

15 FEB 2014

K... TRAINING &
BUYER... SERVICES

LETTER FROM

ACTION BY

REPLIED

FILE

FOR OFFICE USE ONLY

Claim

Ref

181 1

PUBLIC RIGHTS OF WAY INFORMATION SHEET – WCA8

Personal Details

Name Date of Birth

Address

Email Address

Telephone Numbers

Home Daytime

Occupation

How many years have you lived at the above address

Where did you live previously

How many years have you lived in the area

Year from Year to

The object of this questionnaire is to reach the truth of the matter, whatever it may be. You are therefore asked to answer the questions as fully as possible and not keep back any information, whether for or against the public claim. This is important if this information is to be of real value in establishing the status of the route. The information you give will eventually become public and may be used as evidence at a public enquiry

This form should be completed by the one person who is named above – Please use black ink

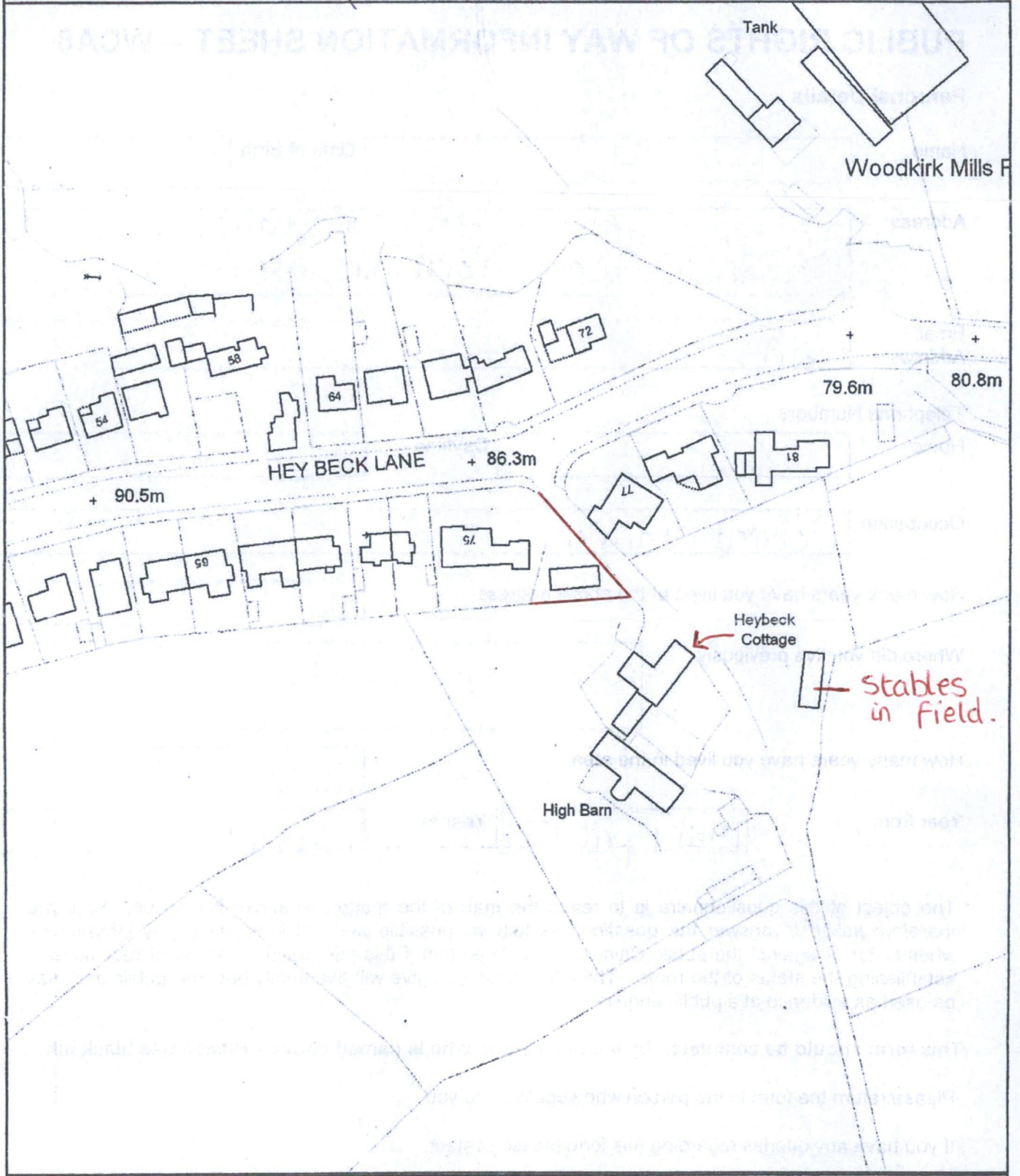
Please return the form to the person who supplied it to you.

If you have any queries regarding this form please contact:

Public Rights of Way Unit
PO Box B93
Civic Centre 3
Huddersfield
HD1 2JR
Tel: 01484 225575

Mrs. Margaret Hallas
24 Dec 2013

Mrs. Moseley to Hollis 24-Dec 2013



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Scale 1/1250
Centre = 427407 E 424461 N
Date 8/11/2013

Mrs. Moseley
N
E
S
W

PART A THE ROUTE

Please describe the route and mark it on the map on the previous page. **Please sign and date the map**
The route referred to runs :

from

to

In the District of: (*Batley) / Colne Valley / Denby Dale / Dewsbury / Heckmondwike / Holmfirth /
Huddersfield / Kirkburton / Meltham / Mirfield / Spenborough)

circle where appropriate

Does the route have a name? YES/NO

If yes, please give details

Which of the following do you believe the route is

Please tick one box

Footpath (for use by walker only)

Bridleway (for use by walkers, horse riders, pedal cyclist)

Byway (for use by walkers, horse riders, pedal cyclist, motor vehicles and horse drawn vehicles)

Restricted byway (for use by walkers, horse riders and by vehicles other than MECHANICALLY propelled vehicles)

Not a PUBLIC right of way of any sort

If you think that the route is NOT A PUBLIC RIGHT OF WAY please give your reasons below

PART B USE OF THE ROUTE

Which years have you known the route (eg 2006)

From

To

Which years have you used the route (eg 2006)

From

To

For what purpose?

