

NORTHUMBERLAND COUNTY COUNCIL

TRAFFIC REGULATION ORDER

(Ref: TRO\_003)

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Northumberland County Council

North Northumberland (Central) Area (Waiting and Loading) Composite Order 2011

Made:

28/03 2011

Coming into Force: 01 August 2011

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Northumberland County Council (hereinafter referred to as "the Council") in exercise of their powers under Sections 1, 2 and 4 and Paragraphs 20 and 27 of Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act of 1984"), and after consulting with the Chief of Police in accordance with Part III of Schedule 9 to the Act of 1984 and of all other enabling powers hereby make the following Order:-

## PART I – PRELIMINARY

### 1. Commencement and Citation

This Order shall come into operation on the 01 August 2011 and may be cited as "Northumberland County Council North Northumberland (Central) Area (Waiting and Loading) Composite Order 2011".

### 2. Interpretation

In this Order, unless the context otherwise requires:

**"The 2000 Regulations"** means the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;

**"The 2002 Regulations"** means the Traffic Signs Regulations and General Directions 2002;

**"disabled person's badge"** has the same meaning as in the 2000 Regulations;

**"disabled persons vehicle"** has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

**"emergency vehicle"** means a vehicle as defined by regulation 3 of the Road Vehicles Lighting Regulations 1989 (SI 1989/1796);

**"driver"** has the same meaning as in Section 142 of the Act of 1984;

**"goods"** means goods of any kind whether animate or inanimate and includes postal packets of any description and "delivering" and "collecting" in relation to any goods includes checking the goods for the purpose of their delivery or collection;

**"junction"** means the first point of intersection of the kerb-lines of the streets referred to;

**"keep clear marking"** means the marking defined in the 2002 Regulations for the length of street defined in Schedule 4 to this Order;

**"licensed taxi"** has the same meaning as in Section 13 of the Transport Act 1985;

**"loading bay"** means Any length of road specified in Schedule 5 of this Order; as a Loading Bay.

**"permitted hours"** in relation to a Loading Bay or a Taxi Rank means the period specified in Schedule 6 of this Order referring to the corresponding time code description in column 6 of Schedule 5 and column 6 of Schedule 7 to this Order;

**"prescribed hours"** in relation to a street means the period specified in Schedule 6 of this Order referring to the corresponding time code in column 6 of Schedules 1,2,3 and 4 to this Order;

**"postal packet"** and **"universal service provider"** have the same meanings as in the Postal Services Act 2000

**“relevant position”** in respect of a disabled persons badge means the badge is exhibited in a conspicuous position clearly visible in the front or near side of the Vehicle;

**“road”** has the same meaning as in the Act of 1984;

**“schedule”** means a schedule to this Order;

**“street”** has the same meaning as in Section 48 of the New Roads and Street Works Act 1991;

**“taxi rank”** has the same meaning as in the 2002 Regulations;

**“telecommunication system”** has the same meaning as in 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 of 1984;

**“vehicle”** means a Vehicle constructed or adapted solely for use on a road and not drawing a trailer.

**“yellow line waiver”** means the waiver issued in accordance with Article 14

### **3. General**

- (1) The restrictions imposed by this Order shall be in addition to and not in derogation of any restrictions or requirements imposed by any Regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.
- (2) Where an Act of Parliament referred to in this Order or any Regulation Direction or Order made under it is repealed and new provisions enacted (with or without modifications) then the new provisions shall be substituted in this Order where relevant.
- (3) The Interpretation Act 1978 shall apply to this Order as it applies to an Act of Parliament.

## **PART II – WAITING, LOADING AND UNLOADING AND STOPPING RESTRICTIONS**

### **Section 1 – Restrictions**

#### **4. Waiting**

Save as provided in Articles 15, 16 and 18 of this Order, no person shall, except on the direction of or with the permission of a police constable in uniform or a traffic warden, or upon displaying a Yellow Line Waiver, cause or permit any Vehicle to wait on any length of road specified in Schedule 1 during the Prescribed Hours.

#### **5. Loading and unloading**

Save as provided in Articles 15 and 17 of this Order, no person shall, except on the direction of or with the permission of a police constable in uniform or a traffic warden, or upon displaying a Yellow Line Waiver, cause or permit any Vehicle to wait for loading unloading or any other purpose on any length of road specified in Schedule 2 during the Prescribed Hours.

#### **6. Clearways**

Save as provided in Article 15 of this Order, no person shall, except on the direction of or with the permission of a police constable in uniform or a traffic warden, cause or permit any Vehicle to stop on any length of road specified in Schedule 3 during the Prescribed Hours.

#### **7. Keep Clear Markings**

Save as provided in Article 15 of this Order, no person except on the direction of or with the permission of a police constable in uniform or a traffic warden, shall cause or permit any Vehicle to stop on any length of road specified in Schedule 4 during the Prescribed Hours.

#### **8. Loading Bays**

Save as provided in Articles 15 and 18 of this Order, no person, except upon the direction or permission of a police constable in uniform or a traffic warden, shall cause or permit any Vehicle to wait on any Loading Bay during the Permitted Hours except a Vehicle whilst Goods are being continuously loaded or unloaded from the Vehicle or are being delivered or collected from premises.

