

BOROUGH OF BATLEY



COPY RESOLUTION passed by the General Works Committee and confirmed by the Town Council at its meeting held on the 1st December, 1971.

198/71. Closure of Footpath - Heybeck Lane. The Town Clerk reported the receipt of a letter from the Borough Member of Parliament stating that the footpath leading from "The Farm", Heybeck Lane to alongside No. 1060 Leeds Road, Woodkirk, had been closed without authority and asking the Council to act on the matter. The Borough Engineer had subsequently visited the site and his inspection revealed severe obstruction of the footpath. The person responsible had been contacted but no action had been taken to reinstate the footpath to its former condition.

Resolved:- That the Town Clerk be authorised to institute the necessary proceedings to secure the reinstatement of this footpath to its former condition.

Truly extracted

Eric S. Dixon

WYAS, KIRKLEES

Ref. Batley GW21B

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MEMORANDUM

From THE BOROUGH ENGINEER  
BATLEY

To The Town Clerk

Our Ref. JMK/EC

Your Ref.

TC/R/3/9

Date 30th Sept. 1971

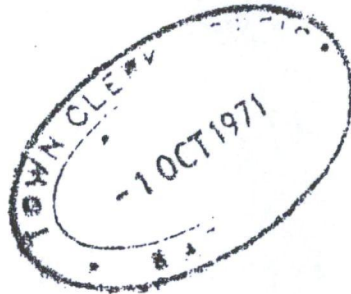
Complaint - Closure of Footpath

I refer to your memo dated the 24th instant. It would appear that the footpath is that leading from "The Farm", Heybeck Lane to alongside No. 1060 Leeds Road, Woodkirk.

An inspection shows that a stile has got barbed wire across it and that the Farmer has dug a ditch along the footpath forcing people to cross through the adjoining wall and form a new path on the other side of the wall.

Sporadic complaints have been received about this footpath over the past month, necessitating several visits to the Farmer. Generally he has obliged our requests, but the latest inspection reveals severe obstruction to the footpath.

I think it would be as well if this time you were to write to the Farmer. His name and address is, Mr. E. Hyde, Heybeck Farm, Heybeck Lane, Batley.



*Ms. H. Spence*  
*Esq.*

WYAS, KIRKLEES

Ref. Batley GN218

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Blythe

MB/Re 3/9

1st October, 1971.

Dear Sir,

**CLOSURE OF FOOTPATH - HEYBECK LANE**

It is necessary for me to bring to your attention the fact that the Borough Member of Parliament has referred to me a number of complaints with regard to the above matter. I am informed that the footpath between "The Farm, Heybeck Lane" to alongside 1060 Leeds Road, Woodkirk has been obstructed in that a ditch has been dug along the footpath, compelling people to cross over the adjoining wall and form a new footpath on the other side.

The Borough Engineer informs me that you have previously complied with his request but that the latest inspection reveals severe obstruction.

Whilst I would wish this matter to be settled amicably, I must ask you to remove all obstructions to this footpath within the next twenty-one days and ensure that the public is never again inconvenienced in this way. Should you fail to comply with this request I shall have no alternative but to bring the matter to the notice of the appropriate Committee.

Yours faithfully,



Town Clerk

Mr. E. Hyde,  
Heybeck Farm,  
Heybeck Lane,  
Batley.

WYAS, KIRKLEES

Ref. GW21b Batley

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File

File Ref. 3/9

27.10.71.

Note for Mr. I. Longbottom.

General Works Committee.

Closure of Footpath at Heybeck Lane. On the 23rd September, 1971 the Town Clerk received a letter from the Borough Member of Parliament stating that a public footpath at Heybeck Lane had been closed by a farmer and asking the Corporation to act. On the 30th September the Borough Engineer sent a memo to the Town Clerk to the effect that the footpath is the one leading from "the farm" Heybeck Lane to alongside No. 1060 Leeds Road, Woodkirk and that an inspection had shown that a stile had got barbed wire across it, that the farmer had dug a ditch along the footpath causing people to cross through the adjoining wall and form a new footpath on the other side (memo on above file).

