



Bishop's Stortford Town Council

The Old Monastery, Windhill
Bishop's Stortford, Herts, CM23 2ND

TOWN COUNCIL MEETING

NOTICE IS HEREBY GIVEN that a Meeting of a Special Full Council will be held at The Council Chambers, Windhill, Bishop's Stortford, Herts, CM23 2ND on:

THURSDAY 7th SEPTEMBER 2023 at 7.30pm

for the purpose of transacting the business set out in the Agenda below - Town Councillors are hereby summoned to attend.

A handwritten signature in black ink, appearing to read 'Huw Jones'.

Huw Jones
Chief Executive Officer
31st August 2023

This meeting is open to the Press and Public (Items 1 to 9)

Every effort will be made to accommodate public subject to the safe use of the Chamber (with limited additional seating provided)

MEMBERS:

Cllr Richard Townsend (Town Mayor)
Cllr Sarah Copley (Deputy Mayor)
Cllr Martin Adams
Cllr Matthew Bird
Cllr Richard Bower
Cllr Alex Chapman
Cllr Oliver Diffey
Cllr Holly Drake
Cllr Yvonne Estop
Cllr Mione Goldspink
Cllr Calvin Horner
Cllr David Jacobs
Cllr Stephen Skinner
Cllr Miriam Swainston
Cllr Murray White
Cllr Chris Wilson
Cllr John Wyllie

A G E N D A

1. RECORDING OF MEETING

To establish whether it is the intention of any person present to record the meeting.

2. APOLOGIES FOR ABSENCE

To receive Members' apologies for absence. At the time of despatch, apologies were received from Cllr Stephen Skinner (Annual Leave) and Cllr John Wyllie (Annual Leave).

3. DECLARATIONS OF INTEREST

To receive Members' Declarations of *disclosable pecuniary interests* (as defined by the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012) where these disclosable pecuniary interests:

- a. have not already been entered into the register and
- b. relate to a matter to be considered

To NOTE that interests so declared must be formally notified to The Chief Executive Officer of Bishop's Stortford Town Council and the monitoring officer at East Hertfordshire District Council within 28 days.

To receive Members' Declarations of *other registrable interests* (as defined by the Members' Code of Conduct adopted on 15 May 2023) where these relate to a matter to be considered.

4. OLD RIVER LANE – BACKGROUND

To receive PowerPoint presentation from Cllr Yvonne Estop on history of the site at Old River Lane leading up to current situation.

5. OLD RIVER LANE – CURRENT STATUS

To receive briefing report from Cllr Mione Goldspink on current status of proposed development.

6. QUESTIONS PUT TO EHDC – APPENDIX 1

To consider questions put to EHDC prior to the meeting together with any responses received (at time of agenda despatch – no responses received).

7. PUBLIC PARTICIPATION

To receive representation from members of the public concerning items included on the Agenda (at the discretion of the Chair of the Meeting – up to 3 Minutes per person).

8. NEXT STEPS AND MOTIONS

To consider any future action required by the Town Council and to agree on representations to be made (insofar as these do not prejudice any future planning application process recognising the Town Council's statutory consultee status).

Proposed Labour Group motion on the Old River Lane development area

"This Council supports:

- 1. The principle of developing the whole ORL site for the economic and cultural benefit, and enhancement of the town.*
- 2. Policy BISH8 as the clearest description of public interest ambitions for the development of this site.*
- 3. A development partnership for the 'main development' site based on transparency and development quality*
- 4. A wholesale review of the retained freehold land.*
- 5. Consultation with public and stakeholders, especially to consider how arts and culture can be included.*

This Council therefore resolves to:

- Support the establishment of a community steering group, to contribute to the vision, strategy and practical solutions for excellent public spaces and architecture enhancing the conservation area.***
- Work in partnership with the delivery board on enabling and leading public consultation and in delivering the project.***
- Support the Bishop's Stortford ward members on the delivery board in their scrutiny of the whole development.***
- Ask ward members on the ORL Delivery Board to propose amendments to the draft development agreement terms and definitions, prior to signing, in order to ensure public consultation is not impeded by the previous 'arts centre' concept.***
- Not rule out development options that over the course of time may be more beneficial and deliverable"***

9. CLOSE MEETING

To close meeting and to note that the next ordinary meeting of Full Council is scheduled for Monday 9 October 2023 at 7.30pm.

