

321KIRKLEES COUNCIL

(TRAFFIC REGULATION) (NO. 12) ORDER 2023

VARIOUS ROADS IN BATLEY AND HECKMONDWIKE

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 Batley 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:-

“civil enforcement area” has the meaning given by Schedule 8 of the 2004 Act.

“civil enforcement officer” has the meaning given by S.76 of the 2004 Act.

"disabled person's badge" has the same meaning as in the 2000 Regulations and the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000.

"disabled person's motor vehicle" means a motor vehicle lawfully displaying a disabled person's badge and which immediately before or after any period of waiting allowed by virtue of this Order has been or is to be driven by a disabled person or has been or is to be used for carrying disabled persons as passengers.

“enforcement authority” means the Council.

"goods" has the same meaning as in the Road Traffic Act 1988.

“parking disc” has the same meaning given by regulation 8(5) of the 2000 Regulations

“penalty charge” has the meaning given by S.92 of the 2004 Act.

"postal packets" has the same meaning as in the Postal Services Act 2000.

“relevant position” in relation to a disabled person’s badge has the same meaning as in Regulation 12 of the Disabled Person’s (Badges for Motor Vehicles) (England) Regulations 2000 and the 2000 Regulations

"relevant position" in relation to a parking disc means:-

- (i) the disc is exhibited on the dashboard or fascia of the motor vehicle; or
- (ii) where the motor vehicle is not fitted with a dashboard or fascia the disc is exhibited in a conspicuous position on the motor vehicle

so that the period during which waiting began is clearly legible from the outside of the motor vehicle.

“subordinate legislation” has the same meaning as in Section 21 of the Interpretation Act 1978.

"telecommunications apparatus" has the same meaning as in the Telecommunications Act 1984.

"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 2004 Act” means the Traffic Management Act 2004.

PART II

2. Prohibitions and Restriction on Waiting

2.1. Save as provided in Articles 2.2, 2.3 and 2.4 no person shall, except upon the direction or with the permission of a police constable in uniform or of a civil enforcement officer, cause or permit any motor vehicle to wait at any time in the lengths of road specified in the First Schedule.

2.2. Nothing in Articles 2.1 shall prohibit any person from causing or permitting any motor vehicle to wait in the length of road specified in the First Schedule for so long as may be necessary: -

2.2.1. to enable a person to board or alight from the motor vehicle;

2.2.2. to enable the motor vehicle, if it cannot be conveniently used for such purpose in any other road, to be used in connection with any wedding or funeral, building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of the length of road so specified or the laying, erection, alteration or repair in or near

the said length of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus;

- 2.2.3. if the motor vehicle is a Mobile Speed Camera Unit or an Automatic Number Plate Recognition Vehicle;
 - 2.2.4. to enable the motor vehicle, if it is in the service of the Post Office or other universal service provider to be used for the purpose of delivering or collecting postal packets;
 - 2.2.5. to enable the motor vehicle to be used in the length of road so specified for police, ambulance, fire brigade, local authority or water authority purposes when used in pursuance of statutory powers or duties;
 - 2.2.6. if the motor vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond the control of the driver, or to such waiting as is necessary to prevent an accident;
 - 2.2.7. for the purpose of loading or unloading the motor vehicle whilst it is in actual use in connection with the removal or delivery of furniture to or from any premises fronting, adjoining or abutting the said length of road, provided that notice is given twenty-four hours in advance to the Police and their consent obtained;
- 2.3. Nothing in Articles 2.1 shall prohibit any person from causing or permitting any motor vehicle to wait in the length of road specified in the First Schedule for so long as may be necessary to deliver to or collect from or load or unload goods at any premises fronting onto the said length of road provided that no motor vehicle so engaged shall wait for longer than 30 minutes outside the same premises without the permission of a police constable in uniform or a civil enforcement officer and provided always that a police constable in uniform or a civil enforcement officer may at any time require the driver of a motor vehicle to move it if it is necessary for the purposes of preventing obstruction.
- 2.4. Nothing in Articles 2.1 shall render it unlawful to cause or permit any motor vehicle to wait for a period not exceeding 3 hours (not being a period separated by an interval of less than 1 hour from the previous period of waiting by the same motor vehicle in the same road or part of road on the same day) in any of the lengths of road specified in the First Schedules if the motor vehicle is a disabled person's motor vehicle which displays in the relevant positions:-
- (a) a disabled person's badge, and
 - (b) a parking disc issued by any local authority in accordance with the provisions of the 2000 Regulations, or a badge having effect under those Regulations as if it were a disabled person's badge, and the driver or other person in charge of the motor vehicle marks on the parking disc the time at which the period of waiting began.

PART III

3. Right Turn Restriction

- 3.1 Save upon the direction or with the permission of a police constable in uniform or of a civil enforcement officer no person shall cause or permit any vehicle proceeding in the lengths of road specified in Column 1 of the Second Schedule to this Order to make a right turn into the lengths of road specified in Column 2 of the said Schedule

PART IV

4. Left Turn Restriction

- 4.1 Save upon the direction or with the permission of a police constable in uniform or of a civil enforcement officer no person shall cause or permit any vehicle proceeding in the lengths of road specified in Column 1 of the Third Schedule to this Order to make a left turn into the lengths of road specified in Column 2 of the said Schedule

PART V

5. Revocations

- 5.1 The orders referred to in Column 1 of the Fourth Schedule are hereby revoked to the extent shown in Column 2 of that Schedule.

