

KENT COUNTY COUNCIL

REGULATION COMMITTEE

MINUTES of A meeting of the Regulation Committee held in the Medway Room, Sessions House, County Hall, Maidstone on Tuesday, 22 May 2007.

PRESENT: Mr M J Harrison (Chairman) Mr A D Crowther (Vice-Chairman) Mr D S Daley (Substitute for Mr S J G Koowaree), Mr A R Bassam, Mr T J Birkett, Mr C J Capon, Mr J Curwood, Mr J A Davies, Mr C Hart, Mrs P A V Stockell, Mr B P Wood and Mr F Wood-Brignall

IN ATTENDANCE: Mr A Ash (Local Transport And Development Manager(Sevenoaks And Tunbridge Wells)), Mr R Gregory (Principal Planning Officer Enforcement), Mr G Rusling (Public Rights of Way Service Delivery Manager), Mr A Tait (Democratic Services Officer) and Mrs S Thompson (Head of Planning Applications Group)

UNRESTRICTED ITEMS

8. Minutes (Item. 2)

- (1) The Minutes of the meeting held on 17 May 2007 were tabled.
- (2) RESOLVED that the Minutes of the meetings of the Committee held on 23 January 2007 and 17 May 2007 and of the Member Panel held on 30 April 2007 are correctly recorded and that they be signed by the Chairman.

9. Gating Orders (Item. 3)

- (1) The Committee agreed to recommend to the County Council that its Terms of Reference should be amended to enable the gating orders function to be carried out by Member Panels.
- (2) RESOLVED that:-
 - (a) the following operational proposals for dealing with applications to make, vary or revoke Gating Orders be noted:-
 - (i) Gating Orders that meet all of the necessary legislative criteria and are brought forward with the support and assistance of the Local Crime Reduction Partnerships will be sympathetically considered;
 - (ii) Gating Orders will be limited in extent to that which is necessary to address the problem, ie., public use will as far as possible be retained;

- (iii) a review period will be set for any Gating Order made and be recorded with the Gating Order in the Register of Gating Orders;
 - (iv) consultation will as a matter of policy include all those organisations prescribed by legislation to receive copies of path orders;
 - (v) representations will be invited from other individuals and bodies who wish to be notified of proposed Orders;
 - (vi) Planning Inspectorate Inspectors will be appointed to hear any Gating Order Public enquiries; and
 - (vii) the resource impacts of Gating Orders will be kept under review and activity in this area will be limited to that which can be met within existing budget allocations; and
- (b) the County Council be recommended to alter the Terms of Reference of the Committee to enable the setting up of Member Panels to consider the Gating Orders function.

10. Update on Planning Enforcement Issues
(Item. 4)

RESOLVED to endorse the actions taken or contemplated on the respective cases and monitoring work set out in paragraphs 4 to 109 of the report and to note the work towards establishing working protocols with the Kent Courts and the Environment Agency as outlined in paragraphs 110 to 116 and 117 to 118 respectively.

11. Arrangements for Future Committee Meetings
(Item.)

The Committee agreed that, whenever possible, future meetings would be held in the morning subject to there being no clash with other meetings.

12. EXEMPT ITEMS
(Item.)

(Open Access to Minutes)

(Members resolved that under Section 100A of the Local Government Act 1972 the public be excluded from the meeting 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)

13. Update on Planning Enforcement issues at Deal field Shaw, Charing
(Item. 7)

(1) The Head of Planning Application's Group reported the latest enforcement position concerning the Shaw Grange former landfill site, Charing.

(2) The Committee agreed to request the Managing Director of Environment and Regeneration to raise the issue of delay in implementation of the Committee's wishes with the appropriate Cabinet Portfolio Holder.

(3) RESOLVED that:-

(a) approval be given to the course of action set out in paragraph 10 of the report; and

(b) the Managing Director of Environment and Regeneration be requested to raise the issue of delay in implementation of the Committee's wishes with the appropriate Cabinet Portfolio Holder.

14. Update on Planning Enforcement issues at Woodgers Wharf, Upchurch
(Item. 8)

(1) The Head of Planning Applications Group reported the latest enforcement position concerning the Woodgers Wharf site, Upchurch.

(2) RESOLVED that the enforcement strategy outlined in paragraphs 4 to 8 of the report be endorsed.