

DATED 24 JUNE 2010

THE DERBYSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE DERBYSHIRE COUNTY COUNCIL

**(BRIDGE STREET, SMITHY AVENUE,
UPPER MANTLE CLOSE, LOWER MANTLE CLOSE,
ELDON STREET, FURNACE HILL ROAD AND
DEWLEY WAY, CLAY CROSS)**

(PROHIBITION OF WAITING) ORDER 2010

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ROAD TRAFFIC REGULATION ACT 1984

(BRIDGE STREET, SMITHY AVENUE, UPPER MANTLE CLOSE, LOWER MANTLE CLOSE, ELDON STREET, FURNACE HILL ROAD AND DEWLEY WAY, CLAY CROSS)

(PROHIBITION OF WAITING) ORDER 2010

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") 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 Fifth day of July Two thousand and Ten and may be cited as "The Derbyshire County Council (Bridge Street, Smithy Avenue, Upper Mantle Close, Lower Mantle Close, Eldon Street, Furnace Hill Road and Dewley Way, Clay Cross) (Prohibition of Waiting) Order 2010".

2 INTERPRETATION

In this Order:-

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

2.2 "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.

2.3 "Disabled person's badge" has the same meaning as in the Disabled Persons (Exemptions for Disabled Persons) (England) Regulations 2000.

2.4 "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.

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

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

3 WAITING RESTRICTIONS

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 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.

3.2 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 cause or permit any vehicle to wait between the hours of 9am and 6pm on any day (other than a Sunday) on the length of road specified in Schedule 2 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 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 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.

5.3 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.

5.4 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".

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 REVOCATION OF PREVIOUS ORDERS

8.1 "The Derbyshire County Council (Bridge Street, Clay Cross) (Prohibition of Waiting) Order 1982" is hereby revoked in its entirety.

8.2 Any permanent Traffic Regulation Orders made prior to this Order, insofar as they relate to Waiting Restrictions on Eldon Street, Clay Cross are hereby revoked.

SCHEDULE 1

NO WAITING AT ANY TIME

Bridge Street

East side:

From its junction with the A6175 Market Street for a distance of 61 metres in a northerly direction.

From a point 70 metres north of its junction with the A6175 Market Street to its junction with Lower Mantle Close.

From its junction with Lower Mantle Close to its junction with Furnace Hill Road.

West side:

From its junction with the A6175 Market Street to its junction with Eyre Street (south side).

From its junction with Eyre Street (north side) to its junction with Eldon Street (south side).

From its junction with Eldon Street (north side) to its junction with Smithy Avenue.

From its junction with Smithy Avenue (north side) to its junction with Upper Mantle Close (south side).

From its junction with Upper Mantle Close (north side) to its junction with Furnace Hill Road.

Smithy Avenue

South side:

From its junction with the A61 Derby Road to its junction with Bridge Street.

North side:

From its junction with the A61 Derby Road to its junction with Bridge Street.

West side:

From its junction with Eldon Street for a distance of 28 metres in a northerly direction.

East side:

From its junction with Eldon Street for a distance of 12 metres in a northerly direction.

Upper Mantle Close

South side:

From its junction with Bridge Street for a distance of 16 metres in a westerly direction.

North side:

From its junction with Bridge Street for a distance of 21 metres in a westerly direction.

Lower Mantle Close

South side:

From its junction with Bridge Street for a distance of 16 metres in an easterly direction.

North side:

From its junction with Bridge Street for a distance of 16 metres in an easterly direction.

Eldon Street

North side:

From its junction with Bridge Street to its junction with Smithy Avenue.
From its junction with Smithy Ave to its junction with the A61 Derby Road.

South side:

From its junction with Bridge Street for a distance of 38 metres in a westerly direction.
From its junction with the A61 Derby Road for a distance of 49.5 metres in an easterly direction.

Furnace Hill Road

North side:

From its junction with the A6175 for a distance of 42 metres in a northerly direction.
From a point 60 metres north west of its junction with the A6175 for a distance of 173 metres in a westerly direction.
From its junction with Bridge Street for a distance of 124 metres in an easterly direction.

