

# **IPSWICH MARKET ACT 2004**

## **Ipswich Market (Lloyds Avenue) Prohibition of Traffic Order 2021**

Ipswich Borough Council ('the Council') acting in pursuance of its powers under Section 5 of the Ipswich Market Act 2004 and considering it both necessary and expedient to do so hereby makes the following Order to regulate traffic on the part of Lloyds Avenue in Ipswich so specified at times when the market referred to in the Act is being held.

### **Commencement and citation**

1. This Order may be cited as the Ipswich Market (Lloyds Avenue) Prohibition of Traffic Order 2021 and shall come into effect on 25<sup>th</sup> October 2021.

### **Definitions**

2. In this Order, the following expressions shall have the meaning as described in this paragraph and where this is in reference to any Act of Parliament, Statutory Regulation or other legislation and the said Act, Regulation or other legislation is amended or replaced then the amended or replaced version shall apply accordingly:

'market' shall be as defined in the Ipswich Market Act 2004.

'motor vehicle' shall be as defined in Section 136 of the Road Traffic Regulation Act 1984;

'relevant position' means on the dashboard or fascia of the vehicle or, where the vehicle is not fitted with a dashboard or fascia in a conspicuous position on the vehicle, in either case so that the front of the permit is clearly legible from the outside of the vehicle.

'special permit' means a permit of a design and type as the Council shall determine and which refers to some or all of the roads or parts of roads (as the case may be) upon which the restrictions in Paragraphs 5 and 6 of this Order apply.

'statutory undertaker' shall be as defined in Section 262 of the Town and Country Planning Act 1990.

'telecommunications apparatus' shall be as defined in Paragraph 1(1) of the Telecommunications Code contained in Schedule 2 to the Telecommunications Act 1984.

3. Any references in this Order to roads or parts of roads shall refer to roads or parts of roads (as the case may be) within the Borough of Ipswich.

4. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

## **Prohibition of traffic**

5. Subject to Paragraph 7 of this Order and except with the permission of a police constable in uniform or traffic warden or authorised officer of the Council, no person shall cause or permit any motor vehicle to proceed into or be on that part of Lloyds Avenue between the junction with Cornhill and a point 46 metres north of the junction with Cornhill between the hours of 8.30am and 4.30pm on any day on which the market is being held.

## **Suspension of loading, unloading and access restrictions for market traders and Council officers on market duties**

6. Motor vehicles being used by market traders for the purpose of loading or unloading goods associated with the holding of the market and motor vehicles being used by the Council for purposes associated with the holding of the market shall be exempt from all and any prohibitions on the loading and unloading of goods and all and any prohibitions on access by a motor vehicle that may be specified in any Traffic Regulation Order in respect of the part of Lloyds Avenue between the junction with Cornhill and a point 46 metres north of the junction with Cornhill between the hours of 5.30am and 6.00pm on any day on which the market is being held.

## **Exemptions**

7. The restrictions conveyed by Paragraph 5 of this Order shall not apply where:

- (a) any vehicle is being used for operational police, fire brigade or ambulance purposes; or
- (b) any vehicle is being used by a doctor or paramedic responding to an emergency; or
- (c) any vehicle is being used by or on behalf of a statutory undertaker or operator of telecommunications apparatus where it is necessary for the vehicle to be used for the purpose of affording access to their plant, equipment, pipes, cables or other apparatus on in or under the parts of the roads to which the restrictions apply; or
- (d) any vehicle is being used by a trader of the market for so long as may be necessary for them to load or unload market goods to or from the same vehicle; or
- (e) any vehicle is being used by a local authority in pursuance of statutory powers or duties if the vehicle cannot reasonably be used for such purpose in any other road; or
- (f) there is clearly displayed in the relevant position on any vehicle a valid special permit issued by the Council.

EXECUTED AS A DEED by affixing )  
THE COMMON SEAL of )  
IPSWICH BOROUGH COUNCIL )  
on 22<sup>nd</sup> October 2021 )  
in the presence of :- )

*Kate Meenan*  
KATE MEENAN  
Authorised officer



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