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THE BOROUGH OF HAVANT
PORTSMOUTH CITY COUNCIL

THE BOROUGH OF HAVANT AND PORTSMOUTH CITY COUNCIL
(VARIOUS ROADS, BEDHAMPTON) PROHIBITION OF WAITING
AND STOPPING ORDER 2004

- (A) The Council of the Borough of Havant (hereinafter referred to as "*the Borough Council*") pursuant to arrangements made under Section 101 of the Local Government Act 1972, with the County Council of Hampshire in exercise of the powers conferred on that County Council under Sections 1(1), 2(1) and (2) and 4(2) of the Road Traffic Regulation Act 1984 (hereinafter referred to as "*the Act*") and of all other enabling powers; and
- (B) Portsmouth City Council (hereinafter referred to as "*the City Council*") in exercise of the powers conferred on the City Council under Sections 1, 2(1) and (2) and 4(2) of the Act and all other enabling powers

after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act hereby make the following Order:

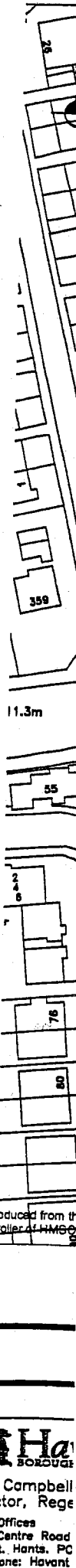
Part 1 - Prohibition of Waiting

1. Save as provided in Articles 2, 3 and 4 of this Order, no person shall, except upon the direction or with the permission of a Police Constable or Traffic Warden in uniform, cause or permit any vehicle to wait in the lengths of road listed in the Schedule to this Order at any time.
2. Nothing in Article 1 of this Order shall prevent any person from causing or permitting a vehicle to wait in the lengths of road referred to in the said Article for so long as may be necessary:
 - (a) to enable a person to board or alight from a vehicle;
 - (b) to enable goods to be loaded onto or unloaded from the vehicle;
 - (c) to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any funeral, building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of the road so referred to or the laying, erection, alteration or repair in or near to the said roads of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus as defined in paragraph 1(1) of the Telecommunication Code contained in Schedule 2 of the Telecommunication Act 1984;
 - (d) to enable a vehicle of (and bearing a livery used by) a universal service provider within the meaning ascribed by the Postal Services Act 2000 to be used for the purpose of delivering or collecting postal packets in the course of the provision of a universal postal service as defined in that Act;

- (e) to enable a public service vehicle being used in the operation of a local service within the meaning ascribed by the Transport Act 1985 to wait at a stopping place marked and authorised by the Council for the purpose of (i) allowing a person to board or alight from the vehicle or to pay a fare (ii) the vehicle to wait, if it arrives at the stopping place in advance of the advertised time for a period not exceeding 15 minutes;
 - (f) to enable the vehicle to be used for emergency services purposes;
 - (g) to enable the vehicle to be placed in the service of a local authority or water authority in pursuance of statutory duties or powers.
3. Nothing in Article 1 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 road referred to in the said Article 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 in the same road).
 4. Nothing in Article 1 of this Order shall render it unlawful to cause or permit any vehicle to wait in any of the lengths of road specified in that Article if the vehicle is a hackney carriage (as defined in the Vehicles (Excise) Act 1971) waiting on a duly authorised Hackney Carriage rank.
 5. Nothing in the foregoing Articles of this Order shall authorise the use of any part of the lengths of road specified in the Schedule so as unreasonably to prevent access to any premises adjoining the road by any person entitled to the use thereof, or so as to be a nuisance.

