any reason it believes is appropriate. This includes reviewing a Premises Licence on the grounds that a Premises Licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

28.5 The Licensing Authority may review any matter connected with the use made of a particular premises if it has reason to believe the Premises Licence conditions are not being observed, or for any other reason which gives it cause to believe a review may be appropriate.

28.6 A responsible authority or interested party may apply to the Licensing Authority to review a Premises Licence. Such reviews can be made in relation to, amongst other things if there are repeated incidents of crime and disorder associated with the premises or the gambling activity which the premises operator has failed to adequately address, where incidents that have adversely effected one or more licensing objectives have occurred at premises that could have been prevented if advice and guidance from a responsible authority had been heeded, or if the premises due to the activities being undertaken is either attracting children or people likely to be involved in crime and disorder.

28.7 As a review of a Premises Licence can lead to its revocation, the Licensing Authority will consider whether informal actions to ensure timely or immediate compliance have been exhausted prior to an application being made. The Licensing Authority accepts that an application for review may be appropriate without informal measures being taken, but will seek to establish that all options have been considered in determining review applications.

Part D - Travelling Fairs and Permits

29. Travelling Fairs

29.1 The Act defines a travelling fair as 'wholly or principally' providing amusements and they must be on a site that has been used for fairs for no more than 27 days per calendar year. Travelling fairs do not require a permit to provide gaming machines but must comply with legal requirements about the way the machines are operated.

29.2 It will fall to the Licensing Authority to decide whether, where Category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

29.3 The Licensing Authority will also consider whether the applicant falls within the statutory definition of a travelling fair. The 27 day statutory maximum for the land being used as a fair each calendar year applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The Licensing Authority will keep a record of any travelling fairs that take place in Epsom & Ewell Borough that offer gambling as an ancillary use to the fair. The Licensing Authority will ensure the 27 day statutory maximum for the land being used is not breached. The Licensing Authority will advise travelling fair operators if requested of the statutory time period remaining for the land they intend to use.

30. Permits

30.1 Permits regulate gambling and the use of gaming machines in a premises which do not hold a Premises Licence. They are required when a premises provides gambling facilities but either the stakes are very low or gambling is not the main function of the premises.

30.2 The Licensing Authority is responsible for issuing the following permits:

a) unlicensed family entertainment centre gaming machine permits;
b) alcohol licensed gaming machine permits;
c) prize gaming permits;
d) club gaming permits and club machine permits.

30.3 The Licensing Authority can only grant or reject an application for a permit and cannot attach conditions. Therefore, the Licensing Authority will consider a number of factors before determining an application for a permit to ensure that the permit holder and the premises are suitable for the proposed gambling activities.

31. Unlicensed family entertainment centre gaming machine permits

31.1 This policy applies to those premises that are proposed to be used as Unlicensed Family Entertainment Centres (uFEC's). uFEC's are premises primarily used for making gaming machines available that offer only Category D gaming machines. A uFEC permit allows any number of these machines to be made available at the premises (subject to other considerations such as health and safety and fire regulations). Given that Category D machines have no age restrictions, these premises particularly appeal to children and young persons. Therefore, the Licensing Authority will give particular weight to matters relating to child protection issues.

31.2 The Licensing Authority will grant an application for a permit only if it is satisfied that the premises are used wholly or mainly for making gaming machines available for use, and following consultation with the Police.

31.3 The Licensing Authority will not grant uFEC permits where the premises are not primarily used for making gaming machines available for use in accordance with section 238 of the Gambling Act 2005. This will preclude granting permits to lobbies in shopping centres or motorway service areas for example.

31.4 In cases where an uFEC permit has been granted to premises not primarily used for making gaming machines available, the Licensing Authority shall refuse to renew such permits.

31.5 Applicants for uFEC permits are expected to provide a scale plan of the premises with their application showing entrances/exits, location of CCTV cameras, cash desk, and machine locations as well as other features such as a bowling alley for example or play area which may form part of the premises.

31.6 The Licensing Authority will require applicants to demonstrate as a minimum:

- a full understanding of the maximum stakes and prizes of gambling that is permissible in unlicensed FECs;
- that staff are trained to have a full understanding of the maximum stakes and prizes
- that problem gambling information will be provided in the premises commensurate with its size and layout;
- that the applicant has a written policy in place to deal with complaints and disputes which can be given to a customer on request;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act);
- that staff are trained to recognise problem gambling and signpost a customer to problem gambling information;
- that there is no direct access from the uFEC to an AGC or a licensed FEC area where adult only gaming machines are provided;
- that staff have been trained in how to deal with complaints and disputes in line with the applicant's policy.
- that UK Advertising Codes, restricting advertising so that gambling products are not aimed at or are particularly attractive to children, are complied with (e.g. no brightly coloured or electronic advertising on the outside of the premises).

31.7 The Licensing Authority will expect the applicant to show there are policies and procedures in place to protect children and vulnerable people from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits. However, they may include:

- measures/training for staff regarding suspected truant school children on the premises;
- measures/training covering how staff will deal with unsupervised very young children being on the premises;
- measures/training covering how staff would deal with children causing perceived problems on or around the premises;
- training for staff for identifying and how to report safeguarding and child sexual exploitation concerns.

32. Automatic entitlement to two gaming machines

32.1 Premises licensed to sell alcohol on the premises under the Licensing Act 2003 are automatically entitled to provide two gaming machines of Category C and/or D. The holder of the Premises Licence under the Licensing Act 2003 must notify the Licensing Authority of their intention to make the gaming machines available for use and must pay the prescribed fee.

32.2 This entitlement only relates to premises with a Licensing Act 2003 Premises Licence that authorises the sale of alcohol for consumption on the premises and which contain a bar at which alcohol is served without the requirement that alcohol is only sold ancillary to the provision of food.

32.3 Licensees siting gaming machines must comply with the relevant Gambling Commission Code of Practice. Licensees must be aware that gaming machines can only be supplied by a person holding an Operating Licence from the Gambling Commission enabling them to do this. A register of licensed suppliers can be found on the Gambling Commission's website at www.gamblingcommission.gov.uk.

32.4 In the event that the relevant authorisation under the Licensing Act 2003 is transferred, lapses or is revoked, the automatic entitlement to two gaming machines ceases to have effect and a new notification will need to be served on the Licensing Authority.

32.5 The Licensing Authority will remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a provision of section 282 of the Gambling Act (i.e. that written notice has been provided to the Licensing Authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission

about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

33. Licensed Premises Gaming Machine Permits

33.1 This policy applies to alcohol licensed premises that propose to have three or more gaming machines. Licensed premises wishing to have three or more gaming machines of Category C or D must apply to the Licensing Authority for a permit. This permit will replace the automatic entitlement to two gaming machines rather than be in addition to it and the holder must comply with the relevant Gambling Commission Code of Practice.

33.2 As gaming machines provide opportunities for solitary play and immediate pay-outs, they are more likely to engender repetitive and excessive play. The Licensing Authority, on considering an application, will consider whether granting a permit would be appropriate on a case by case basis, but will specifically have regard to:

- the need to protect children and vulnerable people from harm or being exploited by gambling;
- measures taken by the applicant to satisfy the Licensing Authority that there are sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines;
- whether the applicant has an effective policy in place for handling customer complaints or disputes about the gaming machines.

33.3 The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives. However, appropriate measures may cover issues such as:

- the adult machines being in the sight of staff who will monitor that the machines are not being used by those under 18 and look for signs of problem gambling, attempts to cheat the machine, or suspected money laundering;
- notices and signage;
- the provision of information leaflets or helpline numbers for organisations who can assist with problem gambling.

33.4 If the Licensing Authority is not satisfied that appropriate measures have been taken by the applicant to comply with this policy, it may refuse to grant the permit, or it may vary the number or category of gaming machines authorised by the permit.

33.5 The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the gaming machines.

33.6 The Licensing Authority may cancel a permit or may vary the number or category (or both) of gaming machines authorised by it if:

(a) it would not be reasonably consistent with pursuit of the licensing objectives for the permit to continue to have effect,

(b) gaming has taken place on the premises in purported reliance on the permit but otherwise than in accordance with the permit or a condition of the permit,

(c) the premises are mainly used or to be used for making gaming machines available, or,

(d) an offence under the Gambling Act 2005 has been committed on the premises.

33.7 Before the Licensing Authority cancels or varies a permit it will give the permit holder 21 days' notice of its intention and allow him/her the opportunity to make a representation. If the permit holder requests a hearing the Licensing Authority will arrange a Licensing Sub-Committee hearing to consider the permit holder's representation and any other evidence available before making its determination.

33.8 When determining an application for an alcohol-licensed premises gaming machine permit, the Licensing Authority will consider each application on its own merits.

34. Prize Gaming Permits

34.1 This policy applies to applications for, or renewals of, Prize Gaming Permits. Gaming is prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. Normally the prizes are determined by the operator before play commences.

34.2 Prize gaming may take place without a permit in various premises. These are bingo halls, adult gaming centres, licensed and unlicensed family entertainment centres and travelling fairs.

34.3 Given that the prize gaming will particularly appeal to children and young persons, the Licensing Authority will give weight to child protection issues.

34.4 The applicant will be expected to set out the types of gaming that they are intending to offer and will also be expected to demonstrate:

- an understanding of the limits to stakes and prizes set out in regulations;
- that the gaming offered is within the law;
- clear policies that outline the steps to be taken to protect children and vulnerable persons from harm.

34.5 The Licensing Authority will only grant a permit after consultation with the Police. This will enable the Licensing Authority to determine the suitability of the applicant in terms of any convictions that they may have that would make them unsuitable to operate prize gaming, the suitability of the premises in relation to their location, and issues about disorder.

34.6 There are conditions in the Act with which the permit holder must comply (the Licensing Authority cannot attach additional conditions). The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

35. Club Gaming and Club Machine Permits

35.1 Members clubs and miners' welfare institutes (but not commercial clubs) may apply for a club gaming permit or a club machine permit. Commercial clubs such as snooker clubs run on a profit basis may apply for a club machine permit. Each type of permit allows the provision of different types of gaming and provision of gamine machines. The current entitlements can be found by visiting the Gambling Commission's website (www.gamblingcommission.gov.uk).

35.2 A commercial club is defined as a club where membership is required but the club is operated for commercial gain.

35.3 A non-commercial club is a club where no commercial gain is made. A non-commercial club must meet the following criteria to be considered a members' club:

- it must have at least 25 members;
- it must be established and conducted wholly or mainly for purposes other than gaming (with the exception of bridge or whist);
- it must be permanent in nature;
- it must not be established to make a commercial profit;
- it must be controlled by its members equally.

Examples of these include working men's clubs, branches of the Royal British Legion and clubs with political affiliations.

35.4 The Licensing Authority may only refuse an application on the grounds that:

a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;

b) the applicant's premises are used wholly or mainly by children and/ or young persons;

c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;

d) a permit held by the applicant has been cancelled in the previous ten years; or

e) an objection has been lodged by the Gambling Commission or the Police.

35.5 There is also a "fast-track" procedure available under the Act for premises that hold a club premises certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Gambling Commission or the Police, and the grounds upon which a Licensing Authority can refuse a permit are reduced. The grounds on which an application under this process may be refused are that:

(a) the club is established primarily for gaming, other than gaming prescribed under schedule 12;

(b) in addition to the prescribed gaming, the applicant provides facilities for other gaming; or

(c) a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

35.6 There are statutory conditions on club gaming permits that no child may use a Category B or C gaming machine on the premises and that the holder complies with any relevant provision of a Gambling Commission Code of Practice about the location and operation of gaming machines.

35.7 The Licensing Authority will need to satisfy itself that the club meets the requirements of the Gambling Act 2005 to hold a club gaming permit. In order to do this, it may require proof of additional information from the operator such as:

- is the primary activity of the club something other than gaming?
- are the club's profits retained solely for the benefit of the club's members?
- are there 25 or more members?

- are the addresses of members of the club genuine domestic addresses and do most members live reasonably locally to the club?
- do members participate in the activities of the club via the internet?
- do guest arrangements link each guest to a member?
- is the 48 hour rule being applying for membership and being granted admission being adhered to?
- are there annual club accounts available for more than one year?
- how is the club advertised and listed in directories and on the internet?
- are children permitted in the club?
- does the club have a constitution and can it provide evidence that the constitution was approved by members of the club?
- is there a list of Committee members and evidence of their election by the club members?

35.8 When examining the club's constitution, the Licensing Authority would expect to see evidence of the following:

- Who makes commercial decisions on behalf of the club?
- Are the aims of the club set out in the constitution?
- Are there shareholders or members? Shareholders indicate a business venture rather than a non-profit making club.
- Is the club permanently established? (Clubs cannot be temporary).
- Can people join with a temporary membership? What is the usual duration of membership?
- Are there long term club membership benefits?

35.9 Aside from bridge and whist clubs, clubs may not be established wholly or mainly for the purposes of gaming. The Licensing Authority may consider such factors as:

- How many nights a week gaming is provided;
- How much revenue is derived from gambling activity versus other activity;
- How the gaming is advertised;
- What stakes and prizes are offered;
- Whether there is evidence of leagues with weekly, monthly or annual winners;
- Whether there is evidence of members who do not participate in gaming;
- Whether there are teaching sessions to promote gaming such as poker;
- Where there is a tie-in with other clubs offering gaming through tournaments and leagues;
- Whether there is sponsorship by gaming organisations;
- Whether participation fees are within limit

Part E - Notices

36. Temporary Use Notices

36.1 This policy applies to applications for Temporary Use Notices (TUN). Temporary Use Notices allow the use of premises for gambling where there is no Premises Licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for gambling would include hotels, conference centres and sporting venues.

36.2 The Licensing Authority can only grant a Temporary Use Notice to a person or a company holding a relevant Operating Licence.

36.3 Currently, Temporary Use Notices can only be used to permit the provision of facilities for equal chance gaming, where the gaming is intended to produce a single overall winner.

36.4 The Licensing Authority, in considering applications for Temporary Use Notices, will consider whether gambling should take place, or should only take place with modifications to the TUN. In doing so, the Licensing Authority will consider:

- the suitability of the premises;
- the location of the premises, paying particular attention to its proximity to any schools, hostels or other sensitive premises;
- the CCTV coverage within the premises;
- the ability of the premises to provide sufficient staff and/or licensed door supervisors for the notice period;
- whether the premises or the holder of the Operating Licence have given the Licensing Authority any cause for concern at previous events in relation to the licensing objectives, the guidance issued by the Gambling Commission, the relevant code of practice or this Statement of Principles.

37. Occasional Use Notices

37.1 Occasional Use Notices allow licensed bookmakers to provide betting facilities at genuine sporting events for a short period of time, without needing a full betting premises licence. The Licensing Authority has very little discretion on Occasional Use Notices for betting at tracks aside from ensuring the statutory limit of eight days a calendar year is not exceeded. The Licensing Authority will consider the definition of a “track” and whether the applicant can demonstrate they are responsible for the administration of the “track” or an occupier, and thus permitted to avail themselves of the notice. The definition of “track” in the Act is wider than dog tracks or horse racecourses and includes places where races or other sporting events take place. This could include major halls, hotels and other venues. If notices are given for a single track which would permit betting to occur for more than eight

days per year, the Licensing Authority is obliged to issue a counter notice preventing such a breach occurring

Chapter F - Small Society Lotteries

38. Legal lotteries

38.1 The Gambling Act 2005 provides that promoting or facilitating a lottery is illegal, unless it falls into one of two categories of permitted lottery, namely:

- licensed lotteries – these are large society lotteries and lotteries run for the benefit of local authorities that are regulated by the Commission and require operating licences
- exempt lotteries – there are four types of exempt lottery that are expressly permitted under Schedule 11 of the Act, including the small society lottery.

39. Definition of lottery

39.1 A lottery is any arrangement that satisfies all of the criteria contained within the statutory description of either a simple lottery or a complex lottery, under s.14 of the Gambling Act 2005.

39.2 An arrangement is a simple lottery if:

- persons are required to pay to participate
- one or more prizes are allocated to one or more members of a class
- the prizes are allocated by a process which relies wholly on chance.

39.3 An arrangement is a complex lottery if:

- persons are required to pay to participate
- one or more prizes are allocated to one or more members of a class
- the prizes are allocated by a series of processes
- the first of those processes relies wholly on chance.

40. Definition of society

40.1 A ‘society’ is the society, or any separate branch of such a society, on whose behalf a lottery is to be promoted. Section 19 of the Gambling Act 2005 defines a society as such if it is established and conducted:

- for charitable purposes, as defined in s.2 of the Charities Act 2006
- for the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity
- for any other non-commercial purpose other than that of private gain.

40.2 It is inherent in this definition that the society must have been established for one of the permitted purposes as set out in s.19 of the Act, and that the

proceeds of any lottery must be devoted to those purposes. It is not permissible to establish a society whose sole purpose is to facilitate lotteries.

40.3 Participation in a lottery is a form of gambling. Lotteries must be conducted in a socially responsible manner and in accordance with the Act.

40.4 The minimum age for participation in a lottery is sixteen (except the National lottery, where the minimum age is 18). The holder of a small society lottery registration must take reasonable steps to ensure that all those engaged in the promotion of their lottery understand their responsibilities for preventing underage gambling, returning stakes and not paying prizes to underage customers.

41. External Lottery Managers

41.1 External lottery managers (ELM's) are required to hold a lottery operator's licence issued by the Gambling Commission to promote a lottery on behalf of a licensed society.

41.2 However, individuals or firms can and do provide services to a society or local authority lottery without assuming the role of an ELM. When determining whether a third party is a 'service provider' only, or has assumed the role of an ELM, the degree of management undertaken by both the promoter and the sub-contractor will be crucial factors. Key indicators will include:

- who decides how the lottery scheme will operate
- who appoints and manages any sub-contractors
- the banking arrangements for handling the proceeds of the lottery
- who sells the tickets and pays the prizes
- who controls promotional aspects of the lottery.

41.3 Societies employing an unlicensed ELM may be committing an offence and they will need to satisfy themselves that any ELM they employ holds the relevant operator's licence issued by the Commission. The Commission publishes a register of operating licences on its website at www.gamblingcommission.gov.uk.

42. Lottery Tickets

42.1 Lotteries may involve the issuing of physical or virtual tickets to participants (a virtual ticket being non-physical, for example in the form of an email or text message). All tickets must state:

- the name of the promoting society
- the price of the ticket, which must be the same for all tickets (e.g. there can be no option to 'buy two tickets, get one free'
- the name and address of the member of the society who is designated as having

- responsibility at the society for promoting small lotteries or, if there is one, the ELM
- the date of the draw, or information which enables the date to be determined.

42.2 The requirement to provide this information can be satisfied by providing an opportunity for the participant to retain the message electronically or print it.

42.3 The society must maintain written records of any unsold and returned tickets for a period of one year from the date of the lottery draw. The Licensing Authority may wish to inspect the records of the lottery for any purpose related to the lottery.

43. Where tickets may be sold

43.1 The Licensing Authority expects holders of small society lottery registrations not to sell lottery tickets to a person in any street. For these purposes 'street' includes any bridge, road, lane, footway, subway, square, court, alley or passage (including passages through enclosed premises such as shopping malls) whether a thoroughfare or not. Tickets may, however, be sold in a street from a static structure such as a kiosk or display stand. Tickets may also be sold door to door. Licensees must ensure that they have any necessary local authority permissions, such as a street trading licence, in order to do this.

44. Prizes

44.1 Prizes awarded in small society lotteries can be either cash or non-monetary. Prizes declared on returns must not exceed the limits on prizes set out by the Act - in effect that combined with any expenses incurred with the running of the lottery, such as managers' fees, they must not comprise more than 80% of the total proceeds of the lottery. Donated prizes would not be counted as part of this 80% (as no money would be withdrawn from the proceeds to cover their purchase) but are still subject to the limit on a single maximum prize of £25,000 and must be declared on the return following the lottery draw.

44.2 Alcohol must not be offered as a prize in a lottery without the society first ensuring that no Licensing Act 2003 consent is required for this from the Licensing Authority. If such consent is required, then alcohol shall not be offered as a prize unless such consent has been obtained.

45. Small society registration

45.1 The promoting society of a small society lottery must, throughout the period during which the lottery is promoted, be registered with a Licensing Authority. Parts 4 and 5 of Schedule 11 of the Act set out the requirements on both societies and Licensing Authorities with respect to the registration of small society lotteries.

45.2 The Licensing Authority with which a small society lottery is required to register must be in the area where their principal office is located.

45.3 Applications for small society lottery registrations must be in the form prescribed by the Secretary of State and be accompanied by both the required registration fee and all necessary documents required by the Licensing Authority to assess the application. This information shall include a copy of the society's terms and conditions and their constitution to establish that they are a non-commercial society.

45.4 Societies may not circumvent the requirement to hold a Gambling Commission Lottery Operating Licence by obtaining two or more registrations with the same or different Licensing Authorities. As set out previously, the Act states that a society lottery is a large lottery if the arrangements for it are such that its proceeds may exceed £20,000 in a single lottery, or if the aggregate proceeds in a calendar year exceed £250,000.

45.5 In cases where a society has separate branches with different aims and objectives, it is acceptable for them to hold more than one licence or registration. However, in cases where a society holds more than one registration and the aims and objectives of those societies are the same, this may constitute a breach of the threshold limits for small society lotteries set out in Schedule 11 of the Act.

45.6 By virtue of Schedule 11 paragraph 31(5) of the Act, societies may not hold an Operating Licence with the Gambling Commission and a local authority registration with the same aims and objectives at the same time. This paragraph also provides for a statutory period of three years during which a large society cannot convert to small society status.

45.7 Registrations run for an unlimited period, unless the registration is cancelled.

46. Refusal of registration

46.1 The Licensing Authority may propose to refuse an application for any of the following reasons:

- An operating licence held by the applicant for registration has been revoked or an application for an operating licence made by the applicant for registration has been refused, within the past five years. The Commission will be able to advise the details of people and organisations that have been refused an operating licence or have had an operating licence revoked in the past five years. Licensing Authorities should consult the Commission as part of their consideration process.
- The society in question cannot be deemed non-commercial.
- A person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence, listed in Schedule 7 of the Act.

- Information provided in or with the application for registration is found to be false or misleading.

46.2 The Licensing Authority may only refuse an application for registration after the society has had the opportunity to make representations. The Licensing Authority will give the society 21 days' notice of its intention to refuse the registration of the society and allow him/her the opportunity to make a representation. If the society requests a hearing the Licensing Authority will arrange a Licensing Sub-Committee hearing to consider the society's representation and any other evidence available before making its determination.

47. Revocation of a small society's registered status

47.1 The Licensing Authority may revoke the registration of a society if it thinks that they would have had to, or would be entitled to, refuse an application for registration if it were being made at that time. The Licensing Authority will give the society 21 days' notice of its intention to revoke the registered status of the society and allow him/her the opportunity to make a representation. If the society requests a hearing the Licensing Authority will arrange a Licensing Sub-Committee hearing to consider the society's representation and any other evidence available before making its determination.

47.2 Where following consideration of any representation received within an appropriate time period the Strategic Director of Place is minded to refuse the registration the matter shall be referred to the Licensing Sub-Committee for determination. A hearing to consider the society's registered status will be commenced as soon as is reasonably practicable.

48. Administration and returns

48.1 The Act requires that a minimum proportion of the money raised by the lottery is channelled to the goals of the society that promoted the lottery. If a small society lottery does not comply with these limits it will be in breach of the Act's provisions, and consequently be liable to prosecution.

48.2 The limits are as follows:

- at least 20% of the lottery proceeds must be applied to the purposes of the society (Schedule 11, paragraph 33)
- no single prize may be worth more than £25,000 (Schedule 11, paragraph 34)
- rollovers between lotteries are only permitted where every lottery affected is also a small society lottery promoted by the same society, and the maximum single prize is £25,000 (Schedule 11, paragraph 35)
- every ticket in the lottery must cost the same and the society must take payment for the ticket fee before entry into the draw is allowed (Schedule 11, paragraph 37).

48.3 Paragraph 39 of Schedule 11 in the Act sets out the information that the promoting society of a small society lottery must send as returns to the Licensing Authority with which it is registered, following each lottery held. This information allows Licensing Authorities to assess whether financial limits are being adhered to and to ensure that any money raised is applied for the proper purpose. The following information must be submitted:

- the arrangements for the lottery - specifically the date on which tickets were available for sale or supply, the dates of any draw and the value of prizes, including any donated prizes and any rollover
- the total proceeds of the lottery
- the amounts deducted by the promoters of the lottery in providing prizes, including prizes in accordance with any rollovers
- the amounts deducted by the promoters of the lottery in respect of costs incurred in organising the lottery
- the amount applied to the purpose for which the promoting society is conducted (this must be at least 20% of the proceeds)
- whether any expenses incurred in connection with the lottery were not paid for by deduction from the proceeds, and, if so, the amount of expenses and the sources from which they were paid.

48.4 Paragraph 39 of Schedule 11 in the Act also requires that returns must:

- be sent to the Licensing Authority no later than three months after the date of the lottery draw, or in the case of 'instant lotteries' (scratchcards) within three months of the last date on which tickets were on sale be signed (electronic signatures are acceptable if the return is sent electronically)
- by two members of the society, who must be aged 18 or older, are appointed for the purpose in writing by the society or, if it has one, its governing body, and be accompanied by a copy of their letter or letters of appointment.

48.5 The Gambling Commission may inspect a society's returns, although it will not routinely do so. The Licensing Authority is required to retain returns for a minimum period of three years from the date of the lottery draw. They must also make them available for inspection by the general public for a minimum period of 18 months following the date of the lottery draw. Lottery returns may be inspected at Epsom Town Hall offices, please e-mail licensing@epsom-ewell.gov.uk to make an appointment.

48.6 The Licensing Authority will monitor the cumulative totals of returns to ensure that societies do not breach the annual monetary limit of £250,000 on ticket sales. The Licensing Authority must notify the Commission if returns reveal that a society's lotteries have exceeded the values permissible, and such notifications will be copied to the society in question. The Gambling Commission will contact the society to determine if they are going to apply for a lottery operator's licence, thereby enabling them to run large society lotteries lawfully, and will inform the Licensing Authority of the outcome of its exchanges with the society.

If you would like the Statement of Principles for the Gambling Act 2005 in large print, Braille, audiotape or in another language, please contact the Licensing Team.

Licensing
Epsom & Ewell Borough Council (EEBC)
The Old Town Hall,
The Parade,
Epsom
KT18 5BY

Phone: 01372 732000
Email: licensing@epsom-ewell.gov.uk

Appendix 1 Consultation

A twelve-week consultation exercise on the revised draft Statement was carried out between [DATES], and the results of the consultation are summaries below.

The Act sets out statutory consultees as follows:

- The Chief Officer of the local police service;

- One or more persons who appear to be the authority to represent the interest of persons carrying on gambling businesses in the authority's area;

- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act;

In addition to publishing the consultation on our website and notifying residents via our asocial media streams, we also sent copies of the revised Statement of Principles to and invited comment from the following;-

Epsom Business Improvement District ('Go Epsom')
Association of British Bookmakers
The Race Course Association Limited
The Jockey Club
Epsom Downs Racecourse Ltd
Entain Group (Ladbrokes/Coral)
Williamm Hill organisation Ltd
Done Brothers (Cash Betting) limited T/A Betfred
Reels Casino Slots Limited
Surrey County Council Children's, Adult Social Care, and Public Health Services
Epsom & Ewell Borough Council Safeguarding Lead
Ward Councillors
Citizen Advice Bureau
Gamcare

A Summary of the responses received are shown below:

- Comment ID: **2**

'I believe the gambling policy should be much stricter as gambling brings no benefit to the local community and is often negative for individuals.;

- Comment ID: **3**

'Hi there I'm happy here thank you for everything'

Maya Twardzicki - Public Health Lead - Mental Health
Surrey County Council Public Health Team

'Part A Introduction & Overview

Section 6

- 6.1b & 6.4 – **please add Public Health to the of Interested Parties**

- Suggest adding a similar recognition of harmful gambling that Runnymede have added to their policy:

  The Council considers harmful gambling to be a public health issue because it is associated with harms to individuals, their families, close associates and wider society ('Gambling-related harms evidence review: summary' updated by the Office for Health Improvement and Disparities and Public Health England on 11 January 2023). Research shows that the most socio-economically deprived and disadvantaged groups in England have the lowest gambling participation rates, but the highest levels of harmful gambling and they are also the most susceptible to harm. Where possible, we aim to work with partner agencies, such as Surrey County Council Public Health Team to improve health inequalities in the Borough due to harmful gambling.

- Suggest adding to introduction or a sub section in meeting objective 2 of the gambling act: protecting children and other vulnerable people from being harmed or exploited by gambling - the known link between gambling harms and socio-economic deprivation/disadvantage, poor physical and mental health, substance use.
  Given that the PHE Gambling Related Harms Evidence Review (2023) states:
  - *The most socio-economically deprived and disadvantaged groups in England have the lowest gambling participation rates, but the highest levels of harmful gambling and they are also the most susceptible to harm. So, if there are no interventions to improve this situation, harmful gambling is likely to make existing health inequalities worse.*
  - *for at risk and problem gambling..there is a higher prevalence among people with poor health, low life satisfaction and wellbeing. This is particularly true where there is an indication of psychological health problems.*
  - *there was a clear association between gambling at all levels of harm and increased alcohol consumption,… but is greater for at-risk and problem gambling.*
  - *University of Bristol (2024) systematic review & meta-analysis of evidence indicated the prevalence of gambling disorders in substance use treatment - around 23% suffer conditions along the broader spectrum of problem gambling & around 14% of patients demonstrate comorbid pathological gambling*

Section 10

9. Consider use of Runnymede Betting Shop Checklist when receive from Kelly Dutfield (adapted from Gambling Commission template)

9. Consider adding something about enforcement checks of any mandatory conditions imposed at the time of granting a license (eg in response to representations/objections)

10.1 Suggestion (taken from Haringey Council Gambling Policy) to consider: Recommend for planning permission to be obtained first so proper

consideration can be given to impact the premises will have on surrounding amenities, character & locality.

Part B: Local Area Profile & Risk Assessments

12. Information about Epsom & Ewell Borough

- 12.8 Suggest adding after "Court Ward is the 4th most deprived ward in Surrey" - Two deprived wards in the borough - Ruxley and Court – are identified as Key Neighbourhood as in the Surrey Health and Wellbeing Strategy - where resident populations experience the poorest health outcomes.
    - Ruxley in Epsom and Ewell is the ward that encompasses the 4th most deprived LSOA (Lower Super Output (small geographic) Area) in Surrey and it is in the 20% most deprived LSOAs nationally; Court is the ward that encompasses the 18th most deprived LSOA in Surrey and is in the 30% most deprived LSOAs nationally

- 12.11 Suggest removing sentence" there is no evidence of saturation of gambling premises within the borough nor are there any identified problem hotspots for vulnerable persons insofar as gambling is concerned.*".(*as there is no measure for saturation this and the picture re vulnerable persons is more complex than this – there are many locations of services for vulnerable people in Epsom & Ewell -see below.
- Suggest instead adding sentence: Department of Health and Social Care indicators for the determinants of health now include density of gambling premises per 100,000 population as a contributing factor to health inequalities. 2025 data shows that Epsom and Ewell has a higher number of gambling premises per 100,000 population than South-East England – 12.2 vs 10.7. (Fingertips).

- 12.12 Suggest: Adding more locations of services for vulnerable adults and children – see suggestions below:
    - Mental Health and Wellbeing Services:

      Community Mental Health Recover Service in the Horizon Centre, Upper Street, Epsom: The Old Moat Garden Centre, Horton Lane - life and vocational skills for people living with mental ill health) Epsom; Love Me Love My Mind – Temple Road, Epsom; Social Prescribing at Epsom & Ewell Community Wellbeing Centre
    - Addiction and Substance Use Services: the Horizon Centre in Upper Street, Epsom
    - Domestic Abuse Services: monthly drop in at the Brickfield Centre Portland Place, Epsom
    - Emergency Interim Accommodation & Homelessness Services – Defoe Court (supported accommodation for young people who are homeless/at risk), Transform Housing (temporary housing for families

that would otherwise be homeless) *E&E B.C Housing Dep. will have the full list…..?*

[2 way: Gambling can lead to relationship & family breakdowns, rent and bill arrears, domestic abuse, debt and deteriorating mental health – all of which can lead to someone being asked/forced to leave their home. Gambling offers a temporary distraction/escapism from harsh realities, trauma, and boredom of street life; & a hope for a quick fix- to win money to get off the street/afford necessities]

- Places/Services frequented by Young People: Colleges (Nescot and Epsom College), youth clubs/centres, public and private schools, playgrounds

13. Risk Assessment

- Suggest adding: Where applications are made for new gambling premises that are near to;-
  - Key Neighbourhoods (as identified in Surrey's Health and Wellbeing Strategy) and areas within one mile of them and containing key amenities used by residents of those Key Neighbourhoods ('natural neighbourhoods')
  - Services/venues for vulnerable adults and for children

  the council will consider they are very likely to adversely affect the gambling objective: protecting children and other vulnerable people from being harmed or exploited by gambling.

  (The reason being that Key Neighbourhoods are areas of socio-economic deprivation and poorer health outcomes. Research shows that the most socio-economically deprived and disadvantaged groups in England have the lowest gambling participation rates, but the highest levels of harmful gambling and they are also the most susceptible to harm)
- 13.2.c: expand the list of examples of facilities used by vulnerable persons to include: Mental Health and Wellbeing, Substance Use, Domestic Abuse, Emergency Interim Accommodation & Homelessness Services *(or provide a link back to this expanded list as per comment* 12.c)
- Add to list of vulnerable adults: services for people with learning difficulties, disabilities and autism: Jasmine House, West Park Road, Epsom; My Time Epsom Day Opportunity Service, St Ebbas Hospital, Hook Road, Epsom
- 13.2. add another bullet point - The location of any nearby sensitive premises such as facilities used by children and young people
- 13.4 . Suggest adding: Staff training to include recognition of substance use (drugs and alcohol), conflict management and prevention of under 18 gambling. Training records should be kept onsite and shall be made available upon request by a Licensing Officer or Police
- Where application is granted – ensure enforcement includes consideration of identification and support given to vulnerable people – as not all vulnerabilities are visible

Part C Premises Licenses

20.1 Is it useful to also include – persons who may be under the influence of alcohol or drugs

24.3 Consider adding the NHS Southern Gambling Service

28. Reviews: 28.1 would it be relevant to add a bullet point: if any mandatory or additional conditions made upon granting of a license are not being followed/implemented

Part D

31. Unlicensed family entertainment centre gaming machine permits

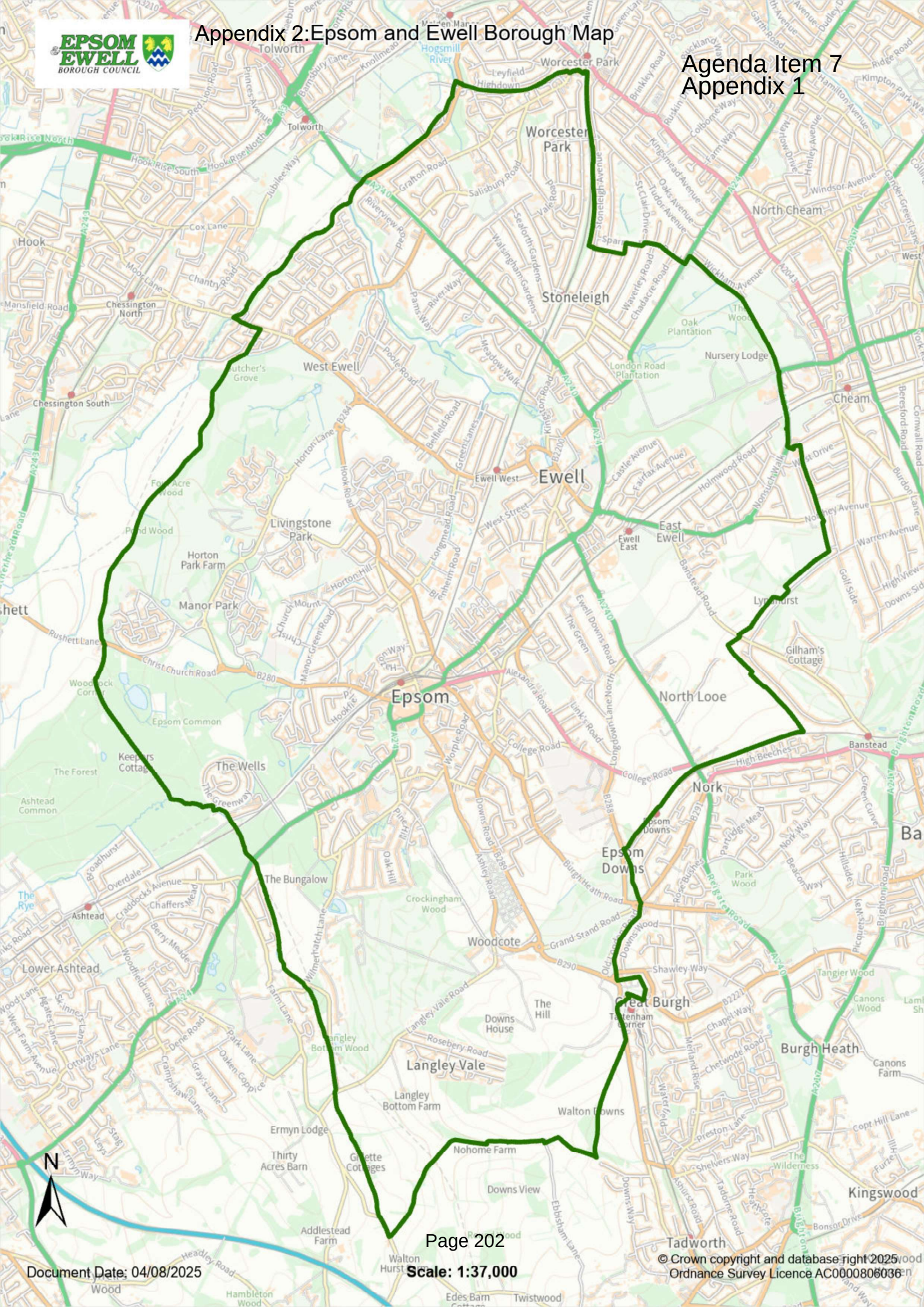
31.6 Suggest adding: The Gambling Commission's guidance for the objective Protecting children and other vulnerable persons from being harmed or exploited by gambling – means in addition to preventing children from taking part in gambling – restrictions on advertising so that gambing products are not aimed at or are particularly attractive to children. The Licensing Authority will therefore consider, as suggested in the guidance, whether specific measures are required at particular premises. No brightly coloured or electronic advertising on the outside of the premises *(eye catching advertising can be especially attractive to children)*

31.6 Will all items in 3.6 be checked they are happening by Licensing ?

33.2 Would this point also not apply to section 32 ? (premises to sell alcohol that are automatically entitled to provide 2 gaming machines)

Appendix 2:Epsom and Ewell Borough Map

Agenda Item 7
Appendix 1



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SECTION 106 MONITORING FEES

Head of Service:	Ian Mawer, Head of Planning Policy and Economic Development
Report Author	Ian Mawer, Simon Taylor
Wards affected:	(All Wards);
Urgent Decision?	No

Summary

Legislation and planning practice guidance enables the Council to charge a monitoring fee for Section 106 Agreements.

This report seeks to introduce new charges to cover some of the administration costs of monitoring future Section 106 agreements which if approved will be added to the Councils Planning Fees and Charges Schedule.

Recommendation (s)

The Committee is asked to:

(1) Approve the introduction of new fees from the 1 April 2026 to help cover:

a) Administration and monitoring of Section 106 agreements as set in paragraph 3.4 table 1

b) Long term monitoring of legal agreements in relation to biodiversity net gain provision as set out in paragraph 4.6 table 2.

(2) To publish the monitoring fee as set out in tables 1 and 2 on the Council's website.

1 Reason for Recommendation

1.1 Some planning permissions require supporting legal agreements to make the development acceptable in planning terms. These legal agreements are known as Section 106 agreements and in the borough are typically used to secure affordable housing provision.

1.2 This report seeks to introduce charges to cover some of the administration costs of monitoring future Section 106 agreements.

2 Background

2.1 Some planning applications require supporting legal agreements to make the development acceptable in planning terms. These legal agreements are known as Section 106 agreements and in the borough are typically used to secure affordable housing provision.

2.2 An agreement made under Section 106 of the Town and Country Planning Act 1990 is known as a planning obligation which requires the applicant/developer and/or other interested parties to enter into an agreement with the local planning authority (known as a Section 106 agreement) which can:

(a) Restrict the development or use of the land in any specified way.

(b) Require operations or activities to be carried out.

(c) Require the land to be used in a specified way.

(d) Require a sum or sums to be paid to the authority on a specified date or dates or periodically.

2.3 These agreements will secure a variety of measures which if not provided would make the development unacceptable. Once the agreement has been executed, the Councils Developer Contributions Lead Officer will monitor the agreements to ensure that they are complied with.

2.4 The extent of monitoring will rest with the obligation that has been sought and this can be a one-off event, namely provision of affordable housing or it may be a number of actions that are required, namely maintenance of habitats works under Biodiversity net gain.

2.5 The Community Infrastructure Levy Regulations 2010 (as amended) allow local authorities to charge a monitoring fee under section 106 planning obligations to cover the cost of the monitoring and reporting of delivery of that obligation.

2.6 This is also set out in Planning Practice guidance: Use of planning obligations and process for changing obligations. The legislation and practice guidance allows local authority to charge fees, specifically it states that:

‘*in all cases, monitoring fees must be proportionate and reasonable and reflect the actual cost of monitoring. Authorities could consider setting a cap to ensure that any fees are not excessive*’.

2.7 The introduction of charges is permissible, and the proposed fees would cover the costs to the council of monitoring compliance of these agreements in accordance with the Community Infrastructure Levy (Amendment)(England)(No.2) Regulations 2010 (As Amended).

2.8 The local authorities that will form part of the East Surrey Unitary Authority[1] all charge Section 106 Monitoring Fees, although there are variations in the approach taken and the scale of development to which they apply. The charges proposed in Table 1 align with those charged by Mole Valley District Council.

Biodiversity Net Gain

2.9 Following the introduction of the Environment Act in 2021 a new process was also introduced to deliver Biodiversity Net Gain (BNG) on new development that requires planning permission. The Environment Act was subsequently embedded into the Town and Country Planning Act with effect from January 2024 (major schemes) and April 2024 (small to medium schemes).

2.10 As such planning applications are now required to demonstrate how they will deliver developments to include 10% biodiversity net gain, subject to some exemptions. The net gain provision whether within the development site or on another site must be maintained for a period of 30 years.

3 Section 106 administration and monitoring fee

3.1 It is proposed that the Council introduces a standard administration and monitoring fee for all planning applications requiring a Section 106 legal agreement.

3.2 The administration and compliance fees are based on the size of development. The fee covers the cost of matters including:

- Data entry and database maintenance;
- Issuing outstanding Section 106 planning obligation demands;
- Planning obligation compliance;
- Following up unpaid invoices or outstanding contribution demands;
- Processing payments;
- Gathering, recording and reporting the planning obligation spend.

