

## **STATEMENT OF REASONS FOR PROPOSING TO MAKE THE ORDER**

As part of the proposed Middleton Park Circus bus stop works there is a requirement to improve the existing traffic management of Middleton Park Circus and adjoining streets. The works include the improvement and re-alignment of the existing bus stop to meet DDA standards and also the realignment of the eastern kerblines to create parking places for the purposes of loading and unloading which will improve customer and business access as well as improve the current traffic management issues to allow for superior vehicular movements.

It is proposed to introduce an Order to prohibit all users, except for any vehicle used for the purpose of loading and unloading goods for a maximum of 30 minutes, no return within 1 hour.

The ward members, emergency services and Metro have been consulted and are all in support of the scheme.

**LEEDS CITY COUNCIL  
(TRAFFIC REGULATION) (WAITING RESTRICTIONS)  
(NO.W06) ORDER  
2010**

**MIDDLETON PARK CIRCUS LEEDS**

**PARKING PLACES FOR LOADING AND UNLOADING**

Leeds City Council has made the above Order on 23 July 2010 under the powers contained in the Road Traffic Regulation Act 1984. The effect of the Order which comes into force on the 26 day of July 2010 will be to introduce parking places for the purpose of loading and unloading for a maximum period of 30 minutes on the east side of Middleton Park Circus from a point 15 metres south of the southern kerb line on Middleton Park Road for a distance of 30 metres.

A copy of the Order together with a plan showing the affected sections of highway may be examined during normal office hours at the Legal, Licensing & Registration Reception Desk, 1<sup>st</sup> Floor, St. George House, Great George Street, Leeds 1 and at Middleton St George's Centre, St George's Road, Leeds LS10 4UZ.

If you wish to object to question the validity of the Order or any provision contained within it on the ground that it is not within the powers of the Road Traffic Regulation Act 1984, or on the grounds that any requirements of the Act or any instrument made under the Act has not be complied with in relation to the Order, you may within 6 weeks from the date upon which the Order was made, apply to the High Court for this purpose.

Dated this 23 day of July 2010

Nicolé Jackson  
Assistant Chief Executive (Corporate Governance)  
Civic Hall  
LEEDS LS1 1UR

DATED this Twenty-Third day of July 2010

LEEDS CITY COUNCIL  
(TRAFFIC REGULATION) (WAITING RESTRICTIONS)  
(NO.W06) ORDER  
2010

MIDDLETON PARK CIRCUS LEEDS  
PARKING PLACE FOR LOADING AND UNLOADING

NICOLÉ JACKSON  
Assistant Chief Executive (Corporate Governance)  
Civic Hall  
LEEDS

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LEEDS CITY COUNCIL  
(TRAFFIC REGULATION) (WAITING RESTRICTIONS)  
(NO.W06) ORDER  
2010

MIDDLETON PARK CIRCUS LEEDS

PARKING PLACE FOR LOADING AND UNLOADING

Leeds City Council (hereinafter referred to as "the Council") as traffic authority for roads in the Leeds Metropolitan District in exercise of the powers contained in Sections 1, 2, 32, 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 civil enforcement officer
<b>"civil enforcement officer"</b>	means a person employed by the Council for the enforcement of road traffic contraventions
<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>"parking disc"</b>	means a valid disc issued by a local authority 125 millimetres square, coloured blue and capable of showing the quarter hour period during which a period of waiting began
<b>"parking place"</b>	Means that part of the road authorised to be as a parking place for the purpose of loading or unloading goods as specified in the Second Schedule to this Order

“relevant position”	has the same meaning as given in Regulation 4 of the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000
“universal service provider”	has the same meaning as in the Postal Services Act 2000

