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Chairman and Members of the
Council

Date: 11December 2025

cc. All other recipients of the Council
agenda

Dear Councillor,

COUNCIL - 10 DECEMBER 2025

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

7. Public Questions (Pages 3 - 9)

8. Members' Questions (Pages 10 - 14)

Yours faithfully,

Stephanie Tarrant
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Agenda Item 7

COUNCIL – 10 DECEMBER 2025

PUBLIC QUESTIONS

Question 1	Anthony Barrett to ask Cllr Ben Crystall, Leader of the Council
Please could you advise me of the detailed organisation structure of EHDC's Planning and Enforcement Division and is it adequately and sufficiently staffed for the workload that it faces?	
Response from Cllr Ben Crystall and Cllr Vicky Glover-Ward	
<p>Councillor Crystall advised that the question related to the operations of planning and that a response would be provided by Councillor Vicky Glover-Ward.</p> <p>Councillor Glover-Ward advised that the place directorate included the planning functions of the Council, as the Local Planning Authority as well as other regulatory functions such as Environmental Health. The planning team was broadly divided into two service areas, place shaping and place delivery. Firstly, the place shaping team, comprised a Planning Policy Team and also the Conservation and Design Team. The Planning Policy Team undertook all work associated with developing new planning policy. The Conservation and Design Team supported the planning policy function and also provided specialist advice to the Place Delivery Team. Secondly, the place delivery team dealt with the development management functions of the Council and also planning enforcement. This was the team that dealt with all planning related applications and breaches of planning control. Alongside the Place Delivery Team was the Technical Planning Team, who supported the administrative functions associated with planning validation, appeal work and other related tasks.</p> <p>The Local Planning Authority received approximately 3,000 applications per year. In 2024-25, this comprised of 850 household or minor applications, 28 major applications, 581 requests to discharge plan conditions and 470 pre-application requests. The Council was one of the busiest districts in the county in terms of volume of applications. The Council was also responsible for one of the largest garden towns in the country at Gilston.</p> <p>The Planning Delivery Team was managing a number of vacancies at senior officer level, which were being covered with agency staff. This had been a trend at East Hearts for a number of years and mirrors the</p>	

national trend, where over 96% of local planning authorities reported shortages at senior planning officer levels, partly caused by current and also previous training shortfalls. The Council had taken various measures over the years to recruit to permanent members of staff, however, like other council planning departments across the country, with limited success. In terms of meeting key performance indicators set by Central Government, the Council was performing very well and to achieve this, the Council made use of extension of time agreements. Specifically in terms of planning enforcement, the Council has a small enforcement team of three enforcement officers and one compliance officer.

Whilst the Council was required to investigate reported breaches of planning control, enforcement powers were discretionary. Before taking any enforcement action, the Council must be satisfied that such action was the right thing to do, that it is in the public interest and that it is expedient. The Council's planning enforcement plan helps steer how reported breaches of planning control are managed. National planning guidance states that action should be considered in a proportionate way depending on the nature of the impact and in the interests of local public immunity, not that Council should take action against all unauthorised development.

The guidance is clear that formal action would not be appropriate where there is a trivial or technical breach of control which causes no material harm or adverse impact on the amenity of the site or the surrounding area. So, if development was acceptable on its planning merits and formal enforcement action would solely be to regularise the development then the Local Planning Authority would consider that an application is the appropriate way forward to regularise the situation. Where the Council does consider that taking action is expedient, various tools are available to the Council in seeking to address breaches of planning control. Seeking remedies without taking any formal action was often the quickest and most cost-effective way of achieving a satisfactory and lasting remedy. Various other tools were available including the serving of enforcement notices, stop notices and in some cases injunctions.

The key role of the Planning Enforcement Officers was as an investigator. For minor reported breaches of control, this can involve simple and quick desktop exercises, while more complex cases would require a considerably deeper investigation involving several site visits and work with other internal and external stakeholders.

In July 2023, the number of planning enforcement cases that the Council were dealing with was 646. This equates to 161 cases per officer. This rise was due to the COVID period where the number of open cases increased substantially. The workload at that time was too high. Over the past couple of years, the Planning Enforcement Team, helped by the wider Planning Team had brought the number of open cases down. As of November 2025, the total case number stood at 240. This amounted to 60 cases per officer. However, of those 240 cases, the vast majority were very complex cases that required considerable investigation to bring about a remedy or action.

Supplementary question from Anthony Barrett

Mr Barrett thanked Councillor Glover-Ward for the detailed response and advised that the reason for the question was to bring to the attention of Councillors that a number of significant planning issues had arisen in Little Berkhamsted and Bayford over the past few years, leaving public trust and confidence in the planning system severely eroded as a result.

