

NOTICE OF ORDER WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53

Shropshire Council
(PARISH OF FRODESLEY) MODIFICATION ORDER 2010

Notice is hereby given that the above referenced Order has been submitted to the Secretary of State for Environment, Food and Rural Affairs for determination. An Inspector will be appointed by the Secretary of State to determine the Order.

The **start date** for the above Order is **12 July 2016**.

Consideration of the Order will take the form of a public local inquiry.

The Inquiry will be held at **Pitchford Village Hall, Pitchford, Nr Conover, Shrewsbury, SY5 7DW** on **Tuesday 13 December 2016** at 10.00am.

The effect of the Order, if confirmed without modifications, will be to modify the Definitive Map and Statement for the area by: -

Bridleway Addition – Order Map 1

Adding a bridleway from point A on Order Map 1 (SO 5176 9980), running in a general NNE direction along a gravel surfaced access track at Frodesley Court with a width of 5 metres to a gate at point B on the Order Map (SO 5179 9985). From here the route curves in a general northerly then easterly direction around a grass field with a width of 2 metres to a gate at point C on the Order Map (SO 5187 9995) and then continues across another grassed field in a general ENE direction with a width of 2 metres to point D on the Order Map (SO 5203 9999) where it meets the definitive line of Bridleway 4; a total distance of approximately 358 metres. (Cross reference Order Maps 2, 3 & 4.),

Footpath Addition – Order Map 2

Adding a footpath from point A on Order Map 2 (SO 5179 9985), running in a general ESE direction ascending a brick stairway with a useable width of 2.5 metres then continuing in a general easterly direction along an earth surfaced path, 1.8 metres wide, before passing Frodesley Lodge via four further steps and along a paved area, 1.8 metres wide, to a gate in a stone wall at point B on the Order Map (SO 5182 9985) now running in a general northerly direction for a very short distance and then turning easterly again along a grass surface with a width of 1.8 metres, to point C on the Order Map (SO 5184 9985); a total distance of approximately 59 metres. (Cross reference Order Maps 1, 3 & 4.)

Bridleway 4 (part) to be downgraded to Footpath – Order Map 3

Downgrading that part of Bridleway 4 to Footpath status from point A on Order Map 3 (SO 5184 9985) just north east of Frodesley Lodge, running in

a general north easterly direction crossing a grass field to a gate at point B on the Order Map (SO 5187 9987), continuing in a general north easterly direction across another grass field to point C on the Order Map (SO 5203 9999); a total distance of approximately 226 metres and the footpath to have a width of 2 metres throughout. (Cross reference Order Maps 1, 2 & 4.)

Bridleway 4 (part) deletion – Order Map 4

Deleting that part of Bridleway 4 from point A in Order Map (SO 5176 9980). Running in a general north easterly direction passing through Frodesley Lodge to point B on the Order Map (SO 5184 9985); a total distance of approximately 90 metres. (Cross reference Order Maps 1, 2 & 3.)

Footpath 7 upgrade to Bridleway – Order Map 5

Footpath 7 to be upgraded to Bridleway status from point A on Order Map 5 (SO 4981 9990) where it leaves the County Road, running in a generally easterly direction along an enclosed lane with a width varying between 4.8 metres and 8 metres as shown on the Order Map but with a useable width of 3 metres and surfaced with tarmac throughout its length to the property known as 'Lawley View' where it joins Footpaths 6 and 2L and Bridleway 7R at point B on the Order Map (SO 5047 9987); a total distance of approximately 660 metres.

Any queries relating to this Order should be referred to Clive Richards at The Planning Inspectorate, Rights of Way Section, Room 3/G Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5502. Email: clive.richards@pins.gsi.gov.uk. Please quote reference number FPS/L3245/7/16 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment at The Shirehall (Outdoor Partnerships Office), Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND during normal office hours. Contact: Jean Jones, Tel: 01743 255056.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date [by 06 September 2016]

The Order Making Authority must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy (excluding copies of any supporting documents, although these will be available to view at the Authority's offices) to everyone who has made an objection or representation and the applicant and any other person who has written to us in respect of the Order.

Within 14 weeks of the start date [by 18 October 2016]

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry must ensure their statement of case¹

¹ If you wish to make a legal submission, this should be submitted at the same time as your statement of case. Otherwise legal submissions will have to be submitted in writing on the day of the inquiry.

is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies to the Authority, the applicant, every person who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents, although these will be available to view at the Authority's offices).

