

**THE COUNTY COUNCIL OF DURHAM
(VARIOUS STREETS, BISHOP AUCKLAND & TORONTO)
(PERMIT PARKING & WAITING RESTRICTIONS) ORDER 2016**

The County Council of Durham ("the Council") in exercise of their powers under Sections 1, 2, 4, 32, & 35, and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984, as amended ("the Act") and Part 6 of the Traffic Management Act 2004, as amended, 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 I

General & Citation

1. This Order may be cited as The County Council of Durham (Various Streets, Bishop Auckland & Toronto) (Parking & Waiting Restrictions) Order 2016 and shall come into operation on 27 June 2016.

Interpretation

2. In this Order the following expressions have the meanings hereby respectively assigned to them:-

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

"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.

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

"council" means The County Council of Durham;

"disabled person's badge" has the same meaning as in the Disabled Person's (Badge's for Motor Vehicles) (England) Regulations 2000 (as amended);

"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;

"enforcement officer" means a uniformed police officer, police community support officer or any subsequent designation of these officers;

"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;

"liveried vehicle" means a vehicle having a distinctive design and colour scheme used to distinguish a police, fire & rescue or ambulance vehicle;

"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;

"motor vehicle" means a mechanically propelled vehicle intended or adapted for use on roads, as defined in Section 136 of the Act;

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

"parking contravention" has the same meaning assigned to it by Section 73 and Part 1 of Schedule 7 to the Traffic Management Act 2004;

"parking disc" has the same meaning as in Regulation 8(5) of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) regulations 2000;

"parking place" means an area of highway designated as a parking place under the provisions of this Order;

"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;

"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

"permit" means a permit and a "valid permit" issued under the provisions of Article 32 of this Order for use only within the specified zoned area for which it has been issued;

"permit holder" means a person to whom a permit has been issued under the provisions of Article 32 of this Order;

"relevant position" has the same meaning as defined by The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"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 14 to this Order;

"scheme operating 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;

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

"works vehicle" means a vehicle owned by, leased to, or registered to, the employer of a resident making an application for a Residents permit (or a bona fide business run by the resident) and either:

- (i) is used principally for the purposes of the employer of the resident (or a bona fide business run by the resident); or
- (ii) is used principally for the private use of the resident, as part of a commercial arrangement (including for the avoidance of doubt, a contract of employment) between the resident and the employer of the resident (or a bona fide business run by the resident).

3. Except where the context requires otherwise, any reference in this Order to a numbered Article shall be construed as a reference to the Article bearing that number in this Order.
4. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment. Unless the context otherwise requires words denoting the singular shall include the plural and vice versa and words denoting persons shall include either gender, bodies corporate, unincorporated associations and partnerships.
5. The Interpretation Act 1978 shall apply for the interpretation of this Order.

Part II

Prohibition of Waiting At Any Time

6. Save as provided in Article 38 of this Order no person shall, except upon the direction or with the permission of an enforcement officer or a civil enforcement officer, cause or permit any vehicle; other than those vehicles specifically authorised by this Order, to wait at any time on any of the lengths of roads or sides of lengths of roads identified within the individual plans detailed in Schedule 1 to this Order.

Permit Holders Only

7.
 - (1) The areas of highway identified on the attached plan and detailed in Schedule 2 to this Order are hereby authorised as Permit Holder parking places to be used only by those vehicles which display a valid permit.
 - (2) Each permit holder parking place identified on the attached plan and detailed in Schedule 2 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 and which displays a valid permit issued in accordance with this Order and subject to the relevant parking permit restrictions applicable as defined in the Scheme Operating Conditions, as amended from time to time, for use on such days and during such hours, as denoted on site by the relevant Traffic Signs.
 - (3) Save as provided in Article 38 of this Order no person shall, except upon the direction or with the permission of an enforcement officer, or civil enforcement officer, cause or permit any vehicle to park, other than a vehicle which displays a valid permit issued subject to the Scheme Operating Conditions and in accordance with this provisions of this Order, for use on such days and during such hours, as denoted on site by the relevant Traffic Signs.
 - (4) The limits of each parking place shall be indicated, by the Council, on the carriageway by the appropriate traffic signs.
 - (5) Any resident being the owner of a passenger vehicle, works vehicle, dual purpose vehicle or goods vehicle not exceeding 7.5 tonnes in weight or 6 metres in length invalid carriage and resides or carries out business in the streets specified in Schedule 2 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 described in Schedule 2 to this Order and subject to the relevant parking permit restrictions applicable as defined in the Scheme Operating

Conditions, as amended from time to time, for use on such days and during such hours, as denoted on the highway by the relevant Traffic Signs.

