

DATED XX XX 2018

THE DERBYSHIRE COUNTY COUNCIL

**ROAD TRAFFIC REGULATION ACT 1984 (AS
AMENDED)**

THE DERBYSHIRE COUNTY COUNCIL

**(STONEY MIDDLETON BYWAY OPEN TO ALL
TRAFFIC No. 15)
(JACOBS LADDER)**

**(PROHIBITION OF MECHANICALLY PROPELLED
VEHICLES)**

ORDER 2018

JANIE BERRY

MATLOCK

THE DERBYSHIRE COUNTY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984
THE DERBYSHIRE COUNTY COUNCIL
(STONEY MIDDLETON BYWAY OPEN TO ALL
TRAFFIC No 15)
(PROHIBITION OF MOTOR VEHICLES)
ORDER 2018

The Derbyshire County Council in exercise of their powers under Sections 1(1), 2(1), 2(2) and 92 of the Road Traffic Regulation Act 1984 (as amended) ("The Act") and of 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 make the following Order:-

1 CITATION

1. This Order shall come into operation on the day of Two Thousand and Eighteen and may be cited as "The Derbyshire County Council (Stoney Middleton Byway Open To All Traffic No 15) (Prohibition of Motor Vehicles) Order 2018".

2. INTERPRETATION

In this Order:-

- 2.1 "Motor Vehicle" has the same meaning as in Section 136 of the Act.
- 2.2 "Exempt Vehicle" means a vehicle which is exempt from the prohibition or restriction.

3. PROHIBITION OF MOTOR VEHICLES

3.1 Save as provided in Article 4 of this Order, no Motor Vehicle shall, except upon the direction or with the permission of a Police Constable in uniform proceed in any of the lengths of road specified in the Schedule to this Order.

4. EXEMPTIONS

4.1 Nothing in Article 3.1 of this Order shall apply so as to prevent owners or occupiers of property or land and their visitors from driving motor vehicles over the length of road specified in the Schedule to this Order in order for them to gain access to their premises adjoining the said length of road.

4.2 Nothing in Article 3.1 above shall apply to the vehicles or classes of vehicles set out in 4.3 below which shall be exempt.

4.3 The following vehicles and classes of vehicle shall be exempt:-

a) any vehicle which is (if it cannot be conveniently used for such purposes in any other length of road) to be used in connection with any of the following operations, namely:-

- (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; 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 telecommunications apparatus as defined in the Telecommunications Act 1984;
- (v) The service of a Local Authority or the Environment Agency and Statutory Undertakers in pursuance of statutory powers or duties; or

b) A vehicle to be used for fire brigade, ambulance, mountain rescue or police purposes.

c) Gaining access to the graveyard situated at Grid Reference SK2328 7562 from The Nook in a northerly direction.

5 EFFECT OF ORDER

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.

SCHEDULE

Prohibition of Motor Vehicles

Stoney Middleton Byway Open To All Traffic No. 15

From a point

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 Eighteen in the presence of:-)

Director of Legal Services