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35 36 38 70

W.N.437/2/9/K.

A.F. Holroyd, Esq.,
Honey Head,
Woodnook,
Meltham,
Ruddersfield HD7 3DU.

28th April, 1978.

Mr.J.W. Heley

4106.

Dear Mr. Holroyd,

National Parks & Access to the Countryside Act, 1949.
Part IV. Survey of Public Rights of Way.
Paths No.s 3, 4, 34, 35, 36, 38 and 70, Meltham.

With reference to your letter of the 25th instant, and enclosure, the above paths were claimed in 1951, by Meltham U.D.C. as public footpaths and at no stage in the above Survey was their status brought into question. The paths were, therefore, recorded on the Definitive Map - published in June, 1964 - as footpaths and the Definitive Map, until revised under the Act, is still the current legal record.

You wrote to the Clerk of the County Council in March, 1973, claiming bridleway status for the above paths and a copy was forwarded to this office for comments. I replied to the Clerk that legally, the paths were public footpaths and that their condition and width had no bearing whatever on their current status. I also observed that the paths could be considered for upgrading to bridleways when the Definitive Map was revised under the law.

A record was made of your claims and there is an indication on my file that the Clerk of the County Council advised you of this. I am puzzled, therefore, by your comment that you were "given to understand" that the paths had been upgraded to bridleways, for this is not possible until the map is revised under the law.

Work on the revision of the Definitive Map was in train when your claims were made in 1973 but this was overtaken by Local Government Reorganisation and had to be postponed, as required by the Local Government Act. The work has re-started, now, and review items in Kirklees area will be taken in hand later this year.

Continued:

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At that time your claims will receive due and proper consideration and if objections are received you may, of course, be invited to provide evidence of bridleway status at a public hearing. Until that time, however, the above paths remain, legally, as public footpaths.

It is hoped this information will be of use to you in the work you are doing.

Yours sincerely,

Executive Director,
Transportation & Traffic.

DM.