

Public Document Pack



**Service Director – Legal, Governance and
Commissioning**

Julie Muscroft

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Tel: 01484 221000

Please ask for: Jenny Bryce-Chan

Email: jenny.bryce-chan@kirklees.gov.uk

Monday 10 August 2020

Notice of Meeting

Dear Member

Cabinet Committee - Local Issues

The **Cabinet Committee - Local Issues** will hold a **Virtual Meeting - online** at **10.00 am on Tuesday 18 August 2020.**

This meeting will be live webcast. To access the webcast please go to the Council's website at the time of the meeting and follow the instructions on the page.

The items which will be discussed are described in the agenda and there are reports attached which give more details.

A handwritten signature in black ink, appearing to read "Julie Muscroft", on a light-colored background.

Julie Muscroft

Service Director – Legal, Governance and Commissioning

Kirklees Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair/Clerk of their intentions prior to the meeting.

The Cabinet Committee - Local Issues members are:-

Member

Councillor Peter McBride
Councillor Naheed Mather
Councillor Graham Turner

Agenda

Reports or Explanatory Notes Attached

Pages

1: Membership of the Committee

This is where councillors who are attending as substitutes will say for who they are attending.

2: Minutes of Previous Meeting

1 - 2

To approve the Minutes of the meeting of the Committee held on the 29th January 2020.

3: Interests

3 - 4

The Councillors will be asked to say if there are any items on the Agenda in which they have disclosable pecuniary interests, which would prevent them from participating in any discussion of the items or participating in any vote upon the items, or any other interests.

4: Admission of the Public

Most debates take place in public. This only changes when there is a need to consider certain issues, for instance, commercially sensitive information or details concerning an individual. You will be told at this point whether there are any items on the Agenda which are to be discussed in private

5: Deputations/Petitions

The Committee will receive any petitions and hear any deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also hand in a petition at the meeting but that petition should relate to something on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10 (2), Members of the Public should provide at least 24 hours' notice of presenting a deputation.

6: Questions by members of the Public (Written Questions)

Due to current Covid-19 restrictions, Elected Members and members of the public may submit written questions to members of Cabinet Committee Local Issues.

Any questions should be emailed to jenny.bryce-chan@kirklees.gov.uk no later than 5pm on Friday 14th August 2020.

In accordance with Council Procedure Rule 51(10) each person may submit a maximum of 4 written questions.

In accordance with Council Procedure Rule 11(5), the period allowed for the asking and answering of public questions will not exceed 15 minutes.

Members of the Committee will provide an oral response to any questions received, or if they are not able to do so, a written response will be provided.

7: Member Question Time (Oral Questions)

Cabinet Committee Local Issues will receive any questions from Elected Members (via remote access).

In accordance with Executive Procedure Rule 2.3 (2.3.1.6) a period of up to 30 minutes will be allocated.

8: Naming of new street - Land adjacent to 1 Back Lane/Liley Lane, Grange Moor, WF4 4DT

5 - 10

To provide the Committee with information, to make an informed decision on the name for a new street following the suggestions received.

Contact: Paolo Colagiovanni, Building Control Manager (Building Control), Tel: 01484 221000

9: Objections to Traffic Regulation Orders for Cross Church Street, King Street, Queen Street and Zetland Street, Huddersfield

11 - 76

To consider objections received to - Kirklees TRO No 10 Order 2020
- Proposed Prohibition of Driving and one way for Cross Church Street, King Street, Queen Street and Zetland Street Huddersfield.

Kirklees TRO No 11 Order 2020 - Proposed No Waiting at Any Time, No Loading at Any Time, Loading Bay and Disabled Bay restrictions for Cross Church Street, King Street, Queen Street and Zetland Street, Huddersfield

Contact: Liz Twitchett - Operational Manager, Tel: 01484 221000

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Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

CABINET COMMITTEE - LOCAL ISSUES

Wednesday 29th January 2020

Present:

Councillor Peter McBride
Councillor Graham Turner
Councillor Rob Walker

In attendance: Phillip Waddington, Group Engineer

Apologies: Councillor Naheed Mather

- 1 Membership of the Committee**
RESOLVED - Cllr Rob Walker attended as sub for Cllr Naheed Mather.
- 2 Minutes of Previous Meeting**
RESOLVED – That the minutes of the meeting held on the 25 September 2019 be approved as a correct record.
- 3 Interests**
No interest were declared.
- 4 Admission of the Public**
That all agenda items be considered in public session.
- 5 Deputations/Petitions**
No deputations or petitions were received.
- 6 Public Question Time**
No questions were asked.
- 7 Member Question Time**
No questions were asked.
- 8 Objections to TRO (No.9) Order 2019 - A636 Wakefield Rd / Pennine Way, Scissett**

The Committee considered a report which outlined objections received in response to the public advertisement of Kirklees (TR) (No 9) Order 2019, proposed No waiting at any time restrictions, at the junction of A636 Wakefield Road/Pennine Way, Scissett and the introduction of traffic calming in the form of road humps on Pennine Way, Scissett.

Cabinet Committee - Local Issues - 29 January 2020

The Committee was advised that the restrictions on Wakefield Road/Pennine Way and the introduction of 3 road humps on Pennine Way contained in Traffic Regulation Order (TRO), have been proposed in connection with Planning. Planning permission was granted for the 'erection of residential development of up to 200 dwellings and the approval proposed that as part of the planning conditions, traffic calming and safety improvements are required to Penning Way and its junction with Wakefield Road.

The TRO was publicly advertised between 2 August 2019 and 3 September 2019 and during that period 2 objections were received. The objectors raised concerns with regard to the increased pollution as vehicles slow down then speed up to navigate the bumps and; that the proposed parking restrictions are shorter than the standard visibility splay length and this will continue to reduce visibility for drivers exiting from the junction.

Having considered the information presented both verbally and in writing the committee:

RESOLVED – That the objections be overruled and the traffic calming and TRO proposals are implemented as advertised.

KIRKLEES COUNCIL			
COUNCIL/CABINET/COMMITTEE MEETINGS ETC			
DECLARATION OF INTERESTS			
Name of Councillor			
Item in which you have an interest	Type of interest (eg a disclosable pecuniary interest or an "Other Interest")	Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N]	Brief description of your interest

Signed: Dated:

NOTES

Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

- (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
- (b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Name of meeting: Cabinet Committee – Local Issues

Date: 11th August 2020

Title of report: Naming of new street – Land adjacent to 1 Back Lane/Liley Lane, Grange Moor, WF4 4DT

Purpose of report: To provide the Committee with information, to make an informed decision on the name for a new street following the suggestions received.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)?</u>	No Key Decision - No Private Report/Private Appendix - No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name	Karl Battersby - 20.07.2020 <i>(Naz Parkar for and on behalf of)</i>
Is it also signed off by the Service Director for Finance?	Eamonn Croston - 13.07.2020
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft - 13.07.2020
Cabinet member <u>portfolio</u>	Councillor Peter McBride

Electoral wards affected: Kirkburton

Ward councillors consulted: Yes

Public or private: Public

Has GDPR been considered? Yes. There are no GDPR implications

1. Information required to take a decision

- 1.1 The council complies with sections 17 and 18 of the Public Health Act 1925 to control the naming of streets.
- 1.2 The council follows a procedure which involves public suggestions and consultation with stakeholders.
- 1.3 The power to name streets is generally delegated to the Building Control manager. Where there is a dispute or the proposed name is to acknowledge an individual that is living or has lived in the recent past then the matter should be referred to the relevant Committee to make the decision.
- 1.4 In general, names should not duplicate or closely resemble existing street names in the area, nor are streets generally named after persons who are living or who have lived in the recent past. Preference is often given to names with local connotations.
- 1.5 The new street is formed by a development at Land adjacent to 1 Back Lane/Liley Lane, Grange Moor, WF4 4DT Appendix A location plan and Appendix B site plan show the proposed layouts and location of the site.
- 1.6 Following normal policy the service invited suggestions for a new name to be adopted for the proposed development. No suggestions have been received from the wider public. The last known use of the land was as a car repair business by the Taylor family. Historically the land appears to have housed the ventilation shaft for the former mine named Clough Gate mine.

Generally, policy and convention requires the use of names that reflect previous history or use. Existing street names in the vicinity Clough Gate, jubilee court Shuttle eye way already acknowledge the mining history, use of the site and coal seams worked.
- 1.7 The developer has suggested and has a strong preference for the development to be called Taylor Fold, this was also suggested in a private capacity by a local parish councillor.
- 1.8 The suggestion Taylor Fold reflects the sites last use as a car repair business, Taylor Bros operated from the location.
- 1.9 Ward councillors are aware of the suggestion put forward and have not indicated any preference or alternative names for the site.
- 1.10 The service have put forwarded the following suggestions as alternatives Liley Fold, Jubilee Gate, Jubilee Fold and Jubilee Court. Liley Fold as the entrance of the new street is off Liley Lane. Jubilee Gate, Jubilee Fold, Jubilee Court as the Jubilee Coal seam runs under the site. Jubilee Way is already in existence in the area and reflects mining history. Clough Gate was a coal shaft to the north of the site, existing street names Clough Gate and Clough Gate Drive exist in the immediate area to reflect this.
- 1.11 Once a decision is made on the name it will be formally advertised in line with statutory requirements.

2. Implications for the Council

- 2.1 Upon posting of formal notices proposing a Street name anyone unhappy about the proposal can appeal against the decision to the Magistrates' Court. The Council would need to consider whether to defend its position should this occur.
- 2.2 The council will incur costs in defending any appeal that may be lodged. There is a high probability that in such cases the council will have costs awarded against them if they are not successful.
- 2.3 Future residents who are unhappy with the name could propose a name change and start the whole process again.

3. Consultees and their opinions

In line with normal practice the Post office has been consulted and have confirmed they have no objections to any of the suggestions made above.

4. Next steps and timelines

- 4.1 Once Cabinet Committee determine a proposed name the council will post notices on the site. The notices indicate the proposed name and how anyone unhappy with it can lodge an appeal with the Magistrates' Court.
- 4.2 If there are no objections, following expiry of the notice period the council will follow the procedure to formally name the street.

5. Officer recommendations and reasons

Officer recommendation is that the Committee determines to approve the name Taylor Fold for the new street for the development.

6. Cabinet Portfolio Holder's recommendations

The Portfolio Holder - Councillor Peter McBride agrees with the Officer Recommendation that the CCLI Committee determines to approve the name Taylor Fold, for the new street for the development.

7. Contact officer

Paolo Colagiovanni, Building Control Manager (Building Control), 01484 221000

paolo.colagiovanni@kirklees.gov.uk

8. Background Papers and History of Decisions

Extract from the current Street Naming and Numbering Policy;

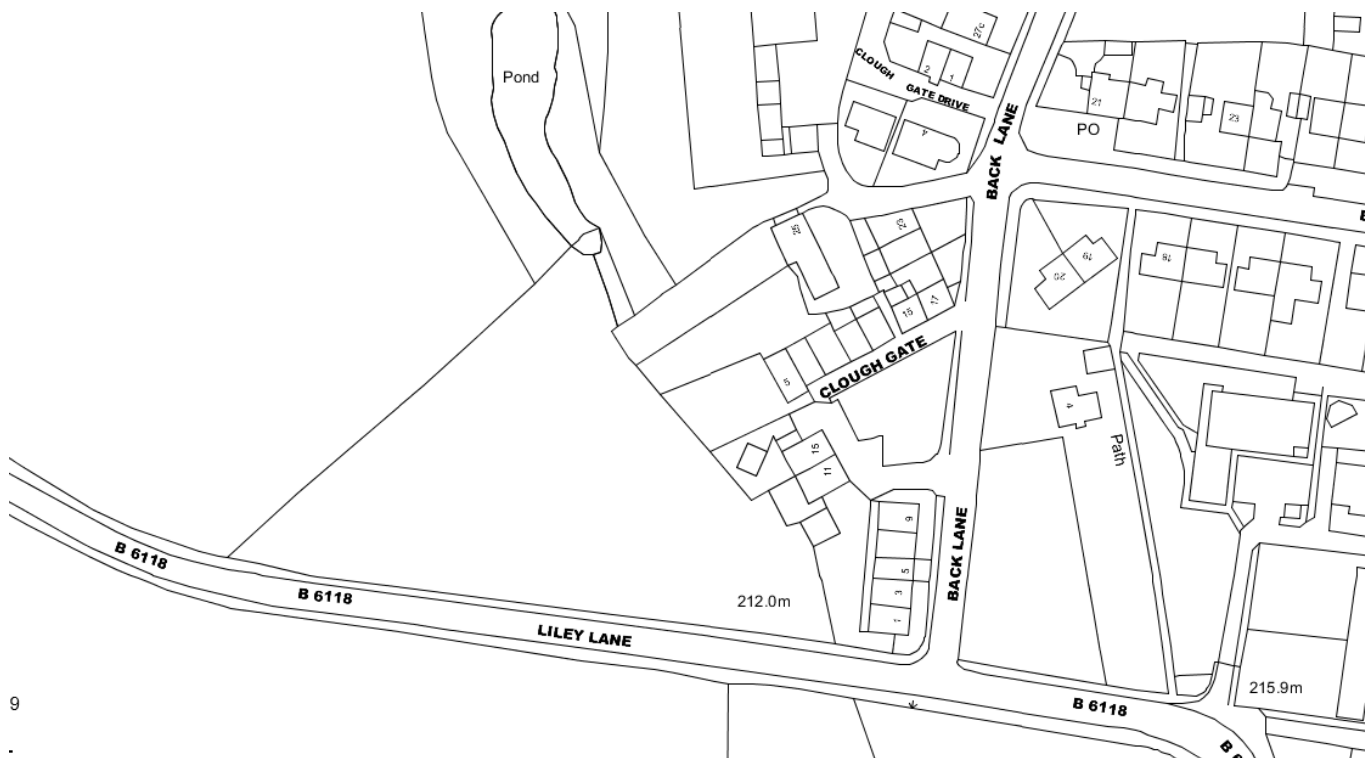
'Where proposals/suggestions are received which contains the names of persons who are alive or who have lived in the recent past, then the Chief Building Surveyor must be informed as these will normally require to be taken to the appropriate sub-committee for determination in accordance with the Council's policy '

