

KIRKLEES COUNCIL
(MANDATORY CYCLELANE) TRAFFIC REGULATION) (NO. 10) ORDER 2017

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 make the following Order which relates to a road at A616 Woodhead Road, Berry Brow Huddersfield in the Kirklees district:-

PART I

1. **Interpretation**

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

"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.

"cycle lane" means the area of the carriageway specified and described in Column 1 of the Schedule and has the same meaning as in the 2002 Regulations.

"enforcement authority" means the Council.

"motor vehicle" has the same meaning as in Section 136 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 as amended by the Traffic Signs Regulations and General Directions 2016 (SI 2016 No.362).

PART II

Cycle Lanes

- 2.1 Save as provided in Articles 2.2 and 2.3 no person shall, except upon the direction or with the permission of a police constable in uniform or a civil enforcement officer, cause or permit any motor vehicle other than a pedal cycle to wait in a cycle lane specified in

the First Schedule on the days and during the times specified in Column 2 of the Schedule.

- 2.2 Nothing in Article 2.1 shall prohibit any person from causing or permitting any motor vehicle to wait in a cycle lane specified in the First Schedule for so long as may be necessary:

2.2.1 to be used for the removal of any obstruction to traffic;

2.2.2 to be used for police, fire and rescue or ambulance purposes;

2.2.3 to be used in the service of any local authority or water authority or with the permission of any such authority in pursuance of statutory powers or duties provided that whilst being so used it is necessary for the motor vehicle to wait in the cycle lane;

2.2.4 to avoid an accident;

2.2.5 to gain entrance to premises or land accessible only by crossing the cycle lane or to off-street loading facilities or garaging;

2.2.6 for public service vehicles at a bus stop area.

- 2.3. Nothing in Article 2.1 shall apply to the driving of any mechanical road cleansing vehicle or gully emptying machine or to do anything done with the permission or at the direction of a police constable in uniform or a civil enforcement officer.

PART III

Revocations

- 3.1 The orders referred to in Column 1 of the Second Schedule are hereby revoked to the extent shown in Column 2 of that Schedule

PART IV

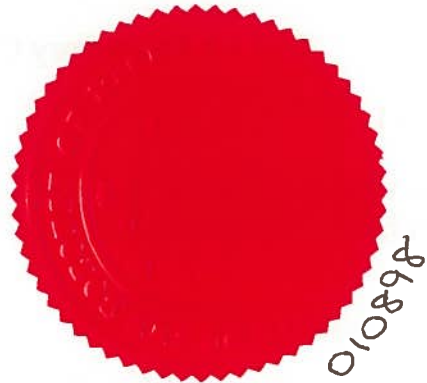
4. General

- 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. This Order shall come into operation on the 25th day of June 2018 and may be cited as the "Kirklees Council (Traffic Regulation) (No. 10) Order 2017".

GIVEN under the Corporate Common Seal of the Council of the Borough of Kirklees this 25th day of June Two thousand and Eighteen.

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

M.A. Millar



Service Director – Legal Governance and Commissioning/Authorised Signatory

FIRST SCHEDULE

Mandatory Cycle Lane – All Days All Hours

Column 1

1) A616 Woodhead Road,
Berry Brow, Huddersfield

Column 2

North-west and south-west sides from a point
53 metres south of the boundary of 28/30 for
a distance of 1042 metres south-westwards
and south-eastwards

SECOND SCHEDULE

REVOCATION

Mandatory Cycle Lane – All Days All Hours

Column 1 Order affected

Huddersfield Consolidation Order 2012

Column 2 Provisions to be revoked

14th Schedule, Item 8 (a) -

'North-west and south-west sides from a point
21 metres south of the boundary of 28/30 for
a distance of 1074 metres south-westwards
and south-eastwards'