

**THE COUNTY COUNCIL OF DURHAM
(BELMONT, CARRVILLE & GILESGATE)
(PARKING & WAITING RESTRICTIONS) ORDER 2013**

The County Council of Durham ("the Council") in exercise of their powers under Sections 1, 2, 4, 32 and 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 I

General & Citation

1. This Order may be cited as The County Council of Durham (Belmont, Carrville & Gillesgate) (Parking & Waiting Restrictions) Order 2013 and shall come into operation on 27 January 2014.

Interpretation

2. In this Order the following expressions have the meanings hereby respectively assigned to them:-

"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.

"council" means The County Council of Durham;

"disabled person's badge" and "disabled person's parking disc" have the same meanings as in the Disabled Person's (Badge's for Motor Vehicles) (England) Regulations 2000 (as amended);

"driver" in relation to a vehicle parked in a parking place means the person driving or riding the vehicle at the time it was left in the parking place;

"enforcement officer" means a uniformed police officer, police community support officer or any subsequent designation of these officers;

"liveried vehicle" means a vehicle having a distinctive design and colour scheme used to distinguish a police, fire & rescue or ambulance vehicle;

"loading bay" means an area of highway designated as a loading bay under the provisions of this Order;

"loading place" means an area on a highway where vehicles may be drive and parked for the purpose of being loaded or unloaded in connection with a trade or business carried on, on or in the vicinity of the land, as defined by Section 161 of the Act;

"motor vehicle" means a mechanically propelled vehicle intended or adapted for use on roads, as defined in Section 136 of the Act;

"relevant position" has the same meaning as defined by The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"traffic sign" means a sign of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under Section 64 of the Act;

"universal service provider" has the same meaning as in the Postal Services Act 2000;

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.

Part II

Revocation

6. (a) The following Order has been revoked in full:

The County Council of Durham (Belmont, Gillesgate and Carrville) (Traffic Management) Order 2008 4/26.
- (b) The following Order has been revoked in part:

The County of Durham (City of Durham District) (Traffic Management Order) Order 2008 : 1/95

Schedule 1 - items 1, 9, 22 and 23
Schedule 2 – items 1, 5 and 14

Part III

WAITING & LOADING

Prohibition of Waiting At Any Time

7. Save as provided in Article 15 of this Order no person shall, except upon the direction or with the permission of an enforcement officer or a civil enforcement officer, cause or permit any vehicle; other than those vehicles specifically authorised in this Order, to wait at any time on any of the lengths of roads or sides of lengths of roads identified within the individual plans detailed in Schedule 1 to this Order.

Restricted Waiting

8. Save as provided in Article 15 of this Order no person shall, except upon the direction or with the permission of a enforcement officer or a civil enforcement officer, cause or permit any vehicle, other than those vehicles so authorised in this Order, to wait on any of the lengths of roads or sides of lengths of roads on such days and during such times as identified within the individual plan(s) detailed in Schedule 2 to this Order.

Prohibition of Waiting and Loading At Any Time

9. Save as provided in Article 15 of this Order no person shall, except upon the direction or with the permission of an enforcement officer or a civil enforcement officer, cause or permit any vehicle to:
- a. wait, or
 - b. wait for the purpose of enabling goods to be loaded onto or unloaded from the vehicle, at any time, on any of the lengths of roads or sides of lengths of roads identified in the individual plan(s) detailed in Schedule 3 to this Order.

Restricted Waiting and Loading/Unloading

10. Save as provided in Article 15 of this Order no person shall, except upon the direction or with the permission of an enforcement officer or a civil enforcement officer, cause or permit any vehicle to:
- b. wait, or
 - c. wait for the purpose of enabling goods to be loaded onto or unloaded from the vehicle, on any of the lengths of roads or sides of lengths of roads on such days and during such times as identified within the individual plan(s) detailed in Schedule 4 to this Order.

Part IV NO STOPPING

No Stopping on Entrance Markings

11. Save as provided in Article 15 of this Order no person shall, except upon the direction or with the permission of an enforcement officer cause or permit any vehicle to stop or wait on the lengths of roads or sides of lengths of roads on such days and during such times as identified in the individual plan(s) detailed in Schedule 5 to this Order.

Part V RESTRICTED BAYS

Loading Only

12. (1) The areas of highway identified within the individual plans detailed in Schedule 6 to this Order are hereby authorised 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 times as identified within the individual plans detailed in Schedule 6 to this Order.
- (2) Save as provided in Article 15 of this Order no person shall cause or permit any vehicle, other than a vehicle loading or unloading goods, to wait in a loading bay on such days and during such hours as identified within the individual plans detailed in Schedule 6 to this Order.
- (3) The limits of each loading bay identified in Schedule 6 to this Order shall be indicated, by the Council, on the carriageway by the appropriate traffic signs.

- (4) Every vehicle using a loading bay 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.

Part VI RESTRICTED BAYS – GENERAL

Manner of Standing in Loading Bays

13. (1) Every vehicle left in a loading bay, identified in Articles 12 and within the individual plans detailed in Schedule 6 of this Order shall so stand subject to paragraph (2) of this Article, so that every part of the vehicle is wholly within the limits of the loading bay.
- (2) Where a vehicle has been left in a 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 loading bay if:-
- (a) the extreme front or rear portion of the vehicle is within 300 mm of the carriageway indication provided under paragraph (3) of Article 12 of this Order;
 - (b) the vehicle, or any part of it, is not within the limits of any adjoining loading bay.

Power to Suspend Loading Bays

14. (1) Any person authorised by the Council may suspend the use of a 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 loading bay, or the maintenance, improvement or reconstruction of the 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 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 or to such premises
 - (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
 - (e) for the convenience of occupiers of premises adjacent to the loading bay at times of weddings, funerals or on other special occasions.
- (2) A civil enforcement officer may suspend the use of a 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 suspending the use of a loading bay or any part thereof, in accordance with paragraph (1) or (2) of this Article shall, thereupon, place or cause to be placed in or adjacent to the loading bay, or part thereof, as the case may be, a traffic sign indicating that waiting by vehicles is prohibited.
- (4) No person shall cause or permit any vehicle to wait in a loading bay or any part thereof, during such period as there is placed in or adjacent to the loading bay, as the case may be, a traffic sign indicating that waiting by vehicles is prohibited.

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

- (3) No person shall use a loading bay in connection with the sale of any article to persons in or near the loading bay or in connection with the selling or offering for hire of their skills or services.

Part VII

Exemptions

- 15. (1) Nothing in Articles 7, 8, 9, 10, 11 and 12 of this Order shall render it unlawful to cause or permit any vehicle to wait on any of the lengths of roads or sides of lengths of roads referred to therein, for so long as may be necessary to enable;
 - (a) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following:-
 - (i) building or demolition;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or re-construction of the said roads;
 - (iv) the laying, erection, alteration or maintenance in or in land adjacent to the said lengths of roads of any sewer, main, pipe or apparatus for the supply of gas, water or electricity or any telecommunications apparatus as defined in the Telecommunications Act 1984;
 - (b) the vehicle if it cannot conveniently be used for such purpose in any other road to be used in the service of a local authority or water authority in pursuance of statutory duties;
 - (c) the vehicle to be used for the purpose of delivering or collecting postal packets in the service of a universal service provider.
- (2) Nothing in Articles 7, 8, 9, 10, 11 and 12 of this Order shall apply to any liveried vehicle being used for police, fire & rescue service or ambulance purposes in pursuance of statutory duties.

