

IN THE BOROUGH OF DARTFORD

AGENDA ITEM 6
4/3/15
PTE

NOTICE OF PUBLIC PATH ORDER

HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981

THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATH DS20 (PART) SWANSCOMBE AND GREENHITHE)
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2015

The above named Order made on 28th January 2015 under Section 119 of the Highways Act 1980 will divert the entire width of that length of Public Footpath DS20 which commences at grid reference TQ 6098 7377 and runs in a southerly direction for 31 metres (across what is now the access road to the Eastern Quarry development) to TQ 6100 7374, and will add a new length of Public Footpath with a width of 2 metres which commences at TQ 6098 7377 and runs for 3 metres in a south-westerly direction along an existing footway to a dropped kerb crossing point where it continues in a southerly direction for 13 metres across a new access road to join the footway on the opposite side, then continuing in a south-easterly through south-south-easterly direction for 16 metres to re-join the existing line of Public Footpath DS20 at TQ 6100 7374.

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 Dartford Borough Council, Civic Centre, Home Gardens, Dartford, Kent DA1 1DR or at the Kent County Council, PROW and Access Service, Invicta House, Maidstone, Kent, ME14 1XX, during office hours. Copies of the Order and Map may be purchased there at the price of £5.

Any representation about or objection to the Order may be sent in writing to the Case Officer, Ms. Melanie McNeir, at the Kent County Council (address as below) no later than Wednesday 11th March 2015. Please state the grounds on which they are made.

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If no such representations or objections are duly made, or if any so made are withdrawn, the Kent County Council may confirm the Order as an unopposed Order.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to the Secretary of State for the Environment for confirmation any representations and objections which have not been withdrawn will be sent with the Order.

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



Date: Friday 6th February 2015

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IN THE BOROUGH OF DARTFORD

HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981

THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATH DS20 (PART) SWANSCOMBE AND GREENHITHE)
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2015

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 owner of the land crossed by the footpath and the public it is expedient that the line of Public Footpath DS20 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 046 (TQ67SW)) 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.

Dartford Borough 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 Swanscombe and Greenhithe 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 from the date of confirmation of this Order, and thereupon the Definitive Map for the County of Kent (Map Sheet 046 (TQ67SW)) 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. There shall be from the date of confirmation of this Order a Public Footpath over the land situate at Swanscombe and Greenhithe described in Part II of the schedule and shown by a bold broken line on the Map contained in this Order, and thereupon the Definitive Map for the County of Kent (Map Sheet 046 (TQ67SW)) shall be modified by adding the path to it.
- 3A. The Definitive Statement for the County of Kent (Map Sheet 046 (TQ67SW)) shall be modified as described in Part IV of the schedule to this Order.

GIVEN UNDER THE SEAL OF THE KENT COUNTY COUNCIL THIS 28th DAY OF JANUARY IN THE YEAR TWO THOUSAND AND FIFTEEN.

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


.....
Authorised Signatory



SCHEDULE

PART I: DESCRIPTION OF SITE OF EXISTING PATH OR WAY

The entire width of that length of Public Footpath DS20 which commences at grid reference TQ 6098 7377 and runs in a generally southerly direction for 31 metres (across what is now the access road to the Eastern Quarry development) to TQ 6100 7374, as shown between points A and B on the Order plan.

PART II: DESCRIPTION OF SITE OF NEW PATH OR WAY

A new length of Public Footpath numbered DS20 with a width of 2 metres which commences at the previously described point A (TQ 6098 7377) and runs for approximately 3 metres in a generally south-westerly direction along an existing footway to a dropped kerb crossing point where it continues in a generally southerly direction for approximately 13 metres across a new access road to join the footway on the opposite side, then continuing in a generally south-easterly through south-south-easterly direction for approximately 16 metres to re-join the existing line of Public Footpath DS20 at TQ 6100 7374 (point B).

