

DATED THIS TWELFTH DAY OF FEBRUARY

2010

LEEDS CITY COUNCIL
(TRAFFIC REGULATION) (WAITING RESTRICTIONS)
(NO.W35) ORDER
2008

INGRAM PARADE
ROTHWELL

NO WAITING AT ANY TIME
AND
PROVISION OF ON-STREET PARKING PLACE

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LEEDS

A76/JAK/871252

**LEEDS CITY COUNCIL
(TRAFFIC REGULATION) (WAITING RESTRICTIONS)
(NO.W35) ORDER
2008**

**INGRAM PARADE
ROTHWELL**

Leeds City Council (hereinafter referred to as "the Council") in exercise of the powers contained in Sections 1, 2, 32, 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:**

"a person authorised by the Council"	means a police constable in uniform a traffic warden or civil enforcement officer
"civil enforcement officer"	means a person employed by the Council for the enforcement of road traffic contraventions
"disabled persons badge"	has the same meaning as in Regulation 2 of the Disabled Persons (Badges for Motor Vehicles (England) Regulations 2000
"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
"motor vehicle"	has the same meaning as in Section 136 of the 1984 Act
"parking disc"	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

"parking place"	means the areas on a highway designated by Articles 7 and 27 of this Order as a parking place for the leaving of motor vehicles
"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

NO WAITING AT ANY TIME

- 2 Save as provided in Articles 3, 4 and 5 of this Order no person shall except upon the direction or with the permission of a police constable in uniform or of a traffic warden cause or permit any vehicle to wait in the lengths of road specified in the First Schedule to this Order
- 3 Nothing in Article 2 of this Order shall prohibit any person from causing or permitting any vehicle to wait in the lengths of road specified therein so long as may be necessary:-
 - 3.1 to enable a person to board or alight from the vehicle
 - 3.2 to enable a vehicle if it cannot be conveniently used for such purpose in any other road to be used in connection with any wedding funeral building operation or demolition the removal of any obstruction in the length of road so specified or the laying erection alteration or repair in or near the said length of road 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
 - 3.3 to enable a vehicle to wait in the said lengths 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

3. 4 to enable a vehicle to be used in the said lengths of road for police ambulance fire brigade local authority sewerage or water undertakers purposes when used in pursuance of statutory powers or duties.
 - 3.5 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
 - 3.6 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 on to the said lengths of road **PROVIDED THAT** notice is given 24 hours in advance to the police and their consent obtained
4. Nothing in Article 2 of this Order shall prohibit any person from causing or permitting any vehicle to wait in the lengths of road specified therein for so long as may be necessary to deliver to or collect from or load or unload goods at any premises fronting onto the said lengths of road **PROVIDED THAT** no vehicle so engaged shall wait for longer than 30 minutes outside the same premises without the permission of a police constable in uniform or a traffic warden and provided always that a police constable in uniform or a traffic warden may at any time require the driver of the vehicle to move it if it is reasonably necessary for the purpose of preventing obstruction
- 5 Nothing in Article 2 of this Order shall render it unlawful to cause or permit any vehicle to wait for a period not exceeding 3 hours (not being a period separated by an interval of less than 1 hour from a previous period of waiting by the same vehicle in the same road or a part of the same road on the same day) in the lengths of road specified therein if the vehicle displays in the relevant position a disabled 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 or a badge having effect under those Regulations as if it were a disabled persons badge and the driver or other persons in charge of the vehicle marks on the said parking disc the time at which the period of waiting began

ON-STREET PARKING PLACES

- 6 The areas of highway in Rothwell in the Metropolitan District of Leeds which are described as parking places in Column 1 of the Second Schedule hereto are hereby designated as parking places 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 Second Schedule
- 7 The limits of the parking places shall be indicated on the carriageway in accordance with road markings as indicated by the current Traffic Signs Regulations and General Directions .
- 8 Every vehicle left in a parking place shall stand in the position specified in Column 2 of the Second Schedule to this Order
- 9 Where any vehicle is standing in a parking place in contravention of the provisions of Article 8 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
- 10 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 a parking place he/she may remove or cause to be removed the vehicle from the parking place
- 11 Any person removing or altering the position of a vehicle by virtue of Articles 9, 10 or 14 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

- 12 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 10 of this Order he/she shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle
- 13 Any vehicle so removed from a parking place may be disposed of in accordance with Sections 101 to 103 of the 1984 Act
- 14 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
- 15 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:
 - 15.1 for the purpose of facilitating the movement of traffic or promoting its safety
 - 15.2 for the purpose of any building engineering or construction operation demolition or excavation adjacent to or in the parking place
 - 15.3 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
 - 15.4 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
 - 15.5 on any such occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed
 - 15.6 for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals or on other special occasions

- 16 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
- 17 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
- 18 Subject to the proviso contained in Article 20 of this Order any person suspending the use of a parking place in accordance with the provisions of Articles 15, 16 and 17 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
- 19 Subject to the provisions of Article 18 of this Order if the use of a parking place is suspended for any of the purposes set out in Article 15 of this Order except Article 15.1 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
- 20 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 18 of this Order **PROVIDED THAT** nothing in this paragraph shall apply to:
- 20.1 any vehicle being used for Fire Brigade Ambulance or Police purposes or any Local Authority purposes or for any purpose specified in Article 15.1
- 20.2 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

- 21 Unless prior written consent has been granted by the Council no person shall:
- 21.1 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
 - 21.2 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
- 22 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:
- 22.1 the vehicle is waiting only for so long as is necessary to enable a person to board or alight from the vehicle
 - 22.2 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
 - 22.3 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 being used in pursuance of statutory powers or duties
 - 22.4 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

