

From: Jaspreet Lyall <[REDACTED]>
Sent: 01 August 2025 10:49
To: Ganesh Gnanamoorthy; Brian Owen
Cc: Laura White; Sandra Beck
Subject: FW: Darcys Place, Church Lane, Wormley

Hi Ganesh,

I am writing to you from HCC's legal department to confirm to you that HCC have confirmed to Mr Croke that his proposal to import waste into the site in question would not be permitted by the Enforcement Notice.

In relation to queries raised the Council has written to Mr Croke as follows:-

1. It is the Council's view that based on the information in the records available the Remediation Requirement of the Enforcement Notice was in fact complied with . As such, it is the Council's view that it cannot be contended that the importation of soil would be required by the Enforcement Notice.
2. In relation to his proposal it is the Council's view that there is a statutory mechanism available to determine its lawfulness, namely a certificate under section 192 of the 1990 Act (a CLOPUD).

As part of the CLOPUD process he would be required:-

- to pay a fee;
- specify strictly what is proposed in relation to the importation of soil onsite;
- disclose any facts relevant to the grant of the certificate sought; and
- the result of that decision would be publicly available on the planning register.

It is HCC's view that it is not open to the Council to bypass that statutory process

I am happy to discuss this with you if needed, in the meantime if you need anything else from me please let me know.

Regards

Jaspreet Lyall

Principal Lawyer | Environment Law | Legal Services

Hertfordshire County Council

Address: County Hall, Pegs Lane, Hertford, SG13 8DE Postal Point: CHO237

Tel: [REDACTED] | Email: [REDACTED]



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From: Ganesh Gnanamoorthy <[redacted]>
Sent: 25 July 2025 14:00
To: Brian Owen <[redacted]>
Cc: Laura White <[redacted]>; Sandra Beck <[redacted]>
Subject: RE: Darcys Place, Church Lane, Wormley

Thank you for the update Brian – it is greatly appreciated.

Please could you keep us in the loop with any further developments also?

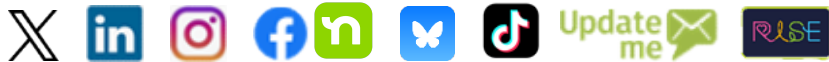
Kind regards
Ganesh

From: Brian Owen <[redacted]>
Sent: 25 July 2025 12:07
To: Ganesh Gnanamoorthy <[redacted]>
Cc: Laura White <[redacted]>; Sandra Beck <[redacted]>
Subject: RE: Darcys Place, Church Lane, Wormley

Ganesh,
I just wanted to confirm that our solicitor did write to Simon Bell, barrister acting for Mr Croke, (& Mr Croke was copied in) on 19 July explaining where we were and that we were seeking further advice from counsel and we would write more fully following receipt of this.
Thanks
Brian



Brian Owen, MRTPI
Team Leader | Development Management | Spatial Planning | Sustainable Growth
Hertfordshire County Council
Farnham House, Six Hills Way, Stevenage, SG1 2ST, Postal Point: CHN 216
T: 01992 556255
E: [redacted]



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From: Ganesh Gnanamoorthy <[redacted]>
Sent: 18 July 2025 09:19
To: Brian Owen <[redacted]>
Cc: Laura White <[redacted]>; Sandra Beck <[redacted]>
Subject: RE: Darcys Place, Church Lane, Wormley

Thanks Brian,

It would be helpful if you could write to Mr Croke to let him know what is happening so that he doesn't think everyone is ignoring him. We have had to respond to some formal complaints from him and

have just said that we are waiting for an update from yourselves but it would be good for him to hear that from you directly too.

I've copied in our Senior Enforcement Officer and Deputy Chief Executive, who have been dealing with much of the correspondence from Mr Croke, for completeness.

