



## LEICESTER CITY COUNCIL

### **LEICESTER CITY COUNCIL (HIGHFIELD STREET, LEICESTER) (AMENDMENT PAY & DISPLAY, WAITING AND LOADING RESTRICTIONS) (AMENDMENT NO.317) TRAFFIC REGULATION ORDER 2022**

Leicester City Council ("the Council") being a Civil Enforcement Area ("CEA") for the City of Leicester, in exercise of its powers conferred on it by Sections 1, 2, 4, 5, 32, 35, 35A, 45, 46, 47 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act"), and all other enabling powers and after consultation with the Chief Constable for the Leicestershire Police Authority in accordance with Part III of Schedule 9 to "the Act", hereby makes the following Order:-

#### **Section 1**

#### **COMMENCEMENT, GENERAL AND DEFINITIONS**

##### **Citation and Commencement.**

1. (i) This Order may be cited as the Leicester City Council (Highfield Street, Leicester) (Amendments Pay & Display, Waiting and Loading Restrictions) (Amendment No.317) Traffic Regulation Order 2022, shall be included among the Orders which may be cited as " Leicester City Council (Consolidation) Traffic Regulation Order 2006." And shall come into force on the 07th day of March 2022 and

##### **Interpretation**

2. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament. The headings in this Order are inserted for convenience only and shall not affect its construction or interpretation. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby assigned to them:

"Approved Device" has the meaning ascribed to it by Regulation 2 of the Approved Device Regulations.

"At Any Time" means all hours on all days.

" Authorised Officer" means a Civil Enforcement Officer, qualified officers using or processing images from an Approved Device or any person as defined by the relevant legislation duly authorised by or on behalf of the Council to supervise and enforce the operation of the car park or any part thereof, may issue a Penalty Charge Notice for a Contravention.

"Bus" has the meaning ascribed to it by the definitions table in Schedule 1 to the Traffic Sign Regulations

"Carriageway" means a way constituting or comprised in a Highway being a way



(other than a cycle track or any central reservations) over which the public have a right of way for the passage of vehicles.

"CEO" means a Civil Enforcement Officer as defined in Section 76 of the 2004 Act;

"Clearway" means any Road or any part of the width of Road as specified in this Order (where Motor Vehicles are prohibited from stopping unless otherwise specified in this Order) and has delineated by Road Markings and/or Traffic signs.

"Cycle" means a pedal cycle not being propelled by mechanical power.

"City" means the City of Leicester to its administrative boundary.

"Contravention" means a failure to comply with restrictions set out in this Order that may result in the issue of a penalty charge notice.

"Council" means Leicester City Council being the enforcement authority.

"Date of Service" as ascribed in Regulation 3 (Service by Post) of the Parking Regulations.

"Date of Issue" is the date that a PCN under Regulation 9 of the Parking Regulations was fixed to the vehicle or giving it to the person appearing to be in charge of the vehicle. For a PCN issued under Regulation 10 of the Parking Regulations, is the date the PCN was printed out for the purpose of Service by Post.

"Designated Parking Place" means any area of the Highway authorised and defined in Column 2 Schedule 1 of this Order to be used as a Pay and Display Parking Place for a Motor Vehicle and that Parking Place may be restricted to a specified class of vehicle during set times of the day and be defined in Column 2 Section 2 and has been assigned a Part Number.

"Detection Date" means the date on which a vehicle was detected as contravening this Order, according to the record produced by an Approved Device or CEO.

"Disabled Person" means a disabled person provided with a disabled person's blue badge issued and used in accordance with The Chronically Sick & Disabled Persons Act 1970 and The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000.

"Disabled Persons Badge" and "holder" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 and includes similar badges issued by other European Member States.

"Driver" means the registered keeper of the vehicle registered with the DVLA at the time that the contravention was committed, unless it is proved to the Council's satisfaction that the vehicle at the time of the contravention was in the charge of a person other than the registered keeper.

"Emergency Service Vehicle" means a vehicle operated by the police, fire & rescue service or ambulance service.



"Enactment" includes any Act, Order or Regulation made under any Act of Parliament.

"Entrance Clearway" means an area of Carriageway with the relevant Road Marking adjacent to a school or other educational institution, Police, Fire or Ambulance Station in which to Stop a Motor Vehicle in that area is prohibited.

"Footway" means that part of the Highway over which the public have a right of way for the passage of pedestrians.

"Goods" means articles and property of any description, including postal packets of any kind (that cannot be easily carried on their person) and have been purchased and are ready for collection or delivery, provided that it would be unreasonable for an individual to carry such goods, further than a reasonable distance for the purpose of loading them into or from a vehicle.

"Higher Level Contraventions" as defined in the Levels of Charge Order.

"Highway" means land over which the public have a right to pass and repass.

"Hirer" means a person who has hired a Motor Vehicle under a hiring agreement from a vehicle-hire firm and these have the same meaning as in Section 66 of the 1988 Offenders Act.

