

**THE COUNTY COUNCIL OF DURHAM
(STANLEY, EAST STANLEY, SHIELD ROW & TANFIELD LEA)
(PROHIBITION AND RESTRICTION OF WAITING AND PROHIBITION OF
LOADING/UNLOADING)
ORDER 2010**

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 (Stanley, East Stanley, Shield Row & Tanfield Lea) (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 (Badges 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;

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

"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 (Front Street and Polinaize Street, East Stanley) (Prohibition and Restriction of Waiting) Order 1975. 1/11.

The County of Durham (Various Streets, Stanley) (Prohibition and Restriction of Waiting) Order 1978. 1/12.

The County of Durham (Northerly Access Road to East Parade, Stanley) (Prohibition of Waiting) Order 1979. 1/16.

The County of Durham (Various Streets, Stanley) (Prohibition and Restriction of Waiting) (Amendment) Order 1979.	1/18
The County of Durham (Ritson Street, Stanley) (Prohibition of Waiting) Order 1976.	1/22
The County of Durham (Mary Street and Back Mary/ Ritson Streets, Stanley) (One Way Traffic, No Entry and Restriction of Waiting) Order, 1985	PT REV 1/50
The County of Durham (The Urban District of Stanley, Co. Durham) (Various Streets) (Prohibition and Restriction of Waiting Order, 1968) (Amendment) Order, 1990.	2/71 ALREADY RE BY 3/168
The County of Durham (Road A.6076 Station Road, Stanley) (Amendment) Order, 1995.	2/88
The County Council of Durham (Unclassified Bloom Avenue/ Beamish Street, Stanley) (Prohibition of Waiting And Amendment) Order 1996.	2/89
The County Council of Durham (A693 Chester Road/ Unclassified Tyne Road, Stanley) (Prohibition of Waiting with Loading/ Unloading Ban and Revocation) Order 1996.	2/92.
The Urban District of Stanley, Co. Durham (Various Streets) (Prohibition and Restriction of Waiting) Order, 1968	* 2/2A. REV BY 3/16
The Urban District of Stanley, Co. Durham (Various Streets) (Prohibition of Waiting) Order, 1972.	2/3A.
The Urban District of Stanley, Co. Durham (Various Streets) (Prohibition and Restriction of Waiting) Order, 1968.	x 2/2A
The Consett Urban District Council. Traffic Regulation Orders 1937.	2/10A.
The County Council of Durham) (The Urban District of Stanley, Co. Durham) (Various Streets) (Prohibition and Restriction of Waiting) (Beamish Street Stanley) (Prohibition of Waiting and Amendment) Order, 2001.	3/113.
The County Council of Durham (Various Streets, Stanley) (Traffic Management) Order 2001.	3/115
The County Council of Durham (Unclassified Beamish Street/ Beamish Court, Stanley) (Prohibition of Loading/ Unloading and Loading Bay) Order 2006.	3/148
The County Council of Durham (Unnamed Link Road to Front Street, Stanley) (Prohibition of Waiting/ Loading/ Unloading) Order 2009.	3/159
The County Council of Durham (B6173/ Margaret Terrace, Tanfield Lea) (Prohibition of Waiting) Order 2004.	3/136

Part III

Prohibition of Waiting At Any Time

4. 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 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 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:
 - 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 between the hours of 8.00am and 6.00pm On Any Day

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 between the hours of 8.00am and 6.00pm On Any Day, 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 3 to this Order.

Prohibition of Waiting between the hours of 8.00am and 6.00pm Monday to Saturday

7. 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 between the hours of 8.00am and 6.00pm Monday to Saturday, 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 4 to this Order.

Prohibition of Waiting between the hours of 9.00am and 5.00pm Monday to Saturday

8. 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 between the hours of 9.00am and 5.00pm Monday to Saturday, 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 5 to this Order.

Prohibition of Waiting Except Taxis at any time

9. 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.

REVOKED
BY 3/176

Part IV

Loading Bays on Any day At Any Time

10. (1) The areas of highway identified in Schedule 7 to this Order are hereby authorised to be used as loading bays, 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 Masterplan and within the individual plans detailed in Schedule 7 to this Order.
- (2) Save as provided in Article 16 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 Masterplan and within the individual plans detailed in Schedule 7 to this Order.
- (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 Masterplan and within the individual plans detailed in Schedule 7 to this Order, in accordance with those provisions.

Manner of Standing in Loading Bays

11. (1) Every vehicle left in a loading bay, identified in the Masterplan and within the individual plans detailed in Article 10 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

12. (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 parking place or 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 V

Exemptions

13. (1) Nothing in Articles 4, 5, 6, 7, 8, 9 or 10 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, 6, 7, 8, 9 or 10 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, 6, 7, 8 or ~~9~~ 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). 3/176
- (4) Nothing in Articles 4, 6, 7, ~~8~~, 9 or 10 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:- 3/176.
- (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

17. 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.
18. 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

Plan reference numbers: DF182, DH176, DH179, DH180, DI176, DI177, DI178, DI179, DJ178, DJ179, DJ180, DJ181

Schedule 2

Prohibition of Waiting and Loading/Unloading At Any Time

Plan reference numbers: ~~DI176~~, DI177, DJ178

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3/176.

