

# NORTH EAST LINCOLNSHIRE BOROUGH COUNCIL



**The North East Lincolnshire Borough Council  
(Prohibition and Restriction of Waiting, Restricted  
Parking Zone and Revocation) (Various Streets,  
Grimsby) (No. 17-04) Order 2017**

**The Borough of North East Lincolnshire (Prohibition and Restriction of Waiting, Restricted Parking Zone and Revocation) (Various Streets, Grimsby) (No. 17-04) Order 2017.**

**PART 1 – GENERAL**

The Borough of North East Lincolnshire in exercise of the powers under Sections 1(1) and (2), 2(1) to (3), 3(2), 4(1) to (3), 32, 33, 35, 35A, 36, 37, 38, 45, 46, 46A, 49, 51, 53, 63A, 65, 68, 69, 71, 101, 102 and 116, and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (hereinafter referred to as “**The Act of 1984**”) as amended and in pursuance of powers granted by the Secretary of State under Section 74 and Part 2 of Schedule 8 and under Paragraph 7 and 8 of Schedule 9 of the Traffic Management Act 2004 (hereinafter referred to as “**the Act of 2004**”), and of all other enabling powers:

**1 Commencement and Citation**

- 1.1 This Order shall come into operation on <sup>9<sup>th</sup></sup> day of May, 2017 and may be cited as The Borough of North East Lincolnshire (Prohibition and Restriction of Waiting, Restricted Parking Zone and Revocation) (Various Streets, Grimsby) (No. 17-04) Order 2017.

**2. Revocations**

- 2.1 The Orders specified in Column 1 of Schedule 1 to this Order are hereby revoked to the extent shown in Column 2 of the said Schedule.

**3. Definitions within this Order**

- 3.1 In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:

“**A PERSON AUTHORISED BY THE COUNCIL**” means a person employed in accordance with Section 76 of the Act of 2004 to carry out the functions therein;

“**THE ACT OF 1984**” means The Road Traffic Regulation Act 1984;

“**THE ACT OF 2004**” means the Traffic Management Act 2004;

“**TSRGD2016**” means the Traffic Signs Regulations and General Directions 2016, as amended;

“**ARTICLE**” means the article of this Order unless otherwise stated and includes reference to any paragraph to that article referred to by number or letter;

“**AUTHORISED VEHICLE**” means a vehicle in the ownership of the Borough of North East Lincolnshire Council and used specifically for Civic Mayoral Duties.

“**CIVIL ENFORCEMENT OFFICER**” means a person employed by, or on behalf of, the Council under the provisions of Part 6 of the Act of 2004 and in

accordance with Section 76 of the Act of 2004 authorised to enforce the restrictions imposed by this Order and to carry out the functions therein;

**"CLEARWAY"** means the main carriageway of any of the sides or lengths of roads specified in Schedule 4 and the Plans where stopping is prohibited during the Restricted Hours provided that the expression Clearway shall not include any Lay-by or Parking Place not specifically provided as bus stop clearways or Taxi Rank Clearways;

**"COUNCIL"** means The Borough of North East Lincolnshire and includes any parking services contractors or authorised agents appointed by or acting on behalf of the Council for the purposes of any function under the provisions of this Order;

**"DELIVERING"** or **"DELIVERY"** or **"COLLECTION"** means a continuous activity during which Goods or Merchandise are Loaded or Unloaded from a vehicle to adjacent premises or nearby premises including a reasonable time for the checking of those Goods or Merchandise for the purpose of their Delivery or Collection;

**"DISABLED PERSON'S BADGE"** has the same meaning as defined in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000.

**"DISABLED PERSON'S PARKING BAY"** means an area of carriageway which is provided for the leaving of a Disabled Person's Vehicle and indicated by road markings and traffic signs as required in TSRGD2016;

**"DISABLED PERSON'S PARKING DISC"** has the same meaning as in the Local Authorities' Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000.

**"DISABLED PERSON'S VEHICLE"** means a vehicle lawfully displaying a Disabled Person's Badge.

**"DRIVER"** in relation to the vehicle left, Waiting or Parked in a Restricted Road or Parking Place respectively, means the person driving the vehicle at the time it was left, Waiting or Parked in the Prohibited Road or Restricted Road or Parking Place or the person deemed to be the Driver by a Police Officer in uniform or a Civil Enforcement Officer in uniform acting under the terms of this Order;

**"EMERGENCY"** means a situation that poses an imminent risk to health, life, property or environment which requires immediate intervention.

**"EMERGENCY VEHICLE"** has the same meaning as in Regulation 3(2) of the Road Vehicle Lighting Regulations 1989.

**"ENACTMENT"** means any enactment, whether public, general or local, and includes any order, bylaw rule, regulation, scheme or other instrument having effect by virtue of an enactment;

**"FUNERAL AND WEDDING VEHICLES"** means those vehicles attending funerals or weddings to which Penalty Charge Notices will not be issued

pursuant to the Council's Civil Parking Enforcement Procedures 2010 as it relates to Funerals and Weddings;

**"GOODS"** and **"MERCHANDISE"** means Goods of any kind whether animate or inanimate and includes Postal Packets of any kind that require transportation by a vehicle;

**"HACKNEY CARRIAGE"** means a vehicle licensed under Section 37 of the Town Police Clauses Act 1847, or under any similar enactment;

**"LAY-BY"** in relation to the main carriageway means any area of a highway at the side of the main carriageway but not part of it and marked in accordance with TSRGD2016 intended for the Parking or Waiting of vehicles in line with the Schedules and Plans to this Order;

**"LOADING"** and **"UNLOADING"** means a continuous activity during which Goods or Merchandise are placed in or taken from a vehicle that is Parked or Waiting at premises or adjacent to premises or nearby premises for the purpose of Delivery or Collection of those Goods or Merchandise provided that the Loading, Unloading, Delivery and/or Collection activities are completed in a time deemed reasonable by a Police Officer in uniform, Civil Enforcement Officer in uniform or A Person Authorised by the Council. Where no signs of Loading or Unloading activity are observed over the Observation Period it will be deemed that Loading or Unloading is not taking place; And **"LOADED"** and **"UNLOADED"** shall be construed accordingly.

