

**NOTICE OF PUBLIC PATH ORDER**

**IN THE DISTRICT OF DOVER**

**HIGHWAYS ACT 1980**

**THE KENT COUNTY COUNCIL  
(PUBLIC BRIDLEWAY EB12, DOVER)**

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

The above Order, made on the 27<sup>th</sup> June 2012 under section 26 of the Highways Act 1980 will provide a new length of Public Bridleway EB12 which commences at grid reference TR 3095 4405 (Point A), Melbourne Avenue, before heading in a south easterly direction for 866 metres, connecting with Roman Road at grid reference, TR 3165 4357 (Point B). The new length of path will have a width of 3 metres except at the junction with Roman Road (Point B) where the width is 1.5 metres

The existence of established trees at NGR TR 3165 4357 (Point B) on the Order plan will restrict the width of useable highway at that point to 1.5 metres. There will be 1 bridle gate located at NGR, TR 3095 4405 (Point A). The bridle gate will conform to BS 5709:2006.

All directions general, all distances approximate.

A copy of the Order and Map have been placed and may be seen free of charge at the offices of Dover District Council, White Cliffs Business Park, Dover, Kent, CT16 3PJ or at the Countryside Access Service at Invicta House, County Hall, Maidstone, Kent, ME14 1XX, during office hours. A copy 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 **6<sup>th</sup> 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If no representations or objections are duly made, or if any so made are withdrawn, the Kent County Council may confirm the Order as an unopposed Order.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to the Secretary of State for the Environment for confirmation any representations and objections which have not been withdrawn will be sent with the Order.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  
KENT COUNTY COUNCIL  
INVICTA HOUSE  
MAIDSTONE  
KENT, ME14 1XX

TEL: 01622 221568

DATED: 7<sup>th</sup> July 2012



**THIS NOTICE MAY BE PROVIDED IN OTHER FORMATS**

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

**THE KENT COUNTY COUNCIL**  
**PUBLIC BRIDLEWAY EB12 DOVER**  
**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 TR34 SW (173)) 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.

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

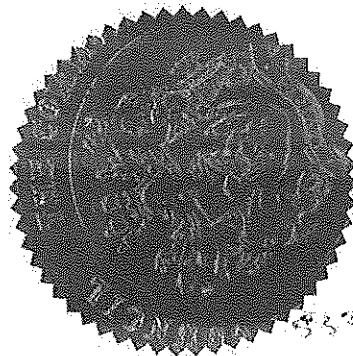
**BY THIS ORDER:**

1. There shall be at the end of 28 days from the date of confirmation of this Order, a public bridleway over the land situate at Dover described in Part 1 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 TR34 SW (173)) 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** 27<sup>th</sup>  
**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

A new length of Public Bridleway numbered EB12 with a width of 3 metres will be created over existing Public Footpath EB12.

The new length of bridleway is shown by bold black dashes commencing at grid reference, TR 3095 4405, (Point A), Melbourne Avenue, before heading in a south easterly direction for approximately 866 metres, connecting with Roman Road at grid reference, TR 3165 4357 (Point B). The new length of Public Bridleway shall have a width of 3 metres except at the junction with Roman Road (Point B) where the width is 1.5 metres.

### PART II

#### LIMITATIONS AND CONDITIONS

The existence of established trees at NGR TR 3165 4357 (Point B) on the Order plan will restrict the width of useable highway at that point to 1.5 metres. There will be 1 bridle gate located at NGR, TR 3095 4405 (Point A). The bridle gate will conform to BS 5709:2006.

### PART III

#### MODIFICATION OF DEFINITIVE STATEMENT

The entry for EB12 is as follows:-

EB12-- Public Bridleway

Created by the Kent County Council Public Bridleway EB12 Dover Public Path Creation and Definitive Map and Statement Modification Order 2012, with a width of 3 metres for the new length of path except at the junction with Roman Road where the width is 1.5 metres. The existence of established trees at NGR TR 3165 4357 (Point B) on the Order plan will restrict the width of useable highway at that point to 1.5 metres. There will be 1 bridle gate located at NGR, TR 3095 4405 (Point A). The bridle gate will conform to BS 5709:2006. Formerly shown as Public Footpath EB12.

Connections:

Melbourne Avenue, Roman Road and ER60

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

**THE KENT COUNTY COUNCIL  
PUBLIC BRIDLEWAY EB12 DOVER  
PUBLIC PATH CREATION AND DEFINITIVE MAP AND STATEMENT MODIFICATION  
ORDER 2012**

631500

631000

144000

144000

143500

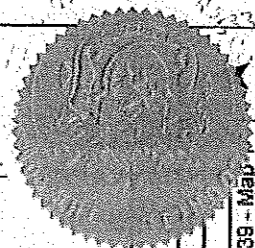
143500

631500

631000

1:2,500

THE COMMON SEAL OF THE KENT COUNTY COUNCIL WAS HEREUNTO AFFIXED IN THE PRESENCE OF:  
*R. White*  
Authorized Signatory



Created by: CF  
Checked by: LW  
Reference: PROW/CAD/D/0/88 - Map

Produced by the KCC Countryside Access Service.  
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Ordnance Survey 100019238

HIGHWAYS ACT 1980  
The Kent County Council  
Public Bridleway EB12 DOVER  
Public Path Creation and Definitive Map  
and Statement Modification Order 2012

Key

-|-|- Route to be created

..... Unaffiliated path

0 Kilometres

0 Miles

0.2

0.2

0.1

0.2

0.4

0.4

Countryside Access Service

PLEASE NOTE

This plan has been reduced and is not to scale

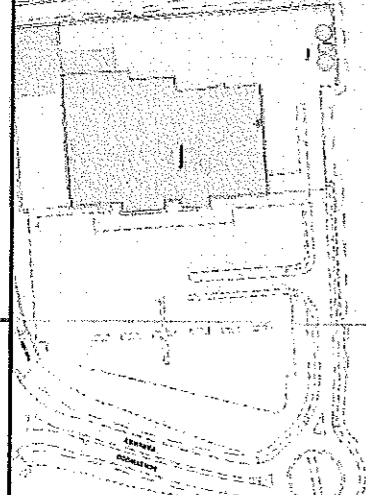
ER60

EB12

EB11

B

A



Water 10th September

**STATEMENT TO ACCOMPANY**  
**THE KENT COUNTY COUNCIL**  
**(PUBLIC BRIDLEWAY EB12 DOVER)**  
**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 upgrade existing Public Footpath EB12 to that of Public Bridleway status 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 route is needed for public use as the proposed new route is in the interests of the landowners and the public and will be substantially more convenient than the existing of public footpath.

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 **6<sup>th</sup> 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.

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

**Date:** 7<sup>th</sup> July 2012