



**THE COUNTY COUNCIL OF DURHAM
(COXHOE)
(PARKING & WAITING RESTRICTIONS)
ORDER 2016**

The County Council of Durham ("the Council") in exercise of their powers under Sections 1, 2, 4, 32 & 35 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

1. This Order may be cited as The County Council of Durham (Coxhoe) (Parking & Waiting Restrictions) Order 2016 and shall come into operation on the 16th day of January 2017.

Interpretation

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

"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.

"council" means The County Council of Durham;

"disabled person's badge" and "disabled person's parking disc" have 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;

"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 & rescue or ambulance vehicle;

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

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

"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;

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

"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; and

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

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.

Part II

Revocation

5. (a) The following Order have been revoked in part:

The County Council of Durham (Shincliffe, Bowburn and Coxhoe) (Traffic Management) Order 2008, Schedule 2, items 1 to 8 inclusive, Schedule 4, items 1 & 2, Schedules 5 & 6 in their entirety

3m.

(lg, 11d)

- (b) The following Order has been revoked in full (and its effected re-enacted within this Order):

The County Council of Durham (Coxhoe Primary School) (No Stopping on School Entrance Markings) Order 2009

3m.

Part III

Prohibition of Waiting At Any Time

6. Save as provided in Article 13 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 so authorised in 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.

Restricted Waiting

7. Save as provided in Article 13 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 so authorised in this Order, to wait on any of the lengths of roads or sides of lengths of roads on such days and during such times as identified within the individual plans detailed in Schedule 2 to this Order.

Part IV PARKING PLACES

Disabled Badge Holder Only Parking

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) Save as provided in Article 13 of this Order each parking place designated under paragraph (1) of this article may only be used 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) The limits of each parking place shall be indicated by the Council on the carriageway by the appropriate traffic signs and road markings.

Manner of Standing in Parking Places

9. (1) Every vehicle left in a parking place described in Articles 8 and identified within the individual plans detailed in Schedule 3 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 parking place.
- (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 parking place if:-
- (a) the extreme front or rear portion of the vehicle is within 300 mm of the defined edge of the parking place, the defined edge being identified on the highway by the appropriate road markings, traffic signs or kerbed edge.
 - (b) the vehicle, or any part of it, is not within the limits of any adjoining parking place.

Power to Suspend Parking Places

10. (1) Any person authorised by the Council may suspend the use of a parking place by or any part thereof whenever they 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 or 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 at times of weddings, funerals or on other special occasions.
- (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 suspending the use of a parking place or any part thereof, in accordance with paragraph (1) or (2) of this Article shall, thereupon, place or cause to be placed in or adjacent to the parking place, or part thereof, as the case may be, a traffic sign indicating that waiting by vehicles is prohibited.
 - (4) No person shall cause or permit any vehicle to wait in a parking place or any part thereof, during such period as there is placed in or adjacent to the parking place, as the case may be, a traffic sign indicating that waiting by vehicles is prohibited.

Provided that nothing in this paragraph shall apply to any vehicle in a 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.

- (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.

Relocation and Removal of Vehicles and Other Equipment

- 11. (1) If a vehicle is left on or within the highway, identified within the individual plans detailed in the Schedule 3 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) If a vehicle is left in a location identified under paragraph (1) 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.
- (3) 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.
- (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 they may think reasonably necessary to enable the position of the vehicle to be altered or the vehicle to be removed.

Part V

Prohibition of Stopping on Entrance Markings

12. Save as provided in Article 13 of this Order no person shall, except upon the direction or with the written permission of an enforcement officer or civil enforcement officer, cause or permit any vehicle to stop or wait on any of the lengths of roads or sides of lengths of roads identified in the individual plan detailed in Schedule 4 to this Order.

Part VI

Exemptions

13. (1) Nothing in Articles 6, 7, 8 or 12 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, 7, 8 or 12 of this Order shall apply to any liveried vehicle being used for police, fire & rescue or ambulance purposes in pursuance of statutory duties.
- (3) Nothing in Articles 6 and 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 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 those Articles, provided a no loading restriction is not in force, 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 Article 8 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 the picking up or setting down of passengers.

