



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

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

SHROPSHIRE COUNCIL

**THE SHROPSHIRE COUNCIL (FOOTPATHS 37, 38, 43, 44 & 45 (PARTS),
PARISH OF CULMINGTON) PUBLIC PATH DIVERSION ORDER 2019**

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 landowners of the land crossed by the Footpaths 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 at Medley Park and Medley Park Farm and shown by 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 that the Council certifies that works have been carried out to bring the site of the new Footpaths 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 rights 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 footpaths are diverted there is apparatus under, in, on, over, along or across them 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 at Medley Park and Medley Park Farm 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 paths or ways

Footpath 37

The full width of that part of Footpath 37 from point A on the Order Map (SO 4731 8250) at Medley Park Farm, running in a general westerly then south westerly direction across a yard then passing a garage to enter an arable field to point B on the Order Map (SO 4726 8245); a total distance of approximately 82 metres.

Footpath 38

The full width of that part of Footpath 38 from point A on the Order Map (SO 4731 8250) at Medley Park Farm, running in a general south easterly direction from the former collecting yard into a paddock then continuing in a general south easterly followed by south-south-easterly direction across pasture fields to point G on the Order Map (SO 4743 8217); a total distance of approximately 471 metres.

Footpath 43

The full width of that part of Footpath 43 from point A on the Order Map (SO 4731 8250) at Medley Park Farm, running in a general northerly direction from the former collecting yard through agricultural buildings to point C on the Order Map (SO 4734 8259); a total distance of approximately 97 metres.

Footpath 44

The full width of that part of Footpath 44 from point A on the Order Map (SO 4731 8250) at Medley Park Farm, running in a general north easterly direction

from the former collecting yard through buildings and a pasture paddock to point D on the Order Map (SO 4739 8258); a total distance of approximately 110 metres and

the full width of that part of Footpath 44 from point J on the Order Map (SO 4756 8274) at Medley Park, running in a general north easterly direction to a gate then turning to run in a general east-north-easterly direction across a domestic garden of the residential property known as Wood Close then continuing into woodland on Shotwood Bank to point K on the Order Map (SO 4781 8293); a total distance of approximately 322 metres.

Footpath 45

The full width of that part of Footpath 45 from point A on the Order Map (SO 4731 8250) at Medley Park Farm, running in a general easterly direction from the former collecting yard through a paddock to point E on the Order Map (SO 4738 8249); a total distance of approximately 65 metres.

PART 2

Description of site of new paths or ways

Footpath 37

That part of Footpath 37 to be created from point B on the Order Map (SO 4726 8245) at Medley Park Farm, running in a general northerly direction on a surfaced track passing through a field gate (SO 4725 8247) and continuing to run between agricultural buildings and turning north-north-easterly then north easterly

passing through two further field gates (SO 4729 8256 and SO 4732 8259) to join Footpath 43 at point C on the Order Map (SO 4734 8259); a total distance of approximately 173 metres with a width of 2 metres throughout.

Footpath 38

That part of Footpath 38 to be created from point B on the Order Map (SO 4726 8245) at Medley Park Farm, running in a general south easterly direction on a field edge track to point G on the Order Map (SO 4734 8217); a total distance of approximately 469 metres with a width of 2 metres throughout.

Footpath 43

That part of Footpath 43 to be created from point C on the Order Map (SO 4734 8259) at Medley Park Farm, running in a general easterly direction along a track to point D on the Order Map (SO 4739 8258); a total distance of approximately 56 metres with a width of 2 metres throughout..

Footpath 44

That part of Footpath 44 to be created from point D on the Order Map (SO 4739 8258) at Medley Park Farm, running in a general easterly direction to pass through a field gate (SO 4739 8258) and then turn immediately to follow a general southerly direction along a field edge path to point E on the Order Map (SO 4738 8249); a total distance of approximately 95 metres with a width of 2 metres throughout;

and

that part of Footpath 44 to be created from point J on the Order Map (SO 4756 8274) at Medley Park, running in a general east-north-easterly direction

across a field to pass through a field gate into Shotwood Bank (SO 4764 8278), then turning to run in a general north easterly direction to the woodland edge where it then turns generally east-north-easterly to follow a woodland edge path to point K on the Order Map (SO 4781 8293) where there is a pedestrian gate giving access to join the remainder of Footpath 44; a total distance of approximately 323 metres with a width of 2 metres throughout.

