

CALDERDALE METROPOLITAN BOROUGH COUNCIL

WILDLIFE AND COUNTRYSIDE ACT 1981

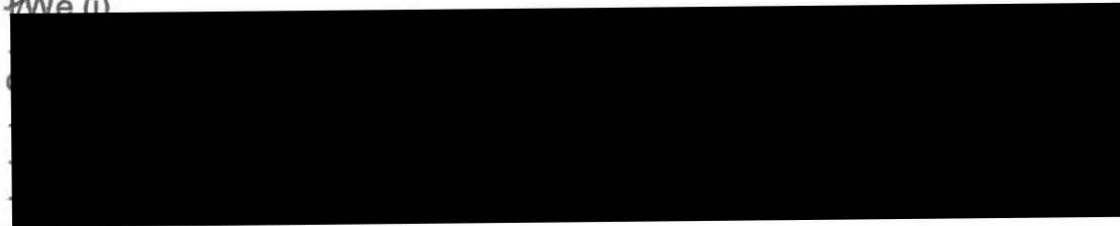
The Wildlife and Countryside (Definitive Maps and Statements)
Regulations 1993 Schedule 7

APPLICATION FOR MODIFICATION ORDER

DEFINITIVE MAP AND STATEMENT FOR CALDERDALE

To: Calderdale Metropolitan Borough Council
Of: Town Hall, Crossley Street, Halifax, HX1 1UJ

We (i)



hereby apply for an order under Section 53(2) of the Wildlife and Countryside Act 1981 modifying the Definitive Map and Statement of the Area by:

1. Deleting the footpath / bridleway / restricted byway / byway open to all traffic *
shown as number
from
to

2. Adding the footpath / bridleway / restricted byway / byway open to all traffic *
from
to

3. Upgrading / Downgrading * to a footpath / bridleway / restricted byway / byway
open to all traffic *
the footpath / bridleway / restricted byway / byway open to all traffic *
shown as number
from
to

See overleaf.

FORM 1

4. Varying / Adding to * the particulars relating to the footpath / bridleway / restricted byway / byway open to all traffic * shown as number

from

to

by providing that

and shown on the map annexed hereto.

†We attach a map and copies of the following documentary evidence (including statements of witnesses) in support of this application:

List of Documents provided (iii):

.....
.....
..... *As attached.*
.....
.....
.....
.....

I accept that the information that I have given will be displayed on a Register of Definitive Map Modification Order Applications which is open for public inspection

Signed date ... *6 June 2024*

- (i) Insert name of applicant(s)
- (ii) Insert address of applicant(s)
- (iii) Insert list of documents
- * Please delete as appropriate

Upgrading to a Restricted Byway the footpath shown as number Hebden Royd 13,
From junction with Hebden Royd 128 at Wood Top
To junction with Burnley Road (A646)

Upgrading to a Restricted Byway the bridleway shown as number Hebden Royd
128,
From junction with Hebden Royd 13, Carr Lane
To junction with Hebden Royd 12, Wood Hey Lane

Upgrading to a Restricted Byway the footpath shown as number Erringden 1 part,
From junction with adopted Spencer Lane
To junction with Erringden 5

Upgrading to a Restricted Byway the footpath shown as number Erringden 5 part,
From junction with Erringden 1
To junction with Erringden 4

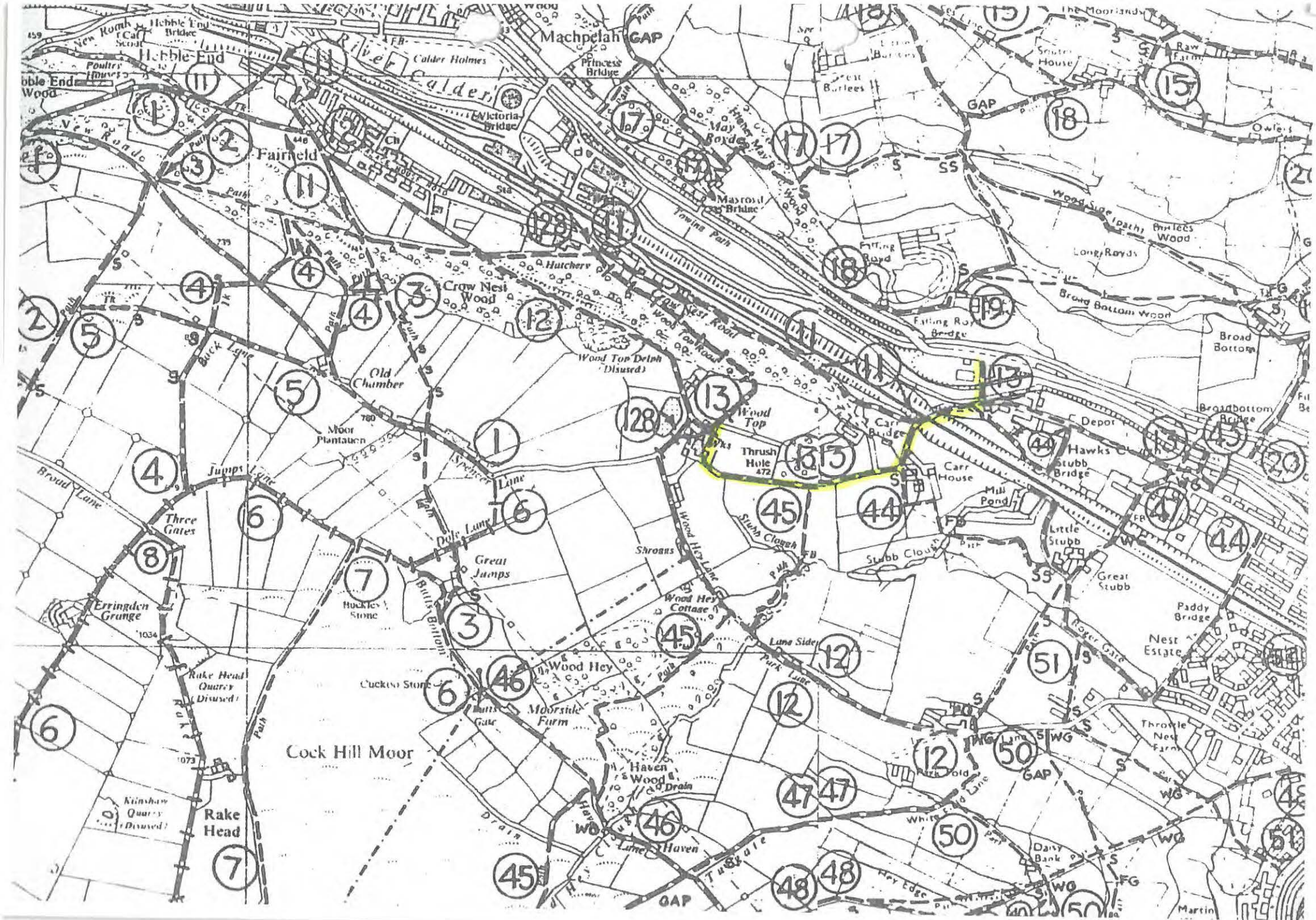
Upgrading to a Restricted Byway the footpath shown as number Erringden 4 part,
From junction with Erringden 5
To junction with Erringden 6