**"LOADING BAY AREA"** means any sides or lengths of roads specified in this Order where activities other than Loading or Unloading are prohibited;

**"MAIN CARRIAGEWAY"** means that part of a public highway used primarily for through traffic provided that the expression main carriageway shall not include any Lay-by;

**"NO LOADING HOURS"** means in relation to any No Loading Road the hours during which Loading and Unloading is restricted as specified in Schedule 3 and the Plans to this Order;

**"NO LOADING ROAD"** means any of the sides or lengths of road specified in Schedule 3 and the Plans to this Order where Loading is prohibited provided that the expression "No Loading Road" shall not include any Parking Place;

**"NO STOPPING HOURS"** means in relation to any No Stopping Road the hours during which stopping is restricted as specified in Schedule 4 and the Plans to this Order;

**"NO STOPPING ROAD"** means any sides or lengths of roads specified in Schedule 4 and the Plans to this Order where stopping is prohibited with the exception of vehicle types specified in Article 5.3 provided that the expression "No Stopping Road" shall not include any Parking Place;

**"OBSERVATION PERIOD"** means a period of time during which a Police Officer in uniform, Civil Enforcement Officer in uniform or A Person Authorised by the Council undertakes observations pursuant to the Council's parking enforcement policy;



**"PARK"** and **"PARKED"** refer to the stopping of a vehicle so that it is wholly within a designated Parking Place or Parking Bay and it remaining at rest for some time whether or not the Driver is still in the vehicle;

**"PARKING PLACE"** or **"PARKING BAY"** means an area of carriageway which is provided for the leaving of a vehicle of a class specified and indicated by road markings and traffic signs as required in TSRGD2016;

**"PARKING BAYS FOR AUTHORISED VEHICLES"** means the area described in Schedule 8;

**"PENALTY CHARGE"** means a penalty charge relating to a parking contravention and payable in accordance with Regulation 4 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 or any subsequent legislation so enabling;

**"PENALTY CHARGE NOTICE"** has a meaning given by Regulation 8(1) of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 or any subsequent legislation so enabling;

**"THE PLANS"** means the plans attached to this Order including keys and Schedules indicating the extents of parking restrictions (if any) which are held at the Offices of the Borough of North East Lincolnshire Council;

**"POSTAL PACKET(S)"** has the same meaning as in Section 87 of the Post Office Act 1953;

**"PROHIBITED ROAD"** means any of the sides or lengths of roads specified in Schedules 2 and 3 and on the Plans where Waiting is prohibited provided that the expression "Prohibited Road" shall not include any Parking Place;

**"RELEVANT POSITION"** in respect of:-

- a) a Disabled Person's Badge means exhibited on the windscreen, dashboard or fascia of the vehicle with the obverse side facing forwards on the nearside of and immediately behind the windscreen or where the vehicle does not have a windscreen, dashboard or fascia, in a conspicuous position on the vehicle orientated so that the whole of the information on the front of the permit is clearly legible from the outside of the vehicle;
- b) a hackney carriage plate means the plate must be affixed to the vehicle in accordance with the instructions given within the license as issued by the Borough of North East Lincolnshire Council or in the case of another Council in accordance with their instructions;
- c) a Waiver means exhibited on the windscreen, dashboard or fascia of the vehicle with the obverse side facing forwards on the nearside of and immediately behind the windscreen or where the vehicle does not have a windscreen, dashboard or fascia, in a conspicuous position on the vehicle orientated so that the whole of the information on the front of the permit is clearly legible from the outside of the vehicle

**"RESTRICTED HOURS"** means in relation to any Restricted Road the hours during which Waiting is restricted or specific activities are restricted as specified in the Schedules and on the Plans to this Order;

**“RESTRICTED PARKING ZONE”** (RPZ) means an area where Waiting and / or Loading restrictions apply but where no road markings / lines are provided on the carriageway. Motorists are advised of the restrictions within the RPZ using signing as prescribed in “TSRGD2016”. The RPZ uses boundary / entry signs and intermittent repeater / reminder signs indicating the hours of restriction within the zone. Where no times and days of the week are stated on the boundary / entry signs, the restrictions apply at all times for all days of the week. When except in signed bays is stated on the boundary / entry signs there will be provision for on street parking and / or loading within the zone, these locations will be indicated using either contrasting paving / surface material or road markings to delineate the bays along with signs indicating the nature of any restrictions.

**“RESTRICTED ROAD”** means any of the sides or lengths of roads specified in the Schedules and on the Plans to this Order where Waiting is restricted or specific activities are restricted during the Restricted Hours provided that the expression “Restricted Road” shall not include any Parking Place;

**“SECURITY VEHICLE”** means a vehicle designed or adapted for or in use for the conveyance of bullion, monies and currency and other securities;

**“STATUTORY UNDERTAKER(S)”** has the same meaning as in Section 329 of the Highways Act 1980;

**“TAXI RANK CLEARWAY”** means an area of the carriageway which is indicated by road markings complying with diagram 1028.5 with a longitudinal line 200mm wide along the kerbside edge as specified in TSRGD2016, Schedule 7, Part 4 for use by hackney carriages;

**“TELECOMMUNICATION SYSTEM”** has the same meaning as in the Telecommunications Act 1984;

**“TRAFFIC SIGN”** means a sign or road marking of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under, TSRGD2016;

**“TRAILER”** has the same meaning as that in Section 136 of the 1984 Act;

**“UNIVERSAL SERVICE PROVIDER”** shall bear the same meanings as in the Postal Services Act 2000;

**“WAIT”** and **“WAITING”** refer to the stopping of a vehicle and it remaining at rest for some time whether or not the Driver is still in the vehicle other than for the purposes of Delivering, Delivery or Collection of Goods; and a vehicle shall be deemed to be Waiting for any period in the same Prohibited Road or Restricted Road, Parking Place or Parking Bay (as the case may be) if any part of it is below the vehicle or the vehicle’s load (if any) whether or not the vehicle is moved during that period;

**“WAIVER”** means a certificate or permit issued by or on behalf of the Council for the purposes of this Order permitting a specified vehicle to Wait in specified circumstances on a length or lengths of road where the Waiting of that vehicle

would otherwise be restricted or prohibited under the terms and charges applicable at the time of issue.

