

**DATED 28<sup>th</sup> FEBRUARY 2019**

**THE DERBYSHIRE COUNTY COUNCIL**

**ROAD TRAFFIC REGULATION ACT 1984**

**THE DERBYSHIRE COUNTY COUNCIL  
(CHESTERFIELD VARIOUS STREETS)  
(WAITING RESTRICTIONS) ORDER 2018**

**JANIE BERRY**

**MATLOCK**

**Z3207**

**THE DERBYSHIRE COUNTY COUNCIL**  
**ROAD TRAFFIC REGULATION ACT 1984**  
**(CHESTERFIELD VARIOUS STREETS)**  
**(WAITING RESTRICTIONS) ORDER 2018**

The Derbyshire County Council in exercise of its powers under Sections 1,2,4 and Part III and IV of Schedule 9 of the Road Traffic Regulation Act 1984("the Act"), The Local Authorities' Traffic Orders (Procedure) England and Wales) Regulations 1996 and all other enabling powers hereby makes the Following Order:-

**1 CITATION AND COMMENCEMENT**

This Order shall come into operation on the Eleventh day of March Two Thousand and Nineteen and may be cited as "The Derbyshire County Council (Chesterfield Various Streets) (Waiting Restrictions) Order 2018".

**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 "CEO" means Civil Enforcement Officer and has the same meaning as in Section 76 of The 2004 Act;
- 2.4 "Delivering and Collecting" in relation to any Goods includes checking the Goods for the purpose of their delivery or collection;
- 2.5 "Disabled Person's Badge" has the same meaning as in the Disabled Persons (Exemption for Disabled Persons) (England) Regulations 2000;
- 2.6 "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.
- 2.7 "Driver" in relation to a Vehicle waiting in a Parking Place or on a road or length of road, means:-



- a) the person driving the Vehicle or responsible for the Vehicle at the time it was left in that Parking Place or road or length of road;
- b) the registered keeper of the Vehicle shall be deemed to have been the Driver unless evidence to the contrary is shown;
- c) where the Vehicle is a pedal cycle, the person (being a user) riding, pushing by hand or otherwise in charge of the Pedal Cycle at the time it was left in the Parking Place;

2.8 "Dual Purpose Vehicle" has the same meaning as defined in Part 1 Regulation 3 (2) of the Road Vehicles (Construction and Use) Regulations 1986;

2.9 Electronic Communications Apparatus, Electronic Communications Network and any Electronic Communications Line shall have the same meaning as in the Communications Act 2003;

2.10 "Footway" means a way comprised in a road which also comprises a carriageway being a way over which the public have right of way on foot only as defined in section 329 (1) Highways Act 1980. Footways are pedestrian paths alongside a Carriageway, and often referred to as a Pavement;

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

2.12 "Goods Vehicles" 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;

2.13 "Junction" means, for measurement purposes only, the point where the prolongation of two kerb lines intersect with measurements taken along the line of the kerb for the said length of road otherwise stated;

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

2.15 "Motor Vehicle" and "Motorcycle" have the same meaning as in section 136 of the Act;

2.16 "Owner" in relation to a Vehicle, means the person who is named in the Vehicle registration document as the registered keeper of a goods or passenger Vehicle or who has the use of such Vehicle in the course of his employment and who is entitled to use such a Vehicle as though he were the registered keeper thereof;

2.17 "Permitted Hours" means the hours specified in Schedule 2 attached to this Order;

2.18 "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.

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

2.20 "Penalty Charge" and "Discounted Level for a Penalty Charge" means a charge set by the Council under Section 77 and Schedule 9 of the 2004 Act in accordance with the Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 (SI 2007 No,3487)

2.21 "Penalty Charge Notice (PCN)" means a notice issued or served by CEO in accordance with Regulation 8, 9 or 10 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (SI 2007 No. 3483);

2.22 "Relevant Position" in respect of: -

a) a Disabled Person's Badge or a Permit or a Parking Ticket, means:

(i) in the case of a Vehicle fitted with a front windscreen, that the Disabled Person's Badge or Permit is exhibited thereon with the front facing forward on the nearside of and immediately behind the windscreen; or

(ii) in the case of a Vehicle not fitted with a front windscreen, that the Disabled Person's Badge or Permit is exhibited on the front or nearside of the vehicle;

2.23 "Specified Position" means, in respect of a Vehicle left in a Parking Place during the Permitted Hours in accordance with the foregoing provisions of this Order, that it shall be caused so to stand:-

a) in accordance with any special provisions as to the manner of standing of a Vehicle in that place which are specified in the schedule attached to this Order,

b) in the case of any other Parking Place, if the Parking Place is not in a one-way street, that the left or near-side of the Vehicle is adjacent to the left-hand edge of the Carriageway;

c) so that every part of a Vehicle is within the limits of a Parking Place;

d) that no part of the Vehicle obstructs any vehicular means of ingress to or egress from any premises adjacent to the side of the road on which the Vehicle is waiting.

2.24 The Interpretation Act 1978 shall apply to its interpretation as it applies to Acts of Parliament.

2.25 Any reference to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment

2.26 Any reference in this order to the masculine gender shall include the female gender and vice versa and any reference to a singular includes the plural and vice versa.



- 2.27 "The 2004 Act" means the Traffic Management Act 2004.
- 2.28 "The 2016 Regulations" means the Traffic Signs Regulations and General Directions 2016
- 2.29 "Vehicle" for the purposes of this Order means a "Motor Vehicle" or "Pedal Cycle".
- 2.30 "Verge" means any part of a highway which is not a Carriageway, Footway or Pavement but includes a way over which the public have a right of way on Pedal Cycles with or without a right of way on foot;

### **3 WAITING RESTRICTIONS**

3.1 Save as provided in articles 5, 6 and 7 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.

### **4 SCHOOL KEEP CLEAR RESTRICTIONS**

4.1 Save as provide in Article 4.2 of the Order, no Vehicle shall stop or wait on the School Keep Clear restriction markings between the hours of 8am and 4pm (Monday to Friday Only) on the length(s) of road specified in Schedule 2 to this Order.

