

Dated 20 May 2020

**HIGHWAYS ACT 1980 SECTION 119
WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53A(2)
KIRKLEES COUNCIL (PUBLIC FOOTPATHS HECKMONDWIKE 20 AND 21
(PARTS) AT LABURNUM ROAD AND SHELLEY AVENUE, DEWSBURY) PUBLIC
PATH DIVERSION ORDER AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2020**

**Kirklees Council
Legal, Governance and Monitoring
2nd Floor
High Street Buildings
High Street
Huddersfield**

**HIGHWAYS ACT 1980 SECTION 119
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This Order is made by the Council of the Borough of Kirklees ("the Authority") under Section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that in the interests of the owner of the land crossed by the footpaths described in paragraph 1 of this order it is expedient that the line of the paths should be diverted.

This order is also made under Section 53A(2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the authority that the West Yorkshire Metropolitan County Council Definitive Map and Statement for the Kirklees Metropolitan District Area requires 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.

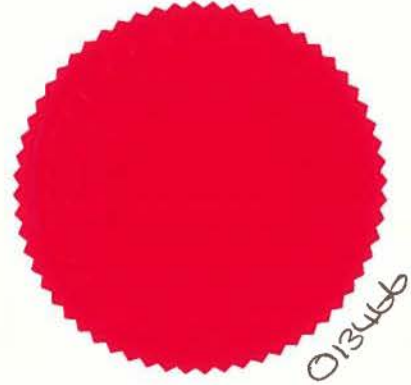
Tanveer Hussain has agreed to defray any compensation which becomes payable in consequence of the coming into force of this order and any expenses which are incurred in bringing the new site at the path into a fit condition for use by the public.

BY THIS ORDER:

1. The public right of way over the land situate at Laburnam Road and Shelley Avenue, Dewsbury and shown by a bold continuous line on the map contained in this Order and described in Part 1 of the Schedule to this order ("the Schedule") shall be stopped up after 14 days from the date of confirmation of this order and thereupon the West Yorkshire Metropolitan County Council Definitive Map and Statement for the Kirklees Metropolitan District Council shall be modified by deleting from it that public right of way.
2. Notwithstanding this order, where immediately before the date on which the footpath is diverted in pursuant of this order there is apparatus under, in, on, over, along or across that footpath belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.
3. There shall at the end of 14 days from the date of confirmation of this order be a public footpath over the land situate at Laburnam Road and Shelley Avenue, Dewsbury described in Part 2 of the Schedule and shown by a bold broken line on the map contained in this order and thereupon the West Yorkshire Metropolitan County Council Definitive Map and Statement for the Kirklees Metropolitan District Council shall be modified by adding that path to it.
4. The West Yorkshire Metropolitan County Council Definitive Map and Statement for the Kirklees Metropolitan District Council shall be modified as described in Part 3 of the Schedule to this order.

6. This Order may be cited as the "Kirklees Council (Public Footpaths Heckmondwike 20 and 21 (Parts) at Laburnum Road and Shelley Avenue, Dewsbury) Public Path Diversion Order and Definitive Map and Statement Modification Order 2020"

GIVEN under the Corporate Common Seal)
of the Council of the Borough of Kirklees)
this 20th day of May)
Two thousand and twenty)



S. J. Hall

~~Service Director – Legal, Governance and Commissioning/~~Authorised Signatory

This order was confirmed as an unopposed order by
Kirklees Council on the 10th September 2021

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SCHEDULE

PART I

Description of site of existing path

That part of Heckmondwike 20 having a width of 1.5 metres and shown on the plan annexed hereto by a bold solid line commencing at point A at grid reference 2244 2294 and proceeding in an south south-easterly direction for 29 metres to point B at grid reference 2245 2291 then south easterly direction for 30 metres to point C at grid reference 2247 2289

That part of Heckmondwike 21 having a width of 1.5 metres and shown on the plan annexed hereto by a bold solid line commencing at point D at grid reference 2234 2282 and proceeding in an north north-easterly then east south-easterly direction for 147 metres to point B at grid reference 2245 2291

PART 2

Description of site of new path

Public footpath Heckmondwike 20 having a width of 2 metres and shown on the plan annexed hereto by a bold dashed line commencing at point A at grid reference 2244 2294 and proceeding in a southerly direction for 21 metres to point F at grid reference 2241 2292

Width: 2 m
Length: 21 metres
Surface: Tarmac

Public footpath Heckmondwike 21 having a width of 2 metres and shown on the plan annexed hereto by a bold dashed line commencing at point F at grid reference 2241 2292 and proceeding in a southerly direction for 23 metres to its junction with Laburnum Road at point E at grid reference 2244 2290.

Width: 2 m
Length: 23 metres
Surface: Tarmac

PART 3

MODIFICATION OF DEFINITIVE MAP AND STATEMENT

AREA:
HECKMONDWIKE

Title of Legal Event giving rise to modification	Highways Act 1980, section 119 Wildlife and Countryside Act 1981, section 53(A)(2) Kirklees Council (Public Footpaths Heckmondwike 20 and 21 (Parts) at Laburnum Road and Shelley Avenue, Dewsbury) Public Path Diversion and Definitive Map and Statement Modification Order 2020
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Modification of the Definitive Map

Annexed map ref no.	Path no.	modification	from point	to point	via points	Width (m)	Approx length (m)
1	20	Footpath deletion	A	C	B	1.5	59
1	21	Footpath deletion	D	B	F	1.5	147
1	20	Footpath addition	A	F		2	21
1	21	Footpath addition	F	E		2	23

Modification of the Definitive Statement

Path Number	Map ref	Description of Route	Nature of Surface	Length (m)	Width (m)	General
20	SE 22SW / 2223	Footpath commencing at its junction with path no 19 and proceeding in a southerly and south easterly direction to its junction with path no 21. Recommencing at its junction of Byron Grove and proceeding in a south easterly direction to its junction with Hollins Road at the Dewsbury Boundary	Ash tarmac	199 21	1.5 2	
21	SE 22SW / 2222	Footpath commencing at its junction path no 20 and proceeding in a southerly direction to its junction with Laburnum Road. Recommencing at its junction with Shelley Avenue and proceeding in a south westerly direction to its junction with Walkley Lane	Earth tarmac	62 23	1.5 2	

Highways Act 1980, section 119. Diversion of public footpaths Heckmondwike 20 and 21 (part). Laburnum Road and Shelley Avenue, Dewsbury

Grid references

- Point A - SE 2244 2294
- Point B - SE 2245 2291
- Point C - SE 2247 2289
- Point D - SE 2234 2282
- Point E - SE 2244 2290
- Point F - SE 2241 2292

