

**THE COUNTY COUNCIL OF DURHAM
(BELMONT INDUSTRIAL PARK)
(PROHIBITION OF WAITING)
ORDER 2015**

The County Council of Durham ("the Council") in exercise of their powers under Sections 1, 2 and 4 of the Road Traffic Regulation Act 1984, as amended, ("the Act"), Part 6 of the Traffic Management Act 2004, as amended 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 (Belmont Industrial Park) (Prohibition of Waiting) Order 2015 and shall come into operation on the 9th day of February 2015.

Interpretations

2. In Order the following expressions have the meaning hereby respectively assigned to them:-

"civil enforcement officer" means a person authorised by or on behalf of the Council pursuant to the provisions of Section 76 of the Traffic Management Act 2004.

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

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

"liveried vehicle" means a vehicle having a distinctive design and colour scheme used to distinguish a police, fire and rescue service or ambulance vehicle;

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

"penalty charge" means a charge set by Durham County Council pursuant to the provisions of Section 77 of the Traffic Management Act 2004.

"penalty charge notice" means a notice issued by a Civil Enforcement Officer pursuant to the provisions of Section 78 of the Traffic Management Act 2004

"relevant position" in respect of a disabled person's badge or disabled person's parking disc has the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

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

Part II

Prohibition of Waiting At Any Time

3. Save as provided in Article 4 of this Order no person shall, except upon the direction or with the permission of an enforcement officer or a civil 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 Schedule to this Order.

Exemptions

4. (1) Nothing in Article 3 to 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 3 of this Order shall apply to any liveried vehicle being used for police, fire and rescue service or ambulance purposes in pursuance of statutory duties.
- (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 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 3 to 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 III

Contravention and Enforcement

7. If a vehicle is in contravention of a provision of this Order a penalty charge shall be payable.

In the case of a vehicle in respect of which a penalty charge is payable, a penalty charge notice may then be issued by a Civil Enforcement Officer in accordance with the requirements of Section 78 of the Traffic Management Act 2004, as amended.

Saving

8. Insofar 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.
9. The restrictions and prohibitions 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

Item No	Description
1	C13 Broomside Lane , on the northern side of the road, from a point 23 metres south east of its junction with the Unc Belmont Industrial Estate Service Road, to a point 20 metres north west of its junction with the Unc Belmont Industrial Estate Service Road, a distance of 43 metres.
2	Unc Belmont Industrial Estate Service Road on the western side of the road, from its junction with the C13 Broomside Lane, in a northerly direction, for a distance of 90 metres.
3	Unc Belmont Industrial Estate Service Road , on the western side of the road, from a point 12 metres south of its junction with the Unc Belmont Business Park, in a northerly direction, for a distance of 46 metres.
4	Unc Belmont Industrial Estate Service Road , on the eastern side of the road, from its junction with the C13 Broomside Lane, in a northerly direction, to a point 34 metres north of its junction with Unc Belmont Business Park.