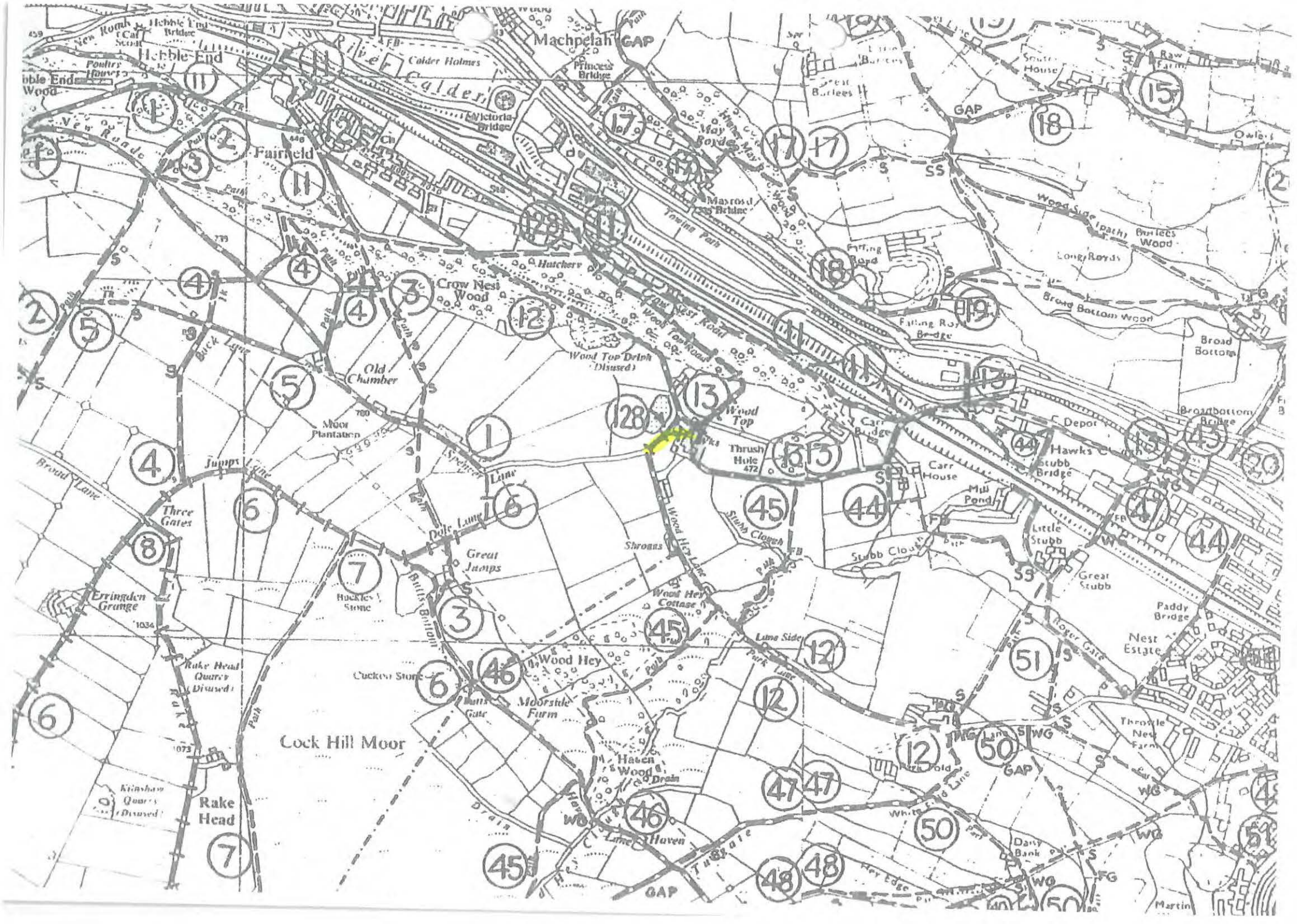
Upgrading to Restricted Byway the bridleway shown as number Erringden 6 part
From junction with Erringden 4
To junction with Pennine Bridleway, west of Swillington