PART III: LIMITATIONS AND CONDITIONS

None

PART IV: MODIFICATION OF DEFINITIVE STATEMENT

The entry for Public Footpath DS20 is modified by the addition of the following:

Part diverted by the Kent County Council (Public Footpath DS20 (part) Swanscombe and Greenhithe) Public Path Diversion and Definitive Map and Statement Modification Order 2015 with a width of 2 metres for the new length of path.

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

**THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATH DS20 (PART) SWANSCOMBE AND GREENHITHE)
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2015**

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

Authorised Signatory

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Public Footpath DS20

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Key

-  Route to be diverted
-  New length of Footpath
-  Unaffected routes

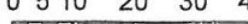
Highways Act 1980
Wildlife and Countryside Act 1981
Kent County Council
(Public Footpath DS20 (part) Southfleet)
Public Path Diversion and Definitive
Map Modification Order 2015

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Created by:

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Checked by:

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Reference:

PROW/DS20/0021/DA



STATEMENT TO ACCOMPANY

THE KENT COUNTY COUNCIL (PUBLIC FOOTPATH DS20 (PART) SWANSCOMBE AND GREENHITHE) PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2015

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 119 of the Highways Act 1980. The grounds for a diversion are that it is either in the interest of the owner/occupier of the land or of the public. It should, however, be noted that Section 119 also provides that the path or way will not be substantially less convenient to the public in consequence of the diversion and that it is expedient to confirm the Order having regard to the effect which the diversion would have on public enjoyment of the path or way as a whole. The Wildlife and Countryside Act 1981 amended the grounds by which a public path may be diverted.

The Kent County Council has made an Order to divert part of Public Footpath DS20 at Swanscombe and Greenhithe under section 119 of the Highways Act 1980. This statement has been prepared to explain various aspects of the Order.

The application, which has been made by Land Securities Ltd., seeks to make a very minor realignment to Public Footpath DS20 as a result of a recently constructed access road leading to a new development. Although the construction does not obstruct the line of the footpath, it is considered in the public interest to make the minor modification shown on the attached plan in order that the footpath crosses the access road at a slightly safer point where there are dropped kerbs to facilitate access. The diversion proposed is de minimus and, as such, it is not considered that it would have any impact upon the convenience or enjoyment of members of the public using the route.

The Order will come into force only after the County Council has confirmed the Order and certified that the new route has been brought into a fit condition for public use; 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 Case Officer, Ms. Melanie McNeir, on 03000 413421.

Objections or representations relating to the Order must be made in writing to Ms. Melanie McNeir at the address below or by email to melanie.mcneir@kent.gov.uk no later than Wednesday 11th March 2015.

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

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Graham Blew

From: david.munn@kent.gov.uk
Sent: 25 February 2015 08:38
To: audl17@dsl.pipex.com; Matthew.Balfour@kent.gov.uk
Cc: Clerk-wilmingtonpc@tiscali.co.uk; keithdpc@btinternet.com; beanparishcouncil@btinternet.com; Graham Blew; southfleetpc@aol.com; longfieldparishcouncil@btconnect.com
Subject: RE: PROW meeting held on 21st Oct
Attachments: Dartford and Gravesham 2014-15.xlsx; Bean Vegetation.pdf; Longfield Vegetation.pdf; Southfleet Vegetation.pdf; Sutton at Hone Vegetation.pdf; Swanscombe & Greenhithe Vegetation.pdf; Wilmington Vegetation.pdf

Dear all

Sorry about the delay in supplying this information.

Attached are the maps and schedule covering your parishes for vegetation clearance. If you wish, you may ask that we change the paths that are included in this fixed part of the schedule but I am afraid that it can only be on a 'one metre in, one metre out' basis – there are no spare funds to increase the length of path that can be included in the fixed schedule.

In addition to the fixed schedule we have an amount set aside for reactive cuts to clear paths that are reported by users during the growing season, so the schedule is not quite the full picture.

