

THE NORFOLK COUNTY COUNCIL (CROMER, VARIOUS ROADS)
(PEDESTRIAN AND RESTRICTED ZONES) ORDER 2014

The Norfolk County Council (hereinafter referred to as "the Council") in exercise of their powers under Sections 1(1), 2(1), 2(2) and 4(1) and (2) and 32(1) and 35(1) 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 shall come into operation on the 26th day of September 2014 and may be cited as The Norfolk County Council (Cromer, Various Roads) (Pedestrian and Restricted Zones) Order 2014.

PART 1 - INTERPRETATION

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.

"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 section 76 of the 2004 Act;

"Council" means The Norfolk County Council;

"Disabled Person's 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 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 Regulations 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;

"Heavy Commercial Vehicle" has the same meaning as in section 138 of the Act;

'loading bay ' in Article 10 shall mean all that area which is comprised within and indicated by a road marking complying with the General Directions for the purposes of loading and unloading;

"Motor Car", Motor Cycle" and Invalid Carriage" have the same meaning as in section 136 of the 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;

"private hire vehicle" and "mini cab" has the same meaning as in Section 80, and licensed as specified in Section 48 of the Local Government (Miscellaneous Provisions) Act 1976;

"the regulations" in Article 7(2) 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;

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

PART II – PEDESTRIAN ZONES

3. Save as provided in Articles 4 and 5 of this Order, no person shall, except upon the direction of, or with the permission of a police constable in uniform, cause any vehicle to proceed along the lengths of road specified in
 - (i) Schedule 1 to this Order;
 - (ii) Schedule 2 to this Order;
 - (iii) Schedule 3 to this Order.

4. Nothing in Article 3 of this Order shall apply so as to prevent any person from causing a vehicle to proceed along the lengths of road specified in Article 3 of this Order if the vehicle being used:
 - (a) is for fire brigade, police or ambulance purposes;
 - (b) is in the service of a local authority or water authority in pursuance of statutory powers or duties;
 - (c) is in connection with the maintenance, improvement or reconstruction of that length of road or the laying, erection, alteration or repair in or adjacent to that length of road of any sewer, water, gas, or electricity apparatus or of any telecommunications apparatus as defined in the Telecommunications Act 1984;
 - (d) is for the provision of a universal postal service as defined in the Postal Services Act 2000;
 - (e) requires access to private off-street parking along or adjacent to the length of road specified in the Schedules to this Order;
 - (f) is an unriden cycle;
 - (g) is a disabled person's vehicle displaying a disabled person's badge and parking disc and requires to proceed along the length of road specified in Article 3(iii) to access the disabled parking place;
 - (h) requires to proceed along the length of road specified in Article 3(iii) to access the signed loading bay for the purposes of loading and unloading.

5. Nothing in Articles 3(i) and 6 of this Order shall apply so as to prevent a hackney carriage or a mini cab (private hire vehicle) to proceed or wait in its employment as a taxi to allow boarding and alighting of paying customers along the lengths specified in Schedule 1 to this Order.

PART III – RESTRICTED ZONE 1

6. Save as provided in Articles 5, 7, and 21-25 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 at any time along the lengths of road specified in Schedule 1 to this Order.
- 7.(1) Nothing in Article 6 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 in Schedule 1 to this Order for so long as may be necessary to enable goods to be loaded on to or unloaded from the vehicle provided the length of road is not an authorised taxi rank or authorised parking place.
- (2) Nothing in Article 6 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 Schedule 1 to this Order for a period not exceeding the time specified in the regulations.

PART IV – RESTRICTED ZONES 2 AND 3

8. Save as provided in Articles 21-24 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, load or unload at any time along the length of road specified in Schedule 2 to this Order.
9. Save as provided in Articles 10, 11 and 21-24 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, load or unload at any time along the length of road specified in Schedule 3 to this Order.
10. Nothing in Article 9 of this Order shall prohibit a person to cause or permit a vehicle to wait for the purpose of loading and unloading along the signed loading bay situated on the south-east side of the U14473 West Street from a point 65.5 metres south-west of its junction with the A149 Hamilton Road south-westwards for a distance of 5 metres within the Restricted Zone specified in Schedule 3 to this Order. Waiting limited to that required for the purposes of loading and unloading.
11. Nothing in Article 9 of this Order shall prohibit a person to cause or permit a disabled person's vehicle displaying a disabled person's badge and parking disc in accordance with the provisions of this Order to wait along the signed disabled parking places on the south-east side of the U14473 West Street from a point 30 metres south-west of its junction with the A149 Hamilton Road south-westwards for a distance of 20 metres, within the Restricted Zone specified in Schedule 3 to this Order. Parking to be close by and parallel with the kerb.

PART V – LOADING BAY

12. Save as provided in Articles 21-24 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 at any time along the length of loading bay specified in Article 10 of this Order other than for the purposes of loading and unloading.

