

**THE COUNTY COUNCIL OF DURHAM  
(BURNOPFIELD, TANFIELD, OXHILL, SOUTH MOOR, SOUTH STANLEY, CRAGHEAD  
AND BLOEMFONTEIN)  
(PROHIBITION AND RESTRICTION OF WAITING AND PROHIBITION OF  
LOADING/UNLOADING) (AMENDMENT NO. 1)  
ORDER 2014**

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:-

**Part 1**

**General**

1. This Order may be cited as The County Council of Durham (Burnopfield, Tanfield, Oxhill, South Moor, South Stanley, Craghead and Bloemfontein) (Prohibition & Restriction of Waiting and Prohibition of Loading/Unloading) (Amendment No. 1) Order 2014 and shall come into operation on 12 January 2015.

**Part II**

**Amendments**

2. The following amendments have been made to The County Council of Durham (Burnopfield, Tanfield, Oxhill, South Moor, South Stanley, Craghead and Bloemfontein) (Prohibition & Restriction of Waiting and Prohibition of Loading/Unloading) Order 2010.

3/168.

**Purpose of Amendment**

- (a) To remove the following No stopping on entrance markings (School Keep Clear) restrictions in the under-noted Order for the following schools and insert these into this Amendment Order:

The County Council of Durham (Various Schools, North Durham – Derwentside, Chester-le-Street and Easington Areas) (No Stopping On School Entrance Markings) Order 2009 : Schedule 1

3/160

Oxhill Nursery, Bloemfontein Junior and Infants, Burnside Primary School, South Stanley Juniors & Infants, St Mary's RC Primary School (Stanley);

(plans ref: DG175, DH175, DI173, DI174, DJ171, DK171, DK175)

- (b) to remove Stanley Comprehensive School from the 2009 Order stated in (a) above.
- (c) extend the existing No Stopping on entrance markings at Bloemfontein Junior & Infants School
- (d) to introduce Disabled Badge Holders Only Parking Max stay 1 hour in the car park at South Moor Park Road (Plan ref: DH173);
- (e) to extend the existing No Waiting At Any Time restrictions on:
  - (i) the south side of Bridge Street for 17m (plan ref: DH173)
  - (ii) the south side of Mundell Street for 5m (plan ref: DH173)

- (f) to remove the existing No Waiting At Any Time on the south east side of Tees Crescent (plan ref: DJ175)
- (g) to extend the existing No Waiting At Any Time restriction on the west side of Tyne Road East from the existing School Keep Clear to its junction with Charles Street (plan ref: D1174)
- (h) to introduce Parking Mon-Sat 8am-6pm 3 hours no return within an hour in the lay-bys in front of the shops on Front Street, Burnopfield (plans ref DE191, DE192 & DF192)

## ARTICLES

### (A) Article 2 – Interpretation:

The following definition has been amended to read:

**"relevant position"** in relation to a disabled person's badge and parking disc has the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) England Regulations 2000;

### (B) New Articles 3, 4 & 5 have been inserted which read:

- 3. Except where the context requires otherwise, any reference in this Order to a numbered Article shall be construed as a reference to the Article bearing that number in this Order.
- 4. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment. Unless the context otherwise requires words denoting the singular shall include the plural and vice versa and words denoting persons shall include either gender, bodies corporate, unincorporated associations and partnerships.
- 5. The Interpretation Act 1978 shall apply for the interpretation of this Order.

### (C) Old Article numbered 4—6 have been renumbered as 7-9 respectively and reference therein to Article 7 has been replaced with reference to Article 22.

### (D) New Articles 10 to 21 have been inserted which read:

## PART IV

### Parking Places & Parking Bays Without Meters

#### PARKING PLACES (Restricted Bays)

- 10. (1) The areas of highway identified within the individual plan(s) detailed in Schedule 4 to this Order are hereby designated as parking places, being restricted bays designated for use as parking places.
- (2) Each parking place identified in Schedule 4 to this order, authorised under paragraphs (1) and (2) of this Article may only be used for the leaving of motor vehicles and motor cycles as so authorised on such days and during such hours as identified within the individual plan(s) detailed in that Schedule.

- (3) Save as provided in paragraphs (2) and (3) of this Article no person shall cause or permit any motor vehicle, other than those motor vehicles so authorised, to be left in the designated parking places on such days and during such hours identified in the individual plan(s) detailed in Schedule 4 to this Order.
- (4) The limits of each parking place shall be indicated by the Council, on the carriageway by the appropriate traffic signs.
- (5) The driver of a motor vehicle or a rider of a motor cycle or pedal cycle shall not permit it to enter or wait in a parking place, authorised by paragraphs (1), (2) or (3) of this Article, for a period exceeding the maximum stay identified in the individual plan(s) or to return within the period also specified in those plans.

