

**THE ESSEX COUNTY COUNCIL (DUKE STREET, CHELMSFORD)
(PROHIBITION OF MOTOR VEHICLES) ORDER 2011**

The Essex County Council ("the Council") in exercise of its powers under Sections 1(1), 2(1) to (3) and 3(2) of the Road Traffic Regulation Act 1984 ("the Act") and of all other enabling powers, and after consultation with the Chief Officer of Police in accordance with Part III to Schedule 9 to the Act, hereby makes the following Order:-

1. In this Order
"2002 Regulations" means The Traffic Signs Regulations and General Directions 2002.
"bus" means
 - (i) motor vehicles constructed or adapted to carry more than 8 passengers (exclusive of the driver), and
 - (ii) local buses not so constructed or adapted."local bus" has the same meaning as in the 2002 Regulations.
"motorcycle" has the same meaning as in Section 136(4) of the Act.
"motor vehicle" has the same meaning as in Section 136 of the Act.
"taxi" means a vehicle licensed under Section 37 of the Town Police Clauses Act 1847.
2. Save as provided in Articles 3 and 4 of this Order, no person shall cause any motor vehicle to be in Duke Street, Chelmsford, between its junction with Park Road and its junction with Viaduct Road/the Bus Station (hereinafter referred to as the 'said length of road').
3. Nothing in Article 2 of this Order shall apply so as to prevent any person from causing any bus, taxi or motorcycle to be in the said length of road.
4. Nothing in Article 2 of this Order shall apply so as to prevent any person from causing any motor vehicle to be in the said length of road if the vehicle:-
 - (a) is being used for the conveyance of goods or merchandise to or from any premises situated on or adjacent to the said length of road;
 - (b) is being used for fire and rescue, police or ambulance purposes;
 - (c) is being used in connection with any of the following operations to or from any premises situated on or adjacent to the said length of road, namely:-
 - (i) building or demolition;
 - (ii) the removal of any obstruction to traffic;

- (iii) the maintenance, improvement or reconstruction of those lengths of road;
 - (iv) the laying, erection, alteration or repair in or on land adjacent to the said length of road, of any sewer, or any main, pipe or apparatus for the supply of water, gas or electricity, or any telegraphic line; or
- (d) is being used in the service of or contracted to a local authority or water authority in pursuance of statutory powers or duties.
- (e) in any case where the person in control of the vehicle is required by law to stop, or is obliged to do so to avoid an accident, or is prevented from proceeding by circumstances beyond his/her control.
5. The Council are satisfied that for avoiding danger to persons or other traffic using the road to which the order relates and for preventing the likelihood of any such danger arising, it is requisite that Section 3(1) of the 1984 Act should not apply in relation to this Order.
6. This Order shall come into operation on 19 October 2011 and may be cited as The Essex County Council (Duke Street, Chelmsford) (Prohibition of Motor Vehicles) Order 2011.

Sealed with the Common Seal of the Essex County Council this *Seventh* day of *September* Two thousand and *Eleven*.

THE COMMON SEAL of the)
 ESSEX COUNTY COUNCIL was)
 hereunto affixed in the presence of:-)

Kay Mitchell

Vice Chairman
 of the Council



30/09/11

ESSEX COUNTY COUNCIL

Ordered to be Sealed	4 th November 2010
Number in Seal Book	29406