NOTICE OF MAKING

Notice is hereby given that the County of Herefordshire District Council ("Herefordshire Council") has made the (A465 Aylestone Hill Hereford) (Prohibition of Waiting) Order 2014 and the (A465 Aylestone Hill Hereford) (Cycle Lane) Order 2014 the effect of which will be: (1) to Prohibit Waiting at Any Time: A465 Aylestone Hill South Eastern side from its junction with Southbank Road to a point 101 metres north of its junction with Folly Lane including the U80222. A465 Aylestone Hill West side from a point 11.5 metres south of its junction with Folly Lane to its junction with the entrance into Aylestone Park. Walney Lane North side from its junction with the A465 Aylestone Hill, for a distance of 50 metres in an easterly direction. Walney Lane South side from its junction with the A465 Aylestone Hill, for a distance of 45 metres in an easterly direction. (2) to Prohibit Waiting, Monday to Saturday, 10.00 am to 11.00 am and 2.00 pm to 3.00 pm: A465 Aylestone Hill East side from a point 80m north of its junction with Walney Lane for a distance of 50m in a northern direction. (3) to introduce mandatory cycle lanes as follows: A465 Aylestone Hill North Western side - direction of travel north easterly only, from its junction with Penn Grove Road to a point 11.5 metres south of its junction with Folly Lane. A465 Aylestone Hill Eastern side - direction of travel southerly only, from a point 88 metres south of its junction with the entrance to Aylestone Park to a point 101 metres north of its junction with Folly Lane. These Orders will come into operation on 24th October 2014.

A copy of the Orders, with plans, Statement of Reasons and any orders to be revoked are available for inspection during normal office hours at the Council's offices at Plough Lane Offices, Plough Lane, Hereford, HR4 0LE (Tel: 01432 260500) and at Hereford Customer Services, Franklin House, 4 Commercial Road, Hereford, HR1 2BB (Tel: 01432 260500). They can also be viewed on the Council's website at <u>www.herefordshire.gov.uk</u> in the Traffic Regulation Order Section. Any queries in relation to the proposals may be directed to the Traffic Management Team (Tel: 01432 349514) or by email to <u>HerefordshireTROcomments@bblivingplaces.com</u>

If any person wishes to question the validity of these Orders or any of their provisions on the grounds that they are not within the powers conferred by the Road Traffic Regulation Act 1984, or that any requirement of the said Act or any instrument made under that Act has not been complied with that person may do so by application to the High Court within six weeks from the date the Orders were made.

ROAD TRAFFIC REGULATION ACT 1984

HEREFORDSHIRE COUNCIL

(A465 AYLESTONE HILL, HEREFORD) (PROHIBITION OF WAITING) ORDER 2014

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

Citation

- 1. This Order shall come into operation on the 24th day of October 2014 and may be cited as the Herefordshire Council (A465 Aylestone Hill, Hereford) (Prohibition of Waiting) Order 2014.
- 2 Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order the Orders as listed in Schedule 1 hereto are hereby revoked, in their entirety or in part, where stated, from the date of this Order and in addition any other previous Traffic Regulation Order, or part Traffic Regulation Order, relating to those lengths of road referred to in Schedules 2 and 3 of this Order shall be revoked on the coming into operation of this order referred to in Article 1 above.
- 2. (1) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby assigned to them:-

"Disabled Permit Holders" means a person who has been issued with a valid Disabled Person 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 Persons Badge and Parking Disc.

"Driver", in relation to a vehicle waiting in a Parking Place, means the person driving the vehicle at the time it was left in the Parking Place.

"Parking Disc" has the same meaning as in the Disabled Persons (Exemptions for Disabled Persons) (England) Regulations 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 front of the badge 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 Civil Enforcement Officer in uniform cause or permit any vehicle to wait at any time on those lengths of road specified in Schedule 2 to this Order and which for the purposes of identification only are shown 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 in uniform cause or permit any vehicle to wait along those lengths of road and between the times as specified in Schedule 3 to this Order and which for the purposes of identification only are shown on the attached plan.

Exemptions

- 5. Where referred to in this Order nothing shall render it unlawful to cause or permit any vehicle to wait on the sides of those lengths of road referred to in Schedules 2 and 3 and relevant Articles hereto so long as may be necessary where:
 - a) the vehicle is waiting only for so long as is necessary to enable a person to board or alight from a vehicle;
 - b) the vehicle is used for fire brigade, police or ambulance purposes or a vehicle (other than a Passenger Vehicle) in the service of a local authority is being used in pursuance of statutory powers or duties;
 - c) the vehicle is in the service of or employed by the Post Office Company, or similar service vehicle, and is waiting while postal packets are being unloaded from the vehicle, or having been unloaded there from, are being delivered or while postal packets are being collected or is in use in connection with the servicing of telephone kiosks in the said lengths of roads;
 - d) the vehicle, not being a Passenger Vehicle, is 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;
 - e) 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;

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 Disabled Permit Holder, has marked the time at which the period of waiting began) to wait on the said sides of those lengths of road referred to in Article 3 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).

