

From Your County Councillor

My last column ended waiting for a second letter from the two planning Inspectors, who are examining the Tonbridge & Malling Draft Local Plan. This has now been forthcoming. The Inspectors wrote to Tonbridge & Malling Borough Council on 15th December 2020. The letter sets out in great detail the very significant concerns expressed by the Inspectors in connection with the processes, or lack thereof, in drafting the Tonbridge & Malling Local Plan. The letter is lengthy running to six pages, but the most impactful is paragraph 18 which I reproduce below.

'On the basis of the evidence currently before us, for the reasons set out above, it is reasonable to conclude, having carefully considered all the evidence, that the Council has failed to engage constructively, actively and on an ongoing basis in preparation of the plan, so far as it relates to the strategic matter of (new) housing, and that the 'Duty to Cooperate' (between councils) in Section 33A of the 2004 Act has not been complied with. This cannot be remedied during the examination of the plan.'

The Inspectors then invite T&MBC to consider and respond to their letter and also wrote:

'In the light of our serious concerns regarding the Duty to Cooperate' as set out above, we consider it a very strong likelihood that there will be no other option other than to invite you to withdraw the plan from examination or, failing that, for us to issue a final report recommending that the plan is not adopted because of a failure to meet the Duty to Cooperate in accordance with our duties under the (Planning Act.)

No doubt Tonbridge & Malling Borough Council will want time to consider their options, such as they are. No doubt they will be in touch with the Inspectorate to consider such processes as remain open to them. In the way of these things, it is likely to take some months and so having reached this juncture I do not intend to write further on this subject for the foreseeable future. I anticipate that one way or another, the draft local plan is unlikely to proceed in its present format.

In December the Government announced that KCC were to be granted powers to prevent HGV 'fly parking' in East Kent boroughs and districts. At the time of writing HGV cross channel traffic in 2021 has been remarkably light and consequently action required in HGV parking enforcement using the new powers has been limited. I am however, concerned that in the medium term as cross channel HGV traffic rebuilds, HGV drivers and operators will come to understand that they will incur penalty charges for 'fly parking' in East Kent, but not in West Kent. Please feel free to email me at the address below, if you find increased HGV 'fly parking' adversely impacts you or your community. I want to track any displacement HGV 'fly parking' from East to West Kent to ensure fair parking enforcement.

I know from those who have recently emailed me on the matter that home educating children presents multiple problems for parents of children who would but for the current pandemic be attending school with all the social benefits that brings. You have my full sympathy and my assurance that I will be using my very best endeavours to ensure that once the present prohibition on schools opening is lifted, that KCC moves swiftly to reopen schools.

Harry Rayner, Kent County Councillor
Tel: 03000 421606 Email: Harry.Rayner@kent.gov.uk