

**LEEDS CITY COUNCIL (TRAFFIC REGULATION) (WAITING RESTRICTIONS)
(No. W14) ORDER 2010**

BAYSWATER ESTATE

VARIOUS WAITING RESTRICTIONS

STATEMENT OF REASONS FOR PROPOSING TO MAKE THE ORDER

Indiscriminate parking associated with St James' University Hospital has been identified as a road safety issue.

It is proposed to eliminate this antisocial parking by introducing 'Residents Permit Parking', 'Limited Waiting', 'Loading and unloading' and 'No Waiting at Any Time' restrictions along various roads in the Harehills area of Leeds. The restrictions should also aid the free flow of traffic along these roads and reduce congestion.

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(TRAFFIC REGULATION) (WAITING RESTRICTIONS)
(NO.W14) ORDER 2010**

BAYSWATER ESTATE HAREHILLS

TRAFFIC MANAGEMENT MEASURES

Leeds City Council proposes to make the above Order under its powers contained in the Road Traffic Regulation Act 1984 the effect of which will be to introduce:-

1. No waiting at any time on sections of Bayswater Crescent, Bayswater Terrace, Bayswater Row, Bayswater Grove, Bayswater Mount, Bayswater Place, Bayswater Road, Bayswater View, Bexley Avenue, Bexley Road, Bexley Grove, Bexley Mount, Bexley Place, Bexley Terrace, Bexley View, Edgware Avenue, Edgware Row, Edgware Terrace, Edgware View, Edgware Grove, Edgware Place, Edgware Mount, Edgware Street, Cross Elford Street, Elford Grove, Elford Place East & West, Elford Road, Gledhow Road and the full length of Back Elford Place;
2. Loading bays on a section of Bayswater Grove (north side) and a section of Bayswater Row (south side);
3. Parking places limited to 1 hour with no return within 1 hour (other than vehicles displaying a valid permit) on sections of Bayswater Crescent, Bayswater Grove, Bayswater Mount, Bayswater Place, Bayswater Road, Bayswater Row, Bayswater Terrace, Bexley Avenue, Bexley Grove, Bexley Mount, Bexley Place, Bexley Terrace, Edgware Avenue, Edgware Grove, Edgware Mount, Edgware Place, Edgware Row, Edgware Street, Edgware Terrace, Edgware View, Elford Grove, Elford Place East & West and Cross Elford Street;
4. Business and Residents Permit Parking on those sections of road referred to at paragraph 3 above;
5. Parking places limited to 4 hours with no return within 2 hours on sections of Elford Place East (north side) and Elford Place West (north side);
6. A parking place for vehicles displaying a disabled persons badge on a section of Bayswater Place (west side).

Full details of the proposals in the form of a draft Order together with plans showing the affected sections of highway and a statement of reasons for making the Order 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 Richmond Hill Library Pontefract Lane Leeds LS9 9AH.

If you wish to object to, or make any representations concerning the proposed Order, you should write to Mr J Levine, Development Section, Legal, Licensing & Registration, Civic Hall, Leeds LS1 1UR or e-mail legal.development@leeds.gov.uk specifying the grounds on which your objection or representation is made, by no later than 12 noon on 22 June 2010 quoting reference A76/JL/873012.

Dated this 21 day of May 2010.

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

DATED

2010

**LEEDS CITY COUNCIL
(TRAFFIC REGULATION) (WAITING RESTRICTIONS)
(N0.W14) ORDER
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**Nicolé Jackson
Assistant Chief Executive (Corporate Governance)
Civic Hall
LEEDS LS1 1UR**

