

**THE COUNTY COUNCIL OF DURHAM
(SHILDON)
(PARKING AND WAITING RESTRICTIONS) ORDER 2012
(AMENDMENT NO. 1) ORDER 2015**

The County Council of Durham ("the Council") in exercise of their powers under Sections 1, 2, 4, 32 & 35, and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984, as amended ("the Act") and Part 6 of the Traffic Management Act 2004, as amended 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:-

General

1. This Order may be cited as The County Council of Durham (Shildon) (Parking & Waiting Restrictions) Order 2012 (Amendment No. 1) Order 2015 and shall come into operation on the 17th day of August 2015.

Amendments

2. The under-noted amendments have been made to the following Order:

The County Council of Durham (Shildon) (Parking & Waiting Restrictions) Order 2012.

Purpose of Amendments

The following brief synopsis of amendments should be viewed in conjunction with the plans identified within the Schedules to the above Order, however the plan(s) should prevail in the event of any discrepancy:

A. Plan ref: DP77

Scott Street

Removal of 30 metres of Restricted Waiting 8am-6pm) west side, adjacent to gable of No. 20 Redworth Road.

B. Plan ref: DP79

Park View

Removal of 20 metres of Restricted Waiting from the east side of Main Street.

C. Plan ref: DO80

Main Street

1. Approximately 47 metres of Restricted Waiting to be replaced with No Waiting At Any Time from the junction of Harker Street to the junction with Byerley Road.
2. Introduce 14 metres of No Waiting At Any time on the north side of the carriageway opposite numbers 99 to 101 Main Street.

Burke Street

Removal of 10 metres of Restricted Waiting adjacent to gable of No. 74 Main Street.

D. Plan ref: DP80

Park View

Replace approximately 78 metres of Restricted Waiting with No Waiting At Any Time on both sides of the road from the junction of Main Street.

John Street

Introduction of 9m of No Waiting At Any Time on the east side adjacent to gable of No. 39.

Primitive Street

Removal of 71 metres of No Waiting At Any Time from the north side from No. 28 to a point east of No. 3.

Association Street

Removal of 30 metres of Restricted Waiting 8am-6pm from the west side from a point at the rear of 12 Church Street to No. 9 Association Street.

Church Street

1. Replace approximately 54 metres of No Waiting/No Loading AT Any Time with No Waiting At Any Time at the junction of Main Street.
2. Replace approximately 40 metres of No Waiting/No Loading At Any Time with No Waiting At Any Time on the car park access road adjacent to No. 7.
3. Replace 4 metres of No Waiting At Any Time with No Waiting/No Loading At Any Time opposite No. 2A.
4. Replace Disabled Badge Holders Only Parking with Disabled Badger Holders Only Parking Mon-Sat 8am-6pm Max Stay 2 hours No return within 1 hour opposite No. 14.
5. Replace Loading Only with Loading Only Mon-Sat 8am-6pm opposite No.'s 27 to 35.
6. Replace Disabled Badge Holders Only Parking with Disabled Badge Holders Only Mon-Sat 8am-6pm Max stay 2 hours No return within 2 hours opposite No.'s 55-59.
7. Replace Disabled Badge Holders Only Parking with Disabled Badge Holders Only Mon-Sat 8am-6pm Max Stay 2 hours No return within 2 hours opposite No.'s 44 to 46.
8. Replace Loading Only Mon-Sat 8am-6pm to Parking Mon-Sat 8am-6pm Max stay 1 hour No return within 2 hours opposite No.'s 62 to 68.
9. Replace Loading Only Mon-Sat 8am-6pm with Parking Mon-Sat 8am-6pm Max stay 1 hour no return within 2 hours opposite No.'s 77 to 83.

ARTICLES

Article 2 (Definitions)

The following definitions have been inserted:

"civil enforcement officer" means a person authorised by or on behalf of the Council pursuant to the provisions of Section 76 of the Traffic Management Act 2004.

"parking contravention" has the same meaning assigned to it by Section 73 and Part 1 of Schedule 7 to the Traffic Management Act 2004.

