

209.

**THE COUNTY COUNCIL OF DURHAM
(BLACKHILL AND SHOTLEY BRIDGE)
(PARKING & WAITING RESTRICTIONS)
CONSOLIDATION NO. 1 ORDER 2015**

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"), 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 1

General

- 1 This Order may be cited as The County Council of Durham (Blackhill and Shotley Bridge) (Parking & Waiting Restrictions) Consolidation No. 1 Order 2015 and shall come into operation on the 10th day of March 2015.

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

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

"driver" in relation to a vehicle parked in a parking place means the person driving or riding the vehicle at the time it was left in the parking place;

"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 brigade or ambulance vehicle;

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

"parking bay" and "parking place" means an area of highway designated as such under the provisions of this Order;

"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" 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;

3. 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.
4. The Interpretation Act 1978 shall apply for the interpretation of this Order.

Part II

Revocation

5. (a) The following Orders are to be CONSOLIDATED in full:

The County of Durham (Blackhill and Shotley Bridge (Prohibition of Waiting and Loading & Restriction of Waiting) Order 2010 163

The County of Durham (Blackhill and Shotley Bridge (Prohibition of Waiting and Loading & Restriction of Waiting) Order 2010 (Amendment No. 1) Order 2015 208

- (b) The following Order is to be CONSOLIDATED in part:

The County Council of Durham (Various Schools, North Durham – Derwentside, Chester-le-Street and Easington Areas) (No Stopping on School Entrance Markings) Order 2009 – Schedule 1, items 27-31 only 160.

Part III

Prohibition of Waiting At Any Time

- 6 Save as provided in Article 14 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 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

7. Save as provided in Article 14 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/or during such hours, on any of the lengths of roads, or sides of lengths of roads identified within the individual plans detailed in Schedule 2 to this Order.

Part IV

Prohibition of Loading/Unloading At Any Time

8. Save as provided in Article 14 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 at any time on any of the length of road identified within the individual plan detailed in Schedule 3 to this Order for the purpose of enabling goods to be loaded onto or unloaded from the vehicle.

Part V

Parking Places (Restricted bays)

9.
 - (1) The areas of highway identified within the individual plans detailed in Schedule 4 to this Order are hereby authorised as parking places.
 - (2) Each parking place identified within the individual plans detailed in Schedule 4 to this order, authorised under paragraph (1) of this Article may be used for the leaving of motor vehicles and motor cycles on such days and during such hours as may be specified in Schedule 4 to this Order.
 - (3) The limits of each parking place shall be indicated by the Council, on the carriageway by the appropriate traffic signs and the maximum number of parking bays shall be identified within the individual plans detailed in Schedule 4 to this Order.
 - (4) The driver of a motor vehicle or a rider of a motor cycle shall not permit it to enter or wait in a parking place, authorised by paragraph (1) of this Article, for a period exceeding the maximum stay identified within the individual plans detailed in Schedule 4 to this Order or to return within the period also specified in that Schedule.

Manner of Standing in Parking Places

10.
 - (1) Every vehicle left in a parking place, identified within the individual plans detailed in Schedule 4 of this Order, shall so stand, subject to paragraph (2) of this Article, so that every part of the vehicle is wholly within the limits of the parking place.
 - (2) Where a vehicle has been left in a parking place, referred to in paragraph (1) of this Article, is to long to comply with the provisions of that paragraph such vehicle shall be deemed to be within the limits of the parking place if:-

- (a) the extreme front or rear portion of the vehicle is within 300 mm of the carriageway indication provided under paragraph (3) of Article 9 of this Order;
- (b) the vehicle, or any part of it, is not within the limits of any adjoining parking place.

Power to suspend Parking Places and Parking Bays

11. (1) Any person authorised by the Council may suspend the use of a parking place or any part thereof whenever he consider such suspension is reasonably necessary:-
 - (a) for the purpose of facilitating the movement of traffic or promoting its safety;
 - (b) for the purpose of any building operation, demolition or excavation in or adjacent to the parking place, or the maintenance, improvement or reconstruction of the parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or any telecommunications apparatus as defined in the Telecommunications Act 1984;
 - (c) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository;
 - (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed .
- (2) An enforcement officer or civil enforcement officer may suspend the use of a parking place or any part thereof, whenever such suspension is reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- (3) Any person closing or suspending the use of a parking place or any part thereof, in accordance with paragraph (1) or (2) of this Article shall, thereupon, place or cause to be placed in or adjacent to the parking place or part thereof, as the case may be, a notice or sign indicating that the use of that parking place or parking bay, or part thereof, is closed or suspended and that parking by vehicles is prohibited.
- (4) No person shall cause or permit a vehicle to be left in a parking place or parking bay, or any part thereof, during such periods that the use of that parking place or parking bay or that part thereof is closed or suspended or during such period as there is in or adjacent thereto a notice or sign placed by or on behalf of the Council in pursuance of paragraph (3) of this Article.

- (5) No person shall use a parking place in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of their skills or services.
- (6) Provided that nothing in this paragraph shall apply to any vehicle waiting in the parking place or part thereof, which is suspended, with the permission of the person suspending the parking place, or part thereof, in pursuance of paragraph (1) or (2) of this Article.

Removal of Vehicles and Other Equipment from Parking Places & Parking Bays

- 12. (1) If a vehicle is left within a parking place or parking bay in a position other than in accordance with the provisions of this Order the Council may alter or cause to be altered the position of that vehicle so that it is accordance with those provisions.
- (2) The terms and conditions shall apply equally to any other equipment deposited in the parking place which in the opinion of a person authorised by the Council constitutes a contravention of the provisions of this Order and these provisions are extended to include for the disposal of the equipment where it is deemed appropriate by the Council.
- (3) If a vehicle is left in a parking place or parking bay in contravention of any of the provisions of the Order a person authorised by the Council in that respect may remove the vehicle from the parking place or arrange for such removal.
- (4) If an emergency occurs, an enforcement officer, may alter or cause to be altered the position of a vehicle in a parking place or parking bay or remove or arrange for the removal of a vehicle from a parking place or parking bay.
- (5) Any person altering or causing the alteration of the position of a vehicle or removing or causing the removal of a vehicle may do so by towing, lifting or driving the vehicle or using such other manner as he may think reasonably necessary to enable the position of the vehicle to be altered or the vehicle to be removed.
- (6) The provisions of paragraph (1) of this Article shall also apply to builders' skips or any other equipment which in the opinion of an enforcement officer or a civil enforcement officer constitutes a contravention of this Order.

