

NOTICE OF MAKING

HEREFORDSHIRE COUNCIL (ST MARTINS AVENUE, HEREFORD) (PARKING PLACES) ORDER 2017

Notice is hereby given that the County of Herefordshire District Council, known as Herefordshire Council, in exercise of its enabling powers has made the above named Order under Sections 2, 4, 32 and 35 of the Road Traffic Regulation Act 1984.

The effect of the Order is to change the operational hours of selected short stay parking bays in St Martins Avenue to enable electric and hybrid vehicles to have sufficient time for charging up their batteries.

A copy of the Order, which comes into operation on 29th December 2017 together with a plan, any Orders to be revoked and a Statement of Reasons for making the order are available for inspection during normal office hours from 14th December 2017 at the Council Offices, Plough Lane, Hereford HR4 0LE and during normal opening hours at the Hereford Centre, Franklin House, 4 Commercial Road, Hereford, HR1 2BB. They can also be viewed on the Council's website at (www.herefordshire.gov.uk) in the Introduced Traffic Regulation Order section.

Photocopies of the same may be provided on payment of photocopying charges at the Council.

General enquiries relating to the Order should be referred to the Traffic Management Team at ADL Traffic Engineering Ltd (Tel: 01454 332100).

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, within six weeks from the date the Order was made, apply for the purpose to the High Court.

Richard Ball
Assistant Director Environment and Place

ROAD TRAFFIC REGULATION ACT 1984

HEREFORDSHIRE COUNCIL (ST MARTINS AVENUE, HEREFORD) (PARKING PLACES) ORDER 2017

The County of Herefordshire District Council ("the Council") in exercise of its powers under sections 2, 4, 32 and 35 of the Road Traffic Regulation Act 1984 (referred to as "the Act"), and part IV of schedule 9 of the 1984 Act 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 makes the following Order:

1. This Order shall come into operation on the ^{29th} day of *December* 2017 and may be cited as Herefordshire Council (St Martins Avenue, Hereford) (Parking Places) Order 2017.

2. (1) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby assigned to them:

"Disabled Permit Holders" means a person who has been issued with a valid Disabled Person 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 valid Disabled Persons Badge and Parking Disc.

"Driver", in relation to a vehicle waiting in a Parking Place, means the person driving the vehicle at the time it was left in the Parking Place.

"Electric Vehicle" means a vehicle in which the motive power is derived from an electrical storage battery which is not connected to any source of power when the vehicle is in motion.

"Hybrid Vehicle" means an electric vehicle which has at least one other energy source for traction purposes.

"Charge post" means an installation adjacent to a parking place for the purpose of recharging the batteries of an electric vehicle or hybrid vehicle by means of a connecting lead.

"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.

"Owner", in relation to a vehicle, means the person by whom such vehicle is kept and used.

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

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

"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.

"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.

"Parking Bay" means an area contained within a Parking Place in which a vehicle of any class, not larger than 2.3 metres in height and 5.25 metres in length may be parked, marked in accordance with the Traffic Signs Regulations and General Directions 2016.

"Parking Place" means marked parking bays in St Martins Avenue as described in Schedules 1 and 2 to this Order and which for the purposes of identification only are shown on the accompanying plan.

(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.

Short Stay Parking Places

3. Unless otherwise referred to in Article 14 no person shall (except upon the direction or with the permission of a Police Officer or Civil Enforcement Officer in uniform) cause or permit any vehicle to park in the electric charging vehicle bays ("Vehicle Bays") specified in Schedule 1 to this Order between 8.00 am to 6.30 pm Monday to Saturday except for Electric Vehicles or Hybrid Vehicles for the purpose of recharging and must be connected to the Charge post for such purpose for the maximum 4 hours duration. The said vehicles cannot wait for any longer than 4 hours in the referred to Vehicle Bays specified with no return permitted within 4 hours and which for the purposes of identification only, are shown on the attached plan labelled as Electric charging vehicle bays.
4. Save as provided in Articles 14 and 15 no person shall (except upon the direction or with the permission of a Police Officer or Civil Enforcement Officer in uniform) cause or permit any vehicle to wait in the Bays For Other Vehicles ("Parking Bays") specified in Schedule 2 to this Order for longer than 30 minutes, (with no return permitted to that length of road defined in Schedule 2 to this Order within 1 hour), between 8.00 am to 6.30 pm on Monday to Saturday and which for the purposes of identification only is shown on the accompanying plan labelled as Short stay bays.

