

# Compliance and Enforcement Board

Notes of a Virtual Meeting of the Compliance and Enforcement Board held on Microsoft Teams on the 27<sup>th</sup> July 2021.

## Present:

Cllr. Bell (Chairman);

Cllrs. Buchanan, Forest, Shorter, Spain.

In accordance with Procedure Rule 1.2(c) Cllr. Forest attended as Substitute Member for Cllr. Feacey.

## Apologies:

Cllrs. Barrett, Feacey.

Community Safety and Wellbeing Manager.

## Also in attendance:

Cllrs. Harman, Ledger, Michael.

Environmental Contracts & Enforcement Manager; Community Safety and Resilience Team Leader; Team Leader Planning Enforcement; Team Leader Environmental Enforcement; Solicitor to the Council; Senior Planning Lawyer; Investigation and Enforcement Support Manager; Member Services and Ombudsman Complaints Officer.

## 1. Declarations of Interest

- 1.1 Cllr. Buchanan made a Voluntary Announcement as he knew one of the owners of the sites referred to in the Planning Enforcement Update report.

## 2. Notes of the Meeting of 27<sup>th</sup> April 2021

- 2.1 A Member drew attention to paragraph 5.2, bullet point 1, of the Notes and said that he had not yet received details of the audit list he had requested at the last meeting. The Team Leader – Planning Enforcement undertook to ensure that these details were sent to him.
- 2.2 The Board agreed the notes as an accurate record.

## 3. Environmental Crime Enforcement in Ashford

- 3.1 The Environmental Contracts & Enforcement Manager introduced the report, which identified environmental crime enforcement activities for the period April to July 2021 and highlighted the key points in the report. He said that the Environmental Enforcement Team was now in place, with the support of the Fraud Investigation Team. He formally thanked Rebecca Cox for her support

in moving forward with the implementation of the team, and said the shared knowledge between the two teams in interviewing offenders was invaluable.

3.2 The Chairman opened up the item for discussion and the following comments were made:

- A Member noted that the booking system was still in place at KCC Waste and Recycling sites and he questioned whether this was deterring residents from using the sites and having an impact on fly-tipping. The Environmental Contracts & Enforcement Manager said this may be the case but KCC was setting up systems to accommodate ad hoc arrivals at the sites, which might encourage more use of the sites, even for those who had not booked. He said this would be discussed further at the Districts meeting. A Member said that the current booking system at the waste sites was no excuse for fly-tipping and that the Council should not be seen to condone or excuse fly-tipping in any way.
- A Member noted that no eye-witnesses had been willing to come forward regarding the fly-tipping at Etchden Road. He said people were clearly not prepared to speak out because of repercussions. Camera systems were needed on known tipping points, and these should be covert. He asked whether it was possible to prosecute from evidence from covert cameras. The Environmental Contracts & Enforcement Manager replied that this was difficult and that signage was needed a reasonable distance away from the cameras. He said Officers were currently evaluating suitable locations, and that overt cameras had also proved successful.
- A Member noted that there had been no reports of fly-tipping on agricultural land and believed that some farmers cleared any fly-tipping themselves. He considered that this kind of fly-tipping should still be included in any reports and that the message should be given to farmers that the Council was working for them.
- A Member asked that in future any reports should include a map locating all the fly-tipping locations for a specified period of months. He also asked if it was possible to gather information on the motives of fly-tippers to try to get a better understanding of the motivation. Finally, he considered that publicity should be maximized around the consequences of fly-tipping. The Environmental Contracts & Enforcement Manager said the website would be revised to highlight the success stories and the consequences of fly-tipping. A Member suggested that more information should be disseminated in the Ashford For You magazine, and the Environmental Contracts & Enforcement Manager confirmed that this could be arranged, and that social media platforms were already being used to raise awareness.
- In response to a question about reporting methods, the Environmental Contracts & Enforcement Manager confirmed that most fly-tipping reports were received through the online portal, and this proved a successful method for making comments and reporting incidents.

- A Member asked whether there were any plans to put noise cameras into place. The Environmental Contracts & Enforcement Manager explained that this fell under the remit of the Environmental Protection Team, but he would talk to Officers in that team and report back to a future meeting.

