

IN THE DISTRICT OF SEVENOAKS
NOTICE OF PUBLIC PATH ORDERS
HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981

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

(2) THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATH SR568 (PART) HEVER) PUBLIC PATH EXTINGUISHMENT AND
DEFINITIVE MAP AND STATEMENT ORDER 2019

(3) THE KENT COUNTY COUNCIL
(THE KENT COUNTY COUNCIL SR568 HEVER) PUBLIC PATH CREATION AND
DEFINITIVE MAP AND STATEMENT ORDER 2019

The above Orders were made on the 9th September 2019 under sections 119, 118 and 26 of the Highways Act 1980.

The effect of Order (1) 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 an easterly direction for 362 metres to NGR TQ 4671 4708; and
- 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 west-north-westerly direction for 210 metres, and then in a northerly direction for 70 metres to its connection with Public Footpaths SR563 and SR604.

And to **provide**:

- a new length of **Public Footpath numbered SR563**, with a width of 2 metres, commencing at the aforementioned point at NGR TQ 4671 4708 and then running in a south-westerly direction for 20 metres to cross the farm accommodation bridge to then turn immediately northwards for 22 metres to then run along the southern side of the field boundary in a west-north-westerly direction for 330 metres to a new junction with Public Footpath SR559A to the south of the railway crossing; and
- 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 and then running in a northerly direction for 60 metres on the western side of the boundary hedge and then running around the southern boundary of the pond in a west-north-westerly through north-north-westerly through north-north-easterly direction for 60 metres to connect with Public Footpath SR563 at a point 90 metres to the west of its junction of Public Footpath SR559A.

The effect of Order (2) will be to **extinguish** the entire width of that length of Public Footpath numbered SR568 commencing from its junction with Public Footpath SR559 (at NGR TQ 4624 4689) and running eastwards for 210 metres, then southwards for 344 metres to NGR TQ 4650 4645.

The effect of Order (3) will be to **create** a new length of Public Footpath numbered SR568, with a width of two metres (the eastern edge of which is to be measured 3 metres from the river bank), commencing from a point which lies 40 metres to the north of the existing junction of Public Footpath SR568 and Public Footpath SR507A and running along the

western side of the river in a north through north-north-easterly direction for 750 metres to connect with Public Footpath SR563.

All distances are approximate, all directions are general.

A copy of the Orders and Maps may be seen free of charge at the offices of Sevenoaks District Council Argyle Road Sevenoaks TN13 1HG or at Kent County Council, Growth Environment and Transport, Invicta House, County Hall, Maidstone, Kent ME14 1XX. Copies of the Orders and maps may also be bought there at a cost of £10.00 per Order.

Any representation about or objection to the orders may be sent or delivered in writing to Mr Chris Wade at Kent County Council (address as below) no later than the Monday 21st October 2019. Please state the grounds on which it is made.

If no such representations or objections are duly made, or if any so made are withdrawn, the Kent County Council may confirm the Orders as an unopposed Orders. If the Orders are 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 Orders.

**PROW and Access Service
Kent County Council
Invicta House
County Hall
Maidstone
Kent ME14 1XX**



DATED: Thursday 19th September 2019

STATEMENT TO ACCOMPANY

KENT COUNTY COUNCIL

- (a) (PUBLIC FOOTPATH SR563(PART)HEVER AND SR622 EDENBRIDGE)
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT ORDER 2019.**
- (b) (PUBLIC FOOTPATH SR568 (PART) HEVER) PUBLIC PATH EXTINGUISHMENT AND
DEFINITIVE MAP AND STATEMENT ORDER 2019**
- (c) (THE KENT COUNTY COUNCIL SR568 HEVER) PUBLIC PATH CREATION AND DEFINITIVE
MAP AND STATEMENT ORDER 2019**

THIS STATEMENT DOES NOT FORM PART OF THE ORDER

Under the Highways Act 1980, the County Council has the power to make Orders to divert, create and, extinguish Public Footpaths, Bridleways and Restricted Byways. Legislation affecting this proposal is contained within sections 119, 26 and 118 of the Highways Act 1980.