Within the same period the applicant (if applicable) must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy to the Authority, everyone who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents, although these will be available to view at the Authority's offices).

4 weeks before the date of the inquiry [by 15 November 2016]

The Authority, everyone who has made an objection or representation, the applicant (if applicable) and anyone who wishes to give evidence at the Inquiry must ensure their proof of evidence (together with any summary) is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of:

- i) the Authority's proof of evidence to everyone who has made an objection or representation, the applicant and anyone who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence);
- ii) the applicant's proof of evidence to the Authority, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence); and
- iii) all other proofs of evidence to the Authority, the applicant, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence).

All parties must keep to the timetable set out above and ensure that statements of case and proofs of evidence are received by the Secretary of State on time. Late documents will be returned.

We cannot accept any libellous, racist or abusive comments. Any documents containing such comments will be returned.

Notice of order for inquiry



SHROPSHIRE COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT OF RIGHTS OF WAY FOR SHROPSHIRE

**THE SHROPSHIRE COUNCIL
(PARISH OF FRODESLEY) MODIFICATION ORDER 2010**

This Order is made by the Shropshire Council ("the Council") under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to the Council that the Shropshire Definitive Map and Statement require modification because in accordance with the provisions of Section 53(3)(c)(i)(ii)&(iii) the Council has discovered evidence which (when considered with all other relevant evidence available to them) shows -

- (i) that a right of way which is not shown on the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way to which this part applies;
and
- (ii) that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description
and
- (iii) that there is no public right of way over the land shown in the map and statement as a highway of any description, or any other particulars contained in the map and statement require modification.

The Council hereby order that:-

1. For the purpose of this Order the relevant date is 1st February 2010.
2. The Shropshire Definitive Map and Statement shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as The Shropshire Council (Parish of Frodesley) Modification Order 2010.

SCHEDULE

PART I

Modification of Definitive Map

Description of paths or ways to be added/upgraded/downgraded/deleted

i) Bridleway Addition – Order Map 1

A bridleway to be added from point A on Order Map 1(SO 5176 9980), running in a general NNE direction along a gravel surfaced access track at Frodesley Court with a width of 5 metres to a gate at point B on the Order Map (SO 5179 9985). From here the route curves in a general northerly then easterly direction around a grass field with a width of 2 metres to a gate at point C on the Order Map (SO 5187 9995) and then continues across another grassed field in a general ENE direction with a width of 2 metres to point D on the Order Map (SO 5203 9999) where it meets the definitive line of Bridleway 4; a total distance of approximately 358 metres.
(Cross reference Order Maps 2, 3, and 4)

ii) Footpath Addition – Order Map 2

A footpath to be added from point A on Order Map 2 (SO 5179 9985), running in a general ESE direction ascending a brick stairway with a useable width of 2.5 metres then continuing in a general easterly direction along an earth surfaced path, 1.8 metres wide, before passing Frodesley Lodge via four further steps and along a paved area, 1.8 metres wide, to a gate in a stone wall at point B on the Order Map (SO5182 9985) now running in a general northerly direction for a very short distance and then turning easterly again along a grass surface with a width of 1.8 metres, to point C on the Order Map (SO 5184 9985); a total distance of approximately 59 metres.
(Cross reference Order Maps 1, 3, and 4.)

iii) Bridleway 4 (part) to be downgraded to Footpath - Order Map 3

That part of Bridleway 4 to be downgraded to Footpath status from point A on Order Map 3 (SO 5184 9985) just north east of Frodesley Lodge, running in a general north easterly direction crossing a grass field to a gate at point B on the Order Map (SO5187 9987), continuing in a general north easterly direction across another grass field to point C on the Order Map (SO 5203 9999); a total distance of approximately 226 metres and the footpath to have a width of 2 metres throughout.
(Cross reference Order Maps 1, 2, and 4.)

iv) Bridleway 4 (part) deletion – Order Map 4

That part of Bridleway 4 to be deleted from point A on Order Map 4 (SO 5176 9980), running in a general north easterly direction passing through Frodesley Lodge to point B on the Order Map (SO 5184 9985); a total distance of approximately 90 metres.