The Town Clerk wrote to Mr. E. Hide, the farmer involved, on the 1st October asking him to remove such obstructions but the Borough Engineer has subsequently informed the Town Clerk that this has not been done. The Town Clerk would now like the matter to be brought to the attention of the General Works Committee with a view to instigating summary proceedings under the Town Police Clauses Act 1847, Section 28.

*F* *K. Hide*

MEMORANDUM

m

THE BOROUGH ENGINEER  
BATLEY

To The Town Clerk

Our Ref. JMK/EC

Your Ref. MB/Re 3/9

Date 22nd October, 1971

Complaint - Closure of Footpath  
(The Farm, Heybeck Lane to 1060 Leeds Road, Woodkirk)

I refer to your memo dated the 1st instant. I have to advise you that on inspection yesterday by Mr. Firth of this Department, there was no evidence of any work having been carried out.

*M. H. Jones*

WYAS, KIRKLEES

Ref. GW21B Batley

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WYAS, KIRKLEES OFFICE  
22 OCT 1971

Valid  
R/3/72  
F

FOOTPATH OBSTRUCTION - MR. E. HYDE.

ALAN FIRTH of 21 Solway Road, Soothill, Batley, employed by Batley Corporation as a Building Inspector will say:-

There exists a Public footpath which runs from roughly the rear of 75 Heybeck Lane to 1060 Leeds Road, Batley. The length of this footpath is approximately 1300 yards and runs approximately straight between its two junctions. It is surrounded by grass land and farm land, but in two places adjoining it there is an element of woodland. Some of the land adjacent to the footpath is arable whilst the other is pasture. The man who farms all the land adjacent to the footpath is Mr. E. Hyde of Heybeck Farm, Heybeck Lane, Batley. I know this because I have discussed the state of this footpath with him, and in such discussions, and the fact that he was the owner of the land adjacent to the footpath became clear.

Mr. Hyde is aware of the existence of the footpath and he realised that the construction of the ditch would compel those members of the public who use the footpath to carry out diversion. He has admitted to me that he is responsible for the construction of the drain which has resulted in the obstruction of the footpath.

Approximately one third of the length of the footpath opposite Dum Wood, Mr. Hyde has constructed a drainage ditch along the footpath necessitating people taking alternative routes. The diversions which are currently in operation consist of acquiring access to/adjacent field on the Dum Wood side of the footpath through a hole in the wall and walking parrallel with the footpath until the drainage ditch disappears and easy access can then be obtained back on to the footpath. Alternatively pedestrians can cross a ploughed field on the Heybeck Lane side of the footpath and walk around service ditches which support the main drainage ditch on the footpath.

How much

In my opinion as a Building Inspector the public should have been denied access along the footpath because of its current state due to the construction of the drainage ditch.

At the Leeds Road end of Dum Wood on the footpath there is a style comprising of two posts down either side, a large stone and some timber cross members. This style has been in existence for many many years from its appearance and it would not in its usual state interfere with the users of the footpath because it would be easily negotiable. Currently however a length of barbed wire has been run across the style, and while the presence of the wire does not interfere with the passage of pedestrians it would be of some danger to persons striding across it.

WYAS, KIRKLEES

Ref. Batley GW210

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**Kirklees**  
METROPOLITAN COUNCIL

Solicitor to the Council  
Michael R G Vause

Legal Services  
Kirklees House  
Market Street  
Huddersfield  
HD1 2TG

Tel: **0484 422133**  
DX 12986 Huddersfield  
Fax: **0484 442307**

If calling please ask for Mrs. Kronman Ext. 2892

Our Ref. SMK/PAT/D.112.142

5th August, 1992

Mr. and Mrs. Bragg  
75 Heybeck Lane  
Woodkirk  
Dewsbury, WF12 7QU

Dear Sir and Madam

PROPOSED DIVERSION OF BATLEY FOOTPATH NO. 49 -  
HEYBECK LANE, WOODKIRK, DEWSBURY

With reference to your letter of 3rd August, I confirm that the Council have received an application for the diversion of this footpath as shown on the attached plan.