PART VI – DISABLED PARKING PLACE

- 13(1). The length of road, specified in Article 11 of this Order as a disabled person's parking place, is authorised to be used in accordance with the provision of this Order at any time as a parking place for disabled person's vehicles displaying a disabled person's badge and parking disc.
- (2) Nothing in Article 13(1) of this Order shall restrict the power of the Council, for preventing obstruction of the streets, by order, on the occasion of any public procession, rejoicing or illumination or where the streets are thronged or liable to be obstructed, to close any parking place.
14. A driver of a vehicle shall not use the disabled parking place specified in Article 11 of this Order:
 - (a) so as unreasonably to prevent access to any premises adjoining the road, or the use of the road by other persons, or so as to be a nuisance;
 - (b) when for preventing obstruction of the streets, the Council by Order made on the occasion of any public procession, rejoicing or illumination or when the streets are thronged or liable to be obstructed, have closed that parking place and exhibited notice of such closing on or near that parking place.
15. The driver of a motor vehicle using the disabled 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 or to depart from that parking place.
16. No person shall use a vehicle while it is in the disabled parking place, in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of his skill or services or for the purpose of camping.
17. Subject to the proviso hereto, when a vehicle is left in the disabled parking place in contravention of any of the Articles of this Order or it is necessary for the requirements of an emergency, a person authorised in that behalf by the Council 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 that provision or meet the requirements of the emergency.
18. Any person removing a vehicle or altering its position by virtue of Article 18 of this Order may do so by towing or driving the vehicle or in such a manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it or alter its position, as the case may be.

19. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from the disabled parking place by virtue of Articles 18 and 19 of this Order, he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
20. Where a vehicle has been removed in accordance with Articles 17, 18 and 19 of this Order the charges as specified in paragraph 3 to the Schedule of the Civil Enforcement of Parking Contraventions (guidelines on levels of charges)(England) Order 2007 shall become payable.

PART VII - GENERAL

21. Nothing in Articles 6, 8, 9, 12 and 13 of this Order shall apply so as to prevent any person from causing a vehicle to wait along the lengths of road specified in that Article if the vehicle being used:
 - (a) is for fire brigade, police or ambulance purposes;
 - (b) 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;
 - (c) is in connection with the maintenance, improvement or reconstruction of that length of road or the laying, erection, alteration or repair in or adjacent to that length of road of any sewer, water, gas, or electricity apparatus or of any telecommunications apparatus as defined in the Telecommunications Act 1984;
 - (d) requires to wait 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 provision of a universal postal service as defined in the Postal Services Act 2000;
 - (e) 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.
22. Nothing in 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.
23. Nothing in this Order shall prohibit a person to cause or permit any vehicle -
 - (a) to wait upon an authorised parking place, or
 - (b) being a hackney carriage, to wait upon an authorised taxi rank.

24. 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 areaand established as specified in s23(2) of the 1984 Act;
- the effect of those markings shall prevail.
25. 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.
26. The following Orders will become consolidated and revoked on the date of commencement of this Order as follows:-
- "The Norfolk County Council (Cromer)(Prohibition of Motor Vehicles/Pedestrianisation)(No 2) Order 2003" – in its entirety;
- "The Norfolk County Council (Cromer)(Prohibition of Motor Vehicles/Pedestrianisation (No. 2)) Variation Order 2004" – in its entirety;
- "The Norfolk County Council (Cromer, Garden Street)(Prohibition of Motor Vehicles/Pedestrianisation) Order 2003" – in its entirety;
- "The Norfolk County Council (Cromer)(Prohibition of Motor Vehicles/Pedestrianisation)(No 1) Order 2002" – in its entirety;

SCHEDULE 1

In the Town of Cromer

Pedestrian Zone and Restricted Zone No 1 - Prohibition of Waiting At Any Time

- U10217 Garden Street - From a point 7 metres north of the northern kerbline of its junction with the U10218 Corner Street to its junction with the U14472 New Street
- U10219 High Street - From the northern kerbline of its junction with the U10221 Tucker Street to its junction with the U14472 New Street
- U10268 Jetty Cliff - From its junction with the U10220 Jetty Street to its junction with the U10219 High Street
- U10220 Jetty Street - From its junction with the U10221 Tucker Street to its junction with the U10268 Jetty Cliff
- U14472 New Street - From its junction with the U10219 High Street to a point 29 metres east of its junction with the A149 Prince of Wales Road (at its junction with the Melbourne Slope)

SCHEDULE 2

In the Town of Cromer

Pedestrian Zone and Restricted Zone 2 – Prohibition of Waiting, Loading and Unloading At Any Time

- U10216 Chapel Street - From its junction with the A149 Loudon Road to its junction with the A149 Church Street

SCHEDULE 3

In the Town of Cromer

Pedestrian Zone and Restricted Zone 3 – Prohibition of Waiting, Loading and Unloading At Any Time (except for loading and disabled person's parking within signed bays)

- U14473 West Street - From its junction with the A149 Loudon Road to its junction with the A149 Hamilton Road

Dated this 22nd day of September 2014

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

Head of Law

LP/SMC/CromerRestrictedZones