

DATED 09 SEPTEMBER 2010

THE DERBYSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE DERBYSHIRE COUNTY COUNCIL

**(HIGH STREET, ASH STREET,
HOLLINS STREET AND CLOUGH STREET,
BUXTON)**

(WAITING RESTRICTIONS) ORDER 2010

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THE DERBYSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

(HIGH STREET, ASH STREET, HOLLINS STREET AND CLOUGH STREET, BUXTON)

(PROHIBITION OF WAITING AND WAITING RESTRICTIONS) ORDER 2010

The Derbyshire County Council in exercise of its powers under Sections 1, 2 and 4 of the Road Traffic Regulation Act 1984 ("the Act"), Part IV of Schedule 9 of 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 Twentieth day of September Two thousand and Ten and may be cited as "The Derbyshire County Council (High Street, Ash Street, Hollins Street And Clough Street, Buxton) (Waiting Restrictions) Order 2010".

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 "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 2004 Act

2.11 "The 2004 Act" means the Traffic Management Act 2004.

2.12 "Electronic Communications Apparatus", "Electronic Communications Network" and any "Electronic Communications Line" shall have the same meaning as in the Communications Act 2003.

2.13 "Goods" means goods or burden of any description

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

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 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.

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 or a CEO, cause or permit any Vehicle to wait between the hours of 8am and 6pm on any day on the lengths of road specified in Schedule 2 to this Order.

3.3 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, cause or permit any Vehicle to wait between the hours of 9am and 5pm on any day for longer than 40 minutes, no return within 1 hour on the lengths of road specified in Schedule 3 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 Electronic Communications Line;
 - (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 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;
 - (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) 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
 - (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 Articles 3.1 and 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, 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 3.3 shall render it unlawful to cause or permit a Disabled Person's Vehicle which displays in the relevant position a Disabled Person's Badge 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 "The Derbyshire County Council, Derbyshire Dales and High Peak Parking Waiting and Loading Prohibitions and restrictions consolidation Orders 2009" is hereby revoked in so far as it relates to the following restrictions and stretches of road in Buxton:-

i) NO WAITING 8AM – 6PM on:

High Street, east side, from a point 62 metres south of its junction with South Street in a southerly direction to its junction with Dale Road;

Ash Street, south east side, from its junction with High Street in a north easterly direction to a point 6 metres north east of that junction; and

Ash Street, north west side, from its junction with Clough Street in a south westerly direction to its junction with High Street;

ii) LIMITED WAITING 2 HOURS, NO RETURN WITHIN 1 HOUR,
MONDAY to SATURDAY 9AM – 6PM on:

Hollins Street, south east side, from a point 51 metres north east of its junction with Clough Street in a north easterly direction for a distance of 45 metres and from a point 3 metres north east of its junction with Clough Street in a north easterly direction to a point 41 metres north east of that junction.

iii) LIMITED WAITING 40 MINUTES, NO RETURN WITHIN 1 HOUR, 8AM – 6PM on:
Clough Street, north east side, from a point 3 metres north west of its junction with Hollins Street in a north westerly direction to a point 35 metres north west of that junction;

Clough Street, west side, from its junction with Ash Street in a northerly direction to a point 23 metres north of that junction and;

Ash Street, south east side, from a point 6 metres north east of its junction with High Street in a north easterly direction to a point 45 metres north east of that junction.

SCHEDULE 1

NO WAITING AT ANY TIME:-

Ash Street, Buxton

South side

From its junction with High Street in an easterly direction for a distance of 6 metres.

North side

From its junction with High Street in an easterly direction to its junction with Clough Street.

High Street, Buxton

East side

From its junction with Ash Street in northerly direction for a distance of 5 metres.

From its junction with Ash Street in southerly direction for a distance of 5 metres.

Clough Street, Buxton

West side

From its junction with Ash Street in northerly direction for a distance of 5 metres.

SCHEDULE 2

NO WAITING 8AM – 6PM:

High Street, Buxton

East side

From a point 62 metres south of its junction with South Street in a southerly direction to a point 5 metres north of its junction with Ash Street.

From a point 5 metres south of its junction with Ash Street in a southerly direction to its junction with Dale Road.

