

2009/24

Dated

30 November 2009-

**The Borough Council of Gateshead**

---

**TRAFFIC REGULATION ORDER**

---

**relating to Off-Street Parking Places Gateshead Consolidation  
(Amendment No2) Order 2009**

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

**TH/TO/422**



**THE BOROUGH COUNCIL OF GATESHEAD (OFF STREET PARKING  
PLACES GATESHEAD) CONSOLIDATION (AMENDMENT NO 2) ORDER  
2009**

The Borough Council of Gateshead ("the Council") in exercise of its powers under Sections 1(1), 2(1) to 3, 4(2), 32, 35 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the 1984 Act") and by virtue of the Traffic Management Act 2004 and of all other enabling powers in that behalf and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act hereby makes the following Order :-

**Commencement and Citation**

1. This Order shall come into operation on 3 December 2009 and may be cited as "The Borough Council of Gateshead (Off-Street Parking Places Gateshead) Consolidation (Amendment No2) Order 2009".

**Revocation and Amendment**

2. The Borough Council of Gateshead (Church Street/Cannon Street/Oakwellgate Area Gateshead) (Traffic Restrictions) Order 2004 is hereby amended by the revocation of the Articles 22, 23, 35,36 and Schedule 6 to that Order.
3. The Borough Council of Gateshead (Off-Street Parking Places Gateshead) Consolidation (Amendment No 1) Order 2009 is amended as follows:

- (i) The addition of the following definitions into Article 1 of Part 1:-

**"authorised vehicle"** means a vehicle that displays a permit issued by the Director of the Sage Gateshead or an authorised officer of The Sage Gateshead

**"authorised vehicle parking place"** means an area of the designated disabled person's parking place referred in Item 1 of Part 2 of Schedule 4 to this Order marked and indicated by hatched white lines for the parking of authorised vehicles only

**"loading bay"** means an area of the designated disabled person's parking place referred in Item 2 of Part 2 of Schedule 4 to this Order marked as a loading bay to be used for loading and unloading purposes by authorised vehicles only

- (ii) In Schedule 2 Part 1 (Parking Places), after the description of "Back Harraton Terrace Car Park", insert the following new description:

**"Back High Street/Back Jackson Street Car Park"** means the car park located to the rear of the south eastern boundaries of the properties known as 216 to 240 High Street Gateshead containing an

area of 1587 square metres or thereabouts accessed off High Street shown for identification purposes only edged and hatched green on plan No 2A containing approximately 41 parking spaces.

- (ii) In Schedule 2 Part 1 (Parking Places), after the description of "South Shore Road Car Park", insert the following two new descriptions:

**"Sunderland Road (Coxon Terrace) Car Park"** means the car park containing an area of 600 square metres or thereabouts located off the north side of Sunderland Road Felling to the north of Coxon Terrace shown for identification purposes only edged and hatched green on plan No 29A containing approximately 32 parking spaces.

4. In Schedule 3 (Parking Places Without Payment), insert the following new items :-

22. Sunderland Road (Coxon Terrace) Car Park  
23. Abbots Road (No 1) Car Park  
24. Abbots Road (No 2) Car Park

5. In Part III Article 1, insert the wording "in Schedule 4 and" after the word 'specified' on the first line insert the word "may" after the word 'place' on the third line

6. In Schedule 4 (Charged Parking Places) delete the existing table and replace it with the following table:-

#### SCHEDULE 4 Charged Parking Places

| Name of Parking Place                                    | Days on which parking is permitted   | Days on which charge may be levied | Charging Period         | Maximum period for which a vehicle can wait | Current Charges (As from 5 April 2009)  |
|--|--|------------------------------------|-------------------------|---|---|
| <b>Back Regent Terrace/ Back Walker Terrace Car Park</b> | <b>Permit Holders Only</b><br>Monday to Friday<br><br><b>Public Parking</b><br><b>Saturday and Sunday Only</b> | <b>All days</b>                    | <b>8.00am to 6.00pm</b> | None  | <b>Saturday</b><br>1 hour £0.80<br>2 hours £1.40<br>4 hours £2.10<br>All day £3.40<br><b>Seasonal Permit</b><br>(Monday to Friday) - £480.00<br><b>Seasonal Permit</b><br>(all days) - £570.00<br>Sunday - £1 all day |
| <b>Back High</b>   |  |                                    |                         |   | <b>Permit Only Car Park</b>   |

