Planning and Rights of Way Committee Public Participation

2026/27

This leaflet is intended to answer your questions about speaking at the Planning and Rights of Way Committee. It provides information on the current arrangements for how the Committee meets, including information and options for registered speakers who may have concerns about attending a meeting in person. This leaflet also provides information about how the public watch the proceedings on the internet or attend to observe in person.

What does Planning and Rights of Way Committee do?

Planning and Rights of Way Committee considers the following applications:

- **Planning applications** includes minerals, waste and County Council development.
- **Rights of Way applications** include Diversions, Stopping-up Orders, Definitive Map Modification Orders and Claims, Common Land/Town or Village Green applications.

Dates of meetings (2026/27 municipal year)

Details of dates of and papers for meetings of the Planning and Rights of Way Committee are available on the West Sussex County Council website. **Please note that Committee dates are subject to alteration/cancellation dependent upon the business to be dealt with; all cancelled meetings are shown on the Committee webpages.**

Committee meetings are generally held at County Hall, West Street, Chichester PO19 1RG. Meetings start at 10.30 a.m., although the time of the hearing of specific applications may differ and will be notified to interested parties at the time. Should the location of the meeting differ then that information will be shown on the webpage noted above.

What is public participation?

People can ask to speak at the Planning and Rights of Way Committee. The public participation procedure allows up to six people (three in support, including applicant, agent or other supporters, and three against), to address the Committee on each planning or rights of way application. Each speaker will be given five minutes.

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

Details of applications to be considered by the Committee are published 10 days before each meeting on the Planning and Rights of Way Committee webpage of the County Council's website. Because some applications (usually planning applications) can attract thousands of responses, it is not always possible for us to alert you to Committee dates. However, if you have responded to a formal consultation carried out

by the County Council and have provided a current contact email or postal address you will normally be notified directly by the clerk of the Committee – please note that it is best to provide an email address because this is the quickest means of a notification reaching you.

Not all planning and rights of way applications are reported to the Committee for a decision. Some applications may be decided under delegated power; you cannot address the Committee on delegated matters.

Who can speak at the Committee?

In order to register to speak, you must have a genuine interest in the application being heard. We take requests to speak on a strictly first-come, first-served basis.

You may exercise your right to speak through representation by another person (e.g. a planning consultant or lawyer), if you wish; you should let the clerk know at the time of registering.

How do I register my interest in speaking?

You will need to contact the Democratic Services Officer responsible for looking after the Planning and Rights of Way Committee - please see 'Contact Details' You can register to speak after the Committee papers are published, but no later than 9.30 a.m. on the second working day before Committee (usually the preceding Friday). You cannot register an interest ahead of the Committee papers being published.

When you ring, you will be asked:

- for your contact details: your name, postal and/or e-mail address and telephone number.
- the application number, details of the proposed development or agenda item number.
- whether you wish to speak in support of, or against, the application and whether you also represent anyone else.
- whether you are prepared to have your details passed onto other callers with similar views so that you can consider if you are willing to speak on their behalf.
- details of any special access arrangements you may require, e.g. if you are a wheelchair user.

What if I am not one of the first to register?

If the maximum number of slots for speakers has already been filled we may be able to pass on your details to individuals who have already successfully registered to speak, to see if they would consider including your views in their presentation/s. This will depending on whether or not these individuals have given permission to be contacted about this. It will be down to the individuals whether they accept this request and whether or not they contact you.

On occasion, the Chairman may use his or her discretion to allow additional speakers if he or she feels that this will be beneficial to the discussion, for example this might be someone with a direct interest in the land affected (e.g. a land owner or tenant) or an elected community representative (e.g. a Parish Councillor or District Councillor).

Can I speak on more than one occasion?

You may speak about more than one item on the agenda, providing you register to do so in respect of each item. You may also speak again on an application if it is deferred to another meeting, providing that you register to do so when the application is considered again by the Committee.

Can I circulate written or visual material at the meeting?

Any person eligible to speak at Committee who wishes to submit written or visual material must advise the clerk to the Committee. Such material should arrive at least three working days before Committee (usually the preceding Thursday), so that officers can check that there is nothing new that should be considered by the Committee. This material should be sent directly to the clerk.

What will happen at Committee?

The current legislation applicable to formal meetings undertaken by a local authority means that Planning and Rights of Way Committee meetings must be 'held in public' with Committee members attending in person.

Anyone who has registered to speak will be invited to attend the meeting to present their statement to the Committee in person.

The Council Chamber's public gallery has a maximum capacity of 80 seats. For meetings where there is a high level of public interest, we may state that it is requirement to register in advance for a ticket if you want to observe the Committee proceedings in person. This is so we do not exceed our legal seating limit, for safety purposes. In all cases, information about attending the meeting and, if required, how to register for a ticket will be provided ahead of each meeting. Many people are still concerned about COVID-19 and the spread of viruses and, therefore, we ask that people be mindful of this and ask that you do not attend in person if you have or suspect you have any symptoms of a virus.

