

REGULATION COMMITTEE

Tuesday, 3rd September, 2013

10.00 am

Council Chamber, Sessions House, County Hall,
Maidstone





AGENDA

REGULATION COMMITTEE

Tuesday, 3rd September, 2013, at 10.00 am Ask for: **Andrew Tait**
Council Chamber, Sessions House, County Telephone: **01622 694342**
Hall, Maidstone

Tea/Coffee will be available 15 minutes before the start of the meeting.

Membership (17)

- Conservative (9): Mr M J Harrison (Chairman), Mr S C Manion (Vice-Chairman),
Mr A H T Bowles, Mrs V Dagger, Mr J A Davies, Mr T Gates,
Mr P J Homewood, Mr J M Ozog and Mr J N Wedgbury
- UKIP (3) Mr M Baldock, Mr H Birkby and Mrs M Elenor
- Labour (4) Mr C W Caller, Mr G Cowan, Mr T A Maddison and
Mrs E D Rowbotham
- Swanscombe and Mr P M Harman
Greenhithe Residents
Association (1)

UNRESTRICTED ITEMS

(During these items the meeting is likely to be open to the public)

1. Membership: To note the appointment of Mr P M Harman to the Committee
2. Substitutes
3. Declarations of Interests by Members in items on the Agenda for this meeting.
4. Minutes - 18 June 2013 (Pages 1 - 4)
5. Guardianship Orders - Presentation by Cheryl Fenton, Head of Mental Health Social Work
6. Home to School Transport Appeals update (Pages 5 - 6)
7. Update from the Definitive Map Team (Pages 7 - 30)

8. Gating Order Review - The Kent County Council (Un-named footpath to the rear of Henley Fields, Tenterden) (Gating) Order 2008 (Pages 31 - 36)
9. Update from the Commons Registration Team (Pages 37 - 40)
10. Update on Planning Enforcement Issues (Pages 41 - 58)
11. Other Items which the Chairman decides are Urgent
12. Motion to exclude the public
That under Section 100A of the Local Government Act 1972 the public be excluded from the meeting for the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 5 and 6 of Part 1 of Schedule 12A of the Act.

EXEMPT ITEMS

(During these items the meeting is likely NOT to be open to the public)

13. Update on Planning Enforcement issues at Larkey Wood, Chartham (Pages 59 - 62)

Peter Sass
Head of Democratic Services
(01622) 694002

Friday, 23 August 2013

Please note that any background documents referred to in the accompanying papers maybe inspected by arrangement with the officer responsible for preparing the relevant report.

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KENT COUNTY COUNCIL

REGULATION COMMITTEE

MINUTES of a meeting of the Regulation Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 18 June 2013.

PRESENT: Mr M J Harrison (Chairman), Mr M Baldock, Mr H Birkby, Mr A H T Bowles, Mr C W Caller, Mr G Cowan, Mrs V Dagger, Mr J Davies, Mr T Gates, Mr P J Homewood, Mr T A Maddison, Mr S C Manion, Mr J M Ozog, Mrs E D Rowbotham and Mr J N Wedgbury

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr R Gregory (Principal Planning Officer - Enforcement), Ms M McNeir (Public Rights Of Way and Commons Registration Officer) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

13. Election of Vice-Chairman

(Item 3)

Mr J N Wedgbury moved, seconded by Mr P J Homewood that Mr S C Manion be elected Vice-Chairman of the Committee.

Carried with no opposition.

14. Minutes

(Item 4)

- (1) The Minutes of the Committee meeting on 14 February 2013 and of the Panel meeting on 21 January were tabled.
- (2) RESOLVED that the Minutes of the following meetings are correctly recorded and that they be signed by the Chairman:-
 - (a) Committee meetings on 22 January 2013, 14 February 2013 and 23 May 2013;
 - (b) Member Panel meetings on 21 January 2013, 19 February 2013 (am), 19 February 2013 (pm), 26 February 2013 and 5 March 2013; and
 - (c) Mental Health Guardianship Sub-Committee meeting on 30 January 2013.

15. The Growth and Infrastructure Act 2013 and its impact on Village Green applications

(Item 5)

(1) The Committee discussed a report by the Head of Regulatory Services which set out the three key changes to the legislation set out in the Growth and Infrastructure Act 2013. These were a restriction on the right to apply for Village Green status; a shortening of the period of grace during which applications could be made; and the introduction of a system whereby landowners could make landowner statements, thereby bringing to an end any use of their land “as of right.”

(2) RESOLVED that the report be noted.

16. Update from the Commons Registration Team

(Item 6)

(1) The Committee discussed a report by the Head of Regulatory Services which gave a summary of the current position of applications to register Town and Village Greens.

(2) RESOLVED that the report be noted.

17. Update on Planning Enforcement Issues

(Item 7)

(1) The Committee discussed a report by the Head of Planning Applications Group which set out the enforcement objectives, achievements and successes, and significant on-going cases.

(2) During discussion of the active enforcement cases, the Committee agreed to support the service of an Enforcement Notice at Cube Metal Recycling, Folkestone if it should become necessary.

(3) RESOLVED that subject to (2) above, endorsement be given to the actions taken or contemplated on the respective cases set out in paragraphs 6 to 32 of the report and those contained within Schedules 1, 2 and 3 appended to the report.

EXEMPT ITEMS
(Open Access to Minutes)

(Members resolved under Section 100A of the Local Government Act 1972 that the public be excluded from the meeting for the following business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 5 and 6 of Part 1 of Schedule 12A of the Act.)

18. Update on Planning Enforcement issues at Larkey Woods, Chartham
(Item 10)

- (1) The Head of Planning Applications Group reported on planning enforcement issues at Larkey Wood Farm in Chartham and set out a strategy to achieve an acceptable solution.
- (2) RESOLVED that the enforcement strategy set out in paragraphs 5 to 12 of the report be endorsed.

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By: Head of Democratic Services
To: Regulation Committee – 3 September 2013
Subject: Home to School Transport Appeals update
Classification: Unrestricted

Summary: To provide Members with an overview on Home to School Transport appeal statistics for the period between 1 January 2013 to 31 July 2013 and a brief comparison with transport appeals statistics in 2012.

1. Home to School Transport Appeal Statistics 2013

(1) For the period between 1 January 2013 to 31 July 2013 a total of 44 individual appeals were considered by Member Transport Appeal Panels of this Committee. 25 % were upheld at least in part (e.g time limited assistance). A breakdown of these appeals on a month by month basis is set out in Appendix 1 along with a comparison with appeals held in 2010 to 2012.

(2) September 2013 18 appeals have been arranged.

2. Transport Appeal Statistics – 2012

(1) For the period between 1 January 2012 to 31 July 2012 a total of 16 appeals considered by Transport Appeal Panels. 8 were upheld at least in part (e.g. time-limited assistance).

(2) It is interesting to note that in 2012 81 of the total number appeals were heard between 1 September – 31 December 2012.

4. Recommendation Members are asked to note this report.

Denise Fitch
Democratic Services Manager
Tel No: (01622) 694269
e-mail: denise.fitch@kent.gov.uk

TABLE 1
HOME TO SCHOOL TRANSPORT APPEALS -1 JANUARY – 31 July 2013

Month	Upheld	Not Upheld	Total	% Upheld
January	1	13	14	7%
February	4	4	8	50%
March	2	4	6	33%
April	0	5	5	0
May	0	0	0	0
June	4	4	8	50%
July	0	3	3	0
TOTALS	11	33	44	25%

TABLE 2
HOME TO SCHOOL TRANSPORT APPEALS - 2010-2012

Year	Upheld	Not Upheld	Total	% Upheld
2010	38	46	84	45%
2011	23	43	66	35%
2012	26	80	106	24%

Update from the Definitive Map Team

A report by the Head of Regulatory Services to Kent County Council's Regulation Committee on Tuesday 3rd September 2013.

Recommendation:

I recommend that Members consider this report and note its content.

The Definitive Map & Statement of Public Rights of Way - background

1. In September 1947 the Report of the Committee on Footpaths and Access to the Countryside, recommended that all public rights of way should be surveyed and recorded. The recommendation was put into effect through the enactment of the National Parks and Access to the Countryside Act 1949 and as a result all County Councils in England and Wales were given the duty of surveying and mapping all rights of way in their area.
2. The survey had to be undertaken in three stages: draft, provisional and definitive. The first Definitive Map and Statement of Public Rights of Way (DMS) had a relevant date of 1 December 1952. There have been three further revisions of the DMS since that time; a Draft Revised Map was prepared in 1970 which led to the production of a second Definitive Map in 1987. The County Councils latest DMS has a relevant date of 31 May 2013 and will be published and distributed in the near future. This new DMS incorporates all amendments since 1987, of which there were over 1600 and is on a modern base map making interpretation easier for all. The recording of a path on the DMS is conclusive evidence that it was a public right of way at the date the map was prepared.
3. The County Council has a duty to keep the DMS under continuous review and receives applications to add/delete/upgrade or downgrade public rights of ways. In addition the County Council also receives applications to divert/extinguish recorded rights of way and create new routes. These applications are formally processed by the Definitive Map Team and are generally processed in the order in which they are received.

Progress with Definitive Map Team applications

1. Members have requested in the past that a summary of the current position of applications to amend the DMS be provided annually to the Regulation Committee. A copy of the Register of Section 53 applications to amend the DMS and the Register of applications to divert or extinguish public rights of way is therefore attached at **Appendix A**. The Registers are also available on line at:-

http://www.kent.gov.uk/environment_and_planning/countryside_access/definitive_map_and_statement/statutory_registers.aspx
2. The Registers are updated on a regular basis to reflect progress with cases.

3. During the period April 2012 to March 2013, seventeen Public Path Orders have been confirmed and five Definitive Map Modification Orders. Also four routes have been created by agreement with the landowners.
4. There are currently forty five unallocated diversions/extinguishments and fourteen unallocated section 53 applications. The average wait between receipt of an application and allocation to an officer is currently two and a half years for both diversions/extinguishment and for section 53 applications. The backlogs have regrettably increased for both areas of work due to the loss of staff and the work involved in the production of the new DMS.
5. Objections to Orders are formally resolved and there is a Public Hearing scheduled for Wednesday 11th December at County Hall to determine three Public Path Orders relating to the diversion of part of Public Footpath KH125 and KH130 at Hollingbourne & Thurnham. A further 2 cases have been submitted to the Planning inspectorate for resolution and a further five cases are due to be submitted to the Planning Inspectorate over the coming months.
6. The County Council has entered into Service Level Agreements with five District Councils (Ashford, Dartford, Swale, Tonbridge & Malling & Tunbridge Wells) to process their Town & Country Planning Act Applications, to divert and stop up rights of way in order to enable development to take place. Since entering into these Agreements, sixteen applications have been received, eight from Ashford, three from Tunbridge Wells, two from Dartford, two from Swale and one from Tonbridge & Malling.

Recommendation

7. I RECOMMEND Members consider this report and note its content.

Background documents:

Appendix A – Registers of applications

Contact Officer:

Laura Wilkins

Definitive Map Team Leader

Public Rights of Way & Access Service

Tel: 01622 221517

Email: laura.wilkins@kent.gov.uk



Register of Applications under Section 53(5) of the Wildlife and Countryside Act 1981

