

**NORTHUMBERLAND COUNTY COUNCIL  
ROAD TRAFFIC REGULATION ACT 1984  
FORE STREET, ST MARY'S CHARE, ST MARY'S WYND HEXHAM PEDESTRIAN AND  
CYCLE ZONE (PROHIBITIONS OF WAITING) EXPERIMENTAL ORDER 2020  
(TRO\_023)**

Northumberland County Council, in exercise of their powers under Sections 1(1), Section 9 and Schedule 9 of the Road Traffic Regulation Act 1984 (hereafter referred to as "the Act") and all other enabling powers and after consultation with the Chief of Police in accordance with Part III of Schedule 9 of the Act hereby make the following order:

**1. Commencement and Citation**

1.1. This Order shall come into operation on 14<sup>th</sup> September 2020 until the 14<sup>th</sup> March 2022 and may be cited as the "Fore Street, St Mary's Chare, St Mary's Wynd, Hexham Pedestrian and Cycle Zone (Prohibitions of Waiting) Experimental Order 2020"

**2. Interpretation**

2.1. In this Order, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:

**"the Act"** means the Road Traffic Regulation Act 1984.

**"Council"** means Northumberland County Council;

**"cycle"** has the same meaning as in section 192 of the Road Traffic Act 1988;

**"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;

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

**"owner"** in relation to a vehicle, means the person by whom such a vehicle is kept and used;

**"parking dispensation"** means a dispensation issued solely at the discretion of the Council who is satisfied that in all the circumstances it is reasonably necessary for a vehicle to wait in a parking place, may issue to the applicant a Parking Dispensation. The holder of a Parking Dispensation may park only in those parking places and for such periods as specified on the parking specification. There is a fee payable for a parking dispensation which is specified on the application form;

**"proscribed hours"** means the hours of 4pm until 10am everyday;

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

**"street"** includes any part of a street;

**"vehicle"** has the same meaning as that assigned to "motor vehicle" in section 136(1) of the Act of 1984;

2.2 Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent re-enactment.

### **3. General**

3.1 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 or by or under any other enactment.

3.2 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) new provisions shall be substituted in this Order where relevant.

3.3 Except where otherwise stated, any reference in this Order to a numbered article or schedule is a reference to the article or schedule bearing that number in this Order.

3.4 The Interpretation Act 1978 shall apply to this Order as it applies to an Act of Parliament

### **4. Introduction of a Pedestrian and Cycle Zone in Fore Street, St Mary's Chare and St Mary's Wynd, Hexham**

4.1 Save as provided in Article 6 of this Order, no person shall, except on the direction of or with the permission of a police constable in uniform cause or permit any vehicle to proceed along the lengths of highway specified in Schedule 1 of this Order.

### **5. Introduction of a Restricted Zone in Fore Street, St Mary's Chare and St Mary's Wynd, Hexham**

5.1 Save as provided in Article 6 of this Order, no person shall, except on the direction of or with the permission of a police constable in uniform or upon displaying a Parking Dispensation, cause or permit any Vehicle to wait along the lengths of highway specified in Schedule 2 of this Order.

### **6. Exemptions**

Nothing in Articles 4 and 5 of this Order shall prohibit any person from causing or permitting any Vehicle to proceed along the lengths of highway specified in Schedule 1 so long as may be necessary:

6.1 To enable an Emergency Vehicle when used in pursuance of statutory powers or duties;

6.2 Motability scooters also known as an "invalid carriage" in accordance with section 136(5) of the Act;

6.3 To enable the vehicle to be used in connection with any of the following operations namely:

6.3.1 Any building operation or demolition; or

6.3.2 The removal of any obstruction to traffic; or

- 6.3.3 The maintenance, improvement or reconstruction of that length of highway; or
- 6.3.4 The laying, erection, alteration or repair in or near that length of highway of any sewer or of any main pipe, or apparatus for the supply of gas, water, electricity or any telecommunications apparatus as defines in paragraph 1(1) of Schedule 2 to the Telecommunications Act 1984; or
- 6.3.5 To enable a vehicle to be used in the service of a local authority or water authority in pursuance of statutory powers or duties if the vehicle cannot be used for such purpose without stopping on the length of highway.
- 6.4 To enable the vehicle to be used by the highways engineer for highways work being under taken on behalf of the council;
- 6.5 To enable the vehicle to be used for the purpose of delivering or collecting postal packages as defined in Section 87 of the Post Office Act, 1953;
- 6.6 If the vehicle is waiting owing to the driver being required by law to stop; or being prevented from proceeding by circumstances beyond his control.
- 6.7 To enable the vehicle to be used for a purpose authorised and described on a Parking Dispensation issued in accordance with this Order.
- 6.8 To enable a vehicle to load and unload during the Proscribed Hours.

## **7. Supplementary Provisions**

- 7.1 The operation of this Experimental Order or any provision of it may be modified or suspended by the Proper Officer if it appears to him essential –
- 7.1.1 in the interests of the expeditious, convenient and safe movement of traffic;
- 7.1.2 in the interests of providing suitable and adequate on-street parking facilities, or
- 7.1.3 for preserving or improving the amenities of the area through which any highway affected by the order runs.
- 7.2. This power shall be exercised only after consulting the appropriate chief officer of police and giving such public notice as the Secretary of State may direct

## **8. Revocations**

Road Traffic Regulation Act 1984 The County of Northumberland (Fore Street Hexham) (Prohibition of Driving, Prohibition of Waiting, Disabled Parking Bays and Revocation) Order 2006 shall be revoked in its entirety.

The **COMMON SEAL** of **NORTHUMBERLAND COUNTY COUNCIL** was hereunto affixed  
this 25<sup>th</sup> day of August 2020 in the presence of:

*M. Wilcock.*

Duly Authorised Officer.



*Seal No:-  
22206.*

**ROAD TRAFFIC REGULATION ACT 1984  
NORTHUMBERLAND COUNTY COUNCIL**

**FORE STREET, ST MARY'S CHARE, ST MARY'S WYND HEXHAM PEDESTRIAN AND  
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(TRO\_023)**

**STATEMENT OF THE COUNCIL'S REASONS FOR  
MAKING THE ORDER**

The effect of this Experimental Order is necessary in order to effectively enforce indiscriminate parking on a busy pedestrian area of Hexham i.e. Fore Street, St Marys Chare and St Mary's Wynd and thereby contributing to road safety in this area.

The reasons for introducing this by way of an Experimental Order are to assess the impact on businesses and pedestrians throughout the trial period.

Consideration will be given after a trial period as to whether or not the provisions of this Experimental Order should be made permanent. Currently, at the end of the trial period, the Council intends to consider making an order which will continue in force indefinitely having the same effect as the Experimental Traffic Regulation Order.  
The effects of this Order will be reviewed after 6 months.

## SCHEDULE 1

**ROAD TRAFFIC REGULATION ACT 1984  
NORTHUMBERLAND COUNTY COUNCIL  
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**(TROM\_023)**

Schedule 1 – Pedestrian and Cycle Zone

Ref No	Town	Street	Side	Description	Pro scribed Hours
023_001	Hexham	Fore Street	Both	For its whole length	At Any Time
023_002	Hexham	St Mary's Chare	Both	For its whole length	At Any Time
023_003	Hexham	St Mary's Wynd	Both	From its junction with St Mary's Chare westwards for a distance of 14 metres	At Any Time

