

NORTH LINCOLNSHIRE BOROUGH COUNCIL
(VARIOUS STREETS) (PROHIBITION AND RESTRICTION OF WAITING
AND STREET PARKING PLACES)
(CIVIL ENFORCEMENT AND CONSOLIDATION) ORDER 2010

North Lincolnshire Borough Council in exercise of its powers under Sections 1, 2, 4, 5, 32, 35, 124 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (the Act of 1984) as amended and the Traffic Management Act 2004 (the Act of 2004) 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 makes the following Order.

SECTION 1 – PRELIMINARY

Citation and commencement

1. This Order shall come into operation of 1st day of March 2010 and may be cited as the North Lincolnshire Borough Council (Various Streets) (Prohibition and Restriction of Waiting and Street Parking Places) (Civil Enforcement and Consolidation) Order 2010.
2. The North Lincolnshire Borough Council (Various Streets) (Prohibition and Restriction of Waiting and Street Parking Places) (Civil Enforcement and Consolidation) Order 2010 Plans including the key (the “Plans”) are incorporated into this Order.

Interpretation

3. In this Order, except where the context otherwise requires, the following expressions have the meaning hereby respectively assigned to them:

“Council” means North Lincolnshire Borough Council and includes any parking services contractors or authorised agent appointed by or acting on behalf of the Council for the purposes of any function under the provisions of this Order;

“approved timing point” is a location where a public service vehicle may wait to ensure adherence to a published timetable or local service registration and includes departure and terminal points, provided that the location and the service(s) have been approved in writing by the Highway Authority as subject to amendment in writing by the Highway Authority;

“disabled person’s badge” has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;

“driver” in relation to a vehicle waiting or parked in a restricted street or parking place respectively, means the person driving the vehicle at the time it was left in that restricted area or parking place and for the purposes of this Order and any legal proceedings taken thereunder if on the date a vehicle is left in a restricted area or parking place a person is shown to have been the registered owner or keeper thereof by notification in writing from the appropriate registration authority he or she shall be deemed to have been the driver of the vehicle on that date, unless the contrary is shown;

“enactment” means any enactment, whether public , general or local, and includes any order, byelaw rule, regulation, scheme or other instrument having effect by virtue of an enactment;

“goods” means goods of any kind whether animate or inanimate and includes postal packets;

"hackney carriage" means a vehicle licensed under Section 37 of the Town Police Clauses Act 1847;

“key” means the key attached to the Plans to be read in conjunction with the Plans;

“light goods vehicle” means a motor vehicle under 1500 kg in weight which is constructed or adapted for use for the carriage of goods or burden of any description the overall height of which does not exceed 2.3 metres and the overall length of which does not exceed 5.25 metres and is not drawing a trailer;

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

“no loading hours” means, in relation to any restricted street, the hours during which loading and unloading is prohibited as specified on the Plans;

“no stopping hours” means, in relation to any restricted street, the hours during which stopping is prohibited as specified on the Plans;

“one-way street” means a highway in which the driving of vehicles otherwise than in one direction is prohibited;

“operational police vehicle” means any vehicle owned by the Police Authority (whether marked with livery or unmarked), any vehicle hired by the Police Authority for police purposes, or any privately owned vehicle which at the time of being parked is being used for police purposes for which the owner is entitled to make a claim for the mileage incurred in that use;

“park” and “parked” 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 and a vehicle shall be deemed to be parked for any period in the same 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;

“parking bay” means a space marked out in a parking place which is provided for the parking of a vehicle of a specific class;

“parking disc” has the same meaning as in the Local Authorities Orders (Exemptions for Disabled Persons)(England) Regulations 2000 which is capable of showing the quarter hour period during which a period of parking has begun;

“parking place” means an area of a highway authorised by this Order for the parking of vehicles of specific classes;

“passenger vehicle” means a motor vehicle (other than a motorcycle or invalid carriage) constructed or adapted solely for the carriage of not more than twelve passengers (exclusive of the driver) and their effects and not drawing a trailer;

“permit” means any permit issued by the Council in accordance with arrangements it may make from time to time;

“permit holder” means a person to whom a permit has been issued;