How frequently did/do you use the route? (eg daily, weekly, once a month, once a year)

Have you seen other people using the route? YES/NO

If yes, for what purpose

How did you travel?

On foot

On a horse

By bicycle

By motor vehicle

By horse drawn vehicle

Other (state)

PART C NATURE OF THE ROUTE

How wide is the route used by the public?

(feet or metres)

Not known

What is its surface?

It varies

If you answer yes to the following questions, please mark the location on the map and give details

On the route, have you ever seen any stiles? YES/NO

If yes, please give details (ie type and locations)

On the route, have you ever seen any gates? YES/NO

If yes, please give details (ie type and locations)

Were the gates ever locked? If so when?

On the route, have you ever seen any obstructions, such as fences, buildings etc? YES/NO

If yes, please give details

On the route, have you ever seen any notices? YES/NO

If yes, please give details

By the stile

On the route, have you ever seen any signposts or waymarks? YES/NO

If yes, please give details of location and wording of the notice.

Has anyone ever challenged you when using the route? YES/NO

If yes, who was it, when did it happen, how often and what did you do

See my statement

Has the route always run over the same line? YES/NO

If no, please give details and dates of changes

Has the surface or any structure on the route been maintained by the local authority? YES/NO

If yes, please give details

The signs were erected by the Local Authority.

PART D

Land Owner

If known please give name(s) and address(es) of the owner(s) and or occupier (s) of the land over which the line crosses

See my statement.

Have you ever been give permission to use the route by the landowner? YES/NO

If yes, please give details

Have you ever been employed by the owner or occupier of the land? YES/NO

If yes, please give details

If you were ever employed by the owner or occupier of the land what instructions or information, if any were you given about the route?

Have you or your family ever owned or rented any land or property crossed by or adjacent to the route?

If yes, please give details

Nearby only

Have you at any time had a legal interest in the land?

If yes, please give details

None

Are you aware of any old maps, deeds, photographs or any other documentary evidence that record or show this route and which may be of assistance in determining its status?

No.

Is there any other information which you feel would be of assistance?

See my Statement.

Would you be prepared to attend a hearing, Public Inquiry or Court and give evidence if the need arose?

Yes.

I hereby certify that to the best of my knowledge and belief, the facts that I have stated are true

Signed *W. Roberts Walker*

Date *24/12/13*

ON THE ATTACHED MAP, PLEASE MARK THE ROUTE REFERRED TO IN THIS STATEMENT
PLEASE MARK ANY NOTICES, GATES, STILES, FENCES ON THE ROUTE YOU HAVE REFERRED TO

PLEASE SIGN AND DATE THE MAP

STATUTORY DECLARATION

05 FEB 2014
KIRKLETS PLANNING & BUILDING CONTROL SERVICES
LETTER NO.
ACTION BY
REPLIED
FILE

I Margaret Hallas of Scargill Farm 58 Heybeck Lane, Woodkirk, Dewsbury, West Yorkshire WF12 7AU so solemnly and sincerely declare as follows:-

1. I have resided at the above address since I married my late husband in 1963. My husband Ronny passed away approximately 11 years ago. We have always lived in his family home, Scargill Farm. We have raised 3 children, 2 girls and 1 boy all of whom live locally.
2. It is a close community on Heybeck Lane and over the years I have become familiar with and close to many of the neighbours past and present, some who are no longer here and some who are no longer alive.
3. I recall well my close friends Brian and Kath Buckley who lived at 75 Heybeck Lane which is across the road diagonally from where my farm is situated.
4. I recall Brian and Kath moved in approximately 1965 shortly after I had moved into the farm.
5. They had 2 girls who were close to my own children.
6. These were Pat and Victoria. Pat subsequently married Simon Bowett and they lived in the property from 1979 onwards.
7. Subsequently that house was sold to Ian and Monica Bragg. I understand this was in the early 1980's.
8. I know Ian and Monica and am acquainted with them. It is fair to say that we are not close friends although we acknowledge each other whenever we see each other. Until recently I had not seen Ian Bragg for approximately 12 months.
9. I understand that a potential dispute has arisen between Ian and Monica Bragg and the Local Authority with regard to the positioning of a Public Footpath across their land.
10. I have been asked to recollect the position when the property was purchased by the Buckley's in the mid 1960's and my understanding and knowledge of the steps taken by them to relocate the footpath that existed at that time.
11. Brian and Kath having bought the house subsequently bought the triangular land to the side of the house. At that time it was simply open land and there were no buildings on it. They purchased this land so that Kath could keep her horses on it and it was their plan to build stables.
12. The background to this is well fixed in my mind as previously Kath, even before she had moved to Heybeck Lane had kept her horses on our land. Accordingly I had become to know her well.

