

PART III
Parking Bays Without Meters

Prohibition of Waiting 10am-6am except taxis

6. Save as provided in Article 17 of this Order no person shall, except upon the direction or with the permission of an enforcement officer or a civil enforcement officer, cause or permit any vehicle, other than a taxi, to wait between the hours of 10am and 6am on any of the lengths of roads or sides of lengths of roads specified in Schedule 1 to this Order.

LOADING ONLY

(a) Loading Only 6am-10am

(b) Loading Only 8am-6pm

7. (1) The areas of highway specified in Schedules 2(a) and (b) to this Order are hereby authorised to be used as parking bays, subject to the provisions of this Order, for the waiting of vehicles for the purpose of loading or unloading goods only on such days and during such hours on any day on the lengths of roads specified in Schedules 2(a) and (b) to this Order.
- (2) Save as provided in Article 17 of this Order no person shall cause or permit any vehicle, other than a vehicle loading or unloading goods, to wait in a loading only parking place between the hours of 6am and 10am on any day on the lengths of roads specified in Schedules 2(a) and (b) to this Order.
- (3) The limits of each loading bay shall be indicated, by the Council, on the carriageway by the appropriate traffic signs.
- (4) Every vehicle using a loading only parking bay shall so stand so that every part of the vehicle is wholly within the bay AND in those cases where special provision is made as specified within Schedules 2(a) and (b) to this Order, in accordance with those provisions.

Disabled Badge Holders Only 8am-6pm 1 hour no return before 6pm

8. (1) The areas of highway specified in Schedule 3 to this Order are hereby authorised as disabled persons parking bays.
- (2) Each parking bay designated under paragraph (1) of this Article may be used only between the hours of 8am and 6pm 1 hour no return before 6pm by vehicles which display in the relevant position a disabled person's badge and disabled persons 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) on the lengths of roads specified in Schedule 3 to this Order.
- (2) The limits of each parking bay shall be indicated, by the Council, on the carriageway by the appropriate traffic signs.
- (3) The driver of a disabled person's vehicle shall not permit it to enter or wait in a parking bay, authorised by paragraph (1) of this Article, for a period exceeding the maximum stay specified in the parking bay or to return within the period also specified in Schedule 3.

PART IV General

Designation of Parking Bays

9. (1) The areas of highway specified in Schedules 1, 2(a) and (b) and 3 to this Order are hereby designated as parking bays.
- (2) Each parking bay specified in Schedules 1, 2(a) and (b) and 3 to this Order, authorised under paragraph (1) of this Article, may only be used for the leaving of the those specific classes of motor vehicles authorised in Articles 6, 7 and 8 on the lengths of roads specified in Schedules 1, 2(a) and (b) and 3 to this Order; or
- (3) The limits of each parking place shall be indicated, by the Council, on the carriageway by the appropriate traffic signs.

Indications as Evidence

10. If at any time while a vehicle is left in a parking place or parking bay specified in Articles 6,7 and 8 of this Order:-
 - (a) No disabled badge or disabled parking disc is exhibited on the vehicle in accordance with the provisions of Article 8 of this Order; or
 - (b) The vehicle is not exempted from any payment or charges under the provisions of Article 17 of this Order a Penalty Charge shall be payable

PART V GENERAL

Manner of Standing in Parking Bays

11. (1) Every vehicle left in a parking bay, specified in Articles 6, 7 and 8 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 bay, AND in those cases in which special provision is made specified in Schedules 1, 2(a) and (b) and 3 of this Order, in accordance with those provisions.
- (2) Where a vehicle has been left in a parking bay, 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 restricted bay, being a parking bay if:-
 - (a) the extreme front or rear portion of the vehicle is within 300 mm of the carriageway indication provided under paragraph (3) of Articles 6,7 and 8 of this Order;
 - (b) the vehicle, or any part of it, is not place or parking bay.
- (3) When a vehicle is left in a parking bay in contravention of the provisions of this Article a Penalty Charge shall be payable.

