

Gedney, Oliver

From: Shaban, Sundas
Sent: 07 April 2022 15:50
To: _planningadvice
Subject: FW: new email
Attachments: We sent you safe versions of your files; Highways Plan (1)[20634].pdf

Hi,

Please can you index the below email as 6COR (email from applicant re access)

Kind regards

Sundas Shaban | Planning Officer | **South Holland District Council**
DDI: 01775 764430
www.sholland.gov.uk



served by One Team

South & East Lincolnshire Councils Partnership

From: Taming Canines <taming-canines@hotmail.co.uk>
Sent: 06 April 2022 12:54
To: Shaban, Sundas <Sundas.Shaban@sholland.gov.uk>
Subject: RE: new email

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

This message originated from outside your organization

Hi

I have phoned today to speak with you and have left a message so hoping you will return my call when you are back in the office.

Yet again, I will quote the response from my solicitors and re-attach the map:

We have now heard from the Parish Council's Solicitors, who have still not provided us with the legal standing for their Client's position. They have simply advised us that their Client is the legal owner of the land, which is maintained by Highways.

The Highway Authority has supplied a plan of the Highway (see attached) maintained by them over which public rights exist which includes this verge and as a matter of law, the surface of the highway belongs to the Highways Authority, regardless of what the Land Registry says about the legal owner.

The public rights of way enable you to access the land without having to comply with the restrictions which the Parish Council seek to impose.

Once my solicitors provided this information, we went ahead and had the visibility splay done after I spoke directly with Dean Whitehead from the Highways Authority.

Legally everything has been provided to enable this application to go forwards with its planning application.

Please make sure this information is uploaded onto the planning application for everyone to view.

I look forward to hearing back from you as soon as possible.

Regards

Hayley

Taming Canines – Putting the FUN back into your training!

DogSportsDirect to your home with our online training!

www.tamingcanines.co.uk



Head Instructor at Canine Hoopers UK

www.caninehoopersuk.co.uk

Sponsored by CSj

Dog Food Of Champions

www.csjk9.co.uk

Sponsored by Zooming Pixels

Photography

www.zoomingpixels.co.uk

From: [Shaban, Sundas](#)

Sent: 05 April 2022 11:53

To: [Taming Canines](#)

Subject: RE: new email

Importance: High

Hayley,

Apologies for the delay in responding.

I have now gone through all the correspondence from yourself/your solicitor, the Parish and Highways and it seems the access issue is still unresolved.

Highways have confirmed that the grass verge in question does not belong to them and does in fact belong to the Parish.

I believe you were trying to come to an agreement with the Parish with regards to allowing access but I haven't received anything from either party which suggests this has been resolved. Until this is done unfortunately I am not able to refer the application to committee as advised on numerous occasions.

Please can you advise where you are at with the access issue?

Kind regards

Sundas Shaban | Planning Officer | **South Holland District Council**
DDI: 01775 764430
www.sholland.gov.uk



served by One Team

South & East Lincolnshire Councils Partnership

From: Taming Canines <taming-canines@hotmail.co.uk>
Sent: 29 March 2022 14:08
To: Shaban, Sundas <Sundas.Shaban@sholland.gov.uk>
Subject: FW: new email

This message originated from outside your organization

Please respond to this email – I have forwarded it as you have not responded to this one

Hayley
Taming Canines – Putting the FUN back into your training!
DogSportsDirect to your home with our online training!
www.tamingcanines.co.uk



Head Instructor at Canine Hoopers UK
www.caninehoopersuk.co.uk

Sponsored by CSj
Dog Food Of Champions
www.csjk9.co.uk

Sponsored by Zooming Pixels
Photography
www.zoomingpixels.co.uk

From: [Taming Canines](#)
Sent: 29 March 2022 13:59
To: [Shaban, Sundas](#)
Subject: new email

I have attached the map from the highways department again

This is the map confirming the areas maintained by the highways authority. As a matter of law, the surface of the highway belongs to the Highways Authority, regardless of what the Land Registry says about the legal owner. There is a public right of use on the highway land which prevents us from needing permission from the parish council to cross it.

This information was sent to you in January 2022 – please can you explain why nothing has been done to progress this application?

I emailed over the visibility splay which was requested by the highways department – on the phone you confirmed you received this email dated 9th march but have not yet looked at it. As today is 29th march 2022, please can you explain why after 3 weeks, and 2 further emails, you have not even opened the emails let alone sent a response to them?

Please can you send me a copy of the councils complaints procedure so that I can act accordingly.

Please update me on the progress of this planning application as soon as possible.

Hayley
Taming Canines – Putting the FUN back into your training!
DogSportsDirect to your home with our online training!
www.tamingcanines.co.uk



Head Instructor at Canine Hoopers UK
www.caninehoopersuk.co.uk

Sponsored by CSj
Dog Food Of Champions
www.csjk9.co.uk

Sponsored by Zooming Pixels
Photography
www.zoomingpixels.co.uk

The information contained in this email is confidential and intended only for the person or organisation to which it is addressed. If you have received it by mistake, please disregard and notify the sender immediately. Unauthorised disclosure or use of such information may be a breach of legislation or confidentiality and the content may be legally privileged. Any improper dissemination, forwarding, printing, or copying of this email is strictly prohibited. Emails sent from and received by employees of South Holland District Council may be monitored. They may also be disclosed to other people under legislation, particularly the Freedom of Information Act 2000, GDPR, the Data Protection Act 2018 and the Environmental Information Regulations 2004. If you have contacted the Council for a

service any personal data you share will be used to help you access its services, or to answer your enquiry in line with our Privacy Policy. For full details of your rights please visit our website at www.sholland.gov.uk. Unless this email relates to South Holland District Council business it will be regarded by the Council as personal and will not be authorised by or sent on behalf of the Council.