

NOTICE OF ORDER

HIGHWAYS ACT 1980
SECTIONS 26, 118 & 119

KENT COUNTY COUNCIL
(Public Footpath DR46 Darenth) Public Path Creation and Definitive
Map and Statement Modification Order 2017
&
(Public Footpath DR46 Darenth) Public Path Extinguishment and
Definitive Map and Statement Modification Order 2017
&
(Public Footpath DR47 Darenth and SD47 Horton Kirby and South
Darenth) Public Path Diversion and Definitive Map and
Statement Modification Order 2017

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 **7 May 2019**.

Consideration of the Orders will take the form of a hearing.

The Hearing will be held at **Fawkham & Hartley Church Centre, Ash Road, Hartley, Kent, DA3 8DB** on **Thursday 14 November 2019** at 10.00am.

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

(1) - add a new length of Public Footpath numbered DR46 with a width of two metres commencing from a point on the existing line of Public Footpath DR44 at (Grid reference TQ 5812 7058) and running in an East South Easterly direction for 490 metres to (TQ 5855 7035), continuing for 22 metres in a generally south easterly direction and then for 86 metres in a southerly direction to TQ 5865 7020. As shown between the points S, F and R on the Order Plan.

(2) - extinguish the entire width of that length of Public Footpath numbered DR46 commencing from a point at the junction with Public Footpath DR44 (TQ 5811 7054) and running in south easterly direction for 512 metres to its junction with Public Footpath DR47 (TQ 5853 7029). As shown between the points J and G on the Order Plan.

(3) – divert the entire width of (a) that part of Public Footpath numbered DR47 commencing at its junction with the Public Highway B260 at TQ 5867 7062 (Point E) and running through the Hawkspeare Industrial Yard in a south westerly direction for 293 metres to TQ 5855 7036 (Point F) then crossing arable land continuing in the same direction for 371 metres to its connection with Public Footpath SD47 at TQ 5839 7003 (Point W) 87 metres from Gill's Road (as shown between the Order Points E, F, G and W on the Order Plan); and (b) that part of Public Footpath SD47 commencing at TQ 5839 7003 (Point W) and running in a south westerly direction for 87 metres to its junction with Gills Road at TQ 5836 6995 (Point H). As shown between the points W and H on the Order Plan.

- **provide** a new length of Public Footpath, initially numbered SD47 and commencing at the aforementioned point H on Gill's Road and running in a north easterly direction for 136 metres following the south eastern boundary of the field (Point X) and then continuing in the same direction, and against the same boundary, but numbered DR47 for 100 metres, crossing the arable field for 85 metres to then continue on the western boundary of the field edge for 105 metres in a northerly direction to TQ 5865 7021 (Point R). Initially, from Point R the route will follow a ramped path to overcome the slope and the remainder of the path will be at grade as the new path continues in an easterly direction for 170 metres to connect with the Public Highway B260 at TQ 5881 7020 (Point Q) As shown between the points H, X, Rand Q on the Order Plan.

All distances are approximate, all directions are general.

Any queries relating to this Order should be referred to Clive Richards at The Planning Inspectorate, Rights of Way Section, 3A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5502. Email: clive.richards@planninginspectorate.gov.uk Please quote reference number ROW/3216111, ROW/3216112 & ROW/3216113 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 Kent County Council, PROW and Access, Invicta House, County Hall, Maidstone, Kent ME14 1XX (tel: 03000 417171) during normal office hours.

Timetable for sending in statements of case

Within 8 weeks of the start date [by 2 July 2019]

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, although 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 12 weeks of the start date [by 30 July 2019]

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Hearing must ensure their statement of case¹ 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 respect of the Order (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 Order (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

All parties must keep to the timetable set out above and ensure that statements of case 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 hearing

¹ 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 hearing.

IN THE BOROUGH OF DARTFORD

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

**THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATH DR46 DARENTH)
PUBLIC PATH CREATION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2017**

This Order is made by the Kent County Council 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 the Order relates and thereupon the Definitive Map and Statement (Map Sheet 028 (TQ57SE)) for the County of Kent shall be modified accordingly.

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 (Map Sheet 028 (TQ57SE)) for the County of Kent requires modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely, the creation (as authorised by this Order) of a highway required to be shown in the map and statement.

