

**THE BOROUGH COUNCIL OF GATESHEAD (WHITEWELL LANE, RYTON,
GATESHEAD) (WAITING AND PARKING RESTRICTIONS) TRAFFIC
REGULATION ORDER 2018**

The Borough Council of Gateshead (hereinafter referred to as “the Council”) in exercise of its powers under Sections 1(1), 2(1) to (3), 4(2), 32 of The Road Traffic Regulation Act 1984 (“the 1984 Act”) and Part IV of Schedule 9 to the 1984 Act and by virtue of the Traffic Management Act 2004 (“the 2004 Act”) and of all other enabling powers and after consultation with the Chief Constable of Northumbria Police in accordance with Part III of Schedule 9 to the 1984 Act hereby makes the following Order.

PART I

Definitions

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 2004 Act 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, Development, Public Protection and 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;

“parking bay” means any area within a parking place which is provided for the leaving of vehicles and is indicated by road markings compliant with The Traffic Signs Regulations and General Directions 2002;

“parking place” means a place on a length of road designated under this Order which is provided for the leaving of a vehicle and is indicated by road markings complaint with The Traffic Signs Regulations and General Directions 2002;

“penalty charge” means a charge set by the Council in accordance with the provisions of Section 77 and Schedule 9 of the 2004 Act and

Regulations made thereunder and in accordance with any guidance given by the Secretary of State;

“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;

“vehicle” means any motor car, motor cycle and invalid carriage having the same meaning respectively as in Section 136 of the 1984 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

Waiting Restrictions

No Waiting at Any Time

1. Save as provided in Part II Article 3 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 road specified in Schedule 1 to this Order.

No Waiting between 8am to 6pm Monday to Sunday (inclusive)

2. Save as provided in Part II Article 3 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 between the hours of 8am to 6pm Monday to Sunday (inclusive) in or on the lengths of road specified in Schedule 2 to this Order.

Exemptions

3. (1) Nothing in Part II Articles 1 and 2 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 II Articles 1 and 2 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 III

On Street Limited Waiting Bays

1. The lengths of road specified in Column 1 to Schedule 3 to this Order are hereby designated as a parking place for all vehicles under section 32 of the Act, subject to the provisions in this Order, operating Monday to Saturday (inclusive) during the hours of 8am to 6pm for a longer period than 30 minutes if a period of less than 1 hour has elapsed since the termination, during the said hours, of the last period of waiting by that vehicle on the same length of road, as specified in Columns 3 and 4 of that Schedule.
2. Save as provided in Part III Article 1 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 a vehicle to wait between the hours of 8am to 6pm Monday to Saturday (inclusive) in or on the lengths of road specified in Schedule 3 to this Order for a longer period than 30 minutes if a period of less than 1 hour 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. The lengths of road specified in Column 1 of Schedule 4 to this Order are hereby designated as a parking place for all vehicles under section 32 of the Act, subject to the provisions in this Order, operating Monday to Saturday (inclusive) during the hours of 8am to 6pm for a longer period than 20 minutes if a period of less than 40 minutes has elapsed since the termination, during the said hours, of the last period of waiting by that vehicle on the same length of road, as specified in Column 3 and 4 of that Schedule.
4. Save as provided in Part III Article 3 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 a vehicle to wait between the hours of 8am to 6pm Monday to Saturday (inclusive) in or on the lengths of road specified in Schedule 4 to this Order for a longer period than 20 minutes if a period of less than 40 minutes 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.
5. 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.
6. A civil enforcement officer as authorised by the Service Director, Development, Public Protection and Transport Strategy 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.

7. 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.
8. Any person suspending the use of a parking place or any part thereof in accordance with the provisions of Part III Articles 6 and 7 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.
9. For so long as a traffic sign prohibiting waiting is displayed in accordance with Part III Article 8 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.
10. 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.
11. 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.
12. Any person removing a vehicle or altering its position by virtue of Part III Articles 10 and 11 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.
13. 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.
14. Nothing in Part III Articles 1, 2, 3 and 4 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.
15. Nothing in Part III Articles 1, 2, 3 and 4 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).

PART IV

Revocations

1. In Schedule 19 'Prohibition of Waiting at Any Time', Item 82 relating to 'Grange Road, Ryton', Item 88 relating to 'Hexham Old Road, Ryton', Item 152 relating to 'Stargate Lane, Ryton' and Item 177 relating to 'Woodside Lane B6315 Ryton' of the Tyne and Wear County Council (The Metropolitan Borough of Gateshead) Traffic Regulation (Consolidation) Order 1982 are hereby revoked in their entirety.
2. In Schedule 24 'Prohibition of Waiting 8am to 6pm Any day', Item 27 relating to 'Whitewell Lane, Ryton' of the Tyne and Wear County Council (The Metropolitan Borough of Gateshead) Traffic Regulation (Consolidation) Order 1982 is hereby revoked in its entirety.
3. The Borough Council of Gateshead (Access Road to Parkfield Estate Ryton) (Prohibition of Waiting) Order 1991 is hereby revoked in its entirety.
4. The Borough Council of Gateshead (Woodside Lane) (No Waiting at Any Time) Order 2005 is hereby revoked in its entirety.