A76/JL/873012

**LEEDS CITY COUNCIL
(TRAFFIC REGULATION) (WAITING RESTRICTIONS)
(N0.W14) ORDER
2010**

BAYSWATER ESTATE HAREHILLS

VARIOUS WAITING RESTRICTIONS

Leeds City 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:-

- | | |
|---|---|
| "a person authorised by the council" | means a police constable in uniform a traffic warden or a civil enforcement officer |
| "business permit holder" | means any occupant of business premises which abut a parking space who at the discretion of the Council has been issued with a permit for use on his/her or any other vehicle |
| "civil enforcement officer" | means a person authorised by the Council to supervise any parking place |
| "disabled persons badge" | has the same meaning as in Regulation 2 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 |
| "dual purpose vehicle" | has the same meaning as in Regulation 3(1) of the Motor Vehicles (Construction and Use) Regulations 1978 |

“goods vehicle”	has the same meaning as in Section 138(1) of the 1984 Act
“heavy commercial vehicle”	means any goods vehicle which has an operating weight exceeding 7.5 tonnes as defined in Section 138(1) of the 1984 Act
"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
"owner"	in relation to a vehicle means the person by whom such vehicle is kept and used
“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 6 19 40 and 71 of this Order as a parking place for the leaving of motor vehicles
"permit"	means a permit issued under the provisions of Article 64 of this Order
"permit holder"	means a person to whom a permit has been issued in accordance with Article 64 of 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
"resident"	means in relation to the parking place any person whose usual residence is as specified in Column 4 of the Fourth Schedule to this Order
“universal service provider”	has the same meaning as in the Postal Services Act 2000

"visitor's permit"

means a permit issued to a resident of the premises the postal address of which is as defined in Column 2 of the Third Schedule to this Order which permit is to be displayed on a vehicle of a class specified in Column 4 of the said Third Schedule to this Order being used by a bona fide visitor

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

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

6. The part of the road specified in Column 2 of the Second 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 Second Schedule
- 7 Nothing in Article 6 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 parts of the road is thronged or liable to be obstructed to close or part close any such loading bay
- 8 Where in the Second 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
 - 8.1 unless it is of the specified class engaged in the specified purpose
 - 8.2 in a position other than that specified
- 9 Nothing in Articles 6, 8, 12 or 17 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 ;
 - 9.1 to enable a person to board or alight from the vehicle
 - 9.2 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
 - 9.3 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

- 9.4 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
- 9.5 to deliver to or collect from or load or unload goods at premises fronting onto the said length 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
- 9.6 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 2 of the Second 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
- 10 Every vehicle using a loading bay shall wait thereon in such a position as is specified in Column 3 of the Second Schedule to this Order in relation to that loading bay
- 11 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 7 of the said Second Schedule to this Order in relation to that loading bay

12 Save as provided in Articles 14, 15, 16 and 17 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

12.1 so as unreasonably to prevent access to any premises adjoining the part of the road specified in Column 2 of the Second Schedule to this Order or to prevent the use of the road by other persons or so as to be a nuisance

12.2 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

13 Subject to the provision hereto when a vehicle is left in the loading bay in contravention of the provisions of Articles 8, 10, 11 and 12 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

14 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

15 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:-

15.1 for the purposes of facilitating the movement of traffic or promoting its safety

15.2 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

- 15.3 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
- 16 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 15 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
- 17 Save as provided in Article 9 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 16 of this Order
- 18 Nothing in Articles 8, 12 or 17 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:-
- 18.1 to enable a person to board or alight from the vehicle
- 18.2 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 2 of the Second 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

- 18.3 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
- 18.4 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
- 18.5 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
- 18.6 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

ON-STREET PARKING PLACES

- 19 The areas of highway in Harehills in the Metropolitan District of Leeds which are described as parking places in Column 2 of the Third and Fourth Schedules 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 Third and Fourth Schedules.
- 20 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.
- 21 Every vehicle left in a parking place shall stand in the position specified in Column 3 of the Third and Schedules to this Order.