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

BY THIS ORDER:-

1. The public right of way over the land situate at Green Street Green, Darenth and shown by a bold dashed line on the attached map contained in the Order and described in the schedule to this Order shall be created from the date of confirmation of this Order and thereupon the Definitive Map for the County of Kent (Map Sheet 028 (TQ57SE)) shall be modified by adding to it that public right of way.
2. The relevant date of this Order will be as specified in paragraph 1.
3. The Definitive Statement for the County of Kent (Map Sheet 028 (TQ57SE)) shall be modified as described in part II of the schedule to the Order.

**GIVEN UNDER THE SEAL OF THE KENT COUNTY COUNCIL THIS 10th
DAY OF JULY IN THE YEAR TWO THOUSAND AND SEVENTEEN.**

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

DJ Butug
Authorised Signatory

Denise J Burrink



SCHEDULE

PART 1

DESCRIPTION OF ROUTE TO BE ADDED

A new length of Public Footpath numbered DR46 with a width of two metres commencing from a point on the existing line of Public Footpath DR44 at (Grid reference TQ 5812 7058) and running in a generally East South Easterly direction for approximately 490 metres to (TQ 5855 7035), continuing for approximately 22 metres in a generally south easterly direction and then for approximately 86metres in a southerly direction to TQ 5865 7020 (Point R). As shown between the points S, F and R on the Order Plan.

PART II

MODIFICATION OF DEFINITIVE STATEMENT

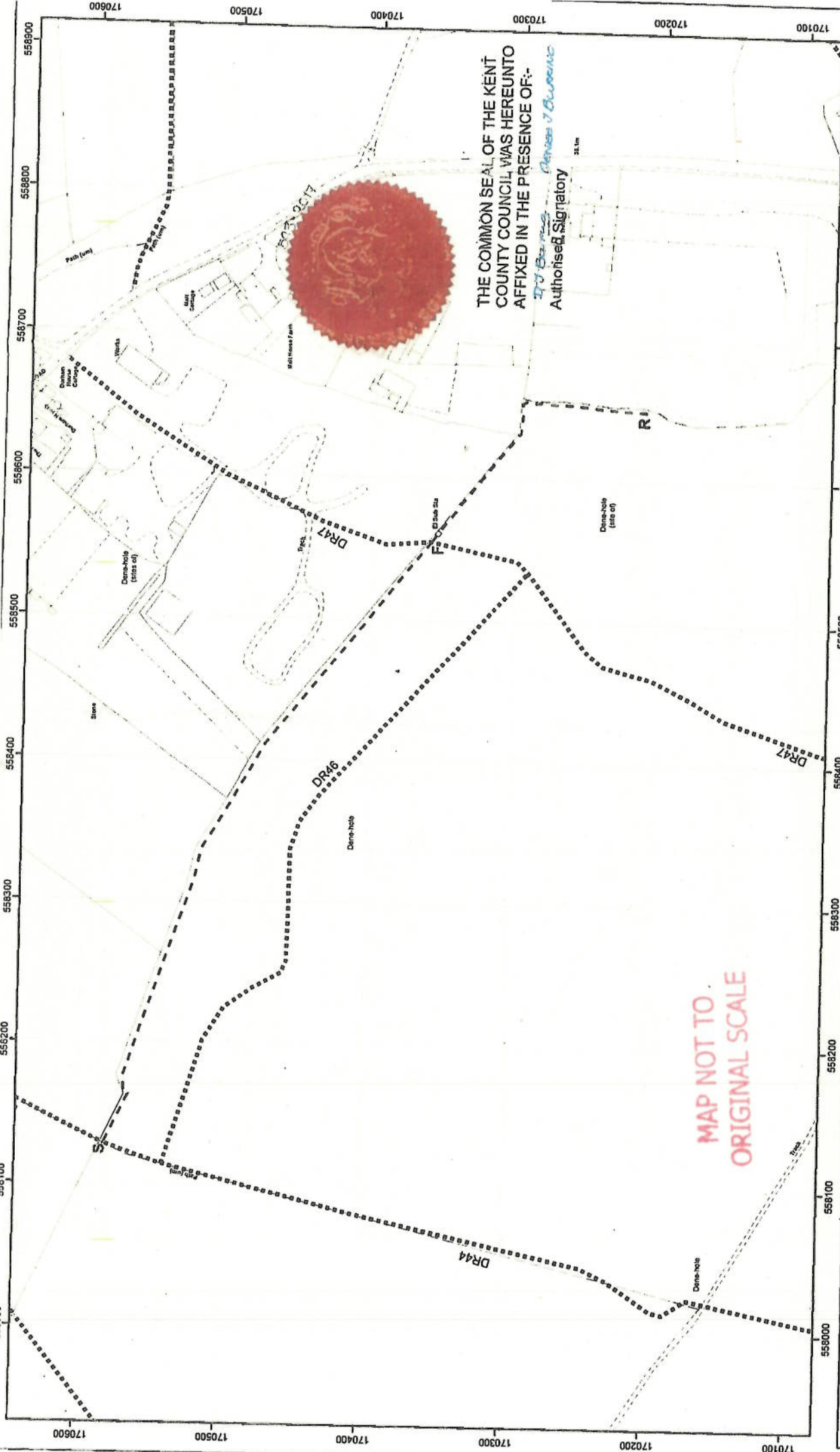
The entry for DR 46 is amended as follows:-

