

3/16.

**THE COUNTY COUNCIL OF DURHAM  
(OFF STREET PARKING PLACES)  
(DURHAM CITY PARK AND RIDE SITES) ORDER 2005**

The Durham County Council ("the Council") in exercise of their powers under Sections 32, 33, 34 and 35 of 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 I**

**General**

1. This Order may be cited as The County Council of Durham (Off Street Parking Places) (Durham City Park and Ride Sites) Order 2005 and shall come into operation on 21 November 2005.

**Interpretation**

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

"the Act" means the Road Traffic Regulation Act 1984;

"the Council" means the County Council of Durham;

"Disabled Persons Badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;

"Disabled Persons Vehicle" means a vehicle displaying a Disabled Persons Badge;

"driver" means the person who has control of the steering of the relevant vehicle;

"Fixed Charge" means the charge which will become payable should the vehicle be left within any of the Park and Ride Sites outside of the Operational Hours;

"Fixed Charge Notice" means a notice which will be fixed to a vehicle if a Fixed Charge becomes payable;

"motor home" means a mechanically propelled vehicle, not being a motor car, motor cycle or an invalid carriage, constructed itself to carry a load of passengers and being a place to sleep, live, and carry luggage whilst touring.

"motor car" shall have the same meaning as assigned by the Act;

"motor cycle" shall have the same meaning as assigned by the Act;

"motor vehicle" shall have the same meaning as assigned by the Act;

"Operational Hours" means the times of which the Park and Ride Sites are to be used.

"Park and Ride Bus Service" means the buses provided for the transportation of drivers and passengers to and from the Park and Ride Sites to Durham City Centre.

"Park and Ride Sign" means a sign used by the Park and Ride Staff to indicate changes to the parking provisions or a traffic sign, which is permanently erected within the Park and Ride Site.

"Park and Ride Site(s)" means the locations as described in column 1 in the Schedule to this Order;

"Parking Bay" means any area of a Parking Place, which is provided for the leaving of a vehicle and indicated by markings on the surface of the Parking Place;

"Parking Place" means the areas at the Park and Ride Sites as designated by the white line markings on the ground where a vehicle may wait;

"passenger(s)" means a person, not being the driver of a vehicle, who is carried in or on a vehicle.

"Permitted Vehicles" means the class/type of vehicles, which are allowed to use the Park and Ride Sites and Parking Places;

"Release Fee" means a fee that will become payable should a vehicle be left in the Park and Ride Site outside of the Operational hours;

"traffic sign(s)" has the same meaning as assigned by s 64(1) of the Act.

### **Designation of Parking Places**

3. The location of the Park and Ride Sites are the areas as described in column 1 in the Schedule to this Order.

4. Each area of the Park and Ride Sites, which is marked on the ground with the appropriate lines, is hereby designated as a parking place.
5. Each Parking Place may be used subject to the following provisions of this Order as a parking place for such classes of vehicles as are specified in relation to that Parking Place as referred to in column 5 of the Schedule.

#### **Conditions of use of Parking Places**

6. Where in the Schedule a Parking Place is described as available for vehicles of a specified class the driver of a vehicle shall not, unless authorised in writing by the Council permit it to wait in the Parking Place unless it is of the class so specified.
7. All drivers and passengers using the Park and Ride Sites must do so with the intention of using the Park and Ride Bus Service.
8. Wherever Parking Bays are provided vehicles shall be positioned wholly within the markings of a Parking Bay.
9. The following are classes of vehicles which are Permitted Vehicles for the purposes of this Order:
  - (i) motor cycles,
  - (ii) motor cars, and;
  - (iii) motor homes.
10. No person shall cause or permit any vehicle other than the Permitted Vehicles to use the Park and Ride Sites.
11. Where within a Parking Place there is a sign or surface marking which indicates that a Parking Bay is available only for a Disabled Persons Vehicle the driver of a vehicle shall not permit it to wait in that Parking Bay unless it is a Disabled Persons Vehicle.
12. Where within a Parking Place there is a sign or surface marking which indicates that a Parking Bay is available only for a motor cycle the driver of a vehicle shall not permit it to wait in that Parking Bay unless it is a motor cycle.

#### **Conditions of Entrance and Exit and Surface Markings**

13. No person shall cause or permit any vehicle to proceed so that it enters the Park and Ride Site other than by a designated entrance or exits the Park and Ride Site other than by a designated exit as indicated by the appropriate traffic signs at the Park and Ride Sites.

14. No person shall cause or permit any vehicle to proceed in a direction at the Park and Ride Sites other than in a direction as indicated by the appropriate traffic signs at the Park and Ride Sites.
15. No person shall cause or permit any vehicle to wait in an entrance or an exit of any of the Park and Ride Sites as indicated by the traffic signs on site.
16. No person shall cause or permit any vehicle to wait in a Parking Bay where an appropriate traffic sign has been placed by any person authorised by the Council, indicating that the Parking Place/Parking Bay should not be used, has been erected.

#### **Temporary suspension of Parking Places / Parking Bays**

17. Save as provided in Article 18 a police officer in uniform or any person duly authorised by the Council may where appropriate temporarily suspend the use of any Parking Place for any class of vehicle.
18. Save as provided in Article 17 the suspension of a Parking Place or Parking Bay shall be indicated by the use of the appropriate traffic signs.

#### **Restriction of Use of Park and Ride Sites**

19. Save as provided in Article 20, no person shall cause or permit anything to be done on or in the Park and Ride Sites or for the Park and Ride Sites to be used for anything other than for use as a waiting place for the Permitted Vehicles in order for the driver and passengers to make use of the Park and Ride Bus Service.
20. Nothing in Article 19 shall apply to anything so approved by an authorised officer of the Council.

#### **Fixed Charge**

21. A Fixed Charge as detailed in Column 7 will become payable in the event of a vehicle being left in any of the Park and Ride Sites outside of the Operational Hours.
22. The Operational Hours shall be between 7.00 a.m. to 7.00 p.m. Monday to Sunday unless otherwise indicated by the Council and will be displayed on appropriate signs at the Park and Ride Sites.
23. Where a Fixed Charge is payable the Council shall attach to the vehicle in respect of which the Fixed Charge has been incurred in a conspicuous position a notice to be called "the Fixed Charge Notice" which shall include the following particulars:

