

**THE NORFOLK COUNTY COUNCIL
(HORSEY, PALLING ROAD AND HORSEY CORNER)
(CLEARWAY) ORDER 2018**

The Norfolk County Council (hereinafter referred to as "the Council") in exercise of their powers under Sections 1(1) and (2), 2(1) to (3), 3(2), 4(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 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 (Horsey, Palling Road and Horsey Corner) (Clearway) Order 2018 and will come into operation on the 16th day of April 2018.

2. In this Order:

(a) 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.

(b) Unless the context otherwise requires, the following expressions have the meaning hereby respectively assigned to them:

"bus stop clearway" means any markings placed on the carriageway specified by diagram 1025.1 at 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

"General Directions" means The Traffic Signs Regulations and General Directions 2016";

"lay-by" means any area of carriageway intended for the waiting of vehicles and bounded partly by a traffic sign of the type shown in diagram 1010 in Part 4 of Schedule 11 to the General Directions, and partly by the outer edge of that carriageway on the same side of the road as that on which the sign is placed;

"main carriageway" means any carriageway comprised in a road ,including any carriageway of a slip road, but excludes any lay-by;

"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;

"verge" means any part of a road which is not a carriageway;

3. Save as is provided in Articles 4 and 5 of this Order, no person shall, except upon the direction of which the permission of a police constable in uniform, cause or permit any vehicle to wait along any main carriageway or verge comprised in the lengths of road specified in the Schedule to this Order between 1st December in any year and 1st March of the following year.
4. Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait in a main carriageway or verge for so long as 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) the service of a local authority in pursuance of statutory powers or duties;
 - (c) any building operation or demolition;
 - (d) the removal of any obstruction to traffic;
 - (e) the maintenance, improvement or reconstruction of the lengths of road specified in the Schedule to this Order;
 - (f) the laying, erection, alteration or repair in, or in land adjacent to, the lengths of road specified in the Schedule to this Order, 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 by the Communications Act 2003;
 - (g) the provision of a universal postal service as provided for by section 30 of the Postal Services Act 2011.
5. Nothing in Article 3 shall apply to:
 - (a) a vehicle waiting on a main carriageway 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
 - (b) a vehicle waiting 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;
 - (c) 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.
6. Insofar as any provision of this Order conflicts with any previous Order relating to the length of road specified in the Schedule to this Order, that provision of this Order shall prevail.

SCHEDULE

In the Parish of Horsey

Seasonal Clearway Restriction

C643/192 Palling Road	From a point 37 metres west of the centre point of its junction with U19200/12 Horsey Corner, extending east for a distance of 365 metres, and then southwards for a further distance of 190 metres.
U19200/12 Horsey Corner	From its junction with C643/192 Palling Road, southwards for a distance of 60 metres

DATED this 9th day of April 2018

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

C.S.

Chief Legal Officer