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DATED

25 June

2002

THE BOROUGH COUNCIL OF GATESHEAD

TRAFFIC REGULATION ORDER

relating to South Shore Road /Hillgate/ Pipewellgate Area

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File Ref: NK/ENTO/ ENTO 12/9

THE BOROUGH COUNCIL OF GATESHEAD
(SOUTH SHORE ROAD / HILLGATE/ PIPEWELLGATE AREA GATESHEAD)
TRAFFIC REGULATION ORDER 2002

The Borough Council of Gateshead ("the Council") in exercise of their powers under Sections 1(1), 2(1) to (3), 4(2) and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the Act") and Sections 63 and 64 of the Local Government (Miscellaneous Provisions) Act 1976 and of all the other powers then enabling in that behalf 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

Interpretation

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

"cycle" means a bicycle, a tricycle, or a cycle having four or more wheels, not being in any case a motor vehicle within the meaning of the Road Traffic Act 1988;

"designated loading bay" means the area of highway described in Schedule 6 of this Order

"designated disabled parking bay" means those areas of highway described in Schedule 3 of this Order for the number of vehicles indicated;

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

"disabled person's vehicle" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"disabled person's parking disc" means a disc issued by a local authority (125 millimetres square) coloured blue if issued on or after 1st April 2000 or orange if issued before that date and is capable of showing the quarter hour period during which a period of waiting has begun: and –

"relevant position" means –

- (a) the disc is exhibited on the dashboard or fascia of the vehicle; or
- (b) in the case of a vehicle not fitted with a dashboard or fascia, the badge is exhibited in a conspicuous position on the vehicle;

so that the front of the disc is clearly legible from the outside of the vehicle.

A vehicle displays a parking disc in the relevant position if –

- (c) the disc is exhibited on the dashboard or fascia of the vehicle; or
- (d) in the case of a vehicle not fitted with a dashboard or fascia, the badge is exhibited in a conspicuous position on the vehicle;

“goods vehicle” means a motor vehicle constructed or adapted for use for the carriage of goods, or a trailer so constructed or adapted;

“hackney carriage” has the same meaning as defined in the Town Police Clauses Act 1847;

“hackney carriage stand” means any area of carriageway that is comprised within and indicated by a road marking complying with diagram 1028.1 in Schedule 6 to the Traffic Signs Regulations and General Directions 1994;

“occupiers permit” means a permit issued by the Council under the provisions of Article 3 of this Order

“pedestrian zone” means those areas of highway described in Schedule 5 to this Order;

“permit” means a occupiers permit or a visitors permit issued under the provisions of Article 3 of this Order

“occupiers permit holder” means a person to whom an occupiers permit has been issued under the provisions of Article 3 of this Order

“private hire vehicle” means a motor vehicle licensed by a local authority under Section 48 of the Local Government (Miscellaneous provisions) Act 1976 constructed or adapted to seat fewer than nine passengers other than a Hackney Carriage or public service vehicle which is provided for hire with the services of a driver for the purposes of carrying passengers;

“public service vehicle” has the same meaning as in Section 1 of the Public Passenger Vehicles Act 1981;

“specified hours” means the hours indicated in Schedule 5 to this Order for the relevant pedestrian zone;

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

“visitors permit” means a permit issued by the Council or its authorised agent under the provisions of Article 3 of this Order

Part II Revocation

- 2 (1) The Tyne and Wear County Council (The Metropolitan Borough of Gateshead Traffic Regulation (Consolidation)) Order 1982 as amended, is hereby further amended by the deletion of Item 48 of Schedule 25

- (2) The Borough Council of Gateshead (Pipewellgate Gateshead) Traffic Regulation Order 2000, is hereby revoked
- (3) The Borough Council of Gateshead (Hackney Carriage Stands) Order 1992 as amended is hereby further amended by the addition to the Schedule to the Order of the new items as set out in Schedule 1 to this Order

