

DATED 01 NOVEMBER 2012

THE DERBYSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE DERBYSHIRE COUNTY COUNCIL

**(ST JOHNS ROAD, NEWBOLD, CHESTERFIELD
HIGH STREET, NEW WHITTINGTON,
CHESTERFIELD AND
A619 DUKE STREET, STAVELEY, CHESTERFIELD)**

(WAITING RESTRICTIONS) ORDER 2012

J McElvaney

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THE DERBYSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

(ST JOHNS ROAD, NEWBOLD, CHESTERFIELD
HIGH STREET, NEW WHITTINGTON,
CHESTERFIELD AND
A619 DUKE STREET, STAVELEY, CHESTERFIELD)

(WAITING RESTRICTIONS) ORDER 2012

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 ("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 AND COMMENCEMENT

This Order shall come into operation on the Twelfth day of November Two Thousand and Twelve and may be cited as The Derbyshire County Council (St Johns Road, Newbold, Chesterfield High Street, New Whittington, Chesterfield and A619 Duke Street, Staveley, Chesterfield) (Waiting Restrictions) Order 2012.

2 INTERPRETATION

In this Order:-

- 2.1 "the County Council" means Derbyshire County Council.
- 2.2 "Carriageway" means a way constituting or comprised in a highway being a way (other than a cycle track) over which the public have a right of way for the passage of Vehicles, as in Section 329(1) of the Highways Act 1980.
- 2.3 "Pavement" means the remainder of the surfaced highway that is not constructed and used as Carriageway.
- 2.4 "Owner" in relation to a Vehicle, means the person by whom such Vehicle is kept and used.
- 2.5 "Vehicle" for the purposes of this Order means a "Motor Vehicle" or "Cycle"
- 2.6 "Motor Vehicle" means any mechanically propelled vehicle intended or adapted for use on roads.

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

2.8 "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.

2.9 "Pedal Cycle" means a cycle (which has the same meaning as that ascribed to it in Section 192 of The Road Traffic Act 1988).

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

2.11 "Disabled Person's Vehicle" means a Vehicle displaying Disabled Persons Badge in the relevant position as set out under Regulation 4 of the Local Authorities Orders (Exemption for Disabled Persons) (England) Regulations 2000.

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

2.13 "The 2004 Act" means the Traffic Management Act 2004.

2.14 "Electronic Communications Apparatus", "Electronic Communications Network" and any "Electronic Communications Line" shall have the same meaning as in the Communications Act 2003.

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 9am and 5pm on any day other than a Sunday for longer than 1 hour no return within 2 hour on the length of road specified in Schedule 2 to this Order.

3.3 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 8am and 6pm on any day other than a Sunday for longer than 1 hour no return within 2 hour on the length of road specified in Schedule 3 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 Electronic Communications Line;
 - (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 of a universal service provider (as defined in Section 4 of The Postal Services Act 2000) to be used for the purpose of delivering or collecting mail;
 - (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) any Vehicle, other than a privately owned Vehicle, which is being used as an official Vehicle for the purposes of a wedding (bridal vehicle) or a funeral (hearse and cortege) at a Church or place of worship
 - (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 Nothing in Article 3.2 shall render it unlawful to cause or permit a Disabled Person's Vehicle which displays in the relevant position a Disabled Person's Badge to wait in the lengths of road referred to in that Article.

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 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.

5.4 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.

5.5 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 Any permanent Traffic Regulation Orders made prior to this Order, insofar as they relate to the lengths of road listed below, insofar as they relate to the prohibitions and restrictions listed below, are hereby revoked.

SCHEDULE 1

No Waiting At Any Time

St Johns Road, Newbold, Chesterfield

Both Sides

From a point 68 metres west of its junction with Elm Close in a westerly direction for a distance of 36 metres.

High Street, New Whittington, Chesterfield

North Side

From a point 48 metres west of its junction with Handley Road in a westerly direction for a distance of 25 metres.

SCHEDULE 2

Limited Waiting

1 hour, no return within 2 hours

Monday to Saturday between 9am and 5pm

A619 Duke Street, Staveley, Chesterfield

West Side

From a point 32 metres north of its junction with Porter Street in a northerly direction for a distance of 20 metres.

SCHEDULE 3

Limited Waiting

1 hour, no return within 2 hours

Monday to Saturday between 8am and 6pm

High Street, New Whittington, Chesterfield

South Side

From a point 5 metres west of its junction with London Street in a westerly direction for a distance of 23.5 metres.

