NOTICE OF PROPOSAL

HEREFORDSHIRE COUNCIL (ALTON STREET, ALTON ROAD & CAMP ROAD, ROSS-ON-WYE) (WAITING & PERMIT PARKING) ORDER 2024

The County of Herefordshire District Council, known as Herefordshire Council, in exercise of its powers under Sections 1, 2, 3, 4, 5, 32, 35, 37, 45, 46, 47, 49, 51 and 53 of Part I and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984, proposes to make the above Order, the general effect of which will be to introduce:

Prohibition of Waiting at Any Time restrictions on Alton Street, Alton Road and Camp Road.

Dual Residents Permit Parking/Limited Waiting Monday-Saturday 9am-6pm, 2 Hours, No Return within 2 Hours restrictions on Alton Street.

Further details (including the permit eligibility area) shown on the attached plan. The pricing of Resident Parking Permits are shown below.

Parking Permit Charges		
1 st Parking Permit (new, renewal, duplicate (vehicle only) or visitor)	£30.00	
2 nd Parking Permit	£30.00	
3 rd Parking Permit	£75.00	
4 th /5 th Parking Permit	£100.00	
Replacement permits to change a vehicle registration number cost £10.00.		

Note – There may be limits on the number of permits which may be issued to a particular dwelling/property. Not all dwellings/properties will be eligible for all of the permits detailed in this schedule.

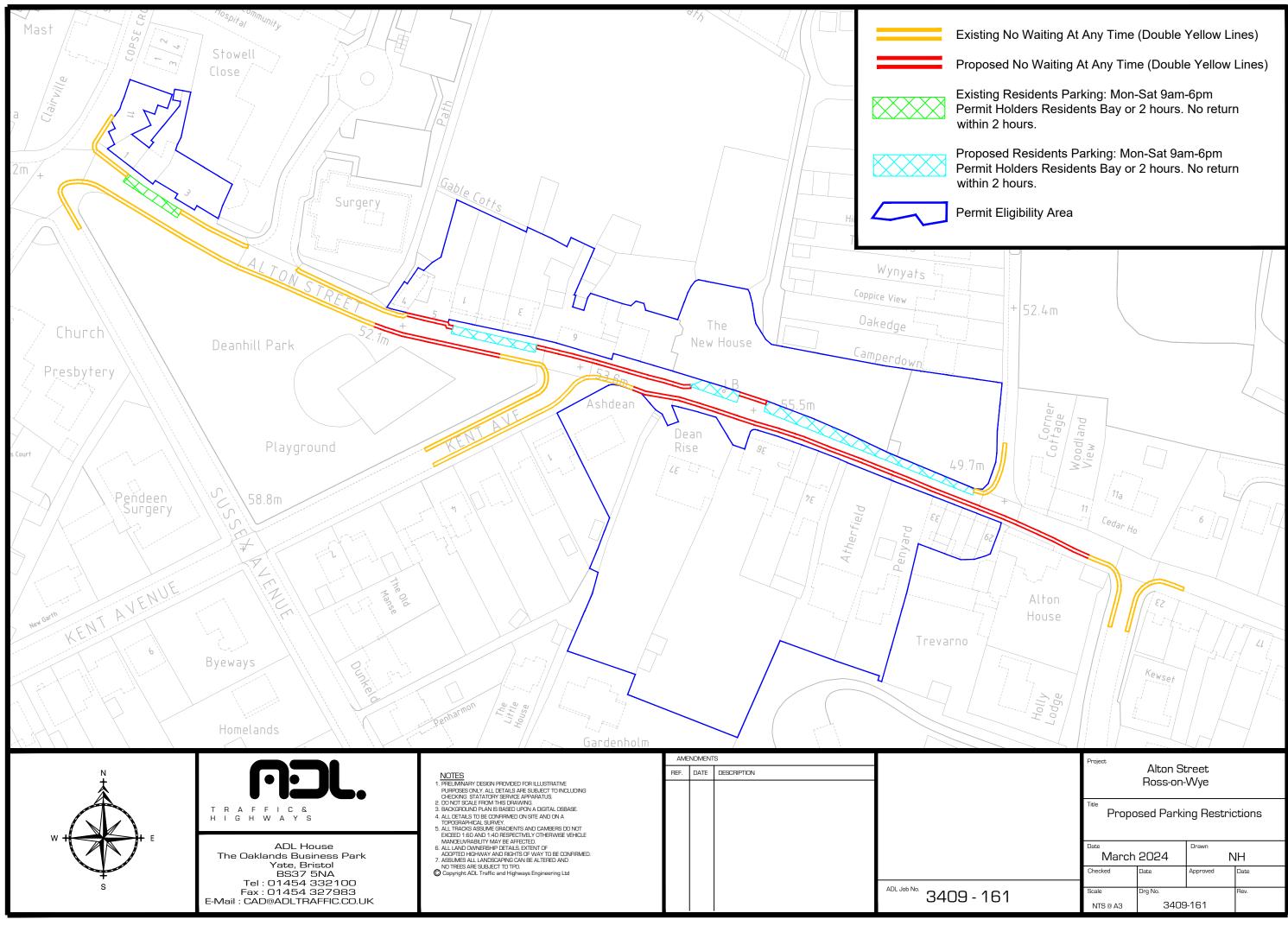
Further information on permit parking can be found on the Council's website using the following link <u>https://www.herefordshire.gov.uk/parking-1/parking-home</u>

