

THE CITY OF SUNDERLAND (SUNNISIDE AREA)  
TRAFFIC ORDER 2010

THE CITY OF SUNDERLAND ("the Council") in exercise of its sections 1, 2, 4, 32, 35 and 122 of the Road Traffic Regulation Act ("the Act") and Part IV of Schedule 9 to the Act and of all other powers it has in that behalf and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act and with the persons and organisations specified in the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 hereby makes the following Order:-

1.(1) In this Order:-

"bay" means a space in a parking place which is provided for the leaving of a vehicle;

"civil enforcement officer" means a person authorised by or on behalf of the Council to supervise and enforce any restrictions imposed by this Order;

"disabled person's badge" has the same meaning as in Regulation 3 of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"driver" in relation to a vehicle waiting in a parking place, means the person driving the vehicle at the time it was left in the parking place;

"hackney carriage" means a vehicle licensed under –

- (i) Section 37 of the Town Police Clauses Act 1847; or
- (ii) Section 6 of the Metropolitan Public Carriage Act 1869;

"parking disc" has the same meaning as in Regulation 8(5) of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"parking place" means any part of a road authorised by an Order made under the Act to be used as a parking place;

"relevant position" means:-

- (a) in the case of a disabled person's badge –
  - (i) where a vehicle is fitted with a dashboard or fascia, the badge is exhibited on the dashboard or fascia, or
  - (ii) where a vehicle is not fitted with a dashboard or fascia, the badge is exhibited in a conspicuous position on the vehicle

so that the front of the badge is clearly legible from the outside of the vehicle; and

(b) in the case of a parking disc –

- (i) the disc is exhibited on the dashboard or fascia of the vehicle; or
- (ii) where the vehicle does not have a dashboard or fascia, the disc is exhibited in a conspicuous position on the vehicle

so that, when marked to show the quarter-hour period during which a period of waiting began, that period is clearly legible from the outside of the vehicle;

(c) in the case of a waiver certificate issued under paragraph 3(5) of this Order:-

- (i) where a vehicle is fitted with a dashboard or fascia, the waiver certificate is exhibited on the dashboard or fascia; or
- (ii) where a vehicle is not fitted with a dashboard or fascia, the waiver certificate is exhibited in a conspicuous position on the vehicle

so that the front of the waiver certificate showing the serial number and registration number is clearly legible from the outside of the vehicle;

"telecommunications apparatus" has the same meaning as in paragraph 1(1) of Schedule 2 to the Telecommunications Act 1984;

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

"universal service provider" and "provision of a universal postal service" have the same meanings as in the Postal Services Act 2000;

"waiver certificate" means a certificate issued by or on behalf of the Council permitting a specified vehicle to wait in specified circumstances on a side or sides of road where the waiting of that vehicle would otherwise be restricted or prohibited.

- (2) In Schedules 1, 2, 3, 4 and 5 of this Order the measurements identifying the commencement point of the lengths of road are taken from the intersection of the extended kerblines of the roads referred to within the items except where otherwise provided.
- (3) In this Order the masculine includes the feminine and vice versa.

## PROHIBITION OF WAITING

2. Save as provided in Article 3 of this Order no person shall, except upon the direction or with the permission of a police constable or civil enforcement officer in uniform, cause or permit any vehicle to wait at any time in the sides of road specified in Schedule 1 to this Order.
- 3.(1) Nothing in Article 2 of this Order shall render it unlawful to cause or permit any vehicle to wait in the sides of road referred to therein for so long as may be necessary to enable:-
  - (a) the picking up and setting down of passengers;
  - (b) loading and unloading PROVIDED THAT this sub-paragraph 3(1)(b) shall not apply so as to exempt any person from any prohibition contained in Articles 4 and 5 of this Order unless the vehicle is a vehicle of a universal service provider engaged in the provision of a universal postal service;
  - (c) the 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) building or demolition operations;
    - (ii) the removal of any obstruction to traffic;
    - (iii) the maintenance, improvement or reconstruction of a road;
    - (iv) the laying, erection, alteration or maintenance in or on land adjacent to the said roads of any sewer, main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus;
  - (d) 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 powers or duties;
  - (e) the vehicle to be used by a universal service provider in the provision of a universal postal service;
- (2) Nothing in Article 2 of this Order shall apply to a vehicle being used for police, fire and rescue service or ambulance purposes.
- (3) Nothing in Article 2 of this Order shall render it unlawful to cause or permit the following vehicles to wait:-
  - (i) a hackney carriage waiting at a duly authorised hackney carriage rank;

