

**THE COUNTY COUNCIL OF DURHAM
(PELTON, PERKINSVILLE AND OUSTON)
(PARKING & WAITING RESTRICTIONS)
(CONSOLIDATION NO. 1) ORDER 2014**

The County Council of Durham ("the Council") in exercise of their powers under Sections 1, 2, 4, 32, 35 and 124 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

1. This Order may be cited as The County Council of Durham (Pelton, Perkinsville and Ouston) (Parking & Waiting Restrictions) (Consolidation No. 1) Order 2014 and comes into operation on 4 July 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 meaning as in the Disabled Person's (Badges 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;

"loading bay" means an area of highway designated as a loading bay under the provisions of this Order;

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

"parking bay" means an area of highway designated as a parking bay 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" has the same meaning as defined by 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. 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

Consolidation

6. (a) The following Orders are to be consolidated in full and the effects of each transferred to this Order:

The County Council of Durham (Pelton, Perkinsville & Ouston) (Prohibition and Restriction of Waiting & Loading and Unloading) Order 2010

2/151

The County Council of Durham (Pelton, Perkinsville & Ouston) (Prohibition and Restriction of Waiting & Loading and Unloading) Order 2010 (Amendment No. 1) Order 2014

3/172

The County Council of Durham (Pelton, Perkinsville & Ouston) (Prohibition and Restriction of Waiting & Loading and Unloading) Order 2010 (Amendment No. 2) Order 2014

3/175

- (b) The following Order(s) are to be consolidated in part:

The County Council of Durham (Various Schools – North Durham – Derwentside, Chester-le-Street and Easington) (No Stopping on School Entrance Markings) Order 2009 : Schedule 2 – item no. 15

2/144

Part III

Prohibition of Waiting At Any Time

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, 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 & Loading

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, 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 or sides of lengths of roads on such days and during such times as identified within the individual plans detailed in Schedule 2 to this Order.

No Stopping on Entrance Markings

9. Save as provided in Article 14 of this Order no person shall, except upon the direction or with the written permission of an enforcement officer, cause or permit any vehicle unless so authorised by this Order 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 plans detailed in Schedule 3 to this Order.

Part IV

Parking Places (Restricted Bays) without Meters

Designation of Parking Places

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10. (1) Each area of highway identified within the individual plans detailed in Schedule 4 to this Order are hereby designated as parking places (restricted bays).
- (2) Each parking place identified within the individual plan(s) detailed in Schedule 4 to this order, authorised under paragraph (1) of this Article may be used, subject to the provisions of this Order, for the leaving of motor vehicles and motor cycles of such class as may be specified within the individual plan(s) detailed in that Schedule on such days and during such times as identified.
- (3) The limits of each parking place and of each parking bay shall be indicated by the Council, on the carriageway by the appropriate traffic signs and identified within the individual plans detailed in Schedule 4 to this Order.
- (4) 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, other than a vehicle so authorised under this Article, to be left in a parking bay or parking place on such days and during such hours identified in the individual plan(s) detailed in Schedule 4 to this Order.
- (5) 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 those plans.

Restriction of use of Parking Places

11. (1) Subject to paragraph (2) of this Article no person shall use any vehicle while it is in a parking place, designated under Article 10 of this Order, in connection with the sale or the offering for sale of any goods or of their services in any capacity in or near the parking place, or carry out or permit the carrying out of any work of construction or repair except such as may be necessary to enable the vehicle to be moved from the parking place.
- (2) A person shall not be prevented under the provisions of paragraph (1) of this Article from settling goods from a vehicle:-
- (a) If the vehicle is of a type described in paragraph 2 of Article 10 of this Order, and the goods are immediately delivered at or taken into premises adjacent to the parking place from which the sale is affected; or
 - (b) The vehicle is one to which provisions Article 14 may apply.

Manner of Standing in Parking Places

12. (1) Every vehicle left in a parking place, identified in Article 10 and within the individual plan 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 too 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 indicated under paragraph (3) of Article 10 of this Order;
 - (b) the vehicle, or any part of it, is not within the limits of any adjoining parking place.
 - (3) Where a vehicle is left in a parking place in contravention of the provisions of this Article a Penalty Charge shall be payable.

