

DATED 16 JANUARY 2014

THE DERBYSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE DERBYSHIRE COUNTY COUNCIL

(WEST BARS, CHESTERFIELD)

**(WAITING AND LOADING PROHIBITION,
DISABLED PARKING SPACES, LOADING BAY
AND TAXI CLEARWAYS) ORDER 2013**

J McELVANEY

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ROAD TRAFFIC REGULATION ACT 1984
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The Derbyshire County Council in exercise of its powers under Sections 1, 2, 4 and 32 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-seventh day of January Two Thousand and Fourteen and may be cited as "The Derbyshire County Council (West Bars, Chesterfield) (Waiting and Loading Prohibition, Disabled Parking Spaces, Loading Bay and Taxi Clearways) Order 2013.

2 INTERPRETATION

In this Order:-

- 2.01 "Vehicle" means any mechanically propelled vehicle intended or adapted for use on roads.
- 2.02 "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.
- 2.03 "Disabled person's badge" has the same meaning as in the Disabled Persons (Exemptions for Disabled Persons) (England) Regulations 2000.
- 2.04 "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.
- 2.05 "The 2004 Act" means the Traffic Management Act 2004.

- 2.06 "CEO" means Civil Enforcement Officer and has the same meaning as in Section 76 of the 2004 Act.
- 2.07 "Goods" means goods or burden of any description.
- 2.08 "Loading and Unloading" means the transference, from or to a Vehicle, to or from premises, of Goods.
- 2.09 "Loading Bay" means a bay marked in accordance with The 2002 Regulations, which is provided for the waiting of a Vehicle for the purpose of delivering or collecting Goods or Loading or Unloading the Vehicle as specified under the provisions of this Order.
- 2.10 "Parking Place" means a part of the highway set aside for stationary vehicles of the classes specified in this Order under the provisions of this Order, usually indicated by a parking bay marked on the carriageway.
- 2.11 – Taxi/Hackney Carriage or "Licensed Hackney Carriage" means a Vehicle Licensed by the District Council.

3 WAITING RESTRICTIONS

- 3.1 Save as provided in Article 4 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.

4 GENERAL EXEMPTIONS TO WAITING AND LOADING PROHIBITIONS

- 4.1 Nothing in Articles 3 or 5 shall render it unlawful to cause or permit any Vehicle to wait or load/unload 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 be used for fire brigade, ambulance or police purposes;

5 LOADING PROHIBITION

- 5.1 Save as provided in Article 4 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 load or unload at any time on any day on the lengths of road specified in Schedule 4.

6 DISABLED BADGE HOLDERS ONLY PARKING PLACES

- 6.1 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, other than a Disabled Person's Vehicle to park in a Disabled Badge Holders Only Parking Place specified in Schedule 2 for a period not exceeding 3 hours between the hours of 9am to 5pm on any day.

- 2 Where there is a sign and surface marking which indicates that the Parking Place is available only for a Disabled Person's Vehicle, the Driver of a Vehicle shall not permit it to wait in that Parking Place unless it is a Disabled Person's Vehicle with a valid and correctly displayed Disabled Persons Badge.

- 6.3 Nothing in this Order shall render it unlawful for a Disabled Person's Vehicle to park in a Disabled Badge Holders Only Parking Place provided that such a Vehicle is parked within the limits of the bay.

7 LOADING BAY

- 7.1 The area of highway specified in Schedule 3 as a Loading Bay, shall be for delivery Vehicles only for the Loading and Unloading of Goods between the hours of 7am to 7pm on any day.

- 7.2 Nothing in this Order shall render it unlawful for a delivery Vehicle to wait in the Loading Bay provided that such a Vehicle is parked within the limits of the bay.

8 NO STOPPING EXCEPT TAXIS

- 8.1 Save as provided in Article 9 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 other than a Licensed Hackney Carriage to stop on the length of road and during the times specified in Schedule 5 to this Order.

- 8.2 Save as provided in Article 9 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 other than a Licensed Hackney Carriage to stop on the length of road specified in Schedule 6 to this Order at any time.

- 8.3 Nothing in this Order shall render it unlawful for a Licensed Hackney Carriage to wait on the lengths of road during the times specified in Schedules 5 and 6 of this Order.