Part III Permits

Occupiers Permits

- 3 (1) Any organisation being an occupier of premises on Pipewellgate to the west of the Pedestrian Zone may apply to the Council for the issue of an Occupiers Permit to allow motor vehicles being used by members or employees of the organisation to travel through the Pedestrian Zone to egress onto Bridge Street during the Specified Hours and any such application shall be made to the Council in such a manner as the Council require.
- (2) A Occupiers Permit will only be valid for a twelve month period commencing on the date of issue
- (3) The Council may require an applicant for an Occupiers Permit to produce to an officer of the Council such evidence in respect of the application as they may reasonably require verifying any particulars or information given to them.
- (4) The Council upon being satisfied that an applicant is an occupier may at its discretion issue to that applicant a Occupiers Permit or permits
- (5) An Occupiers Permit holder may surrender an Occupiers Permit to the Council at any time and shall surrender an Occupiers Permit to the Council on the occurrence of any of the events set out in paragraph (7) of this Article.
- (6) The Council may, by notice in writing, serve on the Occupiers Permit holder at the address shown by that person on the application for the Occupiers Permit or at any other address believed to be that person's residence, withdraw a Occupiers Permit if it appears to the Council that any of the events set out in paragraph (7) of this Article has occurred and the Occupiers Permit holder shall subject to paragraph (8) of this Article surrender the Occupiers Permit to the Council within 48 hours of the receipt of the said Notice
- (7) The events referred to in the foregoing provisions of this Article are:-
 - (a) the Occupiers Permit holder ceasing to be an occupier
 - (b) on expiration of the Occupiers Permit period of 12 months.
- (8) An Occupiers Permit shall cease to be valid on the occurrence of any of the events set out in paragraph (7) of this Article.

- (9) (a) If a Occupiers Permit is mutilated or defaced or the figures or particulars on it have become illegible or the colour of the Occupiers Permit has become altered by fading or otherwise the Occupiers Permit holder shall surrender the Occupiers Permit to the Council and may then apply to the Council for the issue of a duplicate Occupiers Permit.
- (b) If a Occupiers Permit is lost or destroyed the Occupiers Permit holder may apply to the Council for the issue of a duplicate Occupiers Permit.
- (10) The provisions of this Order shall apply to a duplicate Occupiers Permit and an application for such a permit as if it were a permit or as the case may be an application for an Occupiers Permit.

An occupier's permit shall be in writing and shall include the following particulars:-

- (a) the name and address of the occupier to whom the Occupiers Permit is issued;
- (b) the period during which subject to the provisions of Article 3(7) of this Order the Occupiers Permit shall remain valid and
- (c) an authentication that the Occupiers Permit has been issued by the Council.

Visitors Permits

- (11) (1) Any organisation being an occupier of premises on Pipewellgate to the west of the Pedestrian Zone may apply to the Council or the Councils authorised agent for the issue of a Visitors Permit to allow motor vehicles being used by authorised visitors to its premises to travel through the Pedestrian Zone to egress onto Bridge Street during the Specified Hours and any such application shall be made to the Council or the Councils authorised agent in such a manner as the Council require.
- (2) A Visitors Permit will only be valid on the date specified on the permit for a maximum period of for hours
- (3) The Council may require an applicant for a Visitors Permit to produce to an officer of the Council or the Councils authorised agent such evidence in respect of the application as they may reasonably require verifying any particulars or information given to them.
- (4) A Visitors Permit shall be in writing and shall include the following particulars:-
- (a) The name and address of the visitor to whom the Visitors Permit is issued;
- (b) the date and hours the Visitors Permit is valid

- (c) an authentication that the Visitors Permit has been issued by the Council or its authorised agent.

Part III

Waiting Restrictions

Prohibition of Waiting at Any Time

- 4 Save as provided in Article 5 of this Order no person shall, except upon the direction or with the permission of a Police Constable or of a Traffic Warden in uniform cause or permit any vehicle to wait at any time in or on the lengths of roads or sides of lengths of roads specified in Schedule 1 to this Order.
- 5 (1) Save as provided in paragraph (5) of this Article and Article 9 nothing in Article 4 or 6 of this Order shall render it unlawful to cause or permit any vehicle to wait in the lengths of roads referred to therein for so long as may be necessary to enable
 - (a) the picking up and setting down of passengers;
 - (b) goods to be loaded onto or unloaded from the vehicle in the designated loading bay;
 - (c) the vehicle if it cannot conveniently be used for such purposes in any other road to be used in connection with any of the following operations, namely:-
 - (i) building or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the cleaning 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;
 - (d) 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;
 - (e) 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 4 and 9 of this Order shall apply to any vehicle being used for Police, Fire Brigade or Ambulance purposes.
- (3) Nothing in Article 4 of this Order shall render it unlawful to cause or permit the following vehicles to wait:-
 - (a) a Hackney Carriage waiting at a Hackney Carriage Stand;

- (b) a vehicle waiting on a parking place duly authorised by an Order made under the Act provided that the vehicle is parked in accordance with the provisions of such an Order.
- (4) Save as provided in Article 9 nothing in Article 4 of this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a Disabled Persons Badge and a 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 the lengths of roads referred to therein 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)
- (5) No person shall cause or permit any vehicle other than a goods vehicle being used for the purposes of loading or unloading of goods to wait in the designated loading bay

Part IV

Prohibition of Waiting Midnight to 6.00am and 6.00pm to Midnight

- 6 Save as provided in Article 5 and 9 of this Order no person shall, except upon the direction or with the permission of a Police Constable or of a Traffic Warden in uniform, cause or permit any vehicle to wait between the hours of Midnight to 6.00am and 6.00pm to Midnight in or on the lengths of roads or sides of lengths of roads specified in the Schedule 2 to this Order.

