

ROAD TRAFFIC REGULATION ACT 1984

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

(BEWELL STREET, HEREFORD)

(PROHIBITION OF WAITING, LOADING AND UNLOADING) ORDER 2009

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"), 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 1st day of April 2009 and may be cited as the County of Herefordshire District Council (Bewell Street, Hereford)(Prohibition of Waiting, Loading and Unloading) Order 2009
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the County of Hereford & Worcester (Bewell Street, Hereford)(Prohibition and Restriction of Waiting) Order 1982 will be rescinded in its entirety from the date mentioned in Article 1 of this Order.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.

"Goods Vehicle" means a motor vehicle constructed or adapted for use for the carriage of goods or a trailer so constructed or adapted and which said motor vehicle is physically constructed or adapted so as to prohibit the carrying of passengers (other than front seat passengers) but (for the avoidance of doubt) does not include estate motor vehicles or hatchback vehicles which may be so adapted

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

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

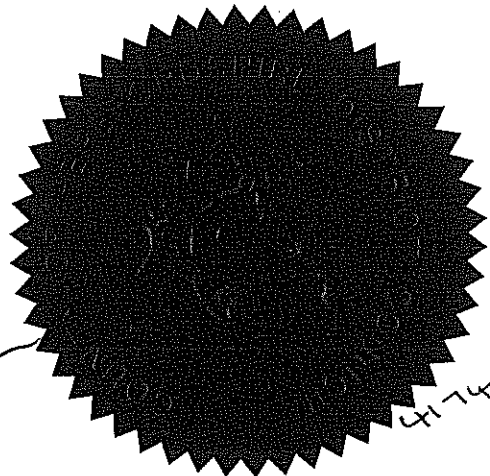
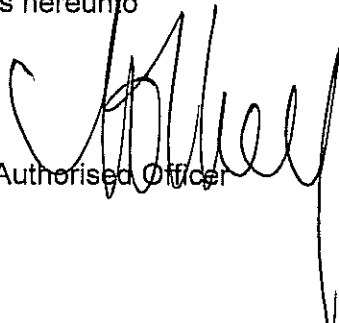
- (b) a Parking Disc in the relevant position, when:-
- (i) in the case of a vehicle fitted with a dashboard or fascia panel, the disc is exhibited thereon so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle; and
 - (ii) in the case of a vehicle 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.
4. Save as provided in Article 6 of this Order no person shall, except upon the direction or with the permission of a Police Officer in uniform or of a Civil Enforcement Officer in uniform, cause or permit any vehicle to wait, load or unload at any time along the lengths of road mentioned in Schedule 1 hereto
5. Save as provided in Article 6 of this Order 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 at the times and on the days on those lengths of road as specified in Schedule 2 of this Order except for the purposes of loading and unloading by a Goods Vehicle and for the period of time as also provided in the said Schedule which for the purposes of identification only are shown on the attached plan.
6. 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) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be required for the delivery or removal of plant and/or materials for any building operation or demolition maximum stay of 30 minutes or as determined by a police officer or parking attendant in uniform, 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;
 - 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 including street cleansing or vehicles associated with the maintenance of the highway, street furniture or fabric within the restricted area;
 - d) vehicles in the service of or employed by the Post Office Company 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 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 and/or 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;

- 7 Where any of the lengths of road as mentioned above have individual marked waiting bays to indicate the area in which a relevant vehicle may wait in relation to the provisions of this Order the vehicle in question must wait within the said marked bay
- 8 Any provisions of previous traffic regulation orders that relate to the lengths of road subject to this Order will be revoked and be superceded by the relevant provisions of this Order on the coming into operation of this Order.
- 9 References to any statutory provision herein shall include reference to any statutory modification, substitution or re-enactment thereof.

Dated this 24 day of March 2009

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

..... Authorised Officer



SCHEDULE 1

Prohibit waiting, loading and unloading at any time

- **Bewell Street**

North Side

From its junction with A49 Victoria Street, to its junction with Widemarsh Street.

South Side

From its junction with A49 Victoria Street, to a point 27 metres west of the centreline of junction with Fryzers Court.

From a point 1 metre east of its junction with the centreline of Fryzers Court to its junction with Widemarsh Street.

SCHEDULE 2

Provide loading/unloading (goods vehicles only) Monday to Sunday 6.00am to 6.00 pm, maximum stay 30 minutes, no return to bay within 2 hours.

- **Bewell Street**

South Side

From a point 27 metres west of the centreline of junction with Fryzers Court, to a point 1 metre east of that junction.



Bewell Street Hereford, Confirmation of Experimental Waiting Restrictions

Scale 1:1250
 Drawing Number - HD/T/Her/1606/2
 Drawn by ALJ.



Michael Hinge,
 Director of Environment and Culture
 Network Management,
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 Rotherwas, Hereford. HR2 6JT.

