

MINUTES OF A MEETING OF THE  
COUNCIL HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
WEDNESDAY 26 JULY 2023, AT 7.00 PM

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PRESENT: Councillor M Butcher (Chairman).  
Councillors I Devonshire, D Andrews,  
S Bull, B Crystall, B Deering, M Goldspink,  
D Hollebon, G McAndrew, C Redfern,  
T Stowe, R Townsend, G Williamson,  
C Wilson, J Wyllie, C Brittain, M Adams,  
V Burt, R Carter, N Clements, M Connolly,  
S Copley, N Cox, A Daar, J Dunlop, Y Estop,  
V Glover-Ward, C Hart, G Hill, A Holt,  
S Hopewell, C Horner, T Hoskin, D Jacobs,  
S Marlow, S Nicholls, A Parsad-Wyatt,  
V Smith, M Swainston, J Thomas,  
D Willcocks and G Williams.

OFFICERS IN ATTENDANCE:

Richard Cassidy	- Chief Executive
James Ellis	- Head of Legal and Democratic Services and Monitoring Officer
Steven Linnett	- Head of Strategic Finance and Property
Katie Mogan	- Democratic Services Manager

104 CHAIRMAN'S ANNOUNCEMENTS

The Chairman reminded Members to use their microphones as the meeting was being webcast.

The Chairman said he had been reflecting on his role as Chairman at recent events he had attended which had made him appreciate the job. He said that in the last week, he had attended and judged a Dog Show at the Southern Country Park in Bishop's Stortford. He said that later in the week he would be going to Stanstead St Margarets to help the council's flytipping officer and the police clear a self-built skate ramp under a bridge which had become a focal point for anti-social behaviour.

#### 105 LEADER'S ANNOUNCEMENTS

The Leader of the Council had a sad announcement to make. He said that Andrew Cowley, the lead Planning Enforcement Officer, had sadly passed away at the beginning of June. He sent his family, friends, and colleagues his thoughts and best wishes for their loss.

Councillor Deering said he had been dealing with Andrew on an issue leading up to his loss and said it was important to note that his colleagues really missed him and held him in the highest regard. He added his group's condolences to those of the Leader's.

A minute's silence was held in memory of Andrew Cowley.

#### 106 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors E Buckmaster, R Buckmaster, Boylan, Deffley, Dumont, Watson and Woollcombe.

107 MINUTES - 17 MAY 2023

Councillor Goldspink requested that Councillor Swainston's initial be added to the list of attendees.

Councillor Goldspink proposed, and Councillor Nicholls seconded a motion that the Minutes of the meeting held on 17 May 2023, as amended, be approved as a correct record and be signed by the Chairman. On being put to the meeting and a vote taken, the motion was declared CARRIED.

**RESOLVED** – that the Minutes of the meeting held on 17 May 2023, as amended, be approved as a correct record and signed by the Chairman.

108 DECLARATIONS OF INTEREST

Councillor Glover-Ward declared an interest in agenda item 9b as she chaired the Kingmead Neighbourhood Plan Group. She would leave the Chamber for the discussion and voting of the item.

109 PETITIONS

There were no petitions.

110 PUBLIC QUESTIONS

## **Question 1**

### **Colin Woodward to ask Councillor Vicky Glover-Ward, the Executive Member for Planning and Growth**

Would the Executive Member for Planning and 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?

### **Response from Councillor Glover-Ward**

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.

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 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 Councillor 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 from Councillor Brittain**

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 Charrington's 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 of the published responses on the website.

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 from Councillor Hoskin**

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 has 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 Tennekoon**

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 Councillor Hoskin**

*Awaiting written response*

### **Question 4**

#### **Graham Oxborrow on behalf of Cycle Stortford to ask Councillor 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 from Councillor Hoskin**

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 moat, 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 Councillor 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 Councillor Vicky Glover-Ward, the Executive Member for Planning and Growth**

Would the Executive Member for Planning and 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?

### **Response from Councillor Glover-Ward**

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 Councillor 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 from Councillor Hoskin**

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 Councillor 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 from Councillor Glover-Ward**

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 Councillor 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 from Councillor Hoskin**

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.

## 111 MEMBERS' QUESTIONS

### **Question 1**

#### **Councillor Angus Parsad-Wyatt to ask Councillor Ben Crystall, the Leader of the Council**

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?

#### **Response for Councillor Crystall**

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.

