



**PUBLIC PATH STOPPING UP
AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER
TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257
WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 53(A)(2)**

**THE SHROPSHIRE COUNCIL (FOOTPATH 38, FOOTPATH 39 & FOOTPATH 40
(PART) TOWN OF WHITCHURCH) PUBLIC PATH STOPPING UP ORDER 2018.**

This order is made by the Shropshire Council (“the Council”) under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to stop up the Footpaths to which this order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990 namely: the erection of 90 dwellings and construction of vehicular access from Alport Road under planning reference 17/03076/REM pursuant to planning permission reference 14/01263/OUT.

This order is also made under section 53A(2) of the Wildlife and Countryside Act 1981 (“the 1981Act”) 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 stopping up (as authorised by this order) of a highway hitherto shown or required to be shown in the map and statement.

BY THIS ORDER:

1. The Footpaths over the land shown by a bold black line on the attached map and described in Part 1 of the Schedule to this order (“the Schedule”) shall be stopped up, and the Shropshire definitive map and statement shall be modified as provided below.

The stopping up of the Footpaths shall have effect on the date on which Shropshire Council confirm the order, and upon occurrence of that stopping up the Shropshire definitive map shall be modified by deleting from it the path or way referred to in paragraph 1 of this order, and the definitive statement shall be modified as described in Part 2 of the schedule.

2. Where immediately before the date on which the footpaths are stopped up 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 rights in respect of the apparatus as they then had.

SCHEDULE

PART I

Description of site of existing path or way

The full width of that part of Footpath 38 Whitchurch from point A on the Order Map at Alport Road, between properties Sheldon Oak and Withinlee (SJ 5451 4208) running in a general ESE direction then ENE direction on a natural surface to point B on the Order Map (SJ 5474 4208); a total length of approximately 254 metres.

The full width of Footpath 39 leaving a garden boundary at point D on the Order Map (SJ 5466 4199) running in a general north easterly direction on a natural surface to join with FP 38 and FP 40 at point B on the Order Map (SJ 5474 4208); a total length of approximately 116 metres.

The full width of that part of Footpath 40 from a gate at point B on the Order Map (SJ 5451 4208) running in a general NNE direction on a grass surface to point C on the Order Map (SJ 5481 4219); a total length of approximately 141 metres.

PART 2

Modification of Definitive Statement

There is no Shropshire definitive statement for the remainder of Footpath 40,
Whitchurch

Variation of Particulars of Path of Way

None

Executed as a deed by affixing the
Common Seal of Shropshire
Council on 22nd November 2018

In the presence of:

DATED 22nd November 2018

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

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