Schedule 3

Prohibition of Waiting between the hours of 8.00am and 6.00pm On Any Day

Plan reference number: DI178

Schedule 4

Prohibition of Waiting between the hours of 8.00am and 6.00pm Monday to Saturday

Plan reference number: DI177

Schedule 5

Prohibition of Waiting between the hours of 9.00am and 5.00pm Monday to Saturday

Plan reference number: DI176

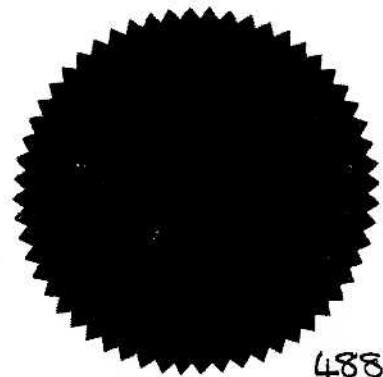
Schedule 6
Prohibition of Waiting Except Taxis at any time

Plan reference number: DH176

Schedule 7
Loading Bays At Any Time On Any day

Plan reference number: DI177

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



48814
new JLB

REPORT FOR DELEGATION OF APPROVAL

24 November 2009

TRAFFIC REGULATION ORDER (TRO)

Purpose

To consider the introduction/amendment of a TRO at:

STANLEY, EAST STANLEY, SHIELD ROW, TANFIELD LEA

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 19 existing TRO's which were sealed in 1937 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

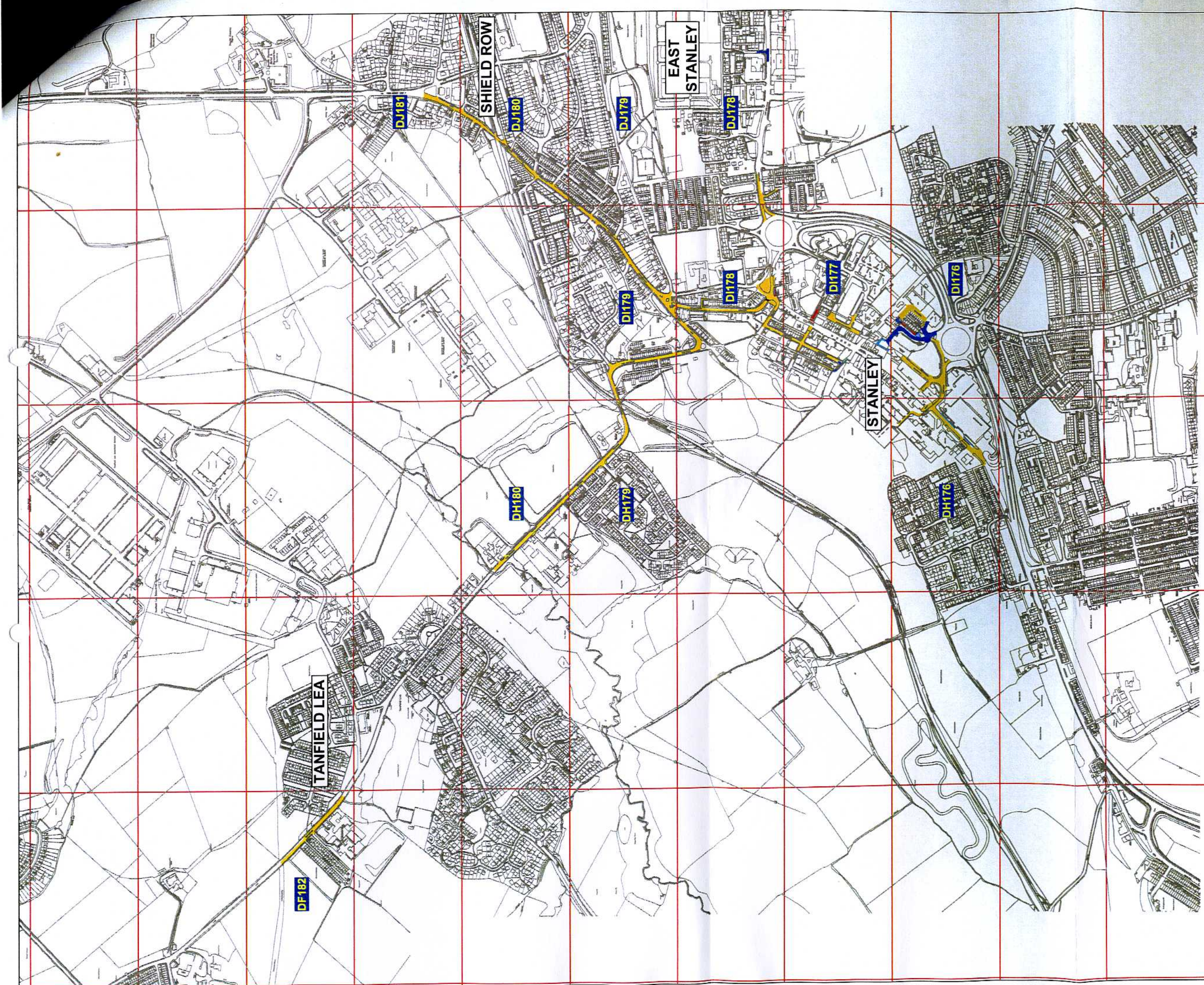
It is RECOMMENDED that the TRO be progressed to advert.

