

**THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL
(ST OWEN STREET CYCLE AND BUS ACCESS SCHEME, HEREFORD)
(MOVEMENT) ORDER 2019**

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

PART ONE — INTRODUCTION

CITATION

- 1.1 This Order shall come into operation on the DD MMMMMMM 2019 and may be cited as The County of Herefordshire District Council (St Owen Street Cycle and Bus Access Scheme, Hereford) (Movement) Order 2019.

INTERPRETATION

- 1.2 In this Order, except where otherwise stated, any reference to an Article or Schedule shall be construed as a reference to that Article or Schedule in this order.
- 1.3 In this Order any reference to an Act, Statutory Instrument, Regulation or Order shall be construed as a reference to that Act, Statutory Instrument or Order as amended.
- 1.4 In this Order the following expressions shall have the respective meanings assigned to them:

“Bus”: a motor vehicle constructed or adapted to carry more than 8 passengers (exclusive of the driver);

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

“Council” means The County of Herefordshire District Council (known as Herefordshire Council).

‘Cycle’ has the same meaning as in Section 192 of the Road Traffic Act 1988. Electrically assisted cycles meeting the Electrically Assisted Pedal Cycles (EAPC) requirements are classed as a cycle.

“Motor Vehicle” means a mechanically propelled vehicle intended or adapted for use on the roads as defined in Section 185 of the Road Traffic Act 1988.

“Passenger Vehicle” means a vehicle constructed or adapted for the carriage of passengers and their effects.

PART TWO — MOVEMENT RESTRICTIONS

BUS-ONLY RESTRICTIONS

- 2.1 No person shall cause or permit other than buses, to enter or proceed along the lengths of road specified in Column 1 and 2 of Schedule 1 to this Order.

ONE-WAY STREETS

2.2 No person shall cause or permit any vehicle to proceed on the roads and lengths of roads described in columns 1 and 2 of Schedule 2 to this Order, except in the direction specified in column 3 of said Schedule.

ONE-WAY EXCEPT CYCLES

2.3 No person shall cause or permit any Motor Vehicle from proceeding in those lengths of road described in Columns 1, and 2 of Schedule 3 to this Order, except in the direction specified in column 3 of said Schedule.

PART THREE - EXEMPTIONS

BUS-ONLY STREET

- 3.1 Nothing in Article 2.1 shall prohibit any vehicle from entering or being in the specified lengths of roads in the following circumstances:
- a) Under the direction of a police officer or Civil Enforcement Officer or with the prior consent of the Council provided that any conditions imposed are complied with
 - b) The vehicle is being used for emergency services purposes
 - c) To enable the vehicle, not being a Passenger Vehicle, to be used for the purpose of any building operation, demolition or excavation or the maintenance, improvement or reconstruction of the 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 the road provided that notice is given twenty-four hours in advance to the Council and their consent is obtained and any conditions imposed are complied with
 - d) The vehicle is a statutory undertaker liveried utility company vehicle being used in connection with works of that utility in the immediate vicinity
 - e) For street cleansing and refuse collection or for purposes associated with the maintenance of the highway, street furniture or fabric of the highway.

ONE-WAY STREETS

- 3.2 Nothing in Article 2.2 shall render it unlawful to cause or permit any vehicle to proceed along those lengths of road other than in the direction shown in Schedule 2 as may be necessary to enable the following should there not be an alternative access or egress:-
- a) Under the direction of a police officer or Civil Enforcement Officer or with the prior consent of the Council provided that any conditions imposed are complied with
 - b) The vehicle is being used for emergency services purposes
 - c) To enable the vehicle, not being a Passenger Vehicle, to be used for the purpose of any building operation, demolition or excavation or the maintenance, improvement or reconstruction of the 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 the road provided

that notice is given twenty-four hours in advance to the Council and their consent is obtained and any conditions imposed are complied with

- d) The vehicle is a statutory undertaker liveried utility company vehicle being used in connection with works of that utility in the immediate vicinity
- e) For street cleansing and refuse collection or for purposes associated with the maintenance of the highway, street furniture or fabric of the highway

ONE-WAY EXCEPT CYCLES

3.2 Nothing in Article 2.3 shall render it unlawful to cause or permit a Motor Vehicle to proceed along those lengths of road other than in the direction shown in Schedule 3 as may be necessary to enable the following should there not be an alternative access or egress:-

- a) Under the direction of a police officer or Civil Enforcement Officer or with the prior consent of the Council provided that any conditions imposed are complied with
- b) The vehicle is being used for emergency services purposes
- c) To enable the vehicle, not being a Passenger Vehicle, to be used for the purpose of any building operation, demolition or excavation or the maintenance, improvement or reconstruction of the 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 the road provided that notice is given twenty-four hours in advance to the Council and their consent is obtained and any conditions imposed are complied with
- d) The vehicle is a statutory undertaker liveried utility company vehicle being used in connection with works of that utility in the immediate vicinity
- e) For street cleansing and refuse collection or for purposes associated with the maintenance of the highway, street furniture or fabric of the highway

PART FOUR - REVOCATIONS

4.1 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 following Orders will be revoked in their entirety from the date stated in Article 1.1

hereto:

- The County of Hereford and Worcester (St. Peter's Square, St. Owen Street and Mill Street, Hereford) (One-Way Traffic) Order 1987
- The City of Hereford and Worcester (St Peter's Square and Union Street, Hereford) (Prohibition of Driving) Order 1988

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

List of Schedules (for information only)

Schedule	Restriction
1	Bus-only streets
2	One-way streets
3	One-way streets except Cycles

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Schedule 1: Bus-only streets

Road	Description
St Peter's Square (U80010) (east arm)	From its junction with Union Street (U80011) southwards to its junction with St Owen's Street (U80010, also known as St Owen Street)

Schedule 2: One-way streets

Column 1	Column 2	Column 3
Road	Description	Direction of travel
St Peter's Square (U80010)	From its junction with Union Street (U80011) to its junction with Offa Street (U80016)	South-westwards

Schedule 3: One-way except Cycles

Column 1	Column 2	Column 3
Road	Description	Direction
Mill Street (U80023)	From its junction with St Owen's Street (U80010, also known as St Owen Street) to its junction with Cantilupe Street (U80022)	Southwards
St Owen's Street (U80010, also known as St Owen Street)	From its junction with St Peter's Square (U80010 to 14m north-west of its junction with Mill Street (U80023)	South-eastwards
St Peter's Square (U80010) (western arm)	From its junction with Union Street (U80011) to its junction with St Owen's Street (U80010, also known as St Owen Street)	South-eastwards