

■ Castleton Visitors Centre  
Buxton Road  
Castleton  
Derbyshire, S33 8WN

11 August 2016

■  
Dear Sir/Madam

Derbyshire County Council  
(How Lane, Back Street, Bargate, Millbridge, Castle Street and  
Buxton Road, Castleton)  
(Waiting Restrictions and On-Street Charging) Order 2016

Please find enclosed a copy of a Public Notice which is due to appear in the Buxton Advertiser on 11 August 2016. Also enclosed is a copy of the Order and Statement of Reasons.

I should be grateful if you would arrange to keep these documents on deposit at the Visitors Centre for inspection by interested parties until the expiration of the objection period, ie 02 September 2016.

Your co-operation is greatly appreciated.

Yours sincerely



Nikki Hopkinson  
Business Services Assistant  
Direct Dial: 01629 538547

## **DERBYSHIRE COUNTY COUNCIL**

### **(HOW LANE, BACK STREET, BARGATE, MILLBRIDGE, CASTLE STREET AND BUXTON ROAD, CASTLETON)**

### **(WAITING RESTRICTIONS AND ON-STREET CHARGING)** **ORDER 2016**

Derbyshire County Council proposes to make an Order under the Road Traffic Regulation Act 1984 on the following lengths of road:-

#### **PROPOSED NO WAITING AT ANY TIME**

##### **How Lane, Castleton**

##### **South Side**

From a point 24 metres south west of its junction with Weaving Avenue in a westerly direction for a distance of 16 metres

From a point 103 metres south west of its junction with Weaving Avenue in a westerly direction for a distance of 20 metres

From a point 168 metres south west of its junction with Weaving Avenue in a westerly direction for a distance of 16 metres

##### **Back Street, Castleton**

##### **East Side**

From a point 16 metres south of its junction with Cross Street in a southerly direction for a distance of 100 metres

##### **Bargate, Castleton**

##### **North East Side**

From its junction with Market Place in a southerly and then easterly direction for a distance of 115 metres

##### **Southern Side**

From the eastern flank wall of Winhill Terrace in a westerly direction for a distance of 46 metres

##### **Millbridge, Castleton**

##### **West Side**

From a point 75 metres north of the junction with How Lane in a northerly direction for a distance of 85 metres

#### **PROPOSED LIMITED WAITING 9AM – 5PM**

#### **WAITING LIMITED TO 30 MINUTES, NO RETURN WITHIN 1 HOUR**

##### **How Lane, Castleton**

##### **North Side**

From a point 70 metres east of its junction with Cross Street in an easterly direction for a distance of 15 metres.

#### **PROPOSED DISABLED BADGE HOLDERS**

#### **WAITING LIMITED TO 3 HOURS, NO RETURN WITH IN 1 HOUR**

##### **Back Street, Castleton**

##### **West Side**

From a point 32 metres south of its junction with Cross Street in a southerly direction for a distance of 6 metres

##### **Castle Street, Castleton**

##### **East Side**

From a point 75 metre south of its junction with Cross Street in a southerly direction for a distance of 6 metres

