The above Order was made on the 2nd day of August 2017 under section 119 of the Highways Act 1980 and will divert: (1) the entire width of (a) that part of Public Footpath numbered DR28 commencing at TQ 5920 7052 (Point A) and running for 220 metres in a south easterly direction to its connection with the unaffected length of the path at TQ 5936 7036 (Point B). As shown between the points A and B on the Order Plan; and (b) the entire width of that length of Public Footpath DR29 commencing from its junction with Public Footpath DR28 at TQ 5936 7036 (the aforementioned Point B) and running in a south westerly direction for 153 metres to the eastern side of the field Boundary at TQ 5923 7028 (Point C); and (c) the entire width of that length of Public Footpath DR29 running from a point on the existing line of DR29 at TQ 5905 7017 (Point N) and running in a generally south westerly direction for approximately 282 metres to the junction with the Public Highway B260 at TQ 5882 7001 (Point D) at Meadowcroft Farm. As shown between the points N and D on the Order Plan.

The above Order will provide: (1) New lengths of Public Footpath with a width of two metres, (a) numbered DR28 commencing from TQ 5920 7052 (the aforementioned Point A) and running, along the eastern side of the field boundary in a southerly direction for 152 metres to TQ 5923 7036 (Point AA) to then run eastwards for a further 132 metres to re-join the existing line of the path at TQ 5936 7036 (the aforementioned Point B). As shown between the points A, AA and B on the Order Plan; and (b) a new length of Public Footpath numbered DR29 commencing at TQ 5923 7028 (the aforementioned Point C) and running along the eastern side of the field boundary for 80 metres in a northerly direction to TQ 5923 7036 (the aforementioned Point AA). As shown between the points C and AA on the Order Plan; and (c) a new length of Public Footpath numbered DR29 commencing at TQ 5905 7017 (the aforementioned Point N) and running in a westerly direction for 220 metres to a new junction with the Public Highway B260 at TQ 5883 7020 (Point P). As shown between the points N, O and P on the Order Plan.

All distances are approximate, all directions are general. This Order supersedes the Kent County Council (Public Footpaths DR28 (Part) and DR29 (Parts) Darenth) Public Path Diversion and Definitive Map and Statement Modification Order 2017.

A copy of the Order and Map may be seen free of charge at the offices of Dartford Borough Council, Civic Centre, Home Gardens, Dartford, DA1 1DR or at Kent County Council, PROW and Access, Invicta House, County Hall, Maidstone, Kent ME14 1XX. Copies of the Orders and maps may also be bought there.

Any representation about or objection to the order may be sent or delivered in writing to Mr Chris Wade at Kent County Council, PROW and Access, Invicta House, County Hall, Maidstone, Kent ME14 1XX (Email: Chris.Wade@kent.gov.uk) no later than the 15th September 2017. Please state the grounds on which it is made. If no such representations or objections are duly made, or if any so made are withdrawn, the Kent County Council may itself confirm the orders as unopposed orders. If the orders are sent to the Secretary of State for the Environment, Food and Rural Affairs for confirmation any representations or objections which have not been withdrawn will be sent with the orders.

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

DATED: 18th August 2017
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 Public Footpaths DR28 (part) and DR29 (parts) Darenth, under Section 118 of the Highways Act 1980. This Order supersedes the Kent County Council (Public Footpaths DR28 (Part) and DR29 (Parts) Darenth) Public Path Diversion and Definitive Map and Statement Modification Order 2017.

The application has been made by the owner of St Margarets Farm and Meadowcroft Farm to divert parts of the Public Footpaths mentioned from their recorded routes. All proposals are for a path 2.0 metres wide unless mentioned otherwise.

- It is proposed that Public Footpath DR28 is diverted to follow the natural boundary of the field between A and AA and then turn to connect in a straight line to the unaffected section of Public Footpath at point B. This is to allow for better and more effective management of the field. Where the proposed new route will follow a headland path it will not be subject to ploughing.

- It is proposed that Public Footpath DR29 is diverted in two parts. Initially, from its recorded route N-D to a new route N-O-P. The current route passes through the landowner’s farm entrance which is often used by heavy machinery and for the regular movement of cattle. Public access through this working farmyard is of extreme concern to the applicant. The new route will move away from these areas of the farm and reduce the likelihood of users being in close contact with farm machinery and the cattle. The route follows a straight line from N-P with short flights of steps being proposed at points O and P to allow for easier public access. A kissing gate will also be installed at point P.

- The second part of Public Footpath DR29 will be diverted from the line shown C-B to a new line C-AA. This in conjunction with the proposal to divert part of Public Footpath DR28 will remove two short diagonal sections of path which will be replaced by a single and much straighter route.

- The section of Public Footpath DR29 between C and N on the order plan will remain unaffected.

In the County Council’s view, the Orders would alleviate the problems for the applicants and users alike and would not be in any way substantially less convenient to the public. The Order will come into force only after the County Council has confirmed the Order; 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, Mr Chris Wade, on 03000 413475 or Mr William Barfoot on 03000 418674.
Objections or representations relating to the Order must be made in writing to Mr. Chris Wade at the address below or by email to chris.wade@kent.gov.uk no later than 15th September 2017.

