

# NOTICE OF MAKING

## HEREFORDSHIRE COUNCIL (VARIOUS ROADS, LEOMINSTER)

### (PROHIBITION OF WAITING AT ANY TIME) ORDER 2021

Notice is hereby given that the County of Herefordshire District Council, known as Herefordshire Council, in exercise of its powers under Sections 1 and 2 of Part 1 of the Road Traffic Regulation Act 1984 (referred to as the “Act”) and all its enabling powers has made the above named order, the effect of which will be to prohibit waiting at any time on the stretches of road listed in the Schedule below.

#### **This Order will come into operation on 5 February 2021**

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 Order:

A copy of the Order, with plan and Statement of Reasons can be viewed on the Council’s website at [www.herefordshire.gov.uk](http://www.herefordshire.gov.uk) in the Introduced Traffic Regulation Order section.

General enquiries relating to the Order should be referred to the Traffic Management Team at ADL Traffic and Highways Engineering Ltd (Tel: 01454 332100) or by email to [will@adltraffic.co.uk](mailto:will@adltraffic.co.uk).

Photocopies of the Order may be provided on payment of photocopying charges to the Council.

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 [www.ico.org.uk/](http://www.ico.org.uk/)*

Mairead Lane, Acting Assistant Director Highways and Transport

<b>Schedule 1 – Prohibition of Waiting at Any Time (Double Yellow Line) Restrictions</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Road</b>	<b>Side</b>	<b>Description</b>

<b>South Street</b>		
South Street	West	From a point at its junction with Churchill Avenue for a distance of 3m in a southerly direction
<b>Churchill Avenue</b>		
Churchill Avenue	North	From its junction with South Street for a distance of 32m in a westerly direction
Churchill Avenue	North	From a point 43m west of its junction with South Street for a distance of 34m in a westerly direction
Churchill Avenue	South	From its junction with South Street for a distance of 21m in a westerly direction
Churchill Avenue	South	From a point 36m west of its junction with South Street for a distance of 6m in a westerly direction
Churchill Avenue	South	From a point 70m west of its junction with South Street for a distance of 16m in a south-westerly direction
<b>Easternmost Junction of Croft Street, Mortimer Place and Churchill Avenue</b>		
Croft Street	North	From the common boundary of Number 4 and Number 6 Croft Street for a distance of 41m in a north-easterly direction
Mortimer Place	West	
Croft Street	South	From the common boundary of Number 1 and Number 3 Croft Street for a distance of 36m in a south-easterly direction
Churchill Avenue	West	From a point 6m north of the southern boundary of Number 8 Beech Terrace for a distance of 11m in a north-easterly direction
Churchill Avenue	East	
Mortimer Place	East	From the southern boundary of Number 5 Churchill Avenue for a distance of 20m in a southerly direction
<b>Junction of Mortimer Street, Mortimer Place and Alderman's Meadow</b>		
Mortimer Street	North	From a point 13m west of the eastern boundary of the Bowling Green for a distance of 32m in an easterly direction
Alderman's Meadow	West	
Mortimer Street	South	From a point 8m east of the common boundary of Number 5 and Number 3 Mortimer Street for a distance of 39m in a south-easterly direction
Mortimer Place	West	
Mortimer Street	East	From the southern boundary of Number 6 Alderman's Meadow for a distance of 37m in a southerly direction
Alderman's Meadow	East	
<b>Junction of Croft Street and Wigmore Street</b>		
Wigmore Street	East	From a point 10m south of the common boundary of Number 2 and Number 4 Wigmore Street for a distance of 33m in a south-easterly direction
Croft Street	North	
Wigmore Street	West	From the common boundary of Number 13 and Number 15 Wigmore Street for a distance of 37m in a south-westerly direction
<b>Westernmost Junction of Churchill Avenue and Croft Street</b>		
Croft Street	South	From its junction with Churchill Avenue to a point 13m east of its junction with Churchill Avenue
Croft Street	South	From its junction with Churchill Avenue for a distance of 51m in a westerly direction (into Wigmore Street)
Churchill Avenue	West	From its junction with Croft Street to a point 19m south of its junction with Croft Street
Churchill Avenue	East	From its junction with Croft Street to a point 21m south of its junction with Croft Street
<b>Junction of Mortimer Street and Wigmore Street</b>		