The proposal has been made by the applicant on the basis it would be in his interest given the change to the field boundaries over time and the current layout of the fields, the footpaths are not logical or practical anymore. The proposals will create more efficient use of the land and it will make it easier to work the land within the environmental scheme the applicant wishes to operate. Fewer passes and turns will be required by his machines working the land, causing less disturbance and pollution. By moving the footpaths from Cross-field to headland would allow the applicant to create better access and safer routes for both farmworkers and users of the paths. The proposal to divert SR563 will also overcome difficulties for the public whereby the present line of the path is currently unavailable to use due to a defective footbridge. The applicant has agreed to move this path on to his nearby farm accommodation bridge as part of these proposals. The proposal to divert Public Footpath SR622 will also overcome longstanding problems for the public at Medhurst Row and formalise a link that has been sought for many years. The County has therefore made an Order to divert these two paths on the basis it is expedient in the interests of the landowner.

It should be noted, that whilst the applicant applied to divert Public Footpath SR568 this could not be achieved by way of the Diversion Order process set out within Section 119 of the Highways Act 1980 and instead will have to be achieved by the making of a concurrent Extinguishment and a Creation Order under Section 118 and Section 26 respectively. The proposed new path, would in the County Council's view, provide a very useful link to the local network and benefit those users who are wishing to progress in more northerly or southerly directions to and from SR560.

The Kent County Council has therefore made concurrent Orders to Extinguish part of the original route of Public Footpath SR568, and to Create a new length of Public Footpath. This statement has been prepared to explain various aspects of the Orders.

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

Persons considering objecting or making representations relating to the Orders are invited to discuss their concerns with the Case Officer, Mr Chris Wade, on 03000 413475.

Objections or representations relating to the Orders must be made in writing to Mr. Chris Wade at the address below or by email to chris.wade@kent.gov.uk no later than 21 October 2019.

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. It should also be noted that any correspondence may come into the public domain.

If any objections are made and not withdrawn, the Council may refer the Orders 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 Orders itself, but it has no power to modify Orders.

Kent County Council PROW and Access Service
Invicta House, County Hall, Maidstone, Kent ME14 1XX
19th September 2019

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

6108-716



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:

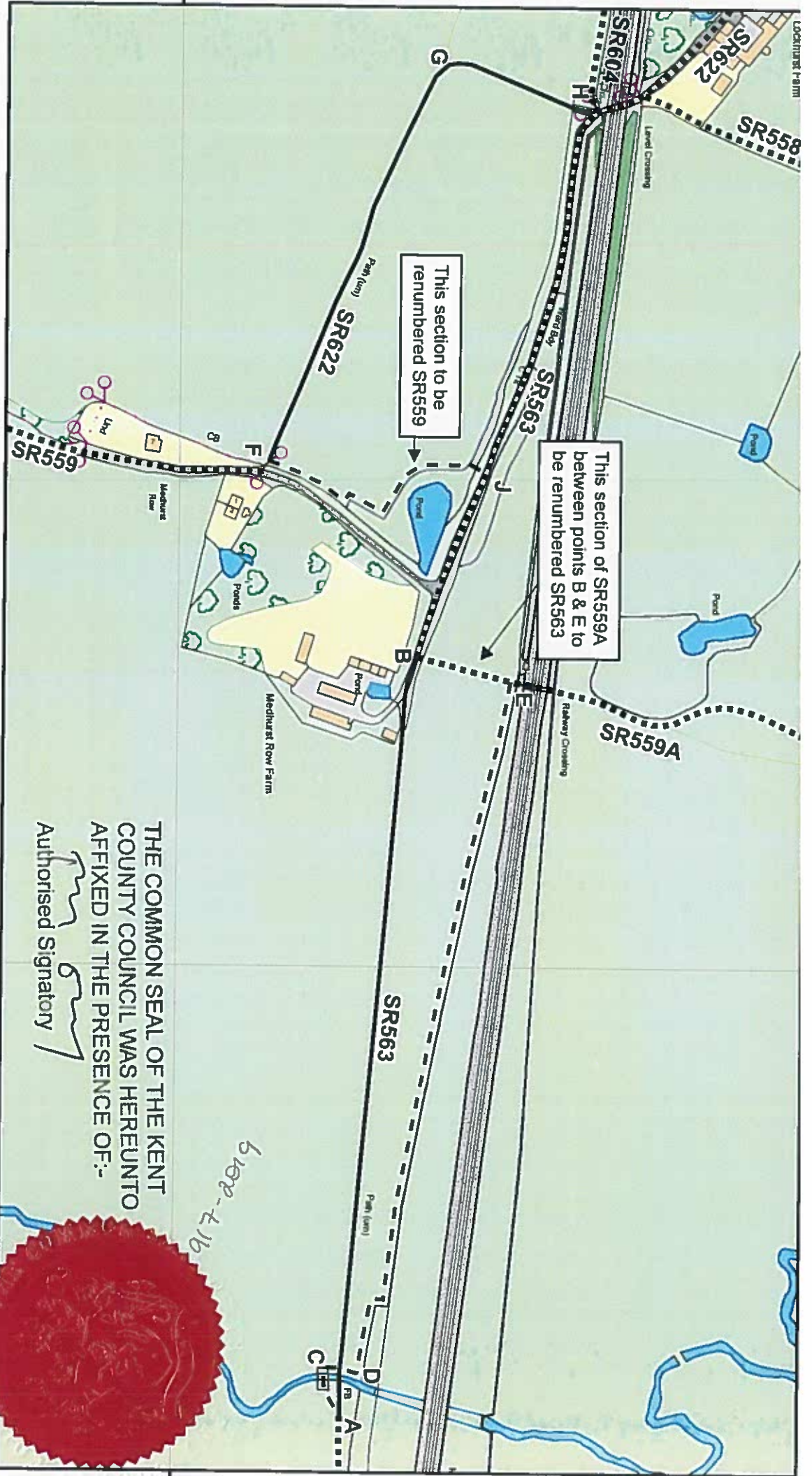
Part added, in the vicinity of Medhurst Row Farm, by the Kent County Council (Public Footpath SR563 (part) Hever and SR622 Edenbridge) Public Path Diversion and Definitive Map and Statement Modification Order 2019, with a width of 2 metres for the new length of path.

The connections item is amended as follows:

Delete: SR622

Add: SR563

**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**



THE COMMON SEAL OF THE KENT COUNTY COUNCIL WAS HEREU TO AFFIXED IN THE PRESENCE OF:-
 Authorised Signatory

6102-716



- Route to be extinguished
 - - - Route to be created
 - Unaffected routes
- Public Rights of Way and Access Service

Wildlife & Countryside Act 1981
 Highways Act 1980
 The Kent County Council
 (Public Footpath SR622, Edenbridge and SR653 (part), Hever) Public Path Diversion and Definitive Map & Statement Modification Order 2019



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Created by: NB Checked by: CJW Reference: SR622/SR563

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147000

IN THE DISTRICT OF SEVENOAKS

**HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981
THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATH SR568 (PART) HEVER)
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 004 TQ44NE) 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 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 extinguishment (as authorised by this Order) of a highway shown or required to be shown in the map and statement.

Sevenoaks 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 Hever 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 twenty-eight days from the date of confirmation, and thereupon the Definitive Map for the County of Kent (Map Sheet 004 TQ44NE) 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 004 TQ44NE) shall be modified as described in Part II 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 PATH TO BE EXTINGUISHED

The entire width of that length of Public Footpath SR568, commencing from its junction with Public Footpath SR559 (at NGR TQ 4624 4689) and running generally eastwards for approximately 210 metres, then generally southwards for approximately 344 metres to NGR TQ 4650 4645, as shown between the points B and A on the Order Plan.

