On the 30th day of October 2018 the Kent County Council confirmed the above Order under Section 119 of the Highways Act 1980.

The effect of the Order as confirmed will be to divert that part of Public Footpath WC43 commencing from a point on the unaffected length of the path at NGR TQ7247 3738 (Point A) lying 65 metres to the south east of the property known as White's Farm House and then running for 25 metres in a south, south-easterly direction, to then cross the equestrian sand school in the same direction for 40 metres to exit the sand school at NGR TQ7250 3733 and then continue, again in a south, south-easterly direction across pasture land for 160 metres to re-join the existing line of the path at the point where it meets the private accommodation trackway to adjoining properties at NGR TQ 7258 3719. As shown between the points A, B, F and C on the Order Plan.

And will provide a new length of Public Footpath numbered WC43 with a width of 2.0 metres commencing from the aforementioned point A at NGR TQ7247 3738 and then running in a south-easterly direction for 25 metres, continuing in the same direction between the two boundary fences exiting the former site of the sand school to continue in a south south-easterly direction on the northern side of existing fencing for 160 metres to re-join the unaffected length of WC43 at the point where it meets the private accommodation trackway to adjoining properties at NGR TQ7258 3719 (Point C). As shown between the points A, D, E, and C on the Order Plan.

All distances are approximate, all directions are general.

A copy of the Orders as confirmed, and Maps have been placed and may be seen free of charge at the offices of Tunbridge Wells Borough Council, Town Hall, Tunbridge Wells or at Kent County Council, Customer and Communities, Invicta House, County Hall, Maidstone, Kent ME14 1XX. Copies of the Orders and maps may also be bought there at the price of £10.

The Order came into force on the 30th October 2018 but if a person aggrieved by the Order wants to question its validity, or that of any provision contained in it, on the ground that it is not within the powers of the Highways Act 1980, as amended, or on the ground that any requirement of the Act, as amended, or of any regulation made under the Act which has not been complied with in relation to the Order, he or she may under Paragraph 2 of Schedule 2 to the Act as applied by Paragraph 5 of Schedule 6 to the Act, within 6 weeks from the 16th day of November 2018, make an application to the High Court.

PROW & Access Service
Invicta House
Maidstone
Kent
ME14 1XX
Tel: 03000 413475

Dated: 16th November 2018

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IN THE BOROUGH OF TUNBRIDGE WELLS

HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981

THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATH WC43 (PART) GOUDHURST)
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2017

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 described in paragraph 1 of this Order it is expedient that the line of Public Footpath WC43 (part) Goudhurst 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 053 (TQ73NW)) 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.

Tunbridge Wells 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 Goudhurst 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 it is certified by the County Council that a new route has been provided to its satisfaction and, thereupon the Definitive Map for the County of Kent (Map Sheet 053 (TQ73NW)) 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 specified in paragraph 1 a Public Footpath over the land situate at Goudhurst 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 053 (TQ73NW)) shall be modified by adding the path to it.
3A. The Definitive Statement for the County of Kent (Map Sheet 053 (TQ73NW)) shall be modified as described in Part IV of the schedule to this Order.

GIVEN UNDER THE SEAL OF THE KENT COUNTY COUNCIL THIS 16th DAY OF JUNE IN THE YEAR TWO THOUSAND AND SEVENTEEN.

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

[Signature]

Authorised Signatory

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

Authorised signatory
SCHEDULE

PART I:
DESCRIPTION OF SITE OF EXISTING PATH OR WAY

The entire width of that part of Public Footpath numbered WC43 commencing from a point at NGR TQ7247 3738 (Point A) which lies approximately 65 metres to the south east of the property known as White's Farm House and then running for approximately 25 metres in a south-south-easterly direction, to then cross the equestrian sand school in the same direction for approximately 40 metres to exit the sand school at NGR TQ7250 3733 and then continue, again in a south-south-easterly direction, across pasture land for approximately 160 metres to re-join the existing line of the path at the point where it meets the private accommodation trackway to adjoining properties at NGR TQ 7258 3719. As shown between the points A, B, F and C on the Order Plan.

II:
DESCRIPTION OF SITE OF NEW PATH OR WAY

A new length of Public Footpath numbered WC43 with a width of 2.0 metres commencing from the aforementioned point A at NGR TQ7247 3738 and then running in a generally south-easterly direction for approximately 25 metres to enter and cross the sand school for approximately 40 metres in a generally south easterly direction following the southern side of the existing boundary fence to then exit the sand school and continue in a generally south south-easterly direction on the northern side of existing fencing for approximately 160 metres to re-join the unaffected length of WC43 at the point where it meets the private accommodation trackway to adjoining properties at NGR TQ7258 3719 (Point C). As shown between the points A, D, E, and C on the Order Plan.

PART III:
LIMITATIONS AND CONDITIONS

None

PART IV:
MODIFICATION OF DEFINITIVE STATEMENT

The entry for Public Footpath WC43 is modified by the addition of the following:

Part diverted, at White's Goudhurst by the Kent County Council (Public Footpath WC43 (part) Goudhurst) Public Path Diversion and Definitive Map and Statement Modification Order 2017 with a width of 2.0 metres for the new length of path.

HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981

THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATH WC43 (PART) GOUDHURST)
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2017