The original length of path was extinguished by the Kent County Council (Public Footpath DR46 Darenth) Public Path Extinguishment and Definitive Map and Statement Modification Order 2017.

The new length of path was created with a width of two metres by the Kent County Council (Public Footpath DR46 Darenth) Public Path Creation and Definitive Map and Statement Order 2017.

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

**THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATH DR46 DARENTH) PUBLIC PATH CREATION AND DEFINITIVE
MAP AND STATEMENT
MODIFICATION ORDER 2017**



THE COMMON SEAL OF THE KENT COUNTY COUNCIL WAS HEREUNTO AFFIXED IN THE PRESENCE OF:-
D J B...
 Authorised Signatory



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0 Kilometres
 0.175
 0.35
 Miles

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Created by: WJB Checked by: CW Reference: PROW/DR46/1452

THE KENT COUNTY COUNCIL
 (PUBLIC FOOTPATH DR46 DARENTH)
 PUBLIC PATH CREATION AND DEFINITIVE MAP AND
 STATEMENT MODIFICATION ORDER 2017

- Key**
- - - - - Route to be created
 - Unaffected Routes

Public Rights of Way and Access Service

IN THE BOROUGH OF DARTFORD
HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981

THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATH DR46 DARENTH)
PUBLIC PATH EXTINGUISHMENT AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2017

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, and thereupon the Definitive Map and Statement (Map Sheet 028 (TQ57SE)) for the County of Kent shall be modified accordingly.

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 (Map Sheet 028 (TQ57SE)) for the County of Kent requires modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely, the stopping up (as authorised by this Order) of a highway hitherto shown or required to be shown in the map and statement.

Dartford 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 Green Street Green Darenth and shown by a continuous bold line on the attached map contained in the Order and described in the schedule to this Order shall be stopped up from the date of confirmation of this Order and thereupon the Definitive Map for the County of Kent (Map Sheet 028 (TQ57SE)) shall be modified by deleting from it that public right of way.
2. The relevant date of this Order will be as specified in paragraph 1.
3. The Definitive Statement for the County of Kent (Map Sheet 028 (TQ57SE)) shall be modified as described in part II of the schedule to the Order.

GIVEN UNDER THE SEAL OF THE KENT COUNTY COUNCIL THIS 10th
DAY OF JULY **IN THE YEAR TWO THOUSAND AND SEVENTEEN.**

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

DJ Burring

Denise J Burring

Authorised Signatory



SCHEDULE

PART 1

DESCRIPTION OF ROUTE TO BE EXTINGUISHED

The entire width of that length of Public Footpath numbered DR46 commencing from a point at the junction with Public Footpath DR44 (TQ 5811 7054) and running in a generally south easterly direction for approximately 512 metres to its junction with Public Footpath DR47 (TQ 5853 7029). As shown between the points J and G on the Order Plan.