"Hours of Operation" means those hours and day specified in column 2 of Section 2 being the time period during which a designated parking Prohibitions, Restriction or Provision apply.

"Invalid Carriage" has the same meaning as in Section 136 of the 1984 Act.

"Loading Vehicle" means a Motor Vehicle which is at that time being used to enable Goods to be loaded or unloaded, PROVIDED THAT when the aforementioned activity has been completed the motor Vehicle is no longer a Loading Vehicle.

"Local Bus Service" has the same meaning as defined in the Transport Act 1985

"Lower Level Contraventions" means a parking contravention which is not a High Level Contravention as ascribed in the Levels of Charge Order

"legally qualified medical practitioner" has the same meaning as in section 52 of the Medical Act 1956.

"Licensed Hackney Carriage" means a Hackney Carriage licensed under Section 37 of the 1847 Act.

"Loading" (loading includes unloading) means the loading of Goods on to or the removing of Goods from a Vehicle for the time being stationary on the Road and which by virtue of the weight, size, value or quantity of the goods requires the vehicle to be stationary at that location. Loading is only deemed to be taking place if either.



- a. There is continuous activity involved in loading Goods in the vicinity of the Vehicle or,
- b. Goods have been or are about to be loaded on to the Motor Vehicle and are in transit between the Motor Vehicle and their destination or origination point, provided that the Motor Vehicle is located as close as is practicable to that destination or origination point and that the Motor Vehicle remains there only for so long as is absolutely necessary to achieve the movement of the Goods between the Motor Vehicle and the origination or destination point.
- c. loading does not include picking up or setting down of passengers.

"Motor Car" means a mechanically propelled vehicle as defined in Section 136(2) of the 1984 Act.

"Motorcycle" means a mechanically propelled vehicle as defined in Section 136(4) of the 1984 Act.

"Motor Vehicle" means a mechanically propelled vehicle as defined in section 136(1).

"Offence" means a failure to comply with restrictions set out in this Order that may result in the issue of a fine under any Enactment that makes any provision of this Order a criminal offence.

"Owner" in relation to a vehicle, means the person by whom the vehicle is kept. In determining who was the owner of the Motor Vehicle at any time it shall be presumed that the owner was the person in whose name the vehicle was at that time registered under the Vehicle Excise and Registration Act 1994 or the person who has the use of such Motor Vehicle in the course of his/her employment and is entitled to use such Motor Vehicle as if he/she were the registered keeper.

"Parking Contravention" applies to offences detailed in Schedule 7, Part 1 Paragraph 4 of the 2004 Act.

"Parking Place" means any area of the Highway authorised and defined in Column 2 Schedule 1 of this Order to be used as a Parking Place for a Motor Vehicle and that Parking Place may be restricted to a Specified Class of Vehicle during set times of the day and be defined in Column 2 of Sections 4 and 5 and has been assigned a Part Number in Column 1 of those sections.

"Pay & Display Machine" means an apparatus of a type approved by the Secretary of State for Transport for the purposes of this Order being apparatus designed to indicate the time by a clock and to issue numbered tickets indicating, the date of issue, the payment of an initial charge, the departure time and such other information as may be applicable relating to the leaving of a vehicle in a Designated Parking Place to which a pay and display restriction is applied.

"Pay & Display Parking Place" means a Parking Place specified in Column 2 of Schedule 1 as defined in Column 2 of Section 5 of this Order where the driver is



required to make a payment by the insertion of the appropriate coin, coins or other means provided for into the apparatus or device provided for the issue of the ticket which must be displayed on the Motor Vehicle.

“Part Number” means a unique number in Column 1 of Sections 2, 3, 4, 5 and 6 of this Order and is linked to a Restriction or Provision as defined in Column 2 of Sections 2, 3, 4, 5 and 6 of this Order.

“Pedal Cycle” means a unicycle, bicycle, tricycle or cycle having four or more wheels, not being in any case mechanically propelled unless it is an electrically assisted cycle of such class as it to be treated as not being a Motor Vehicle for the purposes of the Act.

“Penalty Charge Notice (PCN)” as ascribed under Regulation 8 of the Parking Regulations.

“Permit” means a Residents Permit, Visitors Permit or a Dispensation Permit which entitles the holder to allow their Motor Vehicle (when displaying the relevant Permit) to Wait in a Parking Place or on a Restriction only in an area or length of Road as specified on the Permit and in line with the conditions of issue for that Permit when issued by the Council.

“Public Holiday” means Bank Holidays and all present and future public holidays as defined by the Cambridge dictionary.

“Public Service Vehicle” has the same meaning as defined in the Public Passenger Vehicles Act 1981.

“Red Route” means a Road specified by a Part Number and listed in Schedule 1 comprising the whole width of Highway (for avoidance of doubt, including the Footway) except where only one side of a Road is specified in Schedule 1, where it shall comprise the Highway from its edge to the centre of the Carriageway and introduced pursuant to the provisions of the Relevant Legislation.