## PROPOSED PAY AND DISPLAY PARKING PLACES

LOCATION DESCRIPTION 1	VEHICLE CLASSES 2	TIMES OF OPERATION 3	SCALE OF CHARGES 4
<p><b>How Lane, Back Street and Castle Street, Castleton</b></p> <p><b><u>How Lane, Castleton</u></b>  <b><u>South Side</u></b>            From a point 40 metres south west of its junction with Weaving Avenue in a westerly direction for a distance of 63 metres.            From a point 123 metres south west of its junction with Weaving Avenue in a westerly direction for a distance of 45 metres</p> <p><b><u>Back Street, Castleton</u></b>  <b><u>West Side</u></b>            From a point 16 metres south of its junction with Cross Street in a southerly direction for a distance of 16 metres.            From a point 39 metres south of its junction with Cross Street in a southerly direction for a distance of 39 metres.</p> <p><b><u>Castle Street, Castleton</u></b>  <b><u>East Side</u></b>            From a point 36 metres south of its junction with Cross Street in a southerly direction for a distance of 39 metres.  <b><u>West Side</u></b>            From a point 43 metres south of its junction with Cross Street in a southerly direction for a distance of 19 metres.            From a point 81 metres south of its junction with Cross Street in a southerly direction for a distance of 18 metres.</p>	<p>Motor Cars Motor Cycles</p>	<p>Everyday 9am – 5pm 2 hours maximum stay no return within 1 hour</p>	<p>Up to 1 Hour -£1.00 Up to 2 Hours -£2.00</p> <p>Charges in connection with the issue of a permit</p> <p>Residents Permit £35 a year. To be reviewed annually.</p>

## PROPOSED PAY AND DISPLAY PARKING PLACES

LOCATION DESCRIPTION 1	VEHICLE CLASSES 2	TIMES OF OPERATION 3	SCALE OF CHARGES 4
<b>Buxton Road, Castleton</b>			
<u><b>Buxton Road, Castleton</b></u> <u><b>South West Side</b></u> 20 metres east of Arthurs Way in an easterly direction for a distance of 60 metres. 140 metres east of Arthurs Way in an easterly direction for a distance of 63 metres. 215 metres east of Arthurs Way in an easterly direction for a distance of 62 metres. 20 metres west of Arthurs Way in a westerly direction for 166 metres. <u><b>North East Side</b></u> 204 metres west of Arthurs Way in a westerly direction for 170 metres.	Motor Cars Motor Cycles	Everyday 9am – 5pm 4 hours maximum stay no return within 1 hour	Up to 1 Hour -£1.00 Up to 2 Hours -£2.00 Up to 4 Hours -£3.00  <u>Charges in connection with the issue of a permit.</u>  Residents Permit £35 a year. To be reviewed annually.

Exemptions to the restrictions will be made to enable vehicles to be used in connection with any building operation or demolition, removal of any obstruction to traffic, carrying out statutory powers or duties, taking in petrol etc from any garage situated within the lengths of road, or as part of a funeral or wedding cortege.

A copy of the Order and documents giving more detailed particulars of the Order are available for inspection at the offices of the Derbyshire County Council, Main Reception, County Hall, Matlock between 9am and 5pm, Monday to Friday until 6 weeks after the Order is made, and at Castleton Visitors Centre, Buxton Road, Castleton, S33 8WN between 10am and 5.30pm daily until 02 September 2016.

All objections and other representations to the proposal must be made in writing and all objections must state the grounds on which they are made and be sent to the Strategic Director – Economy, Transport and Communities, Derbyshire County Council, County Hall, Matlock DE4 3AG (For Attention of Traffic and Safety Team) or email [netmanadmin@derbyshire.gov.uk](mailto:netmanadmin@derbyshire.gov.uk) by 02 September 2016.

Dated: 11 August 2016

Mike Ashworth, Strategic Director - Economy, Transport and Communities,  
Derbyshire County Council, County Hall, Matlock DE4 3AG.

DATED

2016

THE DERBYSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE DERBYSHIRE COUNTY COUNCIL

(HOW LANE, BACK STREET, BARGATE, MILLBRIDGE,  
CASTLE STREET AND BUXTON ROAD, CASTLETON)

