



LEICESTER CITY COUNCIL
LEICESTER (OFF-STREET PARKING PLACES) CONSOLIDATION ORDER 2006

The Leicester City Council (hereinafter referred to as “the Council”) in exercise of its powers under Sections 32, 35 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (“the 1984 Act”) and under the Road Traffic Act 1991 (as amended) (whether generally or in relation to the area of the Council) (“the 1991 Act”) and all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act hereby make the following Order:

PART I
General

1. This Order shall come into force on the 2nd day of January 2007 and may be cited as the Leicester (Off-Street Parking Places) Consolidation Order 2006.
2. The Leicester (Off-Street Parking Places) Consolidation Order 1996 will hereby be revoked on the 2nd day of January 2007.
3. The Leicester (Off-Street Parking Places) Consolidation Order (Amendment) (No. 1) Order 1997 will hereby be revoked on the 2nd day of January 2007.
4. The Leicester (Off-Street Parking Places) Consolidation Order (Amendment) (No. 2) Order 1997 will hereby be revoked on the 2nd day of January 2007.
5. The Leicester (Off-Street Parking Places) Consolidation Order (Amendment) (No. 3) Order 1999 will hereby be revoked on the 2nd day of January 2007.
6. The Leicester (Off-Street Parking Places) Consolidation Order (Amendment) (No. 6) Order 2002 will hereby be revoked on the 2nd day of January 2007.
7. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby assigned to them:

“Council” means the Leicester City Council.

“Disabled Persons Badge” and “Holder” has the meaning given in Regulation 2 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 and includes similar badges issued by other European Member States.

“Driver” in relation to a vehicle waiting in a parking place, means the person who was driving the vehicle at the time it entered the parking place.

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

“Motorcycle” and “Motor Vehicle” have the meaning as in Section 136 of the 1984 Act.

“Owner” in relation to a vehicle, means the person by whom the vehicle is kept. In determining who was the owner of the 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 vehicle in the course of his/her employment and is entitled to use such vehicle as if he/she were the registered keeper.

“Parking Attendant” means a person authorised by or on behalf of the Council who is authorised to supervise and control vehicles in the parking places and enforce the provisions of this Order pursuant to S63A of the 1984 Act (as amended).

“Parking Place” means any area of land specified by name in column 1 of Schedule 1 to this Order, provided by the Council under Section 32(1) of the 1984 Act for use as a parking place.

“Pay on Foot” means a parking place where payment of the tariff is made by means of receiving a ticket or entering the parking place which is held by the driver until such time as the driver returns to depart from the parking place. Payment is then made of the amount due for the period of time that the vehicle has been within the parking place. Upon receipt by the Council of the due amount, the ticket will be validated for exit from the parking place.

“Pay and Display” means a parking place where the driver makes a payment by the insertion of the appropriate coin, coins or other means provided for into the apparatus or device provided for a vehicle left in a parking place and whereby, a ticket is issued and exhibited in accordance with Article 18 hereof.

“Penalty Charge” and “Reduced Penalty Charge” means a charge set by the Council under the provisions of section 66 of the 1991 Act and with the approval of the Secretary of State for Transport which is to be paid to the Council within 28 days beginning with the date of the notice, or 14 days in the case of a reduced penalty charge, following the issue of a penalty charge notice.

“Penalty Charge Notice” means a penalty charge notice issued or served by a parking attendant pursuant to the provisions of Section 66 of the 1991 Act.

“Relevant Position” means:-

- (a) In the case of a motor vehicle fitted with a front windscreen, the badge or ticket, as the case may be, is exhibited thereon with the front side facing forward on the near side of and immediately behind the windscreen so that the same is readable from the outside of the vehicle.

- (b) In the case of a motor vehicle not fitted with a front windscreen, the badge or ticket, as the case may be, is exhibited in a conspicuous and readable position on the vehicle.
- 8. The Interpretation Act 1978 shall apply for the interpretation of this Order as if it applies to the interpretation of an Act of Parliament.

