

**THE COUNTY COUNCIL OF DURHAM  
(KYO, ANNFIELD PLAIN, GREENCROFT, CATCHGATE, HARELAW AND  
DIPTON)  
(PROHIBITION AND RESTRICTION OF WAITING AND LOADING/UNLOADING)  
ORDER 2010**

The County Council of Durham ("the Council") in exercise of their powers under Sections 1, 2 and 4 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 (Kyo, Annfield Plain, Greencroft, Catchgate, Harelaw and Dipton) (Prohibition & Restriction of Waiting and Prohibition of Loading/Unloading) Order 2010 and shall come into operation on 5 August 2010.

**Interpretation**

2. 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 (Badge's for Motor Vehicles) (England) Regulations 2000 (as amended);

"disabled person's parking disc" means a device which:

- (a) is 125 millimetres square coloured blue, if issued on or after 1 April 2000, or orange if issued before that date
- (b) has been issued by a local authority and has not ceased to be valid and
- (c) is capable of showing the quarter hour during which a period of waiting began.

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

"liveried vehicle" means a vehicle having a distinctive design and colour scheme used to distinguish a police, fire brigade or ambulance vehicle;

"masterplan" means the plan showing the total area covered by all of the individual map schedules for each location included in a Map Based Road Traffic Regulation Order"

"motor vehicle" has the same meaning as in Section 136 of the Act;

"parking disc" means a device which:

- (a) is 125 millimetres square coloured blue, if issued on or after 1 April 2000, or orange if issued before that date
- (b) has been issued by a local authority and has not ceased to be valid; and
- (c) is capable of showing the quarter hour during which a period of waiting began;

"relevant position" means:-

- (i) in the case of a disabled person's badge;
  - (a) in the case of a vehicle fitted with a dashboard or fascia panel the badge is exhibited thereon; or
  - (b) where the vehicle is not fitted with a dashboard or fascia panel, the badge is exhibited in a conspicuous position in the vehicle so that the front of the badge is clearly legible from outside the vehicle; and
- (ii) in respect of a disabled person's parking disc:-
  - (a) in the case of a vehicle fitted with a dashboard or fascia panel the badge is exhibited thereon; or
  - (b) where the vehicle is not fitted with a dashboard or fascia panel, 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;

"taxi" has the same meaning as "hackney carriage" as defined in Section 80 of the Local Government (Miscellaneous Provisions) Act 1976;

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

## Part II

### Revocation

3. (i) The following Orders are to be revoked in full:

The County of Durham (Road B.6168, North Road, Cathchgate) (Prohibition of Waiting) Order, 1986. 1/53

The County of Durham (Swan Street, Catchgate) (Prohibition of Waiting) Order, 1983 1/40

The Urban District of Stanley, Co. Durham (Various Streets) (Prohibition of Waiting) Order No. 1, 1969 2/4A



The Urban District of Stanley, Co. Durham (Various Streets) (Prohibition and Restriction of Waiting) Order, 1968.	2/2A
The County Council of Durham (Road B6168 Front Street, Annfield Plain) (Prohibition Of Waiting And Amendment) Order, 1998	2/99
The County of Durham ( B6168 / C11 Annfield Plain) (Amendment) Order, 1994	2/80
The County of Durham (B6169/Unclassified 12.29 Kyo Road/Bethany Terrace, Catchgate) (Prohibition of Waiting) Order 1998	3/100
The County Council of Durham (Unnamed Access Road to Duffy Terrace/Vincent Terrace, Annfield Plain) (Prohibition of Waiting) Order 1999	3/103
The County Council of Durham (Road A692 Front Street/C125 Co-Operative Terrace, Dipton) (Prohibition of Waiting) Order, 2001	3/117
The County Council of Durham (C11 West Road/B6168 Durham Road/Station Road and Unnamed Road to Clavering Place Annfield Plain) (Prohibition of Waiting) Order 2004	3/143
The County Council of Durham (Blackett Street, Catchgate) (Traffic Management) Order 2009	3/158
(ii) The following orders are to be partially revoked:	
Derwentside District Council. Local Government (Miscellaneous Provisions) Act 1976. Appointment of Stands for Hackney Carriages. – Front Street, Annfield Plain.	3/106.

### Part III

#### Prohibition of Waiting At Any Time

4. Save as provided in Article 6 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 any of the lengths of roads or sides of lengths of roads identified in the Masterplan and within the individual plans detailed in Schedule 1 to this Order.

#### Prohibition of Waiting and Loading/Unloading At Any Time

5. Save as provided in Article 6 of this Order no person shall, except upon the direction or with the permission of an enforcement officer, cause or permit any vehicle to:
  - a. wait, or
  - b. wait for the purpose of enabling goods to be loaded onto or unloaded from the vehicle, at any time, on any of the lengths of roads or sides of lengths of roads identified in the Masterplan and within the individual plans detailed in Schedule 2 to this Order.

## **Prohibition of Waiting, except Taxis**

6. Save as provided in Article 13 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, other than a taxi, at any time, on any of the lengths of roads, or sides of lengths of roads identified in the Masterplan and within the individual plan detailed in Schedule 6 to this Order.

## **Part IV**

### **Exemptions**

7. (1) Nothing in Articles 4, 5 or 6 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 4, 5 or 6 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 Articles 4 or 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).



- (4) Nothing in Articles 4 or 6 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; or
  - (b) goods to be loaded onto or unloaded from the vehicle
- (5) Nothing in Article 5 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.

#### **Part VI**

#### **Saving**

11. 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.
12. 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 At Any Time**

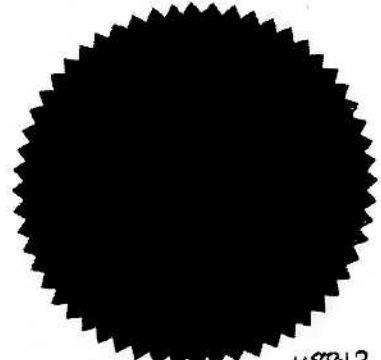
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#### **Schedule 2**

#### **Prohibition of Waiting and Loading/Unloading At Any Time**

Plan reference number: DB173, DC173

**Given under the Common Seal of the County Council of Durham on 29 July 2010.**



*W M J*

48813

## **REPORT FOR DELEGATION OF APPROVAL**

**22 April 2010**

### **TRAFFIC REGULATION ORDER (TRO)**

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#### **Purpose**

To consider the introduction/amendment of a TRO at:.

**Kyo, Annfield Plain, Greencroft, Catchgate, Harelaw and Dipton**

#### **Information**

In Order to progress with the introduction of Civil Parking Enforcement (CPE) in the North Durham area there is a need to ensure that all existing Traffic Regulation Orders (TRO's) are legally enforceable. This new TRO will replace the 12 existing TRO's which were sealed in 1968 to 2009. The new TRO will use map based schedules to accurately identify existing waiting restrictions as they appear on the ground and ensures that the body of the Order itself is legally correct. Given the new TRO will not introduce any new restrictions on the ground and is more or less an administrative process it is likely that we will receive very few if any objections to the proposals.

The introduction of CPE will involve the advertising of 19 TRO's (arranged in settlement groups) which will replace all existing waiting restriction TRO's in the North Durham area.

#### **Recommendation**

It is RECOMMENDED that the TRO be progressed to advert.

