

**HIGHWAYS ACT 1980  
WILDLIFE AND COUNTRYSIDE ACT 1981  
KIRKLEES COUNCIL (HOLMFIRTH PUBLIC FOOTPATH 135 (PART) AT FAR  
MOUNT, INTAKE LANE, CUMBERWORTH) PUBLIC PATH DIVERSION ORDER  
AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2023**

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 footpath described in paragraph 1 of this order it is expedient that the line of the path 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.

The Applicants, Steven Kelly and Samantha Kelly, have 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 Far Mount, Intake Lane, Cumberworth 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 Far Mount, Intake Lane, Cumberworth described in Part 2 of the Schedule and shown by a bold broken line on the map attached to 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 rights conferred on the public under this order shall be subject to the limitations and conditions set out in Part 3 of the Schedule.
5. The West Yorkshire Metropolitan County Council Definitive Map and Statement for the Kirklees Metropolitan District Council shall be modified as described in Part 4 of the Schedule to this order.

6. This Order may be cited as the "Kirklees Council (Holmfirth Public Footpath 135 (Part) at Far Mount, Intake Lane, Cumberworth) Public Path Diversion Order and Definitive Map and Statement Modification Order 2023".

**GIVEN** under the Corporate Common Seal     )  
of the Council of the Borough of Kirklees     )  
this Fourteenth day of December             )  
Two Thousand and Twenty Three             )

*D. Shilke*



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

**HIGHWAYS ACT 1980  
WILDLIFE AND COUNTRYSIDE ACT 1981  
KIRKLEES COUNCIL (HOLMFIRTH PUBLIC FOOTPATH 135 (PART) AT FAR  
MOUNT, INTAKE LANE, CUMBERWORTH) PUBLIC PATH DIVERSION ORDER  
AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2023**

**SCHEDULE**

**PART I**

**Description of site of existing path**

Part of public footpath Holmfirth 135 having a width of 1.2 metres and shown on the plan annexed hereto by a bold continuous line commencing at point A at grid reference SE 1772 0775 and proceeding in a north easterly then in a north westerly direction via point B at grid reference SE 1774 0776 for approximately 192 metres to point C at grid reference SE 1769 0783.

And

commencing at point D at grid reference SE 1774 0775 and proceeding in a north north-easterly direction for approximately 10 metres to point B at grid reference SE 1774 0776

**PART 2**

**Description of site of new path**

A public footpath with a width of 2 metres shown on the plan annexed hereto by a bold broken line commencing at point D at grid reference SE 1774 0775 and proceeding in a west south-westerly then north north-westerly direction via points A at grid reference SE1772 0775 point E at grid reference SE 1772 0775 and point F at grid reference 1769 0783 for 113 metres to point C at grid reference SE 1769 0783

Width: 2 metres  
Length: 113 metres  
Surface: pasture

**Part 3**

**Limitations and Conditions**

Pedestrian gates at points E and F installed to meet British Standard 5709:2018.

## PART 4

### MODIFICATION OF DEFINITIVE MAP AND STATEMENT

#### AREA: Holmfirth

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 footpath Holmfirth 135 (part) at Far Mount Farm, Intake Lane, Cumberworth. Public path diversion and definitive map and statement modification order 2023
--	---

#### Modification of the Definitive Map

Annexed map ref no.	Path no.	modification	from point	to point	via points	Width (m)	Approx length (m)
1	135	Footpath deletion	A	C	B	1.2	192
1	135	Footpath deletion	D	B		1.2	10
1	135	Footpath addition	D	C	A,E,F	2	113