No Stopping on Entrance Markings

- 13. Save as provided in Article 14 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 on any of the lengths of roads, or sides of lengths of roads on such days and during such hours as identified on the individual plans specified in Schedule 5 to this Order.

Part VI

Exemptions

14. (1) Nothing in Articles 6, 7, 8, 9 or 13 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 6, 7, 8, 9 or 13 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 Articles 6 or 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 Article 8 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 the picking up or setting down of passengers.

- (5) Nothing in Articles 6 or 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; or
 - (b) goods to be loaded onto or unloaded from the vehicle.

Part VII

Contravention and Enforcement

15. (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.

Saving

16. 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.
17. 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 | Item No | Plan Reference | Item No | Plan Reference |
|---------|----------------|---------|----------------|---------|----------------|
| 1 | CN173 | 2 | CO173 | 3 | CO172 |
| 4 | CO171 | 5 | CP174 | 6 | CP173 |
| 7 | CQ173 | 8 | CN176 | 9 | CN177 |

Schedule 2 Restricted Waiting

| Item No | Plan Reference | Item No | Plan Reference | Item No | Plan Reference |
|---------|----------------|---------|----------------|---------|----------------|
| 1 | CO171 | 2 | CO172 | 3 | CO173 |
| 4 | CN177 | 5 | CN176 | | |

**Schedule 3
Prohibition of Loading/Unloading**

| Item No | Plan Reference |
|---------|----------------|
| 1 | CN173 |

**Schedule 4
Parking Places (Restricted Bays)**

| Item No | Plan Reference | Item No | Plan Reference | Item No | Plan Reference |
|---------|----------------|---------|----------------|---------|----------------|
| 1 | CO173 | 2 | CN176 | 3 | |

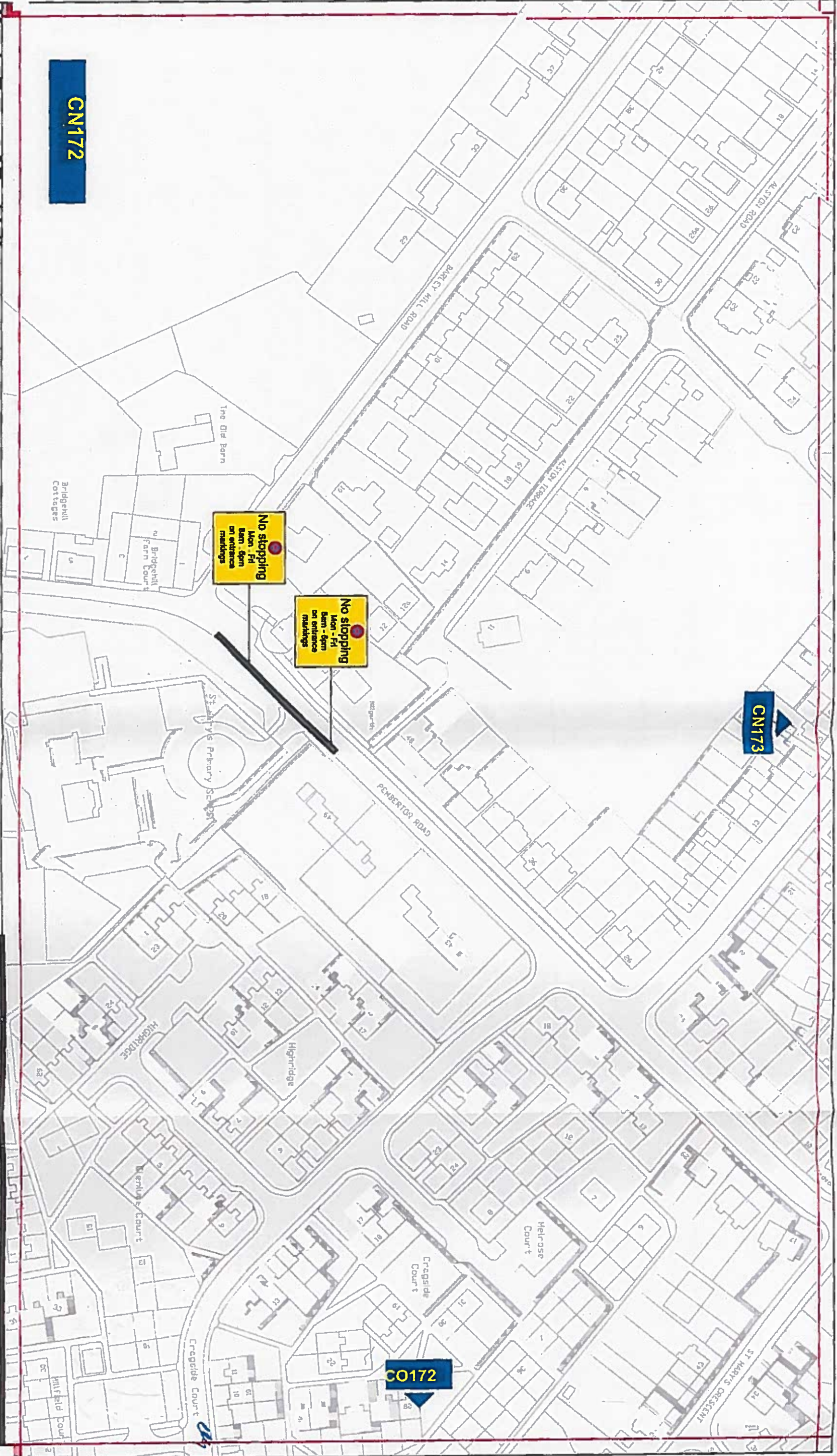
**Schedule 5
No Stopping on Entrance Markings**

| Item No | Plan Reference | Item No | Plan Reference | Item No | Plan Reference |
|---------|----------------|---------|----------------|---------|----------------|
| 1 | CN172 | 2 | CN177 | 3 | CN178 |
| 4 | CO174 | 5 | CO177 | 6 | CO178 |