#### **DISABLED BADGE HOLDERS (Restricted bays)**

- 11. (1) The areas of highway identified within the individual plans detailed in Schedule 5 to this Order are hereby authorised as parking places; being restricted bays designated for use by disabled badge holders.
- (2) Each parking place identified as disabled badge holder parking places, within the individual plans detailed in Schedule 5 to this order, authorised under paragraph (1) of this Article may be used only by vehicles which display in the relevant position a disabled person's badge and a disabled persons parking disc (on which the driver or other person in charge of the vehicle has marked the time at which the period of waiting began) on any day.
- (3) The limits of each parking place authorised under paragraphs (1) and (2) above, on the carriageway by the appropriate traffic signs and the restricted bay shall be identified within the individual plans detailed in Schedule 5 to this Order.
- (4) Save as provided in Article 22 of this Order no person shall cause or permit any vehicle, other than one displaying a Disabled Person's Badge and a Disabled Person's Parking Disc to park in a parking place, designated for use by disabled badge holders, on such days and during the hours identified within the individual plans detailed in Schedule 5 to this Order.

### **PART V**

#### **Parking Places & Parking Bays without Meters - GENERAL**

##### **Designation and use of Parking Places and Loading Bays (Restricted bays)**

- 12. (1) Each area of highway identified in Schedules 4 and 5 to this Order are hereby designated as parking places (restricted bays); as set out in Articles 10 and 11 to this Order.
- (2) Each parking place and parking bay identified within the individual plan(s) detailed in Schedules 4 and 5 to this Order, authorised under paragraph (1) of this Article, may only be used for the leaving of the specific classes of motor vehicles and motor cycles on such days and during such times as identified within the identified plan(s) detailed in Schedules 4 and 5 to this Order; or



- (3) 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 on the surface by appropriate traffic signs.
- (4) The Council may carry out such other work as is authorised by this Order or is reasonable required for the purposes of the satisfactory operation of a parking place.
- (5) The Council may:-
  - (a) install, in such positions on or in the vicinity of a parking place, as they may think fit, such parking meters as are required by this Order for the purposes of that parking place; and
  - (b) carry out such other work as is authorised by this Order or is reasonably required for the purposes of the satisfactory Operating of a parking place.

#### **Indications as Evidence**

- 13. (1) If at any time while a vehicle is left in a parking place, as specified in Articles 10 and 11 of this Order no disabled person's parking disc is exhibited on the vehicle in accordance with the provisions of Article 11 of this Order.

#### **Manner of Standing in Parking Places (Restricted bays)**

- 14. (1) Every vehicle left in a parking place, specified in Articles 10, and 11, 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, AND in those cases in which special provision is made identified in the individual plans detailed in Schedules 4 and 5 of this Order, in accordance with those provisions.
- (2) Where a vehicle has been left in a parking place or loading bay, referred to in paragraph (1) of this Article, is too 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 if:-
  - (a) the extreme front or rear portion of the vehicle is within 300 mm of the carriageway indication provided under paragraph (3) of Articles 10 and 11 of this Order;
  - (b) the vehicle, or any part of it, is not within the limits of any adjoining restricted bay; being a parking place.
- (3) When a vehicle is left in a parking place in contravention of the provisions of this Article a Penalty Charge shall be payable.

#### **Class and position of Vehicle**

- 15. (1) No person shall cause or permit any vehicle, other than the permitted classes of vehicles, to use the parking places identified in Articles 10 and 11 or as specified in Schedules 4 and 5 to this order;
- (2) Every vehicle left in a parking place, specified in Articles 10 and 11 to this Order, shall stand so that every part of the vehicle is wholly within the limits of the parking place or any parking bay within a parking place AND in those cases in which special provision is made in Schedules 4 and 5 to this Order, in accordance with those provisions;

- (3) No person shall cause or permit any vehicle, unless so approved by an enforcement officer or civil enforcement officer, to wait or park in a parking bay specifically marked as available for a permitted class of vehicle, as identified in Schedules 4 and 5 to this order, unless that vehicle is of that permitted class of vehicle.
- (4) No person shall cause or permit any vehicle to wait or park in a parking bay marked for disabled persons unless the vehicle displays a valid disabled person's badge in the relevant position and unless the vehicle has been or is about to be used by the person(s) in respect of whom the disabled person's badge has been issued either immediately before or immediately after the act of parking. Where required the vehicle shall also display the disabled person's badge in accordance with local regulations;

#### **Power to Suspend Parking Places and Loading Bays**

- 16. (1) Any person authorised by the Council may suspend the use of a parking place or loading bay or any part thereof whenever he consider such suspension is reasonably necessary:-
  - (a) for the purpose of facilitating the movement of traffic or promoting its safety;
  - (b) for the purpose of any building operation, demolition or excavation in or adjacent to the parking place or loading bay, or the maintenance, improvement or reconstruction of the parking place or loading bay of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or any telecommunications apparatus as defined in the Telecommunications Act 1984;
  - (c) for the convenience of occupiers of premises adjacent to the parking place or loading bay on any occasion of the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository ;
  - (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed or to facilitate filming work;
  - (e) for the convenience of occupiers of premises adjacent to the parking place or loading bay at times of weddings, funerals or on other special occasions.
  - (f) for the maintenance, improvement or reconstruction of the road and street furniture, the cleansing of gullies or to maintain trees adjacent to the parking places or loading bays;
- (2) An enforcement officer may suspend the use of a parking place or loading bay or any part thereof, whenever such suspension is reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- (3) Any person closing or suspending the use of a parking place or loading bay, or any part thereof, in accordance with the provisions of Articles 10, 26, 27, 28, 29 & 30 shall thereupon place or cause to be placed in or adjacent to that parking place or loading bay, or that part thereof, a notice or sign indicating that the use of that parking place or loading bay, or that part thereof, is closed or suspended and that parking by vehicles is prohibited.

