



LEICESTER CITY COUNCIL

THE LEICESTER TRAFFIC REGULATION (LEICESTER CITY FOOTBALL CLUB STADIUM) (CONTROLLED PARKING ZONE) ORDER 2017

Leicester City Council in exercise of their powers under Sections 1, 2, 32, 35, 45, 46A, 47, 48, 49, 51, 53 and 63A of the Road Traffic Regulation Act 1984 ("The Act") and of Parts I to IV of Schedule 9 to the Act and of all other enabling powers including the Road Traffic Acts 1988 and 1991 as amended (whether generally or in relation to the area of the Council) and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the Act hereby make the following Order:-

Section 1

Citation, Commencement and Revocations.

1. This Order may be cited as The Leicester Traffic Regulation (Leicester City Football Club Stadium) (Controlled Parking Zone) Order 2017 and shall come into force on the 22nd December 2017
2. The Order will be operational on Event Days held at the Leicester City Football Club Stadium located at Filbert Way, Leicester and any existing restriction or requirement imposed by any other enactment will be effective at all other times. The restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any other enactment.
3. The duration of any restriction specified in Section 2 may be reduced on the direction of a Police Officer or Leicester City Council's Traffic Manager.
4. The Leicester Traffic Regulation (Leicester City Football Club Stadium) (Controlled Parking Zone) Order 2011 is hereby revoked.

Interpretation.

5. i) The Interpretation Act 1978 shall apply to the interpretation of this Order as it applies for the Interpretation of an Act of Parliament.

ii) For the purposes of this Order the headings are inserted for convenience only and shall not affect its construction or interpretation.

iii) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby assigned to them:

"City" means the City of Leicester.

"Contravention" means a failure to comply with restrictions set out in this Order that may result in the issue of a penalty charge notice.

“Civil enforcement officer” or “CEO” means a person authorised by or on behalf of the Council to carry out the enforcement of parking restrictions and conditions as defined in Section 76 of the Traffic Management Act 2004 as amended.

“Council” means the Leicester City Council.

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

“Emergency service vehicle” means a vehicle operated by the police, the fire and rescue service or the ambulance service.

“Enactment” includes any Order, Act or regulation made under any Act.

“Event day” means any day on which a sports match or any other event is held at the Leicester City Football Club Stadium which will attract in excess of 5000 participants, including audience, where prior notification has been given with the use of signing in the highway in accordance with the Road Traffic Regulation Act 1984 Sections 64 or 65.

“Immobilisation device” has the same meaning as defined in Section 104(9) of the Road Traffic Regulation Act 1984.

“List of Streets” a listing of the streets within the council’s area including highways maintainable at the public expense as required by Section 36(6) Highways Act 1980.

“Loading” or “Loading and unloading” means the loading or unloading of goods from a vehicle for the time being stationary on the highway and which by virtue of the weight, size, and value or quality of the goods requires the vehicle to be stationary at that location. Loading does not include the picking up or setting down of passengers. Loading or unloading is only deemed to take place if either:

- a) there is a continuous activity involved in loading or unloading of good in the vicinity of the vehicle, or
- b) goods that have been or are about to be loaded or unloaded on to the vehicle and are in transit between the vehicle and their destination point, provided that the vehicle is located as close as is practicable to that destination or origination point and that the vehicle remains there only for so long as is absolutely necessary to achieve the movement of goods between the vehicle and the origination or destination point.

“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 bay” means any part of a road provided by the council as an on-street parking place under section 32 of the 1984 Act and signed in accordance with the Traffic Signs Regulations & General Directions 2016, as amended, or otherwise approved by the Secretary of State for Transport.

“Penalty charge” and “reduced penalty charge” means a charge set by the Council under the provisions of Part 6 (Civil Enforcement of Traffic Contraventions) of the Traffic Management Act 2004 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” or “PCN” means a notice issued by a civil enforcement officer pursuant to the provisions of Part 6 (Civil Enforcement of Traffic Contraventions) of the Traffic Management Act 2004 as amended.

“Permit” means a permit issued by the Council, in accordance with the Council’s conditions for issuing parking permits for the time being in force, which entitles a vehicle to park on the highway when displaying the issued permit in the relevant position.

