

NOTICE OF MAKING

HEREFORDSHIRE COUNCIL

(C1227 GRAFTON LANE & C1228 PORTWAY TO HAYWOOD)

(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 enabling powers under Sections 1 & 2 of Part 1 of the Road Traffic Regulation Act 1984 has made the above-named order the general effect of which will be:

To introduce No Waiting at Any Time (Double Yellow Line) Restrictions on the C1227 and C1228 immediately west of the A49 at Portway.

This Order will come into operation on 20 August 2021.

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. They are also available for inspection during normal office hours at Blue School House, Blue School Street, Hereford, HR1 2LX. Photocopies of the same may be provided on payment of photocopying charges at the Council.

General enquiries relating to the proposal and requests for a copy of the Order, with plan and Statement of Reasons can 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.

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 and Transport

ROAD TRAFFIC REGULATION ACT 1984

HEREFORDSHIRE COUNCIL (C1227 GRAFTON LANE & C1228 PORTWAY TO HAYWOOD) (PROHIBITION OF WAITING AT ANY TIME) ORDER 2021

The County of Herefordshire District Council ("the Council"), known as Herefordshire Council, under Sections 1 and 2 of Part 1 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (referred to as "the Act"), after consultation with the Chief Officer of Police in accordance with Part III 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 20 day of August 2021 and may be cited as (C1227 GRAFTON LANE & C1228 PORTWAY TO HAYWOOD) (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

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 In accordance with Part IV of Schedule 9 of the Act, any previous Waiting Restriction Orders relating to the lengths of road referred to in this Order are hereby revoked on the coming into operation of this Order.

Dated this 6th Day of August 2021

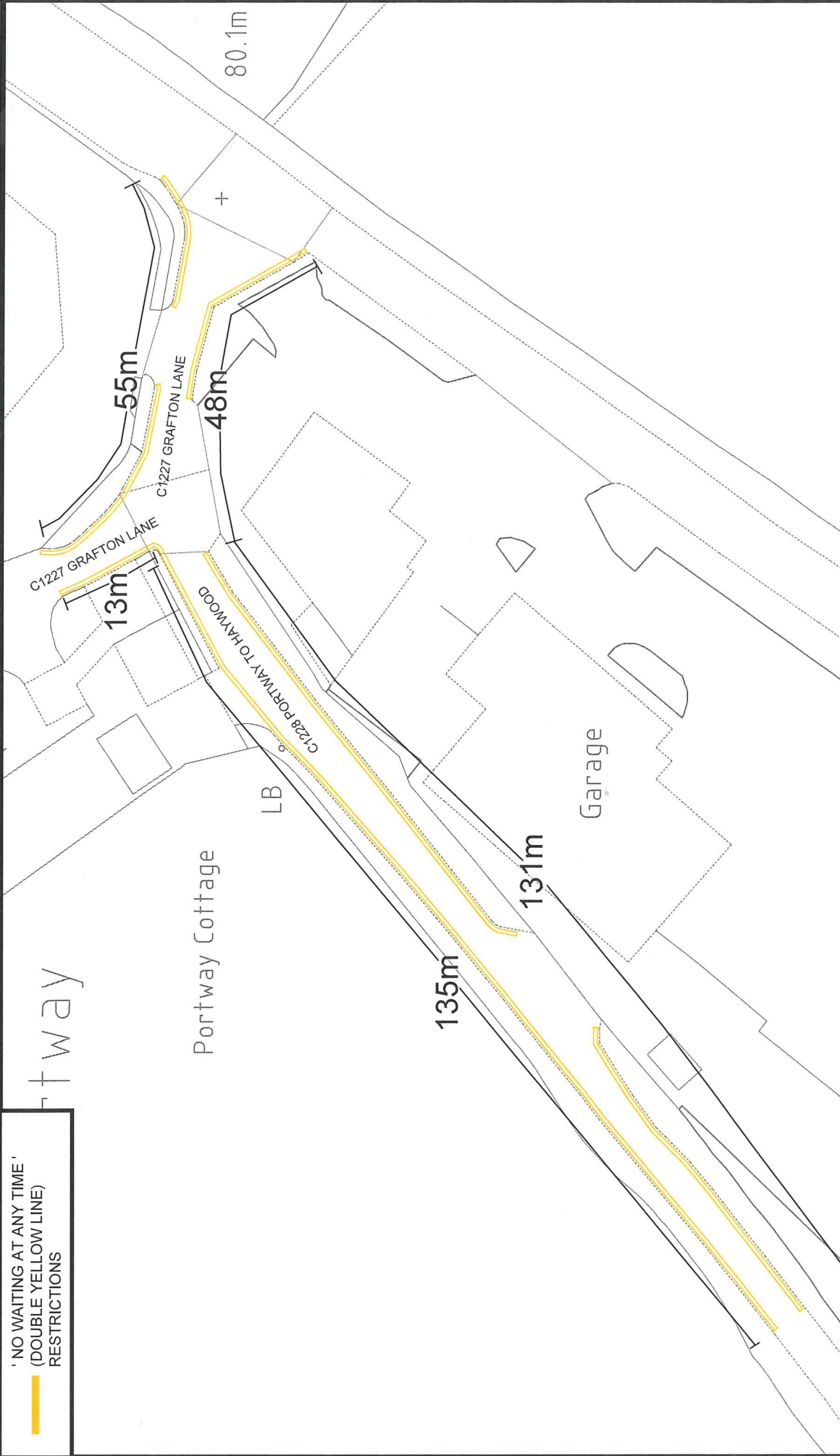
THE COMMON SEAL of the
COUNTY OF HEREFORDSHIRE
DISTRICT COUNCIL
was hereunto affixed **BY ORDER**