Part V

Hackney Carriage Stands

- 7 The area of highway described in the Schedule 3 to this Order is hereby appointed as a Hackney Carriage Stand for the number of vehicles indicated and during the hours specified therein.
- 8 No person shall cause or permit any vehicle other than a Hackney Carriage to wait during the hours specified on any Hackney Carriage Stand referred to in Article 7 of this Order.

Part VI

Pedestrian Zones

- 9 Save as provided in Articles 5(2) and 10 to this Order no person shall except Upon the direction or with the permission of a Police Constable or of a traffic warden in uniform cause or permit any vehicle to proceed or wait on or in any of the Pedestrian Zones described in Schedule 5 to this Order during the specified hours
- 10 Nothing in Article 9 of this Order shall apply to -
 - (a) a Hackney Carriage, a Private Hire Vehicle or a disabled persons vehicle accessing the Pedestrian Zone for the picking up and setting down of passengers;

- (b) a Hackney Carriage, or a disabled persons vehicle entering the Pedestrian Zone on Pipewellgate to access the Hackney Carriage stand or designated disabled parking bay;
- (c) a vehicle displaying a permit travelling in an easterly direction on Pipewellgate accessing the Pedestrian Zone on Pipewellgate to egress onto Bridge Street;
- (d) a public service vehicle;
- (e) a goods vehicle delivering to or leaving the premises on Pipewellgate currently occupied by Bretts Oil;
- (f) a cycle;
- (g) any vehicle if it cannot conveniently be used for such purposes in any other road to be used in connection with any of the following operations, namely:-
 - (i) building or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the cleaning 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;
- (h) 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;
- (i) the vehicle to be used for the purpose of delivering or collecting postal packets in the service of a universal service provider

Part VII
No "U" Turn

- 11** No person shall except upon the direction or with the permission of a Police Constable or of a Traffic Warden in uniform cause or permit any vehicle proceeding in a westbound direction on that length of Pipewellgate from its junction with Bridge Street for a distance of 146 metres to make a "U" turn so to proceed in the opposite direction
- 12** The restrictions and prohibitions 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

- 13 This Order shall come into operation on 1 July 2002 and may be cited as the Borough Council of Gateshead (South Shore Road / Hillgate / Pipewellgate Area Gateshead) Traffic Regulation Order 2002

Given under the Common Seal of the Borough Council of Gateshead this 25 day June 2002

Schedule 1

No Waiting at Any Time

- Pipewellgate** - both sides from its junction with Bridge Street for 170 metres
- Hillgate/South Shore Road** - both sides in a westerly direction from its junction with Mill Road to its junction with Bridge Street

Schedule 2

Prohibition of Waiting Midnight to 6.00am and 6.00pm to Midnight

- Pipewellgate** - both sides from a point 170 metres west of its junction with Bridge Street for 180 metres

Schedule 3

Hackney Carriage Stands All Times All Days

Location	No. Of Vehicles
13. Pipewellgate - north side for 20 metres west from a point 67 metres west of its junction with Bridge Street	4
14. Pipewellgate - north side for 30 metres west from a point 117 metres west of its junction with Bridge Street	5
15. South Shore Road - south side for 40 metres west from a point 75 metres west of its junction with Mill Road	8
16. South Shore Road - south side for 40 metres east from a point 75 metres east of its junction with Mill Road	8
17. Church Street - north side for 30 metres east from a point 75 metres east of its junction with Hillgate	5

Schedule 4

Designated Disabled Parking Bays

- South Shore Road** - south side being a length of 40 metres west of a point 75 metres from its junction with Mill Road for 8 vehicles

Schedule 5

Pedestrian Zones

Zone	Specified Hours
Pipewellgate - from its junction with Bridge Street westwards for 67 metres	10.00pm to 4.00am 10.00pm to midnight
South Shore Road - for 115 metres westwards from a point 140 metres from its junction with Mill Road	all day

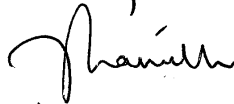
Schedule 6

Loading Bays

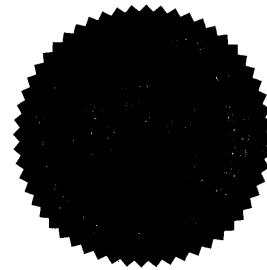
Pipewellgate	- north side being a length of 33 metres west of a point 172 metres from its junction with Bridge Street;
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THE COMMON SEAL OF THE BOROUGH
COUNCIL OF GATESHEAD was
hereunto affixed in the
presence of:-

Mayor



Solicitor to the Council



449/02