

DATED 20 OCTOBER 2016

THE DERBYSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE DERBYSHIRE COUNTY COUNCIL

(VARIOUS ROADS, CHESTERFIELD)

**(PROHIBITION OF WAITING AND LOADING,
AND WAITING RESTRICTIONS) ORDER 2015**

JOHN McELVANEY

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THE DERBYSHIRE COUNTY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984
(VARIOUS ROADS, CHESTERFIELD)

**(PROHIBITION OF WAITING AND LOADING,
AND WAITING RESTRICTIONS) ORDER 2015**

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

This Order shall come into operation on the Thirty-first day of October Two Thousand and Sixteen and may be cited as "The Derbyshire County Council (Various Road, Chesterfield) (Prohibition of Waiting and Loading, and Waiting Restrictions) Order 2015".

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 5, 6 and 7 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 of this Order.

3.2 Save as provided in articles 5, 6 and 7 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 hours) on the lengths of road specified in Schedule 2 of this Order.

3.3 Save as provided in articles 5, 6 and 7 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 2 hours (no return within 2 hours) on the lengths of road specified in Schedule 3 of this Order.

4 PROHIBITION OF LOADING

4.1 Save as provided in Article 5 of this Order no Vehicle, except upon the direction or with the permission of a Police Constable in uniform shall Load / Unload between the hours of 8am and 10am and 3pm and 6pm, Monday to Sunday, on the length of road specified in Schedule 4 of this Order.

5 GENERAL EXEMPTIONS

5.1 Nothing in Articles 3 and 4 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, unless a loading prohibition is in force;
- (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 unless a loading prohibition is in force.

6 DISABLED PERSONS' EXEMPTIONS

6.1 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).

6.2 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.

6.3 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.

6.4 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.

6.5 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.

7 PUBLIC SERVICE VEHICLES

7.1 Nothing in Article 3 shall apply to a Public Service Vehicle.

8 EFFECT OF ORDER

8.1 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.

9 REVOCATIONS OF PREVIOUS ORDERS

9.1 The Derbyshire County Council (Parking, Waiting and Loading Prohibitions and Restrictions) Chesterfield Consolidation Order 2009 and any other permanent Traffic Regulation Orders made prior to this Order, insofar as they relate to waiting and loading restrictions on the lengths of road listed below are hereby revoked.

SCHEDULE 1

NO WAITING AT ANY TIME

Chatsworth Road, Chesterfield

North side

From its junction with West Bars Roundabout in a north westerly direction for a distance of 72 metres.

From a point 87 metres west of its junction with West Bars Roundabout in a westerly direction for a distance of 4 metres

From a point 6 metres east of its junction with Brook Yard to a point 4 metres west of its junction with Brook Yard.

From a point 14 metres south west of its junction with Bank Street to a point 15 metres south west of its junction with School Board Lane.

From a point 20 metres south west of its junction with School Board Lane in a westerly direction for a distance of 7 metres.

From a point 4 metres north east of its junction with Hardwick's Yard to a point 6 metres south west of its junction with Hardwick's Yard.

From a point 5 metres north east of its junction with the access road between No.191-193 Chatsworth Road to a point 5 metres south west of its junction with the access road to No.191-193 Chatsworth Road.

From a point 45 metres south west of its junction with the access road between No.191-193 Chatsworth Road in a south westerly direction for a distance of 7 metres.

From a point 4 metres north west of its junction with the access road between No.207-209 Chatsworth Road to a point 4 metres south west of its junction with the access road between No.207-209 Chatsworth Road.

From a point 3 metres north west of its junction with Stone Row to a point 4 metres south west of its junction with Stone Row.

From a point 17 metres south west of its junction with Stone Row in a south westerly direction for a distance of 6 metres.

From a point 81 metres south west of its junction with Old Road in a south westerly direction for a distance of 178 metres.

From its junction with Old Hall Road in an easterly direction for a distance of 54 metres

From a point 18 metres west of its junction with Heaton Street in a westerly direction for a distance of 6 metres.

South side

From a point 38 metres north east of its junction with Walton Fields Road in a north easterly direction for a distance of 5 metres.

From a point 26 metres south west of its junction with Mill Lane in a south westerly direction for a distance of 5 metres.

From a point 42 metres south west of its junction with Mill Lane in a westerly direction for a distance of 6 metres.

From a point 11 metres north east of its junction with Mill Lane in a north easterly direction for a distance of 4 metres.

