

DATED 25 NOVEMBER 2010

THE DERBYSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE DERBYSHIRE COUNTY COUNCIL

**(ACCESS ROAD TO LIBRARY,
OFF KENTS BANK ROAD, BUXTON)**

**(PROHIBITION OF WAITING AND LOADING)
ORDER (No 2)2010**

J McELVANEY

MATLOCK

THE DERBYSHIRE COUNTY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984
(ACCESS ROAD TO LIBRARY,
OFF KENTS BANK ROAD, BUXTON)
(PROHIBITION OF WAITING AND LOADING)
ORDER (No 2) 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"), 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 the Sixth day of December Two thousand and Ten and may be cited as "The Derbyshire County Council (Access Road to Library off Kents Bank Road, Buxton) (Prohibition of Waiting and Loading) Order (No 2) 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.

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 WAITING RESTRICTIONS

3.1 Save as provided in articles 4 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, Monday to Friday, on the length of road specified in Schedule 1 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, unless a Loading Prohibition is in force;

(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, unless a Loading Prohibition is in force.

5 PROHIBITION OF LOADING

5.1 Save as provided in Article 4 to this Order no Vehicle, except upon the direction or with the permission of a Police Constable in uniform, or a CEO, shall load or unload between the hours of 8am and 6pm, Monday to Friday, on the lengths of road specified in Schedule 2 to this Order.

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 (Access Road to Library, Off Kents Bank Road, Buxton) (Prohibition of Waiting and Prohibition of Loading and Unloading) Order 2010 is hereby revoked in its entirety.

SCHEDULE 1

NO WAITING MONDAY TO FRIDAY 8AM TO 6PM

ACCESS ROAD TO LIBRARY

Both sides

From its junction with Kents Bank Road in an easterly direction for its entire length.

SCHEDULE 2

NO LOADING OR UNLOADING
MONDAY TO FRIDAY 8AM TO 6PM

ACCESS ROAD TO LIBRARY

Both sides

From its junction with Kents Bank Road in an easterly direction for its entire length.

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


Asst. Director of Legal Services

Number in Seal /
Book 2010/1090

KEY

Proposed Waiting and Loading' restriction



AMENDMENT DETAILS	By	Date No.
DRAWN BY SM		
DATE	2/03/10	NTS
ORIGINAL DRAWING SIZE 210 x 298 (A4)		



DERBYSHIRE
COUNTY COUNCIL

IAN W STEPHENSON

BES. CLERK ALICE BLUNT
STRATEGIC DIRECTOR OF ENVIRONMENTAL SERVICES

PROJECT TITLE

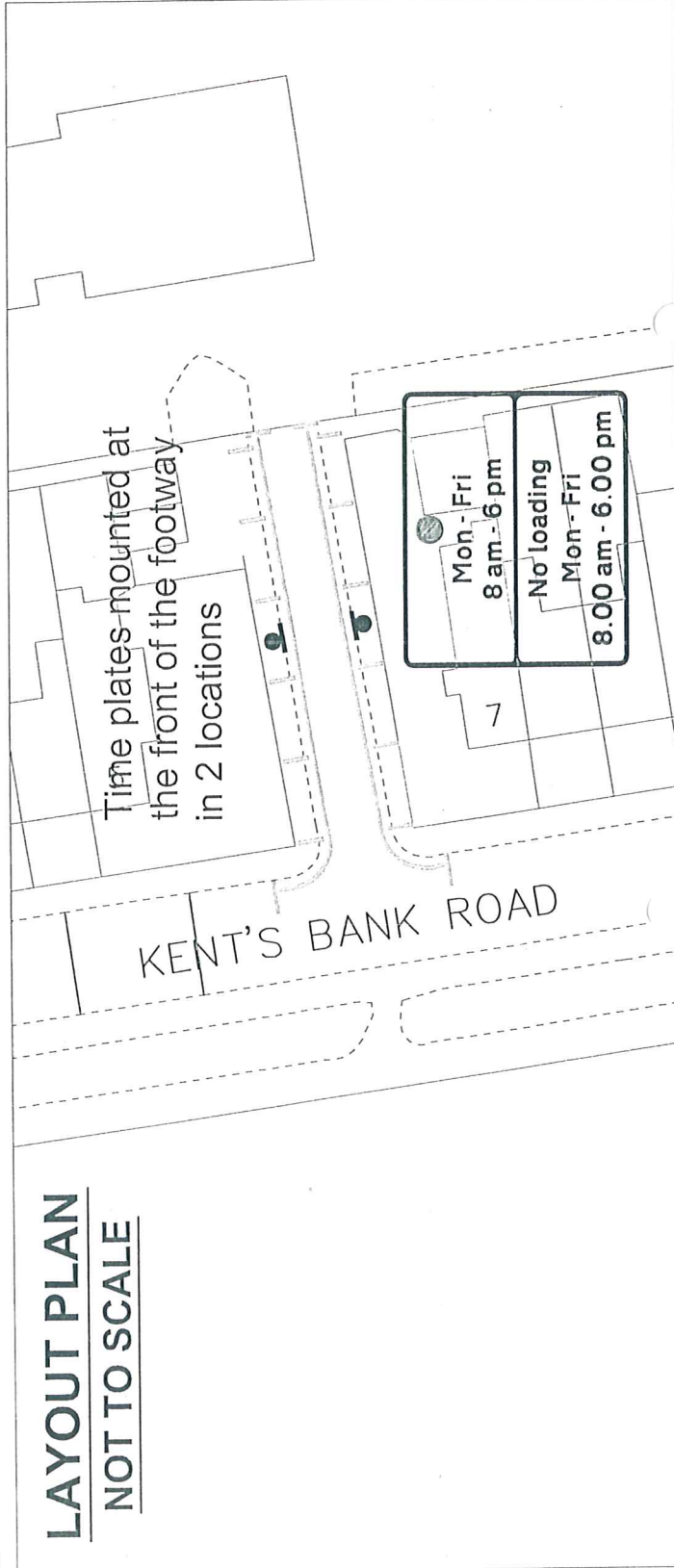
LIBRARY ENTRANCE
OFF KENTS BANK ROAD
BUXTON