Power to Suspend Prohibition of Waiting and Parking Place

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 the streets, by order or otherwise on the occasion of any public procession, rejoicing or illumination, or where the streets are thronged or liable to be obstructed, to close any Parking Place; 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 any person 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:
 - (b) when for preventing obstruction of the streets the Council shall by order or otherwise made on the occasion of any public procession, rejoicing or illumination or when the streets are thronged or liable to be obstructed have closed that 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 vehicle, while it is in a Parking Place in connection with the sale of any article to persons in or near the Parking Place or in connection with the selling or offering for hire of his skill or services.
9. A vehicle parked within a Parking Place must be parked wholly within the road markings (if any) for the Parking Place.
10. The driver of an electric or hybrid vehicle shall not permit the vehicle to wait in the electric charging bay during the operational hours unless connected to the Charging post for the purpose of recharging.
11. When a vehicle is left in a Parking Place in contravention of any of the provisions contained in paragraphs (a) or (b) of Article 5 of this Order a police constable in uniform or Civil Enforcement Officer in uniform or a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from that Parking Place.
12. Any person moving a vehicle by virtue of the last preceding Article of this Order may do so by towing or 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 him to remove it as aforesaid.
13. When a police constable or a Civil Enforcement Officer 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 11 above of this Order, they shall make such arrangements as may be reasonably necessary for the reasonable safe custody of that vehicle.

Exemptions

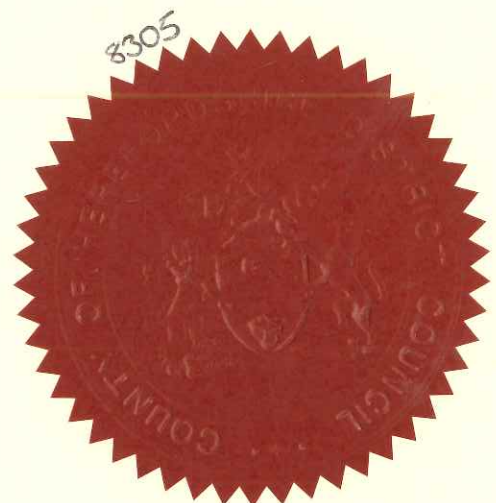
14. Nothing in Articles 3 and 4 of this Order shall render it unlawful to cause or permit any vehicle to wait in those lengths of road specified in schedules 1 and 2 to this Order for so long as may be necessary to enable:-
 - (a). a person to board or alight from the vehicle.
 - (b). the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used for the delivery or removal of plant 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 Communications Act 2003;

- (c). 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;
 - (d) the vehicle to be used for the purpose of delivering or collecting postal packets.
 - (e) 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 Council, their consent is obtained and such reasonable conditions as they may impose are complied with;
 - (f) the vehicle to be used for fire brigade, police or ambulance purposes.
 - (g) the vehicle to be used for the purposes of collecting waste or recyclables or street cleansing.
15. 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, to wait at anytime in those lengths of road referred to in Schedule 2 to this Order.
16. 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.
17. The following provisions of the following Order are hereby revoked;
- The County of Herefordshire District Council (St Martins Area, Hereford)
(Prohibition of Waiting) (Restriction of Waiting) (Residents Parking- Zone 8)
Order 2005.
Article 7 and Schedule 5
18. References to any statutory provision herein shall include reference to any statutory modification or re-enactment thereof

Dated this *1st* Day of *December* 2017

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

Authorised Officer.....*Kate Coughlin*.....



SCHEDULE 1: ELECTRIC CHARGING VEHICLES BAYS

St Martin's Avenue south side: From a point 31 metres east from the junction with the eastern kerb line of St Martin's Street for a width distance of 4.9 metres and a length of 4.8 metres at 90 degrees to the kerb.