From a point 28 metres north east of its junction with Mill Lane in a north easterly direction for a distance of 4 metres.

From a point 42 metres north east of its junction with Mill Lane in a north easterly direction for a distance of 5 metres.

From a point 119 metres north east of its junction with Factory Street in a north easterly direction for a distance of 138 metres.

Factory Street, Chesterfield

East side

From a point 45 metres south of its junction with Chatsworth Road in a southerly direction for a distance of 10 metres.

School Board Lane, Chesterfield

North west side

From a point 24 metres north west of its junction with Chatsworth Road in a westerly direction for a distance of 16 metres.

SCHEDULE 2

LIMITED WAITING 1 HOUR, NO RETURN WITHIN 2 HOURS
8AM TO 6PM, MONDAY TO SATURDAY

Clarence Street, Chesterfield

West side

From a point 10 metres south of its junction with Chatsworth Road in a southerly direction for a distance of 36 metres.

Tap Lane, Chesterfield

East side

From a point 11 metres south of its junction with Chatsworth Road in a southerly direction for a distance of 24 metres.

Chatsworth Road, Chesterfield

North side

From a point 72 metres west of its junction with West Bars Roundabout in a westerly direction for a distance of 15 metres.

From a point 189 metres west of its junction with School Board Lane in a westerly direction for a distance of 10 metres.

From a point 54 metres east of its junction with Old Hall Road in an easterly direction for a distance of 12 metres.

From a point 6 metres north east of its junction with Brook Yard in a north easterly direction for a distance of 10 metres.

From a point 4 metres south west of its junction with Stone Row in a south westerly direction for a distance of 13 metres.

From a point 25 metres south west of its junction with Stone Row in a south westerly direction for a distance of 10 metres.

South side

From a point 64 metres north east of its junction with Alma Street West in an easterly direction for a distance of 40 metres.

From a point 5 metres south west of its junction with Alma Street West in a south westerly direction for a distance of 14 metres.

From a point 5 metres south west of its junction with Hipper Street West in a south westerly direction for a distance of 14 metres.

From a point 16 metres south west of its junction with Mill Lane in a south westerly direction for a distance of 10 metres.

From a point 31 metres south west of its junction with Mill Lane in a south westerly direction for a distance of 11 metres.

From a point 48 metres south west of its junction with Mill Lane in a south westerly direction for a distance 10 metres.

From a point 5 metres north east of its junction with Mill Lane in a north easterly direction for a distance of 6 metres.

From a point 15 metres north east of its junction with Mill Lane in a north easterly direction for a distance of 13 metres.

From a point 32 metres north east of its junction with Mill Lane in a north easterly direction for a distance of 10 metres.

From a point 42 metres north east of its junction with Mill Lane in a north easterly direction for a distance of 8 metres.

SCHEDULE 3

LIMITED WAITING 2 HOURS, NO RETURN WITHIN 2 HOURS **8AM TO 6PM, MONDAY TO SATURDAY**

Factory Street, Chesterfield

East side

From a point 26 metres south of its junction with Chatsworth Road in a southerly direction for a distance of 19 metres.

Chatsworth Road, Chesterfield

North side

From a point 90 metres west of its junction with West Bars Roundabout in a westerly direction for a distance of 32 metres.

From a point 4 metres south west of its junction with Brook Yard in a south westerly direction for a distance of 14 metres.

From a point 27 metres south west of its junction with Chester Street in a south westerly direction for a distance of 41 metres.

From a point 15 metres south west of its junction with School Board Lane in a westerly direction for a distance of 5 metres.

From a point 27 metres south west of its junction with School Board Lane in a westerly direction for a distance of 16 metres.

From a point 53 metres south west of its junction with School Board Lane in a westerly direction for a distance of 16 metres.

From a point 79 metres south west of its junction with School Board Lane in a westerly direction for a distance of 40 metres.

From a point 126 metres south west of its junction with School Board Lane in a westerly direction for a distance of 8 metres.

From a point 142 metres south west of its junction with School Board Lane in a westerly direction for a distance of 22 metres.

From a point 8 metres west of its junction with Heaton Street in a westerly direction for a distance of 10 metres

From a point 23.5 metres west of its junction with Heaton Street in a westerly direction for a distance of 20 metres.

Chatsworth Road, Chesterfield

South side

From a point 19 metres south west of its junction with Alma Street West in a south westerly direction for a distance of 15 metres.