SCHEDULE 3

LIMITED WAITING 9AM TO 5PM
40 MINUTES NO RETURN WITHIN 1 HOUR

Clough Street, Buxton

West side

From a point 5 metres north of its junction with Ash Street in a northerly direction for a distance of 18 metres.

Ash Street, Buxton

South side

From a point 6 metres east of its junction with High Street in an easterly direction to a point 16 metres west of its junction with Clough Street.

THE COMMON SEAL of the Derbyshire)
County Council was hereunto affixed)
the Ninth day of September Two)
thousand and Ten in the presence of:-)

Jacqueline Allen

Amstram County Secretary

Noted in Sent

2010/906

KEY

- Existing No Waiting 8am-6pm and Existing No Waiting Mon-Sat 8am-6pm restrictions to remain
- Existing No Waiting 8am-6pm to be changed to No Waiting at any time
- Existing Limited Waiting 40 minutes no return within 1 hour 8am-6pm to be changed to 40 minutes no return within 1 hour 9am-6pm
- OR
- Existing Limited Waiting restrictions to be revoked
- Existing Disabled Parking bay to remain
- Proposed No Waiting at any time

| AMENDMENT DETAILS | By | Date No. |
|-------------------|----------|----------|
| Drawn by SM | | |
| DATE | 15/03/10 | NTS |

ORIGINAL DRAWING SIZE 210 x 298 (A4)

