STATEMENT TO ACCOMPANY
THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATH DR1 (PARTS), STONE)
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2014

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 parts of Public Footpath DR1 under The Highways Act 1980, Section 119. This statement has been prepared to explain various aspects of the Order.

The application has been made by the County Council to achieve objectives contained within its Countryside Access Improvement Plan. Specifically this relates to the provision of improved recreational opportunities along the South bank of the River Thames, primarily for the enjoyment of existing and new local residents.

The Kent County Council is satisfied that the proposed new route is in the interests of the public and will not be substantially less convenient, nor will any enjoyment be lost by the diversion.

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 25th August 2014.
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.

Details of the diversion as mentioned above can be found on the attached plans 1 and 2.

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

Date: 11th July 2014