

**SUFFOLK COUNTY COUNCIL (NEW MARKET, BECCLES)
(PROHIBITION OF WAITING, PROHIBITION OF DRIVING, ON-STREET PARKING
PLACES AND REVOCATION) ORDER 201-**

Suffolk County Council in exercise of its powers under Sections 1(1) and (2), 2(1) to (3), 4(2), 32, 35 and Part IV of Schedule 9 of the Road Traffic regulation Act 1984, as amended, (which said Act of 1984 is hereinafter referred to as 'the Act of 1984') and of all other enabling powers, after consultation with the Chief of Police in accordance with Part III of Schedule 9 to the Act of 1984, hereby makes the following Order:

PART 1: INTERPRETATION

1. (1) In this Order

'driver' in relation to a vehicle waiting in a parking place means the person driving the vehicle at the time it was left in a parking place;

'owner' in relation to a vehicle, means the person by whom such a vehicle is kept and used;

'parking place' means any part of the road authorised by this Order to be used as a parking place;

'any market day' means any day designated by Beccles Town Council for the holding of a market;

'goods vehicle' has the same meaning as in Section 138(3) of the Act of 1984;

'disabled person's vehicle' has the same meaning as in Section 142 of the Act of 1984;

'disabled person's badge' has the same meaning as in Regulation 2(1) of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000, as amended;

'driver' in relation to a vehicle waiting in a parking place means the person driving the vehicle at the time it was left in the parking place;

'parking disc' means a device that:

- (a) is 125 millimetres square and coloured blue;
- (b) has been issued by a local authority and has not ceased to be valid; and
- (c) is capable of showing the quarter-hour period during which a period of waiting has begun.

(2) For the purposes of this Order a vehicle shall be regarded as displaying:

- (a) a disabled person's badge in the relevant position when:
 - (i) the badge is exhibited on the dashboard or fascia of the vehicle; or
 - (ii) where the vehicle is not fitted with a dashboard or fascia, the badge is exhibited in a conspicuous position on the vehicle;

so that the front of the badge is clearly legible from outside of the vehicle.

(b) a parking disc is in the relevant position when:

- (i) the disc is exhibited on the dashboard or fascia of the vehicle; or
- (ii) where the vehicle is not fitted with a dashboard or fascia, the disc is exhibited in a conspicuous position on the vehicle;

so that, when marked to show the quarter-hour period during which a period of waiting began, that period is clearly legible from outside the vehicle.

- (3) Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.
2. The restrictions, prohibitions and requirements imposed by this Order are in addition to and not in derogation of any restriction, prohibition or requirement imposed by any other enactment and any exception or exemption to the provisions of this Order is without prejudice to the provisions of any other enactment.

PART 2: WAITING RESTRICTIONS

3. Except as provided by Article 4, 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 at any time on the sides of road specified under Type 1 in Schedule 1.
4. (1) Nothing in Article 3 shall make it unlawful for any person to cause or permit a vehicle to wait on the sides of road specified therein for so long as may be necessary to enable:
- (a) a person to board or alight from the vehicle;
 - (b) goods to be loaded or unloaded from the vehicle;
 - (c) the vehicle, if it cannot conveniently be used for such a 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 sides of road; or
 - (iv) the laying, erection, alteration or repair in or on land adjacent to the said sides of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications system as defined in the Telecommunications Act 1984; or
 - (d) the vehicle, if it cannot conveniently be used for such purposes in any other road, to be used in the service of a local authority or of a water authority in pursuance of statutory powers or duties.

- (2) Nothing in Article 3 shall make it unlawful 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 on the sides of road referred to in that Article for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle on the same side of the road on the same day).

PART 3: PROHIBITION OF DRIVING

5. Except as provided in Article 6, no person other than a market trader authorised by Beccles Town Council shall cause or permit any motor vehicle to proceed in any direction in the length of road specified in Schedule 2 between the hours of 6.00 a.m. and 9.00 a.m. or 2.00 p.m. and 4.00 p.m. on any market day.
6. Nothing in Article 5 shall make it unlawful to cause or permit any motor vehicle to proceed in the length of road specified therein if the vehicle:
- (a) is to be used for police operational, fire brigade or ambulance purposes;
 - (b) cannot conveniently be used for such a 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 length of road;
 - (iv) the laying, erection, alteration or repair in or on land adjacent to the said length of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications system as defined in the Telecommunications Act 1984;
 - (c) cannot conveniently be used for such purposes in any other road, to be used in the service of a local authority or of a water authority in pursuance of statutory powers or duties;
 - (d) is to be used to gain access to or egress from land or premises situated in that length of road; or
 - (e) is to be used for the purposes of loading or unloading goods between the hours of 8.00 a.m. and 9.00 a.m. on any market day.

