

THE LEICESTERSHIRE COUNTY COUNCIL
(CEDAR DRIVE, HAWTHORNE DRIVE, NOTTINGHAM ROAD AND
THE CRESCENT, MELTON MOWBRAY (AREA 5), DISTRICT OF MELTON)
(IMPOSITION OF WAITING RESTRICTIONS) ORDER 2009

The Leicestershire County Council ("the Council") in exercise of its powers under Section 1(1) and 2(1) to (3) 4(2), 32, 35 and 45 and Part IV of the Road Traffic Regulation Act 1984 ("the Act") and of all other enabling powers, hereby makes the following Order:-

1. This Order shall come into force on the Twenty-Eighth day of September 2009 and may be cited as "The Leicestershire County Council (Cedar Drive, Hawthorne Drive, Nottingham Road and The Crescent, Melton Mowbray (Area 5), District of Melton) (Imposition of Waiting Restrictions) Order 2009".
2. The exemptions contained in this Order as set out in column 1 of Schedule 1 shall hereafter be referred to by reference to the code letters given in column 2 of Schedule 1.
3. (1) In this Order –

"authorised cab rank" means any area of carriageway which is comprised within and indicated by a road marking complying with diagram 1028.2 in Schedule 6 of The Traffic Signs Regulations and General Directions 2002;

"authorised parking place" means any parking place on a road authorised or designated by an Order made or having effect as if made under the Act;

"bus" means any Public Service Vehicle or bus operating a local stage carriage service as defined in the Transport Act 1985;

"bus stop area" means any area of carriageway on the sides of roads specified in this Order which is comprised within and indicated by a road marking complying with either diagram 1025.2 or diagram 1025.3 to the Traffic Signs Regulations and General Directions 2002;

"disabled person's badge" has the same meaning as in The Disabled Persons (Badges for Motor Vehicles)(Amendment) Regulations 1991; or the Disabled Persons (Badges for Motor Vehicles)(England) Regulations 2000 and the Local Authorities' Traffic Orders (Exemptions for Disabled Persons)(England) Regulations 2000;

"disabled person's vehicle" has the same meaning as in The Local Authorities' Traffic Orders (Exemption for Disabled Persons)(England and Wales)(Amendment) Regulations 1991;

"disabled persons designated parking bay" means the part of the carriageway or side of road marked in accordance with Schedule 6 of the Traffic Signs Regulations and General Directions 2002 by the marking shown in diagram 1028.3 (or permitted variant thereof) and with a white broken line bounding the words "DISABLED" marked outside the bay;

"doctors' permit holders" means a vehicle which displays a valid permit issued to a Doctor for use in a specified location;

"footway parking area" means an area of the footway specifically designated for the purpose of waiting;

"hackney carriage" has the same meaning as in section 38(1) of the Vehicles (Excise) Act 1971;

"market day" means any day of the week approved and authorised under a market charter for the holding of a market or such other bona fide licensed market;

"Market trader" means any person duly authorised an appropriate body to trade from an authorised market stall or stand or location as from time to time may be specified by the appropriate body for the purposes of his or her trading;

"motor vehicle" means any vehicle as defined by the Construction and Use Regulations 1986 (as amended) which is mechanically propelled except where otherwise provided;

"parking disc" means a disc, issued by a local authority, complying with the requirements of the British Standard Specification for Parking Discs (BS No.4631:1970) but coloured orange, and capable of showing the quarter hour period during which a period of waiting begins, or a blue badge under the Disabled Persons (Badges for Motor Vehicles)(England) Regulations 2000;

"permit" means a written warrant issued by or on behalf of Leicestershire County Council allowing the holder to wait in a specified location;

"permit holder" means a vehicle which displays a valid permit;

"residents' parking permit holder / residents' permit holder" means a vehicle which displays a valid permit issued to a resident of the specified location;

"road / roads" means the carriageway the footway and any verges being the full width of the highway extent from one boundary to another;

"school entrance" means any area of carriageway on the side of the road specified in Schedule 12 of this Order where vehicles are not permitted to stop and indicated by a road marking complying with diagram 1027.1 of the 2002 Regulations;

"vehicle" means any Motor Vehicle as defined in this Order and any other vehicle (capable of the carriage of persons or goods) except cycles unless otherwise provided;

"4.00 p.m. to 10.00 a.m. the following morning" wherever referred to in this Order means that period of time commencing at 4.00 p.m. in the afternoon of any day and terminating at 10.00 a.m. on the morning of the next day;

"The Act" means The Road Traffic Regulation Act 1984.

