

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

**THE SHROPSHIRE COUNCIL
BRIDLEWAY 7B PARISH OF CAYNHAM,
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 Bridleway 7B in the Parish of Caynham has been submitted by the owners of Percys Cottage.

The Bridleway currently runs through the boundary and very close to the property known as Percys Cottage. The owners have recently submitted a planning application for a side extension, and the proposed development will directly affect the line of the bridleway.

The planning application submitted is to allow for the erection of a two-storey side extension under planning reference 24/04182/FUL.

Although the bridleway is affected by the planning application the legal order will be made under section 119 of the Highways Act 1980, in the interests of the landowner as the diversion is too great to be considered under the Town & Country Planning Act 1990.

The applicants' bought the property knowing that the bridleway existed and are not disputing the line, however it is clear from a site visit that this bridleway has not been open and available for some time (if ever). The two adjoining landowners have given written permission for the bridleway to be diverted over their land.

The existing links in the Rights of Way network will continue to be in place once the legal orders are confirmed.

Should objections be received upon publication of an order, then it should be noted that the order may have to be submitted to the Secretary of State for determination where it will be assessed by an Independent Inspector.

Any representations about or objections to the order may be sent in writing to the Shropshire Council, Rights of Way Team, Riggs Hall, Castle Gates, Shrewsbury, SY1 2AS or by email to outdoor.recreation@shropshire.gov.uk not later than 21st August 2025.

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, Rights of Way 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.