“Prior notification” means not less than 24 hours before the restriction commences.

“Traffic manager” has the same meaning as given in Section 17(2) of the Traffic Management Act 2004 as amended.

“Traffic management steward” means a traffic management steward appointed and working on behalf of Leicester City Football Club and approved by Leicester City Council.

“Vehicle Immobilisation and removal” has the same meaning as that contained in the Traffic Management Act 2004 as amended.

General

6. Traffic signs giving prior notification of and indicating the effect of the restrictions detailed in Schedule 2 and Schedule 3 of this order will be placed and maintained by Police Officers, Police Community Support Officers, CEOs or any other party authorised by the Chief Constable or Local Traffic Authority under Section 66 or 68 of the Road Traffic Regulation Act 1984.
7. Any reference in this order to a road by its name shall be construed as a reference to the road in the City bearing that name as contained in the City’s List of Streets.
8. All restrictions specified in this order shall be deemed to apply to the whole of the highway at the locations specified including any carriageway, footway or verge.
9. For the purpose of this order, unless otherwise stated, where a restriction identified in Schedule 1, 2 or 3 is stated as commencing from or extending to a junction with another road it shall be construed as starting from or extending to a point at the intersection of the centrelines of the two roads. When that restriction refers to a measurement from a junction it shall be construed as a measurement from the intersection of the highway boundaries on the side of the junction in which direction the measurement is prescribed.
10. The restrictions detailed in Sections 2 shall be subject to such conditions as may be specified in Section 3 of this order.

Section 2

Waiting, Loading and Manoeuvre Restrictions

1. No person shall cause or permit a vehicle to wait between 10.00am and 11.00pm on an event day on any of the roads or lengths of road specified in Schedule 1 to this Order except a vehicle parked wholly in an on-street parking bay and either displaying a residents' parking permit valid for zone B or displaying a current Disabled Persons Badge, or on the instruction of; Leicester City Council's Traffic Manager, Civil Enforcement Officer working for Leicester City Council, a Police Officer, a Police Community Support Officer or Traffic Management Steward. No person shall allow a vehicle waiting in the on-street parking bays to be used for, or in connection with, the sale of any vehicle or any other article or for the offer of any service for reward.
2. No person shall cause or permit a vehicle to load or unload between 10.00am and 11.00pm on an event day on any of the roads or lengths of road specified in Schedule 1 to this Order except when such loading or unloading takes place wholly within an on-street parking bay, or on the instruction of; Leicester City Council's Traffic Manager, Civil Enforcement Officer working for Leicester City Council, a Police Officer, a Police Community Support Officer or Traffic Management Steward.
3. No person shall cause or permit a vehicle to enter the road in column 1 from the road in column 2 as specified in Schedule 2 to this Order between the hours of 10 am and 11 pm on event days other than on the instruction of; a Police Officer, Police Community Support Officer, Civil Enforcement Officer or Traffic Management Steward.
4. No person shall cause or permit a vehicle to enter or proceed in the direction specified on the roads specified in Schedule 3 to this Order between the hours of 10 am and 11 pm on event days other than on the instruction of; a Police Officer, Police Community Support Officer, Civil Enforcement Officer or Traffic Management Steward

Section 3

Conditions and Exclusions.

1. Emergency service vehicles shall be exempt from restrictions defined in Section 2.
2. It shall not be a contravention to cause or permit a vehicle to wait on any length of road specified in Schedule 1 to this Order for so long as may be necessary to enable postal packets to be loaded or unloaded from a postal vehicle.
3. It shall not be a contravention to cause or permit a vehicle to wait on any length of road specified in Schedule 1 to this Order to which a waiting or loading restriction applies in contravention of that restriction to enable the vehicle, if it cannot conveniently be used for such purpose on any other road, to be used in connection with the removal of any obstruction to traffic, the maintenance or reconstruction of any of the lengths of road or to enable work by any undertaker to be carried out relating to any pipe, cable, sewer or apparatus in or on that road.

Section 4

Contraventions & Enforcement of Restrictions Imposed By This Order.