"penalty charge" means a charge set by the Council under the provisions of section 71 of the Traffic Management Act 2004, as amended, in accordance with the relevant statutory regulations or guidance given by the Secretary of State for Transport;

"penalty charge notice" means a notice issued by a civil enforcement officer pursuant To the provisions of section 78 of the Traffic Management Act 1978, as amended;

The following definition has been removed:

"expiry time" is the time indicated on the pay and display ticket and is the time by which the vehicle must leave the parking place;

Articles 7, 8, 9, 10, 11(4) and 12(3) – reference to Article 23 has been removed and reference to Article 20 inserted.

Articles 7, 8, 9, 10, 11(4), 12(3), 17(3) – reference to "civil enforcement officer" has been inserted within these Articles.

Articles 11(4) and 12(3) – the following has been inserted within the body of these paragraphs: "except upon the direction or with the permission of an enforcement officer or civil enforcement officer".

Article 12: The wording has been revised and now reads:

LOADING BAYS (Restricted Bays)

12. (1) The areas of highway identified within the individual plans detailed in Schedule 6 to this Order are hereby, designated to be used as loading bays, subject to the provisions of this Order, for the waiting of vehicles for the purpose of loading or unloading goods only on such days and during such hours as identified within the individual plan(s) detailed in Schedule 6 to this Order.
- (2) The limits of each loading bay, authorised in paragraph (1) of this Article, shall be indicated, by the Council, on the carriageway by the appropriate traffic signs and surface markings.
- (3) Save as provided in Article 20 of this Order no person shall, except upon the direction or with the permission of an enforcement officer or civil enforcement officer, cause or permit any vehicle, other than a vehicle loading or unloading goods to wait in a loading bay on such days and during the hours identified within the individual plan(s) detailed in Schedule 6 to this Order.
- (4) Every vehicle using a loading bay, authorised in paragraphs (1) and (2) of this Article, shall so stand so that every part of the vehicle is wholly within the loading bay AND in those cases where special provision is made is identified within the individual plans detailed in Schedule 6 to this Order, in accordance with those provisions.

A new Article 13 has been inserted which reads:

Parking Places (Restricted Bays)

13. (1) The areas of highway identified within the individual plans detailed in Schedule 7 to this Order are hereby authorised to be used as parking places, subject to the provisions of this Order, for the parking of motor vehicles only on such days and during such hours as identified within those individual plan(s).
- (2) The limits of each loading bay shall be indicated, by the Council, on the carriageway by the appropriate traffic sign(s) and surface markings.

- (3) Every vehicle using a parking place shall so stand so that every part of the vehicle is wholly within the parking place AND in those cases where special provision is made is identified within the individual plan(s) detailed in Schedule 7 to this Order, in accordance with those provisions.
- (4) Save as provided in Article 20 of this Order, no person shall, except upon the direction or with the permission of an enforcement officer, or civil enforcement officer, cause or permit a motor vehicle or motor cycle to wait in a parking place, authorised under paragraph(1) of this Article, for a period exceeding the maximum stay specified within the individual plans detailed in Schedule 7 of this Order, or to return within the period also specified on those plans.

Existing Article 13 has been renumbered as Article 14 and revised to read:

Designation and use of Parking Places and Loading Bays

14. (1) Each area of highway identified in Schedules 5, 6 and 7 to this Order are hereby designated as restricted bays for the use of parking or loading as set out in Articles 11, 12 and 13 to this Order and apply on such days and during such hours as identified on the individual plans detailed in Schedules 5, 6 and 7.
- (2) The number and situation of parking places and loading bays may be determined by the Council and the limits of each restricted bay shall be indicated by the Council by appropriate traffic signs and surface markings.

Existing Article 14 has been renumbered as Article 15.

Existing Article 15 has been renumbered to Article 16 and revised to read:

Manner of Standing in Parking Places and Loading Bays

16. (1) Every vehicle left in a parking place or loading bay identified within the individual plans detailed in Schedules 5, 6 and 7 shall so stand, subject to paragraph (2) of this Article, so that every part of the vehicle is wholly within the limits of the parking place or loading bay.
- (2) Where a vehicle has been left in a parking place or loading bay, referred to in paragraph (1) of this Article, is to long to comply with the provisions of that paragraph such vehicle shall be deemed to be within the limits of the restricted bay, being a parking place or loading bay if:-
 - (a) the extreme front or rear portion of the vehicle is within 300 mm of the defined edge of the restricted bay, the defined edge being identified on the highway by the appropriate surface marking(s), kerbed edge or traffic sign(s)
 - (b) the vehicle, or any part of it, is not within the limits of any adjoining restricted bay; being a parking place or loading bay.

