

**THE COUNTY COUNCIL OF DURHAM
(DURHAM CITY PENINSULA HISTORIC CORE ZONE)
(TRAFFIC MANAGEMENT)
ORDER 2009**

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

General

1. This Order may be cited as The County Council of Durham (Durham City Peninsula Historic Core Zone) (Traffic Management) Order 2009 and shall come into operation on 16 December 2010

Interpretation

2. (1) In this Order the following expressions have the meanings hereby respectfully assigned to them:-

"bullion vehicle" means a vehicle designed or adapted for the conveyance of bullion and similar securities to a bank or building society premises;

"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" has the same meaning as in the Disabled Persons' (Badges for Motor Vehicles) (England) Regulations 2000, as amended;

"enforcement officer" means a uniformed police officer, police community support officer or any subsequent designation of those 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 disc" means a disc issued by a local authority (and which has not ceased to be valid) capable of showing the quarter hour period

during which the period of waiting begins, 125mm square coloured blue if issued on or after 1 April 2000 or orange if issued before that date;

"penalty charge" and "reduced 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 2004, as amended;

"relevant position" means:-

(i) in the case of a disabled persons' badge:-

- (a) in the case of a vehicle fitted with a dashboard or fascia panel the badge is exhibited thereon; or
- (b) where the vehicle is not fitted with a dashboard or fascia panel, the badge is exhibited in a conspicuous position in the vehicle

SO THAT the front of the badge is clearly legible from outside the vehicle; and

(ii) in respect of a parking disc:-

- (a) in the case of vehicle fitted with a dashboard or fascia panel, the disc is exhibited thereon; or
- (b) where the vehicle is not fitted with a dashboard or fascia panel, the disc is exhibited in a conspicuous position on the vehicle

SO THAT, when marked to show the quarter hour period, during which a period of waiting began, that period is clearly legible from outside the vehicle;

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

Part II

Revocation

3. (1) The Orders specified in Part I of Schedule 1 to this Order are hereby revoked.
- (2) The Orders specified in Part II of Schedule 1 to this Order are hereby revoked to the extent indicated in Column 2 of that part of the Schedule.

Part III

Prohibition of Waiting At Any Time

4. Save as provided in Article 19 of this Order no person shall, except upon the direction or with the permission of a civil enforcement officer or 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 specified in Schedule 2 to this Order.

Prohibition of Waiting and Loading/Unloading At Any Time

5. Save as provided in Article 19 of this Order no person shall, except upon the direction or with the permission of a civil enforcement officer or 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, at any time, on any of the lengths of roads or sides of lengths of roads identified in Schedule 3 to this Order.

Prohibition of Loading/Unloading, on Any Day, between the hours of 10.00 a.m. and 6.00 p.m.

6. Save as provided in Article 19 of this Order no person shall, except upon the direction or with the permission of a civil enforcement officer or an enforcement officer, cause or permit any vehicle to wait, on any day, between the hours of 10.00 a.m. and 6.00 p.m. on any of the lengths of roads or sides of lengths of roads specified in Schedule 4 to this Order for the purpose of enabling goods to be loaded onto or unloaded from the vehicle.

Loading Areas

7. (1) The areas of highway described in Schedules 5, 6 and 7 to this Order are hereby authorised to be used as loading areas.

- (2) Each loading area may be used, subject to the provisions of this Order, for the waiting of vehicles for the purpose of loading or unloading goods only in accordance with Articles 7, 8, 9 and 10 of this Order.
- (3) Save as provided in Article 19 of this Order no person shall cause or permit any vehicle, other than a vehicle loading or unloading to wait in a loading area.
- (4) The limits of each loading area shall be indicated on the carriageway by appropriate traffic signs.
- (5) Every vehicle using a loading area shall so stand that every part of the vehicle is within the limits of the loading area.

Loading Areas At Any Time

8. Save as provided in Article 19 of this Order no person shall cause or permit any vehicle, except a vehicle loading or unloading goods, to wait at any time in the loading areas specified in Schedule 5 to this Order.

Loading Areas, on Any Day, between the hours of 8.00 a.m. and 6.00 p.m.