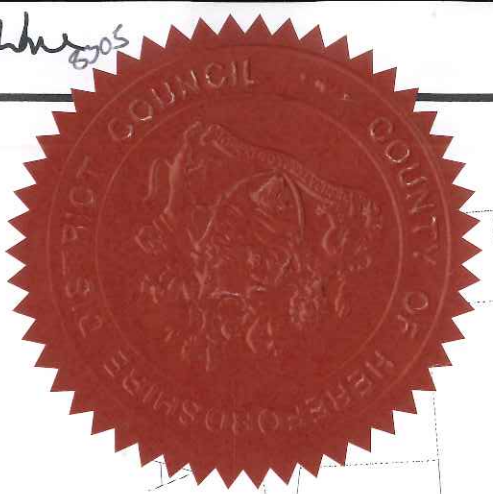
1	2	3	4	5	6
Position in which a vehicle may wait	Classes of vehicles	Days of operation of Parking place	Hours of operation of parking place	Maximum period for which vehicles may wait	Charge payable for each period of waiting
Wholly within marked parking bays which are 90 degrees to the kerb	Electric or Hybrid vehicles that are Motor vehicles within the provisions of S(136)(2)(a) of the 1984 Act	Mondays - Saturdays	8am - 6.30pm	Maximum stay 4 hours no return within 4 hours	None specified

SCHEDULE 2: BAYS FOR OTHER VEHICLES

St Martin's Avenue south side. From a point 36 metres east from the junction with the eastern kerb line of St Martin's Street for a width distance of 7.5 metres and a length of 4.8 metres at 90 degrees to the kerb.

2	3	4	5	6	7
Position in which a vehicle may wait	Classes of vehicles	Days of operation of Parking place	Hours of operation of parking place	Maximum period for which vehicles may wait	Charge payable for each period of waiting
Wholly within marked parking bays which are 90 degrees to the kerb	(1) Motor vehicles within the provisions of S(136)(2)(a) of the 1984 Act. (2) Motorcycles with side cars. (3) Invalid Carriages: Disabled persons vehicles.	Mondays-Saturdays	8am - 6.30pm	Maximum stay 30 mins no return within 1 hour	None specified

Kate Coghlan 6/05



Electric charging bays
Short stay bays

MARTIN'S AVENUE

12
14
Aspect Place



Tourist sign

Electric charging point

Car Park

Posts

KEY:

-  Proposed short stay parking bay and sign
Mon - Sat 8am - 6:30pm maximum stay 4 hours
no return within 4 hours
-  Existing short stay parking bays and sign
Mon - Sat 8am - 6:30pm maximum stay 30 mins
no return within 1 hour

NOTES

1. PRELIMINARY DESIGN PROVIDED FOR ILLUSTRATIVE PURPOSES ONLY. ALL DETAILS ARE SUBJECT TO INCLUDING CHECKING STATUTORY SERVICE APPARATUS.
2. DO NOT SCALE FROM THIS DRAWING.
3. BACKGROUND PLANS BASED UPON A DIGITAL OSBASE.
4. ALL DETAILS TO BE CONFIRMED ON SITE AND ON A TOPOGRAHICAL SURVEY.
5. ALL TRUCKS ASSUME SHOOTINGS AND CAMBERS DO NOT MANOEUVRE AND BEHAVIOUR OTHERWISE VEHICLE MANDATE VARIABILITY MAY BE AFFECTED.
6. ALL LAND OWNERSHIP DETAILS EXTENT OF ACCEPTED HIGHWAY AND RIGHTS OF WAY TO BE CONFIRMED.
7. ASSUMES ALL LANDSCAPES CAN BE ALTERED AND NO TREES ARE SUBJECT TO TPO.

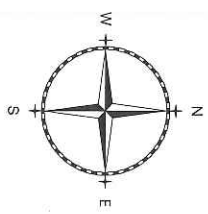


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REF.	DATE	DESCRIPTION
A	18/02/11	PLAN AND KEY UPDATED.
B	18/02/11	ADDITIONAL ELECTRIC BAY ADDED.
C	18/02/11	TITLE UPDATED.
D	27/02/11	ANNOTATION ADDED.

ACSL Job No. 3409

Project		St. Martin's Avenue Herefordshire	
Title		TPO Drawing	
Date	28.02.2017	Drawn	MT
Checked		Approved	
Scale	1:250@A3	Obj No.	3409-10
		Rev.	D



HEREFORDSHIRE COUNCIL

STATEMENT OF REASONS for MAKING

HEREFORDSHIRE COUNCIL (ST MARTINS AVENUE, HEREFORD) (PARKING PLACES) ORDER 2017

Herefordshire Council is changing the operational status of selected parking spaces in St Martins Avenue, Hereford by the process of the above named Traffic Regulation Order made under Sections 2, 4, 32 and 35 of the Road Traffic Regulation Act 1984.

