

# Public Document Pack



Chairman and Members of the  
Council

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cc. All other recipients of the  
Council agenda

Dear Councillor,

## **COUNCIL - 26 JULY 2023**

Please find attached the responses to the Public and Members' questions submitted to the above meeting:

7. Public Questions (Pages 3 - 17)

To receive any public questions.

8. Members' Questions (Pages 18 - 31)

To receive any Members' questions.

# Agenda Item 7

COUNCIL – 26 JULY 2023

## PUBLIC QUESTIONS

<b>Question 1</b>	<b>Colin Woodward to ask Cllr Vicky Glover-Ward, the Executive Member for Planning and Growth</b>
<p>Would the Executive Member for Planning &amp; Growth please confirm the total quantity for Bishop's Stortford of all dwellings, (separately identifying the number designated as 'affordable'), that have already been granted Planning Approval by Development Management to date in comparison to the quantities previously set out in the EHC District Plan to meet projected local needs and clarify the quantity of any further additional dwellings proposed for the Old River Lane development with the rationale for any such proposed additions?</p>	
<b>Response</b>	
<p>The East Herts District Plan sets out that Bishop's Stortford will accommodate a minimum of 4,426 dwellings up to the year 2033. The 4,426 figure includes seven allocated sites and is also expected to include a proportion of the district's windfall allowance in addition.</p> <p>The current number of dwellings completed in Bishop's Stortford since the District Plan was adopted in 2018 is 1,842 – and of this number 463 were affordable dwellings. Due to a combination of outline and detailed planning permissions, and some permissions that supersede previous extant permissions it is hard to give a definitive total for dwellings that have been granted permission. However, the latest five year land supply position sets</p>	

out that there is extant permission for a total of around 3,250 dwellings, in addition to those completed already. Out of those dwellings there is detailed extant permission for over 800 affordable dwellings, although this figure is likely to be exceeded as detailed reserved matters permissions continue to come forward.

Old River Lane is allocated in the District Plan for mixed use development and around 100 new homes. A planning application has been submitted for up to 225 homes. As with all applications, the proposals will need to be assessed against the District Plan and other material planning considerations.

<b>Question 2</b>	<b>Jill Goldsmith to ask Cllr Carl Brittain, the Executive Member for Financial Sustainability</b>
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In the absence of audited accounts for the last 3 full financial years, can Carl Brittain, Executive Member for Financial Sustainability, tell us the current fair value of each element of the Council's land and buildings on the Old River Lane site and provide us with an explanation of how the Council is going to provide assurance to local taxpayers that it is achieving best value from this investment and any associated debt finance and engage with the people of Bishop's Stortford on this matter BEFORE it makes an irreversible contractual commitment to dispose of it?

**Response**

Fair value, in accounting, is a rational and unbiased estimate of the potential market price of an asset. Not all of the assets at Old River Lane are valued at Fair Value in accordance with the Accounting Code of Practice we are required to follow to compile our accounts. We therefore do not have the fair value of all assets at Old River Lane. Charringtons House, excluding the part used by the council for customer services, was an investment property and therefore valued at fair value. The customer service centre was

valued as an operational building and therefore valued at existing use. The car park outside Charringtons house was an investment property and valued at fair value. The public car parks were valued as existing use. I therefore cannot supply the fair values off all the assets at Old River Lane as we do not have those valuations for the accounts as we do not require them. I will supply the valuations and the basis of the valuations in the accounts to you in writing after this meeting, rather than reading out numbers and taking up more time with this answer.

The valuations can be found at Appendix 1.

The lack of audited accounts has been due to problems within the Local Government Auditing industry, not due to council reluctance to make finances public. There are currently 520 council audits outstanding across the country, dating back to 2015/2016, and only 27% of council audits for 2021/22 have so far been completed. The new council is committed to improving transparency over finances where it can.

As a newly elected council we are also absolutely committed to providing the best value for local taxpayers. The decision to undertake this development in its current form was taken a long time ago under a different administration. At that time the Council opted to work with a developer for this site on the basis that they have the necessary expertise and access to finance needed to bring the project to fruition. It isn't something that EHC could do directly. The procurement process the council undertook was predicated upon obtaining best value in the overall development and moreover, if Cityheart do make excessive profits it will trigger a 50/50 profit share. There will also be additional benefits to the council from the scheme once completed in terms of business rates from the businesses and council tax from the housing units. During the disposal process the council is also obliged to provide a Section 123 Report to demonstrate that it is not disposing of

property for less than what could be reasonably obtained. The council should comfortably pass this test.

As it stands, the value of the buildings and assets on the site are gradually reducing as, with the exception of the URC Hall and 1,2,3 Old River Lane, they are no longer in use. The Council would not enter in an agreement with a developer whereby we are not getting best value and indeed there are regulations which prevent us from doing so. With regards to the Arts Centre, the Delivery Board have agreed that we will consult and engage with residents on the offer.

