

This Order was confirmed as an ~~Proposed~~ Order by Kirklees Council
on 20th October 2023

**HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981
KIRKLEES COUNCIL (PUBLIC FOOTPATH DENBY DALE 82 (PART) TOP O' TH'
CLOSE, UPPER CUMBERWORTH) PUBLIC PATH EXTINGUISHMENT ORDER
AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2022**

This Order is made by the Council of the Borough of Kirklees ("the Authority") under Section 118 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that the footpath described in paragraph 1 of this order is not needed for public use.

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 stopping up (as authorised by this order) of a highway shown or required to be shown in the Map and Statement.

BY THIS ORDER:

1. The public right of way over the land situate at Top o' th' Close, Upper Cumberworth and shown by a bold continuous line on the map attached to this Order and described in Part 1 of the Schedule to this order ("the Schedule") shall be extinguished on the date of the confirmation of this order.
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. The West Yorkshire Metropolitan County Council Definitive Map and Statement for the Kirklees Metropolitan District Council Area shall be modified as described in Part 2 of the Schedule to this order.
4. This Order may be cited as the "Kirklees Council (Public Footpath Denby Dale 82 (Part) Top o' th' Close, Upper Cumberworth) Public Path Extinguishment Order and Definitive Map and Statement Modification Order 2022".

GIVEN under the Corporate Common Seal)
of the Council of the Borough of Kirklees)
this First day of November Twenty twenty-two)



Service Director – Legal, Governance and Commissioning/Authorised Signatory

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SCHEDULE

PART I

DESCRIPTION OF PATH (TO BE EXTINGUISHED)

Public footpath shown on the plan annexed hereto by bold solid line commencing at point A on Longroyd Lane at grid reference SE 2099 0968 and proceeding in a south south-easterly direction for 182 metres to point B at Top o' th' Close at grid reference SE 2107 0952.