13. After they bought the land they put an application in for Planning Permission.
14. At that time there was a footpath that ran across the side of the land between the land and the house.
15. There was a small sign which pointed to the fact that it was a footpath.
16. I saw Kath on a regular basis and often cleaned for her when she was at work. She worked as a pharmacist in her father's business in Leeds. Brian also had a busy job, running an oil refinery business based in Morley with his brothers.
17. One day when I visited her I heard raised voices as I approached the property. I found Kath in a heated conversation with a man I knew then as Mr Woolin.
18. He lived at Hill Top further up the lane.
19. He was something of a cantankerous individual.
20. Kath explained to me afterwards when we were alone what had happened. He had been using the footpath at the side of the field between the house and had been rude to her with regard to the position of the footpath and the land.
21. She was particularly upset by it and indicated at that stage that she and Brian would do what they can to get the footpath moved.
22. This would have been in the late 1960's.
23. Seeing her on a regular basis as I did she keep me abreast of developments. The Planning Permission was granted and they erected stables on the land.
24. I believe that there were 3 stables and a tack room.
25. Subsequently I was told that they had made a formal application and were involving the local Council in the repositioning of the footpath so that it ran up the farm lane and went behind the rear of their property.
26. At that time I should say that all of the land in the area including my own farm was owned by Savile Estates. Indeed my husband and I did not formally purchase the farm until 1982. At that time I believe that Savile Estates who had sold the section of land to the Buckley's also owned the farm lane that ran up the side towards the farm situated in the area behind.
27. On one occasion when I was visiting her again she told me that finally they had been given approval to move the footpath and the sign. She was particularly pleased about this as it had taken quite some time and I believe that there had been a number of objections.
28. At about this time Patricia would have probably been a teenager and I believe that it may have been in the early 1970's.

29. Shortly after that I remember officials coming, I assume they were from the then Batley Council who erected signs showing the footpath running up the farm lane and then across the field behind the stables at the rear of the Bragg's property.
30. This was as long ago as the early 1970's and remained the position until a few years ago when the footpath was blocked up by the owner of the land to the rear who I believe was a Mr Lilley.
31. I understand that there has at least been one Public Inquiry with regard to the correct position of the footpath in the interim.
32. I understand that Ian and Monica Bragg have made enquiries through a variety of public bodies to find out if there was any formal written record of this application. It is because to date they have been unable to locate any records that they have asked me to commit my memory to writing and make this declaration.
33. I have no hesitation in confirming the foregoing information. I can further say that Mr and Mrs Buckley were extremely professional and responsible people. I recall that Kath who was killed a number of years ago in a horse riding accident was upset by the actions of Mr Woolin and determined to ensure that the footpath remove the need for he in particularly or indeed anyone else to walk across their land.
34. Mr Buckley would have taken all proper and reasonable steps to ensure that everything was done in the appropriate and legal manner to ensure that there was no difficulty in the future. When they left the property in 1979 and moved to the land behind down Farm Lane the property was lived in by Patricia their eldest daughter and her then husband Simon Bowett.
35. Nobody has ever previously raised with me any difficulties with regard to the footpath. Nobody has previously suggested that the signs incorrectly showed its position. Nobody has suggested that it should run across the land owned by the Bragg's. We are a close knit community and had there been any attempt for anyone to obstruct a footpath I am certain that I would have been closely involved in discussions with family and neighbours with regard to activity of that nature. Indeed when the actions of Mr Lilley resulted in a Public Inquiry some 20 years ago there was a great deal of conversation with regard to the same.

Declared at Dewsbury in the County of West Yorkshire
This 6th day of September 2013

Mrs. Margaret Halls

Before me, a Solicitor Commissioner for Oaths

.....
[Signature]

Disken & Co., Solicitors
20 Bond Street
Dewsbury
West Yorkshire
WF13 1AT
Tel. (01924) 464101

