



LEAD MEMBER FOR TRANSPORT AND ENVIRONMENT

DECISIONS to be made by the Lead Member for Transport and Environment,
Councillor Nick Bennett

MONDAY, 21 JANUARY 2019 AT 10.00 AM

COMMITTEE ROOM - COUNTY HALL, LEWES

AGENDA

- 1 Decisions made by the Lead Cabinet Member on 19 November 2018 (*Pages 3 - 4*)
- 2 Disclosure of Interests
Disclosure by all Members present of personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- 3 Urgent items
Notification of any items which the Lead Member considers urgent and proposes to take at the appropriate part of the agenda.
- 4 A259 Bexhill Road Bus Lane Experimental Traffic Regulation Order (*Pages 5 - 22*)
Report by the Director of Communities, Economy and Transport
- 5 High Weald Management Plan (*Pages 23 - 64*)
Report by the Director of Communities, Economy and Transport
- 6 Council Order for the East Sussex Permit Scheme (*Pages 65 - 126*)
Report by the Director of Communities, Economy and Transport
- 7 Any urgent items previously notified under agenda item 3

PHILIP BAKER
Assistant Chief Executive
County Hall, St Anne's Crescent
LEWES BN7 1UE

11 January 2019

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LEAD MEMBER FOR TRANSPORT AND ENVIRONMENT

DECISIONS made by the Lead Member for Transport and Environment, Councillor Nick Bennett, on 19 November 2018 at County Hall, Lewes

Councillors Alan Shuttleworth and Angharad Davies spoke on item 5 (see minute 30)

26 DECISIONS MADE BY THE LEAD CABINET MEMBER ON 15 OCTOBER 2018

26.1 The Lead Member approved as a correct record the minutes of the meeting held on 15 October 2018.

27 DISCLOSURE OF INTERESTS

27.1 Councillor Alan Shuttleworth declared a personal interest in Item 5, in that he is a member of the Sevenoaks Road Steering Group, but he did not consider this to be prejudicial.

28 REPORTS

28.1 Reports referred to in the minutes below are contained in the minute book.

29 HIGHWAY POLICY REVIEW

29.1 The Lead Member considered a report by the Director of Communities, Economy and Transport.

DECISIONS

29.2 The Lead Member RESOLVED to (1) Rescind the policy sections and Drainage Management Strategy summarised in Appendix B and detailed in Appendix C;

(2) Approve the proposed new Highway Skid Resistance policy summarised in Appendix B and detailed in Appendix D; and

(3) Approve the proposed amendments to the policies and Highway Asset Management Strategy summarised in Appendix B and detailed in Appendix E.

Reasons

29.3 Many of the maintenance tasks carried out the East Sussex County Council's highways department are statutory duties or powers required by legislation. The Council's highways policies set out the Council's approach where local discretion is permitted in how duties or powers are applied, on in areas for which there is no legislation.

29.4 The highways maintenance policies have been reviewed to ensure that they support:

- current legislation, guidance and best practice;
- the County Council's corporate priorities and local transport policy; and
- Highways Infrastructure Services Contract needs.

30 COMMUNITIES HIGHWAY REVIEW AND ALLOCATION OF THE 2018/19
COMMUNITY MATCH FUNDING

30.1 The Lead Member considered a report by the Director of Communities, Economy and Transport.

DECISIONS

30.2 The Lead Member RESOLVED to: (1) Note the review to the Community Highways initiative set out in the report;

(2) Agree that £37,500 of match funding should be allocated to three community led transport improvement schemes set out in paragraph 2.3; and

(3) Approve the Volunteering Guidance Document.

Reasons

30.3 Community Highways is seen as a positive initiative which provides an option for Parishes to purchase additional items, deliver schemes that are important to them locally and explore different options of meeting the needs of the local community.

30.4 Following the relaunch in May 2016 a number of changes were made to improve and update the Community Highways offering, particularly in relation to the delivery of the Community Match initiative with the introduction of a feasibility study to assist Parishes and Communities in identifying possible solutions and determining cost estimates. A review has been undertaken of Community Match to assess the progress over the previous two years, evaluate the feedback and any lessons learnt to improve the offering.

30.5 Although there have been many feasibility studies undertaken, there have only been three applications to take schemes forward through Community Match. As there is sufficient funding available to deliver all the applications, the Cross Party Member Panel agreed that the schemes should be recommended to be taken forward.

Report to: Lead Member for Transport & Environment

Date of meeting: 21 January 2019

By: Director of Communities, Economy and Transport

Title: A259 Bexhill Road Bus Lanes Experimental Traffic Regulation Order

Purpose: To consider the inclusion of cyclists, along with taxis and powered two-wheelers within Phase 1 of Bexhill Road bus lanes and to extend the length of the experimental period to a maximum of 18 months.

RECOMMENDATIONS The Lead Member is recommended to:

- (1) Agree to the implementation of a trial permitting cyclists, powered two-wheelers and taxis to use the Phase 1 bus lanes along the A259 Bexhill Road;
 - (2) To authorise the inclusion of cycling (along with powered two-wheelers and taxis) in the Experimental Traffic Regulation Order for the Phase 1 A259 Bexhill Road bus lanes; and
 - (3) To extend the trial period to a maximum of 18 months.
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1. Background

1.1. Delivery of the A259 Bexhill Road bus lane between Glyne Gap and Filsham Road forms part of the planning consent for the Bexhill to Hastings Link Road (BHLR). In addition to this planning obligation, the implementation of the bus priority measures was a condition of the Department for Transport's (DfT) funding approval for the BHLR.

1.2. The bus priority proposals were developed during 2013 with a public consultation being undertaken between 31 January and 28 February 2014. The public consultation material highlighted the intention of permitting cycling in the bus lanes. The results of this consultation were presented to the Lead Member for Transport and Environment on 28 April 2014. The responses included requests from the public for cycling to be permitted in the bus lanes. The Lead Member resolved to approve the development of the bus lane scheme for detailed design and construction. A copy of the report with the Consultation Response Summary is included in Appendix 1.

1.3. Detailed design and construction for the bus priority measures is being carried out in three phases. The first phase, the section between Glyne Gap Service Station and Harley Shute Road, has now been constructed and a plan of this phase is included in Appendix 2. The detailed design and construction of other phases, the western section at Glyne Gap and the eastern section at West St Leonards School and the Filsham Road junction, will be completed in 2019.

1.4. The Traffic Regulation Order (TRO) necessary to implement the bus lanes in Phase 1 was advertised in early 2017. The Planning Committee considered the objections received and resolved in May 2017 to recommend to the Director of Communities, Economy and Transport that the TRO be made as advertised. Following completion of the construction of Phase 1 bus lanes between Glyne Gap and Filsham Road, the TRO was sealed on 2 November 2018 and the Phase 1 bus lanes became operational on 12 November 2018. This TRO permits use of the bus lanes by buses only. A copy of the sealed TRO is provided in Appendix 3.

1.5. On 22 January 2018 authority was sought from the Lead Member to progress with a trial to allow powered two-wheelers (PTWs) and taxis to use the bus lanes along the A259 Bexhill Road for a 12 month period and to authorise the making of an Experimental Traffic Regulation Order (ETRO) on this basis. A copy of this report is provided in Appendix 4.

2. Supporting information

2.1. In order to implement an ETRO the initial TRO must be sealed and a 6 week challenge period on the validity of that Order should pass before the ETRO is introduced. The challenge period for the Phase 1 'bus only' TRO has now passed. The maximum length of an ETRO is 18 months. Objections to the ETRO being made permanent can be made within the first 6 months of the trial period and will be reported to Planning Committee who will consider the objections and make a recommendation on whether they should be upheld. Further to this recommendation the Director of Communities, Economy and Transport will make a decision on whether the ETRO should be made permanent (with or without minor amendments). If feedback or an objection is received during this period that suggests a substantial change to the experiment, then that change can be made subject to approval by the Lead Member for Transport and Environment. The experiment can then proceed for a further 6 month period; objections can then be made over that period from the day that the ETRO is changed.

2.2 It has always been the intention that cyclists would be permitted to use the bus lanes on the A259 Bexhill Road. However, since the original consultation in 2014, permission has only been sought and authorised by the Lead Member for Transport and Environment for trial use of the bus lanes by PTWs and taxis. Since their introduction we have received a number of requests from the public to permit cyclists in the bus lanes. For this reason it is proposed to introduce an ETRO which permits use by all three additional modes, namely cyclists, PTWs and taxis in the Phase 1 bus lanes.

2.3 We have undertaken a safety audit of the A259 Bexhill Road between Harley Shute Road and Glyne Gap and the design for the bus lanes. This did not identify any issues in allowing use by cyclists and taxis. This was followed by a safety review for the inclusion of PTWs which did not identify any major concerns but suggested close monitoring of bus lanes during the trial period.

2.4 Before and after surveys will be undertaken to assess the impact of the trial. Our Highways team will arrange for the installation of the necessary cameras and data recording equipment, and provide for the regular monitoring of the information available. Sussex Police will be approached on a proactive basis in relation to accident data over the duration of the trial.

2.5 In the report presented to the Lead Member for Transport and Environment in January 2018, it was resolved that the ETRO trial should run for 12 months. However this may not allow enough time to consider any objections received during the first 6 months, alter the ETRO if necessary and implement any changes that may be deemed necessary, provide a further 6 month objection period and consider new objections. It is therefore considered prudent to extend the trial period to a maximum of 18 months. Any objections received would be presented to Planning Committee for consideration and a decision on whether to make the ETRO permanent or to make minor changes would be made by the Director for Communities, Economy and Transport. A report to the Lead Member for Transport and Environment would be required if a substantial change to the ETRO was proposed.

2.6 It is also proposed that additional wording is incorporated within the ETRO to explicitly confirm that loading/unloading of goods and picking up/setting down of passengers is permitted within the bus lanes.

3 Conclusion and reasons for recommendations

3.1 Phase 1 of the A259 Bexhill Road bus lane (between Glyne Gap and Filsham Road) in Hastings is part of the BHLR complementary measures and came into effect in November 2018. At present, the TRO only allows buses to use the bus lane. Allowing cyclists, as well as PTWs and taxis, to use the bus lane would potentially reduce the exposure of riders to general traffic, improve safety and reduce journey times as well as reduce pollution levels.

3.2 Safety audits and assessments have not identified any issues with cyclists, PTWs or taxis using the A259 Bexhill Road Phase 1 bus lanes which would prevent a trial going ahead. Therefore, it is recommended that the Lead Member agrees that an ETRO is advertised permitting cyclists, PTWs and taxis to use the bus lanes along Phase 1 of the A259 Bexhill Road for a maximum of 18 months on a trial basis.

RUPERT CLUBB

Director of Communities, Economy and Transport

Contact Officer: Deborah Parker

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Tel No: 01273 336685

LOCAL MEMBERS

Councillor Beaver

BACKGROUND DOCUMENTS

None

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Committee:	Lead Cabinet Member for Transport and Environment
Date:	28 April 2014
Report By:	Director of Communities, Economy and Transport
Title of Report:	Results of the public consultation on the A259 Bexhill Road Bus Priority Measures
Purpose of Report:	To consider the results of consultation on the A259 Bexhill Road Bus Priority Measures

RECOMMENDATIONS: The Lead Member is recommended to:

- (1) Note the results of the public consultation on the A259 Bexhill Road Bus Priority Measures; and
 - (2) Agree that the proposals should be taken forward to detailed design and construction as part of a package of complementary highway improvements linked to the opening of the Bexhill to Hastings Link Road.
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1. Financial Appraisal

1.1 The estimated cost of the design and construction of the A259 Bexhill Road Bus Priority Measures scheme that is being recommended to be taken to detailed design and construction is £450,000. The County Council's Capital Programme includes an allocation of £1.8m for the delivery of a package of complementary highway improvement measures linked to the opening of the Bexhill to Hastings Link Road. The bus priority measures will be funded from this allocation.

2. Background

2.1 Delivery of the A259 Bexhill Road Bus Priority Measures is a requirement of the planning permission for the Bexhill to Hastings Link Road ("the Link Road") and a condition on the Department for Transport's (DfT) funding contributions towards the Link Road. The background to these requirements is set out in more detail in Appendix 1.

2.2 Alongside the Link Road, a package of complementary highway improvement measures is being developed that both takes advantage of the traffic reductions that are forecast to take place on the A259 and mitigates the impacts of increased traffic levels on The Ridge. During the development of the proposals for the Bexhill to Hastings Link Road, extensive traffic modelling work was carried out to assess the impact of the opening of the Link Road on the wider road network.

2.3 The results of the modelling work demonstrate that traffic levels on the A259 Bexhill Road are predicted to reduce by approximately 40% once the Link Road opens. This will allow sections of bus lane to be introduced, whilst maintaining sufficient capacity to accommodate the remaining volume of general traffic. The introduction of the bus priority measures are expected to result in reduced journey times and improved reliability on the existing bus services. The improvements are intended to resolve long-standing problems that have been the focus of attention of the Hastings Quality Bus Partnership for some time.

2.4 It is also proposed to upgrade the facilities at the bus stops along the A259 Bexhill Road, with the introduction of bus stop clearway markings, high access kerbs to allow step free access to buses, new bus shelters and real-time passenger information displays, which indicate when the next bus is due. These improvements are expected to result in a better experience for bus passengers and make travel by bus a much more attractive alternative to the car. This should encourage more people to use public transport and further reduce traffic levels along this road.

2.5 The bus priority proposals have been developed in consultation with Stagecoach who is the

bus operator and the design has sought to minimise the loss of parking necessary to implement the scheme. Much of the route already has on-street parking restrictions in place and many residents have off-road parking space available to them.

3. Supporting Information

3.1 A consultation exercise on the bus priority proposals commenced on 31 January 2014 and ran until 28 February 2014. A staffed public exhibition was held on Friday 31 January and Saturday 1 February 2014 at the West St Leonards Community Centre and was attended by 103 people. The proposals were made available on the East Sussex County Council website between 31 January and 28 February 2014. A consultation feedback form was available at the exhibition and on the County Council website. Copies of the consultation feedback form and an overview plan of the proposals are included in Appendices 2 and 3 respectively.

3.2 It was made very clear at the exhibition and within the consultation material that the delivery of these measures is both a requirement of the planning permission for the Link Road and a condition on the DfT funding contribution towards the scheme. The main aim of the public consultation exercise was to identify aspects of the scheme that could cause issues or difficulties for those using the A259 Bexhill Road or those occupying properties along it, to enable appropriate adjustments to be made during the ongoing design process, as appropriate.

3.3 A total of 142 feedback forms were received in response to the consultation. An analysis and summary of the comments received are set out in Appendix 4. A document containing a transcript of all of the comments made on the consultation feedback forms is available in the Members' Room. The results of the analysis show that there were a wide variety of views both for and against the proposals. Many of those who completed the feedback forms voiced their opposition to the proposals, pointing to the difficulties that would be caused by loss of on street parking and stating that they felt that the scheme was unnecessary and a waste of money.

3.4 Particular concerns that were expressed in the consultation responses about the potential loss of on-street parking spaces and the other issues raised will be taken into account during the detailed design of the scheme to see if any adjustments can be made.

4. Conclusion and Reason for Recommendation

4.1 The delivery of the A259 Bus Priority Measures is a requirement of the planning permission for the Bexhill to Hastings Link Road and a condition of the Department for Transport's (DfT) funding contribution towards the Link Road. The public consultation exercise has identified areas where people felt improvements to the design could be made and these will be considered during the detailed design phase. It is therefore recommended that the scheme should be taken forward to detailed design and construction as part of a package of complementary highway improvements linked to the opening of the Bexhill to Hastings Link Road.

RUPERT CLUBB

Director of Communities, Economy and Transport

Contact Officer: Sarah Lade Tel. 01273 335724

Local Members: Councillors Forward and Clark

BACKGROUND DOCUMENTS:

- Bexhill Hastings Link Road Planning Report - 10 December 2008
- Bexhill Hastings Link Road S106 Agreement – 28 July 2009
- Bexhill Hastings Link Road Complementary Highway Improvement Plan
- Department for Transport Funding Approval Letter – 29 March 2012
- Bexhill Hastings Link Road Final Funding Bid – Annex 10
- Transcript of all of the comments received during the consultation.



Results of the public consultation on the proposed bus priority measures on the A259 Bexhill Road

1. Details of the Public Consultation Exercise

On 31 January 2014 a public consultation exercise commenced to inform the public about proposals for bus priority measures on the A259 Bexhill Road. A staffed exhibition was held in the West St Leonard's Community Centre on Friday 31 January and Saturday 1 February 2014, where plans were exhibited showing the proposals. Copies of the proposals were also made available on the County Council's website. The consultation closed on Friday 28th February 2014.

2. Publicity

In order to advertise the consultation flyers were delivered to addresses within the vicinity of the proposed scheme, with posters advertising the consultation being placed in bus shelters and on a 48 sheet billboard along the route.

A press release was issued and a full page advertisement was placed in the local newspaper. These promoted the date and time of the exhibitions and the online consultation.

Details of the consultation were sent to local Members of East Sussex County Council and Hastings Borough Council. A number of key stakeholders were sent details about the consultation exercise these included Hastings Borough Council, Hastings Alliance and Local Bus Operators. Details of the consultation were available on the County Council website.

3. Public Feedback on A259 Bus Priority Proposals

The public were asked to complete a feedback form either at the exhibition or on-line. There was a reasonable response from the public with an estimated 103 people attending the exhibition and many more visiting the website. A total of 142 feedback forms have been completed. The analysis of the feedback has been undertaken and the results are presented below.

Question 1 Are you an individual, business or other?

There were 142 responses to this question as shown in the table below

Response	Number	Percentage of responses
Individual	132	93%
Business	6	4%
Other	4	3%

As shown in the table above a majority of respondents were individuals.

Question 1a - Which Business or other group are you responding on behalf of?

On Behalf of a Business
Sole trader using the A259 through from Guestling to the A27 daily.
Brewstirs Coffee Shop
Taxi driver
I own a shop in the old town and commute to Bexhill on a daily basis for work
Bexhill gearboxes
I am a window cleaner

On Behalf of another group
Campaign for Better Transport East Sussex
Railfuture, Sussex & Coastway Division
Hastings Urban Bikes, a community group, we promote cycling for everyone in Hastings and St Leonards.

Question 2 - Are you a...Resident of Bexhill/Hastings or a Resident of another town or village?

Residential status	Number
A resident of Bexhill/Hastings	125
A resident of another town or village	17
Total	142

Question 3 - If you are a resident of another town or village, or a commuter where did you travel from?

Town/Village	No. of respondents
Not Stated	2
Guestling	1
St Leonards on Sea	1
Eastbourne	4
Bexhill	1
Battle	1
Fairlight	1
Hook	1
Brighton	1
Hassocks	1
Newhaven	1
Rye	1
Crowhurst	1
Total	17

Question 4 - Postcode question for analysis purposes

Question 5 - Section 1 – Westbound bus lane from Bexleigh Avenue to Glyne Gap Roundabout Are there any comments that you would like to make about how the proposals may affect you

Theme/Issue	No. of respondents raising this issue
<i>Positives & Neutrals:</i>	
Proposal supported	6
Provision of bus lane will shorten bus journeys	8
Motorcyclists and bicycles should also be allowed to use the bus lane	8
Total	14
<i>Negatives:</i>	
Complete opposition to Proposal	3
A dedicated bus lane is not necessary	16
Opposed - waste of money. Use money for other road repairs/improvements	18
Proposal will create accidents at Glyne Gap	7
Proposal will create congestion at Glyne Gap	41
Loss of Parking on westbound carriageway	9
Buses don't run regularly enough to warrant a dedicated lane	8
Glyne Gap nature area will be lost due to carriageway widening.	2
Total	104

Question 6 - Section 2 – Westbound bus lane from Bulverhythe Road towards Freshfields - Are there any comments that you would like to make about how the proposals may affect you?

Theme/Issue	No. of respondents raising this issue
<i>Positives & Neutrals:</i>	

Theme/Issue	No. of respondents raising this issue
Proposal supported	13
Provision of bus lane will shorten bus journeys	1
Motorcyclists and bicycles should also be allowed to use the bus lane	6
Dedicated bus lane not necessary during off peak hours	2
Total	22
Negatives:	
Complete opposition to Proposal	4
A dedicated bus lane is not necessary	8
Opposed - waste of money	4
Proposal will result in loss of resident's parking	46
Proposal will compromise access to private driveways	2
Proposal will create additional congestion	17
Proposal will compromise access to Freshfields Road	2
Proposal will increase accidents	6
Proposals will narrow traffic lanes too much	2
Total	91

Question 7 Section 3 – Eastbound bus lane from Bulverhythe Road to Harley Shute Road - Are there any comments that you would like to make about how the proposals may affect you?

Theme/Issue	No. of respondents raising this issue
Positives & Neutrals:	
Proposal supported	9
Provision of bus lane will shorten bus journeys	2
Motorcyclists and bicycles should also be allowed to use the bus lane	5
Total	16
Negatives:	
Complete opposition to Proposal	4
A dedicated bus lane is not necessary	10
Proposal will result in loss of resident's parking	27
Proposal will create additional congestion	28
Opposed - waste of money	2
Proposal will increase accidents	3
Cycle lanes should be provided instead of bus lane	1
Total	75

Question 8 - Section 4 – Westbound bus lane approaching Harley Shute Road - Are there any comments that you would like to make about how the proposals may affect you?

Theme/Issue	No. of respondents raising this issue
<i>Positives & Neutrals:</i>	
Proposal supported	10
Motorcyclists and bicycles should also be allowed to use the bus lane	6
All on-street parking should be removed	1
Total	17
<i>Negatives:</i>	
Complete opposition to Proposal	2
A dedicated bus lane is not necessary due to the number of buses currently using the route	7
Opposed - waste of money. Use money for other road repairs/improvements	5
Proposal will result in loss of resident's parking	26
Proposal will create additional congestion	37
Proposal will increase accidents	5
The road is too narrow for proposals	5
Cycle lanes should be provided instead of bus lane	1
Concern over access to Doctor's Surgery and Community Hall	2
Concern over losing right turn lane into Harley Shute Road	7
Total	97

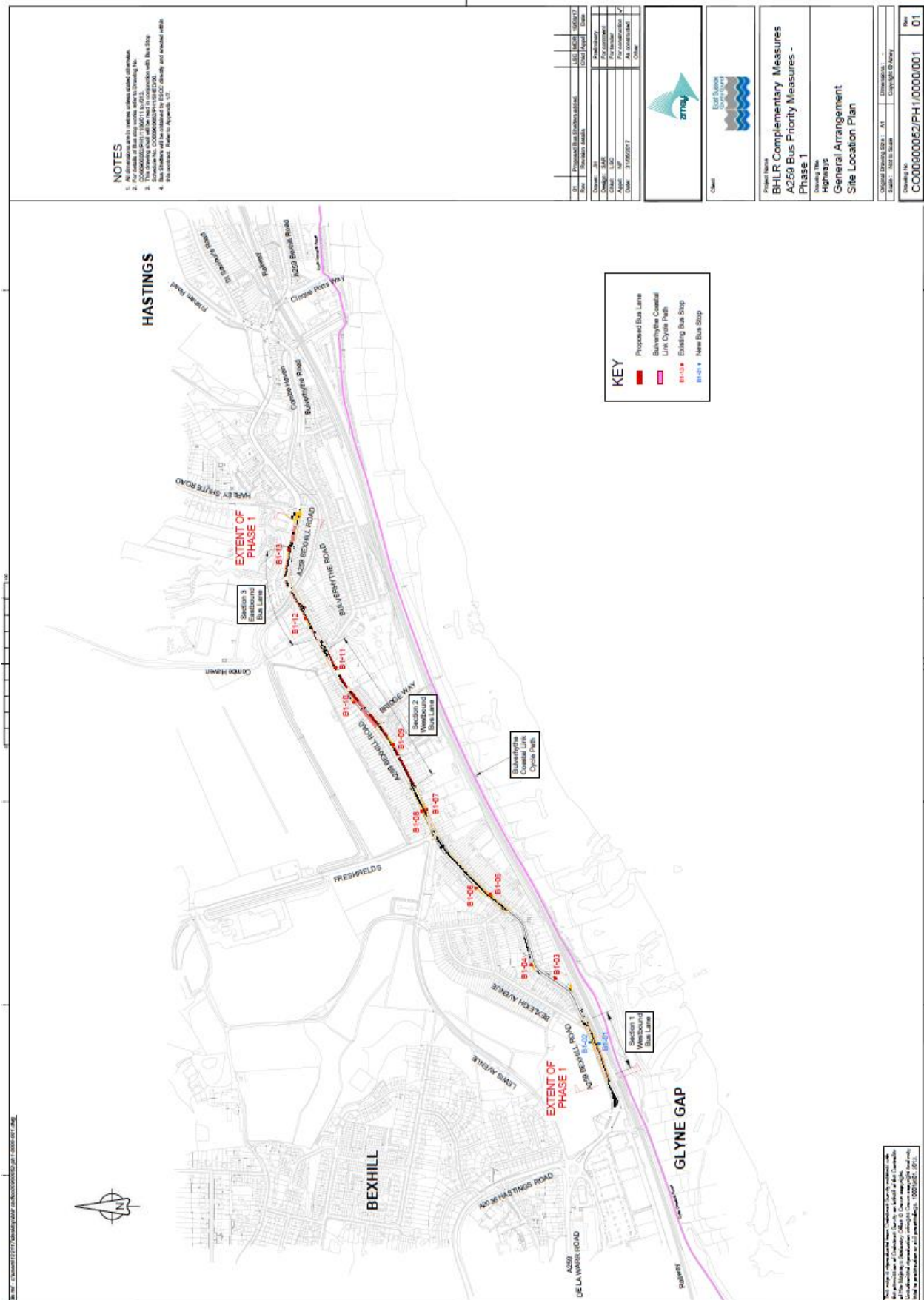
Question 9 - Section 5 – Eastbound bus lane approaching Filsham Road - Are there any comments that you would like to make about how the proposals may affect you?

Theme/Issue	No. of respondents raising this issue
<i>Positives & Neutrals:</i>	

Theme/Issue	No. of respondents raising this issue
Proposal supported	6
Provision of bus lane will shorten bus journeys	4
Motorcyclists and bicycles should also be allowed to use the bus lane	6
Proposal will result in buses crossing 2 lanes of traffic at Filsham Road	1
A filter lane is needed into Filsham Road	1
Emergency vehicles use this road a lot	1
Total	18
Negatives:	
Complete opposition to Proposal	2
A dedicated bus lane is not necessary due to the number of buses currently using the route	11
Opposed - waste of Money	4
Proposal will result in loss of resident's parking	25
Proposal will create additional congestion	24
Proposal will increase accidents	3
The new bus stop location blocks an existing disabled space	2
Total	71

Question 10 - Bus Stop Improvements - Are there any comments that you would like to make about how the proposals may affect you?

Theme/Issue	No. of respondents raising this issue
Positives & Neutrals:	
Proposals supported	33
Making visual improvements is a good thing	1
Real Time Passenger Information should be provided at more of the bus stops	5
Bus lanes don't need to be 24 hours	1
Laybys at stops instead of a bus lane	1
More bus are required that run later and are cheaper	19
Concern over safety of footway gradient due to raised kerbs	2
Total	62
Negatives:	
Reduced parking (particularly disabled) not acceptable	2
Money would be better spent repairing roads	3
Total	5



EAST SUSSEX COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984, ROAD TRAFFIC ACT 1991 &
TRAFFIC MANAGEMENT ACT 2004THE EAST SUSSEX (BOROUGH OF HASTINGS) (TRAFFIC REGULATION)
(CONSOLIDATION) ORDER 2013 (BUS LANE) AMENDMENT ORDER 2018 No. 2

East Sussex County Council, in exercise of their powers under Sections 1(1), 2(1) to (4), 3(2), 4(2), 32, 35(1) and (3), 45, 49, 51, 52 and 53 of, and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the Act"), as amended, the Road Traffic Act 1991, as amended, Part 6 of the Traffic Management Act 2004, and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act hereby make the following Order:-

1. When this Order comes into effect

- (a) The East Sussex (Borough of Hastings) (Traffic Regulation) (Consolidation) Order 2013, as amended, shall have effect except as hereinafter contained.

(i) Schedule One, Prohibition of Waiting, At Any Time, that this Schedule be amended as follows:

- 1 Delete items 40 (a) 2, 40 (a) 4, 40 (a) 5, 40 (a) 6 and Insert 40 (a) 2, 40 (a) 4, 40 (a) 6 and 40 (b) 9 as follows;

40	Bexhill Road	(a)	North Side	2	From a point 5 metres northeast of the boundary of Nos 440/442, north-eastwards for a distance of 196 metres
40	Bexhill Road	(a)	North Side	4	From the western boundary of No 312 eastwards to the junction with West Hill Road.
40	Bexhill Road	(a)	North Side	6	From a point 10 metres northeast of its junction with Bexleigh Avenue, south-westwards for a distance of 173 metres
40	Bexhill Road	(b)	South Side	9	From a point 3 metres northeast of the prolongation of the south eastern kerbline of its junction with Bexleigh Avenue, south-westwards for a distance of 166 metres

(ii) Schedule Fifty, Bus Lane On All Days, that this Schedule be amended as follows:

- 2 Insert items 3 (a) 1, 3 (b) 1, 3 (b) 2, 3 (b) 3 as follows;

3	Bexhill Road	(a)	North Side	1	from a point 66 metres west of its junction with Harley Shute Road, westwards for a distance of 251 metres.
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3	Bexhill Road	(b)	South Side	1	from a point 14 metres north east of the prolongation of the north western kerbline of Bexleigh Avenue, south-westwards for a distance of 157 metres.
3	Bexhill Road	(b)	South Side	2	from a point 29 metres north east of its junction with Bridge Way, south-westwards for a distance of 208 metres.
3	Bexhill Road	(b)	South Side	3	from its junction with Bulverhythe Road, south-westwards for a distance of 143 metres.

2. This Order may be cited as "The East Sussex (Borough of Hastings) (Traffic Regulation) (Consolidation) Order 2013 (Bus Lane) Amendment Order 2018 No. 2" and shall come into effect on 12th November 2018.

THE COMMON SEAL of
EAST SUSSEX COUNTY COUNCIL
was affixed hereto
on the 2nd day of November
Two Thousand and Eighteen
in the presence of:-

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AUTHORISED SIGNATORY

H & T Ctte. 2.4.74 - para 4.2 joint report of Director of
Legal & Community Services & County Engineer -
Para 4

Report to:	Lead Member for Transport and Environment
Date of meeting:	22 January 2018
By:	Director of Communities, Transport and Environment
Title:	A259 Bus Priority Measures Experimental Traffic Regulation Order
Purpose:	To seek authority from the Lead Member to progress with a trial to allow powered two wheelers to use the bus lanes along the A259 Bexhill Road.

RECOMMENDATIONS: The Lead Member is recommended to:

- (1) Agree to the implementation of a 12 month trial allowing powered two wheelers to use the bus lanes along the A259 Bexhill Road; and
- (2) Authorise the making of an Experimental Traffic Regulation Order permitting the use of the bus lanes on the A259 Bexhill Road by powered two wheelers.

1. Background Information

1.1. The Government Motorcycling Strategy, published in February 2005, sought to facilitate motorcycling as a part of its overall transport strategy. The Strategy sets out policy issues to consider and recommends care should be taken to mitigate foreseeable and avoidable risks of powered two wheelers (PTWs) using bus lanes. The Department for Transport published a resultant Traffic Advisory Leaflet (TAL 2/07) regarding the use of bus lanes by PTWs.

1.2. Allowing PTWs to use bus lanes provides a means of reducing emissions and journey times as more people may choose to use PTWs over cars. However, arguments against allowing PTWs into bus lanes centre on the principle of private motorised vehicles being allowed access to bus lanes, additional vehicles in bus lanes having a negative impact on other users (notably on buses and cyclists), and a potential increase in road safety conflicts between PTWs and pedal cyclists.

1.3. Many UK towns and cities have run and monitored experimental schemes which have subsequently been made permanent. The County Council has already successfully undertaken such a trial on the bus lane along the A259 South Coast Road between Telscombe Cliffs and Saltdean.

1.4. The costs associated with the proposed trial along the A259 Bexhill Road would include legal notices and the installation of appropriate signing and lining, as well as before and after monitoring surveys. These costs will be covered from the capital programme allocation for the Bexhill Hastings Link Road Complementary Measures.

2. Supporting Information

2.1 Delivery of the A259 Bexhill Road bus lane between Glyne Gap and Filsham Road is part of the Bexhill to Hastings Link Road complementary highway improvement plan. The Traffic Regulation Orders (TROs) necessary to create the bus lanes were advertised in early 2017 and approved by the Planning Committee in May 2017. Construction is programmed to commence in March 2018. A plan showing the extent of the scheme is included at Appendix 1.

2.2 Each scheme for allowing PTWs into a bus lane should be treated on its own merits as the circumstances will vary between schemes. For this reason, it is proposed that a trial be undertaken into allowing PTWs into the A259 Bexhill Road bus lanes and for monitoring to be carried out for the duration of the trial.

2.3 East Sussex Highways consulted with key stakeholders about the possibility of undertaking a trial on the bus lanes on the A259 Bexhill Road. The cycle group Hastings Urban Bikes are opposed to a trial on safety grounds. The bus company Stagecoach has raised no objections nor have Sussex Police or SECAMB. Two local councillors have given their support for the proposals. Copies of the comments received from the stakeholder consultation are available in the Members' Room.

2.4 East Sussex County Council and East Sussex Highways have undertaken a safety assessment of the A259 Bexhill Road between Harley Shute Road and Glyne Gap and the design for the bus lanes. This has not identified any major concerns with allowing their use by PTWs.

2.5 In other locations it is usual for taxis to also be permitted to use bus lanes and this is also the intention here. The design and consultation for the permanent TROs included this possibility. However, again it is considered prudent to allow use by taxis on a trial basis.

2.6 An Experimental Traffic Regulation Order (TRO) would be required to enable PTWs and taxis to use the bus lane on a trial basis. Experimental TROs can operate for a period of up to 18 months, during which a decision would need to be made as to whether the Order should be made permanent, modified or revoked. Objections to the Order can be made within the first six months from the date that it is made. Any objections to the Experimental TRO must be considered before any order giving permanent effect to its provisions can be made. It is therefore proposed that a 12 month trial be undertaken and would be accompanied by a publicity campaign led by East Sussex Highways.

2.7 Before and after surveys would be undertaken to assess the impact of the trial. East Sussex Highways will arrange for the installation of the necessary cameras and data recording equipment, and provide for the regular monitoring of the information available. Sussex Police will be approached on a proactive basis in relation to accident data over the duration of the trial. The trial will be ended immediately in the event that any significant safety issues become apparent. Any objections would need to be considered by Planning Committee. A further report will be presented to the Lead Member outlining the results of the trial and recommending whether the Order should be made permanent or not.

3. Conclusion and Reasons for Recommendations

3.1 The A259 Bexhill Road bus lane between Glyne Gap and Filsham Road in Hastings is part of the Link Road complementary measures and will be implemented in 2018/19. At present, the TROs allow buses and cyclists to use the bus lane. Allowing PTWs to use the bus lane would potentially reduce the exposure of riders to general traffic, improve safety and reduce journey times as well as reduce pollution levels.

3.2 A safety assessment has not identified any issues with PTWs using the A259 Bexhill Road bus lane that should prevent a trial going ahead. Therefore, it is recommended that the Lead Member agrees that an Experimental Traffic Order is advertised that would permit PTWs to use the proposed bus lanes along the A259 Bexhill Road for 12 months on a trial basis.

RUPERT CLUBB

Director of Communities, Economy and Transport

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LOCAL MEMBERS

Councillor Matthew Beaver

BACKGROUND DOCUMENTS:

1. Traffic Advisory Leaflet 2/07 – The Use of Bus Lanes by Motorcyclists

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Report to: Lead Member for Transport and Environment

Date of meeting: 21 January 2019

By: Director of Communities, Economy and Transport

Title: High Weald Management Plan

Purpose: To adopt the High Weald Management Plan 2019-2024

RECOMMENDATION: Lead Member is recommended to adopt the High Weald Management Plan 2019 – 2024 as approved by the High Weald Joint Advisory Committee

1 Background Information

1.1 The County Council has a statutory duty, under the Countryside and Rights of Way [CROW] Act 2000, to ensure the preparation and publication of a Management Plan for the area of the High Weald Area of Outstanding Natural Beauty (AONB) that lies within its administrative boundary. A Management Plan covering the High Weald AONB was first adopted in March 2004 by all 15 partner local authorities and is required to be reviewed every five years. The Management Plan for 2019-24 is the 3rd review of the Management Plan.

1.2 The Management Plan for 2019-2024 (Appendix 1) has been through public consultation and was agreed by the High Weald Joint Advisory Committee (JAC) in November. The High Weald AONB unit have written to all partner local authorities recommending that they adopt the revised plan. This letter is attached as Appendix 2. The High Weald AONB Joint Advisory Committee (JAC) is a partnership, established in 1989, of 15 local authorities, Defra, Natural England and organisations representing farming, woodland, access and community interests. The JAC employs a small, dedicated staff team, the High Weald AONB Unit which furthers understanding of the High Weald, advises on its management and enables action to conserve it. The JAC is responsible for publishing and monitoring the statutory AONB Management Plan.

2 Supporting Information

2.1 Statutory Duty

2.1.1 The County Council discharges its duty to the High Weald AONB through being a member of the High Weald Joint Advisory Committee (JAC) and paying an annual financial contribution to the High Weald AONB Unit. Financial contributions are also made from the other partner organisations, including the local authorities that have part of the AONB within their administrative area. This funding enables the Unit to prepare a joint management plan for the whole of the High Weald AONB.

2.1.2 The Management Plan is based on evidence and is formulated to coordinate policy, investment and action in the AONB, as well as ensuring achievement of the legal purpose of 'conserving and enhancing natural beauty', as required under the Countryside and Rights of Way Act.

3 Conclusion and Reasons for Recommendations

3.1 The Lead Member is recommended to adopt the latest review of the High Weald Management Plan 2019-2024, as this will enable the County Council to meet its statutory duty to ensure the preparation and publication of a Management Plan for the High Weald Area of Outstanding Natural Beauty (AONB) within East Sussex.

