

THE LEICESTERSHIRE COUNTY COUNCIL
(PARK AND RIDE PARKING PLACES ORDER) 2009

Mr E M McCalla,
County Solicitor,
Leicestershire County Council,
County Hall
Glenfield
Leicester,
LE3 8RA

CONTENTS

PART 1 – GENERAL

- 1.1 Commencement and Citation
- 1.2 Definitions
- 1.3 Interpretation

PART 2 – GENERAL PROVISIONS

- 2.1 Use of Parking Places
- 2.2 Manner of Standing
- 2.3 Disabled Person's Badge Holders
- 2.4 Parking for Disabled Person's Badge Holders Only
- 2.5 Time Limits
- 2.6 Compliance with Entry and Exit Signs and Markings
- 2.7 Stop Engine in Parking Place
- 2.8 Sounding Horn
- 2.9 Further Restrictions on the Use of a Parking Place
- 2.10 Licensing and Insurance of Vehicles
- 2.11 Deposit of Litter
- 2.12 Disturbances
- 2.13 Threatening or Abusive Behaviour
- 2.14 Prohibition of Structures and Fires
- 2.15 Removal of Vehicles in an Emergency
- 2.16 Method of Removing and Reposition Vehicles
- 2.17 Safe Custody of Vehicles
- 2.18 Power to Close any Parking Place or Part Thereof
- 2.19 No for Loss or Damage to Vehicle or Property
- 2.20 No Liability for Accidental Death or Personal Injury
- 2.21 Parking Only for Motor Cycles

PART 3 – PARK AND RIDE PARKING PLACES

3.1 Designation of Park and Ride Parking Places

3.6 Permitted Parking Hours

PART 4 – CONTRAVENTION OF THIS ORDER

4.1 Contravention

4.2

SCHEDULE 1 – Designation of Land for Parking

SCHEDULE 2 – Permitted Parking Hours

SCHEDULE 3 – Cost of Lost Ticket

The Leicestershire County Council in exercise of its powers under sections 32, 35 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 and of all other enabling powers, after consultation with the chief officer of police in accordance with Part III of Schedule 9 to the Act, hereby makes this Order in respect of the Park and Ride parking places referred to in Schedule 1 of this Order.

PART 1

GENERAL

Commencement and Citation

- 1.1 This Order shall come into operation for all purposes on First day of October 2009 and may be cited as "The Leicestershire County Council (Park and Ride Parking Places) Order 2009"

Definitions

- 1.2 In this Order, except where the context otherwise requires, the following expressions have the meaning as hereby respectively assigned to them:-
- "The 1984 Act" means the Road Traffic Regulations Act 1984 (as amended);
- "The 2004 Act" means the Traffic Management Act 2004 (as amended);
- "Car" means any mechanically propelled Vehicle with more than two wheels except Goods Vehicles and Public Service Vehicles and includes a motorcycle with sidecar;
- "Car Park Attendant" means a person authorised by or on behalf of the Council to supervise any Parking Place;
- "Civil Enforcement Officer" means a person authorised by or on behalf of the Council to enforce the regulations in any Parking Place;
- "Council" means Leicestershire County Council

"Director" means the Director of Highways Transportation and Waste Management of the Council or any officer duly authorised by the Director

"Disabled Person's Badge" has the same meaning as stated in Regulation 3 of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 (Statutory Instrument 2000 No 683);

"Disabled Person's Vehicles" means a vehicle displaying in the relevant position a disabled person's badge in accordance with Part III of The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (Statutory Instrument 2000 No 682) (as amended)

"Driver" means, in relation to a Vehicle Waiting in a Parking Place, the person who drove the Vehicle into the Parking Place and/or the person who with the Owner or Principal User's authority removes it from the Parking Place;

"Goods Vehicle" means a Motor Vehicle which is constructed or adapted for use of the carriage of goods of any description and is not drawing a trailer;

"Hackney Carriage" means a Vehicle defined in Section 33 of the Vehicles (Excise) Act 1971 and duly licensed by the Council pursuant to its powers under Section 37 of the Town Police Clauses Act 1857 as amended by Section 16 of the Transport Act 1985;

"Invalid Carriage" has the same meaning as defined in Section 136(5) of The Act of 84;

"Motor Cycle" has the same meaning as defined in Section 136(5) of The Act of 1984;

"Motor Cycle Parking Place" means an area of off street Parking Place designated as such by this Order;

"Motor Vehicle" has the same meaning as defined in Section 136(1) and Section 140 of The Act of 1984;

"Owner" means the person in whose name a Vehicle is registered at the relevant time under the Vehicle Excise and Registration Act 1994;

"Park" refers to a Vehicle which Waits in a Parking Place in accordance with this Order;

"Parking" has a corresponding meaning to "Park"

"Park and Ride Parking Place" means a Parking Place designated as such by this Order;

"Park and Ride Bus Service" means the designated Public Service Vehicles that provide travel to and from Leicester City Centre and the Park and Ride Parking Place

"Parking Bay" means an area of a Parking Place which is provided for the leaving of a Vehicle and indicated by markings on the surface of the Parking Place;

"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

"Parking Place" means any area of land specified in the First Schedule of this Order provided by the Council under Section 32(1) of the 1984 Act for use as a parking place with the consent and agreement of Leicester City Council as landowner;

