

EAST HAMPSHIRE DISTRICT COUNCIL
(HORNDKAN: VARIOUS ROADS) (PROHIBITION AND RESTRICTION OF WAITING),
(RESTRICTION OF LOADING AND UNLOADING) ORDER 2016

East Hampshire District Council hereby gives notice that pursuant to arrangements made under Section 19 of the Local Government Act 2000 with the Council of the County of Hampshire in exercise of the powers conferred on that County Council under Sections 1 (1), 2 (1), (2), 4 (2) and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("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 to the Act hereby make the following Order:-

1. This Order shall come into operation on the twentieth day of January 2017 and may be cited as "East Hampshire District Council (Horndean: Various Roads) (Prohibition and Restriction of Waiting), (Restriction of Loading and Unloading) Order 2016".

2. The parts of Order specified in the First Schedule to this Order are hereby revoked.

3. (1) In this Order -

"Civil Enforcement Officer" means a person (being a person appointed under Section 76 of the Traffic Management Act 2004 and/or under Section 63A of the 1984 Act) authorised by or on behalf of the Council to supervise any parking place and act as indicated by the use of the expression in any of the Articles in this Order;

"Council" means the Council of the Borough of Havant;

"delivering" and **"collecting"** in relation to any goods includes checking the goods for the purpose of their delivery or collection;

"disabled person's badge" or **"blue badge"** has the same meaning as in The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 SI 682;

"Disabled Persons' Parking Place" means a area on a highway which is designated as a disabled persons' parking place and is comprised within and indicated by a road marking complying with the Traffic Signs Regulations and General Directions 2016;

"disabled person's vehicle" has the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986 as amended;

"light goods vehicle" means a vehicle, not exceeding 3.5 tonnes gross vehicle weight, which is constructed or adapted for use for the carriage of goods or burden of any description;

"loading" means the loading or unloading of goods to or from a vehicle;

(2) For the purpose of this Order a vehicle shall be regarded as displaying a disabled person's badge or a parking disc in the relevant position when and only when they are displayed in accordance with Regulation 4 of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

(3) Except where otherwise stated any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.

4. Save as provided in Article 6 no person shall except upon the direction or with the permission of a police constable in uniform or a Civil Enforcement Officer cause or permit any vehicle to wait in the lengths of roads specified in the Second Schedule to this Order.

5. Save as provided in Article 6 no person shall except upon the direction or with the permission of a police constable in uniform or a Civil Enforcement Officer cause or permit any vehicle to wait between the hours of 8.00 a.m. and 9.30am and 2.30pm and 4.00pm, Mondays to Fridays inclusive, in the length of road specified in the Third Schedule to this Order.

6. (1) Subject to the provisions in Article 7 nothing in Articles 4 and 5 shall render it unlawful to cause or permit any vehicle to wait in the lengths of road referred to therein for so long as may be necessary to enable -
- (a) a person to board or alight from the vehicle;
 - (b) the vehicle if it cannot conveniently be used for such purpose in any other road to be used in connection with any of the following operations namely -
 - (i) building industrial or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance improvement or reconstruction of the said lengths of roads; or
 - (iv) the laying erection alteration or repair in or in land adjacent to the said lengths of roads of any sewer or of any main pipe or cable or other apparatus for the provision of gas water electricity or telecommunications by a utility organization attending their apparatus in pursuance of their statutory powers or duties; or
 - (v) in pursuance of a local authority's highways management, works, maintenance, waste collection or street cleansing.
 - (c) the vehicle if it is a Universal Service Provider as defined in Section 4(3) of the Postal Services Act 2000 used for the delivering or collecting of postal packets;
 - (d) the vehicle to take in petrol oil water or air from any garage situated on or adjacent to the said lengths of roads;
 - (e) the vehicle to wait at or near to any premises situated on or adjacent to the said lengths of roads for so long as such waiting by that vehicle is reasonably necessary in connection with any wedding or funeral; or
 - (f) the vehicle if it is being used by the emergency services in pursuance of their statutory powers or duties; or
 - (g) the vehicle if it is required by law to stop or obliged to stop so as to prevent an accident or prevented from proceeding by circumstances beyond its control.
 - (h) the vehicle to wait for the purpose of enabling goods to be loaded on or unloaded from the vehicle.
- (2) Nothing in Articles 4 and 5 shall render it unlawful to cause or permit a disabled person's vehicle which validly displays in the relevant position a disabled person's badge in the circumstances prescribed in Regulations 7, 8 or 9 and subject to the limitation set out in Regulation 6(2) of the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 SI 683 to wait in the lengths of roads referred to therein.
7. Those vehicles described in Article 6 (1) (a) to (h) are subject to the provision that:-
- (a) there is no reasonable alternative place to stop or wait; and
 - (b) they only stop and wait for so long as is necessary.
8. Save as provided in Article 6(1)(f), Coaches only except for loading and unloading by goods vehicles between the hours of 10.00am and 6.00pm, 7 days a week, in the length of road specified in the Fourth Schedule to this Order.
9. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulations made or having effect as if made under the Act or by or under any other enactment.

