

**THE COUNTY COUNCIL OF DURHAM
(CONSETT)
(PROHIBITION AND RESTRICTION OF WAITING AND PROHIBITION OF
LOADING/UNLOADING) (AMENDMENT)
ORDER 2011**

The County Council of Durham ("the Council") in exercise of their powers under Sections 1, 2, 4, 32 and 35 and Part IV of Schedule 9 to 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 1

General

1. This Order may be cited as The County Council of Durham (Consett) (Prohibition & Restriction of Waiting and Prohibition of Loading/Unloading) (Amendment) Order 2011 and shall come into operation on 1 December 2011.

Part II

Amendments

2. The following amendments have been made to The County Council of Durham (Consett) (Prohibition & Restriction of Waiting and Prohibition of Loading/ Unloading) Order 2010:

Part I

Article 2 – Interpretation

- (i) The following have been inserted:

"civil enforcement officer" means a person pursuant to the provisions of Section 76 of the Traffic Management Act 2004, as amended;

"driver" in relation to a vehicle parked in a parking place means the person driving or riding the vehicle at the time it was left in the parking place;

"enforcement authority" means the County Council of Durham.

"goods vehicle" means a motor vehicle which is constructed or adapted for use in the carriage of goods or burden of any description and which has an unladen weight not exceeding 7.5 tonnes and is not drawing a trailer;

"parking bay" means an area of a parking place which is provided for the leaving of a motor vehicle and indicated by markings on the surface of the parking place or by traffic signs;

"parking contravention" has the same meaning assigned to it by Section 73 and Part 1 of Schedule 7 to the Traffic management Act 2004 and "The Civil Enforcement of Parking Contraventions (England) General Regulations 2007".

"penalty charge" means a charge pursuant to the provisions of Section 77 of the Traffic management Act 2004; and "The Civil Enforcement of Parking Contraventions (England) General Regulations 2007";

"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; and

“The Civil Enforcement of Parking Contraventions (England) General Regulations 2007”;

“permit” means a permit and a “valid permit” issued under the provisions of Article 3 of this Order;

“permit holder” means a person to whom a permit has been issued under the provisions of Article 7 of this Order;

- (ii) The definition for “taxi” has been removed from Article 2 (Interpretation).

Article 3 - Revocation

- (a) The following order has been revoked in part:

The County Council of Durham (Consett) (Prohibition and Restriction of Waiting and Prohibition of Loading./Unloading) Order 2010 – plan references CQ169, CR169, CQ171, CP170, CR170 and CQ170 dated 29.7.10.

- (b) The following order has been revoked in full:

The County of Durham (Unclassified Arc Street / Green Street. Consett) (Prohibition of Waiting) Order 1994

Part III

Articles 4 and 5

- (a) Reference to Article 16 has been removed and replaced with Article 12.
(b) The words “or civil enforcement officer” have been inserted after enforcement officer.

The existing Articles 6 to 10 inclusive have been removed.

Part IV

Article 11 has been renumbered to Article 6

- (i) The heading of the revised **Article 6** has been amended to read:

Parking Places

- (a) **8am – 6pm 1 hour no return 20 mins**
(b) **8am – 6pm 1 hour no return 3 hours**

- (ii) In sub articles 1-5 inclusive reference to Schedule 8 has been removed and replaced with reference to Schedules 3 and 4.

A new **Article 7** has been inserted which reads:

Parking Places – Permit Holders Only

- (1) The areas of highway identified in Schedule 7 to this Order are hereby designated as parking places.
- (2) Each parking place specified in Schedule 7 to this order, designated under paragraph (1) of this Article may be used for the leaving of motor vehicles and motor cycles on such days and during such hours as identified in the Masterplan and within the individual plan detailed in Schedule 7 to this Order.

- (3) Each parking place specified in Schedule 7 to this order, designated under paragraph (1) of this Article may be used, on such days and during such hours as identified in the Masterplan and within the individual plan detailed in Schedule 7, only by vehicles which display a valid permit.
- (4) The limits of each parking place and of each parking bay shall be indicated by the Council, on the carriageway by the appropriate traffic signs and the maximum number of parking bays are identified in the Masterplan and within the individual plan detailed in Schedule 7 to this Order.
- (5) The driver of a motor vehicle or a rider of a motor cycle shall not permit it to enter or wait in a parking place, authorised by paragraph (1) of this Article, for a period exceeding the maximum stay identified in the Masterplan and within the individual plan detailed in Schedule 7 or to return within the period also specified that plan.

