

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 257 AND  
PARAGRAPH 1 OF SCHEDULE 14  
WILDLIFE AND COUNTRYSIDE ACT 1981**

**KIRKLEES COUNCIL (PUBLIC FOOTPATH DENBY DALE 13 (PART) AT LAND  
OFF PUBLIC BRIDLEWAY DENBY DALE 15, CLAYTON WEST) PUBLIC PATH  
DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER  
2024**

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 an application for planning permission (ref: 2023/93805) has been made under Part III of the Town and Country Planning Act 1990 in respect of development of an Integrated Constructed Wetland (ICW), motor control centre kiosk, wetland outfall weir and associated ancillary plant for operational improvements to Clayton West Waste Water Treatment WwTW Works (WwTW) and if the application were granted it would be necessary to authorise the diversion in order to enable the development to be carried out.

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.

**BY THIS ORDER**

1. The footpath 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 and the West Yorkshire Metropolitan Council Definitive Map and Statement for the Kirklees Metropolitan District Council shall be modified accordingly as provided below.

2. There shall be created to the reasonable satisfaction of Kirklees Council an alternative highway for use as a replacement for the said footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map
  
3. The diversion of the footpath shall have effect on the date on which Kirklees Council certify that the terms of Article 2 have been complied with and upon the occurrence of that diversion the West Yorkshire Metropolitan District Council Definitive Map and Statement for the Kirklees Metropolitan District Council shall be modified by deleting from it the path or way referred to in paragraph 1 of this order and the path or way referred to in paragraph 2 of this order shall be added to it and the definitive statement shall be modified as described in Part 3 of the schedule.
  
4. The applicants Yorkshire Water Services Limited are hereby required to pay the cost of carrying out the said works.
  
5. Where immediately before the date on which the footpath is diverted there is apparatus under, in, on, over, along or across it 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
  
5. This Order may be cited as the “Kirklees Council (Public Footpath Denby Dale 13 (Part) at Land off Public Bridleway Denby Dale 15, Clayton West) Public Path Diversion and Definitive Map and Statement Modification Order 2024”

**GIVEN** under the Corporate Common Seal     )  
of the Council of the Borough of Kirklees     )  
this Sixteenth day of July                             )  
Two Thousand and Twenty Four                     )

*(Euyatt*



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

## **SCHEDULE**

### **PART 1**

#### **Description of existing path (to be stopped up)**

That part of public footpath Denby Dale 13 having a width of 1.2 metres and shown on the plan annexed hereto by a bold solid line commencing at point A at grid reference SE 2654 1196 and proceeding in a north easterly direction for 334 metres via point D at grid reference SE 2680 1214 to point C at grid reference SE 2682 1215

### **PART 2**

#### **Description of new paths (to be added)**

Public footpath Denby Dale 13 having a width of 2 metres shown on the plan annexed hereto by a bold dashed line commencing at point A at grid reference SE 2654 1196 and proceeding in a south south-easterly direction for 99 metres to point B at grid reference SE 2659 1188 then proceeding in a north easterly then northerly direction for 359 metres to point D at grid reference SE 2680 1214 then in an east north-easterly direction for 24 metres to point C at grid reference SE 2682 1215

Public footpath Denby Dale 13 having a width of 1.1 metres shown on the plan annexed hereto by a bold dashed line commencing at point B at grid reference SE 2659 1188 and proceeding in a north westerly direction for 2 metres to public bridleway Denby Dale 15 point E at grid reference SE 2658 1188

Width:           2 metres surfaced in crushed sandstone within a 3 metre corridor  
                    1.1 metres surfaced in crushed sandstone

Length:          482 metres at 2 metres  
                    2 metres at 1.1 metres

