

IN THE BOROUGH OF ASHFORD
NOTICE OF PUBLIC PATH ORDER
HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981
THE KENT COUNTY COUNCIL

PUBLIC BRIDLEWAY AE663, GODMERSHAM and CHILHAM

**PUBLIC PATH CREATION AND DEFINITIVE MAP AND STATEMENT MODIFICATION
ORDER 2012**

The above Order made on the 27th June 2012 under Section 26 of the Highways Act 1980 will add a new length of Public Bridleway numbered AE663, which commences from a point on Restricted Byway AE18 at grid reference TR 0766 5201 (Point A), East Stour Farm, before heading in a southerly direction for approximately 467 metres to meet with Pope Street at grid reference TR 0753 5156 (Point B). The route then continues on the south side of Pope Street at grid reference TR 0751 5156 (Point C) in a south westerly direction for approximately 919 metres before terminating at Eggarton Lane, grid reference TR 0695 5083 (Point D).

The new length of Public Bridleway numbered AE663 is to be 3 metres wide with shortfalls in order to retain established trees. There will be a bridle gate located at NGR TR0766 5201 (Point A), NGR TR0758 5168 (Point E), NGR TR0753 5156 (Point B), NGR TR0751 5156 (Point C), NGR TR0738 5139 (Point F), NGR TR0709 5100 (Point G) and NGR TR0695 5083 (Point D). The bridle gates will conform to BS 5709:2006 and shall remain until such a time as they no longer provide, or are required, for the prevention of the ingress or egress of animals.

All directions general, all distances approximate.

A copy of the Order and the Map have been placed and may be seen free of charge at the Offices of Ashford Borough Council, Ashford Gateway Plus, Church Road, Ashford, TN23 1AS or at the Kent County Council, Countryside Access Service, Invicta House, Maidstone, Kent, ME14 1XX, during office hours. Copies of the Order and Map may be purchased there.

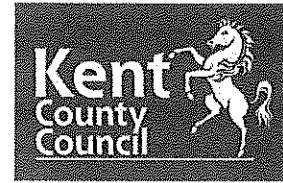
Any representations about or objections to the Order may be sent in writing to Colin Finch at the address below before **6th August 2012**. Please state the grounds on which they are made.

Please note that objections/representations cannot be treated as confidential and may come into the public domain. Copies of any objections or representations received may be disclosed to interested parties, including the Planning Inspectorate where the case is referred to it for determination.

If no representations or objections are duly made, or if any so made are withdrawn, the Kent County Council may confirm the Order as an unopposed Order. If the Order is sent to the Secretary of State for the Environment for confirmation any representations and objections which have not been withdrawn will be sent with the Order.

COUNTRYSIDE ACCESS SERVICE
THE KENT COUNTY COUNCIL
INVICTA HOUSE
MAIDSTONE
KENT, ME14 1XX

TEL: 01622 221568
DATED: 7th JULY 2012



THIS NOTICE CAN BE MADE AVAILABLE IN OTHER FORMATS ON REQUEST

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

THE KENT COUNTY COUNCIL
PUBLIC BRIDLEWAY AE663 GODMERSHAM and CHILHAM
PUBLIC PATH CREATION AND DEFINITIVE MAP AND STATEMENT MODIFICATION
ORDER 2012

This Order is made by the Kent County Council ("the authority") 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 bridleway over the land to which this Order relates, and that it is expedient that the way should be created.

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 TR 05 SE (133)) for the County of Kent requires modification in consequence of the occurrence of an event specified in section 53(3)(a)(iii) of the 1981 Act, namely, the creation (as authorised by this Order) of a new right of way over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public bridleway.

The landowner has agreed to defray any compensation which becomes payable in consequence of the coming into force of this Order.

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

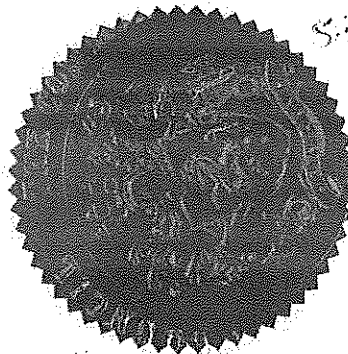
BY THIS ORDER:

1. There shall be at the end of twenty eight days from the date of confirmation of this Order, a public bridleway over the land situate at Godmersham and Chilham described in Part I of the schedule to this Order and shown by bold black dashes on the map attached to this Order, and thereupon the definitive map shall be modified by adding that way to it, and the definitive statement (Map Sheet TR 05 SE (133)) for the County of Kent shall be modified as described in Part III of the schedule to this Order.
2. The rights conferred on the public under this Order shall be subject to the limitations and conditions set out in Part II of the schedule to this Order.

