

**THE NORFOLK COUNTY COUNCIL (AYLSHAM, MARKET PLACE)**  
**(TRAFFIC REGULATION) ORDER 2012**

The Norfolk County Council (hereinafter referred to as "the Council) in exercise of their powers under Sections 1(1), 2(1) to (3), 3(2) and 4(2) and 122 and 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 3<sup>rd</sup> day of February 2012 and may be cited as The Norfolk County Council (Aylsham, Market Place) (Traffic Regulation) Order 2012.

2.(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.

"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 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 2000; and

"Parking Disc" means a disc, issued by a local authority, complying with the requirements of the British Standard Specification for Parking Discs (BS No. 4631: 1970), 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
- (b) a parking disc in the relevant position, when the disc is exhibited thereon with the side which shows the time facing forwards or outwards and immediately behind the windscreen or side window nearest to the kerb;

"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 2002"

"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;

"Cycle" has the same meaning as in section 192 of the Road Traffic Act 1988;

"Class 1, Class 2 and Class 3 vehicles" have the same meaning as in section 3 of The Use of Invalid Carriages on Highways Regulations 1988.

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

"the regulations" in Article 4(4) 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";

"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;

"the 1997 Regulations" shall mean the Zebra, Pelican and Puffin Pedestrian Crossing Regulations 1997.

"Market" means a market regulated by Aylsham Town Council as specified in the "Aylsham Market Place – Stalls Regulations" and "Rules for Aylsham Farmers' Market";

"the Collector", "the Clerk", "goods", "stall", "stallholder", and "Clerk" in Articles 8(d) and 9 of this Order shall have the same meaning as in the "Aylsham Market Place – Stalls Regulations" and "Rules of Aylsham Farmers' Market".

3. Save as provided in Articles 4 and 7 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:-
  - (i) at any time along the lengths of road specified in Schedule 1 to this Order;
  - (ii) on Monday to Saturday from 0800 hours to 1800 hours along the lengths of road specified in Schedule 2 to this Order.

- 4.(1) Save as provided in Article 7 of this Order 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) 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 taxi rank or authorised parking place.
- (2) Save as provided in Article 7 of this Order 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) Save as provided in Article 7 of this Order 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.
- (4) Save as provided in Articles 5 and 7 of this Order nothing in Article 3 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.

5. Save as provided in Articles 6 and 7 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 3 below;
  - (ii) on Monday or Friday from 0001 hours to 1800 hours and on Saturday from 0001 hours to 1400 hours along the lengths of road specified in Schedule 4 below;
  
- 6.(1) Save as provided in Article 7 of this Order nothing in Article 5 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) a person to board or alight from the vehicle;
  - (b) 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;
  - (c) 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;
  - (d) being a hackney carriage, to wait upon an authorised taxi rank.
  
7. Save as provided in Articles 8 and 9 of this Order no person shall cause or permit any vehicle to enter, wait or proceed along pedestrianised area of the U57035 Market Place as specified in Schedule 5 to this Order on Monday and Friday from 0600 hours to 1800 hours and on Saturday from 0600 hours to 1400 hours to enable a Market to take place.
  
8. Nothing in Articles 5 or 7 of this Order shall apply so as to prevent any person from causing or permitting a vehicle to enter, wait or proceed along the lengths of road specified in that Article if the vehicle being used:
  - (a) is for fire brigade, police or ambulance purposes;

- (b) cannot conveniently be used for such purpose in any other road in connection with any of the following operations, namely -
    - (i) in the service of a local authority or water authority in pursuance of statutory powers or duties;
    - (ii) in connection with the maintenance, improvement or reconstruction of that length of road or the laying, erection, alteration or repair in or adjacent to that length of road of any sewer, water, gas or electricity apparatus or of any telecommunications apparatus as defined in the Telecommunications Act 1984;
    - (iii) building, industrial or demolition operations;
    - (iv) the removal of any obstruction to traffic;
    - (v) the provision of a universal postal service as defined in the Postal Services Act 2000;
  - (c) requires access to the loading bay or to the church;
  - (d) is a vehicle authorised by the Collector or Clerk and which requires access:-
    - (i) to enable a stallholder to assemble a stall and unload goods for sale from the stall at a market during the days and times specified in Article 7 of this Order and is authorised by the Collector or Clerk; or
    - (ii) by permission of the Collector or Clerk.
9. Nothing in Articles 5 or 7 of this Order shall apply to a vehicle authorised by the Collector or the Clerk and which is constructed or modified to include a stall to enter and wait to sell goods during the days and times specified in Article 7 of this Order.
10. Nothing in 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.
11. 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.
12. Insofar as any provision of this Order conflicts with:-
- (a) 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; or