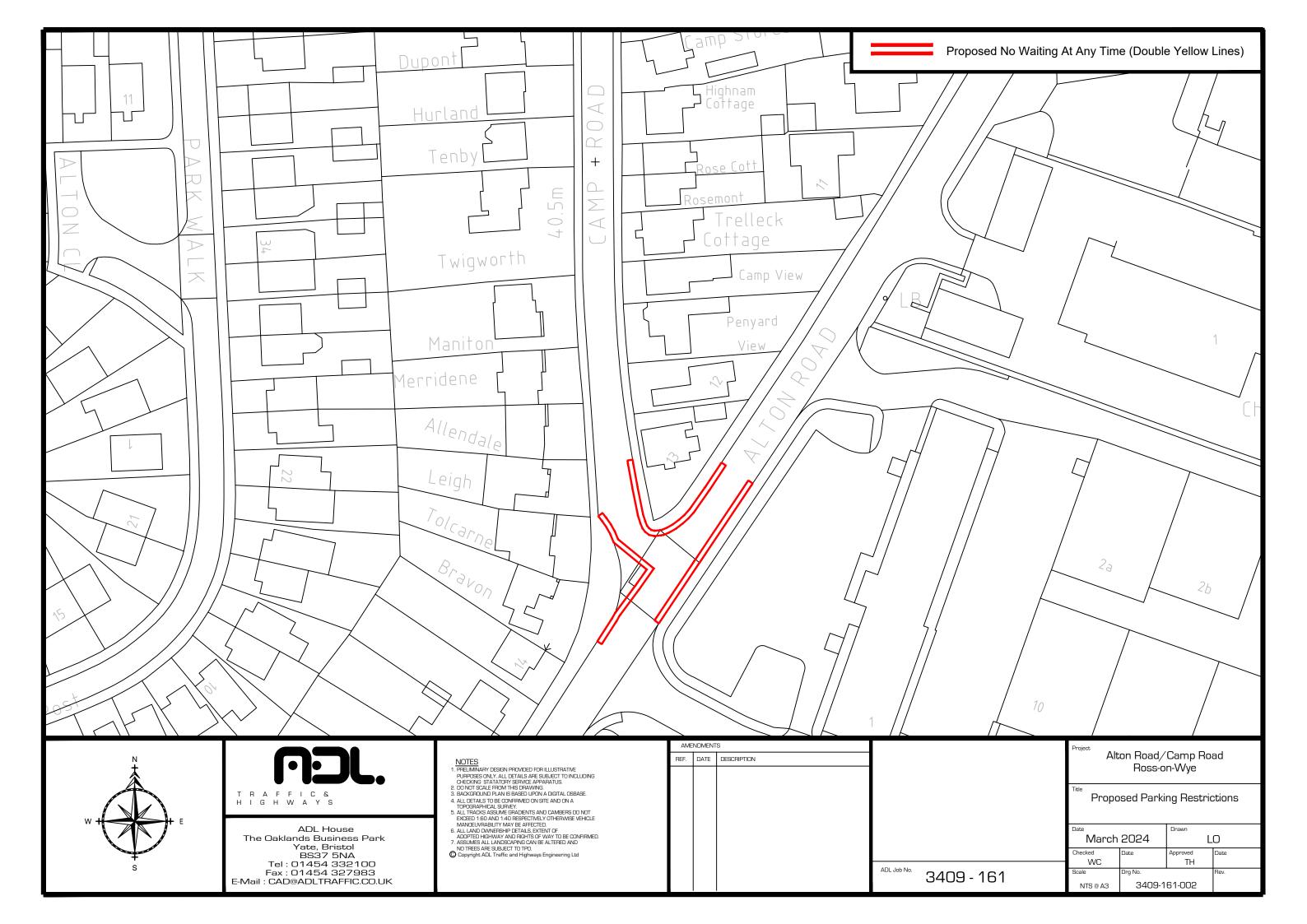
A copy of the draft Order, with plan and Statement of Reasons can be viewed on the Council's website at **<u>www.herefordshire.gov.uk</u>** in the Proposed Traffic Regulation Order section. They are also available for inspection during normal office hours at the Hereford Customer Service Centre, Blue 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 should be referred to the Traffic Management Team at ADL Traffic and Highways Engineering Ltd (Tel: 01454 332100). Objections to the proposal together with the grounds on which they are made must be sent in writing to the Traffic Management Team, ADL Traffic and Highways Engineering Ltd, ADL House, Oaklands Business Park, Armstrong Way, Yate, Bristol BS37 5NA, or by email to info@adltraffic.co.uk The deadline for the receipt of objections is 12:00 noon on Friday 21st June 2024. Representations of support will also be received during this time.