3.3 The monitoring fee would cover a proportion of the staffing costs incurred by the Council in producing section 106 legal agreements and towards the monitoring of the legal agreements which is required to satisfy the legal duty upon the Council to produce an Annual Infrastructure Funding Statement.

[1] Elmbridge Borough Council, Mole Valley District Council, Reigate and Banstead Borough Council, Tandridge District Council and Surrey County Council

3.4 The proposed fees for Section 106 monitoring and compliance are detailed in Table 1. The fees vary by the size of development to reflect that larger schemes typically have more complex section 106 agreements that require increased resource to administer and monitor.

Table 1: S106 administration and monitoring Fees

Threshold	1-9 homes and/or 0-999m2 of commercial floorspace	10-49 homes and/or 1,000-3,499m2 of commercial floorspace	50-99 homes and/or 3,500-10,000m2 of commercial Floorspace	Over 100 homes and/or 10,000m2+ of commercial floorspace
Fee per application	£1,000 (where an obligation is required)	£5,000	£15,000	£20,000

3.5 The above fees will provide applicants with certainty as to what they are to be charged on implementation of the development. They will be in place until the new East Surrey Unitary Authority reviews fees and implements its own fees and charges.

3.6 The amount of income received will vary dependent upon the number and size of planning applications permitted with a supporting section 106 agreement.

3.7 It is important to note that the Council charges a separate fee legal fee for preparing deeds. In addition, Surrey County Council charge their own fees for monitoring travel plans which is currently set at £5,000.

4 Biodiversity Net Gain Monitoring Fees

4.1 The law requires that new biodiversity net gain habitat is secured for at least 30 years via planning obligation or conservation covenants.

4.2 The Council are required to monitor all significant on-site Biodiversity Net Gains and relevant off-site Biodiversity Net Gains. A Habitat Management and Monitoring Plan detailing how significant gains will be maintained, will be submitted in draft prior to the determination of planning applications and if planning permission is granted must be submitted as final, for approval by the Council, in support of the discharge of a Biodiversity Gain Plan condition.

4.3 A monitoring fee is proposed to be introduced to cover the costs of monitoring the delivery of BNG for the 30-year period where it is provided on-site or off-site. The fee is a single one-off payment to cover monitoring and compliance of the 30 year monitoring period.

4.4 The Biodiversity Net Gain monitoring fees will not apply in instances where off-site compensation is being secured through Biodiversity Units from a formally registered Habitat Bank delivered by a registered third party, or credits purchased from the national scheme of statutory biodiversity credits.

4.5 The proposed fees detailed in Table 2 vary based on the amount (area) of biodiversity net gain habitat being secured from a development and the technical difficulty of the habitat creation and habitat enhancement. Difficulty is a measure used in the Statutory Biodiversity Metric to represent the uncertainty in the effectiveness of management techniques used to enhance or create habitat and is categorised as low medium or high. This reflects the variations in the amount of officer time that will be required to monitor BNG compliance.

4.6 Payment of the Biodiversity monitoring fee will be secured either by Section 106 agreement or a Unilateral Undertaking and will be in addition to the S106 administration and monitoring Fees detailed in Table 1.

Table 2: Biodiversity Net Gain Monitoring Fees

Biodiversity Net Gain	**Level of difficulty**		
Area of significant habitat (including length of linear features multiplied by 5m)	Low Difficulty	Moderate Difficulty	High Difficulty
Small: less than 10ha	£6,480	£7.355	£7,495
Medium: greater than 10ha but less than 20ha	£6,667	£7,588	£7,880
Large: 20ha plus	£6,900	£7,880	£8,317

5 Risk Assessment

Legal or other duties

5.1 Equality Impact Assessment

5.1.1 None

5.2 Crime & Disorder

5.2.1 None

5.3 Safeguarding

5.3.1 None

5.4 Dependencies

5.4.1 None

5.5 Other

5.5.1 None

6 Financial Implications

6.1 The introduction of fees will enable the council to recover the costs of monitoring Section 106 legal agreements resulting from planning consents in the borough.

6.2 **Section 151 Officer's comments**: It is necessary to recover the costs of monitoring development agreements so that the cost does not become a burden to council tax payers.

7 Legal Implications

7.1 S.106 of the Town and Country Planning Act 1990 requires the local planning authority to secure certain obligations to ensure that the development is acceptable. Community Infrastructure Levy (Amendment)(England)(No.2) Regulations 2019 allows councils to charge for monitoring of Section 106 agreements.

7.2 **Legal Officer's comments**: The legal implications of the proposals have been considered and taken into account in the preparation of this report and as set out , the Regulations allow monitoring fees to be included in section 106 agreements.

7.3 **Policies, Plans & Partnerships:** N/A

7.4 **Council's Key Priorities**: N/A

7.5 **Service Plans**: The matter is not included within the current Service Delivery Plan.

7.6 **Climate & Environmental Impact of recommendations**: None

7.7 **Sustainability Policy & Community Safety Implications**: None

7.8 **Partnerships**: None

7.9 **Local Government Reorganisation Implications**: It is anticipated that the new East Surrey Unitary Authority will set standard charges for section 106 monitoring at a future date.

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STONELEIGH AND AURIOL NEIGHBOURHOOD PLAN - TO 'MAKE' THE NEIGHBOURHOOD PLAN FOLLOWING A SUCCESSFUL REFERENDUM

Head of Service:	Ian Mawer, Head of Planning Policy and Economic Development
Report Author	Susie Legg, Ian Mawer
Wards affected:	Auriol Ward; Cuddington Ward; Stoneleigh Ward;
Urgent Decision	No
Appendices (attached):	Appendix 1 – Stoneleigh and Auriol Local Plan Decision Statement

Summary

The Localism Act 2011 introduced a right for communities to draw up neighbourhood development plans. Stoneleigh and Auriol Neighbourhood Forum, with support and advice from Epsom and Ewell Borough Council has produced a neighbourhood plan.

The neighbourhood plan has been subject to community and stakeholder engagement and was subject to an Independent Examination during September and October 2025, which concluded with a recommendation by this committee that Neighbourhood Plan should proceed to Referendum.

A Referendum was held on 12 February 2026 with a positive outcome, with the following results based on a turnout of 20.7%:

- Yes: 93.4%
- No: 6.6%

Recommendation (s)

The Committee is asked to:

(1) Agree that the Stoneleigh and Auriol Neighbourhood Plan be formally made (adopted) as part of the statutory Development Plan.

(2) Authorise the publication of the Decision Statement (Appendix 1 of this report).

1 Reason for Recommendation

1.1 To formally ‘make’ the Neighbourhood Development Plan for Stoneleigh and Auriol, under section 38A(4)(a) of the Planning and Compulsory Purchase Act 2004, following a positive Referendum on 12 February 2026 and in accordance with the prescribed timescales under section 38A(4)(b) of the Planning and Compulsory Purchase Act 2004.

2 Background

2.1 Stoneleigh and Auriol Neighbourhood Forum has been working to prepare a neighbourhood plan for several years. The Neighbourhood Forum and Neighbourhood Area were designated by the Council in November 2020.

2.2 Neighbourhood plans are required to be in general conformity with strategic policies in the Borough’s adopted Local Plan.

2.3 The Council has a statutory duty to provide advice and assistance to Neighbourhood Forums that are preparing a neighbourhood plan. Planning officers have had regular contact with Stoneleigh and Auriol Neighbourhood Forum and have provided comments and planning advice throughout the preparation of the Neighbourhood Plan, via meetings and email correspondence. In addition, the council has provided a detailed responses to the two formal consultation stages detailed below:

- Draft Neighbourhood Plan (Regulation 14) consultation.
- Submission Neighbourhood Plan (Regulation 16) consultation.

2.4 There are nine key stages to preparing a neighbourhood plan which are detailed below. Further information on each of the nine stages is contained within our Neighbourhood Planning Guide.

- Stage 1 - Designating a neighbourhood area
- Stage 2 - Designating a neighbourhood forum
- Stage 3 - Preparing a draft neighbourhood plan - evidence gathering and public engagement.
- Stage 4 - Pre-Submission publicity and consultation
- Stage 5 - Submission of a neighbourhood plan to the Council as the local planning authority
- Stage 6 - Independent Examination
- Stage 7 – Referendum
- Stage 8 - Bringing the neighbourhood plan into force

- Stage 9 – Monitoring and review

2.5 The final Examiner's report was received by the Council on 23 October 2025 which completed stage 6 and on the 25 November 2025 this committee accepted and agreed with the Examiner's proposed modifications to the Stoneleigh and Auriol Neighbourhood Plan and that the plan could proceed to referendum on the 12 February 2026.

2.6 The Referendum was held on 12 February 2026 (completing stage 7), with the following outcome based on a turnout of 20.7%:

- Yes: 93.4%
- No: 6.6%

2.7 Legislation (Section 38A(4)(b) of the 2004 Act) requires Epsom & Ewell Borough Council to 'make' the Neighbourhood Plan within 8 weeks of a successful Referendum.

2.8 Once formally 'made', the Stoneleigh and Auriol Neighbourhood Plan will become part of the statutory land use development plan for the defined neighbourhood area with equivalent weight and legal status as the Epsom and Ewell Local Plan.

2.9 Part of the adoption process as set out under Regulation 19 and 20 Neighbourhood Planning (General) Regulations 2012 (as amended), requires the Council to publish a Decision Statement (Appendix 1) on the website and to bring to the attention those who live, work, carry on a business in the neighbourhood area of adoption of the Neighbourhood Plan. We are also required to send a copy of the Decision Notice to the qualifying body and any person who asked to be notified of the decision.

3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

3.1.1 None

3.2 Crime & Disorder

3.2.1 None

3.3 Safeguarding

3.3.1 None

3.4 Dependencies

3.4.1 None

3.5 Other

3.5.1 None

4 Financial Implications

4.1 **Section 151 Officer's comments**: There are no direct financial implications arising from this report.

5 Legal Implications

5.1 The report details the process by which the Neighbourhood Plan has been proposed, examined and subject to a referendum. More than half of those voting in the referendum voted in favour, meaning that under s.38A(4)(b) Planning and Compulsory Purchase Act 2004 the Council as local planning authority is under a duty to 'make' the Neighbourhood Plan "as soon as reasonably practicable", or else within 8 weeks from the day after the referendum (under Reg 18A of the Neighbourhood Planning (General) Regulations 2012). The council must publish the Neighbourhood Plan and put a formal adoption statement on its website and make hard copies available at local libraries and at the council offices. If the recommendations are agreed, then the plan achieves the statutory status of forming part of the development plan for the area. The council, in its capacity as local planning authority, will be duty bound to use the plan to help it determine planning applications and do so in accordance with various town and country planning acts.

5.2 **Legal Officer's comments**: As set out above.

6 Policies, Plans & Partnerships

6.1 **Council's Key Priorities**: The following Key Priorities are engaged:

- Encourage high quality design which balances the built environment with new open green spaces

6.2 **Service Plans**: The matter is not included within the current Service Delivery Plan.

6.3 Climate & Environmental Impact of recommendations: The Neighbourhood Plan contains a policy relating to renewable energy and energy efficiency.

6.4 **Sustainability Policy & Community Safety Implications**: None

6.5 **Partnerships**: Making the neighbourhood plan will deliver Stoneleigh and Auriol Neighbourhood Forums aspirations to have an adopted Neighbourhood Development Plan in force in the designated area.

6.6 **Local Government Reorganisation Implications**: None

7 Background papers

7.1 The documents referred to in compiling this report are as follows:

Previous reports:

- Licencing and Planning Policy Committee – 25 November 2025 – Stoneleigh and Auriol Neighbourhood Plan – Examiner's Report and Decision to Proceed to Referendum
- Licencing and Planning Policy Committee – 3 July 2025 – Response to Stoneleigh and Auriol Submission Neighbourhood Plan (Regulation 16)
- Licencing and Planning Policy Committee – 17 October 2024 – Response to Stoneleigh and Auriol Draft Neighbourhood Plan (Regulation 14)

Other papers:

- Stoneleigh and Auriol Neighbourhood Plan (2025-2039)
- Epsom & Ewell Borough Council Neighbourhood Planning Guide

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EPSOM & EWELL BOROUGH COUNCIL

STONELEIGH AND AURIOL NEIGHBOURHOOD DEVELOPMENT PLAN 2025-2039

Planning & Compulsory Purchase Act 2011 S.38A(9) and Regulation 20 of the Neighbourhood Planning (General) Regulations 2012

Final Decision Statement

Date of publication: 10 March 2026

1. Decision

1.1 Following an Independent Examination and a positive referendum result, Epsom & Ewell Borough Council has decided, pursuant to section 38A (4) of the Planning and Compulsory Purchase Act 2004, to 'make' the Stoneleigh and Auriol Neighbourhood Development Plan (the 'Plan').

1.2 The Stoneleigh and Auriol Neighbourhood Development Plan now forms part of the Development Plan and its policies will be given full weight when assessing planning applications that affect land covered by the Plan.

2. Reasons for the decision

2.1. With the Examiner's recommended modifications, and additional minor modifications made by the Council, the Plan meets the basic conditions set out in paragraph 8(2) of the Schedule 4B of the Town and Country Planning Act 1990, is compatible with EU obligations and the Convention rights and complies with relevant provision made by or under Section 38A and Section 38B of the Planning and Compulsory Purchase Act 2004 (as amended).

2.2. The referendum held on 12 February 2026 met the requirements of the Localism Act 2011. It was held in the referendum area and posed the question "Do you want Epsom & Ewell Borough Council to use the Neighbourhood Plan for Stoneleigh and Auriol to help it decide planning applications in the neighbourhood area?"

2.3. The count took place on 13 February 2026 and greater than 50% of those who voted were in favour of the Plan being used to help decide planning applications in the neighborhood plan area. The results of the referendum were based on a turnout of 20.7%:

Response	Votes	Percentage
YES	1296	93.4%
NO	92	6.6%

2.4. Epsom and Ewell Borough Council has assessed that the Plan, including its preparation, does not breach, and would not otherwise be incompatible, with, any EU obligation or any of the Convention Rights (within the meaning of the Human Rights Act 1998).

2.5. This Decision Statement and the Neighbourhood Plan have been published on Epsom and Ewell Borough Council's website along with details of where they can be inspected. This information has also been brought to the attention of people who live, work or carry out business in the neighbourhood area.

Ian Mawer
Head of Planning Policy and Economic Development

NATIONAL PLANNING POLICY FRAMEWORK: PROPOSED REFORMS AND OTHER CHANGES TO THE PLANNING SYSTEM

Head of Service:	Ian Mawer, Head of Planning Policy and Economic Development
Report Author	Susie Legg, Ian Mawer, Wai-Po Poon
Wards affected:	(All Wards);
Urgent Decision	**Yes**
If yes, reason urgent decision required:	This a response to a Central Government consultation and the deadline to submit is 11.45pm on the 10 March 2026.
Appendices (attached):	**Appendix 1 –** Draft Response to government consultation **Appendix 2 –** National Planning Policy Framework: draft text for consultation – December 2025

Summary

The Government launched a consultation on changes to the National Planning Policy Framework (NPPF) on the 16 December 2026. The proposals are a substantive update to the NPPF which includes comprehensive changes to the document structure and format with most chapters being split between 'plan making policies' and 'decision making policies' and the inclusion of a series of new annexes providing detail on the standard method for housing and grey belt assessment.

There are a significant number of changes proposed, these include:

- Stating that where local plan policies are inconsistent with national decision-making policies they should be given limited weight.
- Providing national policy to guide the content of spatial development strategies (SDSs); a new tier of strategic planning.
- That housing and mixed-use development around train stations defined as 'well- connected' will not be considered inappropriate.
- Proposing that plots around train stations should be built out at a density of at least 40 dwellings per hectare, rising to 50 where the station is "well-connected".

- Introducing a medium-size site category into the planning system, which will cover developments of between 10-49 homes, with an area of up to 2.5ha in size.
- Proposing a revision of the weight given to the consideration of the potential effect of a development proposal on a designated heritage asset from “great” to “substantial.

Recommendation (s)

The Committee is asked to:

(1) Note the contents of the consultation.

(2) Approve the draft response (Appendix 1) or;

(3) Agree amendments and authorise the Head of Planning Policy and Economic Development in consultation with the Chair of this Committee, to finalise and submit the response.

1 Reason for Recommendation

1.1 The consultation is only open until 11:45pm Tuesday 10 March 2025.

1.2 If reforms are implemented as per the consultation, the proposed changes to the NPPF will have implications for planning decisions and future Local Plans. It is therefore important that the Council make its views known to the Government on these matters, by submitting a formal response to the consultation.

2 Background

2.1 The Government launched a consultation on changes to the National Planning Policy Framework (NPPF) on 16 December 2025. It is open for responses, from anyone (individuals and groups) until 11:45pm on Tuesday 10 March 2026.

2.2 The consultation follows amendments made to the NPPF in December 2024 which introduced several policy revisions, including the introduction of Grey Belt and changes to the standard method for calculating housing needs and changes to affordable housing mix.

2.3 The consultation document proposes a comprehensive restructure of the NPPF document and format with most chapters being split between ‘plan making policies’ and ‘decision making policies’. We are broadly supportive of this change which we consider provides greater clarity to all users.

2.4 There are 20 Chapters to the consultation document, posing 225 questions. There are several changes that will impact the Borough if introduced, including:

- The weight that can be given to Local Plan policies where there is conflict with National Decision-Making policies following the publication of the revised NPPF.
- Spatial Development Strategies (once adopted) will set the housing requirements for Local Plans.
- Development around stations defined as 'well- connected' will not be considered inappropriate, provided it is of an appropriate scale, does not prejudice long-term development proposals, and for sites in the Green Belt they comply with the Golden Rules.
- Minimum densities for plots around train stations, at least 40 dwellings per hectare, rising to 50 where the station is "well-connected".
- Introducing a medium-size site category into the planning system, which will cover developments of between 10-49 homes, with an area of up to 2.5ha in size. The consultation seeks views on whether for sites meeting this definition rather than on site affordable housing delivery, provision should be made for "a cash payment in lieu".
- Effective use of land calls for "substantial weight" to be given to various types of proposals that re-use existing sites.

2.5 A response to this consultation has been prepared and is attached as Appendix 1 to this report. Alongside the consultation document a consultation version of the NPPF has been published (attached as Appendix 2 to this report).

3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

3.1.1 Whilst the reforms to the NPPF will have wide ranging impact, there are no EIA issues in relation to this response exercise.

3.2 Crime & Disorder

3.2.1 None

3.3 Safeguarding

3.3.1 None

3.4 Dependencies

3.4.1 None

3.5 Other

3.5.1 None

4 Financial Implications

4.1 Once the consultation outcome and final National Planning Policy Framework is known, any material financial implications will need to be quantified and reported back to this committee.

4.2 **Section 151 Officer's comments**: None at the current time.

5 Legal Implications

5.1 No legal implications are anticipated to arise from this report as it is seeking approval to submit a response to the Government consultation

5.2 **Legal Officer's comments:** None for the purposes of the report.

6 Policies, Plans & Partnerships

6.1 **Council's Key Priorities**: Not applicable

6.2 **Service Plans**: The matter is not included within the current Service Delivery Plan.

6.3 **Climate & Environmental Impact of recommendations**: The proposals could limit the council's ability to secure buildings that exceed building regulations requirements for energy efficiency.

6.4 **Sustainability Policy & Community Safety Implications**: None

6.5 **Partnerships**: None

6.6 **Local Government Reorganisation Implications**: The proposed changes will impact the content of Local Plans prepared by the East Surrey Unitary Authority.

7 Background papers

7.1 The documents referred to in compiling this report are as follows:

Other papers:

- National Planning Policy Framework: proposed reforms and other changes to the planning system (updated 2 February 2026) - https://www.gov.uk/government/consultations/national-planning-policy-framework-proposed-reforms-and-other-changes-to-the-planning-system/national-planning-policy-framework-proposed-reforms-and-other-changes-to-the-planning-system#public-sector-equality-duty

- Draft National Planning Policy Framework (December 2025) - https://assets.publishing.service.gov.uk/media/697b71c52ff8d10a830d5d4a/Draft_NPPF_December_2025.pdf

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NPPF Consultation EEBC Draft Response

Licencing and Planning Policy Committee

Consultation questions on the revised National Planning Policy Framework (16 December 2025 – 10 March 2026)

Question	EEBC Response
Scope of Consultation	
1) Do you have any views on how statutory National Development Management Policies could be introduced in the most effective manner, should a future decision be made to progress these?	It will be important for there to be clear transitional arrangements in place to benefit all users of the planning system.
2) Do you agree with the new format and structure of the draft Framework which comprises separate plan-making policies and national decision-making policies? a) Please provide your reasons, particularly if you disagree.	Strongly agree. **a)** The Council are broadly supportive of the introduction of annexes on the matters including information requirements set out in Annex C (to support national decision-making policies) and including information on Flood Risk and Coastal Change (Annex F). Whilst we note the inclusion of Annex D (Housing Calculations and Supply), as set out in our response to previous consultations, we have concerns that the methodology used for the purposes of calculating housing need to be

Question	EEBC Response
	flawed and not reflect local circumstances. In terms of Annex E, we can see that advantages of including this information, although consider that the 'bar' has been set too low for determining whether land makes a moderate or low contribution towards the three purposes utilised for assessing Grey Belt applications.
3) Do you agree with the proposed set of annexes to be incorporated into the draft Framework? a) Please provide your reasons, particularly if you disagree.	Partly agree. **b)** The Council are broadly supportive of the introduction of annexes on the matters including information requirements set out in Annex C (to support national decision-making policies) and including information on Flood Risk and Coastal Change (Annex F). Whilst we note the inclusion of Annex D (Housing Calculations and Supply), as set out in our response to previous consultations, we have concerns that the methodology used for the purposes of calculating housing need to be flawed and not reflect local circumstances. In terms of Annex E, we can see that advantages of including this information, although consider that the 'bar' has been set too low for determining whether land makes a moderate or low contribution towards the three purposes utilised for assessing Grey Belt applications.
4) Do you agree with incorporating Planning Policy for Traveller Sites within the draft Framework? a) Please provide your reasons, particularly if you disagree.	Strongly agree. The Council considers integrating the PPTS into national planning policy will provide greater clarity for users of the planning system.

Question	EEBC Response
1 - Introduction	
5) Do you agree with the proposed approach to simplifying the terminology in the Framework where weight is intended to be applied? a) Please provide your reasons, particularly if you disagree.	Partly agree. The Council considers that using consistent wording throughout the documents provides greater certainty and reduces the potential for ambiguity.
2 – Plan making policies	
6) Do you agree with the role, purpose and content of spatial development strategies set out in policy PM1? a) Please provide your reasons, particularly if you disagree.	Strongly disagree. We note that the requirement for Spatial Development Strategies is being introduced by legislation and that Policy PM1 is setting out further detail on their role in the planning system. As a local authority that is undergoing Local Government Reorganisation and will be replaced by a larger Unitary Authority on the 1 April 2027, we consider that the housing need (2a) and the broad locations for new settlements or major urban extensions (2b) should be identified by the new unitary authorities as opposed to the spatial development strategy which is likely to cover a much bigger geography. Additionally, the Council considers that the decision as to whether a review of Green Belt (2d) is required should be left to local authorities, rather than 'broad locations' where green belt changes are required being identified by the Spatial Development Strategies.

Question	EEBC Response
	The Council are broadly supportive of defining the strategic infrastructure necessary to enable development, we consider that dealing with this matter at a strategic scale with input from local authorities would be beneficial.
7) Do you agree that alterations should be made to spatial development strategies at least every 5 years to reflect any changes to housing requirements for the local planning authorities in the strategy area? a) If not, do you think there should be a different approach, for example, that alterations should only be made to spatial development strategies every five years where there are significant changes to housing need in the strategy area?	Partly disagree. The Council can see benefits in the review period being the same as for a Local Plan (5 years), as set out in our response to Q7 we consider matters of housing need are best to be determined at the local authority level. There is concern that delays to the development / review of Spatial Development Strategies will delay Local Plan production, potentially exposing local authorities to greater risk of speculative development which will undermine public confidence in the plan making system.
8) If spatial development strategies are not altered every five years, should related policy on the requirements used in five year housing land supply and housing delivery test policies, set out in Annex D of the draft Framework, be updated to allow housing requirement figures from spatial development strategies to continue to be applied after 5 years, so long as there has not been a significant change in that area's local housing need?	Neither agree nor disagree. As set out in our response to Q7, the Council considers that housing requirements should be set at the planning authority level rather than by the Strategic Authority through the SDS. However, if the NPPF is to be amended as proposed, we consider that additional text should be included within the document setting out that housing requirements contained in SDS documents can continue to apply for more than five years.

Question	EEBC Response
a) Please provide your reasons, particularly if you disagree.	
9) Do you agree with the role, purpose and content of local plans set out in policy PM2? a) Please provide your reasons, particularly if you disagree.	Partly disagree. The Council considers that the majority of PM2 is reasonable and reflects the current approach to plan making with the requirement for a vision and spatial strategy. Our main concern relates to 1. a) iv. which cross references Policy S1 which sets out that we should meet the development needs as a minimum which will either be defined in a spatial development strategy or local plans where a spatial development strategy is not in place. As stated in response to Q7, the Council considers that housing needs / requirements are best set at the local plan level. In terms of criteria d), which cross references Policy PM6, the Council are concerned with the limitation placed on local authorities to include local policy. The Council notes that within the consultation there is no opportunity to comment specifically on Criteria 1b of Policy PM6 which sets the bar too high for local authorities to identify locally specific polies to be included in the Local Plan. The Council considers that there are likely to be cases when locally specific policies are required which may not comply with these two policy requirements.

Question	EEBC Response
10) Do you think that local plans should cover a period of at least 15 years from the point of adoption of the plan? a) If not, do you think they should cover a period of at least 10 years, or a different period of time. Please explain why.	Yes.
11) Do you agree with the principles set out in policy PM6(1c), including its provisions for preventing duplication of national decision-making policies? a) Please provide your reasons, particularly if you disagree.	Strongly disagree. Whilst the Council do not have concerns with not 'duplicating or substantially' restating the concern of national decision-making policies, the Council strongly disagree with the inclusion of 'or modify' in the policy. The Council consider that there may be instances where it is necessary to 'modify' a national policy to reflect a locally specific issue or characteristic.
12) Do you agree with the approach to initiating plan-making in PM7? a) Please provide your reasons, particularly if you disagree.	Neither agree nor disagree. The requirements to produce plans in 30 months will be set out in legislation in due course, and the Council are in principle supportive of the new streamlined plan making process. However local authorities will need to be resourced appropriately to meet these ambitious timescales, specifically those (such as Epsom and Ewell) who are going through the process of Local Government Reorganisation.

Question	EEBC Response
13) Do you agree with the approach to the preparation of plan evidence set out in policy PM8? a) Please provide your reasons, particularly if you disagree.	Partly agree. The costs of preparing local plans (including the supporting evidence base) can be significant and therefore the Council welcome the reference to updating existing evidence wherever possible and consider using evidence base produced by other plan makers and working cross boundary wherever possible. This is something we have done historically, however for our current local plan (at Examination) due to the stage of plan making we were at, compared to our neighbouring authorities joint evidence production was not feasible, and this may continue to be an issue as authorities are at different stages of plan making. The Council welcome the government producing standard tools, methods and templates for evidence gathering as set out in criteria 2d (although note that some of these tools are not currently available) and would encourage the digitisation of evidence base, including a national call for sites register to support the production of land availability assessments.
14) Do you agree with the approach to identifying land for development in PM9? a) Please provide your reasons, particularly if you disagree.	Partially agree. The Council welcome a standardised approach to identifying land for development although consideration needs to be given as to the time it will take local authorities to transfer existing information on sites into the new system. We would welcome a standardised / national call for sites system that could be integrated with nationally held datasets on constraints, such as flood data, national and internationally protected sites etc.

Question	EEBC Response
15) Do you agree with the policies on maintaining and demonstrating cross-boundary cooperation set out in policy PM10 and policy PM11? a) Please provide your reasons, particularly if you disagree.	Partly agree. The approach is more proportionate and pragmatic when compared to the legal tests related to the Duty to Cooperate. The Council considers that additional guidance on the relationship between Spatial Development Strategies and Local Plans would be welcomed.
16) Do you agree that policy PM12 increases certainty at plan-making stage regarding the contributions expected from development proposals? a) Please provide your reasons, particularly if you disagree.	Partly agree. The Council welcomes the promotion of greater clarity at the plan-making stage on expected contributions that might help to reduce the need for negotiation at the decision-making stage. It is noted that Policy PM12 reflects the introduction of spatial development strategies and acknowledges that contributions may apply at different tiers and across areas.
17) Do you agree that plans should set out the circumstances in which review mechanisms will be used, or should national policy set clearer expectations? a) Please provide your reasons, particularly if you disagree.	Strongly agree. The Council is supportive of criteria 4 which plans to set out their own circumstances in which review mechanisms will be used to address local issues such as the provision of affordable housing.
18) Do you agree with policy PM13 on setting local standards, including the proposal to commence s.43 of the Deregulation Act 2015?	Strongly disagree.

Question	EEBC Response
a) Please provide your reasons, particularly if you disagree.	In relation to standards for energy efficiency the Council's preference would be for the Future Homes Standard and building regulations to take an approach that incorporates higher energy efficiency standards and a whole energy approach as proposed by key industry bodies through the UK net Zero Building Standard and LETI climate emergency design guide. As well as being most in keeping with national climate change ambitions, this would result in high quality, low running cost homes regardless of socioeconomic status. If this does not happen, The Council considers that there are local circumstances which justify Local Authorities in setting higher energy efficiency standards beyond those defined in the policy. Through the emerging Epsom and Ewell Local Plan we have included a policy requiring that buildings are constructed to a higher energy efficiency standard than set out in the building regulations. This policy was supported by detailed evidence in relation to both feasibility and viability. The policy as drafted would limit councils' ability to introduce such standards. We are also concerned with the implementation of section 43 of the Deregulation Act and a potential inconsistency with Policy CC1 in that substantial weight should be given to the benefits of improving energy efficiency whilst not enabling policy to seek ambitious standards to maximise those benefits.
19) Do you agree that the tests of soundness set out in policies PM14 and PM15 will allow for a proportionate assessment of spatial	Neither agree nor disagree.

Question	EEBC Response
development strategies, local plans and minerals and waste plans at examination? a) If not, please explain how this could be improved to ensure a proportionate assessment, making it clear which type of plan you are commenting on?	The Council generally welcomes the inclusion of the tests of soundness for both spatial development strategies and local plans to provide clarity on how the two document types will be accessed. In terms of PM14, the Council welcome criteria c, specifically the wording that 'there is a reasonable prospect that local plans will be capable to implement its spatial strategy'. In terms of PM15, the council broadly support the changes which reflect the role that plans need to be in conformity with Spatial Development Strategies.
20) Do you have any specific comments on the content of the plan-making chapter which are not already captured by the other questions in this section?	The Council welcomes PM17 regarding examining neighbourhood plans s. This will assist the Council when advising Neighbourhood Planning groups (Forums, parish / Town Councils etc).
3 – Decision Making Policies	
21) Do you agree with the principles set out in policy DM1? a) Please provide your reasons, particularly if you disagree.	Neither agree nor disagree. In 1. The Council notes the focus of pre application for major development schemes, however we are pleased to see in Criteria 2 that the pre-application discussions can be necessary for non-major schemes, although as an authority with a tightly defined urban area we encourage the use of pre-application advice beyond the matters detailed.

Question	EEBC Response
22) Do you agree with the policy DM2 on information requirements for planning applications? a) Please provide your reasons, particularly if you disagree.	Partly Agree. The Council is broadly supportive of the criteria 1 and supporting Annex C which defines the information required to support specific national development policies. In terms of criteria 2, the Council agree it is important the Local validation lists should only include the information that is necessary and our own local validation list takes this approach.
23) Do you have any views on whether such a policy could be better implemented through regulations?	No comment.
24) Do you agree with the principles set out in DM3? a) Please provide your reasons, particularly if you disagree.	No comment.
25) Do you agree that policy DM5 would prevent unnecessary negotiation of developer contributions, whilst also providing sufficient flexibility for development to proceed? a) Please provide your reasons, particularly if you disagree.	Partly agree. The Council broadly welcomes the policy which acknowledges that where an up-to-date local plan is in place, the policies in the plan should be assumed to be viable and that site specific viability should be the exception rather than the norm. The council is supportive of criteria 6 and encouraging the use of review mechanisms where it is concluded that the requirements in Local Plan policies cannot be met.

Question	EEBC Response
26) Do you have any further comments on the likely impact of policy DM5: Development viability?	No comment.
27) Do you have any views on how the process of modifying planning obligations under S106A, where needed once a section 106 agreement has been entered into, could be improved? a) If so, please provide views on specific changes that may improve the efficacy of S106A and the main obstacles that result in delay when seeking modification of planning obligations.	No comment.
28) Do you have any views on how the process of modifying planning obligations could be improved in advance of any legislative change, noting the government's commitment to boosting the supply of affordable housing. a) If so, please provide views on the current use of s73 and, if any, the impact on affordable housing obligations.	No comment.
29) Do you agree with the approach for planning conditions and obligations set out in policy DM6, especially the use of model conditions and obligations?	Strongly agree. The revised wording provides clarity on the use of planning conditions and obligations.

Question	EEBC Response
30) Do you agree that policy DM7 clarifies the relationship between planning decisions and other regulatory regimes? a) Please provide your reasons, particularly if you disagree.	Partly disagree. The Council has raised concerns in relation to Policy DM13 which is cross referenced in Criteria 2 it is considered that there are other instances than those prescribed where local standard could be set (e.g. net zero building standards).
31) Do you agree with the new intentional unauthorised development policy in policy DM8? a) Please provide your reasons, particularly if you disagree.	Strongly agree. The Council supports the wording in criteria 2 in relation to intentional unauthorised development and the weight this should be given in considering whether to grant permission.
32) Are there any specific types of harm arising from intentional unauthorised development, and any specific impacts from the proposed policy, which we should consider? a) If so, are there any particular additions or mitigations which we should consider?	No comment.
33) Do you agree with the new Article 4 direction policy in policy DM10? a) Please provide your reasons, particularly if you disagree.	Strongly agree. The Council is supportive of the policy and the introduction of additional flexibility for local authorities in criteria a.

Question	EEBC Response
4 – Achieving Sustainable Development	
34) Do you agree with the proposed approach to setting a spatial strategy in development plans? a) Please provide your reasons, particularly if you disagree.	Strongly agree. Spatial strategies are an essential part of Local Plans. The approach suggested would help ensure a consistent approach.
35) Do you agree with the proposed definition of settlements in the glossary? a) Please provide your reasons, particularly if you disagree.	Strongly agree. The inclusion of the definition is welcomed and provides clarity.
36) Do you agree with the revised approach to the presumption in favour of sustainable development? a) Please provide your reasons, particularly if you disagree.	Partly agree. The proposed change provides a clear approach to the presumption, distinguishing between how proposals within a settlement boundary and those outside are to be treated.
37) Do you agree to the proposed approach to development within settlements? a) Please provide your reasons, particularly if you disagree.	Partly disagree. S4 significantly strengthens the presumption in favour of sustainable development for proposals within settlement boundaries. The wording is considered to be very broad/high level and open to interpretation.
38) Do you agree to the proposed approach to development outside settlements?	Neither agree nor disagree.

Question	EEBC Response
a) Please provide your reasons, particularly if you disagree.	As the Borough of Epsom and Ewell is mostly either urban or designated as Green Belt, this policy is not considered directly relevant (paragraph 5 states the policy does not apply to development proposals in the Green Belt).
39) Do you have any views on the specific categories of development which the policy would allow to take place outside settlements, and the associated criteria? a) Please provide your reasons.	Neither agree nor disagree. As per the reasons outlined to question 38.
40) Do you agree with the proposed approach to development around stations, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12? a) Please provide your reasons, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers and other groups with protected characteristics.	Partly agree. Agree in principle, although as currently written, the policy is very open to interpretation without clear measurable parameters.
41) Do you agree that neighbourhood plans should contain allocations to meet their identified housing requirement in order to qualify for this policy? a) If not, please provide your reasons.	Partly disagree. It is acknowledged in policy HO2 that housing requirement figures should be set for designated neighbourhood plan areas, unless it is impractical to do so. The wording of Policy S6 reads as if a neighbourhood plan's policies would not apply if it does not contain allocations.

Question	EEBC Response
5 – Meeting the Challenge of Climate Change	
42) Do you agree with the approach to planning for climate change in policy CC1? a) Please provide your reasons, particularly if you disagree.	Strongly agree. The Council welcomes the policy wording which provides a consolidated policy for how Local Plans should take a proactive approach to mitigating the impacts of climate change.
43) Do you agree with the approach to mitigating climate change through planning decisions in policy CC2? a) If not, what additional measures could be taken to ensure climate change mitigation is given appropriate consideration?	Partly agree. The Council welcomes the reference to ensuring there are good links to sustainable transport modes, including accessibility and walking and access to facilities/local neighbourhoods, however we would expect renewable energy generation to be referenced. There are no definitions or requirements for a number of components of the policy, for example “good access to facilities to limit the need for transport” is a subjective statement. Criteria 2) mentions substantial weight should be given to the benefits of improving the energy efficiency of existing buildings which is a broadly supported aspiration to mitigate climate change, however additional guidance would be welcomed to support this statement.
44) Do you agree with the approach to climate change adaptation through planning decisions in policy CC3?	Strongly agree.

Question	EEBC Response
a) What additional measures could be taken to ensure climate change adaptation is given appropriate consideration?	
45) Does the policy on wildfire adaptation clearly explain when such risks should be considered and how these risks should be mitigated? a) Please provide your reasons.	Strongly agree.
46) How should wildfire adaptation measures be integrated with wider principles for good design, and what additional guidance would be helpful?	No comment.
47) Do you have any other comments on actions that could be taken through national planning policy to address climate change?	No comment.
6 – Delivering a sufficient supply of homes	
48) Do you agree the requirements for spatial development strategies and local plans in policy HO1 and policy HO2 are appropriate? a) Please provide your reasons, particularly if you disagree.	Partly disagree. The Council maintains it concerns over the standard method for calculating housing need which it considers is flawed and does not take account of local circumstances. There are concerns that Spatial Strategies (HO2 – point 1) will set housing requirements for local authorities, the Council consider that this matter is best dealt with at the Local Authority Level.

Question	EEBC Response
	The Council also has concerns regarding point 3(b) of policy HO2, which requires housing requirement figures to exceed the local housing needs assessment. This approach limits the ability to reflect local circumstances and constraints. It is particularly problematic where a Spatial Development Strategy (SDS) is still emerging, as individual authorities may face disproportionate pressures if requirements are set before a strategic, area-wide distribution of growth can be agreed.
49) Is further guidance required on assessing the needs of different groups, including older people, disabled people, and those who require social and affordable housing? a) If so, what elements should this guidance cover?	No comment.
50) Do you agree with the approach to incorporating relevant policies of Planning Policy for Traveller Sites within this chapter? a) Please provide your reasons, particularly if you disagree.	Strongly agree.
51) Is further guidance needed on how authorities should assess the need for traveller sites and set requirement figures? a) If so, what are the key principles this guidance should establish?	No comment.

Question	EEBC Response
52) Do you agree the new Annex D to the draft Framework is sufficiently clear on how local planning authorities should set the appropriate buffer for their local plan 5-year housing land supply? a) Please provide your reasons, particularly if you disagree.	Partly disagree. The Council considers paragraph 6 to be unclear on first reading. It states that "for each 1% the ratio is above 5, the housing stock baseline should be increased by 0.95%". It may be clearer to refer to each one-point increase in the affordability ratio, rather than a percentage. The Council also considers that the inclusion of a worked example would help improve clarity, by showing how the adjustment changes at different affordability ratios. For example: • a ratio of 7 increases need by 38% • a ratio of 8 increases need by 57% • a ratio of 9 increases need by 76% • a ratio of 10 increases need by 95%
53) Do you agree the new Annex D to the draft Framework is sufficiently clear on the wider procedural elements of 5-year housing land supply, the Housing Delivery Test and how they relate to decision-making? a) Please provide your reasons, particularly if you disagree.	Strongly disagree. The Council does not agree that Annex D is sufficiently clear on the wider procedural elements of 5-year housing land supply, the Housing Delivery Test and their relationship to decision-making. The Council is uncertain about the appropriateness of applying a 20% buffer in response to past under-delivery or where the annual average housing requirement is 80% or less of the most up-to-date local housing need figure. In the Council's view, this approach places disproportionate emphasis on meeting the standard method housing need figure and risks shifting the planning balance away from the proper consideration of other

Question	EEBC Response
	constraints, including heritage assets, Green Belt and environmental designations, which legitimately limit housing delivery in some areas. The Council also considers that the approach does not adequately reflect the actual availability of deliverable land, as put forward by landowners and developers. In some local planning authority areas (such as Epsom and Ewell), even if all land promoted were allocated, at appropriate densities, the standard method housing need figure would still not be met. This contrasts with other authorities where a surplus of sites exists. The proposed approach does not appear to sufficiently account for these structural differences between areas.
54) Do you agree the requirements to establish a 5 year supply of deliverable traveller sites and monitor delivery are sufficiently clear? a) Please provide your reasons, particularly if you disagree.	Strongly agree. The Council considers this requirement is clear and is effectively aa continuation of the requirements set out in the Planning Policy for Traveller Sites.
55) Do you agree the plan-making requirements, for both local plans and spatial development strategies, in relation to large scale residential and mixed-use development are sufficiently clear? a) Please provide your reasons, particularly if you disagree.	Strongly disagree. The Council considers that there is insufficient clarity provided on the relationship between SDSs and Local Plans with regards as to how large-scale sites are identified / allocated. This will be a key issue in areas where the SDS is not in place when for local authorities preparing Local Plans. The Council seeks clarification on the meaning of “large-scale development” in paragraph 2. In particular, it is unclear whether this is intended to align with the Written Ministerial Statement of 13 February

Question	EEBC Response
	2025, which refers to large-scale new communities of at least 10,000 homes, or whether a different threshold is intended.
56) Do you agree our proposed changes to the definition of designated rural areas will better support rural social and affordable housing?	No comment – does not apply to EEBC.
57) Do you agree with our proposals to ask authorities to set out the proportion of new housing that should be delivered to M4(2) and M4(3) standards?	Strongly agree. The emerging Epsom and Ewell Local Plan contains a policy requiring M4(2) and M4(3) provision.
58) Do you agree 40% of new housing delivered to M4(2) standards over the plan period is the right minimum proportion?	Neither agree nor disagree. We do not have any comments on the minimum threshold and welcome the ability for local authorities to set higher standards where evidenced as is the case in the emerging Epsom and Ewell Local Plan.
59) Do you agree the proposals to support the needs of different groups, through requiring authorities to identify sites or set requirements for parts of allocated sites are proportionate? a) Please provide your reasons, particularly if you disagree.	Partly agree. The Council is supportive in principle of allocating sites to meet the needs of different groups, and we have taken this approach through our emerging Local Plan to deliver sustainable communities.
60) Do you agree with our proposals to ask authorities to set out requirements for a broader mix of tenures to be provided on sites of 150 homes or more?	Strongly agree. The Council is supportive of a mix of tenures to create more diverse communities and in order to support timely build out rates.

