

**THE COUNTY COUNCIL OF DURHAM
(STANHOPE)
(PROHIBITION OF STOPPING AND WAITING) ORDER 2011
(Amendment No 1) 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:-

General

This Order may be cited as The County Council of Durham (Stanhope) (Prohibition of Stopping & Waiting) Order 2011 (Amendment No. 1) Order 2016 and shall become operational on the 1st day of August 2016.

Amendments

The under-noted amendments have been made to the following Order:

The County Council of Durham (Stanhope) (Parking & Waiting Restrictions) Order 2011.

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Purpose of Amendments

The following brief synopsis of amendments should be viewed in conjunction with the plans identified within the Schedules to the above Order, however the plan(s) should prevail in the event of any discrepancy:

1. To introduce on A689 Front Street two disabled Badge Holders Only restricted parking bays Mon-Sat 9am-5pm max. stay 2 hours no return within 2 hours: (a) in front of No's. 29/31 and (b) in front of No 55. Plan BU126 refers.
2. To introduce on A689 Front Street one 81 metre long restricted parking bay Mon-Sat 9am-5pm max. stay 2 hours no return within 2 hours from No. 33 to No. 55. Plan BU126 refers.
3. To introduce on A689 Front Street one parking place for buses/coaches parking only Mon-Sat 9am-6pm max. stay 2 hours no return within 2 hours at the former bus stop to the east of the Fire Station entrance. Plan BT127 refers.

ARTICLES

The following amendments have been made:

Article 2 (Interpretation) – the following new definitions have been inserted:

"bus" has the same meaning as in Regulation 22 of the Traffic Signs Regulations 2002;
"council" means The County Council of Durham.

"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.

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

"parking bay" means an area of highway designated as a parking bay under the provisions of this Order.

"parking place" means a place where vehicles, or vehicles of any class, may wait.

"plan(s)" means the drawings listed within the Schedules attached to this Order.

"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.

New Articles 3 & 4 have been inserted which read:

3. 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.
4. The Interpretation Act 1978 shall apply for the interpretation of this Order.

The following original Articles have been renumbered and reference within this to Article 6 has been replaced with Article 16.

Original Article No.	New Article No.
3	5
4	6
5	7

New Articles 8 to 15 have been inserted which read:

Part IV
PARKING PLACES & PARKING BAYS WITHOUT METERS
(Restricted Bays)

Parking Places

8. (1) The areas of highway identified within the individual plans detailed in Schedule 3 to this Order are hereby designated as parking places.
- (2) Each parking place identified within the individual plan(s) detailed in Schedule 3 to this order, authorised under paragraph (1) of this Article may be used for the leaving of motor vehicles and motor cycles of such class as specified within the individual plan(s) detailed in that Schedule on such days and during such times as identified.
- (2) Save as provided in Article 16 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, other than a vehicle so authorised under this Article, to be left in a parking bay or parking place on such days and during such hours identified in the individual plan(s) detailed in Schedule 3 to this Order.
- (4) The limits of each parking place and of each parking bay shall be indicated by the Council, on the carriageway by the appropriate traffic signs and identified within the individual plans detailed in Schedule 3 to this Order.

- (5) The driver of a motor vehicle or a rider of a motor cycle shall not permit it to enter or wait in a parking place, authorised by paragraph (1) of this Article, for a period exceeding the maximum stay identified within the individual plans detailed in Schedule 3 to this Order or to return within the period also specified those plans.

Parking: Disabled Badge Holders Only

9. (1) The areas of highway identified within the individual plans detailed in Schedule 4 to this Order are hereby authorised as disabled persons parking places.
- (2) Each parking place identified within the individual plans detailed in Schedule 4 to this order, authorised under paragraph (1) of this Article may be used only on such days and during such times as identified within the individual plan(s) detailed in that Schedule by vehicles which display in the relevant position a disabled person's badge and a disabled persons 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) on any day.
- (3) Save as provided in Article 16 of this Order no person shall cause or permit any vehicle, other than one displaying a Disabled Person's Badge/Disabled Person's Parking Disc to park in a Disabled Badge Holders Only Parking Place on such days and during such times as identified within the individual plans detailed in Schedule 4 to this Order.
- (4) The limits of each parking place shall be indicated by the Council, on the carriageway by the appropriate traffic signs and the parking bay shall be identified within the individual plans detailed in Schedule 4 to this Order.

