

**THE COUNTY COUNCIL OF DURHAM
(C66, HORSE CLOSE LANE, TRIMDON STATION)
(PROHIBITION OF WAITING) ORDER 2010**

The Durham County Council ("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 (C66 Horse Close Lane, Trimdon Station) (Prohibition of Waiting) Order 2010 and shall come into operation on 9 September 2010.

Interpretation

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

"disabled person's badge has the same meaning as in the Disabled Person's (Badges for Motor Vehicles) (England) Regulations 2000;

"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;

"parking disc" means a device, issued by a local authority and has not ceased to be in force, 125 millimetres square coloured blue, if issued on or after 1 April 2000, or orange if issued before that date, and capable of showing the quarter hour period during which a period of waiting begins;

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

- (2) For the purpose of this Order a vehicle shall be regarded as displaying -
 - (a) A disabled person's badge in the relevant position if -
 - (i) the badge is exhibited on the dashboard or fascia of the vehicle; or

- (ii) where the vehicle is not fitted with a dashboard or fascia, the badge is exhibited in a conspicuous position on the vehicle;

So that the front of the badge is clearly legible from the outside of the vehicle.

- (b) A parking disc in the relevant position if -
 - (i) the disc is exhibited on the dashboard or fascia of the vehicle;
 - or
 - (ii) where the vehicle does not have a dashboard or fascia, 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 of the vehicle.

Part II

Prohibition of Waiting

- 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, cause or permit any vehicle to wait at any time on the length of roads or sides of lengths of roads specified in the Schedule to this Order.

Exemptions

- 4 (1) Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait on the west side of the C66 Horse Close Lane, Trimdon Station from 82.7 metres north of the centre of the junction of Windsor Street for a distance of 38 metres in a northerly direction 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;
 - (c) 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 or demolition;
 - (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;
 - (d) 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;
 - (e) 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 Article 3 of this Order shall apply to any vehicle being used for police, fire brigade or ambulance purposes in pursuance of their 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 road or 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 length of road on the same day).

Part V

Saving

- 5. 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.
- 6. The restrictions and prohibitions 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.

Given under the Common Seal)
of the County Council of Durham)
on 2 September 2010)

Rashida Howard

Authorised Sealing Officer



49036

SCHEDULE

The effect of the Order is to prohibit waiting at any time on the west side of the C66 Horse Close Lane, Trimdon Station from 82.7 metres north of the centre of the junction of Windsor Street for a distance of 38 metres in a northerly direction.