Mortimer Street	South	From its junction with Wigmore Street to a point 10m west of its junction with Wigmore Street
Mortimer Street	South	From its junction with Wigmore Street to a point 10m east of its junction with Wigmore Street
Wigmore Street	East	From its junction with Mortimer Street to a point 10m south of its junction with Mortimer Street
Wigmore Street	West	From its junction with Mortimer Street to a point 10m south of its junction with Mortimer Street
<b>Junction of Churchill Avenue and George Street</b>		
Churchill Avenue	South	From its junction with George Street to a point 4m east of its junction with George Street
Churchill Avenue	South	From its junction with George Street to a point 8m west of its junction with George Street
George Street	West	From its junction with Churchill Avenue to a point 10m south of its junction with Churchill Avenue
George Street	East	From its junction with Churchill Avenue to a point 10m south of its junction with Churchill Avenue
<b>Junction of Elm Close and Hereford Road</b>		
Hereford Road	West	From its junction with Elm Close to a point 10m north of its junction with Elm Close
Hereford Road	West	From its junction with Elm Close to a point 10m south of its junction with Elm Close
Elm Close	South	From its junction with Hereford Road to a point 18m west of its junction with Hereford Road
Elm Close	North	From its junction with Hereford Road to a point 17m west of its junction with Hereford Road

## **ROAD TRAFFIC REGULATION ACT 1984**

### **HEREFORDSHIRE COUNCIL (VARIOUS ROADS, LEOMINSTER) (PROHIBITION OF WAITING AT ANY TIME) ORDER 2021**

The County of Herefordshire District Council, also known as Herefordshire Council, ("the Council") in exercise of its powers under Sections 1 and 2 of Part 1 of the Road Traffic Regulation Act 1984 (referred to as "the Act"), after consultation with the Chief Officer of Police in accordance with Part 3 of Schedule 9 of the Act and of all other enabling powers hereby makes the following Order:

#### **PART ONE - INTRODUCTION**

##### **CITATION**

- 1.1 This Order shall come into operation on the 5 day of February 2021 and may be cited as HEREFORDSHIRE COUNCIL (VARIOUS ROADS, LEOMINSTER) (PROHIBITION OF WAITING AT ANY TIME) ORDER 2021.

##### **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:

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

"Disabled Person's Vehicle" means a vehicle displaying a valid Disabled Persons Badge and Parking Disc

"Disabled Persons Badge" has the same meaning as in The Disabled Persons (Badges for Motor Vehicles) Regulations 2000

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

"Council" means The County of Herefordshire District Council (known as Herefordshire Council)

“Passenger Vehicle/s” means a Motor Vehicle constructed solely for the carriage of passengers and their effects and adapted to carry not more than twelve passengers exclusive of the Driver, and not drawing a trailer

“Temporary Parking Restriction Dispensation Permit” means a document issued at the discretion of the Council, subject to change, which exempts a vehicle from certain parking restrictions

“Motor Vehicle” has the same meaning as in Section 136 of the Road Traffic Regulation Act 1984

## **PART TWO – PROHIBITION OF WAITING**

### **NO WAITING AT ANY TIME**

- 2.1** No person shall cause or permit any vehicle to wait at any time in the lengths of road specified in Columns 1, 2 and 3 in Schedule 1 to this Order.