9. **Service Director responsible**

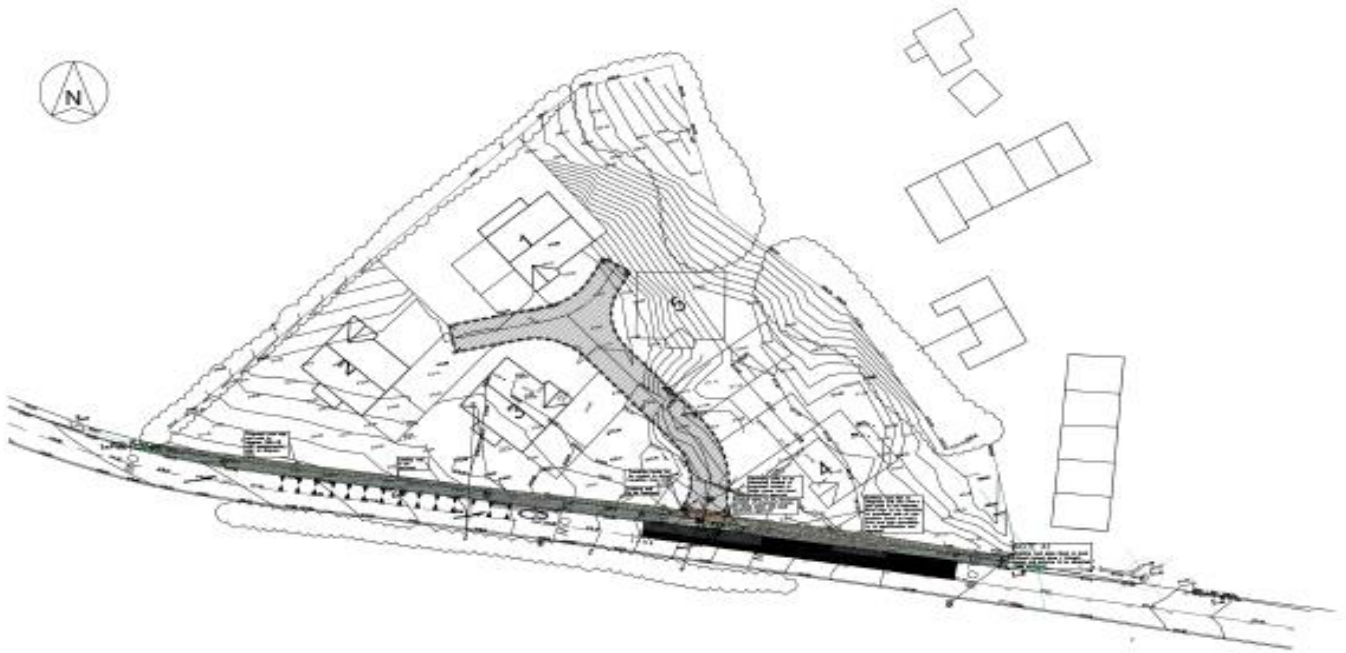
Naz Parkar, Service Director for Growth & Housing - Economy & Infrastructure - Growth & Housing 01484 221000 naz.parkar@kirklees.gov.uk

Appendices

Appendix A – Location Plan



Appendix B – Site Layout



Note to contractor:
Check all dimensions prior to
commencing work or ordering
any materials

Note to Client: These works will be subject to CDM Legislation

Unit 2, The Office Campus, Paragon
Business Park, Red Hill Court,
Walsfield, WF1 2UY



Project: Proceed Alternatives to Plot 2
Site: Linn, George Street, Walsfield
954 400 for Mr G. Wals A. Gossard Date: 15/12/2010
Drawing: Block Plan

A3	Scale
2100	1:500
3	Drwg No

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Name of meeting: Cabinet Committee - Local Issues
Date: 18 Aug 2020

Title of report: Objections to Traffic Regulation Orders for Cross Church Street, King Street, Queen Street and Zetland Street, Huddersfield

Purpose of report: To consider objections received to -
 Kirklees TRO No 10 Order 2020 - Proposed Prohibition of Driving and one way for Cross Church Street, King Street, Queen Street and Zetland Street Huddersfield.
 Kirklees TRO No 11 Order 2020 - Proposed No Waiting at Any Time, No Loading at Any Time, Loading Bay and Disabled Bay restrictions for Cross Church Street, King Street, Queen Street and Zetland Street, Huddersfield

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by Strategic Director & name	Karl Battersby, Economy and Infrastructure Yes 30/07/2020
Is it also signed off by the Service Director Finance?	Eamonn Croston – yes 27/07/2020
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft – yes 30/07/2020
Cabinet member portfolio	Councillor Rob Walker, Cllr Peter McBride

Electoral wards affected: Newsome

Ward councillors consulted: No

Public or private: Public

Has GDPR been considered: Yes

1. Summary

A scheme has been developed for Cross Church St / Queen St, Huddersfield aimed at improving the streetscape for pedestrians and cyclists making this area of our Town Centre safer, create a more pleasant environment to shop, eat and socialise in, and enhance the Public Realm by:

- Increasing the available footway widths for pedestrians, and subsequently reduce the available carriageway width. This will naturally reduce the speed of any vehicles authorised to use the road.
- Reducing motorised vehicle usage to reduce potential conflicts for cyclists.
- Using high quality materials in both the footways and on the carriageway to improve the appearance of the whole area,
- Repositioning and renewing street lighting and street furniture.
- Provide protection, using PAS68/69 compliant street furniture, from the potential of a Hostile vehicle attack.

It will also provide a strategic cycling link as part of the wider cycling network for the Town Centre, and it is a key component to delivering the aspirations of the Huddersfield Blueprint.

The scheme has secured funding via West Yorkshire Combine Authority.

Two Traffic Regulation Orders (TROs) have recently been advertised, to facilitate the changes in traffic flows, and achieve the aims of this scheme, one for moving traffic - Kirklees Council Traffic Regulation (No 10) Order 2020 (Appendix 1) and one for standing traffic Kirklees Council Traffic Regulation (no 11) Order 2020 (Appendix 2) Both TROs were advertised from 29th June – 20th July 2020)

Four objections were received, although one was received after the advertisement closed, to the TRO to implement moving traffic restrictions: Time restricted Prohibition of Driving and One way for Cross Church Street, King Street, Queen Street and Zetland Street, Huddersfield. (Appendix 3) One of the objections references an objection to the standing traffic restrictions in its title but does not go into any further details of its objection.

A further letter was received in Highways Service on 29th July (Appendix 4), objecting to the implementation of the Cross Church St scheme, signed by 22 of the 25 businesses that operate along Cross Church St. The signatures include Huddersfield Taxis, who have formally objected, independently to the TRO, via their Solicitors. Whilst outside of the formal advertising period, and although the letter does not state it is a formal objection to the TRO that is being considered by CCLI through this report, this letter has been included, and been given consideration, to ensure Cabinet Committee Local Issues members are fully aware of the facts.

This report is to consider the objections received to TRO No 10 Order 2020, and to TRO No 11 Order 2020, and to decide on the way forward.

2. Information required to take a decision

- The Traffic Regulation Orders, as proposed (Appendix 1, 1a, 2 & 2a) have been developed to support the Public Realm enhancement scheme for Cross Church

Street, King Street and Queen Street Huddersfield. The order aims to support the proposed streetscape improvements, as well as controlling and limiting the amount of movement by cars, taxis and goods vehicles to improve cyclist and pedestrian connectivity and safety by:

- Increasing the available footway widths for pedestrians, and subsequently reduce the available carriageway width. This will naturally reduce the speed of any vehicles authorised to use the road.
- Reducing motorised vehicle usage to reduce potential conflicts for cyclists.
- Using high quality materials in both the footways and on the carriageway to improve the appearance of the whole area.
- Repositioning and renewing street lighting and street furniture.
- Provide protection, using PAS68/69 compliant street furniture - from the potential of a Hostile vehicle attack.

This will, in turn support:

- a return to a thriving night time economy,
- a newly proposed leisure activity in the Kingsgate Cinema development,
- and an important shopping zone in Huddersfield Town Centre.

In order to do this -

The moving traffic order:

- Prohibits Driving (including Hackney Carriages) on Cross Church St but exempts cyclists, authorised vehicles, emergency vehicles, local authority maintenance vehicles, statutory undertaker vehicles, specialist security vehicles. It allows for loading between 6am – 10 am and 4pm - 8pm on all days including Bank Holidays.
- Prohibits driving on Queens St and King St but exempts cyclists, hackney carriages, authorised vehicles, emergency vehicles, local authority maintenance vehicles, statutory undertaker vehicles, specialist security vehicles. It allows loading between 6am – 10 am and 4pm - 8pm on all days including Bank Holidays.
- Introduces an exemption for cyclists to existing one-way traffic flows on Cross Church St, King St, part of Queens St, and Zetland St.

The Standing Traffic Order:

- Prohibits the waiting of motor vehicles on Cross Church St, parts of Kirkgate, and Queen St.
- Prohibits both waiting of motor vehicles and loading on parts of Queens St.
- Introduces disabled parking bays on parts of Queen Street.

The scheme has been developed over a period of months and has taken into consideration information gained from direct consultation with affected businesses, on how the shops and businesses in this area operate.

Traffic will be managed throughout the day using rising bollards, with Automatic Number Plate Recognition camera detection to identify and admit “authorised users” into the restricted area. These bollards will be PAS68/69 compliant, which protects the public from hostile vehicle attacks. There will be a turning facility, at the point of the bollards, for any vehicles which does not have authority to enter. There will be CCTV coverage, and manual override, for emergency situations.

A policy setting out the application process for authorised user status, and thus access, to all restricted areas of Town Centres across Kirklees, during their hours of operation, is to be developed. This policy will allow for the consideration of any unique

needs of individual businesses and it will, for example, potentially give consideration to the business operational needs, opportunity for alternative delivery times and locations and then balance those requirements against the needs of the overall street users and the environment the Council is trying to create, when considering any application. A proposed protocol for these applications and the decision making process will also be developed and submitted for Cabinet approval and will be available with sufficient time to allow applications to be considered for Cross Church St, prior to the completion of the construction period for this scheme.

Three objections were received to these orders during the formal advertising period, which ended on 20th July, Objection 4 was received after the advertising period ended on 21st July, but has been included, and redacted copies are, as noted previously, enclosed in Appendix 3.

Further letter of objection was received 29th July (noted previously as Appendix 4), signed by 22 of the 25 businesses that operate along Cross Church St, including Huddersfield Taxis, who have also objected independently.

This letter of objection was sent on 27th July, arriving in Highways on 29th July, it was also emailed directly to:

local.development@kirklees.gov.uk

Shabir.Pandor@kirklees.gov.uk

sheermanb@parliament.uk.

It does not state an objection to the specific TRO's as advertised, it was not received by "The Solicitor to the Council" as required by the legal process which is highlighted on all advertising and correspondence.

However, Officers have made the decision to include this letter, in this objection report, for completion and so that members of the Cabinet Committee Local Issues are fully aware of the issues, which have also been addressed as formal objections, within this report.

Objection 1 - Kirklees Council Traffic Regulation (No 10) Order 2020 (Moving traffic)

An objection has been received from The Courtyard Dental Practice which has 5 parking spaces accessed from Queen St. Their objection is that, by prohibiting traffic from driving on Queen St, their staff can no longer access their private car park.

The practice is open between 7.30am and 8.30pm with two different shifts 7.30 to 2.30 and 1.30 to 8.30 and they require access for 5 cars per shift. (10 cars per day in total)

In response:

- The aim of this project is to improve the streetscape for pedestrians and cyclists by creating a safer, more pleasant environment, as identified in Section 2 of this report, for people to visit. To achieve this requires the removal of as much traffic from Queen St and Cross Church St as possible and is the reason this order is being promoted.
- Once the scheme is completed, the access to and egress from this private car park will be within the restricted zone, and drivers, on leaving would have to drive through an area that is being enhanced for greater pedestrian and cycle usage.
- Access to this car park is required to facilitate commuter parking. As Kirklees Council is committed to promoting a clean and green environment particularly within its Town Centres, encouraging and prioritising sustainable forms of

transport, such as walking cycling and bus use, over private car usage, officers would encourage, and assist in implementing, a green travel plan for employees of the Dental Practice.

- If the Practice requires access to their car park for Disabled drivers, these individuals can be accommodated as an identified authorised user.

Objection 2 - Kirklees Council Traffic Regulation (No 10) Order 2020 (Moving traffic)

An objection has been received from New River REIT (UK) Ltd, who are owners of the Pack Horse Shopping, who are concerned that the restrictions placed on Cross Church St and Queen St will have an impact on access to the Packhorse service yard due to the proposed vehicle access restrictions on Cross Church Street, and therefore impact on how the Centre and shops within can operate and trade.

In response:

- An aim of this project is to improve the streetscape for pedestrians and cyclists to make it a safer and more pleasant place to go shopping, eating and socialising etc. to deliver the aspirations of the Huddersfield Blueprint and provide a strategic cycling link as part of the wider cycling network. To do this needs the removal of as much traffic from Queen St and Cross Church St as possible. In doing this we then limit vehicular movements to specific more appropriate times of the day when pedestrian and cyclist conflict with these vehicles will be at a minimum.
- The prohibition of driving traffic regulation order allows for loading from 6-10am and 4-8pm daily (8hrs per day). This is to keep traffic to a minimum, during the busiest times of the day for pedestrian activity. As deliveries are generally undertaken by large vehicles, it is particularly important to restrict them on these routes during peak pedestrian and cyclist times.
- This is a common practice in pedestrianised areas and operates effectively across Huddersfield, as well as Town and City centres nationally, where access is still required for deliveries. Businesses have successfully adapted to such changes and it is hoped that the Pack Horse Centre management would work to these types of restrictions.
- A policy setting out the application process for authorised user status, and thus access, to all restricted areas of Town Centres across Kirklees, during their hours of operation, is to be developed. This policy will allow for the consideration of any unique needs of individual businesses and it will, for example, potentially give consideration to the business operational needs, opportunity for alternative delivery times and locations and then balance those requirements against the needs of the overall street users and the environment the Council is trying to create, when considering any application. A proposed protocol for these applications and the decision making process will also be developed and submitted for Cabinet approval, and will be available with sufficient time to allow applications to be considered for Queen St and Cross Church St, prior to the completion of the construction period for this scheme.