Question	EEBC Response
a) Please provide your reasons and indicate if an alternative site size threshold would be preferable?	
61) Do you agree with proposals for authorities to allocate land to accommodate 10% of the housing requirement on sites of between 1 and 2.5 hectares? a) Please provide your reasons.	Partly agree. The Council is generally supportive of this approach, as it would help to enable more timely site delivery and support small and medium-sized housebuilders. However, consideration needs to be given to the availability of such sites to meet housing requirement and therefore a degree of flexibility may be necessary where it can be justified.
62) Are any changes to policy HO7 needed in order to ensure that substantial weight is given to meeting relevant needs?	The Council does not have any suggested modifications in this regard.
63) Do you agree that proposals to add military affordable housing to the definition of affordable housing, and allow military housing to be delivered as part of affordable housing requirements, will successfully enable the provision of military homes? . a) Please provide your reasons, particularly if you disagree.	No comment.

Question	EEBC Response
64) Do you agree flexibility relating to the size of market homes provided will better enable developments providing affordable housing? a) Please provide your reasons, particularly if you disagree	Partly agree. The Council is broadly supportive of this, but it should not enable the provision of poor quality or sub-standard market housing.
65) Would requiring a minimum proportion of social rent, unless otherwise specified in development plans, support the delivery of greater number of social rent homes? a) If so, what would be an appropriate minimum proportion and development size threshold taking into account development viability?	Partly agree. The Council supports a minimum proportion of social rent. The Council's Emerging Local Plan identifies at least 35% of *all* affordable housing – including home ownership – should be social rent (or 50% of 'affordable rented' should be social rent). The Council considers it important to allow flexibility in LPAs approaches to a minimum. Any national minimum should be capable of being adjusted through local plans and remain subject to viability considerations to ensure it is deliverable in different local contexts.
66) Are changes to planning policy needed to ensure that affordable temporary accommodation, such as stepping stone housing, is appropriately supported, including flexibilities around space standards? a) If so, what changes would be beneficial?	It is important that sufficient permanent affordable housing stock (particularly social housing) is delivered from sites to reduce the need for temporary accommodation. Deviating from nationally prescribed space standards for temporary accommodation is not supported.
67) Do you agree that applicants should have discretion to deliver social and affordable	Strongly disagree.

Question	EEBC Response
housing requirements via cash payments in lieu of on-site delivery on medium sites? a) If so, would it be desirable to limit the circumstances in which cash contributions in lieu of on-site delivery can be provided – for example, should it not be permitted on land released from the Green Belt where the Golden Rules apply? Please explain your answer. b) If you do not believe applicants should have blanket discretion to discharge social and affordable housing requirements through commuted sums, do you think cash contributions in lieu of on-site delivery should be permitted in certain circumstances – for example where it could be evidenced that onsite delivery would prevent a scheme from being delivered? Please explain your answer	b) EEBCs housing delivery predominantly consists of sites that would be defined as medium sites (between 11 and 50 dwellings). Given the significant shortage of affordable homes in our constrained borough, we would be concerned that developers would choose to provide a cash payment as opposed to on-site delivery which would significantly delay delivering additional affordable housing units on the ground.
68) What risks and benefits would you expect this policy to have? Please explain your answer. The government is particularly interested in views on the potential impact on SME housing delivery, overall housing delivery, land values, build out rates, overall social and affordable housing delivery, and Registered Providers (including SME providers).	See response to Question 67 – in Epsom and Ewell this policy approach would reduce the delivery of much needed affordable housing in the borough. On-site provision should remain the priority as opposed to pooling contributions.

Question	EEBC Response
69) What guidance or wider changes would be needed to enable Local Planning Authorities to spend commuted sums more effectively and more quickly? Please explain your answer.	Introduction of additional guidance would not speed up the process, the largest constraint to spending commuted sums for affordable housing is identifying suitable stock to purchase.
70) Would further guidance be helpful in supporting authorities to calculate the appropriate value of cash contributions in lieu? a) If so, what elements and principles should this guidance set out? Please explain your answer. For example, guidance could make clear that contributions in lieu should be an amount which is the equivalent value of providing affordable housing on site, based on a comparison of the Gross Development Value of the proposed scheme with the Gross Development Value of the scheme assuming affordable housing was provided onsite.	Affordable housing should be provided on site (for the reasons set out in response to earlier questions), however, if the government were minded to introduce such an approach it is vitally important that there is no financial advantage to a developer in providing affordable housing offsite. The suggestion of GDV comparison could be utilised but it will be important that any calculations are independently verified by a viability specialist appointed by the local planning authority at the expense of the applicant.
71) Do you support proposals to enable off site delivery where affordable housing delivery can be optimised to produce better outcomes in terms of quality or quantity? a) Please provide your reasons, particularly if you disagree.	Strongly disagree. The wording is ambiguous for example how is nearby site defined. It is unclear how delivering affordable housing off-site would optimise quality or quantity of homes delivered. Mixed communities (including market and affordable housing) have been delivered successfully which are tenure blind. From our own experience the affordable properties tend to be built at higher density than the market homes provided on a site.

Question	EEBC Response
72) Do you agree with the criteria set out regarding the locations of specialist housing for older people? a) Please provide your reasons, particularly if you disagree.	Strongly agree.
73) Do you agree with the criteria set out regarding the locations of community-based specialist accommodation, including changes to the glossary? a) Please provide your reasons, particularly if you disagree.	Strongly agree.
74) Do you agree with the criteria set out regarding the locations of purpose-built student accommodation and large-scale shared living accommodation, including changes to the glossary? a) Please provide your reasons, particularly if you disagree.	Strongly agree.
75) Do you agree the proposals provide adequate additional support for rural exception sites? a) Please provide your reasons, including what other changes may be needed to increase their uptake?	No comment.

Question	EEBC Response
76) Do you agree with proposals to remove First Homes exception sites as a discrete form of exception site? a) Please provide your reasons, particularly if you disagree.	No comment.
77) Do you agree proposals for a benchmark land value for rural exception sites will help to bring forward more rural affordable homes? a) If so, which approach and value as set out in the narrative for policy HO10 of the consultation document is the most beneficial for government to set out?	No comment.
78) Do you agree the proposals to set out requirements for traveller sites at policy HO12 adequately capture relevant aspects from Planning Policy for Traveller Sites, whilst ensuring fair treatment for traveller sites in the planning system? 79) Please provide your reasons, particularly if you disagree.	Strongly agree.

Question	EEBC Response
80) Do you agree the proposals in policy HO13 will help to ensure development proposals are built out in a reasonable period? a) Please provide your reasons, particularly if you disagree.	Neither agree nor disagree. Criteria 2 is supported in principle to encourage developers to bring sites forward faster than the statutory period allows, although it is unclear whether this measure alone will speed up housing delivery. Criteria 4 is welcomed enabling consideration of site allocations in emerging Local Plans for large scale residential and mixed-use development. However, a definition should be provided to provide clarity on what would constitute a large-scale scheme.
81) Do you agree the requirements to take a flexible approach to the consenting framework for large scale residential and mixed-use development is sufficient to ensure the opportunities of large scale development are supported? a) Please provide your reasons, particularly if you disagree.	Neither agree nor disagree. A definition should be provided to provide clarity on what would constitute a large-scale scheme.
82) Are any more specific approaches or definitions needed to support the delivery of very large (super strategic) sites, including new towns? Yes, no a) Please provide your reasons.	No comment.
83) Do you agree with the proposed changes to the Housing Delivery Test rule book?	Neither agree nor disagree.

Question	EEBC Response
a) Please provide your reasons, particularly if you disagree.	The changes are to reflect Policy HO2 and the introduction of Spatial Development Strategies which upon adoption will set the housing requirements for Local Plans.
7 – Building a Strong and Effective Economy	
84) Do you agree that more emphasis should be placed on relevant national strategies and the need for flexibility in planning for economic growth, as drafted in policy E1? a) Please provide your reasons, particularly if you disagree.	Partly agree. The Council broadly supports draft Policy E1 and agrees that greater flexibility in employment land allocations can help plans respond to changing business needs and support long-term economic growth. Avoiding overly prescriptive use requirements can improve site deliverability and better accommodate emerging and evolving sectors over the plan period. The Council also welcomes clearer alignment with relevant national strategies, which can provide greater certainty for investment and support strategic economic objectives. However, it is important that this flexibility is balanced with the plan-led system and that national strategies complement, rather than override, locally derived economic evidence, priorities and local plan policies.
85) Do you agree with the approach to meeting the need for business land and premises in policy E2? a) Please provide your reasons, particularly if you disagree.	Partly agree. The Council supports the introduction of Policy E2 and welcomes clearer decision-making guidance for business development proposals, including the recognition of economic benefits and sector-specific

Question	EEBC Response
	considerations such as freight and logistics and farm / agricultural modernisation. The Council also supports greater clarity on factors relevant to assessing unmet need, including market signals and locational requirements, where such considerations are necessary. However, the Council considers that the proposed substantial weight (which is a change from the current working of significant) given to economic benefits should be clearly balanced against other planning considerations and the plan-led system.
86) Do you agree with the proposed new decision-making policy supporting freight and logistics development in policy E3? a) Please provide your reasons, particularly if you disagree.	Partly agree. The Council supports the introduction of Policy E3 and welcomes clearer decision-making support for freight and logistics development, recognising the sector's role in supporting economic growth and supply chains. The emphasis on appropriate access to transport networks, mitigation of environmental and residential amenity impacts (including night-time activity), and the provision of sufficient and secure vehicle parking is supported. However, the Council considers that greater clarity would be beneficial on the application of the policy in constrained locations and where proposals are close to sensitive uses. Clearer guidance on assessing cumulative impacts and alignment with local plan policies would help ensure freight and logistics development is delivered in a sustainable and acceptable manner.

Question	EEBC Response
87) Do you agree with the approach to rural business development in policy E4? a) Please provide your reasons, particularly if you disagree.	Partly agree. Consider that rural areas could be defined. In principle the Council is supportive of the policy which encourages the development and diversification of agricultural and other land based businesses.
8: Ensuring the vitality of town centres	
88) Do you agree with the proposed changes to policy for planning for town centres? a) Please provide your reasons, particularly if you disagree.	Strongly agree. The policy provides a clear 'town centre first' approach which aligns with EEBC's emerging Local Plan
89) Do you agree with the approach to development in town centres in policy TC2? a) If not, please explain how you would achieve this aim differently?	Strongly agree. The policy gives significant weight to proposals that support the vitality and viability of town centre uses.
90) What impacts, if any, have you observed on the operation of planning policy for town centres since the introduction of Use class E?	Epsom town centre has a diverse mix of uses and continues to perform well. While retail remains the core activity of the centre there is an increasingly broader mix of uses, including residential and higher education uses, which has supported the vitality and viability of the centre.
91) Do you believe the sequential test in policy TC3 should be retained?	Strongly agree.

Question	EEBC Response
Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.	While it is acknowledged that the introduction of Class E limits the effectiveness of the sequential test, retention of the test will help to retain a 'town centre first' approach.
92) Do you agree with the approach to town centre impact assessments in policy TC4? a) Please provide your reasons, particularly if you disagree.	Partly agree. The approach is similar to that in the current NPPF, where development plans can set out an appropriate local threshold for requiring assessments. Such an approach is supported. However, the wording of TC4 2) is ambiguous, not being entirely clear that where a proposal fails to demonstrate a significant adverse impact on the listed criteria it should be refused. This omission undermines the intent of the policy.
9 – Supporting high quality communications	
93) Do you agree that the updated policies provide clearer and stronger support for the rollout of 5G and gigabit broadband? a) Please provide your reasons, particularly if you disagree.	Strongly agree. The council considers the policy as set out is clear.
94) Do you agree the requirements for minimising visual impact and reusing existing structures are practical for applicants and local planning authorities?	Partly agree. The council is supportive of the principle of minimising visual impacts and reusing existing structures though considers that the policy could go further. Minimising the visual impacts of masts could be expanded to

Question	EEBC Response
a) Please provide your reasons, particularly if you disagree.	provide guidance on how this could be done, reference to reducing mast height, appropriate mast colour, details of removal and decommissioning timeframes (of existing telecoms masts that are no longer fit for purpose on the proposed site) as part of minimisation considerations, submitted with the application.
95) Do you agree the supporting information requirements are proportionate and sufficient without creating unnecessary burdens? a) Please provide your reasons, particularly if you disagree.	Strongly agree. The supporting information is proportionate.
10 – Securing Clean Energy and Water	
96) Do you agree with the approach to planning for energy and water infrastructure in policy W1? a) Please provide your reasons, particularly if you disagree, what alternative approach would you suggest?	Strongly agree. The council is supportive of the approach.
97) Do you agree with the amendments to current Framework policy on planning for renewable and low-carbon energy development and electricity network infrastructure in policy W2? a) Please provide your reasons, particularly if you disagree.	Partly agree. The council is supportive of the principle of the approach.

Question	EEBC Response
98) Do you agree with the proposed approach to supporting development for renewable and low carbon development and electricity network infrastructure in policy W3? a) Please provide your reasons, particularly if you disagree, and any changes you would make to improve the policy.	Partly agree. The council is supportive of the principle of the approach.
99) Do you agree with the proposed approach to supporting development for water infrastructure in policy W4? a) Please provide your reasons, particularly if you disagree.	Strongly agree.
11- Facilitating the sustainable use of minerals	
100) Do you agree with the proposed prohibition on identifying new coal sites in policy M1, and to the removal of coal from the list of minerals of national and local importance? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.	Neither agree nor disagree. Epsom and Ewell Borough Council is not the Minerals and Waste Planning Authority (MWPA), it is the Surrey County Council that holds the obligation to plan for the supply of minerals and to manage waste arising in the county. We therefore have no comments to make.

Question	EEBC Response
101) Do you agree with how policy M1 sets out how the development plan should consider oil and gas? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.	Neither agree nor disagree. Epsom and Ewell Borough Council is not the Minerals and Waste Planning Authority (MWPA), it is the Surrey County Council that holds the obligation to plan for the supply of minerals and to manage waste arising in the county. We therefore have no comments to make.
102) Do you agree with the proposed addition of critical and growth minerals to the glossary definition of 'minerals of national and local importance'? a) Please provide your reasons, particularly if you disagree.	Strongly agree. Clarity achieved by including the definition within the glossary is supported.
103) Do you agree criteria b of policy M2 strikes the right balance between preventing minerals sterilisation and facilitating non minerals development? a) Please provide your reasons, particularly if you disagree.	Neither agree nor disagree. Epsom and Ewell Borough Council is not the Minerals and Waste Planning Authority (MWPA), it is the Surrey County Council that holds the obligation to plan for the supply of minerals and to manage waste arising in the county. We therefore have no comments to make.
04) Do you agree policy M3 appropriately reflects the importance of critical and growth minerals? a) Please provide your reasons, particularly if you disagree.	Neither agree nor disagree. Epsom and Ewell Borough Council is not the Minerals and Waste Planning Authority (MWPA), it is the Surrey County Council that holds the obligation to plan for the supply of minerals and to manage waste arising in the county. We therefore have no comments to make.

Question	EEBC Response
105) Do you agree with the exclusion of development involving onshore oil and gas extraction from policy M3? 106) Please provide your reasons, particularly if you disagree.	Neither agree nor disagree. Epsom and Ewell Borough Council is not the Minerals and Waste Planning Authority (MWPA), it is the Surrey County Council that holds the obligation to plan for the supply of minerals and to manage waste arising in the county. We therefore have no comments to make.
107) Do you agree policy M4 sufficiently addresses the impacts of mineral development, noting that other national decision-making policies will also apply? 108) Please provide your reasons, particularly if you disagree.	Neither agree nor disagree. Epsom and Ewell Borough Council is not the Minerals and Waste Planning Authority (MWPA), it is the Surrey County Council that holds the obligation to plan for the supply of minerals and to manage waste arising in the county. We therefore have no comments to make.
109) Do you agree with approach to coal, oil and gas in policy M5? a) Please provide your reasons, particularly if you disagree.	Neither agree nor disagree. Epsom and Ewell Borough Council is not the Minerals and Waste Planning Authority (MWPA), it is the Surrey County Council that holds the obligation to plan for the supply of minerals and to manage waste arising in the county. We therefore have no comments to make.
110) Are there any other exceptional circumstances in which coal extraction should be permitted? Yes/No 111) If yes, please outline the exceptional circumstances in which you think coal extraction should be permitted.	No comment.
112) Do you agree policy M6 strikes the right balance between preventing the sterilisation of minerals	Neither agree nor disagree.

Question	EEBC Response
reserves and minerals-related activities, and facilitating non-minerals development? a) Please provide your reasons, particularly if you disagree.	Epsom and Ewell Borough Council is not the Minerals and Waste Planning Authority (MWPA), it is the Surrey County Council that holds the obligation to plan for the supply of minerals and to manage waste arising in the county. We therefore have no comments to make.
113) Does policy M6 provide sufficient clarity on the role of Minerals Consultation Areas? a) Please provide your reasons, particularly if you disagree.	Partly agree. The Council is supportive of the approach regarding development within a Minerals Consultation Area.
12. Making effective use of land	
114) Do you agree policy L1 provides clear guidance on how Local Plans should be prepared to promote the efficient use of land? 115) If not, what further guidance is needed?	Partly agree. The Council is broadly supportive of the aims of Policy L1 and welcomes its emphasis on making more effective use of land. In applying the policy, however, it will be important to recognise that minimum density standards may need to be balanced with other planning considerations (such as heritage, local character, environmental constraints and infrastructure capacity) which can legitimately influence what constitutes an appropriate density in particular locations.
116) Do you agree policy L2 provides clear guidance on how development proposals should be assessed to ensure efficient use of land?	Partly agree.

Question	EEBC Response
a) Please provide your reasons, particularly if you disagree.	The Council would welcome clarification on the intention behind paragraph 3. As written, we question whether footnote 45 applies to the first sentence of para 3 in relation to 'high levels of connectivity between jobs and services). It would be helpful to understand whether paragraph 3 is intended to distinguish between previously developed and non-previously developed land, and whether non-PDL sites are expected to achieve higher levels of optimisation compared with PDL sites. Further guidance on the scope and intended application of this requirement would assist decision-making. Subject to this clarification, the Council is otherwise supportive of the policy and its overall aims.
117) Do you agree policy L2 identifies appropriate typologies of development to support intensification? a) If not, what typologies should be added or removed and why?	Partly agree. The Council is broadly supportive of the intention behind Policy L2 to promote appropriate forms of intensification. However, we would welcome clarification on several points. First, in relation to paragraph 1(d), it is unclear whether the reference to creating additional homes "above existing residential and commercial premises" is intended to apply only to these two use types. Does "commercial" here correspond to Class E, or is it intended to include other non-residential uses such as light industrial or sui generis commercial activities? Secondly, the policy provides explicit support for additional residential units within *residential* curtilages but is silent on comparable

Question	EEBC Response
	opportunities within *non-residential* curtilages. We would find it helpful to understand whether this omission is intentional, and whether the policy is signalling that residential development within commercial or mixed-use plots, where not above the existing building, is not encouraged, or simply not addressed in this list of typologies. Finally, the reference to introducing "higher buildings at street corners" would benefit from further guidance. In particular, it would be useful to understand whether such corner buildings are envisaged as 'landmark buildings', whether there is an indicative or proportional increase in height or scale that should be considered appropriate, or whether this is wholly a matter of planning judgement.
118) Do you agree the high-level design principles provided in policy L2(d) appropriate for national policy? a) Please provide your reasons, particularly if you disagree.	Strongly agree. The Council is broadly supportive of the high-level design principles set out in policy L2(d). We consider the approach helpful in encouraging sensitive forms of intensification while maintaining appropriate safeguards for amenity, character and living conditions.

Question	EEBC Response
119) Do you agree policy L2 (d)(i) achieves its intent to enable appropriate development that may differ from the existing street scene, particularly in cases such as corner plot redevelopment and upwards extensions? a) Please provide your reasons, particularly if you disagree.	Partly disagree. The Council has some concerns about the effectiveness of L2(d)(i) as currently worded. The requirement for proposals to be "consistent with the overall street scene" may limit the policy's intention to support appropriate change, particularly for upward extensions. The term "consistent with the overall street scene" is not clearly defined and could be interpreted narrowly, potentially implying that building height, bulk or massing must match existing development. This may unintentionally constrain opportunities for intensification that the policy seeks to encourage. It would be helpful if the policy clarified that "consistency" should be understood in a broader sense relating to the character and appearance of the street scene, rather than requiring replication of existing scale or form. This would provide flexibility for well-designed proposals that introduce greater height or bulk where appropriate.
120) Do you agree with the proposed safeguards in policy L2 that allow development in residential curtilages? a) Please provide your reasons, particularly if you disagree.	Partly agree. The Council is broadly supportive of the safeguards set out in policy L2(d). We note that d(iii) includes two requirements: limiting development to no more than twice the footprint of the existing building, and retaining at least 50% of the non-developed curtilage. The Council is content with this combination, as it provides clear parameters for balancing intensification with the retention of open space around buildings. The 50% requirement remains a particularly important safeguard to ensure adequate amenity and spaciousness within plots.

Question	EEBC Response
121) Do you agree policy L3 provides clear guidance on achieving appropriate densities for residential and mixed-use schemes? a) If not, please explain how guidance could be clearer?	Partly agree. The Council broadly supports the principles of policy L3 and welcomes the reference in criteria 2 that the existing character of an area should be taken into account, however the term that this should not preclude development which makes the most of an areas potential is ambiguous and open to interpretation. However, we note the term *"reasonable walking distance of a railway station"* and question whether this applies to a specific distance, or say a 20-minute walk at an average speed, or is it defined in another way?
122) Do you agree with the minimum density requirements set out within policy L3? a) Please provide your reasons, particularly if you disagree.	Partly disagree. The Council supports the principle of applying minimum densities to promote more efficient use of land. However, the proposed minimum densities of 40 dph (or 50 dph for well-connected locations) are considered to be to be relatively modest.

Question	EEBC Response
b) Could these minimum density requirements lead to adverse impacts on Gypsies and Travellers and other groups with protected characteristics? Please provide your reasons, including any evidence	In the Emerging Epsom and Ewell Local Plan, the Council is proposing more ambitious minimum densities, including 60 dph for sites near railway stations and 80 dph in the town centre. We are of the view that higher minimums can be appropriate and deliverable in well-connected areas, and that national policy could be more aspirational in this regard to better support sustainable settlement patterns and optimise land use.
123) Do you agree that using dwellings per hectare is an appropriate metric for setting minimum density requirements? Additionally, is our definition of 'net developable area' within the NPPF suitable for this policy? a) Please provide your reasons, particularly if you disagree.	Strongly agree. The Council is satisfied with the metric and with the definition of net developable area, as provided in the Glossary. It is appropriate for the purposes of Policy L3.
124) Do you agree with the proposed definition of a 'well-connected' station used to help set higher minimum density standards in targeted growth locations? In particular, are the parameters we're using for the number of Travel to Work Areas and service frequency appropriate for defining a 'well-connected' station? a) Please provide your reasons and preferred alternatives.	Partly disagree. The Council supports the principle of focusing higher-density development around rail stations. However, we have concerns about the proposed definition of a *"well-connected"* station, particularly the reliance on the top 60 Travel to Work Areas (TTWAs). TTWAs are based on labour-market self-containment rather than transport connectivity and use 2011 Census commuting data, making them a weak proxy for identifying well-connected stations today. This risks excluding locations with strong rail accessibility simply because they fall outside high-GVA TTWAs. Preferred alternative(s):

Question	EEBC Response
	A more transport-focused approach could include: • Identifying stations through a national accessibility assessment, based on journey-time proximity to major employment centres and rail-specific connectivity indicators. • Removing or broadening the TTWA/GVA filter to avoid unjustified exclusions. This would provide a clearer and more accurate basis for defining well-connected stations and applying higher density standards.
125) Are there other types of location (such as urban core, or other types of public transport node) where minimum density standards should be set nationally? a) If so, how should these locations be defined in a clear and unambiguous way and what should these density standards be?	The Council is of the view that setting minimum density standard for specific locations may be better suited to being applied at the Local Authority level rather than at a national level.
126) Should we define a specific range of residential densities for land around stations classified as 'well-connected'?	No. In applying a minimum, it is important to recognise that minimum density standards need to be balanced with other planning considerations (such as heritage, local character, environmental constraints and infrastructure capacity) which can legitimately influence what constitutes an appropriate density in particular locations. The Council considers density standards are best set by Local Authorities.

Question	EEBC Response
127) If so, what should that range be, and which locations should it apply to?	n/a
128) Do you agree policy L4 provides clear high-level guidance on good design for residential extensions? 129) Please provide your reasons, particularly if you disagree.	Partly disagree. L4 1(b) appears to omit consideration of the impact that extensions may have on neighbouring amenity. The Council has raised concerns about the potential effects on neighbours, as well as on current and future occupants, and is of the view that this should be explicitly addressed within the policy. If impact on neighbouring amenity is included perhaps *outlook* is also included, particularly from *habitable rooms*?
13 – Protecting Green Belt Land	
130) Do you agree that policy GB1 provides appropriate criteria for establishing new Green Belts? 131) Please provide your reasons, particularly if you disagree.	Neither agree nor disagree. The principle of establishing new/additional Green Belt in exceptional circumstances is noted and the policy is similar to existing paragraphs 144 in the NPPF with slight changes and removal of two of the criteria to ensure it does inhibit sustainable development.
132) Do you agree policy GB2 gives sufficient detail on the expected roles spatial development strategies and local plans play in assessing Green belt land?	Neither agree nor disagree

Question	EEBC Response
a) Please provide your reasons, particularly if you disagree.	It's acknowledged that this policy now reflects the new planning system and is therefore very different from the existing process. The Council notes that the policy outlining that it will be the role of Spatial Development Strategies to identify areas where Green Belt boundaries may require further consideration through the local plans, where local plans will undertake the detailed assessments to inform alterations to the boundary. The Council considers that all matters related to Green Belt reviews should remain with Local Planning Authorities. Whilst the policy requires local plans to undertake assessments in accordance with Annex E, it is not clear how Spatial Development Strategies identify areas of further consideration-would it also be through the use of Annex E? The Council welcomes the addition of Annex E Green Belt Assessments which will provide clarity on how to approach Green Belt Assessments. However, the Council does have some comments regarding some of these: Annex E 1 a.ii. noted that it does not set out a standard methodology but refers to consistency with the Strategic Green Belt Assessment supporting the Spatial Development Strategy. Whilst GB2 requires local plans to undertake assessments in accordance to Annex E Should there be clarity or guidance set out how Strategic Development Strategies identify where areas of Green Belt will need further consideration?

Question	EEBC Response
	1 a.iii reference to assessment areas being ‘small enough’, does this need to be quantified to avoid confusion? 1.a.iv. reference ‘smaller areas’, does this need to be quantified to avoid confusion 3 out of 5 of the criteria in Annex E, paragraph 1 refers to the size of assessment parcels. Perhaps there needs to be reference to other parameters for defining the parcels e.g. parcels should be defined using clear physical features and this could then be addressed in defining boundaries as set out in Policy GB4 f.
133) Do you agree with proposals to better enable development opportunities around suitable stations to be brought forward? a) Please provide your reasons, particularly if you disagree.	Strongly disagree. The Council has strong concerns regarding the introduction of a broad exception to allow altering Green Belt boundaries to enable development of land around stations in criteria 1. This seems like a very permissive approach and has no regard to any other constraints/parameters or whether the location makes a significant contribution to the Green Belt. It is not entirely clear what is ‘development of land around stations’ means- there is no further information in the policy although it is acknowledged that there are other references to stations in the proposed NPPF including Footnote 26 and Footnote 52 which refer to rail stations, underground, tram and light rail stops in the top 60 Travel to work areas. The Council considers that the NPPF (or updates to supporting guidance) should provide a link to the data showing which stations are located within the top 60 travel to work areas are located.

Question	EEBC Response
	The policy is too permissive and open to interpretation; it should set out circumstances where development around stations would not be appropriate and set clear measurable parameters e.g. distance/radius to stations and an appropriate scale of development if appropriate.
134) Do you agree the expectations set out in policy GB5 are appropriate and deliverable in Local Plans? 135) Please provide your reasons, particularly if you disagree.	Agree with this requirement.
136) Do you agree policies GB6 and GB7 set out appropriate tests for considering development on Green Belt land? a) Please provide your reasons, particularly if you disagree.	Strongly disagree. The Council considers that there is a watering down of circumstances where development would be inappropriate development within the Green Belt. The introduction of 'grey belt' has led to a more permissive approach to development in the Green Belt which the Council finds concerning. Now with Policy GB7 introducing an additional category of development that would not be inappropriate in the Green Belt in the criteria (h) 'Development for housing and mixed-use development which would be within 'reasonable walking distance of a railway station'- whilst further information is provided in the footnote, this seems unduly permissive, having no regard for the contribution the site makes to the Green Belt, which may be significant, but provided it's close to a railway station then development would not be inappropriate.
137) Do you agree policy GB7(1h) successfully targets appropriate development types and locations in the	Strongly disagree.

Question	EEBC Response
Green Belt, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12?	As stated in the Council's response to question 136, the Council has concerns that the introduction of GB7(1h) is too permissive.
138) Please provide your reasons, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers.	No comment
139) Do you agree that site-specific viability assessment should be permitted on development proposals subject to the Golden Rules in these three circumstances? a) Please provide your reasons, particularly if you disagree.	Strongly disagree. The Council has concerns regarding the introduction of circumstances where site specific viability may be justified. The Council does not believe that the introduction of these criteria in GB8 (3) will ensure that development secures the maximum gains. The need for a viability assessment should only be necessary in limited circumstances as set out in Policy DM5 criteria 1 and 2.
140) With regards to previously developed land, are there further changes to policy or guidance that could be made to help ensure site-specific viability assessments are used only for genuinely previously developed land, and not predominantly greenfield sites?	The Council has concerns about this part (3) of the policy as stated in response to the previous question. Why would the presence of previously developed land justify the need for a site-specific viability assessment? Is it purely because it is previously developed land or is it to do with contamination? The introduction of a broad category of 'previously developed land' is too open ended. It should be emphasised that site specific viability assessments should only be undertaken in exceptional circumstances where it is justified or where there may be unusual costs that have not been factored into any original strategic viability assessment.
141) Do you agree with setting an affordable housing 'floor' for schemes subject to the Golden Rules	Disagree.

Question	EEBC Response
accompanied by a viability assessment subject to the terms set out? 142) Please explain your answer, including your view on the appropriate approach to setting a 'floor', and the right level for this?	The Council has concerns about inviting flexibility with regards to allowing for site specific viability assessments for Golden rules sites beyond those set out Policy DM5 criteria 1 and 2. We consider the requirements set out in criteria 1a should apply to all 'Golden Rules sites' as the default which in effect provides an 'affordable housing floor'.
143) Do you agree with local planning authorities testing viability at the plan-making stage using a standardised Benchmark Land Values scenario of 10 times Existing Use Value for greenfield, Green Belt land? a) Please explain your answer.	Strongly disagree Local Plan viability assessments reflect local circumstances. For example, our Local Plan Viability Assessment (2023) utilises the following assumptions for the Benchmark land value of the Existing Use Value Plus £1,000,000/ha.
144) Do you have any other comments on the use of nationally standardised Benchmark Land Values for local planning authorities to test viability at the plan-making stage?	No comment
145) Do you agree that proposed changes to the grey belt definition will improve the operability of the grey belt definition, without undermining the general protections given to other footnote 7 areas? a) Please provide your reasons, particularly if you disagree.	Neither agree nor disagree It is noted that the change responds to recent case law and the governments' view that these matters are covered in other policies within the consultation draft framework and will be considered as part of the development management process where relevant.

Question	EEBC Response
14 – Achieving well-designed places	
146) Do you agree that policy DP1 provides sufficient clarity on how development plans should deliver high quality design and placemaking outcomes? a) Please provide your reasons, particularly if you disagree.	Strongly agree
147) Do you agree with the approach to design tools set out in policy DP2? a) Please provide your reasons, particularly if you disagree.	Strongly agree
148) Do you agree policy DP3 clearly set out principles for development proposals to respond to their context and create well-designed places? a) Please provide your reasons, particularly if you disagree.	Strongly agree
149) Do you agree with the proposed approach to using design review and other design processes in policy DP4? c) If not, what else would help secure better design and placemaking outcomes?	Strongly agree

Question	EEBC Response
15 – Promoting Sustainable Transport	
150) Do you agree that policy TR1 will provide an effective basis for taking a vision-led approach and supporting sustainable transport through plan-making? a) Please provide your reasons, particularly if you disagree.	Strongly agree. The Council is supportive of the principle of a policy that makes provisions for taking a vision led approach and considers that the Connectivity Tool is a useful resource.
151) Do you agree that policy TR2 strikes an appropriate balance between supporting maximum parking standards where they can deliver planning benefits, and requiring a degree of flexibility and consideration of business requirements in setting those standards? a) Please provide your reasons, particularly if you disagree.	Strongly agree. The Council is supportive of Criteria 1 and the use of the recently published Connectivity Tool to inform site selection. We welcomed criteria 2) which enables local plans to define thresholds for what constitutes a significant amount of movement arising from new development for the purposes of applying other transport policies in the Framework (such as TR6 which would influence when a travel plan or transport assessment would be required).
152) Do you agree with the changes proposed in policy TR3(1a), including the reference to proposals which could generate a significant amount of movement, and the proposed use of the Connectivity Tool? a) Please provide your reasons, particularly if you disagree.	Strongly agree. Criteria b) The Council is supportive of reference to the recently published Connectivity Tool to inform site selection.

Question	EEBC Response
153) Do you agree that proposed policy TR4 provides a sufficient basis for the effective integration of transport considerations in creating well-designed places? a) Please provide your reasons, particularly if you disagree.	Strongly agree. The Council welcomes the inclusion of references to making sure that arrangements of streets and other routes meet the needs of disabled people, older people and children in relation to all modes of transport.
154) Do you agree with policy TR5 as a basis for supporting the provision and retention of roadside facilities where there is an identified need? a) Please provide your reasons, particularly if you disagree.	Strongly agree.
155) Do you agree that the amended wording proposed in policy TR6 provides a clearer basis for considering when transport assessments and travel plans will be required, and for considering impacts on the transport network? a) Please provide your reasons, particularly if you disagree.	Strongly agree. The Council welcomes the amendment of wording to the current NPPF in criteria 1 which states 'development proposals that are likely to generate' as opposed to 'will generate'.
156) Do you agree the proposed text in policy TR7 provide an effective basis for assessing proposals for marine ports, airports and general aviation facilities? a) Please provide your reasons, particularly if you disagree.	No comment – not relevant to EEBC.

Question	EEBC Response
157) Do you agree with the additional policy on maintaining and improving rights of way proposed in policy TR8? a) Please provide your reasons, particularly if you disagree.	Strongly agree.
16 – Promoting Health Communities	
158) Do you agree with the approach to planning for healthy communities in policy HC1, including the expectation that the development plan set local standards for different types of recreational land, drawing upon relevant national standards? a) Please provide your reasons, particularly if you disagree.	Strongly agree. The Council supports the need for the development plan to set appropriate standards for recreational land to meet local needs.
159) Do you agree that Local Green Space should be 'close' to the community it serves? a) Please provide your reasons, particularly if you disagree.	Strongly agree. Support the change from 'reasonably close' to 'close' to emphasise that the spaces should be locally important to the community it serves.
160) Do you agree that the proposed policies at HC3 and HC4 will support the provision of community facilities and public service infrastructure serving new development?	Strongly agree.

Question	EEBC Response
a) Please provide your reasons, particularly if you disagree.	The Council notes that the policies effectively redraft current NPPF policy with additional emphasis added on the need for a wide range of infrastructure to support development.
161) Do you have any views on whether further clarity is required to improve the application of this policy, including the term 'fast food outlets', and the types of uses to which it applies?	To provide clarity the policy could clarify what 'reasonable walking' distance is - otherwise no comment.
162) Do you agree with the proposed approach to retaining key community facilities and public service infrastructure in policy HC6? a) Please provide your reasons, particularly if you disagree.	Neither agree nor disagree. Many local authorities have a local plan policy setting out the steps that need to be taken to ensure a reasonable prospect of community facilities being retained, including marketing properties for a minimum period. HC6 sets out a marketing period of at least 12 months. We consider that local planning authorities should be able to set their own marketing requirements (e.g. a longer time period) where justified. In addition, criteria 2 states that the 'policy applies only where the facility would be the last of its type in the area concerned'. We consider that this component of the policy will be difficult to apply in densely populated urban areas and would be the subject of extensive debate – where does and area end or begin, would this be a ward boundary?
163) Do you agree with the approach taken to recreational facilities in policy HC7, including the addition of 'and/or' with reference to quantity and quality of replacement provision?	Agree. The Council is generally supportive of the supports allotment provision being captured by the policy.

Question	EEBC Response
a) Please provide your reasons, particularly if you disagree.	Whilst we are generally supportive of the reference to 'informal play space' in addition to formal 'play space' in the policy we consider further guidance or inclusion of definitions in the glossary could be beneficial to define 'informal play space'.
164) Do you agree with the clarification that Local Green Space should not fall into areas regarded as grey belt or where Green Belt policy on previously developed land apply? a) Please provide your reasons, particularly if you disagree.	Strongly agree. This provides sufficient clarity.
17 – Pollution, public protection and security	
165) Do you agree with policy P1 as a basis for identifying and addressing relevant risks when preparing plans? a) Please provide your reasons, particularly if you disagree.	Partly agree. The Council supports the principle of the policy and its importance within plan-making policy.
166) Are any additional tools or guidance needed to enable better decision-making on contaminated land?	No comment
167) Do you agree with the criteria set out in proposed policy P3 as a basis for securing acceptable living conditions and managing pollution?	Strongly agree. The council is supportive of policy that secures acceptable living conditions and manages pollution.

Question	EEBC Response
a) Please provide your reasons, particularly if you disagree.	
168) Do you agree policy P4 makes sufficiently clear how decision-makers should apply the agent of change principle? a) Please provide your reasons, particularly if you disagree.	Strongly agree. The policy is clear.
169) Do you agree policy P5 provides sufficient basis for addressing possible malicious threats and other hazards when considering development proposals? a) Please provide your reasons, particularly if you disagree.	Strongly agree. The Council supports the principle of the policy as a basis for addressing maintaining public safety and security.
170) Do you agree that substantial weight should be given to the benefits of development for defence and public protection purposes? a) Please provide your reasons, particularly if you disagree.	Strongly agree.
18 – Managing Flood Risk	
171) Do you agree with the proposed changes set out in policy F3 to improve how Coastal Change	No comment – does not apply to Epsom and Ewell Borough.

Question	EEBC Response
Management Areas are identified and taken into account in development plans? a) Please provide your reasons, particularly if you disagree.	
172) Do you agree with the proposed clarifications to the sequential test set out in policy F5? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.	Strongly agree. The Council welcomes the clarification in relation to the application of the sequential test, specifically the exemptions set out in F3 (2).
173) Do you agree with the proposed approach to the exception test set out in policy F6? a) Please provide your reasons, particularly if you disagree.	Strongly agree. The Council welcomes the revised wording which provides clarify on when an exception test will be required.
174) Do you agree with the proposed requirement in policy F8 for sustainable drainage systems to be designed in accordance with the National Standards? a) Please provide your reasons, particularly if you disagree.	Strongly agree. The Council is not the Lead Local Flood Authority however is supportive of the proposed changes requiring that sustainable drainage systems are designed in accordance with the National Standards.
175) Do you agree with the proposed new policy to avoid the enclosure of watercourses, and encourage the de-culverting and re-naturalisation of river channels?	Strongly agree. The Council welcomes the policy wording to avoid the enclosure of watercourses and encouraging the de-culverting and re-naturalising of

Question	EEBC Response
a) Please provide your reasons, particularly if you disagree.	river channels which in addition to improving water management have environmental benefits.
176) Do you agree with the proposed changes to policy for managing development in areas affected by coastal change? a) Please provide your reasons, particularly if you disagree.	No comment – does not apply to Epsom and Ewell Borough.
177) The National Coastal Erosion Risk Map sets out where areas may be vulnerable to coastal change based on different scenarios. Do you have views on how these scenarios should be applied to ensure a proportionate approach in applying this policy?	No comment – does not apply to EEBC.
178) Do you agree with the proposed new additions to Table 2: Flood Risk Vulnerability Classifications? a) Should any other forms of development should be added? Please give your reasoning and clearly identify which proposed or additional uses you are referring to.	Neither agree nor disagree. The Council notes that the content of Table 2 has been expanded, specifically to the Essential Infrastructure category but does not have any views on the new additions.
19 – Conserving and enhancing the natural environment	
179) Do you agree that the proposed approach to planning for the natural environment in policy N1, including the proposed approach to biodiversity net	Partly agree.

Question	EEBC Response
gain, strikes the right balance between consistency, viability, deliverability, and supporting nature recovery? a) Please provide your reasons, particularly if you disagree.	The Council welcomes that local authorities will be able to seek higher biodiversity net gain requirements from development where justified by evidence and proved to be viable, however, consider that more flexibility should be given so that the requirement could be applied plan wide or in defined locations as opposed to site specific allocations, if justified and viable. The proposed approach is in line with our emerging Local Plan that contains a requirement for greenfield site allocations to provide a minimum of 20% BNG, with all other sites having to satisfy the legislative requirement of a minimum of 10%.
180) In what circumstances would it be reasonable to seek more than 10% biodiversity net gain on sites being allocated in the development plan, especially where this could support meeting biodiversity net gain obligations on other neighbouring sites in a particular area?	See response to Q179 above.
181) Do you agree policy N2 sets sufficiently clear expectations for how development proposals should consider and enhance the existing natural characteristics of sites proposed for development? a) Please provide your reasons, particularly if you disagree.	Strongly disagree. The policy provides a lot less detail than the existing paragraphs in the NPPF that it is intended to replace (paragraph 187, 192 and 193). The focus appears to have shifted towards how development proposals improve the natural environment, which is important, however there is a lot less emphasis on the potential harm that may be caused by development proposals and how to assess these. The Council considers that the detail of existing paragraph 193 should be incorporated more fully into the proposed policy.
182) Do you agree the policy in Policy N4 provides a sufficiently clear basis for considering development	The Council supports the policy.

