

**THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL (BEWELL STREET, HIGH STREET
AND WIDEMARSH STREET HEREFORD) ORDER 2016**

The Council in exercise of its powers under Sections 1, 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”), Section 63 of the Local Government (Miscellaneous Provisions) Act 1976 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 1984 Act, hereby make the following Order:

PART ONE – INTRODUCTION

CITATION

- 1.1** This order shall come into operation on the **[[DATE]]** and may be cited as The County of Herefordshire District Council (Bewell Street, High Street and Widemarsh Street Hereford) Order 2016.

INTERPRETATION

- 1.2** In this Order, except where otherwise stated, any reference to an Article or Schedule shall be construed as a reference to that Article or Schedule in this order.
- 1.3** In this Order any reference to an Act, Statutory Instrument, Regulation or Order shall be construed as a reference to that Act, Statutory Instrument or Order as amended.
- 1.4** In this Order the following expressions shall have the respective meanings assigned to them:
- “Civil Enforcement Officer” means a person appointed in accordance with the provisions of Section 76 Traffic Management Act 2004.
- “Council” means The County of Herefordshire District Council (known as Herefordshire Council).
- “Disabled Persons Vehicle” means a vehicle displaying a valid disabled persons badge in accordance with The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000.
- “Hackney Carriage” has the same meaning as in Section 38 of the Town Police Clauses Act 1847 and licensed under Section 37 of that Act.
- “Goods Vehicle” means a motor vehicle constructed or adapted for use for the carriage of goods, or a trailer so constructed or adapted and which said motor vehicle is physically constructed or adapted so as to prohibit the carrying of passengers (other than front seat passengers) but (for the avoidance of doubt) does not include estate motor vehicles or hatchback vehicles which may be so adapted.
- “Motor Cycle” 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.
- “Parking Place” means the lengths of road designated by Article 4.1.
- “Passenger Vehicle” means a vehicle constructed or adapted for the carriage of passengers and their effects.
- “Plan” means the plan annexed to this Order for identification purposes only

PART TWO – MOVEMENT RESTRICTIONS

PROHIBITION OF VEHICLES

- 2.1** No person shall cause or permit any vehicle to enter or proceed along the lengths of road specified in columns 1 and 2 of Schedule 1 during the hours specified in column 3 of Schedule 1 as shown on the Plan.

PART THREE – PROHIBITION OF WAITING AND LOADING

NO WAITING AND NO LOADING AT ANY TIME

- 3.1** No person shall cause or permit any vehicle to wait, load or unload in the lengths of road specified in Schedule 2 as shown on the Plan.

NO WAITING AND NO LOADING DURING RESTRICTED HOURS

- 3.2** No person shall cause or permit any vehicle to wait, load or unload in the lengths of road specified in columns 1, 2 and 3 of Schedule 3 during the hours specified in column 4 of Schedule 3 as shown on the Plan.

NO WAITING RESTRICTED HOURS EXCEPT HACKNEY CARRIAGES (TAXIS)

- 3.3** No person shall cause or permit any vehicle other than a Hackney Carriage to wait in the lengths of road specified in columns 1, 2 and 3 of Schedule 4 during the hours specified in column 4 of Schedule 4 as shown on the Plan.

PART FOUR – PARKING PLACES

DESIGNATION OF PARKING PLACES

- 4.1** The lengths of road specified in columns 1, 2 and 3 of Schedules 5 as shown on the Plan, having a width as indicated in accordance with Department for Transport regulations or approved design guidance, with the exception of vehicular access footway crossovers to adjoining properties and other authorised access points from the carriageway, are designated as parking places.

USE OF PARKING PLACES

- 4.2** A vehicle left in a Parking Place must be parked wholly within the parking place.
- 4.3** No vehicle left in a Parking Place shall be in a position which prevents access to any premises or which obstructs other road users.
- 4.4** 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.
- 4.5** 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

- 4.6** 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.
- 4.7** No person shall cause or permit any vehicle to wait in a Parking Place which has been suspended.

REMOVAL OF VEHICLES

- 4.8** Where a vehicle is in contravention of Article 4.3 or Article 4.7 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.
- 4.9** Any person removing or arranging for a vehicle to be removed under Article 4.8 must make such arrangement as reasonably necessary for the reasonable safe custody of that vehicle.

