

09 MAY 2011

THE BOROUGH OF HAVANT
(EMSWORTH: BRIDGE ROAD, BOSMERE GARDENS AND ST JAMES ROAD)
(PROHIBITION AND RESTRICTION OF WAITING) ORDER 2011

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) 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 sixth day of May 2011 and may be cited as " The Borough of Havant (Emsworth: Bridge Road, Bosmere Gardens and St James Road) (Prohibition and Restriction of Waiting) Order 2011.
2. (1) In this Order –

"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" 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.
3. 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 roads specified in the First Schedule to 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 between the hours of 9.00am and 6pm Monday to Saturday inclusive in the length of road specified in the Second Schedule to this Order.
5. (1) Subject to the provisions in Article 6 nothing in Articles 3 and 4 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 roads 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 3 and 4 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.

6. Those vehicles described in Article 5 (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.

7. 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
(Prohibition Of Waiting At All Times)

Lengths of roads in Emsworth

Bridge Road

East side:-

- from a point 72 metres south of its junction with Victoria Road, southwards for a distance of 42 metres.
- from the centreline of its junction with St James Road, northwards and southwards for a distance of 48 metres and 18 metres respectively.

West side:-

- from the centreline of its junction with Bosmere Gardens, northwards and southwards for a distance of 18 metres and 24.5 metres respectively.
- from a point 64 metres north of its junction with the A259 Havant Road, northwards for a distance of 27 metres.

Bosmere Gardens

North side:-

- from its junction with Bridge Road, westwards for a distance of 12 metres.

South side:-

- from its junction with Bridge Road, westwards for a distance of 20 metres.

