

HEREF79/003

410-051-104

ROAD TRAFFIC REGULATION ACT 1967

THE COUNTY OF HEREFORD AND WORCESTER

(ST. MARTINS AVENUE, HEREFORD)

(PROHIBITION AND RESTRICTION OF WAITING) ORDER 1979

The County Council of Hereford and Worcester, in exercise of their powers under Section 1(1), (2) and (3) of the Road Traffic Regulation Act 1967, as amended by Part IX of the Transport Act 1968, Schedule 19 to the Local Government Act 1972 and Schedule 6 to the Road Traffic Act 1974 (which said Act of 1967 as so amended is hereinafter referred to as the "Act of 1967"), and of all other powers them enabling in that behalf, and after consultation with the Chief Officer of Police in accordance with Section 84C(1) of the said Act of 1967, hereby make the following Order:-

1. (i) The City of Hereford (Various Streets) (Prohibition and Restriction of Waiting Loading and Unloading) Order 1974 is hereby varied and shall have effect as though the following items were deleted from the following schedules in that Order:-  
  
Item 48      Schedule 2  
  
Item 12      Schedule 4  
  
(ii) The County of Hereford and Worcester (St. Martins Ave. Hereford) (Prohibition of Waiting) Order 1976 is hereby revoked.
2. Save as provided in Articles 4 and 5(1) of this Order, no person shall, except upon the direction or with the permission of a police officer in uniform or of a traffic warden, cause or permit any vehicle to wait at any time on the sides of length of road in the City of Hereford in the County of Hereford and Worcester, specified in the First Schedule to this Order.
3. Save as provided in Articles 4 and 5(2) of this Order no person shall, except upon the direction or with the permission of a police officer in uniform or of a traffic warden, cause or permit any vehicle to wait between the hours of 8.00 a.m. and 6.30 p.m. on Monday to Saturday on the side of length of road in the City of Hereford in the County of Hereford and Worcester specified in the Second Schedule to this Order:
  - (i) for a longer period than 50 minutes, or;
  - (ii) if a period less than one hour has elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle on that side of length of road.
4. Nothing in Articles 2 and 3 of this Order shall render it unlawful to cause or permit any vehicle to wait in the sides of length of road referred to in those Articles for so long as may be necessary to enable;

- (a) a person to board or alight from the vehicle;
  - (b) goods to be loaded and unloaded from the vehicle;
  - (c) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of the sides of length of road referred to or the laying, erection, alteration or repair in or near to the said sides of length of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any telegraphic line as defined in the Telegraph Act 1878;
  - (d) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in pursuance of statutory powers or duties;
  - (e) the vehicle to be used for the purpose of delivering or collecting postal packets as defined in Section 87 of the Post Office Act 1953;
  - (f) the vehicle to be used for the purpose of removing furniture and effects from one office or dwelling house to another or to such premises from a depository or from such premises to a depository, provided notice is given twenty-four hours in advance to the police, their consent is obtained and such reasonable conditions as they impose are complied with;
  - (g) the vehicle to be used for fire brigade, ambulance or police purposes.
5. (1) Nothing in Article 2 shall render 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 in any of the sides of length of road referred to in that Article for a period not exceeding two hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same length or on the same side of length of road on the same day)
- (2) Nothing in Article 3 of this Order 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 on the sides of length of road referred to in that Article.
6. (1) In this Order -
- "disabled person's badge" has the same meaning as in The Disabled Persons (Badges for Motor Vehicles) Regulations 1975;

"disabled person's vehicle" has the same meaning as in 'The Local Authorities' Traffic Orders (Exemption for Disabled Persons) (England and Wales) (Amendment) Regulations 1975;

"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 orange, and capable of showing the quarter hour period during which a period of waiting begins.

(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 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.

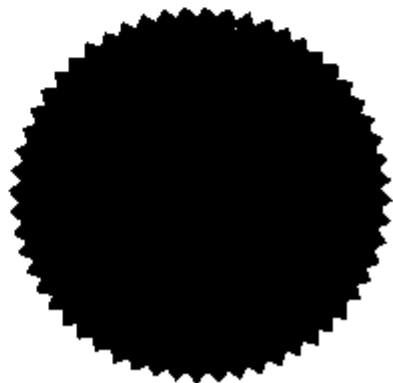
(3) Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.

7. This Order shall come into operation on the 22nd day of October 1979 and may be cited as the County of Hereford and Worcester (St. Martins Avenue, Hereford) (Prohibition and Restriction of Waiting) Order 1979.

Dated this 12th day of October 1979.

The Common Seal of the County Council;  
of Hereford and Worcester was hereto  
affixed in the presence of:

*Deputy*   
County Secretary and Solicitor



FIRST SCHEDULE

Sides of length of St. Martins Avenue in the City of Hereford in the County of Hereford and Worcester.

1. North side from its junction with St. Martins Street for a distance of 82 metres (267 feet) in an Easterly direction.
2. South side, from its junction with St. Martins Street for a distance of 27 metres (89 feet) in an Easterly direction.
3. South side, from a point 43 metres (141 feet) east of its junction with St. Martins Street for a distance of 39 metres (128 feet) in an Easterly direction.

SECOND SCHEDULE

Side of length of St. Martins Avenue in the City of Hereford in the County of Hereford and Worcester.

1. South side, from a point 27 metres (89 feet) east of its junction with St. Martins Street for a distance of 16 metres (52 feet) in an Easterly direction.

# PUBLIC NOTICE

ROAD TRAFFIC REGULATION ACT 1967

THE COUNTY OF HEREFORD AND WORCESTER

(ST. MARTINS AVENUE, HEREFORD) (PROHIBITION  
AND RESTRICTION OF WAITING) ORDER 1979

Notice is hereby given that on 12th October 1979 the County Council of Hereford and Worcester made an Order under Section 1(1), (2) and (3) of the Road Traffic Regulation Act 1967, as amended by Part IX of the Transport Act 1968, Schedule 19 to the Local Government Act 1972 and Schedule 6 to the Road Traffic Act 1974, and of all other enabling powers the effect of which will be to:-

1. prohibit vehicles from waiting on the northern side of St. Martins Avenue, Hereford from its junction with St. Martins Street for a distance of 82 metres (267 feet) in an easterly direction;
2. prohibit vehicles from waiting on the southern side of St. Martins Avenue, Hereford;
  - (a) from its junction with St. Martins Street for a distance of 27 metres (39 feet) in an easterly direction; and
  - (b) from a point 43 metres (141 feet) east of its junction with St. Martins Street for a distance of 39 metres (128 feet) in an easterly direction;
3. permit vehicles to wait for a period of up to 30 minutes (return prohibited within one hour) on that length of the southern side of St. Martins Avenue which extends from a point 27 metres (89 feet) east of its junction with St. Martins Street for a distance of 16 metres (52 feet) in an easterly direction.

The Order will come into operation on 22nd October 1979. A copy of the Order as made and a copy of the relevant map can be inspected at County Hall, Spetchley Road, Worcester, between 9.30 a.m. - 12.30 p.m. and 2.00 p.m. - 4.00 p.m. from Monday to Friday inclusive.

Any person who desires to question the validity of the Order or of any provision contained in the Order on the ground that it is not within the powers of the relevant Section of the Act or on the ground that any requirement of that Section or of Section 84A, 84B or 84C of the Act of 1967 or of any regulations made under the said Section 84C has not been complied with in relation to the Order may, within 6 weeks of the date on which the Order was made (such date stated in this Notice) make application for the purpose to the High Court.

J.W. RENNEY

County Secretary and Solicitor

County Hall, Spetchley Road,  
Worcester.