

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

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

SHROPSHIRE COUNCIL

**THE SHROPSHIRE COUNCIL (FOOTPATH 15Z (PART), PARISH OF ABDON &
HEATH)
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 landowners 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 Earnstrey Hall 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 Earnstrey Hall described in Part 2 of the Schedule and shown by a 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 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

A footpath to be extinguished commences at Point A on the Order Map grid reference SO 5748 8850 and running initially in a SSW direction across field then in a SW direction along Earnstrey Hall to Point B on the Order Map grid reference SO 5734 8832. The route to be extinguished is a distance of approximately 249 metres.

PART 2

Description of site of new path or way

The footpath commences at a gate at Point A on the Order Map grid reference SO 5748 8850 and runs in a SW direction, across a grass field to a gate at grid reference SO 5737 8842 crossing a track and the Shropshire Way main route (Footpath 17) then passing through a gate at grid reference SO 5736 8841. It then continues across field following the outer boundary of an orchard and turning SSE continuing to a gate at grid reference SO 5733 8833 before continuing on to meet the remainder of the footpath at Point B on the Order Map grid reference SO 5734 8831. The route to be created is a distance of approximately 284 metres, and a width of 2 metres throughout.

PART 3

Limitations and conditions

Gate at grid reference SO 5748 8850 to BS 5709
Gate at grid reference SO 5737 8842 to BS 5709
Gate at grid reference SO 5736 8841 to BS 5709
Gate at grid reference SO 5733 8833 to BS 5709

PART 4

Modification of Definitive Statement

There is no Shropshire definitive statement for the remainder of this Right of Way.

Variation of Particulars of Path or Way

None

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

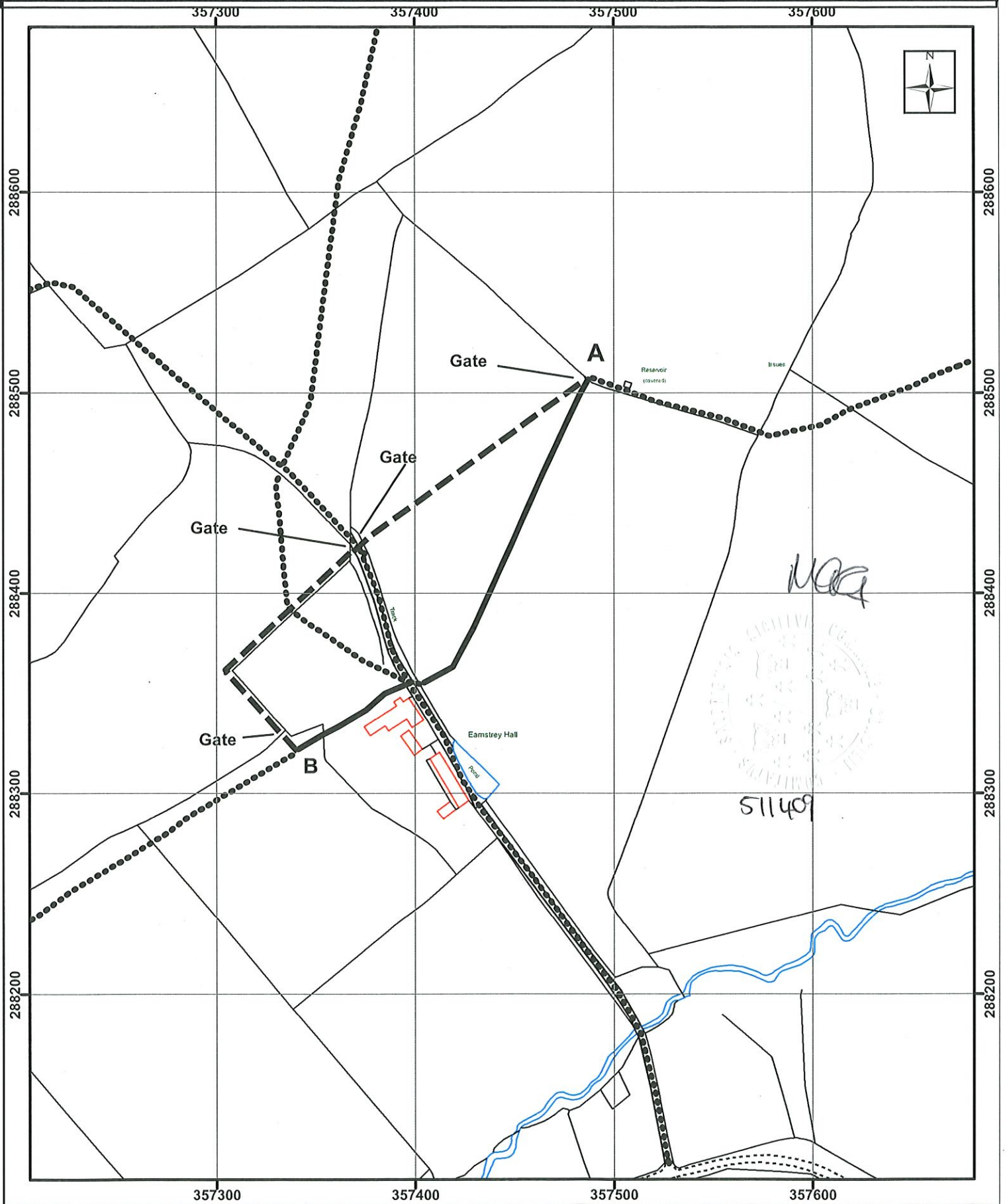
In the presence of:



Miranda Garrard
Head of Legal and Democratic Services



511409



Key

Scale: 1:2,500

- Route to be created 
- Route to be extinguished 
- Existing to remain 

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DATED 9th NOVEMBER 2023

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MODIFICATION ORDER
HIGHWAYS ACT 1980 (SECTION 119)
WILDLIFE AND COUNTRYSIDE ACT 1981

THE SHROPSHIRE COUNCIL
(FOOTPATH 15Z (PART), PARISH OF
ABDON & HEATH) PUBLIC PATH
DIVERSION ORDER 2023

SHROPSHIRE OUTDOOR PARTNERSHIPS SERVICE
HOMES AND COMMUNITIES

THE SHIREHALL
ABBAY FOREGATE
SHREWSBURY

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