



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

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

SHROPSHIRE COUNCIL

**THE SHROPSHIRE COUNCIL (FOOTPATH 79Y, PARISH OF WORTHEN WITH
SHELVE AND FOOTPATH 36 (PART), PARISH OF MINSTERLEY)
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 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 Aston Rogers, 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 bridleway over the land situated at Aston Rogers 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 Footpath 79Y Worthen with Shelve, where it leaves the County Road at point A on the order map (SJ 3448 0621), running in a general south-south-easterly direction along a surfaced driveway passing poultry buildings and then following a field edge path along the eastern boundary of two arable fields in a general south easterly direction and then continues as a cross field path in a general south easterly direction to cross the Rea Brook on the Parish boundary, a distance of approximately 1365 metres. From here the path becomes Footpath 36 Minsterley, and continues for a further 40 metres approximately in a general east-south-easterly direction through a field to point B on the order map (SJ 5580 1250); a total distance of approximately 1405 metres.

PART 2

Description of site of new path or way

Footpath 79Y Worthen with Shelve, to be created where it leaves the County Road at point A on the order map (SJ 3448 0621), passing through a pedestrian gate into an arable field, running in a general south-south-easterly direction following the western edge of the field along a grassed margin to pass to the north eastern side of poultry sheds following the field edge and south of the buildings the path continues in a general south easterly direction along a farm track passing through a field gate (SJ 3481 0580) and continuing until the path becomes a field edge path in a general easterly followed by south easterly direction to a footbridge across the Rea Brook on the Parish boundary, a distance of approximately 1430 metres. From here the path to be created becomes Footpath 36 Minsterley, and continues for a further 35 metres approximately in a general south-south-easterly direction through a field to point B on the order map (SJ 5580 1250); a total distance of approximately 1465 metres with a width of 2 metres throughout.

PART 3

Limitations and conditions

Pedestrian gate at Grid Reference SJ 3448 0621 to BS 5709

Field Gate at Grid Reference SJ 3481 0580

PART 4

Modification of Definitive Statement

Footpath 79Y Worthen with Shelve, to be created where it leaves the County Road at point A on the order map (SJ 3448 0621), passing through a pedestrian gate into an arable field, running in a general south-south-easterly direction following the western edge of the field along a grassed margin to pass to the north eastern side of poultry sheds following the field edge and south of the buildings the path continues in a general south easterly direction along a farm track passing through a field gate (SJ 3481 0580) and continuing until the path becomes a field edge path in a general easterly followed by south easterly direction to a footbridge across the Rea Brook on the Parish boundary, a distance of approximately 1430 metres. From here the path to be created becomes Footpath 36 Minsterley, and continues for a further 35 metres approximately in a general south-south-easterly direction through a field to point B on the order map (SJ 5580 1250); a total distance of approximately 1465 metres with a width of 2 metres throughout.

Pedestrian gate at Grid Reference SJ 3448 0621 to BS 5709

Field Gate at Grid Reference SJ 3481 0580

There is no Shropshire definitive statement for the remainder of Footpath 36 Minsterley.

Variation of Particulars of Path or Way

None

Executed as a deed by affixing the
Common Seal of Shropshire
Council on 5th September 2019

In the presence of:

DATED 5th SEPTEMBER 2019

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

THE SHROPSHIRE COUNCIL
(FOOTPATH 79Y, PARISH OF WORTHEN WITH
SHELVE AND FOOTPATH 36 (PART), PARISH OF
MINSTERLEY)
PUBLIC PATH DIVERSION ORDER 2019

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

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