4.2 Nothing in Article 6 shall render it unlawful to cause or permit any Vehicle to stop or wait:

- (a) if the person in control of the Vehicle is:
  - i) required by law to stop or not to proceed;
  - ii) obliged to stop so as to avoid an accident;
- iii) prevented from proceeding by circumstances beyond the person's control;
- (b) for so long as may be necessary to enable the Vehicle, if it cannot conveniently be used for such purpose in any other road, to be used:
  - i) in connection with any building operation or demolition;
  - ii) in connection with the removal of any obstruction to traffic;
  - iii) opening or closing a gate or other barrier at the entrance to premises to which the Vehicle is being driven from or from which it has emerged if it is not reasonably practicable to cause the Vehicle to stop elsewhere for the purpose;
  - iv) using the Vehicle for fire brigade, ambulance or police purposes;
  - v) using the Vehicle in connection with the maintenance, improvement or reconstruction of the highway comprising or including the Carriageway;
  - vi) using the Vehicle in the service of a local authority or of a water company in pursuance of statutory duties or powers.
  - vii) in connection with the laying, erection, alteration or repair in or near such 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;



- (c) at the edge of the carriageway for as long as may be necessary for the purpose of delivering or collecting postal packets as defined in the Postal Services Act 2000.
- (d) with the permission or at the direction of a Police Constable in uniform or a CEO.

## **5 GENERAL EXEMPTIONS**

5.1 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:-

- (a) a person to board or alight from the Vehicle;
- (b) 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:-

- (i) building, industrial or demolition operations;
- (ii) the removal of any obstruction to traffic;
- (iii) the maintenance, improvement or reconstruction of the said lengths of road; or
- (iv) 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;

(c) 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;

(d) 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;

(e) the Vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to the said lengths of road;

(f) 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

(g) the Vehicle to be used for fire brigade, ambulance or police purposes; or

(h) Goods to be Loaded or Unloaded from the Vehicle.

## **6 DISABLED PERSONS' EXEMPTIONS**

6.1 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).



6.2 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.

6.3 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.

6.4 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".

## **7 PUBLIC SERVICE VEHICLES**

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

## **8 EFFECT OF ORDER**

8.1 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.

## **9 REVOCATIONS OF PREVIOUS ORDERS**

9.1 Any permanent Traffic Regulation Orders made prior to this Order, insofar as they relate to parking, loading and waiting restrictions on the length of road listed in Schedules to this order are hereby revoked.

# **SCHEDULE 1**

## **NO WAITING AT ANY TIME**

### **Stand Road, Chesterfield**

#### **South Side**

From a point 10 metres west of its junction with Elm Lodge Farm in a westerly direction for a distance of 5 metres.

From a point 25 metres east of its junction with St John's Road in an easterly direction for a distance of 20 metres.

#### **North Side**

From a point 19 metres east of its junction with St John's Road in an easterly direction for a distance of 41 metres.

From a point 75 metres east of its junction with Occupation Road in an easterly direction for a distance of 46 metres.

### **Carlisle Close, Chesterfield**

#### **South Side**

From a point 54 metres east of its junction with Sheffield Road in a westerly direction for a distance of 4 metres.

From a point 45 metres east of its junction with Sheffield Road in a westerly direction for a distance of 7 metres.

### **B6050 Dunston Road, Chesterfield**

#### **Both Sides**

From a point 55 metres south-west of its junction with Scarsdale Road in a north-easterly direction to its junction with Whittington Moor roundabout.

### **Scarsdale Road, Chesterfield**

#### **East Side**

From its junction with the B6050 Dunston Road in a north then north-easterly direction for a distance of 59 metres.

#### **West Side**

From its junction with the B6050 Dunston Road in a northerly direction for a distance of 10 metres.

From a point 54 metres north-east of its junction with the B6050 Dunston Road in a north-easterly then north-westerly direction for a distance of 16 metres.

From a point 119 metres north-east of its junction with the B6050 Dunston Road in a north-westerly then north-easterly then south-easterly direction for a distance of 71 metres.



## **Foxwood Road, Chesterfield**

### **South-West Side**

From its junction with Sheepbridge Lane in a south-easterly direction for a distance of 54 metres.

From a point 92 metres south-east of its junction with Sheepbridge Lane in a south-easterly direction for a distance of 74 metres.

From a point 181 metres south-east of its junction with Sheepbridge Lane in a south-easterly direction for a distance of 29 metres.

From a point 230 metres south-east of its junction with Sheepbridge Lane in a south-easterly direction for a distance of 17 metres.

From a point 275 metres south-east of its junction with Sheepbridge Lane in a south-easterly direction for a distance of 22 metres.

From a point 335 metres south-east of its junction with Sheepbridge Lane in a southerly direction to its junction with Foxwood Way roundabout.

From its junction with Foxwood Way roundabout in a south-easterly direction including the roundabout for a distance of 15 metres.

From a point 42 metres south-east of its junction with Foxwood Way in a south-easterly direction for a distance of 36 metres.

### **North-East Side**

From its junction with Sheepbridge Lane in a south-easterly direction for a distance of 22 metres.

From a point 92 metres south-east of its junction with Sheepbridge Lane in a south-easterly direction for a distance of 34 metres.

From a point 141 metres south-east of its junction with Sheepbridge Lane in a south-easterly direction for a distance of 17 metres.

