



**THE COUNTY COUNCIL OF DURHAM (NORTH DURHAM: DERWENTSIDE, CHESTER-LE-STREET AND EASINGTON)
(CIVIL ENFORCEMENT AREA and SPECIAL ENFORCEMENT AREA)
(TRAFFIC ORDERS AMENDMENTS) ORDER 2011**

The County Council of Durham ("the Council") in exercise of their powers under Sections 1, 2, 4, 32, 35, 35A, 35B, 35C, 45, 46 and 46A Part IV of Schedule 9 to the Road Traffic Regulation Act 1984, (hereinafter referred to as "the Act) as amended, and of all other enabling powers, after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act, hereby makes the following Order:-

Part I

General

- 1) This Order may be cited as The County Council of Durham (North Durham: Derwentside, Chester-le-Street and Easington) (Civil Enforcement Area and Special Enforcement Area) (Traffic Orders Amendments) Order 2011 and shall come into operation on 7 November 2011.
- 2) The Orders specified in the Schedule to this Order ("the Orders") are amended as follows:
 - (a) The following expressions have the meanings hereby assigned to them and are inserted or substituted as appropriate in alphabetical order in the Article of interpretation in the Orders which deals with the meanings and expressions used in the Orders:-
 - (i) "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.
 - (ii) "Enforcement Authority" means the County Council of Durham.
 - (iii) "Penalty Charge" means charge set by Durham County Council pursuant to the provisions of Section 77 of the Traffic Management Act 2004.
 - (iv) "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.
 - (v) "Parking Contravention" has the same meaning assigned to it by Section 73 and Part 1 of Schedule 7 to the Traffic Management Act 2004.
 - (b) The following expressions and the meanings assigned to them are deleted (when included) in the Article of interpretation in the Orders:-
 - (i) "enforcement officer"
 - (ii) "excess charge"
 - (iii) "excess charge notice"
 - (iv) "fixed daily charge"
 - (v) "fixed daily charge notice"

- (v) "parking attendant"
 - (c) Any reference in any Order to an "enforcement officer" or "parking attendant" shall take effect as if it was a reference to a Civil Enforcement Officer.
 - (d) Any reference in any Order to an "excess charge" or "fixed daily charge" shall take effect as if it was a reference to a penalty charge.
 - (e) Any reference in any Order to a "fixed daily charge notice" or "excess charge notice" shall take effect as if it was a reference to a penalty charge notice.
- 3) The following Articles are inserted at the end of the Articles of the Orders
- (a) If a vehicle is left at any time in contravention of a provision of this Order, other than a provision relating to a moving traffic offence, a penalty charge may be payable.
 - (b) 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.

Saving

- 4) In so far as any provision of this Order conflicts with provisions of any of the Orders contained in Schedule 1 to this Order or any other orders giving effect to the provisions of Schedule 1 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.

Schedule 1

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| 1. | The County Council of Durham (Various Schools, North Durham – Derwentside, Chester-le-Street and Easington Areas) (No Stopping on School Entrance Markings) Order 2009 | 2/155 |
| 2. | The County of Durham (The Green/Shadforth Close, Shotton Village) (Prohibition of Waiting) Order 1988 | 1/57 |
| 3. | The County Council of Durham (Seaham) (Prohibition and Restriction of Waiting and Loading/Unloading & Parking Places) Order 2010 | 3/166 |
| 4. | The County Council of Durham (Dene Road Dalton le Dale) (Prohibition of Waiting and Prohibition of Loading/Unloading) Order 2003 | 2/122 |
| 5. | The County Council of Durham (Easington, Easington Colliery and South Hetton) (Prohibition and Restriction of Waiting and Loading/Unloading) (Amendment) Order 2011 | 3/173 |
| 6. | The County Council of Durham (C66 Horse Close Lane, Trimdon Station) (Prohibition of Waiting) Order 2010 | 3/165 |
| 7. | The County Council of Durham (Church Street/Myra Avenue, Hesleden) (Prohibition of Waiting) Order 2010 | 3/163 |