PART II

Regulation of the use of parking place

- 9. Each of the areas of land specified in Column 1 of Schedule 1 to this Order are authorised to be used, subject to the following provisions of this Order as a parking place as such motor vehicles or classes of motor vehicles on such days during such hours as are specified in relation to that area in the said Schedule 1 and subject to such charges as are specified in relation to that area in Schedule 2.
- 10. The areas of land to be used as a parking place to which this Order applies and the classes of vehicles permitted to use them and the times of operation as set out in Schedule 1 to this Order may be varied from time to time as determined by resolutions of the Council.
- 11. The driver of any motor vehicle in a parking place shall comply with any instructions given, whether orally or by person duly authorised in that respect by the Council, by directions, signs or in any other manner as to the route to be followed within the parking place.
- 12. Where in accordance with the provisions of this Order a parking place is described available for motor vehicles of specified classes, the driver of a vehicle shall not permit it to wait in that parking place unless it is of one of the specified classes.
- 13. The Chief Executive of the Council may from time to time designate spaces in a parking place as being reserved for the official use of the Council.
- 14. A driver of a vehicle using a parking place shall not park the vehicle in any position other than within one of the spaces in the parking place indicated by white lines or by signs or otherwise as being reserved for vehicles, and in particular such a driver shall not park the vehicle on any space indicated by appropriate markings as being reserved for official use or a Disabled Persons Badge Holder unless they are such a holder, to keep clear and not park the vehicle in such a position as to impede the free access to and egress from the parking place.
- 15. In the absence of any such parking place or the indication of such parking spaces by white lines, signs or otherwise, a driver of a vehicle using any such parking place shall park the vehicle in an orderly manner so as to maximise

the use of such parking places and shall not park the vehicle in such a position as to impede the free access to and egress from the parking place.

16. The driver of a motor vehicle shall not permit its wait in any of the parking places specified in the Schedule to this Order for longer than a continuous period of 24 hours.
17. The driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in a position in the parking place and shall not start the engine, except when about to change the position of the vehicle or in or to depart from the parking place.

PART III

Charges for the parking of motor vehicles

18. The scale of charges for parking motor vehicles in the parking places to which this Order applies are set out in Schedule 2 to this Order, or such as may be determined by the Council. Notification will be by the publication of a Notice Of Variation and displayed at the parking places (hereinafter referred to as "the Charges").
 - (i) The driver of a motor vehicle using a parking place described as Pay & Display in Schedule 1 shall on leaving the vehicle in the parking place pay the appropriate charge in accordance with the Charges.
 - (ii) The driver of a vehicle using a parking place described as Pay on Foot in Schedule 1 shall before leaving the parking place pay the appropriate charge in accordance with the Charges.
 - (iii) The Charges 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 35(3) of the 1984 Act and provisions of Section 35(3) of the 1984 Act.
 - (iv) For the driver using a parking place described as Pay & Display in column 2 of Schedule 1, upon payment for a vehicle left in a parking place the driver thereof shall exhibit on the vehicle a ticket or tickets issued by the ticket machine in the relevant position.
 - (v) A pay & display ticket is not transferable from one vehicle to another.
 - (vi) A pay & display ticket is valid only in the parking place in which it was issued.

PART IV

Penalty charge at parking places

19. If a vehicle is left in a parking place in contravention of or without complying with any Article of this Order a Penalty Charge shall be payable and/or the vehicle may be removed from that location or parking place.
20. Where a Penalty Charge is incurred it shall be the duty of the Parking Attendant to issue a Penalty Charge Notice, (PCN) which shall include the information required by the 1991 Act.
21. The Penalty Charge shall be paid to the Council either by cheque, postal order, cash or the approved method of payment, which shall be delivered, sent by post or electronically by a method approved by the Council so as to be paid in accordance with instructions on the Penalty Charge Notice.
22. Payment shall be received not later than 1600 on the 28th day following the day on which such Penalty Charge was incurred or the 14th day following the day on which the Penalty Charge was incurred if the reduced charge is paid. Provided that if the said 28th or 14th day falls upon a day on which the Council Offices are closed, the period within which payment of the Penalty Charge shall be made to the Council shall be extended until 1600 on the next full day on which the Council Offices are open.
23. If no payment is received within 28 days of the issue of the Penalty Charge Notice the Council will issue a Charge Certificate in accordance with the provisions of paragraph 6 of Schedule 6 of the 1991 Act.
24. The particulars given in the Penalty Charge Notice attached to a vehicle in accordance with this Order shall be treated as evidence in any proceedings relating to failure to pay such Penalty Charge.
25. Where a Penalty Charge Notice has been attached to a vehicle in accordance with any of the foregoing provisions of this Order, no person, other than: the owner of the vehicle, a person authorised by the owner of the vehicle, a Parking Attendant or some other person duly authorised by the Council shall remove the Penalty Charge Notice from the vehicle.
26. When a vehicle is left in a parking place in contravention of any of the provisions contained in this Order, any person duly authorised by the Council or any person acting on the instructions of a duly authorised person, may clamp or remove the vehicle or arrange for it to be clamped or removed within or from that parking place and neither such person nor the Council shall be responsible for any loss or damage to the vehicle or to anything contained therein or thereon arising from, or in consequence of, the exercise of the powers contained in this Article. Any expenses incurred by the Council in clamping or removing the vehicle within the parking place shall be recoverable by the Council.

