

**(VENNS LANE AREA, HEREFORD)  
(RESTRICTION OF WAITING) (RESIDENTS PARKING) (ZONE 7) (EXPERIMENTAL) ORDER  
2004**

The County of Herefordshire District Council ("the Council") in exercise of its powers under Sections 2, 4, 9, 32(1), 35(1), 43, 49, 53 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the 1984 Act"), the Road Traffic Act 1991 (as amended) 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 28th October 2004 and may be cited as the County of Herefordshire District Council (Venns Lane Area, Hereford) (Restriction of Waiting) (Residents Parking) (Experimental) Order 2004.

2. (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 length of road referred to in this Order means the person driving the vehicle at the time it was left on the said length of road.

"Parking Place", means any length of road or street mentioned herein and authorised by this Order to be used for parking.

"Parking Permit", means a permit which is designated as a Residents Parking Permit and a Visitors Parking Permit issued by the Council to a Resident pursuant to the provisions of this Order;

"Residents Parking Permit" means a permit issued to a resident in accordance with the provisions of the Order.

"Parking Permit Holder", means a person to whom a Parking Permit has been issued.

"Resident" means a person whose usual place of residence is in a street or number in a street listed in Schedule 3 hereto.

"Light Goods Vehicle" means a motor vehicle, the maximum gross weight of which does not exceed 3.5 tonnes, which is constructed or adapted for use for the carriage of goods or burden of any description, and is not drawing a trailer.

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

"A Public Service Vehicle" means a motor vehicle, including a tramcar or trolley vehicle, used for carrying passengers for hire or reward which either (1) is carrying passengers at separate fares: or (2) is not carrying passengers for separate fares but is adapted to carry eight or more passengers.

"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;

"Dwelling" means a house or self-contained flat registered for Council Tax purposes.

"Multiple Occupation Dwelling" means premises where more than one family unit is in occupation.

"Parking Zone 7" means any length of road listed in Schedule 2 hereto and for identification purposes only the said Zone is shown with a thick black line on the plan annexed hereto.

"Parking Disc" means a disc, issued by the Council, 125 millimetres square, coloured blue if issued on or after 1<sup>st</sup> 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.

"Parking Attendant" means a person appointed in accordance with the provisions of Section 63A of the 1984 Act.

- (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.
3. Save as provided in Article 13 (a) and (c) of this Order no person shall, except upon the direction or with the permission of a Police Officer or Parking Attendant in uniform cause or permit any vehicle to wait at any time, along those lengths of road specified in Schedule 1 to this Order as shown for identification purposes only on the plan annexed hereto.
4. Save as provided in Article 13 (a) (b) and (c) (d) of this Order no person shall, except upon the direction or with the permission of a Police Officer or Parking Attendant in uniform cause or permit any vehicle to wait during the hours and on the days on those

lengths of road specified in Schedule 2 to this Order as shown for identification only on the plan annexed hereto.

### **Power to Suspend Prohibition of Parking and Restriction of Waiting and Parking**

5. Nothing in Articles 3 and 4 of this Order:-

- (a) shall restrict the power of the Council or the police for preventing obstruction of streets, by order or otherwise on the occasion of any public procession or illumination, or where the streets are thronged or liable to be obstructed, any length of road referred to in this Order; 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 persons entitled to the use of thereof, or so as to be a nuisance.

### **Use of a Parking Place**

6. 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, including when works of any kind are required to be carried out on the street;
- (b) when for preventing obstruction of the streets the local authority shall have otherwise made on the occasion of any public procession, rejoicing or other occasion, or when the streets are thronged or liable to be obstructed have closed the Parking Place and exhibited notice of such closing on or near the Parking Place.

7. 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.

8. Unless the prior written consent of the Council is obtained no person shall use a Parking Place while it is in a Parking Place in connection with the sale of any article to persons passing near the Parking Place or in connection with the selling or offering for hire of any services.

9. A vehicle parked within a Parking Place must be parked wholly within the road (if any) for the Parking Place.

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 or Parking Attendant in uniform or a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from the same.

