

DATED 10 FEBRUARY 2011

THE DERBYSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE DERBYSHIRE COUNTY COUNCIL

(PARK ROAD, CHESTERFIELD)

**(PROHIBITION OF LOADING AND
LOADING ONLY BAYS) ORDER 2011**

J McELVANEY

MATLOCK

THE DERBYSHIRE COUNTY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984
(PARK ROAD, CHESTERFIELD)
(PROHIBITION OF LOADING AND
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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"), 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

This Order shall come into operation on Twenty-first day of February Two thousand and Eleven and may be cited as The Derbyshire County Council (Park Road, Chesterfield) (Prohibition of Loading and Loading Only Bays) Order 2011.

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.
- 2.7 "Goods" means goods or burden of any description;

2.8 "Goods Vehicle" means a motor Vehicle which is constructed or adapted for use for the carriage of goods or a trailer so constructed or adapted, as in Section 192(1) of the Road Traffic Act 1988;

2.9 "Loading and Unloading" means the transference, from or to a Vehicle, to or from premises, of Goods;

3 GENERAL EXEMPTIONS

3.1 Nothing in Articles 4 or 5 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) 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;

(ii) 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;

(iii) the vehicle to be used for the purpose of delivering or collecting postal packets as defined in The Postal Services Act 2000;

(iv) the vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to the said lengths of road;

(v) 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;

(vi) the vehicle to be used for fire brigade, ambulance or police purposes;

4 PROHIBITION OF LOADING

4.1 Save as provided in Article 3 to this Order no Vehicle, except upon the direction or with the permission of a Police Constable in uniform or a CEO, shall load when a loading prohibition is in force on the roads or sides of the roads at any time on the lengths of road specified in Schedule 1.

5 LOADING BAY

5.1 The area of highway specified in Schedule 2 to this Order shall be designated a Loading Bay for Goods Vehicles only for the Loading and Unloading of Goods at any time.

5.2 Nothing in this Order shall render it unlawful for a Goods Vehicle to load and unload in the Loading Bay provided that such a Vehicle is parked within the limits of the bay.

6 EFFECT OF ORDER

6.1 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.

7 REVOCATION OF PREVIOUS ORDER

7.1 The Derbyshire County Council "The Chesterfield Consolidation Order 2009" is hereby revoked insofar as it relates to the lengths of road within schedule 2 of this order.

SCHEDULE 1

NO LOADING AT ANY TIME

Park Road, Chesterfield

West Side

From a point 13 metres south of its junction with New Beetwell Street for a distance of 20 metres in a southerly direction.

From a point 54 metres south of its junction with New Beetwell Street for a distance of 47 metres in a southerly direction.

East side

From its junction with New Beetwell Street for a distance of 13 metres in a Southerly direction.

From a point 23 metres south of its junction with New Beetwell Street for a distance of 8 metres in a southerly direction.

SCHEDULE 2

LOADING ONLY BAY

Park Road, Chesterfield

West Side

From a point 33 metres south of its Junction with New Beetwell Street in a Southerly direction for a distance of 21 metres.