- (4) No person shall cause or permit a vehicle to be left in a parking place or loading bay, or any part thereof, during such periods that the use of that parking place or loading bay or that part thereof is closed or suspended or during such period as there is in or adjacent thereto a notice or sign placed by or on behalf of the Council in pursuance of paragraph (3) of this Article.
- (5) No person shall use a parking place or loading bay in connection with the sale of any article to persons in or near the parking place or loading bay or in connection with the selling or offering for hire of their skills or services.

Provided that nothing in this paragraph shall apply to any vehicle waiting in the parking place or loading bay or part thereof, which is suspended, with the permission of the person suspending the parking place or loading bay or part thereof, in pursuance of paragraph (1) or (2) of this Article.

#### **Removal of Vehicles and Other Equipment from Parking Places**

- 17. (1) Where a Civil Enforcement Officer is of the opinion that any vehicle has been left in a parking place in contravention to the provisions of this order, for longer than 24 hours or when the parking place has been suspended from use in accordance with Article 16 of this Order he may remove or cause the vehicle to be removed from the parking place and where it is so removed, shall provide for the safe custody of the vehicle.
- (2) An enforcement officer, in cases of emergency, may move or cause to be moved vehicles left in a parking place to any place he thinks fit and shall provide for the safe custody of the vehicle.
- (3) The provisions of paragraph (1) of this Article shall also apply to builders' skips or any other equipment which in the opinion of the Civil Enforcement Officer constitutes a contravention of this Order.
- (4) Where a vehicle or other equipment has been removed under the provisions of paragraphs (1) and (3) of this Article the Council will recover from its owner the expenses reasonably incurred in doing so.

### **PART VII LIABILITIES/PENALTIES**

#### **Liability**

- 18. The Council accepts no liability for the loss or damage to vehicles or other property left in any of the parking places to which this Order applies.

#### **Wilful damage**

- 19. Any person who with intent to defraud interferes with the parking meter or operates or attempts to operate it by the insertion of objects other than undamaged and unaltered coins of legal tender and of the appropriate denomination, or other approved method of payment, shall be liable to prosecution.

#### **Emergencies**

- 20. A person authorised by the Council or a Police Constable in uniform may, using such measures as are appropriate, move or cause to be moved in the case of an emergency to any place he thinks fit, any vehicle left in a parking place.



### Safe keeping

21. Any person removing a vehicle from any parking place identified within this Order shall make such arrangements as may be reasonably necessary to provide for the safe keeping of the vehicle.
- (E) Articles 22(1) & 22(2) – reference therein to Articles 4, 5 & 6 have been removed and reference to Articles 8, 9, 10 & 11 have been inserted.
- (F) Article 22(3) – reference therein to Articles 4 and 5 have been removed and reference to Articles 7, 8 and 10 have been inserted.
- (G) Article 22(4) – reference therein to Articles 4 and 5 have been removed and reference to Articles 7, 8, 10 and 11 have been inserted.
- (H) Old Articles 8 to 10 have been renumbered as Articles 23 to 25 respectively.

### SCHEDULES:

- 1) The under-noted plans have been removed from the relevant Schedules and replaced with plans of the same reference seal dated as at the date of this Order:

Schedule Number	Plan Ref	Seal date
1	DE191 DE192 DH173 DI173 DI174 DJ171 DJ175 DK171	5/8/10
2	DI191 DE192 DF192	5/8/10
3	DI173 DI174 DJ171 DK171  DK175 DG175	5/8/10  N/A – New Plans
4	DE192 DE191 DF192	5/8/10
5	DH173	5/8/10

