

THE LEICESTERSHIRE COUNTY COUNCIL
(EXPERIMENTAL SCHOOL STREETS ORDER, SCOTLANDS ROAD, COALVILLE
DISTRICT OF NORTH WEST LEICESTERSHIRE) EXPERIMENTAL ORDER No. 2 2022

The Leicestershire County Council ("the Council") in exercise of its powers under Sections 9, 10, 11 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act") as amended, and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the Act hereby makes the following Order:-

PART I – PRELIMINARY

1. Citation, Commencement and Duration

This Order shall come into force on the 2nd day of September 2022 for a period of eighteen months and may be cited as the "The Leicestershire County Council (Experimental School Streets Order, Scotlands Road, Coalville, District of North West Leicestershire) Experimental Order No.2 2022"

2. Interpretation

In this Order, except where the context otherwise requires, the following expressions have the meaning hereby respectively assigned to them:

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

"the 1971 Act" means Banking and Financial Dealings Act 1971

"the 1980 Act" means the Highways Act 1980

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

"the 1986 Regulations" means The Road Vehicles (Construction and Use) Regulations 1986

"the 1988 Act" means the Road Traffic Act 1988

"the 2000 Regulations" means The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000

"the 2004 Act" means the Traffic Management Act 2004

"the 2022 General Provisions Regulations" means The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022

"the 2022 Appeals Regulations" means The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022

"appropriate national authority" means as regards England, the Secretary of State

"disabled persons' badge" has the same meaning as in Regulation 3 of the 2000 Regulations

"dispensation / waiver" means a specific exemption allowing vehicles to park within a defined location, granted by the Council pursuant to this Order

"driver" means an individual authorised to drive a vehicle who has allegedly contravened this Order that may not necessarily be the owner or keeper of that vehicle and therefore, when identified, shall be responsible for payment of the Penalty Charge Notice

"dual-purpose vehicle" has the same meaning as in Section 3(2) of the 1986 Regulations

"duly authorised person" means for the purposes of the supervision and enforcement of the provisions of this Order means a Police Officer in uniform or civil enforcement officer or any other person acting on behalf of the Council

"electric vehicle" means a vehicle including a motor cycle in which electrical motive power is derived from an electrical storage battery which is not connected to any source of power when the vehicle is in motion

"enactment" means any enactment, whether public, general or local, and includes any Order, byelaw, regulation, scheme or other instrument having effect by virtue of an enactment

"fire and rescue vehicle" means a vehicle being used for fire and rescue purposes or operating under the instructions of the Fire and Rescue Authority

"footway" has the same meaning as Section 329 of the 1980 Act

"goods" means heavy or bulky items of any kind whether animate or inanimate for the purposes of being sold

"goods vehicle" has the same meaning as in Section 138 of the 1984 Act

"hackney carriage" has the same meaning as in Section 38 of the 1847 Act

"heavy commercial vehicle" has the same meaning as in Section 138 of the 1984 Act

"loading" means a vehicle whilst being used in a length of road to enable goods to be loaded or unloaded, provided that when the aforementioned purposes have been completed, the vehicle must immediately proceed out of that length of road

"local authority" means as regards England, a county council, a London authority, a metropolitan, district council or the Council of the Isles of Scilly

"local bus" means a public service vehicle

"motor car" has the same meaning as in Section 136 of the 1984 Act

"motor cycle" has the same meaning as in Section 136 of the 1984 Act

"motor vehicle" has the same meaning as in Section 136 of the 1984 Act

- (b) In relation to a permit; exhibited on the windscreen, dashboard or fascia of the vehicle or, where the vehicle does not have a windscreen, dashboard or fascia, in a conspicuous position on the vehicle so that the whole information on the front of the permit is clearly legible from outside the vehicle
- (c) In the case of a parking ticket; a vehicle displays a parking ticket in the relevant position if the said ticket is exhibited in a conspicuous position within or on the said vehicle so that the time of the expiry, date of issue and other particulars shown thereon (as applicable) are clearly visible and can be read from outside the said vehicle for the duration of the parking period
- (d) In relation to a disc for parking; exhibited on the windscreen, dashboard or fascia of the vehicle or, where the vehicle does not have a windscreen, dashboard or fascia, in a conspicuous position on the vehicle so that the whole information on the front of the permit is clearly legible from outside the vehicle
- (e) Nothing in paragraphs (b) to (d) of relevant position shall apply where a virtual permit, virtual ticket or virtual disc is issued

"resident" means a person whose usual place of abode is premises the postal address of which is in any road or part of a road being a part of a school street as described in the Schedule to this Order, or any person deemed to be a resident by the Council

"school street access permit" means a permit issued under the provisions of this Order

"school street access permit holder" means a person to whom a permit has been issued under the provisions of this Order

"road" has the same meaning as in Section 142 of the 1984 Act

"road marking" means a traffic sign consisting of a line or mark or legend on the surface of the road of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under, Section 64 of the 1984 Act

"school" means an educational institution which is principally concerned with providing education

