



Ipswich Market Act 2004

2004 CHAPTER iii

1 Citation and commencement

This Act may be cited as the Ipswich Market Act 2004 and shall come into force three months from the date on which it is passed.

2 Interpretation

In this Act—

“the Council” means Ipswich Borough Council;

“local bus service” means a local service subject to registration under section 6 of the Transport Act 1985 (c. 67), and “operator of a local bus service” shall be construed accordingly;

“the market” means the market now operated by or on behalf of the Council or any part of that market;

“market highway” means a highway designated under section 3;

“statutory undertaker” has the meaning given by section 262 of the Town and County Planning Act 1990 (c. 8);

“the town” means the town of Ipswich;

“traffic regulation order” means a traffic regulation order under the Road Traffic Regulation Act 1984 (c. 27); and

“traffic sign” has the meaning given by section 64(1) of the Road Traffic Regulation Act 1984 (c. 27).

3 Designation of market highways

- (1) The Council may designate any of the highways named in the first column of the Schedule to this Act as a market highway to the extent specified in the second column of that Schedule.
- (2) The Council shall not designate any highway under subsection (1) without first—
 - (a) giving notice of its intention to designate that highway; and

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- (b) consulting with the market traders and any other interests likely to be affected by the designation.
- (3) The Council shall give notice of any designation under subsection (1).
- (4) Notice under subsection (2)(a) or (3) above shall be given by advertisement in one or more newspapers circulating in the town.

4 Power to hold market on market highways

The market or any part of it may be held or maintained on any market highway.

5 Traffic regulation during market hours

- (1) Subject to the provisions of this section, if it appears necessary or expedient to the Council to do so, the Council may by order—
 - (a) prevent the use of a market highway by vehicular traffic of any kind;
 - (b) divert the traffic from a market highway; and
 - (c) suspend or alter temporarily the application of a traffic regulation order relating to a market highway,while the market is taking place on that market highway.
- (2) An order under subsection (1) shall not—
 - (a) at any time, prevent pedestrians; or
 - (b) for more than 8 hours in any period of 24 hours, prevent vehicles of any class, from having access to any premises situated on or adjacent to a market highway, or to any other premises accessible for pedestrians, or (as the case may be) vehicles of that class, only from the market highway.
- (3) Where an order is made under subsection (1) the Council shall secure—
 - (a) the erection on or near a market highway of traffic signs in such positions as the Council considers necessary for the purpose of securing that adequate information as to the effect of the designation and the order is given to users of the highway; and
 - (b) where the order contains provisions for suspending or altering temporarily the application of a traffic regulation order, such temporary covering of existing traffic signs as the Council considers necessary for the purpose of avoiding—
 - (i) confusion to users of a market highway; or
 - (ii) any incorrect indication about the application of traffic regulations.
- (4) Any person who without reasonable excuse contravenes an order made under this section commits an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (5) An order under subsection (1) shall not prevent statutory undertakers from having access to any apparatus of theirs on, in or under any market highway.
- (6) Before making an order under subsection (1) in respect of a market highway on which a local bus service operates the Council shall give—
 - (a) the traffic commissioners; and
 - (b) the operator of the local bus service,

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at least 7 days' notice of the Council's intention to do so and shall consult with them as to any measures necessary to maintain this service.

6 Regulation of market

Part III of the Food Act 1984 (c. 30) shall apply to the market as if the market had been established under section 50 of that Act.