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DATED

8 May

2007

**THE BOROUGH COUNCIL OF GATESHEAD**

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**TRAFFIC REGULATION ORDER**

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relating to Old Durham Road / Durham Road Gateshead

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File Ref: NK/TS 756/BR

LALZAA-13746

**THE BOROUGH COUNCIL OF GATESHEAD  
(OLD DURHAM ROAD / DURHAM ROAD GATESHEAD)  
TRAFFIC REGULATION ORDER 2007**

The Borough Council of Gateshead ("the Council") in exercise of their 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 Act") and of all the other powers them 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:-

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

**"parking bay"** means a space in a parking place which is provided for the leaving of a disabled person's vehicle;

**"disabled person's parking place"** means an area of highway authorised to be used as a parking place by Article 2 of this Order;

**"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 1<sup>st</sup> 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 disabled person's parking disc or disabled person's badge is exhibited on the dashboard of fascia of the vehicle; or
- (b) in the case of a vehicle not fitted with a dashboard or fascia, the disabled person's parking disc or disabled person's badge is exhibited in a conspicuous position on the vehicle;

so that the front of the disabled person's parking disc or disabled person's badge is clearly legible from the outside of the vehicle.

A vehicle displays a disabled person's parking disc or disabled person's badge in the relevant position if -

- (c) the disabled person's parking disc or disabled person's badge is exhibited on the dashboard of fascia of the vehicle; or

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- (d) in the case of a vehicle not fitted with a dashboard or fascia, the disabled person's parking disc or disabled person's badge is exhibited in a conspicuous position on the vehicle

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

## **Part II Revocation and Amendment**

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:-
- (i) the deletion of Schedules 33, 42 and 49 of the said Order
  - (ii) the deletion of the description as set out in Item 108 of Schedule 19 to that Order and by way of replacement the revised description as set out in Schedule 1 to this Order should be read hereinafter as part of that Order
- (2) The Borough Council of Gateshead (The Old Durham Road Area Gateshead) Traffic Regulation Order 2003 is hereby amended by the deletion of Schedules 1 and 6 of the said Order
- (3) The Borough Council of Gateshead (Durham Road Area Low Fell) Traffic Regulation Order 1993 is hereby amended by the deletion of the description as set out in Item 2 (k) of Schedule 2, to that Order and by way of replacement the revised description as set out in Schedule 2 to this Order should be read hereinafter as part of that Order

## **Part III Disabled Parking Bays**

3. (1) The area of highway described in Schedule 3 to this Order is authorised to be used as a parking place, only for the use of disabled person's vehicles that display in the relevant position a disabled parking disc or badge
- (2) The limits of the parking place and of each parking bay shall be indicated by the Council on the carriageway by the appropriate traffic signs, and the maximum number of parking bays shall be as specified in Column 2 of Schedule 3 to this Order.
4. (1) Nothing in Article 3(1) above shall restrict the power of the Council or any person authorised by the Council to close or suspend any 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 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 paragraphs (1) and (2) of this Article shall

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thereupon place or caused to be placed in or adjacent to any part of that parking place the use of which is suspended, a traffic sign indicating that waiting by vehicles is prohibited.

5. Every disabled person's vehicle left in the parking place shall so stand so that every part of the vehicle is wholly within a parking bay.
6. The driver of a disabled person's 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 to depart from the parking place.
7. No person shall use the 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 of his skill or services.
8. Subject to the proviso hereto, when a vehicle is left in the parking place in contravention of any of the provisions contained in Articles 3, 4, 5 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 the parking place in contravention of Article 3(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.
9. A police constable in uniform or a traffic warden may in the case of emergency move or cause to be moved a vehicle left in a parking place to any place he thinks fit.
10. (1) Any person removing a vehicle or altering its position by virtue of Articles 8 and 9 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.

#### **Part IV Waiting Restrictions**

##### **Prohibition of Waiting at Any Time**

11. Save as provided in Article 12 and 13 of this Order no person shall, except upon the direction or with the permission of a police constable in uniform or of a traffic warden cause or permit any vehicle to wait at any time in or on the length(s) of road(s) or sides of length(s) of road(s) specified in the Schedule 4 to this Order.
12. (1) Nothing in Articles 11 and 14 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;

