

**THE COUNTY COUNCIL OF DURHAM  
(UNC FINCHALE ABBEY ACCESS ROAD & COCKEN ROAD, FRAMWELLGATE MOOR)  
(PROHIBITION OF WAITING)  
(EXPERIMENTAL) ORDER 2020**

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  
GENERAL**

**Citation & Commencement**

1. This Order may be cited as The County Council of Durham (Unc Finchale Abbey Access Road & Cocken Road, Framwellgate Moor) (Prohibition of Waiting) (Experimental) Order 2020 and shall come into operation on 2<sup>nd</sup> Day of July 2020.

**Interpretation**

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

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

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

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

"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 brigade or ambulance vehicle;

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

"parking disc" means a device which:

- (a) is 125 millimetres square coloured blue, if issued on or after 1 April 2000, or orange if issued before that date
- (b) has been issued by a local authority and has not ceased to be valid; and
- (c) is capable of showing the quarter hour during which a period of waiting began

"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";

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

## Part II

### Prohibition of Waiting At Any Time

3. Save as provided in Article 4 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 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.

## Part III

### Exemptions

4. (1) Nothing in Article 3 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) any vehicle being used in the service of the local authority or highway authority in pursuance of any statutory powers or duties;
- (2) Nothing in Article 3 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 Article 3 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 parking disc (on which the driver or other person in charge of the vehicle, has marked the quarter hour period during which the period of waiting began) to wait in any of the lengths of roads or the sides of roads referred to in that Article 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 length of road on the same day).

- (4) Nothing in Article 3 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;
  - (b) goods to be loaded onto or unloaded from the vehicle;

#### **PART IV**

##### **Contravention and Enforcement**

5. If a vehicle is in contravention of any provision of this Order a penalty charge shall be payable.
6. 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**

##### **Saving**

7. 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.
8. 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**

##### **Authority to modify or suspend restrictions**

9. The Council's Corporate Director of Regeneration and Local Services 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
  - (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

## SCHEDULE

Item No	Location		Description	Side of Road
	Framwellgate Moor	Unclassified Finchale Abbey Access Road		
1	Framwellgate Moor	Unclassified Finchale Abbey Access Road	from a point 33 metres south-west of the private Finchale Abbey access in a south westerly direction for 30 metres.	Northern side
2	Framwellgate Moor	Unclassified Finchale Abbey Access Road	from the private Finchale Abbey access in a south westerly direction for 100 metres.	Southern side
3	Framwellgate Moor	C12a Cocken Road	For 36m On the North Western side of the junction from Cocken Road into Cocken Lane and for 550m in an Easterly direction on Cocken Road from the junction with Cocken Lane.	Northern Side
4	Framwellgate Moor	C12a Cocken Road	For 560m in an Easterly direction on Cocken road from a point adjacent to the junction with Cocken Lane.	Southern Side