The existing **Article 12 has been renumbered to Article 8** and amended as follows:

- (i) The heading of the Article has been amended to read:
 Disabled Badge Holders:
 - (a) Disabled Badge Holders Only **At Any Time**
 - (b) **Disabled Badge Holders 3 hour limit**
- (ii) Reference in sub articles (1), (2) and (3) to Schedules 9 and 10 have been removed and reference to Schedules 5 and 6 inserted.

The existing **Article 13 has been renumbered to Article 9** and amended as follows:

- (i) The heading of the Article has been amended to read:
 Loading Bays **Monday to Saturday 8am-6pm**
- (ii) Reference to Schedules 11 and 12 have been removed and reference to Schedule 8 inserted in sub Articles (1), (2) and (4).
- (iii) Reference to Article 16 in sub Article 2 has been removed and reference to Article 12 inserted.

The existing **Article 14 has been renumbered to Article 10** and amended as follows:

Reference in sub Article (1) to Articles 9, 10, 11, 12 and 13 have been removed and reference to Articles 6, 7, 8 and 9 inserted.

The existing **Article 15 has been renumbered to Article 11.**

The existing **Article 16 has been renumbered to Article 12** and amended as follows:

- (i) Sub Articles 1 and 2 – reference to Articles 10, 11, 12 and 13 have been removed.
- (ii) Sub Article 3 – reference to Articles 7, 8, 9 and 10 have been removed.
- (iii) Sub Article 4 – Reference to Article 13 has been removed and reference to Articles 4, 6, 7, 8 and 9 inserted.

- (iv) Sub Article 4 appears numbered twice, the second sub Article (4) has therefore been renumbered to sub article (5). Reference to Articles 7,8,9,10,11 and 12 have been removed.

Part VI

The existing Articles numbered 17 and 18 have been renumbered as 13 and 14 respectively.

SCHEDULES

- (i) **Schedule 1** – reference to plan reference number CR179 date sealed 29.7.10 has been removed. Reference to plans numbered CR169, CP170 and CQ170 date sealed 17.11.11 have been inserted. Plans reference CQ171, CR170 and CQ169 date sealed 29.7.10 have been removed and plans date sealed 17.11.11 inserted.
- (ii) **Schedule 2** – the existing plans date sealed 29.7.10 have been removed and plans of the same reference date sealed 17.11.11 inserted.
- (iii) The existing Schedules numbered 3, 4, 6, 7 and 8 have been removed.
- (iii) New Schedules 3 and 4 have been inserted as follows:

Schedule 3
Parking Places 8am-6pm 1 hour no return 20 mins

Plan reference number: CQ169 date sealed 17.11.11

Schedule 4
Parking Places 8am-6pm 1 hour no return 3 hours

Plan reference numbers: CQ169, CQ171 and CQ170 date sealed 17.11.11

- (iv) Schedule 9 has been renumbered as now becomes Schedule 5.
- (v) New Schedules 6, 7 and 8 have been inserted as follows:

Schedule 6
Disabled Badge Holders only 3 hour limit

Plan reference numbers: CQ169, CQ171 and CQ170 date sealed 17.11.11

Schedule 7
Parking Places Permit Holders Only

Plan reference number: CQ169 date sealed 17.11.11

Schedule 8
Loading only Monday – Saturday 8am-6pm

Plan reference numbers: CQ169, CR169 and CQ170 date sealed 17.11.11

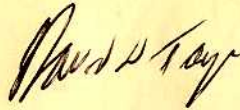
- (vi) The existing Masterplan dated 29.7.10 has been removed and a new Masterplan date sealed 17.11.11 has been inserted.

Part IV

Saving

3. 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.
4. 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.

**GIVEN UNDER THE COMMON SEAL OF THE COUNTY COUNCIL OF DURHAM ON 17
NOVEMBER 2011.**



AUTHORISED SIGNATORY



DELEGATED DECISION

**REGENERATION AND ECONOMIC
DEVELOPMENT SERVICE**



AUGUST 2011.

TRAFFIC REGULATION ORDER (TRO)

Report of RED SERVICE

ADRIAN WHITE – HEAD OF TRANSPORT

Purpose of the Report

- 1 To consider the amendment of a TRO at: Consett Town Centre

Background

- 2 **Background/Reason for TRO:**

To utilise existing parking space and encourage a higher turnover in the Town Centre.

