

DATED

2017

THE BOROUGH COUNCIL OF GATESHEAD

T R A F F I C R E G U L A T I O N O R D E R

relating to Hills Street, Gateshead

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File Ref: TS/1087

**THE BOROUGH COUNCIL OF GATESHEAD
(HILLS STREET GATESHEAD) TRAFFIC REGULATION ORDER 2017**

The Borough Council of Gateshead ("hereinafter referred to as the Council") in exercise of their powers under Sections 1(1), 2(3) to (4), 4(2) and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the Act"), by virtue of the Traffic Management Act 2004 and 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

Amendments to The Borough Council of Gateshead (Traffic Movements) (Consolidation) Order 2010

1. The Borough Council of Gateshead (Traffic Movements) (Consolidation) Order 2010 is amended as described below:-
2. In Schedule 1.06 'Prohibition of Driving at any time except for Buses, hackney carriages and private hire vehicles' revoke Item 2 relating to 'A184 Askew Road' and Item 3 relating to 'A167 (Tyne Bridge)' in their entirety.
3. In Schedule 3.02 'One Way Street with the exception of mechanical road cleansing vehicle during permitted hours', revoke Item 2 relating to 'Bottle Bank' in its entirety.
4. In Schedule 4.01 'No Entry', revoke Item 12 relating to 'Church Street into Hills Street' and Item 27 relating to 'Hills Street Gateshead into Church Street', in their entirety.
5. In Schedule 4.03 'No Entry except Buses', revoke Item 6 relating to 'Wellington Street into Hills Street' in its entirety.
6. In Schedule 4.06 'No Entry to any vehicle except for pedal cycles', Item 2 relating to 'Half Moon Lane / Mirk Lane', shall be revoked in its entirety and replaced with the following new Item 2 below:-

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Column 1 Item Number	Column 2 Road Name	Column 3 Road Name / Description	Column 4 Exemptions
2	Hills Street	Into Half Moon Lane	Pedal Cycle

7. In Schedule 5.01 'No Right Turn', Item 35 relating to 'Tyne Bridge A167 (southbound)' revoke only the exemptions from column 4 of that Item of 'local bus, pedal cycle' in their entirety.
8. In Schedule 5.01 'No Right Turn', Item 22 relating to 'Hills Street Gateshead into Church Street' and Item 23 relating to 'Hills Street Gateshead into High Street (A167)', shall be revoked in their entirety and replaced with the following new Item 22 and 23 below:-

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Column 1 Item Number	Column 2 Road Name	Column 3 Road name / description	Column 4 Exemptions
22	Hills Street	Into A167 Gateshead Highway	
23	Half Moon Lane	Into Hills Street	

9. In Schedule 1.01 ‘Prohibition of Driving’, after Item 95 relating to ‘Jasmine Terrace / Woodbine Terrace back’, insert the following new Item 96 below:-

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Column 1 Item Number	Column 3 Road name / description	Column 4 Exemptions
96	Hills Street for its full length	1, 2, 3, 8, 9, 11, 12

10. In Schedule 5.02 ‘No Left Turn’, after Item 16 relating to ‘A167 Gateshead Highway’, insert the following new Item 17 below:-

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Column 1 Item Number	Column 2 Road Name	Column 3 Road name / description	Column 4 Exemptions
17	A167 Gateshead Highway	Into Hills Street	

PART II

Amendments to The Borough Council of Gateshead (Wellington Street, Gateshead) (Cycle Improvements) Traffic Regulation Order 2015

1. In the Schedule ‘No Waiting at Anytime’, Item 1 relating to ‘Bottle Bank’ shall be revoked in its entirety and replaced with the following new Item 1 below:-

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	Road Name	Description	Description
1.	Bottle Bank	(a) North-east side	(i) From a point 6 metres south of the junction with Bridge Street / Church Street, in a south-easterly direction for a distance of 105 metres.

		(b) South-west side	(i) From a point 7 metres south east of the junction with Bridge Street, in a south-easterly direction for 109 metres.
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2. In the Schedule 'No Waiting at Anytime', Item 5(a) relating to 'Hills Street (a) east side' shall be revoked in its entirety and replaced with the following new Item 5 (a) below:-

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	Road Name	Description	Description
5.	Hills Street	(a) North-west side	(i) From the junction with Wellington Street, in a north-easterly direction for a distance of 45 metres.
			(ii) From a point 64 metres north east of the junction of Wellington Street, in a north-easterly direction for a distance of 2.5 metres.

3. In the Schedule 'No Waiting at Anytime', Item 5(b) relating to 'Hills Street (b) west side' shall be revoked in its entirety and replaced with the following new Item 5 (b) below:-

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	Road Name	Description	Description
5.	Hills Street	(b) South-west side	(i) From the junction with Wellington Street, in a north-easterly direction for 4.5 metres.