The financial position we have inherited is one where we believe there is no choice but to proceed as planned with the majority of the ORL development. If we were to stop the entire development and start again the costs incurred so far would need to be written off, and this could create the potential of tipping the council into bankruptcy, which would be the worst possible option of all for the residents of East Herts. Therefore, I believe that the existing arrangements do provide best value for the local taxpayer.

**Question 3**

**Louise Tennekoon on behalf of Bishop's Stortford Climate Group to ask Councillor Tim Hoskin, the Executive Member for Environmental Sustainability**

Can the Executive Member for Environmental Sustainability tell us what steps the Council is taking to ensure that the Council and its partner Cityheart pursue plans for the development of the Old River Lane which will ensure it is an exemplar of Net Zero development?

**Response**

I would like to thank Louise Tennekoon for her question.

Promoting the sustainability of new development in East Herts is an integral element of the council's Climate Change Strategy and very much at the forefront of the joint administration's thinking.

While our District Plan, which lays out the planning policies developers must comply with, was agreed in 2018 and therefore does not incorporate the latest thinking on net zero development, our Sustainability Supplementary Planning Document (SPD), subsequently published in 2021, includes some of the most exacting requirements across Hertfordshire and beyond.

Of note, our Sustainability SPD actively *'expects planning proposals to incorporate sustainable construction techniques including zero or low carbon energy'* with new development expected to follow a *'hierarchical approach to reducing energy demand and associated carbon emissions'* with clear evidence of carbon reduction.

Already, we have gained Cityheart's commitment to the reuse of materials generated by the redevelopment when constructing the new buildings. Added to this, given that the council is working closely with Cityheart, we are already discussing how to include best practice in the development and surpass our existing sustainable development requirements with the aim of demonstrating exemplary net zero development principles in action.

The brutal reality is that this administration have inherited an existing scheme and that has tight contractual and financial constraints. These constraints severely hamper what can and cannot be achieved and greatly limit any ambitions of being able to deliver an exemplar of Net Zero development.

This administration is actively exploring the means by which the planning process can be used to drive significant improvements in the built environment including new builds but that process has to start right at the beginning of the process. I guess with limitless resources it would be perfectly possible to reverse engineer the

very best environmental ambitions into the existing design but given the financial and contractual constraints that we have inherited this is likely to be impractical.

**Supplementary question from Louise Teenekoon**

Given the current planning application doesn't include detailed carbon reduction commitments, how will the council hold Cityheart to exemplary net zero standards when the land is handed over for development? Unfortunately there is a track record, certainly within Bishop's Stortford of developers committing to quite impressive carbon reduction targets and then failing to deliver them.

**Response from Cllr Hoskin**

Working with developers to deliver sustainable outcomes and achieve carbon reductions is integral to the council's planning stance. Just like many other authorities, the council is continually reviewing how well it is securing and enforcing meaningful and deliverable commitments for developers and we are strengthening our approach as required. The council believes its latest approach allows for appropriate targets to be secured and monitored, along with providing options for action to be taken through planning enforcement powers should any targets secured not be met.

This approach requires that outline planning applications for development of the scale proposed at Old River Lane must be supported by an Energy Strategy. The Energy Strategy must set out the carbon reduction targets for the development and how these will be achieved across the site in accordance with the relevant planning policies.

Outline applications are followed by Reserved Matters applications which set out the detailed design for individual development

parcels. Each Reserved Matters application will need to be supported by an Energy Statement confirming how the targets in the Energy Strategy will be met; the Energy Statement will be scrutinised in detail as part of the assessment of the application.

Of note, the permission for each Reserved Matters application will be subject to a condition which requires the developer to submit details to confirm that the measures in the Energy Statement have been delivered. This is required on completion of the development and would need to be reviewed and discharged by the council before any units can be occupied.

By following the approach set out above, the council believes it can maximise the delivery of carbon reduction targets at Old River Lane.

**Question 4**

**Graham Oxborrow on behalf of Cycle Stortford to ask Cllr Tim Hoskin, the Executive Member for Environmental Sustainability**

Noting Motion 3 on the Agenda (Item 12c: Declaration of a Climate Emergency and the Council's response) will the Council agree to adding the following clause to the Motion?

"To commit to working with Hertfordshire County Council and town/parish councils to ensure that active travel infrastructure is installed at key locations within the District to achieve demonstrable and measurable modal shift by 2027"

**Response**

I would like to thank Mr Oxborrow for his question.

As Mr Oxborrow has noted, later on the agenda I shall be proposing a motion that East Herts Council declares a climate



emergency in light of the evidence of global warming and its impact on the people and habitats of East Herts.

