

THE BOROUGH COUNCIL OF CHELMSFORD
(MOULSHAM STREET (PART), CHELMSFORD)
(24 HOUR CLEARWAY) ORDER 2011

The Borough Council of Chelmsford pursuant to powers made under section 19 of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000 with Essex County Council, in exercise of the powers conferred on that County Council under sections 1(1), 2 (1) and (2), 4 (1) of the Road Traffic Regulation Act 1984 ("the 1984 Act") and of all other enabling powers, and 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. This Order shall come into operation on the 1st day of October 2011 and may be cited as The Borough Council of Chelmsford (Moulsham Street (Part), Chelmsford) (24 Hour Clearway) Order 2011.

2. In this Order -

"24 hour clearway" means that part of Moulsham Street specified in the Schedule to this Order and includes the main carriageway, verge or footway, but excludes any lay-by;

"footway" means a way comprised in a highway which also comprises a carriageway over which the public have a right on foot only;

"lay-by" means any area of road intended for use for the waiting of vehicles and lying at the side of the main carriageway and bounded partly by the outer edge of that carriageway on that side of the road;

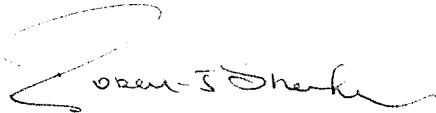
"main carriageway" means any carriageway of the road used primarily by through traffic, includes any carriageway of a slip road, but excludes any lay-by;

"verge" means any part of a road which is not a main carriageway, footway or lay-by.

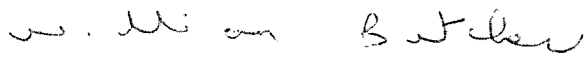
3. Save as provided in Article 4 of this Order no person shall, except upon the direction of or with the permission of a police officer in uniform or of a civil enforcement officer, cause or permit any vehicle to stop or to wait on the main carriageway, verge or footway comprised in the lengths of road specified in the Schedule to this Order.
4. Nothing in Article 3 of this Order shall apply –
- (a) to render it unlawful to cause or permit a vehicle to stop or to wait on the main carriageway, verge or footway referred to therein, for so long as may be necessary to enable that vehicle to be used in connection with –
- (i) any building, demolition or excavation operations,
 - (ii) the removal of any obstruction to traffic,
 - (iii) the maintenance, improvement or reconstruction of the road comprising the carriageway, verge or footway,
 - (iv) the laying, erection, inspection, maintenance, alteration, repair or cleaning of any sewer, main, pipe, conduit, wire, cable or other apparatus for the supply of gas, water, electricity or of any telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act 1984, or
- (b) in relation to a vehicle being used –
- (i) for police, ambulance or fire and rescue authority purposes,
 - (ii) in the service of a local authority in pursuance of statutory powers or duties,
 - (iii) in the service of a water or sewerage undertaker within the meaning of the Water Industry Act 1991, or
- (c) in relation to a vehicle waiting when the person in control of it is –
- (i) required by law to stop,
 - (ii) obliged to stop in order to avoid an accident, or
 - (iii) prevented from proceeding by circumstances outside his or her control.

THE COMMON SEAL of THE
BOROUGH COUNCIL OF
CHELMSFORD was hereunto affixed
This 14th day of September 2011
in the presence of:-

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Mayor




For Legal and Democratic Services Manager

SCHEDULE

Both sides from its junction with Parkway in a south westerly direction to a point 7 metres north east of its junction with New Writtle Street, being a distance of approximately 168 metres.