

DATED 14 JUNE 2012

THE DERBYSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE DERBYSHIRE COUNTY COUNCIL

(VARIOUS STREETS, CHESTERFIELD)

(PROHIBITION OF WAITING) ORDER 2012

J McELVANEY

MATLOCK

Z2971

THE DERBYSHIRE COUNTY COUNCIL ROAD TRAFFIC REGULATION ACT 1984 (VARIOUS STREETS, CHESTERFIELD) (PROHIBITION OF WAITING) ORDER 2012

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 Twenty-fifth day of June Two Thousand and Twelve and may be cited as "The Derbyshire County Council (Various Streets, Chesterfield) (Prohibition of Waiting) Order 2012".

2 INTERPRETATION

In this Order:-

2.1 "Motor Vehicle" means any mechanically propelled vehicle intended or adapted for use on roads.

2.2 "Cycle" means a bicycle, tricycle or a cycle having four or more wheels, not being in any case a Motor Vehicle.

2.3 "Vehicle" for the purposes of this Order means a "Motor Vehicle" or "Cycle".

2.4 "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.

2.5 "Disabled Person's Badge" has the same meaning as in the Disabled Persons (Exemptions for Disabled Persons) (England) Regulations 2000.

2.6 "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.

2.7 "The 2004 Act" means Traffic Management Act 2004.

2.8 "CEO" means Civil Enforcement Officer and has the same meaning as in Section 76 of the 2004 Act.

2.9 "Goods" means goods or burden of any description

2.10 "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 10am and 4pm, Monday to Saturday, on the lengths of road specified in Schedule2 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 on 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.

8 REVOCATIONS OF PREVIOUS ORDERS

8.1 The Derbyshire County Council (Parking, Waiting and Loading Prohibitions and Restrictions) Chesterfield Consolidation Order 2009 is hereby revoked insofar as it relates to waiting restrictions on the lengths of road in the Schedules to this Order.

SCHEDULE 1

NO WAITING AT ANY TIME

Crow Lane, Chesterfield

Both sides

From its junction with Corporation Street in a generally north easterly direction to a point 98m north east of its junction with Piccadilly Road, for a distance of 460 metres.

Excalibur Way, Chesterfield

North side

From a point 11.5 metres west of its junction with Wain Avenue, in a westerly direction for a distance of 10.5 metres.

South side

From a point 11.5 metres west of its junction with Wain Avenue, in a westerly direction for a distance of 11 metres.

Marine Drive, Chesterfield

East side

From a point 12 metres south of its junction with Wain Avenue, in a southerly direction for a distance of 19 metres.

Piccadilly Road, Chesterfield

Eastern side

From a point 161 metres north east of its junction with A632 Hady Hill in a north easterly direction for a distance of 34 metres.

From a point 139 metres north east of its junction with Broadoaks Close in a northerly direction for a distance of 20 metres.

Wain Avenue, Chesterfield

East side

From a point 1 metre north of the southern kerb line of Excalibur Way in a northerly direction for a distance of 11.5 metres.

From a point 111 metres north west of its junction with Piccadilly Road in a northerly direction for a distance of 6 metres.

Northern side

From a point 70 metres west of its junction with Owen Falls Avenue, in a north westerly then southerly direction for a distance of 41 metres.

West side

From a point 7 metres north of its junction with Excalibur Way to a point 11 metres south of its junction with Excalibur Way.

From its junction with Wharton Drive in a southerly direction for a distance of 10.5 metres.

From its junction with Camlough Walk in a northerly direction for a distance of 4.5 metres.

SCHEDULE 2

NO WAITING 10AM TO 4PM
MONDAY TO SATURDAY

Marine Drive, Chesterfield

West side

From a point 23 metres south of its junction with Wain Avenue in a southerly and then westerly direction for a distance of 194 metres.

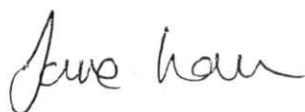
Owen Falls Avenue, Chesterfield

West side

From a point 11 metres north of its junction with Wain Avenue in a northerly and then north westerly direction for a distance of 107 metres.

As shown for illustration purposes only on the attached plan.

THE COMMON SEAL of the Derbyshire)
County Council was hereunto affixed the)
Fourteenth day of June Two Thousand)
and Twelve in the presence of:-)

PP 

Director of Legal Services

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KEY

- Existing double yellow lines
- Proposed double yellow lines

NOTE:

This is a drawing for illustration purposes only to show the whole area. It has been rotated and so should not be used in conjunction with the schedule for the waiting restrictions as it will not match up.

