

**DATED 17 JULY 2014**

**THE DERBYSHIRE COUNTY COUNCIL**

**ROAD TRAFFIC REGULATION ACT 1984**

**THE DERBYSHIRE COUNTY COUNCIL**

**(ASHBOURNE STREET, SHIREBROOK)**

**(PROHIBITION OF WAITING AND PROHIBITION  
OF LOADING AND UNLOADING) ORDER 2014**

**J McELVANEY**

**MATLOCK**

**Z3063**

**THE DERBYSHIRE COUNTY COUNCIL**  
**ROAD TRAFFIC REGULATION ACT 1984**  
**(ASHBOURNE STREET, SHIREBROOK)**

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OF LOADING AND UNLOADING) ORDER 2014**

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"), Part IV of Schedule 9 of 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 July Two Thousand and Fourteen and may be cited as "The Derbyshire County Council (Ashbourne Street, Shirebrook) (Prohibition of Waiting and Loading) Order 2014".

**2 INTERPRETATION**

In this Order:-

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

2.2 "Cycle" means a bicycle, tricycle or a cycle having four or more wheels, not being in any case a Motor Vehicle.

2.3 "Vehicle" for the purposes of this Order means a "Motor Vehicle" or "Cycle".

2.4 "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 of carrying passengers.

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

2.6 "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.

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

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

2.9 "Goods" means goods or burden of any description;

2.10 "Goods Vehicle" means a motor Vehicle which is constructed or adapted for use for the carriage of Goods or a trailer so constructed or adapted, as in Section 192(1) of the Road Traffic Act 1988;

2.11 "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 7 of this Order no person shall except upon the direction or with the permission of a Police Constable in uniform 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.

### **4 GENERAL EXEMPTIONS**

4.1 Nothing in Articles 3 and 5 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, unless a Loading Prohibition is in force;

(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, unless a Loading Prohibition is in force.

## **5 PROHIBITION OF LOADING**

5.1 Save as provided in Article 4 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 load or unload at any time on any day on the length of road specified in Schedule 2 to this Order.

## **6 PUBLIC SERVICE VEHICLES**

6.1 Nothing in Article 3 shall apply to a Public Service Vehicle, unless a Loading Prohibition is in force.

## **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 REVOCATION OF PREVIOUS ORDER**

8.1 The Derbyshire County Council Shirebrook Market Place, Traffic Management Order 2000 and The Derbyshire County Council (Parking, Waiting and Loading Prohibitions and Restrictions) Bolsover Consolidation Order 2009 are hereby revoked insofar as they relate to the length of Ashbourne Road referred to in this Order.

# **SCHEDULE 1**

## **NO WAITING AT ANY TIME**

### **Ashbourne Street, Shirebrook**

#### **Both sides**

From its junction with Portland Road in a northerly direction to its junction with Station Road.

## SCHEDULE 2

### NO LOADING OR UNLOADING AT ANY TIME

Ashbourne Street, Shirebrook

Both sides


From its junction with Portland Road in a northerly direction to its junction with Station Road.

As shown for illustration purposes only on the attached plan.

THE COMMON SEAL of the Derbyshire )  
County Council was hereunto affixed )  
the Seventeenth day of July Two )  
Thousand and Fourteen in the presence of:- )

Number in Seal  
Book

2014/651

  
Director of Legal Services



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

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**Ashbourne Street**  
Proposed No Waiting  
and No Loading  
At Any Time



IAN W. STEPHENSON, BSc, City Engineer

**Shirebrook**

SCALE 1 : 1000

DATE 14/03/2013

DRAWING No. NT/ADON/1/13

DRAWN BY DON




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

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

DRAWING TITLE	
Tile Ref: DD141	
SCALE	1 : 1250
DATE	28/07/2014
DRAWING No.	1
DRAWN BY	





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

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

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