Parking: Buses Only

10. (1) The area(s) of highway identified within the individual plan(s) detailed in Schedule 5 to this Order is/are hereby authorised to be used for the parking of buses and coaches only on such days and during such hours and for such duration as may be specified within the individual plan(s) detailed in that Schedule.
- (2) Each parking place identified within the individual plans detailed in Schedule 5 to this Order, authorised under paragraph (1) of this Article may be used only on such days and during such times as identified within the individual plan(s) detailed in that Schedule by buses and coaches.
- (3) Save as provided in Article 16 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, other than a bus or coach, to wait at any time on any of the lengths of roads, or sides of lengths of roads as identified within the individual plan(s) detailed in Schedule 5 to this Order.
- (4) The limits of each parking place shall be indicated, by the Council, on the carriageway by the appropriate traffic signs.

Part V GENERAL

Designation and use of Parking Places

11. (1) Each area of highway identified in Schedules 3, 4 & 5 to this Order are hereby designated as parking places; as set out in Articles 8, 9 and 10 to this Order.
- (2) Each parking place, authorised in paragraph (1) of this Article, may be used subject to the provisions of this Order, for the leaving of such vehicles as specifically identified in Articles 8, 9 and 10 on such days and during such hours as identified in Schedules 3, 4 & 5 to this Order.
- (3) The number and situation of parking places may be determined by the Council and the limits of each restricted bay shall be indicated by the Council on the carriageway by the appropriate traffic signs.
- (4) Where, within a parking place there is a sign or surface marking which indicates that a parking bay is provided only for a disabled person's vehicle, the driver of a motor vehicle shall not permit it to wait in that parking bay unless it is a disabled person's vehicle.
12. The Council may:-
- (a) install, in such positions on or in the vicinity of a parking place, as they may think fit, such ticket machines as are required by this Order for the purposes of that parking place; and
- (b) carry out such other work as is authorised by this Order or is reasonably required for the purposes of the satisfactory operating of a parking place.

Manner of Standing in Parking Places

13. (1) Every vehicle left in a parking place, specified in Articles 8, 9 and 10, shall so stand, subject to paragraph (2) of this Article, so that every part of the vehicle is wholly within the limits of the parking place, AND in those cases in which special provision is made identified in the individual plans detailed in Schedules 3, 4 & 5 of this Order, in accordance with those provisions.
- (2) Where a vehicle has been left in a parking place, referred to in paragraph (1) of this Article, is too long to comply with the provisions of that paragraph such vehicle shall be deemed to be within the limits of the restricted bay, being a parking place if:-
- (a) the extreme front or rear portion of the vehicle is within 300 mm of the carriageway indication provided under paragraph (3) of Articles 8, 9 and 10 of this Order;
- (b) the vehicle, or any part of it, is not within the limits of any adjoining restricted bay.

Class and position of Vehicle

14. (1) No person shall cause or permit any vehicle, other than the permitted classes of vehicles, to use the parking places identified in Articles 8, 9 & 10 or as specified in Schedules 3, 4 & 5 to this order;
- (2) Every vehicle left in a parking place, specified in Articles 8, 9 & 10 of this Order, shall stand so that every part of the vehicle is wholly within the limits of the parking place or any parking bay within a parking place AND in those cases in which special provision is made in Schedules 3, 4 & 5 of this Order, in accordance with those provisions;
- (3) No person shall cause or permit any vehicle, unless so approved by an enforcement officer, to wait or park in a parking bay specifically marked as available for a permitted class of vehicle, as identified in Schedules 3, 4 & 5 to this order, unless that vehicle is of that permitted class of vehicle.
- (4) No person shall cause or permit any vehicle to wait or park in a parking bay marked for disabled persons unless the vehicle displays a valid disabled person's badge in the relevant position and unless the vehicle has been or is about to be used by the person(s) in respect of whom the disabled person's badge has been issued either immediately before or immediately after the act of parking. Where required the vehicle shall also display the disabled person's badge in accordance with local regulations;

