

**PUBLIC PATH DIVERSION AND
DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER**

**HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981**

SHROPSHIRE COUNCIL

**THE SHROPSHIRE COUNCIL (FOOTPATH 7Y (PART) & FOOTPATH 8Y (PART),
PARISH OF LITTLE NESS)
PUBLIC PATH DIVERSION ORDER 2023**

This Order is made by the Shropshire Council ("the Council") under section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the Council that in the interests of the landowner of the land crossed by the described in paragraph 1 of this order it is expedient that the line of the ways should be diverted.

This Order is also made under section 53A (2) of the Wildlife Countryside Act 1981 ("the 1981 Act") because it appears to the authority that the Shropshire definitive map and statement require 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.

BY THIS ORDER:

1. The public rights of way over the land situated near Paddock View and shown by a bold continuous lines on the map contained in this Order and described in Part 1 of the Schedule to this Order shall be stopped up on the date of confirmation of this order and thereupon the Shropshire definitive map shall be modified by deleting from it that public right of way.

2. Notwithstanding paragraph 1 of this Order statutory undertakers shall have the following rights over the land referred to in paragraph 1 above,

namely:

Where immediately before the date on which the footpaths are diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same right in respect of the apparatus as they then had.

3. There shall on the date of confirmation of this Order be public footpaths over the land situated near Paddock View described in Part 2 of the Schedule and shown by bold broken lines on the map contained in this Order and thereupon the Shropshire definitive map shall be modified by adding that path to it.

3A. The Shropshire definitive statement shall be modified as described in Part 4 of the Schedule to this order.

4. The rights conferred on the public under this Order shall be subject to the limitations and conditions set out in Part 3 of the Schedule.

SCHEDULE

PART I

Description of site of existing path or way

FP 8Y (part) to be extinguished

Leaving Point A on Order Map grid reference SJ 3985 2031 running in a generally ENE, NNW direction and then generally westerly direction to Point B on the Order Map grid reference SJ 3967 2040. Approximate distance of 223m.

FP7Y (part) to be extinguished

Leaving Point C on the Order Map grid reference SJ 3974 2032 running in a general NE direction to Point D on the Order Map grid reference SJ 3983 2038. Approximate distance of 106m.

FP7Y (part) to be extinguished

Leaving Point D on the Order Map grid reference SJ 3983 2038 running in a NE direction to Point F on the Order Map grid reference SJ 3989 2043. Approximate distance of 83m.

PART 2

Description of site of new path or way

FP8Y (part) to be created

From Point A on the Order Map grid reference SJ 3985 2031 running in a generally WNW direction to a gate at grid reference SJ 3984 2031 continuing to run in generally NNE to a gate at grid reference SJ 3987 2037 before continuing to another gate at Point G grid reference SJ 3987 2038 where it turns to run in a general westerly direction to a gate at Point E grid reference SJ 3976 2039 before continuing to Point B on the Order Map grid reference SJ 3967 2040 where it re-joins the definitive line of FP8Y. With a width of 2m throughout over a natural surface for an approximate distance of 272m.

FP7Y (part) to be created

From a gate at Point C on the Order Map grid reference SJ 3974 2032 running in a general NNE direction to Point E where there is a gate grid reference SJ 3976 2039. An approximate distance of 75m, on a natural surface with a width varying between 1m and 2m throughout.

FP7Y (part) to be created

Leaving through a gate at Point G on the Order Map grid reference SJ 3987 2038 running in a general NNE direction then easterly direction to a gate at Point F on the Order Map grid reference SJ 3989 2043. With a width of 2m throughout, over a natural surface with an approximate distance of 69m.

PART 3

Limitations and conditions

Gate at SJ 3984 2031 to BS 5709
Gate at SJ 3974 2032 to BS 5709
Gate at SJ 3976 2039 to BS 5709
Gate at SJ 3987 2038 to BS 5709
Gate at SJ 3989 2043 to BS 5709
Gate at SJ 3987 2037 to BS 5709

PART 4

Modification of Definitive Statement

FP8Y (part) to be created

From Point A on the Order Map grid reference SJ 3985 2031 running in a generally WNW direction to a gate at grid reference SJ 3984 2031 continuing to run in generally NNE to a gate at grid reference SJ 3987 2037 before continuing to another gate at Point G grid reference SJ 3987 2038 where it turns to run in a general westerly direction to a gate at Point E grid reference SJ 3976 2039 before continuing to Point B on the Order Map grid reference SJ 3967 2040 where it re-joins the definitive line of FP8Y. With a width of 2m throughout over a natural surface for an approximate distance of 272m.

FP7Y (part) to be created

From a gate at Point C on the Order Map grid reference SJ 3974 2032 running in a general NNE direction to Point E where there is a gate grid reference SJ 3976 2039. An approximate distance of 75m, on a natural surface with a width varying between 1m and 2m throughout.

FP7Y (part) to be created

Leaving through a gate at Point G on the Order Map grid reference SJ 3987 2038 running in a general NNE direction then easterly direction to a gate at Point F on the Order Map grid reference SJ 3989 2043. With a width of 2m throughout, over a natural surface with an approximate distance of 69m.

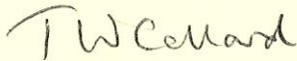
There is no Shropshire definitive statement for the remainder of this Right of Way.