(WAITING RESTRICTIONS AND ON-STREET CHARGING) ORDER 2016

JOHN McELVANEY

MATLOCK

Z3136

# DERBYSHIRE COUNTY COUNCIL

## THE ROAD TRAFFIC REGULATION ACT 1984

### (HOW LANE, BACK STREET, BARGATE, MILLBRIDGE CASTLE STREET AND BUXTON ROAD, CASTLETON)

#### (WAITING RESTRICTIONS AND ON-STREET CHARGING) ORDER 2016

Derbyshire County Council in exercise of its powers under Sections 1, 2, 4, 32, 35, 35A, 45, 46, 47, 48, 49, 51, 52, 53 (and Part IV of Schedule 9 (IF REVOKING)) to the Road Traffic Regulation Act 1984 ("The Act") and all other enabling powers, and 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. This Order shall come into operation on the            day of            Two Thousand and            , and may be cited as "The Derbyshire County Council (How Lane, Back Street, Bargate, Millbridge, Castle Street and Buxton Road, Castleton) (Waiting Restrictions and On-Street Charging) Order 2016".

#### 2. INTERPRETATION

In this Order –

- 2.01 "Bank Holiday" has the same meaning as described in the Banking and Financial Dealings Act 1971.
- 2.02 "Bus" has the same meaning as in Regulation 22 of The 2002 Regulations;
- 2.03 "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;
- 2.04 "CEO" means Civil Enforcement Officer and has the same meaning as in Section 76 of the 2004 Act;
- 2.05 "Delivering and Collecting" in relation to any Goods includes checking the Goods for the purpose of their delivery or collection
- 2.06 "Disabled Person's Badge", "Disabled Person's Vehicle", "Disabled Person", "Disabled Driver" and "Disabled Person's Parking Disc" have the same meanings as in the Local Authorities' Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000;
- 2.07 "District Council" means in this Order means the District Council for that administrative area;
- 2.08 "Driver" in relation to a Vehicle waiting in a Parking Place or on a road or length of road, means:-
  - 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;

- 2.09 "Dual Purpose Vehicle" has the same meaning as defined in Part 1 Regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986;
- 2.10 "Footway" means a way comprise in a road which also comprises a Carriageway, being a way over which the public have a right of way on foot only as defined in Section 329 (1) Highways Act 1980. Footways are pedestrian paths alongside a Carriageway, and often referred to as a Pavement.
- 2.11 "Goods" means Goods or burden of any description.
- 2.12 "Goods Vehicles" means 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.
- 2.13 "Junction" means, for measurement purposes only, the 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 "Loading and Unloading" means, the transference, from or to a vehicle, to or from premises, of Goods.
- 2.15 "Loading Bay" means, a bay marked in accordance with The Two Thousand and Two 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 the Order.
- 2.16 "Motor Car" and "Motorcycle" have the same meaning as in section 136 of the Act;
- 2.17 "Owner" in relation to a Vehicle means 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 a Vehicle in the course of his employment and who is entitled to use such a Vehicle as though he were the registered keeper thereof;
- 2.18 "Parking Bay" and "Parking Space" means 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;
- 2.19 "Parking Charge" means the charge applicable as specified in Schedule 4 of this Order;
- 2.20 "Parking Period" means the period in time in respect of which a Parking Charge is applicable as specified in the schedule attached to this Order;
- 2.21 "Parking Place" means a length of road or any area of land authorised to be used as a parking place by this Order, under the provisions defined in the schedule to this Order and indicated by signs and markings prescribed in the Traffic Signs Regulations and General Directions 2002
- 2.22 "Parking Ticket" means a ticket issued by a Ticket Machine, of a type and design authorised by the Secretary of State, installed at a Parking Place;
- 2.23 "Pay and Display Parking Place" means any area of highway specified in Schedule 4 of this Order where a Parking Charge is specified;
- 2.24 "Period of Stay" in relation to a Vehicle left in a Parking Place means the period beginning at the time of arrival or deemed time of arrival of that Vehicle in that Parking Place and extending until the time of its departure;

