

# **NOTICE OF ORDER**

## **Highways Act 1980 Section 26 & 118; & Wildlife & Countryside Act 1981 Section 53**

Kent County Council

(Public Footpath ER273 Ringwould with Kingsdown) Public Path Creation and Definitive Map and Statement Modification Order 2019

AND

(Public Footpath ER273 (Part) Ringwould with Kingsdown) Public Path Extinguishment and Definitive Map and Statement Modification Order 2019

Thank you for your letter of 04 March 2020 submitting the above 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 **25 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

### **Creation Order**

Create a new length of Public Footpath, with a width of 1.8 metres and to be numbered ER273, commencing from a point on the unadopted highway known as Bayview Road at NGR TR 3752 4753 and running in a south-westerly direction for 170 metres to connect with the existing length of Public Footpath ER273 at NGR TR 3742 4739, as shown between the points C and A on the Order Plan.

### **Extinguishment Order**

Extinguish the entire width of that length of Public Footpath numbered ER273 commencing from a point at its junction with the unadopted highway known as Bayview Road and running for 160 metres in a south-westerly direction, and then for a further 16 metres in a generally westerly direction, to NGR TR 3742 4739, as shown between the points B and A 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 4445502. Email: [clive.richards@planninginspectorate.gov.uk](mailto:clive.richards@planninginspectorate.gov.uk). Please quote reference number ROW/3248460 & ROW/3248461 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](mailto: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 09 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 20 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 15 weeks of the start date (usually 14 but an extra week has been allocated as this falls during to the Christmas Holidays) [by 08 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.

**IN THE DISTRICT OF DOVER**  
**HIGHWAYS ACT 1980**  
**WILDLIFE AND COUNTRYSIDE ACT 1981**

**THE KENT COUNTY COUNCIL**  
**(PUBLIC FOOTPATH ER273 RINGWOULD WITH KINGSDOWN)**  
**PUBLIC PATH CREATION AND DEFINITIVE MAP AND STATEMENT**  
**MODIFICATION ORDER 2019**

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 176 [TR34NE]) 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 176 [TR34NE]) 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.

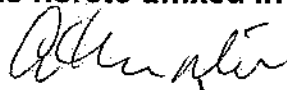

Dover District Council has been consulted as required by section 26(3) of the 1980 Act.

**BY THIS ORDER:**

1. A new length of Public Footpath over the land situate at Ringwould with Kingsdown 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 the Council certifies that a new route has been suitably constructed for public use and thereupon the Definitive Map for the County of Kent (Map Sheet 176 [TR34NE]) 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 176 [TR34NE]) shall be modified as described in part II of the schedule to the Order.

**GIVEN UNDER THE SEAL OF THE KENT COUNTY COUNCIL THIS 5<sup>th</sup> DAY OF DECEMBER 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 1: DESCRIPTION OF ROUTE TO BE ADDED**

A new length of Public Footpath, with a width of 1.8 metres and to be numbered ER273, commencing from a point on the unadopted highway known as Bayview Road at NGR TR 3752 4753 and running in a generally south-westerly direction for approximately 170 metres to connect with the existing length of Public Footpath ER273 at NGR TR 3742 4739, as shown between the points C and A on the Order Plan.