“permitted hours” means the periods specified for each parking place during which parking by vehicles of a specific class is permitted as specified on the Plans;

“public service vehicle” has the same meaning as defined by Section 1 of the Public Passenger Vehicle Act 1981 and any reference in this Order to a public service vehicle includes such a vehicle being used on a “local service” or a “non-local service” as defined by Section 2 of the Transport Act 1985;

“relevant position” in respect of:

- (a) a disabled person’s badge and parking disc has the same meaning as in the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000; and
- (b) a permit means exhibited on the windscreen, dashboard or fascia of the vehicle or, where the vehicle does not have a windscreen, dashboard or fascia, in a conspicuous position on the vehicle so that the whole of the information on the front of the permit is clearly legible from outside the vehicle;

“restricted hours” means in relation to any restricted street the hours during which waiting or stopping is prohibited or restricted or specific activities are prohibited or restricted as specified on the Plans;

“restricted street” means any of the sides or lengths of roads specified on the Plans where waiting or stopping is prohibited or restricted or specific activities are prohibited or restricted during the restricted hours provided that the expression “restricted street” shall not include any parking place;

“stopping” means bringing a vehicle to a halt for whatever reason;

“street” and “road” have similar meanings for the purpose of this order;

“taxi rank” means an area of carriageway which is indicated by road markings complying with diagram 1028.2 in the Traffic Signs Regulations and General Directions 2002 for use by hackney carriages;

“telecommunication system” has the same meaning as in the Telecommunications Act 1984;

“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;

4. 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 Plans is a reference to the Plans incorporated into this Order.
5. 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.
6. The Interpretation Act 1978 shall apply to the interpretation of this Order as it applies for the interpretation of an Act of Parliament and as if for the purposes of Section 21 of that Act this Order were an Act of Parliament and the Orders revoked by this Order were Acts of Parliament thereby repealed.
7. 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 Act of 1984 or by or under any other enactment.
8. 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.
9. Headings within this Order have been inserted for convenience and shall not affect the construction and interpretation of the Order.

SECTION 2 – PROHIBITION AND RESTRICTION OF WAITING AND LOADING

Prohibition and restriction of waiting

10. Save as provided in Articles 13 to 21 no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle or a vehicle of a specific class to wait on any restricted street during the restricted hours as specified on the Plans.

Prohibition and restriction on loading and unloading

11. For the avoidance of doubt, save as provided in Articles 14 and 15 no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle or a vehicle of a specific class to wait on any restricted street for the purpose of enabling goods to be loaded to or unloaded from the vehicle during the no loading hours as specified on the Plans.

Restriction on stopping

12. For the avoidance of doubt, save as provided in Articles 14 and 15 no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to stop on any restricted street during the no stopping hours as specified on the Plans.

Taxis

13. Nothing in Article 10 shall render it unlawful to cause or permit a licensed hackney carriage whilst plying for hire to wait in any length of road where an exemption for waiting by taxis applies, during the period of exemption specified on the Plans or in any duly authorised taxi rank.

Emergencies

14. Nothing in Articles 10 to 12 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 specified therein for so long as may be necessary to enable the vehicle to be used in an emergency for fire and rescue, ambulance or police purposes.

General exemptions

15. Nothing in Articles 10 to 12 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 specified therein for so long as may be necessary to enable:

- (a) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations, namely:-
 - (i) building, shop fitting, industrial or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of the said lengths or sides of road; and
 - (iv) the laying, erection, alteration or repair in or on land adjacent to the said lengths or sides of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications system,
- (b) the vehicle, not being a passenger vehicle, if it cannot conveniently be used for such purposes in any other road, to be used in the service of a local authority or its contractors in pursuance of that authority's statutory powers or duties;
- (c) the vehicle of the Royal Mail or other universal service provider (as defined in section 4(3) and (4) of the Postal Services Act 2000) to be used for the purpose of delivering and/or collecting mail;
- (d) in any case where the person in control of the vehicle,
 - (i) is required by law to stop;
 - (ii) is obliged to stop so as to prevent an accident, or
 - (iii) is prevented from proceeding by circumstances outside his/her control.