From a point 178 metres south-east of its junction with Sheepbridge Lane in a south-easterly direction for a distance of 32 metres.

From a point 230 metres south-east of its junction with Sheepbridge Lane in a south-easterly direction for a distance of 17 metres.

From a point 274 metres south-east of its junction with Sheepbridge Lane in a south-easterly direction for a distance of 18 metres.

From a point 316 metres south-east of its junction with Sheepbridge Lane in a south-easterly direction for a distance of 21 metres.

From a point 35 metres north of its junction with Foxwood Way roundabout in a south-easterly direction for a distance of 94 metres.

## **Foxwood Close, Chesterfield**

### **Both Sides**

From its junction with Foxwood Road in a south-westerly direction for a distance of 22 metres.

## **Foxwood Way, Chesterfield**

### **South Side**

From its junction with Foxwood Road roundabout in a westerly direction including the turning head for a distance of 231 metres.

North Side

From its junction with Foxwood Road roundabout in a westerly direction for a distance of 37 metres.

From a point 94 metres south-west of its junction with Foxwood Road roundabout in a westerly direction for a distance of 26 metres.

**SCHEDULE 2**

**NO STOPPING ON SCHOOL ENTRANCE MARKINGS MONDAY – FRIDAY 8AM – 4PM**

**Scarsdale Road, Chesterfield**

South West Side

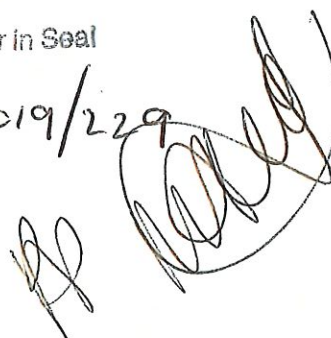
From a point 94 metres north-east of its junction with the B6050 Dunston Road in a north-westerly direction for a distance of 25.56 metres.

THE COMMON SEAL of the Derbyshire )  
County Council was hereunto affixed )  
the Twenty Eighth day of February Two )  
Thousand and Nineteen in the presence of:- )

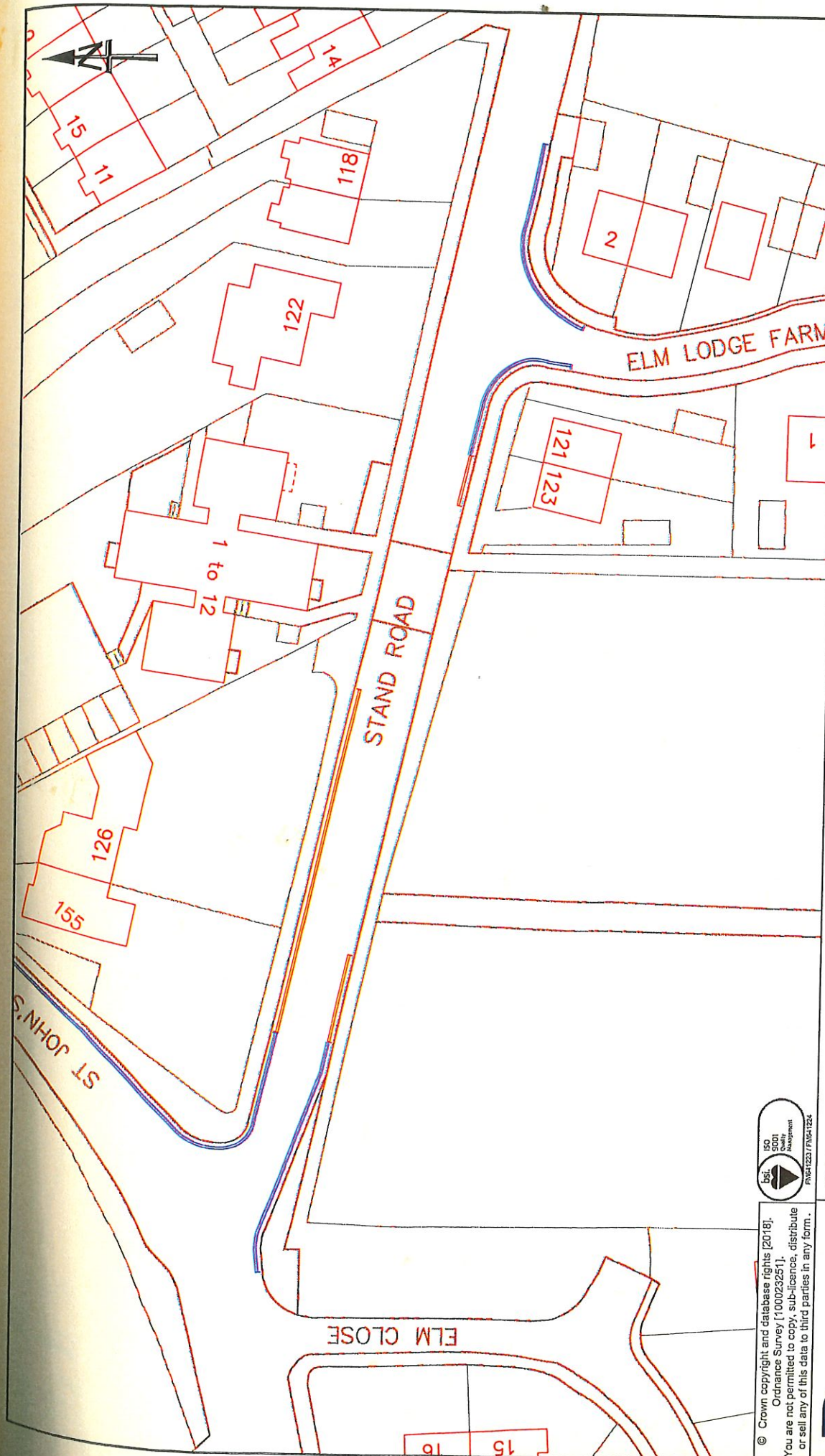
Director of Legal Services

Number in Seal  
Book

2019/229

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County Council  
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MIKE ASHWORTH  
Strategic Director  
Economy, Transport and Environment

