

**THE COUNTY COUNCIL OF DURHAM  
(COUNDON)  
(PROHIBITION AND RESTRICTION OF WAITING AND STOPPING  
& PARKING PLACES)  
ORDER 2012**

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 (Coundon) (Prohibition and Restriction of Waiting and Stopping & Parking Places) Order 2012 and shall come into operation on 1<sup>st</sup> August 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:

Road Traffic Regulation Act 1967 The Urban District of Bishop Auckland (Various Streets) (Prohibition and Restriction of Waiting) Order 1972	1/26
Urban District of Bishop Auckland Various Streets (Restriction of Waiting) Order 1974	1/29
The County of Durham (Urban District of Bishop Auckland) (Various Streets) (Prohibition and Restriction of Waiting Order 1972) (Amendment) Order 1990	2/105 <del>724</del>
The County of Durham (C129 Collingwood Street, Coundon) (Prohibition of Waiting and Limited Waiting) Order 2005	3/206



### **Part III**

#### **Prohibition of Waiting**

4. Save as provided in Article 10 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 within the individual plan(s) detailed in Schedule 1 to this Order.

#### **Restricted Waiting**

5. Save as provided in Article 10 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 2 to this Order.

#### **No Stopping on Entrance Markings**

6. Save as provided in Article 10 of this Order no person shall, except upon the direction or with the written 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 specified in the individual plan(s) detailed in Schedule 3 to this Order.

### **Part IV**

#### **Parking Places**

7. (1) The areas of highway identified within the individual plan(s) detailed in Schedule 4 to this Order are hereby designated as parking places.
- (2) Save as provided in Article 10 each parking place designated under paragraph (1) of this Article may be used for the leaving of motor vehicles and motor cycles on such days and during such times and for a period not exceeding the maximum stay as identified within the individual plan(s) detailed in Schedule 4 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.
- (4) 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 plan(s) detailed in Schedule 4 to this Order, or to return within the period also detailed therein.

#### **Manner of Standing in Parking Places**

8. (1) Every vehicle left in a parking place, identified within the individual plan(s) detailed in Article 7 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.
- (2) Where a vehicle has been left in a parking place, 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 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 7 of this Order;
- (b) the vehicle, or any part of it, is not within the limits of any adjoining parking place.

#### **Power to Suspend Parking Places**

9. (1) Any person authorised by the Council may suspend the use of a parking place 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 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 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 at times of weddings, funerals or on other special occasions.
- (2) An enforcement officer may suspend the use of a parking place 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 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 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 any part thereof, during such period as there is placed in or adjacent to the parking place, 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 part thereof, which is suspended, with the permission of the person suspending the parking place or part thereof, in pursuance of paragraph (1) or (2) of this Article.

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



## Part V

### Exemptions

10. (1) Nothing in Articles 4, 5, 6 or 7 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 or 7 of this Order shall apply to any vehicle being used for police, fire brigade or ambulance purposes in pursuance of statutory duties.
- (3) Nothing in Articles 4 or 5 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 4, 5 or 7 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; or
  - b. goods to be loaded onto or unloaded from the vehicle.

## Part VI

### Saving

11. 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.

12. 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: DS91 and DR91

**Schedule 2  
Restricted Waiting**

Plan reference numbers: DR91 and DR92


**Schedule 3  
No Stopping on Entrance Markings**

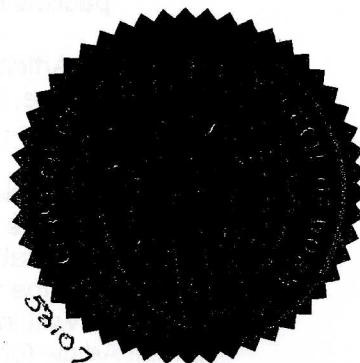
Plan reference numbers: DP86, DQ86 and DR92

