

**THE COUNTY COUNCIL OF DURHAM
(WEST AUCKLAND)
(PROHIBITION OF WAITING AND STOPPING)
ORDER 2012**

The County Council of Durham ("the Council") in exercise of their powers under Sections 1, 2 and 4 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 (West Auckland) (Prohibition of Waiting and Stopping) Order 2012 and shall come into operation on 1st 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;

"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 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 (A68 and C42 West Auckland) (Prohibition of Waiting) Order 2010

The County Council of Durham (A688 Staindrop Road, West Auckland) (Prohibition of Waiting) Order 1996

The County Council of Durham (Staindrop Road and Copeland Road, West Auckland) (Restriction of Waiting) Order 1983

- (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 2004 – Schedule 3, items 3, 10 and 17 only.

Part III

Prohibition of Waiting At Any Time

4. Save as provided in Article 6 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 plans detailed in Schedule 1 to this Order.

Prohibition of Stopping on Entrance Markings Monday to Friday between the hours of 8.00am and 6.00pm

5. Save as provided in Article 6 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 between the hours of 8.00am and 6.00pm Monday to Friday on the length of road identified in the individual plan detailed in Schedule 2 to this Order.

Part IV

Exemptions

6. (1) Nothing in Articles 4 or 5 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 or 5 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 Article 4 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 Article 4 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

7. 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.
8. 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

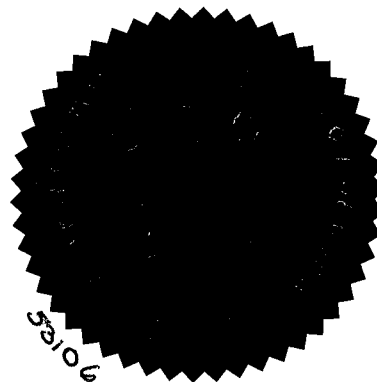
Plan reference numbers: DE78, DF78 and DF79

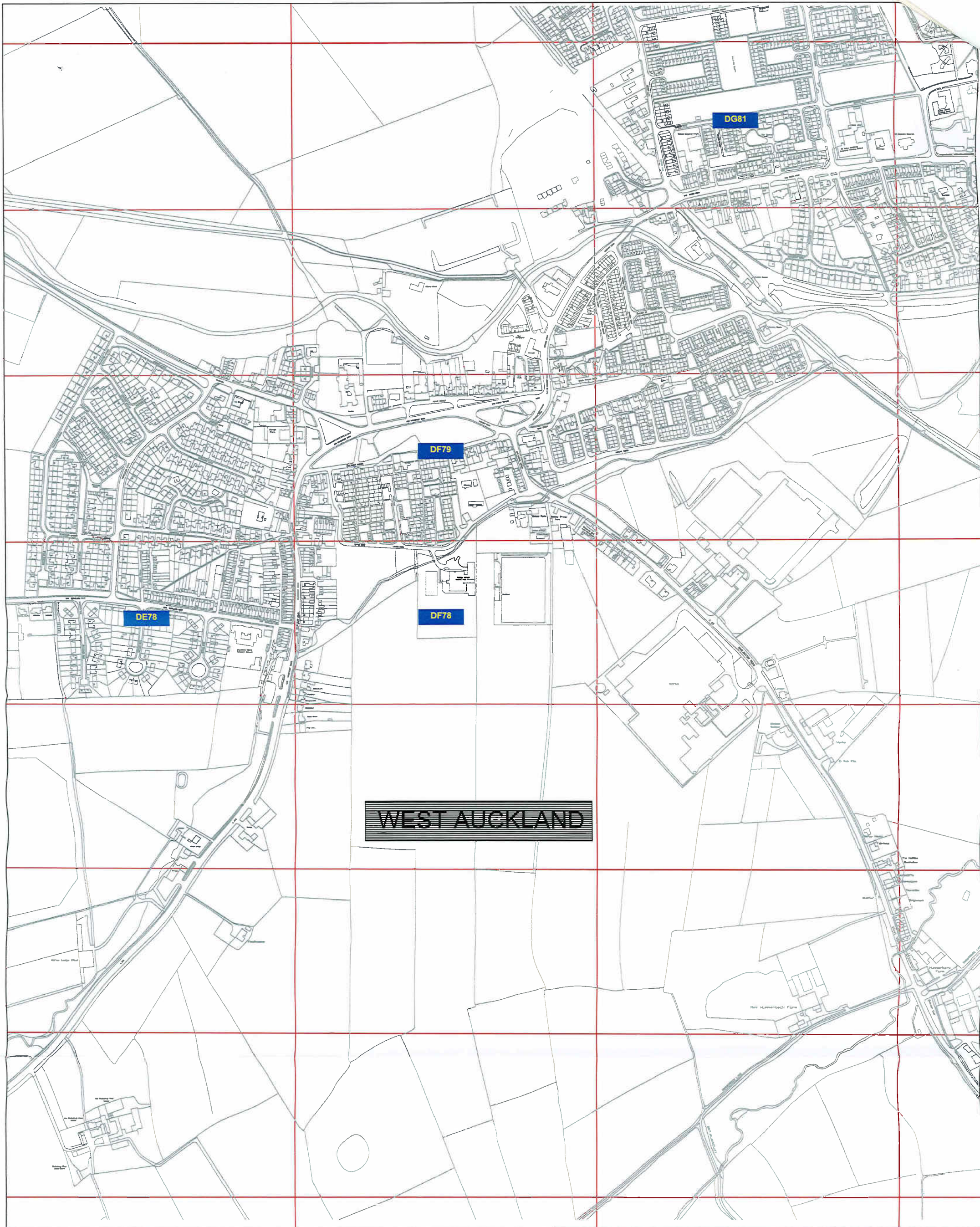
Schedule 2 Prohibition of Stopping on Entrance Markings between the hours of 8.00am and 6.00pm Monday to Friday

