

## 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, 22 January 2013.

PRESENT: Mr M J Harrison (Chairman) Mr A D Crowther (Vice-Chairman)  
Mr A H T Bowles, Mr D L Brazier (Substitute for Mr C J Capon, MBE),  
Mr R E Brookbank, Mr I S Chittenden, Mr H J Craske, Mrs V J Dagger,  
Mr J A Davies, Mr T Gates, Mr W A Hayton, Mr R J Lees, Mr S C Manion,  
Mr R F Manning and Mr J N Wedgbury

IN ATTENDANCE: Ms S Coventry (Public Rights Of Way Officer ( Definition )),  
Mrs L Wilkins (Definitive Map Team Leader), Ms M McNeir (Public Rights Of Way  
and Commons Registration Officer), Mrs A Hunter (Principal Democratic Services  
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)*

(1) Mr A D Crowther informed the Committee that he was a Member of Minster-on-Sea Parish Council. With reference to Member Panel Minute 12/2012, he had not participated in the Parish Council's discussions and preparation of the Scrapsgate Open Space Village Green application.

(2) Mr T Gates informed the Committee that he was a Member of Faversham TC which had proposed a footpath diversion to Public Footpath ZF5 at Faversham. He had attended the Panel meeting on 21 November 2012 in his capacity as Local Member.

(3) The Senior Public Rights of Way Officer referred to the Member Panel meeting on 24 September 2012, reporting that installation of the gate had been delayed pending a decision by Ashford BC on its design.

(4) The Democratic Services Officer informed the Committee of a complaint received into the conduct of the Member Panel meeting on 21 November 2012 (Faversham). He agreed to send a copy of the complaint to each Member of that Panel and the Local Member, together with the response from the Director of Governance and Law.

(5) Mr T Gates said that he believed that the County Council should not pursue its decision in respect of Public Footpath ZF5 until the complaint had been completely exhausted.

- (6) RESOLVED that the Minutes of the Committee meeting held on 5 September 2012 and of the Member Panels on 11 September 2012, 24 September 2012, 21 November 2012 (Sandgate) and 21 November 2012 (Faversham) are correctly recorded and that they be signed by the Chairman.

## **2. Site Visit to Shaw Grange, Charing on Tuesday, 26 March 2012**

*(Item 4)*

The Committee noted that it would hold a site visit in Deal Field Shaw (Shaw Grange) at 2.00pm on Tuesday, 26 March 2013.

## **3. Update from the Definitive Map Team**

*(Item 5)*

(1) A revised version of the report had been circulated to all Members of the Committee prior to the meeting. This explained that advice was being sought on whether publication and circulation of the new Definitive Map and Statement needed to be delayed until all outstanding Orders had been resolved.

(2) RESOLVED that the report be received.

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

*(Item 6)*

(1) The Public Rights of Way & Commons Registration Officer and the Head of Planning Applications Group replied to questions on implications of the Growth and Infrastructure Bill by explaining that its aim was to prevent frivolous Village Green applications from holding up development and economic growth. The intention was to prohibit applications to register Village Greens where there was a planning application or a development plan allocation. The Head of Planning Applications Group expressed concern that there was a potential risk of ill prepared Village Green applications being promoted at the planning stage, leading to possible delays in the determination of planning applications and a stifling of pre-planning application discussions between developers and communities.

(2) RESOLVED that the report be received.

## **5. Home to School Transport**

*(Item 7)*

RESOLVED that the report be noted.

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

*(Item 8)*

(1) The Head of Planning Applications Group reported the views of the Local Members, Mr R Tolputt and Mr M J Whiting in respect of Case KCC/SH/0323/2012 Cube Metal Recycling and Case DC3/SW/11/COMP at Milton Creek.

(2) RESOLVED to endorse the actions taken or contemplated on the respective cases set out in paragraphs 5 to 28 of the report and those contained within Schedules 1,2 and 3 appended to the report.

## **7. Regulation Committee 2009 to 2013**

*(Item )*

The Chairman said that this was the last meeting of the Committee before the County Council elections. He wished to take the opportunity to thank all Members and officers for the commitment and enthusiasm they had shown to the Committee's work over the past four years and expressed the hope that this work would continue in the same way in the future.

### **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.)*

## **8. Update on Planning Enforcement issues at Larkey Wood Farm, Chartham, Canterbury**

*(Item 11)*

- (1) The Head of Planning Applications Group reported on planning enforcement issues at Larkey Wood Farm in Chartham and set out a strategy to achieve an acceptable solution.
- (2) RESOLVED that the enforcement strategy set out in paragraphs 5 to 9 of the report be endorsed.