Question	EEBC Response
proposals affecting protected landscapes and reflecting the statutory duties which apply to them? a) Please provide your reasons, including how policy can be improved to ensure compliance.	
183) Do you agree policy N6 provides clarity on the treatment of internationally, nationally and locally recognised site within the planning system? a) Please provide your reasons, particularly if you disagree.	Strongly agree. The policy follows on from comments to Q181 regarding policy N2, it would appear that the details in paragraph 193 of the existing NPPF has been carried forward and incorporated into this policy. The Council supports the policy and agrees that it provides sufficient clarity.
184) Are there any further issues for planning policy that we need to consider as we take forward the implementation of Environmental Delivery Plans?	It's difficult to comment on the implications of the Environmental Delivery Plan and Nature Restoration Funds.
20 - Conserving and Enhancing the Historic Environment	
185) Do you agree the government should implement the additional regard duties under Section 102 of the Levelling-Up and Regeneration Act? a) Please provide your reasons.	Neither agree nor disagree.
186) Do you have any evidence as to the impact of implementing the additional regard duties for development?	No Comment

Question	EEBC Response
187) Do you agree with the approach to plan-making for the historic environment, including the specific requirements for World Heritage Sites and Conservation Areas, set out in policies H1 – H3? a) Please provide your reasons, particularly if you disagree.	Strongly agree. Broadly supportive of the proposed plan-making approach for the historic environment, including the measures for World Heritage Sites and Conservation Areas. However, it is important that Historic England updates its supporting guidance once revised policies are adopted.
188) Do you agree with the approach to assessing the effects of development on heritage assets set out in policy H5? a) Please provide your reasons, particularly if you disagree.	Strongly agree.
189) Do you agree with the approach to considering impacts on designated heritage assets in policy HE6, including the change from “great weight” to “substantial weight”, and in particular the interactions between this and the statutory duties? a) Please provide your reasons, particularly if you disagree.	Strongly agree. Removal of the ”less than substantial” threshold is strongly welcomed as it has caused lack of flexibility and inconsistency in application.
190) Do you agree with the new policies in relation to world heritage, conservation areas and archaeological assets in policies HE8 – HE10? a) Please provide your reasons, particularly if you disagree.	Partly agree. Although the wording is broadly acceptable, it makes no reference to the setting of a conservation area. This is an important consideration for many developments, particularly on greenfield sites, and it should be explicitly assessed and addressed when reviewing proposals.

Question	EEBC Response
191) Do you have any other comments on the revisions to the heritage chapter?	
Further Questions	
192) Do you agree with the transitional arrangements approach to decision-making? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.	Partly disagree National Decision Making Policies (NDMPs) will carry significant weight from the date the final NPPF is published and as such, they are capable of altering the planning balance where there is an inconsistency with existing development plan policies. The Council understands the government's desire to implement NDMPs promptly but consider it would be beneficial to include a transitional period for applications nearing determination and any other applications going through the appeal process.
193) Do you have any further thoughts on the policies outlined in this consultation?	The Council is concerned that in the draft consultation material (framework and supporting documentation) there is no acknowledgement that a number of local authority areas are going through Local Government Reorganisation. Whilst this does not have a significant impact on many of the proposed new / revised policies it does have a fundamental impact on Local Plan preparation and related timelines. This is even more relevant in areas where there is currently no SDS in place, such as Surrey. Policy PM 6

Question	EEBC Response
	The Council notes that within the consultation there is no opportunity to comment specifically on Criteria 1b of Policy PM6 which sets the bar too high for local authorities to identify locally specific polices to be included in the Local Plan. The Council considers that there are likely to be cases when locally specific policies are required which may not comply with these two policy requirements.
94) Do you agree with the list of Written Ministerial Statements set out in Annex A to the draft Framework whose planning content would be superseded by the policies proposed in this consultation? a) Please provide your reasons, particularly if you disagree.	Partly agree. The Council is generally supportive of the Annex A clarifying which Written Ministerial Statements will be superseded by the revised NPPF upon adoption. However, the Council would wish the principles of Planning – Local Energy Efficiency Standards Update to remain embedded within the NPPF to enable local authorities to set higher energy efficiency standards where this can be justified and demonstrated to be viable.
Annex A – Data Centres and onsite energy generation	
195) Do you consider the planning regime, including reforms being delivered through the Planning and Infrastructure Act, provide sufficient flexibility for energy generation projects co-located with data centres to be consented under either the NSIP or TCPA regime? a) Please give reasons.	No comment.

Question	EEBC Response
196) Would raising the Planning Act 2008 energy generation thresholds for renewable projects that are co-located with data centres in England (for the reason outlined above) be beneficial? a) If so, what do you believe would be the appropriate threshold? Please provide your reasons.	No comment.
197) Do you have any views on how we should define 'co-located energy infrastructure'? Please provide your reasons.	No comment.
198) Do you think the renewable energy generation thresholds under Section 15 of the Planning Act 2008 for other use types of projects should be increased, or should this be limited to projects co-located with data centres? a) Please provide your reasons. 199) What benefits or risks do you foresee from making this change? Please provide your reasons.	No comment.
Annex B – Viability standardised inputs in viability assessment	
200) Would you support the use of growth testing for strategic, multi-phase schemes? a) Please explain your answer.	

Question	EEBC Response
201) Would you support the optional use of growth testing for regeneration schemes? a) Please explain your answer.	
202) Do you agree greater specificity, including single figures, which local planning authorities could choose to diverge from where there is evidence for doing so, would improve speed and certainty? a) Please explain your answer. If you agree, the government welcomes views on the appropriate figure – for example, whether 17.5% would be an appropriate reflection of the industry standard for most market for sale housing.	
203) Are there any site types, tenures, or development models to which alternative, lower figures to 15-20% of Gross Development Value might reasonably apply? a) Please explain your answer. The government is particularly interested in views on whether clarifying an appropriate profit of 6% on Gross Development Value for affordable housing tenures would make viability assessments more transparent and speed up decision-making.	
204) Are there further ways the government can bring greater specificity and certainty over profit expectations across landowners, site promoters and developers	

Question	EEBC Response
such that the system provides for the level of profit necessary for development to proceed, reducing the need for subjective expectations? a) Please explain your answer.	
205) Existing Viability Planning Practice Guidance refers to developer return in terms a percentage of gross development value. In what ways might the continued use of gross development value be usefully standardised?	
206) Do you agree there circumstances in which metrics other than profit on gross development value would support more or faster housing delivery, or help to maximise compliance with plan policy? a) Please explain your answer.	
207) Are there types of development on which metrics other than profit on gross development value should be routinely accepted as a measure of return e.g. strategic sites large multi-phased schemes, or build to rent schemes? a) Please explain your answer.	
208) Do you agree that guidance should be updated to reflect the fact a premium may not be required in all circumstances?	

Question	EEBC Response
a) In what circumstances might a premium, or the usual premium, not be required? b) What impact (if any) would you foresee if this change were made?	
209) Do you agree that extant consents should not be assumed to be sufficient proof of alternative use value, unless other provisions relating to set out in plans are met? a) Please explain your answer.	
210) If extant consents were not to be assumed as sufficient proof of alternative use value, should this be at the discretion of the decision-maker, or should another metric (e.g. period of time since consent granted) be used? a) If another metric, please set out your preferred approach and rationale.	
211) What further steps should the government take to ensure non-policy compliant schemes are not used to inform the determination of benchmark land values in the viability assessments that underpin plan-making?	
212) Do you agree that the residual land value of the development proposal should be cross-checked with	

Question	EEBC Response
the residual land values of comparable schemes; to help set the viability assessment in context. a) Please explain your answer.	
Annex C – reforming site thresholds	
213) Do you agree that a 2.5 hectare threshold is appropriate? a) Please provide your reasons, particularly if you disagree.	Strongly disagree. We do not consider that a medium site sized threshold should be introduced for the reasons detail in our response to Q217 below. As a tightly constrained urban authority the proposed threshold would capture most residential schemes delivered in the borough.
214) Do you agree that a unit threshold of between 10 and 49 units is appropriate? a) Please provide your reasons, particularly if you disagree.	Strongly disagree. As a tightly constrained urban authority the proposed threshold would capture the vast majority of residential schemes delivered in the borough. This would greatly reduce the Councils ability to deliver much needed affordable housing and secure meaningful biodiversity net gain.
215) Do you foresee risks or operability issues anticipated with the proposed definition of medium development? 216) If so, please explain you answer and provide views on potential mitigations.	Yes The Council is concerned that there is a risk of sites being brought forward in phases and / or developers delivering housing types and sizes to ensure the site would be classified as a medium site.

Question	EEBC Response
217) Do you have any views on whether the current small development exemption should be extended to cover a wider range of sites – indicatively to sites of fewer than 50 dwellings, or fewer than 120 bedspaces in purpose-built student accommodation? a) Please provide your reasons.	The Council would be concerned if all exemptions are extended to include medium size developments. It is acknowledged that the small site exemption was developed to help support urban sites coming forward however introducing this new category would only allow for even greater proportion of sites to be excluded from requirements for affordable housing, Biodiversity Net Gain and the Building Safety Levy. This would greatly reduce the Councils ability to deliver much needed affordable housing and secure meaningful biodiversity net gain. The Council considers that if the government is to proceed with the medium development concept a more pragmatic approach would be for this to be set by planning authorities as opposed to the national level. This will enable matters such as viability, need for affordable housing and local constraints to be considered.
218) If the exemption were to be extended, do you have any views on whether the development of 120 purpose-built student accommodation bedspaces is an appropriate equivalent to a development of 50 dwellings for the purposes of the levy exemption? a) Please provide your reasons.	No comment
219) If the exemption were to be extended, do you have any views on whether the exemption should be based solely on the existing metrics (dwellings/bedspaces) or whether there should also be an area threshold.	No comment
220) If you do have views on possible changes to the small developments levy exemption, please specify the	n/a

Question	EEBC Response
potential impact of the possible change of the levy exemption on people with protected characteristics as defined in section 149 of the Equality Act 2010.	
221) What do you consider to be the potential economic, competitive, and behavioural impacts of possible changes to the levy exemption? Please provide any evidence or examples to support your response.	n/a
222) Do you agree with the proposal to extend the Permission in Principle application route to medium development? a) Please provide your reasons, particularly if you disagree.	Neither agree nor disagree In Epsom and Ewell Permission in Principle is rarely utilised with developers preferring to progress down the conventional planning application route. The Council does not envisage significant take up on permission in principle if the thresholds were to be raised.
223) Do you have views about whether there should be changes to the regulatory procedures for these applications, including whether there should be a requirement for a short planning statement?	If the threshold were to be increased, we consider a planning statement would be beneficial.
Public Sector Equality Duty	
224) Do you have any views on the impacts of the above proposals for you, or the group or business you	No comment.

Question	EEBC Response
represent and on anyone with a relevant protected characteristic? a) If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how.	
225) Is there anything that could be done to mitigate any impact identified?	n/a

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Ministry of Housing, Communities & Local Government

National Planning Policy Framework

Plan-making and national decision-making policies

December 2025

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1. Introduction

1. The National Planning Policy Framework sets out the government's policies for plan-making and for making decisions on development proposals in England[1]. It is a material consideration of critical importance in both contexts.

2. The planning system should be genuinely plan-led. Preparing and maintaining up-to-date development plans should be seen as a priority for providing housing and other development in a sustainable manner. The plan-making policies in the Framework must be taken into account in preparing any part of the development plan.

3. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise[2]. The national decision-making policies in this Framework are a material consideration in making these decisions and should be read alongside the policies in the development plan.

4. This chapter explains the role of the Framework, practical points on its structure and use, and an overview of the purpose of the planning system. The chapter does not contain substantive policy; the policies to be used for plan-making and decision-making are set out in the chapters which follow.

Using the Framework

5. Chapters 2 and 3 set out general procedural policies for plan-making and decision-making. The subsequent chapters contain policies on thematic issues, separated in each case into policies for plan-making and those for decision-making. Taken together, the policies for decision-making (both procedural and thematic) comprise a set of national decision-making policies.

6. The plan-making policies should be read as a whole (including relevant footnotes and annexes), and applied in a way which is appropriate to the type of plan being produced, the area which it covers and the period it is intended to cover. Reflecting this, some of the plan-making policies indicate actions which should be taken at the most appropriate level, which recognises that plan-making arrangements will vary across the country (for example in the geographic scale of spatial development strategies and local plans).

7. The national decision-making policies should also be read as a whole (including relevant footnotes and annexes). Some of these policies indicate how much weight the government would expect a particular consideration to be given, including cases where it is appropriate to give substantial weight to certain benefits, and the limited circumstances in which it is expected that permission would be refused.

8. The thematic chapters contain both plan-making policies and national decision-making policies so that the approach to particular topics can be seen in the round. However, the

[1] This document replaces the previous version of the National Planning Policy Framework published in December 2024.
[2] Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990.

plan-making policies should not be used when making decisions on development proposals.

9. The annexes included with this Framework are also national planning policy.

10. Short objectives are included in boxed text at the start of chapters for context only and should not be applied as either plan-making or decision-making policy.

Other policy and guidance

11. There are other national policy statements which must be considered, where relevant, when preparing plans or making decisions on development proposals. These include the government's National Planning Policy for Waste and relevant Written Ministerial Statements. Details of Written Ministerial Statements and other planning policy documents whose policy has been fully or partially superseded by this Framework are included at Annex A.

12. The Framework does not contain specific policies for nationally significant infrastructure projects. These are determined in accordance with the Planning Act 2008 (as amended) and relevant national policy statements for major infrastructure, as well as any other matters that are relevant (which may include this Framework). National policy statements may, where relevant, be a material consideration in preparing plans and making decisions on planning applications.

13. National planning policy is supported by a suite of planning practice guidance, the purpose of which is to support the implementation of national planning policy. The government intends this to play an important but supporting role to national planning policy and its status should be regarded in that light.

Purpose of the planning system

14. The purpose of the planning system is to contribute to the achievement of sustainable development, by managing the use and development of land in the long-term public interest.

15. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs[3]. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection[4].

16. Achieving sustainable development means that the planning system has three overarching objectives in providing for the homes, commercial development, facilities and infrastructure which society needs. These objectives are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across all three):

[3] Resolution 42/187 of the United Nations General Assembly.
[4] Transforming our World: the 2030 Agenda for Sustainable Development.

a. **An economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.

b. **A social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible community facilities, public service infrastructure and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c. **An environmental objective** – to support efforts to mitigate and adapt to climate change, including moving to a low carbon economy; and to protect and enhance our natural, built and historic environment, including making effective use of land, improving biodiversity, using natural resources prudently, and minimising waste and pollution.

17. These objectives should be delivered through the preparation and implementation of development plans and the application of the policies in this Framework; they are not criteria against which every development proposal can or should be judged. Development plans and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

2. Plan-making policies

The objective of the policies in this chapter is to create a system which is genuinely plan-led, through plan-making authorities[5] prioritising the preparation and updating of the plans for which they are responsible. The preparation of development plans allows people to influence development in their area, including directing growth to the most appropriate and sustainable locations, supporting regeneration and conserving and enhancing the quality of the built and natural environment.

The required parts of the development plan are:

a. A spatial development strategy, produced by strategic planning authorities and the Mayor of London;

b. A local plan produced by a local planning authority;

c. A minerals and waste plan produced by a minerals and waste planning authority; and

d. A policies map, prepared and maintained by a local planning authority, illustrating policies across all parts of the development plan.

It may additionally include:

e. Supplementary plans, produced by local planning authorities, minerals and waste planning authorities and the Mayor of London; and

f. Neighbourhood plans, produced by parish councils and neighbourhood forums.

The different parts of the development plan each have a discrete purpose and are expected to deal positively with particular issues, as set out in the relevant legislation and national policies, including the policies in this Framework.

The plan-making framework

PM1: Spatial development strategies

1. Spatial development strategies should set a positive vision for future growth and change at a sub-regional scale and provide a clear spatial framework for investment and growth, including for new housing. Their content should be genuinely strategic in nature and allow for more detailed issues to be considered and addressed through other parts of the development plan.

2. They should do this by:

   a. Setting out a strategy for a sustainable pattern of growth covering a period of at least

[5] For the purposes of the policies in this chapter, plan-making authorities are defined as: Strategic Planning Authorities; The Mayor of London; Minerals and Waste Planning Authorities; and Local Planning Authorities. 'Plan-makers' includes all plan-making authorities and any other body with the power to make a plan which will form part of the statutory development plan.

20 years, including through the apportionment to local planning authorities in the strategy area of objectively assessed needs for housing and other uses that are best considered at a strategic scale for the duration of the plan period;

b. Identifying broad locations for strategic development including new settlements, major urban extensions, major cross-boundary development and key locations with the potential for new homes and jobs; such broad locations should extend over any large site allocations in adopted[6] local plans;

c. Supporting economic growth by providing a spatial framework for strategic investments and giving spatial expression to strategic elements of Local Growth Plans and the National Industrial Strategy;

d. Identifying the general extent of areas established as Green Belt and broad locations where changes to Green Belt boundaries may need to be considered through local plan preparation, if necessary to meet the development needs of the strategy area;

e. Identifying broad locations for nature conservation and habitat enhancement, restoration and creation;

f. Setting out the type, extent and broad location of strategic infrastructure needed to enable development and serve existing communities, including transport, social and waste infrastructure, utilities provision, flood risk management schemes and, where considered appropriate, the provision of minerals. The spatial development strategy should also make provision for infrastructure that is committed to in the 10 Year Infrastructure Strategy, sectoral spatial plans and any planned strategic infrastructure identified in local transport plans;

g. Using appropriate maps and diagrams to illustrate and communicate the strategy;

h. Providing a proportionate level of information on the mechanisms for delivering the strategy; and

i. Monitoring its implementation and adopting a replacement no later than 10 years after the current version was adopted, or earlier:

    i. if a strategic planning authority (or, where applicable, the Mayor of London) considers there are substantial inconsistencies with current national policies; or

    ii. where changes to infrastructure are planned that are likely to have a significant impact on development and land use in the strategy area and which were not considered during the preparation of the existing spatial development strategy; or

    iii. to respond to significant change or new evidence of needs, opportunities or development constraints.

3. Alterations to spatial development strategies should be made at least every 5 years to reflect any changes to housing requirements for the local planning authorities in the strategy area. It may be possible to make limited alterations if they do not fundamentally change the overall spatial strategy.

[6] Reference to the ‘adoption’ of a plan in this chapter also applies to where a plan has been ‘approved’ by the Secretary of State.

PM2: Local plans

1. Local plans should set out a positive vision and spatial strategy, which supports the delivery of the spatial development strategy for their area, and should set out specific proposals for accommodating development needs and improving the environment at a local level. They should do this by:

    a. Setting out a vision for the plan area, supported by no more than ten measurable outcomes, which:

        i. articulates how the area should change over the plan period;

        ii. sets aspirational aims and objectives underpinned by a realistic appreciation of what the plan's policies can genuinely shape and deliver;

        iii. reflects longer term expectations extending beyond the plan period where appropriate, including for large scale development proposals; and

        iv. has particular regard to meeting the identified development needs of the area in a sustainable manner in accordance with policy S1.

    b. Setting out a spatial strategy, policies for the minimum amount of development to be provided, land allocations[7] and broad locations for growth, and designations in accordance with policy S2, for a period of no less than 15 years from the point of adoption of the plan;

    c. Identifying the contributions expected from development towards meeting affordable housing requirements and on-and off-site infrastructure necessary to support delivery of the plan in accordance with policy PM12; and,

    d. Setting out other policies, accompanied by concise explanatory text as necessary to aid interpretation, only where these support the delivery of specific allocated sites (to set clear expectations of what is required in terms of layout, infrastructure and design); or where these address particular local issues in accordance with policy PM6.

2. Local plans should be prepared and adopted within 30 months of publishing a Gateway 1 self-assessment[8].

3. Commencement of the preparation of the next local plan must be no later than 5 years after adoption of the current plan[9], but should be prepared earlier where:

    a. an Inspector at examination of the current plan has made a recommendation to prepare a new plan earlier; or

    b. there has been a significant change in local circumstances, including where an area's

[7] Allocations should identify any site-specific expectations and requirements, including for on-and off-site infrastructure, and should include: a site reference, name and area; a short description of existing and allocated use(s); an indicative or specific site capacity for the development proposed; and the projected delivery timeframe.
[8] Further information on the role of gateways in the preparation of local plans is published in: Create or update a local plan using the new system - GOV.UK.
[9] Commencing preparation of the local plan means you must have passed through Gateway 1.

housing requirement has significantly increased following the adoption of a spatial development strategy.

4. The Secretary of State has powers to intervene in plans, including when a local planning authority fails to make adequate progress with plan-making.

5. Joint local plans prepared by two or more local planning authorities should be considered where this would enable local planning matters to be dealt with most effectively.

PM3: Minerals and waste plans

1. Minerals and waste plans should set out specific proposals to facilitate a sufficient supply of minerals to meet society's needs and enable the delivery of sustainable waste management and a circular economy. Their preparation should accord with policy PM2, other than in relation to identifying contributions to affordable housing.

2. Minerals and waste matters can be dealt with in separate plans or combined with local plans where an authority is responsible for all these matters. Minerals and waste planning authorities should consider the most appropriate form for their minerals and waste plan to take.

3. Joint minerals and waste plans prepared by two or more minerals and waste planning authorities should be considered where this would enable matters related to minerals and waste planning to be dealt with most effectively.

PM4: Supplementary plans

1. Supplementary plans may be used by relevant plan-making authorities[10] to address specific issues, where these are not already covered in other parts of the development plan for the area or the policies in this Framework. They should be limited to:

    a. Setting out locally-specific design standards to provide clear design expectations that support the delivery of development; or

    b. Situations where a supplementary plan would allow the authority to respond positively and quickly to unanticipated changes in their area, between plan-making cycles, where it is important to put in place policies to shape and direct development for a site or group of sites which the authority considers to be nearby to each other.

2. Supplementary plans should not be used to subvert the role of local plans and minerals and waste plans, including the vision or spatial strategy set out within them. Their preparation should not be used to delay the implementation of sites allocated for development in those plans.

3. Where supplementary plans allocate sites for development, these allocations should be included in the next local plan (or minerals and waste plan) for the area, unless changes in circumstances mean that it is no longer relevant to do so[11].

[10] Local planning authorities, Minerals and Waste Planning Authorities and the Mayor of London.
[11] To ensure the process of including relevant policies from supplementary plans to the next local plan is effective, local authorities should, when preparing supplementary plans, have regard to the requirements and expectations set out for the local plans and minerals and waste plans preparation process.

PM5: Neighbourhood plans

1. Neighbourhood plans allow local communities to plan positively for their areas by identifying and addressing community priorities that can be met or supported through the planning system. They should do this by:

    a. Allocating land to meet the development needs of their designated area, where it is appropriate to do so; and

    b. Setting out policies which address particular local issues, these should relate to site-specific matters or, where appropriate, may cover wider issues such as the provision of infrastructure and community facilities, regeneration opportunities, design requirements (including design codes), local environmental improvements and the conservation of local heritage assets.

2. Neighbourhood plans should not promote less development than provided for in other parts of the development plan for the area.

Preparing plans

PM6: General principles for plan-making

1. All plan-makers should, in preparing plans:

    a. Only address matters, and include policies, that are necessary and relevant to the plan being prepared, and which avoid unnecessary duplication of other parts of the development plan;

    b. Only include policies which extend beyond site or location-specific requirements where these are necessary and where plan makers consider there is a clear and justified reason for inclusion;

    c. Not duplicate, substantively restate or modify the content of national decision-making policies unless directed by other policies in this Framework;

    d. Engage positively with communities and other key stakeholders, at appropriate points during their preparation and using a range of methods, so that relevant issues are identified and addressed as early as possible during the plan-making process;

    e. Use environmental assessment to inform the preparation of plans, where legally required[12]; and,

    f. Publish plans in a searchable digital format (e.g. as a text-based webpage), which complies with defined data standards (where applicable), to ensure plans are easily navigable and accessible to different users.

PM7: Initiating plan-making for local plans and minerals and waste plans

1. Prior to initiating the preparation of a local plan or minerals and waste plan, planning

[12] Neighbourhood plans may require Strategic Environmental Assessment, but only where there are potentially significant environmental effects.

authorities should, with reference to national guidance[13], design an approach to preparing and adopting the plan within 30 months. This should involve:

a. Setting realistic timings for key milestones and reflecting these in the local plan or minerals and waste plan timetable, which thereafter must be updated at prescribed points;

b. Identifying how the plan and associated documents will be signed off expediently and efficiently at key points in its development by elected members;

c. Using a project initiation document to develop and collate key information about how the plan will be resourced, managed and consulted on throughout its preparation; and

d. Planning regular engagement with key stakeholders that are likely to be critical to the delivery of the plan.

2. When considering the scope of a local plan or minerals and waste plan, planning authorities should use their four year plan evaluation report (or other relevant monitoring information, where necessary) to identify and consider what pre-existing plan policies and content should be wholly replaced, amended or carried forward without change, though all elements will be subject to consultation and examination.

PM8: Evidence for plan-making

1. All plans should be informed by a baseline understanding of the needs, opportunities, constraints and wider context of the area to which they relate. The preparation of plans should then be shaped and underpinned by information and data that is: relevant to the matters being considered in the plan; proportionate, so that it is focused and not unnecessarily extensive; and drawn from suitable and reliable sources that are sufficiently up-to-date.

2. To achieve this, plan-makers should:

a. Draw upon existing evidence, and update this where appropriate, before preparing or commissioning wholly new evidence (which should be done only where necessary);

b. Consider using relevant evidence produced by other plan-makers, where doing so could avoid duplication and support alignment between plans;

c. Where appropriate, work jointly with neighbouring or other relevant plan-makers to prepare evidence, particularly relating to cross-boundary matters and where a joint approach could support improved cooperation;

d. Make use of any relevant standardised tools, methods and templates published by the Secretary of State, as appropriate to the type of plan being prepared[14]; and

e. Not prepare new or additional evidence after a plan has been submitted for examination, unless requested to do so by an appointed Inspector or examiner.

3. Evidence related to development needs should be considered up-to-date if it has been

[13] Relevant tools and templates are published in Create or update a local plan using the new system - GOV.UK.
[14] Including those published in Create or update a local plan using the new system - GOV.UK.

produced using appropriately up-to-date information and data. Where evidence on development needs has been established at an early stage of plan preparation, it should not require reviewing and updating unless there are strong reasons to do so.

PM9: Identifying land for development

1. Development plans should be informed by an assessment of the land available in their area to meet development needs.

2. For plans that allocate specific sites for development the assessment should be undertaken with reference to national guidance[15] and include:

    a. A thorough site identification process to identify a sufficient range and quantity of potential sites;

    b. An assessment of the availability, suitability and achievability (including likely viability) of those sites;

    c. An assessment of the amount of development those sites have the potential to accommodate and the potential timescales over which development could be delivered[16]; and

    d. The identification of the most appropriate sites for development taking into account the emerging vision and spatial strategy of the plan and the information above.

PM10: Maintaining cooperation between plan-making authorities

1. Plan-making authorities should engage proactively and regularly with infrastructure providers, neighbouring and other relevant plan-making authorities (where there are strategic interdependencies across boundaries) and other relevant bodies to identify and address cross boundary matters that need to be addressed in their plans, including:

    a. Where additional infrastructure is needed;

    b. Where development needs that cannot be met wholly within a particular plan area could be met elsewhere; and

    c. To determine optimal locations for growth, such as in connected places for housing or along major transport corridors for some types of employment (which may necessitate alignment between different strategic planning authorities[17]).

2. Plan-making authorities should ensure their plan policies align as fully as possible with those of other bodies where there are strategic interdependencies across boundaries, including neighbouring and other relevant nearby plan-making authorities. In doing so they should take into account the relevant infrastructure and investment plans of infrastructure providers and authorities.

[15] Relevant tools and templates are published in Create or update a local plan using the new system - GOV.UK.
[16] Taking into account the policies in this Framework, associated infrastructure requirements and their potential to be addressed, and the impact of any relevant environmental plans or strategies (including Environmental Delivery Plans).
[17] This also applies to the Mayor of London.

3. Where matters are already addressed by an adopted spatial development strategy, plan-making authorities within the strategy area do not need to revisit them when preparing their plans

4. Where there is uncertainty about the future direction of other parts of the development plan or the plans of infrastructure providers, such as due to misaligned timings, plan-making authorities should make pragmatic decisions on the basis of available information rather than waiting for a full set of evidence from other bodies.

PM11: Demonstrating cooperation between plan-making authorities

1. Plan-making authorities should prepare, maintain and publish one or more statements of common ground to demonstrate that relevant cross-boundary matters have been addressed where possible including by:

    a. Taking a consistent approach to planning the delivery of major infrastructure where this involves one or more neighbouring authorities;

    b. Distributing and providing for unmet needs across neighbouring and/or nearby areas; and

    c. Planning effectively for cross-boundary growth locations, allocations or designations with significant implications across neighbouring areas.

2. Where it has not been possible to fully address cross-boundary matters, plan-making authorities should demonstrate that they have taken all reasonable steps to address them.

PM12: Developer contributions

1. Development plans should, at the most appropriate level, set out the contributions expected from development to support the delivery of the plan.

2. These policy requirements may apply to different areas covered by the plan. This includes:

    a. Plan-wide policies;

    b. Policies for strategic sites which are critical to the delivery of the plan; and

    c. Policies for different types or location of site or types of development.

3. Policy requirements should:

    a. Include the levels and types of affordable housing provision required (with reference to policy HO5), along with other infrastructure required;

    b. Be set at a level that allows for the planned types of development and sites to be deliverable, maximising certainty and reducing the need for viability assessment at the decision-making stage;

    c. Be clear so that they can be accurately accounted for in the price paid for land. To

provide this certainty, affordable housing requirements should be expressed as a single figure rather than a range.

4. Plans should set out the circumstances in which review mechanisms will be used for development proposals where contributions are proposed to be reduced below the requirements set out in plan policies. Plans should clearly set out the processes and terms of engagement regarding how and when viability will be reassessed over the lifetime of the development to maximise policy compliance.

PM13: Setting standards

1. Quantitative standards set through development plan policies should be limited to infrastructure provision, affordable housing requirements[18], parking and design and placemaking, and where this will provide clarity and a high degree of certainty about the requirements that relevant development proposals are expected to meet. Such standards should:

    a. Be justified, drawing upon relevant evidence of local characteristics and needs, while utilising or adapting relevant national standards where it is appropriate to do so (such as in relation to green infrastructure). Evidence in support of standards should be proportionate, in accordance with policy PM8, especially where relevant national standards already exist;

    b. Not cover matters which are already addressed by Building Regulations, other than in relation to:

        i. accessibility standards, for which local standards in relation to requirement M4(2) (accessible and adaptable dwellings) and/or M4(3) (wheelchair user dwellings) of the Building Regulations should be set in line with policy HO5; or

        ii. water efficiency, for which it may be appropriate to apply the tighter Building Regulations optional requirement where justified, or exceptionally a more stringent local standard in areas of serious water stress.

    c. Not cover matters relating to the construction or internal layout of buildings unless they are to implement the nationally described space standard.

Examining Plans

PM14: Examining spatial development strategies

1. Spatial development strategies are subject to an independent examination[19] by an examiner appointed by the Secretary of State. The purpose of the examination should be to assess whether relevant procedural requirements have been met and the strategy is ‘sound’ alongside any other matters the examiner considers to be appropriate. Where the inspector does not consider the spatial development strategy to be sound, the examiner will be able to suggest modifications for the strategic planning authority to consider or recommend that the strategy is withdrawn.

[18] And tenure mix on sites of 150 homes or more (see policy HO5).
[19] Unless otherwise directed by the Secretary of State.

2. A sound spatial development strategy should satisfy the following tests:

   a. **Positive** – the strategy sets out a positive approach to delivering growth which, as a minimum, seeks to meet the area's objectively assessed needs, and is based on effective joint working on cross-boundary strategic matters. A strategy which does not provide for objectively assessed needs should be considered an exception, and only where it is evidenced that stringent efforts have been taken to meet those needs through cooperation with other strategic planning authorities[20];

   b. **Appropriate** – the strategy sets out an appropriate strategy to enable the delivery of sustainable development, taking into account reasonable alternatives, the 10 Year Infrastructure Plan, the National Industrial Strategy, any relevant Local Growth Plan and other relevant strategies;

   c. **Effective** – the strategy sets out effective policies for development and there is a reasonable prospect that local plans will be capable of identifying site allocations to implement its spatial strategy. Where spatial development strategies anticipate a change in market conditions which the strategy itself is intended to foster, a proportionate approach should be taken in assessing assumptions for the longer term, given the uncertainty which is likely to surround them. Post-adoption monitoring should be undertaken in such circumstances; and

   d. **Consistent with national policy** – the strategy accords with the policies for plan-making in this Framework and other statements of national planning policy, where relevant, and does not duplicate, substantively restate or modify the content of national policies for decision-making.

3. When examining a spatial development strategy there may be limited certainty about the delivery of infrastructure towards the end of the plan period. Where this is the case, it will be sufficient to assess whether reasonable assumptions have been made based on adequate engagement with the relevant infrastructure providers.

PM15: Examining local plans and minerals and waste plans

1. Local plans and minerals and waste plans are subject to an independent examination by an inspector (or panel of inspectors) appointed by the Secretary of State. The purpose of the examination is to assess whether the plan is 'sound'. A sound plan should satisfy the following tests:

   a. **Positive** – the plan sets out a positive approach to delivering growth to meet the development needs of the area in accordance with policy S1;

   b. **Appropriate** – the plan sets out an appropriate strategy to enable the delivery of sustainable development, taking into account reasonable alternatives;

   c. **Realistic** – the plan sets out realistic policies for development, is based on effective joint working on cross-boundary strategic matters, and there is a reasonable prospect that its site allocations are capable of being deliverable at the time envisioned;

   d. **Consistent** – the plan accords with the policies for plan-making in this Framework and

[20] This also applies to the Mayor of London.

other statements of national planning policy where relevant, and does not duplicate, substantively restate or modify the content of national policies for decision-making; and

e. **Conformity** – the plan is in general conformity with any adopted spatial development strategy for the area[21].

2. The tests of soundness should be applied in a proportionate way, taking into account the type and purpose of policy being considered.

PM16: Examining supplementary plans

1. Supplementary plans are subject to a streamlined preparation, consultation and examination process. The purpose of the examination of supplementary plans is to determine whether:

   a. The relevant legal requirements have been met including, where a supplementary plan allocates multiple sites, that the local authority has reached a reasonable conclusion that the sites involved are nearby to each other; and

   b. The relevant plan-making authority has had regard to national policies and guidance issued by the Secretary of State, including the policy in this Framework that development plan policies should not duplicate, substantively restate or modify the content of national policies for decision-making.

PM17: Examining neighbourhood plans

1. Neighbourhood plans must meet certain 'basic conditions' and other legal requirements before they can come into force. These are tested through an independent examination before the neighbourhood plan may proceed to referendum.

2. The basic conditions include consideration of whether, having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate for the neighbourhood plan to be 'made'. In this context neighbourhood plans should accord with the policies for plan-making in this Framework, and should not duplicate, substantively restate or modify the content of national policies for decision-making.

[21] Conformity with an emerging spatial development strategy should also be taken into consideration. The extent to which conformity with an emerging strategy should be considered will depend on the stage of preparation of the emerging strategy and whether or not there is an existing strategy relating to the area.

3. Decision-making policies

The objective of the policies in this chapter is to ensure that development proposals are informed by appropriate information and decided in a way which is proportionate, timely and effective. This chapter provides a set of general decision-making policies which should be read with the rest of the thematic policies in the other chapters.

Preparing planning proposals

DM1: Preparing development proposals

1. Proposals for major development should:

    a. Be informed by early engagement with neighbours and the local community, as well as with the local planning authority, statutory consultees and other relevant bodies where appropriate, to identify and seek to resolve key planning matters prior to the submission of a planning application. This pre-application engagement should be proportionate to the nature of the scheme and those likely to be affected by it; and

    b. Be accompanied by a concise planning statement setting out:

        i. how the proposals are consistent with relevant development plan and national decision-making policies;

        ii. the outcome of pre-application engagement and the extent to which the proposals have changed in response to this engagement; and

        iii. the proposed use of any planning obligations to make the proposals acceptable in planning terms.

2. Proposals for other types of development should be supported by the minimum necessary information requirements to enable a decision. In certain circumstances, set out elsewhere in this Framework, this should include pre-application discussions (see policies CO2 and P4). Pre-application engagement may also be required where proposals raise complex planning matters, such as the potential effect on heritage assets.

DM2: Information requirements

1. To ensure a clear and consistent approach to the information required to determine development proposals, local validation lists setting out the information required in support of an application for development should include the information specified in the relevant national decision-making policies (summarised in Annex C).

2. Local validation lists should only include additional information requirements if there is a policy in the development plan requiring a specific further assessment. Any such additional information requirements should not be applied equally to all applications but should be proportionate to the scale of development and its potential impact. Where appropriate, the requirements should clearly distinguish between what is required for major, medium and other types of development proposal.

Determining development proposals

DM3: Determining development proposals

1. When considering development proposals, local planning authorities should:

    a. Work with the applicant in a positive and proactive manner, where necessary seeking solutions to problems arising from initial proposals, to enable a timely decision;

    b. Take a proportionate approach to the consideration of the planning matters raised by the proposals, in a way that reflects their scale, complexity and potential impact;

    c. Take account of planning matters raised during any pre-application engagement, including any positive responses to this engagement, as well as representations on the proposals;

    d. Consult statutory or internal consultees only where it is necessary to do so. Decisions on development proposals should not be delayed in order to secure advice from a statutory or internal consultee beyond their statutory deadlines unless there is insufficient information to make the decision or more detailed advice may enable an approval rather than a refusal;

    e. Consider whether otherwise unacceptable development proposals could be made acceptable through the use of planning conditions or planning obligations; and

    f. Not refuse applications for development which should clearly be approved, having regard to its accordance with the development plan, the policies in this Framework and any other material considerations.

DM4: Emerging development plan proposals

1. When preparing and considering development proposals, relevant policies in emerging development plans may be given weight according to:

    a. The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

    b. The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

    c. The degree of compliance of the relevant policies in the emerging plan with the policies for plan-making in this Framework (the closer the policies in the emerging plan to the policies in this Framework, the greater the weight that may be given to them).

2. Development proposals should not be refused on the grounds of being premature, other than in the limited circumstances where both:

    a. The development proposal is so substantial, or its cumulative effect alongside other development proposals would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and

b. The emerging plan is at an advanced stage but is not yet formally part of the development plan for the area. An emerging plan is unlikely to be in an advanced stage if a draft spatial development strategy, local plan, minerals and waste plan or supplementary plan has yet to be submitted for examination; or, in the case of a neighbourhood plan, the local planning authority publicity period on the draft plan has not ended.

3. Where planning permission is refused on grounds of prematurity, the reason for the refusal should indicate clearly how granting permission for the development proposal would prejudice the outcome of the plan-making process.

DM5: Development viability

1. Where development proposals accord with relevant up-to-date plan policies and national decision-making policies, they should be assumed to be viable. Relevant policies in this context are those which relate to the contributions expected from development.

2. There may be limited circumstances in which it would not be possible for development to proceed on a policy compliant basis, and a viability assessment to inform decision-making is justified to ensure that a proposed development makes the maximum possible contribution to affordable housing and other infrastructure. Such circumstances may include situations where:

   a. The development is significantly different from any typology assumed in the development plan viability assessment;

   b. Site characteristics differ substantially from the assumptions used to assess viability when the relevant development plan policies were prepared;

   c. The development is demonstrably burdened by costs which were unforeseeable when the development plan was prepared; and/or

   d. Site or economic circumstances have changed significantly since the development plan was prepared.

3. Neither the price paid for land, nor the price intended to be paid through an option agreement, should be a justification for failing to accord with relevant policies in the plan.

4. Where a viability assessment is submitted with a development proposal, this should be based upon and refer back to the viability assessment(s) that informed the relevant development plan policies. It should fully evidence all inputs and assumptions used in the assessment, and explain any differences from those used for viability assessment that informed the relevant plan policies. All viability assessments should reflect the recommended approach in planning practice guidance, utilising the standardised inputs set out in *[Annex X – to be added subject to the outcome of this consultation]*, and should be made publicly available.

5. These considerations should inform the decision maker's assessment of the weight to be given to a submitted viability assessment.

6. Where a viability assessment is submitted and contributions are reduced below the requirements set out in relevant development plan policies, decision makers should

consider using review mechanisms to seek policy compliance over the lifetime of the project, in accordance with planning practice guidance.

DM6: Use of planning conditions and obligations

1. Planning conditions should only be attached to planning permissions and other associated consents for development where they are:

    a. Necessary to make the development acceptable in planning terms;

    b. Relevant to the development and to planning considerations generally;

    c. Sufficiently precise to make them capable of being complied with and enforced; and

    d. Reasonable in all other respects.

2. Conditions should not be used to:

    a. Require payments of money; or

    b. Require that land is formally given up to another party (such as highways to the local highway authority); or

    c. Restrict national permitted development rights unless there is clear justification to do so.

3. Where national model conditions are relevant to the development, they should be used unless there are strong reasons for using a different condition. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification. Applications to discharge conditions should be dealt with in a timely manner to avoid unnecessary delays to development.

4. Planning obligations should only be used where it is not possible to address potential unacceptable impacts through a planning condition. Where national model planning obligations are relevant to the development, they should be used unless a different planning obligation is more appropriate.

DM7: Relationship with other regulatory regimes

1. Development proposals should be assessed on the basis of whether they would be an acceptable use of land. Matters which are controlled by separate regulatory regimes may, in the context of a particular development proposal, be a material consideration where they have land-use implications. Decision-makers should assume, unless there is clear evidence to the contrary, that those separate regimes will operate effectively.

2. Planning decisions should not seek to duplicate or extend controls imposed by separate regulatory regimes other than where there is a development plan policy in place applying optional technical standards for the development proposed (see policy PM13).

3. The parallel processing of planning and other regulatory consents is encouraged where this can help to align and expedite the consenting of development.

4. Where compliance under a separate regulatory regime requires subsequent changes to an approved development proposal, such changes should be approved unless they would mean the development is no longer acceptable when assessed against development plan and national decision-making policies.

DM8: Unauthorised development and enforcement

1. Where there has been unauthorised development and local planning authorities are considering whether enforcement action is expedient, they should take account of their local enforcement plan, the impact of the breach of planning control, and the extent to which the breach would otherwise be acceptable.

2. In cases of unauthorised development where consideration is being given to an application for retrospective planning permission (or through an enforcement appeal, whether to grant planning permission in respect of a breach of planning control), if it is concluded based on evidence that the unauthorised development was intentional, that fact should be given substantial weight in considering whether to grant planning permission.

Other routes to consent

DM9: Use of development orders

1. To provide certainty about the prospects of securing planning permission for specified forms of development, local planning authorities and Mayors are strongly encouraged to use Local Development Orders and Mayoral Development Orders, especially where this would support housing, regeneration, economic growth or environmental improvement. These orders should take account of the development plan and national decision-making policies, and set out precisely what development is permitted and how planning obligations will be secured.

2. Local planning authorities should also respond positively to any proposals from communities for Neighbourhood Development Orders and Community Right to Build Orders, working collaboratively with community organisations to resolve any issues before draft orders are submitted for examination.

DM10: Removal of national permitted development rights

1. The use of Article 4 directions to remove permitted development rights should:

    a. Be limited to situations where it is necessary to protect local amenity or the wellbeing of the area (such as safeguarding against the demolition of local facilities, preventing an over-concentration of uses which could affect the quality of life or community cohesion, or supporting the vitality and viability of parts of town centres);

    b. Be based on robust evidence; and

    c. Apply to the smallest area possible.

