



## REGULATORY COMMITTEE

MINUTES of a MEETING of the REGULATORY COMMITTEE held at COUNTY HALL, TROWBRIDGE on WEDNESDAY 14 NOVEMBER 2007.

### PRESENT:

Mr A Davis (Chairman), Mr PR Davis, Mr AN Deane, Mrs SK Doubell, Mrs ME Groom, Mr JP Johnson, Mr WR Moss, Mr CS Newbury, Mrs P Rugg, Mrs MSN Taylor, Mr IC West and Mr While

Also in attendance: Mrs Soden

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### 50. Apologies

An apology for absence was received from Mrs H Dixon.

### 51. Minutes of Previous Meeting

#### Resolved:

**To approve as a correct record and sign the minutes of the Committee meeting held on 17 October 2007.**

### 52. Chairman's Announcements

The Chairman made the following announcements:

#### (a) **Resource Recovery Facility**

It was anticipated that a proposal to construct a Resource Recovery Facility, including Mechanical Biological Treatment and a Household Recycling Centre would come before the Committee for determination at this meeting with a site visit by the Committee arranged in advance.

However, additional information had been sought from the applicant to enable officers to complete their assessment of the proposal. The application was

now unlikely to come before the Committee before the New Year. A site visit would be arranged prior to the application coming before the Committee and Members would be advised accordingly.

**(b) Public Participation**

The Chairman explained that whilst he was happy to receive public participation at these meetings, be it in the form of questions or statements, he would in the spirit of fairness and consistency adhere to the deadlines as detailed in the agenda. A number of Members considered that perhaps the timescales allowed for requests for public participation should be reviewed to be more relaxed and that perhaps this should be borne in mind in the arrangements for a unitary council.

**53. Members' Interests**

No interests were declared.

**54. Public Participation**

The Committee received public participation in respect of items shown at minute No.'s 56, 58 and 59. In each case, the representation was made immediately prior to the item being considered - please refer to the relevant minute number for details.

**55. Appeal for Free Transport on Grounds of Route Safety from Rowde to Devizes School**

The Committee had previously considered this application at its last meeting when it had been agreed to defer making a decision pending an inspection by the Committee of the walking route using the Route Safety Assessment Guidelines. Accordingly, an inspection of the route between Bunnies Lane, Rowde to Devizes School had been undertaken on 12 November. The Committee was now asked to make a final decision on the appeal in the light of the inspection, the Guidelines and the reports of the Director of Environmental Services presented at both the last meeting and this meeting.

A discussion ensued on the suitability of the stretch of road for a child to walk to school given the volume of traffic with reference to the Guidelines. Mr A Davis moved that the Committee endorses the officer's original decision that the route was safe for a child of secondary school age to walk accompanied, as necessary, by a responsible adult. On being put to the vote, the motion was LOST.

Mr Newbury then moved that the appeal be allowed on the basis that the route was not considered safe for a child of secondary school age to walk accompanied as necessary by a responsible adult and this was seconded by Mr Deane. On being put to the vote, the motion was CARRIED and it was therefore

**Resolved:**

**That the appeal be allowed and free transport be agreed on the basis that the Committee considered the route from Rowde to Devizes (along the A342) was not safe for a child of secondary school age to walk accompanied, as necessary by a responsible adult.**

56. **Ashton Keynes: Importation of Inert Material for the creation of Two Islands and two Fish Holding Ponds together with Two Broadwalk Bridges, Parking and an Amenity Building ancillary to the use of the Lake as a 'Pay and Fish' Fishery at Lake 81, Rixon Gate (N/07/07011)**

Public Participation: Mr Williams, Solicitor to the applicant made a statement.

The Committee considered a report of the Director of Environmental Services in respect of an application for the above mentioned proposal. It was noted that officers had recommended that planning permission be refused for the reasons detailed in the report. A presentation of plans was made which together with the report gave background detail to the application, the outcome of consultation with various agencies and comments received from members of the public.

Mrs Soden spoke as local member in favour of the recommendation. Mr A Davis moved that planning permission be refused for the reasons set out in the report and on being put to the vote, the motion was CARRIED and it was therefore

**Resolved:**

**That planning permission be refused in respect of application number N/07/07011 for the five reasons detailed in the report presented.**

57. **Braydon: Composting Facility and Tyre Recycling Operation at Parkgate Farm, Purton for Hills, Minerals & Waste (N/07/07008)**

The Committee considered a report from the Director of Environmental Services in respect of the above mentioned application which recommended that planning permission be granted subject to the conditions detailed in the report. A presentation of plans was made which together with the report provided background information to the application together with the outcome of consultation with various agencies and comments from the public.

Following a proposal by the Chairman and on being put to the vote, it was

**Resolved:**

**That planning permission be granted in respect of application number N/07/07008 subject to the 17 conditions detailed in the report for the reasons identified in each case.**

58. **Corsham: Extension to Underground Mine Workings (Part Retrospective) at Elm Park Mine, Lane's End, Gastard for Wessex Dimensional Stone Ltd. (N/06/07030)**

Public Participation: Mrs S Wickham, a local resident made a statement and asked a question to which the Chairman replied as circulated at the meeting.

The Committee received a report of the Director of Environmental Services regarding the above mentioned application which recommended that planning permission be refused for the reasons detailed therein.

Following a Member's query, Mr P Davis explained that he had received advice on his involvement in the consideration of this application. However, he wished to speak on behalf of the applicant who was unable to speak at the meeting as his request to do so was made out of time.

Mr P Davis moved that consideration of the application be deferred to allow for a site visit and this was seconded by Mrs Groome and on being put to the vote, the motion was CARRIED and it was

**Resolved:**

**That consideration of application number N/06/07030 be deferred to allow for a site visit by the Committee on a date to be arranged, details of which would be notified to Members.**

59. **Highways Act 1980, Section 119 – Application to Divert Part of Footpaths 96 & 103 Purton**

Public Participation: Mr T Mills, Landowner made a statement

Consideration was given to a report by the Director of Environmental Services which asked the Committee to consider the objections and comments received following the pre-Order consultation for the above mentioned diversion. Mr Mills had explained during his statement that he was only applying for the diversion of footpath 103 and not 96.

The Committee's views were sought on whether the Council should support the making of a Diversion Order under S.119 of the Highways Act 1980.

**Resolved:**

**That the application for a public path Diversion Order to divert part of Public Footpaths 96 and 103 be not granted for the reasons as detailed in the report presented.**

60. **Salisbury: St Ann Place - Proposed Addition of Footpath 105 to Definitive Map and Statement – Objections**

Consideration was given to a report by the Director of Environmental Services which asked the Committee to comment on objections received to the making of an Order under Section 53(2) of the Wildlife and Countryside Act 1981 to add a new Footpath No. 105 to the Definitive Map and Statement at St. Ann Place Salisbury.

**Resolved:**

**That the Order to add the new Footpath Salisbury 105 be submitted to the Secretary of State, together with the objection letters, with the recommendation that the Order be confirmed without modification.**

61. **Urgent Business**

None

(Duration of meeting: 10.30am – 12.35pm)

The Officer who has produced these minutes is Yamina Rhouati, Democratic & Members' Services, direct line (01225) 718024 or e-mail [yaminarhouati@wiltshire.gov.uk](mailto:yaminarhouati@wiltshire.gov.uk)

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