

THE NORFOLK COUNTY COUNCIL (KING'S LYNN)
(CONTROLLED ZONE (PERMIT PARKING FOR KR05)) ORDER 2024

The Norfolk County Council (hereinafter referred to as “the Council”) in exercise of their powers under Sections 1(1), 2(1) to (3), 3(2) and 4(1) and (2), 32(1) and 35(1), 45 and 46 and 122 and Parts III and IV of Schedule 9 of the Road Traffic Regulation Act 1984 (hereinafter referred to as “the Act”) and the Traffic Management Act 2004 (hereinafter referred to as “the 2004 Act”) 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 hereby make the following Order:-

1. This Order may be cited as The Norfolk County Council (King’s Lynn) (Controlled Zone (Permit Parking for KR05)) Order 2024 and shall come into effect on the 9th day of September 2024.

PART 1 - GENERAL

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 parking place” and “parking place” means any part of a road authorised in Column 1 of Schedule 2 of this Order to be used as a parking place;

"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 2002;

“Bus” has the same meaning as in Regulation 22(2) of the General Directions;

“Bus lane” has the same meaning as in Regulation 23 of the General Directions;

“Business 24 hour Visitors Parking Permit” means a Parking Permit as set out under Article 12 of this Order;

“Business 24 hour Visitors Virtual Permit” means a Parking Permit as set out under Article 12(ii) of this Order;

“Council” means the Norfolk County Council;

“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; and

"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;

"Enforcement Agent" means the Council or their appointed person to administer such functions on their behalf pursuant to an Agreement under The Local Government Act 2000;

"Enforcement Authority" means the Council;

"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" shall have the same meaning as in section 136 of the Act;

"Parking Permit" means:-

- (i) a Residents Parking Permit,
- (ii) a Residents Visitors Parking Permit,
- (iii) a Residents 24 hour Visitors Virtual Parking Permit
- (iv) a Business Parking Permit,
- (v) a Business Visitors Parking Permit,
- (vi) a Business 24 hour Visitors Parking Permit,
- (vii) a Business 24 hour Visitors Virtual Permit,

valid for the KR05 Restricted Zone as specified in this Order.

"Parking Permit Charge" means the charge made by the Council for a Parking Permit as fixed annually by the Council;

"Parking Place" means a length of road specified in Column 1 of Schedule 2 to this Order indicated by markings on the surface as an area where a vehicle in accordance with the provisions of this Order may be stationed;

"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;

"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;

“Permit Agent” means the Council or their appointed person to administer such functions on their behalf pursuant to an Agreement under The Local Government Act 2000;

“Resident” means a legal owner/occupier of a property situated within the KR05 Parking Permit Area;

“Residents Parking Permit” means a Parking Permit issued under Article 9 of this Order;

“Residents Visitors Parking Permit” means a Parking Permit as set out under Article 10(i) of this Order;

“Residents 24 hour Visitors Virtual Parking Permit” means a Parking Permit as set out under Article 10(ii) of this Order;

“the regulations” in Article 3 of this Order means The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000” and The Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 and any statutory modifications or re-enactments thereof.

3. Nothing in Parts 2 and 3 of this Order when applied to Schedules 1 and 2 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 those Parts for a period not exceeding the time specified in the regulations subject to compliance with all other provisions of this Order provided:

- (a) the driver of the vehicle is a disabled person to whom the badge was issued in respect of that vehicle;

- (b) the vehicle is being used for the carriage of a disabled person to whom the badge was issued;
 - (c) the vehicle is one being used for the carriage of disabled persons by an institution to whom the badge was issued in respect of that vehicle; or
 - (d) the time during which the vehicle will be parked in the said parking bay is indicated on the parking disc provided by local authority for that purpose.
4. 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.
5. Insofar as any provision of this Order conflicts with:-
- (a) the effect of markings placed on the carriageway, conveying the existence of a 'bus stop clearway' complying with diagram 1025.1 in Schedule 7 Part 4 of the General Directions; or
 - (b) the effect of markings placed on the carriageway and signs, conveying the existence of a toucan or equestrian crossing or an adjacent controlled area as specified in Schedule 14 of the General Directions; or
 - (c) the effect of markings placed on the carriageway and signs, as specified in Schedule 14 of the General Directions conveying the existence of a:-
 - (i) Zebra Pedestrian Crossing or Zebra controlled area; or
 - (ii) Puffin Pedestrian Crossing or Puffin controlled area; or
 - (iii) Pelican Pedestrian Crossing or Pelican controlled area;
 established as specified in s23(2) of the 1984 Act;
- the effect of those markings shall prevail.
6. The Norfolk County Council (King's Lynn) (Controlled Zone (Including Permit Parking for KR03)) (No 1) Order 2015 is amended by the deletion of the following reference to the U20524 Bridge Street:-
- "U20524 Bridge Street - From its junction with C545 Stonegate Street
Both Sides southwards for a distance of 47 metres"

PART 2 – PROHIBITION OF WAITING

7. Save as provided in Article 8 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 at any time along the lengths of road specified in Schedule 1 to this Order.

