

DATED 7th MARCH 2024

**THE DERBYSHIRE COUNTY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984**

**THE DERBYSHIRE COUNTY COUNCIL
(CRESWELL AND WHITWELL)
(VARIOUS STREETS)
(WAITING RESTRICTIONS) ORDER 2024**

Helen Barrington

MATLOCK

Z3372

THE DERBYSHIRE COUNTY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984
THE DERBYSHIRE COUNTY COUNCIL
(CRESWELL AND WHITWELL)
(VARIOUS STREETS)
(WAITING RESTRICTIONS) ORDER 2024

The Derbyshire County Council in exercise of its powers under Sections 1,2,4,32,35,35A and Part III and IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act", The Local Authorities' Traffic Orders (Procedure) England and Wales) Regulations 1996 and all other enabling powers hereby makes the Following Order:-

1. CITATION AND COMMENCEMENT

- 1.1. This Order shall come into operation on the Eighteenth March Two Thousand and Twenty-Four and may be cited as "The Derbyshire County Council (Creswell and Whitwell) (Various Streets) (Waiting Restrictions) Order 2024".

2. INTERPRETATION

In this Order:-

- 2.1. "The County Council" shall mean Derbyshire County Council;
- 2.2. "The 2004 Act" shall mean the Traffic Management Act 2004;
- 2.3. "The 2016 Regulations" shall mean the Traffic Signs Regulations and General Directions 2016;
- 2.4. "Vehicle", for the purposes of this Order, shall mean a "Motor Vehicle" or "Pedal Cycle".
- 2.5. "Motor Vehicle" and "Motorcycle" shall have the same meanings as those ascribed to them in Section 136 of the Act;
- 2.6. "Owner", in relation to a Vehicle, shall mean the person who is named in the Vehicle Registration Document as the registered keeper of a goods or passenger Vehicle, or who has the use of such Vehicle in the course of his

employment and who is entitled to use such a Vehicle as though he were the registered keeper thereof;

- 2.7. "Driver" in relation to a Vehicle waiting in a Parking Place or on a road or length of road, shall mean:-
- a) the person driving the Vehicle or responsible for the Vehicle at the time it was left in that Parking Place or road or length of road;
 - b) the registered keeper of the Vehicle shall be deemed to have been the Driver unless evidence to the contrary is shown;
 - c) where the Vehicle is a Pedal Cycle, the person (being a user) riding, pushing by hand or otherwise in charge of the Pedal Cycle at the time it was left in the Parking Place;
- 2.8. "Pedal Cycle" shall have the same meaning as that ascribed to it in Section 192 of the Road Traffic Act 1988.
- 2.9. "Public Service Vehicle" shall have the same meaning as that 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 –
- a) being a Vehicle adapted to carry more than eight passengers, is used for carrying passengers for hire or reward; or
 - b) 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.
- 2.10. "Goods Vehicle" shall mean a motor vehicle which is constructed or adapted for use for the carriage of Goods, or a trailer so constructed or adapted, as in Section 192 (1) of the Road Traffic Act 1988;
- 2.11. "Dual Purpose Vehicle" shall have the same meaning as that ascribed to it in Part 1, Regulation 3 (2) of the Road Vehicles (Construction and Use) Regulations 1986;
- 2.12. "Carriageway" shall mean 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;
- 2.13. "Junction" shall mean, for the purposes of measurement only, that point where the prolongation of two kerb lines intersect, with measurements taken along the line of the kerb for the said length of road otherwise stated;
- 2.14. "Footway" shall mean a way comprised in a road which also comprises a carriageway being a way over which the public have right of way on foot only as defined in Section 329 (1) Highways Act 1980. A Footway is a pedestrian path alongside a Carriageway that is often referred to as a Pavement;

- 2.15. "Verge" shall mean any part of a highway which is not a Carriageway, Footway or Pavement but which includes a way over which the public have a right of way on Pedal Cycles with or without a right of way on foot;
- 2.16. "Parking Bay" and "Parking Space" shall mean a part of a Parking Place marked out or provided for the leaving of a Vehicle of the classes specified in this Order under the provisions of this Order; and
- a) "Specified Position", in respect of a Vehicle left in a Parking Place during the Permitted Hours in accordance with the foregoing provisions of this Order, shall mean that it shall be caused so to stand:-
- i) in accordance with any special provisions as to the manner of standing of a Vehicle in that place which are specified in Schedules 2 to this Order;
- ii) in the case of any other Parking Place, if the Parking Place is not in a one-way street, that the left or near-side of the Vehicle is adjacent to the left-hand edge of the Carriageway;
- iii) so that every part of a Vehicle is within the limits of a Parking Place;
- iv) that no part of the Vehicle obstructs any vehicular means of access to or egress from any premises adjacent to the side of the road on which the Vehicle is waiting.
- 2.17. "Loading Bay" shall mean a bay marked in accordance with the Traffic Signs Regulations and General Directions 2016, which is provided for the waiting of a Vehicle for the purpose of Delivering or Collecting Goods or the Loading or Unloading of the Vehicle as specified under the provisions of the Order;
- 2.18. "Goods" shall mean goods or burden of any description;
- 2.19. "Loading and Unloading" shall mean the transference of Goods from premises to a Vehicle and vice versa;
- 2.20. "Delivering and Collecting", in relation to any Goods, includes checking the Goods for the purposes of their delivery or collection;
- 2.21. "Specified Hours" shall mean the hours identified for Parking or Unloading places in Schedules 2 to this Order;
- 2.22. "Disabled Person's Vehicle" shall mean a Vehicle displaying a Disabled Person's Badge in the relevant position as set out under Regulation 4 of the Local Authorities Orders (Exemption for Disabled Persons) (England) Regulations 2000;
- 2.23. "Disabled Person's Badge" shall have the same meaning as that ascribed to it in the Disabled Persons (Exemption for Disabled Persons) (England) Regulations 2000;