Existing Article 16 has been renumbered to Article 17.

Article 17 – sub articles (1) and (2) – reference to Article 13 and Schedule 7 have been inserted.

Sub article (3) – reference to Schedule 7 has been inserted, together with reference to civil enforcement officer.

Existing Article 17 has been renumbered to Article 18.

Existing Article 18 has been renumbered to Article 19 and revised to read:

Relocation and Removal of Vehicles and Other Equipment

19. (1) If a vehicle is left on or within the highway that pertains to any of the restrictions identified within the individual plans detailed in Schedules 1, 2, 3, 4, 5, 6 or 7 in a position other than in accordance with the provisions of this Order the Council may alter or cause to be altered the position of that vehicle so that it is accordance with those provisions.
- (2) The terms and conditions shall apply equally to any other equipment deposited on the area(s) of highway identified under paragraph (1) of this Article which in the opinion of a person authorised by the Council constitutes a contravention of the provisions of this Order and these provisions are extended to include for the disposal of the equipment where it is deemed appropriate by the Council.
- (3) If a vehicle is left in a location identified under paragraph (1) of this Article in contravention of any of the provisions of the Order a person authorised by the Council in that respect may remove the vehicle from the parking place or arrange for such removal.
- (4) If an emergency occurs, the Council or an enforcement officer may alter or cause to be altered the position of a vehicle in a parking place or remove or arrange for the removal of a vehicle from a parking place.
- (5) Any person altering or causing the alteration of the position of a vehicle or removing or causing the removal of a vehicle may do so by towing, lifting or driving the vehicle or using such other manner as he may think reasonably necessary to enable the position of the vehicle to be altered or the vehicle to be removed. The person(s) removing a vehicle under Article 19 shall make such arrangements as may be reasonably necessary to provide for the safe keeping of the vehicle until it is recovered.

Existing Articles 19, 20, 21 and 22 have been removed.

Existing Article 23 has been renumbered to Article 20.

Article 20 - Sub article (1) reference to Articles 12 and 13 have been inserted.

Sub article (2) Reference to Article 13 has been inserted.

Sub article (4) – reference to Article 12 has been removed and reference to Article 11 has been inserted.

Sub article (5) – reference to 11 has been removed and reference to Articles 12 and 13 have been inserted.

New Articles 21 and 22 have been inserted which read:

Contravention and Enforcement

21. If a vehicle is in contravention of a provision of this Order a penalty charge shall be payable.
22. In the case of a vehicle in respect of which a penalty charge is payable, a penalty charge notice may then be issued by a Civil Enforcement Officer in accordance with the requirements of Section 78 of the Traffic Management Act 2004, as amended.


Existing Articles 25 and 26 have been renumbered as Articles 23 and 24 respectively.

