

DATED 28 JULY 2011

THE DERBYSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE DERBYSHIRE COUNTY COUNCIL

(VARIOUS ROADS, HOLMEWOOD)

(PROHIBITION OF WAITING) ORDER 2011

J McELVANEY

MATLOCK

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THE DERBYSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

(VARIOUS ROADS, HOLMEWOOD)

(PROHIBITION OF WAITING) ORDER 2011

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 Eighth day of August Two Thousand and Eleven and may be cited as "The Derbyshire County Council (Various Roads, Holmewood) (Prohibition of Waiting) 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 of 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 "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 the Schedule 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 3.1 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

Park Road

Both sides

From its junction with Chesterfield Road in a north easterly direction for a distance of 20 metres.

North side

From its junction with Tupton Way in a south westerly direction for a distance of 125 metres.

From its junction with Tupton Way in a generally easterly direction for a distance of 260 metres.

North side and east side

From a point 645 metres east of its junction with Tupton Way in an easterly then southerly direction to its junction with A6175.

South side

From a point 125 metres south west of its junction with Tupton Way to a point 260 metres east of that junction.

South side and west side

From a point 645 metres east of its junction with Tupton Way in an easterly then southerly direction to its junction with A6175.

Tupton Way

West side

From its junction with Park Road in a northerly direction for a distance of 25 metres.

From its junction with Enterprise Drive in a southerly direction for a distance of 10 metres.

From its junction with Enterprise Drive in a northerly direction to a point for a distance of 20 metres.

West, north and east sides

From a point 40 metres north of its junction with Enterprise Drive on its western side in a northerly, then easterly, then southerly direction to a point on its eastern side 48 metres north of its junction with Moore Close.

East side

From its junction with Moore Close in a northerly direction for a distance of 19 metres.

From its junction with Moore Close in a southerly direction for a distance of 22 metres.

From its junction with Park Road in a northerly direction for a distance of 28 metres.

Enterprise Drive

Both sides

From its junction with Tupton Way in a westerly direction for a distance of 20 metres measured along the centre line of the carriageway.

South west, north west and north east sides

From a point on its south western side 114 metres north west of its junction with Tupton Way in a north westerly, south westerly, north westerly, north easterly, south easterly, southerly and south easterly direction to a point on its north eastern side 114 metres north west of its junction with Tupton Way.

Moore Close

South west side

From its junction with Tupton Way in a south easterly direction for 40 metres.

South east side

For its entire length.


North east side

From its junction with Tupton Way in a south easterly direction for a distance of 38 metres.

