

PUBLIC NOTICE

Definitive Map Modification Order application Section 53 Wildlife and Countryside Act 1981

Investigation into the status of a route connecting two parts of Chaster Street between Towngate Road and Coal Pit Lane, including a route at North Bank Road (Healey and Carlinghow, Batley)

Nearest postcode: WF17 7SF Grid reference: SE 2315 2430

Kirklees Council is investigating an application to record a restricted byway at Chaster Street. A restricted byway is a highway where the public has a right of way on foot, on horseback or leading a horse, or with 'non mechanically propelled vehicles' such as pedal cycles or horse drawn vehicles. The application to record the route at Chaster Street is as follows:

- a) to add a restricted byway running over the southern part of Chaster Street from Towngate Road, Healey, to public footpath Batley 27 (A-B), including two branches 1) eastwards from Batley 27 (C-D) and 2) from Batley 27 to North Bank Road (E-F)
- b) to upgrade the recorded status of part of the public footpath Batley 27 to the northern part of Chaster Street at Carlinghow near to no.110, to restricted byway (B-G)
- c) to vary the recorded particulars (width) of part of public footpath Batley 27 to the northern part of Chaster Street near no.110 as part of the addition/upgrade to restricted byway status (B-G)

The Council has a duty to maintain a Definitive Map and Statement of Public Rights of Way. It must keep the Map and Statement under continuous review. If the Council discovers evidence that there is an additional public right of way, that is not currently recorded, then an Order to modify the Definitive Map and Statement would be made under the provisions of section 53 of the Wildlife and Countryside Act 1981.

We welcome your comments about these routes. If possible, please include a map or plan showing the routes. Please note that the Council has to consider whether or not a public right of way already exists, not whether or not it should be created, or matters such as security and privacy.

In particular, we would like to know about the following:

- Your use of the routes – For example, over what period of time did you use the routes? How often? For what purposes did you use the routes? Where were you going to?
- Width of the routes
- Use of the routes by other people
- The presence of gates, stiles, fences, or other obstructions
- Any signs or notices on the routes, and what they said
- If you were ever challenged when using the routes, or challenged anyone else
- If you have been given permission, or have given others permission to use the routes
- Anything else you feel may be relevant in establishing the status of the routes

Please note that this Notice forms part of the investigation and that no decision on the application has yet been made by the Council. Any evidence you provide or comments you make may eventually become public and may be used in evidence at a public inquiry. Please submit any evidence or comments about these routes to Public Rights of Way at the address below or by email to publicrightsofway@kirklees.gov.uk and by **21 June 2023**.

Deborah Stephenson, Assistant Definitive Map Officer
Kirklees Council, Public Rights of Way, PO Box 1720, Huddersfield, HD1 9EL

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