- 2.24. "Relevant Position", in respect of a Disabled Person's Badge or a Permit or a Parking Ticket, shall mean:-
- a) in the case of a Vehicle fitted with a front windscreen, that the Disabled Person's Badge or Permit is exhibited thereon with the front facing forward on the nearside of and immediately behind the windscreen; or
 - b) in the case of a Vehicle not fitted with a front windscreen, that the Disabled Person's Badge or Permit is exhibited on the front or nearside of the Vehicle;
- 2.25. "Relevant Position", in respect of a Parking Disc, shall mean:-
- a) 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
 - b) 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";
- 2.26. "CEO" shall mean Civil Enforcement Officer, and shall have the same meaning as that ascribed to it in Section 76 of the 2004 Act;
- 2.27. "Penalty Charge" and "Discounted Level for a Penalty Charge" shall mean a charge set by the Council under Section 77 and Schedule 9 of the 2004 Act in accordance with the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022;
- 2.28. "PCN" shall mean a Penalty Charge Notice issued or served by a Civil Enforcement Officer pursuant to the provisions of Part 2 of The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022;
- 2.29. "Electronic Communications Apparatus", "Electronic Communications Network" and any "Electronic Communications" Line shall have the same meanings as those ascribed to them in the Communications Act 2003;
- 2.30. The Interpretation Act 1978 shall apply to the interpretation of this Order as it applies to Acts of Parliament;
- 2.31. Any reference in this Order to any enactment (meaning any act and any subordinate legislation as defined in the Interpretation Act 1978) shall be construed as a reference to that enactment as amended or replaced by any subsequent enactment;
- 2.32. Any reference in this Order to the masculine gender shall include the female gender and vice versa and any reference to the singular includes the plural and vice versa.

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 length(s) of road specified in Schedule 1 to this Order.

4. SCHOOL KEEP CLEAR RESTRICTIONS

- 4.1. Save as provide in Article 4.2 of the Order, no Vehicle shall stop or wait on the School Keep Clear restriction markings between the hours of 8.00am and 9:30am and 2:45pm and 4:30 pm (Monday to Friday Only) on the length(s) of road specified in Schedule 2 to this Order.

- 4.2. Nothing in Article 4 shall render it unlawful to cause or permit any Vehicle to stop or wait:

a) if the person in control of the Vehicle is:

- i) required by law to stop or not to proceed; or
- ii) obliged to stop so as to avoid an accident; or
- 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; or
- ii) in connection with the removal of any obstruction to traffic; or
- 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; or
- iv) using the Vehicle for fire brigade, ambulance or police purposes; or
- v) using the Vehicle in connection with the maintenance, improvement or reconstruction of the highway comprising or including the Carriageway; or
- vi) using the Vehicle in the service of a local authority or of a water company in pursuance of statutory duties or powers; or
- 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;

- c) at the edge of the carriageway for as long as may be necessary for the purposes of delivering or collecting postal packets as defined in the Postal Services Act 2000;
- d) with the permission or at the direction of a Police Constable in uniform or a CEO.

5. GENERAL EXEMPTIONS TO WAITING AND LOADING PROHIBITONS

5.1. Nothing in Article 3 of this Order shall render it unlawful to cause or permit any Vehicle to wait or load or unload in the lengths of road referred to therein for so long as may be necessary to enable:-

- a) a person to board or alight from the Vehicle; or
- b) if the Vehicle cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations namely:-
 - i) building, industrial or demolition operations; or
 - ii) the removal of any obstruction to traffic; or
 - iii) the maintenance, improvement or reconstruction of the said lengths of road; or
 - iv) 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;
- c) 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;
- d) 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;
- e) the Vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to the said lengths of road;
- f) any Vehicle, other than a privately owned Vehicle, which is being used as an official Vehicle for the purposes of a wedding (a bridal Vehicle) or a funeral (a hearse and cortege) at a Church or other place of worship;
- g) the Vehicle to be used for fire brigade, ambulance or police purposes.

6. DISABLED PERSONS' EXEMPTIONS

- 6.1. Nothing in Article 3.1 of this Order 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 (upon 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 Articles 3.2 of this Order 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 those Articles.

7. PUBLIC SERVICE VEHICLES

- 7.1. Nothing in Article 3 of this Order 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. Any permanent Traffic Regulation Orders made prior to this Order, insofar as they relate to parking, loading and waiting restrictions on the lengths of road listed in Schedules to this Order are hereby revoked.

SCHEDULE 1

NO WAITING AT ANY TIME

Bakestone Moor, Whitwell

South-east Side

From a point 15.5 metres north-east of its junction with New Street to a point 8 metres south-west of that junction.

New Street, Whitwell

North Side

From its junction with Bakestone Moor for a distance of 15 metres in an easterly direction.

South Side

From its junction with Bakestone Moor for a distance of 19 metres in an easterly direction.

Skinner Street, Creswell

South-west Side

From a point 13 metres south-east of its junction with Eyre Street to a point 18 metres north-west of that junction.