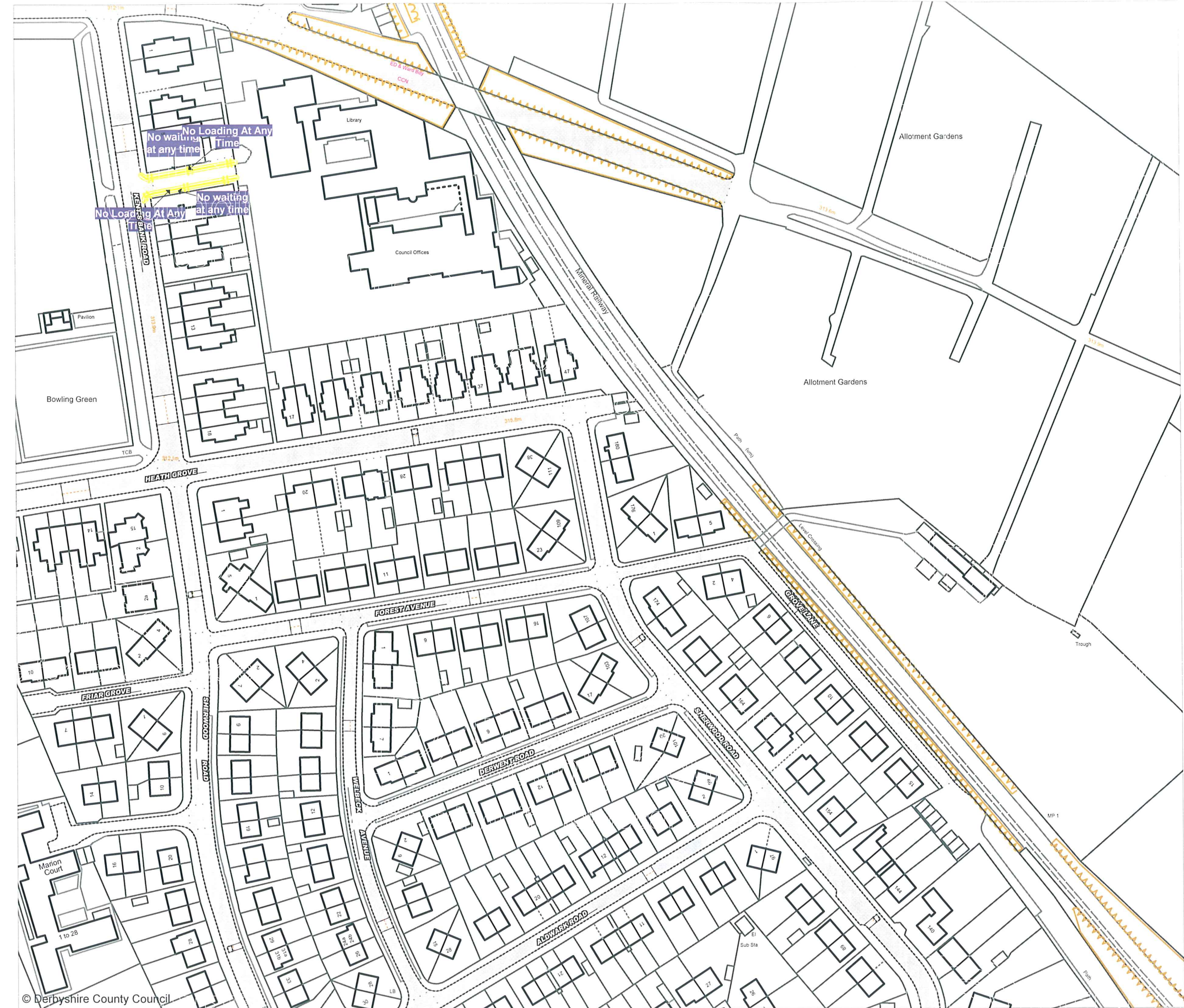
DRAWING TITLE

PROPOSED
PARKING/LOADING
RESTRICTIONS

DRAWING No.

NTA/SM/42B/10





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: CO22

SCALE 1 : 1250

DATE 06/12/2010

DRAWING No. 2

DRAWN BY