

**THE COUNTY COUNCIL OF DURHAM
(NEWTON AYCLIFFE)
(PROHIBITION AND RESTRICTION OF WAITING AND LOADING AND PROHIBITION OF
STOPPING, PERMIT HOLDERS ONLY) ORDER 2012 (AMENDMENT No. 1)
ORDER 2016**

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:-

1. General

This Order may be cited as The County Council of Durham (Newton Aycliffe) (Prohibition and Restriction of Waiting and Loading and Prohibition of Stopping, Permit Holders Only) Order 2012 (Amendment No. 1) Order 2016 and shall come into operation on the 19th September 2016.

2. Amendments

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

The County Council of Durham (Newton Aycliffe) (Prohibition and Restriction of Waiting and Loading and Prohibition of Stopping, Permit Holders Only) Order 2012.

32.

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) Introduce no stopping on entrance markings Mon-Fri 8am-6pm across the pedestrian access to Woodham Burn Primary School on Humphrey Close. Plan DY75 refers.
- B) Introduce no stopping on entrance markings Mon - Fri 8am-6pm on the west side of Long Tens Way opposite the junction of Grindon Way. Plan DY64 refers.
- C) Introduce no waiting at any time on Long Tens Way from its junction with Grindon Way, across the junction mouth, then on both sides for approx. 30 metres. Plan DY64 refers.
- D) Introduce no waiting at any time on Long Tens Way on both sides of the road starting from a point 70 metres north of its junction with Grindon Way for approx. 25 metres. Plans DY64 and DY65 refer.
- E) Introduce no waiting at any time on the north side of Grindon Way from its junction with Long Tens Way to a point approx. 7 metres east of ALM Products Ltd, then a 12 metre gap, then continuing for approx. 55 metres followed by a 25 metre gap then continuing for approx. 50 metres. Plan DY64 refers.
- F) Introduce no waiting at any time on the south side of Grindon Way from its junction with Long Tens Way eastwards for approx. 30 metres then a 15 metre gap, continuing for approx. 85 metres, followed by a 40 metre gap, then continuing for approx. 115 metres. Plan DY64 refers.

G) Administrative Amendments.

ARTICLES

- Articles 4, 5, 6, 7 & 8 : reference to Article 13 has been removed and reference to Article 17 inserted.
- Article 9:
 - Sub-article (2) reference to paragraph (2) has been removed.
 - Sub-article (3) reference to Article 20 has been removed and reference to Article 17 has been inserted.
- Article 10 : A new Article 10 has been inserted to replace reference to Parking Places inadvertently removed by a previous amendment order. The new Article reads:

PARKING PLACES / PARKING BAYS

10. (1) The areas of highway identified within the individual plans detailed in Schedule 7 to this Order are hereby designated as parking places.
- (2) Each parking place identified within the individual plan(s) detailed in Schedule 7 to this order, authorised under paragraph (1) of this Article may be used for the leaving of motor vehicles and motor cycles of such class as specified within the individual plan(s) detailed in that Schedule in on such days and during such times as identified.
- (2) Save as provided in Article 17 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 so authorised under this Article, to be left in a parking bay or parking place on such days and during such hours identified in the individual plan(s) detailed in Schedule 7 to this Order.
- (4) The limits of each parking place and of each parking bay shall be indicated by the Council, on the carriageway by the appropriate traffic signs and identified within the individual plans detailed in Schedule 7 to this Order.
- (5) The driver of a motor vehicle or a rider of a motor cycle shall not permit it to enter or wait in a parking place, authorised by paragraph (1) of this Article, for a period exceeding the maximum stay identified within the individual plans detailed in Schedule 7 to this Order or to return within the period also specified those plans.
- Article 11 (previously 10) sub-article (2): reference to Article 13 has been removed and reference to Article 17 has been inserted.
 - A new Article 12 has been inserted which reads:
 - (12) The areas of highway identified within the individual plan(s) detailed in Schedules 6, 7 & 8 and described in Articles 9, 10 & 11 to this Order are hereby designated as parking places.
 - (1) Each parking place identified within the individual plan(s) detailed in Schedules 6, 7 & 8 to this Order, authorised under paragraph (1) of this Article, may only be used:
 - (a) for the leaving of those motor vehicles and motor cycles so authorised by this Order on such days and during such hours as identified within the individual plan(s) detailed in Schedules 6, 7 or 8 to this Order; or

