



**PUBLIC PATH DIVERSION AND  
DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER  
HIGHWAYS ACT 1980  
WILDLIFE AND COUNTRYSIDE ACT 1981  
SHROPSHIRE COUNCIL**

**THE SHROPSHIRE COUNCIL (FP 61 (PART) PARISH OF CARDINGTON)  
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 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 Middle Hill 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 footpath 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 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 situated at Middle Hill, 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 diversion of the footpath shall only have effect on the date on which Shropshire Council certifies that any works required to bring the footpath into a fit condition have been carried out.

5. 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 Footpath 61 commencing from the junction of BW's 7 & 8 at grid reference SO 4915 9389 at point A on the Order Map, running in a general north westerly direction to grid reference SO 4909 9394 at point B on the Order Map. Total distance of approximately 85 metres.

### **PART 2**

#### **Description of site of new path or way**

From a gate leading off BW 7 at grid reference SO 4913 9398 at point C on the Order Map running in a general NNW direction to a gate then continuing in a general WSW then southerly direction to re-join the Definitive line of FP 61 at a gate at grid reference SO 4909 9394, point B on the Order Map. An approximate distance of 90 metres on a natural surface with a varying width of between 1-2 metres throughout.

### **PART 3**

#### **Limitations and conditions**

Gates located at grid reference SO 4914 9398, SO 4913 9399 and SO 4909 9394 to BS 5709

### **PART 4**

#### **Modification of Definitive Statement**

From a gate leading off BW 7 at grid reference SO 4913 9398 at point C on the Order Map running in a general NNW direction to a gate then continuing in a general WSW then southerly direction to re-join the Definitive line of FP 61 at a gate at grid

reference SO 4909 9394, point B on the Order Map. An approximate distance of 90 metres on a natural surface with a varying width of between 1-2 metres throughout.

There is no Shropshire definitive statement for the remainder of Footpath 61 in the Parish of Cardington.

### **Variation of Particulars of Path or Way**

None

Executed as a deed by affixing the  
Common Seal of Shropshire  
Council on 9<sup>th</sup> November 2023

In the presence of:

DATED 9<sup>th</sup> November 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 61 (PART), PARISH OF CARDINGTON)  
PUBLIC PATH DIVERSION  
ORDER 2023.

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

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