- (2) For the purpose of this Order a vehicle shall be regarded as displaying a disabled person's badge in the relevant position, where in accordance with the Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations 1991 and the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000
- (i) the Badge is displayed on the vehicle's dashboard or fascia panel with the front of the Badge facing forward with the details thereon clearly visible from an external position, or
 - (ii) where the vehicle has no dashboard or fascia panel or windscreen where the Badge may be exhibited or displayed it shall be exhibited in a conspicuous position on the front or near side of the vehicle and

in either case a parking disc is exhibited in the relevant position prescribed in the Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations 1991 or the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000.

- (3) For the purposes of this Order and where any article permits, it shall not be unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge and a parking disc (on which the driver, or other person in charge of the vehicle, has marked the time at which the period of waiting began) to wait on the sides of roads referred to in the specific article, for a period not exceeding 3 hours unless otherwise stated (not being a period separated by an interval of less than one hour, unless otherwise stated, from a previous period of waiting by the same vehicle on the same side of road on the same day) provided that no such vehicle shall wait in any length of road where there is for the time being a prohibition of loading and unloading.
4. "The Leicestershire County Council (Various Roads, Melton Mowbray (Area 5), District of Melton Mowbray) Consolidation and Amendment Order 2009" is hereby revoked in respect of those lengths of roads specified in Schedule 2 to this Order.

5. No person shall, except upon the direction or with the permission of a police officer, a traffic warden, a community support officer, a parking attendant or a civil enforcement officer, cause or permit any vehicle to wait between the hours of 8.00 a.m. and 7.00 p.m. on any day, on the sides of roads specified in Schedule 3 to this Order:-
 - (a) For a period longer than 1 hour, or
 - (b) If a period of less than 2 hours has elapsed since the last period of waiting by that vehicle on the same part of the road;
6. No person shall, except upon the direction or with the permission of a police officer, a traffic warden, a community support officer, a parking attendant or a civil enforcement officer, or in accordance with the exemption provisions, cause or permit any vehicle to wait at any time on any day, on the sides of road specified in Schedule 4 to this Order.
7. Except where otherwise stated, a reference in this order to a numbered Article or Schedule is reference to the Article or Schedule bearing that number in this order.
8. The plan (s) annexed to this Order and marked drawing number TM2859/Z1/12/1 is for identification purposes only.

SCHEDULE 1

| TYPE OF EXEMPTION | CODE |
|---|------|
| For vehicles to allow people to board or alight. | LCCA |
| For vehicles used in connection with:- (i) building, industrial or demolition operations; (ii) the removal of any obstruction to traffic; (iii) the maintenance, improvement or reconstruction of the said sides of roads; or (iv) the laying, erection, alteration or repair on, or in land adjacent to the said sides of roads of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line as defined in the Telecommunications Act 1984. | LCCB |
| For vehicles to be used in the service of a local authority, highways agency, an area health authority or a water undertaker in pursuance of statutory powers or duties. | LCCC |
| For vehicles to be used for the purpose of delivering or collecting postal packets as defined in section 87 of the Post Office Act 1953 by any universal service provider. | LCCD |
| For vehicles to take in petrol, oil, water or air from any garages situated on or adjacent to the said sides of roads. | LCCE |
| For vehicles to wait at or near to any premises situated on or adjacent to the said sides of roads for so long as such waiting by that vehicle is reasonably necessary in connection with any wedding or funeral. | LCCF |
| For vehicles to be used for fire brigade, ambulance or police purposes. | LCCG |
| For goods to be loaded on or unloaded from the vehicle on the sides of roads specified in this Order at any time on any day. | LCHH |
| For Vehicles: (a) to wait upon an authorised parking place, (b) being a hackney carriage, to wait upon an authorised cab rank, or (c) licensed taxi. | LCCI |
| For a disabled person's vehicle which displays in the relevant position a disabled person's badge and a parking disc (on which the driver, or other person in charge of the vehicle, has marked the time at which the period of waiting | LCCJ |