- 3.2 For the purpose of this Order unless otherwise specified all references to any documents including Statutory Instruments, Regulations and polices and procedures of the Council relate to the current version of those documents as amended or substituted from time to time.
- 3.3 For the purpose of this Order the prohibitions and restrictions contained in the Articles to this Order and shown on the attached Plans shall apply to the full extent of the public highway, with the exception of Clearways which apply to the extent of the carriageway only.
- 3.4 For the purpose of this Order a vehicle shall be taken as Waiting on a length of road if any point on that length of road is below the vehicle or its load (if any).
- 3.5 The prohibitions imposed by this Order shall be in addition to and not in derogation of any restriction, prohibition or requirement imposed by any Regulations or Orders made or having effect as if made under The Act of 1984, or by or under any other enactment.
- 3.6 For the purposes of this Order, North East Lincolnshire Council accepts no responsibility for any inaccuracies contained in the Ordnance Survey data relied upon in the preparation of the Plans attached to this Order. Where a restriction applies to the edge of a length of carriageway or highway (adjacent to the kerb) that restriction will continue to apply to the actual edge of carriageway or highway irrespective of changes to either the carriageway width or to the underlying Ordnance Survey data.
- 3.7 If a Court, the Department for Transport, the Traffic Penalty Tribunal or the Traffic Enforcement Centre declares any part of this Order to be invalid or unenforceable, such declaration shall not invalidate the remainder of the Order.

## PART 2 – EXEMPTIONS WITHIN THIS ORDER

### 4 Exemptions

- 4.1 Nothing in Articles 5.1 and 10.1 to this Order shall render it unlawful to cause or permit any vehicle to Wait in any of the roads, lengths of road or on the sides of road identified in Schedules 2 and 8 and on the Plans attached to this Order for so long as it may be necessary to enable a person to board or alight from the vehicle.
- 4.2 Nothing in Articles 5.1, 7.1 and 10.1 to this Order shall render it unlawful to cause or permit any vehicle to Wait in any of the roads, lengths of road or on the sides of road identified in Schedules 2 and 8 and on the Plans attached to this Order for so long as it may be necessary to enable the Delivery or Collection of Goods including where Goods are Loaded onto or Unloaded from the vehicle provided that Loading or Unloading is carried out in one continuous operation and that no vehicle shall so Wait on any of the lengths of road identified in Schedule 3 and on the Plans attached to this Order where Loading and Unloading is prohibited on such days and times so identified on the aforementioned Schedule 3 and on the Plans.
- 4.3 Nothing in Articles 5.1, 5.2, 5.3, 6.1, 7.1, 9.1 and 10.1 to this Order shall render it unlawful to cause or permit any vehicle to Wait in any of the roads, lengths of road or on the sides of road identified in Schedules 2 to 8 (inclusive) and on the Plans attached to this Order for so long as it may be necessary to enable the vehicle, if it cannot conveniently be used for such purpose in any other road and close proximity to the site is essential, to be used for the purpose of any Emergency building operation, demolition or excavation, or the maintenance or improvement or reconstruction of the said lengths or sides of road or any works connected with any Statutory Undertaker's apparatus for the supply of gas, water or electricity or of any Telecommunication System.
- 4.4 Nothing in Articles 5.1, 5.2, 5.3, 6.1, 7.1, 9.1 and 10.1 to this Order shall render it unlawful to cause or permit any vehicle to Wait in any of the roads, lengths of road or on the sides of road identified Schedules 2 to 8 (inclusive) and on the Plans attached to this Order for so long as it may be necessary to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the service of the local authority in pursuance of statutory powers or duties.
- 4.5 Nothing in Articles 5.1, 7.1 and 10.1 to this Order shall render it unlawful to cause or permit any vehicle to Wait in any of the roads, lengths of road or on the sides of road identified in Schedules 2 and 6 and on the Plans attached to this Order for so long as it may be necessary to enable the vehicle of a universal service provider to Wait whilst Postal Packets addressed to premises adjacent to that road are being Unloaded from the vehicle or having Unloaded therefrom are being Delivered or while Postal Packets are being Collected from premises or posting boxes adjacent to that road, provided that the vehicle cannot reasonably be used for such purpose in any other road and for as long as may be necessary in conjunction with these purposes.
- 4.6 Nothing in Articles 5.1, 5.2, 5.3, 6.1, 7.1, 9.1 and 10.1 to this Order shall render it unlawful to cause or permit any vehicle to Wait in any of the roads, lengths of road or on the sides of road identified in Schedules 2 to 8

(inclusive) and on the Plans attached to this Order for so long as it may be necessary to enable an Emergency Vehicle to be used in the course of an Emergency.