#### **Background Papers**

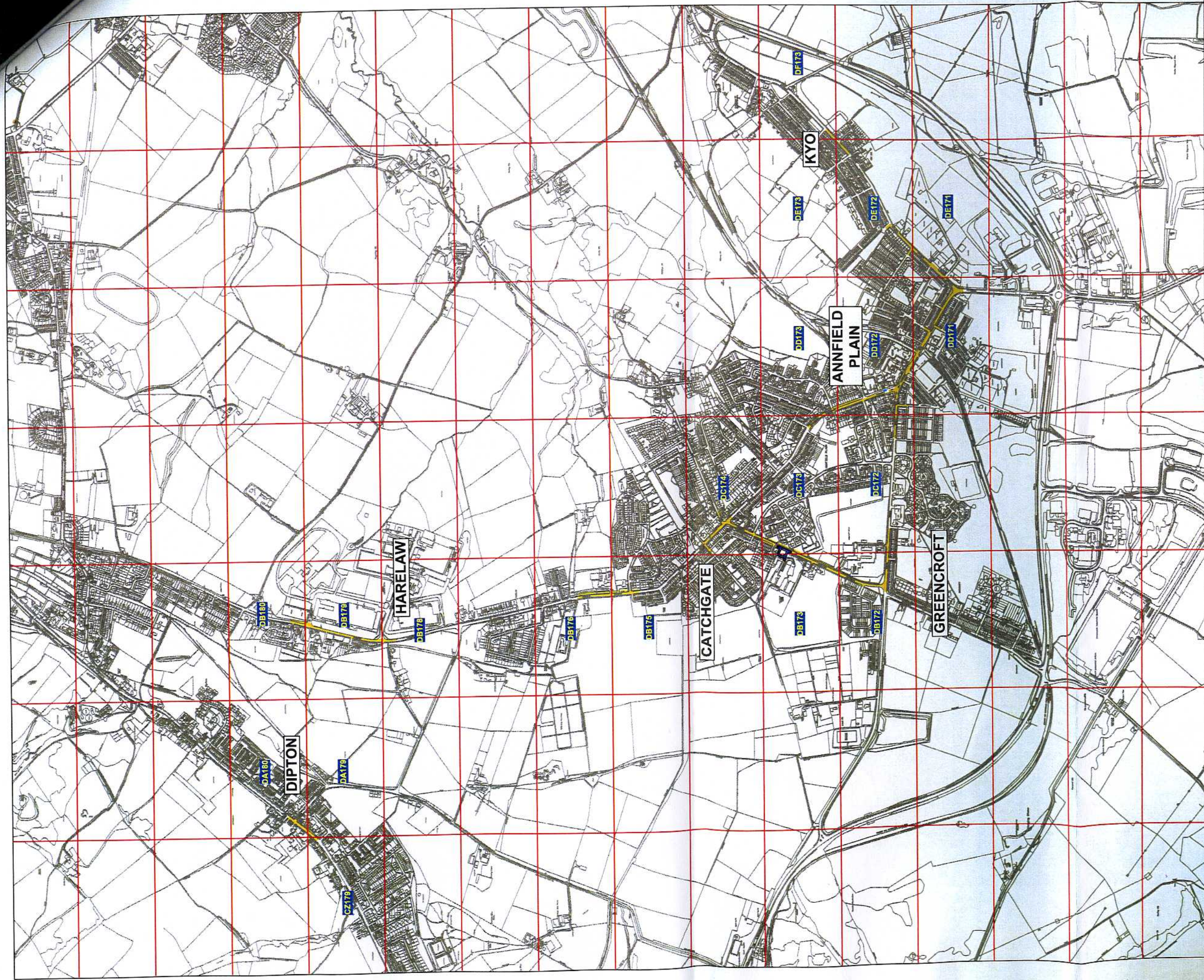
Office Files

#### **Contact Officer**

Dave Lewin

Ext 4125





KEY:

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

Individual Plan  
Reference Number



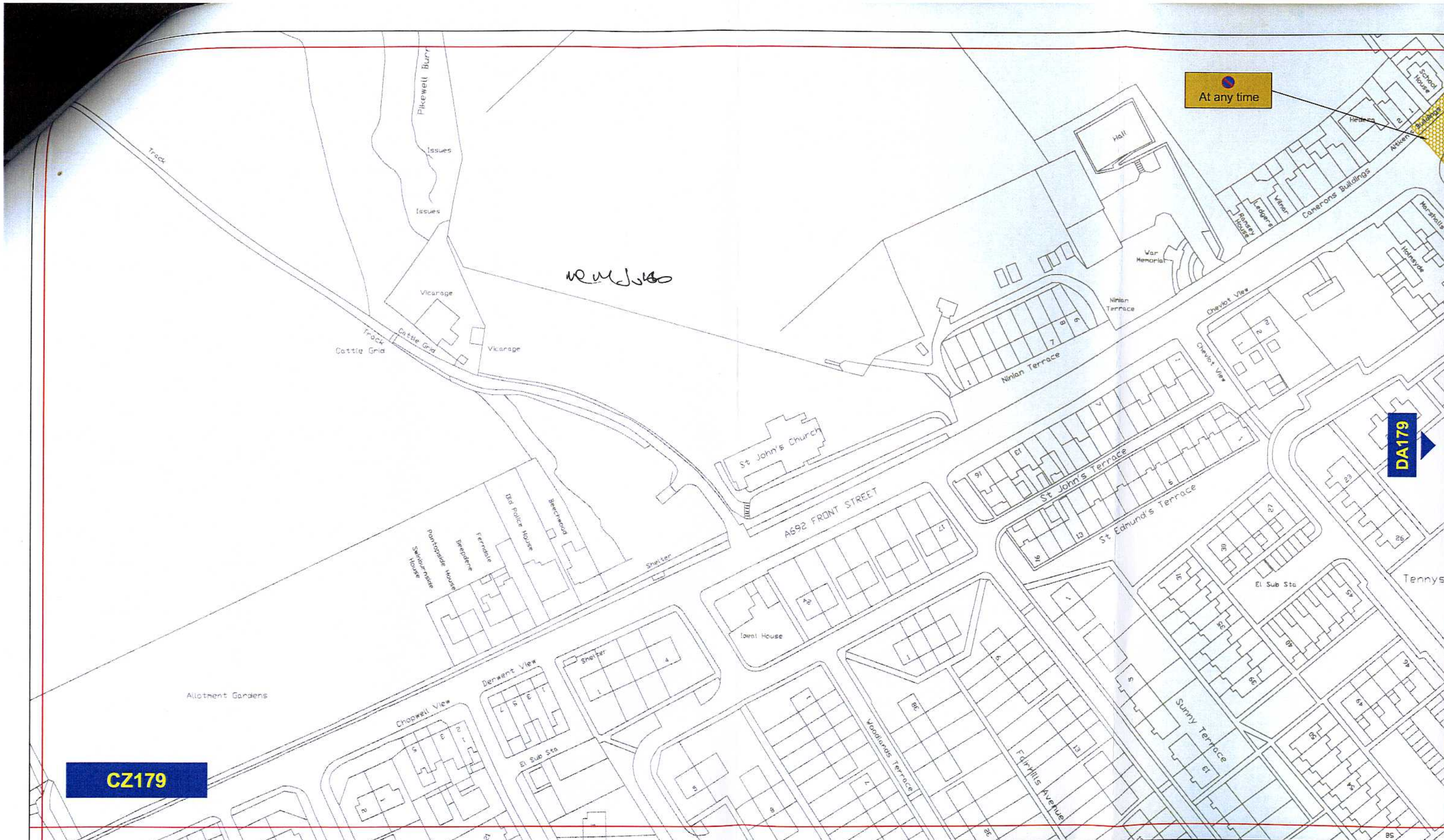
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Scale: NOT TO SCALE  
Date:  
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MASTER PLAN