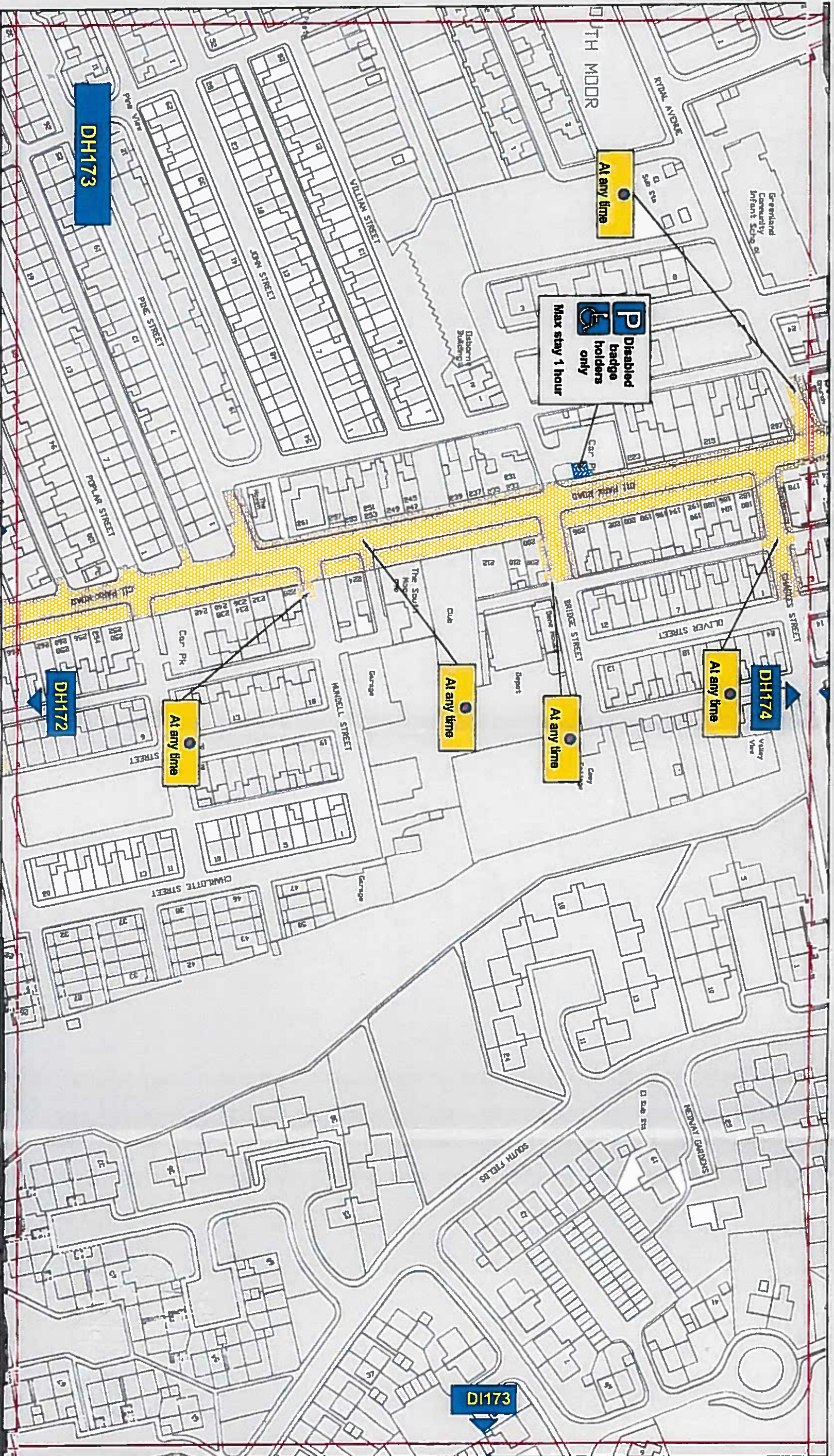
GIVEN UNDER THE COMMON SEAL  
OF THE COUNTY COUNCIL OF DURHAM  
ON THE 5<sup>TH</sup> DAY OF *JANUARY* 2015 )

*Paul Taylor*









### Key to Types of Restriction

-  No Waiting At Any Time
-  Restricted Bay





# Key to Types of Restriction

No Stopping



Corporate Director  
Regeneration & Economic  
Development

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BURNOPFIELD, OXHILL, SOUTHMOOR, SOUTH  
STANLEY AND THE MIDDLES, PARKING AND  
WAITING RESTRICTIONS

*Paul Taylor*



Scale	1:1250 @ A3
Date	October 2014
Drawn by	S. Thompson
Signature	<i>AT</i>
Date Scaled	5/1/15
Map Schedule	DG175