- (ii) a vehicle waiting in a parking place duly authorised by an Order made under the Act provided that the vehicle is parked in accordance with the provisions of such an Order.
- (4) Nothing in Article 2 of this Order shall render it unlawful to cause or permit a vehicle which displays in the relevant position a disabled person's badge and a parking disc marked to show the quarter-hour period during which the period of exempted waiting began, to wait in the sides of road referred to in Schedule 1 to this Order 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 road on the same day)  
PROVIDED THAT nothing in this paragraph shall apply so as to exempt any person from the prohibition contained in the said Article 2 in the sides of road specified in Schedules 2 and 3 of this Order during the times when a prohibition of loading and unloading is in operation.
- (5) Nothing in Articles 2, 4 and 5 of this Order shall render it unlawful for a vehicle to wait in any of the sides of road specified in Schedules 1, 2 and 3 to this Order if an application has been made to the Council under this Article 3(5) and the application has been granted by the Council. The following shall apply to applications made under this Article 3(5):-
  - (a) any such application shall be on a form issued by and obtainable from the Council and shall include the particulars required by such form;
  - (b) on receipt of an application made under this Article 3(5) following consideration of the application, the Council may issue a waiver certificate to the applicant which shall allow the vehicle specified on the waiver certificate to wait on such sides of road and on such days and during such hours as are specified on the waiver certificate;
  - (c) at all times whilst the vehicle is waiting in accordance with the provisions of the waiver certificate, the waiver certificate shall be displayed in the relevant position.

#### PROHIBITION OF LOADING AND UNLOADING

- 4. No person shall, except upon the direction or with the permission of a police constable or civil enforcement officer in uniform, cause or permit any vehicle to wait at any time for the purpose of enabling goods to be loaded onto or unloaded from the vehicle, in any of the sides of road specified in Schedule 2 to this Order unless the vehicle is a vehicle of a universal service provider engaged in the provision of a universal postal service.
- 5. No person shall, except upon the direction or with the permission of a police constable or civil enforcement officer in uniform, cause or permit any vehicle to wait for the purpose of enabling goods to be loaded onto or unloaded from the vehicle, in any of the sides of road specified in Schedule 3 to this Order, between the hours of 10.00 a.m. and 3.00 p.m. on any day unless the

vehicle is a vehicle of a universal service provider engaged in the provision of a universal postal service.

#### AUTHORISATION AND USE OF PARKING PLACES

6. (1) Each of the parts of road specified in Column 1 of Schedules 4 and 5 to this Order is authorised to be used, subject to the following provisions of this Order, as a parking place for such classes of vehicles, for such purposes, in such positions, on such days and during such hours as are specified in relation to that part of road in the said Schedules 4 and 5.
- (2) The area and situation of each parking place shall be determined by the Council and the limits thereof shall be indicated by the Council on the carriageway by appropriate traffic signs.
7. (1) (a) Where, by virtue of Article 6(1) above and Schedule 5 to this Order, a parking place is described as being available for vehicles loading and unloading and picking up and setting down passengers, the driver of a vehicle shall not permit it to wait in that parking place unless it is engaged in loading and unloading or picking up and setting down passengers or for longer than is necessary to do so.
- (b) Nothing in Article 7(1)(a) above shall render it unlawful for a vehicle which displays in the relevant position a disabled person's badge and a parking disc marked to show the quarter-hour period during which the period of exempted waiting began, to wait in the parking places referred to in Article 7(1)(a) above 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 road on the same day).
- (2) Where, by virtue of Article 6(1) above and Schedules 4 and 5 to this Order, a parking place is described as available for vehicles of a specified class in a specified position, the driver of a vehicle shall not permit it to wait in that parking place (a) unless it is of a specified class and (b) in a position other than that specified.
8. The driver of a vehicle shall not use a parking place so unreasonably as to prevent access to any premises adjoining the road or the use of the road by other persons, or as to be a nuisance.
9. The driver of a vehicle using a 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.
10. No person shall use a vehicle while it is in a 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 skills or services.



11. Subject to the proviso hereto, when a vehicle is left in a parking place in contravention of any of the provisions contained in Articles 6, 7, 8, 9 and 10 of this Order a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from that parking place; PROVIDED THAT when a vehicle is waiting in a parking place in contravention of the provisions of Article 7(2)(b) 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.
12. Any person removing a vehicle or altering its position by virtue of the last preceding Article of this Order may do so by towing or driving the vehicle or in such other manner as they may think necessary and may take such measures in relation to the vehicle as they may think necessary to enable them to remove it or alter its position, as the case may be.
13. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of Article 11 of this Order, they shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.