The effect of the Order is to formerly designate two of the five parking bays opposite Prospect Place as parking bays for electric charging vehicles with operational hours of Monday to Saturday 8am to 6.30pm maximum stay of 4 hours no return within 4 hours. The remaining three bays continue to operate Mondays to Saturdays 8am to 6.30pm maximum stay of 30mins no return within 1 hour. The hours of stay for the electric charging bays are being increased from the current maximum stay of 30mins to 4 hours to give sufficient charging time for electric vehicles.

The Order has being made for the following reasons:

- To clarify the existing parking restrictions in accordance with current standards and formats, and to comply with current enforcement policy,
- For the purpose of relieving or preventing congestion of traffic,
- For avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising,
- For facilitating the passage on the road or any other road of any class of traffic (including pedestrians) (*i.e. to maintain access and/or to reduce congestion*),
- For preserving or improving the amenity 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 enquiry or judicial proceedings to these proposals

Richard Ball
Assistant Director Environment and Place

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

**(ST MARTINS AREA, HEREFORD)
(PROHIBITION OF WAITING) (RESTRICTION OF WAITING)
(RESIDENTS PARKING - ZONE 8) ORDER 2005**

The County of Herefordshire District Council as statutory successors of the County of Hereford and Worcester where applicable ("the Council") in exercise of its powers under Sections 2, 4, 32(1), 35(1), 45, 46, 49 and 53 and Part IV of Schedule 9 to 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 25th day of April 2005 and may be cited as the County of Herefordshire District Council (St Martins Area, Hereford) (Prohibition of Waiting) (Restriction of Waiting) (Residents Parking – Zone 8) 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 Orders (or part thereof where stated) as listed in Schedule 1 hereto are hereby revoked from the date this Order comes into operation.
3. (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 Parking Place, means the person driving the vehicle at the time it was left in the Parking Place.

"Parking Place", means any part of a road so marked (if any) and authorised by this Order to be used for parking.

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

"Resident Parking Permit", means a permit which can only be issued to a Resident in accordance with the provisions of this Order.

"Visitors Parking Permit" means a permit which can only be issued to a Resident in accordance with the provisions of this Order.

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

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

"Parking Zone" means any of the lengths of road forming Zone 8 listed in Schedule 10 of this Order.

"St. Martin's Street Service Road" means that part of St. Martin's Street that forms a cul-de-sac between the A49 trunk road and St. Martin's Street from which numbers 75 to 85 St. Martin's Street are accessed.

"Resident" means a person whose main place of residence is at any of the streets (or part thereof) referred to in Schedule 10 hereto.

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

"Multiple Occupancy Dwelling" shall mean premises where more than one family unit is in occupation.

"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" means a vehicle displaying a Disabled Persons Badge and Parking Disc.

"Disabled Permit Holders" means a person who has been issued with a valid Disabled Person Badge;

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

"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.

the streets

(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.

4. Save as provided in Article 20 (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 on those lengths of road specified in Schedule 2 to this Order and which for the purposes of identification only are shown on the attached plan.
5. Save as provided in Article 20 (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 the times and on the days and along those lengths of road specified in Schedule 3 to this Order and which for the purposes of identification only are shown on the attached plan.
6. Save as provided in Article 20 (a), (b) 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 the times and on the days and along those lengths of road specified in Schedule 4 to this Order and which for the purposes of identification only are shown on the attached plan.
7. Save as provided in Article 20 (a) and (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 for longer than the time and on the days on those lengths of road specified in Schedule 5 to this Order and which for the purposes of identification only are shown on the attached plan.
8. Save as provided in Article 20 (a) (b) and (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 for longer than the times on the days and on those lengths of road specified in Schedule 6 to this Order and which for the purposes of identification only are shown on the attached plan.
9. Save as provided in Article 20 (a) and (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 for longer than the times and on the days and on those lengths of road specified in Schedule 7 to this Order and which for the purposes of identification only are shown on the attached plan.
10. Save as provided in Article 20 (a) (b) and (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 for longer than the times on the days and on those lengths of road specified in Schedules 8 to this Order and which for the purposes of identification only are shown on the attached plan.
11. Save as provided in Article 20 (a) of the Order no person shall except upon the direction or with the permission of a police officer in uniform or parking attendant is in uniform cause or permit any vehicle to wait except for the purpose of loading and unloading for longer than the times and on the days and between and on the length of road as

Exempt
20.

specified in Schedule 9 to this Order which for the purposes of identification only is shown on the attached plan.