“Relevant Legislation” means an Act, Order or Regulation listed within Article 2. (i) Statutory References of this Order.

“Relevant National Authority” means the Secretary of State in respect to England.

“Relevant Particulars” means particulars relating to the identity of the keeper of the Motor Vehicle contained in the register of mechanically propelled vehicles maintained by the Relevant National Authority under the Vehicle Excise and Registration Act 1994.

“Road(s)” means the area between two Highway boundaries excluding any defended footway loading area, footway Parking Place or Lay-by and includes any length of Road.

“Road Marking” means a traffic sign consisting of a line or mark or legend on the surface of the Road of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under, Section 64 of the 1984 Act.



"Royal Mail" means the national postal service of the United Kingdom so named.

"Serve" in respect of a Penalty Charge Notice means the forms of service specified in Regulations 9 and 10 of the Parking Regulations, including the service of PCNs by post or any amendment or re-enactment thereof.

"Solo Motorcycle" means a Motorcycle without a sidecar and having two wheels.

"Stop" means for a Motor Vehicle where its Road wheels are no longer in motion and has resulted in the Motor Vehicle being stationary on the Highway.

"Traffic Manager" shall have the meaning ascribed to it by section 17(2) of the 2004 Act in relation to that Officer so named for the Council.

"Traffic Sign" means a sign of any size, colour and type prescribed or authorised under Traffic Sign Regulations, or having effect as though prescribed or authorised under, Section 64 of the 1984 Act.

"Taxi" means a Hackney Carriage Vehicle licensed under section 37 of the 1847 Act.

"Statutory Undertaker" has the meaning ascribed to "undertaker" in section 48(4) of the New Roads and Street Works Act 1991.

"Vehicle" means: -

- a) a mechanically propelled vehicle intended or adapted for use on the Road.
- b) a Pedal Cycle in actual use for the purpose of cycling.

"Vehicle Immobilisation and removal" has the same meaning as that contained the Section 79 of 2004 Act.

"Waiting" means that a Vehicle is stationary for the purpose of boarding and alighting of Passengers, Loading or Parked for the temporary period of time.

## 2. (i) **Statutory References**

The following statutory references (as amended) shall have the meaning ascribed to them as specified:

"1847 Act" means the Town Police Clauses Act 1847;

"1976 Act" means the local Government (Miscellaneous Provisions) Act 1976;

"1980 Act" means the Highways Act 1980;

"The Act" means the Road Traffic Regulation Act 1984;

"Postal Services Act" means the Postal Services Act 2000;

"1985 Act" means the Transport Act 1985;



“1988 Traffic Act” means the Road Traffic Act 1988;

“1988 Offenders Act” means the Road Traffic Offenders Act 1988;

“2004 Act” means the Traffic Management Act 2004;

“Approved Devices Regulations” means the Civil Enforcement of Parking Regulations (Approved Devices) (England) Order 2007 (SI No.3486);

“Disabled Person’s Exemption Regulations” means the Local Authorities Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000 (SI No.683);

“Levels of Charge Order” means the Civil Enforcement of Parking Contraventions (Guidelines on Level of Charges) (England) Order 2007 (SI No.3487);

“Parking Regulations” means the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (SI No.3483);

“Representations and Appeals Regulations” means the Civil Enforcement of Parking Contraventions (England) Representation and Appeals Regulations 2007 (SI No.3482)

“Traffic Sign Regulations” means the Traffic Signs Regulation and General Directions 2016 (SI No.3484).

3. The restrictions and provision imposed by this Order are in addition to and not in derogation of any restriction, prohibition or requirement imposed by any other enactment and any exception or exemption from the provisions of this Order is without prejudice to the provisions of any other enactment and
  - (i) Any reference in this Order to a Road by its name shall be construed as a reference to the Road in the City bearing that name.
  - (ii) Any reference to a Part Number in this Order shall be construed as a reference to the traffic restriction detailed in Section 2, 3, 4, 5 or 6 bearing that Part Number.
  - (iii) The restrictions detailed in Column 2 of Sections 2, 3, 4, 5 or 6 shall be subject to such conditions as may be specified in Column 3 by a number referring to a condition defined in Section 7 of this Order
  - (iv) the restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any other enactment.
4. The locations, Roads or lengths of Road specified in Column 2 of Schedule 1 of this Order shall be subject to the restrictions set out in Column 1 of Schedule 1 identified by the Part Number. To assist in identifying the location of any manoeuvre restrictions a summary of the restriction may be included in the location description in Column 2 of Schedule 1, regardless of that summary the restriction shall be defined by the full description of that restriction contained in Section 2, 3, 4, 5 and 6 of the Order.