Miscellaneous

6. References to any statutory provision herein shall include reference to any statutory modification substitution or re-enactment thereof.

Dated this 9" day of October 2014

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

Authorised Officer



SCHEDULE 1 Orders to be revoked or varied

REVOKED IN PART

1 County of Herefordshire District Council (Barrs Court Area, Hereford) (Zone 4) (Prohibition of Waiting) (Restricted Waiting) (Residents Parking) Order 2003.

Schedule 2 - No Waiting At Any Time.

A465 Aylestone Hill, Hereford.

North West side

From its junction with the tangent point of the north eastern kerb line of Penn Grove Road for a distance of 20 metres in a north easterly direction.

REVOKED IN WHOLE

2 County of Herefordshire District Council (U80225 Walney Lane and A465 Aylestone Hill, Hereford) (Prohibition of Waiting) Order 2011.

SCHEDULE 2

PROHIBITION OF WAITING AT ANY TIME

A465 Aylestone Hill, Hereford

1. South Eastern Side.

From its junction with the centre line of the C1127 Southbank Road to a point 101 metres north of its junction with the centre line of C1320 Folly Lane. Including the U80222 from the junction of its south western kerb line with Aylestone Hill in a south easterly direction around the turning area for a distance of 78.0 metres and from the junction of its north easterly direction.

2. West Side.

From a point 11.5 metres south of its junction with the centre line of C1320 Folly Lane to its junction with the centre line of the entrance into Aylestone Park;

U80225 Walney Lane

1. North side

From the junction with A465 Aylestone Hill, for a distance of 50 metres in an easterly direction;

2. South side

From the junction with A465 Aylestone Hill, for a distance of 45 metres in an easterly direction.

SCHEDULE 3

Prohibition of Waiting, Monday to Saturday, 10.00 am to 11.00 am and 2.00 pm to 3.00 pm.

A465 Aylestone Hill, Hereford

East side

From a point 80m north of the junction with the centre line of U80225 Walney Lane for a distance of 50m in a northern direction.



ROAD TRAFFIC REGULATION ACT 1984

HEREFORDSHIRE COUNCIL

(A465 AYLESTONE HILL, HEREFORD) (CYCLE LANE) ORDER 2014

The County of Herefordshire District Council ("known as Herefordshire Council") in exercise of its powers under Section 1 and 2 and Part IV Schedule 9 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 of the Act hereby makes the following Order:-

Citation

- 1. This Order shall come into operation on the 24th day of October 2014 and may be cited as the Herefordshire Council (A465 Aylestone Hill, Hereford) (Cycle Lane) Order 2014.
- 2. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby assigned to them:-

"cycle lane" means that length of A465, Aylestone Hill, Hereford as set out in the Schedule to this Order, bounded by the edge of the carriageway and by a traffic sign consisting of a single white line on the same side of the road as that edge and designated for the passage of pedal cycles;

*pedal cycle" has the same meaning as in the Traffic Signs Regulations and General Directions 2002 (as amended)

3. Except as provided in Article 4 of this Order, no person shall, except upon the direction of or with the permission of a Police Officer, a Community Support Officer or a Civil Enforcement Officer in uniform (where authorised), cause or permit any vehicle other than a pedal cycle (other than pedal cycles which are motor vehicles) to enter or proceed (in the direction specified) along those lengths of road specified in the schedule to this Order.

Exemptions

- 4. Where referred to in this Order nothing shall render it unlawful to cause or permit any vehicle to enter or proceed along those lengths of road referred to in the Schedule and relevant Articles hereto so long as may be necessary where:
 - a) the vehicle is waiting only for so long as is necessary to enable a person to board or alight from a vehicle;
 - b) the vehicle is used for fire brigade, ambulance or police purposes if the observance of any provision of this Order would hinder the use of the vehicle for the purpose for which it is being used on that occasion;
 - c) a vehicle being used in connection with the removal of any obstruction in the cycle lane;
 - a vehicle being used in the service of a local authority for the purpose of collecting refuse from premises adjacent to the cycle lane or for exercising any statutory powers or performing any statutory duties in the cycle lane, a vehicle being used in connection with any building operation, demolition or excavation

in or adjacent to the cycle lane, the maintenance, improvement or reconstruction of the highway in or adjacent to the cycle lane of any sewer or of any main, pipe or apparatus for the supply of gas water or electricity or of any telecommunications apparatus, or the placing, maintenance or removal of any traffic sign, provided that in all the circumstances it is reasonably necessary for the vehicle to enter and wait in the cycle lane;

- e) any vehicle being used for the loading or unloading of any goods or burden at premises adjacent to or accessible only from the cycle lane provided that such loading or unloading can be reasonably carried out only from the cycle lane and that it takes place only whilst no prohibition on loading and unloading in the cycle lane by virtue of any other Order is in force;
- f) any person causing or permitting any vehicle to enter or proceed in the cycle lane to or from any vehicular access way or crossing over the footway adjoining a cycle lane if that vehicle forthwith leaves the cycle lane at a point opposite that vehicular access way or crossing.