LOADING ONLY

- 4.10** No person shall cause or permit any vehicle to wait in a Parking Place specified in columns 1, 2 and 3 of Schedule 5 as shown on the Plan during the hours specified in column 4 of Schedule 5, unless that vehicle is waiting for the purpose of loading or unloading from that vehicle.
- 4.11** No person shall cause or permit any vehicle waiting for the purpose of loading or unloading from that vehicle in a Parking Place specified in columns 1, 2 and 3 of Schedule 5 as shown on the Plan during the hours specified in column 4 of Schedule 5 to wait for longer than the period of time specified in column 5 of Schedule 5.
- 4.12** No person shall cause or permit any vehicle waiting for the purpose of loading or unloading goods from that vehicle in a Parking Place specified in columns 1, 2 and 3 of Schedule 5 as shown on the Plan during the hours specified in column 4 of Schedule 5 to return to the same Parking Place within the period of time specified in column 6 of Schedule 5.

GOODS VEHICLE LOADING ONLY

- 4.13** No person shall cause or permit any vehicle to wait in a Parking Place specified in columns 1, 2 and 3 of Schedule 6 as shown on the Plan during the hours specified in column 4 of Schedule 6, unless that vehicle is a Goods Vehicle waiting for the purpose of loading or unloading from that vehicle.
- 4.14** No person shall cause or permit any Goods Vehicle waiting for the purpose of loading or unloading from that vehicle in a Parking Place specified in columns 1, 2 and 3 of Schedule 6 as shown on the Plan during the hours specified in column 4 of Schedule 6 to wait for longer than the period of time specified in column 5 of Schedule 6.
- 4.15** No person shall cause or permit any Goods Vehicle waiting for the purpose of loading or unloading goods from that vehicle in a Parking Place specified in columns 1, 2 and 3 of Schedule 6 as shown on the Plan during the hours specified in column 4 of Schedule 6 to return to the same Parking Place within the period of time specified in column 6 of Schedule 6.

PART FIVE – EXEMPTIONS

PROHIBITION OF VEHICLES EXEMPTIONS

- 5.1** Nothing in Article 2.1 shall prohibit any vehicle from entering or being in the specified lengths of roads in the following circumstances:
- (a) Under the direction of a police officer or Civil Enforcement Officer or with the prior consent of the Council provided that any conditions imposed are complied with
 - (b) The vehicle is being used for emergency services purposes
 - (c) To enable the vehicle, not being a Passenger Vehicle, to be used for the purpose of any building operation, demolition or excavation or the maintenance, improvement or reconstruction of the 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 the road

- (d) The vehicle is a statutory undertaker liveried utility company vehicle being used in connection with works of that utility in the immediate vicinity

GENERAL WAITING EXEMPTIONS

5.2 Nothing in this Order shall prohibit any vehicle from waiting for as long as reasonably necessary in the following circumstances:

- (a) The vehicle is directed to 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 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 AND LOADING EXEMPTIONS

5.3 Nothing in Articles 3.1 or 3.2 shall apply to a vehicle waiting, load or unload for as long as necessary in the following circumstances:

- (a) To allow the picking up or setting down of passengers
- (b) The vehicle is a cleaning or refuse vehicle collecting rubbish in the immediate vicinity
- (c) The vehicle is waiting for the purpose of removing an obstruction to traffic
- (d) The vehicle is a liveried utility company vehicle being used in connection with works of that utility in the immediate vicinity
- (e) The vehicle, not being a Passenger Vehicle, is being used in connection with the delivery of pharmaceuticals, cash, bullion or other goods requiring a high level of security and oversight to a business in High Street or Widemarsh Street provided that the prior written consent of the Council is obtained and any conditions imposed are complied with

PROHIBITION OF WAITING EXCEPT FOR HACKNEY CARRIAGES (TAXIS) EXEMPTIONS

5.4 Nothing in Article 3.3 shall apply to a vehicle waiting for as long as necessary in the following circumstances:

- (a) To allow the picking up or setting down of passengers
- (b) The vehicle is a statutory undertaker liveried utility company vehicle being used in connection with works of that utility in the immediate vicinity
- (c) The vehicle is a cleaning or refuse vehicle collecting rubbish in the immediate vicinity

USE OF PARKING PLACE EXEMPTIONS

5.5 Nothing in Articles 4.2, 4.3, 4.4 or 4.7 shall apply to a vehicle waiting for as long as necessary in the following circumstances:

- (a) The vehicle is a cleaning or refuse vehicle collecting rubbish in the immediate vicinity
- (b) The vehicle is a liveried utility company vehicle being used in connection with works of that utility in the immediate vicinity

