

HEREFO79/002

HEREFORD AND WORCESTER

ROAD TRAFFIC REGULATION ACT 1967

THE COUNTY OF HEREFORD AND WORCESTER

(ST. OWEN GATE, HEREFORD)

410.05/552

(PROHIBITION OF DRIVING AND CYCLING) ORDER 1978

The County Council of Hereford and Worcester (hereinafter referred to as "the Council") in exercise of their powers under Section 1(1), (2) (3), (6) and 84D(1) of the Road Traffic Regulation Act 1967, as amended by Part IX of the Transport Act 1968, Schedules 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 with the consent of the Secretary of State for Transport given under Section 84B(1) of the Act of 1967, and after consultation with the Chief Officer of Police in accordance with Section 84C(1) of the Act of 1967, hereby make the following Order:-

1. Save as provided in Articles 2 and 3 of this Order, no person shall:-
 - (1) cause or permit any motor vehicle to proceed in that length of road known as St. Owen Gate in the City of Hereford in the County of Hereford and Worcester, or
 - (2) ride or cause or permit to be ridden any pedal bicycle or tricycle not being in either case propelled by mechanical power in the length of road referred to in Article 1(1) of this Order.

2. Nothing in Article 1 of this Order shall render it unlawful to cause or permit any vehicle to proceed or be ridden in the said length of road referred to in that Article for so long as may be necessary:-
 - (a) for the police, fire brigade, or ambulance services purposes;
 - (b) to enable 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 length of road referred to or the laying, erection, alteration or repair in or near 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 telegraphic line as defined in the Telegraph Act 1878;
 - (c) to enable the cleansing of the said length of road to be undertaken between the hours of midnight and 8.00 a.m.;
 - (d) to enable the vehicle, if it cannot conveniently be used for such purposes in any other road, to be used by a local authority in pursuance of statutory powers or duties;
 - (e) to enable the occupier for the time being of No. 74 St. Owen Street, Hereford to have vehicular access to and egress from the garage forming part of that property fronting on St. Owen Gate at the date hereof provided that such vehicles shall not be permitted hereby to wait in St. Owen Gate.

(f) to gain access to any premises fronting on St. Owen Gate

(i) in connection with any funeral

(ii) in accordance with a special authorisation in writing for that use given by or on behalf of the Council.

3. Nothing in Article 1 of this Order shall apply to a disabled person's vehicle being a vehicle which displays in accordance with the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1971, as amended, a badge issued under the Disabled Person's (Badge for Motor Vehicles) Regulations 1975.

4. The Council are satisfied that for the avoidance of danger or the prevention of the likelihood of danger arising to persons or other traffic using the length of road to which this Order relates it is requisite that Section 1(5) of the Act of 1967 should not apply in relation to this Order.

5. The Interpretation Act 1989 shall apply for the interpretation of this Order as it applies to the interpretation of an Act of Parliament, and as if for the purpose of Section 38 of that Act this Order were an Act of Parliament and the variations effected by Article 6 of this Order were of an Act of Parliament thereby varied.

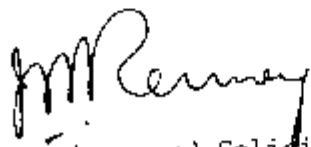
6. (i) The City of Hereford (Various Streets) (Prohibition and Restriction of Waiting) (Loading and Unloading) Order 1974 is hereby varied and shall have effect as though item 52 of the Second Schedule to the Order, item 6 of the Seventh Schedule to the Order, Article 13 of the Order and Schedule 12 to the Order were deleted therefrom.

(ii) The City of Hereford (Various Streets) (One-Way Traffic) Order 1969 is hereby varied and shall have effect as though item 3 of the Schedule to the Order was deleted therefrom.

7. This Order shall come into operation on the 18th day of August 1978 and may be cited as The County of Hereford and Worcester (St. Owen Gate, Hereford) (Prohibition of Driving and Cycling) Order 1978.

Dated this 4th day of August 1978.

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



County Secretary and Solicitor