Miscellaneous

6. References to any statutory provision herein shall include reference to any statutory modification substitution or re-enactment thereof.

Dated this 9th day of October 2014

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

Authorised Officer



SCHEDULE

A465 Aylestone Hill Hereford – Cycle Lane

	Length of Road	Side of Road	Direction of travel
1	From its junction with Penn Grove Road, to a point 11.5 metres south of its junction with the centre line of C1320 Folly Lane.	North West	North Easterly
2	From a point 88 metres south of its junction with the centre line of the entrance into Aylestone Park to a point 101 metres north of its junction with the centre line of C1320 Folly Lane.	East	Southerly



HEREFORDSHIRE COUNCIL

(A465 AYLESTONE HILL, HEREFORD) (PROHIBITION OF WAITING) ORDER 2014

AND

(A465 AYLESTONE HILL, HEREFORD) (CYCLE LANE) ORDER 2014

STATEMENT OF REASONS

The implementation of the proposed restrictions and Cycle lane should result in the avoidance of danger to persons and other traffic using the road and for preventing the likelihood of any such danger arising and for preserving and improving the amenities of the area.

The Council reserves the right to produce an amended or further statement, in the context of any public inquiry or judicial proceedings to these proposals.

Richard Ball Assistant Director Place Based Commissioning

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

(BARRS COURT AREA, HEREFORD) (ZONE 4) (PROHIBITION OF WAITING) (RESTRICTED WAITING) (RESIDENTS PARKING) ORDER 2003

The County of Herefordshire District Council as statutory successors of the County of Hereford and Worcester ("the Council") in exercise of its powers under Sections 2, 4, 32(1), 35(1), 45, 46, 49 and 53 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the 1984 Act"), the 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 of 1984, hereby make the following Order:-

Citation

- 1. This Order shall come into operation on the 30th of May 2003 and may be cited as the County of Herefordshire District Council (Barrs Court Area, Hereford) (Zone 4) (Prohibition of Waiting) (Restricted Waiting) (Residents Parking) Order 2003.
- 2. Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order the Orders as listed in Schedule 1 hereto are hereby revoked from the date of this Order.
- 3. (1) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby assigned to them:-

"Driver", in relation to a vehicle waiting in a Parking Place, means the person driving the vehicle at the time it was left in the Parking Place.

"Parking Place", means any part of a road so marked and authorised by this Order to be used as a Parking Place.

"Parking Permit", means a 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 Zone" means any of the lengths of road forming the zone listed in Schedule 7 hereto and for identification purposes only on the plan annexed hereto.

"Resident" means a person whose usual place of residence is at any of the streets (or part thereof) referred to in Schedule 7 hereto.

"Light Goods Vehicle" means a 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 not drawing a trailer.

"Motor Cycle" and "invalid carriage" have the same meaning respectively as in Section 136 of the 1984 Act.

"A Public Service Vehicle" means a motor vehicle, including a tramcar or trolley vehicle, used for carrying passengers for hire or reward which either (1) is carrying passengers at separate fares: or (2) is not carrying passengers for separate fares but is adapted to carry eight or more passengers.

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

"Disabled Person's Vehicle" has the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"Parking Disc" means a disc, issued by the Council, 125 millimetres square, coloured blue if issued on or after 1st April 2000 and orange if issued before that date and capable of showing the quarter hour period during which a period of waiting begins.

"Owner", in relation to a vehicle, means the person by whom such vehicle is kept and used.

"Passenger Vehicle" means a motor vehicle (other than a Motor Cycle or invalid carriage) 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.

"Parking Attendant" means a person appointed in accordance with the provisions of Section 63A of the 1984 Act.

- (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 front of the badge is legible from outside the vehicle.
- 4. Save as provided in Article 17(a) (i) (ii) (iii) (iv) (v) (vi) (vii) (viii) and (c) of this Order no person shall, except upon the direction or with the permission of a Police Officer or Parking Attendant in uniform cause or permit any vehicle to wait at any time on those *Q* lengths of road specified in Schedule 2 to this Order.
- 5. Save as provided in Article 17(a) (i) (ii) (iii) (iv) (v) (vi) (vii) (viii) (b) and (c) of this Order no person shall, except upon the direction or with the permission of a Police Officer or Parking Attendant in uniform cause or permit any vehicle to wait at any time, unless a resident permit holder on those lengths of road specified in Schedule 3 to this Order and which for the purposes of identification only are shown on the attached plan.