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| began) to wait on the sides of roads referred to in that Article for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle on the same side of road on the same day) provided that no such vehicle shall wait in any length of road where there is for the time being a prohibition of loading and unloading. | |
| For vehicles to wait on the sides of roads referred to therein for so long as may be necessary while any gate or other barrier at the entrance to premises to which the vehicle requires access or from which it has just emerged is being opened or closed, if it is not reasonably practicable for the vehicle to wait otherwise than in that road while such a gate or barrier is opened or closed. | LCCK |
| Any vehicle bona fide associated or used in connection with or for the purpose of licensed markets or special events. | LCCL |
| Where the person in control of the vehicle is directed or given permission to stop by a police officer, a traffic warden, community support officer, a parking attendant or a civil enforcement officer. | LCCM |
| To enable any motor vehicle that is constructed or adapted for the purpose of carrying monies or valuables under secure deposit and which is in use on a pre-arranged appointment for the delivery or collection of monies, financial instruments or valuables (for such a period of time as reasonably required to complete the delivery or collection) to any premises on the sides of road. | LCCN |
| This Article shall not prevent waiting by vehicles carrying children from and to school on normal schooldays. | LCCO |
| Nothing shall render it unlawful for the owners or occupiers for the time being of the three properties Nos. 2, 4 and 6 Baines Lane, Hinckley to cause or permit any vehicle to wait in the length of road or side of road specified in the Third Schedule to this Order for a period not exceeding 1 hour between the hours of 8.30am and 6.01pm (Monday to Saturday inclusive) and without limitation on Sundays. | LCCP |
| Nothing shall render it unlawful to cause or permit any vehicle to wait in connection with the maintenance or repair of any premises adjoining the roads which can only be carried out from the road being such works as are required to be carried out to comply with any statutory obligation | LCCQ |

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| condition or stipulation subject to such waiting being limited to a maximum of two hours in any period of 24 hours. | |
| Nothing shall render it unlawful to cause or permit a public service vehicle to stop for a longer time than is necessary for taking up and setting down passengers at any time on any day on the east side of Melbourne Road fronting the coach depot occupying 211/213 Melbourne Road. | LCCR |
| For any disabled person's vehicle which displays in the relevant position a disabled person's badge and a parking badge (on which the driver or other person in charge of the vehicle has marked the time at which waiting began) to wait, load or unload in those parts of the road specified in the schedule to this order for a period not exceeding 3 hours, with no return within 3 hours. | LCCS |
| If the vehicle is being used to attend any of the properties numbered 2-30 Mantle Lane, but for the purposes of loading/unloading of goods or equipment at such property only. | LCCT |
| If the vehicle is an official wedding or funeral car attending any of the properties numbered 2-30 Mantle Lane for the purpose of allowing passengers to board or alight. | LCCU |
| For any vehicle in excess of 7.5 tonnes loading or unloading on that part of Biggin Street between its junction with Fennel Street and a point 35 metres north of its junction with Swan Street, such vehicle shall have entered Biggin Street from its junction with Fennel Street between the hours of 4.00 p.m. to midnight and midnight to 10.00 a.m. | LCCV |
| Nothing shall render it unlawful to cause or permit any vehicle to wait on the triangular area of highway not comprising part of the main carriageway fronting Nos. 9 and 19 Station Road, Hugglescote | LCCW |

SCHEDULE 2
REVOCATIONS

THE LEICESTERSHIRE COUNTY COUNCIL
(VARIOUS ROADS, MELTON MOWBRAY (AREA 5),
DISTRICT OF MELTON MOWBRAY) CONSOLIDATION AND AMENDMENT ORDER 2009

NO WAITING
MONDAY - SATURDAY 8.00 A.M. - 6.00 P.M.

THE CRESCENT, MELTON MOWBRAY

From its junction with Nottingham Road in an easterly direction for a distance of 18 metres

NO WAITING
MONDAY - FRIDAY 8.00 A.M. - 6.00 P.M.