9. Save as provided in Article 19 of this Order no person shall cause or permit any vehicle, except a vehicle loading or unloading goods, to wait on any day, between the hours of 8.00 a.m. and 6.00 p.m. in the loading areas specified in Schedule 6 to this Order.

Loading Areas, on Any Day, between the hours of 6.00 p.m. and 10.00 a.m.

10. Save as provided in Article 19 of this Order no person shall cause or permit any vehicle, except a vehicle loading or unloading goods, to wait on any day, between the hours of 6.00 p.m. and 10.00 a.m. in the loading areas specified in Schedule 7 to this Order.

Disabled Parking Places

11.
 - (1) The areas of highway described in Column 1 of Schedule 8 to this Order are hereby designated as parking places.
 - (2) Save as provided in Article 19 of this Order each parking place designated under paragraph (1) of this Article may be used only by vehicles which display in the relevant position a disabled persons' badge on such days and during such hours as may be specified in Columns 3 and 4 of Schedule 8.
 - (3) The limits of each parking place and each parking bay shall be indicated by the Council on the carriageway by the appropriate traffic signs and the maximum number of parking bays shall be specified in Column 2 of Schedule 8.

12. (1) Every vehicle left in a parking place specified in Article 11 of this Order shall so stand so that every part of the vehicle is wholly within a parking bay AND in those cases in which special provision is made in Column 5 of Schedule 8 to this Order, in accordance with those provisions.
- (2) Where a vehicle has been left in a parking place, referred in paragraph (1) of this Article, is too long to comply with the provisions of that paragraph such vehicles shall be deemed to be within the limits of the parking place or parking bay if:-
- (a) the extreme front or rear portion of the vehicle is within 300 millimetres of a carriageway indication provided in accordance with the provisions of this Order;
 - (b) the vehicle, or any part of it, is not within the limits of any adjoining bay.

Power to Suspend Loading Areas/Disabled Parking Places

13. (1) A civil enforcement officer or any person authorised by the Council may suspend the use of a loading area or disabled parking place or any part of it whenever he considers that 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 loading area or disabled parking place or the maintenance, improvement or re-construction of the loading area or disabled parking place or the laying, erection, alteration, removal or maintenance in or adjacent to the loading area or disabled 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 loading area or disabled parking place on any occasion of the removal of furniture from one office or dwellinghouse to another or the removal of furniture from such premises to a depository or to such premises from a depository; and
 - (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 may suspend for not longer than twenty four hours the use of a loading area or disabled parking place, or any part of it, whenever he considers that 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 loading area or a disabled parking place, or any part thereof, in accordance with paragraph (1) or paragraph (2) of this Article shall whereupon place or cause to be placed in or adjacent to the loading area or disabled parking place, or part thereof, the use of which is suspended, a traffic sign indicating that waiting by vehicles is prohibited.
- (4) No person shall cause or permit a vehicle to wait in a loading area or disabled parking place, or any part thereof, during such period as there is placed in or adjacent to that loading area or disabled parking place, or part thereof, as the case may be, a traffic sign indicating that waiting by vehicles is prohibited.

PROVIDED that nothing in this paragraph shall apply to any vehicle waiting in the loading area or disabled parking place with the permission of the person suspending the loading area or disabled parking place, or part thereof, in pursuance of paragraph (1) or paragraph (2) of this Article.

- (5) No person shall use a loading area or disabled parking place in connection with the sale of any article to persons in or near the loading area or disabled parking place or in connection with the selling or offering for hire of their skill or services.

Removal of Vehicles from Loading Areas/Disabled Parking Places

- 14. (1) When a vehicle is left in a loading area or disabled parking place in contravention of any of the provisions of Articles 7, 11, 12 or 13 of this Order a civil enforcement officer or person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from the loading area or disabled parking place.
- (2) An enforcement officer may in the case of emergency move or cause to be moved vehicles left in a loading area or disabled parking place to any place he thinks fit.
- (3) (a) Any person removing a vehicle by virtue of paragraphs (1) or (2) of this Article may do so by towing or driving the vehicle or in such other manner as he may think necessary to enable him to remove it.
- (b) When a person removes or makes arrangements for the removal of a vehicle from a loading area or disabled parking place he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.