- 3 **Options considered and reason for preferred option:**

There were previously Map Based Schedules made for the entire Consett Area, which replaced the existing Orders only. Before CPE begins, it would be more prudent to utilise the existing space to encourage a higher turnover in the town centre area by reducing the amount of waiting restrictions and increasing the number of limited waiting bays.

- 4 **Consequences:**

No apparent consequences

- 5 **Summary of informal consultation:**

Consultation was sent to Police, Area 2 Engineer and local residents and shop managers attended a meeting to review and discuss the proposals.

- 6 **Local Members comments/support:**

Local Members attended the drop in session on the 12TH May 2011.

- 7 **Any other relevant info:**

None

8 These restrictions are existing, the existing written TRO's will be replaced by map based schedules. There are 8 Orders to be completely revoked.

Recommendations and reasons

9 It is RECOMMENDED that the TRO be progressed to advert.

Decision

10

Background papers

Office Files

Contact: Rachael Smith

Tel: 0191 383 5593

Appendix 1: Implications

Finance – Demand Management

Staffing – Carried out by Strategic Traffic

Risk – Not Applicable

Equality and Diversity – It is considered that there are no Equality and Diversity issues to be addressed.

Accommodation - No impact.

Crime and Disorder - This TRO will allow effective management of traffic to reduce congestion and improve road safety

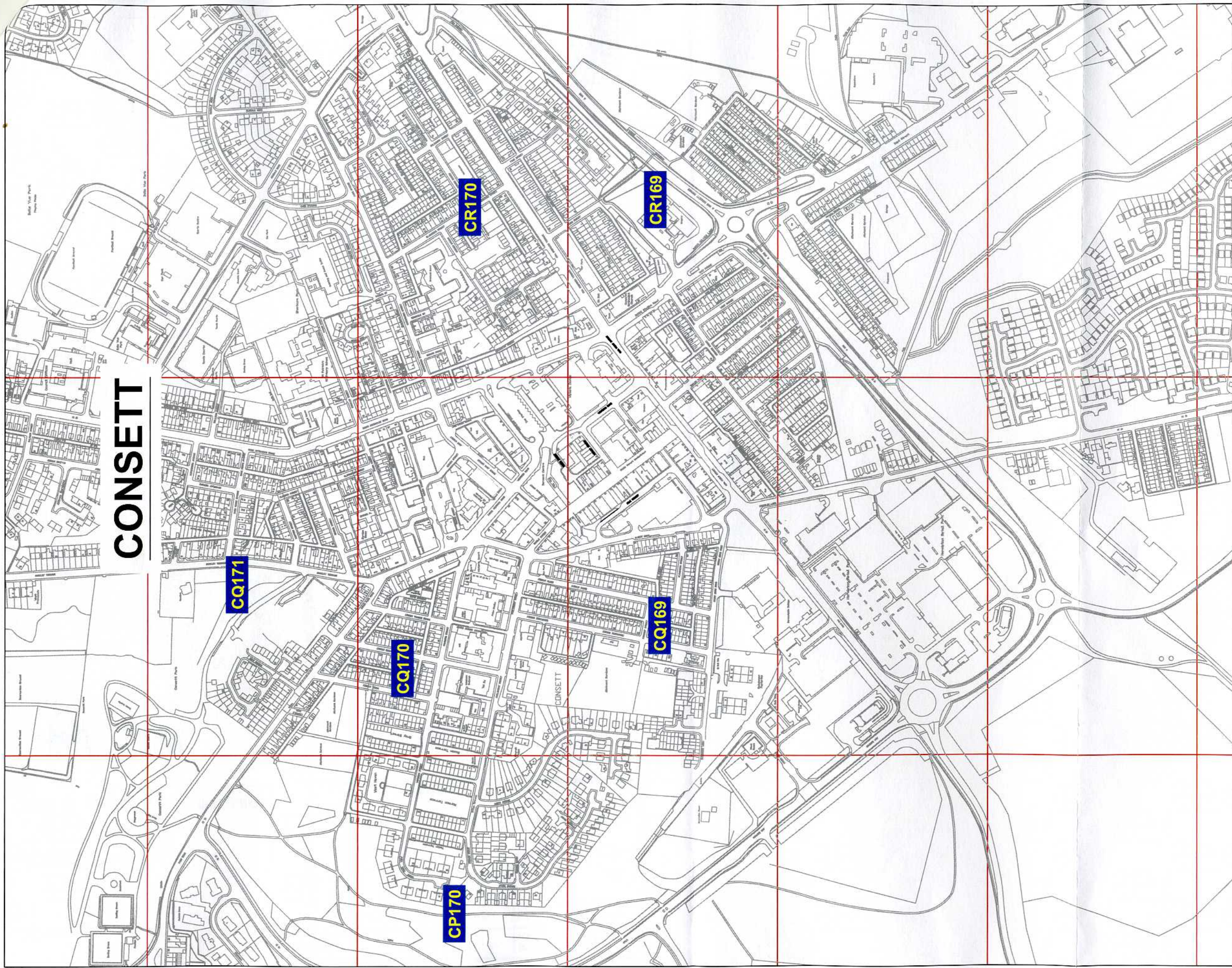
Human Rights - No impact on human rights