Power to Suspend Parking Places

13. (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 loading bay, or the maintenance, improvement or reconstruction of the parking place or 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 or to such premises

- (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
 - (e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings, funerals or on other special occasions.
- (2) A 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 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 traffic sign indicating that waiting by vehicles is prohibited.
 - (4) No person shall cause or permit any vehicle to be left in a parking place or any part thereof, during such period as there is placed in or adjacent to the parking place, as the case may be, a traffic sign indicating that waiting by vehicles is prohibited.
 - (5) **PROVIDED THAT** nothing in this paragraph shall render it unlawful to cause or permit any vehicle to be left in a parking place, or part thereof, during either such period if the vehicle is left:-
 - (i) With the permission of the person suspending the use of the parking place, or part thereof, in pursuance of paragraph (1) of this Article; or
 - (ii) With the permission of an enforcement officer or civil enforcement officer.

Part V

Exemptions

- 14. (1) Nothing in Articles 7, 8, 9 or 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 or 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 Articles 7 or 10 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 7 or 10 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.
- (5) 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.

Part VI

Contravention & Enforcement

- 15. If a vehicle is in contravention of a provision of this Order a penalty charge shall be payable.
- 16. 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

- 17. 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.
- 18. 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.

Prohibition of Waiting At Any Time

Plan reference numbers: DT178, DU178, DU179, DU180, DV179, DV180

Restricted Waiting & Loading/Unloading

Plan reference numbers: DU182

No Stopping on entrance markings

DU182, DU178

Parking Places

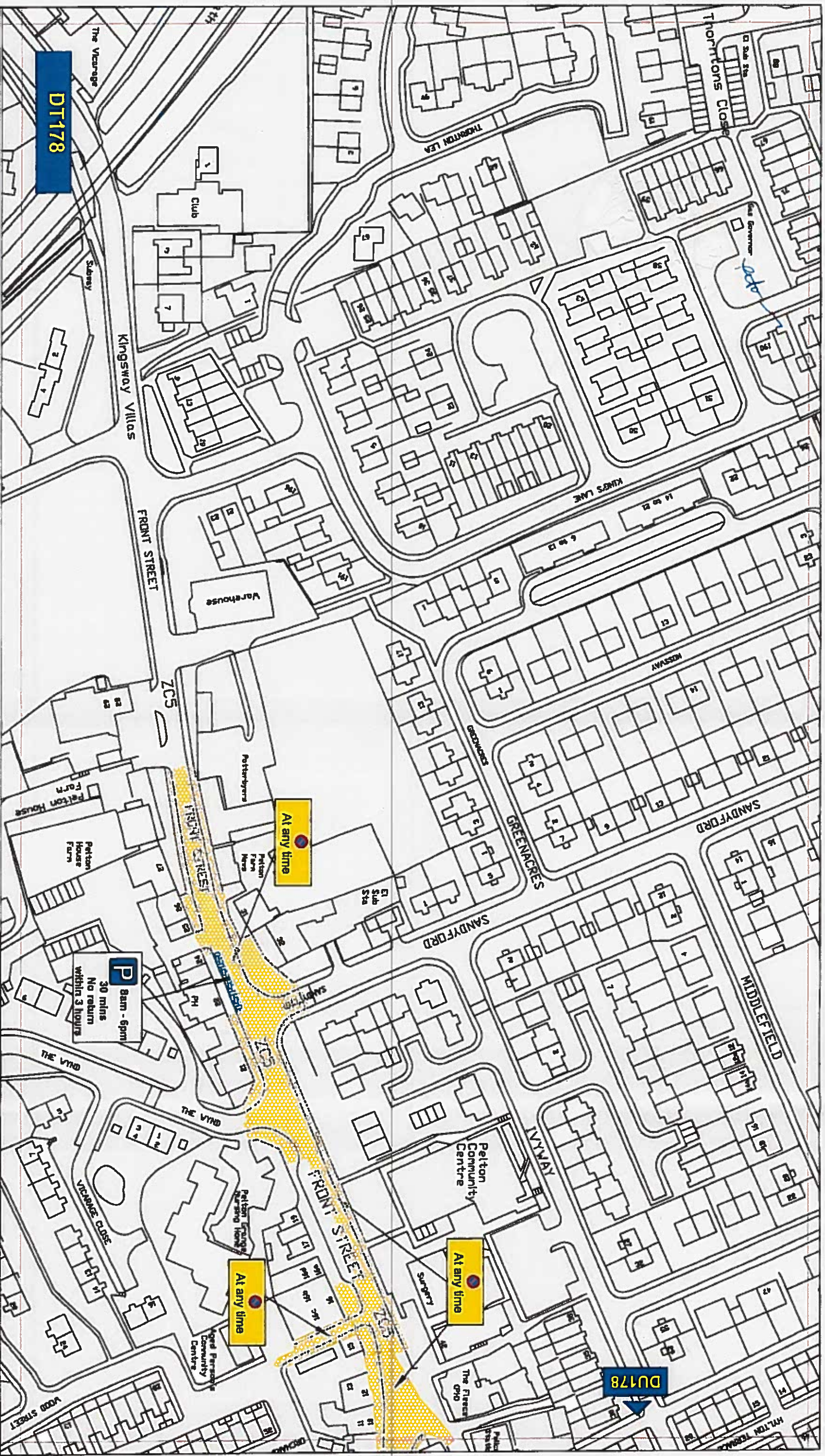
Plan reference number: DT178

**GIVEN UNDER THE COMMON SEAL OF THE COUNTY COUNCIL OF DURHAM ON
THE 26th DAY OF JUNE 2014**

Patricia Asidero
.....
Authorised signatory



56893



Key to Types of Restriction

- No Waiting At Any Time
- Restricted Bay

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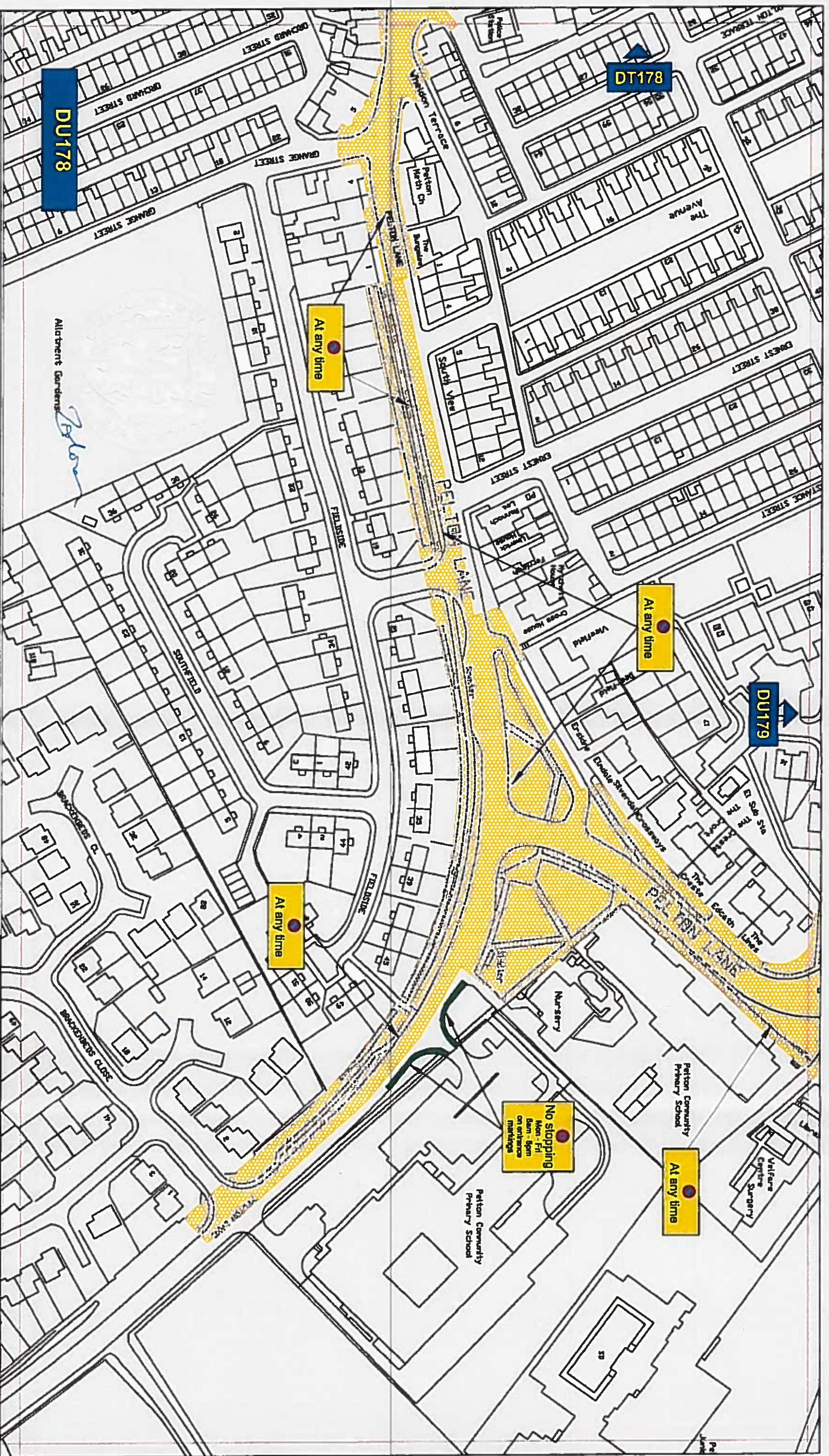


