

**THE BOROUGH COUNCIL OF CALDERDALE (BRIGHOUSE TIP) (TRAFFIC  
REGULATION) (NO.1) ORDER 20\*\***

The Borough Council of Calderdale in exercise of its powers under Sections 1, 2 and 4 of the Road Traffic Regulation Act 1984 (as amended) (“the 1984 Act”) and the Traffic Management Act 2004 and of all other enabling powers, and after consultation with the Chief Officer of Police in accordance with Part III and Part IV of Schedule 9 to the 1984 Act, hereby makes the following Order:

**PART 1**  
**GENERAL**

**Citation and Commencement**

1. This Order is made the \*\* day of \*\* 20\*\* and may be cited as the Borough Council of Calderdale (Brighouse TIP) (Traffic Regulation) (No.1) Order 20\*\* and shall come into operation on \*\* 20\*\*.

**Interpretation**

2. (1) In this Order, except where the context otherwise required, the following expressions have the meanings hereby respectively assigned to them:-

“the 2016 Regulations” means the Traffic Signs Regulations and General Directions 2016 (as amended);

“Council” means the Borough Council of Calderdale and includes any contractors or authorised agents appointed by or acting on behalf of the Council for the purposes of any function under the provisions of this Order;

“goods carrying vehicle” means a motor vehicle or trailer which is constructed or adapted for use for the carriage or haulage of goods or burden and is not drawing a trailer;

“Invalid Carriage” has the same meaning as in Section 20 of the Chronically Sick and Disabled Persons Act 1970;

“loading or unloading” means the waiting of a vehicle for the commercial purpose of the delivery of goods to or the receipt of goods from adjacent premises, the volume, weight or bulk of the goods being such that it would not be reasonable to expect the goods to be otherwise delivered or received;

“motor vehicle” has the same meaning as in Section 136 of the 1984 Act;

“PCSO” means a Police Community Support Officer authorised to carry out traffic duties;

“pedal cycle” has the same meaning as in Schedule 1 to the 2016 Regulations;

“permit” means any valid permit issued by the Council under the provisions of this Order

“permit holder(s)” means a person to whom a permit has been issued under the provisions of this Order;

“road” means any length of highway or of any other road to which the public has access, and includes bridges over which a road passes;

“telecommunications apparatus” has the same meaning as defined in Section 405 of the Communications Act 2003;

“trailer” has the same meaning as in Section 136 of the 1984 Act;

“vehicle” means a mode of transport including a motor vehicle, trailers, pedal cycle-scooter or any other vehicle of any description whether drawn or propelled along a road by animal or mechanical power;

“Wheelchair” means an invalid wheelchair or carriage propelled by hand.

- (2) The Interpretation Act 1978 shall apply to this Order as it applies to an Act of Parliament.
- (3) Where a provision of this Order is in conflict with a provision contained in a previous Order, the provisions of this Order shall prevail.
- (4) Where a statute, statutory instrument, specification of regulations are referred to such reference shall include an amendment or replacement thereof.
- (5) 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 of having effect as if made under the 1984 Act or by or under and other enactment.
- (6) 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 where the context requires it.
- (7) Nothing in this Order shall restrict a police officer in uniform from performing his duties if an emergency situation arises.

## **PART 2** **PROHIBITION OF DRIVING**

3. Save as provided in Article 6 to this Order no person shall, except upon the direction of a police officer in uniform or a PCSO, cause or permit any motor vehicle to proceed in the lengths of road specified in Schedule 1, items 1, 6 and 8 to this Order other than for the purpose of loading or unloading at premises fronting onto the said lengths of road between the hours of 4pm to 10am on Monday to Sunday inclusive provided that for the avoidance of any doubt this article shall not apply to a vehicle that is an Invalid Carriage, Wheelchair, perambulator, handcart or a Pedal Cycle.
4. Save as provided in Article 6 to this Order no person shall, except upon the direction of a police officer in uniform or a PCSO, cause or permit any motor vehicle to proceed in the lengths of road specified in Schedule 1, items 2, 3 and 7 to this Order except for access.
5. Save as provided in Article 6 to this Order no person shall, except upon the direction of a police officer in uniform or a PCSO, cause or permit any motor vehicle to proceed in the lengths of road specified in Schedule 1, items 4 and 5 to this Order provided that for the avoidance of any doubt this article shall not apply to a vehicle that is an Invalid Carriage, Wheelchair, perambulator, handcart or a Pedal Cycle
6. Nothing in Article 3, 4 and 5 to this Order shall prohibit any person from causing or permitting any motor vehicle to proceed in the lengths of road specified if the motor vehicle:-
  - (a) is being used for police, ambulance, or NHS Trust vehicles when responding to emergencies, fire brigade, local authority or water authority purposes when used in pursuance of statutory powers or duties;
  - (b) is being used, and cannot conveniently be used for such purposes in any other road, for 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 telecommunication apparatus;

- (c) is in the service of the Universal Service Provider and is being used for the purpose of delivering or collection of Postal Packets;
- (d) requires access to or egress by a Disabled Person Displaying a Disabled Person's Badge from any premises situated on or adjacent to the said length of Road or any other premises or Roads accessible from and only from the said length of Road.

