

BOROUGH OF EASTLEIGH

THE BOROUGH OF EASTLEIGH (MONKS WAY AND LOCKSLEY ROAD AREA) (RESIDENTS PARKING PLACES AND PROHIBITION AND RESTRICTION OF WAITING) (DISABLED PERSONS PARKING PLACES) (NINTH ZONE) ORDER 2007

The Council of the Borough of Eastleigh (hereinafter referred to as "the Council") pursuant to arrangements made under Section 101 of the Local Government Act 1972 with the Hampshire County Council in exercise of the powers of the said County Council under Sections 1, 2, 4, 32, 35, 45, 46 and 51 of the Road Traffic Regulation Act 1984 ("the Act") and Part IV of Schedule 9 to 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 makes the following Order:-

PART 1- GENERAL

Commencement and Citation

1. This Order shall come into operation on 19 November 2007 and may be cited as "The Borough of Eastleigh (Monks Way and Locksley Road Area) (Residents Parking Places and Prohibition and Restriction of Waiting) (Disabled Persons Parking Places) (Ninth Zone) Order 2007".

Interpretation

2. (1) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-

"appropriate annual renewal date" means the date, each year, on which the permit is issued and expires;

"appropriate permit charge" means the remittance of the sum indicated in the relevant Articles to this Order appropriate to the type of permit for which an application is being made and shall be for a period indicated in

"carers permit" shall mean a permit issued under the provisions of Article 21(C)(1);

"charged parking place" means a parking place referred to in the Seventh Schedule to this Order;

"chargeable hours" means between the hours and on the days specified in the Seventh Schedule to this Order;

"development" means the construction of new or replacement buildings or alterations to existing buildings that result in an increased demand for parking not catered for within the development;

"disabled parking disc" means a device which:-

- (a) is coloured blue;
- (b) has been issued by a local authority and has not ceased to be valid; and
- (c) is capable of showing the quarter hour period during which a period of waiting has begun.

"disabled person's badge" means a badge which was-

- (a) issued, or has effect as if issued, to a disabled person or an institution under the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 or under regulations having effect in Scotland or Wales under section 21 of the Chronically Sick and Disabled Persons Act 1970; and
- (b) has not ceased to be in force;

as defined in The Local Authorities' Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000;

"disabled persons parking place" means each of the various areas of land specified in the Eighth Schedule to this Order;

"disabled person's vehicle" means a vehicle lawfully displaying a disabled persons badge, as defined under Section 142 of the Act;

"entitled residents parking permit" shall mean a permit issued under the provisions of Article 21(A) of this Order;

"goods" includes all chattels personal, other than things in action and money, including postal packets of any description and "delivery and collection", in relation to any goods, includes checking the goods for the purpose of their delivery or collection;

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

"invalid carriage" means a mechanically propelled vehicle of which the weight unladen does not exceed 254 kilograms and which is specially designed and constructed, and not merely adapted, for the use of a person suffering from some physical default or disability and is used solely by such person as defined in Section 136 of the Act;

"motorcycle" means a mechanically propelled vehicle (not being an invalid carriage) with fewer than 4 wheels, of which the weight unladen does not exceed 410 kilograms as defined in Section 136 of the Act;

"owner", in relation to a vehicle, means the person named in the vehicle registration document or the person by whom such vehicle is kept and used;

"parking attendant" shall have the same meaning as in section 63A of the Road Traffic Regulation Act 1984;

"parking charge" for a vehicle left in a charged parking place shall be determined by reference to the Seventh Schedule to this Order;

"parking period" for a vehicle left in a charged parking place shall be determined by reference to the Seventh Schedule to this Order;

"parking place" means an area on the highway designated as a parking place by Article 3 of this Order.

"permit" means any permit issued under the provisions of Article 21 of this Order;

"permit holder" means a person to whom a permit has been issued under the provisions of Article 21 of this Order;

"permitted hours" means the period between the hours of 8.00 am and 6.00 pm on Monday to Saturday inclusive or any such day not being Christmas Day, Good Friday or a Bank Holiday being a public holiday;

"postal packet" means a letter, parcel, packet or other article transmissible by post as defined in Section 125 of the Postal Services Act 2000

"professional carers permit" shall mean a permit issued to those carers whose visits to the elderly, physically or mentally disabled, the ill, infirm or young are on a one off basis;

"property" means any premises of which the postal address is in any street or part of street specified in the First Schedule to this Order;

"relevant position" in relation to a parking permit means:

- (a) in the case of a vehicle fitted with a front windscreen, the permit is exhibited thereon with the obverse side facing forwards on the nearside of and immediately behind the windscreen;
- (b) in the case of a vehicle not fitted with a front windscreen, the permit is exhibited in a conspicuous position on the front or the nearside of the vehicle.

"relevant position" in relation to a parking ticket means the ticket is exhibited on the dashboard or fascia or windscreen of the vehicle, so that the front of the ticket is clearly legible from the outside of the vehicle.

"residential carers permit" shall mean a permit issued to those carers whose role requires ongoing attendance and care for the elderly, physically or mentally disabled, the ill, infirm or young;

"....."

"visitors permit" shall mean a permit issued under the provisions of Article 21(A) to this Order for the use of a person visiting an entitled resident;

(2) For the purpose of this Order a vehicle displays a disabled person's badge in the relevant position if it is displayed in accordance with The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000.

(3) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

(4) The conditions, provisions, prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation of any other such matter imposed by any Order or regulation made, or having effect as if made, under the Act of 1984, or by or under any other enactment.