PART VI

6. Contraventions of Provisions of Order

- 6.1. Where a motor vehicle is left in a parking place or in any road or length of road in contravention of any provision of this Order such contravention shall be dealt with in accordance with the provisions of the 2004 Act and any subordinate legislation made under it.
- 6.2. The amount of the penalty charge for a parking contravention and, where applicable, the charges for the removal, storage and disposal of a vehicle shall be as set from time to time by the enforcement authority in accordance with the Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 or any re-enactment or replacement thereof and published by it.

PART VII

7. General

- 7.1. 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.
- 7.2. Any reference in this Order to a Statute or Statutory Instrument shall include reference to any re-enactment or replacement thereof.
- 7.3. 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.
- 7.4. This Order shall come into operation on the 29th day of February 2024 and may be cited as "Kirklees Council (Traffic Regulation) (No.12) Order 2023".

GIVEN under the Corporate Common Seal of the Council of the Borough of Kirklees this 20th day of February Two Thousand and Twenty-four

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

FIRST SCHEDULE

NO WAITING AT ANY TIME:

COLUMN 1	COLUMN 2	COLUMN 3
Name of Road	Length affected	Days and hours of operation
1. Asquith Fields, White Lee, Batley	Both sides from the junction of White Lee Road for a distance of 10 metres north-eastwards	All days All hours
2. Batley Road, Heckmondwike	North-west side from a point 19 metres south-west of its junction with White Lee Road a point 12 metres south-west of the projected building line forming the north-eastern boundary of The Crofts	All days All hours
3. Carlinghow Lane, Carlinghow, Batley	a) North side from its junction of White Lee Road to a point 78 metres north-west of the projected centreline of Brighton Close	All days All hours
	b) South side from the junction of White Lee Road to a point 60 metres north-west of the projected centreline of Brighton Close	All days All hours
4. Charnwood Bank, White Lee, Batley	Both sides from the junction of White Lee Road for a distance of 10 metres eastwards	All days All hours
5. Dale Lane, Heckmondwike	Both sides from the junction of White Lee Road for a distance of 10 metres eastwards	All days All hours
6. Delmont Close, White Lee, Batley	Both sides from the junction of White Lee Road for a distance of 10 metres north-eastwards	All days All hours

COLUMN 1	COLUMN 2	COLUMN 3
Name of Road	Length affected	Days and hours of operation
7. Healey Lane, Healey, Batley	a) North-west side from a point 27 metres north-east of its junction with White Lee Road to a point 15 metres north-east of the centreline of the access to Healey Lane Business Centre	All days All hours
	b) South-east side from a point 29 metres north-east of its junction with Common Road to a point 15 metres north-east of the extended centreline of the access leading to Healey Lane Business Centre	All days All hours
	c) South-east side from the junction of West Park Road to a point 15 metres north-east of the extended centreline of the access leading to Healey Lane Business Centre	All days All hours
8. Leeds Old Road, White Lee, Batley	South side from the junction of White Lee Road for a distance of 3 metres in a south-westerly direction	All days All hours
9. Leaside Road, White Lee, Batley	Both sides from the junction of White Lee Road For a distance of 10 metres in a south-westerly direction	All days All hours
10. Oliver Road, Heckmondwike	Both sides from its junction with White Lee Road for a distance of 10 metres south-westwards	All days All hours
11. Smithies Moor Lane, Birstall, Batley	Both sides from the junction of White Lee Road For a distance of 30 metres in a north easterly direction	All days All hours

COLUMN 1	COLUMN 2	COLUMN 3
Name of Road	Length affected	Days and hours of operation
12. Sunny View, White Lee, Batley	Both sides from the junction of White Lee Road for a distance of 10 metres in an easterly direction	All days All hours
13. Tyndale Walk, White Lee, Batley	Both sides from the junction of White Lee Road for a distance of 10 metres westwards	All days All hours
14. West Park Road, Healey, Batley	a) North-east side from the north-eastern junction of Healey Lane / West Park Road to the north-western building boundary line of 53 West Park Road	All days All hours
	b) South-west side from the centreline of the extended junction of Healey Lane travelling north-east to the rear of West Park Road to the north-western building boundary line of 53 West Park Road	All days All hours
15. White Lee Close, White Lee, Batley	Both sides from the junction of White Lee Road for a distance of 10 metres south-westwards	All days All hours
16. White Lee Croft, Batley	Both sides from the junction of White Lee Road for a distance of 10 metres in a north-easterly direction	All days All hours
17. White Lee Road, White Lee, Batley	a) East side from the north-west junction of Riding Street for a distance of 10 metres in a northerly direction	All days All hours