5. For the purpose of this order unless otherwise stated the location of a restriction identified in Column 2 of Schedule 1 which refers to a measurement from a junction shall be construed as a measurement from the intersection of the Highway boundaries on the side of the junction in which direction the measurement is prescribed. Where a restriction identified in Column 2 of Schedule 1 is stated as commencing from or extending to a junction with another Road it shall be construed as starting from or extending to a point at the intersection of the centrelines of the two Roads.
6. Unless otherwise stated all restrictions specified in this order shall be deemed to apply to the whole of the Highway at the locations specified including any Carriageway, central reservation, Footway, verge or other land forming part of that Highway.

### Section 3 Parking Place Restrictions

Column 1	Column 2	Column 3
<b>Part 200</b>	No person shall cause or permit a vehicle to wait or to load or unload at any time on any of the roads or lengths of road specified to which this restriction is applied.	2i, 2ii, 2v, 2vii
<b>Part 207</b>	No person shall cause or permit a vehicle to wait at any time on any of the roads or lengths of road specified to which this restriction is applied.	2i, 2ii, 2iii, 2iv, 2v, 2vi
<b>Part 224</b>	No person shall cause or permit a vehicle to wait for more than 1 hour or to return to the same length of limited waiting restriction within the next consecutive period of 1 hour between 9.30am and 4.00pm Monday to Saturday on any of the roads or lengths of road specified to which this restriction is applied.	2i, 2ii, 2iii, 2iv, 2v, 2vi
<b>Part 259</b>	No person shall cause or permit a vehicle to wait or to load or unload between 9.30am and 3.30pm Monday to Friday inclusive on any of the roads or lengths of road specified to which this restriction is applied.	2i, 2ii, 2iii, 2iv, 2v

### Section 5 Designated Parking Place Restrictions

Column 1	Column 2	Column 3
<b>Part 410</b>	<b>Designated Pay and Display Parking Place.</b> No person shall cause or permit a vehicle to wait for more than 3 hours or to return to the same length of designated parking place restriction within the next consecutive period of 3 hours between the permitted hours of 7.00am and Midnight on any of the roads or lengths of road specified to which this restriction is applied. Before leaving a vehicle on any road or length of road to which this restriction applies the driver shall purchase and display in accordance with the conditions set out in section 9 of this Order a pay and display ticket from the machine provided for that purpose. All vehicles must be parked wholly within the parking bay marked on the carriageway. Failure to display a valid ticket or exceeding the maximum permitted stay shall render the driver liable to a penalty charge as set out in section 9 of	4i, 4ii, 4iii, 4iv, 4v, 4vi, 4vii



	<p>this order. Whilst parked in the parking bay no person shall carry out any work relating to the construction or repair of the vehicle other than may be necessary to enable the vehicle to be moved from the parking bay. No person shall allow a vehicle waiting in a parking bay to be used for or in connection with the sale of any vehicle or any other article or for the offer of any service for reward. Provided that this restriction shall not apply to a vehicle displaying a disabled persons badge issued and displayed in accordance with the "Disabled Persons (Badges For Motor Vehicles) (England) Regulations 2000" and includes similar badges issued by other European Member States, or to a vehicle displaying a residents or visitor parking permit valid for the residents parking zone in which the parking place is located, the zone reference letter being indicated on the traffic sign indicating the restriction applicable to that parking place.</p>	
<b>Part 411</b>	<p><b>Designated Residents Parking Place.</b>  No person shall cause or permit a vehicle to wait between midnight and 7.00am on any of the roads or lengths of road specified to which this restriction is applied except a vehicle displaying a residents parking permit or a visitors permit valid for the zone in which the parking place is located, the zone reference letter being indicated on the traffic sign indicating the restriction applicable to that parking place. Provided that this restriction shall not apply to a vehicle displaying a disabled persons badge issued and displayed in accordance with the "Disabled Persons (Badges For Motor Vehicles) (England) Regulations 2000" and includes similar badges issued by other European Member States. Vehicles must be parked wholly within the parking bay as marked on the carriageway. Whilst parked in the residents parking bay no person shall carry out any work relating to the construction or repair of the vehicle other than may be necessary to enable the vehicle to be moved from the parking bay. No person shall allow a vehicle waiting in a residents parking bay to be used for or in connection with the sale of any vehicle or any other article or for the offer of any service for reward. Residents and visitor permits shall be issued in accordance with the rules contained in section 8 and schedule 2 of this order.</p>	<p>4i, 4ii, 4iii,  4iv, 4v, 4vi,  4vii</p>
<b>Part 424</b>	<p><b>Designated Pay and Display Parking Place.</b>  No person shall cause or permit a vehicle to wait for more than 3 hours or to return to the same length of designated parking place restriction within the next consecutive period of 3 hours between the permitted hours of 3.30pm and Midnight from Monday to Friday inclusive and on Saturday and Sunday from 7am to Midnight on any of the roads or lengths of road specified to which this restriction is applied. Before leaving a vehicle on any road or length of road to which this restriction applies the driver shall purchase and display in accordance with the conditions set out in section 9 of this Order a pay and display ticket from the machine provided for that purpose. All vehicles must be parked wholly within the parking bay marked on the carriageway. Failure to display a valid ticket or exceeding the maximum permitted stay shall render the driver liable to a penalty</p>	<p>4i, 4ii, 4iii,  4iv, 4v, 4vi,  4vii</p>