(5) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

PART II- AUTHORISATION AND USE OF PARKING PLACES

3. (1) Each of the parts of a road specified in the Second and Third Schedules to this Order is to be used, subject to the provisions of this Order as a residents parking place for the parking during the permitted hours by such classes of vehicles specified in this Order and as displayed in the manner specified in Article 26 of this Order a valid permit issued by the Council in respect of that vehicle.

(2) Nothing in paragraph (1) of this Article shall restrict the power of the Council to close any parking place.

3A. (1) Each of the parts of road specified in the Seventh Schedule to this Order is to be used subject to the following provisions of this Order and are hereby designed as charged parking places on such days, during such hours and for such parking charges as are specified in that Schedule in relation to that part of the road in the said Schedule

- (a) so as to unreasonably prevent access to any premises adjoining the road, or the use of the road by other persons, or so as to be a nuisance;
 - (b) when the Council has closed that parking place.
6. The driver of a 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 depart from the parking place.
7. When a vehicle is left in a parking place in contravention of any of the provisions contained in Article 4 or Article 5 of this Order, a person authorised by the Council to do so may remove the vehicle or arrange for it to be removed from that parking place. Provided that when a vehicle is waiting in a parking place in contravention of the provision of Article 4(b) of this Order, a person authorised by the Council to do so may alter or cause to be altered the position of the vehicle so that its position shall comply with that provision.
8. Any person removing a vehicle or altering its position by virtue of Article 7 of this Order may do so in such a manner as appears necessary.
9. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of Article 7 of this Order, that person shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.

Exemptions for disabled persons

- 10.(1) Notwithstanding the provisions of Article 3 of this Order a vehicle which bears on the windscreen thereof or, if the vehicle has no windscreen, in a conspicuous position thereon, a badge issued by any local authority in accordance with the provisions of The Local Authorities' Traffic Orders (Exemption for Disabled Persons) (England) Regulations 2000 or a badge having effect under those regulations as if it were a disabled persons badge may be left during the permitted hours in a parking place.

(2) Where a vehicle is exempted from the provisions of this Article, a vehicle to which this

- (b) place and maintain on or in the vicinity of each parking place traffic signs of any size, colour and type prescribed or authorised under Section 64 of the Act indicating that such parking place may be used during the permitted hours for the leaving only of the vehicles specified in the Articles to this Order; and
- (c) carry out such other works as are reasonably required for the purposes of the satisfactory operation of a parking place.

Manner of Standing in Parking Places

12. Every vehicle left in a parking place in accordance with the foregoing provisions of this Order shall so stand, in the case of any parking place:-
- (a) So that the left or nearside of the vehicle is adjacent to the left-hand edge of the carriageway and that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 12 inches;
 - (b) So that every part of the vehicle is within the limits of the parking place.

Alteration of Position of Vehicles in Parking Places

13. Where any vehicle is standing in a parking place in contravention of the provisions of the last preceding Article or of the provisions of Article 10(2) of this Order a Police Constable in uniform or a parking attendant may alter or cause to be altered the position of the vehicle in order that its position shall comply with these provisions.

Removal of Vehicles from Parking Places

14. Where a Police Constable in uniform or a parking attendant is of the opinion that any of the provisions contained in Article 18(1) of this Order have been contravened or not complied with in respect of a vehicle left in a parking place, he or she may remove or cause to be removed the vehicle from the parking place, and where it is so removed shall provide for safe custody of the vehicle.

Movement of Vehicles in Parking Places in Emergencies

- (b) for the purpose of any building operation, demolition or excavation in or adjacent to the parking place or the maintenance, improvement or reconstruction of the parking place or adjacent highway or part of the highway 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 of any telecommunication apparatus or traffic sign;
- (c) for the purpose of 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 such removal is for the convenience of occupiers of premises adjacent to the parking place;
- (d) for the purpose that any street may be thronged or obstructed by reason of some special attraction;
- (e) for the purpose of parking at times of weddings or funerals, or on other special occasions provided that such parking is for the convenience of occupiers of premises adjacent to the parking place.

(2) A Police Constable in uniform or a parking attendant may suspend for not longer than 24 hours the use of a parking place or any part thereof whenever he or she considers that such suspension is reasonably necessary for the purpose of facilitating the movement of traffic or promoting safety.

(3) Any person suspending the use of a parking place or any part thereof in accordance with the provisions of paragraph (1) or (2) of this Article shall thereupon place or cause to be placed in or adjacent to that parking place or a part thereof the use of which is suspended a traffic sign indicating that waiting by vehicles is prohibited.

(4) No person shall cause or permit a vehicle to be left in any parking place or part of a parking place during such period as there is in or adjacent to that parking place or part of a parking place a traffic sign placed in pursuance of paragraph (3) of this Article provided that nothing in this paragraph shall render it unlawful to cause or permit any vehicle being used for Police, Fire Brigade or Ambulance purposes or any vehicle being used for any purpose specified in Article 18(1)(b), (d) or (e) of this Order to be left in the parking place or part of a parking place during any such

or near the parking place or in connection with the selling or offering for sale of a skill or handicraft or service in any other capacity.

Provided that nothing in this Article shall prevent the sale of goods from a vehicle if the vehicle is a passenger vehicle, goods vehicle of any weight or motorcycle or invalid carriage and the goods are immediately delivered at or taken into the premises adjacent to the vehicle from which the sale is effected.