"school day" means any day of the week on which a school is open as an educational institution and any other purpose for which the school is open

"school keep clear marking" means part of the carriageway indicated by the relevant diagram in the Traffic Signs Regulations and General Directions 2016

"school street" means a road or part of a road where driving of a motor vehicle is prohibited during specified times indicated by a traffic sign

"solo motor cycle" means a motor cycle without a side car and having two wheels

"specified closure times" means the hours during which the prohibition as specified in the Schedule is in force

"specified period" means permitted hours, prescribed times of prohibited hours

"Statutory Grounds of Appeal" means that one or more of the grounds specified in the 2022 Appeals Regulations applies

Part II – School Street

Designation

5. No person, except upon the direction or with the permission of a police officer in uniform, shall cause or permit any motor vehicle to proceed along that length of road as specified in the Schedule to this Order during the specified closure times.
6. The plan annexed to this Order and marked drawing number *TM5063/T1/1-1*, is for identification purposes only.

Contravention of the General Prohibition

7. Where a person contravenes the prohibition set out in article 5 to this Order and does not fall into any of the exemptions in Part III to this Order the owner of that vehicle may incur a fixed penalty notice issued by a Police Officer in uniform.

(I) If the vehicle is being used by a school street access permit holder

- (c) the vehicle in respect of which such permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified;
- (d) the issue of a duplicate permit by the Council under the provisions of this Order;
- (e) misuse or fraudulent use of the permit is deemed by the Council;
- (f) at the request of the Council;

16. Withdrawal of permit

The Council may, by notice in writing served on the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's residence or place of business, withdraw a permit if it appears to the Council that any one of the surrender events has occurred and the permit holder shall surrender the permit to the Council.

17. Validity of permit

A permit shall only be valid if displayed in the relevant position

A permit shall cease to be valid at the expiration of the period specified thereon or on the occurrence of any of the surrender events, whichever is the earlier.

Where a permit is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured, the permit shall cease to be of any effect and the Council shall by notice in writing served on the person to whom such permit or voucher was issued by sending the same to the permit holder at the address shown by that person on the application for the permit, or at any other address believed to be that person's place of abode, require that person to surrender the permit or voucher to the Council.

A permit shall cease to be valid if:

- (a) the details have been altered or defaced;
- (b) any additional details required as a condition of the permit are not exhibited;
or
- (c) the details cannot be easily read from outside the vehicle.

Application for and use of duplicate permits

18. Duplicate permits

If a permit is accidentally mutilated or defaced or the figures or particulars thereon have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall surrender it to the Council and apply to the Council for the issue of a replacement.

If a permit is lost or destroyed, the permit holder may apply to the Council for the issue of a duplicate permit.

On application under the provisions of this Order, the Council, being satisfied as to the circumstances as indicated, the Council may from time to time determine, shall issue a replacement or duplicate permit so marked and upon such issue the original permit or voucher shall become invalid.

All the provisions of this Order shall apply to a replacement or duplicate permit to the same extent as they applied to the original permit.

