

NOTICE OF ORDERS
TOWN AND COUNTRY PLANNING ACT 1990 s257
AND
WILDLIFE AND COUNTRYSIDE ACT 1981 s53

KIRKLEES COUNCIL (CLAYTON FIELDS, EDGERTON) PUBLIC PATH
STOPPING UP ORDER 2018

&

KIRKLEES COUNCIL (HUDDERSFIELD PUBLIC FOOTPATHS 477, 478, 479,
480, 481 AND 482 - CLAYTON FIELDS, EDGERTON) PUBLIC PATH
MODIFICATION ORDER 2018

Notice is hereby given that the above referenced Orders have 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 Orders.

The **start date** for the above Orders is **25 June 2019**.

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

The Inquiry will be held at **Yorkshire Children's Centre, Brian Jackson House, New North Parade, Huddersfield, HD1 5JP** on **Tuesday 21 January 2020** at 10.00am.

The effect of the Orders, if confirmed without modifications, will be to: -

1) Public Path Stopping Up Order 2018

Stop up six public footpaths:

Huddersfield 477 commencing at its junction with Huddersfield 345 at point A grid reference 1321 1776 and proceeding in an easterly direction for 346 metres to point B at grid reference 1352 1771;

Huddersfield 478 commencing at its junction with Edgerton Road at point C at grid reference 1320 1760 and proceeding via point F at grid reference 1325 1762 in a north easterly direction for 257 metres via point G at grid reference 1340 1774 to point I at grid reference 1341 1774 with a link of a distance of 11 metres from point G grid reference 1340 1774 to point H at grid reference 1341 1775;

Huddersfield 479 commencing at its junction with Edgerton Road at point E at grid reference 1322 1759 and proceeding in a north easterly direction for 42 metres to point F at grid reference 1325 1762;

Huddersfield 480 commencing at its junction with Edgerton Road at point C at grid reference 1320 1760 and proceeding in a north easterly direction for 171 metres to point J at grid reference 1330 1774;

Huddersfield 481 commencing at its junction with Deveron Grove at point D at grid reference 1334 1769 and proceeding in a north westerly direction for 68 metres to point J at grid reference 1330 1774, and;

Huddersfield 482 (part) commencing at point X at grid reference 1339 1779 and proceeding in a south westerly direction for 34 metres to point K at grid reference 1337 1776 as shown on the Order Map.

Alternative footpaths will be created, namely:

- a footpath commencing at its junction with Queens Road at point N at grid reference 1352 1770 and proceeding in a westerly direction for 292 metres via point W at grid reference 1332 1773 to point T at grid reference 1324 1769;
- a footpath commencing at its junction with Queens Road at point P at grid reference 1352 1771 and proceeding in a westerly direction for 150 metres to point O at grid reference 1338 1774;
- a footpath commencing at its junction with Edgerton Road at point Q at grid reference 1323 1759 and proceeding in a northerly direction for 177 metres via point S at grid reference 1325 1761 and point T at grid reference 1324 1769 to point M at grid reference 1321 1772;
- a footpath commencing at its junction with path 345 at point R at grid reference 1320 1763 and proceeding in an easterly direction for 57 metres to point S at grid reference 1325 1761;
- a footpath commencing at its junction with Deveron Grove at point U at grid reference 1335 1768 and proceeding in a northerly direction for 63 metres via point V at grid reference 1334 1772 to point W at grid reference 1332 1773, and,
- a footpath commencing at point V at grid reference 1334 1772 and proceeding in a north easterly direction for 101 metres via points O at grid reference 1338 1774 and point X at grid reference 1339 1779, and also:

Woodland walk

A footpath commencing at point Y at grid reference 1321 1777 and proceeding in an easterly direction for 209 metres to point Z at grid reference 1338 1776, and;

Footpath adjacent to Huddersfield 345

A footpath generally 2.5 metres wide (excluding the sub-station) abutting the eastern side of footpath Huddersfield 345 commencing at point # at grid reference 1320 1760 and proceeding in a northerly direction for 158 metres via points R at grid reference 1320 1763 and M at grid reference 1321 1772 to point A at grid reference 1320 1776 as shown on the Order map.