**Schedule 4  
Parking Places**

Plan reference number: DR91

**GIVEN UNDER THE COMMON SEAL OF THE COUNTY COUNCIL OF DURHAM ON  
19 JULY 2012**

  
AUTHORISED SEALING OFFICER





## **DELEGATED DECISION**

### **REGENERATION AND ECONOMIC DEVELOPMENT SERVICE**



**OCTOBER 2011.**

### **TRAFFIC REGULATION ORDER (TRO)**

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#### **Report of RED SERVICE**

**ADRIAN WHITE – HEAD OF TRANSPORT**

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#### **Purpose of the Report**

- 1 To consider the introduction/amendment of a TRO at: COUNDON

- 2 **Background/Reason for TRO:**

To replace all existing written TRO's with Map Based Schedules to allow implementation of CPE in the southern areas of the county.

- 3 **Options considered and reason for preferred option:**

Carrying out a complete review of all relevant TRO's and transferring to map based schedules ensures that all necessary TROs are legally enforceable. This is a required element when applying to the Secretary of State for Transport for Civil Enforcement powers.

- 4 **Consequences:**

No apparent consequences

- 5 **Summary of informal consultation:**

Consultation was sent to both an Area 2 Engineer and Police Liaison Officer

- 6 **Local Members comments/support:**

Not yet consulted.

- 7 **Any other relevant info:**

None

- 8 These restrictions are existing, the existing written TRO's will be replaced by map based schedules. There are 4 Orders to be partially revoked.

## **Recommendations and reasons**

9 It is RECOMMENDED that the TRO be progressed to advert.

## **Decision**

10

## **Background papers**

Office Files

<b>Contact:</b>	<b>Philip Everett</b>	<b>Tel:</b>	<b>0191 3835593</b>
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## **Appendix 1: Implications**

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**Finance** – Demand Management

**Staffing** – Carried out by Strategic Traffic

**Risk** – Not Applicable

**Equality and Diversity** – It is considered that there are no Equality and Diversity issues to be addressed.

**Accommodation** - No impact.

**Crime and Disorder** - This TRO will allow effective management of traffic to reduce congestion and improve road safety

**Human Rights** - No impact on human rights

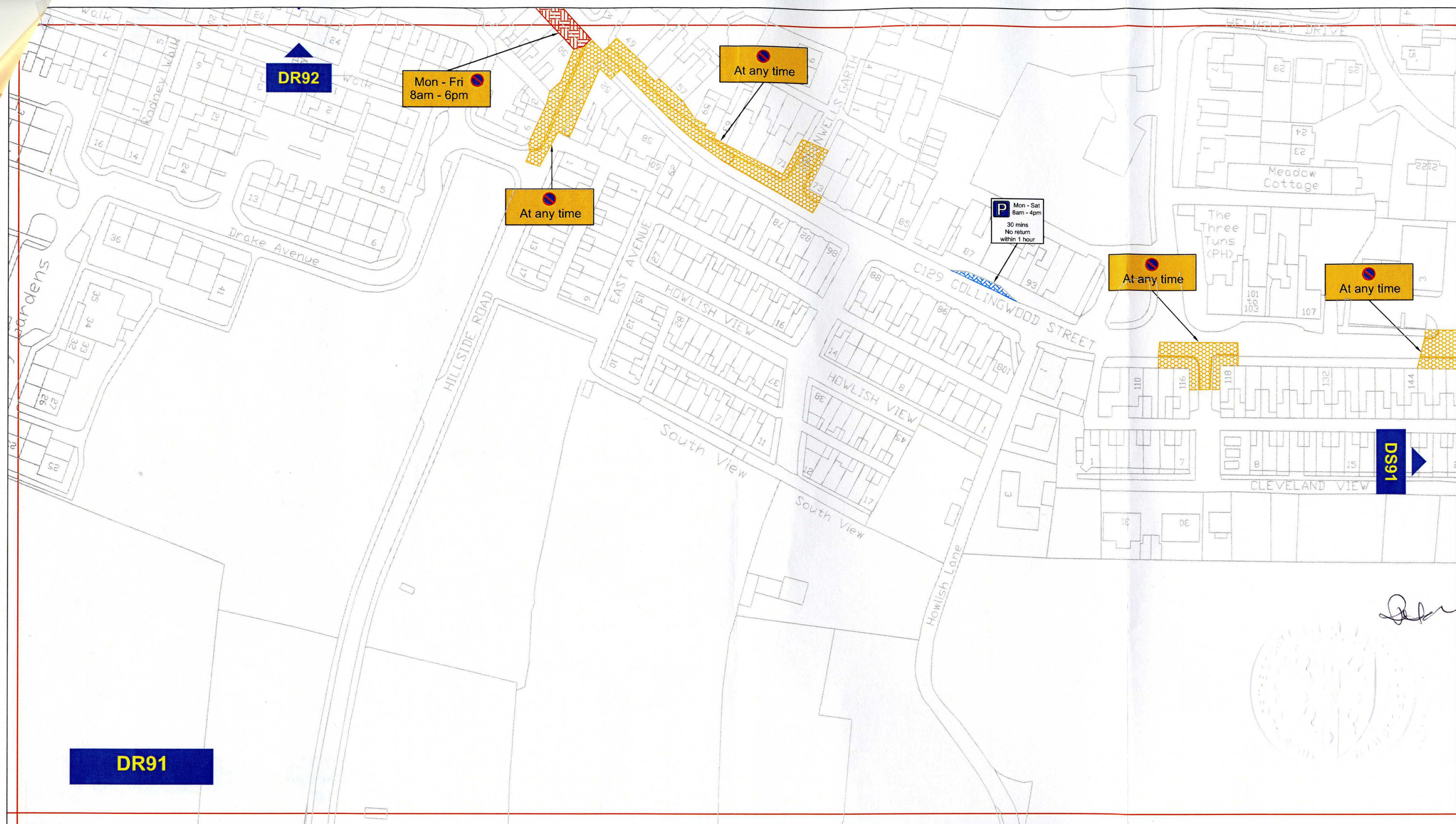
**Consultation** - Initial consultation was carried out

