

# NOTICE OF ORDER

## HIGHWAYS ACT 1980 SECTION 119

Kent County Council  
(Public Footpath ER80 and ER81 (Part) Shepherdswell with Coldred) Public Path  
Diversion and Definitive Map and Statement Modification Order 2017

Notice is hereby given that the above referenced Order has 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 Order.

The **start date** for the above Order is **30 May 2018**.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

The effect of the Order, if confirmed without modifications, will be to divert (1) the entire width of that length of Public Footpath numbered ER80 Commencing from the point where it connects with Public Footpaths ER 81 and ER 298 at Grid Reference TR 2591 4780 (Point A) and running in a west south westerly direction for 80 metres to the junction with Coxhill Road at NGR TR2563 4774 (Point D). As shown between the points A and D on the Order Plan; (2) The entire width of that length of Public Footpath numbered ER81 commencing from the previously described Point A (NGR TR2591 4780) and its connection with Public Footpath ER80 and ER 298 and running for 230 metres in a west through west-north-westerly direction to connect with the steps leading to Coxhill Road at Point C (NGR TR25684785). As shown between the points A and C on the Order Plan; and will provide: (1) A new length of Public Footpath numbered ER80 with a width of 2 metres commencing at the aforementioned point D (NGR TR2563 4774) and then running in a north-north easterly direction for 120 metres along the eastern side of the boundary hedge to connect with Public Footpath ER81 at the top of the steps which lead to Coxhill Road (Point C NGR TR2568 4785). As shown between the points D and C on the Order Plan; (2) A new length of Public Footpath numbered ER81 with a width of 2 metres commencing from the aforementioned Point A (TR TR2591 4780) and the connection with Public Footpath ER298 and running in a north westerly direction along the southern side of the field boundary for 218 metres (Point B NGR TR2572 4790) where the path turns in a south eastern direction to follow the eastern side of the boundary hedge for 62 metres to connect with the steps leading to Coxhill Road (Point C NGR TR2568 4785). As shown between the points A, B and C on the Order Plan. All directions general, all distances approximate.

Any queries relating to this Order 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/3196239 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment at the offices of the Countryside Access Team, Kent County Council, Invicta House, County Hall, Maidstone, Kent, ME14 1XX during normal office hours. Contact Mr Chris Wade on 03000 413475 to make an appointment.

## **Timetable for sending in statements of case and comments**

### **Within 2 weeks of the start date [by 13 June 2018]**

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, the applicant and any other person who has written to us in respect of the Order.

### **Within 8 weeks of the start date [by 25 July 2018]**

Everyone who has made an objection or representation or any other written representation 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 full copies to the Authority. Copies (excluding copies of any supporting documents - these will be available to view at the Authority's offices) 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 respect of the Order.

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

### **Within 14 weeks of the start date [by 05 September 2018]**

Everyone who has made an objection or representation, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure that their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of these comments to everyone else.

Any other person wishing to make representations in writing to the Secretary of State in respect of the above Order(s) must do so in line with the timetable set out above.

In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received 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 w/r

**IN THE DISTRICT OF DOVER**

**HIGHWAYS ACT 1980  
WILDLIFE AND COUNTRYSIDE ACT 1981**

**THE KENT COUNTY COUNCIL  
(PUBLIC FOOTPATH ER80 and ER81 (PART) SHEPHERDSWELL WITH COLDRED)  
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT  
MODIFICATION ORDER 2017**

This Order is made by the Kent County Council ("the authority") under Section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that in the interests of the owner of the land crossed by the footpaths described in Part 1 of this Order it is expedient that the lines of Public Footpaths ER80 and ER81 should be diverted.

This Order is also made under Section 53A(2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the authority that the Definitive Map and Statement for the County of Kent (Map Sheet 162 TR24NE) requires modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely, the diversion (as authorised by this Order) of a highway shown or required to be shown in the map and statement.

