

119

**THE COUNTY COUNCIL OF DURHAM
(SHINCLIFFE, HIGH SHINCLIFFE & BOWBURN)
(PARKING & WAITING RESTRICTIONS)
ORDER 2014**

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 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 & Citation

1. This Order may be cited as The County Council of Durham (Shincliffe, High Shincliffe & Bowburn) (Parking & Waiting Restrictions) Order 2014 and shall come into operation on 31 March 2014.

Interpretation

2. In this Order the following expressions have the meanings 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.

"council" means The County Council of Durham;

"disabled person's badge" and "disabled person's parking disc" have the same meanings 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 & rescue or ambulance vehicle;

"motor vehicle" means a mechanically propelled vehicle intended or adapted for use on roads, as defined in Section 136 of the Act;

"owner" in relation to a vehicle, shall mean the person by whom it is kept or used;

"parking contravention" has the same meaning assigned to it by Section 73 and Part 1 of Schedule 7 to the Traffic Management Act 2004;

"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" has the same meaning as defined by The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"traffic sign" means a sign of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under Section 64 of the Act;

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

3. Except where the context requires otherwise, any reference in this Order to a numbered Article shall be construed as a reference to the Article bearing that number in this Order.
4. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment. Unless the context otherwise requires words denoting the singular shall include the plural and vice versa and words denoting persons shall include either gender, bodies corporate, unincorporated associations and partnerships.
5. The Interpretation Act 1978 shall apply for the interpretation of this Order.

Part II

Revocation

6. The following Orders have been revoked in part:

The County Council of Durham (City of Durham District) (Traffic Management Order 2008 – Schedule 1 – items 3i & 3ii & 4i & 4ii and Schedule 2 – item 3 (both items listed). 1/95

The County Council of Durham (Shincliffe, Bowburn and Coxhoe) (Traffic Management) Order 2008 – Schedule 2 – items 9 to 17 and Schedule 3 entirely. 19

Part III

WAITING & LOADING

Prohibition of Waiting At Any Time

7. Save as provided in Article 11 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; other than those vehicles specifically authorised in this Order, 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.

Restricted Waiting and Loading/Unloading

8. Save as provided in Article 11 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:
 - a. wait, or
 - b. wait for the purpose of enabling goods to be loaded onto or unloaded from the vehicle, on any of the lengths of roads or sides of lengths of roads on such days and during such times as identified within the individual plan(s) detailed in Schedule 2 to this Order.

Prohibition of Waiting & Loading/Unloading At Any Time

9. Save as provided in Article 11 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:
- a. wait, or
 - b. wait for the purpose of enabling goods to be loaded onto or unloaded from the vehicle, at any time, on any of the lengths of roads or sides of lengths of roads identified within the individual plans detailed in Schedule 3 to this Order.

Part IV NO STOPPING

No Stopping

10. Save as provided in Article 11 of this Order no person shall, except upon the direction or with the permission of an enforcement officer cause or permit any vehicle to stop or wait on the lengths of roads or sides of lengths of roads on such days and during such times as identified in the individual plan(s) detailed in Schedule 4 to this Order.

Part V

Exemptions

11. (1) Nothing in Articles 7, 8, 9 and 10 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 7, 8, 9 and 10 of this Order shall apply to any liveried vehicle being used for police, fire & rescue service or ambulance purposes in pursuance of statutory duties.
- (3) Nothing in Article 7 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 8 and 9 of this Order shall render it unlawful to cause or permit any vehicle, other than those vehicles specifically authorised in this Order, to wait on such days and during such hours as identified in Schedules 8 and 9 of this Order, on the lengths of roads or sides of lengths of roads for so long as may be necessary to enable the picking up or setting down of passengers.
- (5) Nothing in Article 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;
 - (b) goods to be loaded onto or unloaded from the vehicle;

Part VI

Contravention and Enforcement

- 12. If a vehicle is in contravention of a provision of this Order a penalty charge shall be payable.
- 13. 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.