- (5) Nothing in Articles 6 or 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, provided a no loading restriction is not in force.

Part VII

Contravention and Enforcement

14. If a vehicle is in contravention of a provision of this Order a penalty charge shall be payable.
15. 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.

Saving

16. 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.
17. 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

Item No	Plan reference No.	Item No	Plan reference No.	Item No	Plan reference No.
1	EH113	2	EH114	3	EH115
4	EI113	5	EI114		

Schedule 2 Restricted Waiting

Item No	Plan reference No.	Item No	Plan reference No.	Item No	Plan reference No.
1	EH114	2	EH115	3	EI114
4	EH116				

Schedule 3
Disabled Badge Holders Only (Restricted Bays)

Item No	Plan reference No.	Item No	Plan reference No.
1	EH113	2	EH114

Schedule 4
No Stopping on Entrance Markings

Item No	Plan reference No.
1	EH112

**GIVEN UNDER THE COMMON SEAL OF THE COUNTY COUNCIL OF DURHAM ON THE
5th DAY OF JANUARY 2017**

.....C. Ash.....
Authorised Sealing Officer



EH113



EH112

Key to Types of Restriction

- No Stopping
- XXXX Individual Plan Reference Number

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Durham
County Council

Corporate Director
Regeneration & Economic
Development

Strategic Traffic Management
County Hall, Durham DH1 1SU

**COXHOE
PARKING AND WAITING RESTRICTIONS**

Scale	1:1250 @ A3		
Date:	SEPTEMBER 2016		
Drawn by:	T Bennett	Signature:	Ka
Date Sealed:	5/1/17	Map Schedule:	EH112

EH114

EH112

Key to Types of Restriction

- No Waiting At Any Time
- Restricted Bay
- XXXX Individual Plan Reference Number