- (b) for the leaving of motor vehicles and motor cycles which display a valid permit issued in accordance with Article 9 of this Order, the Scheme Operating Conditions, on such days and during such hours as identified within the individual plan(s) detailed in Schedule 6 to this Order; or
 - (c) for the waiting of vehicles so authorised by this order for the purpose of loading / unloading.
- The limits of each parking place or loading bay shall be indicated, by the Council, on the carriageway by the appropriate traffic signs.
 - Article 13 (previously 11) : sub-articles (1) and (2) (b) (reference to Article 11 has been inserted.
 - Article 14 has been renumbered, previously number 12.
 - A new Article 15 has been inserted which reads:

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 9, 10 and 11 or as specified in Schedules 6, 7 and 8 to this order;
- (2) Every vehicle left in a parking place, specified in Articles 9, 10 and 11 of 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 6, 7 and 8 of this Order, in accordance with those provisions;
- (3) No person shall cause or permit any vehicle, unless so approved by an enforcement officer, to wait or park in a parking bay specifically marked as available for a permitted class of vehicle, as identified in Schedules 6, 7 and 8 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;
- A new Article 16 has been inserted, which reads:

Use of Parking Places & Parking Bays during permitted hours without payment

16. (1) Without prejudice to the foregoing provisions of this Order relating to vehicles which are left in a parking place or parking bay in accordance with those provisions any other vehicle may wait during the permitted hours anywhere in a parking place or parking bay if:-
- (i) the vehicle is waiting only for so long as is necessary to enable a person to board or alight from the vehicle;

- (ii) the vehicle is waiting due to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident;
 - (iii) the liveried vehicle is used for police, fire & rescue service or ambulance, or is a vehicle (other than a passenger vehicle) in the service of a local authority, being used in pursuance of statutory powers or duties;
 - (iv) the vehicle is waiting for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;
 - (v) the vehicle is in the service of or employed by a universal service provider and is waiting while postal packets addressed to premises adjacent to the parking place or parking bay, in which the vehicle is waiting, or being unloaded from the vehicle or having been unloaded, are being delivered or while postal packets are being collected from premises or posting boxes adjacent to the parking place or parking bay in which the vehicle is waiting;
 - (vi) the vehicle is waiting for the purpose of posting or removing advertising material in the form of posters on or from premises adjacent to the parking place or parking bay in which the vehicle is waiting; or
 - (vii) in any other case the vehicle is waiting for the purpose of active delivery or collecting goods or active loading or unloading the vehicle at premises adjacent to the parking place or parking bay in which the vehicle is waiting.
- (2) Save as provided in paragraph (5) of this Article no charge specified in the foregoing provisions of this Order shall be payable in respect of any vehicle waiting in a parking place or parking bay in accordance with the provisions of this Article.
- (3) Nothing in the provisions of this Article shall be taken as authorising anything which would be a contravention of any regulations made or having effect as if made under Section 25 of the Act.
- (4) When a vehicle is left in a parking place or parking bay designated under Articles 9, 10 and 11 of this Order, in contravention of the provisions of this article a penalty charge shall be payable.

Article 17 (previously Article 13) Exemptions:

- o Sub-Articles (1) & 2 – reference to Article 11 has been inserted.
- o Sub-Article (4) – reference to Article 10 has been removed and reference to Article 11 inserted.
- o Sub-Article (5) – reference to Article 10 has been inserted.

Existing Articles 14, 15 & 16 have been renumbered as new Articles 18, 19 & 20 respectively.

SCHEDULES

The following amendments have been made:

Schedule 1:

- ✓ Plans DY64 and DY65 have been inserted

Schedule 2:

- ✓ Plan DY75 [sealed 19/7/12] has been removed and a plan of the same reference dated as at the date of this amendment order has been inserted

Schedule 3:

- ✓ Plan DY75 [sealed 19/7/12] has been removed and a plan of the same reference dated as at the date of this amendment order has been inserted

Schedule 5:

- ✓ Plan DY75 [sealed 19/7/12] has been removed and a plan of the same reference dated as at the date of this amendment order has been inserted

Schedule 6:

- ✓ Plan DY75 [sealed 19/7/12] has been removed and a plan of the same reference dated as at the date of this amendment order has been inserted

A new Schedule 7 has been inserted which includes reference to plan DZ69 which was sealed on 30/10/14 which was inadvertently removed from a previous amendment order.

Previously numbered Schedule 7 has been renumbered as Schedule 8.

