

**MINUTES OF THE JOINT MEETING OF THE ENVIRONMENT AND PROSPERITY
POLICY DEVELOPMENT GROUPS HELD AT FOLLATON HOUSE, TOTNES ON
TUESDAY, 19 JULY 2005**

MEMBERS

* Cllr R F Croad – Chairman

* Cllr R W Hallett – Vice-Chairman

∅ Cllr H D Bastone	* Cllr P J Prudden
∅ Cllr J Brazil	* Cllr M C Ramsay
∅ Cllr B E Carson	∅ Cllr M Stone
* Cllr R J Carter	* Cllr D W S Thorning
∅ Cllr G Date	* Cllr A R Vale
* Cllr I Longrigg	* Cllr A Ward
∅ Cllr J O'Connell	∅ Cllr J A Westacott

* Denotes attendance

∅ Denotes apology for absence

Also in attendance at the invitation of the Chairman:

Cllrs E T Mitchell and I P Steer, Mr Roger Tucker, Mrs Marilyn Tucker, Mr Fred Moser and Mrs Rosemary Moser

JPDG.1/05 DECLARATIONS OF INTEREST

Members were invited to declare any personal or prejudicial interests, including the nature and extent of such interests, they might have in any items to be considered at the workshop. These were recorded as follows:-

Cllrs I Longrigg, A R Vale and A Ward declared a personal interest in Item 4: 'Camping in East Prawle – Control of Touring Sites'. Cllr Longrigg declared his interest by virtue of his ownership of a business in the same industry and advised that he had no connection with anybody referred to in the report and his customers were from a different client base. Cllr Ward declared her interest by virtue of her knowing Mrs Rosemary Moser as they were both involved together with the Straw Project. Cllr Vale declared his interest by virtue of him knowing a number of the parties involved. All three Members advised that they would remain in the meeting and take part in the discussion and vote thereon.

As a witness, Mr Roger Tucker declared an interest in Item 4: 'Camping in East Prawle – Control of Touring Sites' by virtue of him being a landowner and also having a number of family connections which related to the issue of camping in East Prawle. The Monitoring Officer informed the Committee that he had advised Mr Tucker prior to the meeting that he could participate in the meeting but had to concentrate his comments and input to the meeting on his role as the Chairman of Chivelstone Parish Council.

The Monitoring Officer also advised the meeting that he wished to clarify some points since the decision to quash the workshop held on 24 March 2005 was taken. The Monitoring Officer informed the Group that after the workshop held been held, he had received representations with regard to the nature of the interests of two Members who had attended and took part in the workshop. Based on the Members Code of Conduct, the Monitoring Officer had advised both Members that he agreed with the representations and felt that they both had prejudicial interests and it would therefore have been inappropriate for both Members to attend and participate during this meeting. Whilst both Members were disappointed with the advice given, the Monitoring Officer wished for his appreciation to be extended to these Members in their acceptance of his guidance and their subsequent non-attendance at the meeting.

JPDG.2/05 **CAMPING IN EAST PRAWLE: CONTROL OF TOURING SITES**

(a) **Introduction**

The Head of Planning and Building Control advised Members that camping in East Prawle had proven to be a problematic issue. It was noted that the issue had proven to be problematic due to the nature of interests at both parish and district council level, the conflict with current planning policy and the economic benefits which camping offered to the local community.

Members were requested to consider the issue afresh, as the previously held workshop had no status. It was intended that during this meeting, a number of different witnesses from all aspects be invited to participate and that a formal recommendation be made to the Executive meeting to take place on 28 July 2005.

The issue had become a matter of concern following the threat of enforcement action to prevent unauthorised camping in a field in East Prawle. It was subsequently established that the scale of this activity was more extensive than on the one site, which was the subject of the original enforcement consideration. Consequently, it was felt that a more comprehensive assessment was required, with particular regard to any future enforcement action on the economic prosperity of the local community. It was, however, also accepted that, whilst East Prawle had provided the impetus for a review, any proposals to address the matter must apply (fairly and consistently) on a district-wide basis.

(b) The Presented Report

In the report, particular reference was made to:-

- (a) the background to the Council's Development Control Committee's 2004 resolution to initiate enforcement action against the owner of one site in East Prawle;
- (b) consultation undertaken with Chivelstone Parish Council. The Parish Council had raised the matter with the adjoining Saltstone parishes to discover whether there were similar issues arising elsewhere. This research had ascertained that there appeared to be no problems with unauthorised camping in neighbouring parishes. In addition, the Parish Council had carried out a survey of Chivelstone parishioners to gauge how local residents felt about the matter (with the results attached to an appendix of the presented report). The survey found that only a small minority of respondents were opposed to camping. In addition, the survey suggested a strong reliance on the trade created by camping, for the continued viability of local businesses;
- (c) the complicated legislative framework that regulated the operation of camping sites which included the acquisition of planning permission and licences under the environmental health regime;
- (d) the implications of the 28-day allowance, which enabled a site owner to operate a site for no longer than 28 days without the need for planning permission. Exceeding the allowance, however, without censure, over a succession of years might provide a site owner with an opportunity to apply for a 'Certificate of Lawfulness' and so establish their site without planning control;
- (e) the proposal from Chivelstone Parish Council to work in partnership with the Council by encouraging all site operators to follow an agreed Code of Conduct;

(f) four options identified for the future:

Option A – To seek to remove all unauthorised camping/caravanning by pursuing enforcement action where there was insufficient evidence to support a lawful use;

Option B – As Option A (above) but also to introduce an Article 4 Direction, which would allow the Council to prevent otherwise permitted development camping/caravanning;

Option C – To seek to hold the current level of camping/caravanning by inviting planning applications or certificates for lawful use. Where sites were lawful, seek agreement to a code of operation as devised in consultation with the Parish Council. Take enforcement action to prevent an expansion of sites or numbers beyond that which could be shown to be lawful;

Option D – To take no action and allow the sites to continue to operate in an uncontrolled manner.