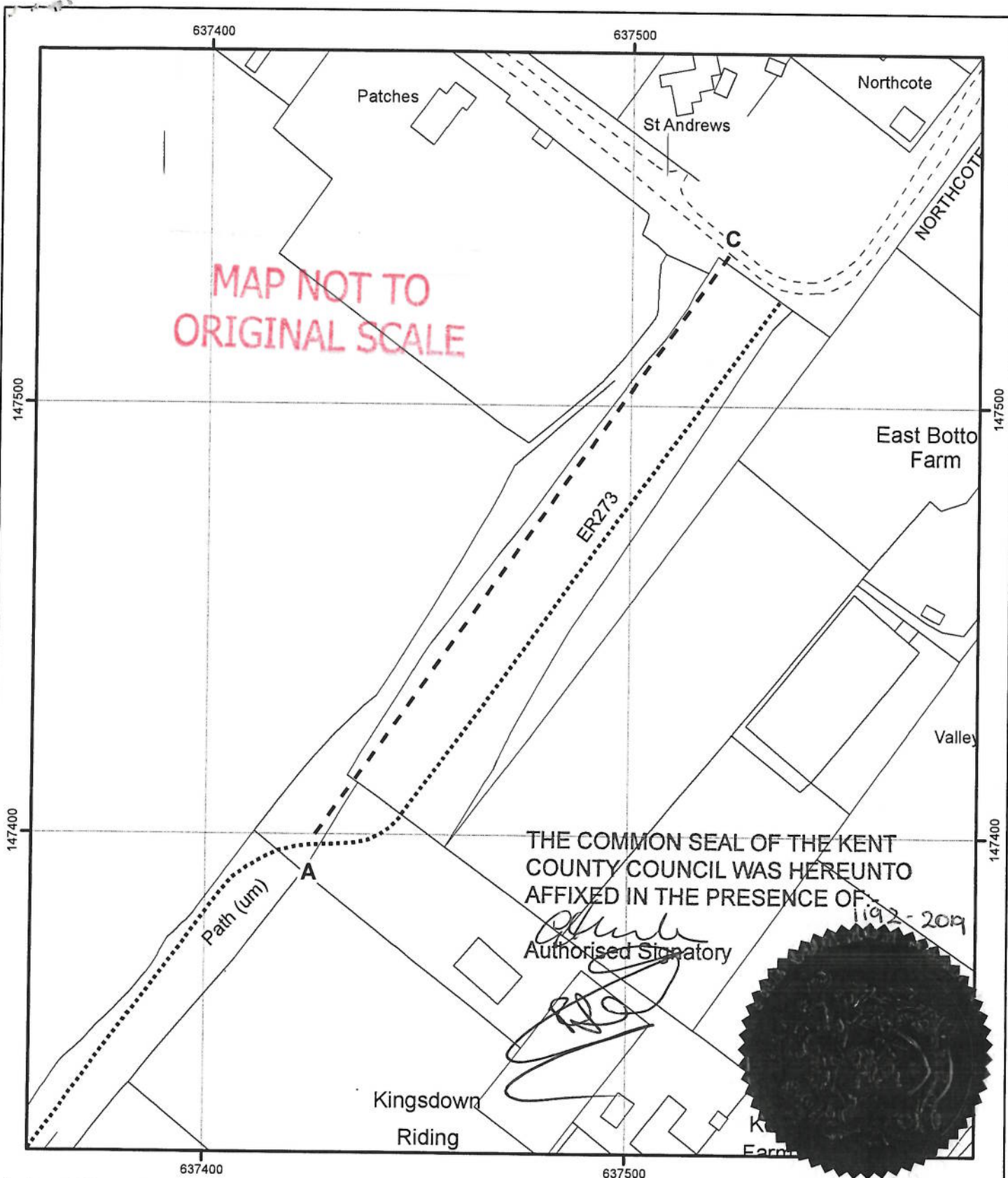
### **PART II: MODIFICATION OF DEFINITIVE STATEMENT**

*The entry for Public Footpath ER273 is modified by the addition of the following:*

A new section of Public Footpath ER273 was created by the Kent County Council (Public Footpath ER273 Ringwould with Kingsdown) Public Path Creation and Definitive Map and Statement Order 2019, with a width of 1.8 metres for the new length of path.

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

**THE KENT COUNTY COUNCIL  
(PUBLIC FOOTPATH ER273 RINGWOULD WITH KINGSDOWN)  
PUBLIC PATH CREATION AND DEFINITIVE MAP AND  
STATEMENT MODIFICATION ORDER 2019**

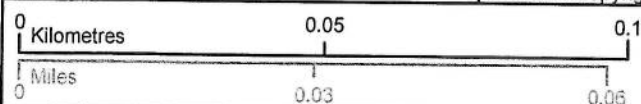


# Key

- - - - - New Length of route
- ..... Unaffected Routes

## The Kent County Council (Public Footpath ER273 Ringwould with Kingsdown) Public Path Creation and Definitive Map and Statement Modification Order 2019

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Created by: WJB Checked by: CW

Reference: PROW/ER273/1519



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Public Rights of Way and Access Service



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**IN THE DISTRICT OF DOVER**  
**HIGHWAYS ACT 1980**  
**WILDLIFE AND COUNTRYSIDE ACT 1981**

**THE KENT COUNTY COUNCIL**  
**(PUBLIC FOOTPATH ER273 (PART) RINGWOULD WITH KINGSDOWN)**  
**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 176 [TR34NE]) 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 176 [TR34NE]) 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.

