



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

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

**SHROPSHIRE COUNCIL**

**THE SHROPSHIRE COUNCIL (FOOTPATH 32 (PART) AND FOOTPATH 33  
(PART), PARISH OF GREAT NESS) PUBLIC PATH DIVERSION ORDER 2018**

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 public 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 the Nesscliff Military Training Area in the Parish of Great Ness 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 of confirmation of this order and thereupon the Shropshire definitive map shall be modified by deleting from it that public right of way.

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 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 right in respect of the apparatus as they then had.

3. There shall on the date of confirmation of this Order be public footpaths over the land situated at the Nesscliff Military Training Area, in the Parish of Great Ness 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 those paths 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 paths or ways**

The full width of that part of Footpath 32, Great Ness, from point A on the order map (GR SJ 3706 1945), running in a general south westerly then south-south-westerly direction for approximately 608 metres to point B on the order map (GR SJ 3676 1895); and the full width of that part of Footpath 32 from point B on the order map (SJ 3676 1895) running in a general south westerly direction for approximately 151 metres to point D on order map (SJ 3665 1885), then continuing as that part Footpath 33, running in a general southerly direction for approximately 144 metres to meet point C on the order map (SJ 3663 1870); a total distance of approximately 903 metres.

### **PART 2**

#### **Description of site of new paths or ways**

A footpath to be created from point A on the order map (SJ 3706 1945) running in a general south westerly direction on a surfaced track for approximately 284 metres then continuing via a gate ( GR SJ 3695 1919) in a general south westerly direction for approximately 17 metres on a natural surface, then crossing a surfaced track for approximately 3 metres before continuing in the same general south westerly direction on a natural surface for approximately 295 metres to meet a gate at point B on the order map (SJ 3676 1895); and a footpath to be created from point B on the order map (SJ 3676 1895) running in a general southerly direction on a natural surface for approximately 25 metres then continuing in a general south, then south-south-westerly then south westerly direction on a surfaced track for approximately 220 metres. It then continues to run on a natural surface for approximately 38 metres in a general south westerly direction to a gate (GR SJ 3663 1872) and then over a footbridge to meet point C (SJ3663 1870) on the order map; a total distance of approximately 882 metres with a width of 2 metres throughout.

## **PART 3**

### **Limitations and conditions**

Gate at GR SJ 3706 1945 to BS5709

Gate at GR SJ 3695 1919 to BS5709

Gate at GR SJ 3663 1872 to BS5709

## **PART 4**

### **Modification of Definitive Statement**

A footpath to be created from point A on the order map (SJ 3706 1945) running in a general south westerly direction on a surfaced track for approximately 284 metres then continuing via a gate ( GR SJ 3695 1919) in a general south westerly direction for approximately 17 metres on a natural surface, then crossing a surfaced track for approximately 3 metres before continuing in the same general south westerly direction on a natural surface for approximately 295 metres to meet a gate at point B on the order map (SJ 3676 1895); and a footpath to be created from point B on the order map (SJ 3676 1895) running in a general southerly direction on a natural surface for approximately 25 metres then continuing in a general south, then south-south-westerly then south westerly direction on a surfaced track for approximately 220 metres. It then continues to run on a natural surface for approximately 38 metres in a general south westerly direction to a gate (GR SJ 3663 1872) and then over a footbridge to meet point C (SJ3663 1870) on the order map; a total distance of approximately 882 metres with a width of 2 metres throughout.

Gate at GR SJ 3706 1945 to BS5709

Gate at GR SJ 3695 1919 to BS5709

Gate at GR SJ 3663 1872 to BS5709

## Variation of Particulars of Path or Way

None

Executed as a deed by affixing the  
Common Seal of Shropshire  
Council on 17<sup>th</sup> May 2018  
In the presence of:

DATED 17 MAY 2018

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

THE SHROPSHIRE COUNCIL  
(FOOTPATH 32 (PART) AND FOOTPATH 33 (PART),  
PARISH OF GREAT NESS) PUBLIC PATH DIVERSION  
ORDER 2018

SHROPSHIRE OUTDOOR PARTNERSHIPS SERVICE  
INFRASTRUCTURE AND COMMUNITIES

THE SHIREHALL  
ABBAY FOREGATE  
SHREWSBURY

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