



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

**THE SHROPSHIRE COUNCIL (FP 11 (PART) & FP 12 (PART) PARISH OF
KEMBERTON) 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 between Mill Lane and Middle Street, 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 between Mill Lane and Middle Street, 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

That part of FP 11 leaving Point A on the Order map at grid reference SJ 7299 0442 running in a general south easterly direction to a fence line then continuing in the general south easterly direction then ESE direction to a kissing gate at point B on the Order map at grid reference SJ 7311 0437. An approximate distance of 137 metres with a natural surface throughout.

That part of FP 12 leaving point C on the Order map at grid reference SJ 7300 0442 running in a general SSW direction to point D on the Order map at grid reference SJ 7300 0441. A total distance of approximately 9 metres.

PART 2

Description of site of new path or way

Footpath 11 to be created leaving point A on the Order map at grid reference SJ 7299 0442, running in a general ESE, south easterly then ENE direction to re-join the Definitive line of FP 11 at a kissing gate at point B on the Order map at grid reference SJ 7311 0437. An approximate distance of 153 metres with a width of 2 metres on a natural surface throughout its length.

Footpath 12 to be created leaving point C on the Order map at grid reference SJ 7300 0442 running in a general WSW direction on a natural surface to a kissing gate then re-joining FP 11 at point A on the Order map at grid reference SJ 7299 0442. A total distance of approximately 10 metres with a width of 2 metres throughout.

PART 3

Limitations and conditions

Kissing gate at grid reference SJ 7299 0442 to BS 5709

Kissing gate at grid reference SJ 7311 0437 to BS 5709

PART 4

Modification of Definitive Statement

Footpath 11 to be created leaving point A on the Order map at grid reference SJ 7299 0442, running in a general ESE, south easterly then ENE direction to re-join the Definitive line of FP 11 at a kissing gate at point B on the Order map at grid reference SJ 7311 0437. An approximate distance of 153 metres with a width of 2 metres on a natural surface throughout its length.

Footpath 12 to be created leaving point C on the Order map at grid reference SJ 7300 0442 running in a general WSW direction on a natural surface to a kissing gate then re-joining FP 11 at point A on the Order map at grid reference SJ 7299 0442. A total distance of approximately 10 metres with a width of 2 metres throughout.

There is no Shropshire definitive statement for the remainder of Footpath 11 & Footpath 12 in the Parish of Kemberton.

Variation of Particulars of Path or Way

None

Executed as a deed by affixing the
Common Seal of Shropshire
Council on 19th October 2023

In the presence of:

DATED 19th October 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 11 (PART) & FOOTPATH 12 (PART),
PARISH OF KEMBERTON) PUBLIC PATH DIVERSION
ORDER 2023.

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

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