Mr Barrett expressed concerns that EHDC planning enforcement did not appear to act against people who seemed to be acting unlawfully, highlighting that proper enforcement action was essential to restore confidence.

Mr Barrett highlighted an issue at Bucksbury Farm to illustrate where there had been a shortfall.

Question 2

Michael E Wainwright (Dr), Chairman of Bayford Parish Council to ask Cllr Ben Crystall, Leader of the Council

A development is currently underway in the parish for the installation of up to 40 luxury caravans on a site that is in the Green Belt and includes ancient woodland. This development does not have planning permission.

Together with the neighbouring Parish of Little Berkhamsted we have for months been asking East Herts Council to enforce a stop to these works but the Council has not yet done so. When will the Council do so?

Response from Cllr Ben Crystall and Cllr Vicky Glover-Ward

Councillor Crystall advised that a response would be provided by Councillor Vicky Glover-Ward.

Councillor Glover-Ward advised this site was currently the subject of a live planning enforcement case and an application for a certificate of lawfulness was currently under consideration.

Accordingly, there was very limited information that could be provided at this time without potentially prejudicing the processes associated with that live application and the ongoing planning enforcement investigation.

Councillor Glover-Ward advised that planning enforcement and officers, led by the Director of Place had met with Local Ward Members and Members of the Parish Council on two separate occasions and provided detailed answers to all of their questions. The Council had also sought legal advice from King's Counsel to support the assessment of the Local Planning Authority. The site had historically been used as a caravan site and the Council had records of this. The siting of caravans on the site, which had been used as a caravan site, did not amount to a material change of use. Furthermore, as long as any caravans bought onto the site accord with the definition of a caravan, which was set out in legislation, no operational development will have occurred. The planning enforcement file remains open and at the present time planning and enforcement officers were of the opinion that there had been no breach of planning control in terms of a material change of use of the land. This had been communicated to the Ward Councillors and representatives of the Parish Council in writing.

It was highlighted that the matter was however not straightforward. Case law had established that an intensification of the use may result in a material change of use of the land. The matter which remained under review and require an assessment on a fact and degree basis. Enforcement officers were monitoring the situation and would keep the position under review.

Councillor Glover-Ward advised that the Director of Place anticipated providing an update to herself and the Local District Councillor within the next week or so.

**Supplementary question from Michael E Wainwright (Dr),
Chairman of Bayford Parish Council**

Dr Wainwright highlighted that on 30 May 2025, an application was made for a certificate of lawfulness in respect of 40 caravans at Bells Wood, Bayford. The affected parish Council provided the planning authority with a legal opinion on the 18 July 2025. It was

noted that the planning authority stated that they would obtain their own legal opinion and on numerous occasions in emails and in teams meetings promised to share this information, however the legal advice has still not been shared and the decision on the application had not been issued.

Dr Wainwright asked when the Council would share its promised legal advice and when a decision on this matter could be expected?

Response from Cllr Vicky Glover-Ward

Councillor Glover-Ward confirmed that the Director of Place anticipated updating herself and the Local Member within the next week or so and expected that would provide further answers.

Question 3

Brian Connolly to ask Cllr Vicky Gover-Ward, Executive Member for Planning and Growth

Given the requirements of the National Planning Policy Framework (NPPF) and Sport England guidance to base policies on robust and up-to-date assessments of need for all forms of sport and recreation, how does the Council justify the exclusion of speedway and motorsport from the strategy, and will it commit to a full consultation with relevant stakeholders, including the speedway community and Rye House Stadium?

Response from Cllr Vicky Glover-Ward

The Sport England website identifies that there are approximately 200 recognised sports. In preparing the Playing Pitch and Outdoor Sport Strategy the Council took a proportionate approach, focusing on most common grassroots participation-based sports that promote physical activity and contribute to the health and wellbeing of the local community. This was consistent with advice from Sport England and the consultants KKP.

The Strategy will form an important part of the evidence-base for the New District Plan to help us understand existing sports provision and use supply and demand data to inform future planning policy and decisions. However, the New District Plan evidence base is iterative and will develop through-out the plan-making process. The endorsement of the Playing Pitch and Outdoor Sport Strategy does not preclude additional bespoke evidence being undertaken where there are local matters that arise and may need to be addressed. The Council can therefore explore this issue as part of the New District Plan Process.

Supplementary question from Brian Connolly

Mr Connolly thanked Councillor Glover-Ward for the response and highlighted that there was no mention of the National Planning Policy Framework which was very clear and binding.

Mr Connolly asked Councillor Glover-Ward if the Council's commitment to apply the NPPF in relation to Speedway and the precedent of the Coventry Stadium appeal decision from January last year?