While it is not possible for a member of the public to propose an amendment to a council motion, I am very happy to confirm that this council is already fully committed to working with Hertfordshire County Council (HCC) and town and parish councils on promoting active travel within the district.

Notably, earlier this year our bid for Defra funding to support active travel promotion was successful. In total, we have received £126,000 to work with schools, local businesses and the town councils in our three Air Quality Management Areas in Bishop's Stortford, Hertford and Sawbridgeworth to map out and publicise active travel routes. This work has started with 11 workshops held in four schools so far with another 11 schools lined up to take part.

While HCC has the largest role to play in the delivery of active travel infrastructure and modal shift monitoring, partnership working is crucial. For example, recently, a scheme for the provision of a new alternative riverside walking route, through a cantilevered boardwalk around Hertford Castle motte, has been granted an initial £300,000 award from The National Lottery Heritage Fund which will enable an application for £2m to bring the plans to fruition.

The council are also currently partnering with HCC in the development of our Local Cycling and Walking Infrastructure Plan (LCWIP). Engagement with key stakeholders is currently underway. When completed, this key document can be used to promote active travel and, importantly, will provide an evidence base when seeking inward investment and also open up funding opportunities for the delivery of schemes on the ground.

With regard to bus use, the council has worked closely with North Herts Council and Hertfordshire County Council on the introduction of the Herts Lynx on demand response bus service in 2021. This provides on demand bus travel across the northern half of our district and the councils are hopeful that this successful scheme can be extended further in the future.

Looking ahead, the District Plan includes key policies to ensure that applications for major new developments deliver active travel, while our Sustainability Supplementary Planning Document also includes helpful information to assist developers.

Finally, I'd like to mention that in response to a question to be raised by Cllr Devonshire later on the agenda, I shall be describing the council's work to seek a partner to install e-v chargers across both the towns and rural parts of our district. While driving an electric vehicle is not in itself a means of active travel, I believe that for those longer journeys for which car use may be necessary, driving an electric car is far better for our environment and, importantly, electric car use reduces air pollution, which is often the very thing putting people off walking or cycling in the first place.

I very much hope that our and our partners' combined efforts will encourage our residents to make demonstrable modal shifts in their journeys by 2027.

**Question 5**

**Ayeisha Woodward to ask Cllr Vicky Glover-Ward, the Executive Member for Planning and Growth**

Would the Executive Member for Planning & Growth please confirm whether EHC responded by the pre-election deadline to the Government consultation on proposed changes to the National

Planning Policy Framework\* and if so, does the new administration endorse that response in full or part and has or, will it, be publicly available on the EHC website?

\*<https://www.localgovernmentlawyer.co.uk/planning/401-planning-news/53281-councils-to-face-lengthier-and-more-costly-local-plans-under-proposed-nppf-changes-district-council-argues>

**Response**

East Herts provided a comprehensive response to the National Planning Policy Framework consultation that was held by the government between December 2022 and March 2023. The response was taken through the Council's non-key decision process and full details of the decision and the response are available on the decision-making section of the Council's website.

The new administration is broadly supportive of the response to the proposed changes to the NPPF.

**Question 6**

**David Royle to ask Cllr Tim Hoskin, the Executive Member for Environmental Sustainability**

The SUSTAINABLE SAWBRIDGEWORTH community group is already working closely with HCC's/Sustainable Hertfordshire Clear the Air campaign in providing air quality data, working with local schools. We expect to work in a similar way with EHDC's Defra-funded Breathe Clean campaign.

We would like to clarify the timeframe for installing permanent real-time air quality monitoring sensors in Sawbridgeworth, which we understand are to be funded by the grant that EHDC has received from DEFRA. How many sensors will there be, where will

they be located, and how will residents be able to access the real-time information?

**Response**

I'd like to thank David Royle for his question.

The council's successful bid to Defra to promote active travel in the council's three Air Quality Management Areas – in Bishop's Stortford, Hertford and Sawbridgeworth – included funding to acquire and install *one* real-time air quality monitor in *each* of the AQMAs.

Officers are now working with colleagues at Hertfordshire County Council on the exact locations as HCC will have the final say on which lamp-posts the sensors can viably draw power from. At the moment, East Herts officers' preferred location in Sawbridgeworth is on Cambridge Road outside of Leventhorpe School given the relatively high traffic at this location, both vehicular and on foot, associated with accessing the school and the importance of encouraging active travel alternatives to-and-from the school. We are awaiting HCC's assessment of the feasibility of siting a sensor at this location.

We believe that once installed, the data can be streamed directly to the council and then onto the council's website. In addition, we hope to upload the live data to the Herts and Bed Air Quality Monitoring website. This would have the benefit of allowing the public to sign up for real-time air pollution alerts.