Background Papers

Office Files

Contact Officer

Dave Lewin Ext 4125



KEY:

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

XX111 Individual Plan Reference Number

W M J K



**THE COUNTY COUNCIL OF DURHAM
STANLEY**
(PROHIBITION AND RESTRICTION OF WAITING and
PROHIBITION OF LOADING/UNLOADING) ORDER 2010

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

Scale: NOT TO SCALE

Date:

Drawn by:

D. Bambridge

Signature:

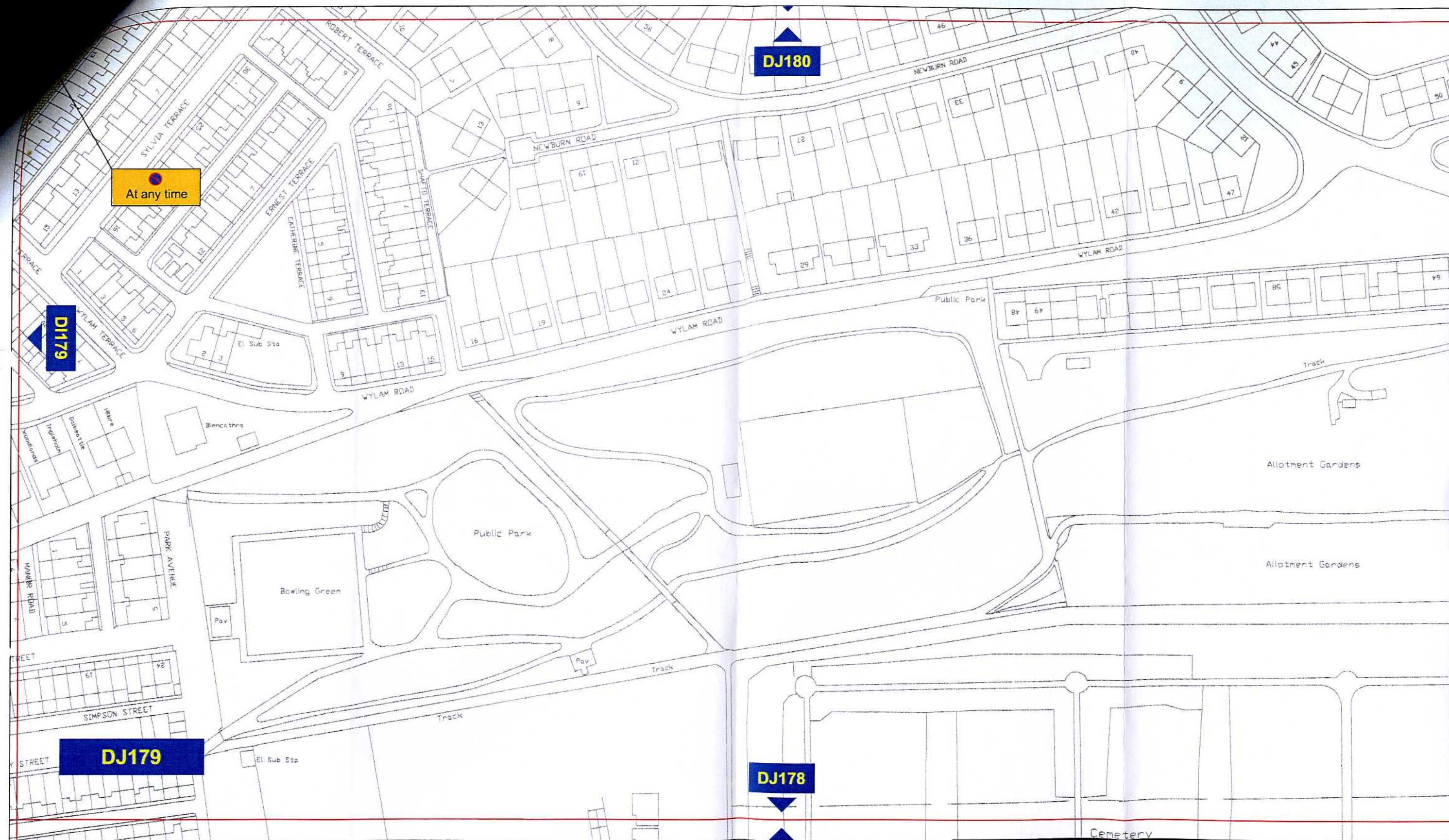
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Date Sealed:


29.7.10

MASTER PLAN

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Key to Types of Restriction

 No Waiting At Any Time

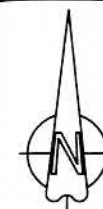
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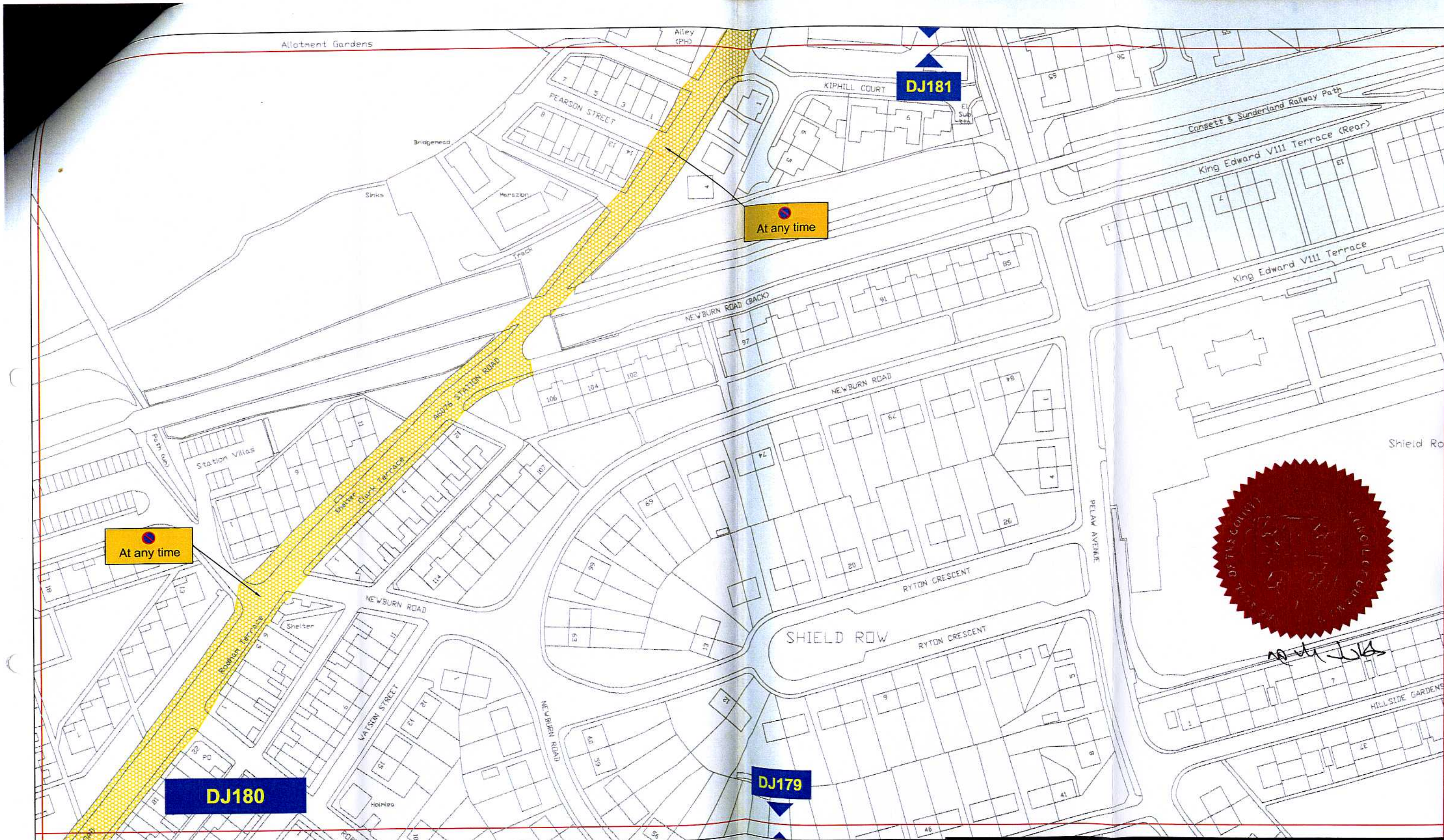
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THE COUNTY COUNCIL OF DURHAM STANLEY (PROHIBITION OF WAITING) ORDER 2010



Scale:	1:1250 @ A3	
Date:	January 2010	
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Date Sealed:	29.7.10	Map Schedule: DJ17



Key to Types of Restriction

 No Waiting At Any Time

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THE COUNTY COUNCIL OF DURHAM STANLEY (PROHIBITION OF WAITING) ORDER 2010



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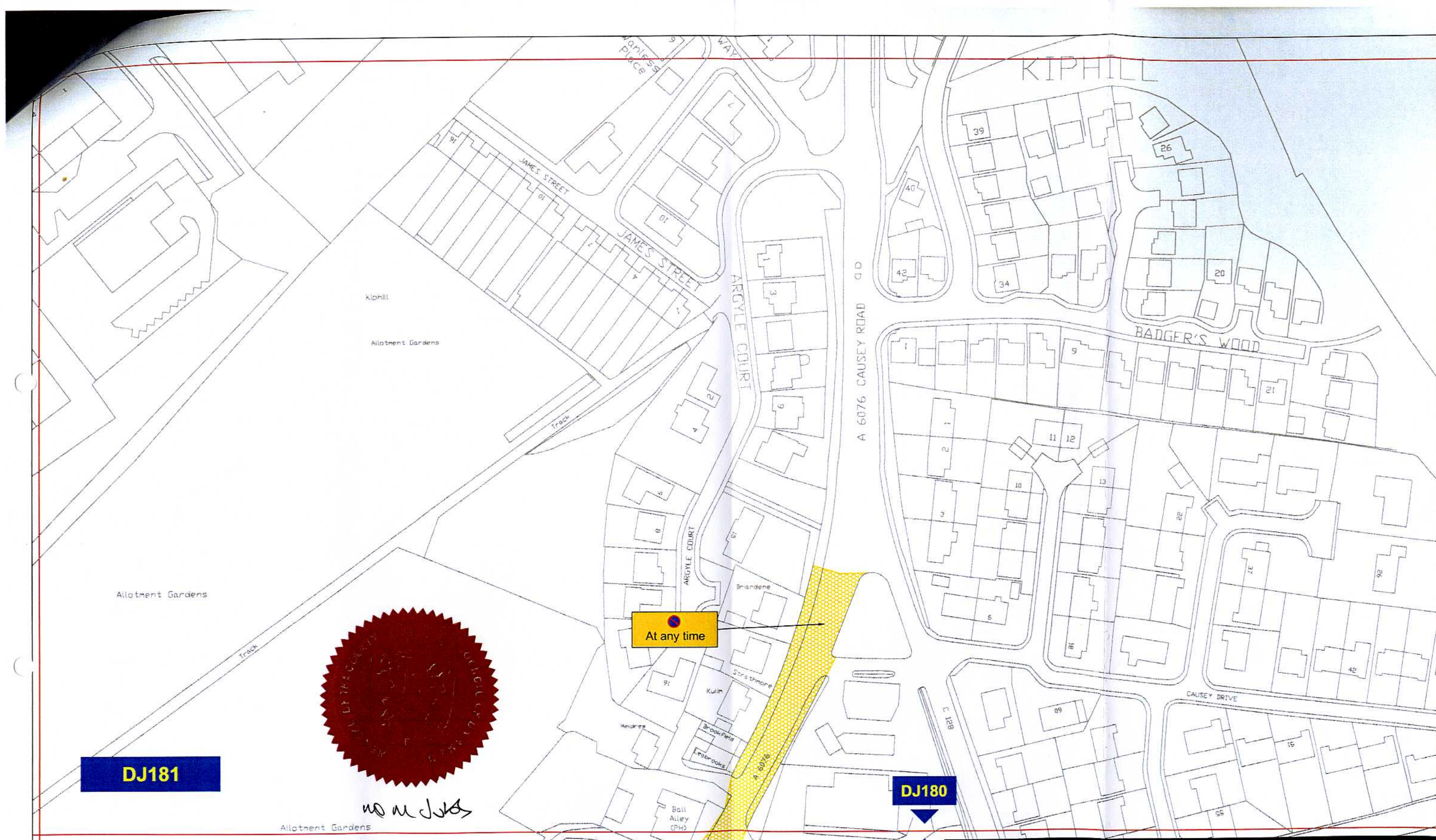
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Drawn by: D.Bambridge