The applicant has agreed to defray any compensation which becomes payable in consequence of the coming into force of this Order and pay any expenses which are incurred in bringing the new site of the public right of way into a fit condition for use by the public:

Dover District Council has been consulted as required by Section 120 (2) of the 1980 Act;

**BY THIS ORDER:-**

1. The public rights of way over the land situate at Shepherdswell with Coldred and shown by a bold continuous line on the attached map contained in the Order and described in Part I of the schedule to this Order shall be stopped up after twenty eight days from the date of confirmation of this Order and thereupon the Definitive Map for the County of Kent (Map Sheet 162 TR24NE) shall be modified by deleting from it those public rights of way.
2. The relevant date of this Order will be as specified in paragraph 1.
3. There shall be twenty eight days from the date of confirmation of this Order Public Footpaths over the land situate at Shepherdswell with Coldred described in Part II of the schedule and shown by a bold broken line on the Map contained in this Order, and thereupon the Definitive Map for the County of Kent (Map Sheet 162 TR24NE) shall be modified by adding the paths to it.
- 3A. The definitive statement for the County of Kent (Map Sheet 162 TR24NE) shall be modified as described in Part IV of the schedule to this Order.

**GIVEN UNDER THE SEAL OF THE KENT COUNTY COUNCIL THIS SIXTEENTH**

DAY OF FEBRUARY IN THE YEAR TWO THOUSAND AND SEVENTEEN.

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

*Jason*  
Authorised Signatory

J A SEN CFC SU



134-2017

## **SCHEDULE**

### **PART I**

#### **DESCRIPTION OF SITE OF EXISTING PATH OR WAY**

(1) The entire width of that length of Public Footpath numbered ER80 Commencing from the point where it connects with Public Footpaths ER 81 and ER 298 at Grid Reference TR 2591 4780 (Point A) and running in a generally west south westerly direction for approximately 280 metres to the junction with Coxhill Road at NGR TR2563 4774 (Point D). As shown between the points A and D on the Order Plan.

(2) The entire width of that length of Public Footpath numbered ER81 commencing from the previously described Point A (NGR TR2591 4780) and its connection with Public Footpath ER80 and ER 298 and running for approximately 230 metres in a west through west-north-westerly direction to connect with the steps leading to Coxhill Road at Point C (NGR TR2568 4785). As shown between the points A and C on the Order Plan.

### **PART II**

#### **DESCRIPTION OF SITE OF NEW PATH OR WAY**

(1) A new length of Public Footpath numbered ER80 with a width of 2 metres commencing at the aforementioned point D (NGR TR2563 4774) and then running in a north-north easterly direction for approximately 120 metres on the eastern side of the boundary hedge to connect with Public Footpath ER81 at the top of the steps which lead to Coxhill Road (Point C NGR TR2568 4785). As shown between the points D and C on the Order Plan.

(2) A new length of Public Footpath numbered ER81 with a width of 2 metres commencing from the aforementioned Point A (TR TR2591 4780) and the connection with Public Footpath ER298 and running in a generally north westerly direction along the southern side of the field boundary for approximately 218 metres (Point B NGR TR2572 4790) where the path turns in a generally south eastern direction to follow the eastern side of the boundary hedge for 62 metres to connect with the steps leading to Coxhill Road (Point C NGR TR2568 4785). As shown between the points A, B and C on the Order Plan.

