

ROAD TRAFFIC REGULATION ACT 1984

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

**(COMMERCIAL ROAD HEREFORD)
(PROHIBITION OF WAITING & LOADING AND UNLOADING)
(RESTRICTION OF WAITING) (TAXI RANK STANDS) ORDER 2007**

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 section 63 Local Government (Miscellaneous Provisions Act 1976 ("the 1976 Act") 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 5th day of February 2007 and may be cited as the County of Herefordshire District Council (Commercial Road, Hereford) (Prohibition of Waiting & Loading/Unloading) (Restriction of Waiting) (Taxi Rank Stand) Order 2007.
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 Orders listed in Schedule 1 of this Order will be revoked in their entirety unless (otherwise stated) from the date mentioned in Article 1 of this Order.
3. (1) In this Order:-

"Disabled Permit Holder" means a person who has been issued with a valid Disabled Persons Badge.

"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.

"Hackney Carriage Stand" means a stand for Hackney Carriage Vehicles

"Hackney Carriage Vehicle's" means a vehicle standing or plying for hire validly licensed by the Council as a Hackney Carriage and displaying an authorised plate and has the same meaning assigned to it as stated in the 1976 Act

"Parking Disc" has the same meaning as in the Disabled Persons (Exemptions for Disabled Persons) (England) Regulations 2000.

"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:-

Deleted: C:\Documents and Settings\marobinson\Local Settings\Temporary Internet Files\OLK176\Commercial Road 25.01.07.doc

Inserted: C:\Documents and Settings\marobinson\Local Settings\Temporary Internet Files\OLK176\Commercial Road 25.01.07.doc

Deleted: C:\Documents and Settings\marobinson\Local Settings\Temporary Internet Files\OLK176\L005-26 Commercial Road Order 04-07-05.doc

- (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 8 (a) and (h) 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, load and unload at any time along the lengths of road mentioned in Schedule 2 hereto as shown on the plan hereto for identification purposes only
 5. Save as provided in Articles 8 and 9 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 lengths of road mentioned in Schedule 3 hereto as shown on the plan hereto for identification purposes only
 6. Save as provided in Articles 8 and 10 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 along those lengths of road longer than the times and return before the times as specified in Schedule 4 hereto as shown on the plan hereto for identification purposes only
 7. Save as provided in Articles 8 (h) 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 other than a Hackney Carriage Vehicle to stop along the lengths of road as stated in Schedule 5 hereto and shown for identification purposes on the plan. hereto shall be used as Hackney Carriage Stands at the times stated in the said Schedule.
 8. 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 Schedule and Articles so long as may be necessary where:-
 - (a) a person boards or alights from a vehicle.
 - (b) cash or other valuables or valuable securities 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 required for the delivery of plant and/or materials for 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 including street cleansing or vehicles associated with the maintenance of the highway, street furniture or fabric within the restricted area;
 - (f) vehicles in the service of or employed by the Post Office Company used for the purpose of delivering or collecting postal packets.
 - (g) the vehicle to be used for the purpose of removing furniture and effects from one office or dwelling house to another, or to such premises from a depository or from

C:\Documents and Settings\wilsonstu\Local Settings\Temporary Internet Files\OLK16\Commercial Road 25 01 07.doc

Deleted: C:\Documents and Settings\marobinson\Local Settings\Temporary Internet Files\OLK176\Commercial Road 25.01.07.doc

Inserted: C:\Documents and Settings\marobinson\Local Settings\Temporary Internet Files\OLK176\Commercial Road 25.01.07.doc

Deleted: C:\Documents and Settings\marobinson\Local Settings\Temporary Internet Files\OLK176\L005-26 Commercial Road Order 04-07-05.doc

such premises to a depository, provided notice is given twenty-four hours in advance to the police and/or the Council, their consent is obtained and such reasonable conditions as they may impose are complied with;

(h) the vehicle to be used for fire brigade, police or ambulance purposes;

(i) goods are to be loaded onto and/or unloaded from a vehicle.

9. Nothing in Article 5 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 the said Articles 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 said length of road on the same day).
10. Nothing in Article 6 of this Order shall render it unlawful to cause or permit a Disabled Persons 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 length of road as referred to in the said Article 6 without limitation.
11. 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.
12. References to any statutory provision herein shall include reference to any statutory modification or re-enactment thereof.

Dated this 29th day of January, 2007

Deleted:

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

..... Authorised Officer

SCHEDULE 1

The following Orders are revoked or partly revoked as stated:

- i) Item 18 of Schedule 2, Item 9 of Schedule 5, Item 2 of Schedule 8 and Item 1 of Schedule 9 of The City of Hereford (Various Streets) (Prohibition and restriction of Waiting, Loading and Unloading) Order 1974
- ii) Article 5 of The County of Hereford & Worcester (Various roads, Hereford) (Prohibition and Restriction of Waiting, Loading and Unloading) Order 1978.
- iii) The County of Hereford & Worcester (Bus stops) (Clearway) (No. 1) Order 1980

<C:\Documents and Settings\wilsonstu\Local Settings\Temporary Internet Files\OLK16\Commercial Road 25 01 07.doc>

Deleted: C:\Documents and Settings\marobinson\Local Settings\Temporary Internet Files\OLK176\Commercial Road 25.01.07.doc

Inserted: C:\Documents and Settings\marobinson\Local Settings\Temporary Internet Files\OLK176\Commercial Road 25.01.07.doc

Deleted: C:\Documents and Settings\marobinson\Local Settings\Temporary Internet Files\OLK176\L005-26 Commercial Road Order 04-07-05.doc

- iv) Articles 1 (a) to (d) and (f), and Schedule 1 of The County of Hereford & Worcester (Commercial Road and Union Walk, Hereford) (Prohibition of Waiting) Order 1989.
- v) The County of Hereford & Worcester (Commercial Road and Union Walk, Hereford) (Prohibition of Waiting) Order 1990

SCHEDULE 2

A465 COMMERCIAL ROAD

No Waiting/No Loading At Any Time.