- 2.25 "Permitted Hours" means the hours specified in the schedule attached to this Order;
- 2.26 "Prescribed Hours" has the meanings ascribed in each particular Part of this Order and shall be construed accordingly;
- 2.27 "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:-
- 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 the business of carrying passengers;
- 2.28 "Relevant Position" in respect of: -
- a) a Disabled Person's Badge or a Permit or a Parking Ticket, means:
    - (i) 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
    - (ii) 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;
    - (iii) To a Parking Ticket, in respect of a vehicle fitted with a windscreen, means on the inside surface of the windscreen or on the dashboard nearest the kerb, so that the date and time of issue or expiry (as appropriate) of the Parking Ticket are readily visible from the near side of the vehicle.
    - (iv) To a Parking Ticket, in respect of a vehicle not fitted with a windscreen, means displaying the Parking Ticket on the vehicle so that the date and time of issue or expiry (as appropriate) is readily visible from the front near side of the vehicle
- 2.29 "Specified Parking Place" means a space which is provided for the leaving of a Vehicle, either of the type of Vehicle specified or displaying a valid Parking Ticket as specified in the Schedule 4 of this Order;
- 2.30 "Specified Position" means, in respect of a Vehicle left in a Parking Place during the Permitted Hours in accordance with the foregoing provisions of this Order, that it shall be caused so to stand:-
- a) in accordance with any special provisions as to the manner of standing of a Vehicle in that place which are specified in the schedule attached to this Order,
  - b) 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;
  - c) so that every part of a Vehicle is within the limits of a Parking Place;
  - d) that no part of the Vehicle obstructs any vehicular means of ingress to or egress from any premises adjacent to the side of the road on which the Vehicle is waiting.
- 2.31 "Specified Hours" means the hours identified for Parking or Unloading places in the schedule attached to this Order;
- 2.32 "Ticket Machine" means a pay and display machine apparatus or device of a type or design approved by the Secretary of State for use on street for the issuing of a Parking Ticket;

- 2.33 "Traffic Sign" means a sign of any size, colour and type prescribed or authorised pursuant to or having the effect as though prescribed or authorised pursuant to Section 64 of the Act;
- 2.34 "Vehicle" means any mechanically propelled Vehicle intended or adapted for use on roads;
- 2.35 "The 2002 Regulations" means the Traffic Signs Regulations and General Directions 2002 SI 2002/3113;
- 2.36 "The 2004 Act" means the Traffic Management Act 2004;
- 2.37 "Penalty Charge" and "Discounted Level for a Penalty Charge" means a charge set by the Council under Section 77 and Schedule 9 of the 2004 Act in accordance with the Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 (SI 2007 No,3487)
- 2.38 "Penalty Charge Notice (PCN)" means a notice issued or served by CEO in accordance with Regulation 8, 9 or 10 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (SI 2007 No. 3483);
- 2.39 The Interpretation Act 1978 shall apply to its interpretation as it applies to Acts of Parliament
- 2.40 Any reference to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment
- 2.41 Any reference in this order to the masculine gender shall include the female gender and vice versa and any reference to a singular includes the plural and vice versa.

### **3 WAITING RESTRICTIONS**

- 3.1 Save as provided in Articles 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 any lengths of road specified in Schedule 1 of this Order.
- 3.2 Save as provided in Articles 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 (for longer than 30 minutes (no return within 1 hour)) on the length of road specified in Schedule 2 of the Order.

### **4 DISABLED BADGE HOLDERS ONLY PARKING PLACES**

- 4.1 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 3 to this Order for a period not exceeding 3 hours, no return within 1 hour at any time on any day.
- 4.2 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.
- 4.3 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.

## **5 DISABLED PERSONS EXEMPTIONS**

- 5.1 Nothing in Article 3.1 of this Order shall render it unlawful for a Disabled Person's Vehicle which displays in the Relevant Position a Disabled Person's Badge and a Disabled Person's 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 any of the roads, lengths of road or sides of road specified in Schedule 1 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 of road or on the same side of road on the same day).
- 5.2 Nothing in Article 3.2 of this Order shall render it unlawful for a Disabled Person's Vehicle which displays in the Relevant Position a Disabled Person's Badge to wait in any of the roads, lengths of roads or sides of roads specified in Schedule 2 of this Order.