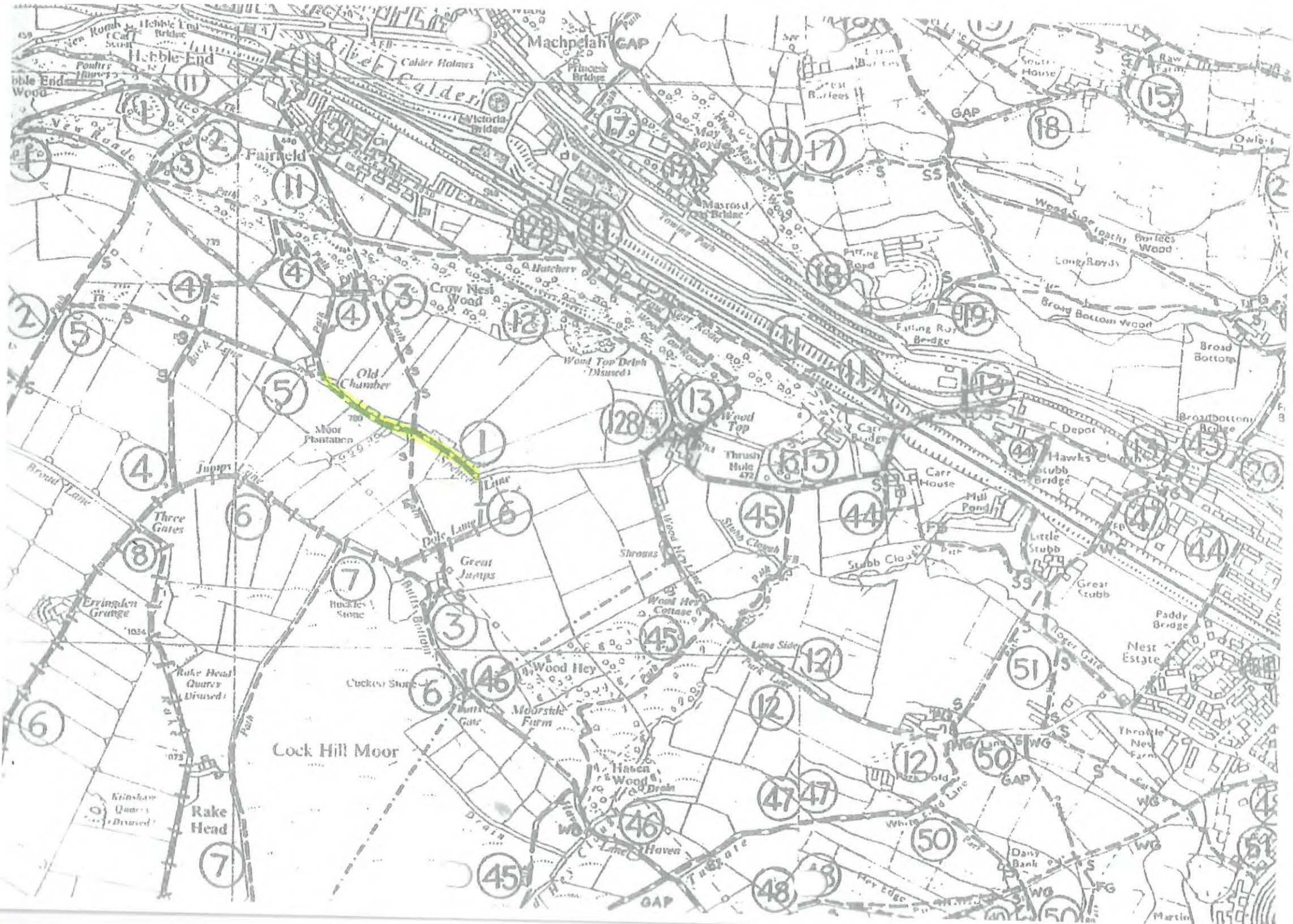
Upgrading to Restricted Byway the bridleway shown as number Erringden 8 part
From junction with Erringden 6
To junction with Erringden 7

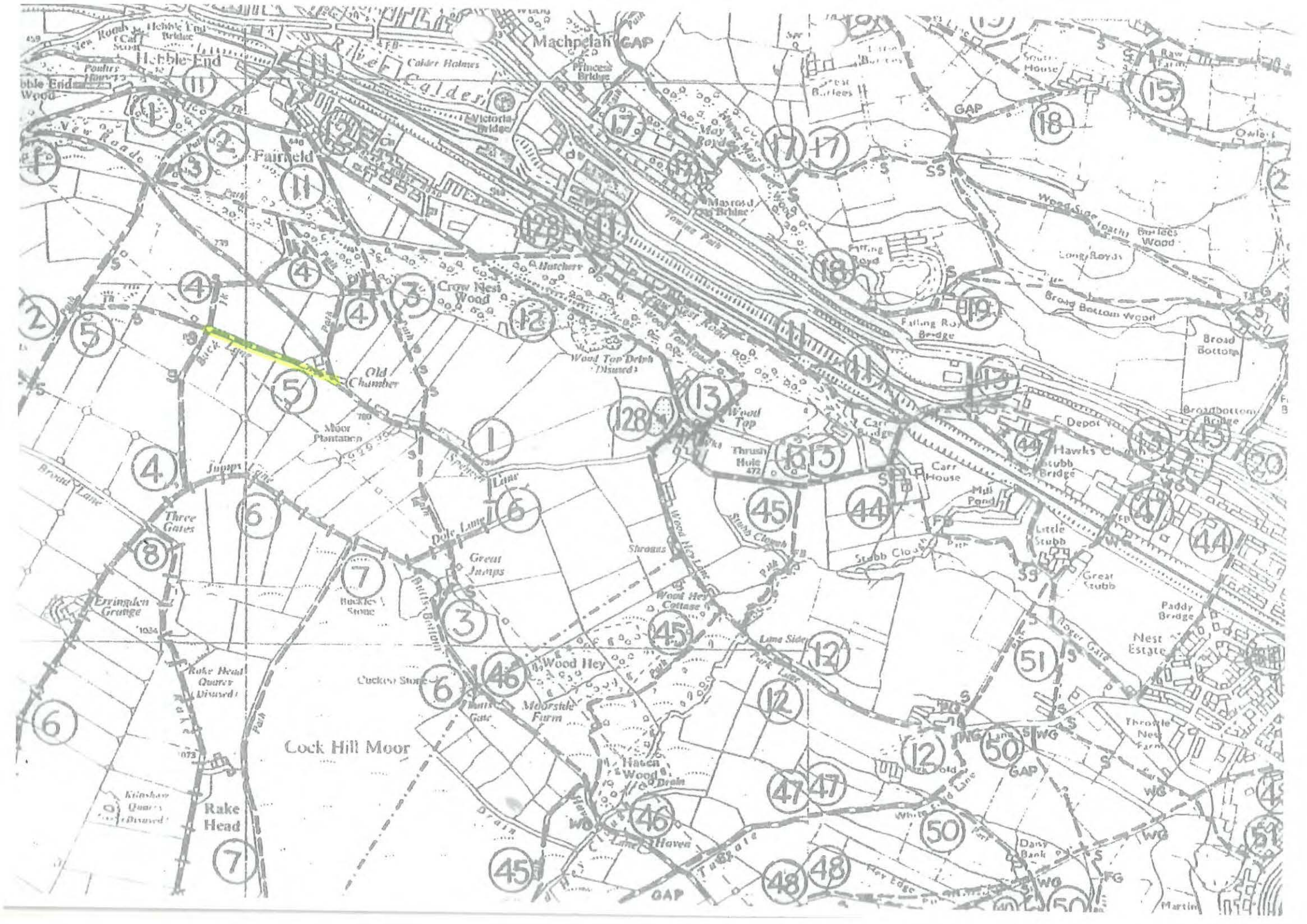
Upgrading to Restricted Byway the bridleway shown as number Erringden 7 part
From junction with Erringden 8
To junction with Erringden 10