AMENDMENT DETAILS		By	Date No.
DRAWN BY	SM	SCALE	
DATE	JANUARY 2012	NTS	
ORIGINAL DRAWING SIZE 297 x 420 (A3)			

DERBYSHIRE
COUNTY COUNCIL
IAN W STEPHENSON
BS CENG MICE MATH
STRATEGIC DIRECTOR OF ENVIRONMENTAL SERVICES

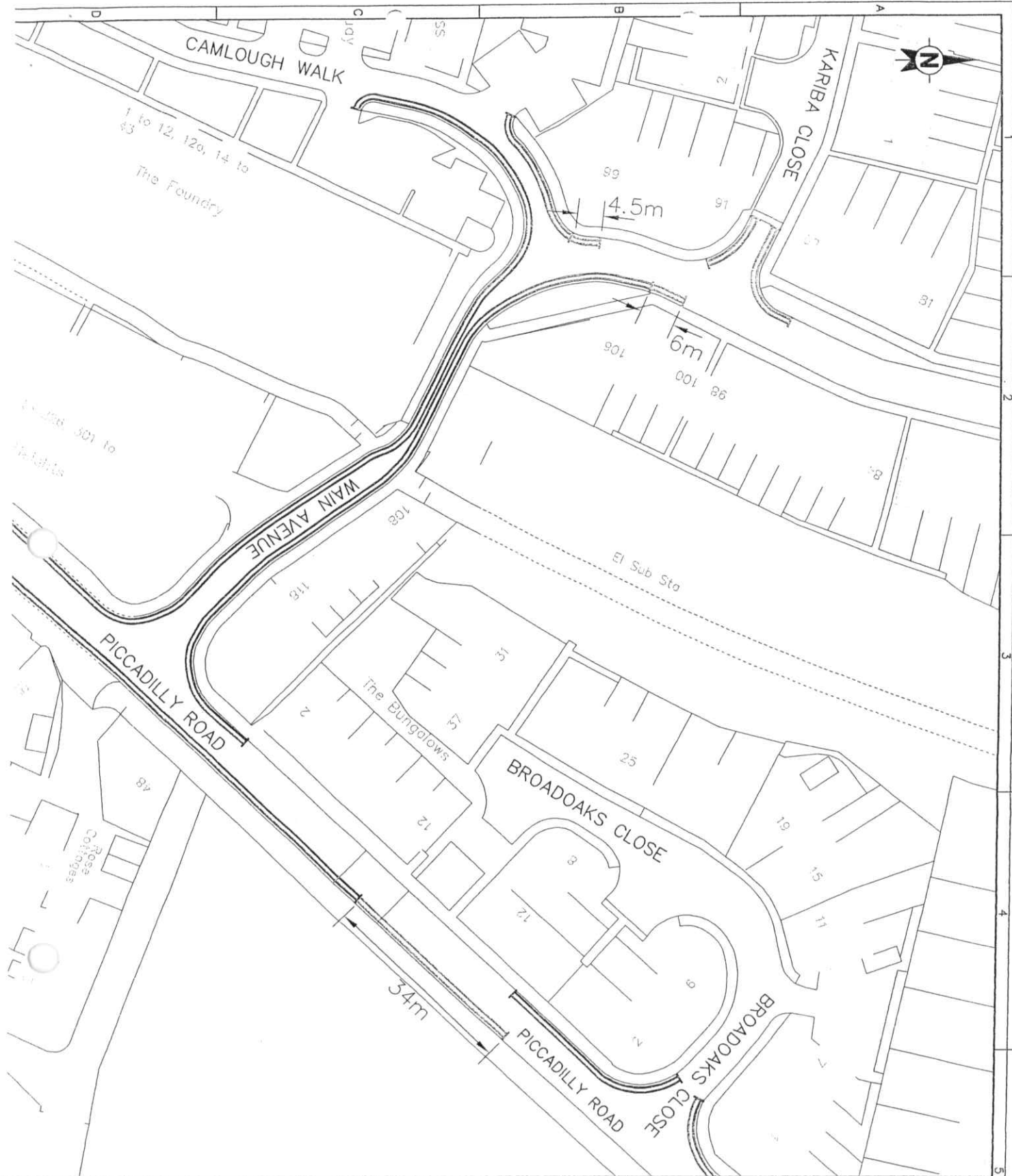
PROJECT TITLE

MAIN AVENUE
AND PICCADILLY
ROAD AREA

ADDITIONAL
WAITING
RESTRICTIONS

DRAWING No.





