

**PUBLIC FOOTPATH DIVERSION ORDER
HIGHWAYS ACT 1980
KIRKLEES COUNCIL (MELTHAM PUBLIC FOOTPATH 26 (PART) AND
MELTHAM PUBLIC FOOTPATH 79 (PART) AT WM MORRISON STORE,
STATION STREET, MELTHAM) PUBLIC PATH DIVERSION ORDER 2022**

This Order is made by Kirklees Council (“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.

WM Morrison Supermarkets Limited has 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 of the path into a fit condition for use by the public.

Safeway Stores Limited has agreed to enter into an agreement to maintain the staircase dedicated as a footpath over and along which the public shall have the right to pass and repass.

BY THIS ORDER

1. The public right of way over the land situated at Station Street, Meltham 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 shall be stopped up after 14 days from the date of confirmation of this order.
2. Notwithstanding this order where immediately before the date on which the footpaths are diverted there is apparatus under, in, on, over, along or across it 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. Safeway Stores Limited is to enter into an agreement with Kirklees Council to have responsibility (in perpetuity) for the maintenance of the concrete

steps comprising part of Meltham Public Footpath 26 prior to this order coming into effect.

4. There shall be at the end of 14 days from the date of confirmation of this order a public footpath over the land situated at Station Street, Meltham described in Part 2 of the Schedule and shown by bold broken lines on the map contained in this.
5. The diversion of the footpath shall have effect on the date on which Kirklees Council certify that the terms of Article 3 and Article 4 have been complied with.
6. This order shall be cited as the "Kirklees Council (Meltham Public Footpath 26 (part) and Meltham Public Footpath 79 (part) at Wm Morrison Store, Station Street, Meltham) Public Path Diversion Order 2022".

GIVEN under the Corporate Common Seal)
of the Council of the Borough of Kirklees)
this Twenty third day of March)
Two thousand and twenty two)



014721

Service Director – Legal, Governance and Commissioning/Authorised Signatory

SCHEDULE

PART I

DESCRIPTION OF SITE OF EXISTING PATHS (TO BE STOPPED UP):

That part of Meltham 26 having a width of 1.5 metres and shown on the plan annexed hereto by a bold solid line commencing at point A at grid reference 1009 1076 and proceeding in a northerly direction for 64 metres to point B at grid reference 1008 1082

and that part of Meltham 79 having a width of 2.7 metres and shown on the plan annexed hereto by a bold solid line commencing at point A at grid reference 1009 1076 and proceeding in a westerly then north westerly direction for 115 metres to point C at grid reference 0999 1079

PART 2

DESCRIPTION OF SITE OF NEW PATHS (TO BE ADDED):

Public footpath Meltham 26 shown on the plan annexed hereto by a bold dashed line commencing at point A at grid reference 1009 1076 and proceeding in an east north easterly then west south-westerly direction for 61 Metres via points G and H to point E then north north-westerly then north easterly direction for 57 metres to point D at grid reference 1006 1082

