

**Highways Act 1980, section 119. Wildlife & Countryside Act 1981, section 53(A)(2).
Kirklees Council Public Footpath Heckmondwike 20 and 21 (part) at Laburnum Road and
Shelley Avenue, Dewsbury. Public Path Diversion and Definitive Map and Statement
Modification Order 2020 - Explanatory Statement**

Under the Highways Act 1980, local authorities have the power to make orders to create, divert or extinguish public rights of way. A notice that an order has been made has to be advertised on the site of the 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 Heckmondwike 20 and part of public footpath Heckmondwike 21. This statement has been prepared to explain various aspects of the order.

Parts of the definitive public footpaths proposed to be extinguished by the order are currently obstructed.

The length of footpath Heckmondwike 20 to be extinguished is shown by the bold solid line commencing at point A at the rear of Byron Grove and continues for 56 metres to point C at Byron Grove. The length of footpath Heckmondwike 20 to be created starts at point A and continues to point F.

The length of footpath Heckmondwike 21 to be extinguished is shown by the bold solid line commencing at point D at the north side of Shelley Avenue and continues for 171 metres to point B at the rear of Byron Grove. The length of footpath Heckmondwike 21 to be created starts at point F and continues to its junction with Laburnum Road at point E. Public onward passage to points C and D is via the existing public road network.

THIS STATEMENT DOES NOT FORM PART OF THE ORDER

Kirklees Council has made the order on the following grounds:

- Kirklees Council is satisfied that the order complies with the following grounds and tests laid down in the Highways Act:
- It appears expedient that the path should be diverted in that it is in the interest of the landowner.
- The end points of the diversion are on the same highway or one connected to it and are substantially as convenient as at present.
- It is in accordance with the Kirklees Council Rights of Way Improvement Plan.

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.

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Representations or objections relating to the order must be made in writing by 16 July 2020 to Harry Garland, Kirklees Council, Legal Services, 2nd Floor, High Street Buildings, High Street, Huddersfield HD1 2ND. You should quote reference HG/D112-333 and state the grounds on which your objection/representation is made.

If you want to discuss this order, contact Giles Cheetham, Kirklees Council, Public Rights of Way, Flint Street, Fartown, Huddersfield, HD1 6LG. Telephone 01484 221000 and ask for Giles Cheetham or email giles.cheetham@kirklees.gov.uk

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.

Where a new way is being created (by a creation or diversion order) the change will come into effect only after a specified period from the date of confirmation to allow time for work to be undertaken if it is needed to bring the new way into a state fit for public use.