HCC are still assessing the viability of different locations and so we will have to wait for them to confirm which lamp-posts can be used. Thus, at this time, I unfortunately cannot give a precise timescale for the installation of the sensors and streaming of the data, however, this is a priority within the current Defra-funded

project and the aim is to bring the sensors online by the end of this financial year.

**Question 7**

**Paul Dean, on behalf of the Bishop's Stortford Civic Federation, to ask Cllr Vicky Glover-Ward, the Executive Member for Planning and Growth**

East Herts Council has said it intends to enter into a revised agreement with Cityheart – ORL's planned developer, pausing the leisure and arts elements but continuing with the housing and commercial elements. ORL has the chance to be an iconic development for Bishop's Stortford, but Cityheart has already made non-collaborative Outline and Demolition planning applications, both of which are highly flawed and unpopular.

BSCF is one of over 670 public objectors and twelve of fourteen statutory consultees have objected or recommended refusal. They include the Town Council, Herts Highways and Archaeology, Historic England, the Environment Agency, and EHC's Housing Strategy Unit and Environmental Health Department. BSCF considers that the intention to press ahead with ORL's housing and commercial elements only overlooks issues raised by objectors, and more. It therefore wishes to ask the Executive Member for Planning and Growth:

When will EHC advise Cityheart to withdraw these highly flawed and unpopular planning applications and insist on resuming transparent collaborative masterplanning and public consultation for the whole of the development, not just the arts centre?

**Response**

As a local planning authority, planning officers have provided feedback to Cityheart on their planning application for ORL. There

are a number of issues that need to be resolved, many of which have been raised as part of the consultation on planning application which is not unusual. It is for Cityheart to take on board the issues that have been raised and propose appropriate amendments to the application. The local planning authority has yet to receive any revised plans but if these materialise there will be a further public consultation on the revisions. As with all planning applications, we can only advise and hope that applicants listen to the planning advice being given. The Council as the local planning authority can't insist that Cityheart withdraw their application, only they can do this, although it may be presented to them as an option if sufficient progress isn't made to address the issues that have been raised.

<b>Question 8</b>	<b>Deborah Munro, on behalf of Parsonage Residents Association, to ask Cllr Tim Hoskin, the Executive Member for Environmental Sustainability</b>
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Would the Executive Member for Environmental Sustainability please confirm how EHC are going to mitigate the impact of Air Pollution on Hockerill Crossroads due to the extended length of time a major development will be undertaken in the town centre due to the delay imposed by the present administration's deferment of the Arts element of the ORL project in Bishop's Stortford?

**Response**

I would like to thank Deborah Munro for her question.

Air pollution within the Hockerill junction Air Quality Management Area is a key concern for the council and its partners. The figures for 2022, representing the first data after the pandemic, show that air pollution in each of the four roads at the junction, while slightly

higher than during the Covid lockdowns, is lower than in 2019, the last full year before the pandemic. Indeed, the overall trend over the last decade remains downward, with pollution in Hockerill Street and Stansted Road still *below* the national target limit of 40 micrograms per cubic metre.

That said, the council is far from complacent about air quality at the junction and actions to mitigate air pollution there will be included in the Air Quality Strategy and Action Plan which we are currently drafting with Hertfordshire County Council and other partners ready for public consultation in the autumn this year.

I'm not entirely sure that the joint administration's decision to look carefully at the arts elements of the Old River Lane project, including asking local people for their views, will of itself lead to increased air pollution at Hockerill junction. I fully recognise, however, concerns about any pressure on air quality in that area and so, I'd like to assure Ms Munro and others that as a requirement of seeking planning permission for any development at Old River Lane, a traffic assessment will need to be submitted, along with a range of other reports. This assessment will enable the impact on surrounding roads to be fully and carefully considered and appropriate mitigation put in place.

As referred to in the earlier answer there is funding for a real time monitor. The potential location for this real time device is on a lamp post outside 14B Dunmow Road which it is thought would be capable of presenting a representative reading.

## Asset Valuation History Old River Lane Urban Renewal Scheme

		2022/23	
	Classification	Valuation Basis	Value
Car Park The Causeway	Surplus	Fair Value	£1,838,600
CSC Grnd Flr Charringtons House			
Charringtons House	Surplus	Fair Value	£771,000
Charringtons Car Park	Surplus	Fair Value	£780,000
URC Hall	Surplus	Fair Value	£282,900
14-16 Water Lane	Investment Property	Fair Value	£350,000
1 Link Road and 1 -15 Limekiln Close	Asset Held for Sale	Cost	£5,008,109
Northgate End MSCP	Operational	Existing Use Value	£20,878,590

