

**LEEDS CITY COUNCIL
(OFF-STREET PARKING PLACES) (CONSOLIDATION) ORDER 2010
(AMENDMENT) (NO.3) ORDER 2010**

AND

**LEEDS CITY COUNCIL
(TRAFFIC REGULATION) (WAITING RESTRICTIONS) (NO.W48) ORDER 2010
LONGFIELD ROAD, CHURCH LANE AND MANOR HOUSE STREET PUDSEY LEEDS**

Leeds City Council has today made the above Orders under its powers contained in the Road Traffic Regulation Act 1984. The effect of the Orders which come into effect on 27 June 2011 is to:-

1. Amend the Leeds City Council (Off-Street Parking Places) (Consolidation) Order 2010 in relation to Pudsey Robin Lane Car Park by restricting parking to 2 hours maximum stay no return within 2 hours Monday to Saturday inclusive and also by making specific reference to the Civil Enforcement of Parking Provisions contained in Part 6 of the Traffic Management Act 2004 for the purpose of clarifying that these provisions apply to the said Consolidation Order; and

Introduce:-

2. Time limited On-Street Parking Places all days and all hours (5 hours maximum stay no return within 2 hours except for permit holders) on the northern and southern sides of Longfield Road, Pudsey at its eastern end; and
3. A coach pick up and set down point on the eastern side of Manor House Street from a point adjacent to property No.5 for a distance of 26 metres in a northerly direction; and
4. Four parking places for disabled persons badge holders (all days and all hours) on the western side of Church Lane adjacent to property No.37 to replace the existing coach bay at this location.

A copy of the Orders together with plans showing the affected car park and sections of highway may be examined during normal office hours at the Legal Services Reception Desk, 1st Floor, St. George House, Great George Street, Leeds 1 and at Pudsey Library, Church Lane, Pudsey, Leeds, LS28 7TY.

If you wish to object to question the validity of the Orders or any provision contained within them 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 been complied with in relation to the Orders, you may within 6 weeks from the date upon which the Orders were made, apply to the High Court for this purpose.

Dated this 24 June 2011

Leeds City Council
Civic Hall
Leeds LS1 1UR

**LEEDS CITY COUNCIL
(OFF-STREET PARKING PLACES)
(CONSOLIDATION) ORDER 2010
(AMENDMENT) (NO.3)
ORDER 2010**

AMENDMENT OF EXISTING ORDER

STATEMENT OF REASONS

Work started recently on the development of a new bus station in Pudsey and as part of the works a package of Traffic Regulation Orders was approved and is being implemented in phases to accommodate the works and facilitate the safe and efficient operation of the bus station once completed.

A number of objections were made to the Traffic Regulation Orders, some on the grounds that the proposed restrictions significantly reduced the number of short stay parking places that would be available in the town centre. As a result it has been agreed to promote an Order to convert the whole of the Robin Lane car park (excluding those spaces designated for the disabled) into a short stay car park restricting parking to 2 hours maximum stay with no return within 2 hours, Monday to Saturday inclusive.

It is also considered prudent that for the purposes of clarification, the Leeds City Council (Off-Street Parking Places) (Consolidation) Order 2010 should include Penalty Charge and Payment articles which are relevant for the purposes of the Civil Enforcement of Parking Provisions contained in Part 6 of Traffic Management Act 2004.

DATED this Twenty-Fourth day of June 2011

**LEEDS CITY COUNCIL
(OFF-STREET PARKING PLACES)
(CONSOLIDATION) ORDER 2010
(AMENDMENT) (NO.3)
ORDER 2010**

**AMENDMENT OF EXISTING ORDER
ROBIN LANE CAR PARK PUDSEY LEEDS**

**Legal Services
Civic Hall
LEEDS LS1 1UR**

Ref: A76/RAH/873065

**LEEDS CITY COUNCIL
(OFF-STREET PARKING PLACES)
(CONSOLIDATION) ORDER 2010
(AMENDMENT) (NO.3)
ORDER 2010**

AMENDMENT OF EXISTING ORDER

ROBIN LANE CAR PARK PUDSEY LEEDS

Leeds City Council In exercise of the powers contained in Sections 1, 2, 32, 33, 35 and Part IV of the Road Traffic Regulation Act 1984 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:-

