

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

(U70618 BROOKFIELD ROAD AND C1273 BRAMPTON STREET,  
ROSS-ON-WYE, HEREFORDSHIRE)  
(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 to the Act of 1984, hereby make the following Order:-

1. This Order shall come into operation on the 26<sup>th</sup> day of September 2005 and may be cited as The County of Herefordshire District Council (U70618 Brookfield Road and C1273 Brampton Street, Ross-on-Wye, Herefordshire) (Prohibition of Waiting) Order 2005.
2. Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order, The County of Hereford and Worcester (A4149 Ledbury Road, Over Ross Street and Brookfield Road, Ross-on-Wye) (Prohibition of Waiting) Order 1984 will be varied in that part 3 relating to Brookfield Road as mentioned in the Schedule will be revoked and The County of Hereford and Worcester (Various Streets, Ross-on-Wye) (Prohibition of Waiting) Order 1993 item (i) of the Schedule will be revoked from the date mentioned in Article 1 of this Order.
3. (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" has the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"Parking Disc" means a disc, issued by a local authority, 125 millimetres square, coloured blue if issued on or after 1<sup>st</sup> April 2000 or orange if issued before that date, and capable of showing the quarter hour period during which a period of waiting begins.

"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 quarter-hour period during which the period of waiting began is legible from outside the vehicle.

4. Save as provided in Articles 5 and 6 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 along the various lengths of road listed in Schedule 1 and as shown, for identification purposes only, on the attached plan.

5. Nothing in Article 4 of this Order shall render it unlawful to cause or permit any vehicle to wait in the sides of those lengths of road referred to in Schedule 1 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 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.

6. 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 referred to in Article 4 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).

7. 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.
8. References to any statutory provision herein shall include reference to any statutory modification or re-enactment thereof.

Dated this 20<sup>th</sup> September 2005

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

..... Authorised Officer

#### SCHEDULE ONE

##### U70618 BROOKFIELD ROAD – North side

- i) For its entire length from its junction with C1273 Brampton Street to its junction with B4234 Over Ross Street

##### U70618 BROOKFIELD ROAD – South and southeast sides

- i) From its junction with C1273 Brampton Street for a distance of 40 metres in an easterly direction.
- ii) From its junction with B4234 Over Ross Street to a point 11.5 metres west of the western kerbline of Mount Pleasant.

##### C1273 BRAMPTON STREET – East side

- i) From its junction with the tangent point of the southern kerbline of U70618 Brookfield Road for a distance of 15 metres in a southerly direction.
- ii) From its junction with the tangent point of the northern kerbline of U70618 Brookfield Road for a distance of 15 metres in a northerly direction.