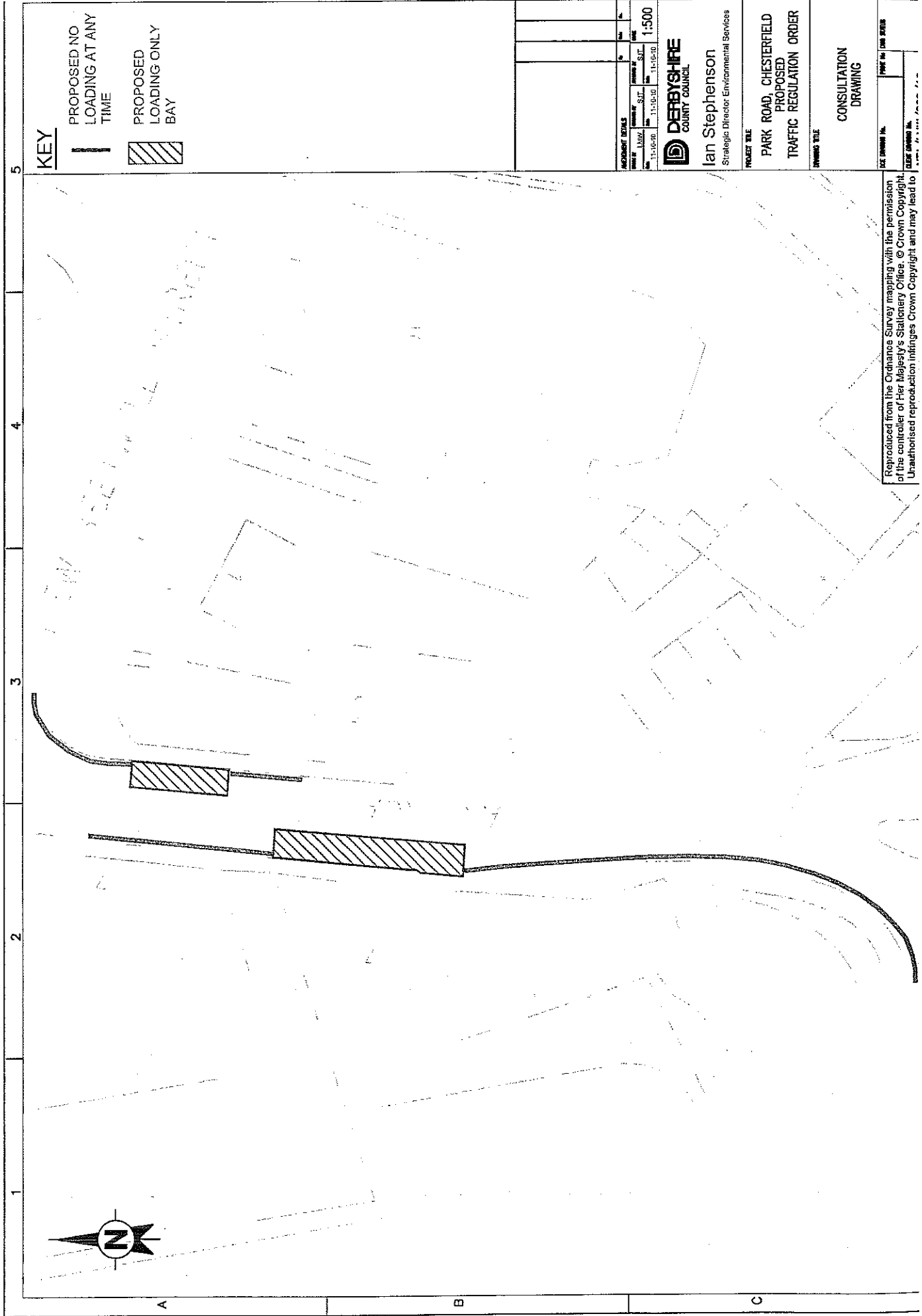
East Side

From a point 13 metres south of its junction with New Beetwell Street in a Southerly direction for a distance of 10 metres.



THE COMMON SEAL of the Derbyshire)
County Council was hereunto affixed)
the Tenth day of February Two thousand)
and Eleven in the presence of:-)