#### Modification of the Definitive Statement

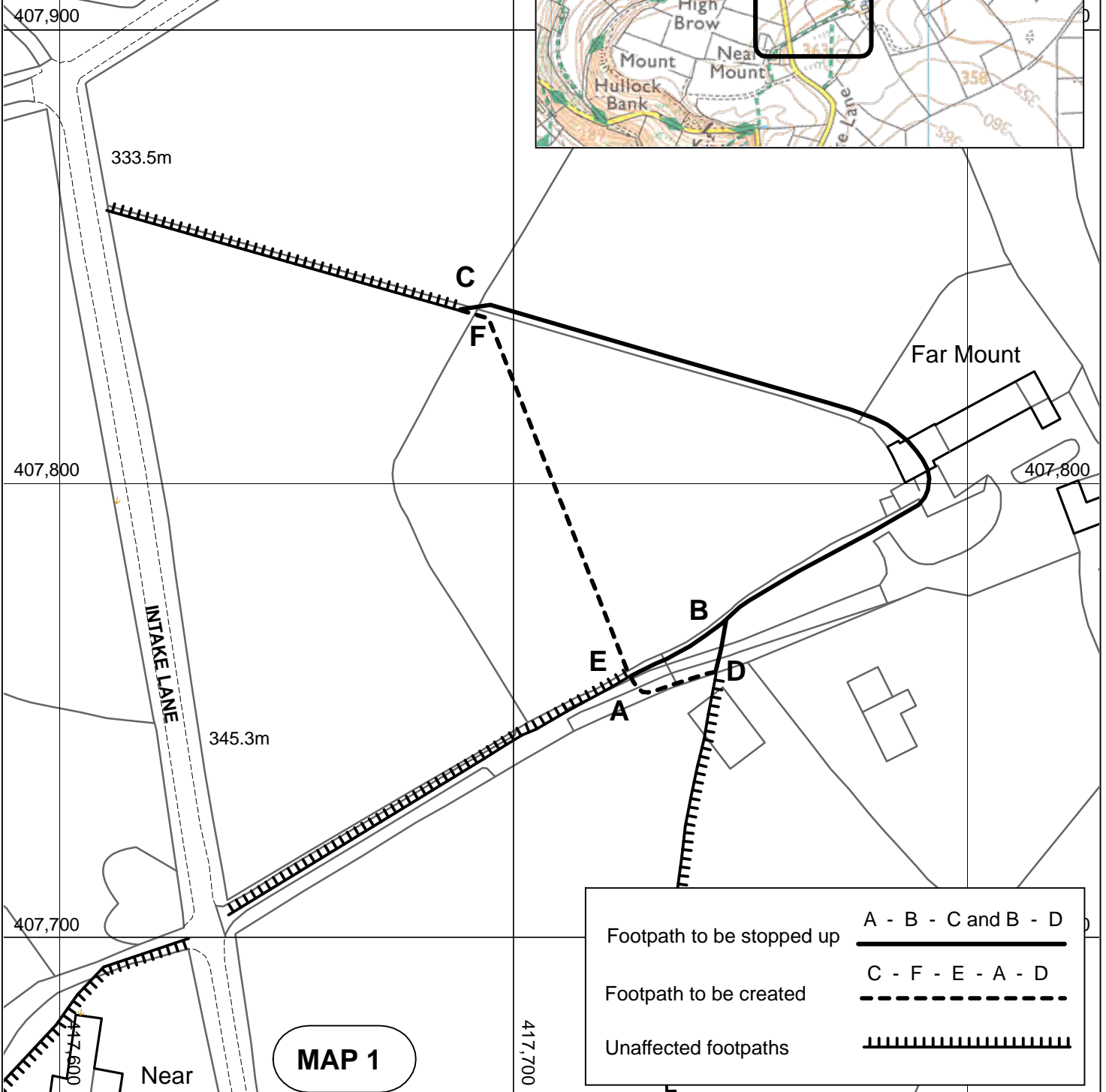
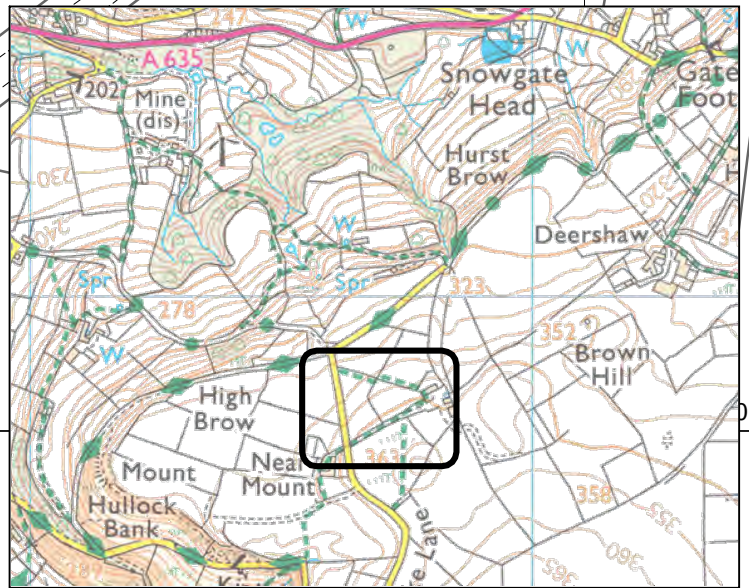
Path Number	Map ref	Description of Route	Nature Surface	of	Length (m)	Width (m)	General
135	SE 10NE 1707	Footpath commencing at its junction with Intake Lane and proceeding southeastward and south southeastwards and southwestward across Intake Lane and Scar Hole Lane to its junction with Broad Carr Road with a loop at Bank House Road and a branch proceeding southward across Mount Hill to its junction with Intake Lane	Pasture Pasture		1729 113	1.2 2	1 gap 5 stiles 2 pedestrian gates to British standard 5709:2018



**Diversion of public footpath Holmfirth 135 (part), Far Mount, Intake Lane, Cumberworth. Highways Act 1980, section 119. Wildlife and Countryside Act 1981, section 53A(2)**

**Grid references**

- Point A - SE 1772 0775
- Point B - SE 1774 0776
- Point C - SE 1769 0783
- Point D - SE 1774 0775
- Point E - SE 1772 0775
- Point F - SE 1769 0783

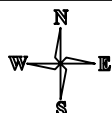


Footpath to be stopped up	<b>A - B - C and B - D</b>
Footpath to be created	<b>C - F - E - A - D</b>
Unaffected footpaths	<b>—————</b>

**MAP 1**



© Crown Copyright and database right 2023.  
Ordnance Survey AC0000851069



Map prepared on 21 November 2023

Scale 1 : 1250

**Dated 14 December 2023**

**HIGHWAYS ACT 1980  
WILDLIFE AND COUNTRYSIDE ACT 1981  
KIRKLEES COUNCIL (HOLMFIRTH PUBLIC FOOTPATH 135 (PART) AT FAR  
MOUNT, INTAKE LANE, CUMBERWORTH) PUBLIC PATH DIVERSION ORDER  
AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2023**

**Kirklees Council  
Legal Services  
PO Box 1720  
Huddersfield  
HD1 9EL**