Kind regards
Ganesh

From: Brian Owen <[REDACTED]>
Sent: 17 July 2025 14:35
To: Ganesh Gnanamoorthy <[REDACTED]>
Subject: RE: Darcys Place, Church Lane, Wormley

Ganesh,
I am sorry I have not replied earlier I had hoped to have a more definitive answer for you. I am waiting legal advice and the County Council is to engage a barrister to advise on this. I will let you know when I have more, we are also receiving correspondence from Mr Croke, local councillors and the MP.
I'm not sure what I can add in the interim but if here are any other questions please let me know.
Thanks
Brian



Brian Owen
Team Leader | Development Management | Spatial Planning | Sustainable Growth
Hertfordshire County Council
Farnham House, Six Hills Way, Stevenage, SG1 2ST, Postal Point: CHN 216
T: 01992 556255
E: [REDACTED]



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From: Ganesh Gnanamoorthy <[REDACTED]>
Sent: 15 July 2025 18:34
To: Brian Owen [REDACTED]
Cc: Sandra Beck [REDACTED]; Laura White [REDACTED]
Subject: RE: Darcys Place, Church Lane, Wormley

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Hi Brian,

Sorry to chase but have you got any update for us further to your meeting with your legal team last week Tuesday?

Kind regards
Ganesh

From: Brian Owen [redacted]
Sent: 07 July 2025 14:35
To: Ganesh Gnanamoorthy [redacted] >
Cc: Sandra Beck [redacted]; Laura White [redacted]
Subject: RE: Darcys Place, Church Lane, Wormley

Ganesh,
Thanks for the email and interesting to hear of your new position 👍
I'm trying to get some clarification on the legal situation and I am sorry I have not give a full reply on this. We are also receiving complaints and have meeting tomorrow morning to discuss with our solicitors. I hope to have a better answer then and I will forward this on to others so they are aware of the wider concerns.
Thanks
Brian



Brian Owen
Team Leader | Development Management | Spatial Planning | Sustainable Growth
Hertfordshire County Council
Farnham House, Six Hills Way, Stevenage, SG1 2ST, Postal Point: CHN 216
T: 01992 556255
E: [redacted]



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From: Ganesh Gnanamoorthy [redacted]
Sent: 07 July 2025 11:07
To: Brian Owen [redacted]
Cc: Sandra Beck [redacted]; Laura White [redacted]
Subject: FW: Darcys Place, Church Lane, Wormley
Importance: High

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Dear Brian,

I hope you are well. You may remember me from my time at WelHat, but have recently become Director of Planning and Place at Broxbourne.

I write to you with regard to the above site, which you have had ongoing conversations with my colleague Laura White. This matter is now becoming quite urgent for us to resolve, as we have a number of complaints (as per Laura's email below) which are needing urgent responses to – we are also getting significant interest from Members and the local MP. Please can you advise of what the latest is with your conversations with internal colleagues, and likely timescales for resolution? In the short term, I think it would be useful if you could email Mr Croke to let him know that this issue is

being looked into, as I get the impression that he think that we (Broxbourne) are deliberately holding things up.

A swift response on this would be greatly appreciated.

Kind regards

Ganesh Gnanamoorthy MRTPI

Service Director – Planning and Place | Broxbourne Borough Council
Bishops' College | Churchgate | Cheshunt | EN8 9XQ

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From: Laura White [REDACTED]
Sent: 07 July 2025 10:47
To: Ganesh Gnanamoorthy <[REDACTED]>
Cc: Sandra Beck [REDACTED]
Subject: FW: Darcys Place, Church Lane, Wormley

Laura White

Senior Planning Enforcement Officer | Broxbourne Borough Council
Bishops' College | Churchgate | Cheshunt | EN8 9XQ

Tel: 01992 785555 ext. 5405 | [REDACTED] Web: www.broxbourne.gov.uk | X [@BroxbourneBC](https://twitter.com/BroxbourneBC) | Facebook: [@BroxbourneBC](https://www.facebook.com/BroxbourneBC)



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From: Laura White
Sent: 18 June 2025 13:45
To: Brian Owen [REDACTED]
Subject: RE: Darcys Place, Church Lane, Wormley

Hi Brian,

Thank you for your reply.

Just to put you in the picture we now have received 1 MP enquiry, 1 formal complaint, 1 SAR, 1 FOI, and a multitude of other correspondences from Mr Croke which need to be responded to in the next week or two.

Ideally, we would have from you/your legal team, clarification over whether you EN can be relied upon to allow the importation of further soils, and, if not, the mechanism for applying for planning permission to allow this importation i.e. full application to us, full application to you, ROMP procedure, some combination thereof?

If this is not possible in the next week, it is likely our responses are going to indicate that next steps cannot be determined without this information which will only push the barrage of correspondence in your direction! As nobody wins in that situation, I would be grateful for anything you can do to speed this up and impress upon your legal team the increasing pressure.