South side:

From its junction with Bridge Street to its junction with Dewley Way.
From its junction with Dewley Way for a distance of 10 metres in an easterly direction.
From a point 78 metres east of its junction with Dewley Way for a distance of 60 metres in a southerly direction.
From its junction with the A6175 for a distance of 55 metres in a northerly direction.

Dewley Way

East side:

From its junction with Furnace Hill Road for a distance of 16 metres in a southerly direction.

West side:

From its junction with Furnace Hill Road for a distance of 16 metres in a southerly direction.

SCHEDULE 2

NO WAITING 9AM TO 6PM
MONDAY TO SATURDAY

Furnace Hill Road

South side:

From a point 10 metres east of its junction with Dewley Way for a distance of 68 metres in an easterly direction.

THE COMMON SEAL of the Derbyshire)
County Council was hereunto affixed)
The Twenty-fourth day of June Two)
thousand and Ten in the presence of: -)

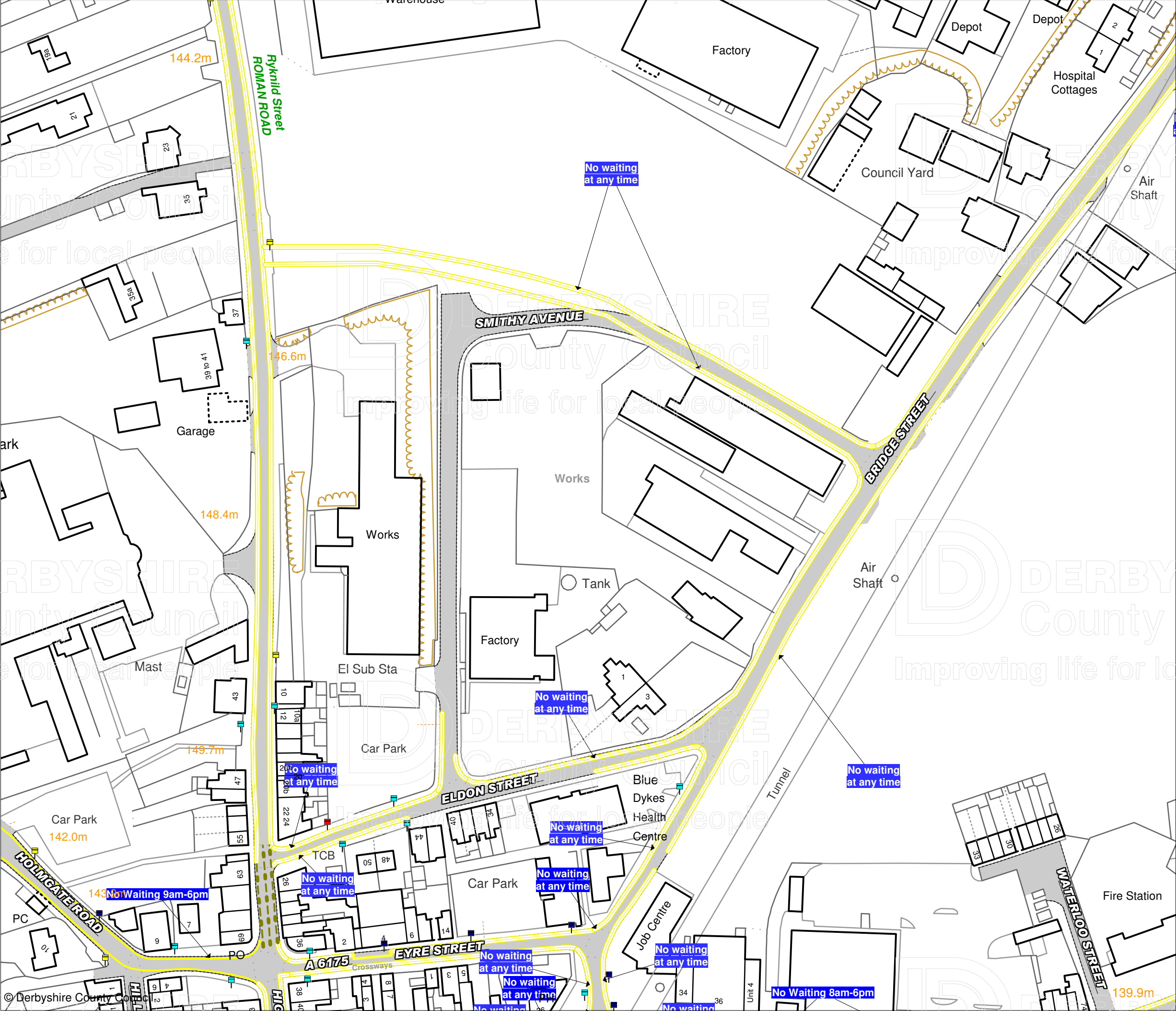
Jacqueline Cullen

Amrutha

Director of Legal Services

Number in Seal
Book 2010/622





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

DRAWING TITLE

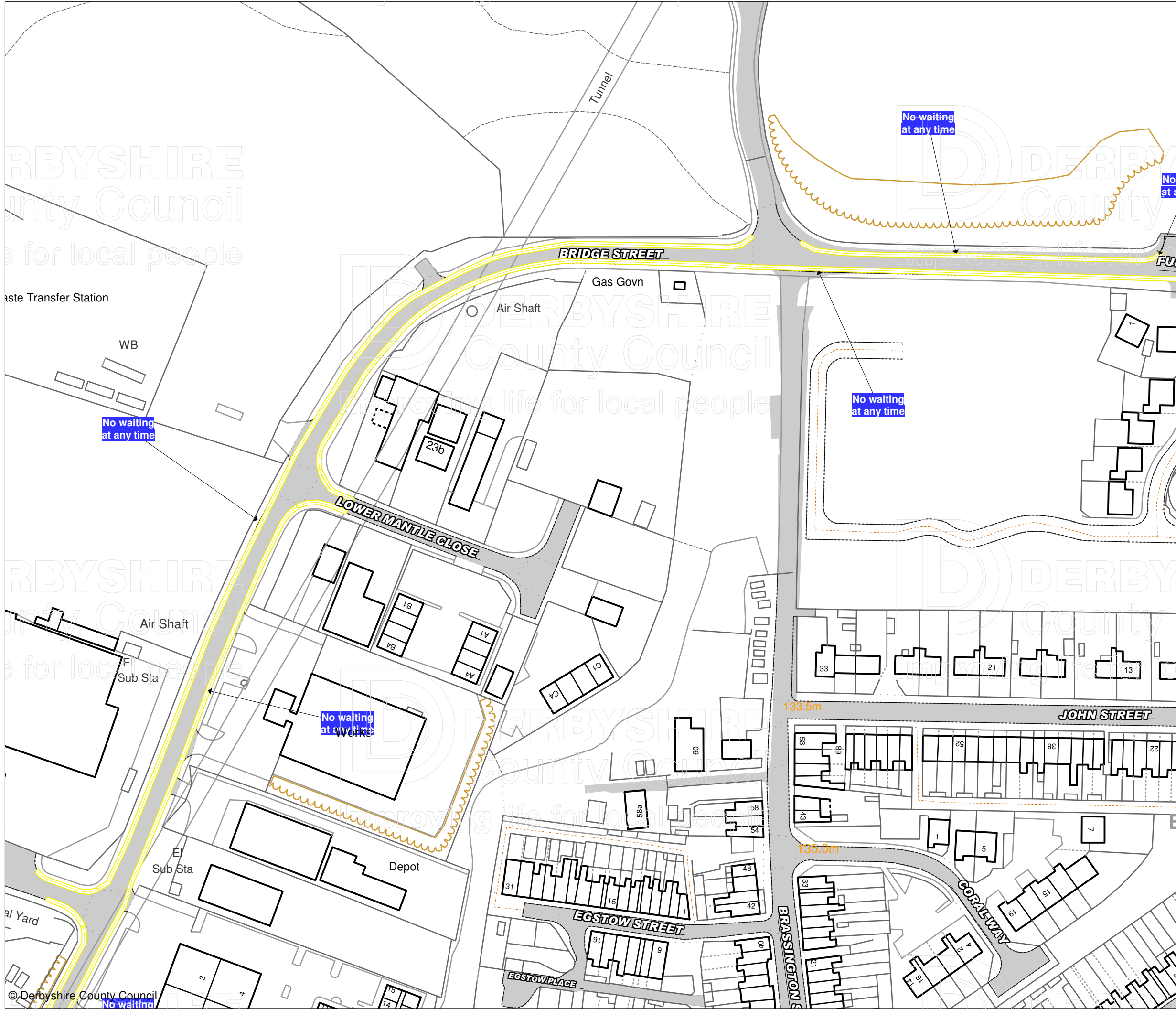
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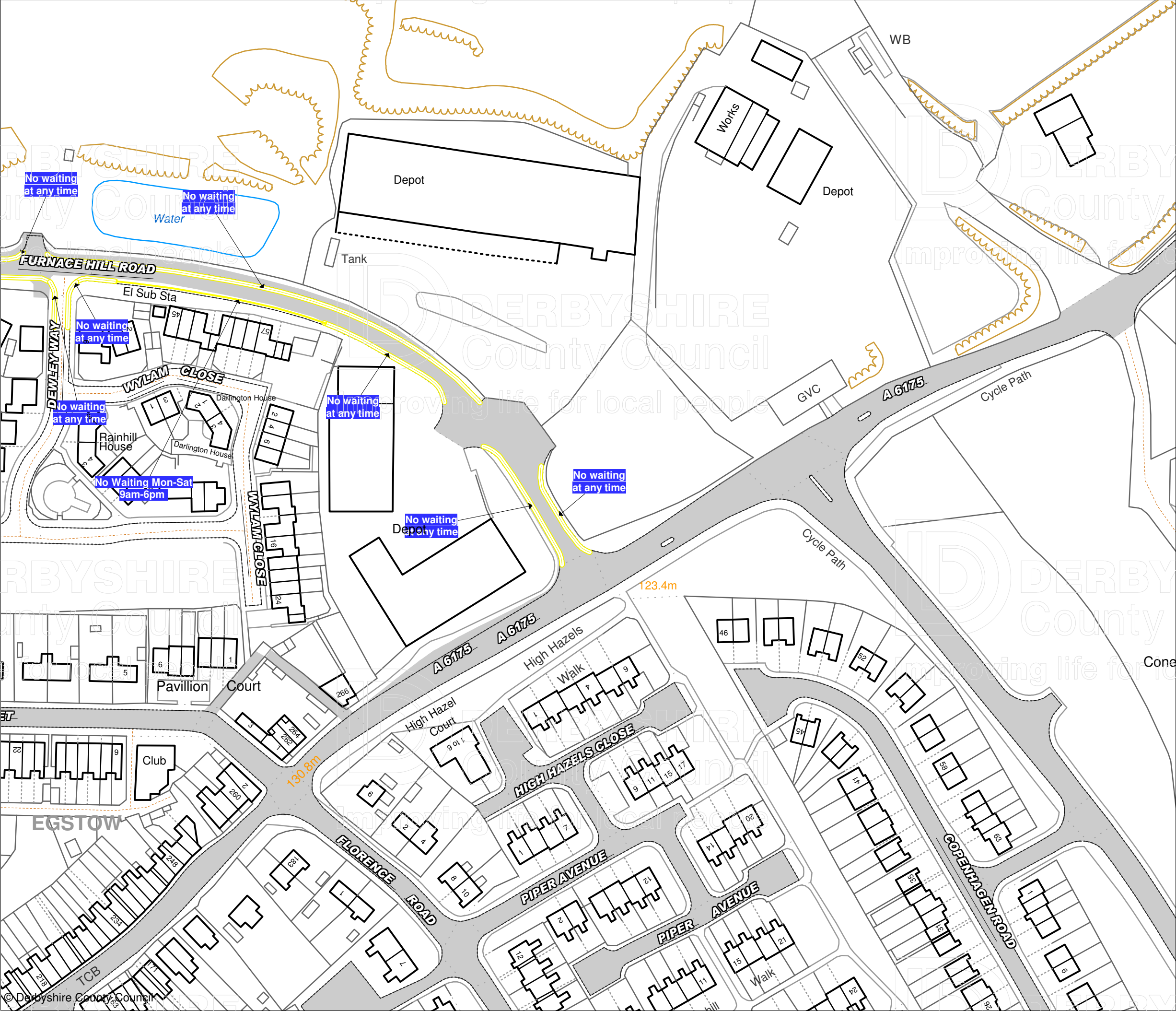
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