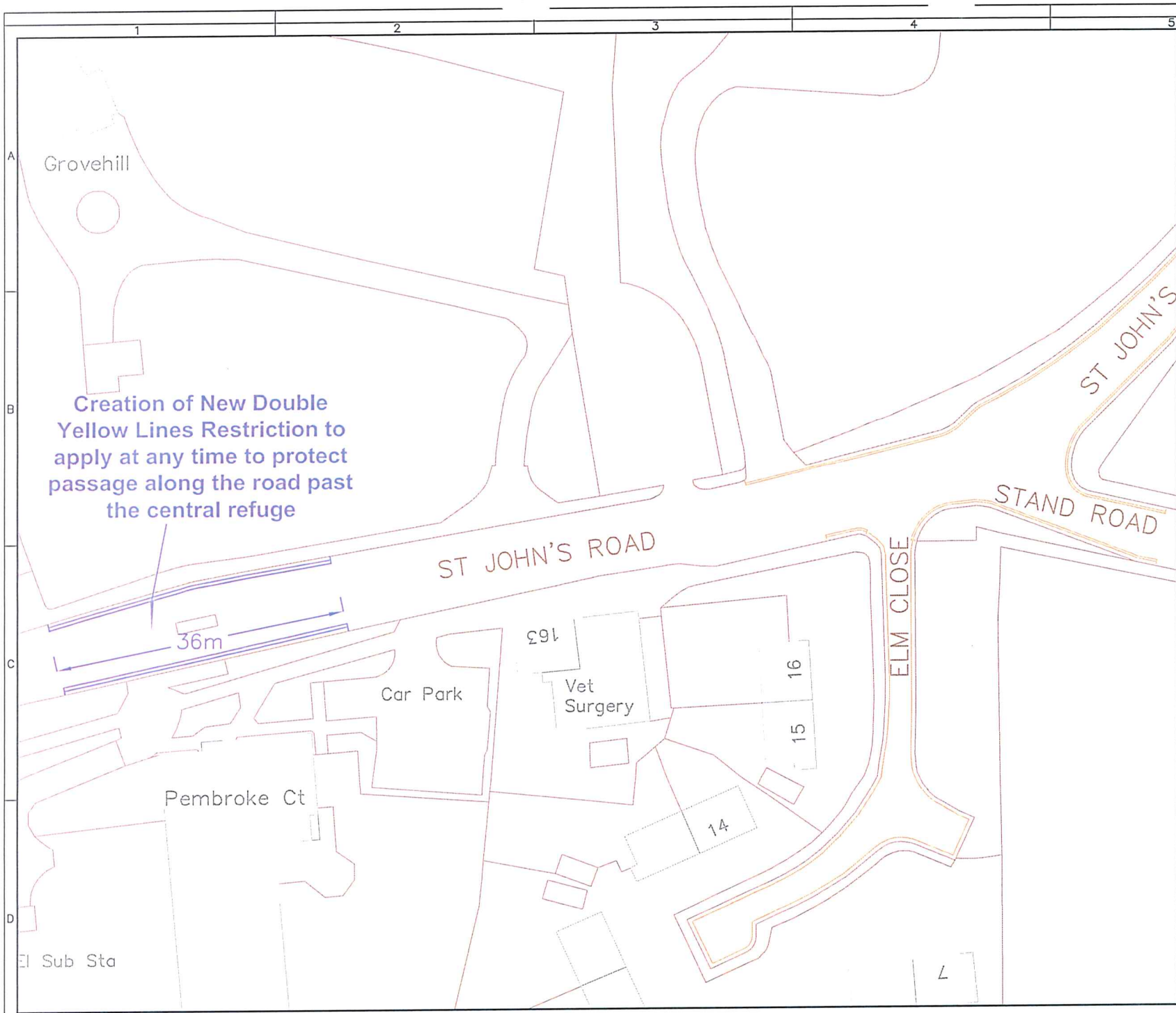
THE COMMON SEAL of the Derbyshire)
County Council was hereunto affixed)
the First day of November Two thousand)
and Twelve in the presence of:-)

AWJ

AWJ
Director of Legal Services

Number in Seal
Book

2012/1113



Creation of New Double Yellow Lines Restriction to apply at any time to protect passage along the road past the central refuge

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Existing
This is the extents of the existing Waiting Restrictions in the vicinity of the proposal

Proposed
This is the extents of the proposed Waiting Restrictions we are seeking to introduce



AMENDMENT DETAILS By Date No.

DRAWN BY **R.HANDBURY** SCALE
DATE **JANUARY_2012** **NTS**

ORIGINAL DRAWING SIZE 210 x 298 (A4)

