

**THE COUNTY COUNCIL OF DURHAM
(UNCLASSIFIED BARNES ROAD, MURTON)
(PROHIBITION OF WAITING)
ORDER 2014**

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

General

1. This Order may be cited as The County Council of Durham (Unclassified Barnes Road, Murton) (Prohibition of Waiting) Order 2014 and shall come into operation on 25 February 2014.

Interpretations

2. In Order the following expressions have the meaning hereby respectively assigned to them:-

"civil enforcement officer" means a person pursuant to the provisions of section 76 of the Traffic Management Act 2004, as amended";

"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)

"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;

"penalty charge" means a charge set by the Council under the provisions of section 77 of the Traffic Management Act 2004, as amended, in accordance with the relevant statutory regulations or guidance given by the Secretary of State for Transport";

"penalty charge notice" means a notice issued by a civil enforcement officer pursuant to the provisions of section 78 of the Traffic Management Act 1978, as amended";

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

Part II

Prohibition of Waiting At Any Time

3. Save as provided in Article 4 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 motor vehicle to wait, at any time, on any of the lengths of roads, or sides of lengths of roads specified in the Schedule to this Order.

Part III

Exemptions

4. (1) Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait or stop 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 vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations namely:
 - (i) building, demolition or excavation;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction 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 ;
 - (d) any vehicle being used in the service of the local authority or highway authority in pursuance of any statutory powers or duties;
- (2) Nothing in Article 3 of this Order shall apply to a liveried vehicle being used for police, fire brigade or ambulance purposes in pursuance of statutory duties.
- (3) Nothing in Article 3 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 parking disc (on which the driver or other person in charge of the vehicle, has marked the quarter hour period during which the period of waiting began) to wait in any of the lengths of roads or the sides of roads 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 length of road on the same day).
- (4) Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait in the lengths of road referred to therein, for so long as it 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 IV

Contravention and Enforcement

5. If a vehicle is in contravention of any provision of this Order a penalty charge shall be payable.
6. 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 V

Saving

7. 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.
8. 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

Plan reference numbers:

EU156, EU157

Given under the Common Seal of the County Council of Durham on 20 February 2014


.....
Authorised Sealing Officer



DELEGATED DECISION
NEIGHBOURHOOD SERVICE



11th February 2014

TRAFFIC REGULATION ORDER (TRO)

Report of NEIGHBOURHOOD SERVICE
BRIAN BUCKLEY – STRATEGIC HIGHWAYS MANAGER

Purpose of the Report

- 1 To consider the permanent sealing of the experimental TRO at Barnes Road, Murton.

The current TRO is filed as 'The County Council of Durham, (Unclassified Barnes Road, Murton), (Prohibition of Waiting), (Experimental) Order 2012

Background

- 2 The Experimental TRO was introduced in 2012 following concerns of inconsiderate parking in relation to parents of children attending Ribbon Community Primary School on Barnes Road, Murton

The area has been monitored and the restrictions have shown to be effective in maintain the flow of traffic outside of the schools during the schools opening and closing times.

During the Experimental period of the TRO no objections / adverse comments have been received.

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

- 3 No other options were considered as the Experimental order has proven to be successful.

Recommendations and reasons

- 4 N/A

Decision

- 6 It is recommended to progress to seal the TRO as a permanent order.

Appendix 1: Implications

Finance - To be funded by the local members LAMA fund.

Staffing – Carried out by Strategic Traffic

Risk – N/A

Equality and Diversity / Public Sector Equality Duty - N/A

Accommodation - No impact.

Crime and Disorder - This TRO will allow effective management of traffic to reduce congestion and improve road safety.

