

**Highways Act 1980, Section 119.**  
**Mirfield 14 (part) at Primrose Farm, Crossley Lane, Mirfield**  
**Public Footpath Diversion order application - Explanatory Statement**

Under the Highways Act 1980, local authorities have the power to make orders to create, divert or extinguish public rights of way.

An application has been received for an order to divert part of the public footpath Mirfield 14 at Primrose Farm, Crossley Lane, Mirfield on the grounds that it is in interest of the landowners.

The application is also made in *lieu* of enforcement action at this time to reopen the public footpath, which is currently obstructed by historic works to the site, including retaining wall, major infill and car park. The applicants are the current landowners and are seeking to address these obstructions. The existing steps at the start of the route at Crossley Lane will be removed, the ground level graded and surfaced in sandstone.

Any proposed diversion order would come into effect only after it has been confirmed: this is a preliminary consultation process and simply provides an opportunity for views to be expressed.

The length of path to be stopped up is shown by the bold solid line, whilst the path to be created is shown by the bold dashed line. The sections of unaffected footpaths are shown by the continuous line with short bars at intervals.

**THIS EXPLANATORY STATEMENT IS PART OF A PRELIMINARY CONSULTATION ON THE APPLICANT'S PROPOSAL AND NO DECISION OR ORDER HAS BEEN MADE BY THE COUNCIL.**

Kirklees Council will need to be satisfied that the proposal complies with the following grounds and tests laid down in the Highways Act 1980:

- It appears expedient that the path should be diverted on the ground that it is in the interest of the landowner or the public.
- The end points of the diversion are on the same highway or one connected to it and are substantially as convenient as at present.
- The necessary works to implement the proposed path will be undertaken.
- The proposed path will not be substantially less convenient and will not have undue effect on public enjoyment of the path as a whole.
- Kirklees Council will have to consider our Rights of Way Improvement Plan.

Comments on the proposal should be made in writing by 3 April 2024 to Sharon Huddleston, Kirklees Council, Public Rights of Way, PO Box 1720, Huddersfield HD1 9EL. Email [publicrightsofway@kirklees.gov.uk](mailto:publicrightsofway@kirklees.gov.uk) . Enquiries only may be made by telephone on 01484 221000 and ask for Sharon Huddleston.