

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

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

**THE SHROPSHIRE COUNCIL (FP 5 (PART) & FP 5Y PARISH OF
SHERIFFHALES) PUBLIC PATH DIVERSION ORDER 2025.**

STATEMENT OF REASONS FOR MAKING THE ORDER

Under the Highways Act 1980, Councils have the power to make orders to create, extinguish (close) or divert public rights of way and under the Wildlife and Countryside Act 1981 modify the Definitive Map and Statement accordingly. A notice that such an order has been made has to be advertised on the site of the path in question and in the local press. This provides an opportunity for objections or representations to be made to the proposed change.

This statement has been prepared to explain various aspects of the order.

THIS STATEMENT DOES NOT FORM PART OF THE ORDER

An application to divert part of footpath 5 and footpath 5Y in the Parish of Sheriffhales under section 119 of the Highways Act 1980 was submitted on 1st May 2024 by an agent working on behalf of the landowner.

The applicant wishes to divert the section of footpath which runs alongside the former 'Countess of Arms' Public House, to provide a safer and more enjoyable route with better public rights of way connectivity.

The route currently runs through the grounds of the former Public House, passing through the rear car park and alongside the pub building to outlet onto the busy A41.

For health and safety reasons the route is currently subject to a temporary closure notice, this is further to a fire which gutted the pub and rendered the remaining structure unsafe.

If successful, this order will resolve what is realistically only available as a linear route given the practical limitations imposed by its current outlet onto the busy A41, it will also greatly improve the links to the Public Rights of Way network enabling the public the opportunity to form circular and onward longer walks should they wish.

Should the order be successful the required works will be arranged by and be at the cost of the landowner and the cost of the diversion will be met in full by the landowner.

The order will come into effect only after it has been confirmed: making and advertising the order simply provides an opportunity for objections or representations to be made.

Objections or representations relating to the order must be made in writing by 13th February 2025 to the Rights of Way Planning Support Officer, Mapping & Enforcement Team at outdoor.recreation@shropshire.gov.uk.

The Shropshire Council will be willing to discuss the concerns of those considering objecting or making representations relating to the order. Please contact the Rights of Way Planning Support Officer, Mapping & Enforcement Team at outdoor.recreation@shropshire.gov.uk.

The right of objection to an order is a statutory right, but it should be exercised in a reasonable manner. The costs involved in dealing with objections to orders are normally awarded against objectors only in cases of unreasonable behaviour.

If any objections are made and not withdrawn then the council will have to refer the order to the Department of the Environment, Food and Rural Affairs for determination. An Inspector from the Planning Inspectorate will then hear the objections at a public inquiry or hearing or in writing if the objectors agree. The Inspector can confirm an order, confirm it with modifications, or refuse to confirm it. If no objections are received the council will be able to confirm the order itself but it has no power to modify orders.

Where a new path is being created (by a creation or diversion order) the change will come into effect only after a specified period from the date of confirmation to allow time for any necessary works to be undertaken.