DERBYSHIRE COUNTY COUNCIL
IAN W STEPHENSON
BSoc C.Eng M.I.C.E M.I.H.T
STRATEGIC DIRECTOR OF ENVIRONMENTAL SERVICES

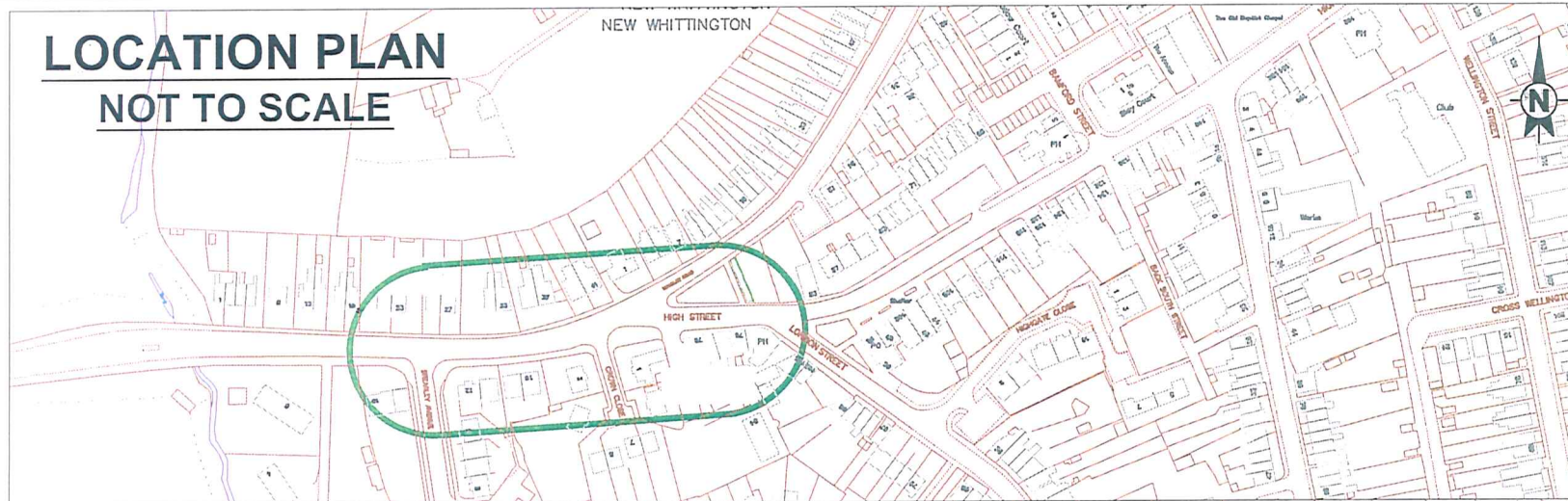
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PROPOSED_NEW WAITING RESTRICTIONS

DRAWING TITLE
ST_JOHNS_ROAD NEWBOLD CHESTERFIELD

DRAWING No.
PROPOSAL_DWG

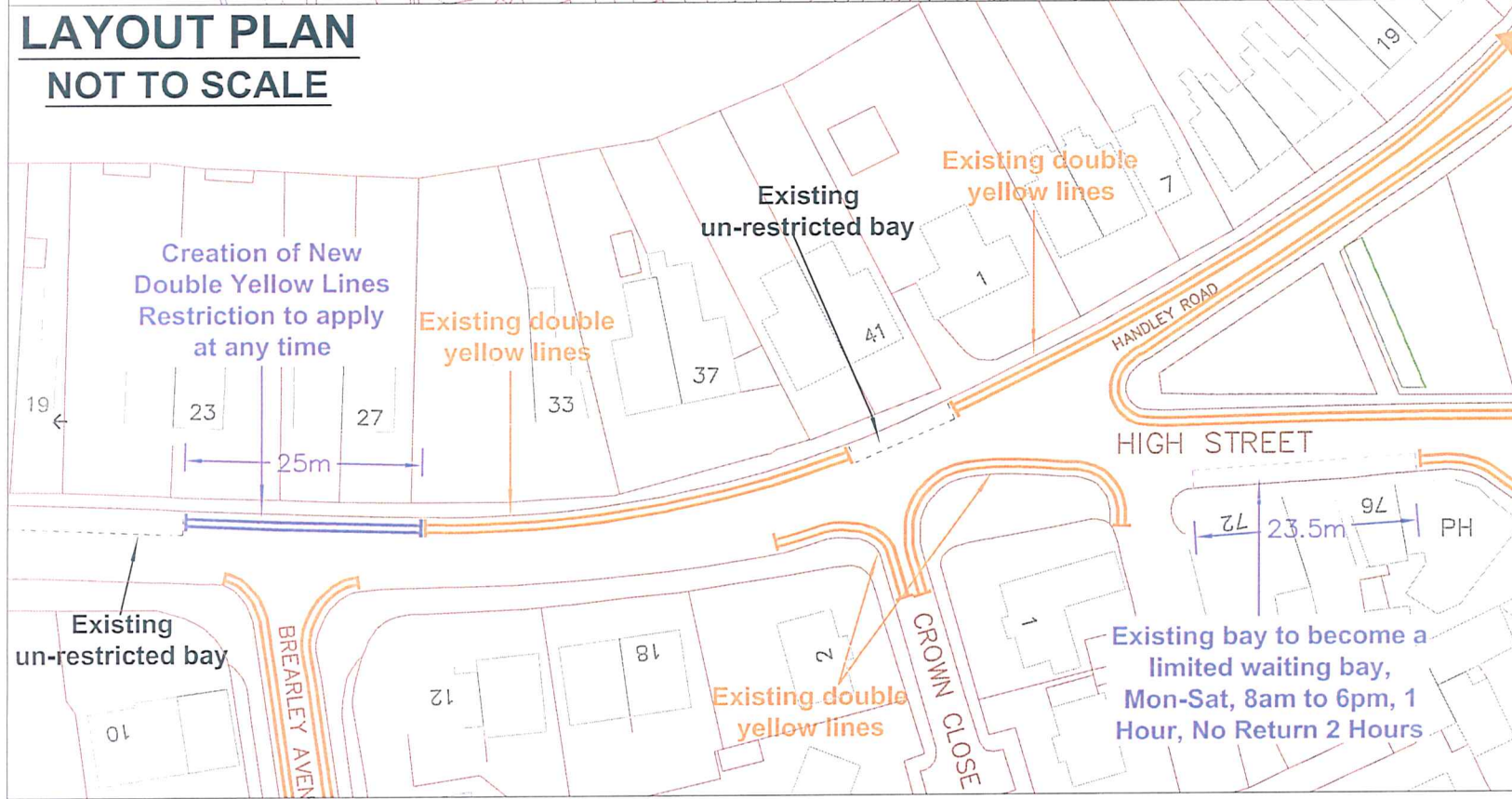
LOCATION PLAN

NOT TO SCALE



LAYOUT PLAN

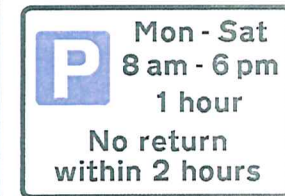
NOT TO SCALE



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Existing
This is the extents of the existing No Waiting At Any Time Restrictions

