

## KENT COUNTY COUNCIL

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### REGULATION COMMITTEE

MINUTES of a meeting of the Regulation Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 25 January 2011.

PRESENT: Mr M J Harrison (Chairman) Mr A D Crowther (Vice-Chairman) Mr R Brookbank, Mr C J Capon, Mr I S Chittenden (Substitute for Mr S J G Koowaree), Mr H J Craske, Mr J M Cubitt, Mr J A Davies, Mr T Gates, Mr S Manion, Mr R F Manning, Mr J M Ozog, Mr R A Pascoe, Mr J N Wedgbury, Mr M J Whiting and Mr A T Willicombe (Substitute for Mr A H T Bowles)

ALSO PRESENT: Mr P J Homewood and Mr R Tolputt

IN ATTENDANCE: Mr G Rudd (Assistant Democratic Services Manager), Mr S Bagshaw (Head of Admissions & Transport), Mr C Feltham (Head Of Additional Educational Needs & Resources), Mr K Cobb (Transport Integration Manager), Mr C Wade (Countryside Access Principal Case Officer), Miss 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) and Mr A Tait (Democratic Services Officer)

### UNRESTRICTED ITEMS

#### 1. Minutes

*(Item 3)*

RESOLVED that the Minutes of the Committee meeting held on 9 September 2010 and of the Member Panel meetings held on 14 September 2010, 19 October 2010, 26 October 2010 and 30 November 2010 are correctly recorded and that they be signed by the Chairman.

#### 2. Home to School Transport

*(Item 4)*

(1) Members of the Committee asked questions on the wider issues associated with Home to School Transport. The Transport Integration Manager described the various means of provision and explained the methodology used by his Team to assess the most appropriate form of transport in each individual case.

(2) The Committee agreed to the arrangement of educational visits by small numbers of Committee Members to the Transport Integration Team and to the Admissions and Transport Team.

(3) RESOLVED that the report be noted and that educational visits by small numbers of Committee Members to the Transport Integration Team and to the Admissions and Transport Team be arranged.

### **3. Presentation by Kenneth Cobb (Transport Integration Manager) on Bus Passes**

*(Item 5)*

(1) The Transport Integration Manager tabled a document identifying the three types of bus pass (Entitled Scholar, Kent Freedom Pass and Zip (Oyster)) and describing their validity, entitlement and retention period. He briefly described the operation of the system and answered questions from the Committee Members.

(2) RESOLVED that Mr Kenneth Cobb be thanked for his interesting and informative presentation.

### **4. Update from the Commons Registration Team**

*(Item 6)*

(1) The Public Rights of Way Principal Case Officer displayed files relating to three cases in order to give the Committee Members an illustration of the volume of work involved in each of these individual representative cases.

(2) The Public Rights of Way Principal Case Officer drew the Committee's attention to the implications of the "Betterment case" in terms of the importance of "contentiousness" when assessing whether use of land was as of right.

(3) RESOLVED that the report be received and that educational visits by small numbers of Committee Members to the Commons Registration Team be arranged.

### **5. Proposals arising from the review of the Register of Common Land and Town and Village Greens**

*(Item 7)*

RESOLVED that the errors identified as a result of the review of the Registers of Common Land and Town or Village Greens be dealt with accordingly; and that proposals be initiated under Section 19 of the Commons Act 2006 to seek to rectify these errors.

### **6. Update on Planning Enforcement Issues**

*(Item 8)*

(1) Mr P M Homewood was present for this item pursuant to Committee Procedure 2.24 and spoke.

(2) The views of Mrs J Whittle in respect of unauthorised sites in her constituency were tabled, noting in particular the efforts of the County's Planning Contraventions Officer, Mr Alan Goodison.

(3) RESOLVED that:-

- (a) the actions taken or contemplated on the respective cases set out in paragraphs 5 to 41 of the report be endorsed, together with those contained within the Schedules in Appendices 1 and 2 of the report; and

- (b) educational visits by small numbers of Committee Members to the Planning Enforcement Team be arranged.

## **7. Strengthening of Planning Enforcement**

*(Item 9)*

(1) The Chairman informed the Committee that he was attempting to speak to the Minister, Greg Clark, MP in order to ensure that he was fully aware of the County Council's views on the key problems and suggested solutions summarised in Appendix 1 to the report. Although he had not at this stage succeeded in discussing this matter with him, he was reassured that the Minister was indeed giving this document his consideration.

(2) RESOLVED that:-

- (a) the report be noted; and
- (b) the current lobbying of the Government in the pursuit of enhanced planning enforcement powers be endorsed.

## **8. Update on planning enforcement issues at Deal Field Shaw (Shaw Grange), Charing**

*(Item 10)*

RESOLVED that:-

- (a) the content of paragraph 7 of the report concerning the surface engineering of the site and related technical works be endorsed on the proviso that details are first lodged with the Head of Planning Applications group for enforcement and verification purposes; and
- (b) the report form the basis of any briefing concerning the site given to local residents or other adjoining land interests.

**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.)*

**9. Enforcement Strategy for Four Gun Field, Otterham Quay Lane, Upchurch**  
*(Item 13)*

(1) The Head of Planning Applications Group reported the latest enforcement strategy concerning the Four Gun Field site in Otterham Quay Lane, Upchurch.

(2) RESOLVED that the report be received.