

HEREFORDSHIRE COUNCIL

NOTICE OF MAKING

(A438, WHITECROSS ROAD, HEREFORD) (WAITING RESTRICTIONS) ORDER 2012

Notice is hereby given that Herefordshire 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") and of all other enabling powers has made the above-named Order the effect of which is as follows:

No Waiting on Monday to Saturday between 8am to 6pm

A438, Whitecross Road

- i) On the north side from the junction with the U81008, Plough Lane for a distance of 71 metres in an easterly direction.

The Order will come into operation on the 14th September 2012.

A copy of the Order, with plan and the Statement of Reasons are available for inspection during the normal office hours of the Council's offices at Brockington, 35 Hafod Road, Hereford HR1 1DH (tel: 01432 260000) and the The Hereford Centre, Hereford Customer Services, Franklin House, 4 Commercial Road, Hereford, HR1 2BB (tel: 01432 260500). They can also be viewed on the Council's website at www.herefordshire.gov.uk. Photocopies of the same may be provided on payment of the photocopying charges of the Council.

Any queries in relation to this order may be directed to the Traffic Management Team (Tel: 01432 842133).

If any person wishes to question the validity of the Order or of any of its provisions on the grounds that it or they are not within the powers conferred by the Act, or that any requirement of the Act or of any instrument made under the Act has not been complied with that person may do so by application to the High Court within six weeks from the date the order was made.

Richard Ball

Assistant Director Place Based Commissioning

Herefordshire Council

Amey Herefordshire
Traffic Management Team
Unit 3, Thorn Business Park
Rotherwas Industrial Estate
Hereford
HR2 6JT

ROAD TRAFFIC REGULATION ACT 1984

HEREFORDSHIRE COUNCIL

(A438, WHITECROSS ROAD, HEREFORD) (WAITING RESTRICTIONS) ORDER 2012

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

1. This Order shall come into operation on the 14th day of September 2012 and may be cited as the Herefordshire Council (A438, Whitecross Road, Hereford) (Waiting Restrictions) Order 2012.

2. (1) In this Order:-

"Disabled Permit Holder" means a person who has been issued with a valid Disabled Person's 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 Person Badge and Parking Disc;

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

"Civil Enforcement Officer" means a person appointed in accordance with the provisions of Section 76 of the Traffic Management Act 2004.

(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 or of a Civil Enforcement Officer in uniform, cause or permit any vehicle to wait on Monday to Saturday between 8am to 6pm on the lengths of road as mentioned in the Schedule hereto and as shown for identification purposes only on the attached plan.
- 4. Nothing in Article 3 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 Article 3 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 dwelling house 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 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 Article 3 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 2012

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

..... Authorised Officer

Schedule

No Waiting on Monday to Saturday between 8am to 6pm

A438, Whitecross Road

- i) On the north side from the junction with the U81008, Plough Lane for a distance of 71 metres in an easterly direction.