**Recommendations/Actions:**

**That the update report be received and noted.**

## **4 Anti-Social Behaviour in Ashford - Update**

- 4.1 The Community Safety and Resilience Team Leader introduced this item and drew Members' attention to the key points and data within the report, which provided the Anti-Social Behaviour (ASB) performance update for the period April to June 2021.
- 4.2 The Chairman opened up the item for discussion and the following points were raised:
  - A Member noted the additional column on page 14 of the agenda to show a comparison on cases received by ABC Community Safety Unit from the same period of time this year compared to last year. He said this was very useful and requested that an additional column be added to Appendix A to show year on year comparison.
  - A Member mentioned the problem with drug use in the Borough, and considered that the level of reporting seemed low. He asked what was being done to tackle this problem strategically. The Community Safety and Resilience Team Leader said that Officers were working with Housing colleagues to share intelligence, and that she would report back to a future meeting with more details.
  - A Member raised the issue of nuisance vehicles and noise complaints. He considered that more proactive work was needed to tackle the problem, with an easier reporting mechanism for bulk vehicle registration reports. The Community Safety and Resilience Team Leader said she would discuss this further with Officers and return to a future meeting with more information. The Chairman suggested that Officers should identify the most effective ways of combating the problem and return to the Board with suggested resolutions. A Member considered that many residents did not report car noise nuisance and he questioned whether this was a bigger problem than the data suggested. He asked what could be done to encourage residents to call and make noise nuisance reports. The Community Safety and Resilience Team Leader said that at the moment Officers were working on speaking to residents and looking at solutions to this issue. She acknowledged that confidence in the reporting system was essential. She considered that more publicity was needed, and she would liaise with Marketing colleagues to consider how to promote the

reporting app more extensively. A Member considered that there should be an article in the next residents' newsletter from the Council and the Community Safety and Resilience Team Leader agreed to follow up on this. The Chairman requested a sub-report on this item within the usual report to the next meeting.

### **Recommendations/Actions:**

**That the update report be received and noted.**

## **5 Planning Enforcement Update**

5.1 The Team Leader – Planning Enforcement introduced this item, which provided Members with an overview of the work of the Planning Enforcement Team for the reporting period April to June 2021. She highlighted and expanded on the key points within the report.

5.2 The Chairman opened up the item for discussion and the following points were raised:

- A Member praised Officers for the breadth of the work undertaken and the persistence to take cases to court. He considered this protected the integrity of the Planning system and the Council's reputation. In response to a question about resources, the Team Leader Planning Enforcement said that the recent infrastructure had resulted in a team of four Officers. However, one of the Officers had been seconded to the Housing Service, which did result in a heavy workload for the remaining three Officers. In response to a question about Officers' wellbeing under such pressure, she said that it was a strong supportive team and that the work of the dedicated senior administrator was critical. Safeguards were in place and there was a good system of feedback in the team. The team had to prioritise enforcement work, and one of the biggest challenges was to explain to this to disgruntled residents. It was helpful to have understanding of this from Members and to have this prioritisation issue communicated to Parish Councils. The Chairman asked the Team Leader Planning Enforcement to arrange a meeting with the Head of Planning and Development to discuss this matter further. The Team Leader Planning Enforcement advised that Planning Enforcement Officers were scarce, as had been proved during previous attempts at recruitment, and this needed to be borne in mind when considering resources.
- In response to a question about Immunity Periods, the Team Leader Planning Enforcement explained that this was the period during which a local planning authority could take formal action. She also explained that Stop Notices from Planning went hand in hand with Enforcement Notices. Regarding the enforcement process, she explained that it was important first to establish whether there was a breach, and, if so, whether it was unacceptable in terms of planning policy. If the answer was yes, the resident would be invited to submit a planning application. If this was considered unsound and was refused, the resident would be added to the Enforcement List. They would also be asked to rectify the

situation voluntarily as negotiation was the preferred solution. Formal action and an Enforcement Notice were considered the last resort. There were also many cases, where for a number of reasons, it was considered not expedient or in the public interest to pursue formal action.

**Recommendations/Actions:**

**That the update report be received and noted.**

## **6 Date of Next Meetings**

6.1 26<sup>th</sup> October at 10am (venue TBC)

Councillor Bell (Chairman)  
Compliance and Enforcement Board

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