

NOTICE OF MAKING

HEREFORDSHIRE COUNCIL (C1185 WYE ROAD, BREDWARDINE) (PROHIBITION OF WAITING AT ANY TIME) ORDER 2019

Notice is hereby given that the County of Herefordshire District Council, known as Herefordshire Council, in exercise of its enabling powers has made the above named Order under Sections 1, 2 and 4 of the Road Traffic Regulation Act 1984.

The effect of the Order will be to prohibit waiting at any time on both sides of the C1185 at Bredwardine for a distance of 449 metres in a westerly direction from a point 33 metres west of its junction with the centre line of the U90000 Brobury Road. This Order revokes a previous Order from 2008 and in effect is extending the current 'prohibition of waiting at any time' waiting restrictions by approximately 160 metres in a generally westerly direction on both sides the C1185 Wye Road to the west of Bredwardine Bridge to prevent obstructive parking and improve traffic flows.

This Order will come into operation on 1st March 2019.

A copy of the Order, with plan, Statement of Reasons for Making and the Order to be revoked 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 the Council Offices, Plough Lane, Hereford HR4 0LE, at the Hereford Centre, Franklin House, 4 Commercial Road, Hereford, HR1 2BB and at The Kington Centre, 64 Bridge Street, Kington, HR5 3DJ. 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 or by email to TH@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/>

Clive Hall
Acting Assistant Director Highways and Transport

HEREFORDSHIRE COUNCIL

STATEMENT OF REASONS FOR MAKING

HEREFORDSHIRE COUNCIL (C1185 WYE ROAD, BREDWARDINE) (PROHIBITION OF WAITING AT ANY TIME) ORDER 2019

The implementation of the Order under sections 1, 2 and 4 of The Road Traffic Regulation Act 1984 is necessary for the following reasons:

- For facilitating the passage on the road or any other road of any class of traffic (including pedestrians) (*i.e. to maintain access and/or to reduce congestion*),
- 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,

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.

Clive Hall
Acting Assistant Director Highways and Transport

ROAD TRAFFIC REGULATION ACT 1984

HEREFORDSHIRE COUNCIL (C1185 WYE ROAD, BREDWARDINE) (PROHIBITION OF WAITING AT ANY TIME) ORDER 2019

The County of Herefordshire District Council ("the Council") in exercise of its powers under sections 1, 2 and 4, of the Road Traffic Regulation Act 1984 (referred to as "the Act"), and part IV of schedule 9 of the 1984 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:

1. This Order shall come into operation on the 1st day of March 2019 and may be cited as "Herefordshire Council (C1185 Wye Road, Bredwardine) (Prohibition of Waiting At Any Time) Order 2019" and the previous Traffic Regulation Order as stated in Schedule 2 herein shall be revoked on the coming into operation of this Order.
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 valid Disabled Persons Badge and Parking Disc.

"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

"Order Map" means drawing number 3409-24 which accompanies this Order".

(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.

Prohibition of Waiting

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 of a Civil Enforcement Officer in uniform, cause or permit any vehicle to wait at any time in the lengths of road specified in Schedule 1 to this Order and which for the purposes of identification only has been shown on the Order Map.

Power to Suspend Prohibition of Waiting

4. Nothing in Article 3 of this Order:
- (a) shall restrict the power of the Council 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; 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.

Exemptions

5. Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait in those lengths of road specified in schedule 1 to this Order 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 for the delivery or removal of plant or materials for 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 Communications Act 2003;
 - (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 dwelling house 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 Council, 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;
 - (h) the vehicle to be used for the purposes of collecting waste or recyclables or street cleansing.
6. 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 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 Schedule 1 to this Order 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).
7. 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.
8. References to any statutory provision herein shall include reference to any statutory modification or re-enactment thereof

