

DATED 15 OCTOBER 2009

THE DERBYSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE DERBYSHIRE COUNTY COUNCIL

**(CHATSWORTH ROAD, CHATSWORTH AVENUE,
GLENTHORNE CLOSE, HADDON CLOSE,
LINDEN AVENUE, QUARRY LANE,
RYE FLAT LANE AND VINCENT CRESCENT,
CHESTERFIELD)**

(PROHIBITION OF WAITING) ORDER 2009

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THE DERBYSHIRE COUNTY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984
(CHATSWORTH ROAD, CHATSWORTH AVENUE,
GLENTHORNE CLOSE, HADDON CLOSE,
LINDEN AVENUE, QUARRY LANE,
RYE FLAT LANE AND VINCENT CRESCENT,
CHESTERFIELD)

(PROHIBITION OF WAITING) ORDER 2009

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 26 day of October 2009 and may be cited as The Derbyshire County Council (Chatsworth Road, Chatsworth Avenue, Glenthorne Close, Haddon Close, Linden Avenue, Quarry Lane, Rye Flat Lane and Vincent Crescent, Chesterfield) (Prohibition of Waiting) Order 2009.

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.

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 traffic Management Act 2004.

3 PROHIBITION OF WAITING

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 or a Parking Attendant cause or permit any vehicle to wait at any time on any day on the lengths of road specified in the Schedule 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 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.~~

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 Any permanent Traffic Regulation Orders made prior to this Order, insofar as they relate to the lengths of road listed below, insofar as they relate to the prohibitions and restrictions listed below, are hereby revoked.

SCHEDULE

NO WAITING AT ANY TIME **LENGTHS OF ROAD IN CHESTERFIELD:** **Chatsworth Road** **(North Side)**

From a point 60 metres west of Storrs Road in an easterly direction to a point 29 metres east of Storrs Road.

From a point 10 metres west of Chatsworth Avenue in an easterly direction to a point 10 metres east of Chatsworth Avenue.

Chatsworth Road
(North Side) Continued

From a point 10 metres west of Vincent Crescent in an easterly direction to a point 10 metres east of Vincent Crescent.

From a point 10 metres west of Quarry Lane in an easterly direction to a point 10 metres east of Quarry Lane.

From a point 10 metres west of Glenthorne Close in an easterly direction to a point 10 metres east of Glenthorne Close.

Chatsworth Road
(South Side)

From a point 35 metres east of Somersall Lane in an easterly direction to a point 25 metres west of Queen Mary Road.

From a point 20 metres east of Queen Mary Road in an easterly direction to its junction with Linden Avenue.

From a point 15 metres east of Linden Avenue in an easterly direction for a distance of 55 metres.

From a point 10 metres west of Poplar Avenue in an easterly direction to a point 10 metres east of Poplar Avenue

From a point 10 metres west of Rye Flat Lane in an easterly direction to a point 10 metres east of Rye Flat Lane.

From a point 10 metres west of Haddon Close in an easterly direction to a point 10 metres east of Haddon Close.

Chatsworth Avenue
(Both Sides)

From its junction with Chatsworth Road in a northerly direction for a distance of 10 metres.

Glenthorne Close
(Both Sides)

From its junction with Chatsworth Road in a northerly direction for a distance of 10 metres.

Haddon Close
(Both Sides)

From its junction with Chatsworth Road in a southerly direction for a distance of 10 metres.

Linden Avenue
(West Side)

From its junction with Chatsworth Road in a southerly direction for a distance of 10 metres.

Quarry Lane
(Both Sides)

From its junction with Chatsworth Road in a northerly direction for a distance of 10 metres.

Rye Flat Lane
(Both Sides)

From its junction with Chatsworth Road in a southerly direction for a distance of 10 metres

Vincent Crescent
(Both Sides)

From its junction with Chatsworth Road in a northerly direction for a distance of 10 metres.

As shown for illustration purposes only on the attached plan.

