

Gateshead Metropolitan Borough Council

Public Spaces Protection Order (Dunston Hill Primary School and Kingsmeadow Community Comprehensive School)

Number 4 of 2020

I, Colin Huntington, Strategic Director of Communities and Environment, on behalf of Gateshead Metropolitan Borough Council (“the Council”) in exercise of the power under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”), being satisfied that the conditions set out in section 59 of the Act have been met and that section 72 of the Act has been complied with make the following order:

1. The land at Market Lane and Park Terrace described by the map attached and shown edged red being land in the area of the Council is land to which the Anti-Social Behaviour, Crime and Policing Act 2014 applies and will be protected by the making of this Order
2. The order may be cited as the Gateshead Metropolitan Borough Council Public Spaces Protection Order (Dunston Hill Primary School and Kingsmeadow Community Comprehensive School) and shall come into force on 7 September 2020 for the duration of two years.
3. The Council is satisfied that:
 - a) The activities set out at paragraph 4 below have had a detrimental effect to the quality of life of those living in the locality
 - b) The effect or likely effect of the activities
 - (i) Is or is likely to be of a persistent and continuing nature,
 - (ii) Is or is likely to be such as to make the activities unreasonable and
 - (iii) Justifies the restrictions imposed by this Order
4. The following activities in relation to the drop off and pick up of school pupils have caused a detrimental effect to the quality of life of those living in the locality-
 - a) Hazardous parking causing obstruction and preventing school pupils and children crossing the road safely
 - b) Vehicles parked in the bus stop on Market Lane
 - c) Vehicles blocking residents’ driveways and dropped kerbs
 - d) Vehicles parked at road junctions obstructing the view onto Market Lane
 - e) Vehicles mounting the pavements along Park Terrace and Market Lane
 - f) Vehicles using the school gates as a turning circle
 - g) Obstruction of the highway causing congestion
5. The effect of this order is to impose the following conditions on the use of the land:
 - a) Any person breaching the conditions below will commit an offence:

No driver shall drop off or pick up pupils from Dunston Hill Community Primary School and Kingsmeadow Community Comprehensive School from any vehicle (regardless of whether those pupils and children are accompanied by any person) within the Restricted Area on Monday to Friday between:

8.00 am – 9.30 am and
2.30 pm – 4.00 pm

During each term of the academic year

- b) A person guilty of an offence by breaching condition a) above under section 67 of the Act is liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1000) or a fixed penalty notice of a maximum of £100.
6. The restrictions stated in paragraph 5 do not apply to –
- a) A resident of any dwelling who needs to park within the area during the time that the PSPO is in effect, or their visitors.
 - b) A person who is the holder of a blue badge
 - c) A person in receipt of DLA with mobility component higher rate
 - d) A person in receipt of Personal Independence Payment – Daily living or mobility component at an enhanced rate
 - e) A person with any other medical condition who has evidence from an authorised medical practitioner that a restriction of the PSPO would have a detrimental effect on their wellbeing.

To qualify for these exemptions an application must be made to the Council. The exemption criteria are published by the Council on their website.

7. Under section 66 of the Act, an interested person (as defined in that section) may apply to the High Court to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this order. Such an application must be made within 6 weeks of the date this order was made.

Order made by:



Colin Huntington

Strategic Director, Communities and
Environment

Gateshead Council

Date:

7 September 2020