From its junction with Walton Fields Road in a south westerly direction for a distance of 29 metres.

From a point 60 metres north east of its junction with Walton Fields Road in a north easterly direction for a distance of 15 metres.

SCHEDULE 4

NO LOADING 8AM TO 10AM AND 3PM TO 6PM
MONDAY TO SUNDAY

Chatsworth Road, Chesterfield

South side

From a point 83 metres west of its junction with Chapel Lane West in a westerly direction for a distance of 53 metres.

As shown for illustration purposes only on the attached plans.

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

Director of Legal Services



Number in Seal
Book

2016 / 825

KEY

- Existing Road Markings
- Proposed Road Markings
- Pedestrian Crossing
- Proposed Kerb Blips

Drawing Alterations

RH

19/08/13

AMENDMENT DETAILS

By

Date No.

Drawn by P. Braisby

19/08/13

Scale

ORIGINAL DRAWING SIZE 420 x 300 (A3)



DERBYSHIRE COUNTY COUNCIL

M. W. ASHWORTH

Strategic Director of Environmental Services

PROJECT TITLE

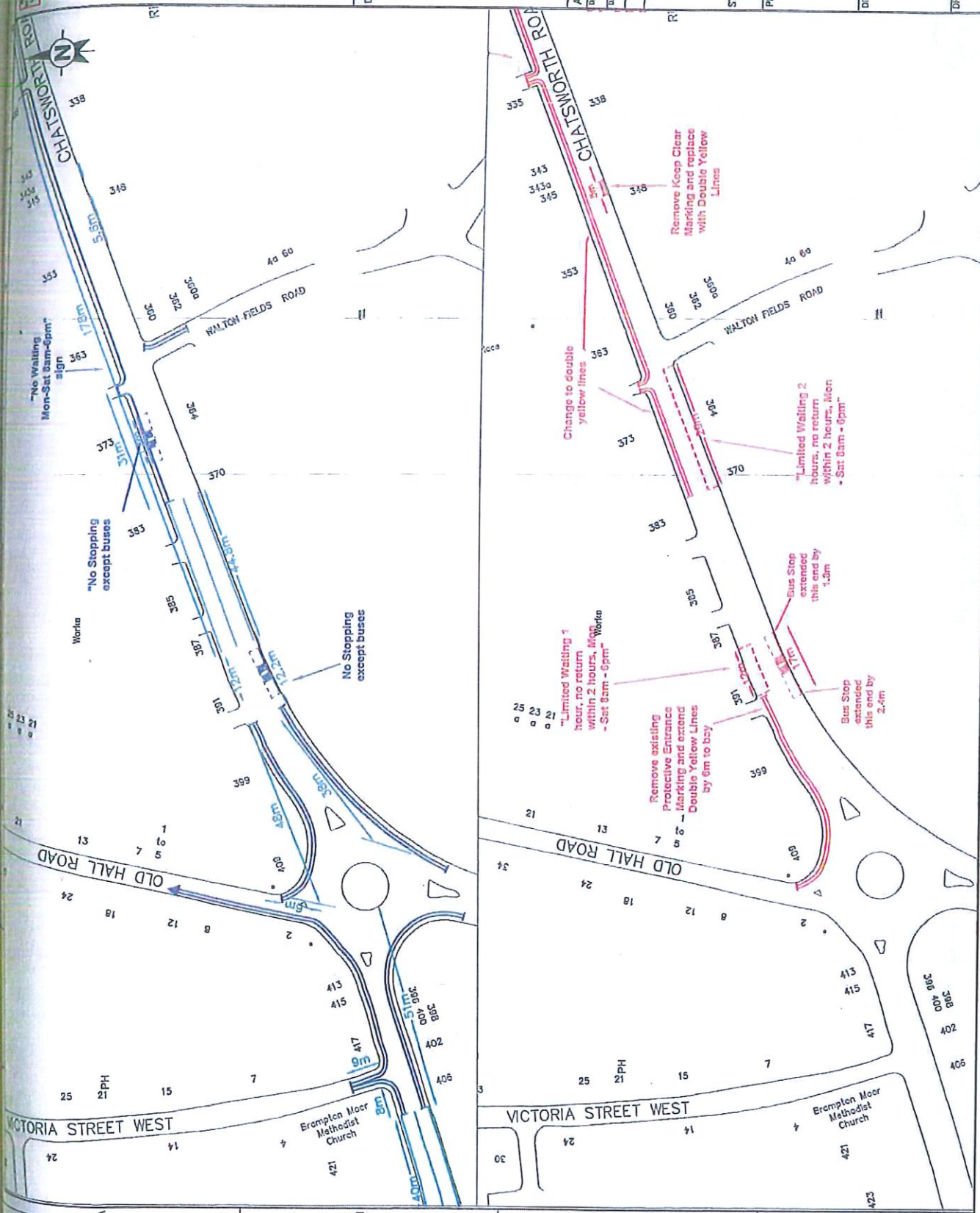
Chatsworth Road Area, Chesterfield

DRAWING TITLE

Proposed Traffic Regulation Order

DRAWING No.

HMT/PB/210/13



KEY

- Existing Road Markings
- Proposed Road Markings
- Pedestrian Crossing
- Proposed Kerb Blips

Drawing Alterations

RH

20/10/11

1

AMENDMENT DETAILS

By Date No.

SCALE

19/08/13

ORIGINAL DRAWING SIZE 420 x 300 (A3)