Director of Legal Services

Number in Seal
Book 2011/111



KEY

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 PROPOSED NO LOADING AT ANY TIME
- 
 PROPOSED LOADING ONLY BAY

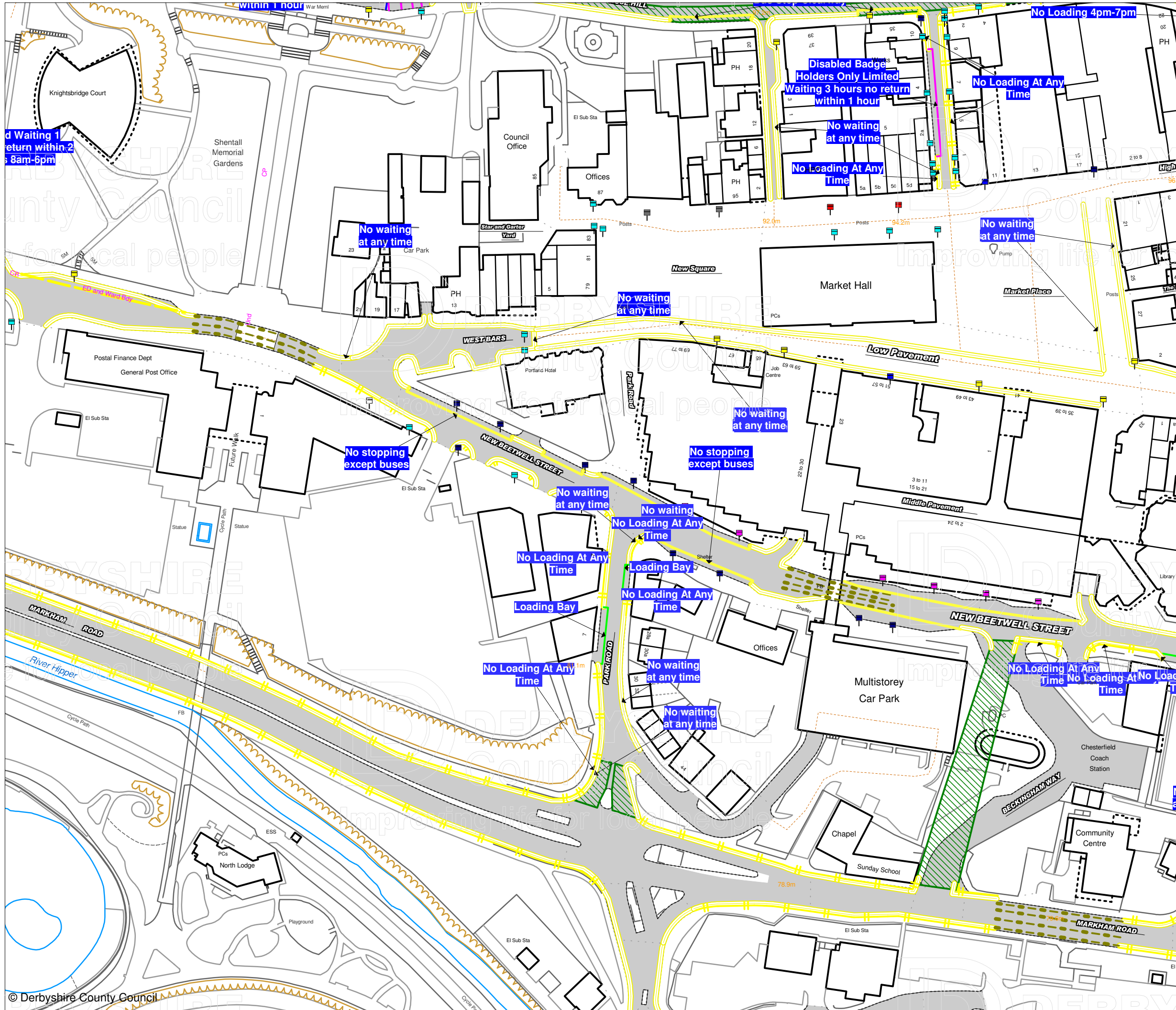
PROJECT TITLE	DATE	SCALE
PARK ROAD, CHESTERFIELD	11/06/08	1:500



Ian Stephenson
Strategic Director Environmental Services

PROJECT TITLE	PROJECT NO.	DATE
PARK ROAD, CHESTERFIELD PROPOSED TRAFFIC REGULATION ORDER		
PROJECT TITLE	CONSULTATION DRAWING	

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

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CONFIRMED



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

DRAWING TITLE	
Tile Ref: CT103	
SCALE	1 : 1250
DATE	21/02/2011
DRAWING No.	2
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