

DATED

29th March

2016

THE BOROUGH COUNCIL OF GATESHEAD

TRAFFIC REGULATION ORDER

relating to Wellington Street, Gateshead

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

File Ref: TH/1586

**THE BOROUGH COUNCIL OF GATESHEAD
(WELLINGTON STREET, GATESHEAD) (CYCLE IMPROVEMENTS) TRAFFIC
REGULATION ORDER 2016**

The Borough Council of Gateshead ("hereinafter referred to as the Council") in exercise of their powers under Sections 1(1), 2(1) to (3), 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 Northumbria 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:-

"civil enforcement officer" means a person authorised by or on behalf of the Council under Section 76 of the Traffic Management Act 2004 to supervise and enforce the road traffic contraventions for which the Council is the enforcement authority;

"disabled person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (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 1st 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;

"exemption certificate" means an authorisation in writing granted by the Service Director, Transport Strategy of the Council or their duly authorised representative allowing a vehicle to wait in contravention of the provisions of this Order subject to and in accordance with any specified conditions or limitations contained within that authorisation;

"penalty charge" means a charge set by the Council in accordance with the provisions of Section 77 and Schedule 9 of the Traffic Management Act 2004 and Regulations made thereunder and in accordance with any guidance given by the Secretary of State;

"penalty charge notice" means a notice issued by a Civil Enforcement Officer pursuant to the provisions of Section 78 Traffic Management Act 2004 and Regulations made thereunder;

"postal operator" means a person who provides the service of conveying postal packets from one place to another by post or any of the related services of receiving, collecting, sorting and delivering of such packets as defined in section 125 of the Postal Services Act 2000;

“postal service” means the service of conveying postal packets from one place to another by post and the related services of receiving, collecting and delivering of such packets and any other service which relates to any of those services and is provided in conjunction with any of them as defined in section 125 of the Postal Services Act 2000;

“relevant position” means-

- (a) the disabled person’s parking disc, disabled person’s badge or exemption certificate is exhibited on the dashboard or 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, disabled person’s badge or exemption certificate is exhibited in a conspicuous position on the vehicle so that the front of the disabled person’s parking disc, disabled person’s badge or exemption certificate is clearly legible from outside of the vehicle;

“traffic sign” means a sign of any size, colour or type prescribed or authorised under, or having effect as though prescribed or authorised under Section 64 of the Act;

“vehicle” means any motor car, motor cycle and Invalid Carriage having the same meaning respectively as in Section 136 of the 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

Revocations

1. The Borough Council of Gateshead (Hudson Street/Half Moon Lane/Wellington Street Gateshead) (Traffic Restrictions) Order 2004, is hereby revoked in its entirety.
2. The Borough Council of Gateshead (Half Moon Lane Area Gateshead) (Traffic Restrictions) Order 2010, is hereby revoked in its entirety.

PART III

Amendments to The Tyne and Wear County Council (The Metropolitan Borough of Gateshead) Traffic Regulation (Consolidation) Order 1982

1. The Tyne and Wear County Council (The Metropolitan Borough of Gateshead) Traffic Regulation (Consolidation) Order 1982 is amended by:
2. Item 9 in Schedule 19, relating to ‘Fletcher Road’ is hereby revoked in its entirety.
3. Item 29 in Schedule 19, relating to ‘Bottle Bank’ is hereby revoked in its entirety.
4. Item 85 in Schedule 19, relating to ‘Half Moon Lane’, is hereby revoked in its entirety.
5. Item 89 in Schedule 19, relating to ‘High Level Road’, is hereby revoked in its entirety.

6. Item 92 in Schedule 19, relating to 'High Street, Gateshead', is hereby revoked in its entirety.
7. Item 170 in Schedule 19, relating to 'Wellington Street', is hereby revoked in its entirety.
8. Item 4 in Schedule 52, relating to 'High Street', is hereby revoked in its entirety.
9. Item 5 in Schedule 52, relating to 'High West Street', is hereby revoked in its entirety.
10. Item 10 (iii) in Schedule 52, relating to 'Wellington Street', is hereby revoked in its entirety.

PART IV

Amendments to The Borough Council of Gateshead (Centrelink Route Gateshead) Order 2005

1. The Borough Council of Gateshead (Centrelink Route Gateshead) Order 2005 is amended by:
2. In Schedule 2 'No Waiting at Any Time' in Part 1 'No Exception for Loading / Unloading', the Item relating to 'High Level Road / Rabbit Bank Road – both sides between its junctions with Wellington Street and Pipewellgate', is hereby revoked in its entirety.

