

**THE COUNTY COUNCIL OF DURHAM
(CHESTER-LE-STREET AND BIRTLEY)
(PROHIBITION AND RESTRICTION OF WAITING, LOADING/UNLOADING
& PARKING PLACES) (AMENDMENT NO. 3)
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

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 No. 3) Order 2011 and shall come into operation on 6th July 2012.

Part II

2. Amendments

A) Article 2 - Interpretation

The following interpretations have been included:

"carer" means a person providing care and attending a person who is a resident.

"contractor" means a person or persons working at the address of a resident.

"credit card" has the same meaning as in Section 35A of the Act;

"debit card" has the same meaning as in Section 35A of the Act;

"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;

"dual purpose vehicle" has the same meaning as in Regulation 3 of the Road Vehicles (Construction and Use) Regulations 1986, as amended;

"goods vehicle" means a motor vehicle which is constructed or adapted for use for 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;

"medical/health care professional" means a person (being a doctor, nurse or similar qualified professional) attending a patient/client who is a resident;

"motor cycle" has the same meaning as defined by Section 136 of the Act;

"owner" in relation to a vehicle, shall mean the person by whom it is kept or used;

"passenger vehicle" means a motor vehicle (other than a motor cycle) constructed solely for the carriage of passengers and their effects and adapted to carry not more than twelve passengers exclusive of the driver, and not drawing a trailer;

"permit" means a permit and a "valid permit" issued under the provisions of Articles 14(3) and 17 of this Order;

"permit holder" means a person to whom a permit has been issued under the provisions of Article 17 of this Order;

"resident" means a person whose usual residence, either private or business, is at premises the postal address of which is in any street or part of a street specified in Schedule 1 to this Order;

"scheme operation conditions" means the conditions adopted by the Council setting down the requirements for the Parking Scheme as approved by the Highways and Design Services Sub-Committee on 21 December 1999 (as amended) or as subsequently amended from time to time;

"traffic sign" means a sign of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under Section 64 of the Act; and

"visitor's permit" means a permit issued to a resident for a visitor in accordance with the provisions of Article 3 of this Order.

B) Article 3 – Revocation

The following Order has been added to the list of part revocations:

The County Council of Durham (A167 North Road and Lombard Drive, Chester-le-Street) (Prohibition and Restriction of Waiting) Order 2010, Schedule 2

156.

B) Reference to Article 18 in the following article numbers has been removed and reference to Article 20 has been inserted:

Article: 4, 5, 6, 7, 8, 9, 10 and 12.

C) A new Article 11 has been inserted which reads:

Prohibition of Waiting between the hours of 8.00am and 9.00am & 3.00pm to 4.00pm Monday to Friday

Save as provided in Article 20 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 9.00pm and 3.00pm to 4.00pm Monday to Friday, on any of the lengths of roads or sides of lengths of roads identified in the individual plans detailed in Schedule 8 to this Order.

D) Article 13:

(i) The following highlighted amendments have been made to the under-noted restrictions:

Parking Places:

(a) Between 8.00am and 6.00pm Monday to Saturday, one hour no return within 1 hour, except Licensed Market Stall Holders

(ii) The following new restriction has been inserted:

(c) **Between 8.00am and 6.00pm, 2 hours No Return**

- (iii) Reference to Schedule 12 has been inserted in clauses 13(1),(2),(3) and (4).

E) Article 14:

- (i) The following restrictions have been inserted into Article 14:
- (c) **Disabled Badge Holders Only, 2 hours limit no return before 6pm**
 - (d) **Disabled Badge Holders Only 8.00am-6.00pm Monday to Saturday, 2 hours No return within 1 hour**
- (ii) Reference to Schedule 12 has been removed.
- (iii) Reference to Schedules 14,15 and 16 have been inserted in clauses 14(1),(2) and (4).

F) Article 15:

- (i) The following new restriction has been inserted into Article 15:
- (b) **Loading Bays only 8am – 6pm on any day**
- b. Reference to Article 16 in 15.(2) has been removed and reference to Article 17 has been inserted.
- c. Reference to Schedule 14 in Articles 15(1) (2) and (4) has been removed and reference to Schedules 17and 18 have been inserted.

G) Article 16:

A new article 16 has been inserted which reads:

**Parking Places
Permit Holders Only At Any Time**

- (1) The areas of highway identified in the individual plans detailed in Schedule 19 to this Order are hereby authorised as Permit Holder parking places.
- (2) Each parking place identified in the individual plans detailed in Schedule 19 to this order, authorised under paragraph (1) of this Article may be used for the leaving of motor vehicles and motor cycles of a type specified in paragraph (3) of this Article, at any time, which displays a valid permit issued in accordance with this Order.
- (3) Any resident being the owner of a passenger vehicle, dual purpose vehicle goods vehicle not exceeding 7.5 tonnes in weight or 6 metres in length invalid carriage and resides in the streets specified in Schedule 19 to this Order, may apply to the Council for the issue of a residents permit to enable them to park in the appropriate parking place(s) as defined in the Scheme Operation Conditions, as amended from time to time.
- (4) Any resident who resides in the streets identified in the individual plans detailed in Schedule 19 to this Order, may apply to the Council for the issue of a visitors' permit for visitors to their residence, such person

being the owner of a vehicle of a type specified in paragraph (3) of this Article, to enable them to park in the appropriate parking place(s) as defined in the Scheme Operation Conditions, as amended from time to time.

