

## 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, 27 January 2009.

PRESENT: Mr M J Harrison (Chairman) Mr A D Crowther (Vice-Chairman)  
Mr A R Bassam, Mr T J Birkett, Mr C J Capon, Mr I S Chittenden, Mr L Christie,  
Mr J A Davies, Mr T Gates, Mr C Hart, Mr W A Hayton, Mr R E King (Substitute for  
Mr R A Pascoe), Mr I T N Jones, DL, Mr R J Parry (Substitute for Mr A H T Bowles),  
Mrs P A V Stockell and Mr F Wood-Brignall.

IN ATTENDANCE: Mr S Bagshaw (Head of Admissions & Transport),  
Mrs A Hayward (Manager for Primary Admissions & Transport), Mr G Rudd  
(Assistant Democratic Services Manager), Mr C Wade (PROW Team Manager  
(definition)), Mrs S Thompson (Head of Planning Applications Group), Mr R Gregory  
(Principal Planning Officer Enforcement) and Mr A Tait (Democratic Services  
Officer).

ALSO PRESENT: Audit Commission.

### UNRESTRICTED ITEMS

**1. Minutes**  
(Item. 3)

RESOLVED that the Minutes of the meetings of the Committee held on 18 September 2008 and of the Member Panels held on 31 October 2008 and 12 November 2008 are correctly recorded and that they be signed by the Chairman.

**2. Proposed amendment to a Regulation Committee Member Panel Procedure**  
(Item. 4)

RESOLVED that Paragraph 7 (i) of the Marriage Premises Review Procedure be amended as set out in Paragraph 5 of the report (set out in Appendix 1 to these Minutes).

**3. Transport Appeal Panels Procedures**  
(Item. 5)

(1) The Committee agreed to minor amendments to the draft procedure for clarification purposes and to the inclusion of a new Paragraph 4 in the "Reaching A Decision" section of the draft Procedure.

(2) In considering the report, the Committee agreed on the desirability of appointing a permanent Chairman of the Transport Appeals Panels.

(3) RESOLVED that the Procedure set out in Appendix 2 to these Minutes be adopted for future use by the Transport Appeals Panels.

**4. Transport Appeal Statistics**  
(Item. 6)

RESOLVED that the report be noted.

**5. Update on Village Green Issues**  
(Item. 7)

(1) The PROW Team Manager (Definition) gave an oral update on progress with the DEFRA Pilot Project. He informed the Committee that a seminar for District and Parish Councils was being arranged to take place in Spring 2009 and that County Councillors would also be invited. He also updated the Committee on progress on a number of PROW and Village Green cases which had been considered by the Member Panels and on the latest legal position in respect of "Deference."

(2) The Committee agreed that it wished for a Schedule of outstanding Village Green and PROW cases to be included in the agenda papers for its future meetings.

(3) RESOLVED that:-

(a) the report be noted; and

(b) a Schedule of outstanding Village Green and PROW cases be included in the agenda papers for future meetings of the Committee.

**6. Update on Planning Enforcement Issues**  
(Item. 8)

(1) Mr W V Newman was present for this item pursuant to Committee Procedure Rule 2.24 and spoke.

(2) The views of Mr R Gough, Mr A J King and Mr R Tolputt were reported to the Committee.

(3) RESOLVED to endorse the actions taken or contemplated on the respective cases set out in paragraphs 15 to 29 of the report and those contained within the Schedules in Appendices 1 to 3 of the report.

**EXEMPT ITEMS**

**(Open Access to Minutes)**

*(Members resolved that under Section 100A of the Local Government Act 1972 the public be excluded from the meeting for 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)*

**7. Update on Planning Enforcement issues at Deal Field Shaw, Charing**  
*(Item. 11)*

(1) The Head of Planning Applications Group reported the latest enforcement position concerning Deal Field Shaw (Shaw Grange), Charing. This included the County Council's confirmed ownership of the site.

(2) RESOLVED that the Officers of the Planning Enforcement Team and Legal Services be thanked for their efforts and achievements in relation to the site and that the enforcement strategy outlined in paragraphs 5 to 10 of the report be endorsed.