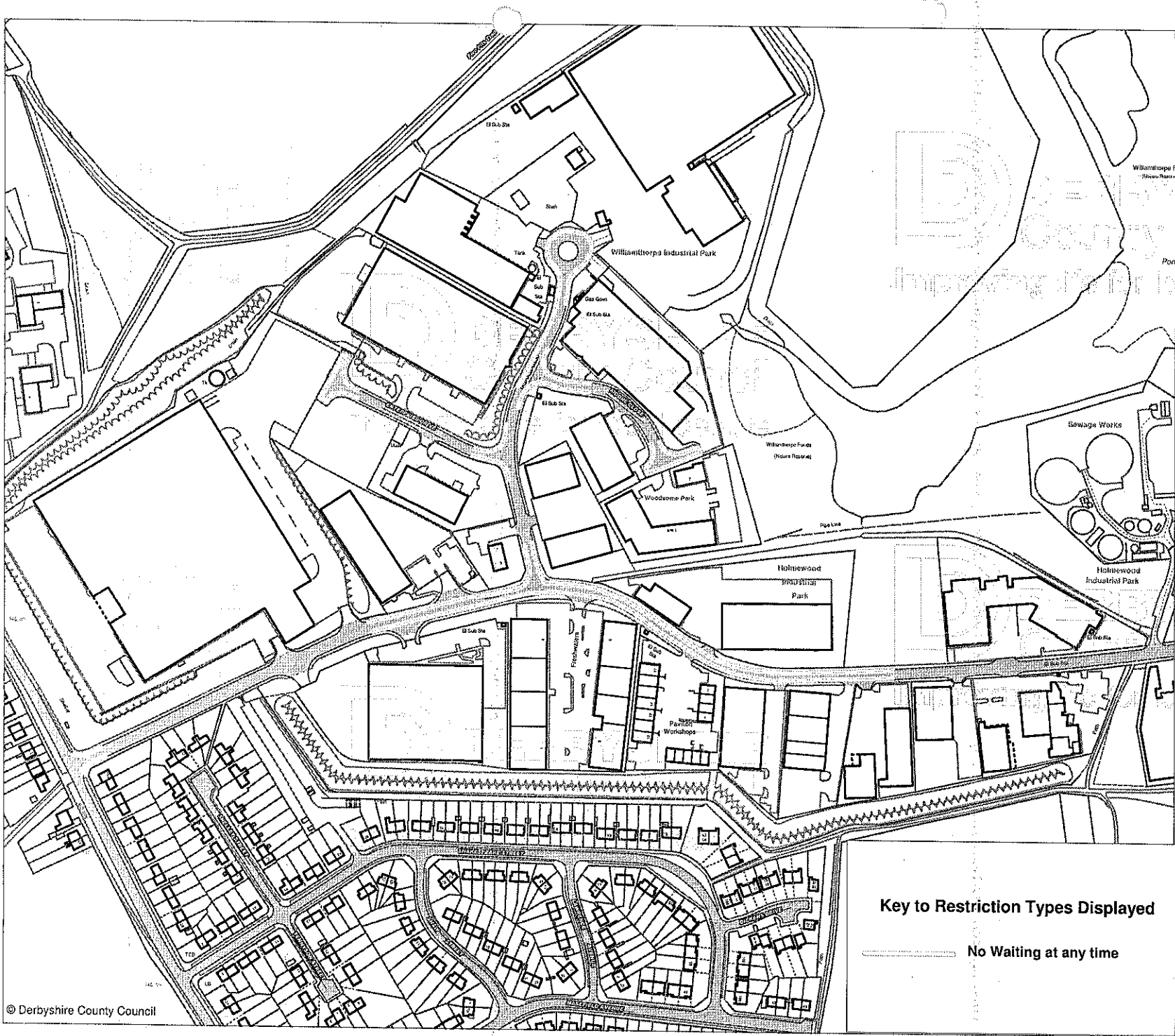
From a point 99 metres south east of its junction with Tupton Way in a south easterly, north easterly, then south easterly direction for a distance of 99 metres.

As shown for illustration purposes only on the attached plan.

