

TR.

NOTTINGHAM CITY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984 AND TRAFFIC MANAGEMENT ACT 2004

NOTTINGHAM CITY COUNCIL (HOMEFIELD ROAD, LEEN VALLEY, NOTTINGHAM)
(PROHIBITION OF WAITING) TRAFFIC REGULATION ORDER 2008 (TMP 6721)

Nottingham City Council ("the Council") in exercise of its powers under Sections 1, 2, 3, 4, 5 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act"), and by the virtue of Section 74 and paragraph 8 (4) of Schedule 8 of the Traffic Management Act 2004 ("the 2004 Act") and all other enabling powers, the City of Nottingham being a Civil Enforcement Area (CEA), and after consultation with the Chief Constable for the Nottinghamshire Police Authority in accordance with Part III of Schedule 9 to "the Act", hereby makes the following Order:-

COMMENCEMENT

This Order shall come into force for all purposes on the **22nd day of April 2009** and may be cited as "Nottingham City Council (Homefield Road, Leen Valley, Nottingham) (Prohibition of Waiting)Traffic Regulation Order 2008".

ARRANGEMENT OF SECTIONS

Sections 1 and 3 to 9 of Part I of this Order: - Not Allocated.

Part II of this Order: - Not Allocated

Part III of this Order: - Not Allocated.

GENERAL – provisions applying to all parts of this Order.

DEFINITIONS – applying to all parts of this Order.

PART I

(Waiting and Parking Control)

Section 2 : Prohibition and Restriction of Waiting (Articles 3, 4 and 5)

GENERAL

G1. All lengths of road specified in this Order are lengths of road in the City of Nottingham.

as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it or alter its position, as the case may be.

- G10. When a CEO or a person under his direction who is also authorised by the Council, removes or makes arrangements for the removal of a vehicle from a highway by virtue of this Order, he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
- G11. If a vehicle or permit holder contravenes any prohibition, restriction or provisions of this Order or conditions of a Restricted Access Permit or a Dispensation permit or Disabled Person's Badge, then a CEO may issue a PCN in line with G7 (1)
- G12. **CONFLICT PROVISION;** in case of conflict between the provision of this Order and those of the '2004 Act' and subordinate legislation made under its authority, then that legislation takes priority over the provisions of this Order.

DEFINITIONS

In this Order the following words and phrases (where used) have the meanings ascribed to them as follows:-

- D1 "Additional Parking Charges" means penalty charges, being charges made by the Council under the provisions of Regulation 3 and 4 of The Civil Enforcement of Parking Contraventions (Guidelines on levels of Charges) (England) Order 2007 SI 2007/3487 for the removal, storage and disposal of vehicles and charge in respect of the release of a vehicle from an immobilisation device fixed under Section 79 of "the 2004 Act".
- D2 "Authorised Officer" means a person authorised by or on behalf of the Council to supervise any parking place.
- D3 "Bus" has the same meaning as in Regulation 22 of the Traffic Signs Regulations and General Directions.
- D4 "Bus Lane" means any length of road specified in this Order and bounded by delineating road markings as prescribed under regulations for use as a Bus Lane.
- D5 "Bus Only Street" and "Bus Gate" means any length of road specified in this Order and delineated by road markings and signs as prescribed in the Traffic Signs Regulations and General Directions.
- D6 "Bus Stop Area" means any area of carriageway of a road (which is specified and intended for the waiting of a local bus) which is comprised within and indicated by a road marking complying with either diagram 1025.1 or 1025.3 in Schedule 6 to the Traffic Signs Regulations and General Directions.