Yours sincerely

David Munn, West Kent Area Manager - Public Rights of Way & Access Service, Kent County Council, Growth Environment and Transport, Environment, Planning & Enforcement, Public Protection, 8 Abbey Wood Road, King's Hill, West Malling, Kent ME19 4YT, Tel: 03000 414121, Fax: 01732 220006, Mob: 07920 428452, www.kent.gov.uk/explorekent, www.kent.gov.uk/countrysideaccess, Please help to save paper by NOT printing this e-mail unless absolutely necessary.

From: Sutton-at-Hone & Hawley Parish Council [<mailto:audl17@dsl.pipex.com>]
Sent: 13 November 2014 08:38
To: Balfour, Matthew - MEM; Munn, David - GT EPE
Cc: Redden, Mrs - Wilmington Parish Council; 'Keith Holmes'; Bean Parish Council; Blew, Graham - Swanscombe & Greenhithe Parish Council; Hardings, Mrs - Southfleet Parish Council; Longfield Parish - BSS GL Parish Town Council
Subject: PROW meeting held on 21st Oct

Dear Cllr Balfour & Mr Munn

Following the PROW meeting held at Southfleet village hall on 21st Oct, we have now received the minutes/notes from that meeting.

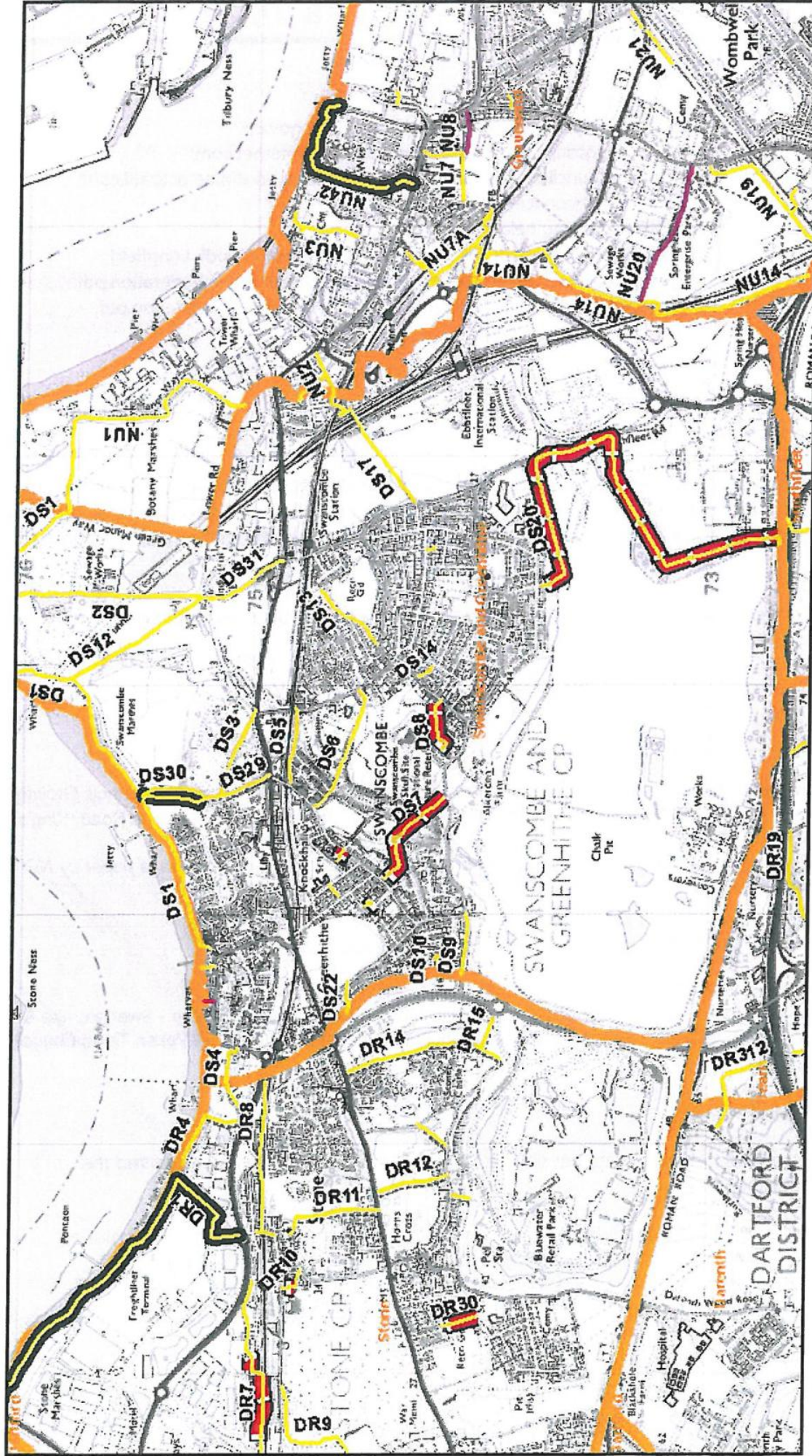
Would you please advise when the schedules and detail for next year's PROW cutting will be made available so that parishes can comment, as discussed at the meeting.