DERBYSHIRE
COUNTY COUNCIL

M. W. ASHWORTH

BS COUNCIL MGMT
STRATEGIC DIRECTOR OF ENVIRONMENTAL SERVICES

PROJECT TITLE

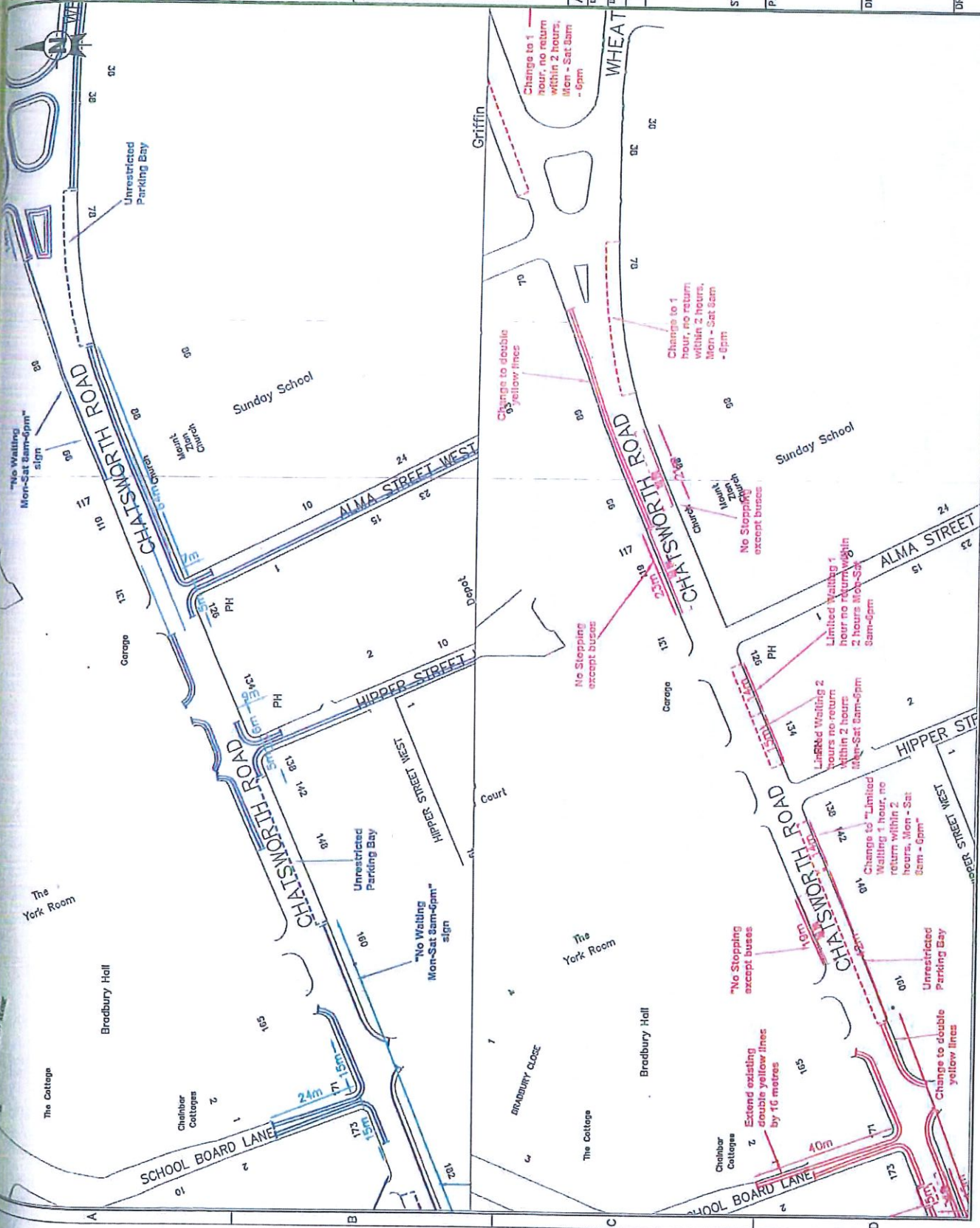
Chatsworth Road
Area,
Chesterfield

DRAWING TITLE

Proposed Traffic
Regulation Order

DRAWING No.