## **6 GENERAL EXEMPTIONS**

- 6.1 Nothing in Article 3 shall render it unlawful for any Vehicle to wait 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 a Vehicle or to enable personal luggage to be loaded onto or unloaded from the Vehicle;
  - (b) 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:-
    - (i) building, industrial or demolition operations
    - (ii) the removal of any obstruction to traffic;
    - (iii) the maintenance, improvement or reconstruction of the said lengths of road;
    - (iv) the laying, erection, alteration or repair in or on land adjacent to the said lengths of road of any sewer, main, pipe or apparatus for the supply of gas, water, electricity or of any Electronic Communications Line;
  - (c) the Vehicle if it cannot be conveniently 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 and/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 (bridal vehicle) or a funeral (hearse and cortege) at a Church or place of worship.
  - (g) the Vehicle to be used for fire brigade, ambulance or police purposes in the event of an emergency.
  - (h) Goods to be Loaded or Unloaded from the Vehicle; unless a loading prohibition is in force.

## **7 PAY AND DISPLAY PARKING PLACES**

- 7.1 Subject to the Articles of this Order, the area on the roads or sides of the roads identified and for the periods specified in Schedule 4 and Schedule 5 under the conditions of use specified in Articles 8, 9 and 13, shall be Pay and Display Parking Places.
- 7.2 Nothing in this Order shall render it unlawful to cause or permit any Vehicle displaying a valid Ticket in accordance with Article 13 of this Order to wait in a Pay and Display Parking Place provided that such a Vehicle is parked in accordance with Article 10 of this Order during the times of operation specified in Column 3, of the classes of vehicles specified in Column 2 of Schedule 4 and Schedule 5.

**8 RESTRICTION OF USE OF VEHICLES  
(Pay and Display Parking Places)**

- 8.1 The Driver of a Vehicle using a Pay and Display Parking Place shall not carry out any work of construction, repair or maintenance to the Vehicle except such as may be necessary to enable the Vehicle to be removed from the Pay and Display Parking Place.
- 8.2 No person shall use a Vehicle, while it is in a Pay and Display Parking Place, in connection with the sale of any article to persons in or near the Pay and Display Parking Place or in connection with the selling or offering for hire of that person's skill or services, unless in connection with a charitable event and having received the prior permission of the Council. Nothing in this Article shall prevent the sale of goods from a Vehicle if the Vehicle is one which may be left in a Pay and Display Parking Place in accordance with Article 9 of this Order and the goods are immediately delivered at or taken in to premises adjacent to the Vehicle from which the sale is effected.

**9 MANNER OF STANDING OF VEHICLES  
(Pay and Display Parking Places)**

- 9.1 Every Vehicle left in a Pay and Display Parking Place specified, shall so stand, unless the Parking Place is further restricted by additional controls on the manner of standing or restricted to use by a specified class of Vehicle or user, as specified, as follows:
- (i) a Vehicle shall not use a Pay and Display Parking Place so as to unreasonably prevent access to any premises adjoining the road, or the use of the road or a pavement by other persons, or so as to be a nuisance;
  - (ii) in the case of a Pay and Display Parking Place in relation to which special provisions as to the manner of standing of Vehicles in that place are specified as to be in accordance with those provisions;
  - (iii) in the case of any other Pay and Display Parking Place:
    - a) if the Pay and Display Parking Place is not in a one-way street, that the left or nearside of the Vehicle is adjacent to the left-hand edge of the Carriageway;
    - b) if the Pay and Display Parking Place is in a one-way street:-
      - (i) that the left or nearside of the Vehicle is adjacent to the left hand edge of the Carriageway or that the right or offside of the Vehicle is adjacent to the right-hand edge of the Carriageway; and
      - ii) that the longest side of the Vehicle is parallel to the edge of the Carriageway nearest to the Vehicle, unless additional controls on that Pay and Display Parking Place specify a specific orientation of the Vehicle as identified; and
  - (iv) that every part of the Vehicle is within the limits of a Pay and Display Parking Place provided that where the length of any Vehicle being a passenger Vehicle, precludes it from standing wholly within the limits of a Pay and Display Parking Place, such a Vehicle may so stand in that Pay and Display Parking Place and shall be deemed to be wholly within the limits of a Pay and Display Parking Place if the extreme front portion or the extreme rear portion, as the case may be, of the Vehicle is within 1.0 metres of the limits of that Pay and Display Parking Place.