Plan reference numbers: DE78, DF78 and DG81

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


.....
AUTHORISED SEALING OFFICER





Key

XXXXX Individual Plan Reference Number

John



**Corporate Director
Regeneration & Economic
Development**


Strategic Traffic Management
County Hall, Durham DH1 5UQ

**THE COUNTY COUNCIL OF DURHAM
WEST AUCKLAND
PROHIBITION AND RESTRICTION OF WAITING
AND NO STOPPING ORDERS 2011**

	Scale:	N.T.S @ A3	
	Date:	November 2011	
	Drawn by:	PE	Signature:
	Date Sealed:	19.7.12	MASTERPLAN



Key to Types of Restriction

 No Waiting At Any Time

 No Stopping

 Individual Reference Number

DE78

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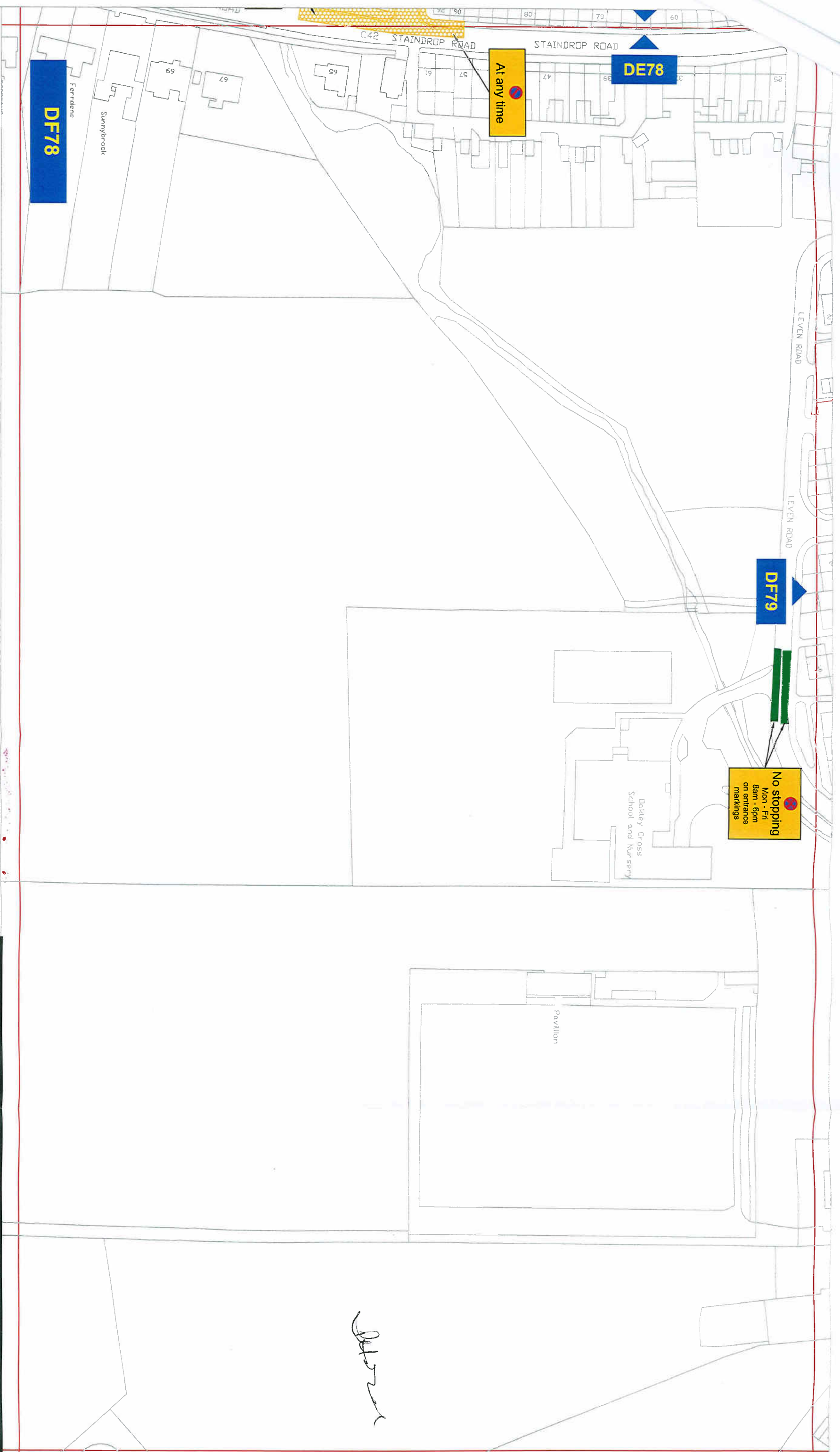
Corporate Director
Regeneration & Economic
Development

Strategic Traffic Management
County Hall, Durham DH1 5UQ

THE COUNTY COUNCIL OF DURHAM
WEST AUCKLAND
PROHIBITION AND RESTRICTION OF WAITING AND NO
STOPPING ORDERS 2011



Scale:	1:1250 @ A3
Date:	November 2011
Drawn by:	Phil Everett
Date Sealed:	14.1.12
Signature:	
Map Schedule:	DE78



Key to Types of Restriction

No Waiting At Any Time

No Stopping

Individual Reference Number

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**Corporate Director
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Strategic Traffic Management
County Hall, Durham DH1 5UQ

