

**THE COUNTY COUNCIL OF DURHAM  
(FRONT STREET, CONSETT)  
(LOADING/UNLOADING ONLY AT ANY TIME)  
ORDER 2010**

The County Council of Durham ("the Council") in exercise of their powers under Sections 32 and 35 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 (Front Street, Consett) (Loading/Unloading Only At Any Time) Order 2010 and shall come into operation on 2 September 2010.

**Interpretation**

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

"enforcement officer" means a uniformed police officer, police community support officer or any subsequent designation of these officers;

"loading bay" means an area of highway designated as a loading bay under the provisions of this Order;

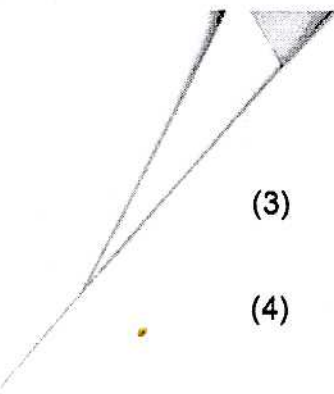
"motor vehicle" means a mechanically propelled vehicle intended or adapted for use on roads, for the purposes of the 1984 Act;

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

**Part II**

**Loading Bays on Any day At Any Time**

3. (1) The area of highway identified in the Schedule to this Order is hereby authorised to be used as a loading bay, 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 as identified in the Schedule to this Order.
- (2) Save as provided in Article 3(1) of this Order no person shall cause or permit any vehicle, other than a vehicle loading or unloading goods, to wait in a loading bay on the days and during the hours identified in the Schedule to this Order.

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- (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 bay shall so stand so that every part of the vehicle is wholly within the loading bay AND in those cases where special provision is made is identified within the Schedule to this Order, in accordance with those provisions.

#### **Manner of Standing In Loading Bays**

- 4. (1) Every vehicle left in a loading bay, identified in the Schedule and detailed in Article 3(1) of this Order, shall so stand, subject to paragraph (2) of this Article, so that every part of the vehicle is wholly within the limits of the loading bay.
- (2) Where a vehicle has been left in a loading bay, referred to in paragraph (1) of this Article, is to long to comply with the provisions of that paragraph such vehicle shall be deemed to be within the limits of the loading 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 Article 10 of this Order;
  - (b) the vehicle, or any part of it, is not within the limits of any adjoining loading bay.

#### **Power to Suspend Loading Bays**

- 5. (1) Any person authorised by the Council may suspend the use of a loading 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 loading bay, or the maintenance, improvement or reconstruction of the parking place or loading 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 loading 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 or to such premises;



- (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
  - (e) for the convenience of occupiers of premises adjacent to the loading bay at times of weddings, funerals or on other special occasions.
- (2) An enforcement officer may suspend the use of a loading 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 suspending the use of a loading bay or any part thereof, in accordance with paragraph (1) or (2) of this Article shall, thereupon, place or cause to be placed in or adjacent to the loading bay, or part thereof, as the case may be, a traffic sign indicating that waiting by vehicles is prohibited.
  - (4) No person shall cause or permit any vehicle to wait in a loading bay or any part thereof, during such period as there is placed in or adjacent to the loading bay, 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 bay or part thereof, which is suspended, with the permission of the person suspending the loading bay or part thereof, in pursuance of paragraph (1) or (2) of this Article.

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

### **Part III**

#### **Exemptions**

- 6. (1) Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait on the length of road 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 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;
- (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) the picking up or setting down of passengers.
- (2) Nothing in Article 3 of this Order shall apply to any vehicle being used for police, fire brigade or ambulance in pursuance of statutory duties.

#### **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**

##### **Loading/Unloading Only At Any Time**

**Front Street, Consett (South side of road)** – The length of lay-by approximately 30 metres in length on the south side of Front Street, commencing from a point approximately 9 metres south west of the centre line of Victoria Road in a north easterly direction.

**Given under the Common Seal of the County Council of Durham on 26 August 2010**

*Patricia Howard*  
**Authorised Sealing Officer**

