

THE NORFOLK COUNTY COUNCIL (DISS, MARKET PLACE AND MERE STREET)
(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 122 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:-

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.

"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 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;

'prohibited area', 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 Traffic Signs Regulations and General Directions, 2002;

'specified road' shall mean any length of road specified in the Schedule of this Order;

'specified time' shall mean any period of time specified in the Schedule of this Order;

'vehicle loading bay' shall mean any prohibited area in any specified road at any specified time as detailed in the schedule of this Order.

2. Save as provided in Article 3 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 in any of the vehicle loading bays specified in the Schedule to this Order other than for the purposes of loading and unloading of goods to and from a vehicle.
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 (Diss, Market Place and Mere Street) (Loading Bay) Order 2011.
5. The following Orders will become revoked on the date of commencement of this Order as follows:-

“The Norfolk County Council (Diss, Mere Street)(Vehicle Loading Bay) Order 200” – in its entirety;

“The Norfolk County Council (Diss, B1132 Market Place)(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 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 The Norfolk County Council (Diss, Market Place and Mere Street)(Pedestrianisation and Prohibition of Driving) Order 2011 where the provision of that Order shall prevail.

SCHEDULE

In the Town of Diss

<u>Specified Road</u>	<u>Days of Operation of Loading Bay</u>	<u>Hours of Operation of Loading Bay (Specified Time)</u>
B1132 Mere Street West Side From a point 21 metres north of its junction with the A1066 Park Road/Victoria Road northwards for a distance of 16 metres	Monday to Saturday	0800 hrs to 1800 hrs
East Side From a point 13 metres south of the centreline of its junction with the U70012 Chapel Street southwards for a distance of 16 metres	Monday to Saturday	0800 hrs to 1800 hrs
U71669 Market Place West Side From a point 12 metres south of the centreline of its junction with the U71669 St Nicholas Street southwards for a distance of 12 metres	Monday to Saturday	0800 hrs to 1800 hrs

Dated this 26th day of October 2011

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

Head of Law

LP/SMK/Masters/Lbayord1