9 EXEMPTIONS TO NO STOPPING EXCEPT TAXIS

- 9.1 The controls specified in Article 8 do not apply in the respect of a Vehicle waiting;
- a) if the person in control of the Vehicle is
 - i) required by law to stop or not to proceed;
 - ii) obliged to stop so as to avoid an accident;
 - iii) prevented from proceeding by circumstances beyond the person's control;
 - b) for so long as may be necessary to enable the Vehicle, if it cannot conveniently be used for such purpose in any other road, to be used
 - i) in connection with any building operation or demolition;
 - ii) in connection with the removal of any obstruction to traffic;
 - iii) opening or closing a gate or other barrier at the entrance to premises to which the Vehicle is being driven from or from which it has emerged if it is not reasonably practicable to cause the Vehicle to stop elsewhere for the purpose;
 - iv) using the Vehicle for fire brigade, ambulance or police purposes;
 - v) using the Vehicle in connection with the maintenance, improvement or reconstruction of the highway comprising or including the Carriageway;
 - vi) using the Vehicle in the service of a local authority or of a water company in pursuance of statutory duties or powers.
 - vii) in connection with the laying, erection, alteration or repair in or near such 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;
- 9.2 The controls specified in Article 8 of this Order do not apply in respect of a Vehicle which is waiting at the edge of the carriageway for as long as may be necessary for the purpose of delivering or collecting postal packets as defined in the Postal Services Act 2000.
- 9.3 The controls specified in Article 8 of this Order do not apply to anything done with the permission or at the direction of a Police Constable in uniform or a CEO.

10 EFFECT OF ORDER

- 10.1 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.

11 REVOCATIONS OF PREVIOUS ORDERS

- 11.1. 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

West Bars

West side

From its junction with New Beetwell Street in a northerly direction for 12 metres.

North side

From a point 27 metres to the north and east of its junction with New Beetwell Street in an easterly direction for 8 metres.

From a point 55 metres to the north and east of its junction with New Beetwell Street in an easterly direction for a distance of 15 metres.

Eastern / southern side

From its junction with New Beetwell Street in a northerly then easterly direction for a distance of 13 metres.

From a point 36 metres to the north and east of its junction with New Beetwell Street in an easterly direction for a distance of 8 metres.

From a point 52 metres to the north and east of its junction with New Beetwell Street in an easterly direction for a distance of 2 metres.

SCHEDULE 2

DISABLED BADGE HOLDERS ONLY PARKING PLACES **2 HOURS LIMITED WAITING, 9AM TO 5PM**

West Bars

North Side

From a point 24 metres to the north and west of its junction with New Beetwell Street in an easterly direction for a distance of 3 metres.

South side

From a point 13 metres to the north and east of its junction with New Beetwell Street in an easterly direction for a distance of 23 metres.

SCHEDULE 3

LOADING BAY 7AM TO 7PM

West Bars

West and north side

From a point 12 metres north of its junction with New Beetwell Street in a northerly then easterly direction for a distance of 12 metres.

North side

From a point 35 metres to the north and east of its junction with New Beetwell Street in an easterly direction for a distance of 20 metres.

SCHEDULE 4

NO LOADING AT ANY TIME

West Bars

West side

From its junction with New Beetwell Street in a northerly direction for 12 metres.

North side

From a point 27 metres to the north and east of its junction with New Beetwell Street in an easterly direction for 8 metres.

From a point 55 metres to the north and east of its junction with New Beetwell Street in an easterly direction for a distance of 15 metres.

Eastern / southern side

From its junction with New Beetwell Street in a northerly then easterly direction for a distance of 13 metres.

From a point 36 metres to the north and east of its junction with New Beetwell Street in an easterly direction for a distance of 8 metres.

From a point 52 metres to the north and east of its junction with New Beetwell Street in an easterly direction for a distance of 2 metres.

SCHEDULE 5

NO STOPPING EXCEPT TAXIS 7PM TO 7AM

West Bars

North side

From a point 35 metres to the north and east of its junction with New Beetwell Street in an easterly direction for a distance of 20 metres.