charge as set out in section 9 of this order. Whilst parked in the parking bay no person shall carry out any work relating to the construction or repair of the vehicle other than may be necessary to enable the vehicle to be moved from the parking bay. No person shall allow a vehicle waiting in a parking bay to be used for or in connection with the sale of any vehicle or any other article or for the offer of any service for reward. Provided that this restriction shall not apply to a vehicle displaying a disabled persons badge issued and displayed in accordance with the "Disabled Persons (Badges For Motor Vehicles) (England) Regulations 2000" and includes similar badges issued by other European Member States, or to a vehicle displaying a residents or visitor parking permit valid for the residents parking zone in which the parking place is located, the zone reference letter being indicated on the traffic sign indicating the restriction applicable to that parking place.

### **Section 7**

#### **Conditions and Exclusions.**

- 2.i. It shall not be a contravention to cause or permit a Motor Vehicle to wait or to load and unload on any length of Road specified in Schedule 1 Column 2 of this Order to which a waiting or loading restriction applies provided that the person is acting upon the direction of a police constable in uniform or such other persons in uniform appointed for that purpose by the Chief Constable for Leicestershire.
- ii. It shall not be a contravention to cause or permit a Motor Vehicle to wait or to load and unload on any length of Road specified in Schedule 1 Column 2 of this Order to which a waiting or loading restriction applies if the vehicle is being used for Police, Fire & Rescue Service or Ambulance purposes.
- iii. It shall not be a contravention to cause or permit a Motor Vehicle to wait on any length of Road specified in Schedule 1 Column 2 of this Order to which a waiting or loading restriction applies for so long as may be necessary to enable a person to board or alight from such Motor Vehicle.
- iv. It shall not be a contravention to cause or permit a Motor Vehicle to wait on any length of Road specified in Schedule 1 Column 2 of this Order to which a waiting or loading restriction applies for so long as may be necessary to enable first and second class mail under the Postal Service Act to be loaded or unloaded from a Royal Mail Vehicle.
- v. It shall not be a contravention to cause or permit a Motor Vehicle to wait on any length of Road specified in Schedule 1 Column 2 of this Order to which a waiting or loading restriction applies in contravention of that restriction to enable the Motor Vehicle, if it cannot conveniently be used for such purpose on any other Road, to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of any of the lengths of Road or to enable work by any undertaker to be carried out relating to any pipe, cable, sewer or apparatus in or on that Road.
- vi. It shall not be a contravention to cause or permit a Motor Vehicle to wait on any length of Road specified in Schedule 1 Column 2 of this Order to which a waiting restriction applies for up to 3 hours with return prohibited within a further consecutive period of 1 hour where the restriction is a prohibition of waiting and



for any length of time where the restriction is a limit on the duration for which waiting is permitted provided that the Motor Vehicle is displaying a disabled persons blue badge in accordance with the rules appertaining to the issuing of such a badge or a disabled persons blue parking card issued in accordance with the rules of any member State of the European Community. Provided that no such vehicle shall wait where a prohibition of loading and unloading is in force, in a bus lane or in a loading only bay.

- vii. It shall not be a contravention to cause or permit a Motor Vehicle to wait on any length of Road specified in Schedule 1 Column 2 of this Order to which a street Parking Place order applies, in contravention of the conditions applicable to that Parking Place if the vehicle displays a valid Permit issued by the Council to allow the vehicle to wait at that location.
- 4.i. It shall not be a contravention to cause or permit a Motor Vehicle to wait or to load and unload on any length of Road specified in Schedule 1 Column 2 of this Order to which a designated Parking Place restriction applies without displaying the required ticket or Permit provided that the person is acting upon the direction of a police constable or such other persons in uniform appointed for that purpose by the Chief Constable for Leicestershire, or by a Parking Attendant employed on behalf of the Council.
- ii. It shall not be a contravention to cause or permit a Motor Vehicle to wait or to load and unload on any length of Road specified in Schedule 1 Column 2 of this Order to which a designated Parking Place restriction applies without displaying the required ticket or Permit if the vehicle is being used for Police, Fire & Rescue Service or Ambulance purposes.
- iii. It shall not be a contravention to cause or permit a Motor Vehicle to wait on any length of Road specified in schedule 1 column 2 of this order to which a designated Parking Place restriction applies without displaying the required ticket or Permit for so long as may be necessary to enable a person to board or alight from such Motor Vehicle.
- iv. It shall not be a contravention to cause or permit a Motor Vehicle to wait on any length of Road specified in Schedule 1 Column 2 of this Order to which a designated Parking Place restriction applies without displaying the required ticket or Permit for so long as may be necessary to enable the first and second class post under the Postal Service Act to be loaded or unloaded from a Royal Mail Vehicle.
- v. It shall not be a contravention to cause or permit a Motor Vehicle to wait on any length of Road specified in Schedule 1 Column 2 of this Order to which a designated Parking Place restriction applies without displaying the required ticket or Permit in contravention of that restriction to enable the Motor Vehicle, if it cannot conveniently be used for such purpose on any other Road, to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance improvement or re-construction of any length of Road or to enable work by any Undertaker to be carried out relating to any pipe, cable, sewer or apparatus in or on that Road.
- vi. It shall not be a contravention to cause or permit a Motor Vehicle to wait on any length of Road specified in Schedule 1 Column 2 of this Order to which a designated Parking Place restriction applies without displaying the required ticket or Permit provided that the vehicle is being loaded or unloaded and provided that the Motor vehicle remains in the Parking Place only for so long as is necessary to complete the loading or unloading operation.