Proposed
This is the extents of the proposed Waiting Restrictions we are seeking to introduce



AMENDMENT DETAILS		By	Date	No.
DRAWN BY	R.HANDBURY	SCALE	NTS	
DATE	JANUARY 2012			
ORIGINAL DRAWING SIZE 210 x 298 (A4)				

DERBYSHIRE COUNTY COUNCIL
IAN W STEPHENSON
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STRATEGIC DIRECTOR OF ENVIRONMENTAL SERVICES

PROJECT TITLE
PROPOSED_WAITING RESTRICTIONS SCHEME_ALTERATIONS

DRAWING TITLE
HIGH_STREET NEW_WHITTINGTON CHESTERFIELD

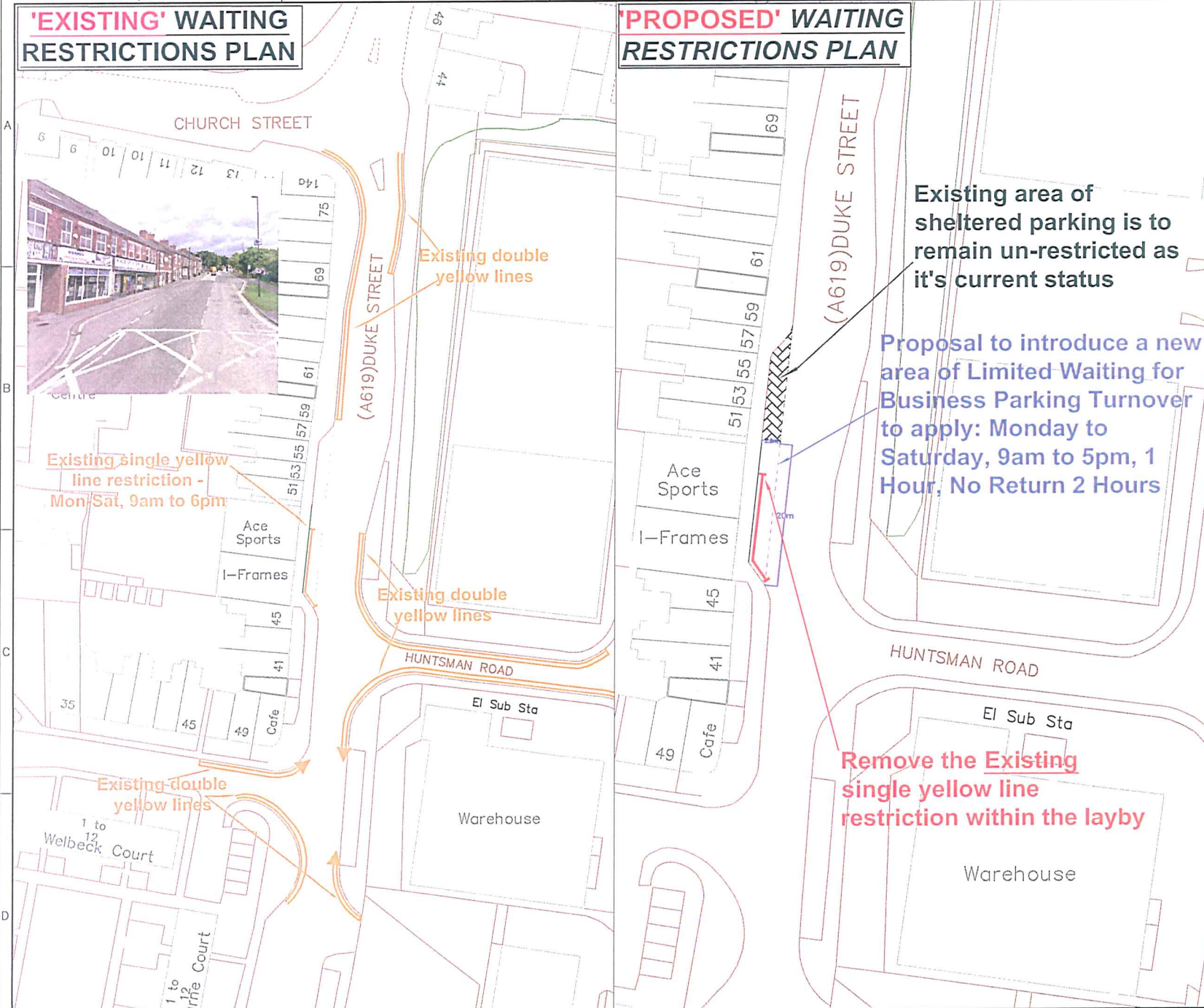
DRAWING No.
PROPOSAL_DWG

'EXISTING' WAITING RESTRICTIONS PLAN

'PROPOSED' WAITING RESTRICTIONS PLAN

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P Mon - Sat
9 am - 5 pm
1 hour
No return
within 2 hours