Part VII

Saving

- 14. 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.
- 15. 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**

Item No	Plan reference number
1	EE123

**Schedule 2
Restricted Waiting & Loading**

Item No	Plan reference number
1	EF121

**Schedule 3
Prohibition of Waiting & Loading/Unloading At Any Time**

Item No	Plan reference number
1	EC132
2	EF120
3	EF121

**Schedule 4
No Stopping**

Item No	Plan reference number
1	EF121
2	EF123

**GIVEN UNDER THE COMMON SEAL OF THE COUNTY COUNCIL OF DURHAM
ON THE 20th DAY OF MARCH 2014**

Patricia Horden
.....
Authorised Sealing Officer



DELEGATED DECISION

**REGENERATION AND ECONOMIC
DEVELOPMENT SERVICE**



SEPTEMBER 2013.

TRAFFIC REGULATION ORDER (TRO)

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

Purpose of the Report

- 1 To consider the introduction of a map based TRO at Shincliffe, High Shincliffe and Bowburn.

Background

- 2 To convert all existing written TROs into map based schedules. Extension of No Waiting No Loading Monday to Friday 8 am – 6pm on Crow Trees Lane following consultation with the Police.

Details of any alternative options considered and rejected when making the decision

- 3 n/a.

Recommendations and reasons

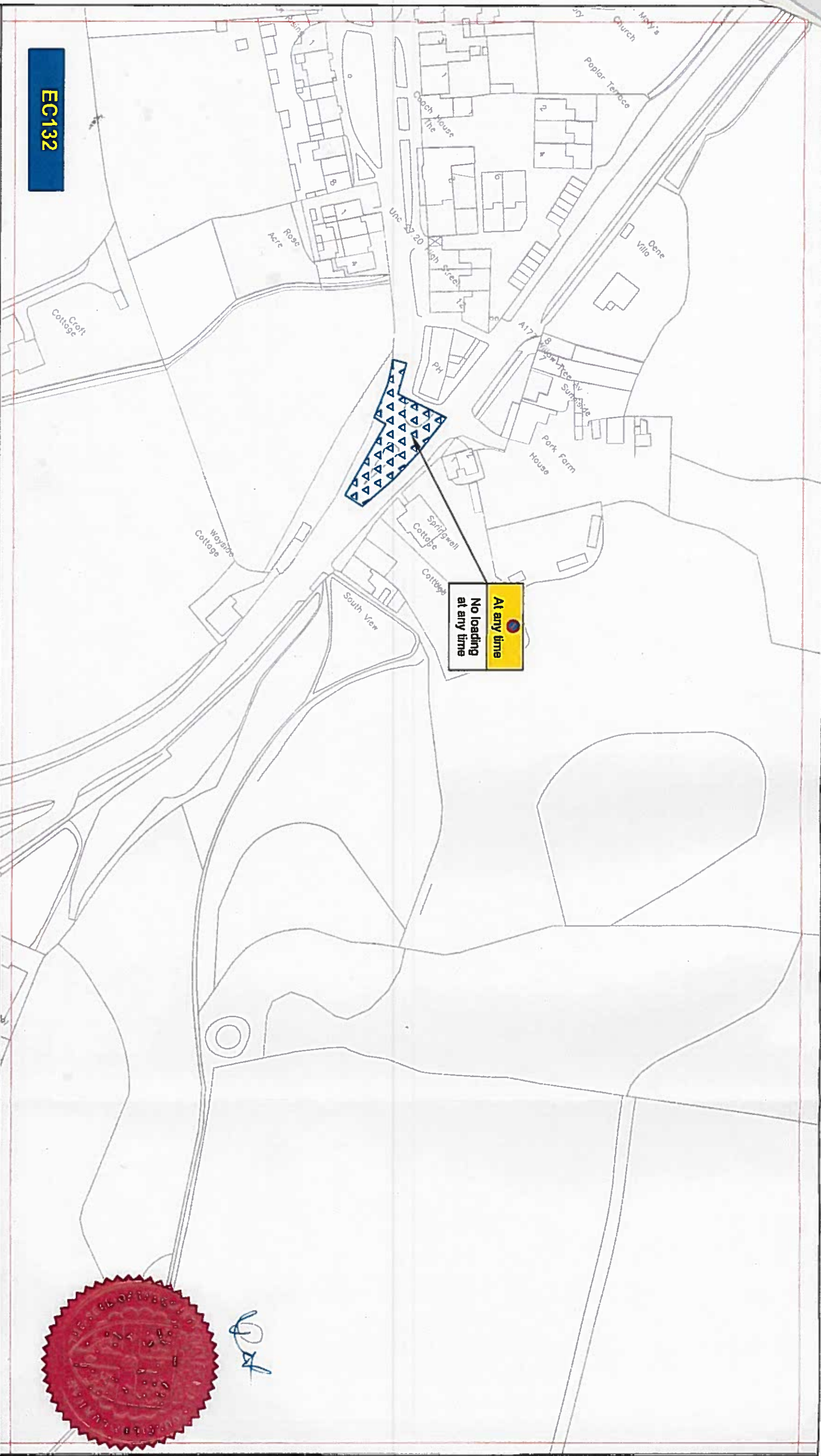
- 4 Convert into map based schedules for consistency.

