

IN THE DISTRICT OF DOVER
NOTICE OF MODIFICATION ORDER
WILDLIFE AND COUNTRYSIDE ACT 1981
DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF KENT
THE KENT COUNTY COUNCIL
(BRIDLEWAY EE451 AT RIPPLE)
DEFINITIVE MAP MODIFICATION ORDER 2020

The above Order was made on 15th September 2020 under section 53 of the Wildlife and Countryside Act 1981. If confirmed, it will modify the Definitive Map and Statement for the area by upgrading to Bridleway status the entire length of Public Footpath EE451 between its junction with Winklands Oaks Lane and Ringwoud Road. The Brideway will have a recorded width of 3 metres for the unenclosed section between its junction with Winklands Oaks Lane and the northern end of Hangman's Lane, and a width of 5 metres for the enclosed section known as Hangman's Lane.

A copy of the Order and the Map may be seen free of charge at the offices of Dover District Council, Council Offices, White Cliffs Business Park, Dover CT16 3PJ by appointment only: please telephone 01304 821199 to make an appointment. The documents may also be viewed online at www.kent.gov.uk/prownotices. Copies may be obtained on request by contacting the case officer at melanie.mcneir@kent.gov.uk or on 03000 413421.

Any representations or objections relating to the Order must be sent in writing to Ms. Melanie McNeir, preferably by email to melanie.mcneir@kent.gov.uk or alternatively to the address below, no later than Monday 21st December 2020. 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If no such representations or objections are duly made to the Order (or to any part of it), or if any so made are withdrawn, the Kent County Council, instead of submitting the Order to the Secretary of State (or part of it if the Authority has by Notice to the Secretary of State so elected under paragraph 5 of schedule 15 to the Wildlife and Countryside Act 1981) may itself confirm the Order (or that part of the Order). If the Order is sent to the Secretary of State for the Environment (in whole or in part), any representations or objections which have been duly made and not been withdrawn will be sent with it.

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



DATE: Friday 6th November 2020

This document is available in alternative formats and can be explained in a range of languages.

IN THE DISTRICT OF DOVER
WILDLIFE AND COUNTRYSIDE ACT 1981
DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF KENT

MAP SHEETS 174 [TR34NW] AND 176 [TR34NE]

THE KENT COUNTY COUNCIL
(BRIDLEWAY EE451 AT RIPPLE)
DEFINITIVE MAP MODIFICATION ORDER 2020

This Order is made by the Kent County Council (“the Authority”) under section 53(2)(b) of the Wildlife and Countryside Act 1981 (“the Act”) because it appears to the Authority that Map Sheets 174 [TR34NW] and 176 [TR34NE] of the Definitive Map and Statement for the County of Kent require modification in consequence of the occurrence of an event specified in section 53(3)(c)(ii) of the Act, namely the discovery of evidence by the Authority which shows that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description.

The Authority has consulted with every local authority whose area includes the land to which the Order relates.

The Kent County Council hereby orders that:

1. For the purpose of this Order the relevant date is 1st September 2020.
2. Sheets 174 [TR34NW] and 176 [TR34NE] of the Definitive Map for the County of Kent and its associated Statement shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to this Order.
3. This Order shall take effect on the date it is confirmed and may be cited as the “*The Kent County Council (Bridleway EE451 at Ripple) Definitive Map Modification Order 2020*”.

GIVEN UNDER THE SEAL OF THE KENT COUNTY COUNCIL THIS 15th **DAY OF**
SEPTEMBER IN THE YEAR TWO THOUSAND AND TWENTY.

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


.....
AUTHORISED SIGNATORY



706-2020

SCHEDULE

PART I: MODIFICATION OF DEFINITIVE MAP

Description of path to be modified

The effect of the Order is to upgrade to Bridleway status the entire length of Public Footpath EE451, which commences at its junction with Winklands Oaks Lane at NGR 3420 4817 and runs in a generally easterly through south-easterly direction for approximately 758 metres to a crossing over the Dover to Deal Railway Line at NGR TR 3492 4807, then continuing in a generally south-easterly direction for approximately 277 metres to its junction with Ringwould Road at NGR TR 3517 4795.

The route has a width of 3 metres for the unenclosed section between its junction with Winklands Oaks Lane and the northern end of Hangman's Lane (points A and X on the Order plan) and a width of 5 metres for the enclosed section known as Hangman's Lane (points X to C on the Order plan).

