

MEMBERS' QUESTIONS

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| Question 1 | Cllr David Jacobs to ask Cllr Carl Brittain, the Executive Member for Financial Sustainability |
| What plans if any the council has for the future use or disposal of the property it owns at 14-16 Water Lane, Bishop's Stortford formerly known as the Lemon Tree? | |
| Response from Cllr Brittain | |
| <p>Members may be aware of on-going issues the council is having regarding the former tenants of the building which have led us to legal measures to recoup costs owed to the council. This has taken much longer than expected and we still do not have possession of the building. Currently, our Legal and Property teams are negotiating a surrender of the lease and a repayment plan which we hope all parties will be happy with.</p> <p>Officers are currently considering future options for the building once possession has been gained. Cllr Jacobs and other members may know that we need to resolve some relating to Water Lane Hall which have an impact on boundaries and access to the various parts of the wide site, including the Lemon Tree building. Once we have clarity on the future of Water Lane Hall and to note Cllrs Goldspink, Copley, Swainston, Hopewell and Marlow met with residents on Saturday morning to discuss this, I will be in a position to bring forward recommendations for the future of the Lemon Tree building.</p> <p>We are still aiming to bring you / Executive an options paper on Water Lane Hall by the end of September. Depending on the outcome of that we would have options in regards to the Lemon Tree soon after. The key challenge for now is getting the previous tenants to agree the repayment plan and the lease surrender.</p> | |
| Supplementary Question from Cllr Jacobs | |
| Not sure I heard you correctly, but the Council has not currently got possession of property and it had been vacated over five years ago? | |

Response from Cllr Brittain

The property was vacated but the lease hasn't been surrendered. The leaseholder still effectively have the property.

Question 2

Cllr Eric Buckmaster to ask Cllr Tim Hoskin, the Executive Member for Environmental Sustainability

For the period April to November last year East Herts had 483 recorded incidents of fly tipping. While, pro rata the number of households, that is a slightly lower rate than the other 9 Districts and Boroughs in the County, that trend will possibly result in around 1,000 incidents in a full year. Residents are dismayed at the cost and impact that this criminal activity has on our communities and environment. Does the council have sufficient staff to respond to these occurrences and enforce against the criminals alongside other partners such as the Environment Agency and Police?

Response from Cllr Hoskin

Thank you Cllr Eric Buckmaster for your question about the issue of fly-tipping, something which I know our residents are, quite rightly, very concerned about.

With regard to the local picture, the nationally collated statistics for the whole of 2024/25 are now available for all districts. These figures show the total number of fly tips in East Herts to have been 761 last year which is significantly lower than the 1,000 extrapolated within your question. I would like to point out that East Herts is one of only three Hertfordshire districts to report fly tipping incidents of under 1,000.

Given the size of our district, it's worth looking at the number of fly tips per square mile. Our rate of only four fly tips per square mile is by far the lowest in the county, with the next lowest rate being in Three Rivers, at 13 fly tips per square mile. Of note, it is the most urban districts – Stevenage and Watford – which have the highest level of fly tips per square mile. Also of interest is that we share with Three Rivers the lowest level of fly tipping per head of population at five fly tips per 1,000 residents as opposed to 34 per 1,000 residents in Stevenage and 25 in Welwyn Hatfield.

Furthermore, in 2024/25, the East Herts Council issued a fixed penalty notice for one in every 14 fly tips. Fly tips in East Herts are far more likely to lead to a fixed penalty notice than elsewhere in the county, with other districts' rates of penalties ranging from one in 17 fly tips to as infrequently as just one in every 765 fly tips.

What can one put these good figures down to? One might question whether it's due to under-reporting, however, the ease with which we enable residents and others to report fly tips and the speed with which we clear them up means, as I hope members can agree, few fly tips being left undealt with blighting our beautiful district for long. There really doesn't appear to be any under-reporting and so I contend that the low level of incidents is due to the council's history of swift and robust responses acting as a disincentive to fly tip locally.

With regard to your question as to whether we have sufficient staff to effectively deal with and discourage fly-tipping, members may be aware that the officer who spent a considerable part of her time tackling fly tipping left the council at the end of last year. Since then, officers have been charged with delivering a saving arising from the officer leaving by making the reporting of fly tips more streamlined and amending the remit of existing officers. This includes drawing on licensing officers' expertise in preparing legal action as they regularly do in connection with unlawful behaviour by taxi and premises licence holders.

A revision to how people can tell us about fly tips now sees online reports being swiftly picked up Corporate Support staff who then instruct our waste management contractor to clear the site immediately or call out council officers in a timely way to assess whether any evidence that could be used to issue a penalty notice or launch a prosecution is present. This is a constant battle, but I would like to assure Cllr Buckmaster and all members, that we have the resources to continue to take a robust and effective approach to fly-tipping which means our residents can enjoy some of the lowest levels of blight from this anti-social behaviour in the county.