"Permitted Parking Hours" means the days and hours prescribed in Schedule 2 during which a Vehicle may in accordance with the conditions in the Order Park in a Park and Ride Parking Place;

"Private Motor Vehicle" means any Vehicle which is not a Public Service Vehicle or a Goods Vehicle or a Hackney Carriage as defined in Section 38 of the Vehicles (Excise) Act 1971;

"Public Service Vehicle" means a Vehicle adapted to carry at least 8 passengers not being a Hackney Carriage or a Private Hire Car;

"Ticket" means a ticket purchased on board the Public Service Vehicle or from the Lost Ticket Machine;

"Lost Ticket Machine" means apparatus of a type and design approved by the Secretary of State for the purpose of this Order being apparatus designed to issue a ticket indicating the payment of charge and the date and time at which a charge was paid, but where this Ticket Machine at a Parking Place is out of order, references to Lost Ticket machine shall at the relevant time be construed to refer to the Car Park Attendant at the Parking Place from whom a ticket may be purchased;

"Vehicle" means a Motor Vehicle as defined in this Order;

"Wait" refers to a Vehicle stopping and remaining stationary for any period of time whether or not with the intention of Parking and a Vehicle shall be deemed to Wait for any period in the same Parking Place or Parking Bay (as the case may be) if any part of it is below the Vehicle or the Vehicle's load (if any) whether or not the Vehicle is moved during that period;

"Waiting" has a corresponding meaning to "Wait"

Interpretation

- 1.3 Except where the context requires otherwise, any reference in this Order to an Article or Schedule shall be construed as a reference to that Article or Schedule in this Order

- 1.4 The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament
- 1.5 "Include", "includes" and "including" are deemed to be followed by the words "without limitation" and general words introduced by "other" do not have a restrictive meaning and "for example" is not to be interpreted as if there are no other examples nor to limit or restrict the ordinary meaning of the words preceding it.
- 1.6 Headings are for convenience only and do not affect the construction of this Order
- 1.7 The Plan annexed to this Order and marked drawing number 0011/M/49 is for identification purposes only

PART 2

GENERAL PROVISIONS

Use of Parking Places

2.1. Each Parking Place may only be used according to the terms specified for it in this Order include the class of Vehicle, the positioning of the Vehicle and the days and times permitted or prohibited on use of the Park and Ride Bus Service and in compliance with physical height and weight restrictions provided on site

Manner of Standing

2.2 Every Vehicle left Waiting in a Parking Place in accordance with the provisions of this Order shall stand so that every part of the Vehicle is within the limits of a particular Parking Bay within the limits of the Parking Place

Disabled Person's Badge Holders

2.3 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

Parking for Disabled Person's Badge Holders Only

- 2.4 A Driver shall not cause or permit a Vehicle to Wait in a Parking Bay marked for a Disabled Person's Vehicle unless that Driver is either a disabled Driver or a Driver accompanying a disabled persons and the Vehicle displays a valid Disabled Person's Badge in the manner prescribed by Regulation 12 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 and section 2.3 of this Order

Time Limits

- 2.5.i A Driver shall not allow a Vehicle to Wait in a Parking Place as specified in Schedule 1 beyond the Permitted Parking Hours specified in Schedule 2
- 2.5.ii The Permitted Parking Hours may be varied by the Director and any such variation shall be notified locally and in the local press

Compliance with Entry and Exit Signs and Markings

- 2.6 A Driver shall comply with all signs and markings in a Parking Place:-
- (a) indicating the entrance or exit from the Parking Place; or
 - (b) indicating that a Vehicle using the Parking Place shall proceed in a specified direction within the Parking Place
 - (c) not to attempt entry in a Vehicle in excess of the height restriction barrier

Prohibition Against Obstructions

- 2.7 The Driver of a Vehicle using a Parking Place shall not obstruct access to the Parking Place or to any premises adjoining the Parking Place or obstruct the access roads within the Parking Place

Stop Engine in Parking Place

- 2.7 The Driver of a Motor Vehicle using a Parking Place shall stop the engine as soon as a Vehicle is correctly in the position in the Parking Place and shall not subsequently start the engine except when about to change the position of the Vehicle in or to depart from the Parking Place

Sounding Horn

- 2.8 The Driver of a Vehicle using a Parking Place shall not sound or permit any other person to sound any horn or any similar instrument except when necessary whilst Parking his Vehicle in the Parking Place or when about to change the position of the Vehicle in or to depart from the Parking Place

Further Restrictions on Use of a Parking Place

- 2.9 It is prohibited without the written consent of the Director for anyone to use a Parking Place or to use or allow to be so used any Vehicle left in a Parking Place:-
- (a) to undertake (or allow to be undertaken) any cleaning, maintenance or repair of a Vehicle except such as may be necessary to enable the Vehicle to be removed from the Parking Place;
 - (b) for or in connection with the sale of any goods or services to anyone in or near the Parking Place
 - (c) for sleeping or accommodation or camping purposes
 - (d) for eating or cooking purposes ; or

- (e) to use a Vehicle or allowing it to be used for any purpose other than the temporary leaving of the Vehicle