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.

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.

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 Councillor 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 Councillor Parsad-Wyatt**

Councillor 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 Councillor Crystall**

Councillor 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**

### **Councillor Geoffrey Williamson to ask Councillor 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 from Councillor Crystall**

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

I would like to thank Councillor 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 Councillor 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 Councillor Williamson**

Councillor Williamson thanked Councillor 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 Councillor 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**

#### **Councillor Sue Nicholls to ask Councillor 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?

### **Response from Councillor Glover-Ward**

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 Councillor 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 Councillor 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**

#### **Councillor Ian Devonshire to ask Councillor 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 from Councillor Hoskin**

Thank you, Councillor 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**

### **Councillor David Willcocks to ask Councillor 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 from Councillor Hopewell**

Thank you very much Councillor 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**

**Councillor David Jacobs to ask Councillor 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 from Councillor Dumont**

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**

**Councillor Nahum Clements to ask Councillor 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 from Councillor Hopewell**

Thank you Councillor 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.

112 EXECUTIVE REPORT - 11 JULY 2023

The Leader of the Council presented a report setting out recommendations to the Council made by the Executive at its meeting on 11 July 2023.

112 COUNCIL TAX REDUCTION SCHEME 2024 - 25

The Executive Member for Financial Sustainability presented the Council Tax Reduction Scheme 2024-25 recommendation. He said that it was a government requirement that the Council gave the scheme annual approval. He said the recommendation was that the scheme was to remain unchanged and it would be monitored in relation to case numbers, any changes to Universal Credit and improvements to automation and efficiency. He said that the scheme had remained unchanged since 2013 and there was no persuasive argument to make changes, giving certainty to residents.

Councillor Brittain proposed that the recommendation in the report be supported. Councillor Goldspink seconded the proposal and thanked Officers for their detailed work on the report and confirmed that it had been discussed by the Overview and Scrutiny Committee and the Executive.

Councillor Williamson said that there had been a consistent view from the Council from the inception of the scheme and was pleased to see that the new administration had seen fit to not alter it.

The motion to support the recommendation having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED** - That no changes be made to the Council Tax Support scheme for 2024/25.

112 ADOPTION OF KINGSMEAD NEIGHBOURHOOD PLAN

The Leader of the Council presented the recommendation for the Adoption of the Kingsmead Neighbourhood Plan. He said that the plan went to a referendum on 4 May 2023 and 93% of people who voted, supported it. He said the examiner paid tribute to the Neighbourhood Plan group.

Councillor Williams proposed that the recommendation in the report be supported.  
Councillor Wilson seconded the proposal.

Councillor Deering said that the Conservative Group supported the recommendation.

The motion to support the recommendation having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED** - That the Kingsmead Neighbourhood Area Plan 2019-2033 formally made (adopted).

113 PROPOSED COMMUNITY GOVERNANCE REVIEW

The Leader of the Council presented the Proposed Community Governance Review. He said that Council agreed in principle to undertake a Community Governance Review in Ware Town and neighbouring parishes and the Rush Green area at their meeting on 16 November 2022. He said that this review came from the result of the Local Government Boundary Commission Review of East Herts which was completed last year.

The Leader of the Council said that the previous report said the reviews would take place after the local elections and the Head of Legal and Democratic Services would bring the draft terms of reference back to Council. This report presents these draft terms for the proposed reviews identified in Ware and Rush Green. The report also identifies further areas of the district that governance reviews may be beneficial; Thorley, Sawbridgeworth and Tewin.

Councillor Crystall proposed that the recommendations in the report be supported. Councillor Townsend seconded the proposal.

Councillor Deering said that the Conservative group were content with the proposal. He said that for the benefit of the viewing public, he said it was important to understand the Council were discussing the review and not pre-determining its outcome.

Councillor Jacobs referred to recommendation (D) and Town and Parish Councils being consulted on the proposals. He asked if the reviews would continue if councils were consulted and were happy with their

current arrangements.

The Head of Legal and Democratic Services said that the council would have to see what came out of the consultations. He said he did not want to pre-determine the outcome.

Councillor Jacobs said he thought it was important to respect the councils wishes and asked the Head of Legal and Democratic Services to confirm this.

The Head of Legal and Democratic Services said the council would take into consideration if town and parish councils did not want the review. He said the council would not impose a review on those who did not want it.