HMT/PB/213/13

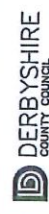


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KEY

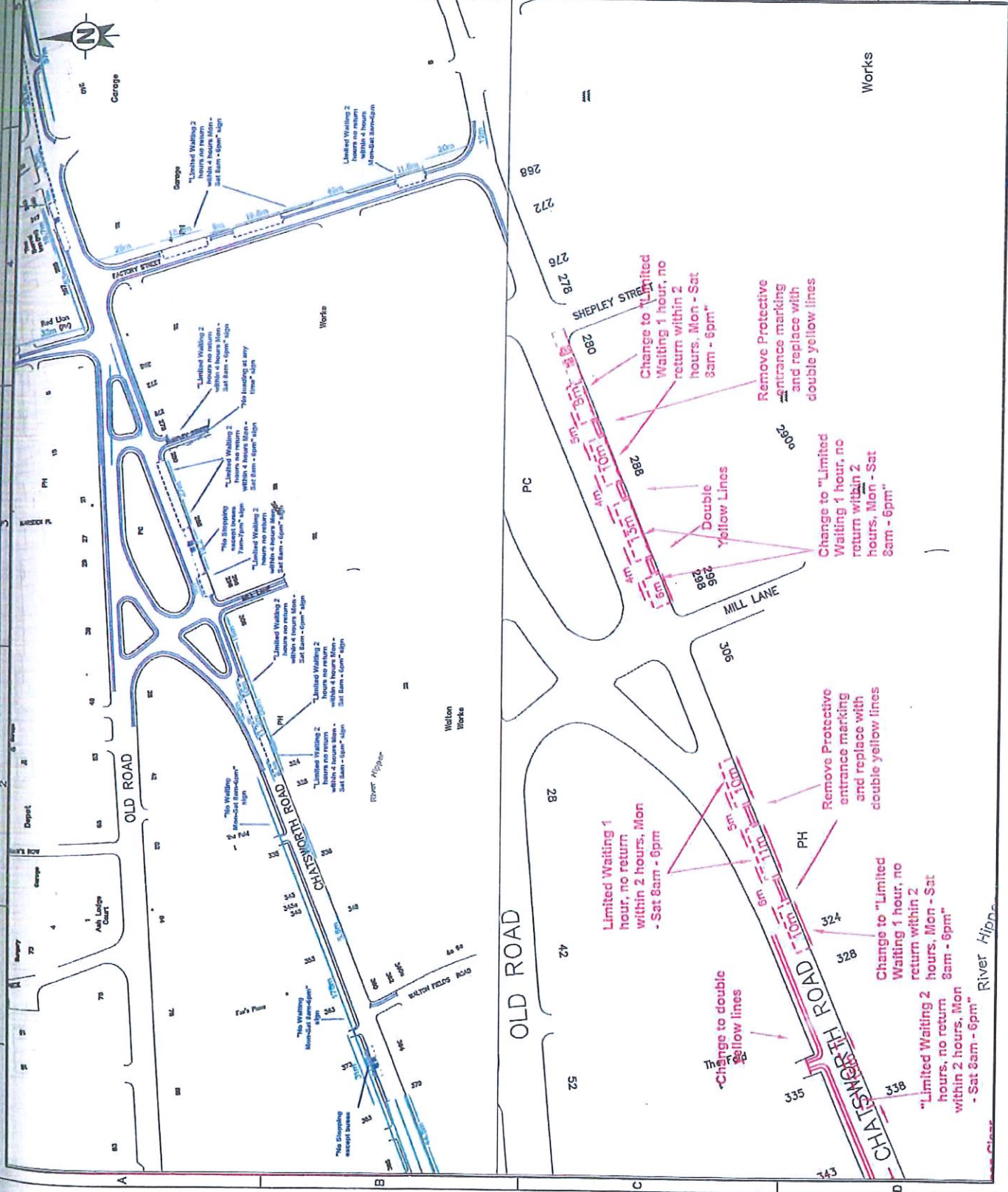
- Existing Road Markings
- Proposed Road Markings
- Pedestrian Crossing
- Proposed Kerb Blips