**KEY:**

EXISTING NO WAITING AT ANY  
TIME (DOUBLE YELLOW LINES)

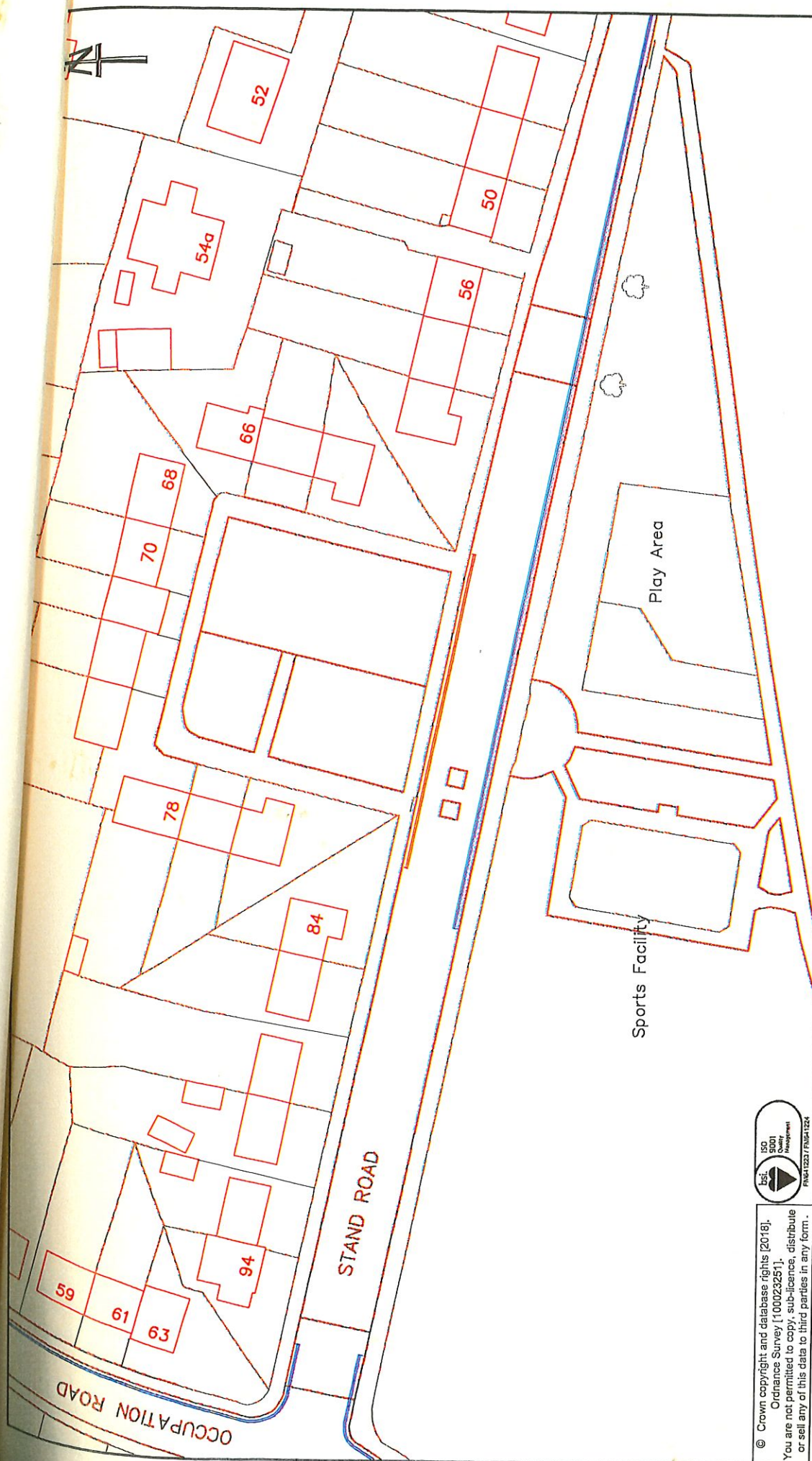
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STAND ROAD, CHESTERFIELD

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DRAWING

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Date 19/06/18	Date 19/06/18	Date 19/06/18
Project / Confirm Reference No. 32601715	SCALE	
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MIKE ASHWORTH  
 Strategic Director  
 Economy, Transport and Environment

