



**THE COUNTY COUNCIL OF DURHAM
(WILLINGTON)
(PROHIBITION AND RESTRICTION OF WAITING, LOADING, STOPPING
& PARKING PLACES)
ORDER 2011**

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 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 (Willington) (Prohibition and Restriction of Waiting, Loading, Stopping & Parking Places) Order 2011 and shall come into operation on 17 May 2012.

Interpretation

2. 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 (Badge's for Motor Vehicles) (England) Regulations 2000 (as amended);

"disabled person's parking disc" means a device which:

- (a) is 125 millimetres square coloured blue, if issued on or after 1 April 2000, or orange if issued before that date
- (b) has been issued by a local authority and has not ceased to be valid and
- (c) is capable of showing the quarter hour during which a period of waiting began.

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

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

"masterplan" means the plan showing the total area covered by all of the individual map schedules for each location included in a Map Based Road Traffic Regulation Order"

"motor vehicle" has the same meaning as in Section 136 of the Act;

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

"parking place" means an area of highway designated as a parking place under the provisions of this Order;

"parking disc" means a device which:

- (a) is 125 millimetres square coloured blue, if issued on or after 1 April 2000, or orange if issued before that date
- (b) has been issued by a local authority and has not ceased to be valid; and
- (c) is capable of showing the quarter hour during which a period of waiting began;

“parking place” means an area of highway designed as a parking place under the provisions of this Order;

“relevant position” means:-

- (i) in the case of a disabled person’s badge;
 - (a) in the case of a vehicle fitted with a dashboard or fascia panel the badge is exhibited thereon; or
 - (b) where the vehicle is not fitted with a dashboard or fascia panel, the badge is exhibited in a conspicuous position in the vehicle so that the front of the badge is clearly legible from outside the vehicle; and
- (ii) in respect of a disabled person’s parking disc:-
 - (a) in the case of a vehicle fitted with a dashboard or fascia panel the badge is exhibited thereon; or
 - (b) where the vehicle is not fitted with a dashboard or fascia panel, 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;

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

Part II

Revocation

3. (i) The following Orders are to be revoked in full:

The County of Durham (Kensington Terrace, Willington) (Prohibition of Waiting) Order 1983

The County Council of Durham (Willington) (Traffic Management) Order 2006.

- (ii) The following order is to be revoked in part:

The County Council of Durham (Various Schools, Sedgefield, Teesdale, Wear Valley Areas and Burnhope) (No Stopping on School Entrance Markings) Order 2011 – Schedule 3, items 11, 23, 24, 26 and 27 only).

Part III

Prohibition of Waiting

4. Save as provided in Article 14 of this Order no person shall, except upon the direction or with the permission of an enforcement officer, cause or permit any

vehicle to wait 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 1 to this Order.

Prohibition of Waiting and Loading/Unloading At Any Time

5. Save as provided in Article 14 of this Order no person shall, except upon the direction or with the permission of an 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 2 to this Order.

Restricted Waiting

6. Save as provided in Article 14 of this Order no person shall, except upon the direction or with the permission of an enforcement officer, cause or permit any vehicle to wait on any of the lengths of roads or sides of lengths of roads on such days and during such times as specified within the individual plan(s) detailed in Schedule 3 to this Order.

Prohibition of Stopping at any time except Marked Police Vehicles

7. Save as provided in Article 14 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, other than a marked police vehicle, at any time, on any day, on any of the length of road, identified and within the individual plan(s) detailed in Schedule 4 to this Order.

No Stopping on Entrance Markings

8. Save as provided in Article 14 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 any of 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 IV

Parking Places

9. (1) The areas of highway identified in Schedule 6 to this Order are hereby designated as parking places.
- (2) Save as provided in Article 14 of this Order each Parking Place designated under paragraph (1) of this Article may be used for the laving of motor vehicles and motor cycles of such class, only on such days and during such times and a for a period not exceeding the maximum stay as identified within the individual plan(s) detailed in Schedule 6 to this Order.
- (3) 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.
- (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 in the individual plan(s) or to return within the period also specified that/those plan(s).

Disabled Badge Holders

10. (1) The areas of highway identified in Schedule 7 to this Order are hereby authorised as disabled persons parking places.
- (2) Each parking place identified in the individual plan(s) detailed in Schedule 7 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 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 shall be indicated by the Council, on the carriageway by the appropriate traffic signs and the parking bay shall be identified in the individual plan(s) detailed in Schedule 7 to this Order.

Loading Bays

11. (1) The areas of highway identified in the individual plan(s) detailed in Schedule 8 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 hours as identified in the individual plans detailed in that Schedule.
- (2) Save as provided in Article 14 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 the days and during the hours identified within the individual plan(s) detailed in Schedule 8 to this Order.
- (3) The limits of each loading bay 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 plan(s) detailed in Schedule 8 to this Order, in accordance with those provisions.

Manner of Standing in Parking Places and Loading Bays

12. (1) Every vehicle left in a parking place or loading bay, identified in the individual plan(s) detailed in Articles 9, 10 and 11 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 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 parking place or 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 Articles 9, 10 and 11 of this Order;
 - (b) the vehicle, or any part of it, is not within the limits of any adjoining parking place or loading bay.

Power to Suspend Parking Places and Loading Bays

13. (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 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 parking place or loading bay at times of weddings, funerals or on other special occasions.
- (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 suspending the use of a parking place or 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 parking place or 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 parking place or loading bay or any part thereof, during such period as there is placed in or adjacent to the parking place or 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 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.
- (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.

