



Minutes of the Town Council Meeting held on Wednesday 16th October 2019 at 7.30pm in the Sportsman Meeting Room, Birchwood Leisure Centre, Longmead, Hatfield.

- PRESENT: Councillor Linda Mendez – Town Mayor
Councillor Eames-Petersen – Deputy Mayor
- | | |
|------------------------------|------------------------------|
| Councillor Mark Bolitho | Councillor Caron Juggins |
| Councillor Jackie Brennan | Councillor Hazel Laming |
| Councillor Richard Brisbin | Councillor Angus MacKay |
| Councillor Rory Craig | Councillor John Percival |
| Councillor Richard Griffiths | Councillor Tristan Wiltshire |
- OFFICERS: Carrie Lloyd (Town Clerk)
Ali Ogilvie (Head of Estates)

38. APOLOGIES

Apologies for absence were received from Councillor Lenny Brandon (ill health) and Councillor Lee Newman (work).

39. DECLARATIONS OF INTERESTS BY MEMBERS

Cllr Juggins declared an interest in Cricket at Newgate Street as she had discussed the matter with Major Bond from the Cricket Club prior to the Council meeting.

Cllr Wiltshire declared an interest in Cricket in Newgate Street as he was on the Hall Management Committee and had met with Cllr Juggins and Major Bond prior to the Council meeting.

40. QUESTION TIME

Mr N. Upson questioned the allocation of football pitches at Birchwood which seemed to favour Hatfield Town FC. The Head of Estates confirmed that only the Town Council Officers allocated pitches. Members referred this matter for consideration to the Sport & Leisure Committee on 20th November.

Major Bond requested that he be able to carry out a scaled drawing of the plans for Newgate Street changing rooms. He raised concerns regarding local residents accepting cricket at Newgate Street and some tree problems on the highway. Cllrs Juggins and Wiltshire confirmed that the village were happy to have cricket and the Hall Manager was happy to meet up concerning fixtures and bookings. Whilst Major Bond had reported the problem with the trees on the Highway, Cllr Eames-Petersen highly

recommended contacting the local Ward County Councillor with any highway issues.

Concerned was expressed at a shipping container on a green at Aldykes and Briars Wood and the length of time it had been left there. Officers undertook to establish how much longer it would be left there.

(Action: Town Clerk)

41. MINUTES

The minutes of the meeting held on 31st July 2019 were agreed and signed as a true record.

42. RESOURCES AND POLICY COMMITTEE

RESOLVED that Cllr Zhaveri be added to the membership of Resources & Policy Committee.

(Action: Town Clerk)

43. CRICKET AT NEWGATE STREET

Members considered the report and noted that Major Bond would be given access to draw up his plan for his members.

RESOLVED that £6,000 be set aside from reserves to refurbish the changing rooms and the Head of Estates bring a report to Council or Sport & Leisure Committee in due course regarding the cost of protecting the Hall windows and putting up nets to protect cars in the car park and children in the play area.

(Action: Town Clerk/Head of Estates)

44. OBJECTION TO THE PROPOSAL TO DECOUPLE THE S.106 FROM THE QUARRY PLANNING APPLICATION REF NO 5/0394-16

Members considered their response and RESOLVED that the following be sent to Chey Dempster at Hertfordshire County Council before 18th October;

“Hatfield Town Council does not agree with “de-coupling” the conditions stipulated in Jan 2017 by HCC that the Ellenbrook Park Trust lease must be signed by Arlington and other trustees before permission to quarry is considered for Brett on the Aerospace (Ellenbrook) site.

HTC also notes other serious risks which the Aerodrome quarry (and methods used by Brett) would pose of future land contamination by bromate underground in Hatfield and so oppose the quarry application along side previous objections submitted in 2016.

We fully support the comments of Ellenbrook Residents Association urging you not to decouple the setting up of the Trust.

The following are our grounds to require more investigation of the risk of further ground water contamination in Hatfield, with the Bromate plume located so close to the proposed quarry location.

