

THE NORFOLK COUNTY COUNCIL
(DEREHAM, NORWICH STREET AND MARKET PLACE)
(LOADING BAY) ORDER 2013

The Norfolk County Council (hereinafter referred to as "the Council") in exercise of their powers under Section 1(1), 2(1) to (2), and 4(1) and 122 and Parts III and IV of Schedule 9 of the Road Traffic Regulation Act 1984 (hereinafter referred to "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. 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.

"Civil Enforcement Officer" has the same meaning as in section 76 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"

"Goods Vehicle" has the same meaning as in Regulation 3 of the Road Vehicles (Construction and Use) Regulations 1986;

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

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

"market", "market officer", "sell", "sale" and "stall" shall have the same meaning as in the Dereham Town Council Byelaws for Markets Order (currently 2009);

"Prohibited Area" means the lengths of road specified in Column 1 of the Schedules to this Order;

"Specified time" means the Days of Operation and Hours of Operation as specified in Columns 4 and 5 of the Schedules to this Order.

2. Save as provided in Article 5 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, other than a:-
- (i) goods vehicle to wait along the prohibited area during the specified time in Schedule 1 to this Order;
 - (ii) heavy commercial vehicle to wait along the prohibited area during the specified time in Schedule 2 to this Order.

3. Save as provided in Article 5 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 any:-
 - (i) goods vehicle to wait along the lengths of prohibited area during the specified time in Article 2(i) of this Order for any purpose other than for loading or unloading of goods;
 - (ii) heavy commercial vehicle to wait along the lengths of prohibited area during the specified time in Article 2(ii) of this Order for any purpose other than for loading and unloading of goods.

4. Nothing in Articles 2, and 3 of this Order shall prohibit a person to cause or permit a vehicle to wait in a prohibited area during the specified time:-
 - (a) if the vehicle is being used for the removal of any obstruction to traffic; or
 - (b) if the vehicle 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; or
 - (c) 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; or
 - (d) if the vehicle is being used for police, fire brigade or ambulance purposes;
 - (e) if the vehicle is being used for the provision of a universal postal service as defined in the Postal Services Act 2000.
 - (f) the vehicle 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 maintenance, improvement or reconstruction of the said lengths of road or side of roads; or
 - (iii) 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.

5. This Order shall come into operation on the 20th day of December 2013, and may be cited as The Norfolk County Council (Dereham, Norwich Street and Market Place) (Loading Bay) Order 2013.

6. The following Orders will become revoked on the date of commencement of this Order as follows:-

“The Norfolk County Council (Dereham, Norwich Street and Market Place (Loading Bay) Order 2011” – in its entirety;

7. Insofar as any provision of this Order conflicts with any provision of any previous Order relating to the waiting of vehicles in the lengths of the roads specified in Article 2 of this Order, that provision of this Order shall prevail.

IN THE TOWN OF DEREHAM
SCHEDULE 1 – GOODS VEHICLE LOADING BAY

1	2	3	4	5	6
Parts of road authorised to be used as vehicle loading bay (Specified Road)	Position in which vehicles may wait	Classes of Vehicles	Days of Operation of Loading Bay (Specified time)	Hours of Operation of Loading Bay (Specified time)	Maximum period for which vehicles may wait to load/unload
<p>C496 Norwich Street</p> <p>From a point 134 metres east of its junction with the C540 High Street eastwards for a distance of 11 metres</p>	Close by and parallel with the kerb	Goods Vehicles only	Monday to Sunday	At All Times	Waiting limited within the operational times of the loading bay to that required for the purposes of loading and unloading
<p>U30187 Market Place East Side</p> <p>From a point 11 metres south of the centreline of its junction with the U30127 Ruthen Place southwards for a distance of 9 metres</p>	Close by and parallel with the kerb	Goods Vehicles only	Monday to Sunday	At All Times	Waiting limited within the operational times of the loading bay to that required for the purposes of loading and unloading

IN THE TOWN OF DEREHAM
SCHEDULE 2 – HEAVY COMMERCIAL VEHICLE LOADING BAY

1	2	3	4	5	6
Parts of road authorised to be used as vehicle loading bay (Specified Road)	Position in which vehicles may wait	Classes of Vehicles	Days of Operation of Loading Bay (Specified time)	Hours of Operation of Loading Bay (Specified time)	Maximum period for which vehicles may wait to load/unload
<p>U30187 Market Place South Side From its westernmost extent eastwards for a distance of 3 metres</p> <p>West Side From a point in line with the southern kerbline of its junction with the U30187 Red Lion Street southwards to its southernmost extent</p>	Wholly within the marked loading bay placed on the carriageway	Heavy Commercial Vehicles	<p>Monday, Tuesday Wednesday, Thursday, Saturday and Sunday</p> <p>Friday</p>	<p>At All Times</p> <p>From midnight to 0600 hrs and from 1630 hrs to midnight</p>	Waiting limited within the operating times of the loading bay to that required for the purposes of loading and unloading

Dated this 9th day of December 2013

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

Head of Law

LP/SMK/Derehamborder2013