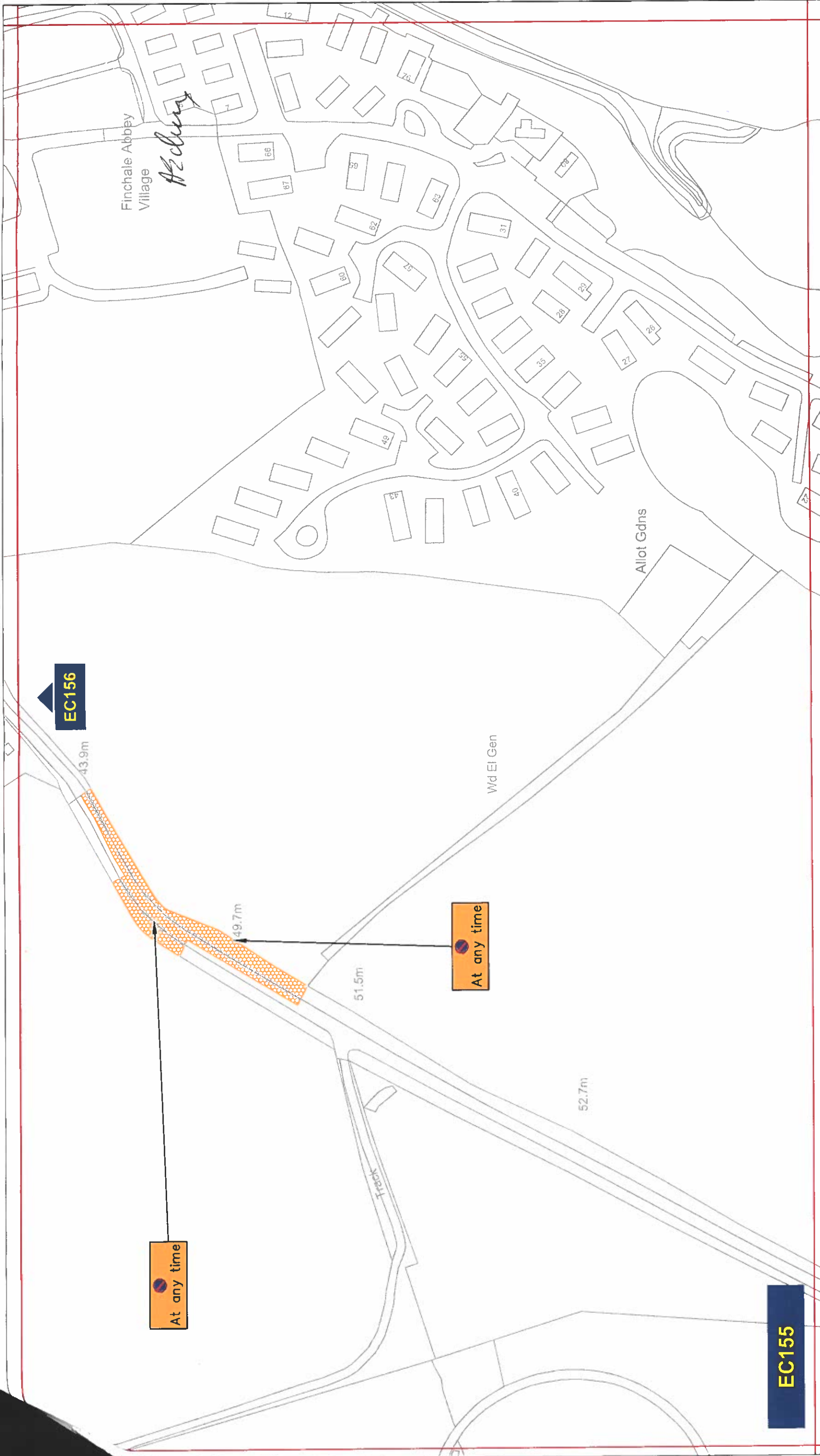
MADE THIS 19th DAY OF JUNE 2020 BY  
THE AFFIXING OF THE COMMON SEAL OF THE COUNTY COUNCIL  
OF DURHAM BY ORDER:

*B. King*

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



592422



**THE COUNTY COUNCIL OF DURHAM**  
**FINCHALE ABBEY**  
**PARKING AND WAITING RESTRICTIONS**  
**FINAL**

**Durham**  
 County Council

Corporate Director  
 Regeneration & Economic  
 Development

Strategic Traffic Management  
 County Hall, Durham DH1 5UQ

Scale: 1:1250 @ A3  
 Date: June 2020  
 Drawn by: T. Burton  
 Date Sealed:  
 Signature: *T. Burton*  
 Map Schedule: **EC155**