The motion to support the recommendation having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED** – That (A) a community governance review be undertaken of Ware Town and parts of Wareside and Thundridge Parishes and that the draft terms of reference and indicative timetable for the review be agreed as attached at Appendix B;

(B) a community governance review be undertaken of the area covered by the Rush Green roundabout and that the draft terms of reference and indicative timetable for the review be agreed as attached at Appendix C;

(C) the Head of Legal and Democratic Services be

authorised to progress the community governance reviews at (A) and(B) above including making any minor amendments necessary to the terms of reference and timetable for the reviews prior to formal publication; and

(D) Tewin Parish Council, Thorley Parish Council and Sawbridgeworth Town Council be consulted as to whether they would support a community governance review being undertaken of their respective areas to address the issues regarding warding of their town/parish councils as set out at paragraphs 2.24 to 2.31 of the report.

#### 114 CONFIRMATION OF MINOR AMENDMENTS TO THE CONSTITUTION

The Head of Legal and Democratic Services presented the report which detailed minor amendments which had recently been incorporated into the Constitution. He said that under paragraph 2.6.3(b) of the Council's Constitution, the Monitoring Officer had delegated authority to make minor amendments to it in certain circumstance and any such changes must be reported back to Members at the next meeting of the Full Council.

The Head of Legal and Democratic Services said that the changes were set out in section 2 of the report and in Appendix 1 to the report.

Councillor Goldspink proposed that the recommendations in the report be supported. Councillor Daar seconded the proposal.

Councillor Goldspink said that the council had been doing what was required of it and this report was to tidy up the Constitution.

Councillor Deering said the Conservative group supported the recommendation. He said the Constitution was a large document and he had previously been involved in the Member Review Group to keep it up to date and ensure it was a modern document. He thanked the Head of Legal and Democratic Services and the Democratic Services Manager for their role in keeping the Constitution up to date.

The motion to support the recommendation having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED** – that the report be received, as required by the Constitution, outlining the minor amendments made to the Constitution by the Head of Legal and Democratic Services acting under paragraph 2.6.3 (b) of the Constitution.

#### 115 CLOSURE OF RAIL TICKET OFFICES

Councillor Wilson presented his motion on notice. He said that the consultation had now been extended to 1 September 2023. He said that he was travelling on a train before the meeting and his journey had been delayed as a passenger had taken ill and he said that it was a reminder that trains were a public service. Trains were the only way to travel for some people and had become a monopoly. He said that there was no other



sustainable transport into London.

Councillor Wilson said that there were many reasons why people could not drive and if the ticket offices were closed, those who did not understand the different types of ticket would not be able to travel and could get fined if they purchased the wrong ticket. He said that train franchise owners were being pushed to cut budgets by the government and it was a political choice to decide as a nation how to spend its money.

Councillor Clements seconded the motion and reserved his right to speak.

Councillor Deering thanked Councillor Wilson for his motion. He noted that the consultation had been extended and said this encapsulated the position of the Conservative group. He said they were concerned that elderly and vulnerable people might be challenged when buying tickets but on the other hand, he said it might be better to relocate staff from behind the glass into the body of the station so they were available to all customer. He said he did not know the outcome of the consultation and said the Conservative group would be abstaining from the vote but acknowledged the issues on both sides of the argument.

Councillor Goldspink said she strongly supported the motion. She said that machines were not as good as humans for dealing with problems. She said that the staff at Bishop's Stortford station were excellent and provided good advice about the best routes to take and the best ticket option. She highlighted that the Royal National Institute of Blind People were very

concerned about the proposed ticket office closures.

Councillor Hopewell said she also supported the motion. She said she had personally benefitted from the staff at Hertford North station when she was travelling with her children as it was difficult to know what the cheapest ticket option was. She referred to Councillor Goldspink's point about visually impaired people and said if the staff were not at the ticket office, they would not be able to find a staff member on the platforms.

Councillor Parsad-Wyatt echoed the comments so far from councillors. However, he felt that it was missing the point that the consultation was trying to achieve and was assuming that all ticket offices would be closed which he did not think was the case. He said that there were some benefits to having staff being in visible locations, for example, they could help prevent suicides. He said he would be abstaining from the vote and would await the consultation results.

