

THE NORFOLK COUNTY COUNCIL (HOVETON, VARIOUS ROADS)
(STREET PARKING PLACES) ORDER 2012

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 (hereinafter referred to as "the Act") and the Traffic Management Act (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 27th day of July 2012, and may be cited as The Norfolk County Council (Hoveton)(Street Parking Places) Order 2012.

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" means any parking place on a road authorised or designated by an order made or having effect as if made under 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;

"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;

"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, and any statutory modifications or re-enactments thereof;

"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.

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 or on the side of roads referred to in that Article for a period not exceeding the time specified in the regulations.

AUTHORISATION AND USE OF PARKING PLACES

4. (1) The section of road specified in column 1 of the Schedule to this Order is 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.
5. Where in the Schedule 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 Schedule 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 Articles of this Order or it is necessary for 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 Order will become revoked on the date of commencement as follows and the lengths of road specified in that Order included in the Schedule to this Order as follows:-

"The Norfolk County Council (Hoveton, Station Road)(Street Parking Places) Consolidation and Variation Order 2011" – 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.

IN THE PARISH OF HOVETON

SCHEDULE 1

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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
U19246 Church Road North Side From a point 19 metres north-east of the midpoint of its junction with the U19892 Marsh Road north-eastwards for a distance of 11 metres	Close by and parallel with the kerb	All	Monday to Sunday	0800 hrs to 1800 hrs	Waiting limited to 2 hours with no return within 1 hour
U19426 Church Road North Side From a point 36 metres north-east of the midpoint of its junction with the U19892 Marsh Road north-eastwards for a distance of 10 metres	Close by and parallel with the kerb	All	Monday to Sunday	0800 hrs to 1800 hrs	Waiting limited to 2 hours with no return within 1 hour
U19426 Church Road North Side From a point 65 metres north-east of the midpoint of its junction with the U19892 Marsh Road north-eastwards for a distance of 11 metres	Close by and parallel with the kerb	All	Monday to Sunday	0800 hrs to 1800 hrs	Waiting limited to 2 hours with no return within 1 hour

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
U19426 Church Road North Side From a point 86 metres north-east of the midpoint of its junction with the U19892 Marsh Road north-eastwards for a distance of 9 metres	Close by and parallel with the kerb	All	Monday to Sunday	0800 hrs to 1800 hrs	Waiting limited to 2 hours with no return within 1 hour
U19246 Church Road North Side From a point 101 metres north-east of the midpoint of its junction with the U19892 Marsh Road north-eastwards for a distance of 11 metres	Close by and parallel with the kerb	All	Monday to Sunday	0800 hrs to 1800 hrs	Waiting limited to 2 hours with no return within 1 hour
U19426 Church Road North Side From a point 129 metres north-east of the midpoint of its junction with the U19892 Marsh Road north-eastwards for a distance of 10 metres	Close by and parallel with the kerb	All	Monday to Sunday	0800 hrs to 1800 hrs	Waiting limited to 2 hours with no return within 1 hour

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IN THE PARISH OF HOVETON

SCHEDULE 2

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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
<p>U19246 Church Road North Side</p> <p>From a point 30 metres south-east of its junction with the A1151 Norwich Road south-eastwards for a distance of 54 metres</p> <p>From a point 108 metres south-east of its junction with the A1151 Norwich Road eastwards for a distance of 35 metres</p>	Close by and parallel with the kerb	Disabled Persons Vehicles displaying a Disabled Persons Badge and Parking Disc as specified in this Order	Monday to Sunday	At All Times	Waiting unlimited

33091.

Dated this 23rd day of July 2012

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

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[Handwritten signature in blue ink]

authorised to sign
on behalf of:

Head of Law

LP/SMC/Hovetonspporder36740