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


Director of Legal Services

Number in Seal



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

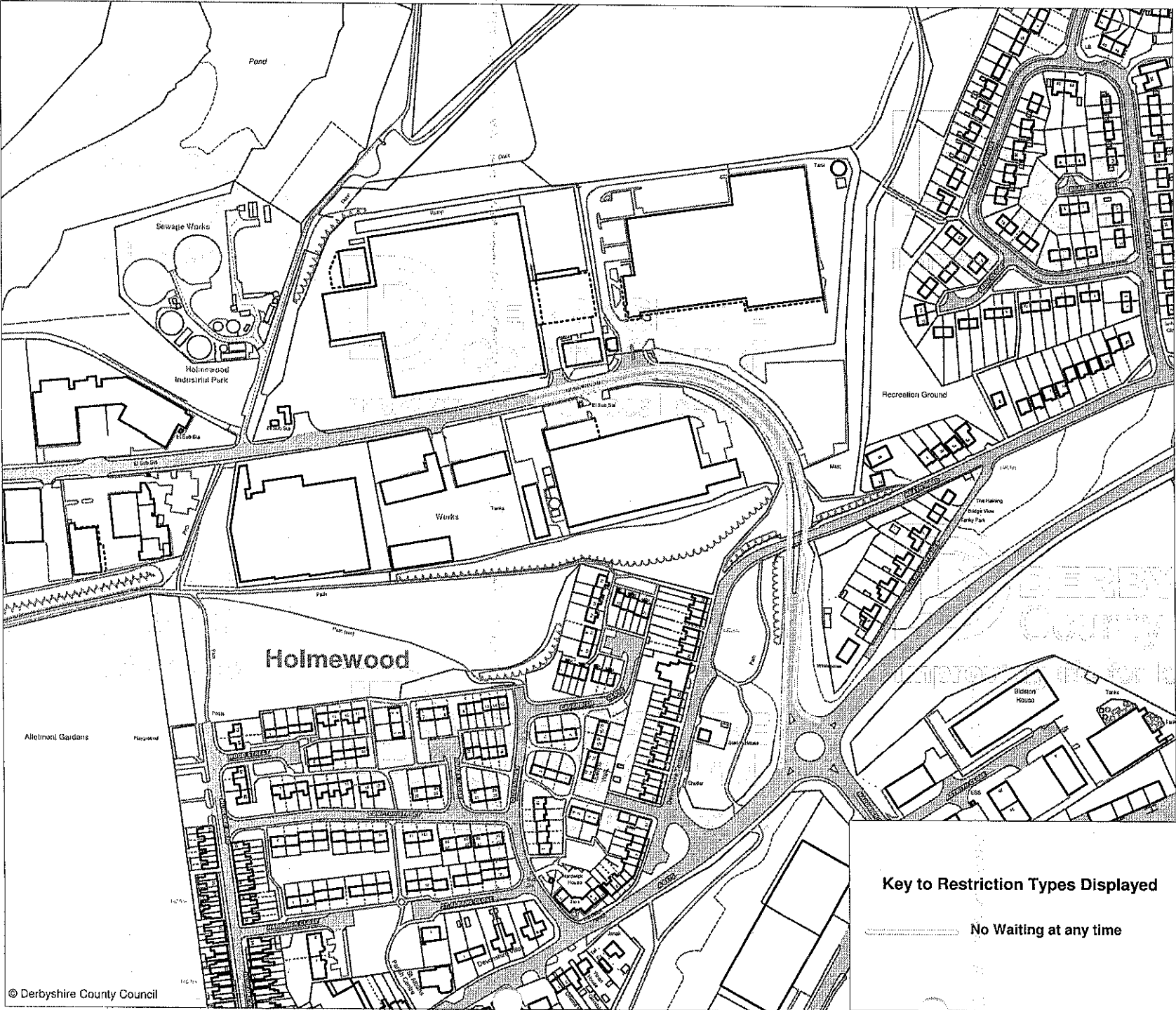
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- Various Roads
- Proposed
- Prohibition of
- Waiting Order




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

DRAWING TITLE	
Holmewood	
SCALE	1 : 2500
DATE	28/03/2011
DRAWING No.	NTA/DON/288C/10
DRAWN BY	DON



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

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Various Roads
Proposed
Prohibition of
Waiting Order