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Map Schedule: DJ180



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No Waiting At Any Time

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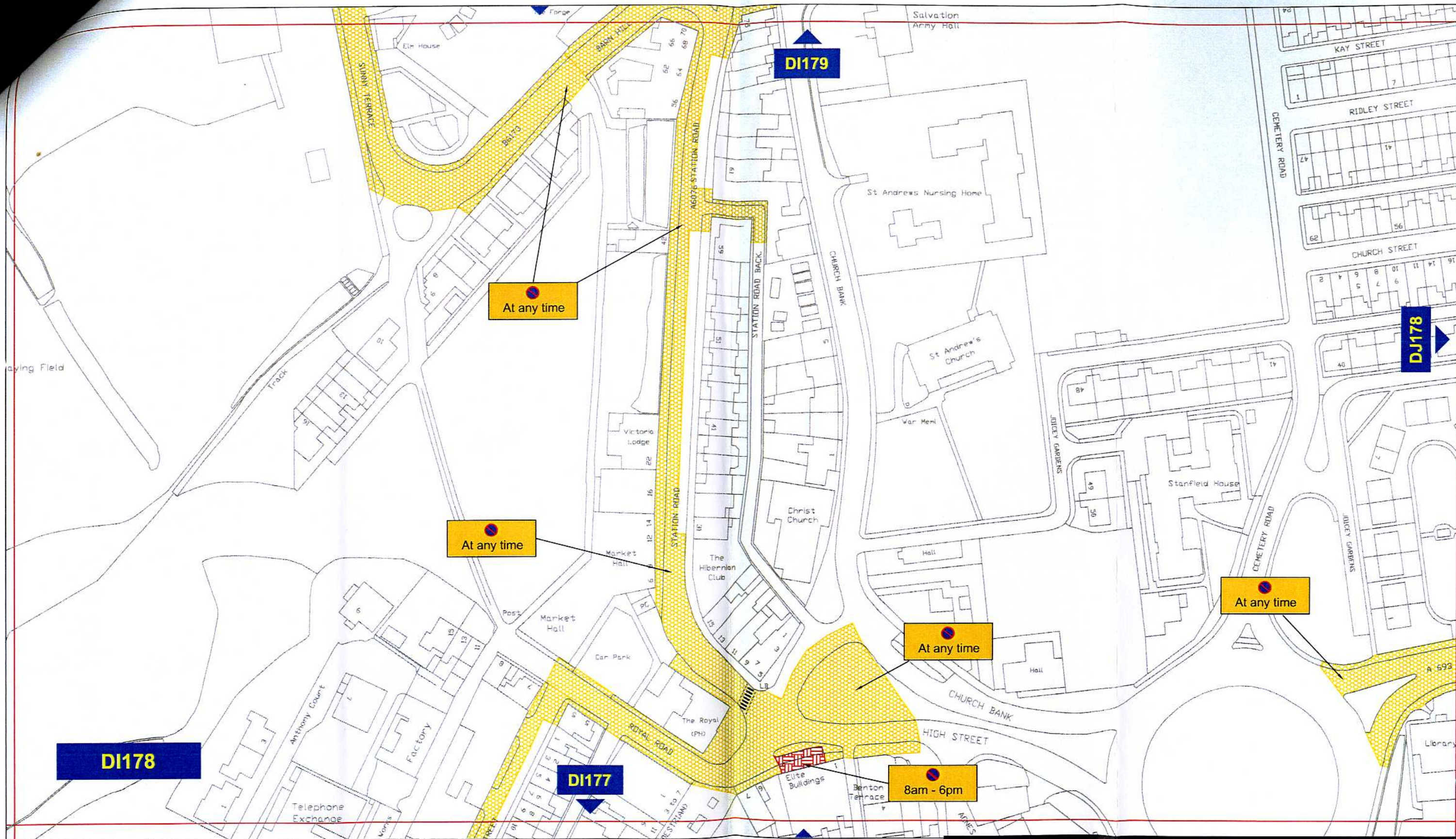
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Key to Types of Restriction

-  No Waiting At Any Time
-  Restricted Waiting

W M JKS

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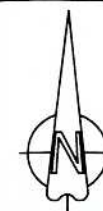