- D19 "Dual Purpose Vehicle" has the same meaning as in Regulation 3(1) of the Motor Vehicles (Construction and Use) Regulations 1978.
- D20 "Electronic Communications" has the same meaning as in Schedule 2, paragraph 1 of the Telecommunications Act 1984 as amended.
- D21 "Entrance Clearway" means any area of carriageway or a road which is comprised within and indicated by a road marking complying with diagram 1027.1 in Schedule 6 to the Traffic Signs Regulations and General Directions.
- D22 "Entrance Clearway Hours" means the hours specified in Column 3 of Schedule 8 of Part I, in relation to a length of road.
- D23 "Footway" means a way constituting or comprised in a highway a way (other than a cycle track) over which the public have a right of way for the passage of pedestrians.
- D24 "Footway Loading Area" means any length of footway intended for loading or unloading purposes.
- D25 "Goods" means articles and property of any description, including postal packets of any kind that have been purchased and are ready for collection, provided that it would be unreasonable for an individual to carry such Goods, further than a reasonable distance for the purpose of loading them into a vehicle.
- D26 "Goods Vehicle" has the same meaning as that ascribed to it in Section 192(1) of the Road Traffic Act 1988.
- D27 "Hirer" is as defined in Regulation 5 of SI 2007/3483.
- D28 "Immobilisation Device" has the same meaning as in Section 104 (9) of "the Act" of 1984.
- D29 "Junction" means (in the Schedules to this Order) for measurement purposes only: The point where the prolongation of two kerblines intersect (measurements are taken along the line of kerb for the said length of road unless otherwise stated).
- D30 "Lay-By" means any area of carriageway lying at the side of the main carriageway for the parking, loading or waiting of vehicles.
- D31 "Loading Vehicle" means a vehicle which is being used to enable goods to be loaded or unloaded provided that when the aforementioned purposes have been completed the vehicle must immediately proceed out of that length of road.
- D32 "Local Bus" has the same meaning as that ascribed to it in Regulation 4 of the Traffic Signs Regulations and General Directions.
- D33 "Main Carriageway" means any carriageway used primarily by through traffic, includes any carriageway of a slip road, but excludes any lay-by or footway loading area.

- D44 "Penalty Charge Notice" means a notice issued by a Civil Enforcement Officer pursuant to the provisions of Regulation 8 to SI 2007/3483.
- D45 "Permit" means a permit issued under established criteria governing the issue of such permits as determined by the Traffic Manager and as amended from time to time.
- D46 "Permit Holder" means a person to whom a permit has been issued under established criteria governing the issue of such permits as determined by the Traffic Manager and as amended from time to time.
- D47 "Permit Area" means a parking place, bay or space designated for the use of permit holders as defined in this Order.
- D48 "Permitted Motor Vehicle" means a passenger vehicle, a dual purpose vehicle, a goods vehicle not exceeding a maximum unladen weight of 3 tonnes, a motorcycle or a vehicle displaying a valid Disabled Person's Badge.
- D49 "Police Vehicle" means a vehicle being used for police purposes or operating under the instructions of the Chief Constable for Nottinghamshire Police Authority.
- ~~D50 "Prescribed Hours" has the meanings ascribed in each particular Part of this Order and shall be construed accordingly.~~
- D51 "Public Holidays" being Christmas Day, Good Friday and any Bank Holiday.
- D52 "Reduced Penalty Charge" means the discounted level of the penalty charge.
- D53 "Relevant National Authority" means the Secretary of State in respect to England.
- D54 "Relevant Position"
- (1) In relation to the display of a Disabled Person's Badge, has the same meaning as that ascribed to it in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000.
 - (2) In the case of a vehicle fitted with a windscreen, a position on the inside surface of the windscreen or on the dashboard so that the date and time of issue or expiry (as appropriate) of the parking ticket or permit may be read by a CEO or Authorised Officer and shall cause the said ticket to be so exhibited at all times and on the part of the windscreen nearest the kerb.
 - (3) In the case of a vehicle not fitted with a front windscreen, a conspicuous position on the vehicle so that the date and time of issue or expiry (as appropriate) of the parking ticket or permit may be read by a CEO or Authorised Officer and shall cause the said ticket to be so exhibited at all times and on the vehicle.