5. The Borough Council of Gateshead (Whitewell Lane Ryton) (Waiting Restrictions Amendment) Order 2007 is hereby revoked in its entirety.
6. The Borough Council of Gateshead (Woodside Lane) (Limited Waiting) Order 2007 is hereby revoked in its entirety.
7. The Borough Council of Gateshead (Main Road Ryton) (No Waiting At Any Time) Order 2007 is hereby revoked in its entirety.
8. The Borough Council of Gateshead (Tower Gardens Ryton) (Waiting Restrictions) Order 2013 is hereby revoked in its entirety.

PART V

Contraventions

1. (1) If a vehicle is left in contravention of any 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 VI

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 1984 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 1984 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 2018 and may be cited as The Borough Council of Gateshead (Whitewell Lane, Ryton, Gateshead) (Waiting and Parking Restrictions) Traffic Regulation Order 2018.

Given under the Common Seal of the Borough Council of Gateshead this day of
2018.

**THE COMMON SEAL OF THE BOROUGH
COUNCIL OF GATESHEAD**

was hereunto affixed in the presence of:-

Mayor

Solicitor to the Council

DRAFT

SCHEDULE 1
Prohibition of Waiting at Any Time

1	Grange Road	(i)east	(a) from the junction with Main Road in a southerly direction for a distance of 17 metres
		(ii)west	(a) from the junction with Main Road in a southerly direction for a distance of 10 metres
2	Hexham Old Road	(i)both	(a) from the junction with Main Road in a southerly direction for a distance of 60 metres
3	Lane Head	(i)both	(a) from the junction with Main Road in a north-easterly direction to the junction with Whitewell Lane for its entire length
4	Main Road	(i)north	(a) from a point 194 metres east of the junction with Blackhouse Lane in an easterly direction for a distance of 187 metres
			(b) from a point 63 metres east of the junction with Whitewell Lane in an easterly direction for a distance of 130 metres
			(c) from a point 55 metres east of the junction with Tower Gardens in an easterly direction for a distance of 19.5 metres
		(ii)south	(a) from the junction with Parsons Drive in a westerly direction for a distance of 42 metres
			(b) from a point 82 metres west of the junction with Parsons Drive in a westerly direction for a distance of 171 metres
			(c) from a point 59 metres west of the junction with Woodside Lane in an easterly direction for a distance of 87 metres
			(d) from the junction with Hexham Old Road in a westerly direction for a distance of 59 metres
5	Parkfield	(i)both	(a) from the junction with Main Road in a northerly direction for a distance of 22 metres
6	Parsons Drive	(i)west	(a) from the junction with Main Road in a southerly direction for a distance of 11 metres
7	Tower Gardens	(i)east	(a) from the junction with Main Road in a northerly direction for a distance of 27 metres
		(ii)south	(a) from a point 27 metres east of the junction with Whitewell Lane in an easterly direction for a distance of 14 metres
		(iii)west	(a) from the junction with Main Road in a northerly direction for a distance of 33 metres
8	Whitewell Lane	(i)east	(a) from the junction with Main Road in a northerly direction for a distance of 16 metres
			(b) from a point 49 metres north of the junction with Tower Gardens in a northerly direction for a distance of 19 metres
			(c) from the junction with Whitewell Lane in an easterly direction for a distance of 36 metres
			(d) from a point 7 metres north of the junction

			with Tower Gardens in a southerly direction for a distance of 65.5 metres
		(ii)west	(a) from the junction with Main Road in a northerly direction for a distance of 157 metres
9	Woodside Lane	(i)north-west	(a) from a point 172 metres north-east of the junction with Woodside Close in a north-easterly direction to the junction with Main Road
		(ii)south-east	(a) from the junction with Main Road in a south-easterly direction for a distance of 132 metres

SCHEDULE 2

No Waiting Monday to Sunday (inclusive) between the hours of 8am to 6pm

1.	Tower Gardens	(i)south side	(a) from its junction with Whitewell Lane in an easterly direction for a distance of 27 metres.
----	----------------------	---------------	---

SCHEDULE 3

On Street Limited Waiting Bay operating between the hours of 8am to 6pm Monday to Saturday (inclusive) for 30 minutes with no return in 1 hour

	Column 1 Road name	Column 2 Maximum number of parking bays within a parking place (if applicable)	Column 3 Hours of Operation	Column 4 Days of Operation
1.	Whitewell Lane (i) east side (a) from a point 50 metres south of the junction with Tower Gardens in a southerly direction for a distance of 20 metres.	4	8am to 6pm for a maximum period of 30 minutes with no return in 1 hour	Monday to Saturday (Inclusive)
2.	Woodside Lane (i) north-west side (a) from a point 138 metres north-east of the junction with Woodside Close in a north-easterly direction for a distance of 34 metres.	6	8am to 6pm for a maximum period of 30 minutes with no return in 1 hour	Monday to Saturday (Inclusive)

SCHEDULE 4

**On Street Limited Waiting Bay operating between the hours of 8am to 6pm
Monday to Saturday (inclusive) for 20 minutes with no return for 40 minutes**

	Column 1 Road name	Column 2 Maximum number of parking bays within a parking place (if applicable)	Column 3 Hours of Operation	Column 4 Days of Operation
1.	Main Road (i) south side (a) from a point 36 metres west of the junction with Woodside Lane in a westerly direction for a distance of 23 metres.	3	8am to 6pm for a maximum period of 20 minutes with no return in 40 minutes	Monday to Saturday (Inclusive)

DATED

2018

THE BOROUGH COUNCIL OF GATESHEAD

TRAFFIC REGULATION ORDER

relating to Whitewell Lane Waiting and Parking Restrictions

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

File Ref: CN/TS/938