8.(1) Nothing in Article 7 of this Order shall prohibit a person to cause or permit any vehicle to wait along the lengths of road or on the side of roads referred to therein for so long as may be necessary to enable -

- (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) Nothing in Article 7 of this Order shall prohibit a person to cause or permit any vehicle to wait in the length of road or on the side of roads referred to therein for so long as may be necessary to enable 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, industrial or demolition operations;
- (ii) the removal of any obstruction to traffic;
- (iii) the maintenance, improvement or reconstruction of the said lengths of road or side of roads; or
- (iv) 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;
- (v) the provision of a universal postal service as defined in the Postal Services Act 2011;
- (vi) in the service of a local authority or of a water authority in pursuance of statutory powers or duties.

(3) Nothing in Article 7 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.

(4) Nothing in Article 7 of this Order shall prohibit a person to cause or permit any vehicle being a hackney carriage, to wait upon an authorised taxi rank.

PART 3 – PERMIT PARKING

Residents Parking Permits

9. The driver of a vehicle, being a Resident of a property situated within the KR05 Permit Parking Area may, subject to the Council's discretion, apply to the Council for a Residents Parking Permit to be valid in respect of one specified vehicle for a period of up to twelve months from the date of issue. A Residents Parking Permit may be used to allow that specified vehicle to wait in a KR05 Permit Parking Place as specified by the Parking Permit and in accordance with Schedule 2 to this Order.

10. A Resident of a property situated within the KR05 Parking Permit Area may, subject to the Council's discretion, apply to the Council for:-
- (i) one Residents Visitors Parking Permit to be valid for a period of up to twelve months from the date of issue. A Residents Visitors Parking Permit may be used to allow a vehicle to wait in a KR05 Permit Parking Place as specified by the Parking Permit and in accordance with this Order; OR
 - (ii) Residents 24 hour Visitors Virtual Parking Permits (up to a maximum of 365 per year). A Residents 24 hour Virtual Parking Permit may be used to allow a vehicle to wait in a KR05 Permit Parking Place for a period of up to 24 hours as specified by the Parking Permit and in accordance with this Order.

Business Parking Permits

11. The driver of a vehicle, being a proprietor of a business situated within the KR05 Restricted Zone may, subject to the Council's discretion, apply to the Council for a Business Parking Permit to be valid in respect of one specified vehicle for a period of up to twelve months from the date of issue. A Business Parking Permit may be used to allow that specified vehicle to wait in a Parking Place within the KR05 Restricted Zone as specified by the Parking Permit and in accordance with this Order.

Business 24 hour Visitor Parking Permits

12. A proprietor of a business situated within the KR05 Restricted Zone may, subject to the Council's discretion, apply to the Council for:-
- (i) a maximum of 365 Business 24 hour Visitors Parking Permits per annum;
 - (ii) which may be a combination of:
 - (a) Business 24 hour Visitors Parking Permits; or
 - (b) Business 24 hour Visitors Virtual Permits;

valid for a period of up to twelve months from the date of issue. Each Parking Permit specified in (ii)(a) and (b) is valid for a period of 24 hours, starting at the time specified on the Parking Permit, within that twelve months period;

A Business Visitors Parking Permit, Business 24 hour Visitors Parking Permit, or Business 24 hour Visitors Virtual Permit may be used to allow a vehicle to wait in a Parking Place within the KR05 Restricted Zone as specified by the Parking Permit and in accordance with this Order.

Issue of Parking Permits

13. The issue of a Parking Permit is at the discretion of the Council and subject to receipt of the correct Parking Permit Charge for that Parking Permit as fixed annually by the Council. The Council may limit the number of any type of Parking Permit issued in respect of the Permit Parking Area. The Council shall not be obliged to issue any Parking Permit if doing so would exceed the permitted maximum number of Parking Permits for the Permit Parking Area.

Display of Parking Permits

14. The driver of a vehicle using a Parking Permit issued in accordance with Articles 9, 10, 11 and 12 of this Order and
 - (a) which vehicle possesses a windscreen shall display the Parking Permit within the vehicle either by attaching it firmly to the front windscreen or by placing it on the dashboard of the vehicle;
 - (b) which vehicle does not possess a windscreen shall display the Parking Permit in a conspicuous position,

so that the registration details, the period of eligibility and all other particulars appropriate to the Parking Permit as specified in this Order are clearly visible from outside the vehicle during the entire period the vehicle is waiting in a Permit Parking Place.