There are reasons which make the Herts Mineral Local plan (HMLP) **unsound** due to choosing the "Hatfield Aerodrome quarry" at Ellenbrook as the Specific Site 1 (SS1) in the HMLP. There is evidence of a serious Bromate Plume under the NE side of this quarry site, making quarrying dangerous to the ground water, and chalk aquifer in Hatfield at this site. All three quarries SS1, SS2, SS3 lie in Hatfield close to residential housing so to choose all three quarries in one division of HCC is disproportionate.

There are serious risks to the ground water in Hatfield from the draw down effect, which are likely to ensue from Brett methods of digging to 16m into the Lower Mineral Horizon (LMH). Currently Brett are not considering restricting their mining to the Upper mineral Horizon (UMH) which would be less dangerous. They estimate the total sand and gravel yield from the Aerodrome quarry, both from the UMH (dry) and LMH (wet) to be 8 million tonnes.

However there is an alternative quarry site in Herts at Briggens Estate in East Herts (currently named Preferred Area 1) which does not have land contamination, is not next to residential housing and would provide more sand and gravel (10.2 million tonnes). We believe this is a far safer site for quarrying both for residents, and future water supplies and should be chosen as SS1.

We believe the " Aerodrome quarry" therefore should be withdrawn from the mineral plan as SS1 because of the serious bromate spillage under the site in the Chalk Aquifer, which has spread from Sandridge to Hatfield, to Essenden and now into the River Lee in East Herts (see fig 4) .



(Fig 1) Map of Bromate Plume, and Aerodrome Quarry published by EA Jan2019,

The Aerodrome quarry should be removed on the grounds of the "precautionary principle" in planning terms. It is very worrying that the NE edge of the Quarry site appears already to be contaminated with Bromate (see fig 1). Data from the SLR (Brett's consultant hydro-geologists) boreholes on site, re bromate concentration, was requested by EA to show evidence of absence of contamination, but has not been made available to the EA, nor the latest ground water plan. This is worrying, despite EA requesting this since Nov 2018, and a further request made in Feb 2019. There are 4 conditions of "soundness" required for the Herts Mineral Local Plan to be viable. One of these conditions is "justified" which means "an appropriate strategy taking into account reasonable alternatives and based on proportionate evidence".

We believe that the Plan is

1) **not "justified"** in that

- a) It is **disproportionate** to choose all 3 new quarries to be in one division of Hertfordshire County viz Hatfield, (a town with approx. 40,000 residents). 5000 residents live in the newly built estates of Salisbury village, and Hatfield Garden village (ex BA site) or Ellenbrook, very close to these sites. Children walking to Howe Dell school and elderly residents in these estates will be exposed to respirable-sized crystalline silica dust from the quarry, and extra PM2.5 pollution from the HGVs and Lorries accessing the quarry. This is likely to cause respiratory and coronary heart disease and worsen the health of residents in this area of Hatfield.
- b) There is a **more suitable alternative**, larger, safer, quarry possible at the Briggens site near Stanstead Abbots in East Herts, which could be SS1.
- 2) **Not “effective”** because if, during quarrying, bromate was detected to be drawn down into the LMH on the Quarry site, then EA have stipulated that **quarrying must cease**. This means that the total Mineral plan may not be **“Effective”** as the amount of sand and gravel required annually for the Mineral Plan **may not be deliverable over the plan period**.
- This SS1 Aerodrome quarry falls at these two hurdles, and jeopardises the Plan, so should be opposed as the SS1 site.

Background

1) Three new "specific sites" for quarries have been proposed in the HMP for all Herts future sand and gravel. All 3 of these are in Hatfield, fairly close to each other, in Herts North division, near to residential housing, This will widen inequalities in health within Welwyn Hatfield borough and in Hertfordshire.

These are (page 27) :

- i) Aerodrome quarry (currently SS1)
- ii) Furze field quarry (SS2)
- iii) Coopers Green Lane quarry (SS3) .

