

THE SOUTH TYNESIDE COUNCIL (ST JOSEPHS' RC VA SCHOOL)
(PROHIBITION OF STOPPING) ORDER 2007

The Council of the Borough of South Tyneside ("the Council") in exercise of its powers under Sections 1(1), 2(1) and (2) of the Road Traffic Regulation Act 1984 ("the Act") and under the Road Traffic (Permitted Parking Area and Special Parking Area) (Metropolitan Borough of South Tyneside) Order 2006 and all other enabling powers, and after consultation with the Chief Constable of Northumbria Police in accordance with Part III of Schedule 9 to the Act, hereby makes the following Order:

1. This Order may be cited as "The South Tyneside Council (St Josephs' RC VA School) (Prohibition of Stopping) Order 2007" and shall come into operation on 16 November 2007.

2. In this Order:-

"parking attendant" means a person authorised by or on behalf of the Council under Section 63A of the Act to supervise and enforce the restrictions imposed by this Order;

"penalty charge" and "reduced penalty charge" mean a charge set by the Council under the provisions of Section 74 of the Road Traffic Act 1991 as applied and modified by the Road Traffic (Permitted Parking Area and Special Parking Area) (Metropolitan Borough of South Tyneside) Order 2006 in accordance with guidance given by the Secretary of State for Transport which is to be paid in the manner

described in the penalty charge notice within 28 days of the date of the notice or 14 days of the date of the notice in the case of a reduced penalty charge; and

“penalty charge notice” means a notice issued by a parking attendant pursuant to the provisions of Section 66 of the Road Traffic Act 1991 as applied and modified by the Road Traffic (Permitted Parking Area and Special Parking Area) (Metropolitan Borough of South Tyneside) Order 2006.

3. Save as provided in Article 4 of this Order, no person shall cause or permit any vehicle to stop, including for the purpose of loading or unloading the vehicle, on any part of the length of the road specified in Schedule 1 to this Order at any time between the hours of 8.00am and 5.00pm on Mondays to Fridays, except upon the direction of, or with the permission of, a parking attendant.

4. Subject to Article 5, nothing in Articles 3 of this Order shall apply to prohibit a person from causing or permitting a vehicle to wait on any part of the specified roads for so long as may be necessary:-

(i) to enable that vehicle to be used for police, ambulance or fire brigade purposes;

(ii) to enable that vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the services of, or otherwise authorised by, the Council or a water undertaker or sewerage

undertaker or the Environment Agency in pursuance of statutory powers or duties;

(iii) to enable that vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations, namely:-

(a) any building operation or demolition;

(b) the removal of any obstruction to traffic;

(c) the maintenance, improvement or reconstruction of the road;

(d) the laying, erection, alteration or maintenance in or near the road of any sewer, main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in paragraph 1(1) of the Telecommunications Code contained in Schedule 2 to the Telecommunications Act 1984;

(iv) to enable that vehicle, if it is in the service of the Post Office, to be used for the purpose of delivering or collecting postal packets as defined in Section 125 of the Postal Services Act 2000

(v) to enable that vehicle to be used in connection with any wedding or funeral;

(vi) where the person in control of the vehicle is required by law to stop;

(vii) where the person in control of the vehicle is obliged to stop in order to avoid an accident; or

(viii) where the person in control of the vehicle is prevented from proceeding by circumstances outside his or her control.

5. Notwithstanding Article 4, the driver of a vehicle shall move the same on the instruction of a police constable in uniform or a parking attendant whenever such moving may be reasonably necessary for the purpose of preventing obstruction.

6. If a vehicle waits or stops at any time in contravention of any provision of this Order, a penalty charge shall be payable.

7. In the case of a vehicle in respect of which a penalty charge is payable, a penalty charge notice showing the information required by Section 66 of the Road Traffic Act 1991 as applied and modified by the Road Traffic (Permitted Parking Area and Special Parking Area) (Metropolitan Borough of South Tyneside) Order 2006 may then be issued by a parking attendant in accordance with the requirements of Section 66 of that Act.

DATED 8 November 2007

THE COMMON SEAL OF THE COUNCIL
OF THE BOROUGH OF SOUTH TYNESIDE

was hereunto affixed in the presence of:-

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Head of Corporate Governance/Corporate

Legal Manager

SCHEDULE 1

PARTS OF ROADS SUBJECT TO ARTICLE 3

No Stopping on School Entrance Markings, Monday to Friday, 8.00 am to 5.00pm

Length of Road in Hebburn

Mill Lane

- (i) South side from a point 30m east of a point in line with its westerly junction with Crawley Avenue, for a distance of 34 metres in a easterly direction
- (ii) South side from a point 182 metres east of a point in line with its westerly junction with Crawley Avenue for a distance of 30 metres in a easterly direction