- vii. It shall not be a contravention to cause or permit a Motor Vehicle to wait on any length of Road specified in Schedule 1 Column 2 of this Order to which a designated Parking Place restriction applies without displaying the required ticket or Permit, in contravention of the conditions applicable to that Parking Place if the Motor Vehicle displays another form of valid Permit issued by the council to allow the Motor Vehicle to wait at that location.

## **Section 8**

### **Permits**

1. The Council may at its discretion when satisfied that it is expedient to do so issue Permits to allow Motor Vehicles to wait or to load and unload on sections of Road in a manner contrary to the restrictions imposed on that section of Road or to allow the use of Parking Places on a Road by Specified Classes of Vehicle or by specific persons.
2. The Council may issue such Permits either free of charge or on payment of such fees as the Council may from time to time determine as specified in Schedule 2 of this Order.
3. The Council may from time to time make rules as to the issuing and use of Permits and Permits issued will only be valid if issued and used in accordance with those rules as specified in Schedule 2 of this Order.
4. Any Permit issued remains the property of the Council and must be returned to the Council if required.
5. Only original Permits issued by the Council shall have the effect of allowing a Motor Vehicle to wait or to load or unload in contravention of the waiting or loading restrictions, to park in a Permit controlled Parking Place.
6. Permits must be clearly displayed at all times that a Motor Vehicle occupies a Parking Place requiring the display of a Permit. On any Motor Vehicle fitted with a front windscreen the Permit must be displayed on that front windscreen in a manner which allows the details of the Permit to be clearly seen from outside of the Motor Vehicle. On Motor Vehicles not fitted with a front windscreen the Permit must be displayed in such a position as to make the details of the Permit clearly visible from outside of the Motor Vehicle. Only Permits displayed in this manner will have the effect of allowing a Motor Vehicle to wait or to load or unload in contravention of the waiting or loading restrictions or to use the Permit Parking Place.
7. All Permits issued by the Council intended to be used to allow a Motor Vehicle to enter a restricted street or to wait or to load or unload on part of a Road contrary to the waiting or loading restrictions or to wait in a part of a Road where the display of a Permit is required shall be marked with the registration number of the Motor Vehicle and shall only be valid when displayed on the Motor Vehicle bearing that registration number.

## **Section 9**

### **Regulations and Charges for use of Designated Parking Places**

1. The charge to be paid for the use during the permitted hours of any designated Pay & Display Parking Place specified in Column 2 of Section 5 of this Order shall be as may be determined from time to time by the Council and notified to the public by the publication of a Notice of Variation under section 46A of the Act. The scale of charges at the time being in force will be displayed at the Pay



& Display Machine. A copy of the scale of charges for the time being in force is contained in Schedule 3 of this Order.

