

## 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 Thursday, 16 October 2025.

PRESENT: Mr O Bradshaw, Mr W Chapman, Mrs M Fothergill, Mr S Heaver, Mr T Mallon, Mr R Mayall, Mr T Mole, Mr M Paul, Mrs B Porter, Mr A Ricketts, Mrs S Roots, Mr T L Shonk, Mr D Sian and Mrs S Hudson (Substitute for Mr H Rayner)

IN ATTENDANCE: Team Leader - Planning Enforcement, Mr G Rusling (Head of Public Rights of Way & Access), Mrs S Thompson (Head of Planning Applications Group), Ms H Savage (Democratic Services Officer), Ms S Bonser (Solicitor) and Senior Planning Enforcement Officer

### UNRESTRICTED ITEMS

#### **1. Election of Chair**

*(Item 1)*

1. Mr Oliver Bradshaw proposed, and Mr Dodger Sian seconded, that Mrs Maxine Fothergill be elected Chair of Regulation Committee. There were no other nominations.
2. RESOLVED that Mrs Maxine Fothergill be elected Chair of Regulation Committee.

#### **2. Election of Vice-Chair**

*(Item 2)*

1. Mr Wayne Chapman proposed, and Mrs Sharon Roots seconded, that Mrs Bridget Porter be nominated as Vice-Chair of Regulation Committee. There were no other nominations.
2. RESOLVED that Mrs Bridget Porter be elected as Vice-Chair of Regulation Committee.

#### **3. Apologies and Substitutes**

*(Item 3)*

Apologies were received from Mr Rayner and Mr Sefton. Mrs Hudson was present as substitute for Mr Rayner.

#### **4. Declarations of Interests by Members in items on the Agenda for this meeting.**

*(Item 4)*

There were no declarations of interest.

## **5. Minutes**

*(Item 5)*

RESOLVED that:

- (a) The minutes of the Regulation Committee on 21 January 2025 are correctly recorded and that they be signed by the Chair.
- (b) The minutes of the Regulation Committee Member Panels on 10 December 2024 and 18 March 2025 are correctly recorded and that they be signed by the Chair.
- (c) The minutes of the Mental Health Guardianship Sub-Committee on 15 January 2025 be noted.

## **6. Update from the Public Rights of Way and Access Service**

*(Item 6)*

- 1. Mr Graham Rusling, Head of Public Rights of Way and Access Service, introduced the report and highlighted key developments in respect of applications to amend the Definitive Map and Statement including Section 53 Applications; applications to divert, extinguish or create public rights of way; statutory deposits; land searches and temporary traffic regulation orders; backlogs; and a legislative update regarding the Deregulation Act 2015 and the 2026 cut-off-date.
- 2. Mr Rusling responded to questions and comments from Members including the following:
  - (a) Cases relating to the development of land affected by public rights of way were handled under the Town and Country Planning Act and were prioritised due to the risk of development proceeding before rights were considered. The process was connected but separate from planning applications. Definitive Map Modification Orders (DMMOs) were also prioritised when rights were threatened by development.
  - (b) Historically, there were more user-based applications than historic applications but the balance had now shifted with more historic claims being received. Historic claims could be more straightforward due to access to digitised archives but depended on the legal thresholds to be applied to the type of application made. User-based claims were more time-consuming due to interviews and evidence gathering. Prioritising user-based claims might slow things down initially but could be manageable due to their lower volume.

- 3. RESOLVED that the report be noted.

## **7. Other Items which the Chairman decides are Urgent**

*(Item 7)*

There were no urgent items.

## **EXEMPT ITEMS**

**(Open Access to Minutes)**

*(Members resolved under Section 100A of the Local Government Act 1972 that the public be excluded 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)*

**8. Update on Planning Enforcement Cases**

*(Item 8)*

1. The Head of Planning Applications introduced the report which covered the work of the Planning Enforcement Team since 21 January 2025.
2. The Planning Enforcement Team Leader and the Head of Planning Applications provided an update on investigations and actions (new or ongoing) at alleged unauthorised sites including The Pines Nursery, Barham, Canterbury; Eight Acres, West Hougham, Dover; Thornton Farm & Kennels, Pike Road, Tilmanstone; London Scrap Terminal (LDT) Crete Hall Road, Gravesend (and associated jetty; Knole Farm, Malling Road, Teston, Maidstone; Woodger's Wharf (Aerial Site) Horsham Lane, Upchurch; and Manor Farm, Paddock Wood.
3. The Senior Planning Enforcement Officer and the Head of Planning Applications provided an update on investigations and actions regarding alleged compliance issues at permitted sites including Ashford Wastewater Treatment Works, Canterbury Road, Ashford; Smarden Waste Water Treatment Works; Shelford Landfill, Broad Oak Road, Canterbury; The Old Tilmanstone Colliery, Pike Road, Eythorne (Ovendens); McAleers, Plot 1 North East Cross Keys Coaches, Caesars Way, Folkestone; R S Skips Apex Business Park, Shorne; Otterpool Quarry, Ashford Road, Sellindge; Borough Green Sandpits, Platt; and H&H Celcon, Ightham.
4. RESOLVED to note the report and endorse the enforcement strategies outlined in Appendices 1 and 2.