|  |                 |                 |                         |         |   |
|--|-----------------|-----------------|-------------------------|---------|---|
| <b>Street/Back Jackson Street Car Park</b> | <b>All days</b> | <b>All days</b> | <b>8.00am to 6.00pm</b> | None    | Seasonal Permit (Monday – Friday) £480.00<br>Seasonal Permit (All Days) £570.00   |
| <b>Baltic Car Park</b>                     | <b>All days</b> | <b>All days</b> | <b>8.00am to 6.00pm</b> | 4 hours | <b>Monday to Saturday</b><br>£0.80 – per hour   |
| <b>Charles Street Car Park</b>             | <b>All Days</b> | <b>All days</b> | <b>8.00am to 6.00pm</b> | None    | <b>Up to 1 hour – £0.70p</b><br>2 hours - £1.20p<br>4 hours - £1.60p  |
| <b>Church Street Car Park</b>              | <b>All days</b> | <b>All days</b> | <b>8.00am to 9.00pm</b> | None    | £1.00 per hour up to 3 hours<br>£3.90 daily charge (over 3 hours)<br><b>Seasonal Permit</b> (Monday to Friday) £530.00<br><b>Seasonal Permit</b> (All Days) £650.00 |
| <b>Coach Park (The Sage Gateshead)</b>     | <b>All days</b> | <b>All days</b> | <b>8.00am to 9.00pm</b> | None    | £0.90 per hour up to 3 hours<br>£3.50 daily charge (over 3 hours)   |
| <b>Felling Metro Car Park</b>              | <b>All days</b> | <b>All days</b> | <b>7.00am to 8.00pm</b> | None    | up to 2 hours £1.10<br>All day £1.80<br>Sunday - £1 all day   |
| <b>Garden Street Car Park</b>              | <b>All days</b> | <b>All days</b> | <b>8.00am to 9.00pm</b> | None    | £1.00 per hour up to 3 hours<br>£3.90 daily charge (over 3 hours)<br><b>Seasonal Permit</b> (Monday to Friday) £530.00<br><b>Seasonal Permit</b> (All Days) £650.00 |
| <b>Heworth Metro (North) Car Park</b>      | <b>All days</b> | <b>All days</b> | <b>7.00am to</b>        | None    | <b>Monday to Saturday</b><br>All day £1.70<br><b>Seasonal Permit</b>  |

|                                       |                 |                 |                   |      |  |
|---------------------------------------|-----------------|-----------------|-------------------|------|--|
|                                       |                 |                 | 8.00pm            |      | (Monday to Friday)<br>£290.00<br><b>Seasonal Permit</b><br>(All days) - £400.00<br>Sunday - £1 all day   |
| <b>Heworth Metro (South) Car Park</b> | <b>All days</b> | <b>All days</b> | 7.00am to 8.00pm  | None | <b>Monday to Saturday</b><br>up to 2 hours £1.10<br>up to 4 hours £1.80<br>(maximum stay 4 hours)<br>Sunday - £1 all day   |
| <b>Mill Road Car Park</b>             | <b>All days</b> | <b>All days</b> | 8.00am to 11.00pm | None | £1.00 per hour up to 3 hours<br>£3.90 daily charge (over 3 hours)<br><b>Seasonal Permit</b><br>(Monday to Friday)<br>£530.00<br><b>Seasonal Permit (All Days)</b><br><b>£650.00</b>  |
| <b>Pipewellgate Car Park</b>          | <b>All days</b> | <b>All days</b> | 8.00am to 6.00pm  | None | £1.00 per hour up to 3 hours<br>£3.90 daily charge (over 3 hours)<br><b>Seasonal Permit</b><br>(Monday to Friday)<br>£530.00<br><b>Seasonal Permit (All Days)</b><br><b>£650.00</b>  |
| <b>Regent Court Car Park</b>          | <b>All days</b> | <b>All days</b> | 8.00am to 6.00pm  | None | <b>Monday to Saturday</b><br>up to 1 hour - £0.80<br>up to 2 hours - £1.40<br>up to 4 hours - £2.10<br>All day £3.40<br>Sunday - £1 all day<br><br>Seasonal Permit<br>(Monday – Friday)<br>£480.00<br>Seasonal Permit (All Days) £570.00 |