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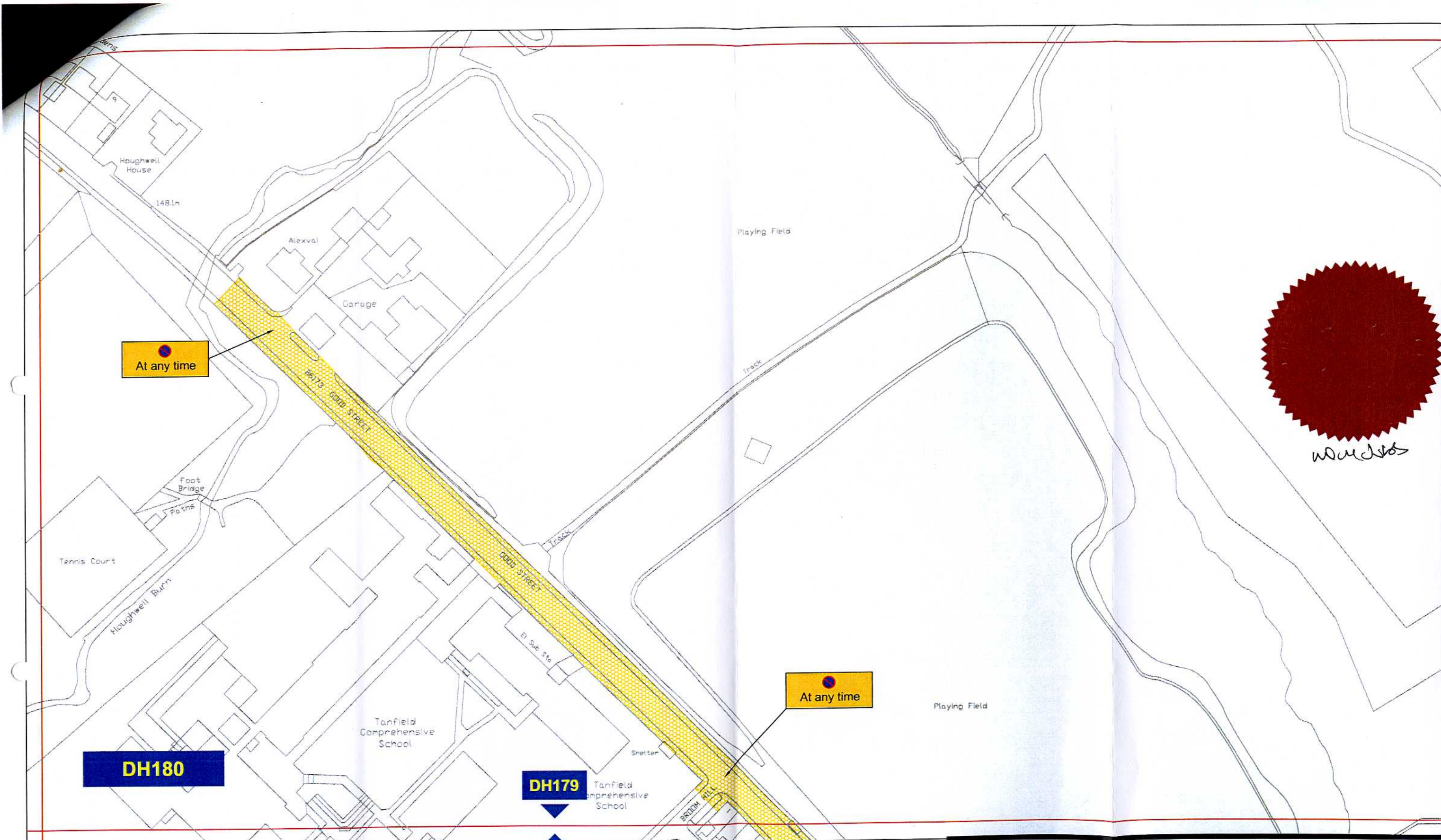
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DH180

