

THE BOROUGH OF HAVANT
(HAVANT: BROOKMEAD WAY, LANGBROOK CLOSE, LONGMEAD
GARDENS, SOUTHBROOK ROAD AND THE MALLARDS) (EXPERIMENTAL
PROHIBITION AND RESTRICTION OF WAITING) (NO 2) 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 9 and 10 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 twenty-first day of September 2010 and may be cited as "The Borough of Havant (Havant: Brookmead Way, Langbrook Close, Longmead Gardens, Southbrook Road and The Mallards) (Experimental Prohibition and Restriction Of Waiting) Order 2010."
2. The parts of Order specified in the First Schedule to this Order are hereby revoked.
3. This Order will cease to have effect after the twenty-eighth day of February 2011.
4. The Solicitor to the Council may modify or suspend the operation of this Order or any provision contained in it in accordance with Section 10 of the Act.
5. (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 1986 as amended;
 - "loading"** means the loading or unloading of goods to or from a vehicle;
- (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.
6. Save as provided in Article 8 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 roads specified in the Second Schedule to this Order.
7. Save as provided in Article 8 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 9.00 a.m. and 5.00 p.m. from Mondays to Fridays inclusive in the lengths of roads specified in the Third Schedule to this Order.
8. (1) Subject to the provisions in Article 9 nothing in Articles 6 and 7 shall render it unlawful to cause or permit any vehicle to wait in the lengths of roads 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 roads; or
 - (iv) the laying erection alteration or repair in or in land adjacent to the said lengths of roads 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 roads;

- (e) the vehicle to wait at or near to any premises situated on or adjacent to the said lengths of roads 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 6 and 7 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.

9. Those vehicles described in Article 8 (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.
10. 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 (Havant: Hamilton Close, Langbrook Close, Langstone Road, Rectory Road, Southbrook Road, Woodbury Avenue & Penner Road Side Roads)
(Experimental Prohibition & Restriction of Waiting) Order 2010

EXTENT OF REVOCATION

Second Schedule - (waiting prohibited between the hours of 9.00am and 5.00pm, Mondays to Fridays inclusive) - Southbrook Road, south side, from a point 26 metres west of the centreline of Hamilton Close, generally eastwards to a point 38 metres south-east of the centreline of Hamilton Close.

Third Schedule - Two hour waiting restriction with no return within two hours, 9.00am and 5.00pm Monday to Friday inclusive - in its entirety.

SECOND SCHEDULE
(Waiting prohibited at all times)

Lengths of roads in Havant

Langbrook Close

North side:

- a) from a point 28 metres west of its junction with Langstone Road, westwards for a distance of 2 metres.

The Mallards

North side:

- a) from its junction with Langstone Road, westwards for a distance of 22 metres.
- b) from a point 32 metres from its junction with Langstone Road, westwards thence northwards for a total distance of 42 metres.

South side:

- a) from its junction with Langstone Road, westwards thence northwards for a total distance of 97 metres.

THIRD SCHEDULE
(Waiting prohibited between the hours of 9.00 a.m. and 5.00 p.m.
Mondays to Fridays inclusive)

Lengths of roads in Havant

Brookmead Way

East side:

- a) from the centreline of its junction with Langbrook Close, southwards for a distance of 34 metres.

Langbrook Close

North side:

- a) from a point 10 metres west of the boundary line of No's 10 and 12 Langbrook Close, north-westwards for a distance of 14 metres.

Langbrook Close

South side:

- a) from a point 20 metres west of its junction with Langstone Road, westwards to its junction with Brookmead Way.

Longmead Gardens

East and West sides:

- a) from its junction with Southbrook Road, southwards for a distance of 22 and 31 metres respectively.

Southbrook Road

south side:

- a) from a point 21 metres west of the centreline of Hamilton Close, eastwards thence southwards for a total distance of 60 metres.
- b) from a point 35 metres east of its junction with Langstone Road, eastwards for a distance of 11 metres.
- c) from a point 62 metres east of its junction with Langstone Road, eastwards for a distance of 17 metres.
- d) from a point 95 metres east of its junction with Langstone Road, eastwards for a distance of 13 metres.
- e) from the centreline of its junction with Longmead Gardens, north-eastwards for a distance of 27 metres.
- f) from the centreline of its junction with Longmead Gardens, westwards for a distance of 17 metres.

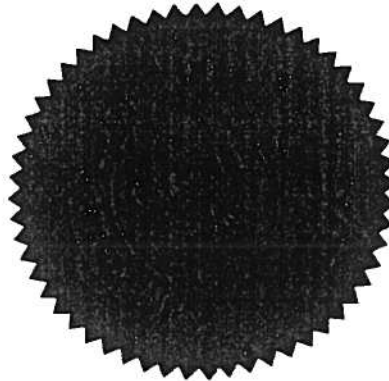
THE COMMON SEAL OF THE)
COUNCIL OF THE BOROUGH)
OF HAVANT was Hereunto)
affixed this)

20th day of September 2010)

In the presence of)



Solicitor to the Council)



AS/TRO/168
Plan No: Hi12/315A