

**THE COUNTY COUNCIL OF DURHAM  
(FENCEHOUSES)  
(PROHIBITION AND RESTRICTION OF WAITING)  
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 (Fencehouses) (Prohibition & Restriction of Waiting) Order 2010 and shall come into operation on 22 July 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;

"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;

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

## **Part II**

### **Revocation**

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

The County of Durham (Road A1052/ Unclassified School Terrace Access, Fencehouses) (Prohibition of Waiting) Order 1994

1/73.

The County Council of Durham (Morton Crescent Fencehouses) (Amendment) Order 1998

2/92

## **Part III**

### **Prohibition of Waiting At Any Time**

4. Save as provided in Article 8 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 between the hours of 8.00 a.m. to 6.00 am Monday to Saturday**

5. Save as provided in Article 8 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 8.00 a.m. and 6.00 p.m. 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 2 to this Order.

### **Part IV**

#### **Exemptions**

6. (1) Nothing in Articles 4 or 5 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 or 5 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 5 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 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:-
- (a) the picking up or setting down of passengers; or
  - (b) goods to be loaded onto or unloaded from the vehicle.

#### **Part VI**

#### **Saving**

7. 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.
8. 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.

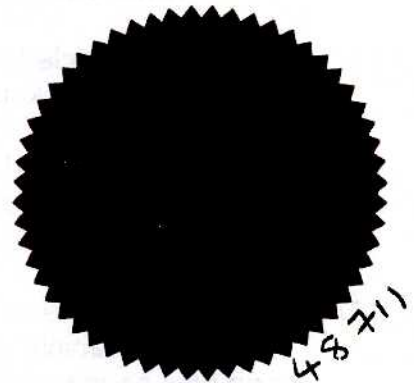
#### **Schedule 1 Prohibition of Waiting At Any Time**