RUPERT CLUBB
Director of Communities, Economy and Transport

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LOCAL MEMBERS

All

BACKGROUND DOCUMENTS

None



The High Weald AONB

An outstandingly beautiful Medieval landscape



Management Plan 2019–2024

A statutory plan setting out local authority policies for the management of the High Weald Area of Outstanding Natural Beauty (AONB)

The High Weald

AONB Management Plan

2019-2024

Published by the High Weald Joint Advisory Committee under the Countryside and Rights of Way (CROW) Act 2000, on behalf of:

- East Sussex County Council

■ Kent County Council

■ Surrey County Council

■ West Sussex County Council
- Ashford Borough Council

■ Crawley Borough Council

■ Hastings Borough Council

■ Tonbridge & Malling Borough Council

■ Tunbridge Wells Borough Council
- Horsham District Council

■ Mid Sussex District Council

■ Rother District Council

■ Sevenoaks District Council

■ Tandridge District Council

■ Wealden District Council

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Third edition published 2014 • Second edition published 2009 • First edition published 2004



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Foreword

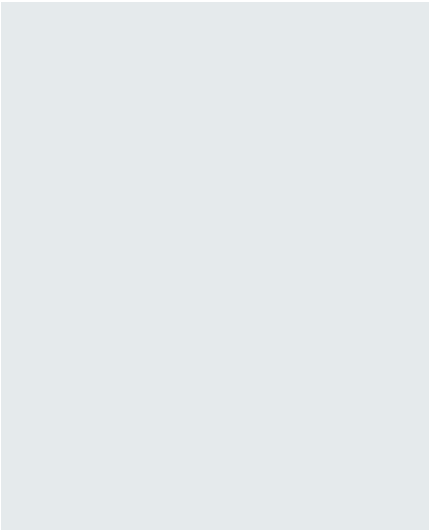
from the Secretary of State

I am fortunate that England's Areas of Outstanding Natural Beauty are part of my Ministerial responsibilities. Whether it be rolling hills, sweeping coastline or a tranquil village, spending time in an AONB can stir the heart and lift the spirit.

This is a pivotal moment for all AONBs. The Government has set its ambition in the 25 Year Environment Plan which states clearly the importance of natural beauty as part of our green future, while AONBs retain the highest status of protection for landscape through national planning policy. Leaving the EU brings with it an opportunity to develop a better system for supporting our farmers and land managers, who play such a vital role as stewards of the landscape. And the Review of National Parks and Areas of Outstanding Natural Beauty led by Julian Glover – the first of its kind for generations – will make recommendations to make sure our designated landscapes can flourish in the years ahead.

In my visits to AONBs around the country, I have been struck by the passion of many people – farmers, volunteers, and hard-working staff – for the beautiful places they live and work. In this spirit I am delighted to welcome publication of this Statutory Management Plan for the High Weald AONB. It is significant that this plan will be delivered in partnership by those who value the High Weald AONB. I would like to thank all those involved in preparation of this document, and wish you the best of success in bringing it to fruition.

The Rt Hon Michael Gove MP
Secretary of State for the Environment,
Food and Rural Affairs



‘The Government has set its ambition in the 25 Year Environment Plan which states clearly the importance of natural beauty as part of our green future, while AONBs retain the highest status of protection for landscape through national planning policy.’

The High Weald is an outstandingly beautiful landscape cherished by people and celebrated for its scenery, tranquillity and wildlife. Its ridges and valleys are clothed with an intricate mosaic of small fields interspersed with farmsteads and surrounded by hedges and abundant woods, all arranged around a network of historic routeways. One of the best surviving Medieval landscapes in North West Europe, the High Weald has remained a unique and recognisable area for at least the last 700 years. Covering 1500 km2 and close to London, this extensive area offers millions of people opportunity to experience the beauty of nature within a working countryside. It was designated an Area of Outstanding Natural Beauty (AONB) in 1983.

‘A landscape not yet bulldozed for speed’
As I Walked Out One Midsummer Morning, Laurie Lee, 1969

Message

from the Chairman

This year sees the 70th anniversary of the 1949 National Parks and Access to the Countryside Act which paved the way for AONB designation. The vision and ambition embodied in this Act ensured a wonderful legacy, securing the protection of outstandingly beautiful landscapes, such as the High Weald, for the nation.

The third review of the AONB Management Plan takes place in a rapidly changing context when the beauty of the High Weald is under threat from inappropriate development, decline in traditional land management and loss of biodiversity. AONBs are facing considerable challenges. Most striking is our need to cut carbon emissions by nearly 50% over the next 12 years to help ensure global warming is kept to a maximum of 1.5C. Achieving this will entail a shift to regenerative land management that protects soil carbon and a strict focus on development, where it is appropriate, that supports low carbon living and provides ultra-low carbon buildings suitable to our residents' needs.

The Government's 25 Year Environment Plan published in March 2018 recognises AONBs as some of our most unique, cherished and valuable natural assets, and makes a commitment to their continued conservation and enhancement. The High Weald Joint Advisory Committee (JAC) welcomes the Glover Review of designated landscapes and looks forward to playing a strengthened role in protecting the High Weald's landscape character and restoring its wildlife. The AONB Management Plan helps guide our actions to meet this ambition.

In 2019 we celebrate the 30th birthday of the High Weald partnership. Set up in 1989 to champion the High Weald's interests and coordinate action to conserve it. The Partnership became a JAC in 1996 and has gone from strength to strength. Our 15 local authority partners and Natural England will continue to work together alongside representatives of land owners, land managers and local communities, to coordinate policy and action to ensure the High Weald landscape is protected and enhanced for the future, offering us all the opportunity to enjoy, and be uplifted by, the beauty of nature on our doorstep.

Councillor Sylvia Tidy

Chairman, High Weald Joint Advisory Committee



‘The High Weald Joint Advisory Committee (JAC) welcomes the Glover Review of designated landscapes and looks forward to playing a strengthened role in protecting the High Weald’s landscape character and restoring its wildlife.’

Members of the High Weald Joint Advisory Committee: Action in Rural Sussex, Ashford Borough Council, Country Land and Business Association, Crawley Borough Council, East Sussex County Council, Forestry Commission, Hastings Borough Council, Horsham District Council, Kent County Council, Mid Sussex District Council, Natural England, The Ramblers, Rother District Council, Sevenoaks District Council, Surrey County Council, Tandridge District Council, Tonbridge and Malling Borough Council, Tunbridge Wells Borough Council, Wealden District Council, West Sussex County Council.

The High Weald

Joint Advisory Committee

Our commitment

The Joint Advisory Committee partners will:

- Continue to work together towards sound and consistent planning policies across the AONB.
- Use the Plan as a ‘checklist’ against which to assess the impact of policies and other activities on AONB purpose to fulfil the requirements of CROW 2000, S85.
- Use the Plan and underpinning data to focus support for agriculture, land management and rural development on activities that conserve and enhance the AONB, including actions to protect sites of local, national and international conservation importance.
- Use the Plan to identify detrimental effects of proposed development on the AONB helping ensure development is ‘landscape-led’ and contributes to conserving and enhancing natural beauty
- Use the Plan and underpinning data to assist with green infrastructure planning across the AONB and wider South East.
- Use the Plan to assess whether activities in the ‘setting’ of the High Weald affect land in the AONB.
- Use the Plan, and supporting research, to contribute to criteria for judging what might count as sustainable development within the AONB.

Our Vision

The High Weald JAC’s vision for the future of the High Weald is a landscape which:

- Retains its distinctive historic landscape character and beauty, and has halted the erosion of natural beauty avoiding poor development and incremental change.
- Is maintained by sustainable land management practices, such as regenerative agriculture, wilding, small-scale woodland management and agro-forestry, and sees land managed by different people through diverse activities that are supported and nurtured where they deliver public benefits.
- Displays thriving wildlife and improving ecological quality in its highly interconnected and biodiverse landscape.
- Is embracing a low-carbon future with green technologies and non-fossil fuel transport underpinning a strong rural economy and thriving communities.
- Engages people with nature and contributes to the health and wellbeing of people within and outside the area.
- Demonstrates a consistent approach to planning across the AONB, allowing for appropriate housing and economic needs of thriving communities and the land-based sector without compromising the characteristic historic settlement pattern.
- Displays healthy natural systems including clean air and water providing benefits across the South East.
- Celebrates woodland history and nurtures a woodland economy whose timber products are highly valued.
- Facilitates active participation by people, their communities and businesses, in conserving the area and managing change.
- Provides a warm welcome and high quality experience for residents and visitors seeking inspiration and enjoyment of its landscape and rich, well understood and celebrated cultural heritage.
- Is valued and understood by people, businesses and communities landscape championed by the High Weald Joint Advisory Committee.

The High Weald's

facts and figures

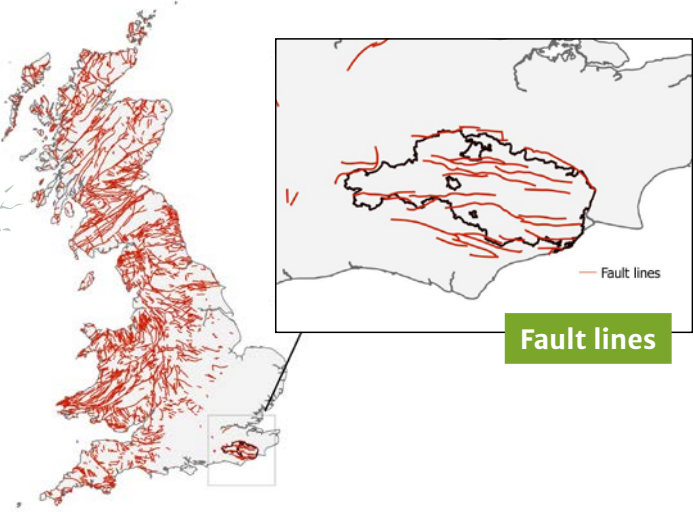
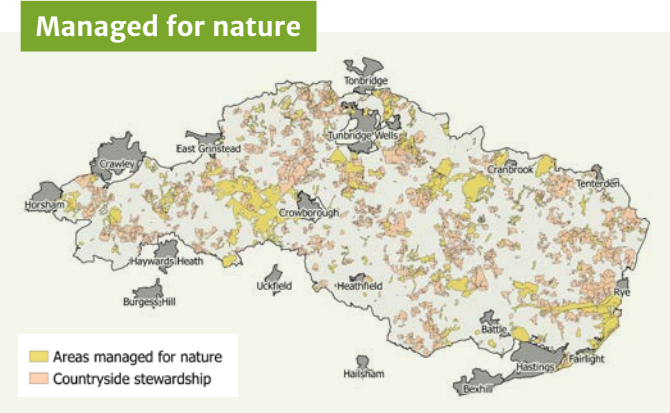
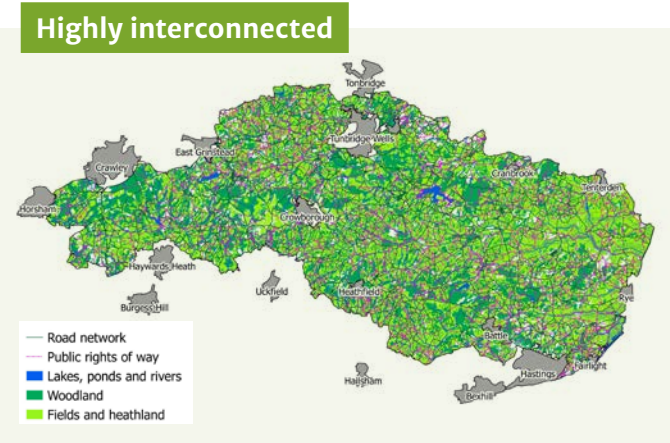
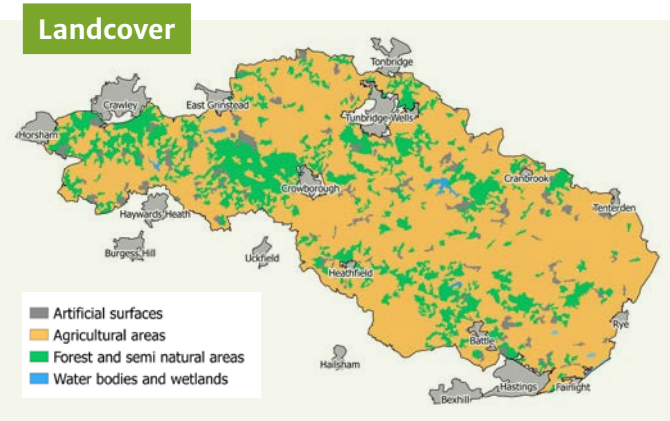


Local authority	% of AONB in local authority	% of local authority in AONB
East Sussex	60.19	50.99
Hastings	0.37	17.63
Rother	29.29	82.60
Wealden	30.53	53.36
West Sussex	13.68	9.87
Crawley	0.03	1.05
Horsham	2.46	6.77
Mid Sussex	11.19	48.96
Kent	25.41	10.21
Ashford	5.69	14.34
Sevenoaks	4.05	16.00
Tonbridge & Malling	0.07	0.39
Tunbridge Wells	15.61	68.88
Surrey	0.70	0.61
Tandridge	0.70	4.11

AONB boundaries were drawn so as to include land of outstanding scientific value to ensure:

‘the preservation of large tracts of country too large for strict preservation as National Nature Reserves, but yet of great value either physiographically or geologically or as containing complex communities of plant and animal life’

The Report of the National Parks Committee 1947



The High Weald AONB was designated in 1983

One of **46 AONBs** in England, Wales and Northern Ireland

One of **34 AONBs** in England covering 15% of the land

Land cover – 1,461km2 (4th largest AONB)

127,000 people live in the AONB (density 87 people per sq. km.)

70,000 live in towns excluded from the designation but wholly surrounded by it

Over 1 million people live within 5km of the AONB boundary

The AONB covers 4 counties, 11 districts and 11 parliamentary constituencies

100 parishes wholly or partly in the AONB

The JAC partnership has represented the interests of the High Weald since 1989

3500 historic farmsteads

17 market towns and larger villages



The High Weald's landscape¹

The High Weald occupies the ridged and faulted sandstone core of an area known from Saxon times as the Weald. It is an area of ancient countryside and one of the best surviving Medieval landscapes in Northern Europe.

The mosaic of small mixed farms and woodlands is now considered to represent a quintessentially English landscape, yet for many years, until the advent of turnpikes, it was better known for the terrible state of its roads.

At first glance the High Weald appears to be a densely wooded landscape but closer examination reveals a detailed agricultural tapestry of fields, small woodlands and farmsteads. Everything in the High Weald landscape is human scale. Wildflower meadows, alive with bees and grasshoppers, are now a rare

delight, but the Medieval pattern of small fields with sinuous edges surrounded by thick wooded hedges, remain. Extensive views punctuated by church spires can be glimpsed along the ridge-top roads. Around almost every corner a harmonious group of traditional farm buildings comes into view with their distinctive steep, clay tile and hipped roofs.

The High Weald is crossed by one of the most famous routeways in English history, the one that took King Harold's army from victory at Stamford Bridge to defeat at Hasting

in 1066. Today, its rich detail is still best explored through the myriad of interconnecting paths and tracks. Here you can walk in the footsteps of our Medieval and Anglo-Saxon ancestors who used this dense network of routeways to move between the wooded Weald and settlements on its fringes where farming was easier. These tracks remain a visible legacy of the value communities placed on the resources of the forest.

Woodland still covers nearly a third of the area in an intricate network of farm woods, wooded shaws, pits and gills, and larger wooded estates. Medieval forests and deer parks were extensive, with significant remnants surviving in Ashdown Forest, Waterdown (Broadwater) Forest and St Leonard's Forest. Most of the woodland is ancient, managed in the past as coppice and swept with magnificent carpets of bluebells and wood anemones in the spring. Of the mature oaks for which the Weald was once famous, few remain. The drier sandy soils favour pine and birch within a patchwork of lowland heath.

More ancient woodland survives in the High Weald than anywhere else in the country due to the small size of Wealden holdings, the importance of crafts to supplement the income from agriculture on poor soils and the high economic value of timber for ships, buildings and to fuel the iron, glass and cloth industries. Woods were enclosed and managed as coppice with standards, producing underwood and construction timber. Large, widely – spaced trees in hedgerows and parklands produced the crooked boughs required for shipbuilding. In the 17th and 18th centuries when hop growing expanded so did the extent of chestnut coppice for hop poles.

Indications of the area's busy industrial past are everywhere, from the large houses built by wealthy ironmasters and clothmakers, to the charcoal hearths, pits and ponds of the iron industry scattered through ancient woodlands.

The small scale and historical patterning of the landscape, intermingling woodland, wetland and open habitats, with many interconnected linear features supporting semi-natural vegetation makes for a rich and accessible landscape for wildlife. Sandstone exposed as outcrops or along the wooded gills is a nationally-rare habitat and supports a rich community of ferns, bryophytes and lichens. The High Weald meets the sea at Hastings cliffs, an area of undeveloped coastline consisting of actively eroding soft cliffs of sands and clays. The numerous gill streams of the High Weald give rise to the headwaters and upper reaches of rivers, with those to the east important in the past as trade routes for timber, iron and wool out to the coastal ports on Romney Marsh.

The High Weald is well known nationally for its wealth of historic houses and gardens including Sheffield Park and Ashburnham Place, both of whose landscaped gardens were designed by Lancelot 'Capability' Brown; the ruined 13th century Bayham Abbey, with grounds landscaped by Repton; the follies at Brightling created by 18th century eccentric 'Mad Jack' Fuller; Bodiam Castle, moated and dating from the 14th century; Standen, the Arts & Crafts house designed by Philip Webb; the

Jacobean house Batemans, home to Rudyard Kipling; Great Dixter, restored by Lutyens with an internationally-renowned garden created by Christopher Lloyd; and Great Maytham, home to Frances Hodgson Burnett, whose walled garden provided the inspiration for her classic children's book The Secret Garden. Such accents stand out against a backdrop of a rich tapestry of vernacular architecture composed of materials distinct to the High Weald and which contribute to the unique sense of place, cultural identity and local distinctiveness of both the area as a whole, and its individual settlements.

Wilder elements reminiscent of the former forest survive amid this beautiful small-scale landscape, shaped by man, inspiring many notable people. These include the architect Norman Shaw, painter William Holman Hunt and William Robinson, who pioneered the creation of the English natural garden, as well as writers Rudyard Kipling and A.A. Milne, who set his much-loved stories about Winnie the Pooh on Ashdown Forest.

The High Weald forms the central core of a geological landform of sedimentary rocks, the Wealden anticline, which underpins the South East. The unique geology of the Weald is shared with only three places in Europe – the northern part of the Isle of Wight and parts of the Boulonnais and Pays de Bray in France. The Purbeck beds, which lie along the Battle ridge,

form the oldest sediments, having been laid down in shallow lagoons at the end of the Jurassic period (142 million years ago). Iron-rich clays and sandstones followed as the landscape changed to one of flood plains and rivers. The area gradually sank below the sea and around 75 million years ago the great uplift began, followed by compression which folded and faulted the strata. Subsequent weathering has cut through the strata, exposing the layers as sandstone ridges and clay valleys. The amazing variability of soils produced has shaped the Weald's economic and therefore social history.

With rising temperatures at the beginning of the post-glacial period, and the continuing land link to Europe, arboreal species were able to expand with birch, hazel and pine being followed by oak, elm, alder, ash and lime. There is some evidence for small-scale, sporadic and temporary clearance by Mesolithic hunter-gatherers. From c6000 BC, when Britain became separated from Europe, people had already begun to change the landscape,, This is evidenced by the scatter of flints used for hunting and the use of fire to make clearings to entice prey. Periodic woodland clearance continued with Bronze Age barrows and Iron Age hill forts indicating active communities in Ashdown Forest, but it was the Medieval practice of transhumance – the seasonal movement of people and animals between the settlements on the borders of the Weald and its interior – coupled with exploitation of the valuable resources of the forest, that transformed the Weald into the settled landscape we see today.

97% of people find the High Weald's scenery, tranquillity and proximity to nature appealing
High Weald Public Survey, 2018

1. Edited and adapted from The Kent and Sussex Weald, Peter Brandon, 2003.

A brief history of the High Weald²

The High Weald lies within one of the largest tracts of woodland remaining in early Medieval England.

Termed Anderida silva by the Romans, it was referred to as Andredesleah ('leah' suggesting wood pasture)³ in the Anglo-Saxon Chronicle, and later as Andredesweald (the high forest of Andred) shortened to Weald in Saxon charters (sometimes associated with weald-bera or den-bera – a right to feed swine in the forest)⁴. The Weald is one of the longest lasting regional names in Britain.

Prehistory

It is possible that the system of moving livestock into seasonal grazing areas in the Weald from the surrounding downs and vales originated in the Neolithic period, or even earlier. Mesolithic and Neolithic flint scatters are concentrated close to springs and on the drier ridgetops. There is significant evidence for communities using and clearing woodland, cultivating land and for the formation of heathland by the Bronze Age.

Iron Age ironworks are concentrated around the northern and eastern fringes of the High Weald, enabling the export of iron via tributaries of the River Thames and the Brede and Rother. The location of routeways close to Iron Age forts and camps suggest a degree of control and supervision over trade in livestock and also the export of iron and other products out of the Weald.

The Roman period (AD 43-420)

The High Weald was the premier iron producing district in Britannia during the Roman occupation, with up to 2,000 bloomeries scattered across the area and nine

industrial scale sites. Iron production, which peaked in the 2nd and first half of the 3rd centuries AD, was located within 3.5km of known Roman roads and concentrated to the east, where it was managed as an Imperial estate by the Roman Fleet (the Classis Britannica). Here it had good access to the navigable waterways of the Brede and Rother, and to major highways linking to both the London market and the wealthy villas and cornlands of the South Downs.

The Roman roads that intersect the High Weald, and which enabled the movement of military force and the extraction of iron, broadly correspond in their alignment with earlier routeways and in some cases intersect them. Unlike most routeways which avoid boggy ground, Roman roads drove across the landscape and required paved fording points where they crossed rivers and streams. Recorded Roman villas are very rare in the High Weald because the control of the Roman Fleet inhibited the development of private estates.

The Saxon period (420-1066)

Routeways provided the framework for territorial units – called 'lathes' in Kent and Surrey, and 'rapes' in Sussex – that developed after the Roman period and up to the adoption of counties and then the parish system from the 8th and 9th centuries. These routeways connected parent manors in surrounding arable landscapes to the woodland resources and rich pastures of the Weald, often at distances of 20 or 30 miles apart. These included the temporary swine pastures or 'dens' (concentrated in Kent)

where pigs and sometimes cattle and sheep were herded to feed on acorns and beech mast in the autumn.

The surveyors for Domesday Book (1086-7) used pigs as a way of calculating the value and extent of woodland. The right of tenants to graze pigs in wood pasture areas (called 'pannage') developed from the 9th century and continued into the 14th and 15th centuries. Other areas along routeways were used as seasonal pastures or stopping-off points, including 'folds' and areas which became greens and forstals within farming settlements.

The Medieval period (1066-1540)

The practice of temporary grazing from outlying manors had declined by the 11th century, probably due to the gradual break-up of the large estates by the Saxon kings through granting of lands to secular and ecclesiastical holders. Between the 9th and 12th centuries, seasonal pastures had developed into individual and clustered groups of farmsteads as more land was enclosed for growing crops and pasturing cattle. By the 14th century the High Weald's characteristic dispersed settlement pattern was well established, with the land mostly worked from individual family farms set in anciently-enclosed fields for managing crops and pasturing animals carved out of woodland and wood pasture.

The numbers of permanent farmsteads increased until the 14th

'Unless a man understands the Weald, he cannot write about the beginnings of England...'

Hilaire Belloc

century, requiring an increasingly dense network of routeways to link them and provide access to fields and common land. A number of new farms were created out of the woodland from the 11th century. By the late 13th century the Wealden landscape comprised a scattering of gentry properties intermingled with a mass of small peasant holdings, many of which developed – as a result of amalgamation – in the 14th and 15th centuries into larger freehold properties. Yards in farmsteads were used to manage pigs, which continued as an important part of the local farming economy, and cattle, which continued to be driven out of

the area on the hoof for finishing. Cattle became an increasingly important export between the 14th and 18th centuries, and most locally-produced corn was produced as animal feed and for home consumption rather than as an export crop.

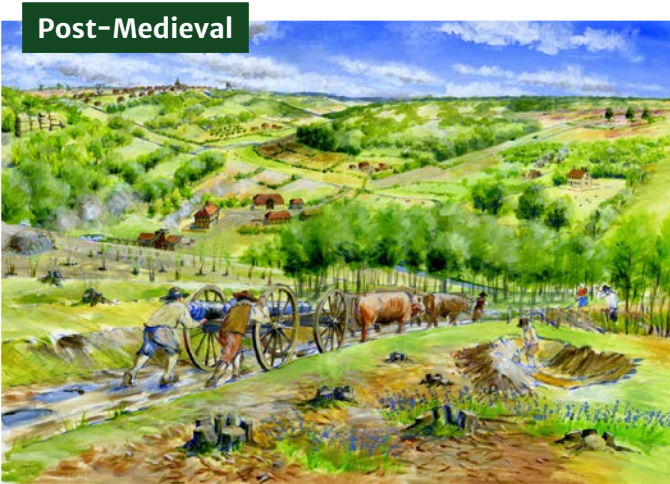
Villages, such as Goudhurst, Burwash (planned along a ridge), Wadhurst and Ticehurst, with market places for trading local products (iron, livestock, cattle hides and woodland products) developed in the 13th century along and at the meeting point of routeways. Fine Medieval houses attest to their relative wealth and their occupants often combined farming with trade.

For five hundred years the rivers of the Eastern High Weald were an important link for trade and war between the wooded interior and the sea ports of Winchelsea and Rye, which after the storms of 1285 and in the early 14th century gradually silted. Many routeways connected the Weald to navigable rivers and ports. Timber and firewood, mostly bound for France and Flanders, were the major exports from Kent and Sussex ports through to the 16th century, and the relative ease of export stimulated the woodland industry in this part of the Weald. Up to the late 15th century the River Rother was navigable to Reading Street, Smallhythe and Newenden, with Henry V's 1000-ton ship, The Jesus, built at Smallhythe in 1414. The last Royal Commission at Smallhythe was Henry VIII's great ship, the 300-ton Great Gallyon, ordered in 1546. Silt and the great storm of 1636 saw the end of the shipbuilding industry but wooden barges were still moving timber and goods from the interior of the High Weald until the end of the 19th century when the last barge, Primrose, was built.

The post-Medieval period (1540-1750)

Some colonisation of the woodland continued up to the 17th century, by which time there was a considerable growth in population linked to the growth of industries such as broadcloth manufacture and iron founding. More houses were built along routeways, enclosing areas of common land along them. In some

2. Edited and adapted from Harris, R.B. (2004). Making of the High Weald, & Lake, J. (2018). Routeways of the High Weald. High Weald Joint Advisory Committee.
3. Della Hooke, 'The Woodland Landscape of Medieval England' in N.J Higham and Martin J Ryan, Place-Names, Language and the Anglo-Saxon Landscape, 2011, p.150.
4. Robert Furlley (1871). A History of the Weald of Kent, p.88.



areas as many as a quarter of families were housed in areas enclosed from wayside common.

The Weald again became a centre of British iron making from the early 16th century, following the successful import of blast furnace technology from the Low Countries in the 1490s, concentrated in the eastern and central Weald but with significant expansion to the north and west. Interconnecting chains of leats, dams and hammer ponds were constructed to provide sufficient head of water for the forges, and wealthy ironmasters built notable mansions such as Gravetye and Great Shoemiths. The industry declined in the late 17th and 18th centuries as a result of cheaper imports, the rising price of fuel, the successful development of the use of coke, and the loss of naval contracts to provide cannon.

Most of the wool for dyeing was imported from Romney Marsh into the main cloth manufacturing areas around Cranbrook and Tenterden. Cloth was then transported overland by packhorse and more rarely wheeled transport to dealers in London. Smaller items including ironwork such as horseshoes and glass were also exported in this way. By the end of the 17th century many clothiers and ironmasters were moving into cattle rearing in response to increasing demand for beef. The hop industry developed on an industrial scale from this period, supplying maltings and breweries and stimulating the management of woodlands and shaws for fuel, and the growing of chestnut for hop poles.

The Industrial Revolution (1750–1914)

Over this period the Weald shifted from a diverse industrial and farming economy to one that was more linked to the development of capital in London and the coastal resorts, and the enjoyment of its landscape by new residents and visitors. Social commentators Arthur Young, William Cobbet and others noted the ornamental landscapes of the new gentry and admired the area’s wayside cottages with their gardens. As droving of livestock continued to decline there was further enclosure of roadside commons and greens for new houses (called ‘purpasture’ settlement), mostly driven by the large numbers of smallholders who were bereft of employment on account of the decline in the cloth and iron industries.

Most turnpikes in the High Weald were built on pre-existing highways between the 1730s and 1770s. They were of particular importance in easing the export of timber and corn, and in

supplying goods and services for the burgeoning south coast resorts such as Brighton and Hastings. Although many turnpike trusts had closed down by the 1880s they stimulated property transactions and enabled significant amounts of residential development. These were concentrated in the areas south of Tunbridge Wells and around the Brighton–London road to the west. From the 18th century, a trend in ‘pleasure farms’ saw some farmsteads converted into residential use with routeways diverted and made into private drives, which approached through new ornamental landscapes.

Farmland was reorganised with enlarged fields, existing or straightened hedgerows dotted with trees. Farmsteads were also reorganised often around courtyards to help produce more manure for fields yielding more corn for export.

The railway network intensified these developments, often increasing the demand for improved roads to connect new housing to railway stations. Additional cattle yards were built around railway stations (for example at Hawkhurst and Paddock Wood) and rail was increasingly used for exporting livestock, hops and milk. Railways, and at the end of this period motor cars and buses, also enabled tourism accompanied by guides and books such as Arthur Beckett’s The Wonderful Weald (1911).

The last hundred years, 1914 to the present

The increased appreciation of the High Weald’s historic landscape and heritage has been accompanied by the decline of traditional agriculture, cattle droving (cattle were still being driven to markets in the 1930s) and woodland management. Car ownership increased dramatically, leading to the further decoupling of settlement from land use. The building of bungalows and renovation of historic houses became common, and the areas around the Weald experienced a substantial and disproportionate increase in housing compared to the rest of England in the inter-war period.

Until the 1950s the Weald changed at a slower pace than most other regions in Britain. For 700 years prior to this, agriculture and the pattern of fields, hedges and surrounding woodland remained relatively unaltered. Since then, farming and forestry, always difficult on the poor soils, have been pushed further to the economic margins. This decline in mixed farming and woodland management is a major threat to the long term survival of the High Weald’s distinctive landscape character.



About the Plan

What is an AONB?

An Area of Outstanding Natural Beauty (AONB) is an area of countryside designated by the Government to protect the outstanding beauty of its landscape for people now and in the future, and for the wildlife that depends on its distinctive character. A large proportion of the land in an AONB is privately owned and the actions of all land owners, land managers and land users are critical to AONB conservation.

Who prepares the AONB Management Plan and what is its status?

AONB Management Plans are statutory documents. The Countryside and Rights of Way Act 2000 requires local authorities with land in an AONB to prepare and publish an up-to-date plan which ‘formulates their policy for

the management of the area and for the carrying out of their functions in relation to it’⁵. Where AONBs cross administrative boundaries, local authorities are required to act jointly to prepare the plan⁶. In the High Weald this requirement is delivered through the High Weald Joint Advisory Committee (JAC), a partnership which includes all 15 local authorities covering the area together with community, environment and land-based sector representatives. Following a formal consultation process, the High Weald JAC recommends the joint Plan to individual local authorities who each adopt the Plan. The Plan is reviewed every five years.

5. Countryside and Rights of Way Act 2000, S89 (2).
6. Countryside and Rights of Way Act 2000, S89 (11)(b).

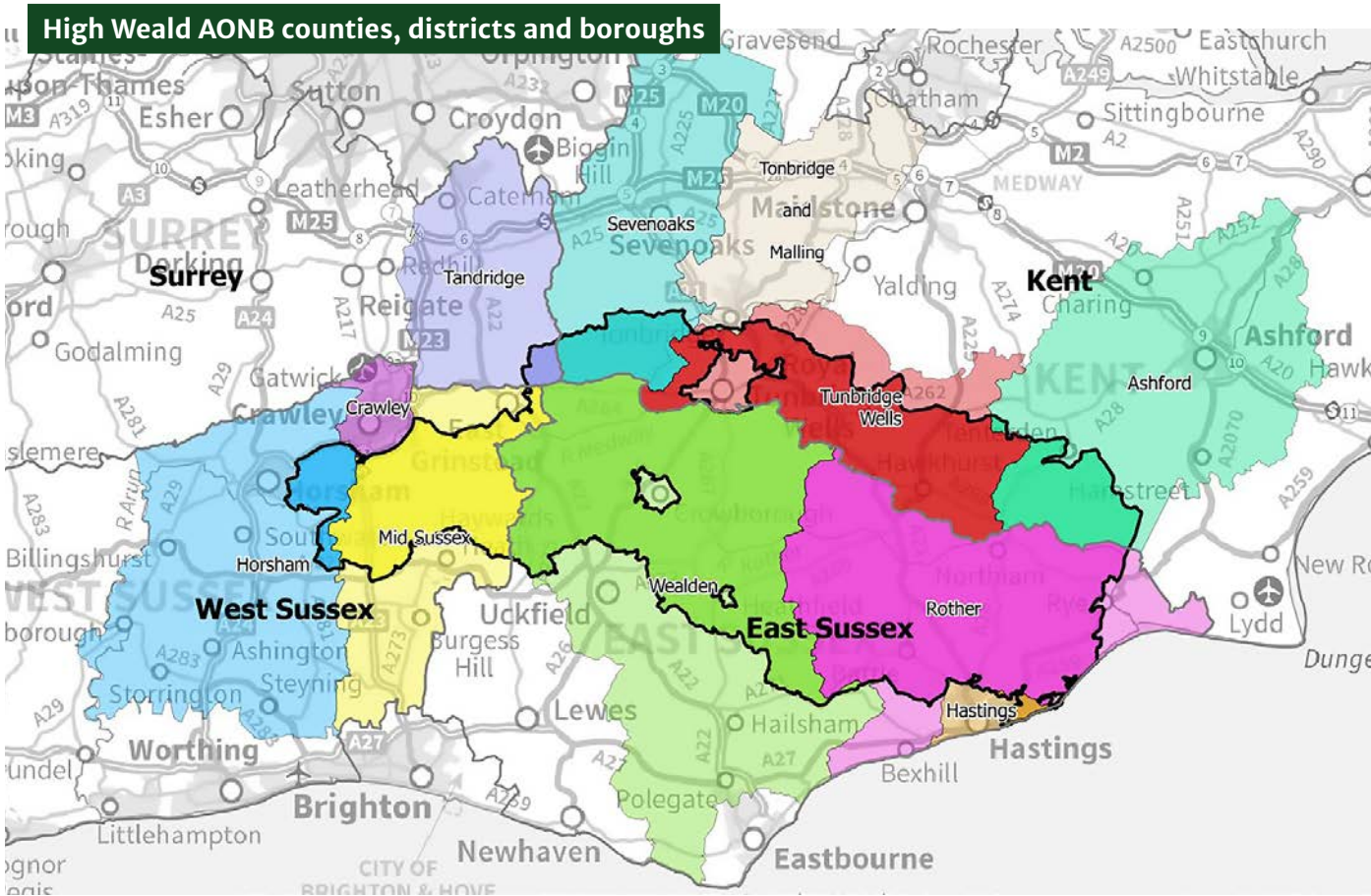


Fig 1. Fifteen local authorities have adopted the Plan as their policy for the AONB

What is the purpose of the Plan?

AONB Management Plans are locally-owned and democratically-accountable strategies, based on evidence, for looking after these beautiful places in the interests of both people and nature. They are formulated to coordinate policy, investment and action in these nationally-important landscapes in order to achieve the legal purpose of ‘conserving and enhancing natural beauty’⁷ for the benefit of current and future generations.

Who is the Plan for and when should it be used?

The Plan is relevant to many organisations and individuals. As a local authority policy document it guides local authority plan-making and decision-taking, but it also has a wider role. Where people engage with local authority services, the Plan can help them tailor their actions to comply with local authority policy, and support the care and conservation of the High Weald landscape. Use of the Plan also offers a transparent means by which **Government, statutory undertakers and any public body (such as NHS England) or person holding public office** can ensure they are fulfilling their **Section 85 duty to ‘have regard to the purpose of conserving and enhancing the natural beauty’ of the High Weald AONB**⁸.

The Plan may be applied to the designated area and its ‘setting’ especially where the setting falls within the High Weald National Character Area⁹.

Which local authority functions are covered by the AONB Management Plan?

Any local authority function that may have an influence upon the natural beauty of the AONB. These include:

- Planning and housing, including neighbourhood planning
- Monuments, listed buildings and conservation areas
- Building regulations and energy efficiency
- Waste, environment protection, pesticides and pollution
- Libraries and museums
- Wild animals, biodiversity, flooding and marine areas
- Rights of way and coastal access
- Food and food safety
- Public health, mental health, social care and young people
- Highways, traffic management, public transport and parking
- Education

A full list of local authority functions can be found at <https://data.gov.uk/dataset/statutory-duties-placed-on-local-government>

What is included, and not included, in the Plan?

The Plan is designed to be concise and usable. It is tightly focused on the purpose of AONB designation and the requirements of the Countryside and Rights of Way Act 2000. While aware of the wider realities – such as pressure for development – it does not attempt to balance the purposes of designation against non AONB concerns. Judging the merit of competing interests for land is the responsibility of Government, its agencies and planning authorities in conversation with others. The Management Plan provides such bodies with an objective, evidence-based tool articulating what matters in terms of AONB purpose and the fulfilment of their statutory duties.

The Plan includes:

- A Statement of Significance defining the natural beauty of the High Weald.

- Character statements, including a list of key characteristics, describing the components of natural beauty that policy and actions should aim to conserve and enhance.
- Data and information about the High Weald’s natural and cultural assets.
- A set of management policies (‘Objectives’) for the conservation and enhancement of the AONB together with a monitoring framework for judging success.
- Proposed Actions which indicate the ambitions of partners for themselves, and for others, and which guide resources and effort to where they are most needed.
- References to evidence and supporting information.

Research reports, data sets and maps for each component of natural beauty and for selected aspects of the area’s natural and cultural capital, are held by the High Weald JAC and available to support Plan delivery.

How was the Plan prepared?

This Plan is the fourth edition of the AONB Management Plan first published in 2004. Local authorities are required to review the AONB Management Plan every five years, make any amendments they consider appropriate, and publish a report on the review¹⁰. The review follows national guidance¹¹.

It is a formal process requiring preparation of a Strategic Environmental Assessment and other appropriate assessments to comply with English and European Union law. It reflects consideration of current and forthcoming policy changes, new data and analysis, and draws on local opinion gathered through participative engagement events and public consultation.

A full list of documents prepared in support of this Plan can be found on page 16.

How to use the Plan

The Plan can be used to guide environmental land management and assess the impact of development or other changes on the AONB. Where the ambition is to achieve environmental net gain, or assess potential harm, the Plan provides a framework for identifying actions that may enhance or damage the AONB’s natural and cultural assets. Key characteristics for each component of natural beauty identify what is special about the High Weald’s landscape and beauty that should be afforded ‘great weight’ in planning decisions. Data held by the High Weald Joint Advisory Committee (JAC) for many of these characteristics indicates their geographical extent and can assist decision-making. The Plan, and the objectives for each component in particular, acts as a checklist or set of criteria against which policy and actions can be assessed for compliance with Section 85 of the CROW Act 2000.