**Town Councillor Questions to EHDC
Special Full Council Meeting
on 7 September 2023 at 7.30pm**

**Submitted to EHDC: 24 August 2023
Agenda Issue Date: 31 August 2023**

Question 1. (Cllr Miriam Swainston)

Please would officers explain in layman's terms what the difference is between the role of the ORL Development Board and that of the Planning Department. Furthermore, would you please provide a brief outline of the next steps for each of these entities in the ORL project.

Question 2. (Cllr Richard Bower)

Does EHDC foresee that there are any circumstances to take into special account insofar as the relationship between the two Authorities exists as a Planning Authority and a Statutory Consultee regarding ORL? Are there any special safeguards the Town ought to take to ensure that Members are not seen to be pre-determining any future decisions, especially in light of the twin-hatted Members on both Councils?

Question 3. (Cllr Stephen Skinner)

Re-the opinion of the unnamed KC given to EHD:

- (a) Who requested an opinion from a KC?
- (b) Why and when exactly was the KC employed for this task?
- (c) What was the brief from the DC officers to the KC?
- (d) When will the TC see the full opinion?

Question 4. (Cllr Stephen Skinner)

Is there going to be a new planning steering group for the ORL site, similar to the steering groups for Goods Yard and BS South?

Composite Questions 5. (Town Council Labour Group)

District councillors have been given much more information on the finances since the election, but there are still some areas lacking clarity. Can you please provide:

- a) more detail on the £4m spent by EHDC (given in the FAQs), identifying which items would remain as capital spend were the project not to proceed?
- b) an explanation of why spend over 6 years only has been included, when the project has been running since at least 2010?
- c) Has Cityheart agreed to buy the URC hall and three houses for the same price as EHC bought it for when it is transferred to Cityheart?

Has the newly reconstituted delivery board met with the directors of Cityheart, as their formal partners? If so when, and was the meeting minuted?

Why was the development agreement not signed following acceptance of Cityheart's tender in July 2018, over the period 2019 - 2023?

What are the implications of the development agreement being signed and when is this likely to happen? Will the agreement have any break clauses, and if so, how can they be triggered?

Is this a fair description of the purpose of the development agreement: that it:

- confirms the 2018 tender acceptance.
- confirms that Cityheart is the Council's preferred development partner.
- sets the price to be paid for a leasehold ownership of the council's land.
- agrees that the council will retain freehold ownership of part of the site.
- provides the confidence for both parties to progress towards a scheme.
- the development is subject to the planning authority's decision.
- it is subject to either party not making unacceptable conditions on one another.
- it does not approve a development scheme except to say it will comply with the LPA's Supplementary Planning Document.
- completion of the development should be within 3 years of signing the agreement.

The draft development agreement does not refer to the process of securing the freehold for part of the Waitrose car park. Would you please describe the formal means whereby leasehold land owned by John Lewis Partnership is given up by them and exchanged for other land? Is this agreement completed and what are the conditions set by John Lewis Partnership?

Could you please provide the masterplan drawing that would be included as Annex 9 of the draft development agreement?

Could you please provide a plan showing the precise boundaries of 'The Arts Centre Land' that would be included as Annex 2?

Can we have the developer's update on the planning permission applications? East Herts councillors were shown a bullet list of six issues raised by the LPA. How are Cityheart responding?

Can you tell us more about the 'paused' element of the project. What is under review? Is the delivery board considering uses other than the arts for this part of the site? When do you expect the consultation to start, what form will it take, and how long do you expect it to last? If you don't know the answers to these questions, when might you know?

Finally, what involvement do you anticipate the Town Council having in this project going forward? How can we help ensure the project is a success?

Question 6. (Cllr Murray White)

1. What do Planning Officers consider to be the scope of the Old River Lane development and the objectives they are trying to meet on behalf of Bishop's Stortford Councillors and residents?
2. Are the risks and opportunities inherent in such a development, so many years in the making, regularly reviewed from the perspective of residents?
3. What mechanisms are in place to ensure the development continues to meet the evolving needs of Town residents, both during the planning phase and during implementation?

[End]

H R O Jones
CEO Bishop's Stortford Town Council
24 August 2023