Power to Suspend Prohibition of Parking and Restriction of Waiting and Residents Parking

12. Nothing in Articles 4 to 11 of this Order:-
- (a) shall restrict the power of the Council or the police for preventing obstruction of the streets, by order or otherwise on the occasion of any public procession, rejoicing or illumination, or where the streets are thronged or liable to be obstructed, to close any Parking Place; 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 any person entitled to the use of thereof, or so as to be a nuisance.

Use of a Parking Place

13. 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:
 - (b) when for preventing obstruction of the streets the Council shall by order or otherwise made on the occasion of any public procession, rejoicing or illumination or when the streets are thronged or liable to be obstructed have closed that Parking Place and exhibited notice of such closing on or near the Parking Place.
14. 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.
15. Unless the prior written consent of the Council is obtained no person shall use a vehicle, while it is in a Parking Place in connection with the sale of any article to persons in or near the Parking Place or in connection with the selling or offering for hire of his skill or services.
16. A vehicle parked within a Parking Place must be parked wholly within the road markings (if any) for the Parking Place.
17. When a vehicle is left in a Parking Place in contravention of any of the provisions contained in paragraphs (a) or (b) of Article 13 of this Order a police constable in uniform 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 that Parking Place.
18. Any person moving a vehicle by virtue of the last preceding Article of this Order may do so by towing or 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 him to remove it as aforesaid.
19. 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 17 above of this Order, they shall make such arrangements as may be reasonably necessary for the reasonable safe custody of that vehicle.

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Exemptions

20. (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 and Articles 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 are being unloaded from the vehicle, or having been unloaded therefrom, are being delivered or while postal packets are being collected or is in use in connection with the servicing of telephone kiosks in the said lengths of roads;
 - (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 or the maintenance, improvement or reconstruction of any said lengths of road or the laying erection, alteration, removal or repair 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 in any said lengths of road;
 - (v) the vehicle not being a Passenger Vehicle is in actual use in connection with the removal of furniture from one office or dwellinghouse 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 in any said lengths of road;
 - (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 adjacent to any said lengths of road in which the vehicle is waiting; or
 - (viii) in any other case the vehicle is waiting for the purpose of delivering or collecting goods or merchandise, including, so far as a Bank is concerned, cash or other valuables or valuable securities, or loading or unloading the vehicle at premises adjacent to any said lengths of road in which the vehicle is waiting and the vehicle not being a goods vehicle does not wait for such purpose for more than thirty minutes or for such longer period as a police constable in uniform or a traffic warden may authorise, or, being a goods vehicles does not so wait for more than thirty minutes or such longer period as aforesaid if it is in any part of a parking space;
- (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 Schedules 4, 6 and 8 to this Order if the vehicle displays a valid Parking Permit issued by the Council and is left in a Parking Place in the Parking Zone.

- (c) Nothing in Articles 4 and 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 Schedules 2, 3 or 4 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 Articles 7, 8, 9 and 10 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 Schedules 5, 6, 7 or 8 hereto without limitation.

Charge and Display in connection with the use of Parking Permits

21. (1) There will be a charge of £25 per annum for the issue of each Parking Permit subject to Article 22(4) below.
- (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 25 of this Order are clearly visible when viewed from the front of the vehicle.

Application for and Issue of Parking Permits

22. (1) Every Dwelling within a street (or part thereof) as listed in Schedule 10 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 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 sub clause (1) of this Article.
- (4) The Council are at liberty to vary the policy, charges and terms for the issue of a Parking Permit as stated in this Article on giving the Parking Permit Holder prior

Use of permit
in a Disabled
Person in
Regan in
4

written notice of any said variation (where appropriate) and to also issue a Parking Permit for a parking place to an applicant who does not reside in a street listed in Schedule 10 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.

Surrender, Withdrawal and Validity of Parking Permits

23. (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 of a dwelling listed in the streets in Schedule 10 hereto.
 - (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 19(1) of this Order;
 - (e) the issue of a duplicate Parking Permit by the Council under the provisions of Article 21 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 Parking Zone being shown for identification purposes only by the streets showing existing and proposed restrictions on the plan annexed hereto.

