

**THE COUNTY COUNCIL OF DURHAM
(VICTORIA ROAD AND FRONT STREET, CONSETT)
(OVERNIGHT TAXI RANK AND DESIGNATED TAXI BAY)
EXPERIMENTAL ORDER 2024**

The Council on 29/5/2024 made an Experimental Order under Sections 9 and 10 of the Road Traffic Regulation Act 1984, as amended, the effect of which comes into operation on 6/6/2024 for a period not exceeding 18 months and will introduce to the following restrictions: **Victoria Road:-** Overnight taxi ranks Monday – Sunday between the hours of 6pm-8am. The existing restriction of Mon-Sat 8am-6pm, 1 hour no return within three hours will continue to operate as normal. **Front Street:-** the existing Mon-Sat, 8am-6pm, 1 hour no return within 3 hours, restrictions will be suspended for the duration of this order and replaced with with No Stopping except taxi's only. Full details are contained in the Experimental Order, which together with a plan may be viewed via the Council website and also at Consett Library during normal opening hours. The Council will be considering in due course whether the provisions of the Experimental Order should be continued indefinitely. Therefore within a period of 6 months from 30/5/2024 any person who wishes to object to the making of a permanent order should send their grounds of objection, in writing Sharon Renwick, Legal Assistant, County Hall, Durham, DH1 5UL or by e-mail to Legal-Highways@durham.gov.uk quoting reference number 6118414.

Dated: 30/5/2024

**Helen Bradley
Director of Legal and Democratic Services
County Hall, Durham, DH1 5UL**

**THE COUNTY COUNCIL OF DURHAM, VICTORIA ROAD/FRONT STREET, CONSETT
(EXPERIMENTAL TRAFFIC REGULATION ORDER 2024)**

Statement of Reasons

Durham County Council as Highway Authority propose to make the above order in discharge of its duty under Section 122 of the Road Traffic Regulation Act 1984, "to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians)", in accordance with the provisions of Section 1(1) of the Road Traffic Regulation Act 1984 namely:-

- | | | |
|-----|---|-------------------------------------|
| (a) | for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or | <input checked="" type="checkbox"/> |
| (b) | for preventing damage to the road or to any building on or near the road, or | <input type="checkbox"/> |
| (c) | for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or | <input checked="" type="checkbox"/> |
| (d) | for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property, or | <input type="checkbox"/> |
| (e) | (without prejudice to the generality of paragraph(d) above) for preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot, or | <input type="checkbox"/> |
| (f) | for preserving or improving the amenities of the area through which the road runs; or | <input type="checkbox"/> |
| (g) | For any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality). | <input type="checkbox"/> |

Additional Information: None

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EXPERIMENTAL ORDER 2024**

The County Council of Durham (“the Council”) in exercise of their powers under Sections 9 and 10 of 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 I

1.General

This Order may be cited as The County Council of Durham (Victoria Road and Front Street, Consett) (Overnight Taxi Rank and Designated Taxi Bay) Experimental Order 2024 and shall come into operation on the 6th Day of June 2024.

2. Revocation/Suspensions

The County Council of Durham (Victoria Road, Consett) (Overnight Taxi Rank) Experimental Order 2023 has been revoked in its entirety.

The County Council of Durham (Consett) (Parking and Waiting Restrictions) Consolidation No.1 Order 2014 has been suspended in part for the duration of this order, suspending the existing Mon – Sat 8am – 6pm, 1 hour no return within 3 hours restriction on the lengths or road as detailed in Schedule 2 of this order.