Councillor Clements thanked the Liberal Democrat group for submitting the motion. He highlighted that the loss of ticket offices would have a disproportionate effect on elderly and disabled people and the value of ticket offices was more than just a place to buy tickets. Passengers had certainty where they could access help and there was the risk with no ticket offices that customers would have to hunt down a member of staff for help. He felt that there was a responsibility on everyone to create an environment that was welcome to all in society. He encouraged Members to exert their influence and support the motion.

Councillor Hart said that moving staff from the ticket offices onto the platforms was not about staffing, but a commercial decision to cut costs. She said that staff were unlikely to be retained if offices were closed.

Councillor Crystall said that Members had made some good points. He said that having staff in the right places was critical and the worry was that if people did not make their voices heard now, then it could be seen as an opportunity to do the things people were concerned about. He said that the motion was trying to be proactive in trying to prevent the worst that could happen. He said it was important to make the statement now and he fully supported the motion.

Councillor Swainston said that staff employed in the ticket offices might not be able to carry out duties on the platforms as it required a different skill set.

Councillor Wilson responded to the points made in the debate. He thanked the Labour group for their support on the motion. He said there were other ways to cut costs and said that train stations in Switzerland had diversified what they sold in the office to make money.

The motion, having been proposed and seconded, was put to the meeting and upon a vote being taken, was declared CARRIED. It was noted that the Conservative group abstained from the vote.

**RESOLVED** - Council notes with concern the announcement by the Rail Delivery Group that train companies are pressing ahead with plans to close up to 1000 rail ticket offices across England over the next 3 years, including those in

Bishop's Stortford, Hertford North, Hertford East, Sawbridgeworth, Ware, Stanstead St Margarets and Watton-at-Stone.

Council believes that ticket offices provide a vital service to residents in East Herts District and support passenger safety, security and accessibility. Having a clearly sign-posted place in the station for people with ticket enquiries provides certainty and confidence for customers who may struggle to otherwise locate station staff and also acts as a point of safety for passengers. At many stations, access to facilities such as toilets and waiting rooms is reliant on ticket office staff.

Not all residents are able to use station ticket machines or online ticketing platforms. Many journeys require human assistance to ensure customers purchase the most appropriate and cheapest tickets, and do not incur penalties or pay more than necessary for their journey.

Council is concerned the closure of ticket offices will disproportionately effect elderly and disabled residents in East Herts District – as well as those with poor literacy and IT skills or on lower incomes.

Council notes the statistics from Age UK that 3 million elderly people in the UK do not have access to the internet, and statistics from the Royal National Institute for Blind People that only 3% of those with partial or full sight loss

feel able to use ticket machines.

Council is also concerned about the possible implications for current station staff and the risk of staff redundancies – given that there will be no regulations for minimum staffing levels at stations and on platforms. Council therefore resolves to:

- Instruct the Leader of the Council to write to Mark Harper MP Secretary of State for Transport, and the Chief Executive of the Rail Delivery Group, expressing Council's opposition to the possible closure of staffed rail ticket offices – and in particular the offices at Bishop's Stortford, Hertford East, Hertford North, Sawbridgeworth, Ware, Stanstead St Margarets and Watton-at-Stone: and also expressing opposition to the closure of ticket offices at Tottenham Hale as these would have impact on East Herts Residents when travelling.
- Instruct the Leader of the Council to write to Greater Anglia, Great Northern, Thameslink, and Southern rail expressing the Council's opposition to any plans to close the staffed ticket offices at Hertford East, Hertford North, Bishop's Stortford, Sawbridgeworth, Ware, Stanstead St Margarets, Watton-at-Stone and Tottenham Hale.
- Instruct the Leader of the Council to send copies of the letters mentioned above to our local MPs, Ms Julie Marson and Mr Oliver Heald, asking that they should write similar letters, expressing their

own opposition to the proposed closures.

- Invite the Leaders of all the Political groups on the Council to also sign the letters which the Leader of the Council sends if they so wish.
- Request that all councillors respond to the consultations to confirm their support for ticket offices remaining open and for properly staffed rail stations.

#### 116 OLD RIVER LANE

Councillor Jacobs presented his motion on notice. He said that the project had come to symbolise everything that was wrong with its own relationship with the council. He said that the project was being done to Bishop's Stortford, not with and had been championed by people who did not live there or were interested in the residents' concerns. He said that the Delivery Board had met in secret and even the Town Council had withdrawn its support for the project. He believed the project was the reason for the outcome of the local elections in Bishop's Stortford in May 2023.