## **PART THREE - EXEMPTIONS**

### **GENERAL EXEMPTIONS**

- 3.1** Nothing in Article 2.1 shall prohibit any vehicle from stopping or waiting for as long as reasonably necessary in the following circumstances:
- a) The vehicle is directed to stop or wait by or with the permission of a police officer or Civil Enforcement Officer in uniform
  - b) The vehicle is being used for emergency services purposes
  - c) To prevent a road traffic collision
  - d) The vehicle cannot be moved due to an unavoidable breakdown
  - e) The vehicle, not being a Passenger Vehicle, is stopped or waiting only for so long as may be reasonably necessary to enable it to be used for the purpose of any building operation, demolition or excavation or the maintenance, improvement or reconstruction of any said lengths of 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 any said lengths of road
  - f) The vehicle, not being a Passenger Vehicle, is in actual use in connection with the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository, 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
  - g) The vehicle is being used for the purpose of delivering or collecting postal packets

Dated this 22 Day of January 2021

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

-----Authorized Officer



## **PROHIBITION OF WAITING EXEMPTIONS**

**3.2** Nothing in Article 2.1 shall apply to a vehicle waiting for as long as necessary in the following circumstances:

- a) The vehicle is waiting for the purposes of loading or unloading that vehicle, provided the loading/unloading is continuous and being undertaken in a timely manner, the goods being loaded/unloaded cannot be reasonably carried other than by means of a vehicle, the vehicle is waiting adjacent to where the goods are being loaded/unloaded from/to and the length of time the vehicle is waiting for is reasonable
- b) To allow the picking up or setting down of passengers
- c) The vehicle is a cleaning or refuse vehicle collecting rubbish in the immediate vicinity
- d) The vehicle is waiting for the purpose of removing an obstruction to traffic
- e) The vehicle is a liveried utility company being used in connection with works of that utility in the immediate vicinity
- f) The vehicle is a Disabled Persons Vehicle, provided the vehicle does not wait for longer than three hours and at least one hour has elapsed following a previous period of waiting by the vehicle in the same road or part of a road
- g) The vehicle is displaying a valid Temporary Parking Restriction Dispensation Permit issued by the Council

## **PART FOUR – CONTRAVENTIONS AND REVOCATIONS**

### **CONTRAVENTION**

**4.1** Any person or vehicle failing to comply with the provisions of this Order shall be in contravention of it and a penalty charge shall be payable.

### **REVOCATIONS**

**4.2** The following Order is to be revoked in full:

- **THE COUNTY OF HEREFORD AND WORCESTER (CHURCHILL AVENUE, LEOMINSTER) (PROHIBITION OF WAITING) ORDER 1990**

**4.3** The following Order is to be revoked only in respect to the lengths of roads affected by this Order:

- **THE COUNTY OF HEREFORD AND WORCESTER (GEORGE STREET, LEOMINSTER) (RESTRICTION OF WAITING) ORDER 1993**

List of Schedules (for information only)