Eyre Street, Creswell

Both Sides

From its junction with Skinner Street for a distance of 12 metres in a south-westerly direction.

Duke Street, Creswell

North-east Side

From a point 88 metres south-east of its junction with Elmton Road for a distance of 29 metres in a south-easterly direction.

Southfield Lane, Whitwell

North-east Side

From its junction with Bakestone Moor to a point 10 metres south-east of its junction with Butthill Close.

From a point 10 metres north-west of its junction with South View to a point 14 metres south-east of that junction.

From a point 15 metres north-west of its junction with Middlegate Field Drive to a point 10 metres south-east of that junction.

South-west Side

From a point 5 metres north-west of its junction with Longhurst View to a point 10 metres south-east of that junction.

Spring Hill, Whitwell

West Side

From its junction with Hangar Hill for a distance of 30 metres in a southerly direction.

Station Road, Whitwell

North-east Side

From a point 34 metres south-east of its junction with Bellsfield Close to a point 167 metres south-east of that junction.

South-west Side

From a point 11 metres north-west of its junction with Bellsfield Close to a point 167 metres south-east of that junction.

Bellsfield Close, Whitwell

Both Sides

From its junction with Station Road for a distance of 10 metres in a south-westerly direction.

B6042 Craggs Road, Hodthorpe & Belph

Both Sides

From a point 100 metres south-west of its junction with Craggs Road to its junction the B6042 Hennymoor Lane.

Craggs Road, Hodthorpe & Belph

Both Sides

From its junction with the B6042 Hennymoor Lane for a distance of 20 metres in a northerly direction.

B6042 Hennymoor Lane, Hodthorpe & Belph

Both Sides

From its junction with Craggs Road for a distance of 40 metres in an easterly direction.

Butthill Close, Whitwell

Both Sides

From its junction with Southfield Lane for a distance of 11 metres in a north-easterly direction.

South View, Whitwell

Both Sides

From its junction with Southfield Lane for a distance of 12 metres in a north-easterly direction.

Longhurst View, Whitwell

Both Sides

From its junction with Southfield Lane for a distance of 10 metres in a south-westerly direction.

Middlegate Field Drive, Whitwell

Both Sides

From its junction with Southfield Lane for a distance of 15 metres in a north-easterly direction.

SCHEDULE 2

NO STOPPING ON SCHOOL ENTRANCE MARKINGS MONDAY TO FRIDAY 8.00am-9.30am AND 2.45pm-4.30pm

Southfield Lane

Both Sides

From the common boundary of No.67 and No.69 Southfield Lane for a distance of 26 metres in a north-westerly direction.

North-east Side

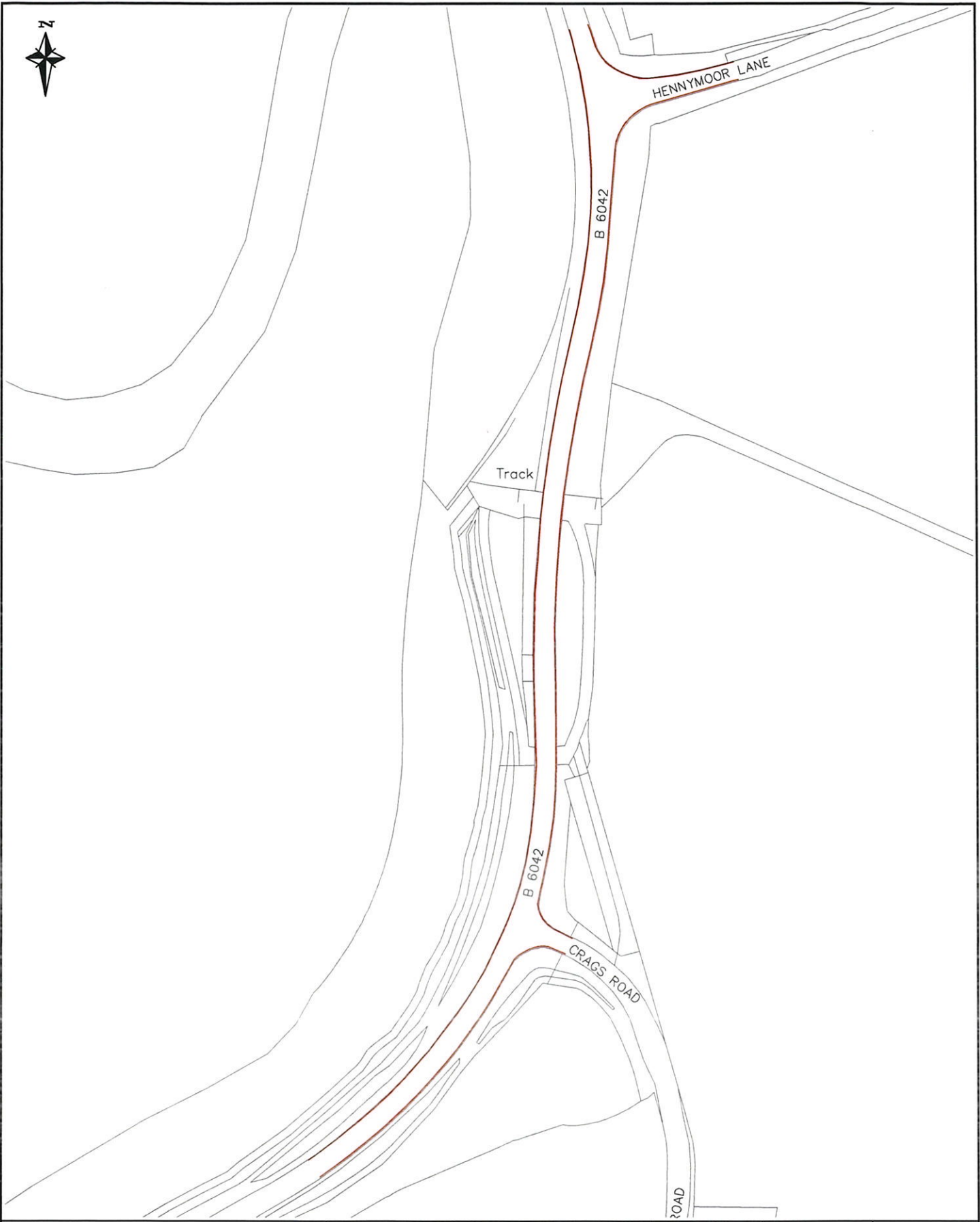
From a point 48 metres north-west of the common boundary of No.67 and No.69 Southfield Lane for a distance of 26 metres in a north-westerly direction.