For further information please telephone 01622 221568

Last updated - 14 August 2013

Serial No.	Area	Location	OS Grid Reference	Path Number	Description	Status Claimed	File Ref	Date Accepted	Current Position	Case Officer	Final Outcome
165	East	Whitstable		CW65	Claimed upgrading to Bridleway status, Carlton Road	Bridleway	PROW/CC/C165		Declined to make an Order - no Appeal received	Chris Wade	Case complete
166	East	Folkestone	TR 2031 3645		Claimed Footpath, Green Walk	Footpath	PROW/SH/C165	11/03/1998	Declined to make an Order - no Appeal received	Sonia Coventry	Case complete
171A	West	Bayham Abbey			Claimed Footpath at Bayham Abbey	Footpath	PROW/TW/C171A	03/09/1998	Orders not confirmed following a Public Inquiry	Chris Wade/Melanie McNeir	Case complete
174	West	Speldhurst	TQ 5580 4215	WT65	Claimed amendment to Footpath WT65		PROW/TW/C174	21/01/1999	No grounds of Appeal received	Laura Wilkins	Case complete
184	East	Chilham & Chertsm	TR 0854 5399		Claimed Footpath, Mill Lane to Thruxted Lane	Footpath	PROW/AS & CC/C184	09/03/2000	Orders Confirmed by Secretary of State	Laura Wilkins	Case complete
195	East	Bethersden	TQ 9200 4038, TQ 9197 4059, TQ 9219 4053		Claimed Footpath, Wissenden Road to AW258 & AW257	Footpath	PROW/AS/C195	22/02/2001	Under investigation	To be reallocated	
203	East	Whitstable	TR 0489 6484 to TR 0622 6478		Claimed deletion of Footpath CW57 - Seasalter		PROW/CC/C203	01/08/2001	Order made, objections received - Order confirmed by Secretary of State	Chris Wade/Maria McLaughlan	Case complete
205	East	Whitstable	TR 106 663		Claimed Footpath, Nelson Road to Shattsbury Road	Footpath	PROW/CC/C205	01/11/2001	Order not confirmed by Secretary of State following Public Inquiry	Laura Wilkins	Case complete
207	East	Margate	TR 337 693		Claimed Footpath, Brooke Avenue to Bridleway TM22	Footpath	PROW/TH/C207	16/11/2001	Declined to make an Order - no Appeal received	Laura Wilkins	Case complete
208	East	Dunkirk	TR 085 589		Claimed Bridleway, A2 to Bridleway ZR529	Bridleway	PROW/SW/C208	22/01/2002	Case withdrawn	Laura Wilkins	Case complete
209	West	Borough Green	TQ 6156 & TQ 6157		Claimed Footpath, Crouch Lane to recreation ground	Footpath	PROW/TM/C209	11/03/2002	Appeal dismissed	Sonia Coventry	Case complete
212	West	Edenbridge	TQ 4392 4632		Claimed Footpath, Crouch House Road to Springfield Road	Footpath	PROW/SE/C212	26/04/2002	Order made and confirmed	Sonia Coventry	Case complete
214	West	Ryash to Birling	TQ 6590 6144	MR145 & MR60A	Claimed upgrading of Bridleway MR145 and RUPP MR60A	Byway	PROW/TM/C214	31/10/2002	Appeal rejected	Melanie McNeir	Case complete
217	East	Whitstable	TR 5070 5715		Claimed Byway, Pean Hill to Foxes Cross Road	Byway	PROW/CC/C217	07/11/2002	Declined to make an Order - no Appeal received	Laura Wilkins	Case complete

222	East	Whitstable	TR 127 658	CW38	Claimed downgrading of part of CW38		PROW/CC/C222	28/03/2003	Order made - objections received - Public Inquiry held on 15 January 2013 - Order not confirmed	Chris Wade	Case complete
224	West	Headcorn	TQ 834 443	KH264	Claimed upgrading of KH624	Byway	PROW/MA/C224	14/04/2003	Appeal dismissed	Chris Wade	Case complete
225	West	Snodland	TQ 6855 6215	MR594	Claimed Byway, Pilgrims Way to Paddlesworth Road	Byway	PROW/TM/C225	01/05/2003	Order confirmed by Secretary of State	Maria McLauchlan	Case complete
226	West	Edenbridge	TQ 4460 4655		Claimed Footpath, Edenbridge Town Station to Railway Cottages	Footpath	PROW/SE/C226	06/08/2003		Sonia Coventry	Case complete - Notices served incorrectly at Appeal
227	West	Bredgar	TQ 864 603		Claimed Footpath, Deans Bottom Farm	Footpath	PROW/MA/C227	06/08/2003	Appeal dismissed	Maria McLauchlan	Case complete
228	East	Dover	TR 3677 5091		Claimed Footpath, Telegraph Road to Cowdry Square	Footpath	PROW/DO/C228	28/07/2003	Declined to make an Order - no Appeal received	Sonia Coventry	Case complete
230	East	Ospringe	TQ 995 587	ZR359	Claimed amendment of Footpath ZR359		PROW/SW/C230	27/10/2003	Order made and confirmed	Maria McLauchlan	Case complete
232	West	Hartlip	TQ 8420 6495	ZR685	Claimed Footpath, Mill Lane to Lower Hartlip Road	Footpath	PROW/SW/C232	16/10/2003	Order made & confirmed	Maria McLauchlan	Case complete
233	East	Lower Halstow	TQ 8610 6711		Claimed Footpath, Westmoreland Drive to Cumberland Drive	Footpath	PROW/SW/C233	11/11/2003	Deed of Dedication - complete	Maria McLauchlan	Case complete
234	West	Hartley	TQ 6103 6842	SD334	Claimed Footpath, Caxton Road to Gorsewood Road	Footpath	PROW/SE/C234	15/12/2003	Order made & confirmed	Maria McLauchlan	Case complete
235	East	Hartlip	TQ various		Claimed Footpaths, lots 1-14	Footpath	PROW/SW/C235	09/12/2003	Declined to make an Order - no Appeal received	Maria McLauchlan	Case complete
236	West	Luddesdown	TQ 677 688 to TQ 678 667	NS243	Claimed Byway, RUPP NS243	Byway	PROW/GR/C236	23/02/2004	Appeal dismissed	Melanie McNeil	Case complete

238	West	Dunton Green				Claimed Footpath, from underpass opposite Dunton Green Primary School to Footpath SR105	Footpath	PROW/SE/C238	07/05/2004	Declined to make an Order - no appeal received	Melanie McNeir	Case complete
239	West	Hedlow	TQ 6289 5017			Claimed Footpath, The Freehold to Carpenters Lane	Footpath	PROW/TM/C239	25/06/2004	Declined to make an Order - no Appeal received	Melanie McNeir	Case complete
240	West	Sevenoaks	TQ 523523 to TQ 528519			Claimed Footpath, Hubbards Hill to Gracious Lane	Footpath	PROW/SE/C240	04/08/2004	Order made and confirmed	Melanie McNeir	Case complete
242	East	Chilham	TR 077 526	AE18 & AE429		Claimed upgrading of AE18 & AE429	Byway	PROW/AS/C242	01/10/2004	Declined to make an Order	Chris Wade	Case complete
243	East	St Margaret's Bay	TR 3639 4466			Claimed Footpath, Drove way Gardens to Kenilworth Close	Footpath	PROW/DO/C243	20/10/2004	Appeal rejected	Melanie McNeir	Case complete
244	East	Ramsgate	TR 368 657			Claimed Footpath across playing fields off Honeysuckle Road	Footpath	PROW/TH/C244	25/10/2004	Orders made and confirmed	Chris Wade	Case complete
245	West	Gravesham	NU31A, TQ 642 691 to TQ 644 693 NU33 TQ 644 693 to TQ 652 692	NS31A, NS33		Claimed upgrading of NU31A & NU33	Byway	PROW/GR/C245	26/10/2004	Declined to make an Order - No Appeal received	Chris Wade	Case complete
246	East	Whitstable	TR 0627 6482 to 0980 6573			Claimed Footpath, Reeves Beach to Footpath CW82 north of the Sportsman Public House	Footpath	PROW/CC/C246	03/11/2004	Under investigation	Maria McLaughlan	Case complete
248	East	Whitstable	TR 1295 6606			Claimed Footpaths, Grasmere Pastures	Footpath	PROW/CC/C248	14/12/2004	Order made and confirmed	Melanie McNeir	Case complete
249	East	Tenterden	TQ 588530 to TQ 135400			Claimed Footpaths, Ashford Road to ABS and Heather Drive to footpath leading to A28	Footpath	PROW/AS/C249	21/01/2005	Order made and objections received - Order not confirmed	Stewart Biggs	Case complete
250	East	Stourmouth	TR 265 633			Claimed Byway, West Stourmouth to former B2046 through Heronsgate Farm	Byway	PROW/CC/C250	08/02/2005	Order made	Melanie McNeir	Case complete
255	West	West Kingsdown	TQ 588 606			Claimed Footpath Terry's Lodge Farm	Footpath	PROW/SE/C255	22/07/2005	Appeal rejected	Stewart Biggs	Case complete
256	East	Leysdown	TR 043 695			Claimed Footpath, Wing Road to Muswell Manor	Footpath	PROW/SW/C256	05/08/2005	Order made and confirmed	Stewart Biggs	Case complete
257	East	Sandgate	TR 201 351	HF64, HF65, HF66		Claimed Footpath, Encombe to Prospect Road	Footpath	PROW/SH/C257	15/08/2005	Order made and confirmed	Maria McLaughlan	Case complete
258	West	Meopham	TQ 6387 6486	NS360		Claimed Footpath, Steele's Lane, A227 - NS285	Footpath	PROW/SH/C258	23/08/2005	Order confirmed by Secretary of State	Maria McLaughlan	Case complete
259	East	Westgate-on-Sea	TR 3155 6906			Claimed Footpath, Allen Avenue to Dunstan Avenue	Footpath	PROW/TH/C259	27/09/2005	Order made and confirmed	Sonia Coventry	Case complete linked with file PROW/TM42 /1283

260	East	Adisham	1) TR 218 533 2) TR 222 534 3) TR 219 526 4) TR 223 530		Four claimed Footpaths	Footpath	PROW/CC/C260	10/10/2005	Order confirmed by the Secretary of State, adding 3 footpaths and 1 brideway	Maria McLauchlan	Case complete
261	West	Marden	TQ 759 448		Claimed Footpath, KM272 to Battle Lane	Footpath	PROW/MA/C261	04/11/2005	Order made and confirmed	Maria McLauchlan	Case complete
262	West	Birling	TQ 667 617	MR48	Claimed upgrading of MR48	Byway	PROW/TM/C262	04/11/2005	Declined to make an Order - no Appeal received	Melanie McNeir	Case complete
263	West	Wrotham	TQ 601 592	MR231	Claimed upgrading of MR231	Byway	PROW/TM/C263	04/11/2005	Declined to make an Order - no Appeal received	Stewart Biggs	Case complete
264	West	Birling	TQ 665 623	MR60	Claimed upgrading of MR60	Byway	PROW/TM/C264	04/11/2005	Declined to make an Order - no Appeal received	Melanie McNeir	Case complete
265	East	Alkham	TR 238 428	ER76	Claimed upgrading of ER76	Byway	PROW/DO/C265	07/11/2005	Declined to make an Order - no Appeal received	Stewart Biggs	Case complete
266	East	Alkham	TR 269 435	ER175	Claimed upgrading of ER175	Byway	PROW/DO/C266	07/11/2005	Declined to make an Order - no Appeal received	Maria McLauchlan	Case complete
267	East	Alkham	TR 260 423	ER177	Claimed upgrading of ER177	Byway	PROW/DO/C267	07/11/2005	Declined to make an Order - no Appeal received	Maria McLauchlan	Case complete
268	East	Alkham	TR 268 429	ER178	Claimed upgrading of ER178	Byway	PROW/DO/C268	07/11/2005	Declined to make an Order - no Appeal received	Maria McLauchlan	Case complete
269	East	Alkham	TR 261 432	ER184	Claimed upgrading of ER184	Byway	PROW/DO/C269	07/11/2005	Declined to make an Order - no Appeal received	Maria McLauchlan	Case complete
270	East	Alkham	TR 271 422	ER261	Claimed upgrading of ER261	Byway	PROW/DO/C270	07/11/2005	Declined to make an Order - no Appeal received	Maria McLauchlan	Case complete
271	East	Alkham	TR 287 400	ER89 & ER223	Claimed upgrading of ER89 & ER223	Byway	PROW/DO/C271	29/11/2005	Declined to make an Order - no Appeal received	Laura Wilkins	Case complete
272	East	Alkham	TR 257 418	ER179	Claimed upgrading of ER179	Byway	PROW/DO/C272	29/11/2005	Declined to make an Order - no Appeal received	Laura Wilkins	Case complete
273	East	Ellinge	TR 238 428	ER186	Claimed upgrading of ER186	Byway	PROW/DO/C273	29/11/2005	Declined to make an Order - no Appeal received	Stewart Biggs	Case complete
274	East	West Hougham	TR 263 393	ER224	Claimed upgrading of ER224	Byway	PROW/DO/C274	29/11/2005	Under investigation	Melanie McNeir	
275	West	Lenham	TQ 904 522	KH433	Claimed upgrading of KH433	Byway	PROW/MA/C275	29/11/2005	Under investigation	Melanie McNeir	
276	West	Igham	TQ 606 550	MR311	Claimed upgrading of MR311	Byway	PROW/TM/C276	29/11/2005	Declined to make an Order - no Appeal received	Melanie McNeir	Case complete
277	West	Wateringbury	TQ 697 544	MR501	Claimed upgrading of MR501	Byway	PROW/TM/C277	29/11/2005	Under investigation	Melanie McNeir	

