

18 MAR 2010

**THE BOROUGH OF HAVANT**  
**(HAYLING ISLAND: RAILS LANE)**  
**(PROHIBITION AND RESTRICTION OF WAITING) ORDER 2010**

The Council of the Borough of Havant ("the Council") pursuant to arrangements made under Section 19 of the Local Government Act 2000 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) 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 tenth day of March 2010 and may be cited as " The Borough of Havant (Hayling Island: Rails Lane) (Prohibition and Restriction of Waiting) Order 2010.
2. The part of Order specified in the First Schedule to this Order is hereby revoked.
3. (1) In this Order -  
  
"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 person's vehicle" has the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 2000;  
  
"Council" means the Council of the Borough of Havant;  
  
(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 cause or permit any vehicle to wait in the length of road 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 cause or permit any vehicle to wait between the hours of 7.00 a.m. and 7.00 p.m. in the lengths of road specified in the Third Schedule to this Order -
- (a) for a longer period than 45 minutes; or
  - (b) if a period of less than 45 minutes has elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle in the same length of road.
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 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 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 road;
  - (e) 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
  - (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 road 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. 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 and parts of Orders to be revoked)**

**Order**

**Extent Of Revocation**

The Borough of Havant (Various Roads) Prohibition and Restriction of Waiting (Consolidation) Order 2005

Schedule No: 25 - Limited waiting 30 minutes return prohibited within 30 minutes 7am to 7pm between 1 April and 30 September - Paragraph 25.02

**SECOND SCHEDULE**  
**(Prohibition Of Waiting At All Times)**

**Length of road in Hayling Island**

Rails Lane

East side:

from a point 55 metres south of the centreline of Southwood Road, southwards for a distance of 5 metres

**THIRD SCHEDULE**  
**Waiting limited to 45 minutes, return prohibited within 45 minutes,**  
**between the hours of 7am and 7pm.**

Length of road in Hayling Island


Rails Lane

East Side:

- 1) from a point 10 metres south of the centreline of Southwood Road, southwards for a distance of 45 metres.
- 2) from a point 60 metres south of the centreline of Southwood Road, southwards to the gated entrance of Bembridge Drive.

