**Norfolk County Council**

**(Great Yarmouth, Third River Crossing)**

**(****Prohibition of Waiting, Loading and Unloading)**

**Order 2023**

The Norfolk County Council in exercise of the powers under Part 3, Section 18 (1) of The Great Yarmouth Third River Crossing Development Consent Order 2020 (“the DCO”) and after consultation with the Chief Officer of Police of Norfolk pursuant to section 18(7)(a)(i) of the DCO and all other enabling provisions hereby makes the following Order: -

1. Citation and Commencement

This Order may be cited as the Norfolk County Council (Great Yarmouth, Third River Crossing) (Prohibition of Waiting, Loading and Unloading and Street Parking Places) Order 2023 and shall come into effect for all purposes on the XX day of XXXXXX 2023.

2. In this Order –

Any reference 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. Where the context otherwise requires the following expressions have the meaning hereby respectively assigned to them.

"authorised taxi rank" means any area of carriageway which is comprised within and indicated by a road marking complying with diagram 1028.2 in Schedule 6 to the Traffic Signs Regulations and General Directions 2016;

"authorised parking place" means any parking place on a road authorised or designated by an order made or having effect as if made under the 1984 Act;

"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” has the same meaning as in section 76 of the 2004 Act;

"Disabled Person's Badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles)(England) Regulations 2000 (as amended); and

"Parking Disc" means a disc, issued by a local authority, complying with the requirements of the British Standard Specification for Parking Discs (BS No. 4631: 1970), but coloured blue and capable of showing the quarter hours period during which a period of waiting begins; and

 for the purpose of this Order a vehicle shall be regarded as displaying

 (a) a disabled person's badge in the relevant position, when

(i) in the case of a vehicle fitted with a front windscreen, the badge is exhibited thereon with the obverse side facing forwards on the near side of and immediately behind the windscreen, and

(ii) in the case of a vehicle not fitted with a front windscreen the badge is exhibited in a conspicuous position on the front or near side of the vehicle, and

(b) a parking disc in the relevant position, when the disc is exhibited thereon with the side which shows the time facing forwards or outwards and immediately behind the windscreen or side window nearest to the kerb;

"Disabled Person's Vehicle" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

“Driver” in relation to a vehicle waiting in contravention of an Order, means the person driving the vehicle at the time it was left at that contravention;

“General Directions” shall mean The Traffic Signs Regulations and General Directions 2016”

“General Regulations” shall mean The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022”;

"Hackney Carriage" has the meaning as in Section 38 of the Town Police Clauses Act 1847;

“Motor Car”, Motor Cycle” and Invalid Carriage” have the same meaning as in section 136 of the 1984 Act;

“Penalty Charge” has the same meaning as in Part 1(2) and Part 2 of the General Regulations;

“Penalty Charge Notice” has the same meaning as in Part 1(2) and Part 2 of the General Regulations;

3. Save as provided in Articles 5, and 6 of this Order no person shall, except upon the direction or with the permission of a police constable in uniform or of a Civil Enforcement Officer, cause or permit any vehicle to wait along the lengths of road specified in Schedule 1 of this Order at any time.

4. No person shall, except upon the direction of or with the permission of a police constable in uniform or of a Civil Enforcement Officer, cause or permit any vehicle to wait, load or unload along the lengths of road specified in Schedule 2 of this Order at any time.

5. Nothing in Article 3 of this Order shall prohibit a person to cause or permit any vehicle to wait in the lengths of road or on the side of roads referred to in Schedule 1 of this Order for so long as may be necessary to enable: -

(1) (a) goods to be loaded on to or unloaded from the vehicle;

(b) a person to board or alight from the vehicle;

provided that the length of road is not an authorised taxi rank or authorised parking place.

(2) 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 -

1. fire brigade, ambulance or police purposes;

(b) building, industrial or demolition operations;

(c) the removal of any obstruction to traffic;

(d) the maintenance, improvement or reconstruction of the said lengths of road or side of roads; or

(e) the laying, erection, alteration or repair in, or in land adjacent to, the said lengths of road or side of roads, of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any electronic communications apparatus as defined in the Communications Act 2003;

(f) the provision of a universal postal service as defined in the Postal Services Act 2011;

(g) in the service of a local authority or of a water authority in pursuance of statutory powers or duties;

(h) to wait when the person in control of the vehicle is required to stop by law, or is obliged to stop in order to avoid an accident or is prevented from proceeding by circumstance outside their control;

6. Nothing in Article 3 of this Order shall apply to any vehicle owned by a funeral director or owner of funeral vehicles when in use as part of a funeral cortege.

7. Nothing in Article 3 of this Order shall prohibit a person to cause or permit a disabled person's 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 the lengths of road or on the side of roads referred to in that Article for a period not exceeding the time specified in the regulations.