THE COMMON SEAL of the Derbyshire)
County Council was hereunto affixed)
the Seventh Day of March Two Thousand)
and Twenty-Four in the presence of:-)


Director of Legal Services

pp.

Number in Seal
Book 2024/327



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Proposed double yellow, no waiting at any time.



Chris Henning
Executive Director - Place

DRAWN O.Brown	CHECKED M.Sellick	APPROVED B.Gould
Date 02/12/2022	Date	Date


PROJECT TITLE
CRESWELL & WHITWELL TRO

DRAWING TITLE
B6042, CRAGGS ROAD & HENNYMOOR LANE, CRESWELL

AMENDMENT DETAILS	BY	CHKD	APVD	DATE	NR.
DRAWING STATUS PROPOSAL	CLASSIFICATION CONTROLLED				

PLACE

Highways
Traffic & Safety



ORIGINAL DRAWING SIZE 297 x 420 (A3)

DCC Project Reference No.	PROJECT REF	SCALE N.T.S
Drawing Number	HMT/OB/799/22	



Proposed double yellow, no waiting at any time.

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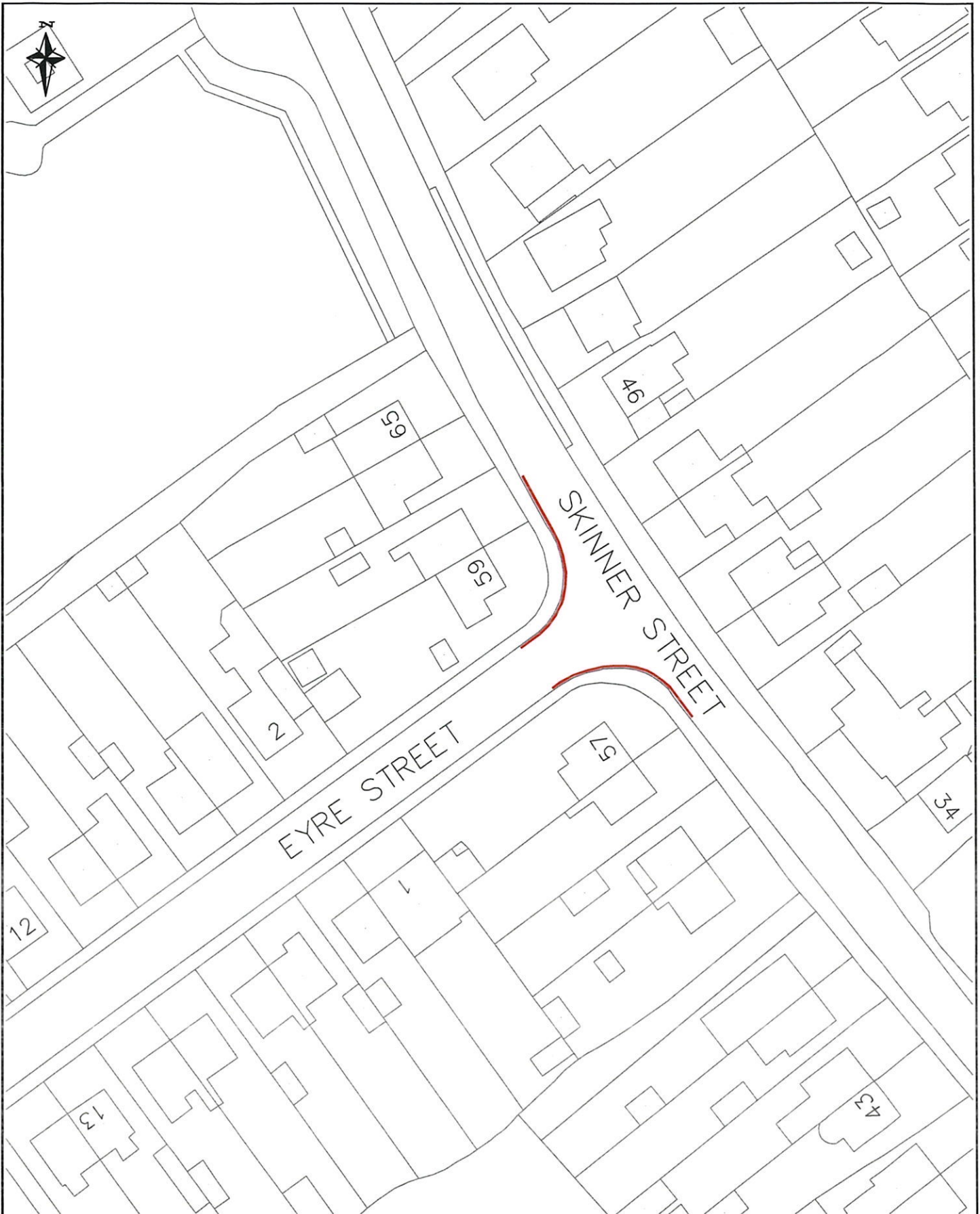
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CLASSIFICATION	CONTROLLED			

