

KENT COUNTY COUNCIL

REGULATION COMMITTEE

MINUTES of a meeting of the Regulation Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 3 September 2013.

PRESENT: Mr M J Harrison (Chairman) Mr S C Manion (Vice-Chairman)
Mr M Baldock, Mr H Birkby, Mr C W Caller, Mr G Cowan, Mrs V Dagger,
Mr J A Davies, Mrs M Elenor, Mr T Gates, Mr P M Harman, Mr P J Homewood,
Mr T A Maddison, Mr J M Ozog and Mr J N Wedgbury

IN ATTENDANCE: Ms C Fenton (Learning Disability and Mental Health Officer),
Ms C Brodie (Practice Support Manager), Ms D Fitch (Democratic Services Manager
(Council)), Mrs L Wilkins (Definitive Map Team Leader), Ms M McNeir (Public Rights
Of Way and Commons Registration Officer), Mrs S Thompson (Head of Planning
Applications Group), Mr R Gregory (Principal Planning Officer - Enforcement),
Mr H Burchill (Senior Planning Officer) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

19. Membership

(Item 1)

The Committee noted the appointment of Mr P M Harman.

20. Minutes - 18 June 2013

(Item 4)

RESOLVED that the Minutes of the meeting held on 18 June 2013 are correctly recorded and that they be signed by the Chairman.

21. Guardianship Orders - Presentation by Cheryl Fenton, Head of Mental Health Social Work

(Item 5)

(1) The Committee received a presentation from Cheryl Fenton, Head of Mental Health Social Work. The topics covered were the Mental Health Act; the County Council's and its Members' responsibilities relating to Guardianship (including the delegation of responsibilities); the Code of Practice principles relating to Guardianship; costs and the recent rationalisation of the County's Guardianship Register. The presentation concluded with a case study.

(2) It was agreed that a copy of the presentation slides would be sent to all Members of the Committee.

(3) RESOLVED that Ms Cheryl Fenton be thanked for her comprehensive presentation and that its contents be fully noted.

22. Home to School Transport Appeals update

(Item 6)

(1) The Democratic Services Manager gave an overview of Home to School Transport appeal statistics for the period between 1 January 2013 and 31 July 2013 together with a brief comparison with the statistics for 2012.

(2) The Committee noted that a training session on Transport Appeals would be held on 10 October 2013.

(3) RESOLVED that the report be noted.

23. Update from the Definitive Map Team

(Item 7)

(1) The Committee discussed a report by the Head of Regulatory Services on the background to the Definitive Map and Statement of Public Rights of Way, as well as progress with Definitive Map Team applications.

(2) RESOLVED that the contents of the report be noted.

24. Gating Order Review - The Kent County Council (Un-named footpath to the rear of Henley Fields, Tenterden) (Gating) Order 2008

(Item 8)

(1) The Committee considered a report which recommended the continuation of the Gating Order which had been in operation at Henley Fields in Tenterden since 2009.

(2) During discussion of this item, the Committee noted that the Gating Order at Public Footpath AU79, St Mary's Church Yard Passage at Ashford, which had been confirmed by the Member Panel on 24 September 2012, had not yet been implemented. The Chairman agreed to write to Ashford BC to ascertain the reasons for the lack of progress.

(3) RESOLVED that the Gating Order at Henley Fields, Tenterden continue in operation and that this Order be the subject of a review every two years.

25. Update from the Commons Registration Team

(Item 9)

(1) The Committee considered a report by the Head of Regulatory Services on progress with Village Green applications and recent legislative changes.

(2) The Public Rights of Way and Commons Registration Officer reported that Member Panel meetings were due to take place on 24 September and 15 October 2013.

(3) RESOLVED that the contents of the report be noted.

26. Update on Planning Enforcement Issues

(Item 10)

- (1) The Committee discussed a report by the Head of Planning Applications Group which gave an update on planning enforcement and monitoring work carried out by the Planning Applications Group since the June meeting of the Committee.
- (2) During discussion of the active enforcement cases, the Committee agreed to support the service of an Enforcement Notice at Cube Metal Recycling, Folkestone if it should become necessary.
- (3) RESOLVED that endorsement be given to the actions taken or contemplated on the respective cases set out in paragraphs 5 to 22 of the report and those contained within Schedules 1, 2 and 3 appended to the report.

EXEMPT ITEMS

(Open Access to Minutes)

(Members resolved under Section 100A of the Local Government Act 1972 that the public be excluded from the meeting for the following business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 5 and 6 of Part 1 of Schedule 12A of the Act.)

27. Update on Planning Enforcement issues at Larkey Wood, Chartham

(Item 13)

- (1) The Head of Planning Applications Group reported on planning enforcement issues at Larkey Wood farm, Chartham. This included action taken by a multi-agency Task Force, consisting of KCC planning Enforcement, Canterbury CC (Planning and Enforcement sections), the Environment Agency and Kent Police in respect of apparent site breaches. The report also set out proposed next steps.
- (2) RESOLVED that the enforcement strategy outlined in paragraphs 5 to 20 of the report be endorsed.