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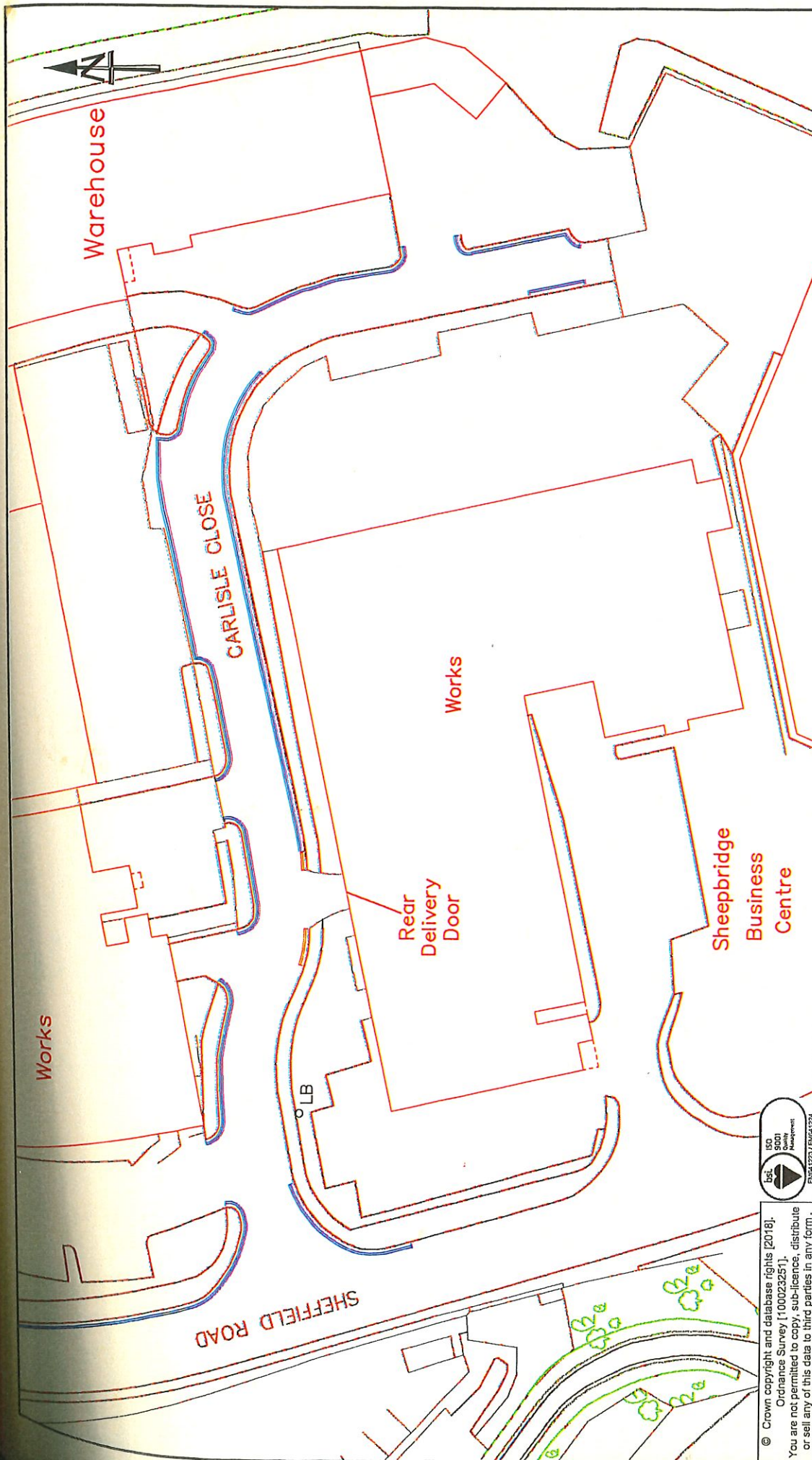
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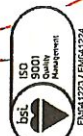
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Date 22/10/18	Date 22/10/18	Date 22/10/18
Project / Confirm Reference No.		
Drawing Number		
HMT/PB/443/18		
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 Strategic Director  
 Economy, Transport and Environment

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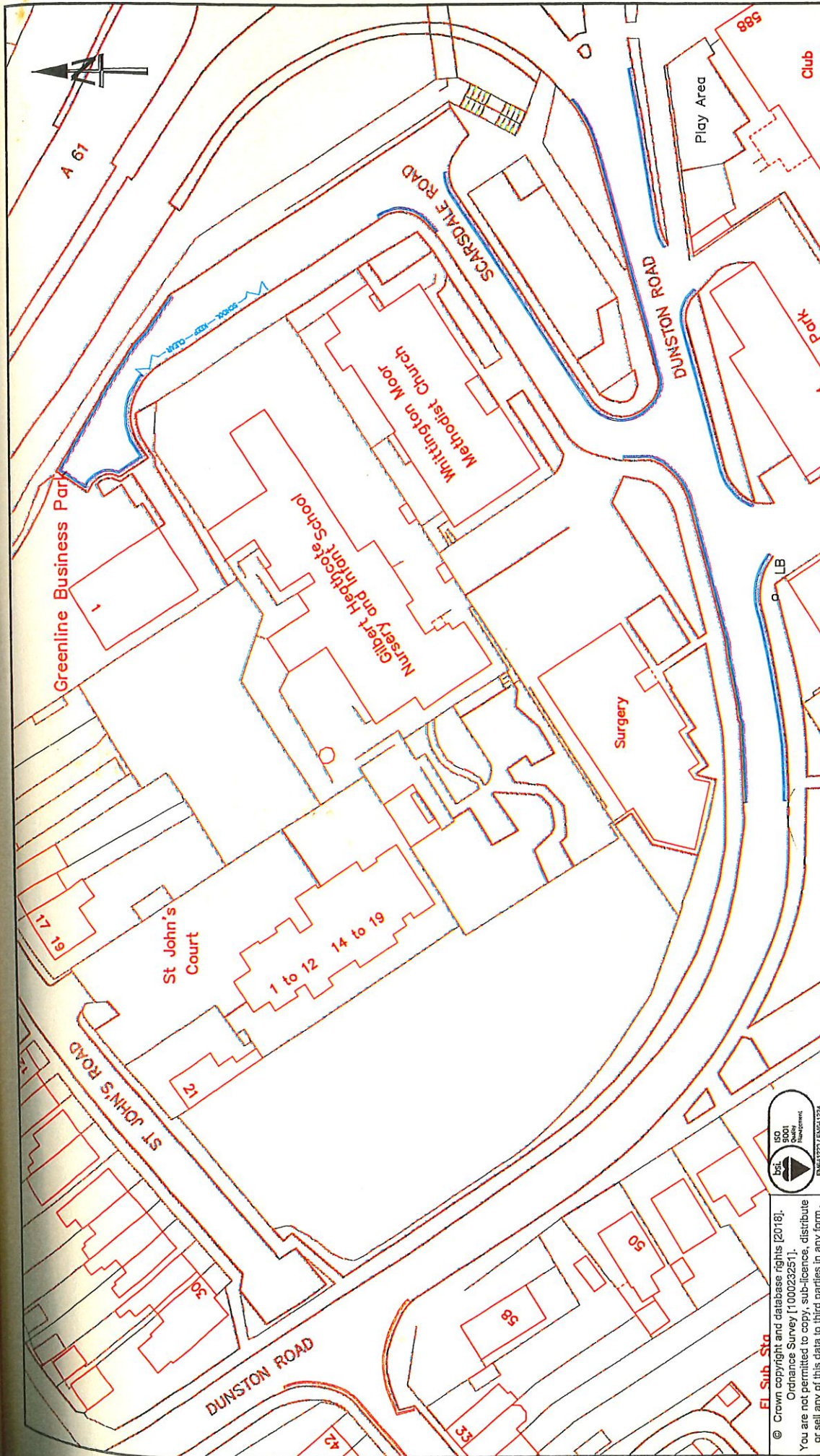
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 CARLISLE CLOSE, SHEEPBRIDGE

