

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 (FOOTPATH EE487 AT GOODNESTONE)
DEFINITIVE MAP MODIFICATION ORDER 2018**

The above Order was made on 23rd May 2018 under section 53 of the Wildlife and Countryside Act 1981. If confirmed, it will modify the Definitive Map and Statement for the area by adding a footpath with a width of 1.5 metres which commences on Thornton Road at NGR TR 2737 5276 and runs north-east for 962 metres to its connection with Knowlton Lane at NGR TR 2796 5351.

All distances are approximate, all directions are general.

A copy of the Order and Map may be seen free of charge during normal office hours at the offices of Dover District Council, The Council Offices, White Cliffs Business Park, Dover, Kent, CT16 3PG or at the Kent County Council, PROW & Access Service, Invicta House, County Hall, Maidstone, Kent ME14 1XX. Copies of the Order and Map may also be purchased there at the price of £10.

Any representation about or objection to the Order must be sent or delivered in writing to Mrs Maria McLauchlan at the Kent County Council (address as below) no later than 27th July 2018. 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If no such representations or objections are duly made to the Order (or to any part of it), or if any so made are withdrawn, the Kent County Council, instead of submitting the Order to the Secretary of State (or part of it if the Authority has by Notice to the Secretary of State so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for the Environment (in whole or in part), any representations or objections which have been duly made and not been withdrawn will be sent with it.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 & Access Service, Kent County Council,
Invicta House, County Hall, Maidstone, Kent, ME14 1XX**

Date: 15th June 2018



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

This Notice can be removed after 27th July 2018

IN THE DISTRICT OF DOVER
WILDLIFE AND COUNTRYSIDE ACT 1981
DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF KENT
MAP SHEET 165 (TR25SE)

THE KENT COUNTY COUNCIL (FOOTPATH EE487 AT GOODNESTONE)
DEFINITIVE MAP MODIFICATION ORDER 2018

This Order is made by the Kent County Council ("the Authority") under section 53(2)(a) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to the Authority that map sheet 165 (TR25SE) of the Definitive Map and Statement for the County of Kent requires modification in consequence of the occurrence of an event specified in section 53(3)(c)(i), namely the discovery of evidence by the Authority which shows that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way to such that the land over which the right subsists is a public path or a restricted byway or, subject to section 54A, a Byway Open to All Traffic.

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 First day of May 2018.
2. Sheet 165 (TR25SE) 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 (Footpath EE487 at Goodnestone) Definitive Map Modification Order 2018*".

GIVEN UNDER THE SEAL OF THE KENT COUNTY COUNCIL THIS 23rd DAY OF MAY IN THE YEAR TWO THOUSAND AND EIGHTEEN

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

DJ Burring *DENISE J BARRING*

AUTHORISED SIGNATORY



SCHEDULE

PART I: MODIFICATION OF DEFINITIVE MAP

Description of path(s) to be added

The effect of the Order is to add a public footpath numbered EE487 with a width of 1.5 metres, which commences on Thornton Road at NGR TR 2737 5276 and runs generally north-east for approximately 962 metres to its connection with Knowlton Lane at NGR TR 2796 5351.

