

THE NORFOLK COUNTY COUNCIL (COSTESSEY, QUEENS HILL (VARIOUS ROADS)) (PROHIBITION OF WAITING, SCHOOL KEEP CLEARWAY AND BUS STOP CLEARWAY) ORDER 2019

The Norfolk County Council in exercise of their powers under Sections 1(1), 2(1), 2(2), 4(2), 122, 122a and Part III 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. This Order may be cited as The Norfolk County Council (Costessey, Queens Hill (Various Roads)) (Prohibition of Waiting, School Keep Clearway and Bus Stop Clearway) Order 2019 and shall come into effect on the 22nd day of November 2019.

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 The Civil Enforcement of Parking Contraventions (England) General Regulations 2007.

"Public Service Vehicle" shall have the same meaning as in section 1 of the Public Passenger Vehicles Act 1981;

"Public Passenger Transport Service" shall have the same meaning as in section 63(10)(a) of the Transport Act 1985;

"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;

“School Keep Clearway” means any markings placed on the carriageway specified by diagram 1027.1 at Part 4 of Schedule 7 of the General Directions conveying the existence of a school keep clearway as defined by Part 6 of Schedule 7 of the General Directions

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:
 - (i) wait at any time along the lengths of road specified in Schedule 1 to this Order.
 - (ii) stop or wait at any time along the school keep clearway markings in the area of carriageway specified in Schedule 2 of this Order which is comprised within and indicated by a road marking complying with diagram 1027.1 in Schedule 7 of the General Directions.
 - (iii) stop or wait at any time along the bus stop clearway markings in the area of carriageway specified in Schedule 3 of this Order which is comprised within and indicated by a road marking complying with diagram 1025.1 in Schedule 7 of the General Directions.

4. (1) Nothing in Article 3(i) of this Order shall prohibit a person to cause or permit any vehicle to wait in any 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 parking place, an authorised taxi rank, a bus stop clearway or a school keep clear way.

- (2) Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait in a length of road specified in the Schedules to this Order for so long as it may be necessary to enable the vehicle to be used in connection with any of the following purposes (provided that it cannot conveniently be used for such purpose in any other road):
 - (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;
- (3) Nothing in Article 3(i) 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 any vehicle -
- (a) to wait upon an authorised parking place,
 - (b) being a hackney carriage, to wait upon an authorised taxi rank
 - (c) 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;
 - (d) to wait while any gate or other barrier at the entrance to premises to which the vehicle requires access, or from which it has emerged, is opened or closed, if it is not reasonably practicable for the vehicle to wait otherwise than on that carriageway; or
- (5) Nothing in Article 3 (i) 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.
- (6) Nothing in Article 3 (iii) of this Order shall prohibit a person to cause or permit:
- (a) a public service vehicle in the course of a public passenger transport service to wait at a bus stop flag sign or a bus stop clearway to allow passengers to board and alight only; and
 - (b) a bus being used as a public service vehicle undertaking a local service to wait at an appointed bus stop along that length of road to permit passengers to board or alight the vehicle only.

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 1
In the Parish of Costessey

Prohibition of Waiting – At Any Time

7P108 Bahram Road	-	From its junction with the 7P196 Fairway southwards for a distance of 10 metres
7P193 Coronach Close	-	From its junction with the 7P196 Fairway south westwards for a distance of 9 metres
7P196 Fairway	-	From its eastern most junction with the 7P261 Kestrel Avenue southwards for a distance of 8 metres
7P196 Fairway North Side	-	From its junction with the 7P336 Sir Alfred Munnings Road/ 7P137 Poethlyn Drive roundabout westwards for a distance of 24 metres
	-	From a point 20 metres west of its junction with the 7P108 Bahram Road northwards for a distance of 38 metres
	-	From a point 10 metres south of its junction with 7P107 Linnet road northwards for a distance of 20 metres
7P196 Fairway South Side	-	From its junction with the 7P336 Sir Alfred Munnings Road/ 7P137 Poethlyn Drive roundabout