Restriction of Waiting of Vehicles in Parking Places

18.(1) Without prejudice to the foregoing provisions of this Order with respect to vehicles left in parking places in accordance with those provisions, any vehicle may wait during the permitted hours anywhere on the carriageway in a parking place, other than a parking place, or part of a parking place the use of which has been suspended, if:-

- (a) the vehicle is waiting only so long as is necessary to enable a person to board or alight from the vehicle;
- (b) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his or her control or to such waiting being necessary in order to avoid an accident;
- (c) the vehicle is a vehicle used for Fire Brigade or Ambulance purposes or a vehicle (other than a passenger vehicle) in the service of the local authority or water authority or a vehicle in the service of the Police Force in either case being used in pursuance of statutory powers of duties;
- (d) the vehicle is waiting only for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;
- (e) the vehicle 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;
- (f) the vehicle is in use in connection with the servicing of telephone kiosks;
- (g) the vehicle, not being a passenger vehicle, is waiting only for so long as

as far as a bank is concerned, cash or other valuables or valuable securities, or loading or unloading the vehicle at premises adjacent to the parking place in which the vehicle is waiting.

(2) Except as provided in the foregoing provisions of this Article, the driver of a vehicle shall not cause or permit a vehicle to wait in a parking place during the permitted hours.

(3) Nothing in the foregoing provisions of this Article shall be taken as authorising anything which would be a contravention of any regulations made or having effect as if made under Section 35 of the Act.

Manner of Waiting in Parking Places

19. A person causing or permitting a vehicle to wait in a parking place by virtue of the provisions of sub-paragraph (e), (f), (g), (h) or (i) in paragraph (1) of the last preceding Article shall, except where the parking place is other than at right angles to the edge of the carriageway, take all such steps as are necessary to ensure that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle and the distance between the said edge and the nearest wheel of the vehicle is not more than 12 inches and in each and every case so that every part of the vehicle is within the limits of the parking place.

20. In any respect not specifically mentioned in the preceding or succeeding Articles the procedure, validity and terms of use for a business permit shall be the same as the procedure, validity and terms of use for an entitled residents parking permit and the Order shall be construed accordingly.

PART III- PERMITS

Application for and Issue of Permits

21. (A) (1) Save as provided in Article 22 any entitled resident who

(a) is the owner of a vehicle of the following class, that is to say a passenger vehicle, a goods vehicle or a motorcycle, or

(2) Notwithstanding the provisions of Article 21(A)(1) a third permit may be issued in respect of a household if an inspection by the Council reveals in the opinion of the Council that there is no practical rear or side access for off street parking at the property or any other off street parking available for the resident. An administrative charge shall be levied for carrying out an inspection of £25.

(3) The Council may at any time require an applicant for a permit or a permit holder to produce to an Officer of the Council such evidence in respect of an application for a permit made to them as they may reasonably require to verify any particulars or information given to them or in respect of any permit issued by them as they may reasonably require to verify the permit is valid. If such evidence in respect of an application for a permit cannot be supplied the Council shall have discretion on whether or not a permit is issued.

(4) On receipt of an application duly made under the foregoing provisions of this Article including the receipt of the appropriate permit charge, where necessary, the Council upon being satisfied that the applicant is either-

- (a) the owner of a vehicle of the class specified in paragraph (1) of this Article or
- (b) a person authorised by the owner of a vehicle of the said class

may issue to the applicant the relevant number of permits for the leaving during the permitted hours in any parking places of vehicles to which such permit relates by the owner of such vehicle or by any person using such vehicle with the consent of the owner other than a person to whom such vehicle has been let for hire or reward.

(5) The charge in connection with the issue of an entitled residents parking permit shall be as set out in the table below and shall be valid for the period as set out below:

Appropriate Permit Charge	Duration
1 st Permit- No Charge	12 months running

question together with the registration mark of the vehicle in respect of which it is displayed and that square contains no other writing or marks.

(8) There shall be provision on the face of a visitors permit for five squares to be used on individual days.

(9) The standard number of visitors permits which the Council may issue to a particular household is 100 per annum but a further 25 visitors permits per annum may be issued for each additional person in the household aged 18 years or over, however, the Councils Officer shall have discretion to increase this limit of 100 to cover cases where a carers permit could be granted but where it is more economic or in the interests of the public and the proper administration of the residential parking scheme for additional visitors permits to be issued instead and the Council may require the production and delivery up of a used visitors permit before issuing a further such permit.

(10) There shall be no charge by the Council for the issue of visitors permits.

(11) In any respect not specifically mentioned in paragraphs (5), (6), and (7) above, the procedure, validity and terms of use for a visitors permit shall be the same as the procedure, validity and terms of use of an entitled residents permit and this Order shall be construed accordingly.

(12) The Council may by notice in writing refuse the issue of a visitors permit if it appears to the Council that the applicant or other adult within the household has previously misused or abused the visitors permit system.

21.(B)(1) Any person (including partnership or body corporate), who is regularly operating a business at one or more premises the postal address of which is or are in any streets or part of a street specified in the First Schedule hereto and who:

(a) is the owner of a vehicle of the following class, that is to say a passenger vehicle, a goods vehicle or a motorcycle, or

(b) with the permission of the owner uses a vehicle of the said class on a

(3) The Council shall, upon receipt of an application for more than two business permits, have discretion, in exceptional cases, to issue further business permits.

