

## 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.

**Question 2**

**Jill Goldsmith to ask Cllr Carl Brittain, the Executive Member for Financial Sustainability**

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.

**Question 8**

**Deborah Munro, on behalf of Parsonage Residents Association, to ask Cllr Tim Hoskin, the Executive Member for Environmental Sustainability**

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.