Part V

Exemptions

14. (1) Nothing in Articles 4, 5, 6, 7, 8, 9, 10 or 11 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 4, 5, 6, 7, 8, 9, 10 or 11 of this Order shall apply to any liveried vehicle being used for police, fire brigade or ambulance purposes in pursuance of statutory duties.
 - (3) Nothing in Articles 4 or 6 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 5, 10 or 11 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 4, 6, 9, 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 VI

Saving

15. 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.

16. 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**

Plan reference numbers: DI112 and DJ112

**Schedule 2
Prohibition of Waiting and Loading/Unloading At Any Time**

Plan reference numbers: DI110, DI112, DJ111 and DJ112

**Schedule 3
Restricted Waiting**

Plan reference numbers: DI112, DJ111, DJ112 and DK111

**Schedule 4
Prohibition of Stopping At Any Time, except Marked Police Vehicles**

Plan reference number: DI112

**Schedule 5
No Stopping on School Entrance Markings**

Plan reference number: DH109, DH110, DI110, DI112, DI113 and DJ110

**Schedule 6
Parking Places**

Plan reference number: DI112 and DJ112

**Schedule 7
Disabled Badge Holders**

Plan reference number: DI112

**Schedule 8
Loading Only**

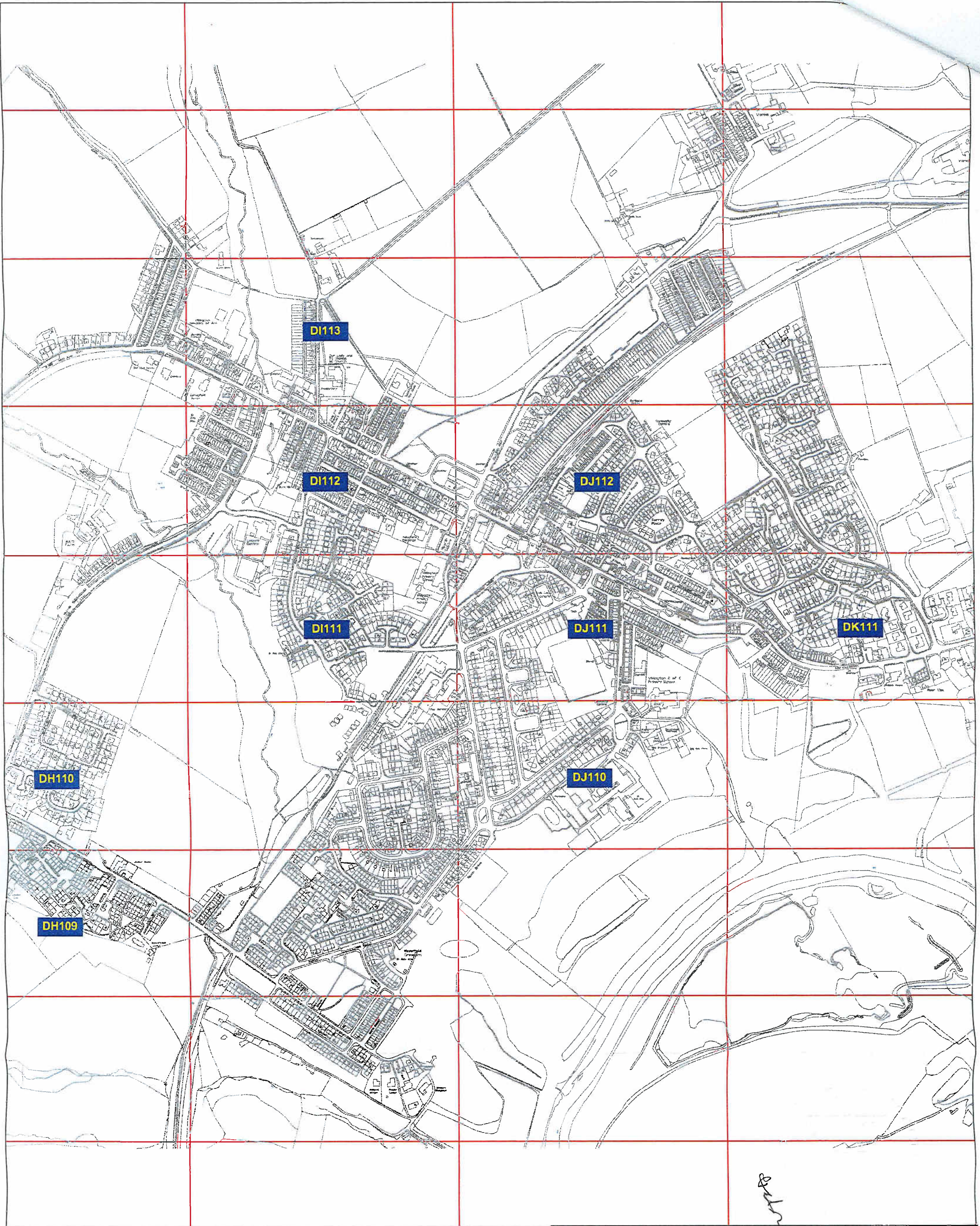
Plan reference number: DI112

GIVEN UNDER THE COMMON SEAL)
OF THE COUNTY COUNCIL OF DURHAM)
ON 10 MAY 2012)

Patricia Hord

Authorised Sealing Officer





XX111

Individual Plan
Reference Number

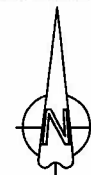


Corporate Director
Regeneration & Economic
Development

Strategic Traffic Management

County Hall, Durham DN1 5SQ

WILLINGTON, PARKING AND WAITING RESTRICTIONS



Scale:	AS SHOWN WHEN PRINTED @ A3	
Date:	September 2011	
Drawn by:	S.Thompson	Signature: <i>[Signature]</i>
Date Sealed:	MASTERPLAN	