2) Public Path Modification Order 2018

Will modify the definitive map and statement for the area by adding to them these six footpaths;

Huddersfield 477 commencing at its junction with Huddersfield 345 at point A at grid reference 1321 1776 and proceeding in an easterly direction for 346 metres to point B at grid reference 1352 1771;

Huddersfield 478 commencing at its junction with Edgerton Road at point C at grid reference 1320 1760 and proceeding via point F at grid reference 1325 1762 in a north easterly direction for 257 metres via point G at grid reference 1340 1774 to point I at grid reference 1341 1774 with

a link of a distance of 11 metres from point G at grid reference 1340 1774 to point H at grid reference 1341 1775;

Huddersfield 479 commencing at its junction with Edgerton Road at point E at grid reference 1322 1759 and proceeding in a north easterly direction for 42 metres to point F at grid reference 1325 1762;

Huddersfield 480 commencing at its junction with Edgerton Road at point C at grid reference 1320 1760 and proceeding in a north easterly direction for 171 metres to point J at grid reference 1330 1774;

Huddersfield 481 commencing at its junction with Deveron Grove at point D at grid reference 1334 1769 and proceeding in a north westerly direction for 68 metres to point J at grid reference 1330 1774 and

Huddersfield 482 commencing at its junction with Huddersfield 345 at point L at grid reference 1340 1781 and proceeding in a south westerly direction for 64 metres to point K at grid reference 1337 1776, as shown on the Order Map

Any queries relating to this Order should be referred to:

Clive Richards, The Planning Inspectorate, Rights of Way Section, 3/A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5502. Email:

clive.richards@planninginspectorate.gov.uk Please quote reference numbers ROW/3220645 & ROW/3220657 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 Kirklees Council Customer Services Centre, Civic Centre 3, Huddersfield (Monday to Friday 0900-1700 except Thursday 1000-1700) and Legal Services, 2nd Floor, High Street Buildings, High Street, Huddersfield, HD1 2ND (Tel 01484 221000 request Legal Services Reception) during office hours. Council Contact: Sandra Haigh, Tel 01484 221000, Email:

Sandra.haigh@kirklees.gov.uk

Timetable for sending in statements of case & proofs of evidence

Within 8 weeks of the start date [by 20 August 2019]

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 - 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 1 October 2019]

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry must ensure their statement of case¹ is received by the Secretary of State. As soon as possible after the

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.

deadline, the Secretary of State will send full copies to the Authority. Copies will also be sent to 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 - 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 full copy to the Authority. Copies will also be sent to 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 - these will be available to view at the Authority's offices).

4 weeks before the date of the inquiry [by 24 December 2019]

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.

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 257
KIRKLEES COUNCIL (CLAYTON FIELDS, EDGERTON) PUBLIC PATH STOPPING UP
ORDER 2018**

This order is made by Kirklees Council (the authority) under Section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to stop up the footpaths 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 implementation of planning consent 2014/93014 and 2017/90190 for residential development.

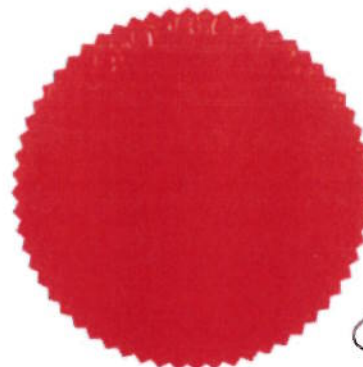
The proposed Woodland Walk Y-Z will be privately maintained in accordance with planning requirements.