(Cross reference Order Maps 1, 2, and 3.)

v) Footpath 7 upgrade to Bridleway – Order Map 5

Footpath 7 to be upgraded to Bridleway status from point A on Order Map 5 (SO 4981 9990) where it leaves the County Road, running in a general easterly direction along an enclosed lane with a width varying between 4.8 metres and 8 metres as shown on the Order Map but with a useable width of 3 metres and surfaced with tarmac throughout its length to the property known as 'Lawley View' where it joins Footpaths 6 and 2L and Bridleway 7R at point B on the Order Map (SO 5047 9987); a total distance of approximately 660 metres.

PART II

Modification of Definitive Statement

Description of paths or ways to be added/upgraded/downgraded

vi) Bridleway Addition – Order Map 1

A bridleway to be added from point A on Order Map 1 (SO 5176 9980), running in a general NNE direction along a gravel surfaced access track at Frodesley Court with a width of 5 metres to a gate at point B on the Order Map (SO 5179 9985). From here the route curves in a general northerly then easterly direction around a grass field with a width of 2 metres to a gate at point C on the Order Map (SO 5187 9995) and then continues across another grassed field in a general ENE direction with a width of 2 metres to point D on the Order Map (SO 5203 9999) where it meets the definitive line of Bridleway 4; a total distance of approximately 358 metres.

(Cross reference Order Maps 2, 3, and 4)

vii) Footpath Addition – Order Map 2

A footpath to be added from point A on Order Map 2 (SO 5179 9985), running in a general ESE direction ascending a brick stairway with a useable width of 2.5 metres then continuing in a general easterly direction along an earth surfaced path, 1.8 metres wide, before passing Frodesley Lodge via four further steps and along a paved area, 1.8 metres wide, to a gate in a stone wall at point B on the Order Map (SO 5182 9985) now running in a general northerly direction for a very short distance and then turning easterly again along a grass surface with a width of 1.8 metres,

Mod Ord.doc

to point C on the Order Map (SO 5184 9985); a total distance of approximately 59 metres.

(Cross reference Order Maps 1, 3, and 4.)

viii) Bridleway 4 (part) to be downgraded to Footpath - Order Map 3

That part of Bridleway 4 to be downgraded to Footpath status from point A on Order Map 3 (SO 5184 9985) just north east of Frodesley Lodge, running in a general north easterly direction crossing a grass field to a gate at point B on the Order Map (SO5187 9987), continuing in a general north easterly direction across another grass field to point C on the Order Map (SO 5203 9999); a total distance of approximately 226 metres and the footpath to have a width of 2 metres throughout.

(Cross reference Order Maps 1, 2, and 4.)