PART II: MODIFICATION OF DEFINITIVE STATEMENT

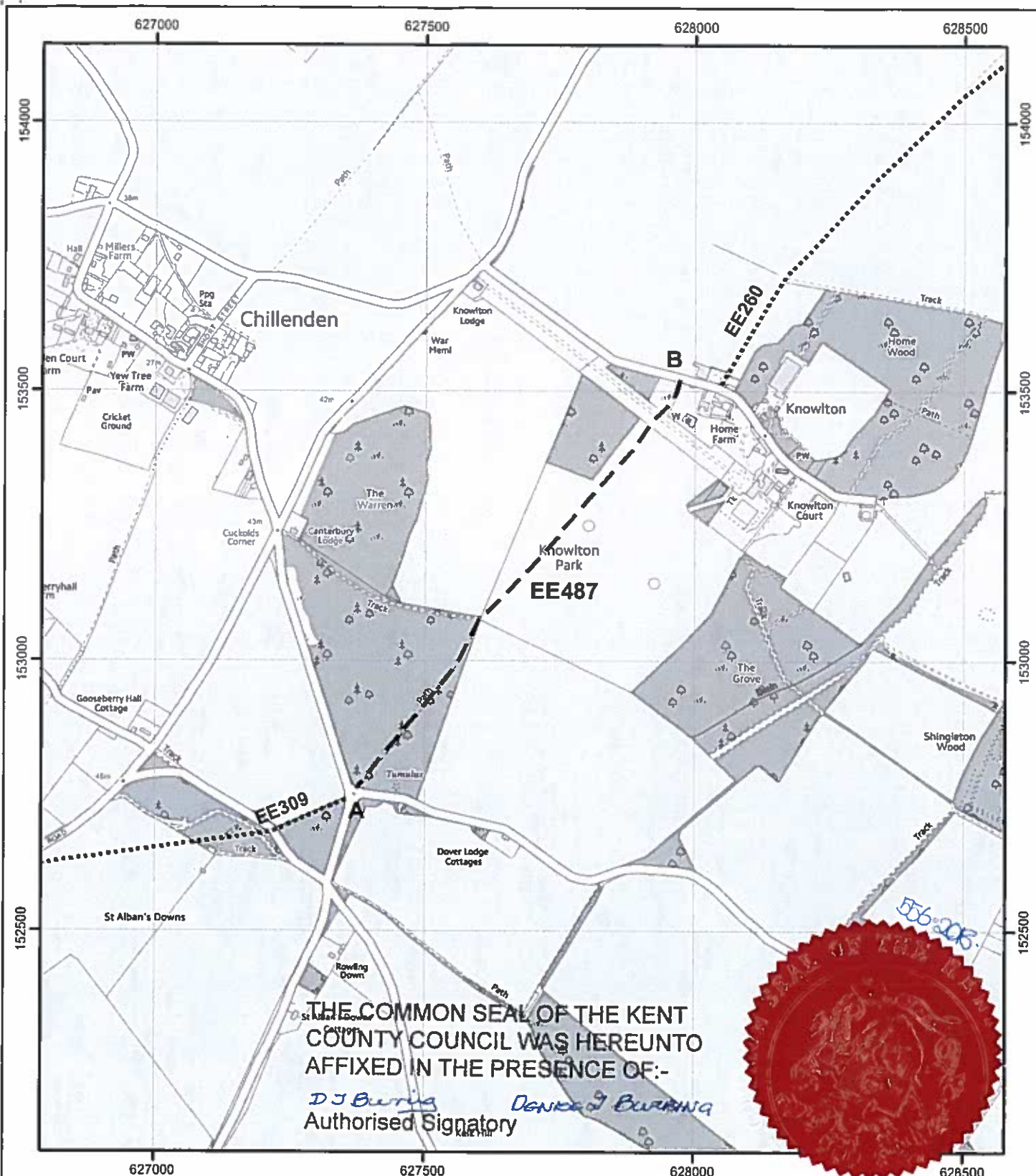
A new entry is added to the Definitive Statement as follows:

EE487 – Footpath
Connections – Thornton Road, Knowlton Lane

Added by The Kent County Council (Footpath EE487 at Goodnestone) Definitive Map Modification Order 2018 with a width of 1.5 metres.

WILDLIFE AND COUNTRYSIDE ACT 1981

**THE KENT COUNTY COUNCIL (FOOTPATH EE487 AT GOODNESTONE)
DEFINITIVE MAP MODIFICATION ORDER 2018**



THE COMMON SEAL OF THE KENT COUNTY COUNCIL WAS HEREUNTO AFFIXED IN THE PRESENCE OF:-
D J Burgess *DENISE J BURGESS*
 Authorised Signatory



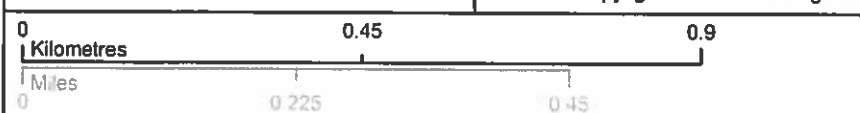
| | |
|------------|-------------------|
| Key | |
| ----- | Route to be Added |
| | Unaffected Routes |

Wildlife & Countryside Act 1981
The Kent County Council
(Footpath EE487 at Goodnestone)
Definitive Map Modification Order 2018

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| Created by: MMCL | Checked by: CW |
| Reference: | PROW/DO/107X |

Public Rights of Way and Access Service



STATEMENT TO ACCOMPANY

WILDLIFE AND COUNTRYSIDE ACT 1981 THE KENT COUNTY COUNCIL (FOOTPATH EE487 AT GOODNESTONE) DEFINITIVE MAP MODIFICATION ORDER 2018

Section 53 of the Wildlife and Countryside Act 1981, states that where the County Council discovers evidence which, when considered with all other relevant evidence available to it, shows that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way to such that the land over which the right subsists is a public path or a restricted byway or, subject to section 54A, a Byway Open to All Traffic, it shall, by Order, make such modifications to the Map and Statement as appear requisite.

The 1981 Act states that the Highway Authority may make a Definitive Map Modification Order to add a public right of way to the Definitive Map and Statement if it is shown that the right of the public to use it is at least reasonably alleged to subsist.

The County Council has made this Definitive Map Modification Order on the basis of the failure to show the effect of an 1825 order diverting a public footpath running through the grounds of Knowlton Park. The reasons are set out in further detail in the delegated authority report which is available on request from the Public Rights of Way Officer at the address below.

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, Mrs Maria McLauchlan (telephone number 03000 413420).

Any representation about or objection to the Order must be sent or delivered in writing to Mrs Maria McLauchlan at Kent County Council, PROW & Access Service, 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 27th July 2018.

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**