

ROAD TRAFFIC REGULATION ACT 1984

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

**(THE CRESCENT, THE CRESCENT, CHURCHILL ROAD, MILL STREET, OAK PLOCK, MILL STREET AND NEW SCHOOL ROAD, KINGTON)
(PROHIBITION OF WAITING) ORDER 2008**

The County of Herefordshire District Council ("the Council") in exercise of its powers under sections 1, 2 and 32 of the Road Traffic Regulation Act 1984 ("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 of 1984, hereby make the following Order: -

1. This Order shall come into operation on the 31st October 2008 and may be cited as the County of Herefordshire District Council (The Crescent, The Crescent, Churchill Road, Mill Street, Oak Plock (Private Road), Mill Street and New School Road, Kington) (Prohibition of Waiting) Order 2008

2. (1) In this Order:-

"Buses" means motor vehicles constructed or adapted to carry more than 8 passengers (exclusive of the driver)

"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 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 5 and 6 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 at any time on the lengths of road as mentioned in Schedule 1 hereto as shown for identification purposes only on the attached plan
4. Save as provided in Articles 5 and 6 of this Order no person shall except upon the direction or with the permission of a police officer or Civil Enforcement Officer cause or permit any vehicle (except as stated in the appropriate Schedule) to wait on the lengths of road and between the times as stated in Schedules 2 and 3 hereto as shown for identification purposes only on the attached plan
5. Nothing in Articles 3 and 4 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 therein 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 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, 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 Articles 3 and 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 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 substitution or re-enactment thereof.

Previous Orders

9. The provisions of the previous traffic regulation order as listed and referred to in Schedule 4 hereto that relate to the lengths of road as stated therein will be revoked on the coming into operation of this Order

Dated this 29th October 2008

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

..... Authorised Officer



SCHEDULE 1

Prohibition of Waiting at any time

1. U91216 – The Crescent

- a. The north eastern side of the U91216 The Crescent from the northern kerb line of the U91215 The Crescent, for a distance of 13metres in a north western direction.
- b. The north eastern side of the U91216 The Crescent from the southern kerb line of the U91215 The Crescent, for a distance of 5metres in a south eastern direction

2. U91215 – The Crescent

- a. Both sides of the U91215 for a distance of 13metres in a northeastern direction from the junction of the U91215 The Crescent with the U91216 The Crescent.
- b. Both sides of the U91215 for a distance of 13 metres in a southwestern direction from the junction of the U 91215 The Crescent with the U 91214 Churchill Road.

3. U91214 – Churchill Road

- a. Both sides of the U91214 from its junction with the U91213 Mill Street in a northwestern direction for a distance of 20metres.
- b. The south western side of the U91214 Churchill Road from the northern kerb line of the U91215 The Crescent for a distance of 20 metres in a north western direction.
- c. The south western side of the U91214 Churchill Road from a point 50metres North west of the northern kerb line of the U91215 The Crescent to a point 20metres North west of the northern kerb line of the U91215 The Crescent.
- d. The north eastern side of the U91214 Churchill Road from the northern kerb line of Oak Plock for a distance of 40metres in a north western direction.

4. Oak Plock

Both sides of Oak Plock for a distance of 10metres in a northeastern direction from the junction of Oak Plock with the U91214 Churchill Road.

SCHEDULE 2

Prohibition of Waiting (8.00am to 6.00 pm inclusive)

1. U91213 – Mill Street –

From its junction with high street for a distance of 150metres in a south western direction

SCHEDULE 3

Prohibition of Waiting (8am – 9am and 3pm – 4pm) except for buses

1. U91213 – New School Road

From a point 71 metres north of the northern kerb line of the U91213 Park Avenue for a distance of 24metres in a northerly direction.

2. U91214 – Churchill Road

From a point 27metres North west of the junction with U91213 – Mill Street for a distance of 31 metres in a north-western direction.

SCHEDULE 4

PREVIOUS TRAFFIC REGULATION ORDERS TO BE REVOKED (IN PART)(AS INDICATED)

The County of Hereford and Worcester (Various Roads, Kington) (Prohibition and Restriction of Waiting) Order 1981



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Proposed waiting restriction - Single

SCALE:

Survey	Date	Scale
Designed By	Date	Scale
Drawn By	Date	Scale
Checked By	Date	Scale

MICHEAL HAINGE
DIRECTOR OF ENVIRONMENT & CULTURE
HEREFORDSHIRE

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