

DATED

27 June

2008

**LEEDS CITY COUNCIL
(PARKING PLACES) (NO.11)
ORDER 2008**

**HOLTDALE APPROACH
LEEDS 16**

ON-STREET PARKING PLACE

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Ref: A76/JAK/871221

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Leeds City Council (hereinafter referred to as "the Council") in exercise of the powers contained in Sections 1, 2, 32 and 35 of the Road Traffic Regulation Act 1984 (hereinafter referred to as "the 1984 Act") and in pursuance of the powers contained in Section 73 and Schedule 7 of the Traffic Management Act 2004 and of all other powers so enabling and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act and with those persons and organisations specified in the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 hereby makes the following Order:-

DEFINITIONS

1 For the purposes of this Order:-

" a person authorised by the Council"	means a police constable in uniform a traffic warden or a parking attendant
"invalid carriage"	has the same meaning as in Section 136 of the 1984 Act
"motor cycle"	has the same meaning as in Section 136 of the 1984 Act
"civil enforcement officer"	means a person authorised by the Council to supervise any parking place
"parking place"	means any area on a highway designated by Articles 2 and 22 as a parking place for the leaving of motor vehicles
"universal service provider"	has the same meaning as in the Postal Services Act 2000

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- 2 The area of highway in Holt Park in the Metropolitan District of Leeds which is described as a parking place in Column 2 of the Schedule hereto is hereby designated as a parking place
- 3 The limits of the parking place shall be indicated on the carriageway in accordance with road markings as indicated by the current Traffic Signs Regulations and General Directions .
- 4 Every vehicle left in the parking place shall stand in the position specified in Column 3 of the Schedule to this Order
- 5 Where any vehicle is standing in the parking place in contravention of the provisions of Article 4 a civil enforcement officer may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions
- 6 Where a civil enforcement officer is of the opinion that any of the provisions contained in this Order have been contravened or not complied with in respect of a vehicle left in the parking place he/she may remove or cause to be removed the vehicle from the parking place
- 7 Any person removing or altering the position of a vehicle by virtue of Articles 5, 6 or 10 may do so by towing or driving the vehicle or in such other manner as he/she may think necessary and may take such measures in relation to the vehicle as he/she may think necessary to enable him/her to remove it or alter its position as the case may be
- 8 When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from the parking place by virtue of Article 6 of this Order he/she shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle

- 9 Any vehicle so removed from the parking place may be disposed of in accordance with Sections 101 to 103 of the 1984 Act
- 10 Any person duly authorised by the Council may in the case of emergency move or cause to be moved to any place he thinks fit a vehicle left in the parking place
- 11 Any person duly authorised by the Council may suspend the use of the parking place whenever he/she considers such suspension reasonably necessary always
- PROVIDED THAT** adequate prior notice has been received:
- 11.1 for the purpose of facilitating the movement of traffic or promoting its safety
- 11.2 for the purpose of any building engineering or construction operation
demolition or excavation adjacent to or in the parking place
- 11.3 for the purpose of maintenance improvement or reconstruction of the parking place or the laying erection alteration or repair in or near the parking place of any sewer or of any main pipe or apparatus for the supply of gas water or electricity or of any telecommunications apparatus as defined in Section 4(3) of the Telecommunications Act 1984
- 11.4 for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture from one building to another
- 11.5 on any such occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed
- 11.6 for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals or on other special occasions
- 12 A police constable in uniform may suspend for not longer than twenty-four hours the use of the parking place whenever he/she considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety

- 13 At the discretion of the Chief Officer of Police the parking place may be suspended by him whenever he considers such suspension reasonably necessary to enable the Police to discharge their duties
- 14 Subject to the proviso contained in Article 16 of this Order any person suspending the use of the parking place in accordance with the provisions of Articles 11, 12 and 13 of this Order shall thereupon place or cause to be placed upon the relevant part of the parking bay traffic cones (as described in Diagram 7101 in Schedule 12 Part II to the Traffic Signs Regulations and General Directions 2002) or such other traffic cones or lights as are appropriate to indicate that waiting by vehicles is prohibited
- 15 Subject to the provisions of Article 14 of this Order if the use of the parking place is suspended for any of the purposes set out in Article 11 of this Order except Article 11.1 a charge of £10.00 (or such other charge as the Council may from time to time determine) may at the discretion of the person suspending the use of the parking place be payable by the person or body requesting the suspension of use of the parking place in respect of each day or part thereof during which use of the parking place is suspended
- 16 Subject to the proviso contained herein no person shall cause or permit any vehicle to be left in the parking place during such period as there is a cover notice traffic cone sign or light placed within the parking place in pursuance of Article 14 of this Order **PROVIDED THAT** nothing in this paragraph shall apply to:
- 16.1 any vehicle being used for Fire Brigade Ambulance or Police purposes or any Local Authority purposes or for any purpose specified in Article 11.1
- 16.2 any other vehicle if that vehicle is so left with the permission of the person who authorised the suspension of use of the parking place in accordance with

the foregoing provisions of this Article or a police constable in uniform or a traffic warden

