

## APPENDIX 4

# KENT COUNTY COUNCIL REGULATION COMMITTEE

### *PROCEDURE FOR CONSIDERING APPLICATIONS FOR THE CREATION, STOPPING UP OR DIVERSION OF ANY FOOTPATH OR BRIDLEWAY OR THE RECLASSIFICATION OF ANY PUBLIC PATH WHERE SUBSTANTIVE OBJECTION HAS BEEN RAISED OR A POLITICAL PARTY OR THE LOCAL MEMBER REQUESTS*

- 1) The decision as to whether or not to approve an application for the creation, stopping up or diversion of any footpath or bridleway or the reclassification of any public path is taken by Members of a Panel of the Regulation Committee.
- 2) At any such meeting the Council will permit members of the public and other interested parties to speak to the Panel Members.
- 3) The purpose of allowing people to speak is to enable them to add any information that they feel may be missing from the County Environment Officer's report, or which they feel has been insufficiently emphasized in it. They will not normally be allowed representation by solicitors or other professional agents.
- 4) If a Panel of Members needs to consider an application, the following procedure applies:-
  - (a) A Panel of Members is selected, consisting of 4 Conservative and 1 Liberal Democrat Member of the Regulation Committee (this confirms proportionally to the overall number of political Group Members in the Council as a whole). The Chairman of the Panel will normally be the Chairman or Vice-Chairman of the Regulation Committee.
  - (b) The Clerk of the Panel writes to all parties who have previously corresponded on the application 5 clear working days before the meeting, enclosing the report which the Panel will be considering and advising them that if they wish to speak about the application they **MUST** contact as follows:

<b>DAY OF PANEL MEETING</b>	<b>Contact Clerk by 12.00 Noon on the preceding</b>
Monday	Thursday
Tuesday	Friday
Wednesday	Monday
Thursday	Tuesday
Friday	Wednesday

(c) The Panel will normally meet in public unless the Panel resolves to exclude the press and public under the provisions set out in Section 100A of the Local Government Act 1972. Normally, the Panel will listen to representations from up to four parties. These WILL include:-

- one local Parish or Town Council representative;
- two individuals or group representatives;
- the applicant; and
- the landowner, who has the right of reply to any of the points made.

Where there are more than four parties who wish to speak, the Clerk will encourage them to agree amongst themselves as to who can best represent their point of view. If no such agreement proves possible, the Chairman of the Panel will decide which members of the public may speak.

(d) At the Panel meeting, the Chairman will explain the procedure for the meeting and then ask the County Environment Officer or her representative to introduce the report and explain the reasons for its recommendations.

(e) Each speaker will be allowed up to five minutes to address the Panel about the application. Speakers should bear in mind the following:-

- (i) The Panel will listen to what each speaker says but will not debate the merits of their opinions with them;
- (ii) The Chairman will inform the speakers when they have one minute left to speak and when their time is over;
- (iii) The speakers should concentrate on explaining the points they have already made in writing. They should not attempt to surprise the Panel with new information. Any such information should already have been given to the County Environment Officer in time for it to have been evaluated professionally.

(f) The landowner has the right to be the last of the public speakers. There is no further right for the public to speak during the remainder of the meeting.

(g) The Panel will then discuss the report and its recommendations and will also offer the local Member the opportunity to make representations. The application will then be determined.