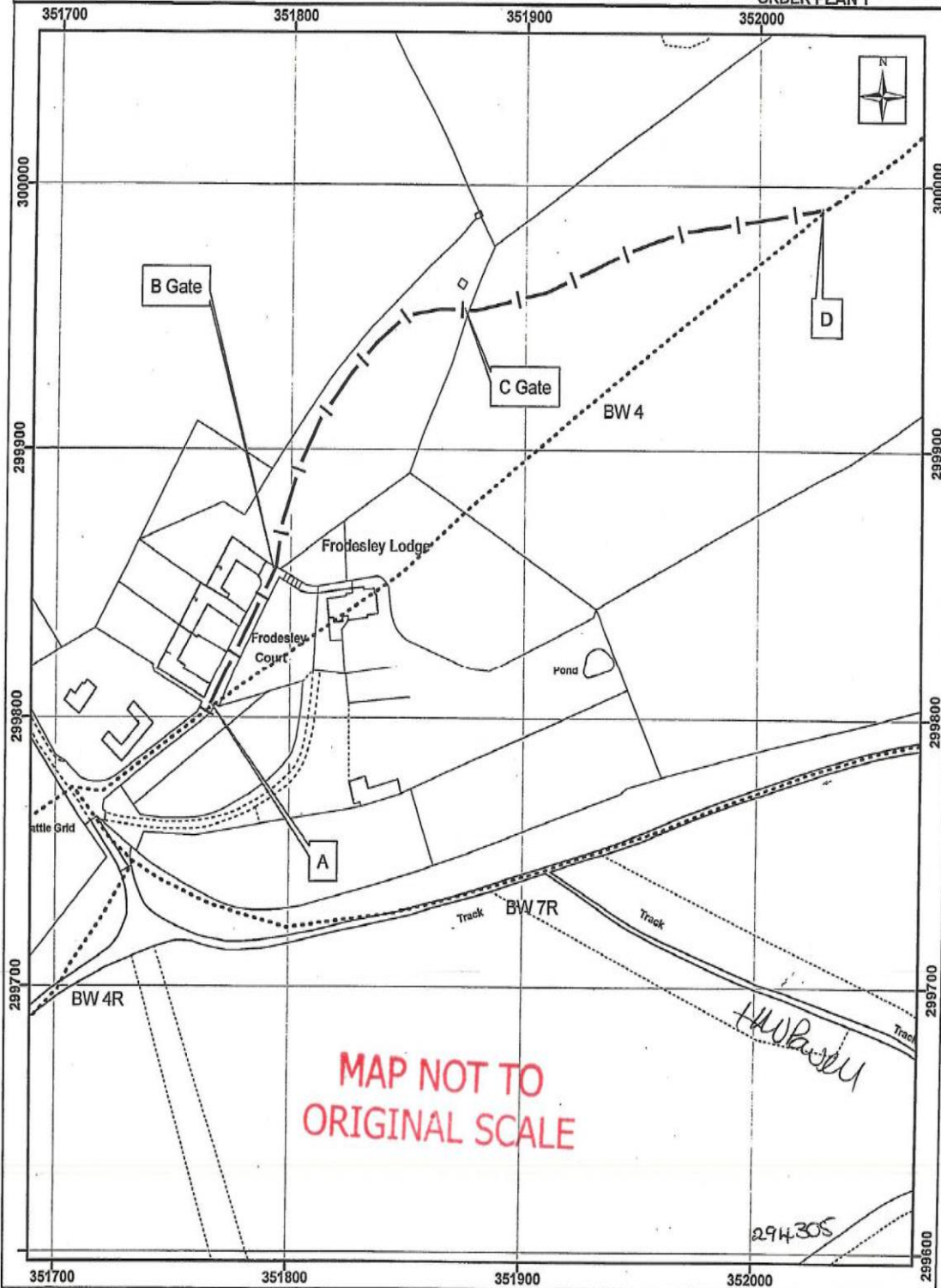
ix) Footpath 7 upgrade to Bridleway – Order Map 5

Footpath 7 to be upgraded to Bridleway status from point A on Order Map 5 (SO 4981 9990) where it leaves the County Road, running in a general easterly direction along an enclosed lane with a width varying between 4.8 metres and 8 metres as shown on the Order Map but with a useable width of 3 metres and surfaced with tarmac throughout its length to the property known as 'Lawley View' where it joins Footpaths 6 and 2L and Bridleway 7R at point B on the Order Map (SO 5047 9987); a total distance of approximately 660 metres.

Executed as a deed by affixing the
Common Seal of Shropshire Council
on 25th February 2010
in the presence of:

J.M. Powell
Head of Public Law and Property

294305

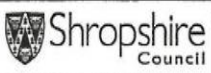
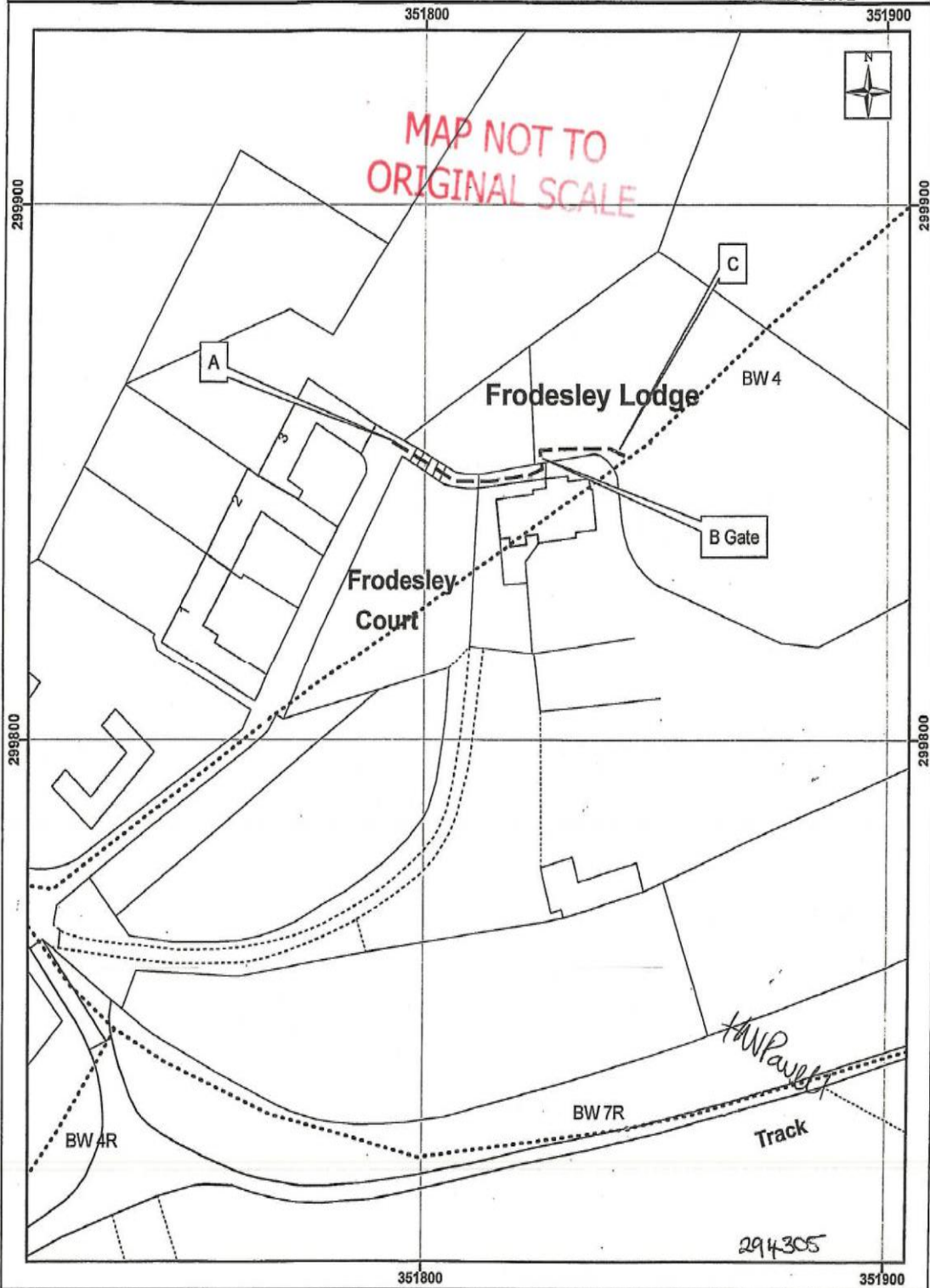


The Shirehall, Abbey Foregate
 Shrewsbury, Shropshire, SY2 6ND

Key
 Bridleway to be added | — | — | —
 Existing to remain
 Cross Reference with Order Plans 2, 3, & 4

Scale: 1:2,000

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 Shropshire CC 100019801. 2009