All Planning and Rights of Way Committee meetings are broadcast live on the Internet – webcasts of the event can be located via the County Council's webcasts page. Webcasts are an easy way of enabling the public to watch a meeting on the internet whilst it is actually taking place, meaning that you don't have to travel to the meeting venue. The webcast for each meeting will also be available to view after the meeting for a minimum period of six years.

Should you opt to attend in person, either as a registered speaker or as a member of the public, relevant logistical information will be advised to you by the clerk.

What if I am unable to speak on the day?

You may nominate a substitute, but will need to give their details to the clerk to the Committee by 9.30 a.m. on the day of the Committee. If you cannot travel to the venue in person you may submit a written statement (no more than 5 minutes in length) which will be read out by the clerk on your behalf. This statement must be sent to the clerk by 12 p.m. on the day before the Committee meeting.

What can I speak about?

You can speak on any planning application that is being determined by the Committee.

Planning applications:

District and borough councils decide the majority of planning applications. The County Council determines:

- applications for extraction of minerals and facilities for their initial processing
- applications for the storage, processing and disposal of waste
- applications for County Council developments which are needed to deliver services, such as school extensions, social services building work, bridges, etc.

Rights of Way applications:

The Committee determines:

- Diversions/Stopping Up Orders
- Claims or other Modification proposals
- Common Land/Town or Village Green applications
- Cycle Track Act proposals
- Creation Agreements/Permissive Agreements

What issues can I cover in my five minutes?

Speaking at Committee gives you the opportunity to present directly to the Committee. For the Committee to give proper consideration to your views you must still ensure your written representation covers all your points.

Planning applications:

Decisions on planning applications are limited by law to specific issues known as 'material considerations'. It is best that you keep to these issues since anything else cannot be taken into account by the Committee. The most important thing to keep in mind is that your comments must relate to the use of land and should be directed to policies contained within national or local planning documents.

Some of the most common issues include:

- location and setting
- traffic and impact on road networks
- design and appearance
- landscaping
- possible effects of pollution on land
- noise and disturbance
- effect on Listed Buildings and Conservation Areas
- hours of working

Rights of Way applications:

Decisions on rights of way matters determined by the Committee are limited by law to specific issues. It is best that you keep to these issues since anything else must be ignored. The most important thing to keep in mind is that your comments must relate to the legislation governing the matter in question. The following are some examples:

Under section 119 Highways Act 1980 for an application to divert a public path, some of the most common issues include:

- security of the applicant's property
- amenity of users

Where there is an application to claim a new path under section 53 of the Wildlife and Countryside Act 1981, the Committee has to determine if the evidence provided supports the claim. Unlike the above example, in the case of a section 53 applications the Committee cannot take into account security/privacy issues arising from the new path that is being claimed.

The issues the Committee will consider will vary depending upon the type of rights of way matter under consideration. If you need further information you should speak with the relevant Right of Way Officer dealing with the application.

Anything I shouldn't cover?

Try not to repeat issues covered by previous speakers.

For both Planning and Rights of Way applications: the Committee cannot consider:

- boundary disputes, covenants or property rights
- reduction in property values
- matters dealt with by other legislation (e.g. licensing or environmental health)
- personal remarks about the applicant (e.g. their conduct, private affairs or how a business is run).

What will happen after the meeting?

All speakers are entitled to comment on the draft minute of their contribution. You will be contacted when the draft minutes are available on the County Council's website. Please note that the minutes will be a summary of the main points made by speakers and not a verbatim record. If you feel that the final minute of your submission to the Committee is not accurate, you may make a written representation asking for a correction, which will be submitted to the next meeting of the Planning and Rights of Way Committee for consideration. Your written representation should be sent to the clerk to the Committee (emails are acceptable).

Contact details

For further information and advice about meetings or the governance process of the Committee please contact the clerk to the Committee, Tracey Guinea, Democratic Services Officer, West Sussex County Council, County Hall, West Street, Chichester, West Sussex, PO19 1RQ. Tel: 033022 28679 (local rates apply), Email: tracey.guinea@westsussex.gov.uk.

Should you have any queries about how to make a planning or rights of way application or the progress of one, please contact the following:

- Planning matters – planning.applications@westsussex.gov.uk
- Definitive Map Modificiation Orders and Comon Land/Town and Village Green applications – legal.services@westsussex.gov.uk
- Public path orders, e.g. extinguishments or diversions of public rights of way and creation and permissive path agreements – prow@westsussex.gov.uk