P Disabled badge holders only
1 hour
No return within 1 hour

At any time

EH113

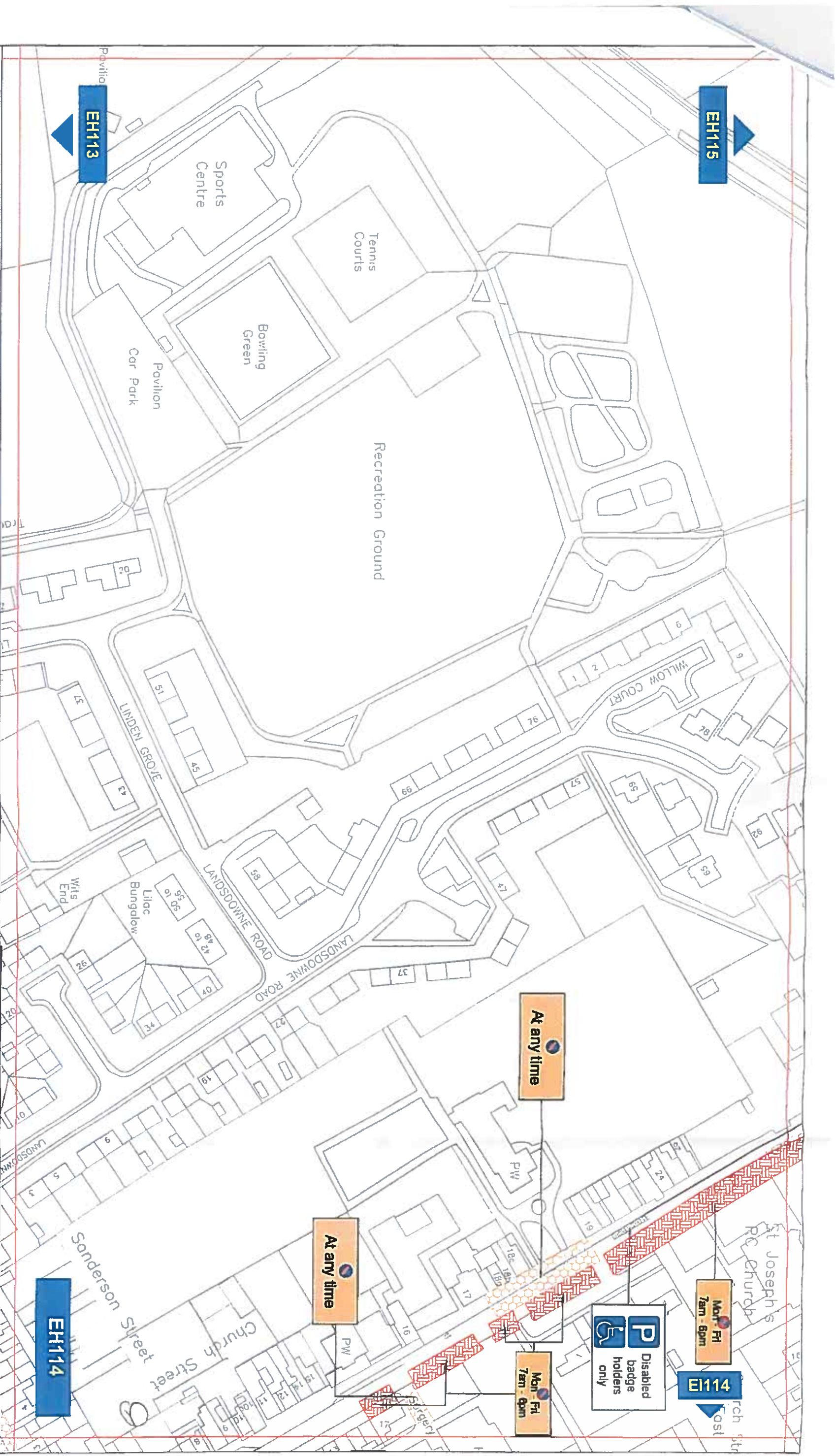
EH113



Corporate Director
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COXHOE PARKING AND WAITING RESTRICTIONS

Scale:	1:1250 @ A3
Date:	SEPTEMBER 2016
Drawn by:	T. Bennett
Date Sealed:	5/1/17
Signature:	[Signature]
Map Schedule:	EH113



