Draft Order laid before Parliament under section 7(2) of the Localism Act 2011 to which the Secretary of State has recommended that the negative resolution procedure under section 16 of the Legislative and Regulatory Reform Act 2006 should apply.

D R A F T S T A T U T O R Y I N S T R U M E N T S

2019 No.

LOCAL GOVERNMENT, ENGLAND

The Harrogate Stray Act 1985 (UCI Road World Championships) Order 2019

Made - - - - ***

Coming into force in accordance with article 1

The Secretary of State, in exercise of the powers conferred by section 5(1), (5)(b) and (6) of the Localism Act 2011(**a**), makes the following Order.

The Secretary of State considers that provisions of, or made under, the Harrogate Stray Act 1985(**b**) prevent or restrict the general power conferred by section 1 of the Localism Act 2011 which Harrogate Borough Council seeks to exercise for the purpose specified in this Order.

The Secretary of State considers the conditions contained within section 6(2) of the Localism Act 2011 are satisfied.

The Secretary of State has consulted in accordance with section 5(7) of the Localism Act 2011 and has, following this consultation and in accordance with section 7(2) of the Localism Act 2011, laid a draft Order and explanatory document before Parliament.

Pursuant to section 15 of the Legislative and Regulatory Reform Act 2006(**c**), the negative resolution procedure (within the meaning of Part 1 of that Act) applies in relation to the making of the Order.

Neither House of Parliament resolved within the 40-day period referred to in section 16(3) of that Act that the Secretary of State should not make the Order(**d**).

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Harrogate Stray Act 1985 (UCI Road World Championships) Order 2019 and comes into force on the day after the day on which it is made.

(**a**) 2011 c. 20.
(**b**) 1985 c. xxii.
(**c**) 2006 c. 51.
(**d**) The expression "40-day period" is defined in section 16(7)(b) of the Legislative and Regulatory Reform Act 2006.

(2) In this Order—

"the Act" means the Harrogate Stray Act 1985;
"the Council" means Harrogate Borough Council; and
"the 2019 UCI Road World Championships" means the 2019 annual world championships for bicycle road racing overseen by the Union Cycliste Internationale (UCI) and organised by Yorkshire 2019 Ltd(**a**).

Temporary disapplication and amendment of provisions of the Harrogate Stray Act 1985 and related byelaws

2.—(1) To enable the Council to facilitate the hosting of part of the 2019 UCI Road World Championships, the following provisions of the Act are disapplied for the period specified in paragraph (5) in relation to the areas specified in paragraph (6)—

(a) section 4(2) to (4) (management of the Stray);

(b) section 5 (access to the Stray);

(c) section 6(4) (limitations on the ability of the Council to grant a licence to inclose the Stray for specified purposes).

(2) To enable the Council to facilitate the hosting of part of the 2019 UCI Road World Championships, section 6(1)(d) of the Act is amended for the period specified in paragraph (5) so that the words "not more than 12" and "in any year" are omitted.

(3) The following are to be disregarded for the purposes of section 6 of the Act as it applies to the year in which the period specified in paragraph (5) falls (other than to that period)—

(a) any temporary encroachments of the kind mentioned in subsection (1)(d) of that section during that period;

(b) any period during that period for which the Harrogate Stray is inclosed.

(4) To enable the Council to facilitate the hosting of part of the 2019 UCI Road World Championships, the following provisions of the byelaws relating to the Harrogate Stray made by the Council on 8th February 2011(**b**) are disapplied for the period specified in paragraph (5) in relation to the areas specified in paragraph (6)—

(a) byelaw 3 (prohibition of removal of soil or plants);

(b) byelaw 17 (prohibition of use of radios etc. causing annoyance).

(5) The period specified for the purposes of paragraphs (1) to (4) begins at 07:00 on Monday 9th September 2019 and ends at 22:00 on Friday 4th October 2019.

(6) The areas specified for the purpose of paragraphs (1) and (4) are the areas shown by grey hatching and labelled "Area 1" and "Area 2" on the map prepared by the Council marked "Map 1 referred to by the Harrogate Stray Act 1985 (UCI Road World Championships) Order 2019" of which prints, signed by a member of the Senior Civil Service in the Ministry of Housing, Communities and Local Government and dated 8th March 2019, are deposited and available for inspection at the offices of the Secretary of State for Housing, Communities and Local Government and at the offices of the Council.