**Key to Types of Restriction**

No Waiting At Any Time

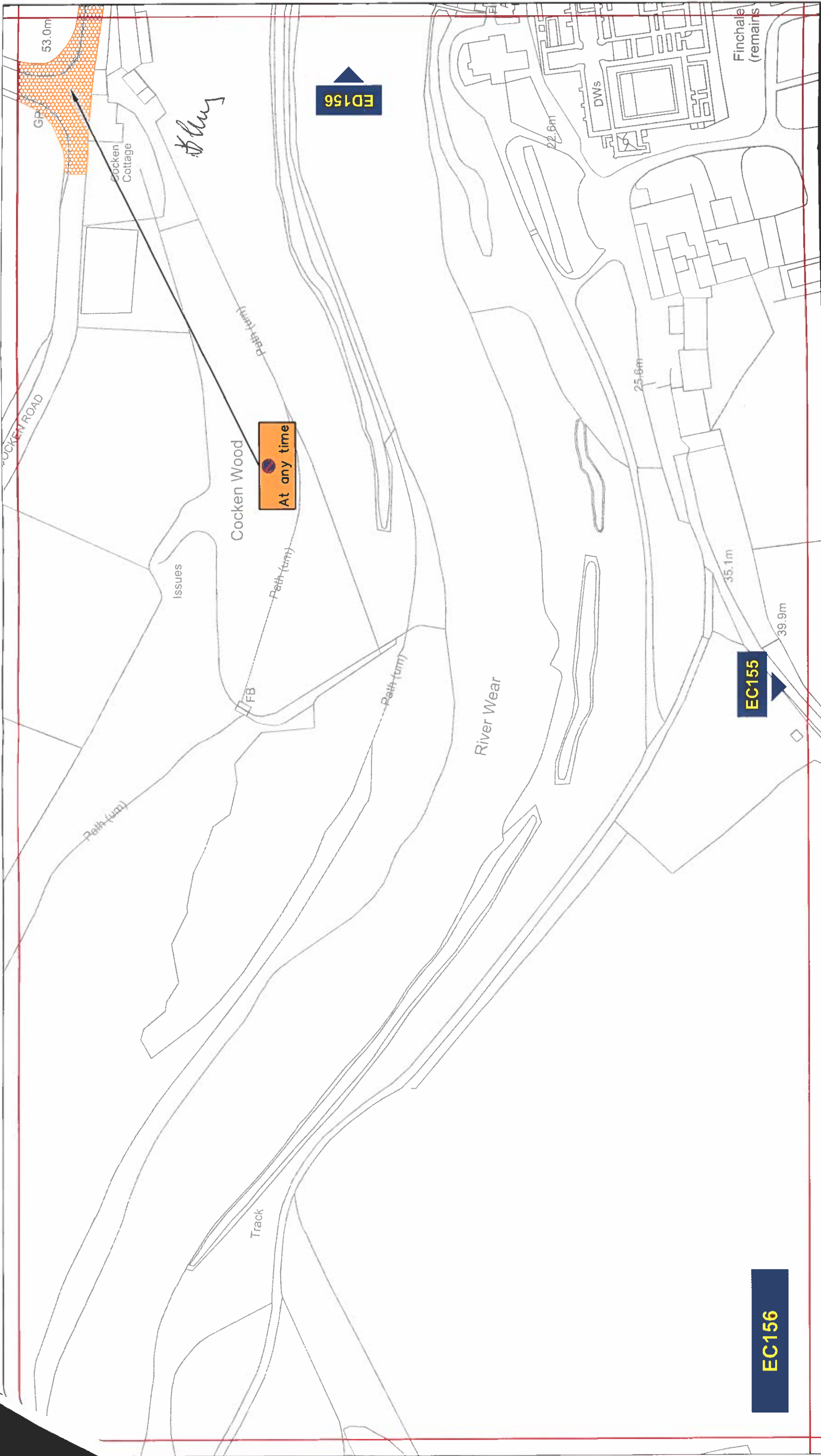
Individual Reference Number

**EC155**

**EC156**

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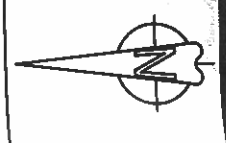
**Key to Types of Restriction**

 No Waiting At Any Time

 Individual Reference Number

**Durham County Council**  
 Corporate Director  
 Regeneration & Economic  
 Development  
 Strategic Traffic Management  
 County Hall, Durham DH1 5UQ