Power to Suspend Parking Places

15. (1) Any person authorised by the Council may suspend the use of a parking place or any part thereof whenever he consider such suspension is reasonably necessary:-
- (a) for the purpose of facilitating the movement of traffic or promoting its safety;
- (b) for the purpose of any building operation, demolition or excavation in or adjacent to the parking place, or the maintenance, improvement or reconstruction of the parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or any telecommunications apparatus as defined in the Telecommunications Act 1984;
- (c) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository ;
- (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed or to facilitate filming work;
- (e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings, funerals or on other special occasions.
- (f) for the maintenance, improvement or reconstruction of the road and street furniture, the cleansing of gullies or to maintain trees adjacent to the parking places;

- (2) An enforcement officer may suspend the use of a parking place or any part thereof, whenever such suspension is reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- (3) Any person closing or suspending the use of a parking place, or any part thereof, in accordance with the provisions of paragraphs (1) and (2) of this Article shall thereupon place or cause to be placed in or adjacent to that parking place, or that part thereof, a notice or sign indicating that the use of that parking place, or part thereof, is closed or suspended and that parking by vehicles is prohibited.
- (4) No person shall cause or permit a vehicle to be left in a parking place, or any part thereof, during such periods that the use of that parking place or part thereof is closed or suspended, or during such period as there is in or adjacent thereto a notice or sign placed by or on behalf of the Council in pursuance of paragraph (3) of this Article.

Provided that nothing in this paragraph shall apply to any vehicle waiting in the parking place or loading bay or part thereof which is suspended with the permission of the person suspending the parking place or part thereof, in pursuance of paragraph (1) or (2) of this Article.

- (5) No person shall use a parking place in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of their skills or services.

Provided that nothing in this paragraph shall apply to any vehicle waiting in the parking place or part thereof, which is suspended, with the permission of the person suspending the parking place or part thereof, in pursuance of paragraph (1) or (2) of this Article.

The following original Articles have been renumbered:

Original Article No.	New Article No.
6	16
7	17
8	18
9	19

New Article No. 16 has been amended as follows:

- Sub Article (3) – reference to Article 4 has been replaced with reference to Article 6.
- Sub Article (4) – reference to Article 4 has been removed and references to Articles 6 and 8 have been inserted.

SCHEDULES

Schedule 1:

- Plan reference BU126 seal dated 12/9/13 has been removed and a new plan bearing the same reference number seal dated as at the date of this Amendment Order has been inserted.
- Plan reference BT127 has been removed and a new plan bearing the same reference number seal dated as at the date of this Amendment Order has been inserted.

Schedule 2:

- Plan reference BT127 has been removed and a new plan bearing the same reference number seal dated as at the date of this Amendment Order has been inserted.

New Schedules 3, 4 and 5 have been inserted which reads:

**Schedule 3
Parking Places**

BU126

**Schedule 4
Parking: Disabled Badge Holders Only**

BU126

**Schedule 5
Parking: Buses & Coaches Only**

BT127

Saving

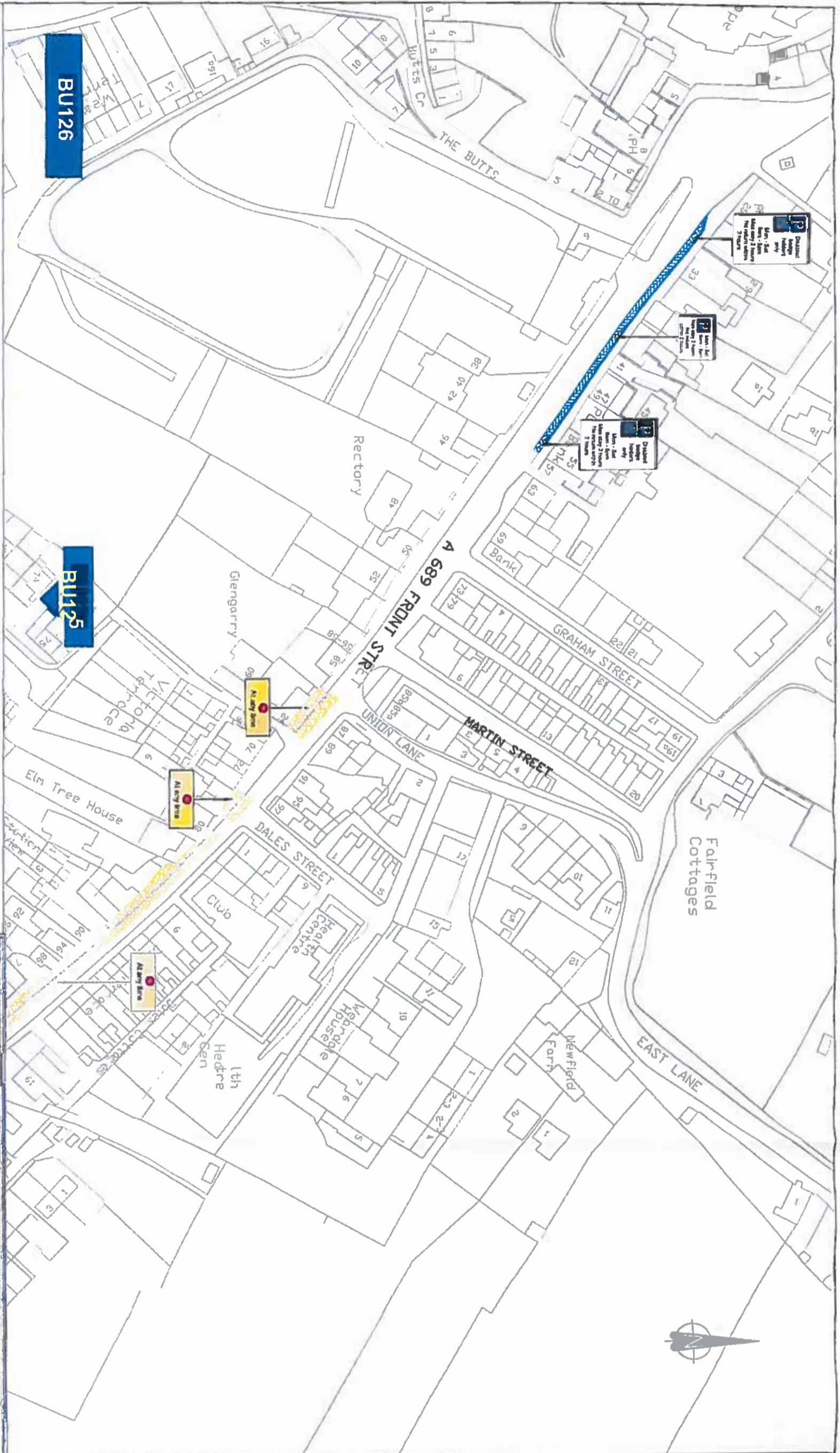
1. In so far as any provision of this Order conflicts with any provision which is contained in an Order made or having effect as if made under the Act or by or under any other enactment then the provisions of this Order shall prevail.
2. The prohibitions and restrictions imposed by this Order shall be 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 THE 21st DAY OF JULY 2016**

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.....
Authorised Sealing Officer