PART II: MODIFICATION OF DEFINITIVE STATEMENT

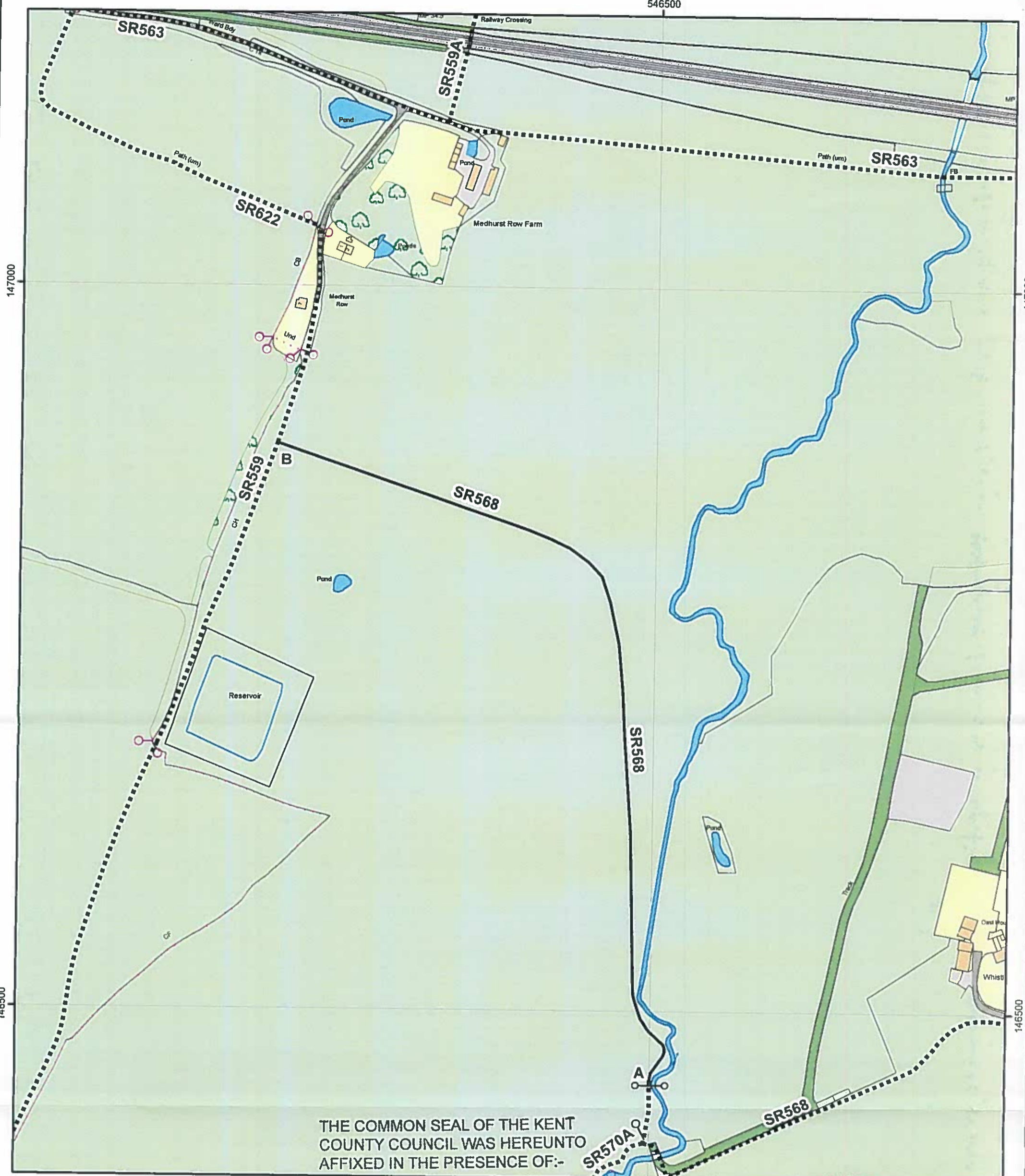
The entry for Public Footpath SR568 is modified by the addition of the following:

Part extinguished by the Kent County Council (Public Footpath SR568 (part) Edenbridge) Public Path Extinguishment and Definitive Map and Statement Modification Order 2019.

