

**THE SOUTH TYNESIDE COUNCIL (MCANANY AVENUE, SOUTH  
SHIELDS) (PROHIBITION AND RESTRICTION  
OF WAITING, LOADING AND UNLOADING) 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 (McAnany Avenue, South Shields) (Prohibition and Restriction of Waiting, Loading and Unloading) Order 2007” and shall come into operation on 19 November 2007.
2. The Order listed in column 1 of Schedule 6 to this Order are revoked to the extent indicated in column 2 in relation to that Order.
3. 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.

“public service vehicle” has the same meanings as in The Public Passenger Vehicles Act 1981

#### Restrictions on Waiting

4. Save as provided in Article 10 of this Order, no person shall cause or permit any vehicle to wait on any part of the lengths of any of the roads specified in Schedule 1 to this Order at any time on any day, except upon the direction of, or with the permission of, a parking attendant.
  
5. Save as provided in Article 10 of this Order, no person shall cause or permit any vehicle to wait on any part of the lengths of any of the roads specified in Schedule 2 to this Order at any time between the hours of 8.30am and 4.00 pm on Mondays to Fridays, except upon the direction of, or with the permission of, a parking attendant.

#### No Waiting and Prohibition of Loading and Unloading

6. Save as provided in Article 10 of this Order, no person shall cause or permit any vehicle to wait including for the purpose of loading or unloading the vehicle on any part of the lengths of any of the roads specified in Schedule 3 to this Order at any time on any day, except upon the direction of, or with the permission of, a parking attendant.

#### School Keep Clear

7. Save as provided in Article 10 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 4 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.

### Bus Stop Clearway

8. In this part of this Order:  
“ specified road” means the length of road specified in Schedule 5 to this Order.  
“prohibited area” means all that area of a specified road which is comprised within and indicated by a road marking complying with either Diagram 1025.1 or Diagram 1025.3 in Schedule 6 to the Traffic Signs Regulations and General Directions 2002.
  
9. Save as provided in Article 10 of this Order, no person shall cause or permit any vehicle other than a public service vehicle, to wait, including for the purpose of loading or unloading the vehicle, in any prohibited area at any time on any day, except upon the direction of, or with the permission of, a parking attendant.
  
10. Subject to Article 11, nothing in Articles 4,5,6,7, and 9 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:-
  - a. to enable that vehicle to be used for police, ambulance or fire brigade purposes;
  - b. 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;
  - c. 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:-
    - i. any building operation or demolition;
    - ii. the removal of any obstruction to traffic;

- iii. the maintenance, improvement or reconstruction of the road;
- iv. 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;
- d. 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
- e. to enable that vehicle to be used in connection with any wedding or funeral;
- f. where the person in control of the vehicle is required by law to stop;
- g. where the person in control of the vehicle is obliged to stop in order to avoid an accident; or
- h. where the person in control of the vehicle is prevented from proceeding by circumstances outside his or her control.

11. Notwithstanding Article 10, 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.

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

13. 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:-

.....  
Head of Corporate Governance/Corporate  
Legal Manager

**SCHEDULE 1  
PARTS OF ROADS SUBJECT TO ARTICLES 4**

**No Waiting at any time on any day**

Length of Road in South Shields

McAnany Avenue

- (i) East Side – from the northern kerbline of the unnamed road south of 16 Hathersage Gardens, in a northerly direction, to a point 8 metres north of the northern kerbline of the unnamed road south of Hathersage Gardens.
- (ii) East Side – from the southern kerbline of the unnamed road south of 16 Hathersage Gardens in a southerly direction, to a point 10 metres south of the southern kerbline of the unnamed roads south of 16 Hathersage Gardens.

The unnamed road south of Hathersage Gardens

- (i) North Side – from the easter kerbline of McAnany Avenue, in an easterly direction, for a distance of 10 metres.
- (ii) South Side – from the easter kerbline of McAnany Avenue, in an easterly direction, for a distance of 33 metres

The unnamed road at the rear of 1 to 21 (odd numbers), Hollingside Way

- (i) North Side – from the eastern kerbline of McAnany Avenue, in an easterly direction, for a distance of 102 metres.
- (ii) South Side – from the eastern kerbline of McAnany Avenue, in an easterly direction, for a distance of 16 metres.

