

# NORTH EAST LINCOLNSHIRE BOROUGH COUNCIL



## **The Borough of North East Lincolnshire (Prohibition and Amendment of Traffic Movement) (Various Streets, Grimsby) (No. 07-13) Order 2007**

The Council of the Borough of North East Lincolnshire, hereinafter referred to as "**the Council**", in exercise of powers conferred on the Council under Sections 1(1) and 2(2) to (3) inclusive, 4(2) 32(1) and 35(1) and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (hereinafter referred to as "**the Act of 1984**") and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act of 1984, hereby make the following Order

## 1 Title

- 1.1 This Order shall come into operation on the 5<sup>TH</sup> day of OCTOBER, 2007 and may be cited as The Borough of North East Lincolnshire (Prohibition and Amendment of Traffic Movement) (Various Streets, Grimsby) (No. 07-13) Order 2007
- 1.2 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.
- 1.3 The Orders specified in Column 1 of Schedule 2 to this Order are hereby amended to the extent shown in Column 2 of the said Schedule.

## 2 Definitions

- 2.01 In this Order all expressions, except as otherwise herein provided, shall have the meanings assigned to them by the Act of 1984 :
- (1) **disabled person's vehicle**" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;
  - (2) **"goods"** 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;
  - (4) **pedal cycle**" has the same meaning as in the Traffic Signs Regulations and General Directions 2002;
  - (5) **telecommunications apparatus**" has the same meaning as defined in the Telecommunications Act 1984;

## 3 Pedestrian Streets

### 3.1 **Core Time Pedestrian Streets**

Save as provided by Article 4.1 to this Order no person shall cause or permit any vehicle other than a hand cart, perambulator or pedal cycle pushed by hand to proceed at any time within the roads specified in Schedule 3 (hereinafter called the "**restricted area**") to this Order provided that nothing in this Article shall prevent any person from causing a vehicle to proceed in the restricted area between the hours of 4.00 pm and midnight and midnight and 10.30 am.

- (1) for the purpose of gaining access to any premises fronting, adjoining, abutting or situated adjacent to the restricted area where no suitable alternative means of access is available;
- (2) if the vehicle is a disabled person's vehicle carrying a disabled person;

***PROVIDED** in both cases a permit has been granted by or by authority of the Council and it is **FURTHER PROVIDED** that the driver of a vehicle shall move the vehicle on the instruction of a police constable in uniform or of a traffic warden whenever such moving may be reasonably necessary for the purpose of preventing obstruction.*

## **4 Exemptions**

- 4.1 Nothing in Article 3.1 to this Order shall apply so as to prevent any person from causing or permitting any vehicle to proceed in the specified roads if the vehicle is being used :
- (1) for police, fire brigade or ambulance purposes;
  - (2) the laying, erection, alteration or repair in, or in land adjoining to the roads, of any sewer or any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus;
  - (3) in the service of a local authority, water authority or Post Office in pursuance of statutory powers or duties;
  - (4) for the delivery of valuable goods;
  - (5) for the purpose of loading and unloading the vehicle whilst the vehicle is in actual use in connection with the removal of furniture to or from premises fronting, adjoining, abutting or situated adjacent to the specified roads where no suitable alternative means of access is available except where such removal of furniture is being carried out in the normal course of the trade being carried on at the premises;
  - (6) in connection with any funeral;
  - (7) in connection with a doctors professional duties and carries the badge issued by the British Medical Association;
  - (8) for the purposes in respect of which exemption from the provisions of Articles 7.01 and 7.02 to this Order has been granted by or by authority of the Council or the Chief Officer of Police;
  - (9) in connection with building operations, demolition or excavation in or adjacent to the restricted area if notice is given twenty-four hours in advance to the Chief Officer of Police, his consent is obtained, and such conditions as he may impose are complied with.

## **5 Miscellaneous**

### **5.1 Non Derogation of Restrictions or Requirements**

The restrictions imposed by this Order shall be in addition and not in derogation of the provisions of any regulations made or having effect as if made under the Act of 1984 or under any other enactment.

### **5.2 Interpretation Act**

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

## SCHEDULE 1

### "Traffic Regulation Orders - Revocation"

1 <u>ORDER TO BE REVOKED</u>	2 <u>EXTENT OF REVOCATION</u>
The Borough of North East Lincolnshire (Consolidation of Orders made for the Prohibition of Traffic) (Grimsby) (No. 07-08) Order 2007	a) the whole of item reference 61GY90020 of Schedule 3.01 " <b>One-Way Streets</b> " relating to Victoria Street West from a point 10 metres west of the western kerbline of Silver Street to the western kerbline of Old Market Place  b) the whole of Schedule 7.01 " <b>Full Time Pedestrian Streets</b> "

## SCHEDULE 2

### "Traffic Regulation Orders - Amendment"

1 <u>ORDER TO BE AMENDED</u>	2 <u>EXTENT OF AMENDMENT</u>
The Borough of North East Lincolnshire (Consolidation of Orders made for the Prohibition of Traffic) (Grimsby) (No. 07-08) Order 2007	Column 5 "Hours of Operation" of Schedule 6.02 " <b>Bus, Taxi, Motor Cycle and Pedal Cycle Lanes</b> " shall be amended as follows  a) at item reference 81GY05605 <b>Bargate</b> , the text "6.00am to 11.00pm" shall be deleted and replaced by "7.30am to 9.30am"  b) at item reference 81GY17805 <b>Cleethorpe Road</b> , the text "6.00am to 11.00pm" shall be deleted and replaced by "4.30pm to 6.30pm"  c) at item reference 81GY17810 <b>Cleethorpe Road</b> , the text "6.00am to 11.00pm" shall be deleted and replaced by "7.30am to 9.30am"  d) at item reference 81GY17815 <b>Cleethorpe Road</b> , the text "6.00am to 11.00pm" shall be deleted and replaced by "7.30am to 9.30am"  e) at item reference 81GY75005 <b>Scartho Road</b> , the text "6.00am to 11.00pm" shall be deleted and replaced by "7.30am to 9.30am"

**SCHEDULE 3**

**"Core Time Pedestrian Streets"**

STREET

SECTION

Victoria Street West

from a point 10 metres west of the western kerbline of Silver Street to the eastern kerbline of Old Market Place

**THE COMMON SEAL OF THE  
NORTH EAST LINCOLNSHIRE  
BOROUGH COUNCIL**

was hereunto affixed this

28<sup>th</sup> day of

SEPTEMBER 2007



In the presence of

A handwritten signature in black ink, appearing to read "Elizabeth M. Kelly".

Authorised Officer