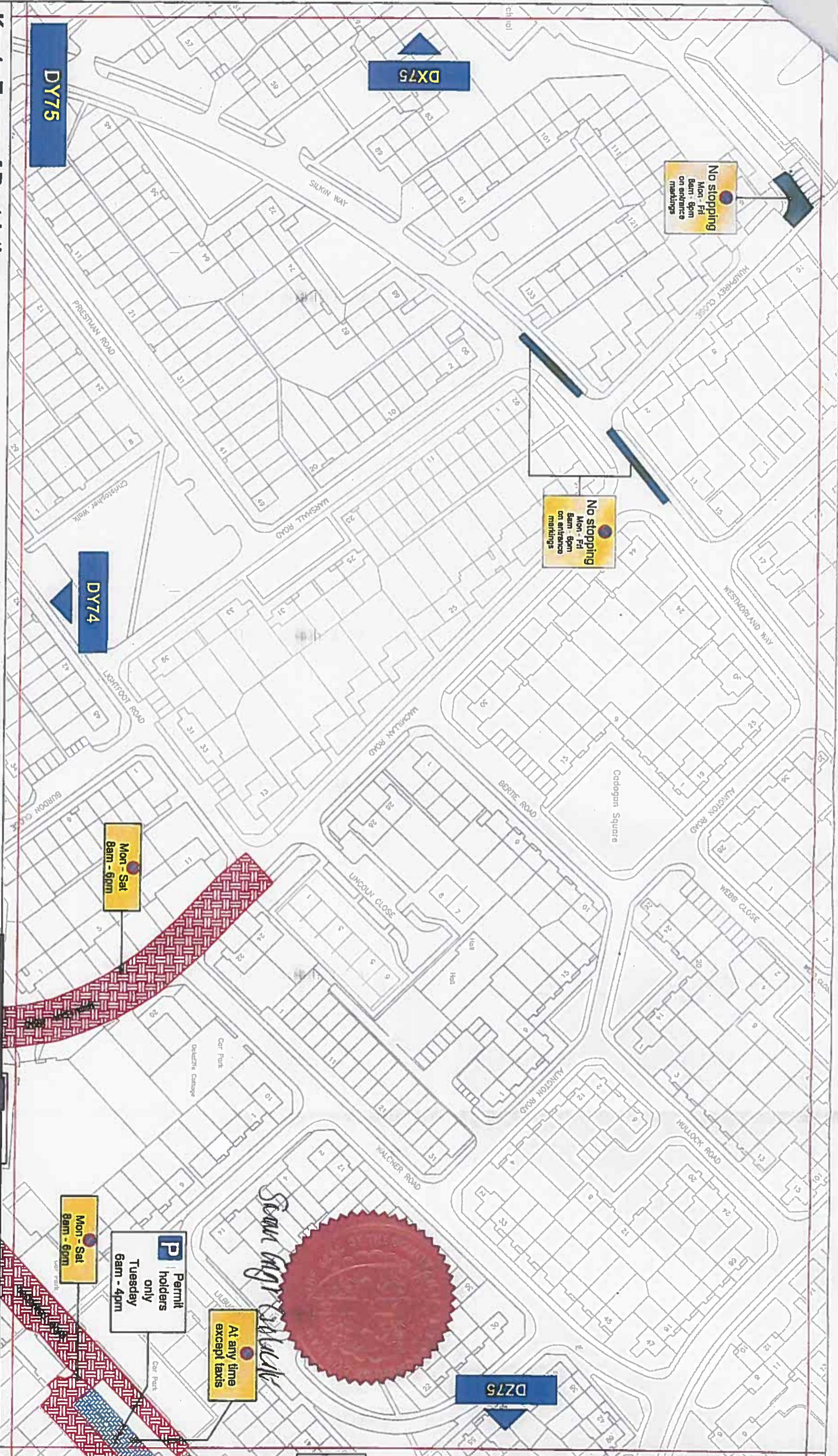
SAVING

3. 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.
4. 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.