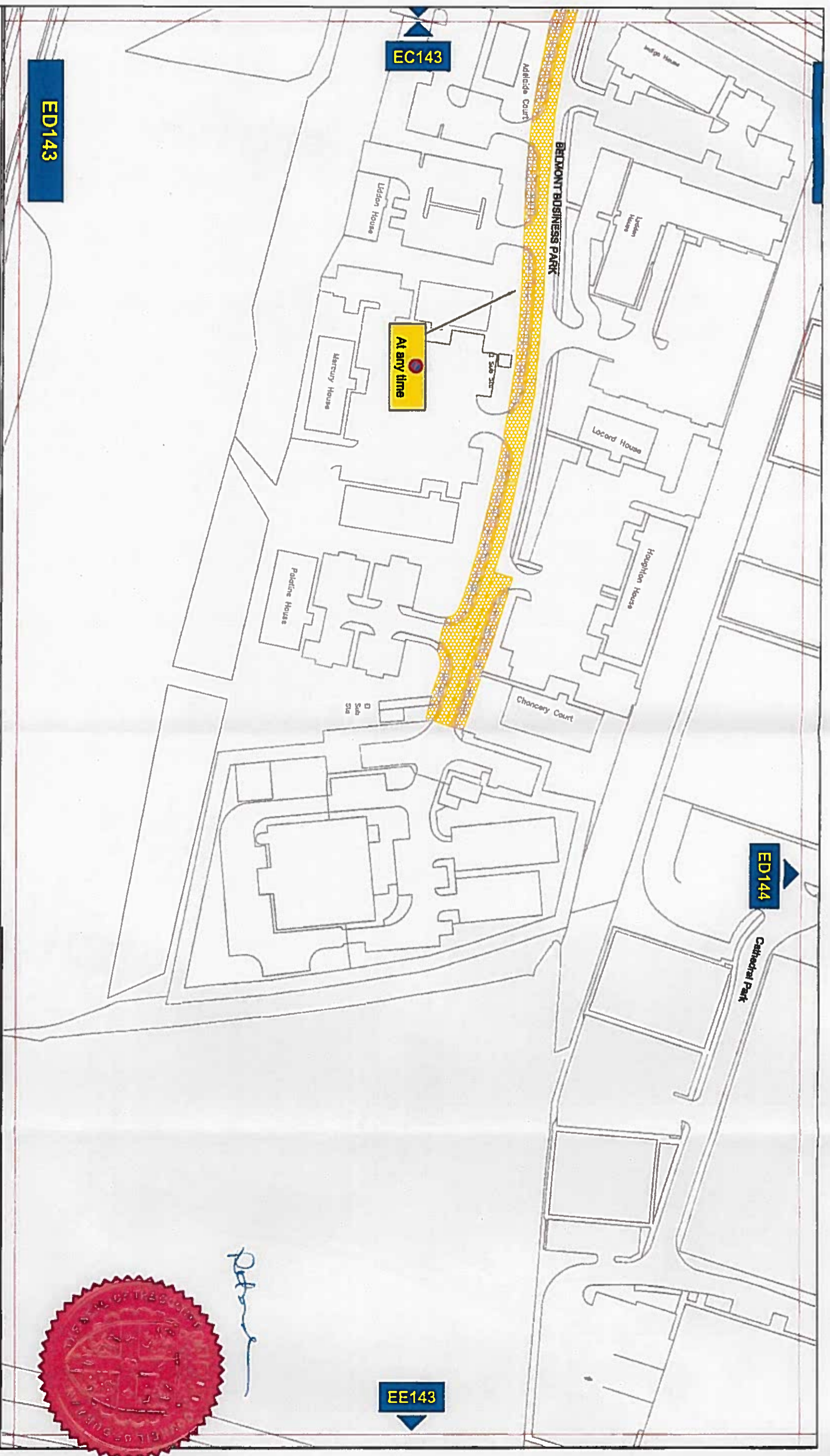
5	Unc Belmont Business Park, on the northern side of the road, from its junction with the Unc Belmont Industrial Estate Service Road, in an easterly direction, for a distance of 13 metres.
6	Unc Belmont Business Park, on the northern side of the road, a point 218 metres east of its junction with the Unc Belmont Industrial Estate Service Road, in an easterly direction, for its entire length.
7	Unc Belmont Business Park, on the southern side of the road, from its junction with the Unc Belmont Industrial Estate Service Road, in an easterly direction, for its entire length

GIVEN UNDER THE COMMON SEAL OF THE COUNTY COUNCIL OF DURHAM ON THE 29th DAY OF JANUARY 2015

Patricia Hensley

Authorised Sealing Officer





Key to Types of Restriction

 No Waiting At Any Time

 XXXXX Individual reference number

ED143

EC143

At any time

ED144

EE143

PATH: Reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Durham County Council, LA 100049055, 2013.



Corporate Director
Regeneration & Economic
Development

Strategic Traffic Management
County Hall, Durham DH1 1SU

**BELMONT INDUSTRIAL PARK,
PROHIBITION OF WAITING,
EXPERIMENTAL ORDER 2013**





Scale:	1:1250 @ A3
Date:	OCTOBER 2013
Drawn by:	S. Jones
Date Sealed:	29/10/13
Signature:	<i>AM</i>
Map Schedule:	ED143



John



Key to Types of Restriction

-  No Waiting At Any Time
-  XXXXX Individual reference number

PATH: Reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Durham County Council, LA 100049095, 2013.



Corporate Director
Regeneration & Economic
Development

Strategic Traffic Management
County Hall, Durham DH1 1SJ

**BELMONT INDUSTRIAL PARK,
PROHIBITION OF WAITING,
EXPERIMENTAL ORDER 2013**



Scale:	1:1250 @ A3
Date:	OCTOBER 2013
Drawn by:	S. Jones
Date Sealed:	29/11/15
Signature:	<i>[Signature]</i>
Map Schedule:	EC143



[Handwritten signature]