STATUTORY DECLARATION

Margaret Hallas

Scargill Farm

58 Heybeck Lane,

Woodkirk,

Dewsbury,

West Yorkshire

WF12 7AU

05 FEB 2014

FOR OFFICE USE ONLY

KIRKLEVES PLANNING & BUILDING CONTROL SERVICES

Claim

LETTER NUM
ACTION BY
REPLIED
FILE

Ref

181 2

PUBLIC RIGHTS OF WAY INFORMATION SHEET – WCA8

Personal Details

Name Date of Birth

Address

Email Address

Telephone Numbers

Home Daytime

Occupation

How many years have you lived at the above address

Where did you live previously

How many years have you lived in the area

Year from Year to

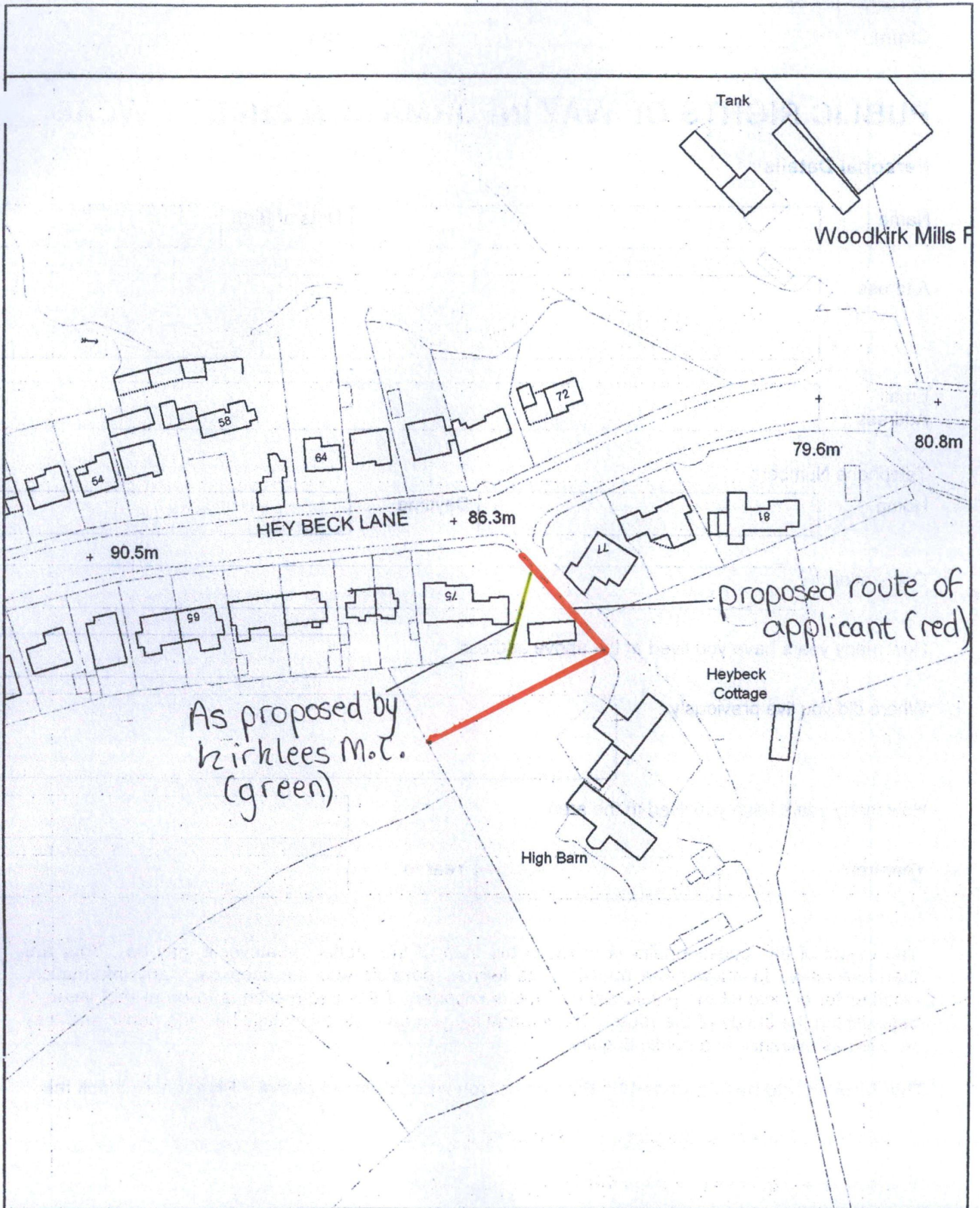
The object of this questionnaire is to reach the truth of the matter, whatever it may be. You are therefore asked to answer the questions as fully as possible and not keep back any information, whether for or against the public claim. This is important if this information is to be of real value in establishing the status of the route. The information you give will eventually become public and may be used as evidence at a public enquiry

This form should be completed by the one person who is named above – Please use black ink

Please return the form to the person who supplied it to you.

If you have any queries regarding this form please contact:

Public Rights of Way Unit
PO Box B93
Civic Centre 3
Huddersfield
HD1 2JR
Tel: 01484 225575



PART A THE ROUTE

Please describe the route and mark it on the map on the previous page. **Please sign and date the map**

The route referred to runs :

from

to

In the District of: Batley / Colne Valley / Denby Dale / Dewsbury / Heckmondwike / Holmfirth / Huddersfield / Kirkburton / Meltham / Mirfield / Spenborough

circle where appropriate

Does the route have a name? YES / NO

If yes, please give details

Which of the following do you believe the route is

Please tick one box

Footpath (for use by walker only)

Bridleway (for use by walkers, horse riders, pedal cyclist)

Byway (for use by walkers, horse riders, pedal cyclist, motor vehicles and horse drawn vehicles)

Restricted byway (for use by walkers, horse riders and by vehicles other than MECHANICALLY propelled vehicles)

Not a PUBLIC right of way of any sort

If you think that the route is NOT A PUBLIC RIGHT OF WAY please give your reasons below

PART B USE OF THE ROUTE

Which years have you known the route (eg 2006)

From To

Which years have you used the route (eg 2006)

From To

For what purpose?

How frequently did/do you use the route? (eg daily, weekly, once a month, once a year)

Have you seen other people using the route? YES/NO

If yes, for what purpose

How did you travel?

On foot

On a horse

By bicycle

By motor vehicle

By horse drawn vehicle

Other (state)

PART C NATURE OF THE ROUTE

How wide is the route used by the public? (feet or metres)

Not known

What is its surface?

Unmade Road.

If you answer yes to the following questions, please mark the location on the map and give details

On the route, have you ever seen any stiles? YES/NO

If yes, please give details (ie type and locations)

Footpath runs along Farm lane to a stile.

On the route, have you ever seen any gates? YES/NO

If yes, please give details (ie type and locations)

Were the gates ever locked? If so when?

On the route, have you ever seen any obstructions, such as fences, buildings etc? YES/NO

If yes, please give details

On the route, have you ever seen any notices? YES/NO

If yes, please give details

On the route, have you ever seen any signposts or waymarks? YES/NO

If yes, please give details of location and wording of the notice.

Kirklees official sign by stile.

Has anyone ever challenged you when using the route? YES/NO

If yes, who was it, when did it happen, how often and what did you do

Has the route always run over the same line? YES/NO

If no, please give details and dates of changes

Has the surface or any structure on the route been maintained by the local authority? YES/NO

If yes, please give details

Not known.

PART D

Land Owner

If known please give name(s) and address(es) of the owner(s) and or occupier (s) of the land over which the line crosses

See my statutory declaration.

Have you ever been give permission to use the route by the landowner? YES/NO

If yes, please give details

Have you ever been employed by the owner or occupier of the land? YES/NO

If yes, please give details

If you were ever employed by the owner or occupier of the land what instructions or information, if any were you given about the route?

Have you or your family ever owned or rented any land or property crossed by or adjacent to the route?

If yes, please give details

Adjacent - see statement.

Have you at any time had a legal interest in the land?

If yes, please give details

No.

Are you aware of any old maps, deeds, photographs or any other documentary evidence that record or show this route and which may be of assistance in determining its status?

Yes, a photograph of my wife with sign in background.

Is there any other information which you feel would be of assistance?

See my statutory declaration.

Would you be prepared to attend a hearing, Public Inquiry or Court and give evidence if the need arose?

Yes.