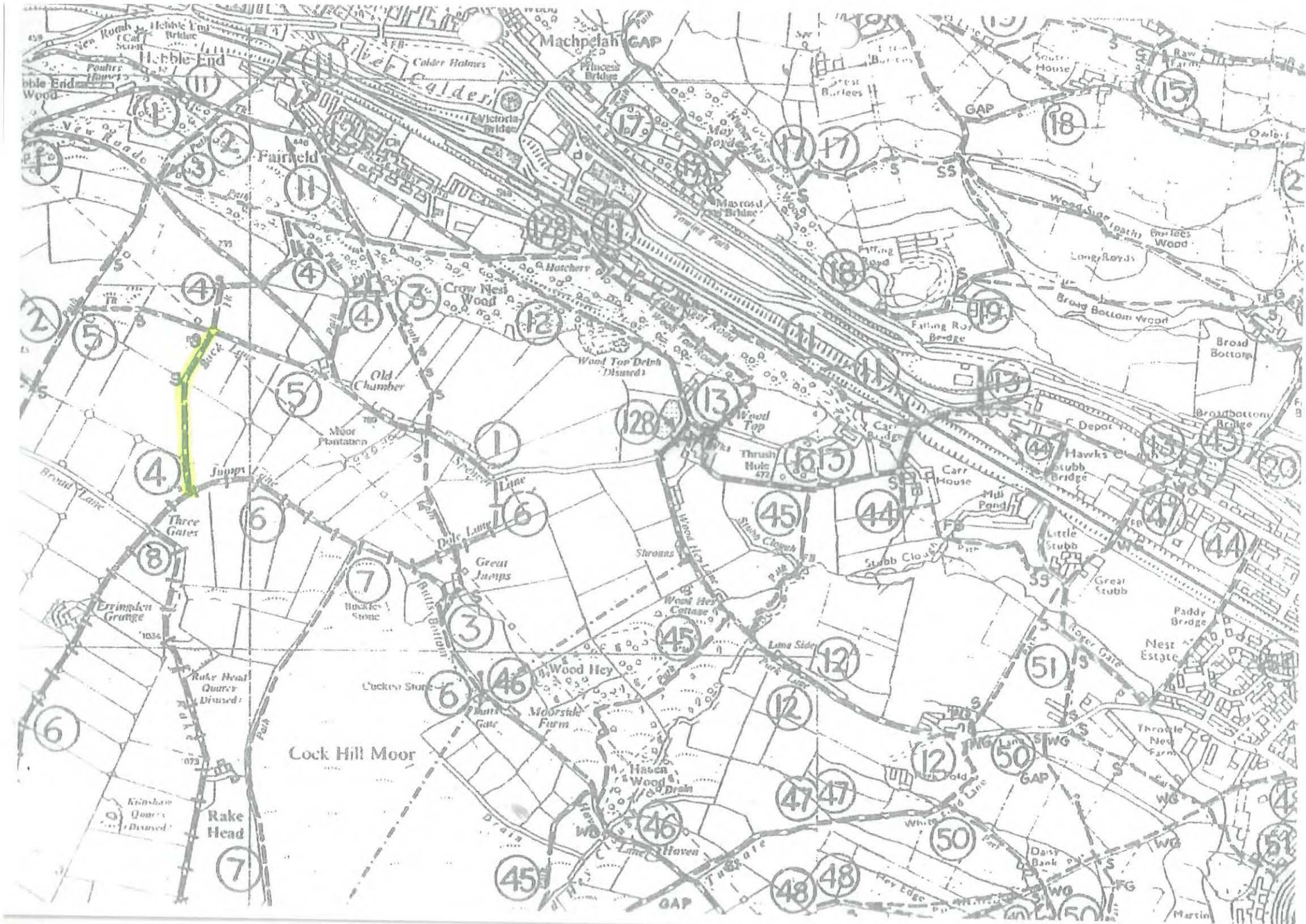
Upgrading to Restricted Byway the bridleway shown as number Erringden 10 part
From junction with Erringden 7
To junction with Erringden 6