8. The Norfolk County Council (Great Yarmouth (Southtown), Various Roads) (Prohibition of Waiting) Consolidation and Variation Order 2011 is revoked in so far as it relates to the following lengths of roads listed in Schedule 1 of this Order:-

 (i) U61057 Cromwell Road (south side); and

 (ii) U61067 Queen Anne’s Road (both sides).

9. The Norfolk County Council (Great Yarmouth, (South Denes), Various Roads) (Prohibition of Waiting) Consolidation and Variation Order 2011 is revoked in so far as it relates to the lengths of the U60795 Sutton Road (both sides) listed in Schedule 1 of this Order.

10. Under Article 18(8) of the DCO any prohibition, restriction or other provision made under paragraphs (1) or (2) of that article may be suspended, varied or revoked by the undertaker from time to time by subsequent exercise of the powers conferred by paragraph (1) or (2) within a period of 24 months from the opening of the authorised development for public use.

11. Insofar as any provision of this Order conflicts with any provision of any previous Order relating to the lengths of road specified in the Schedules to this Order, that provision of this Order shall prevail.

12. Insofar as any provision of this Order conflicts with:-

(a) the effect of markings placed on the carriageway, as specified under Regulation 29(1) of the General Directions conveying the existence of a ‘bus stop/clearway’ as defined by Part 1 of Schedule 19 of the General Directions; or

(b) the effect of markings placed on the carriageway, as specified under Regulation 27(1) of the General Directions conveying the existence of a toucan or equestrian crossing or an adjacent controlled area as defined by Sign 1001.3 in Schedule 6 of the General Directions; or

(c) the effect of markings placed on the carriageway, as specified under s3(1) of the 1997 Regulations conveying the existence of a:-

(i) Zebra Pedestrian Crossing or Zebra controlled area; or

(ii) Pelican Pedestrian Crossing or Pelican controlled area; or

(iii) Puffin Pedestrian Crossing or Puffin controlled area

and established as specified in s23(2) of the 1984 Act;

the effect of those markings shall prevail.

**SCHEDULE 1**

**Prohibition of Waiting at all times**

|  |  |
| --- | --- |
| U60782 Middle Road Westeast side | From its junction with the U60795 Sutton Road southwards for a distance of 7metres |
| U61067 Queens Anne’s Roadboth sides | From its junction with the new roundabout to a point 65 metres north west of that junction on the south side of U61067 Queen Anne’s Road and, on the north side, from its junction with the new roundabout to a point 45 metres north west of that junction |
| south side | From a point 96 metres north west from its junction with C630 Southtown Road in a north westerly direction for a distance of 20 metres |
| north side | From a point 96 metres north west from its junction with C630 Southtown Road in a north westerly direction for a distance of 20 metres including the turning head |
| north side | From its junction with C630 Southtown Road westwards for a distance of 40 metres |
| A1243 South Denes Roadeast side | From a point 10 metres north of the mid-point of its junction with the U60796 Swanston’s Road northwards to a point 15 metres south of the mid-point of its junction with U60795 Sutton Road |
| A1243 Southgates Roadeast side | From a point 16 metres north of the mid-point of its junction with the U60795 Sutton Road to a point 72 metres south of the mid-point of its junction with the U60757 Barrack Road |
| C630 Southtown Roadwest side | From a point 7 metres south of the junction with the U61057 Cromwell Road, to a point 77 metres south of the junction with U61057 Cromwell Road |
| C618 Suffolk Roadboth sides | From its junction with the new roundabout northwards for a distance of 44 metres |
| U60795 Sutton Roadnorth side | From a point 10 metres east of its junction with the A1243 South Denes Road, to a point 48 metres east of that junction |
| south side | From a point 15 metres east of the mid-point of its junction with Middle Road East to a point 20 metres east of that junction |
|  | From a point 4 metres west of the mid-point of its junction with U60781 Middle Road East, to a point 8 metres west of that junction |
|  | From a point 4 metres east of the mid-point of its junction with U60781 Middle Road East, to a point 7 metres east of that junction |
| C631 William Adams Waynorth side (east bound) | From its junction with the A47 Harfrey’s roundabout, to its junction with the new roundabout |
|  (west bound) | From its junction with the new roundabout, to its junction with the A47 Harfrey’s roundabout |
| (south east bound) | From its junction with the new roundabout to its junction with the C630 Southtown Road |
| (north west bound) | From its junction with C630 Southtown Road to its junction with the new roundabout |

**SCHEDULE 2**

**Prohibition of Waiting/ Loading and Unloading at all times**

|  |  |
| --- | --- |
| A1154 New RoadBoth sides | Entire length |

Dated this XX day of XXXXXX 2023

ALW/ GY3RC(PoW/LuL)Order 2023