IAN W. STEPHENSON MSc, CEng, JCEMHT
Sewage Director of Environmental Services

DRAWING TITLE

Holmewood

SCALE 1 : 2500

DATE 28/03/2011

DRAWING No. NTA/DON/288D/10

DRAWN BY DON

Key to Restriction Types Displayed

No Waiting at any time



**Prohibition and Restriction
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Parking and Clearways.**

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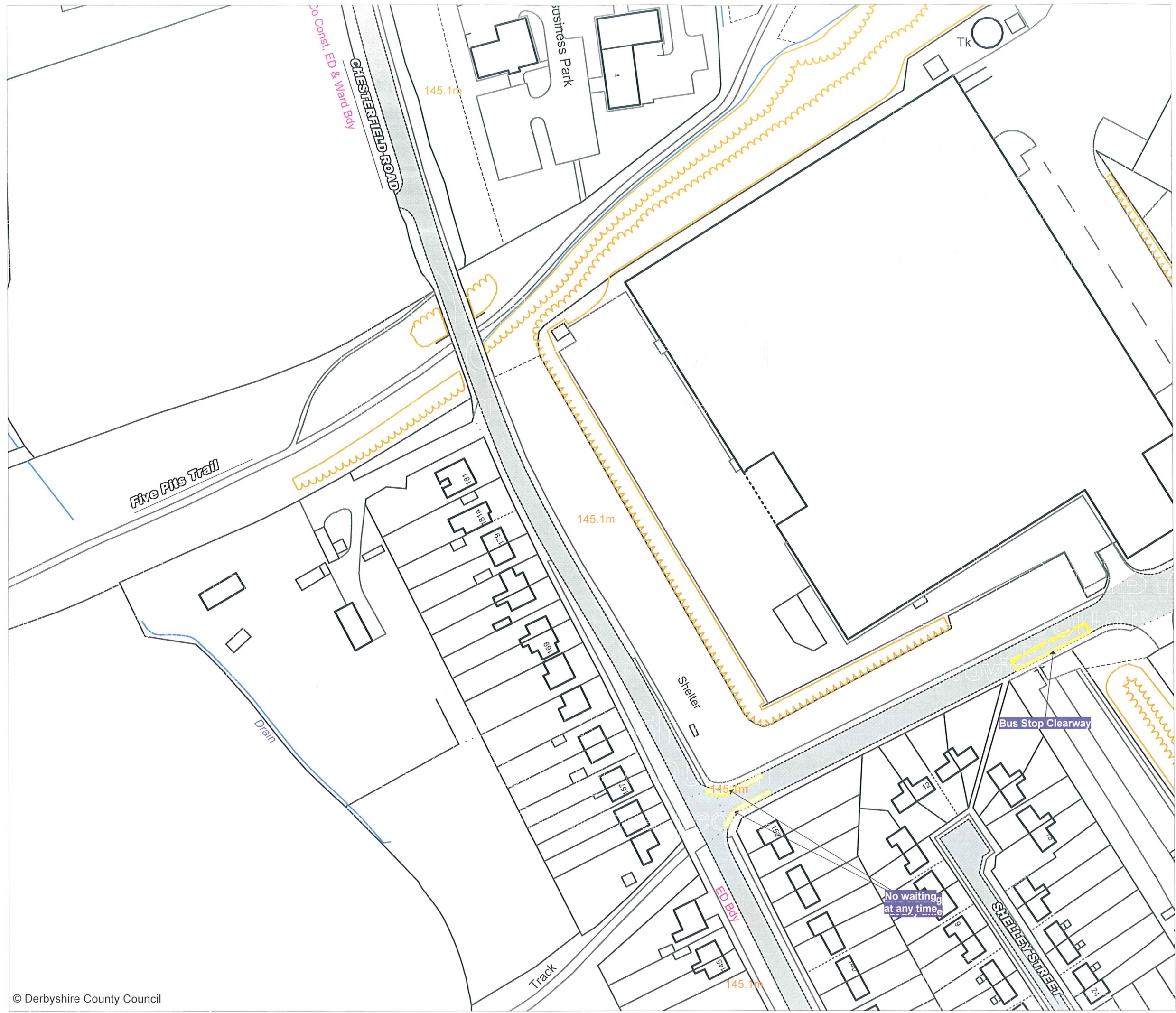
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Strategic Director of Environmental Services

DRAWING TITLE
Tile Ref: DG115

SCALE	1 : 1250
DATE	08/08/2011
DRAWING No.	2
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Prohibition and Restriction
of Waiting, On Street
Parking and Clearways.