Key to Types of Restriction

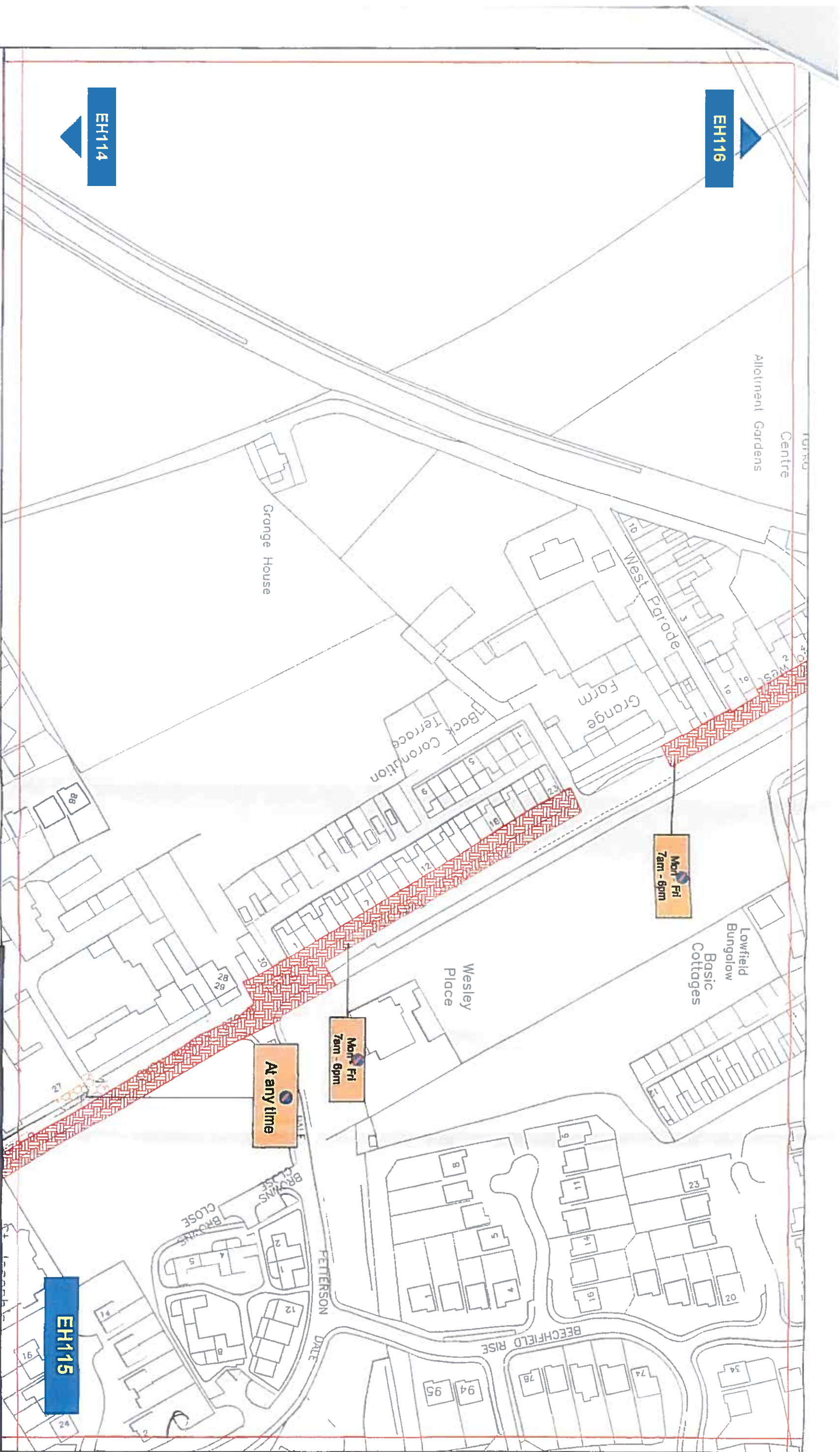
- Restricted Waiting
- Restricted Bay
- No Waiting At Any Time
- Individual Plan Reference Number

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**COXHOE
PARKING AND WAITING RESTRICTIONS**

Scale:	1:1250 @ A3
Date:	SEPTEMBER 2016
Drawn by:	T. Bennett
Date Sealed:	5/1/17.
Signature:	
Map Schedule:	EH114