- 4.7 Nothing in Articles 5.1, 5.2, 5.3, 6.1, 9.1 and 10.1 to this Order shall render it unlawful to cause or permit any vehicle to Wait in any of the roads, lengths of road or on the sides of road identified in Schedules 2, 3, 4, 5, 7 and 8 and on the Plans attached to this Order for so long as it may be necessary to enable the vehicle to be used in any case where the person in control of the vehicle:
- a) is required by law to stop or wait or is permitted to stop or wait by a Police Officer in uniform or Civil Enforcement Officer in uniform;
  - b) is obliged to stop so as to prevent an accident; or
  - c) is prevented from proceeding by circumstances outside their control.
- 4.8 Nothing in Articles 5.1, 7.1 and 10.1 to this Order shall render it unlawful to cause or permit any vehicle to Wait in any of the roads, lengths of road or on the sides of road identified in Schedules 2, 6 and 8 and on the Plans attached to this Order for so long as it may be necessary to enable the vehicle to be Loaded or Unloaded whilst it is in actual use in connection with the removal of furniture and effects from one office or dwelling house to another or to such premises from a depository or from such premises to a depository notwithstanding anything contained in Article 4.2 above as to Waiting in the roads or sides of the roads identified and for the periods identified in Schedule 3 and on the Plans attached to this Order.
- 4.9 Nothing in Articles 5.1, 5.2 and 10.1 to this Order shall render it unlawful to cause or permit any vehicle to Wait in any of the roads, lengths of road or on the sides of road identified in Schedules 2, 3 and 8 and on the Plans attached to this Order for so long as it may be necessary to enable a security vehicle to be used in the course of Delivering or Collecting cash to/from properties in any of the lengths of road identified in Schedules 2, 3 and 8 and on the Plans attached to this Order and being a vehicle specifically designed for that purpose.
- 4.10 Nothing in Article 5.1 to this Order shall apply to Funeral and Wedding Vehicles at a funeral or wedding.
- 4.11 Nothing in Article 5.1 and 5.3 to this Order shall apply to any vehicle being licenced as a Hackney Carriage that is available for hire whilst on a Taxi Rank Clearway as marked on the carriageway in accordance with TSRGD2016.
- 4.12 Nothing in Articles 5.1 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 Disabled Persons Parking Disc (on which the Driver, or other person in charge of the vehicle, has marked the time at which the period of Waiting began) to Wait in any of the lengths of road referred to in that Article for a period not exceeding three hours (not being a period separated by an interval of less than one hour from the previous period of Waiting by the same vehicle in the same length of road).
- 4.13 Nothing in Articles 5.1, 7.1 and 10.1 of this Order shall prevent any person from causing or permitting any vehicle to Wait in any lengths of road referred



to in that Article provided that permission has been obtained from the Council by means of a Waiver to be displayed in the Relevant Position and which includes information to enable the Driver to be contacted in an Emergency and providing that an obstruction is not caused by so doing and that the vehicle is moved if the Driver is requested to do so by a Police Officer in uniform or Civil Enforcement Officer in uniform.

- 4.14 Nothing in Articles 5.1, 5.2, 5.3, 6.1, 7.1, 9.1 and 10.1 of this Order shall apply so as to prevent any person from causing or permitting any vehicle to Wait in any lengths of road referred to in that Article so long as may be necessary to enable the vehicle if it cannot be used for such purpose without Waiting on that length of road, to be used in connection with the removal of any item in the highway where such moving may be reasonably necessary for the purpose of preventing obstruction.
- 4.15 Nothing in Article 5.1 and 5.3 and notwithstanding any exemption contained in Article 4.14, the person in control of the vehicle Waiting on any lengths of road identified as Taxi Rank Clearways in Schedule 4 and on the Plans attached to this Order, shall move the vehicle on the instructions of a Police Officer in uniform or Civil Enforcement Officer in uniform whenever such moving may be reasonably necessary for the purpose of preventing obstruction.
- 4.16 Nothing in Article 7.1 of this Order shall apply so as to prevent the Driver of a vehicle being a Disabled Person's Vehicle which displays in the Relevant Position a Disable Person's Badge, shall be exempt from any limitation on time when left in a Parking Bay or Parking Place (not being a designated Disabled Persons Parking Bay or Loading Bay Area) as identified in Schedule 6 and on the Plans attached to this Order.

### **PART 3 - GENERAL PROVISIONS RELATING TO PROHIBITION OF WAITING, RESTRICTED PARKING ZONES, LOADING AND TAXI RANK CLEARWAY RESTRICTIONS**

- 5.1 Save as provided in Articles 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 4.10, 4.11, 4.12, 4.13, 4.14 and 4.15 of this Order no person shall, except upon the direction or with the permission of a Police Officer in uniform or of a Civil Enforcement Officer in uniform cause or permit any vehicle (and/or drawn Trailer) to Wait on the roads or sides of the roads subject to restrictions identified as No Waiting during a specified time limit, for the periods identified in Schedule 2 and on the Plans attached to this Order.
- 5.2 Save as provided in Articles 4.3, 4.4, 4.6, 4.7, 4.9 and 4.14 of this Order no person shall, except upon the direction or with the permission of a Police Officer in uniform or of a Civil Enforcement Officer in uniform cause or permit any vehicle (and/or drawn Trailer) to Load or Unload in the roads or sides of the roads identified as No Loading Roads during the No Loading Hours as identified in Schedule 3 and on the Plans attached to this Order.
- 5.3 Save as provided in Articles 4.3, 4.4, 4.6, 4.7, 4.11, 4.14 and 4.15 of this Order no person shall except upon the direction or with the permission of a Police Officer in uniform or of a Civil Enforcement Officer in uniform cause or permit any vehicle (and/or drawn Trailer) to stop or Wait on any of the Main Carriageways identified as No Stopping Roads during the No Stopping Hours,



those being the lengths of roads or sides of roads identified as Taxi Rank Clearways in Schedule 4 and on the Plans attached to this Order.