4. Achieving sustainable development

The objective of the policies in this chapter is to meet development needs through sustainable patterns of development, including by maximising the potential for growth on suitable land within settlements, enabling development which will support the rural economy, rural communities and the provision of infrastructure, and limiting development away from settlements to help safeguard the intrinsic character and beauty of the countryside.

Plan-making policies

S1: Positive plan-making

1. The development plan should plan positively for future growth and change by:

    a. Seeking to meet the development needs of their area as a minimum. For spatial development strategies, and for local plans where a spatial development strategy is not in place[22], this means providing for objectively assessed needs for housing and other uses (including supporting infrastructure), as well as any needs that cannot be met within neighbouring areas, unless:

        i. the application of the policies in this Framework that protect areas or assets of particular importance[23] provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or

        ii. any adverse impacts of doing so would substantially outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

    b. Providing for new development, and improvement of the environment, in a way which promotes a sustainable pattern of growth and seeks to mitigate climate change and adapt to its effects.

S2: Producing a spatial strategy

1. The development plan should set out a spatial strategy setting clear expectations for the location of development and where land should be protected or enhanced for specific purposes, by identifying at an appropriate scale:

    a. Settlements within the development plan area, whether existing or proposed, and their boundaries (or clear criteria for identifying settlement extents). Settlements should include any allocations that would ultimately form part of the settlement;

    b. The location and boundary of town centres within settlements, or other specific areas where particular approaches to development apply;

[22] Where a spatial development strategy is in place, the local plan should plan for the level of development provided for in the spatial development strategy covering the area of the local plan.
[23] The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets; and areas at risk of flooding or coastal change.

c. Land that is protected or proposed to be enhanced for specific purposes (such as habitat improvement) and which places limits on whether development proposals may be acceptable or where specific policies apply; and

d. Sites allocated for development to meet the identified need for housing and other uses in the area and for local and strategic infrastructure (including any proposals to enable the development of land around stations).

2. The spatial strategy should be illustrated on a key diagram forming part of a spatial development strategy and/or local plan, with the boundaries of specific policy areas, land-use designations and allocations identified on a policies map.

National decision-making policies

S3: Presumption in favour of sustainable development

1. Decisions on development proposals should apply a presumption in favour of sustainable development. This means:

   a. Policy S4 in this Framework should be applied when considering development proposals within settlements;

   b. Outside settlements, policy S5 should be applied; and

   c. In all locations, development proposals that accord with an up-to-date development plan and also the decision-making policies in this Framework should be approved without delay.

S4: Principle of development within settlements

1. Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.

2. In applying policy S4, the circumstances in which the benefits of approving development are likely to be substantially outweighed by adverse effects include (but are not restricted to) situations where the development proposal would:

   a. Have an unacceptable impact in relation to:

      i. the allocation or safeguarding of land for particular uses in the development plan, unless there is no reasonable prospect of an application coming forward for the allocated use, or there is evidence that the safeguarding is no longer appropriate; or

      ii. the application of the policies in this Framework for safeguarding existing open space, sport and recreation facilities (HC7), Local Green Space (HC8), designated wildlife habitats (N6) and for managing development within residential curtilages (L2); or

   b. Involve the whole or partial loss of undeveloped land which is used for a cemetery or burial ground; or for water storage and/or flood risk management (unless suitable

compensatory provision is made which does not increase the risk of flooding either on or off-site); or

c. Fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.

S5: Principle of development outside settlements

1. Only certain forms of development should be approved outside settlements, as set out in the following list. These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework:

   a. Development proposals which are for: agriculture, horticulture and forestry; outdoor sport and recreation; allotments; cemeteries and burial grounds; mineral extraction; engineering operations and infrastructure (including for transport, energy and water); roadside facilities in accordance with policy TR5; and national defence and security;

   b. Development for rural businesses and services, including tourism, where a location outside settlements is shown to be necessary;

   c. The re-use, extension, alteration or replacement of an existing building, so long as the existing building is of permanent and substantial construction, and any extension or alteration will not result in a disproportionate increase in size compared to the existing building[24];

   d. The redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential);

   e. Limited infilling within groups of houses;

   f. An exception site as provided for in policy HO10, or development brought forward under a Community Right to Build Order or Neighbourhood Development Order;

   g. Development which would address an evidenced unmet need for gypsy, traveller or travelling showpeople accommodation[25], provided it meets the criteria in policy HO12;

   h. Development for housing and mixed-use development which would be: within reasonable walking distance of a railway station which provides a high level of connectivity to jobs and services[26]; physically well-related to a railway station or a settlement within which the station is located; is of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure; and where the development would not prejudice any proposals for long-

[24] The existing building is to be assessed as the property as existing on the date of the publication of this Framework.
[25] Including (but not limited to) where the relevant local planning authority lacks a five year supply of deliverable sites as set out in policy HO3(1)(c).
[26] Well-connected rail stations and underground, tram and light rail stops are those in a top 60 Travel to Work Area located partially or fully within England by Gross Value Added (GVA) and which, in the normal weekday timetable, are served (or have a reasonable prospect of being served due to planned upgrades or through agreement with the rail operator) throughout the daytime by four trains or trams per hour overall, or two trains or trams per hour in any one direction.

term comprehensive development in the same location;

i. The development of land allocated for that purpose in the development plan (where this lies outside settlements); and

j. Development which would address an evidenced unmet need (including, but not limited to, development proposals involving the provision of housing where the local planning authority cannot demonstrate a five year supply of deliverable housing sites[27] or scores below 75% in the most recent Housing Delivery Test[28]), and where the development would:

   i. be well related to an existing settlement[29] (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure; or

   ii. comprise major development for storage and distribution purposes which accords with policy E3.

2. In applying this policy, the circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects include, but are not restricted to, situations where the development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.

3. Development proposals comprising isolated homes, which are those lying outside settlements or groups of houses, should not be approved other than in accordance with policy HO11.

4. Any other development proposals which do not fall within one of the categories set out above should only be approved in exceptional circumstances, where the benefits of the proposal would substantially outweigh the adverse effects, including to the character of the countryside and in relation to promoting sustainable patterns of movement.

5. The preceding parts of this policy do not apply to development proposals in the Green Belt or on land designated as Local Green Space, which should instead be determined in accordance with policies HC8, GB6, GB7 and GB8. However, where development is not inappropriate in the Green Belt (as set out in policy GB7), proposals should also be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.

S6: Neighbourhood plans and the presumption

1. For development proposals involving the provision of housing, the benefits of approving development are likely to be substantially outweighed by the adverse effects where a proposal would conflict with a neighbourhood plan, provided the following apply:

[27] See Annex D: Housing calculations and supply.
[28] See Annex D: Housing calculations and supply.
[29] Where a development proposal is located outside a settlement, and separated from the existing built-up area by virtue of being beyond the outside edge of an allocated site that has yet to be fully developed, consideration should be given to whether the proposal is in a suitable location should the allocated development not proceed.

a. The neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and

b. The neighbourhood plan contains allocation to meet its identified housing requirement (see policy HO2).

5. Meeting the challenge of climate change

The objective of the policies in this chapter is to support the transition to net zero by 2050 and to shape places in ways which are more resilient to the effects of climate change. It does this by setting out policies to shape places in ways that contribute to radical reductions in greenhouse gas emissions and adapt to the full range of current and potential impacts of climate change, by minimising vulnerability and improving resilience.

Plan-making policies

CC1: **Planning for climate change**

1. Development plans should take a proactive approach to mitigating climate change and supporting the transition to net zero[30]. They should also take a proactive approach to adapting to climate change, taking into account the implications of extreme weather and long-term climate trends including overheating, wildfires, drought, flood risk, coastal change, water supply, biodiversity and landscapes. They should do this by:

    a. Proposing development patterns through their spatial strategy and allocations which:

        i. can help contribute to radical reductions in greenhouse gas emissions (which can be informed by an assessment of baseline carbon emissions and the potential effect of development options on future emissions and their mitigation); and

        ii. avoid increased vulnerability and improve resilience to the effects of climate change (including through providing for necessary infrastructure improvements and the future relocation of homes and other uses where public safety would be at risk, for example as a consequence of coastal change);

    b. Addressing any specific risks from climate change in their proposed allocations for development, and necessary adaptations, both of which should be considered for the anticipated lifetime of the development;

    c. Setting local water efficiency standards for new development where these are justified in accordance with policy PM13; and

    d. Identifying opportunities for green infrastructure provision and nature-based solutions which can safeguard and improve carbon storage, support nature recovery and resilience, and which take account of Local Nature Recovery Strategies in accordance with policy N1.

National decision-making policies

CC2: **Mitigation of climate change**

1. In order to contribute to climate change mitigation and the transition to net zero, development proposals should, where relevant to the proposal:

[30] In line with the objectives and provisions of the Climate Change Act 2008.

a. Be located where a genuine choice of sustainable transport modes exists, and improve opportunities for walking, wheeling, cycling and public transport, in accordance with policies TR3 and TR4;

b. Support good access to facilities to limit the need to travel, whether through the development's location, through development densities which improve catchment populations for local services, or by incorporating community facilities and premises to support local employment opportunities;

c. Use design approaches which conserve energy and other resources in accordance with policy DP3(1)(c);

d. Take advantage of opportunities to re-use existing structures and materials, including by re-using non-contaminated excavated soil and hardcore within the site;

e. Take advantage of opportunities to draw low carbon energy from decentralised networks (such as district heat networks), where these are available, and to co-locate energy and heat generators and users, especially to take advantage of suppliers of surplus heat and energy;

f. Contribute to the creation or restoration of habitats which can act as carbon stores, such as through woodland planting and peatland restoration, while avoiding harm to habitats which can act as important carbon stores, including peatland and salt marsh; and

g. Not increase the extraction of fossil fuels unless it is in accordance with policy M5.

2. Substantial weight should be given to the benefits of improving the energy efficiency of existing buildings and/or drawing energy from district heat networks, renewable and low carbon sources (including through the installation of heat pumps and solar panels where these do not already benefit from permitted development rights).

CC3: **Adaptation to climate change**

1. Development proposals should take into account the current and potential impacts of climate change over the lifetime of the scheme, and in order to minimise vulnerability to these impacts should, where relevant to the proposal:

a. Be located where the risk of flooding is minimised, or can be managed and the development made safe without increasing risk elsewhere, in accordance with policies F4, F5, F6, F7 and F8;

b. Comply with policy F9 where development would be located in an area vulnerable to coastal change;

c. Incorporate sustainable drainage systems to manage surface water flow rates and reduce volumes of runoff in accordance with policy F8;

d. Use design approaches which minimise risks from overheating in accordance with policy DP3(1)(c), and include green infrastructure and suitable tree planting in accordance with policies DP3(1)(d) and N3; and

e. Where development is, or is likely to be, at heightened risk from wildfires – such as where it is located adjacent to land used for agriculture, heathland or woodland – proposals should incorporate suitable mitigation measures, where possible, to reduce fuel loads and create defendable spaces (for example avoiding fire pathways such as fences, and incorporating firebreaks into development layouts and planting schemes).

6. Delivering a sufficient supply of homes

The objective of the policies in this chapter is to support the delivery of a substantial increase in the supply of homes and traveller sites, by ensuring that a sufficient amount and variety of land can come forward where needed. This includes planning for an appropriate mix of accommodation for the local community, and ensuring that land with permission is developed without unnecessary delay.

Plan-making policies

HO1: Assessing the need for homes

1. The preparation of spatial development strategies, and local plans where a spatial development strategy is not in place, should be based upon:

    a. A housing need assessment that establishes the overall number of homes needed in the area as a minimum over the plan period, using the standard method in Annex D;

    b. An assessment of the permanent and transit site accommodation needs of travellers in the area; and

    c. An understanding of any accommodation needs that cannot be met within neighbouring areas.

2. At the most appropriate level, development plans should also take into account an assessment of the size, type and tenure of housing or other accommodation needed for different groups. These groups include, but are not limited to:

    a. Those who require affordable housing (including Social Rent) as defined in the glossary;

    b. Older people (including those who require retirement housing, housing-with-care and care homes);

    c. Disabled people;

    d. People who rent their homes;

    e. Families with children;

    f. Looked after children (evidence of need for which can be found in the relevant local authority's Children's Social Care Sufficiency Strategy);

    g. Specialist community-based accommodation (where evidence of need is available for the relevant local authority);

    h. Students;

    i. Travellers; and

j. People wishing to commission or build their own homes[31].

HO2: Setting requirement figures for homes

1. Spatial development strategies should establish a housing requirement, and set pitch and plot requirements where a need has been identified, for each local planning authority within the strategy area. These figures should not be re-tested as part of local plan preparation unless there has been a significant change in circumstances which affects the overall requirement and its distribution to each local planning authority area.

2. Where a spatial development strategy is not in place, local plans should establish the housing requirement figure and pitch and plot requirements for their area, taking account of any relevant emerging spatial development strategy.

3. Housing requirement figures should:

    a. Reflect the extent to which the identified needs of the area can be accommodated over the plan period as a minimum, in accordance with policy S1; and

    b. Be higher than the overall figure identified in the local housing needs assessment where appropriate. This includes situations where a higher housing requirement is necessary to meet the needs of neighbouring areas, or where it reflects growth ambitions linked to economic development or infrastructure investment.

4. Pitch and plot requirements should reflect the extent to which identified permanent and transit site accommodation needs of travellers in the area can be accommodated over the plan period as fully as possible, in accordance with policy S1.

5. In the case of local plans, a housing requirement figure should also be set for designated neighbourhood plan areas, unless it is impractical to do so (because a neighbourhood planning area has been designated at a late stage in the local plan preparation process, or after the plan has been adopted, or in instances where the local plan is out of date; in which case the local planning authority should provide an indicative figure). This requirement figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority. Local planning authorities should avoid setting housing requirement figures for neighbourhood planning areas at nil other than where:

    a. The local plan already meets or exceeds the housing need figure for the neighbourhood planning area;

    b. The neighbourhood planning area has a clear and well evidenced need for no additional housing; or

    c. The constraints within the neighbourhood planning area are so substantial as to preclude any additional housing of any kind from coming forward.

[31] Under section 1 of the Self Build and Custom Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. They are also subject to duties under sections 2 and 2A of that Act to have regard to this and to give enough suitable development permissions to meet the identified demand. Self and custom-build properties could provide market or affordable housing.

HO3: Providing land for homes

1. Local plans should identify a sufficient supply and mix of sites to meet or exceed the housing requirement figure and pitch and plot requirements for their areas over the plan period, drawing on the land availability assessment in accordance with policy PM9. This should include:

    a. In relation to housing:

        i. a supply of specific deliverable sites for five years following the intended date of adoption of the plan, with an appropriate buffer (as set out in Annex D; the Annex also sets out how a five year housing land supply should be calculated for decision-making purposes); and

        ii. a supply of specific, developable sites or broad locations for growth for the subsequent years 6-10 and, where possible, for years 11-15 of the remaining plan period.

    b. In relation to traveller sites:

        i. a supply of specific deliverable sites for five years following the intended date of adoption of the plan (as set out in Annex D); and

        ii. a supply of specific, developable sites or broad locations for growth for the subsequent years 6 to 10 and, where possible, for years 11-15 of the remaining plan period.

    c. A trajectory showing the expected rate of housing and pitch and plot delivery over the plan period and, where appropriate, the anticipated rate of development for specific sites.

2. Where an allowance is to be made for windfall sites as part of the identified supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the land availability assessment, historic windfall delivery rates and expected future trends.

HO4: Land for large scale residential and mixed-use development

1. The development plan should identify suitable locations for large scale development, such as new settlements, new urban quarters or significant extensions to existing settlements. These locations should:

    a. Be capable of being supported by the necessary infrastructure and facilities at appropriate points in the development's delivery (including complying with relevant aspects of policies TR1 and TR3, and taking advantage of any opportunities presented by existing or planned infrastructure investment);

    b. Support a sustainable community, with sufficient access to services and employment opportunities within the development itself (without expecting an unrealistic level of self-containment), or in larger towns to which there is good access by sustainable transport modes; and

c. Address strategic environmental opportunities and safeguards, including those set out in Local Nature Recovery Strategies.

2. Local plans should identify specific sites, infrastructure and other site-specific requirements for large-scale development, including:

   a. Setting clear expectations for the quality of places to be created (such as by following New Town principles and using design tools such as masterplans and design codes);

   b. Making a realistic assessment of the likely rates of delivery and identifying opportunities for supporting rapid implementation, such as through joint ventures, land assembly or locally led development corporations; and

   c. Supporting delivery by setting expectations for an appropriate mix of tenures which would meet the needs of different groups. This can include a mixture of ownership and rental tenures, including Social Rent, other rented affordable housing and build to rent, as well as housing designed for specific groups such as older people's housing and student accommodation, and plots for custom or self-build.

HO5: Meeting the needs of different groups

1. The development plan should, at the most appropriate level, set out policies to address the housing needs of different groups assessed under policy HO1. This should include**:**

   a. In relation to affordable housing:

      i. setting requirements for the type and mix of affordable housing (applying the definition in Annex B) required to meet identified local needs, including the minimum proportion of Social Rent homes required, as part of major development. In Designated Rural Areas, development plans may set affordable housing requirements for residential developments which are not major development; and

      ii. setting a specific affordable housing requirement (or requirements) for major development involving the provision of housing on land which is proposed to be released from the Green Belt, or which may be approved on land within the Green Belt[32].

   b. In relation to accessible housing, setting out the proportion of new housing that should be delivered to requirement M4(2) and M4(3) of the Building Regulations. M4(2) requirements should reflect local levels of need, and should ensure that at least 40% of new housing delivered over the course of the plan is delivered to M4(2) or M4(3) standards.

   c. Identifying sites, or setting requirements for parts of allocated sites, which can provide specific types of housing where there is an identified need, including (but not limited to):

[32] This requirement may be set as a single rate or be set at differential rates, and should:
i. be set at a higher level than that which would apply to land which is not within or proposed to be released from the Green Belt; and
ii. require at least 50% of the housing to be affordable, unless this would make the development of these sites unviable (when tested in accordance with national planning practice guidance on viability).

i. specialist housing for older people;

ii. purpose-built accommodation for students;

iii. plots for self and custom build housing; and

iv. sites suitable for gypsies and travellers and travelling showpeople, including sites suitable for mixed residential and business uses, having regard to the safety and amenity of the occupants and neighbouring residents. Sites identified for travelling showpeople should have regard to their need for mixed-use yards with both residential accommodation and space for storage of equipment.

d. Setting out policies for the mix of tenures to be provided on sites for 150 homes or more. This mix should be informed by the needs of different groups assessed under policy HO1.

HO6: Planning for a diverse mix of sites

1. To support the provision of a diverse mix of sites, local plans should:

   a. Allocate land to accommodate at least 10% of the housing requirement on sites no larger than one hectare, and a further 10% on sites of between one and two and a half hectares, unless there are strong reasons why these targets cannot be achieved; and

   b. Allocate sites which will support and enhance the vitality of rural communities and enable villages to grow and thrive, especially where this will support local services.

National decision-making policies

HO7: Meeting the need for homes

1. In applying the policies in this Framework, substantial weight should be given to the benefits of providing accommodation that will contribute towards meeting the evidenced needs of the local community, taking into account any up-to-date local housing need assessment, and other relevant evidence (including the extent to which there is a five year supply of deliverable housing and traveller sites, and performance against the Housing Delivery Test).

HO8: Providing affordable homes

1. Development proposals should meet or exceed up-to-date development plan requirements for the proportion and mix of affordable housing tenures relevant to the location, including the minimum proportion of Social Rent. This should be provided on-site unless:

   a. Off-site delivery on an alternative nearby site would optimise the quality or quantity of homes built; or

   b. A cash payment in lieu of on or off-site provision can be justified robustly, and the agreed approach contributes towards the objective of creating mixed and balanced communities.

2. Development proposals that include military affordable housing should not be required to meet development plan requirements for the mix of affordable housing tenures (including the minimum proportion of Social Rent). These proposals should:

    a. Demonstrate an evidenced unmet need for military affordable housing (as provided by the Ministry of Defence); and

    b. Meet development plan requirements for the proportion of affordable housing on the site. This includes where military affordable housing is the only form of affordable housing provided, or where military affordable housing is delivered alongside other tenures of affordable housing.

3. Where development proposals meet or exceed up-to-date development plan requirements for the proportion and mix of affordable housing tenures, including the minimum proportion of Social Rent properties, a flexible approach should be taken to the application of any development plan requirements relating to the size of market homes, taking into account prevailing market conditions.

HO9: Specialist forms of accommodation

1. Development proposals to address specialist housing needs should provide living conditions and access to services which are appropriate to the needs of their residents and users. This includes:

    a. Housing for older people:

        i. being located where residents will be able to access frequently-used services easily and safely by walking, wheeling (including mobility scooters) and public transport; including through on-site provision where applicable; and

        ii. being delivered to M4(2) or M4(3) accessibility standards.

    b. Specialist community-based accommodation:

        i. being supported by a management plan or other supporting evidence which shows how the development will provide a safe and secure environment for residents; and

        ii. being located where residents will be able to access frequently-used services (such as education facilities) easily and safely.

    c. Purpose-built student and large-scale shared living accommodation:

        i. being located where residents will be able to access frequently-used services (and, for student accommodation, relevant education facilities) easily and safely by walking, wheeling or public transport;

        ii. providing adequate living and storage space and sufficient shared cooking, laundry and amenity areas (other than where cooking and laundry facilities are provided within student rooms, in which case these do not need to be available on a shared basis); and

iii. being supported by a management plan which shows how the development will be managed and maintained to ensure the continued quality of the accommodation, communal facilities and services (and which should be secured by means of a planning condition).

HO10: Exception Sites

1. Development proposals for housing or traveller sites on land not already allocated for this purpose, and which are located outside settlements, should be supported where they are:

    a. A rural exception site (as defined in the glossary of this Framework) that will provide affordable housing or affordable traveller sites to meet identified local needs – as evidenced through a local housing needs survey or secondary data which is no more than five years old; or

    b. Sites which comprise community-led development which would not qualify as a rural exception site, but which include one or more types of affordable housing as defined in the glossary of this Framework.

2. Unless otherwise specified in the development plan, exception sites brought forward in one of these two ways should:

    a. Adjoin or be physically well-related to settlements;

    b. Be no larger than 1 hectare in size, or exceed 5% of the size of the existing settlement; and

    c. Comprise a majority of affordable housing or affordable traveller pitches. A proportion of market homes may be allowed on the site where essential to enable the delivery of affordable units without grant funding.

HO11: Isolated homes in the countryside

1. Development proposals for isolated homes in the countryside should only be supported where one or more of the following circumstances apply:

    a. There is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;

    b. The development would be appropriate enabling development to secure the future of heritage assets in accordance with policy HE5;

    c. The development would re-use redundant or disused buildings and enhance its immediate setting, including specifically securing the long-term reuse of a vacant or underused listed building, weighing this against any harm as in policy HE6;

    d. The development would involve the subdivision of an existing residential building; or

    e. The design is of exceptional quality, in that it:

        i. is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and

ii. would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

HO12: Traveller Sites

1. Development proposals for traveller sites should be located and designed so that they:

   a. Provide a settled base that limits the need for long-distance travelling and potential environmental damage caused by unauthorised encampment, while recognising the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability;

   b. Enable access to education, welfare, and health services, including ensuring that children can attend school on a regular basis;

   c. Promote opportunities for healthy lifestyles, such as by providing adequate landscaping and play areas for children, and minimising adverse impacts from local environmental factors (such as noise and air quality) on the health and wellbeing of travellers that may locate there; and

   d. Do not enclose the site such that the site and its occupants appear to be isolated from the rest of the community.

2. Alongside the criteria in this policy, when considering proposals for traveller sites, local planning authorities should take into account:

   a. The existing level of local provision and need for additional sites;

   b. Other personal circumstances which may be relevant; and

   c. That applications for sites from any travellers should be considered and not just those with local connections.

3. Where development proposals require the permanent or temporary relocation of an authorised traveller site, an alternative site should be identified and provided. Alternative sites should take into account existing family or community groupings where possible, and involve residents occupying existing pitches, sites or plots in planning any unavoidable relocations to ensure satisfactory solutions are achieved.

HO13: Build out of residential and mixed-use development

1. To significantly boost the supply of homes, it is important that land with permission is developed without unnecessary delay. Proposals for major residential and mixed-use development should be capable of bringing housing forward within a reasonable period, taking into account the proposed housing tenure mix for the development, local market conditions (including absorption rates) and the development history of the site.

2. Consideration should be given to whether to impose a planning condition requiring that development begins within a timescale shorter than the relevant statutory default period, where this would expedite the development without threatening its implementation or

viability.

3. Where there are development proposals for large scale residential and mixed-use development which will be implemented through multiple phases across development plan periods, the consenting framework for the proposal should:

   a. Secure the approach to design, infrastructure and other site-specific requirements for the development, including the scale of affordable housing; and

   b. Be flexible enough to respond positively to changing circumstances as phases are brought forward, including changes to housing need, viability and design.

4. Development proposals affecting sites for large scale residential and mixed-use development set out in emerging development plans should not be inconsistent with the proposed scale, location and phasing of those emerging proposals.

7. Building a strong, effective economy

The objective of the policies in this chapter is to enable businesses to invest, expand and adapt in a way that reflects the opportunities, challenges and characteristics of different areas, and supports long term economic growth both locally and nationally.

Plan-making policies

E1: **Providing the conditions for long term economic growth**

1. To support business investment and employment, development plans should, at the most appropriate level:

    a. Set out a clear economic vision and strategy, which takes a positive, proactive and realistic approach to encouraging sustainable economic growth in both urban and rural areas, having regard to the Industrial Strategy[33] and any relevant strategic and local strategies for economic development and regeneration. In doing so they should take into account both local business needs and wider opportunities for economic growth, including priority places for investment in key sectors set out in the Industrial Strategy, and the location of Industrial Strategy Zones[34] and AI Growth Zones;

    b. Seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and

    c. Allocate sites to implement the economic vision and strategy and meet existing and anticipated needs over the plan period, paying particular regard to facilitating development to meet the needs of a modern economy (including sites and premises which are flexible and adaptable) and the specific locational requirements of different sectors. This includes, where a need exists or is anticipated, making provision for:

        i. clusters, networks and sites for knowledge and data-driven, creative or high technology industries; and for new, expanded or upgraded facilities and infrastructure to support the growth of these industries (including laboratories, campus facilities, data centres and associated generating capacity, and grid connections);

        ii. storage and distribution operations at a variety of scales and in suitably accessible locations that allow for the efficient and reliable handling of goods, especially where this is needed to support the supply chain (including 'last mile' deliveries), transport innovation and decarbonisation; and

        iii. the expansion or modernisation of other businesses of local, regional or national importance to support economic growth and resilience (including industries such as leisure and tourism which may be of particular importance in certain areas).

[33] Invest 2035: The UK's Modern Industrial Strategy (UK Government, June 2025) identifies priority sectors for growth and support as: advanced manufacturing; clean energy industries; creative industries; defence industries; digital and technology businesses; financial services; life sciences; and professional and business services.
[34] Industrial Strategy Zones Action Plan (MHCLG, June 2025).

2. Given changing commercial property requirements, development plans should not be overly prescriptive about the types of uses that would be acceptable on particular sites (other than where there is a clear and justified rationale for being specific about acceptable uses at the plan-making stage).

National decision-making policies

E2: Meeting the need for business land and premises

1. To support business growth, substantial weight should be given to:

    a. The economic benefits of proposals for commercial development which allow businesses to invest, expand and adapt; especially where this would support the economic vision and strategy for the area, the implementation of the Industrial Strategy[35], support improvements in freight and logistics and/or reflect proposals for Industrial Strategy Zones and AI Growth Zones;

    b. Benefits for domestic food production, animal welfare and the environment which can be demonstrated through proposals for development for farm and agricultural modernisation.

2. Where a development proposal is required to demonstrate whether an unmet need exists (including to demonstrate compliance with policy S5) consideration should be given to whether:

    a. Market signals indicate an undersupply of specific types of land or premises, taking into account the anticipated catchment area for the type of development proposed, the changing needs of different sectors and the availability of existing land and buildings; or

    b. A development proposal's specific locational requirements are met by existing allocations in the development plan. This includes, but is not limited to, situations where:

        i. existing businesses plan to expand or improve their premises, or clusters or networks of businesses need to grow (such as clusters of knowledge and data-driven, creative or high technology industries and associated facilities and infrastructure); or

        ii. the availability of infrastructure (such as adequate grid connections or water and wastewater capacity) makes certain locations particularly important, including opportunities to co-locate large-scale generators and users of power (such as data centres); or

        iii. proposals would meet a local, regional or national need for the provision of new, expanded or upgraded facilities that would result in more efficient, reliable or sustainable handling of goods (whether for their receipt, storage, processing, interchange or distribution).

[35] Invest 2035: The UK's Modern Industrial Strategy (UK Government, June 2025) identifies priority sectors for growth and support as: advanced manufacturing; clean energy industries; creative industries; defence industries; digital and technology businesses; financial services; life sciences; and professional and business services.

E3: Freight and logistics

1. To support the effective and efficient movement of goods, development proposals for freight and logistics uses and associated infrastructure should:

    a. Have good access to transport networks (including via sustainable transport modes where possible) appropriate to the type of development;

    b. Be sited and designed to limit environmental impacts (such as through the co-location or intensification of facilities to limit vehicle movements, and sensitive building design and landscaping). The impact on local residents or other neighbouring uses should be acceptable, taking into account proposed mitigation, especially where night-time activity will be required; and

    c. Provide sufficient and secure parking for lorries or other vehicles to cater for the anticipated use.

E4: Rural business development

1. In applying policy E2, the sustainable growth of businesses in rural areas should be supported, including through:

    a. The conversion of existing buildings and well-designed new buildings;

    b. The development and diversification of agricultural and other land-based businesses;

    c. Facilities to support rural leisure and tourism and measures to retain and expand accessible local shops and services; and

    d. Development to maintain and enhance farm viability and sustainability and support domestic food production, such as better accommodation for livestock, on-farm reservoirs, greenhouses, polytunnels, farm shops and temporary accommodation for seasonal workers (where this accommodation is ancillary to the agricultural use and not for permanent occupation).

2. Development proposals to meet business needs in rural areas may need to be located outside settlements, and in locations that are not well served by public transport. In these circumstances:

    a. Development proposals should take opportunities, where they exist, to use previously developed land, and sites that are physically well-related to existing development; and

    b. The siting and design of development should be appropriate having regard to the character of its surroundings.

8. Ensuring the vitality of town centres

The objective of the policies in this chapter is to promote the long-term vitality and viability of town centres by prioritising them as locations for main town centre uses and allowing them to adapt to changing community and business needs, in a way which reflects their locally distinctive roles and opportunities.

Plan-making policies

TC1: Planning for town centres

1. To promote the long-term vitality and viability of town centres[36], development plans should, at the most appropriate level:

    a. Be informed by a strategy for town centres in the area, to ensure that the full range of potential needs and opportunities for development is considered, including the scope to accommodate additional floorspace, to broaden the mix of uses (including residential uses) and to bring vacant sites and premises back into use;

    b. Set out the hierarchy of centres, and any areas within them where specific policies on the nature and scale of development apply, including:

        i. the extent of town centres;

        ii. areas particularly suitable for a greater diversity and/or intensification of use, including through residential development; and

        iii. areas within which infrastructure and public realm improvements are proposed.

    c. Allocate a range of suitable sites in town centres to meet the scale and type of main town centre uses needed over the plan period in these locations, as well as for any complementary uses. Before reviewing town centre boundaries to accommodate any increase in development which is needed, existing vacant town centre sites and areas that are particularly suitable for intensification should be considered to maximise effective use of land;

    d. Where suitable and viable town centre sites are not available for main town centre uses, allocate appropriate edge of centre sites that are well connected to the town centre. If sufficient edge of centre sites cannot be identified, policies should set out proposals for identified needs to be met in other accessible locations that are well connected to the town centre; and

    e. Where appropriate, set a locally defined floorspace threshold for development proposals outside town centres, above which an impact assessment would be required, as set out in policy TC4.

[36] For the purpose of this chapter ‘town centres’ includes city, town, district and local centres as defined in the glossary.

2. Local planning authorities should consider the use of design guides, design codes and masterplans to support their vision for, and the development of, town centres. They should also consider the use of Article 4 directions to remove a permitted development right where these are justified as a means to support the vitality and viability of particular centres and maintain their character.

National decision-making policies

TC2: Development in town centres

1. In considering proposals for development in town centres, substantial weight should be given to the benefits of:

   a. Supporting the overall vitality and viability of the centre, including where this can be achieved through the diversification of uses, intensification and provision of residential accommodation (provided this would not conflict with policies in the development plan for specific locations); and

   b. Improving or retaining access to local shops and other facilities which provide day-to-day services for the local community.

TC3: Main town centre uses outside town centres

1. A sequential test should be applied to proposals for main town centre uses for which planning permission is required, where these are neither in an existing centre nor in accordance with an allocation for that purpose in an up-to-date development plan.

2. The sequential test means that main town centre uses involving new development should be located within town centres identified in the development plan; then, if this is not feasible, in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered. When considering edge of centre and out of centre locations, preference should be given to accessible sites which are well connected to the town centre.

3. Applicants and local planning authorities should exercise flexibility when considering issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored. In doing so it is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development proposed, and it should be considered whether the type of development proposed could be accommodated across multiple sites.

4. Where a development proposal fails to satisfy the sequential test, or is likely to have a significant adverse impact on one or more of the considerations in policy TC4, it should be refused.

5. This sequential test does not apply to applications for small scale rural offices or other small scale rural development.

TC4: Assessing the impact of development on town centres

1. Development proposals for retail and leisure uses located outside town centres should be accompanied by an impact assessment if the proposal exceeds a floorspace threshold

set out in an up-to-date development plan, and is not on a site which is allocated for the proposed use in the plan. If no threshold for impact assessments has been set in the development plan, a default threshold of 2,500m^2 gross floorspace should be applied.

2. In circumstances where an impact assessment is required, it should be demonstrated that the development would be unlikely to have a significant adverse impact on:

   a. Existing, committed and planned public and private investment in a town centre or centres in the catchment area of the proposal; and

   b. Town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).

9. Supporting high quality communications

The objective of the policies in this chapter is to enable the expansion and upgrading of telecommunications infrastructure to meet changing technological, social, business and security requirements (including securing coverage of standalone 5G in all populated areas, and nationwide gigabit-capable broadband), in ways which limit an unnecessary proliferation of equipment and respect important environmental safeguards.

National decision-making policies

CO1: Proposals for telecommunications infrastructure

1. Development proposals for the expansion or upgrading of electronic telecommunications networks, including (but not limited to) next generation wireless technologies (such as standalone 5G), gigabit-capable broadband connections and supporting infrastructure such as fibre exchanges, should:

    a. Use existing masts, buildings and other structures already employed for this purpose, unless there is no reasonable opportunity to do so (taking into consideration meeting consumer needs, the efficient operation of the network and providing reasonable capacity for future expansion);

    b. Be sited and designed to minimise the visual impact of the proposals, especially in situations where a new site or structure is proposed;

    c. Not result in cumulative exposure to non-ionising radiation exceeding International Commission guidelines[37] when the development is operational; and

    d. Not cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest.

2. In assessing proposals for telecommunications infrastructure, local planning authorities should not require minimum distances to be maintained between telecommunications infrastructure and other development, seek to prevent competition between different operators, question the need for the expansion or upgrading of telecommunications networks, or use health safeguarding standards different from the International Commission guidelines on non-ionising radiation protection.

CO2: Supporting information for telecommunications infrastructure proposals

1. Development proposals for electronic telecommunications infrastructure (including applications for prior approval under the General Permitted Development Order, as amended) should be supported by the following, where relevant:

    a. Information on the outcome of pre-submission consultation with organisations with an interest in the proposed development (in particular with the relevant body where a mast is to be installed near a school or college, or within a statutory safeguarding zone surrounding an aerodrome, technical site or military explosives storage area), summarising the issues raised and how these have been addressed;

[37] International Commission on Non-Ionizing Radiation Protection guidelines.

b. Where a new site or structure is proposed, evidence that the applicant has sought to keep the number of these to a minimum in accordance with policy CO1(1)(a). This should include evidence that the possibility of erecting any antennas on an existing building, mast or other structure has been explored; and

c. Evidence in support of the requirements in policy CO1(1)(c) and (d), including a statement that self-certifies that the cumulative exposure, when operational, will not exceed International Commission guidelines on non-ionising radiation protection.

10. Securing clean energy and water

The objective of the policies in this chapter is to support the development and operation of energy and water infrastructure in ways which align with wider development, clean power and net zero objectives (including the delivery of clean power by 2030).

Plan-making policies

W1: Planning for energy and water

1. The development plan should be informed by early engagement between the relevant plan-making authority, utility providers, regulators and network operators, so that there is a clear understanding of energy supply and network capacity, water supply, drainage and wastewater capacity, and associated requirements for additional infrastructure provision. This engagement should take into account the impacts of planned growth, changing consumption patterns and climate change, as well as relevant infrastructure plans[38], and be used to address potential constraints to development arising from current or anticipated infrastructure shortfalls.

2. The development plan should reflect this at the most appropriate level by:

    a. Making provision for development which is required for new or enhanced renewable and low carbon energy development, electricity network infrastructure, water supply, drainage and wastewater infrastructure, whether as part of wider development proposals or as stand-alone developments; and

    b. Setting out any measures to avoid constraints on the operation or future expansion of renewable and low carbon energy development and electricity network infrastructure and water supply and wastewater infrastructure as a result of neighbouring (or nearby) development.

W2: Securing renewable and low carbon energy, and electricity network infrastructure

1. The development plan should support the transition to clean power by planning positively for the increased supply and use of renewable and low carbon energy and electricity network infrastructure. This means that the development plan, should, at the most appropriate level, seek to maximise the potential for suitable development by identifying:

    a. Areas which are suitable for renewable and low carbon energy development and electricity network infrastructure, including for future re-powering and life extension, where this would help secure their development; and

    b. Opportunities for development to draw its heat or energy supply from decentralised networks (such as district heat networks), renewable or low carbon energy supply systems, and for co-locating potential customers and suppliers of surplus heat or energy[39].

[38] This includes Water Resource Management Plans, Drainage and Wastewater Management Plans and, once they are published, the Strategic Spatial Energy Plan (SSEP), Centralised Strategic Network Plan (CSNP) and Regional Energy Strategic Plans (RESPs).
[39] Once adopted, there should be consideration of Heat Network Zones.

National decision-making policies

W3: Renewable and low carbon energy development and electricity network infrastructure

1. In considering proposals for renewable and low-carbon energy development and electricity network infrastructure, substantial weight should be given to:

    a. The benefits of such development for improving energy security, supporting economic development and moving to a net zero future;

    b. In the case of applications for the re-powering and life-extension of existing sites, the additional benefit of utilising an established site for this purpose; and

    c. The contribution that small-scale and community-led renewable and low carbon energy projects can make to reducing emissions, along with their associated economic and social benefits.

2. Applicants should not be required to demonstrate the need for renewable or low carbon energy development and electricity network infrastructure. Where proposals for this form of development come forward outside areas which have been identified as suitable for them they should be acceptable when assessed against the national decision-making policies in this Framework, taken as a whole.

3. Where development is expected to be time-limited, applications should be accompanied by proposals for decommissioning and site restoration, including details of how these measures are expected to be implemented.

W4: Water infrastructure

1. In considering proposals for water supply, drainage and wastewater development, substantial weight should be given to:

    a. The benefits of providing the capacity needed to serve proposed development as well as improving the security of supply and capacity for existing users (both residential and commercial, including agricultural users); and

    b. Improving water quality and reducing water-borne pollution.

2. Applicants should not be required to demonstrate the need for water infrastructure developments.

11. Facilitating the sustainable use of minerals

The objective of the policies in this chapter is to ensure there is a sufficient supply of minerals to provide the infrastructure, buildings, green energy and goods that the country needs, while at the same time restricting specific types of minerals development that could harm environmental objectives. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.

Plan-making policies

M1: Planning for a sufficient supply of minerals

1. The development plan should provide for a sufficient supply of minerals of national and local importance.

2. This means that in relation to aggregate minerals, the development plan should:

    a. Use the Local Aggregate Assessment, the advice of the Aggregate Working Parties and the National Aggregate Co-ordinating Group as appropriate, and any published National and Sub National Guidelines on future supply, to identify the provision needed in the plan area[40]. The Local Aggregate Assessment should be prepared annually, either individually or jointly, to forecast future demand, based on a rolling average of 10 years' sales data and other relevant local information and an assessment of all supply options (including marine dredged, secondary and recycled sources);

    b. Allocate sites and/or identify preferred areas to maintain this provision, including landbanks of at least 7 years for sand and gravel and at least 10 years for crushed rock (longer periods may be appropriate to take account of the need to supply a range of types of aggregates, locations of permitted reserves relative to markets, and the productive capacity of permitted sites);

    c. Calculate and maintain separate landbanks for any aggregate materials of a specific type or quality which have a distinct and separate market; and

    d. Ensure that large landbanks bound up in very few sites do not stifle competition.

3. In relation to industrial minerals, the development plan should:

    a. Use evidence of existing site capacities and demand to identify the level of provision needed to maintain a continuing level of supply for their use in industrial and manufacturing processes; and through cooperation with neighbouring and more distant authorities, identify how these requirements can be met through the allocation of sites and/or identification of preferred areas, taking into account the distribution of industrial minerals deposits;

    b. Maintain reserves of:

[40] The assessment of the provision needed for aggregate and industrial minerals may, where appropriate, be undertaken and set out through the preparation of spatial development strategies.

i. at least 10 years for individual silica sand sites;

ii. at least 15 years for silica sand sites where significant new capital is required, and for cement primary (chalk and limestone) and secondary (clay and shale) materials to maintain an existing plant; and

iii. at least 25 years for brick clay, and for cement primary and secondary materials where this is needed to support a new kiln.

c. Take account of the need for the provision of brick clay from a number of different sources to enable appropriate blends to be made.

4. In relation to oil and gas, the development plan should distinguish between, and plan for, the three phases of development (exploration, appraisal and production) within licenced areas. The development plan should not identify new sites or extensions to existing sites outside licenced areas.

5. The development plan should not identify new sites or extensions to existing sites for peat or coal extraction.

6. Relevant development plan policies should take account of the contribution that substitute or secondary and recycled materials and minerals waste can make to supply, in preference to the extraction of primary materials, whilst aiming to source minerals supplies indigenously. Where further extraction is necessary, landbanks of non-energy minerals should so far as practical be maintained through sites which lie outside National Parks, the Broads, National Landscapes and designated heritage assets, although the identification of sites or preferred areas in development plans should also reflect that minerals can only be worked where they are found.

M2: Safeguarding mineral resources and infrastructure through plan-making

1. The development plan should:

a. Define Mineral Safeguarding Areas and (in two tier areas) Mineral Consultation Areas to support the safeguarding of mineral resources;

b. Where necessary to prevent the sterilisation of mineral resources, require the prior extraction of minerals on sites allocated for non-mineral development, where practical and environmentally feasible; and

c. Identify existing, planned and potential sites which need to be safeguarded for: the bulk transport, handling and processing of minerals; the manufacture of concrete and concrete products; and the handling, processing and distribution of substitute, recycled and secondary aggregate material.