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- 6. Save as provided in Article 17(a) (i) (ii) (iii) (iv) (v) (vi) (vii) (b) and (d) of this Order no person shall, except upon the direction or with the permission of a Police Officer or Parking Attendant in uniform cause or permit any vehicle to wait longer than 45 minutes (no return within 2 hours) between the days and at the hours and on those lengths of road specified in Schedule 4 to this Order and which for the purposes of identification only are shown on the attached plan.
- 7. Save as provided in Article 17(a) (i) (ii) (iii) (iv) (v) (vi) (vii) (viii) (b) and (d) of this Order no person shall, except upon the direction or with the permission of a Police Officer or Parking Attendant in uniform cause or permit any vehicle to wait longer than 1 hour (no return within 2 hours) between the days and hours and on those lengths of road specified in Schedules 5 and 6 to this Order and which for the purposes of identification only are shown on the attached plan.
- 8. Save as provided in Article 17(a) (ii) (ix) (x) of this Order no person shall, except upon the direction or with the permission of a Police Officer or Parking Attendant in uniform cause or permit any vehicle to stop at the times and on those lengths of road specified in Schedule 7 to this Order and which for the purposes of identification only are shown on the attached plan.

Power to Suspend Prohibition of Parking and Restriction of Waiting and Residents Parking

- 9. Nothing in Articles 4 to 8 of this Order:-
 - (a) shall restrict the power of the local authority or the police for preventing obstruction of the streets, by order or otherwise on the occasion of any public procession, rejoicing or illumination, or where the streets are thronged or liable to be obstructed, to close any Parking Place; or
 - (b) shall authorise the use of any part of the road so as unreasonably to prevent access to any premises adjoining the road, or the use of the road by any person entitled to the use of thereof, or so as to be a nuisance.

Use of a Parking Place

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- 10. A Driver of a vehicle shall not use a Parking Place:-
 - (a) so as unreasonably to prevent access to any premises adjoining the road, or the use of the road by other persons entitled to do so, or so as to be a nuisance:
 - (b) when for preventing obstruction of the streets the local authority shall by order or otherwise made on the occasion of any public procession, rejoicing or illumination or when the streets are thronged or liable to be obstructed have closed that Parking Place and exhibited notice of such closing on or near the Parking Place.
- 11. The Driver of a motor vehicle using a Parking Place shall stop the engine as soon as the vehicle is in position in the Parking Place and shall not start the engine except when about to change the position of the vehicle in or to depart from the Parking Place.
- 12. Unless the prior written consent of the Council is obtained no person shall use a vehicle, while it is in a Parking Place in connection with the sale of any article to persons in or near the Parking Place or in connection with the selling or offering for hire of his skill or services.
- 13. A vehicle parked within a Parking Place must be parked wholly within the road markings for the Parking Place.

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- 14. When a vehicle is left in a Parking Place in contravention of any of the provisions contained in paragraphs (a) or (b) of Article 10 of this Order a police constable in uniform or Parking Attendant in uniform or a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from that Parking Place.
- 15. Any person moving a vehicle by virtue of the last preceding Article of this Order may do so by towing or driving the vehicle or in such other manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it as aforesaid.
- 16. When a police constable or a Parking Attendant in uniform, or a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a Parking Place by virtue of Article 14 above of this Order, they shall make such arrangements as may be reasonably necessary for the reasonable safe custody of that vehicle.

Exemptions

- 17. (a) Where referred to in this Order nothing shall render it unlawful to cause or permit any vehicle to wait on the sides of those lengths of road referred to in the relevant Schedules hereto so long as may be necessary where:-
 - the vehicle is waiting only for so long as is necessary to enable a person to board or alight from a vehicle;
 - the vehicle is used for fire brigade, police or ambulance purposes or a vehicle (other than a Passenger Vehicle) in the service of a local authority is being used in pursuance of statutory powers or duties;
 - (iii) the vehicle is in the service of or employed by the Post Office Company and is waiting while postal packets addressed to premises adjacent to the Parking Place in which the vehicle is waiting are being unloaded from the vehicle, or having been unloaded therefrom, are being delivered or while postal packets are being collected from premises or posting boxes adjacent to the Parking Place in which the vehicle is waiting, or is in use in connection with the servicing of telephone kiosks adjacent to the Parking Place;
 - (iv) the vehicle, not being a Passenger Vehicle, is waiting only for so long as may be reasonably necessary to enable it to be used for the purpose of an building operation, demolition or excavation in or adjacent to the Parking Place or the maintenance, improvement or reconstruction of the Parking Place or the laying, erection, alteration, removal or repair in or adjacent to the Parking Place 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;
 - (v) the vehicle not being a Passenger Vehicle is in actual use in connection with the removal of furniture from one office or dwellinghouse to another or the removal of furniture from such premises to a depository or to such premises from a depository;
 - (vi) the vehicle is waiting otherwise than in a parking space if goods are being sold or offered for sale from the vehicle by a person who is licensed by a local authority to sell goods from a stationary pitch situated in the Parking Place;
 - (vii) the vehicle is waiting only for so long as is necessary to enable it to be used in connection with posting or removing advertising material in the form of

posters on or from, or cleaning windows or chimneys in, premises adjacent to the Parking Place in which the vehicle is waiting; or