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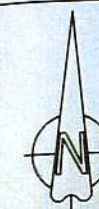


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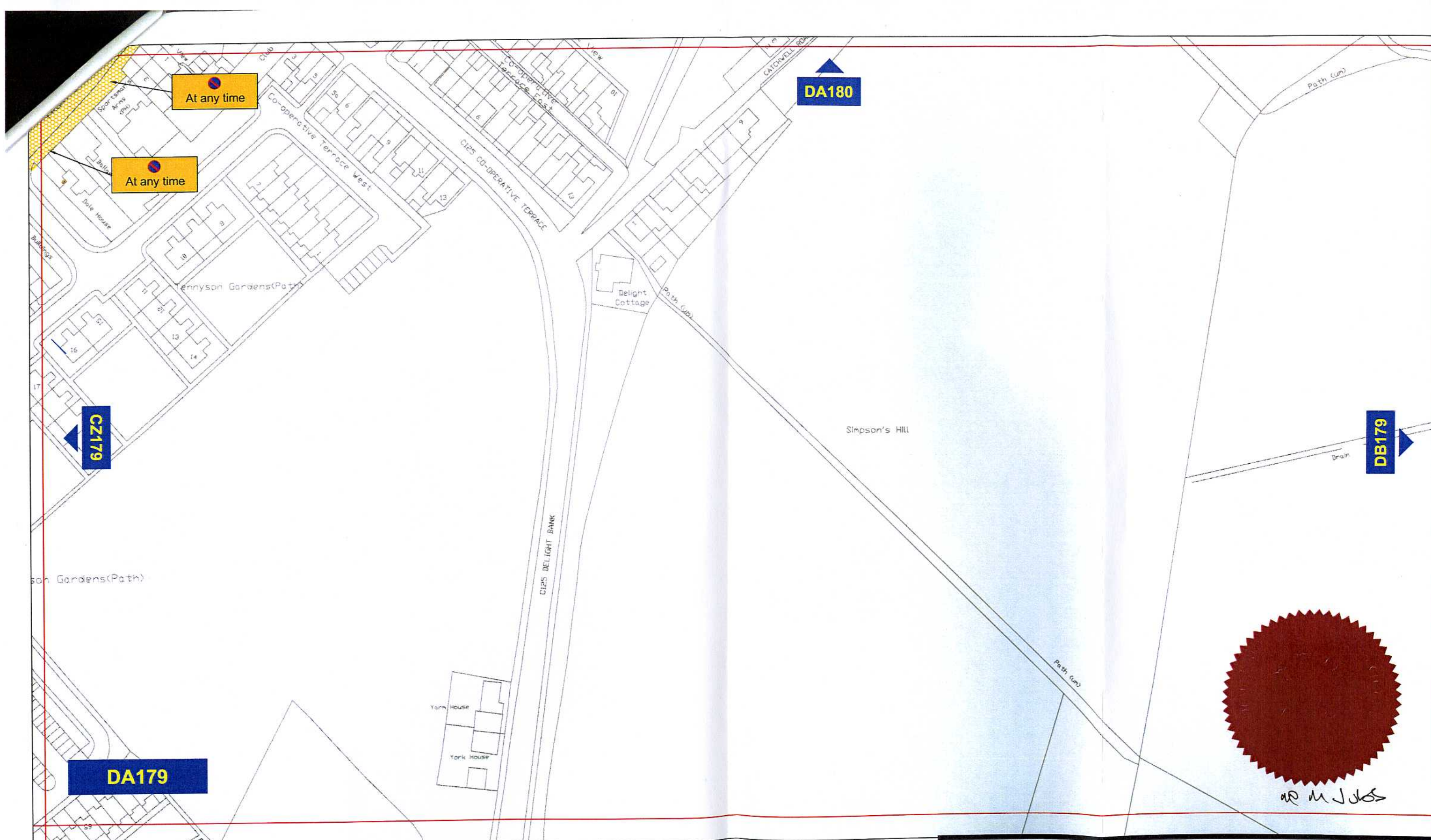
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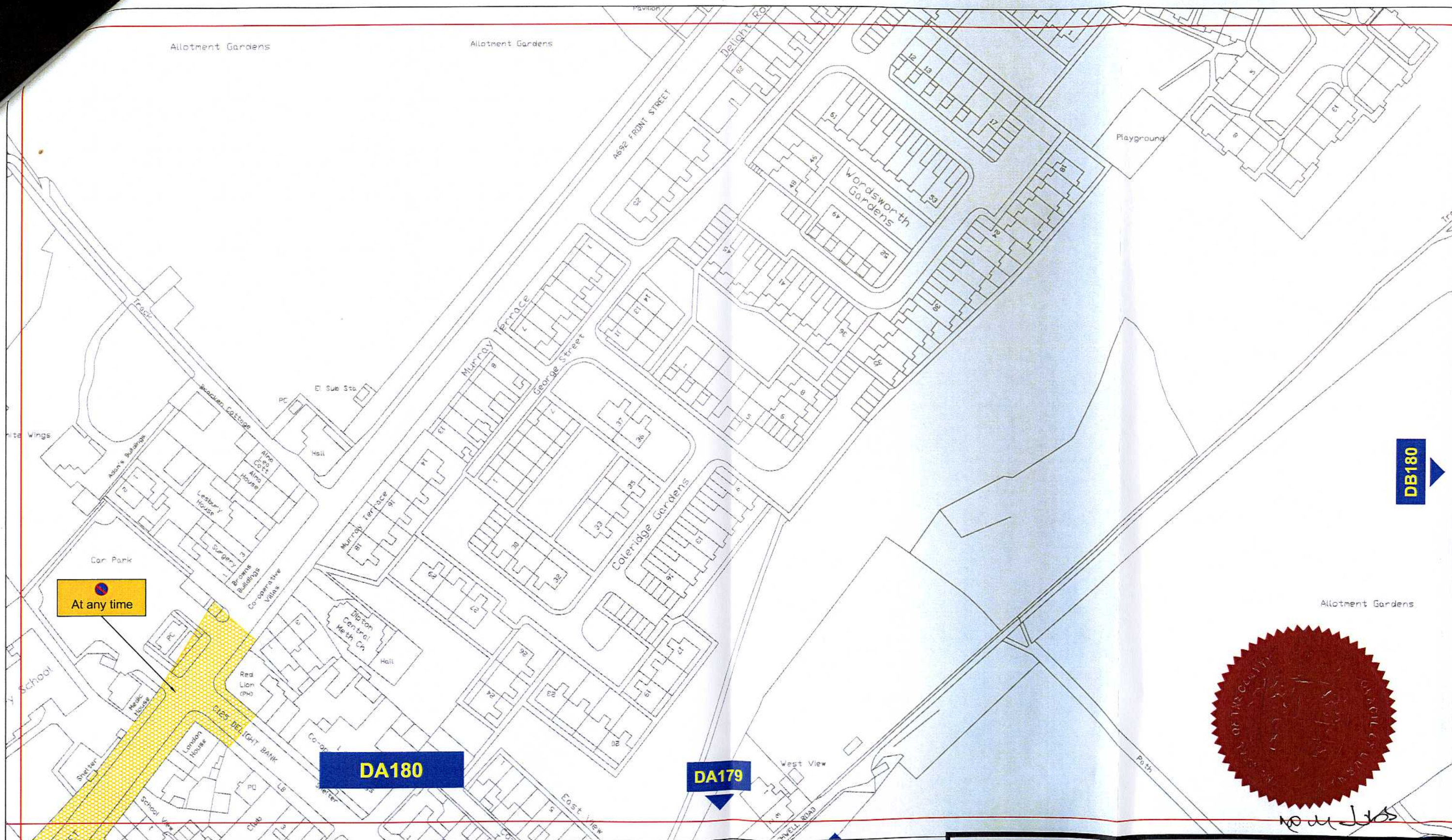
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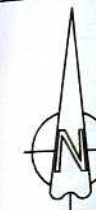