Decision

- 5 Progress TRO in map based format.

Background papers – office files

Contact: Sarah Thompson Tel: 03000 263589



EC132

Key to Types of Restriction



No Waiting and No Loading/Unloading At Any Time

XXXXX

Individual reference number

At any time
No loading
at any time



Corporate Director
Regeneration & Economic
Development

Strategic Traffic Management
County Hall, Durham DH1 1SU

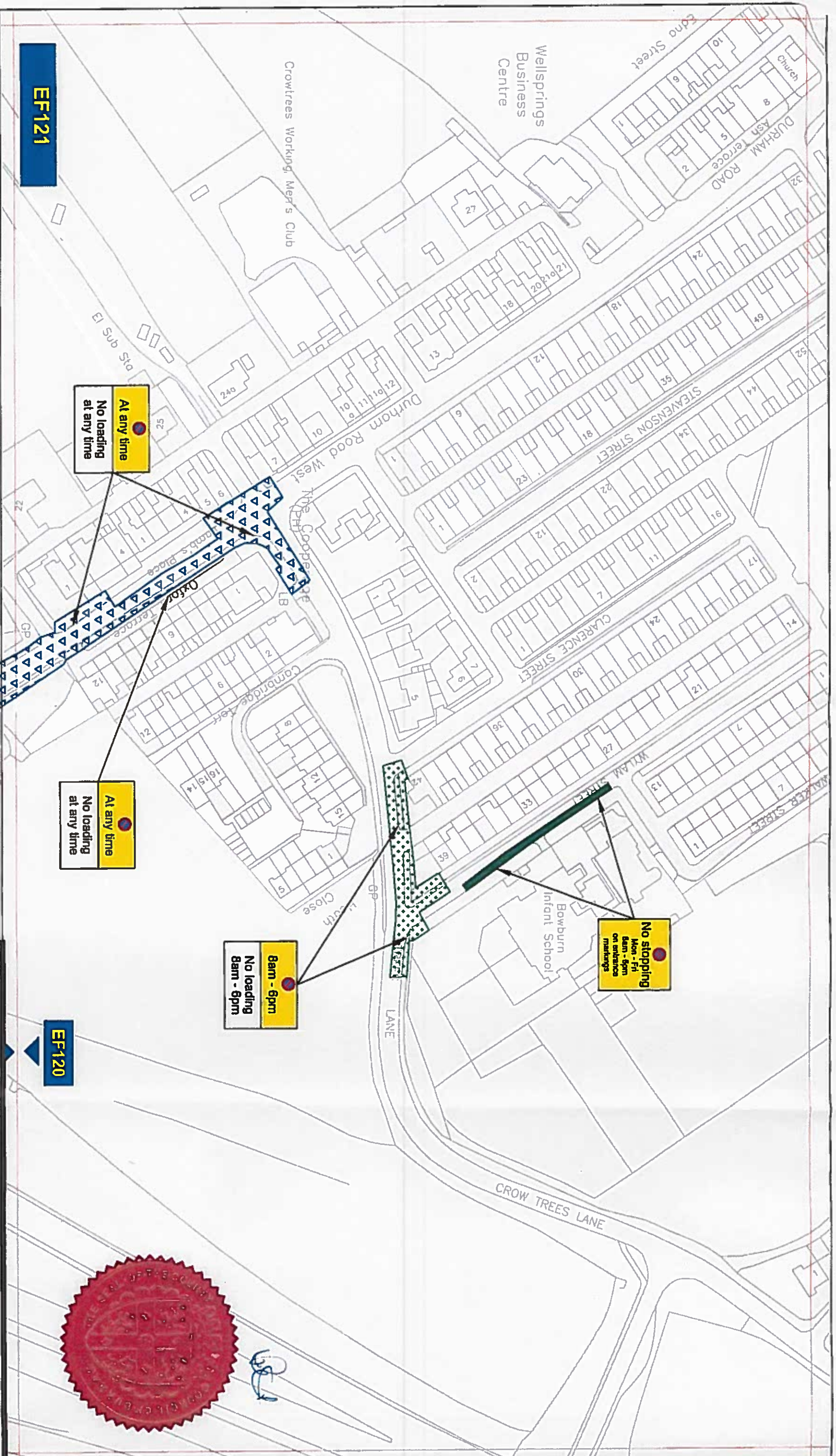
THE COUNTY COUNCIL OF DURHAM
SHINCLIFFE, HIGH SHINCLIFFE AND
BOWBURN, PARKING AND WAITING
RESTRICTIONS.