**DRAWING TITLE**  
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 DRAWING

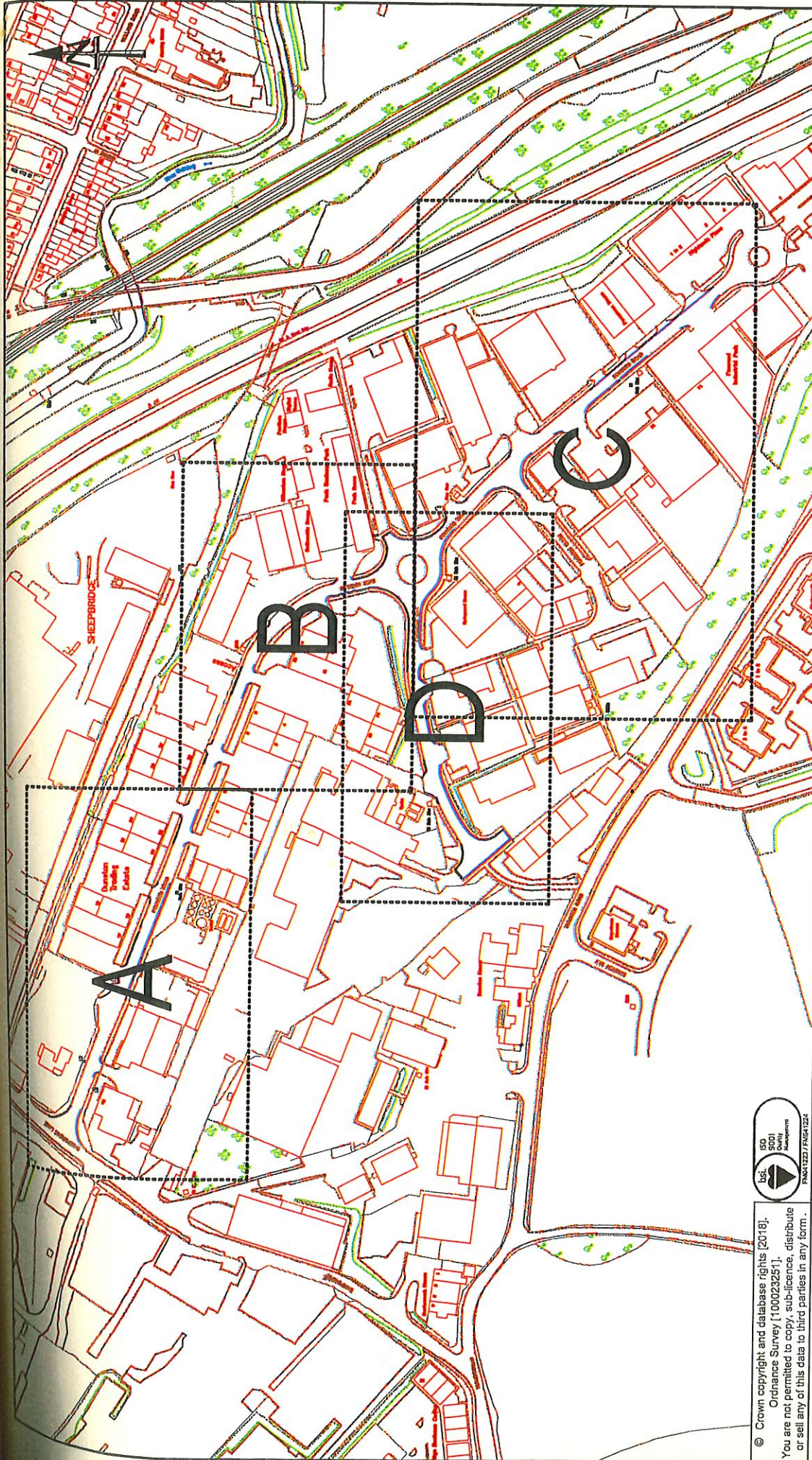
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Date 11/09/18	Date 11/09/18	Date 11/09/18
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<p><b>PROJECT TITLE</b></p> <p>PROPOSED NO WAITING AT ANY TIME MARKINGS SCARSDALE ROAD, CHESTERFIELD</p>		<p><b>DRAWN</b></p> <p>PHIL BRAISBY</p>		<p><b>CHECKED</b></p> <p>STEVE DUNGWORTH</p>		<p><b>APPROVED</b></p> <p>BRIDGET GOULD</p>	
<p><b>DRAWING TITLE</b></p> <p>CONSULTATION DRAWING</p>		<p><b>Date</b></p> <p>17/10/18</p>		<p><b>Date</b></p> <p>17/10/18</p>		<p><b>Date</b></p> <p>17/10/18</p>	
<p><b>KEY:</b></p> <p>EXISTING SCHOOL KEEP CLEAR MARKING</p> <p>EXISTING NO WAITING AT ANY TIME (DOUBLE YELLOW LINES)</p> <p>PROPOSED NO WAITING AT ANY TIME (DOUBLE YELLOW LINES)</p>		<p><b>Project / Confirm Reference No.</b></p> <p>32601716</p>		<p><b>Scale</b></p> <p>NTS</p>		<p><b>Project / Confirm Reference No.</b></p> <p>HMT/PB/224/18_REV_B</p>	
<p><b>DERBYSHIRE</b> County Council</p> <p><b>Improving life for local people</b></p> <p>MIKE ASHWORTH Strategic Director Economy, Transport and Environment</p>		<p><b>Project / Confirm Reference No.</b></p> <p>32601716</p>		<p><b>Scale</b></p> <p>NTS</p>		<p><b>Project / Confirm Reference No.</b></p> <p>HMT/PB/224/18_REV_B</p>	