- 17 Unless prior written consent has been granted by the Council no person shall:
 - 17.1 use a vehicle while it is in the parking place in connection with the sale or advertisement of anything to persons in or near the parking place or in connection with the selling or offering for hire of his skill or services
 - 17.2 use any part of the parking place with any building structure mechanical device or other physical feature therein or any vehicle left therein to display advertising material nor to place upon or attach to any vehicle in the parking place any advertising material to induce the public to participate in or frequent any place function or gathering for the purpose of demonstration or entertainment or to buy or hire or otherwise obtain anything or the skill or services of any person and nothing shall be displayed to induce the public to engage for gain in any lottery sweepstake raffle or competition
- 18 Without prejudice to the foregoing provisions of this Order with respect to vehicles which are left in the parking place in accordance with those provisions any other vehicle may wait in a parking place if:
 - 18.1 the vehicle is waiting only for so long as is necessary to enable a person to board or alight from the vehicle
 - 18.2 the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident
 - 18.3 the vehicle is a vehicle used for Fire Brigade purposes or an Ambulance or a vehicle in the service of a Local Authority or a vehicle in the service of a

Police Force in such cases being used in pursuance of statutory powers or duties

18.4 the vehicle is waiting only for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic

18.5 the vehicle is in the service of a universal service provider and is waiting while postal packets addressed to premises adjacent to the parking place in which the vehicle is waiting are being unloaded from the vehicle or having been unloaded therefrom are being delivered or while postal packets are being collected from premises or post boxes adjacent to the parking place in which the vehicle is waiting or is in use in connection with the servicing of telephone kiosks adjacent to the parking place

18.6 the vehicle is waiting only for so long as may be reasonably necessary to enable it to be used for any of the purposes specified in Articles 11.2 to 11.6 and the use of the vehicle for any such purpose or the amount of time during which the vehicle will remain in the parking place for that purpose does not in the opinion of the Council warrant the suspension of use of the parking place

18.7 the vehicle is waiting for the purpose of delivering or collecting goods or merchandise or loading or unloading the vehicle at premises adjacent to the parking place in which the vehicle is waiting and the vehicle does not wait for more than thirty minutes or such longer period as a police constable in uniform or a traffic warden or duly authorised officer of the Council may authorise

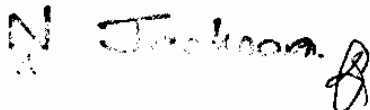
19 Nothing in Article 18 shall be taken as authorising anything which would be a contravention of the Road Vehicles Lighting Regulations 1989 or any amendment or variations thereto

- 20 A person causing or permitting a vehicle to wait in the parking place by virtue of Article 18 shall take all necessary steps to ensure that the vehicle is left in accordance with Article 4
- 21 The Council may carry out such other work as is reasonably required for the purpose of the satisfactory operation of the parking place

GENERAL

- 22 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 1984 Act or by or under any other enactment
- 23 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
- 24 This Order is made on the 27th day of June 2008 and shall come into force on the 1st day of July 2008 and may be cited as the "Leeds City Council (Parking Places) (No.11) Order 2008"

THE COMMON SEAL of
LEEDS CITY COUNCIL was
hereunto affixed in the presence of:



Assistant Chief Executive (Corporate Governance)

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Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Item number	Part of road authorised to be used as street parking place	Position in which vehicles may wait	Classes of vehicles	Days and Times of operation of parking place	Maximum period for which vehicles may wait
1	HOLTDALE APPROACH (NORTH SIDE) – From a point 47 metres east of the projected western kerbline of Holtdale Gardens for a distance of 52 metres in an easterly direction	Wholly within the limits of the parking place as marked out in accordance with road markings as indicated by the current Traffic Signs Regulations and General Directions in such a position as to not obstruct the movement of other vehicles.	Motor cars, motor cycles and invalid carriages	Between 8 am and 9 am and between 2.30 pm and 3.30 pm on Monday to Friday inclusive	20 minutes - no return within 40 minutes