Existing area of sheltered parking is to remain un-restricted as it's current status

Proposal to introduce a new area of Limited Waiting for Business Parking Turnover to apply: Monday to Saturday, 9am to 5pm, 1 Hour, No Return 2 Hours

Remove the Existing single yellow line restriction within the layby



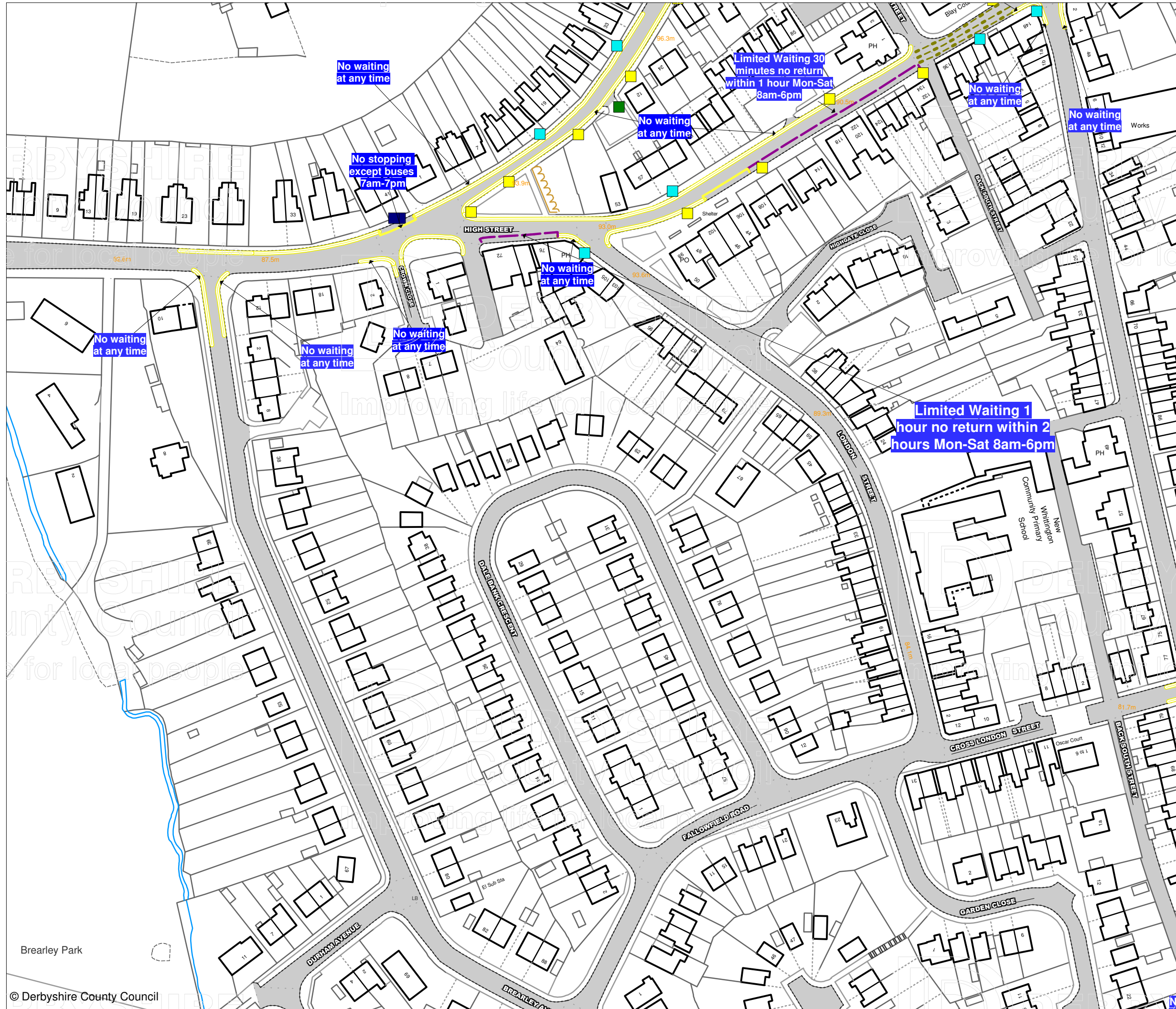
AMENDMENT DETAILS	By	Date	No.
DRAWN BY R.HANDBURY	SCALE	NTS	
DATE JANUARY 2012			
ORIGINAL DRAWING SIZE 297 x 420 (A3)			

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IAN W STEPHENSON
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STATISTIC DIRECTOR OF ENVIRONMENTAL SERVICES

