

**HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981
KIRKLEES COUNCIL (PUBLIC FOOTPATH COLNE VALLEY 198 (PART) AT
OWLERS FARM, MANCHESTER ROAD, MARSDEN) PUBLIC PATH DIVERSION
AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2021**

This Order is made by the Council of the Borough of Kirklees ("the Authority") under Section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that in the interests of the owner of the land crossed by the footpath described in paragraph 1 of this order it is expedient that the line of the path should be diverted.

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.

Mr Irsan Mir and Mrs Lorraine Mir have agreed to defray any compensation which becomes payable in consequence of the coming into force of this order and any expenses which are incurred in bringing the new site at the path into a fit condition for use by the public.

BY THIS ORDER:

1. The public right of way over the land situate at Owlery Farm, Manchester Road, Marsden and shown by a bold continuous line on the map contained in this Order and described in Part 1 of the Schedule to this order ("the Schedule") shall be stopped up after 14 days from the date of confirmation of this order and thereupon the West Yorkshire Metropolitan County Council Definitive Map and Statement for the Kirklees Metropolitan District Council shall be modified by deleting from it that public right of way.
2. Notwithstanding this order, where immediately before the date on which the footpath is diverted in pursuant of this order there is apparatus under, in, on, over, along or across that footpath 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.
3. There shall at the end of 14 days from the date of confirmation of this order be a public footpath over the land situate at Owlery Farm, Manchester Road, Marsden described in Part 2 of the Schedule and shown by a bold broken line on the map attached to this order and thereupon the West Yorkshire Metropolitan County Council Definitive Map and Statement for the Kirklees Metropolitan District Council shall be modified by adding that path to it.
4. The rights conferred on the public under this order shall be subject to the limitations and conditions set out in Part 3 of the Schedule.
5. The West Yorkshire Metropolitan County Council Definitive Map and Statement for the Kirklees Metropolitan District Council shall be modified as described in Part 4 of the Schedule to this order.

6. This Order may be cited as the "Kirklees Council (Public Footpath Colne Valley 198 (Part) at Owers Farm, Manchester Road, Marsden) Public Path Diversion and Definitive Map and Statement Modification Order 2021"

GIVEN under the Corporate Common Seal)
of the Council of the Borough of Kirklees)
this 24th day of February)
Two thousand and twenty one)



013986

A handwritten signature in black ink, enclosed within a hand-drawn oval.

Service Director – Legal, Governance and Commissioning/Authorised Signatory

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SCHEDULE

PART I

Description of site of existing path

Public footpath Colne Valley 198 having a width of 1.2 metres and shown on the plan annexed hereto by a bold solid line commencing at its junction with Manchester Road at point A at grid reference 0294 1158 and proceeding in a north easterly direction for 68 metres to point B at grid reference 0299 1163

PART 2

Description of site of new path

Public footpath Colne Valley 198 having a width of 2 metres shown on the plan annexed hereto by a bold dashed line commencing at its junction with Manchester Road at point C at grid reference 0294 1161 and proceeding in a north easterly direction via point E for 58 metres to point D at grid reference 0299 1164

Width: 2 metres

Length: 58 metres

Surface: Grass

PART 3

Limitations and Conditions

Limitation: Gates to British Standard 5709:2018 at points D and E

PART 4

MODIFICATION OF DEFINITIVE MAP AND STATEMENT

AREA: Colne Valley

Title of Legal Event giving rise to modification	Highways Act 1980, section 119. Wildlife and Countryside Act 1981, section 53(A)(2) Kirklees Council (Public Footpath Colne Valley 198 (part) at Owlars Farm, Manchester Road, Marsden). Public Path Diversion and Definitive Map and Statement Modification Order 2021
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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	198	Footpath deletion	A	B		1.2	68
1	198	Footpath addition	C	D	E	2	58

Modification of the Definitive Statement

Path Number	Map ref	Description of Route	Nature of Surface	Length (m)	Width (m)	General
198	SE 01 SW / 0211	Footpath commencing at its junction with Manchester Road A62 north of the Coach and Horses and proceeding in a northerly and easterly direction to rejoin the Manchester Road north of Intake Head with a short branch proceeding westward to the Manchester Road	Metalled Moorland and Pasture Grass	93 1287 58	1.2 1.2 2	2 gates 1 gap 1 step 2 stiles

Highways Act 1980 section 119. Public footpath Colne Valley 198 (part) at Owers Farm, Manchester Road, Marsden

