

10 MAY 2007

THE BOROUGH OF HAVANT
(HAVANT: PARK WAY)
(PROHIBITION OF WAITING) ORDER 2007

The Council of the Borough of Havant hereby gives notice that pursuant to arrangements made under Section 101 of the Local Government Act 1972 with the Council of the County 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 ("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 make the following Order:-

1. This Order shall come into operation on the tenth day of May 2007 and may be cited as "The Borough of Havant (Havant: Park Way) (Prohibition of Waiting) Order 2007".
2. The parts of Order specified in the First Schedule to this Order are hereby revoked.
3. (1) In this Order -

"authorised hackney carriage stand" means any area of carriageway which is comprised within and indicated by a road marking complying with Diagram 1028.2 in Schedule 6 to The Traffic Signs Regulations and General Directions 2002;

"authorised parking place" means any parking place on a road authorised or designated by an Order made or having effect as if made under the Act;

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

"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;

"hackney carriage" has the same meaning as in Section 38(1) of the Vehicles Excise and Registration Act 1994;

"Parking Attendant" means a person authorised by the Council to enforce the restrictions imposed by this Order;

(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 2A of The Local Authorities'

Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986;

- (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 5 no person shall except upon the direction or with the permission of a police constable in uniform cause or permit any vehicle to wait in the lengths of road specified in the Second Schedule.
- 5. (1) Nothing in Article 4 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 road; or
 - (iv) the laying erection alteration or repair in or in land adjacent to the said lengths of road of any sewer or of any main pipe or apparatus for the provision of gas water electricity or telecommunications;
 - (c) the vehicle if it cannot conveniently be used for such purpose in any other road to be used in the service of a local authority the Environment Agency or a water or sewerage undertaker within the meaning of the Water Act 1989 in pursuance of statutory powers or duties;
 - (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 the Act;
 - (e) the vehicle to take in petrol oil water or air from any garage situated on or adjacent to the said lengths of road;

- (f) the vehicle to wait at or near to any premises situated on or adjacent to the said lengths of road for so long as such waiting by that vehicle is reasonably necessary in connection with any wedding or funeral; or
 - (g) the vehicle to be used for fire brigade ambulance or police purposes.
- (2) Nothing in Article 4 shall render it unlawful to cause or permit any vehicle to wait for so long as may be necessary for the purpose of enabling goods to be loaded on or unloaded from the vehicle in the lengths of road specified in the Second Schedule at any time on any day.
- (3) Nothing in Article 4 shall render it unlawful to cause or permit any vehicle -
 - (a) to wait upon an authorised parking place or
 - (b) being a hackney carriage to wait upon an authorised hackney carriage stand.
- (4) Nothing in Article 4 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 any of the lengths of road referred to in the Second Schedule 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 length of road on the same day).
- 6. 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 Borough of Havant (Various Roads) Prohibition and Restriction of Waiting (Consolidation) Order 2005

EXTENT OF REVOCATION

- 1) Schedule 4 (No waiting at any time) Paragraphs 4.467, 4.468 and 4.480

SECOND SCHEDULE
(Waiting prohibited at all times)

Lengths of road in Havant

Park Way (as realigned in the construction of Central Retail Park)

a) north side:-

- i) from a point 18 metres west of its junction with North Way, measured from the centreline, eastwards, then southwards and then eastwards to its crossroads junction with Park Road North and Elm Lane

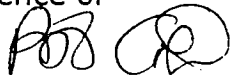
b) south side:-

- i) from a point 60 metres east of its junction with Union Road, measured from the centreline, eastwards, then southwards and then eastwards to its crossroads junction with Park Road North and Elm Lane

THE COMMON SEAL OF THE
COUNCIL OF THE BOROUGH
OF HAVANT was hereunto
affixed this