With regards

Kathryn Gale

Clerk to Sutton-at-Hone & Hawley Parish Council

53 Main Road, Sutton-at-Hone, Dartford, DA4 9HQ



Key

- Public Footpath
- Public Bridleway
- Restricted Byway
- Byway Open to All Traffic

Swanscombe & Greenhithe Parish - Vegetation Clearance

Please note: this map extract is not a legal record of the alignment or existence of a public right of way. No measurements should be taken from it.



Created by:	DM
Checked by:	DM
Issue Date:	23-02-15
Reference:	Vegetation

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PATH No	PARISH	TYPE	CUTS	CUTS	LENGTH	COMMENTS	Ref
DR25	Bean	FP	2	3	700		KW/DG/1
NS185	Cobham	FP	2	3	180	Two sections	KW/DG/5
NS315	Cobham	BR	2	3	575		KW/DG/8
DR44	Darenth	FP	2	3	22		KW/DG/12
DB1	Dartford	FP	2	3	428	Section through trading estate	KW/DG/14
DB6	Dartford	RUJPP	2	3	155		KW/DG/16
DB18	Dartford	FP	2	3	277		KW/DG/17
DB21	Dartford	FP	2	3	49	At Princes Road	KW/DG/18
DB22	Dartford	FP	2	3	38	Entrance opposite DB21	KW/DG/19
DB27	Dartford	FP	2	3	533		KW/DG/20
DB32	Dartford	FP	2	3	72		KW/DG/21
DB47	Dartford	FP	2	3	354		KW/DG/22
NG14	Gravesend	FP	2	3	714		KW/DG/25
NG18	Gravesend	FP	2	3	221		KW/DG/26
NU25	Gravesend	FP	2	3	169		KW/DG/28
NS144	Higham	FP	2	3	505	Beside railway and north/south section	KW/DG/36
NS145	Higham	FP	2	3	226		KW/DG/37
NS156	Higham	FP	2	3	720	Both sides of railway	KW/DG/41
DN22	Longfield	FP	2	3	355		KW/DG/42
DN38	Longfield	FP	2	3	50		KW/DG/43
NS173A	Meopham	FP	2	3	214		KW/DG/46
NS253	Meopham	FP	2	3	223		KW/DG/51
NS258	Meopham	FP	2	3	126		KW/DG/53
NS275	Meopham	FP	2	3	108		KW/DG/59
NS276	Meopham	FP	2	3	50	Headland section at W end	KW/DG/60
NS157	Shorne	FP	2	3	260	Clear whole width to fence	KW/DG/63
NS158	Shorne	FP	2	3	5	Clear around fingerpost	KW/DG/64
NS160	Shorne	FP	2	3	91	Fenced section	KW/DG/65
NS162	Shorne	FP	2	3	182		KW/DG/66
NS163	Shorne	FP	2	3	361		KW/DG/67
NS166	Shorne	FP	2	3	64		KW/DG/68
NS168	Shorne	FP	2	3	384	Two sections	KW/DG/71

