

**THE COUNTY COUNCIL OF DURHAM
(CHESTER-LE-STREET AND BIRTLEY)
(PROHIBITION AND RESTRICTION OF WAITING, LOADING/UNLOADING
& PARKING PLACES) (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

This Order may be cited as The County Council of Durham (Chester-le-Street and Birtley) (Prohibition and Restriction of Waiting, Loading/Unloading & Parking Places) (Amendment) Order 2011 and shall come into operation on 5 March 2012.

Part II

Amendments

The County Council of Durham (Chester-le-Street and Birtley) (Prohibition and Restriction of Waiting, Loading/Unloading & Parking Places) Order 2011 is hereby amended as follows:

Interpretations

(a) The following interpretations have been included at Article 2:

"Civil Enforcement Officer" means a person authorised by or on behalf of the Council pursuant to the provisions of Section 76 of the Traffic Management Act 2004.

"Enforcement Authority" means the County Council of Durham

"Penalty Charge" means a charge set by Durham County Council pursuant to the provisions of Section 77 of the Traffic management Act 2004.

"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

"Parking Contravention" has the same meaning assigned to it by Section 73 and Part 1 of Schedule 7 to the Traffic Management Act 2004.

(b) The interpretation for "enforcement officer" has been removed from Article 2:

(c) Any reference in the Order to an "enforcement officer" or "parking attendant" shall take effect as if it was a reference to a "civil enforcement officer".

(d) Any reference in the Order to an "excess charge" or "excess charge notice" shall take effect as if it was a reference to a "penalty charge"

(e) Any reference in the Order to a "fixed daily charge notice" "excess charge notice" shall take effect as if it was a reference to a penalty charge notice.

1) Article 3 - Revocation

The following Order is to be included within the list of those Orders which are to be partially revoked:

The County Council of Durham (Front Street, Chester-le-Street) (Traffic Management) Order 1999. – Schedule 1, Schedule 2, item 2, Schedule 3, items 3, 12 and 13, Schedule 4, item 1, Schedules 5 and 6, Schedule 7, item 1, and Schedule 10.

2) Article 14(b) - Disabled Badge Holders Only At Any Time has been amended to read:

DISABLED BADGE HOLDERS 8AM-6PM 2 HOURS NO RETURN WITHIN 1 HOUR (Schedule 13)

The following sub article has been inserted:

(4) Save as provided in Article 20 of this Order no person shall cause or permit any vehicle, other than one displaying a Disabled Person's Badge and a Disabled Person's Parking Disc to park in a Disabled Badge Holders Only Parking Place on the days and during the hours identified within the individual plans detailed in Schedule 15 to this Order.

3) The following Articles have been inserted at the end of the current Articles:

"If a vehicle is left at any time in contravention of a provision of this Order, other than a provision relating to a moving traffic offence, a penalty charge may be payable."

"In the case of a vehicle in respect of which a penalty charge is payable, a penalty charge notice may then be issued by a Civil Enforcement Officer."

4) Schedule 13 has been amended to read:

***Schedule 13
DISABLED BADGE HOLDERS 8AM-6PM 2 HOURS NO RETURN WITHIN 1 HOUR***

Plan reference number: DY171

5) Schedule 12: Plan reference DY171 has been amended to read DY170

6) A new Article 16 has been inserted, which reads:

Loading Only 8.00am – 6.00pm

(1) *The areas of highway identified within the individual plans detailed in Schedule 15 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 within the individual plans detailed in Schedule 15 to this Order.*

(2) *Save as provided in Article 17 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 within the individual plans detailed in Schedule 15 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 individual plans detailed in Schedule 15 to this Order, in accordance with those provisions.*

7) **A new Schedule 15 has been inserted which reads:**

**Schedule 15
Loading Only Bay 8.00am – 6.00pm**

Plan reference numbers: DY171

8) **Plan reference DY171 dated 4.11.10 has been removed from Schedules 1, 2, 3, 13 and 14 and replaced with the a plan of the same reference dated 9 February 2012**

9) **The following articles have been renumbered:**

Existing Article No. New Article No.

Article 16	Article 17
Article 17	Article 18
Article 18	Article 19
Article 19	Article 20
Article 20	Article 21

10) Reference to Article 18 in the following Articles has been replaced with reference to Article 19.

Articles 4, 5, 6, 7, 8, 9, 10, 11 and 12

11) In Article 15 (2) (as renumbered) reference to Article 16 has been replaced with Article 17.

12) In Articles 17(1) and 17(2)(a) (as renumbered) reference to Article 16 has been inserted.

13) Article 19: In 19(1), 19(2) and 19(4) (as renumbered) reference to Article 16 has been inserted. The second numeric paragraph 4 has been renumbered and should read numeric 5.

14) Schedule 1 – plan reference DX180 is included (missed from original order).