THE COMMON SEAL of the Derbyshire)
County Council was hereunto affixed)
the Fifteenth day of October Two)
thousand and Nine in the presence of:-)


County Secretary

Number in Seal
Book 2009/972

Brookfield

SOMERSALL LANE

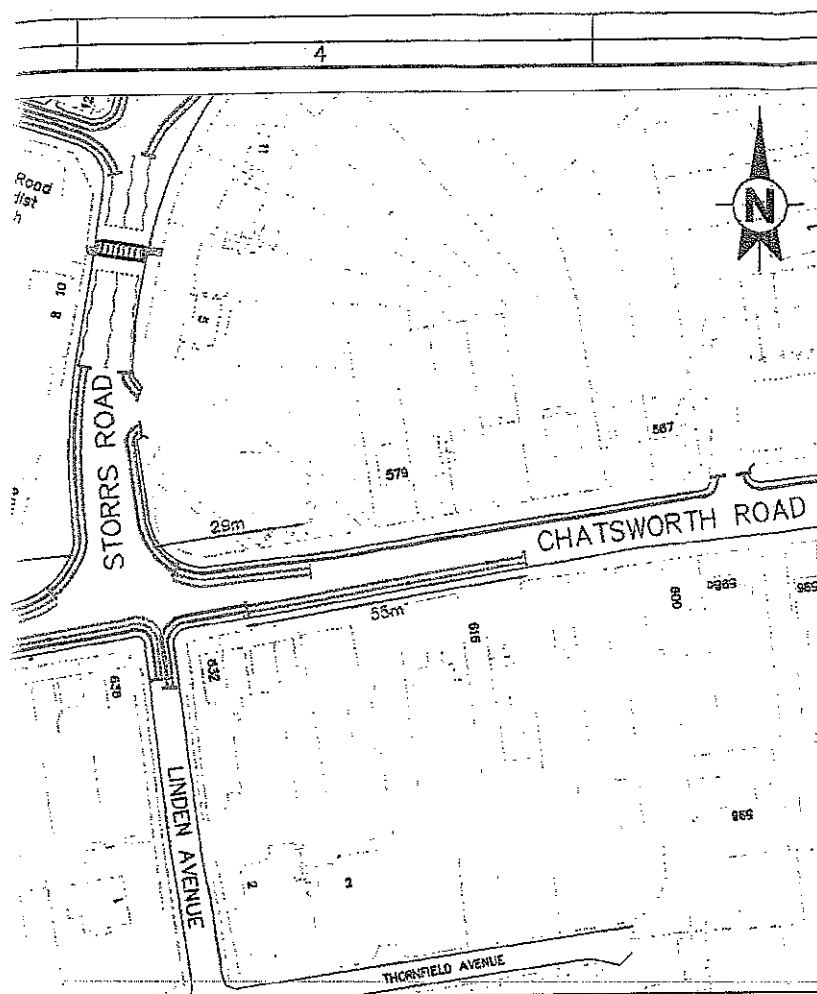
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ROAD

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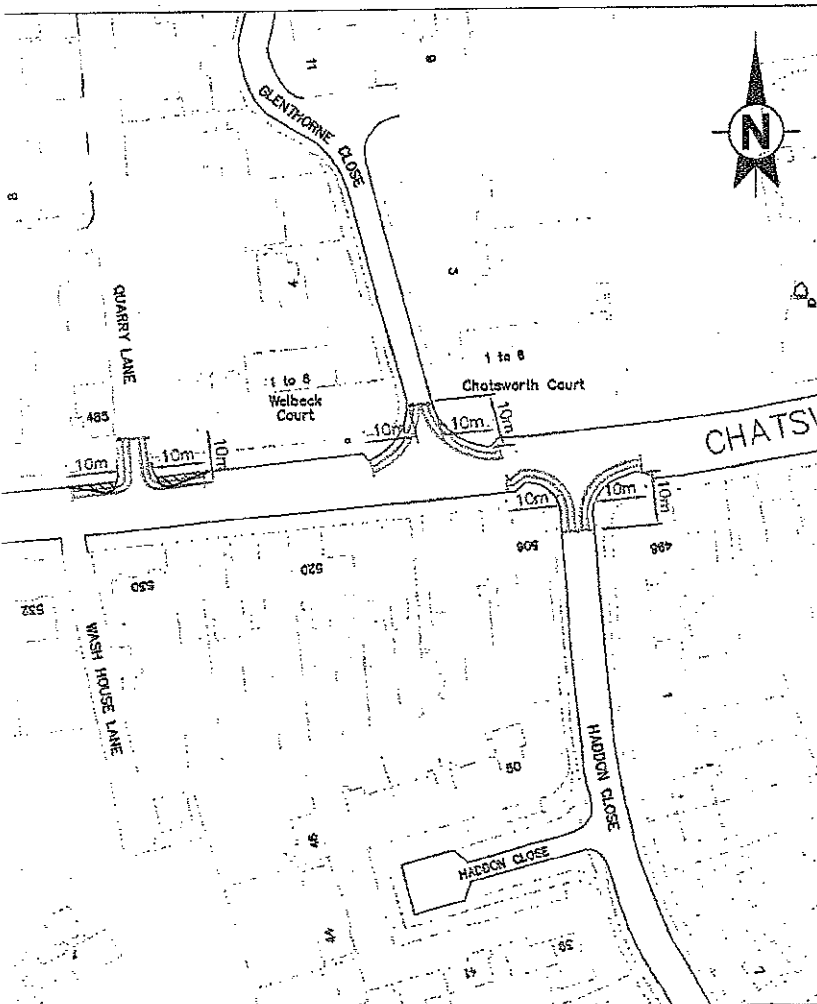