PART II

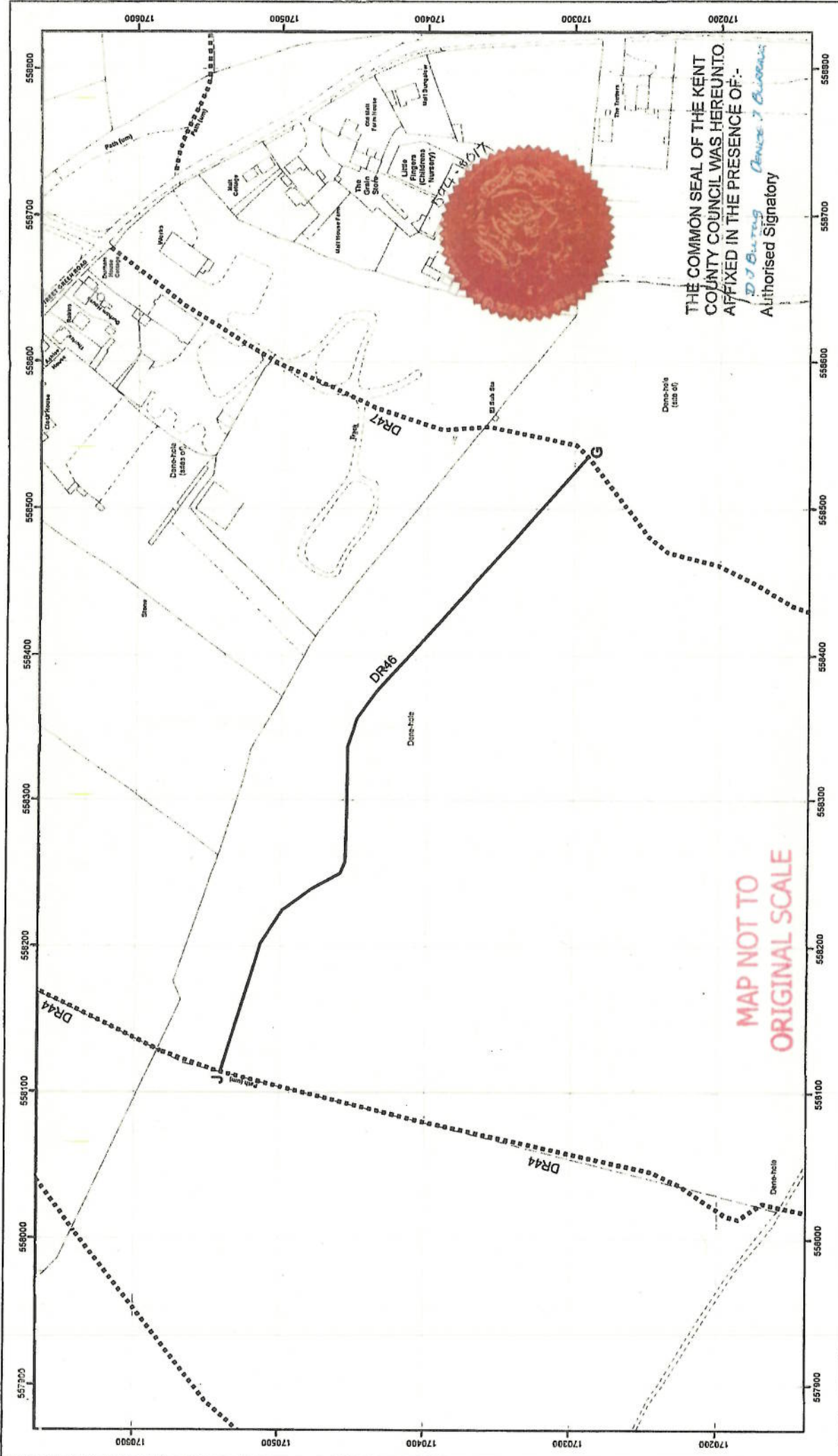
MODIFICATION OF DEFINITIVE STATEMENT

The entry for Public Footpath DR46 is modified by the addition of the following:-

Extinguished by the Kent County Council (Public Footpath DR46 Darent) Public Path Extinguishment and Definitive Map and Statement Order 2017.

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

**THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATH DR46 DARENTH) PUBLIC PATH EXTINGUISHMENT AND
DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2017**

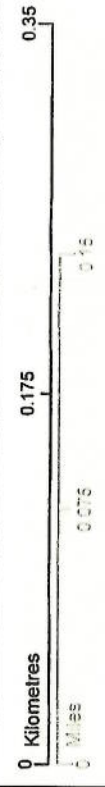


THE COMMON SEAL OF THE KENT COUNTY COUNCIL WAS HEREUNTO AFFIXED IN THE PRESENCE OF:-
D J Bunting
 Authorised Signatory

MAP NOT TO ORIGINAL SCALE

- Key**
- Route to be extinguished
 - Unaffected Routes

THE KENT COUNTY COUNCIL
 (PUBLIC FOOTPATH DR46 DARENTH)
 PUBLIC PATH EXTINGUISHMENT AND DEFINITIVE MAP
 AND STATEMENT MODIFICATION ORDER 2017



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IN THE BOROUGH OF DARTFORD
HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981

THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATHS DR47 DARENTH AND SD47 HORTON KIRBY AND SOUTH
DARENTH)
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 paragraph 1 of this Order it is expedient that the line of Public Footpaths DR47 Darenth and SD47 Horton Kirby and South Darenth 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 028 (TQ57SE) and 025 (TQ56NE)) 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.

