

**THE COUNTY COUNCIL OF DURHAM
(SPENNYMOOR)
(PROHIBITION OF WAITING & STOPPING, RESTRICTION OF WAITING,
LOADING/UNLOADING & PARKING PLACES) ORDER 2011
(AMENDMENT NO. 1) ORDER 2013**

The County Council of Durham ("the Council") in exercise of their powers under Sections 1, 2, 4, 32 and 35 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 I

1. General

This Order may be cited as The County Council of Durham (Spennymoor) (Prohibition of Waiting & Stopping, Restriction of Waiting, Loading/Unloading & Parking Places) Order 2011 (Amendment No. 1) Order 2013 and shall come into operation on the 1st day of March 2014.

Part II

2. Amendments

- a) The following Order has been amended to reflect changes to plans DV107 and DV108 and administrative/typographical alterations:

The County Council of Durham (Spennymoor) (Prohibition of Waiting & Stopping, Restriction of Waiting, Loading/Unloading & Parking Places) Order 2011.

57

- b) **ARTICLES:**

(i) Article 2

- (i)** The following definitions have been inserted:

"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;

"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.

- (ii)** The following definitions have been consolidated to read:

"disabled person's badge" and "disabled person's parking disc" the same meaning as in the Disabled Person's (Badge's for Motor Vehicles) (England) Regulations 2000 (as amended);

(iii) The definition for **"Masterplan"** has been removed.

(iv) The following definition has been amended to read:

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

Article 6 has been amended to incorporate **Article 7** (now removed) and reads:

Restricted Waiting:

- (a) Between the hours of 8.00am and 6.00pm On Any Day**
- (b) Between the hours of 8.00am and 6.00pm Monday to Friday**

Save as provided in **Article 13** of this Order no person shall, except upon the direction or with the permission of an enforcement officer or civil enforcement officer, cause or permit any vehicle to wait on such days and during such hours on any of the lengths of roads or sides of lengths of roads identified within the individual plan(s) detailed in **Schedule 3** to this Order.

Article 8 has been renumbered as **Article 7** and amended to incorporate **Articles 9** and **10** (now removed) and reads:

No Stopping:

- (a) Except Taxis between the hours of 6.00pm and 8.00am on any day.**
- (b) Except Taxis at any time**
- (c) On School Entrance Markings between the hours of 8.00am and 6.00pm Monday to Friday**

Save as provided in **Article 13** of this Order no person shall, except upon the direction or with the permission of an enforcement officer or civil enforcement officer, cause or permit any vehicle to stop or wait, other than a vehicle so authorised by this Order, on such days and during such hours, on any of the lengths of roads, or sides of lengths of roads identified within the individual plan(s) detailed in **Schedule 4** to this Order.

Article 11 has been renumbered as **Article 8** and amended as follows:

- Reference to **Schedules 8, 9** and **10** have been removed in sub articles **(1), (2)** and **(4)** and reference to **Schedule 5** inserted.
- Sub-article **3** has been removed and the following inserted:

"Save as provided in Article 13 of this Order no person shall cause or permit any vehicle, other than a vehicle so authorised under this Article, to be left in a parking by or parking place on such days and during such hours identified within the individual plans detailed in Schedule 5 to this Order, unless directed to do so by an enforcement officer or civil enforcement officer".

Article 12 has been renumbered as Article 9 and amended as follows:

- The heading of this Article has been removed and replaced with:

Disabled Badge Holders Only:

(a) At Any Time

(b) Max stay 2 hours no return within 3 hours

- Reference to Schedule 11 has been removed in sub articles (1), (2) and (3) and reference to Schedule 6 inserted.
- A new sub article 4 has been inserted which reads:
"Save as provided in Article 13 of this Order no person shall cause or permit any vehicle, other than a vehicle displaying a disabled persons parking badge and parking disc, to wait in disabled badge holders only parking bay, on such days and during such hours identified within the individual plans detailed in Schedule 6 to this Order, unless directed to do so by an enforcement officer or civil enforcement officer."