PROJECT TITLE
PROPOSED_AMENDMENTS TO_THE_EXISTING WAITING_RESTRICTIONS

DRAWING TITLE
A619_DUKE_STREET STAVELEY CHESTERFIELD

DRAWING No.
PROPOSAL_DWG



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

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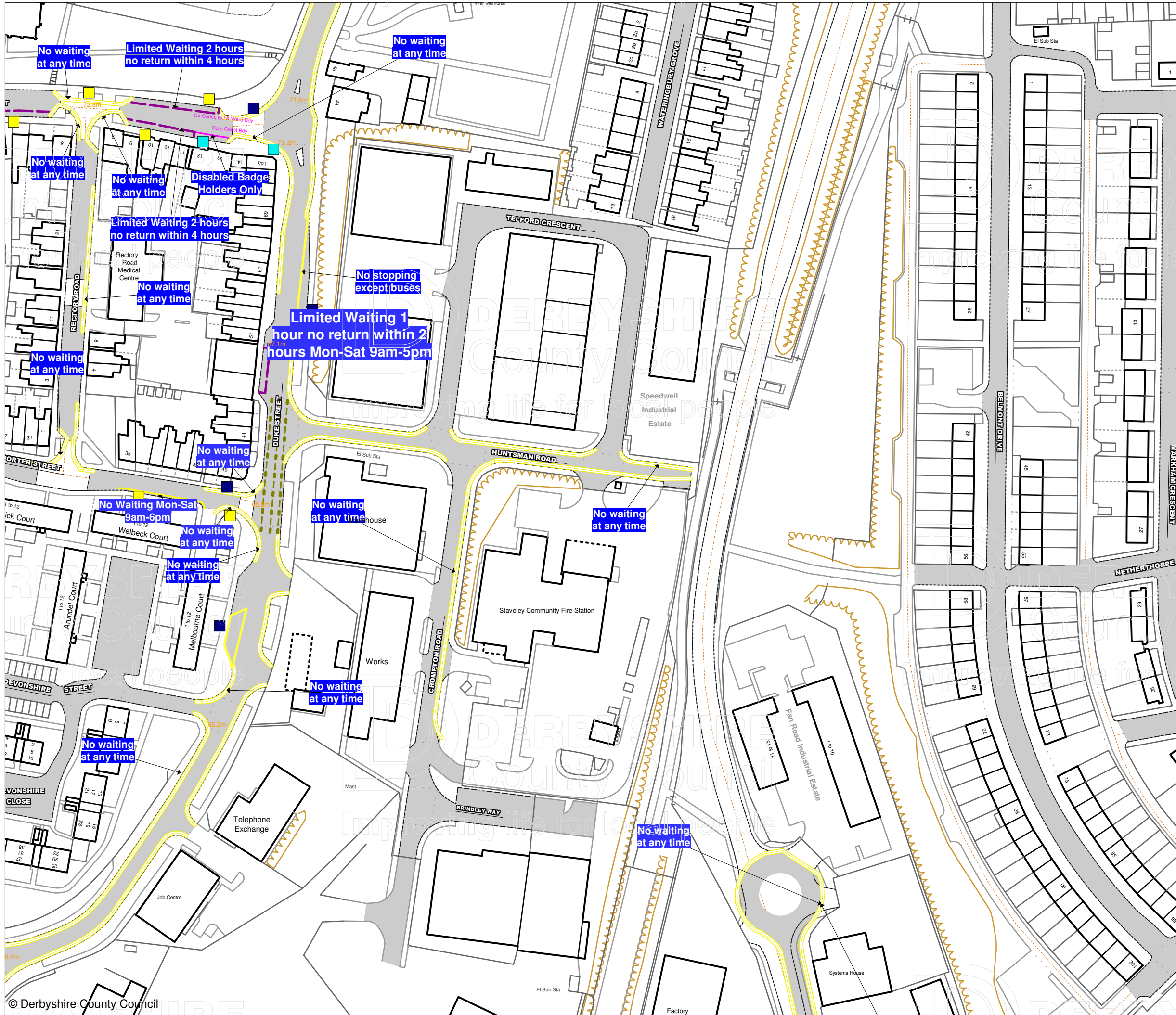
CONFIRMED



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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SCALE	1 : 1250
DATE	12/11/2012
DRAWING No.	6
DRAWN BY	



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

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 Strategic Director of Environmental Services