- (5) Any resident who resides in the streets identified in the individual plans detailed in Schedule 19 to this Order, may apply to the Council for the issue of a carers' permit for the purpose of a carer visiting them at their residence, such person being the owner of a vehicle of a type specified in paragraph (3) of this Article, to enable them to park in the appropriate parking place(s) as defined in the Scheme Operation Conditions, as amended from time to time.
- (6) A medical/health care professional, being the owner of a vehicle of a type specified in paragraph (3) of this Article, identified by the Health Care Trust may be issued with a permit to enable them to park in the appropriate parking place(s), **WHILST ATTENDING** to a patient/client who resides in one of the streets identified in the individual plans detailed in Schedule 19 as defined in the Scheme Operation Conditions, as amended from time to time.
- (7) A builder/contractor being the owner of a vehicle of a type specified in paragraph (3) of this Article, may apply to the Council for the issue of a permit to enable them to park in the appropriate parking place(s), **WHILST WORKING** at an address in one of the streets identified in the individual plans detailed in Schedule 19.
- (8) An application for a permit shall be made on a form issued by and obtainable from the Council and shall be returned to the Council completed and accompanied by a remittance for such charge, which the Council may require, as specified in paragraph (20) of this Article, as is appropriate in respect of the permit for which application is made.
- (9) The Council may at any time require an applicant for a permit to produce to an officer of the Council such evidence in respect of an application as they may reasonably require to verify any particulars or information given to them.
- (10) A permit holder may surrender a permit to the Council at any time and shall surrender a permit to the Council on the occurrence of any of the events set out in paragraph (12) below.
- (11) The Council may, by Notice, in writing served on the permit holder, at the address shown by that person on the application for the permit or at any other address believed to be that person's residence or business, withdraw a permit if it appears to the Council that any of the events set out in paragraph 13 of this Article has occurred and the permit holder shall surrender the permit to the Council within 48 hours of the receipt of such notice.
- (12) The events referred to in paragraphs (10) and (11) above of this Article are:
 - (a) the permit holder ceasing to be a resident;
 - (b) the medical/health care professional or carers' patient/client ceasing to be a resident as defined in this Order;

- (c) the vehicle in respect of which such permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 3 of this Order.
 - (d) a builder/contractor ceasing to work at a residential address as defined in this Order.
 - (e) a visitor ceasing to have any connection or any reason to visit a resident at a residential address as defined in this Order.
 - (f) a carer ceasing to visit a resident at an address as defined in this Order.
 - (g) a business ceasing to be located at the address.
- (13) A permit shall cease to be valid at the expiration of the period specified thereon or on the occurrence of any one of the events set out in paragraph (12) of this Article, whichever is the sooner.
- (14) If a permit is mutilated or defaced or the figures or particulars on it have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall surrender it to the Council and may apply to the Council for the issue of a replacement.
- (15) If a permit is lost or destroyed, the permit holder may apply to the Council for the issue of a replacement permit.
- (16) Upon the issue of a replacement permit, by virtue of the provisions of paragraphs (14 and 15) of this Article, the permit which it replaces shall become invalid.
- (17) A permit shall be in writing and shall include such information or particulars which the Council may determine.
- (18) On receipt of an application, made under the foregoing provisions of this Article, the Council, upon being satisfied that the applicant is a resident, a medical/health care professional, Contractor or operate a business may issue a permit subject to the Scheme Operating Conditions.
- (19) The Council may levy a charge in connection with the issue of a permit, subject to the Council's Scheme Operating Conditions and the provisions of this Order; such charges are attached to this Order at Schedule 19.
- (a) The maximum number of permits which may be used to an applicant shall be subject to a maximum number of permits as defined in the Scheme Operating Conditions, as amended from time to time.
 - (b) The Scheme Operating Conditions may be varied from time to time, details of which will be made available from the Council's Traffic Section; by public notice and via the Council website.
- (20) When a vehicle, for which a permit has been issued, is left in a parking place, there shall be displayed on the front of the vehicle a valid permit applicable to that parking place, so that the information and particulars contained in the permit are clearly visible from outside the vehicle.

(21) When a permit has been displayed on a vehicle in accordance with the provisions of paragraph (20) of this Article, no person, not being the driver of the vehicle shall remove the permit from the vehicle unless authorised to do so by the driver of the vehicle.

(22) Where an authorised officer of the Council has reasonable cause to believe that a permit issued in accordance with provisions of this Article has been wrongly acquired or is a forgery, he may detain the permit or require its submission under the provisions of Section 116 of the Act.

H) Following the insertion of a new Article 16 the following Articles have been renumbered:

<u>Existing Article No</u>	<u>New Article No</u>
16	17
17	18

I) A new Article 19 has been inserted as follows:

Removal of Vehicles and Other Equipment from Parking Places and Loading Bays

- (1) Where an enforcement officer is of the opinion that any vehicle has been left in a parking place or loading bay in contravention to the provisions of this order, for longer than 24 hours or when the parking place or loading bay has been suspended from use in accordance with Article 18 of this Order he may remove or cause the vehicle to be removed from the parking place and where it is so removed, shall provide for the safe custody of the vehicle.
- (2) An enforcement officer, in cases of emergency, may move or cause to be moved vehicles left in a parking place or loading bay to any place he thinks fit and shall provide for the safe custody of the vehicle.
- (3) The provisions of paragraph (1) of this Article shall also apply to builders' skips or any other equipment which in the opinion of the enforcement officer constitutes a contravention of this order.
- (4) Where a vehicle or other equipment has been removed under the provision of paragraphs (1) and (3) of this article the Council will recover from its owner the expenses reasonably incurring in doing so.

J) Following the insertion of a new Article 19 the following Articles have been renumbered:

<u>Existing Article No</u>	<u>New Article No</u>
18	20
19	21
20	22

K) Article 17 (as renumbered):

Reference to Article number 13 has been removed and reference to Article number 16 has been inserted in clauses (1) and (2)(a).

L) Article 20 (as renumbered) has been amended as follows:

- a. Reference to Article 16 has been included in Articles 19(1) and 19(2)
- b. A new Article 20(4) has been inserted which reads:

Nothing in Article 13(b) or (c) of this Order shall render it unlawful to cause or permit a vehicle which displays in the relevant position a disabled person's badge to wait in the lengths of road referred to in that Article.

- c. The following have been renumbered:

Article 20 (4) becomes (5)

Article 20 (5) becomes (6)

- d. Reference to Articles 13 and 14 have been included in Article 20(5)
- e. Reference to Article 13 has been removed from Article 20(6) and reference to Article 16 has been inserted.