(4) The Council may at any time require an applicant for a business permit or a business permit holder to produce to an Officer of the Council such information and evidence in respect of an application for a business permit made to them as they require to enable the application to be considered or to verify any particulars or information given to them or in respect of any business permit issued to them as they may require to verify that the permit is valid. If such information and evidence in respect of an application for a business permit cannot be supplied the Council shall have discretion on whether or not a permit is issued.

(5) Without prejudice to the rights contained in paragraph (3) of this Article to request information and evidence, the Council shall either-

- (a) Issue to the applicant up to two business permits for the leaving during the permitted hours in any parking place of the vehicle to which such permits relate by the owner of such a vehicle or by any person using such a vehicle with the consent of the owner other than a person to whom such a vehicle has been let for hire or reward, or
- (b) Notify the applicant in writing of their refusal to issue business permits. Provided that such decision to issue or refuse to issue business permits shall be the absolute and unfettered discretion of the Council and the Council shall not be bound to give any reason for the decision.

(6) A charge shall be levied for issuing business permits to business properties each year as set out below:

Appropriate Permit Charge	Duration
1 st Permit- £30.00	12 months running from the annual renewal date
2 nd Permit- £60.00	
3 rd Permit- £90.00	
4 th Permit- £120.00	

vehicle in a parking place and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such a form to be supplied.

(2) The Council may at any time require an applicant for a residential carer's or professional carer's permit or a residential carer's or professional carer's permit holder to produce to an Officer of the Council such information and evidence in respect of an application for a residential or professional carer's permit made to them as they require to enable the application to be considered or to verify any particulars or information given to them or in respect of any residential carer's or professional carer's permit issued by them as they may require to verify that the permit is valid. If such information and evidence is not supplied as required then the Council shall have discretion on whether or not a permit is issued or cancelled.

(3) Without prejudice to the rights contained in paragraph (2) of this Article to request information and evidence, the Council shall either-

- (a) Issue to the applicant a residential carer's permit for the leaving during the permitted hours in any one or more parking places of the vehicle to which such permit relates by the driver of such a vehicle, or issue to the applicant a professional carers permit for the leaving during a maximum three hour waiting period (unless a special exemption is sought and granted) in any one or more parking places of the vehicle to which such permit relates by the driver of such a vehicle, or
- (b) Notify the applicant in writing of their refusal to issue a residential carer's or professional carer's permit. Provided that such decision to issue or refuse to issue a residential carer's or professional carer's permit shall be in the absolute and unfettered discretion of the Council and the Council shall not be bound to give any reason for the decision.

(4)(a) There shall be no charge by the Council for the issue of a residential carers permit;

(b) A charge shall be levied for issuing professional carers permits each year at £30.00 each.

(5) The use by the classes of vehicles mentioned in Article 24(1)(b) of -

(2) The Council may at any time require an applicant for a temporary permit or a temporary permit holder to produce to an Officer of the Council such information and evidence in respect of an application for a temporary permit made to them as they require to enable the application to be considered or to verify any particulars or information given to them or in respect of any temporary permit issued by them as they may require to verify that the permit is valid. If such evidence is not supplied as requested then the Council shall have discretion on whether or not a permit is issued or cancelled.

(3) On receipt of an application duly made under the foregoing provisions of this Article the Council upon being satisfied that the applicant is the driver of an vehicle of the class specified in paragraph (1) of this Article may, but only on receipt of a fee of £18.00, issue to the applicant a temporary permit for the leaving for a maximum of six days in any calendar year and during the permitted hours in any parking place of vehicles to which such permit relates.

(4) The use by the vehicles mentioned in Article 21(D)(1) of the parking places shall in all other respects be governed by and subject to the provisions of this Order including the requirement to display a permit.

21. (F)(1) Any person who

- (c) is the owner of a vehicle of the following class, that is to say a passenger vehicle, a goods vehicle or a motorcycle, or
- (d) with the permission of the owner uses a vehicle of the said class on a regular basis

and rents an allotment in Burns Close, Eastleigh but is not an entitled resident or a business permit holder may apply to the Council for the issue of one permit in respect of his or her household for the leaving in any parked space of such vehicle or vehicles and any such application shall be made on the form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied and shall include the appropriate permit charge as specified in Article 21(F) (5) to this Order.

- (c) the owner of a vehicle of the class specified in paragraph (1) of this Article or
- (d) a person authorised by the owner of a vehicle of the said class

and rents an allotment at Burns Close, Eastleigh and is not entitled resident or a business permit holder may issue to the applicant one permit for the leaving during the permitted hours in any parking places of vehicles to which such permit relates by the owner of such vehicle or by any person using such vehicle with the consent of the owner other than a person to whom such vehicle has been let for hire or reward.

(5) The charge in connection with the issue of parking permit to a person who rents an allotment in Burns Close, Eastleigh shall be £30 for 12 months running from the annual renewal date.

22. An entitled resident will not be eligible to apply for an entitled residents permit, a business permit or a visitors permit under Article 21 of this Order where there has been a development to the property after the coming into effect of this Order.

Surrender, Withdrawal and Validity of Permits

23. (1) A permit holder may surrender the permit to the Council at any time and subject to Article 24 shall surrender the permit to the Council within 48 hours of the occurrence of one of the events set out in paragraph (3) of this Article.

(2) The Council may, by notice in writing, (served on the permit holder by sending the same by recorded delivery service to the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that persons place of abode or business), withdraw a permit if it appears to the Council that any one of the events set out in paragraph (3)(a), (b), (c) or (e) of this Article has occurred.