Key to Types of Restriction

-  Restricted Bay
-  No Waiting At Any Time

XXXX

Individual Reference Number

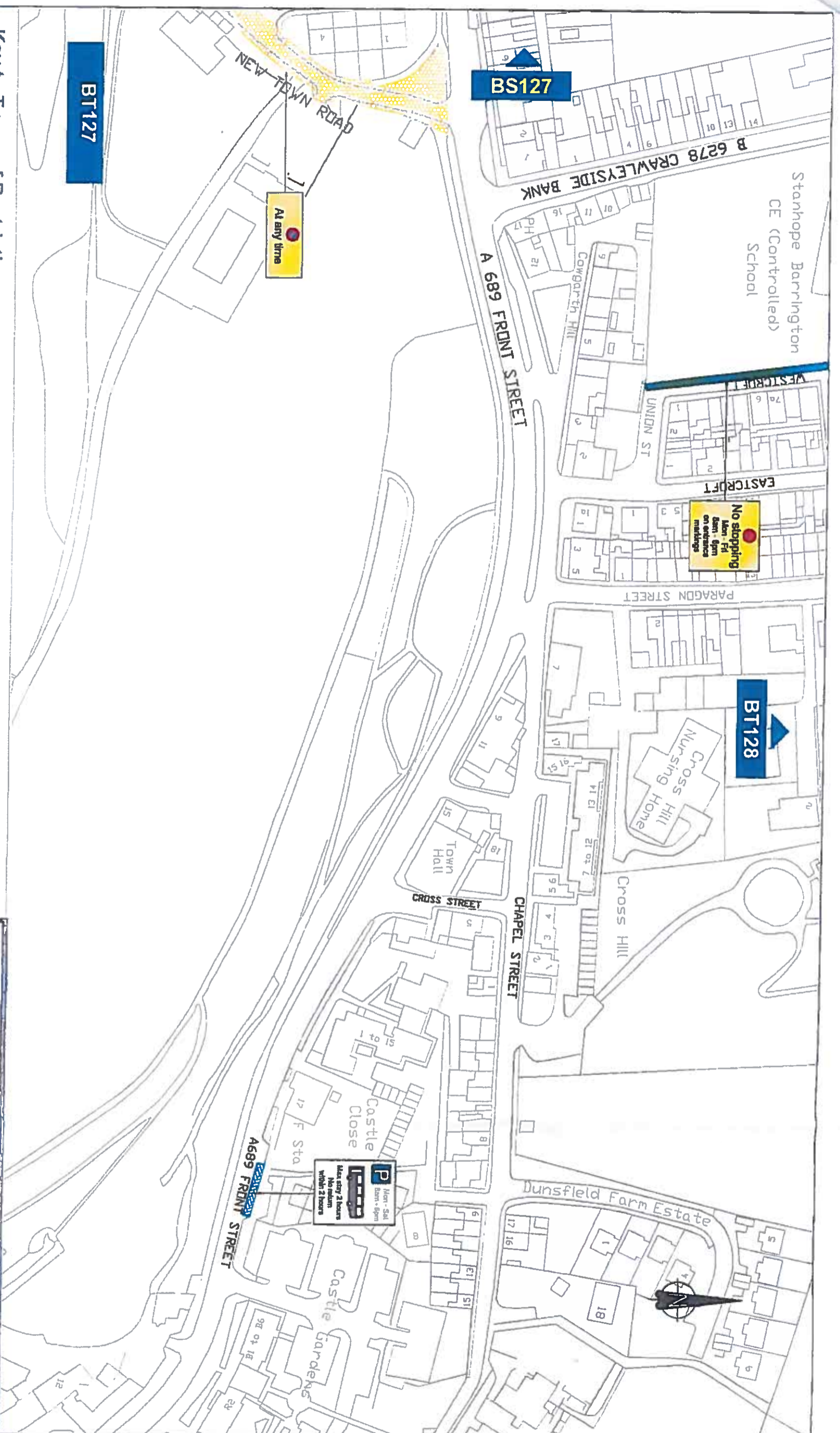


Corporate Director
Regeneration & Economic
Development
Strategic Traffic Management
County Hall, Durham DH1 1SU

STANHOPE
PARKING AND WAITING RE
STRICT IONS

Scale: 1:1250 @ A3
Date: July 2016
Drawn by: J. Flanagan
Date Scaled: 21/7/16
Signature: [Signature]
Map Schedule: BU126

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Key to Types of Restriction

-  Restricted Bay
-  No Waiting At Any Time
-  No Stopping

XXXX Individual Reference Number

PATH L:Traffic/01/Regulation Design & Implementation/CPE SouthWest
Valley/Stanhope/Amendment 2016/Final

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Corporate Director
Regeneration & Economic
Development

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**STANHOPE
PARKING AND WAITING RESTRICTIONS**

LR

Scale: 1:1250 @ A3

Date: July 2016

Drawn by: J Hogarth

Date Sealed: 2/7/16

Signature: *JH*

Map Schedule: BT127



P Mon - Sat
10am - 6pm
Max stay 2 hours
No return
within 2 hours

No stopping
Mon - Fri
10am - 6pm
on entrance
markings

All any time