- (3) Nothing in Articles 7, 8, and 10 of this Order shall render it unlawful to cause or permit a vehicle which displays in the relevant position a disabled person's badge and disabled person's 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) to wait in any of the lengths of road or on the sides of road referred to in that Article for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same road on the same day).
- (4) Nothing in Articles 9 or 10 of this Order shall render it unlawful to cause or permit any vehicle to wait in the lengths of roads or sides of lengths of roads referred to therein for so long as may be necessary to enable the picking up or setting down of passengers.
- (5) Nothing in Articles 7, 8, or 12 of this Order shall render it unlawful to cause or permit any vehicle to wait in the lengths of roads or sides of lengths of roads referred to therein for so long as may be necessary to enable:
 - (a) the picking up or setting down of passengers;
 - (b) goods to be loaded onto or unloaded from the vehicle;

Part VIII

Contravention and Enforcement

16. If a vehicle is in contravention of a provision of this Order a penalty charge shall be payable.
17. 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.

Saving

18. In so far as any provision of this Order conflicts with any provision which is contained in an Order made or having effect as if made under the Act or by or under any other enactment then the provisions of this Order shall prevail.
19. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulations made or having effect as if made under the Act or by or under any other enactment.

Schedule 1 Prohibition of Waiting At Any Time

Item No	Plan reference number	Item No	Plan reference number	Item No	Plan reference number
1	EB140	2	EC139	3	EC140
4	ED140	5	ED144	6	ED145
7	EE143	8	EE145	9	EF145

**Schedule 2
Restricted Waiting**

Item No	Plan reference number	Item No	Plan reference number	Item No	Plan reference number
1	EC140	2	EC141	3	EE142
4	EE1439	5	EF142	6	EF143

**Schedule 3
Prohibition of Waiting & Loading/Unloading At Any Time**

Item No	Plan reference number	Item No	Plan reference number	Item No	Plan reference number
1	ED140	2	ED141	3	ED142

**Schedule 4
Restricted Waiting & Loading**

Item No	Plan reference number	Item No	Plan reference number	Item No	Plan reference number
1	EB141	2	EC141	3	EE142
4	EF141	5	EF142		

**Schedule 5
No Stopping on Entrance Markings**

Item No	Plan reference number	Item No	Plan reference number	Item No	Plan reference number
1	EB138	2	EB141	3	EC140
4	EE142	5	EF142		

**Schedule 6
Loading Only**

Item No	Plan reference number	Item No	Plan reference number
1	ED140	2	ED141

**GIVEN UNDER THE COMMON SEAL OF THE COUNTY COUNCIL OF DURHAM ON THE
16TH DAY OF JANUARY 2014**

Robin Holdo
.....
Authorised Sealing Officer



EB138

Key to Types of Restriction

- No Stopping
- XXXXXX Individual reference number

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Setback



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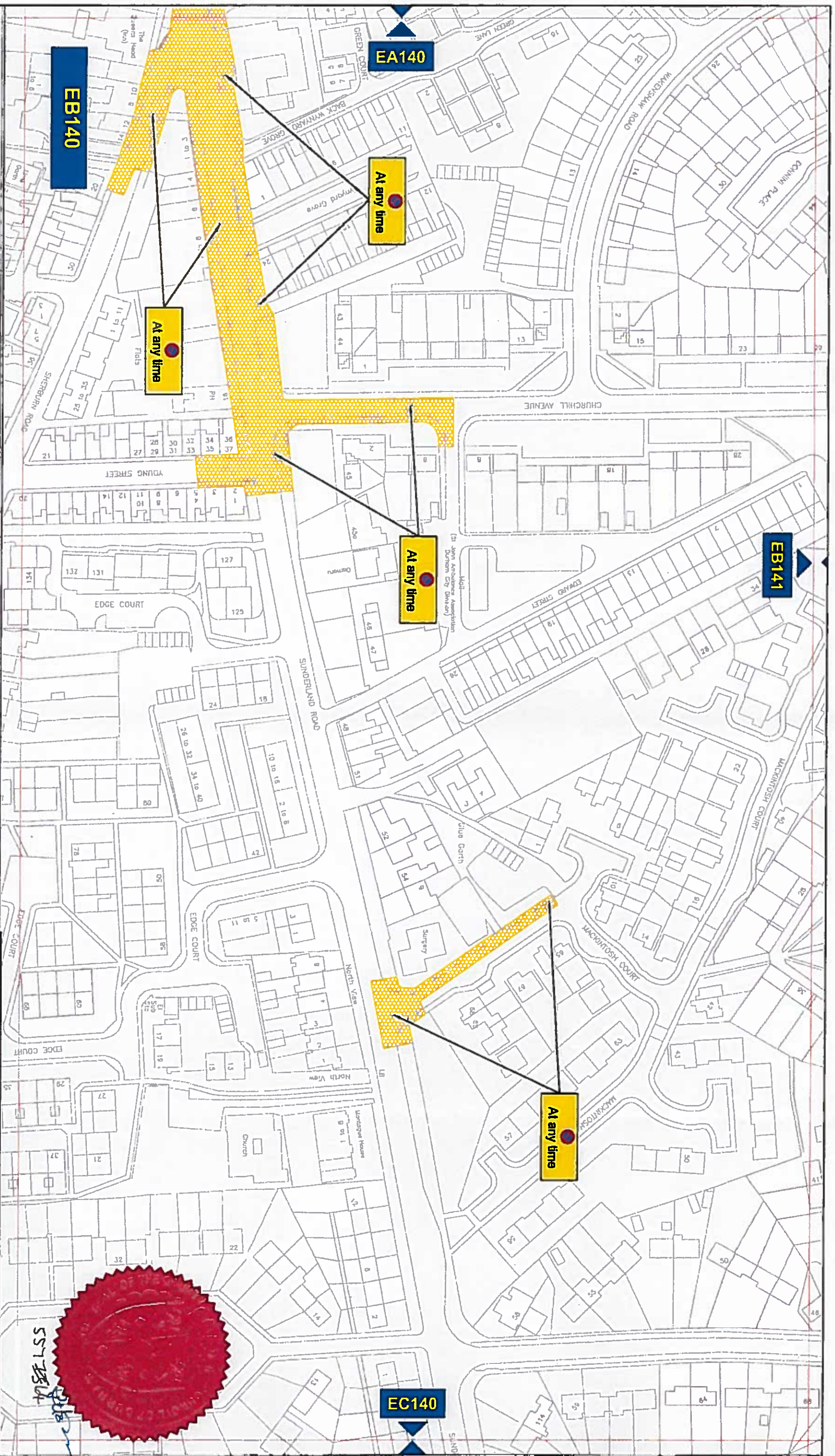


Corporate Director
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THE COUNTY COUNCIL OF DURHAM
BELMONT, CARRVILLE and GILLESGATE,
WAITING AND PARKING RESTRICTIONS

Scale:	1:1250 @ A3		
Date:	SEPTEMBER 2013		
Drawn by:	S. Thompson	Signature:	
Date Sealed:	16/11/14	Map Schedule:	EB138