- 22 Where any vehicle is standing in a parking place in contravention of the provisions of Article 21 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
- 23 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
- 24 Any person removing or altering the position of a vehicle by virtue of Articles 22, 23 or 27 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
- 25 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 23 of this Order he/she shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle
- 26 Any vehicle so removed from a parking place may be disposed of in accordance with Sections 101 to 103 of the 1984 Act
- 27 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
- 28 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:
- 28.1. for the purpose of facilitating the movement of traffic or promoting its safety
- 28.2. for the purpose of any building engineering or construction operation
demolition excavation adjacent to or in the parking place

- 28.3. 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
 - 28.4. 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
 - 28.5. on any such occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed
 - 28.6. for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals or on other special occasions
29. 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
30. 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
31. Subject to the proviso contained in Article 33 of this Order any person suspending the use of a parking place in accordance with the provisions of Articles 28, 29 and 30 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
32. Subject to the provisions of Article 19 of this Order if the use of a parking place is suspended for any of the purposes set out in Article 28 of this Order except Article 28.1 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

33. 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 31 of this Order

PROVIDED THAT nothing in this paragraph shall apply to:

33.1 any vehicle being used for Fire Brigade Ambulance or Police purposes or any Local Authority purposes or for any purpose specified in Article 28.1

33.2 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 forgoing provisions of this Article or a police constable in uniform or a traffic warden

34 Unless prior written consent has been granted by the Council no person shall:

34.1 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

34.2 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 advertising material to induce the public to participate in or frequent any place function or hearing 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

35 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:

- 35.1 the vehicle is waiting only for so long as is necessary to enable a person to board or alight from the vehicle
- 35.2 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
- 35.3 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
- 35.4 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
- 35.5 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
- 35.6 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 28.2 to 28.6 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

- 35.7 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
- 36 Nothing in Article 35 shall be taken as authorising anything which would be a contravention of the Road Vehicles Lighting Regulations 1989 or any amendment or variations thereto
- 37 A person causing or permitting a vehicle to wait in the parking place by virtue of Article 35 shall take all necessary steps to ensure that the vehicle is left in accordance with Article 21
- 38 The Council may carry out such other work as is reasonably required for the purpose of the satisfactory operation of the parking place
- 39 Nothing in Article 19 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

BUSINESS AND RESIDENTS PERMIT PARKING

40. The parking places specified in Column 2 of the Third Schedule to this Order are hereby authorised to be used subject to the following provisions of this Order by a resident business or visitor permit holder only as parking places for such classes of motor vehicles in such position and on such days and during such hours as are specified in the said Third Schedule to this Order
41. Where in the said Third Schedule a parking place is described as available for permit holders of motor vehicles of a specified class or in a specified position the driver of a motor vehicle shall not permit it to wait in that parking place:
 - 41.1 unless it is of the specified class or
 - 41.2 in a position other than that specified
42. Every vehicle using a parking place shall wait thereon in such a position as is specified in Column 3 of the Third Schedule to this Order
43. The driver of a motor vehicle using a parking place shall stop the engine as soon as the motor vehicle is in position in the parking place and shall not start the engine except for the purposes of changing the position of the motor vehicle or of departing from the parking place such operations not to be unreasonably delayed
44. The driver of a motor vehicle shall not permit the motor vehicle to wait in a parking place in such a position as to obstruct or prevent any other motor vehicle from entering or departing from the parking place
45. Subject to the proviso hereto when a motor vehicle is left in a parking place in contravention of any provisions of Articles 41, 44 or 47 of this Order a person authorised in that behalf by the Council may remove the motor vehicle or arrange for it to be removed from the parking place:
 - 45.1 provided that when a motor vehicle is waiting in the parking place in contravention of the provisions of Article 41.2 a person authorised in that

behalf by the Council may alter or cause to be altered the position of the motor vehicle in order that its position shall comply with that provision

45.2 a person authorised by the Council may in case of emergency move or cause to be moved to any place he/she thinks fit any vehicle left in the parking place

