

NORTH LINCOLNSHIRE BOROUGH COUNCIL

THE NORTH LINCOLNSHIRE BOROUGH COUNCIL
(LINCOLN CASTLE WAY, NEW HOLLAND)
(PROHIBITION OF VERGES AND FOOTWAYS PARKING)
(EXPERIMENTAL) ORDER 2016

North Lincolnshire Borough Council (hereinafter referred to as “the Council”) in exercise of its powers under Section 9 of the Road Traffic Regulation Act 1984 (hereafter 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 makes the following Order:

1 This Order shall come into operation on the 4th November 2016 for a period of 18 months and may be cited as The North Lincolnshire Borough Council (Lincoln Castle Way, New Holland) (Prohibition of Verges and Footways Parking) (Experimental) Order 2016.

2 In this Order:

“carriageway” has the meaning as given in the Highways Act 1980 but does not include lay-bys.

“verge” means any part of a road not being a carriageway and includes road margins, central reservations and those areas laid for ornamental purposes maintained by North Lincolnshire Borough Council and the Local Housing Association but does not include lay-bys.

“footway” means any paved or hardened area separated from the highway carriageway for use by pedestrians.

3 Save as provided in Article 4 of this Order, no person shall cause or permit any vehicle to stop or wait at any time with one or more wheels on any part of the verge or footway in those lengths of road in Chatterton Crescent, Scunthorpe specified in the Schedule to this Order.

4 (1) Nothing in Article 3 of this Order applies to the lengths of road restricted by those Articles (which said lengths of road are referred to in this Article as “the restricted area”) in relation to:

(a) a vehicle being used for Fire and Rescue, Ambulance or Police purposes.

(b) anything done with the permission of or at the direction of:

(i) a Police Constable in uniform;

(ii) a Civil Enforcement Officer as defined by the Traffic Management Act 2004 and appointed by North Lincolnshire Borough Council.

(c) a vehicle which is prevented from proceeding by circumstances beyond the driver’s control or which has stopped in order to avoid injury or damage to persons or property or when required to do so by law;

- (d) a vehicle which is stationary in order that it may be used for one or more of the purposes specified in Sub-Article (2) of this Article and which cannot reasonably be used for such a purpose without stopping in the restricted area;
- (e) a marked vehicle which, whilst used by a universal service provider in the course of the provision of a universal postal service, is stationary only for so long as may be reasonably necessary for postal packets to be delivered or collected;

In this Article – the expressions “universal service provider”, “provision of a universal Postal Service” and “postal packet” shall bear the same meanings as in the Postal Services Act 2000,

- (2) The “purposes” referred to in Sub-Article (1)(d) of this Article are:
 - (a) any operation involving building, demolition or excavation;
 - (b) the removal of any obstruction to traffic;
 - (c) the maintenance, improvement or reconstruction of a road;
 - (d) constructing, improving, maintaining or cleaning of any street furniture; or
 - (e) the laying, erection, alteration, repair or cleaning of any sewer or of any main pipe or apparatus for the supply of gas, water or electricity, or of any telecommunications apparatus kept or installed for the purposes of a telecommunications code system or of any other telecommunications apparatus lawfully kept installed in any position.
 - (f) Improving or maintaining properties or land owned by the Local Housing Association.

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

6 During the operation of this Order, the Service Director of Places shall be empowered to exercise the modification or suspension provisions set out in Section 10 of the Act of 1984.

SCHEDULE

Prohibition of Parking on Verges and Footways (As per the detail shown on drawing number YHN05019/004/001)

Lincoln Castle Way, Full length of the road
New Holland

Given under the Common Seal of North Lincolnshire Borough Council on the 31st

day of October 2016

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



Authorised Signatory

Seal No 8316