DE191

DE192

# Key to Types of Restriction

- No Waiting At Any Time
- Restricted Waiting
- Restricted Waiting

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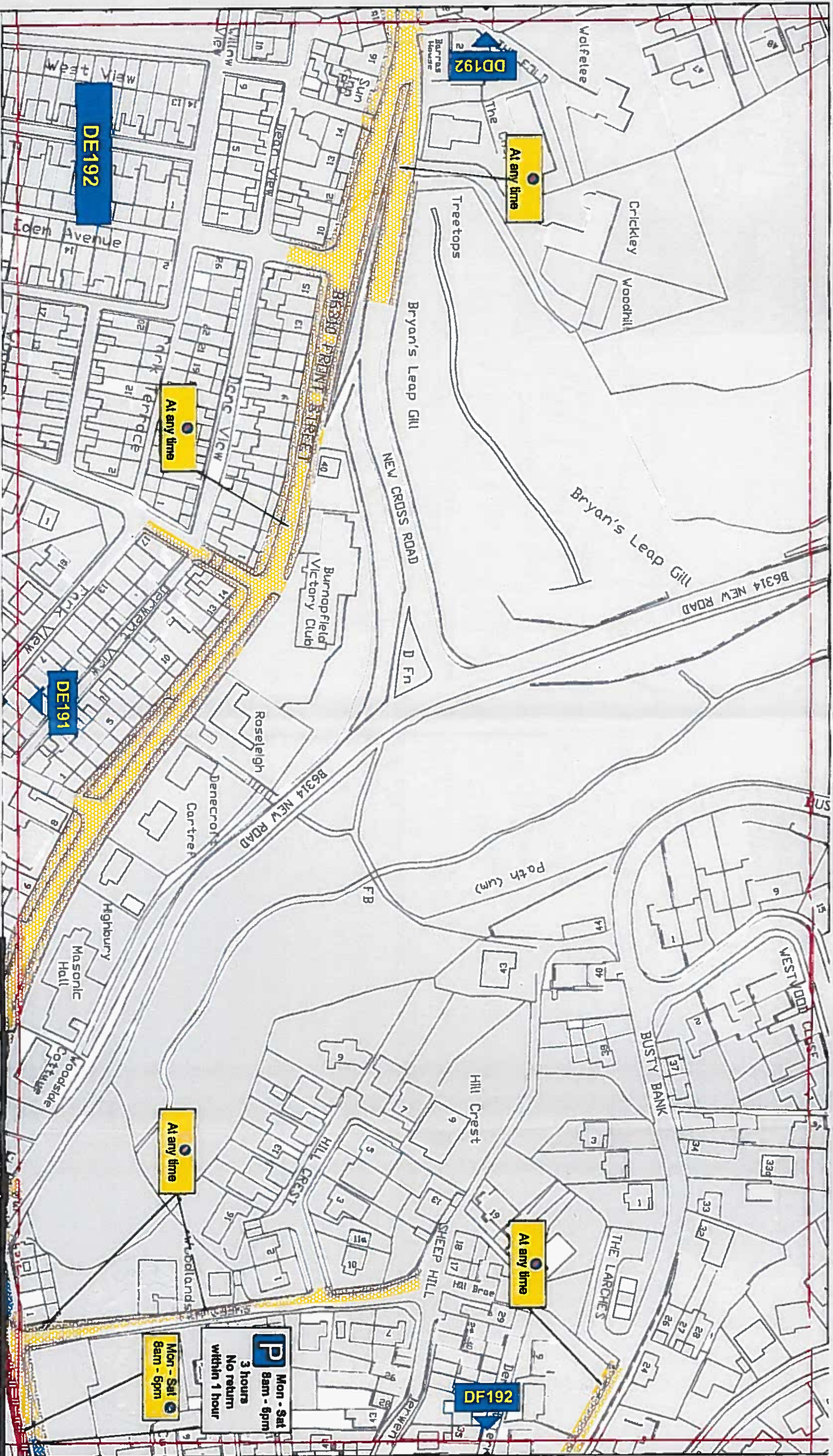
Corporate Director  
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## BURNOPFIELD, OXLEY, SOUTH MOOR, SOUTH STANLEY AND THE MIDDLES, PARKING AND WAITING RESTRICTIONS

Scale	1:1250 @ A3
Date	October 2014
Drawn by	S. Thompson
Date Sealed	5/11/15
Signature	
Map Schedule	DE191





# Key to Types of Restriction

- No Waiting At Any Time
- Restricted Waiting
- Restricted Bay

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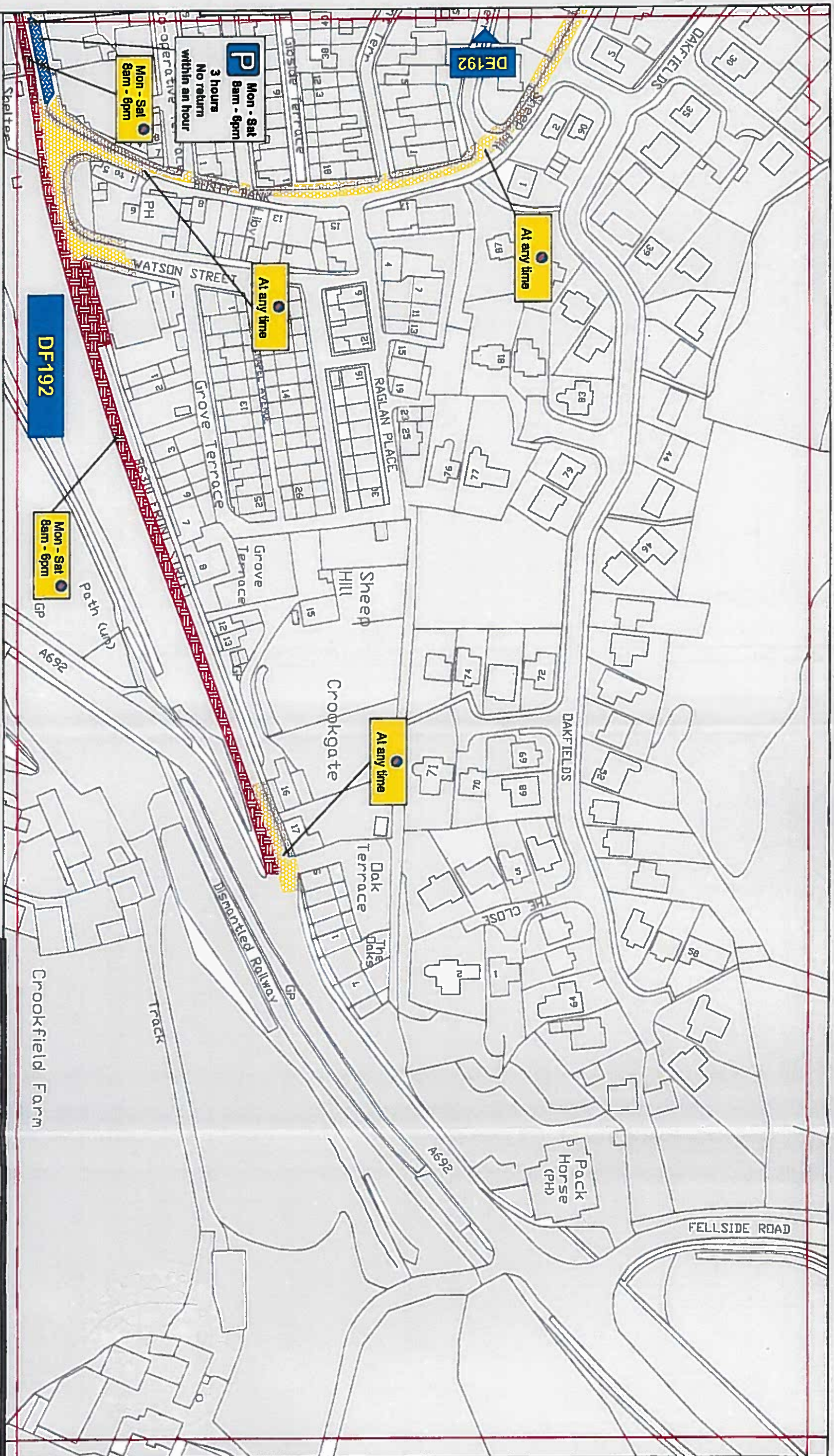
Corporate Director  
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Strategic Traffic Management  
County Hall Durham DH1 1UD