DRAWING TITLE

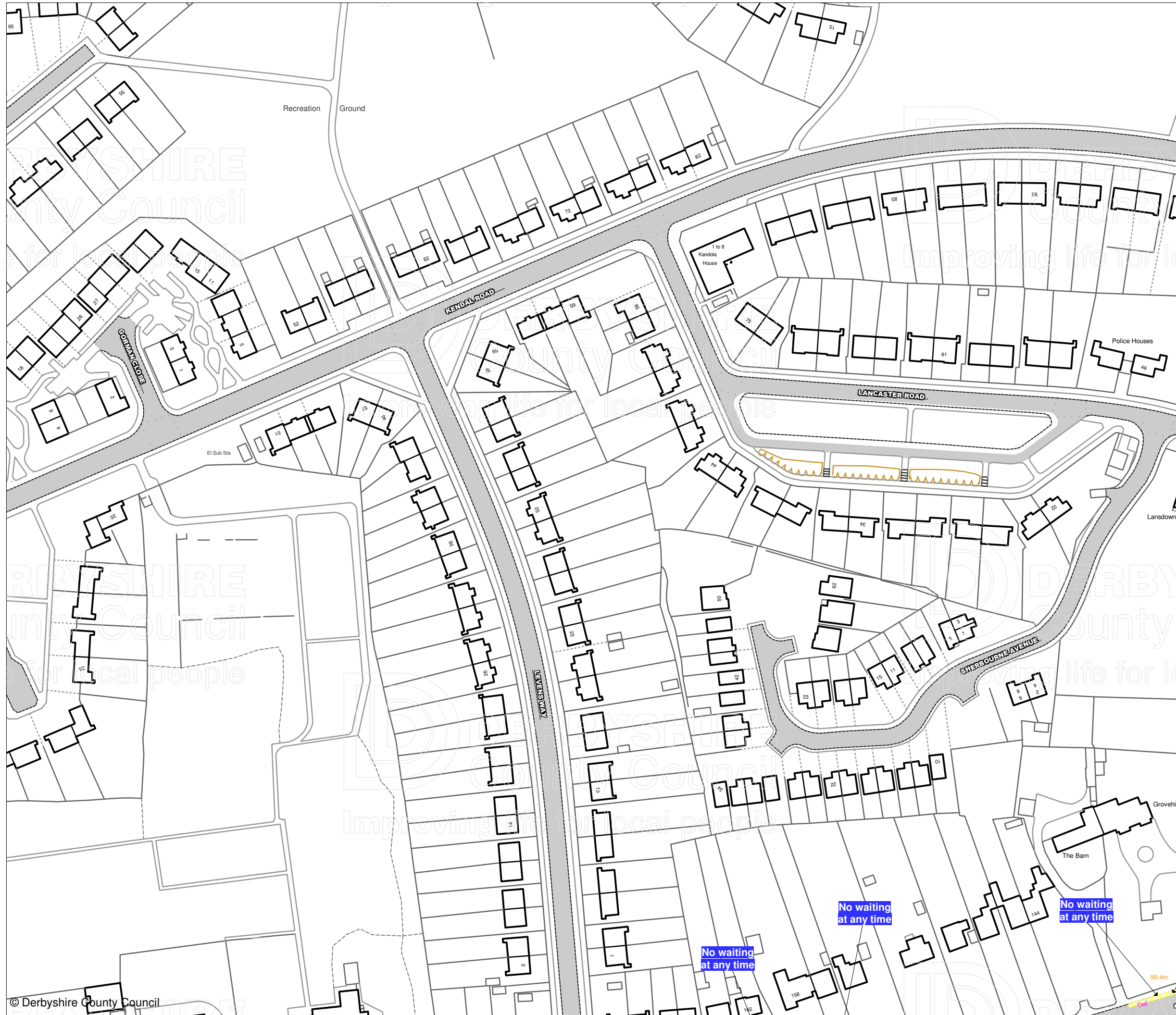
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DATE 12/11/2012

DRAWING No. 2

DRAWN BY



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

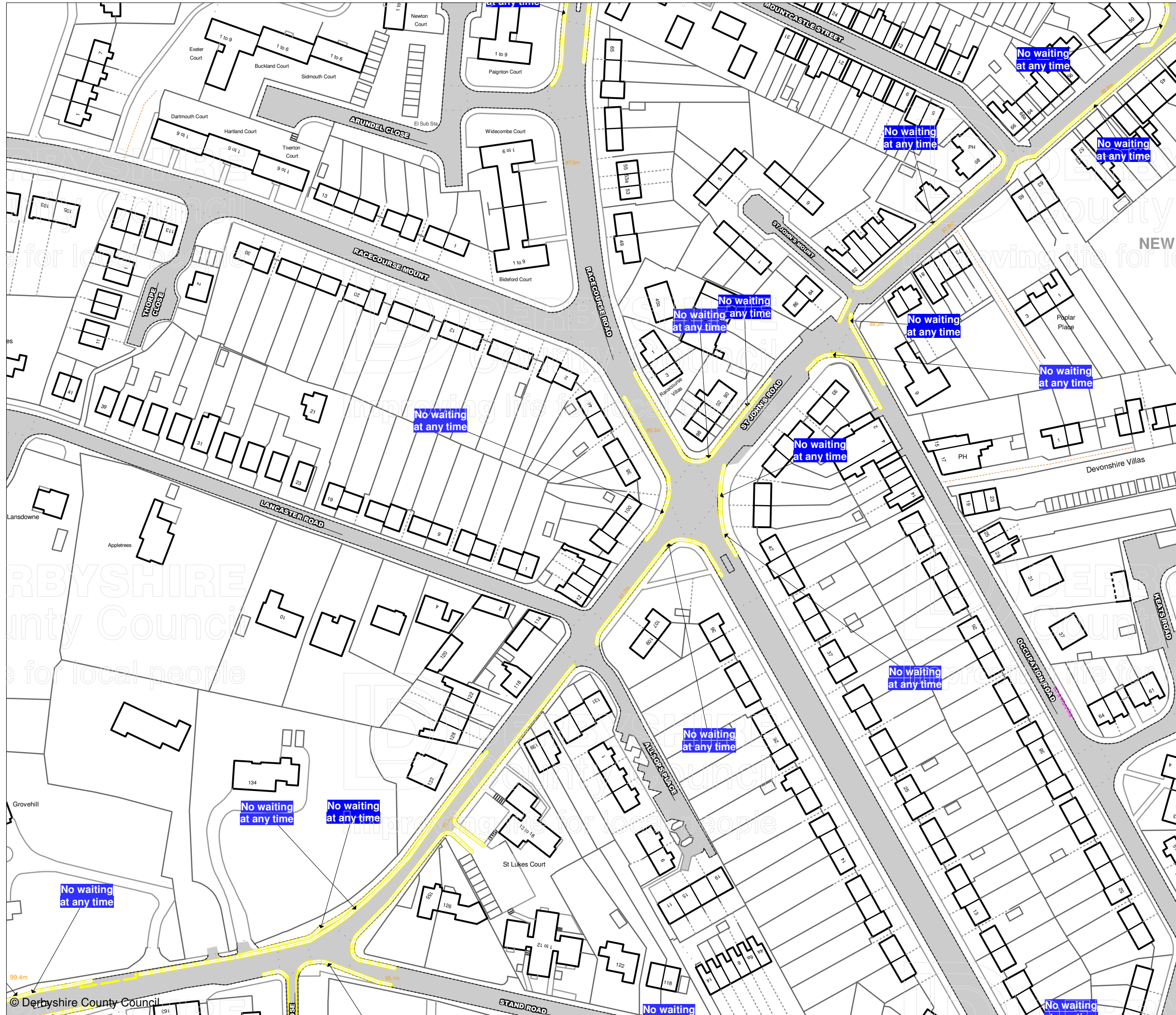
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DRAWING TITLE	
Tile Ref: CL101	
SCALE	1 : 1250
DATE	12/11/2012
DRAWING No.	2
DRAWN BY	