PART 4: AUTHORISATION AND USE OF PARKING PLACES

7. (1) The parts of road specified in Column 1 of Schedules 3, 4, 5 and 6 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 those parts of road in the said Schedules.
- (2) The use of the parts of road specified in Article 7 as parking places shall be limited to those parts of the said road specifically indicated on the surface of the road as parking bays, where such parking bays are so indicated.

- (3) 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 processions, rejoicing or illuminations, or where the streets are thronged or liable to be obstructed, to close any parking place.
8. Where in the Schedules specified in paragraph (1) of Article 7 a parking place is described as available for a vehicle waiting in a specified position, the driver of a vehicle shall not permit it to wait in that respective parking place in a position other than that specified.
9. The driver of a vehicle, other than that being used by an authorised market trader, shall not permit it to wait in the parking places specified in Schedules 3, 4, 5 and 6 on any market day, during any period that a parking place has been authorised to be used for the market by Beccles Town Council, provided that the parking place has been clearly identified as such by suitable methods by the authorised organisers of the market.
10. In addition to the provisions of Article 9, the driver of a vehicle shall not permit it to wait in the parking place specified in Schedule 3 unless it is a disabled person's vehicle which displays in the relevant position a disabled person's badge or a parking disc.
11. In addition to the provisions of Article 9, the driver of a vehicle shall not permit it to wait in the parking place specified in Schedule 4 between the hours of 8.00 a.m. and 6.00 p.m. on any day other than a Sunday, unless that vehicle is a goods vehicle being used for so long as is necessary for the loading or unloading of goods.
12. (1) In addition to the provisions of Article 9, and except as provided in Article 14, the driver of a vehicle shall not permit it to wait in the parking place specified in Column 1 of Schedule 5 for a period of longer than 30 minutes between the hours of 8.00 a.m. and 6.00 p.m. on any day other than a Sunday.
- (2) When a vehicle has left the parking place specified in Schedule 5 after waiting thereon between the hours and days specified in sub-paragraph (1) of this Article, the driver thereof shall not within 30 minutes after its leaving permit it to wait upon that parking place.
13. (1) In addition to the provisions of Article 9, and except as provided in Article 14, the driver of a vehicle shall not permit it to wait in the parking place specified in Column 1 of Schedule 6 for a period of longer than 1 hour between the hours of 9.00 a.m. and 6.00 p.m. on any day other than a Sunday.
- (2) When a vehicle has left the parking place specified in Schedule 6 after waiting thereon between the hours and days specified in sub-paragraph (1) of this Article, the driver thereof shall not within 1 hour after its leaving permit it to wait upon that parking place.
14. (1) Nothing in Articles 12 and 13 shall make it unlawful to cause or permit a disabled person's vehicle that displays in the relevant position a disabled person's badge or a parking disc to wait on any parking place specified in Schedules 5 or 6, provided that the parking place is not being used under the provisions of Article 9.

15. 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; or
 - (b) when for preventing obstruction of the streets the Council shall 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 the parking place and exhibited a notice of such closing on or near the parking place.
16. 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.
17. (1) Except as provided in paragraph (2) of this Article, no person shall use a vehicle, while it is in a parking place, for cooking, 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.
 - (2) Nothing in paragraph (1) of this Article shall make it unlawful for a vehicle to be used on any market day for any purpose specified therein by a market trader authorised for that purpose by Beccles Town Council, in a parking place designated for use under the provisions of Article 9 by the authorised organisers of the market.
18. No person shall use any part of a parking place or any vehicle left in a parking place:
 - (a) for sleeping or camping; or
 - (b) 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.
19. Subject to the proviso hereto, when a vehicle is left in a parking place in contravention of any of the provisions contained in Articles 7 to 13, a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from that parking place: provided that when a vehicle is waiting in a parking place in contravention of the provision of Article 8, a person authorised in that behalf by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision.
20. For the purpose of meeting the requirements of an emergency, a person authorised in that behalf by the Council or a police constable in uniform may alter or cause to be altered the position of a vehicle in a parking place or removes or arrange for the removal of a vehicle from a parking place.
21. Any person removing a vehicle or altering its position by virtue of Article 19 or 20 may do so by towing or driving the vehicle or in such other manner as they may think necessary and may take such measures in relation to the vehicle as they may think necessary to enable them to remove it or alter its position, as the case may be.

22. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of Article 19 or 20 they shall make arrangements as may be reasonably necessary for the safe custody of the vehicle.

PART 5: REVOCATION AND CITATION

23. The provisions of the Suffolk County Council (Various Roads, Beccles) (Prohibition and Restriction of Waiting and Additional Measures) Order 2011, insofar as they relate to the lengths and sides of road specified in Schedule 7, are hereby revoked.
24. This Order may be cited as the Suffolk County Council (New Market, Beccles) (Prohibition of Waiting, Prohibition of Driving, On-Street Parking Places and Revocation) Order 201- and shall come into operation on

Date:

The COMMON SEAL of SUFFOLK)
 COUNTY COUNCIL was affixed)
 in the presence of:

An Authorised Officer of the Council

SCHEDULE 1

Waiting Restrictions

Type 1: No Waiting At Any Time

ROAD	SIDE(S)	DESCRIPTION	TYPE
New Market (East)	West	From a point adjacent to the southern boundary of No. 16 New Market to a point adjacent to the northern boundary of No. 18 New Market, a distance of approximately 10 metres.	1
New Market (South)	North and West	The perimeter of the island at the junction of New Market (South) and New Market (West).	1
	South	From its junction with Ballygate in an easterly direction for a distance of 8 metres.	1

SCHEDULE 2

Prohibition of Driving 6.00 a.m. - 9.00 a.m. and 2.00 p.m. - 4.00 p.m. on Market Days, (except market traders)

ROAD	DESCRIPTION
New Market (East and South)	From a point adjacent to the southern boundary of No.16 New Market in a southerly then westerly direction to its junction with Ballygate.

SCHEDULE 3

Parking Places (blue badge-holders only, except when required for market)

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 places	Hours of operation of parking places
1	2	3	4	5
New Market (East) East Side: From a point 3 metres south of its junction with Market Street in a southerly direction for a distance of 6 metres.	At an angle of 90° to the eastern kerb	Blue badge-holders only	All days	24 hours

SCHEDULE 4

Parking Places (loading bay between prescribed hours, except when required for market)

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 places	Hours of operation of parking places
1	2	3	4	5
New Market (South) South Side: From a point adjacent to the western boundary of No. 11 New Market in a westerly direction for a distance of 10 metres.	Parallel to the kerb	All vehicles: goods vehicles loading and unloading only 8.00 a.m. - 6.00 p.m. Monday - Saturday	All days	24 hours:

SCHEDULE 5

Parking Places (30-minute waiting between prescribed hours, except when required for market)

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 places	Hours of operation of parking places
1	2	3	4	5
<p>New Market (South) South Side:</p> <p>From a point 10 metres west of a point adjacent to the western boundary of No. 11 New Market in a westerly direction to a point 8 metres east of its junction with Ballygate, a distance of approximately 32 metres</p>	<p>Parallel to the kerb</p>	<p>All vehicles</p>	<p>All days</p>	<p>24 hours: 30-minute limited waiting 9.00 a.m. - 6.00 p.m. Monday - Saturday (no return within 30minutes)</p>

SCHEDULE 6

Parking Places (1-hour waiting between prescribed hours, except when required for market)

Parts of road authorised to be used as street parking places 1	Position in which vehicles may wait 2	Classes of vehicles 3	Days of operation of parking places 4	Hours of operation of parking places 5
<p>New Market (East) East Side:</p> <p>From a point 9 metres south of its junction with Market Street in a southerly direction for a distance of approximately 18 metres.</p>	<p>At an angle of 60° to the northern kerb</p>			↑
<p>West Side:</p> <p>From a point at the northern boundary of No. 18 New Market to a point at the southern boundary of No. 20 New Market, a distance of approximately 15 metres.</p>	<p>Parallel to the kerb</p>	↑ All vehicles ↓	↑ All days ↓	24 hours: 1-hour limited waiting 9.00 a.m. - 6.00 p.m. Monday - Saturday (no return within 1 hour)
<p>New Market (South) North Side:</p> <p>From a point in line with the eastern boundary of No. 20 New Market in a westerly direction for a distance of approximately 40 metres.</p>	<p>At an angle of 45° to the northern kerb</p>			↓

SCHEDULE 7

Revocation of Waiting Restrictions (from Schedule 1 of Order cited in Article 23)

Type 1: No Waiting At Any Time

Type 151: No Waiting 6.00 a.m. - 4.00 p.m. on Market Days, except Market Traders.