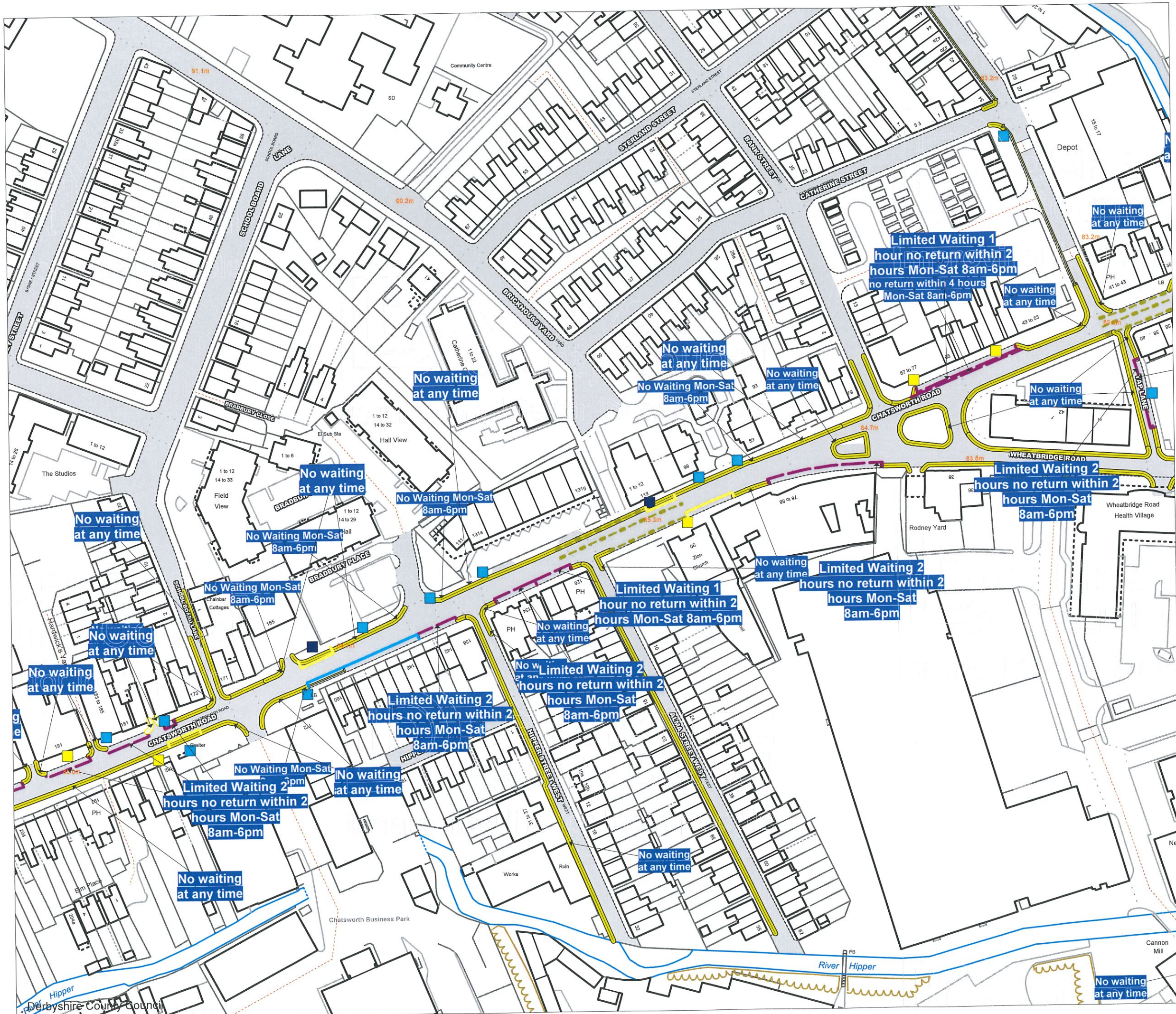
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Drawing Alterations	RH	10/10/14	2
Drawing Alterations	RH	10/10/14	3
AMENDMENT DETAILS			
DRAWN BY P Braisby		By	Date No.
DATE 19/08/13		SCALE	
ORIGINAL DRAWING SIZE 420 x 300 (A3)			



