

## ROAD TRAFFIC REGULATION ACT 1984

### THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

#### (COMMERCIAL ROAD, HEREFORD)(PROHIBITION OF WAITING)(LOADING AND UNLOADING BAYS) (HACKNEY CARRIAGE STAND) ORDER 2011

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 of the Act, hereby make the following Order:-

1. This Order shall come into operation on the 16<sup>th</sup> day of May 2011 and may be cited as the the County of Herefordshire District Council (Commercial Road, Hereford) (Prohibition of Waiting) (Loading and Unloading Bays)(Hackney Carriage Stand) Order 2011

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 valid 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

"Hackney Carriage Stand" means a stand for the waiting of 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 Local Government (Miscellaneous Provisions) Act 1976

"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 10(a) to (h) 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, at any time along the lengths of road specified in Schedule 2 of this Order, which for the purposes of identification only are shown on the attached plan.
  5. Save as provided in Article 10(a) to (h) 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, at the times and along the lengths of road specified in Schedule 3 of this Order, which for the purposes of identification only are shown on the attached plan.
  6. Save as provided in Articles 10 (a)(c)(d)(f) and (g) 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 specified in Schedule 4 of this Order, which for the purposes of identification only are shown on the attached plan.
  7. Save as provided in Article 10 (a)(c)(d)(e)(f), (g) and (i) 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 for longer than the times and on the days and on those lengths of road as specified in Schedule 5 of this Order, which for the purposes of identification only are shown on the attached plan.
  8. Save as provided in Article 10 of this Order no person shall, except upon the direction or with the permission of a Police Officer in uniform 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 6 of this Order except for the purposes of loading and unloading 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.
  9. Save as provided in Article 10 (b)(c)(d)(e)(f) and (g) 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 other than a Hackney Carriage Vehicle to wait along the lengths of road and at the times as stated in Schedule 7 hereto and shown for identification purposes on the attached plan and the same shall be used as a Hackney Carriage Stand on the said days and times.
  10. 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 a bullion vehicle ;

c) 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 Civil Enforcement Officer 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;

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 for the purposes of highway traffic surveys and including for the purposes of street cleansing or vehicles associated with the maintenance of the highway, street furniture or fabric within the restricted area;

e) vehicles in the service of or employed by the Post Office Company 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 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;

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

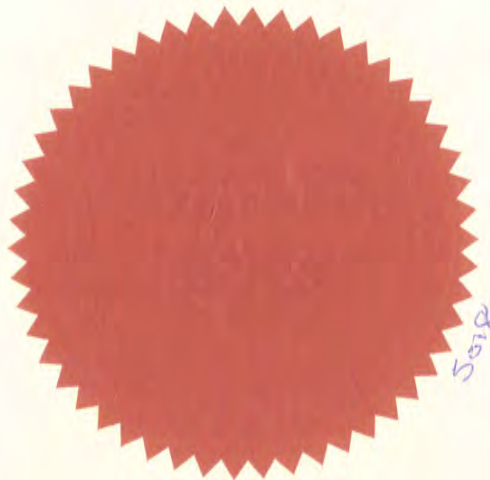
(h) Nothing in Article 4 of this Order shall render it unlawful to cause or permit a Disabled Person's Vehicle which displays in the relevant position a Disabled Person's Badge, and a Parking Disc (on which the Driver, or other person in charge of the vehicle, has marked the time at which the period of waiting began) to wait in the said sides of those lengths of road referred to in the said Article 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).

(i) Nothing in Article 7 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 Article 7.

11. 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
12. 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.
13. References to any statutory provision herein shall include reference to any statutory modification or re-enactment thereof.

Dated this 9 day of May 2011

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



*H. G. G. G.* ..... Authorised Officer

### SCHEDULE 1

The following Orders are revoked or partly revoked as stated:

- i. Paragraph 18 of Schedule 2, paragraph 9 of Schedule 5 paragraph 2 of Schedule 8 and paragraph 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 and Worcester (Various Roads, Hereford)(Prohibition and Restriction of Waiting, Loading and Unloading) Order 1978
- iii. The County of Hereford and Worcester (Bus Stops)(Clearway)(No1) Order 1980
- iv. Articles 1 (a) to (d) and (f), and Schedule 1 of the County of Hereford and Worcester (Commercial Road and Union Walk, Hereford)(Prohibition of waiting) Order 1989
- v. The County of Hereford and Worcester (Commercial Road and Union Walk, Hereford)(Prohibition of Waiting) Order 1990
- vi. County of Herefordshire District Council (Commercial Road) (Prohibition of Waiting and Loading and Unloading) (Restriction of Waiting) (Taxi Rank Stands) Order 2007.