THE CRESCENT, MELTON MOWBRAY

The south side from a point approximately 156 metres from its junction with Scaford Road in a westerly direction for a distance of 30 metres

SCHEDULE 3

LIMITED WAITING

1 HOUR NO RETURN FOR 2 HOURS 8.00 A.M. – 7.00 P.M.

THE CRESCENT, MELTON MOWBRAY

The south side from a point 31 metres from its junction with Scaford Road in a westerly direction to a point 76 metres from its junction with Scaford Road

EXEMPTIONS

The following exemptions apply to the above. Refer to Schedule 1 for the details of each exemption:-

LCCA, LCCB, LCCC, LCCD, LCCF, LCCG, LOCH, LCCM, LCCY.

SCHEDULE 4

NO WAITING AT ANY TIME

CEDAR DRIVE, MELTON MOWBRAY

Both sides from its junction with The Crescent in a northerly direction for a distance of 10 metres.

HAWTHORN DRIVE, MELTON MOWBRAY

Both sides from its junction with The Crescent in a northerly direction for a distance of 10 metres.

NOTTINGHAM ROAD, MELTON MOWBRAY

(i) The east side from its junction with The Crescent in a northerly direction for a distance of 9 metres.

(ii) The east side from its junction with The Crescent in a southerly direction for a distance of 9 metres.

THE CRESCENT, MELTON MOWBRAY

(i) Both sides from its junction with Nottingham Road in an easterly direction for a distance of 20 metres.

(ii) The north side from a point 31 metres from its junction with Scaford Road in a westerly direction to its junction with Hawthorn Drive.

(iii) The north side from its junction with Hawthorn Drive in a westerly direction to its junction with Cedar Drive.

- (iv) The north side from its junction with Cedar Drive in a westerly direction for a distance of 21 metres.
- (v) The south side from a point 76 metres from its junction with Scaford Road in a westerly direction for a distance of 151 metres.

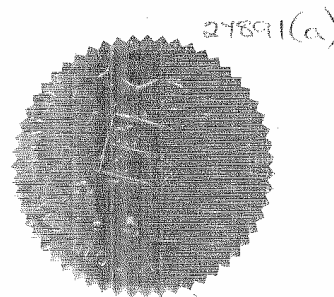
EXEMPTIONS

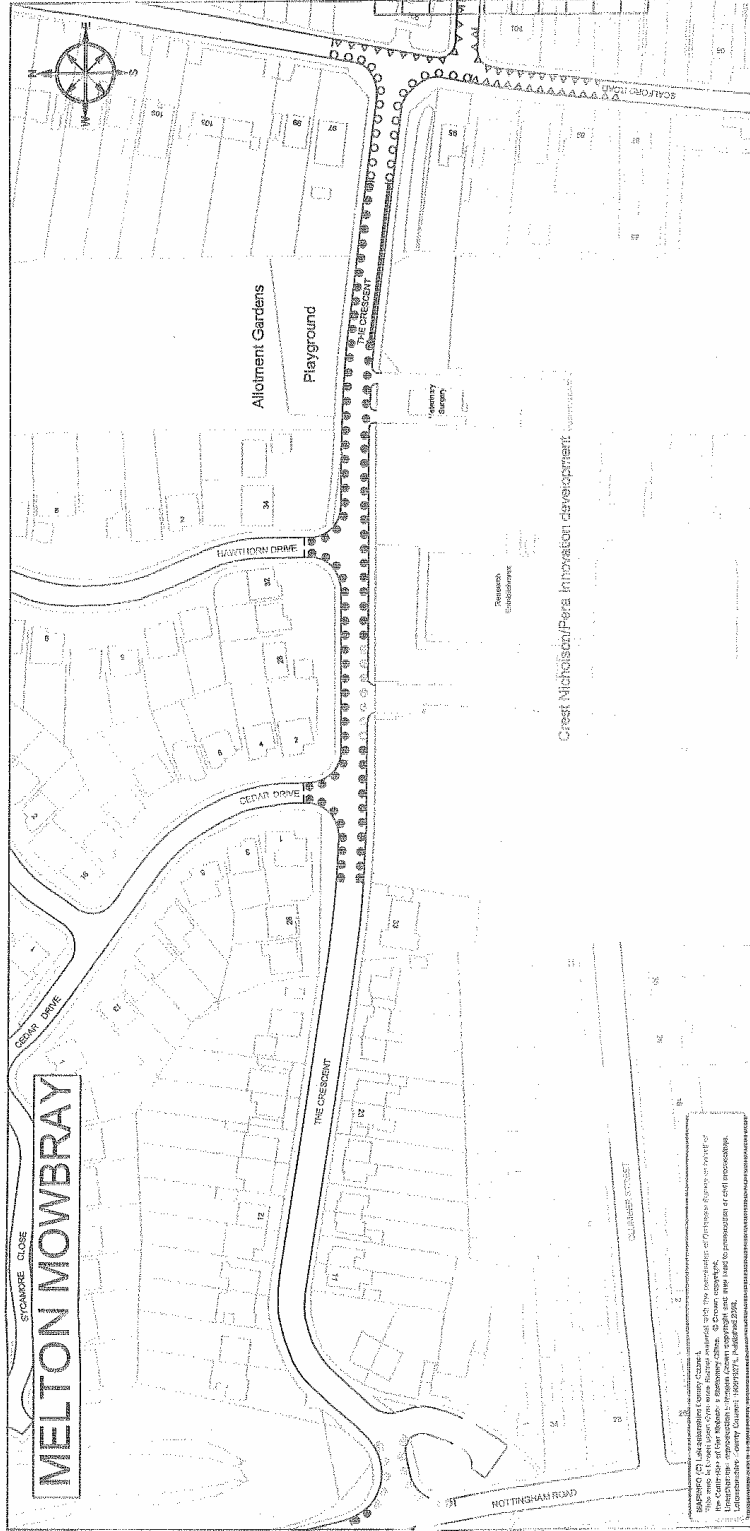
The following exemptions apply to the above. Refer to Schedule 1 for the details of each exemption:-