Sand and gravel lies under a large swathe of Herts, and so there are other sites in Hertfordshire which could be mined, if landowners gave permission. Since the call for sites in 2016, the Briggens Estate Quarry has been proposed by Tarmac, with permission from the landowner, which would produce a higher volume of sand and gravel, than the Aerodrome quarry.

ii) & iii) above, would both be owned by CEMEX. They have mined the Hatfield quarry on either side of Coopers Green lane for the last 40 years (or more) fairly unobtrusively. Their methods are safer than Brett methods in terms of not disturbing the underlying bromate plume, because they only mine the upper mineral horizon (not the LMH).

Cemex use conveyor belts producing less air pollution than using lorries for transport to their processing plant in Sandpit Lane/ Oaklands Lane in Smallford. Both the CEMEX new sites would only mine the Upper Mineral Horizon (UMH) and would be extensions of the current “Hatfield quarry”. These two sites are both under proposed building developments- for the Welhat Local plan and so quarrying would become part of the preparation of ground for new build, so preventing "sterilization". This is not the case for the “Aerodrome quarry”, housing is not planned there. The two sites SS2 and SS3 have bromate 16m underground at quite high concentration, but Cemex will not disturb the LMH by their methods and so would not exacerbate the bromate plume.

2) There is a problem in 2019 with the Aerodrome quarry because of a serious underground historic bromate leak. This stems from dumped bromate in sumps from the Steetley Chemical works (1955-1980) in Sandridge, St Albans. It is thought the sumps have been leaking for over 40 years. The Bromate has now been found by EA to be under the North East edge of the Ellenbrook quarry site. A public inquiry required action in 2007, and instigated “remedial pumping” by Affinity Water from 2008-2018, to try to remove the Bromate from the chalk aquifer. However the remedial action of "scavenge pumping" at Bishops Rise Water Pumping station in Hatfield, has been found to be insufficient in 2018. The concentration of Bromate arriving at Bishops rise WPS has not decreased from 100 µg/l, which is what it was 10 years ago. So-the so called “remedial action” has not worked, but this has serious implications for the Aerodrome quarry, and further spread of the plume. The quarry is likely to breach Policy 14: Water Management on pg 52 (adverse impact on water quality)

When WHO drinking water standard for Bromate was issued in 2000, Bishops Rise water pumping station (wps) had to be switched off from supplying drinking water to Hatfield, due to contamination by Bromate. It has not yet been switched on again, as the contamination still exceeds the WHO threshold (10 µg/l). Hatfield residents are currently supplied water from South Mimms WPS, fed from 4 other sources including Essendon (WPS), Tyttenhanger and Roestock WPSs .

3) The Brett quarry proposal was encouraged by land-owners Arlington, who realised in 2007 that HCC needed sand and gravel for our HCC 15 year mineral plan for roads and houses in Herts. However this would deprive Hatfield of half of the long-promised, Ellenbrook public park, promised to be landscaped in 2000, through a s106 agreement by Arlington alongside the BA site developments. The proposed quarry is located in said “Ellenbrook Public park” -and there is strong feeling by residents against this for sake of the health and well-being of residents who currently use Ellenbrook fields for the “Park Run,” every Saturday, walking dogs, kites and general recreation. Depriving the residents of this valuable green space for 30 years will breach Policy 18 (63) – Protection of Amenity- “proposal will not cause any unacceptable adverse impact or harm to amenity” viz Country Park .

4) The methods proposed by Brett (unlike Cemex) are to dig deep to 16-18m underground, through a protective clay barrier to the wet Lower Mineral Horizon (LMH) which is in touch with the chalk aquifer. This is the layer where the bromate lies. It is very concentrated not far from the quarry in at Astwick Manor in Ellenbrook fields (see map- Fig 3).

These quarrying methods are therefore dangerous for risking drawing bromate in South and SW direction and contamination of previously untouched ground water which flows to other (clean) WPSs, Tyttenhanger and Roestock WPSs (only 0.9 miles away) currently supplying Hatfield water.