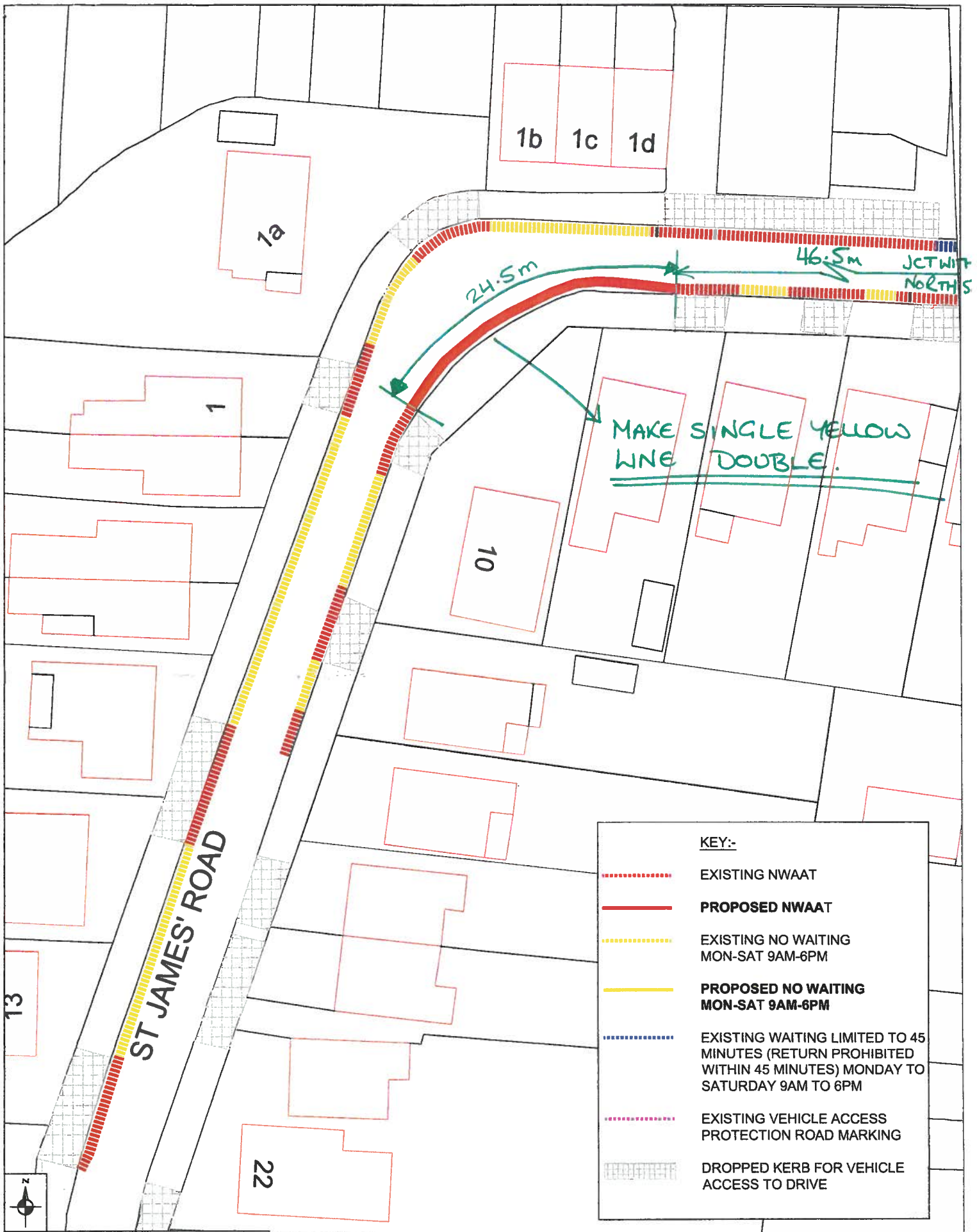
St James Road

South side:-

- from its junction with Bridge Road, eastwards for a distance of 13 metres.
- from a point 46.5 metres west of its junction with North Street, westwards and south-westwards for a distance of 24.5 metres.

North side:-

- from its junction with Bridge Road, eastwards thence northwards for a distance of 63 metres.



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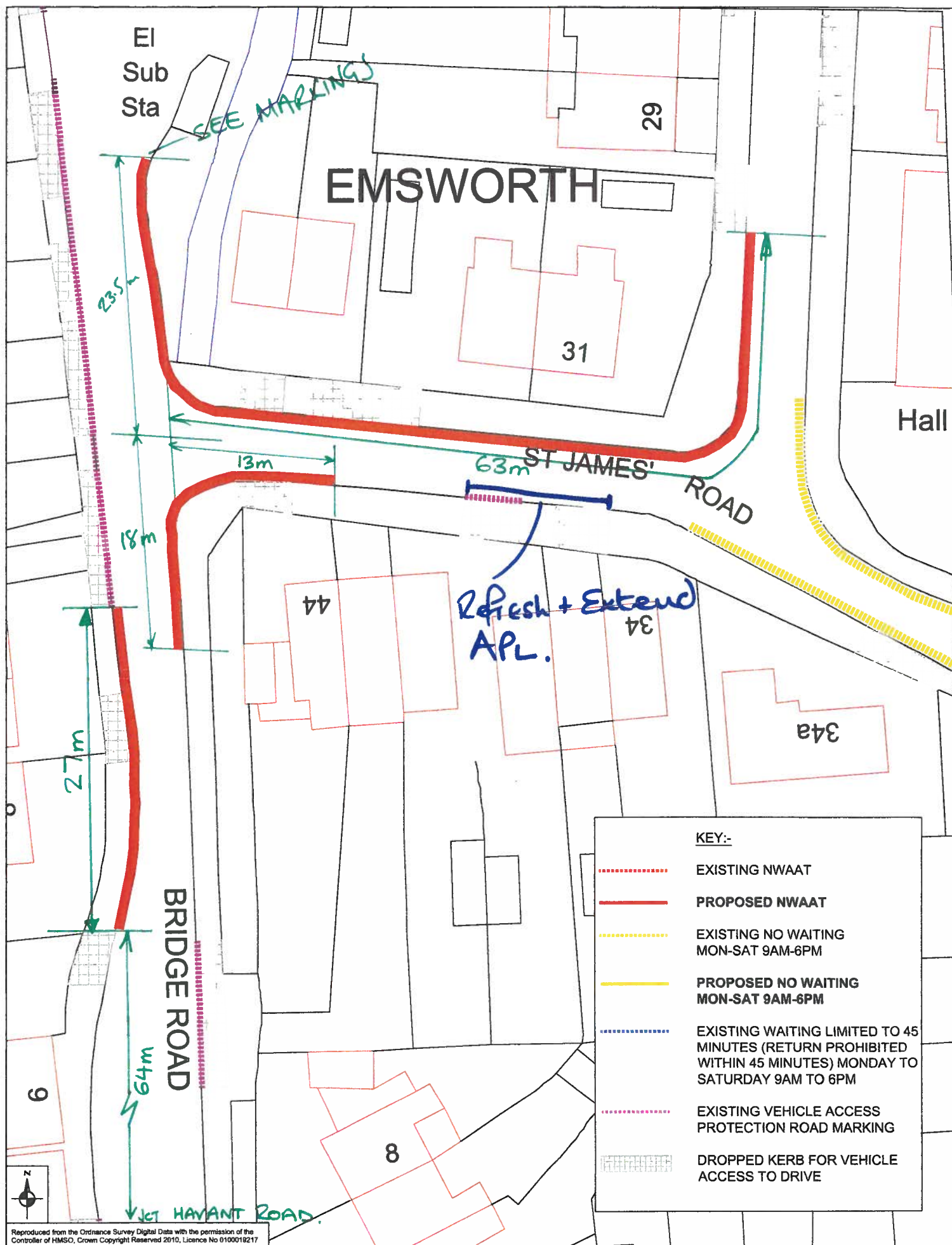


