

## KENT COUNTY COUNCIL

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### REGULATION COMMITTEE

MINUTES of a meeting of the Regulation Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 18 May 2010.

PRESENT: Mr M J Harrison (Chairman) Mr A D Crowther (Vice-Chairman) Mr D L Brazier (Substitute for Mr A H T Bowles), Mr R Brookbank, Mr C J Capon, Mr H J Craske, Mr J Cubitt, Mr T Gates, Mr S J G Koowaree, Mr R J Lees, Mr S Manion, Mr R F Manning, Mr J Ozog, Mrs P A V Stockell (Substitute for Mr W A Hayton), Mr J Wedgbury and Mr M Whiting

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr R Gregory (Principal Planning Officer Enforcement), Mr C Wade (PROW Team Manager (definition)), Miss M McNeir (Public Rights Of Way Officer (Definition Team)), Mr G Rusling (Public Rights of Way Service Delivery Manager) and Mr G Mills (Democratic Services Manager (Executive))

### UNRESTRICTED ITEMS

#### **9. Minutes**

*(Item 3)*

Resolved that the Minutes of the Committee meeting held on 26 January 2010 and of the Member Panel meetings held on 29 January 2010, 19 February 2010, 19 March 2010 and 27 April 2010 are correctly recorded and that they be signed by the Chairman.

#### **10. Amendment to Member Panel Procedures**

*(Item 4)*

RESOLVED that the Member Panel procedures be amended to enable speakers to address the Panel for "a reasonable amount of time at the Chairman's discretion" with consequential textual amendments being made.

#### **11. Update from the Commons Registration Team**

*(Item 5)*

RESOLVED that the report be received.

**12. Town and Country Planning Act 1990 - Public Rights of Way Diversion and Extinguishment Orders: Service Level Agreement with Ashford Borough Council**

*(Item 6)*

RESOLVED to enter into a Service Level Agreement with Ashford Borough Council in order to undertake (on its behalf) the making of all Orders under the Town and Country Planning Act 1990.

**13. Update on the Definitive Map Team Casework Schedules. Clarification of the Committee terms of Reference and the County Council's approach to Orders made by the Secretary of State**

*(Item 7)*

RESOLVED that:-

- (a) progress in reducing the backlog of outstanding definition cases be noted together with the likelihood that the backlogs will grow in future years;
- (b) the County Council be recommended to amend the Committee's terms of reference to reflect that its powers are also exercisable in terms of Restricted Byways;
- (c) the precise interpretation to be given to the interpretation of the words "reclassification" and "substantive" in the Committee's terms of reference be agreed as set out in paragraph 3.2 of the report; and
- (d) a neutral stance be taken in respect of Orders it is directed to make by the Secretary of State unless delegated powers are specifically sought and secured by the relevant officer.

**14. Update on Planning Enforcement Issues**

*(Item 8)*

RESOLVED that:-

- (a) the actions taken or contemplated on the respective cases set out in paragraphs 8 to 44 of the report be endorsed, together with those contained within Schedules 1 and 2 of Appendices 1 and 2;
- (b) in respect of land at Tutsham Farm, Hunt Street, West Farleigh, a letter be sent to the Environment Agency thanking it for its actions in respect of this matter and expressing the County Council's wish to see this land restored as quickly as possible; and
- (c) in respect of Unit 10, Detling Airfield, the taking of formal enforcement action be suspended unless there is more importation of waste material.

**EXEMPT ITEMS**  
**(Open Access to Minutes)**

*(Members resolved under Section 100A of the Local Government Act 1972 that 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)*

**15. Update on Planning Enforcement issues at Deal Field Shaw, Charing**  
*(Item 11)*

(1) The Head of Planning Applications Group reported the latest enforcement position concerning the Deal Field Shaw (Shaw Grange) former landfill site in Charing.

(2) RESOLVED that the report be received and that the advice from Kent Waste Management set out in paragraph 3 be noted.

**16. Update on Planning Enforcement issues at Four Gun Field, Upchurch**  
*(Item 12)*

(1) The Head of Planning Applications Group reported on the enforcement strategy concerning the Four Gun Field site, Otterham Quay Lane, Upchurch.

(2) RESOLVED that the enforcement strategy outlined in paragraphs 3 to 7 of the report be noted.