M. W. ASHWORTH
DERBYSHIRE COUNTY COUNCIL
STRATEGIC DIRECTOR OF ENVIRONMENTAL SERVICES

PROJECT TITLE	Chatsworth Road Area, Chesterfield
DRAWING TITLE	Proposed Traffic Regulation Order
DRAWING No.	HMT/PB/211/13






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

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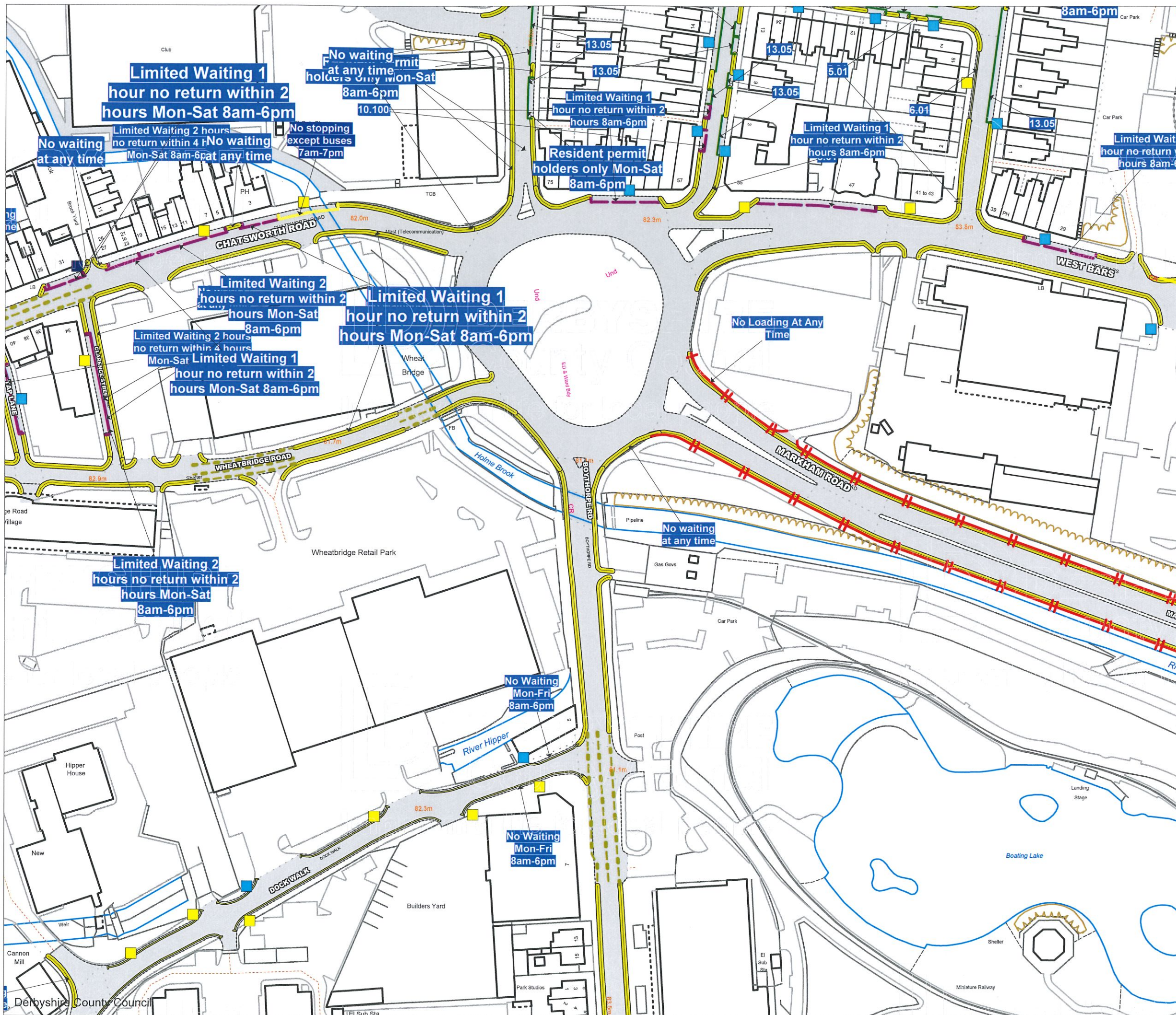