#### **PART 4 – PROVISIONS RELATING TO DESIGNATED PARKING PLACES FOR DISABLED PERSONS**

- 6.1 Save as provided in Articles 4.3, 4.4, 4.6, 4.7 and 4.14 the lengths of roads or sides of roads identified as disabled parking in Schedule 7 and on the Plans attached to this Order and therein designated 'Disabled Badge Holders Only' shall only be used, , as Parking Places for Disabled Person's Vehicles either on such days and during such hours as so identified or at all times where no such hours and times are identified, and in any event subject to the other provisions of this part of the Order.
- 6.2 Where within a Parking Place, there is a Traffic Sign and surface marking as prescribed in TSRGD2016 which indicates that a Parking Bay is available only for a Disabled Person's Vehicle, the Driver of a vehicle shall not permit it to Wait in the Parking Bay on such days and during such hours as so identified or at all times where no such hours and times are identified unless the vehicle is a Disabled Person's Vehicle.
- 6.3 The Driver of a vehicle shall exhibit a Disabled Person's Badge and Disabled Person's Parking Disc on the vehicle in the Relevant Position and set the Disabled Person's Parking Disc to the time at which the period of Waiting or Parking began within the Disabled Persons Parking Bay.
- 6.4 Where a maximum waiting time is provided the Driver of a vehicle shall not permit it to Wait continuously in a Disabled Person's Parking Bay for longer than the maximum period permitted for Waiting specified for that Parking Place and as identified in Schedule 7 and on the Plans attached to this Order, such period being calculated as commencing from the later time indicated on the Disabled Person's Parking Disc in accordance with the provisions of Article 6.3 of this Order and when the vehicle has left that Parking Place after Waiting therein shall not return within the period where specified in relation to that Parking Place (if any) and identified in Schedule 7 and on the Plans attached to this Order after its Waiting return to that Parking Place.
- 6.5 Where a Disabled Person's Parking Disc exhibited in pursuance of this Order on a vehicle Waiting in a Disabled Person's Parking Bay is showing the time at which the period of Waiting or Parking began, this will be treated as evidence that the vehicle has been Waiting in that Parking Place since the time indicated.
- 6.6 After the Disabled Person's Parking Disc exhibited on a vehicle has been set in accordance with Article 6.3 of this Order, no person shall alter the indications given by that Disabled Person's Parking Disc whilst the said vehicle remains in the Disabled Person's Parking Bay.
- 6.7 No person shall cause to be exhibited on any vehicle any Disabled Person's Parking Badge or Disabled Person's Parking Disc which has been altered, defaced, mutilated, or added to or upon which the figures or particulars have become illegible.

## **PART 5 – PROVISIONS RELATING TO ON STREET PARKING PLACES**

- 7.1 Save as provided in Articles 4.2, 4.3, 4.4, 4.5, 4.6, 4.8, 4.13, 4.14 and 4.16 the parts of roads or sides of road identified as Parking Places or Parking Bays in Schedule 6 and on the Plans attached to this Order, shall only to be used, by the class of vehicle specified, if none specified then all classes of vehicle, on such days and during such hours as identified in Schedule 6 and on the Plans attached to this Order and in such positions as indicated by the appropriate road markings as prescribed in TSRGD2016, and in any event subject to the following provisions of this Order.
- 7.2 Where in the roads or sides of roads identified in Schedule 6 and on the Plans attached to this Order a Parking Place or Parking Bay is described as available for vehicles of a specified class, in a specified position, or on a specified day, or at a specified time the Driver of a vehicle shall not permit it to Wait in that Parking Place or Parking Bay otherwise than wholly within the limits of the Parking Bay marked out in that Parking Place as indicated by carriageway markings or contrasting paving as prescribed in TSRGD2016.
- 7.3 The Driver of a vehicle shall not permit it to Wait in a Parking Place or Parking Bay for longer than the maximum period permitted for Waiting specified in relation to that Parking Place or Parking Bay and as identified in Schedule 6 and on the Plans attached to this Order.
- 7.4 When a vehicle has left a Parking Place or Parking Bay after Waiting thereon, the Driver thereof shall not within the period specified in relation to that Parking Place or Parking Bay and as identified in Schedule 6 and on the Plans attached to this Order after its leaving permit it to Wait again upon that Parking Place or Parking Bay.
- 7.5 The Driver of a vehicle drawing a Trailer shall not permit the vehicle or the Trailer to Wait in a Parking Place or Parking Bay unless they have been disconnected and for the purposes of this Order the vehicle and the Trailer shall be deemed to be separate vehicles and the Driver shall be deemed to be the Driver of each of the said vehicles.

## **POWER TO SUSPEND USE OF PARKING PLACES**

- 7.6 Police Officer in uniform, Civil Enforcement Officer in uniform or person authorised by the Council in that behalf may suspend the use of a Parking Place or Parking Bay, or any part thereof whenever they consider such suspension reasonably necessary:
- a) for the purpose of facilitating the movement of traffic or for promoting its safety; or
  - b) for any purpose specified in Article 4.3 of this Order; or
- 7.7 A Police Officer in uniform when conferring the power of 7.6(a) may only suspend the use of a Parking Place or Parking Bay for not longer than twenty-four hours.
- 7.8 Any person suspending the use of a Parking Place or Parking Bay or any part thereof in accordance with the provisions of Articles 7.6 and 7.7 shall thereupon place or cause to be placed in or adjacent to that Parking Place or

Parking Bay or the part thereof the use of which is suspended, a Traffic Sign indicating that Waiting by vehicles is prohibited.

- 7.9 No person shall cause or permit a vehicle to be present in any part of a Parking Place or Parking Bay or part thereof during a period of suspension unless permitted in accordance with the reasons for the suspension..
- 7.10 Subject to the proviso hereto, when a vehicle and/or Trailer is left in a Parking Place or Parking Bay or part thereof in contravention of any of the provisions contained in Articles 7.2, 7.3, 7.4, 7.5 and 7.9 of this Order, A Person Authorised by the Council may remove the vehicle and/or Trailer or arrange for it to be removed from that Parking Place or Parking Bay or part thereof, provided that when a vehicle is Waiting in the Parking Place or Parking Bay in contravention of the provisions of Article 7.2 (b) of this Order, A Person Authorised 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.
- 7.11 Any person removing a vehicle or altering its position by virtue of Article 7.10 of this Order may do so by towing or driving the vehicle or in such other manner as they may think necessary to enable them to remove it as aforesaid and may take such measures in relation to the vehicle as necessary to enable the vehicle to be removed or to alter the position of the vehicle as the case may be and shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.

#### **PART 6 – PROVISIONS RELATING WAIVER'S**

- 8.1 The Council may issue a Waiver on receipt of an application and may impose terms and conditions as the Council may from time to time determine.
- 8.2 A Waiver may be cancelled at any time at the sole discretion of the Council and shall thereupon immediately cease to be valid. Notification of such cancellation shall be in writing served on the person to whom such Waiver was issued by sending the same to the Waiver holder at the address shown by that person on the application for the Waiver, or at any other address believed to be that persons place of abode, requiring that person to surrender the Waiver to the Council within 48 hours of receipt of the aforementioned notice.