2. The driver of a Motor Vehicle using a designated Pay & Display Parking Place during the permitted hours shall on leaving the Motor Vehicle in the Parking Place pay the appropriate charge in accordance with the scale of charges and shall display in the Motor Vehicle in accordance with the provisions of article 5, a numbered ticket issued by the Pay & Display Machine indicating the date of the payment, the fee paid, the departure time and digits or digits and letters corresponding with the digits and letters on the Motor Vehicle registration plate.
3. Expiry of the period for which the charge has been paid shall be indicated when there is exhibited on the Motor Vehicle a ticket issued by a Pay & Display Machine relating to the Pay & Display Parking Place in which the Motor Vehicle is left showing the date of payment of the charge, and the departure time, and the time shown on the clock on the said machine is later than the aforementioned departure time.
4. The charge shall be payable by the insertion of appropriate coin, coins or other means provided for into the apparatus or device provided, being an apparatus or device approved in accordance with Section 46 of the Act, and Section 47(5) of the Act shall apply in respect of such apparatus.
5. The ticket or tickets shall be exhibited on the Motor Vehicle: -
  - (i) where the Motor Vehicle is fitted with a front glass windscreen facing forwards, on the inside of the glass of such windscreen such that the ticket can be easily read from outside of the Motor Vehicle; or
  - (ii) where the Motor Vehicle is not fitted with a front glass windscreen at such other position which enables the ticket to be easily read from outside of the Motor Vehicle.
6. The use of any designated Parking Place or part of such a Parking Place may be suspended by a police officer, traffic warden, CEO or other officer authorised by the Chief Constable for Leicestershire or the Council by means of the placing of traffic cones marked with the words "no waiting" and by the display of a notice giving the reason for the suspension and its likely duration. The Parking Place suspension may apply to all Motor Vehicles or may apply to all Motor Vehicles except certain specific Motor Vehicles or classes of Motor Vehicle.
7. An officer appointed by the Chief Constable for Leicestershire, a CEO or officer authorised by the Council may move or cause to be moved any Motor Vehicle which is parked in a designated Parking Place in contravention of the conditions which are at that time applied to that Parking Place.
8. When purchasing a Pay & Display ticket from a Pay & Display Machine provided with an alpha-numeric keypad the purchaser must key into the machine the letters and digits corresponding with the those on the Motor Vehicle registration plate. A Pay & Display ticket shall only be valid when it is marked by the Pay & Display Machine with digits and letters corresponding with the registration plate of the vehicle in which the ticket is displayed. When purchasing a Pay & Display ticket from a Pay & Display Machine provided with a numeric keypad the purchaser must key into the machine the digits corresponding with the those on the vehicle registration plate. A Pay & Display ticket shall only be valid when it is marked by the Pay & Display Machine with digits corresponding with the registration plate of the Motor Vehicle in which the ticket is displayed.

## **Section 10**



## **Contraventions & Enforcement of Restrictions Imposed by This Order.**

1. If a Motor Vehicle is left in a Parking Place during the permitted hours or in any Road or length of Road in contravention of any provision of Sections 3, 4, 5 and 6 of this Order, a Penalty Charge may be payable and/or the Motor Vehicle may be immobilised or removed from that location.
2. Enforcement of stopping, waiting, loading and parking prohibitions and restrictions set out in sections 3, 4, 5 and 6 of this Order will be carried out by a CEO employed by or on behalf of the Council by the issuing of Penalty Charge Notices. Section 6 may also be enforced by using an Approved Device. Enforcement and the issuing of PCN will be undertaken as prescribed by the 2004 Act (as amended) and will be subject to such rules regulations and guidelines that may be prescribed from time to time by the Secretary of State for Transport.
3. The level of Penalty Charge to be imposed including any discounts or increases due to early or late payment will be as determined from time to time by the Council in accordance with any rules, regulations or guidance given by the Secretary of State for Transport and will be notified by public advertisement in the manner prescribed in the above legislation.
4. Motor Vehicles parked in contravention of stopping, waiting, loading and parking prohibitions and restrictions may also be either fitted with an immobilisation device or be removed to a storage facility subject to such rules regulations and guidelines as may be issued by the Secretary of State for Transport. The fees to be paid for the removal of an immobilisation device or the return of the Motor Vehicle to its owner will be as determined from time to time by the Council in accordance with any rules, regulations or guidance given by the Secretary of State for Transport and will be notified by public advertisement in the manner prescribed in the above legislation. The Council may require the payment of all outstanding penalty charges incurred by the owner of a Motor Vehicle before removing an immobilisation device or returning a Motor Vehicle to its owner.
5. Moving traffic offences relating to the manoeuvre restrictions set out in Section 2 of this Order will be enforced by such uniformed officers employed by the Chief Constable for Leicestershire as specified in legislation. In addition, any contraventions that the Secretary of State determines may be dealt with under civil enforcement powers may be dealt with by an Approved Device and processed by officers appointed by or on behalf of the Council in accordance with any rules, regulations or guidelines that may be prescribed.

## **Section 11**

### **Validity**

1. If a Court, the Department for Transport, the National Parking Adjudication Service or the Traffic Enforcement Centre declares any part of this Order to be invalid or unenforceable, such declaration shall not invalidate the remainder of the Order.

## **Section 12**

### **Revocation of Former Orders and Parts of Former Orders.**

- 1 i. List of Orders to be revoked in Part.
  - The Leicester (Consolidation) Traffic Regulation Order 2006 (As amended)



- ii. Each Order specified in 1.i. to Section 12 of this Order, is hereby revoked in Part insofar as it related to any Road item corresponding to a restriction and length of road specified in Schedule 1 of this Order.
- iii. Where any document refers, whether specifically or by means of a general description, to a provision of an Order revoked by this Order or is to be construed as so referring, the reference shall, where the context otherwise requires, be construed as or as including, a reference to the corresponding provision of this Order.

IN WITNESS whereof the Council have caused the Common Seal of the Leicester City Council to be hereunto fixed this 24<sup>th</sup> day of February 2022.

EXECUTED AS A DEED by           )  
LEICESTER CITY COUNCIL by    )  
affixing its Common Seal, the day)  
and year first before written    )



104571

A handwritten signature in black ink, consisting of a series of loops and flourishes.

