

DATED 25 AUGUST 2011

**THE DERBYSHIRE COUNTY COUNCIL**

**ROAD TRAFFIC REGULATION ACT 1984**

**THE DERBYSHIRE COUNTY COUNCIL**

**(MILL STREET, RECTORY ROAD,  
CHURCH LANE AND CHURCH STREET,  
CLOWNE)**

**(WAITING RESTRICTIONS) ORDER 2011**

J McElvaney

MATLOCK

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# **THE DERBYSHIRE COUNTY COUNCIL**

## **ROAD TRAFFIC REGULATION ACT 1984**

### **(MILL STREET, RECTORY ROAD, CHURCH LANE AND CHURCH STREET CLOWNE)**

### **(WAITING RESTRICTIONS) ORDER 2011**

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 ("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 AND COMMENCEMENT**

This Order shall come into operation on the Fifth day of September Two Thousand and Eleven and may be cited as The Derbyshire County Council (Mill Street, Rectory Road, Church Lane and Church Street, Clowne) (Waiting Restrictions) Order 2011.

#### **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 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.

### **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 lengths 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, a CEO, cause or permit any Vehicle to wait between the hours of 8am and 6pm on any day (other than a Sunday) for longer than 2 hours (no return within 1 hour) on the length of road specified in Schedule 2 to this Order.

3.3 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, cause or permit any Vehicle to wait between the hours of 8am and 6pm on any day (other than a Sunday) for longer than 40 minutes (no return within 1 hour) on the length of road specified in Schedule 3 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 Electronic Communications Line;
- (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 of a universal service provider (as defined in Section 4 of The Postal Services Act 2000) to be used for the purpose of delivering or collecting mail;
- (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) any Vehicle, other than a privately owned Vehicle, which is being used as an official Vehicle for the purposes of a wedding (bridal vehicle) or a funeral (hearse and cortege) at a Church or place of worship
- (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 Nothing in Article 3.2 shall render it unlawful to cause or permit a Disabled Person's Vehicle which displays in the relevant position a Disabled Person's Badge to wait in the lengths of road referred to in that Article.



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 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.

5.4 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.

5.5 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 REVOCATIONS OF PREVIOUS ORDERS**

8.1 The Derbyshire County Council The Bolsover Consolidation Order 2009 will be revoked insofar as it relates to the lengths of road within Schedule 4 of this Order.

## SCHEDULE 1

### No Waiting at Any Time

#### Mill Street (South Side)

From a point 30 metres east of its junction with Mill Green Way, in a north easterly direction, for a distance of 6 metres

From a point 61 metres east of its junction with Mill Green Way, in a north easterly direction, for a distance of 6 metres

From a point 81 metres east of its junction with Mill Green Way in a north easterly direction, for a distance of 9 metres

#### Rectory Road (North East Side)

From a point 34 metres east of its junction with North Road, in a south easterly direction for a distance of 5 metres.

#### Church Lane (North East Side)

From a point 24 metres east of its junction with Rectory Road, in a south easterly direction, for a distance of 2 metres

## SCHEDULE 2

### Limited Waiting Parking Bays

#### Waiting Limited to 2 hours Monday to Saturday

#### Between 8am and 6pm No Return within 1 hour

#### Mill Street (South Side)

From a point 24 metres east of its junction with Mill Green Way, in a north easterly direction, for a distance of 6 metres

## SCHEDULE 3

### Limited Waiting Parking Bays

#### Waiting Limited to 40 minutes Monday to Saturday

#### Between 8am and 6pm No Return within 1 hour

#### Mill Street (South Side)

From a point 36 metres east of its junction with Mill Green Way, for a distance of 25 metres

From a point 67 metres east of its junction with Mill Green Way, for a distance of 14 metres

## SCHEDULE 4

### Revocation of No Waiting at Any Time

#### Rectory Road (East Side)

From a point 35 metres from its junction of Church Street in a north westerly direction for a distance of 15 metres

#### Mill Street (South Side)

From a point 24 metres east of its junction with Mill Green Way in a north easterly direction, for a distance of 54 metres.

### Revocation of Limited Waiting Parking Bays

#### Waiting Limited to 30 minutes No Return Within 1 hour

#### Rectory Road (North Side)

From a point 34 metres east of its junction with North Road, in a south easterly direction, for a distance of 5 metres

#### Rectory Road (North West Side)

From a point 51 metres south east of its junction with North Road in a north easterly direction for its entirety

#### Rectory Road (East Side)

From a point 136 metres north west of its junction with Church Lane in a north westerly direction for its entirety

#### Church Street (South East Side)

From a point 122 metres north east of its junction with Ringer Lane in a north easterly direction for its entirety

#### Church Lane (North East Side)

From a point 51 metres north west of its junction with Meadow View in a north westerly direction for its entirety

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

*Jacqueline Allen*

*Amstein* Director of Legal Services



Location A

Location C

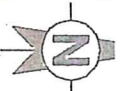
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Limited Waiting Parking Bay  
(40 mins, no return within 1 hour)

Limited Waiting Parking Bay  
2 hours, no return within 1 hour

No Waiting At Any Time (Double Yellow Lines)