DH179

Key to Types of Restriction



No Waiting At Any Time



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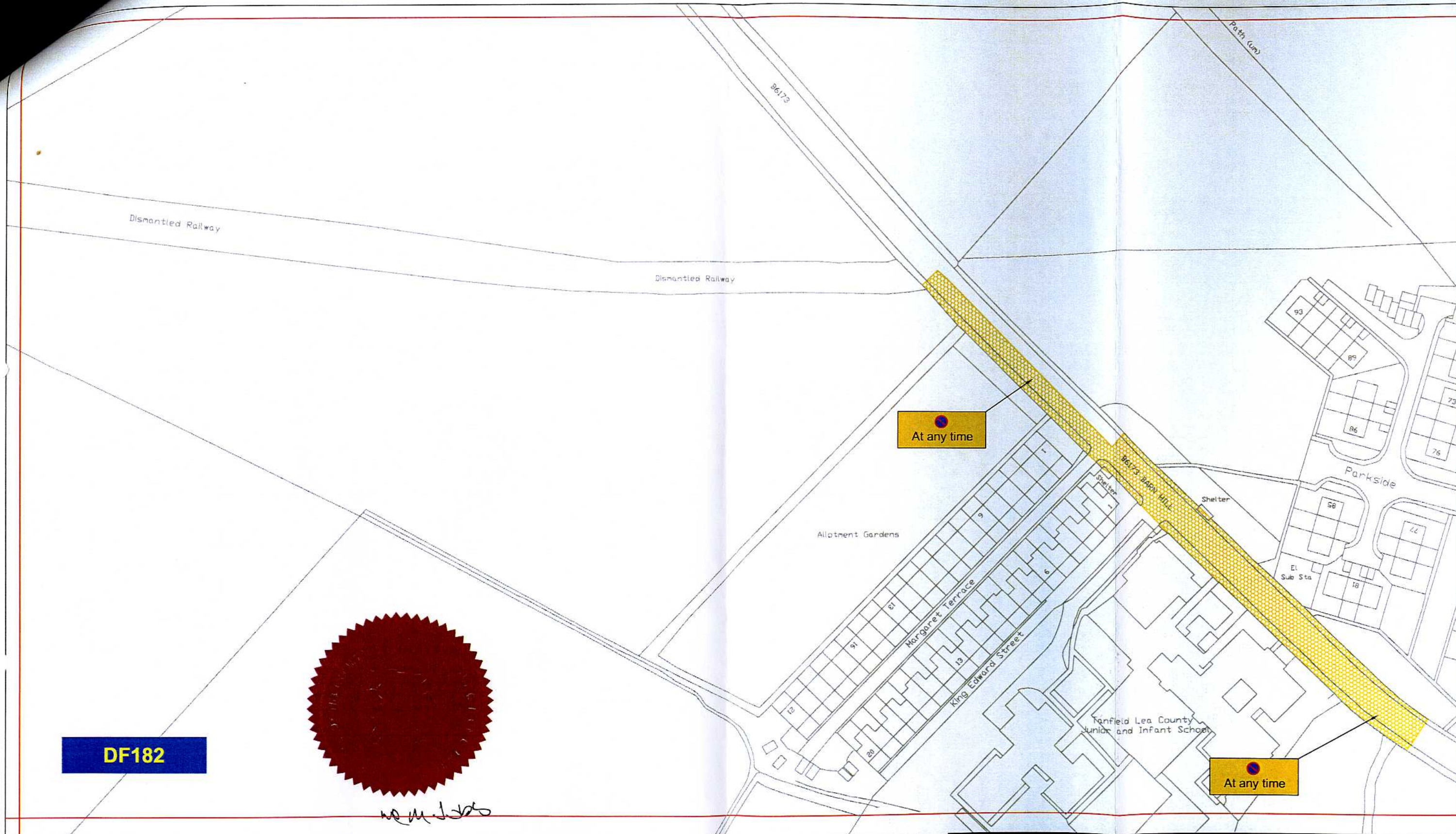
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DF182

Key to Types of Restriction



No Waiting At Any Time

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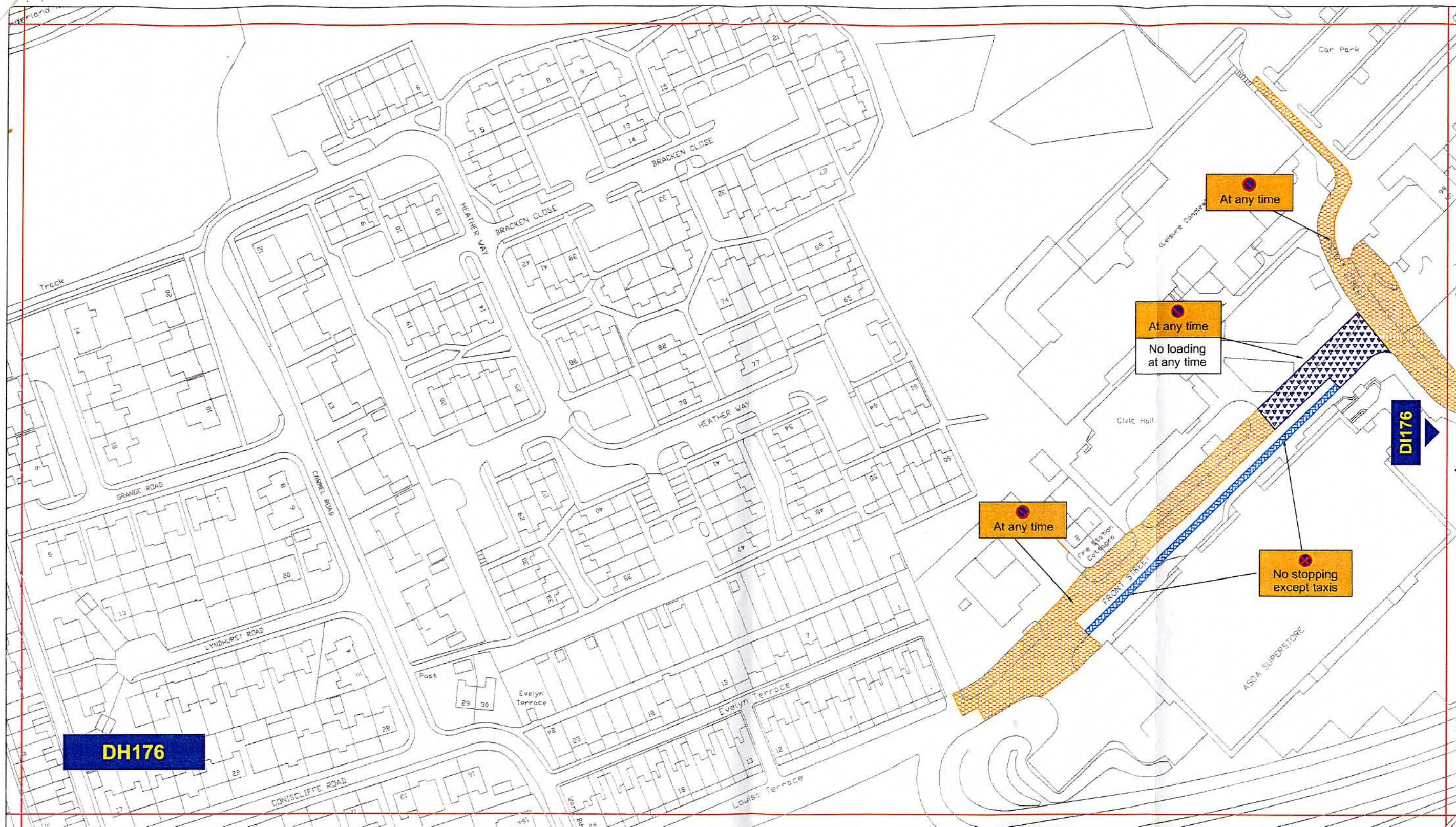
Date: January 2010

