

*Paul  
chip v* *Karen* 65

**DATED 17 SEPTEMBER 2009**

**THE DERBYSHIRE COUNTY COUNCIL**  
**ROAD TRAFFIC REGULATION ACT 1984**

**THE DERBYSHIRE COUNTY COUNCIL**  
**(MARKET STREET, ILKESTON)**  
**(PROHIBITION OF WAITING) ORDER 2009**

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**D W TYSOE**

**MATLOCK**

Z2658

**THE DERBYSHIRE COUNTY COUNCIL**  
**ROAD TRAFFIC REGULATION ACT 1984**  
**(MARKET STREET, ILKESTON)**  
**(PROHIBITION OF WAITING) ORDER 2009**

The Derbyshire County Council in exercise of its powers under Sections 1(1) and 2(1) to (3) of the Road Traffic Regulation Act 1984 (as amended) ("the Act") 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 the following Order:-

**1 CITATION**

This Order shall come into operation on the Twenty Eighth day of September 2009 and may be cited as The Derbyshire County Council (Market Street, Ilkeston) (Prohibition of Waiting) Order 2009.

**2 INTERPRETATION**

In this Order:-

2.1 "Vehicle" means any mechanically propelled vehicle intended or adapted for use on roads.

2.2 "Public Service Vehicle" has the meaning ascribed to it by Section 1 of the Public Passenger Vehicles Act 1981, that is to say it shall mean a motor vehicle (other than a tramcar) which –

(i) being a vehicle adapted to carry more than eight passengers, is used for carrying passengers for hire or reward; or

(ii) being a vehicle not so adapted, is used for carrying passengers for hire or reward at separate fares in the course of a business or carrying passengers.

2.3 "Disabled person's badge" has the same meaning as in the Disabled Persons (Exemptions for Disabled Persons) (England) Regulations 2000.

2.4 "Disabled person's vehicle" means a vehicle displaying a disabled person's badge in the relevant position as set out under Regulation 4 of the Local Authorities Orders (Exemptions for Disabled Persons) (England) Regulations 2000.

2.5 "The 2004 Act" means The Traffic Management Act 2004.

2.6 "CEO" means Civil Enforcement Officer and has the same meaning as in Section 76 of The 2004 Act.

### **3 WAITING RESTRICTIONS**

**3.1** Save as provided in articles 4, 5 and 6 of this Order no person shall except upon the direction or with the permission of a Police Constable in uniform, a CEO or a Parking Attendant, cause or permit any vehicle to wait at any time on any day on the length of road specified in the Schedule to this Order.

### **4 GENERAL EXEMPTIONS**

**4.1** Nothing in Article 3 shall render it unlawful to cause or permit any vehicle to wait in the lengths of road referred to therein for so long as may be necessary to enable:-

- (i)** a person to board or alight from the vehicle;
  - (ii)** the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations namely:-
    - (a)** building, industrial or demolition operations;
    - (b)** the removal of any obstruction to traffic;
    - (c)** the maintenance, improvement or reconstruction of the said lengths of road; or
    - (d)** the laying, erection, alteration or repair in, or on land adjacent to the said lengths of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus as defined in the Telecommunications Act 1984;
  - (iii)** the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority or a water authority in pursuance of statutory powers or duties;
  - (iv)** the vehicle to be used for the purpose of delivering or collecting postal packets as defined in The Postal Services Act 2000;
  - (v)** the vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to the said lengths of road;
  - (vi)** the vehicle to wait at or near to any premises situated or adjacent to the said lengths of road for so long as such waiting by that vehicle is reasonably necessary in connection with any wedding or funeral;
  - (vii)** the vehicle to be used for fire brigade, ambulance or police purposes;
- or
- (viii)** goods to be loaded or unloaded from the vehicle.

## **5 DISABLED PERSONS' EXEMPTIONS**

**5.1** Nothing in Article 3.1 shall render it 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 in the lengths of road 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 in the same length or on the same side of road on the same day).