Key to Types of Restriction



Restricted Waiting



No Waiting At Any Time



Individual Plan Reference Number

XXXX

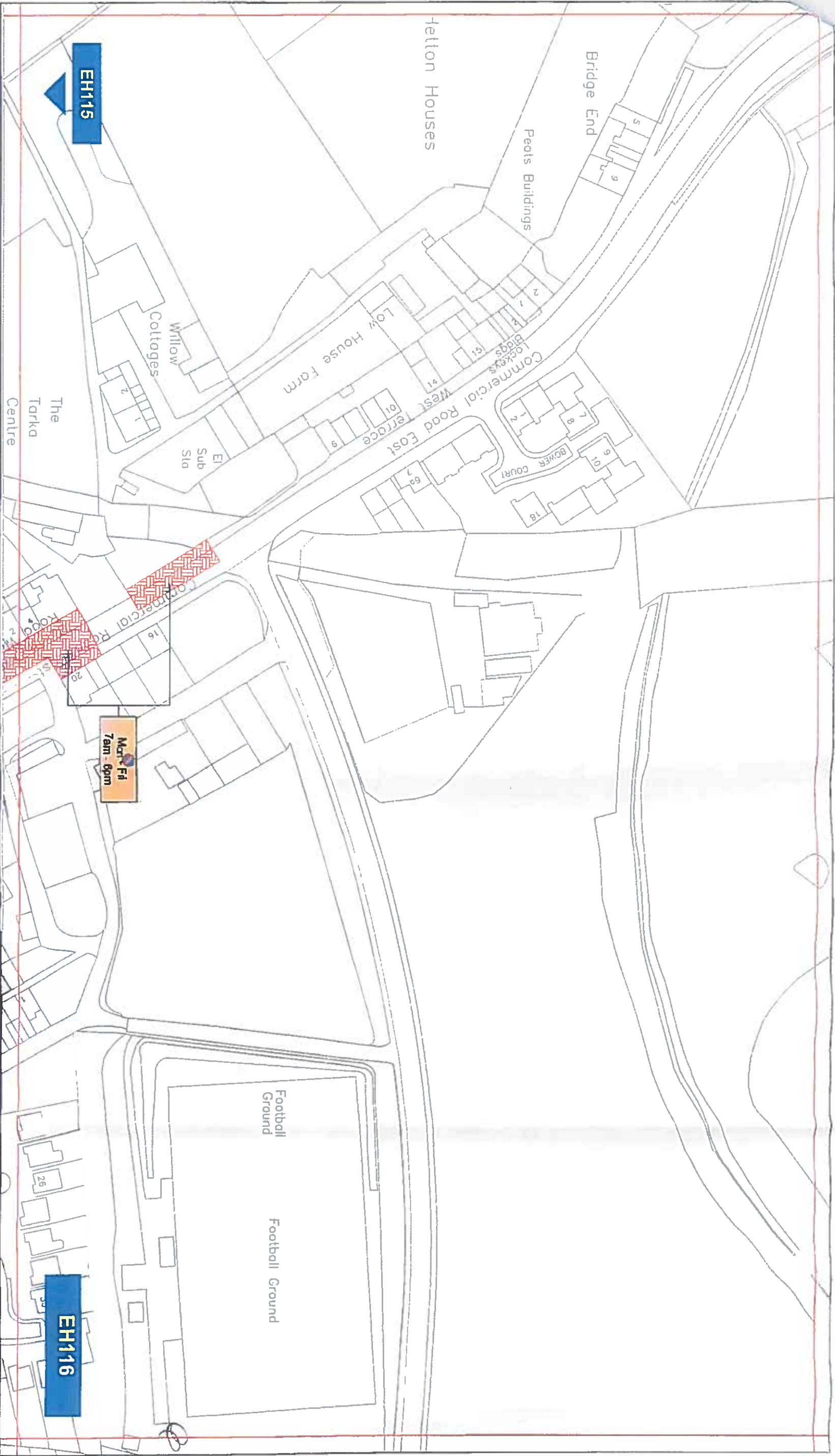


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COXHOE
PARKING AND WAITING RESTRICTIONS



Scale	1:1250 @ A3		
Date:	SEPTEMBER 2016		
Drawn by:	T. Bennett	Signature:	
Date Sealed:	5/11/17	Map Schedule:	EH115



