

**THE COUNTY COUNCIL OF DURHAM
(EASINGTON, EASINGTON COLLIERY AND SOUTH HETTON)
(PROHIBITION AND RESTRICTION OF WAITING AND LOADING/UNLOADING)
ORDER 2010
(AMENDMENT No. 1) ORDER 2014**

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:-

1. General

This Order may be cited as The County Council of Durham (Easington, Easington Colliery and South Hetton) (Prohibition and Restriction of Waiting and Loading/ Unloading) Order 2010 (Amendment No. 1) Order 2014 and shall come into operation on 15 December 2014.

2. Revocation

The following order has been revoked in its entirety:

The County Council of Durham (Easington, Easington Colliery and South Hetton) (Prohibition and Restriction of Waiting and Loading/Unloading) (Amendment) Order 2011.

3)73.

3. Amendments

The following amendments apply to:

The County Council of Durham (Peterlee and Horden) (Prohibition and Restriction of Waiting and Prohibition of Loading/Unloading) Order 2010.

3)164

(a) Purpose of Amendments

The following brief synopsis of amendments should be viewed in conjunction with the plans identified within the Schedules to the above Order, however the plans should prevail in the event of any discrepancy:

- (A) Introduce No Waiting At Any Time restriction on (i) **B1283 Seaside Lane**: South side, from the boundary of Ibrox (No. 3 Glebe Cres.) and No. 2 Glebe Cres. in an easterly direction for 60m; (Plan FB144 refers)
- (B) Introduce No Waiting At Any Time restriction **Paradise Lane** (east side) from its junction with B1283 Seaside Lane for 75m in a southerly direction; and (west side) from its junction with B1283 Seaside Lane for 20m in a southerly direction; (Plan FB144 refers) and
- (C) Make minor typographical/administrative amendments to the Order.

All other existing restrictions currently in operation throughout these locations will remain unchanged.

(b) ARTICLES

Article 2 - Interpretation

(A) 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;

"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;

(B) The following definitions have been consolidated to read:

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

(C) 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;

(D) The following definition has been removed and any reference throughout the Articles to this.

"masterplan"

Articles 4, 5, 6 & 8

- (a) Reference to Article 7 within these Articles has been removed and reference to Article 11 inserted.
- (b) Reference to the permission of a Civil Enforcement Officer has been included, in addition to that of an enforcement officer.

Article 6

The heading of this Article has been amended to read "Restricted Waiting & Loading/Unloading".

Article 10 (New)

A new Article 10 has been inserted which reads:

Use of Parking Places & Parking Bays during permitted hours without payment

- 10. (1) Without prejudice to the foregoing provisions of this Order relating to vehicles which are left in a parking place or parking bay in accordance with those provisions any other vehicle may wait during the permitted hours anywhere in a parking place or parking bay if:-
 - (i) the vehicle is waiting only for so long as is necessary to enable a person to board or alight from the vehicle;

- (ii) the vehicle is waiting due to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident;
- (iii) the liveried vehicle is used for police, fire & rescue service or ambulance, or is a vehicle (other than a passenger vehicle) in the service of a local authority, being used in pursuance of statutory powers or duties;
- (iv) the vehicle is waiting for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;
- (v) the vehicle is in the service of or employed by a universal service provider and is waiting while postal packets addressed to premises adjacent to the parking place or parking bay, in which the vehicle is waiting, or being unloaded from the vehicle or having been unloaded, are being delivered or while postal packets are being collected from premises or posting boxes adjacent to the parking place or parking bay in which the vehicle is waiting;
- (vi) the vehicle, not being a passenger vehicle, is waiting only for so long as may be reasonably necessary to enable it to be used for any purpose specified in paragraph (1) (b) of Article 35 of this Order;
- (vii) the vehicle is waiting for the purpose of posting or removing advertising material in the form of posters on or from premises adjacent to the parking place or parking bay in which the vehicle is waiting; or
- (viii) in any other case the vehicle is waiting for the purpose of active delivery or collecting goods or active loading or unloading the vehicle at premises adjacent to the parking place or parking bay in which the vehicle is waiting.

- (2) Save as provided in paragraph (5) of this Article no charge specified in the foregoing provisions of this Order shall be payable in respect of any vehicle waiting in a parking place or parking bay in accordance with the provisions of this Article.
- (3) Nothing in the provisions of this Article shall be taken as authorising anything which would be a contravention of any regulations made or having effect as if made under Section 25 of the Act.
- (4) Any person who leaves or causes a vehicle to be left in a parking place or parking bay by virtue of provisions (v), (vi), (vii) of paragraph (1) (a) or by virtue of paragraph (1) (b) of this Article shall so stand as to be in accordance with the provisions of paragraph (1) of Article 34 of this Order.
- (5) When a vehicle is left in a parking place or parking bay designated under Articles 12, 27, 28, 29, 30, 31 and 32 of this Order, in contravention of the provisions of this article a penalty charge shall be payable.

Articles 11 and 12 have been renumbered as 12 and 13 respectively.

(c) Schedules

The following amendments have been made to the Schedules:

Schedule 1

- a) Plan ref: F144 has been amended to read FC144.

Schedules 1, 3 and 4

- b) Plan ref: FB144 (seal dated 30.6.11) has been removed and a plan bearing the same reference, seal dated as per the date of this Amendment Order, has been inserted.

Schedule 3

The heading of this Schedule has been amended to read "Restricted Waiting & Loading/ Unloading".

Schedule 4

The heading of this Schedule has been amended to read "Parking Places (Restricted bays)".

Saving

4. 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.
5. 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 4 DECEMBER 2014)



K. Clayton
.....
Authorised Sealing Officer



Key to Types of Restriction

-  No Waiting At Any Time
-  Restricted Waiting and Restricted Loading/Unloading
-  Restricted Parking

FB144

Mon - Fri
8am - 4pm
No waiting
No loading
No unloading
8am - 4pm

At any time

At any time


30 mins
No waiting within
2 hours
Barn 10am

FC144



THE COUNTY COUNCIL OF DURHAM
EASINGTON, EASINGTON COLLIERY and SOUTH HELTON.
PARKING and WAITING RESTRICTIONS

Corporate Director
Regeneration & Economic
Development
Strategic Traffic Management
County Hall, Durham DH1 1SU

Scale:	1:1250 @ A3
Date:	January 2014
Drawn by:	A. Gimson
Date Sealed:	14/12/14
Signature:	
Map Schedule:	FB144

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