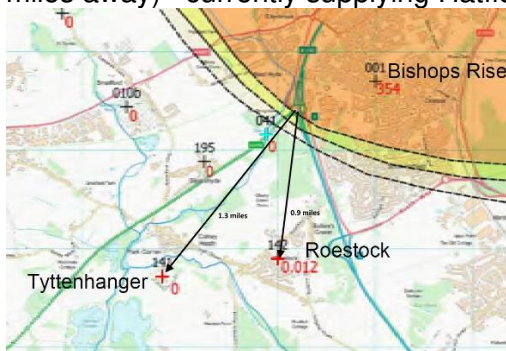


fig 2: Distance of current clean WPSs - Roestock from the proposed Quarry

Other Geologists including those in Affinity water have now made objections to the quarry. EA have asked relevant questions, and made stipulations that a) “no mineral is to be extracted from within the existing plume of bromate and bromide groundwater pollution”. b) any activities close to the plume must not change the existing hydrogeological flow regime c) any activities close to the plume must not interfere with the remediation of bromide and bromate pollution. Ellenbrook fields (by Astwick Manor) is a key possible area for phase 2 remedial action for decontamination from Bromate (just announced in Jan 2019).

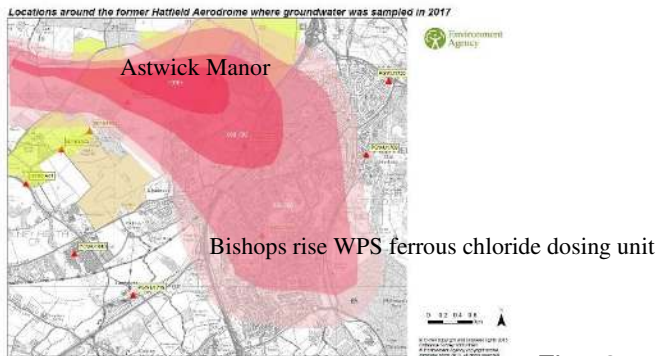


Fig 3: Bromate concentration under

Hatfield (Astwick Manor 956µg/l)

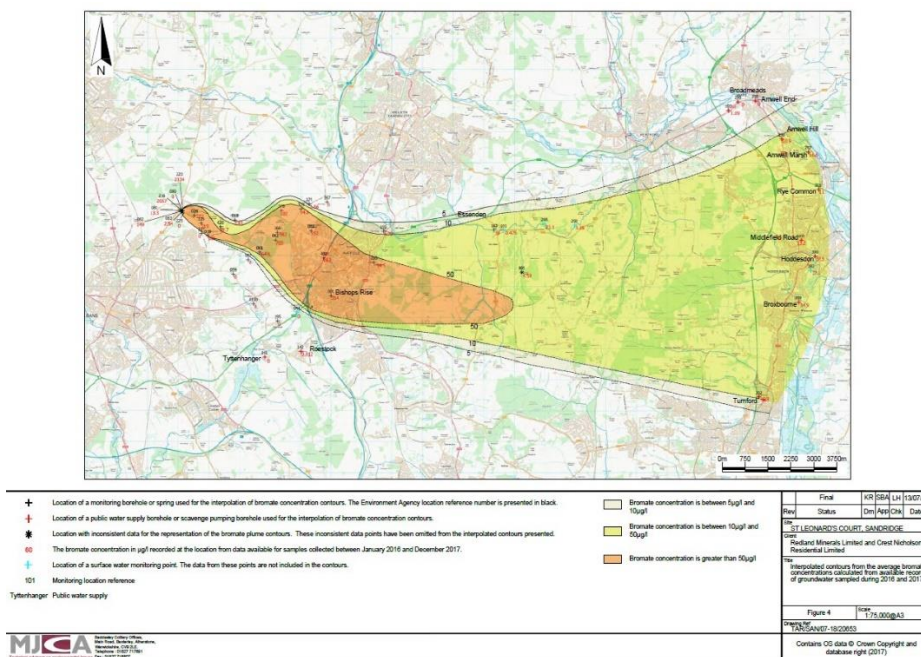
5) There is another quarry site in Hertfordshire. the Briggens Estate site East of Stanstead Abbots, Ware. This is allocated "Preferred area 1" in the HMP, but could produce larger amounts of sand and gravel (10.7 m tonnes) than Ellenbrook (8 m tonnes with wet gravel). It is not so close to residential housing and does not carry the risk of contaminating a public water supply.

