

DATED 05 MAY 2011

THE DERBYSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE DERBYSHIRE COUNTY COUNCIL

**(BELPER STREET, UNION ROAD AND
NOTTINGHAM ROAD, ILKESTON)**

(PROHIBITION OF WAITING) ORDER 2011

J McELVANEY

MATLOCK

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THE DERBYSHIRE COUNTY COUNCIL ROAD TRAFFIC REGULATION ACT 1984 (BELPER STREET, UNION ROAD AND NOTTINGHAM ROAD, ILKESTON) (PROHIBITION OF WAITING) ORDER 2011

The Derbyshire County Council in exercise of its powers under Sections 1, 2 and 4 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 Sixteenth day of May Two Thousand and Eleven and may be cited as The Derbyshire County Council (Belper Street, Union Road and Nottingham Road, Ilkeston) (Prohibition of Waiting) Order 2010.

2 INTERPRETATION

In this Order:-

2.1 "the County Council" means Derbyshire County Council.

2.2 "Carriageway" means a way constituting or comprised in a highway being a way (other than a cycle track) over which the public have a right of way for the passage of Vehicles, as in Section 329(1) of the Highways Act 1980.

2.3 "Pavement" means the remainder of the surfaced highway that is not constructed and used as Carriageway.

2.4 "Owner" in relation to a Vehicle, means the person by whom such Vehicle is kept and used.

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

2.6 "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.

2.7 "Pedal Cycle" means a cycle (which has the same meaning as that ascribed to it in Section 192 of The Road Traffic Act 1988).

2.8 "Disabled Person's Badge" has the same meaning as in the Disabled Persons (Exemption for Disabled Persons) (England) Regulations 2000.

2.9 "Disabled Person's Vehicle" means a Vehicle displaying A Disabled Persons Badge in the relevant position as set out under Regulation 4 of the Local Authorities Orders (Exemption for Disabled Persons) (England) Regulations 2000.

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

2.11 "The 2004 Act" means the Traffic Management Act 2004.

2.12 "Electronic Communications Apparatus", "Electronic Communications Network" and any "Electronic Communications Line" shall have the same meaning as in the Communications Act 2003.

2.13 "Goods" means goods or burden of any description

2.14 "Loading and Unloading" means the transference, from or to a Vehicle, to or from premises, of Goods.

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, or a CEO, cause or permit any Vehicle to wait at any time on any day on the length of road specified in Schedule 1 to this Order.

3.2 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, or a CEO, cause or permit any Vehicle to wait between the hours of 8am and 5pm, Monday to Friday, on the length of road specified in the Schedule 2 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 on 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 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 ORDERS

- 8.1 Any permanent Traffic Regulation Orders made prior to this Order, insofar as they relate to the lengths of road listed below, insofar as they relate to the prohibitions and restrictions listed below, are hereby revoked.

SCHEDULE 1

NO WAITING AT ANY TIME

Union Road, Ilkeston

Both sides

From its junction with Stanton Road in a westerly direction for a distance of 15.5 metres.

SCHEDULE 2

NO WAITING 8AM TO 5PM MONDAY TO FRIDAY

Belper Street, Ilkeston

West side

From its junction with Union Road in a northerly direction for a distance of 12 metres.

From a point 32 metres north of its junction with Union Road in a northerly direction for a distance of 30 metres.

From a point 87 metres north of its junction with Union Road in a northerly direction for a distance of 9 metres.

East side

From a point 44 metres north of its junction with Union Road in a northerly direction for a distance of 35 metres.

From its junction with Union Road in a northerly direction for a distance of 15 metres.

Union Road, Ilkeston

South side

From its junction with Belper Street in an easterly direction for a distance of 10 metres.

From its junction with Belper Street in a westerly direction for a distance of 13 metres.

North side

From its junction with Belper Street in an easterly direction for a distance of 26 metres.

From its junction with Belper Street in a westerly direction for a distance of 34 metres.

Nottingham Road, Ilkeston

North east side

From a point 67 metres south east of the centre line of Orchard Street in a south easterly direction for a distance of 23 metres.

As shown for illustration purposes only on the attached plan.