7. Countryside and Rights of Way Act 2000, S82 (1).
8. Countryside and Rights of Way Act 2000, S85 (1) and (2).
9. NCA Profile: 122 High Weald (2013), Natural England (NE508).
10. Countryside and Rights of Way Act 2000, S 89 (9) and (10).
11. Guidance for the Review of AONB Management Plans, Countryside Agency CA221 2006 <http://webarchive.nationalarchives.gov.uk/20140605121642/http://publications.naturalengland.org.uk/publication/40023>, & Areas of Outstanding Natural Beauty Management Plans: A Guide, Countryside Agency, CA 23 2001 <http://webarchive.nationalarchives.gov.uk/20140605121241/http://publications.naturalengland.org.uk/publication/40024>

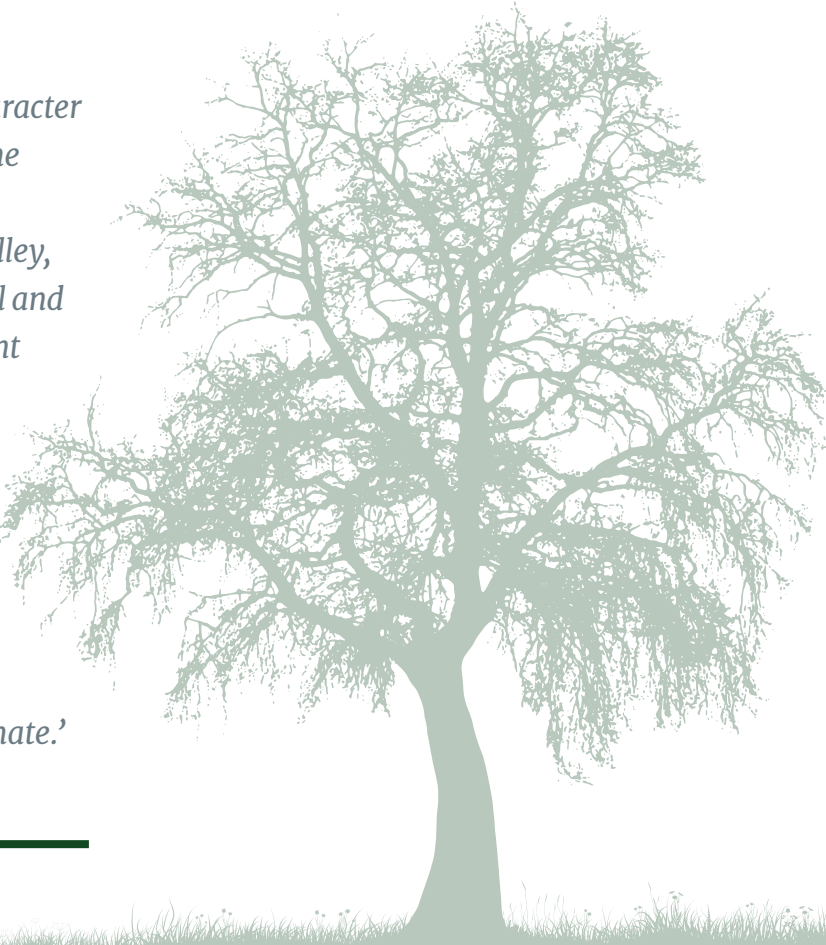
High Weald AONB parishes



Fig 2. The High Weald AONB covers 100 parishes, each of whom have a duty of regard under Section 85 of the Countryside and Rights of Way Act 2000 towards its conservation and enhancement.

An AONB is ‘[Countryside of] distinctive character whose nature and value depend partly on the physical structure of the rocks of which it is composed and the sculpturing of hill and valley, partly on local climate, partly on the natural and semi-natural vegetation that may be present and partly on the crops that are grown and the agricultural regimes. All these elements blend into a whole which possess both singular beauty and high scientific interest, and the defacement or disappearance of the distinctive characters of such an [area] involves an irreparable loss which it is hard to overestimate.’

Wild Life Conservation Special Committee describing proposed AONBs, 1947



Proposed Actions for each Plan objective are ordered in two categories – ‘Public bodies’ and ‘Others’. Public bodies include all bodies subject to the statutory duty ‘to have regard to’ conservation and enhancement of the AONB – county, borough, district, parish and town councils; government departments and their arm’s length bodies, such as NHS England; statutory undertakers; highway authorities, and statutory committees. ‘Others’ include any other organisation or individual whose actions impact on the High Weald, and who can help conserve and enhance it.

Monitoring and evaluation

Monitoring of Plan progress and of the condition of the AONB will be carried out by the High Weald Joint Advisory Committee. Headline indicators will not be used due to the absence of relevant, consistent and repeatable AONB-wide data; rather

condition and threat level will be assessed using available data, expert knowledge and informed judgement. Data sources will include data gathered for each ‘Indicator of Success’ together with Natural England environmental monitoring information and any other relevant data sets.

The Plan sets out the key characteristics of this nationally-important landscape and the ‘public goods’ it provides in order to help new environmental land management schemes achieve the ambitions of the Governments 25 year environment plan.

Implementation

Where the Plan is used to guide policy or action on the ground the following principles should be applied:

Landscape-scale targeting – using the best available evidence to identify urgent challenges and achieve multiple objectives; with local knowledge used to match these areas with willing partners on the ground.

Landscape-scale collaboration – working with a range of partners (public, private and community), connected through geography or interest, to support strong joint initiatives (such as Farm Clusters or community land trusts).

Tailored to local circumstances – cognisant of local character and recognising the different aspirations, motivations, knowledge and capacity of land managers, businesses and communities.

Trusted advisors – recognising the value of technical experts and of experienced practitioners; bringing together specialists across landscape disciplines (such as species and habitat specialists, landscape archaeologists, rural economists) to develop integrated solutions.

Long term commitment – investing in partnerships, projects and activities that deliver lasting benefits.

Knowledge transfer – valuing long-held practical knowledge and experience of the areas’ rural heritage and seeking opportunities to share this with others.

Payment for public benefit – recognising the wide range of health and wellbeing benefits provided by accessible countryside, but also the importance of a biodiverse and well-functioning ecosystem, and the contribution made by local healthy food production and forestry.

Natural systems – using natural processes where possible to restore naturally functioning habitat mosaics within which all characteristic wildlife can thrive.

Empowering people – engaging people with nature; building skills and capacity, supporting volunteering and providing support to enable everyone to contribute positively to conserving the High Weald.

Measureable biodiversity net gain – positive action to improve diversity and biomass of characteristic species supported by base line evidence and monitoring.

Documents prepared in support of this Plan

- All documents prepared in support of this Plan can be found at www.highweald.org/public-consultation-2018
- AONB Management Plan Review 2019: Engagement and Consultation Report, High Weald Joint Advisory Committee
 - AONB Management Plan Review 2019: Strategic Environmental Assessment, Joint Advisory Committee
 - AONB Management Plan Review 2019: Habitats Regulations Assessment, Joint Advisory Committee
 - AONB Management Plan Review 2019: Equality Impact Assessment Screening Report, Joint Advisory Committee
- AONB Management Plan Review 2019: Health Impact Assessment Screening Report, Joint Advisory Committee
 - Monitoring the Condition of the AONB and the Performance of the AONB Management Plan 2014 – 2019, High Weald Joint Advisory Committee, August 2017
 - AONB Management Plan Review 2019: Context and Issues, High Weald Joint Advisory Committee, March 2017.

AONB Policy and Legal Framework

There are 34 Areas of Outstanding Natural Beauty (AONBs) in England, a further four AONBs wholly in Wales and eight in Northern Ireland. The 46 AONBs in England, Wales and Northern Ireland cover approximately 18 per cent of the land surface. Together with National Parks, AONBs represent our finest landscapes; unique and irreplaceable national assets, each with such distinctive character, biodiversity and natural beauty that they are recognised internationally as part of the global family of protected areas to be managed in the interest of everyone.

The distinctive character and natural beauty of AONBs make them some of the most special and loved places in the UK. AONBs are living, working landscapes that contribute some £16bn every year to the national economy. England’s AONBs are home to a million people and more than two thirds of England’s population live within half an hour’s drive of an AONB. Around 150 million visits to English AONBs take place every year, resulting in spending of more than £2bn.¹²

Purpose of designation

The primary purpose of AONB designation is to **conserve and enhance natural beauty** but the architects of the 1949 Act recognised other underlying principles which were important aspects of the designations’ success. These included the need to maintain a ‘thriving community life’ with particular emphasis on farming and forestry, and the need to promote understanding and enjoyment of the area’s special qualities.

These subsidiary purposes – in effect, qualifications of the primary purpose – are those defined in the Countryside Commission statement 1991¹³, restated in 2006¹⁴ (the basis for the wording of the subsidiary purposes can be found in the Countryside Act 1968, section 37):

- In pursuing the primary purpose of designation, account should be taken of the needs of agriculture, forestry and other rural industries, and of the economic and social needs of local communities. Particular regard should be paid to promoting sustainable forms of social and economic development

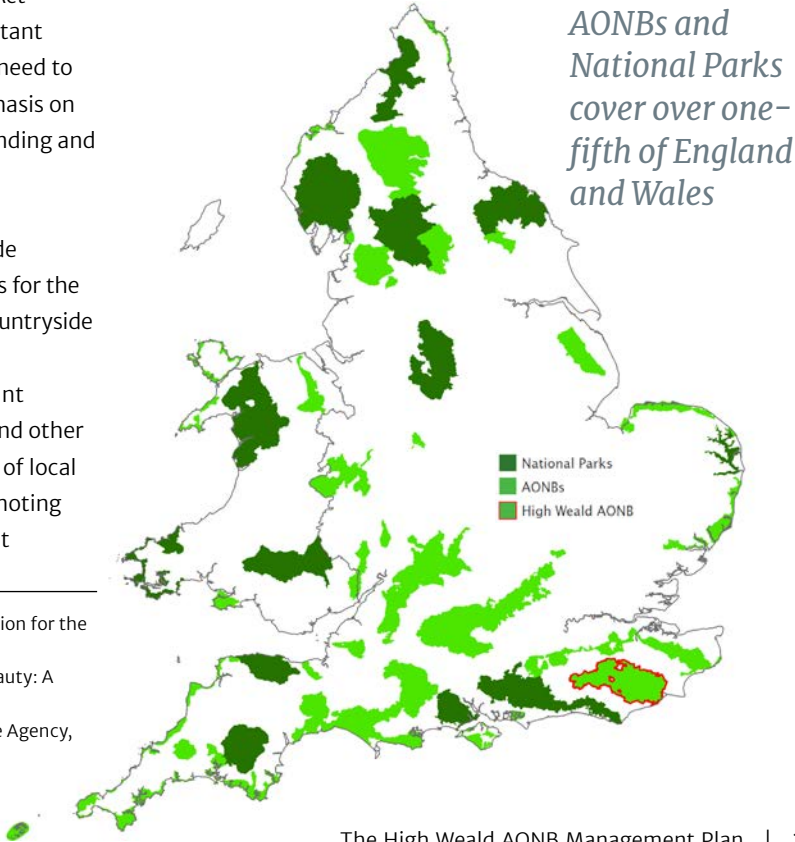
that in themselves conserve and enhance the environment.

- Recreation is not an objective of designation, but the demand for recreation should be met so far as this is consistent with the conservation of natural beauty and the needs of agriculture, forestry and other uses.

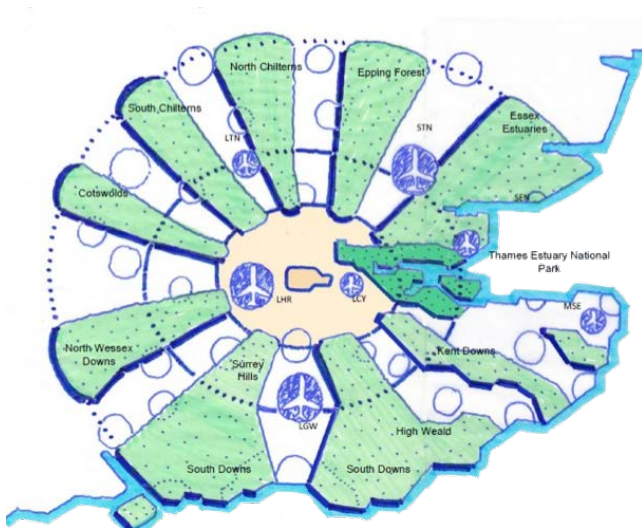
Responsibility for conservation and enhancement of AONBs

The formal legal responsibility for both development control and for management of AONBs (including the duty to prepare an AONB Management Plan) lies with the local authorities in whose area(s) the AONB exists, except in two instances (the Chilterns and the Cotswolds AONB) where this is the responsibility of a statutory Conservation Board.

In addition, local authorities and all public bodies have a statutory duty under CROW Act 2000, Section 85, to ‘...have regard to the purpose of conserving and enhancing natural beauty...’. To ‘conserve and enhance’ is a single duty, therefore exercising the duty requires that both elements be addressed. This duty places an obligation on a wide range of organisations



12. NAAONB (2018). Areas of Outstanding Natural Beauty: A designation for the 21st Century. www.landscapesforlife.org.uk
13. Countryside Commission (1991). Areas of Outstanding Natural Beauty: A Policy Statement (CCP 356).
14. Guidance for the review of AONB Management Plans (Countryside Agency, CA 221, 2006, p.6).



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A schematic envisaging the future of London as a green global region intimately interconnected to AONBs, National Parks, and other green areas

The National Parks Commission set up by the 1949 Act warmed to the designation of AONBs, observing that they were important because of their proximity to populated areas in the lowlands.

not just to consider any detrimental impacts on AONBs of their policies and activities (both outside as well as within the boundary), but positively to consider how they might enhance the AONBs' natural beauty. Ministers of the Crown, statutory undertakers, Government agencies and any public body or person

Legal framework

- AONBs exist within a legal framework which has been progressively strengthened since the first AONBs came into existence after the Second World War.
- The **1949 National Parks and Access to the Countryside Act** made provision for the designation of AONBs and National Parks. It provided AONBs with protection, under planning law, against inappropriate development and gave local authorities permissive powers to take action for '**preserving and enhancing natural beauty**'.
- The **Countryside Act 1968** (Section 37) placed a responsibility on local authorities, statutory conservation bodies, and civil servants, in exercising their functions under the 1949 Act (as amended by subsequent legislation) to '**have due regard to the needs of agriculture and forestry and to the economic and social interests of rural areas.**' Within AONBs this means a responsibility to acknowledge and, where appropriate, to promote farming, forestry and the rural economic and social context wherever this can be done without compromising the primary purpose of conserving natural beauty.
- The **Environment Act 1995** confirmed replacement of 'preserve and enhance' with 'conserve and enhance' in relation to the purpose of National Parks and duties of public bodies towards them.

- holding public office, including Local Enterprise Partnerships (LEPs) through their accountable body (local authority) are subject to the Section 85 duty.
- The duty requires public bodies to have regard for AONBs at all stages of their decision making and Defra expects that they should be able to 'demonstrate that they have fulfilled' the duty and 'clearly show' how they have considered the AONB purpose in their decision making¹⁵.
- Preparation of AONB Management Plans is mostly delegated by the local authority to a representative committee on which a variety of AONB 'stakeholders' are represented. Where an AONB overlaps several different local authority areas this is usually termed a 'Joint Advisory Committee' or JAC. The High Weald Joint Advisory Committee was formally established in 1996 with its predecessor, the High Weald Forum, operating since 1989.
- At a national level, a collective voice for the UK's 46 Areas of Outstanding Natural Beauty is provided by the National Association for AONBs (NAAONB)¹⁶. First formed in 1998, the NAAONB is a charity whose objectives are to promote the conservation and enhancement of AONBs; advance understanding and appreciation by the public, and promote effective partnerships for their management.

History of AONB designation and policy

AONBs emerged from the mood of civic renewal which characterised the decades following the end of the Second World War. The 1949 National Parks and Access to the Countryside Act was one of many – including health, education, agriculture and development planning – which established the basis for a 'new Britain'.

- The **Countryside and Rights of Way Act 2000** (CROW) subsumed and strengthened the AONB provisions of the 1949 Act. It brought the primary purpose in line with that of National Parks, clarified the procedure for their designation, and created a firm legislative basis for their protection and management. In particular:
 - **Section 82** reaffirms the primary purpose of AONBs: to conserve and enhance natural beauty.
 - **Section 83** establishes the procedure for designating or revising the boundaries of an AONB, including Natural England's duty to consult with local authorities and to facilitate public engagement.
 - **Section 84** confirms the powers of a local authorities to take 'all such action as appears to them expedient' to conserve and enhance the natural beauty of an AONB, and sets consultation and advice on development planning and on public access on the same basis as National Parks in the 1949 Act.
 - **Section 85** places a statutory duty on all relevant authorities '**...in exercising or performing any functions in relation to, or so as to affect land [in an AONB] to have regard to the purpose of conserving and enhancing the natural beauty...**'. 'Relevant authorities' include all public

'The Government is engaged on a Health Campaign. ...But it is no less essential, for any national health scheme, to preserve for the national walking grounds and regions where young and old can enjoy the sight of unspoilt nature. And it is not a question of physical exercise only, it is a question of spiritual exercise and enjoyment'

The Standing Committee on National Parks, 1938

- The need to designate special areas of the countryside against inappropriate development, protect wildlife, celebrate and conserve their distinctive features, encourage sustainable agriculture and foster local economic well-being was recognised well before the Dower (1945) and Hobhouse (1947) reports which led to the establishment of AONBs and National Parks.
- Since the 1949 Act there has been continuous development in the policy and legislative context of AONBs, shaped by a number of key policy documents including:
 - **Areas of Outstanding Natural Beauty – A Policy Statement** (Countryside Commission & Countryside Council for Wales, CCP356, 1991)
 - **Areas of Outstanding Natural Beauty – A Guide for Members of Joint Advisory Committees** (Countryside Commission & Countryside Council for Wales, CCP461, 1994)
 - **Areas of Outstanding Natural Beauty: Providing for the future** (Countryside Commission, CCWP 08, 1998)
 - **Protecting our finest countryside: Advice to Government** (Countryside Commission, CCP352, 1998)

- bodies (county, borough, district, parish and community councils, joint planning boards and other statutory committees); statutory undertakers (such as energy and water utilities, licensed telecommunications companies, nationalised companies such as Network Rail and other bodies established under statute responsible for railways, roads and canals); government ministers and civil servants. Activities and developments outside the boundaries of AONBs that have an impact within the designated area are also covered by the 'duty of regard'.
- **Sections 86 to 88** allow for the establishment in an AONB of a Conservation Board to which the AONB functions of the local authority (including development planning) can be transferred. Conservation boards have the additional but secondary function of seeking to increase public understanding and enjoyment of the AONB's special qualities. They also have an obligation to '**seek to foster the economic and social well-being of local communities**' in co-operation with local authorities and other public bodies.
- **Sections 89 and 90** create a statutory duty on all AONB partnerships (local authorities and Conservation Boards) to prepare a management plan '**which formulates their policy for the management of their area of outstanding natural**

- **Areas of Outstanding Natural Beauty Management Plans: A Guide** (Countryside Agency, CA23, 2001)
- **Areas of Outstanding Natural Beauty. A Guide for AONB partnership members** (Countryside Agency, CA24, 2001)
- **Guidance for the Review of AONB Management Plans** (Countryside Agency, CA221, 2006)
- **Guidance for assessing landscapes for designation as National Park or Area of Outstanding Natural Beauty in England** (Natural England, 2011)
- Seventy years after the 1949 Act and in a rapidly changing modern world, the production and implementation of revised AONB Management Plans help ensure that AONB partnerships are leaders in delivering the intentions of the 1949 Act, alongside the aspirations of the Government's 25 year Environment Plan¹⁷.

The designation process¹⁸

Natural England can make orders to designate AONBs or vary the boundaries of existing ones within England. AONBs are designated in law¹⁹ following a prescribed process which includes an appraisal of landscape quality, in particular the technical criteria of sufficient natural beauty, and a wide consultation with

15. Defra (2005), Duties on Relevant Authorities to have regard to the purposes of National Parks, Areas of Outstanding Natural Beauty (AONBs) and the Norfolk and Suffolk Broads. London: Defra publications. Available from: <http://webarchive.nationalarchives.gov.uk/20130402204840/http://archive.defra.gov.uk/rural/documents/protected/npaonb-duties-guide.pdf>

16. www.landscapesforlife.org.uk

17. Department for Environment, Food and Rural Affairs. (2018). A Green Future: Our 25 Year Plan to Improve the Environment. London: HM Government.

18. Guidance for assessing landscapes for designation as National Park or Area of Outstanding Natural Beauty in England. Natural England 2011 pp. 11–14.

- beauty and for the carrying out of their functions in relation to it,** and thereafter to review adopted and published Plans at intervals of not more than five years. Where an AONB involves more than one local authority they are required to do this '**acting jointly**'.
- **Section 92** makes clear that the conservation of natural beauty includes the conservation of 'flora, fauna and geological and physiographical features.'
- The **Natural Environment and Rural Communities Act 2006** (NERC):
 - **Section 99** formally clarifies in law that the fact that an area consists of or includes land used for agriculture or woodlands, or as a park, or '**any other area whose flora, fauna or physiographical features are partly the product of human intervention in the landscape**' does not prevent it from being treated, for legal purposes, '**as being an area of natural beauty (or of outstanding natural beauty).**'
 - **Schedule 7** asserts that an AONB joint committee of two or more local authorities, or a conservation board, can constitute a 'designated body' for the performance of functions allocated to Defra.

local authorities, landowners, residents and businesses.

It is the AONB as a whole that must satisfy the technical criteria of natural beauty. The weight and importance of factors indicating natural beauty may vary across the designation. The presence of incongruous features or degraded landscapes does not, in itself, detract from the value of the area as an AONB. The emphasis in these cases is on the second part of the designation purpose, that of enhancement of natural beauty. Government has confirmed that the landscape quality of AONBs and National Parks are equivalent²⁰.

High Weald designation history²¹

The report of the first National Park Committee, set up in 1929, mentioned the wooded hill country of the High Weald, essentially

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Planning and AONBs

Responsibility for planning in AONBs lies with the relevant local authority. The AONB Management Plan does not form part of the statutory development plan but local planning authorities and neighbourhood planning bodies should take the AONB Management Plan into account when preparing local and neighbourhood plans²². AONB Management Plans may also be material considerations for making decisions on planning applications within AONBs and their setting.

The planning system provides Areas of Outstanding Natural Beauty, alongside National Parks, with high levels of protection from development. The National Planning Policy Framework (NPPF), Paragraph 172, requires that:

‘Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development⁵ other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest (reflecting the long-established ‘Silkin test’ for development in National Parks and AONBs²³). Consideration of such applications should include an assessment of:

- a. the need for the development, including in terms of any national considerations, 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 it in some other way; and
- c. any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.’

Footnote 55 says:
‘For the purposes of paragraphs 172 and 173, 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 purposes for which the area has been designated or defined’.

Ashdown Forest, as an area requiring measures to protect its bird interest. A subsequent report in 1945, the Dower Report, included the ‘Forest Ridges (Horsham to Battle)’ in its list of ‘Other Amenity Areas not suggested as National Parks’. Dower had recognised that some areas might not be suitable for National Park status because of their size or lack of ‘wildness’ but they nonetheless required safeguarding for their ‘characteristic landscape beauty’. A follow-up report, the Hobhouse Report, in 1947 included the Forest Ridges in a list of 52 Conservation Areas (largely based on Dower’s ‘Other Amenity Areas...’) which, it proposed, should be designated for their high landscape quality, scientific interest and recreational value.

The first AONB to be designated was the Gower Peninsular

- NPPF paragraph 11 states that:**
‘Plans and decisions should apply a presumption in favour of sustainable development.’
- For plan-making this means that:**
- a. Plans should positively seek opportunities to meet the development needs of their area and be sufficiently flexible to adapt to rapid change;
 - b. Strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas⁵, unless:
 - i. The application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area⁶; or
 - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- For decision-taking this means:**
- a. Approving development proposals that accord with an up-to-date development plan without delay; or
 - b. Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁷, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Footnote 6 says:
‘The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change’.

>90% people find the High Weald’s traditional buildings appealing

High Weald Public Survey, 2018

in 1956. It wasn’t until 1969, following coordinated landscape surveys by county and district councils, that the wider High Weald was put forward to the Countryside Commission for consideration as an AONB. Detailed work on the boundaries was then carried out and designation of the High Weald was confirmed in 1983.

AONB ‘setting’

The term ‘setting’ is used to refer to areas outside the AONB where development and other activities may affect land within an AONB. Its extent will vary depending upon the issues considered but some can be mapped, for example, the impact of development on views into and out of the AONB. Section 85 of the CROW Act 2000 requires public bodies to consider whether any activities outside the AONB may affect land in an AONB, and Planning Practice Guidance (Natural Environment: 003) emphasises that this duty is relevant in considering development proposals that are situated outside the AONB boundary. Not all activities will be detrimental; conservation practices and economic ties outside the AONB can support AONB purpose.

The international context

English AONBs are part of the international family of protected areas. As cultural landscapes, produced through the interaction of humans with nature over time, they have a special significance (together with UK National Parks) as being recognised by the International Union for the Conservation of Nature (IUCN) as **‘Category V – Protected Landscapes’**. These offer a unique contribution to the conservation of biological diversity, particularly where conservation objectives need to be met over a large area with a range of ownership patterns and governance. They can act as models of sustainability, promoting traditional systems of management that support particular species.

Category V protected landscapes are defined by IUCN as:
‘A protected area where the interaction of people and nature over time has produced an area of distinct character with significant ecological, biological, cultural and scenic value: and where safeguarding the integrity of this interaction is vital to protecting and sustaining the area and its associated nature conservation and other values.’

IUCN emphasises their importance as cultural landscapes – as distinct from Category I (Strict Nature Reserves and Wilderness Areas) and Category II National Parks (which for IUCN are large natural or near-natural areas, unlike UK national parks). Until

recently, the AONB designation (together with that of UK national parks) was regarded as an anomaly in the international protected area system which prioritised ‘naturalness’ as a criterion of value. In the last quarter-century, however, they have come to be recognised as leaders in the move towards area-based sustainable development.

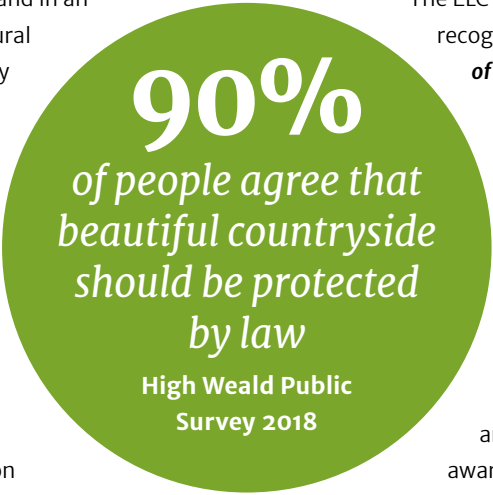
The new multidisciplinary, multifunctional concept of landscape is encapsulated in the European Landscape Convention (ELC), adopted by the Council of Europe in 2000 and ratified by the UK government in 2006 (it is not an EU directive and will remain unaffected by Brexit).

The ELC promotes a definition of landscape which usefully underpins the rationale for AONBs:
‘An area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors.’

This is a rich concept that encompasses, but goes beyond, sectoral (geomorphological, ecological, archaeological, historical or aesthetic) approaches. ELC makes it clear that people are at the heart of all landscapes (the commonplace and ‘degraded’ as well as the eminent), each of which has its own distinctive character and meaning to those who inhabit or visit it.

The ELC places obligations on signatory states to recognise landscape **‘as an essential component of people’s surroundings, an expression of the diversity of their shared cultural and natural heritage, and a foundation of their identity’**. Obligations include a requirement to identify the diversity and range of landscapes, implement landscape policies aimed at landscape protection, and to engage with local communities, private bodies and public authorities in their planning and management. This includes raising awareness and understanding of the character, value and functions of landscape and the way these are changing. AONBs and their managing organisations are a significant contributor to delivering on the UK’s obligations under ELC.

The AONB Management Plan in its characterisation of the landscape at an AONB scale is supported by a wealth of local landscape character assessments carried out by county, district and parish councils that provide more fine grained information about the local landscape. In addition, Natural England’s High Weald National Character Area profile provides a description of the area’s environmental character.



19. Countryside and Rights of Way Act 2000, S82–84.
20. Ministry of Housing, Communities and Local Government(2018). National Planning Policy Framework, Paragraph 172 and English National Parks and the Broads Circular, 2010, Paragraph 20.
21. Woolmore, R. (2013). Designation History Series: High Weald. High Weald Joint Advisory Committee.
22. Ministry of Housing, Communities and Local Government (2016). Planning Practice Guidance: Natural Environment, Paragraph 004.
23. Hansard, HC Deb 31 March 1949, vol. 463.

What is ‘natural beauty’? High Weald AONB Statement of Significance

AONBs are designated for the purpose of conserving and enhancing natural beauty.

The term ‘natural beauty’ first gained currency in a legislative context in the 1907 Act which gave legal status to the National Trust (‘for Places of Historic Interest and Natural Beauty’). It has been the basis for the designation of both AONBs and National Parks since the 1949 National Parks and Access to the Countryside Act, but has never been exhaustively defined in legislation²⁴.

Over the years, qualification and amendment to the legislation has made it clear that natural beauty includes considerations such as wildlife, geological features and cultural heritage but is not restricted by them²⁵. Government guidance relating to AONBs provides a useful non-technical definition: “‘Natural Beauty’ is not just the look of the landscape, but includes landform and geology, plants and animals, landscape features and the rich history of human settlement over the centuries”²⁶. The Natural Environment and Rural Communities Act 2006 clarified that land used for agriculture, woodlands, parkland or with physiographical features partly the product of human intervention in the landscape, is not prevented from being treated as an area of ‘natural beauty’.

In the 1949 Act ‘natural beauty’ replaced other phrases such as ‘landscape beauty’ and ‘characteristic landscape beauty’²⁷. These provide a clue to the importance of landscape character and beauty as an aesthetic experience bringing people a sense of pleasure, wellbeing and connectedness with nature. Character is interpreted in different ways with the Landscape Institute

focusing on the pattern of landscape elements²⁸, landscape archaeologists seeing the human process of a landscape ‘coming into being’ and ecologists also considering the quality of the natural processes and ecological systems which underpin patterns of vegetation. Natural beauty encompasses all of these views.

Our perceptions of the landscape and the value we place on its qualities rely on our senses and emotions, and are shaped by many factors including taste, background, culture and understanding. These values may change over time even if the intrinsic character of the landscape does not.

For AONBs it is not enough just to possess natural beauty; their natural beauty should have the potential to be ‘outstanding’ both in terms of the quality of the components of character (including their biodiversity) and the human aesthetic experience of the landscape.

For the purposes of this Plan, natural beauty is defined by the Statement of Significance.

24. Guidance for assessing landscapes for designation as National Park or Area of Outstanding Natural Beauty in England, Natural England 2011.
25. A draft statement on natural beauty, The University of Sheffield, January 2006.
26. Areas of Outstanding Natural Beauty: A guide for AONB Partnership members, Countryside Commission, CA24, November 2001, p.6.
27. Holdaway, E. (2007). Origins and Intentions of the 1949 Act Natural Beauty. Report to Countryside Council for Wales.
28. Landscape Institute and IEEM (2013). Guidelines for Landscape and Visual Impact Assessment.

John Dower, one of the main architects of the 1949 Act recognised the overlap between natural and man-made elements in the landscape.
‘Most natural features have some man-made or man-controlled tincture, and man-made features derive an integral part of their beauty and interest from their natural surroundings.’

Report on National Parks, 1945

The High Weald is one of the best preserved Medieval landscapes in North West Europe.

Despite its large size (1,500km sq.) and proximity to London, its landscape has remained relatively unchanged since the 14th century, surviving major historical events and social and technological changes. Its outstanding beauty stems from its essentially rural and human scale character, with a high proportion of natural surfaces and the story of its past visible throughout.

The extensive survival of woodland and traditional mixed farming supports an exceptionally well-connected green and blue infrastructure with a high proportion of semi-natural habitat in a structurally diverse, permeable and complex mosaic supporting a rich diversity of wildlife.

The natural beauty of the High Weald comprises

■ **Five defining components of character** that have made the High Weald a recognisably distinct and homogenous area for at least the last 700 years.

1. **Geology, landform and water systems** — a deeply incised, ridged and faulted landform of clays and sandstone with numerous gill streams.
2. **Settlement** — dispersed historic settlement including high densities of isolated farmsteads and late Medieval villages founded on trade and non-agricultural rural industries.
3. **Routeways** — a dense network of historic routeways (now roads, tracks and paths).
4. **Woodland** — abundance of ancient woodland, highly interconnected and in smallholdings.
5. **Field and Heath** — small, irregular and productive fields, bounded by hedgerows and woods, and typically used for livestock grazing; with distinctive zones of lowland heaths, and inned river valleys.

■ **Land-based economy and related rural life** bound up with, and underpinning, the observable character of the landscape with roots extending deep into history. An increasingly

broad-based economy but with a significant land-based sector and related community life focused on mixed farming (particularly family farms and smallholdings), woodland management and rural crafts.

■ **Other qualities** and features that are connected to the interaction between the landscape and people and which enrich character components. Such qualities and features enhance health and wellbeing, and foster enjoyment and appreciation of the beauty of nature. These include locally distinctive features which enrich the character components such as historic parks and gardens, orchards, hop gardens, veteran trees, along with their rich and varied biodiversity, and a wide range of appealing and locally distinctive historic buildings including oast houses, farm buildings, Wealden Hall houses and their associated features such as clay-tile cat-slide roofs. People value the wonderful views and scenic beauty of the High Weald with its relative tranquillity. They appreciate the area’s ancientness and sense of history, its intrinsically dark landscape with the opportunity to see our own galaxy — the Milky Way — and the ability to get close to nature through the myriad public rights of way.

Natural Beauty

Geology, landform, water systems and climate

The High Weald AONB is characterised by a deeply incised, ridged and faulted landform of clays and sandstone. The ridges tend east-west, and from them spring numerous gill streams that form the headwaters of rivers. Wide river valleys dominate the eastern part of the AONB. The landform and water systems are subject to, and influence, a local variant of the British sub oceanic climate.

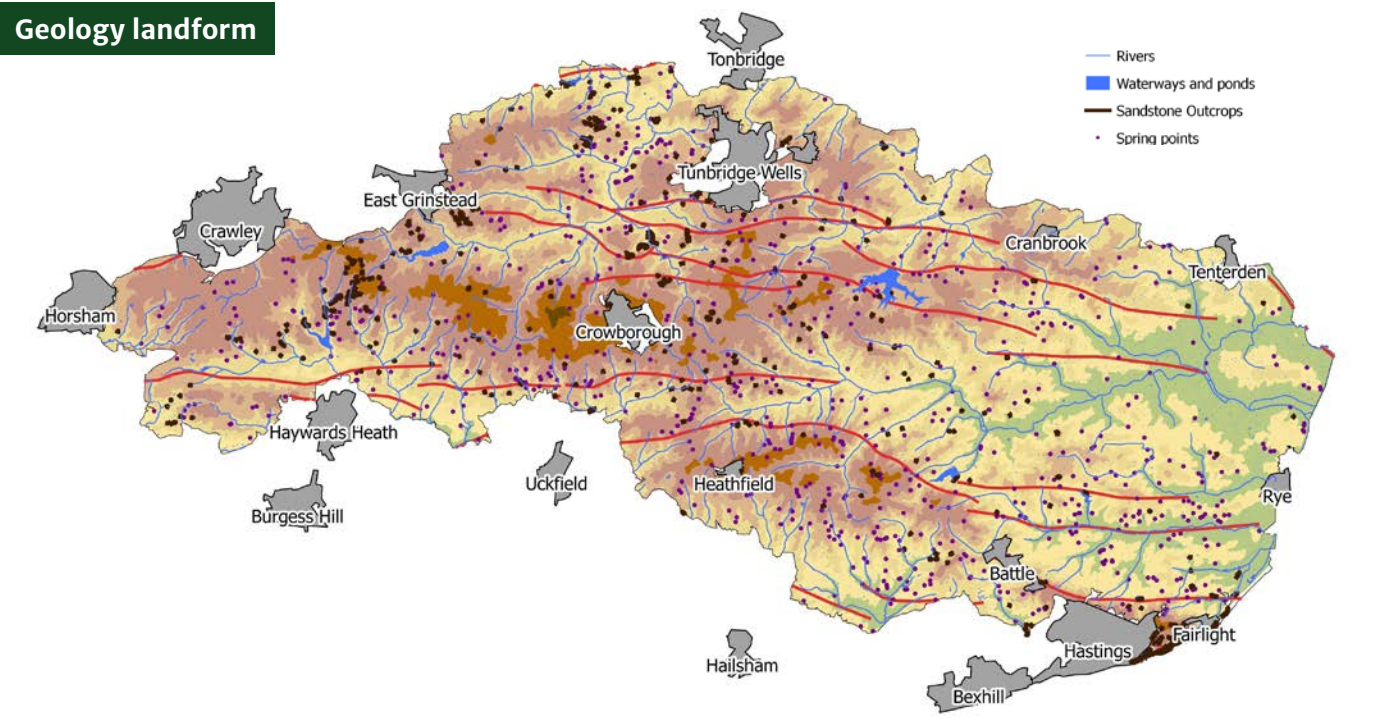
Key Characteristics

- ✓ **Impressive coastal cliffs** of interbedded sandstones and clays (Hastings Cliffs to Pett Beach SSSI and Hastings Cliffs Special Area of Conservation); natural, dynamic and evolving, and rich in Lower Cretaceous fossils.
- ✓ **A principal ridge** (Forest Ridge) running east-west from Horsham to Cranbrook with an attached ridge (Battle Ridge) extending to the sea at Fairlight.
- ✓ **A pattern of faults and folds** that distinguishes the Weald from the rest of the South and East of England, with a high concentration of springs associated with fault lines.
- ✓ **Numerous small streams** descending the main ridges in narrow steep-sided valleys (gills), historically often dammed to power industry with many 'pond bays' and 'hammer ponds' surviving.
- ✓ **Distinctive outcrops of sandstone** in the form of crags (popular with climbers) and inland sea cliffs, gill stream bed and banks, old quarries, and along road edges associated with the survival of rare cryptogam communities (ferns, lichens, liverworts and mosses).
- ✓ **A high density of pits, quarries and ponds** resulting from a long history of stone quarrying, surface mining and marl extraction.
- ✓ **Locally-distinctive geological materials** – sandstone, clay bricks and tiles, and Horsham stone – contributing to high quality vernacular architecture.
- ✓ **Soils** that are distinguished by their variability over short distances – mostly heavy and poorly drained with some coarse-grained, light and free draining.
- ✓ **Heavily channelised and intensively managed river valleys** in the eastern High Weald (Rother, Brede and Tillingham) originating from tidal and freshwater drowning in the Medieval period, with natural floodplain wetlands rare.
- ✓ **A high density of ponds**, five times higher than the national average with a wide range of pond types supporting significant species such as great crested newts and emerald dragonflies.
- ✓ **An oceanic climate** featuring cool temperatures relative to the latitude, a narrow annual temperature range with few extremes, and rain throughout the year.