Chris Henning
Executive Director - Place


Highways
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PLACE

DRAWN O Brown Date 02/12/2022	CHECKED M. Sellick Date	APPROVED B. Gould Date
PROJECT TITLE CRESSWELL & WHITWELL TRO		
DRAWING TITLE NEW STREET, WHITWELL		
DDC Project Reference No. HMT/OB/800/22	PROJECT REF	SCALE @ A3 N.T.S



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 Proposed double yellow, no waiting at any time.

Restrictions reduced outside No55 and Extended outside No.61

MS BG BG 03 23 1

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DRAWING STATUS					
PROPOSAL					

CLASSIFICATION
CONTROLLED



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Executive Director - Place

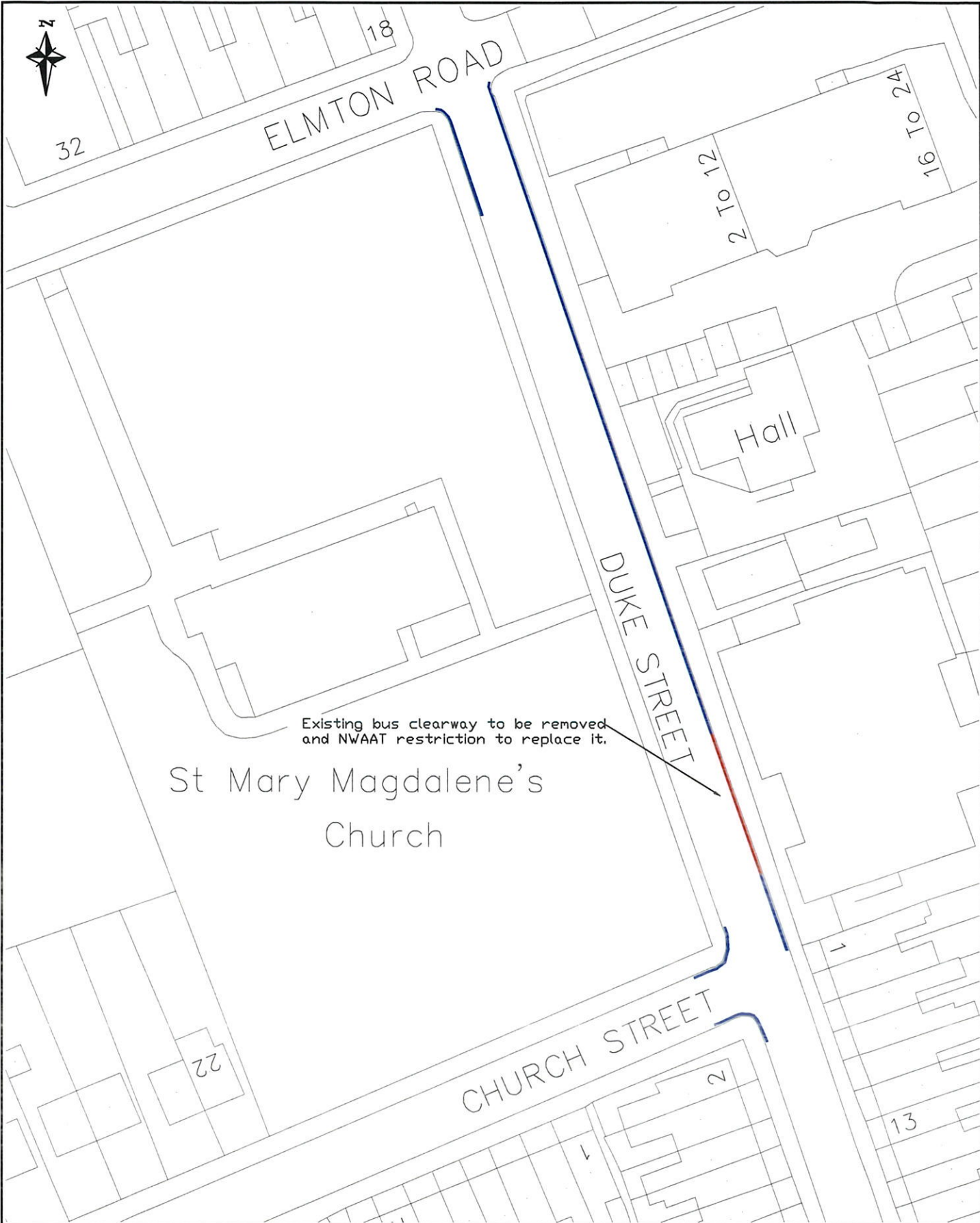
PLACE

Highways
Traffic & Safety



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Date 02/12/2022	Date	Date 17.3.23
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DRAWING TITLE SKINNER & EYRE STREET, CRESWELL		
DCC Project Reference No.	PROJECT REF	SCALE
Drawing Number HMT/OB/802/22REV1		N.T.S



Existing bus clearway to be removed and NWAAT restriction to replace it.

