

NOTICE OF ORDER

HIGHWAYS ACT 1980 – SECTION 118 WILDLIFE AND COUNTRYSIDE ACT 1981 - SECTION 53

Kent County Council
(Public Footpath KM250 (Part) Marden) Public Path Extinguishment and
Definitive Map and Statement Modification Order 2019

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 **16 October 2019**.

Consideration of the Order will take the form of a public local inquiry.

The Inquiry will be held at **The Marden Memorial Hall, Goudhurst Road, Marden, Kent, TN12 9JX** on **Wednesday 15 April 2020** at 10.00am.

The effect of the Order, if confirmed without modifications, will be to extinguish the entire width of that length of Public Footpath KM250 from a point at its junction with Public Footpath KM257 (Point A) and running for 70 metres in a south-easterly through southerly then south-easterly direction through the garden of Roughlands Barn to the junction with the private access road leading to the Goudhurst Road (B2079) (Point B). As shown between the points A and B 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, Room 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/3230688 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment during normal office hours at: Public Rights of Way and Access Service, Kent County Council, Invicta House, County Hall, Maidstone, Kent, ME14 1XX. To arrange a viewing of the documents, please contact Mr Chris Wade on Telephone Number 03000 413475.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date by [by 11 December 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 - 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 Order.

Within 14 weeks of the start date [by 22 January 2020]

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry 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).

4 weeks before the date of the inquiry [by 18 March 2020]

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

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 inquiry.

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

IN THE BOROUGH OF MAIDSTONE

**HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981
THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATH KM250 (PART) MARDEN)
PUBLIC PATH EXTINGUISHMENT AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2019**

This Order is made by the Kent County Council ("the authority") under Section 118 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that the part of public footpath described in paragraph 1 below is not needed for public use, and thereupon the Definitive Map and Statement (Map Sheet 056 TQ74SW) 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 for the County of Kent (Map Sheet 056 TQ74SW) requires modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely, the extinguishment (as authorised by this Order) of a highway shown or required to be shown in the map and statement.

Maidstone 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 Marden 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 from the date of confirmation, and thereupon the Definitive Map for the County of Kent (Map Sheet 056 TQ74SW) 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 056 TQ74SW) shall be modified as described in Part II of the schedule to this Order.

**GIVEN UNDER THE SEAL OF THE KENT COUNTY COUNCIL THIS
DAY OF APRIL IN THE YEAR TWO THOUSAND AND NINETEEN.**

4th

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



SARAH
WATSON

Authorised Signatory

357-
2019



SCHEDULE

PART I

DESCRIPTION OF PATH TO BE EXTINGUISHED

The entire width of that length of Public Footpath numbered KM250 commencing from a point at its junction with Public Footpath KM257 TQ7348 4372(Point A) and running for approximately 70 metres in a generally south – easterly through southerly and then south - easterly direction through the garden of Roughlands Barn to the junction with the private access road leading to the Goudhurst Road (B2079) TQ7350 4366 (Point B). As shown between the points A and B on the Order Plan.

PART II

MODIFICATION OF DEFINITIVE STATEMENT

KM250

The entry for public footpath numbered KM250 is modified by the following:

Part extinguished through Roughlands Barn by the Kent County Council (Public Footpath KM250 (part) Marden) Public Path Extinguishment and Definitive Map and Statement Modification Order 2019.