Class and position of Vehicle

12. (1) No person shall cause or permit any vehicle, other than the permitted classes of vehicles, to use the parking bays identified in Articles 6, 7 and 8 or as specified in Schedules 1, 2(a) and (b) and 3 to this order;
- (2) Every vehicle left in a parking bay, specified in Articles 6,7 and 8 of this Order, shall stand so that every part of the vehicle is wholly within the limits of the parking bay AND in those cases in which special provision is made in Schedules 1, 2(a) and (b) and 3 to this Order, in accordance with those provisions;
- (3) No person shall cause or permit any vehicle, unless so approved by an enforcement officer or civil enforcement officer, to wait or park in a parking bay specifically marked as available for a permitted class of vehicle, as specified in Schedules 1, 2(a) and (b) and 3 to this order, unless that vehicle is of that permitted class of vehicle.
- (4) No person shall cause or permit any vehicle to wait or park in a parking bay marked for disabled persons unless the vehicle displays a valid disabled person's badge in the relevant position and unless the vehicle has been or is about to be used by the person(s) in respect of whom the disabled person's badge has been issued either immediately before or immediately after the act of parking. Where required the vehicle shall also display the disabled person's badge in accordance with local regulations;

Power to Suspend Parking Bays

13. (1) A civil enforcement officer or enforcement officer may suspend the use of a parking bay 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 parking bay, or the maintenance, improvement or reconstruction of the parking bay 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 or parking bay 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 or to facilitate filming work;
 - (e) for the convenience of occupiers of premises adjacent to the parking place or parking bay at times of weddings, funerals or on other special occasions.
 - (f) for the maintenance, improvement or reconstruction of the road and street furniture, the cleansing of gullies or to maintain trees adjacent to the parking bays;

- (2) A civil enforcement officer or enforcement officer may suspend the use of a parking bay 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 bay, or any part thereof, in accordance with the provisions of this Article shall thereupon place or cause to be placed in or adjacent to that parking bay, or that part thereof, a notice or sign indicating that the use of that parking bay, or that 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 bay, or any part thereof, during such periods that the use of that 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 bay in connection with the sale of any article to persons in or near the parking bay 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 bay or part thereof, which is suspended, with the permission of the person suspending the parking bay or part thereof, in pursuance of paragraph (1) or (2) of this Article.

Removal of Vehicles and Other Equipment from Parking Bays

14. (1) If a vehicle is left within a 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 bay 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 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 bay or remove or arrange for the removal of a vehicle from a 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.

Use of Parking Bays during permitted hours without payment

15. (1) Without prejudice to the foregoing provisions of this Order relating to vehicles which are left in a parking bay in accordance with those provisions any other vehicle may wait during the permitted hours anywhere in a parking bay if:-
- a. the vehicle is waiting only for so long as is necessary to enable a person to board or alight from the vehicle;
 - b. 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;
 - c. the liveried vehicle is used for police, fire brigade 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;
 - d. 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;
 - e. 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;
 - f. 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 11 of this Order;
 - g. 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
 - h. 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 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 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 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 11 of this Order.
- (5) When a vehicle is left in a parking bay designated under Articles 6, 7 and 8 of this Order, in contravention of the provisions of this article a penalty charge shall be payable.

PART VI

Prohibition of Motor Vehicles Mon-Sat 10am-6pm Except for local buses and taxis

16. Save as provided in Article 17 of this Order no person shall, except upon the direction or with the permission of an enforcement officer, cause or permit any vehicle to proceed Mondays to Saturdays between the hours of 10am and 6pm on the length of road specified in Schedule 4 to this Order, except local buses and taxis.

PART VII

Exemptions

17. (1) Nothing in Articles 6, 7, 8 and 8, 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 and 8 of this Order shall apply to any liveried vehicle being used for police, fire brigade or ambulance purposes in pursuance of statutory duties.
- (3) Nothing in Article 6 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).
- (5) Nothing in Article 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 the picking up or setting down of passengers.
- (6) 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:
- (a) the picking up or setting down of passengers;
 - (b) goods to be loaded onto or unloaded from the vehicle;

- (7) Nothing in Article 8 of this Order shall render it unlawful for pedal cycles to proceed on the length of road specified in that Article.

