

DATED

8<sup>th</sup>

September

2016

**THE BOROUGH COUNCIL OF GATESHEAD**

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**TRAFFIC REGULATION ORDER**

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Relating to Chainbridge Road, Gateshead, Car Club Parking Place

Mike Barker  
Solicitor to the Council  
Gateshead Council  
Civic Centre  
Regent Street  
Gateshead  
NE8 1HH

TH/1656

**THE BOROUGH COUNCIL OF GATESHEAD (CHAINBRIDGE ROAD  
GATESHEAD) (CO-WHEELS CAR CLUB PARKING PLACE) TRAFFIC  
REGULATION ORDER 2016**

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), 32 of The Road Traffic Regulation Act 1984 ("the 1984 Act") and Part IV of Schedule 9 to 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;

**"car club vehicle"** means a vehicle that is provided by Co-wheels Car Club to the Council to be used in connection with Council business and to the public who are registered or members of the Co-wheels Car Club;

**"parking bay"** means any area within a parking place which is being reserved for the leaving of a car club vehicle as is indicated by the appropriate road markings and signs as being reserved for the leaving of a car club vehicle;

**"parking place"** means a place on a length of road designated under this Order which is indicated by appropriate markings and signs as being reserved for the leaving of a car club vehicle;

**"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;

**"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

### On Street Car Club Vehicle Parking Place

1. The lengths of road specified in Column 1 to the Schedule to this Order are hereby designated as a parking place for a car club vehicle displaying permit CB-01 under section 32 of the Act, subject to the provisions in this Order, operating on all days and at all hours, as specified in Columns 3, 4 and 5 of that Schedule.
2. Save as provided in Part II Article 1 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 except for a car club vehicle displaying permit CB-01 to wait on any day or at any time, in or on the lengths of road specified in the Schedule to this Order.
3. Every car club vehicle left in a parking place shall stand so that the car club vehicle is wholly within the parking place or if the parking place is so marked within any parking bay and displaying permit CB-01 at all times.
4. A civil enforcement officer as authorised by the Service Director, Development, Public Protection and Transport Strategy may suspend the use of a parking place or any part thereof whenever they consider such suspension is reasonably necessary, in connection with, building and highway maintenance works; vans for the removal of furniture, hearses in connection with funerals, or any other reason deemed reasonably necessary by the Council.
5. A police officer in uniform may suspend for not longer than 24 hours the use of a parking place or any part thereof whenever they consider that such suspension is reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
6. Any person suspending the use of a parking place or any part thereof in accordance with the provisions of Part II Articles 4 and 5 to this Order, shall thereupon place or cause to be placed in or adjacent to the parking place or part thereof the use of which is suspended a traffic sign indicating that waiting by vehicles is prohibited.
7. For so long as a traffic sign prohibiting waiting is displayed in accordance with Part II Article 6 to this Order, no person shall cause or permit a car club vehicle to be left in that parking place or part thereof PROVIDED THAT nothing in this paragraph shall render it unlawful to cause or permit a car club vehicle to wait if the car club vehicle is left with the permission of the person suspending the parking place or part thereof.
8. A police officer in uniform may in the case of an emergency move or cause to be moved car club vehicles left in a parking place to any place they think fit.
9. A civil enforcement officer may if they deem it appropriate and in accordance with the Council's Enforcement Policy, move or cause to be moved car club vehicles left in a parking place to another position on that road or to another road or to a place which is not on a road, as they deem appropriate.

10. Any person removing a car club vehicle or altering its position by virtue of Part II Articles 8 and 9 to this Order, may do so by towing or driving the car club vehicle or in such other manner as they may think necessary to enable them to remove it or alter its position as the case may be.

11. When a person removes or makes arrangements for the removal of a car club vehicle from the parking place they shall make such arrangements as may be reasonably necessary for the safe custody of the car club vehicle.

12. Nothing in Part II Articles 1 and 2 to this Order, shall apply to a vehicle being used by the emergency services to attend an emergency or a vehicle authorised and requested by the emergency services to attend an emergency.

### **PART III**

#### **Contraventions**

1. (1) If a vehicle is left 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 IV**

#### **Savings and Commencement**

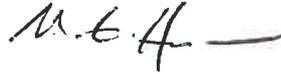
1. (1) The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulations made or having effect as if made under the 1984 Act, or by or under any other enactment.
- (2) In so far as any provision of this 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 19<sup>th</sup> day of September 2016 and may be cited as The Borough Council of Gateshead (Chainbridge Road Gateshead) (Co-Wheels Car Club Parking Place) Traffic Regulation Order 2016.

Given under the Common Seal of the Borough Council of Gateshead this <sup>9<sup>th</sup></sup> day of   
September 2016.

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

was hereunto affixed in the presence of:-

  
**Mayor**



**Solicitor to the Council**



421/16

## SCHEDULE

On Street Car Club Parking Place operating on all days and at all hours

	<b>Column 1 Road name</b>	<b>Column 2 Maximum number of parking bays within a parking place (if applicable)</b>	<b>Column 3 Hours of Operation</b>	<b>Column 4 Days of Operation</b>	<b>Column 5 Permit</b>
1.	<b>Chainbridge Road (i) west side</b>  (a) from a point 141.5 metres north of its junction with Shibdon Road in a northerly direction for 5.5 metres.	1	All hours	All days	CB-01