PART II: MODIFICATION OF DEFINITIVE STATEMENT

The entry for Footpath EE451 on the Definitive Statement for Map Sheet 174 is amended as follows:

Delete 'Footpath' and substitute with 'Bridleway'

Delete 'D1937' in the connections item and substitute with 'Winklands Oaks Lane'

Delete 'Has a recorded width of 3-4 feet on eastern side of the railway'

Add 'Upgraded to Bridleway status by the Kent County Council (Bridleway EE451 at Ripple) Definitive Map Modification Order 2020, with a width of 3 metres for the unenclosed section between Winklands Oaks Lane and the northern end of Hangman's Lane, and a width of 5 metres for the enclosed section known as Hangman's Lane'.

The entry for Footpath EE451 on the Definitive Statement for Map Sheet 176 is amended as follows:

Delete 'Footpath' and substitute with 'Bridleway'

Delete '(D1939)' in the connections item (but retain 'Ringwould Road')

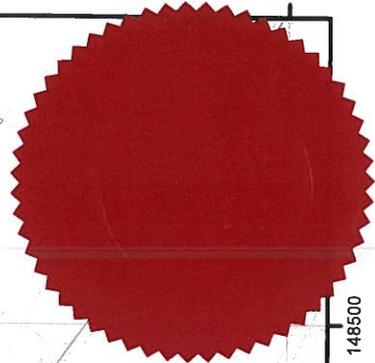
Add 'Upgraded to Bridleway status by the Kent County Council (Bridleway EE451 at Ripple) Definitive Map Modification Order 2020, with a width of 3 metres for the unenclosed section between Winklands Oaks Lane and the northern end of Hangman's Lane, and a width of 5 metres for the enclosed section known as Hangman's Lane'.

WILDLIFE AND COUNTRYSIDE ACT 1981

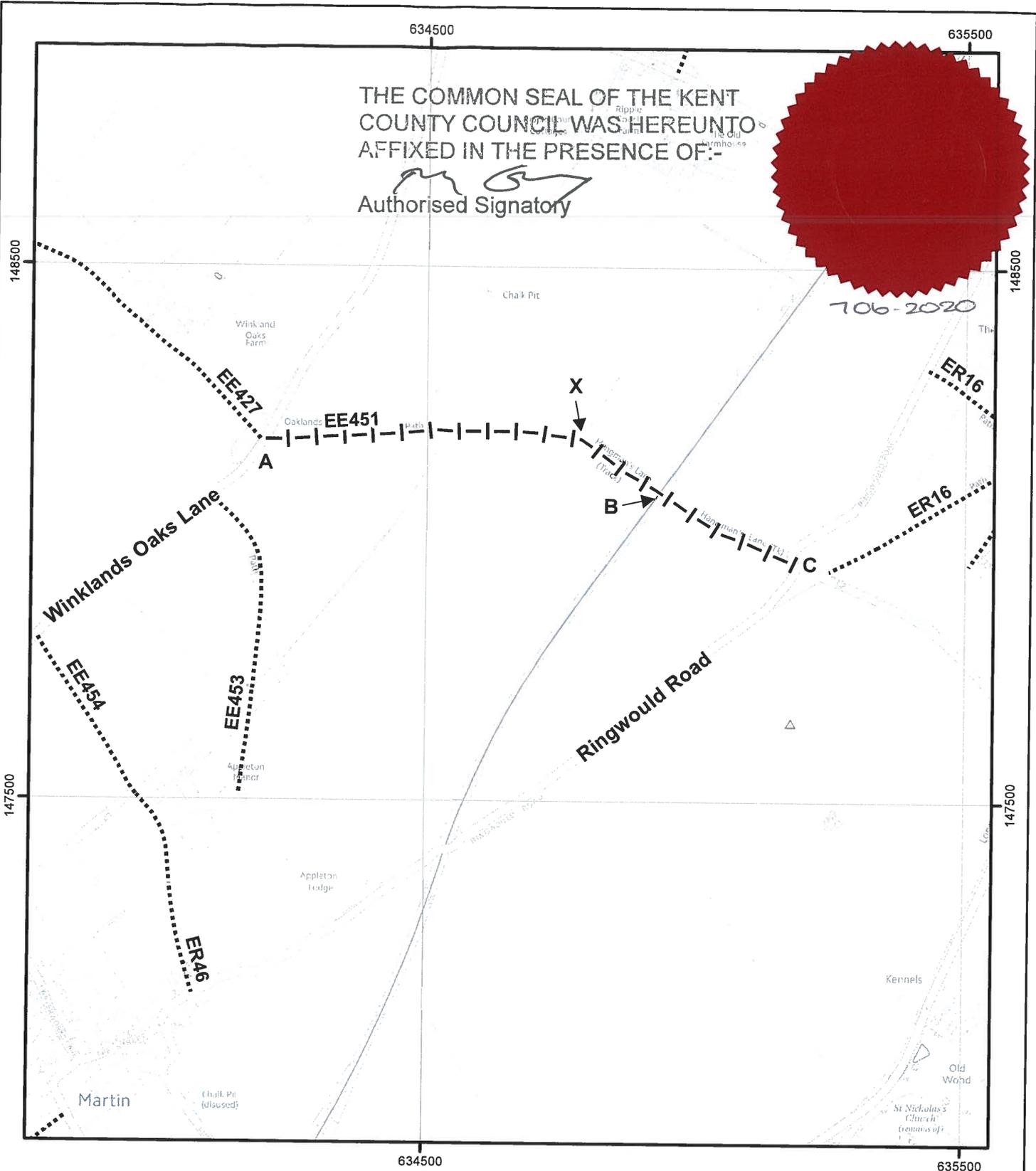
THE KENT COUNTY COUNCIL (BRIDLEWAY EE451 AT RIPPLE) DEFINITIVE MAP MODIFICATION ORDER 2020