- (v) Article 13 has been renumbered as Article 10 and amended as follows:**

- (i) The heading of this Article has been amended to include:**

(d) Between 8.00am and 6.00pm on any day, 1 hr No return within 2 hours

- (ii) Reference to Schedules 12, 13 and 14 have been removed from sub articles (1), (2) and (4) and reference to Schedule 7 inserted.**

- (iii) Sub-article (2) has been amended to read:**

"Save as provided in Article 13 of this Order no person shall cause or permit any vehicle, other than a vehicle loading or unloading goods, to wait in a loading bay on the days and during the hours identified within the individual plans detailed in Schedule 7 to this Order, unless directed to do so by an enforcement officer or civil enforcement officer."

- (vi) The following Articles have been renumbered:**

Existing Article No.	Amended Article No.
14	11
15	12
16	13
17	15
18	16

- (vii) A new Article 14 has been inserted which reads:**

Contravention & Enforcement

- (1) If a vehicle is in contravention of a provision of this Order a penalty charge shall be payable.**

- (2) 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.

- (viii) Articles 4, 5, 6, 7, 8, 9, 11, 12, 13 and 14 – all references to the Masterplan within these original Articles have been removed.

(c) **SCHEDULES:**

	Existing Schedule No.s	New Schedule No
(i)	Schedules 3 and 4	Schedule 3
(ii)	Schedules 5, 6 & 7	Schedule 4
(iii)	Schedule 8	Schedule 5
(iv)	Schedule 9	Schedule 6
(v)	Schedules 10, 11 and 12	Schedule 7

- (I) The new **Schedule 5** heading has been amended to include a new sub point (d):
- (d) Between 8.00am-6.00pm Monday to Saturday, 1 hour No return within 2 hours.
- (II) The new **Schedule 9** has been amended to include a new sub point (b):
- (b) **Max stay 2 hours no return within 3 hours**
- (III) Reference to plan DT105 [dated 28/03/13] in the newly renumbered Schedules 1, 3, 4 and 7 has been removed and replaced with plan DT105 [dated 11/04/13].
- (IV) Reference to plan DV106 [dated 28/03/13] in the newly renumbered Schedules 1 and 2 has been removed and replaced with plan DV106 [dated 11/4/13]
- (V) Reference to plan DV107 in the newly renumbered Schedules 1, 2, 4, 5, 6 and 7 has been suffixed with seal date 20.2.14.
- (VI) Reference to plan DV108 in the newly renumbered Schedules 1, 4, 5 and 7 have been suffixed with seal date 20.2.14.

Part III

Contravention & Enforcement

3. If a vehicle is left at any time in contravention of a provision of this Order, a penalty charge shall be payable.
4. In the case of a vehicle in respect of which a penalty charge is payable, a penalty charge notice may be issued by a Civil Enforcement Officer.