Plan reference number: EG168

#### **Schedule 2 Prohibition of Waiting between the hours of 8.00 a.m. and 6.00 p.m. Monday to Saturday**

Plan reference number: EH167

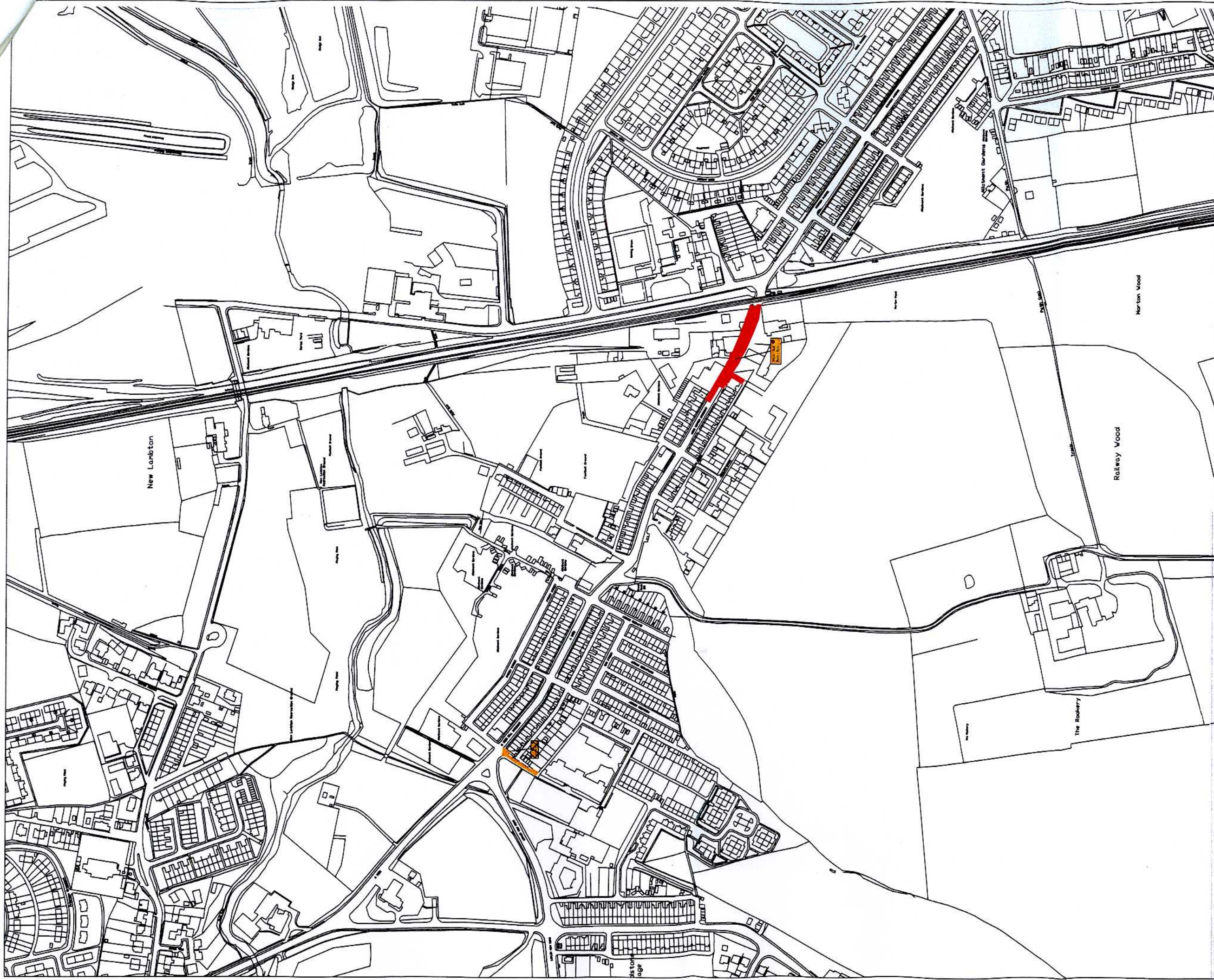
**Given under the Common Seal of the County Council of Durham on 15 July 2010.**



*m u s s b*

**Authorised Sealing Officer**





KEY:

No Waiting At Any Time



Restricted Waiting



Individual Plan Reference Number

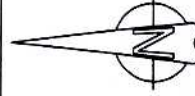
**EH167**



Corporate Director  
Regeneration & Economic  
Development

Strategic Traffic Management  
County Hall, Durham DH1 5UQ

**THE COUNTY COUNCIL OF DURHAM**  
**FENCEHOUSES**  
**(PROHIBITION and RESTRICTION of WAITING)**  
**ORDER 2010**



Scale: NOT TO SCALE

Date: February 2010

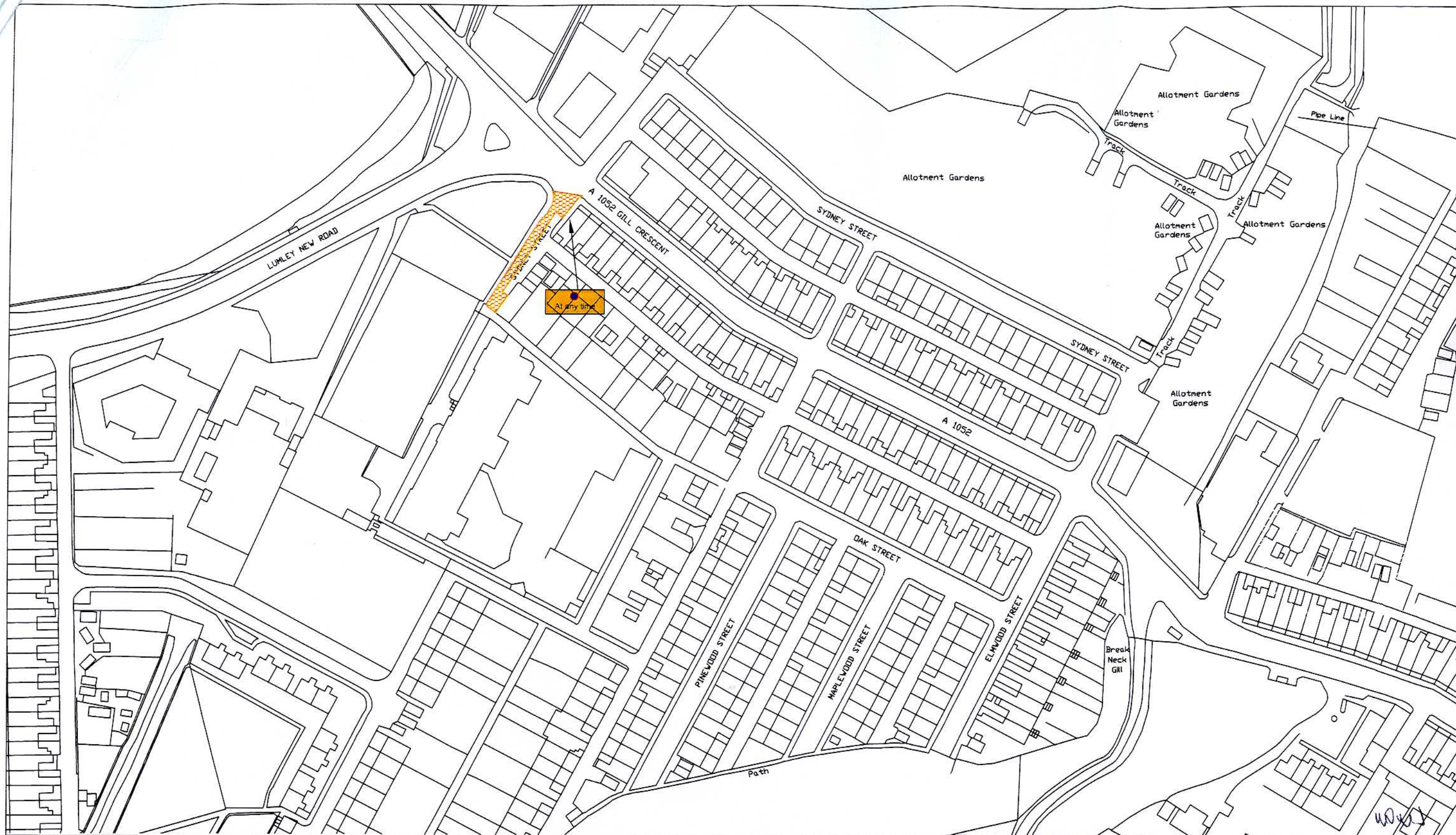
Drawn by: A.Lumsdon

Signature:

*[Signature]*

Date Sealed: 15.1.10 Master Plan





### Key to Types of Restriction



Restricted Waiting



Corporate Director  
Regeneration & Economic  
Development

Strategic Traffic Management


County Hall, Durham DH1 5UQ

THE COUNTY COUNCIL OF DURHAM  
**FENCEHOUSES**  
(PROHIBITION and RESTRICTION of  
WAITING) Order 2010



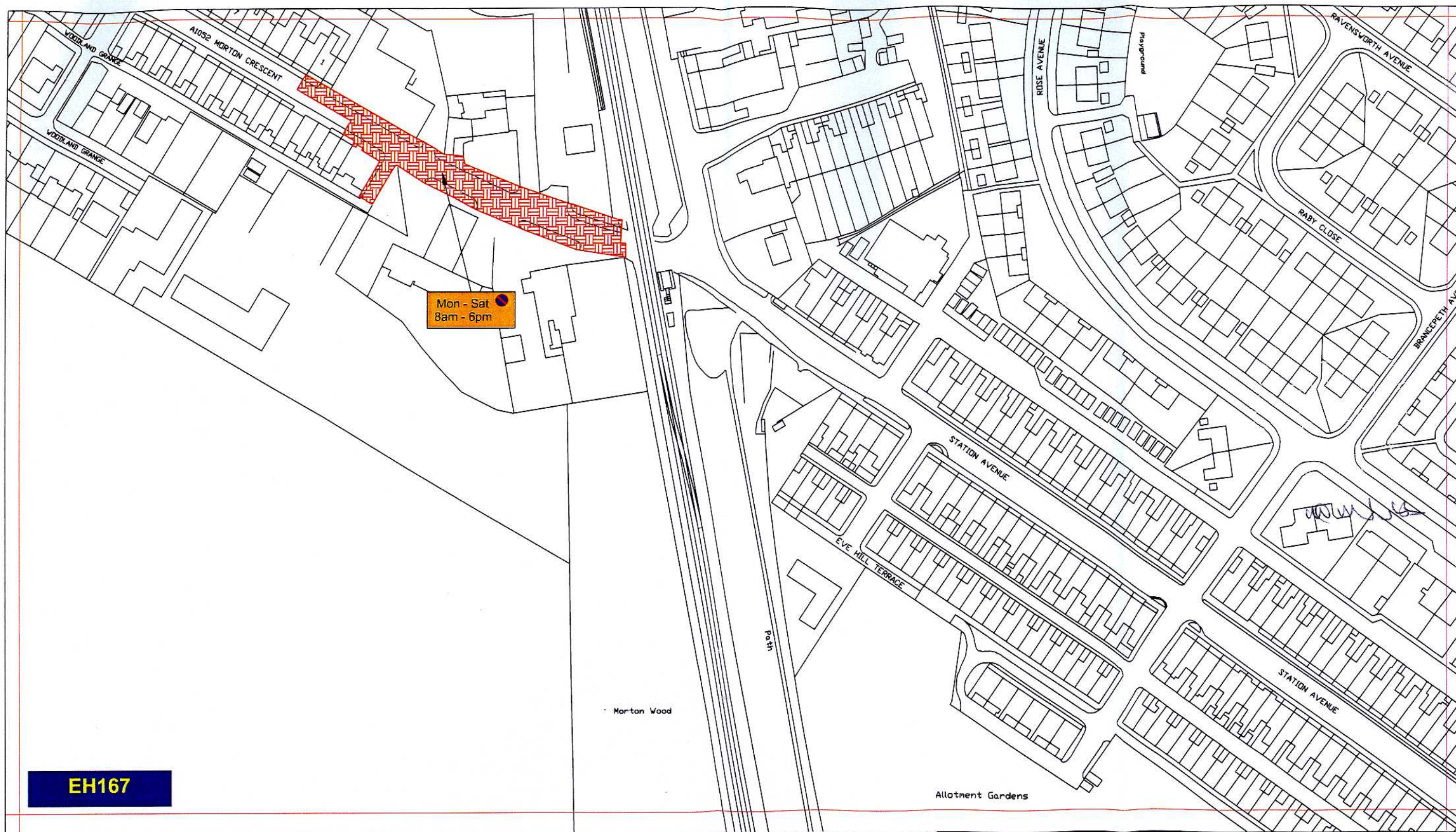
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Date: February 2010

Drawn by: A.Lumsdon Signature: 

Date Sealed: 15.7.10 Map Schedule: EG168




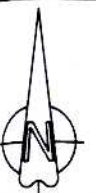





**EH167**

### Key to Types of Restriction

 Restricted Waiting

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 <p><b>Durham</b> County Council</p> <p>Corporate Director Regeneration &amp; Economic Development</p> <p>Strategic Traffic Management</p> <p>County Hall, Durham DH1 5UQ</p>		<p><b>THE COUNTY COUNCIL OF DURHAM</b> <b>FENCEHOUSES</b> <b>(PROHIBITION and RESTRICTION of</b> <b>WAITING) Order 2010</b></p>												
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