3.Interpreation

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

"council" means The County Council of Durham;

"disabled person's badge" means a badge issued by any Local Authority in accordance with the provisions of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons (England) Regulations 2000) or a badge having effect under those regulations as if it were a Disabled Person's Badge;

“civil enforcement officer” means a person pursuant to the provisions of section 76 of the Traffic Management Act 2004, as amended”;

"driver" in relation to a parking place means the person driving or riding the vehicle at the time it was left in the Parking Place;

“disabled person vehicle” means a vehicle displaying a disabled badge;

“electric vehicle” means a vehicle in which the electrical motive power is derived from an electrical storage battery;

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

"goods vehicle" has the same meaning as that ascribed to it in Schedule 6 of the Road Traffic Act 1988 ('RTA 1988');

“liveried vehicle” means a vehicle having a distinctive design and colour scheme used to distinguish a police, fire brigade or ambulance vehicle;

“loading bay” means an area of highway designated as a loading bay under the provisions of this Order;

“motor vehicle” has the same meaning as in Section 136 of the Act;

"motor home" is a motor vehicle which is constructed or adapted for the carriage of passengers and their effects and which contains, as permanently installed equipment, the facilities which are reasonably necessary for enabling the vehicle to provide mobile living accommodation for its users.

"motorcycle" refers to a solo motorcycle only and excludes any motorcycle which has a side-car or trailer, or which has more than two wheels;

"owner" in relation to a vehicle means the person who is recorded as the registered keeper by the Driver and Vehicle Licensing Agency on the date on which the vehicle was left in the parking place in question;

“parking bay” means an area of a parking place which is provided for the leaving of vehicles and indicated by markings on the surface of the parking place;

“penalty charge” means a charge set by the Council under the provisions of section 77 of the Traffic Management Act 2004, as amended, in accordance with the relevant statutory regulations or guidance given by the Secretary of State for Transport”;

“penalty charge notice” means a notice issued by a civil enforcement officer pursuant to the provisions of section 78 of the Traffic Management Act 1978, as amended”;

“permitted vehicle” means any vehicle listed in column 4 of the schedule or such other vehicles authorised by the Council;

“taxi” has the same meaning as “Hackney Carriage” as defined in S 80(1) of the Local Government (Miscellaneous Provisions) Act 1996

“taxi rank” means an area of carriageway reserved for use by taxis plying for hire

“universal service provider” has the same meaning as in the Postal Services Act 2000

Part II

4.No Stopping Monday to Sunday 6pm - 8am except taxis

Save as provided in Article 8 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 motor vehicle to stop or wait on any of the lengths of roads, or sides of lengths of roads specified in Schedule 1 to this Order, except taxis between the hours of 6pm and 8am.

5.No Stopping, except taxis

Save as provided in Article 8 of this Order no person shall, except upon the direction or with the written permission of an enforcement officer, cause or permit any vehicle, other than a taxi, to stop or wait on the lengths of roads or sides of lengths of roads specified in Schedule 2 to this Order.

6.Manner of Standing in Taxi Ranks

Any vehicle waiting in a taxi Rank, specified in Articles 4 and 5 of this Order, shall so stand, subject to paragraph (2) of this Article, so that every part of the vehicle is wholly within the limits of the taxi rank.

7.Power to suspend Taxi Ranks

- (1) Any person authorised by the Council may suspend the use of a taxi rank or any part of it whenever he considers that 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 loading bay place or the maintenance, improvement or re-construction of the loading bay or the laying, erection, alteration, removal or maintenance in or adjacent to the loading bay 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 or loading bay 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 or to such premises;
 - (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or

- (e) for the convenience of occupiers of premises adjacent to the parking place of loading bay at times of weddings, funerals or on other special occasions.
- (2) An enforcement officer may suspend the use of a taxi rank or any part thereof, whenever such a suspension is reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.

Part III

8. Exemptions

- (1) Nothing in Articles 4 and 5 of this Order shall render it unlawful to cause or permit any vehicle to wait or stop 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 vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations namely:
 - (i) building, demolition or excavation;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction 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;
 - (d) a bullion vehicle being used for the purpose of delivering or collecting bullion.
- (2) Nothing in Articles 4 and 5 of this Order shall apply to a liveried vehicle being used for police, fire brigade or ambulance purposes in pursuance of statutory duties.
- (3) Nothing in Articles 4 and 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 in this Order for so long as may be necessary to enable the picking up or setting down of passengers.