Vision

A landscape in which sustainable land management and action to reduce carbon emissions takes care of the natural resources of geology, soil, landform, and water systems along with their associated heritage assets and biodiversity, whilst delivering a wide range of social, economic and environmental benefits. The approach to land management will take account of, and be partly stimulated by, climate change and rising sea levels.

Geology landform



- Top five issues**
1. Climate change; the impact of rising temperatures and extreme weather events.
 2. Pressure on sensitive geological features from invasive species and recreation.
 3. Soil erosion and the need for soil conservation.
 4. Diffuse pollution – nutrient, pesticide and fine sediment run-off into ponds, streams and rivers.
 5. Non-native invasive species in rivers, water bodies and bankside vegetation.

Natural and cultural capital – facts and figures

7.6km of eroding sea cliffs designated an SSSI in recognition of the considerable biological, palaeontological, and geological interest.	4,613km of water courses in total, including tributaries and streams.
A unique Lower Cretaceous mammal fauna at Fairlight, one of a handful of localities in the world to have yielded early Cretaceous mammal remains.	13,401 ponds (9/km ² compared with a national average of 1.8/km ²) with an estimated 1600 supporting Great Crested Newts.
671 inland sandstone outcrops.	769 springs.
>315km² of undisturbed soils.	Five reservoirs including Bewl Water, the largest body of inland water in the South East.
Crowborough Beacon , the highest point at 242m above sea level.	20km² of wetlands including reedbeds, lowland fens, coastal and floodplain grazing marsh, purple moor grass and rush pastures. Home to a rich array of birds including reed warbler and marsh harrier.
Headwaters of seven river catchments – Medway (Beult, Eden and Teise), Rother (Brede and Tillingham), Thames (Mole), Arun, Adur, Ouse and Cuckmere.	Reserves of onshore hydrocarbons.
253km of main river channel supporting nationally rare species such as otter and water vole; and coarse and salmonid fisheries.	A European hotspot for gills.

Objective G1

To restore the natural function of rivers, water courses and water bodies.

Rationale

In order to enhance the role of rivers, water courses and water bodies in increasing biodiversity, improving water quality, protecting people and communities from flooding and promoting enjoyment of the wetland environment.

- Indicators of Success**
- i. ncreased extent of floodplain woodland and wetland features (Forestry Commission: hectares of new woodland created/ HWJAC: wetland features count)
 - ii. All water bodies with either a ‘good’ or ‘high’ ecological and chemical status (Environment Agency: Ecological and chemical classification data)

Objective G2

To protect and enhance soils, sandstone outcrops, and other important landform and geological features.

Rationale

In order to conserve soil health, landform and geology on which the High Weald’s character depends, and maintain nationally important geological exposures, allowing for erosion where appropriate, conserving the fern, moss and liverwort communities they support and protecting their value as significant sites of prehistoric archaeology in the AONB.

- Indicators of Success**
- i. 100 per cent geological SSSIs in favourable condition (Natural England: SSSI condition)
 - ii. Earthworm numbers consistently high across the High Weald (HWJAC: Citizen Science earthworm count)



Objective G3

To help secure climatic conditions and rates of change which support continued conservation and enhancement of the High Weald’s valued landscape and habitats.

Rationale

In order to reduce locally arising greenhouse gas emissions and allow the High Weald to play its role in mitigating climate change.

- Indicators of Success**
- i. Increase in proportion of total energy demand met by renewable energy generated in the High Weald (HWJAC: compiled, kWh)

Evidence and further reading

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- *Fracking: How it works, its application and potential in the UK, and how it may affect the High Weald AONB* (2014). High Weald Joint Advisory Committee.
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- *High Weald Sandstone Project* (2012). High Weald Joint Advisory Committee.
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- Pond Conservation (2012). *The national context for the conservation of ponds in the High Weald AONB*. High Weald Joint Advisory Committee.
- Rother and Romney Catchment Plan: *Research Synthesis* (2015). High Weald Joint Advisory Committee.
- TV Energy Ltd (2011). *High Weald AONB: Energy Use and Generation Audit*. High Weald Joint Advisory Committee.
- *Unconventional hydrocarbon resources in the Weald Basin* (2014). High Weald Joint Advisory Committee.

‘The oldest task in human history: to live on a piece of land without spoiling it.’
Engineering and Conservation, Aldo Leopold, 1938

Objective G1

To restore the natural function of river catchments.

Proposed Actions	Public bodies	Others
Restore and create a range of wetland features including ponds, floodplain and wet woodland, bogs and water meadows, targeting support for vulnerable species such as water vole	x	x
Integrate water catchment and land management strategies applying to the High Weald	x	
Consider landscape archaeology in any activities affecting river catchments	x	x
Promote landowner awareness and support dedicated advisors for water and soils management, including identification and eradication of invasive non-native species such as Himalayan balsam and Signal crayfish	x	
Understand flood risk issues, and identify priority areas for natural flood management, supporting demonstration sites for High Weald best practice in Natural Flood Management	x	
Choose solutions (such as clear-span bridges) for footpaths and tracks crossing gills that minimise adverse impacts on river and stream habitats; avoiding new culverts and remove existing culverts where possible	x	x
Avoid development close to water courses that would restrict their natural geomorphological processes and natural flood capacity	x	x
Seek advice on tailoring natural flood management or wetland enhancement measures to the High Weald	x	x
Re-meander and restore channel and floodplain features	x	x
Tailor sustainable drainage systems (SuDS) to the landscape character of the High Weald, being aware of possible impacts on vulnerable heritage assets, and considering grey water recycling schemes	x	x
Revise boundary, fertiliser and livestock management, cropping and harvesting practices to reduce diffuse pollution through surface runoff and leaching		x
Establish effective combinations of uncultivated grassland buffer strips and tree planting		x
Ensure alternatives to mains drainage such as septic tanks and cess pits are well maintained and compliant	x	x

Objective G2

To protect sandstone outcrops, soils and other important landform and geological features.

Proposed Actions	Public bodies	Others
Ensure best practice is complied with to protect soils during construction from compaction, pollution and erosion, and undertake soil health assessments	x	x
Protect undisturbed soils and minimise sterilisation of soils by permanent impermeable surfaces	x	x
Encourage good management practices on geological SSSIs and RIGs and support research to inform their conservation	x	x
Encourage citizen science projects to monitor soil biodiversity	x	
Seek to support, where possible, small scale utilisation of the geological resources e.g. quarried sandstone to provide local materials for construction	x	
Support farmers and landowners wanting to use grass, hedges and trees to protect soils and to reduce soil erosion	x	
Consider minimum tillage to reduce soil erosion and compaction, reverse organic matter decline and improve soil biodiversity		x
Reduce chemical inputs to protect soil organisms and improve biological activity		x
Implement best practice in management of recreational sandstone sites to protect sensitive cryptogams (plants such as ferns and mosses)	x	x
Avoid substantive alterations to landform in development	x	x

Objective G3

To help secure climatic conditions and rates of change which support continued conservation and enhancement of the High Weald’s valued landscape and habitats.

Proposed Actions	Public bodies	Others
Consider AONB characteristics in climate change mitigation and adaption strategies with particular attention paid to achieving reductions in energy demand and supporting alternative sustainable transport options	x	
Support, where possible, landscape-sensitive, small-scale renewable schemes tailored to AONB conservation	x	x
Support fossil fuel-free and public transport initiatives, encouraging walking, cycling and other travel alternatives where possible	x	x
Encourage all new habitable buildings to be constructed using ultra-low energy building techniques, with landscape-sensitive on-site renewable energy generation where appropriate	x	x
Minimise soil disturbance when managing or restoring habitats	x	x
Maximise local timber use in construction	x	x
Reduce by-products which are burnt or sent to landfill from management interventions (consider opportunities for new markets for waste products)	x	





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Natural Beauty

Settlement

The High Weald AONB is characterised by dispersed historic settlements of farmsteads and hamlets, and late Medieval villages founded on trade and non-agricultural rural industries.



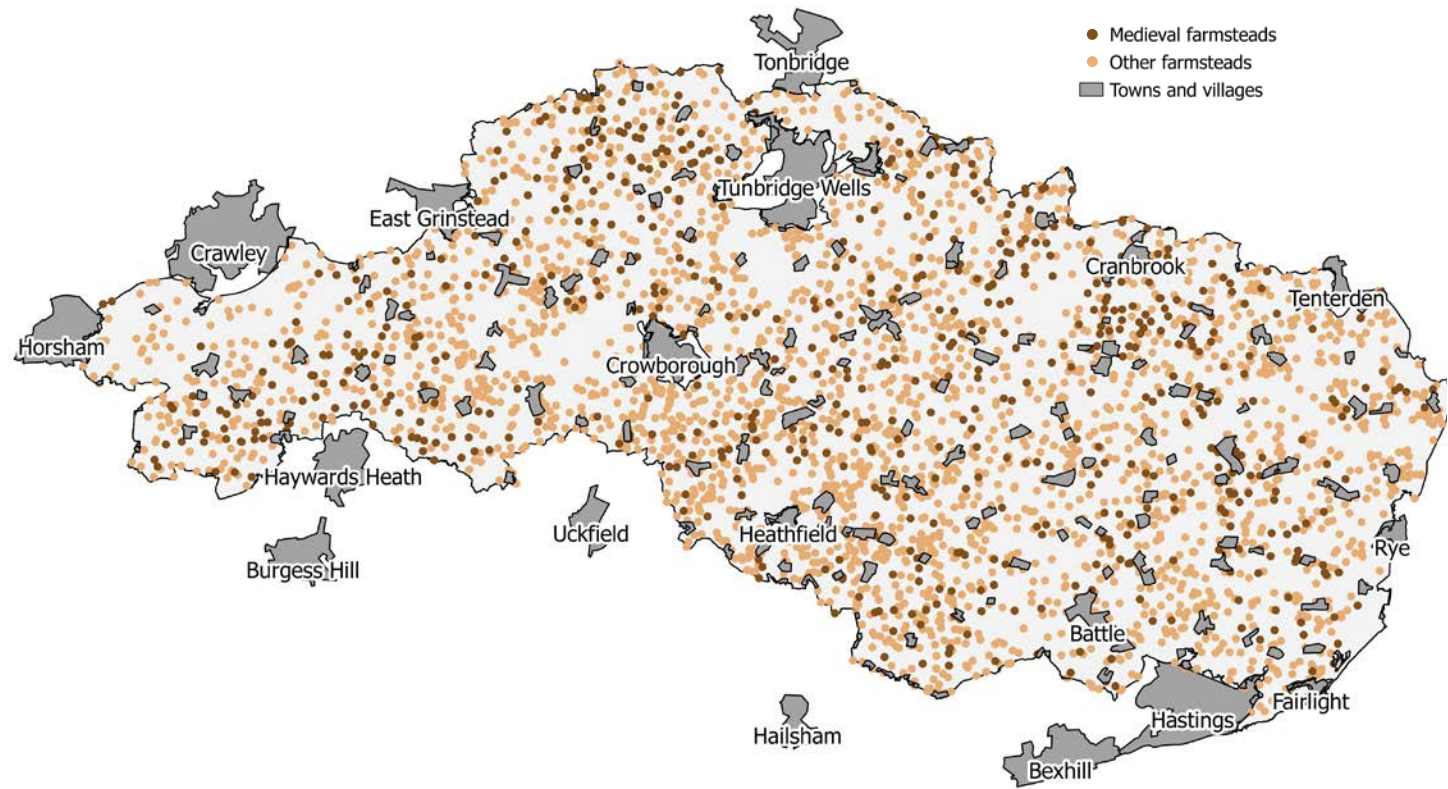
Key Characteristics

- ✓ **High density of historic farmsteads**, with a long continuity of settlement in the same place; their position strongly influenced by topography and routeways.
- ✓ **Separation between settlements** formed by fields associated with individual historic farmsteads.
- ✓ **Frequent – den and – fold place names** echoing the area's history of pasturing cattle and pigs.
- ✓ **Farmsteads typically arranged around routeways**, with loose courtyard plan-types common and dispersed plan-types particularly characteristic. Tend to be relatively modest, typically comprising a farmhouse and a barn, often aisled to at least one side with small-scale ancillary structures, mostly for cattle, which face into their own, generally small, yards.
- ✓ **High numbers of pre-1750 timber-framed farm buildings** with typologies representing locally-distinctive historic agricultural practices, including oasts and other structures associated with the hop industry (hop-pickers' huts); where a complete range exists, these are rare and particularly significant.
- ✓ **Hamlets occurring around the junction of routeways** or small commons (which became greens or forstals), or as clusters of cottages serving a particular industry.
- ✓ **Pockets of small wayside cottages** (peasant settlement enclosing roadside commons or later worker cottages) interspaced with fields.
- ✓ **Villages and towns of Medieval origin** located at historic focal points or along ridge top roads; typically open areas used for meeting places and trade, with 'markets' granted for Burwash, Robertsbridge, Salehurst, Wadhurst, Cranbrook and Frant in the 13th century, and for Ticehurst, Lamberhurst, Heathfield, Rotherfield and Hawkurst in the early 14th century.
- ✓ **Absence of large scale settlement extensions** after AONB designation in 1983.
- ✓ **No significant nucleated settlements** before the 13th century (apart from Battle).
- ✓ **Deer parks** and later 18th century estates.
- ✓ **Distinctive settlement types** and pattern in the eastern High Weald relating to history of the Rother estuary and river trade.
- ✓ **High concentrations of historic buildings** in all settlement types, many listed, whose form and appearance reflects historic and socio-cultural functions (such as the prevalence of craft industries), with locally distinctive typologies, including Medieval Wealden Hall houses (found either as rural farmhouses, or incorporated into the fabric of villages and towns, and often much disguised through later alterations), and features such as catslide roofs.
- ✓ **Villages and hamlets typically unlit** contributing to intrinsically dark landscapes.
- ✓ **A limited palette of local materials**: clay as tiles and brick, timber as weatherboard and framing, and some localised instances of stone.
- ✓ **Green-ness of roads and streets** with trees, hedges and verges dominant.

Vision

A landscape in which the distinctive and historic pattern of settlement is protected in a way that positively contributes to the natural environment and improves the connections between settlements and the countryside. Appropriately worded land use planning policies within relevant development plans allow for affordable housing and workspace for local needs while ensuring that settlements retain their distinctiveness and individual historic buildings, and conservation areas and buried archaeological remains are conserved and enhanced as appropriate.

Settlements



Top five issues

- Page 42
1. Increase in greenfield development pressure for housing threatening the character of the AONB.
 2. Generic layout and design of new housing developments failing to respond to, or reinforce AONB character.
 3. Erosion of AONB character through suburbanisation, including pressure for residential intensification unrelated to land management outside of towns and villages, large/landscape-intrusive replacement dwellings, and smaller interventions, boundary treatments etc., which have a cumulative effect.
 4. Declining housing affordability, including lack of social housing and key worker housing suitable for land-based workers.
 5. Fragmentation and suburbanisation of historic farmsteads, and the conversion of agricultural buildings to residential use with the loss of agricultural/economic functional relationship with land.

Natural and cultural capital – facts and figures

17 market towns and villages with populations >2,000, the largest being Battle with a population >6,000.	57 Medieval parish churches.
11% households classified as isolated farms (compared with an average of 8% across all protected landscapes).	50 registered parks and gardens.
98.3% households in areas classified as rural.	64 village conservation areas.
>3,500 historic farmsteads.	91 scheduled ancient monuments.
5,274 listed buildings.	

Objective S1

To reconnect settlements, residents and their supporting economic activity with the surrounding countryside.

Rationale

To understand and enhance the synergy of the local economy, society and environment, and the relationship with the surrounding countryside and wild species, that defines sustainable rural settlement. To provide opportunities for economic activity that supports land management objectives and AONB designation.

Indicators of Success

- i. Improved conditions for land-based businesses to flourish (HWJAC: land-based business survey)
- ii. Increased procurement by public bodies of goods and services which support AONB landscape conservation (HWJAC: procurement practices survey)

Objective S2

To protect the historic pattern and character of settlement.

Rationale

To protect the distinctive character of towns, villages, hamlets and farmsteads and to maintain the hinterlands and other relationships (including separation) between such settlements that contribute to local identity.

Indicators of Success

- i. Physical and perceived separation between settlements maintained (HWJAC: settlement separation mapping)
- ii. Greater proportion of new homes delivered through re-development or small developments (HWJAC: local authority statistics)

‘Places and buildings... tend to be enriching elements in the sum of scenic beauty’

Report on National Parks 1945

Objective S3

To enhance the architectural quality of the High Weald and ensure development reflects the character of the High Weald in its scale, layout and design.

Rationale

To protect and enhance the character and quality of buildings in the High Weald, and re-establish the use of local materials as a means of protecting the environment and adding to this distinctiveness.

Indicators of Success

- i. Increase in new developments according with AONB design guidance (HWJAC: local authority statistics)

Evidence and further reading

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Objective S1

To reconnect settlements, residents and their supporting economic activity with the surrounding countryside.

Proposed Actions	Public bodies	Others
Preferentially select goods and services which support AONB landscape conservation in procurement decisions e.g. locally produced food, fuel, fencing, timber for construction	x	x
Provide guidance on affordable housing provision and homes for rural workers	x	
Seek to support community agriculture and small-scale horticulture	x	x
Support activities which celebrate and promote local products and services	x	x
Implement education initiatives to promote understanding of and engagement with local food networks	x	x
Protect allotments from development or damage	x	
Require developments to maximise measurable gains for biodiversity and opportunities for birds, bats and other wild native species in the design of buildings, curtilages and open spaces	x	
Make space for wildlife to thrive around buildings, gardens and urban spaces	x	x
Collaborate with neighbours to deliver landscape scale conservation management and sustainable food production	x	x

Objective S2

To protect the historic pattern and character of settlement.

Proposed Actions	Public bodies	Others
Ensure there is reference to the AONB Management Plan in local plans and other public documents, and ensure its use as material consideration in planning decisions	x	
Require an archaeological assessment for the development affecting historic farmsteads	x	
Publish annual statistics on the rate of development and other land use change in the AONB	x	
Identify and map areas of separation between settlements and links with green infrastructure across settlements	x	
Promote use of the High Weald Design Guide and historic characterisation to guide settlement planning	x	x
Extend farmstead assessment guidance across the AONB	x	
Protect the relationship between historic settlement and its associated green spaces and routeways	x	x
Seek to prioritise the delivery of new housing primarily through small-scale development and a mix of housing sizes that responds to local needs	x	
Produce guidance on the use of Historic Landscape Characterisation to ensure the historic character of settlements, and the historic landscape associated with them, is considered in development proposals	x	x

Objective S3

To enhance the architectural quality of the High Weald and ensure development reflects the character of the High Weald in its scale, layout and design.

Proposed Actions	Public bodies	Others
Promote the High Weald Design Guide and apply to housing development in the AONB, and publish good practice case studies demonstrating application of the High Weald Design Guide	x	x
Describe and promote traditional architectural detailing	x	x
Promote and utilise the High Weald Guidance on the Selection and Use of Colour in Development	x	x
Increase local listing and support a listed building review to tackle the under-listing of historic farm buildings	x	
Facilitate improved links between those specifying construction details and suppliers of construction materials produced from the AONB landscape	x	x
Support innovation in timber technology and its use in construction	x	x
Promote architectural competitions and award schemes to encourage affordable and sustainable construction appropriate to AONB character	x	x
Ensure the design and maintenance of highways and the public realm, including street furniture, has regard to local distinctive character and avoids suburbanisation or generic approaches	x	
Protect and preserve the character of small traditional structures such as cattle sheds and hoppers’ huts	x	x
Utilise AONB design guidance for new housing development	x	x
Use local fencing materials or native planting for boundaries	x	x
Reflect local landscape character and use of local provenance species in new landscaping scheme ensuring improved connectivity	x	x

‘[Development should be] fully sympathetic to, and in scale with, the land use and local building style’

Lord Strang, Chairman of the National Parks Commission, speaking about designated landscapes in 1959.



Routeways

The High Weald AONB is characterised by historic routeways (now roads, tracks and paths), the oldest being in the form of ridge-top roads and a dense system of radiating droveways. These are often narrow, deeply sunken and edged with trees, hedges, wildflower-rich verges and boundary banks.



Key characteristics

- ✓ **A dense radiating network** with a variety of origins including:
 - Droveways, used for moving livestock, radiating out to pre-historic sites on the edge of the Weald
 - Ridgeways on high ground and often running east-west, closely associated with pre-historic sites and Medieval trading settlements
 - Roman roads cutting across these patterns and strongly associated with iron-working sites.
- ✓ **Typically present by the 14th century**, with many extending back into pre-history and pre-dating settlements.
- ✓ **Sunken routeways** ('holloways') found on sloping land as a result of long use and erosion combined with water run-off.
- ✓ **'Braiding'** common resulting from people, animals and vehicles finding alternative routes through impassable areas.
- ✓ **Earth banks, lynchets and ditches** typically indicating the former width of the routeway or to separate users from farmland or woodland.
- ✓ **Wide flowery grass verges** common, indicating the historic width of routeways and their function as linear common grazing.
- ✓ **Small-scale variations in habitat** associated with a complex mixture of substrates, aspects and moisture levels supporting a rich biodiversity, especially invertebrates.
- ✓ **Frequent sandstone exposures**, adding diverse assemblages of specialist plants and animals.
- ✓ **Linear nature** facilitating foraging and dispersal, and contributing significantly to the ecological interconnectedness of the High Weald.
- ✓ **Veteran trees and ancient roadside coppice** (often showing evidence of laying) frequent, providing niches for lichens and deadwood-dependent beetles.
- ✓ **Many lost, stopped or diverted routeways** evidenced by holloways, earth banks and depressions in the ground.
- ✓ **Associated heritage features** – pre-1964 fingerposts, 'black and white' road signs, roadside milestones – common.
- ✓ **Archaeology and cultural associations** in the eastern High Weald from trade and the practice of exporting heavy goods (e.g. timber and iron) by floating them at high tide on waterways navigable until the late 13th century.

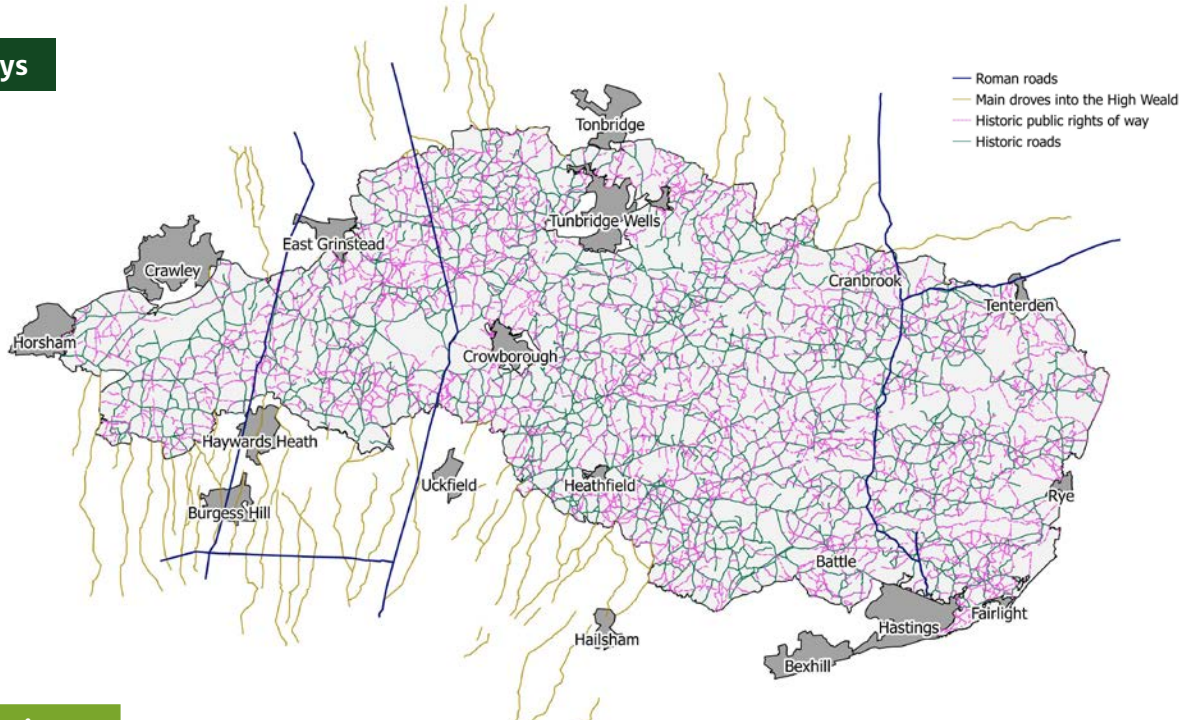
Vision

A landscape in which the character of the distinctive lanes and rights of way is protected and a balance achieved between the comparative quietness and rurality of the roads of the High Weald and their function as communications central to the economic and social wellbeing of the area. The management will recognise the role of routeways as green infrastructure and take account of, and be partly stimulated by, increasing road traffic, safety concerns and increased leisure activities (riding, cycling, walking and off-road driving).



In 1947, the Wild Life Conservation Special Committee recognised that AONBs were both 'ancient monuments and living museums'

Routeways



- Top five issues
1.

Diversions of public rights of way from the historic route.
2.

Damage from the erection of fences; flytipping, development and ploughing.
3.

Insensitive management of veteran trees and roadside coppice including practice of ‘chip and smother’; and inappropriate management of flowery grassland on verges.
4.

Insensitive highway engineering including passing bays, deep visibility splays to entrances, and suburban signage and lighting.
5.

Damage to narrow roads and BOATs (Byways Open to all Traffic) by motor vehicles and wide agricultural machinery, particularly in wet conditions.

Natural and cultural capital – facts and figures

2,570km of public rights of way.

More than 75% of public rights of way are historic (i.e. present on Ordnance Survey maps from at least 1860).

1,873km roads.

More than 80% of roads are historic (i.e. in existence since at least 1800).

The High Weald is crossed by one the most famous routeways in English history – the one that took King Henry’s army from victory at Stamford Bridge to defeat at Hastings in 1066.

Two main Roman roads (London–Lewes and London–Hassocks/Brighton).

Drovweways dating to the Anglo–Saxon period and earlier for moving livestock (pigs and cattle).

More than 4400km highly interconnected green infrastructure bounded by flower–rich verges, hedges and woods.

Evidence and further reading

■ High Weald AONB: Biodiversity Statement (2013). High Weald Joint Advisory Committee

■ Harris, R. (2003). The Making for the High Weald. High Weald Joint Advisory Committee.

■ Historic Routeway Survey Pack (2011). High Weald Joint Advisory Committee.

■ Lake, J. (2018) Routeways of the High Weald: Their function, history and character. High Weald Joint Advisory Committee.

■ Sansum, P. (2013). Woodland in the High Weald AONB: An overview of its character and significance. High Weald Joint Advisory Committee.

Objective R1 To maintain the historic pattern and features of routeways.

Rationale

To maintain a routeway network that has a symbiotic relationship with settlement location, hinterlands and identity, and is a rare UK survival of an essentially Medieval landscape; and to protect the individual archaeological features of historic routeways.

Indicators of Success

i.

Fewer public rights of way diversions on historic routeways (HWJAC: local authority footpath diversion statistics)

Proposed Actions	Public bodies	Others
Discourage new access points that damage the character of sunken routeways or dilute the pattern of routeways	x	x
Give consideration to the historic alignment of roads, tracks and paths in decision making	x	x
Support the identification, retention and restoration of traditional fingerposts, boundary stones and turnpike features (e.g. milestone and toll houses), adding to the relevant Historic Environment Record where appropriate	x	x
Identify historic routeways in highway improvement plans and consider management tailored to enhance their historic character including early intervention to protect banks	x	
Invest in creative highway engineering solutions, delivering quality, best practice highway alterations which are sensitive to AONB character	x	x
Identify and protect above ground and below ground archaeology (including braided multiple ditch and back systems associated with braided tracks) in any works so as to affect routeways, adding to the relevant Historic Environment Record where appropriate	x	x
Ensure that routeways are recognised as non–designated heritage assets in the planning process	x	
Provide archaeological training for highway engineers and management contractors	x	
Avoid fencing and other activity such as the use of inappropriate machinery which damages routeway archaeology (including ditches and banks) or that alters its historic alignment	x	x

Objective R2 To enhance the ecological function of routeways.

Rationale

To protect, and improve the condition of, the complex mix of small scale habitats along routeways for wildlife, and maintain routeway boundaries as part of a highly interconnected habitat mosaic.

Indicators of Success

i.

Increase in proportion of designated wildlife verges with tailored management regimes (HWJAC: local authority highway management data)

Proposed Actions	Public bodies	Others
Support the enhancement of verges, especially verges in new developments, with local provenance grassland species	x	x
Identify ecologically–rich historic routeways in biodiversity and green infrastructure planning	x	
Prioritise the appropriate management of ecologically–rich road verges in highway management and avoid damaging operations such as ‘chip and smother’	x	
Provide ecological training for highway management engineers and contractors to ensure all roadside verges are managed sensitively for biodiversity	x	
Encourage investment in the identification of ecologically rich roadside verges, including community schemes to identify ecologically–rich roadside verges, and enhance others with local provenance wild grassland species	x	x
Avoid vehicular traffic on sensitive routeway verges, particularly when the ground is wet	x	x
Undertake sensitive management of old coppice on routeway banks	x	x
Maintain routeway verges in their ‘natural state’ and refrain from planting non–native species along routeways	x	x



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Natural Beauty

Woodland

The High Weald AONB is characterised by the great extent of ancient woods, gills, and shaws in smallholdings, the value of which is inextricably linked to long-term management.



Key Characteristics

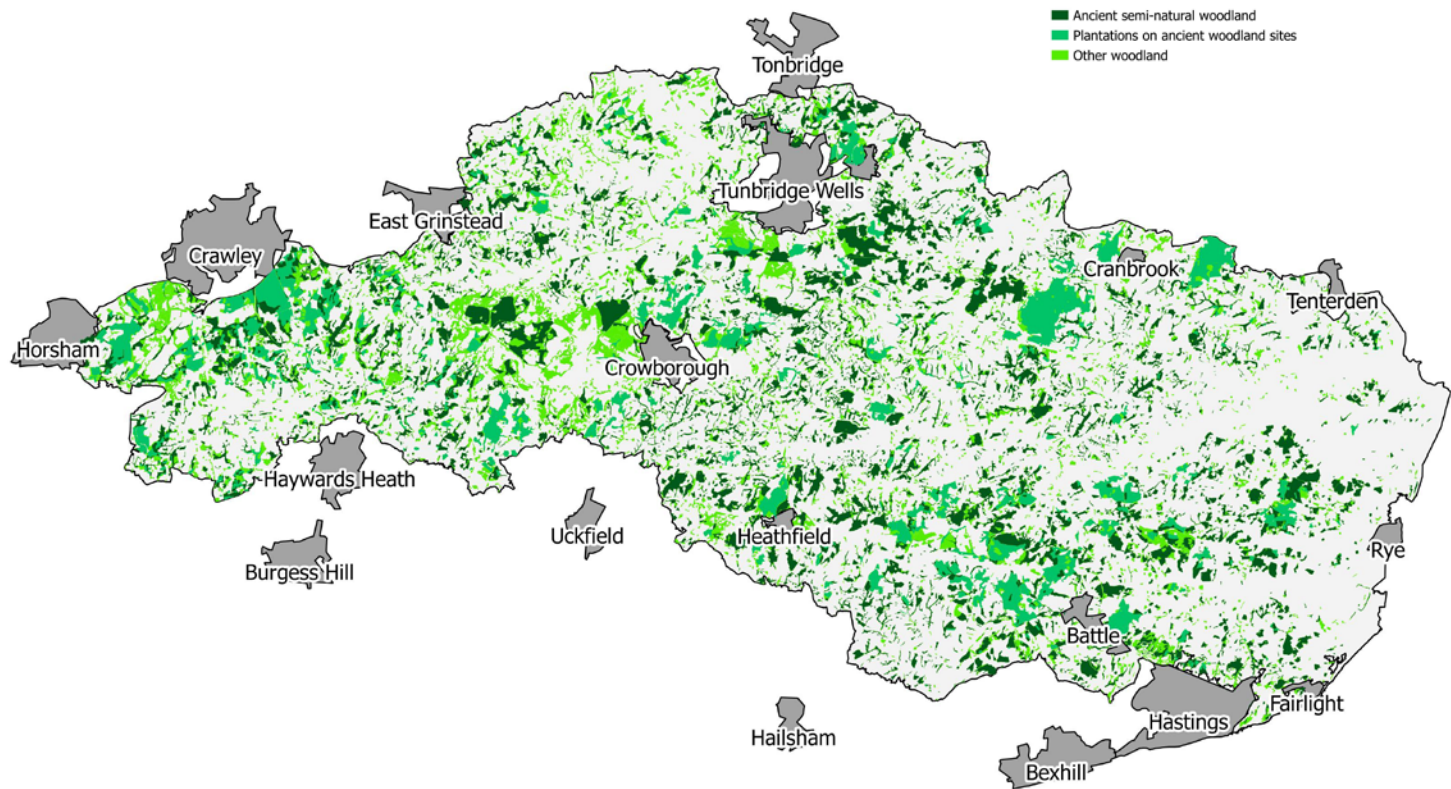
- ✓ **Highly interconnected** and structurally varied mosaic of many small woods, larger forests and numerous linear gill woodlands, shaws, wooded routeways and outgrown hedges.
- ✓ **High proportion of ancient woodland** typically broadleaved coppice with a rich ground flora.
- ✓ **Many irregularly-shaped** small woodlands interlinked with shaws, thick hedges and wooded sunken lanes; forming an intimate part of the farmed landscape.
- ✓ **A few very large woods** lying mostly along the high sandy ridges; remnants of the area's Medieval forests.
- ✓ **High density of gill woodlands** (deeply incised ravines with particularly humid and relatively stable microclimates) – the oldest and least disturbed woodland in the South East – supporting a community of plants, vascular and non-vascular, not found together anywhere else in Europe, and important for rare plant species such as small-leaved lime, hay-scented buckler fern, Tunbridge filmy-fern, and rare invertebrates including beetles and molluscs.
- ✓ **Frequent patches of wet woodland** associated with surface water in the form of steep sided streams, springs, wet flushes and water-filled extraction pits, important for regionally-distinctive species such as smooth-stalked sedge.
- ✓ **A stronghold for characteristic species** such as dormice, and remnant populations of rare species such as pearl-bordered fritillary butterfly.
- ✓ **Considerable variability** in woodland types and tree forms over short distances reflecting the variety of soils, micro-climates and drainage conditions (Principle NVC communities are W10 and W8 with some W15 and W16 on sandier ridges).
- ✓ **Wood-pasture and parkland**, mostly originating from once extensive historic deer parks supporting veteran/ancient trees and their associated wildlife.
- ✓ **Nationally significant resource** of epiphytic and dead-wood dependent species supported by a wealth of veteran trees.
- ✓ **A strong commercial woodland industry** focused on coppice and locally grown hardwoods.
- ✓ **A culture of small-scale management** by people using hand tools to produce a wide variety of products mostly for local use.
- ✓ **Visible evidence of historic use** and exploitation (including coppice stools, stubs, pollards, boundary bank and ditch systems, routes and tracks; remains of Roman and Medieval iron-working such as slag heaps and ponds, and large earthworks relating to the harnessing of water power to fuel furnaces, forges and mills).
- ✓ **Trees used for boundary markers** (including outgrown old laid hedges; stubs and pollards).



Vision

A landscape in which the nationally-important assemblage of ancient woodland in the High Weald is managed in a sustainable way to maximise its wildlife, landscape and historical value. Within this, connectivity between woodland and other habitats is enhanced, archaeology protected, sensitive use for leisure and recreation encouraged, and traditional woodland management active in producing high-quality timber and underwood to supply local markets.

Woodland map



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Top five issues

- 1. Low value bulk markets for timber improving but procurement practices and lack of investment restricting market growth for higher value locally-sourced wood products.
- 2. Changing management, particularly cessation of traditional coppicing affecting ground flora and species associated with coppicing such as fritillaries.
- 3. Predicted increase in tree diseases, partly through imported stock or soil.
- 4. Invasive and damaging species including rhododendron, deer and grey squirrel.
- 5. Impact of increasing mechanisation and machinery size on soils, small-scale habitat variability and archaeology.

Natural and cultural capital – facts and figures

28% woodland cover (nearly 3x national average).	191km ² gill woodland in > 1,200 sites supporting internationally rare cryptogams.
83% broadleaved woodland the majority as coppice.	56km ² UK BAP priority habitat: wood pasture and parkland.
Highest coverage of ancient woodland in any protected landscape (3/4 all woodland or 19% land cover) covering 273km ² of undisturbed woodland soil.	In excess of 7.5m tonnes of carbon stored in woodlands and their soils with an additional > 0.75m tonnes sequestered every year.
>2,800 parcels of ancient woodland under 2 ha.	3km ² traditional orchards containing 34 apple varieties.
Nationally significant: 8% of England’s ancient woodland resource.	Active commercial coppice industry with intergenerational woodland workers.
<32% ancient woodland classified as PAWs.	

Objective W1

To maintain the existing extent of woodland and particularly ancient woodland.

Rationale

To maintain irreplaceable habitats for biodiversity, to maintain a key component of the cultural landscape, and to maintain contribution to carbon storage.

Indicators of Success

- i. No loss of ancient woodland (HWJAC: Ancient Woodland Inventory statistics)

Objective W2

To enhance the ecological quality and functioning of woodland at a landscape scale.

Rationale

To increase the viability of the woodland habitat for wildlife, by identifying and extending the area of appropriately managed woodland (including restoring plantations on ancient woodland) to link and enhance isolated habitats and species populations, providing greater connectivity between woodlands and other important wildlife areas, and helping to facilitate species' response to climate change.

Indicators of Success

- i. Increase in proportion of woodland managed to remove invasive species (Forestry Commission: Woodland Grant data)
- ii. Increase in woodland dependent butterflies (Butterfly Conservation: Butterfly count in sample areas)
- iii. Length of hedges restored or replanted (HWJAC: multiple sources/sample areas)



Objective W3

To protect the archaeology and historic assets of AONB woodlands.

Rationale

To protect the historic environment of the AONB woodlands.

Indicators of Success

- i. Increase in Historic Environment Records (HER) for woodlands (HWJAC: County HERs statistics)

Objective W4

To increase the output of sustainably produced high-quality timber and underwood for local markets.

Rationale

To achieve the most effective management that will deliver the other objectives for woodland, to contribute to sustainable domestic timber production, and to support a working countryside.

Indicators of Success

- i. Increase in scale and numbers of businesses milling local timber: (HWJAC: Business survey)

Evidence and further reading

- Bannister, N.R. (2009). *Medieval Deer Parks and Designed Landscapes in the High Weald*. High Weald Joint Advisory Committee.
- Bannister, N. R. and McKernan, P. (2007). *The Cultural Heritage of Woodlands in the South East*. South East AONBs Woodland Programme.
- Greenaway, T., Roper, P. and Ryland, K. (2004). *Wooded Heaths in the High Weald*. High Weald Joint Advisory Committee.
- Greig, S. (2010). *High Weald Woodlands: Carbon Report*. High Weald Joint Advisory Committee.
- High Weald AONB: *Biodiversity Statement* (2013). High Weald Joint Advisory Committee.
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- Simpson, J. and Smith, J. (2017). *Dallington Forest Ancient and Veteran Tree Survey*. High Weald AONB: *Biodiversity Statement* (2013). High Weald Joint Advisory Committee.
- Weald and Downs Ancient Woodland Survey (2007–2012). *High Weald District Reports for Ashford, Hastings, Mid Sussex, Rother, Sevenoaks, Tonbridge and Malling, Tunbridge Well, Wealden, West Sussex*.