**THE COUNTY COUNCIL OF DURHAM
WEST AUCKLAND
PROHIBITION AND RESTRICTION OF WAITING AND NO
STOPPING ORDERS 2011**

Scale: 1:1250 @ A3

Date: November 2011

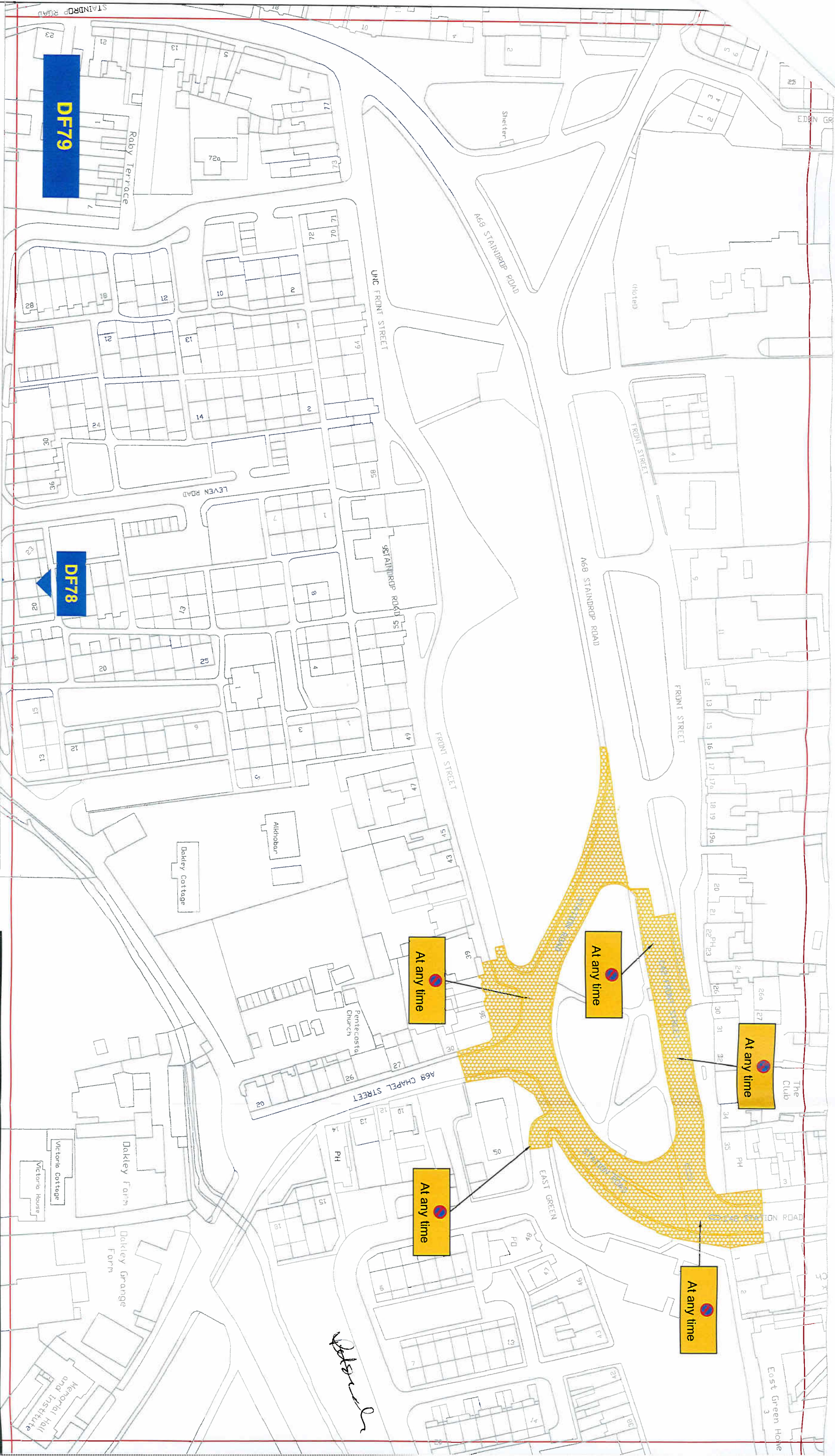
Drawn by:	Phil Everett	Signature:
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Signature:

Date Sealed:	19-7-12	Map Schedule:
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Map
Schedule:

DF78



Key to Types of Restriction

- No Waiting At Any Time
- XXXX Individual Reference Number



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WEST AUCKLAND
PROHIBITION AND RESTRICTION OF WAITING AND NO
STOPPING ORDERS 2011