BURNOPFIELD, OXHILL, SOUTHMOOR, SOUTH  
STANLEY AND THE MIDDLES, PARKING AND  
WAITING RESTRICTIONS

Scale	1:1250 @ A3
Date	October 2014
Drawn by	S. Thompson
Signature	
Date Sealed	5/11/15
Map	DE192





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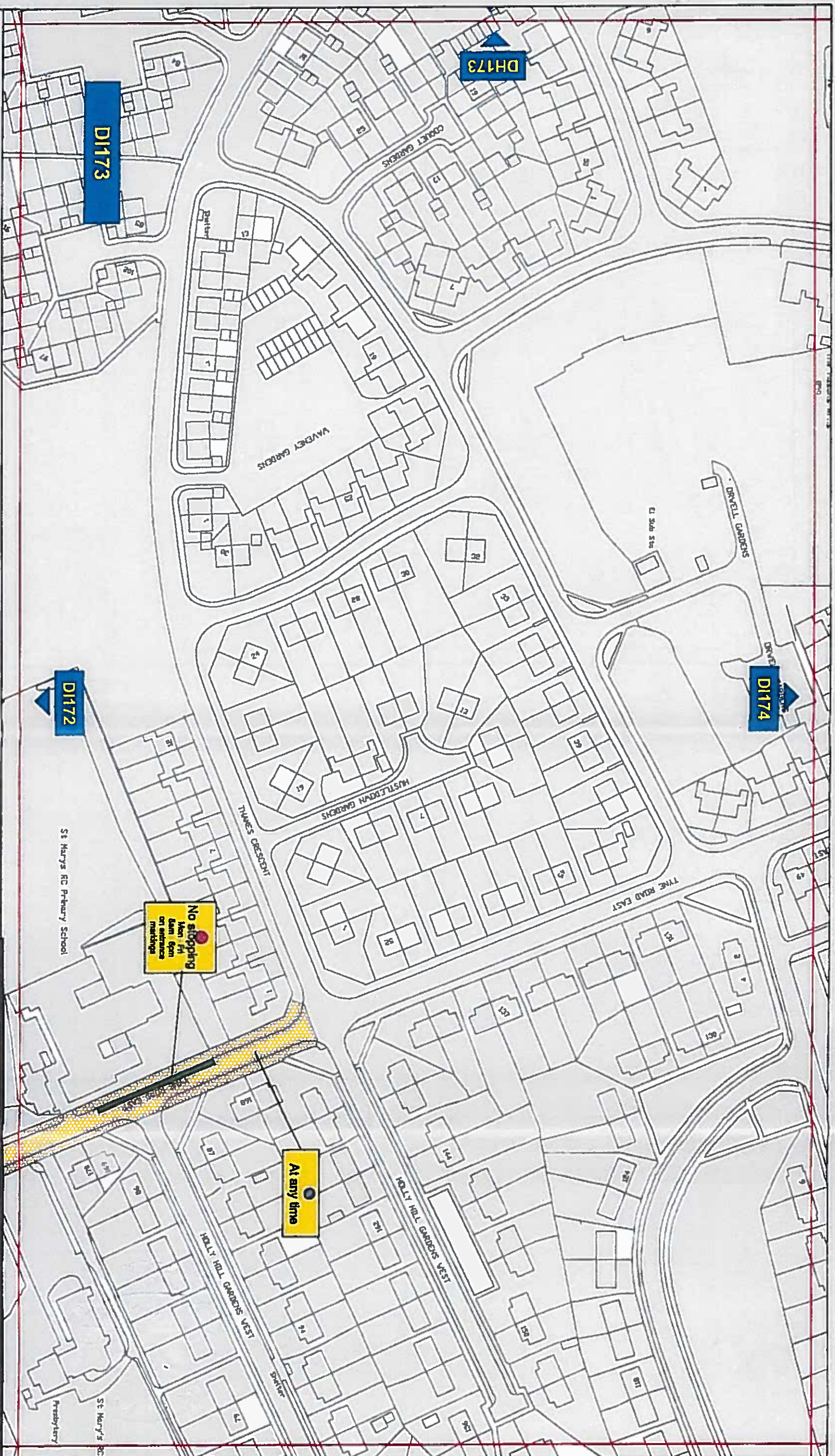
Strategic Traffic Management  
County Hall, Durham DH1 5UQ