Apologies for turning up the metaphorical heat on you (the sun is doing a good enough job in respect of the actual heat!) but we are where we are....

Hope the heat isn't too intense (caused by the sun or other sources) wherever you're working this week!

Kind regards

Laura White

Senior Planning Enforcement Officer | Broxbourne Borough Council

Bishops' College | Churchgate | Cheshunt | EN8 9XQ

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From: Brian Owen [REDACTED]
Sent: 16 June 2025 15:05
To: Laura White [REDACTED]
Cc: Matthew Gallagher [REDACTED]; Ayesha Johnson [REDACTED]
Subject: RE: Darcys Place, Church Lane, Wormley

Laura,
I'll check again and it is taking sometime to sort there was an initial reply. I will find this and hopefully this will help and chase solicitors. Thanks for the note it is EHDC, sorry I got that wrong, a little way further east along Cock Lane are sites which I knew were Broxbourne I shoulda checked the map.
Brian



Brian Owen
Team Leader | Development Management | Spatial Planning | Sustainable Growth
Hertfordshire County Council
Farnham House, Six Hills Way, Stevenage, SG1 2ST, Postal Point: CHN 216



From: Laura White <[redacted]>
Sent: 16 June 2025 15:02
To: Brian Owen [redacted]
Cc: Matthew Gallagher [redacted]; Ayesha Johnson [redacted]
Subject: RE: Darcys Place, Church Lane, Wormley

Hi Brian

Do you know how soon you will be able to do this? I am just conscious our site visit was nearly 2 months ago and we have not been able to feedback yet.

As for that site, it is in East Herts area, so I have been redirecting queries to there.

Kind regards

Laura White
Senior Planning Enforcement Officer | Broxbourne Borough Council
Bishops' College | Churchgate | Cheshunt | EN8 9XQ
Tel: 01992 785555 ext. 5405 | [redacted] **Web:** www.broxbourne.gov.uk |
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From: Brian Owen [redacted]
Sent: 16 June 2025 14:44
To: Laura White [redacted]
Subject: RE: Darcys Place, Church Lane, Wormley

Laura,

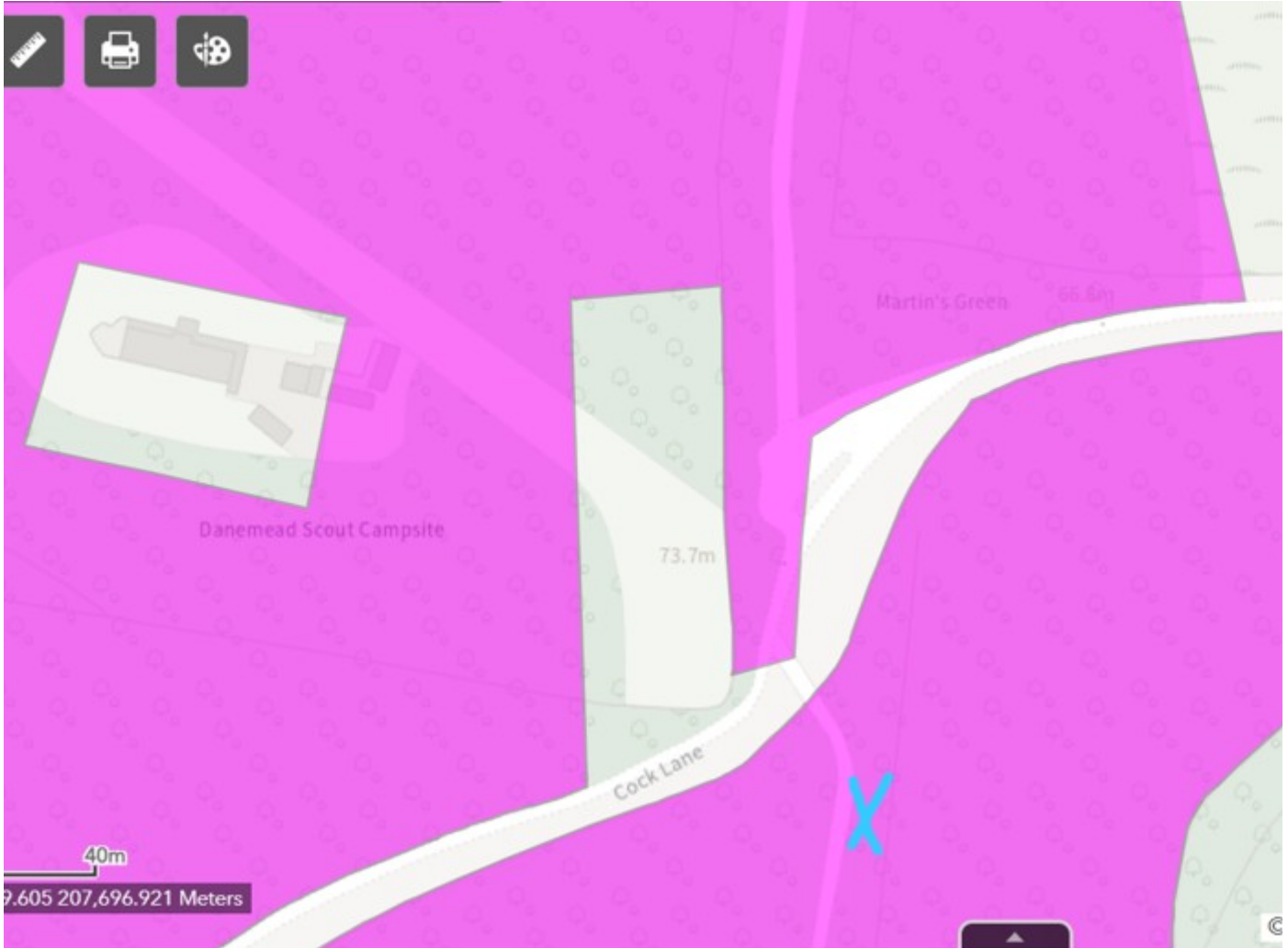
I need to speak to our solicitors on this and will get back to you.