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Strategic Director  
Economy, Transport and Environment

KEY:



PROPOSED NO WAITING AT ANY  
TIME (DOUBLE YELLOW LINES)

PROJECT TITLE

PROPOSED NO WAITING AT ANY TIME MARKINGS  
FOXWOOD ROAD, SHEEPBRIDGE

DRAWING TITLE

CONSULTATION  
DRAWING

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PHIL\_BRAISBY

Date

11/09/18

CHECKED

STEVE\_DUNGWORTH

Date

11/09/18

APPROVED

BRIDGET GOULD

Date

11/09/18

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Project / Confirm  
Reference No.

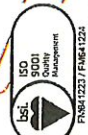
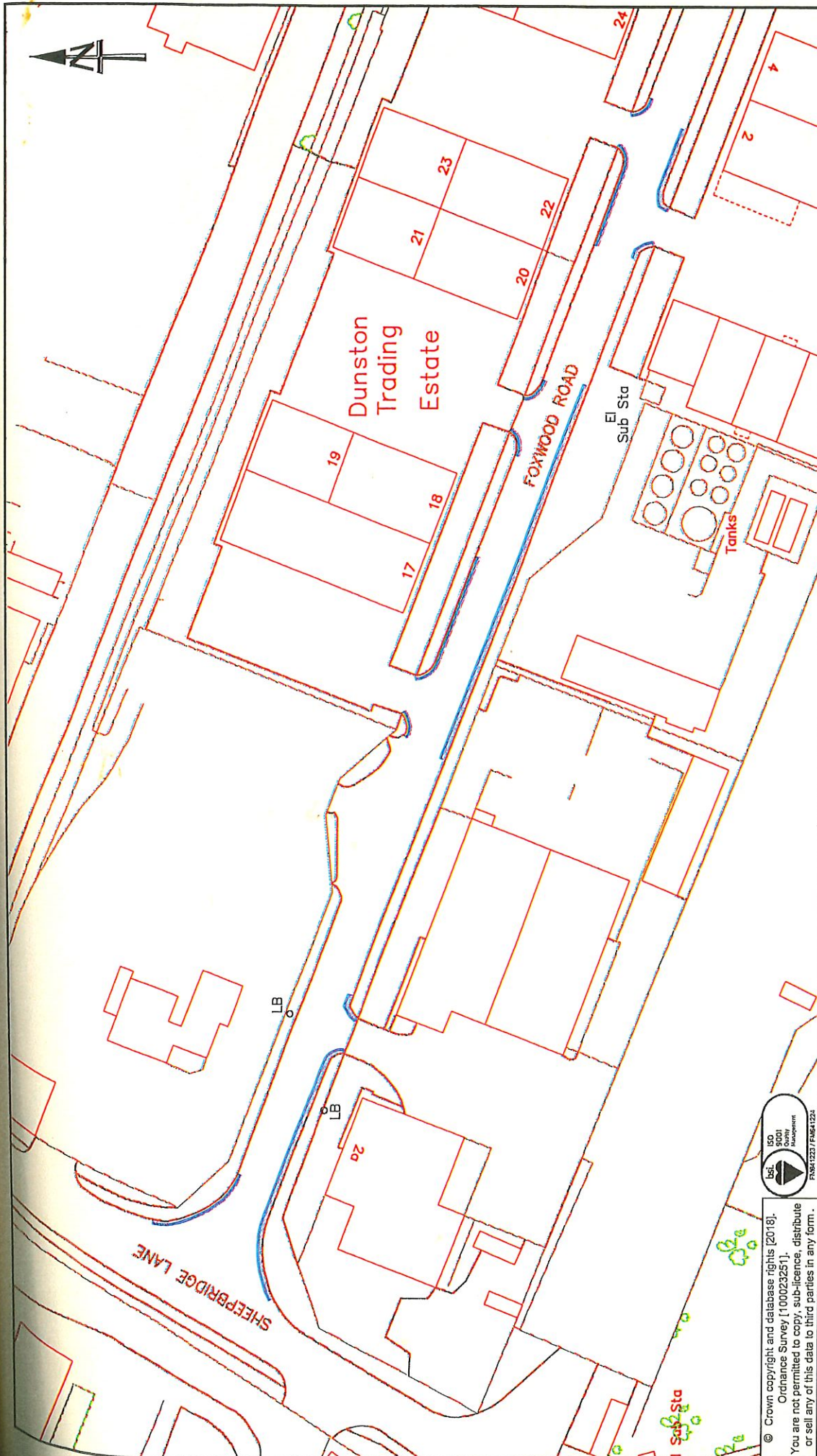
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**KEY:**