46. Any person removing or altering the position of a motor vehicle by virtue of Article 45 may do so by towing or driving the motor vehicle or in such other manner as may be reasonably necessary to enable him to remove it or alter its position as the case may be
47. When a person authorised by the Council removes or makes arrangements for the removal of a motor vehicle from a parking place by virtue of Article 45 he/she shall make such arrangements as may be reasonably necessary for the safe custody of the motor vehicle and its contents
48. Should a motor vehicle parked in a parking place specified in the Third Schedule to this Order in contravention of this Order be removed by a person authorised by the Council a reasonable charge to cover the cost of removal in addition to any other accrued charges shall be payable before the motor vehicle is released
49. The driver of a motor vehicle or any other occupant of a motor vehicle using a parking place shall not sound any horn or similar instrument except for purposes of warning or emergency
50. The Council may at any time close a parking place or any part thereof temporarily
51. The Council shall not be liable in respect of loss or damage to any motor vehicle or the fittings or contents of any motor vehicle waiting or moving in or entering or leaving or otherwise using a parking place
52. A person authorised by the Council may suspend the use of a parking place or any part thereof whenever he/she considers such suspension reasonably necessary:
- 52.1 for the purpose of facilitating the movement of traffic or promoting its safety

- 52.2 for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals or on other special occasions
- 52.3 for the purpose of any building operation demolition or excavation adjacent to the parking place or the maintenance or reconstruction of the parking place of any sewer or any main pipe or apparatus for the supply of gas water or electricity or any telecommunications apparatus as defined in Section 4(3) of the Telecommunications Act 1984
53. A person authorised by the Council suspending the use of a parking place or any part thereof in accordance with the provisions of Article 52 of this Order shall thereupon place or cause to be placed in or adjacent to the parking place or part thereof the use of which is suspended a notice indicating that waiting by vehicles is prohibited
54. The Council may as respects a motor vehicle which has been or could be at any time removed from a parking place in pursuance of Article 45 of this Order if it appears to them to have been abandoned sell or otherwise dispose of the motor vehicle PROVIDED THAT the power of disposal conferred by this Article shall not be exercisable in the case of a motor vehicle unless there have been taken by the Council such of the following steps as are applicable to the motor vehicle and there has elapsed a period of six weeks beginning with the taking of the first of those steps
- 55.
- 55.1 Where a motor vehicle carries a registration mark issued under the Vehicles (Excise) Act 1971 the Council shall apply in writing to the Driver Vehicle Licensing Centre or Local Vehicle Licensing Office enquiring who it appears may be the owner of the motor vehicle and the address of that person
- 55.2 Where the Council act under this part of this Order the first step for the purpose of the last and next succeeding Articles shall be taken to be the

sending of the notice mentioned in Article 56 or the subsequent notice mentioned in Article 57 of this Order

56. The Council shall where they are aware of the name and address of a person who it appears may be the owner of the motor vehicle send a notice to that person at that address stating that it is the intention of the Council to sell or otherwise dispose of the motor vehicle (which shall be sufficiently described in the notice) on or after a specified date (which shall not be less than six weeks from the date of the first step taken by the Council under Article 55 of this Order) unless it is in the meantime removed by or on behalf of the person from such place as is specified by the Council in the said notice or from such place as may be subsequently notified in writing by the Council to that person
57. If any person to whom a notice is sent in accordance with Article 56 of this Order informs the Council of the name and address of some other person whom he alleges may be the owner of the motor vehicle a notice mentioning the particulars mentioned in Article 56 of this Order shall be sent to that other person and to any further person who the Council may in consequence of the sending of the notice to the said other person be led to believe may be the owner of the motor vehicle
58. Where a motor vehicle does not carry a registration mark issued under the Vehicles (Excise) Act 1971 the Council shall apply in writing to the Chief Officer of Police in whose area is the parking place from which the motor vehicle has been or could at any time be removed in pursuance of this Order enquiring who that Officer considers is the owner of the motor vehicle and the address of that person
59. If after steps have been taken under the foregoing provisions of this Order a motor vehicle is not claimed the Council shall make such further enquiries (if any) as they consider reasonable as to who may be the owner of the motor vehicle and the address of that person