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 <u>https://ico.org.uk/</u>

Mark Averill Service Director for Environment and Highways 30th May 2024





ROAD TRAFFIC REGULATION ACT 1984

HEREFORDSHIRE COUNCIL (ALTON STREET, ALTON ROAD & CAMP ROAD, ROSS-ON-WYE) (WAITING & PERMIT PARKING) ORDER 2024

The County of Herefordshire District Council known as Herefordshire Council, under Sections 1, 2, 3, 4, 5, 32, 35, 37, 45, 46, 47, 49, 51 and 53 of Part I 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 <u>...day of 2024</u> and may be cited as HEREFORDSHIRE COUNCIL (ALTON STREET, ALTON ROAD & CAMP ROAD) (WAITING & PERMIT PARKING) ORDER 2024

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:

"the 2022 Regulations" means the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022, as amended.

"Carriageway" has the same meaning as in section 329(1) of the Highways Act 1980;

"Civil Enforcement Officer" means a person authorised by or on behalf of the Council to supervise any parking place and who is appointed by Herefordshire Council under section 76 of the Traffic Management Act 2004;

"Council" means The County of Herefordshire District Council (known as Herefordshire Council) and includes any parking services contractors or authorised agent appointed by and acting on behalf of the Council for the purposes of any function under the provisions of this Order; "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

"Driver", in relation to a vehicle waiting in a parking place or restricted waiting area, means the person driving the vehicle at the time it was left in the parking place or restricted waiting area;

