



REGULATORY COMMITTEE

MINUTES of a MEETING of the REGULATORY COMMITTEE held at COUNTY HALL, TROWBRIDGE on WEDNESDAY 13 APRIL 2005.

PRESENT:

Mr M Connolly (Chairman), Mr BE Atfield, Mr WS Braid, Mr PR Davis, Mr A Molland, Mr Al Moore, Mr CEG Read, Mrs P Rugg, Mrs MSN Taylor, Mr IC West and Mr RM Willan.

Mr TR Sturgis also attended the meeting.

29. **Apologies** Apologies for absence were received from Mr PG Allnatt.

30. **Minutes of Previous Meeting**

Resolved: To confirm and sign the minutes of the Committee meeting held on 2 March 2005.

31. **Members' Interests** Mr CEG Read declared a prejudicial interest in agenda item no. 14 - Commons Registration Act 1965 (as amended) – Application for the Registration of a Town or Village Green: Land to the North of Old Hollow, Mere, known as Peasehill (see minute no. 38 below). Mr Read withdrew from the chamber during consideration of this item.

32. **Barford St Martin: B3089 Safer Routes to School Scheme** At the beginning of the item:

- Mr G Pitcher, Resident of Barford St. Martin asked a number of questions, to which the Chairman replied, and indicated that Mr Pitcher would be consulted on a revised design or modification to the B3089 route.
- The Committee received a written statement from Mrs S Sheppard, Barford St. Martin Parish Councillor.

On considering a report by the Director of Environmental Services, and on hearing from Mr RM Willan, the local member,

Resolved: To agree that the experimental priority in West Street, Barford St. Martin, be made permanent subject to a further narrowing of the carriageway of the B3089 to 3.5 metres.

33. **Wootton Bassett: Lime Kiln Area - 20mph Zone Order** On considering a report by the Director of Environmental Services,

Resolved: To:

- (1) Approve the making of the Order as advertised with the area signed as a 20 mph zone;
- (2) Advise the Town Council accordingly; and
- (3) Monitor the concerns of the Town Council over time to consider the need to reinforce and enhance the works undertaken by the Private Finance Initiative contractor in Lime Kiln, Showfield.

34. **Heywood: Recycling of Scrap Vehicle Tyres including the Installation of Static Plant and Construction of Storage Bays, 145/146 Engineer Road, West Wilts Trading Estate, Westbury, for P.J. Warne on behalf of Wiltshire Plastics Ltd. (Application No. W.03.1551)** On considering a report by the Director of Environmental Services

Resolved: To grant planning permission subject to the conditions set out in the Director's report.

35. **Baydon: Proposed Extinguishment of Footpath 3** On considering a report by the Director of Environmental Services,

Resolved: To refer the Public Path Extinguishment Order relating to Footpath 3 (part) Baydon to the Secretary of State, and recommend that the Order be confirmed on the grounds that it would not be required for public use.

36. **Mere: Footpath 78 – Objections to Modification Order** On considering a report by the Director of Environmental Services and on hearing the views of Mr CEG Read as local member,

Resolved: To submit the Order providing for a footpath to be added to the Definitive Map and Statement from road C59 at Edge Bridge leading down and into Shreen Water to the Secretary of State for the Environment, Food and Rural Affairs with the County Council's recommendation that it should be confirmed.

37. **Westbury: Proposed Extinguishment of Footpaths 17, 22, 24 and 26** At the beginning of the item Mr F Morland, Resident of Chapmanslade, made a statement relating to his objection detailed within the report to extinguish footpaths 17, 22, 24 and 26. The Committee also heard from Mr WS Braid, as a user of the footpaths detailed within the report.

Members of the Committee suggested that a report be submitted to the Council's Cabinet to consider the creation of a suitable policy to prevent developers from carrying out projects without considering footpaths on the site before completion of works.

On considering a report by the Director of Environmental Services,

***Resolved:** To refer the Public Path Extinguishment Order relating to Footpaths 17, 22, 24 and 26 Westbury to the Secretary of State for decision, with a recommendation that the Order be confirmed on the grounds that the sections of the footpaths to be extinguished by the Order are not needed for public use.*

38. **Commons Registration Act 1965 (as amended) – Application for the Registration of a Town or Village Green: Land to the North of Old Hollow, Mere, known as Peasehill** At the beginning of the item, Mr F Morland, resident of Chapmanslade, stated that in his view consideration of the application should be deferred pending the outcome of the appeal to the House of Lords in the Oxfordshire case, which was at the leave stage. Mrs A Howell, on behalf of the applicants, the Old Hollow and Shreen Water Residents Association, also requested that consideration of the application be postponed on the same grounds. Mr J Parfitt, potential developer of the site, stated that the law was clear and that his human rights would be affected if the matter was deferred.

On considering a report by the Head of Legal & Democratic Services,

***Resolved:** To reject the application to register land known as Peasehill to the north of Old Hollow, Mere coloured red on the plan attached to the application of the Old Hollow and Shreen Water Residents Association dated 13 July 2004 on the grounds that the user evidence does not satisfy the requirements of section 22(1A) Commons Registration Act 1965 in that the qualifying use was brought to an end in August 2004.*

39. **Commons Registration Act 1965 (as amended) – Application for the Registration of a Town or Village Green: Land at Pine Walk/Oak Drive, North Bradley** At the beginning of the item, Mr F Morland, resident of Chapmanslade, made a statement on the process that had been followed and Mr J Matthews, the applicant, spoke in support of the application.

On considering a report by the Head of Legal & Democratic Services and on hearing the views of Mr WS Braid, as local member,

***Resolved:** To register the land at Pine Walk/Oak Drive, North Bradley outlined in bold on the plan attached to the report by the Director of Corporate and Library Services dated 15 December 2004 as a village green under the Commons Registration Act 1965.*

40. **Exclusion of the Public**

Resolved: To agree, that in accordance with Section 100A(4) of the Local Government Act 1972, to exclude the public from the meeting for the business specified in Minute Number 41, because it was likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 5 of Part I of Schedule 12A to the Act.

41. **Appeal for Free Transport from Durrington to St Edmund's School, Laverstock** On considering a confidential report by the Director of Environmental Services,

Resolved: To refuse the appeal for free transport from Durrington to St. Edmund's School, Laverstock for the reasons set out in the report.

(Duration of meeting: 10.30am – 11.35am)

The Officer who has produced these minutes is Lee Gallagher, Democratic & Members' Services, direct line (01225) 713058 or e-mail leegallagher@wiltshire.gov.uk

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