Scale:	1:1250 @ A3
Date:	JAN 2014
Drawn by:	S. Thompson
Date Sealed:	2013/14
Signature:	
Map Schedule:	EC132

PA1H:

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EF121

EF120

Key to Types of Restriction

- No Waiting and No Loading/Unloading At Any Time
- Restricted Waiting and Loading/Unloading
- No Stopping
- XXXXXX Individual reference number

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Durham
County Council

Corporate Director
Regeneration & Economic
Development

Strategic Traffic Management
County Hall, Durham DH1 1SU

THE COUNTY COUNCIL OF DURHAM
SHINCLIFFE, HIGH SHINCLIFFE AND
BOWBURN, PARKING AND WAITING
RESTRICTIONS.

Scale: 1:1250 @ A3

Date: JAN 2014

Drawn by: S. Thompson

Date Sealed: 20/3/14

Signature:

Map Schedule: EF121



Key to Types of Restriction

 Existing No Waiting At Any Time

 Proposed No Waiting At Any Time

 Individual reference number

At any time

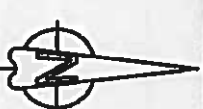
EE123



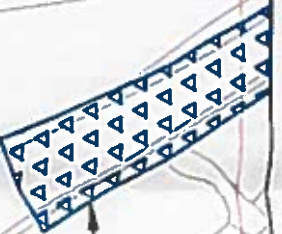
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Development

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County Hall, Durham DH1 1SU

THE COUNTY COUNCIL OF DURHAM
SHINCLIFFE, HIGH SHINCLIFFE AND
BOWBURN, WAITING AND PARKING
RESTRICTIONS.



Scale:	1:1250 @ A3
Date:	OCT 2014
Drawn by:	S. Thompson
Date Sealed:	29/1/15
Map Schedule	EE123