**GIVEN UNDER THE COMMON SEAL OF THE COUNTY COUNCIL OF DURHAM
ON THE 8th DAY OF SEPTEMBER 2016**

Samir Singh (Solicitor)
.....
Authorised Sealing Officer





Key to Types of Restriction

No Stopping

Restricted Waiting

Restricted Bay

XXXXXX
Individual Plan Reference Number

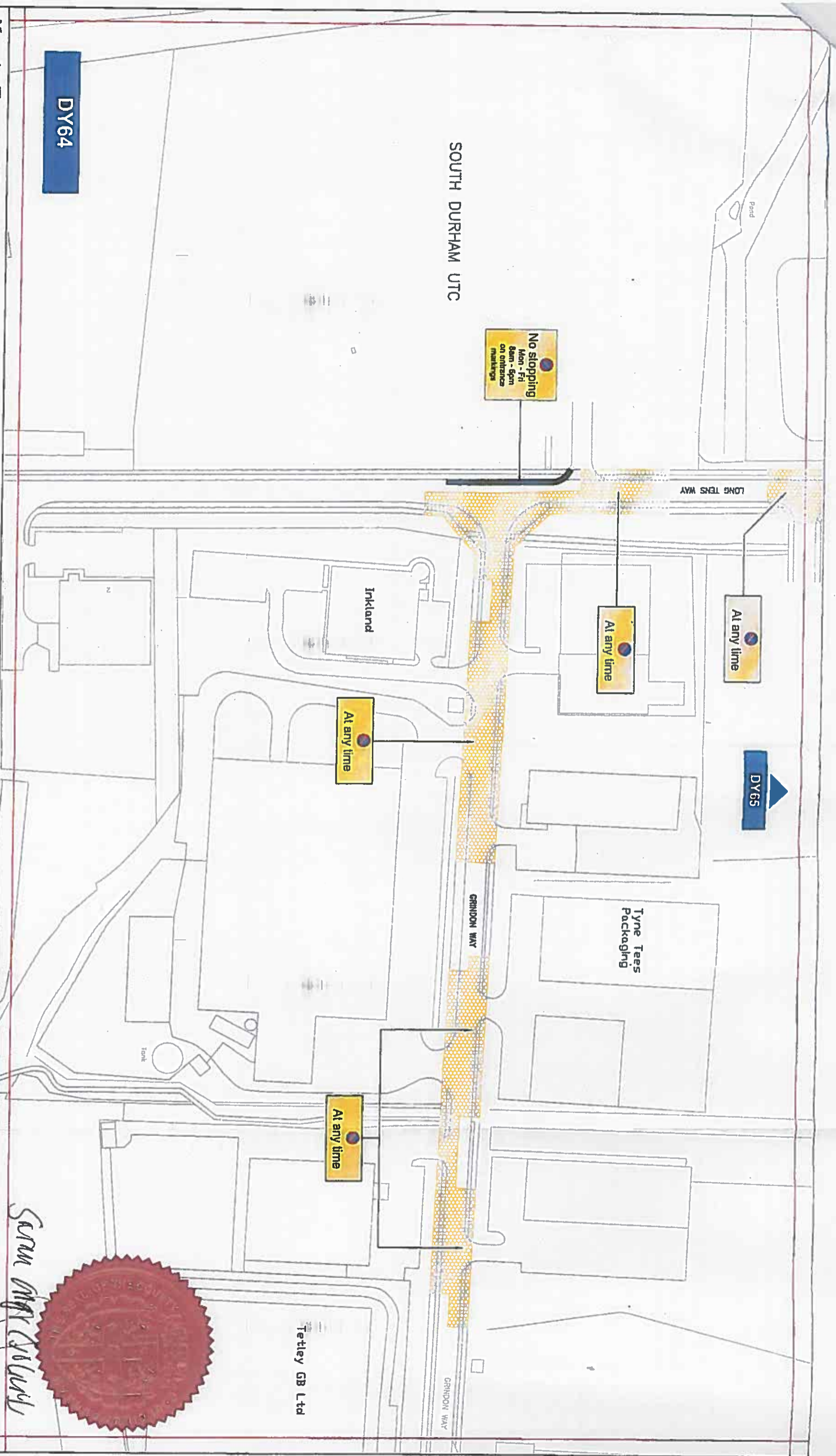
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Corporate Director
Regeneration & Economic
Development
Strategic Traffic Management
County Hall, Durham DH1 5UD

NEWTON AYLCLIFFE PARKING AND WAITING RESTRICTIONS

Scale:	1:1250 @ A3
Date:	July 16
Drawn by:	B Buckley
Date Sealed:	19/10/16
Signature:	[Signature]
Map Schedule:	DY75



