

KENT COUNTY COUNCIL

REGULATION COMMITTEE

MINUTES of a meeting of the Regulation Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 21 September 2022.

PRESENT: Mrs S Hudson (Vice-Chairman in the Chair) Mr M Baldock, Mr I S Chittenden, Mr P Cole, Ms S Hamilton, Mr D Jeffrey, Mr R C Love, OBE, Mr J M Ozog, Mr T L Shonk, Mr H Rayner and Mr A Brady

ALSO PRESENT: Mrs S V Hohler

IN ATTENDANCE: Mr R Gregory (Team Leader - Planning Enforcement), Mr G Rusling (Public Rights of Way & Access Service Manager), Mrs S Thompson (Head of Planning Applications), Mrs L Wilkins (Definitive Map Team Leader), Mr S Whitehead (Specialist Enforcement Officer) and Ms H Savage (Democratic Services Officer)

UNRESTRICTED ITEMS

14. Apologies and Substitutes

(Item 1)

Apologies were received from Mr Manion, Mr Lewis, and Mrs Parfitt-Reid. Mr Brady was attending as substitute for Mr Lewis and Mr Rayner was attending as substitute for Mrs Parfitt-Reid.

15. Declarations of Interests by Members in items on the Agenda for this meeting.

(Item 2)

There were no declarations of interest.

16. Minutes of the meeting held on 9 June 2022

(Item 3)

RESOLVED that the Minutes of the Committee meeting on 9 June 2022 are correctly recorded and that they be signed by the Chairman.

17. Update from the Public Rights of Way and Access Service

(Item 4)

- (1) The Definitive Map Team Leader introduced the report and provided an overview of the position related to Public Rights of Way (PROW) applications.
- (2) The Definitive Map Team Leader said reforms in relation to PROW under the Deregulation Act of 2015 were still not in force and there was no firm date when this would happen. The government had expressed its intention to repeal the 2026 cut-off date where all unrecorded rights of way created before 1949 were

to be extinguished subject to certain exceptions. Of the 87 unallocated applications, 53 were based on historic pre-1949 evidence.

- (3) In response to a question from Mr Chittenden, the Definitive Map Team Leader said a report to the January meeting of the Committee would contain a focus on village green applications.
- (4) Members discussed, in relation to the backlog of applications, capacity and resource, training and recruitment, and opportunities for joint working and shared resources.
- (5) In response to questions from Members regarding the use of technology and opportunities for information on the Council's website to be more interactive, the Public Rights of Way & Access Service Manager said he would consult with colleagues in the Council's ICT department.

RESOLVED that the report be noted.

18. Update on Planning Enforcement Issues

(Item 5)

- (1) The Head of Planning Applications introduced the report which covered the work of the Planning Enforcement Team since 9 June 2022.
- (2) The Head of Planning Applications introduced Mr Whitehead to the committee who had been recruited on an interim basis, two days a week, to provide dedicated resource to investigate alleged planning breaches on permitted sites.

RESOLVED that the actions taken or contemplated in the report be noted and endorsed.

19. Other Items which the Chairman decides are Urgent

(Item 6)

There were no urgent items.

20. Motion to exclude the public

(Item 7)

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)

21. Update on Planning Enforcement Cases

(Item 8)

- (1) The Planning Enforcement Team Leader gave an update on unauthorised (or part unauthorised) planning enforcement matters setting out actions taken or

contemplated at Raspberry Hill Park Farm, Iwade; Warden Point, Eastchurch; Surf Crescent, Eastchurch; Springhill Farm, Fordcombe; Water Lane, Thurnham; Hoads Wood Farm, Bethersden; Double Quick Farm, Lenham; Woodside East, Shadoxhurst; Ringwould Alpine Nursery, Dover Road, Ringwould; Fairfield Court Farm, Brack Lane, Brookland, Romney Marsh; Chapel Lane, Sissinghurst; Land off Maypole Lane, Canterbury; Manor Farm, Willow Lane, Paddock Wood; Knowle Farm, Teston; Cobbs Wood Industrial Estate, Ashford; Old Tilmanstone Colliery, Pike Road, Eythorne; Cube Metals, Unit A, Highfield Industrial Estate, Bradley Road, Folkestone; R S Skips, Apex Business Park, Shorne; Unit 2, Katrina Wharf, Wharf Road, Gravesend; Mayfield Grammar School, Pelham Road, Gravesend; Trosley Country Park, Vigo Village, Gravesend; Teston Bridge Country Park, Maidstone; East Kent Recycling, Oare Creek, Faversham; Borough Green Sandpits, Platt; Wrotham Quarry (Addington Sandpit), Addington, West Malling; H & H Celcon, Ightham; Land to the south of Manor Way Business Park, Swanscombe.

- (2) Members discussed the activity taking place at the cliff-top at Warden Point, Eastchurch, Isle of Sheppey and the possible options available.
- (3) The Committee agreed that the Head of Planning Applications, in consultation with the Vice-Chairman, write a response on behalf of the Committee to the Cabinet Member for Economic Development to seek her assistance in:
 - (i) raising the committee's strong concern with government, the Local Government Association, and other relevant parties to the omission of the planning authority in the environmental permitting process undertaken by the Environment Agency and the consequence this had for planning enforcement such that a solution could be speedily addressed; and
 - (ii) finding a swift resolution to alleged unauthorised activity at Warden Point by fully exploring the options available to the Council.
- (4) The recommendation in respect of Raspberry Hill Park Farm site at paragraph 38(a) of the report be amended to include reference to the Warden Point site.
- (5) RESOLVED that:
 - (a) Subject to (3) and (4) above the enforcement strategies outlined in paragraphs 7 to 156 of the report be noted and endorsed.