The Shirehall, Abbey Foregate
Shrewsbury, Shropshire, SY2 6ND

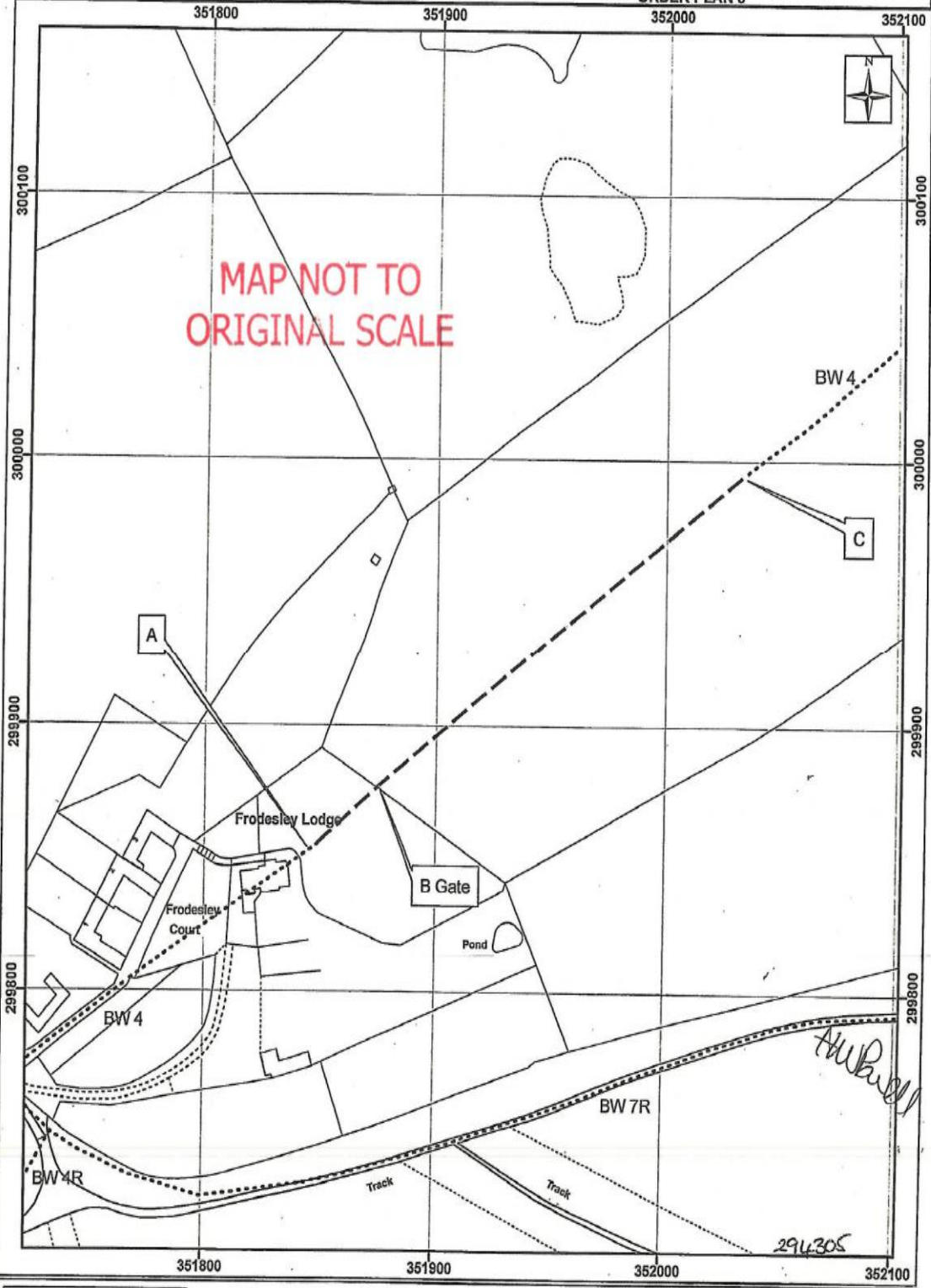
Key
Footpath to be added
Existing to remain
Cross Reference with Order Plans 1,3 & 4


Scale: 1:1,000

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SHROPSHIRE COUNCIL
WILDLIFE AND COUNTRYSIDE ACT 1981
Definitive Map Modification Order 2010

Parish of Frodesley
Bridleway 4 (part) Downgrade to footpath
OS Sheet No: SO 5199
ORDER PLAN 3