Can I ask also if you are aware of complaints about activity off Cock Lane around Martins Green and involved Bridleway RB24

I did suggest to the lady who complained to get in contact with yourselves but thought I should also raise it with you in case the message didn't get through. There's a bit of clip from maps below with a blue x to show where the problems are occurring. Apparently more work was carried out over the weekend. Our rights of way team have been out there and also it's been raised with Natural England as it is within SSSI, the purple highlight on the map clip.

Thanks

Brian



Brian Owen
Team Leader | Development Management | Spatial Planning | Sustainable Growth

Hertfordshire County Council

Farnham House, Six Hills Way, Stevenage, SG1 2ST, Postal Point: CHN 216



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From: Laura White <[REDACTED]>
Sent: 16 June 2025 09:57
To: Brian Owen <[REDACTED]>
Subject: RE: Darcys Place, Church Lane, Wormley

Hello Brian,

In light of Mr Croke's most recent correspondence, I would appreciate an update or timescale for an update. We are also continuing to get enquiries from the local community so it would be helpful to have something to give them!

Many thanks

Laura White

Senior Planning Enforcement Officer | Broxbourne Borough Council
Bishops' College | Churchgate | Cheshunt | EN8 9XQ

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From: Laura White
Sent: 02 June 2025 12:45
To: Brian Owen [REDACTED]
Subject: RE: Darcys Place, Church Lane, Wormley

Hello Brian,

I hope you are well.

Are you able to give an update on HCC's position? We have not yet written to the agent following the site visit as we need to be clear on your position.

Kind regards

Laura White

Senior Planning Enforcement Officer | Broxbourne Borough Council
Bishops' College | Churchgate | Cheshunt | EN8 9XQ

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From: Laura White
Sent: 30 April 2025 17:55
To: Brian Owen [REDACTED]
Subject: RE: Darcys Place, Church Lane, Wormley

Hello Brian,

No problem. Three Notices (two with plans as separate PDFs) and two appeal decisions for you to review. One of the appeal decisions also relates to a co-joined appeal against an LDC refusal for the use of the land.

There aren't any planning permissions on site; an application was submitted for 2 dwellings but this was refused and no appeal was submitted at the time.

Any questions, let me know.