Councillor Jacobs said that residents had reasonably assumed that after the election, a change in administration would result in a change of direction for the project and that the administration would take the time to understand the finances and business case to build a better vision for the Old River Lane site. He said that a better vision was still possible as per the steps outlined in the motion. He said this required a change in direction from the new administration and a good start would be a commitment to

reassess all capital projects in light of the current finances which was a commitment signed by both parties in the administration in their shared objectives document. He said there had been little transparency in the project previously and the last set of minutes published from the Delivery Board was June 2022. He said that the new membership of the board had not been published nor its meeting schedule. He said that the Board should meet in public with its meeting broadcasted like the council's committee meeting.

Councillor Jacobs said that development on the site had been promised since 2010 and a few more months of scrutiny was time worth spending. He urged the joint administration to honour its election commitments and do the right thing.

Councillor Estop seconded the motion and said that progress with the development had been tightly constrained by the tender submission which had not been transparent or been scrutinised. The motion pressed for urgent scrutiny of the relationship between the council as landowner and Cityheart as the preferred developer. Councillor Estop said that councillors had now had the benefit of helpful officer briefings with background information which had largely been hidden previously.

Councillor Williamson said that the Old River Lane development was a fantastic project which would deliver real benefits to residents and it was not acceptable that it was being jeopardised by delays. He said that the motion suggested that concerns amongst residents was widespread but questioned where the evidence of this was. He reminded Members that all meetings of the

Delivery Board had been minuted and published on the website and disagreed strongly that Members had not had the opportunity to consider the financial and legal implications.

Councillor Williamson added that millions of pounds had been provided by the LEP which added to the credibility of the project. He said that when the Liberal Democrats joined the Council in 2019, they were provided with a position on the Delivery Board which was taken up by Councillor Goldspink and this was a courtesy that had not been extended to the Conservative group this term. He said in terms of consultation with residents, the council had already been through several stages of consultation to help shape the scheme and Members would recall that risks of delaying were made clear in the recent officer briefings. He said that the resolution of the motion would add delays to the scheme with severe financial risks and the Conservatives left a legacy of a project that was ready to go. He said there was nothing to be gained and everything to be lost by not getting on with it.

Councillor Goldspink said she had some sympathy with parts of the preamble to the motion but said she could not support it. She agreed with the first statement that there was widespread concern amongst residents and also that prolonged uncertainty was damaging. She said she could not support point 1 of the resolution about carrying out further due diligence with Cityheart as this would prolong the uncertainty, causing further delay and increasing costs. Councillor Goldspink said she could also not support point 2 either as it would lay the council open to legal challenge. With her objections to points 1 and 2, she said that she could not support the motion.



Councillor Wilson said he was surprised to hear that Councillor Williamson did not think that residents were concerned about the development in Bishop's Stortford. He said that since the council said that the large theatre element could not be delivered, there had been a lot of concern in the town. He said that there was regret that the URC Hall could not be saved but the council had received advice from a King's Counsel that it would be dangerous and problematic for it to be saved. He made the point that his role as Executive Member for Resident Engagement was to ensure that the public felt involved and listened to and not feel that they were being imposed on. He wanted to stop that perception and get trust back again.

Councillor Devonshire said that the new administration had not invited the opposition groups onto the Delivery Board which was a lack of transparency and felt that at the very least, the Bishop's Stortford councillors should be invited onto the Board.

Councillor Wyllie said it was interesting that Councillor Wilson mentioned the URC Hall as it was a Liberal Democrat election pledge to stop the demolition of the hall. He also said it was disappointing that Councillor Crystall had mentioned restoring the trust in local politicians when one party in the joint administration made a pledge and was now backing down on it. He said that Councillor Goldspink sat on the ORL Delivery Board so knew the Hall could not be saved and she should not have promised the people of Bishop's Stortford something that could not be realised.

Councillor Copley said that everyone on the Delivery Board

would have known that the URC Hall could not be saved and there were Conservative Members of the Board who went out campaigning for the election also saying that the Hall could be saved. She said that the public were upset at the lack of consultation and Councillor Wilson in his new role will ensure the council was listening to the electorate instead of continually telling them what to do. She said she was pleased to be part of the Board and deliver the project with proper public consultation.

Councillor Goldspink addressed a point of personal explanation in response to Councillor Wyllie's comments. She said that she was on the ORL Delivery Board and was privy to some information but not about the URC Hall. She said there was a Conservative Councillor on the Board and he proposed a motion at Bishop's Stortford Town Council to consider buying the Hall to preserve it so he also clearly thought the Hall could be saved.