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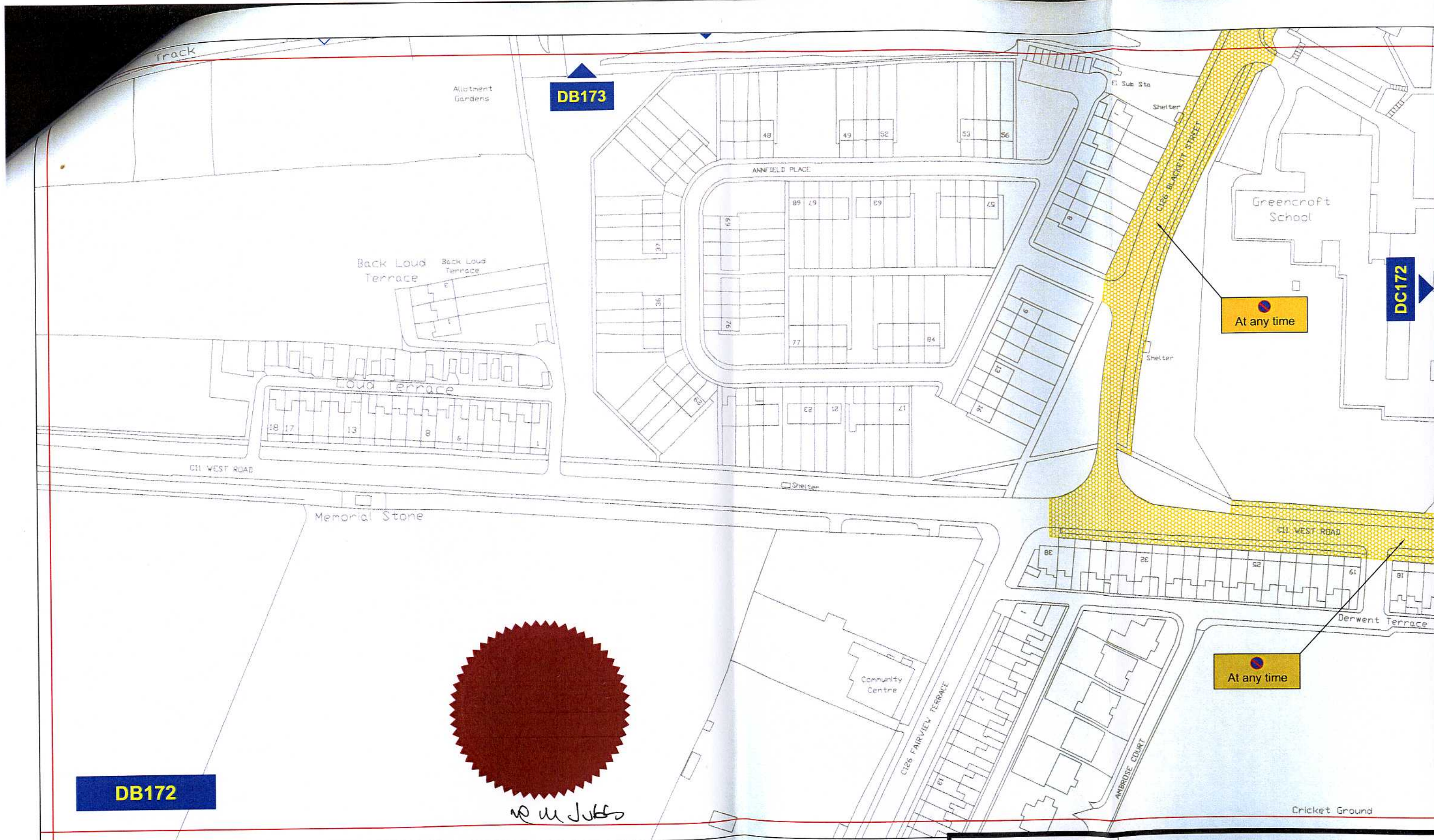
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No Waiting At Any Time



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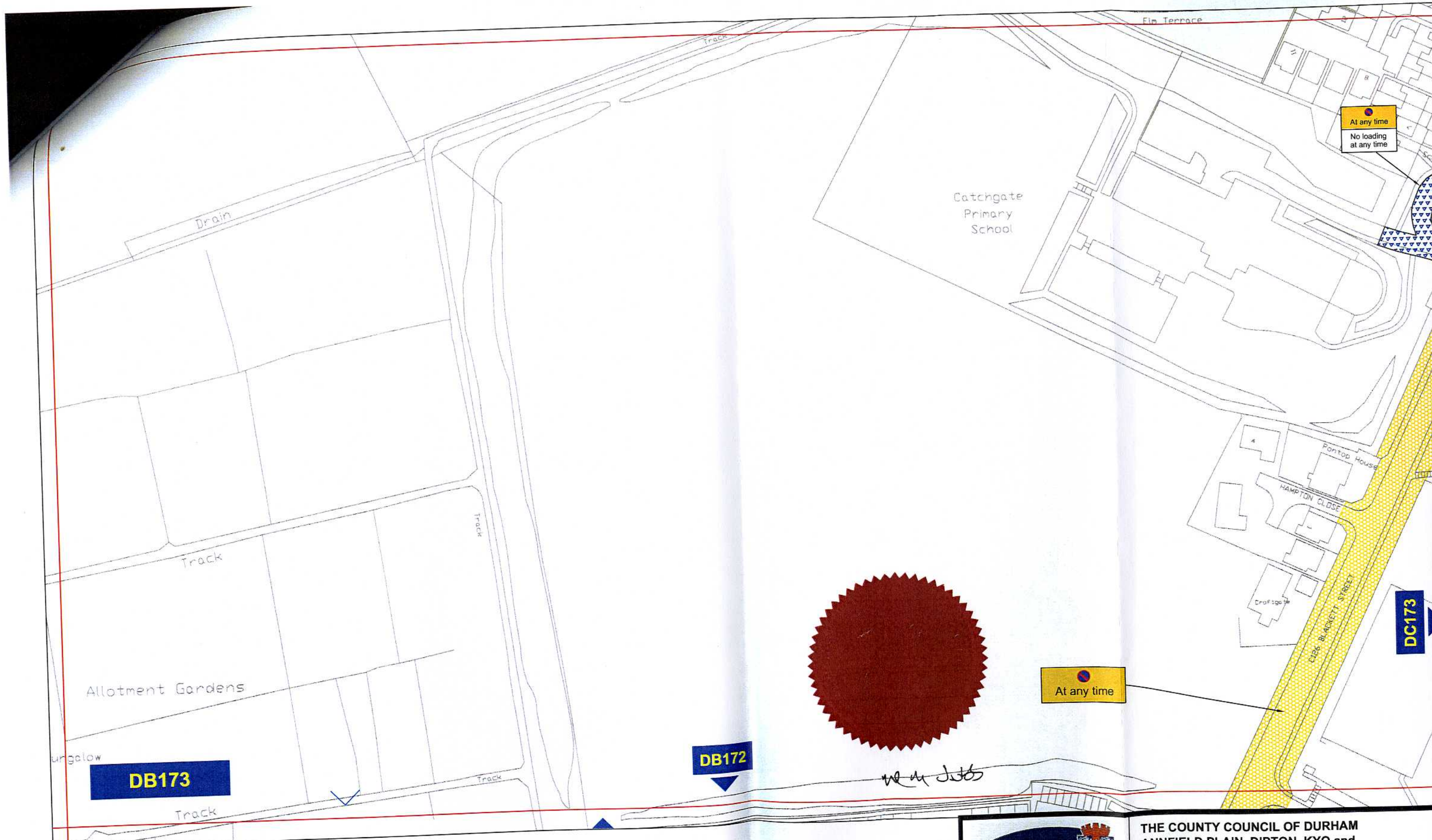
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-  No Waiting At Any Time
-  No Waiting and No Loading/Unloading At Any Time



