



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

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

SHROPSHIRE COUNCIL

**THE SHROPSHIRE COUNCIL (BRIDLEWAY 10 (PART),
PARISH OF UPTON MAGNA) 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 bridleway 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 Church Farm, Upton Magna, 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 that the Council certifies that works have been carried out to bring the site of the new Bridleway described in Part 2 of the Schedule to this Order into a fit condition for use by the public and thereupon the Shropshire definitive map shall be modified by deleting from it the public right of way to be stopped up.

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 bridleway 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 bridleway over the land situated at Church Farm, Upton Magna 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

The full width of that part of Bridleway 10, Upton Magna, from point A on the order map (SJ 5519 1235), running in a general easterly direction through farm buildings to point B on the order map (SJ 5522 1234); a total distance of approximately 33 metres.

PART 2

Description of site of new path or way

A bridleway to be created in the parish of Upton Magna from a gate at point A on the order map (SJ 5519 1235), running in a general southerly direction to the western side of farm buildings, passing through a gate (SJ 5518 1233) shortly before turning to run in a general easterly direction to the south of the farm buildings and then turning northerly adjacent to the eastern side of the farm buildings to meet the remainder of Bridleway 10 at point B on the order map (SJ 5522 1234); a total distance of approximately 59 metres with a width of 3 metres throughout.

PART 3

Limitations and conditions

Gate at Grid Reference SJ 5519 1235 to BS 5709

Gate at Grid Reference SJ 5522 1234 to BS 5709

PART 4

Modification of Definitive Statement

A bridleway to be created in the parish of Upton Magna from a gate at point A on the order map (SJ 5519 1235), running in a general southerly direction to the western side of farm buildings, passing through a gate (SJ 5518 1233) shortly before turning to run in a general easterly direction to the south of the farm buildings and then turning northerly adjacent to the eastern side of the farm buildings to meet the remainder of Bridleway 10 at point B on the order map (SJ 5522 1234); a total distance of approximately 59 metres with a width of 3 metres throughout.

Gate at Grid Reference SJ 5519 1235 to BS 5709

Gate at Grid Reference SJ 5522 1234 to BS 5709

There is no Shropshire definitive statement for the remainder of Bridleway 10, Upton Magna.

Variation of Particulars of Path or Way

None

Executed as a deed by affixing the
Common Seal of Shropshire
Council on 19th July 2018

In the presence of:

DATED 19th JULY 2018

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

THE SHROPSHIRE COUNCIL
(BRIDLEWAY 10 (PART), PARISH OF UPTON MAGNA)
PUBLIC PATH DIVERSION ORDER 2018

SHROPSHIRE OUTDOOR PARTNERSHIPS SERVICE
INFRASTRUCTURE AND COMMUNITIES
THE SHIREHALL
ABBAY FOREGATE
SHREWSBURY

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