

**LEEDS CITY COUNCIL
(TRAFFIC REGULATION) (WAITING RESTRICTIONS)
(No.W33) ORDER 2010**

COLD WELL ROAD CROSS GATES

VARIOUS WAITING RESTRICTIONS & RESIDENTS PERMIT PARKING

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 force on the 16 day of January 2012 is to introduce:-

1. No waiting at any time on sections of Cold Well Road (both sides), Poole Road both sides), Orchard Road (both sides) and Cold Well Square (both sides);
2. No waiting between the hours of 8.00am and 6.00pm Monday to Saturday inclusive on sections of Cold Well Road (both sides);
3. Permit Parking on sections of Cold Well Square (both sides) from a point 10 metres south of Cold Well Road in a southerly direction to its termination point for residents of 1-10 Cold Well Square, 29-56 Cold Well Road and other persons issued with a permit.
4. On Street Parking places limited to 2 hours with no return within 1 hour on sections of Cold Well Road (north side) except for those permit holders referred to at paragraph 3 above.

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 Services Reception Desk, 1st Floor, St. George House, Great George Street, Leeds 1 and at Cross Gates Library Farm Road Leeds LS15 7LB.

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 13 day of January 2012

Leeds City Council
Civic Hall
LEEDS
LS1 1UR

**LEEDS CITY COUNCIL
(TRAFFIC REGULATION) (WAITING RESTRICTIONS)
(No.W33) ORDER 2010**

COLD WELL ROAD CROSS GATES

LIMITED WAITING AND RESIDENT PERMIT PARKING

STATEMENT OF REASONS FOR PROPOSING TO MAKE THE ORDER

Inconsiderate parking is occurring Cold Well Road between its junction with Well Garth Mount and Poole Road. This creates difficulties for through traffic and access for residents.

The restrictions will be implemented under the provisions of the Road Traffic Regulation Act 1984 in order to facilitate the passage of traffic and improve access for residents. It is proposed to create an Order for two hour limited waiting excluding permit holders 8am to 6pm Monday to Saturday, no waiting 8am to 6pm Monday to Saturday and no waiting at any time.

This order is being re-advertised to include residents permit parking on Cold Well Square and extended no waiting 8am to 6pm Monday to Saturday opposite Cold Well Square.