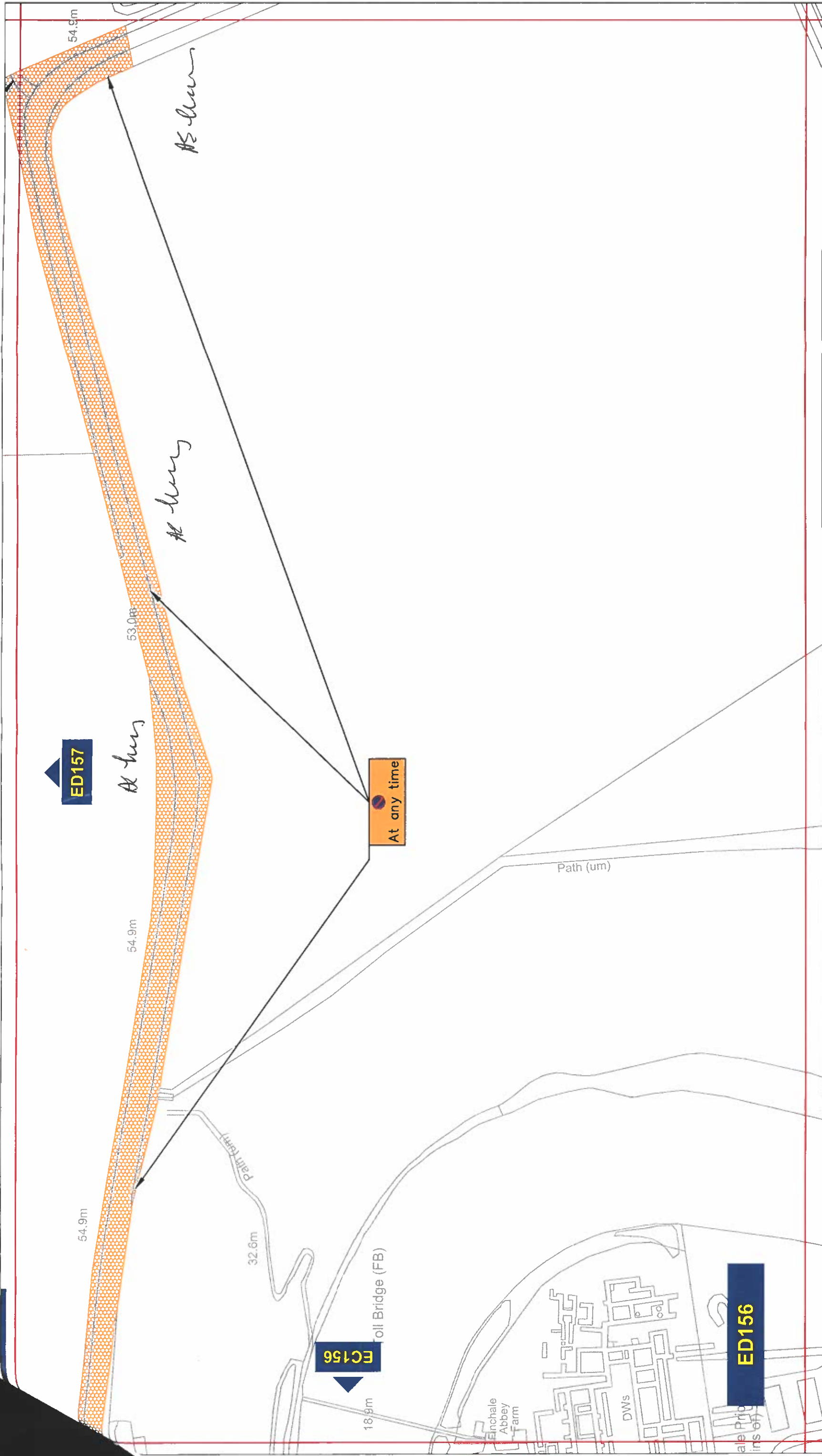
**THE COUNTY COUNCIL OF DURHAM  
 FINCHALE ABBEY  
 PARKING AND WAITING RESTRICTIONS  
 FINAL**



Scale:	1:1250 @ A3
Date:	June 2020
Drawn by:	T. Burton
Date Sealed:	
Signature:	<i>T. Burton</i>
Map Schedule:	<b>EC156</b>

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**THE COUNTY COUNCIL OF DURHAM**  
**FINCHALE ABBEY**  
**PARKING AND WAITING RESTRICTIONS**  
**FINAL**

**Durham**  
 County Council

Corporate Director  
 Regeneration & Economic  
 Development

Strategic Traffic Management  
 County Hall, Durham DH1 5UQ

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**Key to Types of Restriction**

No Waiting At Any Time

Individual Reference Number

**ED156**

**EC156**

**ED157**

**At any time**

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PATH:



55.5m

50.6m

*As shown*

At any time

ED156

ED157

### Key to Types of Restriction

 No Waiting At Any Time

 XXXXX

Individual Reference Number

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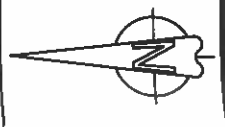


**Durham**  
County Council

Corporate Director  
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Development

Strategic Traffic Management  
County Hall, Durham DH1 5UQ

**THE COUNTY COUNCIL OF DURHAM**  
**FINCHALE ABBEY**  
**PARKING AND WAITING RESTRICTIONS**  
**FINAL**



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