

DATED 24 OCTOBER 2013

THE DERBYSHIRE COUNTY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984

THE DERBYSHIRE COUNTY COUNCIL
(SPIRE HEIGHTS AND CROSS STREET,
CHESTERFIELD)
(PROHIBITION OF WAITING,
WAITING RESTRICTIONS AND ONE WAY
TRAFFIC) ORDER 2013

J McELVANEY

MATLOCK

THE DERBYSHIRE COUNTY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984
(SPIRE HEIGHTS AND CROSS STREET,
CHESTERFIELD)
(PROHIBITION OF WAITING, WAITING
RESTRICTIONS AND ONE-WAY TRAFFIC)
ORDER 2013

The Derbyshire County Council in exercise of its powers under Sections 1, 2 and 4 of the Road Traffic Regulation Act 1984 ("the Act"), Part IV of Schedule 9 of the Act, Section 73 and Schedule 7 of the Traffic Management Act 2004 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

1.1 This Order shall come into operation on the Fourth day of November Two Thousand and Thirteen and may be cited as "The Derbyshire County Council (Spire Heights and Cross Street, Chesterfield) (Prohibition of Waiting and Waiting Restrictions and One-way Traffic) Order 2013".

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

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

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

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 of 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 A 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.

2.15 "Goods" means goods or burden of any description

2.16 "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 8.30am and 4.30pm, on any day (other than a Sunday) on the lengths 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, Monday to Friday, for longer than 2 hours (no return within 4 hours) on the lengths 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 Articles 3.1 and 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, 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 3.3 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 ONE-WAY TRAFFIC

7.1 Save as provided for in Article 8 of this Order no Vehicle shall proceed along the lengths of road specified in Schedule 4 to this Order otherwise than in the direction specified in the said Schedule.

7.2 Nothing in this Article shall render it unlawful for a Vehicle to proceed, in the lengths of road Specified in Schedule 4 to this Order, using all reasonable caution other than in the direction specified to the extent that it is necessary to assist the carrying out of any police, fire service or ambulance service emergency function.

8 EXEMPTIONS

8.1 Nothing in Article 7 shall apply to a Vehicle to be used for fire brigade, ambulance or police purposes.

9 EFFECT OF ORDER

9.1 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.

10 REVOCATIONS OF PREVIOUS ORDERS

10.1 The Derbyshire County Council Residents Parking Zone B Chesterfield Order 2010 will be revoked insofar as it relates to the lengths of Cross Street listed in Schedules 1 and 3 to this Order.

SCHEDULE 1

NO WAITING AT ANY TIME

Cross Street, Chesterfield

South side

From a point 23 metres from its western junction with Spire Heights in a westerly direction for a distance of 6 metres.

From a point 2 metres west of its western junction with Spire Heights in an easterly direction for a distance of 11 metres.

From a point 6 metres west of its eastern junction with Spire Heights in an easterly direction for a distance of 13 metres.

Spire Heights, Chesterfield

Both sides

From its western junction with Cross Street in a southerly direction for a distance of 10 metres.

From its eastern junction with Cross Street in a southerly direction for a distance of 10 metres.

SCHEDULE 2

NO WAITING 8.30AM TO 4.30PM, MONDAY TO SATURDAY

Spire Heights, Chesterfield

Both sides

From a point 10 metres south of its western junction with Cross Street in a southerly then easterly and northerly directions to a point 10 metres south of its eastern junction with Cross Street.

SCHEDULE 3

2 HOURS LIMITED WAITING, MONDAY TO FRIDAY, 8AM TO 6PM,
NO RETURN WITHIN 4 HOURS

Cross Street, Chesterfield

South side

From a point 29 metres west of its western junction with Spire Heights in a westerly direction for a distance of 10 metres.

From a point 2 metres west of its western junction with Spire Heights in a westerly direction for a distance of 21 metres.

From a point 9 metres east of its western junction with Spire Heights in an easterly direction for a distance of 43 metres.

From a point 8 metres east of its eastern junction with Spire Heights in an easterly direction for a distance of 17 metres.

SCHEDULE 4

ONE WAY TRAFFIC

Spire Heights, Chesterfield

Vehicles permitted to travel in a southerly direction only from its western junction with Cross Street to its junction with the east west link of Spire Heights, in an easterly direction only from its western section to its eastern section, and in a northerly direction only from its east west link to its eastern junction with Cross Street.

As shown for illustration purposes only on the attached plan.

