

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, 23 May 2006.

PRESENT: Mrs P A V Stockell (Chairman) Mr F Wood-Brignall (Vice-Chairman) Mr A D Crowther, Mr A R Bassam, Mr T J Birkett, Mr C J Capon, Mr J A Davies, Mr J B O Fullarton, Mr T Gates, Mr C Hart, Mr I T N Jones, DL, Mr R L H Long, TD, Mr R A Pascoe and Mr B P Wood

IN ATTENDANCE: The Principal Planning Officers, Mr R Gregory and Mrs S Thompson (with Mr R Maloney and Mrs H Mallett); the Solicitor, Amandeep Khroud; and the Democratic Services Officer, Mr A Tait.

UNRESTRICTED ITEMS

10. Minutes (Item. 2)

(1) The Committee agreed that it would receive a report on the application of the County Council's Public Rights of Way Policy on individual applications for diversion or extinguishment with particular emphasis on the decisions made by the recent Member Panel meetings.

(2) RESOLVED that the Minutes of the meeting of the Committee held on 31 January 2006 and of the Member Panels (Public Rights of Way) held on 21 February 2006 and (Public Rights of Way/Town or Village Green) held on 16 March 2006 are correctly recorded and that they be signed by the Chairman.

11. Update on Planning Enforcement Issues (Item. 3)

(1) The Committee agreed that a letter be sent to Southern Water recording its disappointment at the breaches of planning control that had occurred at the rear of Dunes Road, Greatstone, New Romney.

(2) In the light of the failure of the Area Director for Kent Unified Courts to even acknowledge repeated correspondence from the Committee, it was agreed to invoke the formal complaints procedure, copying the letter to the Lord Chancellor and the Chairman of the Magistrate's Board.

(3) RESOLVED that:-

(a) the actions taken or contemplated on the respective cases set out in paragraph 9 to 137 of the report be endorsed including the actions set out in (1) and (2) above.

12. Implementation of new powers to charge for the monitoring of mineral and landfill permissions
(Item. 4)

RESOLVED to:-

- (a) note the introduction of Regulations that allow the County Council to charge for monitoring at mineral and landfill permissions at a prescribed fee;
- (b) support the introduction of an excellent level of service, which delivers good practice, using appropriate resources as set out in paragraph 15 of the report; and
- (c) support the development of the monitoring scheme and its introduction to operators by setting out interim guidance and agreeing initial visit frequencies with them in accordance with the provisional programme set out in paragraphs 20 and 21 of the report.

EXEMPT ITEMS

(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 Larkey Wood, Chartham
(Item. 8)

(Exempt under paragraphs 5 and 6)

- (1) The Principal Planning Officers reported on the latest enforcement position at Larkey Wood, Chartham.
- (2) RESOLVED that approval be given to:-
 - (a) the enforcement strategy outlined in paragraphs 4 to 6 of the report; and
 - (b) the seeking of an extension of the current restoration order to 30 September 2007 in order to secure a return of the site to agriculture.

SUMMARY OF EXEMPT ITEM

(Where Access to Minutes Remains Restricted)

14. Update on Planning Enforcement issues at Deal Field Shaw, Charing
(Item. 7)

(Exempt under paragraphs 5 and 6

Mr R E King was present for this item pursuant to Committee Procedure Rule 2.24 and spoke.

(1) A supplementary report had previously been circulated. The written comments of Mr R E King were tabled.

(2) The Principal Planning Officers reported on the latest enforcement position concerning the Shaw Grange former landfill site in Charing.

(3) Mr A R Bassam moved, seconded by Mr A D Crowther that the previously agreed enforcement strategy, amended as suggested by Mr King, be recommended to the relevant Cabinet portfolio holder.

Carried 6 votes to 5

(4) RESOLVED that the previously agreed enforcement strategy, amended as suggested by Mr King, be recommended to the relevant Cabinet portfolio holder.