No Entry

15. Save as provided in Article 19 of this Order no person shall cause or permit any vehicle proceeding in the roads specified in Column 1 of Schedule 9 to this Order to enter the roads, specified in relation to those roads, in Column 2 of the said Schedule.

Pedestrian Zone – No Vehicles between the hours of 10.00 a.m. and 6.00 p.m. on any day

16. Save as provided in Article 19 of this Order no person shall, except upon the direction or with the permission of an enforcement officer, cause or permit any vehicle proceeding in the roads specified in Column 1 of Schedule 10 to this Order to enter the roads, specified in relation to those roads, in Column 2 of the said Schedule, between the hours of 10.00 a.m. and 6.00 p.m. on any day.

Prohibition of Driving

17. Save as provided in Article 19 of this Order no person shall, except upon the direction or with the permission of an enforcement officer, cause or permit any motor vehicle to proceed in the roads or lengths of roads specified in Schedule 11 to this Order.

Prohibition of Right Hand Turns

18. Save as provided in Article 19 of this Order no person shall, except upon the direction or with the permission of an enforcement officer, cause or permit any vehicle proceeding in the roads specified in Column 1 of Schedule 12 to this Order, to make a right hand turn into the road specified, in relation to that road, in Column 2 of the said Schedule.

Part IV

Exemptions

19. (1) Nothing in Articles 4, 5, 6, 7, 8, 9, 10 or 11 of this Order shall render it unlawful to cause or permit any vehicle to wait in 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 be 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 duty;
 - (c) the vehicle to be used for the purpose of delivering or collecting postal packets in the service of a universal service provider;
 - (d) a bullion vehicle being used for the purpose of delivering or collecting bullion.
- (2) Nothing in Articles 4, 5, 6, 7, 8, 9, 10 or 11 of this Order shall render it unlawful to cause or permit any vehicle to wait in any of 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.
 - (3) Nothing in Articles 4, 5, 6, 7, 8, 9, 10 or 11 of this Order shall apply to a liveried vehicle being used for police, fire brigade or ambulance purposes in pursuance of statutory duties.
 - (4) Nothing in Article 4 of this Order shall render it unlawful to cause or permit any vehicle to wait in any of the lengths of roads or sides of lengths of roads referred to therein, for so long as may be necessary to enable goods to be loaded onto or unloaded from the vehicle EXCEPT in respect of the lengths of roads as may be specified in Schedule 4 to this Order;
 - (5) Nothing in Article 4 of this Order shall render it unlawful to cause or permit a vehicle which displays in the relevant position a disabled persons' 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 of the lengths of roads or sides of lengths of roads referred to therein 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) EXCEPT in respect of the lengths of roads as specified in Schedule 4 o this Order; during which the restrictions to loading and unloading specified in Article 6 apply.
 - (6) Nothing in Articles 15, 16, 17 or 18 shall apply to a liveried vehicle being used for police, fire brigade or ambulance purposes on emergency call.

- (7) Nothing in Articles 15, 16 or 18 of this Order shall apply to a mechanical cleansing vehicle.

Part V

Contravention and Enforcement

20. If a vehicle is in contravention of a provision of this Order, other than a provision relating to a moving traffic offence, a penalty charge shall be payable.
21. 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 VI

Saving

22. Insofar 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.
23. 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

Article 3(1)

Part I

Orders Revoked in Full

1. The County Council of Durham (Traffic Regulation) Order (No 1) 1952.
2. The City of Durham (Traffic Regulation) No 1 Order 1967.
3. The City of Durham (Various Streets) (Prohibition and Restriction of Waiting) Order 1973.
4. The City of Durham (Traffic Regulation) No 1 Order 1974.
5. The County of Durham (Durham City) (Traffic Regulation) No 1 Order 1975.
6. The County of Durham (Durham City) (Traffic Regulation) No 2 Order 1975.

7. The County of Durham (Elvet Bridge, Durham City) (Prohibition of Right Hand Turn) Order 1976.
8. The County of Durham (Unclassified Roads – Saddler Street and North and South Bailey, Durham City) (Prohibition of Waiting) (Consolidation) Order 1983.
9. The County of Durham (Peninsula Area Durham City) (Traffic Management) Order 1994.
10. The County Council of Durham (Unclassified Saddler Street, Durham City) (No Entry) Order 2002.
11. The County Council of Durham (Durham City Market Place) (Traffic Management) Order 2004.
12. The County Council of Durham (Durham City Saddler Street) (Prohibition of Waiting and Loading/Unloading) Order 2005.
13. The County Council of Durham (South Bailey, Durham City) (No Waiting At Any Time) Order 2008.