- (4) Nothing in Articles 4 and 5 of this Order shall render it unlawful to cause or permit any vehicle to wait in the lengths of road referred to therein, for so long as it may be necessary to enable:
- (a) the picking up or setting down of passengers;

Part IV

9. Contravention and Enforcement

If a vehicle is in contravention of any provision of this Order a penalty charge shall 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 in accordance with the requirements of section 78 of the Traffic Management Act 2004, as amended.

Part V

10. Saving

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.

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.

Part VI

11. Authority to modify or suspend restrictions

The Council's Corporate Director of Regeneration and Economic Development is hereby authorised, after consultation with the Chief Officer of Police, to modify or suspend the operation of this Order or any provision of it if it appears to him essential:-

- a. for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or
- c. for facilitating the passage on the road or any other road of any class of traffic (including pedestrians),

12. Schedules

Schedule 1
No Stopping Monday to Sunday 6pm - 8am except taxis

Item Number 1

Location – Victoria Road, Consett

Side of Road – Western Side of Carriage way

Description – from a point 11 metres northwest of its junction with Front Street for 19 metres in a north westerly direction.

Schedule 2

No Stopping except for taxis

Item Number 2

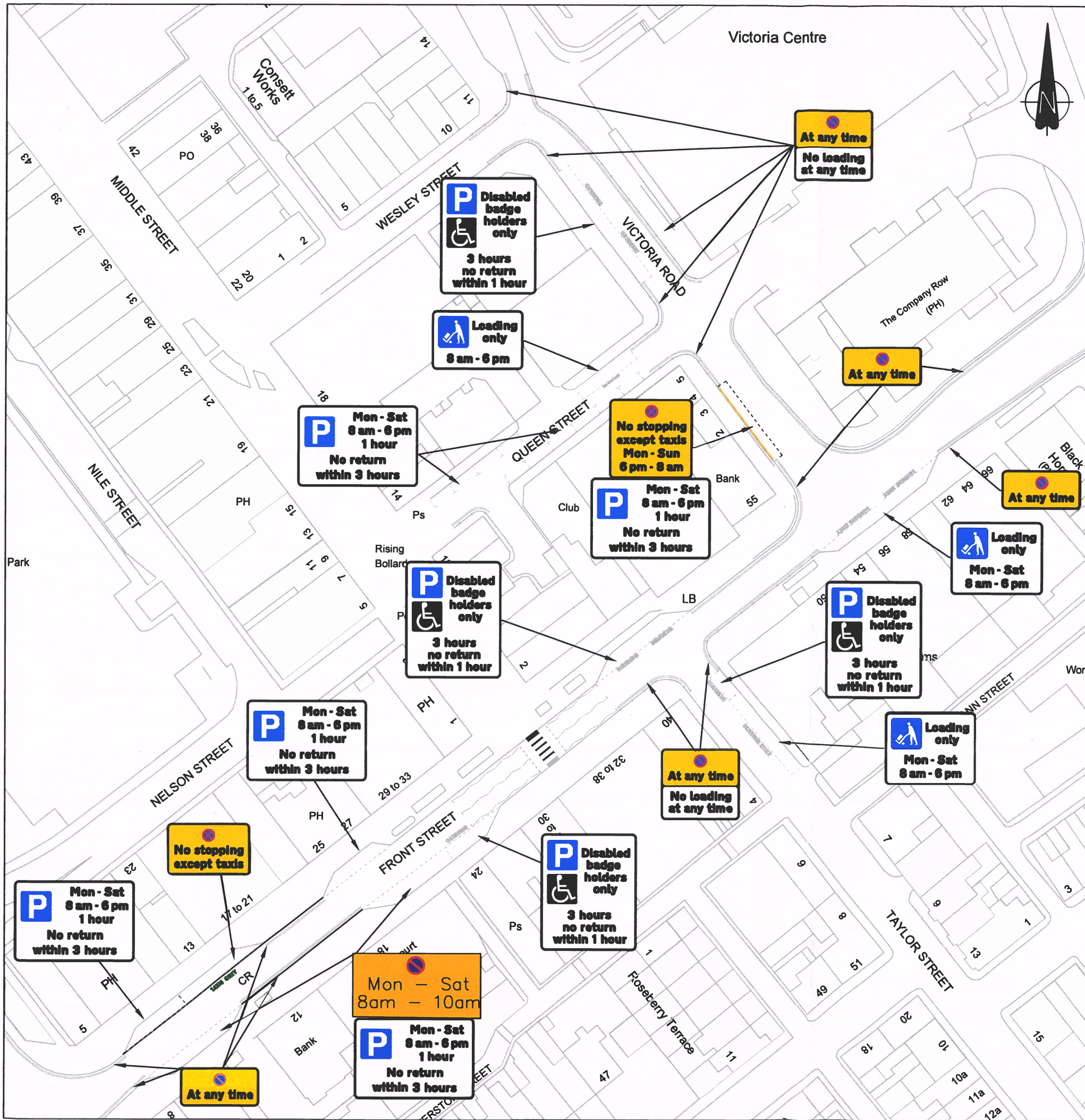
Location – Front Street, Consett

Side of Road – Northern Side of Carriage way




Description – from a point 21 metres north-east from the junction with Albert Road in a north easterly direction or 18 metres.

**MADE THIS 29th DAY OF MAY 2024 BY
THE AFFIXING OF THE COMMON SEAL OF THE COUNTY COUNCIL
OF DURHAM BY ORDER:**

.....
**AUTHORISED SIGNATORY
(A PERMANENT OFFICER OF THE COUNTY COUNCIL)**



Legend:


-  Existing restrictions to remain unchanged.