Consultation - Initial consultation was carried out

Procurement – Operations, DCC.

Disability Issues - Blue Badge holders are exempt from waiting restrictions for up to 3 hours

Legal Implications – Enforceable TRO



CONSETT

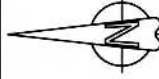
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Individual reference number



Corporate Director
Regeneration & Economic
Development
Strategic Traffic Management
County Hall, Durham DH1 5UQ

THE COUNTY COUNCIL OF DURHAM
CONSETT
PROHIBITION OF WAITING AND LOADING/UNLOADING
AND PARKING PLACES.
ORDER 2011



Scale: N.T.S

Date: Aug 2011

Drawn by: R. Smith

Signature: *[Signature]*

Date Sealed: 17.11.11

MASTERPLAN





David Taylor

CP170

Key to Types of Restriction

- No Waiting At Any Time
- Individual reference number

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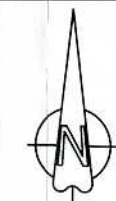


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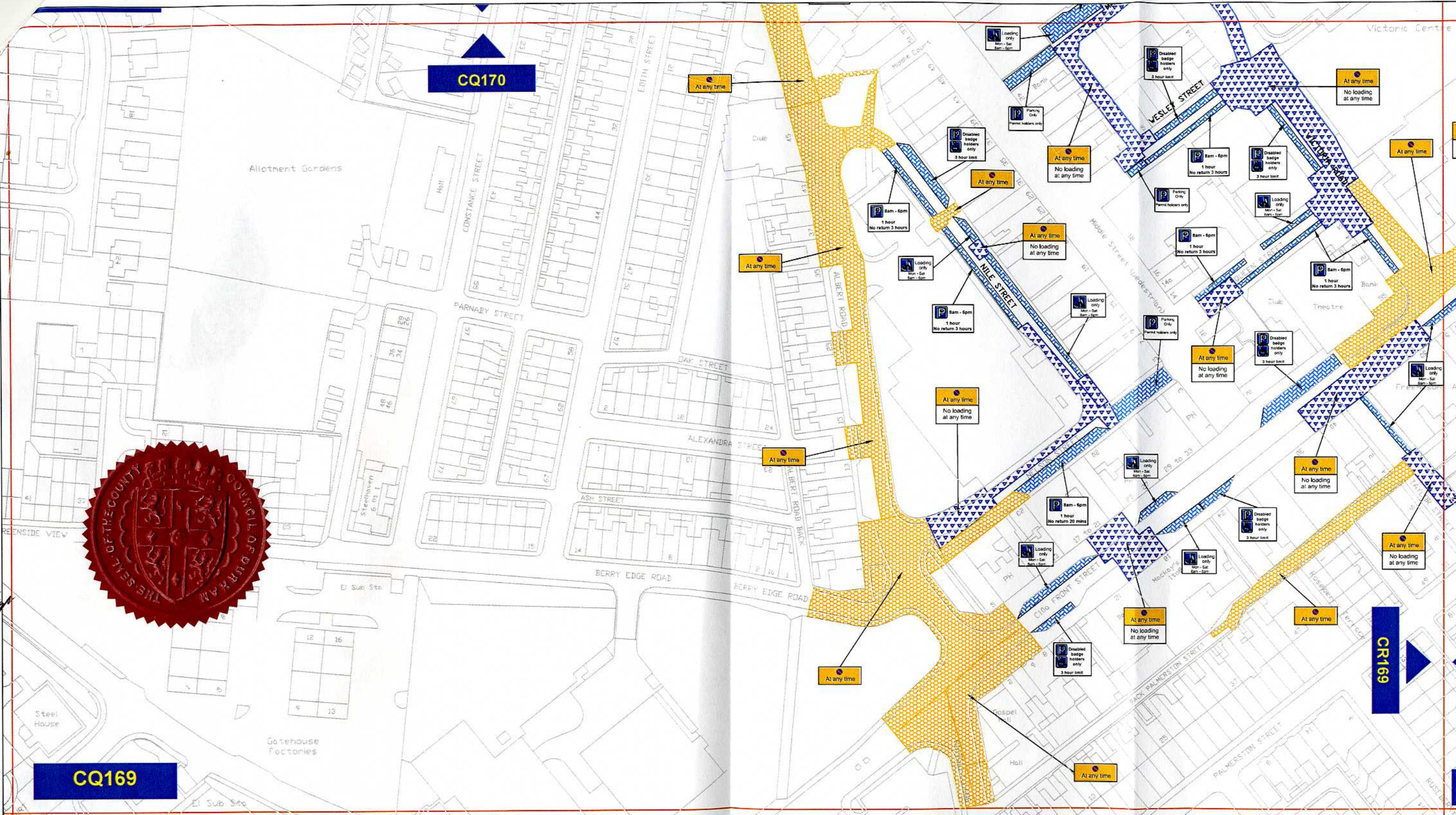
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Scale:	1:1250 @ A3		
Date:	Aug 2011		
Drawn by:	R.Smith	Signature:	<i>RS</i>
Date Sealed:	17.11.11	Map Schedule:	CP170