"Dwelling" means a house or self-contained flat registered for Council Tax purposes

"Goods" means goods of any kind whether animate or inanimate and includes postal packets of any description; and "delivering" and "collecting" in relation to any goods includes checking the goods for the purpose of their delivery or collection

"Light Goods Vehicle" means Motor Vehicle, the maximum gross weight of which does not exceed 3.5 tonnes, which is constructed or adapted for use for the carriage of goods or burden of any description, and is drawing a trailer

"Motor Cycle/s" has the same meaning as in Section 136 of the Road Traffic Regulation Act 1984

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

"Owner", in relation to a vehicle, means the person by whom such vehicle is kept and used and in determining who the owner of a vehicle was at any time it shall be presumed that the owner was the person in whose name the vehicle was at that time registered under the Vehicle Excise and Registration Act 1994

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

"Parking Permit" means a valid permit which is designated as a Residents Parking Permit or Visitors Parking Permit issued by the council pursuant to the provisions of this Order

"Parking Permit Holder" means a person to whom a Parking Permit has been issued

"Parking Place" means any part of a road so marked (if any) and authorised by this order to be used for parking "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

"Penalty Charge" has the same meaning as in the 2022 Regulations or any subsequent legislation so enabling.

"Penalty Charge Notice" means a notice described in Section 78 of the 2004 Act having effect as if issued or served by a Civil Enforcement Officer or posted by the enforcement authority under any regulations for the time being in force under Section 78 of the 2004 Act or any subsequent legislation so enabling.

"Resident Parking Permit" means a permit which can only be issued to a Resident in accordance with the provisions of this Order

"Residents Parking Zone" means an area in which parking is restricted primarily for the benefit of residents. Each zone is identified by a number or letter(s)

"Temporary Parking Restriction Dispensation Permit" means a document issued at dissertation the Council, subject to change, which exempts a vehicle from certain parking restrictions

"Zone" means a Residents Parking Zone

- **1.5** For the purposes of this Order a vehicle shall be regarded as displaying a disabled person's badge in the relevant position when it is so regarded for the purposes of Regulation 3 of The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986, as amended by the Local Authorities Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000.
- **1.6** The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

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 – PARKING PLACES

DESIGNATION OF PARKING PLACES

3.1 Each length of road specified in columns 1, 2 and 3 of Schedule 2 having a width as indicated by the road markings, or in the case of signed only areas a

width that extends across the whole side of the carriageway and any area of the adjacent verge, is designated as a Parking Place.

USE OF PARKING PLACES

- **3.2** A vehicle left in a Parking Place must parked wholly within the boundary of that Parking Place.
- **3.3** No vehicle left in a Parking Place shall be in a position which prevents access to any premises, or which obstructs other road users.
- **3.4** The driver of a Motor Vehicle using a Parking Place must stop the engine as soon as the vehicle is in position and must not start the engine except to change the position of the vehicle or depart from the Parking Place.
- **3.5** Unless the prior written consent of the Council is obtained no vehicle left in a Parking Place shall be used in connection with the sale of any goods or services except where goods (including postal parcels) are being delivered to any premises in the immediate area.

SUSPENSION OF PARKING PLACES

- **3.6** The Council or any person so authorised by the Council may suspend or revoke the use of any Parking Place or part of a Parking Place without prior notice.
- **3.7** No person shall cause or permit any vehicle to wait in a Parking Place which has been suspended.

REMOVAL OF VEHICLES

- **3.8** Where a vehicle is in contravention of Article 3.3 or Article 3.7 the Council or any person so authorised by the Council or a police officer or Civil Enforcement Officer in uniform may remove the vehicle or arrange for the vehicle to be removed from the Parking Place in any manner as they consider necessary.
- **3.9** Any person removing or arranging for a vehicle to be removed under Article 3.8 must make such arrangement as reasonably necessary for the reasonable safe custody of that vehicle.