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KEY

- Existing double yellow lines
- Proposed double yellow lines

AMENDMENT DETAILS		By	Date	No.
DRAWN BY	SM			
DATE	JANUARY 2012			
SCALE	NTS			
ORIGINAL DRAWING SIZE	297 x 420 (A3)			

DERBYSHIRE
COUNTY COUNCIL

IAN W STEPHENSON

SE. CENG. WILCE M.A.H.T
STRATEGIC DIRECTOR OF ENVIRONMENTAL SERVICES

PROJECT TITLE
WAIN AVENUE
AND PICCADILLY
ROAD AREA


DRAWING TITLE
ADDITIONAL
WAITING
RESTRICTIONS

DRAWING No.
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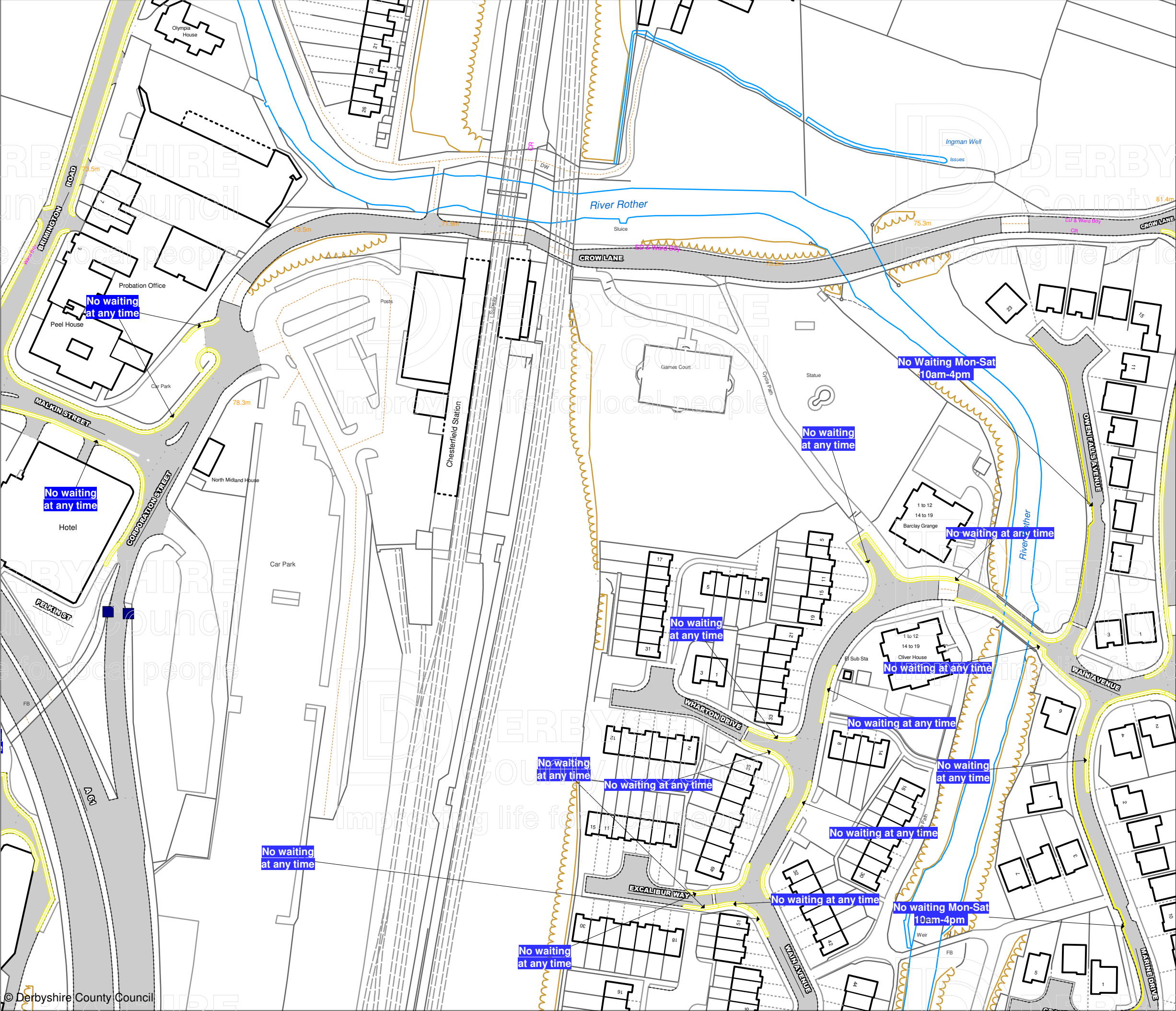
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KEY

