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**THE COUNTY COUNCIL OF DURHAM
(A167 NORTH ROAD AND LOMBARD DRIVE, CHESTER-LE-STREET)
(PROHIBITION AND RESTRICTION OF WAITING)
ORDER 2010**

The County Council of Durham ("the Council") in exercise of their powers under Sections 1 and 2 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 1

General

1. This Order may be cited as The County Council of Durham (A167 North Road and Lombard Drive, Chester-le-Street (Prohibition and Restriction of Waiting) Order 2010 and shall come into operation on 21 March 2011.

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 coloured 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;

"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:-

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I CERTIFY THIS IS A TRUE COPY OF THE ORIGINAL

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;

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

Part II

Prohibition of Waiting At Any Time

3. Save as provided in Article 5 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 plans and detailed in Schedule 1 to this Order.

Prohibition of Waiting between the hours of 8.00am to 9.30am and 3.00pm to 4.00pm Monday to Friday

4. Save as provided in Article 5 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 in the lengths of roads or sides of lengths of roads identified in the plans and detailed in Schedule 2 to this Order.

Part III

Exemptions

5. (1) Nothing in Articles 3 and 4 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;

-) 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 3 or 4 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 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 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 Article 4 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 the lengths of road or sides of lengths of road referred to in that Article.
- (5) Nothing in Articles 3 and 4 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;
- (b) goods to be loaded onto or unloaded from the vehicle;

Part VI

Saving

6. 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.
7. 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: DY178 and DY179)

Item No	Location	Description	Side of Road
1	A167 North Road, Chester-le-Street	From a point 12m north of the centre line of Lombard Drive in a southerly direction for a distance of 35m.	East
2	Lombard Drive, Chester-le-Street	From its junction with the A167 North Road (back of highway) for a distance of 16m in an easterly direction	Both

Schedule 2
Prohibition of Waiting between the hours of 8.00am to 9.30am and 3.00pm to 4.00pm Monday to Friday
(Plan reference numbers: DY178 and DY179)

Item No	Location	Description	Side of Road
1	Lombard Drive, Chester-le-Street	From a point 20m west of the centre line of the School Access Road in a westerly direction for a distance of 54m	North
2	Lombard Drive, Chester-le-Street	From a point 28m west of the centre line of the School Access Road in an easterly direction for a distance of 53m	South

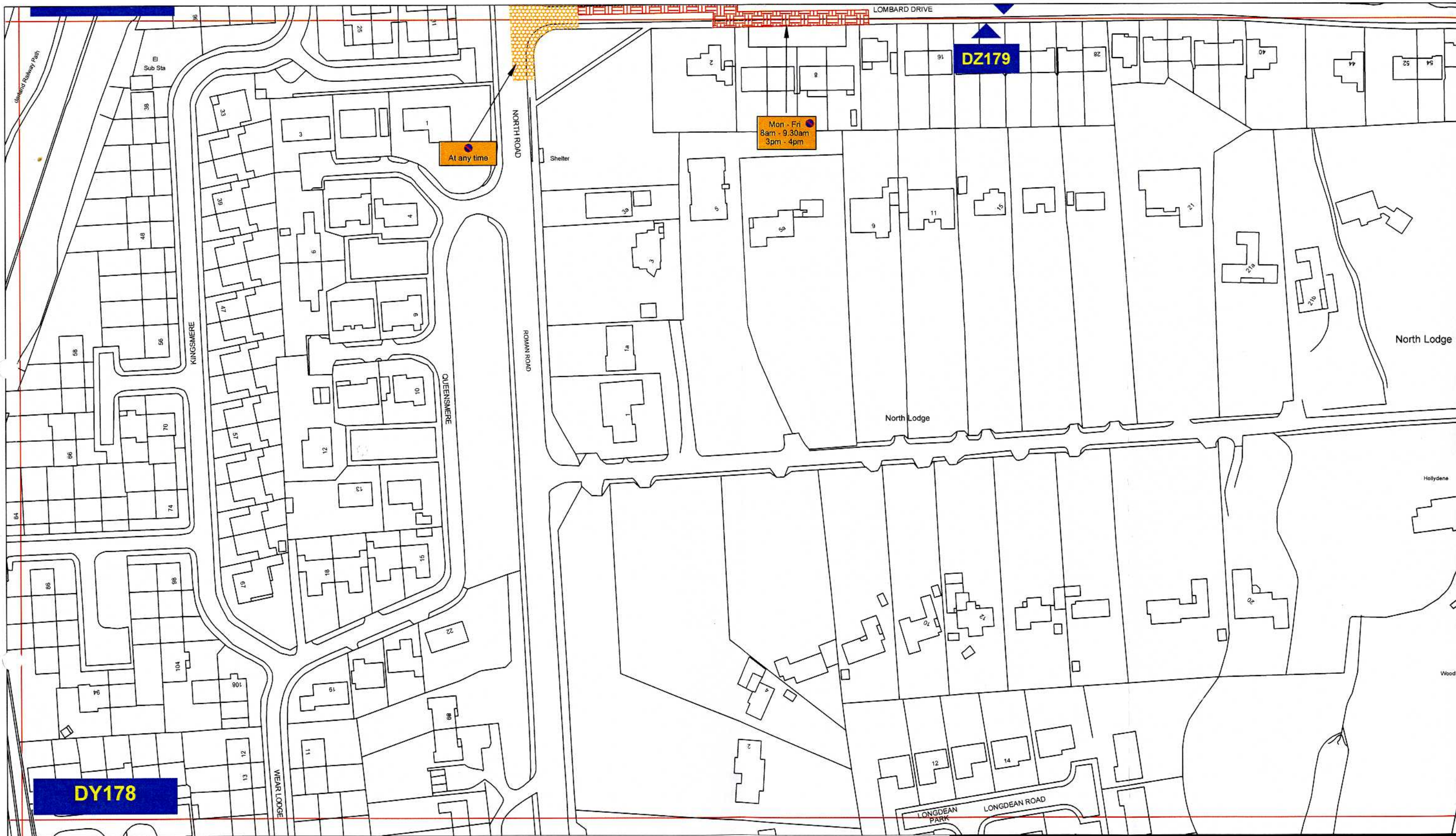
**GIVEN UNDER THE COMMON SEAL OF THE COUNTY COUNCIL OF DURHAM
ON 17 FEBRUARY 2011.**