SCHEDULE 6

NO STOPPING EXCEPT TAXIS AT ANY TIME

West Bars

South side

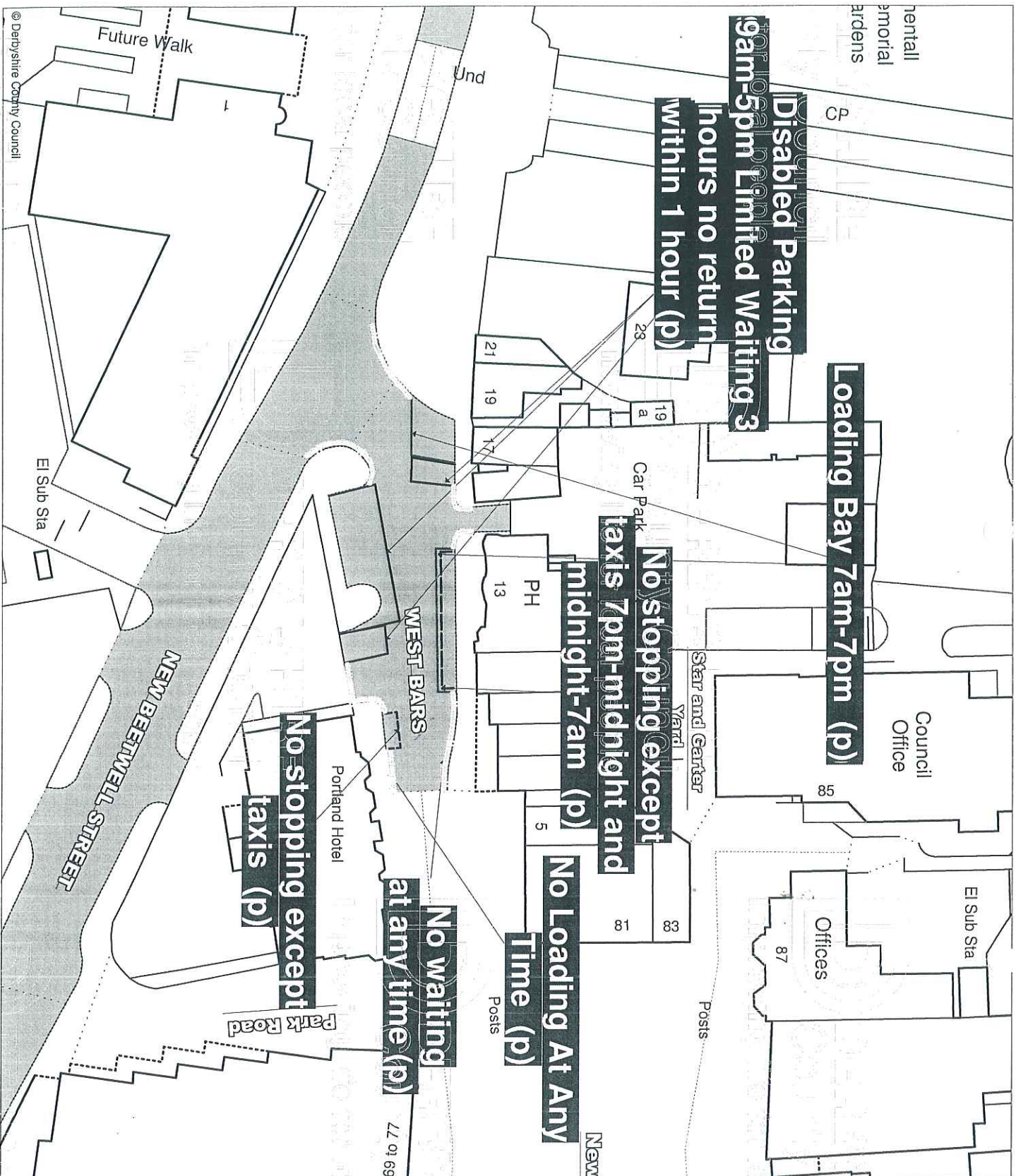
From a point 44 metres to the north and east of its junction with New Beetwell Street in an easterly direction for a distance of 8 metres.

