

KENT COUNTY COUNCIL

REGULATION COMMITTEE MEMBER PANEL

MINUTES of a meeting of the Regulation Committee Member Panel held at Sessions House, County Hall, Maidstone on 10 June 2008.

PRESENT: Mr A D Crowther (Vice-Chairman in the Chair), Mr I S Chittenden, Mr J Curwood and Mr R A Pascoe.

ALSO PRESENT: Mr M J Harrison.

OFFICERS: The Principal Case Officer – Public Rights of Way, Mr C Wade (with the Case Officer Miss M McNeir and the PROW Area Manager – East Kent, Mr A Hutchinson); the Barrister, Ms M Hoque; and the Democratic Services Officer, Mr A Tait.

UNRESTRICTED ITEMS

9. Application to downgrade part of Restricted Byway CW38 (known as Grasmere Road) at Chestfield to Public Footpath status.

(Item 3 – Report by Director of Environment and Waste)

- (1) A visit to the site at Grasmere Road, Chestfield had taken place prior to the meeting. It was attended by all Members of the Panel; the local Members, Mr M C Dance and Mr M J Harrison; the applicant, Mrs A Johnson; and some 12 members of the public.
- (2) Additional correspondence from Ms J Newell in support of the application had previously been circulated, together with correspondence from Colonel T Collins.
- (3) The Principal Case Officer explained the reasons for the recommendation contained in the report. Mrs A Johnson, supported by Mr S Barrow and Ms J Newell gave their grounds for asking the Panel to reject the recommendation. These included that the *Bakewell* case referred to in paragraph 9 of the report had been superseded by the Natural Environment and Rural Communities Act 2006; that the Trevelyan case described in paragraph 34 of the report did not apply; and other Roads Used as Public Paths (RUPPs) in the area had been downgraded to Footpath status.
- (4) Mr R A Pascoe moved, seconded by Mr J Curwood that the recommendations of the Director of Environment and Waste set out in Paragraph 45 of the report be agreed.
Carried with no opposition.
- (5) RESOLVED to decline to make an Order to modify the Definitive Map and Statement by downgrading part of Restricted Byway CW38 (known as Grasmere Road) at Whitstable and Chestfield to Public Footpath status.