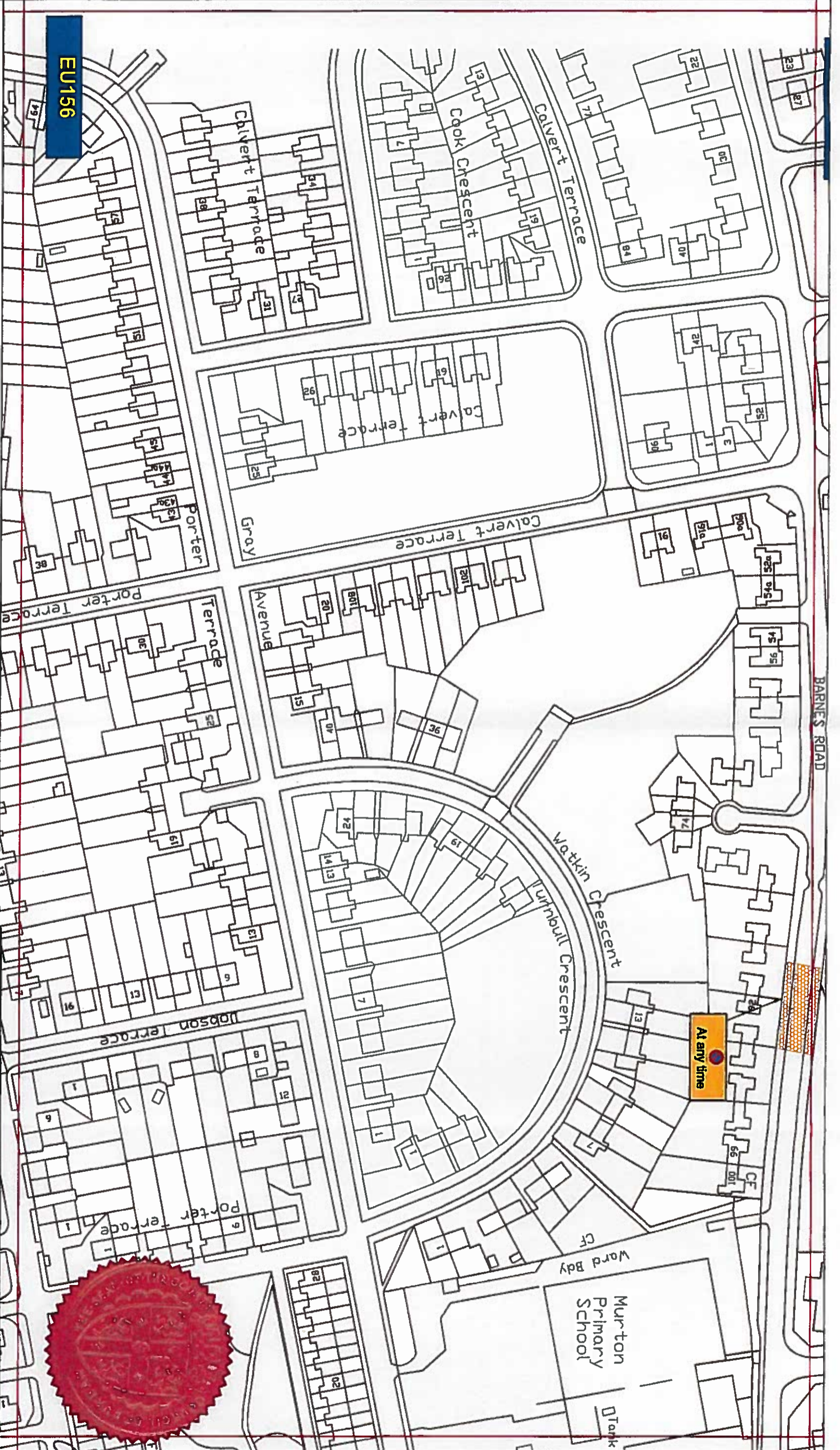
Human Rights - No impact on human rights

Consultation – Not required as it has been an experimental order since 2012 with no objections.


Procurement – Operations, DCC.

Disability Issues N/A

Legal Implications - Enforceable TRO



Key to Types of Restriction

 No Waiting At Any Time

EU156


At any time



Corporate Director
Regeneration & Economic
Development

Strategic Traffic Management
County Hall, Durham DH1 1SU

THE COUNTY COUNCIL OF DURHAM
MURTON
(PROHIBITION OF WAITING) ORDER 2014

Scale:	1:1250 @ A3		
Date:			
Drawn by:	A. Gleason	Signature:	
Date Scaled:	20/9/14	Map Schedule:	EU156

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Key to Types of Restriction



No Waiting At Any Time

EU157

nsbury Drive

BARNES ROAD

Murrton Jubilee
Primary
School

MURRTON

At any time

THE COUNTY COUNCIL OF DURHAM
MURRTON
(PROHIBITION and RESTRICTION OF WAITING and
PROHIBITION OF LOADING/UNLOADING) ORDER 2014



Corporate Director
Regeneration & Economic
Development

Strategic Traffic Management
County Hall, Durham DH1 5UQ

Scale: 1:1250 @ A3

Date:

Drawn by:

Date Sealed:

A.GLEASON

20/2/14

Signature:

Map Schedule:

EU157