

DATED

14 November

2008

LEEDS CITY COUNCIL  
(PARKING PLACES) (NO.4)  
ORDER 2008

BOAR LANE  
LEEDS

PROVISION OF LOADING BAY

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Ref: A76/JAK/871274

**LEEDS CITY COUNCIL  
(PARKING PLACES) (NO.4)  
ORDER 2008**

**BOAR LANE  
LEEDS**

**PROVISION OF LOADING BAY**

Leeds City Council (hereinafter referred to as "the Council") in exercise of the powers contained in Sections 1, 2, 32 and 35 and Part IV of Schedule 9 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 civil enforcement officer   |
| <b>"invalid carriage"</b>                    | has the same meaning as in Section 136 of the 1984 Act  |
| <b>"loading bay"</b>                         | means that part of a road authorised by this Order to be used as a parking place for the purpose of loading or unloading goods as specified in the First Schedule to this Order |
| <b>"motor cycle"</b>                         | has the same meaning as in Section 136 of the 1984 Act  |
| <b>"motor vehicle"</b>                       | has the same meaning as in Section 136 of the 1984 Act  |
| <b>"civil enforcement officer"</b>           | means a person authorised by the Council to supervise any parking place   |

**"parking place"**

means any area on a highway designated by Article 2 as a parking place for the leaving of motor vehicles

**"universal service provider"**

has the same meaning as in the Postal Services Act 2000

- 2 That part of the road specified in Column 1 of the First Schedule to this Order is authorised to be used subject to the following provisions of this Order as a loading bay for such class of vehicle for such purposes in such positions and during such hours on such days as are specified in relation thereto in the said First Schedule
- 3 Nothing in Article 2 shall restrict the power of the Council for preventing obstruction of the part of the road specified therein by Order on the occasion of any public procession rejoicing or illumination or where the said part of the road is thronged or liable to be obstructed to close or part close any such loading bay
- 4 Where in the First Schedule to this Order the loading bay is described as available for vehicles of a specified class engaged in a specified purpose and in a specified position the driver of a vehicle shall not permit it to wait in that loading bay
- 4.1 unless it is of the specified class engaged in the specified purpose
- 4.2 in a position other than that specified
- 5 Every vehicle using the loading bay shall wait thereon in such a position as is specified in Column 2 of the First Schedule to this Order in relation to that loading bay
- 6 The driver of a vehicle shall not permit it to wait in the loading bay for longer than is necessary for the purpose of loading or unloading goods only and in any event for no longer than the maximum period permitted for waiting specified in Column 6 of the said First Schedule to this Order in relation to that loading bay
- 7 Save as provided in Articles 9, 10, 11 and 12 of this Order the driver of a vehicle other than that of a specified class permitted to use the loading bay shall not use the

loading bay unless authorised to do so by a police constable in uniform or a traffic warden **PROVIDED THAT** no vehicle shall use the loading bay

7.1 so as unreasonably to prevent access to any premises adjoining the part of the road specified in Column 1 of the First Schedule to this Order or to prevent the use of the road by other persons or so as to be a nuisance

7.2 when for preventing obstruction of the road the Council by an Order made on the occasion of any public procession rejoicing or illumination or where the road is thronged or liable to be obstructed have closed the loading bay and exhibited notice of such closure on or near the loading bay

**PROVIDED ALWAYS** that a police constable in uniform or traffic warden may at any time require the driver of a vehicle to move it if it is reasonably necessary for the purpose of preventing obstruction

- 8 Subject to the provision hereto when a vehicle is left in the loading bay in contravention of the provisions of Articles 4, 5, 6 and 7 of this Order a police constable in uniform or a traffic warden may remove the vehicle or arrange for it to be removed from that loading bay or may alter or cause to be altered the position of the vehicle in Order that its position shall comply with those provisions
- 9 A police constable in uniform or a traffic warden may in case of emergency move or cause to be moved to any place he or she thinks fit any vehicle left in the loading bay
- 10 A police constable in uniform or a traffic warden may suspend the use of the loading bay or any part thereof whenever he or she considers such suspension reasonably necessary:-
- 10.1 for the purposes of facilitating the movement of traffic or promoting its safety
- 10.2 for the convenience of the occupiers of premises adjacent to the loading bay on any occasion of the removal of furniture from one building to another