		2021/22	
	Classification	Valuation Basis	Value
	Operational	Existing Use Value	£1,796,300
	Operational	Existing Use Value	£771,000
	Investment Property	Fair Value	£1,115,600
	Operational	Existing Use Value	£636,600
	Investment Property	Fair Value	£251,400
	Investment Property	Fair Value	£350,000

		2020/21	
	Classification	Valuation Basis	Value
	Operational	Existing Use Value	£1,863,000
	Operational	Existing Use Value	£861,700
	Investment Property	Fair Value	£1,513,600 Includes Zone B car parkl
	Operational	Existing Use Value	£645,700 Value of Zone A used as public car park
	Investment Property	Fair Value	£251,400
	Investment Property	Fair Value	£650,000

Charringtons car park classified as a single asset once surplus  
 Previously Zone A was public car park and Zone B included in the valuation of Charringtons House.  
 Customer Service Centre at Charringtons absorbed into single asset valuation once surplus

For transparency purposes:

Charringtons House & Car Park	£1,551,000	£2,523,200	£3,021,000
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COUNCIL – 26 JULY 2023

## MEMBERS' QUESTIONS

<b>Question 1</b>	<b>Cllr Angus Parsad-Wyatt to ask Cllr Ben Crystall, the Leader of the Council</b>
<p>The new Executive has expanded with the addition of the Executive Member for Resident Engagement. Given engaging with residents is a function of all Councillors' roles, can the Leader please explain what the purpose of this role is, and by what metrics the Member's work will be judged?</p>	
<b>Response</b>	
<p>Thank you for the question. You're correct that engaging with residents is already a fundamental part of every councillor's day to day activities – clearly we all spend time answering queries or talking to our residents. And that one-to-one engagement works perfectly well when questions are single issues or where you're looking for a localised response, from a single street, say or from part of a ward.</p> <p>But EHC regularly consults residents on new policies or strategies or on planning applications, or wider schemes covering town centres, for example, where there is no single yes/no answer and where the council is looking for residents to address a much broader range of issues.</p> <p>The key questions here are: 1) how do we engage to ensure that as many residents as possible are notified about a consultation – and again ward councillors have a role to play here – and 2) how do we ensure that the consultations themselves are clear, ask the right kinds of questions and are delivered in the best way to achieve those aims.</p>	

In the past we may have posted out questionnaires to everyone but that's expensive and people often miss them amongst junk mail. At the other extreme we have online consultation systems. No single approach works for everyone. You could just accept that we'll always miss some people. I don't think that's good enough and in the last few years I have become acutely aware of large numbers of residents who feel that their voices aren't being heard. This is also about trying to restore trust in local politics.

So the aim of the new post, and the challenge for Cllr Chris Wilson, is to take a careful look at how we consult and engage with our residents, and how we can improve that process, to try to reach as many people as possible, but also to look at opportunities for more in-depth discussions with residents, so that they start to have a real voice in local democracy.

As far as metrics are concerned, have metrics have ever been applied specifically to executive roles at EHC? The council monitors customer feedback and that could be used as a judge of success. The ultimate metric is the ballot box, as we saw in May. There is also the opportunity for the Overview and Scrutiny committee to be involved in assessing how effective we are at improving consultation and engagement. But if you or anyone else have ideas for metrics that could be effective, please let me know.

#### **Supplementary question from Cllr Parsad-Wyatt**

Cllr Parsad-Wyatt said that six of the nine Members in the Executive represented wards in Hertford. He asked how they would ensure that they were working and engaging with all resident across the whole District. He also said that the additional Executive Member position would cost the council an estimated £40,000 over the four-year term of the council and asked where the additional £40,000 would come from and which service charge may be raised or cut to fund the Executive's allowances.

#### **Response from Cllr Crystall**

Cllr Crystall responded and said he did not think where the Executive Members' wards were relevant. He said the new role was about how the council engaged with all residents across the district. He said as far as costs were concerned, he said there would be an additional cost but engaging and listening to residents was clearly something that people were very passionate about. He said the council had seen the response at the ballot box and he said what a lot of councillors had heard on the doorstep came down to anger at feeling disconnected and feeling like they were not listened to. He said he felt it was a cost worth paying for this council and said it was absolutely worth the money to get the public's faith back in democracy.

**Question 2**

**Cllr Geoffrey Williamson to ask Cllr Ben Crystall, the Leader of the Council**

There is an inconsistency between the pledge to halt our Old River Lane scheme made by parties leading up to the recent election and comments made in public following the election by the same parties who now form the new administration. Can the Leader please provide clarity on the plans this Council has for the development to proceed?

**Response**

Cllr Crystall referred the question to Cllr Goldspink, Deputy Leader to provide a response.