4. In the Schedule 'No Waiting at Anytime', revoke Item 5 (c) relating to 'Hills Street (c) south side (i) from its junction with Gateshead Highway in a south-westerly direction for 17.5 metres', in its entirety.
5. In the Schedule 'No Waiting at Anytime', revoke Item 5 (d) relating to 'Hills Street (d) north side (i) from its junction with the north-eastern kerb line of Half Moon Lane in a north-easterly direction for 11 metres, in its entirety.
6. After PART VII Article 2(2) insert the following new 'PART VIII and PART VIIIA below:

“PART VIII

No Waiting and Loading at Any Time

1. Save as provided in Part VIII Article 2 to this Order no person shall except upon the direction or with the permission of a police constable 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 1A to this Order.

Exemptions

2. (1) Nothing in Part VIII Article 1 to this Order, shall render it unlawful to cause or permit any vehicle to wait in the lengths of the road referred to therein for so long as may be necessary to enable:-
- (a) the picking up or setting down of passengers;
 - (b) the vehicle, if it cannot be conveniently be 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;
 - (c) any vehicle, if it cannot conveniently be used for such purpose in any other road, be used in pursuance of statutory powers or duties;
 - (d) to enable a vehicle to be used by a postal operator in provision of a postal service;
 - (e) any police, fire brigade or ambulance vehicle on emergency call or being used for such purposes;
 - (f) any vehicle used in pursuance of statutory powers or duties;
 - (g) any vehicle displaying a valid exemption certificate in the relevant position.

PART VIIIA

Loading only bay operating from 10am to 4pm and 6pm to 8am (inclusive) with 1 hour no return in 2 hours

1. The lengths of roads described in Schedule 2 to this Order are hereby designated as a parking place under section 32 of the Act, subject to the provisions in this Order, for use by vehicles only, operating from 10.00am to 4.00pm and 6.00pm to 8.00am on Monday to Sunday inclusive.
2. Save as provided in Part VIIIA Article 13 to this Order no person shall, except upon the direction or with the permission of a police constable in uniform or a civil enforcement officer, cause or permit any vehicle to wait other than for the purposes of loading or unloading only on all days between the hours of 10.00am to 4.00pm and 6.00pm to 8.00am (inclusive) in or on the lengths of road specified in Schedule 2 to this Order:
 - (a) for a longer period than one hour

(b) If a period of less than 2 hours has elapsed since the termination during the said hours, of the last period of waiting (if any) by that vehicle on the same length of road.

3. Every vehicle left in a parking place shall stand so that the vehicle is wholly within the parking place or if the parking place is so marked within any parking bay.
4. A civil enforcement officer as authorised by the Service Director, Development, Transport and Public Protection 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 VIIIA Articles 3 and 4 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 VIIIA Article 6 to this Order, no person shall cause or permit a 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 vehicle to wait if the 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 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 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 vehicle or altering its position by virtue of Part VIIIA Articles 8 and 9 to this Order, may do so by towing or driving the 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 vehicle from the parking place they shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
12. Nothing in Part VIIIA Articles 1 and 2 to this Order, shall apply to a vehicle being used by the emergency service vehicles whilst they are on duty and attending an emergency call.
13. Nothing in Part VIIIA Articles 1 and 2 to this Order, shall render it unlawful to cause or permit a vehicle to wait or park in or on a parking place, for so long as may be necessary to enable:-

- (a) Picking up and setting down of passengers;
- (b) For goods to be loaded onto or unloaded from the vehicle;
- (c) the vehicle, if it cannot be conveniently be 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;
 - (v) 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;
 - (vi) to enable a vehicle to be used by a postal operator in provision of a postal service;
 - (vii) any vehicle used in pursuance of statutory powers or duties;
 - (viii) any vehicle displaying a valid exemption certificate in the relevant position.
 - (ix) any vehicle being used or appropriated for use for naval, military or airforce purposes as indicated (where applicable) on the identification plate on the vehicle or any vehicle belonging to any visiting forces (within the meaning of the Visiting Forces Act 1952).

7. After the Schedule insert the following new Schedule 1A and Schedule 2 below:

“SCHEDULE 1A

No Waiting and No Loading at Any Time

1.	Hills Street	(a) South-west side	(i) From a point 13.5 metres south west of the junction with the Gateshead Highway, in a south-westerly direction for 14 metres.
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SCHEDULE 2

Loading only bay operating from 10am to 4pm and 6pm to 8am (inclusive) with 1 hour no return in 2 hours

1.	Hills Street	(a) South-west side	(i) From a point 7 metres north east of the junction with Wellington Street, in a north easterly direction for 20 metres.
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PART III

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 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 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 2017 and may be cited as The Borough Council of Gateshead (Hills Street Gateshead) Traffic Regulation Order 2017.

Given under the Common Seal of the Borough Council of Gateshead this day of 2017.

THE COMMON SEAL of the)
BOROUGH COUNCIL OF GATESHEAD)
was hereunto affixed in the presence of:-)

Mayor

Solicitor to the Council