

DATED

THE BOROUGH COUNCIL OF GATESHEAD

TRAFFIC REGULATION ORDER

Relating to Lambton Street and Nelson Street Gateshead
Movement and Waiting Restrictions & Bus Lane Amendments

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**THE BOROUGH COUNCIL OF GATESHEAD
(LAMBTON STEEET AND NELSON STREET, GATESHEAD)
(MOVEMENT AND WAITING RESTRICTIONS)(BUS LANE AMENDMENTS)
TRAFFIC REGULATION ORDER**

The Borough Council of Gateshead (hereinafter referred to as “the Council”) in exercise of its powers under Sections 1(1), 2(1) to (3), 4(2) 19 and Part IV of Schedule 9 of The Road Traffic Regulation Act 1984 (“the 1984 Act”), and by virtue of the Traffic Management Act 2004 (“the 2004 Act”) and of all other enabling powers and after consultation with the Chief Constable of Northumbria Police in accordance with Part III of Schedule 9 to the 1984 Act hereby makes the following Order.

**PART I
Definitions**

1. 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 under Section 76 of the 2004 Act to supervise and enforce the road traffic contraventions for which the Council is the enforcement authority;

“**exemption certificate**” means an authorisation in writing granted by the Service Director, Highways & Waste, Housing, Environment & Healthy Communities of the Council or their duly authorised representative allowing a vehicle to wait in contravention of the provisions of this Order subject to and in accordance with any specified conditions or limitations contained within that authorisation;

“**penalty charge**” means a charge set by the Council in accordance with the provisions of Section 77 and Schedule 9 of the 2004 Act and Regulations made thereunder and in accordance with any guidance given by the Secretary of State;

“**postal service**” means the service of conveying postal packets from one place to another by post and the related services of receiving, collecting and delivering of such packets and any other service which relates to any of those services and is provided in conjunction with any of them as defined in section 125 of the Postal Services Act 2000;

“**relevant position**” means-

(a) the exemption certificate is exhibited on the dashboard of fascia of the vehicle; or

(b) in the case of a vehicle not fitted with a dashboard or fascia, the exemption certificate is exhibited in a conspicuous position on the vehicle

so that the front of the exemption certificate is clearly legible from outside of the vehicle;

“**vehicle**” means any motor car, motor cycle and invalid carriage having the same meaning respectively as in Section 136 of the 1984 Act and any goods vehicle being a motor vehicle not exceeding 30 unit unladen weight which is constructed or adapted for use for carriage of goods of any description.

PART II Revocations

1. In Schedule 5 ‘No Waiting and Loading/Unloading at Any Time’ Item 6 – (described below) relating to Lambton Street of the Borough Council of Gateshead (Gateshead Town Centre) Traffic Regulation Order 2014 is hereby revoked in its entirety.

Schedule 5 - No Waiting and Loading/Unloading at Any Time

| Road | Description |
|-------------------|---------------------|
| 6. Lambton Street | For its full length |

PART III Amendments

1. In Schedule 3A ‘Bus Lanes (Bus, Pedal Cycle, Hackney Carriage and Authorised Vehicles)’, ‘Item 2’ relating to High Street of the Borough Council of Gateshead (Bus Lanes) Traffic Regulation Order 2014 as amended in the Borough Council of Gateshead (Bus Lanes Gateshead)(Amendment No.1) Traffic Regulation Order 2017 is hereby revoked in its entirety.
2. In Schedule 3A ‘Bus Lanes (Bus, Pedal Cycle, Hackney Carriage and Authorised Vehicles)’ of the Borough Council of Gateshead (Bus Lanes Gateshead)(Amendment No.1) Traffic Regulation Order 2017 insert the following Item 2.

Schedule 3A

Bus Lanes (Bus, Pedal Cycle, Hackney Carriage and Authorised Vehicles)

| Item No. | Column 1 Name of Road | Column 2 Length of Road |
|-----------------|----------------------------------|---|
| 2 | High Street, Gateshead | The outside lane of the northbound carriageway from a point 237 metres north-west of its junction with Jackson Street in a North-westerly direction for 138 metres. |

PART IV

Waiting Restrictions

Prohibition of Waiting or Loading/Unloading at Any Time

1. Save as provided in Part IV Article 2 to this Order no person shall, except upon the direction or with the permission of a police officer in uniform or a civil enforcement officer, cause or permit any vehicle to wait, load or unload at any time in or on the lengths of road specified in Schedule 1 to this Order.