I would like to thank Cllr Williamson for his question. The new joint administration of this council wishes very strongly to provide a first class development on the Old River Lane site in Bishop's Stortford and it wishes to proceed with it as soon as possible whilst still allowing time for public consultation on the arts centre element of the proposals. As Cllr Williamson will remember, there was a meeting of the Council in March 2021 at which the Old River Lane scheme was discussed and approved. The Delivery Board was

instructed and authorised to bring the scheme into being. There was a procurement process which the developer, Cityheart, made a successful bid. The Delivery Board duly met regularly and progress was made. However, there was considerable public discontent about the idea of a cinema as the main component of the Arts Centre. In May this year at the local election, there came a change of control at the council. The new joint administration discovered, to its great dismay, that the previous administration run by the Conservatives, had already made some legal and financial commitments on behalf of the Council which it would be impossible to change. In short, the Conservatives have bequeathed to us, the new administration, a project that was beset with problems and lacking in public support and we had very little power to make changes. They had handed us, in effect, a poisoned chalice.

So we now have to pick up the pieces and try to provide as good a development as possible at this important town centre site. The Development Board met on 29<sup>th</sup> June and sought advice from the legal and financial officers. The Board was mindful of the public's concerns about the project and the public's urgent wish to be fully informed. By this time, Cityheart had submitted a planning application for the main part of the development but not for the Arts Centre. Following the advice which it received, the Delivery Board decided to pause the Arts Centre element and to arrange a full public consultation. The residential and retail parts are the subject of planning applications and they will have to run their course and be determined by planning policies and regulations. The Arts Centre Steering Group is being reconstituted with a wider membership this time and its ideas will feed into the public consultation.

The consultation with the public is being designed at the moment and should be publicised within the next few weeks. We intend to publish the results of the consultation and future decision about the Arts Centre subject to financial and commercial confidentiality and we will make the minutes of the Delivery Board meetings available on the council's website. In fact, there are already some things on the council's website with the frequently asked questions. We do want to be as open and transparent as possible.

In conclusion, the new administration wishes to make positive progress on delivering the development at Old River Lane and intends to keep Members and the public fully informed at frequent intervals.

**Supplementary question from Cllr Williamson**

Cllr Williamson thanked Cllr Goldspink for her response and said it confirmed that the project would, in part, be put on hold for some period. He said that advice from the S.151 Officer and as reflected in the recent coverage of Old River Lane in the Bishop's Stortford Independent, stopping the scheme would be financial suicide. Equally, even to delay progress in the plans as put down by the previous administration either in whole or in part, comes with severe financial risks to this council as to delay and potentially change the scheme will lead to increased costs due to inflation and would have knock on effects on risk which could put the whole project in jeopardy. What measures are the Executive putting in place to protect the project and counter the financial fallout which would most likely ensue from any delay in proceedings which could lead to this council going bankrupt?

**Response from Cllr Goldspink**

We have been taking legal and financial advice about this and we have been advised that a short pause will not cause any financial or legal problems. The development agreement is being redrawn to

take account of the fact that the Arts Centre element is being taken out from the original agreement. We have been assured that a short pause of a maximum of nine months will be alright and we will not incur any financial penalties. The delay is for a short time to allow the consultation to take place and be assessed and a new design to be drawn up.

**Question 3**

**Cllr Sue Nicholls to ask Cllr Vicky Glover-Ward, the Executive Member for Planning and Growth**

According to DEFRA, nutrient pollution is an urgent problem for the country's freshwater habitats and rivers. Increased levels of nutrients (especially nitrogen and phosphorus) can speed up the growth of certain plants impacting wildlife by the process of eutrophication.

Natural England has previously advised 32 Local Planning Authorities that where protected sites are in an unfavourable condition due to excess nutrients, development should only go ahead if it will not cause additional pollution to sites. In March 2022, Natural England advised a further 42 LPAs that their areas are covered by this advice.

This advice from Natural England means that new residential development must achieve 'nutrient neutrality' - meaning that the nutrient load created through additional wastewater (including surface water) from the development is mitigated.

Can I ask whether East Herts Officers have been contacted by Natural England over concerns about nutrient neutrality in any of the district's nature reserves, waterways or bodies of water?

[Nutrient Neutrality FAQs | Local Government Association](#)

**Response**

At this time East Herts is not one of the LPAs which fall into the areas affected by the nutrient neutrality advice issued by Natural

England and Natural England hasn't contacted the Council to identify East Herts as an area of concern regarding nutrient neutrality. Officers will continue to work closely with Natural England who are a statutory consultee on planning matters and will notify members if any advice regarding nutrient neutrality changes in the future.

**Supplementary question from Cllr Nicholls**

Does the council have any protected sites where excess nutrient levels should be a concern even though the council may not have been advised of them?

