

THE NORFOLK COUNTY COUNCIL (NORTH WALSHAM, FARMAN AVENUE)
(PROHIBITION OF WAITING) ORDER 2021

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 1984 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. Citation and Commencement

This Order may be cited as the The Norfolk County Council (North Walsham, Farman Avenue) (Prohibition of Waiting) Order 2021 and shall come into effect for all purposes on the 8th day of April 2021.

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" means any parking place on a road authorised or designated by an order made or having effect as if made under the 1984 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 Part 4 of Schedule 7 of the General Directions;

"Bus" has the same meaning as in Schedule 1 of the General Directions;

"Bus Stop Clearway" means any markings placed on the carriageway specified by diagram 1025.1 in Part 4 of Schedule 7 of the General Directions conveying the existence of a bus stop clearway as defined by Part 6 of Schedule 7 of the General Directions

"Carriageway" means a way constituting or comprised in a highway being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles

"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 2013;

"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 2016;”

“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;

“Local Service” has the same meaning as in Section 2 of the Transport Act 1985

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

"Parking Disc" means a disc, issued by a local authority, complying with the requirements of the British Standard Specification for Parking Discs (BS No. 6571: 1997), 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

“Penalty Charge” has the same meaning as in section 2 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

“Penalty Charge Notice” has the same meaning as in section 8 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007.

“The regulations” in Article 4(5) 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. 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.

4.(1) Nothing in Article 3 of this Order shall prohibit a person to cause or permit 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) 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) 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 -

(a) fire brigade, ambulance or police purposes;

(b) building, industrial or demolition operations;

(c) the removal of any obstruction to traffic;

(d) the maintenance, improvement or reconstruction of the said lengths of road or side of roads; or

(e) 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;

(f) the provision of a universal postal service as defined in the Postal Services Act 2011;

(g) in the service of a local authority or of a water authority in pursuance of statutory powers or duties;

(h) to wait when the person in control of the vehicle is required to stop by law, or is obliged to stop in order to avoid an accident or is prevented from proceeding by circumstance outside their control;

(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 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 that Article for a period not exceeding the time specified in the regulations.

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, 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;

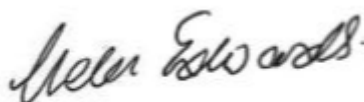
the effect of those markings shall prevail.

SCHEDULE
In the Parish of North Walsham

Prohibition of Waiting – At Any Time

U10336 Farman Avenue Both Sides	-	From the centre point of its junction with C557 Yarmouth Road, eastwards for its entirety including turning head.
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Dated this 30th day of March 2021



Helen Edwards
Chief Legal Officer

