PUBLIC PATH DIVERSION AND
DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER

HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981

SHROPSHIRE COUNCIL

THE SHROPSHIRE COUNCIL (FOOTPATH 13 (PART) AND FOOTPATH 16 (PART), PARISH OF COCKSHUTT) PUBLIC PATH DIVERSION ORDER 2019

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 lines 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 Kenwick Lodge Farm 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 footpaths are 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 Kenwick Lodge Farm, 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 part of Footpath 13 from point A on the order map (SJ 4228 2864), running in a general north-north-easterly direction along an access track to point B on the order map (SJ 4230 2869), a distance of approximately 60 metres;
and the full width of that part of Footpath 16 from point C on the order map (SJ 4227 2870), running in a general southerly direction across a field for approximately 50 metres to point A on the order map (SJ 4228 2864), then continuing in a general east-south-easterly direction through a garden and then across fields for a further 275 metres to point D on the order map (SJ 42532858) at its junction with Footpath 15; a total distance of 385 metres of footpath to be extinguished.

PART 2

Description of site of new path or way

That part of Footpath 13, Cockshutt, to be created from point B on the order map (SJ 4230 2869), running in a general westerly direction along an access track to point C on the order map (SJ 4227 2870) and its junction with Footpath 16, a distance of approximately 33 metres with a width of 2 metres throughout;
and that part of Footpath 16,Cockshutt, to be created from point E on the order map (SJ 4254 2859) running in a general west-north-westerly direction following a field edge path to pass through a gap (SJ 4235 2867) in the boundary alongside an outbuilding shortly before its junction with Footpath 13 at point F on the order map (SJ 4234 2868), a distance of approximately 229 metres with a width of 2 metres throughout ; a total distance of 262 metres of footpath to be created.

PART 3

Limitations and conditions

Gap (SJ 4234 2868) to BS 5709

PART 4

Modification of Definitive Statement

That part of Footpath 13, Cockshutt, to be created from point B on the order map (SJ 4230 2869), running in a general westerly direction along an access track to point C on the order map (SJ 4227 2870) and its junction with Footpath 16, a distance of approximately 33 metres with a width of 2 metres throughout;
and that part of Footpath 16,Cockshutt, to be created from point E on the order map (SJ 4254 2859) running in a general west-north-westerly direction following a field edge path to pass through a gap (SJ 4235 2867) in the boundary alongside an outbuilding shortly before its junction with Footpath 13 at point F on the order map (SJ 4234 2868), a distance of approximately 229 metres with a width of 2 metres throughout ; a total distance of 262 metres of footpath to be created.

Gap (SJ 4234 2868) to BS 5709

There is no Shropshire definitive statement for the remainder of Footpaths 13 and 16 Cockshutt Parish.

Variation of Particulars of Path or Way

None

Executed as a deed by affixing the
Common Seal of Shropshire
Council on 7th November 2019

In the presence of:

DATED 7th NOVEMBER 2019

PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER HIGHWAYS ACT 1980 (SECTION 119) WILDLIFE AND COUNTRYSIDE ACT 1981

THE SHROPSHIRE COUNCIL (FOOTPATH 13 (PART) AND FOOTPATH 16 (PART), PARISH OF COCKSHUTT) PUBLIC PATH DIVERSION ORDER 2019

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

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