CQ170

CQ169

CR169

Key to Types of Restriction

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-  No Waiting and No Loading/Unloading At Any Time
-  Restricted Bay
-  Individual reference number

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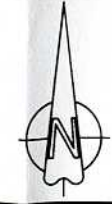
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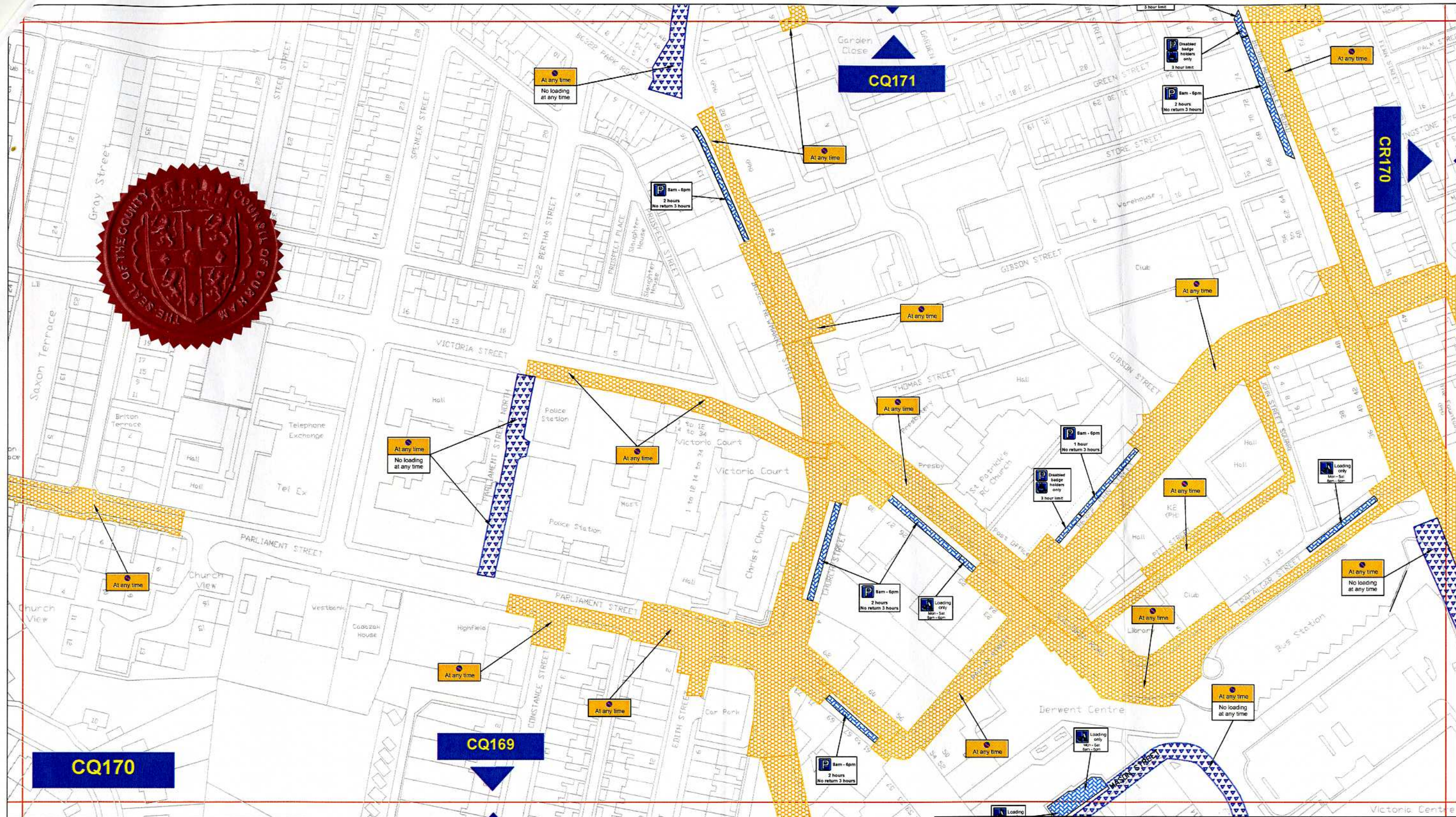
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Date Sealed:	17-11-11	Map Schedule:	CQ169



