

NOTICE OF ORDER

Highways Act 1980 Section 119

Kent County Council
(Public Footpath SR563 (Part) Hever and SR622 Edenbridge) Public Path
Diversion 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 **28 September 2020**.

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

The entire width of that length of Public Footpath SR563 which commences at its junction with Public Footpath SR559A at Medhurst Row Farm and running in a generally easterly direction for approximately 362 metres to NGR TQ 4671 4708 as shown between points A and B on the Order Plan.

The entire width of that length of Public Footpath SR622 which commences at its junction with Public Footpath SR559 at Medhurst Row and running in a generally west-north-westerly direction for approximately 210 metres, and then in a generally northerly direction for approximately 70 metres to its connection with Public Footpaths SR563 and SR604, as shown between the points F, G and H on the Order Plan.

To new routes

A new length of Public Footpath numbered SR563, with a width of 2 metres, commencing at the aforementioned point at NGR TQ 4671 4708 (point A) and then running in a south-westerly direction for approximately 20 metres to cross the farm accommodation bridge (point C) to then turn immediately northwards for approximately 22 metres to then run along the southern side of the field boundary in a generally west-north-westerly direction for approximately 330 metres to a new junction with Public Footpath SR559A to the south of the railway crossing, as shown between the points A, C, D and E on the Order Plan.

A new length of Public Footpath numbered SR559, with a width of 2 metres, commencing at the aforementioned junction with Public Footpath SR559 (point F) and then running in a northerly direction for approximately 60 metres on the western side of the boundary hedge and then running around the southern boundary of the pond in a generally west-north-westerly through north-north-westerly through north-north-easterly direction for approximately 60 metres to connect with Public Footpath SR563 at a point approximately 90 metres to the west of its junction of Public Footpath SR559A, as shown between points F and J on the Order Plan.

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 4445502. Email: clive.richards@planninginspectorate.gov.uk. Please quote reference number ROW/3246537 on all correspondence. **N.B. Due to Covid-19 restrictions, the Planning Inspectorate office is being run with minimal staff cover so corresponding by email is recommended.**

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 & Access Service, Invicta House, County Hall, Maidstone, Kent, ME14 1XX during normal office hours. Contact Chris Wade, Tel: 03000 413475, Email: chris.wade@kent.gov.uk (please telephone/email to make an appointment). **N.B. Due to Covid-19 restrictions, it is suggested that you contact the Council to make arrangements to view documents.**

Timetable for sending in statements of case and comments

Within 2 weeks of the start date [by 12 October 2020]

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 23 November 2020]

Everyone who has made an objection or representation or any other written representation or any other person wishing to make representations in writing 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 4 January 2021]

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.

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 inflammatory, discriminatory or abusive comments. Any documents containing such comments will be returned.

Notice of order for w/r

IN THE DISTRICT OF SEVENOAKS

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

**THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATH SR563 (PART) HEVER AND SR622 EDENBRIDGE)
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2019**

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 owners of the land crossed by the footpaths described in Part 1 of the Order it is expedient that the lines of Public Footpath SR563 at Hever and SR622 at Edenbridge 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 004 [TQ44NE]) 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.

Sevenoaks 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 Hever and Edenbridge 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 after twenty-eight days from the date of confirmation of this Order and thereupon the Definitive Map for the County of Kent (Map Sheet 004 [TQ44NE]) 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 Hever and at Edenbridge described in Part II of the schedule and shown by bold broken lines on the Map contained in this Order, and thereupon the Definitive Map for the County of Kent (Map Sheet 004 [TQ44NE]) shall be modified by adding the paths to it.
- 3A. The Definitive Statement for the County of Kent (Map Sheet 004 [TQ44NE]) shall be modified as described in Part IV of the schedule to this Order.

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

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


Authorised Signatory



SCHEDULE

PART I: DESCRIPTION OF SITE OF EXISTING PATH OR WAY

The entire width of that length of **Public Footpath SR563** which commences at its junction with Public Footpath SR559A at Medhurst Row Farm and running in a generally easterly direction for approximately 362 metres to NGR TQ 4671 4708, as shown between points A and B on the Order Plan.

The entire width of that length of **Public Footpath SR622** which commences at its junction with Public Footpath SR559 at Medhurst Row and running in a generally west-north-westerly direction for approximately 210 metres, and then in a generally northerly direction for approximately 70 metres to its connection with Public Footpaths SR563 and SR604, as shown between the points F, G and H on the Order Plan.

PART II: DESCRIPTION OF SITE OF NEW PATH OR WAY

A new length of **Public Footpath numbered SR563**, with a width of 2 metres, commencing at the aforementioned point at NGR TQ 4671 4708 (point A) and then running in a south-westerly direction for approximately 20 metres to cross the farm accommodation bridge (point C) to then turn immediately northwards for approximately 22 metres to then run along the southern side of the field boundary in a generally west-north-westerly direction for approximately 330 metres to a new junction with Public Footpath SR559A to the south of the railway crossing, as shown between the points A, C, D and E on the Order Plan.

A new length of **Public Footpath to be numbered SR559**, with a width of 2 metres, commencing at the aforementioned junction with Public Footpath SR559 (point F) and then running in a northerly direction for approximately 60 metres on the western side of the boundary hedge and then running around the southern boundary of the pond in a generally west-north-westerly through north-north-westerly through north-north-easterly direction for approximately 60 metres to connect with Public Footpath SR563 at a point approximately 90 metres to the west of its junction of Public Footpath SR559A, as shown between points F and J on the Order Plan.

The existing section of **Public Footpath SR559A** between its junction with Public Footpath SR563 at Medhurst Row Farm and its new junction with the diverted section of Public Footpath SR563 just south of the railway is renumbered as a part of Public Footpath SR563.

PART III: LIMITATIONS AND CONDITIONS

None

PART IV: MODIFICATION OF DEFINITIVE STATEMENT

The entry for Public Footpath SR563 is modified by the addition of the following:

Part diverted, in the vicinity of Medhurst Row Farm, by the Kent County Council (Public Footpath SR563 (part) Hever and SR622 Edenbridge) Public Path Diversion and Definitive Map and Statement Modification Order 2019, with a width of 2 metres for the new length of path. In consequence of this Order the section of SR559A south of the railway is renumbered to become part of SR563.

The connections item is amended as follows:

Add: SR559

The entry for Public Footpath SR622 is modified by the addition of the following:

Part diverted, in the vicinity of Medhurst Row Farm, by the Kent County Council (Public Footpath SR563 (part) Hever and SR622 Edenbridge) Public Path Diversion and Definitive Map and Statement Modification Order 2019. The new section of path is renumbered to form part of SR559.

The connections item is amended as follows:

Delete: SR559

The entry for Public Footpath SR559 is modified by the addition of the following:

Part added, in the vicinity of Medhurst Row Farm, by the Kent County Council (Public Footpath SR563 (part) Hever and SR622 Edenbridge) Public Path Diversion and Definitive Map and Statement Modification Order 2019, with a width of 2 metres for the new length of path.

The connections item is amended as follows:

Delete: SR622

Add: SR563

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