

**DARLINGTON BOROUGH COUNCIL
ROAD TRAFFIC RESTRICTIONS
(AMENDMENT NO.2) ORDER 2021**

Darlington Borough Council in exercise of its powers under Sections 32, 33, 35, 45, 46, 47, 49 and 53 of the Road Traffic Regulation Act 1984 (hereinafter referred to as '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 of the Act and of the Traffic Management Act 2004 hereby make the following Order.

**PART 1
DARLINGTON BOROUGH COUNCIL
(RESIDENTS PARKING)
CONSOLIDATION ORDER 2019**

1. The Darlington Borough Council (Residents Parking) Consolidation Order 2019 ('the Residents Parking Order') is amended as follows:
 - 1.1 The definitions detailed in Schedule One to this Order are deleted from Article 2 of the Residents Parking Order
 - 1.2 The definitions detailed in Schedule Two to this Order are added to Article 2 of the Residents Parking Order
 - 1.3 The numbered Articles detailed in Schedule Three to this Order are deleted from the Residents Parking Order
 - 1.4 The numbered Articles detailed in Schedule Four to this Order are added to the Residents Parking Order
 - 1.5 The definition detailed in Schedule Five to this Order shall be deleted from Column 3 relating to each parking place in the Zone Schedules (as defined in the Residents Parking Order)
 - 1.6 The definition detailed in Schedule Six to this Order shall be added to Column 3 relating to each parking place in the Zone Schedules (as defined in the Residents Parking Order)

**PART 2
DARLINGTON BOROUGH COUNCIL
(OFF STREET PARKING PLACES)
CONSOLIDATION ORDER 2019**

2. The Darlington Borough Council (Off Street Parking Places) Consolidation Order 2019 ('the Off Street Parking Places Order') is amended as follows:
 - 2.1 The definitions detailed in Schedule Seven to this Order are deleted from Article 2 of the Off Street Parking Places Order

- 2.2 The definitions detailed in Schedule Eight to this Order are added to Article 2 of the Off Street Parking Places Order
- 2.3 The numbered Articles detailed in Schedule Nine to this Order are deleted from the Off Street Parking Places Order
- 2.4 The numbered Articles detailed in Schedule Ten to this Order are added to the Off Street Parking Places Order

PART 3 GENERAL

- 3. This Order is entitled the Darlington Borough Council Road Traffic Restrictions (Amendment No.2) Order 2021 and shall come into effect on the 24th May 2021.
- 4. All other provisions of the Residents Parking Order and Off Street Parking Places Order not affected by this Order shall continue in full force and effect.

Dated this 18th May 2021

THE COMMON SEAL of DARLINGTON
BOROUGH COUNCIL was hereunto
affixed in the presence of:



Authorised Signatory



1862

SCHEDULE ONE

Deleted from Article 2 of the Residents Parking Order

“permit” means a permit issued under the provisions of Part 4 of this Order, other than a visitor’s permit

“relevant position” insofar as it relates to the display of a permit or visitors’ permit means:

- (a) where a vehicle is fitted with a windscreen and/or dashboard or fascia the permit or visitors’ permit is exhibited on the inside of the windscreen, driver’s window or on the dashboard or fascia; or
- (b) in any other case the permit or visitors’ permit is exhibited in a conspicuous position on the vehicle so that the front of the permit is clearly legible from the outside of the vehicle

“valid permit” means a permit which is still within the permit term and which has not been withdrawn or surrendered, or a visitor’s permit

SCHEDULE TWO

Added to Article 2 of the Residents Parking Order

“paper permit” means a permit issued under the provisions of Part 4 of this Order and provided to the applicant in physical form to be displayed in a vehicle, other than a visitor’s permit

“permit” means a paper permit or virtual permit

“relevant position” insofar as it relates to the display of a paper permit or visitors’ permit means:

- (a) where a vehicle is fitted with a windscreen and/or dashboard or fascia the paper permit or visitors’ permit is exhibited on the inside of the windscreen, driver’s window or on the dashboard or fascia; or
- (b) in any other case the paper permit or visitors’ permit is exhibited in a conspicuous position on the vehicle so that the front of the permit is clearly legible from the outside of the vehicle

“valid permit” means a paper permit which is still within the permit term and which has not been withdrawn or surrendered, or a visitor’s permit

“virtual permit” means a permit issued under the provisions of Part 4 of this Order and entered into the Council’s records as having been issued and is valid at the time of parking, but is not provided to the applicant in physical form to be displayed in a vehicle

SCHEDULE THREE

Deleted from Residents Parking Order

6. Every vehicle left in a parking places defined in Article 3 shall be of the class specified in Column 3 in each of the Zone Schedules and shall wait in such position as is specified in Column 2 of each of the Zone Schedules.