SCHEDULES

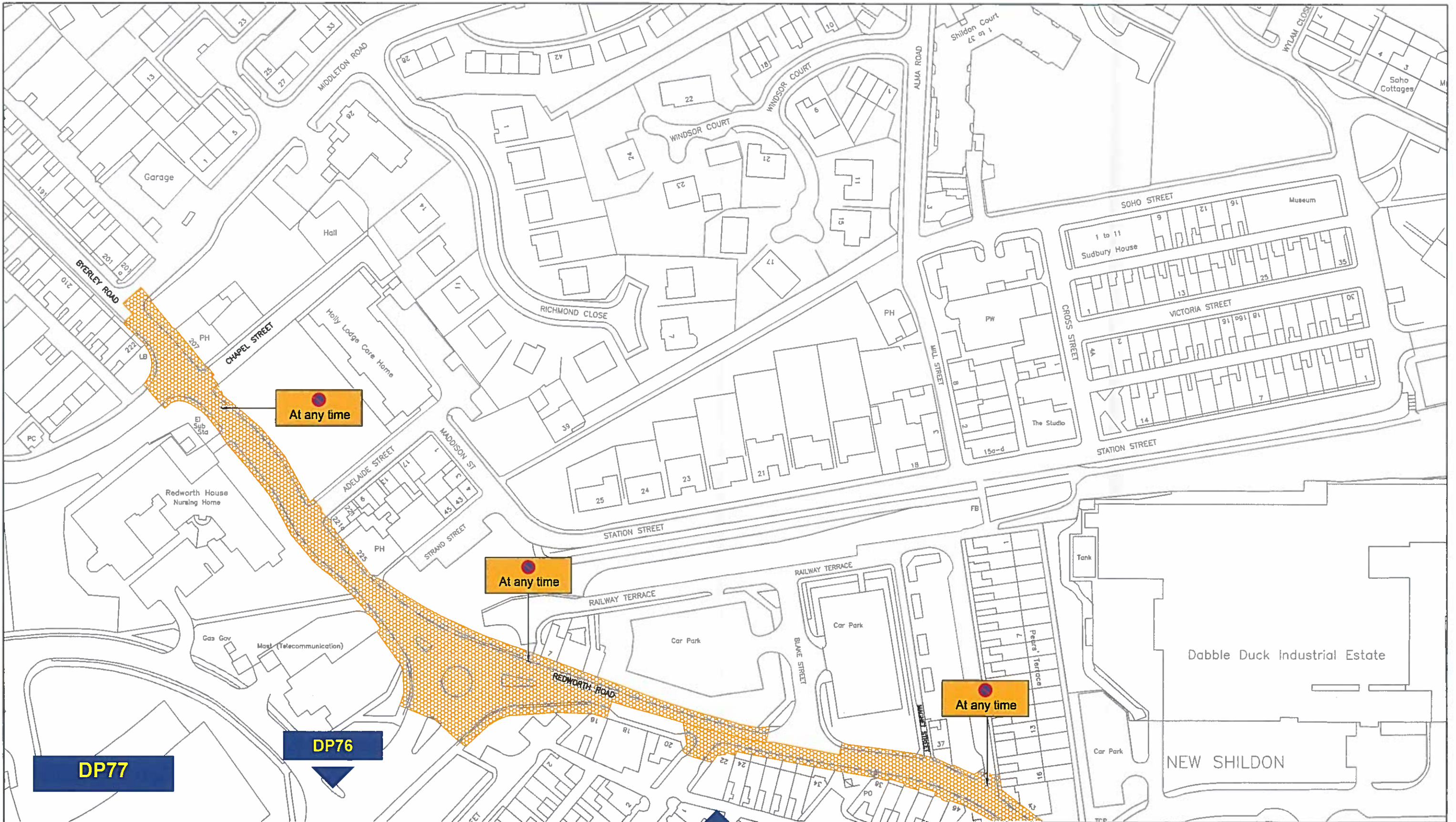
The following amendments have been made to the Schedules:

Schedule No.'s	Plan Reference	Action
1	DO80	removed
1	DO81	inserted
2	DO80, DP77, DP80	Replaced
3	DP80	Replaced
4	DO80, DP79, DP80	Replaced
4	DP77	Removed
5	DP80	Replaced
6	DP80	Replaced
7	DP80	Inserted