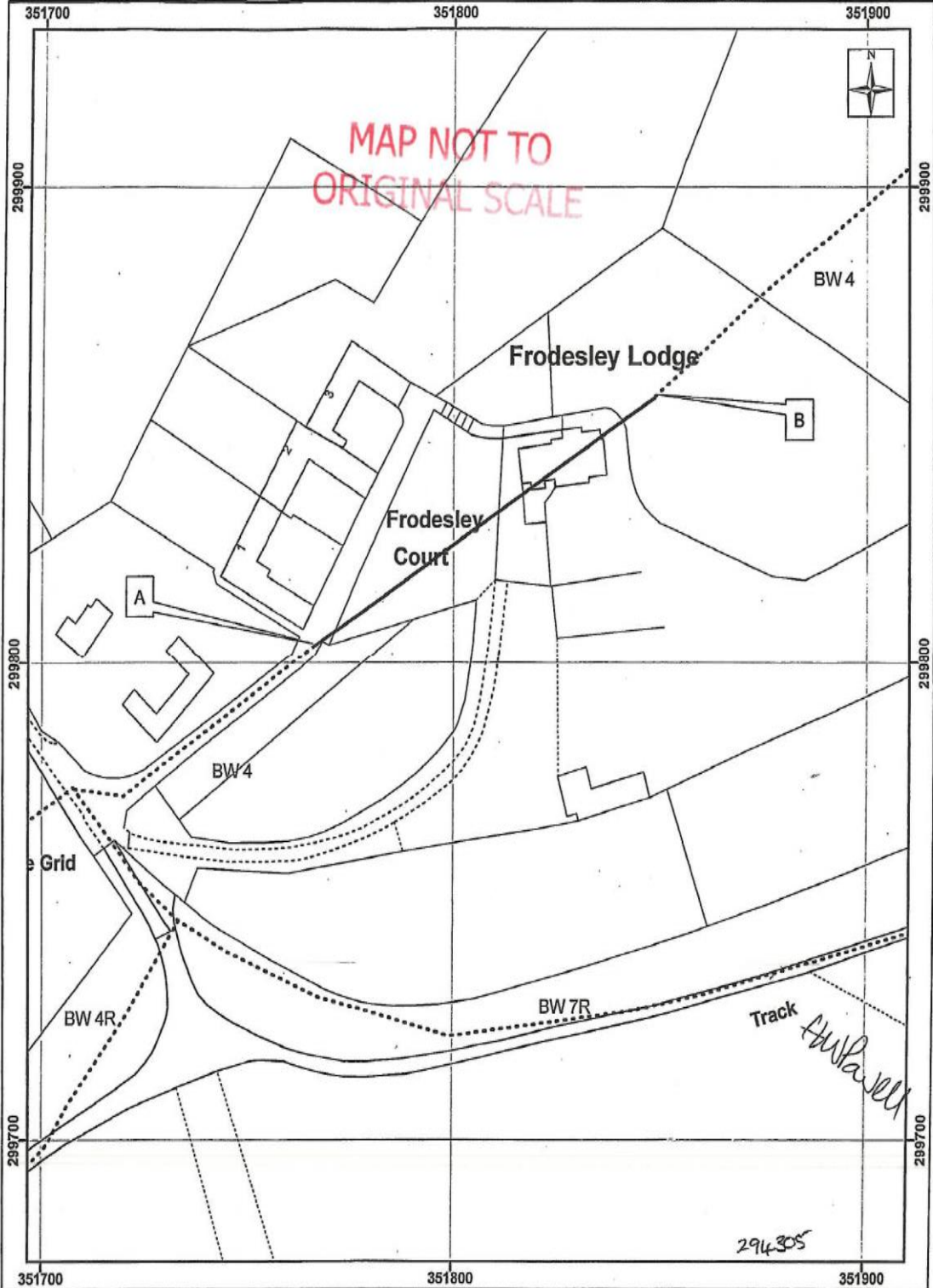
 **Shropshire Council**
The Shirehall, Abbey Foregate
Shrewsbury, Shropshire, SY2 6ND

Key
Bridleway to be downgraded to footpath ———
Existing to remain
Cross Reference with Order Plans 1, 2 & 4

Scale: 1:2,000
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SHROPSHIRE COUNCIL
WILDLIFE AND COUNTRYSIDE ACT 1981
Definitive Map Modification Order 2010

Parish of Frodesley
Bridleway 4 (part) Deletion
OS Sheet No: SO 5199
ORDER PLAN 4