11. Any person moving a vehicle by virtue of Article 10 of this Order may do so by 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 it to be removed as aforesaid.

12. When a police constable or a Parking Attendant 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 10 above of this Order, they shall make such arrangements as may be reasonably necessary for the reasonable safe custody of that vehicle.

13. (a) Where referred to in this Order nothing shall render it unlawful to cause or permit any vehicle to wait on the sides of those lengths of road referred to in the relevant Schedules 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 used for fire brigade, police or ambulance purposes or a vehicle (other than a Passenger Vehicle) in the service of a local authority is being used in pursuance of statutory powers or duties;
- (iii) the vehicle is in the service of or employed by the Post Office Company and is waiting while postal packets addressed to premises in or near to the said sides of the length of road 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 on or near to the said sides of the length of road in which the vehicle is waiting, or is in use in connection with the servicing of telephone kiosks adjacent to the sides of the length of road referred to;
- (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 on or near to the said sides of the length of road or the maintenance, improvement or reconstruction of the sides of the length of road referred to or the laying, erection, alteration, removal or repair in or near to the said sides of the length of road 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 dwelling house 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 on a 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 on or near to the said sides of the length of road;
- (viii) in any other case the vehicle is waiting for the purpose of goods to be loaded onto and/or unloaded from the vehicle, including, so far as a Bank is concerned, cash or other valuables or valuable securities; or
- (ix) in any case, where the person in control of the vehicle is required by law to stop, or is obliged to do so in order to avoid an accident, or is prevented from proceeding by circumstances outside his control; or
- (x) where the vehicle is being used for the removal of any obstruction to traffic.

(b) Without prejudice to the foregoing provisions of this Order with respect to vehicles left in a Parking Place in accordance with those provisions, a vehicle may wait without limitation on any of the lengths of road described in Schedule 2 to this Order if the vehicle displays in accordance with the provisions of Articles 14 and

15 of this Order a valid Parking Permit issued by the Council in respect of Parking Zone 7.

- (c) 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, 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 said sides of those lengths of road referred to in Schedule 1 hereto 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 on the same sides of length of road on the same day).
- (d) Nothing in Article 4 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, 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 said sides of those lengths of road and during the specified times in Schedules 2 hereto without limitation.

### **Charge and Display in connection with the use of Parking Permits**

14. (1) There will be a charge of £25 per annum for the issue of each Parking Permit.
- (2) Subject to the provisions of this Order, the said charge in connection with the use of a Parking Permit issued for the leaving of a vehicle in a Parking Place shall be payable and shall be indicated by the issue of a Parking Permit and by the affixing of the Parking Permit in the manner prescribed in paragraph (4) of this Article not later than on the first leaving of a vehicle in a Parking Place.
- (3) A Parking Permit which is a Residents Parking Permit may only be affixed to the vehicle to which it relates.
- (4) The manner in which a Parking Permit shall be affixed to the vehicle shall be as follows:-

A Parking Permit shall be affixed to the front windscreen of the vehicle so that all particulars of the Parking Permit referred to in Article 18 of this Order are clearly visible when viewed from the front of the vehicle.

### **Application for and Issue of Parking Permits**

15. (1) Dwellings within the streets listed in Schedule 3 hereto may be issued with a maximum of two Parking Permits (namely one Residents Parking Permit and one Visitors Parking Permit) and an applicant occupier of a Dwelling shall make an application on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied and the said Parking Permits are only available in respect of vehicles of the following class, that is to say a Passenger Vehicle, a Light Goods Vehicle or a Motor Cycle.
- (2) A Parking Permit which is designated as a Residents Parking Permit may only be issued to the Owner of a vehicle who occupies a said dwelling as stated in the above paragraph (1) of this Article.
- (3) Where a Dwelling is a Multiple Occupancy Dwelling the same number of permits will be issued to that dwelling as stated in paragraph (1) of the Article.

