

NOTICE OF ORDER WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Kent County Council
(Bridleways AW378 & AW379, Kingsnorth)
Definitive Map Modification Order 2016

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. Following two earlier exchanges of written representations, the Inspector appointed to determine the Order issued a letter in which she proposed to make further modifications to the Order as drafted. Following advertisement of those proposals, objections / representations have been received.

The **start date** for the above Order is **25 June 2019**.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case which contain evidence in respect of the Inspector's latest proposed modifications only.

The effect of the Order, if confirmed without modifications, will be to modify the Definitive Map and Statements by adding:

- (i) A bridleway numbered AW378, with a width of 3.0 metres, commencing on Steeds Lane adjacent to the property known as Slab Castle at NGR TR 0130 3797 (point A), which runs generally south-east for approximately 332.0 metres to its connection with the A2070 at NGR TR 0153 3775 (point B). Between the points A-B on the Order plan;
- (ii) A bridleway numbered AW379, with a width of 3.0 metres, commencing at its conclusion with the A2070 at NGR TR 0158 3774 (point C), which crosses the railway lines and runs generally south-east for approximately 240.0 metres and then runs generally north-east for approximately 354.0 metres to its connection with Brockmans Lane at NGR TR 0207 3784 (point D). Between the points C-D on the Order plan. All distances are approximate, all directions are general.

The effect of the previously considered modifications proposed in the Inspector's first interim decision of 27 February 2018 would be to provide for the following modifications:

- The title of the Order to be amended to refer to Restricted Byways rather than Bridleways;
- All references to the Order route in the Order, the Schedule and on the Order Map to be amended to Restricted Byway rather than Bridleway;
- In Parts I and II of the Schedule in the descriptions relating to the route AW378, delete the references to the width being 3.0 metres and amend them to 8.0 metres;
- In Part I of the Schedule in the description of the route AW379, delete the words 'with a width of 3.0 metres';

- In the same paragraph, add the following additional text to the description 'Width between point C and point X – 10 metres; width between point X and point D – 3.0 metres.';
- In Part II of the Schedule at the end of the description of AW379 delete the full stop and add the text 'from Brockmans Lane for a distance of 120 metres and then with a width of 10 metres to the A2070.';
- On the Order Map insert point X as shown;
- On the Order Map amend the title the symbol and the key to indicate the status of the route as a Restricted Byway.

The effect of the modifications proposed in the Inspector's further interim decision of 19 February 2019 would be to provide for the following modifications:

- In Part 1 of the Schedule, in the second line of the first paragraph delete the words '*Slab Castle*' and substitute '*Meadow Farm*';
- In the same paragraph amend the grid reference to read 'NGR TR 0133 3791'
- In the same paragraph delete the reference to '332.0' metres and substitute '263.0';
- On the Order Map delete the letter 'A' and move it to the new starting point of the Order route opposite Meadow Farm;
- Delete the first section of the Order route between the original letter 'A' and the replacement letter 'A'

Any queries relating to this Order should be referred to:
 Clive Richards at The Planning Inspectorate, Rights of Way Section, 3/A 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/3179946M2 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 Public Rights of Way and Access Service, Kent County Council, Invicta House, County Hall, Maidstone, Kent, ME14 1XX. The documents can be views Monday – Friday 10:00am – 4:00pm (please telephone 03000 413420 to make an appointment).

Timetable for sending in statements of case and comments

Within 8 weeks of the start date [by 20 August 2019]

The Order Making Authority, the applicant and everyone who has made an objection or representation following the proposed modification(s) or any other written representation must ensure their statement of case is received by the Secretary of State. As soon as possible after receiving it the Secretary of State will send a full copy 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 everyone who has made an objection or representation following the proposed modification(s), the

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

Within 14 weeks of the start date [by 1 October 2019]

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

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 w/r mods

IN THE BOROUGH OF ASHFORD
WILDLIFE AND COUNTRYSIDE ACT 1981
DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF KENT
MAP SHEET 124 (TR03NW)

RESTRICTED BYWAYS

THE KENT COUNTY COUNCIL
(BRIDLEWAYS AW378 & AW379, KINGSNORTH)
DEFINITIVE MAP MODIFICATION ORDER 2016

This Order is made by the Kent County Council ("the Authority") under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to the Authority that map sheet 124 (TR03NW) of the Definitive Map and Statement for the County of Kent requires modification in consequence of the occurrence of an event specified in 53(3)(c)(i), namely the discovery of evidence by the Authority which shows that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way to such that the land over which the right subsists is a public path or a restricted byway or, subject to section 54A, a Byway Open to All Traffic.