**5.2** A vehicle displays a disabled person's badge in the relevant position if:-

- (i)** in the case of a vehicle fitted with a front windscreen, the badge is exhibited thereon on the near side of and immediately behind the windscreen and with its front facing forward so as to be legible from outside the vehicle; or
- (ii)** in the case of a vehicle not fitted with a front windscreen, the badge is exhibited in a conspicuous position on the vehicle.

**5.3** A vehicle displays a disabled person's badge in the relevant position if:-

- (i)** in the case of a vehicle fitted with a dashboard or fascia panel, the badge is exhibited thereon so that Part I of the badge is legible from outside the vehicle; or
- (ii)** in the case of a vehicle not fitted with a dashboard or fascia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part I of the badge is legible from outside the vehicle.

**5.4** A vehicle displays a parking disc in the relevant position if:-

- (i)** in the case of a vehicle fitted with a dashboard or fascia panel, the disc is exhibited thereon so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle; or
- (ii)** in the case of a vehicle not so fitted, the disc is exhibited in a conspicuous position on the vehicle so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle".

## **6 PUBLIC SERVICE VEHICLES**

**6.1** Nothing in Article 3 shall apply to a Public Service Vehicle.

## 7 EFFECT OF ORDER

7.1 The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restrictions or requirements imposed by any regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.

## 8 AMENDMENT OF PREVIOUS ORDER

8.1 The Derbyshire County Council (Ilkeston)(Prohibition and Restriction of Waiting) Order 1994 is hereby amended insofar as it relates to the length of road within this Order.