1. The Leeds City Council (Off-Street Parking Places) (Consolidation) Order 2010 shall have effect as though in the First Schedule thereto there was included the off-street parking places described in the First Schedule to this Order
2. The Order specified in Column 1 of the Second Schedule to this Order is hereby amended/revoked to the extent specified in relation thereto in Column 2 of the said Second Schedule
3. The Leeds City Council (Off-Street Parking Places) (Consolidation) Order 2010 shall have effect as though the Articles contained in the Third Schedule to this Order were included in the said Consolidation Order at Article 80 thereof with all following articles being renumbered accordingly.

4. This Order is made on the 24 day of June 2011 and shall come into force on the 27 day of June 2011 and shall be cited as the "Leeds City Council (Off-Street Parking Places) (Consolidation) Order 2010 (Amendment) (No.3) Order 2010

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

Name: Chris Bramham

Signature.....

Job Title: Principal Legal Officer (Development)

Seal No. 87942

**LEEDS CITY COUNCIL
(OFF-STREET PARKING PLACES)
(CONSOLIDATION) ORDER 2010
(AMENDMENT) (NO.3)
ORDER 2010**

FIRST SCHEDULE

**PROVISION OF OFF-STREET PARKING PLACES
in Pudsey in the Metropolitan district of Leeds**

| Situation of Parking place | Position in which vehicles may wait | Class of vehicles | Days of operation of parking place | Charging hours | Maximum period for which vehicles may wait | Scale of charges included VAT |
|---|---|--|--|----------------|--|-------------------------------|
| 43 ROBIN LANE CAR PARK The whole car park | Wholly within a parking bay or as directed by a civil enforcement officer and in accordance with any specific directions as to class of motor vehicle indicated by markings on the signs placed or erected within the parking place. Two wheeled vehicles to park within the cartilage of specified bays provided or as directed by a civil enforcement officer | All motor vehicles (not having a trailer attached) the weight of which does not exceed 3 tonnes maximum gross weight, motor cycles and invalid carriages | Monday to Saturday inclusive except for Christmas Day, Good Friday and other Public Holidays | None | 2 hours no return within 2 hours | No charge |

SECOND SCHEDULE

AMENDMENTS/REVOCATIONS OF EXISTING OFF STREET PARKING PLACES ORDER

| COLUMN NO.1 TITLE OF ORDER | COLUMN NO.2 EXTENT OF REVOCATION/AMENDMENT |
|---|--|
| Leeds City Council (Off Street Parking Places) (Consolidation) Order 2010 | Item 43 in the First Schedule – Robin Lane is hereby deleted |

THIRD SCHEDULE
ARTICLES TO BE INSERTED INTO THE ORDER

PENALTY CHARGE AND PAYMENT

80 Under the terms of the Road Traffic (Permitted Parking Area and Special Parking Area (Metropolitan District of Leeds) Order, hereinafter called "the Designation Order", the following provisions apply by operation of law, namely:

80.1 Where a Motor Vehicle:

80.1.1 waits, parks or is left on a Road in contravention of the foregoing provisions of this Order or otherwise contravenes or fails to comply with the provisions of this Order, insofar as it relates to a Motor Vehicle waiting, parking or being left on a Road; or

80.1.2 waits parks or is left in a parking place in contravention of the foregoing provisions of this Order or otherwise contravenes or fails to comply with the provisions of this Order in so far as it relates to a Motor Vehicle waiting, parking or being left in a parking place

80.1.3 waits, parks or is left on a Road or in a parking place in contravention of any other Traffic Regulation Order, the provisions of which are not consolidated into this Order, or fails to comply with the provisions of any such Order insofar as it relates to a vehicle waiting, parking of being left on a Road or in a parking place;
or

then a Penalty Charge of £60.00 shall be payable within 28 days beginning with the date of the Penalty Charge Notice under Section 66(3) of the 1991 Act.

