

ROAD TRAFFIC REGULATION ACT 1984

THE COUNTY OF HEREFORD AND WORCESTER

(A438, THE HOMEND, LEDBURY)

(PROHIBITION OF WAITING) ORDER 1992

Hereford and Worcester County Council in exercise of their powers under Sections 1(1) and (2), 2(1) to (3) and 4(2) of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (which said Act is hereinafter referred to as "the Act of 1984") and of all other powers them enabling in that behalf, and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the said Act of 1984, hereby make the following Order:-

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

AMENDED
1987

"1. The Homend, west side, from a point 15 metres (49 feet) north of its junction with Belle Orchard in a northerly direction to a point 45 metres (148 feet) south of its junction with Orchard Lane, and from a point 24.7 metres (81 feet) south of its junction with Belle Orchard to a point 21 metres (69 feet) north of its junction with Bye Street".

2. Save as provided in Articles 3 and 4 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 west side of A438 The Homend, in the Town of Ledbury in the District of Malvern Hills in the County of Hereford and Worcester from a point 25 metres (82 feet) south of its junction with Orchard Lane for a distance of 20 metres (66 feet) in a southerly direction.
3. Nothing in Article 2 of this Order shall render it unlawful to cause or permit any vehicle to wait in the side of length of road referred to in the Article for so long as may be necessary to enable:-
- (a) a person to board or alight from the vehicle;
 - (b) goods to be loaded onto and/or 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 side of length of road referred to, or the laying, erection, alteration or repair in or near the said side 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 telecommunications apparatus as defined in the Telecommunications Act 1984;
 - (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 dwellinghouse 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 may impose are complied with;
 - (g) the vehicle to be used for fire brigade, police or ambulance purposes.

4. 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 the side of length of road referred to in that Article for a period not exceeding three 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 side of length of road on the same day).

5. (1) In this Order:-

"disabled person's badge" has the same meaning as in The Disabled Persons (Badges for Motor Vehicles) Regulations 1982;

"disabled person's vehicle" has the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986;

"parking disc" means a disc, issued by a local authority, 125 millimetres square, 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 issued before 2nd March 1992 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;

(b) a disabled person's badge issued on or after 2nd March 1992 in the relevant position, when:-

(i) in the case of a vehicle fitted with a dashboard or facia panel, the disc is exhibited thereon so that Part I of the badge is legible from outside the vehicle; and

(ii) in the case of a vehicle not fitted with a dashboard or facia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part I of the badge is legible from outside the vehicle.

(c) a parking disc in the relevant position, when:-

(i) in the case of a vehicle fitted with a dashboard or facia 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 quarter-hour period during which the period of waiting began is legible from outside the vehicle.

6. The restrictions, prohibitions and requirements imposed by this Order are in addition to and not in derogation of any restriction, prohibition or requirement imposed by any other enactment and any exception or exemption to the provisions of this Order is without prejudice to the provisions of any other enactment.

7. This Order shall come into operation on the 8th day of June 1992 and may be cited as The County of Hereford and Worcester (A438, The Homend, Ledbury) (Prohibition of Waiting) Order 1992.

Dated this 28th May 1992

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

L.S.

Signed) R. B. Barber

Deputy

County Secretary and Solicitor

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PUBLIC NOTICE

ROAD TRAFFIC REGULATION ACT 1984

THE COUNTY OF HEREFORD AND WORCESTER

(A438, THE HOMEND, LEDBURY)

(PROHIBITION OF WAITING) ORDER 1992

NOTICE is hereby given that on 28th May 1992 Hereford and Worcester County Council made an Order under Sections 1(1) and (2), 2(1) to (3) and 4(2) of, and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984, and of all other enabling powers the effect of which will be to prohibit waiting on the west side of A438 The Homend, in the Town of Ledbury in the District of Malvern Hills in the County of Hereford and Worcester from a point 25 metres (82 feet) south of its junction with Orchard Lane for a distance of 20 metres (66 feet) in a southerly direction.

Exemptions in the Order will permit waiting for the purpose of:-

- (a) picking up and setting down passengers;
- (b) loading and/or unloading goods;
- (c) delivering and collecting mail by Post Office vehicles;
- (d) delivering and collecting furniture and effects with police consent;
- (e) any building or demolition operation, the removal of any obstruction to traffic, the maintenance of the roads and the supply and maintenance of any gas, electricity, water and telecommunications apparatus;
- (f) the fire brigade, ambulance or police services;
- (g) the pursuance of statutory powers or duties (if no other road can be conveniently used).

An exemption in the Order also permits the waiting by disabled persons' vehicles displaying a badge issued under the Local Authority's Orange Badge Scheme for a limited period of three hours, return prohibited within a further period of one hour.

The Order will come into operation on 8th June 1992.

A copy of the Order as made and a copy of the relevant map can be inspected at County Hall, Spetchley Road, Worcester, during normal office hours.

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 Parts I, II or III of Schedule 9 to the Act of 1984 or of any regulations made under the said Part III of Schedule 9 have not been complied with in relation to the Order, may within 6 weeks of the date on which the Order were 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.

5th June 1992