Part II

Article 3(2)

Orders Revoked in Part

| Column 1 Order | Column 2 Part(s) Revoked |
|--|---|
| 1. The County Council of Durham (Various Streets, Durham City) (Traffic Management) Order 1996 | Articles 10 and 11 and South Bailey description in Schedule 1 |
| 2. The County Council of Durham (Various Locations) (Easington District, Coxhoe and Durham City) (Weight Restriction) Order 2006 | Item (j) in the Schedule |

SCHEDULE 2

Article 4

No

Prohibition of Waiting At Any Time

1. Elvet Bridge - both sides for its entire length.
2. Framwellgate Bridge - both sides for its entire length.
3. Silver Street - both sides for its entire length.

Prohibition of Waiting and Loading/Unloading At Any Time

1. Bow Lane -
 - (a) east side, from a point at the western side of Kingsgate Bridge steps in a north easterly direction for a distance of 12 metres.
 - (b) north side, from the junction centre line with North Bailey in an easterly direction for its full length.
 - (c) south side, from the junction centre line with North Bailey in an easterly direction for its full length.
2. Dun Cow Lane - all sides, for its entire length.
3. Unnamed link road between Claypath and Saddler Street - both sides for its entire length
4. North Bailey -
 - (a) east side, from a point 13 metres south of the junction centre line with Bow Lane in a northerly direction for a distance of 82 metres.
 - (b) west side, from the junction centre line with Owengate in a southerly direction for a distance of 29 metres.
5. North Bailey/Saddler Street/Unnamed link road between Claypath and Saddler Street - east side, from a point 75 metres north of the junction centre line with Bow Lane in a general northerly direction to the junction centre line of Market Place.
6. North Bailey/South Bailey - West side, from a point 42.2 metres south of the junction centre line with Owengate to a point 7.4 metres south of the junction centre line with College Gate.

7. South Bailey - (a) north side –
 - (i) from its junction centre line with Water Gate in an easterly direction for a distance of 25 metres.
 - (ii) from a point 35.2 metres east of its junction centre line with Water Gate in an east then north easterly direction for a distance of 45 metres.(b) north/west side, from a point 88 metres north east of its junction centre line with Water Gate to a point 107.2 metres south west of the junction centre line with College Gate
- (c) north west –
 - (i) from a point 29 metres south west of the junction centre line with College Gate in a south westerly direction for a distance of 54 metres.
8. South Bailey/North Bailey - south/east side, from the junction centre line with Water Gate in an easterly then north easterly direction to a point 34.6 metres south of the junction centre line with Bow Lane.
9. Owengate - all sides for its entire length
10. Saddler Street - west side –
 - (i) from the junction centre line with Owengate in a northerly direction for a distance of 68 metres.
 - (ii) from a point 5 metres south of the junction centre line with Saddlers Lane in a northerly direction to the junction centre line of Market Place.

SCHEDULE 4

Article 6

Prohibition of Loading/Unloading, on Any Day, between the hours of 10.00 a.m. and 6.00 p.m.

1. Elvet Bridge - both sides, for its entire length.
2. Framwellgate Bridge - both sides, for its entire length.
3. Silver Street - both sides, for its entire length.

SCHEDULE 5

Articles 7 & 8

Loading Area At Any Time

1. Bow Lane - east side, from a point 2 metres north of the most northern point on Kingsgate Footbridge steps for a distance of 7.8 metres in a northerly direction.
2. North Bailey -
 - (a) east side, from a point 69 metres north of the junction centre line of Bow Lane in a northerly direction for a distance of 6 metres;
 - (b) west side, from a point 29 metres south of the junction centre line with Owengate in a southerly direction for a distance of 13.2 metres.
3. Saddler Street - (c) west side, from a point 5 metres south of the junction centre line with Saddlers Lane in a southerly direction for a distance of 20.6 metres.