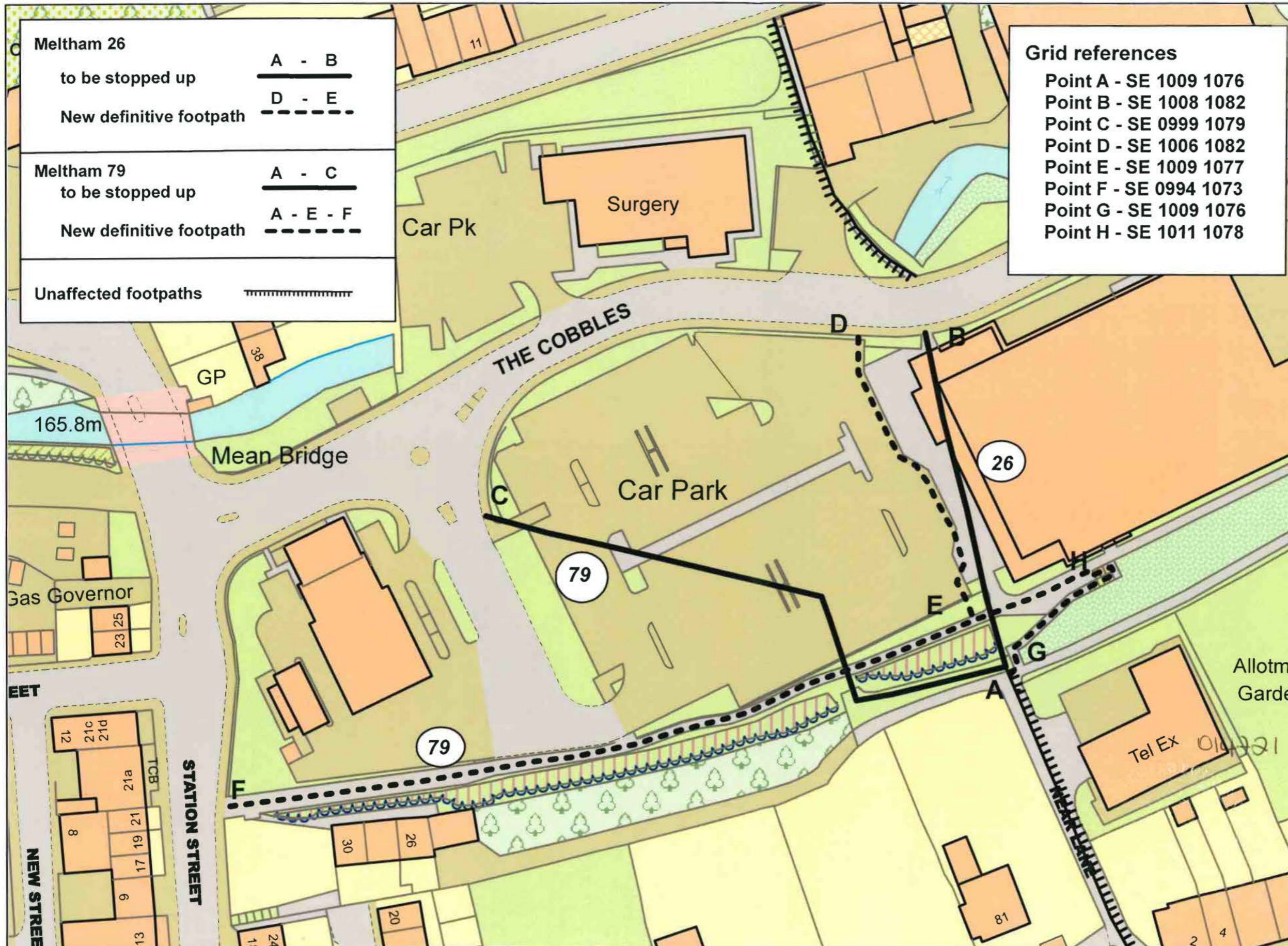
and public footpath Meltham 79 shown on the plan annexed hereto by a bold dashed line commencing at point E at grid reference 1009 1077 and proceeding in a west south-westerly direction for 147 metres to point F at grid reference 0994 1073

Width: Meltham 26 – 2 metres (steps – 1.5 metres)
 Meltham 79 – 2 metres

Length: Meltham 26 – 122 metres
 Meltham 79 – 153 metres

Surface: tarmac (steps – concrete)

**Proposed diversion of public footpaths Meltham 26 & 79 at WM Morrison Store, Station Street, Meltham
Highways Act 1980, section 119**



Meltham 26	A - B
to be stopped up	—————
New definitive footpath	- - - - -
Meltham 79	A - C
to be stopped up	—————
New definitive footpath	- - - - -
Unaffected footpaths	

Grid references

- Point A - SE 1009 1076
- Point B - SE 1008 1082
- Point C - SE 0999 1079
- Point D - SE 1006 1082
- Point E - SE 1009 1077
- Point F - SE 0994 1073
- Point G - SE 1009 1076
- Point H - SE 1011 1078



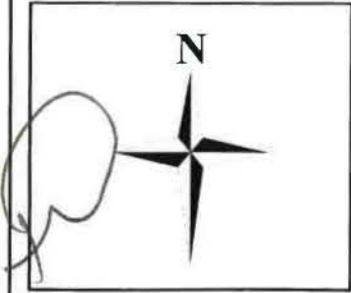
Public Rights of Way

Date:
03/03/2022

Scale:
1:1000

Filename:
new.WOR

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Dated 23rd March 2022

**HIGHWAYS ACT 1980
KIRKLEES COUNCIL (MELTHAM PUBLIC FOOTPATH 26 (PART)
AND MELTHAM PUBLIC FOOTPATH 79 (PART) AT
WM MORRISON STORE, STATION STREET, MELTHAM)
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND
STATEMENT MODIFICATION ORDER 2022**

Kirklees Council
Legal, Governance and Commissioning
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