PERMIT PARKING OR LIMITED WAITING

3.10 No person shall cause or permit any vehicle to wait in the Parking Places specified in columns 1, 2 and 3 of Schedule 3 during the hours specified in column 4 of Schedule 3 for longer than the period of time specified in column 5 of Schedule 3 unless that vehicle is displaying a valid Parking Permit or in respect of which vehicle there is an indication via hand held device that a valid residents permit has been granted in respect of that vehicle, for the Residents Parking Zone specified in column 7 of Schedule 3.

3.11 No person shall cause or permit any vehicle to wait in the Parking Places specified in columns 1, 2 and 3 of Schedule 3 during the hours specified in column 4 of Schedule 3 to return to the same Parking Place within the period of time specified in column 6 of Schedule 3 unless that vehicle is displaying a valid Parking Permit or in respect of which vehicle there is an indication via hand held device that a valid residents permit has been granted in respect of that vehicle, for the Residents Parking Zone specified in column 7 of Schedule 3.

PART FOUR – PARKING PERMITS

APPLICATION FOR PARKING PERMITS

- **4.1** An application for a Parking Permit must be made in the manner specified by the Council.
- **4.2** The Council may require an applicant for a Parking Permit to produce such evidence as considered necessary to verify the information provided as part of the application for a Parking Permit.

ELIGIBILITY FOR PARKING PERMITS

- **4.3** The Council shall maintain a record of those properties which are eligible for Parking Permits and the maximum number of Parking Permits for which each Parking Permit is eligible. As existing Parking Permit Areas are extended, or new Parking Permit Areas introduced the record will be updated. Other additions, for subsequent developments, business premises or for properties outside the area may be considered for inclusion on a temporary or permanent basis, at the discretion of the Council. Houses in multiple occupation will be considered as a single property, unless they have discrete Council tax.
- **4.4** A Parking Permit which is a Residents Parking Permit may only be issued:
 - a) To the owner of the vehicle to which the Parking Permit will apply
 - b) In respect of a vehicle which is a Passenger Vehicle, Light Goods Vehicle or a Motorcycle

ISSUE OF PARKING PERMITS

- **4.5** On receipt of an application made under the provisions of this Order the Council, upon being satisfied that the applicant is eligible and meets all relevant requirements, may issue a Parking Permit.
- **4.6** The charge for the issue of a Parking Permit, valid for one year, shall be as specified in the Explanatory Information Resident Parking Permit Application document found on the Herefordshire Council website.
- **4.7** A duplicate Parking Permit may be issued by the Council if the original Parking Permit has been lost, stolen, or becomes mutilated, defaced, faded discoloured or otherwise illegible.
- **4.8** The charge for the issue of a duplicate Parking Permit shall be £10.

- **4.9** The Council reserves the right to vary the policy, charges, and terms for the issue of a Parking Permit as it considers appropriate and will provide written notice of any such variation as the Council considers appropriate.
- **4.10** Notwithstanding the preceding Articles, the issuing of Parking Permits is at the complete discretion of the Council and exceptional issues of Parking Permits may be undertaken as the Council considers appropriate.

VALIDITY OF PARKING PERMITS

- **4.11** A Parking Permit shall only be valid for use:
 - a) Within the Permit Parking Area in respect of which it was issued
 - b) Where the Parking Permit is a Residents Parking Permit by the vehicle in respect of which it was issued
 - c) Where the Parking Permit is a Visitors Parking Permit with a vehicle whose driver or passenger is visiting the residence to which the Parking Permit was issued or who's driver permanently resides at the residence to which the Parking Permit was issued
- **4.12** A Parking Permit shall cease to be valid in the following circumstances:
 - a) After the expiry date specified on it
 - b) The Parking Permit holder ceases to occupy the dwelling in respect of which the Parking Permit was issued
 - c) The Parking Permit holder ceases to be the owner of the vehicle in respect of which the Parking Permit was issued
 - d) The vehicle in respect of which the Parking Permit was issued has been adapted, modified, or used in such a manner that it ceases to be a vehicle of a class eligible for a Parking Permit as specified in Article 4.4(b)
 - e) The withdrawal of Parking Permit by the Council
 - f) A duplicate Parking Permit is issued by the Council