### SCHEDULE 2

#### Prohibition of waiting at any time

Commercial Road, Hereford

North West Side

From its junction with the north eastern kerb line of Blueschool Street for a distance of 26.7 metres in a north easterly direction.

From a point 13.4 metres south west of its junction with the centreline of Monkmoor Street to a point 7.1 metres north east of that junction.

From a point 37.3 metres north east of its junction with the centreline of Monkmoor Street for a distance of 51.5 metres in a north easterly direction.

From a point 47.5 metres south west of its junction with the centreline of Stonebow Road to its junction with Station Approach.

South East Side

From a point 57.8 metres south west of its junction with the centreline of Union Walk for a distance of 7.2 metres in a south westerly direction.

From a point 24 metres north east of its junction with the centreline of Union Walk to a point 25.7 metres south west of that junction.

From a point 68.7 metres south west of its junction with the centreline of Stonebow Road to its junction with Aylestone Hill.

### **SCHEDULE 3**

#### **Prohibition of waiting, Monday to Sunday 7.00am to 7.00pm.**

Commercial Road, Hereford

North West Side

From a point 47.5 metres south west of its junction with the centreline of Stonebow Road for a distance of 12 metres in a south westerly direction

### **SCHEDULE 4**

#### **Prohibition of waiting, loading and unloading at any time.**

Commercial Road, Hereford

South East Side

From its junction with the north eastern kerb line of Bath Street for a distance of 95.6 metres in a north easterly direction.

### **SCHEDULE 5**

#### **Waiting limited to a maximum of 1 hour (Monday to Saturday 8.00am to 6.00pm)( no return to street, within 2 hours)**

Commercial Road, Hereford North West Side

From a point 59.5 metres south west of its junction with the centreline of Stonebow Road for a distance of 84.1 metres in a south westerly direction.

#### **Waiting limited to a maximum of 1 hour (Monday to Saturday 7.00am to 7.00pm)( no return to street, within 2 hours)**

Commercial Road, Hereford

South East Side

From a point 68.7 metres south west of its junction with the centreline of Stonebow Road for a distance of 45.8 metres in a south westerly direction.

**Waiting limited to a maximum of 30 minutes (Monday to Saturday 7.00am to 7.00pm)( no return to street, within 1 hour)**

Commercial Road, Hereford

North West Side

From a point 26.7 metres north east of its junction with the north eastern kerb line of Blueschool Street for a distance of 50.7 metres in a north easterly direction.

From a point 7.1 metres north east of its junction with the centreline of Monkmoor Street for a distance of 12 metres in a north easterly direction.

South East Side

From a point 25.7 metres south west of its junction with the centreline of Union Walk for a distance of 32.1 metres in a south westerly direction.

**SCHEDULE 6**

**Loading or unloading only, maximum stay of 30 minutes , no return to street, within 1 hour (Monday to Saturday 7.00 am to 7.00pm (any vehicle))**

Commercial Road, Hereford

North West Side

From a point 19.1 metres north east of its junction with the centre line of Monkmoor Street for a distance of 18.2 metres in a north easterly direction.

South East Side

From a point 24 metres north east of its junction with the centreline of Union Walk for a distance of 20 metres in a north easterly direction.

**SCHEDULE 7**

**Hackney Carriage Stand (7.00 pm to 7.00 am daily)**

Commercial Road, Hereford

North West Side

From a point 47.9 metres north east of its junction with the north eastern kerb line of Blueschool Street for a distance of 29.5 metres in a north easterly direction.

From a point 47.5 metres south west of its junction with the centreline of Stonebow Road for a distance of 12 metres in a south westerly direction

South East Side

From a point 68.7 metres south west of its junction with the centreline of Stonebow Road for a distance of 38 metres in a south westerly direction.

From a point 25.7 metres south west of its junction with the centreline of Union Walk for a distance of 32.1 metres in a south westerly direction.

**Hackney Carriage Stand (11.30 pm to 7.00 am daily)**

Commercial Road, Hereford

North West Side

From a point 26.7 metres north east of its junction with the north eastern kerb line of Blueschool Street for a distance of 21.2 metres in a north easterly direction.

South East Side

From a point 76.4 metres from its junction with the north eastern kerblines of Bath Street for a distance of 32.5 metres in a north easterly direction.