The application has been approved by the Council's Highways and Transportation Committee and I am at present preparing the documentation for making the Order. Once the Order has been made, then a period of 28 days will be allowed for objections to be made to the Order. I will ensure that at this time you are supplied with a copy of the Notice and Order so that you may make any representations you wish regarding the Order.

In the meantime, I have requested that the Council's Footpaths Officer inspect the original line of the footpath to ensure that it remains open and passable until such time as the Order is made and outcome known. *lwg.*

If you have any further matters regarding the footpath, about which you are concerned, please do not hesitate to contact my assistant, Mrs. Kronman, at the above address.

Yours faithfully

*M. R. G. Vause*

~~Solicitor to the Council~~

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recycled paper

**PUBLIC PATH DIVERSION ORDER**

**HIGHWAYS ACT 1980**

**KIRKLEES METROPOLITAN COUNCIL**

**(PUBLIC FOOTPATH NO. 49 BATLEY (PART) -  
HIGH BARN HEYBECK LANE BATLEY)  
PUBLIC PATH DIVERSION ORDER 1992**

**WHEREAS** it appears to the Kirklees Metropolitan Council as respects the footpath referred to in paragraph 1 of this Order that in the interests of the owner of the land crossed by the path it is expedient that the line of the path should be diverted.

**NOW THEREFORE** the Kirklees Metropolitan Council in pursuance of the powers in that behalf conferred by Section 119 of the 1980 Act hereby make the following Order:

1. The public right of way over the land situate at High Barn Heybeck Lane Batley shown by bold black dashes on the map annexed hereto and described in A of the Schedule hereto shall be extinguished at the expiration of 28 days from the date of confirmation of this Order.
2. There shall be at the expiration of 28 days from the date of confirmation of this Order a public footpath over the land situate at High Barn Heybeck Lane Batley described in B of the Schedule hereto and shown by bold black dots on the map contained in this Order.
3. This order may be cited as the Kirklees Metropolitan Council (PUBLIC FOOTPATH NO. 49 BATLEY (PART) - HIGH BARN HEYBECK LANE BATLEY) Public Path Diversion Order 1992.

**SCHEDULE**

**A**

**Description of site of existing path**

A public footpath 1.2 metres wide, shown by a broken black line on the map annexed hereto, commencing at its junction with Batley Footpath 55, north of High Barn, at map reference 2744 2445, marked X on the map, and continuing southwesterly for approximately 95 metres, across the property boundary, and then along the north side of a field boundary, to map reference 2735 2441, marked Y on the map, being part of public footpath number 49 in the former Urban District of Batley.



