

**KIRKLEES COUNCIL (MELTHAM 75 – COLDERS LANE) DEFINITIVE MAP  
MODIFICATION ORDER 2023  
Wildlife and Countryside Act 1981 - Definitive Map Modification Order**

**THIS EXPLANATORY STATEMENT DOES NOT FORM PART OF THE ORDER**

Public footpaths, bridleways, restricted byways and byways open to all traffic are recorded on definitive maps and statements. These maps and statements provide conclusive evidence of the existence of public rights. Kirklees Council is responsible for the definitive map and statement and has a duty to modify them when evidence suggests that they are inaccurate or incomplete. This is achieved by means of modification orders made under section 53 of the Wildlife and Countryside Act 1981.

The Council has made a modification order under section 53 to upgrade a section of Meltham 75 from public footpath to restricted byway status on the definitive map and statement. The modification order will also delete the section of Meltham 75 that is an ordinary highway and not within the remit of the definitive map and statement. The modification order recognises the public rights that exist already. The order does not create or extinguish any public rights. Questions of suitability of the way or of the possible effects of use by the public are not relevant to the decision the authority must make.

The section of Meltham 75 to be upgraded from public footpath to restricted byway status leads between Point A to Point B on the map. The section of Meltham 75 to be deleted leads between Point B to Point C on the map.

The evidence on which the order has been made includes: 1797 Plan of Meltham, 1832 Meltham Inclosure Award, 1885-1894 & 1950-60s Meltham Urban District Council Minutes, and 9 evidence statements from individual members of the public who have personal knowledge and/or used the way. If you wish to view the evidence on which the decision to make the Order is based, please contact Mark Drydale, Kirklees Council, Public Rights of Way, Civic Centre 1, High Street, Huddersfield, HD1 2NE. Telephone: 01484 221000. Email: [mark.drydale@kirklees.gov.uk](mailto:mark.drydale@kirklees.gov.uk) Office hours 8.30 -17.00.

Representations and objections relating to the order must be made in writing by 09 February 2024 to Harry Garland, Kirklees Council, Legal Services, PO Box 1720, Huddersfield HD1 9EL, quoting reference D105-172.

To be relevant, representations or objections should relate to the existence or status of rights of way; other issues, such as privacy, security or amenity are unlikely to be relevant. If you want to discuss a representation or objection to this order, please contact:

Mark Drydale, Kirklees Council, Public Rights of Way, Civic Centre 1, High Street, Huddersfield, HD1 2NE. Telephone: 01484 221000. Email: [mark.drydale@kirklees.gov.uk](mailto:mark.drydale@kirklees.gov.uk) Office hours 8.30 -17.00

This order does not come into effect until confirmed. If there are no representations and objections to the order, or those made are withdrawn, the council can confirm the order, and the definitive map and statement will be modified. If there are any representations and objections which are not withdrawn, the council must send the order and representations and objections to the Planning Inspectorate who will appoint an independent inspector to consider the order and the representations and objections. The Inspectorate will normally hold a hearing or an inquiry, but it could determine the order through written representations. The inspector may confirm the order, with or without modifications, or may decide that the order should not be confirmed.