

KENT COUNTY COUNCIL

REGULATION COMMITTEE

MINUTES of a meeting of the Regulation Committee held at Sessions House, County Hall, Maidstone on Tuesday, 22 January 2008.

PRESENT: Mr M J Harrison (Chairman), Mr A D Crowther (Vice-Chairman), Mrs C Angell (substitute for Mr L Christie), Mr C J Capon, Mr A R Chell (substitute for Mr A H T Bowles), Mr I S Chittenden, Mr J Curwood, Mr J A Davies, Mr J B O Fullarton, Mr T Gates, Mr C Hart, Mrs M Newell, Mr R A Pascoe and Mrs P A V Stockell.

ALSO PRESENT: Mr A J King.

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

UNRESTRICTED ITEMS

1. Minutes

RESOLVED that the Minutes of the meetings of the Committee held on 18 September 2007 and of the Member Panel held on 29 November 2007 are correctly recorded and that they be signed by the Chairman.

2. Application to register Public Rights of Way on the former Bayham Estate, Lamberhurst and Pembury

(Item 5 – Report by Director – Environment and Waste)

(Mr A J King was present for this item pursuant to Committee Procedure Rule 2.24 and spoke)

(1) This item was brought forward with the concurrence of the Chairman and the Committee.

(2) RESOLVED that:-

(a) the report be noted; and

(b) Counsel's opinion be sought as to the stance the County Council should take in the event that it receives a direction from the Secretary of State for Communities and Local Government to make a Definitive Map Modification Order to add Public Rights of Way across the former Bayham Estate.

3. Presentation on Home to School Transport (including Home to School Transport Statistics)

(Item 4 – Report by Head of Democratic Services)

(1) Members of the Committee requested further information as set out in paragraph (2)(b) and (c) below.

(2) RESOLVED that:-

- (a) the report be noted;
- (b) Members of the Council be written to inviting them to identify Home to School routes that may be incorrectly defined as hazardous or non-hazardous; and
- (c) a report to be sent to all Members of the Committee and the Cabinet Portfolio Holder for Environment, Highways and Waste clarifying the relationship between Home to School Transport and the Kent Freedom Pass.

4. Update on Village Green issues

(Item 6 – Report by Director – Environmental Waste)

RESOLVED that the report be noted.

5. Application made by Oxfordshire County Council under Section 116 of the Highways Act 1980

(Item 7 – Report by Director – Environment and Waste)

RESOLVED that the report be noted.

6. Update on Planning Enforcement issues

(Item 8)

RESOLVED to:-

- (a) endorse the actions taken or contemplated on the respective cases set out in paragraphs 10 to 42 and 59 to 61 of the report and those contained within Schedule 1 to 3 of Appendices 1 to 3 on pages 8:13 to 8:28 of the report;
- (b) note with approval the guiding principle that the County Council will not hesitate from taking any necessary formal action;
- (c) note the progress made in implementation of the chargeable monitoring regulations that allow the County Council to charge for monitoring of minerals and landfill permissions at a prescribed fee; and
- (d) support the development of the chargeable monitoring scheme in accordance with the provisional programme set out in paragraphs 53 to 58 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)

7. Update on Planning Enforcement issues at Woodgers Wharf, Upchurch

(Item 11 – Report by Head of Planning Applications Group)

- (1) The Head of Planning Applications Group reported the latest enforcement position concerning the Woodgers Wharf site, Upchurch.
- (2) RESOLVED to endorse the strategy outlined in paragraphs 4 to 11 of the report.

8. Update on Planning Enforcement Issues at Deal Field Shaw, Charing

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

- (1) The Head of Planning Applications Group reported the latest enforcement position concerning Deal Field Shaw (Shaw Grange), Charing.
- (2) RESOLVED to:-
 - (a) endorse the enforcement strategy outlined in paragraphs 3 to 8 of the report; and
 - (b) convene a meeting of the Committee's Member Panel to consider in detail how to further progress the County Council's Enforcement Strategy in relation to this site.