BY THIS ORDER

1. The footpaths 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 stopped up as provided below.
2. There shall be created to the reasonable satisfaction of Kirklees Council alternative highways for use as a replacement for the said footpaths as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The stopping up of the footpaths shall have effect on the date on which Kirklees Council certify that the terms of Article 2 have been complied with.
4. Where immediately before the date on which the footpaths are stopped up there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertakings, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.
5. This order may be cited as the "Kirklees Council (Clayton Fields, Edgerton) Public Paths Stopping Up Order 2018"

GIVEN UNDER the)
CORPORATE COMMON SEAL of)
THE BOROUGH OF KIRKLEES)
this Twenty Sixth day of September)
Two Thousand and Eighteen)

M.A. M. M. M.



01/247

Service Director – Legal, Governance & Commissioning/Authorised Signatory

Schedule

Part 1

Description of site of existing paths or ways

477	A footpath shown on the plan annexed hereto by the bold solid line commencing at its junction with path 345 at point A at grid reference 1321 1776 and proceeding in an easterly direction for 346 metres to point B at grid reference 1352 1771.
478	A footpath shown on the plan annexed hereto by the bold solid line commencing at its junction with Edgerton Road at point C at grid reference 1320 1760 and proceeding via point F at grid reference 1325 1762 in a north easterly direction for 257 metres via point G at grid reference 1340 1774 to point I at grid reference 1341 1774 with a link from point G at grid reference 1340 1774 to point H at grid reference 1341 1775 for a distance of 11 metres.
479	A footpath shown on the plan annexed hereto by the bold solid line commencing at its junction with Edgerton Road at point E at grid reference 1322 1759 and proceeding in a north easterly direction for 42 metres to point F at grid reference 1325 1762.
480	A footpath shown on the plan annexed hereto by the bold solid line commencing at its junction with Edgerton Road at point C at grid reference 1320 1760 and proceeding in a north easterly direction for 171 metres to point J at grid reference 1330 1774.
481	A footpath shown on the plan annexed hereto by the bold solid line commencing at its junction with Deveron Grove at point D at grid reference 1334 1769 and proceeding in a north westerly direction for 68 metres to point J at grid reference 1330 1774.
482	A footpath shown on the plan annexed hereto by the bold solid line commencing at point X at grid reference 1339 1779 and proceeding in a south-westerly direction for 34 metres to point K at grid reference 1337 1776.

Part 2

Description of site of alternative highways

A footpath shown on the plan annexed hereto by the bold dashed line commencing at its junction with Queens Road at point N at grid reference 1352 1770 and proceeding in a westerly direction for 292 metres via point W to point T at grid reference 1324 1769.

A footpath shown on the plan annexed hereto by the bold dashed line commencing at its junction with Queens Road at point P at grid reference 1352 1771 and proceeding in a westerly direction for 150 metres to point O at grid reference 1338 1774.

A footpath shown on the plan annexed hereto by the bold dashed line commencing at its junction with Edgerton Road at point Q at grid reference 1323 1759 and proceeding in a northerly direction for 177 metres via point S at grid reference 1325 1761 and point T at grid reference 1324 1769 to point M at grid reference 1321 1772.

A footpath shown on the plan annexed hereto by the bold dashed line commencing at its junction with path 345 at point R at grid reference 1320 1763 and proceeding in an easterly direction for 57 metres to point S at grid reference 1325 1761.

A footpath shown on the plan annexed hereto by the bold dashed line commencing at its junction with Deveron Grove at point U at grid reference 1335 1768 and proceeding in a northerly direction for 63 metres via point V at grid reference 1334 1772 to point W at grid reference 1332 1773.

A footpath shown on the plan annexed hereto by the bold dashed line commencing at point V at grid reference 1334 1772 and proceeding in a north easterly direction for 101 metres via points O at grid reference 1338 1774 and Z at grid reference 1338 1776 to point X at grid reference 1339 1779.

