

Address: 150 Wakefield Road Huddersfield HD8 0LX

### About the application

Application number: 2024/93494	
What is the application for?:	Erection of restaurant/café/bar, six guest rooms, exhibition/interpretation room
Address of the site or building:	Victoria Tower, Castle Hill, Lumb Lane, Almondbury, Huddersfield, HD4 6TA
Postcode:	

### User comments

Type of comment: An objection	
Do you wish your comments to be published on the website anonymously?	No
<p>The Local Authorities (Petitions) (England) Order 2010 prevented local councils from making decisions in matters where over 5% of the electorate had signed a petition on a matter.</p> <p>BUT in section 2 it said: <a href="https://www.legislation.gov.uk/uksi/2010/898/contents/made">https://www.legislation.gov.uk/uksi/2010/898/contents/made</a></p> <p>Excluded matters</p> <p>2. Subject to article 3, for the purposes of subsection (1)(a) of section 14 of the Act (requirement to take steps), the following matters are not to be regarded as relating to a function of a principal local authority—</p> <p>(a) any matter relating to a planning decision;</p> <p>(b) any matter relating to a licensing decision;</p> <p>(c) any other matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment.</p> <p>Specified number for petition requiring debate</p> <p>4.—(1) The number to be specified by an authority pursuant to section 15(4) of the Act (requirement to debate) must be no greater than 5% of the total local authority population.</p> <p>(2) For the purposes of paragraph (1) “total local authority population” means the estimate of the population of the area of the authority contained in the Registrar General’s population estimates for England and Wales published by the Office of National Statistics.</p> <p>So effectively, they were not matters for local petitions because the objection process was the way to appeal by.</p> <p>BUT as we see in explanatory notes:</p>	

BUT as we see in explanatory notes:

#### EXPLANATORY NOTE

(This note is not part of the Order)

This Order specifies, for England, matters that are not to be relevant matters for the purposes of section 14(1) of the Local Democracy, Economic Development and Construction Act 2009. Consequently, the petition schemes of principal local authorities in England are not required to make provision requiring the authority to take steps in response to petitions dealing with those matters.

Therefore, clearly IF IS IS NOT TO BE REGARDED AS LOCAL COUNCIL MATTER then it can & could be petitioned to HOUSE OF COMMONS BY APPEAL .. because not regarded as local. (i saw evidence for this in petitions on the 2006 Number 10 Downing Street e-petition website, that has local issues)

<https://www.legislation.gov.uk/ukpga/2009/20/section/14/enacted>

this part is repealed, but made it work with the 2010 order so that in fact AS NOT REDARDED AS LOCAL.. we thus COULD petition parliament on building & planning matters. Thus we clearly were appealing to a higher authority.

all this has been repealed by the looks of it, though only made in 2009!!!! that worked with the 2010 order

<https://www.legislation.gov.uk/ukpga/2009/20/part/1/chapter/2/enacted>

Local Democracy, Economic Development and Construction Act 2009

You are here:

UK Public General Acts 2009 c. 20 Part 1 Chapter 2

Actually created local e-petition websites rules.

Therefore pursuit of a resolution from Either of the Houses of parliament or the King, is LAWFUL in a planning order & a Valid appeal that must result in annulment of the applicants planning application.

I have created therefore & submitted e-petition number 714802

<https://petition.parliament.uk/petitions/714802> to The House of Commons. hereby declared

“A Scheduled Monument Enforcement protection Statutory Instrument for Castle Hill”

Petition wording as Follows:

A Scheduled Monument Enforcement protection Statutory Instrument for Castle Hill

Castle Hill is a univallate defended settlement in Kirklees Park. Scheduled Monument Entry Number 1005806. We have an interest in recognition as Ancient Religious site. Kirklees Council planning application 2024/62/93494/W now threatens the heritage here. Therefore we want permanent resolution

The Ancient Monuments & Archaeological Areas Act 1979 only prescribes "Scheduled

Monument Enforcement Orders” for Scotland & Wales. And although England has Section 12 Power to place ancient Monuments under guardianship (by showing an interest of ownership), As Guardian of the Monument, with Consent of a commissioner or the secretary of state. We want an actual Statutory Instrument made to protect our Scheduled Monument 1005806 from any further building or development & hereby pursue protection

i require Kirklees Council to correspond with the Secretary of State for our right to collect signatures for 6 months for this petition.

I have sent a draft Statutory Instrument to the King, Charles III, by petition as well.

Therefore this Kirklees Planning application of the applicants, must be suspended. Charles the Third by the Grace of God, King of Great Britain, Scotland, Wales, Northern Ireland & the Commonwealth, Defender of the Faith and the Faith of the Royal Charter of the Scout Association of His Majesties Privy Council. Grant Guardianship to the Electors of Kirklees by the Faith of the Ancient Monuments and Archaeological Areas Act 1979 section 12 for the Scheduled Monument listed as 1005806. That being Castle Hill, Univallate Defended Settlement at Kirklees Park - First listed 10 December 1936 - hereby Issue Order in Council “ Special Scheduled Monument Enforcement Notice” being by the Power to Place the Monument under Guardianship hereby. That no building development, planning consent or order shall be passed by Kirklees metropolitan Council concerning planning application 2024/62/93494/w and that from the 22 of January 2025 no building, development, houses, restaurant, cafe, pub or other permanent building that requires consent from council, will be built on the monument, around or within the monument. And that Kirklees Metropolitan Council will fulfill its obligation as public trust and landowner to defend the Scheduled monument from any threat of building, and that the interest of ownership, being partly of the public, who have a right of occupation of the site and since time immemorial, the trust of the protection of the site perpetually invested. This order shall be known as:- The Castle Hill (permanent) Protection Enforcement order 2025