Objective W1

To maintain the existing extent of woodland and particularly ancient woodland.

Proposed Actions	Public bodies	Others
Resist development that risks the loss or deterioration of ancient woodland or veteran trees	x	
Carefully assess opportunities for woodland expansion and their impact on vulnerable non-wooded habitats and cultural landscape prioritising expansion of wet woodland, and the buffering and interlinking of gill and small woodlands through natural regeneration on non-sensitive open habitats together with enhancement of other semi-natural habitats	x	x
Recognise the ecological value of old growth secondary woodland and ensure detailed ecological surveys are carried out if change is proposed	x	x
Ensure ancient wood-pasture and historic parkland are identified and receive the same consideration as other forms of ancient woodland	x	x
Avoid soil damaging activity, such as the use of heavy machinery in wet conditions		
Maintain stock-proof fences around ancient woodland to avoid livestock damage		x

Objective W2

To enhance the ecological functioning of woodland at a landscape scale.

Proposed Actions	Public bodies	Others
Support appropriate management of woodlands focusing on hand cutting and small-scale machinery adapted to High Weald specific conditions	x	x
Recognise the value of wooded heath and seek to accommodate sustainable heathland restoration where appropriate	x	x
Protect the characteristic species of all woodland	x	x
Target rhododendron and other damaging invasive plants for eradication in ancient woodland, prioritising rhododendron removal from gill woodland	x	x
Ensure a minimum15m buffer and seek to secure larger buffer zones to protect ancient woodland and veteran trees from the detrimental effects of nearby developments, including predation by cats	x	x
Support locally grown and local provenance stock for tree planting and avoid imported stock or soil	x	x
Support landscape scale initiatives to reverse the decline in key woodland species and protect and enhance vulnerable habitats such as gill woodlands and wet woodland	x	
Promote UK tree and plant health biosecurity policies and ensure effective communication between forest managers and plant health specialists	x	x
Support an inventory of veteran trees	x	x
Seek to retain and secure appropriate management of woodlands for ecological benefits in, and adjacent to, housing development and, where possible, provide new areas of trees and coppice	x	x
Increase cooperation between owners of woodlots and support collaboration and community led woodland management	x	x
Foster natural regeneration in ancient woodland and avoid planting for non-timber purposes	x	x
Protect ancient woodland soil from heavy machinery damage	x	x
Support restoration of planted ancient woodland sites (PAWS) to deciduous woodland	x	x
Avoid or minimise uses that affect ground flora through trampling or disturbance	x	x
Avoid leaving chipped mulch on ancient woodland soil	x	x
Support research into new species and new management techniques to meet the challenges of a changing climate	x	x
Use local provenance bare-rooted stock for tree planting	x	x

Objective W3

To protect the archaeology and historic assets of AONB woodlands.

Proposed Actions	Public bodies	Others
Require soil conservation and woodland archaeology training for woodland managers operating on public land, and for those receiving public grants for forestry machinery	x	
Require a desk-based archaeological assessment for woodlands affected by development, supported where appropriate by a field assessment	x	
Include mapped historic environment data in licence agreements	x	x
Undertake woodland archaeology surveys and provide data to county Historic Environment Records	x	x
Identify and avoid archaeological features in woodland management operations	x	x
Undertake woodland archaeology surveys and provide data to county Historic Environment Records	x	x

Objective W4

To increase the output of sustainably produced high-quality timber and underwood for local markets.

Proposed Actions	Public bodies	Others
In planning conditions and public procurement, where possible, specify local timber for outdoor furniture, fencing and weatherboard	x	
Seek to foster forestry operations – usually small scale and traditional management – that do not damage characteristic habitats and species	x	x
Support forest skills training within the sector and for new entrants	x	x
Incentivise the use of local wood in construction and seek to support timber yards that can process local wood to produce building grade timber	x	x
Recognise market distortion effect of low transport costs and focus forestry industry support and funding on local SME businesses	x	x
Seek to set up an innovation fund to develop new technologies, products and services supporting AONB woodland management objectives	x	
Support training in woodland management, timber conversion and craft skills	x	x
Choose fencing and gates made from local timber such as chestnut post-and-rail fencing and hazel or chestnut hurdles	x	x
Seek to use local timber for furniture and construction	x	x
Support collaboration initiatives for critical threats such as deer and grey squirrels, including trials of new approaches to control and support for deer larders and other initiatives to enable longer term success	x	x





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Natural Beauty

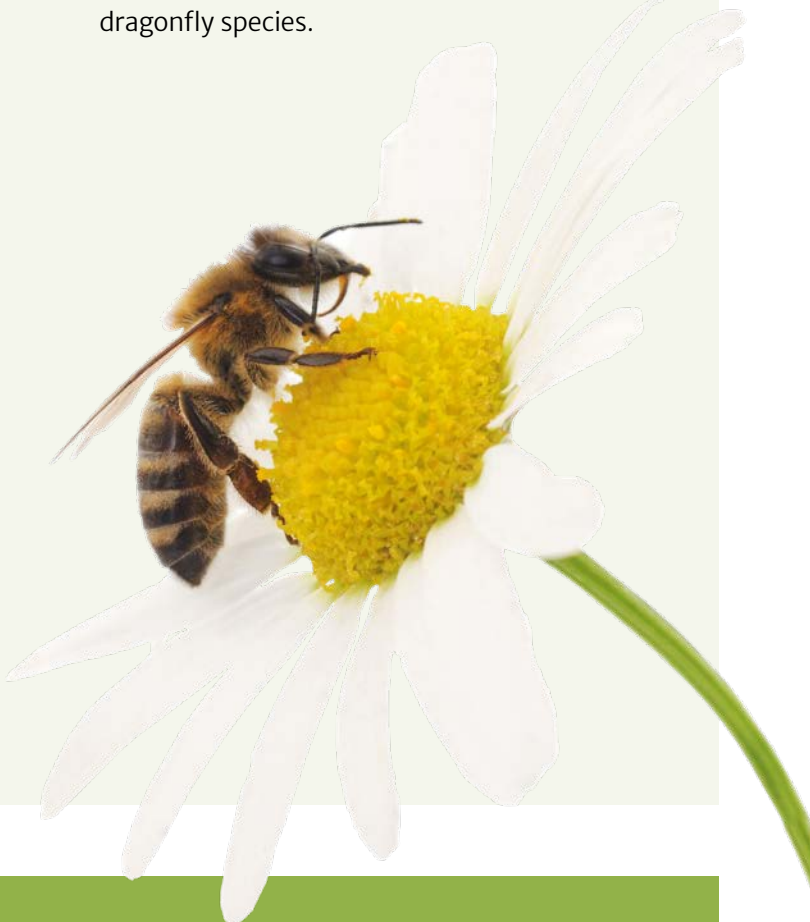
Field and heath

The High Weald AONB is characterised by small, irregularly-shaped and productive fields often bounded by (and forming a mosaic with) hedgerows and small woodlands, and typically used for livestock grazing; smallholdings; and a non-dominant agriculture; within which can be found distinctive zones of lowland heath and inned river valleys.



Key characteristics

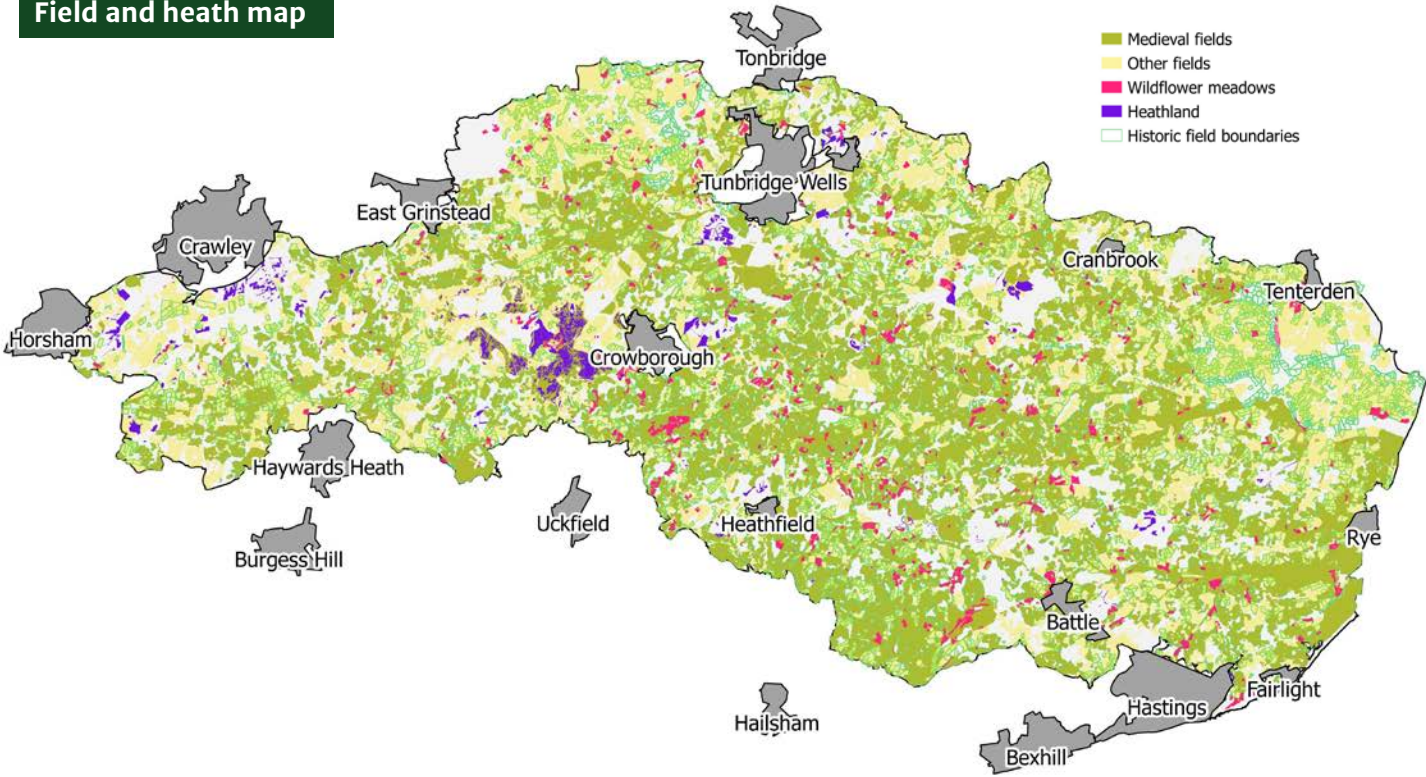
- ✔ **A generally irregular field pattern** with individual fields relatively small (<3 hectares).
- ✔ **Fieldscape dominated by historic farmsteads** surrounded by their own fields resulting from Medieval farming in severalty i.e. land held by individuals rather than in common.
- ✔ **Strong influence exerted by topography** with many field systems aligned to or ‘hanging’ from (at right angles to) linear features such as watercourses or ridge-top roads.
- ✔ **Predominantly pastoral mixed farming** with an absence of industrial scale livestock farming.
- ✔ **Fields mostly used for grazing** livestock with some small-scale horticulture and cropping.
- ✔ **Medieval character dominant** with a high proportion of field systems created by assarting (woodland clearance) with sinuous mixed woody boundaries and thick hedges common.
- ✔ **Boundary ditch and bank features** typical, along woodland edges or topped with hedges and veteran trees.
- ✔ **Nationally important fragments of unimproved neutral grassland** (habitat type MG5 and variants), often small and isolated, supporting an incredibly rich variety of plants, animals, waxcaps and other fungi.
- ✔ **High proportion of good quality flowery grassland** acting as a buffer for, and link to, fragments of unimproved grassland.
- ✔ **Traditional orchards** scattered across the landscape providing dead and decaying wood for invertebrates, and a mosaic of other habitats.
- ✔ **Ashdown Forest** (an extensive area of common land and one of the largest continuous blocks of lowland heath, semi-natural woodland and valley bog in the South East) supporting internationally important populations of nightjar and Dartford warbler.
- ✔ **Distinctive areas of wooded heath** and Lowland heath scattered along the sandy ridges supporting a complex mosaic of plant communities, rare species such as marsh clubmoss, and more than half of UK’s dragonfly species.



Vision

A landscape in which the distinctive and historic pattern of fields is managed to maximise its full landscape, historic and wildlife value, and in which nature recovery networks have enhanced the special qualities of grassland and lowland heath habitats which are maintained where necessary by skilled land managers. Agricultural land is productive managed through restorative agriculture, small-scale agro-forestry and the growing of vegetables, fruit and salad crops, with some wilded areas to serve as refuges; all delivering public benefits including responsible access and enjoyment by the public.

Field and heath map



Top five issues

- 1. Fragmentation of farm holdings due to an increase in non-farming land ownership.
- 2. Loss of agricultural skills and knowledge, and reduction in livestock grazing leading to loss of farm infrastructure and degradation of pasture and soils.
- 3. Increasing costs of managing associated habitats such as hedgerows, exacerbated by reduction in agri-environmental funding for some operations.
- 4. Loss of green fields to development and infrastructure, or conversion to other land uses such as planting of new woodlands.
- 5. Difficulties of access to small, isolated sites and lack of grazing infrastructure including fencing and livestock.

Natural and cultural capital – facts and figures

>1,500 farm holdings (2nd highest number of holdings in an AONB) with >750 livestock holdings.	<3% land cover known wildflower meadows with estimated <40% fields semi-improved grassland with potential for enhancement.
65% land is registered with the Rural Payments Agency with 17,000 parcels of land <1.5ha.	Nearly 50% of AONB supported by government-funded schemes to encourage (NE, 2013) environmentally sensitive land management.
Average farm size is less than half the national average.	85% land is Grade 3 and 4 with no Grade 1 and 2.5% Grade 2.
70% remain unaffected by reorganisation in the late 20th century.	<5% agricultural holders under 35 years old.
>12,500km of hedgerows and field boundaries providing homes for pollinating insects and a source of wild food.	Steep decline in livestock numbers with sheep and cattle numbers down by one-third since 2000.
220km² land owned by conservation organisations or designated under international or UK law to protect wildlife including 64km² internationally important sites and 51 SSSI's covering 55km².	

Objective FH1

To secure agriculturally productive use for the fields of the High Weald, especially for local markets, as part of sustainable land management.

Rationale

To contribute to sustainable domestic food and non-food agricultural production, to support a working countryside, and to reduce the dependency of the UK on non-sustainably managed agricultural land and the need for long-distance transport that produces air pollutants, causing harm to health and the environment.

Indicators of success

- i. Maintenance of land registered for grazing animals (RPA: area extent)

Objective FH2

To maintain the pattern of small irregularly shaped fields bounded by hedgerows and woodlands.

Rationale

To maintain fields and field boundaries that form a part of the habitat mosaic of the High Weald; and to maintain this key component of what is a rare UK survival of an essentially Medieval landscape.

Indicators of Success

- i. Increase in hedges restored and new hedges planted (HWJAC: total hedgerow extent in sample areas)
- ii. No loss of Medieval field systems (HWJAC: area of intact field systems in sample areas)

‘The existence of a flourishing and progressive agriculture is fundamental to... the preservation and enhancement of the characteristic landscape.’

Report of the National Parks Committee, Sir Arthur Hobhouse 1947

Objective FH3

To enhance the ecological function of field and heath as part of the complex mosaic of High Weald habitats.

Rationale

To improve the condition, landscape permeability and connectivity of fields and heaths and their associated and interrelated habitats (such as hedges, woodlands, ditches, ponds and water systems) for wildlife.

Indicators of Success

- i. No loss of species rich grassland (HWJAC & Biological Records Centres: Inventory and priority habitat data)
- ii. No loss of lowland heath (HWJAC & Biological Records Centres: Inventory and priority habitat data)
- iii. Increase in connectivity of species-rich grassland (HWJAC & Biological Records Centres: connectivity measure in sample areas)

Objective FH4

To protect the archaeology and historic assets of field and heath.

Rationale

To protect the historic environment of the AONB other than the pattern of fields: i.e. the individual archaeological features.

Indicators of Success

- i. Increase in Historic Environment Records for non-wooded habitats (HWJAC & Historic Environment Record Centres: Number of HER records)

Evidence and further reading

- Dolphin Ecological services (2013). Grassland SNCI Review. High Weald Joint Advisory Committee.
- Fields in the High Weald: An Overview of Their Social, Ecological and Economic Value (2017). High Weald Joint Advisory Committee.
- Field systems in the High Weald: A landscape Approach to Assessment (2017). High Weald Joint Advisory Committee.
- Field systems in the High Weald: Character Statement (2017). High Weald Joint Advisory Committee.
- Field systems in the High Weald: Research History (2017). High Weald Joint Advisory Committee.
- High Weald AONB: Biodiversity Statement (2013). High Weald Joint Advisory Committee.
- High Weald Management Plan 2019 Consultation Workshop Report: Field and Heath (2017). High Weald Joint Advisory Committee.
- Jones, P.J. et al. (2009). Potential of the High Weald to Supply the Food Needs of its Population under Conventional and Organic Agriculture. High Weald Joint Advisory Committee.
- Vorley, B. (2014) Restocking the Weald. High Weald Joint Advisory Committee.

Objective FH1

To secure agriculturally productive use for the fields of the High Weald, especially for local markets, as part of sustainable land management.

Proposed Actions	Public bodies	Others
Support existing agricultural infrastructure, food processing facilities and local farmers' markets	x	x
Develop tailored support for pasture-fed livestock farming utilising soil conservation management techniques	x	
Choose local food and support local food growers through procurement policies	x	x
Foster sensitive small-scale growing of vegetables, salad crops and fruit	x	x
Incorporate local food and growing programmes in schools	x	
Focus dedicated support on new entrants to farming	x	
Facilitate and encourage collaborative farming, food processing and marketing enterprises	x	x
Support organic farming and other production methods that conserve soil	x	x
Support advisors providing High Weald specific advice	x	
Support traditional livestock breeds	x	x
Recognise the high cost of maintaining a small-scale landscape with abundant hedges in support schemes	x	
Jointly prepare a best practice code for sustainable land management which fosters activities that enhance the distinctive character of the High Weald and do not damage characteristic habitats and species	x	

Objective FH2

To maintain the pattern of small irregularly shaped fields bounded by hedgerows and woodlands.

Proposed Actions	Public bodies	Others
Give great weight to medieval field systems in planning decisions especially where there is a high degree of intactness and strong presence or relationship with other notable landscape and heritage features	x	
Require development masterplans to protect and enhance existing field patterns including hedges, ditches or other boundary features, and where possible to restore them when lost, particularly within retained public spaces	x	
Provide specialist advice to support the management of boundary features including hedgerows, coppice, and veteran trees	x	x
Encourage the restoration of derelict hedges, and restoration of lost hedges	x	x
Promote an inventory of Weald hedges	x	x
Support initiatives to generate an economic return from hedge management and hedgerow products	x	x
Protect and manage hedgerows	x	x
Use historic maps to help reinstate lost hedgerows	x	x

Objective FH3

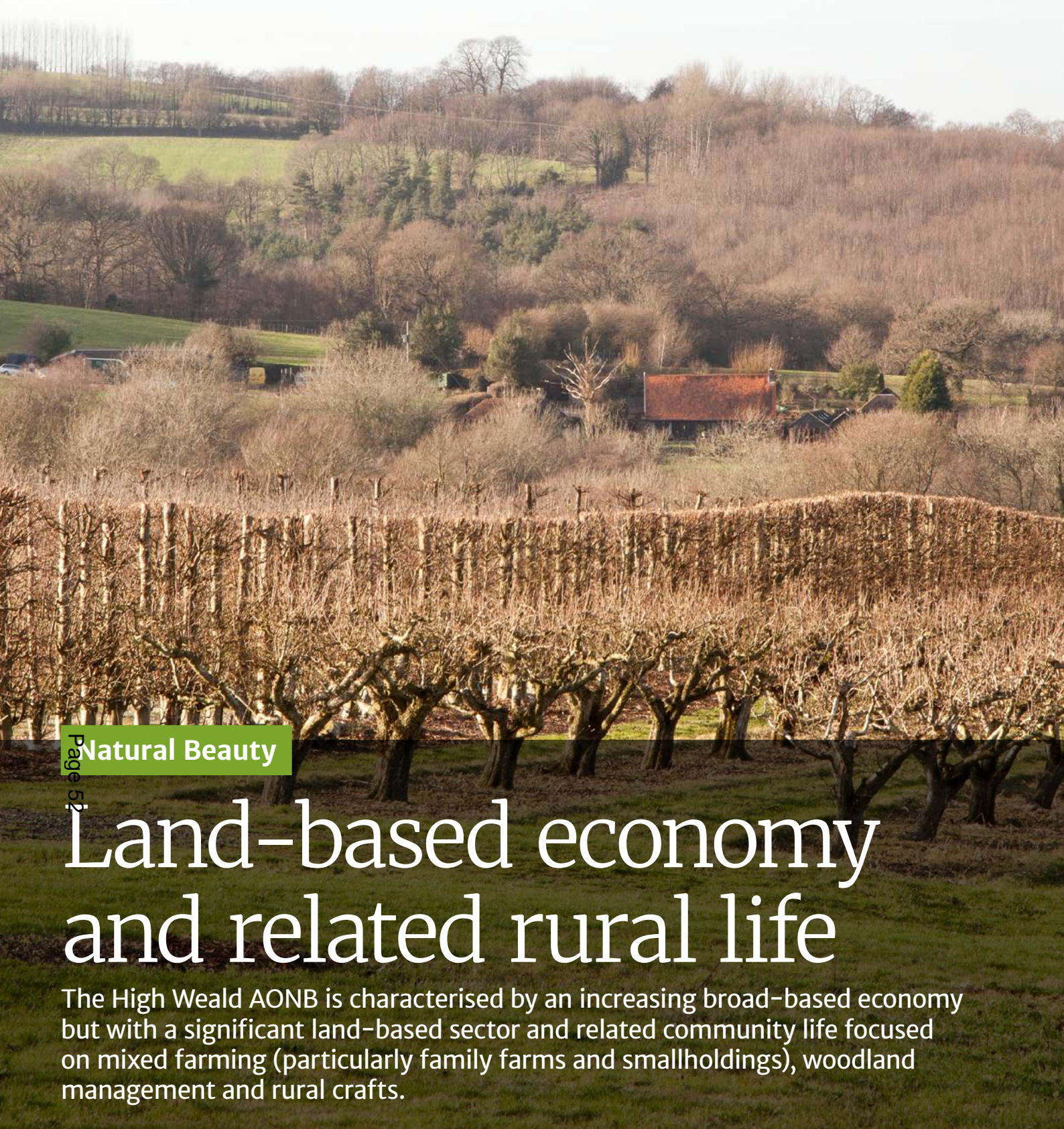
To enhance the ecological function of field and heath as part of the complex mosaic of High Weald habitats.

Proposed Actions	Public bodies	Others
Avoid large-scale new tree planting and avoid planting trees on species-rich grassland or heathland and promote natural regeneration for small woodland expansion/creation schemes	x	x
Proactively encourage management and monitoring of local wildlife sites and review the designation of new sites	x	
Identify, designate and appropriately manage species-rich grassland road verges	x	
Deliver workshops aimed at site managers, local landowners and farmers to raise awareness of species-rich neutral grassland habitats and to support best practice management	x	x
Support and facilitate scientific research in collaboration with academic institutes to further knowledge and understanding of species-rich neutral grassland	x	x
Develop a nature recovery network for species-rich grassland, compiling an inventory of core sites, identifying where opportunities exist to restore and enhance degraded species-rich grasslands, and working collaboratively under Weald Meadows Group to co-ordinate conservation action	x	x
Strategies implemented to reduce nutrient input via air pollution to vulnerable habitats such as heathland	x	x
Deliver Countryside Stewardship Facilitation support to cluster groups through targeted advisory visits	x	
Provide support to farmers entering agri-environment schemes and integrate landowner advice on offer from multiple organisations	x	x
Initiate a collaborative campaign to discourage 'tidy' edges and manage fields for structural complexity and species diversity	x	x
Prepare landscape management design guides to steer agri-environment support to ensure environmental net gain	x	x
Choose to sow crops in spring rather than autumn		x
Seek opportunities to deliver community-led projects restoring and enhancing species-rich road verges	x	x
Collaboratively develop improved mechanisms for communicating with and supporting owners and managers of Local Wildlife Sites	x	x
Encourage fire safety awareness on heathland	x	x

Objective FH4

To protect the archaeology and historic assets of field and heath.

Proposed Actions	Public bodies	Others
Require a desk-based assessment for all development affecting fields or field boundaries supported, where appropriate, by field assessment	x	
Promote field archaeology awareness and recognise the importance of historic small quarries, pits and ponds	x	x
Improve Historic Environment Records for fields	x	x
Identify field archaeology and avoid damage to banks and earthworks	x	x



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Natural Beauty

Land-based economy and related rural life

The High Weald AONB is characterised by an increasing broad-based economy but with a significant land-based sector and related community life focused on mixed farming (particularly family farms and smallholdings), woodland management and rural crafts.



Key characteristics

- ✓ **Land-based workers** at a proportion higher than the rural average but with an ageing profile.
- ✓ **Strong influence of London** and other employment areas such as Gatwick on the social character and commuting patterns.
- ✓ **Tendency for greater self-sufficiency** in smaller communities to the east of the area away from major population centres.
- ✓ **Retention of woodland workers** and their families who have a multi-generational relationship with, and whose livelihoods rely on, the area's coppice woodlands.
- ✓ **An expensive landscape to manage** due to its small-scale nature and hedged bank and ditch boundaries.
- ✓ **High house prices in relation to wages** leading to increasing tendency for land-based workers to live out of the area.
- ✓ **Strong rural community life** based around small towns and villages supported by a network of valued and accessible local services and amenities, such as village halls, shops and post offices, clubs and societies, and infrastructure including bus services and IT provision.



Vision

A landscape in which small-scale farming, forestry and rural crafts continue to play a defining role in the economy of the area and are supplemented by communities managing land for environmental and public benefit, and new land-based enterprises bringing innovation and new technologies (including precision farming and robotics) to support economically viable, and sustainable, land management of the area supporting its conservation. Community life is intimately connected to the land and affordable housing allows for thriving and diverse community life.

Top five issues

1.

Low wages and lack of affordable housing and well-designed workspace affecting recruitment and retention of workers and constraining ability of local woodland, craft and agricultural industries to grow.

2.

Holdings which are typically small (by national standards) struggling to remain economic in the current market under traditional livestock management regimes, and uncertainty over future of agri-environmental schemes.

3.

High cost of land and decline in affordable farm tenancies a barrier to new entrants to agriculture.

4.

Loss of traditional skills due to aging workforce and contracting farm and woodland economies, and lack of economic value in land-based products constraining innovation.

5.

Closures and cuts to rural services and amenities, including bus services, Post Offices, village shops and banks.

Natural and cultural capital – facts and figures

Agriculture

forestry and fishing account for 13% of businesses (employing 8% of the workforce) compared with 3% in the South East (employing 1% of the workforce).

38%

of employment is in micro businesses compared with 17% in the South East.

29%

of the working age population are retired compared with 21% in the South East.

Rural

incomes are slightly lower than those in the South East but average house prices are 42% higher.

Self-sufficient

in cereals, fruit and lamb but an under-supply of potatoes, beef, fresh vegetables and salads.

Evidence and further reading

Bibby, P. (2007). *Historic Farm Complexes in Current Socio-economic Context*: High Weald. High Weald Joint Advisory Committee.

Defra Rural Statistics Unit (2012). *High Weald AONB: Economic profile*. High Weald Joint Advisory Committee.

Farming in the High Weald: Current situation and future needs (2014). High Weald Joint Advisory Committee.

Jones, P. J. et al. (2009). *The potential for the High Weald to supply the food needs of its population under conventional and organic agriculture*. High Weald Joint Advisory Committee.

Vorley, B. (2013): *Restocking the Weald: Securing the future of livestock farming in the High Weald’s working landscape*. High Weald Joint Advisory Committee.

Objective LBE1

To improve returns from, and thereby increase entry and retention in, farming, forestry, horticulture and other land management activities that conserve and enhance natural beauty.

Rationale

To sustain an economically viable land management sector, with a particular emphasis on sustainable and small-scale farming and forestry.

Indicators of Success

i.

Increase in average rural incomes (Defra Rural Statistics Unit: rural income data)

Objective LBE2

To improve amenities, infrastructure (including the provision of appropriate affordable housing), and skills development for rural communities and related sectors that contribute positively to conserving and enhancing natural beauty

Rationale

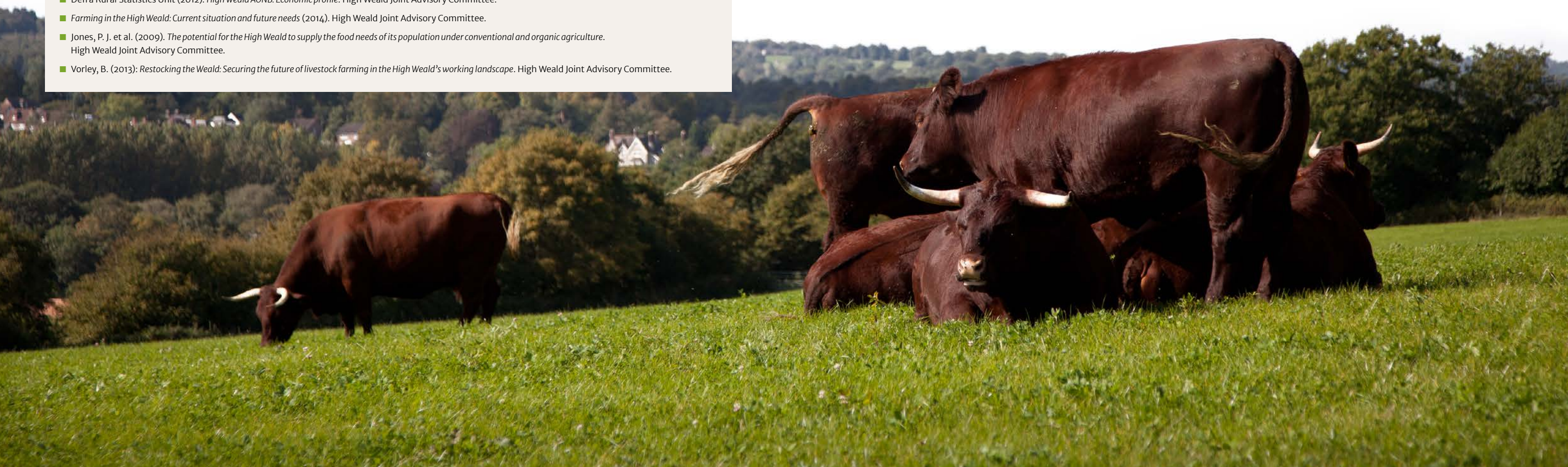
To foster community life and economic activities – including heritage conservation, sustainable tourism and outdoor education – that support conservation of the AONB.

Indicators of Success

i.

Numbers of people employed in land-based and craft sectors (HWJAC: ONS Census data)

Lord Strang, Chairman of the National Parks Commission in 1959 called on the government to ‘secure modern standards of living in the countryside with improved rural housing and new small rural industries to provide employment’ but observed that these must be ‘fully sympathetic to, and in scale with, the landscape and local style of building’



Objective LBE1

To improve returns from, and thereby increase entry and retention in, farming, forestry, horticulture and other land management activities that conserve and enhance natural beauty.

Proposed Actions	Public bodies	Others
Support and invest in improved working conditions and manufacturing technology for land-based businesses	x	x
Engage positively with mechanisms, such as community land trusts, capable of delivering truly affordable housing and housing tailored to the specific needs of land-based workers	x	x
Seek to retain capacity for land management within farmsteads	x	x
Support investment in small-scale businesses including dedicated small loans, and promote innovation funds and improved rural broadband	x	x
Prioritise retaining affordable farm tenancies in land disposal and seek to deliver additional affordable tenancies for new entrants	x	x
Establish buy-local procurement policies and choose locally-produced food, fencing and furniture	x	x
Promote and celebrate local crafts	x	x
Collate and maintain AONB level data on farming and forestry	x	
Resist removal of agricultural occupancy conditions	x	
Consider working collaboratively with others to offer viable longer term tenancies to young farmers and new entrants	x	x
Innovate and create new land-based enterprise	x	x
Develop and offer career introductions to the land-based sector	x	x

Objective LBE2

To improve amenities, infrastructure and skills development for rural communities and related sectors that contribute positively to conserving and enhancing natural beauty.

Proposed Actions	Public bodies	Others
Work collaboratively across sectors to provide comprehensive and relevant AONB tailored training and apprenticeship opportunities	x	x
Seek an in-depth understanding of and creative solutions to rural housing needs	x	x
Seek to support homeworking and co-working particularly related to land-based industries	x	
Support improved digital connectivity across rural areas	x	x
Support the development of training facilities for rural crafts and community land management	x	x
Embed the needs of rural workers within delivery of affordable housing provision	x	x
Work together to plan for appropriate scale and type of development to ensure continuing vitality of local communities and viability of community services	x	x
Seek to retain and support rural services and amenities including bus services, village shops and post offices	x	
Develop and offer career introductions to sectors supporting AONB conservation	x	x

‘It is above all else to farming... that the landscape of all our potential National Parks [and AONBs] owe the man made element of their character; and it is to the farming communities that we must look for continuance not only of the scenic setting but of the drama itself – the rural life and work, “the mild continuous epic of the soil...” ’

John Dower, 1945

John Dower, one of the main architects of the NP&AC Act 1949, trusted rural communities to preserve natural beauty. At the time the majority of High Weald farms were small family farms practising mixed pastoral farming and relying on human labour and ingenuity, rather than mechanisation and chemicals.





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Natural Beauty

Other qualities

The High Weald AONB is characterised by perceptual qualities, features and cultural associations that enrich character components, enhance health and wellbeing, and foster enjoyment and appreciation of the beauty of nature.



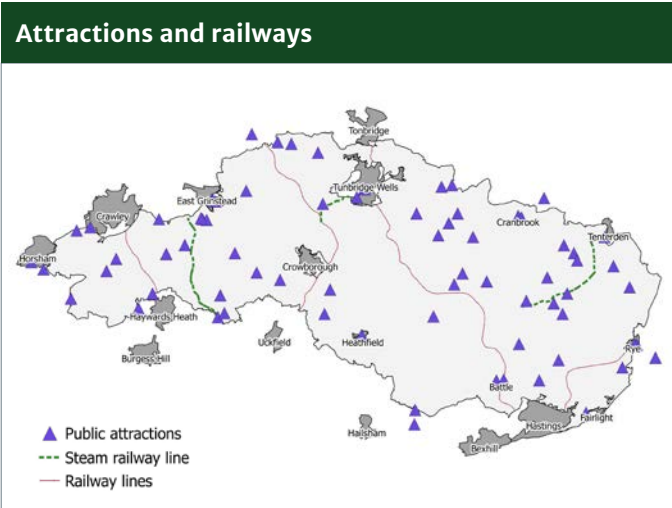
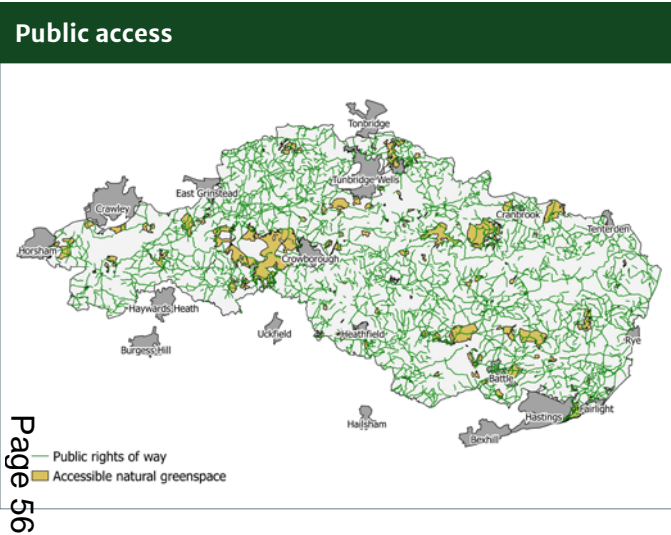
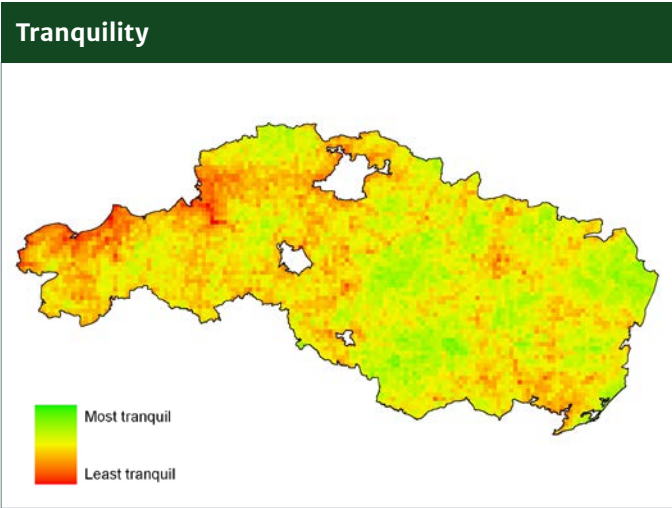
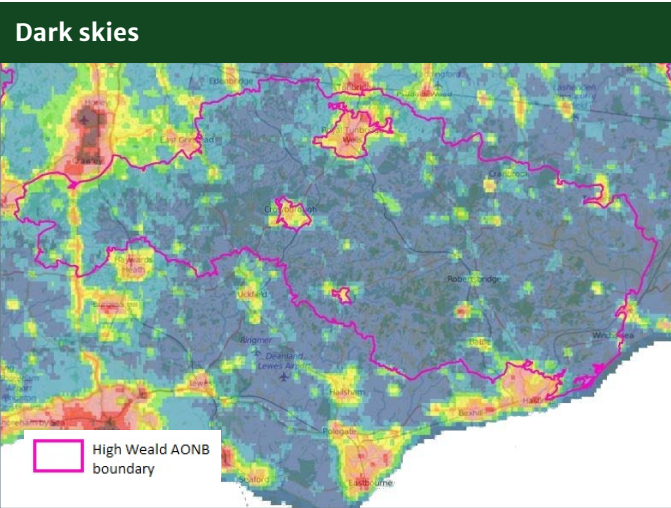
Key characteristics

- ✓ **Features and resources providing opportunities for informal outdoor recreation and experiencing the beauty of nature**
 - Intricate and extensive network of footpaths, roads, lanes and disused railway lines enabling walking, running, cycling and riding
 - Climbable sandrock
 - Rivers, reservoirs and the coast used for fishing, birdwatching and water sports
 - Local nature reserves and open spaces owned by public bodies enabling widespread access to wildlife habitats
- ✓ **Locally distinctive and nationally-important features which enrich people's experience of the High Weald**
 - Castles, abbeys, historic parks and gardens
 - Hop gardens and orchards
 - Traditional and locally distinctive buildings including barns, oast houses, Wealden Hall houses, hoppers' huts, wine cellars and parish churches
 - Notable local populations of rare species, and veteran and ancient trees
 - Tangible legacies of the iron and wood industries, e.g. hammer ponds, gravestones and place names
 - Extensive remnant of Medieval forests particularly Ashdown Forest
 - Rural public realm features, including timber and metal fingerpost signs and milestones
 - Locally distinctive products such as food, drink and chestnut fencing
- ✓ **Other perceived qualities**
 - Scenic beauty and glimpsed long views
 - Unspoilt rural landscape with a sense of naturalness unusual in South East England
 - Intrinsically dark landscapes with a sense of remoteness and tranquillity
 - Human-scale landscape with a sense of intimacy
- ✓ **Cultural associations**
 - Writers such as Rudyard Kipling, A.A. Milne, and 'plein air' artists inspired by the 'wilderness' quality of the landscape
 - Cultural events such as Sussex bonfire societies, agricultural shows and wood fairs
 - Historic events and activities such as the Battle of Hastings and discovery of Iguanodon
 - Health-giving properties of altitude and chalybeate springs



Vision

An AONB in which people have the means to access the landscape easily and can enjoy outstanding quality multi-sensory experiences and increased contact with nature; all contributing to individual health and wellbeing and an improved sense of community, without damage to characteristic habitats and species. People's emotional engagement with the landscape generates a sense of responsibility and connection to the area leading to more sustainable lifestyles that protect and enhance natural beauty.