Application for and issue of Duplicate Parking Permits

- 24. (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

- 25. 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 21 (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

- 26. Where a Parking Permit has been displayed on a vehicle in accordance with the provisions of Article 21(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

- 27. The Council shall:-
 - (a) cause the limits of each Parking Place to be indicated on the carriageway by placing and maintaining thereon traffic signs of any size, colour and type prescribed in The Traffic Signs Regulations and General Directions 2002: and
 - (b) carry out such other work as is reasonably required for the purposes of the satisfactory operation of a Parking Place.

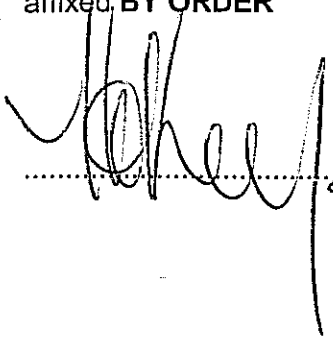
certifications on the

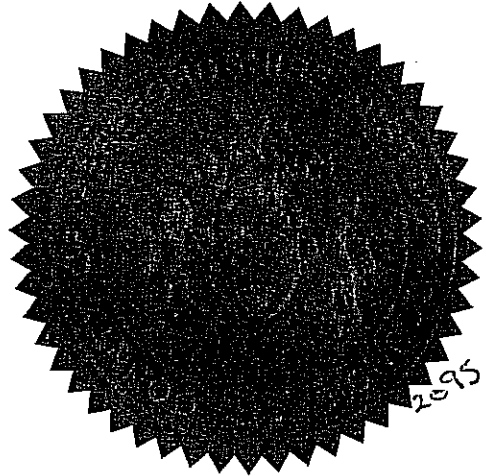
Miscellaneous

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

Dated this 20th day of April 2005

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


..... Authorised Officer



SCHEDULE 1 - Existing Orders to be revoked (or part thereof)

The County of Hereford and Worcester (St Martins Street, Hereford) (Prohibition of waiting) Order 1993

The County of Hereford & Worcester (St Martins Street, Hereford) (Prohibition and Restriction of Waiting) Order 1982.

The City of Hereford (Various Streets) (Prohibition and Restriction of Waiting, Loading and Unloading) Order 1974, Schedule 2 Items 48 and 49, Schedule 4 Items 12 and 17, Schedule 6 Items 8 and 9.

The County of Hereford & Worcester (St Martins Avenue, Hereford) (Prohibition and Restriction of Waiting) Order 1979.

The Trunk Road (Various Roads, Hereford) (Prohibition and Restriction of Waiting, Loading and Unloading) Order 1969, Schedule 2 Items 2 and 3, Schedule 7 Item 1.

SCHEDULE 2 - No Waiting At Any Time

ST MARTIN'S AVENUE – North side

From its junction with St. Martin's Street for the entire length of adopted highway.

ST MARTIN'S AVENUE – South side

- i) From its junction with St Martin's Street to a point 30.0 metres east of that junction.
- ii) From a point a point 46.0 metres east of its junction with St Martin's Street in an easterly direction to the limit of adopted highway.

ST MARTIN'S STREET – East side

- i) From its junction with Wye Bridge to its junction with Wye Street.
- ii) From its junction with the southern kerbline of Wye Street to a point 25.0 metres south of that junction.
- iii) From its junction with the tangent point of the northern kerbline of St Martin's Avenue to a point 37.5 metres north of that junction.
- iv) From its junction with the southern kerbline of St Martin's Avenue to its junction with the A49 Greyfriars Bridge.

ST MARTIN'S STREET – West side

- i) From its junction with Wye Bridge to a point 20.4 metres south of the southern kerbline of Wye Street.
- ii) From a point 68.6 metres south of the southern kerbline of Wye Street to its junction with A49 Greyfriars Bridge.

ST MARTIN'S STREET SERVICE ROAD – South east side

For its entire length from its junction with St. Martin's Street to the end of the cul-de-sac.

ST MARTIN'S STREET SERVICE ROAD – West side

- i) From its junction with St Martin's Street to a point 10.6 metres south of that junction.
- ii) From a point 36.3 metres south of its junction with St Martin's Street to the end of the cul-de-sac.

of waiting)

WYE STREET – North side

From its junction with St Martin's Street for a distance of 16.0 metres in an easterly direction.