60. Upon the sale of a motor vehicle by the Council the Council shall apply the proceeds of sale in or towards the satisfaction of any costs incurred by them in connection with the disposal thereof and of any charge or payment to which they are entitled as regards the motor vehicle under Section 102 of the 1984 Act
61. In the event of any such costs incurred by them in connection with the disposal of the motor vehicle not being satisfied by virtue of Article 60 of this Order the Council may recoup those costs as far as not satisfied from the person who was the last owner of the motor vehicle before it was removed from the parking place in pursuance of Article 45 of this Order if that person was sent by the Council a notice under the foregoing provisions of this Order stating the particulars mentioned in Article 18 of this Order
62. Any sums received by the Council on the sale of the motor vehicle after deducting any sum applied by virtue of Article 60 of this Order shall be payable within a period of one year from the date of the sale of the motor vehicle to any person to whom but for such sale the motor vehicle would have belonged and insofar as any such sums are not claimed within the period they shall be paid into the rate fund of the Council
63. Where under the foregoing provisions of this Order a Notice is required to be or may be sent to a person the notice shall be sent by the recorded delivery service
- 64.
- 64.1 Any person specified in Column 7 of the Third Schedule to this Order who is the owner of a vehicle of the class specified in Column 4 of the said Third Schedule may apply to the Council for the issue of a permit for the leaving of that vehicle in the parking place and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such a form
- 64.2 Any occupant of business premises which abut the parking place may upon payment of the annual charge apply to the Council for the issue or renewal of

a business permit (which shall be valid for a period of 12 months from the date of issue or renewal as the case may be) for the leaving of a vehicle of a class specified in Column 4 of the Third Schedule to this Order in the parking place

64.3 The Council may at any time require a permit holder or applicant for a permit to produce to an Officer of the Council such evidence in respect of an application made to them for a permit as they may reasonably require to verify any particulars or information given to them

64.4 On receipt of an application duly made under the foregoing provisions of this Article the Council upon being satisfied that the applicant is a resident or in occupation of business premises which abut the parking place and is the owner of a vehicle of the class specified in Article 64.1 of this Order may subject to Articles 64.4.1 and 64.4.2 hereto issue to the applicant one permit for the leaving in the parking place of the vehicle to which such permit relates by the owner of such vehicle or by any person using such vehicle with the consent of the owner other than a person to whom such vehicle has been let for hire or reward

PROVIDED THAT:

64.4.1 subject to the provisions of Article 66 of this Order the Council shall not issue a permit to any resident which would be valid for any period during which any other permit issued to that resident is or would be valid and

64.4.2 **PROVIDED ALWAYS** that the issue of a permit to a resident or occupier of business premises shall not be construed as if any parking space in the parking place was reserved solely for the use of a permit holder

- 65.1 The Council may by notice in writing served on the permit holder by sending the same by recorded delivery service to the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's place of abode withdraw a permit entirely at its own discretion and the permit holder shall surrender the permit to the Council within 48 hours of the receipt of the aforementioned notice
- 65.2 A permit shall cease to be valid on the occurrence of any one of the events set out in Article 65.3 of this Order
- 65.3 The events referred to in the foregoing provisions of this Article are:
- 65.3.1 the permit holder ceasing to be a resident or occupier of business premises
- 65.3.2 the permit holder ceasing to be the owner of the vehicle in respect of which the permit was issued
- 65.3.3 the withdrawal of such permit by the Council under the provisions of Article 52.1 of this Order
- 65.3.4 the vehicle in respect of which such permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Column 3 of the Third Schedule to this Order

66.