**Response from Cllr Glover-Ward**

Officers are not aware of any protected sites in the district where excess nutrient levels are a concern. Officers will continue to work with Natural England to ensure that their advice on nutrient neutrality is considered in both plan-making and decision-making.

**Question 4**

**Cllr Ian Devonshire to ask Cllr Tim Hoskin, the Executive Member for Environmental Sustainability**

At the recent Much Hadham Parish Council Annual General Meeting, a concerned resident raised the issue of EV chargers for the village hall. I recall that there was a previous call to parish councils and a Teams meeting was arranged to request their buy-in on this matter. Additionally, I understand that the previous Executive Member for Environmental Sustainability expressed enthusiasm for East Herts' collaboration with suppliers of EV chargers to ensure wide coverage of appropriate charging infrastructure, including Fast Rapid and Ultra Rapid chargers throughout East Herts.

Therefore, I would like to enquire about the current progress of the EV charging infrastructure in East Herts District Council. Can the Executive Member provide a comprehensive progress report on the situation? Specifically, I am interested in knowing the status of

the Much Hadham Parish Council's request for EV chargers at the village hall and the overall implementation of the initiative to ensure a wide coverage of appropriate EV charging.

**Response**

Thank you, Cllr Devonshire for your question.

I am aware of the work of the previous administration regarding e-v chargers and I'd like to confirm the joint administration's commitment to continuing this and, if anything, accelerating charger roll out.

To this end, in June this year, the council invited tenders for the provision of e-v chargers in the council's car parks and/or land owned by our partners, such as parish councils and village halls.

The default position is for the installation of *fast* chargers. These are suitable as an alternative to on-drive charging. That said, the tender includes a requirement to also install some *rapid* chargers in at least Hertford and Bishop's Stortford. At the same time, the council recognises that national power infrastructure and capacity may mean that in some rural areas, only *standard* chargers may be practicable.

Of crucial importance, tenderers have been required to make proposals which do *not* rely on financial input from the council, beyond officer support, and indeed the income to the council from the parking spaces must still be provided for any spaces used for chargers. In this way, the council, and thus residents, can benefit from the rapidly evolving commercial e-v charger market. Of course, the council will continue to work with Hertfordshire County Council and partners on identifying any subsidy which could be



channelled to the successful bidder to further increase the number of chargers installed.

I am particularly pleased that the specification requires the successful company to install at least 20% of all chargers in more rural locations outside of our five market towns. Thus, residents in rural areas won't miss out as the company will be required to cross-subsidy less viable, rural locations from their income from the more heavily used town centre e-v chargers.

The council specification listed the locations are every village hall in the district, including, of course, Much Hadham's. In due course, the council, successful tenderer and village halls and parish councils will work together to assess the viability of individual locations and priorities for installation.

The bidding window closed on Monday, just two days ago, and while officers are now starting the tender evaluation process, I am very pleased to announce that six tenders have been received which I believe demonstrates the high level of market interest in working with the council to increase e-v charger coverage across the whole of the district. I look forward to sharing the outcome of the evaluation with members later this summer and the installation programme being mobilised as soon as possible thereafter.

**Question 5**

**Cllr David Willcocks to ask Cllr Sarah Hopewell, Executive Member for Wellbeing**

Cool spaces provide opportunities for people to shelter from the sun, cool down and rest during hot weather, for example, Libraries, leisure centres, places of worship and community centres. Cool spaces can offer respite and recovery in urban areas during hot weather and may contribute to reducing heat-related harm to

health. Following record-breaking temperatures exceeding 40C in the UK last year, and with further extreme weather events predicted this summer, have the council any plans to list and advertise available cool spaces for the residents of East Herts?

**Response**

Thank you very much Cllr Willcocks for this question, and it highlights a really important issue. We are fortunate to have so far been spared from the extreme heat that has been hitting so many parts of Europe. However, we know that climate change means we can expect to see more intense heat in the future, for which it is essential that we as the council take robust measures to help protect residents, especially those at higher risk.

In terms of advertising available cool spaces, last winter East Herts Council started to set up a warm spaces directory separate from that by Hertfordshire County Council. However, it quickly became apparent that hosting a separate directory was not helpful, and the preferable option was for us to support the countywide directly developed by HCC. For cool spaces, we similarly plan to fully support the cool spaces directory already set up by Hertfordshire County Council. We have already put information and links to this on the East Herts Council website, and this page can be found here: [Find a cool space | East Herts District Council](#). We will also share the information on social media platforms and via our weekly email update ahead of any anticipated heatwaves.

I appreciate of course, that some of the most vulnerable residents, and those most in need of cool spaces facilities will not necessarily have internet access, and we want to ensure that we take all steps to reach these residents with information. We will do this by working with our partners through the Healthy Hub, where there is a strong network of partners organisations, including Citizens Advice East Herts, Age Concern Bishops Stortford, Herts Mind Network, and Carers in Herts. We will also share information with

local housing associations. Collectively, these organisations and partners have regular interactions with residents in the community and provide an important avenue for ensuring the information gets out. We will also support any measures recommended by HCC.