- (viii) in any other case the vehicle is waiting for the purpose of goods to be loaded onto and/or unloaded from the vehicle, including, so far as a Bank is concerned, cash or other valuables or valuable securities; or
- (ix) in any case, where the person in control of the vehicle is required by law to stop, or is obliged to do so in order to avoid an accident, or is prevented from proceeding by circumstances outside his control; or
- (x) where the vehicle is being used for the removal of any obstruction to traffic;
- (b) Without prejudice to the foregoing provisions of this Order with respect to vehicles left in a Parking Place in accordance with those provisions, a vehicle may wait without limitation on any of the lengths of road described in Schedule 8 to this Order if the vehicle displays a valid Parking Permit issued by the Council and is left in a Parking Place in the streets specified in Schedule 8 to this Order.
- (c) Nothing in Articles 4 and 5 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 referred to in Schedules 2 and 3 hereto 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).
- (d) Nothing in Articles 6 and 7 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 and during the specified times in Schedules 4, 5 and 6 hereto without limitation.

Charge and Display in connection with the use of Parking Permits

- 18. (1) There will be a charge of £25 per annum for the issue of a Parking Permit.
 - (2) Subject to the provisions of this Order, the said charge in connection with the use of a Parking Permit issued for the leaving of a vehicle in a Parking Place shall be payable and shall be indicated by the issue of a Parking Permit and by the affixing of the Parking Permit in the manner prescribed in paragraph (4) of this Article not later than on the first leaving of a vehicle in a Parking Place.
 - (3) A Parking Permit which is a Residents Parking Permit may only be affixed to the vehicle to which it relates.
 - (4) The manner in which a Parking Permit shall be affixed to the vehicle shall be as follows:-

A Parking Permit shall be affixed to the front windscreen of the vehicle so that all particulars of the Parking Permit referred to in Article 22 of this Order are clearly visible when viewed from the front of the vehicle.

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Application for and Issue of Parking Permits

- 19. (1) Subject to paragraph (3) of this Article every dwelling within a street or part thereof as listed in Schedule 8 hereto may be issued with a maximum of two Parking Permits (namely one Residents Parking Permit and one Visitors Parking Permit) and an applicant occupier of a said dwelling shall make an application on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied and the said Parking Permits are only available in respect of vehicles of the following class, that is to say a Passenger Vehicle, a Light Goods Vehicle or a Motor Cycle.
 - (2) A Parking Permit which is designated as a Residents Parking Permit may only be issued to the Owner of a vehicle who occupies a said dwelling as stated in the above paragraph (1) of this Article.
 - (3) Where a said dwelling is a multiple occupancy dwelling the following provisions shall apply:-
 - (i) only one Parking Permit designated as a Visitors Parking Permit may be issued per self contained accommodation unit within the said multiple occupancy dwelling where the Resident of that said self contained unit is registered as a Council Tax payer.
 - (ii) only one Parking Permit designated as a Visitors Parking Permit may be issued to the owner/landlord of a said multiple occupancy dwelling (and who is registered as a council tax payer) where the Residents of that said dwelling share facilities (e.g. a kitchen or bathroom)
 - (4) For the provisions of this Article a multiple occupancy dwelling shall mean a dwelling where more than one family unit is in occupation of that dwelling.
 - (5) The Council are at liberty to vary the policy and terms for the issue of a Parking Permit as stated in this Article on giving the Parking Permit prior written notice of any said variation.
 - (6) The Council may at any time require an applicant for a relevant Parking Permit or any relevant Parking Permit Holder to produce to an officer of the Council such evidence in respect of an application for a Parking Permit made to them as they may reasonably call for to verify any particulars or information given to them or in respect of an application for a Parking Permit made to them as they may reasonably call for to verify that the Parking Permit is valid.
 - (7) On receipt of an application duly made under the foregoing provisions of this Article, the Council, upon being satisfied that the applicant is a Resident and is the Owner of a vehicle of the class specified in paragraph (1) of this Article, it shall issue to the applicant a Parking Permit.

Surrender, Withdrawal and Validity of Parking Permits

- 20. (1) A Parking Permit Holder may surrender a Parking Permit to the Council at any time and shall surrender a Parking Permit to the Council on the occurrence of any one of the events set out in paragraph (3) of this Article.
 - (2) The Council may, by notice in writing served on the Parking Permit Holder by sending the same by recorded delivery service to the Parking Permit Holder at the address shown by that person on the application for the Parking Permit or at any other address believed to be that person's place of abode, withdraw a Parking

Permit if it appears to the Council that any one of the events set out in paragraphs (3)(a), (3)(b), (3)(d) or (3)(e) of this Article has occurred and the Parking Permit Holder shall surrender the Parking Permit to the Council within 48 hours of the receipt of the aforementioned notice or if the Parking Permit Holder fails to do so within this time the Parking Permit shall cease to have effect.