Key to Types of Restriction

 No Waiting At Any Time


XXXXXX Individual reference number

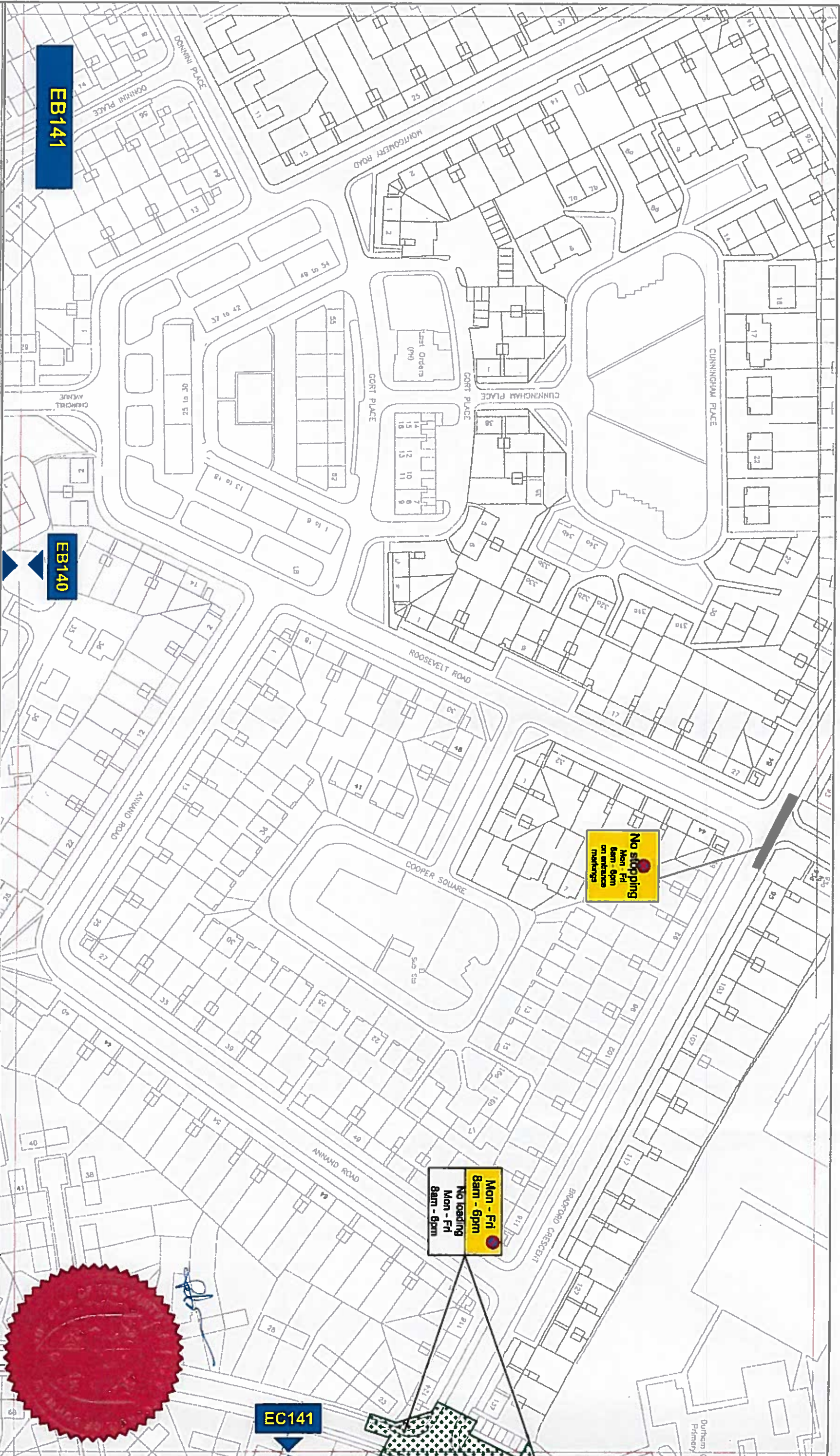


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Restricted Waiting and Loading/Unloading



No Stopping



Individual reference number

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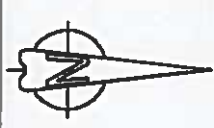


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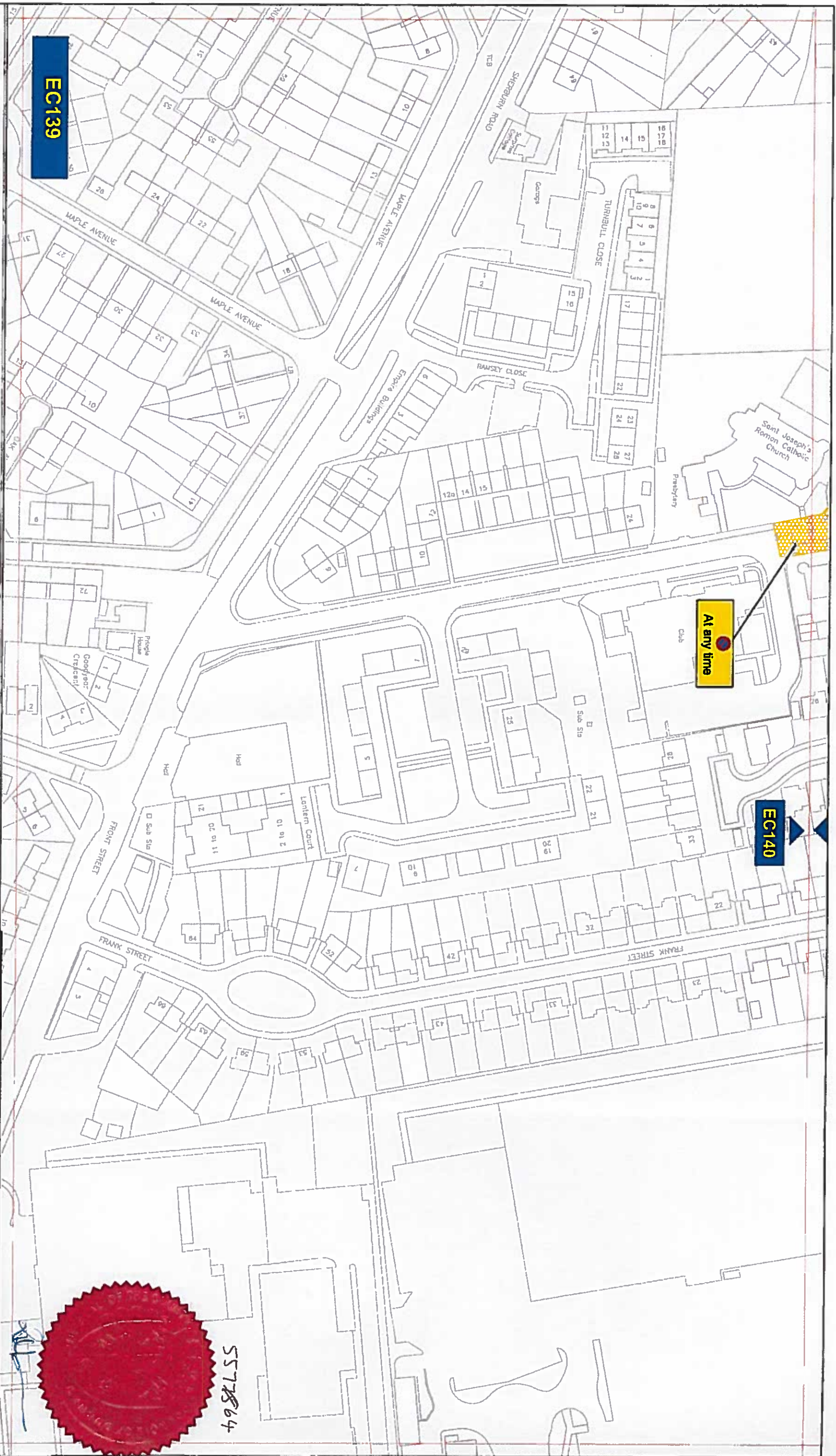
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THE COUNTY COUNCIL OF DURHAM
BELMONT, CARRVILLE and GILSGATE,
WAITING AND PARKING RESTRICTIONS

