

Regulatory Committee

15th November 2005

Agenda

The Regulatory Committee will meet at the **SHIRE HALL, WARWICK** on **TUESDAY** the **15th NOVEMBER 2005** at **10 a.m.**

The agenda will be:-

1. General

- (1) Apologies.
- (2) Members Disclosures of Personal and Prejudicial Interests.

Note: Members are reminded that they should declare the existence and nature of their interests at the commencement of the relevant item (or as soon as the interest becomes apparent). If that interest is a prejudicial interest the Member must withdraw from the room.

- (3) Minutes of the meeting held on the 27th September 2005 (copy attached) and Matters Arising.

2. Planning Appeals Decisions Update

Report of the Director of Planning, Transport and Economic Strategy.

This is an information report intended to inform elected members of the results of recent planning appeals determined by the Planning Inspectorate (PINS).

Recommendation

That the Regulatory Committee notes the content of the Inspector's decisions in respect of the appeals by Budget Skip Services Ltd. and Tarmac Ltd against the decisions by Warwickshire County Council to refuse planning permission for the operation of a Materials Recovery Facility (MRF) at 17-19 Colliery Lane,

Bedworth and for amendments to the hours of operation planning conditions at Mancetter Quarry, Quarry Lane, Mancetter.

3. Applications for Determination

Reports of the Director of Planning, Transport and Economic Strategy.

(1) Bayton Road Industrial Estate, Bedworth – Materials Recycling Facility

This application is a re-submission of a proposal for a Materials Recovery Facility, Transfer Station and associated Transport and Storage/Distribution yard on land at 21 and 23a Crondal Road, Bayton Road Industrial Estate, Bedworth and was previously refused on 19th April 2005.

Recommendation

That the Regulatory Committee authorises the refusal of planning permission for the operation of a Materials Recovery Facility, Transfer Station and associated Transport and Storage/Distribution Yard on land at 21 and 23a Crondale Road, Bayton Road Industrial Estate, Bedworth for the following reasons:-

- (a) The proposed development would be contrary to Policies Emp4 of the adopted Nuneaton and Bedworth Borough Local Plan and Emp5 of the Nuneaton and Bedworth Borough Local Plan (Second Deposit Draft) and would if approved adversely affect the amenities of neighbouring residents to an unacceptable degree.
- (b) The proposed development is contrary to Policies 1, 6 and 8 of the Waste Local Plan for Warwickshire because it would have a significant adverse impact on the character of the locality and amenity of local occupiers by reason of noise, dust, visual intrusion and odour.

(2) Southam Cement Works – Variation of Condition 1

The application proposes the variation of Condition 1 of Planning Permission S965/03CM026 to extend the time period within which Cement Kiln Dust (CKD) may be deposited on land at Southam Cement Works from 30th June 2004 to 31st December 2006.

The application was deferred at the 8th March 2005 meeting of the Regulatory Committee in order to allow an independent and authoritative assessment of the proposal to be obtained. The applicant has now commissioned a report entitled 'Nuisance and Human Health Risk Assessment – Southam Landfill', the findings of which are detailed in this report.

Recommendation

That the Regulatory Committee authorises the grant of planning permission to vary Condition 1 of planning permission S965/03CM026 to allow the importation of Cement Kiln Dust (CKD), spillage materials, road sweepings, laboratory samples and kiln bricks from New Rugby Works for a further temporary period until 31st December 2006 on land at Southam Cement Works, Long Itchington, subject to the conditions contained in Appendix B of the report of the Director of Planning, Transport and Economic Strategy.

(3) Dunton Landfill site – Extension of Time Period Permitting the Storage and Recycling of Waste Materials

The application proposes to extend the time limit for the storage and recycling of waste materials at land at Dunton Landfill Site, as approved in Planning Permission NW369/00CM013 for a further five years.

Recommendation

That the Regulatory Committee authorises the grant of planning permission to vary condition No. 2 attached to Planning Permission Ref. No, NW369/00CM013 (as amended by the appeal decision dated 10th September 2001) to permit the storage and recycling of Waste Materials at Dunton Landfill, Curdworth until 31st December 2010, instead of 15th July 2005, subject to the conditions and for the reasons contained in Appendix B of the report of the Director of Planning, Transport and Economic Strategy.

**(4) Fillongley Sewage Pumping Station, Fillongley, Warwickshire
Replace an Existing Bridge and Widen the Corner of an Access Track**

This report recommends the grant of planning permission to replace an existing bridge and widen the corner of an access track at Fillongley Sewage Pumping Station, Tamworth Road, Fillongley.

Recommendation

That the Regulatory Committee authorises the grant of planning permission to replace an existing bridge and widen the corner of an access track at Fillongley Sewage Pumping Station, Tamworth Road, Fillongley, Warwickshire, subject to the conditions and for the reasons contained in Appendix B of the report of the Director of Planning, Transport and Economic Strategy.

(5) Polesworth High School, Dorden – Construction on New Two-Storey International Language Centre and Teaching Block

This application seeks full planning permission for a new two storey classroom block.