278	East	Wormdale	TQ 858 635	ZR64	Claimed upgrading of ZR64	Byway	PROW/SW/C278	29/11/2005	Under investigation	Melanie McNeir	
279	West	Hawkhurst	TQ 765 283	WC230	Claimed upgrading of WC230	Byway	PROW/TM/C279	29/11/2005	Under investigation	Melanie McNeir	
280	East	Capel-le-Ferne	TR 266 388	ER226	Claimed upgrading of ER226	Byway	PROW/DO/C280	16/12/2005	Declined to make an Order - no Appeal received	Laura Wilkins	Case complete
281	East	Capel-le-Ferne	TR 276 383	ER225	Claimed upgrading of ER225	Byway	PROW/DO/C281	16/12/2005	Declined to make an Order - no Appeal received	Laura Wilkins	Case complete
282	East	Westerham	TQ 453 568	ER225	Claimed upgrading of Public Footpaths, SR331 (part) and SR332	Bridleway	PROW/SE/C282	19/12/2005	Public inquiry held on 30 January 2013 - Order not confirmed	Laura Wilkins	Case complete
283	East	Lydd	TR 055 185	Footpaths HL4, 37 & 38 Restricted Byways HL39, 40 & 41	Claimed upgrading of Footpaths HL4, 37 & 38 and Restricted Byways HL39, 40 & 41	Byway	PROW/SH/C283	26/01/2006	Declined to make an Order - Appeal withdrawn	Maria McLaughlan	Case complete
284	East	Sandwich	TR 325 581	ES9	Claimed amendment to Footpath ES9	Footpath	PROW/DO/C284	28/02/2006	Under investigation	Melanie McNeir	
285	East	Newington	TQ 853 645		Claimed Footpath from Orchard Drive to the Recreation Ground	Footpath	PROW/SW/C285	03/03/2006	Orders made and confirmed for an extinguishment and creation	Laura Wilkins	Case complete
286	West	Marden	TQ 735 437		Claimed Footpath running along Roughlands Lane	Footpath	PROW/MA/C286	15/03/2006	Declined to make an Order - Appeal received - directed to make an Order	To be reallocated	
287	West	West Kingsdown	TQ 575 609		Claimed Footpath, Tinkerpot Lane to SD283	Footpath	PROW/SE/C287	28/03/2006	Declined to make an Order	Melanie McNeir	
288	West	Marden	TQ 751 461		Claimed Footpath, KM240 to Milebush Lane	Footpath	PROW/MA/C288	08/08/2006	Under investigation	To be reallocated	
289	West	Northfleet	TQ 864 603		Claimed Footpath, Beaumont Road and Dover Road	Footpath	PROW/GR/C289	09/08/2006	Declined to make an Order - no Appeal received	Maria McLaughlan	Case complete
290	East	Lydden	TR 242 448	ER121	Claimed addition to the particulars relating to Bridleway ER121		PROW/DO/C290	14/08/2006	Declined to make an Order - no Appeal received	Laura Wilkins	Case complete
291	East	Lydden	TR 242 448	ER121	Claimed addition to the particulars relating to Bridleway ER121		PROW/DO/C291	30/08/2006	Declined to make an Order - no Appeal received	Laura Wilkins	Case complete
292	East	Little Chart	TQ 934 466	AW108	Claimed addition to the particulars relating to Footpath AW108		PROW/AS/C292	04/09/2006	Order confirmed with modifications following Public Inquiry	Maria McLaughlan	Case complete

293	East	Birchington	TR 304 692		Claimed Footpath, Yew Tree Gardens to Neame Woods	Footpath	PROW/TH/C293	05/10/2006	Declined to make an Order - no Appeal received	Laura Wilkins/Matt Garvey	Case complete
294	West	Marden	TQ 744 474 to TQ 744 477		Claimed Byway, Tilden Lane to Footpath KM229	Byway	PROW/MA/C294	31/10/2006	Declined to make an Order - Appeal received - Appeal dismissed	Melanie McNeir	Case complete
295	East	Teynham			Claimed Footpath, ZR234 to ZR234	Footpath	PROW/SW/C295	29/01/2007	Order made and confirmed	Stewart Biggs	Case complete
296	East	Whitstable	TR 106 664		Claimed Footpath, Middle Wall to Cornwallis Circle	Footpath	PROW/CC/C296	20/02/2007	Order made and confirmed	Laura Wilkins/Matt Garvey	Case complete
297	East	Littlebourne	TR 194 5725 to TR 2060 5758		Claimed Footpath, CB150 to The Hill	Footpath	PROW/CC/C297	27/03/2007	Declined to make an Order - Appeal received - Appeal dismissed	Melanie McNeir	Case complete
298	East	Littlebourne	TR 1910 5856 to TR 2060 5758		Claimed Footpath, CB152 to The Hill	Footpath	PROW/CC/C298	27/03/2007	Declined to make an Order - Appeal received - Appeal dismissed	Melanie McNeir	Case complete
299	East	Whitstable	TR 105 659		Claimed Footpath, Glebe Way to the level crossing	Footpath	PROW/CC/C299	07/06/2007	Order made and confirmed	Laura Wilkins/Matt Garvey	Case complete
300	West	Marden	TQ 717 417 to TQ 751 411		Claimed Restricted Byway, Sherenden Lane to Harts Heath	Restricted Byway	PROW/MA/C300	04/07/2007	Declined to make an Order - Appeal received - Appeal withdrawn	Melanie McNeir	Case complete
301	West	Swanscombe	TQ 605 750		Claimed Footpath, Pilgrims Road	Footpath	PROW/DA/C301	20/07/2007	Order made and confirmed	Maria McLauchlan	Case complete
302	East	Greatstone	TR 0808 2288		Claimed Footpath, The Parade to Merritt Road	Footpath	PROW/SH/C302	20/08/2007	Order made and confirmed	Maria McLauchlan	Case complete
303	East	Ickham	TR 2002 5677 to TR 2054 5629		Claimed Footpath, Lackenden to Garrington	Footpath	PROW/CC/C303	20/08/2007	Order made and confirmed	Maria McLauchlan	Case complete
304	East	Lympne, Hythe	TR 120 351		Claimed Footpath, Belcaire Close to Harman Avenue	Footpath	PROW/SH/C304	06/09/2007	Order made and confirmed	Maria McLauchlan	Case complete
305	West	Marden & Horsmonden	TQ 738 422 to TQ 723 426	Includes path numbers FP KM261, FP KM258, FP WT333, FP WT332 & FP WT331	Claimed Restricted Byway, Goughurst Road to Queen Meads	Restricted Byway	PROW/MA&TW/C305	06/12/2007	Declined to make an Order - Appeal received - Appeal dismissed	Maria McLauchlan	Case complete

306	West	Dartford	TQ50977241 to TQ51047264 to TQ50987273	Claimed Footpath, Tile Kiln Lane to Calvert Drive	Footpath	PROW/DA/C306	05/02/2008	Declined to make an Order - no Appeal received	Matthew Garvey	Case complete
307	West	Snodland & Larkfield	TQ7119 6131 to TQ 7131 6102	Claimed Footpath running between Footpath MR44 and another connection with Footpath MR44	Footpath	PROW/TM/C307	04/04/2008	Under investigation	To be reallocated	-
308	West	Lenham	TQ 9101 4995 to TQ 9128 4985	Claimed Bridleway from Bull Hill to Footpath KH405, Lenham Heath	Bridleway	PROW/MA/C308	01/05/2008	Order Confirmed (Public Footpath status) by Secretary of State following Written Representations	Matthew Garvey	Case complete
309	West	Sundridge	TQ 4808 5345 to TQ 4814 5346	Claimed Footpath from New Road to Bridleway SR259, Sundridge	Footpath	PROW/SE/C309	05/06/2008	Public Inquiry held on 23 January 2013 - Order confirmed - SR737 added to Map and Statement	Laura Wilkins	Case complete
310	West	Hollingbourne	TQ 8422 5482 to TQ 8434 5501	Claimed Footpath from Greenway Court Road to B2163, Hollingbourne	Footpath	PROW/MA/C310	10/06/2008	Order made and confirmed	Matthew Garvey	Case complete
311	West	West Kingsdown	TQ 5732 6325 to TQ 5739 6317	Claimed Footpath from Hever Avenue to Church Road, West Kingsdown	Footpath	PROW/SE/C311	18/06/2008	Order made, objections received - Order confirmed by Secretary of State	Maria McLauchlan	Case complete
312	East	Margate	TR 3885 7196 to TR 3887 7113	Claimed Footpath from Knockholt Road to The Ridings, Margate	Footpath	PROW/TH/C312	22/07/2008	Order made and confirmed	Maria McLauchlan	Case complete
313	East	Whitstable	TR 1072 6479 to TR 1098 6499	Claimed Footpath from Gorrell Wood via Benacre Wood to St Andrews Close and returning to Gorrell Wood	Footpath	PROW/CC/C313	06/08/2008	Case withdrawn	Melanie McNeir	Case complete
314	West	Snodland	TQ 7003 6183 to TQ 7008 6184 TQ 5894	Claimed Footpath from Birling Road to Bingley Close	Footpath	PROW/TM/C314	29/08/2008	Public Inquiry held on 5 April 2013 - Order confirmed	Chris Wade	Case complete
315	West	Shipbourne	5093 to TQ 5894 5089	Claimed Bridleway from MT50 to MT50	Footpath	PROW/TM/C315	06/10/2008	Order made and confirmed	Matthew Garvey	Case complete
316	West	Riverhead	TQ 5147 5624 to TQ 5147 5620	Claimed Footpath from Maidstone Road to St. Mary's Church	Footpath	PROW/SE/C316	13/10/2008	Order made and confirmed	Laura Wilkins	Case complete

317	West	Tunbridge Wells	TQ 5838 3937 to TQ 5840 3945 and TQ 5844 3938 TQ 581 491 to TQ 582 492 and TQ 580 488 to TQ 580 493 and TQ 580 488 to TQ 579 486	Claimed Footpaths from Clanricarde Road to Mount Pleasant Road and Church Road Claimed Footpaths from Bridleway MT52 to Public Footpath MT37 and from Public Footpath MT37 to another connection with Public Footpath MT37 and from Bridleway MT52 to Public Footpath MT37	Footpath	PROW/TW/C317	20/11/2008	Order made, objection received	Laura Wilkins	
318	West	Hildenborough	TR 3057 6472 to TR 3047 6456	Claimed Footpath from Monkton Road (start of TE34) to its junction with Footpath TE33 Claimed Footpath from the end of Valebrook Close to the northern end of Public Footpath HF43	Footpath	PROW/TM/C318	24/11/2008	Order made and confirmed for 2 of the claimed routes	Laura Wilkins	Case complete
319	East	Minster	TR 1903 3678 to TR 1909 3609	Claimed Footpath from the Top Gate of Grosvenor Park to Quarry Road	Footpath	PROW/TH/C319	24/04/2009	Order made and confirmed	Maria McLauchlan	Case complete
320	East	Cheriton, Folkestone			Footpath	PROW/SH/C320	14/05/2009	Declined to make an Order - no Appeal received	Laura Wilkins	Case complete
321	West	Tunbridge Wells	TQ 5896 4039 to TQ5893 4045	Claimed Footpath from the Top Gate of Grosvenor Park to Quarry Road Claimed downgrading to a Footpath the Restricted Byway AT164 running from Redbrook Street to Harbourne Lane	Footpath	PROW/TW/C321	25/05/2009	Order confirmed with modifications following submission to the Secretary of State	Matthew Garvey	Case complete
322	East	High Halden	TQ 9069 3645 to TQ 9229 3664	Claimed upgrading to a Restricted Byway part of Public Footpath CB485 running from Whitehall Road to its junction with the North Downs Way	Footpath	PROW/AS/C322	11/06/2009	Application does not comply with the legislation		Case complete
323	East	Harbledown	TR 129 673 to TR 129 9577 TR 1082 6571	Claimed Footpath from Green Lane to Hanwich Street Claimed Footpath from Middletone Avenue to Vicarage Road	Restricted Byway	PROW/CC/C323	07/07/2009	Declined to make an Order - no Appeal received	Matthew Garvey	Case complete
324	East	Whitstable	TQ 9006 6503 to TQ 9011 6494	Claimed Footpath from Green Lane to Hanwich Street Claimed Footpath from Middletone Avenue to Vicarage Road	Footpath	PROW/CC/C324	13/08/2009	Order made and confirmed	Matthew Garvey	Case complete
325	East	Milton Regis, Sittingbourne	TR 0766 4014 to TR 0740 4042	Claimed Footpath from Church Road to Public Footpath AE285	Footpath	PROW/SW/C325	27/08/2009	Order made and confirmed	Maria McLauchlan	Case complete
326	East	Brabourne			Footpath	PROW/AS/C326	07/12/2009	Order made, objection received - Order confirmed with modifications by Secretary of State	Maria McLauchlan	Case complete