Objection 3 - to Kirklees Council (No 10) Order 2020 (Moving traffic) and Kirklees Council Traffic Regulation (No 11) Order 2020 (standing traffic)

An objection has been received to each of the advertised orders, from Blacks Solicitors representing Huddersfield Taxis Limited, who are a private hire business, operating out of premises on Cross Church St, Huddersfield. They are concerned that the restrictions placed on Cross Church St and Queen St will have a severe impact on how they conduct their business.

Their objections state:

- that they rely heavily on their vehicles accessing Cross Church St, to pick up people from their business premises which are based on Cross Church St so they are specifically referring to the prohibition of driving included in Kirklees TRO No 10 Order 2020.
- That they are ideally placed outside bars and the Kingsgate Shopping centre for customers to walk in and order a taxi.
- That the Council should exercise its powers under the Road Traffic Regulation Act (RTRA) in accordance with Section 122 RTRA. This is the general duty upon the Council to exercise its powers in such a way as to "secure the expeditious, convenient and safe movement of traffic (vehicles and pedestrians) and the provision of suitable and adequate parking facilities on and off the highway". However, in carrying out this duty regard must be had, so far as practicable, to a number of matters set out in Section 122(2). Such matters include:
 - the desirability of securing and maintaining reasonable access to premises;
 - and the effect on the amenities of any locality affected.

While they have included Kirklees TRO No 11 Order 2020 in their objection, there is no specific objection stated to any changes to the parking restrictions which already significantly limit parking outside their premises

In response:

- An aim of this project is to improve the streetscape for pedestrians and cyclists, to make it a safer and more pleasant place to go shopping, eating and socialising etc, to deliver the aspirations of the Huddersfield Blueprint and provide a strategic cycling link as part of the wider cycling network. To do this there is a need to remove as much traffic from Queen St and Cross Church St as possible. In doing this vehicular movements are limited to only essential movements at specific, more appropriate times of the day, and when pedestrian and cyclist conflict with these vehicles will be at a minimum.
- It is acknowledged that the Council has a general duty to secure the expeditious, convenient and safe movement of traffic, and does so by the provision and maintenance of our highway network, and management of that usage, by permanent or temporary traffic orders, to balance the needs of all its users. This includes the needs of those that are most vulnerable i.e. Pedestrians and cyclists
- This scheme aims to prioritise Huddersfield town centre as safer and more accessible for pedestrian and cyclists i.e. "cycle friendly".
- In terms of parking, the provision of suitable and adequate parking facilities on and off the highway is catered for by the range of parking provision available across the town centre.
- Access has been maintained to all premises on Cross Church St, but it will be limited to certain vehicles and certain times. Huddersfield Taxis is a private hire business and their clients can still access the booking office and pre-book a taxi as is required. They can then be collected from a designated location away from Cross Church St. The booking office is not therefore essential as a pick up location.
- With regards to the amenities affected, these changes, as a result of the prohibition of driving traffic regulation order and by the changes to the streetscape, will enhance amenities in this area by removing vehicle / pedestrian conflicts, traffic queuing as vehicles double park, blocking the road, reducing, at night, the opportunity for vehicles to cruise the area and engage in Anti-Social driving. There

will be a reduced risk of hostile vehicle attack, at peak hours of the day and night, when the proposed restrictions are in operation, and it will also provide wider footway provision, better road surface, street furniture, thus improving the overall environment. A reduction in traffic flows will also help towards a reduction in noise and air pollution.

Objection 4 to Kirklees Council (No 10) Order 2020 (Moving traffic) and Kirklees Council Traffic Regulation (No 11) Order 2020 (standing traffic)

An objection has been received to each of the advertised orders from MAIL BOXES ETC, who are a business operating out of Queen St, at a point beyond the proposed location of the bollards that will restrict access between the hours of 10am – 4pm, and 8pm – 6am, daily. They are concerned that the proposed restrictions will have a severe impact on their ability to operate their business, which is worldwide express shipping service.

Their objection state that they require access, for their delivery vehicles, within the daytime restrictions, to ensure their business can operate effectively, and maintain the “next day” delivery service that they provide. They request that the restrictions are in place, except for those requiring access or deliveries.

In response

- A policy setting out the application process for authorised user status, and thus access, to all restricted areas of Town Centres across Kirklees, during their hours of operation, is to be developed. This policy will allow for the consideration of any unique needs of individual businesses and it will, for example, potentially give consideration to the business operational needs, opportunity for alternative delivery times and locations and then balance those requirements against the needs of the overall street users and the environment the Council is trying to create, when considering any application. A proposed protocol for these applications and the decision making process will also be developed and submitted for Cabinet approval, and will be available with sufficient time to allow applications to be considered for Queen St and Cross Church St, prior to the completion of the construction period for this scheme.

Letter of Objection to the overall scheme, and, the proposal to pedestrianise Cross Church St for a number of reasons -

- Customers are already having a hard time trying to park in Huddersfield... and to stop vehicles coming through will only have a detrimental effect
- This proposal will result in congestion in other parts of the town centre. It suggests that the Council should make it easier for people to get into and to navigate around the Town because then people can just “pop in” which helps businesses to boom – pedestrianisation will only result in a reduction in footfall
- Restricting loading to 6am - 10 am and 4pm – 8pm only is far from practicable and unrealistic.
- Lack of consultation, resulting in confusion over extent of proposals, years of delays and stress, and Overall, communication and management of this project has been poor.

In response:

- Parking: Parking is, in the current climate, primarily un-restricted, and free, in Huddersfield Town Centre, and as a result there has been an increase of long term parking occurring on the majority of the streets within the Town Centre. Once

parking restriction return to “normal” availability of short term parking in the vicinity of Cross Church St will improve.

On a longer term basis, Southgate Car park will open early August, which will replace some of the parking that has been lost with the closure of the Market Hall car park, improving again, the availability short term on street parking.

- Congestion: It is unclear where the business on Cross Church St feel that congestion will be created, by the implementation of this scheme, however, making it easier for people to drive directly into the Town Centre, and navigate around it, is in direct conflict with the overall vision and Blue Print that has been consulted on, and approved by Cabinet.
- The proposals for Cross Church St are not unique, as there are a number of streets both in Huddersfield and Dewsbury Town Centres, as well as in Towns and City Centres across the country, where these restrictions exist. Businesses successfully operate their businesses with similar restrictions and arrange their deliveries to fall within the allocated times for loading and unloading.
- Lack of consultation:
 - Consultation with the businesses along Cross Church St began in Jan 2019. A letter was sent to all businesses, followed by a personal visit, by officers, to some of the business premises, and email exchanges with others, those were with stakeholders who chose to engage. There was reluctance to engage with the Council by some of the businesses.
 - There were 3 drop in sessions for consultation over the Summer 2019.
 - The current detail designs were influenced by the responses received during this consultation, but it is acknowledged that some of the concerns raised, could not be accommodated, without compromising the overall aims of the scheme, as highlighted in Section 1 of this report.

3. Implications for the Council

3.1 Working with people - The proposed works are considered necessary to enhance this central area of the Town Centre, which is, whilst still currently in the recovery phase from Covid 19, a thriving economy throughout the day and, even more so at night. The improvements will benefit cyclists and pedestrians and increase connectivity and safety within this area of the town centre - specifically along Cross Church Street and Queen Street.

3.2 Working with Partners – West Yorkshire Police have been supportive, for a number of years, of restricting traffic movements in this area of the Town Centre, particularly overnight.

3.3 Place based Working – These TROs are to support a scheme as part of the Huddersfield Blueprint, a 10-year vision to create a thriving, modern-day town centre - by improving access to the new Cultural Heart, Kingsgate Shopping Centre and surrounding areas. The aim is to improve the cyclist and pedestrian connectivity and safety within the town centre and specifically along Cross Church St, King St and Queen St.

3.4 Climate Change and Air Quality – These proposals will not have a detrimental impact on Air Quality or Climate Change but may provide localised improvements.

3.5 Improving outcomes for children- These proposals are aimed at controlling vehicle movements and parking in order to make the roads a safer place to cycle and walk for all users, which includes children.

3.6 **Other** - If the TRO is not implemented the scheme cannot be completed as designed and consulted on, and it will revert to a public realm scheme that will replace the footway and carriageway in its current alignments. On this basis there will be no wider footways, or restrictions on traffic and the likely benefits of accessibility and safety for cyclists and pedestrians will not be realised. The resulting enhancement to this part of our Town Centre as highlighted in Section 1 of this report, will also be lost.

3.7 The WYCA funding for this scheme may also be withdrawn if the overall aims and objectives of this scheme cannot be realised.

4. Consultees and their opinions

Statutory consultees have been consulted on these proposals.

The Newsome Ward Councillors have been consulted on the proposals.

All known businesses within the roads concerned were consulted during the design stages of this scheme and their operational needs catered for, as much as possible, without compromising the overall aims of the scheme. All businesses have been written to again and on street notices posted, during the advertising period of these orders, as per regulations, custom and practice.

5. Next steps and timelines

Cabinet Committee Local Issues to consider three objections raised during the formal advertising period for the Prohibition of Driving, One-way and Proposed No Waiting at Any Time restrictions, and be mindful of the letter received as an objection to the overall scheme, all be it not specifically referencing an objection to the TRO's being given consideration in this report.

CCLI will then reach a decision on whether the traffic regulation orders are to be implemented as advertised.

If Cabinet Committee Local Issues chooses to overrule the objections received, the scheme, which started on site on 3rd August, with public realm improvements to footways and the carriageway will continue, as designed and advertised, and the TRO proposals implemented upon completion of these works, in Summer 2021.

If Cabinet Committee choose to uphold the objections, those elements of the scheme aimed at controlling the traffic flows, will not be completed, however the public realm improvement works will continue. This will result in the current road layout being maintained as the footways and carriageway undergo essential replacement of the current surfacing materials. Although high quality materials will still be used, and street furniture and lighting replaced, in line with the Huddersfield Design Guide, the footways will not be widened to enhance pedestrian movements, and restrictions on vehicle usage will not be implemented, allowing traffic flows, pedestrian and cyclist conflicts to continue to occur, at current levels. Neither will it be possible / practical to install that street furniture which is intended to protect vulnerable pedestrians from hostile vehicle attacks.

6. **Officer recommendations and reasons**

In order to make the changes to our streetscapes effective, which will enhance the Town Centre, and improve the cyclist and pedestrian connectivity and safety within the town centre, access to Cross Church St, Queen St and King Street, Huddersfield needs to be controlled.

For these reasons, Officers recommendations are that:

That Objection 1 – Courtyard Dental Practise, be overruled.

The objection is based on the restrictions this order will place on access for off street parking associated with the Dental Practise. Kirklees Council aims to promote sustainable travel to work and encouraging or supporting commuting by car does not fit the Council's environmental aims and objectives.

In a Town Centre location access is readily available to alternative forms of sustainable transport.

If there are staff with disabilities, meaning other forms of transport are not appropriate, then these disabled drivers who would be designated as authorised users, and allowed access to park on site.

That Objection 2 - Owners of the Pack Horse Yard Centre be over ruled.

Their objection is based on access times for loading/unloading / delivery times, as advertised.

Deliveries can be carried out during the periods of 6am to 10am and 4pm and 8pm, as occurs in Huddersfield Town, and across other Town and City Centre locations nationally. It is general practice to limit access times in pedestrianised areas and businesses and delivery companies are able to work with these restrictions.

The Council will however, undertake to have further discussions with NewRiver REIT (UK) Ltd and their tenants to understand their specific concerns and consider exemptions under the Pedestrianised Areas - Authorised User policy.

This policy is in development and will, when completed, be adopted by Kirklees Cabinet and will set out the types of user that may be granted an exemption to any of Kirklees Councils pedestrianised areas.

This policy will be completed and approved with sufficient time to undertake meaningful discussions with NewRiver REIT (UK) Ltd and their tenants, prior to the restrictions being implemented on completion of the scheme in Summer 2021.

That Objection 3 – Blacks Solicitors on behalf of Huddersfield Taxi be over-ruled.

The objection is based on the adverse impact the TRO's, as advertised, will have on their business.

To meet the aims and objectives of this scheme traffic has to be restricted to essential vehicles only. As Huddersfield Taxi clients can still gain access to their offices, they will still be able to pre-book their taxis, as they are required to do, and arrange to be collected at a location a short walk away from Cross Church St / Queen St.

That Objection 4 – MAIL BOXES ETC, be over-ruled

The objection is based on the access times for loading /unloading and delivery times, as advertised.

It is general practice to limit access times in pedestrianised areas and businesses and delivery companies are able to work with these restrictions.

The Council will however, undertake to have further discussions with MAIL BOXES ETC to understand their specific concerns and consider exemptions under the Pedestrianised Areas - Authorised User policy.

This policy is in development and will, when completed, be adopted by Kirklees Cabinet and will set out the types of user that may be granted an exemption to any of Kirklees Councils pedestrianised areas.

This policy will be completed and approved with sufficient time to undertake meaningful discussions with MAIL BOXES ETC, prior to the restrictions being implemented on completion of the scheme in Summer 2021.

That the letter of objection, received by Highways Service on July 29th, signed by 23 of the 25 businesses on Cross Church St, objecting to the overall scheme, be noted.