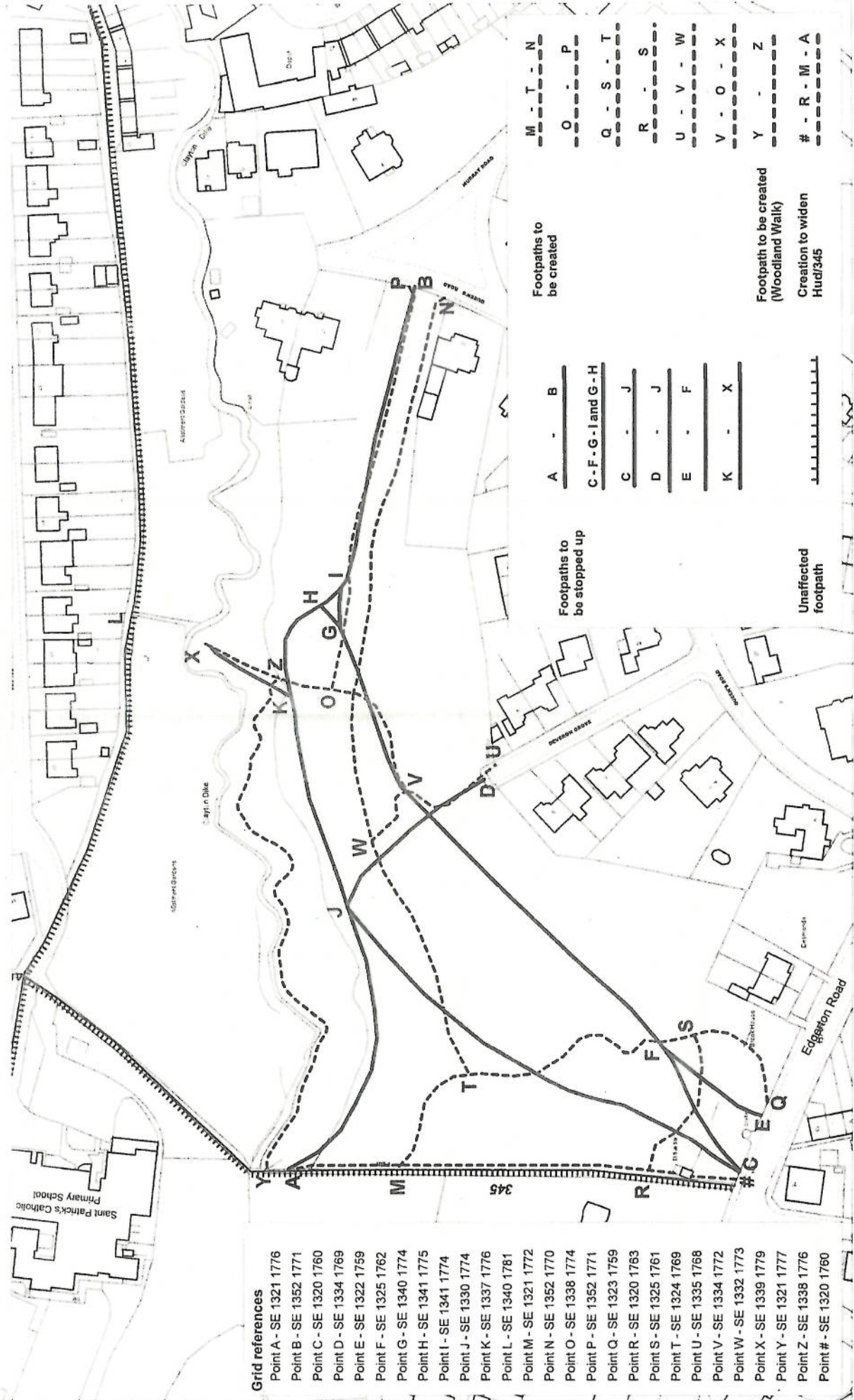
Woodland Walk

A footpath shown on the plan annexed hereto by the bold dashed line commencing at point Y at grid reference 1321 1777 and proceeding in an easterly direction for 209 metres to point Z at grid reference 1338 1776.