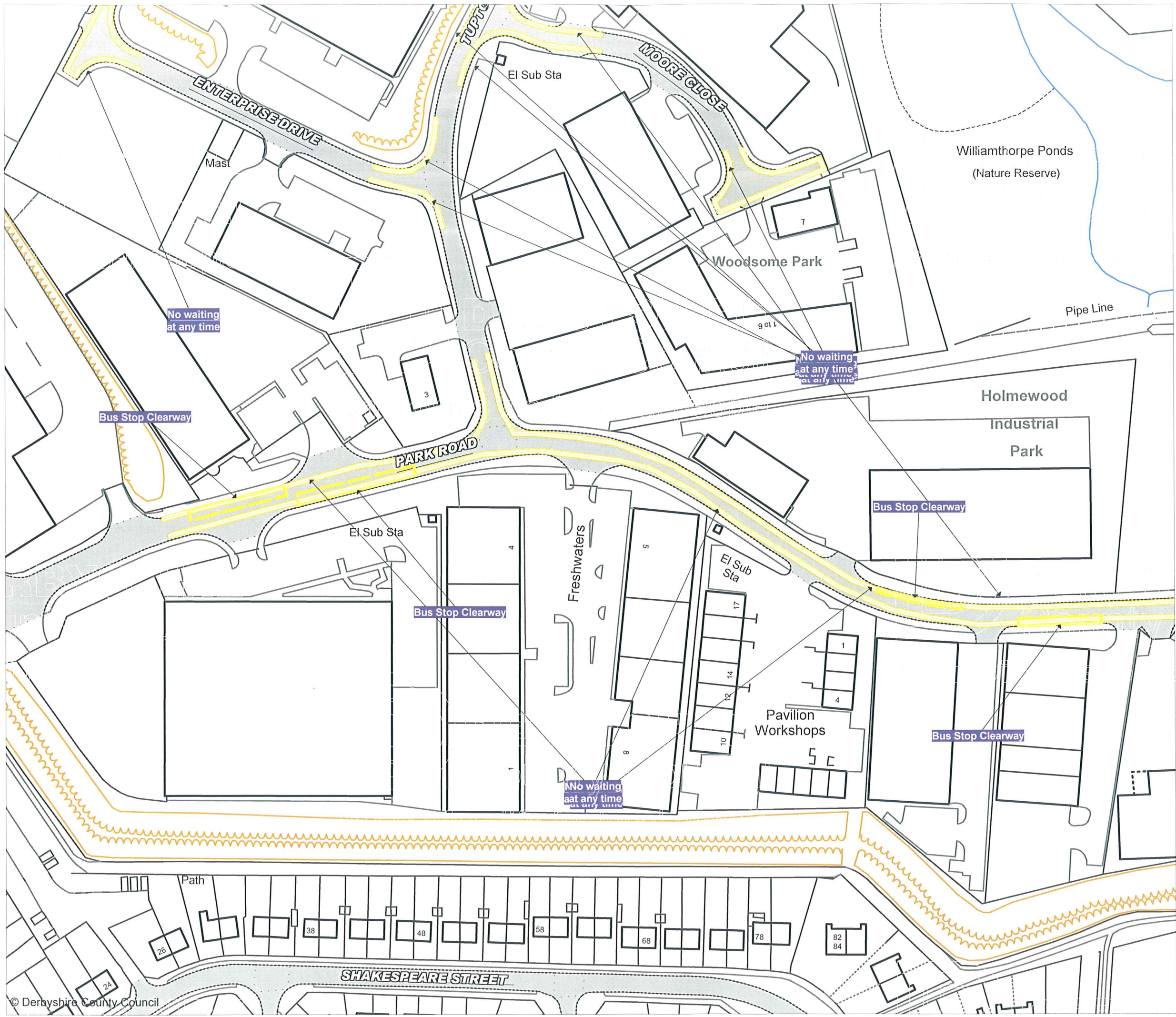
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Tile Ref: DH114	
SCALE	1 : 1250
DATE	08/08/2011
DRAWING No.	3
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Prohibition and Restriction of Waiting, On Street Parking and Clearways.