This letter has been considered, in the context of this report, as an objection to the advertised TRO's, however, it is "an eleventh hour bid to stop the upgrade " - <https://www.examinerlive.co.uk/news/west-yorkshire-news/25-huddersfield-shops-bars-restaurants-18682804>.

As the letter makes no reference to an objection to the Traffic Regulation Orders, there is no requirement for CCLI to make a decision in this regard, however, for the overall context of the scheme proposals, Officers felt it important that Members are made aware of its content.

7. **Cabinet portfolio holder's recommendations**

Cllr McBride and Cllr Walker support Officer recommendations, based on the content of, and commitments made, in this report

8. **Contact officer**

Liz Twitchett -
Operational Manager
(01484) 221000
Elizabeth.Twitchett@kirklees.gov.uk

9. **Service Director responsible**

Sue Procter -
Service Director - Environment
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sue.procter@kirklees.gov.uk

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Appendix 1 – Traffic Regulation Order TRO No.10 2020

DRAFT ORDER
KIRKLEES COUNCIL
(TRAFFIC REGULATION) (NO. 10) ORDER 2020
Moving traffic order

The Council of the Borough of Kirklees ("the Council") in exercise of their powers under Sections 1, 2 and 4 of the Road Traffic Regulation Act 1984 ("the Act") and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act hereby makes the following Order which relates to roads in Huddersfield town centre in the Kirklees District:-

PART I

Interpretation

1. Except where the context otherwise requires, any reference in this Order to a numbered Article is a reference to the Article bearing that number in this Order and any reference to a numbered Schedule is a reference to the Schedule bearing that number in this Order.
2. In this Order except where the context otherwise requires the following expressions have the meanings hereby respectively assigned to them:-

“pedal cycle” has the same meaning as in Regulation 4 of the 2002 Regulations.

“local bus” means a public service vehicle which is being operated for the purposes of a local service within the meaning of the Transport Act 1985.

“security vehicle” means any specialist security vehicle loading or unloading valuables

“telecommunications apparatus” has the same meaning as in the Telecommunications Act 1984

“the 2002 Regulations” means the Traffic Signs Regulations and General Directions 2002

PART II

**MANDATORY RIGHT TURN
FROM CROSS CHURCH STREET
(EXCEPT FOR CYCLISTS)**

Mandatory Right Turn (except cyclists)

3. Save as provided in Article 4 any person causing a vehicle to proceed in a road specified in Column 1 of the First Schedule shall cause that

vehicle on reaching the junction with the road specified opposite that road in Column 2 of the said Schedule to make a right turn into such road.

4. Nothing in Article 3 shall apply to a pedal cycle.

**PART III
PROHIBITION OF DRIVING
EXCEPT FOR LOADING 6-10am and 4-8pm
CYCLISTS
AND AUTHORISED VEHICLES**

14. Save as provided in Articles 14, 15 and 16 no vehicle other than local buses, cycles, hackney carriages, vehicles authorised by the enforcement authority's Parking Manager, local authority maintenance vehicles, statutory undertaker vehicles or security vehicles shall, except upon the direction or with the permission of a police constable in uniform or of a civil enforcement officer proceed in any of those lengths of road specified in Part 1 of the Second Schedule.
15. Save as provided in Articles 14 15 and 16 no vehicle other than local buses, cycles, or vehicles authorised by the enforcement authority's Parking Manager, local authority maintenance vehicles, statutory undertaker vehicles or security vehicles shall, except upon the direction or with the permission of a police constable in uniform or of a civil enforcement officer proceed in any of those lengths of road specified in Part 2 of the Third chedule.
16. Nothing in Articles 14 or 15 shall render it unlawful for any vehicle to enter or proceed in any of the lengths of road referred to therein to enable the vehicle to be used for any of the purposes specified in Article 17 for so long as may be necessary for any of those purposes.
17. The purposes referred to in Article 16 are:-
 - (i) in an emergency where the vehicle is being used for police, fire and rescue, ambulance or local authority purposes;
 - (ii) the removal of any obstruction to traffic;
 - (iii) in connection with any of the following operations where the vehicle cannot conveniently be used for such purposes in any other road:-
 - (a) building, industrial or demolition operations;
 - (b) the maintenance, improvement or reconstruction of the said lengths of road;

- (c) the laying, erection, alteration or repair in or on any land adjacent to any of the said lengths of road of any sewer or of any main pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus.
- (d) loading and unloading between the hours of 6-10am and 4-8pm

PART IV

ONE WAY (EXCEPT FOR CYCLISTS)

18. **One-way traffic flow**
- 18.1. Save as provided in Article 18.2 no person shall, except upon the direction or with the permission of a police constable in uniform or of a traffic warden, cause or permit any vehicle to proceed in that length of road specified in Column 1 of the Fourth Schedule to this Order in a direction other than that specified in relation to such length of road in Column 2 of that Schedule.
- 18.2 Nothing in Article 2.1 shall apply to any mechanical road cleansing vehicle when being used for that purpose.

PART V Revocations

19. The Orders referred to in Column 1 of the Fifth Schedule are hereby revoked to the extent indicated in Column 2 to that Schedule.

PART VI

General

20. The restrictions imposed by this order shall be in addition to and not in derogation of any restrictions or requirements imposed by any Regulations made or having effect as if made under the Act or by or under any other enactment.
- 21 Any reference in this order to a Statute shall include reference to any replacement or re-enactment thereof.
22. This order shall come into operation on the day of 2020 and may be cited as the "Kirklees Council (Traffic Regulation) (No.10) Order 2020".

GIVEN under the Corporate Common Seal of the Council of the Borough of Kirklees this day of Two Thousand and

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

Assistant Director – Legal, Governance & Monitoring/Authorised Signatory

FIRST SCHEDULE

**MANDATORY RIGHT TURN
FROM CROSS CHURCH STREET
(EXCEPT FOR CYCLISTS)**

From	To
Cross Church Street, Huddersfield	Kirkgate, Huddersfield

SECOND SCHEDULE

**PROHIBITION OF DRIVING
(EXCEPT FOR LOADING 6-10am AND 4-8pm)
(EXCEPT FOR CYCLISTS
AND AUTHORISED VEHICLES)
(EXCEPT FOR EMERGENCY VEHICLES, LOCAL AUTHORITY
MAINTENANCE VEHICLES, STATUTORY UNDERTAKER VEHICLES AND
SPECIALIST SECURITY VEHICLES)**

Column 1	Column 2
Road affected	Length affected
King Street, Huddersfield	From its junction with Queen Street to its junction with Zetland Street.

Queen Street, Huddersfield	From a point 112 metres north of its junction with Queensgate in a northerly direction to its junction with King Street
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THIRD SCHEDULE

**PROHIBITION OF DRIVING
(INCLUDING HACKNEY CARRIAGES)
(EXCEPT FOR LOADING 6-10am AND 4-8pm)
(EXCEPT FOR CYCLISTS
AND AUTHORISED VEHICLES)
(EXCEPT FOR EMERGENCY VEHICLES, LOCAL AUTHORITY
MAINTENANCE VEHICLES, STATUTORY UNDERTAKER VEHICLES AND
SPECIALIST SECURITY VEHICLES)**

Column 1	Column 2
Road affected	Length affected
Cross Church Street, Huddersfield	From its junction with King Street in a northerly direction to its junction with Kirkgate

FOURTH SCHEDULE

ONE WAY (EXCEPT FOR CYCLISTS)

COLUMN 1	COLUMN 2
Name of Road	Length affected
Cross Church Street, Huddersfield	From its junction with King Street in a northerly direction to its junction with Kirkgate
King Street, Huddersfield	From its junction with Cross Church Street to its junction with Zetland Street
Queen Street, Huddersfield	From a point 112 metres north of its junction with Queensgate in a northerly direction to its junction with King Street
Zetland Street, Huddersfield	From its junction with King Street for a distance of 11m south of the junction

**FIFTH SCHEDULE
Revocations**

KIRKLEES COUNCIL (TRAFFIC REGULATION) (No.17) ORDER 2000

FIRST SCHEDULE ITEMS 1 & 3

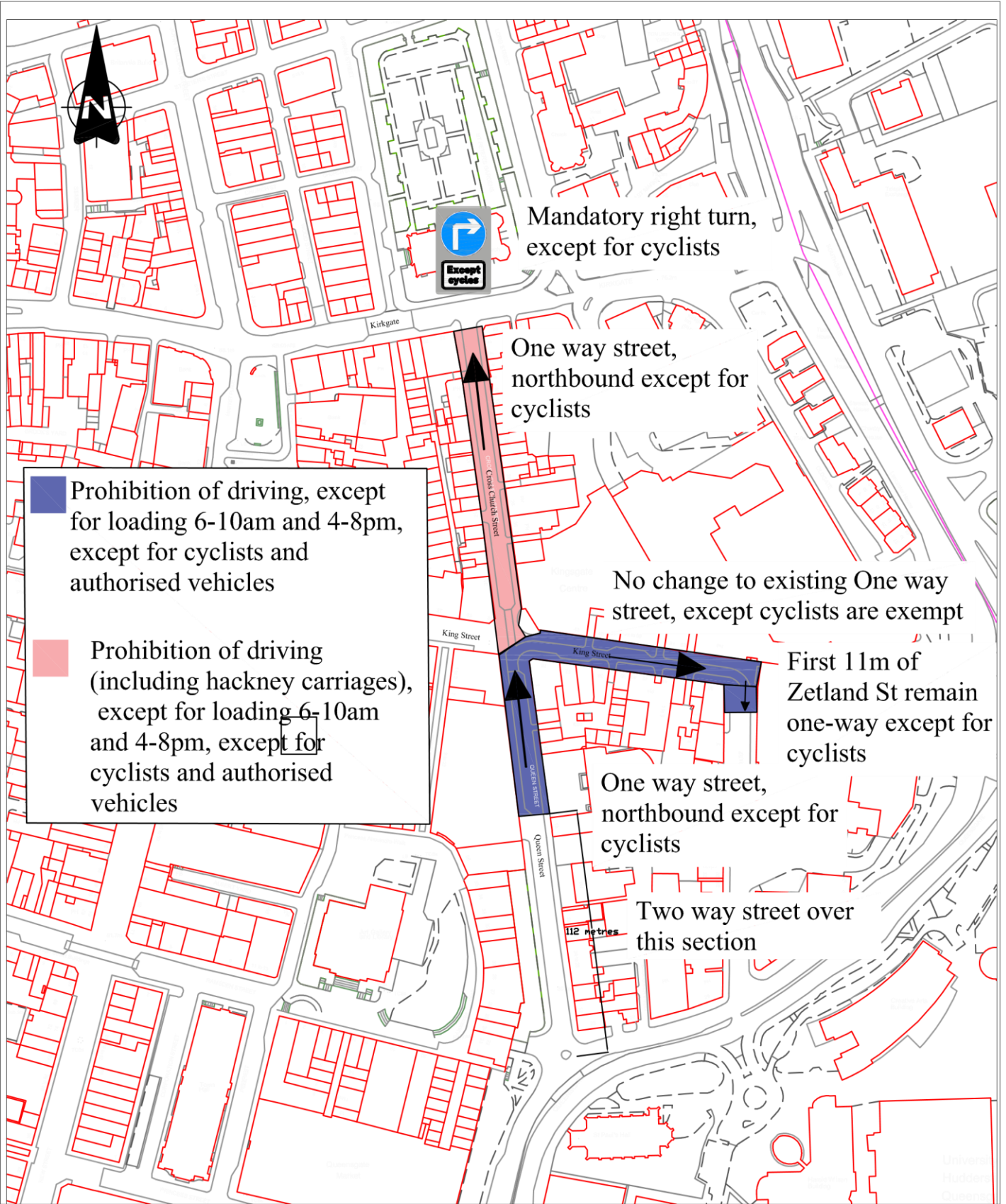
THIRD SCHEDULE

KIRKLEES COUNCIL (TRAFFIC REGULATION) (No.11) ORDER 2001

FIRST SCHEDULE ITEM

KIRKLEES COUNCIL (TRAFFIC REGULATION) (No.17) ORDER 2006

FIRST SCHEDULE ITEM 2



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Ordnance Survey 100019241



Streetscene & Housing
Flint Street, Fartown
Huddersfield, HD1 6LG

Proposed Prohibition of driving
Mandatory right turn
& One way

Queen St, Cross Church St,
Zetland St and King St
Huddersfield

Scale NTS	
Drawn KM	Checked
Section TRF	Date JUN 2020
Drawing No.	TF.22.200.200c

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Appendix 2 – Traffic Regulation Order TRO No. 11 2020

DRAFT ORDER KIRKLEES COUNCIL

KIRKLEES COUNCIL (TRAFFIC REGULATION) (NO.11) (ORDER 2020)

Cross Church Street, King Street and Queen Street, Huddersfield

The Council of the Borough of Kirklees ("the Council") in exercise of their powers under Sections 1, 2, 4, 32, 35, 45, 46, 47, 49 and 53 of the Road Traffic Regulation Act 1984 ("the Act"), Part 6 of the Traffic Management Act 2004, the Road Traffic (Permitted Parking Area and Special Parking Area) (Metropolitan Borough of Kirklees) Order 2006 and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act hereby makes the following Order which relates to lengths of road in the Huddersfield area of the Kirklees district:-

PART I

1. Interpretation

1.1. Any reference in this Order to a numbered Article is a reference to the Article bearing that number in this Order and any reference to a numbered Schedule is a reference to the Schedule bearing that number in this Order

1.2. In this Order except where the context otherwise requires the following expressions have the meanings hereby respectively assigned to them:-

“authorised position” means in relation to Article 3, wholly within the limits of the parking place as marked on the carriageway in accordance with the road markings as indicated by Diagrams 1028.3, 1032 or 1033 in Schedule 6 to the 2002 Regulations and in such position so as not to obstruct the movement of other motor vehicles

“bus” has the same meaning as in Regulation 22 of the Traffic Signs Regulations and General Directions 2002.

“carriageway” has the same meaning as in Section 329 of the Highways Act 1980.