- 66.1 If a permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the permit has become altered by fading or otherwise the permit holder shall surrender it to the Council and the Council upon receipt of the permit shall issue a duplicate permit so marked
- 66.2 If a permit is lost or destroyed the permit holder may apply to the Council for the issue to him of a duplicate permit and the Council upon being satisfied as to such loss or destruction shall issue a duplicate permit so marked and upon

such issue the permit which it duplicates shall become invalid **PROVIDED THAT** a replacement will only be issued upon payment of a charge of £10.00 (or such other sum as the Council may from time to time determine)

66.3 The provisions of this Order shall apply to a duplicate permit and an application therefore as if it were a permit or as the case may be an application therefore

67. A permit shall be in writing and shall bear the words Residents Parking Permit, Business Parking Permit or Visitors Parking Permit as the case may be and shall include the following particulars:

67.1 the registration mark of the vehicle in respect of which the permit has been issued or the address of the premises in question

67.2 the name of the parking place for which the permit is issued

67.3 an authentication that the permit has been issued by the Council

67.4 in relation to a business permit the period during which the permit shall remain valid and an indication that the annual charge has been paid

68. At all times during which a vehicle is left in a parking place there shall be displayed on the front or near side of the vehicle a valid permit issued in respect of that vehicle so that all the particulars referred to in Article 54 of this Order are readily visible from the front or near side of the vehicle

69. Where a permit has been displayed on a vehicle in accordance with the provisions of Article 55 of this Order no person not being the driver of the vehicle shall remove the permit from the vehicle unless authorised to do so by the driver of the vehicle

70. Where the Council deem it so expedient all reference to a permit in this Order shall include reference to a business permit, visitor's permit and a resident's permit and permit holder shall be similarly construed

PARKING PLACE FOR VEHICLES DISPLAYING A DISABLED PERSONS BADGE

- 71 The area of highway which is described as a parking place in Column 2 of the Fifth Schedule to this Order is hereby designated as a parking place for vehicles which display 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
- 72 The limits of the parking place shall be indicated on the carriageway in accordance with the current Traffic Signs Regulations and General Directions
- 73 Every vehicle left in the parking place shall stand in the position specified in Column 3 of the Fifth Schedule to this Order
- 74 Where any vehicle is standing in the parking place in contravention of the provisions of Article 73 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
- 75 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 the parking place he/she may remove or cause to be removed the vehicle from the parking place
- 76 Any person removing or altering the position of a vehicle by virtue of Articles 74, 75 or 78 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
- 77 When a civil enforcement officer removes or makes arrangements for the removal of a vehicle from the parking place by virtue of Article 75 of this Order he/she shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle

- 78 Any vehicle so removed from the parking place may be disposed of in accordance with Sections 101 to 103 of the Act of 1984
- 79 A person 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 the parking place
- 80 A person authorised by the Council may suspend the use of the parking place whenever he/she considers such suspension reasonably necessary:
- 80.1 for the purpose of facilitating the movement of traffic or promoting its safety
 - 80.2 for the purpose of any building engineering or construction operation
demolition or excavation adjacent to or in the parking place
 - 80.3 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
 - 80.4 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
 - 80.5 on any such occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed
 - 80.6 for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals or on other special occasions

81. A police constable in uniform may suspend for not longer than twenty-four hours the use of the parking place whenever he/she considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety
82. At the discretion of the Chief Officer of Police the parking place may be suspended by him whenever he considers such suspension reasonably necessary to enable the Police to discharge their duties
83. Any person suspending the use of the parking place in accordance with the provisions of Articles 80, 81 and 82 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
84. The Council may carry out such other work as is reasonably required for the purpose of the satisfactory operation of the parking place

REVOCATION/AMENDMENT OF EXISTING ORDERS

85. The Orders specified in Column 2 of the Sixth Schedule to this Order is hereby revoked/amended to the extent specified in Column 3 of the said Sixth Schedule

GENERAL

86. 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
87. For the avoidance of doubt any reference in this Order to a length of road or parking place shall be deemed to be a reference to more than one length of road or parking place where the context requires it

88. This Order is made on the day of 2010 and shall
come into effect on the day of 2010 and may be cited as
the Leeds City Council (Traffic Regulation) (Waiting Restrictions) (No.14) Order 2010

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

Assistant Chief Executive (Corporate Governance)