PART V

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 by:
2. In Schedule 4.01 'No Entry', after Item 73 relating to 'Durham Road Birtley', insert the new Item 75 below:

“

Column 1 Item Number	Column 2 Road Name	Column 3 Road name / Description	Column 4 Exemption
75	Wellington Street	Into Hudson Street	

3. In Schedule 6.01 'Prohibition of Driving except Pedal Cycles', revoke Item 8 relating to 'Wellington Street' in its entirety and replace it with the new Item 8 below:

“8. Wellington Street (a) north side (i) from a point 82 metres south-east of its entrance to the High Level Bridge in a south easterly direction for a distance of 34.5 metres.

PART VI

Amendments to The Borough Council of Gateshead (On Street Parking Places) Order 2009

1. The Borough Council of Gateshead (On Street Parking Places) Order 2009 is amended by:
2. In Schedule 1, revoke the table of parking places in its entirety and replace it with the new Schedule 1 table below:

“

Parking Place Designated Name (1)	Description of Parking Place (2)	Maximum Number of Bays (3)	Classes of Vehicle (4)
Bensham Road No 1 (Walker Terrace)	All that part of the north side of Bensham Road as extends from a point 66 metres west of its junction with West Street in a westerly direction for 83 metres	14	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
Bensham Road No 2 (Walker Terrace)	All that part of the south side of Bensham Road as extends from a point 89 metres west of its junction with West Street in a westerly direction for 63 metres	11	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
Church Street No 1 Gateshead	All that part of the west side of Church Street from a point 18 metres south of its junction with Cannon Street in a southerly direction for a distance of 32 metres	6	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
Church Street No 2 Gateshead	All that part of the east side of Church Street from a point 19 metres south of its junction with Cannon Street in a southerly direction for a distance of 11 metres	2	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
Church Street No 3 Gateshead	All that part of the east side of Church Street from a point 53 metres south of its junction with Cannon Street in a southerly direction for a distance of 62 metres.	6	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
Ely Street Gateshead	All that part of the north side of Ely Street from its junction with Worcester Green Access Road in	N/A	Passenger vehicles Goods vehicles

	a westerly direction for 71 metres		Invalid Carriages and Motor Cycles
Half Moon Lane Gateshead	All that part of the west side of Half Moon Lane from a point 8 metres south west of its junction with Wellington Street in a south westerly direction for a distance of 28.5 metres	4	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
High Street No 1 Gateshead	All that part of the east side of High Street as extends from a point 8 metres north of the northern kerb line of Swan Street northwards for 42 metres and which has a width throughout of 2.3 metres	6	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
High Street No 2 Gateshead	All that part of the east side of High Street as extends from a point 4 metres north of the northern kerb line of Nuns Lane northwards for 15 metres and which has a width throughout of 2.3 metres	3	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
High Street No 3 Gateshead	All that part of the east side of High Street as extends from a point 6 metres south of the southern kerb line of Nuns Lane southwards for 25 metres and which has a width throughout of 2.3 metres	5	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
High Street No 4 Gateshead	All that part of the east side of High Street as extends from a point 12 metres south of its junction with Chandless Street southwards for a distance of 38 metres and which has a width throughout of 2 metres	6	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
High Street No 5 Gateshead	All that part of the east side of High Street as extends from a point 5 metres south of its junction with St Bedes Drive southwards for a distance of 50 metres and which has a width throughout of 2 metres	8	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
High Street No 6 Gateshead	All that part of the east side of High Street as extends from a point 10 metres south of Swan Street southwards for a distance of 30 metres and which has a width throughout of 2.3 metres	5	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
Hopper Street Gateshead	All that part of the east side of Hopper Street from a point 9 metres south of the centre of the access road to Park Court in a northerly direction for a distance of 42.5 metres	9	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
Hudson Street No	All that part of the north side of	4	Passenger