**Procurement** – Operations, DCC.

**Disability Issues** - Blue Badge holders are exempt from waiting restrictions for up to 3 hours

**Legal Implications** – Enforceable TRO





## Key to Types of Restriction

	No Waiting At Any Time
	Restricted Waiting
	Restricted Bay
	Individual Plan Reference Number

PATH:

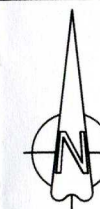
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Regeneration & Economic  
Development

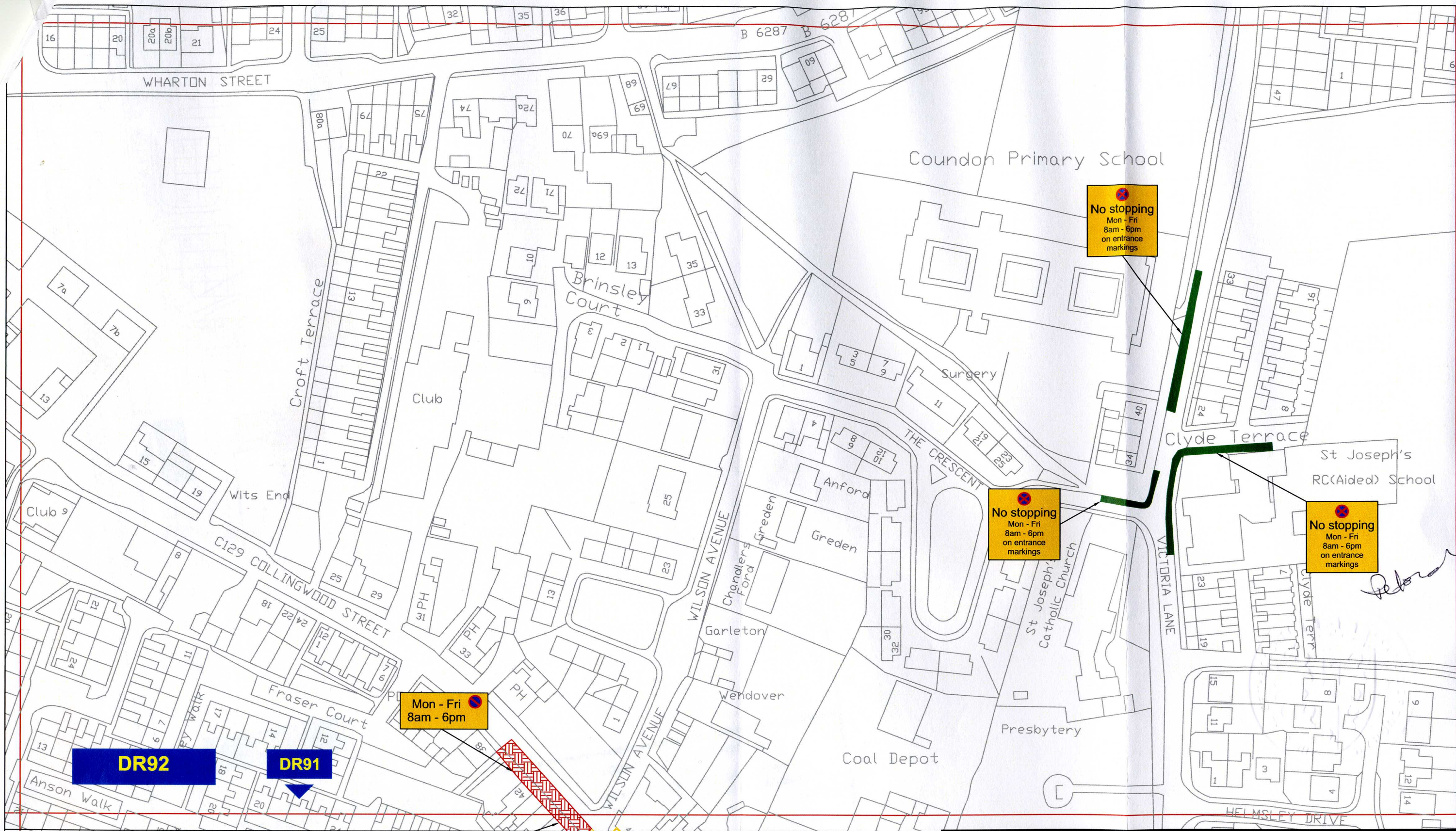
Strategic Traffic Management  
County Hall, Durham DH1 5UQ

## THE COUNTY COUNCIL OF DURHAM COUNCIL (PROHIBITION and RESTRICTION OF WAITING and STOPPING and PARKING PLACES) ORDER 2011



Scale:	1:1250 @ A3		
Date:	24.11.2011		
Drawn by:	P.Everett	Signature:	
Date Sealed:	19/7/12	Map Schedule:	DR91





## Key to Types of Restriction



Restricted Waiting



No Stopping



Individual Plan Reference Number

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COUNDON  
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Scale:	1:1250 @ A3		
Date:	24.11.2011		
Drawn by:	Phil.Everett	Signature:	
Date Sealed:	19/7/12	Map Schedule:	DR92





### Key to Types of Restriction

- No Waiting At Any Time
- XX111 Individual Plan Reference Number

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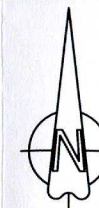


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Regeneration & Economic  
Development**