The Shirehall, Abbey Foregate
Shrewsbury, Shropshire, SY2 6ND

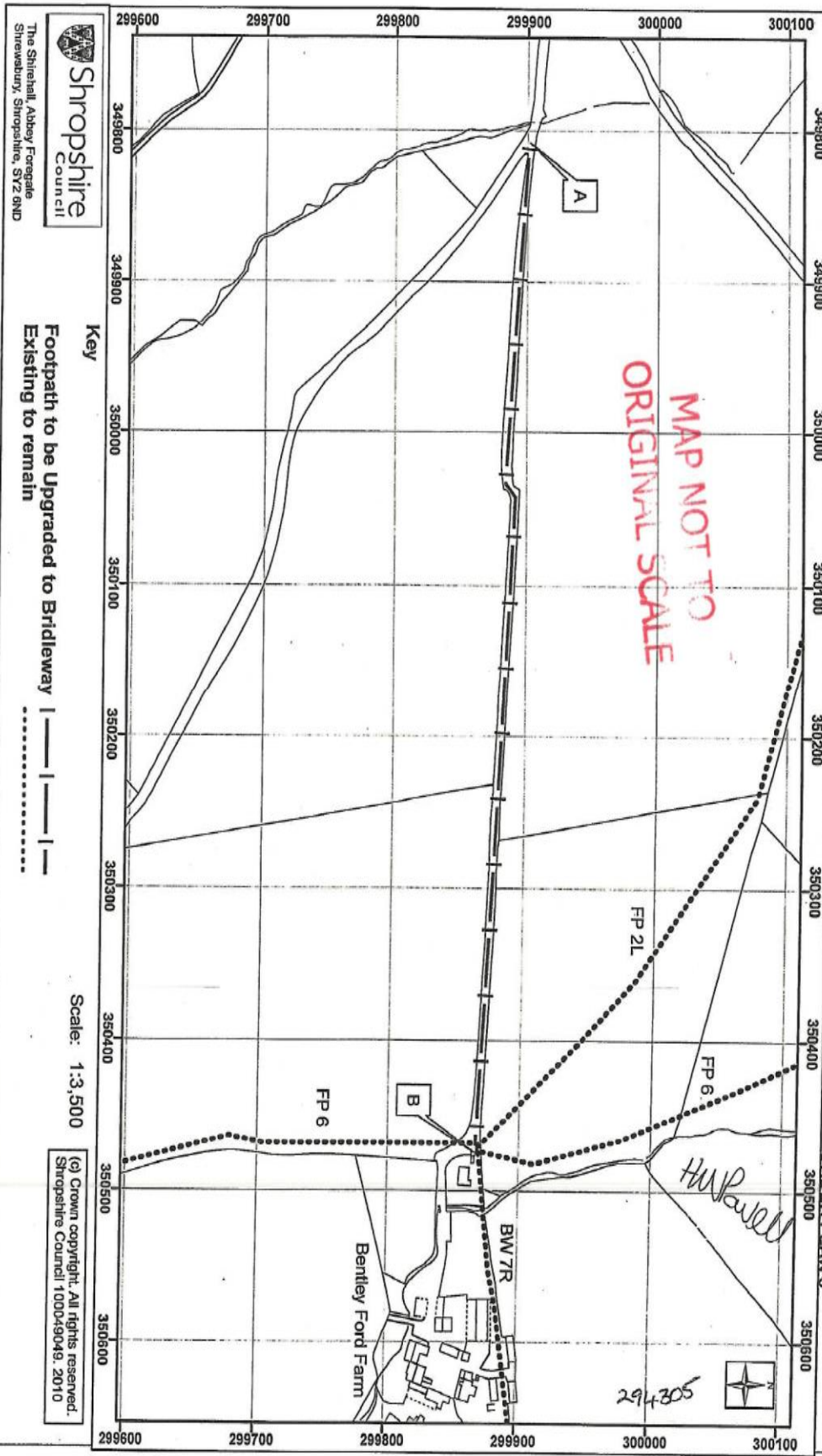
Key
Bridleway to be deleted ———
Existing to remain
Cross Reference with Order Plans 1,2 & 3

Scale: 1:1,125

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SHROPSHIRE COUNCIL
 WILDLIFE AND COUNTRYSIDE ACT 1981
 Definitive Map Modification Order 2010

Parish of Frodesley
 Footpath 7 Upgrade to Bridleway
 OS Sheet No: SO 5099
 ORDER PLAN 5



Key
 Footpath to be Upgraded to Bridleway ———|———|———
 Existing to remain|.....|.....

Scale: 1:3,500

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 Shropshire Council 100049049, 2010



DATED 25th February 2010

SHROPSHIRE COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT OF
RIGHTS OF WAY FOR SHROPSHIRE

THE SHROPSHIRE COUNCIL
(PARISH OF FRODESLEY)
MODIFICATION ORDER 2010

ASSISTANT CHIEF EXECUTIVE
LEGAL AND DEMOCRATIC SERVICES
THE SHIREHALL
ABBEY FOREGATE
SHREWSBURY

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