

The Essex County Council (Culver Street East, Culver Street West and Long Wyre Street, Colchester) (Prohibition of Motor Vehicles) Order 202*

The Essex County Council ("the Council") in exercise of its powers under Sections 1 (1), 2(1) to (3), 3(2) and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act") (as amended) 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

"Taxi" shall have the same meaning as given in Traffic Signs Regulations and General Directions 2016 Part 2, Schedule 1.

"Disabled Person's Badge" has the meaning given to it in the Local Authorities' Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000.

"Disabled Person's Vehicle" means a vehicle lawfully displaying
(i) in the Relevant Position a Disabled Person's Badge or
(ii) a Recognised Badge.

"Pedal cycle" shall have the same meaning as given in Traffic Signs Regulations and General Directions 2016 Part 2, Schedule 1.

"Motorcycle" means a mechanically propelled vehicle not being an invalid carriage with less than four wheels and the weight of which unladen does not exceed 410 kilograms, as defined in Section 136(4) of the Act of 1984.

"Motor vehicle" shall have the same meaning as given in Section 136 (1) of the Road Traffic Regulation Act 1984.

"2016 Regulations" means The Traffic Signs Regulations and General Directions 2016.

"Goods vehicle" means a motor vehicle constructed or adapted for use for the carriage of goods or burden of any description, or a trailer so constructed or adapted, or an "articulated vehicle" within the meaning of Section 138 of the Act

"Business employee or owner" means an employee or owner of any business located at premises in the roads specified in Schedule 2 to this Order.

"Goods" includes postal packets of any description "dual purpose vehicle" has the same meaning as in Schedule 6 to the Act

"Market or street trader" means any market or street trader who has an allocated pitch in the lengths of road specified in Schedule 2 to this Order.

"Passenger vehicle" means a motor vehicle (other than a motor cycle or invalid carriageway) constructed solely for the carriage of passengers and their effects and

adapted to carry not more than twelve passengers exclusive of the driver, and not drawing a trailer

"Resident" means a person whose usual place of abode is at premises the postal address of which is in the lengths of road specified in Schedule 2 to this Order.

"Council" means Colchester City Council

2. Save as provided in Articles 5 no person shall cause or permit a motor vehicle to be in that length of Culver Street West From its junction with Head Street east for approximately 198 metres (hereinafter referred to as "the said length of road") between the hours of 10am to 4pm Monday to Saturday, as specified in Schedule 1 to this order.
3. Save as provided in Articles 5 no person shall cause or permit a motor vehicle to be in that length of Culver Street East From its junction to the west of St. Nicholas Street West for its entire length (hereinafter referred to as "the said length of road") between the hours of Midnight to 7am and 10am to Midnight Monday to Saturday and Sunday at any time as specified in Schedule 2 to this order.
4. Save as provided in Articles 5 no person shall cause or permit a motor vehicle to be in that length of Long Wyre Street From its junction with Culver Street East South for its entire length (hereinafter referred to as "the said length of road") between the hours of 10am to 6pm Monday to Saturday as specified in Schedule 3 to this order.
5. Nothing in Article 2, 3 and 4 of this Order shall apply so as to prevent any person from causing any motor vehicle to be in "the said length of road" during the specified times in that article if the vehicle: -
 - (a) Is being used for the conveyance of persons, goods, or merchandise to or from any premises situated on or adjacent to "the said lengths of road".
 - (b) Is being used for fire brigade, police, or ambulance purposes.
 - (c) Is being used in connection with any of the following operations, namely: -
 - (i) Building or demolition operational.
 - (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 those lengths of road, of any sewer, or any main, pipe of apparatus for the supply of water, gas or electricity, or any telegraphic line.
 - (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 control.
 - (f) Is a Disabled persons vehicle.
 - (g) Is a Licensed Taxi/Licensed Private Hire vehicle.
 - (h) Is accessing premises adjacent to, or accessible from and only from "the said length of road".
 - (i) Being used for any of the following purposes, but for so long only as is required to enable the vehicle to be so used.
 - (i) in connection with any funeral/Wedding.
 - (ii) in connection with any emergency maintenance operation in premises adjacent to the road.
 - (iii) the removal of any obstruction to traffic in or adjacent to the road.
 - (iv) the installation or carrying out of works to a traffic sign, road lighting or street furniture in or adjacent to the road.
7. The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any other enactment.
8. 'The Essex County Council (Culver Street East, Culver Street West and Long Wyre Street, Colchester) (Prohibition of Motor Vehicles) Order 2011' is hereby revoked insofar as it relates to Culver Street East, Culver Street West and Long Wyre Street, all other roads not mentioned above shall remain in force by virtue of the existing Order.
9. This Order shall come into operation on ***** and may be cited as 'The Essex County Council (Culver Street East, Culver Street West and Long Wyre Street, Colchester) (Prohibition of Motor Vehicles) Order 202*

Sealed with the Common Seal of the Essex County Council this ***** Day of ****
Two Thousand and Twenty ***.

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

Attesting officer

Schedule 1

Implement: Prohibition of Motor Vehicles between the hours of 10am to 4pm Monday to Saturday

Road	Direction
Culver Street West	From its junction with Head Street east for approximately 198 metres
<i>Bollards to be erected at times outlined in the Bollard Management Plan</i>	

Schedule 2

Implement: Prohibition of Motor Vehicles between the hours of Midnight to 7am and 10am to Midnight Monday to Saturday and Sunday at any time.

Road	Direction
Culver Street East	From its junction to the west of St. Nicholas Street West for its entire length
<i>Bollards to be erected at times outlined in the Bollard Management Plan</i>	

Schedule 3

Implement: Prohibition of Motor Vehicles between the hours of 10am to 6pm Monday to Saturday.

Road	Direction
Long Wyre Street	From its junction with Culver Street East South for its entire length
<i>Bollards to be erected at times outlined in the Bollard Management Plan</i>	