Licensing and Insurance of Vehicles

- 2.10 The Driver of a Vehicle shall not cause nor permit that Vehicle to Wait in any Parking Place unless the Vehicle is licensed in accordance with the provisions of Section 1 of the Vehicles (Excise) Act 1971 and a policy of insurance complying with the requirements of Part VI of the Road Traffic Act 1972 is current in respect of the use of the Vehicle by that Driver

Deposit of Litter

- 2.11 Littering of a Parking Place is prohibited

Disturbances

- 2.12 Causing or permitted to cause a disturbance or annoyance or nuisance to users of the Parking Place or residents of premises in the neighbourhood is prohibited

Threatening or Abusive Behaviour

- 2.13 Use of any threatening abusive or insulting language gesture or conduct in a Parking Place intended to or likely to cause offence or fear to any person or so as to occasion a breach of the peace is prohibited

Prohibition of Structures and Fires

- 2.14 In a Parking Place no person shall:
- (a) without the written consent of the Director, erect or cause to be erected any tent stand building or other structure; or
 - (b) light or cause or permit to be lit any fire

Removal of Vehicles in an Emergency

- 2.15 For the purposes of meeting the requirements of an emergency a person authorised in that behalf by the Council or a police constable in uniform may alter or cause to be altered the position of a Vehicle in a Parking Place or remove or arrange for the removal of a Vehicle from a Parking Place and in so doing shall provide for the safe custody of the Vehicle

Method of Removing and Reposition Vehicles

- 2.16 A person authorised to remove or alter the position of a Vehicle in Articles 2.16 of this 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 Vehicles as he may think necessary to enable him to remove it or alter its position as the case may be

Safe Custody of Vehicles

- 2.17 When a person authorised by the Director to remove a Vehicle either removes or makes arrangements for its removal under this Order he/she shall make such arrangements as may be reasonably necessary for the safe custody of the Vehicle

Power to Close any Parking Place or Part Thereof

- 2.18 Notwithstanding the provisions of this Order any person authorised by the Director may by notice displayed on or near the Parking Place close any Parking Place or part therefore for any period and may designate it or any part as reserved for use only by particular Vehicles for particular purposes approved by the Director

- 2.19 No Driver of any Vehicle shall use the Parking Place or any part thereof when it is so closed unless with the written consent of the Director or in compliance with the particulars of reservation

No Liability for Loss or Damage to Vehicle or Property

- 2.20 Vehicles using the Parking Places do so at the risk of the Driver and neither the Council nor Leicester City Council as landowner accepts any liability or responsibility either at common law or under the Occupiers' Liability Act 1957 or otherwise for loss of or damage to Vehicles or other property left in Parking Places

No Liability for Accidental Death or Personal Injury

- 2.21 Neither the Council nor Leicester City Council as landowner accepts any liability for accidental death or personal injury to any person however caused while such person is entering, within, or leaving the Parking Places

Parking only for Motorcycles

- 2.22 A Driver shall not cause or permit a Motor Vehicle other than a Motor Cycle to Wait in a Parking Bay marked as Motor Cycle Parking Place

PART 3

PARK AND RIDE PARKING PLACES

Designation of Park and Ride Parking Places

- 3.1 Parking Places specified in Schedule 1 are hereby designated as Park and Ride Parking Places for the classes of Vehicles and are subject to the terms of this Order.

Use of Park and Ride Parking Places

- 3.2 The Driver of a Vehicle may only permit the Vehicle to Wait in a Park and Ride Parking Place to facilitate the Driver and any passenger to travel to/from Leicester City centre and the Park and Ride Parking Place on the designated Public Service Vehicle
- 3.3 The Park and Ride Parking Places are controlled by exit barriers whereby the Driver of a Vehicle may only exit the Park and Ride Parking Place upon production of a Ticket purchased from the Public Service Vehicle
- 3.4 In the event that a Driver of a Vehicle is unable to produce a Ticket through loss or any other cause whatsoever he/she may obtain exit by the purchase of a Ticket from the Lost Ticket Machine at the rate shown in Schedule 3
- 3.5 The Waiting of a Vehicle in and departure from a Park and Ride Parking Place other than in accordance with this Order is prohibited.

Permitted Parking Hours

- 3.6 The Driver of a Vehicle shall not permit it to Wait in a Park and Ride Parking Place for any period outside the Permitted Parking Hours specified in Schedule 2 and for the purposes of clarity this includes no Waiting in a Park and Ride Parking Place overnight

PART 4

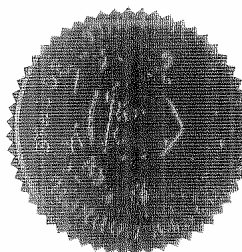
CONTRAVENTION OF THIS ORDER

Contravention

- 4.1 Where a contravention of this Order constitutes a parking contravention within the meaning of the 2004 Act or successor legislation, the contravention shall be subject to the penalties and procedures provided for by that legislation.
- 4.2 Where a contravention of this Order constitutes a parking contravention within the meaning of the 2004 Act a Penalty Charge is payable for each calendar day or part thereof that the Vehicle is in contravention of this Order by the Owner and the Vehicle may be removed by or on behalf of the Council in accordance with the provision of the 2004 Act
- 4.3 A contravention of this Order which does not constitute a parking contravention within the mean of the 2004 Act or successor legislation is an offence under Section 35A(1) of the 1984 Act