M) The following schedules have been removed/amended/inserted as highlighted in bold below:

- a) The existing Schedule 8 has been removed.
- b) A new Schedule 8 has been inserted as follows:

Schedule 8

**Restricted Waiting between the hours of 8.00am and 9.00am & 3.00pm to 4.00pm
Monday to Friday**

Plan reference numbers: DY178 (dated 28/06/12 and DY179 ([dated 28/06/12)

- c) A new Schedule 10 has been inserted as follows:

Schedule 10

Parking Places

Between 8.00am and 6.00pm Monday to Saturday, 2 hours no return

Plan reference number: DY172 (dated 28/06/12)

- d) The existing Schedule 10 now becomes Schedule 11 and has been amended as follows:

Schedule 11

Parking Places

**Between 8.00am and 6.00pm, Monday to Saturday, 1 hour no return within 1 hour
Except Licensed Market Stall Holders**

Plan reference number: DY172 (dated 28/06/12)

- e) The existing Schedule 11 now becomes Schedule 12.
- f) The existing Schedule 12 now becomes Schedule 13
- g) The existing Schedule 13 now becomes Schedule 14
- h) The existing Schedule 14 now becomes Schedule 17
- i) A new Schedule 15 has been inserted as follows:

Schedule 15
Disabled Badge Holders Only, 2 hours limit no return before 6pm

Plan reference number: DY170 (dated 28/06/12)

- j) A new Schedule 16 has been inserted as follows:

Schedule 16
Disabled Badge Holders Only 8.00am-6.00pm Monday to Saturday, 2 hours No return within 1 hour

Plan reference number: DY172

- k) A new Schedule 18 has been inserted as follows:

Schedule 18
(b) Loading Bays only 8am – 6pm on any day

Plan reference number: DY171 (dated 21/06/12)

- l) A new Schedule 19 has been inserted as follows:

Schedule 19
Permit Holders Only At Any Time

Plan reference number: DY172 (dated 28/06/12)

Scheme Operating Conditions – Permit Charging Tariff

Prices:

Resident Permit **Maximum of 2 permits**

12 month permit	= £30.00
9 month permit	= £22.50
6 month permit	= £15.00
3 month permit	= £7.50

Where a permit is issued to a temporary resident for the period stated on their tenancy agreement, the charge will be for a minimum 3, 6 or 9 month period.

If a parking permit becomes invalid, a quarter of the annual fee may be refunded for every remaining whole quarter for which the parking permit remains valid.

Resident Visitor Permit £3 per book

Carer Permit Free of Charge

Builder Permit £20 per week

Business Permit £375 per annum, maximum of 1 per business

Resident and Business permits can be transferred to a new vehicle on return of the permit at no cost.

All lost or stolen permits must be reported immediately. Lost or stolen permits will be cancelled and replacements charged at £10.00 per permit.

Parking place suspensions

Parking place suspensions are charged at £20 per space per week or part thereof and may only be suspended for the duration of the activity. Note: the County Council does not charge for funerals, deliveries or removals or the suspension of an unmarked space within a permit holders only area.

A refund may be available when a suspension is not required. The parking office must be contacted at least 24 hours prior to the suspension.

Where Durham County Council require a parking place suspension, the suspension will be offered free of charge.

- N) The following plans dated 4.11.10 have been removed from the Schedules and plans of the same reference dated 28/06/12 have been inserted. 153

DY170 ✓
DY171 ✓
DY172 ✓
DY178 ✓
DY179 ✓
DZ168 ✓
DZ169 ✓
DZ170 ✓
EA169 ✓
EA170 ✓

Part VI

Saving

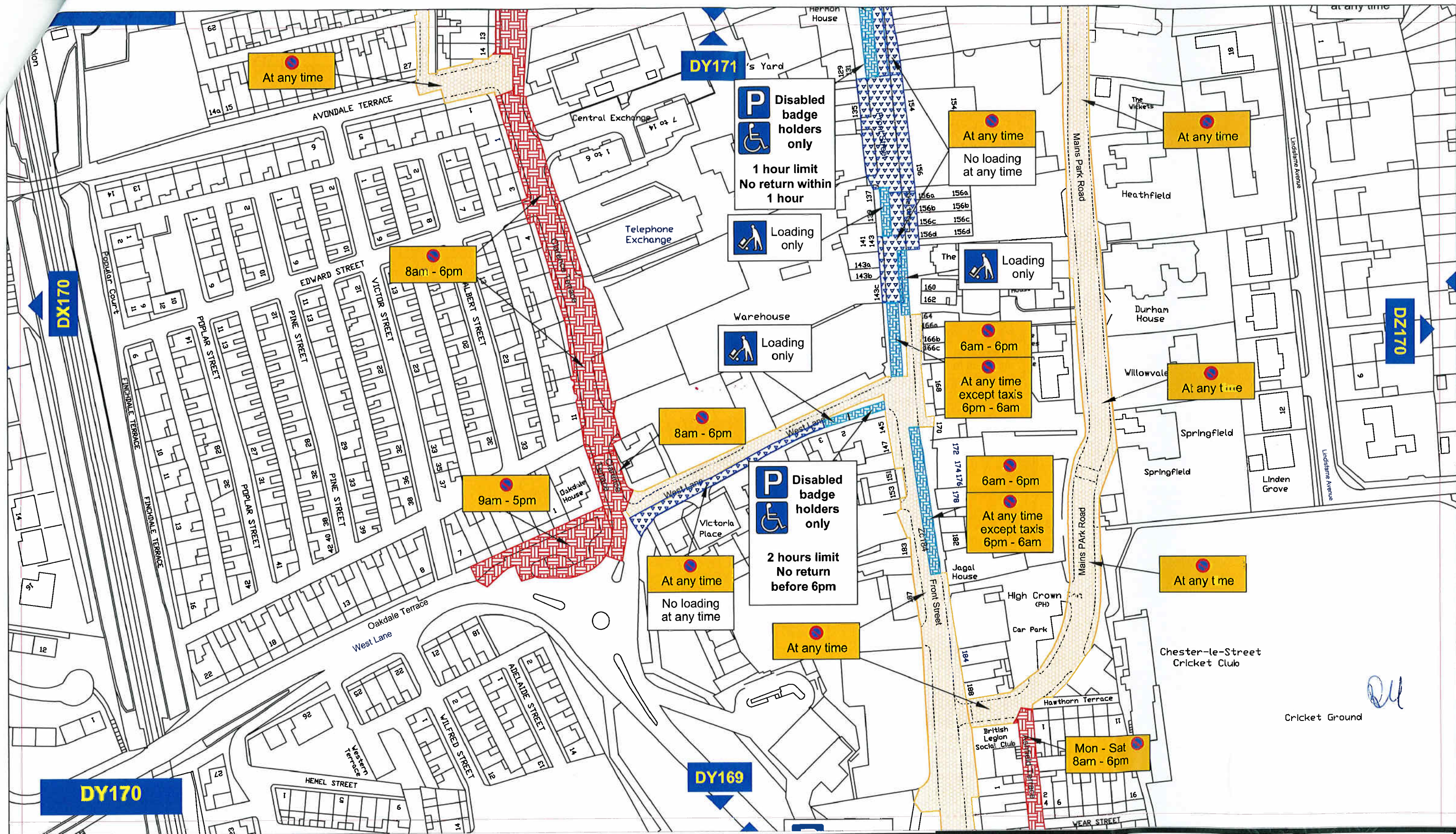
3. In so far as any provision of this Order conflicts with any provision which is contained in an Order made or having effect as if made under the Act or by or under any other enactment then the provisions of this Order shall prevail.
4. The prohibitions and restrictions imposed by this Order shall be 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 28
JUNE 2012