- (3) The events referred to in the foregoing provisions of this Article are:-
 - (a) the Parking Permit Holder ceasing to be a Resident of a dwelling listed in the streets in Schedule 8 hereto.
 - (b) in respect of a Parking Permit which is designated as a Resident Parking Permit the Parking Permit Holder ceasing to be the Owner of the vehicle in respect of which the Parking Permit was used;
 - (c) the withdrawal of the Parking Permit by the Council under the provisions of paragraph (2) of this Article;
 - (d) the vehicle in respect of which a Parking Permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 19(1) of this Order;
 - (e) the issue of a duplicate Parking Permit by the Council under the provisions of Article 21 of this Order.
- (4) Without prejudice to the foregoing provisions of this Article, a Parking Permit shall cease to be valid at the expiration of the month and year specified thereon or on the occurrence of any one of the events set out in paragraph 3 of this Article, whichever is the earlier.
- (5) A Parking Permit shall be valid in the Parking Zone comprising any of the streets (or part of the streets) listed in Schedule 8 hereto the Parking Zone being shown for identification purposes only by a thick black line on the plan annexed hereto.

Application for and issue of Duplicate Parking Permits

- 21. (1) if a Parking Permit is mutilated or torn or the figures or particulars thereon have become illegible the Parking Permit Holder shall either surrender it to the Council or apply to the Council for the issue to him of a duplicate Parking Permit and the Council upon the receipt of the Parking Permit, shall issue a duplicate Parking Permit so marked and upon such issue the previous Parking Permit shall become invalid.
 - (2) if a Parking Permit is lost or destroyed the Parking Permit Holder may apply to the Council for the issue to him of a duplicate Parking Permit and the Council, upon being satisfied as to such loss or destruction, shall subject to paragraph (4) of this Article issue a duplicate Parking Permit so marked and upon such issue the Parking Permit shall become invalid.
 - (3) the provisions of this Order shall apply to a duplicate Parking Permit or application in respect thereof as if it were a Parking Permit or as the case may be an application in respect thereof.
 - (4) a charge of £10.00 will be payable by the Parking Permit Holder to the Council for the issuing of a duplicate Parking Permit.

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Form of Parking Permits

- 22. A Parking Permit shall be in writing and shall include the following particulars:-
 - in respect of a Parking Permit which is designated as a Residents Parking Permit the registration mark of the vehicle in respect of which the Parking Permit was issued;
 - (b) the month and year up to which, subject to the provisions of Articles 21 (3) and (4) of this Order, the relevant Parking Permit shall remain valid;
 - (c) an indication that the Parking Permit was issued by the Council.

Restriction on Removal of Parking Permits

23. Where a Parking Permit has been displayed on a vehicle in accordance with the provisions of Article 18 (4) of this Order, no person, not being the Driver of the vehicle, shall remove the Parking Permit from the vehicle unless authorised to do so by the Driver of that vehicle.

Placing of Traffic Signs

- 24. The Council shall:-
 - (a) cause the limits of each Parking Place to be indicated on the carriageway by placing and maintaining thereon traffic signs of any size, colour and type prescribed in The Traffic Signs and General Directions 1994: and
 - (b) carry out such other work as is reasonably required for the purposes of the satisfactory operation of a Parking Place.

Miscellaneous

25. References to any statutory provision herein shall include reference to any statutory modification or re-enactment thereof.

Dated this 27th May 2003

THE COMMON SEAL of

THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL was hereunto affixed BY ORDER



SCHEDULE 1

The County of Hereford and Worcester (Barrs Court Road, Hereford) (Prohibition and Restriction of Waiting) Order 1980.

The County of Hereford and Worcester (Penn Grove Road, Hereford) (Prohibition of Waiting) Order 1992.

SCHEDULE 2 - No Waiting At Any Time.

A465 AYLESTONE HILL

- North West side
- (a) From its junction with the tangent point of the northeastern kerbline of Penn Grove Road for a distance of 20 metres in a northeasterly direction.

