

**THE COUNTY COUNCIL OF DURHAM  
(BISHOP MIDDLEHAM)  
(PROHIBITION OF WAITING)  
ORDER 2011**

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 (Bishop Middleham) (Prohibition of Waiting) Order 2011 and shall come into operation on 3 November 2011.

**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 (Badges 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;

"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;



"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. The following Order is to be revoked in full:

The County Council of Durham (C69 Front Street / Unclassified Bank top, Bishop Middleham) (Prohibition of Waiting) Order 1994

## **Part III**

### **Prohibition of Waiting At Any Time**

4. Save as provided in Article 5 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 plan detailed in the Schedule to this Order.

## **Part IV**

### **Exemptions**

5. (1) Nothing in Article 4 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 Article 4 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**

- 5. 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.

6. 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**  
**Prohibition of Waiting At Any Time**

Plan reference number: EJ99

Given under the Common Seal of the County Council of Durham on 27  
October 2011.

*Esther Hordley*

**Authorised Sealing Officer**







### Key to Types of Restriction



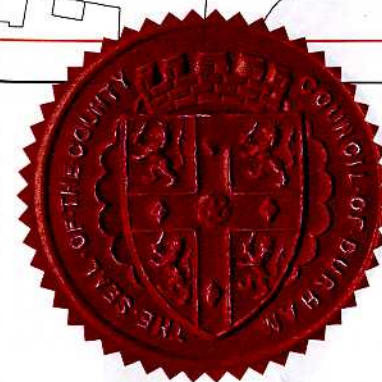
No Waiting At Any Time

XXXX

Individual Plan Reference Number

PATH:

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Corporate Director  
Regeneration & Economic  
Development

Strategic Traffic Management

County Hall, Durham DH1 5UQ

THE COUNTY COUNCIL OF DURHAM  
BISHOP MIDDLEHAM  
PROHIBITION OF WAITING AT ANY TIME. ORDER 2011



Scale: 1:1250 @ A3

Date: JAN 2011

Drawn by: R.Smith

Signature: *[Signature]*

Date Sealed: 27.10.11

Map Schedule:

EJ99



**DELEGATED DECISION**

**REGENERATION AND ECONOMIC  
DEVELOPMENT SERVICE**



**JULY 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 of Map Based Schedules TRO at Bishop Middleham, on the C69 Front Street.

**Background**

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

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

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

Go ahead with map based schedules and carry out any required works, so that once we have DfT approval, the signing and lining already exist to allow for enforcement to begin straight away.

- 4 **Consequences:**

No apparent consequences

- 5 **Summary of informal consultation:**

Police and Area Engineer responded and were in favour of the scheme. As map based schedules are only replacing existing restrictions, Councillors and other statutory consultees will be consulted as part of the formal process.

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

Not yet consulted with.

- 7 **Any other relevant info:**

None

- 8 These restrictions are existing, the existing written TRO's will be replaced by map based schedules. There is 1 Order to be completely revoked.

**Recommendations and reasons**

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

**Decision**

11

**Background papers**

Office Files

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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 from the 1<sup>st</sup> July, 2011. Responses in favour were the Police and Area 2 Engineer.

**Procurement** – Operations, DCC.

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

**Legal Implications** – Enforceable TRO