I hereby certify that to the best of my knowledge and belief, the facts that I have stated are true

Signed 

Date 6/1/2014

ON THE ATTACHED MAP, PLEASE MARK THE ROUTE REFERRED TO IN THIS STATEMENT
PLEASE MARK ANY NOTICES, GATES, STILES, FENCES ON THE ROUTE YOU HAVE REFERRED TO
PLEASE SIGN AND DATE THE MAP

STATUTORY DECLARATION

Simon John Bowett

05 FEB 2014	
KIRKLEES PLANNING & BUILDING CONTROL SERVICE	
LETTER NO.
ACTION BY
REPLIED
FILE

I Simon John Bowett of 20 Grange Drive, Emley, West Yorkshire. HD8 9SF do solemnly and sincerely declare as follows:-

1. I moved into Heybeck Cottage off Heybeck Lane in 1980.
2. At that time I was married to Pat Perry one of the two daughters of the Buckley family.
3. Her parents Brian and Kath Buckley had lived at number 75 on Heybeck Lane. This is where Ian and Monica Bragg currently reside at and I understand it is the address of a dispute between them and Kirklees Council with regard to the position of a footpath through or around that property. I am advised that this footpath is identified as footpath number 49 Batley.
4. I lived at Heybeck Cottage adjacent to my parents in law Mr and Mrs Buckley who then resided in High Barn. Both of those properties are situated to the rear of number 75 Heybeck Lane.
5. Mr and Mrs Buckley purchased High Barn in 1980. The same year I bought Heybeck Cottage and lived there with their daughter.
6. There was a period of two years or so until 1981 during which they carried out significant works to High Barn with a view to making it habitable. In 1981 they sold 75 Heybeck Lane to the Braggs.
7. Although I no longer live in the area I am very familiar with people who have lived there for many years. I know well Margaret Hallas and her family and also Jack Fountain and the Midgleys. I recall Mr and Mrs Fountain very well when they were the landlords and owners of the pub up the hill in the village.
8. In all my time during my occupation of Heybeck Cottage and from my familiarity with the Bucleys and the other residents I understood that the footpath ran along the Lane at the side of the Braggs property at number 75 Heybeck Lane, then before Heybeck Cottage cut across the field towards the wood.
9. For ease of reference I have been referred to H M Land Registry Plan Title No WYK159305.
10. Many years prior to the Bragg's ownership; I believe in 1966 the Bucleys purchased a triangular section of land that abuts number 75 and is at the side of the farm lane on

the north eastern boundary of number 75. The farm lane divides number 75 from number 77 Heybeck Lane.

11. The footpath ran along the farm lane to a style at which point it dog legged back going west in a straight line behind the rear of number 75, firstly along the side of Heybeck Cottage, the Heybeck Barn, then towards the wood.
12. I understand that notwithstanding the footpath was in that position for many years with styles and official green footpath signs erected by the Council. It is now being suggested that the footpath should run between number 75 itself and the outbuilding along the border of the triangular land that was purchased many years ago.
13. As my father in law I knew Brian Buckley extremely well. He was a very particular and methodical man. Everything he did was by the book and he dotted all the I's and crossed all the t's. I have seen reference to documents which make it clear that before he purchased the triangular section of land from Savile Estates (adjacent to number 75) in the mid 1960's he applied for planning permission so that he could erect the stables. The footprint of the stables I believe are still there today which comprises a single storey flat erected by the Braggs.
14. Due to the type of person he was he made sure he would get planning permission before the purchase went through.
15. I am certain that he would have made such applications through his solicitors as necessary to arrange for the footpath to be relocated so that it did not run through the centre of his property.
16. I understand that no records relevant to this application and its approval have been found by Savile Estates the neighbouring land owners or more particular Kirklees Council.
17. This does not really surprise me as the application would have been in the late 1960's.
18. What I am clear about in my own mind is that Mr Buckley would not have himself unilaterally repositioned the footpath or allowed any steps to be taken on his behalf without ensuring that he had full legal backing to do so. My understanding of the position is rather borne out by the fact that the green signs pointing the footpath in the way that it was certainly from 1966 until 2012 had been in place for many years.
19. As far as I can remember, during all my time in the area I was never aware of any suggestion that the Buckleys their predecessors or successor's had wrongly positioned the footpath or that it went through their land. I do not recall any issues arising until the Public Inquiry in the early 1990's which came about as a result of the activities of Mr Lilley.

20. Mr Lilley has subsequently bought a section of land adjacent to High Barn from the Buckley's and issues have appeared to bubble under since that time notwithstanding a Public Inquiry.
21. I have also been shown documentation that shows enforcement proceedings were taken by the then Batley Council in 1971 with regard to the stopping up of number 49 footpath further down its parallel route to Heybeck Lane east of the land being talked about and that enforcement resulted in a number of Court hearings. It seems extremely strange to me that a great deal of time and effort was put into the prosecution or the farmer concerned for blocking up that footpath and no consideration was given to the fact that it had wrongly been re-routed by the Buckley's.
22. In conclusion it seems extraordinary to me that this footpath has been situated as it was for over 40 years without anyone suggesting that it was the incorrect position until steps were taken to block up the style and re-position it by an adjacent land owner.

And we make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declaration Act 1835

Declared at *Walsbyre*
in the County of *West Yorkshire*

This *12* day of *November* 2013

Before me, a Solicitor/~~Commissioner for Oaths.~~

[Signature]
.....