**SCHEDULE 2  
PARTS OF ROADS SUBJECT TO ARTICLE 5**

**No Waiting, Monday to Friday, 8.30 am to 4.00pm**

Length of Road in South Shields

McAnany Avenue

- (i) East Side – from a point 18 metres south of the southern kerbline of the unnamed road at the rear of 1 to 21 (odd numbers), Hollingside Way, in a southerly direction, to a point 8 metres north of the northern kerbline of the unnamed road south of Hathersage Gardens.
- (ii) East Side – from a point 10 metres south of the southern kerbline of the unnamed road south of Hathersage Gardens in a southerly direction to a point 6 metres to the southern boundary of number 22 Bonsall Court.

The unnamed road at the rear of 1 to 21 (odd numbers), Hollingside Way

- (i) South Side – from a point 16 metres east of the eastern kerbline of McAnany Avenue, in an easterly direction, for a distance of 103 metres.

**SCHEDULE 3  
PARTS OF ROADS SUBJECT TO ARTICLE 6**

**No Waiting and Prohibition of Loading and Unloading at any time on any day**

Length of Road in South Shields

McAnany Avenue

- (i) West Side – from its junction with Harton Lane in a south westerly direction for a distance of 25 metres.
- (ii) West Side – from a point 10 metres north of the northern kerbline of the unnamed road at the rear of 1 to 21 (odd

- numbers), Hollingside Way in a south easterly direction to a point 2 metres west of the west boundary wall of 43 Bonsall Court.
- (iii) East Side – from its junction with Harton Lane in a south easterly direction for a distance of 64 metres
  - (iv) East Side – from the northern kerbline of the unnamed road at the rear of 1 to 21 (odd numbers), Hollingside Way in a northerly direction to a point 11 metres north of the northern kerbline of the unnamed road at the rear of 1 to 21 (odd numbers), Hollingside Way.
  - (v) East Side – from the southern kerbline of the unnamed road at the rear of 1 to 21 (odd numbers), Hollingside Way in a southerly direction to a point 18 metres south of the southern kerbline of the unnamed road at the rear of 1 to 21 (odd numbers) Hollingside Way
  - (vi) East Side – from a point 6 metres south of the southern boundary wall of number 22 Bonsall Court, in a southerly direction to a point 2 metres west of the west boundary wall of number 43 Bonsall Court.

#### **SCHEDULE 4**

#### **PARTS OF ROADS SUBJECT TO ARTICLE 7**

#### **School 'Keep Clear', Monday to Friday 8.00am to 5.00pm**

Length of Road in South Shields

McAnaney Avenue

- (i) East Side – from a point 70 metres south west of its junction with Harton Lane in a south westerly direction for a distance of 32 metres.
- (ii) East Side – from a point 133.5 metres south west of its junction with Harton Lane in a south westerly direction for a distance of 26 metres.
- (iii) East Side – from a point 187.5 metres south west of its junction with Harton Lane in a south westerly direction for a distance of 26 metres.

**SCHEDULE 5**  
**PARTS OF ROADS SUBJECT TO ARTICLE 9**  
**Bus Stop 'Clearway' at any time on any day**

Length of Road in South Shields  
McAnany Avenue

- (i) Both sides – from its junction with Harton Lane in a south westerly direction, to its westerly junction with Calver Court.

**SCHEDULE 6**  
**REVOCATIONS IN PART**

<b>Column 1</b> <b>Order Title</b>	<b>Column 2</b> <b>Extent of Revocation (Items to be revoked)</b>
<b>THE SOUTH TYNESIDE COUNCIL (CONSOLIDATION) (NO. 3) (PROHIBITION AND RESTRICTION OF WAITING) ORDER 2007</b>	<p>Item 187 Schedule 1.01 (page 68 – No Waiting at Any Time, McAnany Avenue South Shields, both sides)</p> <p>Item 59 Schedule 3.01 (page 214 – No loading at Any Time, McAnany Avenue South Shields, both sides)</p>