Patricia H. ...

Authorised Sealing Officer



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Key to Types of Restriction

Existing

School Keep Clear Marking

Proposed



No Waiting At Any Time



Restricted Waiting

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Corporate Director
Regeneration & Economic
Development

Strategic Traffic Management
County Hall, Durham DH1 5UQ

THE COUNTY COUNCIL OF DURHAM
CHESTER-LE-STREET
(PROHIBITION and RESTRICTION of WAITING
and LOADING) Order 2010



Scale: 1:1250 @ A3

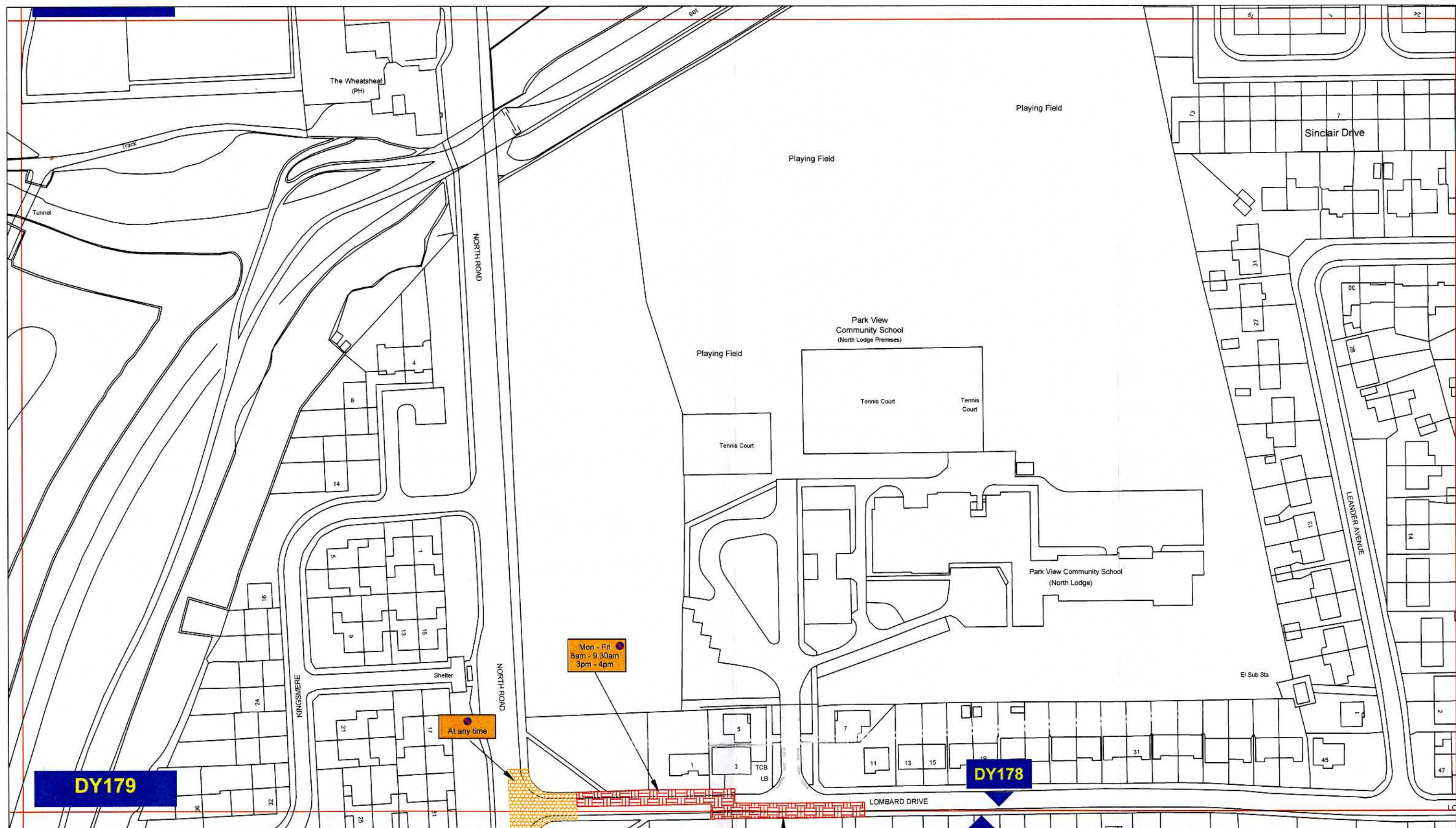
Date: August 2010

Drawn by: D. Lewin

Signature: *[Signature]*

Date Sealed: 17/2/11

Map Schedule: DY178



Key to Types of Restriction

Existing	Proposed
School Keep Clear Marking	No Waiting At Any Time
	Restricted Waiting

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Scale:	1:1250 @ A3		
Date:	August 2010		
Drawn by:	D. Lewin	Signature:	
Date Sealed:	17/2/11	Map Schedule:	DY179

REPORT FOR DELEGATION OF APPROVAL

8 September 2010

TRAFFIC REGULATION ORDER (TRO)

Purpose

To consider the introduction of a TRO at:

Lombard Drive, Chester-le-Street with respect to:

- **Prohibition of Waiting At Any Time.**
- **Prohibition of Waiting Monday to Friday 8am to 9.30am and 3pm to 4pm.**

Information

Representations have been made by the County Ward Member and local residents from the area with regard to inconsiderate parking associated with school drop off / pick up times.

Following these concerns it was considered appropriate that waiting restrictions be proposed for public consultation.

It is anticipated that the introduction of waiting restrictions at this location, at the junction of Lombard Drive and A167 North Road; and also along Lombard Drive, would improve road safety in vicinity to the school by allowing the passage of traffic unhindered. These proposals will improve carriageway discipline and general road safety in the vicinity of the shops and services.

No apparent consequences are expected as a result of the options taken forward.