Loading and unloading

- 16. Nothing in Article 10 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 specified therein (provided that there is no prohibition on loading and unloading or stopping in place) for so long as may be necessary to enable goods to be loaded to or unloaded from a vehicle (or goods or merchandise to be delivered or collected).
- 17. Nothing in Article 10 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 specified therein (provided that there is no prohibition on loading and unloading or stopping in place) while it is in actual use in connection with the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depositary or to such premises from a depositary.

Board and alight from a vehicle

- 18. Nothing in Article 10 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 specified therein (provided that there is no prohibition on loading and unloading or stopping in place) for so long as may be necessary to enable a person to board or alight from the vehicle.

Funerals and weddings

19. Nothing in Article 10 shall render it unlawful to cause or permit any vehicle to wait, if it cannot safely and conveniently do so elsewhere, in any of the roads, lengths of road or on the sides of road specified therein (provided that there is no prohibition on loading and unloading or stopping in place) for as long as is reasonably necessary if it is an official vehicle being used for any funeral or wedding.

Waiting by disabled persons' vehicle

20. Nothing in Article 10 shall render it unlawful to cause or permit a vehicle which displays in the relevant position a disabled person's badge and a 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 a restricted street for a period not exceeding 3 hours (not being a period separated by an interval of less than 1 hour from a previous period of waiting by the same vehicle in the same length of road): Provided that the vehicle immediately before or after the act of waiting has been or is about to be driven or used by the person to whom the badge has been issued or, as the case may be, used for the carrying of disabled person(s) as passenger(s).

Waiting at approved timing points

21. Nothing in Articles 10 shall render it unlawful to cause or permit a vehicle which is a public service vehicle to wait at an approved timing point.

General conditions of waiting

22. No person shall cause or permit any vehicle to wait unless all wheels are on the road and, if conditions dictate that the vehicle should wait parallel to the kerb, so that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 50 centimetres.
23. No person shall cause or permit any vehicle to wait so that any part of the vehicle obstructs any dropped kerb or any vehicular means of ingress to or egress from premises adjacent to the side of the road on which the vehicle is waiting.

SECTION 3 – PERMITTED AND DESIGNATED PARKING PLACES

Permitted Parking Places

Designation of permitted parking places

24. The parts of roads identified as such on the Plans are hereby authorised to be used subject to the following provisions of this Order as permitted parking places and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans.

25. No person shall cause or permit any vehicle to park in a permitted parking place during the permitted hours unless it is of the specified class.
26. Where in respect of a permitted parking place there is specified on the Plans a maximum period of waiting, no person shall cause or permit any vehicle to remain in a permitted parking place during the permitted hours:
 - (a) for a period longer than the maximum specified on the Plans; or
 - (b) if a period less than that specified on the Plans as being the period in which the vehicle shall not return has elapsed since a previous period of waiting by the same vehicle on the same side or length of road.

Verge and footway parking

27. Where parking partially on the verge or footway is specified on the Plans, nothing shall render it unlawful for any person to cause or permit a vehicle of the class specified to park in a permitted parking place partially on the verge or footway.

Loading areas

28. The parts of roads identified as such on the Plans are hereby designated to be used subject to the following provisions of this Order as loading areas and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans.
29. No person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait during the permitted hours in any loading area specified on the Plans unless it is of the specified class and except for the loading or unloading of goods in connection with nearby trade or business premises.
30. Where there is specified in the Plans a maximum period during the permitted hours for which loading or unloading is permitted, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait on any loading area during the permitted hours:
 - (a) for a period longer than is necessary for the loading or unloading of goods,
 - (b) for a period longer than the maximum specified on the Plans, or
 - (c) if a period less than that specified on the Plans as being the period during the permitted hours in which the vehicle shall not return has elapsed since a previous period of waiting by the same vehicle on the same side of length of road.

Disabled person's parking places

Designation of disabled badge holders only parking places

31. The parts of roads identified as such on the Plans are hereby designated to be used subject to the following provisions of this Order as parking places for disabled badge holders only and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans.

