

**THE NORFOLK COUNTY COUNCIL (PARK AND RIDE SITES)
(OFF-STREET PARKING PLACES) CONSOLIDATION ORDER 2011**

The Norfolk County Council, in exercise of their powers under Section 32, 35 and 38 of the Road Traffic Regulation Act, 1984 (hereinafter referred to as "the 1984 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 Parts I to III of Schedule 9 to the Act, hereby make the following Order.

1. This Order shall come into operation on the 7th day of November 2011 and may be cited as The Norfolk County Council (Park and Ride Sites)(Off-Street Parking Places) Consolidation Order 2011.

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.

"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;

"bus" means a public service vehicle provided and used for the park and ride facility;

"Charging Hours" means the periods specified in Column 5 of the Schedules to this Order in respect of which a charge is made as specified in Article 3;

"Civil Enforcement Officer" has the same meaning as in s76 of the 2004 Act;

"Council" means Norfolk County Council;

"Disabled Parking Bay" means an area of the parking place indicated as such by markings on the surface of the parking place as an area where a vehicle, in accordance with the provisions of this Order, may be stationed;

"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;

"Enforcement Authority" means the Council;

"Excursion or Tour" has the same meaning as in s137(1) of the Transport Act 1985(a);

"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";

"Hackney Carriage" has the meaning as in Section 38 of the Town Police Clauses Act 1847;

"Heavy Commercial Vehicle" has the same meaning as in section 138 of the 1984 Act;

"Motor Car", Motor Cycle" and Invalid Carriageway" have the same meaning as in section 136 of the 1984 Act;

"Motor Cycle Parking Area" means an area of the parking place indicating as such by markings on the surface of the parking place as an area where a motor cycle, in accordance with the provisions of this Order, may be stationed;

"the regulations" in Article *** 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;

"Parking Charge" has the meaning specified in Article 27 of this Order;

"Parking Place" means the area of land specified by name in Column 1 of the Schedule to this Order provided by the Council for use as a parking place;

"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;

"public service vehicle" has the same meaning as in Section 1 of the Public Passenger Vehicles Act 1981;

"Parking Bay" means an area of the parking place indicated by markings on the surface of the parking place as an area where a vehicle, in accordance with the provisions of this Order, may be stationed;

"ticket machine" means an apparatus of a type and design approved by the Secretary of State, being an apparatus designed to issue tickets indicating the payment of a charge and the date and time at which the charge was paid;

PART 1 PARKING PROVISIONS

3(1) Each parking place may be used subject to provisions of this Order and only for the purposes of using the park and ride facility as a parking place for the classes of vehicles to be stationed wholly within the appropriate parking bays:

- (i) on the days, and
- (ii) during the hours, and
- (iii) on payment of the correct parking charge prior to or on boarding the bus

as specified in the Schedules to this Order.

3(2) No vehicle may be stationed overnight, except upon the direction or with the permission of the Council or a Civil Enforcement Officer or a Police Constable in uniform.

4. Where in the Schedules the parking place is described, or where a parking bay is designated by surface or other markings, as available for vehicles of a specified class, the driver of a vehicle shall not permit it to wait in the parking place, or parking bay, unless it is of that specified class.

5. Subject to the parking place having parking bays, no vehicles shall be left in the parking place other than wholly within a parking bay and in particular no vehicle shall be left or allowed to stand in the parking place in such a position as to obstruct the entrance thereto or the exit therefrom nor in such a position as to prevent the driving away of any vehicle already standing in the parking place or in such a position as to cause an obstruction to other vehicles.