Patricia Hordar

Authorised Sealing Officer





Key to Types of Restriction

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

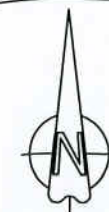
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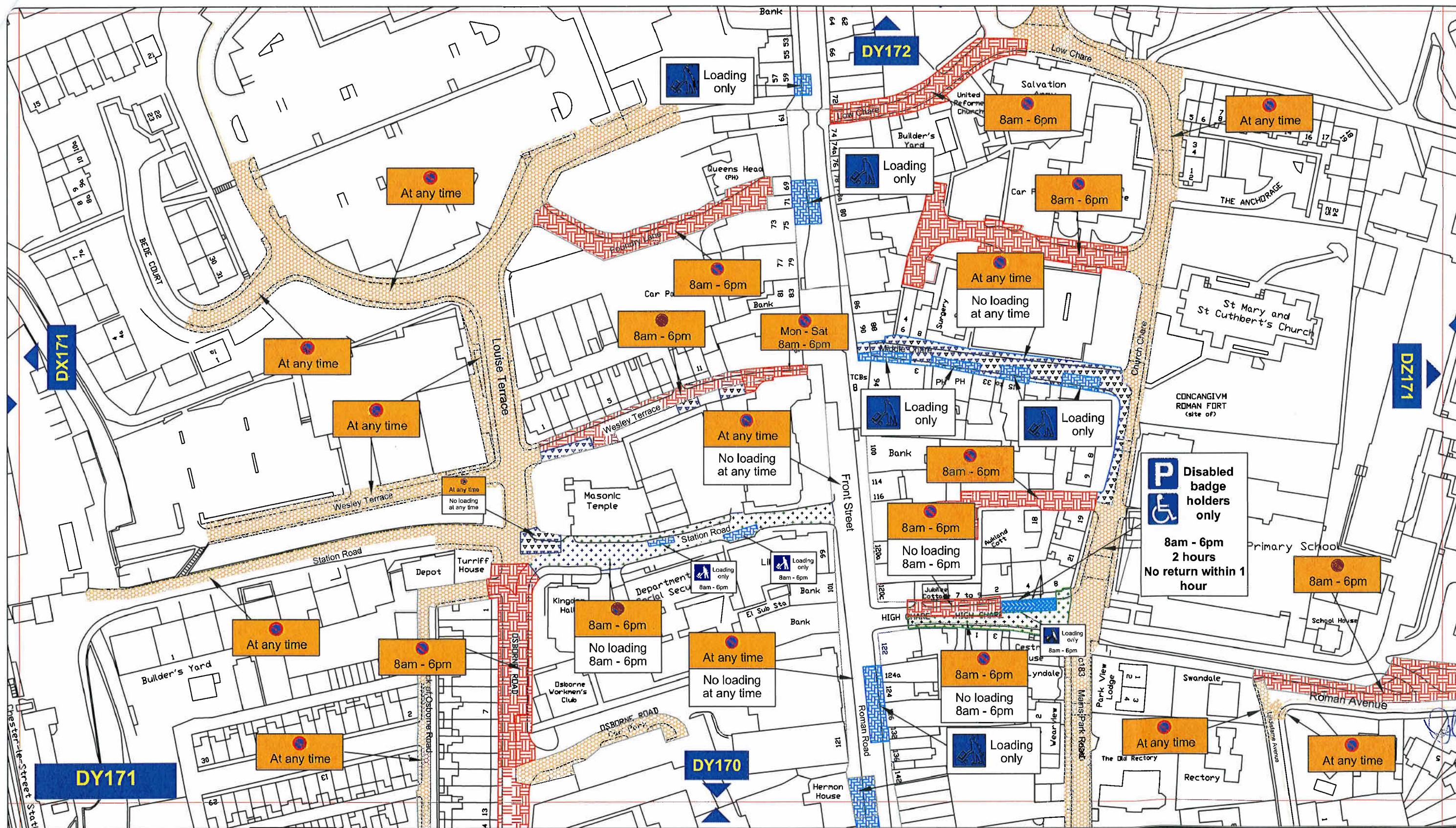
Corporate Director
Regeneration & Economic
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Strategic Traffic Management
County Hall, Durham DH1 5UQ