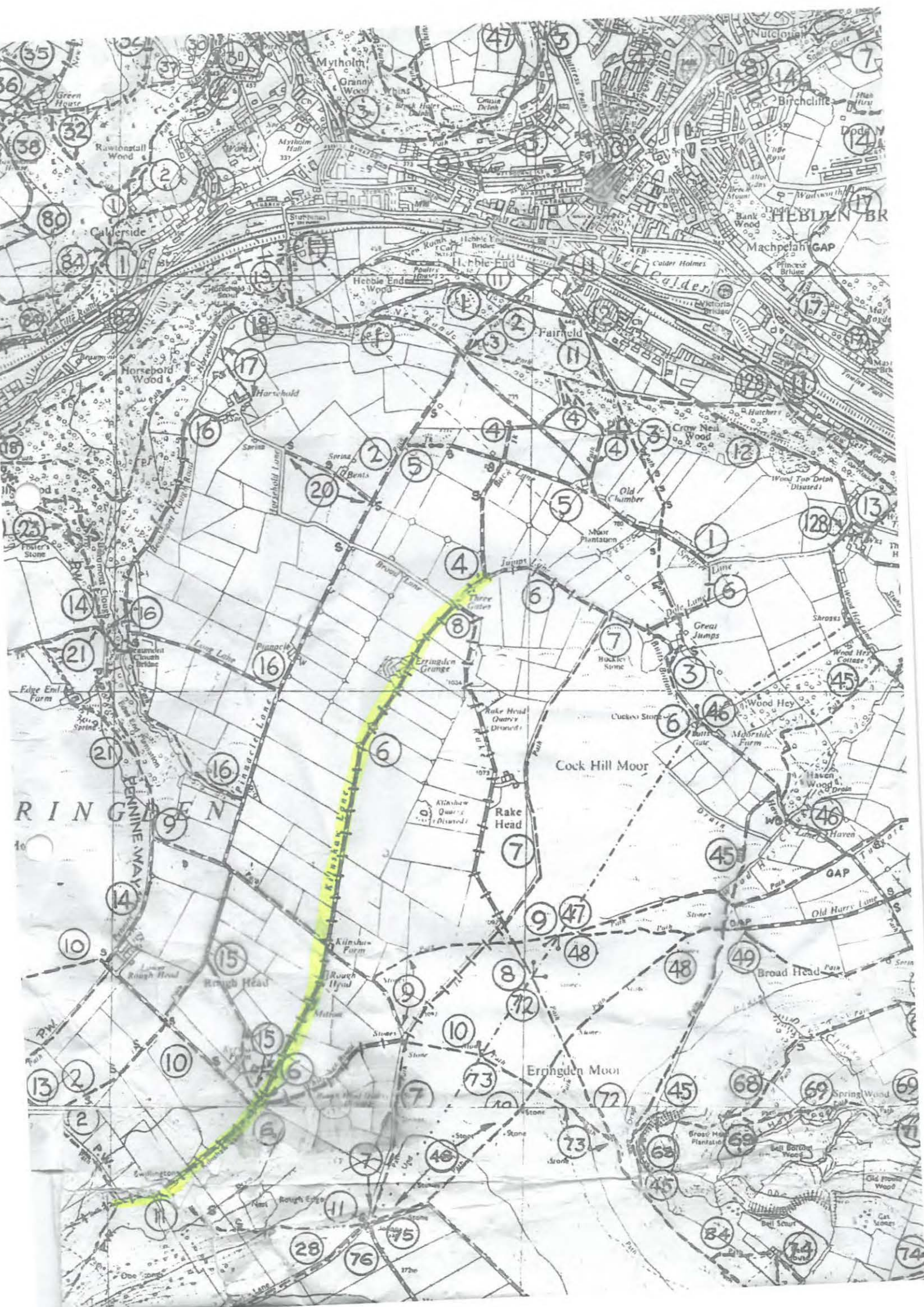


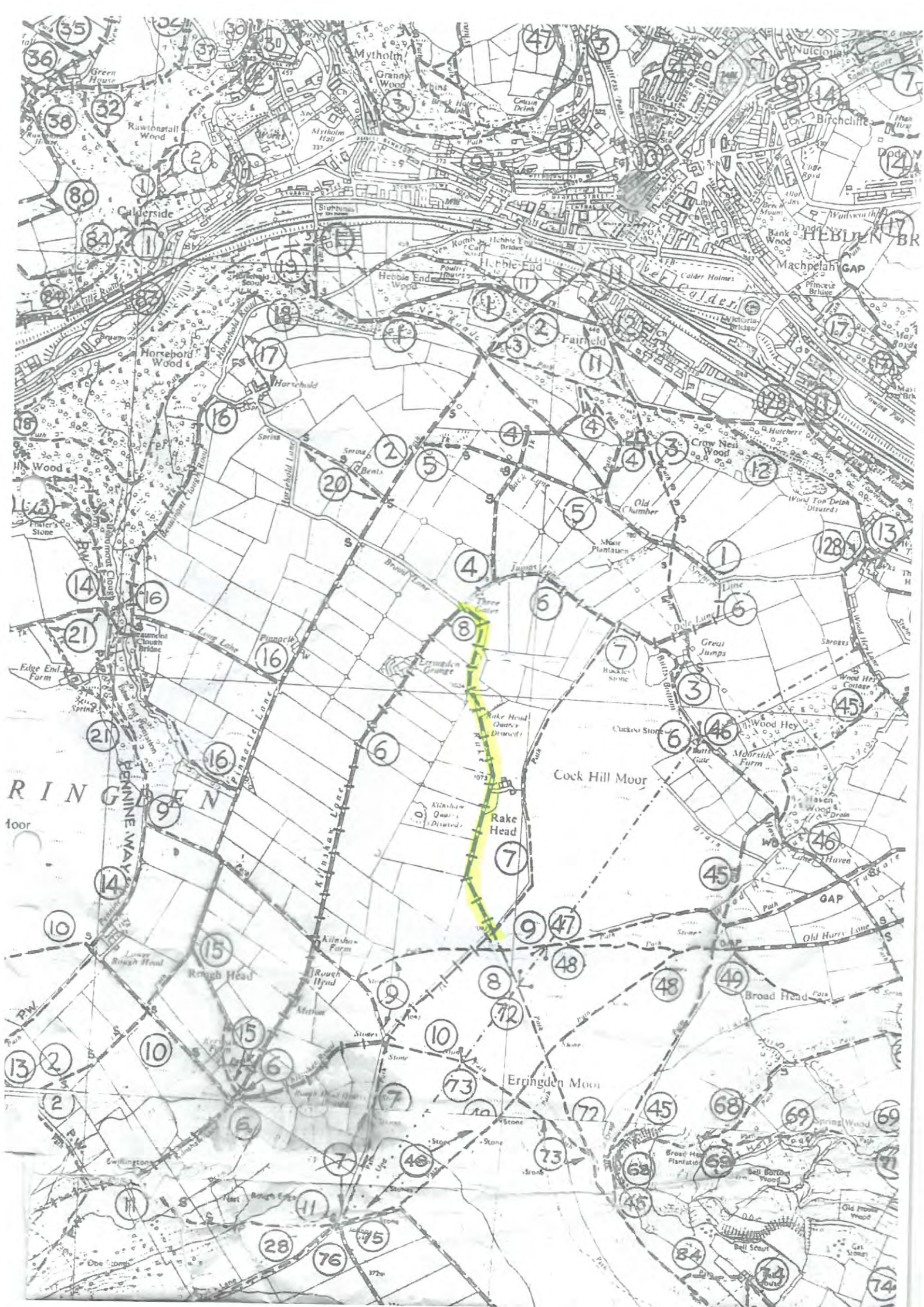


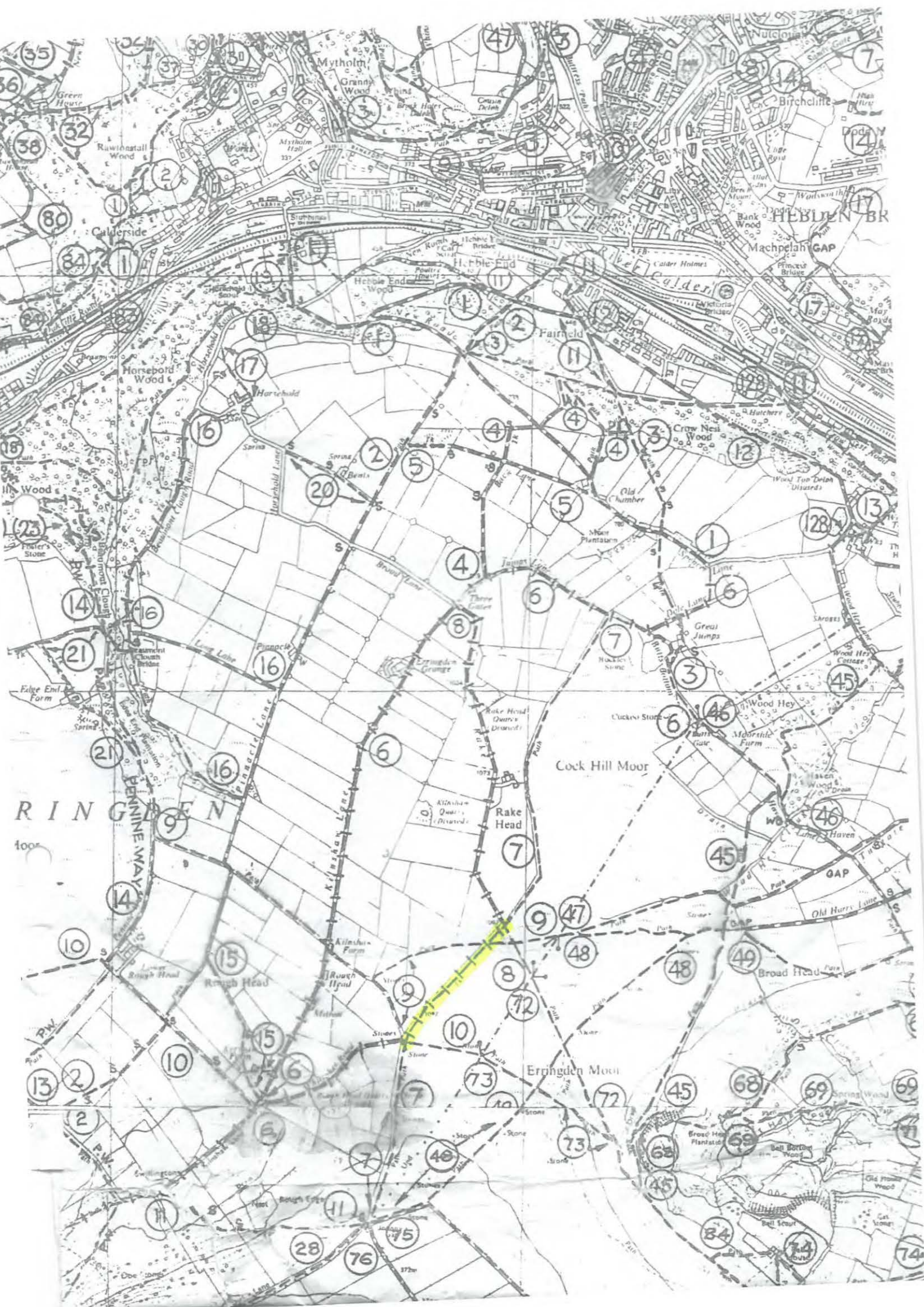


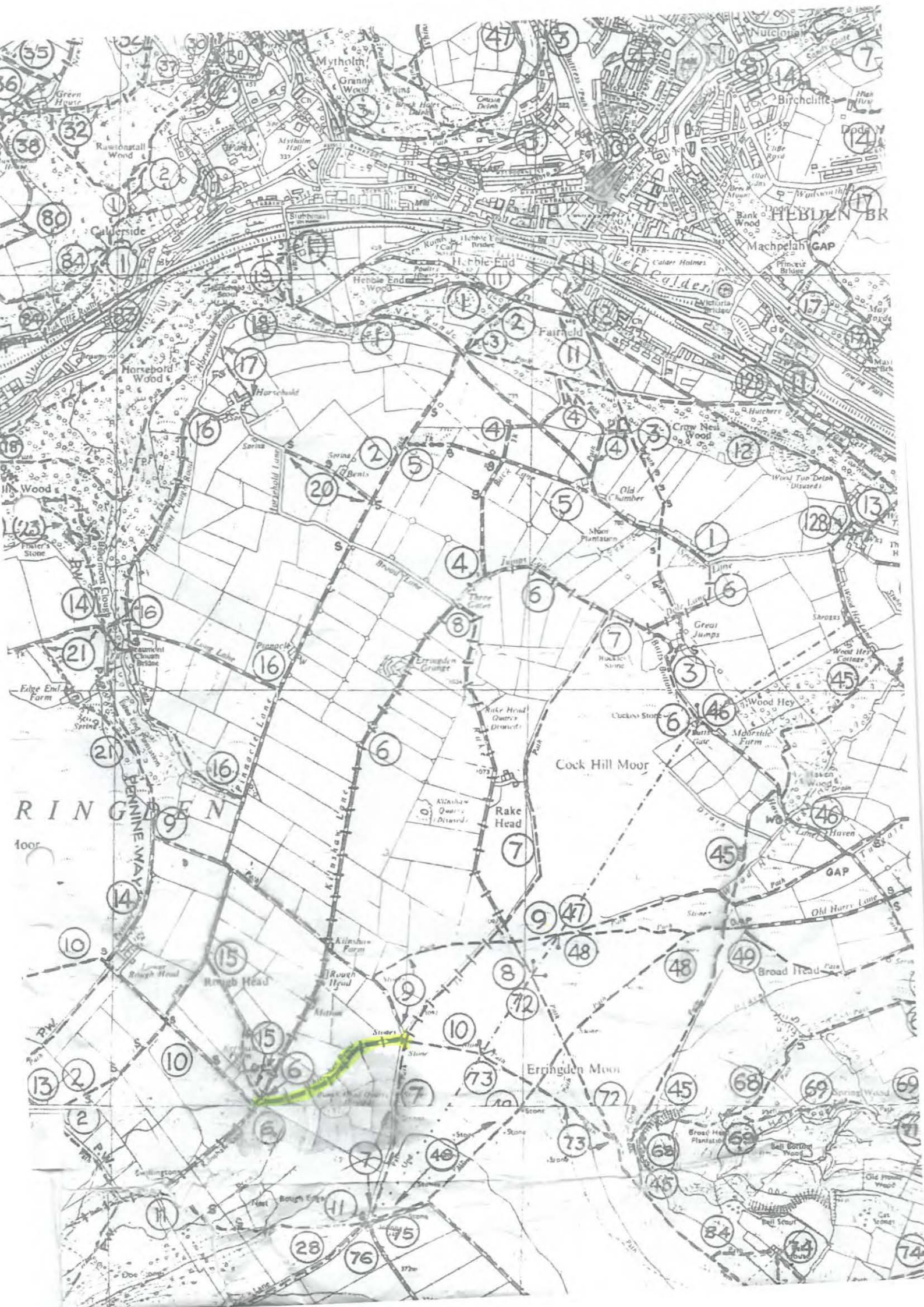












References Carr Lane — *southwestwards*

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Archi - Historical and Archaeological sites and ancient monuments

Palaeolithic & Mesolithic West Yorkshire - Penny Spikins, WYAAS 2010

European Prehistory - J.A. Survey. Milisauskas & Kruk. 2002

The History of the Countryside - Dr Oliver Rackham, 1995

Reading the Landscape - Dr Richard Muir, 2002

The Bronze Age in Calderdale, Michael Haigh 2002

DNA Project : Bronze Age in Calderdale - Prof Ian Armit 2015

Domesday Book, opendomesday.org

The Medieval Park of Erringden, Dr Nigel Smith, 2021

Calderdale Historic Landscape Characterisation Project 2017 by West Yorkshire