Strategic Traffic Management

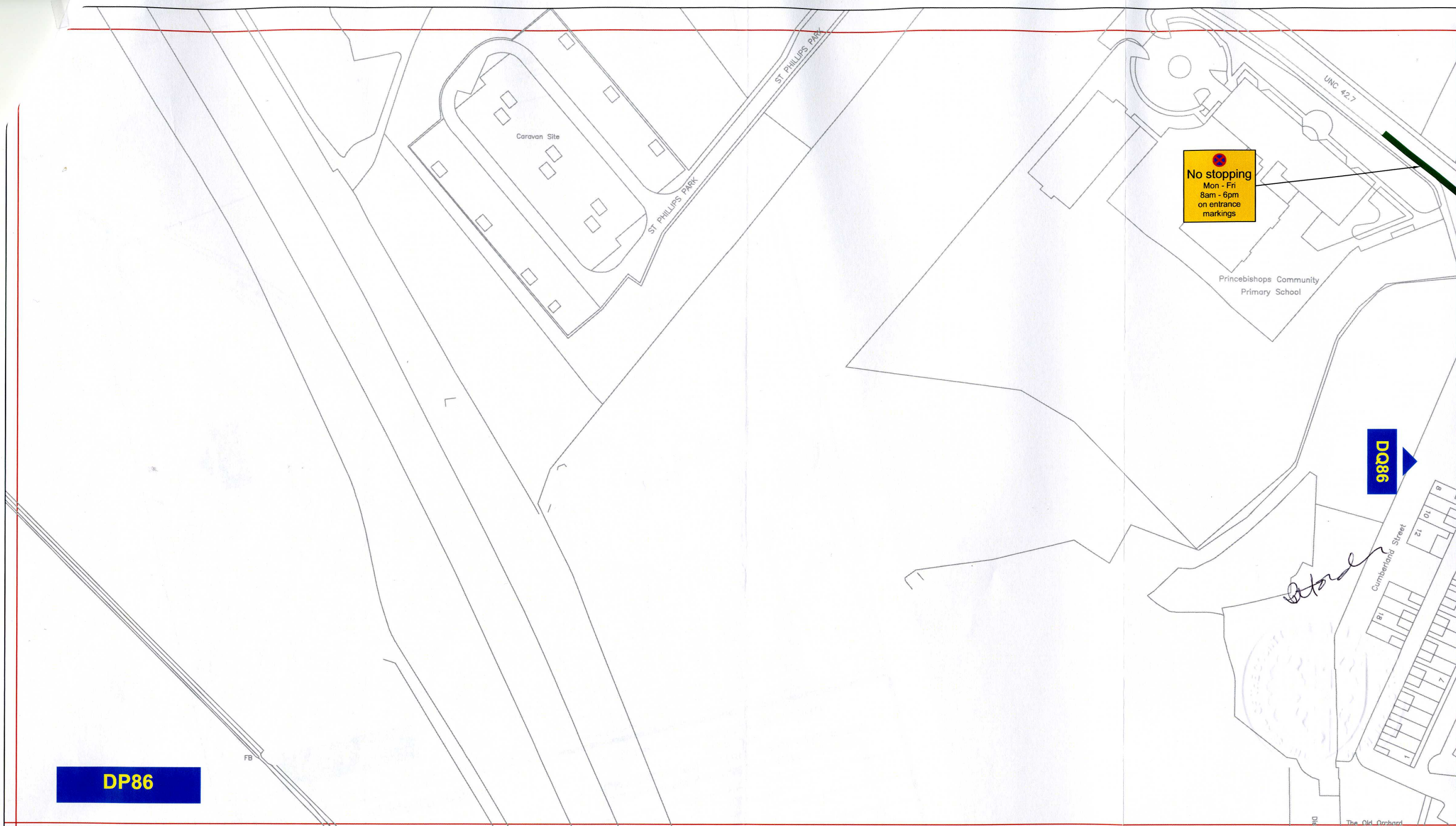
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Scale:	1:1250 @ A3		
Date:	24.11.2011		
Drawn by:	P.Everett	Signature:	<i>P. Everett</i>
Date Sealed:	19/7/12	Map Schedule:	<b>DS91</b>





## Key to Types of Restriction

	No Stopping
	Individual Plan Reference Number

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Scale:	1:1250 @ A3		
Date:	24.11.2011		
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Date Sealed:	19/7/12	Map Schedule:	DP86





### Key to Types of Restriction

-  No Stopping
-  Individual Plan Reference Number

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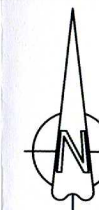



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Scale:	1:1250 @ A3		
Date:	24.11.2011		
Drawn by:	P.Everett	Signature:	
Date Sealed:	19/7/12	Map Schedule:	DQ86