- (4) The Council are at liberty to vary the charging policy and terms for the issue of a Parking Permit as stated in this Article on giving prior written notice of any said variation and to issue a Parking Permit to an applicant residing in a street not referred to in Schedule 3 hereto.
- (5) The Council may at any time require an applicant for a relevant Parking Permit or any relevant Parking Permit Holder to produce to an officer of the Council such evidence in respect of an application for a Parking Permit made to them as they may reasonably call for to verify any particulars or information given to them or in respect of an application for a Parking Permit made to them as they may reasonably call for to verify that the Parking Permit is valid.
- (6) On receipt of an application duly made under the foregoing provisions of this Article, the Council, upon being satisfied that the applicant is a Resident and is the Owner of a vehicle of the class specified in paragraph (1) of this Article, it shall issue to the applicant a Parking Permit.
- (7) The Council reserves the right as it thinks fit to issue Parking Permits to applicants not resident in the streets listed in Schedule 3 hereto and to vary the charges for a Parking Permit (including loss thereof) as stated in this Order.

### **Surrender, Withdrawal and Validity of Parking Permits**

16. (1) A Parking Permit Holder may surrender a Parking Permit to the Council at any time and shall surrender a Parking Permit to the Council on the occurrence of any one of the events set out in paragraph (3) of this Article.
- (2) The Council may, by notice in writing served on the Parking Permit Holder by sending the same by recorded delivery service to the Parking Permit Holder at the address shown by that person on the application for the Parking Permit or at any other address believed to be that person's place of abode, withdraw a Parking Permit if it appears to the Council that any one of the events set out in paragraphs (3)(a), (3)(b), (3)(d) or (3)(e) of this Article has occurred and the Parking Permit Holder shall surrender the Parking Permit to the Council within 48 hours of the receipt of the aforementioned notice or if the Parking Permit Holder fails to do so within this time the Parking Permit shall cease to have effect.
- (3) The events referred to in the foregoing provisions of this Article are:-
  - (a) the Parking Permit Holder ceasing to be a Resident;
  - (b) in respect of a Parking Permit which is designated as a Resident Parking Permit the Parking Permit Holder ceasing to be the owner of the vehicle in respect of which the Parking Permit was used;
  - (c) the withdrawal of the Parking Permit by the Council under the provisions of paragraph (2) of this Article;
  - (d) the vehicle in respect of which a Parking Permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 15(1) of this Order;
  - (e) the issue of a duplicate Parking Permit by the Council under the provisions of Article 17 of this Order.
- (4) Without prejudice to the foregoing provisions of this Article, a Parking Permit shall cease to be valid at the expiration of the month and year specified thereon or on the occurrence of any one of the events set out in paragraph 3 of this Article, whichever is the earlier.

- (5) A Parking Permit shall be valid in the streets listed in Schedule 3.

### **Application for and issue of Duplicate Parking Permits**

17. (1) if a Parking Permit is mutilated or torn or the figures or particulars thereon have become illegible the Parking Permit Holder shall either surrender it to the Council or apply to the Council for the issue to him of a duplicate Parking Permit and the Council upon the receipt of the Parking Permit, shall issue a duplicate Parking Permit so marked and upon such issue the previous Parking Permit shall become invalid.
- (2) if a Parking Permit is lost or destroyed the Parking Permit Holder may apply to the Council for the issue to him of a duplicate Parking Permit and the Council, upon being satisfied as to such loss or destruction, shall subject to paragraph (4) of this Article issue a duplicate Parking Permit so marked and upon such issue the Parking Permit shall become invalid.
- (3) the provisions of this Order shall apply to a duplicate Parking Permit or application in respect thereof as if it were a Parking Permit or as the case may be an application in respect thereof.
- (4) a charge of £10.00 will be payable by the Parking Permit Holder to the Council for the issuing of a duplicate Parking Permit.

### **Form of Parking Permits**

18. A Parking Permit shall be in writing and shall include the following particulars:-
- (a) in respect of a Parking Permit which is designated as a Residents Parking Permit the registration mark of the vehicle in respect of which the Parking Permit was issued;
- (b) the month and year up to which, subject to the provisions of Articles 17 (3) and (4) of this Order, the relevant Parking Permit shall remain valid;
- (c) an indication that the Parking Permit was issued by the Council.