ROAD	SIDE(S)	DESCRIPTION	TYPE
New Market (East)	West	(a) From a point in line with the southern boundary of No. 16 New Market to a point at the northern boundary of No. 18 New Market, a distance of approximately 10 metres.	1
		(c) From a point at the northern boundary of No. 18 New Market to a point at the south boundary of No. 20 New Market, a distance of 15 metres	151
	East	From a point 6 metres south of the centre of its junction with Market Street in a southerly direction for a distance of 23 metres.	151
New Market (South)	North and West	The perimeter of the island at the junction of New Market (South) and New Market (West).	1
	South	(a) From its junction with Ballygate in an easterly direction for a distance of 6 metres.	1
		(b) From a point 6 metres east of its junction with Ballygate in an easterly direction for a distance of 35 metres.	151
North	From a point in line with the eastern boundary of No. 20 New Market in a westerly direction for a distance of 35 metres.	151	

Revocation of Prohibition of Driving 8.00 a.m. - 4.00 p.m. on Market Days Except Market Traders (from Schedule 2, Part 2, of Order cited in Article 23)

ROAD	DESCRIPTION
New Market (East and South)	From a point adjacent to the boundary of No. 16 New Market in a southerly then westerly direction to its junction with Ballygate.

Revocation of Parking Place (blue badge-holders only) (from Schedule 4 of Order cited in Article 23)

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 places	Hours of operation of parking places	Maximum number of parking places
1	2	3	4	5	6
New Market (East) East Side: From a point 3 metres south of its junction with Market Street in a southerly direction for a distance of 6 metres.	At an angle of 90° to the eastern kerb	Blue badge-holders	All days except market days	24 hours	2

Revocation of Parking Place (loading bay between prescribed hours) (from Schedule 5 of Order cited in Article 23)

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 places	Hours of operation of parking places
1	2	3	4	5
New Market (South) South Side: From a point in line with the western boundary of No. 11 New Market in a westerly direction for a distance of 10 metres.	Parallel to the kerb	All vehicles	All days except market days	24 hours: Goods vehicles only 8.00 a.m. – 6.00 p.m. Monday – Saturday, except market days

Revocation of Parking Places (1-hour waiting between prescribed hours)
(from Schedule 7 of the Order cited in Article 22)

Parts of road authorised to be used as street parking places 1	Position in which vehicles may wait 2	Classes of vehicles 3	Days of operation of parking places 4	Hours of operation of parking places 5	Maximum number of parking places 6
<p>New Market (East) East Side:</p> <p>From a point 9 metres south of its junction with Market Street in a southerly direction for a distance of 17 metres.</p> <p>West Side:</p> <p>From a point at the northern boundary of No. 18 New Market to a point at the southern boundary of No. 20 New Market, a distance of 15 metres</p>	<p>At an angle of 90° to the eastern kerb</p> <p>Parallel to the kerb</p>	<p>↑</p> <p>All vehicles</p> <p>↓</p>	<p>↑</p> <p>All days</p> <p>↓</p>	<p>↑</p> <p>24 hours: 1-hour limited waiting 9.00 a.m. - 6.00 p.m. Monday - Saturday (no return within 1 hour)</p> <p>↓</p>	<p>7</p>
<p>New Market (South) North Side:</p> <p>From a point in line with the eastern boundary of No. 20 New Market in a westerly direction for a distance of 41 metres.</p>	<p>At an angle of 45° to the northern kerb</p>			<p>↓</p>	<p>14</p>

**SUFFOLK COUNTY COUNCIL (NEW MARKET, BECCLES)
(PROHIBITION OF WAITING, PROHIBITION OF DRIVING, ON-STREET PARKING
PLACES AND REVOCATION) ORDER 201-**

STATEMENT OF REASONS

In August 2011, Suffolk County Council made a traffic regulation order covering a number of restrictions in the Beccles area. One of the restrictions prohibited vehicles from entering New Market on market days between 6.00 a.m. and 4.00 p.m. to facilitate the market and to enable it to expand. Unfortunately, this has resulted in a number of parking spaces in New Market being left empty, as the market is not of sufficient size to utilise them.

The proposals will enable vehicles to enter New Market on market days between 9.00 a.m. and 2.00 p.m. and to enable any empty parking spaces not being used by the market to be used during this time period. It is hoped that this flexible approach will still enable the market to expand whilst enabling empty parking spaces to be used, thereby making best use of the area.