

**TOWN AND COUNTRY PLANNING ACT 1990  
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**

**Explanatory Statement**

Under section 257 of the Town & Country Planning Act 1990, local authorities have the power to make orders to stop up or divert public rights of way if they are satisfied that it is necessary to do so in order to enable development. A notice that an order has been made has to be advertised on the site of the public right of way in question and in the local press. This provides an opportunity for the public to make representations or objections to the proposed change.

Kirklees Council has made an order to divert part of public footpath Denby Dale 13. This statement has been prepared to explain various aspects of the order. The diversion would be required to implement planning application 2023/93805 for an integrated constructed wetland, motor control centre kiosk, wetland outfall weir and associated ancillary plant for operation improvements to Clayton West Waste Water Treatment.

The part of Denby Dale 13 to be stopped up commences at its junction with bridleway Denby Dale 15 about 140 metres southeast of Wakefield Road and is shown by the bold solid line. The footpath to be created is shown by the bold dashed line and runs along the banking near to the River Dearne. A small link will also be provided near to the River Dearne, accessing public bridleway via a 1.1 metre wide public footpath link.

The lengths of footpath unaffected by this diversion proposal are shown by the continuous lines with short bars at intervals. The length of bridleway unaffected by this diversion proposal is shown by the continuous lines with longer bars at intervals.

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

Kirklees Council is satisfied that the order complies with the following grounds and tests laid down in the Town & Country Planning Act:

- It is necessary to divert the part of the path in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town & Country Planning Act 1990.
- It is in accordance with the Kirklees Council Rights of Way Improvement Plan.
- The council has also considered the effect that the Order would have on users of the path.

The order will come into effect only after it has been confirmed: making and advertising the order simply provides an opportunity for representations or objections to be made.

Any representations or objections to the order may be sent or delivered in writing to Harry Garland, Kirklees Council Legal Services, PO Box 1720, Huddersfield HD1 9EL quoting reference D112-374, no later than 23 August 2024.

If you want to discuss your concerns about this order, contact Public Rights of Way, PO Box 1720, Huddersfield, HD1 9EL. Email [publicrightsofway@kirklees.gov.uk](mailto:publicrightsofway@kirklees.gov.uk) or telephone 01484 221000 and ask for Sharon Huddleston

The right of objection to an order is a statutory right, but it should be exercised in a reasonable manner.

If no representations or objections are received, or representations or objections which are made are subsequently withdrawn, the Council can confirm the order. If representations or objections are made and not withdrawn then the Council will refer the order to the Planning Inspectorate for determination. An inspector from the Planning Inspectorate will hear the objections at a public hearing or inquiry, or in writing if the objectors agree. The inspector can confirm an order, confirm it with modifications, or refuse to confirm it.