

KENT COUNTY COUNCIL

REGULATION COMMITTEE

MINUTES of a meeting of the Regulation Committee held at Sessions House, County Hall, Maidstone on Tuesday, 19 September 2006.

PRESENT: Mrs P A V Stockell (Chairman), Mr T J Birkett, Mr A H T Bowles, Mr C J Capon, Mr A D Crowther, Mr J A Davies, Mr J B O Fullarton, Mr S J G Koowaree, Mr R L H Long, TD (substitute for Mr T Gates), Mr R A Pascoe, Mr L B Ridings, Mr K Sansum, Mr R Truelove (substitute for Mr C Hart) and Mr B P Wood.

IN ATTENDANCE: The Assistant Democratic Services Manager, Mr G Rudd; The Head of Admissions and Transport, Mr S Bagshaw (with Mrs A Hayward); The Public Rights of Way Principal Case Officer, Mr C Wade; The Principal Planning Officers, Mr R Gregory and Mrs S Thompson; and the Democratic Services Officer, Mr A Tait.

UNRESTRICTED ITEMS

16. Membership

The Committee noted the appointment of Mr J Curwood and Mr L B Ridings in place of Mr R L H Long and Mr F Wood-Brignall.

17. Election of Vice-Chairman

Mrs P A V Stockell moved, seconded by Mr C J Capon that Mr A D Crowther be elected Vice-Chairman of the Committee.

Carried without a vote

18. Minutes

RESOLVED that the Minutes of the meeting held on 23 May 2006 are correctly recorded and that they be signed by the Chairman.

19. Future Meeting of the Committee (Item 3)

The Committee agreed the following meeting dates:-

Tuesday, 30 January 2007
Tuesday, 22 May 2007
Tuesday, 18 September 2007
Tuesday, 22 January 2008
Tuesday, 20 May 2008

20. Home to School Transport Appeal Statistics
(Item 4 – Report by Head of Democratic Services)

- (1) The Committee expressed its appreciation for the work of Mr James Walker on behalf of the Transport Appeals Panel and conveyed its best wishes to him for the future.
- (2) RESOLVED that the report be noted.

21. Legislation affecting the Registration of Town and Village Greens
(Item 5 – Report by Director – Environment and Waste)

RESOLVED that the recent House of Lords judgement be noted together with its relevance to the registration of Town and Village Greens.

22. Update on Recent Public Rights of Way cases
(Item 6 – Oral Report by Director – Environment and Waste)

- (1) The Public Rights of Way Principal Case Officer tabled the “General Notes on requests for Diversion or Extinguishment of a Public Right of Way” together with an update on three recent Public Rights of Way cases.
- (2) The Public Rights of Way Principal Case Officer reported the latest developments on three cases that had recently been considered by a Member Panel:-

- Diversion of Public Footpath SD260 at West Kingsdown;
- Diversion of Public Footpath SD283 at West Kingsdown; and
- Extinguishment of Public Footpath 2429 at Sittingbourne.

- (3) RESOLVED that:-
 - (a) the report be noted; and
 - (b) the Director – Environment and Waste be requested to provide training on Public Rights of Way and the Registration of Town and Village Greens.

23. Update on Planning Enforcement Issues
(Item 7 – Report by Head of Planning Applications Group)

- (1) RESOLVED that:-
 - (a) the actions taken or contemplated on the respective cases set out in paragraphs 6-123 of the report to be endorsed;
 - (b) the establishment of working protocols with the Environment Agency be endorsed as outlined in paragraphs 129 and 130 of the report;
 - (c) the Head of Planning Application Group be recommended to include an item on Kent County Council’s work in partnership with the Environment Agency at a future training event; and
 - (d) the Head of Planning Applications Group be requested to correspond further with Her Majesty’s Courts Service on the delays occurring within the Kent Court system in dealing with breaches of planning control.

- (2) In accordance with Committee Procedure Rule 2.20(3), Mr K Sansum’s dissension from the decision in relation to St Edmund’s School, Dover contained in paragraphs 112 to 115 of the report was recorded.

24. Implementation of New Powers to charge for the monitoring of Mineral and Landfill Permissions

(Item 8 – Report by Head of Planning Applications Group)

RESOLVED to:-

- (a) note the progress made in the implementation of new Regulations that allow the County Council to charge for monitoring at minerals and landfill permissions at a prescribed fee;
- (b) support development of the monitoring scheme in accordance with the provisional programme set out in paragraphs 10,12 and 13 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)

25. Minutes

RESOLVED that the Exempt Minutes of the meeting held on 23 May 2005 are correctly recorded and that they be signed by the Chairman.

26. Update on Planning Enforcement Issues at Larkey Wood, Chartham

(Item 12 – Report by Head of Planning Applications Group)

- (1) The Principal Planning Officers reported on the latest enforcement position at Larkey Wood, Chartham
- (2) RESOLVED that the current enforcement strategy be endorsed as outlined in paragraphs 6, 7 and 9 of the report.

27. Update on Planning Enforcement Issues at Woodgers Wharf, Upchurch

(Item 13 – Report by Head of Planning Applications Group)

- (1) The Principal Planning Officers reported on the latest enforcement position concerning the Woodgers Wharf site, Upchurch.
- (2) RESOLVED that the enforcement strategy be endorsed as outlined in paragraphs 11 to 15 of the report.

28. Update on Planning Enforcement issues at Deal Field Shaw, Charing

(Item 7 – Report by Head of Planning Applications Group)

- (1) The Principal Planning Officers reported on the latest enforcement position concerning the Shaw Grange former landfill site, Charing.
- (2) RESOLVED that the enforcement strategy and actions be endorsed as outlined in paragraphs 6 to 7 of the report.