DATED

13th January

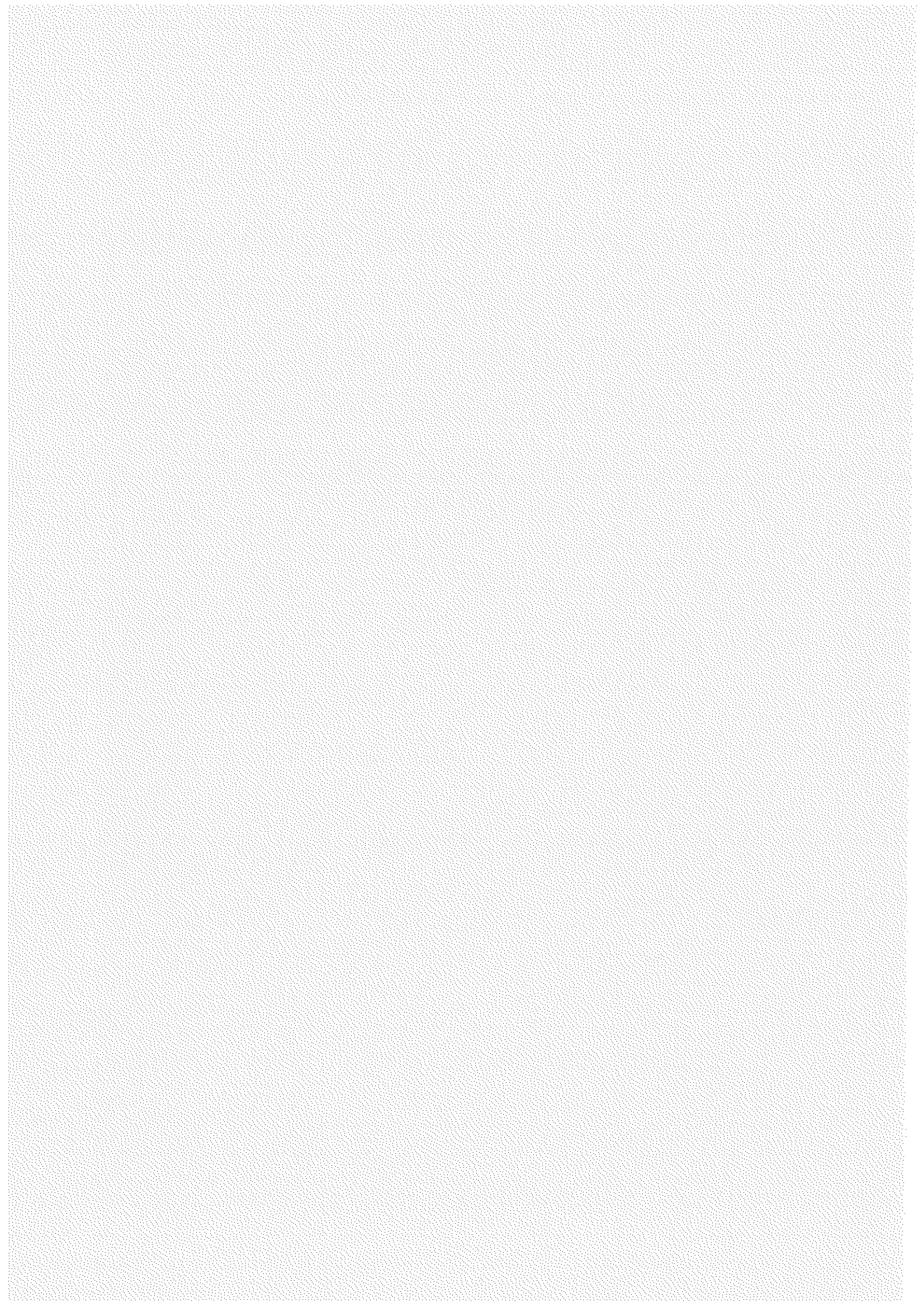
2012

**LEEDS CITY COUNCIL
(TRAFFIC REGULATION) (WAITING RESTRICTIONS)
(No.W33) ORDER 2010**

**COLD WELL ROAD CROSS GATES
VARIOUS WAITING RESTRICTIONS & RESIDENTS PERMIT PARKING**

**Leeds City Council
Civic Hall
LEEDS LS1 1UR**

A76/JL/873039



**LEEDS CITY COUNCIL
(TRAFFIC REGULATION) (WAITING RESTRICTIONS)
(No.W33) ORDER 2010**

COLD WELL ROAD CROSS GATES

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 civil enforcement officer 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 7 and 28 of this Order as a parking place for the leaving of motor vehicles
“permit”	means a permit issued under the provisions of Article 52 of this Order
“permit holder”	means a person to whom a permit has been issued in accordance with Article 52 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 6 of the Third Schedule and 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 6 of the Third Schedule and Column 4 of the Fourth Schedule to this Order which permit is to be displayed on a vehicle of a class specified in Column 3 of the said Third and Fourth Schedules to this Order being used by a bona fide visitor

NO WAITING AT ANY TIME

2 Save as provided in Articles 4, 5 and 6 of this Order no person shall except upon the direction or with the permission of a police constable in uniform or of a civil enforcement officer cause or permit any vehicle to wait in the lengths of road specified in the First Schedule to this Order

3 Save as provided in Articles 4, 5 and 6 of this Order no person shall except upon the direction or with the permission of a police constable in uniform or of a civil enforcement officer cause or permit any vehicle to wait in the lengths of road specified in the Second Schedule to this Order between the hours of 8:00am and 6:00pm Monday to Saturday inclusive

4 Nothing in Articles 2 or 3 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:-

4.1 to enable a person to board or alight from the vehicle

4.2 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

- 4.3 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 ser
- 4.4 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
- 4.5 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
- 4.6 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
5. Nothing in Articles 2 or 3 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 civil enforcement officer and provided always that a police constable in uniform or a civil enforcement officer may at any time require the driver of the vehicle to move it if it is reasonably necessary for the purpose of preventing obstruction
6. Nothing in Articles 2 or 3 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

