

**KIRKLEES COUNCIL**  
**(TRAFFIC REGULATION) (NO. 52) ORDER 2009**  
**A62 LEEDS ROAD, BRADLEY, 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 a road in Bradley in Huddersfield in the Kirklees Metropolitan 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.

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

"bus lane" means the area of carriageway specified and described in Columns 1 and 2 of the Schedule to this Order and has the same meaning as in the 2002 Regulations.

"carriageway" has the same meaning as in Section 329(1) of the Highways Act 1980

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

"enforcement authority" means the Council.

"omnibus" means a vehicle travelling to a point at which it will commence to be or from a point at which it ceases to be a public service vehicle, a school bus or works bus, as the case may be.

"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.

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

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

"public service vehicle" has the same meaning as in Section 1(1) of Part I of the Public Passenger Vehicles Act 1981.

"school bus" means a motor vehicle constructed or adapted to carry twelve or more passengers and being used to carry persons to or from school.

“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.

“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.

“works bus” means a motor vehicle constructed or adapted to carry twelve or more passengers which has been provided by an employer for the purpose of carrying person employed by him to or from their place of employment and being used for that purpose...

## **PART II**

2.

### **BUS LANE**

- 2.1. Save as provided in Articles 2.2 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 vehicle other than a public service vehicle, school bus, works bus, omnibus or pedal cycle to wait at any time in the bus lane on the days and during the times specified in column 3 of the Schedule to this Order other than for the purpose of crossing it.
- 2.2. Nothing in Article 2.1 shall render it unlawful for any person to cause or permit any motor vehicle to wait in the bus lane for so long as may be necessary for any of the purposes specified in Article 2.3.
- 2.3. The purposes referred to in Article 2.2 are:
  - 2.3.1 the removal of any obstruction to traffic in the bus lane;
  - 2.3.2 police, fire brigade or ambulance purposes.
- 2.4. Nothing in this Order shall render it unlawful for any person to cause or permit any motor vehicle to wait in the bus lane for so long as may be necessary for any of the purposes specified in Article 2.5.
- 2.5. The purposes referred to in Article 2.4 are: -
  - 2.5.1 the service of any local authority or water authority in pursuance of statutory powers or duties, or to be used in connection with the supply of gas, or electricity or of any telecommunications apparatus.
  - 2.5.2 the avoidance of an accident
  - 2.5.3 the boarding or alighting of any person.

**PART III**

**3. Contraventions of Provisions of Order**

- 3.1. 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.
- 3.2. 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 IV**

**4. General**

- 4.1. 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.
- 4.2. Any reference in this Order to a Statute or Statutory Instrument shall include reference to any re-enactment or replacement thereof.
- 4.3. 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.
- 4.4. This Order shall come into operation on the 10th day of January 2011 and may be cited as the "Kirklees Council (Traffic Regulation) (No. 52) Order 2009".

**GIVEN** under the Corporate Common Seal of the Council of the Borough of Kirklees this Fifth day of January Two Thousand and Eleven.

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

Acting Assistant Director – Legal and Governance/Authorised Signatory

## SCHEDULE

### BUS LANE

COLUMN 1	COLUMN 2	COLUMN 3
Name of Road	Length affected	Days and hours of operation
1. A62 Leeds Road, Bradley, Huddersfield	North west side from a point 68.7 metres north east of the projected building line of No. 991 Leeds Road for 455 metres north eastwards.	All days All hours