Councillor Glover-Ward clarified that the membership of the Delivery Board was constituted of the ward members and certain Executive Members. She said that no Conservative councillors held these positions which was why they were not on the Delivery Board.

Councillor Deering said the ORL development was a fantastic project designed to benefit the residents of Bishop's Stortford and any further delay or dithering would have a huge impact. He said that earlier in the meeting, Councillor Goldspink said the administration were contemplating a delay of nine months and with inflation at 8%, this could equal an additional cost of £900,000. He said the previous administration had left the project on a plate for it to be moved forward.

Councillor Townsend said that parts of the development could be fantastic but he said that most of the concerns comes from residents having been promised a large theatre but this was not possible anymore and so original proposals had been diluted. He said that some aspects of the project were great but times had changed and what was now being offered was not fit for purpose and the administration wanted to deliver a suitable development for the town.

Councillor Swainston said she represented the ward that the development was in and said she could not support the motion which would have financial consequences for the council.

Councillor Crystall said he understood the sentiment of the motion but said he could not support it. He felt that the wording was contradictory. He understood that rapid progress was expected of the new administration but it was also imperative that residents were listened to in the consultation process. He said that the motion did not propose any solutions and within the first few weeks of the new administration, the Delivery Board met and looked at the evidence and impact of different options and made a decision based on the evidence that was available. He said that short pause of six to nine months would allow for genuine and meaningful public consultation. The consultation would be launched imminently, and the retail and housing element of the project had already been submitted as a planning application and would go through the decision making process. He added that the development agreement was available to all members and had asked for further financial details to be added onto the

council's website.

Councillor Jacobs summed up by saying that the project dated back to 2010 so a few months of further delay to look at the project and decide on reasonable steps moving forward would not be a huge ask. He referred to the council minutes of March 2023 where Councillor Goldspink was recorded saying that it would be foolish to commit the council to 30 years of repayments. He said if it was foolish then, it was foolish now.

At least five Members of the Council requested a recorded vote on the motion under paragraph 3.24.5 of the Constitution. The result was as follows:

FOR

Councillors Clements, Estop, Jacobs, Redfern and Willcocks.  
(5)

AGAINST

Councillors Adams, Andrews, Brittain, Bull, Burt, Carter, Connolly, Copley, Crystall, Daar, Deering, Devonshire, Dunlop, Glover-Ward, Goldspink, Hollebon, Holt, Hopewell, Horner, Hoskin, Marlow, McAndrew, Nicholls, Parsad-Wyatt, Smith, Stowe, Swainston, Thomas, Townsend, Williamson, Wilson and Wyllie. (32)

ABSTAINED

Councillors Butcher, Cox, Hart, Hill and Williams. (5)

The motion was declared LOST.

117 DECLARATION OF A CLIMATE EMERGENCY AND THE COUNCIL'S RESPONSE

Under paragraph 3.22.7, Councillor Hoskin presented an altered motion to Council following cross party discussions.

The altered motion was as follows:

This Council endorses the evidence that climate change is seriously affecting the health and wellbeing of residents and the environment in East Herts and that these negative impacts are set to increase.

This Council is of the view that the consequences of the global temperature increasing by more than 1.5°C are so severe that humanity's number one priority must be to prevent this from happening.

This Council recognises it must use its powerful voice to advocate on behalf of local communities and habitats, lead change, improve resilience and inspire residents and businesses to act to protect our precious district from the impacts of Climate Breakdown.

This Council therefore in reaffirming its commitment to protecting our environment:

- declares a Climate Emergency
- strengthen its resolve to act by bringing forward its commitment from 2030 to March 2027 to reduce its own carbon footprint to an absolute minimum and to identify a pathway to offset its residual carbon, so that

the council will be able to continue providing high quality services but with net zero carbon emissions.