SCHEDULE 6

Articles 7 & 9

Loading Area

8.00 a.m. - 6.00 p.m. on Any Day

1. North Bailey - east side - from a point 19.6 metres south of the junction centre line with Bow Lane in a southerly direction for a distance of 15 metres.
3. South Bailey -
 - (a) north side, from a point 25 metres east of junction centre line with Water Gate in an easterly direction for a distance of 10.2 metres.
 - (b) west side –
 - (i) from a point 14 metres south west of the junction centre line with College Gate in a south westerly direction for a distance of 15 metres.
 - (ii) from a point 97 metres south west of the junction centre line with College Gate in a north easterly direction for a distance of 10.2 metres.
 - (iii) from a point 80 metres east of the junction centre line with Water Gate in a north easterly direction for a distance of 7.8 metres.

SCHEDULE 7

Articles 7 & 10

Loading Areas, on Any Day, between the hours of 6.00 p.m. and 10.00 a.m.

1. Elvet Bridge – both sides, for its entire length.
2. Framwellgate Bridge – both sides, for its entire length.
3. Silver Street – both sides, for its entire length.

SCHEDULE 8**Article 11****Disabled Parking Places**

| Description of Parking Place | Maximum Number of Bays | Days of Operation | Hours of Operation | Special Manner of Standing |
|--|-------------------------------|--------------------------|---------------------------|-----------------------------------|
| (1) | (2) | (3) | (4) | (5) |
| 1. North Bailey, east side from a point 13 metres south of the centre of the junction with Bow Lane in a southerly direction for a distance of 6.6 metres | 1 | All days | 8.00 a.m. - 6.00 p.m. | - |
| 2. South Bailey, north/west side from a point 84 metres southwest from the centre of the junction of College Gate in a southwesterly direction for a distance of 13.2 metres | 2 | All days | 8.00 a.m. - 6.00 p.m. | - |
| 3. South Bailey, west side from a point 7.4 metres southwest from the centre of the junction of College Gate in a southwesterly direction for a distance of 6.6 metres | 1 | All days | 8.00 a.m. - 6.00 p.m. | - |

SCHEDULE 9**Article 15****No Entry – Any Vehicle****Column 1
From****Column 2
Into**

1. New Elvet

Elvet Bridge

2. North Road/Crossgate

Framwellgate Bridge

SCHEDULE 10**Article 16****Pedestrian Zone – No Vehicles between 10.00 am and 6.00 pm
– Any Day****Column 1
From****Column 2
Into**

1. Market Place
2. Saddler Street

Silver Street

Elvet Bridge (at a point opposite the boundary
between No 8 and No 9 Saddler Street

SCHEDULE 10**Article 17****Prohibition of Driving – Motor Vehicles**

1. Dunn Cow Lane – from its junction with Palace Green for a distance of 1
metre,

SCHEDULE 11**Article 18****Prohibition of Right Hand Turn****Column 1
From****Column 2
Into**

