

THE NORFOLK COUNTY COUNCIL (NORTH WALSHAM, MARKET PLACE)
(PROHIBITION OF WAITING, LOADING AND UNLOADING – RESTRICTED ZONE)
CONSOLIDATION ORDER 2011

The Norfolk County Council in exercise of their powers under Sections 1(1), 2(1), 2(2) and 4(1) and (2) 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 shall come into operation on the 7th day of November 2011 and may be cited as The Norfolk County Council (North Walsham, Market Place) (Prohibition of Waiting, Loading and Unloading – Restricted Zone) Consolidation Order 2011.

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.

"authorised loading bay" means any loading bay signed on a road and authorised or designated by an order made or having effect as if made under the Act;

"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;

"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 Act;

"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";

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

"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;

"the 1997 Regulations" shall mean the Zebra, Pelican and Puffin Pedestrian Crossing Regulations 1997.

3.(1) Save as provided in Article 4 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, load and unload at any time along both sides of the C557 Market Place from its junction with the C557 Market Street to its junction with the C558 Church Street.

(2) The following Orders will become revoked on the date of commencement of this Order as follows:-

“The Norfolk County Council (North Walsham, Market Place)(Prohibition of Waiting, Loading and Unloading) Order 2004” – in its entirety;

“The Norfolk County Council (North Walsham)(Traffic Regulations) Order 1993” – in its entirety;

“The County of Norfolk (Various Streets, North Walsham)(Prohibition of Waiting) Order 1966” – Schedule 3 in its entirety;

4.(1) Nothing in Article 3 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) a person to board or alight from the vehicle;

(b) 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 telecommunications apparatus as defined in the Telecommunications Act 1984;

(v) the provision of a universal postal service as defined in the Postal Services Act 2000;

(c) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority or a water authority in pursuance of statutory powers or duties;

(2) 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.

- (3) Nothing in Article 3 of this Order shall prohibit a person to cause or permit any vehicle -
- (a) to wait upon an authorised parking place or authorised loading bay, as specified in "The Norfolk County Council (North Walsham, Various Roads)(Street Parking Places) Variation and Consolidation Order 2011" and "The Norfolk County Council (North Walsham, Various Roads)(Loading Bay) Variation and Consolidation Order 2011".
 - (b) being a hackney carriage, to wait upon an authorised taxi rank.
5. Insofar as any provision of this Order conflicts with any provision of any previous Order relating to the lengths of road specified in the Schedule to this Order, that provision of this Order shall prevail.
6. 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.

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