1. If a vehicle is left in any road or length of road in contravention of any waiting and loading prohibitions and restrictions set out in Section 2 of this Order, a penalty charge may be payable and the vehicle may be immobilised or removed from that location.
2. Enforcement of waiting and loading prohibitions and restrictions will be carried out by civil enforcement officers, or other persons authorised to do so by the council, by the issuing of Penalty Charge Notices. Enforcement and the issuing of Penalty Charge Notices will be undertaken as prescribed by the Traffic Management Act 2004 as amended and will be subject to such rules regulations and guidelines that may be prescribed from time to time by the Secretary of State for Transport.
3. The level of Penalty Charge to be imposed including any discounts or increases due to early or late payment will be as determined from time to time by the Council in accordance with any rules, regulations or guidance given by the Secretary of State for Transport.
4. Vehicles parked in contravention of waiting or loading and unloading prohibitions may be either fitted with an immobilisation device or removed to a storage facility, subject to such rules regulations and guidelines as may be issued by the Secretary of State for Transport. The fees to be paid for the removal of an immobilisation device or the return of the vehicle to its owner will be as determined from time to time by the Council in accordance with any rules, regulations or guidance given by the Secretary of State for Transport. The Council may require the payment of all outstanding penalty charges incurred by the owner of a vehicle before removing an immobilisation device or returning a vehicle to its owner.

Section 5

Validity

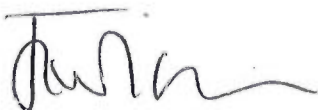
1. If a Court, the Department for Transport, the National Parking Adjudication Service or the Traffic Enforcement Centre declares any part of this Order to be invalid or unenforceable such declaration shall not invalidate the remainder of the Order.

In witness whereof the Council have caused the Common Seal of the Leicester City Council to be hereunto affixed this 20th day of December 2017

EXECUTED AS A DEED by

The LEICESTER CITY COUNCIL

The day and year first before written:-



Authorised Signatory



99093

SCHEDULE 1

Brazil Street	Both sides Between its junction with Aylestone Road and its junction with Linekar Road
Burnmoor Street	Both sides Between its junction with Raw Dykes Road and its junction with Walnut Street including the cul-de-sacs
Filbert Street	Both sides Between its junction with Raw Dykes Road and its eastern extremity
Filbert Street East	Both sides Between its junction with New Bridge Street and a point 9m East thereof
Linekar Road	Both sides Between its junction with Filbert Street and its junction with Brazil Street
New Bridge Street	Both sides Between its junction with Filbert Street East and its southern extremity
Pavillion Close	Both sides Between its junction with Burnmoor Street and its north-eastern extremity including the turning head
Sawday Street	Both sides Between its junction with Aylestone Road and its junction with Burnmoor Street
Walnut Street	Both sides Between its junction with Aylestone Road and its junction with Upperton Road
Coniston Avenue	Both sides Between its junction with Walnut Street and its junction with Filbert Street
Buttermere Street	Both sides Between its junction with Walnut Street and its junction with Filbert Street

SCHEDULE 2

COLUMN 1	COLUMN 2
Raw Dykes Road	Freeman's Common
Raw Dykes Road	Aylestone Road
Raw Dykes Road	Burnmoor Street
Raw Dykes Road	Raw Dykes Road (south-east of its junction with Burnmoor Street)
Raw Dykes Road	Upperton Road (Bede Island)
Burnmoor Street (south of its junction with Brazil Street)	Brazil Street
Burnmoor Street	Burnmoor Street (south of its junction with Brazil Street)
Burnmoor Street	Pavillion Close
Buttermere Street	Walnut Street
Pavillion Close	Burnmoor Street
Filbert Street	Raw Dykes Road
Raw Dykes Road	Filbert Street

SCHEDULE 3

Burnmoor Street	between its junctions with Rawdykes Road and Brazil Street in both directions
Rawdykes Road	between its junctions with Aylestone Road and Filbert Street in both directions
Buttermere Street	between its junctions with Walnut Street and Filbert Street from north to south
Coniston Road	between its junctions with Filbert Street and Walnut Street from north to south