Response from Cllr Vicky Glover-Ward

Councillor Glover-Ward confirmed that the council would comply fully with the NPPF and would take that on board in line with Sports England advice and other consultations.

Question 4

The Chairman asked Cllr Vicky Glover-Ward, Executive Member for Planning and Growth on behalf of Chris Williams

In preparing the Playing Pitch and Outdoor Sports Strategy, how has the Council fulfilled its Public Sector Equality Duty under the Equality Act 2010 in relation to the omission of speedway and Rye House Stadium, and what assessment has been made of the impact on equality of opportunity for groups who may be underrepresented in mainstream sports?

Response from Cllr Vicky Glover-Ward

The Strategy will form an important part of the evidence-base for the New District Plan to help us understand existing provision and use supply and demand data to inform future planning policy and decisions. The methodology KKP has used is robust, in accordance with Sport England's Guidance and where relevant has made use of demographic data on protected characteristics, for example sex and age. The document is a tool to inform future planning decisions and policy; it is not an action plan setting out how under-represented groups or those with protected characteristics can get into sport. Obligations under the Equalities Act may become relevant at the point of implementation. Planning decisions may need to assess and consider any impact of proposed development on any protected characteristics.

The new District Plan evidence base was iterative and would develop through-out the plan-making process. The endorsement of the Playing Pitch and Outdoor Sport Strategy did not preclude additional bespoke evidence being undertaken where there were local matters that arose and may need to be addressed.

COUNCIL – 10 DECEMBER 2025

MEMBERS' QUESTIONS

Question 1	Cllr Bob Deering to ask Cllr Carl Brittain, the Executive Member for Financial Stability
When did the cross-party asset disposal group last meet and what items were on the agenda?	
Response from Cllr Carl Brittain	
<p>Thank you for your question. The cross-party, member-only group was formed at the end 2023 to consider the list of assets identified by officers for potential disposal as part of the 2024/25 budget-setting process. The group last met on Friday 26 January 2024. Members considered the nine assets on the list, these being:</p> <ul style="list-style-type: none"> · the main Old River Lane site in Bishop's Stortford · the car park leased to Waitrose, adjacent to the Old River Lane site · the commercial and residential block at Lime Kiln, Northgate End, adjacent to the Old River Lane site · the car park leased to Tesco in Ware · Southern Maltings in Ware and · small plots of land at: <ul style="list-style-type: none"> · Widford Road, Hunsdon · Great Innings North, Watton-at-Stone · King George Road, Ware · Sele Road, Hertford. <p>The group was content for all disposals to proceed, except the sale of the car park leased to Tesco in Ware, with all these disposals since being formally approved by the Executive. To date, the sale of two of the assets have completed, four have been sold subject to contract and plans are in place for the disposal of the other two.</p>	
Supplementary question from Cllr Bob Deering	
Councillor Deering asked how much of the planned £10.8m had been achieved and why the group had not met for nearly two years?	
Response from Cllr Carl Brittain	
<p>Councillor Brittain advised that he would provide exact details of the figures in writing.</p> <p>He advised that the reason the asset group had not met was due there not being that many new assets coming through. In December 2024, a</p>	

further set of three assets were identified and brought forward for consideration. Details of these were shared with members of the group by email and the opportunity to meet provided.

During this year there had been a total of another six assets that come up. The largest of these was Millstream which was discussed at Full Council. The other major asset this year was the shops at Elizabeth Road, where discussions were held with Board Members, Councillor Jacobs and Councillor Estop.

Councillor Brittain advised that he was happy to hold more discussions with members in the future. It was noted that the prospect of Local Government Reorganisation had led to expressions of interest from some of the Town Councils in relation to acquiring further assets. Officers were currently working with town clerks to identify assets that might be suitable for further investigation. Once this process was complete and the list of potential sales was available, Councillor Brittain would be happy to reconvene the group if Members wished to do so.

Question 2

Cllr Ian Devonshire to ask Cllr Mione Goldspink, Deputy Leader

From the recent survey report (carried out by Aecom) we understand that the repair works will cost £1.6 million to make the hall good and enable it to be reopened.

What is the Administration's plan for the United Reformed Church Hall now that it has been closed and is unused?

Response from Cllr Mione Goldspink

Following publication of the report, Old River Lane Board Members held two public information sessions in the hall over July to discuss its future. The events were well attended with around 20 – 25 people at each, and it was clear there is a lot of enthusiasm to keep the hall going as a hireable venue. Equally the Council had to be frank about the scale of investment required to do this. Unfortunately, the £170,000 set aside for improvement won't be anywhere near enough to get it re-opened and therefore when the URC surrendered their lease, the Council had no option but to close the building. Fortunately, all the regular hirers had found other venues, so this did not have a big impact.

In the absence of The Council being able to keep it open, there are a number of options available which include disposal or demolition.

