



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

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

**SHROPSHIRE COUNCIL**

**THE SHROPSHIRE COUNCIL (FOOTPATH 33 (PART) PARISH OF KINNERLEY)  
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 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 The Fields 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 The Fields 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 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 33 from Point A on the Order Map grid reference SJ 3661 1783, running along a stone access track in a general north-north-easterly direction for approximately 85m. From there it passes through a kissing gate and runs along a grass field edge surface in a generally NNW direction for approximately 117m to meet a gate at Point B on the Order Map SJ 3660 1802. A distance of approximately 204m.

### **PART 2**

#### **Description of site of new path or way**

From a gate at Point A on the Order Map SJ 3661 1783 travelling in a general north westerly direction through a young plantation. Turning to run alongside a hedge in a general NNE direction crossing a small stream, before continuing alongside the same hedge in a general northerly direction. It then continues in a NNE direction to meet the definitive line of Footpath 33 at a gate at point B on the Order Map grid reference SJ 3660 1802. A total distance of approximately 219m, with a width of 2m and a natural surface throughout.

### **PART 3**

#### **Limitations and conditions**

Gate at Grid Reference SJ 3661 1783 to BS 5709  
Gate at Grid Reference SJ 3660 1802 to BS 5709

## PART 4

### Modification of Definitive Statement

From a gate at Point A on the Order Map SJ 3661 1783 travelling in a general north westerly direction through a young plantation. Turning to run alongside a hedge in a general NNE direction crossing a small stream, before continuing alongside the same hedge in a general northerly direction. It then continues in a NNE direction to meet the definitive line of Footpath 33 at a gate at point B on the Order Map grid reference SJ 3660 1802. A total distance of approximately 219m, with a width of 2m and a natural surface throughout.

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

### Variation of Particulars of Path or Way

None

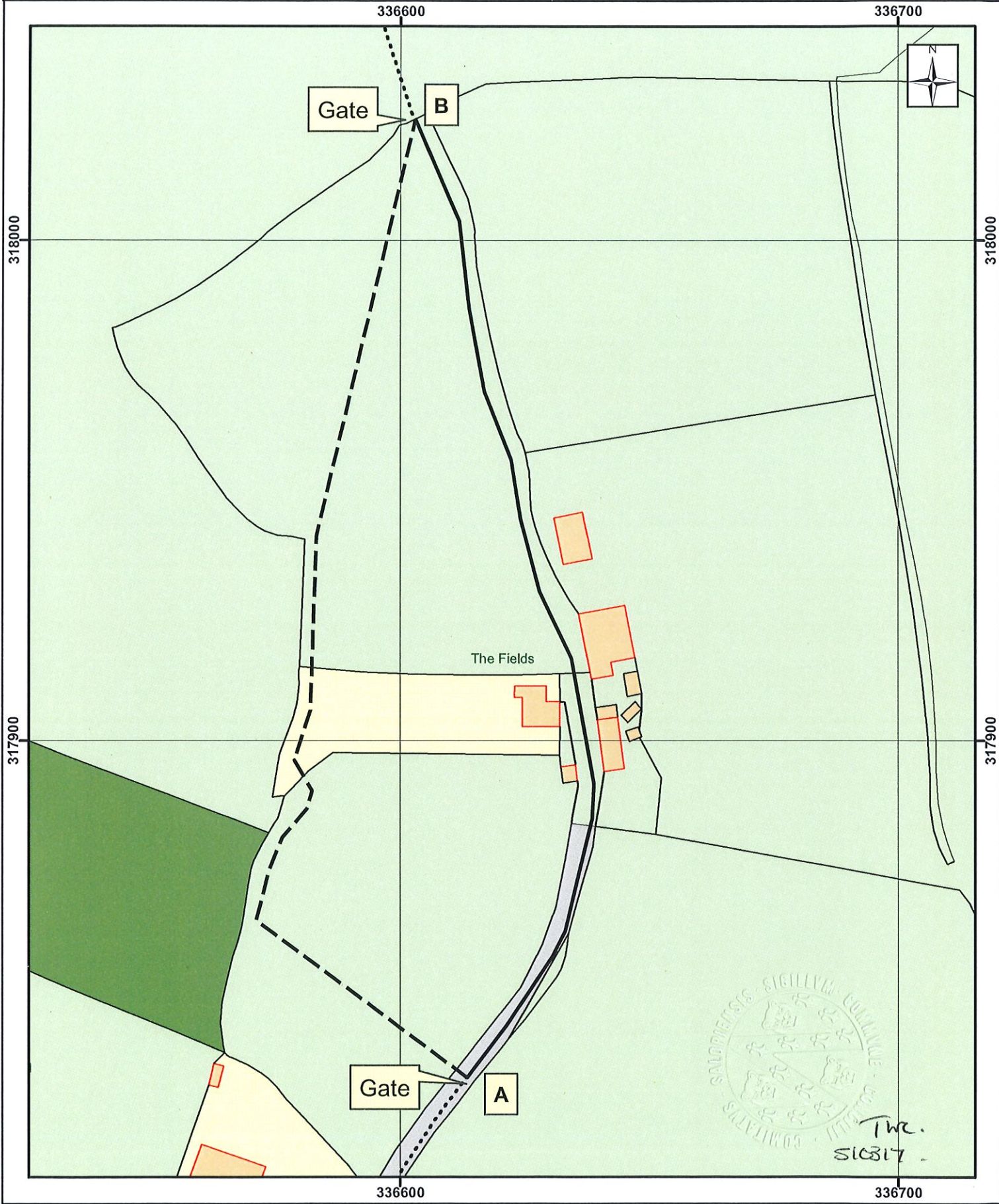
Executed as a deed by affixing the  
Common Seal of Shropshire  
Council on 16<sup>th</sup> March 2023

In the presence of:



510317

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



DATED 16<sup>th</sup> March 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 33 (PART), PARISH OF  
KINNERLEY) PUBLIC PATH DIVERSION  
ORDER 2023

SHROPSHIRE OUTDOOR PARTNERSHIPS SERVICE  
HOMES AND COMMUNITIES

THE SHIREHALL  
ABBAY FOREGATE  
SHREWSBURY

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