PART VIII

Contravention and Enforcement

18. (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

19. 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.
20. 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 10am – 6am except taxis

Item No	Location			Description	Side of Road	Restriction
1	Durham City	Unc. Road	North	From a point 52m south east of the centre line of Unc. Neville Street in a south easterly direction for a distance of 53m	South West	Prohibition of waiting except taxis between the hours of 10am and 6am
2	Durham City	Unc. Road	North	From a point 6m south east of the centre line of Unc. Neville Street in a south easterly direction for a distance of 38m	South West	Prohibition of waiting except taxis between the hours of 10am and 6am

**Schedule 2 (a)
Loading Only 6am -10am**

Item No	Location			Description	Side of Road	Restriction
1	Durham City	Unc. Road	North	From a point 52m south east of the centre line of Unc. Neville Street in a south easterly direction for a distance of 53m.	South West	loading/unloading only between the hours of 6am and 10am
2	Durham City	Unc. Road	North	From a point 6m south east of the centre line of Unc. Neville Street in a south easterly direction for a distance of 38m	South West	loading/unloading only between the hours of 6am and 10am

**Schedule 2 (b)
Loading Only 8am – 6pm**

Item No	Location			Description	Side of Road	Restriction
1	Durham City	Unc. Road	North	From a point 50.4m south east of its junction with the A690 Through Road (Junction Line) in a south easterly direction for 23.5m	South West	loading/unloading only between the hours of 8am and 6pm
2	Durham City	Unc. Road	North	From a point 25.9m north west of its junction with Unc. 27.6 Silver Street (Junction Line of Framwellgate Bridge) in a north westerly direction for 33.5m	North East	loading/unloading only between the hours of 8am and 6pm
3	Durham City	Unc. Road	North	From a point 4m north west of the centre line of Unc. Neville Street in a north westerly direction for a distance of 12.8m	South West	loading/unloading only between the hours of 8am and 6pm

Schedule 3
Disabled Badge Holders Only 8am-6pm 1 hour no return before 6pm

Item No	Location			Description	Side of Road	Restriction
1	Durham City	Unc. Road	North	From a point 9.4m north west of its junction with Unc. 27.6 Silver Street (Junction Line of Framwellgate Bridge) in a north westerly direction for 16.5m	North East	Disabled parking only 8am - 6pm (Waiting limited to 1 hour and no return before 6pm)
2	Durham City	Unc. Road	North	From a point 37.2m south east of its junction with the A690 Through Road (Junction Line) in a south easterly direction for 13.2m	South West	Disabled parking only 8am - 6pm (Waiting limited to 1 hour and no return before 6pm)

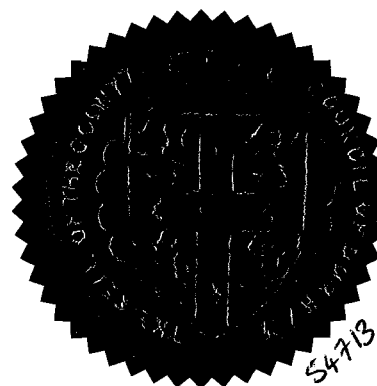
Schedule 4
Prohibition of Motor Vehicles 10am-4pm except for local buses and taxis