BARRS COURT ROAD

North East side

- (a) From its junction with the A465 Aylestone Hill to its junction with the tangent point of the southeastern kerbline of Hopton Road.
- (b) From its junction with the tangent point of the northwestern kerbline of Hopton Road for a distance of 10 metres in a northwesterly direction.
- (c) From a point 31.7 metres northwest of its junction with the tangent point of the northwestern kerbline of Hopton to a point 57.2 metres northwest of that junction.
- (d) From a point 124.1 metres northwest of its junction with the tangent point of the northwestern kerbline of Hopton Road to its junction with the tangent point of the southeastern kerbline of Bryngwyn Close.
- (e) From its junction with the tangent point of the northwestern kerbline of Bryngwyn Close for a distance of 30.5 metres in a northwesterly direction.
- (f) From its junction with the tangent point of the southeastern kerbline of Geldof Grove for a distance of 10 metres in a southeasterly direction.
- (g) From its junction with the tangent point of the northwestern kerbline of Geldof Grove to its junction with the tangent point of the southeastern kerbline of Esmond Road.
- (h) From its junction with the tangent point of the northwestern kerbline of Esmond Road for a distance of 53.9 metres in a northwesterly direction.

South West side

(a) From its junction with the A465 Aylestone Hill to a point 53.9 metres northwest of its junction with the northwestern kerbline of Esmond Road.

BRYNGWYN CLOSE Both sides

(a) From its junction with Barrs Court Road to its junction with Pullmans Close.

ESMOND ROAD

- Both sides
- (a) From its junction with Barrs Court Road for a distance of 10 metres in a northwesterly direction.

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GELDOF GROVE

- Both sides
- (a) For the entire length of public highway from its junction with Barrs Court Road to the end of the cul-de-sac.

HOPTON ROAD

- Both sides
- (a) From its junction with Barrs Court Road for a distance of 10 metres in a northeasterly direction.
- (b) From its junction with Penn Grove Road for a distance of 10 metres in a southwesterly direction.

LINK ROAD

North East and South East sides

(a) For its entire length between both of its junctions with Penn Grove Road.

South West and South sides

- (a) From its southeastern junction with Penn Grove Road for a distance of 10 metres in in a northwesterly direction.
- (b) From a point 96.1 metres northwest of its southeastern junction with Penn Grove Road to a point within the cul-de-sac serving numbers 25 to 43 Link Road which is 25 metres west of that cul-desacs junction with the section of Link Road forming a loop off Penn Grove Road.

North West and North sides

- (a) From its northwestern junction with Penn Grove Road for a distance of 10 metres in a southwesterly direction.
- (b) From a point 46.6 metres southwest of its northwestern junction with Penn Grove Road to a point within the cul-de-sac serving numbers 25 to 43 Link Road which is 25 metres west of that cul-desac's junction with the section of Link Road that forms a loop off Penn Grove Road.

MORELAND AVENUE

Both sides

(a) From its junction with Penn Grove Road for a distance of 10 metres in a southeasterly direction.

PENN GROVE ROAD

North East and East sides

(a) From its junction with A465 Aylestone Hill for a distance of 14.5 metres in a northwesterly direction.

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- (b) From a point 92.2 metres northwest of its junction with A465 Aylestone Hill for a distance of 135.2 metres in a generally northerly direction.
- (c) From a point 274.3 metres northwest of its junction with A465 Aylestone Hill to its junction with the tangent point of the southern kerbline of Moreland Avenue.
- (d) From its junction with the tangent point of the northern kerbline of Moreland Avenue for a distance of 10 metres in a northerly direction.

South West side

- (a) From its junction with A465 Aylestone Hill for a distance of 61.9 metres in a northwesterly direction.
- (b) From a point 92.2 metres northwest of its junction with A465 Aylestone Hill to its junction with the tangent point of the southeastern kerbline of Hopton Road.
- (c) From its junction with the tangent point of the northwestern kerbline of Hopton Road to its junction with the tangent point of the southwestern kerbline of the southeastern junction of Link Road.

North West and South West sides

- (a) From its junction with the tangent point of the northeastern kerbline of the southeastern junction of Link Road to its junction with the tangent point of the southeastern kerbline of the northwestern junction of Link Road.
- (b) From its junction with the tangent point of the northwestern kerbline of the northwestern junction of Link Road for a distance of 11.6 metres in a northerly direction.

West side

(a) From a point 81.5 metres north of its junction with the tangent point of the northwestern kerbline of the northwestern junction of Link Road for a distance of 49.5 metres in a northerly direction.

SCHEDULE 3 - Resident permit holders only.

HOPTON ROAD

- Both sides
- (a) From a point 25 metres northeast of its junction with Barrs Court Road to a point 10 metres southwest of its junction with Penn Grove Road

LINK ROAD

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South West side

(a) From a point 10 metres northwest of its southeastern junction with Penn Grove Road for a distance of 81.6 metres in a northwesterly direction.

North West side

(a) From a point 10 metres southwest of its junction with the northwestern junction of Penn Grove Road for a distance of 36.6 metres in a southwesterly direction.

Turning area of cul-de-sac serving 25 to 43 Link Road

(a) From a point 25 metres west of its junction with the section of Link Road that forms a loop of Penn Grove Road for the whole area of the turning area.