-  Existing parking bay to become taxi rank outside of parking operation hours.
-  Existing parking bay to be segregated to include 'taxis only'.

DRAFT

SUBJECT TO AMENDMENT

Rev	Drawn By		Approved By			Description Of Amendments
	Name	Date	Name	Date	Sign	
0	D.Arnold	04/24	L.Mowbray	04/24	<i>E.Keeney</i>	

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 Corporate Director Regeneration, Economy and Growth Strategic Traffic Management County Hall, Durham DH1 5UQ	Project: CONSETT EXPERIMENTAL TRAFFIC REGULATION ORDER		
	Drawing: CONSULTATION PLAN		
Scale: NTS	Project/Drawing No: TM/40038/24/133	Rev: 0	
<small>Path: TRAFPRO.A06 REGULATION DESIGN & IMPLEMENTATION\Settlement\Consett\Traffic Regulation Orders (Experimental or Temporary TROs)\April 2024\Drawings\PDFs</small>			

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 - (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 loading bay place or the maintenance, improvement or re-construction of the loading bay or the laying, erection, alteration, removal or maintenance in or adjacent to the loading bay 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 or loading bay 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 or to such premises;
 - (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or

- (e) for the convenience of occupiers of premises adjacent to the parking place of loading bay at times of weddings, funerals or on other special occasions.
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- (3) Nothing in Articles 4 and 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 in this Order for so long as may be necessary to enable the picking up or setting down of passengers.

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The Council's Corporate Director of Regeneration and Economic Development is hereby authorised, after consultation with the Chief Officer of Police, to modify or suspend the operation of this Order or any provision of it if it appears to him essential:-

