

# **NOTICE OF ORDER HIGHWAYS 1981 SECTION 119**

Council of the City of Wakefield  
Public Path Diversion Order and Definitive Map & Statement Modification  
Order No 7, 2015  
Public Footpath Ossett No 2

Notice is hereby given that the above referenced Order has been submitted to the Secretary of State for Environment, Food and Rural Affairs for determination. An Inspector will be appointed by the Secretary of State to determine the Order.

The **start date** for the above Order is **08 August 2017**.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

The effect of the Order, if confirmed without modifications, will be to divert the 1.2 metre wide public footpath shown by a solid bold line on the order plan commencing at its junction with Owl Lane at Point A at grid reference SE 2690 2215 proceeding in a north easterly direction for 93 metres to its junction with existing public footpath Ossett 2 at point B on the order map at grid reference SE 2698 2220 to a 1.2 metre wide public footpath shown by a bold dashed line on the order plan commencing at its junction with Pickering Lane at Point C at grid reference SE 2700 2215 proceeding in a north westerly direction for 56 metres to its junction with existing public footpath Ossett 2 at point B on the order plan at grid reference SE 2698 2220. The above order, when confirmed, will also modify the Council of the City of Wakefield Definitive Map and Statement by deleting from it the path or way referred to in paragraph 1 of the of the order and the definitive statement shall be modified as described in Part 3 of the Schedule to the order.

Any queries relating to this Order should be referred to Clive Richards at The Planning Inspectorate, Rights of Way Section, Room 3/G Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5502. Email: [clive.richards@pins.gsi.gov.uk](mailto:clive.richards@pins.gsi.gov.uk). Please quote reference number ROW/3178615 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment at the Customer Services Counter, Wakefield One, Burton Street, Wakefield WF1 2EB during normal opening hours (Tel: 01924 306090).

## **Timetable for sending in statements of case and comments**

### **Within 2 weeks of the start date [by 22 August 2017]**

The Order Making Authority must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy (excluding copies of any supporting

documents - these will be available to view at the Authority's offices) to everyone who has made an objection or representation, the applicant and any other person who has written to us in respect of the Orders.

**Within 8 weeks of the start date [by 03 October 2017]**

Everyone who has made an objection or representation or any other written representation must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send full copies to the Authority. Copies (excluding copies of any supporting documents - these will be available to view at the Authority's offices) will also be sent to the applicant, every person who has made an objection or representation and any other person who has written to us in respect of the Orders.

Within the same period the applicant (if applicable) must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, Secretary of State will send a full copy to the Authority. Copies will also be sent to everyone who has made an objection or representation and any other person who has written to us in respect of the Orders (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

**Within 14 weeks of the start date [by 14 November 2017]**

Everyone who has made an objection or representation, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Orders must ensure that their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of these comments to everyone else.

Any other person wishing to make representations in writing to the Secretary of State in respect of the above Orders must do so in line with the timetable set out above.

In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received on time. Late documents will be returned.

We cannot accept any libellous, racist or abusive comments. Any documents containing such comments will be returned.

Notice of order for w/r

PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT

MODIFICATION ORDER

HIGHWAYS ACT 1980, SECTION 119

WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53(A)(2)

COUNCIL OF THE CITY OF WAKEFIELD

PUBLIC PATH DIVERSION ORDER AND DEFINITIVE MAP & STATEMENT

MODIFICATION ORDER NO 7, 2015

PUBLIC FOOTPATH OSSETT NO 2

This order is made by The Council of the City of Wakefield under section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that in the interest of the landowner 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 that the Council of the City of Wakefield Definitive Map & Statement requires modification in consequence of an 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.

BY THIS ORDER:

1. The public footpath over the land situate at Owl Lane Ossett and shown by a solid bold line on the map contained in the Order and described in Part 1 of the Schedule to this Order shall be stopped up after 28 days from the date of confirmation of this Order.
2. There shall be created by the applicant, Newly Weds Foods Limited, at their expense, to the reasonable satisfaction of the Council of the City of Wakefield an alternative highway for use as a replacement of the said footpath referred to in Article 1 above.
3. There shall at the end of 28 days from the date of confirmation of this Order be a public footpath over the land situate at Owl Lane Ossett described in Part 2 of the Schedule and shown by a bold dashed line on the map attached to the Order.
4. Where immediately before the date on which the footpath is 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.
5. The Council of the City of Wakefield Definitive Map & Statement shall be modified as described in Part 3 of the Schedule to this Order.

## SCHEDULE

### PART 1

#### Description of site of existing path or way

A 1.2 metre wide public footpath shown by the solid bold line on the plan annexed hereto commencing at its junction with Owl Lane at Point A at grid reference SE 2690 2215 proceeding in a north easterly direction for 93 metres to its junction with existing public footpath Ossett 2 at point B at grid reference SE 2698 2220.

### PART 2

#### Description of site of alternative highway

A 1.2 metre wide public footpath shown by the bold dashed line on the plan annexed hereto commencing at its junction with Pickering Lane at Point C at grid reference SE 2700 2215 proceeding in a north westerly direction for 56 metres to its junction with existing public footpath Ossett 2 at point B at grid reference 2698 2220

### PART 3

#### Modification of Definitive Statement

Add new statement entry as follows:-

Ossett Public Footpath No 2

Map Reference SE22 SE 2722

Footpath commencing at its junction with Path No 5 and proceeding in a south westerly direction to its junction with Pickering Lane then recommencing at its junction with Owl Lane County Road proceeding south westerly to the Dewsbury boundary

Nature of Surface – Arable length 1266 metres with a width of 1.5 metres  
1 Footbridge – 6 Stiles.