15. A Parking Permit which is not displayed in accordance with Article 14 of this Order is not valid.
16. The driver of a vehicle using a Parking Permit issued in accordance with Articles 10(ii) and 12(ii) must ensure the vehicle registration is registered on an account in an electronic database approved by the Council for enforcement of parking. Confirmation the vehicle by registration is eligible to wait, together with payment and period of eligibility must be available to a Civil Enforcement Officer via display on a hand-held enforcement facility or by reasonable enquiry.
17. A Parking Permit issued in accordance with Articles 10(ii) and 12(ii) is not displayed in accordance with Article 14 of this Order shall be valid only for the duration the driver of the vehicle is a visitor to a Resident or Business situated within the KR05 Parking Permit Area.
18. A Parking Permit issued in accordance with this Order shall not be considered valid for the purposes of this Order if:-
 - (a) a Parking Permit which is required to be displayed is defaced or obstructed so that the particulars cannot be read from outside the vehicle, or
 - (b) the Parking Permit has expired by effluxion of time, or
 - (c) the Parking Permit has been declared invalid by the Council following any payment for that Parking Permit being dishonoured, or

- (d) the driver of a vehicle displaying a Residents Parking Permit is no longer a Resident within the KR05 Parking Permit Area in accordance with this Order.
19. The driver of a vehicle shall not cause or permit a vehicle to wait in a KR05 Permit Parking Place if that vehicle displays a Parking Permit which was purchased either for a different vehicle or for a different Parking Zone than that in which the vehicle is waiting.

All Parking Permits

20. Where a Parking Permit has been used contrary to the conditions of use of the Parking Permit or is otherwise in breach of the provisions of this Order the Council may declare that Parking Permit invalid.
21. A Parking Permit issued under Articles 9 and 11 of this Order shall not be valid for any vehicle other than the vehicle for which it was issued (whether or not that other vehicle is owned or is under the control of the driver).
22. A Parking Permit issued under Articles 10(ii) and 12(ii) of this Order shall be valid for the period specified on the Parking Permit. The date and time of issue for that Parking Permit must be entered, in ink on the Parking Permit and be clearly visible as specified in this Order.

USE OF PARKING PLACES

23. The driver of a vehicle using a Parking Place shall stop the engine as soon as the vehicle is in position in that parking place and shall not start the engine except when about to change the position of the vehicle in that parking place, or to depart from that parking place.
24. Where in the Schedule to this Order the Parking Place is described, or is designated by surface or other markings, as available for vehicles of a specified class, the driver of a vehicle shall not permit it to wait in the Parking Place, unless it is of the specified class.
25. The driver of a vehicle shall not cause or permit a vehicle to be left in a Parking Place in any position other than wholly within a Parking Place, nor cause or permit a vehicle to be left in such a position as to prevent the driving away of any vehicle already standing in a Parking Place or in such a position as to cause an obstruction to other vehicles.
26. Subject to the proviso hereto, when a vehicle is left in a Parking Place in contravention of this Order, or it is necessary to meet the requirements of an emergency, a person authorised on behalf of the Council or a Civil Enforcement Officer may remove the vehicle or arrange for it to be removed from that parking place, or may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions or meet the requirements of the emergency.

27. Any person removing or altering the position of a vehicle by virtue of Article 26 of this Order may do so by towing or driving the vehicle or in such other manner as that person may think necessary and may take such measures in relation to the vehicle as that person may think necessary to enable that person to remove or alter its position.
28. When a person authorised by the Council or a Civil Enforcement Officer removes or makes arrangements for the removal of a vehicle from a Pay and Display Parking Place or a Parking Place by virtue of Articles 26 and 27 of this Order, that person shall make such arrangements as may be reasonably necessary for the safe custody of that vehicle.
29. Where a vehicle has been removed in accordance with Articles 26, 27 and 28 of this Order the charges as specified in Part 3 of the General Regulations shall become payable.
30. The driver of a motor vehicle using the parking place shall not sound any horn or other similar instrument except when about to change the position of the vehicle in or to depart from a Parking Place.
31. No person shall, except with the permission of any person duly authorised by the Council, drive any vehicle in a Parking Place other than for the purpose of leaving that vehicle in that parking place in accordance with the provisions of this Order or for the purpose of departing from that parking place.
32. No person shall, in a Parking Place, wantonly shout or otherwise make a loud noise to the disturbance or annoyance of users of that parking place or residents of premises in the neighbourhood.
33. No person shall, in a Parking Place, use any threatening, abusive or insulting language, gesture or conduct with intent to put any person in fear or so occasion a breach of the peace or whereby a breach of the peace is likely to be occasioned.
34. No person shall, except with the authority of the Council use a Parking Place or any vehicle left in a parking place:
 - (a) for sleeping or camping purposes,
 - (b) for eating or cooking purposes,
 - (c) for the purpose of servicing or washing any vehicle or part thereof other than is reasonably necessary to enable that vehicle to depart from that parking place,
 - (d) for skateboarding, roller skating or wheeled activities which may be hazardous to other traffic,
 - (e) for the instruction of pupils whilst undertaking driving lessons;
 - (f) to play or take part in any game.
35. In a Parking Place no person shall:

- (a) erect or cause or permit to be erected any tent, booth, stand, building or other structure except with the authority of the Council or person authorised on behalf of the Council; or
 - (b) light or cause or permit to be lit any fire.
36. No person shall proceed to enter a Parking Place whilst towing any vehicle except;
- (a) where the towed vehicle is required in order that a vehicle may be removed in accordance with Articles 25, 26 and 27 of this Order;
 - (b) where the towed vehicle is carrying equipment required by the driver for ground maintenance at that parking place;
 - (c) where the towed vehicle is required for remedial works at or to that parking place by statutory utilities staff; or
 - (d) where permission has been granted by the Council.
37. In the Parking Place no person shall leave stationed or cause or permit to be stationed a vehicle which has a maximum gross vehicle weight exceeding 2 tonnes except upon the direction or with the permission of the Council or a Civil Enforcement Officer.

PENALTY CHARGE AND PENALTY CHARGE NOTICE

38. Where a driver has left a vehicle in contravention of any provision of this Order a Penalty Charge Notice shall become payable. A Penalty Charge Notice to that effect will be attached to the vehicle or handed to the driver by a Civil Enforcement Officer and follow procedures in accordance with the General Regulations.
39. A Penalty Charge shall be payable to the Enforcement Authority.
40. Where a Penalty Charge Notice has been attached to a vehicle in accordance with Article 38 of this Order no person, not being the driver of the vehicle or a person duly authorised by the Enforcement Authority shall remove that Notice from the vehicle unless authorised to do so by the driver.

SCHEDULE 1
In the Town of King's Lynn

Prohibition of Waiting – At Any Time

U20526 All Saints Street / U20524 Bridge Street North and East Side	-	From a point 19 metres southeast of its junction with the U23443 Vicarage House Service Road north-westwards and northwards to its junction with the U20545 Boal Street
U20526 All Saints Street South Side	-	From the centre of its junction with the U20532 Church Lane north-westwards for a distance of 29 metres
U20524 Bridge Street West Side	-	From the centre of its junction with the U20545 Boal Street south-eastwards to a point 7 metres south of its junction with U23441 Florence Road
U20524 Bridge Street / U20525 Friars Walk West Side	-	From a point 38 metres south of the junction with U23442 Gurney Road southwards for a distance of 20 metres
U20525 Friars Walk South Side	-	From the centre of its junction with the U20526 All Saints Street / U20524 Bridge Street south-westwards for a distance of 10 metres
U23443 Vicarage House Service Road Both Sides	-	From the centre of its junction with the U20526 All Saints Street northwards for a distance of 10 metres

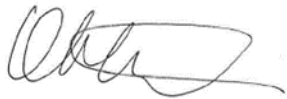
SCHEDULE 2

In the Town of King's Lynn

KR05 PERMIT PARKING

1	2	3	4	5	6
Parts of road authorised to be used as Parking Places within the Parking Permit Area	Position in which vehicles may wait	Classes of Vehicles permitted to wait	Days of Operation of Parking Places	Hours of Operation of Parking Places	Vehicles permitted to wait in the Parking Places
U20526 All Saints Street South Side From a point 29 metres north-westwards of its junction with the U20532 Church Lane north-westwards for a distance of 104 metres	Close by and parallel with the kerb	All	Monday to Sunday	At All Times	Vehicles authorised to wait by display or electronic evidence of a KR05 Parking Permit
U20524 Bridge Street West Side From a point 38 metres south of the junction with U23442 Gurney Road northwards for a distance of 61 metres	Close by and parallel with the kerb	All	Monday to Sunday	At All Times	Vehicles authorised to wait by display or electronic evidence of a KR05 Parking Permit

Dated this 4th day of September 2024



Katrina Hulatt
Director of Legal Services (nplaw)