

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

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

PROPOSED DIVERSION OF FP UN 1 (PART) PARISH OF WEM RURAL

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 orders.

THIS STATEMENT DOES NOT FORM PART OF THE ORDER

An application to divert part of Footpath UN1 Wem Rural under section 119 of the Highways Act 1980 was submitted by the owners of Weir Cottage on 14th January 2014.

The property is currently uninhabited and in need of complete renovation. The owners intend to restore the cottage for use as a dwelling. The current alignment of the path, which also serves as part of the Shropshire Way, passes immediately alongside the house and crosses through the area that would become the garden and the owners would prefer the footpath to run along the edge.

The proposal would involve users following Weir Lane for a further 20m past the current extent of tarmac. This section was not shown on the Highways gazetteer but older records have been checked which confirm that the full length of the lane is a public highway and Highways will amend their record accordingly.

The full costs of the diversion will be met by the applicant according to the domestic costs schedule and any works required will be undertaken by the applicant.

Officers are satisfied that the diversion complies with the legal tests laid down by section 119 of the 1980 Act, namely that in the interests of the landowner it is expedient to divert the footpath onto a more convenient line. The proposed line of the path will not be significantly less convenient for the public and links with the existing network will not be adversely affected. The particular appeal of this path arises from its proximity to the watercourse and this will not be compromised by the proposal

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 23rd May 2014 to the Service Manager Outdoor Recreation, 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 Mat Stephens, Rights of Way Officer, Outdoor Recreation, The Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND.

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/s 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/s itself but it has no power to modify orders.