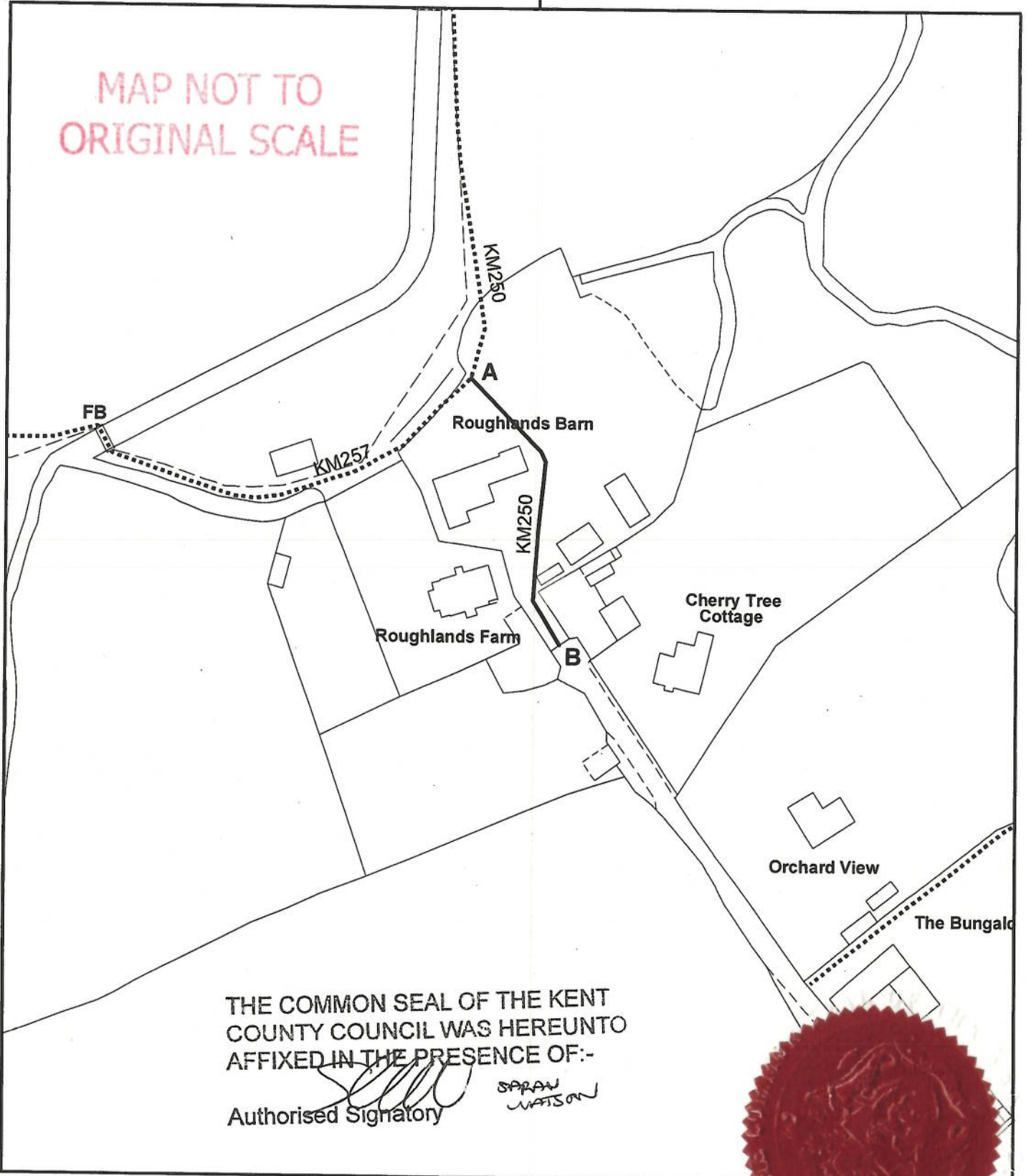
The connections item is amended by deleting reference to the Road from B2079 to Roughlands Farm.

**HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981
THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATH KM250 (PART) MARDEN)
PUBLIC PATH EXTINGUISHMENT AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2019**



573500

MAP NOT TO ORIGINAL SCALE



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



Authorised Signatory

SPRAW WATSON



573500

Key

-  Route to be extinguished
-  Unaffected Routes

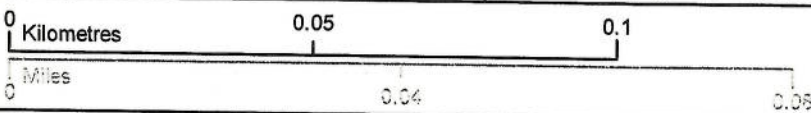
Highways Act 1980
The Kent County Council
Public Footpath KM250 (Part), Marden Public Path
Extinguishment & Definitive Map and Statement
Modification Order 2019

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1:1,250



Created by: NB Checked by: CJW

Reference: PROW/KM250/1502