LCCA, LCCB, LCCC, LCCD, LCCE, LCCF, LCCG, LCH, LCCI, LCCJ, LCCM, LCCN.

THE COMMON SEAL of THE
LEICESTERSHIRE COUNTY COUNCIL
was hereunto affixed this 24th day of
September 2009 in the presence of

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[Signature]





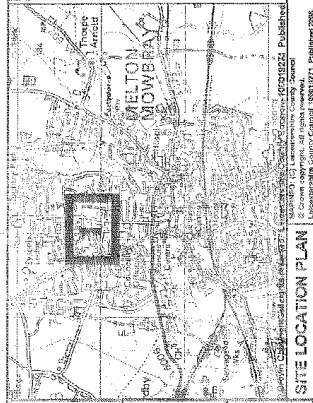
WARNING: This plan is submitted to Leicestershire County Council for consideration and approval. It is not to be used for any other purpose without the written consent of the Council. The Council is not responsible for any errors or omissions in this plan. It is the responsibility of the applicant to ensure that the plan is accurate and up-to-date.

Leicestershire County Council

**DEPARTMENT OF HIGHWAYS
TRANSPORTATION AND
WASTE MANAGEMENT**

**MATTHEW LUGG
DIRECTOR**

B.Eng., C.Eng., MICE, MIHT., DMS.



- KEY**
- Existing no waiting at any time (double yellow lines)
 - △ Existing daytime restriction (single yellow line)
 - Proposed no waiting at any time (double yellow lines)
 - ⊙ Proposed no waiting at any time (existing daytime restriction)
 - ⊖ Proposed limited waiting restriction - 8am to 7pm, 1 hour, no return within 2 hours.
- NOTES:** Double yellow lines do not preclude loading or unloading.

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| Melton Mowbray The Crescent Proposed Waiting Restrictions | |
| TRAFFIC NUMBER | SCALE |
| TM2859/Z1/2/1 | NTS |
| JOB No. TM2359 | DATE: APR 2008 |
| Ref: EJC | SIZE: A4 |
| Prepared By: EJC | CORR. FILE |
| DRAWN BY: EJC CHECKED BY: EJC APPROVED BY: EJC MELTON MOWBRAY TCU TM2859 | |
| COUNTY HALL * GLENFIELD * LEICESTER * LE5 8JF TEL: 01530 232232 * Direct Dial 358108 * Fax * 358115 E-MAIL: 01530 232232 | |