

**THE NORFOLK COUNTY COUNCIL  
(HELLESDON, DRAYTON HIGH ROAD,  
FERNDALE CLOSE, MIDDLETONS LANE)  
(PROHIBITION OF WAITING AND LOADING) ORDER 2018**

The Norfolk County Council in exercise of their powers under Sections 1(1), 2(1), 2(2) and 4(1) and (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 may be cited as The Norfolk County Council (Hellesdon, Drayton High Road, Ferndale Close, Middletons Lane) (Prohibition of Waiting and Loading) Order 2018 and shall come into effect on the 12<sup>th</sup> day of November 2018.

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.

"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 7 to the Traffic Signs Regulations and General Directions 2016;

"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;

"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 2016"

"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;

"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 at any time along the lengths of road specified in the Schedule to this Order.
- 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) 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 2011;
  - (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;
- (2) 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.
- (3) 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 and signs as specified in Schedule 14 of the General Directions conveying the existence of:-

- (a) a 'bus stop/clearway'; or
- (b) (i) a toucan or equestrian crossing; or
- (ii) Zebra Pedestrian Crossing or Zebra controlled area; or
- (iii) Pelican Pedestrian Crossing or Pelican controlled area; or
- (iv) 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.

### **SCHEDULE**

#### **In the Parish of Hellesdon**

#### **Prohibition of Waiting and Loading – At Any Time**

- A1067 Drayton High Road - From a point 215 metres south-east of the centre line of C259 Middletons Lane on the north-east side of A1067 Drayton High Road extending north-westwards for a distance of 215 metres to C259 Middletons Lane.
- C259 Middletons Lane - From the centreline of A1067 Drayton High Road, along the south-east side of C259 Middletons Lane, extending 70 metres north-eastwards to Ferndale Close.
- U51057 Ferndale Close - From the centreline of C259 Middletons Lane, along the south-west side of U51057 Ferndale Close, extending south-eastwards for a distance of 12 metres.

DATED this 5<sup>th</sup> day of November 2018

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

Chief Legal Officer