

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

Appendix 3 – Objection summary and letters

.....contd.

2

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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".

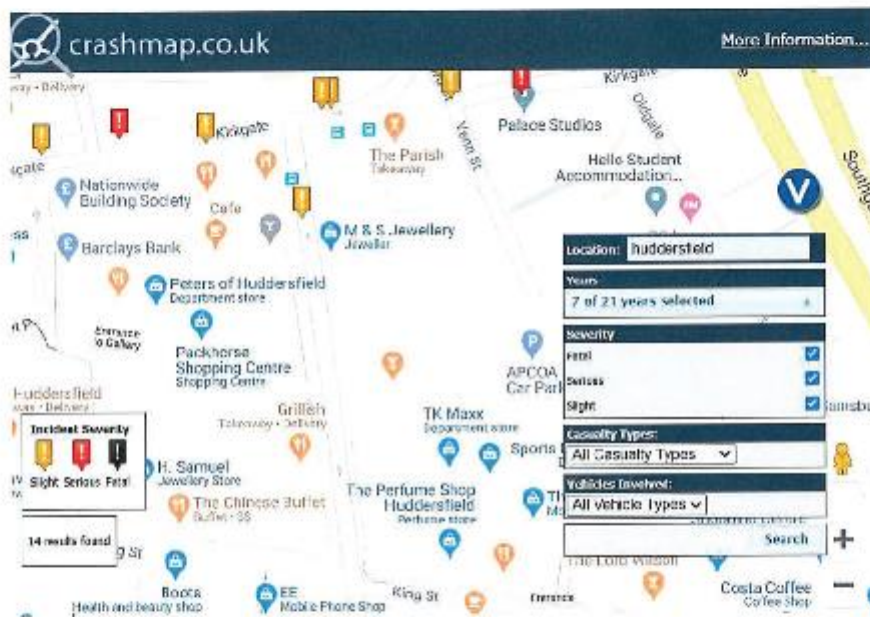
No further expansion on the basis for the Council's conclusion in this respect is set out in the Statement of Reasons.

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.

5

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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.

Appendix 3 – Objection summary and letters

.....contd.

6

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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

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@mbbehuddersfield.co.uk mbe.co.uk/huddersfield

Registered address: Mail Boxes Etc. (UK) Limited • 35 Cromwell Park • Chipping Norton • Oxfordshire • OX7 5EP Registered in England: 3107457
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Appendix 3 – Objection summary and letters



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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 8am 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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