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Tile Ref: CL102	
SCALE	1 : 1250
DATE	12/11/2012
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DRAWING TITLE

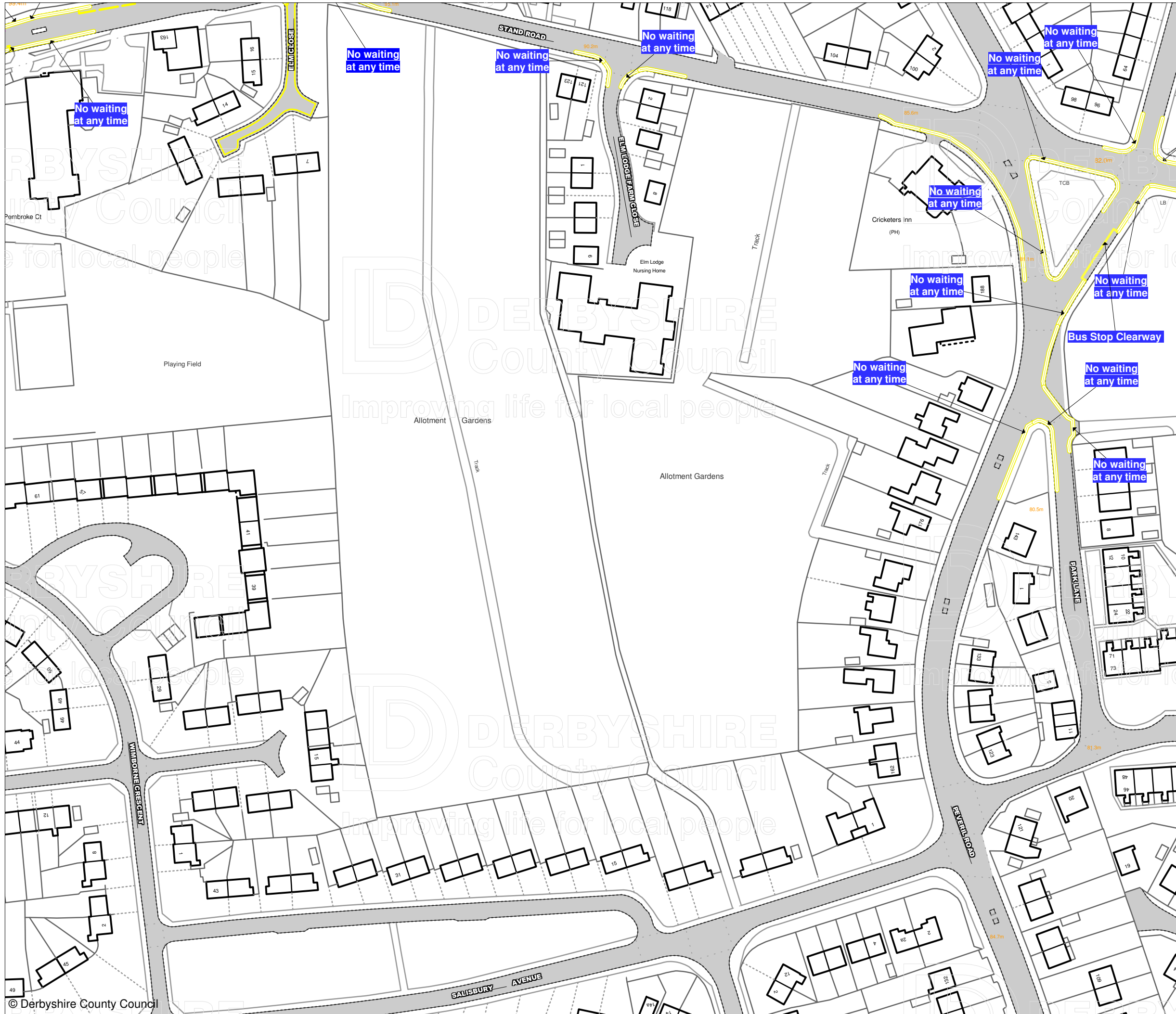
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SCALE 1 : 1250

DATE 12/11/2012

DRAWING No. 3

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DRAWING TITLE	
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