The REGULATORY COMMITTEE met at WARWICK on the 18th DECEMBER, 2007

Present:-

Councillor Peter Barnes (Chair of Committee)
  “  Brian Moss (Vice Chair)
  “  Michael Doody
  “  John Haynes
  “  Pat Henry
  “  Nina Knapman
  “  Barry Longden
  “  Sue Main
  “  Ian Smith
  “  Ray Sweet

Officers

Peter Endall, Senior Solicitor, Performance & Development Directorate
Ian Grace, Principal Planner, Environment & Economy
Matthew Williams, Planner, Environment & Economy Directorate
Phil Maull, Senior Committee Administrator, Performance & Development Directorate

1. General
   (1) Apologies

   Apologies for absence were submitted from Councillors Jose Compton and Joan Lea.

   (2) Members Disclosure of Personal and Prejudicial Interests

   Nil.

   (3) Minutes of the meeting held on the 6th November 2007 and matters arising
       (i) Minutes

   Resolved:-

   That the minutes of the Regulatory Committee’s 6th November 2007 meeting be approved and be signed by the Chair.

       (ii) Matters arising

   Nil.
2. **Applications for Determination**

(1) **Brinklow Quarry, Brinklow, Rugby Recycling of Incinerator Bottom Ash**

The report of the Strategic Director for Environment and Economy was considered.

Matthew Williams introduced the report and gave the following updates:

(i) The Environment Agency had no objection to the proposal. It advised that incinerator bottom ash (IBA) was considered non-hazardous. However, it also advised that the IBA should be checked on a regular basis (twice a year) to ensure that it remained non-hazardous.

(ii) Brandon and Bretford Parish Council objected to the proposal – it had a very active footpath society that worked very hard providing amenities. The proposal would damage the footpath amenity in the area.

(iii) Rugby Borough Council objected on the basis that it was an inappropriate development in the Green Belt as against policy PPG2 in its nature and scale. There were not sufficient very special circumstances to overcome the objections.

It was then Resolved:

That the Regulatory Committee authorises the refusal of planning permission for the Recycling of incinerator bottom ash at Brinklow Quarry, Brinklow, Rugby for the following reasons:

(i) The proposed development would be contrary to Policy E2 in the Rugby Borough Local Plan 2006 because the development would adversely affect the open character of the area and the proposed use constitutes inappropriate development within the Green Belt as defined in paragraph 3.12 of PPG2. In addition, the development would be contrary to guidance contained within PPS10 relating to development within the Green Belt.

(ii) The proposed development would be contrary to saved Policies 1 and 6 of the Waste Local Plan for Warwickshire because it would be inconsistent with the strict locational criteria designed to secure appropriate facilities in sustainable locations.
(2) **De Mulder & Sons Limited, Mancetter Road, Hartshill – Part Demolition of Existing Open Side Building and Construction of a New Building to Form a New Waste Separation and De-packaging Facility**

The report of the Strategic Director for Environment and Economy was considered and it was then Resolved:-

That the Regulatory Committee authorises the grant of planning permission for part demolition of an existing building, and construction of a new building to form a new waste separation and de-packaging facility at De Mulder & Sons Limited, Mancetter Road, Hartshill, subject to the conditions and for the reasons contained in Appendix B of the report of the Strategic Director for Environment and Economy.

(3) **Land at Camp Hill Industrial Estate, Pool Road, Nuneaton – Change of Use of Auto Repair and Servicing Garage to Small Scale Vehicle De-pollution and Breaking Facility with Sales of Recovered Parts**

The report of the Strategic Director for Environment and Economy was considered.

Councillor Barry Longden, one of the local members, said that he had misunderstood where the new facility was to be located and requested a deferment to enable him to confirm the site concerned. Councillor Pat Henry, the other local member confirmed that she had also misunderstood the location.

Councillor Nina Knapman asked for clarification about the vehicular entrance to the site from Pool Road.

Councillor Barry Longden, seconded by Councillor Michael Doody, moved and it was Resolved:-

That the Regulatory Committee defer consideration of the grant of planning permission for the change of use of Auto Repair and Servicing Garage to a Small Scale Vehicle De-pollution and Breaking Facility, with Sales of Recovered Parts at land at Pool Road, Nuneaton, to enable the local members to confirm the location of the site and whether it was appropriate and for clarification on the proposed vehicular entrance from Pool Road.

(4) **Griff Quarry, Gipsy Lane, Nuneaton – Proposed Variation of Condition 29**

The report of the Strategic Director for Environment and Economy was considered.
Matthew Williams introduced the report and said that the Highways Agency had raised no objections because it did not consider that it would have any greater impact on the highway strategic network than the current facilities.

Councillor Barry Longden referred to a guarantee given when the original application had been made for the site that there would be no importation of stone and coating would take place at Mancetter. He was surprised at the response from the Highway Agency, as there was already a major impact on Gypsy Lane. Councillors Pat Henry and John Haynes shared his concerns about Gypsy Lane.

Councillor Barry Longden proposed a motion to refuse planning permission but this fell as it did not have a seconder.

It was then Resolved, five members having voted in favour, two against with two abstentions:-

That the Regulatory Committee authorises the variation of planning Condition 29 of Planning Permission N100/05CM011 allowing the importation of high Polished Stone Value stone for the production of asphalt at Griff Quarry – Gipsy Lane, Nuneaton, subject to the conditions and for the reasons contained in Appendix B of the report of the Strategic Director for Environment and Economy.

3. Appointment of Directors to: (1) Warwickshire Careers Service Limited; (2) Warwickshire Race Equality Partnership; (3) Brunswick Healthy Living Centre Limited; and (4) Warwickshire Environment Trust Limited

The report of the Strategic Director of Performance and Development was considered and it was then Resolved:-

That the Regulatory Committee endorse the appointments of (1) Linda Holland, Head of Organisational Development, Performance and Development, as a director of Warwickshire Race Equality Partnership; (2) Marion Davis, Strategic Director of Children, Young People and Families, as a director of Warwickshire Careers Service Limited; (3) Carole Edkins, Health Improvement Manager, Adult, Health and Community Services as a director of Brunswick Healthy Living Centre Limited; and (iv) Councillor Mick Jones as a director of Warwickshire Environmental Trust Limited.

4. Any other items – Site Visits

(1) Extension to Ling Hall Quarry – this was out for consultation and the earliest that it would come to the Committee would be in March 2008. It
was agreed that consideration as to whether a site visit would be needed should be left to the January meeting.

(2) It was noted that only two members were able to attend the proposed site visit to a recycling centre on the 8th January 2008. It was agreed that the officers should look for an alternative date that more members of the Committee were able to attend.

5. **Report Containing Confidential or Exempt Information**

Resolved:-

That members of the public be excluded from the meeting for the following item on grounds that their presence would involve the disclosure of confidential and exempt information as defined in paragraph 3 of Schedule 12A to the Local Government Act 1972.

6. **CFM Profit Related Bonus 2006/2007**

The report of the Strategic Director for Environment and Economy was considered and it was then Resolved:-

That the Regulatory Committee:-

(1) Authorises the payment of the 2006/2007 Profit Related Bonus.

(2) Authorises the continuation of the County Fleet Maintenance (CFM) Profit Share Scheme for the financial year 2007/2008.

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Chair of Committee

The Committee rose at 10.55 a.m.