- D69 "The reserved car park system" means the system that allows parking by parking permit holders only as specified in Column 4 of Schedule 9 of Part I.
- D70 "Ticket Machine" means an apparatus of a type and design generally or specifically approved by the Secretary of State for Transport, being an apparatus designed as a means to indicate on a parking ticket the time at which a vehicle arrived and the time at which it ought to leave or one or other of those times.
- D71 "Traffic Sign" means a sign of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under, Section 64 of "the Act".
- D72 "Traffic Signs Regulations and General Directions" means the Traffic Signs Regulations and General Directions 2002 as amended from time to time.
- D73 "Tramcar" has the same meaning as in the Greater Nottingham Light Rapid Transit Act 1994.
- D74 "Tramway" has the same meaning as in the Greater Nottingham Light Rapid Transit Act 1994.
- ~~D75 "Valid Parking Ticket" means a ticket displayed in a relevant position where the paid for time and date, at a pay and display parking place, has not expired.~~
- D76 "Vehicle" means:-
- (1) a mechanically propelled vehicle, intended or adapted for use on the road;
 - (2) a pedal cycle in actual use for the purpose of cycling.

Notes:-

In the Schedules to this Order all times and days are inclusive.

In Schedules 1 to 8 of Part I to this Order, each length of road specified in Column 2 and itemised by number in Column 1 shall be related only to the specified instructions, times and exemptions (given opposite under Columns 3, 4, 5 and 6) relating to that number.

In Schedule 9 of Part I to this Order, each parking place specified in Column 1 and defined by the plan in Appendix B shall be related only to the specified instructions, times and exemptions (given opposite under Columns 2, 3, 4, 5 and 6) relating to that parking place.

PART I

PART I, SECTION 2 : PROHIBITIONS AND RESTRICTIONS OF WAITING

4. In Column 4 of Schedule 2 to Part I of this Order, the reference letters (where used) categorise and have the meanings as ascribed to them as contained in Appendix A of this Order.
 5. In Appendix A of this Order "Authorised Vehicle" means:- Not allocated.
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APPENDIX AND SCHEDULES

Appendix A.

Schedules 1 and 3 to 9 to Part I of this Order: - Not Allocated.

Schedules to Part II of this Order: - Not Allocated.

Schedules to Part III of this Order: - Not Allocated.

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APPENDIX A

STANDARD EXEMPTIONS

- "A" Means a vehicle, which is being used to enable persons to board or alight from that vehicle.
- "B1" Means any vehicle which is, if it cannot be used for such purposes in any other length of road, being used in connection with the maintenance, improvement or reconstruction of any of the lengths of road so referred to or the laying, erection, alteration or repair in or near any of the lengths of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus.
- "B2" Means any vehicle, which is, if it cannot be used for such purposes in any other length of road, to be used in connection with the maintenance or other works of any railway level crossing, which crosses the length of road referred to.
- "B3" Means a Royal Mail liveried vehicle engaged in the collection and/or delivery of letters in accordance with the statutory provisions as defined in the Postal Services Act 2000. This paragraph shall not apply during any times specified in Column 5 of Part 1 Schedule 2.
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- "B4" Means any vehicle, which is, if it cannot be used for such purposes in any other length of road, being used in connection with the removal of any obstruction to traffic.
- "B5" Means any vehicle, which is, if it cannot be used for such purposes in any other length of road, being used in connection with any building operation or demolition.
- "B6" Means any vehicle, which is being used by Statutory Undertakers for emergency works.
- "C" Means any vehicle, which is, if it cannot be used for such purposes in any other road, being used or is to be used in the service of a Local Authority or Water Authority in pursuance of statutory powers or duties.
- "D1" Means a bus.
- "D2" Means a bus in a bus lane.
- "E1" Means any vehicle being used for Police, Fire Brigade or Ambulance purposes where the restriction would be likely to hinder the use of that vehicle in fulfilling that emergency purpose, and is making use of both visual and/or audible warning devices, and which is taking all reasonable precautions.