THE COMMON SEAL of the Derbyshire)
County Council was hereunto affixed)
the Sixteenth day of January Two)
thousand and Fourteen in the presence of:-)

PP *John Hain*

Number in Seal
Book 2014/201

Director of Legal Services



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

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West Bars

Suggested

Parking Measures



IAN W. STEPHENSON BS., CENG, MICE, MINT
Strategic Director of Environmental Services

DRAWING TITLE

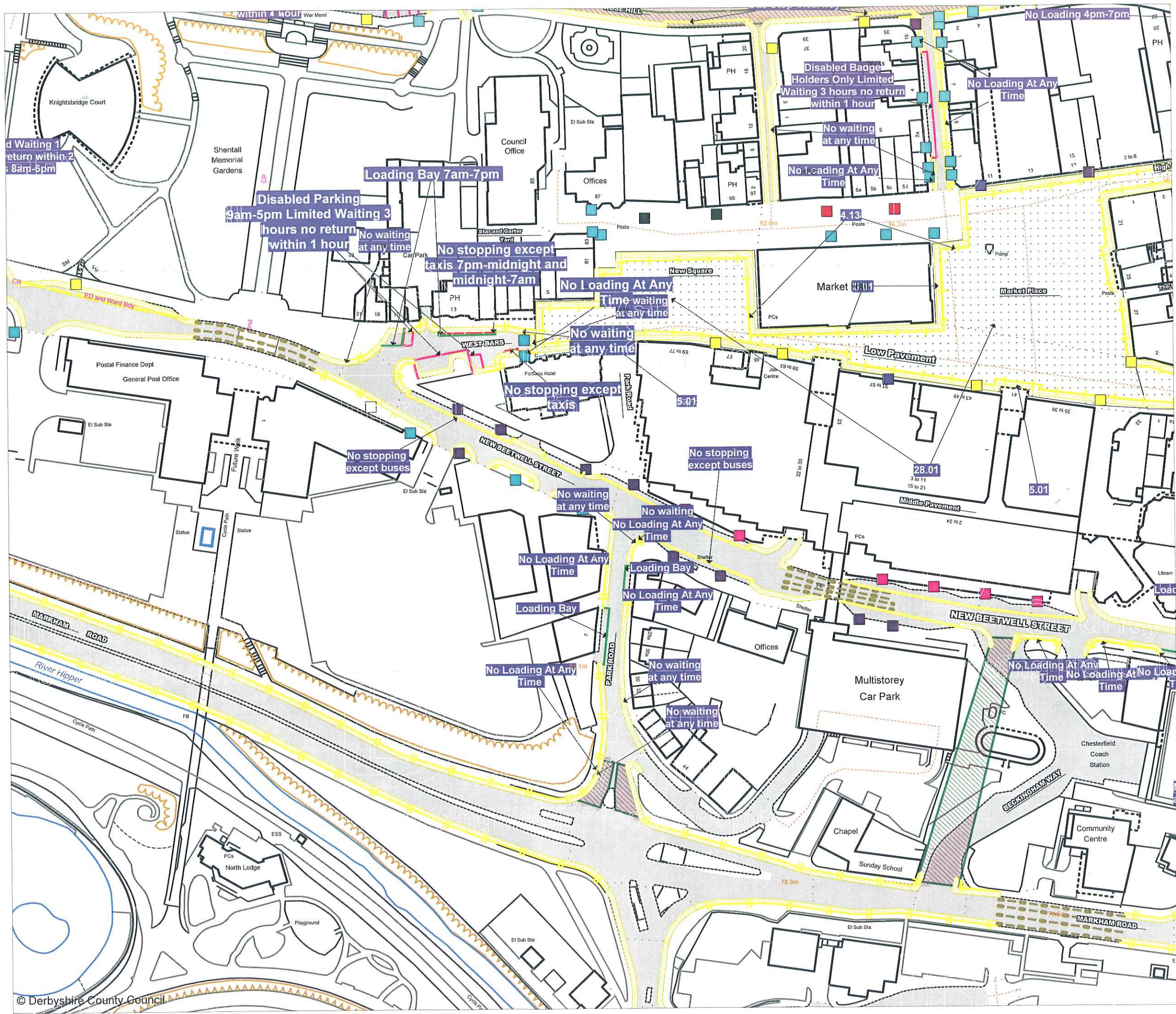
Chesterfield

SCALE 1 : 500

DATE 26/11/2012

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DRAWN BY: DON



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

Tile Ref: CT103

SCALE 1 : 1250

DATE 27/01/2014

DRAWING No. 10

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