

THE NORFOLK COUNTY COUNCIL (BURNHAM MARKET, VARIOUS ROADS)
(STREET PARKING PLACES) ORDER 2015

The Norfolk County Council (hereinafter referred to as "the Council") in exercise of their powers under Section 32(1) and 35(1) and 122 and Parts III & IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("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 30th day of October 2015, and may be cited as The Norfolk County Council (Burnham Market, Various Roads)(Street Parking Places) Order 2014.

GENERAL

- 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" and "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;

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

"the regulations" in Article 3 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.

3. Nothing in 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.

AUTHORISATION AND USE OF PARKING PLACES

4. (1) The section of road specified in column 1 of the Schedule to this Order is authorised to be used, subject to the following provisions of this Order, as parking places for such classes of vehicles, in such positions and on such days and during such hours as are specified in relation to that section of road in the said Schedule.

- (2) Nothing in paragraph (1) of this Article shall restrict the power of the Council, for preventing obstruction of the streets, by order, on the occasion of any public procession, rejoicing or illumination or where the streets are thronged or liable to be obstructed, to close any parking place.
5. Where in the Schedule to this Order a parking place is described as available for vehicles of a specified class or in a specified position, the driver of the vehicle shall not permit it to wait in that parking place -
 - (a) unless it is of the specified class; or
 - (b) in a position other than specified.
6. The driver of a vehicle shall not permit it to wait in a parking place for longer than the maximum period permitted for waiting specified in the Schedule to this Order in relation to that parking place.
7. A driver of a vehicle shall not use a parking place -
 - (a) so as unreasonably to prevent access to any premises adjoining the road, or the use of the road by other persons, or so as to be a nuisance;
 - (b) when for preventing obstruction of the streets, the Council by Order made on the occasion of any public procession, rejoicing or illumination or when the streets are thronged or liable to be obstructed, have closed that parking place and exhibited notice of such closing on or near the parking place.
8. The driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in position in the parking place, and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place.
9. No person shall use a vehicle while it is in a parking place, in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of his skill or services or for the purpose of camping.
10. Subject to the proviso hereto, when a vehicle is left in a parking place in contravention of any of the provisions contained in this Order or it is necessary to meet the requirements of an emergency, a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from that parking place or may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision or meet the requirements of that emergency.
11. Any person removing a vehicle or altering its position by virtue of Article 10 of this Order may do so by towing or driving the vehicle or in such a manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it or alter its position, as the case may be.
12. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of Articles 10 and 11 of this Order, he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.

13. Where a vehicle has been removed in accordance with Articles 10, 11 and 12 of this Order the charges as specified in paragraph 3 to the Schedule of the Civil Enforcement of Parking Contraventions (guidelines on levels of charges)(England) Order 2007 shall become payable.
14. In so far as any provision of this Order conflicts with any previous Order relating to the lengths of road specified in the Schedule to this Order, that provision of this Order shall prevail except where the provision of this Order conflicts with the provision of "The Norfolk County Council (Aylsham, Market Place)(Prohibition of Waiting, Loading and Unloading) Order 2011" where the provision of that Order will prevail.

IN THE PARISH OF BURNHAM MARKET

SCHEDULE

1	2	3	4	5	6
Parts of road authorised to be used as street parking places	Position in which vehicles may wait	Classes of vehicles	Days of Operation of parking place	Hours of Operation of parking place	Maximum period for which vehicles may wait
B1155 Market Place North Side (Southern side of the easternmost green (Green A)) For a distance of 40 metres	Close by and parallel with the kerb	All	Monday to Sunday	0800 hours to 1800 hours	Waiting limited to 45 minutes with no return within 1 hour
U22186 Market Place West Side From the centreline of its junction with the B1155 Front Street northwards for a distance of 26 metres measured along the kerbline (along the eastern edge of Green A)	Parking to be at a 90 degree angle to the kerb	All	Monday to Sunday	0800hours to 1800hours	Waiting limited to 45 minutes with no return within 1 hour
U22186 Market Place North Side From its junction with the B1155 Market Place/Front Street westwards for a distance of 26 metres (south side of Green B)	Close by and parallel with the kerb	All	Monday to Sunday	0800 hours to 1800 hours	Waiting limited to 45 minutes with no return within 1 hour

Dated this 19th day of October 2015

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

Head of Law

FK/SMC/BurnhamMarketspporder