Display of disabled person's badge

32. No person shall cause or permit any vehicle to park in a disabled badge holders only parking place during the permitted hours unless there is displayed on that vehicle in the relevant position a valid disabled person's badge:
Provided that the vehicle immediately before or after the act of parking has been or is about to be driven or used by the person to whom the badge has been issued or, as the case may be, used for the carrying of disabled person(s) as passenger(s).

Maximum period of parking

33. Save as in an emergency, no person shall cause or permit any vehicle to remain in a disabled badge holders only parking place during the permitted hours for longer than the maximum period specified for that parking place in the Plans.
34. Where as indicated on the Plans there is a maximum period specified for that disabled badge holders only parking place, the driver of a vehicle shall upon leaving the vehicle in the parking place, display in the relevant position a disabled person's badge and a parking disc, on which has been marked the time at which the period of parking began and shall remove that vehicle from the said parking place within the maximum time specified.
35. Where a period within which a vehicle must not be parked again in the disabled badge holders only parking place is specified in the Plans, no person shall permit or cause the vehicle to park again in that parking place until the expiry of that specified period.

Motorcycle parking places

Designation of motorcycle parking places

36. The parts of roads identified as such on the Plans are hereby designated to be used subject to the following provisions of this Order as parking places for motorcycles and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans.

37. Where parking places are provided for the leaving of motorcycles, no person shall cause or permit any vehicle to park in that parking place during the permitted period as specified in the Plans unless it is a motorcycle.

Maximum period of parking

38. Save as in an emergency, no person shall cause or permit any motorcycle to remain in a parking place for motorcycles for longer than the maximum period specified for that parking place in the Plans.
39. Where a period within which a vehicle must not be parked again in the parking place for motorcycles is specified in the Plans, no person shall permit or cause the vehicle to park again in that parking place until the expiry of that specified period.

Doctor's parking places

Designation of doctors permit holder only parking places

40. The parts of roads identified as such on the Plans are hereby designated to be used subject to the following provisions of this Order as doctors permit holder only parking places and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans.
41. No person shall cause or permit any vehicle to park in a doctors permit holder only parking place during the permitted hours unless it is displaying in the relevant position a doctor's permit valid for that vehicle, that time and that parking place.
42. A doctor's parking permit will be issued by the Council in such form and subject to such conditions as may be agreed from time to time by the Council.

Operational Police vehicles parking places

Designation of parking places for operational police vehicles

43. The parts of roads identified as such on the Plans are hereby designated to be used subject to the following provisions of this Order as parking places for operational police vehicles and may be used subject to the provisions of this Order on such days and during such hours as are specified on the Plans.
44. Where parking places are provided for the leaving of operational police vehicles, no person shall cause or permit any vehicle to park in that parking place during the permitted period specified in the Plans unless it is an operational police vehicle.

General conditions in respect of parking places

Manner of standing in a parking place

45. Unless indicated otherwise by markings on the road and where parking wholly or partially on the verge or footway is permitted, each vehicle parked in a permitted parking place, disabled person's parking place, doctor's permit parking place or operational police vehicle's parking place in accordance with the foregoing provisions of this Order shall stand:
- (a) if the parking place is in a one-way street, so that the vehicle is facing according to the direction of the traffic flow and adjacent to the edge of the carriageway;
 - (b) if the parking place is not in a one-way street, so that the left or near side of the vehicle is adjacent to the left-hand edge of the carriageway;
 - (c) so that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 50 centimetres;
 - (d) so that no part of the vehicle obstructs any vehicular means of ingress to or egress from premises adjacent to the side of the road on which the vehicle is parked; and
 - (e) so that every part of the vehicle is within the limits of the parking place as marked on the carriageway.
46. Unless indicated otherwise by markings on the road, each motorcycle parked in a motorcycle parking-place in accordance with the foregoing provisions of this Order shall stand so that every part of the motorcycle is within the limits of the parking place as marked on the road.

Obstruction

47. No person shall park any vehicle in a designated parking place so as unreasonably to prevent or obstruct access to any premises adjoining the road or the use of the road by other persons or so as to be a nuisance.

Stop engine

48. The driver of a vehicle, immediately on parking in a parking place, shall stop the engine and shall not start the engine again until about to change the position of the vehicle in the parking place or to depart from the parking place.

