

PCOM 1205
1996/37

GATESHEAD METROPOLITAN BOROUGH COUNCIL
THE BOROUGH COUNCIL OF GATESHEAD
(DURHAM ROAD GATESHEAD)
(DISABLED PARKING PLACE) ORDER 1996

The Borough Council of Gateshead ("the Council") in exercise of their powers under Sections 32 and 35 of the Road Traffic Act 1984, as amended, ("the Act") and of all other powers them enabling in that behalf and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the Act hereby make the following Order:-

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

"disabled person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) Regulations 1982 as amended

"disabled person's vehicle" has the same meaning as in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986 as amended

and -

"relevant position" means -

- (a) in the case of a vehicle fitted with a front windscreen, the badge is exhibited thereon on the near side of and immediately behind the windscreen and with its front facing forward so as to be legible from outside the vehicle; or
- (b) in the case of a vehicle not fitted with a front windscreen, the badge is exhibited in a conspicuous position on the vehicle
- (c) in the case of a vehicle fitted with a dashboard or facia panel, the badge is exhibited thereon so that Part 1 of the badge is legible from outside the vehicle; or
- (d) in the case of a vehicle not fitted with a dashboard or facia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part 1 of the badge is legible from outside the vehicle.

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

- (a) in the case of a vehicle fitted with a dashboard or facia panel, the disc is exhibited thereon so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle; or
- (b) in the case of a vehicle not so fitted, the disc is exhibited in a conspicuous position on the vehicle so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle.

- 2(1) The area of highway described in Column 1 of the Schedule to this order is hereby authorised to be used as a parking place, only for the use of disabled person's vehicles which display in the relevant position a disabled persons badge, on such days and during such hours as may be specified in Columns 3 and 4 of the said Schedule
- (2) The limits of the parking place and parking bays shall be indicated by the Council on the carriageway by the appropriate traffic signs and the maximum number of parking bays shall be specified in Column 2 of the said Schedule

- 3(1) Nothing in Article 2(1) above shall restrict the power of the Council to close or suspend the parking place
- (2) A police constable in uniform or a traffic warden may suspend for not longer than twenty four hours the use of the parking place or any part thereof whenever he considers such suspension is reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety
- (3) Any person suspending the use of the parking place or any part thereof in accordance with this Article shall thereupon place or cause to be placed, in or adjacent to any part of the parking place the use of which is suspended, a traffic sign indicating that waiting by vehicles is prohibited.
- 4(1) Every disabled persons vehicle left in the parking place shall so stand that every part of the vehicle is wholly within a parking bay
- (2) The driver of a disabled persons vehicle shall not permit it to wait in the parking place for longer than the maximum period permitted for waiting specified in Column 5 of the Schedule to this Order
- 5 The driver of a disabled persons vehicle using the parking place shall stop the engine as soon as the vehicle is in position in the parking place and shall not start the engine except when about to change the position of the vehicle in or depart from the parking place
- 6 No person shall use a parking place in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire or reward of his skill or services
- 7(1) Subject to the proviso hereto, when a vehicle is left in a parking place in contravention of any of the provisions contained in Articles 2, 3, 4 and 6 of this Order a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from the parking place PROVIDED THAT when a disabled person's vehicle is waiting in a parking place in contravention of Article 4(1) of this order, a person authorised in that behalf by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision
- 8 A police constable in uniform or a traffic warden may in the case of emergency move or caused to be moved vehicles left in a parking place to any place he thinks fit
- 9(1) Any person removing a vehicle or altering its position by virtue of Articles 7 and 8 of this Order may do so by towing or driving the vehicle or in such other manner as he may think necessary to enable him to remove it or alter its position, as the case may be
- (2) When a person removes or makes arrangements for the removal of a vehicle from the parking place he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle
- 10 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
- 11 This Order shall come into operation on the 9 December 1996 and may be cited as the Borough Council of Gateshead (Durham Road Gateshead) (Disabled Parking Place) Order 1996

Given under the Common Seal of the Borough Council of Gateshead this 3 day of
December 1996

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

Bill Mackintosh
Mayor



76/96

B. J. Hockwell

DEPUTY Director of Legal and Administrative Services

SCHEDULE

Disabled Persons Parking Place

Description of Parking place	Maximum Number of Bays	Days of Operation	Hours of Operation	Maximum Period for which vehicles may wait
1	2	3	4	5
Durham Road Gateshead the west side from a point 6.5 metres north of Gateshead College car park exit in a northerly direction for 14 metres	2	All Days	All Hours	24 Hours