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County Hall, Durham DH1 1UG

THE COUNTY COUNCIL OF DURHAM PELTON, PERKINSVILLE AND OUSTON. PARKING AND WAITING RESTRICTIONS



Scale:	1:1250 @ A3
Date:	MAY 2014
Drawn by:	S Thompson
Date Sealed:	26/01/14
Signature:	CH
Map Schedule:	DT1778



Key to Types of Restriction

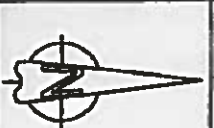
-  No Waiting At Any Time
-  No Stopping


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THE COUNTY COUNCIL OF DURHAM PELTON, PERKINSVILLE AND OUSTON. PARKING AND WAITING RESTRICTIONS



Scale:	1:1250 @ A3
Date:	MAY 2014
Drawn by:	S. Thompson
Date Sealed:	26/11/14
Signature:	
Map Schedule:	DU178



Key to Types of Restriction

 No Waiting and No Loading/
Unloading Mon - Fri 8am -
6pm

 No Stopping


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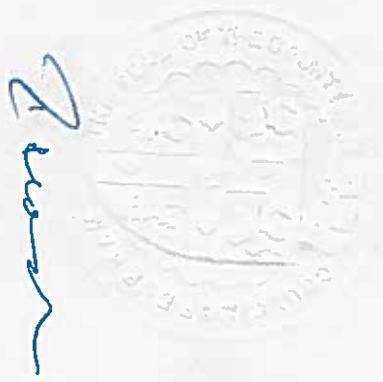


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THE COUNTY COUNCIL OF DURHAM
PELTON, PERKINSVILLE AND OUSTON.
PARKING AND WAITING RESTRICTIONS



Scale:	1:1250 @ A3
Date:	MAY 2014
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Date Sealed:	26/01/14
Signature:	
Map Schedule:	DU182



Path (un)

Allotment Gardens

Institute Terrace West

Institute Terrace East

Playing Field

Pelton and District Community Recreation Ground

DU180

DU179

At any time

At any time

Key to Types of Restriction

 No Waiting At Any Time




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THE COUNTY COUNCIL OF DURHAM
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PARKING AND WAITING RESTRICTIONS



Scale:	1:1250 @ A3
Date:	MAY 2014
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Date Sealed:	26/6/14
Signature:	
Map Schedule:	DU180



Key to Types of Restriction



No Waiting At Any Time



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THE COUNTY COUNCIL OF DURHAM
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PARKING AND WAITING RESTRICTIONS



Scale:	1:1250 @ A3
Date:	MAY 2014
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Date Sealed:	26/6/14
Signature:	
Map Schedule:	DU179



2 hours

Key to Types of Restriction

No Waiting At Any Time

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THE COUNTY COUNCIL OF DURHAM
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PARKING AND WAITING RESTRICTIONS



Scale:	1:1250 @ A3
Date:	MAY 2014
Drawn by:	S. Thompson
Date Sealed:	26/4/14.
Signature:	
Map Schedule:	DV180