DR139	Southfleet	FP	3	3	220	KW/DG/75
DR3	Stone	FP	2	3	119	KW/DG/77
DR7	Stone	FP	2	3	356	Two sections
DR8	Stone	FP	2	3	520	
DR10	Stone	FP	2	3	46	
DR17	Stone	FP	2	3	390	
DR30	Stone	FP	2	3	144	
DR38	Sutton at Hone	FP	2	3	400	
DR39	Sutton at Hone	FP	2	3	460	Both sides of road
DR49	Sutton at Hone	FP	2	3	334	Two sections
DR50	Sutton at Hone	FP	2	3	214	
DR52	Sutton at Hone	FP	2	3	176	
DR94	Sutton at Hone	FP	2	3	572	
DR95	Sutton at Hone	FP	2	3	505	
DR96	Sutton at Hone	FP	2	3	234	
DR120	Sutton at Hone	FP	2	3	516	
DS6	Swanscombe	FP	2	3	504	
DS7	Swanscombe	FP	2	3	475	
DS8	Swanscombe	FP	2	3	232	
DB39	Wilmington	FP	2	3	480	
DR109	Wilmington	BR	2	3	200	
DR110	Wilmington	FP	2	3	403	
DR112	Wilmington	FP	2	3	112	
DR118	Wilmington	RUPP	2	3	213	
DR119	Wilmington	FP	2	3	54	
DR124	Wilmington	FP	3	3	278	
DR133	Southfleet	FP	3	3	719	
DR107	Wilmington	FP	3	3	157	
DR22	Bean	Foot	2	3	132	From High Street to Drudgeon Way
DR23	Bean	Foot	2	3	284	Enclosed path - High Street to School Lane
NS191	Cobham	Foot	2	3	120	
NS192	Cobham	Foot	2	3	360	
NS192	Cobham	Foot	2	3	110	

DR34	Darenth	Foot	2	3	210	Whole length of enclosed path	KW/DG/118
DB7	Dartford	Foot	2	3	230	Cut overhanging vegetation - used by commuters	KW/DG/119
DB12	Dartford	Foot	2	3	170		KW/DG/120
NG2	Gravesend	Foot	2	3	180		KW/DG/121
NU21	Gravesend	Foot	2	3	175		KW/DG/122
NS149	Highham	Foot	2	3	5	Clear around stile at roadside	KW/DG/123
NS150	Highham	Foot	2	3	150		KW/DG/124
NS184	Higham	Foot	2	3	150	Enclosed path off School Lane	KW/DG/125
DN37	Longfield	Foot	2	3	120		KW/DG/126
DN39	Longfield	Foot	2	3	300	Longfield Ave to Fawkham avenue	KW/DG/127
DR171	Longfield	Foot	2	3	120		KW/DG/129
DR211	Longfield	Foot	2	3	160		KW/DG/130
NU10	Northfleet	Foot	2	3	65		KW/DG/136
NU24	Northfleet	Brid	2	3	340		KW/DG/138
NS273	Meopham	Foot	2	3	50		KW/DG/135
DR115		Foot	2	3	140	Burnt House Lane to Ash Road	KW/DG/141
DS13	Swanscombe	Foot	2	3	100		KW/DG/142
DB24	Swanscombe	Foot	2	3	60	Knockhall Road to Abbey Road	KW/DG/143
DS25	Swanscombe	Foot	2	3	30		KW/DG/144
DR118A	Wilmington	Foot	2	3	190		KW/DG/145
DVP	Sutton at Hone	Foot	2	3	1080		KW/DG/146
Total length at 1 cut					22475		
Total length at 2 cuts					44950		
Total length at 3 cuts					67425		

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