

Devon County Council (Town Centre, Sidmouth) (Prohibition of Vehicles)

Devon County Council ("Council") makes the following order under sections 1, 2, part IV of schedule 9 of the Road Traffic Regulation Act 1984 and of all other enabling powers

PART 1 – GENERAL

1.1 This order comes into force _____ and may be cited as "Devon County Council (Town Centre, Sidmouth) (Prohibition of Vehicles) _____"

1.2 Except where the context otherwise requires the following expressions have these meanings assigned to them

1984 Act means Road Traffic Regulation Act 1984

Council permit means a permit issued by the Council or its agent which will refer to one vehicle only and will be valid for a specified period. At all times that the vehicle is within a restricted area the permit must be displayed in the relevant position

disabled person's badge has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000

disabled person's vehicle means a vehicle lawfully displaying a disabled persons badge and is a vehicle which immediately before or after any period of waiting allowed by virtue of a provision of a kind required by the Local Authorities' Traffic orders (Exemptions for Disabled Persons) (England) Regulations 2000 to be included in an order under the 1984 Act has been or is to be driven by a disabled person or has been or is to be used for carrying disabled person's as passengers

emergency service vehicle means a vehicle being used for ambulance, coastguard, fire or police purposes in relation to an emergency or whilst in pursuit of duties

goods includes postal packets of any description and the collection and delivery in relation to any goods including the checking of the goods for the purpose of delivery and collection

hackney carriage has the same meaning as in the Town Police Clauses Act 1847 and The Local Government (Miscellaneous Provisions) Act 1976

postal packet has the same meaning as in section 27(2) of the Postal Services Act 2011

relevant position means

- a) In the case of a disabled person's badge the position described in regulation 4 of the Local Authorities Traffic orders (Exemptions for Disabled Persons) (England) Regulations 2000
- b) In the case of any other badge or permit
 - i) in the case of a vehicle fitted with a front windscreen, the badge or permit is exhibited thereon with the obverse side facing forwards on the near side of and immediately behind the windscreen
 - ii) in the case of a vehicle not fitted with a front windscreen, the badge or permit is exhibited in a conspicuous position on the front or near side of the vehicle

servicing means the maintenance, inspection or repair of any plant or equipment within premises in or adjacent to that length of road

1.3 In this order

- (a) any reference to an enactment shall be construed as a reference to that enactment as amended or any successive enactment
- (b) any reference to an article, part or table refers to the corresponding article, part or table in this order unless stated and except where the context otherwise requires a reference to a numbered or lettered paragraph or sub-paragraph, is a reference to the paragraph or sub-paragraph bearing that number or letter in the article or table, or (in the case of a sub-paragraph) paragraph in which the reference occurs

1.4 Nothing in this order applies to anything done with the permission or at the direction of a police constable in uniform

- 1.5 The provisions of this order shall be in addition to and not in derogation from the provisions of any regulations made or having effect as if made under the 1984 Act or by or under any other enactment
- 1.6 The order in part 4 is revoked as specified

PART 2 – PROHIBITION OF MOTOR VEHICLES: Old Fore Street

- 2.1 Except as provided in article 2.2 it is a contravention for a person to cause or permit a motor vehicle to proceed in the length of road specified in Table 2
- 2.2 Nothing in article 2.1 applies if the vehicle is travelling southbound and is
- (a) an emergency service vehicle
 - (b) being used in the service of a local authority in pursuance of statutory powers or duties
 - (c) a goods vehicle being used for the purposes of servicing or loading/unloading goods to premises in or adjacent to Old Fore Street
 - (d) a vehicle displaying a Council permit that is
 - (i) a non-goods vehicle being used for the purposes of servicing or loading/unloading goods to premises in or adjacent to Old Fore Street
 - (ii) being used for access to the private access road situated on the south side of No. 1 High Street
 - (iii) being used for a specified period in connection with any of the following operations in or adjacent to that length of road, if it cannot conveniently be used for such purpose in any other road
 - (A) building, industrial or demolition operations
 - (B) the removal of any obstruction to traffic
 - (C) in connection with statutory undertakers plant or equipment
 - (D) the maintenance, improvement or reconstruction of that length of road
 - (e) a pedestrian-controlled vehicle, electrically operated invalid chair; or
 - (f) a hearse attending premises adjacent to that length of road

Table 2

Length of road in Sidmouth

Old Fore Street	from its junction with High Street to a point 26 metres north of its junction with New Street
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