6. The driver of a vehicle displaying a badge may (subject to compliance with all other provisions of this Order) park that vehicle in a designated disabled parking bay provided that:
 - (a) the driver of the vehicle is a disabled person to whom the badge was issued in respect of that vehicle,
 - (b) the vehicle is being used for the carriage of a disabled person to whom the badge was issued,
 - (c) the vehicle is one being used for the carriage of disabled persons by an institution to whom the badge was issued in respect of that vehicle; or
 - (d) the time during which the vehicle will be parked in the said parking bay is indicated on the parking disc provided by local authority for that purpose.
7. The driver of a vehicle using the parking place shall stop the engine as soon as the vehicle is in position in a designated parking bay and shall not start the engine except when about to change the position of the vehicle in the parking bay, or to depart from the parking place.
8. Except with the authority of the Council or person authorised on behalf of the Council or Civil Enforcement Officer, no person shall use a vehicle, whilst it is in the 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.
9. Except with the authority of the Council or person authorised on behalf of the Council or Civil Enforcement Officer, no person shall affix or cause to be affixed any advertising material to any vehicle left in the parking place.
10. Subject to the proviso hereto, when a vehicle is left in the parking place in contravention of any of the provisions of Articles 3, 4 or 5 of this Order or it is necessary for the requirements of an emergency, a person authorised on behalf of the Council, a Civil Enforcement Officer or a Police Constable may remove the vehicle or arrange for it to be removed from the parking place, or may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions or meet the requirements of the emergency.
11. Any person removing or altering the position of a vehicle by virtue of Article 10 of this Order may do so by towing or driving the vehicle or in such other manner as that person may think necessary and may take such measures in relation to the vehicle as that person may think necessary to enable that person to remove or alter its position.
12. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from the parking place by virtue of Articles 10 and 11 of this Order, that person 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 driver of a motor vehicle using the parking place shall not sound any horn or other similar instrument except when about to change the position of the vehicle in or to depart from the parking place.
15. No person shall, except with the permission of any person duly authorised by the Council or a Police Constable in Uniform or a Civil Enforcement Officer, drive any vehicle in the parking place other than for the purpose of leaving that vehicle in the parking place in accordance with the provisions of this Order or for the purpose of departing from the parking place.
16. No person shall, in the parking place, wantonly shout or otherwise make a loud noise to the disturbance or annoyance of users of the parking place or residents of premises in the neighbourhood.
17. No person shall in the parking place use any threatening, abusive or insulting language, gesture or conduct with intent to put any person in fear or so occasion a breach of the peace or whereby a breach of the peace is likely to be occasioned.
18. No person shall use any part of the parking place or any vehicle left in the parking place:
 - (a) for sleeping or eating purposes;
 - (b) for camping purposes;
 - (c) for cooking purposes;
 - (d) for the purpose of servicing or washing any vehicle or part thereof other than is reasonably necessary to enable that vehicle to depart from the parking place;
 - (e) for skateboarding, roller skating or wheeled activities which may be hazardous to pedestrians;
 - (f) for the instruction of pupils whilst undertaking driving lessons;
 - (g) to play or take part in any game.
19. No person shall use the parking place as a means of passing or proceeding from one road to another road.
20. Where in the parking place signs are erected or surface markings are laid for the purpose of:
 - (a) indicating the entrance to or exit from the parking place; or
 - (b) indicating that a vehicle using the parking place shall proceed in a specified direction within the parking place;

no person shall drive or cause or permit to be driven any vehicle so that it

(i) enters the parking place otherwise than by an entrance or leave the parking place otherwise than by an exit so indicated or

(ii) is in a direction other than that specified

as the case may be.

21. In the parking place no person shall:

(a) erect or cause or permit to be erected any tent, booth, stand, building or other structure except with the authority of Norfolk County Council or person authorised on behalf of the Council;

(b) light or cause or permit to be lit any fire.

22. No person shall proceed to enter the parking place whilst towing any vehicle except:

(i) where the towed vehicle is required in order that a vehicle may be removed in accordance with Article 12 of this Order,

(ii) where the towed vehicle is carrying equipment required by the driver for ground maintenance at the parking place,

(iii) where the towed vehicle is required for remedial works at or to the parking place by Statutory Utilities Staff,

(iv) where permission has been granted by the Council or an agent acting on behalf of the Council or a Police Constable in uniform or a Civil Enforcement Officer;

23. In accordance with the Schedules to this Order, no person shall leave stationed a vehicle, with a maximum gross vehicle weight greater than 7.5 tonnes, except upon the direction or with the permission of the Council or a Civil Enforcement Officer or a Police Constable in uniform.

24. When a Penalty Charge Notice has been attached to a vehicle in accordance with the provisions of Article 32 no person, not being the driver of the vehicle or a person duly authorised by the Council or a Civil Enforcement Officer shall remove the notice from the vehicle unless authorised to do so by the driver.

25. By conspicuous notices to the effect the Council may suspend parking on the parking place or part thereof and failure to observe such notices shall be a contravention of this Order.

