

AT A MEETING of the Regulatory Committee of HAMPSHIRE COUNTY
COUNCIL held at the castle, Winchester on Wednesday, 12th April, 2017

Chairman:

* Councillor Robin McIntosh

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| * Councillor Peter Latham | * Councillor Roger Price |
| * Councillor Christopher Carter | * Councillor Timothy Rolt |
| * Councillor Charles Choudhary | * Councillor David Simpson |
| Councillor Criss Connor | * Councillor Sharyn Wheale |
| * Councillor Mark Cooper | * Councillor Christopher Wood |
| * Councillor Judith Grajewski | Councillor Philip Fawkes |
| * Councillor Chris Greenwood | Councillor Jane Frankum |
| * Councillor Marge Harvey | Councillor Brian Gurden |
| * Councillor Keith House | Councillor Andrew Joy |
| * Councillor Roger Huxstep | |

*Present

Co-opted members

Also present with the agreement of the Chairman: Councillors
GuestInattendanceShortList

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Criss Connor.

2. DECLARATIONS OF INTEREST

Members were mindful that where they believed they had a Disclosable Pecuniary Interest in any matter considered at the meeting they must declare that interest at the time of the relevant debate and, having regard to the circumstances described in Part 3, Paragraph 1.5 of the County Council's Members' Code of Conduct, leave the meeting while the matter was discussed, save for exercising any right to speak in accordance with Paragraph 1.6 of the Code. Furthermore Members were mindful that where they believed they had a Non-Pecuniary interest in a matter being considered at the meeting they considered whether such interest should be declared, and having regard to Part 5, Paragraph 2 of the Code, considered whether it was appropriate to leave the meeting whilst the matter was discussed, save for exercising any right to speak in accordance with the Code.

3. DEPUTATIONS

4. CHAIRMAN'S ANNOUNCEMENTS

The Chairman confirmed it was his last meeting and thanked all the Members and Officers for their work and dedication on the Regulatory Committee, wished everyone well for the future.

5. **APPLICATION FOR REGISTRATION OF LAND KNOWN AS MONKS BROOK, EASTLEIGH AS TOWN OR VILLAGE GREEN (APPLICATION NO. VG 234)**

Committee received a paper from the Director of Culture, Communities and Business Services (Item 6 in the Minute Book) regarding an application for registration of land as a town or village green in Monks Brook, Eastleigh.

The officer showed the Committee aerial photos of the land. The land lies within both Southampton City Council (SCC) and Hampshire County Council (HCC), and SCC had agreed to process the application to public inquiry stage on behalf of both authorities when it was first made in 2007. This did not happen and, following delays, HCC decided to process only the County Council part of the application. Due to complexities in the case, namely the evidence not fully addressing the legal test and also questions raised by the objector about the validity of Swaythling as a locality, a non-statutory Public Inquiry was proposed to provide sound legal advice for the Committee in making its determination of this application. Such a Public Inquiry also addresses the issue of transparency, since the County Council is both the landowner of Monks Brook, and the Commons Registration Authority for the county.

RESOLVED:

It was agreed that a non-statutory public inquiry be held, and the inspector appointed to conduct the inquiry be asked to hear evidence for and against the application, and then to prepare a written report advising the Registration Authority whether to accede to, or to reject, the application.

Voting:

Favour: 15 (unanimous)

6. **SCHEME OF AUTHORISATION FOR THE COUNTRYSIDE SERVICE**

Committee received a paper from the Director of Culture, Communities and Business Services (Item 7 in the Minute Book) regarding a Scheme of Authorisation.

The scheme was focused on streamlining the work of the department and also improving service provision through delegation. There were some items which would go through Regulatory as routine (for example straight forward extinguishments and applications that attracted no feedback or comments), but these were not felt required and could be dealt with in the Countryside department.

Members were reassured that consultation with local Members would still take place as routine and items could still be brought to Regulatory if felt necessary.

RESOLVED:

The contents of the report were noted and that the Scheme of Authorisation for Countryside Services appended to the report was agreed.

Voting:

Favour 15 (unanimous)

Chairman,