

DATED

1 September

2008

**LEEDS CITY COUNCIL  
(PARKING PLACES) (N0.5)  
ORDER 2008**

**BOROUGHGATE/KIRKGATE/MANOR SQUARE  
OTLEY**

**ON-STREET PARKING PLACES  
AND  
PARKING PLACES FOR VEHICLES DISPLAYING  
A DISABLED PERSONS BADGE**

**Nicolé Jackson  
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Civic Hall  
LEEDS LS1 1UR**

**Ref: A76/JAK/871207**

**LEEDS CITY COUNCIL  
(PARKING PLACES) (NO.5)  
ORDER 2008**

**BOROUGHGATE/KIRKGATE/MANOR SQUARE  
OTLEY**

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:-
- |  |  |
|--|--|
| <b>" a person authorised by the Council"</b> | means a police constable in uniform a traffic warden or a parking attendant  |
| <b>"civil enforcement officer"</b>           | means a person authorised by the Council to supervise any parking place  |
| <b>"disabled persons badge"</b>              | has the same meaning as in Regulation 2 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 |
| <b>"invalid carriage"</b>                    | has the same meaning as in Section 136 of the 1984 Act   |
| <b>"motor cycle"</b>                         | has the same meaning as in Section 136 of the 1984 Act   |
| <b>"parking bay"</b>                         | shall mean any area of a highway within a parking place designated by Articles 2 and 22                                |

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 a 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 a 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 a parking place
- 11 Any person duly authorised by the Council may suspend the use of a 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 bay
- 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 a 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 a 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 a 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 the current Traffic Signs Regulations and General Directions) 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 a 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 a 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 a 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 a 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 a 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 twenty 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 a parking bay 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

#### **DISABLED PARKING**

- 22 The areas of highway in Otley in the Metropolitan District of Leeds which are described as parking places in Column 2 of the Second Schedule hereto are hereby designated as parking places for vehicles which display in the relevant position a disable persons badge and a parking disc issued by any local authority in accordance with the provisions of the Disabled Persons (Badges for Motor vehicles) (England) Regulations 2000
- 23 The limits of the parking place and each parking bay within a parking place shall be indicated on the carriageway in accordance with the current Traffic Signs Regulations and General Directions
- 24 Every vehicle left in a parking place shall stand in the position specified in relation to that parking place in Column 3 of the Second Schedule to this Order

- 25 Where any vehicle is standing in a parking place in contravention of the provisions of Article 24 a parking attendant may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions
- 26 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 any vehicle left in a parking place he/she may remove or cause to be removed the vehicle from the parking place
- 27 Any person removing or altering the position of a vehicle by virtue of Articles 25, 26 or 30 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
- 28 When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of Article 26 of this Order he/she shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle
- 29 Any vehicle so removed from a parking place may be disposed of in accordance with Sections 101 to 103 of the Act of 1984
- 30 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 any vehicle left in a parking place
- 31 Any person duly authorised by the Council may suspend the use of a parking place whenever he/she considers such suspension reasonably necessary:
- 31.1 for the purpose of facilitating the movement of traffic or promoting its safety
- 31.2 for the purpose of any building engineering or construction operation  
demolition or excavation adjacent to or in the parking place

- 31.3 for the purpose of maintenance improvement or reconstruction of the parking place or the laying erection alteration or repair in or near the or 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 or of any traffic sign
- 31.4 for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture from one office or dwellinghouse to another or the removal of furniture from such premises to a depository or to such premises from a depository
- 31.5 on any such occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed
- 31.6 for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals or on other special occasions
- 32 A police constable in uniform may suspend for not longer than twenty-four hours the use of a parking place whenever he/she considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety
- 33 At the discretion of the Chief Officer of Police a parking place may be suspended by him whenever he considers such suspension reasonably necessary to enable the Police to discharge their duties
- 34 Any person suspending the use of a parking place in accordance with the provisions of Articles 31, 32 and 33 of this Order shall thereupon place or cause to be placed upon the relevant part of the parking bay traffic cones (as described in the current Traffic Signs Regulations and General Directions) or such other traffic signs as are appropriate to indicate that waiting by vehicles is prohibited

- 35 The Council may carry out such other work as is reasonably required for the purpose of the satisfactory operation of the parking bay

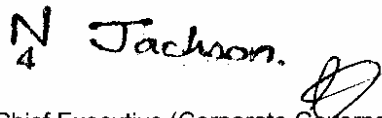
**GENERAL**

- 36 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

- 37 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

- 38 This Order is made on the 1<sup>st</sup> day of September 2008 and shall come into force on the 5<sup>th</sup> day of September 2008 and may be cited as the "Leeds City Council (Parking Places) (No.5) Order 2008"

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

N  
4 Jackson.