- (6) Any resident who resides in the streets described in Schedule 2 to this Order, may apply to the Council for the issue of an additional residents permit for visitors to their residence, such person being the owner of a vehicle of a type specified in paragraph (5) of this Article, to enable them to park in the appropriate parking place(s) and subject to the relevant parking permit restrictions applicable as defined in the Scheme Operating Conditions, as amended from time to time, for use on such days and during such hours, as denoted on the highway by the relevant Traffic Signs.
- (7) Any resident who resides in the described in Schedule 2 to this Order, may apply to the Council for the issue of an additional residents 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 (5) of this Article, to enable them to park in the appropriate parking place(s) and subject to the relevant parking permit restrictions applicable as defined in the Scheme Operating Conditions, as amended from time to time, for use on such days and during such hours, as denoted on the highway by the relevant Traffic Signs..
- (8) A medical/health care professional, being the owner of a vehicle of a type specified in paragraph (5) of this Article, identified by the Health Care Trust may be issued with an additional residents 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 described in Schedule 2 and subject to the relevant parking permit restrictions applicable as defined in the Scheme Operating Conditions, as amended from time to time, for use on such days and during such hours, as denoted on the highway by the relevant Traffic Signs..
- (9) 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 builders permit to enable them to park in the appropriate parking place(s), **WHILST WORKING** at an address in one of the streets described in Schedule 2 and subject to the relevant parking permit restrictions applicable as defined in the Scheme Operating Conditions, as amended from time to time, for use on such days and during such hours, as denoted on site by the relevant Traffic Signs.
- (10) 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 (21) of this Article, as is appropriate in respect of the permit for which application is made.
- (11) 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.
- (12) 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 (14) below.
- (13) 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, withdraw a permit if it appears to the Council that any of the events set out in paragraph 14 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.

- (14) The events referred to in paragraphs (12) and (13) 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 paragraph 5 of this Article.
 - (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.
- (15) 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 (14) of this Article, whichever is the sooner.
- (16) 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.
- (17) If a permit is lost or destroyed, the permit holder may apply to the Council for the issue of a replacement permit.
- (18) 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 be rendered invalid.
- (19) A permit shall be issued on behalf of the Council and include such information or particulars which the Council may determine.
- (20) 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 or Builder/Contractor may issue a permit subject to the Scheme Operating Conditions.
- (21) The Council may levy a charge in connection with the issue of a permit, subject to the Scheme Operating Conditions and the provisions of this Order:
- (a) The maximum number of permits which may be issued 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.
- (22) 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.
- (23) 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.
- (24) 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.

Part III PARKING PLACES WITHOUT METERS – GENERAL

Designation and use of Parking Places

- 8. The areas of highway identified on the attached plan and streets detailed in Schedule 2 to this Order are hereby designated as permit holder parking places; designated for use by those vehicles displaying a valid permit issued under the provisions of Article 7.
 - (1) Each parking place identified on the attached plan detailed in Schedule 2 to this Order, authorised under paragraph (1) of this Article, may only be used:
 - (a) for the leaving of those motor vehicles and motor cycles so authorised by this Order on such days and during such hours as identified within the individual plan(s) detailed in Schedule 2 to this Order; or
 - (b) for the leaving of motor vehicles and motor cycles which display a valid permit issued in accordance with Article 7 of this Order, the Scheme Operating Conditions, on such days and during such hours as denoted on the highway by the appropriate Traffic Signs.
 - (2) The limits of each parking place shall be indicated, by the Council, on the carriageway by the appropriate traffic signs on all approaches to the permit zone and on each street detailed in Appendix 2 to this Order.

Relocation and Removal of Vehicles and Other Equipment

- 9.
 - (1) If a vehicle is left within a parking place in a position other than in accordance with the provisions of this Order the Council may alter or cause to be altered the position of that vehicle so that it is accordance with those provisions.
 - (2) The terms and conditions shall apply equally to any other equipment deposited in the parking place which in the opinion of a person authorised by the Council constitutes a contravention of the provisions of this Order and these provisions are extended to include for the disposal of the equipment where it is deemed appropriate by the Council.