Key to Types of Restriction



Restricted Waiting

XXXX

Individual Plan Reference Number



Corporate Director
Regeneration & Economic
Development

Strategic Traffic Management

County Hall, Durham DH1 5UD

**COXHOE
PARKING AND WAITING RESTRICTIONS**

Scale: 1:1250 @ A3

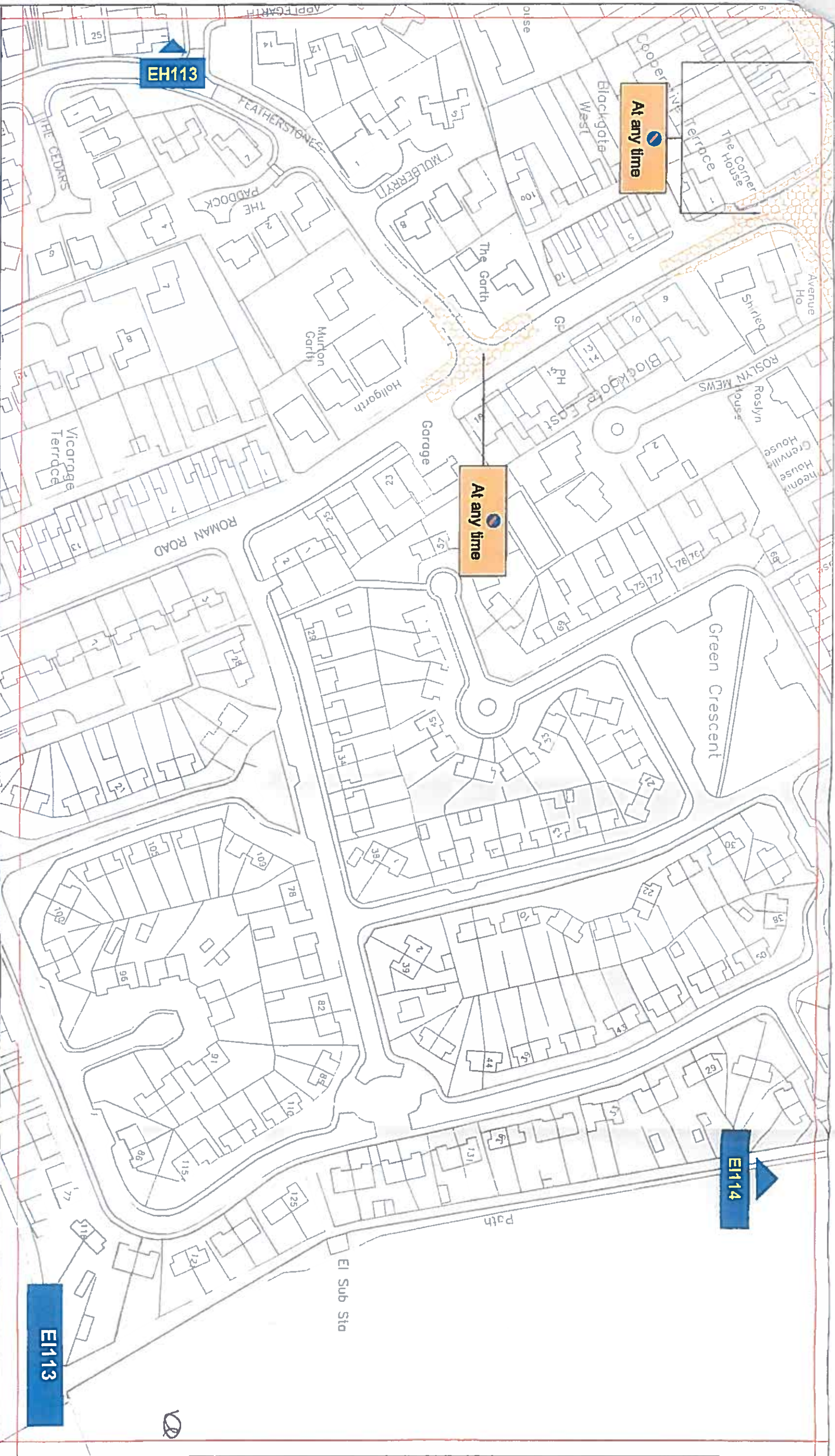
Date: SEPTEMBER 2016

Drawn by: T. Bennell

Signature: *T. Bennell*

Date Sealed: 5/1/17

Map Schedule: EH116



Key to Types of Restriction



No Waiting At Any Time



Individual Plan Reference Number

XXXX



Corporate Director
Regeneration & Economic
Development