GIVEN UNDER THE SEAL OF THE KENT COUNTY COUNCIL THIS 27th DAY
OF *June* IN THE YEAR TWO THOUSAND AND TWELVE

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


.....
AUTHORISED SIGNATORY



SCHEDULE

PART I

DESCRIPTION OF LAND ON WHICH WAY IS TO BE CREATED

The proposed route commences from a point on Restricted Byway AE18 at grid reference TR 0766 5201 (Point A), East Stour Farm, before heading in a southerly direction for approximately 467 metres to meet with Pope Street at grid reference TR 0753 5156 (Point B). The route then continues on the south side of Pope Street at grid reference TR 0751 5156 (Point C) in a south westerly direction for approximately 919 metres before terminating at Eggarton Lane, grid reference TR 0695 5083 (Point D).

The new length of Public Bridleway numbered AE663 is to be 3 metres wide with shortfalls in order to retain established trees.

PART II

LIMITATIONS AND CONDITIONS

There will be a bridle gate located at NGR TR0766 5201 (Point A), NGR TR0758 5168 (Point E), NGR TR0753 5156 (Point B), NGR TR0751 5156 (Point C), NGR TR0738 5139 (Point F), NGR TR0709 5100 (Point G) and NGR TR0695 5083 (Point D). The bridle gates will conform to BS 5709:2006 and shall remain until such a time as they no longer provide, or are required, for the prevention of the ingress or egress of animals.

PART III

MODIFICATION OF DEFINITIVE STATEMENT

A new entry is added as follows:-

AE663 – Public Bridleway

Connections: AE18, AE51, Pope Street, AE55, Eggarton Lane.

Created by the Kent County Council Public Bridleway AE663, Godmersham and Chilham Public Path Creation and Definitive Map and Statement Modification Order 2012, with a width of 3 metres for the new length of path, except for shortfalls in order to retain established trees. There will a bridle gate located at NGR TR0766 5201 (Point A), NGR TR0758 5168 (Point E), NGR TR0753 5156 (Point B), NGR TR0751 5156 (Point C), NGR TR0738 5139 (Point F), NGR TR0709 5100 (Point G) and NGR TR0695 5083 (Point D). The bridle gates will conform to BS 5709:2006 and shall remain until such a time as they no longer provide, or are required, for the prevention of the ingress or egress of animals. Part previously recorded as Public Footpath AE51.

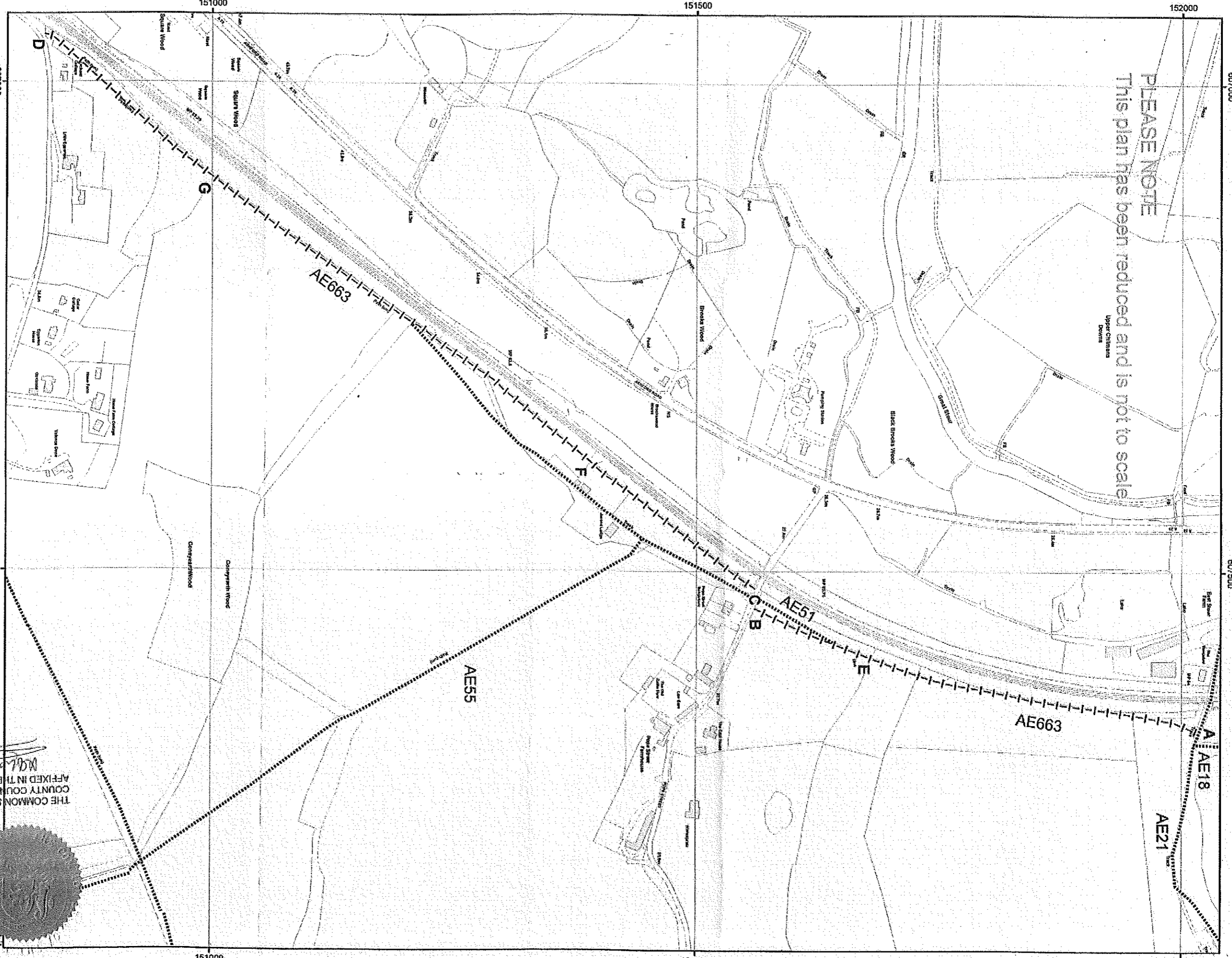
The entry for AE51 is modified as follows:- Delete AE18 and Eggarton Lane from the connections item and add AE663.