- Existing double yellow lines
- Proposed double yellow lines

AMENDMENT DETAILS		By	Date	No.
DRAWN BY SM		SCALE		
DATE JANUARY_2012		NTS		
ORIGINAL DRAWING SIZE 210 x 298 (A4)				
 DERBYSHIRE COUNTY COUNCIL IAN W STEPHENSON Strategic Director of Environmental Services				
PROJECT TITLE				
PROPOSED_CHANGES TO_WAITING RESTRICTIONS				
DRAWING TITLE				
CROW_LANE HADY CHESTERFIELD				
DRAWING No.				
PROPOSAL_DWG				





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

DRAWING TITLE

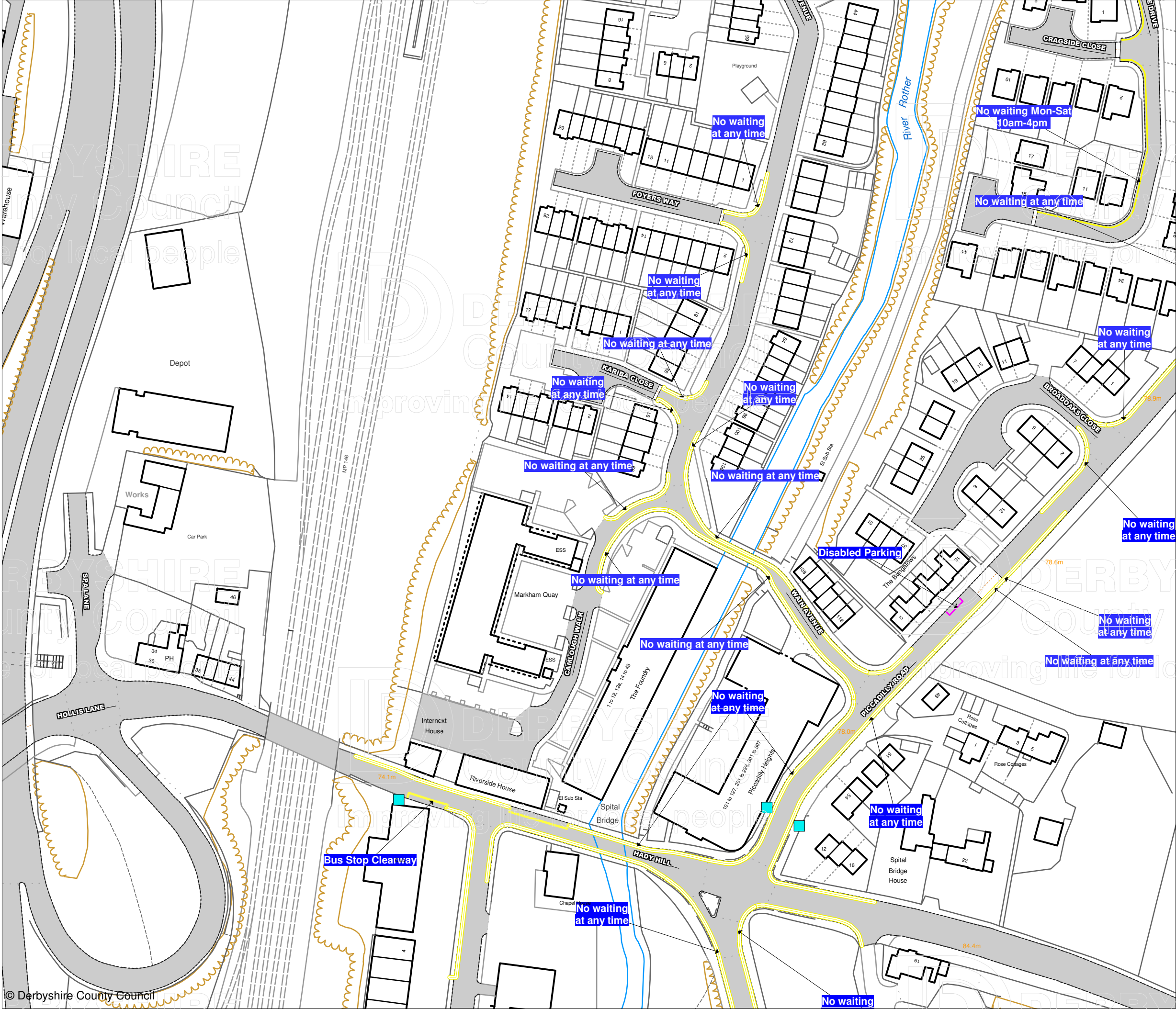
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DATE 25/06/2012

