

THE NORFOLK COUNTY COUNCIL (HEMSBY, BEACH ROAD)
(LOADING BAY) ORDER 2011

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 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.

"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";

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

'loading bay ', in relation to a specified road, shall mean all that area of a specified road which is comprised within and indicated by a road marking complying with the General Directions;

"specified road" shall mean the lengths of road specified in Column 1 of the Schedules to this Order;

"specified time" shall mean the periods of time specified in Columns 4 and 5 of the Schedules of this Order;

"goods vehicle" shall mean any vehicle which is required to load and unload goods at its destination for the purposes of commercial transport of those goods;

"goods vehicle loading bay" shall mean any loading bay along the lengths of road specified in Schedules to this Order which is comprised within and indicated by a road marking complying with the General Directions and permits a goods vehicle to load and unload at a destination for commercial transport of those goods;

- 2.(1) Save as provided in Article 3 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 goods vehicle, to wait within a specified goods vehicle loading bay during the specified time in Schedule 2 to this Order.
- 2(2) Save as provided in Article 4 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 goods vehicle to wait along the lengths of road specified in Schedule 2 to this Order except for the purposes of loading and unloading only.
3. Nothing in Article 2 of this Order shall prohibit a person to cause or permit a vehicle to wait in a prohibited area -
 - (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.
4. This Order shall come into operation on the 7th day of November 2011, and may be cited as The Norfolk County Council (Hemsby, Beach Road) (Loading Bay) Order 2011.
5. The following Orders are hereby revoked:-

“The Norfolk County Council (Hemsby, Beach Road)(Goods Vehicle Loading Bay) Order 2002” – in its entirety;
6. Insofar as any provision of this Order conflicts with any provision of any previous Order relating to the waiting of vehicles along the lengths of specified roads in the Schedules to this Order, that provision of this Order shall prevail.

IN THE PARISH OF HEMSBY
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
C638 Beach Road South Side From a point 66 metres north-west of its junction with Seaview Road north-westwards for a distance of 14 metres	Close by and parallel with the kerb	Goods Vehicles only	Monday to Sunday	At All Times	Waiting limited within the operating times of the loading bay to that required for the purposes of loading and unloading

Dated this 4th day of November 2011

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

Head of Law

LP/SMK/HemsbyLoadingBay