Dartford Borough Council and Sevenoaks District Council have 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, Darenth and Horton Kirby and South Darenth and shown by bold continuous lines on the attached map contained in the Order and described in Part I of the schedule to this Order shall be stopped up from the date it is certified by the County Council that a new route has been provided to its satisfaction and, thereupon the Definitive Map for the County of Kent (Map Sheet 028 (TQ57SE) and 025 (TQ56NE)) 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 from the date it is certified by the County Council that new routes have been provided to its satisfaction Public Footpaths over the land situate at Green Street Green, Darenth and Horton Kirby and South Darenth , 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 028 (TQ57SE) and 025 (TQ56NE)) shall be modified by adding the paths to it.

- 3A. The Definitive Statement for the County of Kent (Map Sheet 028 (TQ57SE) and 025 (TQ56NE)) shall be modified as described in Part 1V of the schedule to this Order.

GIVEN UNDER THE SEAL OF THE KENT COUNTY COUNCIL THIS 10th DAY OF July
IN THE YEAR TWO THOUSAND AND SEVENTEEN.

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

DJ Burring DENISE J BARRING
.....
Authorised Signatory



SCHEDULE

PART I: DESCRIPTION OF SITE OF EXISTING PATH OR WAY

The entire width of (a) that part of Public Footpath numbered DR47 commencing at its junction with the Public Highway B260 at TQ 5867 7062 (Point E) and running through the Hawkspeare Industrial Yard in a generally south westerly direction for approximately 293 metres to TQ 5855 7036 (Point F) then crossing arable land continuing in the same direction for approximately 371 metres to its connection with Public Footpath SD47 at TQ 5839 7003 (Point W) approximately 87 metres from Gill's Road (as shown between the Order Points E, F, G and W on the Order Plan); and (b) that part of Public Footpath SD47 commencing at TQ 5839 7003 (Point W) and running in a generally south westerly direction for approximately 87 metres to its junction with Gills Road at TQ 5836 6995 (Point H). As shown between the points W and H on the Order Plan.

II: DESCRIPTION OF SITE OF NEW PATH OR WAY

A new length of Public Footpath, initially numbered SD47 and commencing at the aforementioned point H on Gill's Road and running in a generally north easterly direction for 136 metres following the south eastern boundary of the field (Point X) and then continuing in the same direction, and against the same boundary, but numbered DR47 for 100 metres, crossing the arable field for 85 metres to then continue on the western boundary of the field edge for approximately 105 metres in a generally northerly direction to TQ 5865 7021 (Point R). Initially, from Point R the route will follow a ramped path to overcome the slope and the remainder of the path will be at grade as the new path continues in a generally easterly direction for approximately 170 metres to connect with the Public Highway B260 at TQ 5881 7020 (Point Q) As shown between the points H, X, R and Q on the Order Plan.

PART III: LIMITATIONS AND CONDITIONS

None

PART IV: MODIFICATION OF DEFINITIVE STATEMENT

The entry for Public Footpath DR47 is modified by the addition of the following:

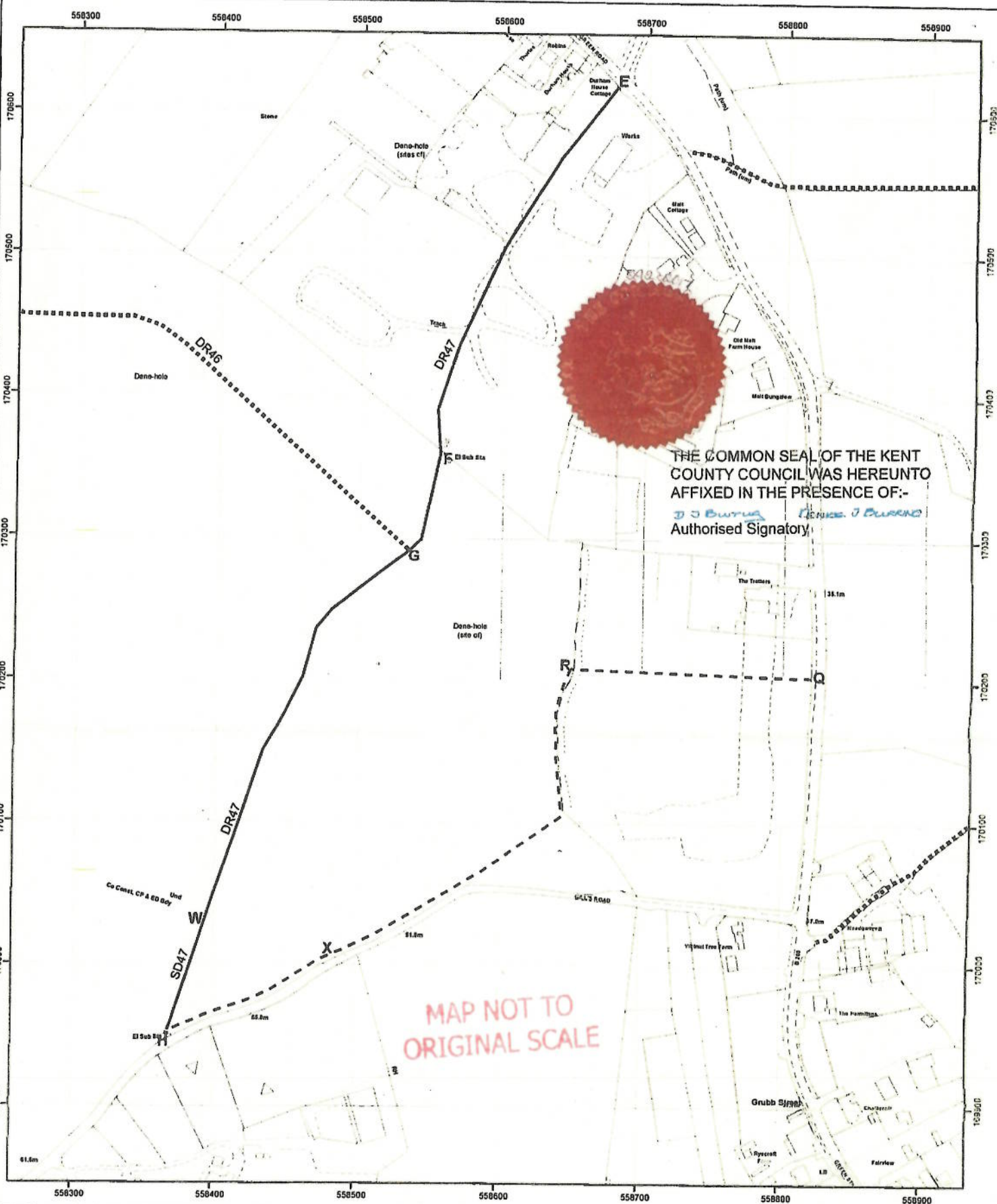
Diverted, at Hawkspeare Green Street Green by the Kent County Council (Public Footpath DR47 Darenth and SD47 Horton Kirby and South Darenth) Public Path Diversion and Definitive Map and Statement Modification Order 2017. The path has a width of 2.0 metres.

The entry for Public Footpath SD47 is modified by the addition of the following:

Diverted, at Gill's Road by the Kent County Council (Public Footpath DR47 Darent and SD47 Horton Kirby and South Darent) Public Path Diversion and Definitive Map and Statement Modification Order 2017. The path has a width of 2.0 metres.

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

**THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATH DR47 DARENTH AND SD47 HORTON KIRBY AND SOUTH
DARENTH)
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:-
J J BURTON *GENIEVE J BURTON*
 Authorised Signatory

MAP NOT TO ORIGINAL SCALE

Key Route to be diverted New Length of route Unaffected Routes	THE KENT COUNTY COUNCIL (PUBLIC FOOTPATHS DR47 DARENTH AND SD47 HORTON KIRBY AND SOUTH DARENTH) PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2017 Produced by the KCC Public Rights of Way and Access Service. © Crown Copyright and database right 2013. Ordnance Survey 100019238	Created by: WJB	 1:2,500
		Checked by: CW	
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