The Authority has consulted with every local authority whose area includes the land to which the Order relates.

The Kent County Council hereby orders that:

1. For the purpose of this Order the relevant date is the 1st of May 2016.
2. Sheet 124 (TR03NW) of the Definitive Map for the County of Kent and its associated Statement shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to this Order.
3. This Order shall take effect on the date it is confirmed and may be cited as the "The Kent County Council (~~Bridleways~~ ^{Restricted Byways} AW378 & AW379, Kingsnorth) Definitive Map Modification Order 2016".

GIVEN UNDER THE SEAL OF THE KENT COUNTY COUNCIL THIS 21st DAY OF OCTOBER IN THE YEAR TWO THOUSAND AND SIXTEEN

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



D J Burring.....DENISE J Burring
AUTHORISED SIGNATORY

1310-2016

SCHEDULE

PART I: MODIFICATION OF DEFINITIVE MAP

Description of path(s) to be added

Restricted Byway
The effect of the Order is to add a ~~bridleway~~ *Restricted Byway* numbered AW378, with a width of 3.0 metres, commencing on Steeds Lane adjacent to the property known as ~~Slab Castle~~ *Meadow Farm* at NGR TR 0130 3797 (point A), which runs generally south-east for approximately 332.0 metres to its connection with the A2070 at NGR TR 0153 3775 (point B). Between the points A-B on the Order plan. *263.0*

Restricted Byway
The effect of the Order is also to add a ~~bridleway~~ *Restricted Byway* numbered AW379, with a width of 3.0 metres, commencing at its connection with the A2070 at NGR TR 0158 3774 (point C), which crosses the railway lines and runs generally south-east for approximately 240.0 metres and then runs generally north-east for approximately 354.0 metres to its connection with Brockmans Lane at NGR TR 0207 3784 (point D). Between the points C-D on the Order plan. *Width between points C - X 10 metres*
Width between points X - D 3 metres

PART II: MODIFICATION OF DEFINITIVE STATEMENT

The Definitive Statement is amended by the addition of the following entries:

AW378 – ~~Bridleway~~ *Restricted Byway*
Connections – Steeds Lane, AW313, A2070

Restricted Byways
Added by The Kent County Council (~~Bridleways~~ *Restricted Byways* AW378 & AW379, Kingsnorth) Definitive Map Modification Order 2016 with a width of 3.0 metres.