“civil enforcement officer” has the meaning given by S.76 of the 2004 Act.

“commercial vehicle” means any motor vehicle which is being used for the delivery and collection of goods.

“disabled person's badge” has the same meaning as in the 2000 Regulations and the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000.

“disabled person's motor vehicle” means a motor vehicle lawfully displaying a disabled person's badge and which immediately before or after any period of waiting allowed by virtue of this Order has been or is to be driven by a disabled person or has been or is to be used for carrying disabled persons as passengers.

“driver” in relation to a motor vehicle waiting in a parking place means the person driving the motor vehicle at the time it was left in the parking place.

“enforcement authority” means the Council.

“goods” has the same meaning as in the Road Traffic Act 1988.

“hackney carriage” has the same meaning as in the Town Police Clauses Act 1847.

“loading place” means the areas of road designated in Article 4 and described in Column 1 of the Fourth Schedule as a loading place for use by commercial vehicles.

“motor vehicle” has the same meaning as in Section 136 of the Act.

"owner" in relation to a vehicle means the person by whom the vehicle is kept which in the case of a motor vehicle registered under the Vehicle Excise and Registration Act, 1994 is presumed (unless the contrary is proved) to be the person in whose name the vehicle is registered.

“parking disc” has the same meaning given by regulation 8(5) of the 2000 Regulations

“parking place” means in relation to Article 3 the parts of the road specified in Column 1 of the Third Schedule authorised by this Order to be used as a parking place;

“penalty charge” has the meaning given by S.92 of the 2004 Act.

“permitted motor vehicle” means in relation to Article 4 commercial vehicles

"postal packets" has the same meaning as in the Postal Services Act 2000.

“relevant position” in relation to a disabled person’s badge has the same meaning as in Regulation 12 of the Disabled Person’s (Badges for Motor Vehicles) (England) Regulations 2000 and the 2000 Regulations

"relevant position" in relation to a parking disc means:-

- (i) the disc is exhibited on the dashboard or fascia of the motor vehicle; or
- (ii) where the motor vehicle is not fitted with a dashboard or fascia the disc is exhibited in a conspicuous position on the motor vehicle

so that the period during which waiting began is clearly legible from the outside of the motor vehicle.

“**subordinate legislation**” has the same meaning as in Section 21 of the Interpretation Act 1978.

“**telecommunications apparatus**” has the same meaning as in the Telecommunications Act 1984.

“**traffic sign**” means a sign of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under, Section 64 of the Act.

“**universal service provider**” has the same meaning as in the Postal Services Act 2000.

“**the 2000 Regulations**” means the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000.

“**the 2002 Regulations**” means the Traffic Signs Regulations and General Directions 2002.

“**the 2004 Act**” means the Traffic Management Act 2004.

“**the General Regulations**” means the Civil Enforcement of Parking Contraventions (England) General Regulations 2007.

PART II 2.

Prohibitions and Restriction on Waiting

- 2.1. Save as provided in Articles 2.3, 2.4 and 2.5 no person shall, except upon the direction or with the permission of a police constable in uniform or of a civil enforcement officer, cause or permit any motor vehicle to wait at any time in the lengths of road specified in the First Schedule.
- 2.2. Save as provided in Article 2.3 no person shall, except upon the direction or with the permission of a police constable in uniform or of a civil enforcement officer, cause or permit any motor vehicle to wait or load or unload at any time in any of the lengths of road specified in Columns 1 and 2 of the Second Schedule.
- 2.3. Nothing in Article 2.1 or 2.2 shall prohibit any person from causing or permitting any motor vehicle to wait in a length of road specified in the First or Second Schedule for so long as may be necessary:-
- 2.3.1. to enable a person to board or alight from the motor vehicle;
- 2.3.2. to enable the motor vehicle, if it cannot be conveniently used for such purpose in any other road, to be used in connection with any wedding or funeral, building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of the length of road so specified or the laying, erection, alteration or repair in or near the said length of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus;
- 2.3.3. if the motor vehicle is a Mobile Speed Camera Unit or an Automatic Number Plate Recognition Vehicle
- 2.3.4. to enable the motor vehicle, if it is in the service of the Post Office or other universal service provider to be used for the purpose of delivering or collecting postal packets;

2.3.5. to enable the motor vehicle to be used in the length of road so specified for police, ambulance, fire brigade, local authority or water authority purposes when used in pursuance of statutory powers or duties;

2.3.6. if the motor vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond the control of the driver, or to such waiting as is necessary to prevent an accident;

2.3.7. for the purpose of loading or unloading the motor vehicle whilst it is in actual use in connection with the removal or delivery of furniture to or from any premises fronting, adjoining or abutting the said length of road, provided that notice is given twenty four hours in advance to the Police and their consent obtained;

2.3.8 for a hackney carriage to wait at a hackney carriage stand during the hours of operation of the hackney carriage stand.

2.4. Nothing in Article 2.1 shall prohibit any person from causing or permitting any motor vehicle to wait in the length of road specified in the First Schedule for so long as may be necessary to deliver to or collect from or load or unload goods at any premises fronting onto the said length of road provided that no motor vehicle so engaged shall wait for longer than 30 minutes outside the same premises without the permission of a police constable in uniform or a civil enforcement officer and provided always that a police constable in uniform or a civil enforcement officer may at any time require the driver of a motor vehicle to move it if it is necessary for the purposes of preventing obstruction.

2.5. Nothing in Article 2.1 shall render it unlawful to cause or permit any motor vehicle to wait for a period not exceeding 3 hours (not being a period separated by an interval of less than 1 hour from the previous period of waiting by the same motor vehicle in the same

road or part of road on the same day) in any of the lengths of road specified in the First Schedule if the motor vehicle is a disabled person's motor vehicle which displays in the relevant positions a disabled person's badge and a parking disc issued by any local authority in accordance with the provisions of the 2000 Regulations, or a badge having effect under those Regulations as if it were a disabled person's badge, and the driver or other person in charge of the motor vehicle marks on the parking disc the time at which the period of waiting began.

PART III

3. Parking in Disabled Bay

- 3.1 The part of road specified in Column 1 of the Third Schedule is authorised to be used as a parking place for the parking of permitted motor vehicles in the authorised position on such days and during such hours as are specified in relation to the part of road in the said Third Schedule.
- 3.2 The driver of a motor vehicle shall not permit it to wait in the parking place unless it is a permitted motor vehicle.
- 3.3 Every motor vehicle using the parking place shall wait thereon in the authorised position.
- 3.4 The driver of a motor vehicle shall not permit it to wait in a parking place for longer than the maximum period permitted for waiting specified in Column 3 of the Third Schedule in relation to that parking place.
- 3.5 When a motor vehicle has left a parking place as specified in Article 3.1 after waiting thereon, the driver thereof shall not, within the return prohibition period specified in column 3 of the Third Schedule permit it to wait again upon the parking place.

- 3.6 Save as provided in Articles 3.12 and 3.13 the driver of a motor vehicle other than a permitted motor vehicle shall not use the parking place unless authorised to do so by a police constable in uniform or a civil enforcement officer, always provided that no motor vehicle shall use the parking place so as unreasonably to prevent access to premises adjoining the road or the use of the road by other persons, or so as to be a nuisance and provided always that a police constable in uniform or a civil enforcement officer may at any time require the driver of the motor vehicle to move it if it is reasonably necessary for the purpose of preventing obstruction or in the case of an emergency move or cause to be moved to any place he thinks fit, any motor vehicle left in a parking place.
- 3.7. The driver of a motor vehicle using the parking place shall stop the engine as soon as the motor vehicle is in position in the parking place, and shall not start the engine except when about to change the position of the motor vehicle in, or to depart from, the parking place.
- 3.8. No person shall use a motor vehicle whilst it is in the parking place in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of his skills or services or any other person's skills or services.
- 3.9. Any person duly authorised by the enforcement authority may suspend the use of the parking place or any part thereof whenever he considers such suspension reasonably necessary;
- 3.9.1 or the purpose of facilitating the movement of traffic or promoting its safety;
- 3.9.2 for the convenience of the occupiers of premises adjacent to the parking place on any occasion of the removal of furniture from a dwellinghouse or office to

another or the removal of furniture from such premises to a depository or to such premises from a depository;

3.9.3 for the convenience of the occupiers of premises adjacent to the parking place at times of weddings or funerals or on other special occasions;

3.9.4 for the purpose of any building operation, demolition or excavation adjacent to the parking place or the maintenance or reconstruction of the parking place or the laying, erection, alteration, or repair in or adjacent to the parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus;

3.9.5 and he has made an appropriate Order and/or given notice as may be required by legislation.

3.10 Any person authorised by the enforcement authority suspending the use of the parking place or any part thereof in accordance with the provisions of Article 3.9 shall thereupon place or cause to be placed in or adjacent to that parking place or part thereof the use of which is suspended a traffic sign or notice indicating that waiting by motor vehicles is prohibited.

3.11 Save as provided in Articles 3.12 and 3.13 no person shall cause or permit any motor vehicle to be left in the parking place or part thereof, as the case may be, during such period as there is in or adjacent to that parking place or part thereof a traffic sign or notice placed in pursuance of Article 3.10

3.12 Nothing in Articles 3.1, 3.6 and 3.11 shall prohibit any person from causing or permitting any motor vehicle to wait in the parking place for so long as it may be necessary:-

3.12.1 to enable a person to board or alight from the motor vehicle;

- 3.12.2 to enable the motor vehicle, if it cannot be conveniently used for such purpose in any other road, to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of the parking place or any part thereof or the laying, erection, alteration, or repair in or near the parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus;
- 3.12.3 to enable the motor vehicle, if it is in the service of the Post Office or other universal service provider to be used for the purpose of delivering or collecting postal packets;
- 3.12.4 to enable the motor vehicle to be used for police, ambulance, fire brigade, local authority or water authority purposes when used in pursuance of statutory powers or duties;
- 3.12.5 if the motor vehicle is waiting owing to the driver being prevented from proceeding by circumstance beyond the control of the driver, or to prevent an accident;
- 3.12.6 to enable the motor vehicle to be used in connection with the removal of furniture from a dwellinghouse or office to another or the removal of furniture from such premises to a depository or to such premises from a depository.

3.13 Nothing Articles 3.1, 3.6 and 3.11 shall apply if the motor vehicle is being used by a legally qualified general medical practitioner, district nurse, midwife, or similar people

when visiting a patient, so long as the motor vehicle concerned is clearly marked doctor/midwife etc. and the visit is expected to be of less than 15 minutes duration.

3.14 Subject to the proviso hereto, when a motor vehicle is left in the parking place in contravention of any of the provisions contained in Articles 3.1, 3.2, 3.3 and 3.4 a person authorised in that behalf by the enforcement authority may remove the motor vehicle or arrange for it to be removed from the parking place provided that when a motor vehicle is waiting in the parking place in contravention of the provisions of Article 3.3, a person authorised in that behalf by the enforcement authority may alter or cause to be altered the position of the motor vehicle in order that its position shall comply with that provision.

3.15 Any person removing a motor vehicle or altering its position by virtue of Article 3.14 may do so by towing or driving the motor vehicle or such other manner as he may think necessary to enable him to remove it or alter its position as the case may be.

3.16 When a person authorised by the enforcement authority removes or makes arrangements for the removal of a motor vehicle from the parking place by virtue of Article 3.14, he shall make such arrangements as may be reasonably necessary for the safe custody of the motor vehicle and its contents.

PART IV

4. Parking in a Loading Bay

4.1 The part of road specified in Column 1 of the Fourth Schedule is authorised to be used as a parking place for the parking of permitted motor vehicles in the authorised position on such days and during such hours as are specified in relation to the part of road in Column 2 of the said Schedule.

4.2 The driver of a motor vehicle shall not permit it to wait in the parking place unless it is a permitted motor vehicle.

- 4.3 Every motor vehicle using the parking place shall wait thereon in the authorised position.
- 4.4 Save as provided in Article 4.10 the driver of a motor vehicle other than a permitted motor vehicle shall not use the parking place unless authorised to do so by a police constable in uniform or a civil enforcement officer, always provided that no motor vehicle shall use the parking place so as unreasonably to prevent access to premises adjoining the road by other persons, or so as to be a nuisance and provided always that a police constable in uniform or a civil enforcement officer may at any time require the driver of the motor vehicle to move it if it is reasonably necessary for the purpose of preventing obstruction or in the case of an emergency move or cause to be moved to any place he thinks fit, any motor vehicle left in a parking place.
- 4.5 The driver of a motor vehicle shall stop the engine as soon as the motor vehicle is in position in the parking place, and shall not start the engine except when about to change the position of the motor vehicle in or to depart from, the parking place.
- 4.6 The driver of a motor vehicle shall not permit it to wait in a parking place for any purpose other than when in actual use in connection with the delivery to or collection from or loading or unloading of goods to nearby premises.
- 4.7 A person authorised by the enforcement authority may suspend the use of the parking place or any part thereof whenever he considers such suspension reasonably necessary.
- 4.7.1 for the purpose of facilitating the movement of traffic or promoting its safety;
- 4.7.2 for the convenience of the occupiers of premises adjacent to the parking place on any occasion of the removal of furniture from a dwellinghouse or office to another or the removal of furniture from such premises to a depository or to such premises from a depository;
- 4.7.3 for the convenience of the occupiers of premises adjacent to the parking place at times of weddings or funerals or on other special occasions;

4.7.4 for the purpose of any building operation, demolition or excavation adjacent to the parking place or the maintenance or reconstruction of the parking place or the laying, erection, alteration, or repair in or adjacent to the parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus;

4.7.5 and he has made an appropriate Order and/or given notice as may be required by legislation.

4.8 A person authorised by the enforcement authority suspending the use of the parking place or any part thereof in accordance with the provisions of Article 4.8 shall thereupon place or cause to be placed in or adjacent to that parking place or part thereof the use of which is suspended a traffic sign or notice indicating that waiting by motor vehicles is prohibited.

