

THE NORFOLK COUNTY COUNCIL (DITCHINGHAM, DITCHINGHAM DAM)
(PROHIBITION OF WAITING) ORDER 2012

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(2) 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 27th day of January 2012 and may be cited as The Norfolk County Council (Ditchingham, Ditchingham Dam) (Prohibition of Waiting) Order 2012.

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.

"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 4(5) 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;

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

3.(1) Save as provided in Article 4 of this order no person shall, except upon the direction or with the permission of a police constable in uniform or of a traffic warden, cause or permit any vehicle to wait:-

- (i) at any time along the lengths of road specified in Schedule 1 to this Order.
- (ii) on Monday to Friday from 0800 hrs to 1700 hrs along the lengths of road specified in Schedule 2 to this Order.

(2) The following Orders will become revoked on the date of commencement of this Order as follows:-

"The Norfolk County Council (Ditchingham, Ditchingham Dam)(Prohibition of Waiting) Order 2007" – in its entirety.

"The Norfolk County Council (Ditchingham, Ditchingham Dam)(Prohibition of Waiting) Order 2011" – in its entirety.

4.(1) Nothing in Article 3 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) goods to be loaded on to or unloaded from the vehicle;

- (b) 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.

- (2) Nothing in Article 3 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 3 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 3 of this Order shall prohibit a person to cause or permit any vehicle -

- (a) to wait upon an authorised parking place, or

- (b) being a hackney carriage, to wait upon an authorised taxi rank.

- (5) Nothing in Article 3 of 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.

- 5. 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.

6. 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.

SCHEDULE 1

In the Parish of Ditchingham

Prohibition of Waiting – At Any Time

- | | | |
|------------------------------------|---|---|
| C568 Ditchingham Dam
Both Sides | - | From its junction with the A143 Yarmouth Road southwards to a point 30 metres south of its junction with the roundabout |
| B1332 Norwich Road
Both Sides | - | From its junction with the A143 Yarmouth Road northwards to a point 35 metres north of its junction with the roundabout |

SCHEDULE 2

In the Parish of Ditchingham

Prohibition of Waiting – Monday to Friday – 0800 hrs to 1700 hrs

- | | | |
|-----------------------------------|---|---|
| C586 Ditchingham Dam
East Side | - | From its junction with Falcon Lane northwards for a distance of 60 metres |
| Southern Channel | - | From the western boundary of Property N 2 Ditchingham Dam eastwards for a distance of 15 metres |

C586 Ditchingham Dam
West Side

- From a point 20 metres north of the centrepont of
Falcon Bridge northwards for a distance of 75 metres

Dated this 23rd day of January 2012

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



Victor N

32110

Head of Law

This Order replaces "The Norfolk County Council (Ditchingham, Ditchingham Dam) (Prohibition of Waiting) Order 2011" which purported to consolidate all previous Orders relating to Ditchingham but omitted an area of typed text between the heading in Schedule 1 and the entries for Schedule 2.

Public notification of the making of the Order was undertaken correctly and in accordance with The Local Authorities' Traffic Orders (Procedure)(England and Wales) Regulations 1996.

This Order is therefore made to re-enact correctly the Prohibition of Waiting for the parish of Ditchingham