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County Council
Improving life for local people

MIKE W. ASHWORTH
Strategic Director
Economy, Transport & Environment

DRAWING TITLE
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SCALE	1 : 1250
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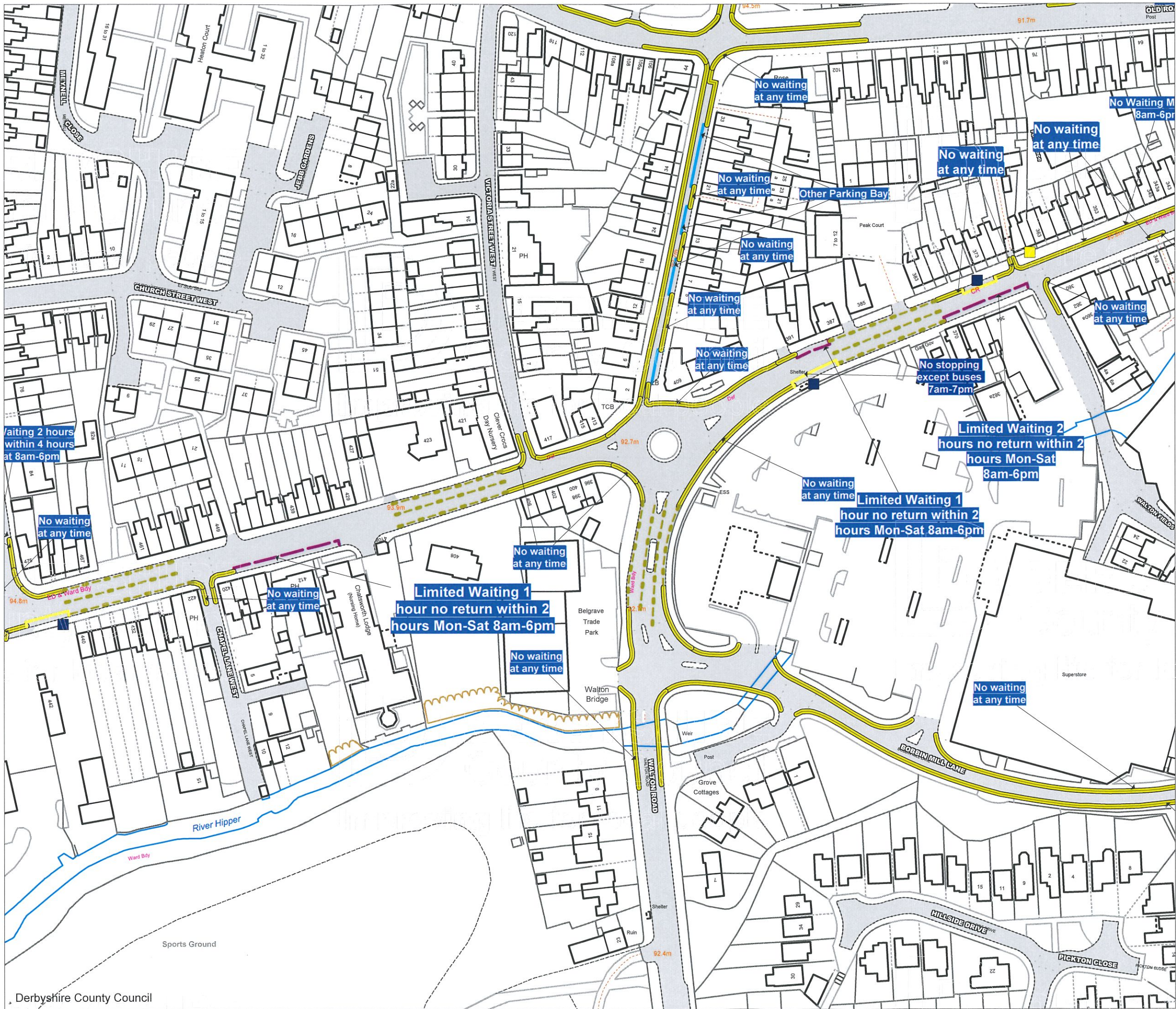
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SCALE	1 : 1250
DATE	31/10/2016
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