#### **9. Taxi Ranks**

Save as provided in Article 15 of this Order, no person, except upon the direction or permission of a police constable in uniform or a traffic warden, shall cause or permit any Vehicle to wait on any length of road specified in Schedule 7 during the Permitted Hours except a Licensed Taxi.

## **Section 2 – Use of Loading Bays**

### **10. Designation of a Loading Bay**

Any length of road defined in Schedule 5 as within the limits of the Loading Bay is hereby designated as a Loading Bay.

### **11. Manner of standing in a Loading Bay**

The Driver of a Vehicle waiting in a Loading Bay in accordance with the foregoing provisions of this Order shall cause it so to stand that every part of the Vehicle is within the limits of the Loading Bay.

## **Section 3 – Use of Taxi Ranks**

### **12. Designation of a Taxi Rank**

Any length of road specified in Schedule 7 as a Taxi Rank is hereby designated as a Taxi Rank.

### **13. Manner of standing in a Taxi Rank**

The Driver of a Licensed Taxi waiting in a Taxi Rank in accordance with the foregoing provisions of this Order shall cause it so to stand that every part of the Vehicle is within the limits of a Taxi Rank.

## **Section 4 – Waivers**

### **14. Yellow line waiver**

- (1) A person who intends to use a Vehicle for the purposes of loading or unloading, or in connection with the collection or delivery of Goods from or to premises, or in connection with any building operation, maintenance, improvement or repair in or adjacent to any road, or other operations or works to premises or land adjacent to a waiting or loading and unloading restriction defined in Articles 4 and 5 may apply to the Council for the issue of a Yellow Line Waiver.
- (2) Any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.
- (3) Upon receipt of an application duly made under the foregoing provisions of this Article, the Council upon being satisfied that it is reasonably necessary for the Vehicle to wait on a waiting or loading and unloading restriction, shall issue to the applicant one Yellow Line Waiver.
- (4) The form of the Yellow Line Waiver shall be as determined by the Council.

- (5) The Yellow Line Waiver shall be displayed on the front or nearside of the Vehicle so that all the particulars on that waiver are readily visible from the front or nearside of that Vehicle.
- (6) No person not being the Driver of the Vehicle shall remove the Yellow Line Waiver unless authorised to do so by the Driver of the Vehicle.

## PART III – EXCEPTIONS AND EXEMPTIONS

### 15. General Exceptions

Nothing in Articles 4, 5, 6, 7, 8 and 9 of this Order shall prohibit any person from causing or permitting any Vehicle to stop or wait for so long as may be necessary:

- (1) to enable an Emergency Vehicle or a Vehicle to be used for, Local Authority or Water or Sewerage Undertaker purposes when used in pursuance of statutory powers or duties;
- (2) if a Vehicle is waiting owing to the Driver being prevented from proceeding by circumstances beyond the control of the Driver or for such waiting to prevent an accident;
- (3) to enable a Vehicle to wait in the road in the taking in of petrol, oil, water or air, if such taking in cannot be effective unless the Vehicle waits where it is waiting.

### 16. Waiting exemptions

Nothing in Article 4 of this Order shall prohibit any person from causing or permitting any Vehicle to wait for so long as may be necessary:

- (1) to enable a person to board or alight from the Vehicle;
- (2) to deliver or to collect from or load or unload Goods at any premises fronting onto or adjacent to the parking place or length of road provided that no Vehicle so engaged shall wait for longer than a maximum of 30 minutes outside the same premises without the permission of a police constable in uniform.
- (3) to enable a Vehicle if it cannot conveniently be used for such purpose in any other road than those specified to be used in connection with any building operation, demolition or excavation in or adjacent to any length of road, as defined in the schedule, the removal of any obstruction to traffic in any road, the maintenance, improvement, reconstruction, cleansing or lighting of any road, the laying, erection, alteration or repair in or adjacent to any road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any telecommunication system, or the placing, maintenance or removal of any traffic sign, if the Vehicle cannot conveniently and lawfully be used for that purpose in any length of road affected or defined in Schedule 1 not being a restricted street or outside the prescribed hours;

### 17. Loading and Unloading Exemptions

Nothing in Article 5 of this Order shall prohibit any person from causing or permitting any Vehicle to stop or wait for so long as may be necessary:

- (1) to enable a Vehicle in the service of a universal service provider to wait:
  - (i) while postal packets addressed to premises adjacent to the road in which the Vehicle is waiting are being unloaded from the Vehicle or, having been unloaded therefrom, are being delivered; or



- (ii) while postal packets are being collected for loading on the Vehicle from premises or posting boxes adjacent to the road in which the Vehicle is waiting or, having been so collected, are being loaded thereon;

**18. Disabled Blue Badge Exemptions**

- (1) Nothing in Articles 4 and 8 of this Order shall apply to a Vehicle if the Vehicle is a disabled person's Vehicle and is displaying in the relevant position a disabled person's badge issued by a local authority in accordance with the provisions of The 2000 Regulations, or a badge having effect under those Regulations as if it were a Disabled Person's Badge.
- (2) Nothing in Articles 4 and 8 of this Order shall render it unlawful to cause or permit any Vehicle to wait 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 or part of road on the same day) in a length of road specified in Schedule 1 or 5, if the Vehicle is a disabled person's Vehicle which displays in the relevant position a disabled person's badge issued by a local authority in accordance with the provisions of The 2000 Regulations, or a badge having effect under those Regulations as if it were a Disabled Person's Badge and a parking disc as described in Regulation 8(5) of The 2000 Regulations and the Driver or other person in charge of the Vehicle marks on the parking disc the time at which the period of waiting began.