WYE STREET – South side

From its junction with St Martin's Street for a distance of 10.0 metres in an easterly direction.

SCHEDULE 3 - No Waiting Monday to Saturday 9am to 5pm (inclusive)

WYE STREET – North side

From a point 26.0 metres east of its junction with St. Martin's Street to a point 48.0 metres east of that junction.

WYE STREET – South and east sides

From a point 10.0 metres east of its junction with St. Martins Street to the end of the cul-de-sac including the turning area.

**SCHEDULE 4 – Resident Permit Holders only
Monday to Saturday 9am to 5pm (inclusive)**

WYE STREET – North side

- i) From a point 16.0 metres east of its junction with St Martin's Street to a point 26.0 metres east of that junction.
- ii) From a point 48.0 metres east of its junction with St Martin's Street to the end of the cul-de-sac.

SCHEDULE 5 - Waiting limited to 30 minutes no return within 1 hour Monday to Saturday 8am to 6.30pm (inclusive)

ST MARTIN'S AVENUE – South side

From a point 30.0 metres east of its junction with St Martin's Street to a point 46.0 metres east of that junction.

SCHEDULE 6 - Waiting limited to 1 hour no return within 2 hours Monday to Saturday 8am to 6.30pm (inclusive) (except for Parking Permit Holders)

ST MARTIN'S STREET – East side

From a point 25.0 metres south of its junction with the southern kerbline of Wye Street to a point 37.5 metres north of its junction with the tangent point of the northern kerbline of St Martin's Avenue.

ST MARTIN'S STREET – West side

From a point 20.4 metres south of its junction with the southern kerbline of Wye Street to a point 57.6 metres south of that junction.

**SCHEDULE 7 - Waiting limited to 1 hour no return within 2 hours
Monday to Saturday 8am to 6.30pm**

ST MARTIN'S STREET SERVICE ROAD – West side

From a point 23.3 metres south of its junction with St. Martin's Street to a point 36.6 metres south of that junction.

SCHEDULE 8 – Waiting limited to 1 hour Monday to Saturday 8am to 6.30pm no return within 2 hours (except Resident Permit Holders), Resident Permit Holders only Monday to Saturday 6.30pm to 8am

ST MARTIN'S STREET SERVICE ROAD – West side

From a point 10.6 metres south of its junction with St. Martin's Street to a point 23.3 metres south of that junction.

SCHEDULE 9 – Loading / Unloading only Monday to Saturday 9am to 5pm, maximum 30 minutes no return within 2 hours