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

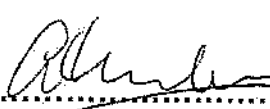
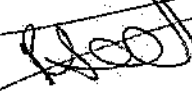
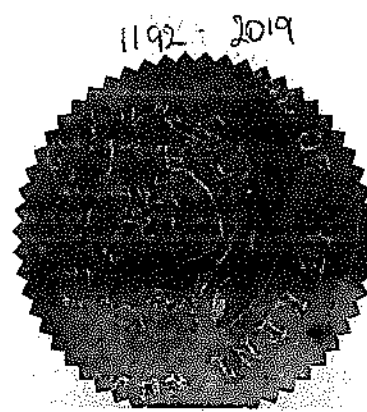
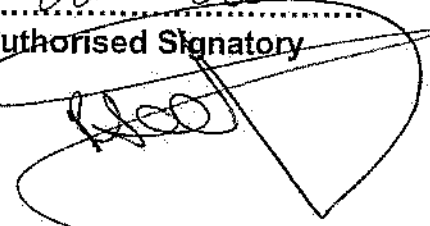
**BY THIS ORDER:**

1. The public right of way over the land situate at Ringwould with Kingsdown 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 the authority is satisfied that a new path, fit for public use, has been provided as replacement for the existing part of Public Footpath ER273 subject to this Order, and thereupon the Definitive Map for the County of Kent (Map Sheet 176 [TR34NW]) 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 176 [TR34NW]) shall be modified as described in Part II of the schedule to this Order.

**GIVEN UNDER THE SEAL OF THE KENT COUNTY COUNCIL THIS 5<sup>th</sup> DAY OF DECEMBER 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 PATH TO BE EXTINGUISHED**

The entire width of that length of Public Footpath numbered ER273 commencing from a point at its junction with the unadopted highway known as Bayview Road and running for approximately 160 metres in a generally south-westerly direction, and then for a further approximately 16 metres in a generally westerly direction, to NGR TR 3742 4739, as shown between the points B and A on the Order Plan.