Alteration of position of a vehicle in a parking place

49. Where any vehicle is standing in a parking place in contravention of the provisions of the preceding Article, any person duly authorised by the Council or a police officer in uniform may alter or cause to be altered the position of the vehicle in any manner considered appropriate in order that its position shall comply with those provisions.

Movement of a vehicle in a parking place in an emergency

50. A police officer in uniform may move or cause to be moved or remove or cause to be removed in any manner considered appropriate, in case of emergency, to any place he or she thinks fit, any vehicle parked in a parking place and shall provide for the safe custody of the vehicle.

Suspension of use of a parking place

51. Any person duly authorised by the Council may suspend the use of a parking place or any part thereof whenever they consider such suspension reasonably necessary:
- (a) for the purpose of facilitating the movement of traffic or promoting its safety;
 - (b) for the purpose of any building operation, demolition or excavation adjacent to the parking place, the maintenance, improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the parking place, the laying, erection, alteration or repair in or adjacent to the parking place or any sewer or of any main, pipe, or apparatus for the supply of gas, water or electricity or of any telecommunications system or the placing, maintenance or removal of any traffic sign;
 - (c) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture to or from one office or dwelling-house adjacent to the parking place from or to a depositary, another office or dwelling-house;
 - (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed;
 - (e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals, or on other special occasions; or,
 - (f) on any occasion in the interests of traffic or pedestrian movement and safety when a special event is taking place in the vicinity.
52. A police officer in uniform may suspend for not longer than 7 days the use of a parking place or any part thereof whenever he or she considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.

53. Any person or police officer suspending the use of a parking place or any part thereof in accordance with the provisions of this Order shall thereupon place or cause to be placed in or adjacent to that parking place or part thereof a traffic sign indicating that parking by vehicles is prohibited.

No parking in a suspended parking place

54. No person shall cause or permit a vehicle to park in a parking place or any part thereof during such period as the Council or a police officer has suspended that parking place or part thereof and exhibits notice of such suspension on or near that parking place.

Restrictions on the use of vehicles in a parking place

55. During the permitted hours no person shall use any parking place or any vehicle whilst it is in a parking place
- (a) to carry out any trade,
 - (b) in connection with the sale or offering or exposing for sale any goods to any person in or near the parking place, or
 - (c) in connection with the selling or offering for sale of their skill in handicraft or their services in any other capacity:

Provided that

- (a) nothing in this Article shall prevent the sale of goods from a vehicle if there is on display in the vehicle a certificate of Street Trading Consent issued by the Council and the vehicle is being operated in accordance with any conditions of the said certificate, and
- (b) nothing in this Article shall prevent the sale of goods from a vehicle if the vehicle is a passenger vehicle, a goods vehicle, a motorcycle or an invalid carriage and the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected and the vehicle does not park for a period exceeding 20 minutes or such longer period as a person duly authorised by the Council may approve.

General exemptions to restriction on parking by a vehicle in a parking place

56. Notwithstanding the foregoing provisions of this Order any vehicle may be parked during the permitted hours in any part of a parking place if the use of that part has not been suspended and if:
- (a) the vehicle is parked for so long as may be necessary for the purpose of enabling any person to board or alight from a vehicle or load thereon or unload therefrom their personal luggage;
 - (b) the vehicle is parked owing to the driver being prevented from proceeding by circumstances beyond their control or to such parking being necessary in order to avoid an accident;

- (c) the vehicle is being used for fire and rescue, ambulance or police purposes or, not being a passenger vehicle, is being used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary in the exercise of such powers or in the performance of such duties for the vehicle to park in the place in which it is parked;
- (d) the vehicle is parked for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;
- (e) the vehicle of the Royal Mail or other universal postal service provider (as defined in Section 4(3) and (4) of the Postal Services Act 2000) is parked for the purpose of delivering and/or collecting mail; or
- (f) in any other case the vehicle is parked for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the parking place in which the vehicle is parked and the vehicle does not park for a period exceeding 20 minutes or for such longer period as a person duly authorised by the Council may approve.

Exemptions for vehicles displaying a valid disabled person's badge

57. Notwithstanding the foregoing provisions of this Order, any vehicle displaying in the relevant position a valid disabled person's badge may be parked without time limit during the permitted hours in any part of a permitted parking place if the use of that part has not been suspended provided that the vehicle is parked in accordance with the terms and conditions of the said badge.

Exemptions for vehicles displaying a valid parking permit

58. Notwithstanding the foregoing provisions of this Order, any vehicle displaying in the relevant position a valid parking permit issued by the Council may be parked without time limit during the permitted hours in any part of a permitted parking place specified in the Plans with exemption for permit holders, if the use of that part of the permitted parking place has not been suspended.
59. A parking permit will be issued by the Council in such form and subject to such conditions as may be agreed from time to time by the Council.

Display of permit

60. At all times during which a vehicle is left in a permitted parking place there shall be displayed in the relevant position on the vehicle a permit valid for that time and that parking place.

Placing of traffic signs etc.

61. The Council shall:
- (a) place and maintain traffic signs indicating the limits of each parking place,

- (b) place and maintain traffic signs of a design approved by the Secretary of State for the Department for Transport indicating that such parking places may be used during the permitted hours for the leaving only of the vehicles of the specified classes, and
- (c) carry out such other work as it reasonably required for the purposes of the satisfactory operation of a parking place.

SECTION 5 - GENERAL

Pedestrian crossings

62. Nothing in the provisions of this Order shall be taken as authorising anything, which would be a contravention of any regulations made or having effect as if made under Section 25 of the Act of 1984.

Indications as evidence

63. The particulars given in any notice served on a vehicle in contravention of any provision of this Order shall be treated as evidence in any proceedings relating to failure to pay any penalty charge.

Restriction on removal of notices

64. Where a notice has been attached to a vehicle which is in contravention of any provision of this Order no person, not being the driver of the vehicle, a police officer in uniform or a person duly authorised by the Council, shall remove the notice from the vehicle unless authorised to do so by the keeper of the vehicle.

Immobilisation

65. If a vehicle is left or parked after a penalty charge has been incurred, a person duly authorised by the Council or a person acting under his or her direction may attach to the vehicle an immobilisation device and a notice in accordance with the provisions of the Traffic Management Act 2004 or any subsequent legislation so enabling and that vehicle shall only be released from the device on payment of the penalty charge along with such release fee as may be required by the Council.

Removal of vehicle

66. Where a person duly authorised by the Council has removed or caused to be removed a vehicle in accordance with the provisions of this Order,
- (a) he or she shall provide for the safe custody of the vehicle;
 - (b) the police authority shall be entitled to recover from the person responsible such charges in respect of the removal, storage and disposal of the vehicle as it might prescribe from time to time;
 - (c) the provisions of the Act of 1984 as amended shall apply to the disposal of such vehicles removed by or on behalf of the Council.

67. 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 Act of 1984 or by or under any other enactment.

SECTION 6 - REVOCATIONS

68. The following traffic regulation orders, in as far as they refer to the prohibition and restriction of waiting, parking, loading and unloading in the North Lincolnshire Borough Council area are hereby revoked.

North Lincolnshire Borough Council (Various Streets) (Prohibition and Restriction of Waiting and Street Parking Places) (Consolidation) Order 2009

North Lincolnshire Borough Council (Various Roads, Scunthorpe and Bottesford Area) (Prohibition and Restriction of Waiting) Order 2009

North Lincolnshire Borough Council (Various Streets) (Prohibition and Restriction of Waiting And Street Parking Places) (Consolidation) Order 2009 (Amendment No 1) Order 2009

North Lincolnshire Borough Council (Various Streets) (Prohibition and Restriction of Waiting and Street Parking Places) (Consolidation) Order 2009 (Amendment No 2) Order 2009

North Lincolnshire Borough Council (Various Streets) (Prohibition and Restriction of Waiting and Street Parking Places) (Consolidation) Order 2009 (Kings Road, Barnetby-le-Wold) (Amendment) Order 2010

Given under the Common Seal of North Lincolnshire Borough Council on the 11th
day of February 2010

THE COMMON SEAL of
NORTH LINCOLNSHIRE BOROUGH
COUNCIL was hereunto affixed
in the presence of:-



M Wood
Authorised Signatory

Seal No 6249