

**LINCOLNSHIRE COUNTY COUNCIL**  
**(PROHIBITION AND RESTRICTION OF WAITING AND LOADING AND PARKING PLACES)**  
**(CIVIL ENFORCEMENT AND CONSOLIDATION) ORDER 2012**

THE LINCOLNSHIRE COUNTY COUNCIL in exercise of its powers under Sections 1, 2(1) and (2), 3, 4, 5, 32, 35, 45, 46, 49, 53, 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 on **30 November 2012** and may be cited as the Lincolnshire County Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Civil Enforcement and Consolidation) Order 2012.
2. The Lincolnshire County Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Civil Enforcement and Consolidation) Order 2012 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:

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

"District Council" means the District Council for that administrative area"

"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;

"business user" means a person who occupies or is employed at premises the postal address of which is in any street or part of a street described in Schedule 1 and who uses such premises for non-residential purposes;

"cycle lane" means a length of road specified in this Order as a cycle lane and bounded by delineating road markings as prescribed under the Traffic Signs Regulations and General Directions 2002 ;

### **SECTION 3 – CLEARWAYS, URBAN CLEARWAYS AND SCHOOL KEEP CLEAR**

21. Save as provided in Article 22 of this Order no person shall except upon the direction or with the permission of a Police Constable in uniform cause or permit any vehicle to stop or wait on any of the main carriageways forming part of the lengths of roads identified as clearways, urban clearways or school keep clear areas on the plans attached to this Order.
- 22.1 Nothing in Article 21 of this Order shall apply so as to prevent any vehicle to stop or wait on any main carriageway identified as clearways, urban clearways or school keep clear areas on the plans attached to this Order for so long as may be necessary to enable the vehicle if it cannot be used for such purpose without waiting on that carriageway, to be used in connection:
- (i) with the removal of any obstruction or potential obstruction to traffic;
  - (ii) with the provisions contained within Article 13 (c), 13(d), 13(f) and 13(g) of this Order; and
  - (iii) to enable a public service vehicle to stop or wait on any main carriageway identified on the plans attached to this Order for as long as may be necessary to enable a person to board or alight from the vehicle at any recognised stopping place;
- 22.2 Notwithstanding any exemption contained in paragraph (1) of this Article, the person in control of a vehicle stopping or waiting on any of the lengths of road identified as clearways, urban clearways or school keep clear areas on the plans attached to this Order, shall move the vehicle on the instructions of a Police Constable in uniform or Civil Enforcement Officer whenever such moving may be reasonably necessary for the purpose of preventing obstruction.
- 22.3 Nothing in Article 21 of this Order shall apply so as to prevent a School Bus as defined in Section 46(3) of the Public Passenger Vehicles Act 1981 and being used to provide free school transport to stop or wait on any main carriageway identified as clearways, urban clearways or school keep clear areas on the plans attached to this Order :
- 22.4 No person shall cause or permit any vehicle to wait on any verge or lay-by immediately adjacent to a main carriageway identified on the plans attached to this order for the purpose of selling goods from that vehicle unless the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is affected.