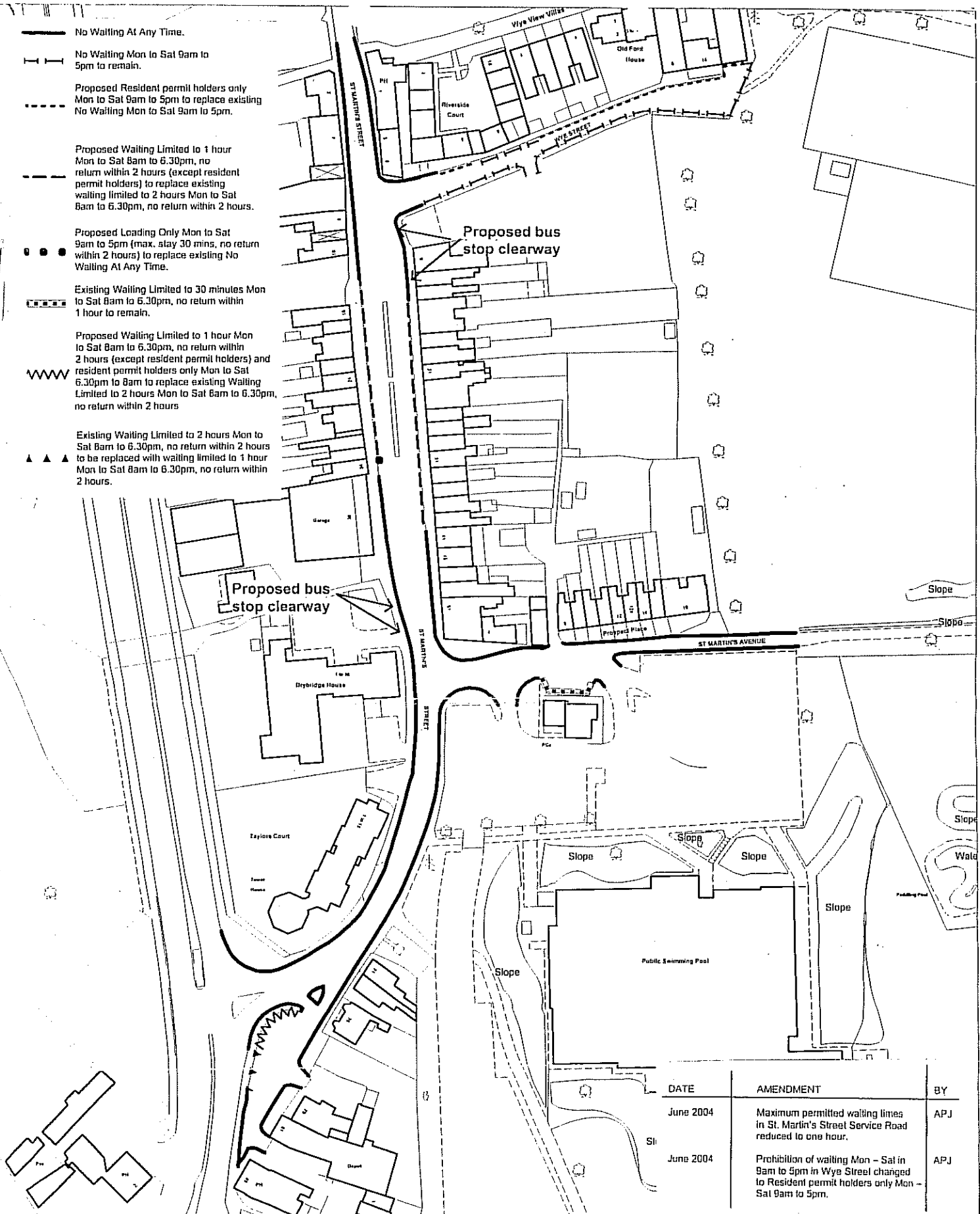
ST MARTIN'S STREET – West side

From a point 57.6 metres south of its junction with the southern kerblines of Wye Street to a point 68.6 metres south of that junction.

SCHEDULE 10 – Streets where residents eligible for a Parking Permit (as appropriate)

St Martin's Avenue
St Martin's Street
Wye Street

- No Waiting At Any Time.
- No Waiting Mon to Sat 9am to 5pm to remain.
- - - Proposed Resident permit holders only Mon to Sat 9am to 5pm to replace existing No Waiting Mon to Sat 9am to 5pm.
- - - Proposed Waiting Limited to 1 hour Mon to Sat 8am to 6.30pm, no return within 2 hours (except resident permit holders) to replace existing waiting limited to 2 hours Mon to Sat 8am to 6.30pm, no return within 2 hours.
- ● ● Proposed Loading Only Mon to Sat 9am to 5pm (max. stay 30 mins, no return within 2 hours) to replace existing No Waiting At Any Time.
- ▬ Existing Waiting Limited to 30 minutes Mon to Sat 8am to 6.30pm, no return within 1 hour to remain.
- ~~~~~ Proposed Waiting Limited to 1 hour Mon to Sat 8am to 6.30pm, no return within 2 hours (except resident permit holders) and resident permit holders only Mon to Sat 6.30pm to 8am to replace existing Waiting Limited to 2 hours Mon to Sat 8am to 6.30pm, no return within 2 hours
- ▲ ▲ ▲ Existing Waiting Limited to 2 hours Mon to Sat 8am to 6.30pm, no return within 2 hours to be replaced with waiting limited to 1 hour Mon to Sat 8am to 6.30pm, no return within 2 hours.



DATE	AMENDMENT	BY
June 2004	Maximum permitted waiting times in St. Martin's Street Service Road reduced to one hour.	APJ
Sh June 2004	Prohibition of waiting Mon - Sat in 9am to 5pm in Wye Street changed to Resident permit holders only Mon - Sat 9am to 5pm.	APJ

**ST. MARTINS AREA - HEREFORD
RESIDENTS PARKING**



Drawing Number: HD/T/HER/1483/2
Scale: 1:1000

Drawn By: A.P.J.
Date: SEPTEMBER 2003

Graham Dunhill
B.Sc., C.Eng., M.I.C.E., F.I.H.T.
Director of Environment
Hereford