NORTHWEST SIDE

From its junction with the A438 Blueschool Street to a point 62.1 metres southwest of its junction with the southwestern kerbline of Monkmoor Street.

SOUTHEAST SIDE

From its junction with the A438 Bath Street to a point 79.1 metres southwest of its junction with the southwestern kerbline of Union Walk.

SCHEDULE 3

A465 COMMERCIAL ROAD

No Waiting At Any Time.

NORTHWEST SIDE

- i) From its junction with the southwestern kerbline of Monkmoor Street for a distance of 12 metres in a southwesterly direction.
- ii) From its junction with the northeastern kerbline of Monkmoor Street for a distance of 5.2 metres in a northeasterly direction.
- iii) From a point 35.5 metres northeast of its junction with the northeastern kerbline of Monkmoor Street to a point 99.0 metres northeast of that junction.
- iv) From a point 170.1 metres northeast of its junction with the northeastern kerbline of Monkmoor Street in a northeasterly direction to its junction with Station Approach.

SOUTHEAST SIDE

- i) From its junction with the southwestern kerbline of Union Walk for a distance of 20.5 metres in a southwesterly direction.
- ii) From a point 52.0 metres southwest of its junction with the southwestern kerbline of Union Walk to a point 60.0 metres southwest of that junction.
- iii) From its junction with the northeastern kerbline of Union Walk for a distance of 17.6 metres in a northeasterly direction.
- iv) From a point 83.5 metres northeast of its junction with the northeastern kerbline of Union Walk in a northeasterly direction to its junction with the A465 Aylestone Hill.

SCHEDULE 4

A465 COMMERCIAL ROAD

Waiting limited to 1 hour (Monday to Saturday)(8am to 6.30pm), (no return permitted within 1 hour).

NORTHWEST SIDE

From a point 116.0 metres northeast of its junction with the northeastern kerbline of Monkmoor Street to a point 170.1 metres northeast of that junction.

Deleted: C:\Documents and Settings\marobinson\Local Settings\Temporary Internet Files\OLK176\Commercial Road 25.01.07.doc

Inserted: C:\Documents and Settings\marobinson\Local Settings\Temporary Internet Files\OLK176\Commercial Road 25.01.07.doc

Deleted: C:\Documents and Settings\marobinson\Local Settings\Temporary Internet Files\OLK176\L005-26 Commercial Road Order 04-07-05.doc

SOUTHEAST SIDE

From a point 17.6 metres northeast of its junction with the northeastern kerbline of Union Walk to a point 58.8 metres northeast of that junction.

Waiting limited to 30 minutes (Monday to Saturday)(8am to 6.30pm((no return within 30 minutes)

NORTHWEST SIDE

From a point 12 metres southwest of its junction with the southwestern kerbline of Monkmoor Street to a point 41.5 metres southwest of that junction.

SOUTHEAST SIDE

From a point 20.5 metres southwest of its junction with the southwestern kerbline of Union Walk to a point 52.0 metres southwest of that junction.

NORTHWEST SIDE

From a point 5.2 metres northeast of its junction with the northeastern kerbline of Monkmoor Street to a point 35.5 metres northeast of that junction.

SCHEDULE 5

A465 COMMERCIAL ROAD

Hackney Carriage Stand (24 hours). (5 Hackney Carriages at any one time)

SOUTHEAST SIDE

- i) From a point 58.8 metres northeast of its junction with the northeastern kerbline of Union Walk to a point 83.5 metres northeast of that junction.

A465 COMMERCIAL ROAD

Hackney Carriage Stand (7pm to 7am)

SOUTHEAST SIDE

- i) From a point 17.6 metres northeast of its junction with the northeastern kerbline of Union Walk to a point 58.8 metres northeast of that junction (8 Hackney Carriages in total at any one time)
- ii) From a point 60.0 metres southeast of its junction with the southeastern kerbline of Union Walk to a point 79.1 metres southeast of that junction(3 Hackney Carriages in total at any one time)

NORTHWEST SIDE

- i)From a point 5.2 metres northeast of its junction with the northeastern kerbline of Monkmoor Street to a point 35.5 metres northeast of that junction.(6 Hackney Carriages at any one time)

- ii) From a point 41.5 metres south-west of its junction with south western kerb-line of Monkmoor Street to a point 62.1 metres south-west of that junction (4 Hackney Carriages at any one time)

Deleted: C:\Documents and Settings\marobinson\Local Settings\Temporary Internet Files\OLK176\Commercial Road 25.01.07.doc

Inserted: C:\Documents and Settings\marobinson\Local Settings\Temporary Internet Files\OLK176\Commercial Road 25.01.07.doc

Deleted: C:\Documents and Settings\marobinson\Local Settings\Temporary Internet Files\OLK176\L005-26 Commercial Road Order 04-07-05.doc