

East Herts Council has provided the following FAQs relating to the unauthorised work taking place at Westmill, near Buntingford:

Background

On Saturday 2nd October 2021 the Council sought and was successfully granted an interim emergency injunction order by the High Court ("the Interim Order") in relation to intentional authorised development at this site. The Council acted expeditiously to apprehend this flagrant breach of planning control. The effect of the Interim Order preserved the status quo of the Site from 18:00 on Saturday 2nd October. This meant that no further development was permitted nor was there to be any residential occupation. Unfortunately, the terms of the Interim Order continued to be breached with further development, an additional touring caravan and residential occupation.

What does an Interim Order mean?

It means that it is only in place for a short period of time. The Judge imposes a return date, which in this case was the 15th October 2021 for parties to make representations as to whether the Interim Order should be extended or cease altogether.

What happened at the hearing on 15th October 2021?

The Judge, Clive Sheldon QC sitting as a Deputy High Court Judge granted an extension to the Interim Order to restrain breaches of planning control by the travellers. It was held that whilst there were children on site, the families had only been on the Site for a couple of weeks. As a result they had no ties with the land and the Interim Order would not cause an excessive burden on their European Convention Human Rights (ECHR) article 8 rights.

Parts of the Interim Order have been suspended for a period of 6 weeks to allow the occupants' time to leave the Site. This still means that they are not permitted to carry out any further development and shall not bring on any further caravans and mobile home. The occupants must leave the site by 26th November 2021. In addition, the occupants have until 3rd December 2021 to remove all operational development that has occurred.

What if I witness or experience anti-social behaviour?

Please click on the below link which contains steps of what to do in these situations.

<https://www.eastherts.gov.uk/community-wellbeing/anti-social-behaviour/report-anti-social-behaviour>

Has a Planning Application been submitted?

A planning application has been submitted to the Council but it is currently invalid and cannot be processed until it is valid.

How do I report environmental health issues such as noise?

Concerns over nuisance such as noise pollution, fumes or smoke and the smell of gas can be reported to the council by completing the report environmental pollution form on our website.

How do I report concerns about water pollution?

Potential incidents such as this should be notified to the Environment Agency through their Incident Hotline on 0800 80 70 60 in the first instance. The Environment Agency will assess the risk, and as the regulatory authority for environmental protection they have powers to take enforcement action as required. For more information, please visit the gov.uk website

Affinity Water, as the public water supply company for this area, will be informed of potential pollution incidents by the Environment Agency. In the case of potential pollution incidents, water quality monitoring can be increased and contingencies identified in case of a breakthrough of pollutants. The earlier the notification to the Environment Agency, the sooner the investigation and measures can take place.

Useful links:

<https://www.eastherts.gov.uk/planning-and-building>

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