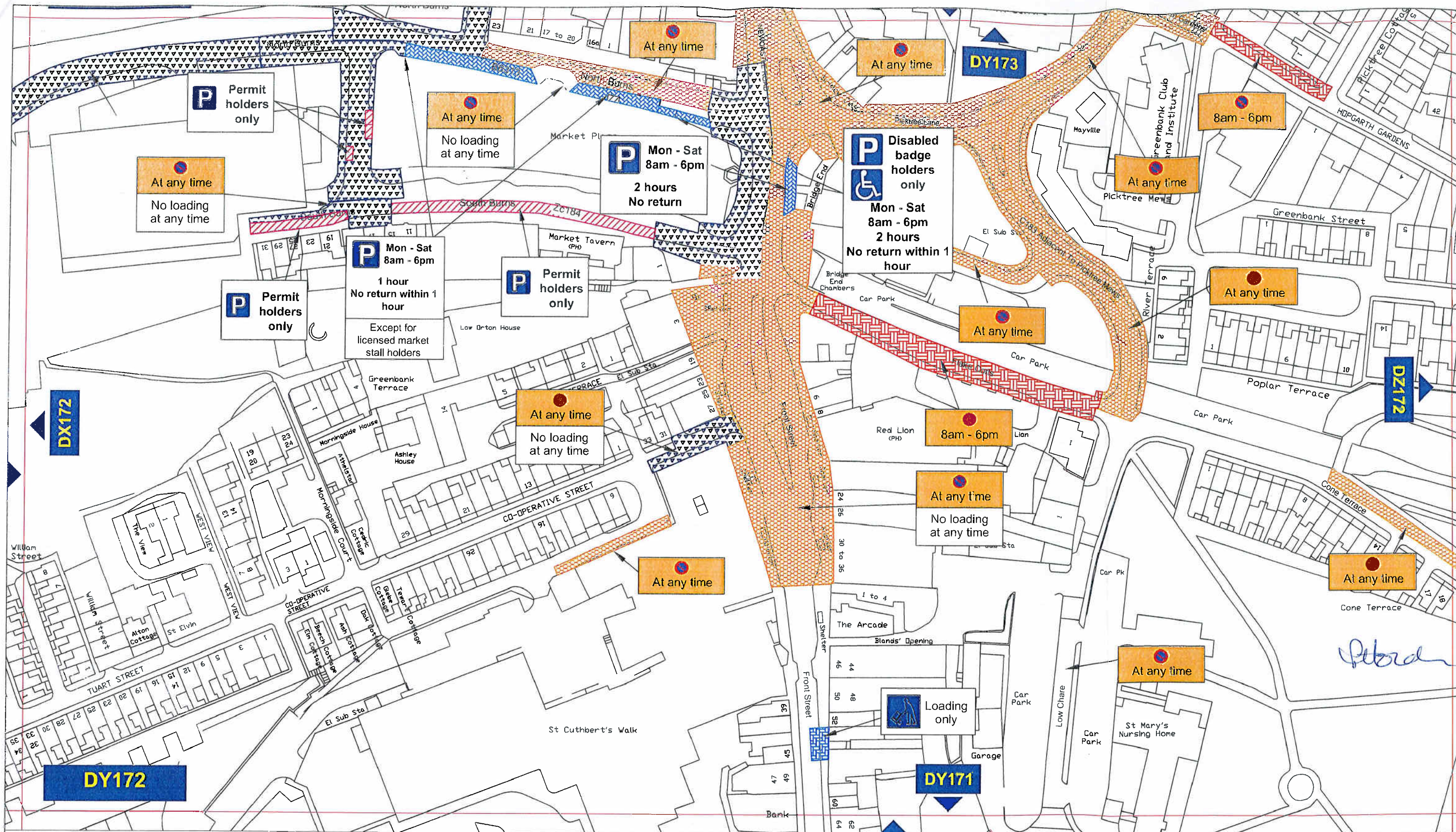
CHESTER-LE-STREET - PARKING AND WAITING RESTRICTIONS



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Date:	JUNE 2012		
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Date Sealed:	28/6/12	Map Schedule:	DY170



DY171



Key to Types of Restriction

- | | | | |
|--|---|--|---------------------|
| | No Waiting At Any Time | | Restricted Bays |
| | Restricted Waiting | | Permit Holders Only |
| | No Waiting And No Loading/Unloading At Any Time | | |

FINAL

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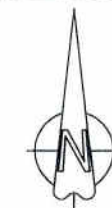


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THE COUNTY COUNCIL OF DURHAM CHESTER-LE-STREET (PROHIBITION and RESTRICTION of WAITING and LOADING) ORDER 2010



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Date Sealed:	28/6/12	Map Schedule:	DY172



Key to Types of Restriction

 No Waiting At Any Time

 Restricted Waiting

Final

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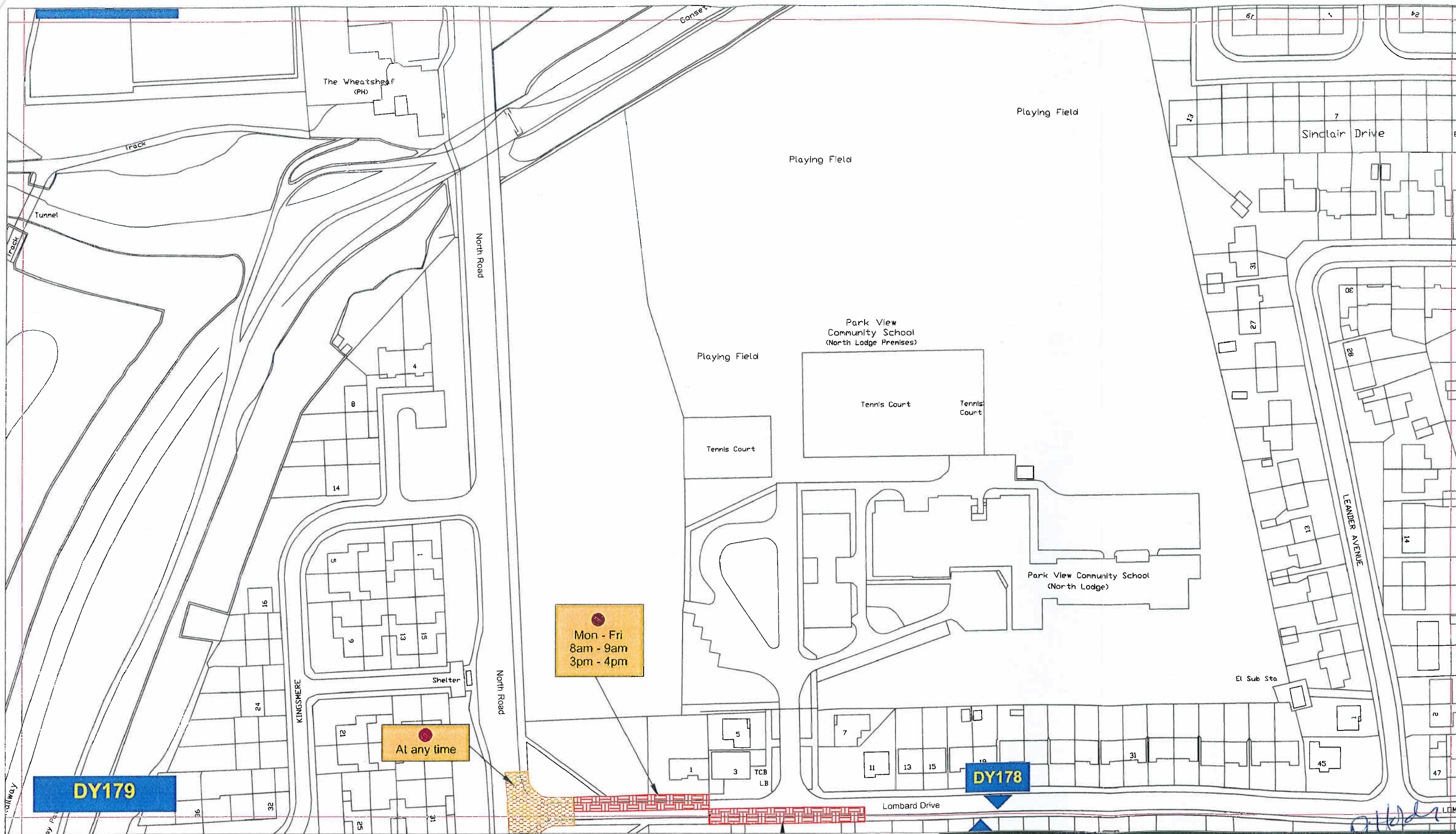
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Regeneration & Economic
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THE COUNTY COUNCIL OF DURHAM
CHESTER-LE-STREET
(PROHIBITION and RESTRICTION of
WAITING) ORDER 2010



