IN THE BOROUGH OF MAIDSTONE

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF KENT

MAP SHEETS 060 (TQ75SW) & 222 (TQ7554)

THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATHS KB55 & KMX53 AT TOVIL & MAIDSTONE)

DEFINITIVE MAP MODIFICATION ORDER 2016

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 060 (TQ75SW) & 222 (TQ7554) of the Definitive Map and Statement for the County of Kent require modification in consequence of the occurrence of an event specified in 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 1st October 2016.

2. Sheet 060 (TQ75SW) & 222 (TQ7554) 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 (Public Footpaths KB55 and KMX53 at Maidstone) Definitive Map Modification Order 2016".

GIVEN UNDER THE SEAL OF THE KENT COUNTY COUNCIL THIS 21ST DAY OF OCTOBER IN THE YEAR TWO THOUSAND AND SIXTEEN

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

..................................................

AUTHORISED SIGNATORY

JASON CFCSU

This Order was confirmed by the Kent County Council on this 30th day of December in the year two thousand and sixteen

Authorised signatory
SCHEDULE

PART I: MODIFICATION OF DEFINITIVE MAP

Description of paths to be added

The effect of the Order is to add a public footpath numbered KMX53 which commences on Wharf Road at its connection with public footpath KMX39 at NGR TQ 7520 5480 (point A) and runs generally west through to north-north-west for approximately 26.0 metres and then generally west for approximately 50.0 metres to its connection with public footpath KB55 at NGR TQ 7513 5482 (point B), between the points A-B on the Order plans. The path has a hard surface and a width of 5.5 metres for approximately 13.0 metres. At this point there are three bollards across the route. The path then narrows to approximately 2.5 metres, heading west, for approximately 30.0 metres. From this point the path narrows to 1.5 metres where it passes through an area fenced to the river side.

The effect of the Order is also to add a public footpath numbered KB55 which commences at the aforementioned point B and runs generally west for approximately 167.0 metres to the publicly maintainable highway directly north of property 6 The Hurstings at NGR TQ 7497 5481 (point C), between the points B-C on the Order plans. The path has a width of 2.5 metres except for its most western end where it crosses the grass and has a width of 1.5 metres.

PART II: MODIFICATION OF DEFINITIVE STATEMENT

The Definitive Statement is amended by the addition of the following entries:

Map Sheet 060 (TQ75SW)

KB55 - Footpath
Connections – KMX53, publicly maintainable highway directly north of property 6 The Hurstings

Added by the Kent County Council (Public Footpaths KB55 & KMX53 at Tovil and Maidstone) Definitive Map Modification Order 2016 with a width of 2.5 metres except for its most western end where it crosses the grass and has a width of 1.5 metres.

The Public’s rights are without prejudice to the statutory rights and obligations of the River Authority.

Map Sheet 222 (TQ7554)

KMX53 - Footpath
Connections – KMX39, Wharf Road, KB55

Public Footpath KMX53 commences on Wharf Road at its connection with public footpath KMX39 at NGR TQ 7520 5480 (point A) and runs generally west through to north-north-west for approximately 26.0 metres and then generally west for approximately 50.0 metres to its connection with public footpath KB55 at NGR TQ 7513 5482 (point B), between the points A-B on the Order plans. The path has a hard surface and a width of 5.5 metres for approximately the first 13.0 metres. At this point there are three bollards across the route. The path then narrows to approximately 2.5 metres, heading west, for approximately 30.0 metres. From this point the path narrows to 1.5 metres where it passes through an area fenced to the river side.
Added by the Kent County Council (Public Footpaths KB55 & KMX53 at Tovil and Maidstone) Definitive Map Modification Order 2016.

The Public’s rights are without prejudice to the statutory rights and obligations of the River Authority.

WILDLIFE AND COUNTRYSIDE ACT 1981

THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATHS KB55 & KMX53 AT TOVIL & MAIDSTONE)
DEFINITIVE MAP MODIFICATION ORDER 2016
THE COMMON SEAL OF THE KENT COUNTY COUNCIL WAS HERETO AFFIXED IN THE PRESENCE OF:

Authorised Signatory

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Key
- - Route to be Added
\[ \text{Area covered by 1:2,500 scale Map} \]
- - - - - Unaffected Routes

Wildlife & Countryside Act 1981
The Kent County Council
(Public Footpaths KB55 & KMX53 at Tovil & Maidstone)
Definitive Map Modification Order 2016

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Created by: MMcl, Checked by: CW, Reference: PROWMA/C353
TO THE OWNER AND ANY OCCUPIER OF THE LAND DESCRIBED BELOW:

IN THE BOROUGH OF MAIDSTONE

NOTICE OF CONFIRMATION OF MODIFICATION ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR THE COUNTY OF

THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATHS KB55 & KMX53 AT TOVIL & MAIDSTONE)

DEFINITIVE MAP MODIFICATION ORDER 2016

On 30th December 2016 the Kent County Council confirmed the above Order without modifications.

The effect of the Order as confirmed is to modify the Definitive Map and Statement for the area by adding a public footpath numbered KMX53 which commences on Wharf Road at its connection with public footpath KMX39 at NGR TQ 7520 5480 (point A) and runs west through to north-north-west for 28.0 metres and then west for 50.0 metres to its connection with public footpath KB55 at NGR TQ 7513 5482 (point B), between the points A-B on the Order plans. The path has a hard surface and a width of 5.5 metres for approximately 13.0 metres. At this point there are three bollards across the route. The path then narrows to 2.5 metres, heading west, for 30.0 metres. From this point the path narrows to 1.5 metres where it passes through an area fenced to the river side; it will also modify the Definitive Map and Statement for the area by adding a public footpath numbered KB55 which commences at the aforementioned point B and runs west for 167.0 metres to the publicly maintainable highway directly north of property 6 The Hurstings at NGR TQ 7497 5481 (point C), between the points B-C on the Order plans. The path has a width of 2.5 metres except for its most western end where it crosses the grass and has a width of 1.5 metres.

All distances are approximate, all directions are general.

A copy of the Order as confirmed and Map may be seen free of charge during office hours at the Maidstone Borough Council, Maidstone House, King Street, Maidstone, Kent, ME15 6JQ 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 £5.

This Order became operative as from 30th December 2016 but if a person aggrieved by the Order desires to question the validity thereof or of any provision contained therein on the grounds that it is not within the powers of Section 53(3)(c)(i) of the Wildlife and Countryside Act 1981, or that any of the requirements of Schedule 15 to the Act have not been complied with in relation to the confirmation of the Order, he may, under Paragraph 12 of Schedule 15 to the Act, within 42 days from 13th January 2017 make application for the purpose to the High Court.

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

Date: 13th January 2017

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