#### **PART 7 – LOADING BAY AREAS**

##### **PROVISIONS RELATING TO LOADING BAY AREAS**

- 9.1 Save as provided in Articles 4.3, 4.4, 4.6, 4.7 and 4.14 the lengths of roads or sides of roads identified as Loading Bay Areas in Schedule 5 and on the Plans attached to this Order and therein designated 'Loading Bay Areas for vehicles', shall only be used, as Loading Bay Areas on such days and during such hours as so identified in Schedule 5 or at all times where no such hours and times are identified, and in any event subject to the other provisions of this part of the Order.
- 9.3 The Driver of a vehicle shall not permit it to Load or Unload in a Loading Bay Area for longer than it is necessary to enable goods to be Loaded or Unloaded from the vehicle.

- 9.4 When a vehicle is left in a Loading Bay Area in contravention of the provision contained in Article 9.3 of this Order, A Person Authorised by the Council may remove the vehicle or arrange for the vehicle to be removed from that Loading Bay Area.

## **PART 8 - PARKING BAYS FOR AUTHORISED VEHICLES ONLY**

- 10.1 Save as provided in Articles 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 4.13, and 4.14 the lengths of roads or sides of roads identified as Parking Bays for Authorised Vehicles in Schedule 8 and on the Plans attached to this Order and therein designated 'Parking Bays for Authorised Vehicles', shall only be used, as Parking Bays for Authorised Vehicles and in any event subject to the other provisions of this part of the Order.
- 10.3 When a vehicle is left in a Parking Bay for Authorised Vehicles in contravention of the provision contained in Article 10.1 and 10.2 of this Order, A Person Authorised by the Council may remove the vehicle or arrange for the vehicle to be removed from that Parking Bay for Authorised Vehicles.

## **PART 9 – CONTRAVENTION AND PENALTY CHARGE**

### CONTRAVENTION AND PENALTY CHARGE NOTICES

- 11.1 Where a vehicle has been left in contravention of the restrictions imposed by this Order, a Penalty Charge shall be incurred, the amount of which will be set by North East Lincolnshire Borough Council under the provisions of the Act of 2004 relating to the Civil Enforcement Areas and Special Enforcement Areas.
- 11.2 Where a Penalty Charge is payable, a Penalty Charge Notice shall be issued by a Civil Enforcement Officer in uniform in accordance with the Act of 2004.

### MANNER OF PAYMENT OF PENALTY CHARGE NOTICE

- 11.3 The Penalty Charge shall be paid within 28 days payable to North East Lincolnshire Borough Council under the terms referred to in the said Notice.

### RESTRICTION ON REMOVAL OF PENALTY CHARGE NOTICE

- 11.4 Where a notice has been attached to a vehicle in accordance with the provisions of the Act of 2004, no person not being the Driver of the vehicle or duly authorised representative of the Council shall remove the notice from the vehicle unless authorised to do so by the Driver.

SCHEDULE 1				
Traffic Regulation Orders Revocation				
COLUMN 1 ORDER TO BE REVOKED		COLUMN 2 EXTENT OF REVOCATION		
The Borough of North East Lincolnshire (Prohibition and Restriction of Waiting, Clearways and On Street Parking) (Consolidation) Order 2010		All those restrictions on Church Lane, Bethlehem Street, South St Mary's Gate, West St Mary's Gate, Osborne Street, Town Hall Square and East Street from the drawing schedule as shown within the red boundary line shown on drawing LTP/2119/TR/01.01 0		
The Borough of North East Lincolnshire Prohibition and Restriction of Waiting, Clearways and On Street Parking) (Consolidation - Amendment) (No. 13-02) Order 2013		All those restrictions on Church Lane, Bethlehem Street, South St Mary's Gate, West St Mary's Gate, Osborne Street, Town Hall Square and East Street from the drawing schedule as shown within the red boundary line shown on drawing LTP/2119/TR/01.01 0		
The Borough of North East Lincolnshire (Prohibition and Restriction of Waiting, Clearways and On Street Parking) (Consolidation) Order 2010 (Amendment No.13-21) Order 2013		All those restrictions on Church Lane, Bethlehem Street, South St Mary's Gate, West St Mary's Gate, Osborne Street, Town Hall Square and East Street from the drawing schedule as shown within the red boundary line shown on drawing LTP/2119/TR/01.01 0		
SCHEDULE 2				
"No waiting at any time"				
ITEM	STREET	SIDE OF STREET	DESCRIPTION	SPECIAL RESTRICTION TYPE (IF ANY)
1	Bethlehem Street	North side	From the north eastern kerbline of Wellowgate in a north easterly direction for a distance of 31 metres.	
2	Bethlehem Street	North Side	From a point 15 metre south west of the south western kerbline of Station Approach in a north easterly direction to a point 41 metres north east of the north eastern kerbline of Station Approach.	
3	Bethlehem Street	North side	From a point 12 metres south west of the south western kerbline of West St Mary's Gate in a north easterly direction to its intersection with South St Mary's Gate.	
4	Bethlehem Street	South side	From the north easterly kerbline of Wellowgate in a north easterly direction for a distance of 26	



			metres.	
5	Bethlehem Street	South side	From a point 15 metres south west of the south western kerbline of Station Approach in a north easterly direction to a point 23 metres north east of the north eastern kerbline of Station Approach.	
6	Church Lane	Both sides	The whole of the street from the north eastern kerbline of Wellowgate in an easterly direction to the eastern kerbline of Deansgate and Fredrick Ward Way.	
7	East Street	Both sides	From the intersection of the kerblines of East Street and Town Hall Square in a northerly direction to the southern kerbline of Pasture Street.	
8	George Street	Both sides	From the northern kerbline of Osborne Street to northern kerbline of Victoria Street West.	RESTRICTED PARKING ZONE
9	New Street	East side	From the northern kerbline of Town Hall Square to the southern kerbline of Victoria Street West.	RESTRICTED PARKING ZONE
10	New Street	West side	From the northern kerbline of Osborne Street in a northerly direction for a distance of 9 metres.	RESTRICTED PARKING ZONE
11	New Street	West side	From a point 27 metres north of the north kerbline of Osborne Street in a northerly direction for a distance of 8 metres.	RESTRICTED PARKING ZONE
12	New Street	West side	From the southern kerbline of Victoria Street West in a southerly direction for a distance of 4 metres.	RESTRICTED PARKING ZONE
13	Osborne Street	North side	From the western kerbline of East St Mary's Gate in a north easterly direction to the eastern	