WITHDRAWAL AND SURRENDER OF PARKING PERMITS

- **4.13** A Parking Permit holder may surrender a Parking Permit to the Council at any time.
- **4.14** A Parking Permit holder must surrender a Parking Permit to the Council in the circumstances specified in Article 4.12 (b) to (f).
- **4.15** The Council may serve notice of the withdrawal of a Parking Permit in writing to the Parking Permit holder at the address given on the application or at any other address believed to be the Parking Permit holders residence or place of business; on receipt of this notice the Parking Permit holder shall surrender the Permit to the Council within 48 hours.

FORM OF PARKING PERMITS

- **4.16** A Parking Permit shall be issued in writing or virtually and shall include the following particulars
 - a) The registration mark of the vehicle to which the Parking Permit applies
 - b) The expiry date of the Parking Permit
 - c) An indication that the Parking Permit was issued by the Council

DISPLAY OF PARKING PERMITS

4.17 A Parking Permit issued in writing must be displayed in the case of a vehicle fitted with a transparent windscreen on the inside surface of the windscreen so that it is facing upwards and can be entirely and easily seen from the outside the vehicle or in the case of a vehicle not fitted with a transparent windscreen, in a conspicuous position on the vehicle.

PART FIVE - EXEMPTIONS

GENERAL EXEMPTIONS

- **5.1** Nothing in this Order 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

- **5.2** 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
- h) The vehicle is displaying a valid Temporary Parking Restriction Dispensation Permit issued by the Council

PERMIT PARKING OR LIMITED WAITING EXEMPTIONS

- **5.5** Nothing in Articles 3.10 or 3.11 shall apply to a vehicle waiting for as long as necessary in the following circumstances:
 - a) The vehicle is a disabled persons vehicle
 - b) The vehicle is a cleaning or refuse vehicle collecting rubbish in the immediate vicinity
 - c) The vehicle is a liveried utility company vehicle being used in connection with works of that utility in the immediate vicinity
 - d) The vehicle is a wedding car or hearse and is being used in connection with a wedding or funeral cortege in the immediate vicinity
 - e) The vehicle is displaying a valid Temporary Parking Restriction Dispensation Permit issued by the Council

PART SIX - CONTRAVENTIONS AND REVOCATIONS

CONTRAVENTION

6.1 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

6.2 In accordance with Part IV of Schedule 9 of the Act, any previous Waiting & Loading Restriction or Residents Permit Parking 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 xxxxxx Day of xxxxxxxxx 2024

THE COMMON SEAL of the

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL was hereunto affixed BY ORDER

-----Authorised Officer

Column 1	Column 2	Column 3		
Road	Side	Description		
Alton Street	South	From a point 10m west of its junction with Kent Avenue for a distance of 32m in a westerly direction.		
Alton Street	South	From a point 12m east of its junction with Kent Avenue for a distance of 142m in an easterly direction.		
Alton Street	North	From a point 71m west of its junction with Chase Road for a distance of 8m in a westerly direction.		
Alton Street	North	From a point 95m west of its junction with Chase Road for a distance of 45m in a westerly direction.		
Alton Street	North	From a point 162m west of its junction with Chase Road for a distance of 13m in a westerly direction.		
Alton Road	North-west	From its junction with Camp Road for a distance of 10m in a north-easterly direction.		
Alton Road	North-west	From its junction with Camp Road for a distance of 17m in a south-westerly direction.		
Alton Road	South-east	From its junction with the southernmost access to Alton Business Park for a distance of 30m in a north-easterly direction.		
Camp Road	South-west	From its junction with Alton Road for a distance of 14m in a north-westerly direction.		
Camp Road	North-east	From its junction with Alton Road for a distance of 20m in a northerly direction.		

