

THE LEICESTERSHIRE COUNTY COUNCIL
(UPPER CHURCH STREET, SYSTON, BOROUGH OF CHARNWOOD)
(IMPOSITION OF SCHOOL KEEP CLEAR) ORDER 2015

The Leicestershire County Council ("the Council") in exercise of its powers under Sections 1(1) 2(1) 2(2) 4 and Part IV of Schedule 9 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 eleventh day of January 2016 and may be cited as "The Leicestershire County Council (Upper Church Street, Syston, Borough of Charnwood) (Imposition of School Keep Clear) 2015 ".
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" has the same meaning as in Regulation 22 of the Traffic Signs Regulations and General Directions 2002;

"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;

"C.E.O." means a duly authorised Civil Enforcement Officer;

"disabled person's badge" has the same meaning as in The Disabled Persons (Badges for Motor Vehicles)(England) Regulations 2000 and subsequent Amendment Regulations;

"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 (as amended) by the marking shown in diagram 1028.3, 1032 or 1033 (or permitted variants thereof);

"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;

"goods vehicle" has the same meaning as that ascribed to it in Section 192(1) of the Road Traffic Act 1988;

"heavy commercial vehicle" has the same meaning as in Section 138 of the Act;

"loading" and "unloading" means the collection or delivery of goods (parcels, stock and other items of that nature) to or from a vehicle where the goods cannot be reasonably collected or delivered except by the use of that vehicle in a particular length of road;

"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 cycle" has the same meaning as in Section 136 of The Act;

"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 blue, 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;

"permitted parking place" means any part of a road hereby authorised by the Council for use as a parking place, bay or space where vehicles may wait;

"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 where vehicles are not permitted to stop and indicated by a road marking complying with diagram 1027.1 of the 2002 Regulations;

"solo motor cycle" means a motor cycle without a sidecar and having two wheels;

"taxi" means a Hackney Carriage vehicle licensed under section 37 of the Town Police Clauses Act 1847;

"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) (England) Regulations 2000 (as amended):
- (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) (England) Regulations 2000 (as amended).

4. 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.

5. "The Leicestershire County Council (Various Roads, Birstall, Rearsby, Syston and Thurmaston (Area 1), District of Charnwood), Consolidation and Amendment Order 2009" is hereby revoked in respect of that length of road specified in Schedule 2 to this Order.
6. No person shall, except upon the direction or with the permission of a police officer in uniform, a community support officer or a C.E.O., or in accordance with the exemption provisions, cause or permit any vehicle to stop or wait between the hours of 8.00 a.m. and 5.00 p.m. on any day other than a Saturday or Sunday, on the side of road designated as a school entrance as specified in Schedule 3 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 annexed to this Order and marked drawing number TM4356/1/2015 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:- <ul style="list-style-type: none"> (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 and whilst being so used in such service it is necessary for the vehicle to be positioned in the place where it is waiting.	LCCC
For vehicles to be used for the purpose of delivering or collecting postal packets as defined in section 87 of the Postal Services Act 2000 by any universal service provider.	LCCD
Not Allocated	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.	LCCH
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 began) to wait on the sides of roads referred to in that Schedule for a period	LCCJ

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.	LCKK
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, community support officer 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
Not Allocated	LCCO
Not Allocated	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	LCCQ

from the road being such works as are required to be carried out to comply with any statutory obligation condition or stipulation subject to such waiting being limited to a maximum of two hours in any period of 24 hours.	
Not Allocated	LCCR
Not Allocated	LCCS
Not Allocated	LCCT
Not Allocated	LCCU
Not Allocated	LCCV
Not Allocated	LCCW
Not Allocated	LCCX
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 began) to wait in the designated parking place.	LCCY

SCHEDULE 2 **REVOCATIONS**

Items to be revoked from:

THE LEICESTERSHIRE COUNTY COUNCIL (VARIOUS ROADS, BIRSTALL, REARSBY, SYSTON AND THURMASTON (AREA 1), DISTRICT OF CHARNWOOD), CONSOLIDATION AND AMENDMENT ORDER 2009

School Keep Clear (Mandatory)

Upper Church Street, Syston

- (i) the west side from a point 204 metres north of the centreline of its junction with Church Close in a northerly direction for a distance of 26 metres
- (ii) the west side from a point 147 metres north of the centre line of its junction with Church Close in a northerly direction for a distance of 26 metres
- (iii) the west side from a point 114 metres north of the centre line of its junction with Church Close in a northerly direction for a distance of 26 metres

SCHEDULE 3 **AMENDMENTS**

School Keep Clear (Mandatory) **Monday-Friday 8.00am-5.00pm**

Upper Church Street, Syston

- (i) the west side from a point 147 metres north of its junction with Church Close in a northerly direction for a distance of 26 metres
- (ii) the west side from a point 204 metres north of its junction with Church Close in a northerly direction for a distance of 26 metres

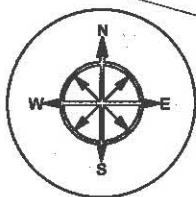
(iii) the west side from a point 114 metres north of its junction with Church Close in a northerly direction for a distance of 26 metres.

THE COMMON SEAL of THE)
LEICESTERSHIRE COUNTY COUNCIL)
was hereunto affixed this thirty first day of)
December 2015 in the presence of)

AW James

32259





**PROPOSED FORMALISATION OF MANDATORY SCHOOL
KEEP CLEAR MARKINGS MONDAY - FRIDAY 8.00 AM - 5.00 PM**

St Peter and
St Paul Church of
England Primary
School

Post
School Lodge

UPPER CHURCH STREET

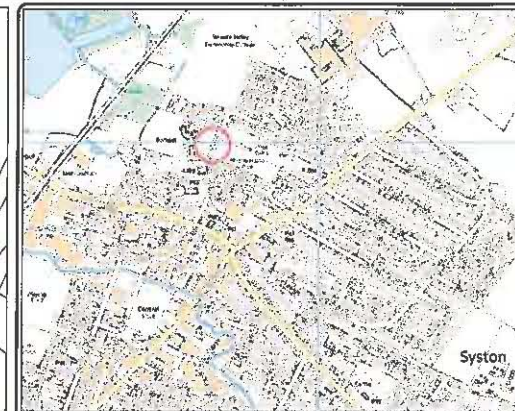
DISCLAIMER:

**OTHER RESTRICTIONS NOT SHOWN ON THIS
PLAN ARE NOT PART OF THE PROPOSED
SCHEME AND THEREFORE WILL NOT CHANGE**

**THIS PLAN IS FOR GRAPHICAL REPRESENTATION
ONLY AND DOES NOT FORM PART OF THE FINAL
LEGAL ORDER**

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**ENVIRONMENT AND
TRANSPORT DEPARTMENT**



**PHIL CROSSLAND
DIRECTOR**

**TRAFFIC & SAFETY
GROUP**

UPPER CHURCH STREET, SYSTON

**TITLE:
PROPOSED TRAFFIC REGULATION ORDER**

DRAWING NUMBER	SCALE
TM4356/1/2015	NTS
PREPARED BY: R DAVIS	DATE: SEPT 2015
CHECKED BY: S BULLEN	SIZE: A4

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