

**THE COUNTY COUNCIL OF DURHAM
(DURHAM CITY, MARKET PLACE)
(NO ENTRY) ORDER 2024**

The Council intend to make an Order under Sections 1, 2 and 4 of the Road Traffic Regulation Act 1984, as amended, the effect of which is to introduce: a No entry restriction into the north east corner of Durham City Market Place from its access with Silver Street (adjacent to St Nicholas Church). A copy of the draft Order and supporting documents may be inspected at Durham Clayport Library during normal opening hours via the Council website. Any person who wishes to object to the proposed Order should send their grounds of objection, in writing, Sharon Renwick, Legal Assistant, at County Hall, Durham or by email to highways.orders@durham.gov.uk quoting reference number 5173664 not later than 19/12/2024.

Dated: 28/11/2024

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

THE COUNTY COUNCIL OF DURHAM, DURHAM CITY (NO ENTRY) 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
- (b) for preventing damage to the road or to any building on or near the road, or
- (c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or
- (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
- (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
- (f) for preserving or improving the amenities of the area through which the road runs; or
- (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).

Additional Information: None

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(NO ENTRY) ORDER 2024**

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 I

General

1. This Order may be cited as The County Council of Durham (Durham City, Market Place) (No Entry) Order 2024 and shall come into operation on day of 20.

Interpretation

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

"bus" has the same meaning as in Regulation 22 of the Traffic Signs Regulations 2002;

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

"pedal cycle" means a pedal cycle or pedal tricycle, not being in either case a motor vehicle.

"permit holder" means a person to whom a valid permit has been issued;

Part II

No Entry

3. Save as provided in Article 5 of this Order no person shall, except upon the direction or with the permission of an enforcement officer cause or permit any vehicle, including pedal cycles, to enter the road specified in Schedule 1 to this Order.

Part III

Exemptions

5. (1) Nothing in Articles 3 of this Order shall render it unlawful to cause or permit any vehicle to proceed on any of the 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;
- (2) Nothing in Articles 3 of this Order shall apply to any vehicle being used for police, fire and rescue service or ambulance purposes in pursuance of statutory duties.

PART IV

Saving

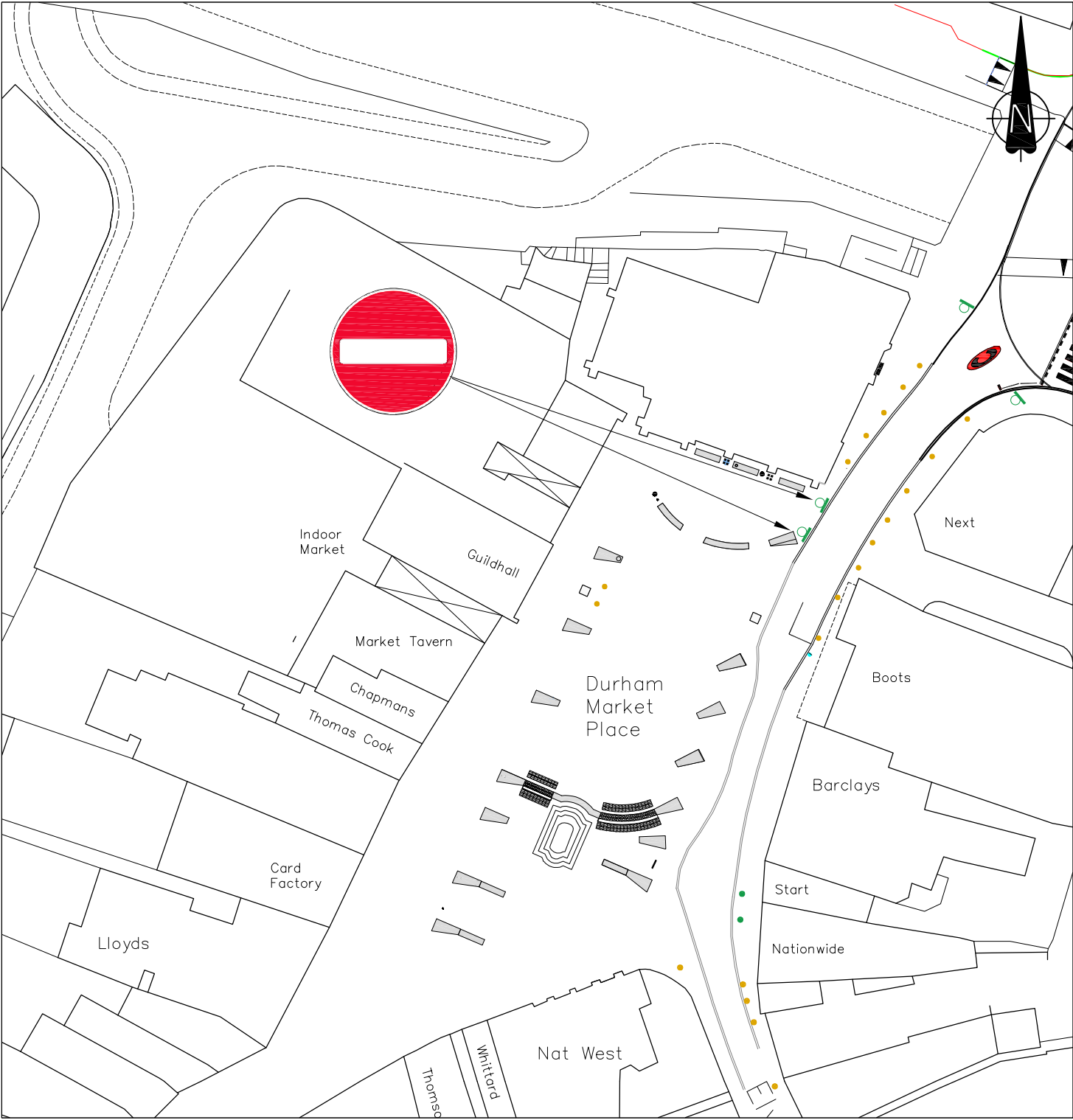
- 6. In so far as any provision of this Order conflicts with any provision which is contained in an Order made or having effect as if made under the Act or by or under any other enactment then the provisions of THIS Order shall prevail.
- 7. The prohibitions and restrictions imposed by this Order shall 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 Entry**

Location	Description
Durham City, Market Place	No entry into the north east corner of Durham City, Market Place from its access with Silver Street (adjacent to St Nicholas Church)

**MADE THIS DAY OF 20 BY
THE AFFIXING OF THE COMMON SEAL OF THE COUNTY COUNCIL
OF DURHAM BY ORDER:**


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



No Entry - Sign 616

Rev	Drawn By		Approved By			Description Of Amendments
	Name	Date	Name	Date	Sign	
0	D.Arnold	02/24	E. Brown	02/24	E. Shuman	

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 Corporate Director Regeneration, Economy and Growth Strategic Traffic Management County Hall, Durham DH1 5UQ	Project: Proposed 'No Entry' Durham Market Place		
	Drawing: NO ENTRY		
Scale: 1:1000 @ A4 Path: TRAFPROJ\proposed Tariff and Duration Charges\Durham\Durham NE\legal documents	Project/Drawing No: TM/40038/24/047	Rev: 0	