

NOTICE OF MAKING

HEREFORDSHIRE COUNCIL

(HEDGEROW WAY LINK ROAD BETWEEN A49 AND A4103, HOLMER) (7.5 TONNES MAXIMUM GROSS WEIGHT)

ORDER 2020

Notice is hereby given that the County of Herefordshire District Council, known as Herefordshire Council, in exercise of its enabling powers under Section 1, 2 and 3 of the Road Traffic Regulation Act 1984 (Referred to as "The Act") & The Road Traffic Act 1991 has made the above-named Order. The general effect of the Order will be to prohibit the use of vehicles exceeding 7.5 tonnes maximum gross weight on the following road; **USRN 23231224 Hedgerow Way Link Road, Holmer** - For its entire length, from its junction with A49 to its junction with A4103.

This Order will come into operation on 31 December 2020

Due to the difficulty for local authorities to make documents relating to Proposed Traffic Regulation Orders available for public inspection in their offices during the coronavirus pandemic, **The Traffic Orders Procedure (Coronavirus) (Amendment) (England) Regulations 2020**, (which came into force on 23 May 2020) have been introduced to enable local authorities to put alternative arrangements in place to make documents available to the public.

The following alternative arrangements are in place to allow the public to view or obtain copies of documents giving further details of this proposal:

A copy of the Order, with plan and Statement of Reasons can be viewed on the Council's website at www.herefordshire.gov.uk in the Introduced Traffic Regulation Order section.

Requests for copies of the Order, plan and Statement of Reasons or general enquiries relating to this Order can be made by calling 01454 332100, by email to will@adltraffic.co.uk or by post to Traffic Management Team, ADL Traffic and Highways Engineering Ltd, ADL House, Oaklands Business Park, Armstrong Way, Yate, Bristol BS37 5NA.

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. *Any representations received by the Council may be imparted to third parties.*

We will keep your data for up to 7 years. Your information may be shared with other Balfour Beatty teams within Herefordshire and Herefordshire Council in order to

provide you with the service. Individuals have a number of rights under data protection law, including the right to request their information. You also have a right to make a complaint about our handling of your personal data to the Information Commissioner's Office <https://ico.org.uk/>

Mairead Lane

Acting Assistant Director Highways & Transport

ROAD TRAFFIC REGULATION ACT 1984

HEREFORDSHIRE COUNCIL (HEDGEROW WAY LINK ROAD BETWEEN A49 AND A4103, HOLMER) (7.5 TONNES MAXIMUM GROSS WEIGHT) ORDER 2020

The County of Herefordshire District Council (known as "Herefordshire Council") in exercise of their powers under sections 1, 2 and 3 of the Road Traffic Regulation Act 1984 (referred to as "the Act"), and 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, hereby make the following Order:-

1. The Order shall come into operation on the 31st day of Dec 2020 and may be cited as the Herefordshire Council (Hedgerow Way Link Road between A49 and A4103, Holmer) (7.5 tonnes maximum gross weight) Order 2020
2. Save as provided in Article 4 of this Oder 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 (when authorised by statute), cause or permit any Vehicle, the Maximum Gross Weight of which exceeds 7.5 tonnes to proceed along the following Road:

Hedgerow Way Link Road, Holmer - from its junction with A49 to its junction with A4103, for its entire length.

3. In this Order-

Any reference to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment. Where the context otherwise requires the following expressions have the meaning hereby respectively assigned to them.

"Goods Vehicle" shall have the same meaning as in Schedule 1 of the Traffic Signs Regulations and General Directions 2016;

"Heavy Commercial Vehicle" has the meaning as in section 138 of the Act;

"Vehicle" means "Heavy Commercial Vehicle";

"Maximum Gross Weight" shall have the same meaning as in the Traffic Signs Regulations and General Directions 2016:

4. Nothing in Article 2 of this Order shall render it unlawful to cause a Vehicle exceeding 7.5 tonnes Maximum Gross Weight to proceed along the length of roads referred to in that Article if the Vehicle:-
 - (a) is being used for the conveyance of persons, goods or merchandise, furniture or effects to or from any land or premises situate on or adjacent to the said length of road to which there is no satisfactory alternative means of access;


- (b) is being used in connection with any building or industrial operation or demolition in or adjacent to the length of road, the removal of any obstruction of traffic, or the maintenance, improvement or reconstruction of the said length of road or the laying, erection, alteration or repair in or adjacent to the length 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 (as amended);
 - (c) is being used in an emergency for fire brigade, police or ambulance purposes;
 - (d) is being used for the purposes of agriculture in connection with land adjacent to the said length of road for or in connection with the conveyance or haulage of timber felled upon that land;
 - (e) is being used to proceed to or from any premises which are situated on or adjacent to the said length of road and at which the vehicle is to be, or has been garaged, serviced or repaired;
 - (f) is being used in connection with a circus, fair or similar event the holding of which is on, or in the vicinity of the said length of road and has had prior written authorisation by the Council;
 - (g) is being used on the said length of road for or in connection with the conveyance of goods for sale from that vehicle;
 - (h) is being used to gain access to any land or premises situated on or adjacent to the said length of road to which there is not a satisfactory alternative means of vehicular access;
 - (i) is a mechanical road cleansing vehicle;
 - (j) cannot conveniently be used for such purpose in any other road, other than the said length of road specified in this Order, when being used in pursuance of statutory powers or duties;
 - (k) is a public service vehicle.
5. The Council are satisfied that, for preserving or improving the amenities of the lengths of roads referred to in Article 1 of this Order, by restricting the use on the said lengths of roads of Heavy Commercial Vehicles, it is requisite that Section 3(1) of the Act should not apply in relation to this Order.
6. References to any statutory provision herein shall include reference to any statutory modification or re-enactment thereof.