PART 2

MODIFICATION OF DEFINITIVE MAP AND STATEMENT

AREA: KIRKBURTON

Title of Legal Event giving rise to modification	Highways Act 1980, section 118. Wildlife and Countryside Act 1981, section 53A(2) Kirklees Council (Public Footpath Denby Dale 82 (part), Top o' th' Close, Upper Cumberworth) Public Path Extinguishment Order and Definitive Map and Statement Modification Order 2022
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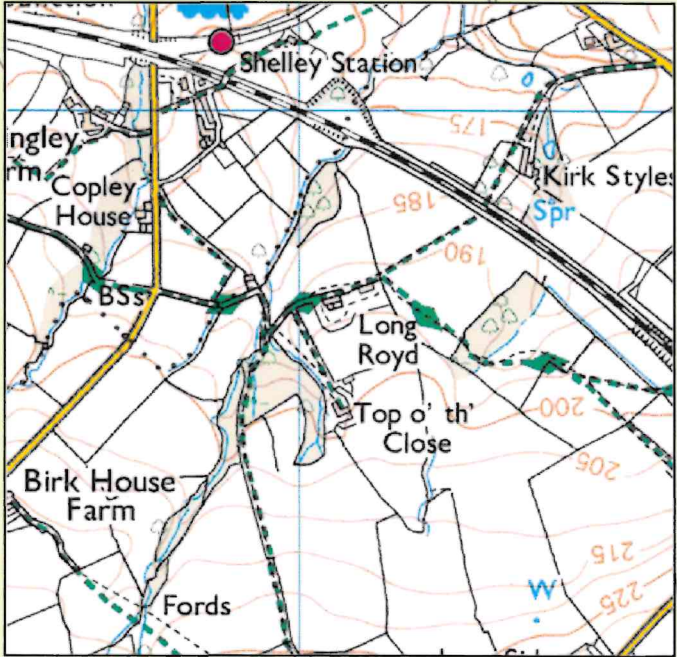
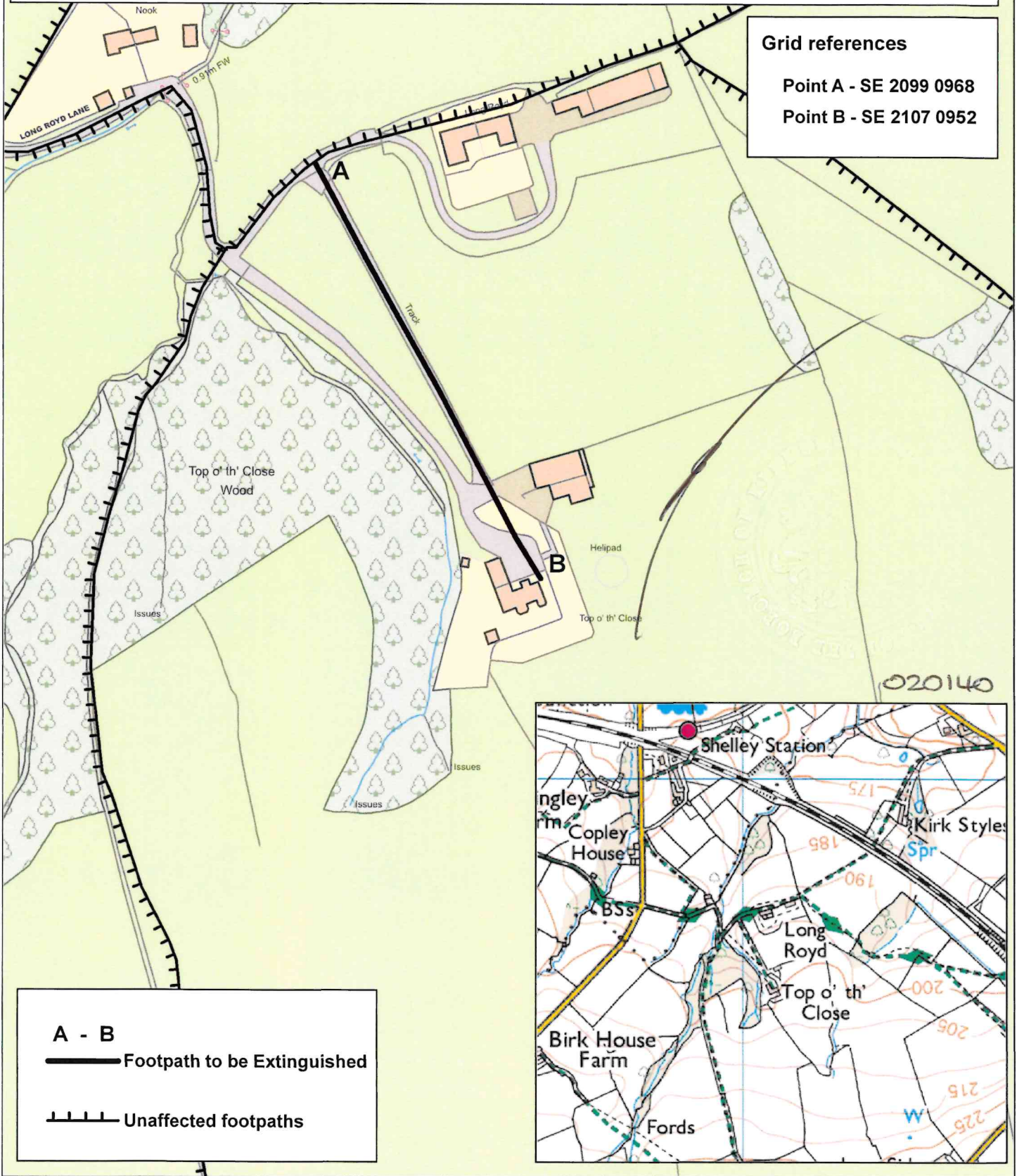
Modification of the Definitive Map

Annexed map ref no.	Path no.	modification	from point	to point	via points	Width (m)	Approx length (m)
1	82	Footpath deletion	A	B		1.2	182

Modification of the Definitive Statement

Path Number	Map ref	Description of Route	Nature of Surface	Length (m)	Width (m)	General
82	SE 20 NW 21 SW 2108	Footpath commencing at its junction with Path No. 81 and proceeding in a north easterly direction to its junction with the Barnsley Road thence northward to Long Royd and northeastward to its junction with Coal Pit Lane with a branch proceeding east to Eunice Lane	Metalled Pasture	322 1813	1.2 1.2	1 field gate 14 stiles

Extinguishment of public footpath Denby Dale 82 (part) at Top o th Close Farm, Long Royd Lane, Upper Cumberworth. Highways Act 1980, section 118.



A - B
— Footpath to be Extinguished
—|—|—|—| Unaffected footpaths

Grid references
 Point A - SE 2099 0968
 Point B - SE 2107 0952



Public rights of Way

Denby Dale 82
 Date: 07/09/2022
 Scale: 1:2000
 Filename:



Dated 1st November 2022

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