However, before these are considered in detail, Old River Lane Board Members have committed to exploring a collaborative model with the Friends of Water Lane Hall whereby they may be able provide the necessary funding to re-open the hall. This could be staggered, with an initial investment of £500,000 needed to get the main hall open for hiring. There would then be another 18 – 24 month window to raise the additional funds required to complete all the necessary works.

However, in the meantime with the building closed there is likely to be further deterioration whilst in addition we continue to be liable for business rates and insurance costs, despite the building being mothballed. The Council therefore have a limited window in which to explore the community collaboration model. By April of next year, the Council want to be clear whether this is realistic or not.

In late September, it was agreed with the Friends of Water Lane Hall that the Council would firstly need to see a business plan by the end of November 2025. This needed to outline plans for raising investment and operational management of the venue. Assuming this business plan is sound the second expectation is that necessary funds are in place by 31 March. With a funding target of £500,000 to re-open the main hall for hiring, £330,000 of funding was required on top of the Council's £170,000. If these milestones cannot be met, the Council would need to discount the option of community collaboration and assess the remaining options.

Supplementary question from Cllr Ian Devonshire

The Old River Lane development has now been stalled for two and a half years. While the delay regarding the URC Hall continues, will there be any progress on the ORL project before this Council ceases to exist in a few years' time, as investing in assets was going to be very important prior to Local Government Reorganisation?

Response from Cllr Mione Goldspink

Councillor Goldspink advised that she was hopeful that there would be good progress on the Old River Lane site, now that hall had been taken out of the site. It was advised that it was hoped that a planning application would be submitted very soon, following a good level of consultation.

Question 3

Cllr Yvonne Estop to ask Carl Brittain, the Executive Member for Financial Stability

At the Council meeting in July, Cllr Britain answered a question about impediments to selling the former restaurant in Water Lane, Bishop's Stortford, including boundaries and access issues. This relates to land at the rear of the restaurant. In 2019, the previous administration agreed a lease for land behind the former restaurant, for the United Reformed Church (URC Eastern Province) to use for private parking. The lease is for a peppercorn rent, and the private car park is to be constructed and paid for by EHC. We understand officers have asked URC Regional Synod to surrender this scandalous lease.

Precisely how much is the United Reformed Church Eastern Region demanding EHC to pay them for surrender of this lease?

Response from Cllr Carl Brittain

Thank you for noting that the lease arrangement was taken out under the previous administration. I understand that, at the time, it made sense to do this as part of the overall land assembly arrangements for the Old River Lane scheme. It was still the intention in 2019 to build an arts centre and re-provide lost Waitrose car park spaces on site. As many will recall, the purchase of Water Lane Hall, The Lemon Tree and 1,2,3 Old River Lane were a key part of making this feasible. A condition of the sale of Water Lane Hall was that the URC would have then access to parking spaces on this site.

So, this all made sense at the time and fitted in with the overall intention for the scheme. So, I don't agree this is scandalous, however given the changes to the Old River Lane scheme since then, it is one of the legacy issues that brings an added complexity.

Officers have had tentative discussions with representatives of the URC about alternatives to providing car parking spaces on this site. However, the URC are keen to ensure they have spaces as close as possible to the Church and have not identified any suitable alternatives. To answer the question, URC do not have any interest or desire to surrender the lease. In the meantime, the URC continue to have access to spaces within the surface car park of Water Lane Hall.

Supplementary question from Cllr Yvonne Estop

If the lease is not surrendered and the Council is obligated to fund and build a private car park, is there an estimated ballpark cost for those works?

Response from Cllr Carl Brittain

Cllr Brittain advised that whilst he understood that the Council was obliged to provide car parking spaces, he was not aware that it would necessarily involve works and may be a consideration of the overall management of the site. There was not a ballpark figure available at this time.

Question 4

Cllr David Jacobs to ask Carl Brittain, the Executive Member for Financial Stability

Will the Executive Member provide a progress report on the Council's property Water Lane Hall in Bishop's Stortford with specific reference to the remedial and restoration work recommended by Aecom in their report from earlier this year and any discussions with community groups or other potential tenants about the long-term future and use of the property?

Following the comprehensive response received at question 2, Cllr David Jacobs moved directly to a supplementary question.

Supplementary question from Cllr David Jacobs

A very detailed timescale had been provided for the potential work to lease to the Friends of Water Lane Hall. Has the Council given any consideration to the option of selling the site to the Friends of Water Lane Hall for an affordable sum?

Response from Cllr Mione Goldspink

Councillor Goldspink confirmed that the Council was waiting for a business plan to be submitted by the Friends of Water Lane Hall before any further decisions were taken and therefore this was not yet under consideration.