



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

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

SHROPSHIRE COUNCIL

**THE SHROPSHIRE COUNCIL (FOOTPATH 46 (PART), PARISH OF PREES)
PUBLIC PATH DIVERSION ORDER 2018**

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 footpath described in paragraph 1 of this order it is expedient that the line of the way 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 right of way over the land situated at Hoarstone and shown by a bold continuous line 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 footpath is 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 a public footpath over the land situated at Hoarstone described in Part 2 of the Schedule and shown a by bold broken line 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 paths or ways

The full width of that part of Footpath 46 from a pedestrian gate at point **A** on the order map (SJ 6074 3348) from, running in a general west-south-westerly direction for approximately 220 metres on an earth surface to a fence, then continuing for approximately 30 metres on a grass surface to pass through a gate and continue for approximately 105 metres through woodland to a fence. From here the route continues in a general west-north-westerly direction for approximately 75 metres through woodland to a further fence and then in a general westerly followed by south westerly direction for approximately 215 metres on an earth surface to a pedestrian gate at point **B** on the order map (SJ 6014 3329). A total distance of approximately 630 metres.

PART 2

Description of site of new paths or ways

That part of Footpath 46 to be created from a pedestrian gate (BS 5709.2006) at point A on the order map (SJ 6074 3348) running in a general west-south-westerly direction for approximately 350 metres following a field boundary, then turning generally north westerly for approximately 30 metres and then generally south westerly for approximately 145 metres to pass through a gap (SJ 6028 3330) and continue for approximately 140 metres across a field to a pedestrian gate (BS 5709.2006) at point B on the order map (SJ 6014 3329); a total distance of approximately 665 metres on a natural surface with a width of 2 metres throughout

PART 3

Limitations and conditions

Pedestrian Gate at Grid Reference SJ 6074 3348 to BS5709.2006
Pedestrian Gate at Grid Reference SJ 6014 3329) to BS5709.2006
Gap at Grid Reference SJ 6028 3330)

PART 4

Modification of Definitive Statement

That part of Footpath 46 to be created from a pedestrian gate (BS 5709.2006) at point A on the order map (SJ 6074 3348) running in a general west-south-westerly direction for approximately 350 metres following a field boundary, then turning generally north westerly for approximately 30 metres and then generally south westerly for approximately 145 metres to pass through a gap (SJ 6028 3330) and continue for approximately 140 metres across a field to a pedestrian gate (BS 5709.2006) at point B on the order map (SJ 6014 3329); a total distance of approximately 665 metres on a natural surface with a width of 2 metres throughout

Pedestrian Gate at Grid Reference SJ 6074 3348 to BS5709.2006
Pedestrian Gate at Grid Reference SJ 6014 3329) to BS5709.2006
Gap at Grid Reference SJ 6028 3330)

Variation of Particulars of Path or Way

None

Executed as a deed by affixing the
Common Seal of Shropshire
Council on 8th March 2018
In the presence of:

DATED 8th MARCH 2018

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

THE SHROPSHIRE COUNCIL
(FOOTPATH 46 (PART), PARISH OF PREES)
PUBLIC PATH DIVERSION ORDER 2018

SHROPSHIRE OUTDOOR PARTNERSHIPS SERVICE
INFRASTRUCTURE AND COMMUNITIES

THE SHIREHALL
ABBAY FOREGATE
SHREWSBURY

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