**10 POWERS TO SUSPEND USE OF PAY AND DISPLAY PARKING PLACES**

- 10.1 (i) A Police Constable in uniform or a CEO may suspend the use of a Pay and Display Parking Place or part thereof whenever they consider such suspension reasonably necessary:
- (a) for the purpose of facilitating the movement of traffic or promoting its safety;

(b) for the purpose of any building operation, demolition or excavation in or adjacent to the Pay and Display Parking Place or the maintenance, improvement or reconstruction of the Pay and Display Parking Place or the laying, erection, alteration, removal or repair in or adjacent to the Pay and Display Parking Place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any Electronic Communications Line or Traffic Sign;

(c) for the convenience of occupiers of premises adjacent to the Pay and Display Parking Place on any occasion of the removal of furniture from one dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository;

(d) on any occasion on which it is likely by reason of some public procession, rejoicing or special attraction that any street will be thronged or obstructed;

(e) for the convenience of occupiers of premises adjacent to the Pay and Display Parking Place at times of weddings or funerals or on other special occasions;

(f) for any other purpose which the Council or District Council may from time to time deem appropriate and which has received their prior approval.

- (ii) Any person suspending the use of a Pay and Display Parking Place or any part thereof in accordance with the provisions of paragraph (i) of this Article may thereupon place or cause to be placed, in or adjacent to that Pay and Display Parking Place or the part thereof the use of which is suspended, a Traffic Sign, as described in The 2002 Regulations, indicating that waiting by Vehicles is prohibited.

- 10.2 Nothing in Article 10.1 shall render it unlawful for any Vehicle being used for fire brigade, ambulance or police emergency purposes to be left or any other Vehicle to be so left if that Vehicle is left with the permission of the person suspending the use of the Pay and Display Parking Place.

## **11 GENERAL EXEMPTIONS TO PAY AND DISPLAY PARKING PLACES**

- 11.1 Nothing in Article 7.1 shall render it unlawful for any Vehicle to wait 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 a Vehicle or to enable personal luggage to be loaded onto or unloaded from the Vehicle;

(b) 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:-

(i) building, industrial or demolition operations

(ii) the removal of any obstruction to traffic;

(iii) the maintenance, improvement or reconstruction of the said lengths of road;

(iv) the laying, erection, alteration or repair in or on land adjacent to the said lengths of road of any sewer, main, pipe or apparatus for the supply of gas, water, electricity or of any Electronic Communications Line;

(c) the Vehicle if it cannot be conveniently 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 and/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 (bridal vehicle) or a funeral (hearse and cortege) at a Church or place of worship.

(g) the Vehicle to be used for fire brigade, ambulance or police purposes;

(h) goods to be Loaded or Unloaded from the Vehicle;

## **12 DISABLED PERSONS EXEMPTIONS TO PAY AND DISPLAY PARKING PLACES**

- 12.1 Nothing in Article 7.1 of this Order shall render it unlawful for a Disabled Person's Vehicle which displays in the Relevant Position a Disabled Person's Badge and a Disabled Person's 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 any of the roads, lengths of road or sides of road specified in Schedule 4 and Schedule 5.

