

THE COUNCIL OF THE BOROUGH OF KIRKLEES

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014, SECTIONS 59

THE COUNCIL OF THE BOROUGH OF KIRKLEES (BATLEY, BIRSTALL, FARTOWN and QUARMBY) (HIGHWAY ACCESS) PUBLIC SPACE PROTECTION ORDER 2017

This Order is made by the Council of the Borough of Kirklees (“the Council”) under Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”).

1. This Order relates to the places described in the Schedule below and defined by red colouring on the plan attached to this Order (“the Restricted Area”), being public places in the Council’s area to which the Act applies.
2. The Council is satisfied that the two conditions below have been met, in that:-
 - a. activities carried on in the Restricted Area, as described below, have had a detrimental effect on the quality of life of those in the locality, or it is likely that these activities will be carried on in the public place and that they will have such an effect, the said activities being unrestricted vehicular or pedestrian access
 - b. that the effect, or likely effect, of the activities described above –
 - (i) is, or is likely to be, of a persistent or continuing nature
 - (ii) is, or is likely to be, such as to make the activities unreasonable, and
 - (iii) justifies the restrictions imposed by this Order.
3. The effect of this Order is to impose the following requirement at all times namely that the public right of way over the highways referred to in the Schedule to this Order shall be restricted by the installation operation and maintenance of barriers.
4. The restriction imposed by paragraph 3 of this Order shall not:-
 - (i) restrict the public right of way over a highway in the restricted area for the occupiers of premises adjoining or adjacent to the highway
 - (ii) restrict the public right of way over a highway that is the only or principal means of access to a dwelling.
5. The Order will remain in force for a period of 3 years from the date of this Order, unless extended by further Orders under the Council’s statutory powers.

6. Any person who fails without reasonable excuse to comply with a requirement imposed upon him by this Order commits an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale or may be issued with a fixed penalty notice by an authorised person requiring payment of a sum not exceeding £100.

SCHEDULE

Location	Route description	Position(s) of gates/boulders
Shepherds Thorn Lane, Bradley	Greenway	Boulder at northern approach to footbridge over motorway
Ball Royd Clough, Quarmby	BOAT HUD/303/30	Gates at each end i.e. jct with Quarmby Rd and jct with Vicarage Rd
Foxglove Road Birstall (between 53 and 55) leading to Raikes Lane	Footpath BAT/12/50	Gates adjacent to 53 and 55 Foxglove Road and to the north of 54A Raikes Lane.
Access to rear 11 – 37 Willow Lane East, Fartown	Adopted highway	Gate at jct of rear Willow Lane East and Alder street
Holly Terrace Fartown	Adopted highway	Gate at jct of Holly Tce and Alder street
Hawthorn Tce Fartown	Adopted highway	Gate at jct of Hawthorne Tce and Alder street
Access to rear of Hawthorne Tce and Rose Tce Fartown	Adopted highway	Gate at jct of access to rear of Hawthorne Tce and Rose Tce and Alder Street
Rose Terrace Fartown	Adopted highway	Gate at jct of Rose Tce and Alder street
Orange Terrace Fartown	Adopted highway	Gate at jct of Orange Tce and Alder street
Access to rear of Orange Tce and Mulberry Tce Fartown	Adopted highway	Gate at jct of access to rear of Orange Tce and Mulberry Tce and Alder Street
Mulberry Terrace Fartown	Adopted highway	Gate at jct of Mulberry Tce and Alder street
Laburnum Terrace Fartown		Gate at jct of Laburnum Tce and Alder street
Access to rear of Laburnum Terrace		Gate at jct of access to rear of Laburnum Tce and Alder Street

GIVEN under the Corporate Common Seal of the Council of the Borough of Kirklees
this 22nd day of March Two Thousand and Seventeen.

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

Assistant Director – Legal, Governance and Monitoring/Authorised Signatory