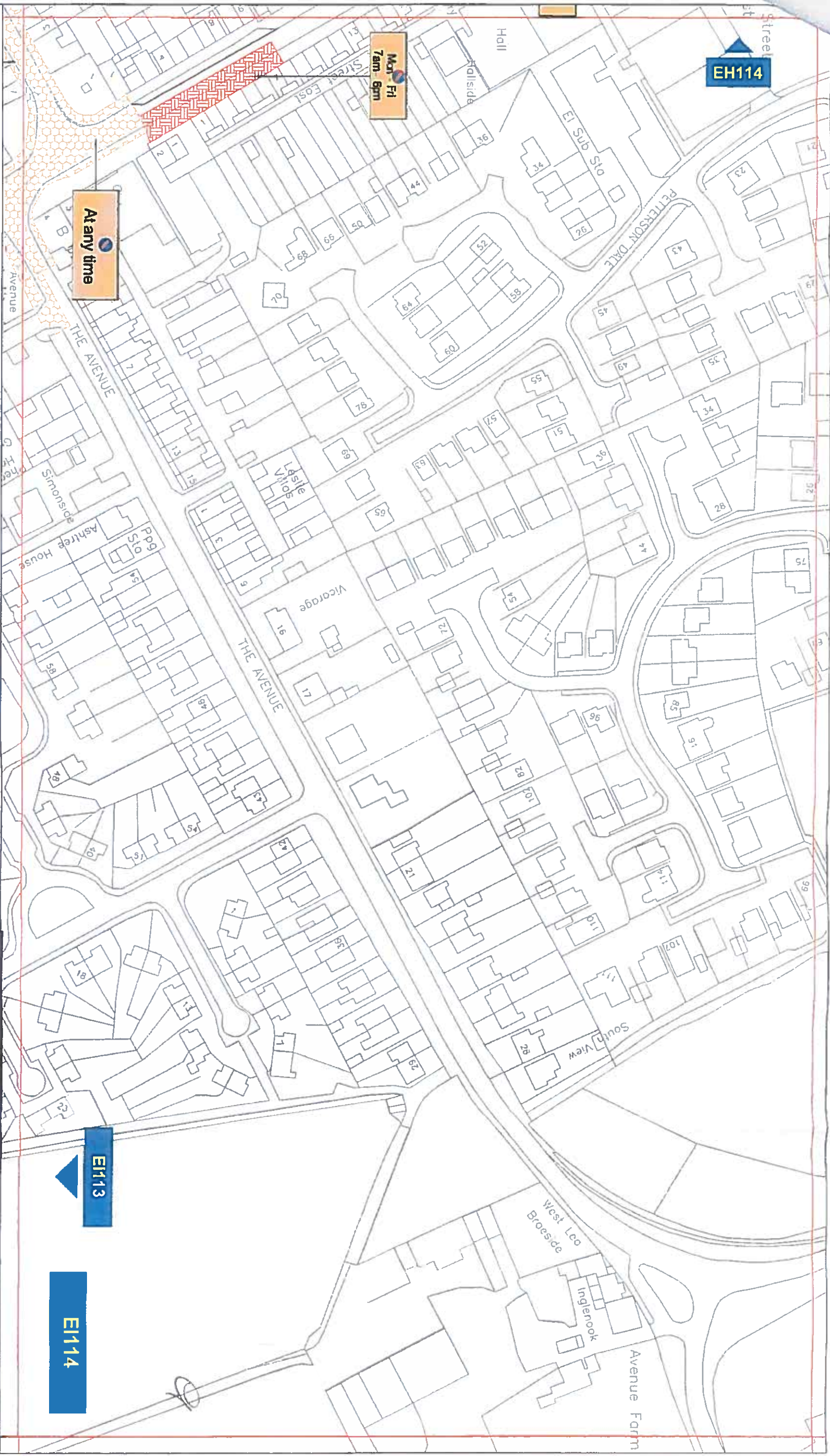
Strategic Traffic Management

County Hall Durham DH1 5UD


COXHOE PARKING AND WAITING RESTRICTIONS





Scale:	1:1250 @ A3		
Date:	SEPTEMBER 2016		
Drawn by:	T Bennett	Signature:	<i>T Bennett</i>
Date Sealed:	5/1/17	Map Schedule:	E1113




Key to Types of Restriction

 Restricted Waiting

 No Waiting At Any Time

 XXXX Individual Plan Reference Number


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**COXHOE
PARKING AND WAITING RESTRICTIONS**

Scale:	1:1250 @ A3		
Date:	SEPTEMBER 2016		
Drawn by:	T Bennett	Signature:	
Date Sealed:	5/11/17	Map Schedule:	EH114