St Mary Magdalene's Church

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- Proposed double yellow, no waiting at any time.
- Existing double yellow, no waiting at any time.



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Executive Director - Place

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DRAWN O.Brown	CHECKED M.Sellick	APPROVED B.Gould
Date 02/12/2022	Date	Date

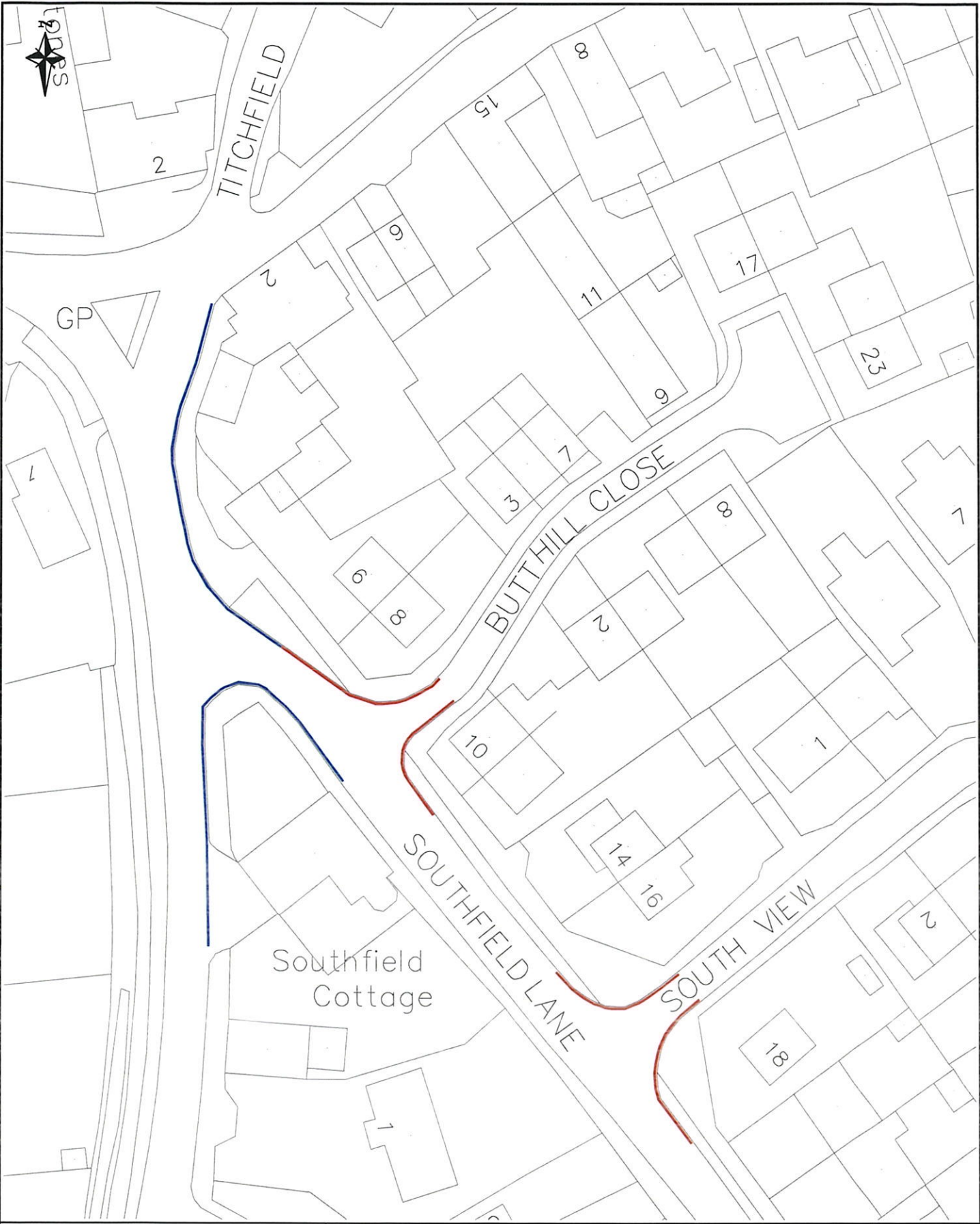
PROJECT TITLE
CRESWELL & WHITWELL TRO

DRAWING TITLE
DUKE STREET, CRESWELL

DCC Project Reference No.	PROJECT REF	SCALE N.T.S
Drawing Number	HMT/OB/801/22	

AMENDMENT DETAILS	BY	CHKD	APVD	DATE	NL
DRAWING STATUS PROPOSAL	CLASSIFICATION CONTROLLED				

ORIGINAL DRAWING SIZE 297 x 420 (A3)



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Existing double yellow, no waiting at any time.