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KEY

- Existing carriageway markings
- Proposed carriageway markings



AMENDMENT DETAILS

By	Date	No.
SM	17/06/08	

ORIGINAL DRAWING SIZE 420 x 594(A2)

D DERBYSHIRE
COUNTY COUNCIL

IAN W STEPHENSON

BSc C.Eng M.I.C.E M.I.H.T

STRATEGIC DIRECTOR OF ENVIRONMENTAL SERVICES

PROJECT TITLE

CHATSWORTH ROAD
CHESTERFIELD

DRAWING TITLE

PROPOSED
NO WAITING AT ANY
TIME RESTRICTIONS

DRAWING No.

NET/SM/79/08

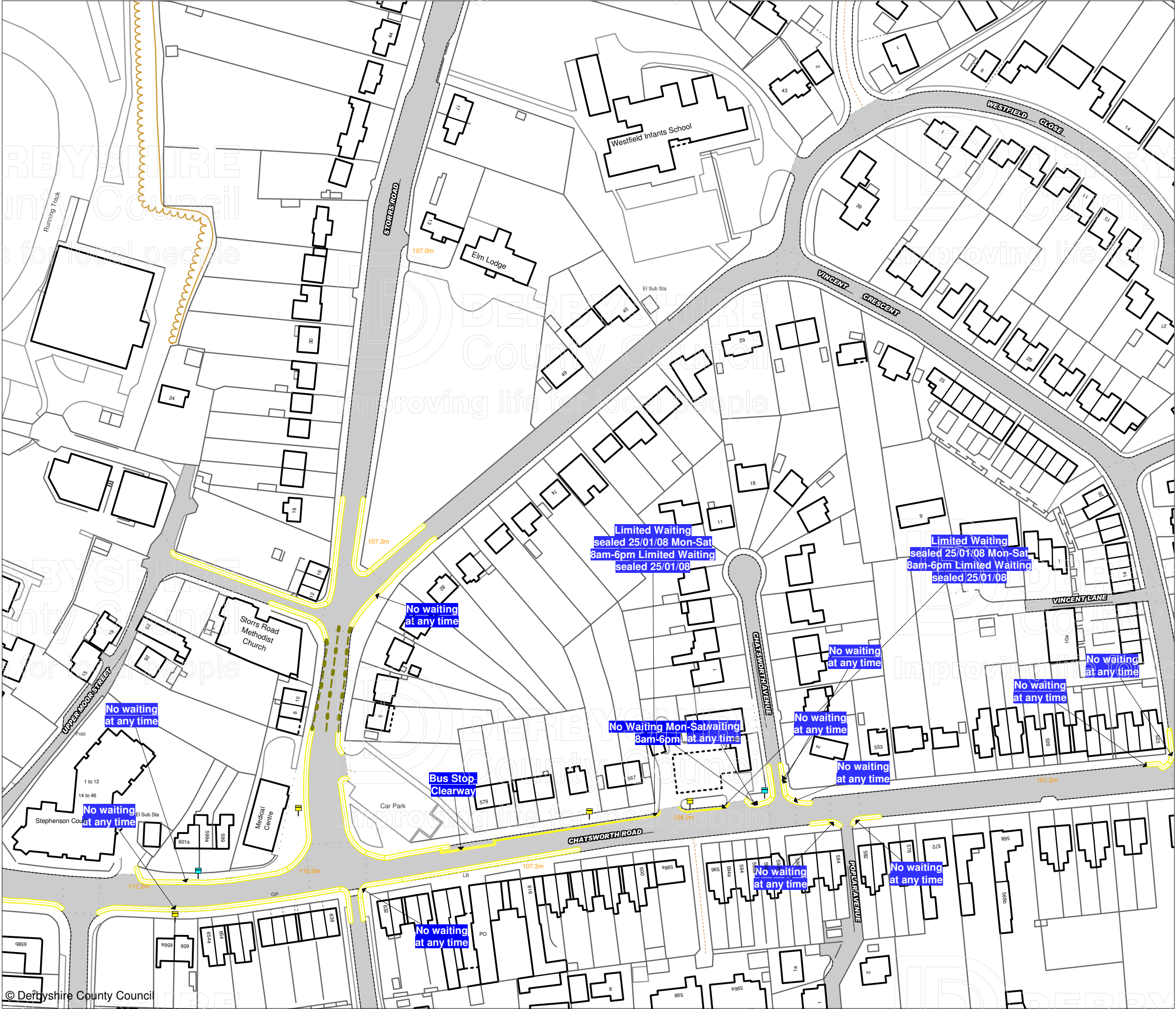
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Prohibition and Restriction of Waiting, On Street Parking and Clearways.