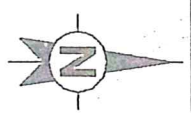
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No Waiting At Any Time (Double Yellow Lines) - 5 metre extension of existing restriction

Scale = 1:500

Location C



No Waiting At Any Time (Double Yellow Lines) - 2 metre extension of existing restriction

Scale = 1:500

no waiting at any time  
(Double Yellow Lines)  
Limited Waiting  
Parking Bay

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AMENDMENT DETAILS		BY	DATE	DATE
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DRAWN	FLS	CHECKED		APPROVED	
Date	Jan 2011	Date		Date	



IAN STEPHENSON  
Strategic Director of  
Environmental Services

**NORTH NETWORK  
MANAGEMENT**

DRAWING TITLE  
Mill Street / Church Lane / Rectory Road  
Clowne  
(Page 1 of 2)

Proposed No Waiting At Any Time (Double Yellow Lines)  
and  
Limited Waiting Parking Bays

PROJECT REF:	SCALE
DRAWING NUMBER	As Shown

NTM/FS/15/09/A





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

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Strategic Director of Environmental Services

DRAWING TITLE

Tile Ref: CG131

SCALE

1 : 1250

DATE

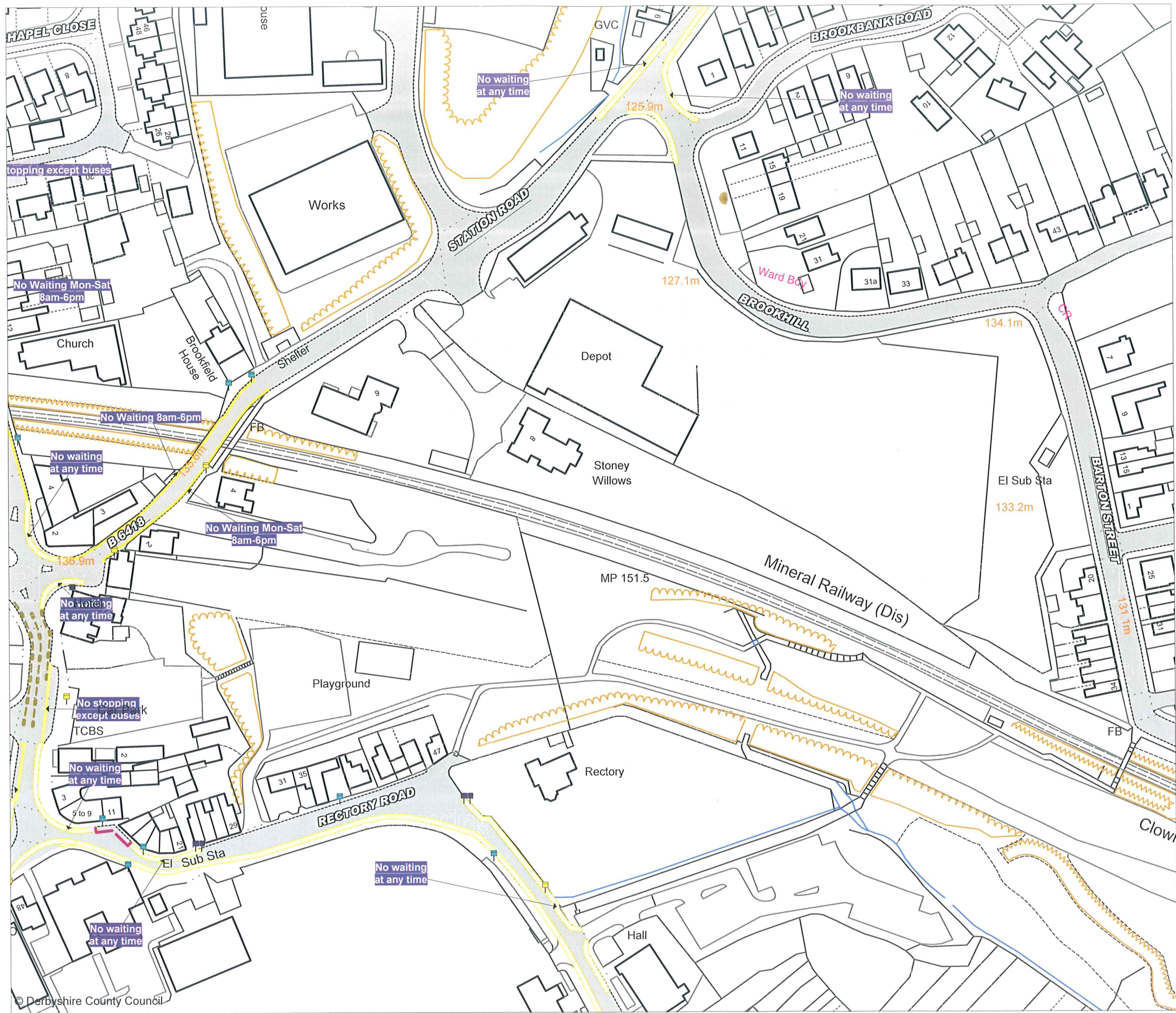
05/09/2011

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1

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

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Tile Ref: CF132

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DATE	05/09/2011
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# 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

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