Footpath adjacent to Huddersfield 345

A footpath generally 2.5 metres wide (excluding the sub-station) abutting the eastern side of footpath Huddersfield 345 shown on the plan annexed hereto by the bold dashed line commencing at point # at grid reference 1320 1760 and proceeding in a northerly direction for 158 metres via points R at grid reference 1320 1763 and M at grid reference 1321 1772 to point A at grid reference 1321 1776.

Town & Country Planning Act 1990, section 257. Stopping up of footpaths at Clayton Fields, Edgerton and provision of alternative footpath routes



Grid references

- Point A - SE 1321 1776
- Point B - SE 1352 1771
- Point C - SE 1320 1760
- Point D - SE 1334 1769
- Point E - SE 1322 1759
- Point F - SE 1325 1762
- Point G - SE 1340 1774
- Point H - SE 1341 1775
- Point I - SE 1341 1774
- Point J - SE 1330 1774
- Point K - SE 1337 1776
- Point L - SE 1340 1781
- Point M - SE 1321 1772
- Point N - SE 1352 1770
- Point O - SE 1338 1774
- Point P - SE 1352 1771
- Point Q - SE 1323 1759
- Point R - SE 1320 1763
- Point S - SE 1325 1761
- Point T - SE 1324 1769
- Point U - SE 1335 1768
- Point V - SE 1334 1772
- Point W - SE 1332 1773
- Point X - SE 1339 1779
- Point Y - SE 1321 1777
- Point Z - SE 1338 1776
- Point # - SE 1320 1760



MAP NOT TO ORIGINAL SCALE

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Map prepared on 3 September 2018
Scale 1 : 1250

**Kirklees Council (Clayton Fields, Edgerton)
Public Path Stopping Up order 2018**

**Kirklees Council
Legal Services
2nd Floor
High Street Buildings
High Street
Huddersfield
HD1 2ND**

**WILDLIFE AND COUNTRYSIDE ACT 1981 – SECTION 53
 WEST YORKSHIRE METROPOLITAN COUNTY COUNCIL DEFINITIVE MAP AND
 STATEMENT FOR THE KIRKLEES AREA
 KIRKLEES COUNCIL (HUDDERSFIELD PUBLIC FOOTPATHS 477, 478, 479,
 480, 481 AND 482 – CLAYTON FIELDS, EDGERTON) PUBLIC PATH
 MODIFICATION ORDER 2018**

This Order is made by Kirklees Council under Section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act") because it appears to that authority that the West Yorkshire Metropolitan County Council Definitive Map and Statement for the Kirklees Area requires modification in consequence of an event specified in Section 53(3)(c)(i) namely discovery by the authority of evidence which (when considered) with all other relevant evidence available to them shows that rights of way which are not shown in the map and statement subsist or are reasonably alleged to subsist over land in the area to which the map relates, being rights of way such that the land over which the rights subsist are public paths.

The authority have consulted with every local authority whose area include the land to which the Order relates.

The Kirklees Council hereby order that:-

1. For the purpose of this Order the relevant date is 3rd September 2018.
2. The West Yorkshire Metropolitan County Council Definitive Map and Statement for the Kirklees Area shall be modified as described in Part 1 and Part 2 of the Schedule and as 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 "The Kirklees Council (Huddersfield Public Footpaths 477, 478, 479, 480, 481 and 482 – Clayton Fields, Edgerton) Public Path Modification Order 2018.