(3) The events referred to in the foregoing provisions of this Article are:-

- (a) the permit holder ceasing to be an entitled resident.

(g) the permit ceasing to be valid pursuant to the provisions of paragraph (4) of this Article.

(4) Without prejudice to the foregoing provisions of this Article a permit shall cease to be valid at the expiration of the period specified thereon or in the occurrence of any one of the events set out in this Article, whichever is the earlier.

Application for and Issue of Duplicate Permits

24. (1) If an entitled residents or business permit or carers permit is mutilated or accidentally defaced or the figures or particulars thereon become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall either surrender it to the Council or apply to the Council for the issue of a duplicate permit and the Council upon the receipt of the permit shall issue a duplicate permit so marked and upon such issue the first permit shall become invalid.

(2) If an entitled residents or business permit or carers permit is lost or destroyed the permit holder may apply to the Council for the issue of a duplicate permit and the Council upon being satisfied as to such loss or destruction shall issue a duplicate permit so marked and upon such issue the first shall become invalid.

(3) Duplicate permits will not be issued for visitors permits.

(4) The provisions of this Order shall apply to a duplicate permit and an application therefore as if it were a permit or as the case maybe an application therefore.

(5) There shall be no charge for the issue of the first duplicate entitled residents or business or carers permit but the issue of any subsequent duplicate permits may be charged a fee of £5 each.

Form of Permit

25. A permit shall be in writing and shall include the following particulars:-

(1) in the case of a vehicle which is fitted with a transparent windscreen on the inside surface of the windscreen on the nearside so that it is facing forwards and can be entirely and easily seen from the front of the vehicle, a valid permit issued in respect of that vehicle;

(2) in the case of a vehicle which is not fitted with a transparent windscreen on the front of the vehicle so that it is facing forwards and can be entirely and easily seen from the front of the vehicle, a valid permit issued in respect of that vehicle.

Restriction and Removal of Permits

27. Where a permit has been displayed on a vehicle in accordance with the provisions of Article 26 of this Order no person other than the driver of that vehicle, shall remove the permit from the vehicle unless authorised to do so by the driver of that vehicle.

Refunds and Discounts in Respect of a Charge Paid in Connection with the Issue of a Permit

28. (a) An application for a refund may be made in respect of any entitled residents parking permit or business permit which has been surrendered where the appropriate permit charge had originally been paid.
- (b) The refund shall be calculated by dividing the total annual cost of the permit by 12 and multiplying this by the number of complete unused months. A refund will not be given where the value of the calculated permit remaining is £5.00 or less.
- (c) Refunds will be made by cheque within 21 days of receipt of the returned permit and the application for a refund.
29. (a) A discount of 50% of the full appropriate permit charge shall be made in respect of any application for an entitled residents parking permit, business permit or professional carers permit made and issued 6 months after the appropriate annual renewal date.
- (b) A discount of 10 months of the full appropriate permit charge shall be made in respect of any application for an entitled residents parking

- (b) during the permitted hours in the roads, on the sides of roads, or in any lengths of roads specified in the Fifth Schedule to this Order;
- (c) between the hours of 8.00am and 6.00pm on any day not being a Saturday or Sunday in the roads, on the sides of roads, or in any lengths of roads specified in the Sixth Schedule to this Order.

31. Nothing in Article 30 of this Order shall render it unlawful to cause or permit any vehicle to wait on the sides of roads or in the lengths of roads referred to therein for so long as is necessary to enable-

- (a) a person to board or alight from a vehicle;
- (b) goods to be loaded on 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 of the following operations, namely-

- i. building, industrial or demolition operation;
- ii. the removal of any obstruction by traffic;
- iii. the maintenance, improvement or reconstruction of the said sides of road or length of road;
- iv. the laying, erection, alteration or repair in, or in land adjacent to the said sides of roads or lengths of roads of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus;

- (d) the vehicle, if it cannot be conveniently be used for such purpose in any other road, to be used in the service of a local authority or a water authority in pursuance of statutory powers or duties;
- (e) the vehicle to be used for the purpose of delivering or collecting postal packets as defined in Section 125 of the Postal Services Act 2000; or
- (f) the vehicle to be used for Fire Brigades, Ambulance or Police purposes.

32. Nothing in Article 30 of this Order shall render it unlawful to cause or permit a disabled persons vehicle which displays in the relevant position a disabled persons badge and a disabled parking disc (on which the driver, or other person in charge of the vehicle has marked the time at which the

PART V- DISABLED PERSONS PARKING PLACES

34. Each of the parts of roads specified in the Eighth Schedule to this Order is hereby designated as, and is authorised to be used, subject to the provisions of this Order, as a street disabled persons parking place for disabled persons vehicles in such positions and on such days and during such hours as are specified in relation to that part of the road in the said Schedule.
35. Nothing in Article 34 of this Order shall restrict the power of the Council, for preventing obstruction of the streets, by Order on the occasion of any public procession, rejoicing or illumination, or when the streets are thronged or liable to be obstructed, to close any disabled persons parking place.
36. Articles 10 and 21-29 inclusive of this Order ("the Excluded Articles") shall not apply to the disabled persons parking places designated by this Order and set out in the Eighth Schedule hereto but all other Articles of the Order ("the Applicable Articles") shall apply to them as if where the words "parking place" are used that phrase were substituted by "disabled persons parking place" but as if there were deleted from the Applicable Articles any reference to the Excluded Articles.
37. At all times which a vehicle is left in a disabled persons parking place during the permitted hours there shall be displayed in the relevant position a valid disabled persons badge.
38. Where a disabled persons badge has been displayed on the vehicle in accordance with the provisions of Article 2 of this Order, no person, not being the driver of the vehicle, shall remove the badge from the vehicle unless authorised to do so by the driver of the vehicle.