80.2 In the case of a Motor Vehicle in respect of which a Penalty Charge is payable under Article 80.1, a Penalty Charge Notice may be issued by a Parking Attendant in

accordance with the requirements of Section 66 of the 1991 Act and may accordingly be affixed to the Motor Vehicle or given to the person appearing to be in charge of the vehicle.

- 80.3 A Penalty Charge Notice shall contain the details required by Section 66(3) of the 1991 Act.
- 80.4 Where a Penalty Charge Notice has been issued and affixed or given in the manner set out above, it shall not be removed or interfered with except by or under the authority of the Owner or person in charge of the vehicle or a Parking Attendant or some other duly authorised person. The Penalty Charge shall be payable by the Owner of the vehicle in respect of which that notice was issued in accordance with Section 66 and Schedule 6 of the 1991 Act in the sum specified in Article 80.1.
- 80.5 A Penalty Charge shall be deemed to be paid when it is received by the Council in accordance with Section 82(5) of the 1991 Act.
- 80.6 In accordance with Section 66(3)(d) of the 1991 Act (as amended), where a Penalty Charge Notice has been issued and the Penalty Charge has been paid within 14 days of the date of issue of the Penalty Charge Notice, the lesser sum of £30.00 shall be payable by the Owner of the Motor Vehicle in respect of which that Penalty Charge Notice was served.
- 80.7 If in accordance with Section 66(3) as above and Schedule 6 of the 1991 Act, the Penalty Charge Notice is not paid within 28 days of the issue date of the Penalty Charge Notice, the Council may serve a Notice to Owner on the Owner of the vehicle when the alleged contravention occurred, stating the matters required by Schedule 6, Paragraph 1(2) amongst other things that the Owner may make representations to the Council against the Penalty Charge Notice invoking one or more grounds specified in Schedule 6, Paragraph 2(4).
- 80.8 The Council will consider any such representations and may cancel the Penalty Charge Notice if it accepts one or more statutory grounds are made out, but if such are rejected by the Council the Council will serve a "Notice of Rejection" in accordance with

Schedule 6, Paragraph 4 of the 1991 Act and enclose a "Notice of Appeal" in accordance with the Adjudicator's Directions to Local Authorities.

80.9 Within 28 days of service of a Notice of Rejection the Penalty Charge must be paid or the person upon whom the Notice of Rejection was served must appeal to the Adjudicator, who will then carry out an adjudication on the Appeal.

80.10 Where a Notice to Owner is served on any person and the Penalty Charge to which it relates is not paid before the end of the relevant period, the Authority serving the Penalty Charge Notice may serve on that person a statement (a "Charge Certificate") to the effect that the Penalty Charge in question is increased by 50 per cent.

80.11 The relevant period, in relation to a Notice to Owner, is the period of 28 days, beginning:

80.11.1 where no representations are made under Paragraph 2(4) of Schedule 6 to the 1991 Act, with the date on which the Notice to Owner is served;

80.11.2 where:

80.11.2.1 such representations are made;

80.11.2.2 a Notice of Rejection is served by the Council; and

80.11.2.3 no appeal against the Notice of Rejection is made, with the date on which notice of the adjudicator's decision is served on the appellant.

80.12 Where an appeal against a Notice of Rejection is made but is withdrawn before the adjudicator gives notice of his decision, the relevant period in relation to a Notice to Owner is the period of 14 days beginning with the date on which the appeal is withdrawn.

80.13 When the Charge Certificate has been served on any person and the increased Penalty Charge provided for in the Charge Certificate is not paid within 14 days of service, the Council may register a debt at Northampton County Court (for enforcement purposes), which has been designated as the Traffic Enforcement Centre.

80.14 If the Charge Certificate is not paid within 14 days of registration at the County Court the Council can apply to the Traffic Enforcement Centre for authorisation to issue a

bailiff's warrant in accordance with the Lord Chancellor's Regulations made under
Section 78(2) of the 1991 Act