Archaeological Advisory Service and Historic England

Regular Open-Field Pattern in England and Scandinavian Solskifte, Solve

Goransson, Univ of Uppsala

Copyhold Land Nottingham.ac.uk

Court Rolls of the Manor of Wakefield 1274-1297. William Baildon 1900

West Yorkshire: An Archaeological Survey to AD1500. Moorhouse & Faull 1981

Evidence and Analysis if the Planning Inspectors relating to the Finance Act 1910

Midgley Local Board Minute Book MISC 701/1

The Liability Ratione Tenurae - Colin Seymour Papers 2015

Highways Act 1835

HEP:252/1. Recording of Ratione tenurae roads

EPC 1 Erringden Minutes 1842

What is a Cross Road? - Susan Taylor 1997

A History of Modern Leeds. Derek Fraser, 1980

Lumbutts and Mankinholes Conservation Area Calderdale MBC 2008

Lidar Finder Map

Holloways - Dr Heather Ibbetson, MSc, PhD, Queens Univ Belfast

History and Antiquities of the Parish of Halifax. Rev John Watson MA 1775

Plan of Part of the Townships of Stansfield, Heptonstall, Wadsworth and Erringden 1811 SU:328

Christopher Greenwood's Map of Yorkshire 1828 and Explanation

Myers' Map of the Parish of Halifax, 1835, plus references and citations, including from the King.

What is a Crossroad? S Taylor 1997

Letter from Brian Dodd, Director Highways and Transport, Planning Inspectorate April 1997, re Definition of Cross Road.

Calderdale MBC - Legal Officer's 1995 formal Opinion of the Evidential Value of Myers' Map of the Parish of Halifax 1835

FPS/A4710/7/50 , Aug 2000, Calderdale MBC statement defined cross roads as subordinate class of public road

High Court Rulings - His Honour Judge Howarth, Manchester Crown Court, case S/5453.C94/0206, Trafford v St Faith RDC1910 etc

SU/B:11 showing FallingRoyd existed early C13th.