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
Highways Act 1980
Wildlife and Countryside Act 1981
The Kent County Council
Public Footpaths DR28, DR29, DR44, DR46, DR47, SD47
(Darenth, Horton Kirby and South Darenth)
Public Path Diversion and Definitive Map
and Statement Modification Order 2017

ForIllustrative Purposes Only

Kilometres 0.325 0.65
Miles 0.175 0.35

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Key
- Route to be diverted
- New length of route
- Unaffected Routes

Public Rights of Way and Access Service

Created by: WJB  Checked by: CW  Reference: PROW/Darenth/1452
IN THE BOROUGH OF DARTFORD

HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981

THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATHS DR28 (PART) and DR29 (PARTS) DARENTH)
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER (Number 2) 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 Footpaths described in paragraph 1 of this Order it is expedient that the line of Public Footpaths DR28 (Part) and DR29 Darenth 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 028 (TQ57SE)) 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;

This Order supersedes the Kent County Council (Public Footpaths DR28 (Part) and DR29 (Parts) Darenth) Public Path Diversion and Definitive Map and Statement Modification Order 2017.

BY THIS ORDER:

1. The public rights of way over the land situate at, Darenth and shown by bold continuous lines on Order plan (Ref: PROW/DR28,29 (Order 2)/ 1452) and described in Part I of the schedule to this Order shall be stopped up from the date that it is certified by the County Council that a new route has been provided to its satisfaction. Thereupon, the Definitive Map for the County of Kent (Map Sheet 028 (TQ57SE)) shall be modified by deleting from it those public rights of way.

2. The relevant date of this Order will be as specified in paragraph 1.

3. There shall be, from the date it is certified by the County Council that new routes have been provided to its satisfaction, Public Footpaths over the land situate at Darenth 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 028 (TQ57SE)) shall be modified by adding the paths to it.

3A. The Definitive Statement for the County of Kent (Map Sheet 028 (TQ57SE)) shall be modified as described in Part IV of the schedule to this Order.

GIVEN UNDER THE SEAL OF THE KENT COUNTY COUNCIL THIS 7TH DAY OF AUGUST 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 SARAH CUCKOW
SCHEDULE

PART I:
DESCRIPTION OF SITE OF EXISTING PATHS OR WAYS

The entire width of (a) that part of Public Footpath numbered DR28 commencing at TQ 5920 7052 (Point A) and running for approximately 220 metres in a generally south easterly direction to its connection with the unaffected length of the path at TQ 5936 7036 (Point B). As shown between the points A and B on the Order Plan;

and (b) the entire width of that length of Public Footpath DR29 commencing from its junction with Public Footpath DR28 at TQ 5936 7036 (the aforementioned Point B) and running in a generally south westerly direction for approximately 153 metres to the eastern side of the field Boundary at TQ 5923 7028 (Point C);

and (c) the entire width of that length of Public Footpath DR29 running from a point on the existing line of DR29 at TQ 5905 7017 (Point N) and running in a generally south westerly direction for approximately 282 metres to the junction with the Public Highway B260 at TQ 5882 7001 (Point D) at Meadowcroft Farm. As shown between the points N and D on the Order Plan.

II:
DESCRIPTION OF SITE OF NEW PATHS OR WAYS

New lengths of Public Footpath with a width of two metres, (a) numbered DR28 commencing from TQ5920 7052 (the aforementioned Point A) and running, along the eastern side of the field boundary in a generally southerly direction for approximately 152 metres to TQ 5923 7036 (Point AA) to then run generally eastwards for approximately a further 132 metres to rejoin the existing line of the path at TQ 5936 7036 (the aforementioned Point B). As shown between the points A, AA and B on the Order Plan;

and (b) a new length of Public Footpath numbered DR29 commencing at TQ 5923 7028 (the aforementioned Point C) and running along the eastern side of the field boundary for approximately 80 metres in a generally northerly direction to TQ 5923 7036 (the aforementioned Point AA). As shown between the points C and AA on the Order Plan;

and (c) a new length of Public Footpath numbered DR29 Commencing at TQ 5905 7017 (the aforementioned Point N) and running in a generally westerly direction for approximately 220 metres to a new junction with the Public Highway B260 at TQ 5883 7020 (Point P). As shown between the points N, O and P on the Order Plan.

PART III:
LIMITATIONS AND CONDITIONS

None
PART IV: MODIFICATION OF DEFINITIVE STATEMENT

The entry for Public Footpath DR28 is modified by the addition of the following:

Part diverted, by the Kent County Council (Public Footpath DR28 (Part) and DR29 (Parts) Darenth) Public Path Diversion and Definitive Map and Statement Modification Order (Number 2) 2017. The path has a width of 2.0 metres.

The entry for Public Footpath DR29 is modified by the addition of the following:

Parts diverted, by the Kent County Council (Public Footpath DR28 (Part) and DR29 (Parts) Darenth) Public Path Diversion and Definitive Map and Statement Modification Order (Number 2) 2017. The path has a width of 2.0 metres.

HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981

THE KENT COUNTY COUNCIL
(PUBLIC FOOTPATH DR28 (PART) and DR29 (PARTS) DARENTH)
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER (Number 2) 2017