GIVEN UNDER THE COMMON SEAL OF THE COUNTY COUNCIL OF DURHAM
ON THE 6th DAY OF AUGUST 2015


.....
Authorised Sealing Officer





Key to Types of Restriction

 No Waiting At Any Time

 Individual Plan Reference Number



**Corporate Director
Regeneration & Economic
Development**

Strategic Traffic Management
County Hall, Durham DH1 5UQ

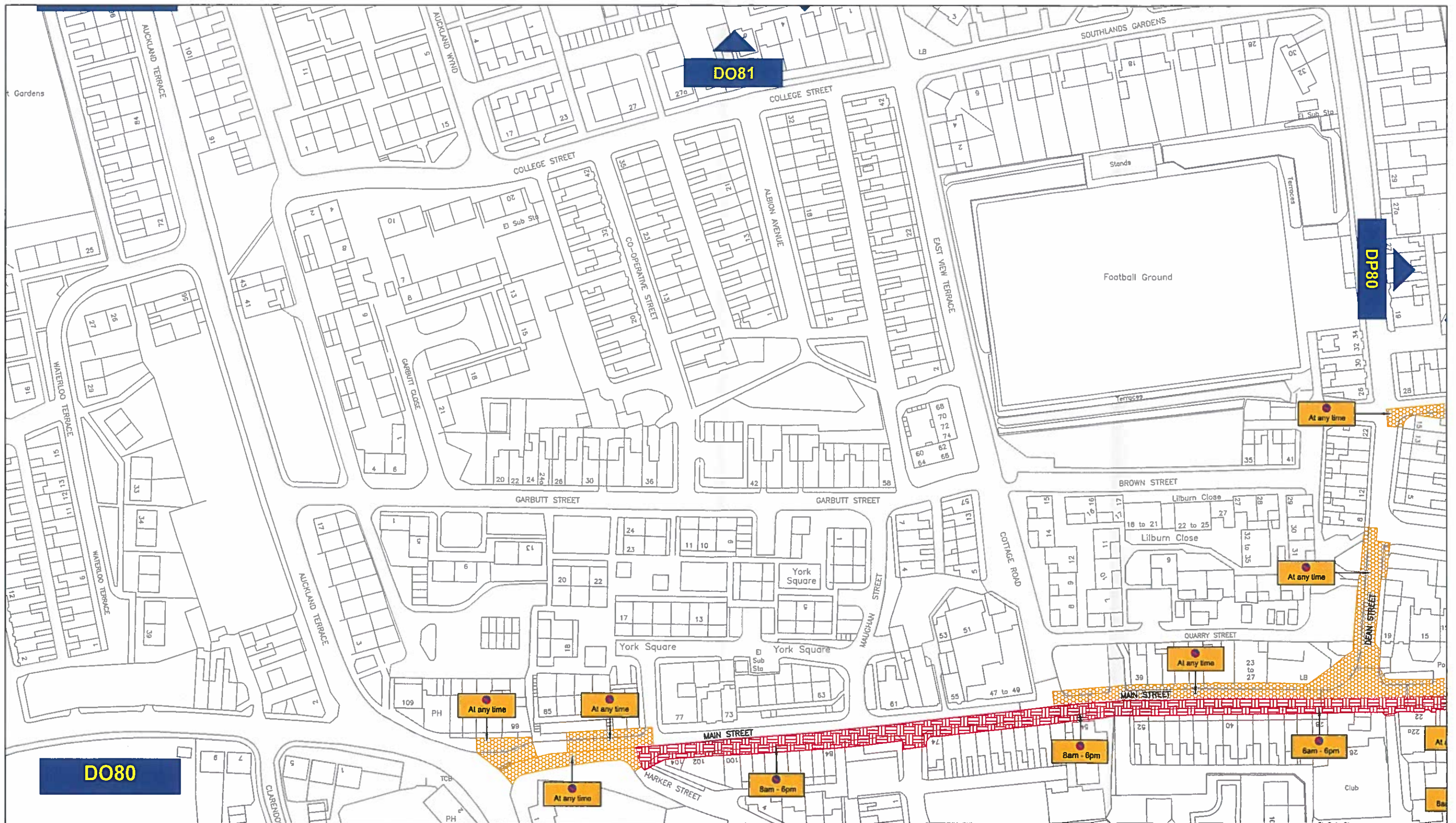
**SHILDON
PARKING AND WAITING RESTRICTIONS**



Scale:	1:1250 @ A3		
Date:	May 2015		
Drawn by:	J.Hogarth	Signature:	<i>J.Hogarth</i>
Date Sealed:		Map Schedule:	DP77

PATH: L:\MAPS\Map Based Schedules\
CPE South\Sedgefield\Shildon MBS

Reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Durham County Council. LA 100049055. 2015.



Key to Types of Restriction

 No Waiting At Any Time

 Restricted Waiting

 Individual Plan Reference Number

PATH: L:\MAPS\Map Based Schedules\
CPE South\Sedgefield\Shildon MBS

Reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Durham County Council. LA 100049055. 2015.