327	East	Ringwold with Kingsdown	TR 3759 4811 to TR 3771 4811		Claimed Footpath from The Avenue to Footpath ER8	Footpath	PROW/DO/C327	29/12/2009	Order made and confirmed	Maria McLaughlan	Case complete
328	West	Hildenborough	TQ 5778 4750 to TQ 5773 4739	MT43	Claimed amendment to the alignment of part of Public Footpath MT43	Footpath	PROW/TM/C328	05/01/2010	Order made and confirmed	Maria McLaughlan	Case complete
329	East	Dymchurch & Burmarsh	TR 1275 3191 to TR 1215 3317		Claimed Restricted Byway running from A259 to Botolph's Bridge Road	Restricted Byway	PROW/SH/C329	17/02/2010	Order made, objections received	Maria McLaughlan	
330	East	Shepherdswell with Coldred	TR 2591 4779 to TR 2594 4752		Claimed Footpath from Public Footpath ER80/81 (Moorland Road) to Public Footpath ER83	Footpath	PROW/DO/C330	02/03/2010	Order made and confirmed	Maria McLaughlan	Case complete
331	West	Aylesford & Burtham	TQ 7169 6199 to TQ 7247 5904	MR465, MR459, MR430 & MR454 (part)	Claimed upgrading to Restricted Byway status Public Footpaths MR465, MR459, MR430 & MR454 (part) and the addition of four Restricted Byways	Restricted Byway	PROW/TM/C331	23/03/2010	Under investigation	Maria McLaughlan	
332	West	Swanley	TQ 5095 6615 to 5094 6614		Claimed Public Footpath from Azalea Drive to Ladds Way	Footpath	PROW/SE/C332	25/03/2010	Declined to make an Order - no Appeal received	Maria McLaughlan	Case complete
333	West	Sevenscoats	TQ 5354 5291 to TQ 5354 5296		Claimed Public Footpath running from one public roadside footpath to another in front of the White Hart Public House (Tonbridge Road)	Footpath	PROW/SE/C333	26/04/2010	Under investigation	Maria McLaughlan	
334	West	Teston	Route 1 TQ 6978 5482 to 7017 5439 Route 2 TQ 6986 5465 to 6980 5461 Route 3 TQ 6991 5479 to 7017 5459 Route 4 TQ 7006 5443 to 7017 5459		Claimed Bridleways known as Green Walks:- Route 1 - Northpole Road to KM333 Route 2 - Route 1 to Livesey Street Route 3 Northpole Road to KM333 and Route 4 Route 4 Route 1 to KM333 and Route 3	Bridleway	PROW/MA/C334	27/04/2010	Awaiting investigation	Maria McLaughlan	
335	East	Shepherdswell with Coldred	TR 2584 4805 to TR 2587 4798		Claimed Footpath from Eythorne Road to Church Hill	Footpath	PROW/DO/C335	01/06/2010	Order made	Maria McLaughlan	
336	East	Dover	TR 3199 4221 to TR 3203 4218		Claimed Footpath from Connaught Road to Footpath EBX9 (Godwyne Path) running alongside the property known as Castle Rise	Footpath	PROW/DO/C336	29/07/2010	Order made	Maria McLaughlan	
337	West	West Kingsdown & Kemsing	TQ 5751 6095 to 5747 5934 & 5781 6040 to 5807 6067		Claimed Restricted Byway from Tinkerpot Lane to Pilgrims Way and St Clere Hill, including the upgrading of parts of Public Footpaths SD283 & SD284	Restricted Byway	PROW/SE/C337	11/08/2010	Declined to make an Order	Melanie McNeir	

338	West	Kingswood	TQ 8426 5066 to TQ 8474 5015		Claimed Footpath from Lenham Road, Kingswood, ME17 1LZ to Footpath KH312 and Footpath KH313A	Footpath	PROW/MA/C338	17/11/2010	Under investigation	Laura Wilkins	
339	West	Greenhithe	TQ 5862 7515 to TQ 5862 7519 Deletion - TQ 5881 7419 to TQ 5883 7419 Addition - TQ 5881 7419 to TQ 5885 7416	DS10	Claimed Footpath from the High Street to the Foreshore adj. to the Sir John Franklin P.H. Claimed deletion of part of Footpath DS10 running from the steps through the gardens of 73, 71, 69 & 67 Valley View and the addition of a footpath running from the steps in a southerly direction and easterly to Valley View	Footpath	PROW/DA/C339	22/02/2011	Awaiting investigation		
340	West	Swanscombe & Greenhithe	7416	DS10		Footpath	PROW/DA/C340	18/07/2011	Awaiting investigation		
341	East	Woodchurch	TQ 9419 3493 to TQ 9412 3490 TQ 6534		Claimed Public Footpath from All Saints Church to Rectory Close	Footpath	PROW/AS/C341	13/10/2011	Accelerated in line with Statement of Priorities - Order made & confirmed	Maria McLauchlan	Case complete
342	West	Dartford	7341 to TQ 5534 7336		Claimed Public Footpath from Brent Lane to Princess Road	Footpath	PROW/DA/C342	28/11/2011	Awaiting investigation		
343	West	Tunbridge Wells	TQ 6008 4113 to TQ 6012 4108		Claimed Public Footpath from Burslem Road to Greggs Wood Road	Footpath	PROW/TW/C343	03/01/2012	Awaiting investigation		
344	West	West Peckham			Seven claimed Public Footpaths at West Peckham	Footpath	PROW/TM/C344	26/01/2012	Awaiting investigation		
345	West	Aylesford & Burham	TQ 7449 6204 to TQ 7474 6163	MR52	Claimed upgrade of part of MR52 and the claimed addition of a bridleway running from MR52 to Old Chatham Road	Bridleway	PROW/TM/C345	09/02/2012	Awaiting investigation		
346	West	Shorne	TQ 6946 7371 to TQ 6946 7365		Claimed Public Footpath from the junction of Footpaths NS317 & NS318 to the northern end of Queens Farm Road	Footpath	PROW/GR/C346	02/03/2012	Awaiting investigation		
347	West	Cranbrook	TQ 7685 3713 to TQ 7672 3684		Claimed Public Footpath running through Angley Woods from Public Footpath WC89 to another connection with WC89	Footpath	PROW/TW/C347	03/05/2012	Awaiting investigation		
348	West	Sevenoaks	TQ 5249 5606 to TQ 5297 5583		Claimed Public Bridleway from the junction of Linden Chase and Bradbourne Park Road to the junction of Linden Chase and Mount Harry Road	Bridleway	PROW/SE/C348	31/08/2012	Awaiting investigation		
349	West	Sevenoaks	TQ 5289 5608 to TQ 5284 5597		Claimed Public Footpath from Bradbourne Road to Linden Chase	Footpath	PROW/SE/C349	07/09/2012	Awaiting investigation		

350	East	Charling	TQ 9681 5027 to TQ 9741 5025	Claimed Public Footpath from Longbeech Park to 2 Tree Tops, Canterbury Road	Footpath	PROW/AS/C350	10/10/2012	Under Investigation - accelerated in line with Statement of Priorities	Laura Wilkins	
351	East	Kingsnorth	TR 0130 3800 to TQ 0154 3775	Claimed Public Bridleway from Slab Castle, Steeds Lane to its connection with the A2070	Bridleway	PROW/AS/C351	18/10/2012	Awaiting Investigation		
352	West	Ightham	TQ 5904 5656 to TQ 5913 5680	Claimed Public Footpath running from Oldbury Lane to Public Footpath MR230	Footpath	PROW/TM/C352	15/01/2013	Awaiting Investigation		
353	West	Tovil	TQ 7520 5480 to TQ 7491 5479	Claimed Public Footpath running from the end of Tovil bridge from existing footpath KMX39 to the corner of Bridgemill Way play area adj. to 18 The Hurstings	Footpath	PROW/MA/C353	10/04/2013	Awaiting Investigation		



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	Path No	Parish	Description	Date Received	Status (the stage the application has reached)	Withdrawn	Completed	Case Officer
1292	ZU47	Milton Regis, Sittingbourne	Extinguishment	19/02/2008	Confirmed by Secretary of State		Complete	Matthew Garvey
1293	MR350	Plaxtol	Diversion	21/02/2008	Order made & Confirmed		Complete	Sonia Coventry
1293	MR392	Shipbourne	Diversions	21/02/2008	Inspector declined to Confirm Order		Complete	Sonia Coventry
1294	ZR439	Throwley	Diversion	28/02/2008		Withdrawn		Matthew Garvey
1295	MR430	Ivy Hatch	Diversion	28/02/2008	Rejected		Complete	
1296	HE74	Elham	Diversion	29/04/2008	Order made & Confirmed		Complete	Colin Finch & Sonia Coventry
1297	NS185	Cobham	Diversion	01/05/2008	Order made & confirmed		Complete	Sonia Coventry
1298	MU3	Tonbridge	Diversion		Order made & confirmed		Complete	Maria McLauchlan
1299	TRX3	Ramsgate	Diversion		Order made & Confirmed		Complete	Maria McLauchlan
1300	KM43, KM42	East Farleigh	Diversion		Order made - Notice to be published 25 Aug 2013			Chris Wade
1301	TE9	St Nicolas at Wade	Diversion				Complete	Colin Finch
1302	CW52	Whitstable	Diversion		Order made, confirmed & certified		Complete	Laura Wilkins
1303	AE282	Brabourne	Diversion	16/06/2008	Order made & Confirmed		Complete	Sonia Coventry
1304	KB17	Maidstone	Diversion	17/06/2008	Order made & Confirmed		Complete	Sonia Coventry
1305	MR235	Wrotham	Extinguishment	30/07/2008	Order recinded		Complete	Sonia Coventry
1306	AW136	Westwell	Diversion	31/07/2008	Order made & Confirmed		Complete	Sonia Coventry
1307	MR81	Birling	Diversion	13/08/2008	Order made & Confirmed		Complete	Sonia Coventry
1308	CB86	Sturry	Diversion	26/08/2008	Order made & Confirmed		Complete	Maria McLauchlan
1309	ZR193	Tonge	Diversion	01/09/2008	Submitted to SoS for determination - Order Confirmed		Complete	Matthew Garvey
1310	KB28	Maidstone	Diversion	10/12/2008	Order made & Confirmed		Complete	Matthew Garvey
1311	WC138	Cranbrook	Diversion	19/12/2008	Order made & confirmed		Complete	Matthew Garvey

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	Path No	Parish	Description	Date Received	Status (the stage the application has reached)	Withdrawn	Completed		
1312	WT297, WT299	Brenchley	Diversion	02/01/2009	Order made & confirmed		Complete	Maria McLauchlan	
1313	SR396	Westerham	Diversion	30/01/2009	Order made & confirmed		Complete	Maria McLauchlan	
1314	SR442	Penshurst	Diversion	16/02/2009		Withdrawn			
1315	AE515	Ruckinge & Bilsington	Diversion	09/03/2009	Order Made & Confirmed		Complete	Matt Garvey	
1316	CB15	Blean	Diversion	01/04/2009	Order Made & Confirmed		Complete	Maria McLauchlan	
1316A	KH49	Bredhurst	Diversion		Order Made & Confirmed		Complete	Maria McLauchlan	
1317	WC5A	Goudhurst	Diversion	07/04/2009	Order Made & Confirmed		Complete	Maria McLauchlan	
1318	KM119	Boughton Monchelsea	Diversion	23/04/2009	Order Made & Confirmed		Complete	Laura Wilkins	
1319	HM29	Brooklands	Diversion	29/04/2009	Under consultation			Laura Wilkins	
1320	CW15	Whitstable	Diversion	30/04/2009		Withdrawn		Matt Garvey	
1321	MR184, MR177	Trottscliffe	TCPA Diversion	02/07/2009	Order made, confirmed & certified		Complete	Sonia Coventry	
1322	AU58A	Ashford	Extinguishment	16/07/2009	Order Made & Confirmed		Complete	Matt Garvey	
1323	CB442, CB432	Petham	Diversion	23/07/2009	Order Made & Confirmed		Complete	Matt Garvey	
1324	EE255	Easty	Diversion	03/08/2009	Declined to submit Order to SoS		Complete	Matt Garvey / Sonia Coventry	
1325	AW226, AW226A	Kingsnorth	Extinguishment & Creation	08/09/2009	Report - waiting for road to be adopted before making Order			Laura Wilkins	
1326	WC174	Hawkhurst	Diversion	08/09/2009	Order Made & Confirmed		Complete	Laura Wilkins	

1327	TE462	Minster, Thanet	Diversion	14/09/2009	Order made & confirmed	Complete	Maria McLauchlan
1328	AW150	Pluckley	Diversion	14/10/2009	Order made & confirmed	Complete	Laura Wilkins
1329	CB151A	Littlebourne	Diversion	14/10/2009	Orders made and confirmed	Complete	Laura Wilkins
1330	KH555A	Chart Sutton	Diversion	14/10/2009	Order Made & Confirmed	Complete	Matt Garvey / Laura Wilkins
1331	AW318	Kingsnorth	Creation Order	01/08/2007	Declined	Complete	Chris Wade
1332IP	HM4, HM117, HM115, HL27, HL15, HL14	Lydd	Diversion, Creation, Upgrade, Extinguishment	01/10/2009	Order made & confirmed	Complete	Matthew Garvey
1333	ZR24	Upchurch	Diversion	14/12/2009	Order made, objections received		Maria McLauchlan
1334	MR251	Borough Green & Wrotham	TCPA Diversion	22/12/2009	Order made, confirmed & certified	Complete	Matthew Garvey

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1335	WC256	Frittenden	TCPA Diversion	25/02/2010	Order made, confirmed & certified		Complete	Laura Wilkins
1336	KM318	Staplehurst	Diversion		On hold			
1274	AW217	Great Chart	Diversion	12/03/2010	Awaiting allocation			
1337	CC57	Canterbury	Diversion	12/04/2010		Withdrawn	Complete	
	KM21	West Farleigh	Diversion	22/04/2010	Application declined	Apr-10	Complete	
1338	WT347	Horsmonden	Diversion	19/03/2010	Order made and confirmed		Complete	Maria McLauchlan
1339	KH210	Hollingbourne	Diversion	27/04/2010	Order made & Confirmed		Complete	Sonia Coventry
1340	ZR350	Newnham	Diversion		Order made			Laura Wilkins
1341	CC17	Canterbury	Diversion	10/06/2010	Order made & Confirmed		Complete	Laura Wilkins
1342 P	ZS45, ZS53, ZS52, ZS38	Leysdown	Diversion		Orders made & Confirmed		Completed	Colin Finch
1343	CB225, CB225A	Adisham & Barham	Extinguishment		Order made			Laura Wilkins
1344	AE110	Wye	Extinguishment	07/07/2010	Order made, objections received			Maria McLauchlan
1345 P	EE351	Eythorne	Extinguishment and Create by Order		Orders made & Confirmed		Complete	Matt Garvey
1346	MU12	Tonbridge	Extinguishment	12/08/2010	Order made and confirmed		Complete	Maria McLauchlan
1347 P	TR31	Manston	Diversion	12/08/2010	Declined to make Order		Complete	Maria McLauchlan
1348	AW170	Hothfield	Diversion	24/09/2010	Order made & confirmed		Complete	Sonia Coventry
1349	KH541, KH544, KH542	East Sutton	Diversion & Extinguishment	30/08/2010	Under consultation			Olivia Bonham
1350	AW149	Pluckley	Diversion	21/09/2010	Order made			Maria McLauchlan
1351	SR371	Crockham Hill	Div	11/11/2010	Order made			Olivia Bonham

1352	MR52, MR24	Burham	Div & Ext		Order made & confirmed		Complete	Laura Wilkins
1353	ZR432	Throwley	Div	22/11/2010	Order made, objections received			Maria McLauchlan
1354	MR556	East Peckham	Div	24/11/2010	Under consultation			Maria McLauchlan

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	Path No	Parish	Description	Date Received	Status (the stage the application has reached)	Withdrawn	Completed	Case Officer
1355	AW161	Charing	Diversion	07/03/2011	Awaiting allocation			
1356	KH549	Chart Sutton	Diversion	11/03/2011	Awaiting allocation			
1357	AW366	Charing	Diversion	24/02/2011	Order made and confirmed		Complete	Sonia Coventry
1358	Newington Library	Newington (Ramsgate)	TCPA diversion	18/05/2011	Order made and confirmed, awaiting certification			Maria McLauchlan
1359	AW35, AW36, AW37	Charing	Diversion	13/05/2011	Orders made & Confirmed		Complete	Laura Wilkins
1360	AW65	Egerton	Diversion		Awaiting allocation			
1361	ZR691	Newington (Swale)	Extinguishment & Creation		Orders made & Confirmed			
1362	SR674	Cowden	Diversion	27/05/2011	Awaiting allocation		Complete	Laura Wilkins
1363	TB3	Broadstairs	Diversion	08/06/2011	Awaiting allocation			
1364	CB386	Petham	Div	13/06/2011	Order made & confirmed		Complete	Maria McLauchlan
1365	WC77A	Cranbrook	Div	27/06/2011	Awaiting allocation			
1366	WT265	Paddock Wood	Diversion	12/08/2011	Order made & confirmed		Complete	Laura Wilkins
1367	MR176	Offham	Diversion	11/08/2011	Awaiting allocation			
1368	EE281	Norington	Diversion	08/09/2011	Awaiting allocation			
1369	KH125	Hollingbourne	Diversion	22/09/2011	Order made, objections received - Public Hearing to be held on 11 December 2013			Chris Wade
1370	KH328	Ulcombe	Diversion	30/09/2011	Awaiting allocation			
1371	MT42	Hildenborough	Diversion	30/09/2011	Awaiting allocation			
1372	MR168, MR171	Addington	Diversion & Extinguishment	07/10/2011	Awaiting allocation			
1374	DB22	Dartford	Extinguishment		Order made & Confirmed		Complete	

1375	AE294, AE278	Brabourne	Diversion & Extinguishment	01/06/2011	Orders made & Confirmed & certified			Laura Wilkins
1376	AW149	Pluckley	Diversion	16/11/2011	Order made, objections received			Laura Wilkins
1377	MR530, MR534, MR434A	East Peckham	Div	21/11/2011	Awaiting allocation			
1378	KM275	Marden	Ext & Creation	05/12/2011	Awaiting allocation			
1379	AE27	Chilham	Div		Awaiting allocation			

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	Path No	Parish	Description	Date Received	Status (the stage the application has reached)	Withdrawn	Completed	Case Officer
1380	EE153A	Preston	Diversion	16/01/2012	Order made & confirmed		Complete	Melvyn Twycross
1381	KH130	Hollingbourne	Diversion	16/01/2012	Order made, objections received - Public Hearing to be held on 11 December 2013			Chris Wade
1382 IP	AE51, AE55, AE18	Gobmersham & Chilham	Diversion, Extinguishment & creation	14/02/2012	Orders made and confirmed		Complete	Colin Finch
1383	KH556	Chart Sutton	Diversion	31/01/2012	Awaiting allocation			
1384	MR473	Aylesford	Diversion	31/01/2012	Awaiting allocation	Withdrawn	Complete	Maria McLauchlan
1385 IP	TE6A, TE9	St Nicholas at Wade	Diversion, Extinguishment & creation	01/03/2012	Order made			Olivia Bonham
1386	ZU48, ZU48A	Bobbing	Diversion, down-grade	05/03/2012	Awaiting allocation			
1387	KH400	Lenham	Diversion	08/03/2012	Awaiting allocation			
1388	KH125	Thurnham & Hollingbourne	Diversion		Order made, objections received - Public Hearing to be held on 11 December 2013			Chris Wade
1389	HM66	Brenzett	Diversion	08/03/2012	Awaiting allocation			
1391	SR511	Sundridge with Ide Hill	Diversion	10/04/2012	Awaiting allocation			
1392	WT203	Capel	Diversion	23/04/2012	Awaiting allocation			
1393	AW15, AW15A, AW15B	Charing	Div & ext		Order made & confirmed			Sonia Coventry
1394	AW176	Smarden	Diversion	25/04/2012	Awaiting allocation		Complete	
1395	HE209	Hawkinge	Diversion	14/05/2012	Awaiting allocation			
1396	AB11	Tenterden	Diversion	21/05/2012	Awaiting allocation			
1397	CC18	Canterbury	Diversion		Awaiting allocation			

1398	WC325, WC326, WC327	Benenden	Diversion						Declined to make Order			Complete	Maria McLauchlan
1399	ZF5	Faversham	Diversion		29/06/2012				Order			Complete	Sonia Coventry
1400	ZR252	Teynham	Diversion		26/06/2012			Withdrawn				Complete	Maria McLauchlan
1401	CB461	Chartham	Diversion		11/07/2012				Awaiting allocation				
1402	HM81, HM52	Brenzett & Snargate	Diversion		20/07/2012				Awaiting allocation				
1403	WC21	Goudhurst	Diversion						Order made & confirmed			Complete	Sonia Coventry
1404	ZF5	Faversham	Creation Order, Extinguishment						Orders made, objections received				Laura Wilkins
1405	KH590, KH591	Headcorn	Diversion		02/08/2012				Awaiting allocation				
1406	AW99	Egerton	Diversion						Awaiting allocation				
1407	KM318	Staplehurst	Diversion		03/09/2012				Awaiting allocation				
1408	SD271	West Kingsdown	Diversion		08/10/2012				Awaiting allocation				
1409	AW158	Charing	Extinguishment						Awaiting allocation				
1410	AE436	Aldington	Diversion		27/11/2012				Awaiting allocation				
1411	ER183, ER183A	Alkham	Diversion & Extinguishment		20/12/2013				Awaiting allocation				

Register of current applications under the Highways Act 1980

Year 2013

For further information please call 01622 221568

Last updated 14/08/2013



Ref. No.	Details					Confirmation		Case Officer
	Path No	Parish	Description	Date Received	Status (the stage the application has reached)	Withdrawn	Completed	
1412	WT95	Speldhurst	Diversion	14/01/2013	Under consultation			Laura Wilkins
1413	KM4	Teston	Diversion	25/01/2013	Under consultation			Olivia Bonham
1414	WT347	Horsmonden	Diversion	18/01/2013	Awaiting allocation			
1415	AT39	Rolvenden	Diversion	12/02/2013	Awaiting allocation			
1416	WC325, WC326, WC327	Benenden	TCPA Diversion	19/02/2013	On Hold			Maria McLauchlan
1417	TE8A, TE9	St Nicholas at Wade	Diversion		Under consultation			Olivia Bonham
1418	SR682	Cowden	Diversion	14/02/2013	Awaiting allocation			
1419	KM203	Yalding	Diversion	26/03/2013	Awaiting allocation			
1420	MR228	Wrotham	Diversion	26/03/2013	Awaiting allocation			
1421 IP	AW222, AW298	Kingsnorth	Diversion	22/04/2013	Under consultation			Colin Finch
1422	SD257	Ash cum Ridley	Diversion	29/04/2013	Under consultation			Laura Wilkins
1423	MR230	Ighitham	Div	02/05/2013	Awaiting allocation			
1424	SR338A	Westerham	Div	16/05/2013		Withdrawn	Complete	
1425	SD252	Ash-cum-Ridley	Div	24/06/2013	Awaiting allocation			
1426	AE76	Crundale	Div	28/06/2013	Awaiting allocation			
1427	WT228	Pembury	Div	01/07/2013	Awaiting allocation			
1428	KM84	Bearsted	Div	09/07/2013	Awaiting allocation			
1429	DB50	Dartford	Ext	29/07/2013	Awaiting allocation			
1430 IP	DR1	Stone	Div	15/08/2013	Under consultation			Colin Finch

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Gating Order Review

The Kent County Council (Un-named Footpath to the rear of Henley Fields, Tenterden) (Gating) Order 2008

A report by the Head of Regulatory Services to Kent County Council's Regulation Committee on Tuesday 3rd September 2013 seeking a decision on whether or not to continue, in operation, the Henley Fields Gating Order

Recommendations:

- 1) That the Gating Order continues in operation**
 - 2) That the Order is subject to a review every two years**
-

Background

1.0 On 15 September 2008 a panel of the Regulation Committee resolved that a Gating Order should be made excluding the public from an un-named footpath to the rear of Henley Fields at Tenterden. The decision included a commitment to review the effectiveness of the Order after two years of operation. The Order became operational in April 2009.

1.1 A review of the Gating Order was taken to Regulation Committee in September 2011, following which it was agreed to continue with the operation. A further review of the effectiveness of the Order was requested by the Regulation Committee within a two year period. This has now been carried out and is summarised in this report. On the basis of the review Members are asked to endorse the recommendation that the Gating Order remains in place and is to be reviewed every two years.

1.2 On the 1 April 2006 the Highways Act (Gating Orders) (England) Regulations 2006 came into force. The regulations brought into effect amendments to the Highways Act 1980 providing the County Council, as the Highway Authority, with the power to make, revoke or vary gating Orders. The powers may be exercised in order to prevent crime or antisocial behaviour on or adjacent to the highway if the Highway Authority is satisfied that premises adjoining or adjacent to the highway are affected by the persistent commission of crime or antisocial behaviour, and that it is facilitated by the existence of the highway.

1.3 In September 2007 Kent Police and Ashford Community Safety Unit submitted an application for a Gating Order in respect of an un-named footpath to the rear of Henley Fields, Tenterden.

1.4 The footpath is a public highway, approximately 334 metres in length with a metalled surface. It links Silver Hill with Henley Fields at three locations, passing to the rear of properties along its length. Close board fencing along the northern boundary of the path prevents good natural surveillance of the footpath from the adjacent properties. The area to the south of the footpath is a mixture of garden and scrub bordering the Homewood School site. The footways of Henley Fields provide an alternative to using the footpath. They are of a similar length, width and gradient.

1.5 Statistics relating to reported crime were submitted in support of the application and provided to Members in the original report to the Regulation Committee Panel dated 15 September 2008. The statistics clearly demonstrated that persistent (enduring, constant, repeated) criminal and antisocial behaviour occurred on, and was facilitated by, the existence of the footpath. The statistics indicated that reported crime had increased significantly in 2006 and 2007. The reported antisocial and criminal activity included: persistent damage to fences, graffiti and missile throwing at houses.

1.6 Statements from residents concerning instances of criminal damage and antisocial behaviour were also provided in support of the application. It was clear from the residents' statements that the level of antisocial and criminal behaviour was having a significant impact on their quality of life.

1.7 Reported crime and antisocial behaviour in Henley Fields and specifically those properties adjacent to the footpath, represented a significant proportion of all reported criminal damage for the St Michaels ward. This was despite considerable police resource being devoted to detecting and deterring crime and antisocial behaviour in this area.

Impact of the Gating Order

2.0 Analysis of recorded crime and antisocial behaviour in the Henley Fields area for the period September 2011 to April 2013 indicates there have been three anti-social behaviour calls in the road of Henley Fields. None of these calls were related to the Gating Order:

- An abandoned vehicle to the rear of properties in the garages
- Nuisance riding of a motorbike in a yard behind properties
- Neighbour playing music too loudly.

2.1 There has been one crime in the road relating to the burglary of a dwelling. There were 56 antisocial behaviour calls to the area of St Michael's ward within which Henley Fields is situated; most calls are not in the vicinity of Henley Fields. There are no calls that could be linked to the Gating Order. The calls relate to abandoned vehicles, youths climbing on garages – these were not in the location of the footpath – and youths gathering in the area of Henley Meadows. Again this was not thought to be connected with the footpath.

2.2 There have been no reports of drugs, or drug dealing and paraphernalia. There are no repeat vulnerable victims of antisocial behaviour in the location. There have been no applications of anti-social behaviour Orders or acceptable behaviour agreements in the location.

2.3 No public consultation was carried out in reviewing the effectiveness of the Gating Order, the review relying primarily on analysis of police records. No additional information of note has been received.

2.4 I believe that the Gating Order has been successful in achieving its primary objective of reducing crime and antisocial behaviour facilitated by the footpath. I recommend that the Order should continue in operation indefinitely, to be reviewed every two years.

Recommendation

I RECOMMEND that Members endorse the following that:-

1. The Gating Order continues in operation.
2. The Order is subject to a review every two years.

Background documents:

Appendix A – The Gating Order

Contact Officer:

Maria McLauchlan

Definitive Map Officer

Public Rights of Way & Access Service

Tel: 01622 696871

Email: maria.mclauchlan@kent.gov.uk

In the Borough of Ashford

THE KENT COUNTY COUNCIL
 (UNNAMED FOOTPATH TO THE REAR OF
 HENLEY FIELDS, TENTERDEN)
 (GATING) ORDER 2008

CLEAN NEIGHBOURHOODS & ENVIRONMENT ACT 2005
 HIGHWAYS ACT 1980 (GATING ORDERS) (ENGLAND) REGULATIONS 2006

THE KENT COUNTY COUNCIL, acting as the local traffic authority in exercise of its powers under Part 1, Section 2 of the Clean Neighbourhoods and Environment Act 2005 and Sections 129 A to 129 G of the Highways Act 1980 (Gating Orders) (England) Regulations 2006; and having met the requirements of section 129A(3) of the Act, hereby makes the following order:-

1. Save as provided in Article 2 of this Order no person shall, except upon the direction or with the permission of a police constable in uniform or of a traffic warden, cause any vehicle or pedestrian to proceed on any of the lengths of gated alley ways at the rear of Henley Fields, Tenterden, Ashford, Kent. The alternative route for pedestrians will be via the footways beside Henley Fields, Chaik Avenue and Silver Hill.

2. Nothing in Article 1 of this Order shall prevent any person from causing any vehicle to proceed in any of the lengths of road referred to in that Article if the vehicle:-;

1. Is an owner of premises adjacent to or which are accessed via the gated alley ways.
2. Is a representative of The Kent County Council's Kent Highway Services and the Countryside Access Service.
3. If it cannot conveniently be used for such purpose elsewhere, to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the carrying out of any road works or the laying, erection and alteration or repair of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any telegraph or telephone wires, cables, posts or supports.
4. Is being used in the service of a Local Authority or Water Authority in pursuance of statutory powers or duties.
5. Is being used for Police, Fire Brigade or Ambulance purposes.

3. Gating Orders are not considered as a permanent solution and the effectiveness of gates will be reviewed every two years. If circumstances change the Order may be revoked or varied at this time.

4. The gates will be maintained and operated by the Police Community Support Officer- contactable at Tenterden Police Station, 42 High Street, Tenterden, Kent, TN30 6AR. 01233 611 055

5. This Order shall come into operation on 30 October 2008.

**SIGNED FOR AND ON BEHALF OF
 THE KENT COUNTY COUNCIL BY
 LINDA DAVIES DIVISIONAL
 DIRECTOR OF ENVIRONMENT AND
 WASTE FOR KENT COUNTY
 COUNCIL OR BY HER AUTHORISED
 SIGNATORY**



MANAGING DIRECTOR

Authorised Signatory:

DATED the 15th day of October 2008



Key:
 Proposed gated
 Closure points (with
 exemptions)

0	01.02.08	TR0 - CONSULTATION	DB	KB	DMV
Rev	Revision Date	Purpose of revision	Drawn	Checked	Approved

Client
KENT COUNTY COUNCIL
REGENERATION &
ECONOMY

JACOBS

Miller House, 43 - 51 Lower Stone Street, Maidstone, Kent, ME15 6GB, England
 Tel: 01622 866000 Fax: 01622 895085 www.jacobs.com

Project:
Henley Fields,
Tenterden

Drawing title		Proposed Gated Closure Points	
Drawing status	TR0 - CONSULTATION	Drawing number	B0873200/HF/TR0/1201
Scale	NTS	Do not scale	Rev
			0

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Update from the Commons Registration Team

A report by the Head of Regulatory Services to Kent County Council's Regulation Committee on 3rd September 2013.

Recommendation:

I recommend that Members consider the report and note its contents

Progress with Village Green applications

1. Members have requested that a summary of the current position of applications to register Town and Village Greens be provided at meetings of the Regulation Committee. A copy of the Schedule of Village Green applications is therefore attached at **Appendix A**.
2. Due to the large number of other meetings taking place following the elections and the summer holiday period, there have not been any Regulation Committee Member Panel meetings held since the last meeting. However, two meetings are due to take place later this month and early next month, at which the Panel will consider five applications in the Tunbridge Wells and Ashford areas (see **Appendix A**).
3. There has, however, been a decision by the Planning Inspectorate in respect of the application referred to it due to the County Council's interest in the outcome of the application in its capacity as both landowner and prospective developer. The Planning Inspectorate has rejected the application on the basis that it was not made within the required two year period of grace from when use of the application site ceased to be 'as of right'.
4. Since the last meeting, Public Inquiries into the New Romney application and the Hythe application have taken place and the Inspectors' reports are awaited. These cases are likely to be referred back to a meeting of the Member Panel for final decision later this year. Further Public Inquiries are due to take place later this year at Marden (w/c 11th November 2013) and Westgate (w/c 18th November 2013).
5. There are currently 19 applications awaiting determination, of which 17 are currently under investigation. Six of those cases are currently involved in the Inquiry process (either due to be heard or awaiting an Inspector's report) and five cases are due to be considered by a Member Panel within the next few weeks.
6. This year, for the first time in several years, the County Council has experienced a reduction in the number of Village Green applications being made and the rate has slowed from approximately one per month to one every six to eight weeks. The reduction is due in part to recent legislative changes introduced by the Growth and Infrastructure Act 2013 that now prevent village green applications from being made in cases where the land the subject of a planning application or has been identified for development in a Local or Neighbourhood Plan.

Recent legislative changes

7. At the previous meeting Members considered a report setting out the changes brought into force on 25th April 2013 by the Growth and Infrastructure Act 2013 in relation to the restrictions on the right to apply for village green status. The report also referred briefly to other changes due to come into force later in the year, and the County Council has now been provided with more detailed information regarding those changes.

8. The first change is the reduction of the period of grace during which a village green application can be made. Currently, by virtue of section 15(3) of the Commons Act 2006, applicants have a two-year period within which to make their application once use of the application site is challenged in some way (e.g. the erection of fencing or notices) so that any subsequent use is no longer 'as of right'.
9. The new provision (introduced by section 14 of the Growth and Infrastructure Act 2013) will come into effect on 1st October 2013¹. After that time, applicants will be required to make their village green applications within one year from the date upon which 'as of right' use ends. This will require applicants to respond more quickly to any challenges to recreational use by the landowner and they will need to prepare and submit their applications sooner.
10. The second change, which also comes into effect on 1st October 2013, is the introduction of a system of 'landowner statements' which will enable a landowner to deposit with the County Council a plan showing the extent of his ownership and an accompanying statement which will have the effect of bringing to an end any period of 'as of right' recreational use. The County Council will be required to keep a register of such statements and, when a landowner statement is received, the County Council will be required to publicise it by making a copy of the statement and plan available in the register and erecting notices on site to bring the attention of any recreational users to the fact that the landowner has made the statement. The one year period of grace referred to above will start running from the date that the statement is made, and any prospective applicants will need to ensure that their village green application is made within that one year period.
11. The system of landowner statements is being introduced to give landowners an opportunity to allow recreational use (if any) of their land to continue whilst preventing any formal legal rights from being acquired in the future. It is likely to be of particular interest to large landowners (e.g. developers) who hold land with a view to some alternative future use but who either do not have the means of fencing off each and every piece of their land or who simply do not wish to prevent local people from engaging in recreational activities whilst they have no immediate plans for the land.
12. It is worth noting that this system already exists in relation to Public Rights of Way (where it is known as a 'section 31(6) deposit' under the Highways Act 1980). Currently, it is a service that is offered free of charge in relation to rights of way but, in recognition of the amount of work involved and the significant benefit to the landowner in protecting his land, the Regulations² provide for the County Council to now charge a 'reasonable fee'.

Recommendation

13. I RECOMMEND Members consider the report and note its contents

Background documents:

Appendix A – Schedule of Village Green applications

Contact Officer:

Melanie McNeir

Public Rights of Way and Commons Registration Officer

Tel: 01622 221628

¹ By virtue of Article 6 of the Growth and Infrastructure Act 2013 (Commencement No. 2 and Transitional and Saving Provisions) Order 2013 (SI 2013/1488)

² The Commons (Registration of Town or Village Greens) and Dedicated Highways (Landowner Statements and Declarations) (England) Regulations 2013 – available at:

<http://www.legislation.gov.uk/uksi/2013/1774/contents/made>

**APPENDIX A:
Schedule of Village Green applications**

**Applications resolved by the Regulation Committee (Member Panel)
since last report (18th May 2013)**

Description	Parish	Member(s)	Outcome
Land at Bishop's Green	Great Chart	Mr. D. Smyth	Rejected by the Planning Inspectorate

Forthcoming Public Inquiries

Description	Parish	Member(s)	Details
Chaucer Field (at the University of Kent campus)	Canterbury	Mr. G. Gibbens	Awaiting Inspector's report re: preliminary issue
Seaton Meadow	Wickhambreaux	Mr. M. Northey	Awaiting Inspector's report
Land at Cockreed Lane	New Romney	Mr. D. Baker	Awaiting Inspector's report
Land known as Fisherman's Beach	Hythe	Mr. M. Whybrow	Awaiting Inspector's report
The Cricket Field	Marden	Mrs. P. Stockell	Commences 11 th November 2013 at Marden Cricket and Hockey Club, Marden
Land at Ursuline Drive	Westgate	Mr. J. Elenor	Commences 18 th November 2013, venue TBC

Outstanding applications to be resolved

Description	Parish	Member(s)	Status
The Downs	Herne Bay	Mr. N. Bond Mr. B. MacDowall	Public Inquiry held and report received, now awaiting further legal advice
The Glebe Field	Goudhurst	Mr. A. King	Investigation complete - refer to Panel for decision in Sept 2013
Folkestone Racecourse	Stanford	Ms. S. Carey	Under investigation
Riverside Close	Kingsnorth	Mr. M. Angell	Investigation complete - refer to Panel for decision in Oct 2013
Land at Showfields	Tunbridge Wells	Mr. J. Scholes	Investigation complete - refer to Panel for decision in Sept 2013
Kingsmead Recreation Ground	Canterbury	Mr. G. Gibbens	Under investigation
Land at South View Road	Tunbridge Wells	Mr. P. Oakford	Investigation complete - refer to Panel for decision in Sept 2013
Land at Coldblow Woods	Ripple	Mr. S. Manion	Under investigation
Land at Grasmere Road	Ashford	Mr. J. Wedgbury	Investigation complete - refer to Panel for decision in Oct 2013
Land at Montefiore Woodland	Ramsgate	Mr. A. Terry Ms. Z. Wiltshire	At consultation, deadline = 04/09/13
Land at The List	Littlebourne	Mr. M. Northey	At consultation, deadline = 04/09/13
Land at Masefield Way	Tonbridge	Mr. R. Long Mr. C. Smith	Awaiting investigation
Land at The Warren	Brabourne	Mr. A. Wickham	Awaiting investigation

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Update on Planning Enforcement Issues

Report by Head of Planning Applications Group to the Regulation Committee on 3rd September 2013.

Summary: Update for Members on planning enforcement matters.

Recommendation: To endorse the actions taken or contemplated on respective cases.

Local Member: Given by case in Appendices 1 to 3

Unrestricted

Introduction

1. This report provides an update on planning enforcement and monitoring work carried out by the Planning Applications Group since 18th June 2013 Regulation Committee.
2. Summary schedules of all current cases have been produced (see Appendices 1, 2 and 3). They cover alleged unauthorised breaches of planning control and those occurring on permitted sites, primarily waste-related. The emphasis is on live and active cases along with those resolved between Meetings. Cases resolved or sufficiently progressed to be removed from our immediate workload, are highlighted in bold.

Report Format

3. The report follows its normal format, equipping Members with the essential facts of a series of cases, varying in their degree of complexity and challenge. Summary schedules are attached, with the following sub-divisions:
 - Achievements / successes [including measurable progress on existing sites
 - New cases, especially those requiring Member endorsement for action
 - Significant on-going cases
 - Other cases / issues of interest and requests by Members
4. Members may wish to have verbal updates at Committee on particular sites from the schedules, (ideally with prior notice) or reports returned to the next Meeting. New Members may also request individual briefings on existing sites within their area. The report continues to give details of general site monitoring and progress on chargeable monitoring for minerals development.

Meeting Enforcement Objectives

Overview

5. I briefed the new Committee at its inaugural Meeting on 18th June 2013, on the County Council system for conducting planning enforcement within Kent. I shall give the key points again for Members' convenience.
6. Planning enforcement is a high-profile and essential County Council function. It underpins the Development Management service within the Planning Applications

Update on Planning Enforcement Issues

Group. There is a high Member and public expectation for this authority to act in a decisive but proportionate way. Seamless working with allied enforcement agencies is another important requirement. The type and degree of intervention is discretionary but failure to act or to account for not acting may be challenged through the Local Government Ombudsman.

Enforcement Protocols

7. The County Council operates an internal and external set of protocols, to ensure a consistent and responsive planning enforcement service. Priority is given to those sites where the activities being carried out have the potential to create the greatest and most irreversible environmental damage. Formal action is only taken as a last resort, in the full context of the case. Mixed-use sites, under our main (external) Enforcement Protocol and through established case-law, fall to the respective District Council to deal with.

Enforcement Imperative

8. The overriding priority for County Matter enforcement is to ensure that the breach (or breaches) and any further damage to the environment is arrested. Restoration will follow within its own timescale. The ideal is to *'remedy the breach'* i.e. a return of the land to its original state. That typically involves the removal off site of imported waste materials. However, highway limitations may dictate a more pragmatic solution of *'alleviating the injury to amenity'*. This may involve the retention either of all material on site or part removal of the imported spoil, leaving the remainder to be spread and levelled to best effect on site. The Woodgers Wharf case at Upchurch (see Schedule 1, No.10) illustrates such restoration dilemmas very well.

Enforcement Approach

9. The more serious and challenging planning contraventions are usually met with formal enforcement action (see for example, the emerging 'Larkey Wood' case at Schedule 1, Number 1). However, alongside these, there are a number of cases with sufficient planning merit to warrant a retrospective approach. A solution through means of a planning application is usually preferable to long and drawn-out enforcement actions. This meets with Government expectations. Nevertheless, if co-operation is missing or submission of the required schemes is slow, the County Council is in a position to take corrective action at any stage. The support of Members for the reserving of such action on a contingency basis is key to this approach.

Wider Group Involvement

10. The wider Planning Applications Group is becoming more engaged in planning compliance work, especially through the use of retrospective planning applications. This is helpfully extending the capacity of the Group in this field. However, it is offset to a degree when applications are delayed or made in an incomplete and imprecise way, frustrating an early determination of the scheme. It is unacceptable for any alleged contravener to gain any form of advantage in relation to all other operators, through use of the retrospective approach. I am therefore reviewing all cases of this type within the attached Schedules, to ensure that a 'level playing field' is maintained.

Update on Planning Enforcement Issues

Co-ordinating and Advisory Role

11. Alongside the Group's main workload, I am also continuing to offer advice on a number of district enforcement cases. County Officers have been adopting for some time a supportive role, acting in a co-ordinating capacity and forging links between the relevant local planning authority, the Environment Agency and increasingly of late the Kent Police Rural Liaison Team.
12. The Larkey Wood, Chartham case (Schedule 1, No.1); Beechwood Road, Meopham (Schedule 1, No.3); Brotherhood Traveller's site (Schedule 1, No.9) and the former Upper Bell PH site (Schedule 1, No.13) are all representative examples.

Case focus

13. Since the last Meeting resources have been focussed on 8 sites where formal enforcement action has been taken, 3 cases where investigations are underway and a further 8 cases that have been satisfactorily progressed.

Achievements / Successes [including measurable progress on sites]

14. Four Gun Field, Upchurch (Schedule 1, No.8), has an apparent planning solution in place and all matters now lie with Swale Borough Council. A recent flurry of activity caused temporary concern among local residents. However, on closer inspection, the apparent waste processing use was in fact, the handling of deep trench excavations, the result of groundwork preparations for the permitted housing development on site. I shall remain vigilant but all energies on site are now being directed towards the new built development. In fact, the physical opportunity for any alleged waste-related activities is in itself rapidly diminishing.
15. Red Lion Wharf, Northfleet (Schedule 2, No.2), is again close to completion. All stockpiles of waste wood have been shredded and await removal off site for beneficial use elsewhere, within the wider company structure of the operators.

New Cases, especially those requiring action / Member support

16. Five new County Matter cases have arisen since the last Meeting. They include: Beechwood Road, Meopham (Schedule 1, No.3); Brotherhood Traveller's site (Schedule 1, No.9); Northwood Road (Schedule 1, No.12); Former Upper Bell PH (Schedule 1, No.13) and Top Bungalow, Frieszley Lane (Schedule 1, No.14). Details are contained within each of the quoted entries.

Significant on-going cases

17. The most significant case at the moment is at Larkey Wood, Chartham case (Schedule 1, No.1 and Exempt Item 13). The alleged unauthorised activities have attracted the close and co-ordinated attention of four regulators and their respective sub-teams. I would refer Members to the references given for an expanded briefing.

Update on Planning Enforcement Issues

Other cases / issues of interest and requests from Members

18. The section on 'Meeting Enforcement Objectives' between paragraphs 5 to 13 of this report, gives an operational perspective on the planning enforcement service at the County Council. This space is used at each Meeting to inform Members on emerging trends within the field and how to best combat the increasing sophistication of uncontrolled waste management networks, within the County.

Monitoring

Monitoring of permitted sites and update on chargeable monitoring

19. In addition to our general visits to sites as a result of planning application work, we also undertake routine visits to formally monitor them. Since the last Regulation Committee, we have made a further 16 chargeable monitoring visits to mineral and waste sites, yielding a related income to the Group.

Resolved or mainly resolved cases requiring monitoring

20. Alongside the chargeable monitoring regime there is a need to maintain a watching brief on resolved or mainly resolved enforcement cases which have the potential to recur. That accounts for a significant and long-established pattern of high frequency site monitoring.
21. Cases are periodically removed (with Members agreement) to make way for others when the situation on site has been stabilised; restoration has been achieved, a district or Environment Agency (EA) remit confirmed (or with action being a realistic possibility by them). Another occasion is where a planning application would address the various issues and there is the realistic prospect of one being submitted. Cases then go onto a 'reserve' data base, with an in-built monitoring commitment; ready to be returned to the Committee's agenda should further enforcement issues emerge or a positive planning solution becomes available. Examples this time are: Units 6, 13 & 14 Detling Airfield Industrial Estate (see Schedule 1, No.4); Tutsham Farm, West Farleigh (Schedule 1, No.5) and Thirlwell Farm, Hernhill (Schedule 1, No.11) and A. Winchester & Sons, Little Queen Street (Schedule 2, No.1).
22. There is a running list of sites which fall within this category, against which priorities are drawn and enforcement monitoring checks are made. The frequency is usually high but may vary according to the site under surveillance.

Conclusion

23. This report continues from the last Meeting in the same positive vein. A number of new cases have come to the County Council's attention but these generally fall within the remit of the relevant District Council and the Environment Agency. Notwithstanding this, I have taken every opportunity to offer advice and support within an increasingly linked network of enforcement agencies. This applies both between and within sites. The pooling of trained and committed officers, especially with the closer involvement of Kent

Update on Planning Enforcement Issues

Police is beginning to offer the kind of connected enforcement service that Members and the general public would no doubt wish to see.

Recommendation

24. I RECOMMEND that MEMBERS:

- (i) ENDORSE the actions taken or contemplated on the respective cases set out in paragraphs 5 to 22 above and those contained within Schedules / Appendices 1, 2 and 3.

Case Officer: Robin Gregory

01622 221067

Background Documents: see heading

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Active Enforcement Cases

Schedule 1: Contraventions on (part) unauthorised sites

	<u>Site & Case Reference</u>	<u>Alleged Breach</u>	<u>Objectives / Actions</u>	<u>Progress</u>	<u>Notes / Remarks</u>
1	<p>Canterbury</p> <p>DC3/CA/03/COMP/OO53 Larkey Wood Farm, Chartham</p> <p>(Member: John Simmonds)</p>	<p>Apparent unauthorised waste-related activities on site.</p>	<p>This site is subject to a confirmed Enforcement Notice, prohibiting the importation, stockpiling and storage of waste materials and the presence of a soil- screener on site. The Notice is underwritten by County Court Injunctions and a County Court Control Order.</p>	<p>Compliance was reached with the Enforcement Notice in late 2009, following a staged site- recovery plan.</p> <p>Regrettably, there is a run of new alleged breaches on site, including (but not exhaustively): the stockpiling of waste wood, soils, hardcore and miscellaneous retail / factory clearance items & mobile accommodation units for salvage.</p>	<p>The aim is to have the site returned to the way it was left in 2009.</p> <p>The site has been inspected by this Authority, Canterbury City Council, the EA and Kent Police, in a single investigating action.</p> <p>The case is subject to an Exempt Report as Item 13 of these papers.</p>

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2	<p>Dartford</p> <p>KCC/DA/0123/12 LanceBox Ltd Plot 14 Manor Way Business Park, Swanscombe</p> <p>(Member: Peter Harman)</p>	<p>Alleged receipt, storage and processing of construction & demolition waste, including wood waste.</p>	<p>Enforcement action has been reserved pending submission of a retrospective planning application.</p> <p>Trading has continued in the meanwhile under tight KCC / EA interim controls.</p>	<p>The stockpile of wood has been removed, showing compliance and good intent.</p> <p>However, a retrospective planning application is long overdue. That situation is no longer tenable. An operation of this type, whatever its planning merits cannot continue in the absence of planning control.</p> <p>I have pursued the scheme on that basis, stating that planning control must now be upheld.</p>	<p>This Committee has shown patience in reserving enforcement action, while awaiting submission of a retrospective planning application.</p> <p>I have conveyed the mood of the Committee to the operator by requiring that a timetable for submission is received before the Meeting.</p> <p>Members support for the taking of enforcement action, is still required, should the operator fail to respond. That would include the serving of an Enforcement Notice; in turn under-written as required, by a County / High Court Injunction.</p>

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3	<p style="text-align: center;">Gravesham</p> <p>DC3/GR/2013 Beechwood Road Meopham</p> <p>(Member: Bryan Sweetand)</p>	Alleged fly-tipping on private land	To assist KCC Waste Management (Enforcement) in pursuing alleged criminal activity.	Difficulties have arisen in establishing the identity and location of the landowner(s). Planning Enforcement however has advised our internal colleagues on potential ways to solve the problem.	<p>Waste Management (Enforcement) have been advised to pursue the alleged crime through liaison with the Kent Police Rural Team and to approach Gravesham B.C. for the service of a 'Site Clearance' Notice under Section 215 of Town and Country Planning Act 1990 (as amended).</p> <p>I shall now remove from these schedules.</p>
4	<p style="text-align: center;">Maidstone</p> <p>KCC/PRE/MA/0197/2013</p> <p>Units 6, 13 & 14 Detling Airfield Industrial Estate Detling</p> <p>(Member: Jenny Whittle)</p>	Periodic escalations in waste volumes on site and related alleged internal breaches of planning control. The latest episode has resulted in an unauthorised extension to the permitted operating base.	<p>To steer and secure an overall and more permanent planning solution to the site, avoiding recurring problems.</p> <p>Breach of Condition notices and a confirmed Enforcement Notice are to hand but a new operator has taken over the site and has already removed most of the surplus waste.</p>	It is now proposed to consolidate the use of the extended site and to enclose the main waste activities, within properly orientated and appointed buildings.	<p>I view the current turn of events in a positive light. The inherited alleged breaches are now largely under control. Pre-application talks have taken place and I anticipate a revised application within a reasonable timeframe. I shall continue to monitor the site in the meanwhile.</p>

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5	DC3/MA/04/COMP/0060 Tutsham Farm, West Farleigh (Member: Mrs Paulina Stockell)	Depositing of builders waste on the southern bank of the River Medway	Cessation of tipping and to secure restoration.	The EA has taken the enforcement lead on this case given their waste, pollution control, river protection remit and waste removal powers. Those are all being exercised (post prosecution), in the gradual removal of the waste deposits over this summer.	The EA are to be commended on their action, encouraged and supported by KCC Officers and this Committee. I shall continue to monitor the site , in connection with the EA and report back to Members when all of the waste has been removed and the land reinstated.
6	Shepway KCC/SH/0323/2012 [DC3/SH/12] Cube Metal Recycling Unit A Highfield Industrial Estate Folkestone (Member: Bob Neaves)	KCC were alerted to this site by Kent Police and the Environment Agency (EA). The activity includes the importation, sorting and processing of scrap metals, for later despatch.	To achieve planning compliance and supportive control through an EA Permit.	A retrospective planning application is being processed. Outstanding noise control information has been submitted and is being assessed. An early determination of the application is being sought.	The application is well advanced in the development management process. I expect an early determination. I shall report on the outcome at the next Regulation Committee Meeting.

