

# **NORTH EAST LINCOLNSHIRE BOROUGH COUNCIL**



**The Borough of North East Lincolnshire  
(24 Hour Clearway)  
(A1173)  
(No. 17-07) Order 2017**

North East Lincolnshire Council, hereinafter referred to as "the Council", in exercise of powers conferred upon it under Sections 1, 2, 3 and 4, and Part III of Schedule 9 of the Road Traffic Regulation Act 1984 (hereinafter referenced to as 'the Act 1984'), and of all other enabling powers, hereby make the following Order

## 1 Title

- 1.1 This Order shall come into operation on the 30<sup>th</sup> day of April, 2018 and may be cited as **The Borough of North East Lincolnshire (24 Hour Clearway) (A1173) (No. 17-07) Order 2017**

## 2 Definitions

In this Order all expressions, except as otherwise herein provided, shall have the meanings assigned to them by the Act of 1984:

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

**"THE ACT OF 2004"** means the Traffic Management Act 2004;

**"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;

**"BUS"** means a public transport bus service based on a regular operation of transit buses along a route calling at agreed bus stops according to a published public transport timetable;

**"BUS STOP CLEARWAY"** means a clearway on which the words "BUS STOP" are marked;

**"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;

**"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;

**"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;

**"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;

**"LAYBY"** means any part of the carriageway intended for the waiting of vehicles;

**"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;

**"TELECOMMUNICATION SYSTEM"** has the same meaning as defined in the Telecommunications Act 1984;

**"VERGE"** means any land forming part of the road which is neither Carriageway nor footway;

**"THE CLEARWAY"** means all parts of the main carriageway including any slip roads and any acceleration and deceleration splays;

**"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;

### **3 Prohibition of Stopping on the Clearway**

- 3.1 Save as provided in Articles 4.1 to this Order no person shall except upon the direction of or with the permission of a police officer in uniform or of a Civil Enforcement Officer, cause or permit any vehicle to stop at any time on any day of the week on any part of the main Carriageway specified in Schedule 2 to this Order.

### **4 Exemptions**

- 4.1 Nothing in Article 3.1 of this Order shall apply :
- (1) so as to prevent a vehicle stopping on any main Carriageway referred to in that Article for so long as may be necessary to enable the vehicle to be used in connection with :
    - (a) the removal of any obstruction to any part of the Carriageway or Verge;
    - (b) the maintenance, improvement or reconstruction of the road comprising or including that Carriageway or Verge;
    - (d) the laying, erection, alteration or repair in or near such carriageway or verge of any sewer or any main, pipe or apparatus for the supply of gas, water or electricity or of any Telecommunication System.
  - (2) to an Emergency Vehicle to be used in the course of an Emergency;
  - (3) to a vehicle stopping on any Carriageway or Verge referred to in that Article while any gate or other barrier at the entrance to premises to which the vehicle requires access or from which it has emerged is opened or closed, if it is not reasonably practicable for the vehicle to stop otherwise than on that Carriageway or Verge;
  - (4) to a vehicle stopping when the person in control of the vehicle –
    - (a) is required by law to stop;
    - (b) is obliged to stop so as to prevent or avoid an accident;
    - (c) is prevented from proceeding by circumstances beyond his control;
  - (5) to a Bus stopping within a Bus Stop Clearway.

### **5 Miscellaneous**

- 5.1 Any reference in this Order to a numbered Article shall, unless the context requires otherwise, be construed as a reference to the Article bearing that number in this Order and any reference to the Schedules or Plans is a reference to the Schedules or Plans incorporated into this Order.
- 5.2 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 enactment.
- 5.3 The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
- 5.4 The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirements imposed by any regulations made or having effect as if made under the 1984 Act or by or under any other enactment.
- 5.5 If a court, the Department of 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.

**SCHEDULE 1**  
**“ 24 Hour Clearway”**

<b>STREET</b>	<b>SIDES</b>	<b>LENGTHS OF ROAD</b>
A1173	Both	A section of the A1173 commencing from its roundabout junction with the A160 extending in a south-easterly direction for approx. 1.6 miles to its roundabout junction with Pelham Road, Immingham.