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

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DRAWING TITLE

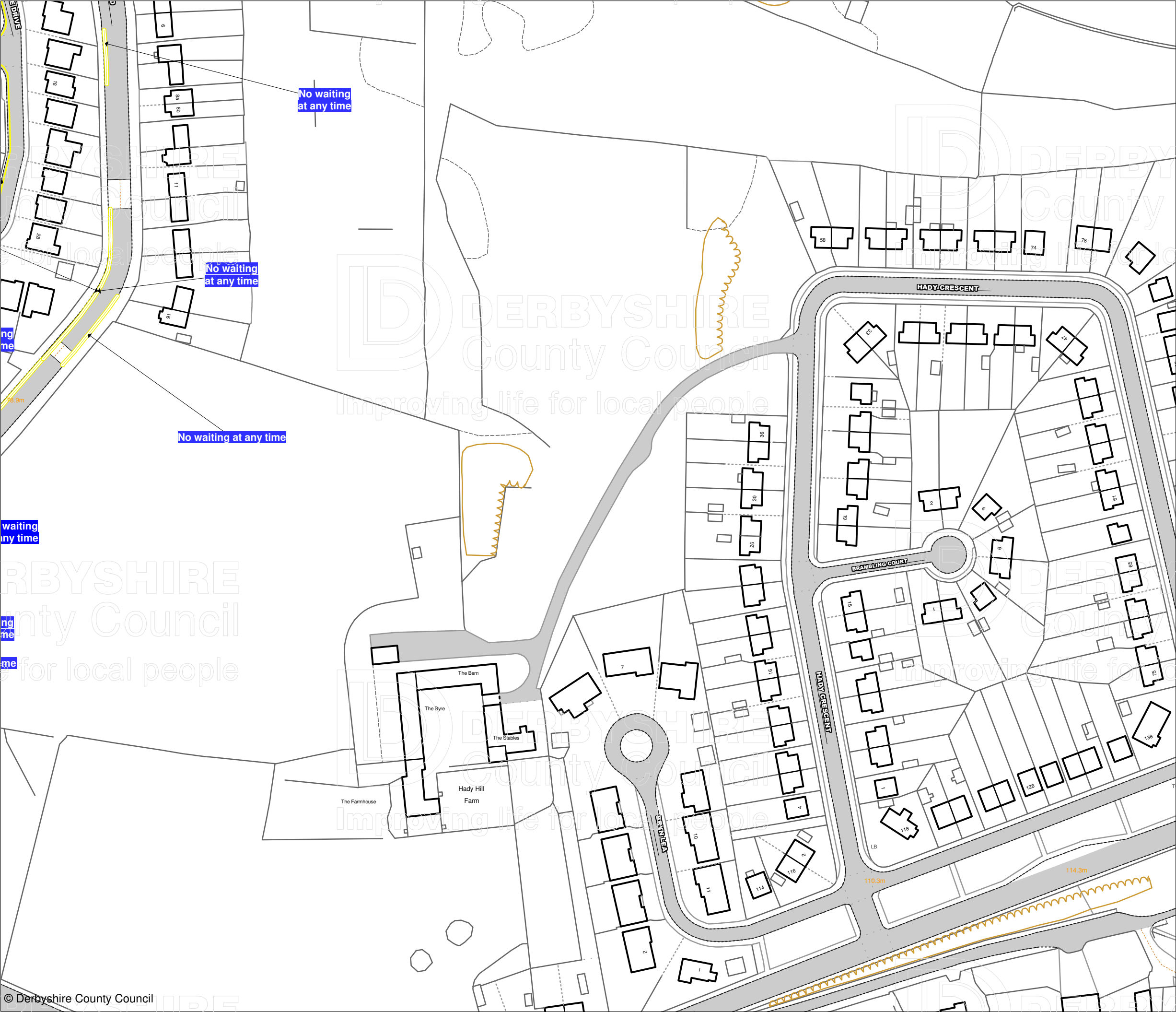
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DATE 25/06/2012

DRAWING No. 10

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

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