

**Q Can I circulate photographs or other material at the meeting?**  
**A** The committee will not accept or consider any additional written materials or other evidence submitted by speakers. Such submissions must be sent to the Rights of Way Officer well before the meeting so that the committee can be told of the content and have officer advice.

**Q Can I speak on more than one occasion on the same application?**  
**A** In most cases, no. Occasionally the decision on an application is deferred to a later meeting. If the item is deferred after the public have spoken, there will be no public speaking allowed when the application comes back to the committee, unless the application has been significantly amended or there is a gap of six months or more between meetings. If either of these two circumstances arises, those wishing to speak will need to register afresh, and previous speakers can speak again.

If an item is deferred, either before the meeting (but members of the public have registered to speak), or at the meeting before public speaking and any debate has taken place, then the right to speak will still exist when the application is reported to the Committee. The list of speakers will be carried forward to the meeting the application is reported back to. Those on the list will be contacted in writing and asked to confirm whether or not they still wish to speak.

You may, however, speak about more than one item on the agenda, providing you have made written representations and have registered to do so.

**Q What will happen at the Committee meeting?**  
**A** You should make yourself known to the Local Committee and Partnership Officer by 3:00pm on the day of the meeting. They will note your attendance and answer any concerns. The meeting will start at 4.00pm. The Chairman will invite you to speak at the appropriate time. You will be timed and given a reminder after two minutes to give you the time to conclude your three-minute submission. You cannot question Members, officers or other speakers and they will not be able to question you. After the applicant has responded, you are welcome to remain and listen to the rest of the debate.

**Q What if I can't turn up on the day?**  
**A** You may nominate a deputy but will need to give their details to the Local Committee and Partnership Officer by 3.00pm on the day of the meeting. Items will not be deferred because any person programmed to speak is unable to attend.

**Q What do I do if I have other questions that aren't answered in this leaflet?**  
**A** This leaflet is intended to answer most of your questions about speaking at the Local Committee. For further information and advice, please contact the Local Committee and Partnership Officer on 01372 832606.

**Information contained in this leaflet is available in large print, on audio tape and computer disk. It can also be made available in other languages. If you require an alternative format, please contact:**  
Contact Centre, Surrey County Council, County Hall, Kingston-upon-Thames, Surrey KT1 2DN

Please check the Local Committee website [www.surreycc.gov.uk/elmbridge](http://www.surreycc.gov.uk/elmbridge) or ring the Contact Centre 03456 009 009 for dates of committee meetings.

Rights of Way applications

## Have Your Say on Rights of Way

### Speaking at Committee



This leaflet explains the procedure for public speaking on rights of way applications being considered at the Elmbridge Local Committee.

**Q What are the basic rules?**

**A** Local people are able to speak at Local Committees. The procedure allows up to ten people (five in support, five against), plus the applicant or their agent, to address the committee on rights of way applications. Each speaker will be given three minutes. The applicant will be given the same length of time as those speaking against the proposal to respond to the issues raised by objectors. Therefore, if two objectors speak for three minutes each, the applicant will have six minutes to respond; if three objectors speak then the applicant will have nine minutes.

**Q What can I speak about?**

**A** You can speak on any applications submitted to Surrey County Council that is being reported to the committee to be determined. The County Council determines applications for:

- Diversion, creation and extinguishment of rights of way
- Traffic Regulation Orders
- Map Modification Orders
- Cycle Tracks Orders

**Q Who can speak at the committee?**

**A** In order to speak, the County Council must have received written representation from you on the application in question at least 14 days in advance of the committee meeting. Speakers must be members of the public and may speak for other individuals who are interested parties. Elected representatives of parish, town and district councils, residents associations and representatives of bodies and organisations consulted on the application are not eligible to speak.

**Q How will I know when the item I am interested in is going to Committee?**

**A** Surrey's Contact Centre on 03456 009 009 has details of committee dates and will know at least five working days before a committee which items are being considered. The reports will also be published on the website [www.surreycc.gov.uk](http://www.surreycc.gov.uk), where you will also find details of dates and agendas. As applications can attract thousands of letters, it is not possible for us to alert you to committee dates.

Not all applications are reported to a Local Committee for a decision. The Countryside Legal Team Manager may decide some items under delegated powers. You cannot address the committee on delegated items.

**Q How do I register my interest in speaking?**

**A** You will need to telephone the Local Committee and Partnership Officer who services the Local Committee, on 01372 832606, after the committee papers are published (at least five working days ahead of committee), but no later than midday (12 noon) on the working day before committee.

You cannot register an interest ahead of the papers being published, or by speaking with anyone other than the Committee Manager. When you ring, please be prepared to give:

- your name, address and daytime telephone number
- the application number and proposed development to which it refers
- whether you wish to speak for or against the application
- details of any special access arrangements you may need

**Q What if five speakers are already registered?**

**A** If those registered give their consent, we will be able to give you their details and they may be prepared to include your views in their

presentation. If one of the first five is later found not to be eligible (perhaps we have not received previous written representation), the place will be offered to a reserve.

**Q What issues can I cover in my three minutes?**

**A** Speaking at committee gives you the opportunity to present directly to County Councillors the points you have made in your written representations on an application. For the committee to give proper consideration to your views, you must still ensure your written representation covers all your points. You should not make new points when addressing the committee.

Decisions on rights of way applications are limited by law to specific issues. It is best that you keep to these issues. By way of example, the following are relevant considerations:

- Map Modification Orders – whether rights have been acquired after 20 years use or whether that use has been effectively challenged
- Diversion Orders – If it relates to a planning application, whether the diversion is needed to allow the development to take place. If it is a Highways Act Order, whether it is in the interest of the landowner/ public to make an order and the impact on the public.
- Traffic Regulation Orders – is it in line with county policy?

the following are **not relevant** considerations:

- boundary disputes, covenants or other property rights
- effect on property values
- personal remarks about the applicant (eg their conduct, or private affairs)
- Map Modification Orders – security, privacy and safety issues