AW379 – ~~Bridleway~~ *Restricted Byway*
Connections – A2070, Brockmans Lane

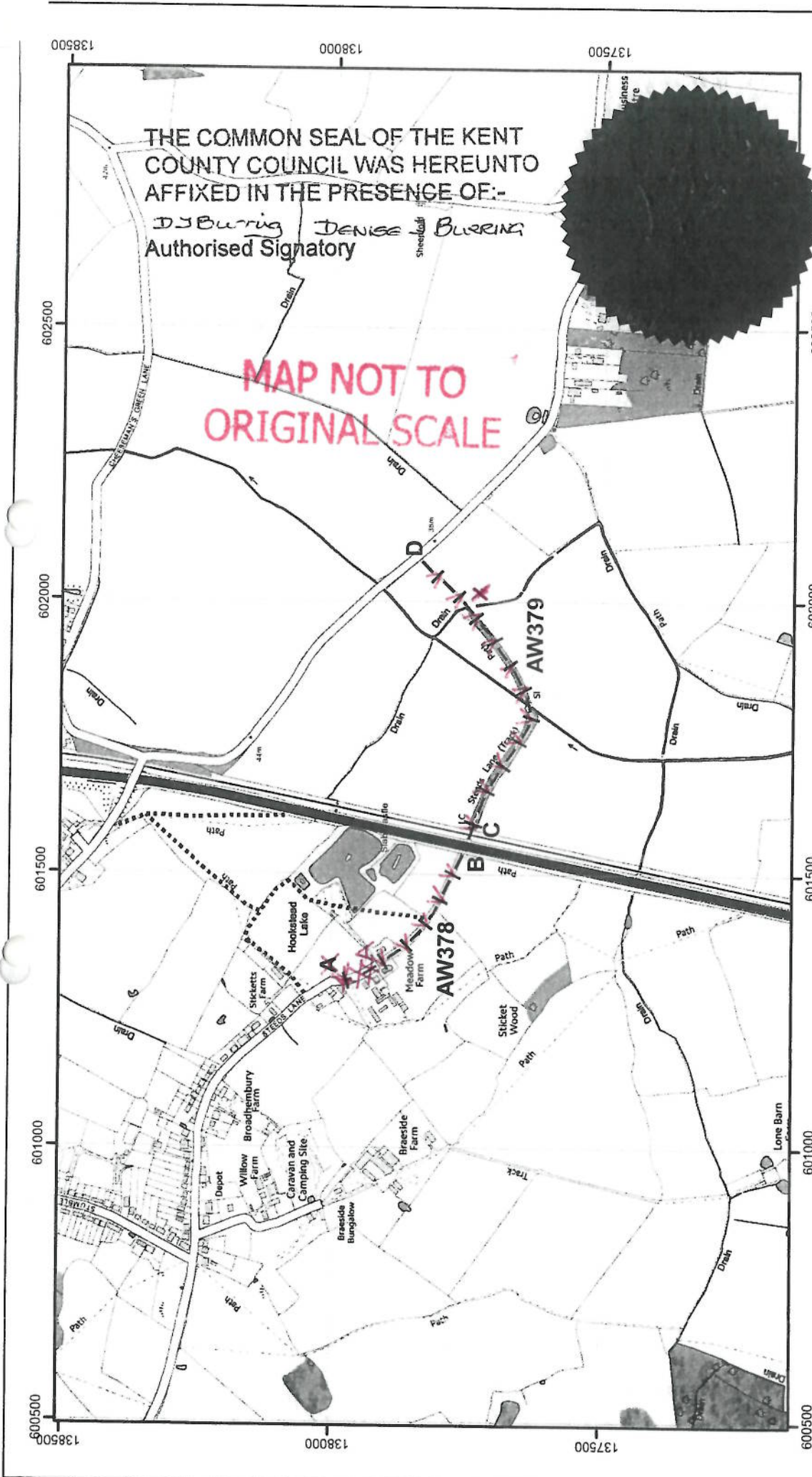
Restricted Byways
Added by The Kent County Council (~~Bridleways~~ *Restricted Byways* AW378 & AW379, Kingsnorth) Definitive Map Modification Order 2016 with a width of 3.0 metres, *from Brockmans Lane for a distance of 120 metres and then a width of 10 metres to the A2070.*

The connections item for AW313 by the addition of the following:

AW313
Connections – Add AW378

WILDLIFE AND COUNTRYSIDE ACT 1981

THE KENT COUNTY COUNCIL (BRIDLEWAYS AW378 & AW379, KINGSNORTH) DEFINITIVE MAP MODIFICATION ORDER 2016



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

DJBurring DENISE BURRING
 Authorised Signatory

MAP NOT TO ORIGINAL SCALE

Key

- X-X- Route to be added
- Unaffected routes

Wildlife & Countryside Act 1981 Restricted
The Kent County Council (Bridleways Byways
AW378 & AW379, Kingsnorth)
Definitive Map Modification Order 2016

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Created by: MMcL

Checked by: CW

Reference: PROW/AS/C351

0 Kilometres 0.5

1310-2016

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