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Key to Types of Restriction

-  No Waiting At Any Time
-  Restricted Waiting

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



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Key to Types of Restriction

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

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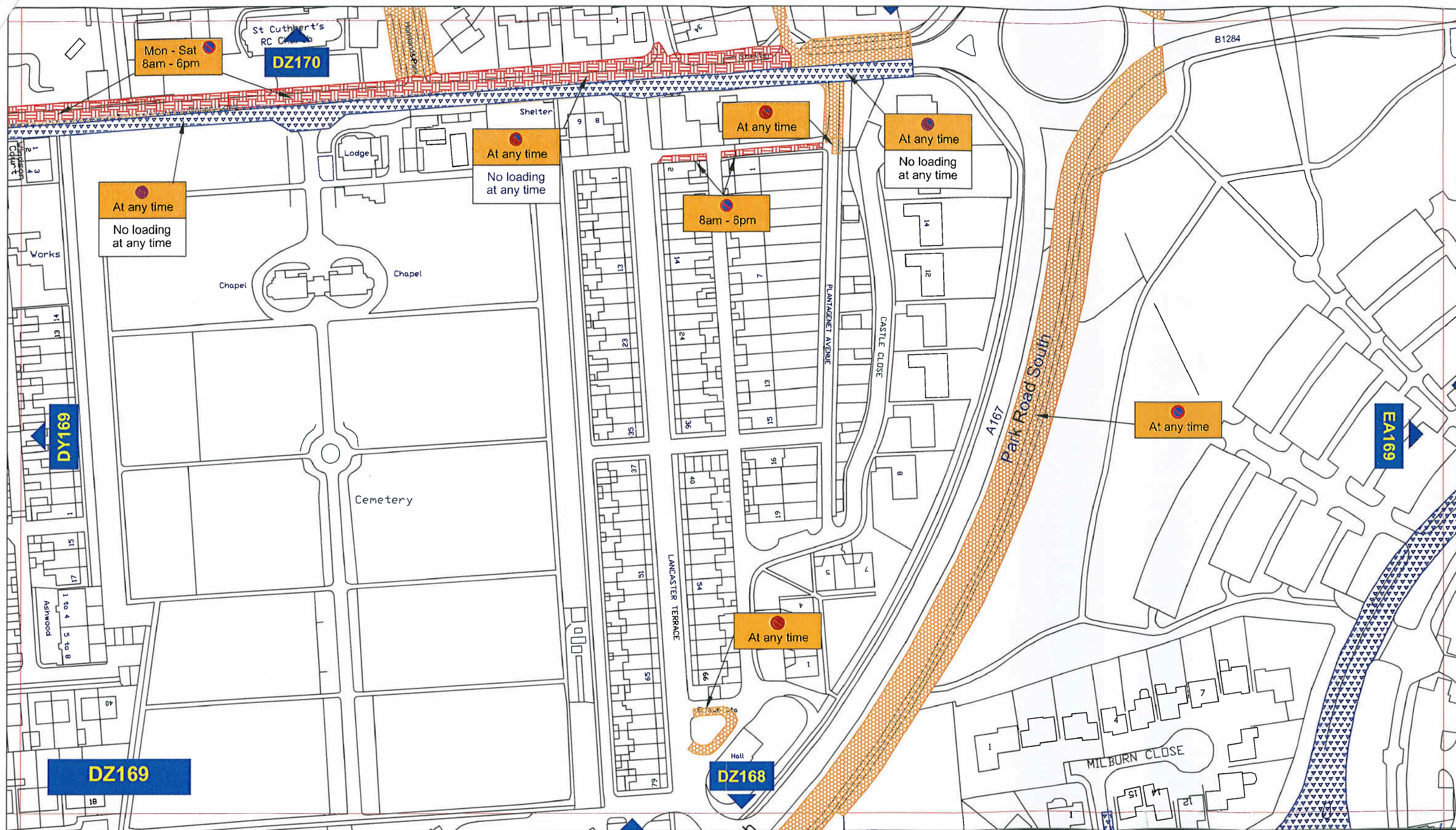
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THE COUNTY COUNCIL OF DURHAM
CHESTER-LE-STREET
(PROHIBITION and RESTRICTION of WAITING
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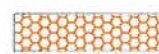