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DB176


At any time



*no waiting*

DB175

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 No Waiting At Any Time

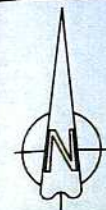
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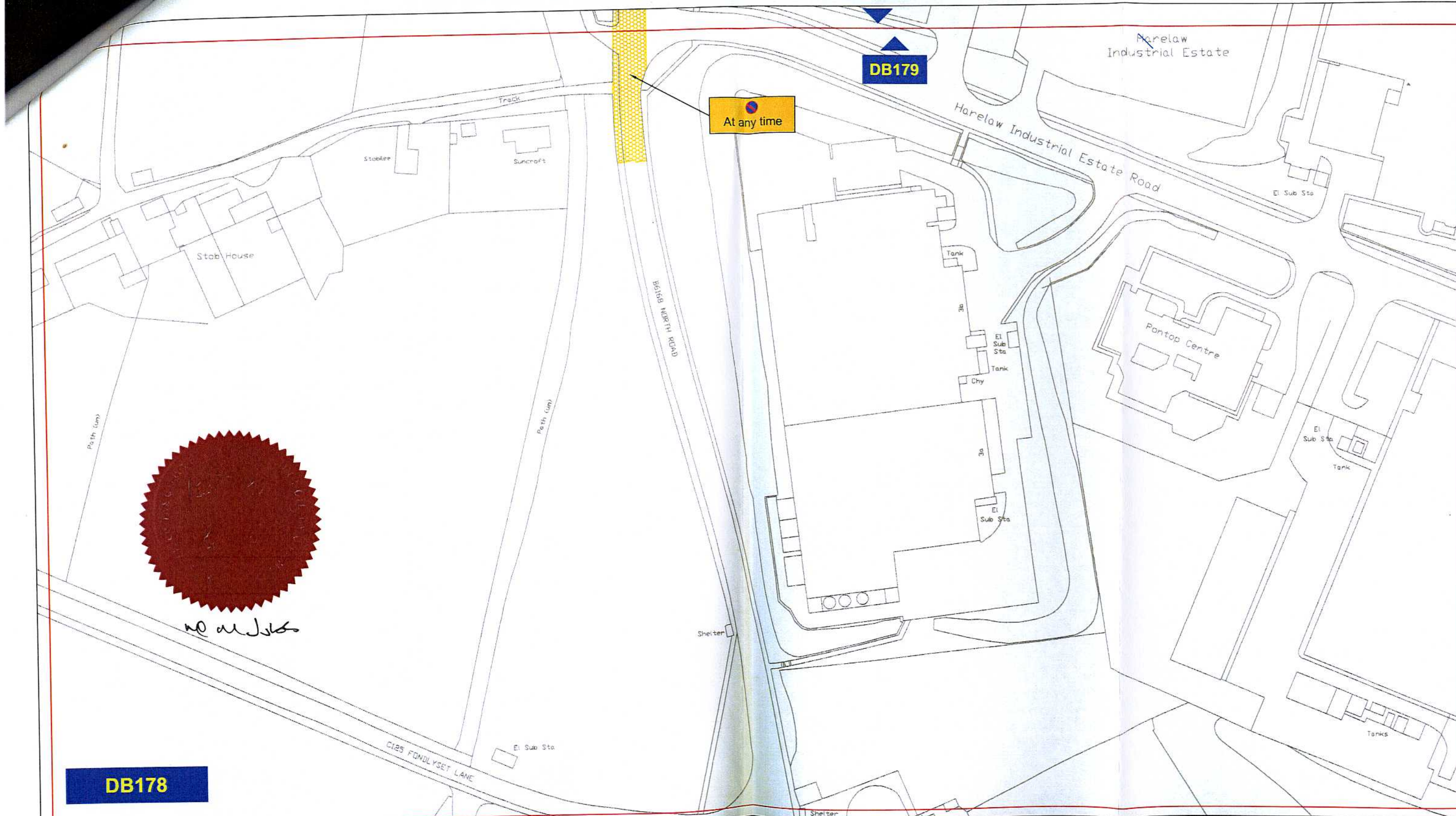