THE COMMON SEAL of the Derbyshire)
County Council was hereunto affixed)
the Twenty-fourth day of October Two)
Thousand and Thirteen in the presence of:-)

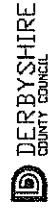
R Wild

YD Director of Legal Services

Number in Seal
Book 2013/1063

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AMENDMENT DETAILS		By	Date No.
DRAWN BY	S. Dunn		
DATE	09.01.13		
SCALE	N.T.S.		
ORIGINAL DRAWING SIZE 297 x 420 (A3)			



DERBYSHIRE
COUNTY COUNCIL

IAN W. STEPHENSON
SEC. CERO. MILE HUNT

STRATEGIC DIRECTOR OF ENVIRONMENTAL SERVICES

PROJECT TITLE

Section 38

Saltergate Football
Ground, Chesterfield

DRAWING TITLE

Proposed Prohibition of
Waiting, Waiting Restriction
and One Way

DRAWING NO.
NTA/SD/230/13



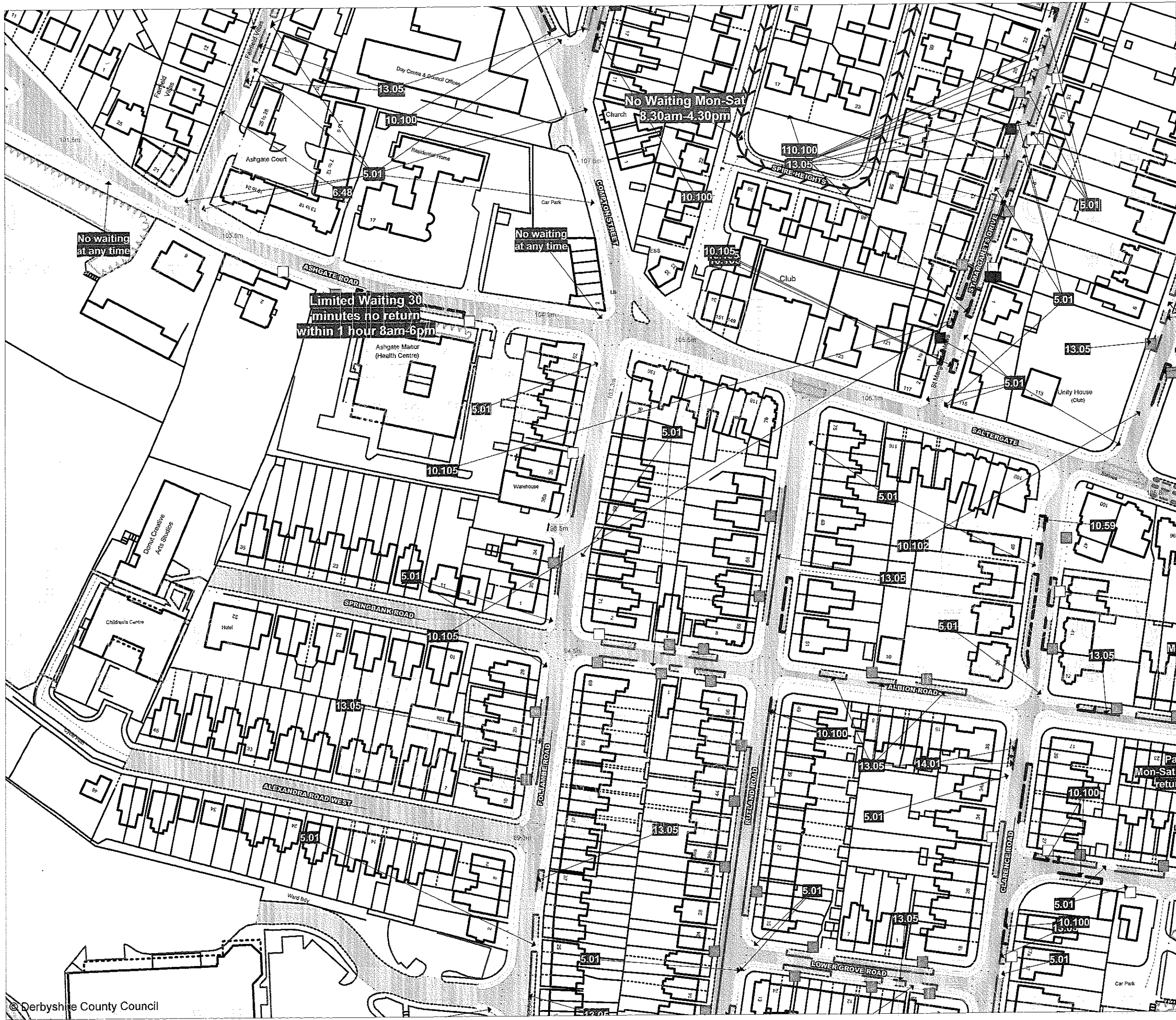
Schedule 1 - No Waiting at any time. Double Yellow Lines each 50mm wide.

Schedule 2 - No Waiting 8:30am to 4:30pm, Monday to Saturday. Single Yellow Line 50mm wide.

Schedule 3 - Limited Waiting Monday to Friday, 8:00am to 6:00pm, 2 hours, No return within 4 hours. 1.8m wide bays using 50mm wide white lines with a 600mm line length and 1000mm gap.

Schedule 4 - One Way Traffic. Traffic to flow one directionally as indicated by arrows.





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

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

DRAWING TITLE

Tile Ref: CS102

SCALE	1 : 1250
DATE	04/11/2013
DRAWING No.	16
DRAWN BY	



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

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

DRAWING TITLE

Tile Ref: CR102

SCALE	1 : 1250
DATE	04/11/2013
DRAWING No.	9
DRAWN BY	