THE COMMON SEAL of THE LEICESTERSHIRE)
COUNTY COUNCIL was hereunto affixed)
this 30th day of September 2009)
in the presence of :-

Duffy



27971

SCHEDULE 1

LAND DESIGNATED FOR PARKING

All that area of land on the south west side of the junction of Leicester Lane and St John's, Enderby which forms the site of the Enderby Park and Ride shown on the attached plan edged red;

SCHEDULE 2

PERMITTED PARKING HOURS

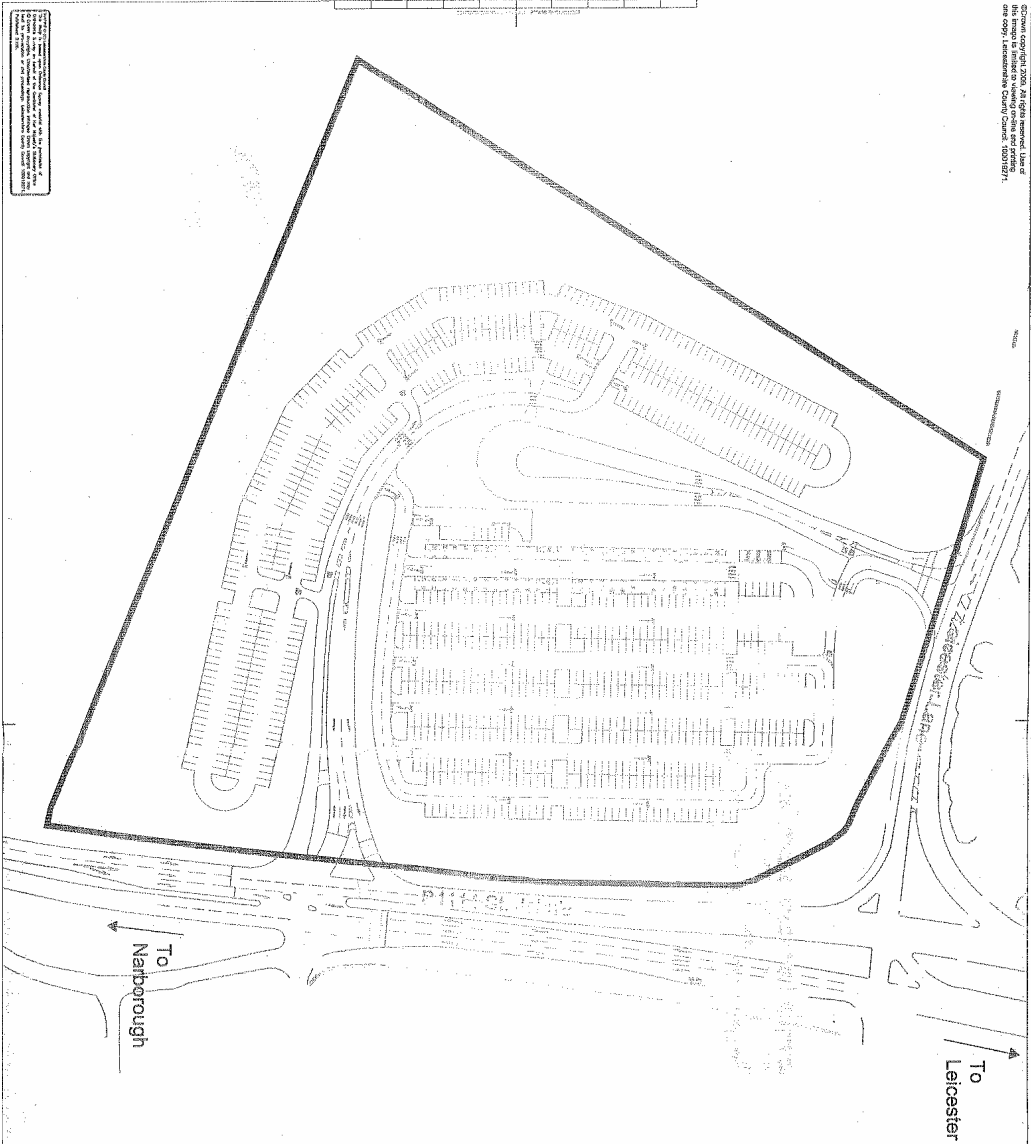
Monday – Saturday 6.45 a.m. to 20.15 p.m.

SCHEDULE 3

COST OF LOST TICKET

Ten Pounds (£10.00) per ticket

Copyright © 2008. All rights reserved. This map is intended to provide a general overview of the area and is not intended to be used for any other purpose. The map is not a substitute for a professional survey or other official map.



DEPARTMENT OF HIGHWAYS
TRANSPORTATION AND
WASTE MANAGEMENT



MATTHEW LUGG
DIRECTOR

B.Eng., C.Eng., MICE, MIMT, CMBS

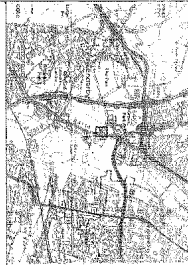
MAJOR TRANSPORT PROJECTS

Notes

Proposed off-street Parking
Order. Parking limited to
users of the park & ride bus
service only.