PART V
Other provisions

27. Any person duly authorised by the Council may move or cause to be moved in case of emergency to any place he thinks fit, vehicles left in a parking place.
28. Any person moving or removing a vehicle by virtue of the last two preceding Articles of the Order may do so by towing or driving the vehicle or in such other manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it as aforesaid and shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
29. Notwithstanding the provisions of this Order, the Council may by notice displayed on or near a parking place close that parking place or any part thereof for any period either generally or in respect of a particular class or classes of vehicles and the driver of any vehicle or of a particular class or classes of vehicle shall not without authority of the Council use the parking place when it has been so closed.
30. The Council shall not be responsible for any loss or damage to any vehicle or to anything contained therein or thereon from any cause whatsoever, whilst entering within or leaving a parking place.
31. Unless authorised in writing by the Council so to do, no person shall, within a parking place, sell or attempt to sell any article to persons in or near the parking place, or sell or offer for hire his skill and services and shall not use a vehicle or anything towed by a vehicle whilst it is in a parking place or any part of a parking place for such purposes or for the purpose of any exhibition and no vehicle shall be advertised for sale whilst it is standing in a parking place.
32. Except with the written authority of the Council, no person shall use a vehicle, or anything towed by a vehicle, while it is in a parking place for domestic purposes or as a place of habitation.
33. The driver of a vehicle while it is in a parking place shall not carry out or permit to be carried out any work of cleaning maintenance or repair to the vehicle except such as may be necessary to enable the vehicle to be moved from the parking place.
34. Any person who wilfully or carelessly damages in any way or interferes with the fabric or structure or equipment of any parking place shall be guilty of an offence under this Order and, in addition to the penalty provided by Section 35 of the Act shall be liable for the cost of the repair of the damage.
35. The following vehicles left in a parking place shall be exempt from the payment of any charges:
 - (a) an invalid carriage

- (b) a vehicle which displays a Disabled Person's Badge issued and displayed in accordance with the provisions of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 including similar badges issued by other European Member States

IN WITNESS whereof the Leicester City Council have caused the Common Seal to be hereunto affixed this 6th day of December 2006.

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

Authorised Signatory

SCHEDULE 1

Name	Type	Class of Vehicle Allowed	Day and time of operation*	Maximum waiting period
Newarke Street	Pay on Foot	Motor Vehicles excluding motor cycles not having an unladen weight in excess of 30 cwt	At all times	24 hours
Abbey Park	Pay and Display	Motor Vehicles or motor cycles not having an unladen weight in excess of 30 cwt	At all times	24 hours
Castle Park	Pay and Display	Motor cycles or motor vehicles not having an unladen weight in excess of 30 cwt	At all times	24 hours
Dover Street	Pay and Display	Motor cycles or motor vehicles not having an unladen weight in excess of 30 cwt	At all times	24 hours
Granville Road	Pay and Display	Motor cycles or motor vehicles not having an unladen weight in excess of 30 cwt	At all times	24 hours
Haymarket Centre	Pay and Display	Motor cycles or motor vehicles not having an unladen weight in excess of 30 cwt	At all times	24 hours
St. Margaret's Pastures	Pay and Display	Motor cycles or motor vehicles not having an unladen weight in excess of 30 cwt	At all times	24 hours

Name	Type	Class of Vehicle Allowed	Day and time of operation*	Maximum waiting period
Victoria Park	Pay and Display	Motor cycles or motor vehicles not having an unladen weight in excess of 30 cwt	At all times	24 hours
New Walk Centre (lower level)	Off Street	Motor cycles or motor vehicles not having an unladen weight in excess of 30 cwt	Saturday, Sunday, Bank Holidays and at such other days between the hours of 8am to 6pm	10 hours
New Walk Centre (surface car park outside 'B' Block, King Street)	Off Street	Disabled Persons Badge Holders	At all times	24 hours
Park and Ride (Ratby Lane)	Off Street	Motor vehicles excluding motor cycles not having an unladen weight in excess of 30 cwt	Monday - Saturday between the hours of 6.30am and 8pm Sundays 9.30am to 7pm (when open)	24 hours