|                                  |                 |                 |                         |             |   |
|----------------------------------|-----------------|-----------------|-------------------------|-------------|---|
| <b>South Shore Road Car Park</b> | <b>All days</b> | <b>All days</b> | <b>8.00am to 9.00pm</b> | <b>None</b> | £1.00 per hour up to 3 hours<br>£3.90 daily charge (over 3 hours)<br><b>Seasonal Permit</b> (Monday to Friday) £530.00<br><b>Seasonal Permit (All Days)</b> £650.00 |
| <b>Swinburne Street Car Park</b> | <b>All days</b> | <b>All days</b> | <b>8.00am to 6.00pm</b> | <b>None</b> | 1 hour - £0.80<br>2 hours - £1.40<br>4 hours - £2.10<br>All day - £3.40<br><b>Sunday - £1 all day</b><br><b>Exemptions</b><br><b>Designated Permit Holders</b>      |
| <b>Town Hall West Street</b>     | <b>All days</b> | <b>All days</b> | <b>8.00am to 6.00pm</b> | <b>None</b> | <b>Saturday</b><br>up to 1 hour - £0.80<br>up to 2 hours - £1.40<br>up to 4 hours - £2.10<br>All day £3.40<br><b>Sunday - £1 all day</b>                            |

6. In Part III after Article 9, insert the following new Article 9A as follows:-

9A "Where a parking place or bay is suspended by the Council in pursuance of Part II Article 9 of this Order, there shall be payable to the Council, by the person applying for the suspension, an administration fee together with the an amount equivalent to the loss of income suffered by the Council as a result of the suspension of the parking place or bay.

7. In Part IV after Article 3, insert the following new Articles 4 and 5 as follows:-

4. No person shall cause or permit any vehicle other than an authorised vehicle being used for loading or unloading purposes only to enter or wait in a loading bay.

5. No person shall cause or permit any vehicle other than an authorised vehicle to enter or wait in an authorised vehicle parking place.

8. In Part V Article 4, insert after the word 'badge' with the following words:-

“with the exception of Back High Street/Back Jackson Street Car Park detailed in Schedule 4 to this Order, which will require a vehicle when parking in a disabled parking bay, to display in the relevant position both a valid disabled person's badge and a seasonal permit”.

9. To amend Part VI Permits by revoking it and replacing it with the following wording:-

**“PART IV  
PERMITS**

1. Save as provided in Part VI Article 2 a seasonal permit may on application be purchased from the Council for such charges as are detailed in Schedule 4 Column 6 to this Order, and a seasonal permit shall be valid in such parking bays or places and on such days and at has been issued SUBJECT TO the Council reserving the absolute right reserving the absolute right to withdraw and revoke any such seasonal proportionate part of the charge relating to an unexpired period and the driver of any vehicle who is the rightful holder of a current seasonal permit parking that vehicle in a parking place for which the seasonal permit is valid shall exhibit that permit on the vehicle in the manner prescribed by Part V Article 2 (iii). A seasonal permit shall remain visible for the whole duration that the vehicle is parked in the parking place.
2. Save as provided in Part VI Article 2 the Council or any duly authorised agent of the Council may at its sole discretion issue a seasonal permit.
3. The issue of a seasonal permit shall not guarantee that any parking place or bay will be available for use by the holder of such a seasonal permit.
4. The owner of a vehicle or an organisation representing the owner of a vehicle may, on application and at the discretion of the Council, purchase a seasonal permit in respect of a vehicle for a charge ascertained by reference to the charges in Column 6 of Schedule 4 to this Order and the seasonal permit shall be valid in such parking places and parking bays as may be specified thereon during the period for which it is issued and under the conditions stipulated thereon.
5. The Council may at any time require an applicant to produce to an officer of the Council or civil enforcement officer such evidence in respect of an application for a seasonal permit made to them as they may reasonably require to verify any particulars or information given to them or in respect of any seasonal permit issued by them as they may reasonably require to verify that the seasonal permit is valid.
6. On receipt of an application duly made under the foregoing provisions of this Article and the relevant charge, the Council, upon being satisfied that the applicant is eligible to receive a seasonal permit, may issue to



the applicant, either a seasonal permit for leaving during the permitted hours in a parking bay in a parking place specified thereon, the vehicle to which such seasonal permit relates by the owner of such vehicle or by any person using such vehicle with the consent of the owner, other than a person to whom such a vehicle has been let for hire or reward.