#### Power to suspend Parking Place

- 14.(1) Any person duly authorised by the Council may suspend the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary:-
  - (a) for the purpose of facilitating the movement of traffic or promoting its safety;
  - (b) for the purpose of any building operation, demolition or excavation in or adjacent to the parking place or the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration, removal or repair in or adjacent to the parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus or traffic sign;
  - (c) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; and
  - (d) for the convenience of occupiers of premises adjacent to the parking place.
- (2) A police constable in uniform may suspend for not longer than twenty-four hours the use of a 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 a parking place or any part thereof in accordance with the provisions of paragraph (1) or paragraph (2) of this Article shall thereupon place or cause to be placed in or adjacent to any part

of the parking place, the use of which is suspended, a sign indicating that waiting by vehicles is prohibited.

- (4) No person shall cause or permit a vehicle to wait in any part of a parking place during such period as there is in or adjacent to that part of the parking place a sign placed in pursuance of paragraph (3) of this Article.
- (5) Nothing in the foregoing provisions of this Article shall render it unlawful to cause or permit any vehicle to wait in any part of a parking place, if the use of that part has been suspended, for so long as may be necessary to enable:-
  - (a) a person to board or alight from the vehicle;
  - (b) the vehicle to be used in connection with the removal of any obstruction to traffic;
  - (c) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in pursuance of statutory powers or duties;
  - (d) the vehicle, being a vehicle of a universal service provider, to be used in the provision of a universal postal service; or
  - (e) the vehicle to be used for fire brigade, ambulance or police purposes.

#### REVOCATION AND VARIATION

15. (1) The Orders specified in Column 1 of Schedule 6 to this Order are hereby revoked to the extent specified in Column 2 of the said Schedule but in all other respects the said Orders shall remain in full force and effect.
- (2) The City of Sunderland (On-Street Parking Places) Review Order 2006 as amended is hereby further varied by the deletion from the Schedule thereto of the items specified in Part 1 of Schedule 7 to this Order and the addition by way of replacement of the items specified in Part 2 of the said Schedule 7.
16. If any existing Order or Orders whose provisions conflict with any of the provisions of this Order and the Schedules hereto has or have not been revoked by this Order or any other Order then such conflicting Order or Orders are hereby revoked to the extent that their provisions conflict with this Order.

#### SUPPLEMENTARY PROVISIONS

17. The 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.

18. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

#### COMMENCEMENT

19. This Order shall come into force on 1st September, 2010 and may be cited as The City of Sunderland (Sunniside Area) Traffic Order 2010.



## SCHEDULES

1. Prohibition of Waiting At Any Time
2. Prohibition of Loading and Unloading At any Time
3. Prohibition of Loading and Unloading All Days 10am-3pm
4. Parking Place (Disabled Bays) All Days All Hours
5. Parking Place (Loading Bay) Monday to Saturday, 8am-6pm
6. Revocations
7. (Part 1) Items to be deleted from the City of Sunderland (On-Street Parking Places) (Review) Order 2006  
  
(Part 2) Items to be added to the City of Sunderland (On-Street Parking Places) (Review) Order 2006

## **SCHEDULE 1**

### **PROHIBITION OF WAITING AT ANY TIME**

#### **Sides of Road**

##### **Norfolk Street**

- (i) both sides from its intersection with the extended southern building line of number 10 Norfolk Street to its intersection with the extended southern kerbline of Coronation Street
- (ii) the east side from its intersection with the extended southern building line of number 5 Norfolk Street to its northern extent
- (iii) the east side from its intersection with the extended southern building line of number 5 Norfolk Street to its intersection with the extended southern building line of number 10 Norfolk Street
- (iv) the east side from its intersection with the extended southern kerbline of Coronation Street to its southern extent
- (v) the west side from its intersection with the extended southern building line of number 10 Norfolk Street to its intersection with the extended southern building line of number 5 Norfolk Street
- (vi) the west side from its intersection with the extended southern kerbline of Coronation Street to its southern extent
- (vii) the west side from its intersection with the extended southern building line of number 5 Norfolk Street to its northern extent

##### **Saint Thomas Street**

- (i) both sides from its intersection with the western highway boundary of Fawcett Street to its western extent
- (ii) the north side from its intersection with the extended western highway boundary of John Street to its intersection with the extended eastern building line of 17 Saint Thomas Street
- (iii) the north side from its intersection with the extended western building line of 'Refuge Buildings, West Sunnside' to its eastern extent
- (iv) the north side from its intersection with the eastern highway boundary of Fawcett Street to its intersection with the extended eastern building line of 17 Saint Thomas Street