10.3 for the purpose of any building operation maintenance or demolition or excavations adjacent to the loading bay or the maintenance or reconstruction of the loading bay or the laying erection alteration or repair in or adjacent to the loading bay of any sewer or 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 A police constable in uniform or a traffic warden suspending the use of the loading bay or any part thereof in accordance with the provisions of Article 10 of this Order shall thereupon place or cause to be placed in or adjacent to the loading bay or part thereof the use of which is suspended a traffic sign indicating that waiting by vehicles is prohibited
- 12 Save as provided in Article 13 of this Order no person shall cause or permit a vehicle to be left in the loading bay or part thereof as the case may be during such period as there is in or adjacent to the loading bay a traffic sign placed in pursuance of Article 11 of this Order
- 13 Nothing in Articles 4, 7 or 12 of this Order shall prohibit any person from causing or permitting any vehicle to wait in the loading bay for so long as may be necessary:-
- 13.1 to enable a person to board or alight from the vehicle
- 13.2 to enable a vehicle if it cannot conveniently be used for such purpose in any other road to be used in connection with any building operation or demolition or the removal of any obstruction in the part of the road specified in Column 1 of the First Schedule to this Order or the laying erection alteration or repair in or near the said part of the road 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

- 13.3 to enable a vehicle bearing the livery of a universal service provider to be used for the purpose of delivering or collecting postal packages as defined in Section 87 of the Post Office Act 1953
- 13.4 to enable a vehicle to be used in the said part of the road for police ambulance fire brigade local authority sewerage or water undertakers purposes when being used in pursuance of statutory powers or duties
- 13.5 if a vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting as is necessary to prevent an accident
- 13.6 for the purpose of loading or unloading a vehicle while it is in actual use in connection with the delivery or removal of furniture to or from any premises adjacent to the loading bay **PROVIDED THAT** notice is given to the police not less than twenty four hours in advance of such use and their consent to such use is obtained

#### GENERAL

- 14 The Orders specified in Column 1 of the Second Schedule to this Order are hereby amended/revoked to the extent specified in Column 2 of the said Second Schedule
- 15 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
- 16 For the avoidance of doubt any reference in this Order to a length of road or a loading bay shall be deemed to be a reference to more than one length of road or loading bay where the context requires it

17 This Order is made on the 14<sup>th</sup> day of November 2008 and shall come into force on the 17<sup>th</sup> day of November 2008 and may be cited as the "Leeds City Council (Parking Places) (No.4) Order 2008"

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



Assistant Chief Executive (Corporate Governance)

LEEDS CITY COUNCIL  
(PARKING PLACES)(NO.4)  
ORDER 2008

BOAR LANE  
LEEDS

FIRST SCHEDULE

AREA OF HIGHWAY DESIGNATED AS PARKING PLACE FOR THE PURPOSE OF LOADING AND UNLOADING GOODS

Length of road in the Metropolitan District of Leeds

| Column 1<br>Part of road authorised to be used<br>street parking place  | Column 2<br>Position in which<br>vehicles may wait   | Column 3<br>Class of vehicles<br>permitted                               | Column 4<br>Days of<br>operation of<br>parking place | Column 5<br>Hours of<br>operation of<br>parking place | Column 6<br>Maximum<br>period for<br>which vehicles<br>may wait |
|---|--|--|--|---|---|
| BOAR LANE – SOUTH SIDE – from<br>a point 8 metres west of the<br>projected western kerbline of New<br>Station Street for a distance of<br>20 metres in a westerly direction | Wholly within the limits<br>of the loading bay<br>marked out in<br>accordance the current<br>Traffic Signs<br>Regulations and<br>General Directions. | Any vehicle used for<br>the purpose of<br>loading and<br>unloading goods | All days.  | 7 am to 7 pm  | 30 minutes –<br>no return within<br>1 hour                      |

**SECOND SCHEDULE**

**AMENDMENT/REVOCAION OF EXISTING ORDERS**

| ITEM NUMBER | COLUMN 1<br>TITLE OF ORDER   | COLUMN 2<br>EXTENT OF AMENDMENT/<br>REVOCAION  |
|-------------|--|--|
| 1           | Leeds City Council<br>(Traffic Regulation)<br>(No.19) Order<br>1999<br>(Part 1)            | Item 2 in the Eighth Schedule is hereby revoked  |
| 2           | Leeds City Council<br>(Traffic Regulation)<br>(No.19) Order<br>1999<br>(Part 2)            | Item 4 in the Seventh Schedule is hereby revoked   |
| 3.          | Leeds City Council<br>(Traffic Regulation)<br>(No.19) Order<br>1999<br>(Part 2)            | <p>Item 5 in the First Schedule is hereby amended to read:-</p> <ul style="list-style-type: none"> <li data-bbox="879 936 1235 1066">(i) from its junction with the projected eastern kerbline of Park Row in an eastern direction for a distance of 60 metres</li> <li data-bbox="879 1099 1235 1252">(ii) from a point 11 metres west of the projected western kerbline of Mill Hill for a distance of 26metres in an easterly direction</li> <li data-bbox="879 1285 1235 1525">(iii) from a point 8 metres west of the projected western kerbline of New Station Street in an easterly direction to the junction with the projected western kerbline of the western access road to Traveilyn Square</li> </ul> |
| 4           | Leeds City Council<br>(Traffic Regulation)<br>(Waiting Restrictions)<br>(No.26) Order 2207 | Item 51 in the First Schedule is hereby revoked  |