

# **NOTICE OF PUBLIC LOCAL INQUIRY HIGHWAYS ACT 1980 SECTIONS 26 & 118**

Kent County Council  
(Public Footpath ZF43 (parts) Faversham)  
Public Path Creation Order 2016  
&  
(Public Footpath ZF5 (parts) Faversham)  
Public Path Extinguishment Order 2016

Notice is hereby given that the above referenced Orders have been submitted to the Secretary of State for Environment, Food and Rural Affairs for determination. An Inspector will be appointed by the Secretary of State to determine the Orders.

The **start date** for the above Orders is **08 August 2017**.

Consideration of the Orders will take the form of an Inquiry.

**The Public Local Inquiry will be held at The Alexander Centre, 15-17 Preston Street, Faversham, Kent ME13 8NZ on 16 January 2018 at 10.00am**

The effect of the Orders, if confirmed without modifications, will be to:-

**Create** a new length of Public Footpath numbered ZF43 which commences at NGR TR 0174 6192 (Point B) and runs in a south easterly direction passing over a ramp for 18 metres to NGR TR 0176 6191 (Point C), north easterly for 21 metres to NGR TR 0177 6192 (Point D), north westerly for 13 metres to its connection with the unaffected length of Public Footpath ZF5 at NGR TR 0177 6193 (Point E). The new length of Public Footpath ZF43 will have a width of 2.0 metres (measured from the landward edge of the pile capping beam) except between the Points B-C where the width will be reduced to 1.5 metres;&

**Create** a new length of Public Footpath also numbered ZF43 which commences from a Point on the unaffected length of Public Footpath ZF5 at NGR TR 0180 6196 (Point F) and runs in a south easterly direction for 11 metres to NGR TR 0181 6196 (Point G), then east north easterly through north north easterly for 24 metres to NGR TR 0183 6197 (Point H), then north westerly through north north easterly passing along a cantilever walkway for approximately 15 metres to NGR TR 0182 6198 (Point I), then north easterly for 6 metres to NGR TR 0183 6199 (Point J), then south south easterly for 18 metres to NGR TR 0183 6197 (Point K), then east north easterly for 157 metres to NGR TR 0198 6203 (Point L) and then northerly passing over a ramp for 10 metres to its connection with Public Footpath ZF32 at NGR TR 0198 6204 (Point M). The new length of Public Footpath ZF43 will have a width of 2.0 metres (measured from the landward edge of the pile capping beam) between the Points F-G and K1-L and between the Points G-H the width will be 1.8 metres, between the Points H-I-J the width will be 1.4 metres, between the Points J-K the width will be 1.3 metres, between the Points K-K1 the width will be 1.8 metres and between the Points L-M the width will be 1.5 metres; &

**Extinguish**, the entire width of that length of Public Footpath numbered ZF5 which commences at a Point on the unaffected length of Public Footpath ZF5 at NGR TR 0172 6188 (Point A) and runs in a north easterly direction for 65 metres to its connection with the unaffected length of Public Footpath ZF5 at NGR TR 0177 6193 (Point E); &

**Extinguish** the entire width of that length of Public Footpath numbered ZF5 which commences at a Point on the unaffected length of Public Footpath ZF5 at NGR TR 0180 6196 (Point F) and runs in a north north easterly, north north westerly then north westerly direction for 72 metres to its connection with the unaffected length of Public Footpath ZF5 at NGR TR 0177 6202 (Point X).

All directions general, all distances approximate.

Any queries relating to these Orders should be referred to Clive Richards at The Planning Inspectorate, Rights of Way Section, Room 3/G Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5502. Email: [clive.richards@pins.gsi.gov.uk](mailto:clive.richards@pins.gsi.gov.uk). Please quote reference number ROW/3175170 & ROW/3175171 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Orders may do so by appointment at Kent Count Council, Public Rights of Way & Access Service, Invicta House, County Hall, Maidstone, Kent, ME14 1XX during normal office hours (Monday – Friday 10:00am – 4pm. Please call 03000 417408 to make an appointment).

### **Timetable for sending in statements of case and proofs of evidence**

#### **Within 8 weeks of the start date [by 03 October 2017]**

The Order Making Authority must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy (excluding copies of any supporting documents - these will be available to view at the Authority's offices) to everyone who has made an objection or representation and the applicant and any other person who has written to us in respect of the Orders.