Part 2 - Prohibition of Stopping

6. Save as provided in Articles 7 and 8 of this Order, no person shall, except upon the direction of or with the permission of a Police Constable or Traffic Warden in uniform, cause or permit any vehicle to stop in the lengths of road referred to in Schedule 2 to this Order at any time.
7. Nothing in Article 6 of this Order shall prevent a person from causing or permitting a vehicle to stop in the lengths of road referred to in the said Article if:
 - (a) the vehicle is being used for emergency services purposes;
 - (b) the vehicle is being used in the service of a local authority or water authority in pursuance of statutory duties or powers;
 - (c) the vehicle is being used in connection with any funeral, building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of the road so referred to or the laying, erection, alteration or repair in or near to the said roads of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus as defined in paragraph 1(1) of the Telecommunication Code contained in Schedule 2 of the Telecommunication



Act 1984 provided that it cannot conveniently be used for such purpose in any other length of road.

8. Nothing in Article 6 of this Order shall prevent a person from causing or permitting a vehicle to stop in the length of road referred to in Schedule 2 to this Order if the vehicle is a public service vehicle being used in the operation of a local service within the meaning ascribed by the Transport Act 1985 for the purpose of (i) allowing a person to board or alight from the vehicle or to pay a fare or (ii) if the vehicle arrives at the stopping place in advance of the advertised time, waiting for a period not exceeding 15 minutes.

Part 3 - Interpretation, Commencement and Repeals

9. The Interpretation Act 1978 shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.
10. 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.
11. The prohibitions imposed by Article 1 of this Order are for identification purposes only illustrated and shown annotated on drawing number H12/184 annexed hereto.
12. This Order shall come into operation on the 13th day of January 2005 and may be cited as "The Borough of Havant and Portsmouth City Council (Various Roads, Bedhampton) Prohibition of Waiting and Stopping Order 2004".

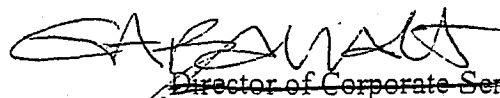
THE COMMON SEAL of THE)
COUNCIL OF THE BOROUGH)
OF HAVANT was hereunto)
affixed this 12th day of January)
2005 in the presence of:)



Solicitor to the Council

Civic Offices
HAVANT
Hampshire PO9 2AX

THE COMMON SEAL of)
PORTSMOUTH CITY COUNCIL)
was hereunto affixed this 12th)
day of January 2005 in the)
presence of:)



Director of Corporate Services

AUTHORISED SIGNATORY

68076

SCHEDULE 1

Lengths of road wherein waiting is to be prohibited 24 hours a day. 7 days a week throughout the year

Havant Road (A2030), Bedhampton

- (a) On the south side from the centreline of its junction with Westways, westwards and eastwards for distances of 18 metres and 25 metres respectively.

Westways, Bedhampton

- (a) On the north-east and north sides, from its junction with Havant Road (A2030), in a south-easterly and then easterly direction for a total distance of 70 metres.
- (b) On the south-west side from its junction with Havant Road (A2030), in south-easterly direction for a distance of 45 metres.