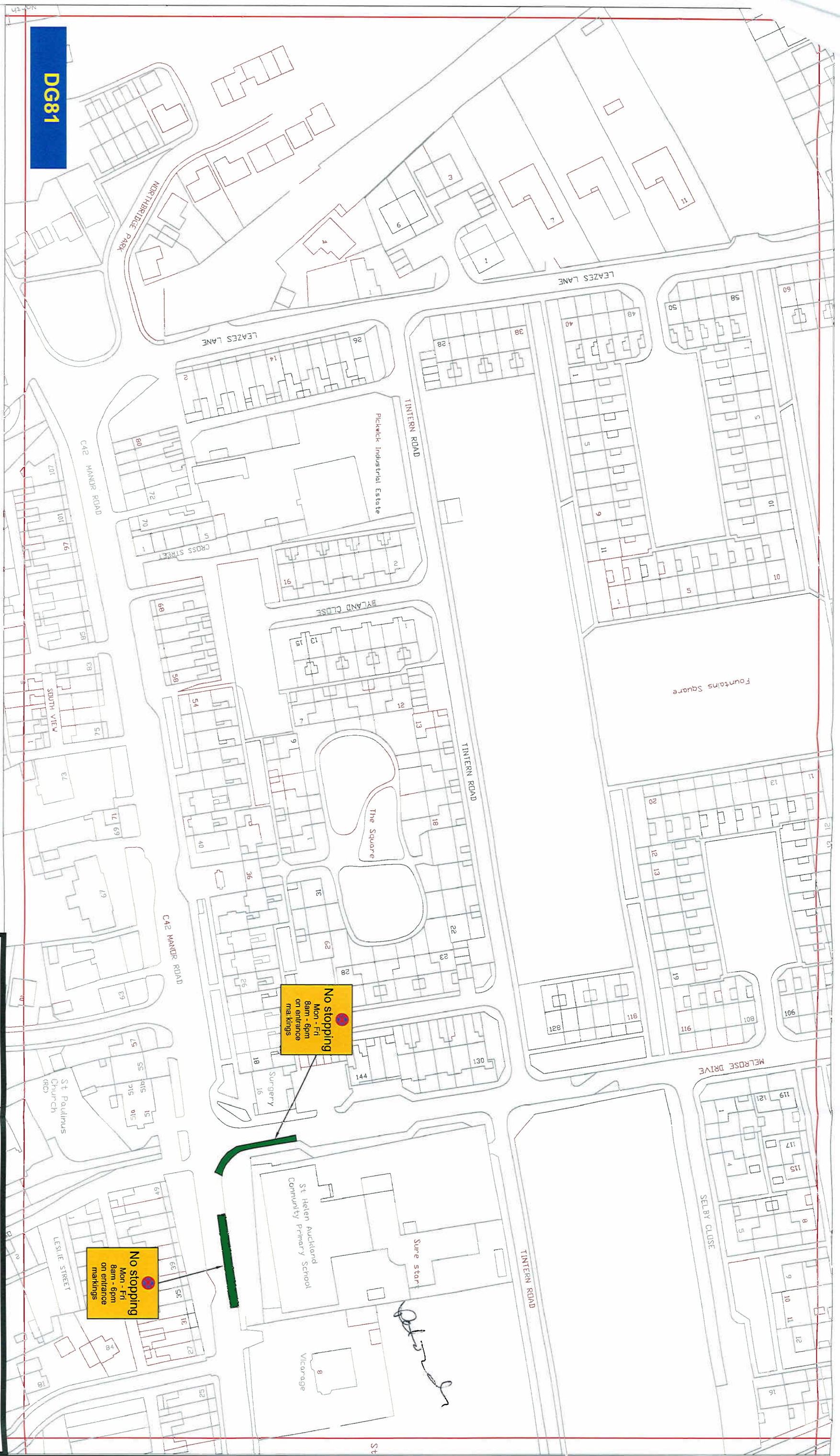
Scale: 1:1250 @ A3

Date: November 2011

Drawn by: Phil Everett

Date Sealed: 19.7.12

Map Schedule: DF79



DG81

Key to Types of Restriction



No Stopping



Individual Reference Number

XXXX



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THE COUNTY COUNCIL OF DURHAM
WEST AUCKLAND
PROHIBITION AND RESTRICTION OF WAITING AND NO
STOPPING ORDERS 2011

Scale: 1:1250 @ A3

Date: November 2011

Drawn by: Phil Everett

Date Sealed: 15.7.12

Signature:

Map Schedule:

DG81

DELEGATED DECISION

**REGENERATION AND ECONOMIC
DEVELOPMENT SERVICE**



OCTOBER 2011.

TRAFFIC REGULATION ORDER (TRO)

**Report of RED SERVICE
ADRIAN WHITE – HEAD OF TRANSPORT**

Purpose of the Report

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

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

Contact:	Philip Everett	Tel:	0191 3835593
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Appendix 1: Implications

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