4.9 Save as provided in Articles 4.7 and 4.8 no person shall cause or permit any vehicle to be left in the parking place or part thereof, as the case may be, during such period as there is in or adjacent to that parking place or part thereof a traffic sign or notice placed in pursuance of Article 4.8.

4.10 Nothing in Articles 4.1, 4.2, 4.3 and 4.9 shall prohibit any person from causing or permitting any motor vehicle to wait in the parking place for so long as it may be necessary:-

4.10.1 to enable a person to board or alight from the motor vehicle;

4.10.2 to enable the motor vehicle, if it cannot be conveniently used for such purpose in any other road, to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of the parking place or any part thereof or the laying, erection, alteration, or repair in or near the parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus;

4.10.3 to enable the motor vehicle, if it is in the service of the Post Office or other

universal service provider to be used for the purpose of delivering or collecting postal packets;

4.10.4 to enable the motor vehicle to be used for police, ambulance, fire brigade, local authority or water authority purposes when used in pursuance of statutory powers or duties;

4.10.5 if the motor vehicle is waiting owing to the driver being prevented from proceeding by circumstance beyond the control of the driver, or to prevent an accident;

4.10.6 to enable the motor vehicle to be used in connection with the removal of furniture from a dwellinghouse or office to another or the removal of furniture from such premises to a depository or to such premises from a depository.

4.11 Subject to the proviso hereto, when a motor vehicle is left in the parking place in contravention of any of the provisions contained in Articles 4.1, 4.2, 4.3 and 4.9 a person authorised in that behalf by the enforcement authority may remove the motor vehicle or arrange for it to be removed from the parking place provided that when a motor vehicle is waiting in the parking place in contravention of the provisions of Article 4.3, a person authorised in that behalf by the enforcement authority may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision.

4.12 Any person removing a motor vehicle or altering its position by virtue of Article 4.11 may do so by towing or driving the motor vehicle or such other manner as he may think necessary to enable him to remove it or alter its position as the case may be.

4.13 When a person authorised by the enforcement authority removes or makes arrangements for the removal of a motor vehicle from the parking place by virtue of Article 4.11, he shall make such arrangements as may be reasonably necessary for the safe custody of the motor vehicle and its contents.

PART V

5. Contraventions of Provisions of Order

- 5.1. Where a motor vehicle is left in a parking place or in any road or length of road in contravention of any provision of this Order such contravention shall be dealt with in accordance with the provisions of the 2004 Act and any subordinate legislation made under it.
- 5.2. The amount of the penalty charge for a parking contravention and, where applicable, the charges for the removal, storage and disposal of a vehicle shall be as set from time to time by the enforcement authority in accordance with the Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 or any re-enactment or replacement thereof and published by it.

PART VI

6. Revocations

- 6.1 The orders referred to in Column 1 of the Fifth Schedule are hereby revoked to the extent shown in Column 2 of that Schedule.

PART VII

7. General

- 7.1. The restrictions imposed by this Order shall be in addition to and not in derogation of any restrictions or requirements imposed by any Regulations made or having effect as if made under the Act or by or under any other enactment.
- 7.2. Any reference in this Order to a Statute or Statutory Instrument shall include reference to any re-enactment or replacement thereof.

7.3. For the avoidance of doubt, any reference in this Order to a length of road shall be deemed to be a reference to more than one length of road or more than one parking place where the context requires it.

7.4. This Order shall come into operation on the xxx day of _____ 2020 and may be cited as the "Kirklees Council (Traffic Regulation) (No.11) Order 2020".

GIVEN under the Corporate Common Seal of the Council of the Borough of Kirklees this xxxx day of xxxxx Two Thousand and Twenty.

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

Director – Legal, Governance and Monitoring/Authorised Signatory

FIRST SCHEDULE – NO WAITING AT ANY TIME

FIRST SCHEDULE

NO WAITING AT ANY TIME

COLUMN 1	COLUMN 2	COLUMN 3
Name of Road	Length affected	Days and hours of operation
1. Cross Church Street, Huddersfield	a) East side from its junction with King Street to its junction with Kirkgate	All days All hours
	b) West side from its junction with King Street southern corner to its junction with Kirkgate	All days All hours
2. Kirkgate, Huddersfield	a) South side from its junction with Cross Church Street for a distance of 4 metres in a westerly direction	All days All hours
	b) South side from its junction with Cross Church Street for a distance of 3 metres in an easterly direction	All days All hours
3. Queen Street, Huddersfield	a) West side from its junction with the un-named access road to Nos 21-23 Princess Alexandra Walk for a distance of 4 metres in a northerly direction	All days All hours
	b) East side from a point 147 metres north of its junction with Queensgate for a distance of 65 metres in a northerly direction	All days All hours

	c) West side from a point 33 metres north of its junction with the un-named access road to Nos 21-23 Princess Alexandra Walk to its junction with King Street	All days All hours
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SECOND SCHEDULE – NO WAITING/LOADING AT ANY TIME

**SECOND SCHEDULE
NO WAITING/LOADING AT ANY TIME**

COLUMN 1	COLUMN 2	COLUMN 3
Name of Road	Length affected	Days and hours of operation
Queen Street, Huddersfield	East side from its junction with Queensgate for a distance of 102 metres in a northerly direction	All days All hours

THIRD SCHEDULE - DISABLED BAY

THIRD SCHEDULE

DISABLED BAY

COLUMN 1	COLUMN 2	COLUMN 3
Part of Road authorised as a street Parking Place	Days and hours of operation	Period for which vehicles may wait and return prohibition period
Queen Street, Huddersfield a) West side from a point 4 metres north of its junction with the un-named access road to Nos 21-23 Princess Alexandra Walk for a distance of 22 metres in a northerly direction	All days/ All hours	For a period not exceeding 3 hours. Return prohibited within 1 hour

FOURTH SCHEDULE – LOADING BAY

FOURTH SCHEDULE

LOADING BAY

COLUMN 1	COLUMN 2	COLUMN 3
Part of Road authorised as a street Parking Place	Days and hours of operation	Period for which vehicles may wait
1. Cross Church Street, Huddersfield a) West side from a point 22 metres south of its junction with Kirkgate for a distance of 34 metres in a southerly direction	6am-10am and 4pm-8pm	For a period no longer than 30 minutes without the permission of a Police Constable in uniform or a Parking Attendant
2. King Street, Huddersfield a) North side from a point 41 metres east of its junction with Cross Church Street for a distance of 22 metres eastwards	6am-10am and 4pm-8pm	For a period no longer than 30 minutes without the permission of a Police Constable in uniform or a Parking Attendant
b) South side from a point 18 metres east of its junction with Queen Street for a distance of 16 metres eastwards	6am-10am and 4pm-8pm	For a period no longer than 30 minutes without the permission of a Police Constable in uniform or a Parking Attendant
3. Queen Street, Huddersfield a) East side from a point 151 metres north of its junction with Queensgate for a distance of 12 metres in a northerly direction	6am-10am and 4pm-8pm	For a period no longer than 30 minutes without the permission of a Police Constable in uniform or a Parking Attendant

FIFTH SCHEDULE – LIST OF REVOCATIONS

**FIFTH SCHEDULE
LIST OF REVOCATIONS**

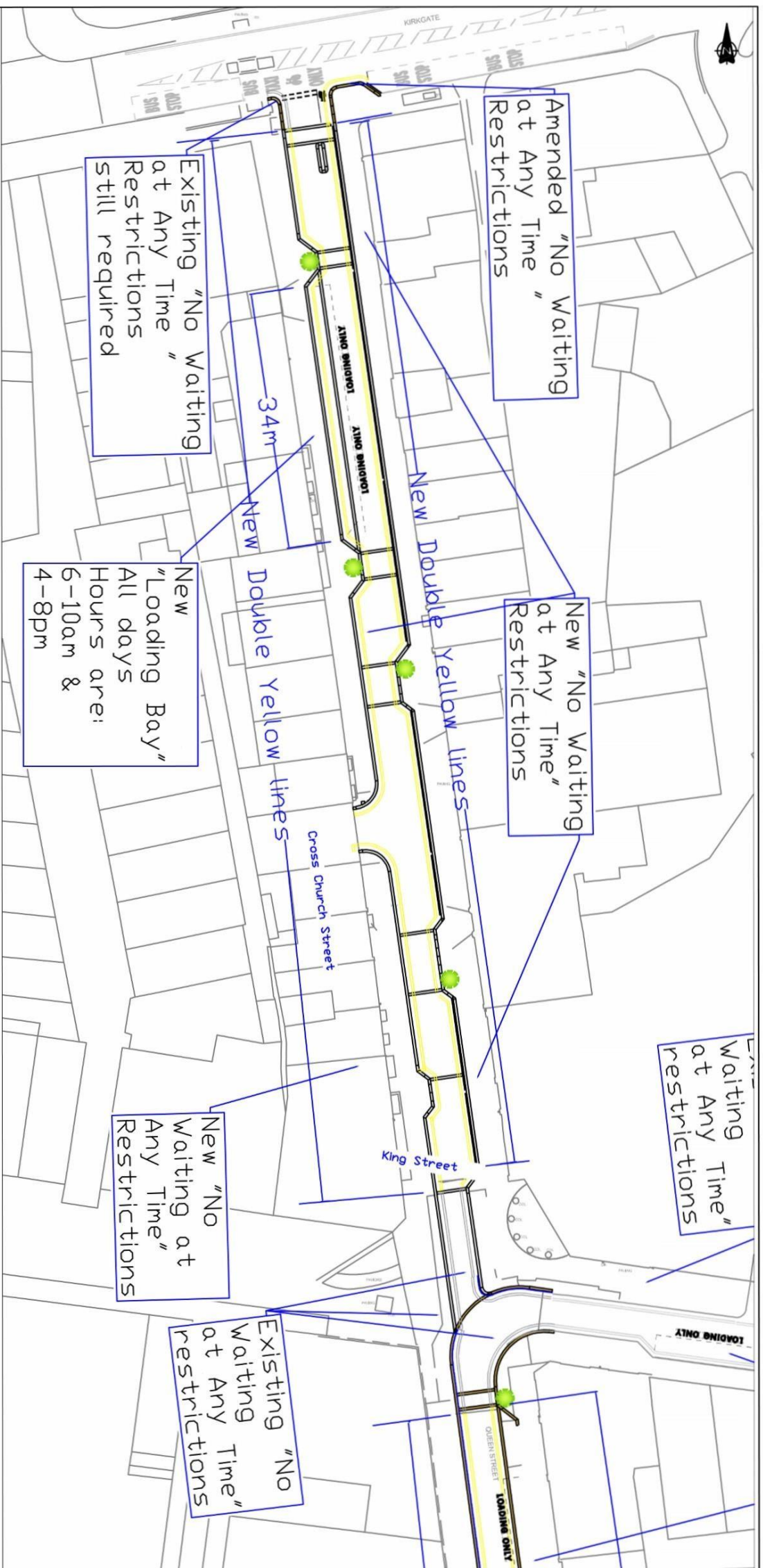
COLUMN 1	COLUMN 2	COLUMN 3
Order Number	Schedule	Item
KIRKLEES COUNCIL (TRAFFIC REGULATION) (HUDDERSFIELD AREA) (CONSOLIDATION) ORDER 2017	6.06	Item related to Queen Street, north-east from a point 9.5 metres south-east of its junction with King Street for a distance of 23 metres south-eastwards
KIRKLEES COUNCIL (TRAFFIC REGULATION) (HUDDERSFIELD AREA) (CONSOLIDATION) ORDER 2017	6.06	Item related to Queen Street, north-east from a point 38 metres south-east of its junction with King Street for a distance of 10.8 metres south-eastwards
KIRKLEES COUNCIL (TRAFFIC REGULATION) (HUDDERSFIELD AREA) (CONSOLIDATION) ORDER 2017	4.0	Item related to Queen Street, north-east from a point 9.5 metres south-east of its junction with King Street for a distance of 23 metres south-eastwards
KIRKLEES COUNCIL (TRAFFIC REGULATION) (HUDDERSFIELD AREA) (CONSOLIDATION) ORDER 2017	1.00	Item related to Queen Street, south-west from a point 76 metres south-east of its junction with Cross Church Street for a distance of 27 metres south-eastwards
KIRKLEES COUNCIL (TRAFFIC REGULATION) (HUDDERSFIELD AREA) (CONSOLIDATION) ORDER 2017	4.11	Item related to King Street, south from a point 18 metres east of its junction with Queen Street for a distance of 16 metres eastwards
KIRKLEES COUNCIL (TRAFFIC REGULATION) (HUDDERSFIELD AREA) (CONSOLIDATION) ORDER 2017	1.00	Item related to Queen Street, west from its junction with the un-named access road to Nos 21-23 Princess Alexandra Walk for a distance of 10 metres northwards

FIFTH SCHEDULE – LIST OF REVOCATIONS

KIRKLEES COUNCIL (TRAFFIC REGULATION) (HUDDERSFIELD AREA) (CONSOLIDATION) ORDER 2017	1.00	Item related to Queen Street, north-east from its junction with Queensgate for a distance of 130 metres north-westwards
COLUMN 1	COLUMN 2	COLUMN 3
Order Number	Schedule	Item
KIRKLEES COUNCIL (TRAFFIC REGULATION) (HUDDERSFIELD AREA) (CONSOLIDATION) ORDER 2017	1.00	Item related to Cross Church Street, east from its junction with Kirkgate for a distance of 11 metres southwards
KIRKLEES COUNCIL (TRAFFIC REGULATION) (HUDDERSFIELD AREA) (CONSOLIDATION) ORDER 2017	1.00	Item related to Cross Church Street, southwest from its junction with Kirkgate for a distance of 5 metres southwards
KIRKLEES COUNCIL (TRAFFIC REGULATION) (HUDDERSFIELD AREA) (CONSOLIDATION) ORDER 2017	1.00	Item related to Cross Church Street, northeast from its junction with King Street for a distance of 16.3 metres north-westwards
KIRKLEES COUNCIL (TRAFFIC REGULATION) (HUDDERSFIELD AREA) (CONSOLIDATION) ORDER 2017	1.00	Item related to Queen Street, south-west from its junction with Cross Church Street for a distance of 10.5 metres south-eastwards
KIRKLEES COUNCIL (TRAFFIC REGULATION) (HUDDERSFIELD AREA) (CONSOLIDATION) ORDER 2017	1.00	Item related to Cross Church Street, southwest from its junction with King Street for a distance of 17 metres north-westwards
KIRKLEES COUNCIL (TRAFFIC REGULATION) (HUDDERSFIELD AREA) (CONSOLIDATION) ORDER 2017	2.25	Item related to Cross Church Street, northeast from a point 77 metres south-east of its junction with Kirkgate for 19 metres south-eastwards