Top five issues

1. Reducing connection and knowledge of the countryside, including where to go and how to manage it.
2. Increasing visitor numbers with demand for more infrastructure around popular sites and tension between some countryside user groups.
3. Reducing accessibility to some user groups due to poor public transport services and declining rights of way maintenance.
4. Development including traffic, noise and light pollution, degrading the AONB's tranquil and dark qualities.
5. Lack of awareness of AONB designation and the need for conservation management.

Natural and cultural capital – facts and figures

1 million people living within 5km of the AONB boundary	88km of mainline railway and 89km of historic railway line
2,126km footpaths, 383km bridleway, 61km byway (density 1.8km per sq.km.)	227km² sites designated for their biodiversity value
83% population within 5km of a ≤100ha natural greenspace site	30 manor houses, castles and gardens open to the public including Battle Abbey (the most visited English Heritage site after Stonehenge)
4 disused railway lines – Cuckoo Trail, Forest Way, Worth Way and Hop-picker's line	2km of climbable sandrock

Objective OQ1

To increase opportunities for learning about and celebrating the character of the High Weald.

Rationale

To help develop emotional connection to the landscape encouraging people to care for the High Weald and support its conservation.

Indicators of success

- i. Increase in the number and frequency of schools undertaking outdoor learning activities (HWJAC: High Weald Heroes statistics)

Objective OQ2

To increase the contribution of individuals and communities to the conservation and enhancement of the AONB.

Rationale

To enable the 127,000 residents of the High Weald, and one million people living within 5km of the AONB, to take action to care for the AONB.

Indicators of Success

- i. Number of volunteer days supporting AONB conservation (HWJAC: compiled from partner data)

‘The protection of landscape beauty and the encouragement of open-air recreation... will be a great national investment, yielding unlimited returns in health and happiness.’

Report of the National Parks Committee chaired by Sir Arthur Hobhouse, 1947.



Objective OQ3

To develop and manage access to maximise opportunities for everyone to enjoy, appreciate and understand the character of the AONB while conserving its natural beauty.

Rationale

To meet demand for informal recreation from residents and the nearly one million people living within 5km of the AONB, ensuring infrastructure, services and activities are consistent with conserving and enhancing natural beauty and its quiet enjoyment.

Indicators of Success

- i. Proportion of rights of way in good condition (County councils: rights of way statistics)
- ii. Increase in High Weald Walking Festival participants (HWJAC: event data)

Objective OQ4

To protect and promote the perceptual qualities that people value.

Rationale

To ensure that the special qualities people value, such as tranquillity, dark skies, sense of naturalness and clean air, are recognised and taken account of in AONB management.

Indicators of Success

- i. No loss of dark skies or tranquillity: HWJAC: CPRE tranquillity data and citizen science sky quality meter readings

Evidence and further reading

- Acorn Tourism (2013). *Tourism in the High Weald AONB*. High Weald Joint Advisory Committee.
- *High Weald Management Plan 2019 Consultation Workshop Report: Public Understanding and Enjoyment* (2017). High Weald Joint Advisory Committee.
- *Land Use Consultants* (2013). *The Value of AONB Partnerships*. Land Use Consultants.
- McKernan, P & Grose, M. (2007). *An analysis of accessible natural greenspace provision in the South East*. Forestry Commission & Natural England.
- *Public Understanding and Engagement Questionnaire: Results* (2017). High Weald Joint Advisory Committee.
- van Heijgen, E. (2013). *Human Landscape Perception*. High Weald Joint Advisory Committee.

Objective OQ1

To increase opportunities for learning about and celebrating the character of the High Weald.

Proposed Actions	Public bodies	Others
Work collaboratively to increase awareness of the AONB story and sense of place	x	x
Produce and disseminate AONB welcome packs for new residents	x	
Encourage children to get close to nature and enjoy the landscape through support the landscape-inspired activities including the primary school education programme, High Weald Heroes	x	x
Promote site-specific land management advice open to all	x	x
Erect AONB signage to promote the High Weald's identity	x	
Promote health walks and other outdoor activities encouraging the wider community into the landscape	x	x
Develop celebratory landscape-inspired outdoor events e.g. Glow Wild, Weald walking festivals, with some targeted at young people and new events such dark sky celebrations	x	x
Produce site-based information and interpretation promoting the High Weald and its special qualities	x	x
Seek new opportunities to celebrate the long history of craft (wool, iron and wood), and the utilisation of geological resources (quarrying, brick-making and glass-making)	x	x
Include information about the AONB on websites	x	x

Objective OQ2

To increase the contribution of individuals and communities to the conservation and enhancement of the AONB.

Proposed Actions	Public bodies	Others
Support manage grant schemes that specifically conserve and enhance the AONB	x	x
Widely promote the purpose and objectives of the AONB Management Plan, and the High Weald Charter for Residents and Visitors encouraging care for the countryside and reduction in waste, litter and fly-tipping	x	x
Share AONB data with local neighbourhood planning committees and foster contributions from local communities to the AONB's knowledge base	x	
Jointly produce High Weald guidance on development, land management and responsible access	x	
Collaborate and coordinate communication campaigns (such as tourism marketing and social media) to promote the actions individuals and communities can take to care for the AONB	x	x
Support neighbourhood planning to utilise the AONB Management Plan, data and guidance	x	
Support business-led and community projects that give back to the AONB	x	
Run citizen science projects to gather data on AONB heritage e.g. dark skies	x	x
Recruit new members to sustain and expand volunteer heritage and conservation groups	x	x
Run training events that develop skills in heritage surveys, land management and rural crafts	x	x
Support local, non-governmental organisations (e.g. the High Weald Landscape Trust) that conserve and enhance the AONB	x	x

>90% people find the High Weald’s extensive
footpath network appealing
High Weald Public Survey, 2018

Objective OQ3

To develop and manage access to maximise opportunities for everyone to enjoy, appreciate and understand the character of the AONB while conserving its natural beauty.

Proposed Actions	Public bodies	Others
Promote local distinctiveness in the visitor ‘offer’	x	x
Consider new permitted routes particularly bridleways	x	
Support landowners to maintain rights of way, particularly promoted routes	x	
Jointly produce an access strategy that sets out areas for strategic investment to improve rights of way and increase access for all users	x	
Support infrastructure and services including new off-road cycling and riding routes that improve access and links with visitor attractions from surrounding urban areas	x	
Set up and manage grant schemes that support improved access to the AONB	x	x
Support landscape-inspired health and wellbeing initiatives	x	x
Encourage responsible access, particularly dog walking	x	x
Encourage engagement of people from all backgrounds and address inequalities of access particularly for people from different ethnic groups, low income households, children and young people and people with disabilities	x	x
Engage with mental health services and environmental therapies	x	x
Develop green infrastructure links between the High Weald and surrounding towns and villages	x	x
Develop high quality (easy to follow, interpreted) self-guided trails including easy access routes	x	x
Produce visitor management plans for sensitive sites and areas	x	x
Run visitor events focused on celebrating the area’s sense of place including maintaining and developing the High Weald Walking Festival	x	x
Run networking events and training events to share best practice in visitor management	x	

Objective OQ4

To protect and promote the perceptual qualities that people value.

Proposed Actions	Public bodies	Others
Maintain an understanding of the perceptual landscape qualities people value and consider these in policy documents and decisions	x	
Recognise and act to minimise the impact of traffic noise and congestion on rural lanes	x	x
Consider reduction in speed limits on rural roads	x	
Follow the Institute for Lighting Professionals guidance; promote information on dark sky-friendly lighting; install outside lighting only when needed and use dark sky-friendly lighting	x	x
Act to remove and reduce inappropriate noise intrusion, supporting further study into the impacts of noise, such as aircraft noise and traffic, on quiet enjoyment	x	
Identify and protect valued views	x	x
Promote fair access to the landscape for health and wellbeing	x	x
Promote the rich cultural, artistic and historical associations with the landscape	x	x
Consider preparing local statements about perceptual landscape qualities valued by the community as part of local landscape assessments	x	



97% people enjoy the
High Weald countryside
High Weald Public Survey, 2018

High Weald Charter for residents and visitors

The following are actions that all residents, visitors and businesses can take to help care for this nationally-important landscape.

✔ **Buy local products and services from farmers and woodland managers who actively manage their land to benefit the environment**
The landscape and wildlife value of the area’s woodlands, hedges, meadows, heathlands and field margins are dependent on traditional management. Money invested in products and services that help support this management is money invested in conserving the AONB and its local economy.

✔ **Manage your land for wildlife and maintain the rural nature of your property**
Fields, woodland, paddocks and gardens support valuable and threatened wildlife. Inappropriate materials and features, often associated with urban areas, are leading to the gradual loss of the AONB’s valued rural feel.

✔ **Help prevent the spread of invasive and harmful plant and animal species**
Introduced plant, animal and fish species spread rapidly in the High Weald countryside, competing with our native wildlife and leading to its loss.

✔ **Use less water**
Demands for water lead to high levels of water extraction, damaging the wildlife of the AONB’s streams, rivers and wet grasslands. Increased demand in future will create pressure for new reservoirs within the AONB.

✔ **Reduce, reuse and recycle, and dispose of all litter responsibly**
Litter spoils enjoyment of the countryside for the majority of residents. Less rubbish means less pressure for landfill sites and incinerators in the AONB.

✔ **Respect other users – follow the Countryside Code**
Through responsible behaviour we can all use and enjoy the countryside without damaging the enjoyment or livelihoods of others.

✔ **Slow down for people, horses and wildlife**
Traffic spoils enjoyment of the High Weald for 80 per cent of its residents. Speeding cars kill people, horses, badgers, deer and foxes, and ancient routeways and their rare plants are damaged by inconsiderate driving and parking.

✔ **Avoid using the car where possible and consider using renewable energy in your home**
Emissions from petrol and other non-renewable fossil fuels contribute to climate change and lead to degradation of valuable habitats such as sandrock and gradual loss of wildlife such as bluebells.

✔ **Take pride in the High Weald – promote its special features and places to family, friends and visitors**
Promoting what you find special about the High Weald is the best way of encouraging commitment and action by others to the area.

✔ **Have a say**
Your views can influence care of the area – use consultation processes operating at parish, district, county and AONB level to steer policy and action that affects the area.

✔ **Get involved – support local conservation organisations**
With your financial and practical support, local conservation organisations can take action to care for the area such as monitoring threatened wildlife, undertaking practical conservation tasks and lobbying government.



*I thought it would last my time–
The sense that, beyond the town,
There would always be fields and farms,...

It seems, just now,
To be happening so very fast;
Despite all the land left free
For the first time I feel somehow
That it isn’t going to last...*

Extracts from ‘Going Going’ by Philip Larkin, 1972

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Definition of terms used in the context of this Plan

- **Aesthetic** – Concerned with beauty, or the appreciation of beauty
- **Assart** – Land enclosed from woodland often still with numerous trees on boundaries
- **Character** – A distinct, recognisable and consistent pattern of elements (or components) that makes an area different from other areas
- **Conservation** – The preservation, protection or restoration of the landscape
- **Culture** – The sum total of people’s beliefs, customs, social groupings, knowledge and technology, not inherited through biology
- **Dark skies** – Where you can see starry skies and our own galaxy, the Milky Way
- **Field** – An area of land, often enclosed, traditionally used for cultivation or the grazing of livestock
- **Field system** – A group or complex of fields sharing a common character which appear to form a coherent whole (in the High Weald this usually results from the influence of topography and land use but also historic tenure)
- **Gill** – A deep cleft or ravine, usually wooded and forming the course of a stream
- **Historic Landscape Characterisation** – Method of identification and interpretation of the varying historic character within an area looking beyond individual heritage assets to an understanding of the whole landscape
- **Key characteristics** – Combinations of elements particularly important to character that help make that character distinctive
- **Landscape** – An area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors.
- **Natural beauty** – Defined by the Statement of Significance
- **Natural assets** – Biological assets, land and water areas with their ecosystems, subsoil assets and air
- **Regenerative agriculture** – A system of farming principles and practices that increases biodiversity above and below the soils’ surface, restores soil health and rebuilds soil organic matter, improves watersheds, and enhances ecosystem services
- **Routeway** – Any route between places across either land or water
- **Setting** – The surroundings in which the AONB is experienced by people

- **Shaw** – A narrow strip of woodland
- **Significance** – What is special and valued about the AONB to this and future generations
- **Species-rich grassland** – A grassland displaying a wide variety of wild flowers and grasses with the exact composition varying according to the dynamic interaction of factors such as management, drainage, history and soils
- **Sustainable land management** – Farming and other land management activity that conserves the character of the AONB, enhances the diversity and biomass of characteristic wildlife, improves soil quality and the functioning of natural systems; and supports local livelihoods and social structure
- **Wood pasture** – The product of historic land management resulting in a typical vegetation structure of large, open-grown or high forest trees (often pollards) at various densities in a matrix of grazed grassland, heathland or woodland

Glossary of terms

HLC	Historic Landscape Characterisation
JAC/HWJAC	High Weald Joint Advisory Committee
NAAONB	National Association for AONBs
NP&AC Act	National Parks and Access to the Countryside Act 1949
RIGs	Regionally Interesting Geological Sites
SAC	Special Areas of Conservation
SSSI	Site of Special Scientific Interest

Disclaimer

Adoption of this Management Plan by partner authorities does not necessarily imply endorsement of the views and conclusions of documents identified in this Plan as ‘Evidence and further reading’.

Your notes



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Appendix 2



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Working together to care for one of England's finest landscapes

Virginia Pullan
East Sussex County Council
County Hall
St Annes Crescent
Lewes
East Sussex BN7 1UE

10 December 2018

Dear Virginia,

High Weald AONB Management Plan 2019-2014 and supporting reports

As you will be aware over the last 18 months the High Weald AONB Partnership has been undertaking a review of the High Weald AONB Management Plan on behalf of the 15 local authorities with land in the High Weald AONB, as required under Section 89 of the Countryside and Rights of Way Act 2000. On 28th November 2018 the Management Plan 2019-2024 was agreed by the Joint Advisory Committee.

A copy of the new Management Plan was sent to the Chief Executive of your Council with a request that your Council formally adopts it according to your own procedures before **31st March 2019**, as required by law. Once adopted this Management Plan will be your Council's 'policy for the management of the area and for the carrying out of their functions in relation to it'.

Please can you work with Members and officers of your Council to ensure that this adoption process goes smoothly and the timetable is met. It is also a great opportunity to raise the profile of the High Weald AONB and the Management Plan with your colleagues! If you have not already advised us it would be helpful if you could let the Unit know the date when it is intended to put this matter before your Council for a decision.

Anglesey
Arnside and Silverdale
Blackdown Hills
Cannock Chase
Chichester Harbour
Chilterns
Clwydian Range
Cornwall
Cotswolds
Gower
Cranbourne Chase
Dedham Vale
Dorset
East Devon
Forest of Bowland
Howardian Hills
High Weald
Isle of Wight
Isles of Scilly
Kent Downs
Lincolnshire Wolds
Llyn
Malvern Hills
Mendip Hills
Nidderdale
Norfolk Coast
North Devon
North Pennines
North Wessex Downs
Northumberland Coast
Quantock Hills
Shropshire Hills
Solway Coast
South Devon
Suffolk Coast and Heaths
Surrey Hills
Tamar Valley
Wye Valley

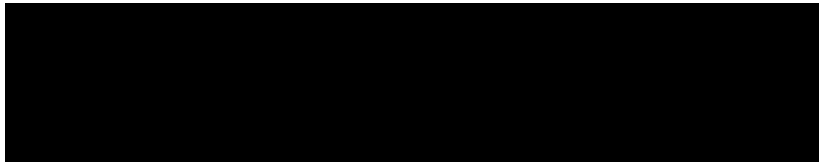
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HIGH WEALD
One of the
AONB Family

Following adoption of the Plan by the area's 15 local authorities the new Plan will be submitted to the Secretary of State and published in April 2019.

Thank you for working with us to conserve and enhance the High Weald Area of Outstanding Natural Beauty.

Yours sincerely,



Sally Marsh and Jason Lavender
AONB Co-Directors
director@highweald.org

Report to: Lead Cabinet Member for Transport and Environment

Date of meeting: 21 January 2019

By: Director of Communities, Economy and Transport

Title: Council Order for The East Sussex Permit Scheme.

Purpose: To bring into force recent amendments made by the South East Permit Scheme (SEPS), it is necessary to revise the Council Order to continue to operate our current Permit Scheme.

RECOMMENDATIONS: The Lead Member is recommended to approve the authorisation of a Council Order to bring into force amendments to the East Sussex Permit Scheme.

1 Background Information

1.1. The Traffic Management Act 2004 empowered Highway Authorities to operate a Permit Scheme, whereby all public utilities and statutory undertakers had to secure a permit before working in the public highway.

1.2. East Sussex County Council secured approval from the Secretary of State in July 2013 for a Permit Scheme, which began operation in November 2013. A Council Order was made in July 2015 in response to the Department for Transport deregulating permit schemes (Deregulation Act 2015) and which also made amendments for the purposes of clarity and uniformity for utility companies.

1.3. Since this time the current scheme has continued to operate successfully, improving planning by utility companies and their execution of necessary works in our highways, leading to reduced congestion.

1.4. East Sussex County Council is an active participant of the South East Permit Scheme (SEPS) which also includes authorities Brighton and Hove City Council and Surrey County Council.

1.5. In 2016 the SEPS management steering group identified the need for greater control of utility works on minor roads and the Permit Scheme was last updated and approved in July 2017 to reflect this.

2 Supporting Information

2.1 In order to gain greater control of managing traffic movement the principle of charging was introduced by the first Order enabling more stringent conditions to be placed on minor roads, such as residential streets.

2.2 In accordance with Regulation 5 (Traffic Management Permit Scheme (England) Regulations 2007) the highway Network Management team carried out a formal consultation with stakeholders during September 2018. No objections to the proposals were received.

2.3 This option to charge on all roads including residential roads requires the County Council's current permit scheme to be amended and an amended Council Order to be made if it is to continue to operate in parity with other SEPS members in the South East.

2.4 The amended Council Order and East Sussex Permit Scheme have been drafted and are included in Appendix 1 and 2 respectively.

3 Conclusion and Reasons for Recommendations

3.1 The Lead Member is recommended to approve the amended Permit Scheme, authorise the re-issuing of the full scheme documentation and authorise the making of the Council Order to enable East Sussex County Council to effectively manage the network and continue to operate alongside SEPS members in the South East.

RUPERT CLUBB

Director of Communities, Economy and Transport

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LOCAL MEMBERS:

None

BACKGROUND DOCUMENTS:

LTME 14 September 2015 - Council Order for the East Sussex Permit Scheme

LTME 18 July 2017 – Council Order for the East Sussex Permit Scheme

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The Traffic Management

(East Sussex County Council)

Permit Scheme Variation Order 2019

EAST SUSSEX COUNTY COUNCIL hereby makes an Order under Part 3 of the Traffic Management Act 2004 (“the Act”) whereby acting as the Local Highway Authority it modifies the Permit Scheme known as “the East Sussex County Council Permit Scheme” which originally came into force on the 11th November 2013 in exercise of the powers conferred by the Act’.

Citation and Commencement

1. This Order may be cited as the Traffic Management (East Sussex County Council) Permit Scheme Variation Order 2019 and comes into force on **xxxx 2019**.

Interpretation

2. In this Order –

“The East Sussex County Council Permit Scheme 2018” means the Permit Scheme prepared in accordance with Section 33A of the Traffic Management Act 2004 (as amended) set out in the Schedule to this Order in terms commonly known as the ‘East Sussex Permit Scheme’ and: “specified streets” has the meaning given by Regulation 8 of the Traffic Management Permit Scheme (England) Regulations 2007 (as amended).

The Order may be cited as ‘The East Sussex Permit Scheme Order 2018’ and comes into effect in relation to the specified streets within the East Sussex County Council Permit Scheme on **xxxx 2019**.

Variation and Commencement of Permit Scheme

3. The East Sussex County Council Permit Scheme which came into force on 11th November 2013 (as amended) by the East Sussex Permit Scheme July 2017 is hereby varied to amend the charging regime on Non Traffic Sensitive Type 3 and 4 Roads, but with the effect that it still complies with the Traffic Management Permit Scheme (England) Regulations 2007 as amended by the Traffic Management Permit Scheme (England) (Amendment) Regulations 2015 and shall come into force as varied on **xxxx 2019**.

Application of Part 8 of the Traffic Management Permit Scheme (England) Regulations 2007 (as amended)

4. Part 8 of the Traffic Management Permit Scheme (England) Regulations 2007 (as amended) shall apply to the specified streets within the East Sussex Permit Scheme.

The Common Seal of East Sussex County Council)

was)

hereunto affixed in the presence of)

Authorised Signatory

SCHEDULE

The East Sussex Permit Scheme

THE SOUTH EAST PERMIT SCHEME

FOR

ROAD WORKS AND STREET WORKS

THE PERMIT SCHEME

The South East Permit Scheme

DOCUMENT SUMMARY

Document History

The South East Permit Scheme submitted to the Secretary of State has been given Version 1.0. Any further developments as a result of the review process will be detailed below:

Date	Version	Comment
11 March 2013	v1.0	1 st draft (Document GESCCA/060/v1.0)
06 June 2013	v2.0	Minor updates for clarification requested by DfT
15 July 2015	v3.0	LHA order to comply with 2015 amendment regulations
18 July 2017	v4.0	Amended rules on minor roads and EToN changes
21 January 2018	v5.0	Amended rules for all roads

The South East Permit Scheme

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1 INTRODUCTION

1.1 ***Background***

Part 3 of the Traffic Management Act 2004, (TMA), introduced permit schemes as a new way in which activities in the public highway could be managed and to improve authorities' abilities to minimise disruption from street and road works.

1.2 ***Relationship to NRSWA***

The scheme provides a change from the 'notification system' of the New Roads and Street Works Act 1991 (NRSWA). Instead of informing the street authority about its intention to carry out works in the area, a statutory undertaker will need to book time on the highway through a permit, as would the highway authority, its partners and agents, for its own works.

Under the scheme both statutory undertaker's activities and highway authority activities are treated in the same way with regard to co-ordination and the setting of conditions. The Permit Authority shall demonstrate at all times parity between activity promoters ensuring non-discrimination between permit applicants.

1.3 ***The Permit Scheme***

This permit scheme, to be known as the South East Permit Scheme, (hereinafter referred to as The Permit Scheme) which will be operated under the powers of the Traffic Management Act 2004 (TMA) as amended, has been introduced, to enable any South East Local Highway Authority (hereinafter referred to as the Permit Authority) to better manage activities on their highway network, as well as minimising disruption from utility companies' street works and the Council's own highway works, both of which are covered by the scheme.

It is based on Part 3 of the TMA and the Traffic Management Permit Schemes (England) Regulations 2007 as amended, (hereinafter referred to as the regulations) and has been prepared with regard to the Statutory Guidance issued by the Secretary of State and in accordance with the requirements set out in the Regulations. Promoters should make themselves aware of the content of these documents and also The Code of Practice for Permits alongside which the Permit Scheme will be operated. For consistency with the Statutory Guidance and Code of Practice, in the Permit Scheme the term "promoters" is used where the sense includes both utility companies and highway authorities, and "activities" is used rather than "works", even though the scheme applies at present only to street works and highway works.

2 SCOPE OF PERMIT SCHEME AND DEFINITIONS

2.1 **Areas and Streets**

- 2.1.1 A Permit Authority operating the Permit Scheme will operate the scheme across the whole of the area encompassed by that authority's boundaries. The area covered by the Permit Scheme is the Permit Authorities geographical area of operation; this is the "specified area" as set out in the Regulations.
- 2.1.2 All streets, for which the Permit Authority is the highway authority, i.e. publicly maintained by or on behalf of the highway authority, are included in the Permit Scheme; these are the "specified streets" as set out in the Regulations.
- 2.1.3 Trunk roads and motorways for which Highways England is the highway authority are not included in the scheme.
- 2.1.4 Privately maintained streets are also not included in the scheme, but will be added if they are subsequently adopted by the highway authority and shown as such in the street gazetteer.

2.1.5 **Street Gazetteer**

The street gazetteer for the street authority, used for NRSWA, will be used for the Permit Scheme, including the Unique Street Reference Numbers (USRN) and the Additional Street Data. This forms part of the National Street Gazetteer (NSG) held centrally on behalf of all local highway authorities by a concessionaire. Streets subject to the Permit Scheme will be identified in the Additional Street Data. In relation to permits, the term "street" refers to an individual USRN.

- 2.1.6 Streets with special controls designated under NRSWA as protected streets, streets with special engineering difficulty (SED) and traffic-sensitive streets will have the same designations under the Permit Scheme. Where those designations are revised, the criteria and procedures in the NRSWA Code of Practice for the Co-ordination of Works will be followed.
- 2.1.7 In addition to the designations carried across from NRSWA, the Permit Authority may designate in the Additional Street Data certain streets as especially vulnerable to traffic disruption and where an early warning of immediate activities on streets is required. In these cases, the promoter must telephone the authority's specified number given in the Additional Street Data as soon as it is identified that an activity becomes necessary.
- 2.1.8 Reinstatement categories of streets, where used in the Permit Scheme, are the same as the reinstatement categories under NRSWA, as defined in the Specification for the Reinstatement of Openings in the Highway. If there are revisions to the definitions of category 0 – 4 streets in the Specification, these will be translated into the Permit Scheme.

2.1.9 **Main and minor roads**

The Permit Scheme distinguishes between main roads and minor roads in certain circumstances.

- Main roads – all streets with reinstatement category 0, 1, or 2 and streets in reinstatement category 3 and 4 that are designated as traffic-sensitive for all or part of the time.
- Minor roads – streets with reinstatement category 3 or 4 which are not designated as traffic-sensitive at any time.

The South East Permit Scheme

2.2 **Activities Covered by the Permit Scheme**

2.2.1 Subject to the exemptions in 2.2.7 below, permits must be obtained from the Permit Authority by activity promoters for

- street works – as defined in section 48 of NRSWA;
- works for road purposes – as defined in section 86 of NRSWA

This includes all activities comprising “registerable works” in terms of The Street Works (Registers Notices Directions and Designations) (England) Regulations 2007 and any subsequent amendments. These are the “specified works” as set out in the Regulations.

2.2.2 Further details of what is covered by registerable activities and where there are exemptions is given in the NRSWA Co-ordination of Works Code of Practice: these exemptions are carried across into the Permit Scheme.

2.2.3 Except for immediate activities, promoters must obtain a permit before starting their activities. The Permit Authority, when granting a permit may require specific conditions to be included in a permit application before it will be granted. Promoters must comply with the terms of the permits and any conditions.

2.2.4 One permit can only cover one activity on one street.

2.2.5 Although, street lighting works for the Permit Authority as highway authority are works for road purposes and require a permit, street lighting works and repairs for District and Parish Councils, acting on their own account and not on behalf of Highway Authority, should be treated as street works

2.2.6 **Activities not requiring a permit before they start**

Immediate activities do require a permit but, because such activities are concerned with emergency or urgent situations, a promoter can start work before applying for a permit provided they apply for a permit from the Permit Authority within 2 hours or, in the case of the activity commencing out of normal working hours, within two hours of the commencement of the next working day and comply with any conditions specified by the Permit Authority, whether generic for such activities or specific to one activity.

2.2.7 Works under a street works licence (under section 50 of NRSWA) do not require a permit but have to follow the normal NRSWA procedures through the street authority.

2.2.8 **Categories of activities**

Different requirements apply to different categories of activities, for example longer timescales apply to larger activities.

Permit for Major Activities

Major activities would be those which:

- have been identified in an organisation’s annual operating programme or, if not identified in that programme, are normally planned or known about at least six months in advance of the date proposed for the activity; or
- other than immediate activities, require a temporary traffic regulation order (i.e. not a temporary traffic notice) under the Road Traffic Regulation Act 1984 for any other activities; or
- other than immediate activities, have a duration of 11 working days or more.

Permit for Standard Activities

Standard Activities are those activities, other than immediate or major activities, that have a planned duration of between 4 and 10 working days inclusive. (Activities lasting less

The South East Permit Scheme

than 10 working days will be classified as major activities if they require a temporary traffic regulation order, e.g. to close a street or ban a turn.)

Permit for Minor Activities

Minor Activities are those activities, other than immediate or major activities, where the planned working is 3 working days or less.

Permit for Immediate Activities:

Immediate Activities comprise:

- Emergency works as defined in section 52 of NRSWA; and
- Activities (not being emergency works) whose execution at the time they are executed is required (or which the person responsible for the works believes on reasonable grounds to be required) —
 - (i) to prevent or put an end to an unplanned interruption of any supply or service provided by the promoter;
 - (ii) to avoid substantial loss to the promoter in relation to an existing service; or
 - (iii) to reconnect supplies or services where the promoter would be under a civil or criminal liability if the reconnection is delayed until after the expiration of the appropriate notice period; including works that cannot reasonably be severed from such works.

These are the equivalent of “urgent works” as defined in the 2007 Notices Regulations under NRSWA.

These permit categories of major, standard, minor and immediate activities, have broadly the same definition, as those given in the “interpretation” for works categories in The Street Works (Registers Notices Directions and Designations) (England) Regulations 2007, with the following amendments;

- 'streetworks' replaced with 'activity'
- 'undertaker' replaced with 'promoter' and
- 'street authority' replaced with 'permit authority'

It should be noted that The Street Works (Registers Notices Directions and Designations) (England) Regulations 2007 are subject to change from time to time, and it is the intention of the Permit Scheme that the above permit definitions may change, in line with any changes to these Regulations.

2.3 *Phasing of Activities*

- 2.3.1 One permit can only contain one phase of an activity. A phase of an activity is a period of continuous occupation of the street (whether or not work is taking place for the whole time) between the start and completion of the activities, where all the works described in the works description are completed, unless it can be demonstrated that those works have been legitimately interrupted. The dates given in a permit application and in the issued permit will denote the dates for that phase. A phase can end only when all the plant, equipment and materials, including any signing, lighting and guarding have been removed from the site.
- 2.3.2 A promoter must clarify that an activity is planned to be carried out in phases on the application. Each phase will require a permit. With the exception of remedial activities (see 2.5) and the permanent reinstatement of interim works, a major activity will require a Provisional Advance Authorisation (PAA), which will be cross referenced to the subsequent permits.
- 2.3.3 If a promoter is unable to complete all the activity in the permit in one phase for operational or weather reasons and will require a subsequent permit at a later date to

The South East Permit Scheme

complete the activity, they must advise the permit authority and seek agreement on the timing of the subsequent permit. Failure to do so could result in the permit authority treating the subsequent application as an illegitimate use of activity phases (see 5.2.3).

- 2.3.4 Phased activities must relate to the same works. These could be a single or multiple-but-linked excavation, or a trench dug progressively along the street as part of a continuous operation. Or they could be where an interim reinstatement is made and the permanent reinstatement is completed at a later date.

2.4 *Linked Activities*

- 2.4.1 Linked activities carried out at separate locations in a street must be treated as belonging to the same set of works. However, unconnected activities carried out by the same promoter in one street must not be treated as parts, or phases, of a single set of works. A new main or cable run, which includes new customer connections, can be classed as one activity if all the work is completed in a single occupation of the street.
- 2.4.2 Even if an activity involving more than one street forms part of one project in management and contractual terms, separate permits and PAAs must be obtained for each street or USRN.

2.5 *Remedial Works*

- 2.5.1 Remedial works will require a new permit. Applications for remedial works should be submitted as a new phase of the original activity using the same activity reference. Where remedial works fall within the definition of a major activity then a PAA will not be required.

2.6 *Interrupted Activities*

- 2.6.1 In the event of an activity being interrupted and delayed, for instance due to damage to a third party's plant or while specialist apparatus is acquired, the promoter shall contact the Permit Authority to agree what action should be taken. Where no works activity takes place for 24 hrs on a permitted working day (unless further activity is waiting materials curing) the promoter must contact the Permit Authority within 2 hours of the start of the next working day to agree what action should be taken
- 2.6.2 Where the Permit Authority is satisfied that the excavation can remain open while the repairs are implemented or the equipment obtained, then a variation will be required. However, where it is considered that the opening should be reinstated and the road returned to full traffic use then the promoter will need to apply for a further permit to complete the work at a later date.
- 2.6.3 If an activity is interrupted at the request of the Permit Authority, the Authority will discuss this with the promoter and agree to a variation to cover the situation, or if necessary grant a further permit to allow the activity to be completed later.
- 2.6.4 Whenever an activity is interrupted, the promoter must first agree a way forward with the Permit Authority before starting any of the processes above.

2.7 *Collaborative Working*

- 2.7.1 Collaborative working means more than just trench sharing. It includes situations when one of the activities is works for road purposes and the other street works. It also includes multi-utility working, multi-utility tunnels and compliance testing.
- 2.7.2 The Permit Authority strongly encourages promoters to consider collaborative working. It is accepted that there are often issues in such arrangements, particularly contractual complications. Nevertheless every opportunity should be sought to minimise the disruption to users of the highway.

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2.7.3 Responsibilities - primary and secondary promoters

- 2.7.3.1 In the event of collaborative working, one of the promoters must take on the role of primary promoter and take overall responsibility as the agreed point of contact with the Permit Authority. The secondary promoter(s) retain the same responsibility for submitting permit applications for work to be carried out by them or on their behalf.
- 2.7.3.2 If the nature of collaborative working is trench sharing, the primary promoter will excavate the trench and install its own apparatus. The secondary promoters will install their apparatus in the same trench. The primary promoter will then backfill and reinstate the trench. In this case the responsibility for the quality of the reinstatement will lie with the promoter that completed it. A similar approach to primary and secondary promoters will be followed for other forms of collaborative working.
- 2.7.3.3 Where the work is trench share only those permit applications submitted by the primary promoter are required to show the estimated inspection units attributable to the street works. The primary promoter must detail the other promoters involved and the scope of the collaborative working in the initial application. The primary promoter must also ensure that estimates of works duration are agreed and/or confirmed with the secondary promoter(s) when submitting permit applications. This is necessary in order to comply with the overrun charging requirements in the permit regulations.

2.7.4 Granting permits

- 2.7.4.1 To avoid any ambiguity, the Permit Authority will grant permits to all the promoters involved, not just the primary promoter. However, the fees will be adjusted by the amount provided for in the permit regulations to reflect the collaborative approach; provided all the applications meet the criteria set out in the regulations (see 8.3.3). Further reductions can be made at the discretion of the Permit Authority where the collaborating promoters can demonstrate to the Permit Authority significant benefits in terms of the Permit Scheme objectives. All granted permits shall record the identity of the primary promoter and all the secondary promoters.

2.8 *Duration of Activities*

- 2.8.1 In a permit the duration of an activity is the number of consecutive calendar days between the start and end of the activity, whether or not work is actually taking place on all those calendar days, and where the activity includes all setting up and clearing of the site and all associated storage.

2.9 *Working Days*

- 2.9.1 Working days are used for calculating certain time periods in the Permit Scheme. The same definition of working days is used as for NRSWA. Note that permit start and end dates are not restricted to working days.

2.9.2

2.10 *Restrictions on Further Activities*

- 2.10.1 The provisions of sections 58 and 58A of NRSWA (restrictions on activities following substantial road works or substantial street works) will operate alongside permits in the Permit Scheme. The processes are slightly modified to reflect the way that the permit scheme operates, but otherwise the same principles apply, including the variable restriction periods on different streets. Details of the modified procedures and the lengths of restrictions are given in Chapter 8 of the Permits Code of Practice.

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2.11 *Charges for Over-running Activities*

- 2.11.1 Charges for over-running street works, under section 74 of NRSWA, will be made alongside the Permit Scheme. The procedures are modified slightly to work with the Permit Scheme, in particular to integrate the establishing of the reasonable period into the permit application and issuing process. But the principles otherwise remain the same as under NRSWA, including the penalty charges. Details of the modified procedures are given in Chapter 16 of the Permits Code of Practice. Where the permit Authority has reason to believe that overrun charges are being avoided by mis-use of permit phases, it will treat a subsequent permit application as an illegitimate use of activity phase (see 5.2.3).

2.12 *Relationship with NRSWA and Changes to Legislation*

- 2.12.1 The Permit Scheme will replace the part of NRSWA dealing with notices under sections 54, 55 and 57. Other elements of NRSWA, for example in relation to inspections, reinstatements and diversionary works, remain to operate in parallel with the Permit Scheme, modified as necessary so the two, can operate effectively together.
- 2.12.2 The Order for the Permit Scheme disapplies, and modifies in relation to the scope of the Scheme, all those elements of the NRSWA and associated NRSWA regulations identified in Part 8 of the Permit Regulations, namely: Sections of NRSWA disapplied – s53, s54, s55, s56, s57, s66; Sections of NRSWA modified – s58, s73A, s74, s88, s89, s93, s105, Schedule 3A NRSWA Regulations modified – The Street Works (Registers, Notices, Directions and Designations) (England) Regulations 2007.
- 2.12.3 The notification regime in NRSWA will continue to apply to activities (“works” in NRSWA terminology) where permits are not required. The Permit Scheme, in line with the Statutory Guidance, contains key features which are the same as in the NRSWA notification regime which will allow the two regimes to operate effectively alongside each other.

3 HOW TO MAKE PERMIT APPLICATIONS

3.1 *General*

3.1.1 **Co-ordination and forward planning information**

- 3.1.1.1 The Permit Authority will use the processes and principles in the co-ordination process in the Permits Code of Practice issued by the Department for Transport (DfT). Forward planning by all promoters is an essential part of co-ordination, therefore activity promoters must follow the forward planning information process in the Permits Code of Practice issued by the DfT. They are encouraged to maximise use of non-statutory Forward Planning Information Notices (FPIN) to better aid co-ordination.