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Strategic Director of Environmental Services

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SCALE	1 : 1250
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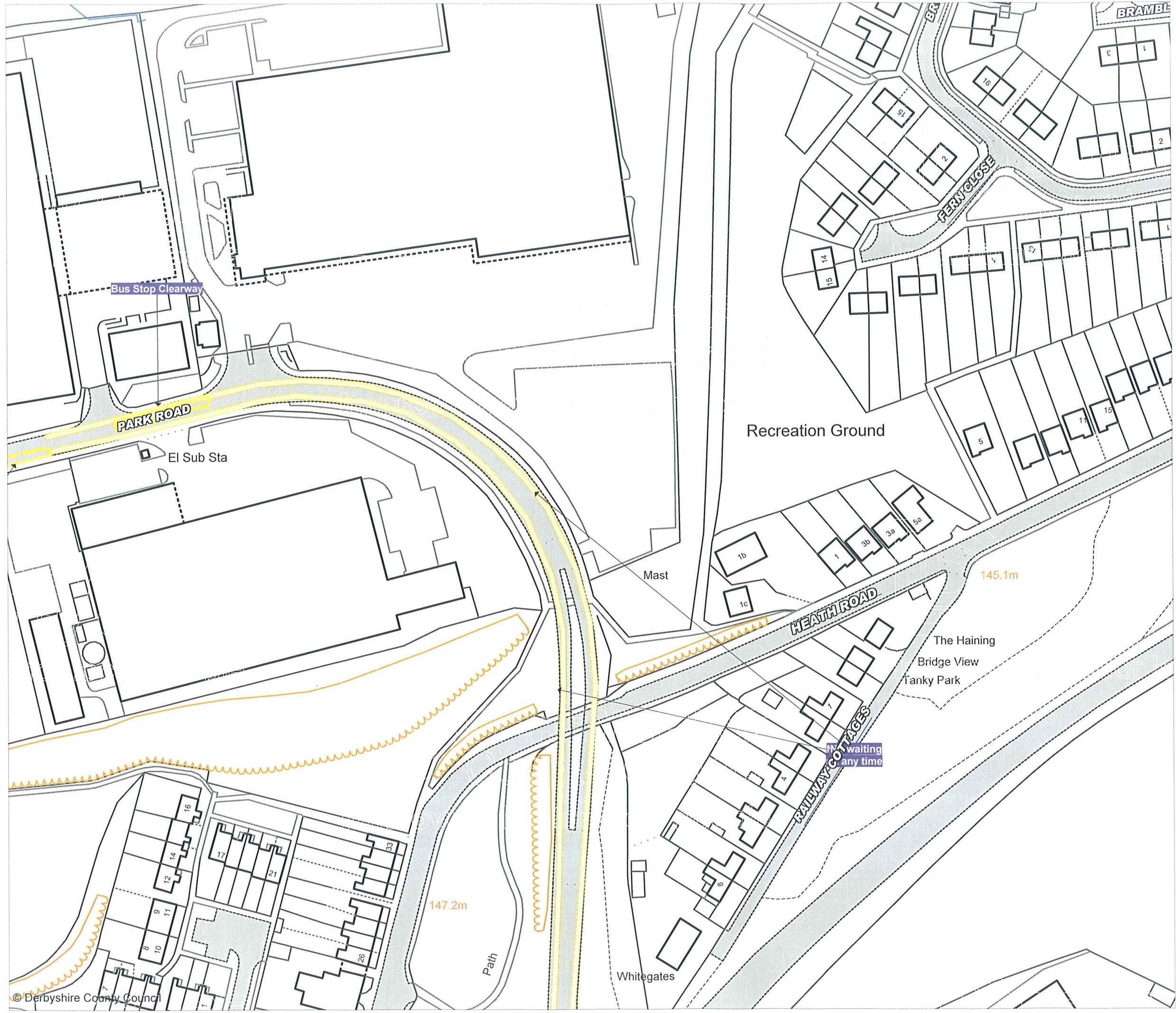


DERBYSHIRE
County Council
improving life for local people

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Strategic Director of Environmental Services

