Shropshire Council

PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER

HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981

SHROPSHIRE COUNCIL

THE SHROPSHIRE COUNCIL (FOOTPATH 1, PARISH OF LOPPINGTON AND FOOTPATH 86 AND FOOTPATH 87 (PART), PARISH OF MYDDLE, BROUGHTON AND HARMER HILL) PUBLIC PATH DIVERSION ORDER 2018

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 footpaths described in paragraph 1 of this order it is expedient that the line of the ways 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 rights of way over the land situated at Burlton and Myddle, and shown by bold continuous lines 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 rights 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 Burlton and Myddle, 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 Footpath 1, Loppington, from point A on the order map (SJ 4609 2548) where it leaves the county road running in a general easterly direction for approximately 137 metres, then crossing the parish boundary and continuing as Footpath 86, Myddle, Broughton and Harmer Hill Parish, for approximately 172 metres and then continuing along part of Footpath 87 in a general east-north-easterly direction for approximately 164 metres to point B on the order map (SJ 4653 2559); a total distance of approximately 473 metres.

PART 2

Description of site of new path or way

A Footpath to be created in the Parish of Myddle, Broughton and Harmer Hill, from a pedestrian gate at point C on the order map (SJ 4619 2534) running in a general north easterly followed by a general north-north-easterly direction along a hedged field boundary to the west and fenced to the east for approximately 261 metres to point D on the order map (SJ 4627 2558). From here the route turns to follow a general easterly direction passing through a kissing gate (SJ 4633 2558), fenced both sides and surfaced for approximately 85 metres, then continuing for a further 66 metres approximately unenclosed on a concreted surface and then continuing as a surfaced route, fenced both sides, for another 116 metres approximately to point B on the order map (SJ 4653 2559); a total distance of approximately 528 metres with a width of 3 metres throughout.

PART 3

Limitations and conditions

Pedestrian Gate at GR SJ 4619 2534 to BS 5709

Pedestrian Gate at GR SJ 4633 2558 to BS 5709

PART 4

Modification of Definitive Statement

A Footpath to be created in the Parish of Myddle, Broughton and Harmer Hill, from a pedestrian gate at point C on the order map (SJ 4619 2534) running in a general north easterly followed by a general north-north-easterly direction along a hedged field boundary to the west and fenced to the east for approximately 261 metres to point D on the order map (SJ 4627 2558). From here the route turns to follow a general easterly direction passing through a kissing gate (SJ 4633 2558), fenced both sides and surfaced for approximately 85 metres, then continuing for a further 66 metres approximately unenclosed on a concreted surface and then continuing as a surfaced route, fenced both sides, for another 116 metres approximately to point B on the order map (SJ 4653 2559); a total distance of approximately 528 metres with a width of 3 metres throughout.

Pedestrian Gate at GR SJ 4619 2534 to BS 5709
Pedestrian Gate at GR SJ 4633 2558 to BS 5709

There is no Shropshire definitive statement for the remainder of Footpath 87, Myddle, Broughton and Harmer Hill Parish.

Variation of Particulars of Path or Way

None

Executed as a deed by affixing the
Common Seal of Shropshire
Council on 25th October 2018

In the presence of:

HM Parnell
Legal Services Manager

502888

The Shropshire Council
in exercise of the powers conferred
upon them in that behalf hereby
confirm the foregoing order