### **PART 3**

#### **ONE WAY STREETS**

- 7. Save as provided in Article 8 to this Order no person shall, except upon the direction of a police officer in uniform or a PCSO, cause or permit any vehicle to proceed in the roads specified in column 2 and 3 of schedule 2 to this order in a direction other than specified in relation to that length of road in column 4, other than pedal cycles where specified in Column 5 of the said schedule.
- 8. Nothing in Article 7 to this Order shall apply:-
  - (a) to a vehicle being used for police, ambulance, or NHS Trust vehicles when responding to emergencies, fire brigade, local authority or water authority purposes when used in pursuance of statutory powers or duties;
  - (b) to the driving of a mechanical road-cleansing vehicle when used for that purpose at any time in accordance with any contractual arrangements entered into by the Council for the purpose of cleansing of the streets.

### **PART 4**

#### **PROHIBITION OF VEHICLES EXCEEDING 7.5 TONNE MAXIMUM GROSS WEIGHT**

- 9. Save as provided in Article 10 to this Order no person shall except upon the direction of or with the permission of a police constable in uniform or a PCSO cause or permit any heavy commercial vehicle to proceed in the lengths of road specified in Column 2 to the extents shown in column 3 of Schedule 3 to this order, other than permit holders.
- 10. Nothing in Article 9 to this Order shall apply:-
  - (a) to a vehicle being used for police, ambulance, or NHS Trust vehicles when responding to emergencies, fire brigade, local authority or water authority purposes when used in pursuance of statutory powers or duties;
  - (b) to the driving of a mechanical road-cleansing vehicle when used for that purpose at any time in accordance with any contractual arrangements entered into by the Council for the purpose of cleansing of the streets.

### **PART 5**

#### **REVOCATIONS**

- 11. The items in the Orders listed in Schedule 4 to this Order are hereby revoked to the extent specified.

**THE COMMON SEAL of THE BOROUGH COUNCIL OF CALDERDALE**

was hereunto affixed on the \*\* day of \*\* 20\*\*  
in the presence of:-

**SCHEDULE 1**  
**PROHIBITION OF DRIVING**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Item No.</b>	<b>Road Name</b>	<b>Extent</b>	<b>Restriction Detailed in Article</b>
1	Bethel Street	From Park Street to Market Street	3
2	Bethel Street car park	From a point 20m east of its junction with Canal Street in a westerly direction to its junction with Canal Street	4
3	Canal Street	From a point 7m south its junction with Bethel Street in a southerly direction to its terminal end	4
4	Canal Street	From its junction with Bethel Street for a distance of 7m in a southerly direction.	5
5	Church Lane	From its junction with Commercial Street for a distance of 13m in a northerly direction	5
6	Commercial Street	From Market Street to Park Street	3
7	Ship Street	From Canal Street to Briggate	4
8	West Park Street	The whole length	3

**SCHEDULE 2**  
**ONE WAY STREETS**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>	<b>Column 5</b>
<b>Item No.</b>	<b>Road Name</b>	<b>Extent</b>	<b>Direction</b>	<b>Site Specific Exemptions</b>
1	Bethel Street	From Huddersfield Road to Market Street	South-westerly	Pedal cycles
2	Bradford Road	From Huddersfield Road to King Street	Northerly	Pedal cycles
3	Briggate	From Bethel Street to Commercial Street	North-westerly	
4	Commercial Street	From Briggate to Bradford Road	Easterly	Pedal cycles between Market Street and Park Street
5	King Street	From Commercial Street to Lawson Road	Easterly	
6	Market Street	From Commercial Street to Briggate	Southerly	
7	Park Street	From Bethel Street to Commercial Street	Northerly	
8	Ship Street	From Canal Street to Briggate	Westerly	Pedal cycles
9	West Park Street	From Park Street to Market Street	Westerly	Pedal cycles

**SCHEDULE 3**

**PROHIBITION OF VEHICLES EXCEEDING 7.5 TONNES MAXIMUM GROSS WEIGHT**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Item No.</b>	<b>Road Name</b>	<b>Extent</b>
1	Bethel Street	The whole length
2	Bradford Road	From Huddersfield Road to Hangram Street
3	Briggate	The whole length
4	Canal Street	The whole length
5	Commercial Street	The whole length
6	Ganny Road	The whole length
7	Gooder Street	From Church Lane to Ganny Road
8	Hangram Street	The whole length
9	King Street	The whole length
10	Market Street	The whole length
11	Park Row	The whole length
12	Park Street	The whole length
13	Ship Street	The whole length
14	West Park Street	The whole length

**SCHEDULE 4**  
**REVOCATIONS**  
**One-way streets**

Item	Column 1	Column 2
1	The West Yorkshire Metropolitan County Council (Calderdale) (Traffic Regulation) (No.9) Order 1976	The second schedule, items 2 (Canal Street) 4 (Commercial Street) 5 (King Street) 6 (Market Street) 7 (Park Street) 8 (Ship Street)
2	The West Yorkshire Metropolitan County Council (Calderdale) (Traffic Regulation) (No.12) Order 1979	The second schedule in its entirety (Bethel Street)
3	The West Yorkshire Metropolitan County Council (Calderdale) (Traffic Regulation) (No.11) Order 1982	The second schedule, item No.1 (Briggate)
4	The Borough Council Of Calderdale (Traffic) (Regulation) (No.6) Order 1996	The first schedule, item No.1 (Bradford Road)