

LEDBRY 97/001

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ROAD TRAFFIC REGULATION ACT 1984

THE COUNTY OF HEREFORD AND WORCESTER

(A438 THE HOMEND, LEDBURY)

(PARKING PLACES FOR DISABLED PERSONS VEHICLES) ORDER 1997

Hereford and Worcester County Council (hereinafter referred to as "the Council") in exercise of their powers under Section 32(1) and 35(1) of the Road Traffic Regulation Act 1984 (which said Act is hereinafter referred to as "the Act of 1984") and of all other enabling powers, and with the consent of every authority and person responsible for the maintenance of the roads affected by the Order and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act of 1984 hereby making the following Order:-

- 1. The County of Hereford (Various Streets, Ledbury) (Prohibition and Restriction)
 - 1137 (Amendment) Order 1973 as amended by:-
 - 906 The County of Hereford and Worcester (A38 The Homend, Ledbury) (Prohibition of Waiting) Order 1984,
 - 1194 The County of Hereford and Worcester (A438 The Homend, Ledbury) (Prohibition of Waiting) Order 1986,
 - 1763 The County of Hereford and Worcester (A438 The Homend, Ledbury) (Prohibition of Waiting) Order 1992,
- is hereby varied and shall have effect as though item 1 of Schedule 2 to the Order was amended to read:-

"1. The Homend, west side from a point 15 metres north of its junction with Belle Orchard in a northerly direction to a point 45 metres south of its junction with Orchard Lane and from a point 24.7 metres south of its junction with Belle Orchard for a distance of approximately 140 metres in a southerly direction and from a point 21 metres north of its junction with Bye Street for a distance of approximately 134 metres in a northerly direction."

- 2. (1) Each of the parts of the road specified in column 1 of the Schedule to this Order is authorised to be used, subject to the following provisions of this Order, as a parking place for such classes of vehicles and in such positions as are specified in relation to that part of road in the said Schedule;
- (2) Nothing in paragraph (1) of this Article shall restrict the power of the Council, for preventing obstructions of Streets, by order 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 space.
- 3. Where in the Schedule to this Order a parking place is described as available for vehicles of a specified class or in a specified position, the driver shall not permit the vehicle to wait in that parking place:-

- (a) unless it is of the specified class; or
- (b) in a position other than that specified.

4. Nothing in Article 3 hereof shall render it unlawful to cause or permit any vehicle to wait in any parking place for so long as may be necessary to enable:-

- (a) the vehicle to be used in connection with any of the following operation, namely:-
 - (i) building or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of the highway;
 - (iv) the laying, erection, alteration or repair in, or in land adjacent to any parking place of any sewer or of any main pipe or apparatus for the supply of gas, water or electricity or any telecommunications apparatus as defined in the Telecommunications Act 1984;
- (b) the vehicle to be used in pursuance of statutory powers or duties;
- (c) 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;
- (d) the vehicle to be used for fire brigade, ambulance or police purposes.

5. A driver of a vehicle shall not use a parking place:-

- (a) so as unreasonably to prevent access to any premises adjoining the roads or the use of the roads by other persons, or so as to be a nuisance;
- (b) when for preventing obstruction of the streets the Council shall by order made on the occasion of any public procession, rejoicing 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.

6. In this Order:-

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

7. This Order shall come into operation on the 17th day of March 1997 and may be cited as The County of Hereford and Worcester (A438 The Homend, Ledbury) (Parking Places for Disabled Persons Vehicles) Order 1997

Dated this 6th day of March 1996

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

Schedule

1. Part of road authorised to be used as parking place	2. Position in which vehicle may wait	3. Class of vehicle	4. Days of operation of parking place	5. Hours of operation of parking place	6. Maximum period for which vehicles may wait
A438 The Homend, Ledbury on the west side just north of the pelican crossing approximately 155 metres north of its junction with Bye Street for a distance of 13.2 metres in a northerly direction	Wholly within the limits of the parking place	Disabled person's vehicles left by the driver thereof being a vehicle which displays in accordance with the Local Authorities' Traffic Orders (Exemptions for Disabled Persons Vehicles) (England and Wales) Regulations 1986, a badge issued under the Disabled Persons (Badges for Motor Vehicles) Regulation 1982	All days	8am to 6pm	two hours

THE COUNTY OF HEREFORD AND WORCESTER (A438 THE HOMEND, LEDBURY)
(PARKING PLACES FOR DISABLED PERSONS VEHICLES) ORDER 1997

On 6 March 1997 Hereford and Worcester County Council made an Order which will which will amend the existing Prohibition of Waiting Order on A438 The Homend to provide two disabled parking spaces on the west side just north of the pelican crossing approximately 155 metres north of its junction with Bye Street for a distance of 13.2 metres in a northerly direction.

The Order contains exemptions to allow parking for certain purposes.

A copy of the Order, relevant map, Statement of Reasons for making the Order and affected existing regulations may be inspected at County Hall, Spetchley Road, Worcester, WR5 2NP during normal office hours.

The validity of the Council's powers in making the Order or this exercise of them may be questioned by application to the High Court by 17 April 1997.

ROGER K. YATES
Director of Administrative and Legal Services