National decision-making policies

M3: Assessing the benefits of mineral development

1. In assessing proposals for minerals development[41], substantial weight should be given to the benefits of mineral extraction, including to the economy. In this context, particular importance should be given to:

    a. Maintaining minimum reserves of aggregates and industrial minerals, as specified in policy M1(2)(b) and M1(3)(b);

    b. Ensuring that the capacity of operations to supply a wide range of materials is maintained (with reserves which are sufficient to support the level of actual and proposed investment required for new or existing plant, and the maintenance and improvement of existing plant and equipment);

    c. Processing secondary aggregates, where this can help to reduce the need for new extraction;

    d. Facilitating the exploration and extraction or processing of critical and growth minerals, the use of which supports any or all of the following:

        i. the green energy transition;

        ii. the delivery of net zero;

        iii. national security; and

        iv. the growth of key sectors set out in the Industrial Strategy[42].

    e. Maintaining a supply of building and roofing stone for the repair or extension of historic buildings and structures, or where the use of traditional materials is important to conserve or enhance the character of an area. The duration of planning permission should, where appropriate, give the flexibility needed to cater for the intermittent or low rate of working at many sites.

M4: Considering the impacts of mineral development

1. Proposals for mineral development should:

    a. Not have unacceptable adverse impact on the natural and historic environment, human health or aviation safety, including as a result of any cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality;

    b. Ensure any unavoidable noise, dust and particle emissions and any vibrations from

[41] Other than for development involving peat, coal or onshore oil and gas extraction, to which this policy does not apply.
[42] Invest 2035: The UK's Modern Industrial Strategy (UK Government, June 2025) identifies priority sectors for growth and support as: advanced manufacturing; clean energy industries; creative industries; defence industries; digital and technology businesses; financial services; life sciences; and professional and business services.

blasting will be controlled, mitigated or removed at source, and that appropriate noise limits are established for extraction in proximity to noise sensitive properties (recognising that some noisy short-term activities, which may otherwise be regarded as unacceptable, are unavoidable to facilitate minerals extraction); and

c. Provide for restoration and aftercare at the earliest opportunity, to be carried out to high environmental standards, through the application of appropriate conditions. Bonds or other financial guarantees to underpin planning conditions should only be sought in exceptional circumstances.

M5: Development involving peat, coal or onshore oil and gas

1. Proposals for the extraction of peat at new or extended sites should be refused.

2. Development involving surface or underground coal workings, or for onshore oil and gas extraction, should not be approved unless it is necessary:

   a. To facilitate the exploration, appraisal or production of oil and gas within licensed areas; or

   b. For public safety; or

   c. To facilitate the capture and use of methane from coal mines in active and abandoned coalfield areas.

3. If proposals for surface or underground coal extraction come forward under the criteria listed above, minerals planning authorities should provide for coal producers to extract separately, and if necessary stockpile, fireclay so that it remains available for use.

4. Minerals planning authorities should support proposals for underground gas and carbon storage and associated infrastructure if local geological circumstances indicate its feasibility. It should also be ensured that the integrity and safety of underground storage facilities are appropriate, taking into account the maintenance of gas pressure, prevention of leakage of gas and the avoidance of pollution.

M6: Safeguarding mineral resources and infrastructure through decision-making

1. Proposals for non-mineral development should not:

   a. Constrain likely or foreseeable future use for mineral working in a Mineral Safeguarding Area; or

   b. Prevent the use of existing, planned and potential sites for:

      i. the bulk transport, handling and processing of minerals;

      ii. the manufacture of concrete and concrete products; or

      iii. the handling, processing and distribution of substitute, recycled and secondary aggregate material.

2. Where proposals for non-mineral development are located within a Minerals Consultation

Area, the decision-making authority should consult the mineral planning authority and take account of the local minerals plan before determining the planning application.

3. The prior extraction of minerals, where practical and environmentally feasible, should be approved where it would prevent the sterilisation of minerals deposits as a consequence of other forms of development proposals or allocations.

12. Making effective use of land

The objective of the policies in this chapter is to promote the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Plan-making policies

L1: Planning for an effective use of land

1. To support the effective and efficient use of land the development plan should, at the most appropriate level:

    a. Identify ways of accommodating as much as possible of the development required in the area on previously developed land, including by:

        i. allocating small, medium and large sites which have the potential for redevelopment to secure a more effective use, such as through the re-use of service yards, car parks and other transport infrastructure, under-utilised retail sites and estate regeneration schemes;

        ii. using design guides and design codes to establish common design principles that illustrate opportunities in the area for making more effective use of land, including on small sites; such as proposals to fill gaps in the prevailing roof line, the redevelopment of low-density residential plots, introducing higher buildings at street corners and infill development within residential curtilages;

        iii. setting minimum residential density standards for town centres and for locations that have a high level of connectivity, where this can support more effective land use and extend beyond the requirements of policy L3; and

        iv. identifying whether minimum density standards should be set for other parts of the plan area, especially where there are opportunities for intensification. It may be appropriate to set out a range of densities that reflect the identified need for different types of housing, local market conditions, the availability of infrastructure and its scope for improvement, the importance of securing well-designed, attractive and healthy places, and the desirability of maintaining an area's prevailing character or of promoting regeneration and change.

    b. Contain policies to optimise the use of allocated sites through:

        i. an appropriate scale and density of development; and

        ii. taking opportunities to secure multiple benefits, such as through mixed-use schemes which provide retail, employment, education and community facilities that help reduce the need to travel, and securing net environmental gains (for example by enabling significant new habitat creation or improving public access to the countryside); and

c. Not reallocate land for its previously identified purpose where there is no reasonable expectation that the use will come forward within the plan period, and consider whether allocation for an alternative use is appropriate instead.

2. Mayors and local planning authorities should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership, using the full range of powers available to them. This should include identifying opportunities to facilitate land assembly, supported where necessary by compulsory purchase powers, where this can help to bring more land forward for meeting development needs and/or secure better development outcomes.

3. The extent to which development plans are making as much use as possible of previously developed land and using minimum densities to accommodate their identified development need will be tested robustly when plans are examined.

National decision-making policies

L2: Making effective use of land

1. Substantial weight should be given to the benefits where a development proposal would achieve one or more of the following:

   a. Remediating despoiled, degraded, derelict, contaminated or unstable land;

   b. Making better use of vacant and under-utilised land and buildings (such as by bringing back into residential use empty homes and other suitable buildings; converting space above shops; redeveloping under-utilised retail sites; and building on or above service yards, lock-ups, car parks and other transport infrastructure);

   c. Making effective use of previously developed land and buildings through temporary uses, in situations where alternative development is anticipated within a reasonable period (including as a result of the land being allocated for an alternative purpose in the development plan);

   d. Creating additional homes within settlements by using the airspace above existing residential and commercial premises, or through sensitive redevelopment or additional development within existing plots (including, but not limited to, the addition of mansard roofs, proposals to fill gaps in the existing roof line, the introduction of higher buildings at street corners and additional units within residential curtilages). Such proposals should:

      i. be consistent with the overall street scene, other than where it is appropriate to have larger buildings such as at street corners, or where specific changes are provided for through a design code which forms part of a development plan;

      ii. maintain safe access and egress for occupiers and users, and acceptable living standards for residents and neighbours in terms of access to daylight, sunlight, privacy and external amenity space; and

iii. where the development would involve the use of residential curtilages, not occupy more than twice the footprint of the existing building on the site, and retain at least 50% of the non-developed area within the building curtilage[43].

2. A condition of simultaneous development should not be imposed on an application for multiple upward extensions unless there is an exceptional justification.

3. Proposals for land which is not previously developed should use development footprints which optimise a site's development potential.

L3: Achieving appropriate densities

1. Development proposals should make efficient use of land, taking into account the identified need for different types of housing and other development, local market conditions, the availability of infrastructure (including sustainable transport options) and its scope for improvement, a site's connectivity and the importance of securing well-designed, attractive and healthy places.

2. Within this context development proposals for residential and mixed-use development within settlements should contribute to an increase in the density of the area in which they are situated. The existing character of an area should be taken into account, in accordance with policy DP3, but should not preclude development which makes the most of an area's potential.

3. Minimum densities for residential development proposals are appropriate in locations which provide high levels of connectivity to jobs and services. Where development proposals for housing or mixed-use schemes are within reasonable walking distance of a railway station[44], a density of at least 40 dwellings per hectare should be achieved within the net developable area of the site, or 50 dwellings per hectare where the station or stop is defined as 'well-connected'[45].

4. Development proposals that do not make efficient use of land in accordance with this policy should be refused.

L4: Residential extensions

1. Development proposals to extend existing dwelling houses should:

    a. Blend effectively with the existing building[46] and its immediate surroundings in terms of its scale and form; and

[43] The existing building is to be assessed as the building as existing on the date of the publication of this Framework.
[44] For the purpose of this policy references to railway stations also includes stops on underground, tram and other light rail systems.
[45] Well-connected rail stations and underground, tram and light rail stops are those in a top 60 Travel to Work Area located partially or fully within England by Gross Value Added (GVA) and which, in the normal weekday timetable, are served (or have a reasonable prospect of being served due to planned upgrades or through agreement with the rail operator) throughout the daytime by four trains or trams per hour overall, or two trains or trams per hour in any one direction.
[46] The existing building is to be assessed as the building as existing on the date of the publication of this Framework.

b. Maintain acceptable living standards for current and new occupiers in terms of access to daylight, sunlight, privacy and external amenity space.

13. Protecting Green Belt land

The objective of Green Belt policy, as set out in this chapter, is to prevent urban sprawl by keeping land permanently open. The government attaches great importance to Green Belts, the essential features of which are their openness and permanence.

Plan-making policies

GB1: Establishing new Green Belts

1. As the general extent of Green Belt land across the country is already established, new Green Belts should be established only in exceptional circumstances: for example, when planning for larger scale development such as new settlements or major urban extensions. Any proposals to establish new Green Belts in development plans should demonstrate:

    a. Whether major changes in circumstances exist which make establishing a new Green Belt necessary as an exceptional measure; and

    b. Why normal planning and development policies would be inadequate for addressing these circumstances; and

    c. That it would be compatible with long term growth ambitions for the relevant area.

GB2: Assessing existing Green Belt land

1. The preparation of spatial development strategies should be informed by an assessment of the strategic role of Green Belt land within the strategy area. This strategic Green Belt assessment should take into account the five purposes of the Green Belt, which are to:

    a. Check the unrestricted sprawl of large built-up areas;

    b. Prevent the merging of neighbouring towns;

    c. Assist in safeguarding the countryside from encroachment;

    d. Preserve the setting and special character of historic towns; and

    e. Assist urban regeneration by encouraging the recycling of derelict and other urban land.

2. The strategic assessment should be used to help develop the spatial development strategy and to identify whether there are areas where Green Belt boundaries may require further consideration through the preparation of local plans.

3. The preparation of local plans should be informed by an assessment, conducted in accordance with the process at Annex E, which identifies grey belt and informs any Green Belt boundary alterations which accord with policy GB3.

GB3: Altering existing Green Belt boundaries

1. Green Belt boundaries should be altered through the preparation and updating of local plans and where:

    a. This would enable the development of land around stations; or

    b. Exceptional circumstances are fully evidenced and justified.

2. Exceptional circumstances in this context include a local planning authority being unable to meet its identified need for development in full[47], having examined all other reasonable options for doing so, including:

    a. Making as much use as possible of suitable brownfield sites and underutilised land;

    b. Optimising the density of development in line with policy L3; and

    c. Assessing whether sufficient suitable sites can be identified outside the Green Belt.

3. If a local planning authority wishes to make an exceptional, limited alteration to the defined Green Belt boundary (which might be to accommodate a site inset within the Green Belt) to meet a specific, identified need for a traveller site, it should be specifically allocated in the development plan as a traveller site only.

GB4: Defining Green Belt boundaries

1. When defining Green Belt boundaries, whether as a result of altering or establishing Green Belts, local plans[48] should:

    a. Only include land which it is necessary to keep permanently open as Green Belt;

    b. Include villages where it is necessary to restrict development because of the important contribution the open character of the village makes to the openness of the Green Belt;

    c. Use other, more relevant, policy approaches, such as conservation area designation where the character of a village needs to be protected for other reasons;

    d. Demonstrate that new Green Belt boundaries are broadly consistent with the spatial strategy for accommodating growth and meeting development needs across the plan area and adjoining areas, including those of any relevant spatial development strategies. This includes ensuring that any alterations to Green Belt boundaries promote sustainable patterns of development, including by:

        i. giving priority to the release of previously developed land within the Green Belt, then to grey belt land which is not previously developed, and then other Green Belt locations, so long as this promotes a sustainable pattern of development overall;

[47] The extent to which identified needs can be met in full should also take into account the provisions of policy S1.
[48] Or neighbourhood plans where a need for changes to Green Belt boundaries has been established but not made in local plans, in which case detailed amendments to those boundaries may be made through neighbourhood plans.

ii. not proposing alterations where there is clear evidence these alterations would fundamentally undermine the purposes (taken together) of the remaining Green Belt when considered across the area of the plan.

e. Ensure that allocations for major development involving the provision of housing on land released from the Green Belt can meet the Golden Rules, as set out in policy GB8, and that these requirements are set out within the local plan;

f. Ensure Green Belt boundaries are defined clearly, using physical features that are readily recognisable and likely to be defensible;

g. Identify areas of safeguarded land, where necessary to meet longer-term development needs well beyond the plan period. It should be made clear that safeguarded land is not allocated for development at the present time (and does not form part of settlements), and that its status will change only when the plan is updated and proposes that the land is released for development.

GB5: Beneficial uses of Green Belt Land

1. Green Belt land should provide benefits for communities and nature, which means that the development plan should, at the most appropriate level, set out:

   a. Proposals for securing improved public access to greenspace within the Green Belt, including for outdoor sport or recreation, allotments and community food production;

   b. How the Green Belt can contribute to the priorities for nature recovery set out within relevant Local Nature Recovery Strategies;

   c. Opportunities to support the objectives of the National Forest, England's Community Forests and Protected Landscapes, where these lie wholly or partly within the Green Belt; and

   d. How the impact of any proposals to remove land from the Green Belt by altering Green Belt boundaries can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.

National decision-making policies

GB6: Control of development in the Green Belt

1. Development in the Green Belt is inappropriate unless it falls within one of the categories in policy GB7.

2. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposed development, is clearly outweighed by other considerations. In making this assessment, substantial weight should be given to the harm to the Green Belt which would be caused, including harm to its openness.

3. In the case of proposals for renewable and low carbon energy development, very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

GB7: Development which is not inappropriate in the Green Belt

1. The following categories of development are not inappropriate in the Green Belt, and therefore should not be regarded as harmful to the Green Belt or required to demonstrate very special circumstances:

   a. Development which is for agriculture, horticulture and forestry;

   b. The re-use, extension, alteration or replacement of an existing building, provided that:

      i. the existing building is of permanent and substantial construction; and

      ii. the extension or alteration will not result in a disproportionate increase in size over and above the size of the original building[49]; or

      iii. in the case of proposals for a replacement building, it is in the same use and not materially larger than the one it replaces.

   c. Limited infilling in villages;

   d. Limited affordable housing for local community needs under policies set out in this Framework or the development plan (for instance, on a rural exception site);

   e. The redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential), which would not cause substantial harm to the openness of the Green Belt;

   f. Certain other forms of development provided the impact on the openness of the Green Belt is minimised, and there would not be a significant conflict with the Green Belt purposes. These are:

      i. mineral extraction;

      ii. engineering operations;

      iii. transport, electricity network and water infrastructure required in a Green Belt location;

      iv. development brought forward under a Community Right to Build Order or Neighbourhood Development Order;

      v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and

[49] The original building for this purpose is the building that existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.

vi. the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments.

g. Development where all of the following apply:

i. the development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;

ii. there is an evidenced unmet need for the type of development proposed[50];

iii. the development would be in a sustainable location, with particular reference to policy TR3 of this Framework[51]; and

iv. In the case of major development involving the provision of housing, the development proposed complies with policy GB8;

h. Development for housing and mixed-use development which would:

i. be within reasonable walking distance of a railway station capable of providing a high level of connectivity to services and employment[52];

ii. be physically well-related to a railway station or a settlement within which the station is located;

iii. be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure;

iv. not prejudice any proposals for long-term comprehensive development in the same location;

v. in the case of major development, comply with policy GB8.

GB8: The Golden Rules

1. Where major development involving the provision of housing is proposed on land released from the Green Belt through plan preparation or review, or on sites in the Green Belt subject to a planning application, all of the following contributions ('Golden Rules')

[50] Which, in the case of applications involving the provision of housing, means the lack of a five year supply of deliverable housing sites, including the relevant buffer where applicable, or where the Housing Delivery Tests was below 75% of the housing requirement over the previous three years; and in the case of traveller sites means the lack of a five year supply of deliverable traveller sites.
[51] In the case of development proposals involving the provision of traveller sites, particular reference should be made to policy HO12.
[52] Well-connected rail stations and underground, tram and light rail stops are those in a top 60 Travel to Work Area located partially or fully within England by Gross Value Added (GVA) and which, in the normal weekday timetable, are served (or have a reasonable prospect of being served due to planned upgrades or through agreement with the rail operator) throughout the daytime by four trains or trams per hour overall, or two trains per hour in any one direction.

should be made[53]:

a. Affordable housing which reflects either:

   i. development plan policy requirements for major development on land within or released from the Green Belt (as established under policy HO5(1)(a)(iii)); or

   ii. until such policies are in place, a contribution which is 15 percentage points above the highest existing affordable housing requirement which would otherwise apply to the development, subject to a cap of a 50%[54]. In the absence of a pre-existing requirement for affordable housing, a 50% affordable housing contribution should apply by default.

b. Necessary improvements to local or national infrastructure; and

c. The provision of new green space, or improvements to existing green space, which is accessible to the public. New residents should be able to access good quality green spaces within a short walk of their homes, whether through on-site provision or through access to offsite spaces. This provision should:

   i. make a positive contribution to the landscape setting of the development;

   ii. support nature recovery; and

   iii. meet local standards for green space provision where these exist in the development plan. Where no locally-specific standards exist, development proposals should meet national standards relevant to the development (these include Natural England standards on accessible green space and urban greening factor and Green Flag criteria). Where land has been identified as having potential for habitat creation or nature recovery within Local Nature Recovery Strategies, proposals should contribute towards these outcomes.

2. Where major development involving the provision of housing on land released from the Green Belt through plan preparation or review**,** or on sites in the Green Belt subject to a planning application, complies with the Golden Rules, this should be given substantial weight in considering whether to grant planning permission.

3. There are only three circumstances in which a site-specific viability assessment may be justified to allow the contributions expected by this policy to be adjusted, which are where a development proposal is:

   a. On previously developed land;

   b. For a multi-phase, strategic site; or

[53] The Golden Rules do not apply to: (a) developments brought forward on land released from the Green Belt through plans adopted prior to 12 December 2024; (b) developments that were granted planning permission on Green Belt land prior to 12 December 2024; or (c) Traveller sites.
[54] The 50% cap does not apply to rural exception sites or community-led development exception sites, or if the local planning authority has a relevant existing policy which would apply to the development which is above 50%.

c. For a development model which is of a wholly different type to that assumed in the viability assessment that informed the development plan.

4. Where the circumstances in paragraph 3 of this policy apply, development should still make the maximum possible contribution to affordable housing and other infrastructure requirements.

14. Achieving well-designed places

The objective of the policies in this chapter is to promote well-designed, healthy, inclusive and sustainable places, through setting clear expectations about design outcomes and the use of relevant tools and processes.

Plan-making policies

DP1: A strategy for design

1. Development plans should, at the most appropriate level, set out clear design expectations by:

    a. Ensuring the vision for the plan reflects the desired design and placemaking outcomes. This should be informed by an evaluation of the area's existing characteristics and potential;

    b. Identifying where design guides, design codes and masterplans are necessary to deliver design and placemaking outcomes, such as for significant site allocations and areas of change (e.g. town centres, regeneration areas and suburban areas where there is scope for intensification);

    c. Setting out locally-specific design policies or standards which are necessary to add further detail to the principles in policy DP3, in response to particular local issues which will benefit from clear design expectations; and

    d. Setting out in what circumstances design review and other design processes will be required, as described in the Design and Placemaking planning practice guidance.

DP2: Local Design Guides, Local Design Codes and Masterplans

1. Where design guides, design codes and masterplans are necessary, these design tools should:

    a. Reflect a clear understanding of and address the character of the site or area which they cover, the wider context and opportunities to strengthen existing character;

    b. Be informed by an understanding of the economic, social and environmental context and conditions for implementation, including through effective community engagement so that local aspirations are taken into account;

    c. Include a level of detail and degree of prescription proportionate to the circumstances and scale of change proposed; and

    d. Be supported by monitoring and review processes that allow for necessary adjustments in the light of implementation.

National decision-making policies

DP3: Key principles for well-designed places

1. To respond to their context and create well-designed places development proposals should[55]:

   a. Context: respond to the history, character and features of the site and its setting, so that it integrates into and enhances its surroundings (such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets). This should not preclude innovation and change where appropriate, especially where an increased scale or density of development is justified in accordance with policies L2 and L3;

   b. Liveability: support healthy, mixed, vibrant and integrated communities, which will function well over the lifetime of the development, by incorporating a range of uses and tenures, employing features which promote social interaction, and which are robust, durable and easy to look after;

   c. Climate: contribute to climate change mitigation and adaptation and the transition to net zero, by using building layouts, building orientation, massing, landscaping and materials which conserve energy and other resources, and which minimise risks from the impacts of climate change including overheating;

   d. Nature: incorporate and/or connect to a network of high quality, accessible, multi-functional green infrastructure to provide opportunities for recreation and healthy living, strengthen habitats, improve climate resilience and improve air and water quality. This should include maintaining and enhancing tree cover and incorporating sustainable drainage systems in accordance with policies NE3 and F8;

   e. Movement: provide transport infrastructure and choices which support the design vision for the site, provide good connections to the wider settlement (or those nearby), and prioritise walking, wheeling, cycling and public transport;

   f. Built Form: use the pattern of buildings to define the arrangement of streets, squares and other spaces, promote compact forms of development to optimise the site's potential, distinguish between public and private areas, create focal points and, where appropriate, enhance views into and out of the scheme;

   g. Public Space: include spaces that are safe, secure, inclusive, accessible for all ages and abilities and which facilitate and encourage social interaction, play and healthy lifestyles (for example by providing high quality, clear and legible pedestrian and cycle routes, a variety of recreational spaces and places to meet, and making building entrances and windows face onto streets and other public spaces to provide natural surveillance); and

   h. Identity: create visually attractive, distinctive and characterful development to establish or maintain a strong sense of place and pride, including through the use of a coherent

[55] Principles for creating well-designed places are described more fully in Part 1 of the Design and Placemaking planning practice guidance, points b to f in this policy forming the seven features of well-designed places described in the guidance, all of which are informed by context (point a).

palette of materials, design features and planting.

2. Development proposals that are not well designed should be refused, when assessed against this policy and local design policies, guides, codes and masterplans set out in the development plan. Substantial weight should be given to compliance with these policies when assessing the design quality of proposals.

3. The principles set out in the Design and Placemaking planning practice guidance should be used to inform how this policy is applied in the absence of locally-produced design policies, guides, codes or masterplans.

4. Substantial weight should also be given to outstanding or innovative designs which promote high levels of sustainability, or which help raise the standard of design more generally in an area, so long as they are consistent with the overall form and layout of their surroundings.

DP4: The Design process

1. Design quality should be considered throughout the evolution, assessment and delivery of development proposals, including through any pre-application engagement; as outlined in Part 2 of the Design and Placemaking planning practice guidance.

2. The local planning authority should:

    a. Ensure that they have access to, and encourage the appropriate use of design review and other design tools and processes (especially for significant projects such as major housing and mixed-use developments), and take into account their outcomes, including any design recommendations made by design review panels;

    b. Make sure that relevant planning conditions refer to clear and accurate plans and drawings which provide visual clarity about the design of the development, including the approved use of materials where appropriate; and

    c. Not allow the quality of approved development to be materially diminished between permission and completion, as a result of changes proposed following its initial approval (for example through changes to approved details).

15. Promoting sustainable transport

The objective of the policies in this chapter is to ensure that transport considerations are taken fully into account in the preparation of development plans and the evolution and assessment of development proposals; using a vision-led approach to embed the role that transport infrastructure and choices can play in creating well-designed, sustainable, inclusive and popular places.

Plan-making policies

TR1: **Vision-led approach to planning for transport**

1. Sustainable transport should be considered from the earliest stages of plan-making, so that it is reflected in the vision for the plan area and its specific proposals, and forms an integral part of a plan's strategy for creating well-designed, sustainable, inclusive and popular places. This should be done by:

    a. Making sustainable transport considerations part of early engagement with local communities, highway and transport authorities, transport infrastructure providers, operators, land promoters and neighbouring councils; so that proposals reflect local views, evidence relating to accessibility, capacity and transport service provision, and take account of opportunities for prioritising and maximising sustainable movement across the area. Plans should align land use policies and allocations with wider strategies (such as Local Transport Plans, Local Cycling and Walking Infrastructure Plans and Rights of Way Improvement Plans) and investments in transport to ensure that the potential impacts of development on transport networks are understood and addressed;

    b. Locating proposed development where it can support sustainable patterns of movement and make effective use of existing or proposed transport infrastructure, reflecting the principles in policy TR3. The Connectivity Tool (Connectivity Tool - GOV.UK) should be used to inform the assessment and selection of sites for development alongside other relevant evidence;

    c. Supporting an appropriate mix of uses across the plan area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities;

    d. Identifying and protecting sites and routes which will widen transport choice and are essential to facilitate sustainable development, including networks for walking, wheeling and cycling, and public transport infrastructure;

    e. Providing for any transport facilities that need to be located in the area, or for their necessary expansion or adaptation, and the infrastructure and wider development required to support them. This includes uses such as ports, airports, lorry parking facilities, freight interchanges, public transport hubs and roadside services. In doing so it should be considered whether such development is likely to be a nationally significant infrastructure project and any relevant national policy statements, and the importance of maintaining a national network of aviation airfields.

2. Spatial development strategies and local plans may set out thresholds for what constitutes a significant amount of movement arising from new development, based on the circumstances of their areas, for the purposes of applying policies TR3 and TR6.

TR2: Local parking standards

1. Development plans should set local parking standards for residential and non-residential development, across the plan area or for specific sites or sub-areas, in a way which aligns with the transport vision for the plan and opportunities to promote sustainable transport.

2. Maximum standards for car parking should be set where they will support efforts to encourage the use of sustainable transport modes, optimise the density of development in well-connected locations, or where they are necessary for managing the local road network.

3. Parking standards should take into account:

    a. The connectivity of development in different locations by different modes of transport, especially in terms of access to employment and day to day services;

    b. Opportunities for improvements in walking, wheeling, cycling and public transport;

    c. Local car ownership levels and travel trends, and opportunities to promote car sharing and other schemes which may reduce vehicle parking requirements;

    d. Providing sufficient spaces for plug-in vehicles, blue badge holders, pedal and electric cycles and e-scooters, considering likely future demand and the need for associated infrastructure; and

    e. The appropriateness of setting different standards for the type and mix of development, including to address specific business requirements where commercial standards are being set; and of using ranges where a degree of flexibility is desirable.

National decision-making policies

TR3: Locating development in sustainable locations

1. So that development is located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure, development proposals should reflect the following principles, taking into account the vision for the site, the type of development and its location:

    a. Development proposals which could generate a significant amount of movement, in the context of the area within which they would be situated, should be in locations that are, or can be made sustainable, by limiting the need to travel and offering a genuine choice of transport modes for residents and users, unless the nature of the use makes this impractical;

    b. Opportunities should be taken to utilise existing or proposed transport infrastructure in optimising the amount or density of development which can be accommodated in different locations, especially where this can support more walking, wheeling, cycling and public transport use;

c. The environmental impacts of traffic and transport infrastructure should be identified, assessed and taken into account – including taking opportunities to avoid or mitigate any adverse environmental effects, and to secure net environmental gains such as reductions in air pollution;

d. In rural areas, opportunities to improve wheeling, cycling and public transport and enhance the connectivity of an area should be taken where they exist and can be supported by the development proposed.

2. The Connectivity Tool (Connectivity Tool - GOV.UK) should be used alongside other relevant evidence in assessing the connectivity of particular locations proposed for development.

TR4: Street design, access and parking

1. To contribute to creating well-designed places, transport considerations should be integral to the design of development, proposals for which should:

   a. Give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating easy access to high quality public transport, with layouts and densities which maximise the catchments for bus or other public transport services;

   b. Incorporate or contribute towards appropriate facilities to support this prioritisation, such as continuous footways and segregated cycle facilities which are adequately lit, sufficient secure and accessible cycle parking, regularly spaced public seating and good quality waiting facilities for public transport;

   c. Make sure that the arrangement of streets and other routes help to create places that are safe, inclusive and attractive for all users – including through measures to minimise the scope for conflict between pedestrians, cyclists and vehicles, to meet the needs of disabled people, older people and children in relation to all modes of transport, and to avoid unnecessary street clutter;

   d. Allow for the efficient delivery of goods, and ease of access by service and emergency vehicles, in ways which do not compromise key place-making principles (set out in policy DP3); and

   e. Provide a suitable number of parking spaces where appropriate, reflecting the location and nature of the development, any locally-set standards in the development plan, and including adequate provision of spaces that allow for the charging of plug-in vehicles in safe, accessible and convenient locations.

2. The principles set out in national design guidance[56] should be used to inform how this policy is applied.

[56] Designing and modifying residential streets: Manual for streets - GOV.UK and the Design & Placemaking planning practice guidance.

TR5: Roadside facilities

1. Development proposals for roadside facilities located outside settlements should:

    a. Meet an evidenced need to improve the safety and welfare of road users, or to improve access to electric vehicle charging infrastructure or other alternative fuels, if new or significantly expanded facilities are being proposed. This includes the provision of overnight lorry parking facilities to address any local or wider shortages and reduce the risk of parking in locations which lack appropriate facilities or could cause a nuisance; or

    b. Improve driver welfare and security, support changes in transport technology, or improve environmental impacts (such as through the facility's design, landscaping or measures to support climate change mitigation), where the proposal is to upgrade existing facilities without significant expansion.

2. Development proposals should not result in the loss of existing roadside facilities unless alternative provision with good access to the strategic transport network is likely to be provided in the local area, or it can be shown that the facility is no longer needed or viable.

TR6: Assessing transport impacts

1. Development proposals that are likely to generate significant amounts of movement should be supported by:

    a. A transport statement or transport assessment (depending on the extent and significance of the transport issues involved), proportionate to the nature and scale of the development, so that the likely impacts of the proposal for transport can be assessed and monitored; and

    b. A travel plan, indicating how sustainable transport objectives will be delivered, monitored and manged over time.

2. Transport assessments and statements, and travel plans, should reflect the transport vision for the development and how it is intended to be achieved (including, in the case of Travel Plans, identifying fallback options if initial measures do not deliver the expected outcomes).

3. All development proposals should be capable of proceeding without having a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety, taking into account any mitigation measures proposed as well as any wider network improvements.

4. In assessing potential impacts, all reasonable future scenarios should be considered, taking into account impacts at different times of the day, potential cumulative impacts, multimodal trip generation and the promotion of sustainable modes of travel, and realising the transport vision for the development itself.

TR7: Marine ports, airports and other aviation facilities

1. Development proposals involving the provision, expansion or alteration of port, airport, advanced air mobility and aviation facilities[57] (and development ancillary to them) should:

    a. Facilitate the modernisation, diversification and improvement of facilities, including through innovation in the handling of goods and passengers, and the transition to the use of low and zero carbon fuels; or

    b. Meet a freight and logistics need in accordance with policy E3; or

    c. Help to maintain a national network of aviation airfields, and support an airfield's economic or public service role (for example in serving business, leisure, training and emergency service needs); and, in all cases:

    d. Have an acceptable environmental effect in terms of noise, air quality, carbon emissions, the transport network, landscape, visual and marine impacts.

TR8: Public rights of way

1. Development proposals should:

    a. Maintain the network of public rights of way, including through suitable diversions agreed with the highway authority; and

    b. Take opportunities to extend, link or improve the quality of existing routes where this enables one or more of the following:

        i. improved access to green spaces and the countryside;

        ii. new direct and circular routes and connections between local and long-distance footpaths, bridleways and cycle routes;

        iii. the provision of accessible, safe and convenient links to services and facilities; and

        iv. improved connections with public transport stops and interchanges.

[57] Including new technologies, for example droneports and autonomous vehicles.

16. Promoting healthy communities

The objective of the policies in this chapter is to promote the creation of healthy and inclusive places and support the provision of appropriate public services, by enabling development which can support this aim and seeking to retain, improve and deliver new facilities which are important for community wellbeing and minimising inequalities.

Plan-making policies

HC1: Planning for healthy communities

1. To promote the creation of healthy and inclusive places, and the provision, retention and enhancement of appropriate community facilities and public service infrastructure, development plans should, at the most appropriate level:

    a. Be informed, through engagement with relevant service providers, by an understanding of any existing deficits in the availability of community facilities and public service infrastructure, and additional requirements expected over the plan period, arising from proposed development and wider changes in the local population and public service provision. In doing so, they should take into account both quantitative and qualitative aspects of provision, identified local health needs and opportunities to reduce inequalities through the availability of facilities;

    b. Set out the facilities and contributions expected from development, including as part of allocations for major housing and mixed-use sites;

    c. Allocate land specifically for community facilities and public service infrastructure where it is appropriate to do so, and assess whether any land is suitable to designate as Local Green Space in accordance with policy HC2;

    d. Set local standards for the provision of different types of outdoor recreational land, including for play, sport, informal recreation and allotments. In doing so they should draw upon relevant national standards and best practice, tailoring these as necessary to local circumstances and evidence[58]. Policies for play and informal recreation should aim to secure a connected network of high quality, inclusive and accessible opportunities as part of the wider network of green space provision, secured through both on-site provision in conjunction with land allocated for development and through other contributions and investment; and

    e. Identify wider opportunities to promote good health, prevent ill-health and support social interaction through their spatial strategy and land allocations, including through policies for strengthening town centres, locating development where it will support walking and cycling and promoting mixed-use developments.

2. In planning for community facilities and public service infrastructure, authorities should engage proactively with local communities and service providers, taking into account

[58] These include the suite of Green Infrastructure Standards for England published by Natural England, the standards for open space, outdoor sport and play recommended by Fields in Trust (https://fieldsintrust.org/insights/standards) and published Sport England Guidance (including Assessing Needs and Playing Pitch Strategy guidance | Sport England).

relevant strategies to improve health, address inequalities and foster social and cultural well-being for all sections of the community. They should attach considerable importance to providing for sufficient education facilities (including early years, school and post-16 provision), health care provision and other essential community facilities and public service infrastructure over the plan period, in a way that aligns with the needs of the local population and any wider requirements for improvements in public service infrastructure identified by the government or public agencies (recognising that some public service infrastructure serves a larger than local population).

HC2: Local Green Space

1. Local and neighbourhood plans may designate land as Local Green Space where this would safeguard green areas of particular value to the local community. Local Green Space should be limited to situations where the land concerned is:

    a. In close proximity to the community it serves;

    b. Demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and

    c. Local in character and not an extensive tract of land.

2. Designating land as Local Green Space should be consistent with the local planning of sustainable development and the provision of sufficient land for homes, jobs and other needs. Local Green Space should only be designated when a plan is prepared or updated, and should be capable of enduring beyond the end of the plan period.

National decision-making policies

HC3: **Community facilities and public service infrastructure serving new development**

1. Proposals for housing, employment or other development which would give rise to significant numbers of additional people living in, working in or visiting an area should:

    a. Be informed by an understanding of the need for any associated improvements to community facilities and public service infrastructure, whether on or off-site; and

    b. Provide for community facilities and improvements to public service infrastructure which are necessary for the development to be acceptable in planning terms, whether by direct provision or a contribution to off-site improvements (which may be through Community Infrastructure Levy payments, where applicable).

2. Where the development plan does not set out locally-specific standards for green space provision, all development proposals should use relevant national standards and best practice[59] to identify improvements in the quantity and quality of provision which should be provided or contributed towards, as appropriate to the nature of the development and

[59] These include the suite of Green Infrastructure Standards for England published by Natural England, the standards for open space, outdoor sport and play recommended by Fields in Trust (https://fieldsintrust.org/insights/standards) and published Sport England Guidance (including Assessing Needs and Playing Pitch Strategy guidance | Sport England).

taking into account existing levels of provision in the area.

3. Planning conditions and obligations should be used to secure the timely delivery of community facilities and public service infrastructure required to serve new development, so that these facilities are available for use when the development (or an agreed proportion of the development) is first occupied or comes into use.

HC4: **Proposals for new and improved community facilities and public service infrastructure**

1. Substantial weight should be given to the benefits of providing new or improved public service infrastructure or community facilities.

2. Local planning authorities, developers and public service providers should collaborate in a positive and proactive manner to identify and resolve key planning issues before applications for community facilities and public services infrastructure are submitted. Where appropriate, they should also engage with local communities in the design of proposals, including with children and families where new or improved facilities for play are involved, so that developments can reflect user needs and be inclusive.

HC5: **Hot food takeaways and fast food outlets**

1. Development proposals for hot food takeaways or fast-food outlets should be refused:

    a. Within reasonable walking distance of schools and other places where children and young people congregate, unless the location is within a designated town centre; or

    b. In locations where there is evidence that a concentration of such uses is having an adverse impact on local health, pollution or anti-social-behaviour.

HC6: **Retention of key community facilities and public service infrastructure**

1. Development proposals should not result in the loss of key community facilities and public service infrastructure serving a local area unless:

    a. It can be demonstrated that there is no reasonable prospect of the facility being retained, due to there being insufficient community support for the service it provides, or it no longer being viable (in the case of shops and public houses where viability is an issue, evidence should be provided that reasonable steps have been taken to market the property for its existing use without success, for a period of at least twelve months); or

    b. The loss resulting from the proposed development would be replaced by equivalent or better provision, in a location which offers comparable or improved accessibility for the community it serves.

2. For the purpose of this policy, key community facilities and public service infrastructure means established services that are used on a frequent basis in a local area such as local shops, public houses, places of worship, local health facilities and community halls. The policy applies only where the facility would be the last of its type in the area concerned.

HC7: **Development affecting existing recreation facilities**

1. Development proposals should not result in the loss of existing open space, sports and recreational buildings and land, including playing fields, other formal and informal play space and allotments, unless:

    a. An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

    b. The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and/or quality, in a location which offers comparable or improved accessibility for the community it serves; or

    c. The development is for alternative sports, play or other recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

HC8: Development affecting Local Green Space

1. Development proposals for land which has been designated as Local Green Space should be determined in a manner consistent with the relevant national decision-making policies for land in the Green Belt, excluding provisions relating to grey belt and previously developed land.

17. Pollution, public protection and security

The objective of the policies in this chapter is to ensure that new development is appropriate for its location taking into account risks posed by pollution and other hazards; that any impacts which development might have are taken into account; and that sufficient provision is made for development required for public safety and security.

Plan-making policies

P1: **Planning for clean and safe places**

1. To support efforts to avoid and mitigate risks from natural and man-made hazards, minimise levels of pollution and create clean, liveable and safe places for people to live, work and visit, development plans should:

    a. Identify areas where ground conditions may inhibit or affect the development which can take place;

    b. Allocate land for development where:

        i. opportunities can be taken to improve local environmental conditions, such as by remediating despoiled, degraded, derelict, contaminated and unstable land;

        ii. occupiers and users of the development will not be put at risk from, or be adversely affected by, unacceptable levels of pollution;

        iii. development proposals will not themselves cause unacceptable levels of pollution, either alone or in combination with other developments, taking into account communities which may be particularly vulnerable to its effects, such as children and older people; and

        iv. the intended uses will not place unreasonable restrictions on the operation of existing businesses, community facilities, public services, defence and security activities.

    c. Consider any wider opportunities to reduce air, water, soil and noise pollution, and contribute to compliance with national and local environmental targets and objectives, through the spatial strategy and policies for specific parts of the plan area (such as by identifying opportunities for strategic nature-based solutions);

    d. Identify whether restrictions on certain types or forms of development are necessary as a consequence of consultation zones around hazardous substances sites, safeguarding areas around aerodromes, technical sites or military explosives storage

areas[60], and consultation zones around nuclear sites[61] (and reflect the implications of these areas in any allocations of land within the plan);

e. Identify other locations where natural or man-made hazards may influence the way in which land is allocated or developed. This includes (but is not limited to) town centres and other locations where large numbers of people are expected to congregate[62], and coastal change management areas (policy F3); and

f. Assess whether land needs to be allocated for development which is required to maintain public safety and security, including for the purposes of flood management in accordance with policy F2(1)(b) and national defence.

National decision-making policies

P2: Ground Conditions

1. Sites proposed for development should be suitable for their proposed use taking account of:

   a. Ground conditions and any risks arising from land instability or contamination (whether due to natural hazards or current and former activities such as mining or fuel storage); and

   b. The extent to which any such risks can be mitigated, and the potential impacts on the natural environment arising from remediation.

2. Where land is remediated it should, as a minimum, not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

3. Adequate site investigation information, prepared by a competent person, should be available to inform these assessments.

4. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

P3: Living conditions and pollution

1. Development proposals should:

   a. Be appropriate for their location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts which could arise from the development;

   b. Provide healthy living conditions for occupiers and users in terms of having adequate

[60] As identified through the town and country planning (safeguarded aerodromes, technical sites and military explosives storage areas) direction 2002.
[61] Including the existing Detailed Emergency Planning Zones and Outline Planning Zones, as set out in the Office for Nuclear Regulation's guidance on Land Use Planning: Land use planning | Office for Nuclear Regulation
[62] The considerations in policy P5(1)(d) are relevant in this context.

access to light and avoiding exposure to levels of air, noise, artificial light or other sources of pollution which could have an unacceptable adverse effect on health and wellbeing; and

c. Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site.

2. Within this context development proposals should:

a. Mitigate the effect of existing pollution on the site where necessary to secure acceptable conditions for occupiers and users and, where possible, take opportunities to reduce pollution affecting the wider area (such as through traffic and travel management or improved external lighting). In doing so consideration should be given to the cumulative effect of pollution from multiple sources, and to whether the intended occupiers or users may be particularly vulnerable to its effects, such as children and older people;

b. Sustain and contribute to compliance with relevant limit values or national objectives and targets for air pollutants including PM2.5, taking into account the presence of Air Quality Management Areas and NO2 Clean Air Plans. Where a development proposal falls within or could affect an Air Quality Management Area or Clean Air Plan (Including any Clean Air Zone), it should be consistent with the objectives of these plans and the local air quality action plan;

c. Not result in levels of noise exposure which would have a significant observed adverse effect, and maintain the character of tranquil areas (those that have remained relatively undisturbed by noise from human sources and are prized for their recreational and amenity value for this reason);

d. Limit any adverse impact from artificial light on local amenity, intrinsically dark landscapes (those entirely, or largely, uninterrupted by artificial light) and nature; and

e. Assess and mitigate impacts where the development could have an unacceptable adverse effect on water quality, especially where this concerns sensitive water bodies such as chalk streams.