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Internet: www.havant.gov.uk

TITLE
PROPOSED WAITING RESTRICTION REVISIONS:-
St James Road/Bridge Road
Emsworth

DRAWN BY OS	CHECKED BY 2010 EMS 2
DATE OCT 2010	DRAWN BY LOGGISTIMOLICADENSWORTH
SCALE Not to Scal	CAD NAME STJAMES_V1

REV	DESCRIPTION	DATE	INTS



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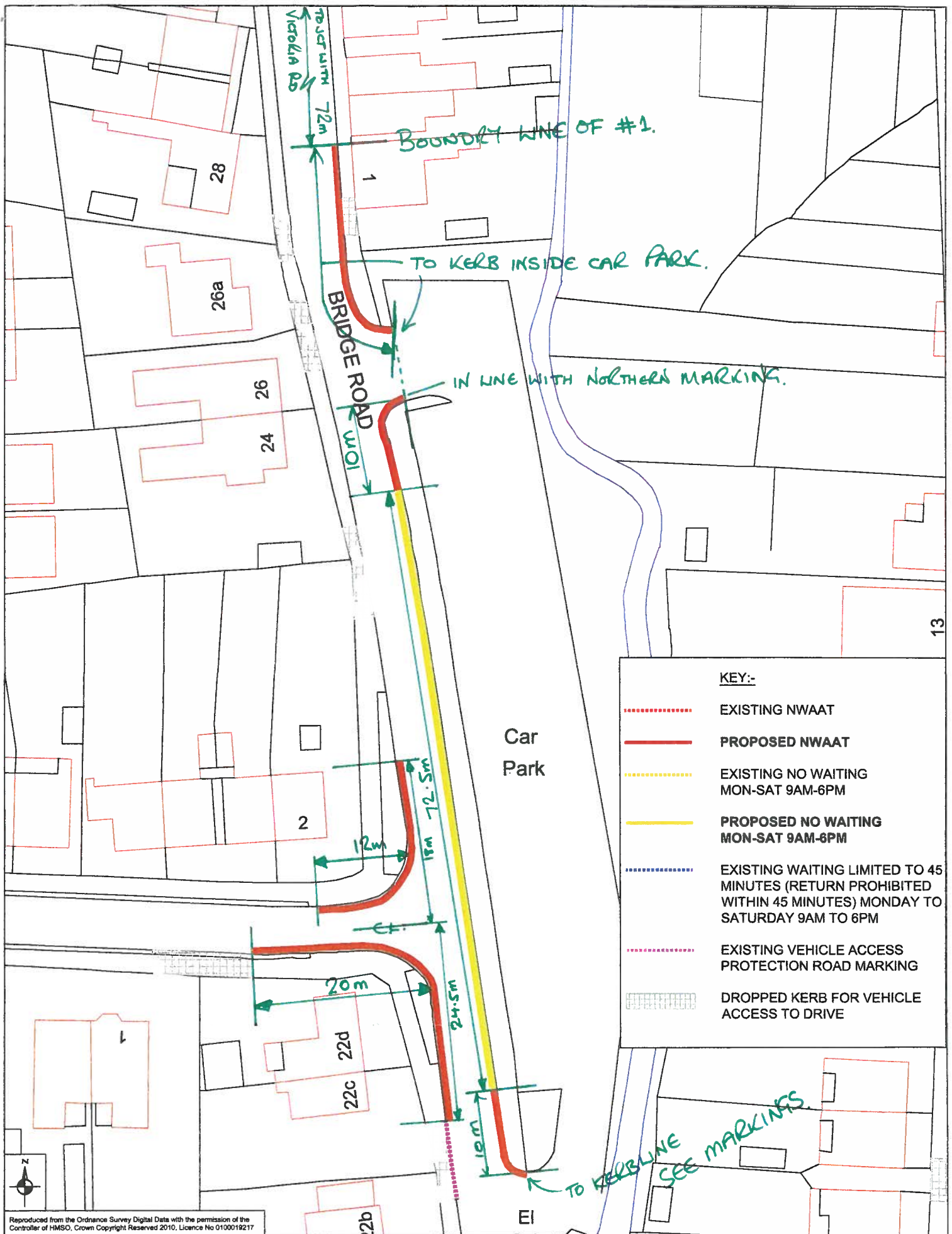


