



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

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

SHROPSHIRE COUNCIL

**THE SHROPSHIRE COUNCIL (FOOTPATH 52 (PART), PARISH OF CLEOBURY
MORTIMER)
PUBLIC PATH DIVERSION ORDER 2024**

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 Newhouse Farm Industrial Estate 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 Newhouse Farm Industrial Estate 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

The full width of that part of the Footpath 52 from Point A on the Order Map Grid Reference SO 6698 7508 running across an arable field in a northerly direction where it continues through the industrial units towards the entrance of the industrial estate off Tenbury Road at Point C Grid Reference: SO 6696 7529. A total distance of approximately 215 metres.

PART 2

Description of site of new path or way

From Point A on the Order Map Grid Reference SO 6698 7508 the diverted footpath will run in a south westerly direction to meet the southern field edge. It will then continue in a westerly direction along this field edge for approximately 126 metres before turning due north to meet the northern field boundary alongside Tenbury Road. From here it will follow the northern field edge in a north easterly direction where it will pass through a gate in the fence line at Grid Reference SO 6694 7529 before continuing down steps to meet the Tenbury Road at Point B on the Order Map Grid Reference SO 6694 7529. A total distance of approximately 390 metres with a width of 2 metres throughout.

PART 3

Limitations and conditions

Gate at Grid Reference SO 6694 7529 to BS 5709

PART 4

Modification of Definitive Statement

From Point A on the Order Map Grid Reference SO 6698 7508 the diverted footpath will run in a south westerly direction where it will meet the southern field edge. It will then continue in a westerly direction along this field edge for approximately 126 metres before turning due north to meet the northern field boundary alongside Tenbury Road. From here it will follow the northern field edge in a north easterly direction where it will pass through a gate in the fence line at Grid Reference SO 6694 7529 before continuing down steps to meet the Tenbury Road at Point B on the Order Map Grid Reference SO 6694 7529. A total distance of approximately 390 metres with a width of 2 metres throughout.

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

Variation of Particulars of Path or Way

None

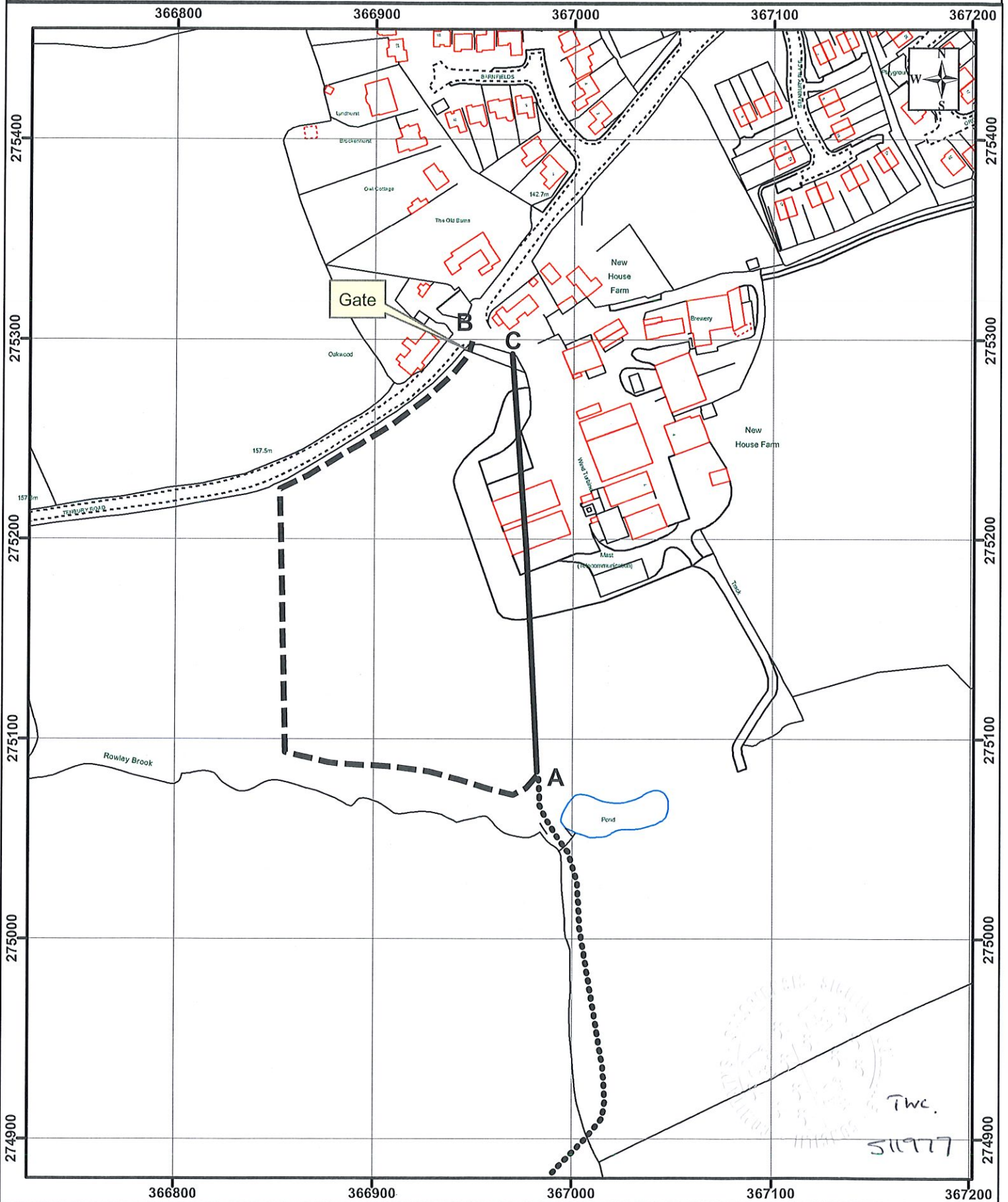
Executed as a deed by affixing the
Common Seal of Shropshire
Council on 14th March 2024

In the presence of:

Tim Collard

Tim Collard
Assistant Director, Legal and Governance
(Monitoring Officer)

511997



Key

Scale: 1:2,500

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

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DATED 14th March 2024

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

THE SHROPSHIRE COUNCIL
(FOOTPATH 52 (PART), PARISH OF
CLEOBURY MORTIMER) PUBLIC PATH
DIVERSION ORDER 2024

SHROPSHIRE OUTDOOR PARTNERSHIPS SERVICE
HOMES AND COMMUNITIES

THE SHIREHALL
ABBAY FOREGATE
SHREWSBURY

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