SU/B:32. Broadbottom and Burlees recorded in 1429

First Old Series Ordnance Survey 1843/44 1" - 1 mile

A Key to Maps - Brig HSL Winterbotham, Former Dir Gen, Ordnance Survey 1936
 Map of Yorkshire and References - Hobson 1847. Wakefield Archive
 Ordnance Survey 6". 1848, Map 230 and 229
 Ordnance Survey 6" 1894. Map 230 NW and 229 SE
 Ordnance Survey 25". 1894. Map 230/15
 Information regarding "shading" from: Charles Close society, 2013; Ordnance Survey Maps JB Hartley, 1975; Ordnance Survey Office, 1885 - Drawing and Computation of Circular; 1854 Characteristic sheet, British Museum; Masters v SSE [1999] WL 809077 Judgement;
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 Ordnance Survey Sheet 77 1896, 1"
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 Finance Act 1910, Chapter 8
 Additional evidence from National Archives, legislation.gov.uk, Oxfordshire County Council, Harmsworth Universal Encyclopaedia, 1920
 Finance Act 1910 Map IR 134/2/38 and 196
 Finance Act Map 1910 Valuations
 Analysis of Finance Act 1910 Evidence by PINs Inspectors
 Ordnance Survey 25" 1920 map 230/5
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 Ordnance Survey 1947 1" Sheet 96
 Geographia c 1930
 Draft Definitive Maps, 1949, with bridleways crossed out.
 Ordnance Survey 2015 OL21, 2.5 " - 1 mile
 Sowerby Constables Records 1629-1646. HAS/B:22/6/1
 Lidar Finder depicting Holloways to the north of Carr Lane
 MISC:64/268. Quarter Session Indictment Bradford re Highway over Bellhouse Moor, 1756
 MISC:64/268 Payment for measuring the Road over Erringden Moor
 Quarter Sessions Indictment Pontefract 1745 re carriage road from Keighley to Erringden by Hebble Bridge (in Hebden Bridge).
 Quarter Sessions Barnsley 1757 "Ancient Pack and Prime Way" from Heptonstall (Hebble End Bridge) through Wood Top and Park Lane, from which Carr Lane and Spencer Lane branched.
 Erringden Township Rate Valuations 1839, 1840 and 1876. SU:407, WYC:1525/10/1/2, and CMT20/SPL:120
 Erringden Parish Council Minutes EPC 2
 Erringden Parish Council Minutes. EPC 1 and 3
 Todmorden RDC Minutes CMY25/HEP11
 WYC:1206/46 Ref showing that Joshua Fielden was responsible for repairing Hard Hippins Bridge in 1845
 CMT8/B IP/HB1515 Plan of Carr House and Carr Lane 1942
 SU:407. 1839 Erringden Valuation identified Quarry, Waste, Road to Carr
 WYC:1525/10/1/2 1840 Erringden Valuation identified no highway at Carr House
 CMT20/SPL:120 Sowerby Township Valuation 1876 demonstrates that the owner of Carr House owned no highways

HEB:641 December 1897 Lamp at Hard Hipples End - Mytholmroyd UDC
 HEP:252/2. Letters regarding the Old Chamber road which fed into Back Lane
 HEB:426/1 Mytholmroyd UDC Minutes at Carr Bridge Nov 1926
 October 1931 Additional lamps at Hipples End and Carr Lane Mytholmroyd UDC
 Hebden Bridge UDC Minutes suggests the name "Carr Lane".
 CMT8/BIP/HB:1515 Planning application for Carr Farm
 CMT/(BIP/HP:382. Planning Application for Swillington 1951
 CMT25/HEP11 Todmorden RDC Minutes identifying Spencer Lane as a Road
 (Spencer Lane is the continuation westwards of Carr Lane)
 CMT25/HEP12 Todmorden RDC Minutes re Old Chamber
 EPC:17/1 Letter from Clerk of Erringden Parish Council, 1919, re Spencer Lane inc
 Agreement for Todmorden RDC to take over the maintenance of Spencer Lane
 CMT25/2/10. Communications re Spencer Lane
 HEP:252/2. Letter from Todmorden RDC Surveyor re repair of Spencer Lane
 Letter from Halifax UDC to Todmorden RDC re prohibitive cost of taking over
 Ratione tenurae roads 1904. EPC 1
 Conference at Skipton 1902 regarding Ratione Tenurae roads CMT25/HEP:252
 Ordnance Survey 1" 7th series. Sheet 96 1966 - paucity of bridleways and byways
 Barry Payton, Wandsworth Town Clerk, testimony
 Doctoral Thesis John Francis Griffiths Northumbria Univ 2019
 Nothing to Declare by Gillard and Tomkinson 1980
 London Gazette 29 July 1958
 Advice on surveying rights of way - Ministry of Town and Country Planning. EPC:5
 Letter from Kenyon to Clerk of Erringden Parish Council advising that surveys must
 be returned to Kenyon. EPC6
 Contradictory Instructions from WRCC for the survey of rights of way. EPC:17/2
 Statement re process of creating Definitive Map CMT8/15/1078
 Letter from Clerk of Hebden Royd UD Council to Head teacher of Calder High
 School seeking volunteer surveyors. 23/8/1950. CMT8/15/1078
 Letter from Clerk of Hebden Royd UD Council seeking volunteer surveyors from
 the Methodist Sunday School 20/9/1950
 Letter from Clerk Hebden Royd UD Council setting out problems encountered in
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 Erringden Survey of Footpaths - completed forms EPC:7
 Letters sent out to Hebden Royd UDC by WRCC instigating changes to original
 surveys and falsifying the highway widths. - Wakefields Archive
 Letter 10 March 1954 from County Surveyor to Clerk Hebden Royd UDC re
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 Letter from Bernard Kenyon to Hebden Royd UDC listing objections from Hebden
 Bridge Literary and Scientific Society. 10 June 1959. CMT8/15/1078
 Lists of deletions and amendments to the surveys in various Councils.
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 Letter from WRCC to Ripponden UDC 11 April 1957
 Letter from Halifax UDC to County Engineer & Surveyor. 14 May 1957
 Letter from Ripponden Parish Council to WYMCC. April 1979
 Extensive unqualified alterations to the Surveys of Rights of way
 Ethics in Public service for the New Millenium ed Prof Richard Chapman, Emeritus
 Professor Durham Univ 2000

Commons Registration Erringden Moor
Ministry of Transport Road Map 1923

Railway Plan 1845 Leeds-Rochdale QE20/1/1845/34 RAIL 343