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

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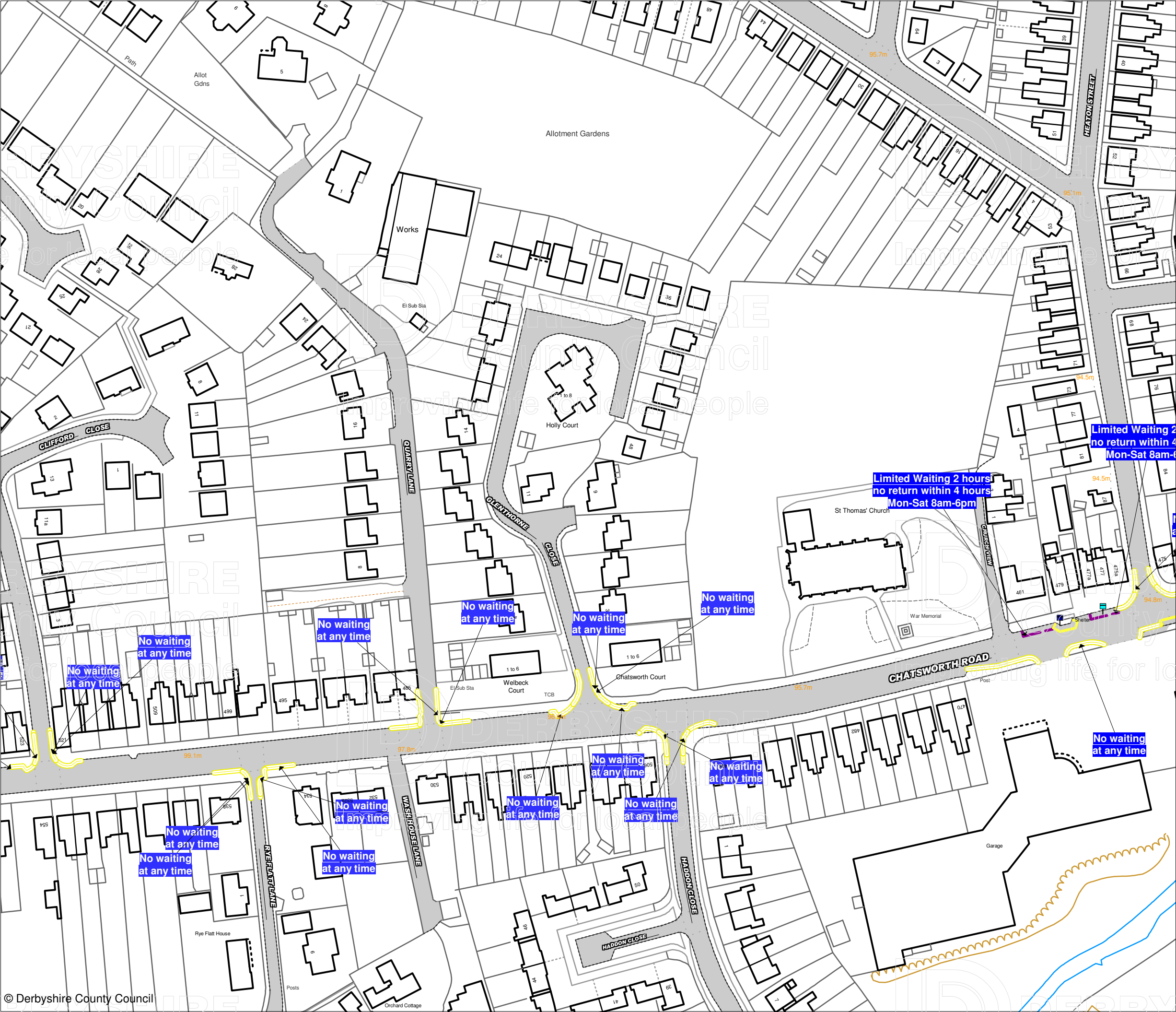
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Prohibition and Restriction of Waiting, On Street Parking and Clearways.

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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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