- (3) If a vehicle is left in a parking place in contravention of any of the provisions of the Order a person authorised by the Council in that respect may remove the vehicle from the parking place or arrange for such removal.
- (4) If an emergency occurs, the Council or an enforcement officer may alter or cause to be altered the position of a vehicle in a parking place or remove or arrange for the removal of a vehicle from a parking place.
- (5) Any person altering or causing the alteration of the position of a vehicle or removing or causing the removal of a vehicle may do so by towing, lifting or driving the vehicle or using such other manner as he may think reasonably necessary to enable the position of the vehicle to be altered or the vehicle to be removed.

Part VI

Exemptions

10. (1) Nothing in Articles 6 or 7 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 6 or 7 of this Order shall apply to any liveried vehicle being used for police, fire & rescue service or ambulance purposes in pursuance of statutory duties.
- (4) Nothing in Articles 6 or 7 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 or road referred to in those Articles.

(5) Nothing in Article 7 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

Contravention and Enforcement

- 11. If a vehicle is in contravention of a provision of this Order a penalty charge shall be payable.
- 12. 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 in accordance with the requirements of Section 78 of the Traffic Management Act 2004, as amended.

Part VII

Saving

- 13. 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.
- 14. 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

No Waiting / No Loading At Any Time

A689 From its roundabout junction with the C188 in a northerly then north westerly direction to its roundabout junction with the B6286.

SCHEDULE 2

Permit Holders Parking Area Date & / or Time as displayed on Entry Signs

	Column 1 Road	Column 2 Description	Column 3 Permit
	BISHOP AUCKLAND		
1	Bridge Street, Bishop Auckland	Its entire extent	
2	Lower Bridge Street, Bishop Auckland	Its entire extent	
3	C188 Newton Cap, Bishop Auckland	Its entire extent	
4	High Bondgate, Bishop Auckland	From its roundabout junction with Finkle Street in a westerly direction to its junction with Etherley Lane / Newton Cap	
5	Grainger Street, Bishop Auckland	Its entire extent	
6	B6284 West Road, Bishop Auckland	Its entire length	
7	B6284 Etherley Lane,	From its junction with Russell	

	Bishop Auckland	Street in a south westerly direction to its junction with Edge Hill	
8	Hexham Street, Bishop Auckland	Its entire length	
9	Russell Street, Bishop Auckland	Its entire length	
10	Broken Banks, Bishop Auckland	Its entire length	
11	Raine Street, Bishop Auckland	Its entire length	
12	Edge Hill, Bishop Auckland	Its entire length	
13	Edward Street, Bishop Auckland	Its entire length	
14	Waldron Street, Bishop Auckland	Its entire length	
15	Surtees Street, Bishop Auckland	Its entire length	
16	Prince's Street, Bishop Auckland	Its entire length	
17	Vickers Street, Bishop Auckland	Its entire length	
18	Stranton Street, Bishop Auckland	Its entire length	
19	Gibbon Street, Bishop Auckland	Its entire length	
20	Edgar Grove, Bishop Auckland	Its entire length	
	TORONTO	Its entire length	
21	C188, Bishop Auckland to Toronto	Between the C188 Newton Cap, Bishop Auckland and the C188 Jubilee Street, Toronto	
22	C188 Jubilee Street, Toronto	Between the C188 Newton Cap, Bishop Auckland and the C188 Addison Road, Toronto	
23	C188 Addison Road, Toronto	Between the C188 Jubilee Street and its junction with the A689.	
24	Sherwood Court, Toronto	Its entire length	
25	Peel Place, Toronto	Its entire length	
26	Newton Grange, Toronto	Its entire length	
27	Chapel Street, Toronto	Its entire length	
28	Wear View, Toronto	Its entire length	
29	Church Street, Toronto	Its entire length	
30	Barrington Street, Toronto	Its entire length	

