

DATED 11 MARCH 2010

THE DERBYSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE DERBYSHIRE COUNTY COUNCIL

**(MOUNT PLEASANT ROAD / BURTON ROAD /
BRIDGE STREET, CASTLE GRESLEY)**

(PROHIBITION OF WAITING) ORDER 2010

D W TYSOE

MATLOCK

THE DERBYSHIRE COUNTY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984
(MOUNT PLEASANT ROAD / BURTON ROAD /
BRIDGE STREET, CASTLE GRESLEY)
(PROHIBITION OF WAITING) ORDER 2010

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 (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 Eighth day of March Two Thousand and Ten and may be cited as "The Derbyshire County Council (Mount Pleasant Road / Burton Road / Bridge Street, Castle Gresley) (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, or a CEO or a Parking Attendant, cause or permit any vehicle to wait at any time on any day on the length of road specified in the Schedule to this Order.

4 GENERAL EXEMPTIONS

4.1 Nothing in Article 3.1 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 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.

SCHEDULE

NO WAITING AT ANY TIME

Mount Pleasant Road, Castle Gresley

East side

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

Burton Road, Castle Gresley

East side

From its junction with Bridge Street for a distance of 10 metres in a northerly direction.

Bridge Street, Castle Gresley

North side

From its junction with Mount Pleasant Road for a distance of 13 metres in an easterly direction.

South side

From its junction with Mount Pleasant Road for a distance of 17 metres in an easterly direction.

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


Karen Riley
Asst. County Secretary

Number in Seal
Book 2010/245

DERBYSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

(MOUNT PLEASANT ROAD / BURTON ROAD / BRIDGE STREET, CASTLE GRESLEY)

(PROHIBITION OF WAITING) ORDER 2010

STATEMENT OF REASONS

Derbyshire County Council is proposing to introduce the above Order:

As vehicles parked close to the junction of Bridge Street with both Burton Road and Mount Pleasant Road are affecting the visibility for motorists as they enter and leave Bridge Street. Further it is suggested that vehicles are parking across and obstructing the access road to Crown Mews. It is also stated by the Parish Council that vehicles parking on the footway at the junction of Bridge Street with Mount Pleasant Road not only affect visibility for motorists but obstruct pedestrians as they use the footway.

Following consultations with the Cabinet Member for Highways and Transport, it was agreed to make the Order after no objections were received following the public advertisement of the proposals.

The proposals are more particularly delineated in the copy of the Order which accompanies this Statement.

Ian Stephenson, Strategic Director - Environmental Services Department,
Derbyshire County Council, County Hall, Matlock DE4 3AG.

THE DERBYSHIRE COUNTY COUNCIL
(MOUNT PLEASANT ROAD / BURTON ROAD /
BRIDGE STREET, CASTLE GRESLEY)
(PROHIBITION OF WAITING) ORDER 2010

Notice is hereby given that, on 11 March 2010 the Derbyshire County Council made an Order under the Road Traffic Regulation Act 1984.

The Order comes into operation on 22 March 2010 and its effect will be:

To prohibit waiting by vehicles (except those delivering or collecting goods or loading and unloading) on the following lengths of road:-

NO WAITING AT ANY TIME

Mount Pleasant Road, Castle Gresley

East side

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

Burton Road, Castle Gresley

East side

From its junction with Bridge Street for a distance of 10 metres in a northerly direction.

Bridge Street, Castle Gresley

North side

From its junction with Mount Pleasant Road for a distance of 13 metres in an easterly direction.

South side

From its junction with Mount Pleasant Road for a distance of 17 metres in an easterly direction.

Exemptions will be made for vehicles used in connection with any building operation or demolition; removal of any obstruction to traffic; carrying out of statutory powers or duties taking in petrol etc, from any garage situated within the lengths of road; or as part of a funeral or wedding cortege. The usual exemptions for disabled persons' vehicles displaying a valid disabled person's badge will also apply.

A copy of the Order and documents giving more detailed particulars of the Order are available for inspection at the County Council's principal offices known as County Hall on Smedley Street in Matlock (in the reception room of Environmental Services Department) between 9 am and 5 pm on each day from Monday to Friday, and at Swadlincote Library, Civic Way, Swadlincote, Monday, Tuesday and Thursday 9am to 7pm, Wednesday and Friday 9am to 5.30pm, and Saturday 9am to 4pm until 22 April 2010.

Any person who wishes to question the validity of the Order, or any provision contained in it, on the ground that it is not within the powers of The Road Traffic Regulation Act 1984, or on the ground that a requirement of that Act or any relevant regulation made under it has not been complied with may, within 6 weeks from 11 March 2010 make application for the purpose to the High Court.

Dated: 18 March 2010.