Authorised Signatory



## SCHEDULE 1

### HIGHFIELD STREET

- Part 100 One Way Street from its junction with London Road to its junction with Gotham Street in that direction.

#### North-west Side

- Part 207 From its junction with London Road to a point 3 metres north-east of its junction with Gotham Street.
- Part 410 From a point 3 metres north-east of its junction with Gotham Street to a point 24 metres south-west of its junction with Tichborne Street.
- Part 411 From a point 3 metres north-east of its junction with Gotham Street to a point 24 metres south-west of its junction with Tichborne Street.
- Part 424 From a point 24 metres south-west of its junction with Tichborne Street to a point 4 metres south-west of that junction.
- Part 200 From a point 4 metres south-west of its junction with Tichborne Street to a point 5 metres north-east of that junction.
- Part 410 From a point 5 metres north-east of its junction with Tichborne Street to a point 5 metres south-west of its junction with Severn Street.
- Part 411 From a point 5 metres north-east of its junction with Tichborne Street to a point 5 metres south-west of its junction with Severn Street.
- Part 207 From a point 5 metres south-west of its junction with Severn Street to a point 4 metres north-east of its junction with Severn Street.
- Part 410 From a point 4 metres north-east of its junction with Severn Street to a point 8 metres south-west of its junction with Sparkenhoe Street.
- Part 411 From a point 4 metres north-east of its junction with Severn Street to a point 8 metres south-west of its junction with Sparkenhoe Street.
- Part 207 From a point 8 metres south-west of its junction with Sparkenhoe Street to its junction with Sparkenhoe Street.

#### South-east Side

- Part 207 From its junction with St Peters Road to a point 9 metres south-west of its junction with St Peters Road.
- Part 410 From a point 9 metres south-west of its junction with St Stephens Road to a point 3 metres north-east of its junction with Severn Street.



- Part 411 From a point 9 metres south-west of its junction with St Stephens Road to a point 3 metres north-east of its junction with Severn Street.
- Part 207 From a point 3 metres north-east of its junction with Severn Street to a point 4 metres south-west of its junction with Severn Street.
- Part 410 From a point 4 metres south-west of its junction with Severn Street to a point 15 metres south-west of its junction with Severn Street.
- Part 411 From a point 4 metres south-west of its junction with Severn Street to a point 15 metres south-west of its junction with Severn Street.
- Part 207 From a point 15 metres south-west of its junction with Severn Street to a point 19 metres south-west of its junction with Severn Street.
- Part 410 From a point 19 metres south-west of its junction with Severn Street to a point 8 metres north-east of its junction with Upper Tichborne Street.
- Part 411 From a point 19 metres south-west of its junction with Severn Street to a point 8 metres north-east of its junction with Upper Tichborne Street.
- Part 200 From a point 8 metres north-east of its junction with Upper Tichborne Street to a point 4 metres south-west of its junction with Upper Tichborne Street.
- Part 259 From a point 4 metres south-west of its junction with Upper Tichborne Street to a point 10 metres south-west of that junction.
- Part 424 From a point 4 metres south-west of its junction with Upper Tichborne Street to a point 10 metres south-west of that junction.
- Part 200 From a point 10 metres south-west of its junction with Upper Tichborne Street to a point 18 metres south-west of that junction.
- Part 259 From a point 18 metres south-west of its junction with Upper Tichborne Street to a point 25 metres south-west of that junction.
- Part 424 From a point 18 metres south-west of its junction with Upper Tichborne Street to a point 25 metres south-west of that junction.
- Part 410 From a point 25 metres south-west of its junction with Upper Tichborne Street to a point 5 metres north-east of its junction with Mill Hill Lane.
- Part 411 From a point 25 metres south-west of its junction with Upper Tichborne Street to a point 5 metres north-east of its junction with Mill Hill Lane.
- Part 207 From a point 5 metres north-east of its junction with Mill Hill Lane to a point 5 metres south-west of its junction with Mill Hill Lane.
- Part 224 From a point 5 metres south-west of its junction with Mill Hill Lane to a point 19 metres south-west of its junction with Mill Hill Lane.



- Part 207 From a point 19 metres south-west of its junction with Mill Hill Lane to a point 26 metres south-west of its junction with Mill Hill Lane.
- Part 224 From a point 26 metres south-west of its junction with Mill Hill Lane to a point 58 metres south-west of its junction with Mill Hill Lane.
- Part 207 From a point 58 metres south-west of its junction with Mill Hill Lane to its junction with London Road.

### **SCHEDULE 3**

#### **CHARGES FOR PAY AND DISPLAY MACHINES**

The initial charges for parking within Pay & Display bays on the public highway on any road, length of road or within the area bounded by including the road (unless specified as excluded below) are as follows:

1. Highfield Street:

Part 410 & 424 (Restriction)  
All days

Up to 3 hr £1.00