

2/14

**THE COUNTY COUNCIL OF DURHAM
(A182 SEAHAM LINK ROAD, SEAHAM)
(PROHIBITION OF WAITING AND TWENTY FOUR HOUR CLEARWAY)
ORDER 2006**

The Durham County Council ("the Council") in exercise of their powers under Sections 1, 2 and 4 of the Road Traffic Regulation Act 1984, as amended, ("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 to the Act hereby make the following Order:-

Part I

General

1. This Order may be cited as The County Council of Durham (A182 Seaham Link Road, Seaham) (Prohibition of Waiting and Twenty Four Hour Clearway) Order 2006 and shall come into operation on 21 August 2006 .

Interpretation

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

"disabled person's badge has the same meaning as in the Disabled Person's (Badges for Motor Vehicles) (England) Regulations 2000;

"parking disc" means a device, issued by a local authority and has not ceased to be in force, 125 millimetres square coloured blue, if issued on or after 1 April 2000, or orange if issued before that date, and capable of showing the quarter hour period during which a period of waiting begins;

"Universal service provider" has the same meaning as in the Postal Services Act 2000.

"hackney carriage" means a vehicle that is licensed as a hackney carriage and the driver of which is licensed in accordance with the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976

- (2) For the purpose of this Order a vehicle shall be regarded as displaying -

- (a) A disabled person's badge in the relevant position if -

- (ii) where the vehicle is not fitted with a dashboard or fascia, the badge is exhibited in a conspicuous position on the vehicle;

So that the front of the badge is clearly legible from the outside of the vehicle.

- (b) A parking disc in the relevant position if -

- (i) the disc is exhibited on the dashboard or fascia of the vehicle;

or

- (ii) where the vehicle does not have a dashboard or fascia, the disc is exhibited in a conspicuous position on the vehicle, so that when marked to show the quarter hour period during which a period of waiting began, that period is clearly legible from outside of the vehicle.

Part II

Prohibition of Waiting

- 3. Save as provided in Article 4 of this Order, no person shall, except upon the direction or with the permission of a police officer in uniform or of a traffic warden, cause or permit any vehicle to wait at any time in or on the lengths of roads or sides of lengths of roads specified in the Schedule to this Order.
- 4. (1) Nothing in Article 3 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;
 - (c) 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 operations namely -
 - (i) building or demolition;
 - (ii) the removal of any obstruction to traffic;

- (iii) the maintenance, improvement or reconstruction 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;
 - (d) 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;
 - (e) 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 Article 3 of this Order shall apply to any vehicle being used for police, fire brigade or ambulance purposes.
- (3) Nothing in Article 3 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 parking disc (on which the driver or other person in charge of the vehicle, has marked the quarter hour period during which the period of waiting began) to wait in any of the lengths of road or 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 length of road on the same day).

Part III

Twenty Four Hour Clearway

5. Save as provided in Article 6 of this Order no person shall, except upon the direction or with the permission of a Police Officer in uniform or of a traffic warden, cause or permit any vehicle to wait upon any lengths of road or carriageway of a road specified in the Schedule to this Order.
6. Nothing in Article 5 of this Order shall apply to:-
- (a) any part of any of the lengths of road or carriageways of a road referred to in that Article which is not a main carriageway;

