

**By:** Kevin Lynes, Cabinet Member for Regeneration and Economic Development  
Nick Chard, Cabinet Member for Environment, Highways and Waste  
Tanya Oliver, Director of Strategic Development and Public Access

**To:** Council -18 February 2010

**Subject:** Local Act for amendment of Road Traffic Regulation Act 1984 – The Kent County Council (Filming on Highways) Bill

**Classification:** Unrestricted

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**Summary:** The Council has resolved to promote a Private Bill to enable road closures for filming in Kent and is required to confirm that resolution or withdraw the Bill. This report seeks that confirmation.

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## Introduction

- 1 At it's meeting on 15 October 2009 the County Council approved the following resolution:
  - a. The Council agrees to deposit the Kent County Council (Filming on Highways) Bill to confer powers in relation to filming on highways and for related purposes;
  - b. The Council authorises the Chief Executive, in consultation with the Cabinet Member for Regeneration and Economic Development and the Cabinet Member for Environment, Highways and Waste to address the procedural matters that may arise in relation to the promotion of the Bill and to enter into undertakings or commitments in relation to it; and
  - c. The Council authorises the Director of Strategic Development and Public Access to agree to the making of any amendments to the Bill that may arise during the course of the promotion of the Bill
- 2 A copy of the report to County Council of 15 October 2009 is appended.
- 3 The Bill was deposited with Parliament on 27 November 2009 in the form appended to the previous report. Section 239 Local Government Act 1972 ("the Act") requires that a further meeting, previously advertised, must confirm the earlier resolution to promote the Bill as soon as may be after the Bill has been deposited. If the previous resolution is not confirmed the Bill must be withdrawn.
- 4 The Act also requires 30 days notice be given of the meeting that considers the second resolution. The requisite notice has been given by way of publication of a notice in local papers.
- 5 The vote must be supported by a full majority of the whole County Council. A majority of those present and voting is not sufficient.

## Implications

- 6 Legal – If the resolution is not passed the Bill must be withdrawn.

## Consultations

- 7 Prior to the previous report to Council extensive consultation was carried out. This included consultation with the Police and Kent Fire and Rescue, the district councils and other stakeholders who would potentially be affected by the provisions of the Bill, together with members of the public. Consultation with government departments was also carried out.

## Options

- 8 Members may either confirm or reject the previous resolutions. The previous resolution was unanimously approved by the County Council as it was persuaded that the case for the additional powers contained within the Bill was compelling. Nothing has changed that would suggest Members should take a different view.

## Recommendations

- 9 The County Council is recommended to confirm the previous resolution set out at the beginning of this report and resolve:

“THAT:

The Resolution of the County Council passed at a meeting of the County Council held on 15 October 2009 approving the deposit of the Kent County Council (Filming on Highways) Bill as now deposited be, and is by this Resolution, confirmed.”

### Background Documents:

- 1 – The Kent County Council (Filming on Highways) Bill  
2 – Report to Council 15 October 2009

### Other Useful Information:

Kent Film and Television Strategy  
Kent Filming Partnership Agreement

### Author Contact Details

Tanya Oliver, Director of Strategic Development and Public Access

✉ [tanya.oliver@kent.gov.uk](mailto:tanya.oliver@kent.gov.uk) ☎ 01622 694817

Sarah Baxter-Rose, Solicitor

✉ [sarah.baxter-rose@kent.gov.uk](mailto:sarah.baxter-rose@kent.gov.uk) ☎ 01622 694399