



**PUBLIC PATH DIVERSION AND DEFINITIVE MAP  
AND STATEMENT MODIFICATION ORDER  
TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257  
WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 53(A)(2)**

**THE SHROPSHIRE COUNCIL (FP 9 (PART) TOWN OF SHREWSBURY) PUBLIC  
PATH DIVERSION ORDER 2017**

This order is made by the Shropshire Council ("the Council") under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpath to which this order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990 namely: the construction of an extension at number 1 St James Road, Shrewsbury. (17/01718/FUL).

This order is also made under section 53A(2) of the Wildlife and 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 hitherto shown or required to be shown in the map and statement.

**BY THIS ORDER:**

1. The footpath over the land shown by a bold black line on the attached map and described in Part 1 of the Schedule to this order ("the Schedule") shall be diverted, and the Shropshire definitive map and statement shall be modified as provided below.
2. There shall be created to the reasonable satisfaction of the Shropshire Council an alternative highway for use as a replacement for the said footpath as

provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.

3. The diversion of the footpath shall have effect on the date on which Shropshire Council certify that the terms of Article 2 above have been complied with and upon occurrence of that diversion the Shropshire definitive map shall be modified by deleting from it the path or way referred to in paragraph 1 of this order and the path or way referred to in paragraph 2 of this order shall be added to it and the definitive statement shall be modified as described in Part 3 of the schedule.
4. 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 rights in respect of the apparatus as they then had.

## **SCHEDULE**

### **PART I**

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

The full width of that part of Footpath 9, from point **A** (SJ 5185 1281) on the Order Map, running in a generally northerly direction through the gardens of 1, 3, 5, 7, 9 and 11 St James Road to point **B** at SJ 5186 1296 on the Order Map; a total distance of approximately 147 metres .

## **PART 2**

### **Description of site of alternative highway**

leaving point **A** (SJ 5185 1281) on the Order Map running in a general NNE, northerly then NNW direction on a natural surface to join the Definitive line of FP 9 at point **B** at SJ 5186 1296 on the Order Map; a total distance of approximately 152 metres with an unfenced width of 1.8 metres throughout.

## **PART 3**

### **Modification of Definitive Statement**

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

### **Variation of Particulars of Path of Way**

*None*

Executed as a deed by affixing the  
Common Seal of Shropshire  
Council on 20<sup>th</sup> July 2017

In the presence of:

DATED 20<sup>th</sup> July 2017

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SHROPSHIRE OUTDOOR  
PARTNERSHIPS  
INFRASTRUCTURE AND COMMUNITIES  
SHROPSHIRE COUNCIL  
THE SHIREHALL  
ABBAY FOREGATE  
SHREWSBURY

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