3.1.2 **Requirement to obtain a permit**

- 3.1.2.1 Any promoter of a registerable activity, who wishes to carry out such an activity on a street designated as requiring a permit must obtain a permit from the Permit Authority. The permit will allow the promoter to:
- carry out the specified activity;
 - at the specified location;
 - between the dates shown; and
 - subject to any generic condition that may apply to the permit and
 - any specific conditions that may be included in the permit.
- 3.1.2.2 Any permit granted by the Permit Authority will include all of the information as supplied by the promoter in the application to which it refers.
- 3.1.2.3 The intention is to better control activities to minimise disruption and inconvenience and for these activities to be carried out in a manner that takes account of the needs of others. Although the Permit Scheme applies to all registerable activities on both main and minor roads, the Permit Authority will apply a more rigorous approach to the assessment of category 0, 1 and 2, and traffic-sensitive locations than those categorised as 3 and 4.

3.1.3 **Types of permit application**

- 3.1.3.1 The Permit Scheme contains two types of permit applications:
- Provisional Advance Authorisation (PAA) – only required for major activities, i.e. those which are large and/or likely to be more disruptive. Effectively this is an early provisional permit issued before the final details of an activity have been worked out. For street works PAAs are similar to section 54 notices under NRSWA, in terms of providing early information about planned activities;
 - Permits – full permits with final proposed details -for all registerable activities. For street works these are similar to section 55 notices under NRSWA in terms of providing full details of the proposed activities.

3.1.4 **Timing of permit applications**

- 3.1.4.1 The timing of applications will vary according to the proposed activity. Larger activities and those taking place on busier roads, which thus have the potential to be more disruptive to road users, require more time and effort for co-ordination and planning and hence applications should be submitted earlier than the minimum period required by the scheme. Permit approvals will be based on conditions under which the work may take place, so it is in the best interests of the promoter to contact the Permit Authority early. That way conditions can be discussed and, if possible, an agreement can be reached so that the application contains the required conditions and is approved quickly. Early applications will improve the co-ordination process; it will enable the Permit Authority to better control

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all the activities that take place on the highway and will help promoters plan their works more effectively. Table 1, within section 4.3 shows permit application and response times.

3.2 *Method of Making Permit Applications*

- 3.2.1 Permit applications, including PAAs and variations, must be made to the Permit Authority by electronic communication via Electronic Transfer of Notifications (EToN) unless there is a failure in the electronic system, or the applicant is a one-off promoter, whereby e-mail applications are acceptable.
- 3.2.2 Recipients of copies of permit applications or of other material relevant to those applications, e.g. transport authorities or frontagers, are unlikely to have access to EToN. In such circumstances applications or other information will be given either by e-mail or by post.

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3.2.3 System failures

- 3.2.3.1 Failure lasting up to 24 hour duration - The Permit Authority will accept applications for permits for immediate works only by e-mail following pre-agreement with the Permit Authority. These applications must be accompanied by a telephone call to the appropriate contact number.
- 3.2.3.2 Failure lasting between 24 hours and 3 days - The Permit Authority will accept applications for permits for immediate works and works of Activity Type Minor only by email following pre-agreement with the Permit Authority. These applications must be accompanied by a telephone call to the appropriate contact number.
- 3.2.3.3 For both failure durations following recovery of service, a copy of the application or notice should then be sent through EToN to ensure that the information on the works is correctly recorded. To avoid receiving erroneous FPNs, activity promoters should endeavour to advise the Permit Authority of any significant system downtime.
- 3.2.3.4 In the event of system failure, any permit variation applications or to seek further information or discussion should be made by telephone to the appropriate contact number. The officer concerned will issue an individual reference number. This number must be displayed on an electronic application through EToN following recovery of service to ensure correct cross referencing.

3.3 *Content of Permit Applications*

- 3.3.1 All applications must comply with the definitive format and content of both paper and electronic permit applications given in the Technical Specification for EToN. The description of activities and other information should be in plain English without any industry specific jargon.

3.4 *An Application Must Contain Only One Street*

- 3.4.1 Each application must contain information about one activity in one street, where a street equates to a single USRN. To improve co-ordination, projects covering more than one street must cross-reference all related applications. This is particularly important when applying for PAAs. Under no circumstances will an application containing activities in more than one street be acceptable.

3.5 *Applications Involving Other Interested Parties*

- 3.5.1 Parties other than the Permit Authority may wish to be informed about activities on a street. Such parties should make sure that their interest is entered in the ASD in the NSG.
- 3.5.2 Before making a permit application, promoters should check whether any parties have registered such an interest in the street. Where the ASD indicates other interested parties, applications for permits, PAAs and variations, and any response to them, must be copied to those parties. Electronic systems meeting the Technical Specification for EToN should deal with this automatically. However, some interested parties may not have access to the electronic systems so they should be sent copies by an alternative method.
- 3.5.3 In addition, within the Permit Scheme, NRSWA sections 88, 89 and 93 are amended as provided for in the Permit Regulations. These sections, along with s90 and s91, deal with notifications to bridge, transport and sewer authorities. The amendments ensure that the same consultation takes place prior to a permit application as under the NRSWA notice regime. The duties on undertakers in relation to streets with special engineering difficulty also remain under the Permit Scheme and the approval to plans and sections from the relevant authorities still has to be obtained. These procedures should take place before the permit application is made. The application should state that the consultation has

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taken place and where appropriate the necessary approvals have been obtained from the other parties.

3.5.4 Works for Road Purposes activity promoters must follow equivalent processes for activities under the Permit Scheme in such situations, and state that they have fulfilled the requirements of these sections in their applications.

3.5.5 The consultation requirements with Network Rail are the same as with the NRSWA. Promoters should make themselves aware of these requirements.

3.6 *Provisional Advance Authorisation Applications – Timing and Content*

3.6.1 The promoter shall apply to the Permit Authority for a PAA at least three months before the proposed start of major activities. This replaces the Advance Notice under s54 of NRSWA. Each permit for a major activity must have an equivalent PAA, i.e. one PAA per street.

3.6.2 A PAA must always specify proposed start and end dates. However, it is accepted that it may be difficult for a promoter to be certain of the start date three months before the event, so the proposed start date is regarded as provisional and may be amended in the application for a final permit.

3.6.3 While it is anticipated that under the Permit Scheme a granted PAA will normally carry through to a successful permit application, the granting of a PAA does not preclude the Permit Authority deciding not to grant a permit for the activity to which the PAA relates.

3.6.4 Permit regulations provide that failure to apply for a PAA can be used as a factor in deciding whether or not to grant a permit for a major activity. Under the Permit Scheme the absence of an application for a PAA for a major activity will lead to a presumption against granting a full permit for that activity. Following representation from a promoter the Permit Authority may if it is considered appropriate agree that a PAA is submitted and an early start agreed to enable the submitted permit to be granted.

3.6.5 The information to be supplied by a promoter for a PAA is set out in the Technical Specification for EToN. Standard, minor, immediate, remedial and interim to permanent activities do not require an application for a PAA.

3.7 *Timing of Permit Applications*

3.7.1 The time requirements for submitting permit applications are set out in (Table 1 in 4.3).

3.7.2 **Special requirements for immediate activities**

3.7.2.1 The Permit Authority may designate streets that are particularly vulnerable to activity related congestion on the ASD, to indicate that the Permit Authority requires early warning by telephone of immediate activities on these streets immediately after the activity has been identified. Upon receipt of a telephone call, the officer concerned will issue an authorisation code number for the immediate activity. Where such a number is given, this number must be included on the subsequent electronic permit application. Only those streets that are most susceptible to unplanned disruption will be designated.

3.7.2.2 Any immediate activity can adversely affect traffic (including pedestrians) on the street with the activity and on other alternative routes onto which traffic may divert. Even if the street is not designated, where an immediate activity is likely to cause significant disruption, the promoter should telephone confirmation of the commencement of the activity at the earliest opportunity and in any event within 2 hours of the activity being identified.

3.7.2.3 Examples of situations where significant disruption is likely to occur include: immediate activities on traffic sensitive streets in traffic sensitive times; on streets where traffic is likely to be diverted onto a traffic sensitive street at a traffic sensitive time; on streets that

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are already in use as a diversion route. Promoters should be especially alert in such circumstances.

- 3.7.2.4 Permits for immediate activities can contain the same conditions as permits for other activities -subject to obvious variations, such as omitting when activities may start. The exact location may not be known when the application is made.

3.8 *Permit Start and End Dates and Activity Durations*

- 3.8.1 A permit will allow an activity to be carried out for a specific duration between the start and end date on the permit. An activity promoter working outside those dates would not have a valid permit and potentially would be committing an offence. It should be noted that if the work should start on a Monday and finish on a Friday, the subsequent weekend cannot be used as additional days without the express approval of the Permit Authority through a permit variation.
- 3.8.2 Section 74 of NRSWA still applies to statutory undertakers' activities and the noticing requirements of s74 still apply. The Highway Authorities own activities will be subject to equivalent notices. Therefore, when they began the activity the promoter would have had to submit the s74 Start of Works Notice (or highway activity equivalent) giving the actual start date of the activity. The duration (reasonable period) for s74 purposes must be the same as the duration given in the permit, unless the application granted by the Permit Authority has limited the duration for s74 purposes to a period less than the permit period, or where a duration variation has been granted and the Permit Authority has issued a Duration Challenge to limit the Reasonable Period.

3.8.3 **Main roads**

- 3.8.3.1 On main roads, i.e. all category 0, 1 & 2 streets and category 3 & 4 streets that are traffic-sensitive for all or part of the time, the duration of the activity will exactly match the time from the start date to the end date unless the Permit Authority has limited the duration for s74 purposes (see 3.8.2).
- 3.8.3.2 For example: start date Wednesday 1st June, end date Friday 10th June, duration eight (working) days. The permit start date will be the proposed start date of the activity. If the activity cannot begin on the permit start date, the promoter should, where it is known, inform the Permit Authority the day before the permit start date by means specified by the Permit Authority at its co-ordination meetings. This must be confirmed via an EToN works comment. There is no automatic extension of the permit in these circumstances. If the promoter thinks that they could still complete the work before the permit end date, then they could begin the activity on a subsequent day, submitting a start of works notice under section 74 of NRSWA.
- 3.8.3.3 If the promoter could not complete the activity before the permit end date, they must apply for a permit variation. This would be required even if the extra days were at a weekend (in the above example the permit expires at midnight on Friday night). The Permit Authority may or may not agree to an extension, depending on the circumstances, and the activity promoter may be subject to over-run charges if the over-run days are working days.

3.8.4 **Minor roads**

- 3.8.4.1 On minor roads, i.e. category 3 and 4 streets that are not traffic-sensitive at any time, the permit will be issued with start and end dates, and implied duration for the activity. The start date will allow for a flexible window of 5 working days for major and standard activities and 2 working days for minor activities, from the initial estimated start date. The end date will be amended accordingly depending on the original duration.

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- 3.8.4.2 Unless the Permit Authority has limited the duration for s74 purposes (see 3.8.2), or a duration variation has been granted and the Permit Authority has issued a Duration Challenge to limit the Reasonable Period, the duration will be the time from the actual start date to the appropriate end date.
- 3.8.4.3 Thus the start date on the permit will be the planned start date for the activity but the end date may subsequently change due to the activity starting on any day up to the last day of the starting window.
- 3.8.4.4 Once the promoter has notified the actual start of the activity within the window, the permit start and end dates will be re-set so that the permit start date is now the actual start date and the permit end date is then fixed by the duration from the actual start.
- 3.8.4.5 The normal working day rules apply, i.e. weekdays, although there may be conditions placed on the permit that affect the ability of an activity promoter to make use of weekends or Bank Holidays to work.
- 3.8.4.6 The activity start date cannot be later than the last day of the starting window.
- 3.8.4.7 If the promoter could not complete the activity before the permit fixed end date (following the submission of the actual start date) they must apply for a permit variation. This would be required even if the extra days were at a weekend. The Permit Authority may or may not agree to an extension, depending on the circumstances, and the promoter may be subject to over-run charges if the over-run days are working days.

3.9 *Information Required in a Permit Application, Including PAA Applications*

- 3.9.1 In deciding whether to include any conditions in a permit; the Permit Authority will consider the information that has been provided in support of the application. The Permit Authority recognises that full information may not be fully known at the time an application for a Provisional Advance Authorisation is made. However, activity promoters should make every effort to provide the most accurate information available at each stage. Required information should be provided in the appropriate EToN field or in the description text where no field exists.
- 3.9.2 Each application must include a unique reference number. Details of the numbering system are given in the Technical Specification for EToN.
- 3.9.3 A detailed description of the activity must be provided to enable the Permit Authority to assess its likely impact -similar to that already required under NRSWA.

3.9.4 **Location**

- 3.9.4.1 Activity promoters must provide the USRN and also an accurate location based on NGR, for small excavations this must be one NGR in the centre of the excavation and, where there are trenches, this must be a number of co-ordinate pairs representing a poly-line, as detailed in the technical specification for EToN. This requirement is a minimum and may not be sufficient to indicate the space to be occupied, so the Permit Authority may seek additional information by way of descriptive text or a works plan (if not provided with the application).
- 3.9.4.2 Ideally the dimensions of the total space taken up by the activity in the street in the form of a polygon (also covered in the Technical Specification for EToN) should be provided. That space needs to cover all the area used by the activity, including for storage of materials, working space, safety zone, provision for pedestrians and traffic management, but excluding advance warning signs such as road works ahead.
- 3.9.4.3 Promoters applying for permits for immediate activities should do so only once they have begun excavation (see 2.2.6). Even if they find that the location in which they have started digging is not where the activity is ultimately required, a permit is still required because

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they have broken open the street. A permit variation must be obtained if the location has to be changed as the activities progress (see 5.2.6 multiple excavations).

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3.9.5 Timing and duration

3.9.5.1 Each application for a permit must include proposed start and end dates and a proposed duration, where the duration is inferred from the start and end dates. If the activity promoter proposes to undertake activity on weekends or Bank Holidays to speed up the activity and reduce disruption, then they must specify this in their application.

3.9.5.2 To assist the Permit Authority when determining permit dates and requiring a condition on duration, the following information must be supplied.

- For traffic-sensitive streets, indicate if the activity will take place within or outside traffic sensitive times.
- For all streets indicate if the start or finish time for any activity is to be carried out outside the normal working day* 8:00am to 6:00pm or if the activity requires night working.
- If, for a major activity, the dates on a permit application differ from those on the preceding PAA, the promoter must explain the reason(s) for the change.

*The normal working day referred to in the bullet point above is not the working day defined in section 98(2) of NRSWA, as any day except weekends and public and bank holidays.

That working day is assumed to be 08:00 to 16:30. The times are significant only for calculating notice periods. It does not define the day for any other purposes.

In order to allow the Permit Authority to identify works which may have detrimental environmental impacts to residents/businesses, and for it to place conditions on works as appropriate it is essential for them to know if works are proposed to be executed outside the times specified.

3.9.6 Illustration

3.9.6.1 PAA applications and 'Major over 10 days' Activity Permit applications must be accompanied by an illustration(s) of the works and should include details of the activity, the extent of highway occupancy, and where the relevant traffic flow information is available to promoters via the Permit Authority website, a disruption effect score as defined in Appendix G of the Permits Code of Practice. The illustration will comprise plans, sections, digital photographs and similar material.

3.9.6.2 Illustrations may be required for more than just major activities as a small excavation in a critical junction may well be much more disruptive. Therefore where it appears to the promoter that any activity may be significant in terms of potential disruption, due to the position or size of the activity, an illustration should be included with the permit application. If the Permit Authority considers that any particular activity may potentially be significant in terms of disruption they may request an illustration as further information to enable them to consider the application.

3.9.6.3 Activities on those streets or parts of a street, subject to a SED designation will in any case require a plan and section or other specified information. Approvals for an SED must be obtained before the full permit application is made. The preferred method of submitting the plan and section is via an EToN illustration. Details of how illustrations can be transmitted as attachments can be found in the Technical Specification for EToN.

3.9.7 Technique to be used for underground activities

Details of the planned techniques, such as open cut, trench share, minimum dig technique or no dig must be provided.

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3.9.8 Traffic Management, Parking and Traffic Regulation Orders

3.9.8.1 The activity promoter must supply details of traffic management proposals together with any requirement for action by the traffic authority including, but not limited to:

- the need for Temporary Traffic Regulation Orders (TTROs);
- the lifting of any parking restrictions; and
- application or approval for portable light signals.

Where applications for these have already commenced prior to the permit application being sent these must be clearly referenced within the application.

3.9.8.2 These must be included in the permit application, or referred to when submitting a PAA, and an allowance must be made for the additional costs associated with them.

3.9.8.3 For the requirements for TTROs (see 12.1). All activities requiring a TTRO are categorised as major activities. A separate application for a TTRO must be made as well as the PAA or Permit Application.

3.9.8.4 The Traffic Signs Regulations and General Directions (the TSRGD) requires that prior permission of the Permit Authority, (in its capacity as Traffic Authority), is required to place portable light signals on or near a road. The NRSWA Safety at Street Works Code of Practice repeats this requirement and recommends that for immediate works the authority must be informed at the time and an application then submitted as soon as possible but not later than 10 am the next working day..

3.9.8.5 The appropriate flag in the permit application indicating the proposed use of 2 way or 3 way portable traffic lights must be used.

3.9.8.6 EToN includes provision for Portable light Signals functionality referred to as Temporary Traffic Signals (TTS): All Portable Light Signal information will be submitted through EToN using the appropriate submission, unless an alternative method of application is required by the Permit Authority.

3.9.8.7 Where parking bays are to be suspended, application must be made to the relevant parking authority. This must be separate from any permit application. It is important to fully consider the parking needs of people with disabilities when seeking the suspension of parking bays. Evidence of the agreement of the relevant parking authority must be included in the permit application.

3.9.8.8 If the advance approval notice period required for any traffic management is longer than that required for a permit, traffic management can be applied for separately. If this happens it will be necessary to indicate that this is the case on a permit application, cross-referencing the earlier application for traffic management (including parking) by its unique application reference number.

3.9.9 Needs of people with disabilities

For all works it is a requirement that full consideration is given to the needs of people with disabilities. This is particularly important in respect of the availability of road space and parking arrangements. It is important therefore at the application stage that any arrangements that will be necessary to accommodate the needs of people with disabilities as a consequence of the proposed works can be established, such as ensuring safe passage, but also whether bus stops and disabled parking bays will be affected or suspended.

3.9.10 Depth

Activity promoters must provide their best estimate of the excavation depth. While this might be expressed as a range, it should nonetheless provide a meaningful indication of the nature and extent of activity involved.

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3.9.11 Reinstatement type

The application must indicate whether the activity is intended to be completed with interim or permanent reinstatement or a mixture of both. If it is the latter, then promoters must provide details as to where interim or permanent reinstatements will be completed within that permit.

3.9.12 Inspection units

The application must state the provisional number of estimated inspection units appropriate to the activity, in accordance with the rules laid down in the Inspections Code of Practice and associated regulations. Where there is trench sharing, only the primary promoter is required to give the inspection units (see 2.7.3 on Collaborative Working).

3.9.13 Contact person

- 3.9.13.1 The application must include the name and contact details of the person appointed by the activity promoter to deal with any problems that may occur during the activity, including any provision made by the promoter for out-of-hours contact, by use of the Promoter or Contractor contact fields in EToN
- 3.9.13.2 On permit applications (and on PAAs if the information is known at the time) the application should include the name of the main contractor carrying out the activity. This will help with the Permit Authorities consideration of the application and with any discussions that need to take place before the permit can be agreed.

3.10 *Early Starts*

- 3.10.1 An activity must not start before the expiry of the application period except where an early start has been agreed via EToN with the Permit Authority, and any other interested parties. The Permit Authority will give consideration to allowing early starts (i.e. proceeding before the end of the full application period set out in Table 1 in 4.3), provided it is established that;
 - I. there is no reason not to do so, or it is actually beneficial to do so,
 - II. the activity promoter requesting the early start is able to demonstrate a legitimate reason for the request.
 - III. every effort has been made to adhere to the specified minimum advance notice periods specified in the Permit Scheme Regulations,
 - IV. There is no history of continual requests for early starts from the activity promoter.
 - 3.10.2 An activity promoter may request an early start at the same time as or after applying for a PAA or a permit application, as appropriate. Where an early start is agreed after the permit has been issued, the promoter must submit a variation to the permit, or in the case of a PAA include the revised dates on the application for the permit.
 - 3.10.3 If an activity promoter requests an early start after the initial permit has previously been issued, and this is agreed by the Permit Authority, then there will be a charge for the associated permit variation. Where the early start request is submitted as part of the initial application, no variation is required (See 5.2.4.1).
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- 3.11 *Error Correction*
 - 3.11.1 The process detailed in the Permits Code of Practice and the EToN specification must be followed.

4 ISSUE OF A PERMIT AND INCLUSION OF CONDITIONS

4.1 *General*

4.1.1 When considering applications for permits, including PAAs, and deciding the terms of a permit and of any specific conditions, The Permit Authority will act reasonably, for example:

- taking account of the proposed activity's potential to cause congestion and disruption;
- recognising the needs of other users of the highway, and the integrity of the highway itself;
- taking account of how feasible it is for the activity promoter to comply e.g. given the area of occupancy and the restrictions imposed by the available industry resources and technical capabilities;
- allowing works to be carried out in compliance with statutory guidance and codes of practice especially in relation to safety (such as *Safety at Street Works and Road Works*).

4.1.2 The permit for an activity will specify the activity it allows in detail and will include any specific conditions. This information will be drawn from the application. As a minimum, any constraints in the original application will be reflected in the terms of the permit. A typical example would be, if the activity is in a street which is traffic-sensitive in some places and/or at some times and the application stated that the activity was to be outside the traffic-sensitive places and times, this would then become a term of the permit; or if a minimum dig method is proposed then that would become a term. However, this does not restrict the Permit Authority from imposing such conditions as it considers appropriate, taking all factors into account.

4.2 *Granting Approved Permits*

4.2.1 When the Permit Authority is satisfied that an application from an activity promoter meets scheme requirements, it will issue a permit in accordance with paragraph 4.4.1. Each application will lead to a separate permit. The permit will contain the location and description of the activity, the start and end dates of the period for which the permit is valid, the implied duration and any conditions imposed by the Permit Authority. The permit will also include reference to any associated documentation such as drawings. Where the drawings have been submitted as EToN attachments they will be accessible electronically through the permits register.

4.2.2 The Permit Authority will grant permits electronically using EToN. If the electronic system is down or unavailable for any reason then permits will be issued by e-mail. Each permit will be given a unique reference, which must be displayed on the site information board. Variations to permits will be denoted by the use of the same unique reference with a suffix to denote the variation.

4.2.3 Where other parties have expressed an interest in a street and the application for a permit has been copied to them, the permit will also be copied to those parties by the Permit Authority when it grants the permit to the activity promoter.

4.3 *Response Times*

4.3.1 The Permit Authority intends to respond to all permit applications and PAA applications within the timescales set out in Table 1 below. That response will be to approve the permit, give a Permit Modification Request (PMR), or to refuse the permit. In the event that no response is sent by the Permit Authority either granting, or giving a PMR or

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refusing the permit within the set timescales, the permit will be deemed to have been approved (see 4.5).

- 4.3.2 For approved permits the Permit Authority will respond by granting the permit through the EToN system.
- 4.3.3 For a PMR or refused permits the Permit Authority will respond through the EToN system, giving the reasons for the PMR or the refusal
- 4.3.4 For discussions or further information the Permit Authority will respond by EToN comment, telephone, email, in writing or by other means, as appropriate, and may arrange a meeting. Any dialog /agreement will be recorded in an EToN comment.

Table 1: Application and Response Times

APPLICATION AND RESPONSE TIMES (in working days)							
Activity Type	Minimum application periods ahead of proposed start date **		Minimum period before permit expires for application for variation (including extension)	Response times for The Permit Authority for, issuing a permit or a giving a PMR or refusing a permit		Response time to Modified Permit Application (with no change to original start and finish dates)	Response times to applications for permit variations
	Application for provisional advance authorisation	Application for permit		Application for provisional advance authorisation	Application for permit		
Major	3 months	10 days	2 days or 20% of the original duration whichever is the longest	1 month	5 days	2 days or any remaining original application response period, whichever is the longest	2 days
Standard	n/a	10 days		n/a	5 days		
Minor	n/a	3 days		n/a	2 days		
Immediate	n/a	2 hours after		n/a	2 days		

** note that if an activity requires approvals for TTRO or portable light signals or parking suspension then the relevant timescales for these need to be taken into account. (see 3.9.8)

4.4 *Permit Applications not approved*

4.4.1 **Refusing a permit**

The Permit Authority recognises that legitimate activities cannot be refused, however the Permit Authority will give a PMR (which is a refusal under regulation 16 if the promoter

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does not subsequently submit a modified application with the same start and end date as the original application) or refuse a permit application if elements of the proposed activity are not acceptable. Where appropriate, when refusing an application the Permit Authority will contact the promoter to explain the reason for refusal if it is felt that the response code used and any associated EToN text have not made the reason for refusal clear

When receiving a PMR the activity promoter will be able to submit a modified application containing the requested changes. Provided the start date for the activity has not changed there is no requirement for an early start agreement. However when receiving a refusal and subsequently submitting a new permit application with the same start date, it may be necessary to request an early start agreement to reflect any reduced notice period.

- 4.4.1.1 Grounds for refusal of a scheme compliant permit application will always relate to the Permit Authority's responsibility to discharge its Network Management Duty and are set out below. In an exceptional circumstance, where a specific situation affects, or will affect the Highway Network, the Permit Authority may invoke other grounds for refusal.
- Conflicting activities/events
 - Environmental considerations
 - Conflict with other Statute
 - Accuracy of/Conflicting/missing information
 - TTRO/PTS approvals
 - Works Methodology
 - Timing
 - Location
 - Duration
 - Section 58/58A restrictions
 - Traffic Management
 - Road Occupation dimensions
 - Traffic Space dimensions
 - Consultation and publicity
 - Missing Conditions
- 4.4.1.2 Following a PMR where a modified application is issued with the same proposed start and end dates as the original application then the response period for the modified permit application will be the later of:- the remaining original application response period:- or 2 days, starting from when the modified application is received. Where the original application was refused, the modified application must be submitted as if it were a new application in terms of time scale or include an early start request.
- 4.4.1.3 If agreement cannot be reached in the time available, the Permit Authority will refuse the permit and the promoter must make a new application, which would then be considered in the usual way.
- 4.4.1.4 The activity promoter has a right of appeal if it is unable to reach agreement with the Permit Authority over the terms of the permit or the conditions. In the case of immediate activities it may be that work has to stop, if it is safe to do so, until the issues are resolved. The Permit Authority will decide on a case by case basis if that is necessary, but will always seek to discuss the situation with the activity promoter and will take into account all the relevant factors in coming to a reasonable decision. For full details of dispute procedures, refer to section 7 (Dispute Resolution) of this document.

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4.5 *Permit Application Deemed to be Approved*

- 4.5.1 If the Permit Authority fails to reply to a permit application (approving, giving a PMR or refusing the permit) within the response times given in Table 1 in 4.3, the permit will be deemed to be granted in the terms of the application. The proposed start and end dates, description, location, duration, etc. will be carried across into the permit and any condition in the application will become conditions for that activity. Those permit terms and the conditions will then be binding on the activity promoter as they would for a permit actively issued by the Permit Authority; breaching them will be an offence.

4.6 *Time when a Permit is Valid*

- 4.6.1 A permit is valid only for the period between the start date and end date (inclusive) on the permit.
- 4.6.2 On main roads (i.e. category 0, 1, and 2 streets and category 3 and 4 streets that are traffic-sensitive for all or part of the time), the start and end of the permit period will match the start and finish dates for the activity. The activity promoter must not carry out any activity, including delivery and storage of materials on site, outside of these times without applying for and obtaining a permit variation from the Permit Authority.
- 4.6.3 Activities on minor roads (i.e. category 3 and 4 streets that are non traffic-sensitive streets at any time) will be less disruptive. On these streets the promoter will be allowed some flexibility in the start date but once the activity is started it must be completed within the activity duration period specified in the permit. The start date will allow for a flexible window of 5 working days for major and standard activities and 2 working days for minor activities, from the initial estimated start date. The end date will be amended accordingly depending on the original duration. Noting that the last day of the starting window would then be day 1 of the activity duration.
- 4.6.4 The permit start and end dates will be in calendar days. This will prevent ambiguity as to whether the permit is valid, even at weekends or on Bank Holidays.
- 4.6.5 The permit terms will always include the duration of the activity which is automatically derived from the Start and End dates i.e. the number of consecutive calendar days that the activity can take place.
- 4.6.6 If the permit allows working at weekends or on Bank Holidays, then the permit start and end dates will accommodate that, even though those calendar days will not count towards the activity s74 duration or, on category 3 and 4 non traffic sensitive streets, the starting window.

4.7 *Location and Description*

- 4.7.1 The permit will contain the location of the activity, including national grid reference(s) and a description of the activity. This information is drawn directly from the application information.

4.8 *Contact Details*

- 4.8.1 Contact details for the activity promoter will be included on the permit.
- 4.8.2 The Permit Authority will provide its contact details, including the out of hours contact information, on its website.

4.9 *Conditions Included in Permits*

- 4.9.1 A permit granted by the Permit Authority will specify in detail the activity that has been allowed. Except in the case of an Authority-imposed variation, the entire promoter's

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information contained within the permit will be taken from the application, including any associated conditions.

4.9.2 The categories of conditions listed below are included in the Permit Scheme and shall be utilised as required.

- Timing and duration of activity
- Road space
- Traffic management provisions
- Manor in which specified works are to be carried out
- Consultation and publicity
- Environmental conditions
- Conditions as to progress

4.9.3 However, under the Permit Scheme certain conditions contained in the DfT guidance will be applied to all permits. An example is the display of permit reference numbers.

4.9.4 **Conditions wording**

When applying a condition to a permit the Permit Authority will use the wording and numbering for that type of condition set out in DfT statutory guidance. The conditions contained within the statutory guidance may be amended from time to time.

4.10 *Conditions Attached to Permits for Highway Works*

4.10.1 The Permit Authority may require the activity promoter to:

- consult with any person likely to have apparatus affected by the proposed works,
- comply with any reasonable requirement of the apparatus owner to protect the same.

4.11 *Conditions for Immediate Activities*

4.11.1 The Permit Authority will review the application as far as reasonably practicable to agree that the content falls under the immediate classification and to check that the duration is not considered excessive. Certain conditions contained in the DfT guidance will apply to immediate activities for the period before a permit is granted. If appropriate Conditions are not provided by the works promoter, the Permit Authority will Grant the Permit application to ensure that ongoing works on the highway are not being undertaken illegally, but will issue an Authority Imposed Variation (AIV) detailing any Condition/s required by the Authority.

5 VARIATIONS TO PERMITS

5.1 *General Principles*

- 5.1.1 Within the Permit Scheme the Permit Authority has the powers under Permit Regulation 15, to review, vary or revoke permits and permit conditions. However, the Permit Authority is under no obligation to allow activities to continue beyond the permitted period.
- 5.1.2 A PAA cannot be varied. If a full permit has not yet been issued, and the activity promoter needs to make changes, then the promoter must inform the Permit Authority of the proposed changes and make a revised application for a PAA or permit. If the Permit Authority requires changes to the PAA then, after discussion with the promoter, the promoter must make a new application but in this case no fee will be charged.

5.2 *Variations Initiated by the Activity Promoter*

5.2.1 **For a variation – by promoters**

- 5.2.1.1 From time to time an activity promoter may need to apply for a justifiable variation to a permit and/or its conditions, including an extension of the agreed duration.
- 5.2.1.2 Grounds for refusal of a scheme compliant variation application will always relate to the Permit Authority's responsibility to discharge its Network Management Duty as set out in 4.4.1.2.

5.2.2 **Extensions**

- 5.2.2.1 The Permit Authority is under no obligation to let works run beyond the permitted period.
- 5.2.2.2 Whilst the Permit Authority will grant the extension to minimise disruption in many cases, there may be occasions where the activity promoter will have to vacate the street to allow other activities to take place and submit an application for a new permit to complete their activity at a later date. Plating of excavations may be appropriate where agreed with the Permit Authority.
- 5.2.2.3 Activities which exceed the duration in the permit without good reason will potentially be subject to overrun charges under s74 of NRSWA. In these instances, the Permit Authority may decide to extend the end date of the permit to allow the activity to be completed, depending on the co-ordination of other works in the area. However the reasonable period for s74 purposes will not be extended and the issue of a Duration Challenge will enable s74 charges to apply even though a valid permit is in force.

5.2.3 **Illegitimate phasing of activities**

Where the Permit Authority can establish to its reasonable satisfaction that a subsequent permit application has been made at any given location as a result of:

- The closure of works following a refusal by the permit authority to grant an extension to the duration of a previous permit, or
- The premature closure of the activity by the promoter, before all those works specified in the activity description given by the promoter are completed, to avoid an overrun under s74 occurring.

The Permit Authority may grant a subsequent permit with start and finish dates to allow the initial activity to be completed. However, the duration for this subsequent permit will reflect the illegitimate phasing of activities for these works and overrun charges will be applied in accordance with the current s74 regulations.

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5.2.4 Fees for activity promoter initiated variations

- 5.2.4.1 In order to incentivise works promoters to plan and submit permits accurately in the first instance, a fee is levied by the Authority for all granted promoter initiated permit variations regardless of road type, with the exception of early start requests which are submitted as part of the permit application.
- 5.2.4.2 The current fee charges are published on the Permit Authorities website.

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5.2.5 Applying for a variation

- 5.2.5.1 The Permit Authority may need to investigate before granting a variation, so it is strongly recommended that all requests for permit variations are made as soon as it becomes clear that the activity will overrun or otherwise change. Prior discussion by activity promoters with the Permit Authority is also recommended so that variation applications can be dealt with quickly.
- 5.2.5.2 An activity promoter may apply to vary an existing permit at any time before it expires as follows:
- where the existing permit has more than 20% of its duration or more than two days to run, whichever is the longer, the promoter must apply for a variation electronically;
 - in any other case the activity promoter should first contact the Permit Authority by means specified by the Permit Authority at its co-ordination meetings to ascertain whether the authority is prepared to grant a variation, and apply again electronically only if the authority agrees;
- 5.2.5.3 The Permit Authority will respond to the request within two days of receipt.
- 5.2.5.4 If the electronic systems fail, then applications may have to be sent another way, such as e-mail.
- 5.2.5.5 Where an activity promoter applies for a variation, the application must contain sufficient information to show precisely the nature and implications of the changes. Providing insufficient or inadequate information will lead to delays as the Permit Authority will need to go back to the promoter to obtain further information or clarification. In all circumstances the application must include the proposed dates and duration of the activity, whether or not they have changed.
- 5.2.5.6 Applications for permit variations must follow the procedures for permit applications outlined earlier in this document, including copying the application to parties which have expressed an interest in that street.

5.2.6 Multiple excavations

- 5.2.6.1 The Permit Scheme includes the following arrangements for Immediate activities requiring a series of fault-finding excavations or registerable openings. The activity promoter must submit the first permit application containing the location of the initial excavation or opening within two hours of the activity commencing;
- for any further excavations on the same street within 50 metres of the original hole, the promoter must contact the Permit Authority by the agreed method with the new location. No permit variation will be needed and no permit charge will apply,
 - the promoter must apply for a permit variation for the first excavation in each further 50 metre band away from the original hole in the same street, i.e. 50-100 metres, 100-150 metres etc. Standard variation charges will apply
 - for additional excavations within each band the promoter will contact the Permit Authority by the agreed method with the new location. No permit variation is needed and no permit charge will apply,
 - if the search carries into a different street, or a new USRN (including if the street changes to a different authority), then the promoter must make a separate permit application or NRSWA notice, as appropriate.

5.3 Variations Initiated by the Permit Authority

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- 5.3.1 The Permit Authorities may review the permit and associated conditions in the event of circumstances beyond its control having a significant impact. An example would be if extra traffic was diverted onto the road for which the permit has been issued due to another road being unexpectedly closed for any reason such as; floods, burst mains or a dangerous building. If the consequent disruption cannot be mitigated in another way, it may be necessary to vary aspects of the permit, such as the time or manner of working.
- 5.3.2 If the Permit Authority considers that a variation is necessary, it will first contact the promoter to discuss the best way of dealing with the situation whilst meeting the co-ordination duties and other statutory requirements of those involved.
- 5.3.3 No fee will be payable for permit variations initiated by the Permit Authority, unless, at the same time, the activity promoter seeks variations which are not the result of the circumstances causing the Permit Authority action. In that case a variation fee would be payable (subject to standard exemptions).
- 5.3.4 If the Permit Authority has been unable to contact the activity promoter to discuss the variation they should record that and send a message electronically.

5.4 *Suspension, Postponing, Revoking or Cancellation of Permits by the Permit Authority*

5.4.1 **Suspending or postponing an activity**

- 5.4.1.1 There is no mechanism in the TMA or Permit Regulations for formally suspending or postponing a permit, only for varying or revoking them.
- 5.4.1.2 If the Permit Authority intends to suspend or postpone an activity for which it has already granted a permit but which it intends should happen at a later date, it will use the permit variation provisions, as described in 5.3, to enforce a change of dates. The promoter would then need to submit a further variation application relating to the new dates and any other requirements; in this case, the fees for the variation would be waived.
- 5.4.1.3 If the need for suspension is due to the activity promoter failing to comply with the permit terms or conditions, then the Permit Authority may use the provisions in Permit Regulation 18 which is similar to s66 of NRSWA.
- 5.4.1.4 If the Permit Authority considers that an activity promoter is failing to comply with the terms or conditions of a permit imposed under Permit Regulation 10 or 13, and the Permit Authority considers a condition has been breached, it may invoke the powers in Permit Regulation 10(4) which are incorporated into the Permit Scheme.

5.5 *Cancelling a Permit or Withdrawing a Permit Application*

If a promoter wishes to cancel a permit or withdraw a permit application for which they have no further use, they should use the cancellation notice containing the relevant number (see Technical Specification for ETon for more details). The cancellation notice must be submitted within 2 working days beginning with the date on which the permit start date ceases to have effect. There is no cancellation fee.

- 5.5.1 Where a permit has been issued, the fee for the cancelled permit will normally remain payable. However, if a permit is cancelled through no fault of the promoter, the fee will be credited back to the promoter.
- 5.5.2 An activity promoter will be committing an offence if it works or continues to work after cancelling a permit.

6 CONFLICT WITH OTHER LEGISLATION AND LEGAL LIABILITY

- 6.1 The Permit Authority will try to ensure that any conditions applied to a permit do not conflict with the activity promoter's obligations under separate legislation. The Permit Authority's intention is that an activity promoter should not be put in a position where they cannot escape being in breach of either permit conditions or other relevant legislation.
- 6.2 The activity promoter should bring such conflicts or potential conflicts to the attention of the Permit Authority as soon as is practicable. The Permit Authority will be responsible for resolving the issue with the other body or bodies concerned, e.g. Environmental Health officials, and amending the permit conditions accordingly.
- 6.3 The applicant will be liable for all actions, costs, claims, demands, charges and expense arising out of any activity covered by Permit Scheme, including those which may arise out of, or be incidental to, the execution of the works.
- 6.4 Part 8 of the Regulations provides for the disapplication of certain sections of NRSWA, details of which are contained in section 2.12 of this document.