- "E2" Means any Police, fire or ambulance vehicle, which is being used for either police, fire or ambulance purposes where the restriction would be likely to hinder the use of that vehicle in fulfilling that purpose, and which is taking all reasonable precautions.
- "E3" Means any vehicle being used for police, fire or ambulance purposes.
- "F1" Means any vehicle which is being used to enable goods to be loaded or unloaded, (during times specified in Column 3 of Part 1 Schedule 2) at premises to which access may only be gained by proceeding in that length of road provided that when the aforementioned purposes have been completed the vehicle must immediately proceed out of that length of road. This paragraph shall not apply during any times specified in Column 5 of Part 1 Schedule 2.
- "F2" Means any vehicle, which is being used to gain access to off-street garaging.
- "F2a" Means any vehicle, which is being used to gain access from off-street garaging or parking.
- "F3" Means any vehicle being used to take on petrol at a petrol station.
- "G" Means any vehicle which is, if it cannot be used for such purposes in any other length of road, proceeding so as to avoid a legitimate obstruction in connection with the maintenance, improvement or reconstruction of any of the lengths of road so referred to or the laying, erection, alteration or repair in or near any of the lengths of road of any sewer, main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus.
- "H" All Vehicles.
- "I" Means any vehicle in respect of which a current valid Dispensation Permit has been issued by the Director in accordance with the City Council's Policies and established criteria and is being used in accordance with the conditions of issue. This paragraph shall not apply during any times specified in Column 5 of Part 1 Schedule 2.
- "J" Means any vehicle, other than a privately owned vehicle, which is being used as an official vehicle for the purpose of a wedding or funeral at a Church, place of worship, Registry Office or any other venue that holds a Civil Licence provided that where, in relation to a length of road, times are specified in Column 5 of the relevant Schedule, the vehicle does not wait in that length of road during those times.
- "K1" Means any vehicle which is 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 person in charge of the vehicle has marked the time at which the period of waiting began) provided that the vehicle does not wait for a period exceeding 3 hours (not being a period separated by an interval of less than 1 hour from a previous period of waiting by the same vehicle on the same

length of road) provided that where, in relation to the length of road, times are specified in Column 5 (when a Column 5 appears on the Schedule) of the relevant schedule, the vehicle does not waiting in that length of road during those times.

"K2" Means a disabled person's vehicle.

"K3" Means any vehicle which is a disabled person's vehicle which displays, in the relevant position, a disabled person's badge, provided that where, in relation to a length of road, times are specified in Column 5 of the relevant Schedule, the vehicle does not wait in that length of road during those times.

"L1" Means a pedal cycle.

"M" Means a designated civic vehicle, provided that the vehicle does not wait for longer than one hour in that length of road, being the Old Market Square (Area).

"N1" Means a licensed hackney carriage.

"N2" Means a licensed hackney carriage waiting in a designated length of road, at a time and location specified in Part I Schedule 3.

"N3" Means a licensed hackney carriage used to pick up or set down at a place or position defined (in relation to each particular item in the relevant Schedule) in Articles 5(2) and 13(2).

"O" Not Allocated.

"P" Means an Authorised Vehicle. Authorised Vehicle has the same meaning ascribed to it (in relation to each particular item in the relevant Schedule) in Article 5 of this Order.

"Q" Means any vehicle which is being used to gain access to or egress from premises and land adjacent to that road (which access can only be gained by proceeding in the said length of road) provided that when the purposes, for which the aforementioned access has been required, have been completed the vehicle must immediately proceed out of that length of road.

"R1" Means any vehicle in respect of which a current valid Restricted Access Permit has been issued by the Director in accordance with the City Council's Policies and established criteria and is being used in accordance with the conditions of issue.

"R2" Means any vehicle in respect of which a current valid Restricted Access Permit has been issued by the Director in accordance with the City Council's Policies and established criteria and is being used in accordance with the conditions of issue, which also displays in the relevant position a current valid disabled person's badge.