FIFTH SCHEDULE – LIST OF REVOCATIONS

KIRKLEES COUNCIL (TRAFFIC REGULATION) (HUDDERSFIELD AREA) (CONSOLIDATION) ORDER 2017	2.00	Item related to Cross Church Street, northeast from a point 69.5 metres south-east of its junction with Kirkgate for 7.5 metres south-eastwards
COLUMN 1	COLUMN 2	COLUMN 3
Order Number	Schedule	Item
KIRKLEES COUNCIL (TRAFFIC REGULATION) (HUDDERSFIELD AREA) (CONSOLIDATION) ORDER 2017	2.00	Item related to Cross Church Street, northeast from a point 96 metres south-east of its junction with Kirkgate for 5 metres south-eastwards
KIRKLEES COUNCIL (TRAFFIC REGULATION) (HUDDERSFIELD AREA) (CONSOLIDATION) ORDER 2017	2.00	Item related to Kirkgate, south from the eastern kerblines of Cross Church Street in an easterly direction for a distance of 3 metres
KIRKLEES COUNCIL (TRAFFIC REGULATION) (HUDDERSFIELD AREA) (CONSOLIDATION) ORDER 2017	2.00	Item related to Kirkgate, south from the western kerblines of Cross Church Street in a westerly direction for a distance of 3.5 metres



Existing "No Waiting at Any Time" Restrictions

Amended "No Waiting at Any Time" Restrictions

New "No Waiting at Any Time" Restrictions

New "Loading Bay" All days Hours are: 6-10am & 4-8pm

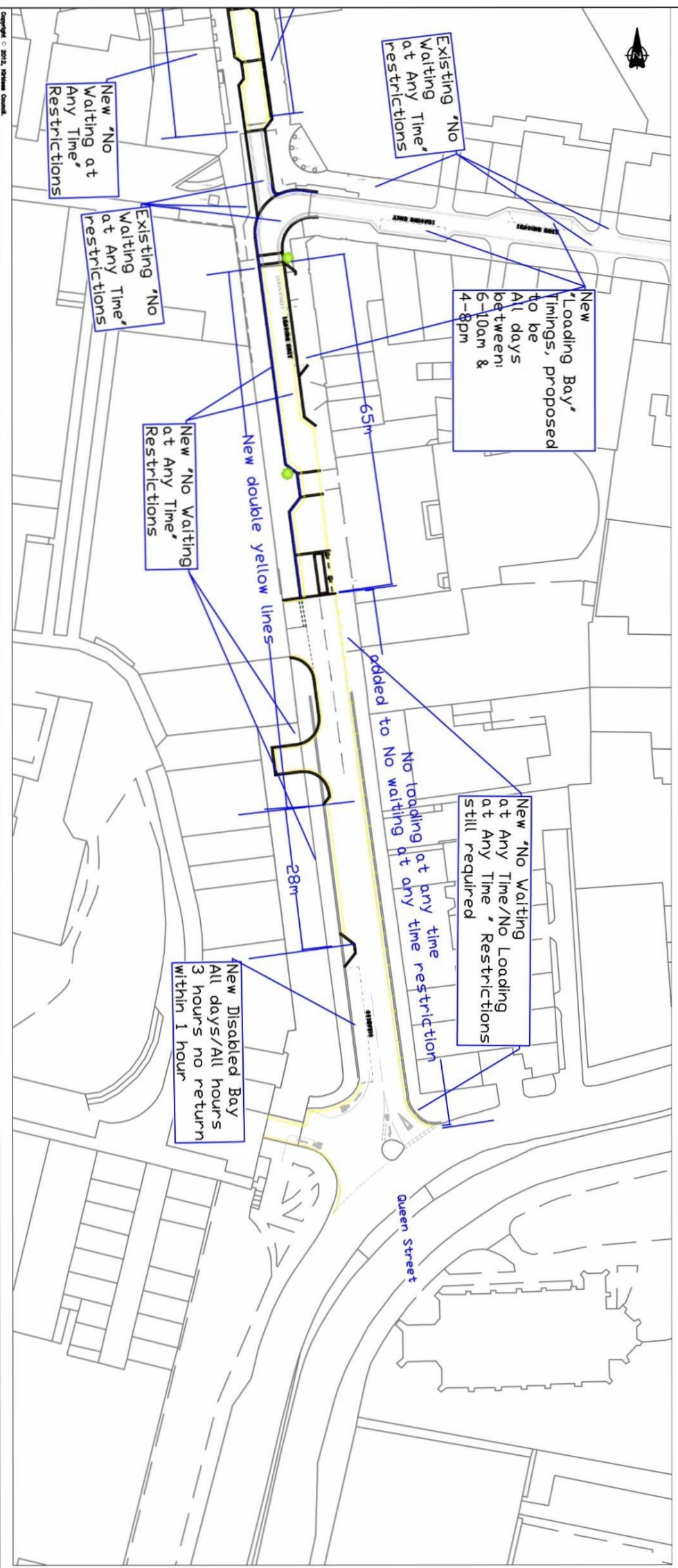
Existing "No Waiting at Any Time" Restrictions still required

New "No Waiting at Any Time" Restrictions

Existing "No Waiting at Any Time" Restrictions

Cross Church Street From Kings St to Kirkgate

Queen Street from Queensgate to King St



Existing "No Waiting at Any Time" Restrictions

New "Loading Bay" All days Hours are: 6-10am & 4-8pm

New "No Waiting at Any Time" Restrictions

Existing "No Waiting at Any Time" Restrictions

New "No Waiting at Any Time" Restrictions still required

New Disabled Bay All days/All hours 3 hours no return within 1 hour

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Appendix 3 – Objection summary and letters

Objections

Ref no.	Objection	Address	Brief explanation of objection
1	To Prohibition of driving on Queen St and King St	King St	The objector needs access to 5 parking spaces off King St but will not be allowed access due to the prohibition of driving TRO
2	To Prohibition of driving on Queen St and Cross Church St	Cross Church St	The objector states the proposals will have a big impact on access to the Packhorse service yard due to the proposed vehicle access restrictions on Cross Church Street, and therefore impact on how the Centre and shops within can operate and trade.
3	To Prohibition of driving on Cross Church St	Cross Church St	The objector states the proposals will have a big impact on their business as they need constant access to their property on Cross Church St by vehicles which would permanently prohibited by the TRO
4	To Prohibition of driving on Queen St	Queen St	Note this objection came in after the closing date: The objector states the proposal will have an impact on being able to carry out a core part of their businesses which is shipping parcels via Manchester airport

Appendix 3 – Objection summary and letters

Objection 1

From: [REDACTED]
Sent: 14 July 2020 10:56
To: Highways TRO <Highways.TRO@kirklees.gov.uk>
Cc: major transport <major.transport@kirklees.gov.uk>; [REDACTED]
Subject: Objection to pedestrian/cycle zone on Queen street

Good Morning,

I am contacting you on behalf of [REDACTED] with regards to the proposed plans for the new pedestrian/cycle zone on Queen street.

Our practice is based [REDACTED] just off King Street.

[REDACTED] has owned the buildings/practice since 2006 and has always been able to offer our staff parking onsite.

We have access to the parking area via Queen street between [REDACTED] etc.

With the new proposal this means they no longer can gain access to this parking area.

The practice is open between 7.30am until 8.30pm.

We also have two different shifts patterns, so staff will need access between 7.30-2.30 and then 1.30-8.30.

There will be about 5 cars needing access per shift.

We kindly ask that you grant our business authorised access to these areas.

We look forward to hearing from you.

Kind Regards,

[REDACTED]

[REDACTED]

Appendix 3 – Objection summary and letters

Objection 2

From: [REDACTED] >
Sent: 15 July 2020 17:27
To: Julie Muscroft <Julie.Muscroft@kirklees.gov.uk>
Subject: Traffic Regulation Order (No. 10) Order 2020 – Cross Church St, King St, Queen St & Zetland St, Huddersfield - DEV/JE/D116-2010

Julie,

Hope you are well.

I am contacting you in relation to the above TRO as I note you are the contact to direct objections to.

For context [REDACTED] own the Packhorse Shopping Centre and we have to submit an objection as the proposals will have a big impact on access to the Packhorse service yard due to the proposed vehicle access restrictions on Cross Church Street, and therefore impact on how the Centre and shops within can operate and trade.

I was hoping that I submit the objection to you via email, rather than hardcopy, as lockdown/working from home will make it more difficult to send correspondence via post.

As I am sure you are aware the date objections need to be submitted is the 20th of July, so if you could let me know either way as soon as possible it would be much appreciated.

Kind regards,

[REDACTED]

[REDACTED]

M +44 [REDACTED]

[REDACTED]

Appendix 3 – Objection summary and letters

Objection 3

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City Point, 29 King Street, Leeds, LS1 2HL
Tel: (0113) 207 0000 Fax : (0113) 242 1703 DX 720480 Leeds 49 Website: www.LawBlacks.com

Director - Legal Governance and
Commissioning
Kirklees Council
Legal Services 2nd Floor, High Street Buildings
High Street
Huddersfield
HD12ND

Your Ref: D11 6-2010-JE & DEV/JE/D116-2011

Our Ref: JZC/HUD587/2

Email: [REDACTED]@LawBlacks.com

Telephone: [REDACTED]

17 July 2020

By Special Delivery (Next Day) and email Highways.TRO@kirklees.gov.uk

Dear Sirs

Re: Kirklees Council (Traffic Regulation) (Nos 10) (Order 2020) and Kirklees Council (Traffic Regulation) (Nos 11) (Order 2020) (the "TROs")

Your Refs: D116-2010-JE & DEV/JE/D116-2011

We are instructed by [REDACTED] to hereby object on [REDACTED] behalf to the proposed TROs. This objection has been produced in conjunction with [REDACTED] who are instructed by [REDACTED] in respect of technical highways matters connected with the proposed TROs.

1. Introduction & Background

[REDACTED] main Huddersfield Town Centre office is a [REDACTED] located on [REDACTED], about halfway between its junctions with King Street and Kirkgate. In terms of location, the [REDACTED] from the main doors into the Kingsgate Shopping Centre and a similar distance from the main shopping streets of Kirkgate and Victoria Lane, both of which lead in to the shopping core of Huddersfield Town Centre.

In addition, the [REDACTED] is surrounded by the most popular bars, restaurants and clubs in Huddersfield Town Centre.

As a consequence of the above, a significant proportion of [REDACTED] trade is gained from shoppers, town centre employees and bar/ restaurant/ nightclub goers who merely have to walk to the office to ask and wait for a car to pick them up from outside the premises. Even during the quieter post-lockdown site visit we made to the office

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Registered Office : City Point, 29 King Street, Leeds, LS1 2HL, where a list of Members is available.

Appendix 3 – Objection summary and letters

.....contd.

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during a normal weekday we observed 15 to 20 people who did exactly this in approximately 45 minutes.

At present [REDACTED] receive approximately [REDACTED] per week from the Cross Church Street [REDACTED]. This equates to approximately [REDACTED] of turnover per week; the equivalent of [REDACTED].

In addition to [REDACTED] it is noted that a number of the adjacent retail units are hot food takeaways, many of which offer a delivery service. These businesses will also require a vehicle, be it two or four wheeled, to access Cross Church Street during the hours that these units are open. These businesses will undoubtedly also rely to some extent upon [REDACTED] customers whilst they [REDACTED].

[REDACTED] is therefore directly affected by the proposed TROs (as are other businesses located on Cross Church Street).

2. The Effect of the Proposed TROs upon Cross Church Street

The combined effect of the proposed TROs upon Cross Church Street would be to prohibit any vehicle from travelling along this road all day every day subject only to very limited exceptions to allow vehicles to load / unload between 0600 and 1000 and between 1600 and 2000, and cyclists and permitted vehicles (which would not assist [REDACTED]).

Similar prohibitions (save for an additional exception for [REDACTED]) are also proposed on vehicles travelling along a section of Queen Street as it approaches the beginning of Cross Church Street from the south.

Both Church Street and Cross Church Street will also be subject to "no waiting at any time" restrictions. However bays have been provided on Queen Street for [REDACTED].

The drawings and public consultation leaflet accompanying the proposed TROs indicate that automatic rise and fall bollards will be installed both on Queen Street, (south of Cross Church Street) and at the exit from Cross Church Street on to Kirkgate. No information has been provided as to how these will be managed and by whom.

3. Legal Context

The proposed TROs are made by the Council pursuant to the Road Traffic Regulation Act 1984 ("RTRA") and associated powers under the Traffic Management Act 2004

Appendix 3 – Objection summary and letters

.....contd.

3

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("TMA 2004") and the Road Traffic (Permitted Parking Area and Special Parking Area) (Metropolitan Borough of Kirklees) Order 2006.

Section 1 RTRA sets out the purposes for which TROs may be made.

The Council should exercise its powers under the RTRA in accordance with Section 122 RTRA. The general duty upon the Council is exercise its powers in such a way as to "secure the expeditious, convenient and safe movement of traffic (vehicles and pedestrians) and the provision of suitable and adequate parking facilities on and off the highway". However in carrying out this duty regard must be had, so far as practicable, to a number of matters set out in Section 122(2). Such matters include:

- the desirability of securing and maintaining reasonable access to premises; and
- the effect on the amenities of any locality affected.