**GIVEN UNDER THE COMMON SEAL OF THE COUNTY COUNCIL OF DURHAM
ON THE 26TH DAY OF FEBRUARY 2015**

.....
Authorised signatory



Key to Types of Restriction

-  No Stopping
-  XXXXX Individual Plan Reference

CN172

CN173

CO172

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Durham
County Council

Corporate Director
Regeneration & Economic
Development

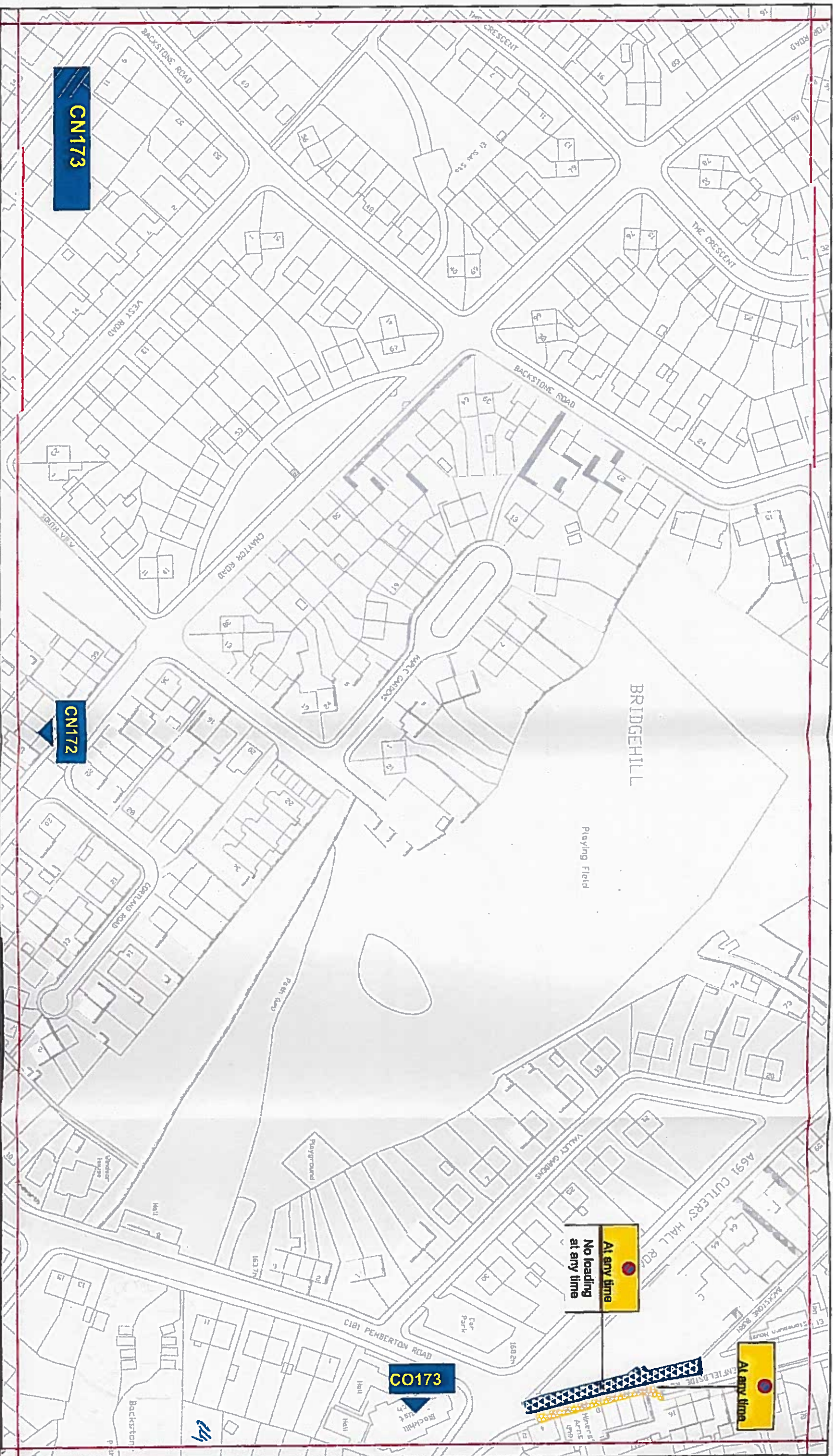
Strategic Traffic Management

County Hall, Durham DH1 1UD

**BLACKHILL AND SHOTLEY BRIDGE
PARKING AND WAITING RESTRICTIONS**



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| Date: | February 2015 |
| Drawn by: | R. Smith |
| Signature: | <i>dn</i> |
| Date Sealed: | 26/2/15 |
| Map Reference: | CN172 |



Key to Types of Restriction



No Waiting At Any Time



No Loading/Unloading At Any Time



Individual Plan Reference



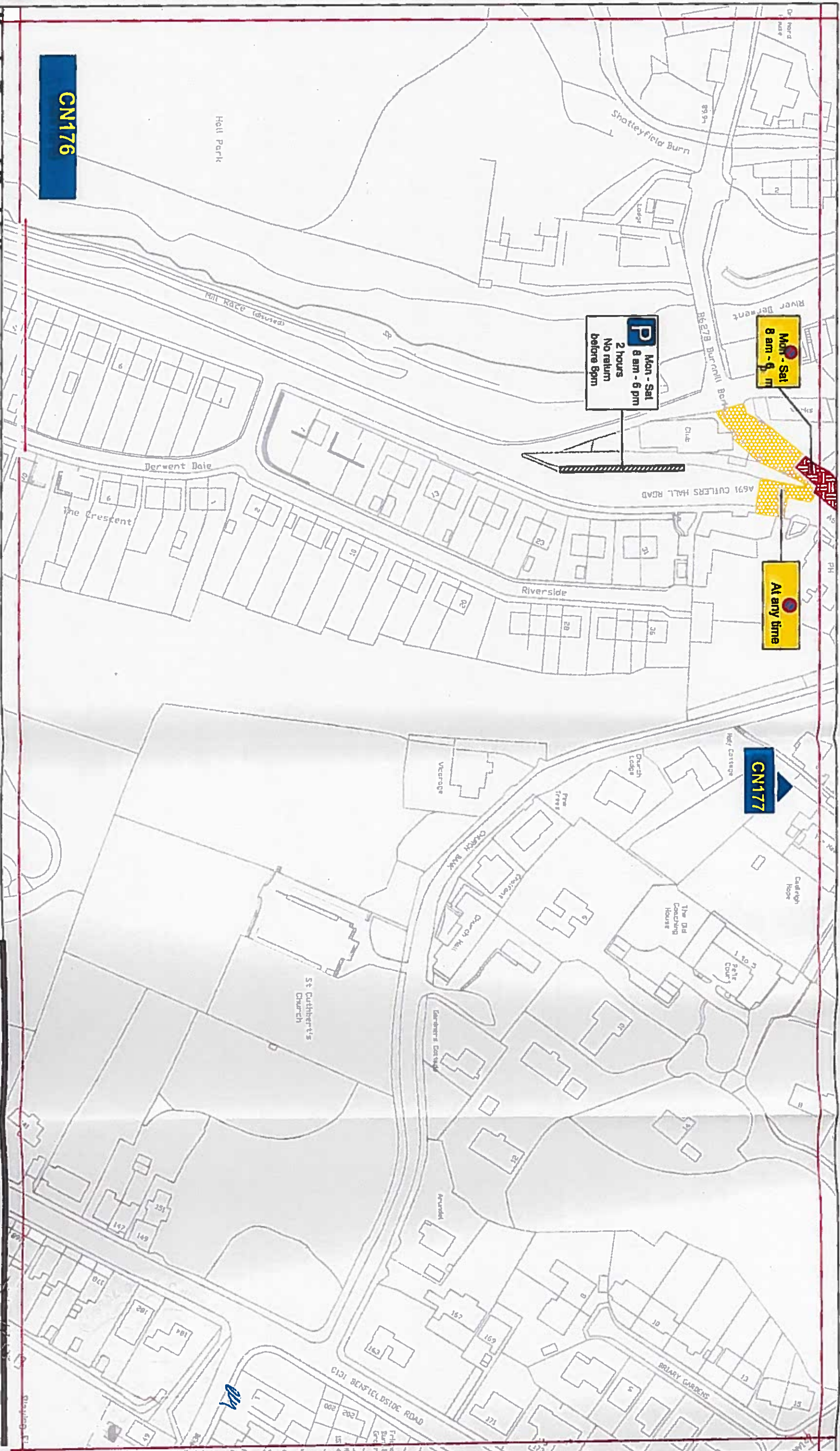
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County Hall, Durham DH1 5UQ