- 7 The areas of highway in Cross Gates in the Metropolitan District of Leeds which are described as parking places in Column 1 of the Third 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 Third Schedule.
- 8 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.
- 9 Every vehicle left in a parking place shall stand in the position specified in Column 2 of the Third Schedule to this Order.
- 10 Where any vehicle is standing in a parking place in contravention of the provisions of Article 9 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
- 11 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

- 12 Any person removing or altering the position of a vehicle by virtue of Articles 10, 11 or 15 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
- 13 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 11 of this Order he/she shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle
- 14 Any vehicle so removed from a parking place may be disposed of in accordance with Sections 101 to 103 of the 1984 Act
- 15 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
- 16 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:

- 16.1 for the purpose of facilitating the movement of traffic or promoting its safety
- 16.2 for the purpose of any building engineering or construction operation
demolition excavation adjacent to or in the parking place
- 16.3 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
- 16.4 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

- 16.5 on any such occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed
- 16.6 for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals or on other special occasions
- 17 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
- 18 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
- 19 Subject to the proviso contained in Article 21 of this Order any person suspending the use of a parking place in accordance with the provisions of Articles 16, 17 and 18 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
- 20 Subject to the provisions of Article 7 of this Order if the use of a parking place is suspended for any of the purposes set out in Article 16 of this Order except Article 16.1 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
- 21 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 19 of this Order

PROVIDED THAT nothing in this paragraph shall apply to:

21.1 any vehicle being used for Fire Brigade Ambulance or Police purposes or any Local Authority purposes or for any purpose specified in Article 16.1

21.2 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 civil enforcement officer

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

22.1 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

23 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:

23.1 the vehicle is waiting only for so long as is necessary to enable a person to board or alight from the vehicle

23.2 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

- 23.3 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
- 23.4 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
- 23.5 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
- 23.6 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 16.2 to 16.6 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
- 23.7 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 civil enforcement officer or a person authorised by the Council may authorise

24 Nothing in Article 23 shall be taken as authorising anything which would be a contravention of the Road Vehicles Lighting Regulations 1989 or any amendment or variations thereto

- 25 A person causing or permitting a vehicle to wait in the parking place by virtue of Article 23 shall take all necessary steps to ensure that the vehicle is left in accordance with Article 9
- 26 The Council may carry out such other work as is reasonably required for the purpose of the satisfactory operation of the parking place
- 27 Nothing in Article 7 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

RESIDENTS PERMIT PARKING

28. The parking places specified in Column 1 of the Third and Fourth Schedules 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 and Fourth Schedules to this Order
29. Where in the said Third and Fourth Schedules 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:
- 29.1 unless it is of the specified class or
- 29.2 in a position other than that specified

30. Every vehicle using a parking place shall wait thereon in such a position as is specified in Column 2 of the Third and Fourth Schedules to this Order
31. 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
32. 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
33. Subject to the proviso hereto when a motor vehicle is left in a parking place in contravention of any provisions of Articles 29, 32 or 35 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:
 - 33.1 provided that when a motor vehicle is waiting in the parking place in contravention of the provisions of Article 29.2 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
 - 33.2 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
34. Any person removing or altering the position of a motor vehicle by virtue of Article 33 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
35. 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 33 he/she shall make such arrangements as may be reasonably necessary for the safe custody of the motor vehicle and its contents

36. Should a motor vehicle parked in a parking place specified in the Third and Fourth Schedules 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
37. 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
38. The Council may at any time close a parking place or any part thereof temporarily
39. 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
40. 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:
- 40.1 for the purpose of facilitating the movement of traffic or promoting its safety
- 40.2 for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals or on other special occasions
- 40.3 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
41. A person authorised by the Council suspending the use of a parking place or any part thereof in accordance with the provisions of Article 40 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

42. 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 33 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

43.

43.1 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

43.2 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

44. 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 43 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

45. If any person to whom a notice is sent in accordance with Article 44 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

46. 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
47. 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
48. 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
49. 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 33 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
50. Any sums received by the Council on the sale of the motor vehicle after deducting any sum applied by virtue of Article 48 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

51. 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

52.