GIVEN UNDER the)
 CORPORATE COMMON SEAL of)
 THE BOROUGH OF KIRKLEES)
 this Twenty Sixth day of September)
 Two Thousand and Eighteen)



[Handwritten Signature]
 Service Director – Legal, Governance & Commissioning/Authorised Signatory

011248

KIRKLEES COUNCIL (HUDDERSFIELD PUBLIC FOOTPATHS 477, 478, 479, 480, 481 AND 482 – CLAYTON FIELDS, EDGERTON) PUBLIC PATH MODIFICATION ORDER 2018

SCHEDULE

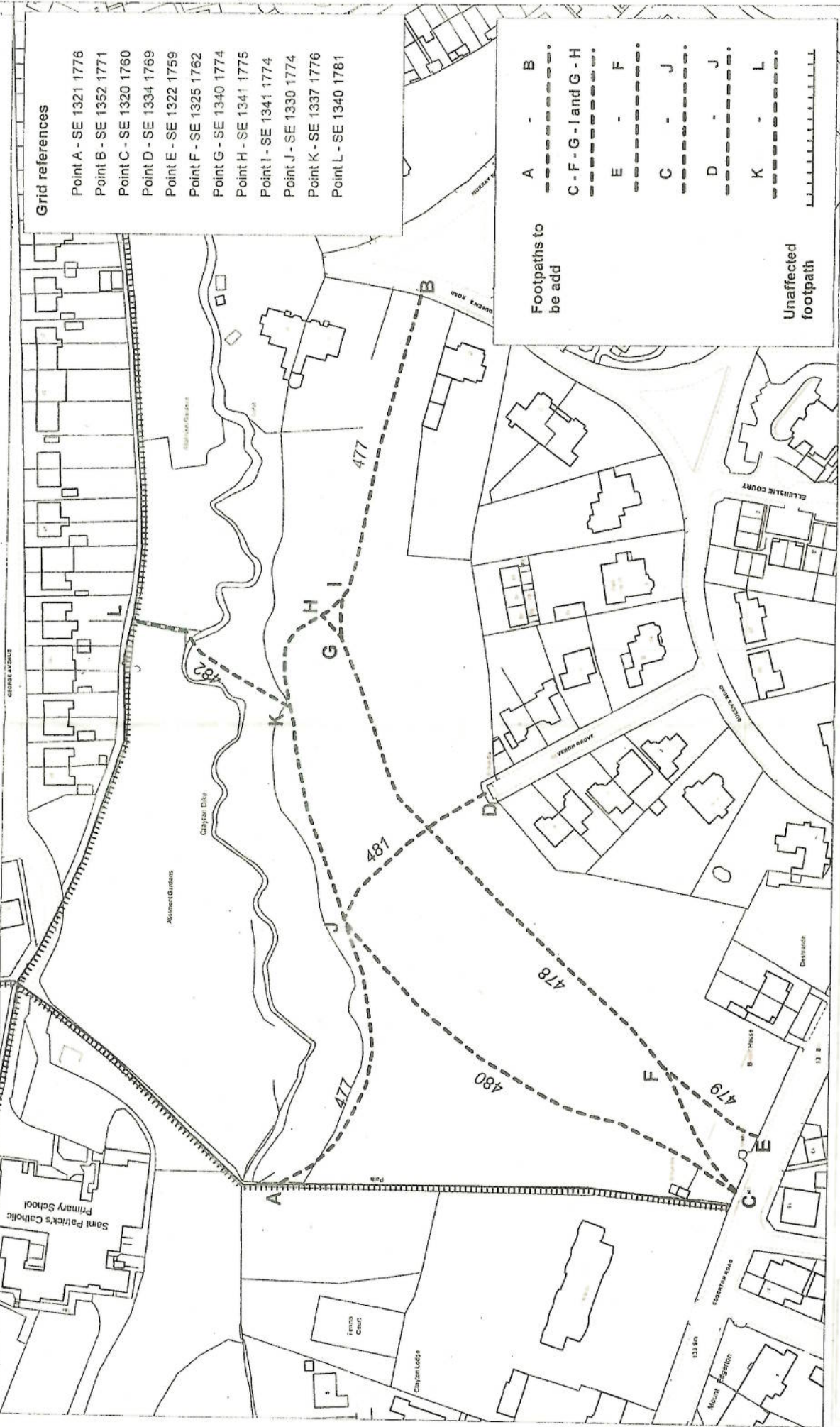
Part 1

Modification of the Definitive Map

Description of paths or ways to be added

477	A footpath shown on the plan annexed hereto by the bold dashed line commencing at its junction with path Huddersfield 345 at point A at grid reference 1321 1776 and proceeding in an easterly direction for 346 metres to point B at grid reference 1352 1771.
478	A footpath shown on the plan annexed hereto by the bold dashed line commencing at its junction with Edgerton Road at point C at grid reference 1320 1760 and proceeding via point F grid reference 1325 1762 in a north easterly direction for 257 metres via point G grid reference 1340 1774 to point I at grid reference 1341 1774 with a link from point G grid reference 1340 1774 to point H at grid reference 1341 1775 for a distance of 11 metres.
479	A footpath shown on the plan annexed hereto by the bold dashed line commencing at its junction with Edgerton Road at point E at grid reference 1322 1759 and proceeding in a north easterly direction for 42 metres to point F at grid reference 1325 1762.
480	A footpath shown on the plan annexed hereto by the bold dashed line commencing at its junction with Edgerton Road at point C at grid reference 1320 1760 and proceeding in a north easterly direction for 171 metres to point J at grid reference 1330 1774.
481	A footpath shown on the plan annexed hereto by the bold dashed line commencing at its junction with Deveron Grove at point D at grid reference 1334 1769 and proceeding in a north westerly direction for 68 metres to point J at grid reference 1330 1774.
482	A footpath shown on the plan annexed hereto by the bold dashed line commencing at its junction with path Huddersfield 345 at point L at grid reference 1340 1781 and proceeding in a south westerly direction for 64 metres to point K at grid reference 1337 1776.