**19. Power to suspend the use of a Loading Bay or Taxi Rank**

- (1) The Council may suspend a Loading Bay or Taxi Rank or the use of a Loading Bay or Taxi Rank, or any part thereof, whenever it 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 Loading Bay or Taxi Rank, or the maintenance, improvement or reconstruction of the Loading Bay or Taxi Rank, or the laying, erection, alteration, removal or repair in or adjacent to the Loading Bay or Taxi Rank of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line, traffic sign or ticket machine;
  - (c) for the convenience of occupiers of premises adjacent to the Loading Bay or Taxi Rank on any occasion of the removal of furniture from one office or dwellinghouse to another, or the removal of furniture from such premises to a depository or to such premises from a depository;
  - (d) on any occasion on which it is likely by reason of some special attraction, that any road will be thronged or obstructed; or

- (e) for the convenience of occupiers of premises adjacent to the Loading Bay or Taxi Rank at times of weddings or funerals, or on other special occasions.

A police constable in uniform may suspend, for not longer than twenty-four hours, the use of a Loading Bay or Taxi Rank, or any part thereof, whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.

## PART IV – REVOCATIONS

### 20. Revocations

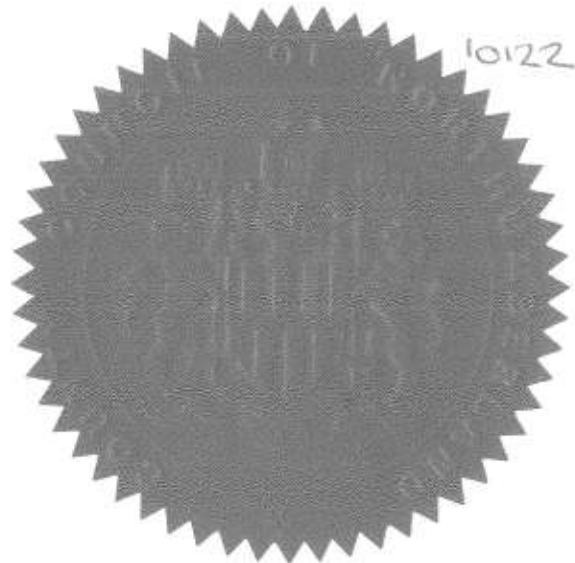
Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into force of this Order, all waiting restrictions, loading and unloading restrictions, clearways, keep clear markings, loading bays and taxi ranks in the North Northumberland (Central) Area as defined by the area bounded by the following listed towns, villages and areas; Alnwick, Alnmouth, Amble, Boulmer, Craster, Longhoughton, Rothbury and Warkworth, Northumberland are hereby revoked.

GIVEN under the Common Seal of the County Council of \* this 28 day of March 2011

THE COMMON SEAL OF THE COUNTY COUNCIL OF NORTHUMBERLAND was hereunto affixed in the presence of:-

*Stef. MTC*

Duly Authorised Officer



**North Northumberland (Central) Area (Waiting and Loading) Composite Order 2011 - TRO\_003**

**Schedule 1 - Waiting**

Ref No	Town	Street	Side	Description	Prescribed Hours
003-001-001	ALNMOUTH	ARGYLE STREET	South	At its junction with Victoria Place to a point 29 metres west of its junction with Victoria Place	A
003-001-002	ALNMOUTH	ARGYLE STREET	North	At its junction with Northumberland Street to a point 8 metres west of its junction with Northumberland Street	A
003-002-001	ALNMOUTH	MARINE ROAD	East	A point 13 metres south of its junction with Peases Lane to its junction with Riverside Road	A
003-002-002	ALNMOUTH	MARINE ROAD	East	A point 100 metres south of its junction with The Wynd to a point 13 metres south of its junction with Peases Leane	B
003-002-003	ALNMOUTH	MARINE ROAD	West	At its junction with The Wynd to a point 100 metres south of its junction with The Wynd	A
003-002-004	ALNMOUTH	MARINE ROAD	East	A point 10 metres south of its junction with The Wynd to a point 100 metres south of its junction with The Wynd	A
003-003-002	ALNMOUTH	NORTHUMBERLAND STREET	East	At its junction with The Wynd to a point 7 metres North of its junction with The Wynd	A
003-003-003	ALNMOUTH	NORTHUMBERLAND STREET	West	At its junction with Argyle Street to a point 20 metres north of its junction with Argyle Street	A