### **Restriction on Removal of Parking Permits**

19. Where a Parking Permit has been displayed on a vehicle in accordance with the provisions of Article 14 (4) of this Order, no person, not being the Driver of the vehicle, shall remove the Parking Permit from the vehicle unless authorised to do so by the Driver of that vehicle.

## Placing of Traffic Signs

20. The Council shall:-
- (a) cause the limits of each length of road referred to in the Schedules hereto 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 2002 and
  - (b) carry out such other work as is reasonably required for the purposes of the satisfactory operation of the restrictions referred to in this Order.
21. The County Secretary and Solicitor, or other officer or person so authorised by him/her may suspend or modify the provisions in this Order in accordance with the statutory provisions of Section 10 of the 1984 Act.

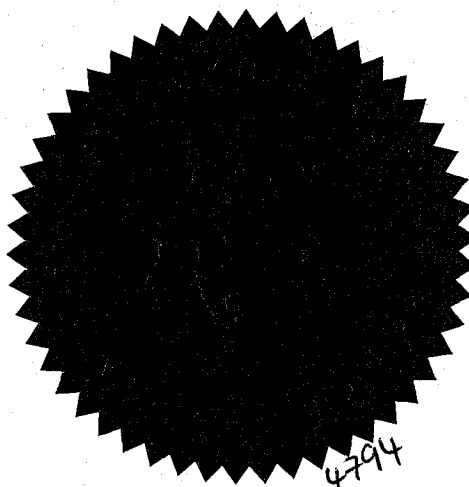
## Miscellaneous

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

Dated this 25th day of October 2004

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

..... Authorised Officer





## **SCHEDULE 1**

### **Waiting is prohibited at any time at the following locations:**

#### **CHURCHILL CLOSE – Both sides**

From its junction with Venns Lane for a distance of 10 metres in a westerly direction.

#### **HELENSDALE CLOSE – Both sides**

From its junction with Venns Lane for a distance of 10 metres in a northeasterly direction.

#### **LODER DRIVE – Both sides**

From its junction with Venns Lane for a distance of 10 metres in a northeasterly direction.

#### **NEWSTEAD CLOSE – Both sides**

From its junction with Venns Lane for a distance of 10 metres in a southwesterly direction.

#### **OVERBURY ROAD – Both sides**

- i) From its junction with Venns Lane for a distance of 28 metres in a northeasterly direction.
- ii) From its junction with Aylestone Hill for a distance of 10 metres in a westerly direction.

#### **RUSSELL CLOSE – Both sides**

From its junction with Venns Lane for a distance of 10 metres in a southwesterly direction.

#### **VENNS LANE – Southwest side**

- i) From its junction with Aylestone Hill for a distance of 159 metres in a northwesterly direction.
- ii) From a point 9 metres southeast of its junction with the tangent point of the southeastern kerblines of Churchill Close to a point 15 metres northwest of its junction with the tangent point of the northwestern kerblines of Churchill Close.
- iii) From a point 28 metres southeast of its junction with the tangent point of the southeastern kerblines of Russell Close to a point 25 metres northwest of its junction with the tangent point of the northwestern kerblines of Russell Close.
- iv) From a point 10 metres southeast of its junction with the southeastern kerblines of Newstead Close to a point 39 metres northwest of its junction with the tangent point of the northwestern kerblines of Newstead Close.
- v) From a point 10 metres southeast of its junction with the southeastern kerblines of St. Barnabas Close to a point 15 metres northwest of its junction with the tangent point of the northwestern kerblines of St. Barnabas Close.
- vi) From its junction with College Road for a distance of 45 metres in a generally southeasterly direction.