LOADING ONLY EXEMPTIONS

5.6 Nothing in Articles 4.10, 4.11 or 4.12 shall apply to a vehicle waiting for as long as necessary in the following circumstances:

- (a) The vehicle is a cleaning or refuse vehicle collecting rubbish in the immediate vicinity
- (b) The vehicle is a liveried utility company vehicle being used in connection with works of that utility in the immediate vicinity
- (c) The vehicle is displaying a valid temporary parking restriction dispensation permit

GOODS VEHICLE LOADING ONLY EXEMPTIONS

5.7 Nothing in Articles 4.13, 4.14 or 4.15 shall apply to a vehicle waiting for as long as necessary in the following circumstances:

- (d) The vehicle is a cleaning or refuse vehicle collecting rubbish in the immediate vicinity
- (e) The vehicle is a liveried utility company vehicle being used in connection with works of that utility in the immediate vicinity
- (f) The vehicle is displaying a valid temporary parking restriction dispensation permit

PART SIX – CONTRAVENTION & 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 The following traffic regulation orders shall be revoked in their entirety on the coming into operation of this Order:

- (a) The County of Herefordshire District Council (Widemarsh Street and High Street Hereford) (Prohibition of Driving and Cycling) Order 2006
- (b) The County of Herefordshire District Council (Bewell Street, Hereford) (Prohibition of Waiting, Loading and Unloading) Order 2009

6.3 The restrictions specified in columns 1, 2, 3 and 4 of Schedule A shall be revoked from the traffic regulation orders specified in column 5 of Schedule A on the coming into operation of this Order.

List of Schedules (for information only)

Schedule A	Revoked restrictions
Schedule 1	Prohibition of vehicles
Schedule 2	No waiting and no loading at any time
Schedule 3	No waiting and no loading during restricted hours
Schedule 4	No waiting except taxis
Schedule 5	Loading only
Schedule 5	Goods vehicles loading only

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Schedule A - Revoked restrictions				
Column 1	Column 2	Column 3	Column 4	Column 5
Restriction	Road	Side	Description	Order
Prohibition of loading 8.30am to 9.30am, 12.45pm to 2.15pm and 4.30pm to 6pm	High Street (U80000)	Both	(Entire Length)	The City of Hereford (Various Streets) (Prohibition and Restriction of Waiting, Loading and Unloading) Order 1974
Prohibition of waiting	High Street (U80000)	All	That length of road, known as High Street	The City of Hereford (Various Streets) (Prohibition and Restriction of Waiting, Loading and Unloading) Order 1974
Bus Stop Clearway	Widemarsh Street (U80000)	East	From a point 82 metres south of its junction with Newmarket Street for a distance of 18 metres in a southerly direction	The County of Herefordshire District Council (Broad Street (part) and Widemarsh Street (part), Hereford (Bus Stop Clearway) Order 2001
Goods Vehicles maximum stay 15 minutes 6am to 6pm Monday to Saturday	Widemarsh Street (U80000)	East	From a point 21m south of its junction with Newmarket Street for a distance of 18m in a southerly direction	The County of Herefordshire District Council (Broad Street and Widemarsh Street Hereford) (Restriction of Waiting and Street Parking Places) Order 2001
Goods Vehicles maximum stay 15 minutes 6am to 6pm Monday to Saturday	Widemarsh Street (U80000)	East	From a point 100m south of its junction with Newmarket Street to a point 77m north of its junction with High Street	The County of Herefordshire District Council (Broad Street and Widemarsh Street Hereford) (Restriction of Waiting and Street Parking Places) Order 2001
Prohibition of waiting, loading and unloading	Widemarsh Street (U80000)	East	From its junction with Newmarket Street for a distance of 21 metres in a southerly direction	The County of Herefordshire District Council (Broad Street and Widemarsh Street Hereford) (Prohibition of Waiting, Loading and Unloading) Order 2001
Prohibition of waiting, loading and unloading	Widemarsh Street (U80000)	East	From a point 77 metres north of its junction with High Street in a southerly direction to its junction with High Street	The County of Herefordshire District Council (Broad Street and Widemarsh Street Hereford) (Prohibition of Waiting, Loading and Unloading) Order 2001
Prohibition of waiting, loading and unloading	Widemarsh Street (U80000)	West	From its junction with Newmarket Street to its junction with High Street	The County of Herefordshire District Council (Broad Street and Widemarsh Street Hereford) (Prohibition of Waiting, Loading and Unloading) Order 2001
Taxi Rank/Stand	Widemarsh Street (U80000)	East	From a point 39 metres south of its junction with Newmarket Street for a distance of 43 metres in a southerly direction	The County of Herefordshire District Council Broad Street and Widemarsh Street Hereford, Taxi Stands Order 2001