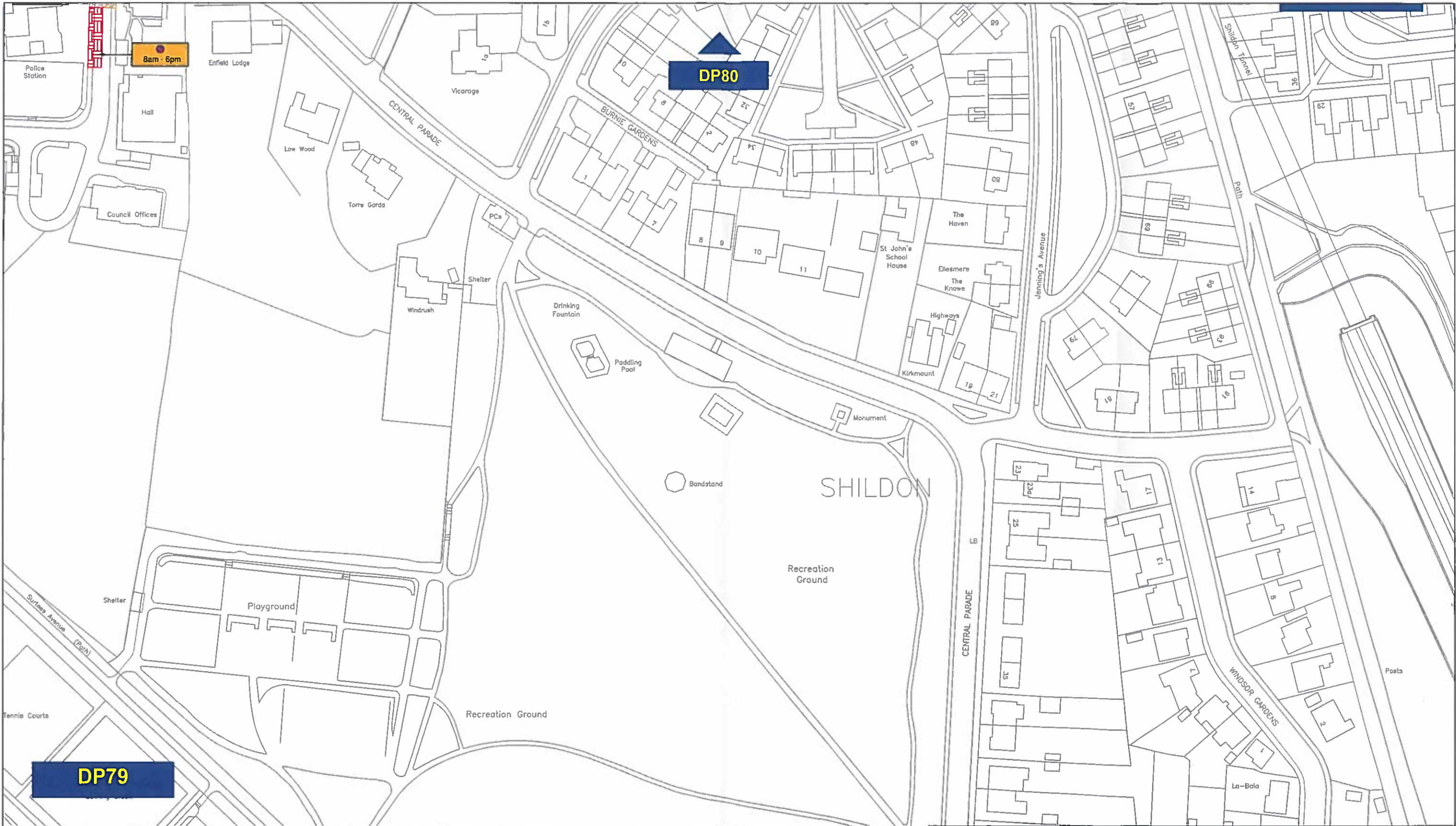
Corporate Director
Regeneration & Economic
Development

Strategic Traffic Management
County Hall, Durham DH1 5UQ

SHILDON PARKING AND WAITING RESTRICTIONS



Scale:	1:1250 @ A3		
Date:	May 2015		
Drawn by:	J.Hogarth	Signature:	<i>J.Hogarth</i>
Date Sealed:		Map Schedule:	DO80