Ian Stephenson, Strategic Director - Environmental Services Department,
Derbyshire County Council, County Hall, Matlock DE4 3AG.

Castle Gresley

Burton Road, East side—
proposed No Waiting at
any time from its junction
with Bridge Street in a
northerly direction for a
distance of 10 metres

Bridge Street, North side —
Proposed No Waiting at any
time from its junction with
Mount Pleasant Road for a
distance of 13 metres in an
easterly direction.

Bridge Street, South side —
Proposed No Waiting at any
time from its junction with
Mount Pleasant Road for a
distance of 17 metres in
an easterly direction

Existing No
Waiting at
any time

Mount Pleasant Road,
eastern side —
Proposed No Waiting at
any time from its
junction with Bridge
Street in a southerly
direction for a distance
of 21 metres

High Cross Bank

BURTON ROAD

BRIDGE STREET

MOUNT PLEASANT ROAD

CHAPEL STREET



Mount Pleasant
Road/ Bridge Street,
Castle Gresley

Existing No Waiting
at any time



Proposed No Waiting
at any time

AMENDMENT DETAILS			
DATE BY	DATE OF	APPROVED BY	SCALE
25 June 2009			N.T.S.



Ian Stephenson
BSc C.Eng., M.A.S.E., M.I.M.T.
Director of Environmental Services

Ordnance Survey

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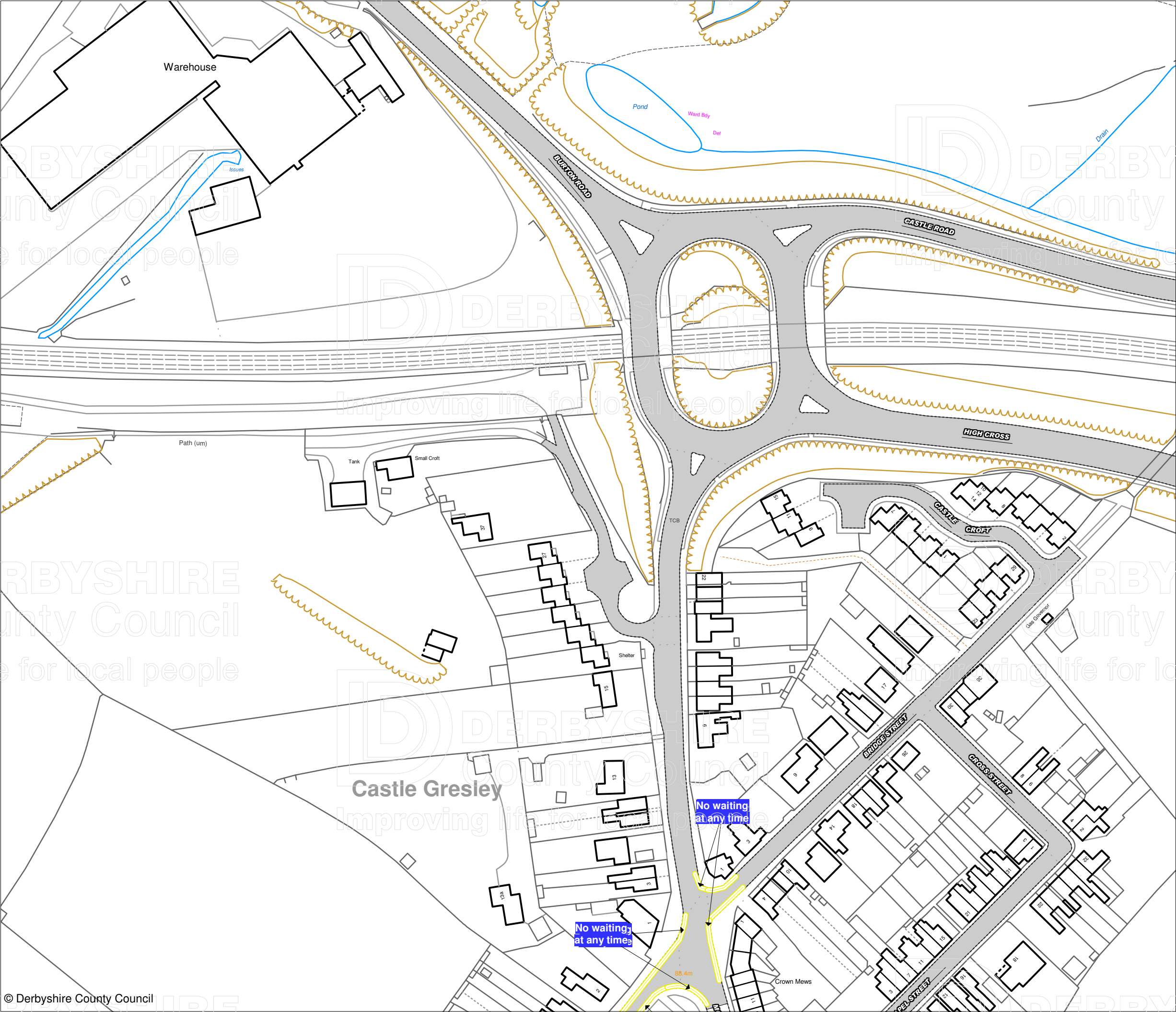
PROJECT TITLE