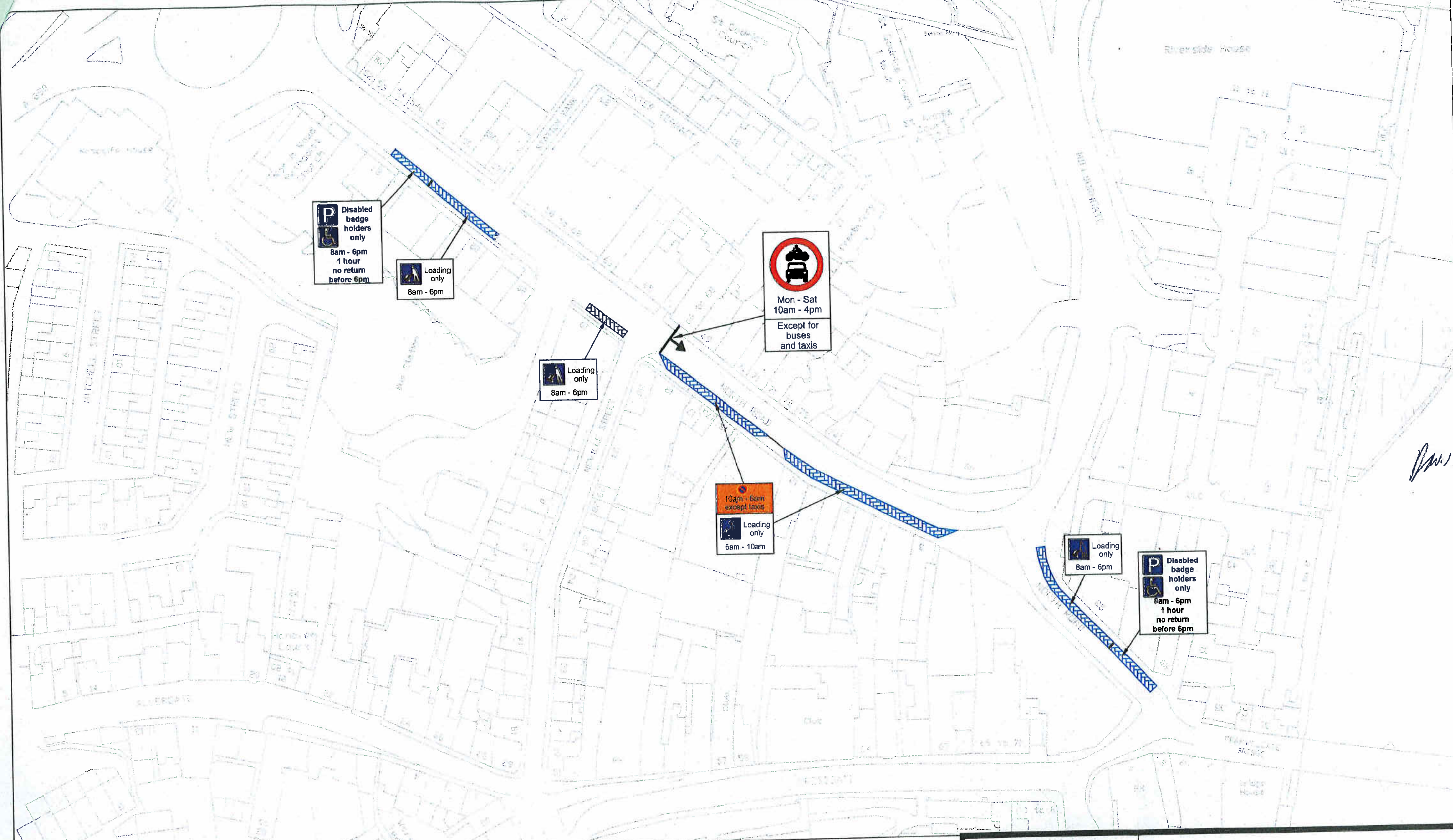
Item No	Location			Description	Side of Road	Restriction
1	Durham City	Unc. Road	North	No motor vehicles allowed past the point 6m south east of the centre line of Unc. Neville Street, Mon - Sat, 10am - 4pm, except for local buses and taxis	Entire C'way	Prohibition of vehicles, Mon-Sat 10am-4pm, except for local buses and taxis

GIVEN UNDER THE COMMON SEAL OF THE COUNTY COUNCIL OF DURHAM ON 11 APRIL 2013

David W. Taylor

 Authorised Sealing Officer





David Taylor

Key to Types of Restriction

 Restricted Bay



**Corporate Director
Regeneration & Economic
Development**

Strategic Traffic Management

County Hall, Durham DH1 1SUQ

NORTH ROAD, DURHAM CITY PARKING AND WAITING RESTRICTIONS



Scale: 1:1000 @ A3

Date: 11th February 2013

Drawn by: K. Moralee

Signature: *[Signature]*

Date Sealed: 11/4/13

Map Schedule:

KW/NR/001/01-

PATH:

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