**EXISTING STATEMENT**

Parish	Path no	Map Ref	Type	Description	Surface	Length (m)	Width (m)	General
Ossett	2	SE 22 SE 2722	Footpath	Footpath commencing at its junction with Path No. 5 and proceeding in a south westerly direction across Owl Lane County Road to the Dewsbury Boundary	Arable	1303	1.5	1 footbridge 6 stiles

**PROPOSED STATEMENT**

Parish	Path no	Map Ref	Type	Description	Surface	Length (m)	Width (m)	General
Ossett	2	SE 22 SE 2722	Footpath	Footpath commencing at its junction with Path No. 5 and proceeding in a south westerly direction to its junction with Pickering Lane then recommencing at its junction with Owl Lane County Road proceeding south westerly to the Dewsbury Boundary	Arable	1266	1.5	1 footbridge 6 stiles



PUBLIC PATH DIVERSION ORDER  
AND DEFINITIVE MAP & STATEMENT  
MODIFICATION ORDER NO7, 2015  
PUBLIC FOOTPATH OSSETT NO 2

HIGHWAYS ACT 1980 SECTION 119  
WILDLIFE AND COUNTRYSIDE ACT  
1981 SECTION 53A(2)

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ORDER

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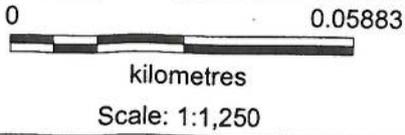
L/JMB/106/5016

Made: 10<sup>th</sup> December 2015

Confirmed:

Coming into effect:

B Livesey  
City Solicitor  
Legal & Governance  
County Hall  
Wakefield  
WF1 2QW

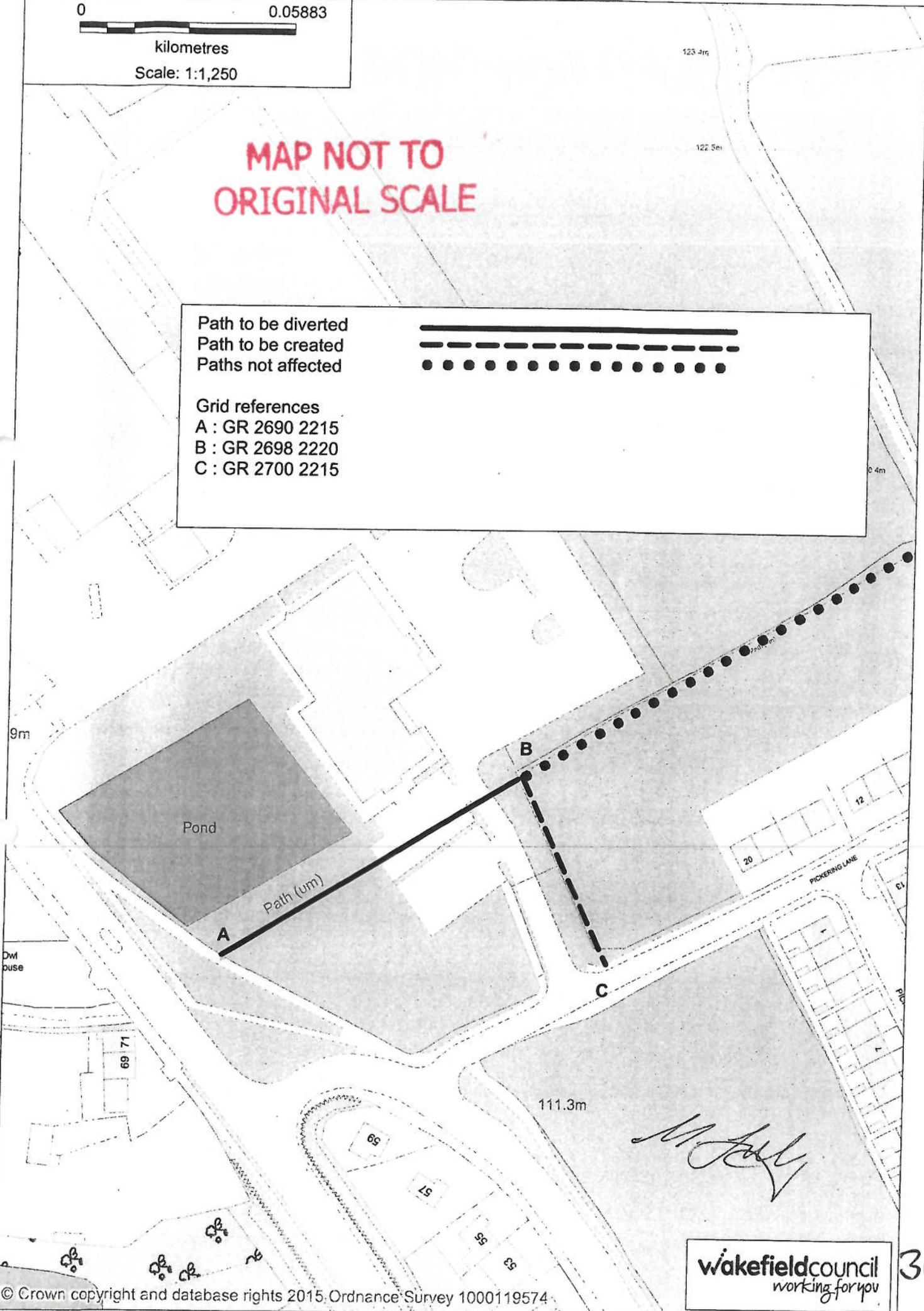


**MAP NOT TO ORIGINAL SCALE**

Path to be diverted  
Path to be created  
Paths not affected



Grid references  
A : GR 2690 2215  
B : GR 2698 2220  
C : GR 2700 2215



*M. Kelly*