

THE NORFOLK COUNTY COUNCIL (NORTH WALSHAM, VARIOUS ROADS)
(LOADING BAY) VARIATION AND CONSOLIDATION ORDER 2011

The Norfolk County Council in exercise of their powers under Section 1(1), 2(1) to (2), and 4(1) and Parts III and IV of Schedule 9 of the Road Traffic Regulation Act 1984 (hereinafter referred to "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:-

2.(1) 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.

“Civil Enforcement Officer” has the same meaning as in s76 of the 2004 Act;

“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 2002”

“General Directions 2007” shall mean The Civil Enforcement of Parking Contraventions (England) General Regulations 2007”;

'loading bay ', in relation to a specified road, shall mean all that area of a specified road which is comprised within and indicated by a road marking complying with the General Directions;

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

“Penalty Charge” has the same meaning as in section 2 of the General Regulations 2007;

“Penalty Charge Notice” has the same meaning as in section 8 of the General Regulations 2007;

“specified road” shall mean the lengths of road specified in Column 1 of the Schedules to this Order;

“specified time” shall mean the periods of time specified in Columns 4 and 5 of the Schedules of this Order;

“goods vehicle” shall mean any vehicle which is required to load and unload goods at its destination for the purposes of commercial transport of those goods;

“goods vehicle loading bay” shall mean any loading bay along the lengths of road specified in Schedules to this Order which is comprised within and indicated by a road marking complying with the General Directions and permits a goods vehicle to load and unload at a destination for commercial transport of those goods;

2. Save as provided in Article 4 of this Order, 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 along the lengths of specified road at the specified time in Schedule 1 to this Order other than for the purposes of loading and unloading.
- 3.(1) Save as provided in Article 4 of this Order, 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 other than a goods vehicle, to wait within a specified goods vehicle loading bay during the specified time in Schedule 2 to this Order.
- 3(2) Save as provided in Article 4 of this Order, 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 goods vehicle to wait along the lengths of road specified in Schedule 2 to this Order except for the purposes of loading and unloading only.
4. Nothing in Articles 2 and 3 of this Order shall prohibit a person to cause or permit a vehicle to wait in a prohibited area -
 - (a) if the vehicle is being used for the removal of any obstruction to traffic; or
 - (b) if the vehicle is being used in the service of a local authority or with the permission of the Council in the exercise of statutory powers or duties and whilst being so used in such service it is necessary for the vehicle to wait in that prohibited area; or
 - (c) in any case where the person in control of the vehicle is required by law to stop, or is obliged to do so in order to avoid an accident, or is prevented from proceeding by circumstances beyond his control; or
 - (d) if the vehicle is being used for police, fire brigade or ambulance purposes;
 - (e) if the vehicle is being used for the provision of a universal postal service as defined in the Postal Services Act 2000.
5. This Order shall come into operation on the 7th day of November 2011, and may be cited as The Norfolk County Council (North Walsham, Various Roads) (Loading Bay) Variation and Consolidation Order 2011.
6. The following Orders are hereby revoked:-

“The Norfolk County Council (North Walsham, Market Street)(Goods Vehicle Loading Bay) Order 2003” – in its entirety;

“The Norfolk County Council (North Walsham, Market Place)(Goods Vehicle Loading Bay) Order 2004” – in its entirety;

“The Norfolk County Council (North Walsham, Church Street)(Goods Vehicle Loading Bay) Order 2004” – in its entirety;

7. Insofar as any provision of this Order conflicts with any provision of any previous Order relating to the waiting of vehicles along the lengths of specified roads in the Schedules to this Order, that provision of this Order shall prevail.

IN THE TOWN OF NORTH WALSHAM
SCHEDULE 1 – VEHICLE LOADING BAY

1	2	3	4	5	6	
	Parts of road authorised to be used as vehicle loading bay (Specified Road)	Position in which vehicles may wait	Classes of Vehicles	Days of Operation of Loading Bay (Specified time)	Hours of Operation of Loading Bay (Specified time)	Maximum period for which vehicles may wait to load/unload
	U10334 Bank Loke North Side (Turning Head) From its easternmost point westwards for a distance of 7 metres (the bay to be 2.7 metres wide parallel with the kerb)	Close by and parallel with the kerb	All	Monday to Sunday	At All Times	Waiting limited within the operating times of the loading bay to that required for the purposes of loading and unloading

Dated this 24th day of October 2011

THE COMMON SEAL of)
THE NORFOLK COUNTY COUNCIL)
was hereunto affixed)
in the presence of:-)

Vicki N
Head of Law



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LP/SMK/NorthWalshamLoadingBay