PART VI- CHARGED PARKING PLACES

39. Save as provided in Articles 10 and 31 of this Order no person shall, except on direction or with the permission of a Police Constable in uniform or a parking attendant cause or permit any vehicle to wait during the chargeable hours in a charged parking place described in the Seventh

41. Provided always that the payment of the parking charge shall be indicated by the vehicle displaying in the relevant position at all times whilst so parked a parking ticket issued by the ticket machine relating to the parking place in which the vehicle has been left.
42. There shall be a ticket machine on or in the vicinity of each of the parking places referred to in the Seventh Schedule to this Order.
43. No parking charge shall be payable in respect of any vehicle waiting in a charged parking place during the chargeable hours if:
- (a) At the time the vehicle was left in that charged parking place there was on that ticket machine relating to that charged parking place a notice placed by a parking attendant or any person duly authorised by the Council indicating that the ticket machine relating to that charged parking place was out of order; and
 - (b) There is no other ticket machine available to be used for that charged parking place; and
 - (c) The vehicle is removed within one hour of the ticket machine defect being rectified.

PART VII- REVOCATION OF EXISTING TRAFFIC REGULATION
PROVISIONS

44. The Orders specified in Column 1 of the Ninth Schedule to this Order are hereby revoked to the extent specified in Column 2 of the said Schedule.

FIRST SCHEDULE
Zone 9: premises entitled to permits

1. Abbots Road
2. Burns Close
3. Burns Road
4. Cedar Road
5. Chestnut Avenue (even Nos. 156 to 192 and odd Nos. 141 to 223)
6. Friars Road
7. Maple Square
8. Monks Brook Close
9. Monks Way
10. Passfield Avenue (odd Nos. 195 to 255)
11. Priory Road

SECOND SCHEDULE
Areas on Highway Designated as Parking Places with Permits,
Monday to Friday, 8.00am to 6.00pm
(Zone 9)

Road	Side	Description
1. Chestnut Avenue	North	From a point 50 metres east of its junction with Passfield Avenue eastwards to a point 6 metres east of the western boundary of No. 156 Chestnut Avenue.

THIRD SCHEDULE
Roads with Permit Only Parking Monday to Friday, 8.00am to 6.00pm
(Zone 9)

Road	Side	Description
1. Abbots Road	All	For its entire length except where parking is restricted, prohibited or designated as disabled persons parking places.

5.	Chestnut Avenue Service Road	All	For its entire length except where parking is restricted, prohibited or designated as disabled persons parking places.
6.	Friars Road	All	For its entire length except where parking is restricted, prohibited or designated as disabled persons parking places.
7.	Locksley Road	All	For its entire length except where parking is restricted, prohibited or designated as disabled persons parking places.
8.	Maple Square	All	For its entire length except where parking is restricted, prohibited or designated as disabled persons parking places.
9.	Monks Brook Close	All	For its entire length except where parking is restricted, prohibited or designated as disabled persons parking places.
10.	Monks Way	All	For its entire length except where parking is restricted, prohibited or designated as disabled persons parking places.
11.	Priory Road	All	For its entire length except where parking is restricted, prohibited or designated as disabled persons parking places.
12.	Un-named access road serving the rear of Nos. 159 to 177 Chestnut Avenue and to the rear of Nos. 28 to 50 Monks Way (including the roads between the rows of garages).	All	For its entire length except where parking is restricted, prohibited or designated as disabled persons parking places. Includes any unmetalled area between the edge of the roadway and fences, walls, sheds and buildings.

FOURTH SCHEDULE
No Waiting at Any Time

	Road	Side	Description
1.	Burns Road	Both	From its junction with Derby Road southwards for a distance of 10 metres.
2.	Cedar Road	Both	From its junction with Passfield Avenue eastwards for a distance of 15 metres.
3.	Cedar Road	North	From a point 15 metres west of its junction with the western arm of Maple Square eastwards to a point 10 metres east of the junction.
4.	Cedar Road	North	From a point 10 metres west of its junction with the eastern arm of Maple Square eastwards to its junction with the north-south arm of Cedar Road.
5.	Cedar Road	South	From its junction with the north-south arm of Cedar Road westwards for a distance of 10 metres.
6.	Cedar Road (north-south arm)	Both	The entire length of the north-south arm, with the exception of the properly constructed laybys.
7.	Chestnut Avenue	North	From its junction with Passfield Avenue westwards to its junction with Stoneham Lane (roundabout).
8.	Chestnut Avenue	North	From its junction with Passfield Avenue eastwards for a distance of 50 metres.
9.	Chestnut Avenue	North	From a point 6 metres east of the western

Chestnut Avenue eastwards to a point 59 metres east of the eastern junction of Monks Way.