			kerbline of New Street a distance of 168 metres.	
14	Osborne Street	South side	From a point opposite the western kerbline of East St Mary's Gate in a north easterly direction for a distance of 23 metres.	
15	Osborne Street	South side	From a point 24 metres south west of the south west kerbline of Abbey Walk in a north easterly direction to the eastern kerbline of Doughty Road a distance of 104 metres.	
16	South St Mary's Gate	North side	From its intersection with the kerbline of Bethlehem Street in a north easterly direction to a point 50 metres north east of the north eastern kerbline of West St Mary's Gate.	
17	South St Mary's Gate	South side	From its intersection with the kerbline of Bethlehem Street in a north easterly direction to a point opposite the eastern kerbline of East St Mary's Gate a distance of 84 metres.	
18	Town Hall Square	North side	From the eastern kerbline of New Street in an easterly direction for a distance of 8 metres.	
19	Town Hall Square	North side	From a point 24 metres west of the western kerbline of Town Hall Street in an easterly direction to a point 17 metres east of the eastern kerbline of Town Hall Street.	
20	Town Hall Square	North side	From a point 37 metres east of the eastern kerbline of Town Hall Street in an easterly direction to the intersection of the kerblines of Town Hall Square and East Street.	
21	Town Hall Square	South side	From the eastern kerbline of Doughty Road in an easterly direction for a distance of 9 metres.	

22	Town Hall Square	South side	From a point 30 metres east of the eastern kerbline of Doughty Road in an easterly direction to the intersection of the kerblines of Town Hall Square and East Street.	
23	Victoria Street West	Both sides	From the western kerbline of George Street to a point 4 metres north east of the north east kerbline of Town Hall Street.	RESTRICTED PARKING ZONE
24	West St Mary's Gate	South west side	From the north western kerbline of Bethlehem Street in a north westerly direction to the end of the street.	RESTRICTED PARKING ZONE
25	West St Mary's Gate	North east side	From the north west kerbline of South St Mary's Gate in a north westerly direction for a distance of 23 metres.	RESTRICTED PARKING ZONE
26	West St Mary's Gate	North east side	From a point 59 metres north west of the north west kerbline of South St Mary's Gate in a north westerly direction for a distance of 4 metres.	RESTRICTED PARKING ZONE
27	West St Mary's Gate	North west side	From a point 64 metres north west of the north west kerbline of Bethlehem Street in a north easterly direction for a distance of 6 metres.	RESTRICTED PARKING ZONE
28	West St Mary's Gate (service road south of St Mary's Chambers)	Both	All parts of the adopted highway within the service road.	RESTRICTED PARKING ZONE
29	West St Mary's Gate (service road north of St Mary's Chambers)	South east side	From the south west kerbline of West St Mary's Gate in a south westerly direction for a distance of 5 metres.	RESTRICTED PARKING ZONE
30	West St Mary's Gate (service road north of St Mary's Chambers)	South east side	From a point 17 metres south west of the south west kerbline of West St Mary's Gate in a south westerly direction for a distance of 4 metres.	RESTRICTED PARKING ZONE

31	West St Mary's Gate (service road north of St Mary's Chambers)	North west side	From the south west kerbline of West St Mary's Gate in a south westerly direction for a distance of 22 metres.	RESTRICTED PARKING ZONE
32	West St Mary's Gate (service road north of St Mary's Chambers)	South west side	From a point 21 metres south west of the south western kerbline of West St Mary's Gate in a north westerly direction for a distance of 6 metres.	RESTRICTED PARKING ZONE

### SCHEDULE 3

#### “No loading at any time”

ITEM	STREET	SIDE OF STREET	DESCRIPTION	SPECIAL RESTRICTION TYPE (IF ANY)
1	East Street	East and South sides	From the southern kerbline of Pasture Street in a southerly and then westerly direction to its intersection with the southern kerbline of Town Hall Square.	
2	Osborne Street	North side	From the eastern kerbline of East St Mary's Gate in a north easterly direction for a distance of 76 metres.	
3	South St Mary's Gate	North side	From the east kerbline of East St Mary's Gate in a westerly direction for a distance of 15 metres.	
4	Town Hall Square	South side	From a point 41 metres east of the eastern kerbline of Doughty Road (the eastern kerbline of eastern car park entrance to the Town Hall) in an easterly direction for a distance of 5 metres.	
5	Town Hall Square	South side	From a point 69 metres east of the eastern kerbline of Doughty Road (eastern end of the lay-by outside the Town Hall) in an easterly direction to its intersection with the southern kerbline of East Street.	
6	West St Mary's Gate	South west side	From the north western kerbline of Bethlehem Street in a north westerly direction to the end of the street.	RESTRICTED PARKING ZONE
7	West St Mary's Gate	North east side	From the north west kerbline of South St Mary's Gate in a north westerly direction for a distance of 23 metres.	RESTRICTED PARKING ZONE
8	West St Mary's Gate	North east side	From a point 59 metres north west of the north west kerbline of South St Mary's Gate in a north westerly direction for a distance of 4 metres.	RESTRICTED PARKING ZONE
9	West St Mary's Gate	North west side	From a point 64 metres north west of the north west kerbline of Bethlehem Street in a north easterly direction for a distance of 6 metres.	RESTRICTED PARKING ZONE