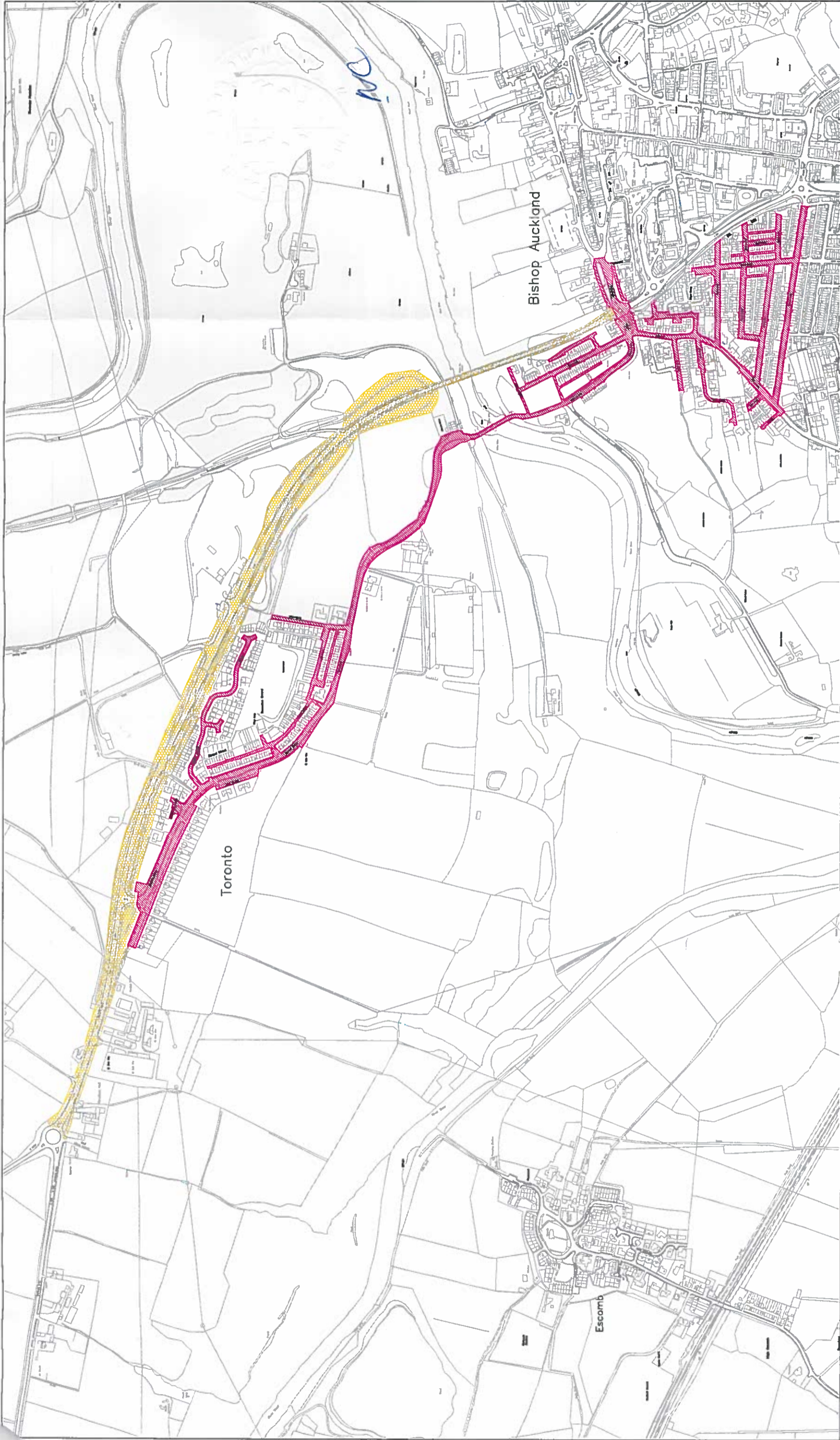
GIVEN UNDER THE COMMON SEAL OF THE COUNTY COUNCIL OF DURHAM ON THE 16th DAY OF JUNE 2016

N. Carter

.....
Authorised Sealing Officer



565401




Key to Types of Restriction

No Waiting At Any Time

Permit Holders Only
Fri - Sun, 7pm - 11pm

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Rev#	Drawn By	Approved By	Description Of Amendments
1	LM		
2			
3			
4			
5			
6			
7			
8			
9			
10			



STRATEGIC TRAFFIC MANAGEMENT
CORPORATE DIRECTOR OF REGENERATION & ECONOMIC DEVELOPMENT
COUNTY HALL, DURHAM, DH1 6UG

Project
Eleven Arches Event Day Permit Parking

Drawing
Parking & Waiting Restrictions

Scales
1:500 @ A2

Project/Drawing No.
TM40038/15/199

PATH: