

NORTH EAST LINCOLNSHIRE BOROUGH COUNCIL



The North East Lincolnshire Borough Council (Riverhead, Grimsby) (Various Restrictions) (No. 23-06) Order 2025

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

1. Title

- 1.1 This Order shall come into operation on the day of , 2025 and may be cited as The Borough of North East Lincolnshire Council (Riverhead, Grimsby) (Various Restrictions) (No. 23-06) Order 2025.

2. Definitions

- 2.1 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;

“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 used specifically for undertaking the maintenance or repair of traffic signals as instructed by North East Lincolnshire Council.

“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 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;

“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” shall bear the same meaning as in the Local Authorities Traffic Orders (exemptions for disabled persons) regulations 2000 (as modified or superseded from time to time).

“Disabled Person’s Parking Disc” shall bear the same meaning as in the Local Authorities Traffic Orders (exemptions for disabled persons) regulations 2000 (as modified or superseded from time to time).

“Driver” in relation to the vehicle left Waiting in a Prohibited Road, means the person driving the vehicle at the time it was left Waiting in the Prohibited Road 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” 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;

“Fee” in relation to parking Waivers means a non-refundable charge levied by the Council;

“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 that require transportation by a vehicle;

“Goods Vehicle” shall bear the same meaning as in the Goods Vehicles (Licensing of Operators) Act 1995 (as modified or superseded from time to time) which is a means a motor vehicle constructed or adapted for use for the carriage of goods, or a trailer so constructed or adapted, but does not include a tramcar or trolley vehicle within the meaning of the Road Traffic Act 1988;.

“Loading” and **“Unloading”** means a continuous activity during which Goods or Merchandise are placed in or taken from a Goods Vehicle that is 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;

“Goods Vehicles Only Loading Bay Area” means any sides or lengths of roads specified in Schedule 2 and as shown indicatively in The Plans attached to this Order where activities other than Loading or Unloading are prohibited;

“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;

“The Plans” means the schedules and drawings attached to this Order.

“Postal Packet(s)” has the same meaning as in section 125 Postal Services Act 2000;

“Prohibited Road” means any of the sides or lengths of roads specified in Schedule 2 and as shown indicatively on The Plans.

“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 hard copy (physical) 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

“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;

“Telecommunication System” has the same meaning as “electronic communications network in the Communications Act 2003;

“Traffic Regulation Order”, “Order” or “TRO” have the same meaning respectively, that being an Order made under Section 1 of the 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, TSRGD 2016

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

“TSRGD 2016” means the Traffic Signs Regulations and General Directions 2016.

“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;

“Waiver” means electronic or hard copy (physical) exemption 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.

- 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 Plans and Schedules shall apply to the carriageway only.
- 2.4 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).
- 2.5 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.
- 2.6 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.

- 2.7 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 un-enforceable, such declaration shall not invalidate the remainder of the Order.
- 2.8 Unless the context otherwise requires, the words in the singular shall include the plural and in the plural shall include the singular.

3 Revocations

The North East Lincolnshire Borough Council (Prohibition and Restriction of Waiting, Clearways and On Street Parking) (Consolidation) Order 2010 (as amended) shall from the date this Order comes into operation be revoked in part so that the said Order shall not impose those restrictions in the lengths of roads as described in Schedule 1.

4 Exemptions

- 4.1 Nothing in Articles 5.1, 6.1, 7.1 and 8.1 to this Order shall render it unlawful to cause or permit any vehicle to Wait or Load in the parts of road or sides of road identified as Goods Vehicles Only Loading Bay Areas and/or Prohibited Roads 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 Prohibited Roads, or any works connected with any Statutory Undertaker's apparatus for the supply of gas, water or electricity or of any Telecommunications System.
- 4.2 Nothing in Articles 5.1, 6.1, 7.1 and 8.1 to this Order shall render it unlawful to cause or permit any vehicle to Wait or Load in the parts of road or sides of road identified as Goods Vehicles Only Loading Bay Areas and/or Prohibited Roads 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 Council in pursuance of statutory powers or duties.
- 4.3 Nothing in Articles 5.1, 6.1, 7.1 and 8.1 to this Order shall render it unlawful to cause or permit any vehicle to Wait or Load in the parts of road or sides of road identified as Goods Vehicles Only Loading Bay Areas and/or Prohibited Roads 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 5.1, 6.1, 7.1 and 8.1 to this Order shall render it unlawful to cause or permit any vehicle to Wait or Load in the parts of road or sides of road identified as Goods Vehicles Only Loading Bay Areas and/or Prohibited Roads 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 Wait or load or is permitted to Wait or Load by a Police Officer in uniform or Civil Enforcement Officer in uniform;
 - b) is obliged to Wait or Load so as to prevent an accident; or
 - c) is prevented from proceeding by circumstances outside their control.

- 4.5 Nothing in Articles 5.1, 6.1, 7.1 and 8.1 to this Order shall render it unlawful to cause or permit any vehicle to Wait or Load in the parts of road or sides of road identified as Goods Vehicles Only Loading Bay Areas and/or Prohibited Roads provided that permission has been obtained from the Council by means of a Waiver 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.
- 4.6 Nothing in Article 5.1, 6.1, 7.1 and 8.1 to this Order shall render it unlawful to cause or permit any vehicle to Wait or Load in the parts of road or sides of road identified as Goods Vehicles Only Loading Bay Areas and/or Prohibited Roads for so long as may be necessary to enable the vehicle if it cannot be used for such purpose without Waiting or Loading 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.

5. **General Provisions relating to Goods Vehicles Only Loading Bay Areas**

- 5.1 Save as provided in Articles 4.1, 4.2, 4.3, 4.4, 4.5, 4.6 and 5.2 no person shall cause or permit any vehicle (and/or drawn Trailer), other than a Goods Vehicle, to Wait in the parts of road or sides of road identified as Goods Vehicles Only Loading Bay Areas in Schedule 2 and on The Plans attached to this Order, other than for the purpose of Loading or Unloading a Goods Vehicle.
- 5.2 This restriction shall apply between the periods of 6 am and 12 pm.
- 5.3 The Driver of a Goods Vehicle shall not permit it to Load or Unload in a Goods Vehicles Only Loading Bay Area for longer than it is necessary to enable Goods to be Loaded or Unloaded from the vehicle.
- 5.4 When a vehicle is left in a Goods Vehicles Only Loading Bay Area in contravention of the provision contained in Articles 5.1 and 5.2 of this Order, A Person Authorised by the Council may remove the vehicle or arrange for the vehicle to be removed from that Goods Vehicles Only Loading Bay Area.
- 5.5 Save as provided in Articles 4.1, 4.2, 4.3, 4.4, 4.5 and 4.6 the Driver of a Goods Vehicle shall not permit it to Wait in that Goods Vehicles Only Loading Bay Area otherwise than wholly within the limits of the Goods Vehicles Only Loading Bay Area marked out in that Goods Vehicles Only Loading Bay Area and as indicated by Traffic Signs.

6. **General Provisions relating to Prohibition of Waiting restrictions**

- 6.1 Save as provided in Articles 4.1, 4.2, 4.3, 4.4, 4.5 and 4.6 to 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 Trailer) to Wait in the roads identified as Prohibited Roads in Schedule 3 and on The Plans attached to this Order.

7. **General Provisions relating to Prohibition of Loading restrictions**

- 7.1 Save as provided in Article 4.1, 4.2, 4.3, 4.4, 4.5 and 4.6 to 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 identified as No Loading Roads in Schedule 4 and on The Plans attached to this Order.

8. General Provisions relating to Authorised Vehicles Only bay restrictions

- 8.1 Save as provided in Articles 4.1, 4.2, 4.3. 4.4, 4.5 and 4.6 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 Trailer), other than an Authorised Vehicle, to Wait, Load or Unload in the area identified as an 'Authorised Vehicles Only' parking bay in Schedule 5 and on The Plans attached to this Order
- 8.2 When a vehicle is left in a 'Authorised Vehicles Only' parking bay in contravention of the provision contained in Article 8.1 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.

9. Waivers

- 9.1 Upon receipt of an application duly made under the provisions of this Order, the Council upon being satisfied that the applicant satisfies the requirements and on receipt of any Fee that the Council may from time to time determine may issue to the applicant a Waiver for leaving in the parts of the carriageway in which such Waivers are valid, provided that the Council may impose such conditions on the use of the Waiver as it considers appropriate and that any limit applying to the number of Waivers issued is not exceeded.
- 9.2 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.

SCHEDULE 1 – For Revocation

The Borough of North East Lincolnshire (Prohibition and Restriction of Waiting, Clearways and On Street Parking) (Consolidation) Order 2010

The Borough of North East Lincolnshire (Prohibition and Restriction of Waiting, Clearways and On Street Parking) (Consolidation) Order 2010 (Amendment No 16-32) Order 2016

<u>Road</u>	<u>Restriction</u>	<u>Extent</u>
Riverhead Square, Grimsby	All restrictions	The full extent
Riverhead, Grimsby (access road to Riverhead Square)	All restrictions	The full extent

SCHEDULE 2 – Loading bay

“Goods Vehicles Only Loading bay – 6am – 12pm”

STREET	SIDE	EXTENT
Riverhead, Grimsby	EASTERN KERB LINE	From a point 18.8 metres south of its junction with Frederick Ward Way (A1136), in a southerly direction for a distance of 11.5 metres.

SCHEDULE 3 – Prohibition of Waiting

“No Waiting at Any Time”

STREET	SIDE	EXTENT
Riverhead, Grimsby	EASTERN KERB LINE	From the southern kerb line of Frederick Ward Way (A1136) to a point 13.7 metres south of the southern kerb line of Frederick Ward Way (A1136).
Riverhead, Grimsby	EASTERN KERB LINE	From a point 30.3 metres south of the southern kerb line of Frederick Ward Way (A1136) to its intersection with the southern kerb line of Riverhead.
Riverhead, Grimsby	SOUTHERN KERB LINE	Full extent (from its intersection with the eastern kerb line of Riverhead to the entrance to Freshney Place Car Park).
Riverhead, Grimsby	WESTERN KERB LINE	Full extent (from the southern kerb line of Riverhead to its intersection

		with the southern kerb line of Frederick Ward Way A1136).
Riverhead, Grimsby	Central Reservation Island	Full extent of circumference

SCHEDULE 4 – Prohibition of Loading

“No Loading at Any Time”

STREET	SIDE	EXTENT
Riverhead, Grimsby	EASTERN KERB LINE	From the southern kerb line of Frederick Ward Way (A1136) to a point 13.7 metres south of the southern kerb line of Frederick Ward Way (A1136).
Riverhead, Grimsby	EASTERN KERB LINE	From a point 30.3 metres south of the southern kerb line of Frederick Ward Way (A1136) to its intersection with the southern kerb line of Riverhead.
Riverhead, Grimsby	SOUTHERN KERB LINE	Full extent (from its intersection with the eastern kerb line of Riverhead to the entrance to Freshney Place Car Park).
Riverhead, Grimsby	WESTERN KERB LINE	Full extent (from the southern kerb line of Riverhead to its intersection with the southern kerb line of Frederick Ward Way A1136).
Riverhead, Grimsby	Central Reservation Island	Full extent of circumference

SCHEDULE 5 – “Authorised Vehicles Only” bay

“Authorised Vehicles Only bay - at all times”

STREET	SIDE	EXTENT
Riverhead, Grimsby	EASTERN KERB LINE	From a point 13.8 metres south of its junction with Frederick Ward Way (A1136), in a southerly direction for a distance of 6 metres.