SS774
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Key to Types of Restriction

 No Waiting At Any Time

 Individual reference number

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BELMONT, CARVILLE and GILESGATE,
WAITING AND PARKING RESTRICTIONS

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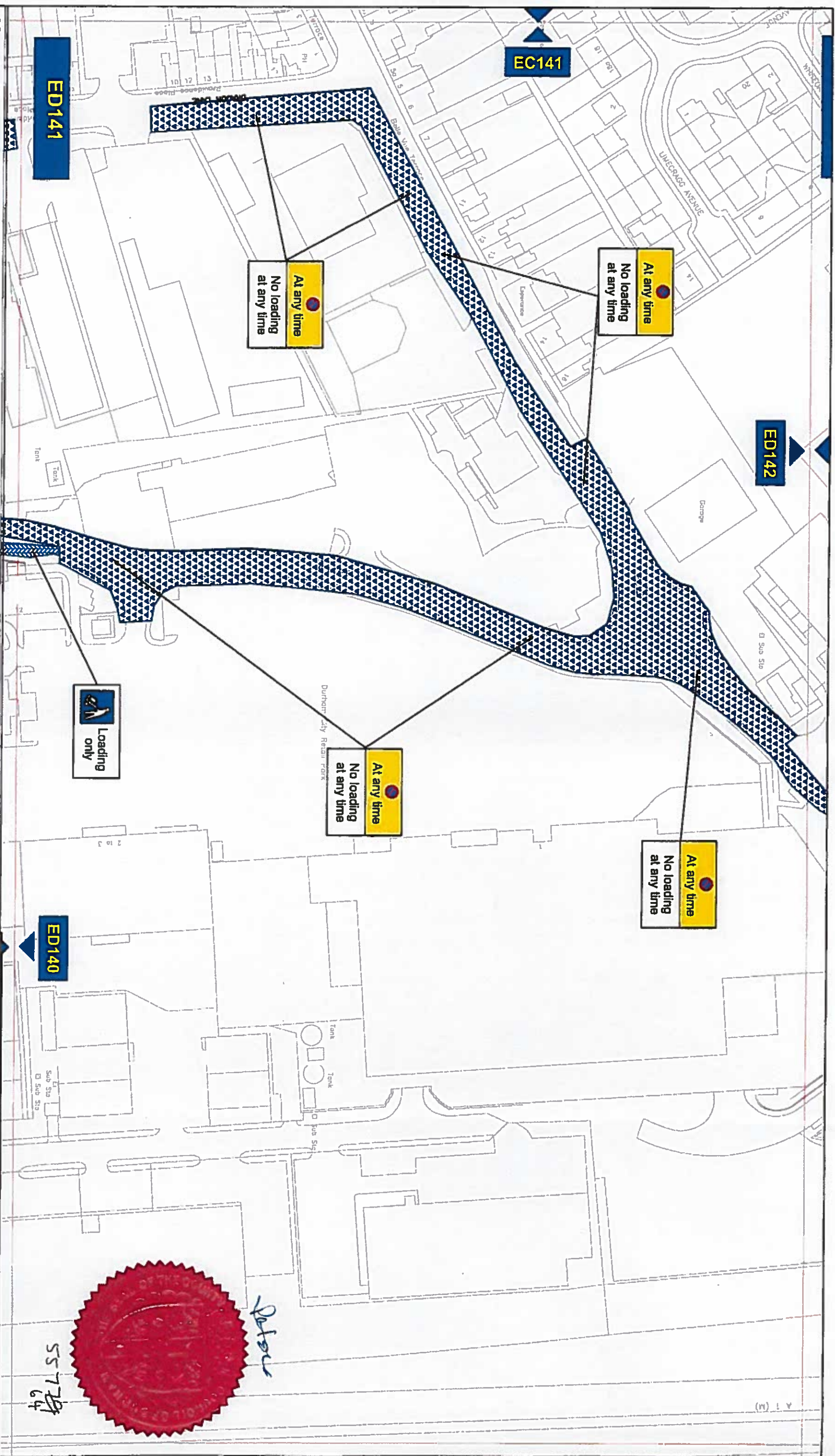
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Map Schedule: EC139



Key to Types of Restriction

 No Waiting, No Loading/Unloading At Any Time

 Restricted Bay

 XXXXXX Individual reference number

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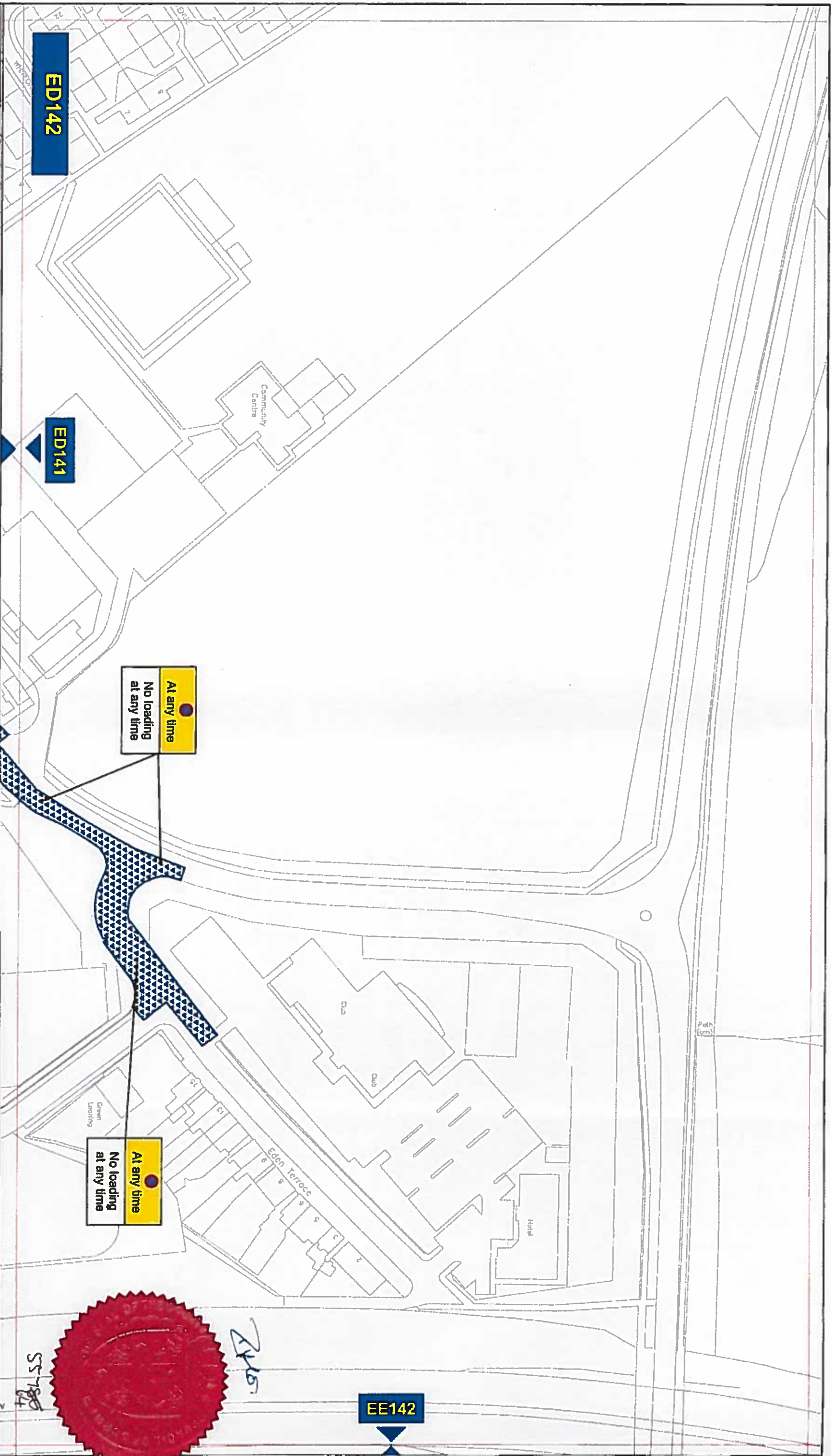


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WAITING AND PARKING RESTRICTIONS



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Key to Types of Restriction



No Waiting, No Loading/Unloading At Any Time



Individual reference number

ED142

ED141

EE142

At any time
No loading
at any time

At any time
No loading
at any time



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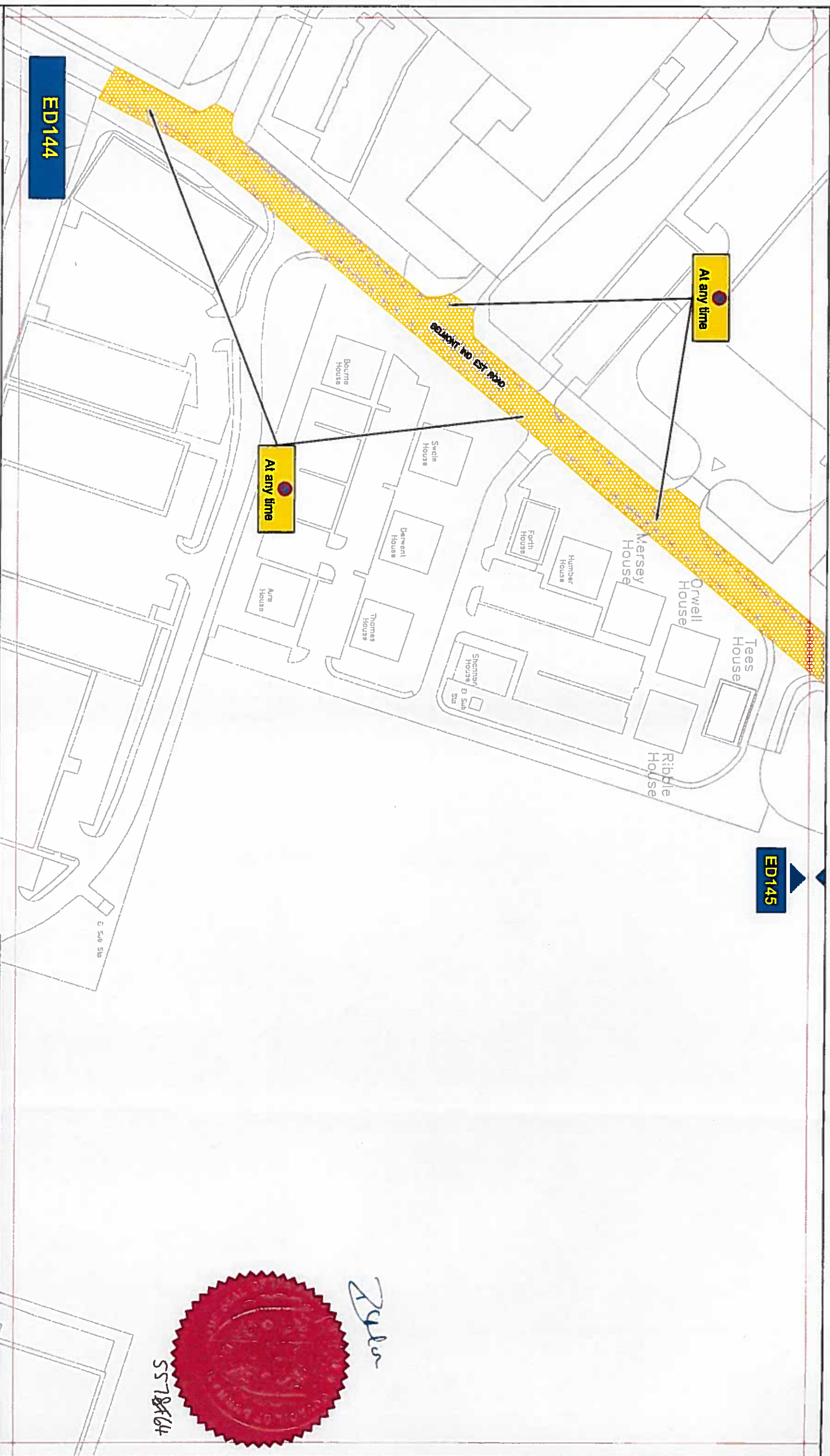
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Date Sealed: 16/11/14 Map Schedule: ED142

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Key to Types of Restriction

 No Waiting At Any Time

XXXXXX Individual reference number

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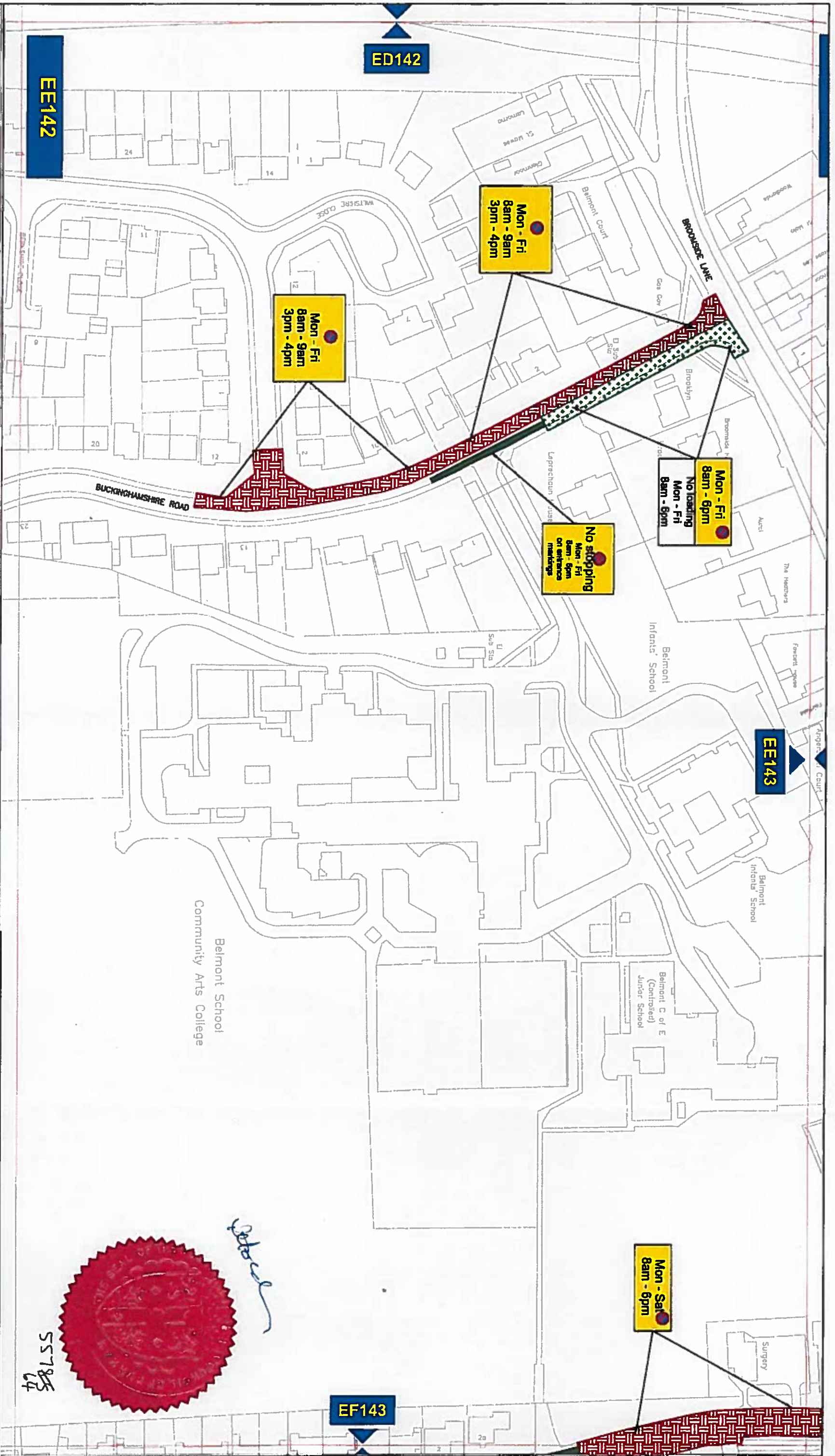
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PARKING AND WAITING RESTRICTIONS