3. In applying this policy, it should not be assumed that other regimes for the control of pollution will necessarily eliminate emissions completely.

P4: **Impact of development on existing activities**

1. Existing businesses, community facilities, public services and defence and security activities should not have unreasonable restrictions placed on their current or permitted operation as a result of development being approved after they were established. This means that development proposals should be capable of being integrated effectively with existing business, community and public service activities and infrastructure in their vicinity (including, but not limited to, uses such as pubs, music venues, places of worship, sports clubs, blue light services, defence, electricity network infrastructure and industrial and waste sites).

2. Where the operation of an existing activity could have a significant adverse effect on a

proposed new development in its vicinity, development proposals should:

a. Identify the nature of the potential impacts, informed where necessary by early discussions between the applicant (i.e. the 'agent of change') and those existing uses which could be affected by the proposal to inform the scope for mitigation; and

b. Be able to demonstrate that suitable mitigation can be provided before the development has begun to be occupied, if the development is to be acceptable. Planning conditions or obligations should be used to secure agreed mitigation measures.

4. This applies to new development involving changes of use of land and property, as well as new construction, and includes situations where new development may interfere with the operation of electronic communications networks. Both current and permitted levels of operation of existing activities should be taken into account when applying this policy.

P5: **Maintaining public safety and security**

1. Development proposals should anticipate and address possible malicious threats and other hazards (whether natural or man-made) in relation to:

a. Occupiers and users, by identifying potential safety risks and proportionate mitigation opportunities which can be addressed through the design of the scheme. This applies especially in relation to children and other vulnerable groups (such as in proximity to open water and transport infrastructure), and in addressing crime, or the fear of crime;

b. Uses which could pose a potential hazard to the surrounding area. Development proposals for new major hazard sites, changes to existing major hazard sites and new development in the vicinity of major hazard sites and major accident hazard pipelines (as identified within Health and Safety Executive consultation zones) should proceed only if it can be demonstrated that the development would not increase the risk of a major accident;

c. Consultation zones around major accident hazard sites, major accident hazard pipelines and Health and Safety Executive licensed explosives sites, safeguarded areas around civilian aerodromes or technical sites[63] and Outline Planning Zones or Detailed Emergency Planning Zones around nuclear sites. Development proposals within these areas should only be supported where, having consulted the relevant consultation bodies[64], it is clear that the development will be safe for occupiers and users and will not impose constraints on the operation of the facility or facilities to which the safeguarded area or consultation zone relates; and

d. Locations where large numbers of people are expected to congregate, such as transport hubs, night-time economy venues, cinemas and theatres, sports stadiums and arenas, shopping centres, health and education establishments, places of worship, hotels and restaurants, visitor attractions and commercial centres. Proposals for major development in such locations should be informed by the most up-to-date

[63] In consultation with the Civil Aviation Authority.
[64] The Control of Major Accident Hazards (COMAH) competent authority for zones around hazardous installations, the Civil Aviation Authority or Secretary of State for Defence for safeguarding areas around aerodromes, technical sites or military explosive storage areas, and the Office for Nuclear Regulation, Secretary of State for Defence or Health and Safety Executive for zones around nuclear sites.

information available from the police and other relevant agencies about the nature of potential threats and their implications, and appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security.

P6: **Land and operations for defence and public protection**

1. Substantial weight should be attached to the importance of sites, activities, facilities and infrastructure required to maintain and enhance defence capability and public safety, when considering:

   a. Proposals for their development (whether through modernisation, intensification, redevelopment or expansion for operational and related purposes); and

   b. Proposals which could affect their operational activity and capability, especially where noise from that activity could affect the proposed development (policy P4 should also be applied in all such cases).

18. Managing flood risk and coastal change

The objective of the policies in this chapter is to minimise risks to development arising from all sources of flooding and coastal change, taking into account the impacts of climate change, by steering development away from areas of risk, ensuring that development will be safe for its lifetime without increasing flood risk elsewhere, and incorporating sustainable drainage systems where appropriate.

Plan-making policies

F1: **Assessing flood risk for plan-making**

1. In order to manage development in ways which minimise the risk of flooding to people and property, development plans should:

    a. Be informed by an up-to-date strategic flood risk assessment which considers current and future flood risk from all sources, including cumulative impacts in, or affecting, areas susceptible to flooding; and

    b. Take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards, about levels of risk, options for mitigation, and the implications for development in the plan area.

F2: Planning for effective flood risk management

1. Development plans should take a risk-based approach when identifying suitable locations for development, taking into account all sources of flood risk and the current and future impacts of climate change. They should do this, and manage any residual risk, by:

    a. Applying the sequential test in policy F5 and, where relevant, policy F6 below;

    b. Safeguarding land that is, or is likely to be, required for current or future flood management;

    c. Using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management); and

    d. Where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations.

F3: Managing coastal change

1. Development plans should take into account relevant shoreline management plans, the national coastal erosion risk map, the UK Marine Policy Statement and relevant marine plans in assessing the risks arising from coastal change and appropriate approaches to coastal management. Integrated Coastal Zone Management should be pursued across local authority and land/sea boundaries, to ensure effective alignment of the terrestrial

and marine planning regimes.

2. Inappropriate development in vulnerable coastal areas should be avoided when identifying suitable locations for development, so that risks arising from coastal change are not exacerbated. In order to do this development plans should:

    a. Identify as a Coastal Change Management Area any area likely to be affected by physical changes to the coast, estuaries or tidal rivers, over the next century;

    b. Set out what types of development will be appropriate in the Coastal Change Management Area, and in what circumstances, taking into account the safeguards in policy F9 and local conditions;

    c. Safeguard land that is, or is likely to be, required for current or future coastal erosion risk management, including managed realignment; and

    d. Reduce risks by making provision for development and infrastructure which needs to be relocated away from Coastal Change Management Areas.

National decision-making policies

F4: **Assessing flood risk for decision-making**

1. To inform the assessment of flood risk and, where relevant, appropriate mitigation, a site-specific flood risk assessment should accompany all development proposals in Flood Zones 2, 3a, and 3b as defined in Annex F, table 1.

2. In Flood Zone 1, a site-specific flood risk assessment should inform and accompany all development proposals involving:

    a. Sites of 1 hectare or more;

    b. Land which has been identified by the Environment Agency as having critical drainage problems;

    c. Land identified in a strategic flood risk assessment or the Flood Map for Planning[65] as being at increased flood risk in future; or

    d. Land subject to a current risk of flooding from any source, where its development would introduce a more vulnerable use than the existing one.

3. Site-specific flood risk assessments should be appropriate to the scale, nature, and location of development and should, where relevant, support an assessment of whether a development proposal satisfies the sequential and exception tests set out in policies F5 and F6.

F5: **The sequential test**

1. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Where the test applies, development proposals should not be

[65] https://flood-map-for-planning.service.gov.uk/

located in areas at risk of flooding where alternative sites, appropriate for the development, are reasonably available in areas with a lower risk of flooding. The area to which the test is applied should not be greater than the anticipated catchment of the development in terms of its likely occupiers or users.

2. The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, other than for:

    a. Sites allocated in the development plan which were subject to the sequential test during plan preparation;

    b. Sites where a site-specific flood risk assessment demonstrates clearly that:

        i. no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk); or

        ii. where the site would be at risk of surface water flooding only, the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development without increasing flood risk elsewhere in accordance with policy F7.

    c. For the following types of development:

        i. householder development;

        ii. small non-residential extensions (with a footprint of less than 250m^2); and

        iii. changes of use, other than changes of use to a caravan, camping or chalet site, or to a mobile home or park home site.

3. The strategic flood risk assessment covering the area of the proposed development and the Flood Map for Planning should provide the evidential basis for applying the sequential test.

F6: **Development in areas at risk of flooding from rivers or the sea**

1. In areas falling within flood zones 2, 3a, or 3b (as defined in Annex F, table 1):

    a. Development proposals should be refused if the use is incompatible with the risk from river or sea flooding, as set out in Annex F, table 3; and

    b. In certain other circumstances shown in Annex F, table 3, in addition to satisfying the sequential test in policy F5 where applicable, development will only be appropriate where an ‘exception test’ is satisfied. The exception test involves demonstrating that the development would meet all the following criteria:

        i. provide wider sustainability benefits to the community that outweigh the flood risk; and

ii. be safe for its anticipated lifetime in accordance with policy F7; and

iii. not increase flood risk elsewhere and, where possible, reduce flood risk overall.

2. The application of the exception test should be informed by a site-specific flood risk assessment[66]. The exception test does not need to be applied:

   a. To those forms of development, or in those circumstances, where the sequential test is not required, as set out in policy F5; or

   b. Where development is proposed on a site allocated in the development plan to which the exception test was applied at the plan-making stage, unless there has been a significant increase in the risk of flooding to the site subsequently, or the nature of the development itself has changed significantly from that which was allocated so as to introduce a more vulnerable use (having regard to Annex F, table 2).

F7: **Ensuring development is safe from flooding**

1. Development proposals should not present a risk from flooding to potential occupiers, users, or visitors, and should not increase flood risk elsewhere.

2. Where development is proposed in a location known to be at risk from any form of flooding, now or in the future, it should be refused unless:

   a. Within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons which justify a different arrangement;

   b. The development will be safe throughout its lifetime taking account of the vulnerability of its users;

   c. Any residual risk can be safely managed, and safe access and escape routes are included where appropriate, as part of an agreed emergency plan;

   d. The development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment; and

   e. It can be demonstrated that flood risk will not be increased elsewhere.

F8: Sustainable drainage systems and watercourses

1. Development proposals which could affect drainage on or around the development site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, in ways which are proportionate to the nature and scale of the proposal. The systems employed should provide multifunctional benefits wherever possible, facilitating improvements in water quality, biodiversity and amenity.

2. Sustainable Drainage Systems should:

   a. Be designed in accordance with the National Standards for Sustainable Drainage

[66] For the purpose of policy F2, when the exception test is being applied at the plan-making stage, it should be informed instead by an up-to-date strategic flood risk assessment.

Systems[67];

b. Have maintenance arrangements in place to ensure an acceptable standard of operation for the anticipated lifetime of the development; and

c. In the case of proposals for major development, take account of advice from the Lead Local Flood Authority.

3. Development proposals should not enclose existing watercourses where this is not already the case, unless there are compelling reasons to do so; and should where possible remove existing culverts and re-naturalise existing river channels, unless to do so would increase flood risk or result in other environmental harm.

F9: **Development in Coastal Change Management Areas**

1. Development should not take place within a Coastal Change Management Area (or within areas shown as vulnerable to erosion on the national coastal erosion risk map, where these are not yet reflected in identified Coastal Change Management Areas) unless it can be demonstrated that it would:

   a. Be safe over its planned lifetime;

   b. Reflect the provisions of the relevant Shoreline Management Plan and not have an unacceptable impact on coastal change processes;

   c. Not have a detrimental impact on the character of the coast, including land designated for its landscape or habitat importance;

   d. Provide wider sustainability benefits which justify the development; and

   e. Not hinder the creation and maintenance of a continuous signed and managed route around the coast (as required by the Marine and Coastal Access Act 2009).

2. Where development proposals meet these requirements, time-limited permissions and site-restoration conditions should be used where appropriate. Permanent new residential development (including through changes of use) is inappropriate within a Coastal Change Management Area or other areas shown as vulnerable to erosion on the national coastal erosion risk map.

[67] National standards for sustainable drainage systems (SuDS) - GOV.UK.

19. Conserving and enhancing the natural environment

The objective of the policies in this chapter is to influence the design and location of new development to help drive nature's recovery and contribute to wider environmental outcomes, safeguarding our most important habitats, species and landscapes and recognising the centrality of natural capital to delivering sustainable growth.

Plan-making policies

N1: Identifying environmental opportunities and safeguards

1. Development plans should safeguard and enhance the natural environment, and reflect the wider benefits from natural capital and ecosystem services, by using Local Nature Recovery Strategies, Protected Landscape Management Plans, River Basin Management Plans, National Forest Strategies, Community Forest Plans and other relevant evidence at the most appropriate level to:

    a. Set out the hierarchy of international, national and locally designated sites and areas of importance for their landscape, geological (including soil) or biodiversity value in the plan area, and identify other features which require particular consideration in managing development due to their environmental value such as chalk streams;

    b. Identify opportunities for the conservation, enhancement and recovery of landscapes, sensitive waterbodies, habitats and species of principal importance, including through habitat restoration, the use of nature-based solutions, and the creation and strengthening of ecological networks that are more resilient to current and future pressures (including opportunities which exist at a catchment or landscape scale across plan boundaries);

    c. Steer the location of development, including through site allocations, in ways which utilise land of least environmental value where that would be consistent with other policies in this Framework. This should include limiting the scale and extent of development within protected landscapes, avoiding the use of higher quality agricultural land where land of poorer quality is available and avoiding and minimising harm to designated sites of importance for nature. Areas which could become of particular importance for nature identified in Local Nature Recovery Strategies should be taken into account as opportunities to integrate development with environmental restoration, but should not necessarily preclude the allocation of land for development; and

    d. Set out standards for green infrastructure provision, in a way which complements and/or incorporates those for recreational land (as set out in policy HC1)[68].

2. Development plans should only set local standards for biodiversity net gain which are in excess of the statutory net gain requirement where this is for specific site allocations, and is fully justified and deliverable. Any such requirements should not extend to categories of

[68] These should draw upon Natural England's Green Infrastructure Standards for England, tailored as necessary to local circumstances.

development which are exempt from statutory biodiversity net gain.

National decision-making policies

N2: **Improving the natural environment**

1. To contribute positively to the natural environment and support nature's recovery development proposals should:

   a. Consider the environmental qualities of land proposed for development, including habitats, landscape character and the natural beauty of the countryside, and identify opportunities for those qualities to be conserved or enhanced (including through requirements for biodiversity net gain where these apply[69]);

   b. Use areas of poorer quality agricultural land in preference to that of higher quality, where significant development of agricultural land is demonstrated to be necessary (taking into consideration land which is classified as best and most versatile agricultural land, and its grade);

   c. Take suitable opportunities to connect to and strengthen ecological networks that extend beyond the site, drawing on the measures proposed by Local Nature Recovery Strategies, National Forest Strategies and Community Forest Plans, where present, and other relevant assessments;

   d. Conserve and enhance existing natural features of visual, historic or nature conservation value (such as established trees and hedgerows) wherever possible; and use appropriate landscaping to help create a well-designed place and integrate the development into its surroundings;

   e. Use green infrastructure provided as part of the scheme and nature-based solutions to secure multiple benefits: such as for biodiversity; surface water and pollution management (including maintaining flow rates and water quality); climate change mitigation and adaptation, and recreation;

   f. Minimise impacts on biodiversity and include features for species which support priority or threatened species such as swifts, bats and hedgehogs. Development proposals should incorporate integrated nest boxes (commonly known as swift bricks) into their construction unless there are compelling technical reasons which prevent their use, or would make them ineffective; and

   g. Make sure that green infrastructure and other features to support nature are located and designed to minimise risk of future failure, and that appropriate measures are in place for any necessary long-term management.

2. If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then the development should be refused.

[69]Although development proposals may incorporate biodiversity enhancements which exceed the statutory objective for biodiversity net gain, this should only be a requirement where it is set out in up-to-date development plan policies for specific site allocations. Decision makers should not give weight to other development plan policies which require biodiversity gains which go beyond the statutory framework, including for development proposals which are exempt.

N3: **Trees in new development**

1. In recognition of the benefits which trees can provide for biodiversity, climate change mitigation and adaptation, and the character and quality of the built environment, development proposals should:

    a. Make new streets tree-lined (unless there are strong reasons why this would be inappropriate in specific streets), and incorporate trees in other suitable locations, such as in parks and through the provision of community orchards;

    b. Make sure that the selection of species and their placement is compatible with highways and other infrastructure requirements and the needs of different users of public spaces; and will be effective in helping to adapt to the effects of climate change and delivering other environmental benefits. Suitable arboricultural advice should be sought, and proposals discussed with highways and trees officers where necessary, so that the right trees are planted in the right places; and

    c. Make provision for the long-term maintenance of both existing and newly-planted trees which form part of the development.

N4: **Protected Landscapes**

1. Development proposals within Protected Landscapes should be limited in scale and extent and sensitively located and designed to avoid harm to their statutory purposes and special qualities. Substantial weight should be placed on the importance of conserving and enhancing the natural beauty of these areas, and to conserving and enhancing wildlife and cultural heritage in National Parks and the Broads.

2. Proposals for major development within protected landscapes should only be supported in exceptional circumstances[70] where it can be demonstrated that the development is in the public interest. To inform a decision about whether exceptional circumstances exist, consideration of such proposals should include an assessment of:

    a. The need for the development, including in terms of any national considerations such as maintaining a sufficient supply of minerals, and the impact of permitting it, or refusing it, upon the local economy;

    b. The cost of, and scope for, developing outside the designated area, or meeting the need for the development in some other way; and

    c. Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which it could be moderated.

3. Where, exceptionally, proposals for major development are approved within protected landscapes, steps should be taken to mitigate potential adverse impacts on their special qualities and statutory purposes[71], including on features such as tranquillity and dark skies.

[70] For the purpose of this policy and policy N5 only, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the statutory purposes for which the area has been designated or defined.
[71] Where significant harm cannot be mitigated, it may be appropriate to consider whether suitable compensation would be acceptable.

4. Development proposals within the setting of protected landscapes should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

N5: **Maintaining the character of the coast**

1. Development proposals should maintain the character of undeveloped areas of coast, while improving public access to it where appropriate.

2. Development proposals in areas defined as Heritage Coast (and that do not already fall within a protected landscape), should be consistent with the special character of the area and the importance of its conservation. Major development within a Heritage Coast should not be supported, unless it is compatible with its special character.

3. If located within a Coastal Change Management Area, development proposals should also be considered against policy F9.

N6: Areas of particular importance for biodiversity

1. To support the conservation of important habitats, development proposals affecting:

    a. A site of international importance, which for the purpose of this policy is a habitats site, should be refused unless:

        i. an appropriate assessment has concluded that the proposal will not adversely affect the integrity of the site (either individually or in combination with other developments), or that there are imperative reasons of overriding public importance; and/or

        ii. the impact of development on the relevant protected feature of the protected site is being addressed through an Environmental Delivery Plan which has been made and the developer has committed to paying the nature restoration levy.

    b. A site of national importance, which for the purpose of this policy is one designated as a Site of Special Scientific Interest, should only be supported if:

        i. there would be no adverse effect (either individually or in combination with other developments) on the features of special scientific interest of the SSSI; or

        ii. the benefits of the development in the location proposed clearly outweigh both the likely impact on the features of special scientific interest, and any broader impact on the national network of Sites of Special Scientific Interest; or

        iii. the impact of development on the relevant protected feature of the protected site is being addressed through an Environmental Delivery Plan which has been made and the developer has committed to paying the nature restoration levy.

    c. A site of local importance, which for the purpose of this policy is one designated as a Local Nature Reserve or identified as a local wildlife site, local geological site or equivalent in the development plan, should only be supported if:

i. there would not be a significant adverse effect on the integrity of the site; or

ii. the benefits of development in the location proposed clearly outweigh the likely impact on the features which make the site valuable for nature conservation.

2. Irrespective of a site's status in nature conservation terms, development proposals which would entail the loss or deterioration of irreplaceable habitats (such as ancient woodlands and ancient and veteran trees) should be refused, unless there are wholly exceptional reasons[72] and a suitable compensation strategy exists.

[72] For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitats.

20. Conserving and enhancing the historic environment

The objective of the policies in this chapter is to conserve and enhance the historic environment. Heritage assets are an irreplaceable resource, and range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations[73].

Plan-making policies

HE1: Planning for the historic environment

1. To support the conservation, enhancement and enjoyment of the historic environment, development plans should, at the most appropriate level:

    a. Identify the main heritage features within the plan area, including those heritage assets at most risk through neglect, decay or other threats, set out the key issues facing them and create a positive strategy for their conservation and enhancement, including where these assets can be used to support sustainable growth;

    b. Be informed by a proportionate heritage assessment and should consider the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;

    c. Take opportunities, for example through design codes and masterplans, to draw on the contribution which the historic environment can make to the character and quality of development;

    d. Be supported by a local list to identify non-designated heritage assets that are important to the local community.

HE2: Conservation Areas and World Heritage Sites

1. To conserve and enhance the significance of conservation areas and World Heritage Sites, development plans should:

    a. Identify opportunities for new development affecting these assets to enhance or better reveal their significance, alongside any measures needed to safeguard their importance and long term future; and reflect these in policies for site allocations and/or accompanying design guides, design codes or masterplans; and

    b. Include any locally-specific policies needed to preserve and enhance the significance and Outstanding Universal Value of World Heritage Sites and their settings (including any contribution made by their setting and any buffer zone). Those policies should

[73] The policies set out in this chapter also relate, as applicable, to the heritage-related consent regimes for which local planning authorities are responsible under the Planning (Listed Buildings and Conservation Areas) Act 1990.

encourage sustainable use and take into account relevant policies and objectives in World Heritage Site management plans.

2. Conservation areas should be reviewed periodically, and new or amended designations should be accompanied by an adopted appraisal and management plan. These documents should be aligned with the policies in the development plan. When considering a new or amended conservation area designation, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

HE3: Historic Environment Records

1. To support effective plan-making and decision making, local planning authorities should maintain or have access to a historic environment record. This should contain up-to-date evidence about the historic environment in their area and be used to:

    a. Assess the significance of heritage assets and the contribution they make to their environment and inform the preparation of local lists; and

    b. Predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.

2. Local planning authorities should make information about the historic environment, gathered as part of plan-making or development management activities, publicly accessible.

National decision-making policies

HE4: Securing the conservation and enhancement of heritage assets

1. Heritage assets, as an irreplaceable resource, should be conserved and enhanced in a manner appropriate to their significance. To achieve this, development proposals which would affect the significance of heritage assets, including any contribution made by their setting should:

    a. Maintain or secure a use consistent with their conservation, taking into account the importance of maintaining the assets, the positive contribution they can make to sustainable communities including local economies, and the positive contribution they can make to local character and distinctiveness;

    b. Avoid harm to the significance of heritage assets, and instead preserve and enhance this significance.

2. If harm to the significance of heritage assets cannot be minimised or avoided, there should be a clear and convincing justification in accordance with the policies in this chapter.

3. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the asset should not be taken into account in any decision relating to the asset.

4. Proposals for enabling development, which would otherwise conflict with other policies in this Framework but which would secure the future conservation of a heritage asset, should be considered on the basis of whether the conservation benefits outweigh the disbenefits of departing from the policies concerned.

HE5: Assessing effects on heritage assets

1. Development proposals affecting heritage assets should be accompanied by an assessment of the significance of the assets affected (including any contribution made by their setting) and of the potential effect of the proposal on their significance. The level of detail should be proportionate to the assets' importance and no more than is necessary to understand the potential effect of the proposal on their significance. The relevant historic environment record should be consulted as a minimum, and appropriate expertise employed where necessary.

2. Assessments of the potential effects of development proposals on heritage assets and their setting should identify whether proposals would be likely to:

    a. Have a positive effect, which is where a heritage asset would be enhanced, or its significance better revealed; or

    b. Have no effect on the significance of the asset; or

    c. Result in harm to the significance of the heritage asset, either from work affecting the asset itself or from development within its setting. The degree of harm should be identified: substantial harm would occur where the development proposal would seriously affect a key element of the asset's significance; or

    d. Cause the total loss of the significance of the heritage asset.

3. In making this assessment it is the effect on an asset's significance rather than the scale of the development which should be considered.

4. Decision makers should be satisfied that this assessment accurately reflects the effects on heritage assets caused by the proposals.

5. Where a development proposal involves, or has the potential to involve, heritage assets with archaeological interest, an appropriate desk-based assessment should be employed and, where necessary, a field evaluation.

HE6: Proposals affecting designated heritage assets

1. When considering the potential effect of a development proposal on a designated heritage asset, substantial weight[74] should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential effect amounts to a positive effect, harm, substantial harm, or total loss of its significance.

2. Development proposals which would have a positive effect on designated heritage assets should be approved.

[74] The use of "substantial weight" here is to be applied in line with statutory tests so as to discharge the duties which require considerable importance and weight to be given to harm to the relevant designated assets.

3. Where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal. Important public benefits can include securing the long-term re-use of a vacant or underused listed building, and enabling energy efficiency and low carbon heating measures to be employed.

4. Where a development proposal would cause substantial harm to, or the total loss of, the significance of a designated heritage asset, consent should be refused unless it can be demonstrated that the development is necessary to achieve substantial public benefits that outweigh the harm or loss, or if all of the following apply:

    a. The nature of the heritage asset would otherwise prevent all reasonable uses of the site; and

    b. No suitable use for the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and

    c. Conservation by grant-funding or some form of not for profit, charitable or public ownership is not possible; and

    d. The harm or loss is outweighed by the benefit of bringing the asset back into use.

5. Within this context, development which would cause substantial harm to, or the total loss of, the significance of grade II listed buildings, or grade II registered parks or gardens, should be exceptional; while development which would cause substantial harm to, or the total loss of, assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional[75].

HE7: Decisions on non-designated heritage assets

1. Development proposals which would have a positive effect on non-designated heritage assets should be approved.

2. Where a development proposal would cause harm to, or the total loss of, the significance of a non-designated heritage asset, it should only be supported where the harm or loss is outweighed by the benefits of the proposal, having regard to the scale of the harm or loss and the significance of the non-designated heritage asset.

HE8: World Heritage Sites

1. To secure the long-term future of World Heritage Sites[76] and support the preservation and enhancement of their significance and Outstanding Universal Value, development

[75] Monuments that the Secretary of State for Culture, Media and Sport has identified as being of national importance but has decided not to designate as a Scheduled Monument (or as a different type of designated heritage asset) should be considered subject to the policies for designated heritage assets. Monuments that have yet to be assessed by the Secretary of State for Culture, Media and Sport through the scheduling process, but which a decision maker considers to potentially be of national importance, should be considered subject to the policies for designated heritage assets.

[76] Any development affecting World Heritage Sites should be assessed against this policy. It should be noted that some World Heritage Sites are inscribed by UNESCO to be of natural significance rather than cultural significance; and in some cases they are inscribed for both their natural and cultural significance.

proposals that affect a World Heritage Site should:

a. Be designed in a way which pays particular regard to the significance and attributes of the Outstanding Universal Value of the World Heritage Site (including any contribution made by its setting and any buffer zone);

b. Take into consideration any relevant implications of the World Heritage Site management plan; and

c. Be supported by an assessment of the impact, including any potential cumulative impact, on the significance and Outstanding Universal Value of the World Heritage Site. This should include appropriate information such as visual impact assessments and natural environment, archaeological or historical data.

2. Not all elements of a World Heritage Site will necessarily contribute to its significance or Outstanding Universal Value. Where a development proposal would result in the loss of a building or other element which contributes to the significance or Outstanding Universal Value of a World Heritage Site, the assessment of impact should take into account the relative significance and Outstanding Universal Value of the element affected and its contribution to the significance of the World Heritage Site as a whole, and the effects of this considered in accordance with policies HE5 and HE6.

3. Proposals that preserve those elements of the setting of a World Heritage Site that make a positive contribution to it (or which better reveal its significance) should be approved.

HE9: Conservation areas

1. Development proposals within or affecting the significance of conservation areas should:

   a. Retain and restore buildings and other features which make a positive contribution to the character or appearance of a conservation area wherever possible; and

   b. Consider the area's special architectural or historic interest (as identified as part of the designation of the conservation area) in the design of development.

2. Not all elements of a conservation area will necessarily contribute to its significance. Where a development proposal would result in the loss of a building or other element which contributes to the character or appearance of a conservation area that is desirable to preserve or enhance, the assessment of impact should take into account the relative significance of the element affected and its contribution to the significance of the conservation area as a whole, and the effects of this considered in accordance with policies HE5 and HE6.

3. Proposals that preserve those elements of a conservation area that make a positive contribution to it (or which better reveal its significance) should be approved.

HE10: Archaeological assets

1. Where a development proposal has the reasonable potential, based on evidence, to affect an archaeological heritage asset, discovered or undiscovered, an appropriate investigation of the asset's significance and the potential effect on this should be undertaken to identify the design of the development proposal, mitigation and

implementation of the development.

2. Archaeological assets should be preserved in situ wherever feasible. Where the archaeological asset cannot be preserved or managed on-site, appropriate provision should be made for the investigation, understanding, recording, dissemination and archiving of that asset, and should be undertaken by suitably-qualified individuals or organisations.

HE11: Loss or removal of heritage assets

1. Where a development proposal would result in the loss of the whole or part of a heritage asset (whether designated or not):

    a. The development should not be approved without all reasonable steps being taken to make sure that the new development will proceed after the loss has occurred, including through the use of planning conditions and planning obligations to secure the development against the loss of the asset;

    b. The applicant should record and advance understanding of the significance of the asset to be lost in a manner proportionate to its importance and the potential impact upon it; and should make this evidence (and any archive generated) publicly accessible by being deposited in the relevant Historic Environment Record, and any archives with a local museum or other public depository. The ability to record evidence of our past should not be a decisive factor in deciding whether such loss should be approved.

2. Development proposals to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), should retain the feature in situ wherever possible (and, where appropriate, be supported by an explanation of their historic and social context).

Annex A: Implementation

For the purposes of decision-making

1. The policies in this Framework are material considerations which must be taken into account in decision-making from the day of its publication.

2. Development plan policies which are in any way inconsistent with the national decision-making policies in this Framework should be given very limited weight, except where they have been examined and adopted against this Framework. Other development plan policies[77] should not be given reduced weight simply because they were adopted prior to the publication of this Framework.

3. Where a local planning authority can demonstrate a five year supply of deliverable housing sites (with the appropriate buffer) and where the Housing Delivery Test indicates that the delivery of housing is more than 75% of the housing requirement over the previous three years, for the purposes of policy S5(1)(j), if the most up to date local housing need figure (calculated using the standard method set out in Annex D) is greater than the housing requirement set out in adopted development plan policies, this should not be considered as evidence of unmet need, for a period of five years from the date of the plan's adoption.

For the purposes of plan-making

4. Any local plans minerals and waste plans and supplementary plans being prepared under the [*title to be added of new plan-making regulations once made under Part 2 of the Planning and Compulsory Purchase Act 2004, to be amended by the Levelling-up and Regeneration Act 2023*] should be produced in accordance with this Framework.

5. Spatial development strategies should be produced in accordance with this Framework.

6. Neighbourhood plans that have been submitted to the local planning authority under Regulation 15[78], on or before, the date of publication should be prepared in accordance with the Framework published in December 2024. Any neighbourhood plans that have not been submitted must comply with this Framework. For neighbourhood plans that have already been submitted, the qualifying body may choose to withdraw the plan and update it to take account of this Framework.

7. For all plans that should be produced in accordance with this Framework this means the policies in this version of the Framework will apply from [insert date of final publication].

8. Any other plans being prepared should be produced in accordance with the version of this Framework published in December 2024, unless any of the transitional arrangements in Annex 1 to that Framework apply (in which case those transitional arrangements continue to apply).

[77] Including policies in made neighbourhood plans.
[78] Neighbourhood Planning (General) Regulations 2012.

Planning freedoms

9. The government will continue to explore with individual areas the potential for planning freedoms and flexibilities, for instance where this would facilitate an increase in the amount of housing that can be delivered.

Written Ministerial Statements and other planning policy documents superseded by this Framework

10. The content of the following Written Ministerial Statements and other documents, where it relates to planning policies or decisions, has either been fully or partially incorporated with the National Planning Policy Framework or no longer represents up-to-date government policy:

- Large-scale housing site delivery (13 February 2025)
- Planning policy for traveller sites (12 December 2024)
- Solar and protecting our Food Security and Best and Most Versatile (BMV) Land (15 May 2024)
- The Next Stage in Our Long-Term Plan for Housing Update (19 December 2023)
- Planning - Local Energy Efficiency Standards Update (13 December 2023)
- Updated policy on planning for onshore wind development (5 September 2023)
- An update on Levelling Up - Onshore Wind Development in England (6 December 2022)
- Housing Update (15 December 2021)
- Affordable Homes Update (24 May 2021)
- Planning Update - Written Statement (1 October 2019)
- Planning Independent Report on Build Out Rates and Permitted (13 March 2019)
- Government’s new planning rulebook to deliver more quality, well-designed homes (24 July 2018)
- Extending Buildings Upwards to Create New Homes (5 February 2018)
- Neighbourhood Plans - Written Statement (12 December 2016)
- Green Belt Protection and Intentional Unauthorised Development (17 December 2015)
- Shale gas and oil policy (16 September 2015)

- Giving local people the final say over onshore wind farms (18 June 2015)
- Community Pubs (26 January 2015)
- Sustainable Drainage Systems (18 December 2014)
- Small-Scale Developers (1 December 2014)
- Improving planning (3 September 2013)
- Local Planning and Onshore Wind (1 June 2013)
- Garden Development (9 June 2010)
- Planning - Development on Garden Land (19 January 2010)
- Draft National Policy Statements (9 November 2009)
- Eco-towns and zero-carbon homes (16 July 2009)

Annex B: Glossary

Affordable housing: Housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers or national military housing needs); and which complies with one or more of the following definitions[79]:

a. **Social Rent:** meets all of the following conditions: (a) the rent is set in accordance with the government's rent policy for Social Rent; (b) the landlord is a registered provider; and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision.

b. **Other affordable housing for rent:** meets all of the following conditions: (a) the rent is set in accordance with the government's rent policy for Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

c. **Discounted market sales housing**: is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.

d. **Other affordable routes to home ownership:** is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to government or the relevant authority specified in the funding agreement.

e. **Military affordable housing**: meets all of the following conditions: (a) the rent is sub-market military rent as determined by the Ministry of Defence; and (b) it includes provisions to remain as affordable housing for future eligible households, service personnel and veteran households (including widowed partners and spouses of service personnel), or for the subsidy to be recycled for alternative affordable housing provision.

[79] This definition should be read in conjunction with relevant policy contained in the Affordable Homes Update Written Ministerial Statement published on 24 May 2021. The 25% minimum delivery requirement for First Homes and the First Homes exception sites policy no longer apply.

Air quality management areas: Areas designated by local authorities because they are not likely to achieve national air quality objectives by the relevant deadlines.

Ancient or veteran tree: A tree which, because of its age, size or condition, is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient, but are old relative to other trees of the same species. Very few trees of any species reach the ancient life-stage.

Ancient woodland: An area that has been wooded continuously since at least 1600 AD. It includes ancient semi-natural woodland (ASNW), plantations on ancient woodland sites (PAWS), ancient wood pasture and parkland (AWPP) and infilled ancient wood pasture and parkland (IAWPP).

Archaeological interest: There will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.

Article 4 direction: A direction made under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 which withdraws permitted development rights granted by that Order.

Aviation airfields: Licensed or unlicensed aerodromes with hard or grass runways, often with extensive areas of open land related to aviation activity.

Best and most versatile agricultural land: Land in grades 1, 2 and 3a of the Agricultural Land Classification (ALC). ALC is graded from 1-5 and based on yield, range and versatility of use, and need for input.

Brownfield land: See Previously developed land.

Brownfield land registers: Registers of previously developed land that local planning authorities consider to be appropriate for residential development, having regard to criteria in the Town and Country Planning (Brownfield Land Registers) Regulations 2017. Local planning authorities will be able to trigger a grant of permission in principle for residential development on suitable sites in their registers where they follow the required procedures.

Build to Rent: Purpose built housing that is typically 100% rented out. It can form part of a wider multi-tenure development comprising either flats or houses, but should be on the same site and/or contiguous with the main development. Schemes will usually offer longer tenancy agreements of three years or more, and will typically be professionally managed stock in single ownership and management control.

Climate change adaptation: Adjustments made to natural or human systems in response to the actual or anticipated impacts of climate change, to mitigate harm or exploit beneficial opportunities.

Climate change mitigation: Action to reduce the impact of human activity on the climate system, primarily through reducing greenhouse gas emissions.

Coastal Change Management Area: An area identified in plans as likely to be affected by physical changes to the coast, estuaries or tidal rivers, over the next century, through erosion, coastal landslip, permanent inundation or coastal accretion.

Community-based specialist accommodation: Includes, but is not limited to, supervised, non-custodial housing for criminal justice purposes that provide structured support for individuals charged with or convicted of an offence, transitioning from custody, or serving community-based sentences.

Community facilities: Meeting places, public houses, places of worship, cultural venues, allotments and facilities for play, sport and informal recreation.

Community-led development: A development taken forward by, or with, a not-for-profit organisation, that is primarily for the purpose of meeting the needs of its members or the wider local community, rather than being a primarily commercial enterprise. The organisation should be created, managed and democratically controlled by its members, and membership of the organisation should be open to all beneficiaries and prospective beneficiaries of that organisation. It may take any one of various legal forms including a co-operative society, community benefit society and company limited by guarantee. The organisation should own, manage or steward the development in a manner consistent with its purpose, potentially through a mutually supported arrangement with a Registered Provider of Social Housing. The benefits of the development to the community should be clearly defined and consideration given to how those benefits can be protected over time, including in the event of the organisation being wound up.

Community Right to Build Order: An Order made by the local planning authority (under the Town and Country Planning Act 1990) that grants planning permission for a site-specific development proposal or classes of development.

Competent person (to prepare site investigation information): A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.

Connectivity: The degree to which a location provides access to jobs, services, and facilities by sustainable transport modes. The Connectivity Tool (Connectivity Tool - GOV.UK) provides a means of assessing this.

Conservation (for heritage policy): The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.

Contamination: Where the actual or suspected presence of substances in, on or under the land may cause risks to people, property, human activities or the environment, regardless of whether or not the land meets the statutory definition of Contaminated Land in Part IIA.

Critical and growth minerals: Critical minerals are materials with the greatest economic importance and highest risk of supply disruption. This includes bismuth, borates, indium, iron, magnesite, magnesium, niobium, phosphorous, sodium compounds, tellurium, vanadium and zinc. Growth minerals are those which are of greatest importance to the Industrial Strategy's growth sectors. This includes beryllium, chromium, copper, uranium and graphite (natural and synthetic). The following minerals are identified as both critical and growth minerals in the Critical Minerals Strategy[80]: aluminium, antimony, cobalt, gallium, germanium graphite (natural), hafnium, helium, manganese, nickel, Platinum Group Metals (PGMs) (which include iridium, platinum, rhodium and ruthenium), Rare Earth Elements (REEs), rhenium,

[80] Vision 2035: Critical Minerals Strategy - GOV.UK

silicon, tantalum, tin, titanium, tungsten and lithium.
Decentralised energy: Local renewable and local low carbon energy sources.

Deliverable: To be considered deliverable, sites for housing or other pitches and plots should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that homes will be delivered on the site within five years. In particular:

a. sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

b. where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that homes will be delivered on site within five years.

Design code: A set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site, or area. The graphic and written components of the code should build upon a design vision, such as a masterplan or other design and development framework for a site or area.

Design guide: A document providing guidance on how development can be carried out in accordance with good design practice, often produced by a local authority.

Designated heritage asset: A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation. Monuments that the decision-maker has recognised as being of national importance but have not yet been designated as a Scheduled Monument (or as a different type of designated heritage asset) should be considered subject to the policies for designated heritage assets.

Designated rural areas: National Parks, National Landscapes, areas designated as rural under Section 157 of the Housing Act 1985, and other areas with a population of 3,000 or less and a population density of two persons or less per hectare.

Developable: To be considered developable, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged.

Development plan: Is defined in section 38 of the Planning and Compulsory Purchase Act 2004, and includes adopted spatial development strategies, adopted local plans, adopted minerals and waste plans, adopted supplementary plans, neighbourhood plans that have been made and published and the policies maps for the area neighbourhood plans that have been approved at referendum are also part of the development plan, unless the local planning authority decides that the neighbourhood plan should not be made.

Early years: The provision of childcare (including education) for a young child, meaning a child from birth to the September after the child turns 5.

Ecosystem services: Functions of the natural environment, that directly or indirectly provide benefits for people.

Edge of centre: For main town centre uses, a location within a settlement that is well connected to and within 300 metres of a town centre boundary. For office development, this includes locations outside the town centre but within 500 metres of a public transport interchange. In determining whether a site falls within the definition of edge of centre, account should be taken of local circumstances.

Electricity network infrastructure: Infrastructure that facilitates the transmission of electricity from generation sources to end users, including transmission, distribution, and interconnection. This infrastructure is essential for the operation and expansion of the electricity network and includes components such as substations, converter stations, interconnectors, and cables.

Environmental impact assessment: A procedure to be followed for certain types of project to ensure that decisions are made in full knowledge of any likely significant effects on the environment.

Essential local workers: Public sector employees who provide frontline services in areas including health, education and community safety – such as NHS staff, teachers, police, firefighters and military personnel, social care and childcare workers.

Geodiversity: The range of rocks, minerals, fossils, soils and landforms.

Green infrastructure: A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity. It includes parks and gardens, green spaces, green corridors such as rivers and canals, sustainable drainage systems, features for species, street trees and community orchards.

Grey belt: For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in policy GB2.

Gypsies and travellers: Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily or permanently, and all other persons with a cultural tradition of nomadism or of living in a caravan, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

Habitats and Species of Principal Importance: List of habitats and species published by the Secretary of State under s. 41 of the Natural Environment and Rural Communities Act 2006.

Habitats site: Any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 and also including candidate Special Areas of Conservation or Special Protection Areas, listed or proposed Ramsar sites,

relevant Marine Sites, and compensatory habitats which relate to the sites listed above [81].

Heritage asset: A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes but is not limited to designated heritage assets and assets identified by the local planning authority (including local listing).

Heritage coast: Areas of undeveloped coastline which are managed to conserve their natural beauty and, where appropriate, to improve accessibility for visitors.

Historic environment: All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.

Historic environment record: Information services that seek to provide access to comprehensive and dynamic resources relating to the historic environment of a defined geographic area for public benefit and use.

Housing Delivery Test: Measures net homes delivered in a local authority area against the homes required, using national statistics and local authority data. The Secretary of State will publish the Housing Delivery Test results for each local authority in England annually.

International, national and locally designated sites of importance for biodiversity: All international sites (Special Areas of Conservation, Special Protection Areas, and Ramsar sites), national sites (Sites of Special Scientific Interest) and locally designated sites including Local Wildlife Sites.

Irreplaceable habitat: Irreplaceable habitats are habitats with characteristic ecological features and processes which cannot successfully be created, or would take a very long time to establish and function normally. Irreplaceable habitats are difficult to recreate due to their rarity (being endangered or vulnerable to ecosystem collapse), environmental context, or because they have been established for a very long time (time thresholds may vary). They generally support important and/or rare species populations or assemblages. They include ancient woodland, ancient and veteran trees, blanket bog, limestone pavement, sand dunes, salt marsh and lowland fen.