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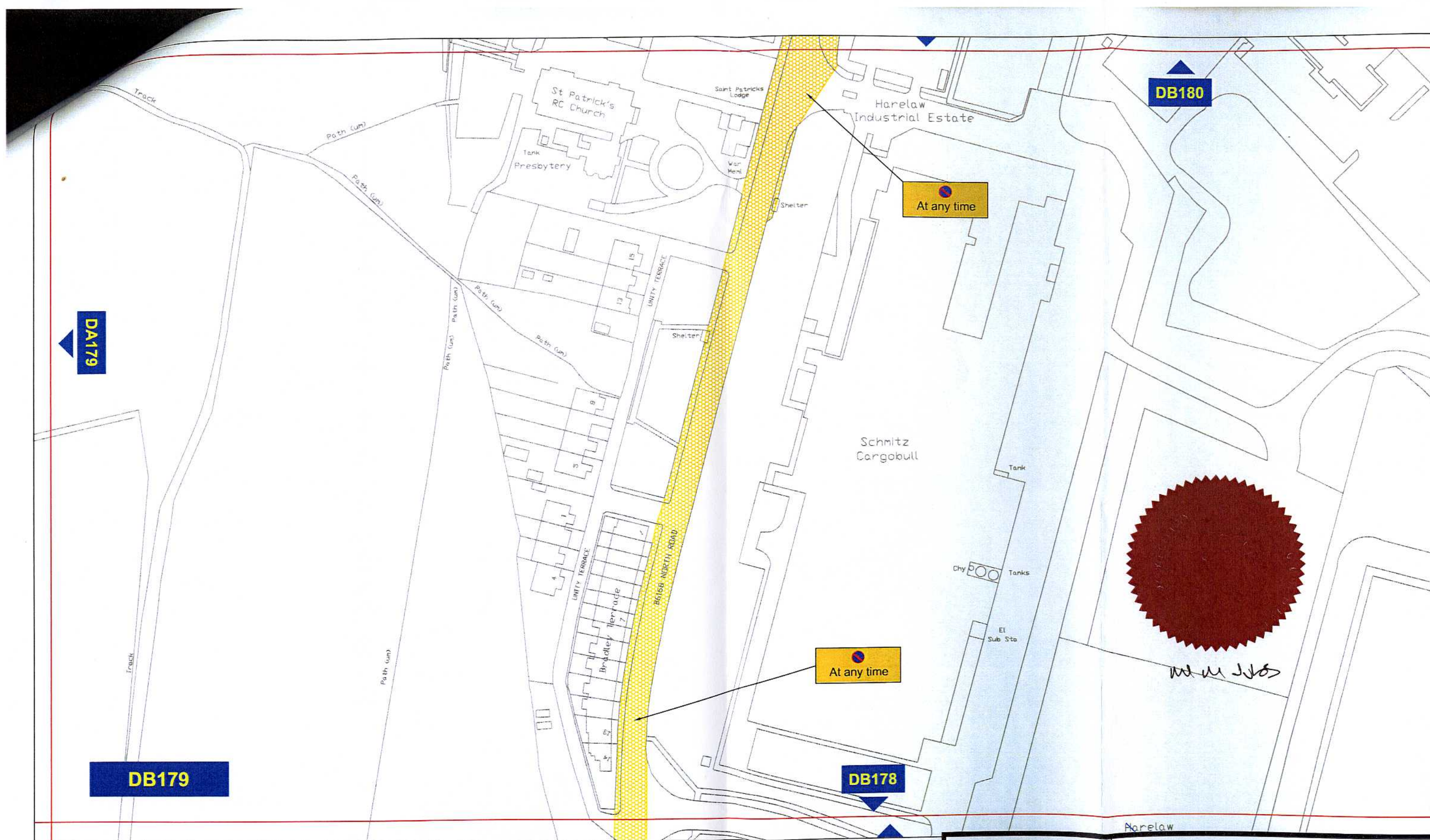
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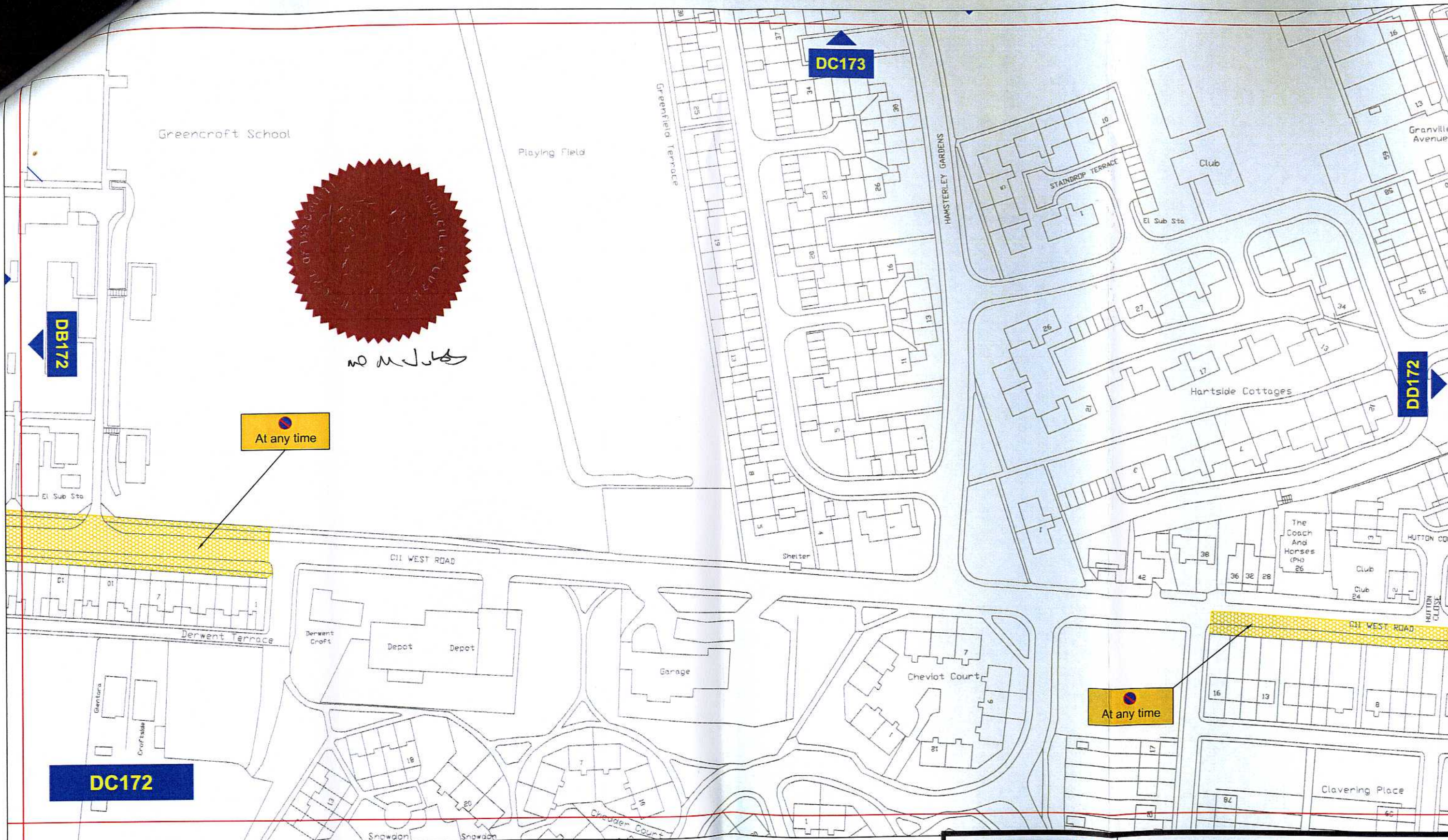
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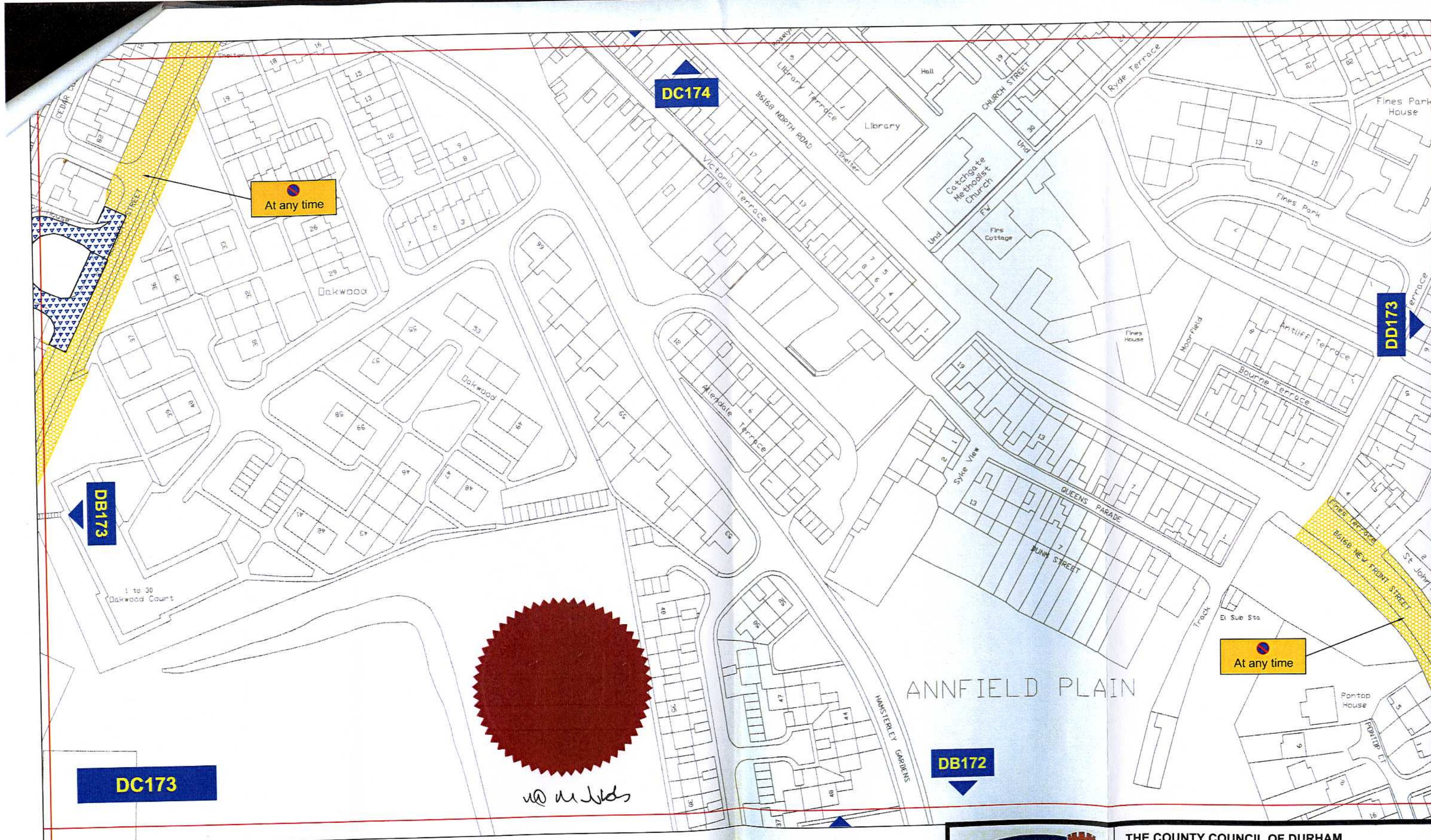
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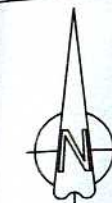