1. Elvet Bridge

New Elvet

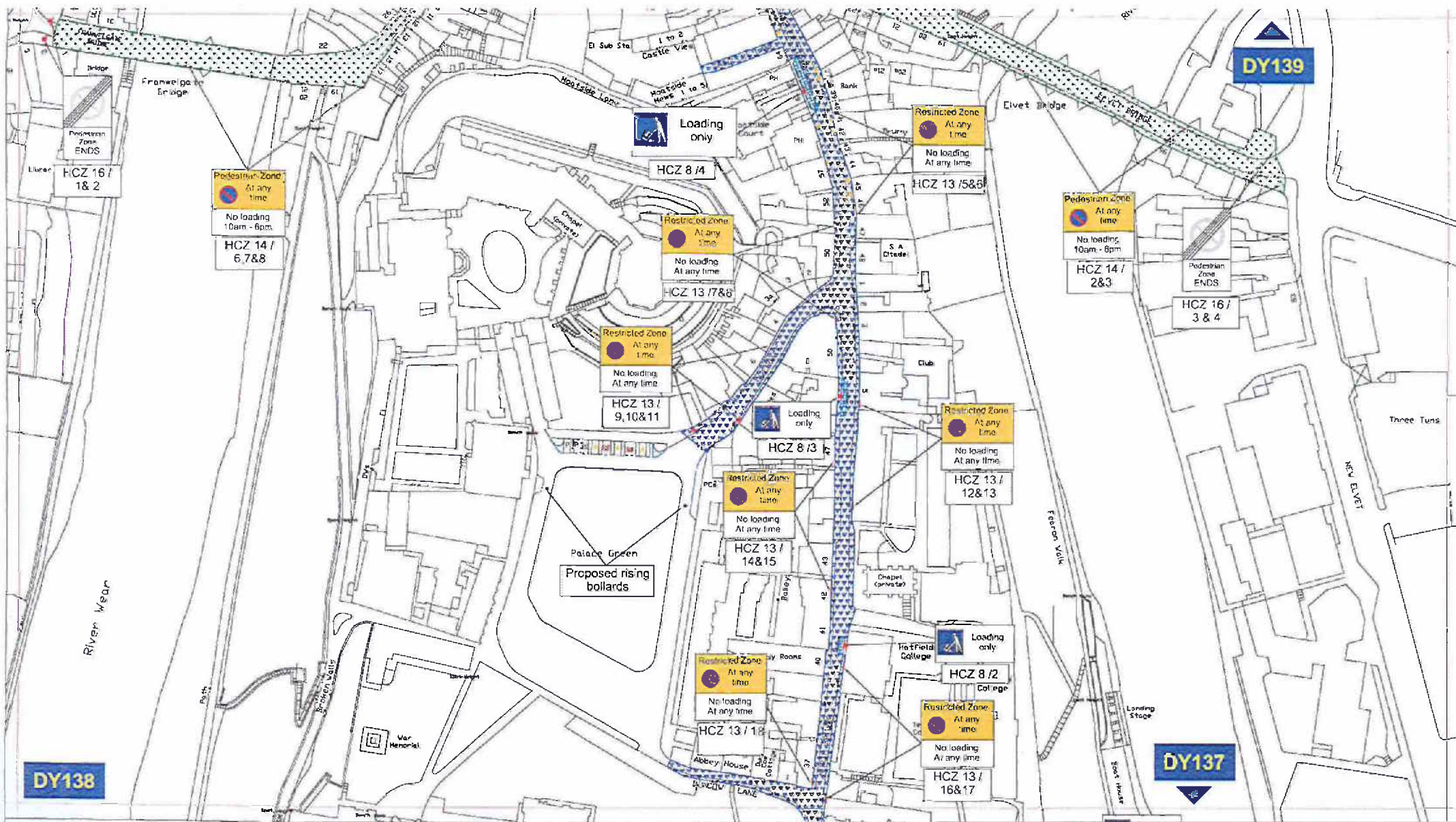
**GIVEN UNDER THE COMMON SEAL OF THE COUNTY COUNCIL OF DURHAM
ON 9 DECEMBER 2010**

Patricia Hordley

Authorised Sealing Officer



49567



Key to Types of Restriction

| | | | |
|--|---|--|------------------------------------|
| | No Waiting At Any Time | | Restricted Bay |
| | Restricted Waiting | | Pay and Display and Permit Holders |
| | No Waiting and No Loading/Unloading At Any Time | | Permit Holders Only |
| | Restricted Waiting and Loading/Unloading | | |

Traffic Sign

24/10/10

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Corporate Director
Regeneration & Economic
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Strategic Traffic Management