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

was hereunto affixed this

10<sup>th</sup> Day of April

2018

K Thompson



7931

In the presence of

**Authorised Officer**



**KEY**

Extent of Clearway restriction (Part A)



*W. Thompson*

Amendment

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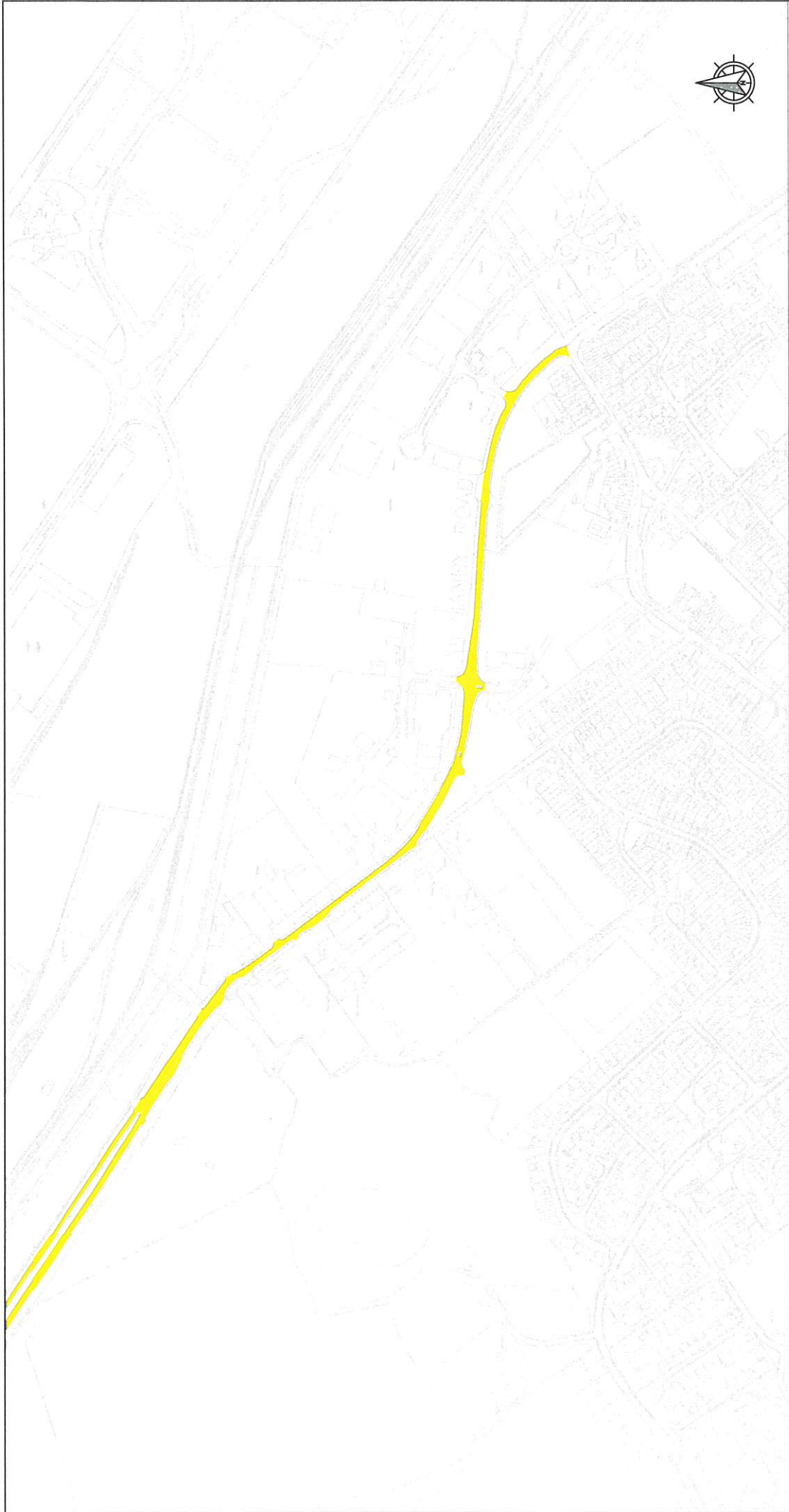
**North East Lincolnshire Council**

Scale Check (Millimetres), Do Not Scale from this drawing.

PROJECT  
 Traffic Regulation Orders

TITLE  
 Manby Road, Immingham  
 Clearway

DRAWN	N.H	APPROVED	FILE NAME
DATE	DATE	DATE	x:\eng-const\design team\
ORIGINAL SIZE	SCALE	SCALE	DRAWING No.
A3 (297 x 420)	1:5000	1:5000	TR-17-07-A



**KEY**

Extent of Clearway restriction (Part B)

*W. Thompson*

Letter

Amendment

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CLIENT  
**North East Lincolnshire Council**

PROJECT		Traffic Regulation Orders	
TITLE		Manby Road, Immingham Clearway	
DRAWN	N.H	APPROVED	FILE NAME x:\trng-consideration team\
FILE REF.	DATE	DATE	DRAWING No.
ORIGINAL SIZE	SCALE	SCALE	TR-17-07B
A3 (297 x 420)	1:5000	1:5000	

Scale Check (millimetres). Do Not Scale from this drawing.