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- (b) 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 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;
  - (c) 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;
  - (d) 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 11 and 14 shall render it unlawful to cause or permit any vehicle to wait for so long as may be necessary for the purpose of enabling goods to be loaded on or unloaded from the vehicle –
- (a) in the lengths of road specified in Schedule 4 to this Order at any time on any day; or
  - (b) on the south west side of Old Durham Road from a point 32 metres south east of the centre of its junction with Shipcote Terrace in a south easterly direction for a distance of 19 metres outside the hours of 7.30 am to 10.00am and 3.30 pm to 6.00 Monday to Friday (inclusive)
- (3) Nothing in Articles 11, 14 and 15 of this Order shall apply to any vehicle being used for Police, Fire Brigade or Ambulance purposes.
- (4) Nothing in Article 11, 14 and 15 of this Order shall render it unlawful to cause or permit the following vehicles to wait:-
- (a) a hackney carriage (as defined in the Town Police Clauses Act 1847) waiting at a duly authorised cab rank;
  - (b) a vehicle waiting on a parking place duly authorised by an Order made under the Act provided that the vehicle is parked in

13. Nothing in Article 11 of this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's 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 road referred to therein for a period

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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).

**Prohibition of Waiting - 7.30am - 6.00pm (Monday to Friday)**

14. Save as provided in Articles 12 and 16 of this Order no person shall, except upon the direction or with the permission of a Police Constable in uniform or of a traffic warden cause or permit any vehicle to wait on the south west side of Old Durham Road from a point 32 metres south east of the centre of its junction with Shipcote Terrace in a south easterly direction for a distance of 19 metres

**Limited Waiting - One Hour In Any Two Hours between 8.00 am and 6.00 pm**

15. Save as provided in Articles 12 and 16 of this Order no person shall, except upon the direction or with the permission of a Police Constable in uniform or of a traffic warden cause or permit any vehicle to wait between the hours of 8.00 am and 6.00 pm on the south west side of Old Durham Road from a point 12 metres north west of the centre of its junction with Northbourne Street in a north westerly direction for a distance of 112 metres :-
- (a) for a longer period than thirty minutes
  - (b) if a period of less than thirty minutes has elapsed since the termination during the said hours of the last period of waiting (if any) of the vehicle on the same length of road
16. Nothing in Articles 14 and 15 of this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge to wait in the length(s) of road(s) referred to there accordance with the provisions of such an Order.
17. 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
18. This Order shall come into operation on 14 May 2007 and may be cited as the Borough Council of Gateshead (Old Durham Road / Durham Road Gateshead) Traffic Regulation Order 2007

Given under the Common Seal of the Borough Council of Gateshead 8 May 2007

**SCHEDULE 1**

108. Link Road from Gateshead Highway to High West Street - west side from the junction of Gateshead Highway (A6127) to the junction of High West Street

**SCHEDULE 2**

Durham Road (2) East Side - (k) from The Drive northwards for 295 metres  
Low Fell

**SCHEDULE 3**

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**On Street Disabled Person's Parking Bays**

Location	No of Bays
<b>West side of Durham Road Low Fell</b> for a distance of 14 metres in a southerly direction from a point 13 metres south of the centre line of its junction with Summerfield Road	2

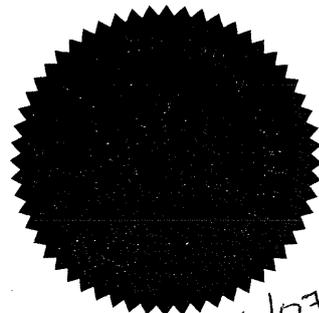
**SCHEDULE 4  
No Waiting At Any Time**

- 1. **Camborne Place Gateshead** - from its junction with Durham Road in a westerly direction for a distance of 11 metres
  
- 2. **Old Durham Road Gateshead**
  - i) north east side, from a point 38 metres north west of the centre of its junction with Broadway in a south easterly direction to a point 40 metres south east of the centre of its junction with Broadway.
  - ii) south west side, from a point 38 metres north west of the centre of its junction with Kells Lane in a south easterly direction to a point 53 metres south east of the centre of its junction with Kells Lane.
  - iii) south west side, from a point 18.5 metres north west of the centre of its junction with Evistones Road in a south easterly direction to a point 54.5 metres south east of the centre of its junction with Evistones Road.
  - iv) south west side, from a point 32 metres north west of the centre of its junction with Shipcote Terrace in a south easterly direction to a point 32 metres south east of the centre of its junction with Shipcote Terrace
  - v) south west side, from a point 51 metres south east of the centre of its junction with Shipcote Terrace in a south easterly direction for a distance
  
- 3. **Kells Lane Low Fell** - both sides of Kells Lane, from its junction with Old Durham Road in a south westerly direction for a distance of 13 metres
  
- 4. **Shipcote Terrace Shipcote** - both sides from its junction with Old Durham Road in a westerly direction for a distance of 22 metres.

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

*M Goldsworthy*  
 Mayor

*[Signature]*  
 Solicitor to the Council



24/6/07