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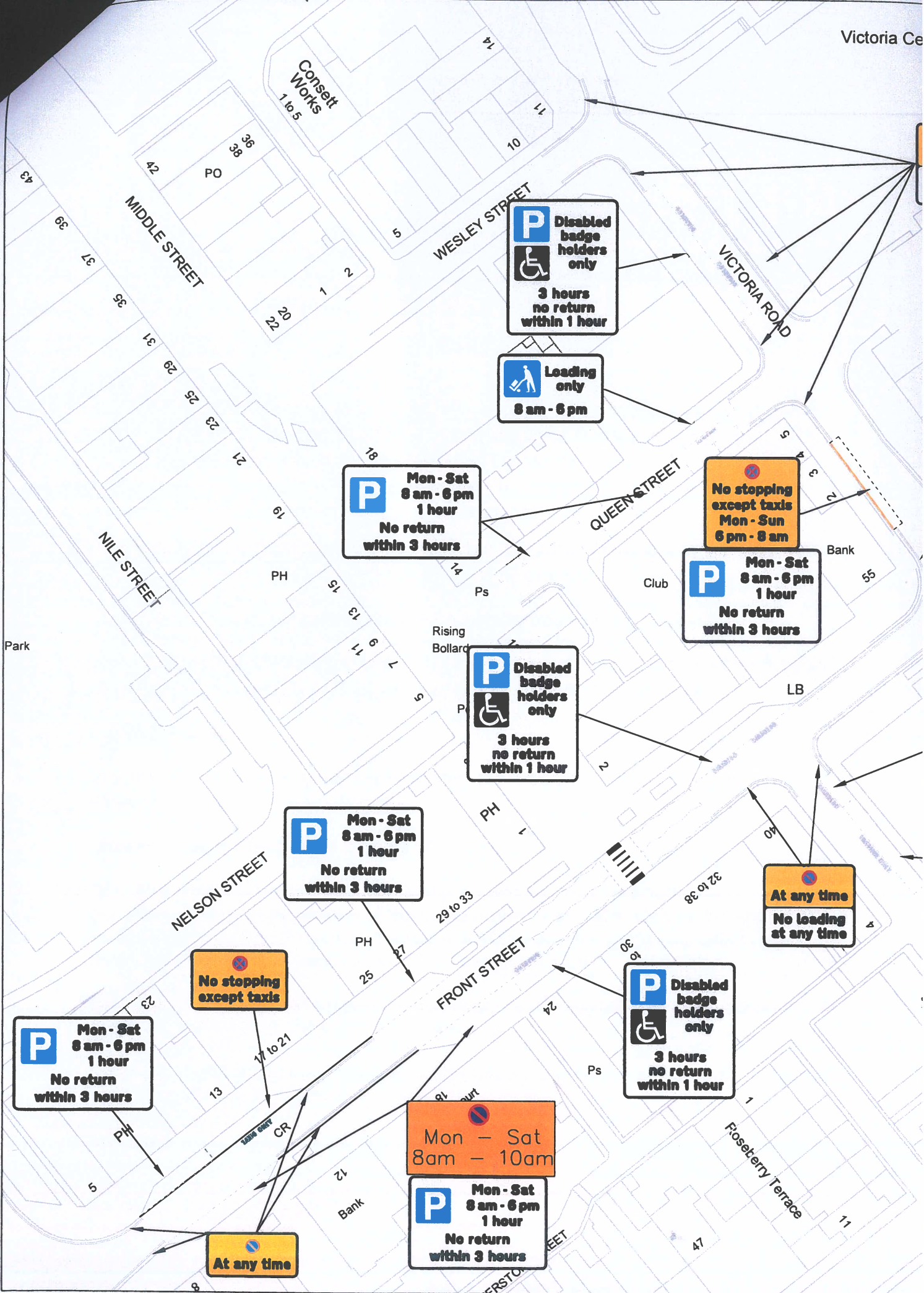
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OF DURHAM BY ORDER:



.....
AUTHORISED SIGNATORY
(A PERMANENT OFFICER OF THE COUNTY COUNCIL)





P Disabled badge holders only
3 hours no return within 1 hour

P Loading only
8 am - 6 pm

P Mon - Sat 8 am - 6 pm
1 hour
No return within 3 hours

No stopping except taxis
Mon - Sun 6 pm - 8 am

P Mon - Sat 8 am - 6 pm
1 hour
No return within 3 hours

P Disabled badge holders only
3 hours no return within 1 hour

P Mon - Sat 8 am - 6 pm
1 hour
No return within 3 hours

At any time
No loading at any time

No stopping except taxis

P Mon - Sat 8 am - 6 pm
1 hour
No return within 3 hours

P Disabled badge holders only
3 hours no return within 1 hour

Mon - Sat 8 am - 10 am

P Mon - Sat 8 am - 6 pm
1 hour
No return within 3 hours

At any time