

## KENT COUNTY COUNCIL

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### REGULATION COMMITTEE

MINUTES of a meeting of the Regulation Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 27 January 2015.

PRESENT: Mr M J Harrison (Chairman) Mr M Baldock, Mr H Birkby, Mr C W Caller, Mr G Cowan, Mr A D Crowther, Mrs V J Dagger, Mr J A Davies, Mr T Gates, Mr P M Harman, Mr T A Maddison, Mr J M Ozog, Mr C Simkins and Mr J N Wedgbury

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr R Gregory (Team Leader - Planning Enforcement), Ms J Hamid (Enforcement Administration Officer), Mr G Rusling (Public Rights of Way & Access Service Manager), Ms M McNeir (Public Rights Of Way and Commons Registration Officer), Mr S Bagshaw (Head of Fair Access), Ms D Fitch (Democratic Services Manager (Council)) and Mr A Tait (Democratic Services Officer)

### UNRESTRICTED ITEMS

#### 1. Minutes - 9 September 2014 (Item 3)

- (1) The Committee noted that the date of the May meeting of the Committee (Minute 14/19) had been changed to Friday, 15 May 2015.
- (2) RESOLVED that the Minutes of the meeting held on 2 September 2014 are correctly recorded and that they be signed by the Chairman.

#### 2. Home to School Transport Appeals Update (Item 4)

- (1) The Democratic Services Manager provided an overview of Home to School Transport appeal statistics for the period between 1 January and 31 December 2014.
- (2) The Committee noted that the increase in the percentage of appeals upheld was accounted for by the need for the Education Authority to provide transport assistance for pupils attending Free Schools.
- (3) RESOLVED that the report be noted.

#### 3. Update from the Commons Registration Team (Item 5)

- (1) The Public Rights of Way and Commons Registration Officer reported on progress with Village Green applications including the outcome of the judicial review process in respect of the decision to register land at King Ethelbert School at

Westgate as a Village Green. She confirmed that this process had now been concluded and that there was no further opportunity to challenge registration.

(2) RESOLVED that the content of the report be noted.

**4. Update on Public Footpath ZF5 at Faversham**  
*(Item 6)*

(1) Mr T Gates informed the Committee that he had, in his capacity as Local Member spoken on this matter in a number of meetings, and particularly at the Public Inquiry.

(2) A letter from Mr Brian Caffarey, a local resident in support of the recommendations in the report had been circulated to all Members of the Committee prior to the meeting.

(3) The Public Rights of Way and Access Manager gave a brief resume of events which had led to the decision by the Inspector not to confirm the Regulation Committee Member Panel's decisions in respect of public access arrangements at Faversham Creek. He set out a recommended proposal for consultation which was agreed by the Committee.

(4) RESOLVED that the proposal to divert Public Footpath ZF5 to run along the creek-side apron at Faversham Reach (points A to H in Appendix C of the report) and to link this with the footpath to be created by Swale BC (points H to M in Appendix C of the report) be consulted upon, and that the responses received be reported to a future meeting of the Committee.

**5. Update on Planning Enforcement Issues**  
*(Item 7)*

(1) The Head of Planning Applications Group gave an overview on planning enforcement matters since the last meeting of the Committee.

(2) RESOLVED that the actions taken or contemplated in the report be endorsed.

## **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.)*

#### **6. Update on Planning Enforcement cases** *(Item 10)*

(1) The Team Leader - Planning Enforcement gave an update on (part) unauthorised planning matters, setting out the actions taken or contemplated in respect of a number of sites. These were The Old Brickworks, Wye; Larkey Wood Farm, Chartham; Mount Pleasant Farm, Yorkletts, Whitstable; LanceBox Ltd, Manor Way Business Park, Swanscombe; Court Wood House, Longfield; Nt Rix Scaffolding Ltd, Dover; Plant Hire Solutions Camp Site, West Hougham; Kiln Wood, Lenham; DWP Recycling, Halstead; Woodgers Wharf, Upchurch; Thirwell Farm, Hernhill; and Top Bungalow, Cranbrook.

(2) During consideration of the report, the Committee agreed that advice would be sought from Counsel as to options available to the County Council to minimise the risk of operators transferring activities elsewhere in the County.

(3) RESOLVED that:-

- (a) endorsement be given to the enforcement strategy outlined in paragraphs 3 to 10 of the report and in Appendix 1 of the report; and
- (b) advice be sought from Counsel as to options available to the County Council to minimise the risk of operators transferring activities elsewhere in the County.

#### **7. Planning Enforcement issues at Larkey Wood Farm, Chartham** *(Item 11)*

(1) The Team Leader - Planning Enforcement reported on developments at the Larkey Wood Farm site in Chartham and set out the enforcement strategy being followed.

(2) RESOLVED that approval be given to the enforcement strategy outlined in paragraph 12 of the report.

#### **8. Update on Planning Enforcement issues at Thirwell Farm, Drove Lane, Hernhill** *(Item 12)*

(1) The Team Leader - Planning Enforcement reported on developments at Thirwell Farm in Hernhill, including the multi-agency response and the proposed actions to bring about restoration.

- (2) RESOLVED that approval be given to the enforcement strategy outlined in paragraphs 2 to 15 of the report.