Signed by authority of the Secretary of State for Housing, Communities and Local Government

Name
Parliamentary Under Secretary of State
Date Ministry of Housing, Communities and Local Government

(**a**) Registered at Companies House with company number 10495676.
(**b**) A copy of the byelaws is available at the offices of Harrogate Borough Council, Civic Centre, St Luke's Avenue, Harrogate, North Yorkshire, HG1 2AE and at https://www.harrogate.gov.uk/downloads/file/332/stray_byelaws.

EXPLANATORY NOTE

(This note is not part of the Order)

The Harrogate Stray Act 1985 is a local Act which confers powers, obligations and restrictions on Harrogate Borough Council in respect of the management of the area in Harrogate known as the Stray.

Section 5(1) of the Localism Act 2011 gives the Secretary of State power to amend, repeal, revoke or disapply a provision that prevents or restricts a local authority from exercising the general power of competence under section 1 of the Localism Act. This Order is made under this power.

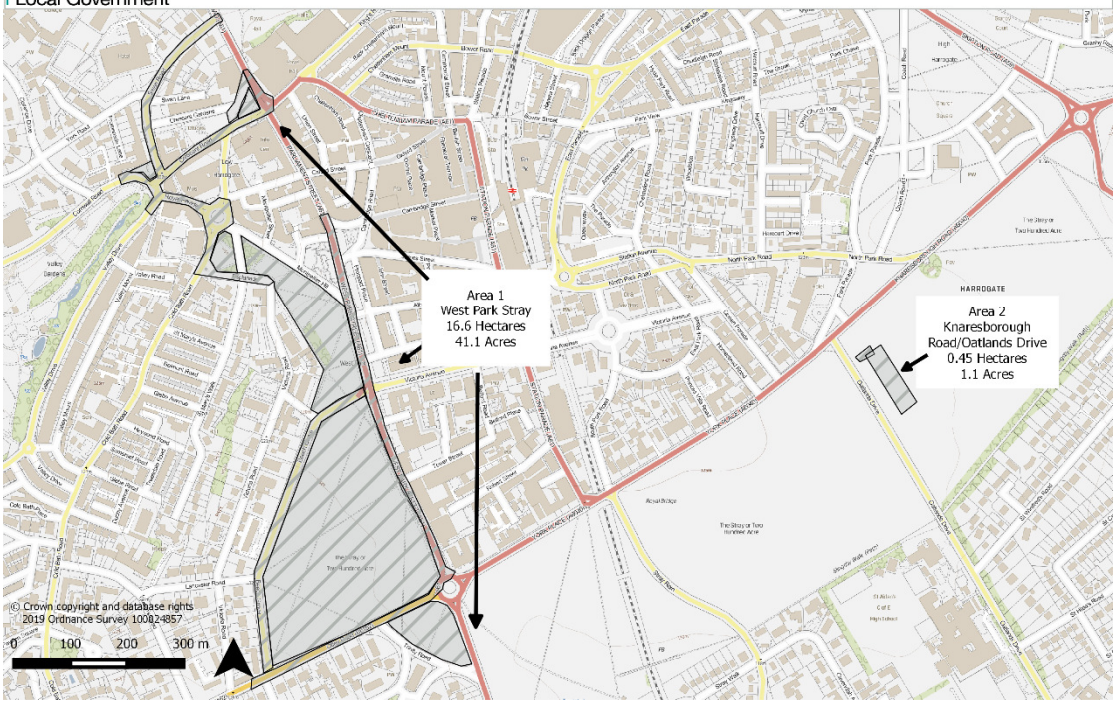
This Order temporarily disapplies or amends the provisions of the Harrogate Stray Act 1985 and related byelaws set out in article 2(1), (2) and (4) for the period of time specified in article 2(5). The disapplications are made to enable Harrogate Borough Council to facilitate the hosting of part of the 2019 UCI Road World Championships.

Copies of the map showing the areas to which the disapplications apply have been prepared by Harrogate Borough Council and have been deposited in the offices of the Secretary of State for Housing, Communities and Local Government (2, Marsham Street, London SW1P 4DF) and the offices of Harrogate Borough Council (Civic Centre, St Luke's Avenue, Harrogate, North Yorkshire HG1 2AE). An indicative map prepared by the Ministry of Housing, Communities and Local Government is included below.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

Ministry of Housing, Communities & Local Government

Map 1 referred to by the Harrogate Stray Act 1985 (UCI Road World Championships) Order 2019



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