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DRAWN O.Brown	CHECKED M.Sellick	APPROVED B.Gould
Date 02/12/2022	Date	Date

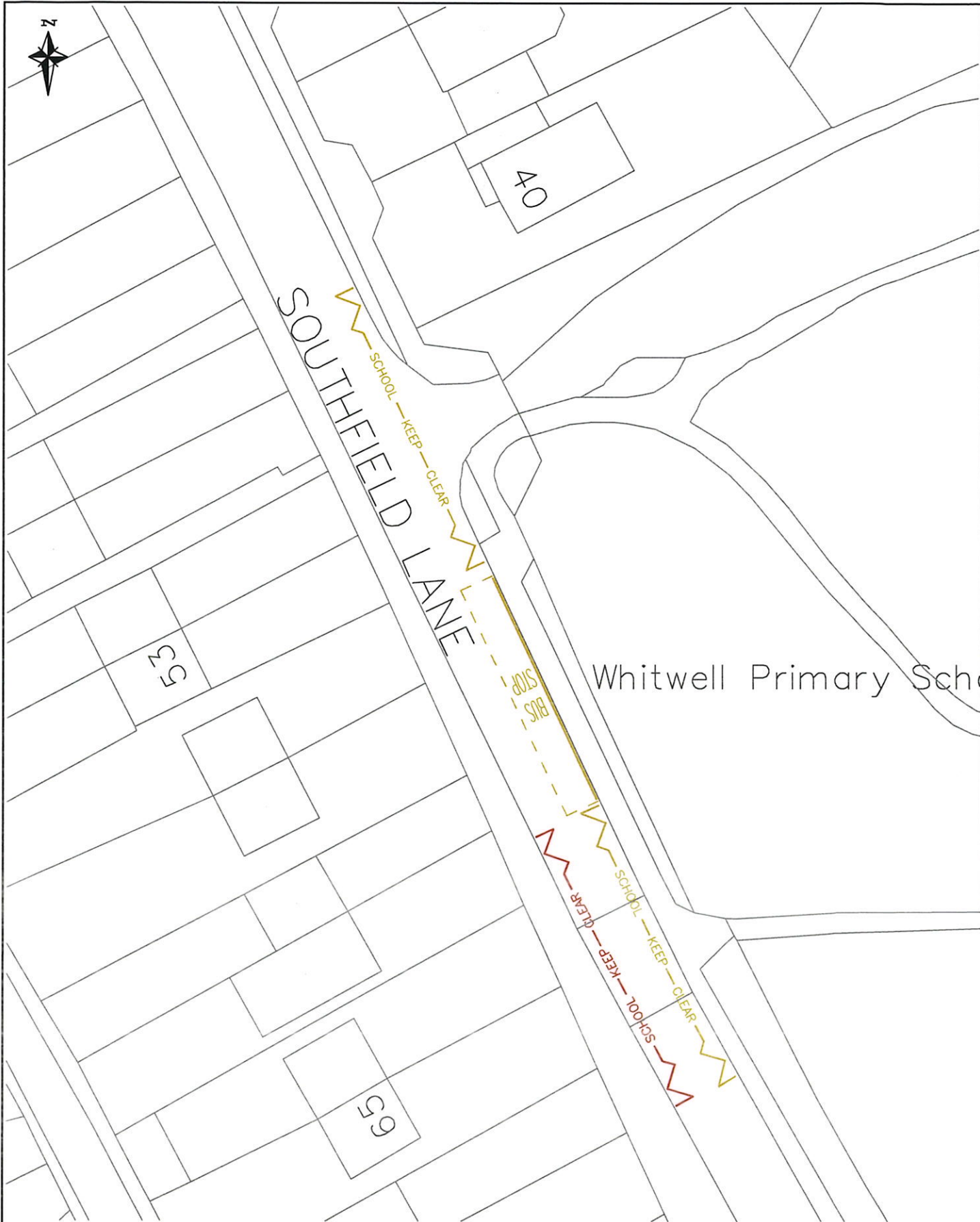
PROJECT TITLE
CRESWELL & WHITWELL TRO

DRAWING TITLE
SOUTHFIELD LANE, WHITWELL LOCATION 1 - BUTTHILL CLOSE & SOUTH VIEW

DCC Project Reference No.	PROJECT REF	SCALE N.T.S
Drawing Number	HMT/OB/803/22	

AMENDMENT DETAILS	BY	CHKD	APVD	DATE	NL
DRAWING STATUS PROPOSAL	CLASSIFICATION CONTROLLED				

ORIGINAL DRAWING SIZE 297 x 420 (A3)



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- Proposed school keep clear marking
No Stopping 8am-9.30am and 2.45pm - 4.30pm
- Existing road markings to be formalised to allow them to be legally enforced
No Stopping 8am-9.30am and 2.45pm - 4.30pm



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Executive Director - Place

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AMENDMENT DETAILS	MS	BG	BG	3.23	1
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PROPOSAL	CONTROLLED				

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Date	02/12/2022	Date		Date	
PROJECT TITLE					
CRESWELL & WHITWELL TRO					
DRAWING TITLE					
SOUTHFIELD LANE, WHITWELL LOCATION 2 - WHITWELL PRIMARY SCHOOL					
DCC Project Reference No.	PROJECT REF			SCALE	
Drawing Number	HMT/OB/804/22			N.T.S	



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DRAWN O.Brown	CHECKED M.Sellick	APPROVED B.Gould
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Date 02/12/2022	Date	Date
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PROJECT TITLE
CRESWELL & WHITWELL TRO

DRAWING TITLE
SOUTHFIELD LANE, WHITWELL LOCATION 3 -
LONGHURST VIEW & MIDDLEGATE FIELD DRIVE

DCC Project Reference No.	PROJECT REF	SCALE N.T.S
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Drawing Number HMT/OB/805/22	
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AMENDMENT DETAILS	BY	CHKD	APVD	DATE	NR.
DRAWING STATUS PROPOSAL	CLASSIFICATION CONTROLLED				

ORIGINAL DRAWING SIZE 297 x 420 (A3)



- █ Proposed double yellow, no waiting at any time.
- █ Existing double yellow, no waiting at any time.

