

## THE COUNCIL OF THE BOROUGH OF KIRKLEES

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

#### THE COUNCIL OF THE BOROUGH OF KIRKLEES (Yateholme) (HIGHWAY ACCESS) PUBLIC SPACE PROTECTION ORDER 2021

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 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.
  - (iii) restrict access for licence holders
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

### RESTRICTED ACTIVITY

Any person who propels a vehicle within the definition of Mechanically Propelled Vehicle in section 185 Road Traffic Act 1988 or s136 Road Traffic Regulation Act 1984 unless such vehicle is listed within the exclusion below in the Restricted Area unless duly authorised by licence

### Restricted Area

The routes and point closures as shown marked red on the attached plan being that part of Brownhill Lane, Holmfirth – at a point 5 metres south of the access to the public car park by Ramsden Reservoir.

Ramsden Road, Holmfirth – at a point 140 metres north-west of its junction with White Gate Road

Rake Head Road, Holme Moss – at a point 15 metres east of its junction with the A6024 Woodhead Road

Old Gate, Holme Moss – at a point 13 metres north-east of its junction with the A6024 Woodhead Road.

Exclusion

Two wheeled motorised vehicles

### INSERT PLAN

**GIVEN** under the Corporate Common Seal of the Council of the Borough of Kirklees this [                      ] day of [                      ] Two Thousand and Twenty One

**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