SCHEDULE 2

(The charges for the parking of vehicles in the parking places set out in Schedule 1)

HAYMARKET CENTRE, CASTLE PARK AND DOVER STREET

Between 6.00 a.m. and 6.00 p.m. Monday to Saturday:

	<u>Tariff</u>
Up to 1 hour	£1.30
Up to 2 hours	£2.40
Up to 3 hours	£3.20
Up to 4 hours	£3.90
Up to 6 hours	£6.50
Up to 9 hours	£7.80
Up to 12 hours	£8.80
Saturday: maximum charge of:	£3.90

Between 6.00 p.m. and midnight Monday to Saturday:

Up to 6 hours	£1.90	(Haymarket)
Up to 6 hours	£1.40	(Castle Pk & Dover Street)

Between 6.00 a.m. and midnight Sunday £1.50

Between 6.00 a.m. & midnight Easter Monday, Christmas Day & Boxing Day:

Up to 18 hours £1.50

Between midnight and 6.00 a.m.: No charge

Disabled Badge Holders: No charge

GRANVILLE ROAD & VICTORIA PARK

Between 6.00 a.m. and 6.00 p.m. Monday to Saturday:

(Granville Road) Tariff

Up to 1 hour	£1.00
Up to 2 hours	£1.40
Up to 3 hours	£2.20
Up to 4 hours	£2.80
Up to 6 hours	£3.50
Up to 9 hours	£4.30
Up to 12 hours	£4.50

(Victoria Park) Tariff

Up to 1 hour	70p
Up to 2 hours	£1.10
Up to 3 hours	£2.20
Up to 4 hours	£2.80
Up to 6 hours	£3.50
Up to 9 hours	£4.30
Up to 12 hours	£4.50

(Granville Road & Victoria Park)

Saturday maximum charge of: £2.80

Between 6.00p.m. and midnight Monday to Saturday:

Up to 6 hours	£1.40
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Between midnight and 6.00 a.m., Sundays
and all Bank and public Holidays No charge

Disabled Badge Holders and motorcycles: No charge

ST MARGARET`S PASTURES

Between 6.00 a.m. and 4.00 p.m. Monday to Saturday:

Tariff

Up to 1 hour	£1.00
Up to 2 hours	£1.50
Up to 3 hours	£2.00
Up to 4 hours	£2.40
Up to 6 hours	£3.00
Up to 9 hours	£3.20
Over 9 hours	£3.50

Saturday maximum charge of: £2.40

Disabled Badge Holders and motorcycles: No charge

All Bank and public Holidays: No charge

NEWARKE STREET (PHOENIX)

Between 6.30 a.m. and 6.00 p.m. Monday to Saturday:

	<u>Tariff</u>
Up to 1 hour	£1.30
Up to 2 hours	£2.20
Up to 3 hours	£2.90
Up to 4 hours	£3.60
Up to 6 hours	£5.40
Up to 9 hours	£6.40
Up to 12 hours	£7.00

Saturday maximum charge of: £3.60

Between 6.00 p.m. and 1.00a.m. Monday to Saturday:

Up to 9 hours	£1.90
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Between 6.00 a.m. and midnight Sunday

Up to 1 hour	70p
Up to 2 hours	£1.40
Up to 3 hours	£2.00
Over 3 hours	£2.50

Between midnight and 6.30 a.m. and all day Easter Monday, Christmas Day and Boxing Day:	No charge
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Disabled Badge Holders, cycles and motorcycles	No charge
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ABBEY PARK

Between 7.30 a.m. and dusk Monday to Friday:

	<u>Tariff</u>
Up to 1 hour	50p
Up to 2 hours	70p
Up to 3 hours	£1.70
Up to 4 hours	£2.00
Up to 6 hours	£2.40
Up to 9 hours	£2.60

Between (4.30 p.m to midnight) Monday to Friday

Evening Charge 60p

Night Charge

Between midnight and 7.30 a.m: No charge

Saturday maximum charge of: £1.10

Sundays 60p

Disabled Badge Holders and motorcycles: No charge

All Bank and public Holidays: No charge

NEW WALK CENTRE

Between 8.00 a.m. and 6.00 p.m. Saturday, Sunday, Bank Holidays or any other days when open:

Existing Tariff

Up to 1 hour	£1.40
Up to 2 hours	£1.90
Up to 3 hours	£2.50
Over 3 hours	£3.50

A charge of £3.50 to be made if a ticket is lost.

Disabled Badge Holders are permitted to park free of charge when open to the public.

At other times New Walk Centre is normally closed to the public.