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Map Schedule:	DZ168

28/6/12



Key to Types of Restriction

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

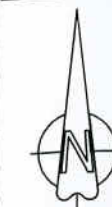
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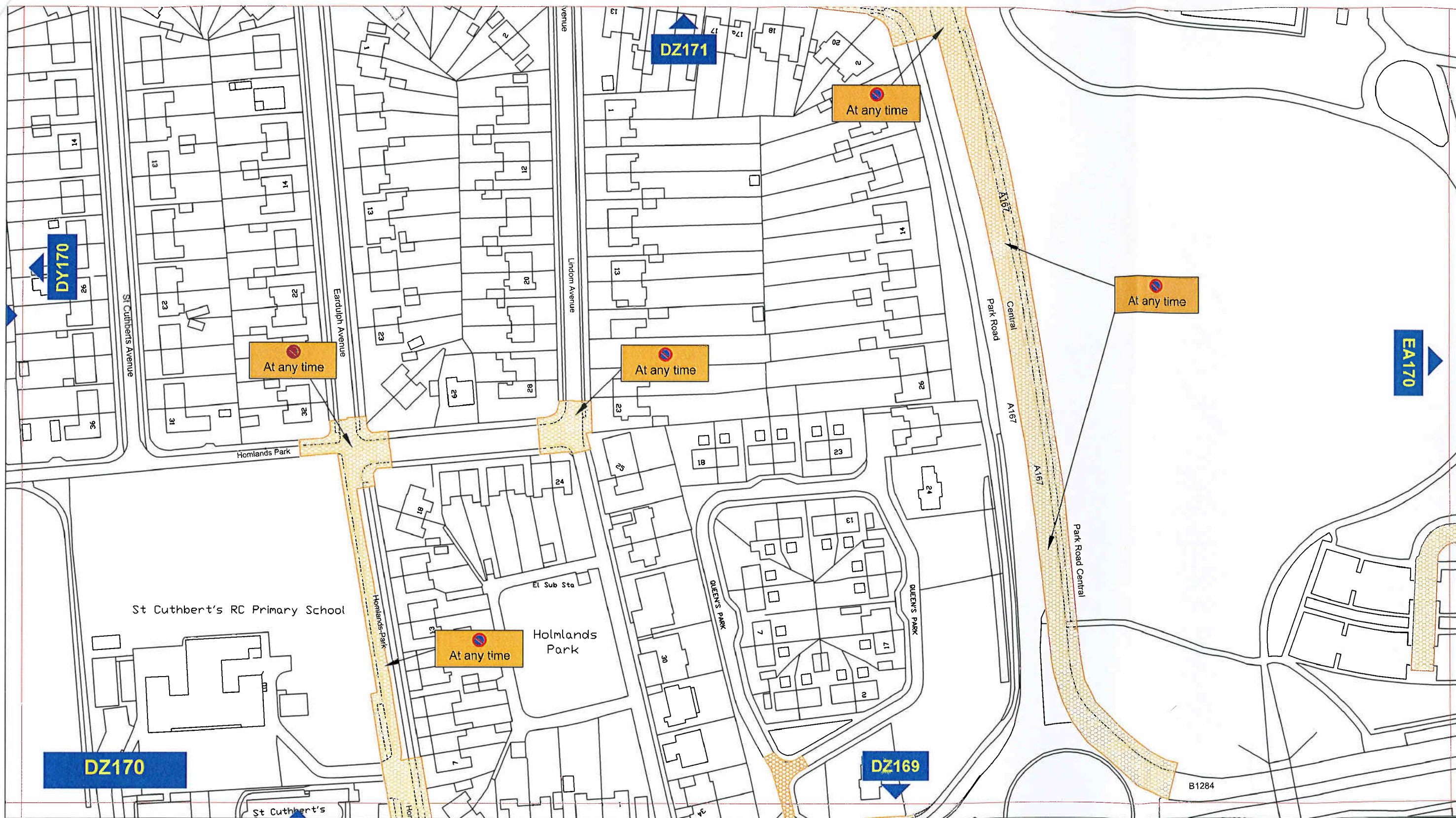
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THE COUNTY COUNCIL OF DURHAM
CHESTER-LE-STREET
(PROHIBITION and RESTRICTION of WAITING and
PROHIBITION of LOADING/UNLOADING)(AMENDMENT)
ORDER 2011



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Key to Types of Restriction

 No Waiting At Any Time

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**THE COUNTY COUNCIL OF DURHAM
CHESTER-LE-STREET
(PROHIBITION and RESTRICTION of
WAITING) AMENDMENT ORDER 2011**