- | | | | |
|-----|------------------------------|-------|--|
| 13. | Chestnut Avenue Service Road | North | From its junction with the western end of Monks Way eastwards to its junction with the eastern end of Monks Way. |
| 14. | Chestnut Avenue Service Road | South | From its junction with the western end of Monks Way eastwards for a distance of 15 metres. |
| 15. | Chestnut Avenue Service Road | South | From a point 10 metres west of its junction with Priory Road to a point 10 metres east of its junction. |
| 16. | Chestnut Avenue Service Road | South | From a point 10 metres west of its junction with Friars Road to a point 10 metres east of its junction. |
| 17. | Chestnut Avenue Service Road | South | From its junction with the eastern end of Monks Way westwards for a distance of 15 metres. |
| 18. | Friars Road | Both | From its junction with Chestnut Avenue Service Road southwards for a distance of 10 metres. |
| 19. | Locksley Road | Both | From its junction with Tennyson Road westwards for a distance of 26 metres. |
| 20. | Locksley Road | North | From its junction with Passfield Avenue eastwards for a distance of 30 metres. |
| 21. | Locksley Road | South | From its junction with Passfield Avenue eastwards for a distance of 32 metres. |

	(eastern arm)		northwards for a distance of 10 metres.
27.	Monks Brook Close	Both	From its junction with Chestnut Avenue southwards for a distance of 20 metres.
28.	Monks Way (western end)	Both	From its junction with Chestnut Avenue southwards for a distance of 33 metres.
29.	Monks Way (eastern end)	Both	From its junction with Chestnut Avenue southwards for a distance of 20 metres.
30.	Monks Way	East & north	From the southern boundary wall of No. 92 Monks Way southwards and eastwards to the eastern boundary wall of No. 84 Monks Way.
31.	Monks Way	West & north	From the northern boundary wall of No. 4 Monks Way southwards and westwards to the western boundary wall of No. 8 Monks Way.
32.	Priory Road	Both	From its junction with Chestnut Avenue Service Road southwards for a distance of 10 metres.
33.	Stoneham Lane (closed section)	Both	From its junction with Chestnut Avenue southwards for a distance of 15 metres.
34.	Stoneham Lane (closed section)	West	From kerb line of the southern closed end northwards for a distance of 14 metres.
35.	Stoneham Lane (closed section)	South	The entire length of kerb line of its southern closed end.
36.	Stoneham Lane (closed section)	East	From the kerb line of the southern closed end northwards to a point 3 metres north of the northern boundary of Brook Cottage.

southwards to the junction of Locksley Road.

- | | | | |
|----|---------------|-------|---|
| 3. | Locksley Road | North | From a point 2 metres east of the eastern boundary of No. 45 Locksley Road eastwards to a point 22 metres west of the western boundary of No. 43 Locksley Road. |
|----|---------------|-------|---|

SIXTH SCHEDULE

No Waiting Monday to Friday 8.00am to 6.00pm

- | | Road | Side | Description |
|----|-----------------|-------|--|
| 1. | Chestnut Avenue | South | From a point 19 metres east of its junction with Monks Brook Close eastwards to the eastern boundary of No. 213 Chestnut Avenue. |

SEVENTH SCHEDULE

Pay & Display Parking, Monday to Friday 8.00am to 5.30pm

Location	Scale of Charges	Chargeable Hours
at a point 150 metres east of its junction with the access to on Peveril College eastwards to a point 90 metres west of junction with the access to Quilley School of Engineering.	£1.00 for up to 4 hours £2.00 for more than 4 hours	Monday to Friday 8am to 5.30pm (excluding bank holidays)

EIGHTH SCHEDULE

Areas On Highway Designated As Disabled Persons Parking Places

Description	Manner Of Parking For Permitted Vehicles	Classes Of Vehicles	Days Of Operation Of Parking Places	Hours Of Operation Of Parking Places
a point 18 metres south of its junction with Derby Road southwards for a distance of 60 metres.	Within the bay marked by white lines	Disabled persons vehicles	All days	All hours
a point 20 metres east of the junction with Field Avenue eastwards for a distance of 60 metres.	Within the bay marked by white lines	Disabled persons vehicles	All days	All hours
a point 11 metres north of its junction with Derby Road northwards for a distance of 6.5 metres.	Within the bay marked by white lines	Disabled persons vehicles	All days	All hours

e eastern boundary of No. 64 Monks
stwards for a distance of 6.5 metres.

Within the bay
marked by white
lines

Disabled
persons
vehicles

All days

All hours

NINTH SCHEDULE

Column 1

The Borough of Eastleigh (Kipling Road and Locksley Road and Surrounding Roads) (Prohibition and Restriction of Waiting) (Disabled Persons Parking Places) Order 2004

The Borough of Eastleigh (Eastleigh Town Centre) (Prohibition and Restriction of Waiting) (Disabled Persons Parking Places) Order 2004

Column 2

First Schedule, Items 3A, 22, 23 and 24
Second Schedule, Items 1, 2 and 3

First Schedule, Items 14, 15, 16, 17, 33, 34, 34A, 38, 39, 40, 41, 42, 43, 44, 45, 45A, 46, 47, 54, 78, 79, 80, 81, 82, 91, 92, 93, 94, 95 and 119
Third Schedule, Items 2, 3 and 4
Thirteenth Schedule, Item 4

Dated this *1st* day of *November* 2007

THE COMMON SEAL of EASTLEIGH)
BOROUGH COUNCIL was hereunto)
affixed in the presence of:-)



Asst , Head of Legal & Democratic Services

Drawing Title: Residents Parking Proposals
 Monks Way Area,
 Chestnut Avenue
 & Lockley Road Area