3RD day of May 2007

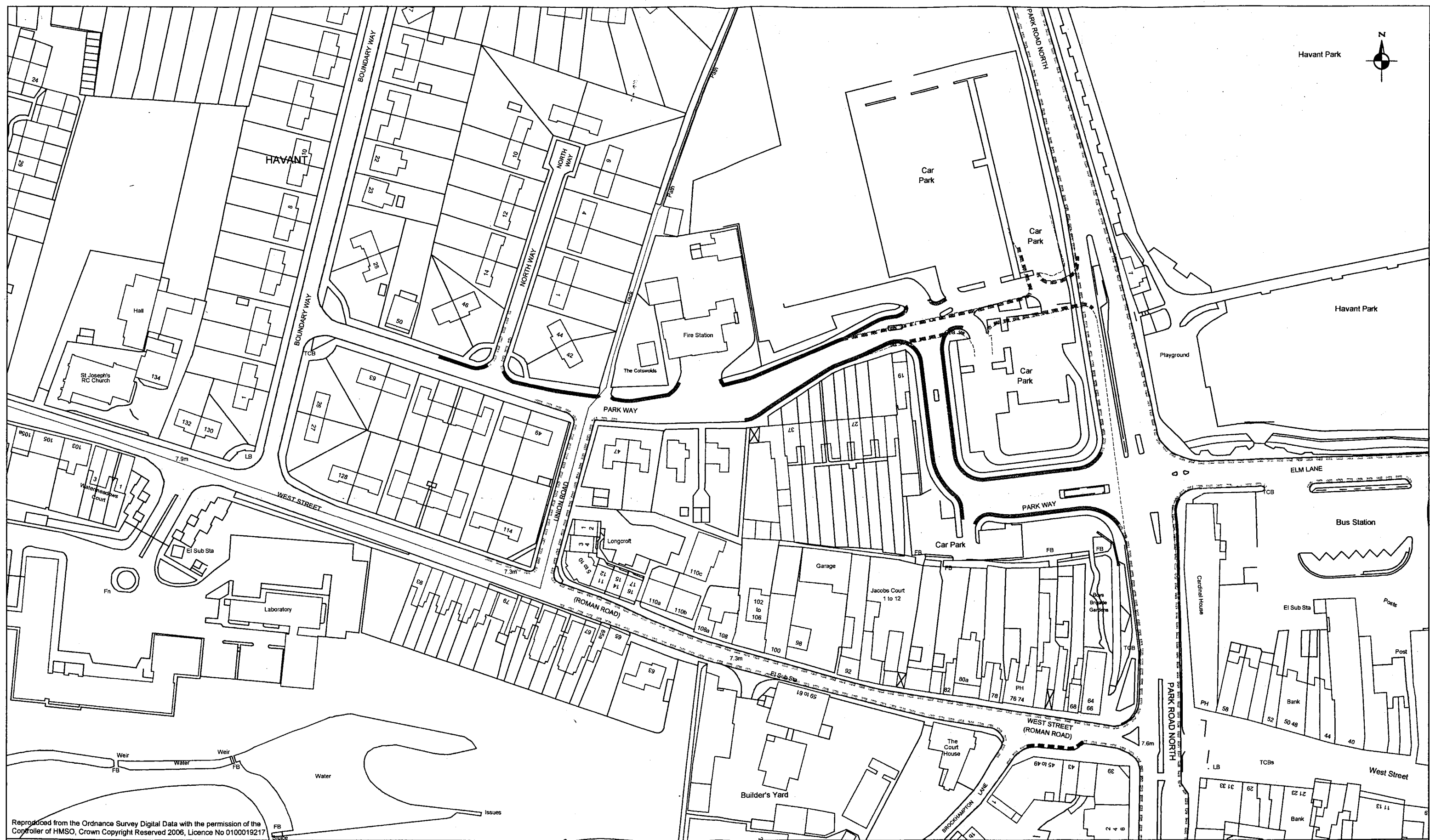
In the presence of



Solicitor to the Council

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Havant

BOROUGH COUNCIL

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KEY:-

----- EXISTING NO WAITING AT ANY TIME TO BE REMOVED

----- EXISTING NO WAITING AT ANY TIME

----- EXISTING NO WAITING MON - SAT 8am - 6pm

----- EXISTING LIMITED WAITING TO 30 Mins Mon - Sat 8am - 6pm (Return prohibited within 30 Mins)

———— PROPOSED NO WAITING AT ANY TIME (TO REMAIN AS EXISTING)

———— PROPOSED NO WAITING AT ANY TIME

REV	DESCRIPTION	DATE	INITS

TITLE CENTRAL RETAIL PARK, HAVANT
PARK WAY REALIGNMENT
NEW HIGHWAY
WAITING RESTRICTIONS

DRAWN BY BJR	DRG No. Hi12/234
DATE APR 2006	DIR NAME HWAYS/HAVANT
SCALE 1:1250	CAD NAME HI12-234