SCHEDULE 2

Length of road wherein Stopping is to be Prohibited at any time except buses

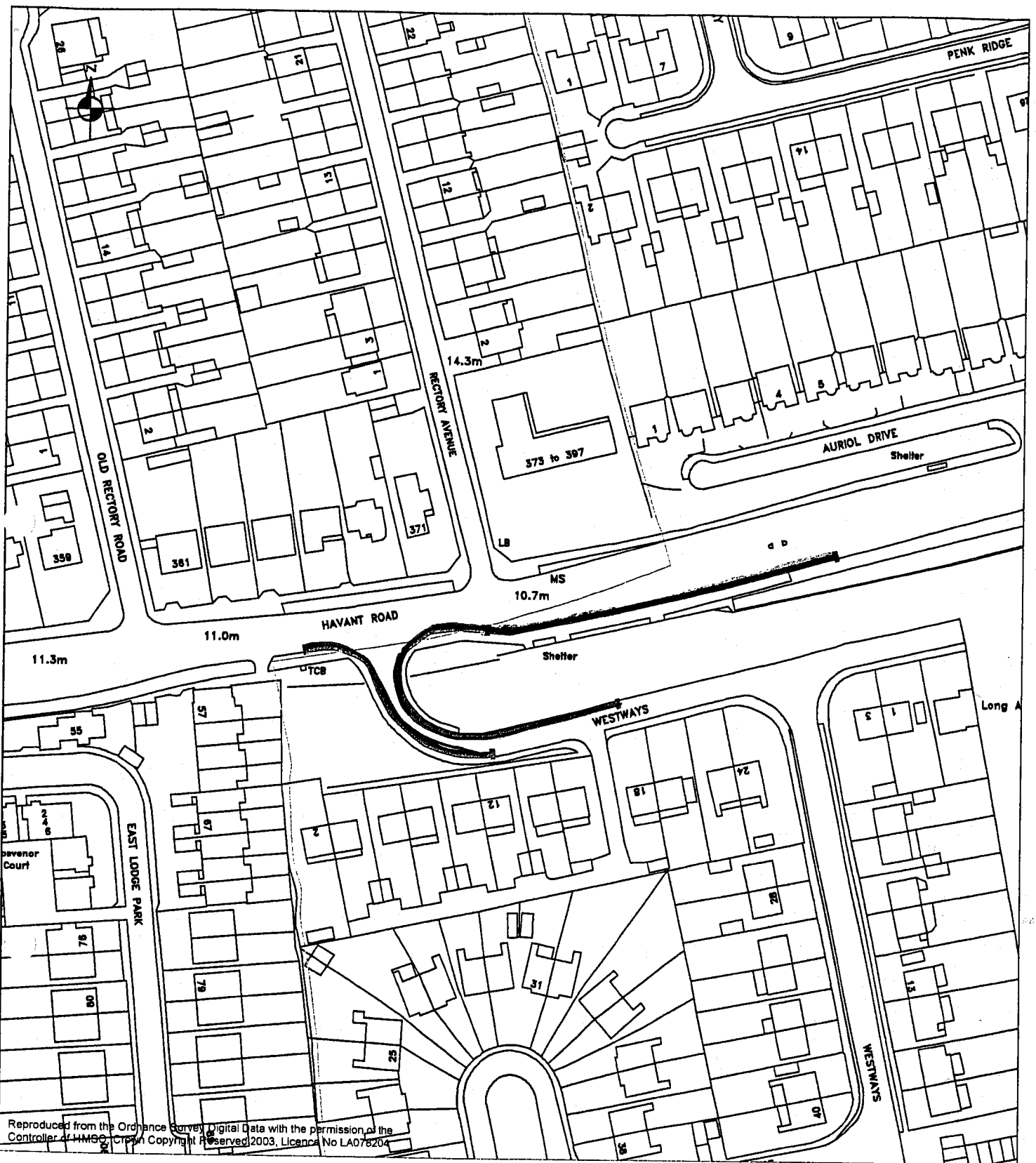
Havant Road (A2030), Bedhampton

On the south side, from a point 25 metres east from the centreline of its junction with Westways, in an easterly direction for a distance of 80 metres.

Statement of Reasons

The Councils' precise reasons for making the Order are as follows:

- (a) to facilitate the passage on the road of any class of traffic including pedestrians;
- (b) to avoid danger to persons or other traffic using the roads or any other roads or for preventing the likelihood of any such danger arising;
- (c) to alleviate problems associated with the inconsiderate parking of vehicles to the detriment of residents and other road users.



KEY:-



PROPOSED NO WAITING "AT ANY TIME"



PROPOSED NO STOPPING "AT ANY TIME EXCEPT BUSES" (WITHIN LAYBY)



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TITLE

HAVANT ROAD (A2030) AND WESTWAYS
BEDHAMPTON, PROPOSED
NO WAITING/NO STOPPING ORDER

Drawn By:

BJR

Scale:

1:1250

Drawing No.:

HI12/184

Date:

NOV 2003

Dr. Name:

HWAYSHAVANT

Cad Name:

HI12-184