HEREFORDSHIRE COUNCIL

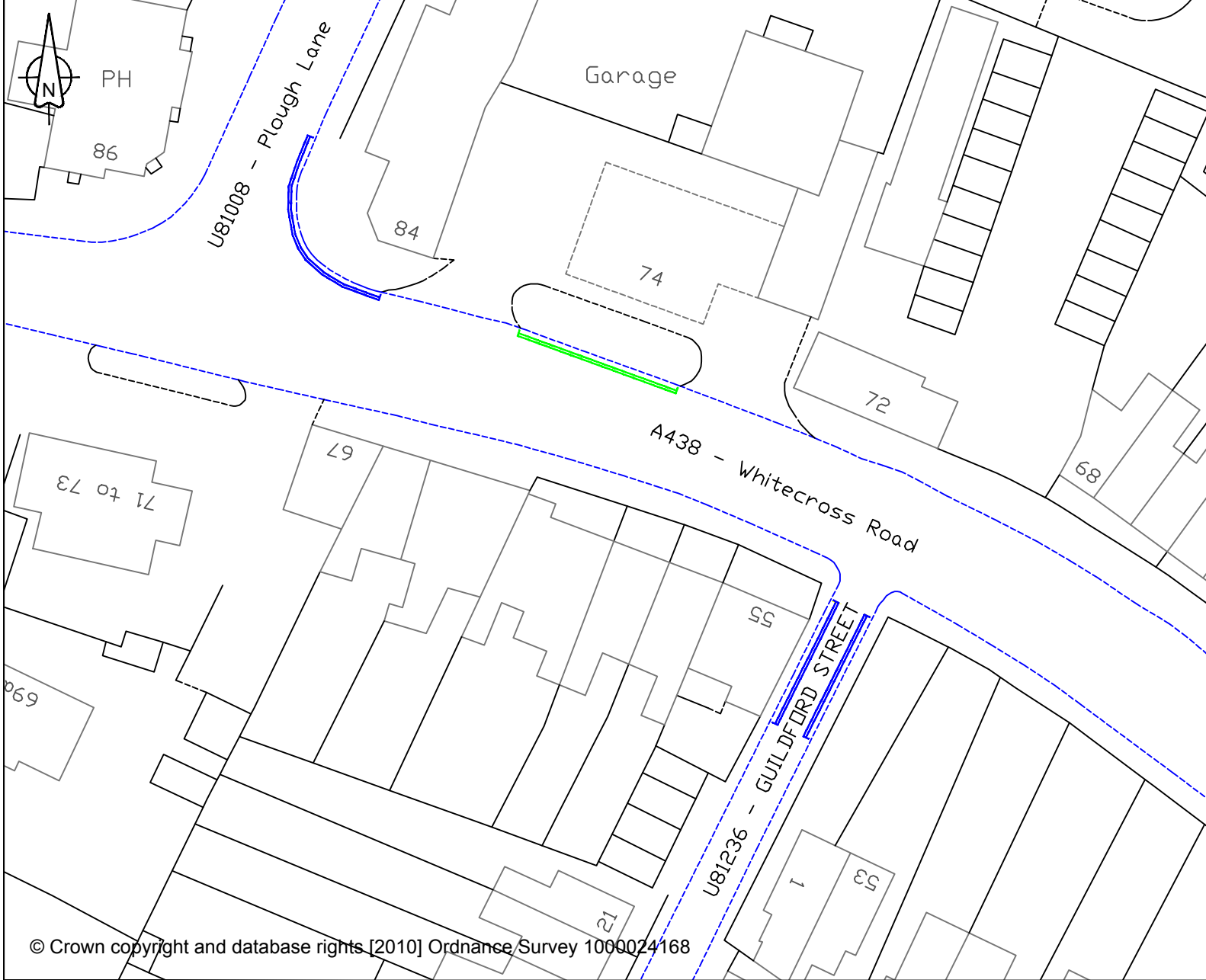
STATEMENT OF REASONS

**(A438, WHITECROSS ROAD, HEREFORD)
(WAITING RESTRICTIONS) ORDER 2012**

The Council considers making the above order desirable to avoid danger to persons or other traffic using the road or any other road and for preventing the likelihood of any such danger, for facilitating the passage on the road of any class of traffic (including pedestrians) and to preserve and improve the amenities of the area through which the road runs.

The Council reserves the right to produce an amended or further statement in the context of any public inquiry into objections to these proposals.

Richard Ball
Assistant Director Place Based Commissioning



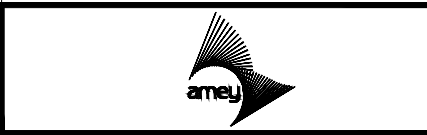
KEY

Proposed No Waiting
Mon - Sat 8 am - 6 pm

Existing No Waiting At Any Time
restrictions

Rev	Revision details	Chkd	Appd	Date

Drawn: .J.T-W	Preliminary	
Design: .R.W	For comment	✓
Chkd: .R.W	For tender	
Appd: .R.W.	For construction	
Date: Feb 11	As constructed	
	Other	



Client
G.J. HUGHES
DIRECTOR OF SUSTAINABLE
COMMUNITIES

Herefordshire
Council

Brockington, 35 Halford Road, Hereford, HR1 1SH Tel: (01432) 260780 Fax: (01432) 261983

Project Name
**Whitecross Road
Waiting Restriction**

Drawing Title
Traffic Management
Site Extents
Amended proposals

Original Drawing Size : A4
Scale : 1:500 Dimensions : -

Drawing No Rev
HD/T/HER/1463/2/A4 P0