

FAVERSHAM FOOTPATHS GROUP

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

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THE KENT COUNTY COUNCIL (PUBLIC FOOTPATH ZF5 (PARTS) FAVERSHAM) PUBLIC PATH EXTINGUISHMENT ORDER 2016

THE KENT COUNTY COUNCIL (PUBLIC FOOTPATH ZF5 (PARTS) FAVERSHAM) PUBLIC PATH CREATION ORDER 2016

I am writing on behalf of the Faversham Footpaths Group to express our wholehearted support for the proposals embodied in these Orders subject to one technical point which we hope will be looked at again at some stage.

To deal with the latter point first, we are concerned that the proposal that extinguishment/creation should take effect 365 days after the date of confirmation of the Orders might lead to a situation in which the present path will be extinguished before the new path is ready to be used. We wonder whether it would not be possible to create the new path shortly after confirmation, thus allowing nearly a year for the necessary works to be carried out before the present path, which provides access to the promenade at Faversham Reach, is extinguished.

We will not comment at length on the merits of the Orders because our views were set out clearly in the comments which we submitted before and during the Regulation Committee's Panel hearing in February this year. To summarise, however, we believe that:

- The proposed path will be a great asset to Faversham residents and visitors, providing a much sought-after continuous path along the north side of Faversham Creek, enabling people to walk right along the water's edge from the Inner Basin out to Hollowshore and Oare without having to make the present substantial, and partly unsightly, diversion round the back of the Faversham Reach housing development and the Brents Industrial Estate. Walkers will be able to enjoy superb, unique views along and across the Creek.
- A Creekside path is an integral part of all the key documents relating to the future of Faversham Creek, including the draft Neighbourhood Plan. That Plan has now been passed by the independent Examiner and has now been backed by the Faversham Creek Trust and the Brents Community Association, who had hitherto opposed it, and can be expected to be passed at a referendum. The proposal for a Creekside path received overwhelming support in the consultations on the draft Neighbourhood Plan.
- While the residents of Faversham Reach and Waterside Close might prefer to leave matters as they are, this is not an option. KCC is under a legal obligation, following the public inquiry in May 2014, to take action to remedy the obstruction to public footpath ZF5 at Faversham Reach. The route now proposed will have minimal impact on the residents there, running along the promenade, well away from the majority of houses. It will also resolve, at no cost to the residents themselves, the 'blight' to the five houses presently obstructing the footpath. The re-routings of the path would, in addition, enable the residents to close off the rest of the estate to the public if they wished to do so.
- It makes complete sense to deal at the same time with the long-outstanding issue of the failure to implement the s.106 agreement relating to neighbouring Waterside Close, thereby creating a continuous path. The residents there have always been aware of this agreement and, while it has taken a long time to implement it, this does not provide a reason for not doing so. As with Faversham Reach, the route along the existing promenade, behind gardens and fences, will have minimal impact on the residents.
- The proposed route can be expected to form part of the England Coast Path since it most closely reflects the underlying principle of providing access as closely as practicable to the coast. Indeed, if Natural England were to propose an inland route, it would

disadvantage the residents of both estates since it seems clear that the communal areas of both estates would be classed as coastal margin and become fully accessible to the public.

We were delighted that the Panel fully appreciated the need to resolve this long-standing issue and, from their comments, clearly perceived what an asset the proposed path would be to both Faversham residents and visitors.

The Panel added a rider that the Orders should not be submitted to the Secretary of State unless it was clear that funds were available to carry out the necessary works, which KCC officials put at £92k or less at the time of the Panel hearing. We are aware that over half that sum has already been pledged from charitable and other funds and we believe that the remainder can be readily found from contributions from Swale Borough Council and Natural England. We consider that the cost represents good value for money in view of the substantial permanent public benefit which will result and note that the public expenditure involved is very small in comparison with that required to provide a new swing bridge and related works. We trust, therefore, that there will be no delay in submitting these Orders to the Secretary of State for confirmation.

Trevor Payne
Chair
Faversham Footpaths Group
1 Priory Road
Faversham
Kent
ME13 7EG

www.favershamfootpathsgroup.org.uk