A consultation was undertaken with the affected residents / school of Lombard Drive, Chester-le-Street from the 15 March to the 5 April 2010, where identified properties, a total of 16, were issued with details of the proposed scheme and invited to make comment. In addition, the statutory consultees such as the emergency services were also informed of the proposals and inviting their comments.

Out of the 16 letters sent out to affected residents and the school, a total of 4 replies were received from individual properties. Of the 4 replies, three were in favour, and the remaining 1 were not in favour of the scheme in its proposed form.

The representation made by the resident with respect to the scheme was:

"In conclusion, whilst we do not feel that restrictions are necessary at all in the morning, we would agree that a short period would be acceptable, say 8.15am until 9am, Monday to Friday. The reason why we would prefer an 8.15am start time is that one of our vehicles is parked outside our property overnight and always leaves between 8am & 8.10am. As there is no increase in traffic prior to 8.30am we cannot see that there is any logical reason for starting the restriction at 8am. Starting at 8.15am would allow a degree of flexibility for ourselves & the surrounding residents.

With regard to the afternoon period, a few cars are arriving at about 3pm, then the numbers increase in the next 30 minutes, but all problems have cleared before 4pm, so we cannot see why the restrictions should not just cover that period i.e. 3pm to 4pm Monday to Friday only".

With regard to the statutory consultees, responses of support were received from the North East Ambulance Service and Durham Constabulary.

Response

As a result of the consultation exercise with the residents, school and associated stakeholders, the council has agreed to reduce the times of the waiting restrictions in vicinity of the school to cover the school's start and finish times (i.e. Prohibition of Waiting 8am to 9.30am and 3pm to 4 pm, Monday to Friday).

The County Council Portfolio Holder Councillor R. Young and County Councillor's J. Cordon and P. May are minded to support the proposals.

Recommendation

It is RECOMMENDED that the TRO be progressed to statutory advertisement.

Background Papers

All correspondence on office file.

Contact Officer

Robert Major Ext 7799 4407