		westwards to a point 9 metres north of its junction with 7P107 Linnet Road for a distance of 160 metres
7P89 Fieldfare Way	-	From its junction with the 7P261 Kestrel Avenue northwards for a distance of 10 metres
7P448 Holly Blue Mews	-	From its junction with the 7P137 Poethlyn Drive north westwards for a distance of 7 metres
7P261 Kestrel Avenue North Side	-	From a point 10 metres west of its junction with the 7P216 Wilderness Road eastwards for a distance of 60 metres
	-	From a point 103 metres east of its junction with the 7P216 Wilderness Road eastwards for a distance of 69 metres
	-	From a point 10 metres east of its eastern most junction with the 7P196 Fairway eastwards for a distance of 114 metres
	-	From a point 18 metres west of its junction with the 7P89 Fieldfare Way eastwards for a distance of 29 metres
7P261 Kestrel Avenue South Side	-	From a point 80 metres west of its eastern most junction with the 7P196 Fairway, eastwards for a distance of 127 metres
	-	From a point 80 metres east of its eastern most junction with the 7P196 Fairway, eastwards for a distance of 46 metres
	-	From a point 11 metres west of its junction with the 7P89 Fieldfare Way, eastwards for a distance of 22 metres
7P107 Linnet Road	-	From its junction with the 7P196 Fairway eastwards for a distance of 10 metres
7P191 Magnolia Way	-	From its junction with the 7P137 Poethlyn Drive southwards for a distance of 10 metres
7P343 Peter Pulling Drive	-	From its junction with the 7P137 Poethlyn Drive north westwards for a distance of 10 metres
7P137 Poethlyn Drive North Side	-	From its junction with the 7P196 Fairway/ 7P336 Sir Alfred Munnings Road including the roundabout circulatory north eastwards for a distance of 179 metres
	-	From a point 10 metres south west of its junction with the 7P343 Peter Pulling Drive north eastwards for a distance of 21 metres
	-	From a point 72 metres north east of its junction with the 7P343 Peter Pulling Drive north eastwards, to a point 47 metres north east of its junction with 7P448 Holly Blue Mews
	-	From a point 8 metres south west of its junction with the 7P231 Redpoll Road north eastwards for a distance of 43 metres.
	-	From a point 45 metres north east of its junction with the 7P231 Redpoll Road north eastwards for a distance of 7 metres

7P137 Poethlyn Drive South Side	-	From its junction with the 7P196 Fairway/ 7P336 Sir Alfred Munnings Road roundabout north east, to a point 11 metres north of its junction with 7P106 Robin Close for a distance of 210 metres
	-	From a point 37 metres south west of its junction with the 7P162 Woodpecker Way north eastwards for a distance of 47 metres
	-	From a point 26 metres northeast of its junction with the 7P232 Waxwing Way south westwards for a distance of 152 metres
	-	From a point 30 metres north east of its junction with the 7P231 Redpoll Road north eastwards for a distance of 20 metres
7P106 Robin Close	-	From its junction with the 7P137 Poethlyn Drive eastwards for a distance of 8 metres
7P138 Rose Avenue	-	From its junction with the 7P137 Poethlyn Drive eastwards for a distance of 9 metres
7P336 Sir Alfred Munnings Road East Side	-	From its junction with the 7P196 Fairway/ 7P137 Poethlyn Drive including the roundabout circulatory, southwards for a distance of 117 metres
	-	From a point 135 metres south of its junction with the 7P196 Fairway/ 7P137 Poethlyn Drive including the roundabout circulatory, southwards for a distance of 55 metres
7P336 Sir Alfred Munnings Road West Side	-	From its junction with the 7P196 Fairway/ 7P137 Poethlyn Drive including the roundabout circulatory, southwards for a distance of 177 metres
7P232 Waxwing Way	-	From its junction with the 7P137 Poethlyn Drive south eastwards for a distance of 9 metres
7P216 Wilderness Road	-	From its junction with the 7P261 Kestrel Avenue northwards for a distance of 9 metres
7P162 Woodpecker Way	-	From its junction with the 7P137 Poethlyn Drive south eastwards for a distance of 10 metres

SCHEDULE 2
In the Parish of Costessey

School Keep Clearway

7P89 Fieldfare Way West Side	-	From a point 86 metres north of the junction with 7P261 Kestrel Avenue northwards for a distance of 43 metres
7P261 Kestrel Avenue North Side	-	From a point 18 metres west of its junction with the 7P89 Fieldfare Way westwards for a distance of 43 metres
7P112 Stockwell Road East Side	-	From a point 19 metres south of the junction with 7P111 Rufus Street south northwards for a distance of 43 metres

SCHEDULE 3

In the Parish of Costessey

Bus Stop Clearway

7P196 Fairway South Side	-	From a point 98 metres east of its junction with the 7P562 Allian Bedford Crescent eastwards for a distance of 15 metres
7P261 Kestrel Avenue North Side	-	From a point 35 metres east of its junction with the 7P216 Wilderness Road eastwards for a distance of 15 metres
	-	From a point 40 metres east of its eastern most junction with the 7P196 Fairway eastwards for a distance of 15 metres
7P137 Poethlyn Drive	-	From a point 27 metres east of its junction with the 7P162 Woodpecker Way eastwards for a distance of 15 metres
U7P336 Sir Alfred Munnings Road East Side	-	From a point 101 metres south of its junction with the 7P196 Fairway/ 7P137 Poethlyn Drive including the roundabout circulatory southwards for a distance of 15 metres
U7P336 Sir Alfred Munnings Road West Side	-	From a point 61 metres south of its junction with the 7P196 Fairway/ 7P137 Poethlyn Drive including the roundabout circulatory southwards for a distance of 15 metres

Dated this 11th day of November 2019

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

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GEORGE CORE
GNCWE



Authorised to sign on behalf of Chief Legal Officer

Chief Legal Officer

JLB59006(CostesseyPoW&ClearwayOrder)19