## VENNS LANE – Northeast side

- i) From its junction with Aylestone Hill for a distance of 159 metres in a northwesterly direction.
- ii) From a point 17 metres southeast of its junction with the tangent point of the southeastern kerbline of Overbury Road to a point 22 metres northwest of its junction with the tangent point of the northwestern kerbline of Overbury Road.
- iii) From a point 27 metres southeast of its junction with the southeastern kerbline of Loder Drive to a point 10 metres northwest of its junction with the tangent point of the northwestern kerbline of Loder Drive.
- iv) From a point 13 metres southeast of its junction with the southeastern kerbline of Helensdale Close to a point 10 metres northwest of its junction with the tangent point of the northwestern kerbline of Helensdale Close.
- vi) From its junction with College Road for a distance of 45 metres in a generally southeasterly direction.

## SCHEDULE 2

**Waiting is prohibited Monday to Friday 10am to 11am and 2pm to 3pm inclusive (except Parking Permit Holders for Parking Zone 7)**

AINSLIE CLOSE – All sides (including the turning area).

For its entire length.

BURWOOD CLOSE – All sides (including the turning area).

For its entire length.

CHURCHILL CLOSE – Both sides (including the turning area).

From a point 10 metres southwest of its junction with Venns Lane to the end of the cul-de-sac.

HELENSDALE CLOSE – Both sides (including the turning area).

From a point 10 metres northeast of its junction with Venns Lane to the end of the cul-de-sac.

LODER DRIVE – All sides (including the turning areas).

For its entirety except from its junction with Venns Lane to a point 10 metres northeast of that junction.

LUGG VIEW CLOSE – All sides (including the turning areas).

For its entire length.

**NEWSTEAD CLOSE – Both sides (including the turning area).**

From a point 10 metres southwest of its junction with Venns Lane to the end of the cul-de-sac.

**OVERBURY ROAD – Both sides.**

From a point 28 metres northeast of its junction with Venns Lane to a point 10 metres west of its junction with Aylestone Hill.

**RUSSELL CLOSE – Both sides (including the turning area).**

From a point 10 metres southwest of its junction with Venns Lane to the end of the cul-de-sac.

**VENNS LANE – Southwest side**

- i) From a point 159 metres northwest of its junction with Aylestone Hill to a point 9 metres southeast of its junction with the tangent point of the southeastern kerblines of Churchill Close.
- ii) From a point 15 metres northwest of its junction with the tangent point of the northwestern kerblines of Churchill Close to a point 28 metres southeast of its junction with the southeastern kerblines of Russell Close.
- iii) From a point 25 metres northwest of its junction with the northwestern kerblines of Russell Close to a point 10 metres southeast of its junction with the tangent point of the southeastern kerblines of Newstead Close.
- iv) From a point 39 metres northwest of its junction with the tangent point of the northwestern kerblines of Newstead Close to a point 10 metres southeast of its junction with the tangent point of the southeastern kerblines of St. Barnabas Close.
- v) From a point 15 metres northwest of its junction with the tangent point of the northwestern kerblines of St. Barnabas Close to a point 45 metres southeast of its junction with College Road.

**VENNS LANE – Northeast side.**

- i) From a point 159 metres northwest of its junction with Aylestone Hill to a point 17 metres southeast of its junction with the tangent point of the southeastern kerblines of Overbury Road.
- ii) From a point 22 metres northwest of its junction with the tangent point of the northwestern kerblines of Overbury Road to a point 27 metres southeast of its junction with the tangent point of the southeastern kerblines of Loder Drive.
- iii) From a point 10 metres northwest of its junction with the tangent point of the northwestern kerblines of Loder Drive to a point 13 metres southeast of its junction with the tangent point of the southeastern kerblines of Helensdale Close.
- iv) From a point 10 metres northwest of its junction with the tangent point of the northwestern kerblines of Helensdale Close to a point 45 metres southeast of its junction with College Road.

### SCHEDULE 3

#### Parking Permits to be issued to residents in the following streets:

Ainslee Close  
Beechwood Court  
Burwood Close  
Churchill Close  
Helensdale Close  
Loder Drive  
Lugg View Close  
Newstead Close  
Overbury Court  
Overbury Road  
Russell Close  
St Barnabas Close  
Venn's Court  
Venn's Lane