1 Gateshead	Hudson Street from a point 5 metres west of its junction with Half Moon Lane in a westerly direction for a distance of 24.5 metres		vehicles Goods vehicles Invalid Carriages and Motor Cycles
Hudson Street No 2 Gateshead	All that part of the east side of Hudson Street from a point 14 metres south of its junction with Wellington Street in a southerly direction for 26 metres	3	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
Mulgrave Terrace No 1 Gateshead	All that part of the west side of Mulgrave Terrace Gateshead from a point 34 metres north its junction with St Cuthbert's Road for a distance of 58 metres in a northerly direction	12	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
Mulgrave Terrace No 2 Gateshead	All that part of the north/east side of Mulgrave Terrace Gateshead from a point 22 metres west its junction with West Central Route (A184) for a distance of 42 metres in a northerly direction	8	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
Mulgrave Terrace No 3 Gateshead	All that part of the east side of Mulgrave Terrace Gateshead from a point 87 metres north-west its junction with West Central Route (A184) for a distance of 69 metres in a northerly direction.	12	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
Peterborough Close No 1 Gateshead	All that part of the east side of Peterborough Close from a point 100 metres north of its junction with Ely Street in a northerly direction for a distance of 30 metres	N/A	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
Peterborough Close No 2 Gateshead	All that part of the west side of Peterborough Close from a point 129 metres north of its junction with Ely Street in a northerly direction for a distance of 16 metres (between number 1 Worcester Green and number 11 Peterborough Close)	N/A	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
Peterborough Close No 3 Gateshead	All that part of the west side of Peterborough Close from a point 148 metres north of its junction with Ely Street in a northerly direction for a distance of 34 metres	N/A	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
Peterborough Close No 4 Gateshead	All that part of the north side of Peterborough Close from a point 35 metres east of its junction with	N/A	Passenger vehicles Goods vehicles

	Alexandra Road in an easterly direction for a distance of 99 metres		Invalid Carriages and Motor Cycles
Peterborough Close No 5 Gateshead	All that part of the south side of Peterborough Close from a point 13 metres east of its junction with Alexandra Road in an easterly direction for a distance of 15 metres	N/A	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
Peterborough Close No 6 Gateshead	All that part of the south side of Peterborough Close from a point 37.5 metres east of its junction with Alexandra Road in an easterly direction for a distance of 12 metres (between number 1 Peterborough Close and number 29 Chichester Close)	N/A	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
Queen Elizabeth Avenue No 1 Gateshead	All that part of the south east side of Queen Elizabeth Avenue from a point 67 metres southwest of its junction with Windy Nook Road in a south westerly direction for a distance of 40 metres	N/A	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
Queen Elizabeth Avenue No 2 Gateshead	All that part of the south east side of Queen Elizabeth Avenue from a point 18 metres southwest of its junction with Windy Nook Road in a south westerly direction for a distance of 28 metres	N/A	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
Swinburne Place No 1 Gateshead	All that part of the west side of Swinburne Place from a point 6 metres north of its junction with Nelson Street in a north-westerly direction for a distance of 29 metres	4	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
Swinburne Street No 1 Gateshead	All that part of the north side of Swinburne Street from a point 21 metres east of its junction with West Street in a north-easterly direction for a distance of 42 metres	8	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
Swinburne Street No 2 Gateshead	All that part of the south side of Swinburne Street from a point 23 metres east of its junction with West Street in a north-easterly direction for a distance of 41 metres	8	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
Warwick Street Gateshead	All that part of north side of Warwick Street from a point 21 metres west of its junction with High West Street in a south westerly direction for 27.5 metres	N/A	Passenger vehicles Goods vehicles Invalid Carriages and Motor

			Cycles
Wellington Street Gateshead	All that part of the south side of Wellington Street from a point 22 metres south east of the centre of its junction with Hudson Street in a south easterly direction for 41 metres	6	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
Worcester Green Access Road No 1 Gateshead	All that part of the east side of Worcester Green Access Road from a point 10 metres north of its junction with Ely Street in a northerly direction for a distance of 77 metres	N/A	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles
Worcester Green Access Road No 2 Gateshead	All that part of the west side of Worcester Green Access Road from a point 40 metres north of its junction with Ely Street in a northerly direction for a distance of 17 metres	6	Passenger vehicles Goods vehicles Invalid Carriages and Motor Cycles

PART VII

No Waiting at Any Time

1. Save as provided in Part VII Article 2 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 to wait at any time in or on the lengths of roads specified in the Schedule to this Order.