**B**

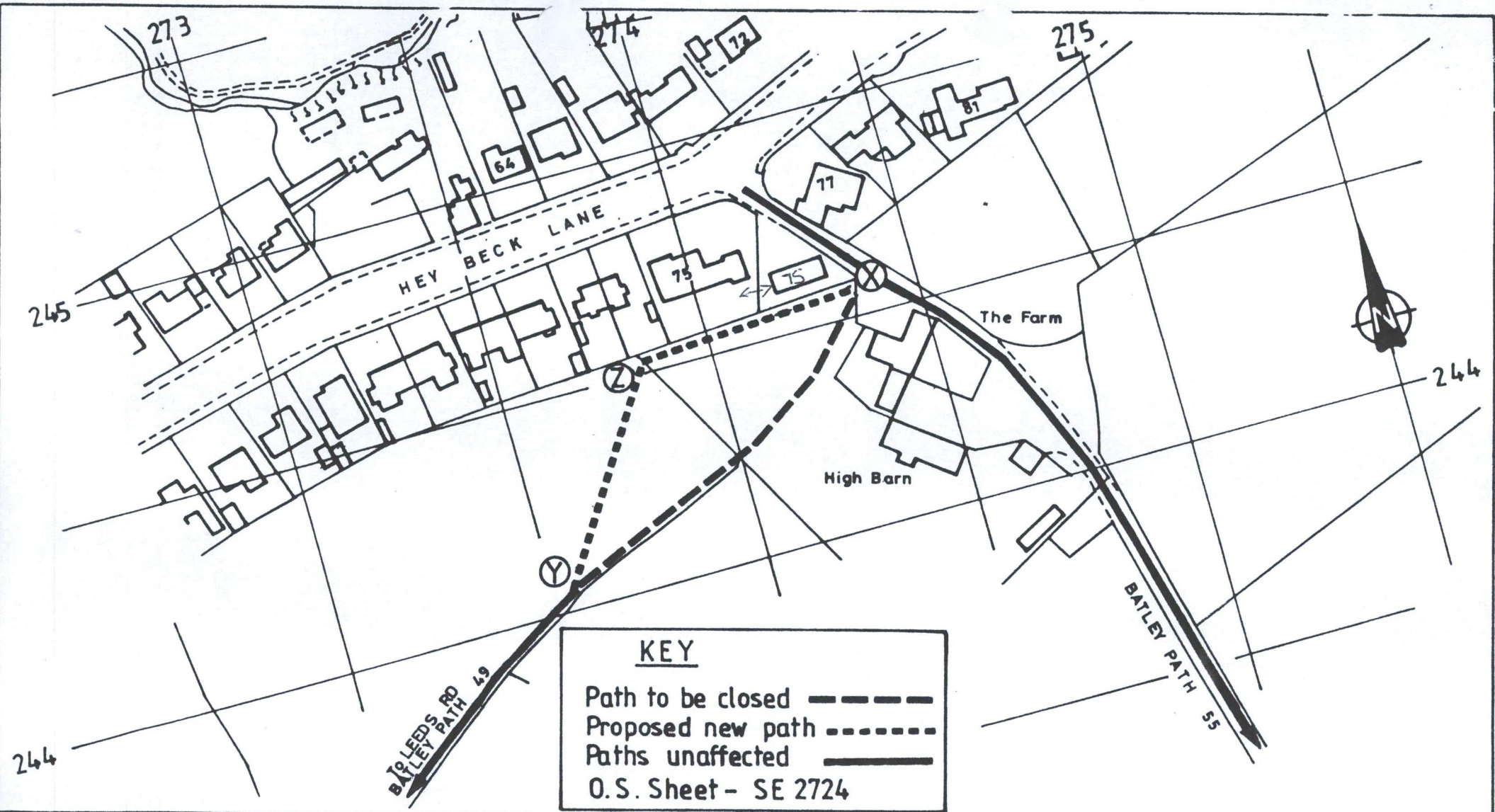
**Description of site of new path**

A public footpath 2.0 metres wide, shown by a dotted black line on the map, commencing at its junction with Batley Footpath 55, at map reference 2744 2445, marked X on the plan, and continuing in a westerly direction for approximately 55 metres to the property boundary at map reference 2738 2445, marked Z on the map, and thence in a southwesterly direction for approximately 55 metres to rejoin the existing path at map reference 2735 2441, marked Y on the map.

**GIVEN** under the Corporate Common Seal of **THE COUNCIL OF THE BOROUGH OF KIRKLEES** this Eighteenth day of August One Thousand Nine Hundred and Ninety Two

**THE CORPORATE COMMON SEAL** of )  
**THE COUNCIL OF THE BOROUGH OF** )  
**KIRKLEES** was hereunto affixed )  
in the presence of:- )

Solicitor to the Council




**KEY**

Path to be closed    - - - - -

Proposed new path    ·····

Paths unaffected    ———

O.S. Sheet - SE 2724



**Kirklees**  
**TRAFFIC AND HIGHWAY**  
**DEVELOPMENT MANAGER**

**P.F. JAMESON**  
 C.I.W.O. MICE. INST. CEM.  
 ALBERT ROAD, SLEIGHDALE,  
 HEDDERLEY.

Title

**PROPOSED DIVERSION OF BATLEY PATH 49 (part)**  
**at HIGH BARN, HEY BECK LANE.**

Scale		approx. 1 / 1250	
Drawn	E N	Checked	
Section	D.C.	Date	July 1992
Dwg / Ref No.			