Key

Extent of
off-street Parking
Order



SITE LOCATION PLAN

Enderby, St John's/Leicester Lane
Enderby Park & Ride
Proposed off-street Parking Order

Job No.	0011/M/49	Date	11/2/00
Ref.	10/11	Date	20/04/2008
Drawn By	AW	Scale	A3
Checked By	AW	Scale	A3
Approved By	AW	Scale	A3
Project Manager	AW	Scale	A3
Project Engineer	AW	Scale	A3
Project Surveyor	AW	Scale	A3
Project Designer	AW	Scale	A3
Project Checker	AW	Scale	A3
Project Approver	AW	Scale	A3
Project Manager	AW	Scale	A3
Project Engineer	AW	Scale	A3
Project Surveyor	AW	Scale	A3
Project Designer	AW	Scale	A3
Project Checker	AW	Scale	A3
Project Approver	AW	Scale	A3

THE LEICESTERSHIRE COUNTY COUNCIL
(PARK AND RIDE PARKING PLACES ORDER) 2009

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CONTENTS

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- 1.1 Commencement and Citation
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- 1.3 Interpretation

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- 2.1 Use of Parking Places
- 2.2 Manner of Standing
- 2.3 Disabled Person's Badge Holders
- 2.4 Parking for Disabled Person's Badge Holders Only
- 2.5 Time Limits
- 2.6 Compliance with Entry and Exit Signs and Markings
- 2.7 Stop Engine in Parking Place
- 2.8 Sounding Horn
- 2.9 Further Restrictions on the Use of a Parking Place
- 2.10 Licensing and Insurance of Vehicles
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- 2.12 Disturbances
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PART 3 – PARK AND RIDE PARKING PLACES

3.1 Designation of Park and Ride Parking Places

3.6 Permitted Parking Hours

PART 4 – CONTRAVENTION OF THIS ORDER

4.1 Contravention

4.2

SCHEDULE 1 – Designation of Land for Parking

SCHEDULE 2 – Permitted Parking Hours

SCHEDULE 3 – Cost of Lost Ticket

The Leicestershire County Council in exercise of its powers under sections 32, 35 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 and of all other enabling powers, after consultation with the chief officer of police in accordance with Part III of Schedule 9 to the Act, hereby makes this Order in respect of the Park and Ride parking places referred to in Schedule 1 of this Order.

PART 1

GENERAL

Commencement and Citation

- 1.1 This Order shall come into operation for all purposes on First day of October 2009 and may be cited as "The Leicestershire County Council (Park and Ride Parking Places) Order 2009"

Definitions

- 1.2 In this Order, except where the context otherwise requires, the following expressions have the meaning as hereby respectively assigned to them:-
- "The 1984 Act" means the Road Traffic Regulations Act 1984 (as amended);
- "The 2004 Act" means the Traffic Management Act 2004 (as amended);
- "Car" means any mechanically propelled Vehicle with more than two wheels except Goods Vehicles and Public Service Vehicles and includes a motorcycle with sidecar;
- "Car Park Attendant" means a person authorised by or on behalf of the Council to supervise any Parking Place;
- "Civil Enforcement Officer" means a person authorised by or on behalf of the Council to enforce the regulations in any Parking Place;
- "Council" means Leicestershire County Council

"Director" means the Director of Highways Transportation and Waste Management of the Council or any officer duly authorised by the Director

"Disabled Person's Badge" has the same meaning as stated in Regulation 3 of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 (Statutory Instrument 2000 No 683);

"Disabled Person's Vehicles" means a vehicle displaying in the relevant position a disabled person's badge in accordance with Part III of The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (Statutory Instrument 2000 No 682) (as amended)

"Driver" means, in relation to a Vehicle Waiting in a Parking Place, the person who drove the Vehicle into the Parking Place and/or the person who with the Owner or Principal User's authority removes it from the Parking Place;

"Goods Vehicle" means a Motor Vehicle which is constructed or adapted for use of the carriage of goods of any description and is not drawing a trailer;

"Hackney Carriage" means a Vehicle defined in Section 33 of the Vehicles (Excise) Act 1971 and duly licensed by the Council pursuant to its powers under Section 37 of the Town Police Clauses Act 1857 as amended by Section 16 of the Transport Act 1985;

"Invalid Carriage" has the same meaning as defined in Section 136(5) of The Act of 84;

"Motor Cycle" has the same meaning as defined in Section 136(5) of The Act of 1984;

"Motor Cycle Parking Place" means an area of off street Parking Place designated as such by this Order;

"Motor Vehicle" has the same meaning as defined in Section 136(1) and Section 140 of The Act of 1984;

"Owner" means the person in whose name a Vehicle is registered at the relevant time under the Vehicle Excise and Registration Act 1994;

"Park" refers to a Vehicle which Waits in a Parking Place in accordance with this Order;

"Parking" has a corresponding meaning to "Park"

"Park and Ride Parking Place" means a Parking Place designated as such by this Order;

"Park and Ride Bus Service" means the designated Public Service Vehicles that provide travel to and from Leicester City Centre and the Park and Ride Parking Place

"Parking Bay" means an area of a Parking Place which is provided for the leaving of a Vehicle and indicated by markings on the surface of the Parking Place;