- "R3"** Means any vehicle in respect of which a current valid Restricted Access Permit has been issued by the Director in accordance with the City Council's Policies and established criteria and is being used in accordance with the conditions of issue, which is being used to enable goods to be loaded or unloaded provided that when the aforementioned purposes have been completed the vehicle must immediately proceed out of that length of road.
- "R4"** Means any vehicle in respect of which a current Restricted Access Permit has been issued by the Director in accordance with the City Council's Policies, is a Market Trader and is being used in accordance with the conditions of use which is being used to enable goods to be continuously loaded or unloaded, within the prescribed hours, provided that when the aforementioned purposes have been completed the vehicle must immediately proceed out of that length of road, being the Market Place.
- "R5"** Means any vehicle in respect of which a current Restricted Access Permit has been issued by the Director in accordance with the City Council's Policies, is a Market Trader or operating an attraction as part of a Special Event and is being used in accordance with the conditions of use which is being used to enable goods to be continuously loaded or unloaded, within the prescribed hours, provided that when the aforementioned purposes have been completed the vehicle must immediately proceed out of that length of road, being the Old Market Square (Area).
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- "R6"** Means any vehicle in respect of which a current Restricted Access Permit has been issued by the Director in accordance with the City Council's Policies, is a Market Trader or operating an attraction as part of a Special Event and is being used in accordance with the conditions of use which is being used as an integral part of a stall or attraction, within the prescribed hours, provided that when the aforementioned purposes have been completed the vehicle must immediately proceed out of that length of road, being the Old Market Square (Area).
- "S"** Means a Goods Vehicle being used for the purpose of loading or unloading in the prohibited length of road provided that when the aforementioned purposes have been completed the vehicle must immediately proceed out of that length of road.
- "T1"** Means a Tram Car.
- "T2"** Means tram operator vehicles undertaking essential maintenance of the tram system.
- "T3"** Means tram operator vehicles undertaking routine maintenance of the tram system.
- "U"** Not Allocated.
- "V"** Means any vehicle, being a purpose built or specially adapted security vehicle which by distinctive external markings and/or trade signs may be easily identified as a security vehicle, operated by uniformed security

personnel and which is being used for the purposes of delivery or collection of:-

(i) bullion, or

(ii) substantial quantities of money in the form of cash ,or

(iii) high value commodities.

"W1" Means a Private Hire Vehicle.

"W2" Not Allocated.

"W3" Means a licensed hackney carriage used to pick up or set down at a place or position defined (in relation to each particular item in the relevant Schedule) in Articles 5(3) and 13(3).

"X" Means any of the following vehicles: -

(a) a highway cleansing vehicle being used for highway cleansing purposes.

(b) or a gritting vehicle used to carry out its statutory duty.

(c) or an authorised tow away vehicle being used on behalf of the Highway Authority in pursuance of its statutory duty.

"Y" Not Allocated.

"Z1" Means any vehicle which is being used to cross over a "bus lane" in order to gain access to or egress from premises and/or any side road adjacent to that length of road over which the lane passes.

"Z2" Means any vehicle proceeding so as to avoid an accident.

PART I SCHEDULE 2

PROHIBITIONS AND RESTRICTIONS OF WAITING

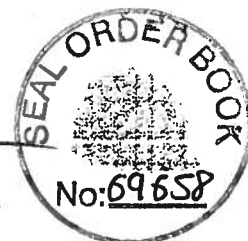
Column 1	Column 2	Column 3	Column 4		Column 5
Item No.	Length of Road	Duration	Exemptions		No Loading
			Time	Other	
(i)	<u>Aspley Lane (North Side)</u> From a point 10 metres west of its junction with Homefield Road in an easterly direction to a point 10 metres east of that junction.	At Any Time		A, B1, B3, B4, B5, C, E1, E2, E3, F1, I, K1	
(ii)	<u>Homefield Road (East Side)</u> From its junction with Aspley Lane in a northerly direction for a distance of 10 metres.	At Any Time		A, B1, B3, B4, B5, C, E1, E2, E3, F1, I, K1	
(iii)	<u>Homefield Road (West Side)</u> From its junction with Aspley Lane in a northerly direction for a distance of 10 metres.	At Any Time		A, B1, B3, B4, B5, C, E1, E2, E3, F1, I, K1	

GIVEN under the COMMON SEAL
of NOTTINGHAM CITY COUNCIL

was dated this 1st day of April 2009

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Authorised Signatory



Nottingham City Council (Homefield Road, Leen Valley, Nottingham) (Prohibition of Waiting) Traffic Regulation Order 2008
(TMP 6721)

Environment, Planning and Transportation Board
Dated 14 February 2002
Resolution No: 02/106