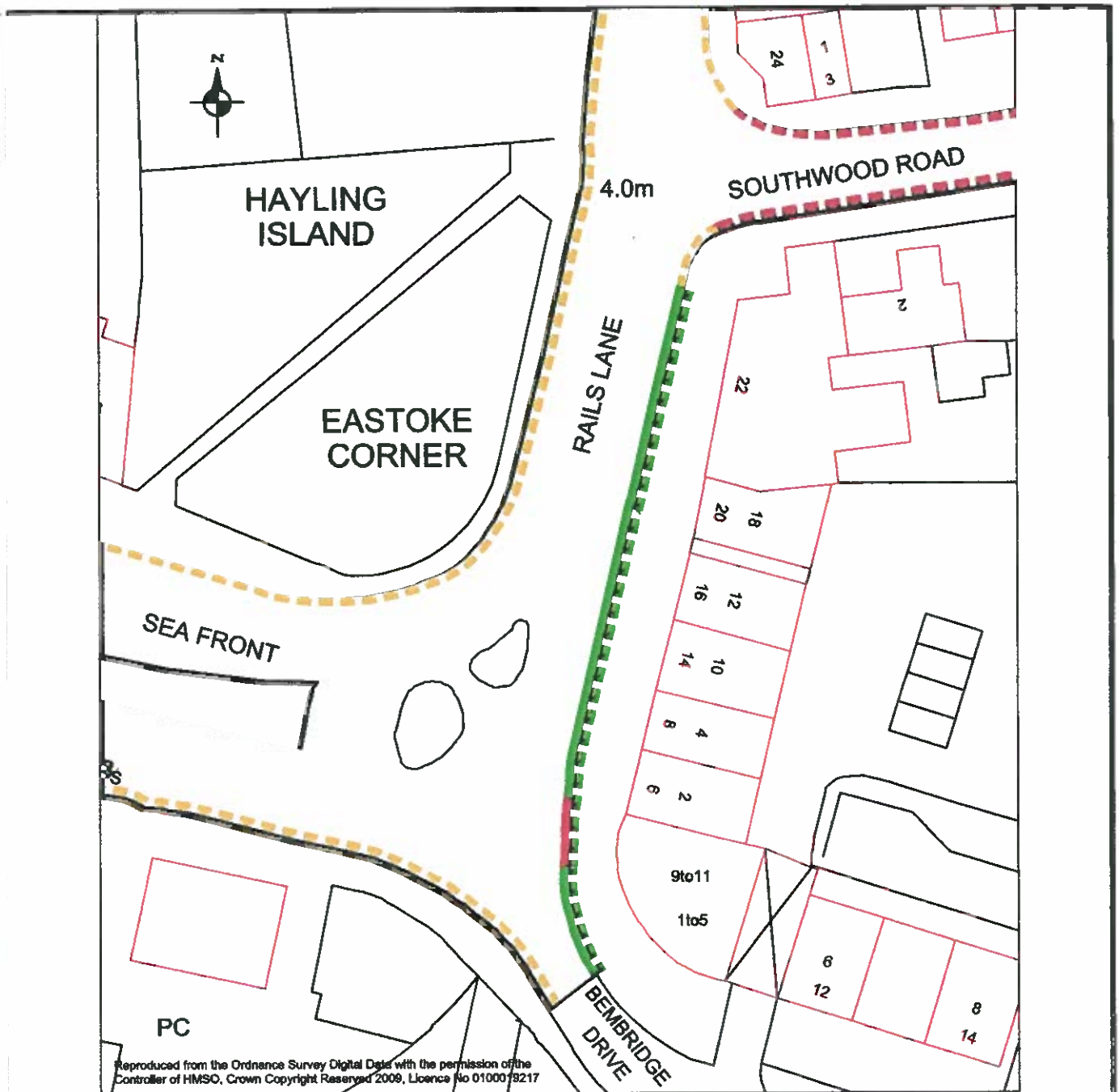
THE COMMON SEAL OF THE  
COUNCIL OF THE BOROUGH  
OF HAVANT was Hereunto  
affixed this  
5<sup>th</sup> day of March 2010

In the presence of

  
Solicitor to the Council



AS/TRO/151  
Plan No: Hi12/306



Reproduced from the Ordnance Survey Digital Data with the permission of the Controller of HMSO, Crown Copyright Reserved 2009, Licence No 0100019217

**KEY:-**

- - - - - EXISTING 'NO WAITING AT ANY TIME'
- - - - - EXISTING 'NO WAITING AT ANY TIME 1ST APRIL - 30 SEPTEMBER INCLUSIVE'
- - - - - EXISTING 'WAITING LIMITED TO 30 MINS. RETURN PROHIBITED WITHIN 30 MINS 7am - 7pm APRIL TO SEPTEMBER INCLUSIVE'
- PROPOSED 'WAITING LIMITED TO 45 MINS RETURN PROHIBITED WITHIN 45 MINS 7am -7pm'
- PROPOSED 'NO WAITING AT ANY TIME'



Civic Offices, Civic Centre Road,  
 Havant, Hants. PO9 2AX  
 Telephone: (023) 9247 4174  
 Email: [customer.services@havant.gov.uk](mailto:customer.services@havant.gov.uk)  
 internet: [www.havant.gov.uk](http://www.havant.gov.uk)

TITLE  
**RAILS LANE, HAYLING ISLAND  
 PROPOSED MODIFICATIONS  
 TO THE SEASONAL  
 LIMITED WAITING RESTRICTIONS**

DRAWN BY BJR	CHECKED BY ORG No.	HI12/306
DATE OCT 2009	DIR NAME L:\CGD\ITS\SAO-A-HAYLING	
SCALE 1:500 @ A4	CUD NAME HI12-306-RAILS-LANE	

REV	DESCRIPTION	DATE	BY/TS