THE COMMON SEAL of the Derbyshire)
County Council was hereunto affixed)
the Fifth day of May Two Thousand)
and Eleven in the presence of:-)

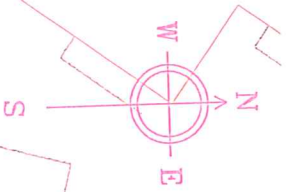
Paul Ratt



Director of Legal Services

Number in Seal
Book 2011/433

Littlewick Medical Centre



Existing No waiting at any time
(double yellow line)

NOTTINGHAM ROAD

23m

car park entrance
footway link

Limited waiting (single yellow lines)
8am to 5pm Monday to Friday Only

£2

55

42

44

66

MEMORANDUM DETAILS			
Project Title	Nottingham Road	Project No	N.T.S.
Client	Derbyshire County Council	Scale	1:100
Author	Ian Stephenson	Date	10/03/2010

DERBYSHIRE
COUNTY COUNCIL
Ian Stephenson
Strategic Director of
Environmental Services

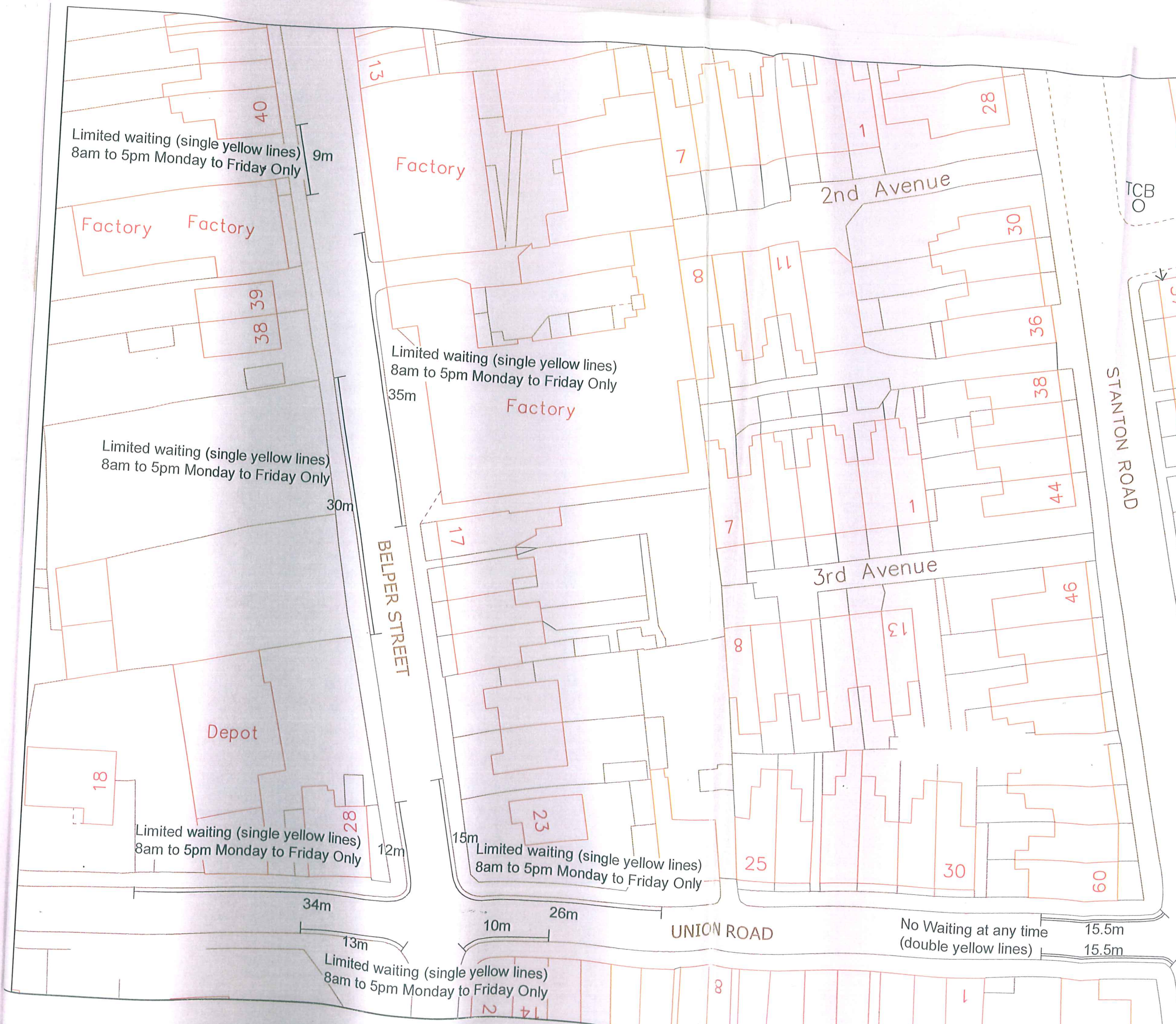
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100025251 2008

PROJECT TITLE

Single Yellow Line
Restriction

Nottingham Road
Ilkeston

Client Drawing No.
ST/RH/245/10



Key
The extent of the lines are
marked on site

AMENDMENT DETAILS				BY	DATE	No.
DRAWN BY	CHECKED BY	APPROVED BY	SCALE			
Rachel Straw						
DATE	DATE	DATE				
23rd March 2011						N.T.S.