- 22.5 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
- 22.6 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 15.2 to 15.6 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
- 22.7 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 30 minutes or such longer period as a police constable in uniform a traffic warden or a person authorised by the Council may authorise
- 23 Nothing in Article 22 shall be taken as authorising anything which would be a contravention of the Road Vehicles Lighting Regulations 1989 or any amendment or variations thereto
- 24 A person causing or permitting a vehicle to wait in the parking place by virtue of Article 22 shall take all necessary steps to ensure that the vehicle is left in accordance with Article 8
- 25 The Council may carry out such other work as is reasonably required for the purpose of the satisfactory operation of the parking place

AMENDMENT/REVOCATION OF EXISTING ORDER

26. The Orders specified in Column 1 of the Third Schedule to this Order are hereby amended to the extent specified in relation thereto in Column 2 of the said Third Schedule

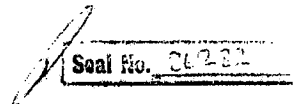
GENERAL

27. 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
28. For the avoidance of doubt any reference in this Order to a length of road or a parking place shall be deemed to be a reference to more than one length of road or parking place where the context requires it
29. This Order is made on the 12 day of February 2010 and shall come into effect on the 12 day of February 2010 and may be cited as the "Leeds City Council (Traffic Regulation) (Waiting Restrictions) (No.W35) Order 2008

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

N. J. Fickson

Assistant Chief Executive (Corporate Governance)



**LEEDS CITY COUNCIL
(TRAFFIC REGULATION) (WAITING RESTRICTIONS)
(NO.W35) ORDER
2008**

FIRST SCHEDULE

NO WAITING AT ANY TIME

Lengths of Road in Rothwell in the Metropolitan District of Leeds

ITEM NUMBER	COLUMN 1 NAME OF ROAD	COLUMN 2 LENGTH OF ROAD
1	Ingram Parade	BOTH SIDES – From a point 27 metres north east of its junction with the eastern kerb line of Meynell Avenue to its junction with Church Street/Wood Lane
2	Meynell Avenue	BOTH SIDES – From a point 18.5 metres north of its junction with the northern kerb line of Ingram Parade to a point 21 metres south east of its junction with the southern kerb line of Ingram Parade
3	Unnamed access road 30 metres north east of Commercial Street	EAST SIDE – From its junction with the projected north western kerb line of Marsh Street to the entrance to the south easternmost car park access road
4	Unnamed access road 30 metres north east of Commercial Street	WEST SIDE- From its junction with the projected north western kerb line of Marsh Street for a distance of 20 metres in a north westerly direction
5	Unnamed access road 30 metres north east of Commercial Street	WEST SIDE- From its junction with the entrance to the south easternmost car park for a distance of 30 metres in an easterly direction
6	Wood Lane	East Side – From its junction with the northern kerb line of Ingram Parade in a north westerly direction for a distance of 54 metres

SECOND SCHEDULE

ON-STREET PARKING PLACE

Length of Road in Rothwell in the Metropolitan District of Leeds

Column 1	Column 2	Column 3	Column 4	Column 5
Part of road authorised to be used as a 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
UN-NAMED ACCESS ROAD 30 METRES NORTH EAST OF COMMERCIAL STREET (SOUTH-WEST SIDE) – from a point 20 metres north of its junction with the projected northern kerbline of Marsh Street for a distance of 32 metres in a north-westerly direction	Wholly within the limits of the parking place as mark out in accordance with road markings as indicated by the current Traffic Signs Regulations and General Directions and in such a position as to not obstruct the movement of other vehicles	Motor vehicles, motor cycles and invalid carriages	8:00am – 6:00pm, Monday to Saturday inclusive but not public holidays	1 hour no return within 1 hour

THIRD SCHEDULE

REVOCAATION/AMENDMENT OF EXISTING ORDERS

**COLUMN 1
NAME OF ORDER**

**COLUMN 2
EXTENT OF
REVOCAATION/AMENDMENT**

Leeds City Council
(Traffic Regulation) (No 11)
Order
1997

Item 7 of the First schedule is hereby
revoked

Item 8 of the First schedule is hereby
revoked

Item 10 of the First schedule is hereby
revoked

Item 11 of the First schedule is hereby
revoked

Item 2 of the Third schedule is hereby
revoked

The Fifth schedule is hereby revoked



**LEEDS CITY COUNCIL
(TRAFFIC REGULATION) (WAITING RESTRICTIONS)
(NO.W35) ORDER
2008**

INGRAM PARADE ROTHWELL LEEDS

Leeds City Council has today made the above Order under its powers contained in the Road Traffic Regulation Act 1984. The effect of the Order which comes into effect on 18 February 2010 will be to introduce:-

1. No waiting at any time on sections of Ingram Parade, Meynell Avenue, Wood Lane and the unnamed access road 30 metres north-east of Commercial Street:-
2. Waiting limited to 1 hour with no return within 1 hour between 8:00am and 6:00pm Monday to Saturday inclusive (but not public holidays) on the south-west side of the new unnamed access road 30 metres north-east of Commercial Street from a point 20 metres north of its junction with the projected northern kerbline of Marsh Street for a distance of 32 metres in a north-westerly direction.

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, 1st Floor, St. George House, Great George Street, Leeds 1 and at Rothwell Library, Marsh Street, Rothwell, Leeds.

If you wish to object to question the validity of either 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 12 day of February 2010

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