8. The County Council of Durham (Peterlee and Horden) (Prohibition and Restriction of Waiting and Prohibition of Loading/Unloading) Order 2010 3|162
9. The County Council of Durham (Wheatley Hill, Wingate and Deaf Hill) (Prohibition and Restriction of Waiting) Order 2010 3|161
10. The County Council of Durham (Blackhall Colliery and Blackhall Rocks) (Prohibition and Restriction of Waiting and Loading/Unloading) Order 2010 3|160
11. The County Council of Durham (Murton, Various Streets) (Prohibition and Restriction of Waiting and Loading) Order 2010 3|158
12. The County Council of Durham (Thornley) (Prohibition of Waiting) Order 2010 2|157
13. The County Council of Durham (Princess Road Primary School, Seaham) (Traffic Management) Order 2009 2|153
14. The County Council of Durham (Primary and Nursery School, Ellison Road, Peterlee) (Prohibition of Waiting/Prohibition of Stopping on School Entrance Markings) Order 2009 2|154
15. The County Council of Durham (B1280 Front Street/Unclassified School Access Road, Wingate) (Prohibition of Stopping on School Entrance Markings) Order 2008 2|150
16. The County Council of Durham (Castleside, Allensford and Moorside) (Restriction of Waiting) Order 2010 3|161
17. The County Council of Durham (Blackhill and Shotley Bridge) (Prohibition of Waiting and Loading and Restriction of Waiting) Order 2010 3|163
18. The County Council of Durham (Greenland Infant and Junior Schools, South Moor) (Traffic Management) Order 2008 3|156
19. The County Council of Durham (Delves Lane) (Prohibition and Restriction of Waiting and Loading) Order 2010 3|164
20. The County Council of Durham (Lanchester and Langley Park) (Prohibition and Restriction of Waiting and Loading) Order 2010 3|165
21. The County Council of Durham (Consett) (Prohibition and Restriction of Waiting and Prohibition of Loading/Unloading) Order 2010 3|166
22. The County Council of Durham (Kyo, Annfield Plain, Greencroft, Catchgate, Harelaw and Dipton) (Prohibition and Restriction of Waiting and Loading/Unloading) Order 2010 3|167
23. The County Council of Durham (Stanley, East Stanley, Shield Row & Tanfield Lea) (Prohibition and Restriction of Waiting and Prohibition of Loading/Unloading) Order 2010 3|169
24. The County Council of Durham (Burnopfield, Tanfield, Oxhill, South Moor, South Stanley, Craghead and Bloemfontein) (Prohibition and Restriction of Waiting and Prohibition of Loading/Unloading) Order 2010 3|168

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| 25. | The County Council of Durham (Stanley, East Stanley, Shield Row & Tanfield Lea) (Prohibition and Restriction of Waiting and Prohibition of Loading/Unloading) Amendment Order 2010 | 3/176 |
| 26. | The County Council of Durham (Kyo, Annfield Plain, Greencroft, Catchgate, Harelaw and Dipton) (Prohibition and Restriction of Waiting and Loading/Unloading) (Amendment) Order 2010 | 3/173 |
| 27. | The County Council of Durham (A167 North Road and Lombard Drive, Chester-le-Street) (Prohibition and Restriction of Waiting) Order 2010 | 2/156 |
| 28. | The County Council of Durham (Chester-le-Street and Birtley) (Prohibition and Restriction of Waiting, Loading/Unloading & Parking Places) Order 2010 | 2/153 |
| 29. | The County Council of Durham (Pelton, Perkinsville and Ouston) (Prohibition and Restriction of Waiting & Loading and Unloading) Order 2010 | 2/151 |
| 30. | The County Council of Durham (Sacriston) (Prohibition and Restriction of Waiting) Order 2010 | 2/150 |
| 31. | The County Council of Durham (Beamish, Grange Villa and High Handenhold) (Prohibition of Waiting) Order 2010 | 2/149 |
| 32. | The County Council of Durham (Fencehouses) (Prohibition and Restriction of Waiting) Order 2010 | 2/148 |
| 33. | The County Council of Durham (Easington, Easington Colliery and South Hetton) (Prohibition and Restriction of Waiting and Loading/Unloading) Order 2010 | 3/164 |

GIVEN UNDER THE COMMON SEAL OF THE COUNTY COUNCIL OF DURHAM ON 20 OCTOBER 2011.

David N. Taylor
 Authorised Sealing Officer