Saving

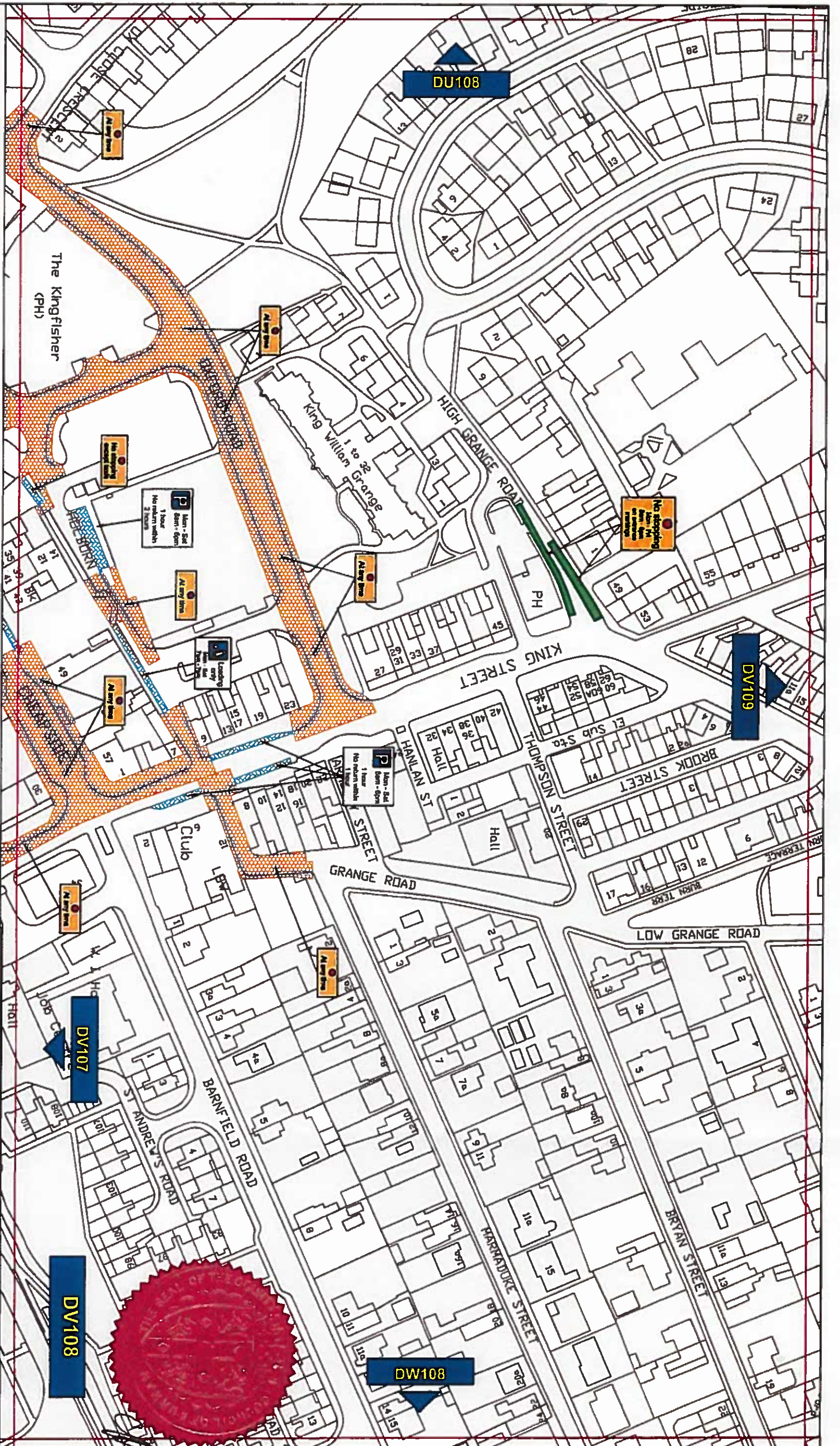
5. In so far as any provision of this Order conflicts with any provision which is contained in an Order made or having effect as if made under the Act or by or under any other enactment then the provisions of this Order shall prevail.
6. The prohibitions and restrictions imposed by this Order shall be 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.

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





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Authorised Sealing Officer



Key to Types of Restriction

-  Restricted Bay
-  Existing No Waiting At Any Time
-  No Stopping
-  Individual Reference Number