"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

"Parking Place" means any area of land specified in the First Schedule of this Order provided by the Council under Section 32(1) of the 1984 Act for use as a parking place with the consent and agreement of Leicester City Council as landowner;

"Permitted Parking Hours" means the days and hours prescribed in Schedule 2 during which a Vehicle may in accordance with the conditions in the Order Park in a Park and Ride Parking Place;

"Private Motor Vehicle" means any Vehicle which is not a Public Service Vehicle or a Goods Vehicle or a Hackney Carriage as defined in Section 38 of the Vehicles (Excise) Act 1971;

"Public Service Vehicle" means a Vehicle adapted to carry at least 8 passengers not being a Hackney Carriage or a Private Hire Car;

"Ticket" means a ticket purchased on board the Public Service Vehicle or from the Lost Ticket Machine;

"Lost Ticket Machine" means apparatus of a type and design approved by the Secretary of State for the purpose of this Order being apparatus designed to issue a ticket indicating the payment of charge and the date and time at which a charge was paid, but where this Ticket Machine at a Parking Place is out of order, references to Lost Ticket machine shall at the relevant time be construed to refer to the Car Park Attendant at the Parking Place from whom a ticket may be purchased;

"Vehicle" means a Motor Vehicle as defined in this Order;

"Wait" refers to a Vehicle stopping and remaining stationary for any period of time whether or not with the intention of Parking and a Vehicle shall be deemed to Wait for any period in the same Parking Place or Parking Bay (as the case may be) if any part of it is below the Vehicle or the Vehicle's load (if any) whether or not the Vehicle is moved during that period;

"Waiting" has a corresponding meaning to "Wait"

Interpretation

- 1.3 Except where the context requires otherwise, any reference in this Order to an Article or Schedule shall be construed as a reference to that Article or Schedule in this Order

- 1.4 The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament
- 1.5 "Include", "includes" and "including" are deemed to be followed by the words "without limitation" and general words introduced by "other" do not have a restrictive meaning and "for example" is not to be interpreted as if there are no other examples nor to limit or restrict the ordinary meaning of the words preceding it.
- 1.6 Headings are for convenience only and do not affect the construction of this Order
- 1.7 The Plan annexed to this Order and marked drawing number 0011/M/49 is for identification purposes only

PART 2

GENERAL PROVISIONS

Use of Parking Places

2.1. Each Parking Place may only be used according to the terms specified for it in this Order include the class of Vehicle, the positioning of the Vehicle and the days and times permitted or prohibited on use of the Park and Ride Bus Service and in compliance with physical height and weight restrictions provided on site

Manner of Standing

2.2 Every Vehicle left Waiting in a Parking Place in accordance with the provisions of this Order shall stand so that every part of the Vehicle is within the limits of a particular Parking Bay within the limits of the Parking Place

Disabled Person's Badge Holders

2.3 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

Parking for Disabled Person's Badge Holders Only

- 2.4 A Driver shall not cause or permit a Vehicle to Wait in a Parking Bay marked for a Disabled Person's Vehicle unless that Driver is either a disabled Driver or a Driver accompanying a disabled persons and the Vehicle displays a valid Disabled Person's Badge in the manner prescribed by Regulation 12 of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 and section 2.3 of this Order

Time Limits

- 2.5.i A Driver shall not allow a Vehicle to Wait in a Parking Place as specified in Schedule 1 beyond the Permitted Parking Hours specified in Schedule 2
- 2.5.ii The Permitted Parking Hours may be varied by the Director and any such variation shall be notified locally and in the local press

Compliance with Entry and Exit Signs and Markings

- 2.6 A Driver shall comply with all signs and markings in a Parking Place:-
- (a) indicating the entrance or exit from the Parking Place; or
 - (b) indicating that a Vehicle using the Parking Place shall proceed in a specified direction within the Parking Place
 - (c) not to attempt entry in a Vehicle in excess of the height restriction barrier

Prohibition Against Obstructions

- 2.7 The Driver of a Vehicle using a Parking Place shall not obstruct access to the Parking Place or to any premises adjoining the Parking Place or obstruct the access roads within the Parking Place

Stop Engine in Parking Place

- 2.7 The Driver of a Motor Vehicle using a Parking Place shall stop the engine as soon as a Vehicle is correctly in the position in the Parking Place and shall not subsequently start the engine except when about to change the position of the Vehicle in or to depart from the Parking Place

Sounding Horn

- 2.8 The Driver of a Vehicle using a Parking Place shall not sound or permit any other person to sound any horn or any similar instrument except when necessary whilst Parking his Vehicle in the Parking Place or when about to change the position of the Vehicle in or to depart from the Parking Place

Further Restrictions on Use of a Parking Place

- 2.9 It is prohibited without the written consent of the Director for anyone to use a Parking Place or to use or allow to be so used any Vehicle left in a Parking Place:-
- (a) to undertake (or allow to be undertaken) any cleaning, maintenance or repair of a Vehicle except such as may be necessary to enable the Vehicle to be removed from the Parking Place;
 - (b) for or in connection with the sale of any goods or services to anyone in or near the Parking Place
 - (c) for sleeping or accommodation or camping purposes
 - (d) for eating or cooking purposes ; or

- (e) to use a Vehicle or allowing it to be used for any purpose other than the temporary leaving of the Vehicle