Exemptions

2. (1) Nothing in Part II Articles 1 and 2 to this Order shall render it unlawful to cause or permit any vehicle to wait, load or unload in or on the lengths of road referred to therein for so long as may be necessary to enable:-

- (a) the vehicle, if it cannot be conveniently used for such purpose in any other road, to be used in connection with any of the following operations namely-
 - (i) building or demolition;
 - (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 on land adjacent to the said length of road 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 be used in the service of a local authority or water authority in pursuance of statutory duties;
- (c) any police, fire brigade or ambulance vehicle on emergency call or being used for such purposes;
- (d) any vehicle used in pursuance of statutory powers or duties;
- (e) any vehicle displaying a valid exemption certificate in the relevant position.

PART V

Movements

1. Prohibition of Entry Restrictions

- 1.1 Save as provided in Article 1.2 of Part V to this Order, no person shall, except upon the direction or with the permission of a police

constable in uniform, cause or permit any vehicle to enter the road described in Column 2 of Schedule 2 to this Order to enter the road described, in relation to that road in Column 3 of the said Schedule.

Exemptions

- 1.2 Nothing in Part V Article 1.1 to this Order shall apply to any cyclist, or police, fire authority or ambulance vehicle on emergency call.

2. Turning Restrictions

No Right Turn

- 2.1 Save as provided in Article 3 of Part V to this Order, no person shall, except upon the direction of a police constable in uniform, cause or permit any vehicle proceeding in any of the roads specified in Column 3 of Schedule 3 to this Order to make a right hand turn into the road specified, in relation to that road in Column 3 of the said Schedule.

No Left Turn

- 2.2 Save as provided in Article 3 of Part V to this Order, no person shall, except upon the direction of a police constable in uniform, cause or permit any vehicle proceeding in any of the roads specified in Column 3 of Schedule 4 to this Order to make a left hand turn into the road specified, in relation to that road in Column 3 of the said Schedule.

Exemptions

3. Nothing in Article 2.1 or 2.2 of Part V of this Order shall apply to any police, fire authority or ambulance vehicle on emergency call.

PART V Contraventions

1. (1) If a vehicle is in contravention of any Article of this Order a penalty charge shall be payable.
- (2) 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 or the Council in accordance with the requirements of Section 78 of the 2004 Act.

PART VI Savings and Commencement

1. (1) 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 1984 Act, or by or under any other enactment.
- (2) 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 1984 Act, or by or under any other enactment, THEN the provisions of THIS ORDER shall prevail.

2. This Order shall come into operation on day of and may be cited as The Borough Council of Gateshead (Lambton Street & Nelson Street, Gateshead) (Movement and Waiting Restrictions)(Bus Lane Amendment) Traffic Regulation Order.

Given under the Common Seal of the Borough Council of Gateshead this day of

**THE COMMON SEAL OF THE BOROUGH
COUNCIL OF GATESHEAD**

was hereunto affixed in the presence of:-

Mayor

Solicitor to the Council

SCHEDULE 1
PROHIBITION OF WAITING AND LOADING AT ANY TIME

| Item No | Street | Side | Description |
|----------------|----------------|----------------|--|
| 1. | Lambton Street | (i)South Side | (a) From a point 69 metres east of its junction with West Street in an easterly direction for 52 metres |
| 2. | Lambton Street | (i)South Side | (b) From a point 129 metres east of its junction with West Street in an easterly direction for 33 metres |
| 3. | Lambton Street | (ii)North Side | (a) From its junction with High Street, in a westerly direction for 109 metres |

SCHEDULE 2
(NO ENTRY, EXCEPT CYCLISTS)

| Item No | Street | Description |
|----------------|----------------|--|
| 1 | Lambton Street | Heading in an easterly direction, at a point 75 metres east of West Street |

SCHEDULE 3
(NO RIGHT TURN)

| Item No | Street | Description |
|----------------|---------------|---|
| 1 | Nelson Street | Heading in a north bound direction exiting the underground car park |

SCHEDULE 4
(NO LEFT TURN)

| Item No | Street | Description |
|----------------|---------------|--|
| 1 | Nelson Street | Heading in a south bound direction at the junction with Lambton Street |