BLACKHILL AND SHOTLEY BRIDGE PARKING AND WAITING RESTRICTIONS



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| Date: | February 2015 |
| Drawn by: | R. Smith |
| Signature: | |
| Date Sealed: | 26/2/15 |
| Map Schedule: | CN173 |



Key to Types of Restriction

- No Waiting At Any Time
- Restricted Waiting
- Restricted Bay
- Individual Plan Reference

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**BLACKHILL AND SHOTLEY BRIDGE
PARKING AND WAITING RESTRICTIONS**



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8 am - 6 pm

Mon - Sat
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At any time

Mon - Sat
8 am - 6 pm

Mon - Sat
8 am - 6

CN178

CN178

No stopping
Mon-Fri
8am-6pm
on entrance

Mon Fri
8am 6pm
on entrance

Q176

Q176

**BLACKHILL AND SHOTLEY BRIDGE
PARKING AND WAITING RESTRICTIONS**



Durham
County Council

**Corporate Director
Regeneration & Economic
Development**

Strategic Traffic Management

County Hall, Durham DH1 5UG

1:1250 @ A3

February 2015

Drawn by: R. S. Gill

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CO171

CO172

Key to Types of Restriction

No Waiting At Any Time

Restricted Waiting

Individual Plan Reference

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BLACKHILL AND SHOTLEY BRIDGE PARKING AND WAITING RESTRICTIONS

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| Date: | February 2015 |
| Drawn by: | R Smith |
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| Map | CO171 |



Key to Types of Restriction

- No Waiting At Any Time
- Restricted Waiting
- Individual Plan Reference

BLACKHILL AND SHOTLEY BRIDGE PARKING AND WAITING RESTRICTIONS

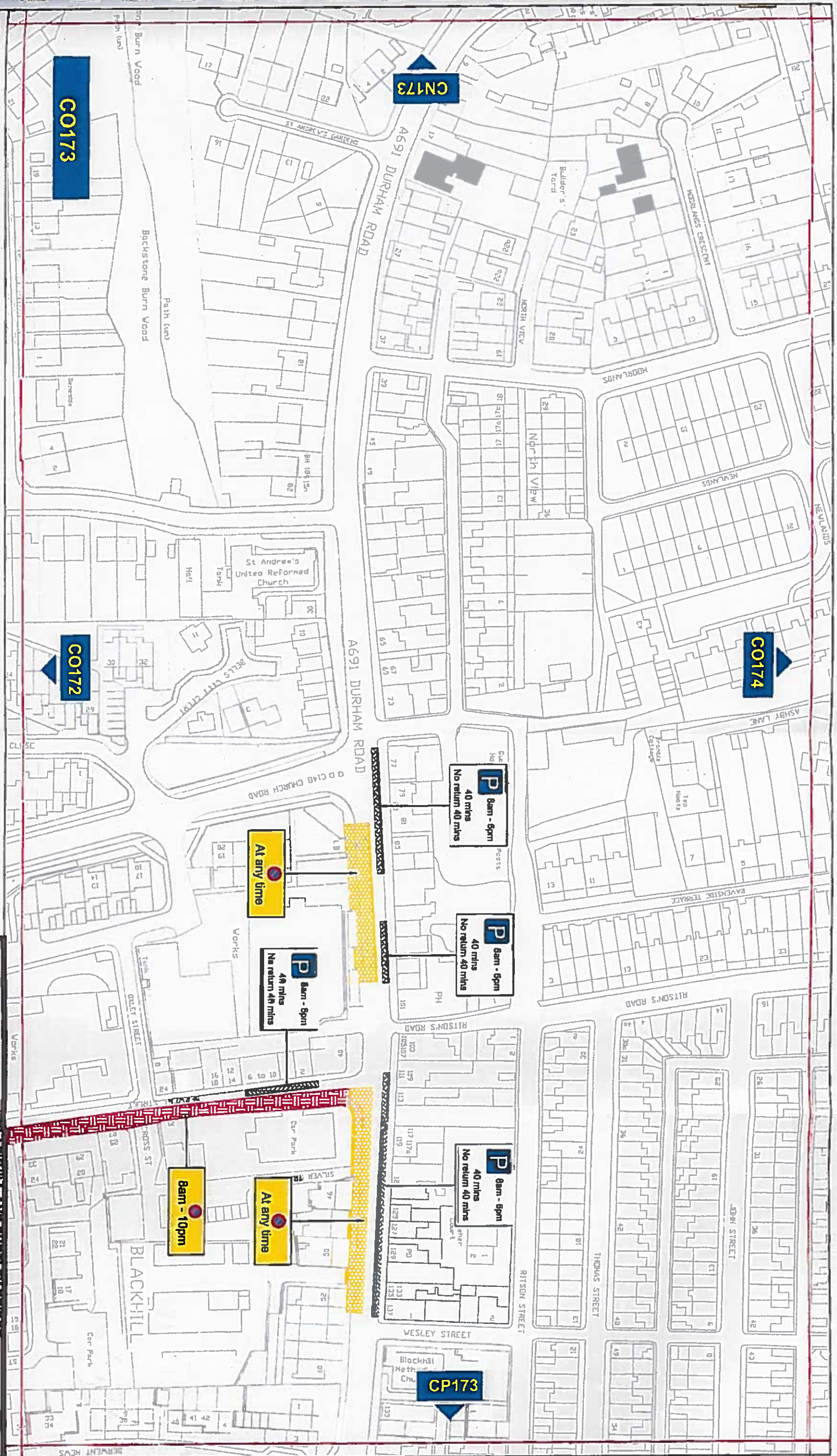


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| Map Schedule | CO172 |

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Key to Types of Restriction

- No Waiting At Any Time
- Restricted Waiting
- Restricted Bay
- Individual Plan Reference