**PART 3**

**MODIFICATION OF DEFINITIVE MAP AND STATEMENT**

**AREA: Denby Dale**

Title of Legal Event giving rise to modification	Town & Country Planning Act 1990, section 257. Wildlife and Countryside Act 1981, section 53(A)(2) Kirklees Council (Public Footpath Denby Dale 13 (part) at Land off Public Bridleway Denby Dale 15, Clayton West) Public Path Diversion and Definitive Map and Statement Modification Order 2024
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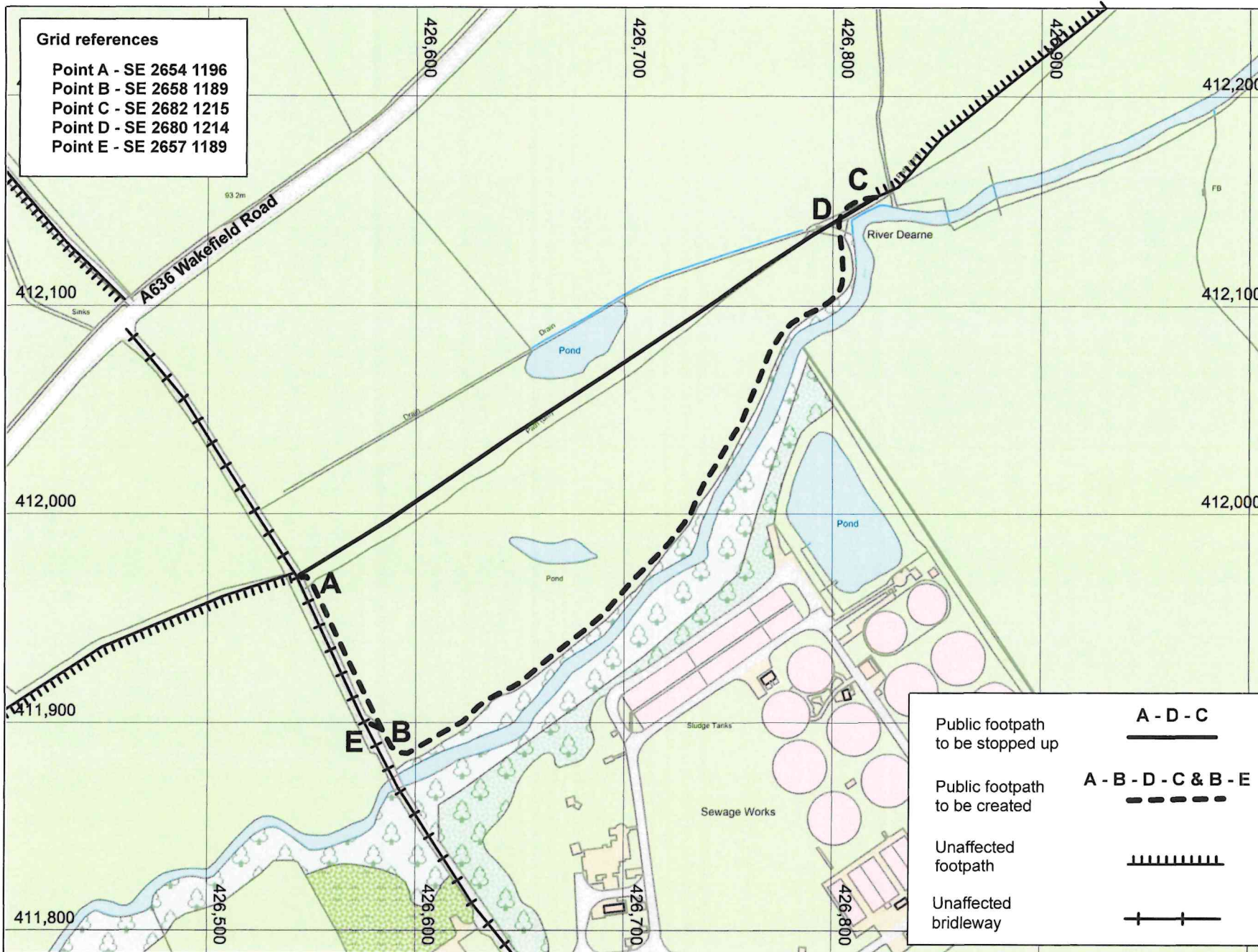
**Modification of the Definitive Map**

Annexed map ref no.	Path no.	modification	from point	to point	via points	Width (m)	Approx length (m)
1	13	Footpath deletion	A	C	D	1.2	334
1	13	Footpath addition	A	C		2	482
1	13	Footpath addition	B	E		1.1	2

**Modification of the Definitive Statement**

Path Number	Map ref	Description of Route	Nature of Surface	Length (m)	Width (m)	General
13	SE 21SE 2612	Footpath commencing at its junction with the Wakefield and Denby Dale County Road A636 and proceeding in a north easterly direction bridleway Denby dale 15 then in south easterly then north easterly direction to the West Bretton boundary at Pikeley Hill	Arable and pasture Sandstone Sandstone	1114 482 2	1.2 2 1.1	1 footbridge 4 stiles

**Diversion of public footpath Denby Dale 13 (part) at land off public bridleway Denby Dale 15, Clayton West. Town & Country Planning Act 1990, section 257. Wildlife and Countryside Act 1981, section 53A (2)**



**Public Rights of Way**

**MAP 1**

Date:  
14/05/2024

Scale:  
1:2500

Filename:  
plan.WOR

*Handwritten signature*

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Survey 100019241



*Handwritten number: 521406*

**Dated 16<sup>th</sup> July 2024**

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WILDLIFE AND COUNTRYSIDE ACT 1981  
KIRKLEES COUNCIL PUBLIC FOOTPATH DENBY DALE 13 (PART) AT LAND  
OFF PUBLIC BRIDLEWAY DENBY DALE 15, CLAYTON WEST  
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT  
MODIFICATION ORDER 2024**

**Kirklees Council  
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