DRAWING TITLE	
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Holmewood



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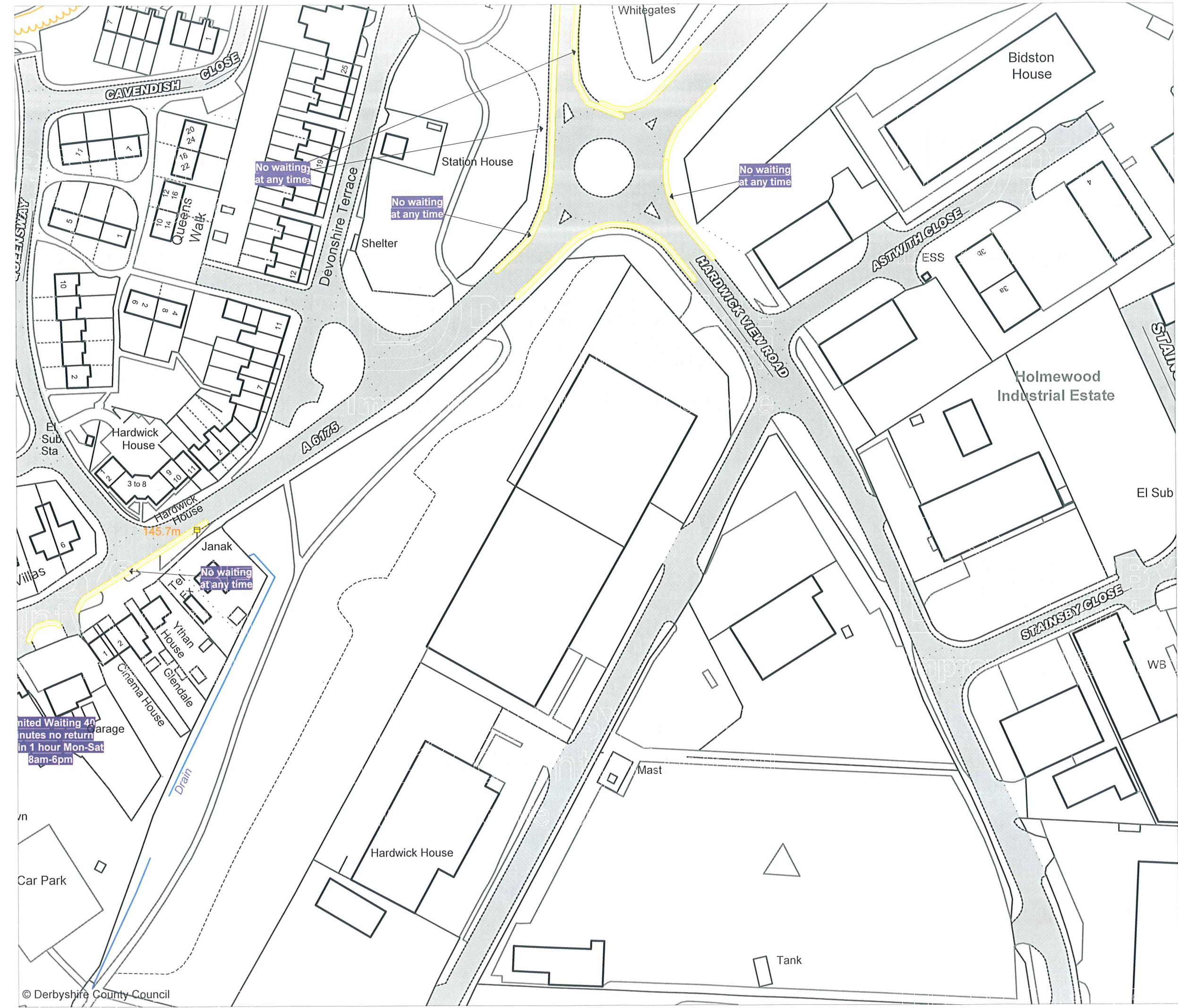


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Strategic Director of Environmental Services

DRAWING TITLE

Tile Ref: DH117

SCALE	1 : 1250
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Strategic Director of Environmental Services

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Tile Ref: D1117	
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DATE	08/08/2011
DRAWING No.	3
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