Given this evidence we believe the HCC mineral plan should choose the preferential Briggens quarry site as SS1 from the outset for the Mineral plan .to supply the bulk of sand and gravel for Herts for the next 22 years, rather than the Ellenbrook site.

If the Upper mineral horizon alone was to be mined, then the Aerodrome quarry could become the back-up preferred area 1 site-as this would be considered safe, but the Briggens site should be the SS1 .

The Herts Mineral Plan does not explain the danger of quarries which mine into the LMH in Hertfordshire constructed over a Bromate leak, in this case: **the worst bromate contamination in Europe.**

Fig 4 :Map showing The Bromate plume, now spread from St Leonards Court (previously Steetly chemical works) in Sandridge, to Hatfield, Essendon, and into the River Lee.



In 2019- Ellenbrook fields is now a prime site for remediation

A priority for Hertfordshire, besides locating sand and gravel, is remediation of the Bromate plume to protect our future water supplies. Land decontamination of Bromate is paramount, to protect the water for Hatfield, Essendon, Hoddesdon, Broxbourne, the River Lee. (Given the last 10 years of scavenge pumping- has failed) .

This land at Ellenbrook fields is now a prime site for bromate remediation. The 2nd remedial plan (2019) proposed by EA, recommends removal of bromate nearer to the source, and in the high concentration zone. This could be Ellenbrook Fields near Astwick Mano (see fig 3) r. The aerodrome quarry extraction from the LMH (very close by) could jeopardise this action.

Transport The A1057 is already congested every morning, as there is no layby for a bus. Many cars, and lorries queue, idling their engines before 9am, behind a stopped bus. With the planned (dangerous) entrance to the Quarry on the A1057, Quarry Lorries are likely tip the PM2.5 air quality measure over the WHO limit on this road- and make it dangerous for school children crossing it (Breach of Policies 20 and 21 pg 68 and 69) .

Conflicts of interest

The Environmental Agency who are dealing with future remediation of this serious contamination, have requested professional and interested parties to submit their remedial plans ready for July 2019 Their Consultation Document (the Draft Decision) sets out the intended decision of the Environment Agency (the Agency) to issue a second remediation notice (Second Notice) in respect of land at St Leonards' Court (SLCourt) and as to the contents of that notice. This Draft Decision is intended to be part of the consultation process initiated under s. 78H(1) of the Environmental Protection Act 1990 (EPA) .

As yet no independent investigation has been conducted of risk of bromate contamination to further ground water in Hatfield , which the Aerodrome quarry

poses (over the next 30 years) given the current close proximity of the bromate plume to the site. There **are glaring conflicts of interest for Brett and SLR** as the applicant for the quarry in supplying selected bromate readings to HCC. They currently own the only boreholes within the quarry site, and have provided the only data on this critical site. EA and Affinity water have boreholes outside the site but they have not yet been given the current readings (from June 2019) within the site, and EA do not have funds yet to conduct their own independent investigation re the “safety” of ground water, and risk of contamination from bromate, if quarrying were to be permitted for the next 30 years.

We need Councils, without vested interests, to facilitate this investigation (as per NPPF 2009 para 178) by a competent but independent professional body ASAP. in the interests of residents.

Both Affinity and Brett have their own commercial interests, which have not guaranteed the safe protection from further bromate contamination of ground water.