	<u>Site & Case Reference</u>	<u>Alleged Breach</u>	<u>Objectives / Actions</u>	<u>Progress</u>	<u>Notes / Remarks</u>
7	<p>Swale</p> <p>KCC/SW/0136/12 Sheerness Recycling Ltd Unit 34 Klondyke Ind Est Queenborough</p> <p>(Member: Angela Harrison)</p>	Alleged importation of construction and demolition spoil, with mechanical screening.	<p>To exact compliance and planning control.</p> <p>On the evidence I have seen, I remain unconvinced on any lawful use arguments.</p>	<p>A retrospective planning application is awaited</p> <p>Pre-application advice has been sought and given, as the first stage of an appropriate submission.</p>	Pending a valid application. I would seek Member's support on a contingency basis for the service of an Enforcement Notice , should that become necessary.
8	<p>DC3/SW/04/COMP/0059 Four Gun Field, Upchurch</p> <p>(Member: Mike Baldock)</p>	Recent site activity has appeared to suggest a resumption of previous alleged waste processing activities, on this former brickfield site with an associated lawful use.	<p>To ensure that no waste-related use is carried out on site, particularly given its sensitivity close to housing.</p> <p>It transpires that the latest activities are merely ground works for the new housing development.</p>	<p>The County Council's Enforcement Notice has now been complied with.</p> <p>Outline planning permission for housing / public open space has been granted by Swale BC.</p>	<p>The Swale BC permission will eventually displace the Lawful Use Certificates.</p> <p>I now propose to finally remove from these schedules.</p>
9	<p>Brotherhood Travellers site Dunkirk ME13 9LN</p> <p>(Member: Andrew Bowles)</p>	Alleged waste burning on site.	To review jurisdiction.	Swale BC officers and the Police have separately visited the site and confirm that the burning of on-site materials was extinguished by Kent Fire & Rescue.	The site remains under the jurisdiction of Swale BC but I have made it known to them that KCC, the EA (Crime & Permitting teams) are available for advice and support.

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10	SW/05/COMP/0016 Woodgers Wharf, Horsham Lane, Upchurch (Member: Mike Baldock)	Unauthorised use of marine wharf for screening and crushing of imported concrete beams and alleged related waste management breaches.	To arrest the alleged breaches and return the site to its lawful wharf-related use. A County Council confirmed Enforcement Notice (EN) requires restoration of the site, largely through the direct removal of the central stockpile of concrete beams. Crushing of the greater quantity of waste beams for sale to the open market is prohibited under the EN.	In the absence of any credible alternatives, restoration talks have switched to active pursuit of an 'on-site' solution i.e. using the beams to help create a hard-surface platform, ready for a beneficial after-use such as the parking of boats. An 'on-site' solution would ensure that any amenity impacts arising from 'off-site' haulage were avoided. This represents a potentially sustainable solution, within the spirit and purpose of the National Planning Policy Framework. Subject in this case, to nature conservation interests being adequately safeguarded.	I reported to the last Meeting that the landowner is now deceased. Commitment to an early restoration of the site remains but Probate issues have delayed and complicated matters. In the circumstances, I shall continue to negotiate a permanent solution. In the meanwhile, I propose to remove from these schedules. I shall return with a more definite briefing for Members, when family financial and property issues are more settled.

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11	<p>DA3 / SW/2013</p> <p>Thirlwell Farm Drove Lane, Hernhill</p> <p>(Member: Andrew Bowles)</p>	<p>Unauthorised importation of land-raising materials to the site, causing incidental landscape damage.</p> <p>More recent inputs of material have been made, with no apparent land-based justification.</p>	<p>Swale BC sanctioned the initial works as permitted development and holds the planning enforcement initiative on the latest round of importation, especially given their confirmed Enforcement Notice on the site.</p> <p>The EA are separately investigating the activities and liaising with both the County and Borough Planning Authorities.</p>	<p>Importation has been brought to a halt. It would seem partly in response to regulatory activity at Larkey Wood, Chartham (see Schedule 1, No.1 and Exempt Report, Item 13). The two sites are in common ownership.</p>	<p>I shall continue to monitor events with the EA, offering technical and tactical advice to Swale BC, as required.</p> <p>Members' support is sought, on a contingency basis for the taking of enforcement action (should that be required), to include the serving of an Enforcement Notice; under-written as required, by a County / High Court Injunction.</p>
12	<p>Thanet</p> <p>DA3/TH/2013 Northwood Road Ramsgate</p> <p>(Member: Martyn Heale)</p>	<p>Alleged amenity impacts from excessive noise and related highway obstruction.</p>	<p>To see if any planning enforcement remit applies?</p> <p>On investigation, no County Matter waste activities, or highway obstruction was found.</p>	<p>At one property, a large metal container was noticed in their front garden, with a small skip on open ground to one side. That in turn was accompanied by a small stockpile of wooden planks.</p>	<p>It was apparent that some form of residential works were being carried out, which fall to Thanet D.C. to regulate.</p> <p>In view of this I shall now remove this case from the Schedules.</p>

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13	<p>Tonbridge & Malling</p> <p>Former Upper Bell PH, Blue Bell Hill Village</p> <p>(Member: Peter Homewood)</p>	<p>Importation, depositing and stockpiling of demolition spoil.</p> <p>The former public house was part demolished by the landowner. A S215 Notice was served by Tonbridge & Malling BC (TMBC) to secure complete demolition of the building on visual amenity grounds. The spoil was to be removed off site.</p>	<p>To investigate the activity with TMBC officers and to decide on the lead authority.</p> <p>Whilst the building was demolished, the spoil was removed and stored on land within the same landownership, directly opposite. It was then screened by an unauthorised perimeter fence, attracting an Enforcement Notice from TMBC, for its removal.</p>	<p>A site meeting was held between KCC, TMBC and the landowner. No County Waste remit was found and by agreement the site was left with the Borough Council.</p> <p>It had been accepted on site that the demolition stockpile was being held, pending its re-use as part of redevelopment plans for the related sites.</p>	<p>I was surprised that TMBC later suggested that a waste transfer activity had been established, supported by the storage of waste.</p> <p>I confirmed by return that that was not the case but in parting offered enforcement advice on how to complete the case.</p> <p>I shall now remove from these schedules.</p>
14	<p>Tunbridge Wells</p> <p>Top Bungalow, Frieszley Lane, Cranbrook.</p> <p>(Member: Seán Holden)</p>	<p>Importation of builders' demolition spoil and alleged burying and burning on site, with associated heavy machinery noise.</p>	<p>To co-ordinate with the established efforts of Tunbridge Wells BC's Planning Enforcement and Environmental Health teams and the Environment Agency</p>	<p>The case is under co-ordinated and active investigation by linked agencies.</p>	<p>Whilst the powers of the other regulatory bodies may be the most appropriate and proportionate in this case, I shall continue to liaise with them. Meanwhile, I would seek support from Members on a contingency basis for the serving of an Enforcement Notice, should that become necessary.</p>

Schedule 2: Alleged breaches on Permitted Minerals & Waste Sites

Appendix 2

	<u>Site & Case Reference</u>	<u>Alleged Breach</u>	<u>Objectives / Actions</u>	<u>Progress</u>	<u>Notes / Remarks</u>
1	<p>Dartford</p> <p>DA3/DA/1993 A Winchester & Sons Waste Recycling Centre Little Queen Street Dartford</p> <p>(Member: Tom Maddison).</p>	<p>Complaints from local residents of amenity impacts By virtue of noise and dust arising from existing site operations.</p> <p>This site was brought to the attention of this committee in 2012 when local residents complained of the use of large goods vehicles damaging and blocking the approach road to the site.</p> <p>This issue has since been alleviated through highway restrictions.</p> <p>The focus has now switched to alleged on-site issues.</p>	<p>To review available control powers among the three main regulators (KCC, Dartford BC and the EA) in order to see what might be done to alleviate any ongoing amenity impacts.</p> <p>The site operates under an Established Use Certificate, with complex roots.</p> <p>In these circumstances, the EA has the more complete and direct set of powers, to address any issues on site.</p>	<p>The EA has been alerted to the site by the Local County Member Mr Tom Maddison. He, the Local District Member and MP have all been active on behalf of local residents, especially concerning their quality of life.</p> <p>The EA have first been reviewing site activities against the terms of the Environmental Permit. They are also shortly to monitor air quality using specialist equipment.</p>	<p>I shall report back to Members on the outcome of the current EA intervention.</p> <p>I shall do what I can in the meanwhile to encourage relocation of the use to a more suitable site. I should stress however, that the ultimate decision on that lies with the operator.</p>

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2	<p>Gravesham</p> <p>DC3/GR/COMP/0013 Red Lion Wharf Crete Hall Road Northfleet</p> <p>(Members: Sue Howes & Narinderjit Thandi)</p>	Importation of waste wood, stockpiling and shredding.	To cease importation and secure removal of the high residual stockpile of waste wood.	A three year temporary permission (with as S106 Agreement) has secured complete processing and near removal of all waste wood on site.	Remaining stockpiles are now processed and ready for despatch. I shall remove from these schedules for now and return with photographs of an empty site.
3	<p>Tunbridge Wells</p> <p>DC3/TW/12 CLC Construction Ltd Westdene Five Oaks Green</p> <p>(Member: Alex King MBE)</p>	<p>Material change of use from a former scrapyard to the servicing of utility contracts, with the stockpiling of spoil on site and the exchange of material between jobs, with the remainder being sent for processing and alternative re-use.</p> <p>The site is within the countryside and the Metropolitan Green Belt. It is also close to housing.</p>	<p>To control the level of use on the site pending the outcome of the current retrospective planning application.</p> <p>The stockpile having grown in height is restricted in the interim to the height of the lorry cab of the vehicles bringing the material to the site. That is clear to all parties, visibly enforceable and largely observed.</p>	The application is well advanced in the development management process. I expect an early determination. I shall report on the outcome at the next Regulation Committee Meeting	<p>Enforcement action is being reserved.</p> <p>The stockpile height is being held in check.</p> <p>However, I would still seek Members' contingency support, for the servicing of an Enforcement Notice, should that become necessary.</p> <p>I shall keep the Committee informed on progress at this sensitive location.</p>

Schedule 3: Alleged breaches on Permitted County Council Developments

Appendix 3

	<u>Site & Case Reference</u>	<u>Alleged Breach</u>	<u>Objectives / Actions</u>	<u>Progress</u>	<u>Notes / Remarks</u>
1	<p>Maidstone</p> <p>KCC/ MA/13/0015</p> <p>St Johns C of E Primary School, Provender Way, Grove Green. ME14 5TZ</p> <p>(Member: Paul Carter)</p>	<p>Alleged construction of a permitted 2 classroom extension, beyond permitted hours of 0800 – 1800 weekdays and 0900 – 1300 Saturdays, with no work on Sunday. The complaints are of early starting, before 8 am weekdays, 9 am on Saturday, along with unauthorised working on Sundays.</p>	<p>To ensure immediate observance of construction hours, in line with the internal enforcement protocol.</p>	<p>I have investigated the case and alerted the project manager. Steps have immediately been put in place to ensure full compliance with the permitted working hours.</p>	<p>I shall report on any further details at the Committee Meeting.</p>

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By virtue of paragraph(s) 5, 6 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item 13

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