

**TOWN AND COUNTRY PLANNING ACT 1990
WILDLIFE AND COUNTRYSIDE ACT 1981
PUBLIC PATH ORDER
DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER**

PROPOSED DIVERSION OF FOOTPATH 13 (PART) IN THE PARISH OF BICTON

STATEMENT OF REASONS FOR MAKING THE ORDER

Under the Town and Country Planning Act 1990, Councils have the power to make orders to create, stop up (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

On 19th April 2018, an application to divert part of footpath 13 in the Parish of Bicton was submitted by agents representing the Severn Hospice, Shrewsbury.

The application has been made to allow for the erection of a Day Care Centre consisting of a two storey building, external paved areas and a car park under planning references 17/01305/FUL. The diversion will be made under section 257 of the Town & Country Planning act 1990 to allow for this development to take place.

The footpath at present leaves a woodland walk to the west of the hospice and runs in a southerly direction over a grass field to the southern boundary of the site, the footpath if it was to remain on its Definitive line would be obstructed by the building and car park area. The applicant wishes to divert the footpath along a meandering surfaced path to take walkers away from the new buildings whilst also providing a more suitable alternative for users.

The applicant has been in consultation with Officers from an early stage of the planning procedure and the changes proposed are the result of this consultation.

The applicant in accordance with Shropshire Council's cost schedule will meet the full costs of the order.

Objections or representations relating to the order must be made in writing by 21st March 2019 to the Rights of Way and Enforcement Manager, Outdoor Partnerships Service, Infrastructure and Communities, The Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND or by email to 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 Kate Nore, Land Charges & Planning Support Officer, Shropshire Outdoor Partnerships Service, Infrastructure and Communities, The Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND; email kate.nore@shropshire.gov.uk or by telephone on 01743 255063.

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.