D. Swale-----Authorised Officer



Schedule 1 – No Waiting at Any Time

Column 1	Column 2	Column 3
Road	Side	Description
C1227 Grafton Lane	North	From its junction with A49 for a distance of 55m in a westerly direction
C1227 Grafton Lane	South-West	From its junction with A49 to its junction with C1228 Portway to Haywood (a distance of 48m)
C1227 Grafton Lane	South-West	From its junction with C1228 Portway to Haywood for a distance of 13m in a north-westerly direction
C1228 Portway to Haywood	North-West	From its junction with C1227 Grafton Lane for a distance of 135m in a south-westerly direction
C1228 Portway to Haywood	South-East	From its junction with C1227 Grafton Lane for a distance of 131m in a south-westerly direction



'NO WAITING AT ANY TIME'
(DOUBLE YELLOW LINE)
RESTRICTIONS

Project		C1227 & C1228 Herefordshire	
Title		'No Waiting at Any Time' (DYL) Restrictions	
Date	JUNE 2021	Drawn	WW
Checked	TH 23.06.2021	Approved	TH 23.06.2021
Scale	1:500@A3	Orig. No.	3409-82-001

ADL Job No.	3409-82
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REF.	DATE	DESCRIPTION

NOTES

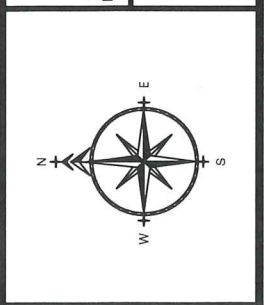
1. PRELIMINARY DESIGN PROVIDED FOR ILLUSTRATIVE PURPOSES ONLY. ALL DETAILS ARE SUBJECT TO INCLUDING CHECKING STATUTORY SERVICE APPARATUS.
2. DO NOT SCALE FROM THIS DRAWING.
3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
4. ALL DETAILS TO BE CONFIRMED ON SITE AND ON A TOPOGRAPHICAL SURVEY.
5. EXISTING UTILITIES, SERVICES AND OBSTACLES DO NOT EXISTING AND BE CONFIRMED BY AN OTHERWISE VERIFIED MANUVERABILITY MAY BE AFFECTED.
6. ALL LAND OWNERSHIP DETAILS, EXTENT OF RIGHTS AND INTERESTS MUST BE CONFIRMED.
7. ASSUMES ALL LANDSCAPING CAN BE ALTERED AND NO TREES ARE SUBJECT TO TPO.

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ADL

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HEREFORDSHIRE COUNCIL

STATEMENT OF REASONS FOR PROPOSING

ROAD TRAFFIC REGULATION ACT 1984

THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

(C1227 GRAFTON LANE & C1228 PORTWAY TO HAYWOOD)

(PROHIBITION OF WAITING AT ANY TIME)

ORDER 2021

The implementation of the proposed waiting restrictions under Part 1, 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.

To ensure the expeditious, safe and convenient movement of vehicles on C1228 Portway to Haywood and its junctions with C1227 Grafton Lane and the A49

For the enhancement of visibility at the junction of C1227 Grafton Lane and C1228 Portway to Haywood

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