Kind regards

Laura White
Senior Planning Enforcement Officer | Broxbourne Borough Council
Bishops' College | Churchgate | Cheshunt | EN8 9XQ
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From: Brian Owen [REDACTED]
Sent: 30 April 2025 16:33
To: Laura White [REDACTED]
Subject: RE: Darcys Place, Church Lane, Wormley

Laura,
Thanks, I do wonder if I should look at Broxbourne's notices, I don't think there are any planning permissions from the Borough on the land?, to see how they interrelate to the 1981 enforcement notice. Are you able to send me a copy please, apologies if this is already with us but I couldn't find a record in my notes?
Thanks

Brian



Brian Owen
Team Leader | Development Management | Spatial Planning | Sustainable Growth
Hertfordshire County Council
Farnham House, Six Hills Way, Stevenage, SG1 2ST, Postal Point: CHN 216



From: Laura White <[redacted]>
Sent: 29 April 2025 11:35
To: Brian Owen <[redacted]>
Subject: RE: Darcys Place, Church Lane, Wormley

Morning Brian,

Thank you for sending this information over.

In reading this, it seems to me that the works they want to do involving importation of soils is going to require permission. The question is then, to whom do they apply? Do they need to apply to you under ROMP or to us as an engineering operation? I think we need to agree that between us before I write to Mr Croke & his agent regarding compliance with the outstanding Notices.

Many thanks

Laura White
Senior Planning Enforcement Officer | Broxbourne Borough Council
Bishops' College | Churchgate | Cheshunt | EN8 9XQ
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From: Brian Owen [redacted]
Sent: 29 April 2025 10:43
To: ks [redacted]
Cc: Laura White [redacted]; 'john croke' [redacted]
tony.brady [redacted]; 'Darren Eyers' [redacted]
Subject: RE: Darcys Place, Church Lane, Wormley

Katie,

Thanks for your email.

At the site meeting Mr Croke and others were saying that they considered that the 1981 Enforcement Notice in some way permitted the import and deposit of additional material on the site. This was said to be about capping the site.

I had said that I did not consider that the 1981 enforcement notice did permit such activity to take place. The notice said that the site should be restored within a 2 year period in accordance with the planning permission. The two year period had elapsed many years ago and cannot now be relied upon to give any permission or authority to import and deposit waste. I also said that when I looked at the files I had seen records which had indicated the site had been restored. I have now reviewed the files again and I attach for your information references which show that in the 1980's that it was considered the site had been restored. I was told by Mr Croke that he had legal opinion which confirmed he could rely upon the 1981 enforcement notice to 'cap' the site. I did invite him to submit any legal advice and we would be happy to consider this.

I also would like to let you know that the site is a dormant site as part of the Review of mineral Planning Permissions.

I have attached the correspondence that I was referring to which were taken from past records for the site. If there is any further information you would like please let me know. Also if you would like to clarify what work it is that Mr Croke is proposing or undertake and any authority he is relying upon for this I would be happy to look at this.

Thanks
Brian



Brian Owen
Team Leader | Development Management | Spatial Planning | Sustainable Growth
Hertfordshire County Council
Farnham House, Six Hills Way, Stevenage, SG1 2ST, Postal Point: CHN 216



From: [ks](#) [redacted]
Sent: 14 April 2025 11:47
To: Brian Owen [redacted] >
Cc: 'Laura White' [redacted] >; 'john croke' [redacted] >;
[tony.brady](#) [redacted]; 'Darren Eyers' <[redacted]>
Subject: Darcys Place, Church Lane, Wormley

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Hi Brian

It was good to meet up and view the site last Monday.

During that site visit you referred to some additional material which had not been disclosed in Mr Croke's request under the FOIA, which you considered relevant to the case and which was to be shared with ourselves and Laura White following the site visit. Could you please forward this information urgently so that it can be reviewed. As advised on site, this is not the first time that information was withheld, with the case notes previously having been shared with Broxbourne and not with Mr Croke - at that time, he received an apology

from officer at HCC and confirmation that as per his FOI request all information had now been shared. I was therefore surprising to understand that there is further information.

As discussed, it was anticipated that the C'lair application would have been resolved in March and works had started to prepare the site. As seen last week, the site is now starting to green over once again meaning that the longer this continues the more preparatory works will need to be respected. Mr Croke also has contacts in place for the material to be brought on to top the site in line with the requirements of the Enforcement Notice and these are now under considerable pressure due to the delay.

Could we please try to resolve this matter as quickly as possible, so that the site can be restored for everyone's benefit. Could you please provide the additional information by return today, so that it can be reviewed.

Many thanks

Katie

Kathryn Smith MRTPI
Chartered Town Planner

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