*David
Hay*



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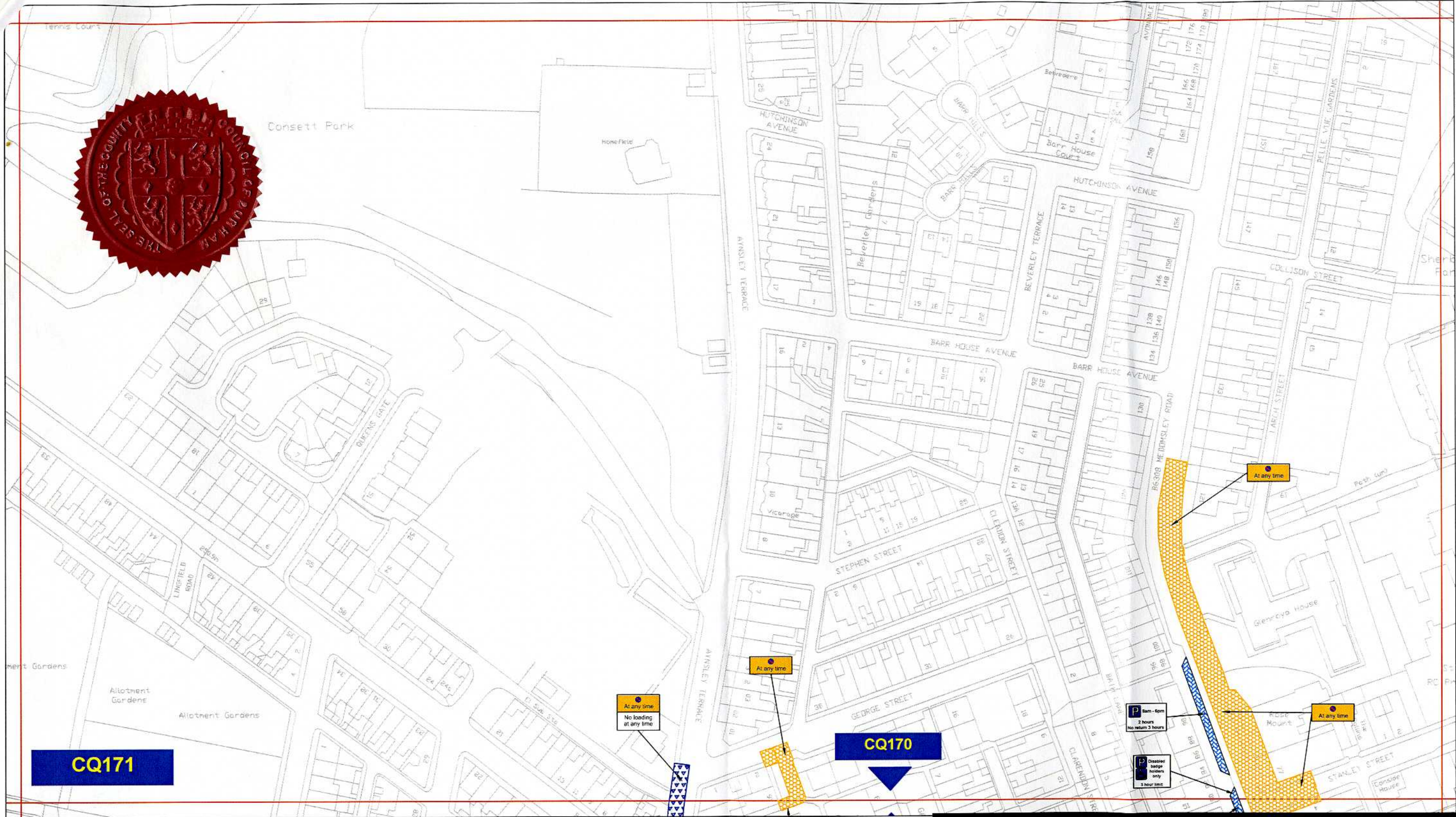
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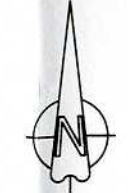