### SCHEDULE 3

#### “No loading at any time”

ITEM	STREET	SIDE OF STREET	DESCRIPTION	SPECIAL RESTRICTION TYPE (IF ANY)
10	West St Mary's Gate (service road south of St Mary's Chambers)	Both	All parts of the adopted highway within the service road.	RESTRICTED PARKING ZONE
11	West St Mary's Gate (service road north of St Mary's Chambers)	South east side	From the south west kerbline of West St Mary's Gate in a south westerly direction for a distance of 5 metres.	RESTRICTED PARKING ZONE
12	West St Mary's Gate (service road north of St Mary's Chambers)	South east side	From a point 17 metres south west of the south west kerbline of West St Mary's Gate in a south westerly direction for a distance of 4 metres.	RESTRICTED PARKING ZONE
13	West St Mary's Gate (service road north of St Mary's Chambers)	North west side	From the south west kerbline of West St Mary's Gate in a south westerly direction for a distance of 22 metres.	RESTRICTED PARKING ZONE
14	West St Mary's Gate (service road north of St Mary's Chambers)	South west side	From a point 21 metres south west of the south western kerbline of West St Mary's Gate in a north westerly direction for a distance of 6 metres.	RESTRICTED PARKING ZONE

**SCHEDULE 4****"No Stopping except Taxis"**

ITEM	STREET	SIDE OF STREET	DESCRIPTION	OPERATIONAL DAYS	RESTRICTED HOURS
1	Bethlehem Street	South side	From a point opposite the north eastern kerbline of West St Mary's Gate in a south easterly direction for a distance of 22 metres.	All days	All hours
2	South St Mary's Gate	North side	From a point 10 metres west of the western kerbline of East St Mary's Gate in a south westerly direction for a distance of 21 metres.	All days	All hours
3	Osborne Street	South side	From a point 18 metres east of the projected eastern kerbline of East St Mary's Gate in an easterly direction for a distance of 25 metres.	All days	10.30am to 4.00pm



**SCHEDULE 5****"Loading Only"**

ITEM	STREET	SIDE OF STREET	DESCRIPTION	OPERATIONAL DAYS	RESTRICTED HOURS	SPECIAL RESTRICTION TYPE (IF ANY)
1	Bethlehem Street	South side	From a point 23 metres north east of the north eastern kerbline of Station Approach in a north easterly direction for a distance of 27 metres.	Monday to Saturday	8.00am to 6.00pm	
2	Osborne Street	South side	From a point 18 metres east of the projected eastern kerbline of East St Mary's Gate in an easterly direction for a distance of 25 metres.	All days	Midnight to 10.30am and 4.00pm to Midnight	
3	West St Mary's Gate	North east side	From a point 23 metre north west of the north west kerbline of South St Mary's Gate in a north westerly direction for a distance of 36 metres.	All days	Midnight to 10.30am and 4.00pm to Midnight	RESTRICTED PARKING ZONE
4	West St Mary's Gate	South east side	From a point 5 metres south west of the south western kerbline of West St Mary's Gate in a south westerly direction for a distance of 12 metres.	All days	Midnight to 10.30am and 4.00pm to Midnight	RESTRICTED PARKING ZONE

**SCHEDULE 6****Limited Waiting Parking Bays or Parking Places**

ITEM	STREET	SIDE OF STREET	DESCRIPTION	OPERATIONAL DAYS	RESTRICTED HOURS	MAXIMUM DURATION OF STAY
1	Town Hall Square	North side	From a point 14 metres east of the eastern kerbline of New Street in an easterly direction for a distance of 18 metres.	Monday to Saturday	8.00am to 6.00pm	30 minutes No return within 1 hour
2	Town Hall Square	North side	From a point 25 metres east of the eastern kerbline of Town Hall Street in an easterly direction for a distance of 12 metres.	Monday to Saturday	8.00am to 6.00pm	30 minutes No return within 1 hour

## SCHEDULE 7

### “Disabled Badge Holders Only”

ITEM	STREET	SIDE OF STREET	DESCRIPTION	OPERATIONAL DAYS	RESTRICTED HOURS	SPECIAL RESTRICTION TYPE (IF ANY)
1	New Street	West side	From a point 9 metres north of the northern kerbline of Osborne Street to a point 27 metres north of the northern kerbline of Osborne Street.	All days	All hours	RESTRICTED PARKING ZONE
2	New Street	West side	From a point 35 metres north of the northern kerbline of Osborne Street to a point 4 metres south of the southern kerbline of Victoria Street West.	All days	All hours	RESTRICTED PARKING ZONE
3	Town Hall Square	North side	From a point 8 metres east of the eastern kerbline of New Street in an easterly direction for a distance of 6 metres.	All days	All hours	
4	Town Hall Square	North side	From a point 17 metres east of the eastern kerbline of Town Hall Street in an easterly direction for a distance of 7 metres.	All days	All hours	

5	West St Mary's Gate	North east side	From a point 23 metre north west of the north west kerbline of South St Mary's Gate in a north westerly direction for a distance of 36 metres.	All days	10.30am to 4.00pm	RESTRICTED PARKING ZONE
6	West St Mary's Gate (service road north of St Mary's Chambers)	South east side	From a point 5 metres south west of the south western kerbline of West St Mary's Gate in a south westerly direction for a distance of 12 metres.	All days	10.30am to 4.00pm	RESTRICTED PARKING ZONE







**SCHEDULE 8****"Parking Bay for Authorised Vehicles Only"**

<b>ITEM</b>	<b>STREET</b>	<b>SIDE OF STREET</b>	<b>DESCRIPTION</b>	<b>OPERATIONAL DAYS</b>	<b>RESTRICTED HOURS</b>
1	Town Hall Square	South side	From a point 46 metres east of the eastern kerbline of Doughty Road (lay-by outside Town Hall) in and easterly direction for a distance of 23 metres.	All days	All hours



THE COMMON SEAL OF THE  
NORTH EAST LINCOLNSHIRE  
BOROUGH COUNCIL

was hereunto affixed this

5<sup>th</sup>

Day of

May

2017

In the presence of

Authorised Officer



7098