DERBYSHIRE
COUNTY COUNCIL

IAN W STEPHENSON

650 050 6100 6100
STRATEGIC DIRECTOR OF ENVIRONMENTAL SERVICES

PROJECT TITLE

ASH STREET AND
HOLLINS STREET
BUXTON

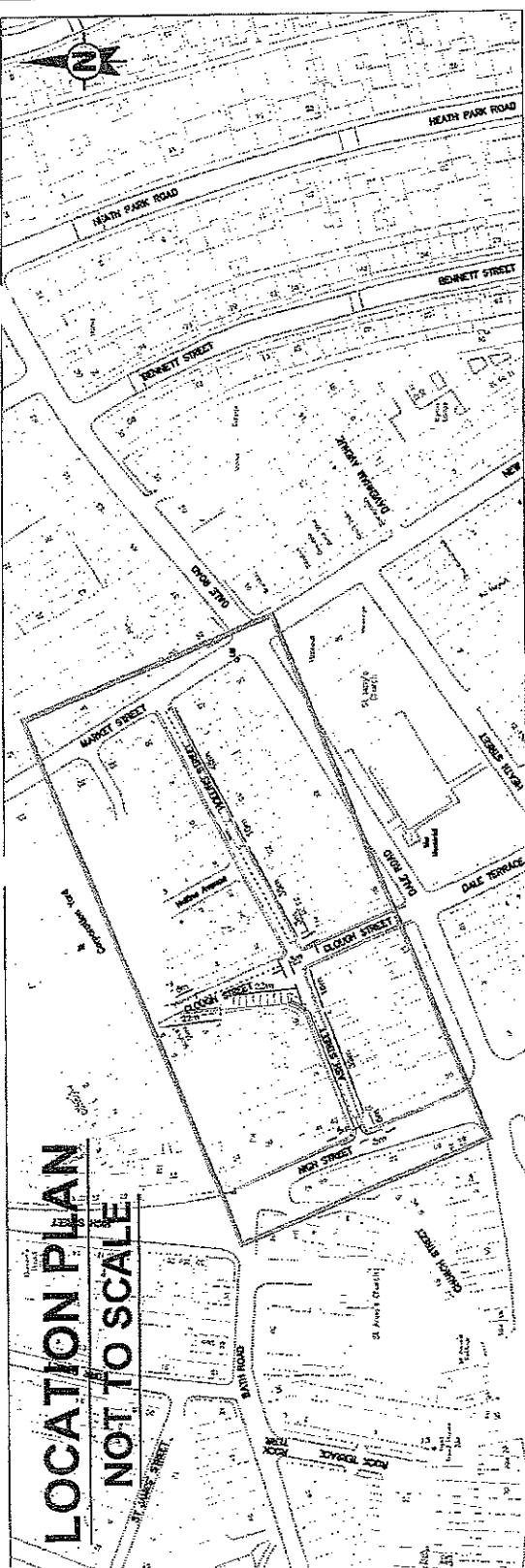
DRAWING TITLE

PROPOSED
AMENDMENTS TO
EXISTING RESTRICTIONS

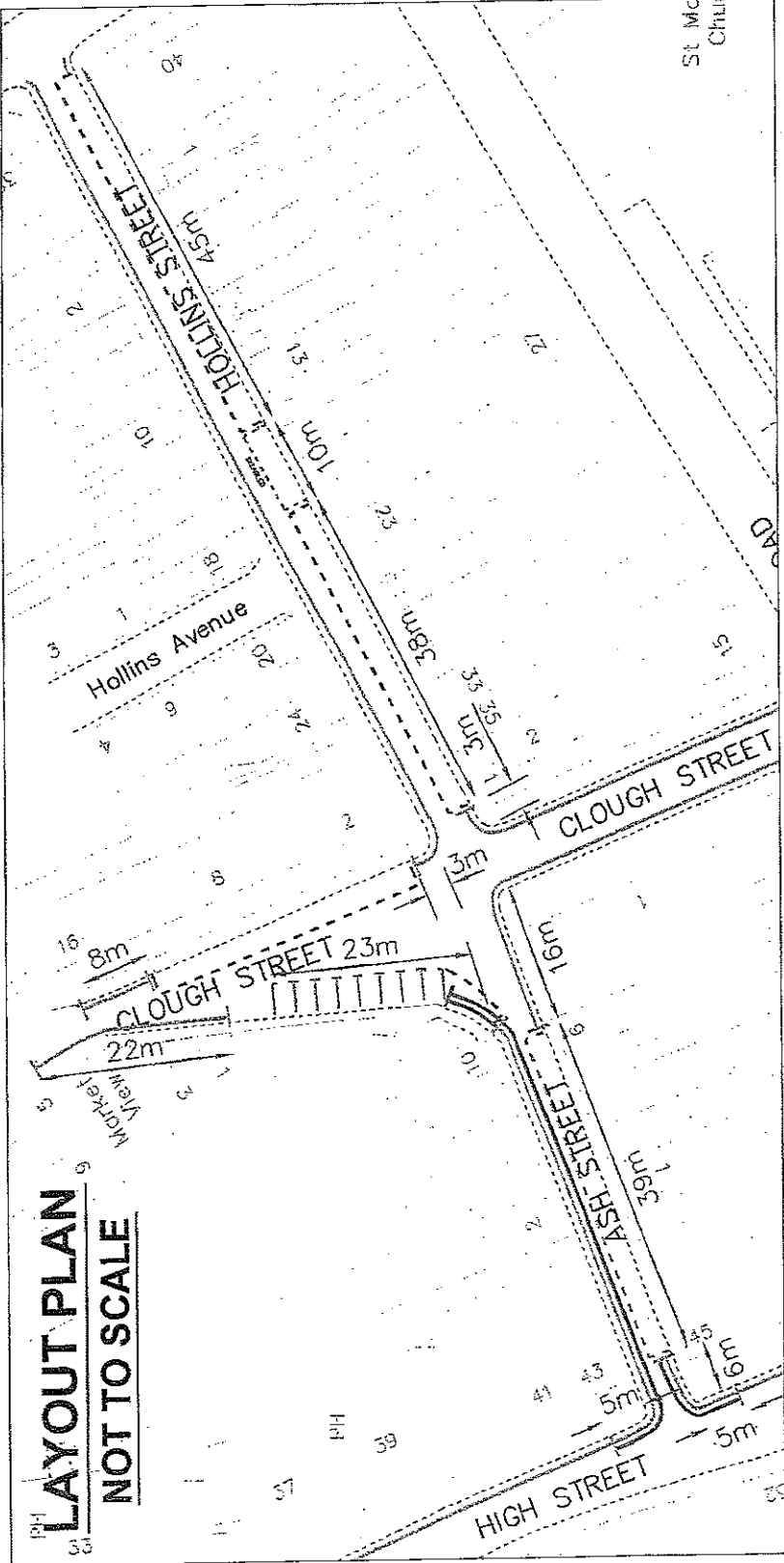
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NTA/SM/50/10

LOCATION PLAN NOT TO SCALE



LAYOUT PLAN NOT TO SCALE





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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