#### **Within 14 weeks of the start date [by 14 November 2017]**

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry must ensure their statement of case<sup>1</sup> is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send full copies to the Authority. Copies will also be sent to the applicant, every person who has made an objection or representation and any other person who has written to us in

---

<sup>1</sup> If you wish to make a legal submission, this should be submitted at the same time as your statement of case. Otherwise legal submissions will have to be submitted in writing on the day of the inquiry.

respect of the Orders (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

Within the same period the applicant (if applicable) must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a full copy to the Authority. Copies will also be sent to everyone who has made an objection or representation and any other person who has written to us in respect of the Orders (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

#### **4 weeks before the date of the inquiry [by 19 December 2017]**

The Authority, everyone who has made an objection or representation, the applicant (if applicable) and anyone who wishes to give evidence at the Inquiry must ensure their proof of evidence (together with any summary) is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of:

- i) the Authority's proof of evidence to everyone who has made an objection or representation, the applicant and anyone who has submitted a statement of case (excluding copies of any supporting documents - although none should be submitted with a proof of evidence);
- ii) the applicant's proof of evidence to the Authority, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any supporting documents - although none should be submitted with a proof of evidence); and
- iii) all other proofs of evidence to the Authority, the applicant, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any supporting documents - although none should be submitted with a proof of evidence).

All parties must keep to the timetable set out above and ensure that statements of case and proofs of evidence are received by the Secretary of State on time. Late documents will be returned.

We cannot accept any libellous, racist or abusive comments. Any documents containing such comments will be returned.

Notice of order for inquiry

**PUBLIC PATH EXTINGUISHMENT ORDER**  
**IN THE BOROUGH OF SWALE**  
**HIGHWAYS ACT 1980**  
**THE KENT COUNTY COUNCIL**  
**(PUBLIC FOOTPATH ZF5 (PARTS) FAVERSHAM)**  
**PUBLIC PATH EXTINGUISHMENT ORDER 2016**

This Order is made by the Kent County Council under Section 118 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that the public footpath described in paragraph 1 below is not needed for public use.

Swale Borough Council has been consulted as required by Section 120 (2) of the 1980 Act.

**BY THIS ORDER :-**

1. The public right of way over the land situate at Faversham and shown by continuous bold lines on the map attached to this Order and described in the schedule to this Order shall be extinguished after 365 days from the date of confirmation of this Order.

**GIVEN UNDER THE SEAL OF THE KENT COUNTY COUNCIL THIS 13<sup>th</sup> DAY OF MAY IN THE YEAR TWO THOUSAND AND SIXTEEN.**

