PUBLIC PATH DIVERSION AND
DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER

HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981

SHROPSHIRE COUNCIL

THE SHROPSHIRE COUNCIL (FOOTPATH 10 (PART), PARISH OF SUTTON UPON TERN) 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 Sutton Grange 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 over the land situated at Sutton Grange 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 10 from point B on the Order Map (SJ 6679 3123), running in a general northerly then north-north-westerly direction across a field to cross a stile and continue generally north-north-westerly to pass close to and on the western side of farm buildings to a stile at point C on the Order Map (SJ 6665 3164) where it exits onto the County Road on a sharp bend; a total distance of approximately 456 metres.

PART 2

Description of site of new path or way

That part of Footpath 10 from point A on the Order Map (SJ 6661 3163) where it leaves the County Road via a pedestrian gate, running in a general southerly direction following a field edge path for approximately 170 metres to cross a fence line via a pedestrian gate (SJ 6661 3146), and then continuing as a field edge path in a general south-south-easterly direction for approximately 268 metres to the corner of the field where the path turns to follow the field boundary in a general easterly direction for a further 84 metres approximately to point B on the Order Map (SJ 6679 3123) where it joins the remainder of Footpath 10; a total distance of approximately 522 metres with a width of 2 metres throughout.

PART 3

Limitations and conditions

Pedestrian Gate at Grid Reference SJ 6661 3163 to BS5709
Pedestrian Gate at Grid Reference SJ 6661 3146 to BS5709

PART 4

Modification of Definitive Statement

That part of Footpath 10 from point A on the Order Map (SJ 6661 3163) where it leaves the County Road via a pedestrian gate, running in a general southerly direction following a field edge path for approximately 170 metres to cross a fence line via a pedestrian gate (SJ 6661 3146), and then continuing as a field edge path in a general south-south-easterly direction for approximately 268 metres to the corner of the field where the path turns to follow the field boundary in a general easterly direction for a further 84 metres approximately to point B on the Order Map (SJ 6679 3123) where it joins the remainder of Footpath 10; a total distance of approximately 522 metres with a width of 2 metres throughout.

Pedestrian Gate at Grid Reference SJ 6661 3163 to BS5709
Pedestrian Gate at Grid Reference SJ 6661 3146 to BS5709

There is no Shropshire Definitive Statement for the remainder of Footpath 10, Sutton upon Tern.

Variation of Particulars of Path or Way

None

Executed as a deed by affixing the
Common Seal of Shropshire
Council on 17th October 2019

In the presence of:

DATED 17th OCTOBER 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 10 (PART),
PARISH OF SUTTON UPON TERN)
PUBLIC PATH DIVERSION ORDER 2019

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

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