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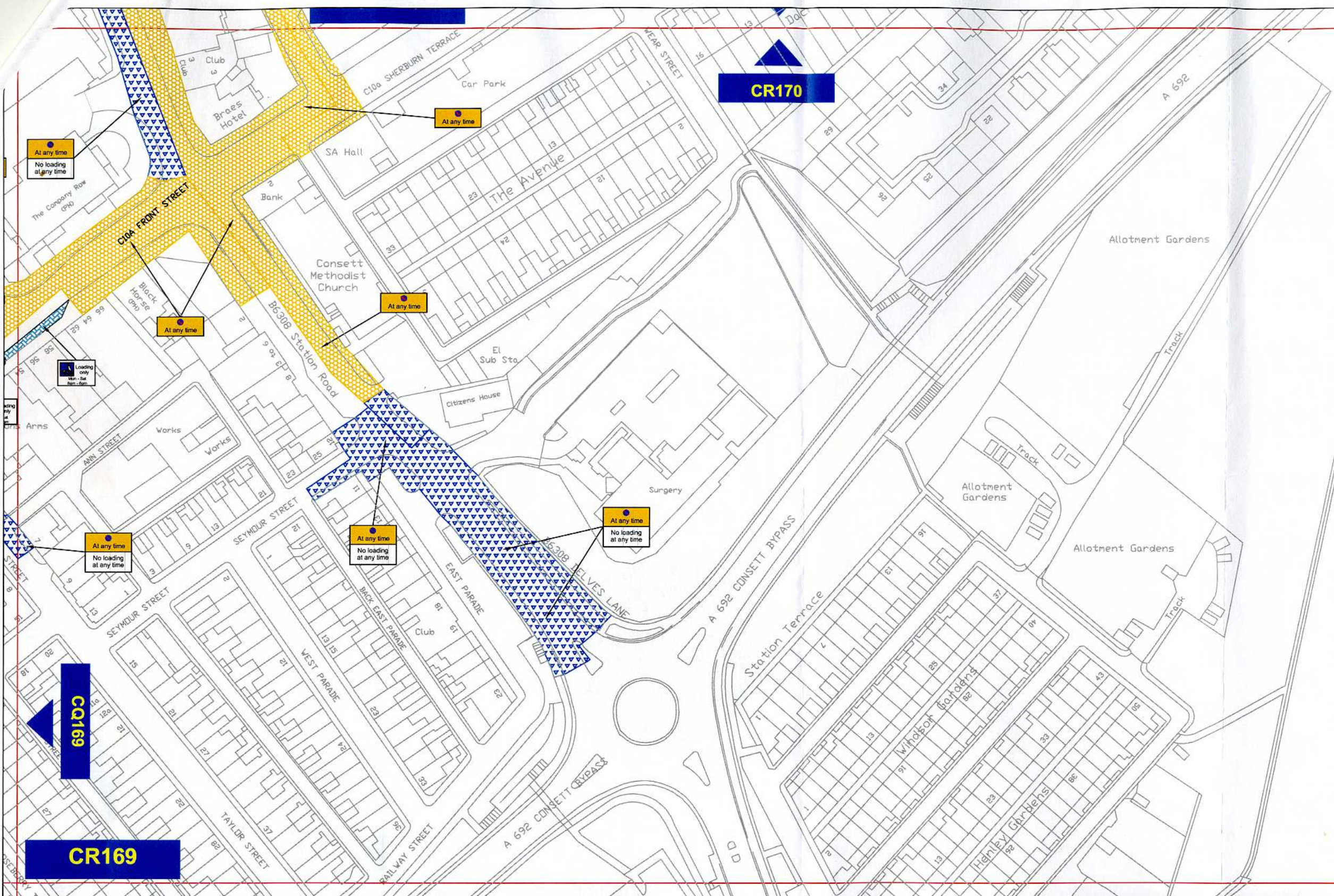
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Date Sealed:	17.11.11	Map Schedule:	CQ171