### **PART II: MODIFICATION OF DEFINITIVE STATEMENT**

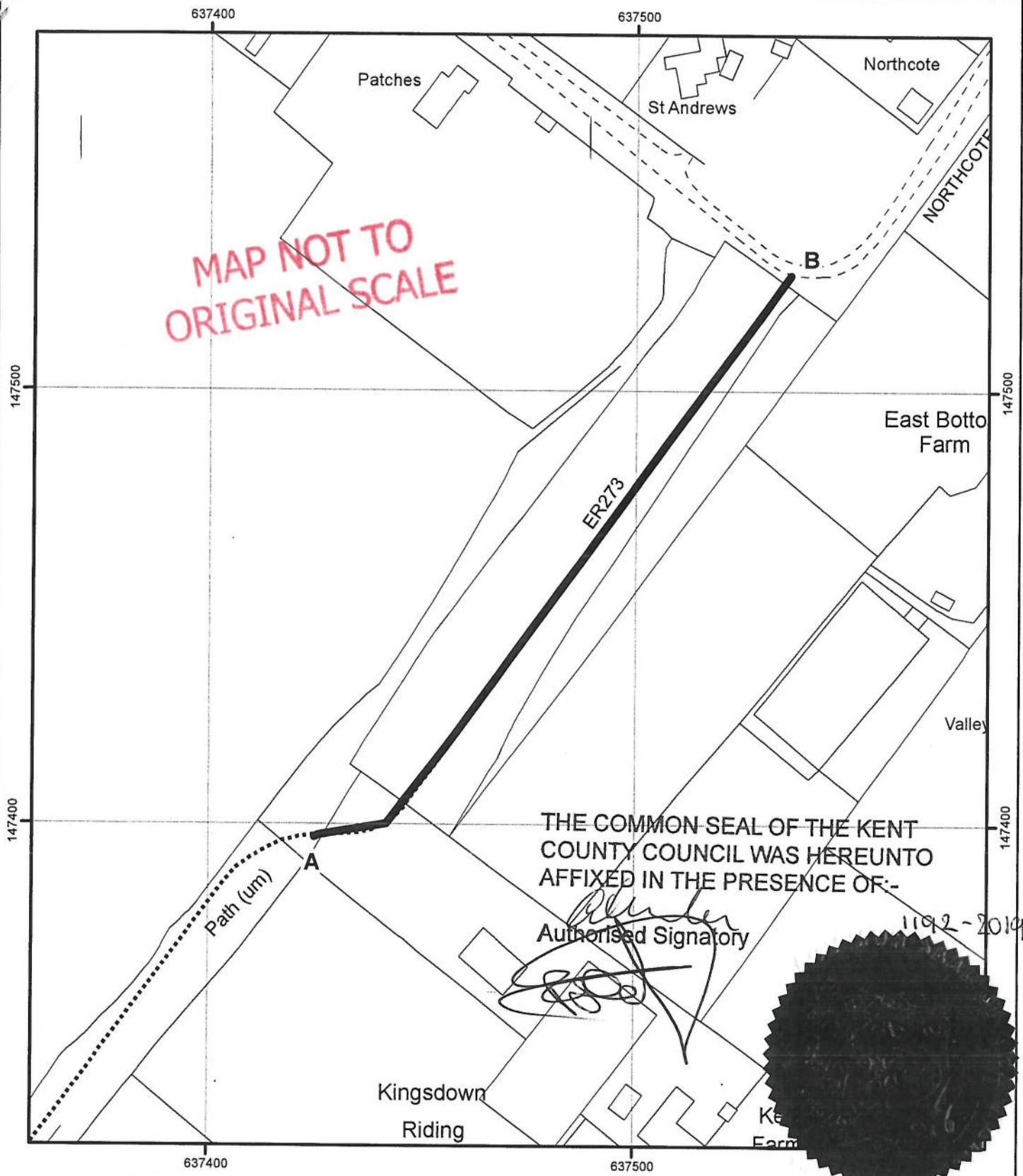
*The entry for Public Footpath numbered ER273 is modified by the addition of the following:*

Part extinguished by the Kent County Council (Public Footpath ER273 (part) Ringwould with Kingsdown) Public Path Extinguishment and Definitive Map and Statement Modification Order 2019.

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

**THE KENT COUNTY COUNCIL  
(PUBLIC FOOTPATH ER273 (PART) RINGWOULD WITH KINGSDOWN)  
PUBLIC PATH EXTINGUISHMENT AND DEFINITIVE MAP AND STATEMENT  
MODIFICATION ORDER 2019**





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

Authorised Signatory

11012-2019

<p><b>Key</b></p> <p>— Route to be extinguished</p> <p>..... Unaffected Routes</p>	<p><b>The Kent County Council</b>  <b>(Public Footpath ER273 (part) Ringwoud with Kingsdown)</b>  <b>Public Path Extinguishment and Definitive Map</b>  <b>and Statement Modification Order 2019</b></p> <p>Produced by the KCC Public Rights of Way and Access Service.          © Crown Copyright and database right 2013. Ordnance Survey 100019238</p>	<p>N</p> <p>1:1,250</p>								
<p>0 Kilometres 0.05 0.1</p> <p>0 Miles 0.03 0.06</p>	<table border="1"> <tr> <td>Created by:</td> <td>WJB</td> <td>Checked by:</td> <td>CW</td> </tr> <tr> <td>Reference:</td> <td colspan="3">PROWER273/1519</td> </tr> </table>	Created by:	WJB	Checked by:	CW	Reference:	PROWER273/1519			
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