Exemptions

2. (1) Nothing in Part VII Article 1 to this Order shall render it unlawful to cause or permit any vehicle to wait in or on the lengths of road referred to therein for so long as may be necessary to enable:-
 - (a) the picking up or setting down of passengers;
 - (b) 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;
 - (d) 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;
 - (e) to enable a vehicle to be used by a postal operator in provision of a postal service;
 - (f) any police, fire brigade or ambulance vehicle on emergency call or being used for such purposes;
 - (g) any vehicle used in pursuance of statutory powers or duties;
 - (h) a vehicle waiting on a parking place duly authorised by an Order made under the 1984 Act provided that the vehicle is parked in accordance with the provisions of such an Order;
 - (i) any vehicle displaying a valid exemption certificate in the relevant position.
- (2) Nothing in Part VII Article 1 to this Order shall render it unlawful to cause or permit a vehicle which displays in the relevant position a disabled persons badge and disabled persons parking disc (on which the driver or other person in charge of the vehicle, has marked the quarter hour period during which the period of waiting began) to wait in the lengths of roads referred to in that Article for a period 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).

PART IX

Contraventions

- 1 (1) If a vehicle is left in contravention of an 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 X

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 the 4th day of April 2016 and may be cited as The Borough Council of Gateshead (Wellington Street, Gateshead) (Cycle Improvements) Traffic Regulation Order 2015.

Given under the Common Seal of the Borough Council of Gateshead this 29th day of March 2016.

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



Mayor *Chris Ebdon*

2016/151

Solicitor to the Council *M.E. H...*

SCHEDULE

No Waiting at Anytime

	Road Name	Description	Description
1.	Bottle Bank	(a) north east side	(i) from its junction with Bridge Street / Church Street in a south-easterly direction following the kerb line for 111.5 metres.
		(b) west side	(ii) from its junction with Bridge Street / Church Street in a south-easterly direction for 130 metres.
2.	Fletcher Road	(a) north-west side	(i) from junction with the west kerb line of Hudson Street in a westerly

			direction to its junction with the eastern kerb line of Worsdell Road.
		(b) South-east side	(i) from its junction with the west kerb line of Hudson Street in a westerly direction for 75 metres.
3.	Half Moon Lane	(a) north side	(i) from its junction with the southern kerb line of Wellington Street in a south-westerly direction for 11 metres.
		(b) south side	(i) from its junction with the southern kerb line of Wellington Street in a south-westerly direction to its junction with Hudson Street.
		(c) north-west side	(i) from its junction with the northern kerb line of Hudson Street in a north-easterly direction for 3.5 metres.
		(d) both sides	(i) from its junction with Mirk Lane to its junction with Hills Street.
		(e) both sides	(ii) from its junction with Wellington Street to its junction with Mirk Lane.
4.	High Level Road	(a) north side	(i) from its junction with Wellington Street in a westerly then south-westerly direction to its junction with Rabbits Bank Road.
		(b) south side	(i) from its junction with Wellington Street in a westerly then south-westerly direction to its junction with Worsdell Drive.
5.	Hills Street	(a) east side	(i) from its junction with Wellington Street in a north-easterly direction for 60 metres.
		(b) west side	(i) from its junction with Wellington Street in a north-easterly direction for 50.5 metres.
		(c) south side	(i) from its junction with Gateshead Highway in a south-westerly direction for 17.5 metres.
		(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.
6.	Hudson Street	(a) south side	(i) from its junction of its eastern kerb line with Fletcher Road in an easterly direction to its junction with Half Moon Lane.
		(b) west side	(i) from its junction with the southern kerb line of Wellington Road / High Level Road in a southerly direction to its junction with Fletcher Road.
		(c) east side	(i) from a point 38.5 metres south of its junction with Wellington Street in a southerly then easterly direction for a distance of 6 metres.

			(ii)from its junction with Wellington Street / High Level Road in a southerly direction for 10.5 metres.
		(d) north side	(i)from its junction with the northern kerb line of Half Moon Lane in a westerly direction for 3 metres.
7.	Wellington Street	(a) south-west side	(i)from its junction with Askew Road in a north-easterly then north-westerly direction to a point 11 metres west of the north-western kerb line of Half Moon lane.
		(b) north side	(i)from its junction with Askew Road in a north-easterly direction to its junction with High Level Road.
		(c) South side	(i)from a point 9 metres east of its junction with Hudson Street in a easterly direction for 12 metres.