## **13 PAYMENT OF CHARGES**

- 13.1 Each Pay and Display Parking Place may be used, subject to the provisions of this Order, for the leaving, during the times of operation specified in Column 3, of the classes of vehicles specified in Column 2 of Schedule 4 and Schedule 5
- 13.2 The driver of a Vehicle, other than an exempt vehicle, using a parking place, shall, on leaving the Vehicle in that place, pay the appropriate charge, specified in the scale of charges in Column 4 of Schedule 4 and Schedule 5, by the insertion, in a Ticket Machine relating to that Pay and Display Parking Place, of coins to the value of the appropriate charge for the intended length of stay or by phone/SMS Text or other means of communications.
- 13.3 Payment of the appropriate charge for a vehicle left in a Pay and Display Parking Place shall be indicated by the issue of a Parking Ticket indicating that a charge has been paid for that occasion, and by the display of that Parking Ticket in the Vehicle in a position so as to be legible from outside the vehicle, or by having paid by phone/SMS Text or other means of communications in the relevant CEO's hand held equipment.
- 13.4 Where provision is made for payment of parking charge by mobile telephone, payment may be made by telephoning or sending a SMS text or other means of communications to the number stated on the parking machine fascia, or signs close by, this payment must be made immediately upon parking the Vehicle in a Specified Position within the Pay and Display Parking Place.
- 13.5 The driver of a Vehicle using payment of parking charge by mobile telephone may park without displaying a valid Parking Ticket; reference to electronic proof of payment of the appropriate fee will be the means of confirming compliance with the conditions of the Order.

## **14 PENALTIES**

- 14.1 If a Vehicle, other than an exempt vehicle, left in a Pay and Display Parking Place during the times of operation specified in Column 3 of Schedule 4 and Schedule 5 fails to display a valid ticket, or has not registered a payment by the relevant communication method a Penalty Charge Notice (PCN) may be issued by a CEO.

## **15 REVOCATIONS**

- 15.1 Any permanent Traffic Regulation Order made prior to this Order, insofar as they relate to the lengths of road listed below, insofar as they relate to waiting restrictions are hereby revoked.

## SCHEDULE 1

### NO WAITING AT ANY TIME

#### How Lane, Castleton

##### South Side

From a point 24 metres south west of its junction with Weaving Avenue in a westerly direction for a distance of 16 metres

From a point 103 metres south west of its junction with Weaving Avenue in a westerly direction for a distance of 20 metres

From a point 168 metres south west of its junction with Weaving Avenue in a westerly direction for a distance of 16 metres

#### Back Street, Castleton

##### East Side

From a point 16 metres south of its junction with Cross Street in a southerly direction for a distance of 100 metres

#### Bargate, Castleton

##### North East Side

From its junction with Market Place in a southerly and then easterly direction for a distance of 115 metres

##### Southern Side

From the eastern flank wall of Winhill Terrace in a westerly direction for a distance of 46 metres

#### Millbridge, Castleton

##### West Side

From a point 75 metres north of the junction with How Lane in a northerly direction for a distance of 85 metres

## SCHEDULE 2

### LIMITED WAITING 9AM – 5PM

### WAITING LIMITED TO 30 MINUTES, NO RETURN WITHIN 1 HOUR

#### How Lane, Castleton

##### North Side

From a point 70 metres east of its junction with Cross Street in an easterly direction for a distance of 15 metres

## SCHEDULE 3

### DISABLED BADGE HOLDERS

### WAITING LIMITED TO 3 HOURS, NO RETURN WITHIN 1 HOUR

#### Back Street, Castleton

##### West Side

From a point 32 metres south of its junction with Cross Street in a southerly direction for a distance of 6 metres

#### Castle Street, Castleton

##### East Side

From a point 75 metre south of its junction with Cross Street in a southerly direction for a distance of 6 metres