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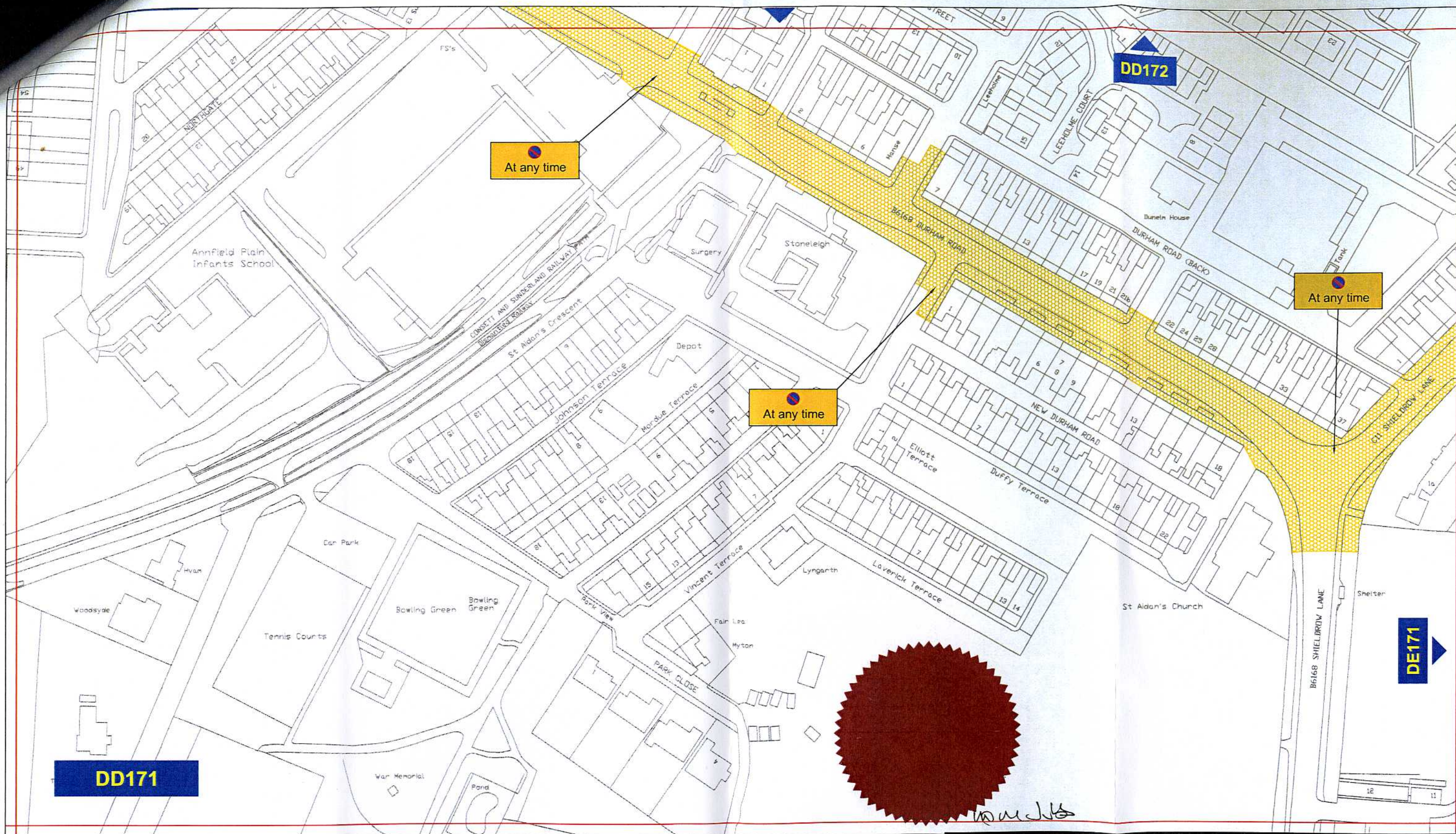
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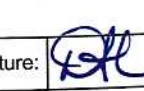
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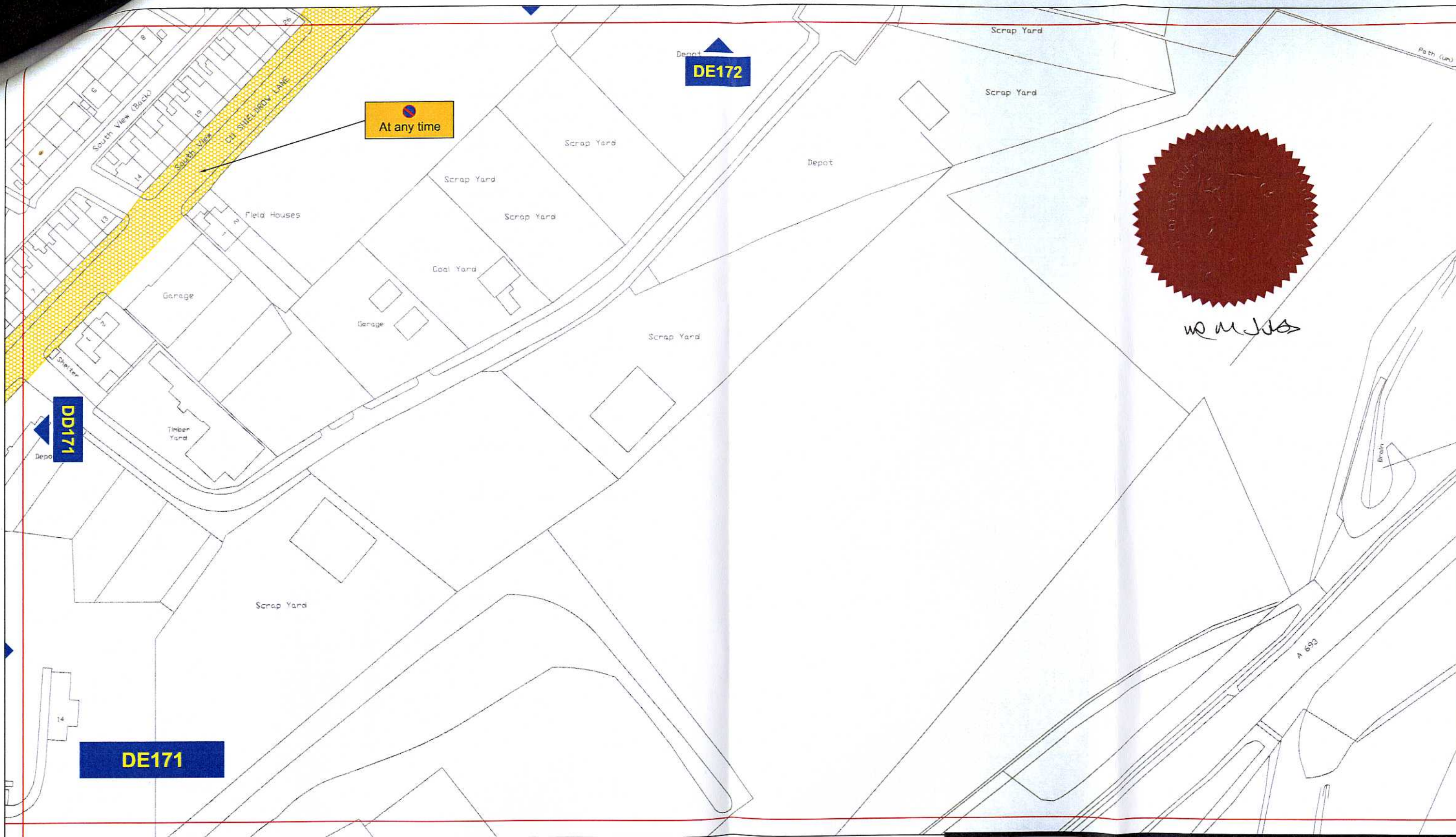