- prioritises carbon offsetting investment within East Herts to maximise local benefits,
- commits to publishing annual eco-audits of the council's progress to net zero carbon that residents and businesses will be invited to scrutinise and input to, including through an annual meeting,
- ensures that the council and its staff and services are ready to adapt to future climates and extreme weather to enable business continuity,
- commits to providing advice and assistance to East Herts residents and businesses to inspire and encourage their own shifts away from carbon producing activities,
- commits to ensuring council policies and practices, including commercial operations and investments, are compatible with its drive to achieve net zero carbon, including through the review of the District Plan,
- recognises that bold action to tackle the Climate Emergency can deliver economic benefits to local people and businesses in terms of new jobs, economic savings and market opportunities,
- commits to seeking inward investment to support efforts to achieve net zero carbon by the council, residents and businesses,
- commits to continuing its full participation in relevant external bodies,
- commits to participating fully in developing a

Countywide Local Nature Recovery Strategy in anticipation of the national Environment Bill

- calls on all levels of government to do everything within their powers to limit the negative impacts of Climate Breakdown, while recognising that this Council will not sit back and wait for national government intervention.

Councillor Redfern proposed, and Councillor Wilson seconded a motion that the meeting be adjourned for a short period for Members to consider the altered motion. The motion was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED** – that the meeting be adjourned at 21:00 and reconvened at 21:05.

Councillor Hoskin presented the altered motion. He said that climate change was not something that may or may not happen in the future, there was gathering evidence that the effects of climate change were being felt around the world now. He said that the consequences of the global temperature increasing by more than 1.5°C were so severe that humanity's number one priority must be to prevent it. The use of the phrase Climate Breakdown sought to recognise the danger to the delicate biodiversity that was immediately under threat under a Climate Emergency.

Councillor Hoskin said that it was almost certain that limiting global warming to 1.5°C was a lost cause and researchers now said there was a 66% chance that the target would be exceeded between now and 2027. That means that a target that was actively talked about at COP

26 in 2021 was now highly likely to be unachievable. He said that in proposing this Climate Change Emergency, he wanted to thank the previous administration and Councillor McAndrew for the solid foundation that has been created since the Climate Change declaration in 2019. It should be acknowledged that a significant amount of effort had been put in to get from a standing start to the current position.

Councillor Hoskin said the motion required the council to declare a climate emergency and take the necessary steps to act consistently with an emergency and accelerate the use of its resources to drive to net zero for the council's own premises, people and services it delivers, use its regulatory powers to promote action by others and drive actions that influence and encourage others.

Councillor Hoskin said that the deadline for achieving a minimal carbon footprint for the direct activities of East Herts Council has been brought forward from 2030 to March 2027 which coincides with the end of the four-year period of the current administration. The motion recognised that in 2027 there would be a residual EHC directly managed carbon footprint that needs to be offset and seeks to maximise the offsetting schemes that produce benefit for within the EHC area. Examples included community based power generation and solar together, formally registered and maintained tree planting schemes, insulation advice and installation across the "leakiest" housing stock and the wider community and example led high specification building techniques to provide insight and further challenge to developers on claims of prohibitive costs.



Councillor Hoskin said in summary, the motion aimed to deliver a faster more focussed achievement of net zero, a greater community-based involvement in both generating solutions, and the monitoring and scrutiny of progress, a continuous and locally based offsetting approach using inward investment to produce fully auditable carbon credentials to minimise the residual carbon footprint in 2027 and send a strong signal to residents that stronger action is being taken.

Councillor Hoskin thanked Councillor McAndrew for a constructive debate and his input into the altered motion and was pleased to have cross party support on such an important motion.

Councillor Swainston seconded the motion and reserved her right to speak.

Councillor McAndrew said he was delighted to embrace the opportunity re-examine the council's current commitment to climate change. He said it was imperative to focus on recognising the challenges and provide genuine intent in the motion and the substance was more important than terminology. He said the council should work together to make a significant impact and lead by example.

Councillor Estop said she welcomed and supported the motion. She proposed an amendment to the motion as follows:

To add under 'This Council resolves' –

- to ask the Planning Department to consider whether it is possible to commit the council to ensuring

council policies and practices relating to use of land and existing buildings, entails whole-life cost assessment, including carbon cost of the existing building, before considering demolition and new construction; and to ask the council as property owner to consider commissioning WLC assessments, to set a best practice example.

Councillor Jacobs seconded the amendment.

Councillor Estop said that by demolishing buildings, including its foundations, to replace it with a similar building meant energy was being lost in construction. The Royal Institute of Chartered Surveyors recommended the use of carbon methodology and increasingly, clients were commissioning whole life cost assessments. She said that the refurbishment of buildings had better whole life costs and environmental and community values.

