

By: Head of Democratic Services

To: Regulation Committee – Wednesday, 26 July 2017

Subject: TERMS OF REFERENCE AND DATES OF FUTURE MEETINGS

Classification Unrestricted

FOR INFORMATION

1. The Regulation Committee's Terms of Reference are set out below. It should be noted that the version that currently appears in the published Constitution will be amended by the deletion of the section which refers to Gating Orders as this power has been transferred to Borough and District Councils by section 185 of the Anti-social Behaviour, Crime and Policing Act 2014. Section (b) has also been updated in the light of the most recent Commons Registration (England) Regulations.

2. REGULATION COMMITTEE

12 Members

Conservative: 10; Liberal Democrat: 1; Independents: 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 in Part A of the Schedule to Appendix 2 Part 3 of the Constitution.

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 2014;
- (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 by a political party or the Local Member requests;

(The Council agreed on 20 September 2001 that functions (a) to (c) could be delegated to sub-committees)
- (d) reports of Kent County Council's work with the Environment Agency;
- (e) 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.

- (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, Adult Learning Disability and Mental Health.

(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).

3. Dates of Future meetings.

- 3.1 The next meetings of the Committee will be held on:

Thursday, 28 September 2017
Tuesday, 23 January 2018

RECOMMENDATIONS:

4. The Committee is recommended to note its Terms of Reference and future meeting dates.

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