

THE NORFOLK COUNTY COUNCIL (WALSINGHAM, GUILD STREET)
(GOODS VEHICLE LOADING BAY) CONSOLIDATION ORDER 2011

The Norfolk County 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 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 Article 2 of this Order;

'specified time' shall mean any period of time specified in Article 2 of this Order;

'goods vehicle' shall mean any vehicle which is required to load and unload goods at its destination following commercial transport of those goods;

'goods vehicle loading bay' shall mean any prohibited area in any specified road at any specified time as detailed in Article 2 of this Order.

- 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 on Monday to Friday from 0900 hrs to 1200 hrs in the goods vehicle loading bay along the south side of the C586 Guild Street from a point 48 metres north-east of its junction with the C586 Bridewell Street north-eastwards for a distance of 15 metres.
- (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 in the goods vehicle loading bay specified in Article 2(1) of this Order for any purpose other than the loading or unloading of goods.
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 (Walsingham, Guild Street) (Goods Vehicle Loading Bay) Variation and Consolidation Order 2011.
5. The following Order is hereby revoked:-

“The Norfolk County Council (Little Walsingham, Controlled Zone)(Guild Street) (Loading Bay) Order 2000” – in its entirety.
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 Article 2 of this Order, that provision of this Order shall prevail.

Dated this 24th day of October 2011

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

Head of Law

LP/SMK/WalsinghamOrder