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CLASSIFICATION	CONTROLLED					

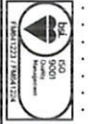


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Executive Director - Place

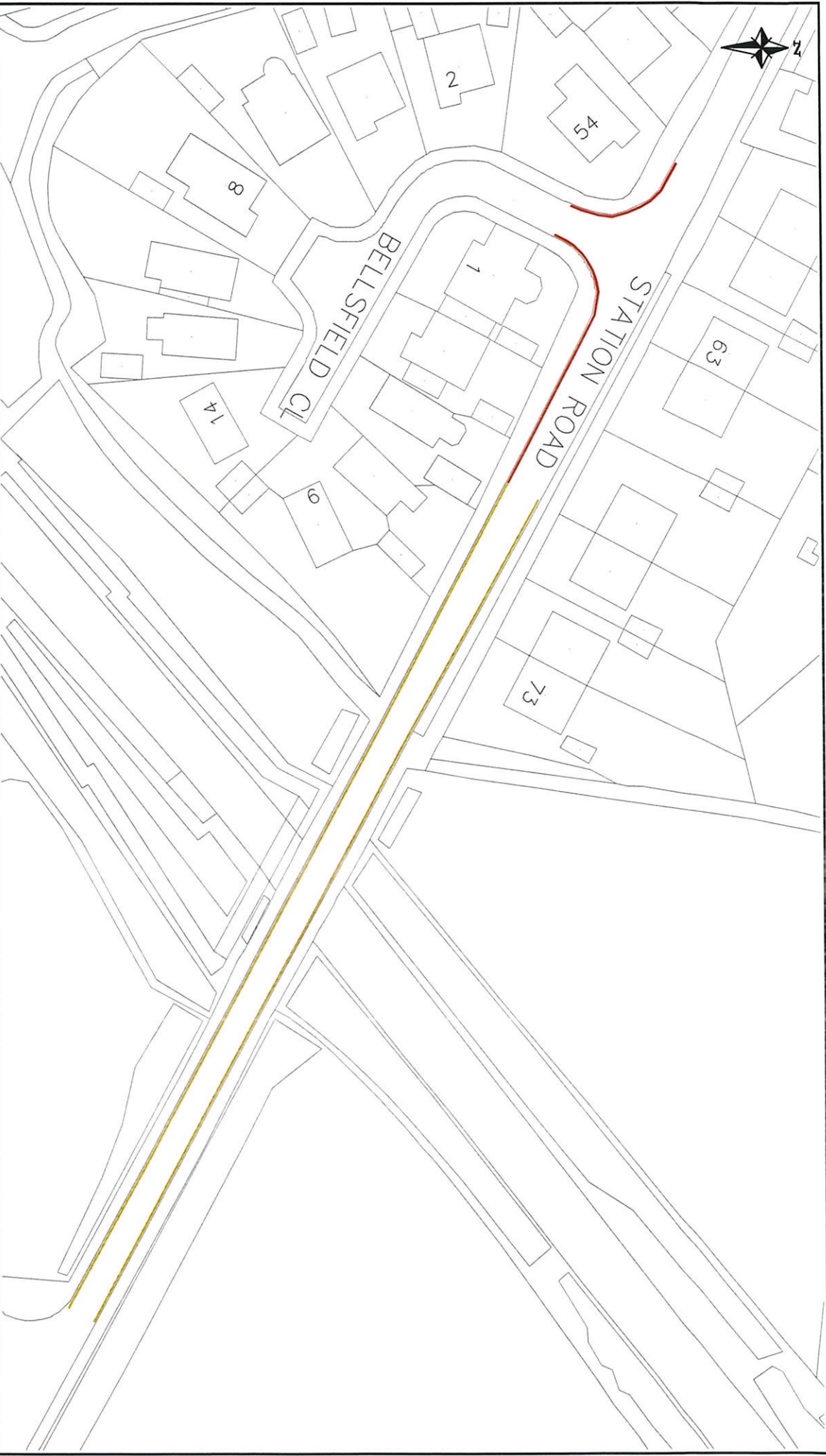
PLACE

Highways

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Date	02/12/2022	Date		Date	
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DRAWING TITLE SPRING HILL, WHITWELL					
DCC Project Reference No.	PROJECT REF				SCALE @ A3
Drawing Number	HMT/OB/806/22				N.T.S



- █ Proposed double yellow, no waiting at any time.
- █ Existing double yellow to be formalised to allow it to be legally enforced

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FIRST ISSUE	XX	XX	XX	XXXX	·
AMENDMENT DETAILS	9 th	04/01	04/11	04/11	NA
DRAWING STATUS	PROPOSAL				
CLASSIFICATION	CONTROLLED				

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Executive Director - Place

DERBYSHIRE
County Council

Highways
Traffic & Safety

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DRAWN	O Brown	CHECKED	M Sellick	APPROVED	B Gould
Date	02/12/2022	Date		Date	
DRAWING TITLE CRESSWELL & WHITWELL TRO					
PROJECT REF STATION ROAD, WHITWELL					
DCCP Project Reference No. HMT/08/807/22					
SCALE @ A3 N.T.S					