# SCHEDULE

### LENGTH OF ROAD:

NO WAITING 8AM TO 6PM  
MONDAY TO SATURDAY

MARKET STREET, ILKESTON

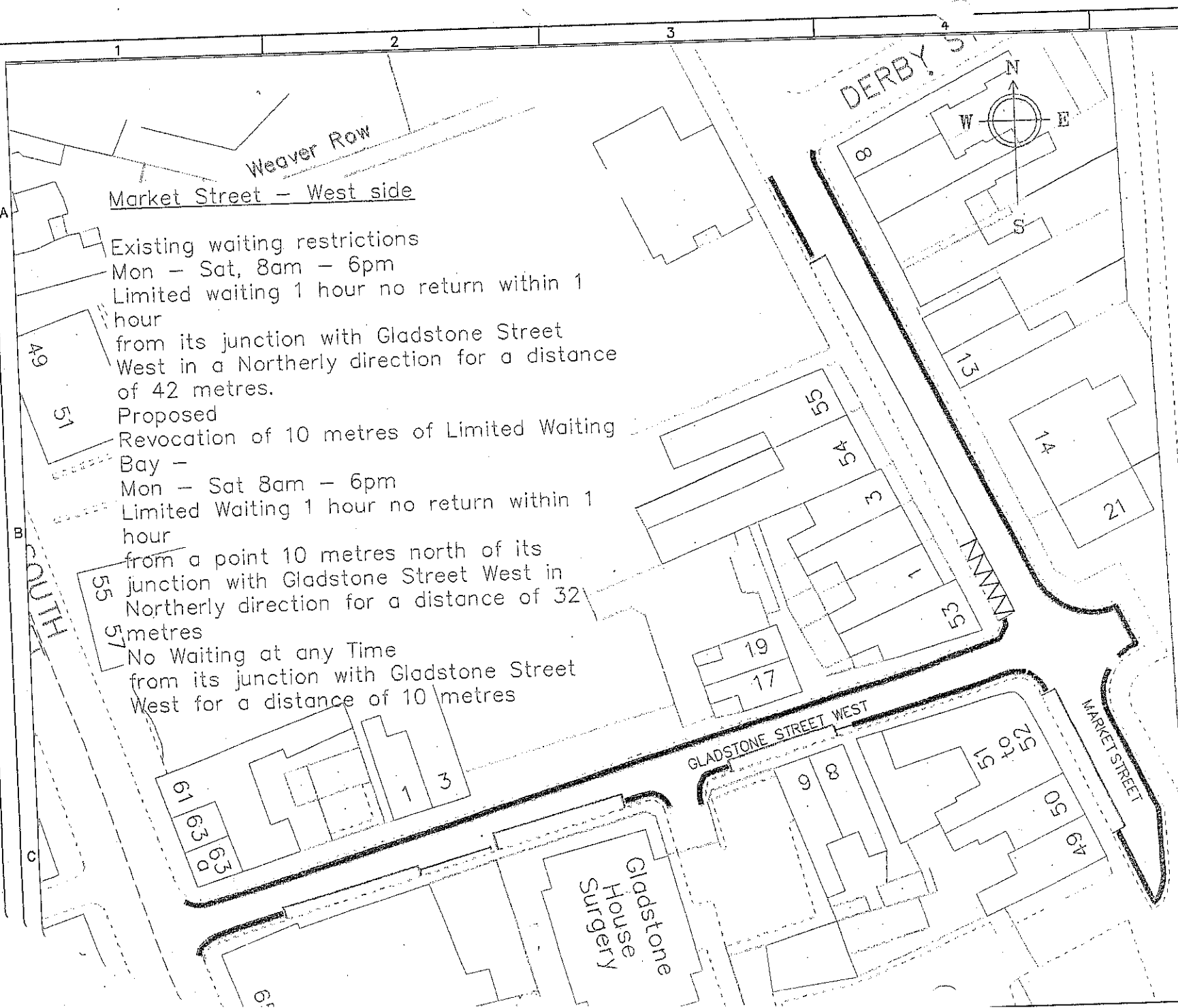
### WEST SIDE

From its junction with Gladstone Street West in a northerly direction for a distance of 10 metres.

THE COMMON SEAL of the Derbyshire )  
County Council was hereunto affixed )  
the Seventeenth day of September Two )  
thousand and Nine in the presence of:- )

  
County Secretary

Number in Seal  
Book = 2009/862



Market Street - West side

Existing waiting restrictions  
 Mon - Sat, 8am - 6pm  
 Limited waiting 1 hour no return within 1 hour  
 from its junction with Gladstone Street West in a Northerly direction for a distance of 42 metres.

Proposed  
 Revocation of 10 metres of Limited Waiting Bay -  
 Mon - Sat 8am - 6pm  
 Limited Waiting 1 hour no return within 1 hour


from a point 10 metres north of its junction with Gladstone Street West in Northerly direction for a distance of 32 metres


No Waiting at any Time  
 from its junction with Gladstone Street West for a distance of 10 metres

Key

Market Street, Ilkeston - West side

  
 Proposed revocation of 10 metres of Limited waiting Bay.

  
 Existing Mon - Sat, 8am - 6pm  
 Limited waiting 1 hour No return within 1 hour from its junction with Gladstone Street West in a Northerly direction for a distance of 42 metres.

  
 Proposed  
 Mon - Sat, 8am - 6pm  
 Limited Waiting 1 hour No return within 1 hour from a point 10 metres north of its junction with Gladstone Street West in a Northerly direction for a distance of 32 metres.

Proposed No waiting at any time from its junction with Gladstone Street West in a Northerly direction for a distance of 10 metres

APPROVED DETAILS			
DATE OF ISSUE	ISSUED BY	REVISED BY	REASON
14 Oct 2008	...	...	N.T.S.