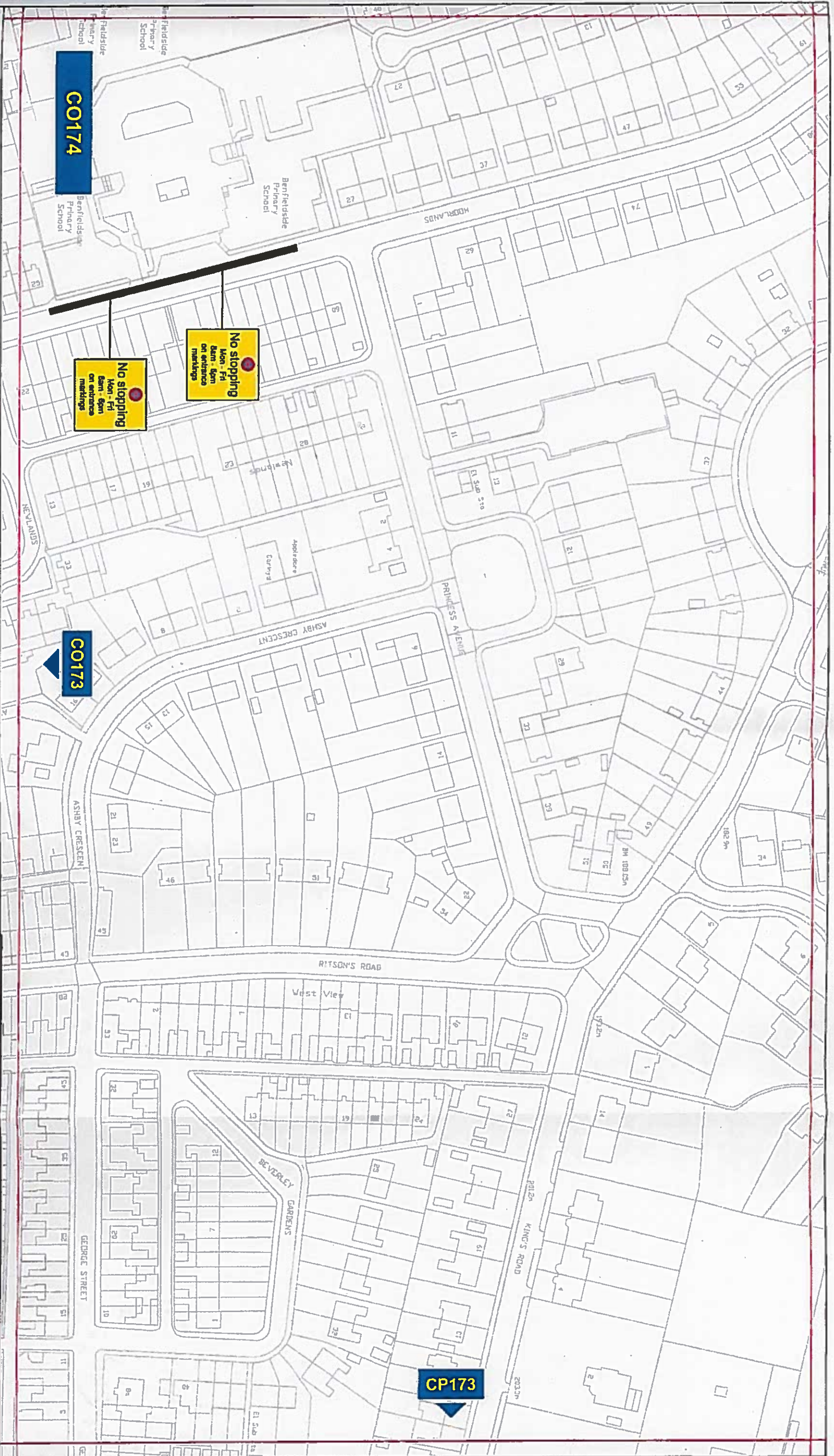
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| Drawn by: | R. Smith |
| Signature: | |
| Date Sealed: | 26/2/15 |
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Key to Types of Restriction

