

THE NORFOLK COUNTY COUNCIL (DISS, VARIOUS ROADS)
(PROHIBITION OF WAITING, LOADING AND UNLOADING)
CONSOLIDATION AND VARIATION ORDER 2011

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 122 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 7th day of November 2011 and may be cited as The Norfolk County Council (Diss, Various Roads) (Prohibition of Waiting, Loading and Unloading) Consolidation and Variation Order 2011.
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 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 s76 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"

"General Directions 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;

"Motor Car", Motor Cycle" and Invalid Carriageway" have the same meaning as in section 136 of the 1984 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;

- 3.(1) 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, load or unload:-
- (i) at any time along the lengths of road specified in Schedule 1 to this Order;
 - (ii) on Monday to Thursday between 1100 hrs and 1600 hrs and at any time on Friday or Saturday along the lengths of road specified in Schedule 2 to this Order;
- (2) The following Orders will become revoked on the date of commencement of this Order as follows:-
- “The Norfolk County Council (Diss)(Prohibition of Waiting) Order 1997” – Schedule 5 of that Order;
- “The Norfolk County Council (Diss, St Nicholas Street)(Prohibition of Waiting, Loading and Unloading) Order 2006” – in its entirety;
- “The Norfolk County Council (Diss, Roydon Road)(Prohibition of Waiting, Loading and Unloading) Order 2005” – in its entirety.
- 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 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) Nothing in Article 3 of this Order shall prohibit a person to cause or permit any vehicle to wait in the length of road or on the side of roads referred to therein for so long as may be necessary to enable -
- (a) 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 maintenance, improvement or reconstruction of the said lengths of road or side of roads; or
 - (iv) 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;
 - (v) the provision of a universal postal service as defined in the Postal Services Act 2000;

- (b) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority or a water authority in pursuance of statutory powers or duties;
- (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 any vehicle -
 - (a) to wait upon an authorised parking place, or
 - (b) being a hackney carriage, to wait upon an authorised taxi rank.
- 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 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 then the effect of those markings and the existence of that bus stop/clearway shall prevail.

SCHEDULE 1

In the Town of Diss

Prohibition of Waiting, Loading and Unloading – At All Times

- | | | |
|---|---|---|
| C880 Roydon Road
South Side | - | From a point 80 metres east of a point in line with the centreline of its junction with the U76275 Croft Lane eastwards for a distance of 35 metres |
| U71669 St Nicholas Street
North Side | - | From its junction with the U71669 Market Place westwards for a distance of 17 metres |
| South Side | - | From its junction with the U71669 Market Place westwards for a distance of 54 metres |

SCHEDULE 2

In the Town of Diss

Prohibition of Waiting, Loading and Unloading – 1100 hrs to 1600 hrs Monday, Tuesday, Wednesday and Thursday and at any time on Friday and Saturday

- | | | |
|----------------------------------|---|--|
| U71669 Market Place
West Side | - | From its junction with the U71669 Market Hill southwards for a distance of 32 metres |
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Dated this 26th day of October 2011

THE COMMON SEAL of)
THE NORFOLK COUNTY)
COUNCIL was hereunto)
affixed)

Head of Law

LP/SMC/DissPOWULConsolOrder