There must be actual evidence that the balancing process required by Section 122 has in substance been carried out.¹

4. Reasons for the Proposed TROs

Each of the proposed TROs includes a Statement of Reasons. In essence, the proposals are part of the "Huddersfield Blueprint" which is a 10 year vision "to create a thriving modern day town centre designed to improve access to the new Cultural Heart, Kingsgate Shopping Centre and surrounding areas".

Beyond this statement, the only stated reason for proposing the TROs is set out at the end of each Statement, and is that the Council believes that the changes will or are intended to "improve cyclist and pedestrian connectivity and safety within the town centre and specifically along Cross Church Street and Queen Street".

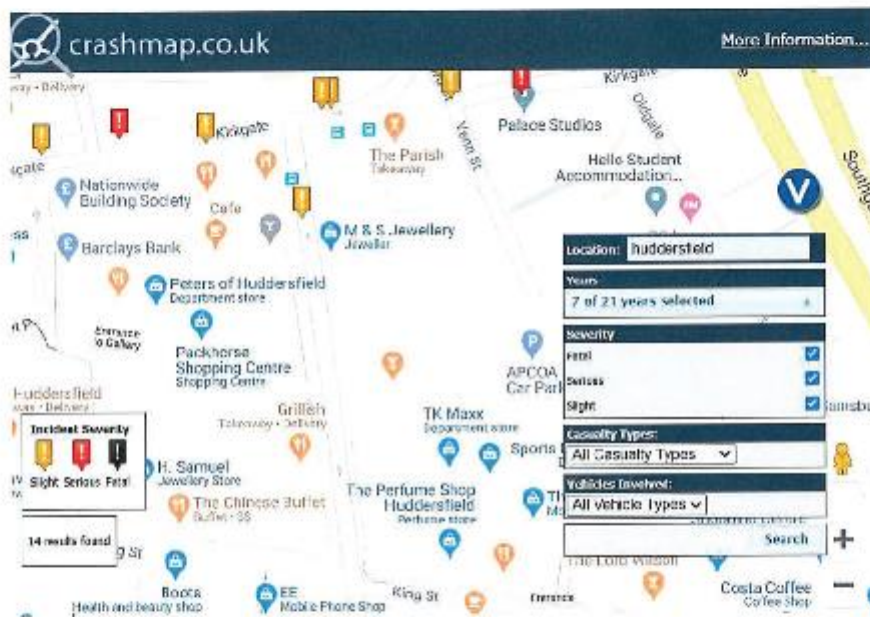
No further expansion on the basis for the Council's conclusion in this respect is set out in the Statement of Reasons.

¹ Traffic Riders Fellowship v Hampshire County Council [2019] EWCA Civ 1275

5. **Objections**

Will the TROs improve cyclist and pedestrian connectivity and safety within the town centre and specifically along Cross Church Street?

██████████ have accessed the Crashmap website and below is a screenshot of the record of collisions along Cross Church Street which have resulted in injury over the period 1st January 2013 to 30th June 2019.



Crashmap Screenshot – 01/01/13 to 30/06/19

As can be seen, there has been a single collision recorded on Cross Church Street which resulted in slight injuries to a pedestrian. This occurred on 28th February 2017 at 3.14pm. This is the only collision resulting in a casualty that has occurred in the 6.5 years being considered.

There is therefore no evidence of a road safety problem along Cross Church Street over the last 6.5 years with only a single collision recorded resulting in slight injuries. Whilst any collision is regretted, the lack of a significant road safety problem in this location does not indicate that the proposed TRO restrictions could possibly improve on an already good situation.

Appendix 3 – Objection summary and letters

.....contd.

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Pedestrian and cyclist safety therefore has no basis as a reason for making the proposed TROs in respect of Cross Church Street.

In these circumstances, there is also no basis for concluding that the proposed TROs increase pedestrian and cyclist connectivity when assessed against the current position (pedestrians and cyclists already have full access to Cross Church Street).

Restriction of Vehicular Access to [REDACTED] on Cross Church Street

[REDACTED] play an important role in both the day time and the night time town centre economy by facilitating the efficient and safe movement [REDACTED] who rely upon their service in, out of and around the town centre. [REDACTED] performs a valuable [REDACTED] in the town centre throughout the day and night (approximately [REDACTED] per week). [REDACTED] presence on Cross Church Street is therefore consistent with, and supports the implementation of, the Huddersfield Blueprint.

[REDACTED] Cross Church Street location, and the ability of customers to [REDACTED] there, is a fundamental part of this service. [REDACTED] Cross Church Street and walking elsewhere to meet it is not an option for many of [REDACTED] customers. Moreover there are no convenient alternative locations within easy walking distance where this activity could be continued without causing significant operational problems for [REDACTED]

It is therefore essential that vehicular access to [REDACTED] is secured and maintained as part of any proposed TRO. Contrary to this, the proposals will prohibit vehicular access to [REDACTED] and several other properties on Cross Church Street whose occupiers are reliant on the ability for customers to call in to the unit and place an order [REDACTED] or in the case of the hot food takeaways, for vehicles to collect hot food for delivery elsewhere.

Effect on Amenities of any Locality Affected

Depriving businesses on Cross Church Street such as [REDACTED] of vehicular access to their premises is likely to force them to relocate to less central premises which are unlikely to be as convenient to the public as they are now. The effect of the restrictions would be for these units to become vacant and the street scene / activity to be one of steady decline. This would have an adverse effect on the amenity of the locality and so be contrary to the Huddersfield Blueprint and its vision of a thriving modern day town centre.

Moreover, [redacted] ability to play their important town centre role (and important role in the implementation of the Huddersfield Blueprint) will be severely diminished by the proposed TROs, to the detriment of the amenities of the locality.

Contrary to the Statements of Reasons, the proposed TROs will therefore undermine the implementation of the Huddersfield Blueprint insofar as [redacted] and other businesses on Cross Church Street are concerned.

6. Conclusion and Summary

[redacted] and other businesses on Cross Church Street perform an important town centre role which will be severely and demonstrably harmed by the introduction of the access and waiting restrictions outlined in the proposed TROs. This is contrary to the Huddersfield Blueprint and, in accordance with RTRA s.122(2), the Council should have full regard to the need to maintain vehicular access to premises on Cross Church Street for these reasons.

The potential effect of the TRO proposals upon these businesses is likely to result in them closing and their units becoming vacant, contrary to the Huddersfield Blueprint's vision. The proposals will therefore have a detrimental effect on the amenities of the locality and this requires full consideration pursuant to RTRA s.122(2).

In addition, the lack of any evidence of a road safety problem along Cross Church Street for pedestrians, cyclists (or any other users) means that the reasons given in the Statements of Reasons for the interventions proposed by the TROs in this location are not justified.

[redacted] sought to communicate their concerns about the proposed TROs to the Council in June 2020. Whilst [redacted] welcome and support the principles outlined in the Huddersfield Blueprint, [redacted] considers that the important role played by [redacted] and other businesses on Cross Church Street needs to be recognised. Maintaining vehicular access to Cross Church Street for those businesses is fundamental to this role.

[redacted] would welcome further engagement and discussions with the Council on this matter in order to explore possible solutions to [redacted] concerns. In the meantime [redacted] objects to the proposed TROs on the above basis.

Yours faithfully


Blacks Solicitors LLP

Appendix 3 – Objection summary and letters

Objection 4 – received after closing date



MAIL BOXES ETC.®

Reference DEV/IE/D116-2011

Reference DEV/IE/D116-2010

To whom it may concern,

I am writing to express concern about the impact of elements of the proposed traffic regulation No 10 and 11 order 2020

My business, Mail Boxes Etc. is located in Queen Street,

I support the ten-year vision and the changes proposed for the Piazza and I have followed the progress of the Huddersfield Blueprint vision, making several representations to the council regarding the proposed changes to Queen Street / Cross Church Street. These have not been acted upon and, as a result, the detail of the plan requires amendment to help us to respond to the changing needs of consumers and businesses, particularly given the acceleration of moves towards Working from Home, supported by internet-based technology.

Mail Boxes Etc. offers worldwide express shipping services with couriers such as UPS and FedEx and collection and drop off services to 40 mailbox subscribers, primarily small businesses and individuals, as well as other local enterprises and their customers. Because of this, short-term (maximum duration 15 minutes or so) vehicular access to our premises is essential, particularly where couriers collect and deliver heavy parcels.

We are able to offer local customers next day delivery of most global shipments (including Europe and North America) at an economical price. For us to achieve this, drivers must collect between 11.30am and 2pm for them to hit the 6pm flight in Manchester. A 4pm collection does not allow this to happen. As a result, an extra day will be added to the shipment times for businesses in Huddersfield, Halifax and Wakefield who regularly use this service. If next day delivery is essential to them, documents and parcels will have to be taken to directly to the depot in Manchester by taxi.

Like many retail activities, my business is not hugely profitable and, over the last four months, we have seen a drop in turnover of 65%. We have adapted, offering more click and collect, print and postal services to local people working from home. As well as much larger employers who use our services, many of our mailbox subscribers are small business owners, who have the opportunity to locate their business in Leeds, Bradford and Manchester, but due to local services such as ours are able to locate their business in Huddersfield. We are proud to support them.

Mail Boxes Etc. Huddersfield • 6 Queen Street • Huddersfield • HD1 2SQ • UK
t +44(0)1484 266497 e info@mbhuddersfield.co.uk mbe.co.uk/huddersfield

Registered address: Mail Boxes Etc. (UK) Limited • 35 Cromwell Park • Chipping Norton • Oxfordshire • OX7 5BP Registered in England: 3107457
An independently owned and operated franchise

Appendix 3 – Objection summary and letters



MAIL BOXES ETC.

I have a simple suggestion as to how, without compromising the intent and operation of the scheme, it could be modified to help us to stay in business:
A No throughfare from the proposed barrier, except for access, including deliveries. This will operate the same way the bus gate operates on the High Street.
The scheduled loading bay on Queen Street, East side from a point 151 metres north of its junction with Queensgate for a distance of 12 metres in a northerly direction, to be in operation from 3am to 6pm for a period no longer than 30 minutes.

Hopefully, this objection, and the practical resolution, will find support. I am happy to discuss this with your officers and can be contacted on 01484 766497



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Appendix 4 – letter from businesses on Cross Church Street

27th July 2020

Kirklees Planning and Development
Email: local.development@kirklees.gov.uk

Leader of Kirklees Council - Cllr Shabir Pandor
Email: shabir.pandor@kirklees.gov.uk

MP for Huddersfield – Mr Barry Sheerman
Email: sheermanb@parliament.uk

Dear Kirklees Council,

Kingsgate/Cross Church Street Plans

We collectively write to object to the altering of the layout on Cross Church Street and believe this will have an overall negative impact on our businesses. The proposal to pedestrianise Cross Church Street pose a number of issues; firstly customers are already having a hard time trying to find parking in Huddersfield town centre and are resorting to travel to other places like Leeds and Manchester to shop and to stop vehicles coming through will only have a further detrimental effect.

Secondly, this proposal will only result in congestion in other parts of the town centre, which does not make sense to the problems the town already faces. The Council should be making it easier for people to get into town and making it easier for car drivers to navigate around town. When cars are able to come down the street, people can just pop in which helps businesses to boom. Pedestrianising the street will only result in the drop in the footfall in shops.

Thirdly, restricting loading to be permitted from 6am-10am and 4pm-8pm only, is far from practical for businesses which rely on delivery. It is unrealistic as deliveries can not be pre-booked for slotted times the Council has stated.

In addition, businesses have not been consulted properly in these changes. It is still unclear whether the original plans of having a new entrance to Kingsgate leisure on Cross Church Street is still going ahead. Businesses have faced years of delays and uncertainty and this has added to our stress, making it difficult to understand what is going on. Overall, communication and management of this project has been poor.

We anticipate our opinions will be taken seriously into consideration. This is not just a solo opinion but the voice of all the businesses on Cross Church Street. We therefore trust our opinions will not be overlooked and we look forward to a meeting with the people concerned to discuss this matter further.

Yours sincerely,

Business Owners on Cross Church Street

Audiovation	4 Cross Church Street	[REDACTED]	Grillish	27 Cross Church Street	[REDACTED]
Istanbul Barbers	4A Cross Church Street	[REDACTED]	Phone Tech	25 Cross Church Street	[REDACTED]
Rosiyk Kitchen	6 Cross Church Street	[REDACTED]	Chicken Village	23 Cross Church Street	[REDACTED]
IEC Abroad International	8-10 Cross Church St	[REDACTED]	Dixy Chicken	19 Cross Church Street	[REDACTED]
M&S Jewellery	12 Cross Church Street	[REDACTED]	Huddersfield Taxis	17 Cross Church Street	[REDACTED]
Kingsgate News	14 Cross Church Street	[REDACTED]	BB Noodle Bar	15 Cross Church Street	[REDACTED]
Jenifer Nail	16 Cross Church Street	[REDACTED]	C Booth & Son	13 Cross Church Street	[REDACTED]
Dr & Herbs	18 Cross Church Street	[REDACTED]	Malaika's	11 Cross Church Street	[REDACTED]
Chicken Hut	20 Cross Church Street	[REDACTED]	Ugarit	7-9 Cross Church Street	[REDACTED]
Rosiyk Enterprises	22 Cross Church Street	[REDACTED]	Five Bar	5 Cross Church Street	[REDACTED]
Aran Cuts Barbers	24 Cross Church Street	[REDACTED]	Rivers	1-3 Cross Church Street	[REDACTED]
Althams Travel Agents	26 Cross Church Street	[REDACTED]			
Revolution	28 Cross Church Street	[REDACTED]			
Revolucion de Cuba	30 Cross Church Street	[REDACTED]			

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	12			17 Street
Kinsgate	14 Cro"	stree	gar	15 Church Street
Jenifer Nail			Booth & son	13 Church Street
Ors Herbs	18			11 Cross
Chicken Hut		cross Church		7-9 crc,, Church Str.
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