Part VI

Saving

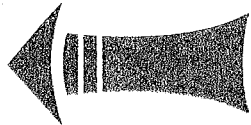
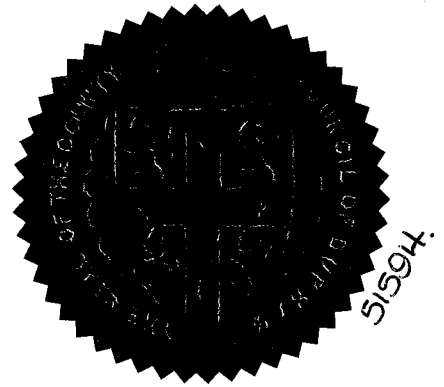
15. In so far as any provision of this Order conflicts with any provision which is contained in an Order made or having effect as if made under the Act or by or under any other enactment then the provisions of this Order shall prevail.

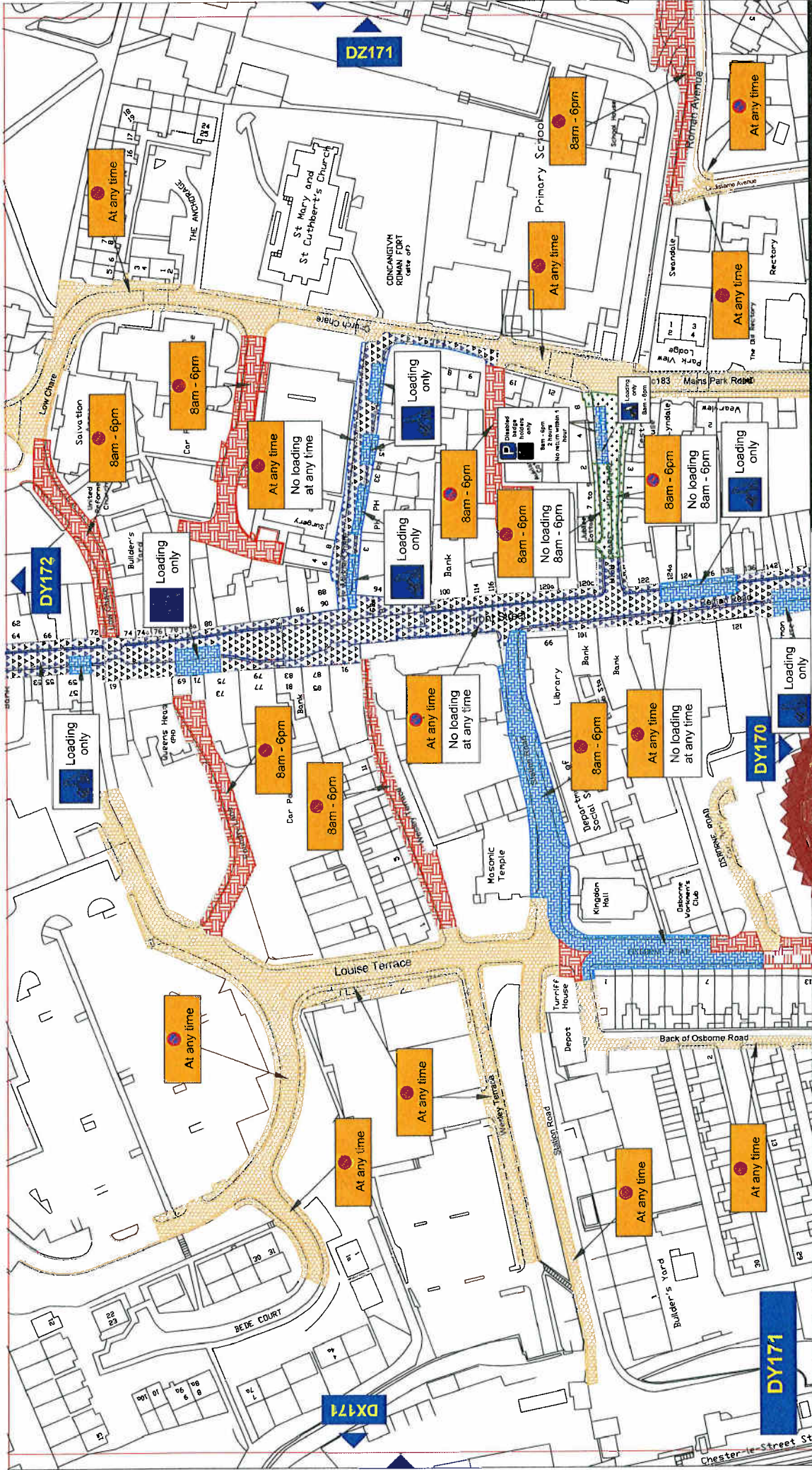
16. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulations made or having effect as if made under the Act or by or under any other enactment.

**GIVEN UNDER THE COMMON SEAL OF THE COUNTY COUNCIL OF DURHAM ON 9
FEBRUARY 2012**

Richard Hardy

Authorised Sealing Officer





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

Durham County Council
 Corporate Director
 Regeneration & Economic
 Development

Scale: 1:1250 @ A3
 Date:
 Drawn by: A. Gleason
 Map Schedule: **DY171**

Strategic Traffic Management
 County Hall, Durham DH1 5UQ



Key to Types of Restriction

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

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