### **PART III**

#### **LIMITATIONS AND CONDITIONS**

None

### **PART IV**

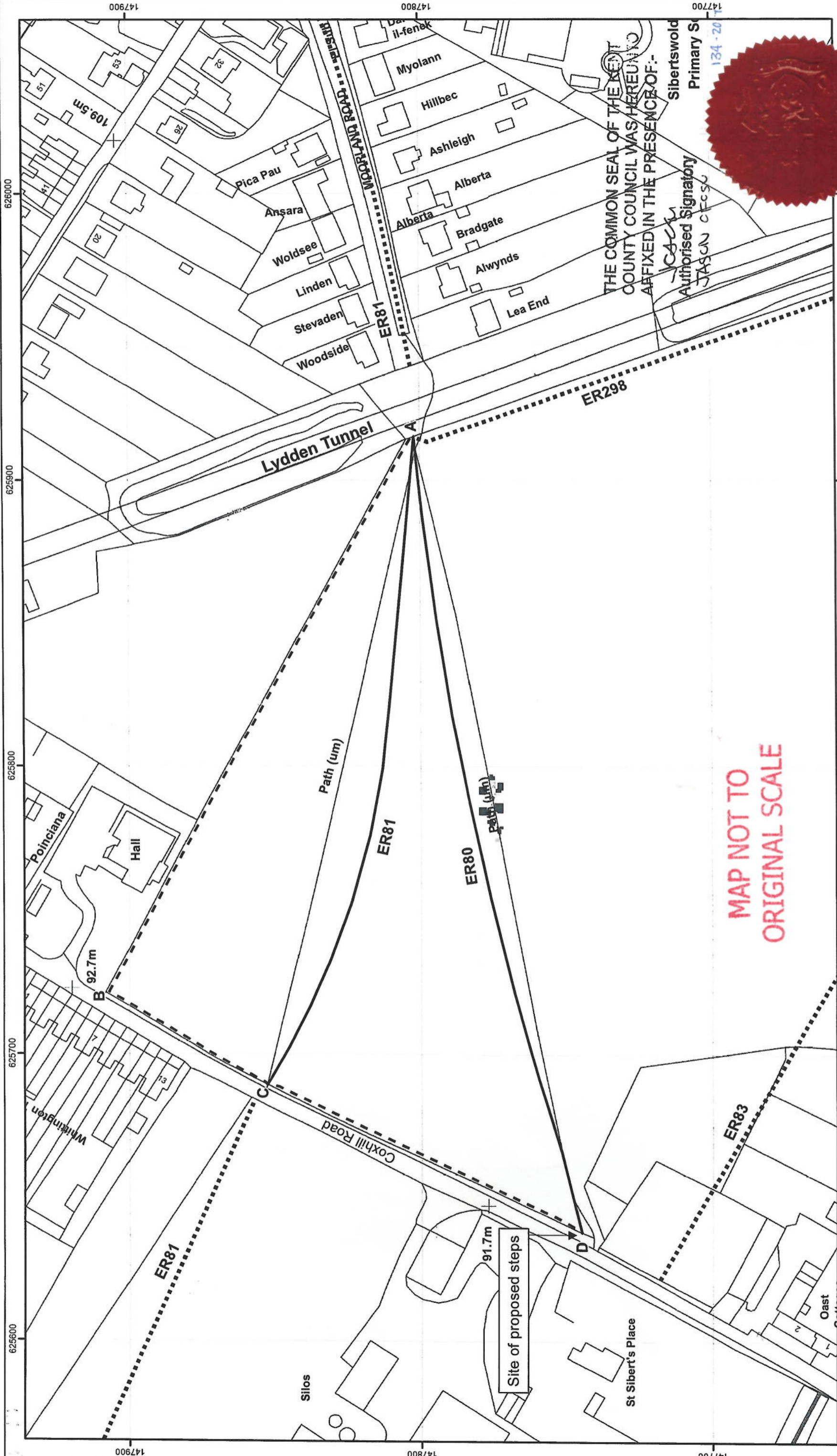
#### **MODIFICATION OF DEFINITIVE STATEMENT**

The entries for public footpaths numbered ER80 and ER81 are both modified by the addition of the following:

Diverted by the Kent County Council (Public Footpath ER80 and ER81 (part) Shepherdswell with Coldred) Public Path Diversion and Definitive Map and Statement Modification Order 2017. The new length of path will have a width of 2 metres.  
The entry for ER80 is modified by deleting the connection to Public Footpath ER 298.

The entry for ER298 is modified by deleting the connection to Public Footpath ER80.

**HIGHWAYS ACT 1980  
WILDLIFE AND COUNTRYSIDE ACT 1981  
THE KENT COUNTY COUNCIL  
(PUBLIC FOOTPATH ER80 AND ER81 (PART) SHEPHERDSWELL WITH COLDRED)  
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT  
MODIFICATION ORDER 2017**



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

*JASON CECIL*  
 Authorised Signatory  
 JASON CECIL

Sibertswold Primary School  
 134-20



1:1,250 @ A3

0 Kilometres  
 0.075 0.15  
 0 Miles  
 0.05 0.1

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Created by:	NB	Checked by:	CW	Reference:	ER80/ER81/14/02/2017
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**MAP NOT TO ORIGINAL SCALE**

The Kent County Council  
 (Public footpaths ER80 and ER81(part) Shepherdswell with Coldred) Public Path Diversion and Definitive Map and Statement Modification Order 2017

**Key**

- Route to be diverted
- - - New length of route
- ..... Unaffected routes

Public Rights of Way and Access Service