Licensing and Insurance of Vehicles

- 2.10 The Driver of a Vehicle shall not cause nor permit that Vehicle to Wait in any Parking Place unless the Vehicle is licensed in accordance with the provisions of Section 1 of the Vehicles (Excise) Act 1971 and a policy of insurance complying with the requirements of Part VI of the Road Traffic Act 1972 is current in respect of the use of the Vehicle by that Driver

Deposit of Litter

- 2.11 Littering of a Parking Place is prohibited

Disturbances

- 2.12 Causing or permitted to cause a disturbance or annoyance or nuisance to users of the Parking Place or residents of premises in the neighbourhood is prohibited

Threatening or Abusive Behaviour

- 2.13 Use of any threatening abusive or insulting language gesture or conduct in a Parking Place intended to or likely to cause offence or fear to any person or so as to occasion a breach of the peace is prohibited

Prohibition of Structures and Fires

- 2.14 In a Parking Place no person shall:
- (a) without the written consent of the Director, erect or cause to be erected any tent stand building or other structure; or
 - (b) light or cause or permit to be lit any fire

Removal of Vehicles in an Emergency

- 2.15 For the purposes of meeting the requirements of an emergency a person authorised in that behalf by the Council or a police constable in uniform may alter or cause to be altered the position of a Vehicle in a Parking Place or remove or arrange for the removal of a Vehicle from a Parking Place and in so doing shall provide for the safe custody of the Vehicle

Method of Removing and Reposition Vehicles

- 2.16 A person authorised to remove or alter the position of a Vehicle in Articles 2.16 of this 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 Vehicles as he may think necessary to enable him to remove it or alter its position as the case may be

Safe Custody of Vehicles

- 2.17 When a person authorised by the Director to remove a Vehicle either removes or makes arrangements for its removal under this Order he/she shall make such arrangements as may be reasonably necessary for the safe custody of the Vehicle

Power to Close any Parking Place or Part Thereof

- 2.18 Notwithstanding the provisions of this Order any person authorised by the Director may by notice displayed on or near the Parking Place close any Parking Place or part thereof for any period and may designate it or any part as reserved for use only by particular Vehicles for particular purposes approved by the Director

- 2.19 No Driver of any Vehicle shall use the Parking Place or any part thereof when it is so closed unless with the written consent of the Director or in compliance with the particulars of reservation

No Liability for Loss or Damage to Vehicle or Property

- 2.20 Vehicles using the Parking Places do so at the risk of the Driver and neither the Council nor Leicester City Council as landowner accepts any liability or responsibility either at common law or under the Occupiers' Liability Act 1957 or otherwise for loss of or damage to Vehicles or other property left in Parking Places

No Liability for Accidental Death or Personal Injury

- 2.21 Neither the Council nor Leicester City Council as landowner accepts any liability for accidental death or personal injury to any person however caused while such person is entering, within, or leaving the Parking Places

Parking only for Motorcycles

- 2.22 A Driver shall not cause or permit a Motor Vehicle other than a Motor Cycle to Wait in a Parking Bay marked as Motor Cycle Parking Place

PART 3

PARK AND RIDE PARKING PLACES

Designation of Park and Ride Parking Places

- 3.1 Parking Places specified in Schedule 1 are hereby designated as Park and Ride Parking Places for the classes of Vehicles and are subject to the terms of this Order.

Use of Park and Ride Parking Places

- 3.2 The Driver of a Vehicle may only permit the Vehicle to Wait in a Park and Ride Parking Place to facilitate the Driver and any passenger to travel to/from Leicester City centre and the Park and Ride Parking Place on the designated Public Service Vehicle
- 3.3 The Park and Ride Parking Places are controlled by exit barriers whereby the Driver of a Vehicle may only exit the Park and Ride Parking Place upon production of a Ticket purchased from the Public Service Vehicle
- 3.4 In the event that a Driver of a Vehicle is unable to produce a Ticket through loss or any other cause whatsoever he/she may obtain exit by the purchase of a Ticket from the Lost Ticket Machine at the rate shown in Schedule 3
- 3.5 The Waiting of a Vehicle in and departure from a Park and Ride Parking Place other than in accordance with this Order is prohibited.

Permitted Parking Hours

- 3.6 The Driver of a Vehicle shall not permit it to Wait in a Park and Ride Parking Place for any period outside the Permitted Parking Hours specified in Schedule 2 and for the purposes of clarity this includes no Waiting in a Park and Ride Parking Place overnight

PART 4

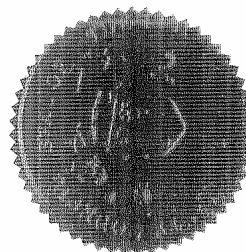
CONTRAVENTION OF THIS ORDER

Contravention

- 4.1 Where a contravention of this Order constitutes a parking contravention within the meaning of the 2004 Act or successor legislation, the contravention shall be subject to the penalties and procedures provided for by that legislation.
- 4.2 Where a contravention of this Order constitutes a parking contravention within the meaning of the 2004 Act a Penalty Charge is payable for each calendar day or part thereof that the Vehicle is in contravention of this Order by the Owner and the Vehicle may be removed by or on behalf of the Council in accordance with the provision of the 2004 Act
- 4.3 A contravention of this Order which does not constitute a parking contravention within the mean of the 2004 Act or successor legislation is an offence under Section 35A(1) of the 1984 Act

THE COMMON SEAL of THE LEICESTERSHIRE)
COUNTY COUNCIL was hereunto affixed
this 30th day of September 2009
in the presence of :-

[Handwritten signature]



24911

SCHEDULE 1

LAND DESIGNATED FOR PARKING

All that area of land on the south west side of the junction of Leicester Lane and St John's, Enderby which forms the site of the Enderby Park and Ride shown on the attached plan edged red.

