

THE NORFOLK COUNTY COUNCIL (WELLS-NEXT-THE-SEA, VARIOUS ROADS)
(STREET PARKING PLACES) ORDER 2013

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 1st day of March 2013, and may be cited as The Norfolk County Council (Wells-Next-The-Sea, Various Roads) (Street Parking Places) Order 2013.

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;

"bus" has the same meaning as in Regulation 22 of the Traffic Signs Regulations and General Directions 2002;

"heavy goods vehicle" and "HGVs" have the same meaning as a heavy commercial vehicle in section 138 of the Act;

"motor car", "motor cycle" and "invalid carriage" have the same meaning as in section 136 of 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;

"Excursion or tour" has the same meaning as in section 137(1) of the Transport Act 1985(a);

"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;

"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;

"Private Service Vehicle" means a Bus in use for part of an excursion or tour;

"Public Service Vehicle" has the same meaning as in section 1 of the Public Passenger Vehicles Act 1981;

"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 in accordance with the regulations.

AUTHORISATION AND USE OF PARKING PLACES

4. (1) The sections of road specified in column 1 of the Schedules to this Order are authorised to be used, subject to the following provisions of this Order, as parking places for such classes of vehicles, in such positions, on such days, during such hours and for such purposes 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 Schedules 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 Schedules 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 or a Civil Enforcement Officer 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 the 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. The following Orders will become revoked on the date of commencement as follows:

“The Norfolk County Council (Wells-Next-The-Sea, Various Roads) (Street Parking Places) Variation and Consolidation Order 2012” – in its entirety;
15. 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.

SCHEDULE 1

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
U14475 Station Road North Side From a point 10 metres east of the centreline of its junction with the U10010 Newgate Lane eastwards to a point 15 metres west of the centreline of its junction with the U10019 Staithe Street	Close by and parallel with the kerb	All	Monday to Sunday	0800 hrs to 2000 hrs	Waiting limited to 30 minutes with no return within 2 hours
U14475 Station Road South Side From a point 62 metres east of its junction with the U10021 High Street eastwards for a distance of 36 metres	Close by and parallel with the kerb	All	Monday to Sunday	0800 hrs to 2000 hrs	Waiting limited to 30 minutes with no return within 2 hours
U10021 High Street East Side From a point 10 metres south of its junction with the U14475 Station Road southwards for a distance of 12 metres	Close by and parallel with the kerb	All	Monday to Sunday	0800 hrs to 2000 hrs	Waiting limited to 30 minutes with no return within 2 hours

SCHEDULE 2

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
B1105 Freeman Street/ Holkham Road North Side From a point 53 metres west of its junction with the U10033 Beach Road westwards for a distance of 15 metres	Close by and parallel with the kerb	Disabled Persons Vehicles displaying a Disabled Persons Badge and Parking Disc	At All Times	At All Times	Waiting unlimited

IN THE TOWN OF WELLS-NEXT-THE-SEA

SCHEDULE 3

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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
C881 The Quay North Side From a point 32 metres east of the mid-point of its junction with the U10033 Beach Road eastwards for a distance of 40 metres	Close by and parallel with the kerb	(i) Buses being used as part of an Excursion or Tour (ii) Vehicles which require to load and unload	At All Times At All Times	At All Times At All Times	(i) Waiting limited to 10 minutes with no return within 60 minutes (ii) Waiting limited to 30 minutes with no return within 60 minutes whilst loading and unloading

Dated this 18th day of February 2013

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

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Alame

Authorisation sign
[Signature Box]

Head of Law

LP/SMC/Wellsspp

