

ROAD TRAFFIC REGULATION ACT 1984

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THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

(BROAD STREET AND WIDEMARSH STREET, HEREFORD)
RESTRICTION OF WAITING AND STREET PARKING PLACES)
ORDER 2001

The County of Herefordshire District Council ("the Council") as the traffic authority and statutory successor to the County of Hereford & Worcester in exercise of its powers under Sections 2, 4, 32(1) and 35(1), and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the Act of 1984") 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 of 1984, hereby make the following Order:-

Citation

1. This Order shall come into operation on the 1st day of March 2001 and may be cited as The County of Herefordshire District Council (Broad Street and Widemarsh Street Hereford) (Restriction of Waiting and Street Parking Places) Order 2001.
2. The County of Hereford and Worcester (West Street and Broad Street, Hereford) (Street Parking Places) Order 1997 is hereby revoked but only to the extent that it refers to any length of Broad Street as referred to in the Schedule to this Order.
3. (1) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby assigned to them:-

"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 as defined in the Act of 1984.

"parking place", means any part of a road authorised by this Order to be used as a parking place.

"motor cycle" and "invalid carriage" have the same meaning respectively as in Section 136 of the Act 1984.

"disabled person's badge" has the same meaning as in The Disabled Persons (Badges for Motor Vehicles) Regulations 2000;

"disabled person's vehicle" has the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"parking disc" means a disc, issued by a local authority, 125 millimetres square, coloured blue if issued on or after 1st April 2000 and orange if issued before that date and capable of showing the quarter hour period during which a period of waiting begins.

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

"passenger vehicle" means a motor vehicle (other than a motor cycle or invalid carriage) constructed solely for the carriage of passengers and their effects and adapted to carry not more than twelve passengers exclusive of the driver, and not drawing a trailer.

"bullion vehicles" means a motor vehicle specially adapted for carrying cash or precious metals.

"hackney carriage" has the same meaning assigned to it by Section 80 of the Local Government (Miscellaneous Provisions) Act 1976 applying Section 38 Town Police Clauses Act 1847.

"public service vehicle" means a vehicle within the meaning of S.1 of the public Passenger Vehicles Act 1981.

"goods vehicle" has the meaning assigned to it by Section 58 Goods Vehicle (Licensing of Operators) Act 1995.

"coaches" means a motor vehicle which is constructed or adapted to carry more than eight seated passengers in addition to the driver.

"motor vehicle" has the meaning assigned to it by sub-sections 185 and 186 of the Road Traffic Act 1988.

- (2) 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 dashboard or fascia panel, the badge is exhibited thereon so that the front of the badge is legible from outside the vehicle; and
 - (ii) in the case of a vehicle not fitted with a dashboard or fascia panel, the badge is exhibited in a conspicuous position on the vehicle so that the front of the badge is legible from outside the vehicle.
 - (b) a parking disc in the relevant position, when:-
 - (i) in the case of a vehicle fitted with a dashboard or fascia panel, the disc is exhibited thereon so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle; and
 - (ii) in the case of a vehicle not so fitted, the disc is exhibited in a conspicuous position on the vehicle so that the front of the badge is legible from outside the vehicle.

Restriction of Waiting – Parking Places

4. Each of the parts of the road specified in the Schedule to this Order and shown for identification purposes only on the plan to this Order is authorised to be used, subject to the following provisions of this Order as a parking place for such vehicles or class of vehicles on such days and during such hours as specified in relation to that part in the said Schedule.

Power to Suspend Restriction of Waiting – Parking Places

5. Nothing in Article 4 of this Order:-
- (a) shall restrict the power of the Council, for preventing obstruction of the streets, by order or otherwise 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; or
 - (b) shall authorise the use of any part of the road so as unreasonably to prevent access to any premises adjoining the road, or the use of the road by any person entitled to the use of thereof, or so as to be a nuisance.

Vehicles for which Parking Places are Designated

6. Where in the said 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 a vehicle shall not permit it to wait in that parking place:-
- (a) unless it is of the specified class;
 - (b) in a position other than that specified.

Use of 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 entitled to do so, or so as to be a nuisance;
 - (b) when for preventing obstruction of the streets the local authority shall by order or otherwise 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 or his skill or services.
10. When a vehicle is left in a parking place in contravention of any of the provisions contained in paragraphs (a) or (b) of Article 6 of this Order a police constable in uniform, traffic warden or a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from that parking place.
11. Any person moving a vehicle by virtue of the last preceding Article of this Order may do so by towing or driving the vehicle or in such other 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 as aforesaid.
12. When a police constable or a traffic warden in uniform, or a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of Article 11 above of this Order, they shall make such arrangements as may be reasonably necessary for the reasonable safe custody of that vehicle.