7. A seasonal permit holder may surrender a seasonal permit to the Council at any time and shall surrender a seasonal permit to the Council on the occurrence of any one of the events set out in Part VI Article 8. (a) to this Order.
8. The Council may by notice in writing served on the seasonal permit holder by sending the same by recorded delivery to the seasonal permit holder at the address shown by that person on the application for the seasonal permit or at any other address believed to be that persons place of abode, withdraw a seasonal permit if it appears to the Council that any of the events set out in Part VI Article 8(a) of this Order have occurred and the seasonal permit holder shall surrender the seasonal permit to the Council within 48 hours of receipt of the aforementioned notice.
9. (a) The events referred to in the foregoing provisions of this Article are:-
  - i. The seasonal permit holder ceasing to have an interest in the vehicle in respect of which the seasonal permit was issued;
  - ii. The withdrawal of the seasonal permit by the Council under the provisions of paragraph (b) of this Article;
  - iii. The vehicle in respect of which the seasonal permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified for use in the parking bays and places;
  - iv. The issue of a duplicate seasonal permit by the Council under the provisions of Part VI Article 9 of this Order;
  - v. The revision by the Council of all seasonal permits relating to a particular parking place or bays.
- b. Without prejudice to the foregoing provisions of this Article, the seasonal permit shall cease to be valid at the expiration of the period specified thereon or on the occurrence of any one of the events set out in paragraphs (i) to (v) of this Article, whichever is the earlier.
10. If a seasonal permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the permit has become altered by fading or otherwise, the seasonal permit holder

shall either surrender to the Council or apply to the Council for the issue to him of a duplicate/ replacement seasonal permit and the Council, upon receipt of the seasonal permit or application shall issue a duplicate / replacement seasonal permit so marked and upon such issue the original seasonal permit shall become invalid.

11. If a seasonal permit is lost or destroyed, the holder may apply to the Council for the issue to him of a replacement seasonal permit and the Council shall issue a replacement seasonal permit so marked and upon such issue the original seasonal permit shall become invalid.
12. The provisions of this Order shall apply to a duplicate / replacement seasonal permit and an application for such as if it were an application, for a seasonal permit.
13. An application for a duplicate / replacement seasonal permit may be subject to a charge equivalent to the cost of administering the duplicate / replacement seasonal permit.
14. A seasonal permit shall be issued in writing and shall include the following particulars:-
  - a. The registration mark of the vehicle in respect of which the seasonal permit has been issued;
  - b. The period during which the seasonal permit shall remain valid;
  - c. An indication that the seasonal permit has been issued by the Council;
  - d. the name or a description of the parking place or bay, for which the seasonal permit has been issued".
14. No person other than an occupant of a business premises in the vicinity of the following parking places or bays may apply to the Council for the issue of a seasonal permit in relation to that parking place or bay within the vicinity of their business:-
  - (i) Back Regent Terrace/Walker Terrace Car Park
  - (ii) Swinburne Street Car Park
  - (iii) Town Hall Car Park
9. After Part III (Use of Parking Spaces), insert the following new Part IIIA (Designated Disabled Parking Places):-
  1. The Parking Place and bays described in Schedule 2 Part II to this Order are hereby appointed as a parking place for disabled person's vehicles.

2. Subject to Part III Article 3 and Article 3 of Part of 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 other than a disabled person's vehicle that displays a valid disabled person's badge in the relevant position to wait at any time in any of the designated disabled person's parking place or bays set out in Schedule 2 Part II to this Order.
10. Insert a new Schedule 2 Part II after Schedule 2 Part I (Parking Places) with the following description:-


**"Schedule 2  
Part II  
Designated Disabled Person's Parking Places**

1. "Abbots Road (No 1) Car Park" means the car park containing an area of 540.6 square metres or thereabouts located / accessed from a point off the north west side of Abbots Road Gateshead 68 metres east of its conjunction with Cannon Street and Oakwellgate shown for identification purposes only edged and hatched green on plan No 1A containing approximately 17 parking spaces.

2. "Abbots Road (No 2) Car Park" means the car park containing an area of 263.3 square metres or thereabouts located / accessed from a point off the north west side of Abbots Road Gateshead 106 metres east of its conjunction with Cannon Street and Oakwellgate shown for identification purposes only edged and hatched green on plan No 1B containing approximately 5 parking spaces.

Dated 30 November 2009

The COMMON SEAL of the )  
BOROUGH COUNCIL of GATESHEAD )  
was affixed on the day of  
in the presence of:-

  
Mayor



Solicitor to the Council