Footpath 45

That part of Footpath 45 to be created from point E on the Order Map (SO 4738 8249) at Medley Park Farm, running in a general southerly direction along a track passing through a field gate (SO 4737 8246) to a field gate at point F on the Order Map (SO 4734 8239); a total distance of approximately 102 metres with a width of 2 metres throughout.

PART 3

Limitations and conditions

Field gate at Grid Reference SO 4725 8247

Field gate at Grid Reference SO 4729 8256

Field gate at Grid Reference SO 4732 8259

Field gate at Grid Reference SO 4739 8258

Field gate at Grid Reference SO 4764 8278

Field gate at Grid Reference SO 4737 8246

Field gate at Grid Reference SO 4734 8239

Pedestrian gate at Grid Reference SO 4781 8293 to BS 5709

PART 4

Modification of Definitive Statement

Footpath 37

That part of Footpath 37 to be created from point B on the Order Map (SO 4726 8245) at Medley Park Farm, running in a general northerly direction on a surfaced track passing through a field gate (SO 4725 8247) and continuing to run between agricultural buildings and turning north-north-easterly then north easterly passing through two further field gates (SO 4729 8256 and SO 4732 8259) to join Footpath 43 at point C on the Order Map (SO 4734 8259); a total distance of approximately 173 metres with a width of 2 metres throughout.

Footpath 38

That part of Footpath 38 to be created from point B on the Order Map (SO 4726 8245) at Medley Park Farm, running in a general south easterly direction on a field edge track to point G on the Order Map (SO 4734 8217); a total distance of approximately 469 metres with a width of 2 metres throughout.

Footpath 43

That part of Footpath 43 to be created from point C on the Order Map (SO 4734 8259) at Medley Park Farm, running in a general easterly direction along a track to point D on the Order Map (SO 4739 8258); a total distance of approximately 56 metres with a width of 2 metres throughout..

Footpath 44

That part of Footpath 44 to be created from point D on the Order Map (SO 4739 8258) at Medley Park Farm, running in a general easterly direction to pass through a field gate (SO 4739 8258) and then turn immediately to follow a general southerly direction along a field edge path to point E on the Order Map (SO 4738 8249); a total distance of approximately 95 metres with a width of 2 metres throughout;

and

that part of Footpath 44 to be created from point J on the Order Map (SO 4756 8274) at Medley Park, running in a general east-north-easterly direction across a field to pass through a field gate into Shotwood Bank (SO 4764 8278), then turning to run in a general north easterly direction to the woodland edge where it then turns generally east-north-easterly to follow a woodland edge path to point K on the Order Map (SO 4781 8293) where there is a pedestrian gate giving access to join the remainder of Footpath 44; a total distance of approximately 323 metres with a width of 2 metres throughout.

Footpath 45

That part of Footpath 45 to be created from point E on the Order Map (SO 4738 8249) at Medley Park Farm, running in a general southerly direction along a track passing through a field gate (SO 4737 8246) to a field gate at point F on the Order Map (SO 4734 8239); a total distance of approximately 102 metres with a width of 2 metres throughout.

Field gate at Grid Reference SO 4725 8247
Field gate at Grid Reference SO 4729 8256
Field gate at Grid Reference SO 4732 8259
Field gate at Grid Reference SO 4739 8258
Field gate at Grid Reference SO 4764 8278
Field gate at Grid Reference SO 4737 8246
Field gate at Grid Reference SO 4734 8239
Pedestrian gate at Grid Reference SO 4781 8293 to BS 5709

There is no Shropshire Definitive Statement for the remainder of
Footpaths 37, 38, 43, 44 and 45, Culmington

Variation of Particulars of Path or Way

None

Executed as a deed by affixing the
Common Seal of Shropshire
Council on 26th June 2019

In the presence of:

DATED 26th June 2019

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

THE SHROPSHIRE COUNCIL
(FOOTPATHS 37, 38, 43, 44 & 45 (PARTS), PARISH
OF CULMINGTON) PUBLIC PATH
DIVERSION ORDER 2019

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

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