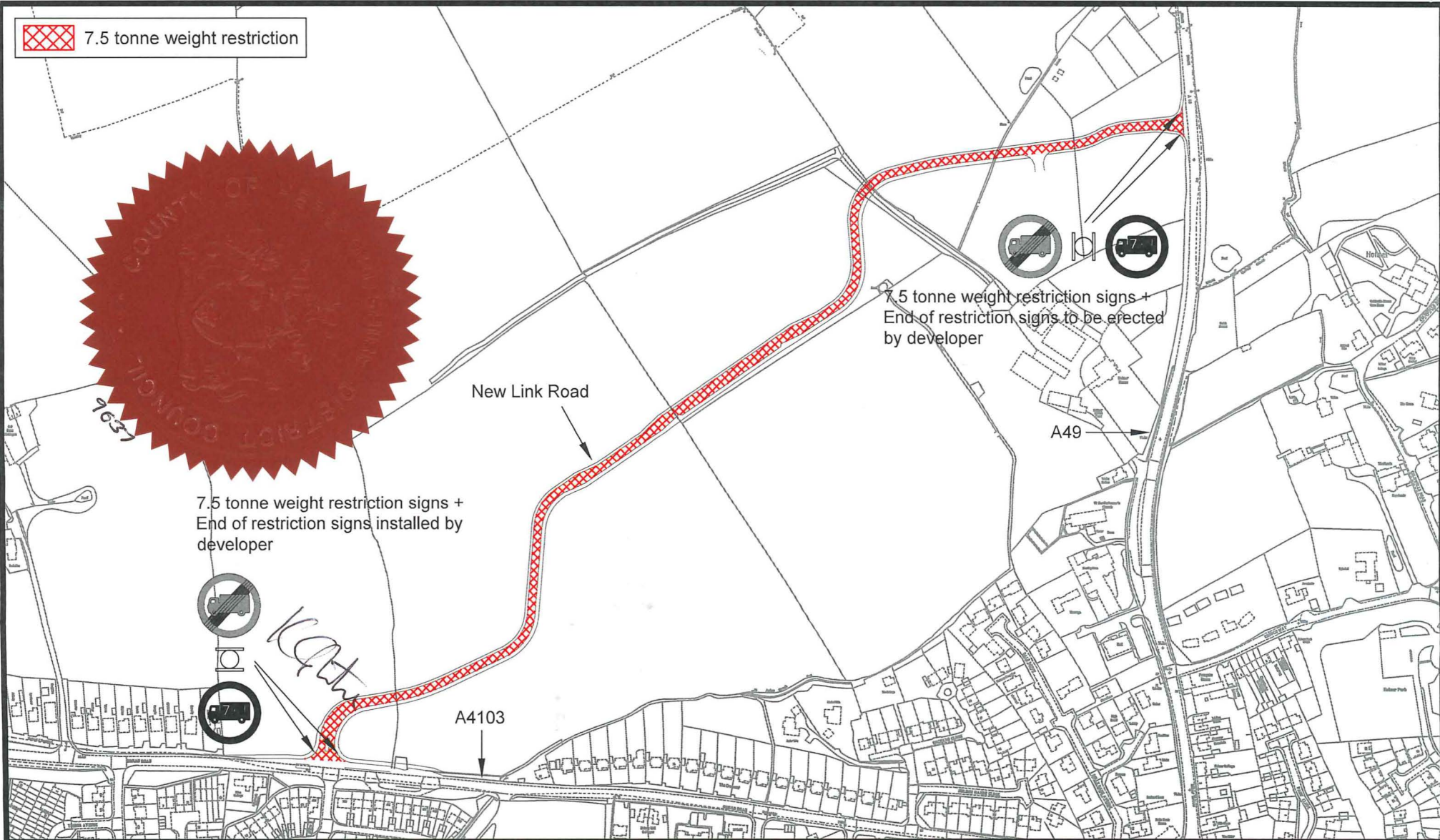
Dated this 6 Day of Nov 2020

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

[Handwritten Signature] Authorised Officer



 7.5 tonne weight restriction



ADL
TRAFFIC &
HIGHWAYS

ADL House
The Oaklands Business Park
Yate, Bristol
BS37 5NA
Tel : 01454 332100
Fax : 01454 327983
E-Mail : CAD@ADLTRAFFIC.CO.UK

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 PLAN IS BASED UPON A DIGITAL OSBASE.
 4. ALL DETAILS TO BE CONFIRMED ON SITE AND ON A TOPOGRAPHICAL SURVEY.
 5. ALL TRACKS ASSUME GRADIENTS AND CAMBERS DO NOT EXCEED 1:60 AND 1:40 RESPECTIVELY OTHERWISE VEHICLE MANOEUVRABILITY MAY BE AFFECTED.
 6. ALL LAND OWNERSHIP DETAILS, EXTENT OF ADOPTED HIGHWAY AND RIGHTS OF WAY TO BE CONFIRMED.
 7. ASSUMES ALL LANDSCAPING CAN BE ALTERED AND NO TREES ARE SUBJECT TO TPO.
- © Copyright ADL Traffic and Highways Engineering Ltd

AMENDMENTS

REF.	DATE	DESCRIPTION

ADL Job No. 3409

Project Hedgerow Way Link Road
Holmer, Hereford

Title 7.5 Tonne Weight Restriction

Date 30.10.2019 Drawn TD

Checked Date Approved Date

Scale Dwg No. Rev.
N.T.S@A3 3409-60

HEREFORDSHIRE COUNCIL

STATEMENT OF REASONS FOR PROPOSING

HEREFORDSHIRE COUNCIL

(HEDGEROW WAY LINK ROAD BETWEEN A49 AND A4103, HOLMER) (7.5 TONNES MAXIMUM GROSS WEIGHT)

ORDER 2020

The implementation of the proposed 7.5 tonne maximum weight limit made under the Road Traffic Regulation Act 1984 & the Road Traffic Act 1991 is necessary for the following reasons:

For preventing the use of the road by unsuitable traffic

Secure the expeditious, convenient and safe movement of traffic

For preserving the character of this residential road for pedestrians and cyclists

Preserving air quality

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, and

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.

Mairead Lane
Acting Assistant Director Highways and Transport