County Hall, Durham DH1 5UG

THE COUNTY COUNCIL OF DURHAM
DURHAM CITY PENINSULA
HISTORIC CORE ZONE



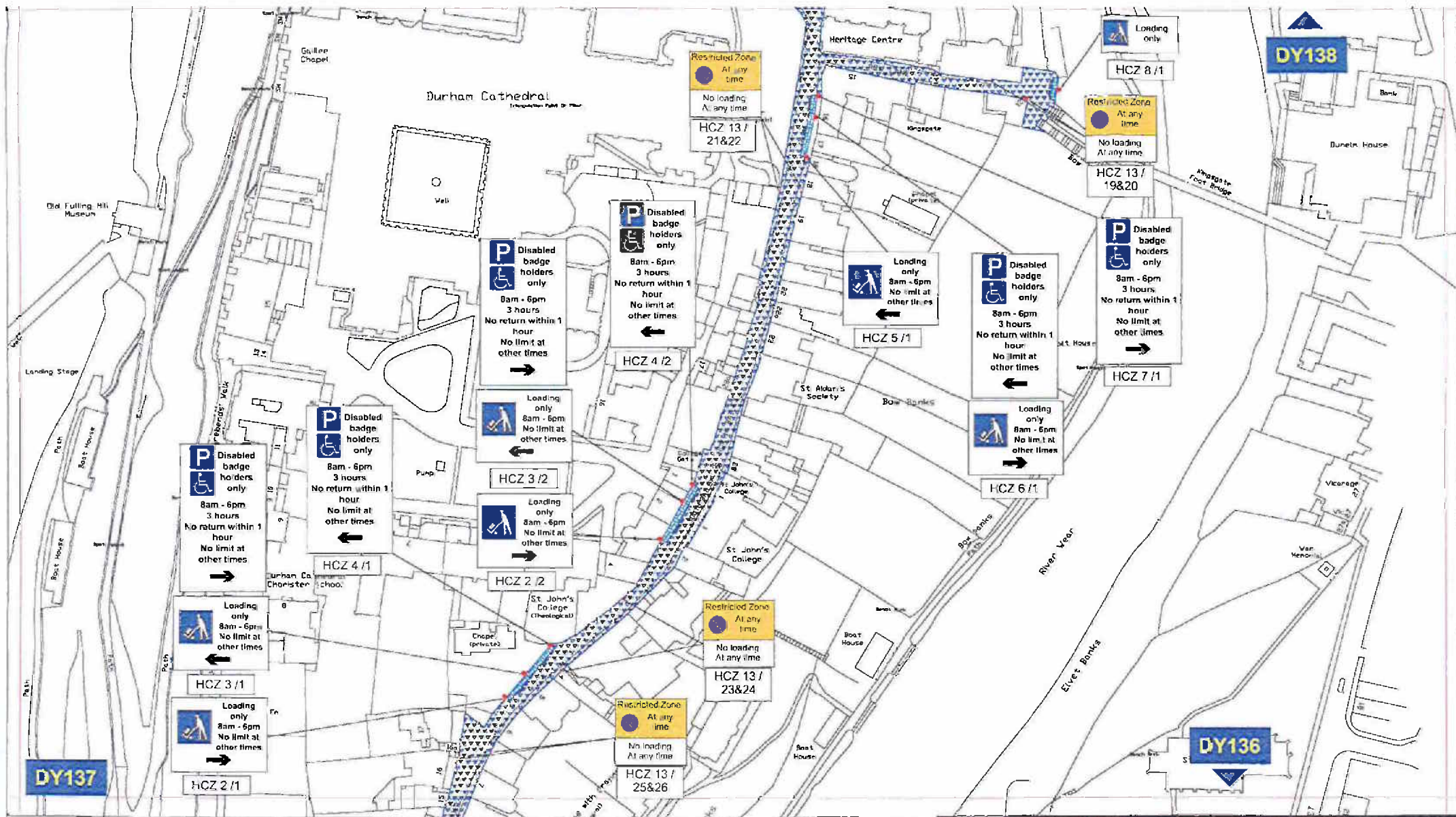
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Date: 07 December 2010

Drawn by: D Lewin

Date Sealed: Map

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Map: **DY138**



Key to Types of Restriction

| | | | |
|--|---|--|---------------------------------------|
| | No Waiting At Any Time | | Restricted Bay |
| | Restricted Waiting | | Permit and Display and Permit Holders |
| | No Waiting and No Loading/Unloading At Any Time | | Permit Holders Only |
| | Restricted Waiting and Loading/Unloading | | |

