

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

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

**PROPOSED DIVERSION OF FOOTPATH 14Y (PART),
TOWN OF SHREWSBURY AND FOOTPATH 14, PARISH OF ASTLEY
AND FOOTPATHS 13 AND 14 (PART), PARISH OF UFFINGTON**

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

On 4th September 2015 an application to divert the above numbered under section 119 of the Highways Act was made by the owners of Albrightlee. The proposal is to divert part of Footpaths 14Y Shrewsbury and continuing as 14 Astley which crosses a field used only for grazing animals (bull, cows and calves) onto a more convenient line to allow better livestock management and safety of walkers. The new route will cross permanent pasture within two fields slightly south of the existing footpath. The cost of the order will be met by the applicants who will install a new kissing gate in a field boundary on the proposed new route. No other additional furniture will be required on the diverted route.

Following informal consultations on the above proposals, the applicants/owners made an additional request to extend the diversion proposals to include the diversion of FP 13 Astley (which they were unaware was a recorded public right of way as it traverses a steep bank which would be very difficult to negotiate), and also part of Footpath 14 which crosses the parish boundary into Uffington, and is in different ownership. The owners of the land crossed by FP 14 at Dell Farm have provided their written consent to this addition to the diversion which will take the route onto a well-defined track occasionally used by walkers. There is a pedestrian gate providing access to this route on the parish boundary.

The proposed diversions will provide easier access for walkers as two stiles on the existing route will be replaced by one kissing gate on the proposed new route.

It is considered that the proposed diversion fulfils the criteria specified under section 119 of the Highways Act 1980 in that the order would be in the interests of the landowner for reasons of amenity of land. The proposed alternative routes are

considered to be as convenient as the existing routes and will maintain links with the existing rights of way network.

The order will come into effect only after it has been confirmed: making and advertising the order simply provides an opportunity for objections or representations to be made.

Objections or representations relating to the order must be made in writing by 11th February 2016 to the Shropshire Outdoor Partnerships Manager, Economic Growth and Prosperity, 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 Jean Jones, Definitive Map and Enforcement Support Officer, Shropshire Outdoor Partnerships Service, The Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND; email jean.jones@shropshire.gov.uk or by telephone on 01743 255056.

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.