Schedule

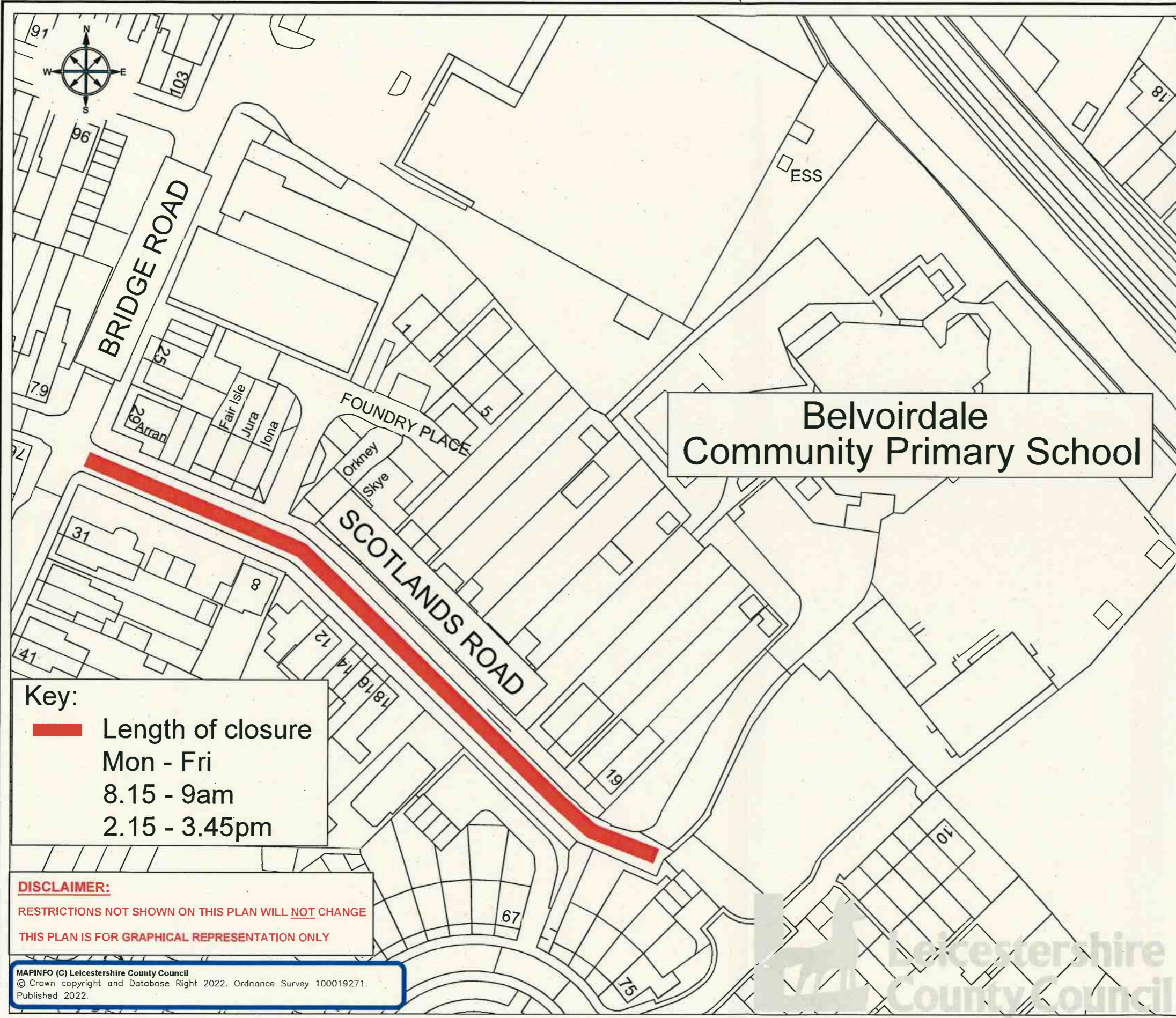
School	Road Name	Closure Extents	Closure Times
Belvoirdale Primary School	Scotlands Road, Coalville	For its entire length	Monday to Friday 8:15am - 9am 2.15pm - 3:45pm

39224

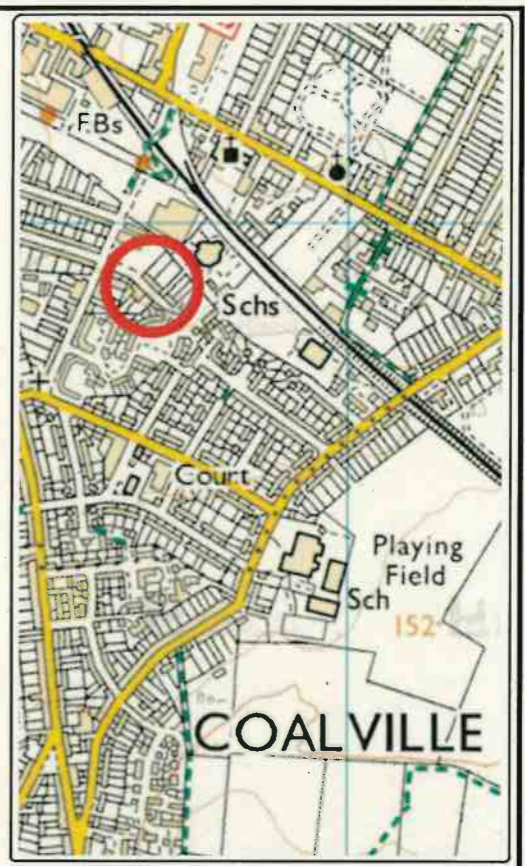
THE COMMON SEAL of THE)
LEICESTERSHIRE COUNTY COUNCIL)
was hereunto affixed this twenty fifth day of)
August 2022 in the presence of)



Handwritten signature in blue ink.



Belvoirdale Community Primary School



ENVIRONMENT AND
TRANSPORT DEPARTMENT

ANN CARRUTHERS
DIRECTOR

NETWORK MANAGEMENT
DEVELOPMENT & GROWTH

SCOTLANDS ROAD, COALVILLE

TITLE:
SCHOOL STREETS
BELVOIRDALE PRIMARY SCHOOL

DRAWING NUMBER	SCALE
TM5063/T1/1 - 1	NTS

PREPARED BY: Z NOVSAKA	DATE: AUG 2022
CHECKED BY: S BURT	SIZE: A3
APPROVED BY: G NEAT	CORR. FILE:

COUNTY HALL * GLENFIELD * LEICESTER * LE3 8ST
Tel: 01163 050001 * Fax: 0116 3050006

E-Mail address: customerservices@leics.gov.uk
Website: www.leicestershire.gov.uk

Key:

Length of closure
Mon - Fri
8.15 - 9am
2.15 - 3.45pm

DISCLAIMER:
RESTRICTIONS NOT SHOWN ON THIS PLAN WILL NOT CHANGE
THIS PLAN IS FOR GRAPHICAL REPRESENTATION ONLY

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