SCHEDULE 2

PERMITTED PARKING HOURS

Monday – Saturday 6.45 a.m. to 20.15 p.m.

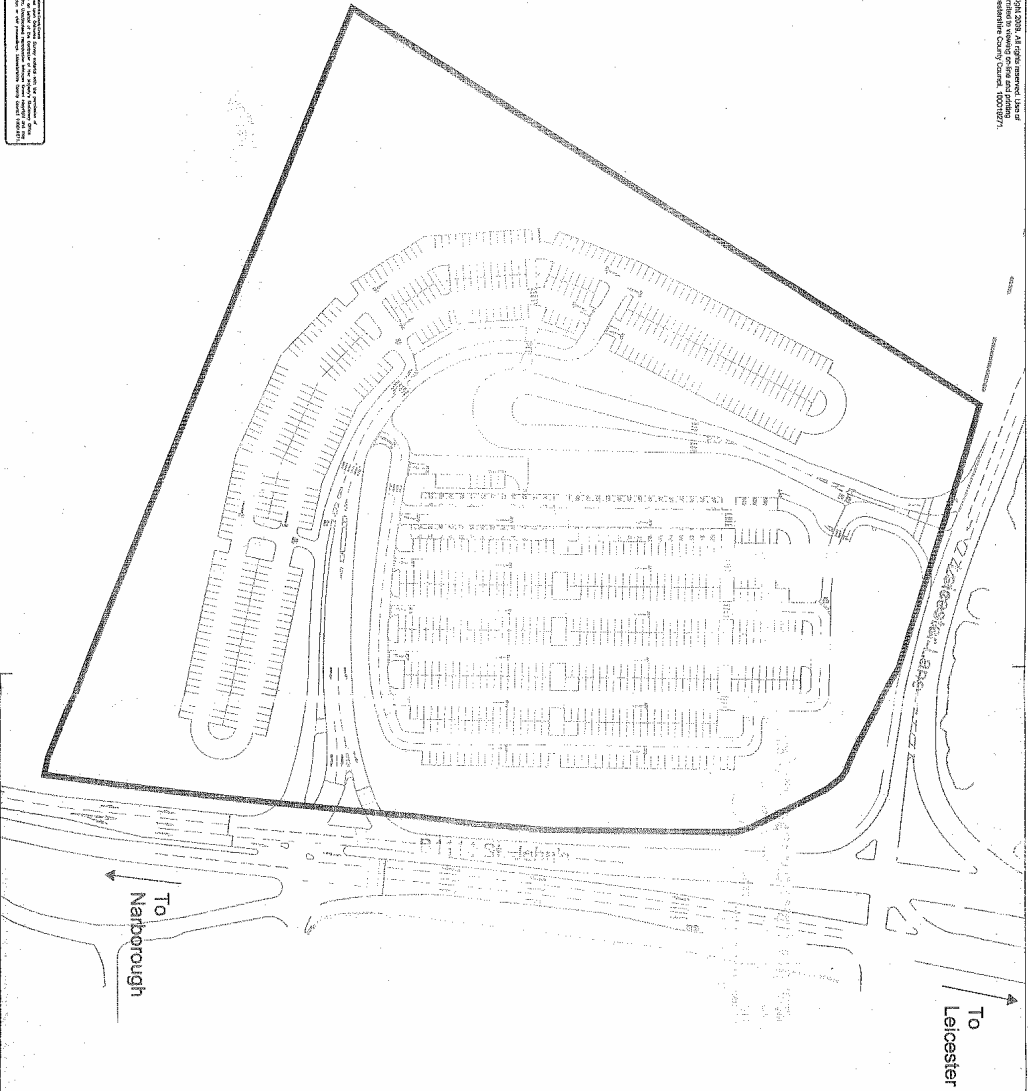
SCHEDULE 3

COST OF LOST TICKET

Ten Pounds (£10.00) per ticket

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DEPARTMENT OF HIGHWAYS
TRANSPORTATION AND
WASTE MANAGEMENT

MATTHEW LUGG
DIRECTOR

BEING CLERK, WOL. MINT. DMS

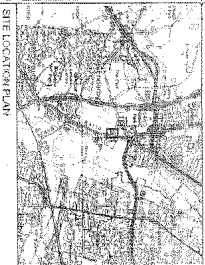
MAJOR TRANSPORT PROJECTS

Notes

Proposed off-street parking
Order. Parking limited to
users of the park & ride bus
service only.

Key

Extent of
off-street parking
Order



Site: St John's/Leicester Lane
Enderby Park & Ride
Proposed off-street parking Order

Job No: 111264
Date: 23/04/2008

Prepared by: KAY
Size: A3

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