Restriction of Waiting in Parking Places - Exemptions

14. (a) Nothing in Article 4 of this Order (with the exception of any parking place reserved for a hackney carriage) shall render it unlawful to cause or permit any vehicle to wait on the sides of those lengths of road referred to in the Schedule hereto so long as may be necessary where:-
- (i) the vehicle is waiting only for so long as is necessary to enable a person to board or alight from a vehicle;

- (ii) the vehicle is a vehicle used for fire brigade purposes or as any ambulance, or a vehicle (other than a passenger vehicle) in the service of the Council or a vehicle in the service of a police force in either case being used in pursuance of statutory powers or duties;
- (iii) the vehicle is in the service of or employed by the Post Office and is waiting while postal packets addressed to premises adjacent to the parking place in which the vehicle is waiting are being unloaded from the vehicle, or having been unloaded therefrom, are being delivered or while postal packets are being collected from premises or posting boxes adjacent to the parking place in which the vehicle is waiting, or is in use in connection with the servicing of telephone kiosks adjacent to the parking place;
- (iv) the vehicle, not being a passenger vehicle, is waiting only for so long as may be reasonably necessary to enable it to be used for the purpose of any building operation, demolition or excavation in or adjacent to the parking place or the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration, removal or repair in or adjacent to the parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or any telegraphic line or traffic sign;
- (v) the vehicle not being a passenger vehicle is in actual use in connection with the removal of furniture from one office or dwellinghouse to another or the removal of furniture from such premises to a depository or to such premises from a depository;
- (vi) the vehicle is waiting otherwise than in a parking space if goods are being sold or offered for sale from the vehicle by a person who is licensed by a local authority to sell goods from a stationary pitch situated in the parking place;
- (vii) the vehicle is waiting only for so long as is necessary to enable it to be used in connection with posting or removing advertising material in the form of posters on or from, or cleaning windows or chimneys in, premises adjacent to the parking place in which the vehicle is waiting; or

15. As regards any 30 minute limited waiting parking place referred to in the said Schedule nothing in Article 4 above shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge, to wait in the said limited parking places without limitation

Placing of Traffic Signs

16. The Council shall:-

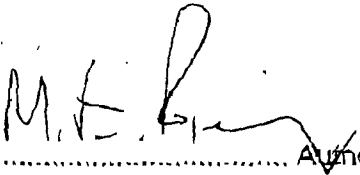
- (a) cause the limits of each parking place to be indicated on the carriageway by placing and maintaining thereon traffic signs of any size, colour and type prescribed in The Traffic Signs and General Directions 1994: and
- (b) carry out such other work as is reasonably required for the purposes of the satisfactory operation of a parking place.

Miscellaneous

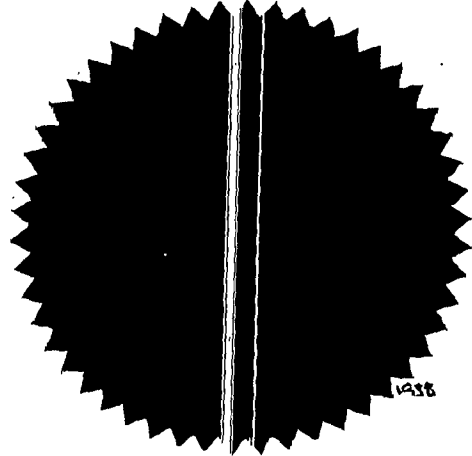
- 17. References to any statutory provision herein shall include reference to any statutory modification or re-enactment thereof.

Dated this 23rd February 2001

THE COMMON SEAL of
THE COUNTY OF HEREFORDSHIRE
DISTRICT COUNCIL was hereunto
affixed BY ORDER



..... Authorised Officer



SCHEDULE

RESTRICTION OF WAITING AND STREET PARKING PLACES

(i) Waiting limited to 30 minutes (return prohibited within 30 minutes) 8am to 8pm Monday to Saturday (angled parking)

Broad Street – west side from a point 33m south of its junction with West Street for a distance of 27m in a southerly direction

Broad Street – west side from a point 87m south of its junction with West Street to a point 44m north of its junction with King Street

(ii) Disabled persons vehicles waiting limited to 3 hours (return prohibited within 3 hours) 8am to 8pm Monday to Saturday (parking disc must be displayed in the relevant position and the disc must show the time at which the period of waiting began)

Broad Street – west side from a point 19m south of its junction with High Street for a distance of 20m in a southerly direction

Broad Street – west side from a point 44m north of its junction with King Street for a distance of 12m in a southerly direction (angled parking)

Broad Street – east side from a point 2m south of its junction with East Street for a distance of 23m in a southerly direction

(iii) Goods Vehicles and Coaches maximum stay 15 minutes 6am to 6pm Monday to Saturday

Broad Street – west side from a point 7m south of its junction with West Street for a distance of 26m in a southerly direction

(iv) Goods Vehicles maximum stay 15 minutes 6am to 6pm Monday to Saturday

Broad Street – west side from a point 60m south of its junction with West Street for a distance of 27m in a southerly direction

(v) Goods Vehicles maximum stay 15 minutes 6am to 6pm Monday to Saturday

Widemarsh Street – east side From a point 21m south of its junction with Newmarket Street for a distance of 18m in a southerly direction

Widemarsh Street – east side From a point 100m south of its junction with Newmarket Street to a point 77m north of its junction with High Street

**(vi) Goods Vehicles and Bullion Vehicles maximum stay 15 minutes 6am to 6pm
Monday to Saturday**

Broad Street – east side from a point 9m south of its junction with High Street for a distance of 31m in a southerly direction

Broad Street – east side from a point 25m south of its junction with East Street for a distance of 31m in a southerly direction

Broad Street – east side from a point 114m south of its junction with East Street for a distance of 12m in a southerly direction

Coaches – maximum stay 15 minutes – any hour – Monday to Saturday

Broad Street – east side from a point 91m south of its junction with East Street for a distance of 23 m in a southerly direction