Havant
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DRAWN BY	OS	CHECKED BY	DRG NO	2010 EMS 2
DATE	OCT 2010	LOG NAME	L10001151M0101040Emsworth	
SCALE	Not to Scale	CAD NAME	STJAMES_V1	

REV	DESCRIPTION	DATE	INTS



KEY:-

- EXISTING NWAAT
- PROPOSED NWAAT
- EXISTING NO WAITING MON-SAT 9AM-6PM
- PROPOSED NO WAITING MON-SAT 9AM-6PM
- EXISTING WAITING LIMITED TO 45 MINUTES (RETURN PROHIBITED WITHIN 45 MINUTES) MONDAY TO SATURDAY 9AM TO 6PM
- EXISTING VEHICLE ACCESS PROTECTION ROAD MARKING
- [Pattern] DROPPED KERB FOR VEHICLE ACCESS TO DRIVE



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PROPOSED WAITING RESTRICTION REVISIONS:-
St James Road/Bridge Road
Emsworth

DRAWN BY OS	CHECKED BY 2010 EMS 2
DATE OCT 2010	DATE 11/10/2010
SCALE Not to Scale	SCALE STJAMES_V1

REV	DESCRIPTION	DATE	INTD

THE BOROUGH OF HAVANT
(EMSWORTH: BRIDGE ROAD, BOSMERE GARDENS AND ST JAMES ROAD) (PROHIBITION
AND RESTRICTION OF WAITING) ORDER 2011

NOTICE is hereby given that on 5 May 2011, the Council of the Borough of Havant, pursuant to an arrangement entered into under Section 19 of the Local Government Act 2000, made an Order under the provisions of the Road Traffic Regulation Act 1984, the effect of which will be to introduce:-

No waiting at any time on lengths of:

Bridge Road:

East side:-

- from a point 72 metres south of its junction with Victoria Road, southwards for a distance of 42 metres and;
- from the centreline of its junction with St James Road, northwards and southwards for a distance of 48 metres and 18 metres respectively.

West side:-

- from the centreline of its junction with Bosmere Gardens, northwards and southwards for a distance of 18 metres and 24.5 metres respectively and:-
- from a point 64 metres north of its junction with the A259 Havant Road, northwards for a distance of 27 metres.

Bosmere Gardens.

North side:-

- from its junction with Bridge Road, westwards for a distance of 12 metres.

South side:-

- from its junction with Bridge Road, westwards for a distance of 20 metres.

St James Road:

South side:-

- from its junction with Bridge Road, eastwards for a distance of 13 metres and;
- from a point 46.5 metres west of its junction with North Street, westwards and south-westwards for a distance of 24.5 metres.

North side:-

- from its junction with Bridge Road, eastwards thence northwards for a distance of 63 metres.

Waiting prohibited Monday to Saturday inclusive 9.00am–6.00pm:

Bridge Road:

East side:-

- from a point 48 metres north of the centreline of its junction with St James Road, northwards for a distance of 72.5 metres.

A copy of the Order, which will come into operation on 6 May 2011, together with a plan showing the affected lengths of roads, may be inspected at Civic Offices, Havant, during normal office hours.

Any person who wishes to question the validity of the Order, or of any provision contained therein, on the grounds that it is not within the powers conferred by the Act, or on the grounds that any requirement of the Act, or of any instrument made under it, has not been complied with in relation to the Order, may within 6 weeks from 5 May 2011, apply to the High Court for this purpose.

Dated this fifth day of May 2011.

Solicitor to the Council

Civic Offices
Havant