26. The following Orders will become revoked on the date of commencement of this Order as follows:-

“The Norfolk County Council (Park and Ride Sites)(Off-Street Parking Places) Order 2009” – in its entirety;

PART II
CHARGES FOR THE USE OF PARK AND RIDE FACILITY

27. The User of the park and ride off-street parking facility shall, before boarding or on boarding the bus, and subject to the exceptions set out in this Part pay the appropriate charge as specified in the Schedules to this Order to obtain a ticket.
28. The charge referred to in Article 27 will be payable by either:-
- (i) the insertion of an appropriate coin or coins into an apparatus or device provided being an apparatus or device known as a ticket machine to obtain a ticket; or
 - (ii) the payment of a fee to the driver of the bus to obtain a ticket; or
 - (iii) the purchase of a valid season ticket authorised by the Council, subject to the Council's discretion and on application to the Council.
- as is specified in the Schedules to this Order and on a Notice posted at the park and ride site.
29. Any ticket issued on payment of the charge referred to in Article 27 is not transferable.
30. No charge is payable by holders of permits and passes authorised by the Council or their agents;
31. The driver of a vehicle may wait in accordance with Article 3 of this Order for a period of time not exceeding 20 minutes whilst waiting for a child to board or alight a bus.
32. Where a driver has left a vehicle in a Parking Place in contravention of this Order a Penalty Charge shall become payable. A Penalty Charge Notice to that effect will be attached to the vehicle or handed to the driver by a Civil Enforcement Officer, in accordance with Article 35 of this Order.
33. A Penalty Charge shall be payable to the Enforcement Authority.
34. In the event of payment of the Penalty Charge being received by the Enforcement Authority within 14 days of the day in which it was incurred the amount of penalty charge will be discounted in accordance with Regulation 5 of the General Regulations 2007.
35. A Penalty Charge Notice referred to in Article 32 and issued by a Civil Enforcement Officer shall include the following particulars:
- (a) the enforcement authority,
 - (b) the parking place at which the contravention occurred (which may be identified on the Penalty Charge Notice by an abbreviation or code),
 - (c) the registration mark of the vehicle or when the vehicle is being used under a trade licence, the registration mark of that trade licence,
 - (d) the date, time at which the Penalty Charge was seen to be payable,

- (e) the grounds on which the Civil Enforcement Officer serving the Penalty Charge Notice believes that a Penalty Charge is payable,
 - (f) the amount of the Penalty Charge,
 - (g) the manner in which and time within which the Penalty Charge shall be payable,
 - (h) a statement that a reduced charge may be payable if payment is made within fourteen days of the Penalty Charge Notice being incurred,
 - (i) a statement to the effect that if the Penalty Charge is not paid before the end of the period of 28 days a notice to owner may be served by the Enforcement Authority on the owner of the vehicle.
36. Where a driver has left a vehicle in a Parking Place in contravention of this Order and a Penalty Charge Notice could not be issued as specified in Article 32 of this Order a Penalty Charge Notice may be issued by post by the enforcement authority in accordance with section 10 of the General Regulations 2007.
37. Any Penalty Charge Notice issued in accordance with Article 36 of this Order shall, in addition to the particulars specified in 35(a), (b), (c), (e) and (f) of this Order, include the particulars specified in paragraph 2 of the Schedule to the General Regulations 2007.
38. The Penalty Charge referred to in Article 32 shall be paid to the Enforcement Authority or an agent acting on behalf of the Enforcement Authority in accordance with the instructions on the reverse of the Penalty Charge Notice.
39. The driver of a vehicle in respect of which a Penalty Charge has been incurred shall pay the Penalty Charge or provide proof of payment of the Penalty Charge to the Enforcement Authority as detailed on the reverse of the Notice within 28 days of the date on which the notice is served. If payment is received within a period of 14 days beginning with the date on which the notice is served the amount of the said charge shall be reduced by 50% (provided that if the fourteenth day falls upon a day on which the Enforcement Authority's offices are closed the period within which payment of the said charge is due shall be extended to 1.00 p.m. on the next full day on which the office is open).
40. Where a driver of a vehicle fails to pay the Penalty Charge as specified in Articles 38 and 39 of this Order the Enforcement Authority may follow the procedures set out in the General Regulations 2007 to recover the Penalty Charge.
41. A driver who desires to make representation to or appeal against a Penalty Charge Notice issued to him may make representation or appeal to the Enforcement Authority pursuant to the procedures set out in the Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007.
42. Insofar as any provision of this Order conflicts with any provision of any previous Orders or Notice of Variation of Charges in connection with the Orders for Off-Street Parking Places, that provision of this Order shall prevail.