## SCHEDULE 4

### PAY AND DISPLAY PARKING PLACES

LOCATION DESCRIPTION 1	VEHICLE CLASSES 2	TIMES OF OPERATION 3	SCALE OF CHARGES 4
<p><b>How Lane, Back Street and Castle Street, Castleton</b></p> <p><b><u>How Lane, Castleton</u></b>  <b><u>South Side</u></b>            From a point 40 metres south west of its junction with Weaving Avenue in a westerly direction for a distance of 63 metres.            From a point 123 metres south west of its junction with Weaving Avenue in a westerly direction for a distance of 45 metres</p> <p><b><u>Back Street, Castleton</u></b>  <b><u>West Side</u></b>            From a point 16 metres south of its junction with Cross Street in a southerly direction for a distance of 16 metres.            From a point 39 metres south of its junction with Cross Street in a southerly direction for a distance of 39 metres.</p> <p><b><u>Castle Street, Castleton</u></b>  <b><u>East Side</u></b>            From a point 36 metres south of its junction with Cross Street in a southerly direction for a distance of 39 metres.  <b><u>West Side</u></b>            From a point 43 metres south of its junction with Cross Street in a southerly direction for a distance of 19 metres.            From a point 81 metres south of its junction with Cross Street in a southerly direction for a distance of 18 metres.</p>	<p>Motor Cars Motor Cycles</p>	<p>Everyday 9am – 5pm 2 hours maximum stay no return within 1 hour</p>	<p>Up to 1 Hour -£1.00 Up to 2 Hours -£2.00</p> <p>Charges in connection with the issue of a permit</p> <p>Residents Permit £35 a year. To be reviewed annually.</p>

## SCHEDULE 5

### PAY AND DISPLAY PARKING PLACES

LOCATION DESCRIPTION 1	VEHICLE CLASSES 2	TIMES OF OPERATION 3	SCALE OF CHARGES 4
<b>Buxton Road, Castleton</b>			
<u><b>Buxton Road, Castleton</b></u> <u><b>South West Side</b></u> 20 metres east of Arthurs Way in an easterly direction for a distance of 60 metres. 140 metres east of Arthurs Way in an easterly direction for a distance of 63 metres. 215 metres east of Arthurs Way in an easterly direction for a distance of 62 metres. 20 metres west of Arthurs Way in a westerly direction for 166 metres. <u><b>North East Side</b></u> 204 metres west of Arthurs Way in a westerly direction for 170 metres.	Motor Cars Motor Cycles	Everyday 9am – 5pm 4 hours maximum stay no return within 1 hour	Up to 1 Hour -£1.00 Up to 2 Hours -£2.00 Up to 4 Hours -£3.00  <u>Charges in connection with the issue of a permit.</u>  Residents Permit £35 a year. To be reviewed annually.

As shown for illustration purposes only on the attached plan.

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

Director of Legal Services

# **DERBYSHIRE COUNTY COUNCIL**

## **THE ROAD TRAFFIC REGULATION ACT 1984**

**(HOW LANE, BACK STREET, BARGATE, MILLBRIDGE  
CASTLETON STREET AND BUXTON ROAD, CASTLETON)**

### **(WAITING RESTRICTIONS AND ON-STREET CHARGING)** **ORDER 2016**

#### **STATEMENT OF REASONS**

Derbyshire County Council is proposing to introduce the above Order

- 1 For avoiding danger to persons or traffic using the roads or any other road or for preventing the likelihood of any such danger arising.
- 2 For preserving or improving the amenities of the area through which the roads run.
- 3 For facilitating the passage of the roads, or any other road, of any class of traffic (including pedestrians).

Following consultations with the Cabinet Member for Highways, Transport and Infrastructure, it was agreed to make the Order subject to consideration of any objections which may be received following the public advertisement of the proposals.

The proposals are more particularly delineated in the draft Order which accompanies this Statement.

Mike Ashworth, Strategic Director - Economy, Transport and Communities,  
Derbyshire County Council, County Hall, Matlock DE4 3AG.