

KIRKLEES COUNCIL

(TRAFFIC REGULATION) (NO. 36) ORDER 2021

Woodhead Road, Honley

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 Holmfirth area of the Kirklees District:-

PART I

1. Interpretation

1.1. 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

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

"Pedal Cycle" means a unicycle, bicycle, tricycle, or cycle having four or more wheels, not being in any case mechanically propelled unless it is an electrically assisted pedal cycle of such class as is to be treated as not being a motor vehicle for the purposes of the 1984 Act;

"Vehicle" means a motor vehicle, a passenger vehicle, a dual-purpose vehicle, a goods vehicle, a motorcycle or an invalid carriage or any other vehicle of any description whether drawn or propelled along a road by animal or mechanical power.

PART II

2. Mandatory Cycle Lane

2.1. Save as provided in Article 2.2, no person shall, except upon the direction or with the permission of a police constable in uniform, or civil enforcement officer, cause or permit any Vehicle other than a Pedal Cycle to enter, proceed or wait in the mandatory cycle lane set out in the Schedule to this Order, other than for the purpose of crossing it.

2.2. Nothing in Article 2.1 of this Order shall render it unlawful to cause or permit any Vehicle to travel along any part of the lengths of road referred to therein for so long as may be necessary to enable:

- 2.2.1 the Vehicle to be used for fire brigade, ambulance or police purposes in pursuance of statutory powers or duties;
- 2.2.2 the Vehicle to be used for the purposes of a local authority in pursuance of statutory powers or duties if it cannot conveniently be used for such purpose in any other road;
- 2.2.3 the Vehicle, if it cannot conveniently be used for such purpose in any other road to be used in connection with any of the following:-
- i) building, industrial or demolition operations;
 - ii) the removal of any obstruction to traffic;
 - iii) the maintenance, improvement or reconstruction of the said lengths of roads;
 - iv) the laying, erection, alteration or repair in or in land adjacent to the said lengths of road of any sewer or of any main, pipe or apparatus or the exercise of any other statutory power or duty for the maintenance and supply of gas, water or electricity or of any telecommunications system as defined in Section 4 of the Telecommunications Act 1984.
- 2.2.4 the Vehicle is required by law to stop in the said lengths of road, or is obliged to do so in order to avoid an accident, and as soon as reasonably practical thereafter, causes that Vehicle to leave the cycle lane;
- 2.2.5 the Vehicle crossing the cycle lane to gain access to, or egress from any premises situated adjacent to the cycle lane where crossing the cycle lane is necessary to achieve that access or egress.

PART III

3. General

- 3.1. 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.
- 3.2. Any reference in this Order to a Statute or Statutory Instrument shall include reference to any re-enactment or replacement thereof.
- 2.3. 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.

3.4. This Order shall come into operation on the 27th day of October 2023 and may be cited as "Kirklees Council (Traffic Regulation) (No.36) Order 2021".

GIVEN under the Corporate Common Seal of the Council of the Borough of Kirklees this 18th day of October Two Thousand and Twenty-three

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

Service Director – Legal, Governance and Commissioning/Authorised Signatory

SCHEDULE

MANDATORY CYCLE LANE

Name of Road	Length affected
Woodhead Road, Honley, Huddersfield	From a point 178m northwest of its junction with Smithy Place southwest wards to a point 33m southwest of its junction with Smithy Place