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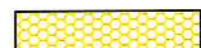
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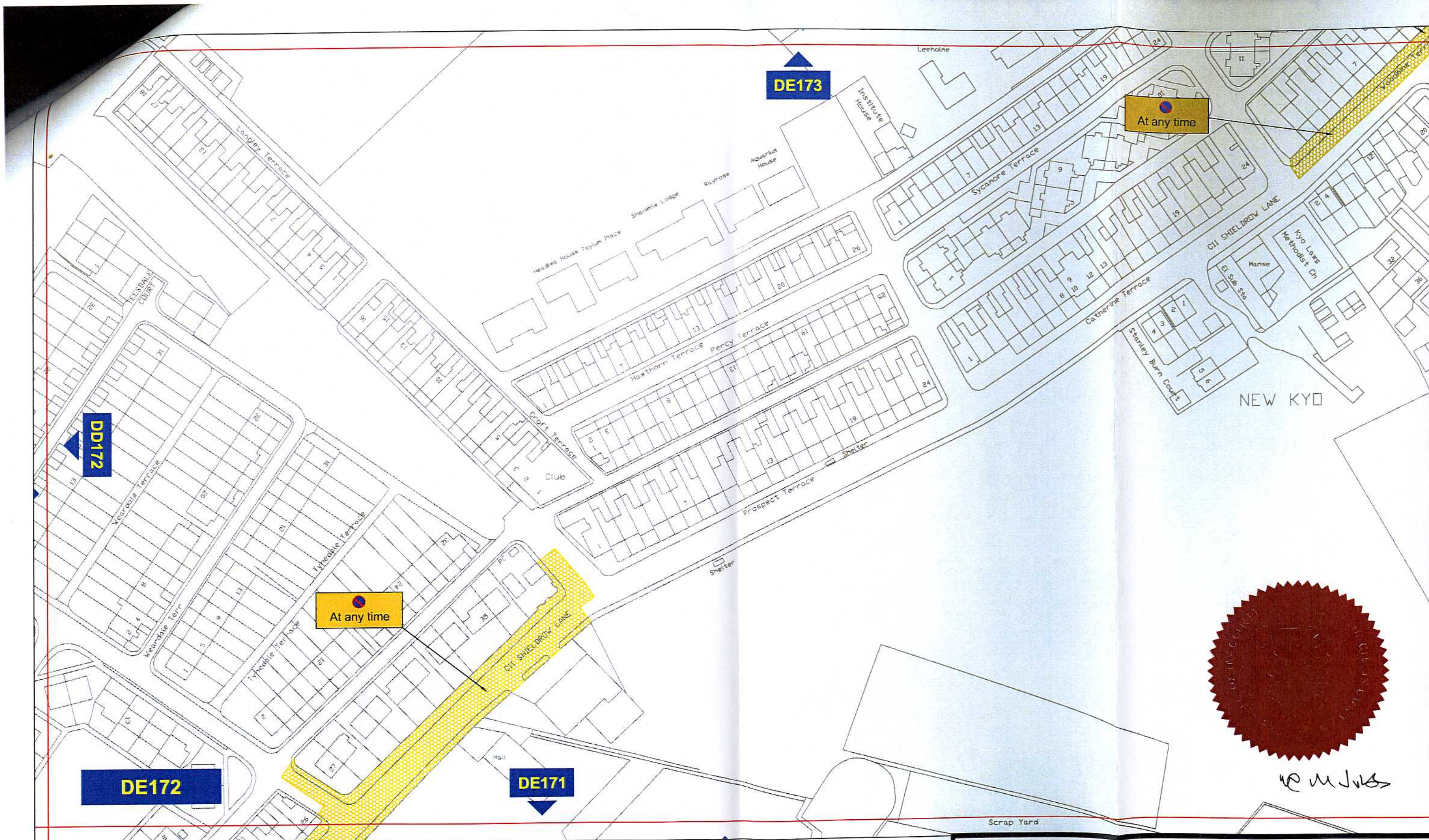
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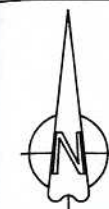


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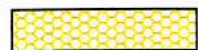
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Schedule:

DE





### Key to Types of Restriction



No Waiting At Any Time

PATH:

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**Corporate Director  
Regeneration & Economic  
Development**

Strategic Traffic Management

County Hall, Durham DH1 5UQ

**THE COUNTY COUNCIL OF DURHAM  
ANNFIELD PLAIN, DIPTON, KYO and  
HARELAW  
(PROHIBITION OF WAITING) ORDER 2010**



Scale:	1:1250 @ A3		
Date:			
Drawn by:	D. Bambridge	Signature:	
Date Sealed:	29.7.10	Map Schedule:	DF1