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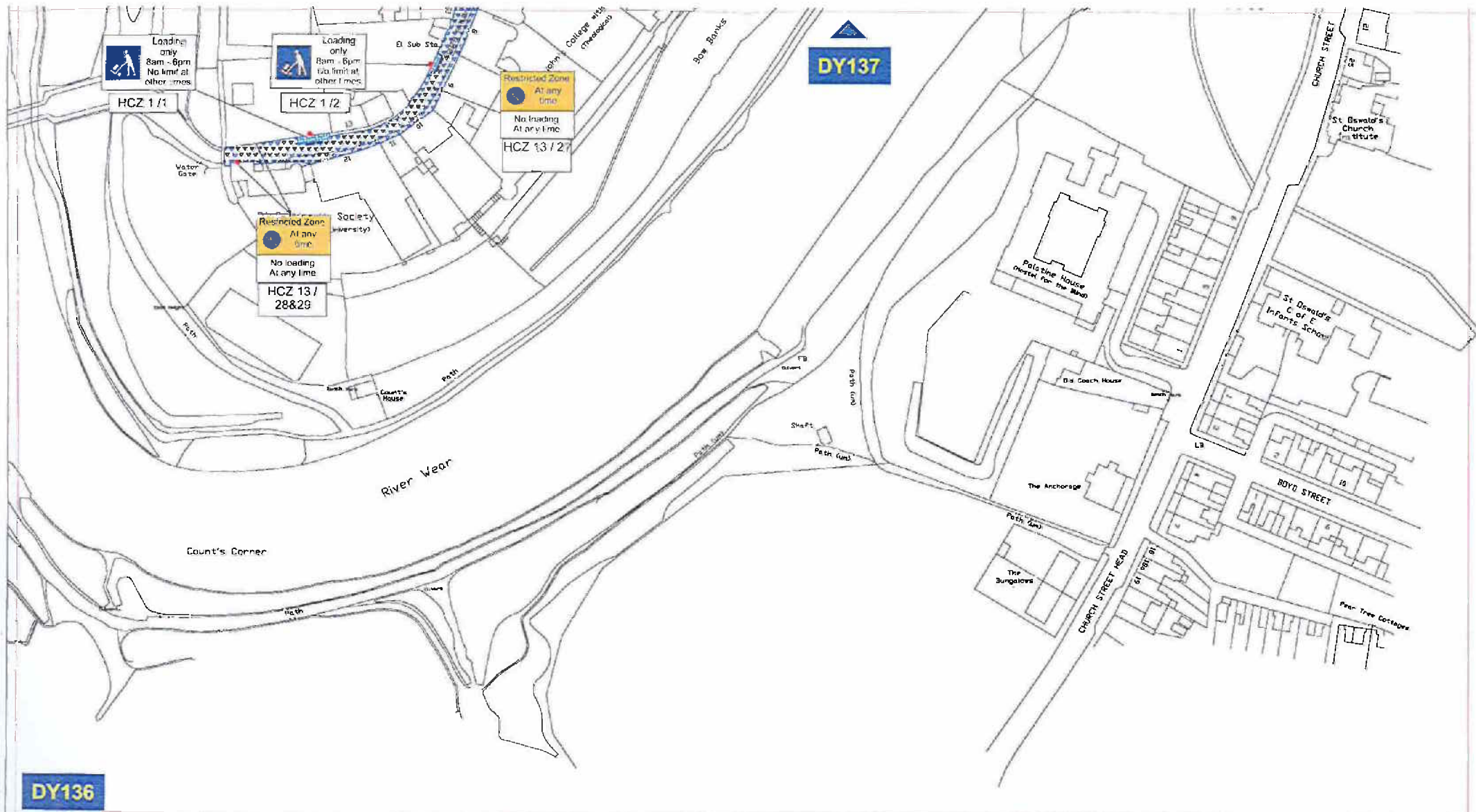
Strategic Traffic Management

County Hall, Durham DH1 5UQ

THE COUNTY COUNCIL OF DURHAM
DURHAM CITY PENINSULA
HISTORIC CORE ZONE



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Key to Types of Restriction

| | | | |
|--|---|--|------------------------------------|
| | No Waiting At Any Time | | Restricted Bay |
| | Restricted Waiting | | Pay and Display and Permit Holders |
| | No Waiting and No Loading/Unloading At Any Time | | Permit Holders Only |
| | Restricted Waiting and Loading/Unloading | | |

Traffic Sign
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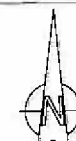
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THE COUNTY COUNCIL OF DURHAM
DURHAM CITY PENINSULA
HISTORIC CORE ZONE



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