

ROAD TRAFFIC REGULATION ACT 1984

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL (DAWS ROAD, HEREFORD) (PROHIBITION OF WAITING) ORDER 2005

The County of Herefordshire District Council ("the Council") in exercise of its powers under sections 1 and 2 of the Road Traffic Regulation Act 1984 (referred to as "the 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 of the Act hereby make the following Order:-

1. This Order shall come into operation on 5th day of September 2005 and may be cited as the County of Herefordshire District Council (Daws Road, Hereford) (Prohibition of Waiting) Order 2005.

2. (1) In this Order:-

"Disabled Person's Badge" has the same meaning as in The Disabled Persons (Badges for Motor Vehicles) Regulations 2000;

"Disabled Person's Vehicle" means a vehicle displaying a Disabled Persons Badge and Parking Disc.

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

"Parking Disc" has the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000.

(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 quarter-hour period during which the period of waiting began is legible from outside the vehicle.
- 3. Save as provided in Articles 4 and 5 of this Order no person shall, except upon the direction or with the permission of a Police Officer in uniform or of a Parking Attendant in uniform, cause or permit any vehicle to wait at any time in Daws Road, Hereford, from a point 77 metres south east of its junction with Bath Street for a distance of 35metres in a south easterly direction.
- 4. Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait on those lengths of road referred to 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 any of the side of those lengths of road referred to, or the laying, erection, alteration or repair in or near the said sides of those lengths 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;
 - (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.
- 5. 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 has been marked the time at which the period of waiting began) to wait in the said length of road 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).
- 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. Reference to any statutory provisions herein shall include reference to any statutory modification or re-enactment thereof.

Dated this 31st August 2005

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

..... Authorised Officer