The entry for AE18 is modified as follows:- Delete AE51 from the connections item.

HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981
THE KENT COUNTY COUNCIL
PUBLIC BRIDLEWAY AE663 GODMERSHAM and CHILHAM
PUBLIC PATH CREATION AND DEFINITIVE MAP AND STATEMENT MODIFICATION
ORDER 2012

PLEASE NOTE
This plan has been reduced and is not to scale

Upper Chilterns
Downs



Key
 -|-|-|- Route to be created
 Unaffected path

HIGHWAYS ACT 1980 & WILDLIFE AND COUNTRYSIDE ACT 1981
 The Kent County Council
 Public Bridleway AE663 GODMERSHAM and CHILHAM
 Public Path Creation and Definitive Map and Statement
 Modification Order 2012

0 Kilometres 0.05 0.125 0.25 0.5
 0 Miles 0.05 0.1 0.25 0.5

Countryside Access Service

Created by: [Signature]
 Checked by: [Signature]
 Reference: [Signature]

Produced by the Kent Countryside Access Service
 © Crown Copyright and Database right 2012.
 Ordnance Survey 100018235



1:2,500
 N

STATEMENT TO ACCOMPANY
THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATH AE663 GODMERSHAM and CHILHAM)
PUBLIC PATH CREATION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2012

THIS STATEMENT DOES NOT FORM PART OF THE ORDER

Under The Highways Act 1980, the County Council has the power to make Orders to create, extinguish or divert Footpaths, Bridleways and Restricted Byways.

Legislation affecting this proposal is contained within Section 26 of The Highways Act 1980. The grounds for a creation are that there is a need for a right of way over the land to which the order relates, and that it is expedient that the right of way should be created.

The Kent County Council has made an Order to create Public Bridleway AE663 under The Highways Act 1980, Section 26. This statement has been prepared to explain various aspects of the Order.

The application has been made by the landowners to assist the County Council in achieving objectives contained within its Countryside Access Improvement Plan.

The Kent County Council is satisfied that the route is needed for public use as the proposed upgraded route is in the interests of the landowners and the public and will be substantially more convenient than the existing public footpath AE51.

The Order will come into force only after it has been confirmed; making and advertising the Order simply provides an opportunity for objections or representations to be made.

Persons considering objecting or making representations relating to the Order are invited to discuss their concerns with the Senior Public Rights of Way Officer, Colin Finch, at the address below (Telephone Number 01622 221568).

Objections or representations relating to the Order must be made in writing to Colin Finch at the address below, no later than **6th August 2012**.

The right of an objection to an Order is a statutory right, but it should be exercised in a reasonable manner. The costs involved in dealing with objections to Orders may be awarded against objectors in cases of unreasonable behaviour.

If any objections are made and not withdrawn, the Council may refer the Order and objections to the Department of the Environment for determination. An Inspector from the Planning Inspectorate will then either take written representations or hear the objections at a Public Inquiry or Hearing. The Inspector can confirm the Order, confirm it with modifications, or refuse to confirm it. If no objections are received the Council may confirm the Order itself, but it has no power to modify Orders.

Details of the creation as mentioned above can be found on the attached Plan 2.

**Kent County Council
Countryside Access Service
Invicta House
County Hall
Maidstone
Kent, ME14 1XX**

Date: 7th July 2012