Variation of Particulars of Path or Way

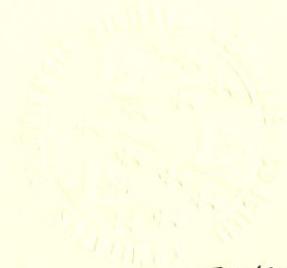
None

Executed as a deed by affixing the
Common Seal of Shropshire
Council on 30th March 2023

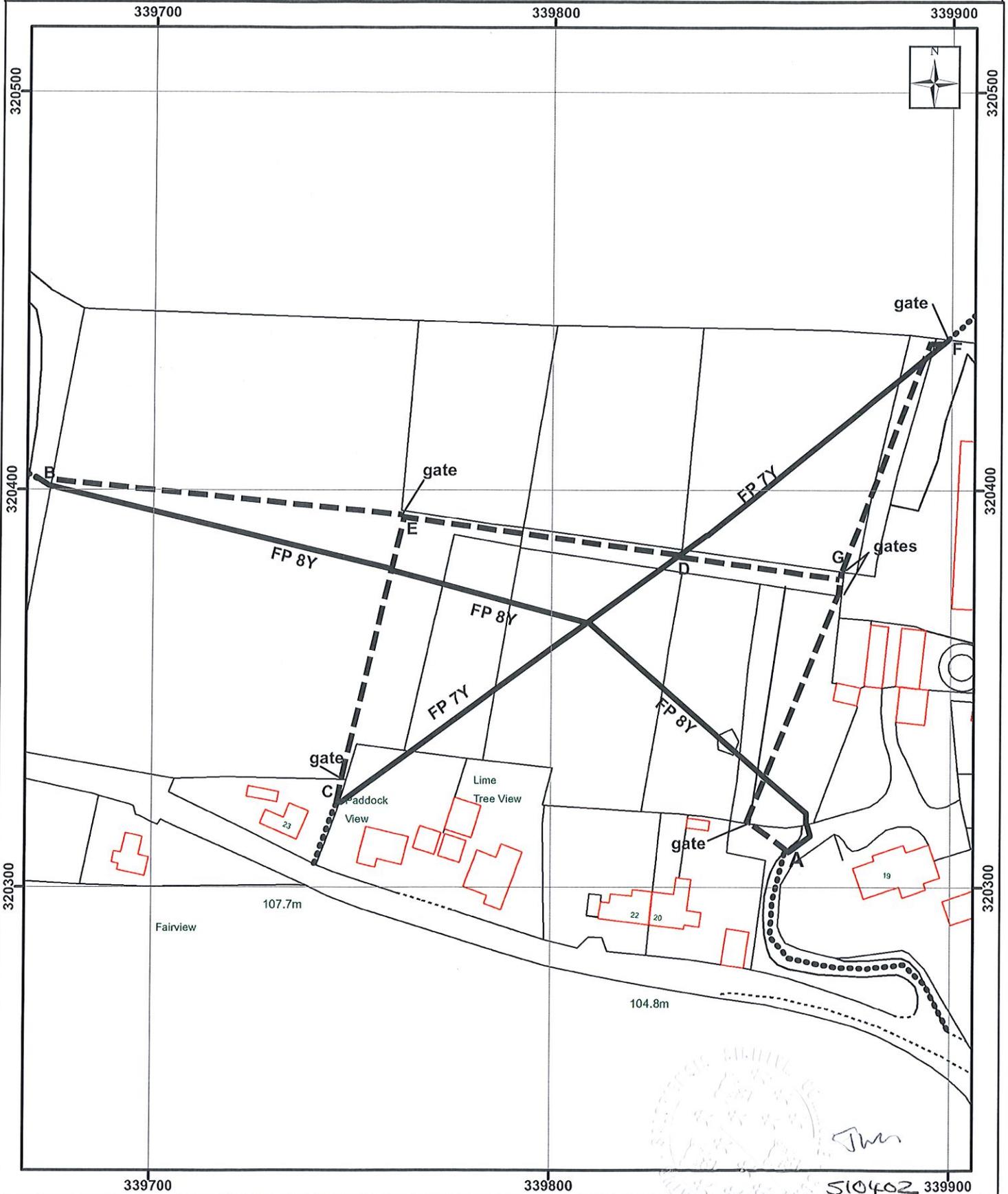
In the presence of:



Tim Collard
Assistant Director, Legal and Governance
(Monitoring Officer)



510402



Key

Scale: 1:1,250

- Route to be created
- Route to be extinguished
- Existing to remain

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The Shirehall, Abbey Foregate
Shrewsbury, Shropshire, SY2 6ND

510402 339900

DATED 30th March 2023

PUBLIC PATH DIVERSION AND
DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER
HIGHWAYS ACT 1980 (SECTION 119)
WILDLIFE AND COUNTRYSIDE ACT 1981

THE SHROPSHIRE COUNCIL
(FOOTPATH 7Y (PART) AND FOOTPATH
8Y (PART), PARISH OF LITTLE NESS
PUBLIC PATH DIVERSION ORDER 2023

SHROPSHIRE OUTDOOR PARTNERSHIPS SERVICE
HOMES AND COMMUNITIES

THE SHIREHALL
ABBAY FOREGATE
SHREWSBURY

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