

KENT COUNTY COUNCIL

REGULATION COMMITTEE MEMBER PANEL

MINUTES of a meeting of the Regulation Committee Member Panel held in the Wantsum Room, Sessions House, County Hall, Maidstone on Friday, 29 January 2010.

PRESENT: Mr M J Harrison (Chairman), Mr A D Crowther (Vice-Chairman), Mr A H T Bowles, Mr S J G Koowaree and Mr R A Pascoe

ALSO PRESENT: Mr D L Brazier and Mrs V J Dagger

IN ATTENDANCE: Mr C Wade (PROW Team Manager (definition)), Ms S Coventry (Public Rights Of Way Officer (Definition)) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

1. Proposed diversion of Public Footpath SD284 at West Kingsdown *(Item 3)*

(1) A visit to the site at West Kingsdown had taken place prior to the meeting. It was attended by the Local Member, Mr D L Brazier, Mrs J Watchorn from West Kingsdown Parish Council and by Mr R Barry from the Ramblers Association.

(2) Mr D L Brazier was present for this item pursuant to Committee Procedure Rule 2.24 and spoke.

(3) Mrs J Watchorn from West Kingsdown Parish Council and Mr R Barry from the Ramblers Association addressed the Panel in opposition to the proposal. Mr Barry presented a letter, photographs and maps in support of his presentation.

(4) Mr R Norman spoke in reply as the applicant and landowner.

(5) RESOLVED that:-

(a) a further Order be made under Section 119 of the Highways Act 1980 to divert part of Public Footpath SD284 at West Kingsdown and, if necessary, the Order be submitted to the Secretary of State for resolution; and

(b) the Kent County Council Public Footpath SD284 (part) Public Path Diversion Order 2004 made in respect of this path be formally revoked.

Carried Unanimously

2. Proposed diversion of Public Footpaths MR350 (parts) at Plaxtol and MR392 at Shipbourne
(Item 4)

(1) A visit to Public Footpath MR392 at Shipbourne had taken place prior to the meeting. It was attended by the people identified as speakers in the paragraphs below and by some 8 other members of the public.

(2) Mrs V J Dagger was present for this item pursuant to Committee Procedure Rule 2.24 and spoke.

(3) The following speakers addressed the Panel:-

- (a) Mr D Whetton from the Ramblers Association (in support);
- (b) Mr A Bristow (in support);
- (c) Mr A Topiwala (in objection);
- (d) Mr R Bate (in opposition);
- (e) Mr T Sayer, the local Borough Councillor (in opposition);
- (f) Mr R Bate (in objection);
- (g) Mrs E Cohen from Shipbourne Parish Councillor (in opposition);
- (h) Mrs R Barnett in reply on behalf of the applicant and landowner.

(4) On being put to the vote, the recommendations of the Director of Environment and Waste were carried by 4 votes to 1.

(5) In agreeing the recommendations of the Director of Environment and Waste, the Panel added the rider that the height of the hedges would be taken into consideration within the limitations and conditions of the Order.

(6) RESOLVED that:-

- (a) two Orders be made under Section 119 of the Highways Act 1980 to divert:-
 - (i) part of Public Footpath MR392 at Shipbourne on the grounds that it is expedient to divert this path in the interest of the landowner and/or occupier without prejudicing the public's enjoyment; and
 - (ii) part of Public Footpath MR350 at Plaxtol on the grounds that it is expedient to divert this path in the interest of the landowner and/or occupier without prejudicing the public's enjoyment;
- (b) if necessary, the above Orders be submitted to the Secretary of State for resolution; and
- (c) in respect of Public Footpath MR392 at Shipbourne, the height of the hedges be taken into consideration within the limitations and conditions of the Order.