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


 Authorised Signatory



706-2020



Key	
- - - -	Route to be upgraded to Bridleway status
.....	Unaffected Routes

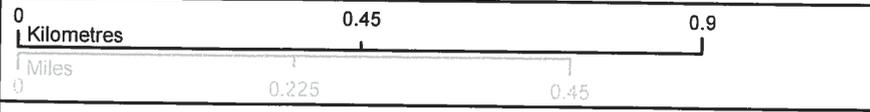
Wildlife and Countryside Act 1981
The Kent County Council
(Bridleway EE451 at Ripple)
Definitive Map Modification Order 2020

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Reference:	PROW/DO/C381		

Public Rights of Way and Access Service



STATEMENT TO ACCOMPANY

WILDLIFE AND COUNTRYSIDE ACT 1981 DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF KENT

THE KENT COUNTY COUNCIL (BRIDLEWAY EE451 AT RIPPLE) DEFINITIVE MAP MODIFICATION ORDER 2020

Under section 53(5) of the Wildlife and Countryside Act 1981 (“the 1981 Act”), anyone may make an application to the County Council for a modification to be made to the Definitive Map and/or Statement. Such an application might consist of a request to record a new Public Right of Way, to delete an existing Public Right of Way, to upgrade or downgrade the status of a route already shown on the map, or to amend any particulars contained within the statement accompanying the Definitive Map.

The 1981 Act states that the County Council may make a Definitive Map Modification Order (“DMMO”) to amend the status of a public right of way shown on the Definitive Map and Statement if it is considered, on the basis of evidence, that the route ‘ought’ to be shown at a different status.

In this case, the County Council received an application to upgrade Public Footpaths EE427 and EE451 at Sutton and Ripple to Bridleway status; the application was rejected on the basis that the evidence was insufficient to demonstrate that EE427 ‘ought’ to be upgraded to Bridleway status. However, on the basis of the evidence discovered as a result of the investigation of the application, the County Council has initiated its own DMMO to upgrade EE451 (also known as Hangmans Lane) to Bridleway status. A copy of the report, which sets out the matter in further detail, is available from the Public Rights of Way Officer on request.

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 Public Rights of Way Officer, Ms Melanie McNeir (telephone number 03000 413421).

Any representations or objections relating to the Order must be sent in writing to Ms. Melanie McNeir, preferably by email to melanie.mcneir@kent.gov.uk or alternatively by post to the PROW and Access Service, Kent County Council, Invicta House, County Hall, Maidstone, Kent ME14 1XX. They should state the grounds on which they are made and must be received no later than Monday 21st December 2020.

Please note that the right of an objection 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 or spurious objections.

If any objections are made and not withdrawn, the County Council will refer the Order and objections to the Secretary of State for the Environment, Food and Rural Affairs 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 County Council will confirm the Order itself, but it has no power to modify Orders.

**THIS STATEMENT DOES NOT CONSTITUTE PART OF THE ORDER
AND IS PURELY FOR INFORMATION ONLY**