[Signature]

Ramsdens LLP (Ref JMC/SHP/211630-1)
28 Bond Street
Dewsbury
WF13 1AU
Solicitors for the Defendant

STATUTORY DECLARATION

Mr Simon John Bowett

20 Grange Drive

Emley

West Yorkshire

WF8 9SF

EXHIBIT

SJB 1

H.M. LAND REGISTRY

TITLE NUMBER

WYK 159305

ORDNANCE SURVEY
PLAN REFERENCE

COUNTY
WEST YORKSHIRE

SHEET

NATIONAL GRID
SE 2724

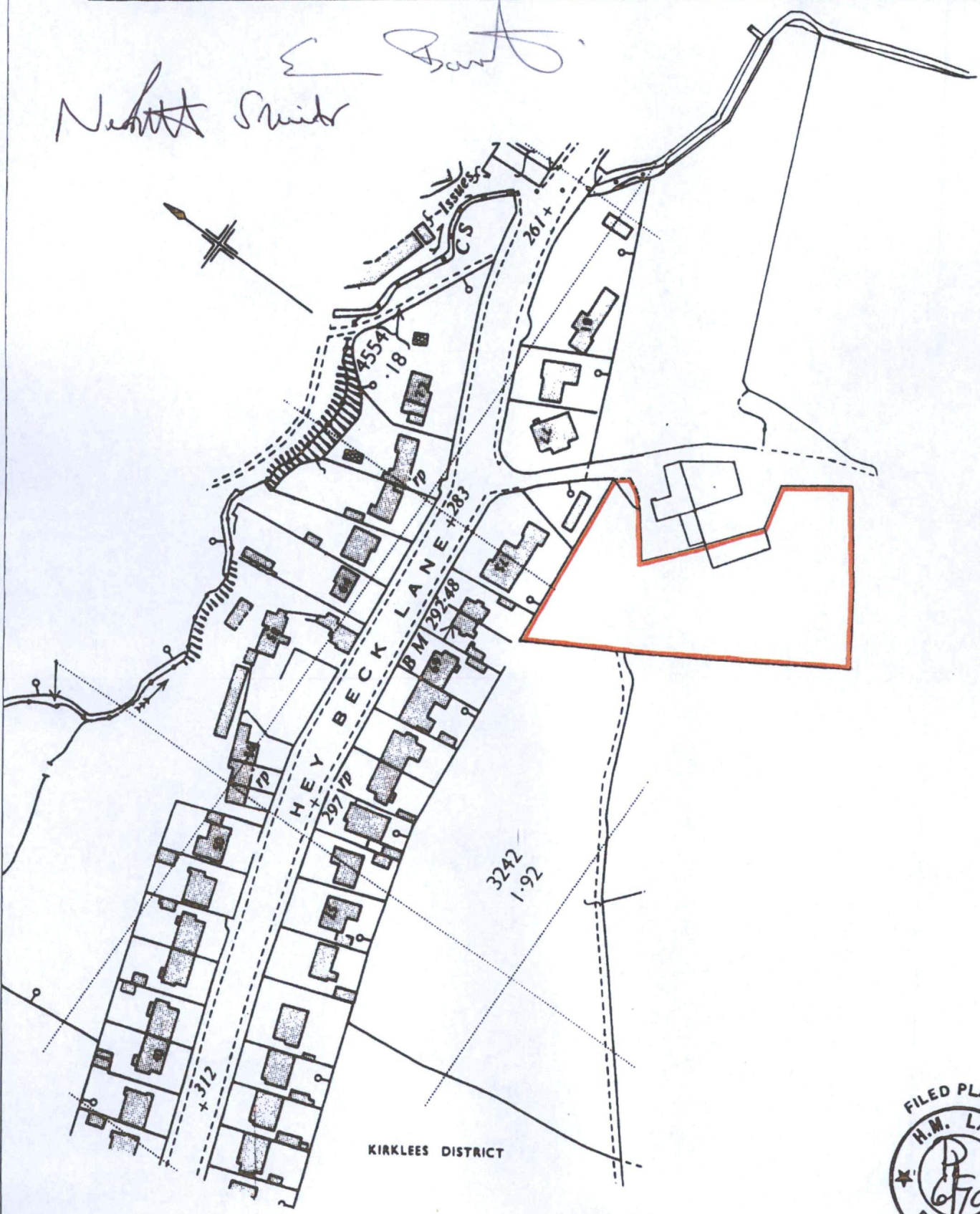
SECTION

Scale: 1/1250 Enlarged from 1/2500

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North Smith

E. Smith



KIRKLEES DISTRICT





05 FEB 2014

KIRKLEIGH
BUILDING COMPANY

LETTER NO.
ACTION BY
REPLIED
FILE

FORM OF APPLICATION FOR MODIFICATION ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

05 FEB 2014

KIRKLEES COUNCIL PLANNING &

BYE-LINE

The Wildlife and Countryside (Definitive Maps and Statements)
Regulations 1993 (Schedule 7)

LETTER FROM

ACTION BY

REPLIED

FILE

WEST YORKSHIRE METROPOLITAN COUNTY COUNCIL DEFINITIVE MAP AND
STATEMENT FOR THE KIRKLEES METROPOLITAN DISTRICT AREA

To: Public Rights of Way Unit

of: Kirklees Council, PO Box B93, Civic Centre 3, Huddersfield HD1 2 JR

1/We: (name of applicant) Ian Christopher Bragg, Monica Bragg
 of: (address of applicant) 75 Heybeck Lane, Dewsbury,
 West Yorkshire, WF12 7QU

hereby apply for an Order under Section 53(2) of the Wildlife and Countryside Act 1981
 modifying the definitive map and statement for the area by:

- 1) DELETING the (~~*footpath/bridleway/byway open to all traffic/restricted byway~~)
 in the District of **Batley kirklees**
 (*Batley/Colne Valley/Denby Dale/Dewsbury/Heckmondwike/Holmfirth/Huddersfield/
 Kirkburton/Meltham/Mirfield/Spenborough)

known as number: Footpath number 49 Batley
 which starts at: Leeds Road Batley
 and ends at: Footpath number 55 Batley

as
 and shown on the map annexed hereto.

- 2) ADDING the (~~*footpath/bridleway/byway open to all traffic/restricted byway~~)
 in the District of **Batley kirklees**
 (*Batley/Colne Valley/Denby Dale/Dewsbury/Heckmondwike/Holmfirth/Huddersfield/
 Kirkburton/Meltham/Mirfield/Spenborough)

known as number: Footpath number 49 Batley
 which starts at: Leeds Road Batley
 and ends at: Footpath number 55 Batley

as
 and shown on the map annexed hereto.

* Please delete as appropriate

continued over.../

3) (UPGRADING/DOWNGRADING) to a (*footpath/bridleway/byway open to all traffic /restricted byway)

known as number:

in the District of

(*Batley/Colne Valley/Denby Dale/Dewsbury/Heckmondwike/Holmfirth/
Huddersfield/Kirkburton/Meltham/Mirfield/Spenborough)

which starts at:

and ends at:

and shown on the map annexed hereto.

4) (*VARYING/ADDING) TO THE PARTICULARS in the statement accompanying the definitive map relating to (*footpath/bridleway/byway open to all traffic/restricted byway)

known as number:

in the District of

(*Batley/Colne Valley/Denby Dale/Dewsbury/Heckmondwike/Holmfirth/
Huddersfield/Kirkburton/Meltham/Mirfield/Spenborough)

which starts at:

and ends at:

by providing that:

and shown on the map annexed hereto.

* Please delete as appropriate

I/We attach copies of the following documentary evidence (including statements of witnesses) in support of this application:

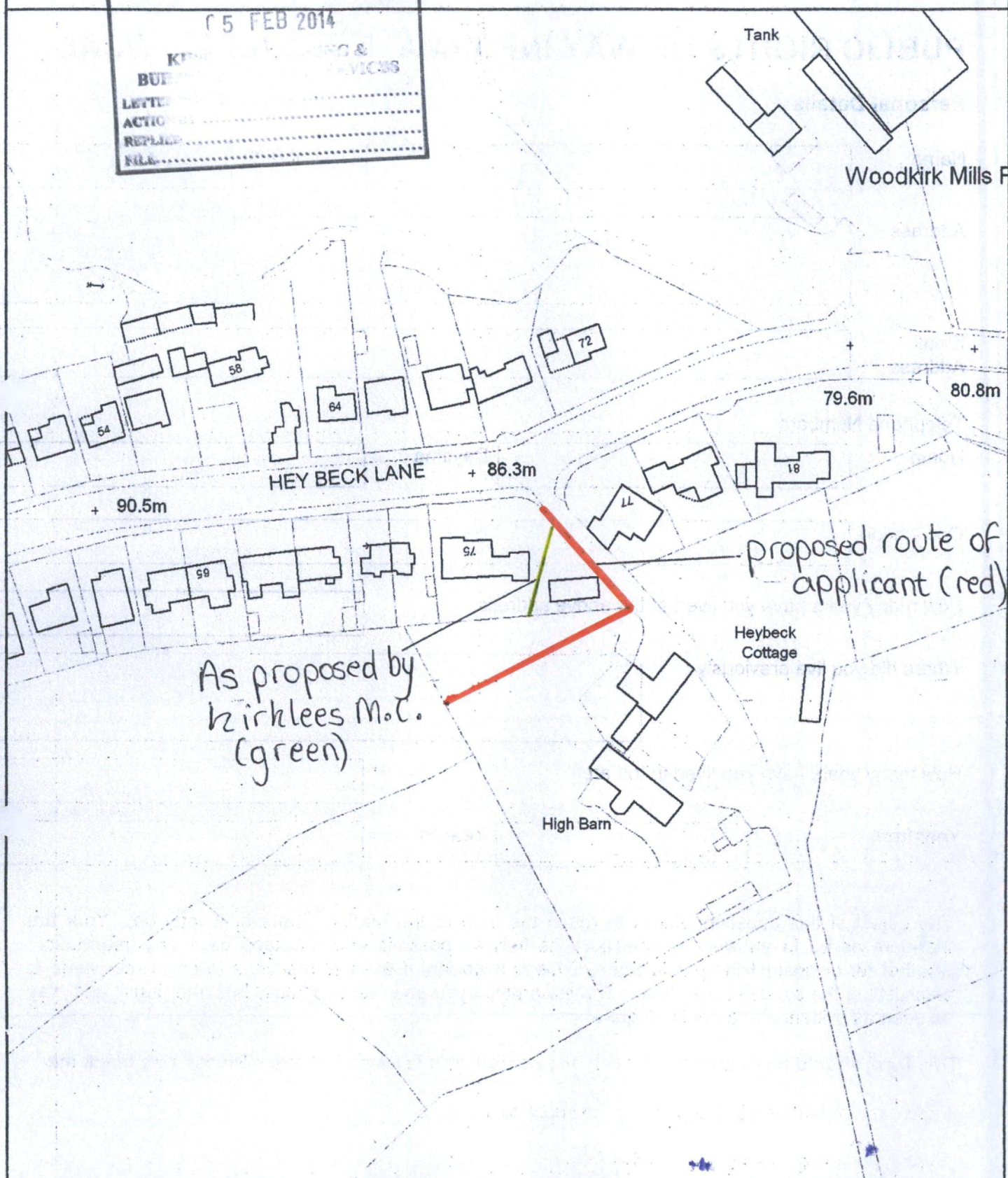
List of documents provided:-

Statements : (1) Ian Bragg
(2) Simon Bowett
(3) Margaret Hallas

Dated: 4th July 2014

Signed: Rosie Liff

05 FEB 2014
KIRKLEES COUNCIL
BUSINESS SERVICES
LETTER
ACTION
REPLY
FILE



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Scale 1/1250

Centre = 427407 E 424461 N



Date 8/11/2013

Index

- A) Statement of Ian Christopher Bragg
- B) Land Registry documents:
 - 1) Official copy Title and plan for Title number WYK268995 dated 15 March 2013
 - 2) Conveyance dated 5th January 1966
- C) Photographic evidence of the footpath:
 - 1) First photograph shows a garden fence and Ian Bragg's Property taken from the field at the south.
 - 2) Second photograph shows a public footpath signpost which shows the eastern end of the footpath.