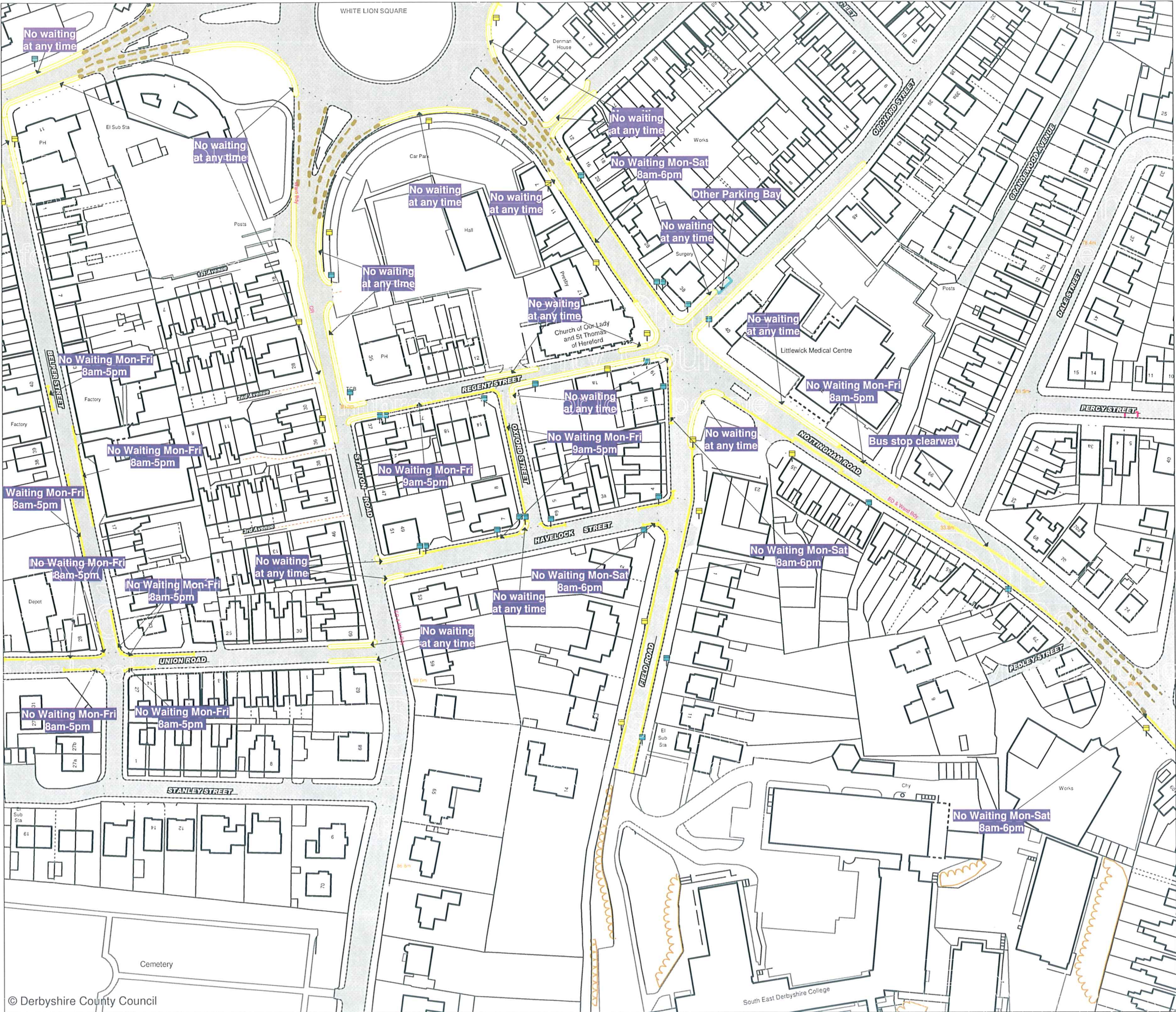
Ian Stephenson BSc, C.Eng., MICE, MIHT.
Strategic Director of Environmental Services

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Single Yellow Line and
Double Yellow Line
Waiting Restrictions

Belper Street and Union Road
Ilkeston

Drawing No.



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

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CONFIRMED



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

DRAWING TITLE

Tile Ref: GE125

SCALE 1 : 1250

DATE 16/05/2011

DRAWING No. 5

DRAWN BY