PROPOSED NO WAITING AT ANY  
TIME (DOUBLE YELLOW LINES)

**PROJECT TITLE**  
PROPOSED NO WAITING AT ANY TIME MARKINGS  
FOXWOOD ROAD, SHEEPBRIDGE

**DRAWING TITLE**  
CONSULTATION  
DRAWING

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 File Created: Mon 21-May-2018 11:15:AM

<b>DERBYSHIRE</b> County Council <i>Improving life for local people</i> <b>MIKE ASHWORTH</b> Strategic Director Economy, Transport and Environment		<b>KEY:</b> PROPOSED NO WAITING AT ANY TIME (DOUBLE YELLOW LINES) 		PROJECT TITLE PROPOSED NO WAITING AT ANY TIME MARKINGS FOXWOOD ROAD, SHEEPBRIDGE		DRAWN PHIL BRAISBY	CHECKED STEVE DUNGWORTH	APPROVED BRIDGET GOULD
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PROPOSED NO WAITING AT ANY TIME MARKINGS  
FOXWOOD ROAD, SHEEPBRIDGE

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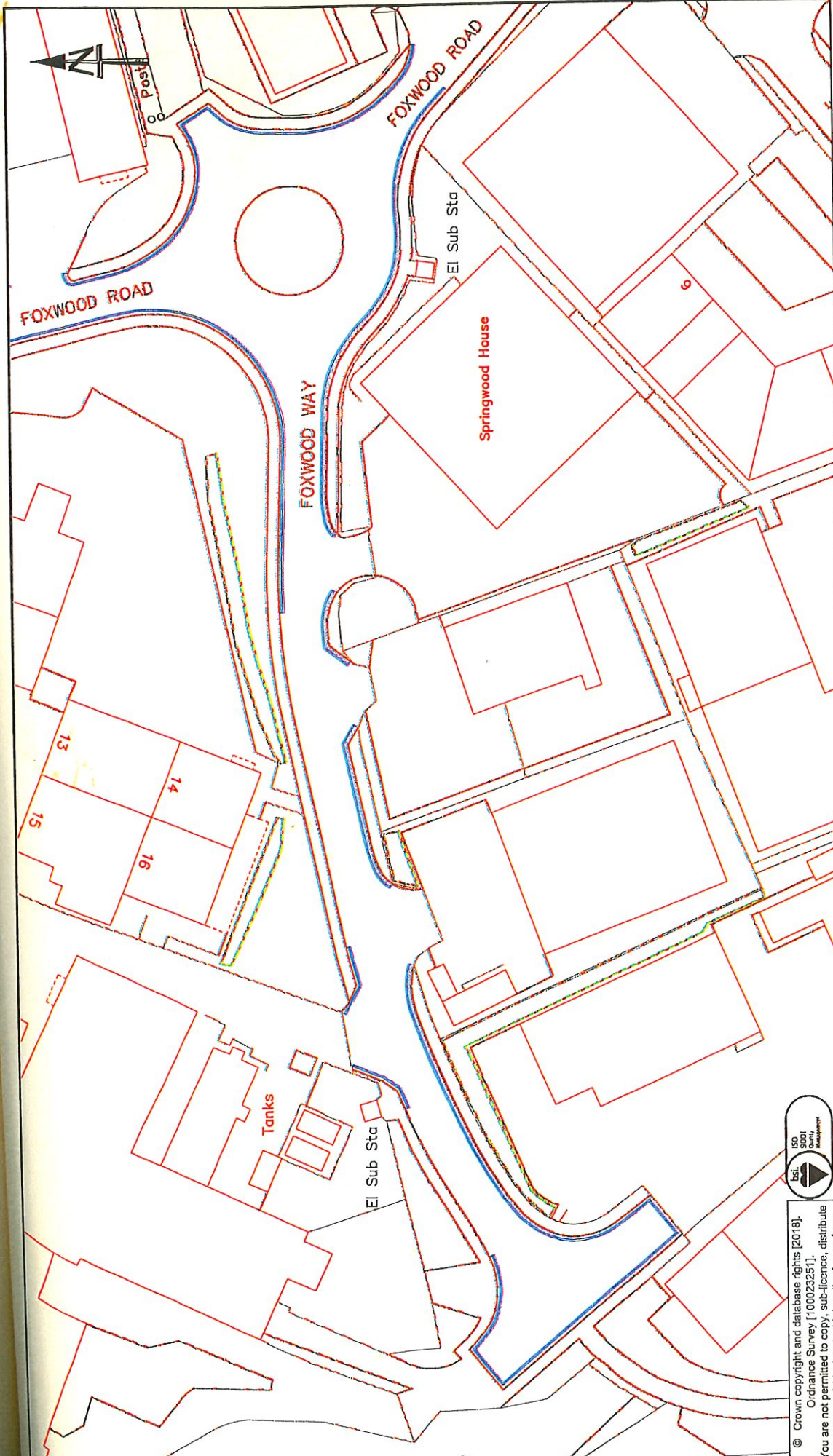
**MIKE ASHWORTH**  
Strategic Director  
Economy, Transport and Environment

DRAWING TITLE CONSULTATION DRAWING		PROJECT TITLE PROPOSED NO WAITING AT ANY TIME MARKINGS FOXWOOD ROAD, SHEEPBRIDGE	
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**DERBYSHIRE**  
County Council  
*improving life for local people*

MIKE ASHWORTH  
Strategic Director  
Economy, Transport and Environment

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PROJECT TITLE  
PROPOSED NO WAITING AT ANY TIME MARKINGS  
FOXWOOD ROAD, SHEEPBRIDGE

DRAWING TITLE  
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