SCHEDULE 1
CHARGES APPLICABLE TO SCHEDULES 2, 3 AND 4

Scale of Charges

Fares payable on the bus

Individual Adult daily return (+3 children free) prior to 1230 hrs that day	£2.30
Individual Adult daily return (+3 children free) after 1230 hrs that day	£2.00
Group Saver Ticket for one car with up to 5 adult occupants (Monday to Friday)	£4.00
Group Saver Ticket for one car with up to 5 adult occupants (Saturday, Sunday and Bank Holidays)	£3.80
Concessionary passholders (before 0930 hours Monday to Friday)	Charges above apply
(A maximum of 4 young people under 16 per vehicle travel FREE with an adult or group ticket)	
Concessionary pass holders (after 0930 hrs Monday to Friday and at any time weekends or bank holidays)	Free
Unaccompanied children (under 16) return ticket	£1.00
Unaccompanied children (under 16) single ticket	£0.50
Single Adult Fare (or for single Adult trip separated from family or multi adult ticket)	£2.30
Cycle/Motorcycle and Ride	£1.00

Season Tickets

10 Trip Ticket (£2.10 per return trip)	£21.00
Rainbow Rider (valid for 4 weeks)	£39.00
Annual Ticket (12 months parking for the price of 10)	£390.00

SCHEDULE 2 – MONDAY TO SATURDAY

1	2	3	4
Name of Parking Place	Classes of Vehicles	Days of Operation of Parking Place	Hours of Operation of Parking Place
<p>In the Parishes of Cringleford and Hethersett (Thickthorn Park and Ride)</p> <p>In the Parishes of Bawburgh and Costessey (Costessey Park and Ride)</p> <p>In the Parish of Postwick (Postwick Park and Ride)</p> <p>In the Parish of Sprowston (Sprowston Park and Ride)</p> <p>In the Parishes of Keswick and Caister St Edmund (Harford Park and Ride)</p>	<p>All vehicles with a gross maximum vehicle weight of up to 7.5 tonnes</p>	<p>Monday to Friday</p> <p>Saturday</p> <p>Subject to the direction of an authorised officer of Norfolk County Council or an agent acting on behalf of the Council provided that public notice is prominently displayed in the parking place of an intended closure or partial closure</p>	<p>0630 hrs to 2000 hrs</p> <p>0650 hrs to 1900 hrs</p> <p>(Unless indicated by notices that the site is closed)</p>

SCHEDULE 3 - SUNDAY

1	2	3	4
Name of Parking Place	Classes of Vehicles	Days of Operation of Parking Place	Hours of Operation of Parking Place
In the Parishes of Cringleford and Hethersett (Thickthorn Park and Ride)	All vehicles with a gross maximum vehicle weight of up to 7.5 tonnes	Sunday (November and December only subject to Notices on site specifying actual dates)	0900 hrs to 1800 hrs
In the Parish of Postwick (Postwick Park and Ride)		Subject to the direction of an authorised officer of Norfolk County Council or an agent acting on behalf of the Council provided that public notice is prominently displayed in the parking place of an intended closure or partial closure	(Unless indicated by notices that the site is closed)
In the Parishes of Keswick and Caister St Edmund (Harford Park and Ride)			

SCHEDULE 4 – BANK HOLIDAY


1	2	3	4
Name of Parking Place	Classes of Vehicles	Days of Operation of Parking Place	Hours of Operation of Parking Place
In the Parishes of Cringleford and Hethersett (Thickthorn Park and Ride)	All vehicles with a gross maximum vehicle weight of up to 7.5 tonnes	Bank Holidays (except Christmas Day, Boxing Day and New Year's Day when the sites will remain closed)	0900 hrs to 1800 hrs
In the Parish of Postwick (Postwick Park and Ride)		Subject to the direction of an authorised officer of Norfolk County Council or an agent acting on behalf of the Council provided that public notice is prominently displayed in the parking place of an intended closure or partial closure	(Unless indicated by notices that the site is closed)

Dated this 31st day of October 2011

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



31102.


authorised to sign
on behalf of
Head of Law

LP/JR/Orders/P&RCPEOrder