- (b) the effect of markings placed on the carriageway, as specified under Regulation 27(1) of the General Directions conveying the existence of a toucan or equestrian crossing or an adjacent controlled area as defined by Sign 1001.3 in Schedule 6 of the General Directions; or
- (c) the effect of markings placed on the carriageway, as specified under s3(1) of the 1997 Regulations conveying the existence of a:-
  - (i) Zebra Pedestrian Crossing or Zebra controlled area; or
  - (ii) Pelican Pedestrian Crossing or Pelican controlled area; or
  - (iii) Puffin Pedestrian Crossing or Puffin controlled area
 and established as specified in s23(2) of the 1984 Act;

the effect of those markings shall prevail.

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

“The Norfolk County Council (Aylsham, Market Place)(Prohibition of Waiting, Loading and Unloading) Order 2011” (CPE52Bro) – in its entirety;

“The Norfolk County Council (Aylsham, Various Roads) (Prohibition of Waiting) Variation and Consolidation Order 2011” – Schedule 3 in its entirety;

### SCHEDULE 1

#### In the Town of Aylsham

#### Prohibition of Waiting – At Any Time

U57035 Market Place Central Market Area West Side	-	From a point 26 metres north of its junction with the C286 Penfold Street northwards to a point in line with the south-west corner of Property No 21 Market Place
---	---	---

### SCHEDULE 2

#### In the Town of Aylsham

#### Prohibition of Waiting – Monday to Saturday – 0800 hrs to 1800 hrs

U57035 Market Place Main Carriageway (running south-west to north-east) South Side	-	From its junction with the C286 Penfold Street north-eastwards for a distance of 13 metres
	-	From a point 31 metres north of its junction with the Penfold Street north-eastwards to its junction with the C555 Red Lion Street

- |  |   |  |
|--|---|--|
| U57035 Market Place<br>Main Carriageway<br>(running south-west of<br>north-east)<br>North Side | - | From its junction with the central area of the U57035 Market Place north-eastwards to its junction with the C286 Red Lion Street   |
| U57035 Market Place<br>Central Area<br>West Side   | - | From a point in line with the south-western boundary of Property No 21 Market Place (currently the Co-op) northwards to its northernmost end   |
| U57035 Market Place<br>Central Area<br>East and North Sides                                    | - | From its northernmost end on the East Side southwards to a point in line with the southern boundary of Property No 18 Market Place   |
|  | - | From the south-west corner of Property No 21 Market Place eastwards to the south-east corner of Property No 21 Market Place (currently the Co-Op)  |
|  | - | From the north-western corner of the property known as The Town Hall southwards and south-eastwards to its junction with the U57035 Market Place Main Carriageway (running south-west to north-east) |

### SCHEDULE 3

#### In the Town of Aylsham

#### Prohibition of Waiting, Loading and Unloading – At Any Time

- |   |   |   |
|---|---|---|
| U57035 Market Place<br>Central Market Area<br>West Side | - | From its junction with the C286 Penfold Street northwards for a distance of 26 metres |
|---|---|---|

### SCHEDULE 4

#### In the Town of Aylsham

#### Prohibition of Waiting, Loading and Unloading – Monday and Friday from 0001 hrs to 1800 hrs and Saturday from 0001 hrs to 1400 hrs

- |                                       |   |  |
|---------------------------------------|---|--|
| U57035 Market Place<br>Central Area 1 | - | The centre of the carriageway between Property Number 13 on the West Side of the Market Place and the western wall of the Property known as The Town Hall on the east side of the Market Place     |
| Central Area 2                        | - | The centre of the carriageway between the south-west corner of the Property known as The Town Hall on the east side of the Market Place and Property Number 8 on the west side of the Market Place |

## SCHEDULE 5

### In the Town of Aylsham

Pedestrianised Area – Monday, Friday 0600 hrs to 1800 hrs and Saturday 0600 hrs to 1400 hrs

U57035 Market Place                      -    The whole of the area to the north of the Main Carriageway



Dated this 1<sup>st</sup> day of February 2012

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

Head of Law

LP/SMC/Aylshammktplaceorder