

KIRKLEES COUNCIL (MELTHAM 70 AND MELTHAM 38 (PART) – WILSHAW ROAD TO WOOD NOOK LANE, MELTHAM) DEFINITIVE MAP MODIFICATION ORDER 2024

Wildlife and Countryside Act 1981 - Definitive Map Modification Order

THIS 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 it when evidence suggests that it is 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' to bridleway the recorded status of path Meltham 70 and part of Meltham 38. As shown by A-B-C on order map, running between Wilshaw Road and Wood Nook House. These paths are currently recorded in the definitive map and statement as public footpaths. The order also adds to the definitive map and statement a length of public bridleway near Wood Nook House that is not currently recorded. This is shown by C-D on the map. Currently, Meltham 38 is shown on the definitive map as ending 50 metres short of Wood Nook Lane.

The order recognises, by the addition of a bridleway and upgrading of the recorded status of a footpath to a bridleway, the public right of way that already exists. 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, including use with horses or by cyclists, are not relevant to the decision the authority has to make.

The evidence on which the order was made includes evidence from 64 individual members of the public who have who have personal knowledge and/or have used the way, along with various other items of documentary evidence.

Representations and objections relating to the order must be made in writing by 18 July 2024, quoting reference D105-176 to Harry Garland, Kirklees Council, Legal Services, PO Box 1720, Huddersfield, HD1 9EL.

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 or wish to view the evidence on which the decision to make the order was based, please contact Phil Champion, Public Rights of Way, Kirklees Council, PO Box 1720, Huddersfield, HD1 9EL. Telephone: 01484 221000 email: phil.champion@kirklees.gov.uk .

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 a public 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.