**THE COMMON SEAL OF  
THE KENT COUNTY COUNCIL  
was hereto affixed in the presence of:-**

.....*J. Banner*.....  
**AUTHORISED SIGNATORY**



615-2016

## SCHEDULE

### PART 1

#### DESCRIPTION OF ROUTE TO BE EXTINGUISHED

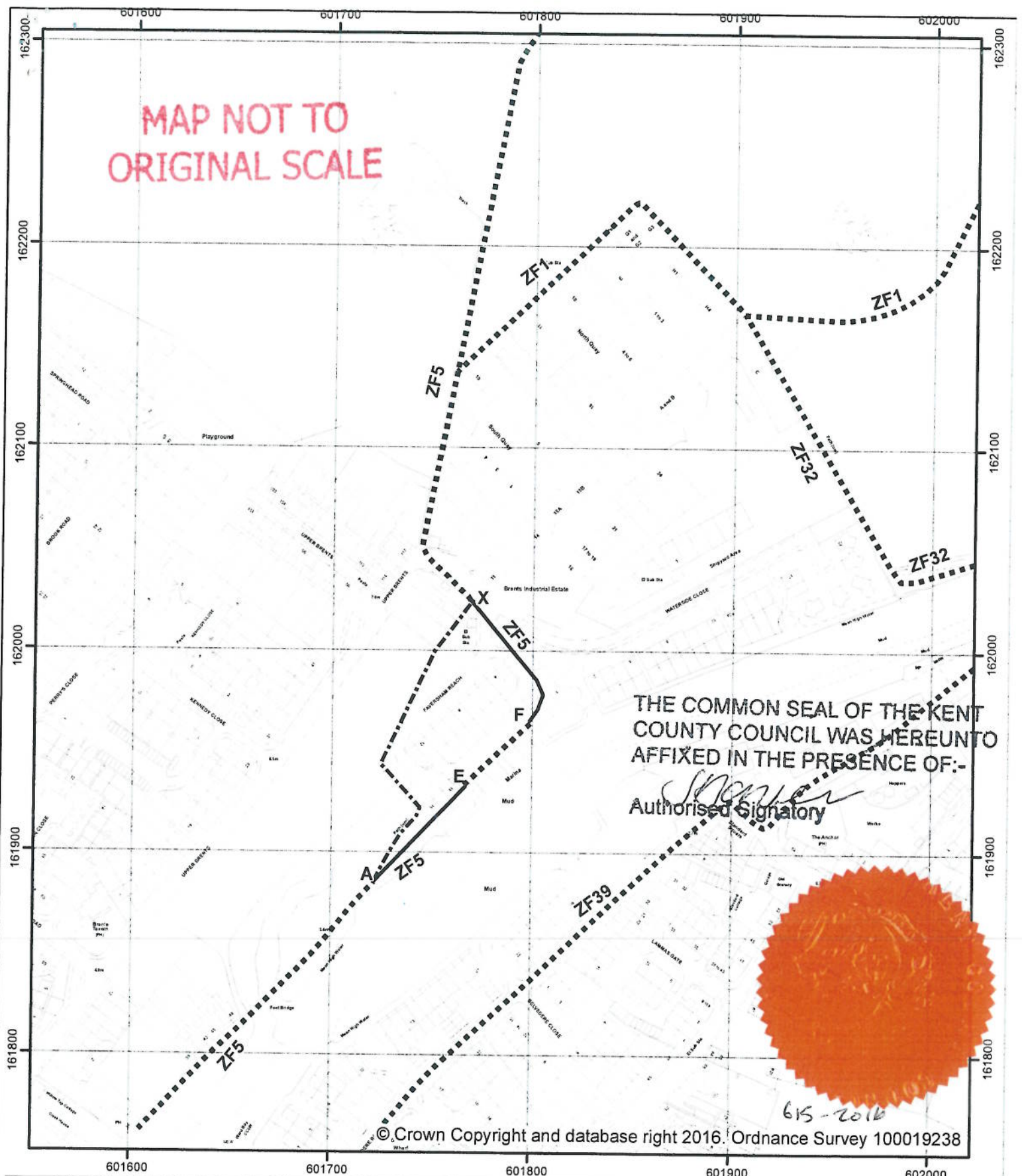
The entire width of that length of Public Footpath numbered ZF5 which commences at a point on the unaffected length of Public Footpath ZF5 at NGR TR 0172 6188 (Point A) and runs in a generally north easterly direction for approximately 65 metres to its connection with the unaffected length of Public Footpath ZF5 at NGR TR 0177 6193 (Point E). Between the Points A-E on the Order plan.

The entire width of that length of Public Footpath numbered ZF5 which commences at a point on the unaffected length of Public Footpath ZF5 at NGR TR 0180 6196 (Point F) and runs in a generally north north easterly, north north westerly then north westerly direction for approximately 72 metres to its connection with the unaffected length of Public Footpath ZF5 at NGR TR 0177 6202 (Point X). Between the Points F-X on the Order plan.

**HIGHWAYS ACT 1980**

**THE KENT COUNTY COUNCIL  
(PUBLIC FOOTPATH ZF5 (PARTS) FAVERSHAM)  
PUBLIC PATH EXTINGUISHMENT ORDER 2016**

MAP NOT TO ORIGINAL SCALE



THE COMMON SEAL OF THE KENT COUNTY COUNCIL WAS HEREUNTO AFFIXED IN THE PRESENCE OF:-

*[Signature]*  
 Authorised Signatory



615-2016

© Crown Copyright and database right 2016. Ordnance Survey 100019238

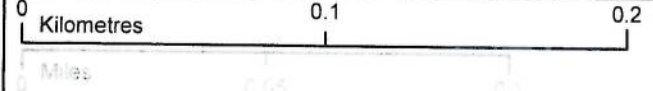
- Lengths of ZF5 to be extinguished
- Unaffected route
- Other unaffected public highway

**Highways Act 1980**  
**The Kent County Council (Public Footpath ZF5 (parts) Faversham)**  
**Public Path Extinguishment Order 2016.**

Produced by the KCC Public Rights of Way and Access Service.  
 Please note: this map extract is not a legal record of the alignment or existence of a public right of way. No measurements should be taken from it.



1:2,500



|             |    |             |             |
|-------------|----|-------------|-------------|
| Created by: | NB | Issue Date: | 11/05/2016  |
| Checked by: | GR | Reference:  | PROW/ZF5/EO |



**PUBLIC PATH CREATION ORDER**

**IN THE BOROUGH OF SWALE**

**HIGHWAYS ACT 1980**

**THE KENT COUNTY COUNCIL  
(PUBLIC FOOTPATH ZF43 (PARTS) FAVERSHAM)  
PUBLIC PATH CREATION ORDER 2016**

This Order is made by the Kent County Council ("the authority") under section 26 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that, having regard to the matters set out in section 26(1), there is a need for a public footpath over the land to which this Order relates, and that it is expedient that the path should be created.

Swale Borough Council has been consulted as required by Section 26(3) of the 1980 Act.