Supplementary question from Cllr Eric Buckmaster

The reason for my raising the question now is the situation in Standon recently where a fly tipper was caught red handed and the police were

involved. My understanding from that is the police powers to act were limited when it was a first offence. A Second offence within 12 months could result in a caution. The Council can apply FPN up to £1000 but the average was around £350. My request is let us keep up the pressure, and can we have discussion with police and other agencies to ensure that we collaborate and do all can to ensure that where people are caught and processed, that everybody knows and deter this as much as we can.

Response from Councillor Hoskin

I agree and take that on board. It is an incredibly frustrating space this for everybody involved. The FPNs have a lot of playing the game around in that people can go to court to make an appeal and come away with a figure less than the FPN. There is an argument that we should increase the minimum charge that a court can issue so that this was higher than a FPN to act as a further discouragement.

Question 3

Cllr Bob Deering to ask Cllr Vicky Glover-Ward, the Executive Member for Planning and Growth

In relation to the registration of planning applications, there is a notice on the Council's website that says that "*The team are currently experiencing a delay of up to 15 working days in registering planning applications ... but it will take us some weeks to clear*". We are all conscious of the untimely loss of a key officer but are there other reasons for the current delay and when will the backlog be cleared?

Response from Cllr Glover-Ward

Due to unforeseen circumstances, we are currently experiencing a delay in registering planning applications. We are working hard to resolve this matter and have brought in extra staff to help minimise delays. We do apologise for delay and are grateful for your patience during this time. At present, we aim to contact all applicants within 20 working days of application submission. However, if you have any questions, please email planning@eastherts.gov.uk

Cllr Dearing, as you know because you were copied in; Cllr David Jacobs emailed a similar question around 3 weeks ago and I gave a reply in full about the sad circumstances that have led to the issues with the planning validation team. However, you have now chosen to ask the same question publicly so I will provide a public answer despite the sensitive nature of the issue

The planning validation team comprises four officers; three full time officers, including a manager and one officer working part time. This is after one full time post was deleted from the team as part of the councils financial saving plan last financial year. In the last five months the team has been impacted in an unprecedented way:

Paul Burt, the manager of the team sadly passed away at the end of March. This was unexpected and hit the wider planning team because Paul was also a lynchpin for team morale due to his warm personality in addition to his 19-year service and being the long-standing leader of the validation team. Paul was also a crucial part of the validation team in terms of experience and knowledge, he was the go-to person for all queries and the business management of the team. Both the validation and wider planning team are still mourning Paul and missing his experience and leadership. Paul's post remains vacant.

In the past 6 weeks and, as a direct result of Paul's passing, one member of the validation team no longer felt able to continue to work for East Herts. That officer, who had over 20 years' experience of planning, left the authority at the beginning of June.

The two other planning technicians are also on long-term sick leave, but I am unable to elaborate on the reasons behind that leave as it is private and confidential. I can however say that we have no definitive timescale for those officers to return to work. Combined they have over 30 years' experience in planning.

There are therefore currently no permanent members of staff in the planning validation team. The team has permanently lost 39 years of experience and, temporarily, a further 30 years. Given the national scarcity of qualified planning staff, we will be lucky if we can recruit officers with five years' experience.

We have recruited extra staff to work in the Planning Technical Support Team to assess applications as they are submitted and manage the workload. As I advised all political group leaders last week by email, as of Monday we have four new members of staff who are quickly coming up to speed with validation requirements. Additionally planning officers from other teams are validating some cases and continuing to determine applications as quickly as possible.

The work of planning technicians is not a straightforward administrative role. They are technical roles which require a very good understanding of the planning process and the rules and regulations about what needs to be submitted to make an application valid to allow it to be determined. As such not only is new staff selection important but the team has to ensure that appropriate training is given to new members along with ensuring that proper processes are in place.

In addition to the banner on the website the team has written to the regular agents who submit applications explaining the delays in validation. The team continue to field numerous calls throughout the day from our customers. Some time sensitive work does also have to be prioritised.

This is an extraordinary situation that was impossible to foresee, but I can assure members, if this has not been communicated via their group leaders, that both the validation team and wider planning officers are pulling together and doing all they can to rectify the situation. I must also stress that the loss of staff, which is an approximate 8 per cent reduction in staff across the entire team, relates to the validation of applications and at present it is not affecting the normal timing of decisions on planning applications. The latest quarterly figures that are sent to central government indicate that the planning team are meeting the key performance indicators.

However, to manage expectations there may be a slight knock-on reduction in performance associated with the delays in validation of applications, but the planning team are communicating issues back to applicants and agents.

Through a combination of targeted clearance days and other measures the team anticipates being back to normal levels of turn around by early to mid-autumn.

I have to say that I am disappointed this sensitive question has been asked in such a public forum, particularly since Cllr Jacobs has already asked the question in a more appropriate way and the answer was sent to all political group leaders. Whilst the member question acknowledges the sensitivities around the sad passing of a highly valued colleague, it does not acknowledge the difficulties that such a close-knit team faces in coming to terms with that loss. I have regular scheduled and ad hoc meetings with both the Director of Place and Service Managers about operational and strategic matters, including this matter, and I can assure members that seeing the team spirit of the wider planning team, all pulling together to manage and resolve what is an unprecedented situation has been inspiring and makes me proud to be involved with such a dedicated and professional group of individuals.