Schedule 2

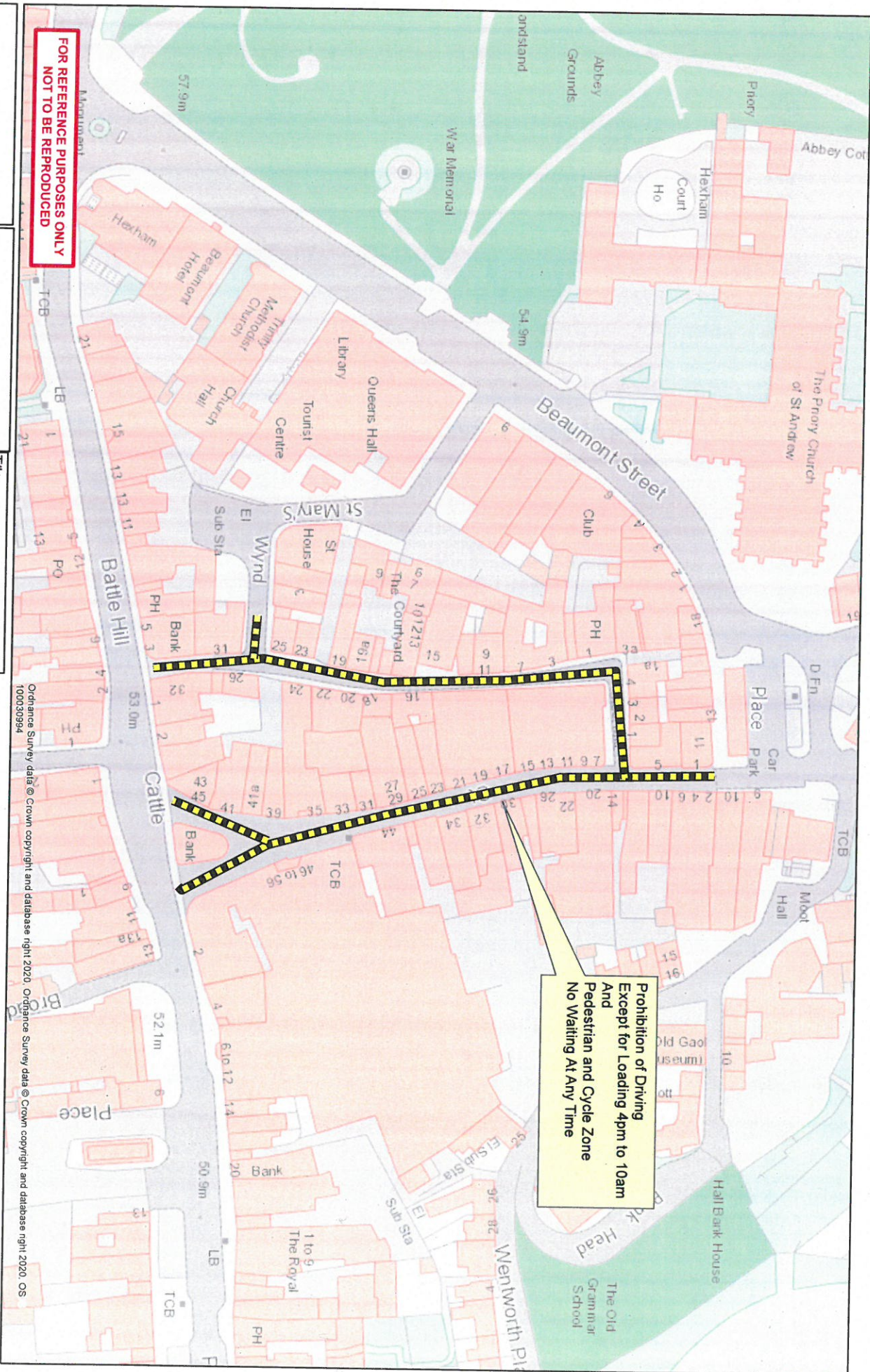
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**(TROM\_023)**

Schedule 2 – Waiting

Ref No	Town	Street	Side	Description	Pro scribed Hours
023_001	Hexham	Fore Street	Both	For its whole length	At Any Time
023_002	Hexham	St Mary's Chare	Both	For its whole length	At Any Time
023_003	Hexham	St Mary's Wynd	Both	From its junction with St Mary's Chare westwards for a distance of 14 metres	At Any Time





FOR REFERENCE PURPOSES ONLY  
NOT TO BE REPRODUCED

Prohibition of Driving  
Except for Loading 4pm to 10am  
And  
Pedestrian and Cycle Zone  
No Waiting At Any Time

Network Management  
Information System

Title:

Dm:

Date:

Scale:

Northumberland County Council  
County Hall  
Hexham NE64 5EP  
Tel: 0191 535000

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PEDESTRIAN AND CYCLE ZONE (PROHIBITIONS OF WAITING)  
EXPERIMENTAL ORDER 2020  
(TRO\_023) - September 2020