Wildlife and Countryside Act 1981, section 53. Modification to add public footpaths to the definitive map and statement at Clayton Fields, Edgerton.



Grid references

Point A - SE 1321 1776
Point B - SE 1352 1771
Point C - SE 1320 1760
Point D - SE 1334 1769
Point E - SE 1322 1759
Point F - SE 1325 1762
Point G - SE 1340 1774
Point H - SE 1341 1775
Point I - SE 1341 1774
Point J - SE 1330 1774
Point K - SE 1337 1776
Point L - SE 1340 1781

Footpaths to be added

A - B
C - F - G - I and G - H
E - F
C - J
D - J
K - L

Unaffected footpath

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MAP NOT TO ORIGINAL SCALE

Part 2

Modification of the Definitive Statement

Variation of particulars of paths or ways

Path No	Map Reference	Description of Route	Nature of Surface	Length (M)	Width (M)	General
477	SE11NW1317	Footpath commencing at its junction with path 345 and proceeding in an easterly direction to its junction with Queens Road	Grass	346	2	
478	SE11NW1317	Footpath commencing at its junction with Edgerton Road and proceeding in a north easterly direction to its junction with path 477 with a link east to path 477	Grass	268	2	
479	SE11NW1317	Footpath commencing at its junction with Edgerton Road and proceeding in a north easterly direction to its junction with path 478	Grass	42	2	
480	SE11NW1317	Footpath commencing at its junction with Edgerton Road and proceeding in a north easterly direction to its junction with path 477 and path 481	Grass	171	2	
481	SE11NW1317	Footpath commencing at its junction with Deveron Grove and proceeding in a north westerly direction to its junction with path 477 and path 480	Grass	68	2	
482	SE11NW1317	Footpath commencing at its junction with path 345 and proceeding in a south westerly direction to its junction with path 477	Grass	64	2	

**KIRKLEES COUNCIL (HUDDERSFIELD PUBLIC FOOTPATHS 477, 478, 479,
480, 481 AND 482 – CLAYTON FIELDS, EDGERTON) PUBLIC PATH
MODIFICATION ORDER 2018**

**KIRKLEES COUNCIL
LEGAL SERVICES
2ND FLOOR
HIGH STREET BUILDINGS
HIGH STREET
HUDDERSFIELD
HD1 2ND**