- No Stopping
- XXXXXX Individual Plan Reference

No stopping
Mon - Fri
8am - 6pm
on entrance
markings

No stopping
Mon - Fri
8am - 6pm
on entrance
markings

CO173

CP173

CO174

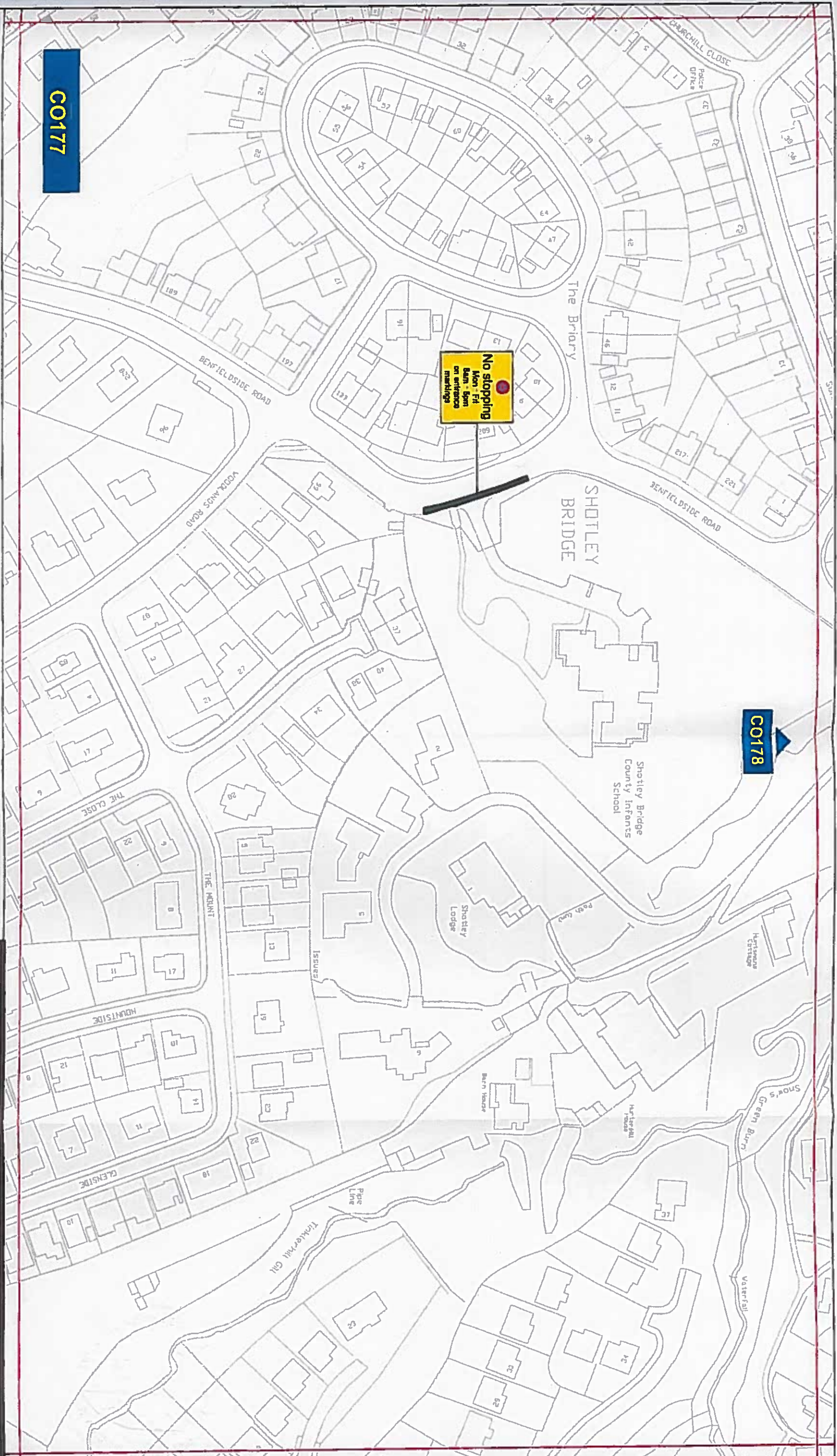


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County Hall, Durham DH1 1SU

BLACKHILL AND SHOTLEY BRIDGE PARKING AND WAITING RESTRICTIONS



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| Date: | February 2015 |
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| Map Schedule: | CO174 |



No stopping
Mon-Fri
8am-6pm
on entrance
markings

CO178

CO177

Key to Types of Restriction

No Stopping

XXXXXX
Individual Plan Reference

BLACKHILL AND SHOTLEY BRIDGE PARKING AND WAITING RESTRICTIONS



Corporate Director
Regeneration & Economic
Development

Strategic Traffic Management

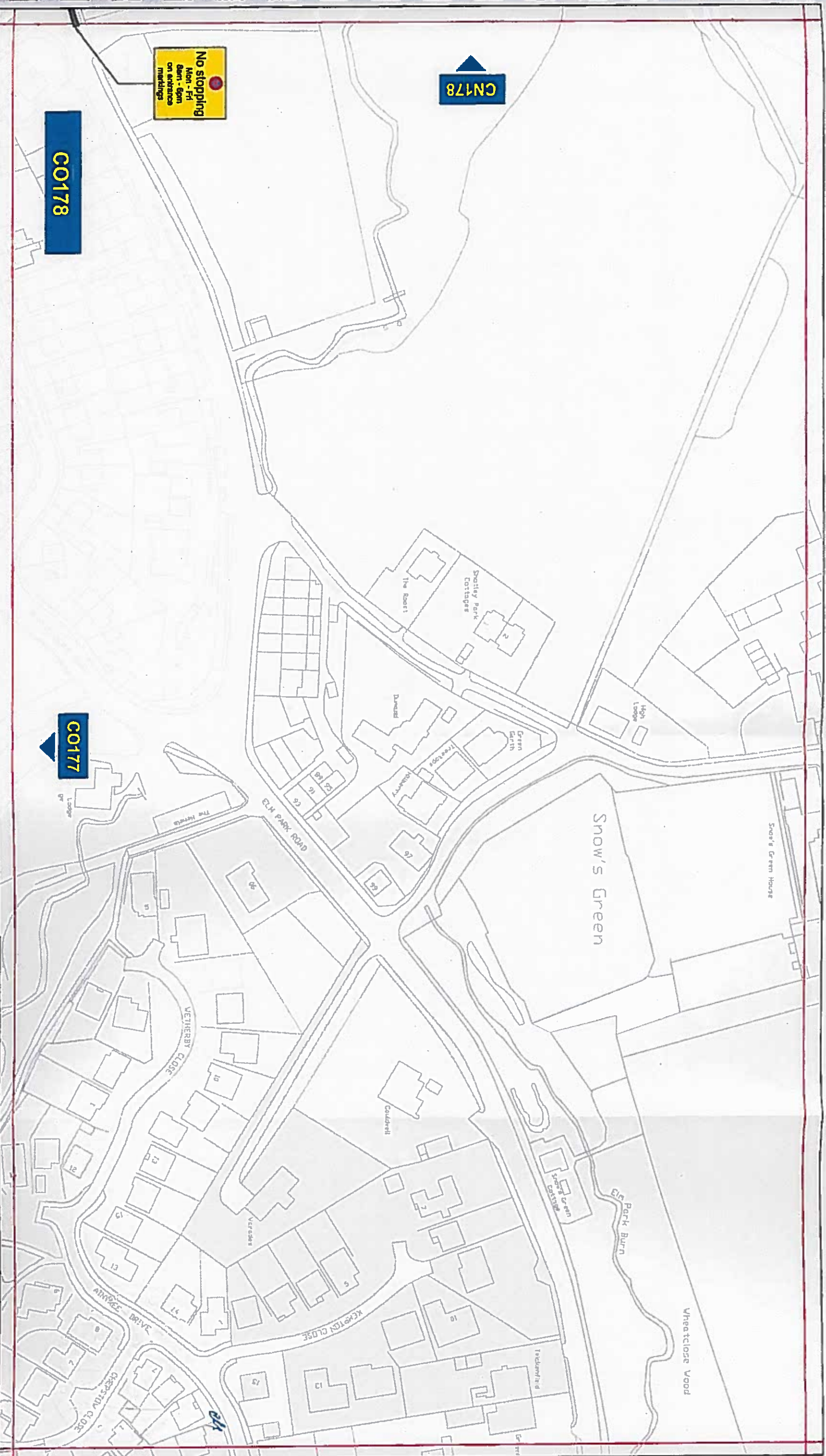
County Hall, Durham DH1 5UD





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| Date | February 2015 |
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Key to Types of Restriction

