

**THE NORFOLK COUNTY COUNCIL (WATLINGTON, VARIOUS ROADS)**  
**(PROHIBITION OF WAITING) ORDER 2011**

The Norfolk County Council in exercise of their powers under Sections 1(1), 2(1), 2(2) and 4(2) and 122 and Parts III and IV of Schedule 9 of the Road Traffic Regulation Act 1984 (hereinafter referred to as "the Act"), Part 6 of 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 7<sup>th</sup> day of November 2011 and may be cited as The Norfolk County Council (Watlington, Various Roads) (Prohibition of Waiting) Consolidation and Variation Order 2011.

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 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;

"disabled persons badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles)(England) Regulations 2000"; 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 a parking place, means the person driving the vehicle at the time it was left in the parking place;

"Enforcement Authority" means Norfolk County Council or an agent appointed by Norfolk County Council to undertake enforcement of this Order;

"General Directions" shall mean The Traffic Signs Regulations and General Directions 2002"

"General Regulations 2007" means The Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

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

"the regulations" in Article 4 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;

"Motor Car", "Motor Cycle" and "Invalid Carriage" have the same meaning as in s136 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"

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 at any time along the lengths of road specified in the Schedule to this Order.

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

"The Norfolk County Council (Watlington, Various Roads)(Prohibition of Waiting) Order 2009" in its entirety.

4.(1) Nothing in Article 3 of this Order shall prohibit any person causing or permitting 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;

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



- (2) Nothing in Article 3 of this Order shall prohibit any person causing or permitting any vehicle to wait in the lengths of road or on the side of roads referred to therein for so long as may be necessary to enable -
- (a) 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;
  - (b) 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;
- (3) 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.
- (4) Nothing in Article 3 of this Order shall prohibit any person causing or permitting an authorised vehicle: -
- (a) to wait upon an authorised parking place, or
  - (b) being a hackney carriage, to wait upon an authorised taxi rank.
- (5) 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 those roads referred to in that Article for a period not exceeding the time specified in the regulations.
- 5(1) Where a driver has left a vehicle in contravention of this Order a Penalty Charge shall become payable and a Penalty Charge Notice to that effect will be issued in accordance with the 2007 Regulations.

- 5(2) A driver who desires to make representation to or appeal against a Penalty Charge Notice issued to him may make representation or appeal to the Enforcement Authority pursuant to the procedures set out in the Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007.
6. 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.
7. 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 the 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 Act;

the effect of those markings shall prevail.

## SCHEDULE

### In the Parish of Watlington

#### Prohibition of Waiting – At Any Time

U21398 Britton Close Both Sides - From its junction with the C52 Station Road northwards for a distance of 19 metres

U23285 John Davis Way Both Sides - From its junction with the C52 Station Road southwards for a distance of 25 metres

road to be amended

C52 Station Road North Side - From a point 115 metres west of the centreline of its junction with the U21398 Britton Close eastwards to a point 15 metres east of the centreline of its junction with the U21398 Britton Close

amending order  
 - amend John Davis Way  
 - add Paige Close and Stone Close

South Side

- From a point 78 metres west of the centreline of its junction with the U23285 John Davis Way eastwards to a point 32 metres east of the centreline of its junction with the U23285 John Davis Way

Dated this 24<sup>th</sup> day of October 2011

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

)  
)  
)  
)



Head of Law