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Map Schedule:	ED144



Key to Types of Restriction

- No Waiting At Any Time
- Restricted Waiting
- Restricted Waiting and Loading/Unloading
- No Stopping
- Individual reference number

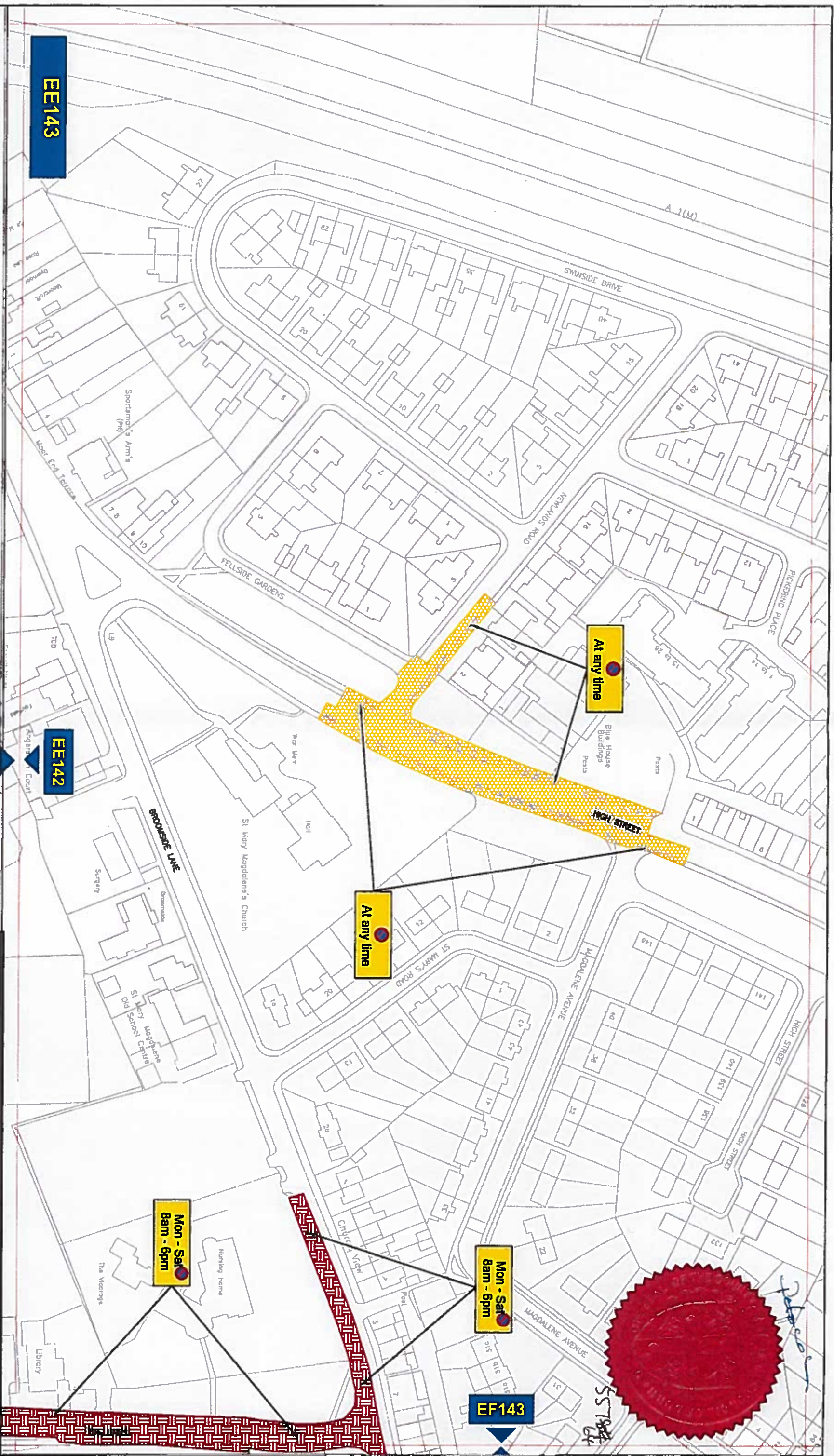
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 WAITING AND PARKING RESTRICTIONS