Large-scale shared living accommodation: Non-self-contained accommodation which provides private rooms alongside shared communal spaces and facilities. This type of accommodation does not constitute self-contained dwellings (use class C3), HMOs, student accommodation, hotels, or other residential institutions. Tenancies should be for a minimum of 3 months.

Local Development Order: An Order made by a local planning authority (under the Town and Country Planning Act 1990) that grants planning permission for a specific development proposal or classes of development.

Local Enterprise Partnership: A body, designated by the Secretary of State for Housing, Communities and Local Government, established for the purpose of creating or improving the conditions for economic growth in an area.

[81] Potential Special Protection Areas, possible Special Areas of Conservation and proposed Ramsar sites are sites on which the Government has initiated public consultation on the scientific case for designation as a Special Protection Area, candidate Special Area of Conservation or Ramsar Site.

Local housing need: The number of homes identified as being needed through the application of the standard method set out in Annex D.

Local Nature Partnership: A body, designated by the Secretary of State for Environment, Food and Rural Affairs, established for the purpose of protecting and improving the natural environment in an area and the benefits derived from it.

Local Nature Recovery Strategies: A system of spatial strategies for nature and environmental improvement required by law under s.104 of the Environment Act 2021.

Local Nature Reserves: A site managed as a nature reserve under s.21 of the National Parks and Access to the Countryside Act 1949 by principal local authorities.

Local plan: A plan for the future development of a local area, drawn up by the local planning authority in consultation with the community.

Local planning authority: The public authority whose duty it is to carry out specific planning functions for a particular area. All references to local planning authority include the district council, London borough council, county council, Broads Authority, National Park Authority, the Mayor of London and a development corporation, to the extent appropriate to their responsibilities.

Local Wildlife Sites: A term used to describe non-statutory areas identified by local authorities in the development plan for their biodiversity value. There are a number of different terms in use locally to describe these sites, including Sites of Importance for Nature Conservation (SINCs) and Sites of Nature Conservation Importance (SNCIs) and County Wildlife Sites (CWS).

Main town centre uses: Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); banks; professional services; offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

Major development[82]: For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m^2 or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Major hazard sites, installations and pipelines: Sites and infrastructure, including licensed explosive sites and nuclear installations, around which Health and Safety Executive (and Office for Nuclear Regulation) consultation distances to mitigate the consequences to public safety of major accidents may apply.

Mansard roof: A type of roof that is characterised by two slopes, the lower steep and the upper shallow. It is generally regarded as a suitable type of roof extension for buildings which are part of a terrace of at least three buildings and at least two stories tall, with a parapet

[82] Other than for the specific purposes in policy N4.

running the entire length of the front façade (reference: Create Streets, 2021, *Living Tradition*).

Masterplan: A masterplan is a flexible, placemaking tool, providing a three-dimensional spatial framework and long-term vision for the development or regeneration of area specific or site specific locations.

Mayoral Development Orders: An Order made by a mayor (under the Town and Country Planning Act 1990) that grants planning permission for a specific development proposal.

Medium development: For housing, development where 10-49 homes (inclusive) will be provided, and the site has an area of up to 2.5 hectares.

Mineral Consultation Area: A geographical area based on a Mineral Safeguarding Area, where the district or borough council should consult the Mineral Planning Authority for any proposals for non-minerals development.

Minerals and waste plans: A plan containing policies on mineral and waste development, drawn up by the minerals and waste planning authority in consultation with the community. Minerals and waste matters can be dealt with in separate plans or combined with local plans where an authority is responsible for all these matters.

Minerals of national and local importance: Critical and growth minerals (as defined in this glossary) and other minerals which are necessary to meet society's needs, including aggregates, brickclay (especially Etruria Marl and fireclay), silica sand (including high grade silica sands), coal derived fly ash in single use deposits, cement raw materials, gypsum, salt, fluorspar, oil and gas (including conventional and unconventional hydrocarbons), kaolin, ball clay, potash, polyhalite and local minerals of importance to heritage assets and local distinctiveness.

Mineral Safeguarding Area: An area designated by minerals planning authorities which covers known deposits of minerals which are desired to be kept safeguarded from unnecessary sterilisation by non-mineral development.

National Landscapes: Areas legally designated as areas of outstanding natural beauty under the National Parks and Access to the Countryside Act 1949 and Countryside and Rights of Way Act 2000.

National trails: Long distance routes for walking, cycling and horse riding.

Natural capital: Stock of natural assets which provide benefits to people in the form of tangible things which are typically marketed (such as timber, fish stocks, minerals) and less tangible services (such as air purification, recreational settings and flood prevention).

Natural Flood Management: Managing flood and coastal erosion risk by protecting, restoring and emulating the natural 'regulating' function of catchments, rivers, floodplains and coasts.

Nature based solutions: Actions which use natural processes to protect, sustainably manage, and restore natural and modified ecosystems that address societal challenges, benefiting both people and nature, such as the creation of woodlands or wetlands.

Neighbourhood Development Order: An Order made by a local planning authority (under the Town and Country Planning Act 1990) through which parish councils and neighbourhood forums can grant planning permission for a specific development proposal or classes of development.

Neighbourhood plan: A plan prepared by a parish council or neighbourhood forum for a designated neighbourhood area. In law this is described as a neighbourhood development plan in the Planning and Compulsory Purchase Act 2004.

Net developable area: For the purposes of policy L3, net developable area is the part of a site that can be developed for housing and directly associated uses, including access roads within the site, private garden space, car parking areas, incidental open space and children's play areas, where these are provided.

Older people: People over or approaching retirement age, including the active, newly-retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs.

Open space: All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.

Out of centre: A location which is not in or on the edge of a centre but not necessarily outside the settlement.

Out of town: A location out of centre that is outside the existing settlement.

Outstanding universal value: Cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations. An individual Statement of Outstanding Universal Value is agreed and adopted by the UNESCO World Heritage Committee for each World Heritage Site.

Disabled people: People have a disability if they have a physical or mental impairment, and that impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. These persons include, but are not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs.

Permission in principle: A form of planning consent which establishes that a site is suitable for a specified amount of housing-led development in principle. Following a grant of permission in principle, the site must receive a grant of technical details consent before development can proceed.

Pitches and Plots: For the purposes of this planning policy, "pitch" means a pitch on a "gypsy and traveller" site and "plot" means a pitch on a "travelling showpeople" site (often called a "yard"). This terminology differentiates between residential pitches for "gypsies and travellers" and mixed-use plots for "travelling showpeople", which may / will need to incorporate space or to be split to allow for the storage of equipment.

Planning condition: A condition imposed on a grant of planning permission (in accordance with the Town and Country Planning Act 1990) or a condition included in a Local Development Order or Neighbourhood Development Order.

Planning obligation: A legal agreement entered into under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal.

Playing field: The whole of a site which encompasses at least one playing pitch as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Policies Map: A map prepared and maintained by a local planning authority, illustrating policies across all parts of the development plan.

Post-16: Young people who are over compulsory school age but under 19, or aged 19 or over and for whom an Education, Health and Care (EHC) plan is maintained.

Previously developed land: Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

Primary shopping area: Defined area where retail development is concentrated.

Protected landscapes: Refers to National Parks, the Norfolk and Suffolk Broads and National Landscapes in England.

Public service infrastructure: Education and healthcare facilities of all types, and facilities for blue light, social care, library and criminal justice uses.

Ramsar sites: Wetlands of international importance, designated under the 1971 Ramsar Convention.

Reasonable future scenarios: A range of realistic transport scenarios tested in agreement with the local planning authority and other relevant bodies (including statutory consultees where appropriate), to assess potential impacts and determine the optimum transport infrastructure required to mitigate any adverse impacts, promote sustainable modes of travel and realise the vision for the site.

Recycled aggregates: Aggregates resulting from the processing of inorganic materials previously used in construction, e.g. construction and demolition waste.

Renewable and low carbon energy: Includes energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – including from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass and deep geothermal heat. Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels). This includes, but is not limited to, nuclear power and supporting infrastructure,

as well as low carbon fuels such as biomethane, hydrogen and heat from recoverable sources, such as heat recovered from data centres, as well as the storage of renewable and low carbon energy, such as Battery Energy Storage Systems (BESS).

Rural exception sites: Small sites used for affordable housing and affordable traveller sites in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.

Safeguarding zone: An area defined in Circular 01/03: *Safeguarding aerodromes, technical sites and military explosives storage areas*, to which specific safeguarding provisions apply.

Secondary aggregates: Aggregates from industrial wastes such as glass (cullet), incinerator bottom ash, coal derived fly ash, railway ballast, fine ceramic waste (pitcher), and scrap tyres; and industrial and minerals by-products, notably waste from china clay, coal and slate extraction and spent foundry sand. These can also include hydraulically bound materials.

Sectoral spatial plans: National or regional plans that focus on the spatial development of specific types of infrastructure.

Self-build and custom-build housing: Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing. A legal definition, for the purpose of applying the Self-build and Custom Housebuilding Act 2015 (as amended), is contained in section 1(A1) and (A2) of that Act.

Setting of a heritage asset: The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

Settlement: Includes cities, towns, villages and other predominantly built-up areas, including land which is allocated or has permission for development which will form part of the built-up area once the development is complete. This includes areas defined as a settlement in the development plan (whether using defined settlement boundaries or equivalent terms, or criteria for identifying settlement extents). Settlements do not include hamlets and scattered groups of houses located outside predominantly built-up areas, unless specifically defined as a settlement in the development plan.

Significance (for heritage policy): The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance.

Significant observed adverse effect level: This is the level of noise exposure above which significant adverse effects on health and quality of life occur.

Spatial development strategy: A plan containing policies on the development and use of land on matters of strategic importance to the area prepared by strategic planning authorities

and the Mayor of London.

Special Areas of Conservation: Designated areas which have been given special protection as important conservation sites (in England, these sites are designated under the Conservation of Habitats and Species Regulations 2017).

Special Protection Areas: Areas classified for being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds (in England, these sites are classified under the Conservation of Habitats and Species Regulations 2017).

Site investigation information: Includes a risk assessment of land potentially affected by contamination, or ground stability and slope stability reports, as appropriate. All investigations of land potentially affected by contamination should be carried out in accordance with established procedures (such as BS10175 Investigation of Potentially Contaminated Sites – Code of Practice).

Site of Special Scientific Interest: Sites notified for their flora, fauna or geological, physiographical or geomorphological features (in England, these sites are notified under s. 28 of the Wildlife and Countryside Act 1981).

Strategic environmental assessment: A procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.

Supplementary plans: A type of plan that relevant plan making authorities can choose to prepare to set locally-specific design standards or shape and direct site-specific development. They must undergo consultation and independent examination.

Sustainable Drainage System: A sustainable drainage system controls surface water run off close to where it falls, combining a mixture of built and nature-based techniques to mimic natural drainage as closely as possible, and accounting for the predicted impacts of climate change. The type of system that would be appropriate will vary from small scale interventions such as permeable paving and soakaways that can be used in very small developments to larger integrated schemes in major developments.

Sustainable transport modes: Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, ultra low and zero emission vehicles, car sharing and public transport.

Technical sites: Any area within which is sited or is proposed to be sited equipment for the provision of air traffic services, as specified in the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002.

Town centre: Area defined in the local authority's policies map in the development plan including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area. References to town centres or centres apply to city centres, town centres, district centres and local centres as defined in the development plan but exclude small parades of shops of purely neighbourhood significance. Unless they are identified as centres in the development plan, existing out-of-centre developments, comprising or, including main town centre uses, do not constitute town

centres.

Transport assessment: A comprehensive and systematic process that considers and sets out transport issues relating to a proposed development, in the context of the vision for the scheme. It identifies measures required to support alternatives to the car such as walking, wheeling, cycling and public transport, and to promote accessibility and safety, together with measures that will be needed to deal with the anticipated transport impacts of the development.

Transport statement: A simplified version of a transport assessment where it is agreed the transport issues arising from development proposals are limited and a full transport assessment is not required.

Travel plan: A long-term management strategy for an organisation or site that details how agreed sustainable transport objectives are to be delivered, and which is monitored and regularly reviewed.

Travellers: Gypsies and travellers, and Travelling Showpeople.

Travelling showpeople: Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily or permanently, but excludes Gypsies and Travellers as defined above.

Vision-led approach: An approach to transport planning based on setting outcomes for a development based on ,achieving well-designed, sustainable, inclusive and popular places, and providing the transport solutions to deliver those outcomes as opposed to predicting future demand to provide capacity (often referred to as 'predict and provide').

Wheeling: The use of wheelchairs, mobility scooters, prams, pushchairs, and similar mobility aids as a means of travel.

Windfall sites: Sites not specifically identified in the development plan.

Annex C: Information requirements

Policy theme	National decision-making policy	Information requirement
General decision making	DM1: Preparing development proposals	Planning statement setting out: • How the development proposals are consistent with the relevant development plan and national decision-making policies • The outcome of any pre-application engagement and the extent to which proposal have changed; and • The proposed use of any planning obligations to make the proposals acceptable in planning terms.
Development Viability	DM5: Development Viability	In the limited circumstances in which a viability assessment to inform decision-making is justified, as set out in policy DM5, a viability assessment reflecting the recommended approach in planning practice guidance.
Town Centres	TC4: Assessing the Impact of development on town centres	Town centre impact assessment.
Telecommunications	CO2: Supporting information for telecommunications proposals	Pre-submission consultation information. Information on the outcome of pre-submission consultations (in particular with the relevant body).
Telecommunications	CO2: Supporting information for telecommunications proposals	Evidence that the applicant has sought to keep the number of radio and electronic communications masts and the sites for such installations to a minimum in accordance with policy CO1.
Telecommunications	CO2: Telecommunications information for telecommunications proposals	ICNIRP statement. Statement that self-certifies that the cumulative exposure, when operational, will not exceed International Commission guidelines on non-ionising radiation protection (ICNIRP).
Renewable and low-carbon energy generation and electricity network infrastructure	W3: Renewable and low carbon energy development and electricity network infrastructure	Proposals for decommissioning and site restoration, including details of how these measures are expected to be implemented.
Transport	TR6: Assessing transport impacts	Transport Statement or Transport Assessment (depending on the extent and significance of the transport issues involved).
Transport	TR6: Assessing transport	Travel Plan

Policy theme	National decision-making policy	Information requirement
	impacts	
Sports, Open Space and Recreation Facilities	HC7: Development affecting existing recreation facilities	Sports, Open Space, and Recreation Facilities Assessment showing open space, buildings or land being surplus to requirements.
Ground Conditions	P2: Ground Conditions	Site Investigation information, prepared by a competent person.
Flood Risk	F4: Assessing flood risk for decision-making	Site-specific flood risk assessment appropriate to the scale, nature, and location of development.
Sustainable Drainage Systems (SuDS)	F8: Sustainable drainage systems and watercourses	Statement outlining how the national SuDS standards have been achieved, as required by policy F8. Applies to development proposals which could affect drainage on or around the development site.
Heritage	HE5: Assessing effects on heritage assets	Heritage impact assessment. Assessment of the significance of the asset(s) affected (including any contribution made by their setting) and of the potential effect(s) of the proposal(s) on their significance.

Annex D: Housing calculations and supply

1. This Annex sets out how housing need should be calculated using the standard method, how land supply should be assessed, and the Housing Delivery Test applied. It also sets out how a five year supply of traveller sites should be established. It should be read alongside Chapter 4 (Achieving Sustainable Development) and Chapter 6 (Delivering A Sufficient Supply of Homes), and the Housing Delivery Test Rule Book.

The standard method

2. The standard method calculates a minimum annual local housing need figure as follows:

Step 1 - Setting the baseline – 0.8% of existing housing stock for the area

3. Set the baseline using the value of existing housing stock for the area of the local authority as set out in the data on Dwelling Stock Estimates data[83], published annually. The baseline is 0.8% of the existing housing stock for the area, and the most recent data published at the time of the calculation should be used.

Step 2 - An adjustment to take account of affordability

4. The housing stock baseline figure (as calculated in step 1) is then adjusted based on the affordability of the area.

5. The affordability data used is the median workplace-based affordability ratios, published annually by the Office for National Statistics at a local authority level. The mean average affordability over the five most recent years for which data is available should be used.

6. No adjustment is applied where the ratio is 5 or below. For each 1% the ratio is above 5, the housing stock baseline should be increased by 0.95%. An authority with a ratio of 10 will have a 95% increase on its annual housing stock baseline.

7. Where an adjustment is to be made, the precise formula is as follows:

   Adjustment Factor = ((five year average affordability ratio-5)/5)×0.95 + 1

Five year housing land supply

8. Local planning authorities should identify and update annually a supply of specific deliverable sites. This should be sufficient to provide a minimum of five years' worth of housing, assessed against their housing requirement in the development plan, or against their local housing need (calculated using the standard method) where the development plan requirement is more than five years old.

[83] Table 125: dwelling stock estimates by local authority district: Live tables on dwelling stock (including vacants) - GOV.UK

9. The supply of specific deliverable sites should include a buffer (moved forward from later in the plan period) of:

    a. 5% to ensure choice and competition in the market for land; or

    b. 20% where there has been significant under delivery[84] of housing over the previous three years, to improve the prospect of achieving the planned supply; or

    c. From 1 July 2026, for the purposes of decision-making only, 20% where a local planning authority has a housing requirement adopted in the last five years examined against a version of the Framework published prior to December 2024[85], and whose annual average housing requirement[86] is 80% or less of the most up to date local housing need figure calculated using the standard method set out above.

Five year supply of traveller sites

10. Local planning authorities should identify and update annually a supply of specific deliverable traveller sites. This should be sufficient to provide a minimum of 5 years worth of pitches and plots, assessed against their pitch and plot requirement in the development plan.

The Housing Delivery Test

11. This measures net homes delivered in a local authority area against the homes required, using national statistics and local authority data. The Secretary of State will seek to publish the Housing Delivery Test results for each local authority in England annually.

12. Local planning authorities should monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below the local planning authority's housing requirement over the previous three years, the following policy consequences apply:

    a. Where delivery falls below 95% of the requirement over the previous three years, the authority should prepare an action plan to assess the causes of under-delivery and identify actions to increase delivery in the future;

    b. Where delivery falls below 85% of the requirement over the previous three years, a buffer of 20% should be added to the identified supply of specific deliverable sites. This is in addition to the requirement for an action plan;

    c. Where delivery falls below 75% of the requirement over the previous three years, an evidenced unmet need for housing is deemed to exist for the purpose of applying

[84] This will be measured against the Housing Delivery Test, where this indicates that delivery was below 85% of the housing requirement.
[85] Or the housing requirement is more than five years old and the relevant development plan policies have been reviewed and found not to require updating.
[86] Defined as the total housing requirement, divided by the number of years in the plan period. For joint local plans, the percentage should be applied in aggregate across the joint local plan area.

policy S5(1)(j) in this Framework. This is in addition to the requirements for an action plan and 20% buffer.

13. The Housing Delivery Test consequences set out above will apply the day following the annual publication of the Housing Delivery Test results. At this point they supersede previously published results. Until new Housing Delivery Test results are published, the previously published result should be used.

Annex E: Green Belt assessments

1. Green Belt assessments should:

    a. Identify the location and appropriate scale of the area or areas to be assessed, and in doing so:

        i. consider all Green Belt within the Plan area in the first instance;

        ii. be broadly consistent with any Strategic Green Belt assessment in an adopted Spatial Development Strategy

        iii. ensure assessment areas are small enough to enable variations in their contribution to the Green Belt purposes to be assessed;

        iv. facilitate identifying areas of grey belt by subdividing areas into smaller assessment units where this is necessary; and

        v. consider where it may be appropriate to vary the size of assessment areas based on local circumstances. For example, the assessment of smaller areas may be appropriate in certain places, such as around existing settlements or public transport hubs or corridors;

    b. Identify areas of grey belt land, as defined in the glossary, by evaluating the contribution each assessment area makes to Green Belt purposes (a), (b), and (d) set out in GB2, using the criteria below.

    c. Identify whether the release or development of the assessment area(s) would fundamentally undermine the five Green Belt purposes (taken together) of the remaining Green Belt when considered across the area of the plan.

2. When making judgements as to whether land is grey belt, authorities should consider the contribution that assessment areas make to Green Belt purposes (a), (b), and (d). Considerations for informing these judgements are set out below:

Purpose A – to check the unrestricted sprawl of large built-up areas

3. This purpose relates to the sprawl of large built-up areas. Villages should not be considered large built-up areas.

Contribution	Illustrative features
Strong	Assessment areas that contribute strongly are likely to be free of existing development, and lack physical feature(s) in reasonable proximity that could restrict and contain development. They are also likely to include all of the following features: - be adjacent or near to a large built-up area - if developed, result in an incongruous pattern of development (such as an extended “finger” of development into the Green Belt)

Contribution	Illustrative features
Moderate	Assessment areas that contribute moderately are likely to be adjacent or near to a large built-up area, but include one or more features that weaken the land's contribution to this purpose a, such as (but not limited to): - having physical feature(s) in reasonable proximity that could restrict and contain development - be partially enclosed by existing development, such that new development would not result in an incongruous pattern of development - contain existing development, and/or - being subject to other urbanising influences
Weak or None	Assessment areas that make only a weak or no contribution are likely to include those that: - are not adjacent to or near to a large built-up area, or - are adjacent to or near to a large built-up area, but containing or being largely enclosed by significant existing development

Purpose B – to prevent neighbouring towns merging into one another

4. This purpose relates to the merging of towns[87], not villages.

Contribution	Illustrative Features
Strong	Assessment areas that contribute strongly are likely to be free of existing development and include all of the following features: - forming a substantial part of a gap between towns - the development of which would be likely to result in the loss of visual separation of towns
Moderate	Assessment areas that contribute moderately are likely to be located in a gap between towns, but include one or more features that weaken their contribution to this purpose, such as (but not limited to): - forming a small part of the gap between towns, and/or - being able to be developed without the loss of visual separation between towns. This could be (but is not limited to) due to the presence or the close proximity of structures, natural landscape elements or topography that preserve visual separation
Weak or None	Assessment areas that contribute weakly are likely to include those that: - do not form part of a gap between towns, or - form part of a gap between towns, but only a very small part of this gap, without making a contribution to visual separation

[87] For this purpose 'towns' includes cities.

Purpose D – to preserve the setting and special character of historic towns

5. This purpose relates to historic towns, not villages. Where there are no historic towns in the plan area, it may not be necessary to provide detailed assessments against this purpose.

Contribution	Illustrative Features
Strong	Assessment areas that contribute strongly are likely be free of existing development and to include all of the following features: - form part of the setting of the historic town - make a considerable contribution to the special character of a historic town. This could be (but is not limited to) as a result of being within, adjacent to, or of significant visual importance to the historic aspects of the town
Moderate	Assessment areas that perform moderately are likely to form part of the setting and/or contribute to the special character of a historic town but include one or more features that weaken their contribution to this purpose, such as (but not limited to): - being separated to some extent from historic aspects of the town by existing development or topography - containing existing development, and/or - not having an important visual, physical, or experiential relationship to historic aspects of the town
Weak or None	Assessment areas that make no or only a weak contribution are likely to include those that: - do not form part of the setting of a historic town, or - have no visual, physical, or experiential connection to the historic aspects of the town

Annex F: Managing Flood Risk and Coastal Change

Table 1: Flood zones (risks from river and sea flooding)

Flood Zone	Definition
Zone 1 Low Probability	Land having a less than 0.1% annual probability of river or sea flooding. (All land outside Zones 2, 3a and 3b)
Zone 2 Medium Probability	Land having between a 1% and 0.1% annual probability of river flooding; or land having between a 0.5% and 0.1% annual probability of sea flooding. (Land shown in light blue on the Flood Map for Planning)
Zone 3a High Probability	Land having a 1% or greater annual probability of river flooding; or Land having a 0.5% or greater annual probability of sea. (Land shown in dark blue on the Flood Map for Planning)
Zone 3b The Functional Floodplain	This zone comprises land where water from rivers or the sea has to flow or be stored in times of flood. The identification of functional floodplain should take account of local circumstances and not be defined solely on rigid probability parameters. Functional floodplain will normally comprise: • land having a 3.3% or greater annual probability of flooding, with any existing flood risk management infrastructure operating effectively; or • land that is designed to flood (such as a flood attenuation scheme), even if it would only flood in more extreme events (such as 0.1% annual probability of flooding). Local planning authorities should identify in their strategic flood risk assessments areas of functional floodplain and its boundaries accordingly, in agreement with the Environment Agency. (Not separately distinguished from Zone 3a on the Flood Map)

Note: Flood Zones 2 and 3, shown on the Environment Agency’s Flood Map for Planning, only account for river and sea flooding, and do not account for the benefits of flood defences or the possible effects of climate change. Reference should therefore also be made to the Environment Agency's other data on the Flood Map for Planning, and any current strategic flood risk assessment(s), when considering potential future flood risks to developments and land uses.

Table 2: Flood risk vulnerability classification

ESSENTIAL INFRASTRUCTURE

- Essential transport infrastructure (including mass evacuation routes) which has to cross the area at risk.
- Essential utility infrastructure which has to be located in a flood risk area for operational reasons, including infrastructure for electricity supply including generation, storage and distribution systems; and water treatment works that need to remain operational in times of flood.
- Wind turbines.
- Solar farms.
- Hydrogen production facilities.
- Carbon Capture, distribution and storage facilities.
- Data Centres.
- Electric vehicle charging stations.

HIGHLY VULNERABLE

- Police and ambulance stations; fire stations and command centres; telecommunications installations required to be operational during flooding.
- Emergency dispersal points.
- Basement dwellings.
- Caravans, mobile homes and park homes intended for permanent residential use.
- Installations requiring hazardous substances consent. (Where there is a demonstrable need to locate such installations for bulk storage of materials with port or other similar facilities, or such installations with energy infrastructure or carbon capture and storage installations, that require coastal or water-side locations, or need to be located in other high flood risk areas, in these instances the facilities should be classified as ‘Essential Infrastructure’).
- Installations falling under the Control of Major Accident Hazards Regulations or Installations requiring a radioactive substances regulations permit.

MORE VULNERABLE

- Hospitals.
- Residential institutions such as residential care homes, children’s homes, social services homes, prisons and hostels.
- Buildings used for dwelling houses (including floating/rising designs), student halls of residence, drinking establishments, nightclubs and hotels.
- Non–residential uses for health services, nurseries and educational establishments.
- Landfill* and sites used for waste management facilities for hazardous waste.
- Sites used for holiday or short-let caravans and camping, subject to a specific warning and evacuation plan.

LESS VULNERABLE

- Police, ambulance and fire stations which are not required to be operational during flooding.
- Buildings used for shops; financial, professional and other services; restaurants, cafes and hot food takeaways; offices; general industry, storage and distribution; non-residential institutions not included in the 'more vulnerable' class; and assembly and leisure.
- Land and buildings used for agriculture and forestry.
- Waste treatment (except landfill[88] and hazardous waste facilities).
- Minerals working and processing (except for sand and gravel working).
- Water treatment works which do not need to remain operational during times of flood.
- Sewage treatment works, if adequate measures to control pollution and manage sewage during flooding events are in place.
- Car parks.
- Land-raising – unless part of or enabling a development with a higher vulnerability classification.

WATER-COMPATIBLE DEVELOPMENT

- Flood control infrastructure.
- Water transmission infrastructure and pumping stations.
- Sewage transmission infrastructure and pumping stations.
- Sand and gravel working.
- Docks, marinas and wharves.
- Navigation facilities.
- Ministry of Defence installations.
- Ship building, repairing and dismantling, dockside fish processing and refrigeration and compatible activities requiring a waterside location.
- Water-based recreation (excluding sleeping accommodation).
- Lifeguard and coastguard stations.
- Amenity open space, nature conservation and biodiversity, outdoor sports and recreation and essential facilities such as changing rooms.
- Essential ancillary sleeping or residential accommodation for staff required by uses in this category, subject to a specific warning and evacuation plan.

[88] Landfill is as defined in Schedule 10 of the Environmental Permitting (England and Wales) Regulations 2010.

Table 3: Flood risk vulnerability and flood zone 'incompatibility'

Flood zones	Flood Risk Vulnerability Classification				
	Essential infrastructure	Highly vulnerable	More vulnerable	Less vulnerable	Water compatible
Zone 1	✓	✓	✓	✓	✓
Zone 2	✓	Exception test required	✓	✓	✓
Zone 3a †	Exception test required †	**X**	Exception test required	✓	✓
Zone 3b *	Exception test required *	**X**	**X**	**X**	✓ *

Key:

✓ Exception test is not required

X Development should be refused

Notes to table 2:

Some developments may contain different elements of vulnerability and the highest vulnerability category should be used, unless the development is considered in its component parts.

"†" In flood zone 3a essential infrastructure should be designed and constructed to remain operational and safe in times of flood.

"*" In flood zone 3b (functional floodplain) essential infrastructure that has passed the exception test, and water-compatible uses, should be designed and constructed to:

- remain operational and safe for users in times of flood;
- result in no net loss of floodplain storage;
- not impede water flows and not increase flood risk elsewhere.

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LOCAL PLAN UPDATE

Head of Service:	Ian Mawer, Head of Planning Policy and Economic Development
Report Author	Ian Mawer
Wards affected:	(All Wards);
Urgent Decision	No

Summary

In accordance with Appendix 5 - 3.4 of the Constitution a member has requested that an item be placed on the agenda for the next scheduled Licensing & Planning Policy Committee on March 10th *"To update the committee on all submissions and modifications made to the Inspector for the Local Plan, following examination hearings last year."*

This report responds to the above item request and reflects the position as of 23 February 2026.

Recommendation

The Committee is asked to:

(1) Note the contents of this report.

1 Reason for Recommendation

1.1 To inform members of the status of the Local Plan examination and additional work undertaken since the Local Plan hearings.

2 Background

2.1 On the 20 November 2024 this committee recommended to full Council that:

- the Proposed Submission Local Plan be endorsed as being sound
- public consultation commence, as soon as is practicably possible, dates to be agreed with the Chair of Licencing and Planning Policy Committee

- that following the six-week consultation, as soon as is practicably possible, the Proposed submission Local Plan and all associated documents…. be submitted to the Secretary of State for Independent Examination under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations.

2.2 On the 10 December 2024, Full Council resolved to approve the recommendations of the Licencing and Planning Policy Committee and the consultation on the Proposed Submission Local Plan was undertaken between 20 December 2024 and 5 February 2025. The Local Plan and supporting documents were subsequently submitted to the Planning Inspectorate on the 10 March 2025.

2.3 A Planning Inspector was appointed on the 1 April 2025 to Examine the Local Plan. The Inspector issued a series of Matters, Issues and Questions (MIQs) for the Council to respond to which would form the basis for the public Examination Hearings. The hearings were split into two stages:

- Stage 1 – Legal Compliance and the Duty to Cooperate (28 August 2025). The Inspector wrote to the council (ID-006) on the 9 September 2025 confirming that the Examination could proceed to stage 2.

- Stage 2 – Soundness – the Hearings were based on 12 specific matters and were held over 7 days between 30 September 2025 and 09 October 2025.

2.4 At the Stage 2 hearings, concerns were raised that the Council is not doing enough to meet its housing needs through the submitted local plan (47% of the housing need set out in the standard method that applied at the time when the plan was prepared) and additional work should be undertaken.

Submissions made to the Planning Inspector post Hearings

2.5 During the hearings the Planning Inspector requested that the council undertake two additional pieces of work, one in relation to Green Belt sites contained with the Land Availability Assessment (LAA) and the other in relation to whether some additional urban sites identified in the LAA can be considered to be developable (have a reasonable prospect of being delivered over the Local Plan period). The Inspector formally set out the work to be undertaken in her letter dated 22 October 2026 (ID-018).

2.6 These two discrete pieces of work that the Council agreed to produce were submitted to the Inspector by the deadline of the 22 January 2026 along with a covering letter which can be accessed from the links below:

- EEBC Cover Letter (COUD-019)

- Updated Hearing Action List (COUD-017a)
- Revisiting select Urban Sites contained in the Land Availability Assessment (COUD-020). This work identifies 13 additional sites that could be allocated through the Local Plan
- Green Belt Topic Paper update (COUD-021) – This work identifies that additional sites are considered to satisfy the 'Calverton Tests' – although other constraints will determine whether they are suitable for allocation.

2.7 In addition, the Council had a series of actions to complete, including the completion of three statements of common ground which can be accessed from the links below:

- Updated Statement of Common Ground with the Church Commissioners for England (in relation to Horton Farm) (COUD-022)
- Statement of Common Ground with the Jockey Club Racecourse (COUD-025)
- Statement of Common Ground with the Gavil Group (in relation to Finachem House) (COUD-023)

2.8 An additional action agreed during the hearings, was meeting with the planning agents representing the Ewell East omission site (LAA Reference NON-013). Following this meeting and separate meetings with the two leaseholders, a position statement (COUD-024) has been prepared.

2.9 The Planning Inspector reviewed the above documents and approved their publication as part of the Examination Library. In addition, the Inspector has formally written to the Council in a second post hearing letter (ID-019) dated 5 February 2026 and received late afternoon 6 February 2026 requesting responses to the two questions below before she can advise how the Examination is to proceed. The questions are provided below:

1. *From what I have read, the updated green belt work appears to reach a different conclusion on a number of green belt sites – but what is not clear to me is what the Council is now recommending in terms of these sites and the Local Plan? Please could you clarify.*

2. *In terms of the urban sites, are the Council now proposing that the sites listed as 'considered developable' are allocated as part of this plan? Again, I would be grateful if the Council could confirm what your intention is in terms of these sites and the plan before me.*

2.10 The Council responded to the Inspectors letter on the 11 February 2025 (COUD-026) providing the following answers to her questions:

1. *Following a review of the evidence, the Council has reached different conclusions on several green belt sites in terms of the site-specific Calverton Tests. In my letter dated 22 January 2026 (document reference COU-019) I set out that this work does not consider other constraints to development or conclude whether the sites are suitable for allocation.*

   If required to progress the examination, the Council can assess the suitability of those sites where the conclusions have changed, for potential allocation in the Local Plan, using the existing evidence base. This assessment could be provided to you on or before Friday 6 March 2026.

2. *In terms of the urban sites, the Council is now proposing that the 13 sites identified as 'considered developable' are allocated in the Local Plan. These sites will form part of the housing land supply from 2030/31 onwards.*

2.11 On the 23 February 2026 the Programme Officer confirmed that the Inspector had approved the publication of the above response and provided the Council with the Inspectors response dated 12 February 2026 (document reference ID-020). The response is detailed below:

In light of the conclusions the Council has now reached in connection with a number of the green belt sites, I would confirm that the steps you have outlined within your letter are necessary to progress the examination. For the avoidance of doubt, this means the Council should assess the suitability of the sites for potential allocation within the Local Plan. In order to do this, and ensure that the most uptodate information is provided for representors, I would request that the Council complete the following:

1. Update the housing trajectory and 5 year supply position (if necessary) to reflect any new site allocations proposed. Your letter advises that the Council is now proposing that the 13 urban sites identified as 'considered developable' are allocated within the Local Plan, and that these sites will form part of the housing land supply from 2030/2031 onwards. These sites should also be taken into account in terms of this update.

2. Updating the evidence base to take the above conclusions into account. This should include the both the SA and HRA. In addition, dependent upon what conclusions the Council draw, you should also consider the need to update the traffic modelling work and IDP (where relevant). Where the Council is not updating this work, you should set out clearly why this is not deemed necessary.

I look forward to receiving the above on or before 6 March 2026.

2.12 The letter confirms that for the examination to proceed the Inspector requires the Council to assess the suitability of additional Green Belt sites for potential allocation. Failure to undertake this work will result in the Submitted Local Plan being found to be unsound.

2.13 The Inspector has also requested additional updates to evidence. Our response dated 11 February 2026 (document reference COUD-026) set out a tight timescale for undertaking the work based on the assumption we would utilise existing evidence (i.e. that already published). The Inspector is now requesting updates to evidence and officers are now working with consultants / partners to determine timescales for completing this additional work and will respond to the Inspector in due course setting out timescales to undertake this work.

Modifications made following the Local Plan Hearings

2.14 It is important to note that no modifications to the Local Plan have been made following the hearings.

2.15 However, during the Stage 2 hearings potential main modifications to the Local Plan to resolve soundness issues were discussed with the Inspector.

2.16 As is standard practice, during the Stage 2 hearings the Inspector asked the Council to maintain a running list of potential main modifications discussed during the course of the hearing sessions. These main modifications and any other actions agreed were summarised by Council officers at the end of each hearing session.

2.17 The Inspector has not asked the Council to complete a schedule of main modifications to the Local Plan f. The Inspector will advise when this information is required.

2.18 The agreement of the main modifications between the Council and Inspector, assisted by the Programme Officer, should be a priority after the hearing sessions conclude, to ensure that the public consultation can take place in a timely manner.

2.19 All proposed main modifications must be subject to six weeks public consultation and, where necessary, Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) before the Inspector can make recommendations on them.

2.20 The Inspector will consider all the representations made on the proposed Main Modifications before finalising her examination report and the schedule of binding Main Modifications.

2.21 It is important to note that the Inspector's final recommendations, and the reasons for them, will be set out in the Inspector's report at the end of the examination.

Importance of responding to the inspector

2.22 On the 30 July 2024, the Minister of State, Matthew Pennycook MP, wrote to the Planning Inspectorate (PINS) directing them to no longer allow pauses to local plan examinations of more than six months.

2.23 It is therefore important that we continue to respond to correspondence from the Planning Inspector in a timely fashion.

3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

3.1.1 An Equality Impact Assessment appraised the Proposed Submission Local Plan (regulation 19) to ensure that the plan itself promotes equality and does not discriminate. The work concludes that there the Local Plan will not impact negatively on specific groups.

3.2 Crime & Disorder

3.2.1 None arising from this report.

3.3 Safeguarding

3.3.1 None arising from this report.

3.4 Dependencies

3.4.1 The Local Plan will support the delivery of:

- Actions identified in the Affordable Housing Audit
- Homelessness and Rough Sleeper Strategy and supporting action plan
- Climate Change Action Plan

3.5 Other

3.5.1 None arising from this report.

4 Financial Implications

4.1 There are no direct financial implications as a result of this report. Local Plan funding has already been secured in terms of staffing within the Planning Policy team, funding for specialist external support in the preparation of technical evidence base documents and the costs of Examination (including appointment of a programme officer).

4.2 **Section 151 Officer's comments**: None for the purposes of this report.

5 Legal Implications

5.1 The Local Plan remains at the examination stage. At the end of the examination, the planning inspector will make one of the following recommendations:

Recommendation to adopt

The planning inspector must recommend adoption of the local plan, if it is reasonable to conclude that:

- The plan satisfies the statutory requirements contained in section 20(5)(a) of the PCPA 2004.
- The plan is sound.
- The LPA has complied with its duty to co-operate.

(Section 20(7), PCPA 2004).

Recommendation not to adopt

- If the planning inspector concludes that the statutory requirements contained in sections 20(5)(a) of the PCPA 2004 have not been met, or there are fundamental issues regarding the soundness of the plan that cannot be addressed through modifications, the inspector must recommend that the plan is not adopted (section 20(7A), PCPA 2004).
- In these circumstances the Council will be expected to withdraw the local plan in accordance with regulation 27 of the LPR 2012 (paragraph 025, Local Plans, Publication and examination of a local plan, Planning Practice Guidance). If that occurs, until a revised local plan is brought forward to adoption, any existing local plan policies will remain in place, although some of those existing policies are likely to become increasingly out-of date (paragraph 004, Local Plans, Key issues, Planning Practice Guidance).

Main modifications

- If requested by the Council, the planning inspector must recommend modifications of the local plan, if by doing so the local plan would comply with the requirements set out in sections 20(5)(a) and 20(5)(b) of the PCPA 2004 (section 20(7C), PCPA 2004) (main modifications).

- If, however, the main modifications are so extensive as to require a virtual re-write of the local plan, the inspector can suggest that the LPA withdraws the plan (paragraph 024, Local Plans, Publication and examination of a local plan, Planning Practice Guidance).

- The LPA must consult on all proposed main modifications. Depending on the scope of the modifications, a further sustainability appraisal may also be required (see Sustainability appraisal and report) (paragraph 024, Local Plans, Publication and examination of a local plan, Planning Practice Guidance).

- The inspector's report on the local plan will only be issued once the LPA has consulted on the main modifications and the inspector has had the opportunity to consider any representations on these and any further sustainability appraisal report (paragraph 024, Local Plans, Publication and examination of a local plan, Planning Practice Guidance)

5.2 The LPA must publish the recommendations and the report of the planning inspector following an examination (section 20(8), PCPA 2004 and regulation 25(2)(a), LPR 2012).

5.3 This must be done as soon as reasonably practicable after receipt of the planning inspector's recommendation and report (regulation 25(1)(a), LPR 2012) or if the Secretary of State has given a direction under section 21(1) or 21(4) of the PCPA 2004 (regulation 25(1)(b), LPR 2012).

5.4 The LPA must also notify those persons who requested to be notified of the publication of the inspector's recommendations that the recommendations are available (regulation 25(2)(b), LPR 2012).

5.5 The examination process is then complete. Once this point in the process is achieved, Members will be informed and further advice as to the adoption of the approved Plan will follow at that stage.

5.6 Members should note that a Plan may be challenged by judicial review before it is adopted or under section 113 of the Planning and Compulsory Purchase Act 2004 if it has been adopted, but only on a point of law.

5.7 **Legal Officer's comments**: As set out within this report.

6 Policies, Plans & Partnerships

6.1 **Council's Key Priorities**: The adoption of the Local Plan is a key priority for the Council.

6.2 **Service Plans**: The matter is included within the current Service Delivery Plan.

6.3 **Climate & Environmental Impact of recommendations:** The Local Plan will play a key role in implementing our Climate Change Action Plan.

6.4 **Sustainability Policy & Community Safety Implications**: The Local Plan itself has a key role in delivering sustainable development

6.5 **Partnerships**: The Council has a duty to cooperate with relevant stakeholders in the preparation of a Development Plan. The Council has consulted relevant stakeholder on a Duty to Co-operate Framework throughout the Local Plan Process and following the Regulation 19 consultation and during the Examination process has prepared statements of common ground with key Duty to Cooperate bodies.

6.6 **Local Government Reorganisation Implications**: None immediately arising from this report.

7 Background papers

7.1 The documents referred to in compiling this report are as follows:

Previous reports:

- Licencing and Planning Policy Committee – 20 November 2024 - Proposed Submission Epsom and Ewell Local Plan (Regulation 19):

  https://democracy.epsom-ewell.gov.uk/documents/s33634/Proposed%20Submission%20Epsom%20and%20Ewell%20Local%20Plan%20Regulation%2019.pdf

- Full Council – 10 December 2024 – Proposed Submission Epsom and Ewell Local Plan:

  https://democracy.epsom-ewell.gov.uk/documents/s33936/Proposed%20Submission%20Epsom%20and%20Ewell%20Local%20Plan.pdf

Other papers:

- Letter to the Chief Executive of the Planning Inspectorate from the Minister of State – 30 July 2024

  https://www.gov.uk/government/publications/local-plan-examinations-letter-to-the-chief-executive-of-the-planning-inspectorate-july-2024

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