



Datchworth

PARISH COUNCIL

SERVING THE COMMUNITIES OF DATCHWORTH, BULLS GREEN, BURNHAM GREEN & HOOKS CROSS

Datchworth Parish Council Briefing Note

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| Agenda item heading PCM24-04/07 Planning b) Coltsfoot Land Easement matter | Date 30 th April, 2024 Committee/ Working Group Coltsfoot Lane Working Group |
| Why Update following the Datchworth Extraordinary Parish Council Meeting held on Tuesday 2 nd April, 2024. | |
| How (including Time and Money) At the recent Datchworth EPCM meeting the following key points were reported: <ol style="list-style-type: none">1. DPC representatives had met with the developer but a stalemate had been reached;2. The developer believes that no easement is required from DPC;3. DPC take a contrary view, particularly that an easement is required before work can commence;4. Emphasis was made that DPC must act lawfully, in accordance with clear guidance and in the interests of all community members;5. A number of representations had been received from local residents and taken into account;6. A letter had also been received from the developer's solicitor stating there is an intention to start work (16 pages and 50 attachments);7. DPC has instructed Nockolds (solicitors) who are in communication with the developers' solicitors and advising DPC in the matter. Further legal advice was awaited.8. Action: DPC will share legal advice (with legal privilege contents withdrawn if necessary) at the forthcoming Full Council meeting on 30th April, 2024. | |

When

Since the ECPM meeting the following points should be noted:

1. The developers' solicitors agreed, subject to a time limitation, that no work will commence until DPC has had the opportunity to receive legal advice. A further extension of time to allow receipt of legal advice has been sought.
2. DPC has received advice from its insurers;
3. Legal advice on the key issues arising from the developers' solicitor (and likely Barrister) is still awaited;
4. A request for a meeting (with no legal representation) has recently been received from the developer. This meeting is scheduled for Tuesday 30th April, 2024 at noon. The Chair, Councillor Goodman and another member of the Working Group will be in attendance. The outcome, and any key matters arising will be reported at DPC Full Council meeting on 30th April, 2024.
5. Any discussion regarding financial matters will need to be considered in private session of the Council meeting.