**Ian Stephenson**  
 BSc (Eng), MICE, MUR  
 Director of Environmental Services

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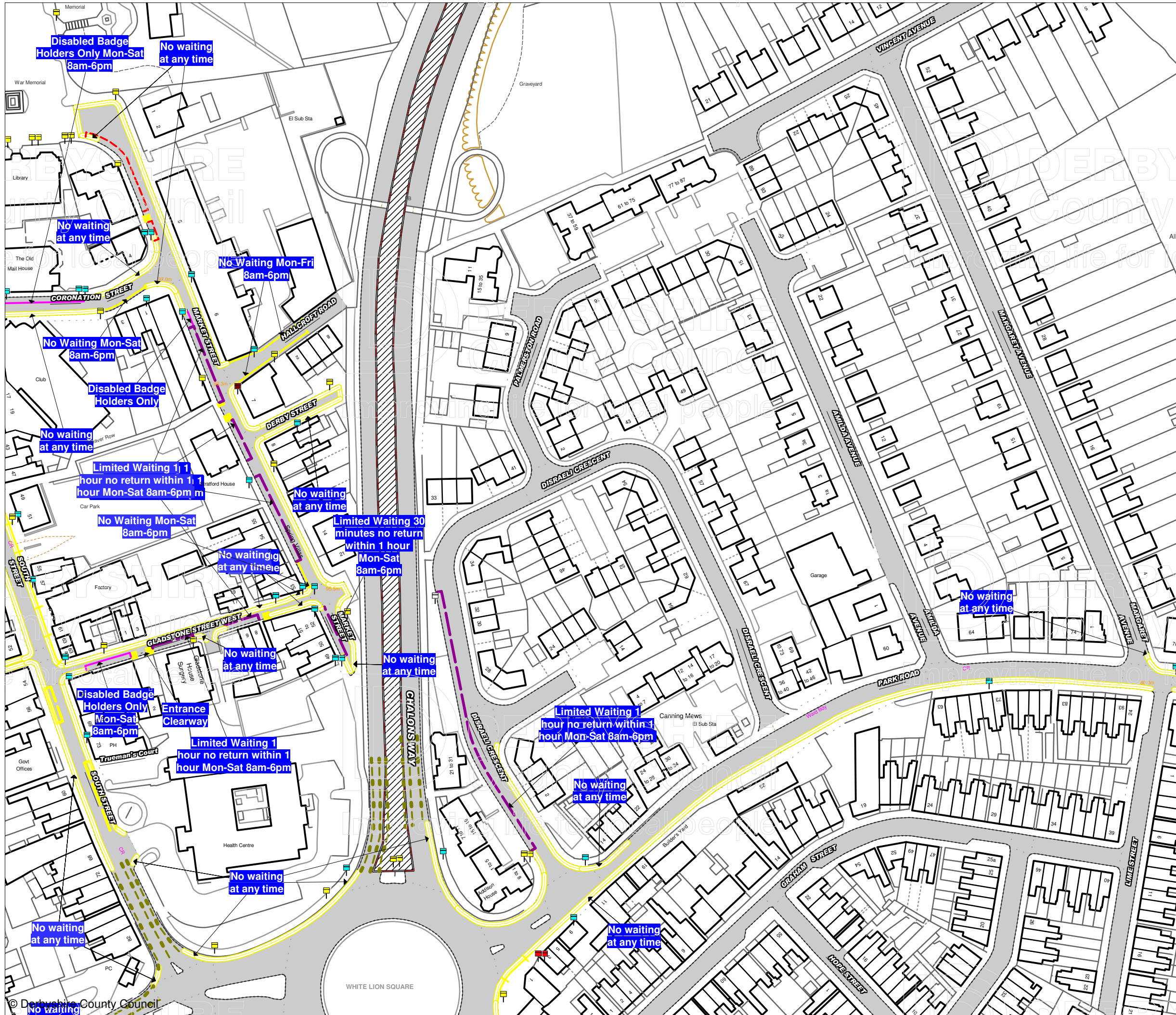
PROJECT TITLE  
 Proposed change to waiting restrictions

Market Street, Ilkeston

CLIENT DRAWING NO. SET/KH/547/08

CHALONS WAY





## Prohibition and Restriction of Waiting, On Street Parking and Clearways.

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**DERBYSHIRE**  
 County Council  
 Improving life for local people

IAN W. STEPHENSON BSc., CEng., MICE, MIHT  
 Strategic Director of Environmental Services

DRAWING TITLE

Tile Ref: GD125

SCALE 1 : 1250

DATE 28/09/2009

DRAWING No. 01

DRAWN BY