Proposed No Waiting at any
time restrictions

Mount Pleasant Road/
Bridge Street,
Castle Gresley

CLIENT DRAWING No. SET/KH/271/09

93.0m



**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

DRAWING TITLE

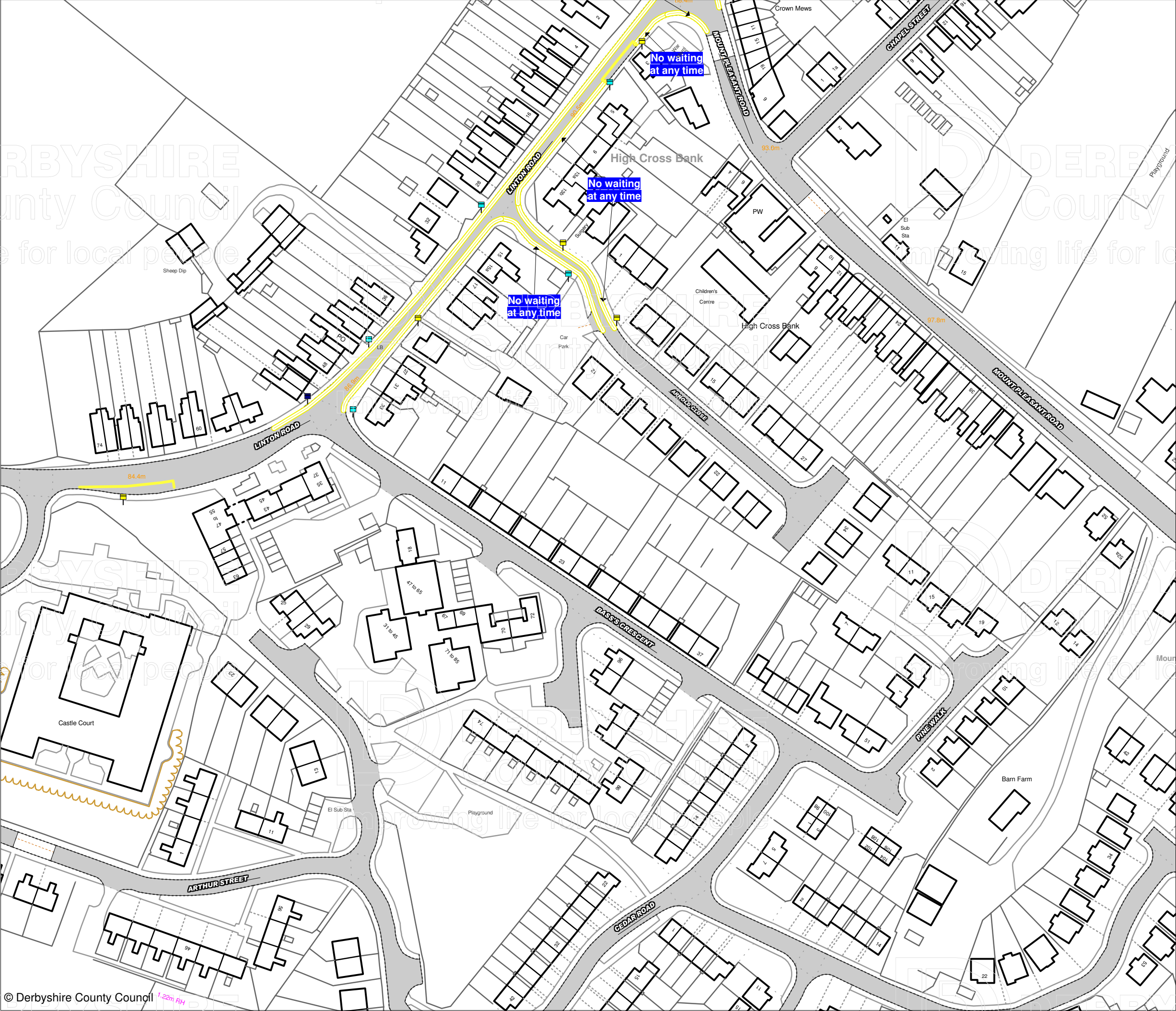
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Prohibition and Restriction of Waiting, On Street Parking and Clearways.

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Strategic Director of Environmental Services

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