

NORTH EAST LINCOLNSHIRE BOROUGH COUNCIL



**The North East Lincolnshire Borough Council
(Prohibition of Vehicles, Except for access)
(A1098 Hewitts Avenue Layby, Grimsby)
(No. 21-03) Order 2021**

North East Lincolnshire Council, hereinafter referred to as "the Council", in exercise of powers conferred upon it under Sections 1, 2, 4 and 92 of the Road Traffic Regulation Act 1984 (hereinafter referred to as 'the Act of 1984') as amended, and of all other enabling powers after consultation with Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act and of all other enabling powers, hereby make the above named Order.

1 Title

- 1.1 This Order shall come into operation on the 11th day of October 2021, and may be cited as The North East Lincolnshire Borough Council (Prohibition of Vehicles, Except for Access) (A1098 Hewitts Avenue Layby, Grimsby) (No. 21-03) Order 2021.

2 Definitions

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

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

“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;

“CARRIAGEWAY” means a way constituting or comprised in a highway, being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles;

“COUNCIL” means North East Lincolnshire Borough Council 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;

“EMERGENCY” shall be defined as a situation that poses an imminent risk to health, life, property or environment which requires immediate intervention.

“EMERGENCY VEHICLE” shall bear the same meaning as in Regulation 3(2) of the Road Vehicle Lighting Regulations 1989 (as modified or superseded from time to time).

“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;

“LAY-BY” means any part of the Carriageway intended for the leaving of vehicles;

“VEHICLE” means any vehicle whatsoever including ridden pedal cycles and horse-drawn vehicles.

“THE PLANS” means The Schedules and drawings attached to this Order indicating the extents and types of restrictions;

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

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

“TRAFFIC REGULATION ORDER”, “ORDER” or “TRO” have the same meaning respectively, that being an Order made under Section 1 of the Act of 1984;

- 2.2 For the purpose of this Order unless otherwise specified all references to any documents including Statutory Instruments, Regulations and policies and procedures

of the Council relate to the current version of those documents as amended or substituted from time to time.

- 2.3 For the purpose of this Order the prohibitions and restrictions contained in the Articles to this Order and shown on the attached schedules and drawings shall apply to the full extent of the public highway.
- 2.4 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.
- 2.5 For the purposes of this Order, The Council accepts no responsibility for any inaccuracies contained in the Ordnance Survey data relied upon in the preparation of the drawings 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.
- 2.6 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 un-enforceable, such declaration shall not invalidate the remainder of the Order.
- 2.7 Unless the context otherwise requires, the words in the singular shall include the plural and in the plural shall include the singular.

Restrictions on Manoeuvre

3 Prohibition of Vehicles, Except for access

- 3.1 Save as provided in Articles 4.1, 4.2, 4.3, 4.4 and 4.5, no person shall, except upon the direction or with the permission of a Police Officer in uniform, cause or permit any Vehicle to proceed along those lengths of road specified in The Plans of this Order.

4 Exemptions Within This Order

- 4.1 Nothing in Article 3.1 to this Order shall render it unlawful to cause or permit any Vehicle to proceed in any of the roads, lengths of road or on the sides of road identified in 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 by a liveried Vehicle in the service of the local authority in pursuance of statutory powers or duties including, but not limited to, the collection of waste.
- 4.2 Nothing in Article 3.1 to this Order shall render it unlawful to cause or permit any vehicle to proceed in any of the roads, lengths of road or on the sides of road identified in 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, excavation, maintenance or improvement or reconstruction of the said lengths or sides of road or works connected with any Statutory Undertaker's apparatus for the supply of gas, water or electricity or of any Telecommunications System; or any other routine or programmed works of the nature given above, subject to prior authorisation from the Council.

- 4.3 Nothing in Article 3.1 to this Order shall render it unlawful to cause or permit any vehicle to proceed in any of the roads, lengths of road or on the sides of road identified in 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.
- 4.4 Nothing in Article 3.1 to this Order shall render it unlawful to cause or permit a Vehicle connected to any other organisation or individual that the Council may from time to time grant permission for access, to proceed in any of the roads, lengths of road or on the sides of road identified in The Plans.

SCHEDULE 1

“Prohibition of Vehicles, Except for access”

<u>Location</u>	<u>Extent</u>
A1098 Hewitts Avenue Layby, Grimsby (opposite Altyre Way)	Full length of the layby commencing at a point 170 metres south-west of the junction with Altyre Way (Grid Ref; TA 29199 06321) to a point 140 metres north-east of the junction with Altyre Way (Grid Ref; TA 29378 06559).