The connections item is amended as follows:

Delete: SR559.

**HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981
THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATH SR568 (PART) EDENBRIDGE)
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:-

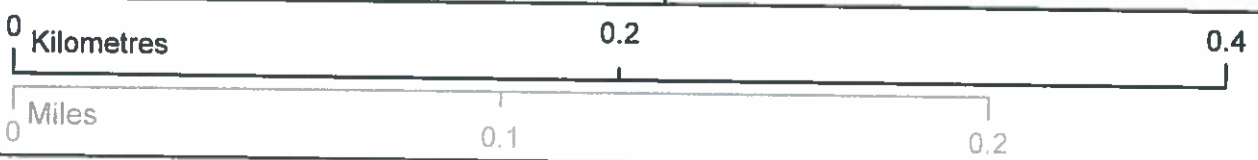
[Signature]
 Authorised Signatory

Wildlife & Countryside Act 1981
Highways Act 1980
The Kent County Council
(Public Footpath SR568 (part), Hever)
Public Path Extinguishment and Definitive
Map & Statement Modification Order 2019

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Key
 ——— Route to be extinguished
 Unaffected routes



Created by: NB Checked by: CJW
 Reference: SR568/Proposed Extinguishment



1:2,500

IN THE DISTRICT OF SEVENOAKS

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

**THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATH SR568 HEVER)
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 004 TQ44NE) 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 004 TQ44NE) 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.

Sevenoaks 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 in the parish of Hever 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 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 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 004 TQ44NE) shall be modified as described in part II of the schedule to the 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 NEW PATH OR WAY

A new length of Public Footpath numbered SR568, with a width of two metres (the eastern edge of which is to be measured 3 metres from the river bank), commencing from a point which lies approximately 40 metres to the north of the existing junction of Public Footpath SR568 and Public Footpath SR507A and running along the western side of the river in a generally north through north-north-easterly direction for approximately 750 metres to connect with Public Footpath SR563, as shown between the points A and B on the Order Plan.