SCHEDULE 4 - Waiting limited to 45 mins Monday to Saturday 8am to 8pm, no return permitted within 2 hours (except resident permit holders).

BARRS COURT ROAD

- North East side
- (a) From a point 57.2 metres northwest of its junction with the tangent point of the northwestern kerbline of Hopton Road to a point 73.7 metres northwest of that junction.

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- (b) From a point 106.4 metres northwest of its junction with the tangent point of the northwestern kerbline of Hopton Road to a point 124.1 metres northwest of that junction.
- (c) From a point 30.5 metres northwest of its junction with the tangent point of the northwestern kerbline of Bryngwyn Close to a point 10 metres southeast of its junction with the tangent point of the southeastern kerbline of Geldof Grove.

PENN GROVE ROAD

North East side

- (a) From a point 14.5 metres northwest of its junction with A465 Aylestone Hill to a point 92.2 metres northwest of that junction.
- (b) From a point 227.4 metres northwest of its junction with A465 Aylestone Hill to a point 274.3 metres northwest of that junction.

South West side

(a) From a point 61.9 metres northwest of its junction with A465 Aylestone Hill to a point 92.2 metres northwest of that junction.

West sides

(a) From a point 11.6 metres north of its junction with the tangent point of the northwestern kerbline of the northwestern junction of Link Road to a point 81.5 metres north of that junction.

SCHEDULE 5 - Waiting limited to 1 hour Monday to Saturday 8am to 8pm, no return permitted within 2 hours (except resident permit holders).

BARRS COURT ROAD

North East side

(a) From a point 10 metres northwest of its junction with the tangent point of the northwestern kerbline of Hopton Road to a point 31.7 metres northwest of that junction.

HOPTON ROAD

Both sides

(a) From a point 10 metres northeast of its junction with Barrs Court Road for a distance of 15 metres in a northeasterly direction.

SCHEDULE 6 - Waiting limited to 1 hour Monday to Saturday 9.30am to 3pm and 5pm to 8pm, no return permitted within 2 hours (except resident permit holders).

BARRS COURT ROAD

- North East side
- (a) From a point 73.7 metres northwest of its junction with the

tangent point of the northwestern kerbline of Hopton Road to a point 106.4 metres northwest of that junction.

SCHEDULE 7 - No stopping on School Keep Clear markings 8 to 9.30am and 3 to 5pm.

BARRS COURT ROAD

North East side

(a) From a point 73.7 metres northwest of its junction with the tangent point of the northwestern kerbline of Hopton Road to a point 106.4 metres northwest of that junction.

SCHEDULE 8 - Streets eligible for the issue of permits.

Aylestone Hill (Numbers 1 to 17 odds) Barrs Court Road (Numbers 20 to 53A consecutive only) Bryngwyn Court Geldof Grove (Numbers 5 to 8 consecutive) Hopton Road Link Road Penn Grove Road (numbers 1 to 33 odds and 2 to 54 evens) Richard Weaver Court Robins Terrace

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ROAD TRAFFIC REGULATION ACT 1984

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THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

(U80225 WALNEY LANE AND A465 AYLESTONE HILL, HEREFORD) (PROHIBITION OF WAITING) ORDER 2011

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

- This Order shall come into operation on the 4th February 2011 and may be cited as the County of Herefordshire District Council (U80225 Walney Lane and A465 Aylestone Hill, Hereford) (Prohibition of Waiting) Order 2011
- 2. (1) In this Order:-

"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 of the 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 4 and 5 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 the Schedule hereto and as shown for identification purposes only on the attached plan.
- 4. Nothing in Article 3 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 in Article 3 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
- 5. Nothing in Article 3 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 Disabled Permit Holder, has marked the time at which the period of waiting began) to wait on the said sides of those lengths of road referred to in Article 3 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).

- 6. 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.
- 7. References to any statutory provision herein shall include reference to any statutory modification or re-enactment thereof.

Dated 1 sł February 2011

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

BY ORDER

rel Authorised Officer



Schedule

No Waiting At Any Time.

U80225 Walney Lane

Northern side

From the junction with A465 Aylestone Hill, for a distance of 50 metres in a northern direction

Southern side

From the junction with A465 Aylestone Hill, for a distance of 45 metres in a southern direction

A464 Aylestone Hill

Eastern side

- 1. From the junction with the centre line of U80225 Walney Lane for a distance of 33m in a northern direction
- 2. From the junction with the centre line of U80225 Walney Lane for a distance of 17m in a southern direction

Western side

- 1. From the junction with the centre line of Overbury Road for a distance of 28m in a northern direction
- From the junction with the centre line of Overbury Road for a distance of 21m in a southern direction

No Waiting on Monday to Saturday 10 am to 11am and 2 pm to 3 pm.

A465 Aylestone Hill

Eastern side

From a point 80m north of the junction with the centre line of Walney Lane for a distance of 50m in a northern direction





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