David Taylor

Key to Types of Restriction

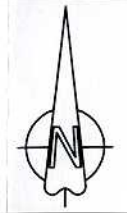
-  No Waiting At Any Time
-  No Waiting and No Loading/Unloading At Any Time
-  Restricted Bay
-  Individual reference number

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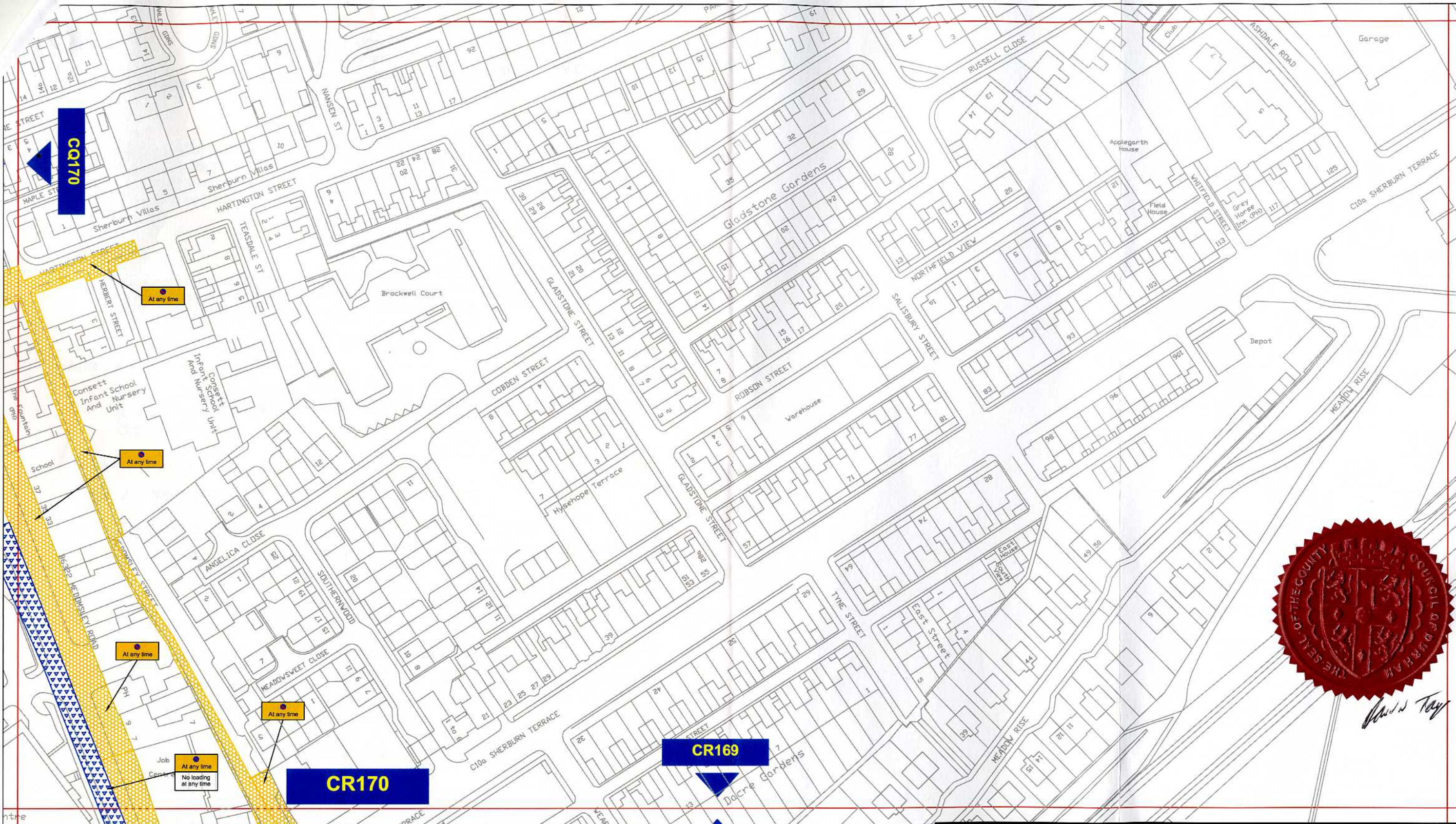


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Drawn by:	R. Smith	Signature:	<i>DL</i>
Date Sealed:	17.11.11	Map Schedule:	CR169



Key to Types of Restriction

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