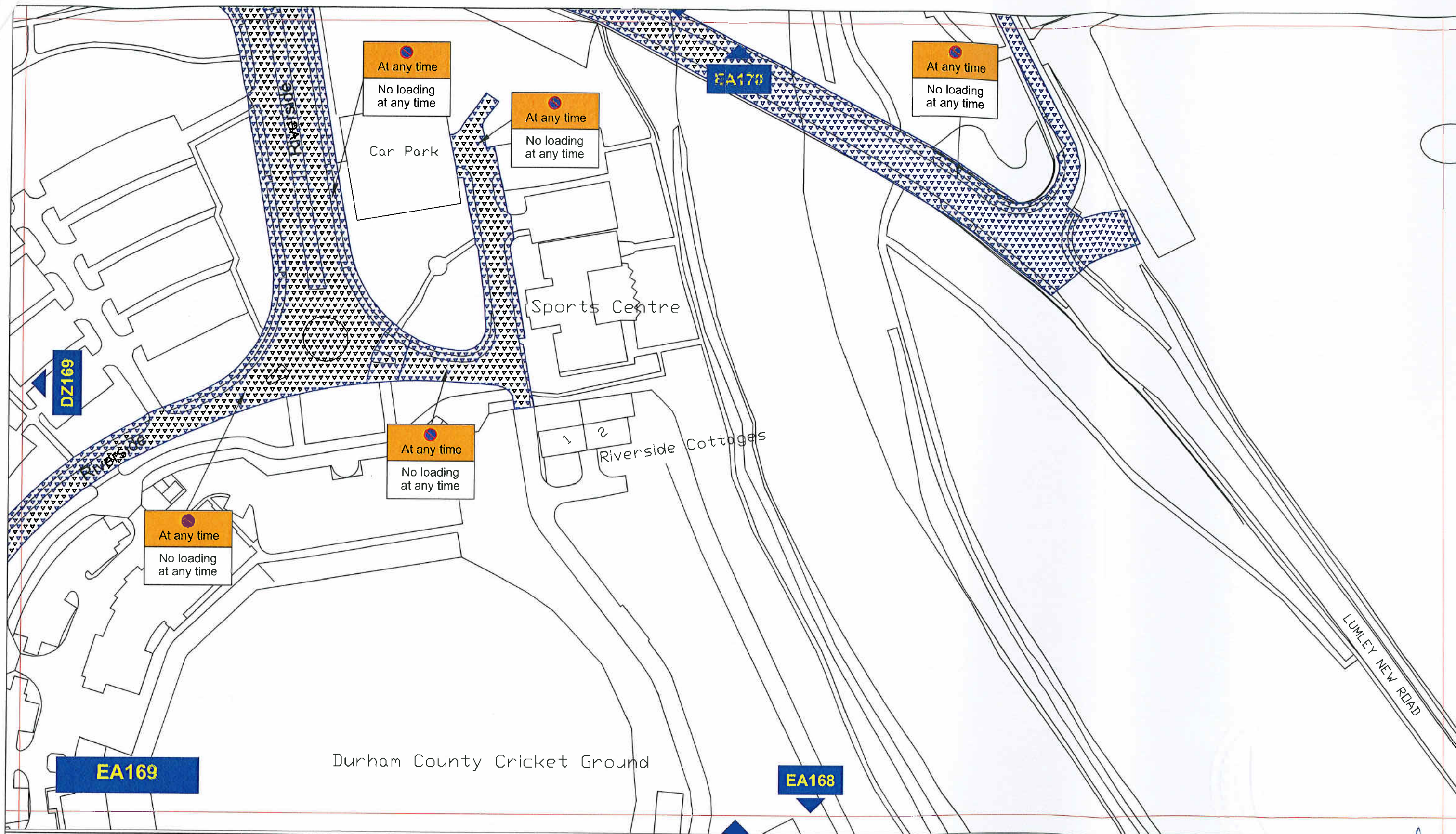


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Drawn by: A. Gleason


28/6/12

Map
Schedule:

DZ170



Key to Types of Restriction

 No Waiting And No Loading/Unloading At Any Time

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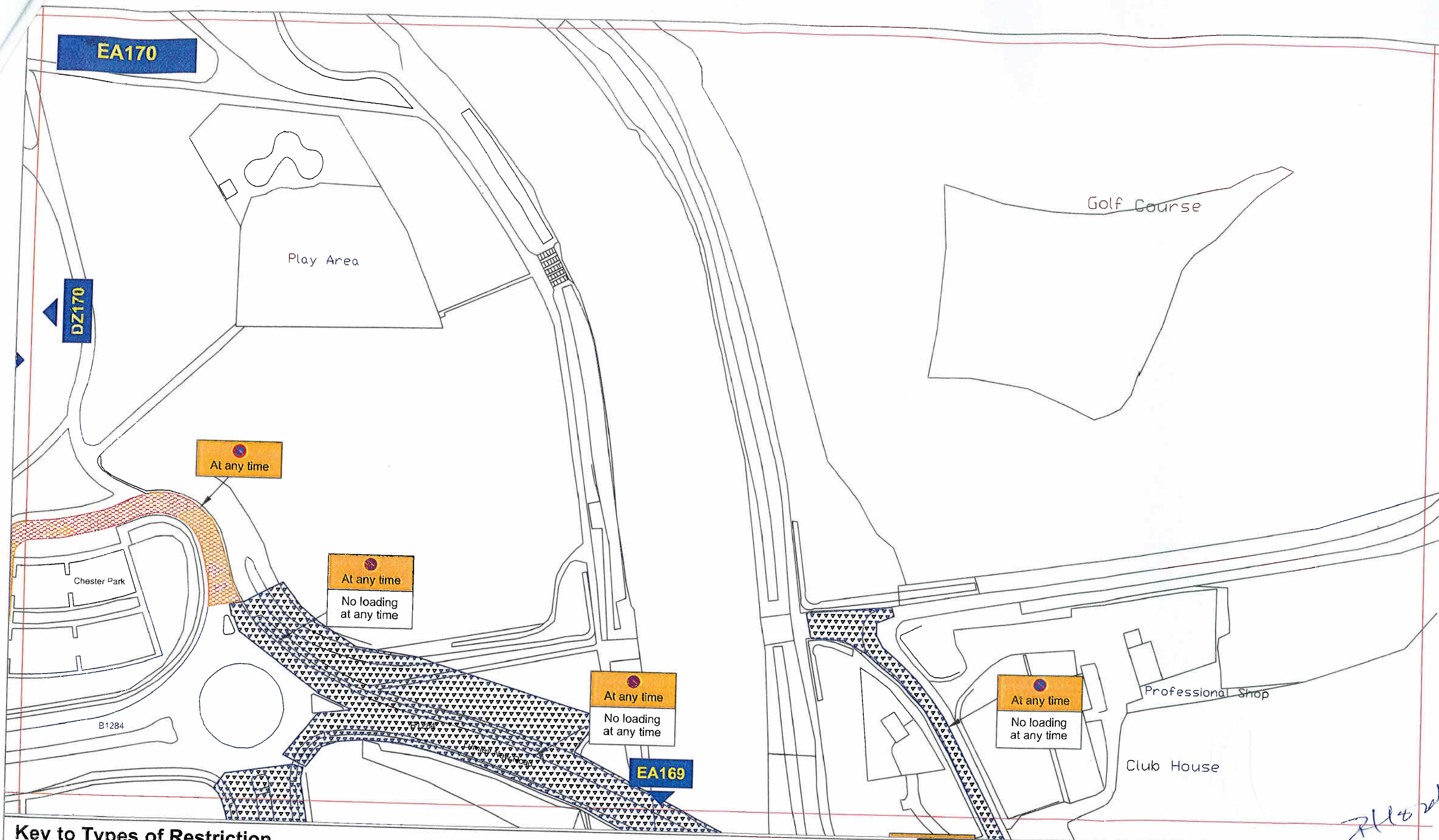
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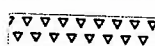
THE COUNTY COUNCIL OF DURHAM
CHESTER-LE-STREET
(PROHIBITION and RESTRICTION of WAITING
and LOADING) ORDER 2010



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Key to Types of Restriction

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

KVA

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



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