Schedule 2 – Residents Permit Parking or Limited Waiting (Marked Bay) Restrictions						
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Road	Side	Description	Restricted Hours	Maximum Stay	No Return	Zone
Alton Street	North	From a point 3m west of its junction with Chase Road for a distance of 68m in a westerly direction.	Monday- Saturday 9am-6pm	2 Hours	2 Hours	RB
Alton Street	North	From a point 79m west of its junction with Chase Road for a distance of 16m in a westerly direction.	Monday- Saturday 9am-6pm	2 Hours	2 Hours	RB
Alton Street	North	From a point 140m west of its junction with Chase Road for a distance of 22m in a westerly direction.	Monday- Saturday 9am-6pm	2 Hours	2 Hours	RB

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

STATEMENT OF REASONS FOR PROPOSING

HEREFORDSHIRE COUNCIL (ALTON STREET, ALTON ROAD & CAMP ROAD, ROSS-ON-WYE) (WAITING & PERMIT PARKING) ORDER 2024

The implementation of the proposed restrictions under Sections 1, 2, 3, 4, 5, 32, 35, 37, 45, 46, 47, 49, 51 and 53 of Part I and Part IV of Schedule 9 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 and improving the amenity of the area through which the road runs.
- To secure the expeditious, convenient, and safe movement of traffic.
- To provide additional Permit Parking on Alton Street, without decreasing the existing Limited Waiting parking provision on-street.
- To prevent inconsiderate and inappropriate parking, double parking, improve road safety and amenity, prevent parking close to junctions and where it causes obstructions for large vehicles (inc. emergency service vehicles) and cyclists.

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.

Mark Averill Service Director for Environment and Highways

Equality Act 2010

Equality Impact and Needs Assessment

PROPOSED TRAFFIC REGULATION ORDER TO INTRODUCE WAITING AND PERMIT PARKING RESTRICTIONS ON ALTON STREET, ROSS-ON-WYE

The Council has a duty to give 'due regard to' the following three aims of the public sector equality duty (section 149 of the Equality Act 2010) during the development of the 'policy'.¹

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by the ACT:
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- Foster good relations between people who share a protected characteristic

An initial assessment against each of the protected groups is provided below – any issues highlighted through the consultation process will be considered and reported at the end of the consultation period.

Scheme Name	Alton Street, Ross-on-Wye Waiting and Parking Restrictions
Protected group	Challenge or opportunity considered and what we did
Age(A)	No negative or positive impact on this group has been identified at this time.
Disability (D	No negative or positive impact on this group has been identified at this time.
Sex (S)	No negative or positive impact on this group has been identified at this time.
Race (including Gypsy & Traveller)(R))	No negative or positive impact on this group has been identified at this time.
Gender reassignment(GR)	No negative or positive impact on this group has been identified at this time.
Marriage & civil partnership (MCP)	No negative or positive impact on this group has been identified at this time.
Pregnancy & maternity (PM)	No negative or positive impact on this group has been identified at this time.
Religion and/or Belief (RAOB)	No negative or positive impact on this group has been identified at this time.
Sexual Orientation(SO)	No negative or positive impact on this group has been identified at this time.

Name: Lewis Oxenham

Scheme Officer

Name: Callum Bush

Dated: XXXXXXXXXXXX

Dated: 11th March 2024

Signed:

Signed:

Traffic Management Team Leader Herefordshire Council

Monitoring and Review

Please identify any aspects that require reconsideration following the TRO process, identify any amendments made in relation to due regard and give reasoning.

Name: Lewis Oxenham

Signed:

Scheme Officer

Name: Callum Bush

Dated: XXXXXXXXXXX

Dated: XXXXXXXXXXX

Signed:

Traffic Management Team Leader Herefordshire Council