Key to Types of Restriction

 Restricted Waiting

 XXXXX Individual Plan Reference Number



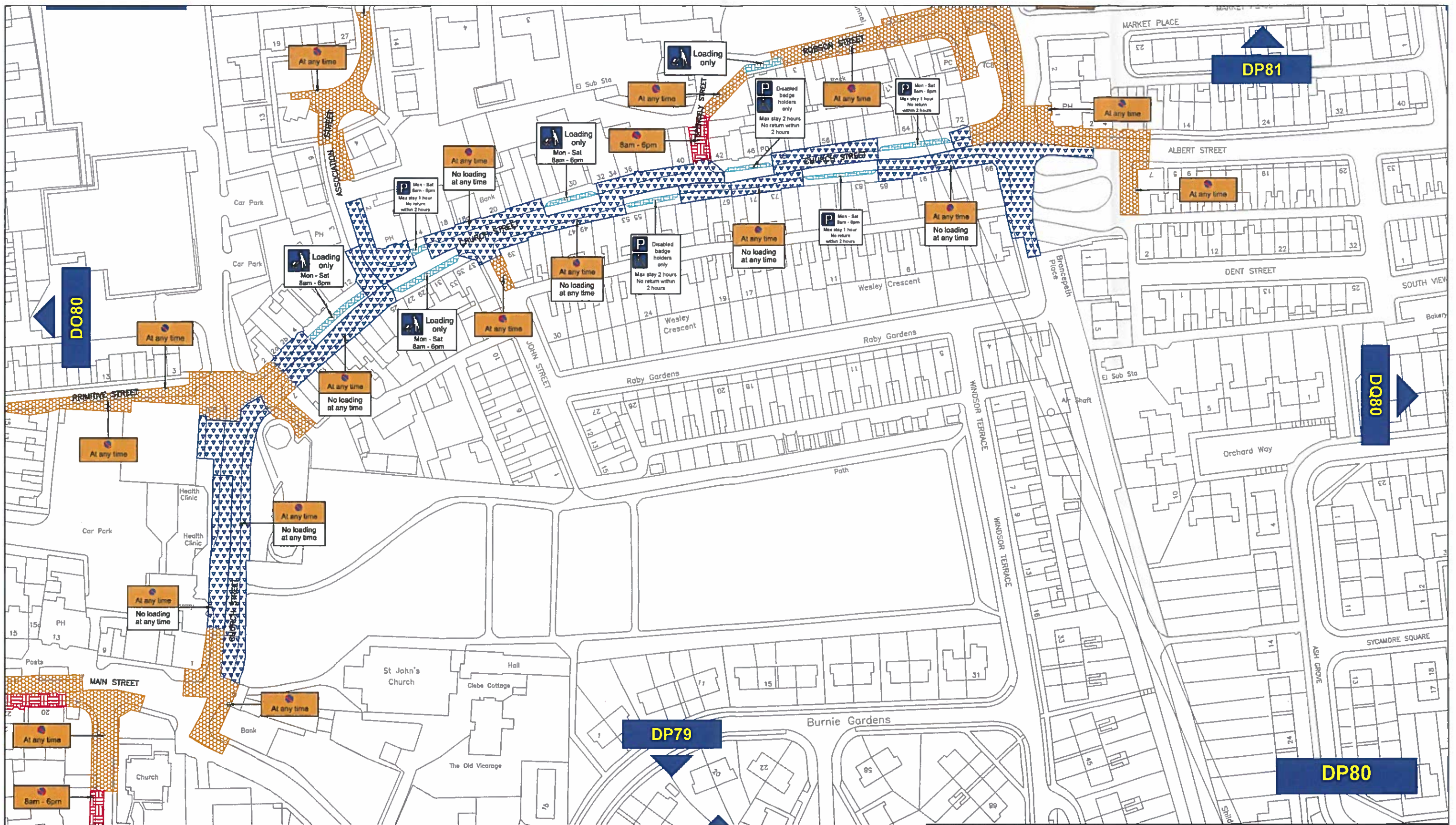
Corporate Director
Regeneration & Economic
Development

Strategic Traffic Management
County Hall, Durham DH1 5UQ

SHILDON
PARKING AND WAITING RESTRICTIONS



Scale:	1:1250 @ A3		
Date:	May 2015		
Drawn by:	J.Hogarth	Signature:	<i>J.Hogarth</i>
Date Sealed:		Map Schedule:	DP79



Key to Types of Restriction

	No Waiting At Any Time		Restricted Bay
	Restricted Waiting		No Waiting and No Loading At Any Time

XXXXX Individual Plan Reference Number

PATH: L:\MAPS\Map Based Schedules\
CPE South\Sedgefield\Shildon MBS

Reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Durham County Council. LA 100049055. 2015.



Corporate Director
Regeneration & Economic
Development

Strategic Traffic Management

County Hall, Durham DH1 5UQ

SHILDON PARKING AND WAITING RESTRICTIONS



Scale:	1:1250 @ A3		
Date:	May 2015		
Drawn by:	J.Hogarth	Signature:	<i>J.Hogarth</i>
Date Sealed:		Map Schedule:	DP80