Scale: 1: Not to scale

Date: April 2007

Drawing No.: Eastleigh/MBA-RPS

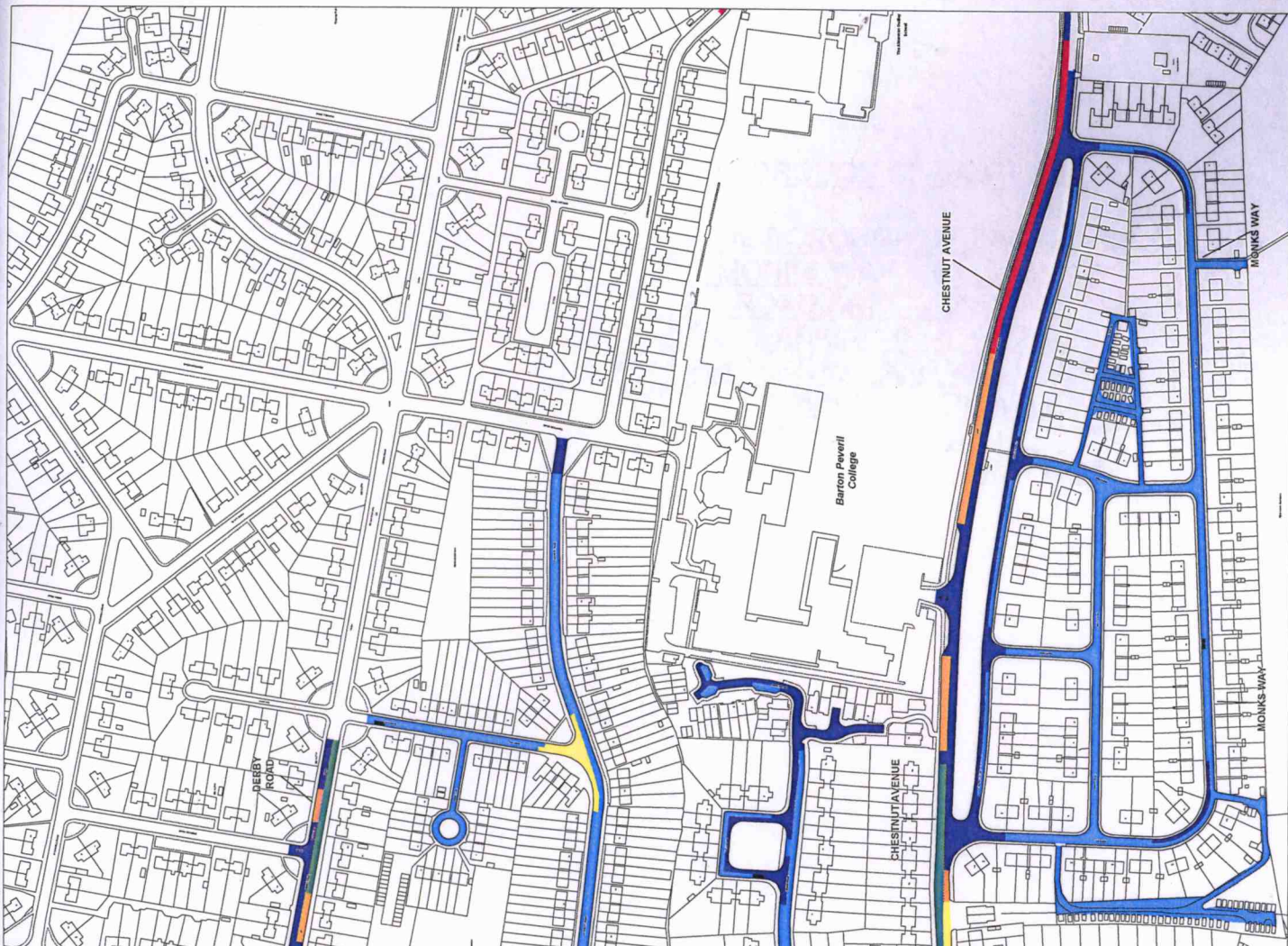
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Key:

Existing On-street & New Proposals	
No Waiting At Any Time	No Waiting 1.1
No Waiting	No Waiting 1.2
Residents Permit Parking Bay	Residents Permit 1.3
Permit Parking Street	Permit Parking 1.4
Disabled Person's Parking Place	Disabled Person's 1.5
Pay & Display Bay	Pay & Display 1.6
Time Limited Street	Time Limited 1.7
No Stopping Except Buses	No Stopping 1.8

Note:

1. Lockley Road / Burnes Road junction - No Waiting Monday to Saturday 8am to 6pm
2. Chestnut Avenue / Burnes Road junction - No Waiting Monday to Saturday 8am to 6pm
3. Chestnut Avenue / Burnes Road junction - No Waiting Monday to Friday 8am to 6pm
4. Chestnut Avenue / Burnes Road junction - No Waiting Monday to Friday 8am to 6pm
5. No Stopping Except Buses restriction to apply at all times except in the event of an emergency. This will apply to Chestnut Avenue, which will apply 8am to 5.30pm Monday to Friday
6. No Stopping Except Buses restriction to apply at all times except in the event of an emergency. This will apply to Chestnut Avenue, which will apply 8am to 5.30pm Monday to Friday



Handwritten signature/initials



DATED 1st November 2007

BOROUGH OF EASTLEIGH

THE BOROUGH OF EASTLEIGH
(MONKS WAY AND LOCKSLEY
ROAD AREA) (RESIDENTS
PARKING PLACES AND
PROHIBITION AND RESTRICTION
OF WAITING) (DISABLED
PERSONS PARKING PLACES)
(NINTH ZONE) ORDER 2007