52.1 Any person specified in Column 6 of the Third Schedule or Column 4 of the Fourth Schedule to this Order who is the owner of a vehicle of the class specified in Column 3 of the said Third and Fourth Schedules 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

52.2 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 3 of the Third and Fourth Schedules to this Order in the parking place

52.3 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

52.4 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 52.1 of this Order may subject to Articles 52.4.1 and 52.4.2 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:

52.4.1 subject to the provisions of Article 54 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

52.4.2 **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

53.

53.1 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

53.2 A permit shall cease to be valid on the occurrence of any one of the events set out in Article 53.3 of this Order

53.3 The events referred to in the foregoing provisions of this Article are:

53.3.1 the permit holder ceasing to be a resident or occupier of business premises

53.3.2 the permit holder ceasing to be the owner of the vehicle in respect of which the permit was issued

53.3.3 the withdrawal of such permit by the Council under the provisions of Article 40.1 of this Order

53.3.4 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 and Fourth Schedule to this Order

54.

54.1 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

54.2 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)

54.3 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

55. 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:

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

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

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

55.4 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

56. 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 55 of this Order are readily visible from the front or near side of the vehicle

57. 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

58. 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

59 Nothing in Article 28 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 ;

59.1 to enable a person to board or alight from the vehicle

59.2 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

59.3 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

59.4 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

- 59.5 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
- 59.6 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 civil enforcement officer and provided always that a police constable in uniform or a civil enforcement officer may at any time require the driver of the vehicle to move it if it is reasonably necessary for the purpose of preventing obstruction

REVOCATION/AMENDMENT OF EXISTING ORDERS

60. The Orders specified in Column 1 of the Fifth Schedule to this Order is hereby revoked/amended to the extent specified in Column 2 of the said Fifth Schedule

GENERAL

61. 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
62. 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
63. This Order is made on the 13 day of January 2012 and shall come into effect on the 16 day of January 2012 and may be cited as the Leeds City Council (Traffic Regulation) (Waiting Restrictions) (No.33) Order 2010

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

Name: ROBERT PRITCHARD

Signature: *Robert Pritchard*

Job Title: Section Head (Development)

Seal No. 88467

**LEEDS CITY COUNCIL
(TRAFFIC REGULATION) (WAITING RESTRICTIONS)
(No.W33) ORDER 2010**

COLD WELL ROAD CROSS GATES

VARIOUS WAITING RESTRICTIONS & RESIDENTS PERMIT PARKING

FIRST SCHEDULE

NO WAITING AT ANY TIME

Lengths of road in the Metropolitan District of Leeds

Item Nr	Column 1 Name of Road	Column 2 Length of Road	Column 3 Additional Exemptions
1	Cold Well Road	SOUTH SIDE – From a point 10 metres west of its junction with the projected western kerbline of Poole Road in an easterly direction for a distance of 25 metres.	
2	Cold Well Road	SOUTH SIDE – From a point 7 metres west of its junction with the projected western kerbline of Cold Well Square in an easterly direction for a distance of 18 metres.	
3	Cold Well Road	BOTH SIDES – From a point 9 metres west of its junction with the projected western kerbline of Well Garth Mount in a westerly direction for a distance of 9 metres.	
4	Cold Well Road	NORTH SIDE – From a point 10 metres west of its junction with the projected western kerbline of Orchard Road in an easterly direction for a distance of 31 metres.	

- 5 Poole Road BOTH SIDES – From its junction with the projected southern kerbline of Cold Well Road in a southerly direction for a distance of 10 metres.
- 6 Orchard Road BOTH SIDES – From its junction with the projected northern kerbline of Cold Well Road in a northerly direction for a distance of 15 metres.
- 7 Cold Well Square BOTH SIDES – From its junction with the southern kerbline of Cold Well Road in a southerly direction for a distance of 10 metres.