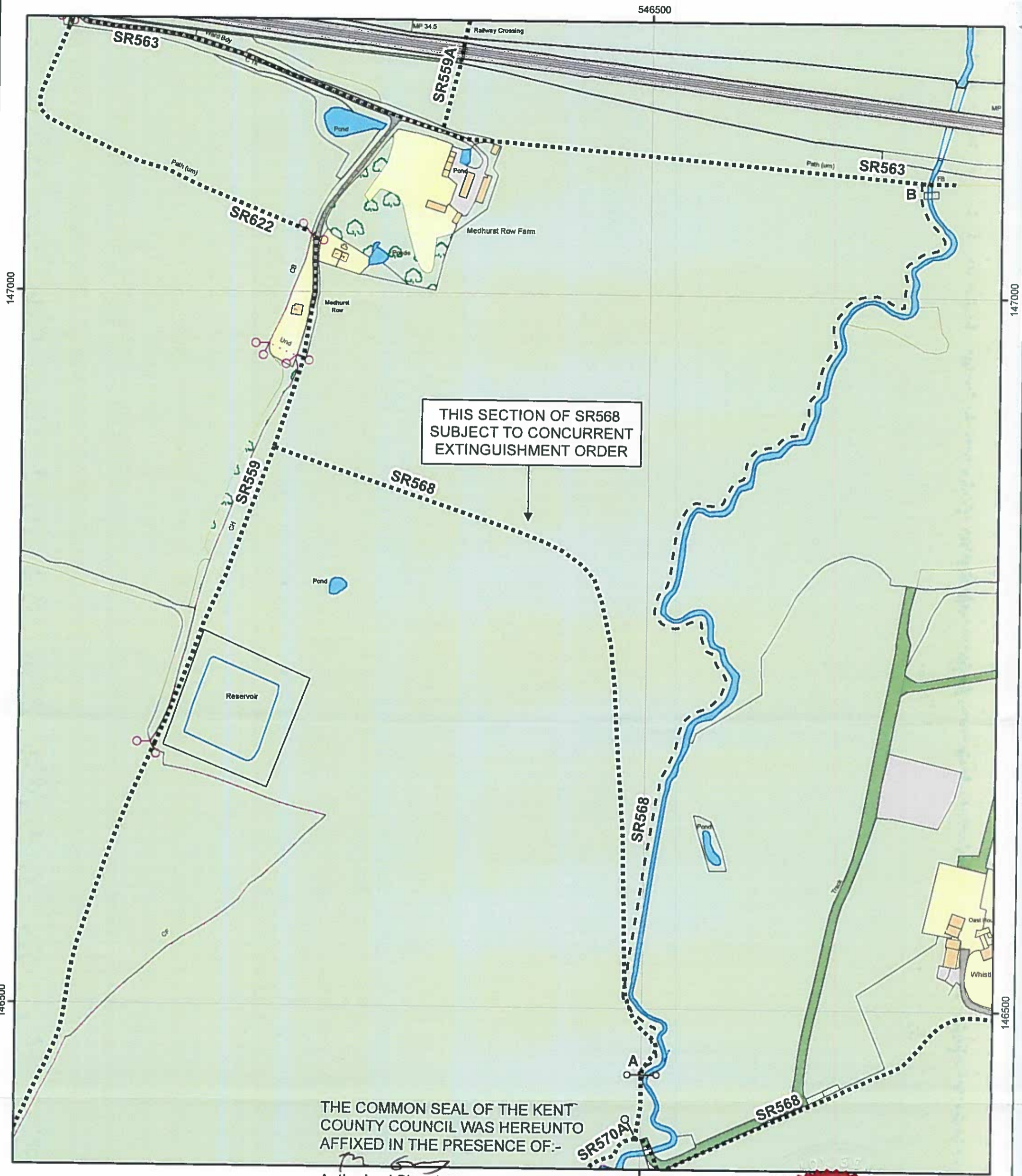
PART II: MODIFICATION OF DEFINITIVE STATEMENT

The entry for Public Footpath SR568 is modified by the addition of the following:

A further length was added by the Kent County Council (Public Footpath SR568 (Hever) Public Path Creation and Definitive Map and Statement Modification Order 2019. The new length of path will have a width of 2 metres, the eastern edge of which is to be measured 3 metres from the riverbank.

The connections item is amended as follows:
Add: SR563

**HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981
THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATH SR568 HEVER)
PUBLIC PATH CREATION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2019**



THIS SECTION OF SR568
SUBJECT TO CONCURRENT
EXTINGUISHMENT ORDER

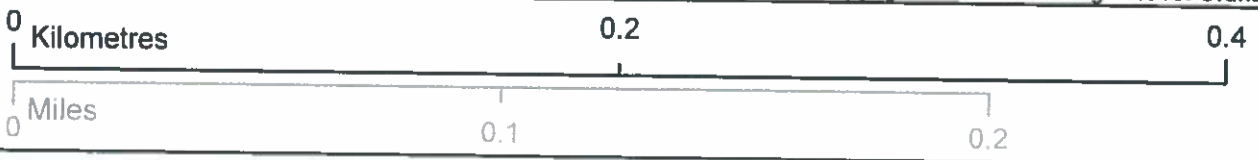
THE COMMON SEAL OF THE KENT
COUNTY COUNCIL WAS HEREUNTO
AFFIXED IN THE PRESENCE OF:-

M. G. S.
Authorised Signatory

Key	
---	Route to be created
.....	Unaffected routes

Wildlife & Countryside Act 1981
Highways Act 1980
The Kent County Council
Public Footpath SR568 (Hever)
Public Path Creation and Definitive
Map & Statement Modification Order 2019

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Created by:	NB	Checked by:	CJW
Reference:	SR568/Proposed Creation		

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