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Map Schedule:	EE142

SS785
 14



Key to Types of Restriction

- No Waiting At Any Time
- Restricted Waiting
- Individual reference number

EE143

EE142

EF143

Mon - Sat
8am - 6pm

Mon - Sat
8am - 6pm



Key to Types of Restriction

No Waiting At Any Time

XXXXXX
Individual reference number

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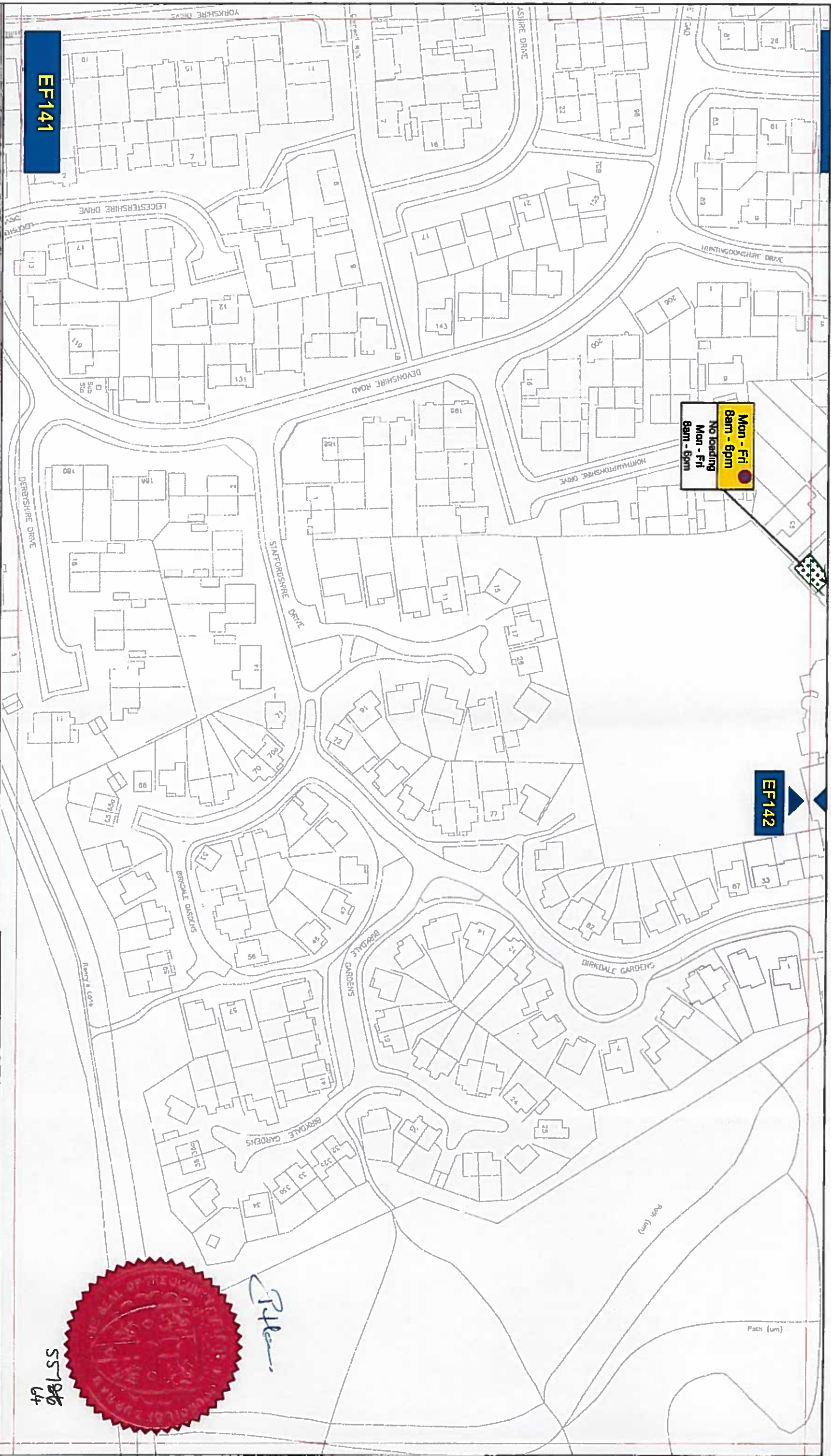
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WAITING AND PARKING RESTRICTIONS



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Key to Types of Restriction



Restricted Waiting and Loading/Unloading

XXXXXX

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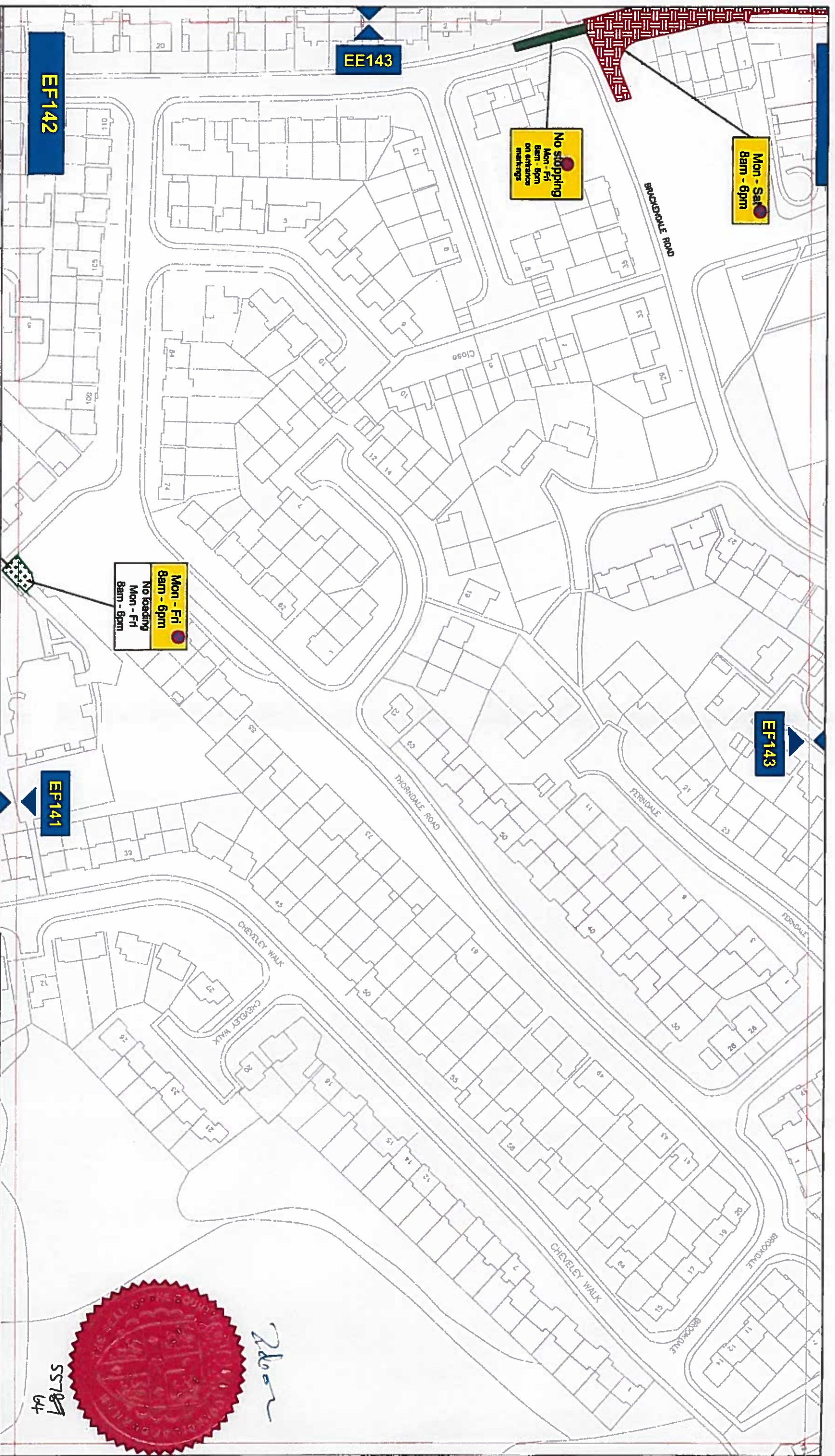
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WAITING AND PARKING RESTRICTIONS



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- Restricted Waiting
- No Stopping
- Restricted Waiting and Loading/Unloading
- Individual reference number

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WAITING AND PARKING RESTRICTIONS