COLUMN 1	COLUMN 2	COLUMN 3
Name of Road	Length affected	Days and hours of operation
	b) East side from the junction of Carlinghow Hill to a point 25 metres north of the extended centreline of Riding Street	All days All hours
	c) East side from the junction of Riding Street to the junction of Sunny View	All days All hours
	d) East side from the south-west junction of Sunny View for a distance of 13 metres in a southerly direction	All days All hours
	e) East side from a point 2 metres north of its junction with the projected centreline of Tyndale Walk for a distance of 20 metres in a southerly direction	All days All hours
	f) East side from a point 16 metres south of the projected centreline of Charnwood Bank to a point 26 metres north-westwards of the junction of Healey Lane	All days All hours
	g) North-east side from a point 15 metres north of the projected centreline of Traith Court to a point 15 metres south of the projected centreline of Traith Court	All days All hours
	h) North-east side from a point 15 metres north-west of its junction with the projected centreline of White Lee Croft to a point 47 metres south of its junction with the projected centreline of White Lee Croft	All days All hours

COLUMN 1	COLUMN 2	COLUMN 3
Name of Road	Length affected	Days and hours of operation
	i) North-east side from a point 27 metres north-west of the projected centreline of Jail Road to a point 15 metres south-east of the projected centreline of Jail Road	All days All hours
	j) North-east side from a point 24 metres north of the projected centreline of Kester Road to a point 20 metres south-west of the projected centreline of Kester Road	All days All hours
	k) North-east side from the projected centreline of Asquith Fields for a distance of 15 metres in a north-westerly direction	All days All hours
	l) North-east side from the junction of Asquith Fields to the junction of Delmont Close	All days All hours
	m) North-east side from the extended south-western kerbline of Delmont Close for a distance of 12 metres in a south-easterly direction	All days All hours
	n) North-east side from its junction with Smithies Moor Lane To its junction with Carlinghow Lane	All days All hours
	o) South-west side from a point 20 metres from the projected centreline of Leaside Road southwards to a point 20 metres south of the projected centreline of Leaside Road	All days All hours

COLUMN 1	COLUMN 2	COLUMN 3
Name of Road	Length affected	Days and hours of operation
	p) South-west side from a point 15 metres north-west of the projected centreline of White Lee Close to a point 15 metres south-westwards of the projected centreline of White Lee Close	All days All hours
	q) South-west side from a point 15 metres north-west of the projected centreline of Oliver Road to a point 15 metres south-east of the projected centreline of Oliver Road	All days All hours
	r) South-west side from its junction with the projected south-eastern kerbline of Leeds Old Road for a distance of 14 metres in a south-easterly direction	All days All hours
	s) South-west side from the junction of Dale Lane to a point 45 metres north-west of the projected centreline of Delmont Close	All days All hours
	t) South-west side from the south-eastern projected boundary of Dale Lane to a point 23 metres south-east of the projected centreline of Dale Lane	All days All hours
	u) West side from a point 23 metres north of its junction with the projected centreline of Leefield Road southwards to a point 15 metres south of its junction with the projected centreline of Leefield Road	All days All hours

COLUMN 1	COLUMN 2	COLUMN 3
Name of Road	Length affected	Days and hours of operation
	v) West side from a point 15 metres north-westwards of the projected centreline of Tyndale Walk to a point 15 metres south-eastwards of the projected centreline of Tyndale Walk	All days All hours
	w) West side from a point 39 metres southeast of its projected south-eastern kerbline of Leeds Old Road To a point 11 metres south of its junction with the projected centreline of the Fairfield School Car Park access	All days All hours
	x) West side from a point 95 metres north of its junction with the projected centreline of Leefield Road for a distance of 46 metres in a southerly direction	All days All hours
	y) West side from the centreline of Charnwood Bank for a distance of 15 metres northwards	All days All hours

SECOND SCHEDULE

NO RIGHT TURN

From	To
Common Road at its junction with Batley Road–West Park Road, Heckmondwike	West Park Road, Heckmondwike
Batley Road at its junction with Common Road–White Lee Road, Heckmondwike	Common Road, Heckmondwike

THIRD SCHEDULE

NO LEFT TURN

From	To
Common Road at its junction with Batley Road–West Park Road, Heckmondwike	Batley Road, Heckmondwike

FOURTH SCHEDULE

REVOCATIONS

COLUMN 1	COLUMN 2	COLUMN 3
Order Number	Schedule	Item
KIRKLEES COUNCIL (TRAFFIC REGULATION) (BATLEY AREA) (CONSOLIDATION) ORDER 2017	10 th Schedule – Item 3	Item related to Healey Lane, north-west from a point 28 metres north-east of its junction with White Lee Road for a distance of 12 metres north-eastwards
KIRKLEES COUNCIL (TRAFFIC REGULATION) (BATLEY AREA) (CONSOLIDATION) ORDER 2017	1 st Schedule – Item No 103	Item related to Smithies Moor Lane, Batley, north from its junction with White Lee Road for 11 metres eastwards
Kirklees Council (Traffic Regulation) (No.10) Order 2019	1 st schedule	Item related to White Lee Road, Batley, both sides from a point 10 metres north of the projected northern kerb line of Leefield Road for a distance of 31 metres southwards