- (v) the north side from its intersection with the extended eastern highway boundary of John Street to its intersection with the extended eastern kerbline of Frederick Road
- (vi) the north side from its intersection with the extended western building line of 'Refuge Buildings, West Sunnside' to its intersection with the extended eastern kerbline of Frederick Street
- (vii) the north side from its intersection with the extended eastern kerbline of Frederick Road to its intersection with the extended eastern kerbline of Frederick Street
- (viii) the south side from its intersection with the extended western highway boundary of John Street to its intersection with the extended eastern building line of 10 Saint Thomas Street
- (ix) the south side from its intersection with the extended eastern kerbline of Frederick Street to its intersection with the extended western building line of 21 Frederick Street
- (x) the south side from its intersection with the extended western building line of 40 West Sunnside to its eastern extent
- (xi) the south side from its intersection with the eastern highway boundary of Fawcett Street to its intersection with the extended eastern building line of 10 Saint Thomas Street
- (xii) the south side from its intersection with the extended eastern highway boundary of John Street to its intersection with the extended western building line of 21 Frederick Street
- (xiii) the south side from its intersection with the extended eastern kerbline of Frederick Street to its intersection with the extended western building line of 40 West Sunnside

#### **West Sunnside**

- (i) both sides from its intersection with the extended northern building line of 40 West Sunnside to its southern extent
- (ii) the east side from its intersection with the extended northern building line of 48 West Sunnside to its northern extent
- (iii) the east side from its intersection with the extended northern building line of 40 West Sunnside to its intersection with the extended northern building line of 48 West Sunnside
- (iv) the west side from its intersection with the extended northern building line of 40 West Sunnside to its intersection with the extended northern building line of 48 West Sunnside
- (v) the west side from its intersection with the extended northern building line of 48 West Sunnside to its northern extent

## **SCHEDULE 2**

### **PROHIBITION OF LOADING AND UNLOADING AT ANY TIME**

#### **Sides of Road**

##### **Norfolk Street**

- (i) both sides from its intersection with the extended southern kerbline of Coronation Street for a distance of 90 metres in a southerly direction
- (ii) both sides from a point 17.2 metres south of its intersection with the extended northern building line of number 11 Norfolk Street to its intersection with the extended southern kerbline of Coronation Street

##### **West Sunnside**

- (i) both sides from its intersection with the extended northern building line of 48 West Sunnside to its intersection with the extended northern building line of 40 West Sunnside
- (ii) both sides from its intersection with the extended northern building line of 40 West Sunnside to its intersection with the extended eastern building line of number 28 West Sunnside
- (iii) both sides from its intersection with the extended northern building line of 48 West Sunnside to its northern extent

### **SCHEDULE 3**

#### **PROHIBITION OF LOADING AND UNLOADING ALL DAYS** **10.00 A.M. TO 3.00 P.M.**

##### **Sides of Road**

##### **Norfolk Street**

- (i) both sides from a point 17.2 metres south of its intersection with the extended northern building line of number 11 Norfolk Street to its intersection with the extended southern building line of number 10 Norfolk Street
- (ii) both sides from its intersection with the extended southern building line of number 5 Norfolk Street to its northern extent
- (iii) both sides from its intersection with the extended southern building line of number 10 Norfolk Street to its intersection with the extended southern building line of number 5 Norfolk Street

##### **Saint Thomas Street**

- (i) both sides from its intersection with the extended western highway boundary of Fawcett Street to its western extent
- (ii) the north side from its intersection with the extended western highway boundary of John Street to its intersection with the extended eastern building line of 17 Saint Thomas Street
- (iii) the north side from its intersection with the eastern highway boundary of Fawcett Street to its intersection with the extended eastern building line of 17 Saint Thomas Street
- (iv) the north side from its intersection with the extended eastern highway boundary of John Street to its intersection with the extended eastern kerbline of Frederick Road
- (v) the north side from its intersection with the extended western building line of 'Refuge Buildings, West Sunnside' to its intersection with the extended eastern kerbline of Frederick Street
- (vi) the north side from its intersection with the extended western building line of 'Refuge Buildings, West Sunnside' to its eastern extent