Councillor Andrews said he was not alone in supporting the thematic element of the proposed amendment but said he was surprised that the Chairman of the Development Management Committee had not taken the time to understand how policy works as it was based on the direction of government and legislation. He said the council could not change that and urged caution around the quasi-legal element that the council does not have control over.

Councillor Glover-Ward said that BREAM commonly used both carbon cost considerations and whole life costs considerations. She had been proving life cycling

costing for over thirty years in her professional life and said the two elements should be kept separate. She explained that carbon cost dealt with the cost to the environment and whole life cost dealt with money and said that the two did not go hand in hand. She did not think it could be a planning consideration but could be something to look at in the District Plan.

Councillor Deering felt the amendment was not the time or the place to be looking at planning policy. He said he would not be supporting the amendment.

Councillor Cox said he wished that the amendment had been worded differently and he would have been able to support it.

Councillor Hart echoed the comments from Councillor Cox and said it was a good amendment in principle but it needed to be considered in the relevant forum.

Councillor Hoskin responded to the amendment and said it was not within the council's control to decide planning policy. He referred Members to the Sustainability Supplementary Document which envisaged this process and strongly urged developers to take a whole life approach. He said this was the correct approach to review it in the District Plan review which then would become policy of the council. He said he was not dismissing the idea but said this was not the correct forum.

The motion to support the amendment having been proposed and seconded was put to the meeting and upon a vote being taken, was declared LOST.

The meeting returned to debating the original motion.

Councillor Deering thanked Councillor Hoskin for his gracious comments about the previous administration. He said that Councillor McAndrew had worked tirelessly in this area for years. He said that there were many comments in the media about Conservative attitudes to climate change but he said he wanted his grandchildren to grow up and live in the world as he had known it. He said he was fully supportive of any measures the council could implement to help lessen the effects of climate change and was supportive of the altered motion.

Councillor Hopewell said she was pleased to see collaboration across the Chamber. She asked for clarification about the additional point about ensuring that the council and its staff were ready to adapt to future climates and asked for some examples.

Councillor McAndrew responded that every staff member at the council had a responsibility to work towards improving measures to respond to climate change.

Councillor Redfern said she fully supported the motion and said she admired the work of Councillor McAndrew when he was the Executive Member. She hoped progress would continue quickly.

Councillor Hoskin said the motion would send a strong signal to residents that they could trust the council to do the right thing.

The motion to support the amendment having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

**RESOLVED** – That this Council endorses the evidence that climate change is seriously affecting the health and wellbeing of residents and the environment in East Herts and that these negative impacts are set to increase.

This Council is of the view that the consequences of the global temperature increasing by more than 1.5°C are so severe that humanity's number one priority must be to prevent this from happening.

This Council recognises it must use its powerful voice to advocate on behalf of local communities and habitats, lead change, improve resilience and inspire residents and businesses to act to protect our precious district from the impacts of Climate Breakdown.

This Council therefore in reaffirming its commitment to protecting our environment:

- declares a Climate Emergency
- strengthen its resolve to act by bringing forward its commitment from 2030 to March 2027 to reduce its own carbon footprint to an absolute minimum and to identify a pathway to offset its residual

carbon, so that the council will be able to continue providing high quality services but with net zero carbon emissions.

- prioritises carbon offsetting investment within East Herts to maximise local benefits,
- commits to publishing annual eco-audits of the council's progress to net zero carbon that residents and businesses will be invited to scrutinise and input to, including through an annual meeting,
- ensures that the council and its staff and services are ready to adapt to future climates and extreme weather to enable business continuity,
- commits to providing advice and assistance to East Herts residents and businesses to inspire and encourage their own shifts away from carbon producing activities,
- commits to ensuring council policies and practices, including commercial operations and investments, are compatible with its drive to achieve net zero carbon, including through the review of the District Plan,
- recognises that bold action to tackle the Climate Emergency can deliver economic benefits to local people and businesses in terms of new jobs, economic savings and

market opportunities,

- commits to seeking inward investment to support efforts to achieve net zero carbon by the council, residents and businesses,
- commits to continuing its full participation in relevant external bodies,
- commits to participating fully in developing a Countywide Local Nature Recovery Strategy in anticipation of the national Environment Bill,
- calls on all levels of government to do everything within their powers to limit the negative impacts of Climate Breakdown, while recognising that this Council will not sit back and wait for national government intervention.

The meeting closed at 9.34 pm

Chairman .....
Date .....