Assistant Chief Executive (Corporate Governance)

**LEEDS CITY COUNCIL  
(PARKING PLACES) (NO.5)  
ORDER 2008**

**BOROUGHGATE/KIRKGATE/MANOR SQUARE  
OTLEY**

**FIRST SCHEDULE**

**ON-STREET PARKING PLACES**

Lengths of Road in Otley in the Metropolitan District of Leeds

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	BOROUGHGATE (SOUTH SIDE) – From a point 76.2 metres east of its junction with Kirkgate in an easterly direction to a point 50 metres west of its junction with Wesley Street	Wholly within the limits of the parking place marked out in accordance with Diagram Number 1028.4 in Schedule 6 of The Traffic Signs and General Directions 2002 in such a position as to not obstruct the movement of other vehicles.	Motor cars, motor cycles and invalid carriages	All days – between 8.00 am and 6.00 pm	1 hour -no return within 2 hours.

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
2	KIRKGATE (EAST SIDE) - From a point 58.9 metres south of its junction with Market Place in a southerly direction to its junction with Mercury Row	Wholly within the limits of the parking place marked out in accordance with Diagram Number 1028.4 in Schedule 6 of The Traffic Signs and General Directions 2002 in such a position as to not obstruct the movement of other vehicles.	Motor cars, motor cycles and invalid carriages	All days - Between 8.00 am and 6.00 pm	1 hour - no return within 2 hours.
3	MANOR SQUARE (WEST SIDE) - From a point 29.9 metres north of its junction with Beech Hill in a northerly direction for a distance of 12.2 Metres	ditto	ditto	ditto	ditto
4	BOROUGHGATE/CROSS GREEN (NORTH SIDE) - From a point 20 metres east of its junction with the projected eastern kerbline of Wesley Street in an easterly direction for a distance of 128.5m	ditto	ditto	ditto	ditto

**SECOND SCHEDULE  
PARKING PLACES FOR VEHICLES DISPLAYING A DISABLED PERSONS BADGE**

**Lengths of Road in Otley in the Metropolitan District of Leeds**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>	<b>Column 5</b>	<b>Column 6</b>
<b>Item number</b>	<b>Part of road authorised to be used as a parking place for vehicles displaying a Disabled Persons Badge</b>	<b>Position in which vehicles may wait</b>	<b>Classes of vehicles</b>	<b>Days and hours of operation of parking place</b>	<b>Maximum period for which vehicles may wait</b>
<b>1</b>	<b>BOROUGHGATE (SOUTH SIDE) –</b> From a point 63 metres east of its junction with Kirkgate for a distance of 13.2 metres in an easterly direction	Wholly within the limits of the parking bay marked out in accordance with Diagram Number 1028.3 in Schedule 6 of The Traffic Signs and General Directions 2002 and in such a position as to not obstruct the movement of other vehicles.	Vehicle displaying in the relevant position a disabled persons badge. Invalid carriage.	All days and All hours	4 hours - no return within 1 hour.
<b>2</b>	<b>KIRKGATE (EAST SIDE) –</b> From a point 45.7 metres south of its junction with Market Place for a distance of 13.2 metres in a southerly direction	ditto	ditto	ditto	ditto

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Item number	Part of road authorised to be used as a parking place for vehicles displaying a Disabled Persons Badge	Position in which vehicles may wait	Classes of vehicles	Days and hours of operation of parking place	Maximum period for which vehicles may wait
3	MANOR SQUARE (NORTH SIDE) – From a point 26.3 metres north of its junction with Beech Hill for a distance of 3.6 metres in a northerly direction	Wholly within the limits of the parking bay marked out in accordance with Diagram Number 1032 in Schedule 6 of The Traffic Signs and General Directions 2002 and in such a position as to not obstruct the movement of other vehicles	Vehicle displaying in the relevant position a disabled persons badge. Invalid carriage.	All days and All Hours	4 hours - no return within 1 hour.
4	BOROUGHGATE/CROSS GREEN(NORTH SIDE) - From a point 27.6 metres west of its junction with the projected western kerbline of Garnett Street for a distance of 6.6 metres in an easterly direction	Wholly within the limits of the parking bay marked out in accordance with Diagram Number 1028.3 in Schedule 6 of The Traffic Signs and General Directions 2002 and in such a position as to not obstruct the movement of other vehicles	ditto	ditto	ditto