In summary

An alternative site for the quarry is now available at Briggens Estate (preference area 1), and we have calculated by starting this at the outset, enough sand and gravel would be available for the Mineral plan target, without risk of closure due to bromate contamination in the next 30 years

Ground conditions and pollution National Planning Policy Framework 2019 (page 51, 52)

Para 178. Planning policies and decisions should ensure that:

a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, **[or previous spillages, or leaks in to the chalk aquifer]** and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);

b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and

c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.

Para 179. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

45. REPORTS OF COMMITTEES

RESOLVED that the Minutes of the following Meetings of the Council's Committees be noted and any recommendations therein approved;

- a) Planning Committee – 7th August 2019
- b) Planning Committee – 28th August 2019
- c) Sport & Leisure Committee – 4th September 2019
- d) Planning Committee – 18th September 2019
- e) Resources & Policy Committee – 25th September 2019
- f) Planning Committee – 9th October 2019

46. MOTIONS RECEIVED UNDER STANDING ORDER NUMBER 9

Motions from the Liberal Democrat Group;

We note from the 2019/2020 budget that staffing costs seem to have been aggregated. How can we know the funding position for each cost centre – e.g. the café? Income £52,000. Expenditure £30,000. Can we please have a report showing the proposed gross profit for the year?

Members noted that reports would be presented to Resources and Policy Committee on 4th December.

Cllr Griffiths asked that certain documents be made available to him on October 1st concerning the Birchwood development. They were not presented. Can we have an explanation please?

As Cllr Brandon was not present, an explanation could not be given.

In light of this can we please have an update of the current position of the development with regard to instructions to architects and developers etc. Also, can any documents relating to this project that will give a full picture of the current position be made available before the end of the month.

Cllr Juggins advised that she had called for an extra-ordinary meeting of the Council so that Members and public could look at all options. Cllr Griffiths advised that independent examination was required of all proposals. It was agreed that further discussion could hopefully take place at the extra-ordinary meeting of Council.

In minutes of a meeting 12th September 2017 reference was made that

A Sports Ground Sub Committee be set up to engage a suitable Marketing Consultancy firm to assist the Town Council consult with all Hatfield residents on the three options;

The Sub Committee have a budget of £20,000 from reserves to spend on public consultation;

The Football Ground Working Group be thanked for their work

So (i) Do these sub-committees/ groups still exist? And if so who is on them and what have they done?

(ii) What was the £20,000 spent on?

Members were advised that the £20,000 had not been spent. The Working Group had been disbanded and no Sub Committee had been set up in May 2019 by Annual Council.

47. LEMS福德 HALL CHANGING ROOMS – ARCHITECT FEES

Members considered the request from Saunders Architects for payment for additional work undertaken.

Cllr Juggins requested a recorded vote;

	IN FAVOUR	AGAINST	ABSTAIN
Councillor Mark Bolitho	X		
Councillor Jackie Brennan	X		
Councillor Richard Brisbin	X		
Councillor Rory Craig	X		
Councillor Eames-Petersen	X		
Councillor Richard Griffiths	X		
Councillor Caron Juggins	X		
Councillor Hazel Laming	X		
Councillor Angus MacKay	X		
Councillor Linda Mendez	X		
Councillor John Percival	X		
Councillor Tristan Wiltshire	X		

RESOLVED that the item be reconsidered at Resources & Policy Committee on 4th December when Councillor Brandon was available.

Members have also decided that all future meetings between the Town Council and professionals must be minuted. These meetings must include at least one Councillor and one Officer of the Council – either the Town Clerk or the Deputy Town Clerk, so that written reports can be made back to all Members for consideration and decision making.

(Action: Town Clerk)

48. FLAT ROOF PROPOSAL FOR DEPOT

Members considered the quotations received and RESOLVED that a rubber roof for £1,857 plus stud wall at £634 be built with light and power at £581.41.

(Action: Head of Estates)

49. DATE OF NEXT MEETING

Noted that the next Council meeting would be 7.30pm on 11th December 2019.

Closure: 21:00

Mayor