Executed as a deed by affixing the Common
Seal of Shropshire Council

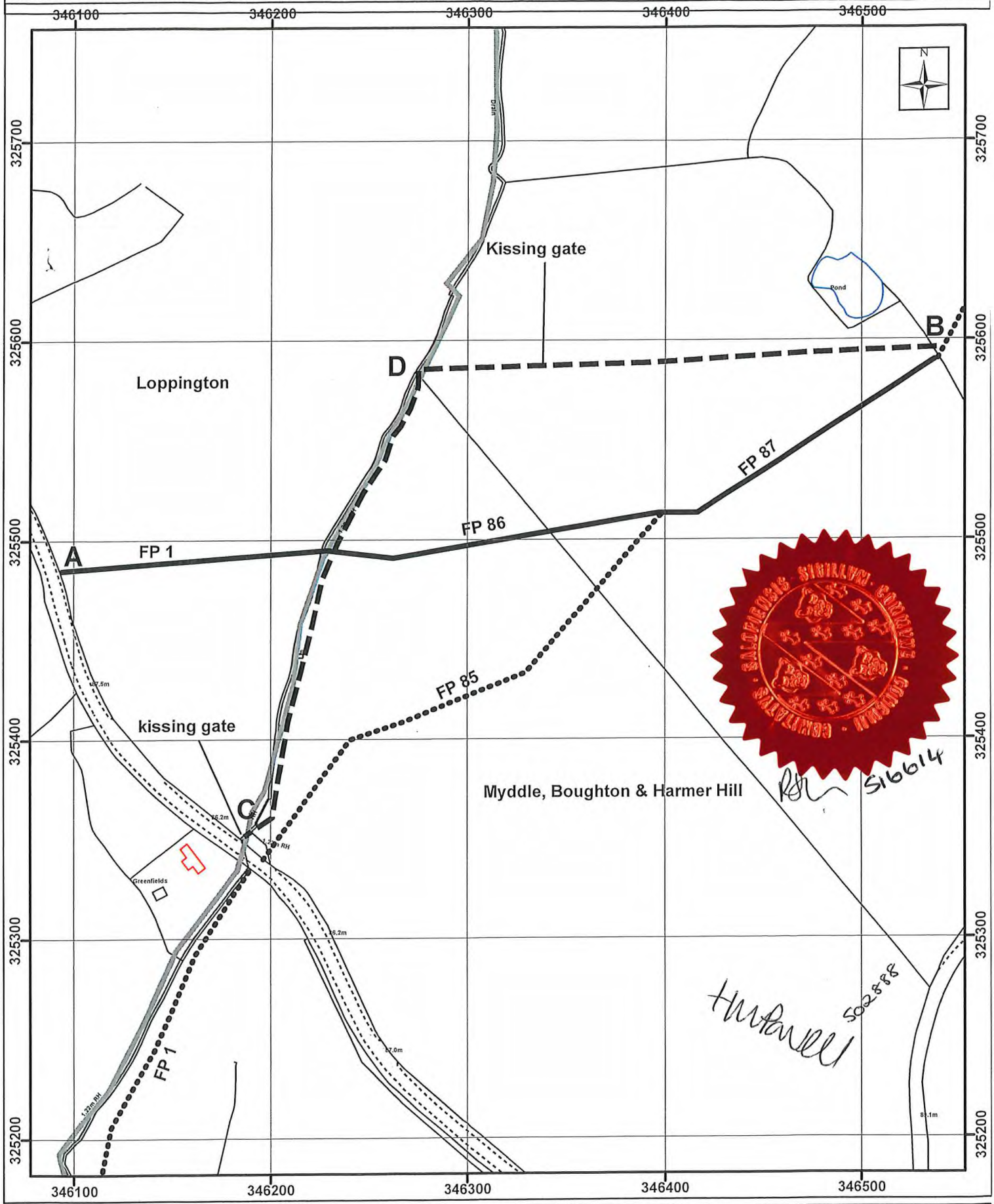
In the presence of:

Rhian Cains
Interim Head of Legal Services



SHROPSHIRE COUNCIL
SECTION 119 HIGHWAYS ACT 1980
Public Path Diversion Order 2018

Parishes of Loppington and Myddle, Broughton & Harmer Hill
FP 1 Loppington and FP 86 & FP87 (part) Myddle, Broughton and Harmer Hill
OS Sheet No: SJ 42



Shropshire Council
The Shirehall, Abbey Foregate
Shrewsbury, Shropshire, SY2 6ND

Key
Route to be created
Route to be extinguished
Existing to remain
Parish boundary

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Scale: 1:2,500

DATED 25th OCTOBER 2018

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HIGHWAYS ACT 1980 (SECTION 119)
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(FOOTPATH 1, PARISH OF LOPPINGTON AND FOOTPATH 86 AND FOOTPATH 87 (PART), PARISH OF MYDDLE, BROUGHTON AND HARMER HILL) PUBLIC PATH DIVERSION ORDER 2018

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

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