



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

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

SHROPSHIRE COUNCIL

**THE SHROPSHIRE COUNCIL (FOOTPATH 51 (PART) PARISH OF MINSTERLEY
AND FOOTPATH 66A (PART), PARISH OF PONTESBURY) 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 footpaths described in paragraph 1 of this order it is expedient that the lines 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 Poulton Farm 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 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 right of ways 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 over the land situated at Poulton 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 path or way

The full width of that part of Footpath 51, Minsterley, from point A on the order map (SJ 3831 0532), running in a general north easterly direction over agricultural land on a natural surface to a stile crossing the parish boundary at point B on the order map (SJ 3847 0542), a distance of approximately 186 metres; the route continues as Footpath 66A, Pontesbury, running in a general easterly direction on a natural surface crossing a field boundary via a stile and continuing to point C on the order map (SJ 3868 0545), a distance of approximately 216 metres; a total distance between points A and C of approximately 402 metres.

PART 2

Description of site of new path or way

That part of Footpath 51 to be created in the Parish of Minsterley from point A on the order map (SJ 3831 0532), running in a general easterly direction over agricultural land on a natural surface for approximately 170 metres to a pedestrian gate crossing the parish boundary at point D on order map (SJ 3848 0534); the route continues as Footpath 66A, Pontesbury, running in a general easterly direction on a natural surface for approximately 28 metres to cross a field boundary via a pedestrian gate at point E on the order map (SJ 3851 0534) and then following a general north easterly direction on a natural surface to point C on the order map (SJ 3868 0545) where it joins the remainder of Footpath 66A, Pontesbury; a total distance of approximately 398 metres with a width of 2 metres throughout.

PART 3

Limitations and conditions

Pedestrian Gate at Grid Reference SJ 3848 0534 to BS 5709

Pedestrian Gate at Grid Reference SJ 3851 0534 to BS 5709

PART 4

Modification of Definitive Statement

That part of Footpath 51 to be created in the Parish of Minsterley from point A on the order map (SJ 3831 0532), running in a general easterly direction over agricultural land on a natural surface for approximately 170 metres to a pedestrian gate crossing the parish boundary at point D on order map (SJ 3848 0534); the route continues as Footpath 66A, Pontesbury, running in a general easterly direction on a natural surface for approximately 28 metres to cross a field boundary via a pedestrian gate at point E on the order map (SJ 3851 0534) and then following a general north easterly direction on a natural surface to point C on the order map (SJ 3868 0545) where it joins the remainder of Footpath 66A, Pontesbury; a total distance of approximately 398 metres with a width of 2 metres throughout.

Pedestrian Gate at Grid Reference SJ 3848 0534 to BS 5709

Pedestrian Gate at Grid Reference SJ 3851 0534 to BS 5709

There is no Shropshire definitive statement for the remainder of Footpaths 51/66A, Minsterley.

Variation of Particulars of Path or Way

None

Executed as a deed by affixing the
Common Seal of Shropshire
Council on 20th September 2018

In the presence of:

DATED 20th SEPTEMBER 2018

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

THE SHROPSHIRE COUNCIL
(FOOTPATH 51(PART) PARISH OF MINSTERLEY AND
FOOTPATH 66A (PART) PARISH OF PONTESBURY)
PUBLIC PATH DIVERSION ORDER 2018

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

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