At any time
No loading
at any time

EF121

EF120

Key to Types of Restriction



No Waiting and No
Loading/Unloading At Any Time



Individual reference number

PATH

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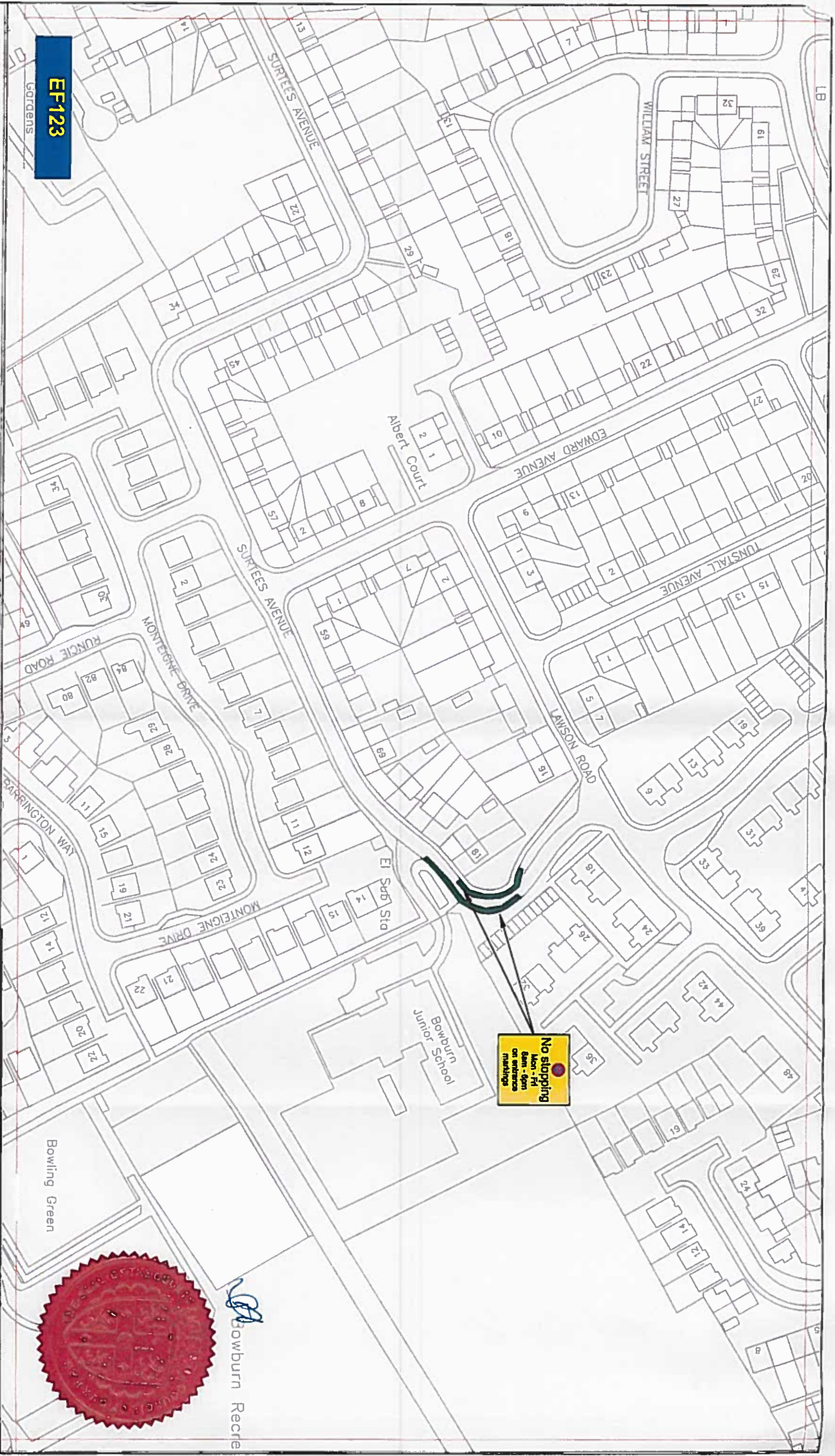


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THE COUNTY COUNCIL OF DURHAM
SHINCLIFFE, HIGH SHINCLIFFE AND
BOWBURN, PARKING AND WAITING
RESTRICTIONS.



Scale:	1:1250 @ A3
Date:	JAN 2014
Drawn by:	S. Thompson
Date Sealed:	20/3/14
Signature:	
Map Schedule:	EF-120



EF123

Key to Types of Restriction

- No Stopping
- XXXXX Individual reference number

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THE COUNTY COUNCIL OF DURHAM
SHINCLIFFE, HIGH SHINCLIFFE AND
BOWBURN, PARKING AND WAITING
RESTRICTIONS.



Bowburn Recre

Scale:	1:1250 @ A3
Date:	JAN 2014
Drawn by:	S. Thompson
Date Sealed:	20/5/14
Signature:	
Map Schedule:	EF123