**BURNOPFIELD, OXHILL, SOUTHMOOR, SOUTH  
STANLEY AND THE MIDDLES, PARKING AND  
WAITING RESTRICTIONS**

*David Taylor*

Scale:	1:1250 @ A3
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Date Sealed:	5/11/15
Map Schedule:	DF 192





# Key to Types of Restriction



No Waiting At Any Time



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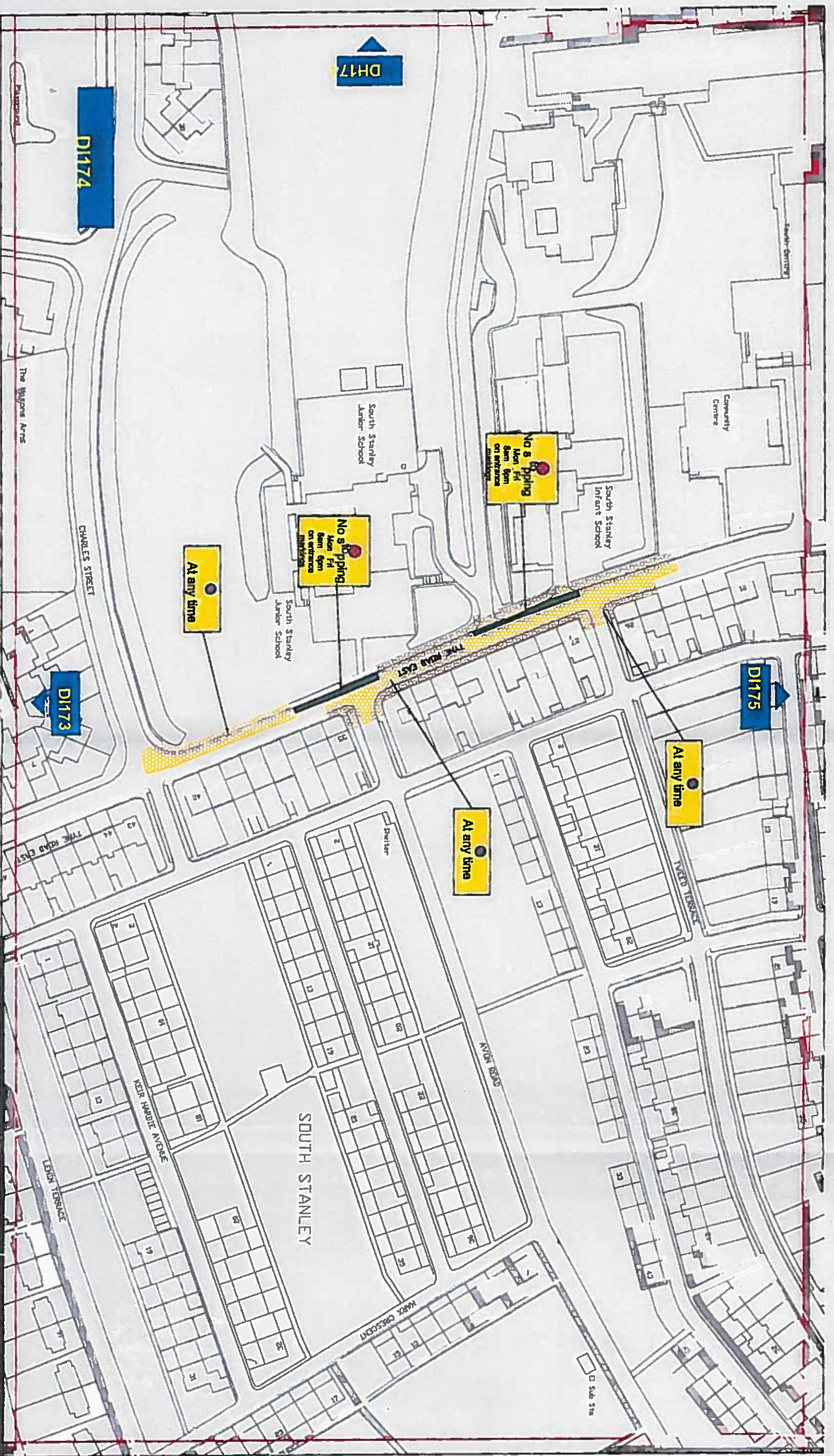
BURNHOPEFIELD, OXHILL, SOUTHMOOR, SOUTH  
STANLEY AND THE MIDDLES, PARKING AND  
WAITING RESTRICTIONS

*Maud Taylor*



Scale:	1:1250 @ A3
Date:	October 2014
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Date Sealed:	5/1/15
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Map Schedule:	DI 173





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No Waiting At Any Time

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STANLEY AND THE MIDDLES, PARISH AND  
WAITING RESTRICTIONS

*John Taylor*



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Checked by	S Thompson
Map	SI1115
Schedule	DI174





# Key to Types of Restriction



No Waiting At Any Time



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BURNOPFIELD, OXFELD, SOUTH MOOR, SOUTH  
STANLEY AND THE MIDDLES, PARKING AND  
WAITING RESTRICTIONS

*John Taylor*

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Map  
Schedule

DJ 171





# Key to Types of Restriction



No Waiting At Any Time

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STANLEY AND THE MIDDLES, PARKING AND  
WAITING RESTRICTIONS

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Date 10 October 2014

Drawn by S Thompson

Date 05/11/15

Map

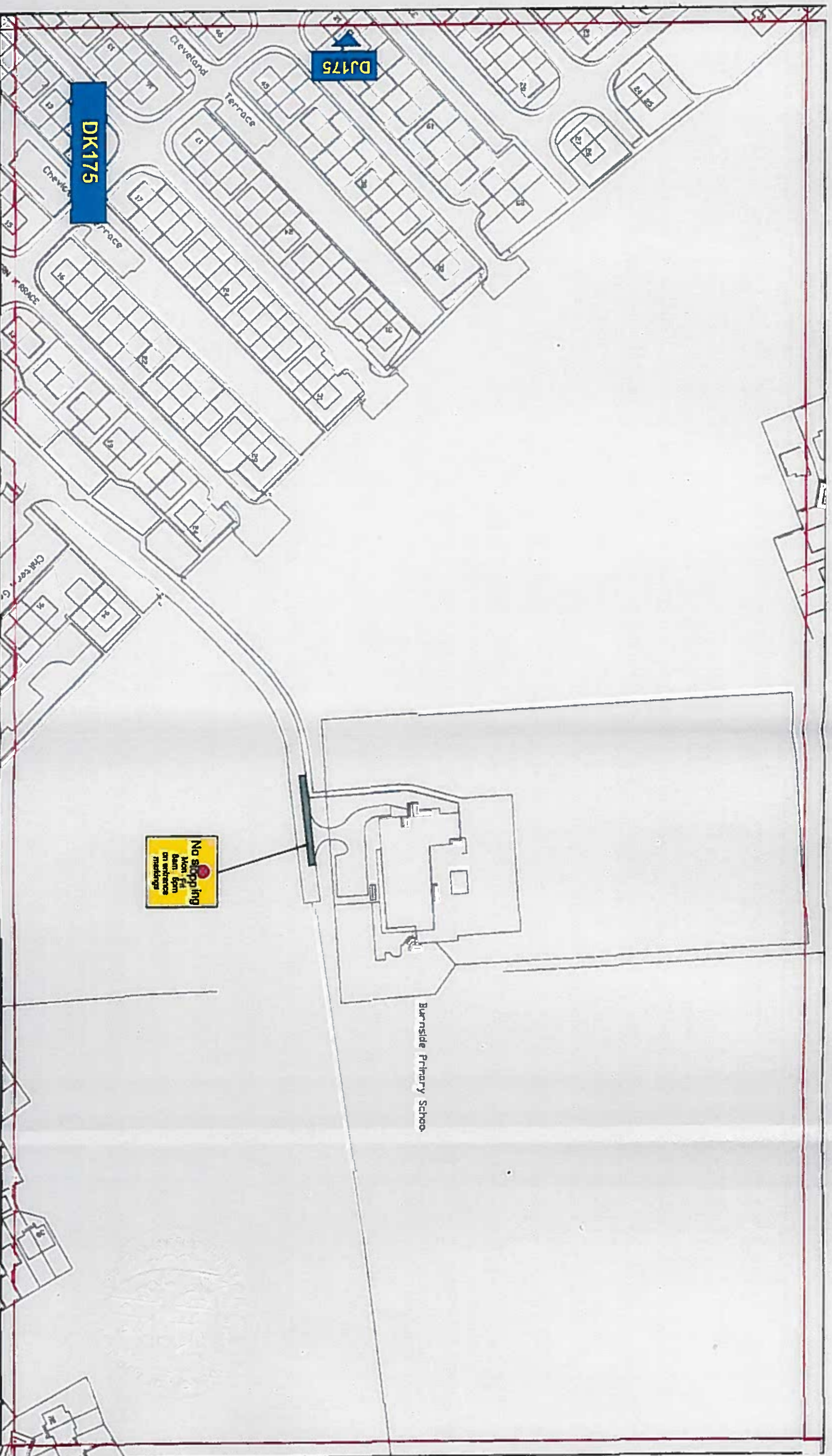
Schedule

DJ175









**Key to Types of Restriction**

 No Stopping



Burnside Primary School