Key to Types of Restriction

No Waiting At Any Time

XXXXX Individual Plan Reference Number

DY64

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Durham
County Council

Corporate Director
Regeneration & Economic
Development

Strategic Traffic Management
County Hall, Durham DH1 5UD

**NEWTON AYCLIFFE
PARKING AND WAITING RESTRICTIONS**

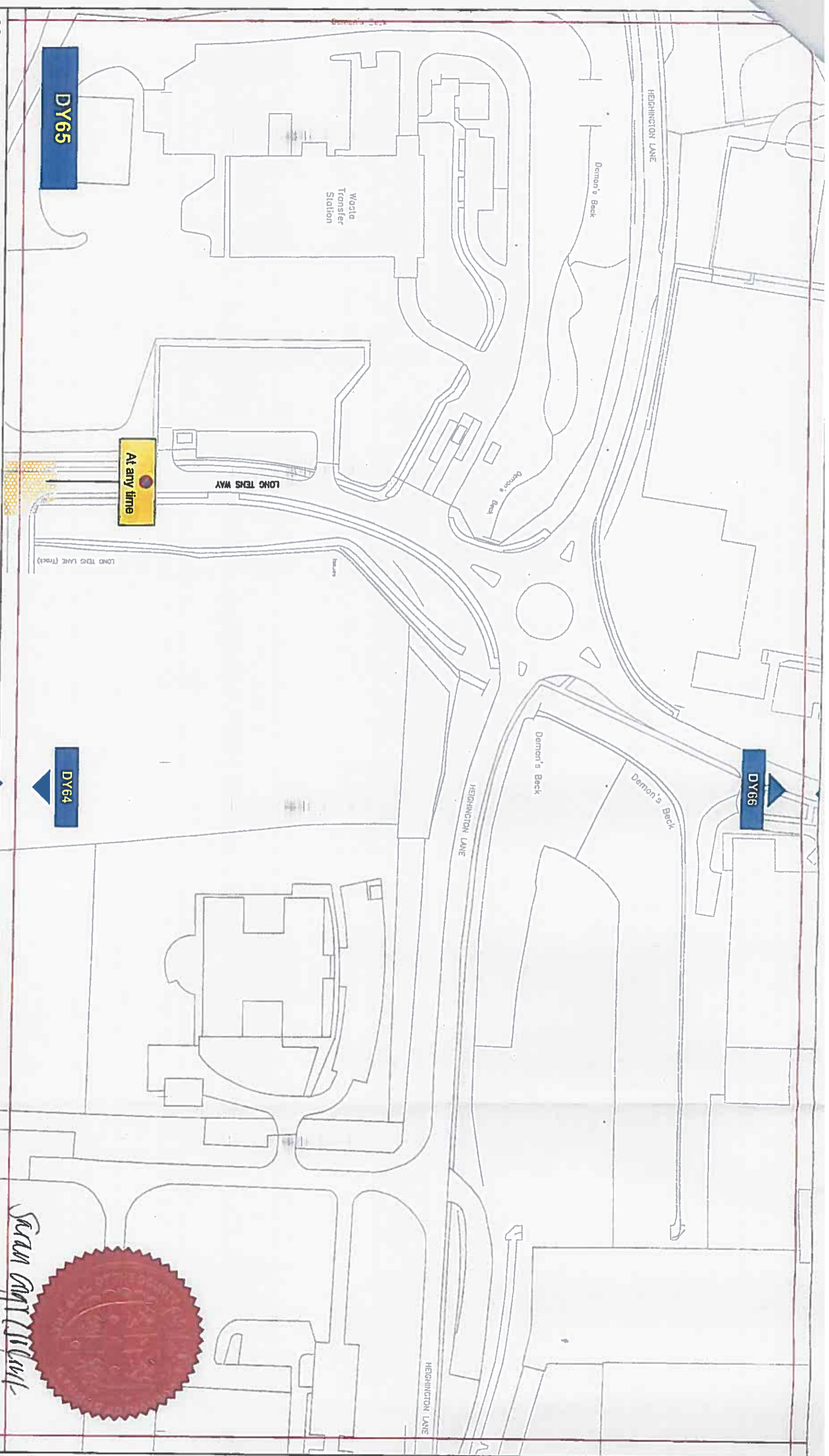
Scale: 1:1250 @ A3

Date: July 18

Drawn by: B Buckley

Date Scaled: Map Schedule: **DY64**

Seen by Buckley



Key to Types of Restriction

 No Waiting At Any Time

 XXXXXX
Individual Plan Reference Number

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Development

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NEWTON AYCLIFFE PARKING AND WAITING RESTRICTIONS

Scale:	1:1250 @ A3
Date:	July 18
Drawn by:	B Buckley
Date Sealed:	
Signature:	
Map Schedule:	DY65



Scan on 11/10/18