FIRST SCHEDULE
(Parts of Order to be Revoked)

ORDER

The Hampshire (Various Roads, East Hampshire) (Parking Places and Prohibition of Stopping, Waiting, Loading/Unloading and Clearway) Consolidation Order 2012

EXTENT OF REVOCATION

Part 27 Coaches Only except for loading by goods vehicles 10am-Midday and 2-4pm:

- Portsmouth Road – the north side from its junction with the Access Road to Horndean Precinct Car Park in an easterly direction to a point 25 metres east of its junction with the Access Road to Horndean Precinct Car Park

Schedule 2 No Waiting at any Time in so far as it relates to:

- Five Heads Road
(ii) the east side from its junction with Portsmouth Road in a northerly direction to a point 11 metres north of its junction with Portsmouth Road
- Five Heads Road
(iii) the west side from its junction with Portsmouth Road in a northerly direction for a distance of 9 metres.
- London Road, Horndean, Waterlooville
(ii) both sides from a point 132 metres south of its junction with The Yews to a point 18 metres south-west of its junction with Napier Road.

SECOND SCHEDULE
(Waiting prohibited at all times)

Lengths of roads in Horndean

Acorn Gardens

North-east side:-

- from its junction with Kings Mede, south-eastwards for a distance of 10 metres

South-west side:-

- from its junction with Kings Mede, south-eastwards for a distance of 46.5 metres

Ashley Close

East side:-

- from its junction with James Copse Road, northwards for a distance of 36.5 metres.

West side:-

- from its junction with James Copse Road, northwards for a distance of 10.5 metres.

Catherington Lane

West side:-

- from the centre line of its junction with Crouch Lane, southwards and northwards for distances of 21 metres and 27.5 metres respectively.

Crouch Lane

North-west side:-

- from its junction with Catherington Lane, southwards for a distance of 44 metres

South and East side:-

- from its junction with Catherington Lane, westwards then southwards for a distance of 36 metres

Elmeswelle Road

North side:-

- from its junction with Frogmore Lane, westwards for a distance of 13.5 metres.

South side:-

- from its junction with Frogmore Lane, westwards for a distance of 15.5 metres.

Enterprise Road

North side:-

- from its junction with London Road, westwards then southwards for a distance of 60 metres

South side:-

- from its junction with London Road, westwards then southwards for a distance of 62.5 metres

West side:-

- from a point 48 metres south of the centreline of its junction with Down Road, southwards for a distance of 27 metres.

Five Heads Road

East side:-

- from its junction with Portsmouth Road, northwards for a distance of 186 metres

West side:-

- from a point 29 metres north of the centreline of its junction with Merchistoun Road, northwards for a distance of 87 metres.
- from the centre line of its junction with Queens Crescent, southwards for a distance of 12 metres
- from its junction with Portsmouth Road, northwards for a distance of 56.5 metres

Frogmore Lane

West side:-

- from the centreline of its junction with Elmeswelle Road, northwards and southwards for distances of 31 metres and 23.5 metres respectively

Hillside Industrial Estate

North side:-

- from its junction with London Road, south-westwards for a distance of 13 metres

South side:-

- from its junction with London Road, north-westwards for a distance of 10 metres

Keydell Avenue

North side:-

- from a point 7 metres west of its junction with Portsmouth Road, westwards for a distance of 11.5 metres

South side:-

- from a point 7 metres west of its junction with Portsmouth Road, westwards for a distance of 23 metres

Merchistoun Road

North side:-

- from its junction with Five Heads Road, westwards for a distance of 34 metres

South side:-

- from the centreline of its junction with Rodney Way, eastwards and westwards for distances of 13 metres and 13 metres respectively.
- from its junction with Five Heads Road, westwards for a distance of 39 metres

Merchistoun Road (Spur)

East side:-

- from a point 7.5 metres south of its junction with Merchistoun Road, southwards for a distance of 7.5 metres

Murray Road

North-east side:-

- from a point 7 metres north of its junction with Portsmouth Road, north-westwards for a distance of 8.5 metres

Napier Road

East side:-

- from its junction with Merchistoun Road, southwards for a distance of 10 metres

North side:-

- from its junction with Murray Road, eastwards for a distance of 14 metres

North-east side:-

- from a point 6 metres north of its junction with Portsmouth Road, north-westwards for a distance of 9 metres
- North-eastern kerblines of the triangular island in its entirety

Napier Road

North-west side:-

- from a point 10 metres south-west of the boundary between 11 & 13 Napier Road, westwards then north-westwards for a distance of 46 metres

South side:-

- from its junction with Murray Road, north-eastwards for a distance of 14 metres

South-west side:-

- from a point 6 metres north of its junction with Portsmouth Road, north-westwards, then westwards for a distance of 26 metres

West side:-

- from its junction with Merchistoun Road, southwards for a distance of 10 metres

Portsmouth Road

Both sides:-

- from a point 132 metres south of its junction with The Yews, to a point 18 metres south-west of its junction with Napier Road, excluding the layby as described in schedule 2 of this order.

Queens Crescent

North side:-

- from its junction with Five Heads Road, westwards for a distance of 29 metres

South side:-

- from its junction with Five Heads Road, westwards for a distance of 10 metres

Rodney Way

East side:-

- from its junction with Merchistoun Road, southwards for a distance of 6 metres

West side:-

- from its junction with Merchistoun Road, southwards for a distance of 6 metres

Walden Gardens

North side:-

- from its junction with Catherington Lane, eastwards for a distance of 21 metres.

South side:-

- from its junction with Catherington Lane, eastwards for a distance of 18.5 metres

