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 26 of The Highways Act 1980. The grounds for a creation are that it appears to the Highway Authority that there is a need for a Restricted Byway over the land to which the order relates and that it is expedient that the right of way should be created.

The Kent County Council has made an Order to create Restricted Byway HL48 under The Highways Act 1980, Section 26. This statement has been prepared to explain various aspects of the Order.

The application has been made by the landowners to assist the County Council in achieving objectives contained within its Countryside Access Improvement Plan and to assist in the delivery of the “England Coast Path”.

The Kent County Council is satisfied that the route is needed for public use as the proposed route is in the interests of the public having been directly requested by the local community.

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 03000 413370).

Objections or representations relating to the Order must be made in writing to Colin Finch at the address below, no later than 11th January 2016.

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If any objections are made and not withdrawn, the Council may refer the Order and objections to the Department of the Environment for determination.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 creation as mentioned above can be found on the attached plan.

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

Date: 11th December 2015