

THE NORFOLK COUNTY COUNCIL (KING'S LYNN, MARKET STREET)
(RESTRICTED ZONE) ORDER 2015

The Norfolk County Council (hereinafter referred to as "the Council") in exercise of their powers under Sections 1(1), 2(1), 2(2) and 4(1) and (2), 32 and 35 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 shall come into operation on the 24th day of April 2015 and may be cited as The Norfolk County Council (King's Lynn, Market Street) (Restricted Zone) Order 2015.

PART 1 - GENERAL

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;

"Civil Enforcement Officer" has the same meaning as in section 76 of the 2004 Act;

"cycle" has the same meaning as in section 192 Road Traffic Act 1988;

"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";

"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;

"the 1997 Regulations" shall mean the Zebra, Pelican and Puffin Pedestrian Crossing Regulations 1997.

"parking place" means any part of a road authorised in Column 1 of Schedules 3, 4 and 5 to this Order to be used as a parking place;

3. 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.
4. Insofar as any provision of this Order conflicts with:-
 - (a) the effect of markings placed on the carriageway, as specified under Regulation 29(1) of the General Directions conveying the existence of a 'bus stop/clearway' as defined by Part 1 of Schedule 19 of the General Directions; or
 - (b) the effect of markings placed on the carriageway, as specified under Regulation 27(1) of the General Directions conveying the existence of a toucan or equestrian crossing or an adjacent controlled area as defined by Sign 1001.3 in Schedule 6 of the General Directions; or
 - (c) the effect of markings placed on the carriageway, as specified under s3(1) of the 1997 Regulations conveying the existence of a:-
 - (i) Zebra Pedestrian Crossing or Zebra controlled area; or
 - (ii) Pelican Pedestrian Crossing or Pelican controlled area; or
 - (iii) Puffin Pedestrian Crossing or Puffin controlled areaand established as specified in s23(2) of the 1984 Act;the effect of those markings shall prevail.

PART 2 – PROHIBITION OF WAITING, LOADING AND UNLOADING

5. Save as provided in Article 6 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, load or unload at any time along the U20426 Market Street from its junction with the U20426 Old Market Street south-westwards for a distance of 27 metres.
- 6.(1) Nothing in Article 5 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 person to board or alight from the vehicle provided that the length of road is not an authorised taxi rank or authorised parking place.
- 6.(2) Nothing in Article 5 of this Order shall prohibit a person to cause or permit any vehicle to wait in the length of road or on the side of roads referred to therein for so long as may be necessary to enable -
 - (a) 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 2000;
- (b) 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;
- (3) Nothing in Article 5 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.
- (4) Nothing in Article 5 of this Order shall prohibit a person to cause or permit any vehicle being a hackney carriage, to wait upon an authorised taxi rank.

PART 3 – ON-STREET PARKING PLACES

AUTHORISATION AND USE

- 7.
 - (1) The sections of road specified in column 1 of Schedule 2 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 and on such days and during such hours 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.
- 8. Where in Schedule 2 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.
- 10. 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 Schedule 2 to this Order in relation to that parking place.
- 11. A rider of a cycle 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.
12. 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.
13. Where a vehicle is left in the parking place in contravention of any of the provisions of this Order or it is necessary to meet the requirements of an emergency, a person authorised on behalf of the Council or a Civil Enforcement Officer 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 an emergency.
14. Any person removing or altering the position of a vehicle or a cycle by virtue of Article 13 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 or cycle as that person may think necessary to enable that person to remove or alter its position.
15. When a person authorised by the Council or a Civil Enforcement Officer removes or makes arrangements for the removal of a vehicle or cycle from the parking place by virtue of Articles 13 and 14 of this Order, that person shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle or cycle.
16. Where a vehicle or cycle has been removed in accordance with Articles 13, 14 and 15 of this Order the charges as specified in section 3 of the Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 shall become payable.
17. The rider of a cycle using a cycle parking place shall dismount the cycle prior to mounting the footway kerb and leave the cycle in the correct position in the cycle parking place, and shall not remount the cycle except when rejoining the main carriageway upon departing from the cycle parking place.

IN THE TOWN OF KING'S LYNN

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
U20426 Market Street Southern footway At a point 3 metres west of its junction with the U20426 Old Market Street westwards for a distance of 7 metres	Wholly within the cycle stands situated on the footway	Cycles	Monday to Sunday	At All Times	Waiting unlimited

Dated this 13th day of April 2015

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

)
)
)
)

Shumner

authorised to sign
on behalf of: HEAD OF LAW

Head of Law



37689

LP/SMC/RestrictedZoneMarketStreet