While I hope these measures will collectively reach everyone who needs the information, if there are any other avenues that you feel we should be exploring, please do let me know. Lastly, in the event that anyone here knows of a suitable venue or space that could provide a 'cool space', I encourage members to register this space on HCC's website. The page for this including all the related about the scheme, can be found here: [Community Spaces - professionals area | Hertfordshire County Council](#)

Thank you again for your question.

**Question 6**

**Cllr David Jacobs to ask Cllr Joseph Dumont, Executive Member for Corporate Services**

Following the recent changes to voter ID requirements, will the Executive Member for Corporate Services confirm in the elections of 4<sup>th</sup> May 2023:

- a) how many polling station electors were refused a ballot paper due to insufficient or invalid Voter ID at the polling station?
- b) How many of those refused polling station electors returned with valid IDs and proceeded to vote?

**Response**

Collated figures show that 26,713 electors voted at the 100 polling stations across the district on 4 May. The data shows that 99.9% of electors voting in polling stations brought photo ID that met newly introduced voter ID requirements.

At the end of polling day, 23 electors who tried to vote in a polling station were not given a ballot paper because they did not meet the new voter ID requirements – 0.1%.

The figures also show while 68 electors were initially turned away, 45 returned with acceptable ID and were able to vote. This means 66.2% of those initially turned away returned and were issued with a ballot paper.

**Question 7**

**Cllr Nahum Clements to ask Cllr Sarah Hopewell, Executive Member for Wellbeing**

The Hertford Theatre will be a thriving hub for arts and culture in Hertford and the surrounding area. It stands to be a fantastic asset for residents and community groups. However, the previous administration committed to spending significant sums on the project and concerns were raised about the viability of the original business plan. It is important that we exercise great care when spending public money.

Will the Executive Member for Wellbeing please confirm:

1. The total spending committed to the Hertford Theatre project to date; and
2. Which aspects of the project are still to be funded, and the estimated cost of each; and
3. What funding the council has secured for the remainder of the project; and
4. When the Hertford Theatre business plan was last updated; and
5. What plans are in place for addressing any shortfall in funding

**Response**

Thank you Cllr Clements for this question. As it is in five parts, I have taken each part in turn. I hope this information is helpful.

**1. The total spending committed to the Hertford Theatre project to date;**

The current committed budget is £24.105 million.

**2. Which aspects of the project are still to be funded, and the estimated cost of each;**

£24.105 million is fully funded as part of the Capital Programme approved by full Council on 1 March 2023. The council is working with our consultants, Bristow Consulting, and remain in dialogue with GPF Lewis to agree the final guaranteed maximum price (GMP). With discussions on going, this is commercially sensitive information and so we are unable to share further details in an open meeting or via a written response after the meeting. I am hopeful that this decision will be made soon, and I would be happy to share any further information with regards to this question, once agreed.

**3. What funding the council has secured for the remainder of the project;**

The funding shortfall was addressed through a Heritage Lottery Fund bid, support from Hertford Town Council, and the reprofiling of 2022/23 capital budgets to allow underspent contingency on Hartham Leisure Centre to be transferred to the Theatre. The revenue costs of the Hartham project were already built into the base budget so there were no additional costs from this transfer.

**4. When the Hertford Theatre business plan was last updated;**

Barker Langham, our consultants who have extensive experience of the cultural sector, reran the business plan in March 2023, with updated costs and reflecting current audience habits. This showed the theatre maintaining the medium term financial plan assumed contribution to the savings target and also generating additional surplus to repay

the borrowing attributed to it by the transfer of the unused Hartham contingency.

**5. What plans are in place for addressing any shortfall in funding**

Officers are working through the implications of any cost increases by examining the specification of spaces fit out and, where necessary, seeking to reduce the cost by altering the specification. Officers are also considering the implications of phasing the opening of certain parts of the building to a later date. Fundraising through sponsorship is also being considered. This could include offering the public the opportunity to sponsor a seat, for example, which has been successful elsewhere. Elements of the grounds work outside the building are now being taken forward through a Lottery Grant.

The overriding priority for officers is to ensure the main auditorium and cinema screens are opened, and that the overall budget envelope for the scheme is kept to at this stage. Any overrun on budget will directly impact the other projects in the capital programme as their budgets would need to be reduced. The section 151 officer has advised Members that increasing overall borrowing is neither affordable nor prudent.

I hope this information answers your question, and I will endeavour to provide updates on this project as it continues.

Many thanks again for the question, answers to which I understand are important both to members here and to the residents of East Herts.