Schedule A - Revoked restrictions				
Column 1	Column 2	Column 3	Column 4	Column 5
Restriction	Road	Side	Description	Order
Taxi Rank/Stand 6pm to 6am	Widemarsh Street (U80000)	East	From a point 21 metres south of its junction with Newmarket Street for a distance of 18 metres in a southerly direction	The County of Herefordshire District Council Broad Street and Widemarsh Street Hereford, Taxi Stands Order 2001
Taxi Rank/Stand 6pm to 6am	Widemarsh Street (U80000)	East	From a point 100m south of its junction with Newmarket Street to a point 77 metres north of its junction with High Street	The County of Herefordshire District Council Broad Street and Widemarsh Street Hereford, Taxi Stands Order 2001

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Schedule 1 - Prohibition of vehicles		
Column 1	Column 2	Column 3
Road	Description	Restricted Hours
Bewell Street (U80006)	From its junction with Bewell Square to its junction with Widemarsh Street	10.30am – 4.30pm
High Street (U80000)	For its entire length	10.30am – 4.30pm
Widemarsh Street (U80000)	From its junction with Newmarket Street/Blueschool Street to its junction with High Street	10.30am – 4.30pm

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Schedule 2 - No waiting and no loading at any time		
Column 1	Column 2	Column 3
Road	Side	Description
Bewell Street (U80006)	North	From the eastern kerblines of Victoria Street to the western kerblines of Widemarsh Street
Bewell Street (U80006)	South	From the eastern kerblines of Victoria Street eastwards for 90m
Bewell Street (U80006)	South	From 117m east of the eastern kerblines of Victoria Street to its junction with Widemarsh Street
High Street (U80000)	All	For its entire length
Widemarsh Street (U80000)	East	From the southern kerblines of Blueschool Street southwards for 24m
Widemarsh Street (U80000)	East	From 50m south of the southern kerblines of Blueschool Street to its junction with High Street
Widemarsh Street (U80000)	West	From the southern kerblines of Newmarket Street southwards for 54m
Widemarsh Street (U80000)	West	From 84m south of the southern kerblines of Newmarket Street southwards for 27m
Widemarsh Street (U80000)	West	From 130m south of the southern kerblines of Newmarket Street to its junction with High Street

Schedule 3 - No waiting and no loading during restricted hours			
Column 1	Column 2	Column 3	Column 4
Road	Side	Description	Restricted Hours
Widemarsh Street (U80000)	East	From 24m south of the southern kerbline of Blueschool Street southwards for 26m	10.30am – 4.30pm
Widemarsh Street (U80000)	West	From 54m south of the southern kerbline of Newmarket Street southwards for 30m	10.30am – 4.30pm
Widemarsh Street (U80000)	West	From 111m south of the southern kerbline of Newmarket Street southwards for 19m	10.30am – 4.30pm

Schedule 4 - No waiting except for Hackney Carriages (Taxis)			
Column 1	Column 2	Column 3	Column 4
Road	Side	Description	Restricted Hours
Widemarsh Street (U80000)	East	From 24m south of the southern kerbline of Blueschool Street southwards for 26m	7pm – 7am
Widemarsh Street (U80000)	West	From 54m south of the southern kerbline of Newmarket Street southwards for 30m	7pm – 7am
Widemarsh Street (U80000)	West	From 111m south of the southern kerbline of Newmarket Street southwards for 19m	7pm – 7am

Schedule 5 - Loading only

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Road	Side	Description	Restricted Hours	Max Stay	No Return
Widemarsh Street (U80000)	East	From 24m south of the southern kerbline of Blueschool Street southwards for 26m	7am – 10.30am and 4.30pm – 7pm	30 minutes	2 hours
Widemarsh Street (U80000)	West	From 54m south of the southern kerbline of Newmarket Street southwards for 30m	7am – 10.30am and 4.30pm – 7pm	30 minutes	2 hours
Widemarsh Street (U80000)	West	From 111m south of the southern kerbline of Newmarket Street southwards for 19m	7am – 10.30am and 4.30pm – 7pm	30 minutes	2 hours

Schedule 6 – Goods Vehicle Loading only					
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Road	Side	Description	Restricted Hours	Max Stay	No Return
Bewell Street (U80006)	South	From 90m east of the eastern kerbline of Victoria Street eastwards for 27m	6am – 6pm	30 minutes	2 hours

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