THE COMMON SEAL OF THE
NORTH EAST LINCOLNSHIRE
BOROUGH COUNCIL

was hereunto affixed this

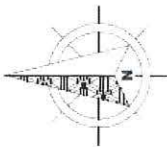
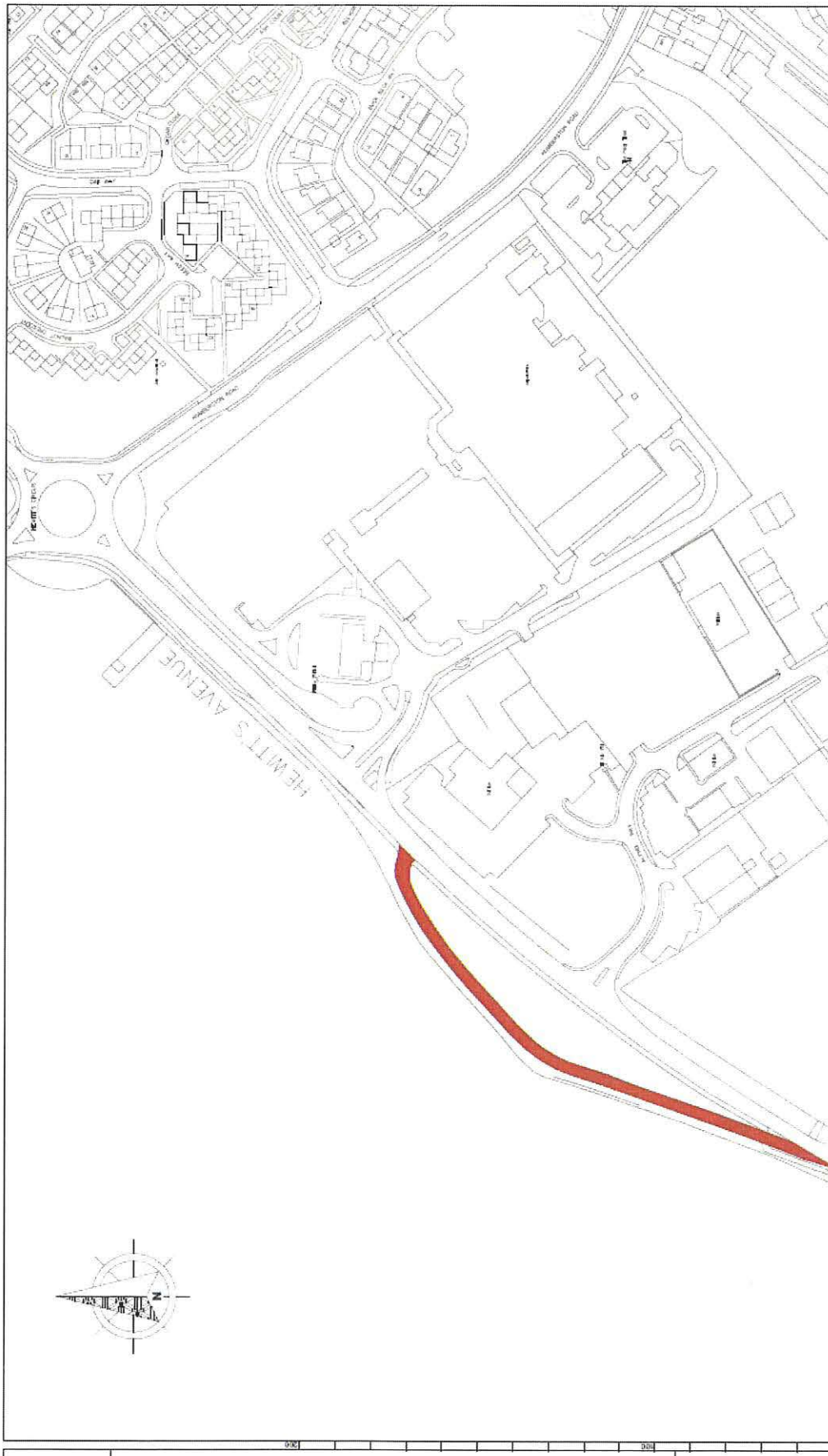
6th Day of
October 2021

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H. Steer
Hannah Steer



In the presence of



PROJECT		HEWITTS CIRCUS LAYBY	
TITLE		TRAFFIC REGULATION ORDER: PROHIBITION OF VEHICLES	
TRAIN	NH	APPROVED DATE	FILE NAME
FILE REF	05/07/2021	05/07/2021	SHAWMS.MXD
ORISMAN SIZE	A3 (297 x 420)	UTTMERC - NEWHE 013121-03	
CLIENT		TR-21-03-A	
 New Oxford House, George Street, Grantham, North East Lincolnshire, DN31 1HE, Tel: 01472 333331		North East Lincolnshire Council Issue Check (Millimetres). Do Not Scale from this drawing.	
PROHIBITION OF VEHICLES (EXCEPT FOR ACCESS) AT ALL TIMES		Mapping material in this plot has been reproduced from the Ordnance Survey Digital Data with the permission of the Controller of HMSO © Crown Copyright Reserved 1996 Licence No. 100020759 Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.	
LEGEND	AMENDMENT	DRAWN	DATE

H. Stee