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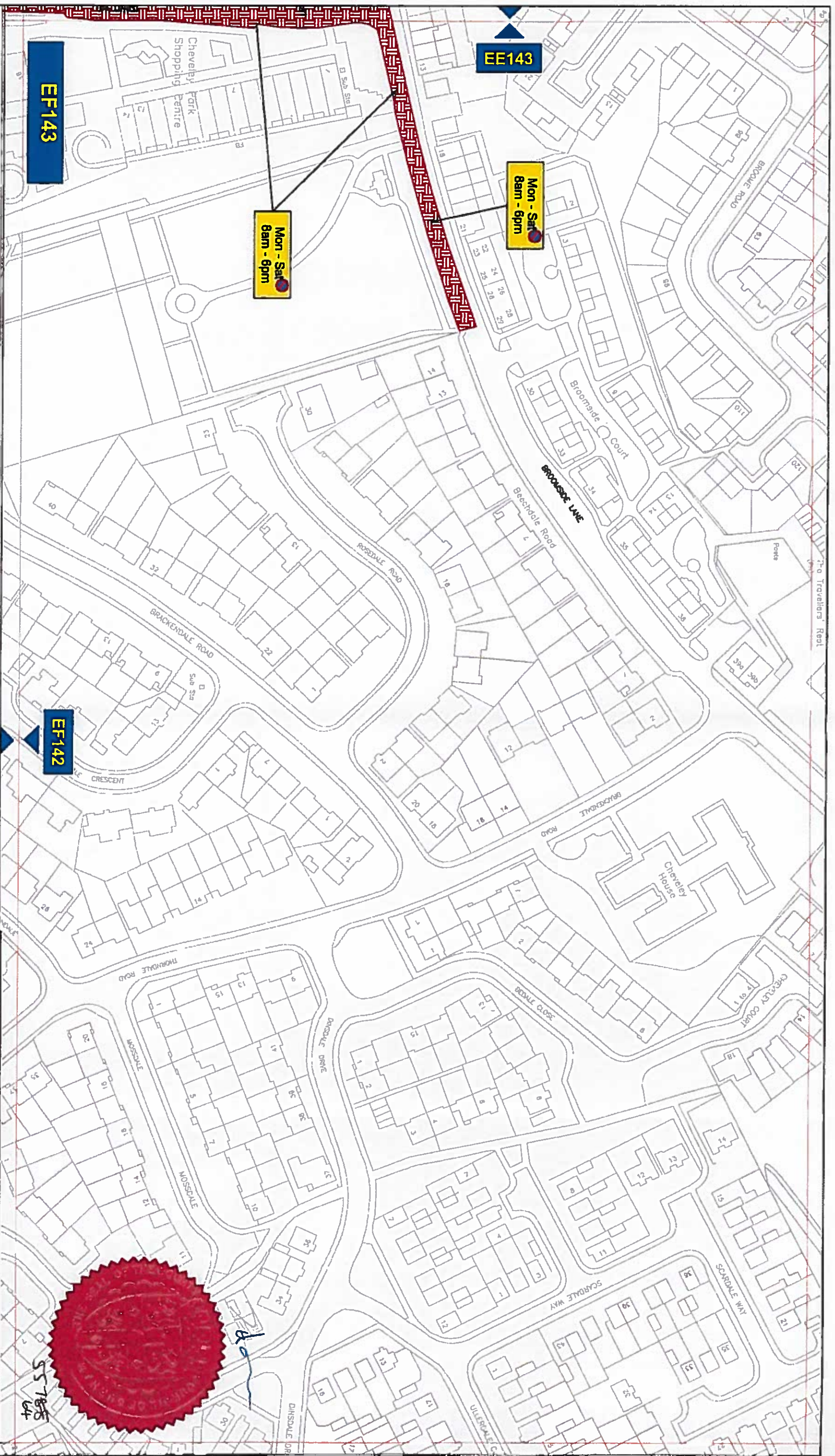
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Map Schedule: EF142

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Key to Types of Restriction



Restricted Waiting

XXXXX

Individual reference number



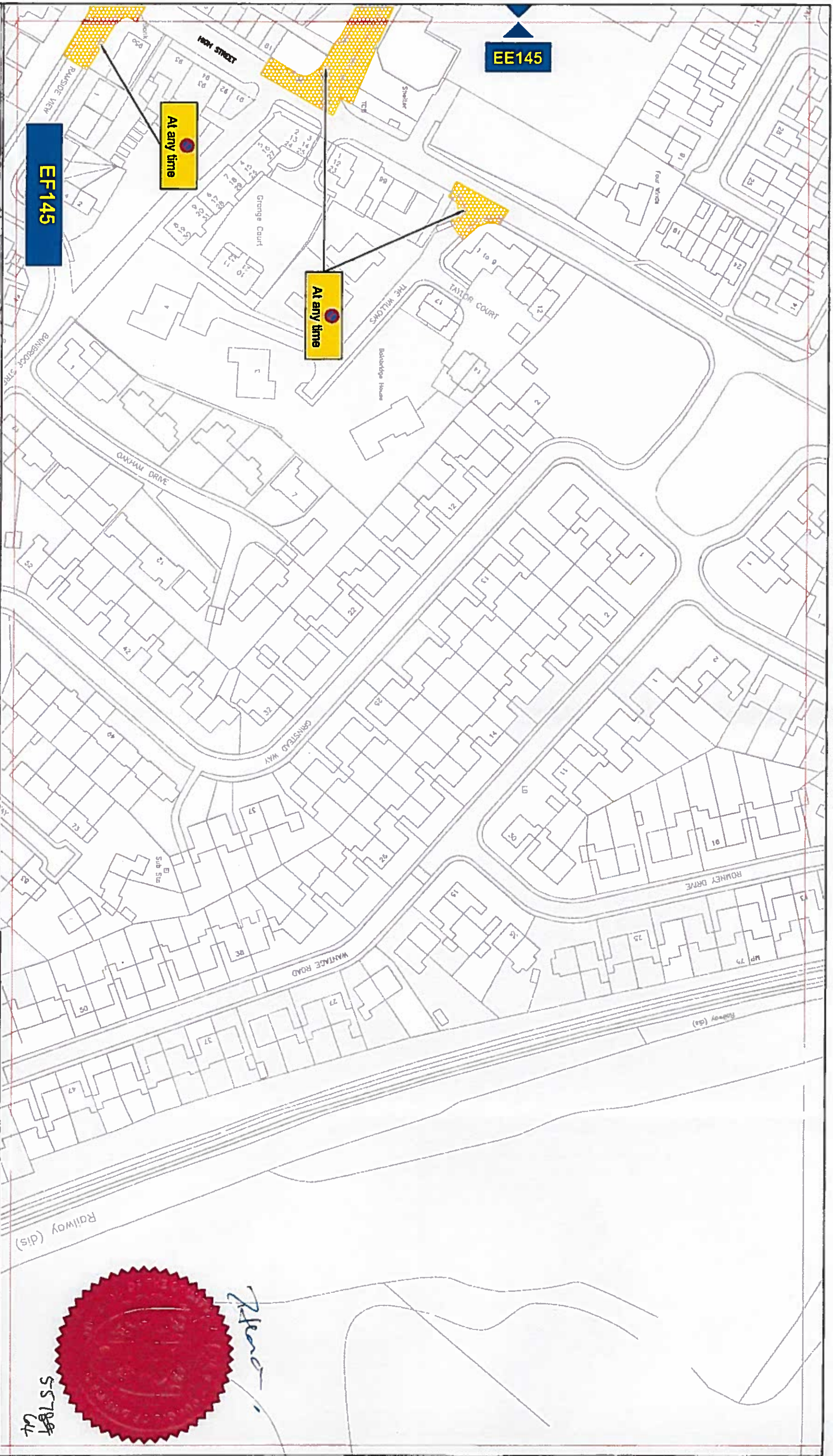
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WAITING AND PARKING RESTRICTIONS



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No Waiting At Any Time



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