SECOND SCHEDULE

NO WAITING 8AM – 6PM MONDAY – SATURDAY INCLUSIVE

Lengths of road in the Metropolitan District of Leeds

Item Nr	Column 1 Name of Road	Column 2 Length of Road	Column 3 Days of Operation	Column 4 Hours of Operation	Column 5 Additional Exemptions
1	Cold Well Road	SOUTH SIDE – From a point 7 metres west of its junction with the projected western kerbline of Cold Well Square in a westerly direction for a distance of 41 metres.	Monday – Saturday Inclusive	8am – 6pm	
2	Cold Well Road	SOUTH SIDE – From a point 7 metres east of its junction with the projected eastern kerbline of Cold Well Square in an easterly direction for a distance of 41 metres.	Monday – Saturday Inclusive	8am – 6pm	
3	Cold Well Road	NORTH SIDE – From a point 5.5 metres east of its junction with the projected eastern kerbline of Cold Well Square in a westerly direction for a distance of 25 metres.	Monday – Saturday Inclusive	8am – 6pm	

THIRD SCHEDULE

**TIME LIMITED PARKING 2 HOUR NO RETURN WITHIN 1 HOUR
EXCEPT RESIDENT PERMIT HOLDERS**

Lengths of road in the Metropolitan District of Leeds

Item No	Column 1 Part of road authorised to be used as street parking place	Column 2 Position in which vehicles may wait	Column 3 Classes of vehicles	Column 4 Days and times of operation of parking place	Column 5 Max period for which vehicles may wait	Column 6 Additional exemptions
1	Cold Well Road NORTH SIDE – From a point 18 metres west of its junction with the projected western kerbline of Well Garth Mount in a westerly direction for a distance of 7 metres.	Wholly within the limits of parking place marked on the carriageway in accordance with the current Traffic Signs Regulations And General Directions and in such a position as not to obstruct the movement of other vehicles	Motor cars, motor cycles and invalid carriages	Monday – Saturday (inclusive) 8am - 6 pm	2 hours No return within 1 hour	A person whose usual residence is at a premises the postal address of which is 29-41 odds and 40-56 evens of Cold Well Road, 1-10 Cold Well Square, and others that are deemed appropriate and have been issued with a permit.
2	Cold Well Road NORTH SIDE – From a point 32 metres west of its junction with the projected western kerbline of Well Garth Mount in a westerly direction for a distance of	Ditto	Motor cars, motor cycles and invalid carriages	Monday – Saturday (inclusive) 8am - 6 pm	2 hours No return within 1 hour	Ditto

14 metres.

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|---|---|-------|--|---|------------------------------------|-------|
| 3 | Cold Well Road

NORTH SIDE – From a point 52 metres west of its junction with the projected western kerbline of Well Garth Mount in a westerly direction for a distance of 9 metres. | Ditto | Motor cars, motor cycles and invalid carriages | Monday – Saturday (inclusive)
8am - 6 pm | 2 hours
No return within 1 hour | Ditto |
| 4 | Cold Well Road

NORTH SIDE – From a point 86.5 metres west of its junction with the projected western kerbline of Well Garth Mount in a westerly direction for a distance of 27 metres. | Ditto | Motor cars, motor cycles and invalid carriages | Monday – Saturday (inclusive)
8am - 6 pm | 2 hours
No return within 1 hour | Ditto |

FOURTH SCHEDULE

RESIDENTS PERMIT PARKING

Lengths of Road in the Metropolitan District of Leeds

	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Item Nr	Part of road authorised to be used as street parking place	Position in which vehicles may wait	Classes of vehicles	Persons authorised to use such parking place	Days of operation of parking place	Hours of operation of parking place	Additional exemptions
1	Cold Well Square BOTH SIDES - from a point 10 metres south of Cold Well Road in a southerly direction to its termination point	Wholly within the limits of the designated parking place marked on the carriageway in accordance with the current Traffic Signs Regulations and General Directions and in such a position as not to obstruct the movement of other vehicles.	Passenger vehicle, dual purpose vehicle, Invalid Carriage, motor cycle (when displaying a valid permit)	A person whose usual residence is at a premises the postal address of which is 29-41 odds and 40-56 evens of Cold Well Road, 1-10 Cold Well Square, and others that are deemed appropriate and have been issued with a permit.	All days	All hours	

FIFTH SCHEDULE

REVOCAATION/AMENDMENT OF EXISTING ORDERS

COLUMN 1 NAME OF ORDER	COLUMN 2 EXTENT OF REVOCATION / AMENDMENT
City of Leeds (Traffic Regulation) (waiting restriction) (No.W25) Order 2009	Amend item 1 of the first schedule to read:- MEANWOOD ROAD: NORTH-EAST SIDE – From a point 92 metres north-west of the north- western projected kerbline of Back Ridge View for a distance of 45 metres in a south-eastern direction.

