

**REGULATION COMMITTEE**

**Thursday, 1st July, 2021**

**10.00 am**

Council Chamber, Sessions House, County Hall,  
Maidstone





## AGENDA

### REGULATION COMMITTEE

**Thursday, 1st July, 2021, at 10.00 am**  
**Council Chamber, Sessions House, County**  
**Hall, Maidstone**

Ask for: **Andrew Tait**  
Telephone: **03000 416749**

#### **Membership (15)**

Conservative (12): Mr S C Manion (Chairman), Mr P Cole, Mr M C Dance, Ms S Hamilton, Mrs S Hudson, Mr D Jeffrey, Mr R C Love, OBE, Mr R A Marsh, Mr J M Ozog, Parfitt-Reid and Mr T L Shonk (1 Vacancy)

Labour (1) Mr B H Lewis

Liberal Democrat (1) Mr I S Chittenden

Green/Independents (1): Mr M Baldock

#### **Webcasting Notice**

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site – at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

By entering the meeting room you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If you do not wish to have your image captured then you should make the Clerk of the meeting aware.

#### **UNRESTRICTED ITEMS**

*(During these items the meeting is likely to be open to the public)*

1. Substitutes
2. Declarations of Interests by Members in items on the Agenda for this meeting.
3. Election of Vice-Chairman
4. Terms of Reference of the Committee

*Membership: 15 Members - Conservative: 12, Labour:1, Liberal Democrat 1, Green/Independents: 1.*

- 1 This Committee is responsible for the Council's functions in relation to the enforcement of the control of development under the Town and Country Planning Act 1990 and related statutory instruments and may exercise any of the powers of the County Council so delegated as set out in the Delegation Table. The Committee also considers:
  - (a) appeals against refusal to approve premises for the solemnisation of marriages (or the attachment of a condition to such an approval),
  - (b) all Commons Registration functions under Part 1 of the Commons Act 2006 and the Commons Registration (England) Regulations 2008,
  - (c) the creation, stopping up, diversion of any footpath or bridleway or restricted byway or the reclassification of any public path where substantive objection has been raised or a political party or the Local Member requests,
  - (d) appeals by pupils and parents against school-related decisions that are not considered by an external appeal Committee, including transport, education awards and religious education. Such appeals to be dealt with by ad hoc Sub-Committees of Members (Panels) chaired by and including at least one member of the Regulation Committee. All Panel members must have received appropriate training before taking up their positions,
  - (e) the making, variation or revocation of Gating Orders under the Highways Act 1980 (Gating Orders) (England) Regulations 2006,
  - (f) the discharge of persons who are subject to guardianship, pursuant to Section 23 of the Mental Health Act 1983 on the recommendation of the Director of Disabled Children, Adults Learning Disability and Mental Health.
- 1.1 The Council agreed on 20 September 2001 that functions (a)-(c) could be delegated to Sub-Committees.
- 1.2 The Council agreed on 19 June 2008 that function (e) could be delegated to Sub-Committees.
- 1.3 The Council agreed on 13 May 2010 that function (f) could be delegated to a Sub-Committee (the Mental Health Guardianship Sub-Committee) of at least three Members, one of whom should be a member of the Regulation Committee and the others to be Members of the Adult Social Care Cabinet Committee (who must not also be members of an NHS Foundation Trust). The decision to discharge must be agreed by at least three Members or where there are more Members on the Sub-Committee by a majority of the Panel.
- 1.4 Political Groups should only nominate Members as regular Members or substitutes on the Regulation Committee (and on Panels of the Committee) if they have had training in the relevant procedures.

1.5 The Regulation Committee may permit members of the public interested in their decisions to address their meetings, in accordance with the principles of decision-making contained in paragraph 8.5 of the Constitution.

5. Minutes (Pages 1 - 30)

(a) Committee: 28 January 2021;  
27 May 2021

(b) Member Panel: 24 February 2021

6. Introduction to Education Transport Appeals: Presentation

7. Update from the Public Rights of Way and Access Service

8. Update on Planning Enforcement Issues (Pages 31 - 38)

9. Other Items which the Chairman decides are Urgent

10. Motion to exclude the public

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

### **EXEMPT ITEMS**

*(During these items the meeting is likely NOT to be open to the public)*

11. Update on Planning Enforcement cases (Pages 39 - 60)

Benjamin Watts  
General Counsel  
03000 416814

**Wednesday, 23 June 2021**

*Please note that any background documents referred to in the accompanying papers maybe inspected by arrangement with the officer responsible for preparing the relevant report.*