7. Save as provided in Article 13 of this Order no vehicle other than that of the class specified in Column 3 of the Zone Schedules shall be left in the parking place unless authorised to do so by a police officer in uniform, a PCSO or a Civil Enforcement Officer.

21.

(1) If a permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall surrender it to the Council and the Council, upon receipt of the permit, shall issue a duplicate permit so marked and upon such issue the original permit shall become invalid.

(2) If a permit is lost or destroyed the permit holder may apply to the Council for the issue to him of a duplicate permit and the Council, upon being satisfied as to such loss or destruction, shall issue a duplicate permit so marked and upon such issue the permit which it duplicates shall become invalid. A duplicate permit will only be issued upon payment of a charge of £10.

(3) The provisions of this Order shall apply to a duplicate permit and an application therefore as if it were a permit, or as the case may be an application therefor.

22. A permit shall be in writing and shall bear the words 'Parking Permit', and shall include the following particulars:

(1) the zone in which the parking place is situated and for which the permit is issued and be endorsed with an issue number;

(2) the registration mark of the vehicle or as otherwise authorised by the Council in respect of which the permit has been issued;

(3) an authentication that the permit has been issued by the Council;

(4) the permit expiry date.

23. During the operational times no vehicle shall be left in a parking place unless there is displayed in the relevant position on the vehicle continuously for the whole period of waiting a valid permit issued in accordance with the provisions of this Order so that all the particulars referred to in Articles 18(6) or 22 of this Order are readily visible from the front or near side of the vehicle provided that a motor cycle for which a permit has been issued is not required to display a permit.

24. When a valid permit has been displayed on a vehicle in accordance with the provisions of Articles 18(6) or 22 of this Order, no person, not being the driver of the vehicle, shall remove the permit from the vehicle unless authorised to do so by the driver of the vehicle.

SCHEDULE FOUR

Added to Residents Parking Order

6. Every vehicle left in a parking place defined in Article 3 during the operational times shall be of the class specified in Column 3 in each of the Zone Schedules and shall wait in such position as is specified in Column 2 of each of the Zone Schedules.

7. Save as provided in Article 13 of this Order no vehicle other than that of the class specified in Column 3 of the Zone Schedules shall be left in the parking place during the operational times unless authorised to do so by a police officer in uniform, a PCSO or a Civil Enforcement Officer.

21.

(1) If a paper permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the paper permit has become altered by fading or otherwise, the permit holder shall surrender it to the Council and the Council, upon receipt of the paper permit, shall issue a duplicate paper permit so marked or a virtual permit and upon such issue the original permit shall become invalid.

(2) If a paper permit is lost or destroyed the permit holder may apply to the Council for the issue to them of a duplicate permit and the Council, upon being satisfied as to such loss or destruction, shall issue either a duplicate paper permit so marked or a virtual permit and upon such issue the permit which it duplicates shall become invalid. A duplicate permit will only be issued upon payment of a charge of £10.

(3) The provisions of this Order shall apply to a duplicate permit and an application therefore as if it were a permit

22. A paper permit shall be in writing and shall bear the words 'Parking Permit', and shall include the following particulars:

(1) the zone in which the parking place is situated and for which the paper permit is issued and be endorsed with an issue number;

(2) the registration mark of the vehicle or as otherwise authorised by the Council in respect of which the paper permit has been issued;

(3) an authentication that the paper permit has been issued by the Council;

(4) the permit expiry date.

23. During the operational times no vehicle shall be left in a parking place unless either:

- (a) there is displayed in the relevant position on the vehicle continuously for the whole period of waiting a valid permit issued in accordance with the provisions of this Order so that all the particulars referred to in Articles 18(6) or 22 of this Order are readily visible from the front or near side of the vehicle provided that a motor cycle for which a permit has been issued is not required to display a permit; or
- (b) a virtual permit has been issued relating to that vehicle

24. When a valid paper permit has been displayed on a vehicle in accordance with the provisions of Articles 18(6) or 22 of this Order, no person, not being the driver of the vehicle, shall remove the valid permit from the vehicle unless authorised to do so by the driver of the vehicle.