**BY THIS ORDER:**

1. There shall be at the end of 365 days from the date of confirmation of this Order, a public footpath over the land situate at Faversham described in Part 1 of the schedule to this Order and shown by bold black dashes on the map attached to this Order.

**GIVEN UNDER THE SEAL OF THE KENT COUNTY COUNCIL THIS 13<sup>th</sup> DAY  
OF MAY IN THE YEAR TWO THOUSAND AND SIXTEEN**

**THE COMMON SEAL OF  
THE KENT COUNTY COUNCIL  
was hereto affixed in the presence of:**

.....  
**AUTHORISED SIGNATORY**



614.2016

## **SCHEDULE**

### **PART I**

#### **DESCRIPTION OF LAND ON WHICH WAY IS TO BE CREATED**

A new length of Public Footpath numbered ZF43 which commences at NGR TR 0174 6192 (Point B) and runs in a generally south easterly direction passing over a ramp for approximately 18 metres to NGR TR 0176 6191 (Point C), generally north easterly for approximately 21 metres to NGR TR 0177 6192 (Point D), generally north westerly for approximately 13 metres to its connection with the unaffected length of Public Footpath ZF5 at NGR TR 0177 6193 (Point E). Between the Points B-C-D-E on the Order Plan. The new length of Public Footpath ZF43 will have a width of 2.0 metres (measured from the landward edge of the pile capping beam) except between the points B-C where the width will be reduced to 1.5 metres.

A new length of Public Footpath also numbered ZF43 which commences from a point on the unaffected length of Public Footpath ZF5 at NGR TR 0180 6196 (Point F) and runs in a generally south easterly direction for approximately 11 metres to NGR TR 0181 6196 (Point G), then generally east north easterly through north north easterly for approximately 24 metres to NGR TR 0183 6197 (Point H), then generally north westerly through north north easterly passing along a cantilever walkway for approximately 15 metres to NGR TR 0182 6198 (Point I), then generally north easterly for approximately 6 metres to NGR TR 0183 6199 (Point J), then generally south south easterly for approximately 18 metres to NGR TR 0183 6197 (Point K), then generally east north easterly for approximately 157 metres to NGR TR 0198 6203 (Point L) and then generally northerly passing over a ramp for approximately 10 metres to its connection with Public Footpath ZF32 at NGR TR 0198 6204 (Point M). Between the Points F-G-H-I-J-K-K1-L-M on the Order Plan. The new length of Public Footpath ZF43 will have a width of 2.0 metres (measured from the landward edge of the pile capping beam) between the points F-G and K1-L and between the points G-H the width will be 1.8 metres, between the points H-I-J the width will be 1.4 metres, between the points J-K the width will be 1.3 metres, between the points K-K1 the width will be 1.8 metres and between the points L-M the width will be 1.5 metres.

**HIGHWAYS ACT 1980**

**THE KENT COUNTY COUNCIL  
(PUBLIC FOOTPATH ZF43 (PARTS) FAVERSHAM)  
PUBLIC PATH CREATION ORDER 2016**



MAP NOT TO ORIGINAL SCALE



614-2016

THE COMMON SEAL OF THE KENT COUNTY COUNCIL WAS HEREIN AFFIXED IN THE PRESENCE OF:-

*G. Sawyer*  
Authorised Signatory

This length of Footpath ZF5 is proposed to be extinguished by:- The Kent County Council (Public Footpath ZF5 (parts) Faversham) Public Path Extinguishment Order 2016

This length of Footpath ZF5 is proposed to be extinguished by:- The Kent County Council (Public Footpath ZF5 (parts) Faversham) Public Path Extinguishment Order 2016

© Crown Copyright and database right 2016. Ordnance Survey 100019238

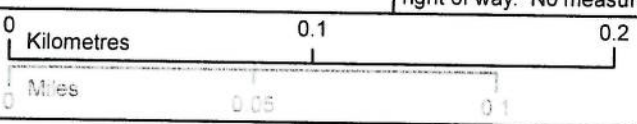
- - - Proposed creation
- ..... Unaffected route
- ..... Other unaffected public highway

**Highways Act 1980**  
**The Kent County Council (Public Footpath ZF43 (parts) Faversham)**  
**Public Path Creation Order 2016.**

Produced by the KCC Public Rights of Way and Access Service.  
Please note: this map extract is not a legal record of the alignment or existence of a public right of way. No measurements should be taken from it.



1:2,500



|             |    |             |              |
|-------------|----|-------------|--------------|
| Created by: | NB | Issue Date: | 11/05/2016   |
| Checked by: | GR | Reference:  | PROW/ZF43/CO |