- (vii) the north side from its intersection with the extended eastern kerbline of Frederick Road to its intersection with the extended eastern kerbline of Frederick Street
- (viii) the south side from its intersection with the extended western highway boundary of John Street to its intersection with the extended eastern building line of 10 Saint Thomas Street
- (ix) the south side from its intersection with the extended eastern kerbline of Frederick Street to its intersection with the extended western building line of 21 Frederick Street
- (x) the south side from its intersection with the extended western building line of 40 West Sunnyside to its eastern extent
- (xi) the south side from its intersection with the eastern highway boundary of Fawcett Street to its intersection with the extended eastern building line of 10 Saint Thomas Street
- (xii) the south side from its intersection with the extended eastern highway boundary of John Street to its intersection with the extended western building line of 21 Frederick Street
- (xiii) the south side from its intersection with the extended eastern kerbline of Frederick Street to its intersection with the extended western building line of 40 West Sunnyside

#### SCHEDULE 4

#### PARKING PLACES

##### (Disabled Bays)

Part of Road Authorised to be used as a Parking Place	Classes of Vehicle Permitted to use Parking Place	Purpose for which parking place may be used	Position in which vehicles may wait	Hours of operation of Parking Place	Days of operation of Parking Place
1	2	3	4	5	6
<u>Folk Street</u>					
East side from a point 9 metres south of the ended northern property boundary of 197 High Street west for a distance of 9 metres in a southerly direction.	Vehicle displaying a disabled person's badge.	Waiting	Within the limits of a marked bay and parallel to the kerb.	All hours	All days.

#### SCHEDULE 5

#### PARKING PLACES

##### (Loading Bays)

Part of Road Authorised to be used as a Parking Place	Classes of Vehicle Permitted to use Parking Place	Purpose for which parking place may be used	Position in which vehicles may wait	Hours of operation of Parking Place	Days of operation of Parking Place
1	2	3	4	5	6
<u>Thomas Street</u>					
West side from a point 9 metres west of a section with the ended eastern building number 54 Fawcett for a distance of 9 metres in a westerly direction.	All	Loading and unloading and picking up and setting down passengers	Within the limits of a marked bay and parallel to the kerb.	8.00 a.m. to 6.00 p.m.	Monday to Saturday (inclusive)

## SCHEDULE 6

### REVOCATIONS

#### Column 1

##### 1. Title of Order

The City of Sunderland (South Sunderland Area) (Waiting and Loading and Parking Places) (Consolidation) Order 2003.

#### Column 2

##### Extent of Revocation

##### Schedule 1 (Waiting Restrictions)

Item Nos. 175, 176, 177 (relating to Norfolk Street)

Item Nos. 259, 260, 261 (relating to Saint Thomas Street)

Item No. 331 (relating to West Sunnyside)

##### Schedule 7 (Parking Bays)

Item No. 485 (relating to Norfolk Street)

Item Nos. 415, 416, 416A, 416B, 417, 417A, 504, 505 (relating to Saint Thomas Street)

##### Schedule 8 (Loading Bays)

Item No. 579 (relating to Saint Thomas Street)

## SCHEDULE 7

### PART 1

Items to be deleted from the Schedule to The City of Sunderland (On-Street Parking Places) Review Order 2006.

Item No. 8 (relating to Norfolk Street)

Item Nos. 10 and 11 (relating to Saint Thomas Street)

Item Nos. 17 and 18 (relating to West Sunnyside)

### PART 2

Items to be added to the Schedule to The City of Sunderland (On-Street Parking Places) Review Order 2006.

<u>Item No.</u>	<u>Description of Parking Place</u>	<u>Maximum Period for which vehicle(s) may wait</u>	<u>Charges during chargeable hours (Mon.-Sat. excluding Christmas Day)</u>
8A	Norfolk Street  the east side from the extended party boundary of Nos. 6/7 Norfolk Street for a distance of 18.0 metres in a southerly direction.	All Day	70p per 30 mins. or part thereof
8B	Norfolk Street  the east side from a point 4.0 metres south of its intersection with the extended northern building line of No. 11 Norfolk Street for a distance of 13.2 metres in a southerly direction.	All Day	70p per 30 mins. or part thereof
17A	West Sunnyside  the west side from a point 11.0 metres north of the extended northern building line of 48 West Sunnyside for a distance of 10.3 metres in a northerly direction.	All Day	70p per 30 mins. or part thereof

<u>Item No.</u>	<u>Description of Parking Place</u>	<u>Maximum Period for which vehicle(s) may wait</u>	<u>Charges during chargeable hours (Mon.-Sat. excluding Christmas Day)</u>
18A	West Sunnyside  the west side from a point 5.0 metres south of the extended northern building line of 48 West Sunnyside for a distance of 52.0 metres in a southerly direction.	All Day	70p per 30 mins. or part thereof

Dated 24th August, 2010

THE SEAL OF THE COUNCIL OF  
THE CITY OF SUNDERLAND was  
hereunto affixed in the presence of:-

  
Authorised Signatory

SEAL NO. 50002A