SCHEDULE FIVE

Deleted from Column 3 of Zone Schedules

Any vehicle displaying a valid permit issued under this Order

SCHEDULE SIX

Added to Column 3 of Zone Schedules

Any vehicle displaying a valid permit issued under this Order in the relevant position or for which a virtual permit is held

SCHEDULE SEVEN

Deleted from Off Street Parking Places Order

"a permit" means a Business Permit, a Staff Permit or a Visitor Permit

"relevant position" in relation to a ticket or permit means:

- (i) where a vehicle is fitted with a windscreen and/or dashboard or fascia the ticket or permit is exhibited on the inside of the windscreen, driver's window or on the dashboard or fascia; or
- (ii) in any other case the ticket or permit is exhibited in a conspicuous position on the vehicle

so that the front of the ticket or permit is clearly legible from the outside of the vehicle

“Staff Permit” means a permit issued pursuant to the provisions of Part 8(A) of this Order

“Workplace Staff Permit” means a permit issued pursuant to the provisions of Part 8(C) of this Order

SCHEDULE EIGHT

Added to Off Street Parking Places Order

“Paper Staff Permit” means a Staff Permit issued to the applicant pursuant to the provisions of Part 8(A) of this Order in physical form to be displayed in a vehicle

“Paper Workplace Staff Permit” means a Workplace Staff Permit issued to the applicant pursuant to the provisions of Part 8(C) of this Order in physical form to be displayed in a vehicle

“a permit” means a Staff Permit, a Visitor Permit or a Workplace Staff Permit

“relevant position” in relation to a ticket or permit (other than a Virtual Staff Permit or a Virtual Workplace Staff Permit) means:

1. where a vehicle is fitted with a windscreen and/or dashboard or fascia the ticket or permit is exhibited on the inside of the windscreen, driver’s window or on the dashboard or fascia; or
2. in any other case the ticket or permit is exhibited in a conspicuous position on the vehicle

so that the front of the ticket or permit is clearly legible from the outside of the vehicle

“Staff Permit” means either a Paper Staff Permit or Virtual Staff Permit

“Virtual Staff Permit” means a Staff Permit issued to the applicant pursuant to the provisions of Part 8(A) of this Order and entered into the Council’s records and is valid at time of parking, but is not provided to the applicant in physical form to be displayed in a vehicle

“Virtual Workplace Staff Permit” means a Workplace Staff Permit issued to the applicant pursuant to the provisions of Part 8(C) of this Order and entered into the Council’s records and is valid at the time of parking, but is not provided to the applicant in physical form to be displayed in a vehicle

“Workplace Staff Permit” means either a Paper Workplace Staff Permit or a Virtual Workplace Staff Permit

SCHEDULE NINE

Deleted from Off Street Parking Places Order

27. Subject to the provisions of Part 7 of this Order no person may leave or cause any vehicle to be left in a pay and display parking place during the charging hours except upon the payment of the parking charge referred to in Article 28 of this Order and the display of a valid ticket as defined in Article 31 of this Order or the display of a valid permit as defined in Article 33 of this Order EXCEPTING THAT provided that a ticket is obtained from the ticket machine in advance of parking and is displayed in the relevant position for the whole of the period of parking there shall be no payment due for the first two hours of parking in the following parking places Abbots Yard, Commercial Street East, Commercial Street West, Winston Street North, Winston Street South and Town Hall. The ticket shall cover the whole period of parking (for the avoidance of doubt this shall be from the commencement of parking and shall include any time beyond the two hours of free parking for which payment is due). Only one ticket may be obtained per day at any one of those parking places. A valid ticket or valid permit need not be displayed if a mobile phone payment has been made (where such facility is available in the parking place)

33. A permit used in a pay and display parking place shall only be valid if:

(1) it is exhibited on the vehicle in the relevant position continuously for the whole period of waiting in the parking place; and

(2) it is exhibited at such times and on such days as are stated in the conditions of use issued to the permit holder

70. If a Staff Permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the Staff Permit has become altered by fading or otherwise, the Staff Permit Holder shall surrender it to the Council and the Council, upon receipt of the Staff Permit, shall issue a duplicate Staff Permit so marked and upon such issue the original Staff Permit shall become invalid.

71. If a Staff Permit is lost or destroyed the Staff Permit Holder may apply to the Council for the issue to him of a duplicate Staff Permit and the Council, upon being satisfied as to such loss or destruction, shall issue a duplicate Staff Permit so marked and upon such issue the Staff Permit which it duplicates shall become invalid. A replacement Staff Permit will only be issued upon payment of a charge of £10.

73. A Staff Permit shall be in writing and shall bear the words ‘Parking Permit’, and shall include the following particulars:

- (1) an issue number;
- (2) the registration mark of the vehicle or as otherwise authorised by the Council in respect of which the permit has been issued;
- (3) an authentication that the permit has been issued by the Council;
- (4) the permit expiry date;
- (5) the name or names of the parking places where the Staff Permit may be used.

87. If a Workplace Staff Permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the Workplace Staff Permit has become altered by fading or otherwise, the Workplace Staff Permit Holder shall surrender it to the Council and the Council, upon receipt of the Workplace Staff Permit, shall issue a duplicate Workplace Staff Permit so marked and upon such issue the original Workplace Staff Permit shall become invalid.