Recommendation

That the Regulatory Committee authorises the grant of planning permission for the construction of a new two-storey international language centre and teaching block at Polesworth High School, Dorden subject to the conditions and for the reasons contained in Appendix B of the report of the Director of Planning, Transport and Economic Strategy.

(6) Bedworth Heath Nursery School, Bedworth – Construction of a single storey extension to create a children’s centre with associated facilities

The proposed single storey extension would create a children’s centre that would provide facilities for local children and their parents. This would offer core services such as childcare, early education, health support, family support and employment training.

Recommendation

That the Regulatory Committee authorises the grant of planning permission for the construction of a single storey extension to create a children's centre with associated facilities, at Bedworth Heath Nursery School, Bedworth, subject to conditions and for the reasons contained in Appendix B of the report of the Director of Planning, Transport and Economic Strategy.

(7) Land Adjoining 16 Alexandra Street, Nuneaton – Erection of 1.8 metre High Shuttering Ply Hoarding Painted Green

The erection of the proposed fence is to eliminate illegal parking and fly tipping that has been occurring on the site that is being fenced off. The site has a brick wall around all the boundaries apart from the boundary to Alexandra Street, where it is proposed the ply hoarding would be erected.

Recommendation

That the Regulatory Committee authorises the grant of planning permission for the erection of a 1.8 metre high Shuttering Ply Hoarding Painted Green at land adjoining 16 Alexandra Street, Nuneaton subject to the conditions and for the reasons contained in Appendix B of the report of the Director of Planning, Transport and Economic Strategy.

(8) Avon Valley School, Rugby – Construction of a 1100 Pupil Secondary School with Associated Facilities

This application seeks full planning permission for a new secondary school to replace the school buildings destroyed in a fire at Avon Valley School, Newbold Road, Rugby.

Recommendation

That the Regulatory Committee authorises the grant of planning permission for the construction of a 1100 pupil secondary school with associated facilities at Avon Valley School, Newbold Road, Newbold-on-Avon, Rugby, subject to the conditions and for the reasons contained in Appendix B of the report of the Director of Planning, Transport and Economic Strategy.

4. Appointments to School Governing Bodies

Report of the County Education Officer.

This report deals with the arrangements for the appointment of LEA governors to the governing bodies of the new Kingsbury Primary School and the new federated Oakwood Primary and Secondary Schools, which opened in September 2005, and the appointment of governors to the temporary governing body for the proposed new Community Special School in North Warwickshire.

Recommendation

(1) That the three LEA governor seats on the governing body for the new Kingsbury Primary School be allocated as follows:

Conservative Group	: 1 seat
Labour Group	: 2 seats.

- (2) That the three LEA governor seats on the governing body for the new federated Oakwood Primary and Secondary Schools in Nuneaton be allocated as follows:

Conservative Group : 1 seat

Labour Group : 2 seats.

- (3) That the four LEA governor seats on the temporary governing body for the proposed new Community Special School in North Warwickshire be allocated as follows:

Conservative Group : 1 seat

Labour Group : 2 seats

Liberal Democrat Group : 1 seat.

- (4) That the County Education Officer be authorised to approve the appointment of six Parent governors and four Community governors to the temporary governing body for the proposed new Community Special School in North Warwickshire.

5. Any Other Items

which the Chair decides are urgent.

EXEMPT ITEMS

6. Reports Containing Confidential or Exempt Information

To consider passing a resolution excluding members of the public from the meeting for the agenda items mentioned below on the grounds that their presence would involve disclosure of confidential or exempt information as defined in the Local Government Act 1972. (NB. Copies of extracts describing exempt information are available in Warwickshire Libraries, the County Council Handbook and the Access to Information Register held in my office.)

7. Exempt extract from the minutes of the meeting of the Regulatory Committee held on the 27th September 2005.

8. Proposed Local Settlement by Ombudsman

Joint report of the County Solicitor and Assistant Chief Executive, the County Education Officer and the Director of Social Care & Health.

To agree the local settlement proposed by the Local Government Ombudsmen relating to his investigation of the actions of the Education and Social Services Departments.

Recommendation

That the Committee approve the of local settlement proposed by the Ombudsman.

9. CFM Profit Related Bonus 2004/2005

Report of the Director of Planning, Transport and Economic Strategy.

This report proposes a Profit Related Bonus Payment for County Fleet Maintenance (CFM) based on its trading performance for 2004/2005.

Recommendation

That Members:-

- (1) Authorise payment of the 2004/2005 Profit Related Bonus.
- (2) Authorise the continuation of the County Fleet Maintenance (CFM) Profit Share Scheme for the financial year 2005/2006.

JIM GRAHAM
Chief Executive

Committee Membership

Councillor Peter Barnes, Les Caborn, Richard Chattaway (Chair), Michael Doody, Pat Henry, Joan Lea, Barry Longden, Brian Moss, Dave Shilton (Vice-Chair), Ian Smith, Bob Stevens and John Wells.

The reports referred to are available in large print if requested

General Enquiries: Please contact Phil Maull, Chief Executive's Department on 01926 412834 or e-mail philmaull@warwickshire.gov.uk

Enquiries about specific reports: Please contact the officers named in the reports