- D) Letters from Kirklees Council
 - 1) Letter with attached plan dated 26th November 2003 stating that footpath 49 runs across Mr Bragg's Property.
 - 2) Letter dated 20th May 2013 with 2 attached plans and a statement.
- E) Statutory Declaration of Margaret Hallas signed and dated 6th September 2013.
- F) Statutory Declaration of Simon John Bowett signed and dated 12th November 2013.
- G) Borough of Batley documents:
 - 1) Copy resolution passed by the General Works Committee;
 - 2) Memorandum from the Borough Engineer Batley to The Town Clerk dated 30th September 1971;
 - 3) Letter from Blythe Town Clerk dated 1st October 1971.;
 - 4) Note for Mr I Longbottom dated 27th October 1971;
- H) Statement of Alan Firth dated 9th March 1972;
- I) Kirklees Council letters.
 - 1) Letter from Kirklees Council dated 5th August 1992 regarding a proposed diversion of footpath 49.
 - 2) Public Path Diversion Order, Highways Act 1980.
 - 3) Kirklees Council plan for the proposed diversion of footpath 49.
- J) Letter from The Planning Inspectorate dated 26th April 1994.
- K) Letter with a plan attached from Kirklees Council dated 28th June 1994 and signed by Sandra J. Haigh.
- L) Extinguishment and Diversion Orders made by Batley Borough Council (3 pages) plus four records copied on to one page.
- M) Letter from Kirklees Council dated 11th November 2013.
- N) Photograph showing the footpath in the background.

NOTE This page from Ian Bragg evidence submission folder was added to WCAS (stamped) 12/2/14. See letter to Ramsdens of that date. GC/Phaw

05 | FL 2014

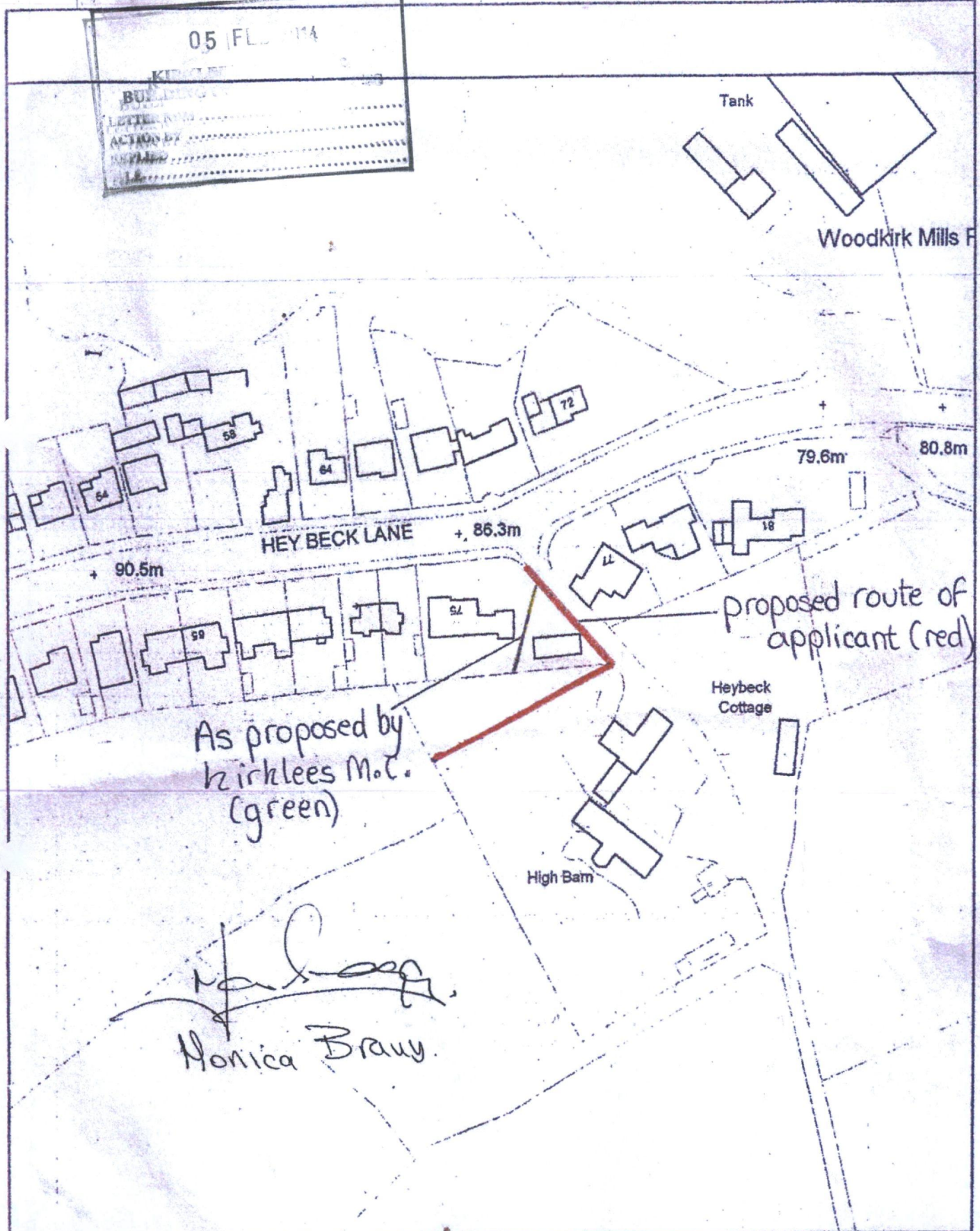
KIRKLEES

BUILDING CONTROL

LETTER NUMBER

ACTION BY

DATE



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Scale 1/1250
 Centre = 427407 E 424461 N
 Date 8/11/2013