88. If a Workplace Staff Permit is lost or destroyed the Workplace Staff Permit Holder may apply to the Council for the issue to him of a duplicate Workplace Staff Permit and the Council, upon being satisfied as to such loss or destruction, shall issue a duplicate Workplace Staff Permit so marked and upon such issue the Workplace Staff Permit which it duplicates shall become invalid. A replacement Workplace Staff Permit will only be issued upon payment of a charge of £10.

90. A Workplace Staff Permit shall be in writing and shall bear the words 'Parking Permit', and shall include the following particulars:

- (1) an issue number;
- (2) the registration mark of the vehicle or as otherwise authorised by the Council in respect of which the permit has been issued;
- (3) an authentication that the permit has been issued by the Council;
- (4) the permit expiry date;
- (5) the name or names of the parking places where the Workplace Staff Permit may be used.

SCHEDULE TEN

Added to Off Street Parking Places Order

27. Subject to the provisions of Part 7 of this Order no person may leave or cause any vehicle to be left in a pay and display parking place during the charging hours except:

- (1) upon the payment of the parking charge referred to in Article 28 of this Order and the display of a valid ticket as defined in Article 31 of this Order; or
- (2) the display of a Paper Staff Permit, Paper Workplace Staff Permit or Visitor Permit as set out in Article 33 of this Order; or
- (3) if the person holds a valid Virtual Staff Permit or Virtual Workplace Staff Permit which can be used for that vehicle in that parking place

EXCEPTING THAT provided that a ticket is obtained from the ticket machine in advance of parking and is displayed in the relevant position for the whole of the period of parking there shall be no payment due for the first two hours of parking in the following parking places Abbotts Yard, Commercial Street East, Commercial Street West, Winston Street North, Winston Street South and Town Hall. The ticket shall cover the whole period of parking (for the avoidance of doubt this shall be from the commencement of parking and shall include any time beyond the two hours of free parking for which payment is due). Only one ticket may be obtained per day at any one of those parking places. A valid ticket need not be displayed if a mobile phone payment has been made (where such facility is available in the parking place).

33. A Paper Staff Permit, Paper Workplace Staff Permit or Visitor Permit used in a pay and display parking place shall only be valid if:

- (1) it is exhibited on the vehicle in the relevant position continuously for the whole period of waiting in the parking place; and
- (2) it is exhibited at such times and on such days as are stated in the conditions of use issued to the permit holder

70. If a Paper Staff Permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the Paper Staff Permit has become altered by fading or otherwise, the Staff Permit Holder shall surrender it to the Council and the Council, upon receipt of the Paper Staff Permit, shall issue either a duplicate Paper Staff Permit so marked or a Virtual Staff Permit and upon such issue the original Paper Staff Permit shall become invalid.

71. If a Paper Staff Permit is lost or destroyed the Staff Permit Holder may apply to the Council for the issue to them of a duplicate Staff Permit and the Council, upon being satisfied as to such loss or destruction, shall issue either a duplicate Paper Staff Permit so marked or a Virtual Staff Permit and upon such issue the Paper Staff Permit which it duplicates shall become invalid. A replacement Staff Permit will only be issued upon payment of a charge of £10.

73. A Paper Staff Permit shall be in writing and shall bear the words 'Parking Permit', and shall include the following particulars:

- (1) an issue number;

- (2) the registration mark of the vehicle or as otherwise authorised by the Council in respect of which the permit has been issued;
- (3) an authentication that the permit has been issued by the Council;
- (4) the permit expiry date;
- (5) the name or names of the parking places where the Staff Permit may be used.

87. If a Paper Workplace Staff Permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the Paper Workplace Staff Permit has become altered by fading or otherwise, the Workplace Staff Permit Holder shall surrender it to the Council and the Council, upon receipt of the Paper Workplace Staff Permit, shall issue either a duplicate Paper Workplace Staff Permit so marked or a Virtual Workplace Staff Permit and upon such issue the original Paper Workplace Staff Permit shall become invalid.

88. If a Paper Workplace Staff Permit is lost or destroyed the Workplace Staff Permit Holder may apply to the Council for the issue to them of a duplicate Workplace Staff Permit and the Council, upon being satisfied as to such loss or destruction, shall issue either a duplicate Paper Workplace Staff Permit so marked or a Virtual Workplace Staff Permit and upon such issue the Paper Workplace Staff Permit which it duplicates shall become invalid. A replacement Workplace Staff Permit will only be issued upon payment of a charge of £10.

90. A Paper Workplace Staff Permit shall be in writing and shall bear the words 'Parking Permit', and shall include the following particulars:

- (1) an issue number;
- (2) the registration mark of the vehicle or as otherwise authorised by the Council in respect of which the permit has been issued;
- (3) an authentication that the permit has been issued by the Council;
- (4) the permit expiry date;
- (5) the name or names of the parking places where the Paper Workplace Staff Permit may be used.