**AREA OF HIGHWAY DESIGNATED AS A PARKING PLACE FOR THE PURPOSE OF LOADING OR UNLOADING GOODS**

- 1 The part of the road specified in Column 2 of the First Schedule to this Order is authorised to be used subject to the following provisions of this Order as a parking place 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
- 2 Nothing in Article 1 shall restrict the power of the Council for preventing obstruction of the parts of the roads 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 parking place
- 3 Where in the First Schedule to this Order the parking place 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 parking place
  - 3.1 unless it is of the specified class engaged in the specified purpose
  - 3.2 in a position other than that specified
- 4 Nothing in Article 1 of this Order shall prohibit any person from causing or permitting any vehicle to wait in the length of road specified therein for so long as may be necessary ;
  - 4.1 to enable a person to board or alight from the vehicle
  - 4.2 to enable a vehicle to wait in the said length of road if it is a vehicle bearing a livery which is used by a universal service provider engaged in the collection and/or delivery of letters in accordance with statutory duties for the provision of services for the conveyance of letters

- 4.3 to enable a vehicle to be used in the said length of road for police ambulance fire brigade local authority sewerage or water undertakers purposes when used in pursuance of statutory powers or duties
- 4.4 if a vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or for such waiting as is necessary to prevent an accident
- 4.5 for the purpose of loading or unloading the vehicle while it is in actual use in connection with the delivery or removal of furniture to or from any premises fronting onto the said length of road **PROVIDED THAT** notice is given 24 hours in advance to the police and their consent obtained
- 5 Every vehicle using the parking place shall wait thereon in such a position as is specified in Column 3 of the First Schedule to this Order in relation to the parking place
- 6 The driver of a vehicle shall not permit it to wait in the parking place 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 parking place
- 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 parking place shall not use the parking place unless authorised to do so by a police constable in uniform or a traffic warden **PROVIDED THAT** no vehicle shall use the parking place
- 7.1 so as unreasonably to prevent access to any premises adjoining the part of the road specified in Column 2 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 parking place

**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

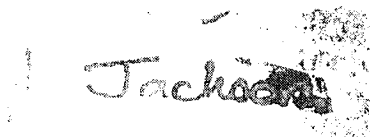
- 8 Subject to the provision hereto when a vehicle is left in the parking place in contravention of the provisions of Articles 3, 5, 6 and 7 of this Order a police constable in uniform or a traffic warden may remove the vehicle or arrange for it to be removed from that parking place or may alter or cause 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 parking place
- 10 A police constable in uniform or a traffic warden may suspend the use of the parking place 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 parking place 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 parking place or the maintenance or reconstruction of the parking place or the laying erection alteration or repair in or adjacent to the parking place 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

**GENERAL**

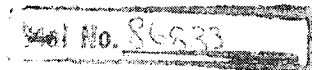
- 11 The restrictions imposed by this Order shall be in addition to and not in derogation of any restrictions or requirements imposed by any Regulations made or having effect as if made under the 1984 Act or by or under any other enactment
- 12 For the avoidance of doubt any reference in this Order to a length of road parking place or loading bay shall be deemed to be a reference to more than one length of road parking place or loading bay where the context requires it
- 13 This Order is made on the 23<sup>rd</sup> day of July 2010 and shall come into effect on the 26<sup>th</sup> day of July 2010 and may be cited as the "Leeds City Council (Traffic Regulation) (Waiting Restrictions) (No.W06) Order 2010

**THE COMMON SEAL of  
LEEDS CITY COUNCIL**

was hereunto affixed in the presence of:



Assistant Chief Executive (Corporate Governance)



LEEDS CITY COUNCIL  
 (TRAFFIC REGULATION) (WAITING RESTRICTIONS) (NO.W06)  
 ORDER 2010

MIDDLETON PARK CIRCUS  
 LEEDS

FIRST SCHEDULE

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

Length of road in Middleton 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	Class of vehicles permitted	Days and times of operation of parking place	Maximum period for which vehicles may load/unload
1	MIDDLETON PARK CIRCUS EAST SIDE from a point 15 metres south of the southern kerb line on Middleton Park Road for a distance of 30 metres.	Wholly within the limits of the parking place for the purposes of loading and unloading marked out in accordance with current Traffic Signs and General Directions 2002.	Any vehicle being used for the purpose of loading or unloading goods.	All days. All hours.	30 minutes no return within 1 hour.