Grid references

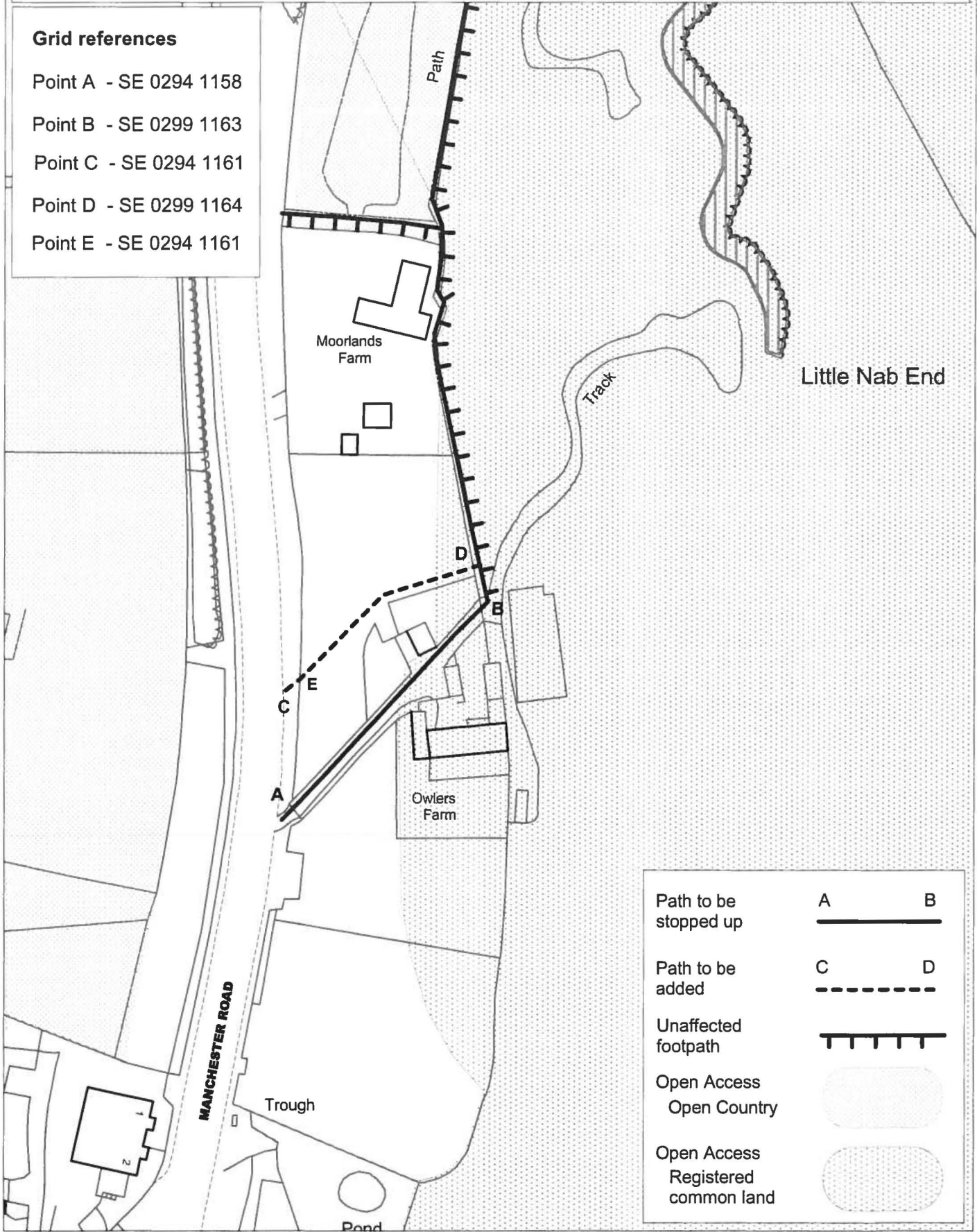
Point A - SE 0294 1158

Point B - SE 0299 1163

Point C - SE 0294 1161

Point D - SE 0299 1164

Point E - SE 0294 1161



Path to be stopped up	A	B
Path to be added	C	D
Unaffected footpath	TTTTT	
Open Access Open Country	[Open Access Open Country symbol]	
Open Access Registered common land	[Open Access Registered common land symbol]	

Dated 24th February 2021

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**Kirklees Council
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Huddersfield**