

THE BOROUGH OF HAVANT
(HAYLING ISLAND; CREEK ROAD)
(RESTRICTION OF WAITING)
(REVOCATION NO: 2) 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 eighth day of October 2007 and may be cited as The Borough of Havant (Hayling Island: Creek Road) (Restriction of Waiting) (Revocation No: 2) Order 2007.

2. The Order specified in the First Schedule to this Order is 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;

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

"disabled person's badge" has the same meaning as in The Disabled Persons (Badges for Motor Vehicles) Regulations 1982 as amended;

"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 length of road specified in the Second Schedule to this Order.
5. (1) Nothing in Article 4 shall render it unlawful to cause or permit any vehicle to wait in the length 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 length of road; or
 - (iv) the laying erection alteration or repair in or in land adjacent to the said length 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 length of road;
 - (f) the vehicle to wait at or near to any premises situated on or adjacent to the said length 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 length of road specified in the Second Schedule to this Order 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 length of road referred to in the Second Schedule to this Order 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.

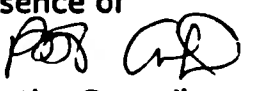
FIRST SCHEDULE
Order to be revoked

<u>Order</u>	<u>Part of Order to be revoked</u>
The Borough of Havant (Hayling Island: Creek Road) (Restriction of Waiting) (Revocation) Order 2007	Whole Order

SECOND SCHEDULE
(Waiting prohibited at all times)

Length of road in Hayling Island

Creek Road	West side:- from a point 51 metres north of its junction with Southwood Road, northwards for a distance of 62 metres.
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THE COMMON SEAL OF THE
COUNCIL OF THE BOROUGH
OF HAVANT was Hereunto
affixed this
5th day of October 2007)
In the presence of)
)
Solicitor to the Council)