-  No Stopping
-  XXXXX Individual Plan Reference


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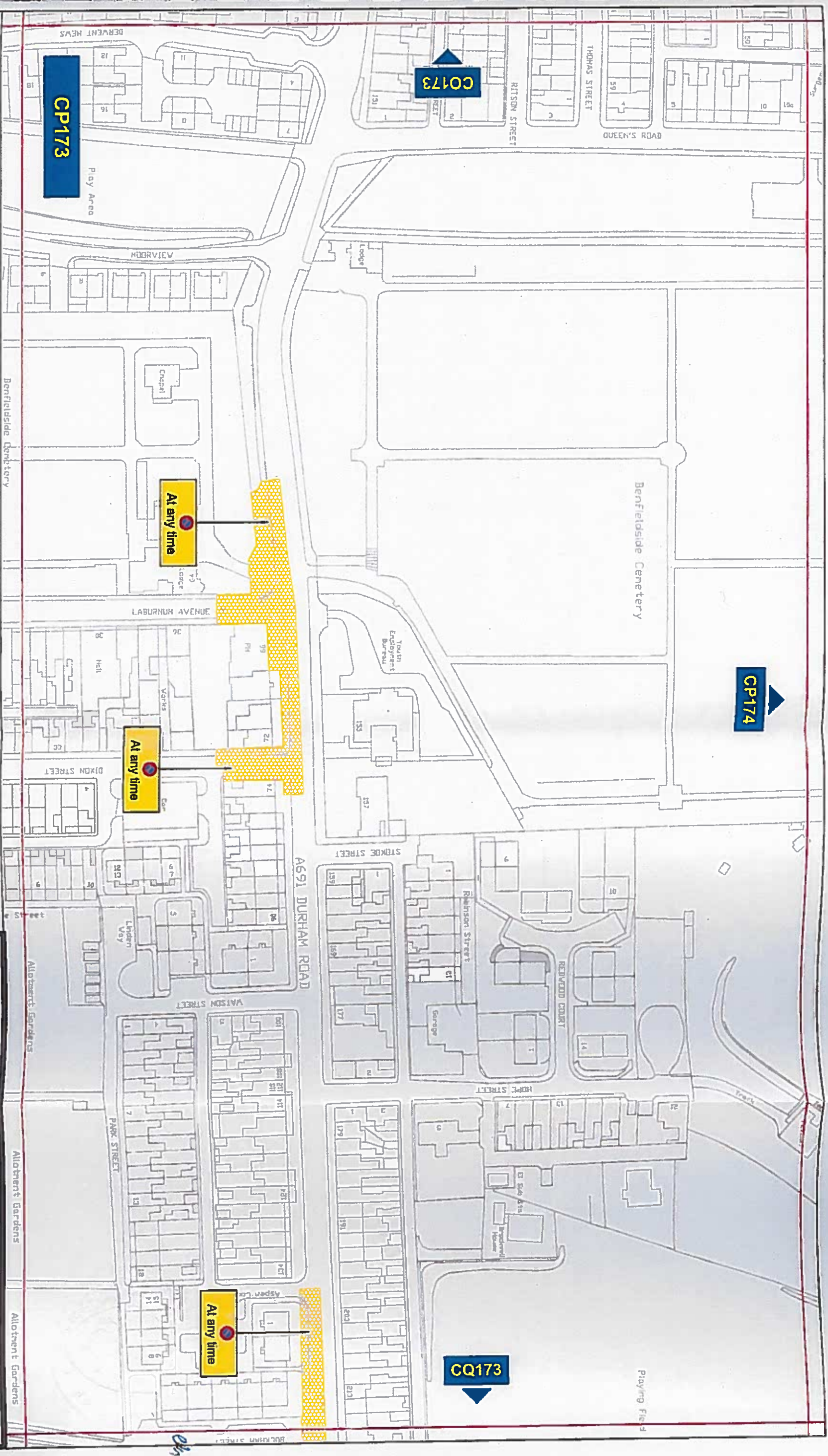