Drawn by: D.Bambridge

Signature:

Date Sealed: 29.7.10

Map Schedule: **DF182**



Key to Types of Restriction

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

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Date:	OCTOBER 2010		
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Date Sealed:	31/3/11	Map Schedule:	DH176

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Key to Types of Restriction

-  No Waiting At Any Time
-  Restricted Bay

WCH 176

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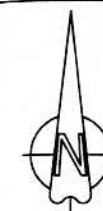


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THE COUNTY COUNCIL OF DURHAM STANLEY (PROHIBITION OF WAITING) ORDER 2010



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Date:	January 2010		
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Date Sealed:	29.7.10	Map Schedule:	DH176

DH180

At any time

DI179

At any time

DH179

Key to Types of Restriction



No Waiting At Any Time



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Regeneration & Economic
Development

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THE COUNTY COUNCIL OF DURHAM
STANLEY
(PROHIBITION OF WAITING) ORDER 2010



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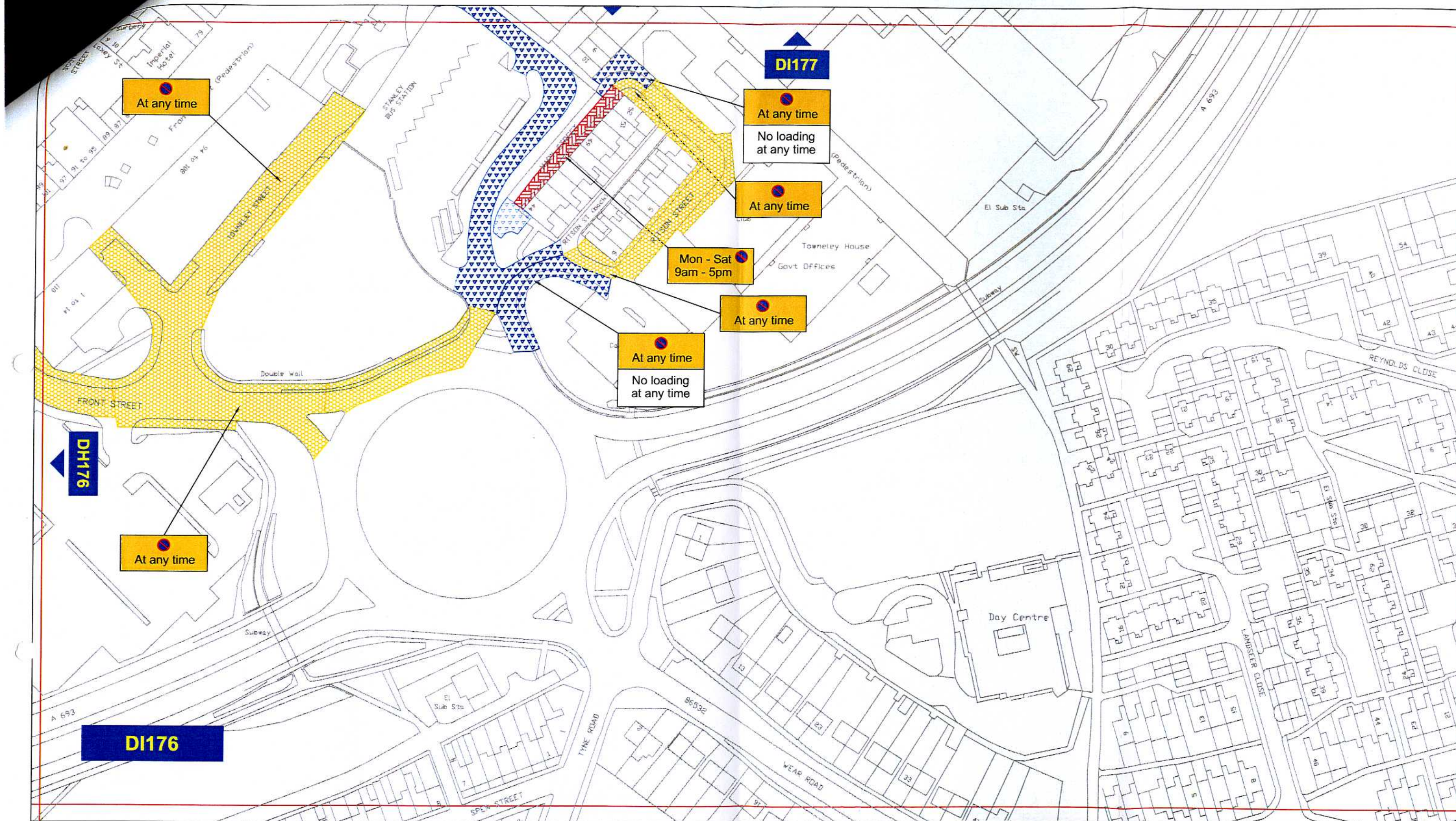
Drawn by: D.Bambridge

Signature:

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Map Schedule: DH179

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Key to Types of Restriction

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

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THE COUNTY COUNCIL OF DURHAM STANLEY (PROHIBITION OF WAITING and LOADING) ORDER 2010



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Map Schedule:	DI176