7 DISPUTE RESOLUTION

7.1 *Introduction*

- 7.1.1 In the event of any dispute between the Permit Authority and an activity promoter in connection with any matter related to the Permit Scheme, the parties shall use every endeavour to resolve the matter between them. However, it is recognised that this may not always be possible. Where a Permit Authority is part of a group which holds a regular forum seeking consistency of scheme approach with Statutory Undertaker representation, any unresolved dispute should be tabled at such meetings for resolution in the first instance.

7.2 *Appeals Procedure*

- 7.2.1 If agreement cannot be reached locally on any matter arising in relation to the Permit Scheme, the dispute will be referred for review on the following basis:
- 7.2.2 Where the Permit Authority and the activity promoter(s) consider that the issues involved in the dispute are relatively straightforward, the matter will be referred to impartial members of SEHAUC (that is those not representing parties directly involved in the dispute) for review. That review should take place within five working days from the date of referral. The Permit Authority will accept the result as binding.
- 7.2.3 If the Permit Authority and the activity promoter(s) involved in the dispute consider the issues are particularly complex, HAUC (UK) will be asked to set up a review panel of four members - two utilities and two street authorities. One of the four persons will be appointed as Chair of the panel by the HAUC (UK) joint chairs. Each party must make all relevant financial, technical and other information available to the review panel. The review would normally take place within ten working days from the date on which the issue is referred to HAUC (UK). The Permit Authority will accept the conclusions of the review panel as binding.

7.3 *Adjudication*

- 7.3.1 If agreement cannot be reached by the procedure above, the dispute can be referred to independent adjudication. Adjudication within the Permit Scheme will only be used if both parties agree in relation to the matter under dispute, that
- the decision of the adjudicator is deemed to be final; and
 - the costs of adjudication will be borne equally unless the adjudicator considers that one party has presented a frivolous case, in which case costs may be awarded against them.
- 7.3.2 Where the adjudication route is followed, the Permit Authority and the activity promoter(s) will apply to the joint chairs of HAUC (UK), who will select and appoint the independent adjudicator from a suitable recognised professional body.

7.4 *Arbitration*

- 7.4.1 Disputes relating to matters covered by NRSWA may be settled by arbitration, as provided for in s99 of NRSWA:

8 PERMIT FEES

8.1 *Introduction*

- 8.1.1 The Permit Authority has set its permit fees in accordance with the Permit Regulations and statutory guidance published by DfT.

8.2 *Fee Levels*

- 8.2.1 The figures for permit and PAA fees for different categories of streets and activities can be found on the Permit Authority website.
- 8.2.2 The figures for Permit variation fees for activities on both major and minor roads can be found on the Permit Authority website.
- 8.2.3 In addition to the permit variation fee itself, if a permit variation moves an activity into a higher fee category, the activity promoter must pay the difference in permit fee as well as the permit variation fee.
- 8.2.4 No fee is payable if a permit variation is initiated by the Permit Authority.

8.3 *Waived and Reduced Fees*

- 8.3.1 There is the opportunity for an activity promoter to take advantage of various discounts that are offered as part of the Permit Scheme and these discounts relate both to the PAA and the permit.

- 8.3.2 An activity promoter will not be charged a fee;

- if the promoter is a highway authority or is carrying out WFRP * on behalf of a highway authority (see example in 8.3.4);
- if a permit is deemed to be granted because the authority had failed to respond to an application in the time required;
- if a permit variation is initiated by the Permit Authority;
- where the Permit Authority has to revoke a permit through no fault of the activity promoter there will be no charge for a replacement application. If there is no subsequent replacement application, the original fee will be credited to the promoter;
- there will be no fee applicable for the maintenance of fire hydrants carried out by the fire service or a contractor designated by the fire service to carry out this work on their behalf, and,
- Where the works are Diversionary Works as a result of a Major Highway or Bridge works, Initiated by the Highway Authority, as described in s86 of NRSWA

- 8.3.3 When the Permit Authority is satisfied that applications for two or more permits (including PAAs)

- are submitted within 3 working days of each other, beginning with the day on which the first permit application is received; and
- are the result of the applicant or applicants working together so as to produce the least impact for users of the streets.

- 8.3.4 There will be a reduction in line with current DfT Statutory Guidance for the permit, and when submitted, the PAA fee for all applicants working together. All applications, including

*(WFRP) Works for Road Purposes as defined in NRSWA s86(2)

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the first to be received, must indicate that they are being submitted together (within 3 days).

Examples of such situations could be;

- Where a promoter submits several permit applications at the same time for activities which are part of the same project but which are carried out in more than one street. The term “project” does not cover area-wide activities but activities of a scale which could be carried out in one street, but which happens to cover two or more streets;
- Where several activity promoters working within the same site submit applications at the same time. The primary promoter will require a permit with full information about the activities, and the other promoters will also require a permit each so that the authority knows who is working there. If in these circumstances one of the promoters is the highway authority, the utility company promoters will be eligible for the reduced fee.

- 8.3.5 When a promoter makes a permit application on a traffic sensitive street and indicates as per the current EToN specification that the activity is to take place wholly outside traffic sensitive times, as defined by the NSG, then the activity will be treated as qualifying for a discount in line with the DfT Statutory Guidance. Although this may be impractical for works where signing, lighting and guarding may need to remain on site for several days, it is recognised that short duration activities may well be able to be completed wholly outside of traffic sensitive periods over-night or weekend working.

Where activities are undertaken in this way then a “discount” on the applicable permit fee for traffic sensitive streets will be offered by the permit authority, to incentivise working outside of the traffic sensitive period/s. The activity promoter will be bound to adhere to the working times agreed in the subsequent granted application, with the appropriate Condition attached to qualify for any discount. The full Permit fee will apply to all works that take more than a day to complete, unless the site is cleared before the onset of the traffic sensitive times or the street is returned to full operational use. Full operational use is considered to be both;

- The appropriate usable road width required for normal traffic flow/manoeuvres to be maintained and
- Any footways maintained to a width of an absolute minimum of 1.0m (or wider where specified elsewhere as a condition of the permit)

8.4 *Fee Reviews*

- 8.4.1 The Permit Authority will review fees in line with current regulations and DfT Statutory Guidance. Any significant variation between the expected income and expenditure in operating the Permit Scheme will be dealt with in accordance with review arrangements in effect at the time.
- 8.4.2 The Permit Authority is committed to adjust fees if either a surplus or deficit exists between costs and income. In the event that there is a surplus in a given year, the money should be applied towards the costs of the scheme in the next year and the fee levels adjusted accordingly. If a sustained surplus/ deficit occur the fee levels will be adjusted accordingly.
- 8.4.3 The outcome of annual fee reviews will be displayed on the Permit Authority’s public website.

9 OVERRUN CHARGING SCHEME

- 9.1. The Permit Authority intends to run a scheme for overrun charging under s74 of NRSWA to operate alongside the Permit Scheme. The requirements for overrun charging are set out in regulations made under s74 of NRSWA (the s74 regulations as amended by the permit regulations). The procedure is contained in Chapter 16 of the Permits Code of Practice.
- 9.2. Where the permit Authority has reason to believe that overrun charges are being avoided by mis-use of permit phases, it will treat a subsequent permit application as an illegitimate use of phases (see 5.2.3).
- 9.3. Activities carried out by an activity promoter on behalf of a highway authority or by the highway authority themselves are not subject to s74 overrun charges. However, under the Permit Scheme, promoters of such activities will be required to follow the same procedures as promoters who are statutory undertakers. Key Performance Indicators (KPIs), as described in section 13, provide an indication of performance in relation to overrunning works.

10 USE OF SANCTIONS FOR PERMIT OFFENCES

10.1 *Introduction*

10.1.1 The Permit Authority will work with activity promoters to try to minimise congestion and disruption on the road network. As far as possible this will be done on a collaborative basis, involving consultation, dialogue and improvement, but the Permit Authority recognises that at times it may need to invoke sanctions to ensure the effective management of activities on the network. There are three types of sanction available to the Permit Authority:

- an intervention power;
- criminal proceedings; and
- power to revoke a permit

10.2 *Intervention and Remedial Action Powers*

10.2.1 Part 5 of the Regulations empower the Permit Authority to issue a notice requiring remedial action within a set timeframe if an activity promoter is working without a permit or in breach of any conditions. The Permit Authority will use this power if it considers it necessary.

10.2.2 The remedial action could include removing the activity, remedying the breach of conditions or discontinuing any obstruction. The Permit Authority will set out in the notice the reasonable steps the promoter must take and the timeframe.

10.2.3 Where a promoter does not take the remedial action within the specified timeframe, the Permit Authority will take such steps as it considers appropriate to achieve the outcome in the notice, and, where the promoter is a statutory undertaker, may recover any reasonable costs.

10.3 *Permit Offences*

10.3.1 The Permit Regulations create two offences which apply to statutory undertakers, these are:

- where a statutory undertaker carries out registerable activities on the street without a permit, except where immediate activities to take place before a permit is issued, provided a permit is applied for within 2 hours of the activity starting; and;
- where a statutory undertaker carries out registerable activities on the street in a way that contravenes any of the conditions attached to a permit, or the conditions that are applied to an immediate activity before a permit is issued for those activities.

10.3.2 These offences can be dealt with by the giving of a Fixed Penalty Notice (FPN) (see section 11) or by prosecuting the offences through the courts, following the usual processes. The Permit Authority in each case elects whether an offence will be dealt with by FPN or through the courts.

10.4 *Working without a Permit*

10.4.1 Once a permit has been issued it will be placed on the permit register. This will include permits deemed to have been granted. The Permit Authority will check against the register for the existence of a valid permit.

10.4.2 A permit will cover a specified activity at a specified location at specified times. These are referred to in the scheme as the permit terms and any activity that contravenes them is an offence. All elements of the activity must be completed within the dates on the permit –

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this includes not only the opening of the street, but all the ancillary work as well, such as stockpiling materials, setting up and disbanding traffic management and clearing the site.

- 10.4.3 A permit cannot be varied once it has expired. If a variation is necessary the activity promoter must apply in good time (see 5.2.5).
- 10.4.4 A promoter can begin immediate activities without a permit but must apply for a permit within two hours of starting work or, in the case of the activity commencing out of normal working hours, within two hours of the commencement of the next working day to avoid committing an offence. Once issued, the promoter is bound by the terms of the permit and its conditions.
- 10.5 *Breaching the Conditions of a Permit*
 - 10.5.1 The conditions included in a permit will be recorded in the Permit Scheme permit register. If a permit is varied a new permit will be issued and any new conditions will be included and recorded. All parties will seek to ensure that conditions are precise so that both the Permit Authority and the activity promoter can easily check performance on site against the approved conditions.
 - 10.5.2 Certain conditions contained in the DfT guidance will apply to immediate activities for the period before a permit is issued. The Permit Authority may decide to impose specific conditions for individual immediate activities.
- 10.6 *Revoking a permit*
 - 10.6.1 Regulation 10(4) of the Permit Regulations provides a power to revoke a permit where it appears to the Permit Authority that the conditions included in a permit have been breached. The Permit Authority will use this power where it considers it appropriate but before doing so will discuss the situation with the activity promoter. The Permit Authority's policy in relation to the use of this power is set out in 5.4.
- 10.7 *Permit Authority's Policy on the Use of Sanctions*
 - 10.7.1 Decisions on the prosecution of alleged offences are for the Permit Authority and each offence will be dealt with individually. Prosecution will not necessarily be the preferred option, the Permit Authority may take a decision to give a Fixed Penalty Notice in respect of a criminal offence or consider other courses of action depending on the seriousness and persistence of offences.
 - 10.7.2 The Permit Authority will pursue the following policies on how sanctions will be employed. The steps will be followed as set out below, at the Permit Authority's discretion, with reference to the Traffic Management Permit Scheme (England) Regulations 2007 as amended.
 - 10.7.2.1 For persistent offender or individual serious offences The Permit Authority will normally give a FPN but may choose to prosecute the offence through the courts, in accordance with regulations 19 and 20 of the Permit Regulations
 - 10.7.2.2 For offences: where it is possible for some corrective action to be taken.
If a noncompliance occurs, a notice may be issued under regulation 18(1) proposing the reasonable steps to be taken within a defined timeframe.
If action is not taken within the timeframe given in the notice, or subsequently agreed timeframe, the Permit Authority under regulation 18(3) of the Permit Regulations will take actions as appropriate to the original noncompliance at the cost of the undertaker
 - 10.7.2.3 For offences where it is NOT possible for some corrective action to be taken, an FPN will be given at the Permit Authority's discretion

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10.8 *Other NRSWA Offences*

- 10.8.1 Any offences relating to sections of NRSWA which run in parallel to permit schemes will continue to apply. These include offences relating to reinstatements, overrunning and failure to send appropriate notices.

11 **MONITORING**

The Permit Authority will evaluate the permit scheme as per the current Permit Regulations

12 FIXED PENALTY NOTICES

12.1 *Introduction*

- 12.1.1 The Permit Regulations provide for FPNs for permit schemes. The Permit Authority intends to use FPNs in conjunction with this Permit Scheme
- 12.1.2 These permit regulations provide for two offences to become fixed penalty offences. This means that they can be dealt with by FPNs, although prosecution through the Magistrates' Courts remains an option for the Permit Authority.
- 12.1.3 FPNs apply only to statutory undertakers and not to highway authorities, but the Permit Authority will monitor highway activities to ensure equal treatment across promoters. Situations will be recorded where highway activities would have been subject to a FPN, had they been carried out by an undertaker. The Permit Authority will use electronic FPNs where possible because they can be processed more easily, but other methods will be used if necessary. An example of a FPN form is in the permit regulations.

12.2 *Payment of the fixed penalty notice*

- 12.2.1 Part B of the FPN sets out the methods by which the penalty may be paid. The permit regulations schedule 1 gives more information about the arrangements for payment.

12.3 *Giving an FPN*

- 12.3.1 The process for giving an FPN is in Chapter 18 of the Permits Code of Practice.

13 RELATED MATTERS

13.1 *Road Closures and Traffic Restrictions*

13.1.1 Provisions governing temporary road closures and traffic restrictions for works or other activities in the street are found in sections 14 to 16 of the Road Traffic Regulation Act 1984, as amended by the Road Traffic (Temporary Restrictions) Act 1991, and Regulations made under the 1984 Act.

13.1.2 **There are two procedures;**

- Where urgent action is needed the Permit Authority as traffic authority may issue a 'temporary notice' imposing a short-term closure or restriction. Prior notice is not necessary.
The notice is limited to 21 calendar days if there is a danger to the public or risk of serious damage to the road, independent of street works -a leaking gas main, for example. It can be extended by one further notice.
The notice is limited to five calendar days if there is no risk of danger or damage.
- In less urgent cases the traffic authority may make a 'temporary order', which may remain in force for up to 18 months. This is limited to six months for footpaths, bridleways, cycle tracks and byways open to all traffic.

13.1.3 A temporary notice and a temporary order may provide that restrictions have effect only when traffic signs are lawfully in place. This will help limit traffic disruption where activities progress along a length of road.

13.1.4 In extraordinary circumstances, the Road Traffic Act 1991 s49(4A), allows the police to suspend designated street parking places temporarily to prevent or mitigate traffic disruption, or danger to traffic. This could prove useful to activity promoters carrying out emergency works.

13.1.5 When a notice or order has been made, the activity promoter must comply with the requirements of the Permit Authority as the traffic authority and the police for the closure of the road.

13.1.6 S76 of NRSWA allows for traffic authorities to recover the costs of issuing temporary notices or making TTROs. Upon receipt of an application for a TTRO, the Permit Authority can provide utilities with the estimated cost. Invoices will be itemised, for example:

- cost of the order;
- advertising in local papers;
- administration fees.

13.1.7 There may also be charges made for erecting and maintaining the on-site notices that are required.

13.2 *Maintenance of Undertakers' Apparatus*

13.2.1 Undertakers have a duty, under s81 of NRSWA and the Streetworks (Maintenance) Regulations 1992, to maintain apparatus in the street to the reasonable satisfaction of the Permit Authority as the street authority, having regard for the safety and convenience of traffic, the structure of the street, and integrity of apparatus in it. Bridge, sewer and transport authorities also have an interest, so far as any land, structure or apparatus they own is concerned.

13.2.2 Most undertakers have statutory obligations to maintain their networks -quite apart from which, they must maintain systems in efficient working order to properly discharge their safety and service obligations to their customers.

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- 13.2.3 Thus the Permit Authority and all promoters have a shared interest in the proper maintenance of apparatus in the street.
 - 13.2.4 The Permit Authority will report any apparatus in an unsatisfactory condition quickly and accurately to the apparatus owner, including the level of severity of the problem. The owner must respond and carry out any necessary remedial works within the reasonable timescales agreed with the Permit Authority as the street authority.
 - 13.2.5 The Permit Authority as street authority will follow s81 of NRSWA, the Streetworks (Maintenance) Regulations 1992, chapter 19.2 of the Code of Practice for Permits and any subsequent revisions, when dealing with undertakers' apparatus requiring maintenance.
- 13.3 *Working Near Rail Tracks*
- 13.3.1 Particular attention must be given to the possible effects of activities taking place at or in the vicinity of level crossings. Promoters planning activities in such locations must refer to Appendix C of the Code of Practice for Permits published in March 2008 or as subsequently amended, which sets out Network Rail's requirements.
- 13.4 *Vehicle Parking at Street and Road Works*
- 13.4.1 This is not safety advice. The Code of Practice on Safety at Street Works and Road Works should always be consulted.
 - 13.4.2 When activity promoters require the presence of a vehicle at the activity site they should refer to the guidance in chapter 19.4 of the Permits Code of Practice. Particular consideration should be given to the effect any vehicle will have when assessing the impact of the activity using the disruptive effect score in Appendix G of the Permits Code of Practice.
- 13.5 *Storage of Materials*
- 13.5.1 Activity promoters and the Permit Authority must take care to place materials so that they do not cause an obstruction to road users. This is one of the factors that the Permit Authority will take into account when making decisions on permits. This is especially important if materials are stored away from the activity site but still within the highway boundaries. The storage must have its own permission from the Highway Authority if it is separate from the activity site, and this should be referenced in the permit application for the activity.
- 13.6 *Apparatus Belonging to Others*
- 13.6.1 There may be other apparatus where activities are planned and under s69 of NRSWA, those carrying out activities must ensure that the owners of that apparatus are able to monitor the activity and that requirements to take reasonable steps to protect the apparatus are followed. Failure to do so is a criminal offence.
- 13.7 *Assessing the Impact of Activities*
- 13.7.1 All activities in the highway have a disruptive effect on traffic. An assessment of that effect is part of the process of applying for a permit.
 - 13.7.2 When applying for a permit for major works over 10 days duration, where the relevant traffic flow information is available to promoters via the Permit Authority website, a disruption effect score as defined in Appendix G of the Permits Code of Practice is required.

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13.8 *Environmental Issues*

- 13.8.1 Activity promoters are strongly advised to liaise with the authority's arboriculture consultants and other environmental officials along with any necessary borough or district council officers when drawing up their proposals. This should ensure that wherever possible, and at reasonable cost, their requirements can be met.
- 13.8.2 A promoter considering burying plant and apparatus that is currently above ground should contact any other utility with similar apparatus to see whether it wishes to share the underground facility.

14 KEY PERFORMANCE INDICATORS FOR THE PERMIT SCHEME

14.1 *Background*

- 14.1.1 One requirement for permit schemes is to ensure that authorities apply a consistent approach to all activities and activity promoters.
- 14.1.2 The Permit Authority for the Permit Scheme is also a promoter of its own maintenance and other highway and traffic activities in its role as highway authority.

14.2 *Parity of Treatment*

- 14.2.1 The Permit Authority will demonstrate parity of treatment for all activity promoters, particularly between undertakers and its own activities as highway authority. The issue of equal treatment is emphasised in the Guidance on the Network Management Duty introduced under the TMA.
- 14.2.2 Parity will be measured through KPIs. The Permit Authority will produce an annual set of KPIs that identify the treatment of individual activity promoters. These results will be published.

14.3 *KPIs for the Permit Scheme*

- 14.3.1 The Permit Authority will use any mandatory KPIs, in the DfT statutory guidance and others as required. These will be published on the Permit Authority web site to demonstrate parity of treatment of promoters across the scheme.
- 14.3.2 The results of these KPIs will be published on an annual basis but will be transparent and available to any activity promoter at other times. The KPIs will be provided and discussed at the quarterly co-ordination meetings and other regular meetings held with promoters.
- 14.3.3 The Permit Authority will make the KPI data available to Government and other regulatory bodies

15 PERMIT SCHEME TRANSITIONAL ARRANGEMENTS

15.1 *Introduction*

The permit regime has been designed to follow closely the processes and timescales of the NRSWA noticing regime.

The Permit Authority will give a minimum of 4 weeks' notice of the commencement date to promoters and other interested parties after the order is made. The Permit Authority will facilitate discussions with all promoters during the introductory period to ensure that, as far as possible, issues are picked up early and problems dealt with quickly.

15.2 *Transition from NRSWA Notices*

15.2.1 The basic rules of transition will apply to all activities which would be covered by the scope of the Permit Scheme.

15.2.1.1 The permit regime will apply to all activities which come within the scope of the Scheme at the changeover date where the administrative processes for those activities, such as application for a permit or PAA, start after the changeover date.

15.2.1.2 Activities which are planned to start on site more than one month after the changeover date (for standard, minor and immediate activities) or three months after (for major activities) must operate under the permit scheme. This means that even if the relevant s54 or s55 NRSWA notice has been sent before the relevant changeover date, the promoter must cancel the NRSWA notice for that activity (or phase of activity) and apply for a permit. If the promoter has not substantially begun the activity (or phase of activity) by the time limit for the notice, 1 month or 3 months as appropriate, then again the promoter must cancel the NRSWA notice for that activity (or phase of activity) and apply for a permit.

15.2.1.3 Any other activities which started under the notices regime and which will start on site less than one month or three months after the changeover date (according to activity category) will continue under that regime until completion.

15.2.2 Given the advanced notice of the changeover there should be few activities where these rules will create difficulties. Activities co-ordinated in the run-up to the imposition of a restriction under s58 or s58A of NRSWA might be such a situation. In those few cases, the Permit Authority will discuss the situation with the promoters concerned to work out a practical way of dealing with the activities.

APPENDIX A – GLOSSARY

Activity, activity promoter	Covers both utilities' street works and highway authorities' own works. See Promoter.
Additional street data ("ASD")	Additional Street Data ("ASD") refers to other information about streets held on the NSG concessionaire's website alongside the NSG.
Bank Holiday	As defined in section 98(3) of NRSWA
Bar hole	A bar hole is used to detect and monitor gas leaks as described in the code of practice for permits.
Breaking up (the street)	Any disturbance to the surface of the street (other than opening the street).
Bridge, Bridge authority	As defined in section 88(1)(a) of NRSWA
BS7666	British Standard number 7666 relating to gazetteers.
Conditions Permit Conditions	Conditions applied by the Permit Authority to all permits or specific conditions to an individual permit. Contained in the EToN activity conditions field
Day	In the context of the duration of activities, a day refers to a working day, unless explicitly stated otherwise.
DfT	Department for Transport.
Disability	As defined in section 105(5) of NRSWA, "section 28 of the Chronically Sick and Disabled Persons Act 1970 (power to define "disability" and other expressions) applies in relation to the provisions of this Part as to the provisions of that Act".
Emergency works	As defined in section 52 of NRSWA
EToN	Electronic Transfer of Notifications, the system defined in the Technical Specification for EToN for passing notices, permit applications, permits and other information between promoters and the Permit Authority.
Excavation	"Breaking up" (as defined above).
Fixed Penalty Notice (FPN)	As defined in schedule 4B to NRSWA,
Footpath	As defined in section 329 of the HA 1980,
Frontagers	A person or body occupying premises abutting the street.
HA 1980	The Highways Act 1980.

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Highway	As defined in section 328 of the HA 1980, "highway means the whole or part of a highway other than a ferry or waterway".
Highway Authority	As defined in sections 1 and 329 of the HA 1980.
Highway works	"works for road purposes" or "major highway works".
Immediate activities	immediate activities are defined in 2.2.8
In	As defined in section 105(1) of NRSWA
Land	As defined in section 329 of HA 1980, "land includes land covered by water and any interest or right in, over or under land".
Local authority	As defined in section 270(1) of the Local Government Act 1972 and includes the Common Council of the City of London.
Main roads	All streets in reinstatement categories 0, 1 and 2 and those streets in categories 3 and 4 which are traffic sensitive for all or part of the time.
Maintainable highway	As defined in section 329 of HA 1980
Maintenance	As defined in section 329 of HA 1980, "maintenance includes repair, and "maintain" and "maintainable" are to be construed accordingly".
Major activities	Are defined in 2.2.8
Major highway works	As defined in section 86(3) of NRSWA
Minor activities	Are defined in 2.2.8
Minor roads	Streets in reinstatement categories 3 and 4 which are not traffic sensitive at any time.
National Grid Reference	Location reference using nationally defined eastings and northings The format in which it is presented must in all cases match that required by the Technical Specification for EToN.
National Street Gazetteer (NSG) –also referred to as <i>Nationally Consistent Street Gazetteer</i>	A database defined as "an index of streets and their geographical locations created and maintained by the local highway authorities" based on the BS7666 standard.
Network management duty	As stated in Part 2 of TMA.
NRSWA	New Roads and Street Works Act 1991.

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Opening (the street)	Removing a lid or cover to a manhole, inspection chamber, meter box or other structure embedded in the street without any "breaking up" of the street.
Permit	The approval of a permit authority for an activity promoter to carry out activity in the highway subject to conditions.
Permit application	See section 3. The application that is made by a promoter to the authority to carry out an activity in the highway. It is equivalent to the notice of proposed start of works (section 55 of NRSWA) given under the Co-ordination regime.
Permit Authority	A local highway authority or other "highway authority" which has prepared a permit scheme under section 33 on all or some of its road network.
Permit Scheme	A scheme which has given effect by authority order under which permits for activities are sought and given.
Promoter	A person or organisation responsible for commissioning activities in the streets covered by the permit scheme. In the Permit Scheme promoters will be either statutory undertakers or the highway or traffic authority.
Protected street	are defined in NRSWA s61 (1)
Provisional Advance Authorisation (PAA)	The early provisional approval of activities in the highway. See 3.6.
Railway	As defined in section 105(1) of NRSWA, "railway includes a light railway other than one in the nature of a tramway".
Reasonable period	As defined in section 74(2) of NRSWA,
Registerable	Registerable activities correspond to street works or other descriptions of works that are required to be shown on the register in. <i>The Street Works (Registers, Notices, Directions and Designations) (England) Regulations 2007 and any subsequent amendments.</i>
Reinstatement	As defined in section 105(1) of NRSWA, "reinstatement includes making good".
Relevant authority	As defined in section 49(6) of NRSWA,
Remedial work	Remedial works are those required to put right defects identified in accordance with the provisions of the Code of Practice for Inspections and the associated regulations.
Road	"Highway".

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Road category	This means one of the road categories specified in Chapter S.1 of the code of practice entitled "Specification for the Reinstatement of Openings in Highways" dated June 2002, as revised or re-issued from time to time.
Road works	Works for road purposes.
SEHAUC	South East regional group of the Highway Authorities and Utilities Committee.
Sewer	Sewer as defined in the Water Industry Act 1991 " includes all sewers and drains (not being drains within the meaning given by this subsection) which are used for the drainage of buildings and yards appurtenant to buildings".
Sewer authority	As defined in section 89(1)(b) of NRSWA,
Special Engineering Difficulties (SED)	by virtue of section 63 of NRSWA,
Standard activities	Are defined in 2.2.8
Street	As defined in section 48(1) of NRSWA
Street authority	As defined in section 49(1) of NRSWA,
Street works	As defined in section 48(3) of NRSWA,
Street works licence	As stated in section 50(1) of NRSWA,
Terms Permit terms	The works promoter specified activity at the specified location at specified times executed in a specified way etc. as defined in a granted, deemed or varied permit
TMA	The Traffic Management Act 2004.
Traffic	As defined in section 105(1) of NRSWA, "traffic includes pedestrians and animals".
Traffic authority	As defined in section 121A of the Road Traffic Regulation Act 1984:
Traffic control	Any of the five methods of controlling traffic detailed in the Code of Practice "Safety at Street Works and Road Works".
Traffic flow	The number of vehicles using the particular street at specified times of the day and year, measured in accordance with DfT guidelines.
Temporary Traffic Regulation Order	This means an Order made under section 1, 6, 9 or 14 of the Road Traffic Regulation Act 1984.

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Traffic-sensitive street	This means a street designated by a street authority as traffic-sensitive pursuant to section 64 of NRSWA and in a case where a limited designation is made pursuant to section 64(3) any reference to works in a traffic-sensitive street shall be construed as a reference to works to be executed at the times and dates specified in such designation.
Traffic sign	As defined in section 105(1) of NRSWA, "traffic sign has the same meaning as in the Road Traffic Regulation Act 1984"
Trunk road	As defined in section 329 of the HA 1980,
Type 1 (or 2, or 3) gazetteer	As defined in the British Standard BS7666.
Undertaker	As defined in section 48(4) of NRSWA,
Unique street reference number (USRN)	As defined in the British Standard BS7666.
Urgent activities	Are defined in 2.2.8
Working day	As defined in section 98(2) of NRSWA,
Works	Street works or works for road purposes.
Works clear	A notice under NRSWA s74(5C) following interim reinstatement.
Works closed	A under NRSWA s74(5C) following permanent reinstatement.
Works for road purposes	As defined in section 86(2) of NRSWA,

APPENDIX B – PERMIT REGISTER

B.1 Introduction

The Permit Authority will maintain a register of each street covered by the Permit Scheme. The register will contain information about all registerable activities on those streets. The permit register will also include forward planning information about activities and other events which could potentially affect users of the streets and promoters of activities in those streets.

The Permit Authority will still retain a register under s53 of NRSWA for street information. This will cover those streets that are not part of the permit scheme, i.e. non-maintainable streets.

The Permit Authority will maintain the two registers in such a way that they can effectively be treated as one and information can be accessed seamlessly, where necessary, to aid the co-ordination of activities and to provide information to road users.

B.2 Form of Registers

The Permit Authorities permit register and street works registers will be kept on an electronic system and maintained against the same digital map base to ensure consistency between all holdings of street-related data. This common geographical dataset will be vector-based, nationally consistent, maintained and seamless, with changes published on a regular update cycle.

The Permit Authority will provide the Unique Street Reference Number (USRN) definitions and attribution as defined in BS7666, while the geometries will be recorded by referencing the road centreline objects in the digital map base. All data will follow the principles of the Digital National Framework.

B.3 Content of Registers

The permit register held by the Permit Authority will record:

- (i) copies of all Provisional Advance Authorisation (PAA), permit and permit variation applications submitted to the Permit Authority relating to activities in any street;
- (ii) copies of all permits and PAAs given by the authority, including conditions as well as all variations to permits and conditions including any permits "deemed" granted;
- (iii) copies of all revoked permits, refused PAAs and refused permits, together with the reasons for such refusals;
- (iv) copies of all notices, consents and directions served by a street authority under s58 or s58A of NRSWA;
- (v) copies of all notices served by a promoter under s58 and s58A of NRSWA;
- (vi) copies of all notices given under s74 of NRSWA;
- (vii) description and location of activities for which plans and sections have been submitted under Schedule 4 of NRSWA (streets with special engineering difficulties);
- (viii) particulars of notices given by any relevant authority under Schedule 4 of NRSWA;
- (ix) particulars of street works licences under s50 of NRSWA, including details of conditions and changes of ownership and of any NRSWA notices or directions associated with those licences;
- (x) information under s70(3) and (4A) of NRSWA as to completion of reinstatements;
- (xi) particulars of apparatus notified to the street authority under s80(2) of NRSWA;

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- (xii) every notice of works pursuant to s85(2) of NRSWA;
- (xiii) details of every street for which the Permit Authority is the street authority;
- (xiv) details of every street which is prospectively maintainable by the Permit Authority;
- (xv) details of every street of which the Permit Authority is aware over which the Permit Scheme would operate, which is a highway but for which it is not the highway authority;
- (xvi) details of every street which is a) a protected street; b) a street with special engineering difficulties; c) a traffic-sensitive street;
- (xvii) the road category of each street; and;
- (xviii) details of every street where early notification of immediate activities is required.

B.4 Access to registers

The Permit Authority will publish elements of their register's information on a public website in order that the information is available 24 hours a day, seven days a week, except for those occasional times when it will be unavailable due to upgrade and maintenance. Upgrading and maintenance will, wherever possible, be done outside normal office hours.

B5 Restricted information

Restricted information is anything certified by the Government as a matter of national security, or information which could jeopardise the promoter's commercial interests such as details of a contract under negotiation. The promoter must indicate restricted information on the relevant permit or PAA application. Restricted information will not be shown on the public websites.

B.6 Retention of information

Information about activities provided by means of or in relation to any permit application under the TMA (including for a PAA or permit variation) or notice under NRSWA will be retained on the register for at least six years after completion of the guarantee period of the activity referred to in the application or notice. Information about other activities will be retained on the register for at least six years after completion.

APPENDIX C – PAYMENT METHODS FOR PERMIT FEES AND FPNs

Utility companies will be required to pay fees for permits to the Permit Authority and may have to pay a penalty to the Authority if they receive a Fixed Penalty Notice (FPN) for a permit related offence. Although the Permit Authority will keep the permit fees and FPN penalties separate for accounting purposes it is expected that utility companies will use the same means of paying for both. In most cases utility companies will already have arrangements in place for payments to the Permit Authority in relation to NRSWA e.g. for inspection or for s74 overrun charges and these arrangements can be used for permit fees and FPNs provided there is transparency over precisely which permit or which FPN a payment is for.

Payment for permit fees and any FPN should be made by means specified by the Permit Authority at its co-ordination meetings;

When the use of electronic payment methods is the required method, if a utility company normally uses that method and there is a system failure, paying by an alternate options is possible by contacting the Finance Department of the Permit Authority.

The utility company must set up payment facilities, provide contact details and agree methods of payment with the Finance Department of the Permit Authority and clarify what arrangements for payment will apply.

It is important that the authority is informed which FPNs or permit fees are being paid. This will not only provide an audit trail but will also ensure that payments can be made quickly and with the minimum of queries.

Therefore:

- For BACS, the utility company must support payment with details of the Permit or FPN numbers covered by the payment and the amount being paid in relation to each (including, for FPNs, the discounted or full amount).
- For any alternate option the payment must be accompanied by a list of the Permit or FPN numbers covered by the payment and the amount being paid in relation to each (including, for FPNs, the discounted or full amount).

APPENDIX D – EAST SUSSEX PERMIT SCHEME FEES TABLE

FEES

Regulation 30 gives the Permit Authority the power to charge a fee in respect of the following:

- i. The application for a PAA in respect of Major activities
- ii. The issuing of a Permit
- iii. Each occasion where there is a variation of a Permit or the conditions attached
- iv. Where a Permit variation would move an activity into a higher category, the Promoter will be required to pay the difference between the Permit fee for the two categories as well as the Permit variation fee

FEE POLICY

Fees will **not** be payable in the following circumstances:

- i. By the Highway Authority in respect of its own works for road purposes, however a record of the Permit and fee will be used for reporting purposes and fee reviews.
- ii. Any work undertaken on a fire hydrant.
- iii. Where a Permit is deemed to be granted because the Permit Authority failed to respond to an application within the time set down in Section 10.7 of the scheme document.
- iv. If a Permit variation is initiated by the Permit Authority or the Authority has to revoke a Permit through no fault of the Promoter.
- v. Where a Promoter wishes to cancel a Permit for which it has no further use, or to cancel or withdraw an application that has been submitted but for which a Permit has not yet been granted.

Lower fees or discounted fees will be given in the following circumstances:

- i. Where several Permit applications for works that are of part of the same project but which are carried out on more than one street, but on a scale comparative to one street, are submitted at the same time.
- ii. Where several Promoters are working within the same site submit applications at the same time. Where the Highway Authority Promoter is collaborating with Statutory Undertakers, those Undertakers will be eligible for the discount.
- iii. Where works are undertaken wholly outside of traffic sensitive times on Traffic Sensitive Streets.
- iv. A discount may be applied where it is demonstrated that an activity provides significant economic benefit to the local authority or Council. For instance supplies for a new development, or where it is demonstrated that a network investment programme is being undertaken to meet customer demand.

RATE OF DISCOUNT

A discount of **30%** will be applied in the above circumstances.

OPTION TO WAIVE OR REDUCE FEES

The Permit Authority retains the option to waive or reduce fees at its discretion.

REVIEW OF FEES

The Permit Authority will review its scale of fees annually to ensure that the overall fee income does not exceed the allowable costs.

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The outcome of the annual fee reviews will be published and open to public scrutiny.

As far as possible the fees and costs should be matched over a financial year. However, it is recognised that estimating the fee levels will involve incorporating the effect of various factors that will inevitably have a degree of uncertainty around them. In the event that fees and costs do not match the actual outturn for the year in question, adjustments may be made to fee levels for the subsequent years so that across a number of years fees do not exceed the allowable costs.

PERMIT FEES TABLE

	Main Roads			Minor Roads
Reinstatement category of street	0, 1 and 2	3 and 4		3 and 4
Street designated as traffic sensitive or not	All streets	Traffic sensitive at some times/locations		Non traffic sensitive at any time or location
Time and location of activity	Any time and location	Any part within traffic sensitive times / locations	Wholly within non traffic sensitive times / locations	Any time and location
Provisional Advance Authorisation	£105*	£105	£75	£75
Major Works – over 10 days <u>and</u> all major works requiring a traffic regulation order	£240*	£240	£150	£150
Major works – 4 to 10 days	£130*	£130	£75	£75
Major works – up to 3 days	£65*	£65	£45	£45
Standard Activity	£130*	£130	£75	£75
Minor Activity	£65*	£65	£45	£45
Immediate Activity	£60*	£60	£40	£40

* A discount will be applied where works are undertaken wholly outside of traffic sensitive times on Traffic Sensitive Streets. See Above.

Note: That in line with the Permit Authorities policies and procedures, the above fees will be reviewed on an annual basis.

PERMIT VARIATION FEES

£45 for activities on category 0, 1 & 2 streets, and on 3 & 4 traffic sensitive streets.

The South East Permit Scheme

£35 for activities on category 3 and 4 non traffic sensitive streets.

If a Permit variation moves an activity into a higher fee category, the Promoter will be required to pay the difference in Permit fee.

No fee is payable if a Permit variation is initiated by the Permit Authority.

The review will take into account the on-going Scheme costs and inflationary rates.

The fees will not exceed the maximum charges as set by the DFT.

All Promoters will be notified of any changes to the fees.

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