Dated this 18th Day of February 2019

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

K. E. H. J. Authorised Officer



SCHEDULE 1

PROHIBITION OF WAITING AT ANY TIME

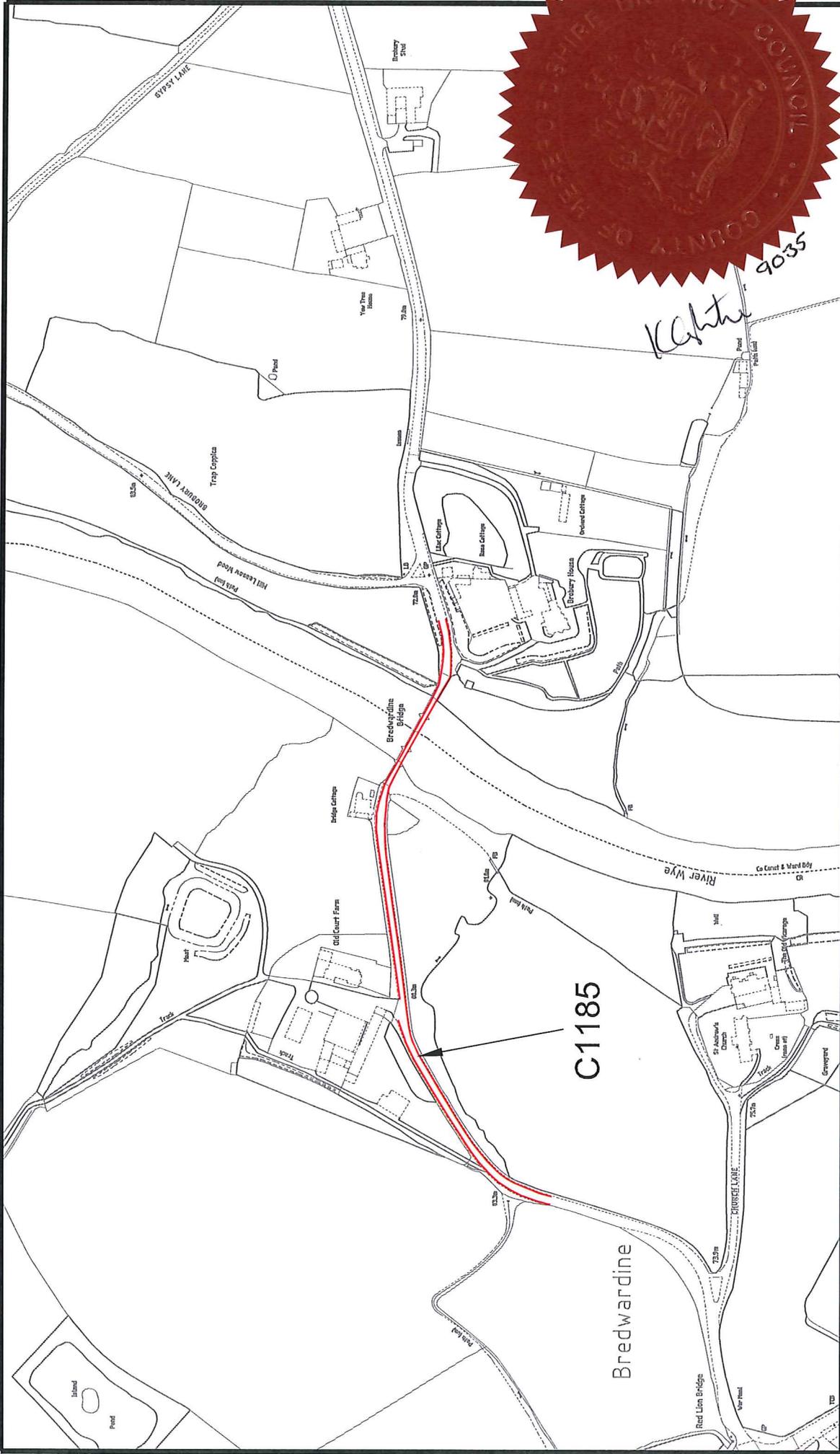
C1185 Wye Road, Bredwardine

On both sides, from a point 33 metres west of the centreline of its junction with the U90000 Brobury Lane for a distance of 449 metres in a general westerly direction.

SCHEDULE 2

REVOCACTION OF ORDER

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL (C1185 WYE ROAD, BREDWARDINE) (PROHIBITION OF WAITING) ORDER 2008



K. K. K.

Project:	Bredwardine, Herefordshire
Title:	TRO Drawing - Prohibition of waiting at any time restriction
Drawn:	SL
Check:	SL
Date:	16/08/2018
Scale:	1:2500m:AS
Job No.:	3409-24
Rev.:	A

KEY:
 Existing double yellow lines.

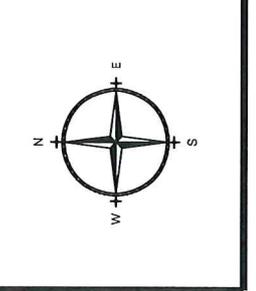
ADL Job No. 3409

AMENDMENTS	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. BACKGROUND PLAN IS BASED UPON OSBASE.
 4. ALL DETAILS TO BE CONFIRMED ON SITE AND ON A TOPOGRAPHICAL SURVEY.
 5. ALL TRACKS ASSUME GRADIENTS AND CAMBERS DO NOT EXCEED 1:80 AND 1:40 RESPECTIVELY OTHERWISE VEHICLE MANOEUVRABILITY MAY BE AFFECTED.
 6. ALL LAND OWNERSHIP DETAILS, EXTENT OF ADOPTED HIGHWAY AND RIGHTS OF WAY TO BE CONFIRMED.
 7. ASSUMES ALL LANDSCAPING CAN BE ALTERED AND NO TREES ARE SUBJECT TO TPO.
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ADL
T R A F F I C

ADL Traffic Engineering Ltd.
 ADL House
 The Oaklands Business Park
 Yate, Bristol
 BS37 5YQ
 Tel: 01454 387983
 Fax: 01454 387983
 E-Mail: CAD@ADLTRAFFIC.CO.UK



C1185

Bredwardine