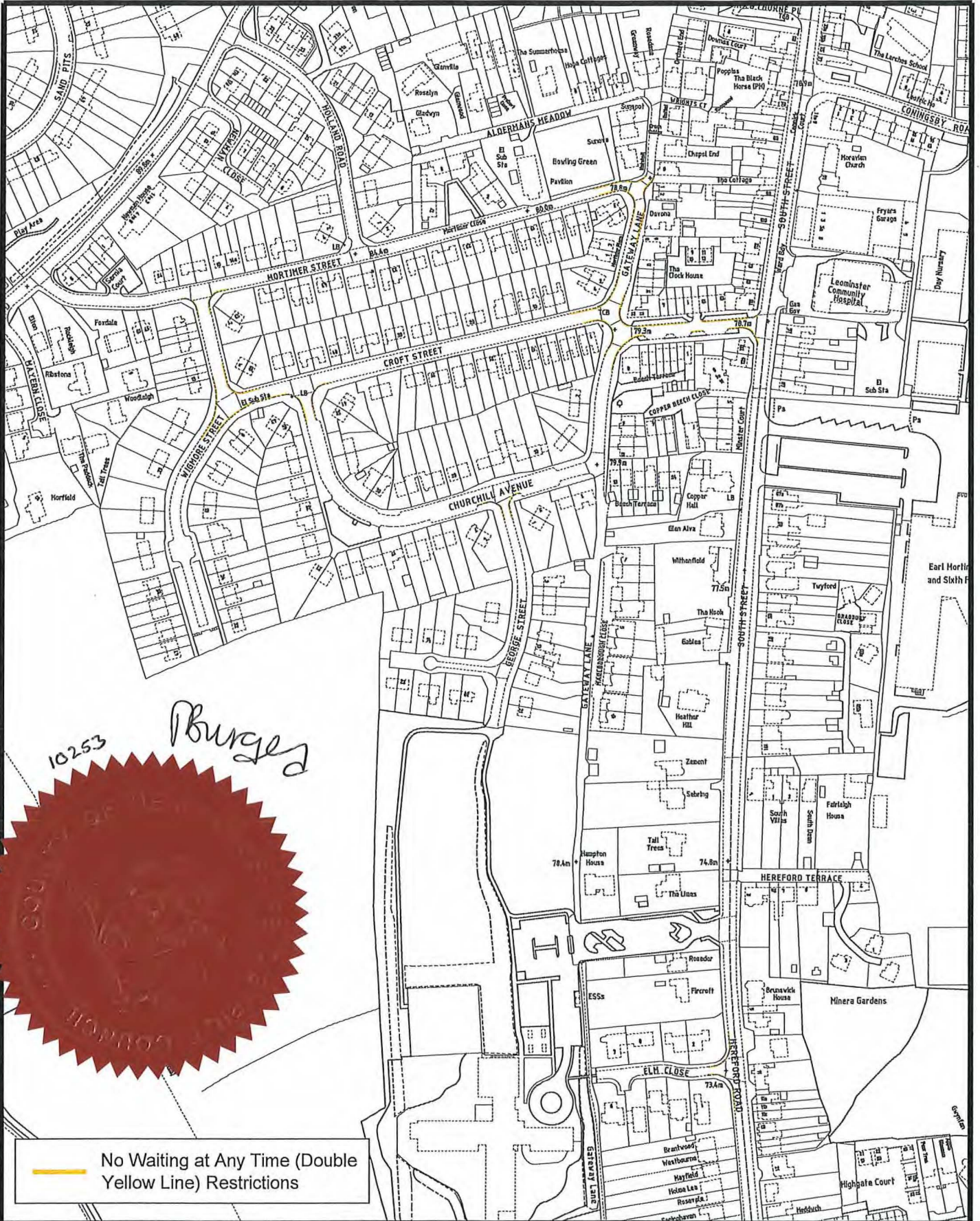
<b>Schedule 1</b>	Prohibition of Waiting at Any Time (Double Yellow Line) Restrictions
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10253 Burgess



No Waiting at Any Time (Double Yellow Line) Restrictions



**ADL**  
**T R A F F I C &**  
**H I G H W A Y S**

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- 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 1:50 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.
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AMENDMENTS	
REF.	DESCRIPTION
ADL Job No.	3409

Project		Leominster Herefordshire	
Title			
Location Plan of No Waiting at Any Time Restrictions			
Date	November 2020	Drawn	CJ
Checked		Approved	
Scale	1:2000@A3	Dwg No.	3409-66
		Rev.	

# **STATEMENT OF REASONS FOR PROPOSING**

## **HEREFORDSHIRE COUNCIL**

### **(VARIOUS ROADS, LEOMINSTER)**

### **(PROHIBITION OF WAITING AT ANY TIME)**

### **ORDER 2021**

The implementation of the proposed waiting restrictions under Section 1 & 2 of the Road Traffic Regulation Act 1984 is necessary for the following reasons:

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.

For preserving or improving the amenity of the area through which the road runs.

For the enhancement of visibility at the various junctions

For the improvement of safety for vulnerable road users utilising these sections of the network

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