

THE NORFOLK COUNTY COUNCIL
(SWAFFHAM, MARKET PLACE AND LONDON STREET)
(LOADING BAY) CONSOLIDATION ORDER 2012

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:-

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.

“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 2002”

“General Regulations 2007” shall mean The Civil Enforcement of Parking Contraventions (England) General Regulations 2007”;

“Goods Vehicle” shall mean any heavy commercial vehicle which is required to load and unload goods at its destination for the purposes of commercial transport of those goods;

“Heavy Commercial Vehicle” has the same meaning as in section 138 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;

“specified road” shall mean the lengths of road specified in Column 1 of the Schedule to this Order;

“specified time” shall mean the periods of time specified in Columns 4 and 5 of the Schedule of this Order;

'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;

- 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 along the lengths of specified road at the specified time in Schedule 1 to this Order.
- (2) 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 goods vehicle to wait along the lengths of specified road at the specified time in Schedule 1 to this Order other than for the purposes of loading and unloading of goods.
- (3) 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 to wait along the lengths of specified road at the specified time in Schedule 2 to this Order other than for the purposes of loading and unloading.
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. The following Order will become revoked on the date of commencement of this Order and consolidated into this Order as follows:-

“The Norfolk County Council (Swaffham, The Shambles)(Goods Vehicle Loading Bay) Order 2006” – in its entirety;

“The Norfolk County Council (Swaffham, Market Place)(Vehicle Loading Bay) Order 2005” – in its entirety;

“The Norfolk County Council (Swaffham, Market Place and London Street)(Goods Vehicle Loading Bay) Order 2005” – in its entirety.
5. This Order shall come into operation on the 6th day of July 2012, and may be cited as The Norfolk County Council (Swaffham, Market Place and London Street)(Loading Bay) Consolidation Order 2012.

6. Insofar as any provision of this Order conflicts with any provision of any previous Order relating to the waiting of vehicles in the lengths of the specified roads as detailed in the Schedule to this Order, that provision of this Order shall prevail.

IN THE TOWN OF SWAFFHAM
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
C562 Market Place North Side From a point 43 metres east of the centreline of its junction with the U30003 Ash Close eastwards for a distance of 17 metres	Close by and parallel with the kerb	Goods Vehicle as specified in this Order	Monday to Saturday	0800 hrs to 1800 hrs	Waiting limited to that required for the purposes of loading and unloading
C563 Market Place East Side From a point 42.5 metres south-east of the centreline of its junction with the U30044 Market Place south-eastwards for a distance of 14.5 metres	Close by and parallel with the kerb	Goods Vehicle as specified in this Order	Monday to Saturday	0800 hrs to 1800 hrs	Waiting limited to that required for the purposes of loading and unloading
A1065 London Street West Side From a point 13 metres south of the centreline of its junction with the C44 Cley Road southwards for a distance of 24 metres	Close by and parallel with the kerb	Goods Vehicle as specified in this Order	Monday to Saturday	0600 hrs to 1100 hrs	Waiting limited to that required for the purposes of loading and unloading

IN THE TOWN OF SWAFFHAM

SCHEDULE 2 – 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
A1065 Market Place East Side From a point 30 metres south of its junction with the C562 Market Place southwards for a distance of 13 metres	Close by and parallel with the kerb	All	Monday to Saturday	0800 hrs to 1800 hrs	Waiting limited to that required for the purposes of loading and unloading

Dated this 2nd day of July 2012

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

Head of Law

Swaffhamloadingbayorder