In addition to the presented report, a further three papers were tabled to the meeting at the request of Mr and Mrs Moser. These papers were:

- An article in the Kingsbridge and Salcombe Gazette on 2 January 2004 titled: 'Campsite over-used';
- A letter from Mr Moser to the editor of Kingsbridge and Salcombe Gazette dated 18 January 2004 titled: 'Victoria Vaughan Article – Page 13 Gazette 16 January 2004' and;
- A letter from Mrs Moser to the Council's Development Control Manager titled: 'Closed Meeting (Workshop) to Discuss Unauthorised Camping in East Prawle'.

(c) **The Discussion**

During discussion, reference was made to:-

- (i) the 28-day allowance. A Member questioned whether the 28-day allowance related to a holding or a field. The point was raised that should the allowance relate solely to a field, it was conceivable that landowners could rotate the 28-day allowance around their holdings (e.g. 28 days on field A, 28 days on field B) and thereby exploit the 28-day ruling. The Monitoring Officer advised the Group that Acts of Parliament implied that the 28-day allowance related to a holding and not a field;
- (ii) a site being defined as established if in existence for more than a succession of ten years, which would provide a site owner with the opportunity to apply for a 'Certificate of Lawfulness'. It was noted however that the onus of proof was on the applicant;

- (iii) the need for camping. Mr Tucker advised that the Parish Council had visited campsite owners to discover their maximum tent numbers. The seven sites in existence were found to provide for a total maximum capacity of 215 tents and 30 caravans, with sites ranging from maximum capacities of between 10 and 100. Officers circulated to the Group aerial photographs which illustrated the levels of camping during the August Bank Holiday Weekend in 2004 and advised that they had held discussions and these capacity numbers had been confirmed. A Member questioned the accuracy of these figures and felt that these could not create a viable business and felt the issue needed further investigation. In response, other Members advised that the viability to a farmer or landowner may be different to that of someone who was solely a campsite operator;
- (iv) the need to exercise control. Concern was expressed that should maximum control not be exercised, the Certificate of Lawfulness provision could result in land values being inflated, as certificated sites effectively became attractive businesses. It was felt that this could encourage the interest of large professional camping operators. Control was also necessary to address the issue from escalating further and therefore the problem increasing. Mrs Moser stated that it had never been her wish that camping be stopped but that control be exercised as in her view, the issue of unauthorised camping in East Prawle had been abused for a number of years. The Area of Outstanding Natural Beauty (AONB) Manager also stated his concern on behalf of the AONB of the risk without exerting control of a gradual slide from temporary camping to a holiday village;
- (v) the views of Chivelstone Parish Council. Mr Tucker advised that the Parish Council had been the instigator behind this issue, which was also a recognised problem in other areas of the South Hams. Mr Tucker proceeded to highlight the significance of camping to the prosperity of Chivelstone parish and spoke of the historical role of the activity (spanning over 30 years) to the locality. He reiterated the Parish Council's offer to work in partnership with the Council and advised that it was the wish of the Parish Council that controlled camping be carried out throughout the district;
- (vi) local prosperity. Mr Moser informed Members that whilst the two pubs and the village shop no doubt benefited from the trade provided by the campers, these businesses had traditionally always survived. Due to the support of those including local residents, coastal walkers and increasing visits from second home owners, it was his belief that these businesses' survival was not totally dependant on the campers' trade;

- (vii) the lack of planning permission. A Member expressed disquiet that despite being aware of the need for planning permission, landowners had still not made applications for planning permission and that such rule flouting created an unfair precedent;
- (viii) taking enforcement action. The Council's Planning Enforcement Officer advised the meeting of the history and reasoning behind his decision to take enforcement action on one site owner;
- (ix) the Parish Council's involvement. The Chairman welcomed the Parish Council's pro-active involvement on the camping issue and felt that local control could be exercised through its proposed management of a code of conduct. It was noted that the code would be voluntary and that other than through local pressure, there was no mechanism to enforce compliance with the code;
- (x) the conditions that could be applied to sites under the planning and environmental health provisions. Mr Moser felt that consultation should be undertaken with those who were potentially most affected before conditions were imposed;
- (xi) Members' support for Option C (see note (f) above) as a means of exerting control over camping across the district whilst maintaining the current level of such activity and being sensitive to the dependency of communities on the practice. Members stated their support for the principle of Option C as being the most appropriate means to control the issue of unauthorised camping.

In conclusion, the Chairman wished to thank all participating parties for their input and comments during the meeting. Mr Tucker also wished for his thanks to be extended to the Head of Planning and Building Control for his very fair assessment and the amount of work which he had undertaken on the issue.

It was then:

RECOMMENDED

That the joint meeting **RECOMMEND** to the Executive that Option C be pursued as detailed in note (f) above, as the optimum means for controlling the future operation of temporary camping/caravanning sites across the district.

(Meeting commenced at 10.00 am and concluded at 12.30 pm.)

Chairman