THE COMMON SEAL OF THE
NORTH EAST LINCOLNSHIRE
BOROUGH COUNCIL

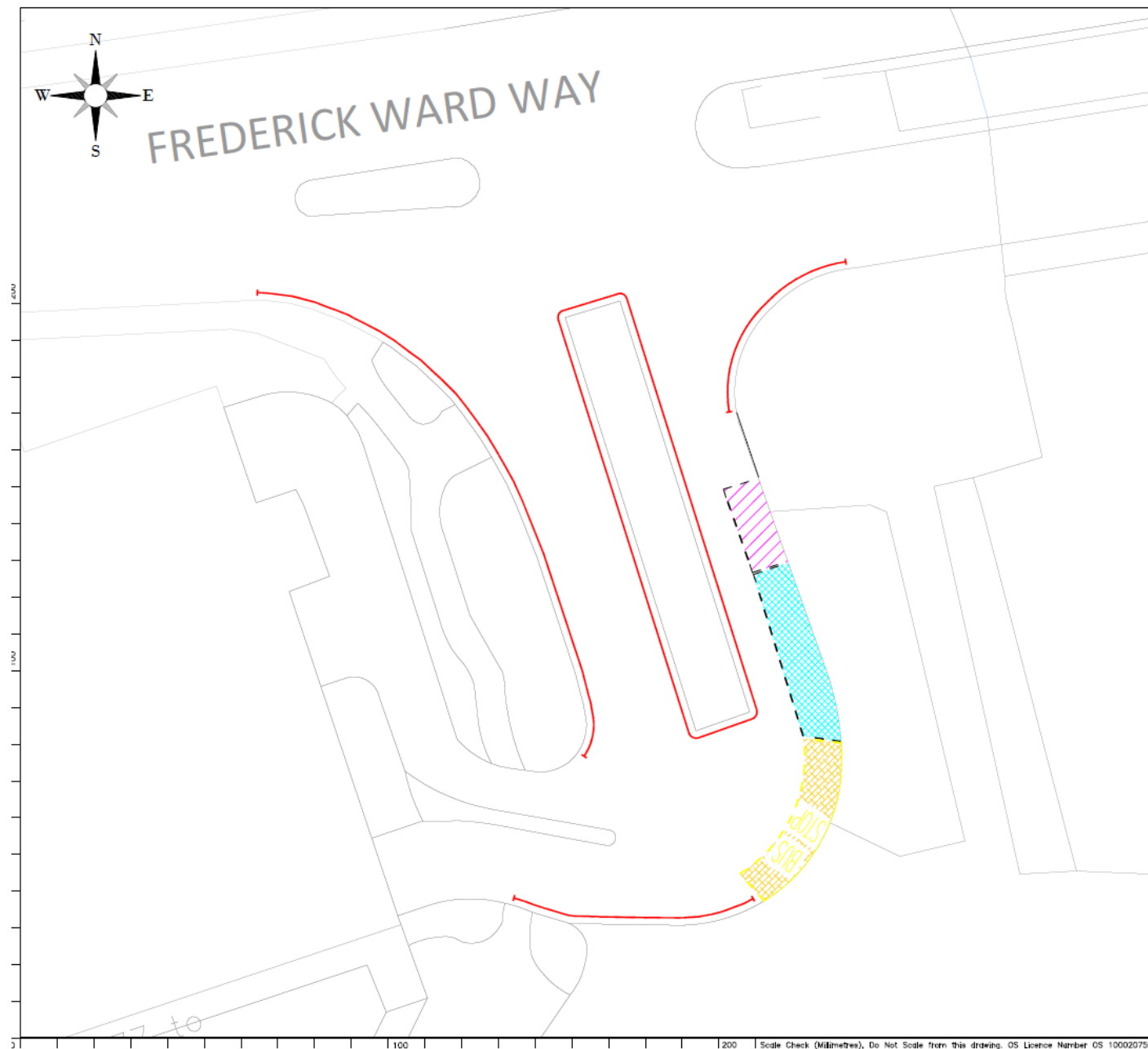
was hereunto affixed this

Day of

2025

In the presence of

}
}
}
}
}
}
}
}
}
}
}
}
}



NOTES

Key:

REVISIONS	
-----------	--



CLIENT	North East Lincolnshire Council
--------	---------------------------------

TITLE	Riverhead TRO
-------	---------------

DRAWN ED	CHECKED JC	APPROVED MR
DATE 02 10 2025	ORIGINAL SIZE A3 (297 x 420)	SCALE 1 - 250
FILE REF ADHR-PL-01	DRAWING No. 01	REVISION NO