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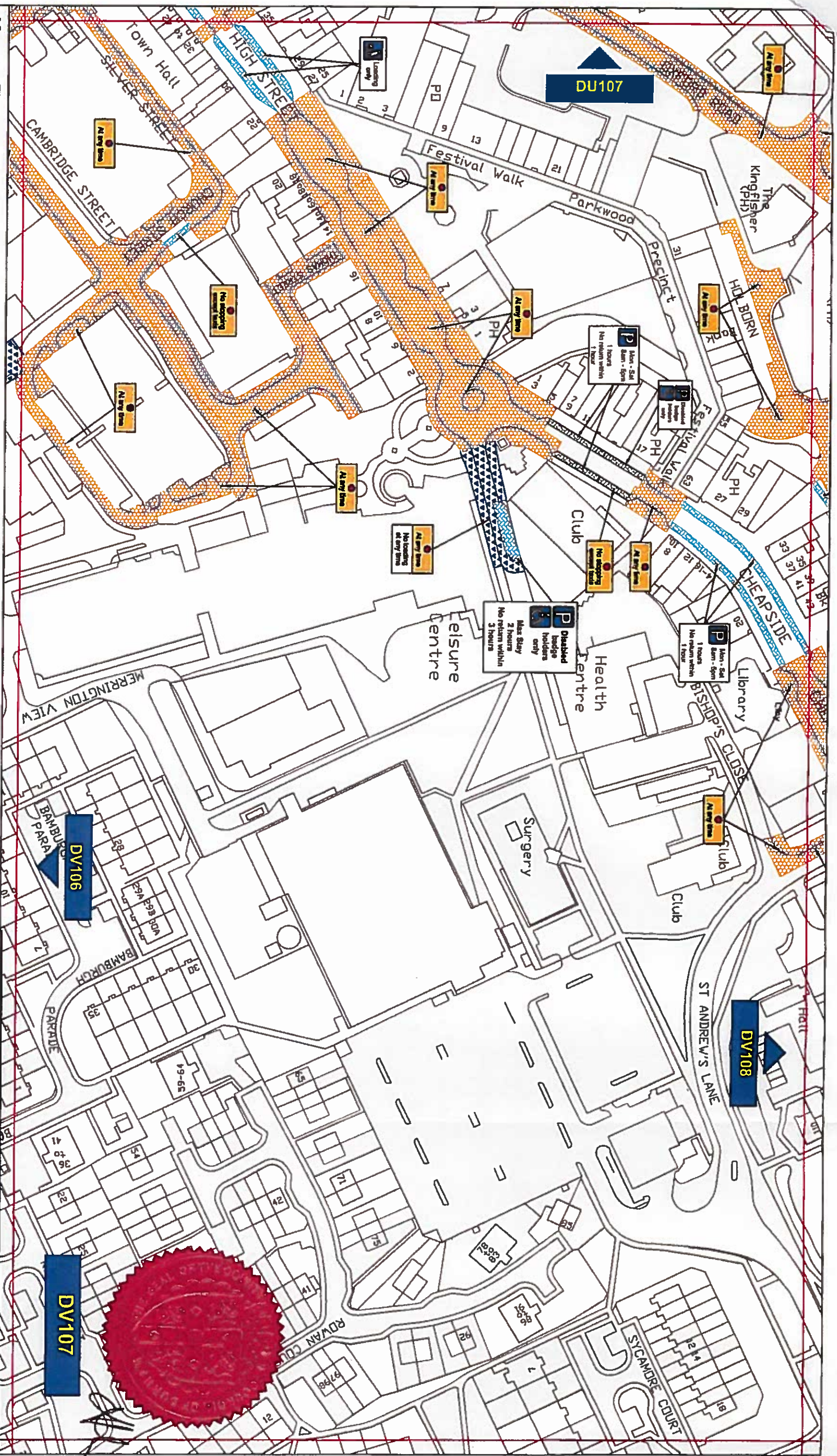
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Corporate Director
Regeneration & Economic
Development
Strategic Traffic Management
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SPENNYMOOR PARKING AND WAITING RESTRICTIONS

Scale:	1:1250 @ A3
Date:	SEPT 2013
Drawn by:	S. Jones
Signature:	
Date Sealed:	20/09/14
Map Schedule:	DV108



Key to Types of Restriction

- No Waiting At Any Time
- No Waiting and No Loading/Unloading At Any Time
- Restricted Bay
- Individual Reference Number

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PARKING AND WAITING RESTRICTIONS

Scale:	1:1250 @ A3
Date:	November 2013
Drawn by:	S. Maise
Date Sealed:	24/11/14
Signature:	
Map Schedule:	DV107