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**BLACKHILL AND SHOTLEY BRIDGE
PARKING AND WAITING RESTRICTIONS**



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Key to Types of Restriction



No Waiting At Any Time

XXXXXX

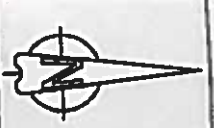
Individual Plan Reference

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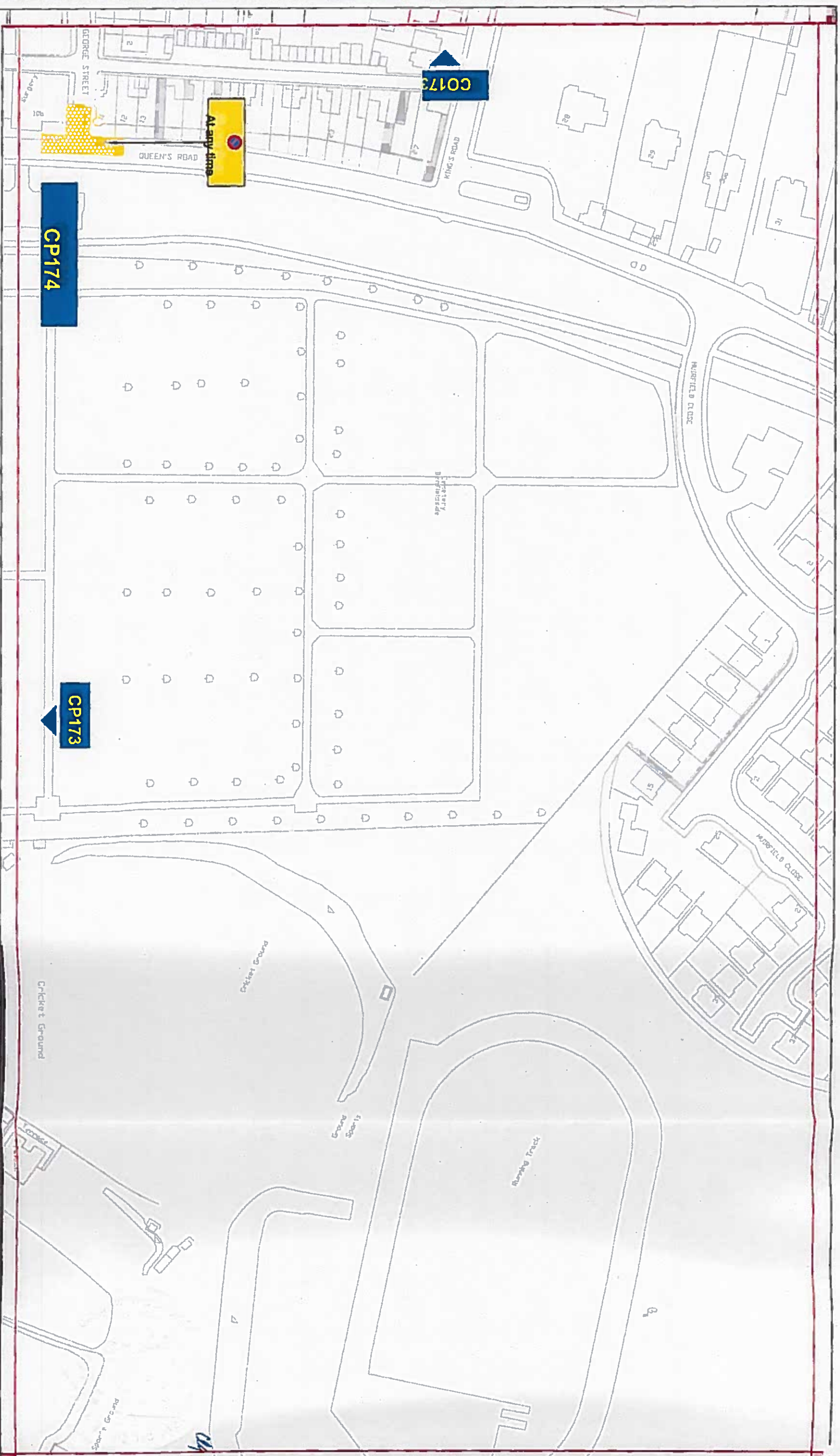


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BLACKHILL AND SHOTLEY BRIDGE PARKING AND WAITING RESTRICTIONS.



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Key to Types of Restriction



No Waiting At Any Time

XXXXX

Individual Plan Rolloverance

PATH

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Durham
 5 units, 5 imp, 1 str

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PARKING AND WAITING RESTRICTIONS

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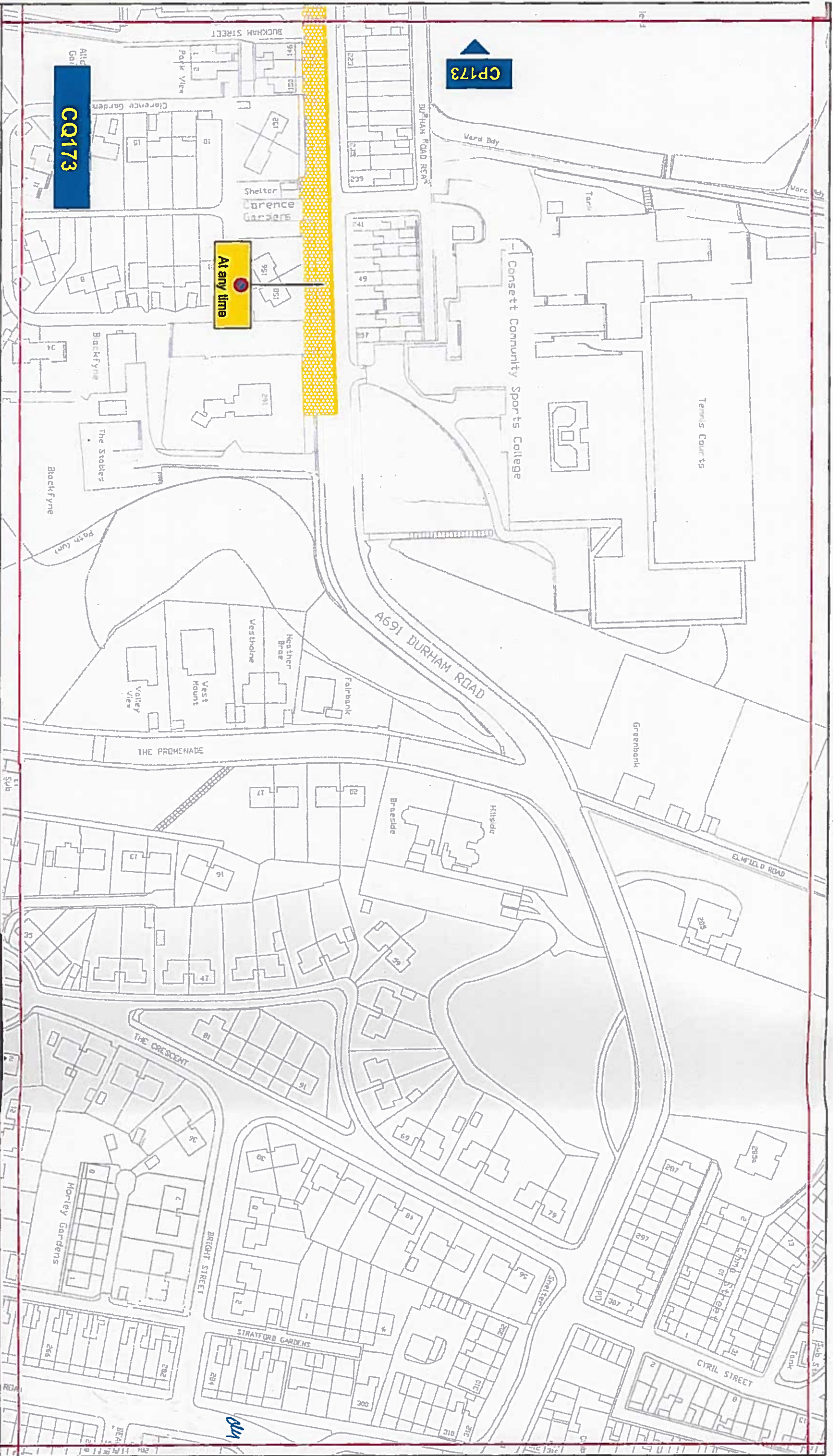
Date February 2015

Drawn by R. Smith

Date Sealed 26/2/15

Signature: *RM*

**Map
 Schedule:** CP174



Key to Types of Restriction



No Waiting At Any Time



Individual Plan Reference



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Regeneration & Economic
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BLACKHILL AND SHOTLEY BRIDGE PARKING AND WAITING RESTRICTIONS



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