

THE BOROUGH OF HAVANT
(EMSWORTH: KING STREET, QUEEN STREET AND SOUTH STREET)
(PROHIBITION AND RESTRICTION OF WAITING) ORDER 2013

The Council of the Borough of Havant hereby gives notice that pursuant to arrangements made under Section 19 of the Local Government Act 2000 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) and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("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 ninth day of August 2013 and may be cited as " The Borough of Havant (Emsworth: King Street, Queen Street and South Street) (Prohibition and Restriction of Waiting) Order 2013.
2. The parts of Orders specified in the First Schedule to this Order are hereby revoked.
3. (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;

"Civil Enforcement Officer" means a person (being a person appointed under Section 76 of the Traffic Management Act 2004 and/or under Section 63A of the 1984 Act) authorised by or on behalf of the Council to supervise any parking place and act as indicated by the use of the expression in any of the Articles in this Order;

"Council" means the Council of the Borough of Havant;

"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;

"loading" means the loading or unloading of goods to or from a vehicle;

"residents' permit" means a permit issued to any person under the provisions of Article 59 in accordance with Section 45 of the Act;

- (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 9 no person shall except upon the direction or with the permission of a police constable in uniform or a Civil Enforcement Officer cause or permit any vehicle to wait in the lengths of roads specified in the Second Schedule to this Order.
5. Save as provided in Article 9 no person shall except upon the direction or with the permission of a police constable in uniform or a Civil Enforcement Officer cause or permit any vehicle to wait between the hours of 9.00 a.m. and 6.00 p.m. Monday to Saturday inclusive in the length of road specified in the Third Schedule to this Order.
6. Save as provided in Article 9 no person shall except upon the direction or with the permission of a police constable in uniform or a Civil Enforcement Officer cause or permit any vehicle to wait between the hours of 9.00 a.m. and 6.00 p.m. Monday to Saturday inclusive in the length of road specified in the Fourth 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.
7. Save as provided in Article 9 no person shall except upon the direction or with the permission of a police constable in uniform or a Civil Enforcement Officer cause or permit any vehicle to wait between the hours of 9.00 a.m. and 6.00 p.m. Monday to Saturday inclusive in the lengths of roads specified in the Fifth 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.

Zone B Residents' Parking Permit holders exempt.

8. Save as provided in Article 9 no person shall except upon the direction or with the permission of a police constable in uniform or a Civil Enforcement Officer cause or permit any vehicle to wait between the hours of 9.00 a.m. and 6.00 p.m. Monday to Saturday inclusive in the length of road specified in the Sixth Schedule to this Order -
 - (a) for a longer period than 2 hours; or
 - (b) if a period of less than 2 hours 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.
9. (1) Subject to the provisions in Article 10 nothing in Articles 4, 5, 6, 7 and 8 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 4, 5, 6, 7 and 8 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.

10. Those vehicles described in Article 9 (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.
11. 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 Orders to be revoked)

ORDER

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

EXTENT OF REVOCATION

No waiting at any time

Queen Street – north from its junction
with High Street, eastwards to the
boundary between No.10 & No.12
Queen Street.

South Street – west from a point 40
metres south of the boundary between
No.21 South Street and the car park,
southwards for a distance of 22 metres.

**No waiting Monday to Saturday
9am – 6pm**

King Street

south from the boundary between No.3
and No.5 King Street, eastwards for a
distance of 14 metres.

South from a point 16 metres east of
the centreline of its junction with The
Fishermans, eastwards to the boundary
between No's. 21 & 23 King Street

The Borough of Havant (Emsworth
Town Centre) Prohibition and
Restriction of Waiting & On Street
Parking Places Order 2005

No waiting at any time

Queen Street – north-west from a
point 29 metres north-east from the
centreline of its junction with Frankland
Terrace, north-eastwards for a distance
of 85 metres.

**Limited waiting 45 minutes return
prohibited within 45 minutes Mon-
Sat 9am-6pm**

South Street – north-west from a point
16 metres south-west of the boundary
between No.21 South Street and the
Car Park, south-westwards for a
distance of 24 metres.

The Borough of Havant (Emsworth
Town Centre) (Residents' Parking
Scheme) Order 2007

**Limited waiting 45 minutes return
prohibited within 45 minutes Mon-
Sat 9am-6pm Zone B R**

Queen Street – north-west from a
point 31 metres south-west of the
centreline of its junction with Frankland
Terrace, south-westwards to the
boundary between No.10 and No.12
Queen Street.

SECOND SCHEDULE
(Prohibition Of Waiting At All Times)

Lengths of roads in Emsworth

Queen Street

north-west side:-

- from its junction with High Street, north-eastwards to a point 1 metre south-west of the boundary between No.8 and No.10 Queen Street.
- from a point 99 metres north-east from the centreline of its junction with Frankland Terrace, north-eastwards for a distance of 16 metres.
- from a point 70 metres north-east from the centreline of its junction with Frankland Terrace north-eastwards for a distance of 19 metres.
- from a point 29 metres north-east from the centreline of its junction with Frankland Terrace north-eastwards for a distance of 31 metres.

South Street

West side:-

- from a point 37 metres south of the boundary between No.21 South Street and the Car Park, southwards a distance of 25 metres.

THIRD SCHEDULE
(Waiting prohibited between the hours of 9.00a.m. and 6.00 p.m. Mondays to Saturdays inclusive)

Length of road in Emsworth

King Street

South-west side:-

- from the boundary between No.21 and No.23 King Street, north-westwards for a distance of 16 metres.

FOURTH SCHEDULE

(Waiting limited to 45 minutes, no return within 45 minutes, between the hours of 9.00a.m. and 6.00 p.m. Mondays to Saturdays inclusive)

Length of road in Emsworth

South Street

North-west side:-

- from a point 16 metres south-west of the boundary between No.21 South Street and the Car Park south-westwards for a distance of 21 metres.

FIFTH SCHEDULE

(Waiting limited to 45 minutes, no return within 45 minutes, between the hours of 9.00a.m. and 6.00 p.m. Mondays to Saturdays inclusive, Zone B Residents' Parking Permit holders exempt)

Lengths of roads in Emsworth

King Street

South-west side:-

- from the boundary between No. 3 and No.5 King Street, south-eastwards for a distance of 14 metres.
- from a point 16 metres south-east of the centre line of its junction with The Fishermans, south-eastwards for a distance of 28 metres.

Queen Street

North-west side:-

- from a point 31 metres south-west of the centre line of its junction with Frankland Terrace south-westwards, to a point 1 metre south-west of the boundary between No.8 and No.10 Queen Street.

SIXTH SCHEDULE


(Waiting limited to 2 hours, no return within 2 hours, between the hours of 9.00a.m. and 6.00 p.m. Mondays to Saturdays inclusive)

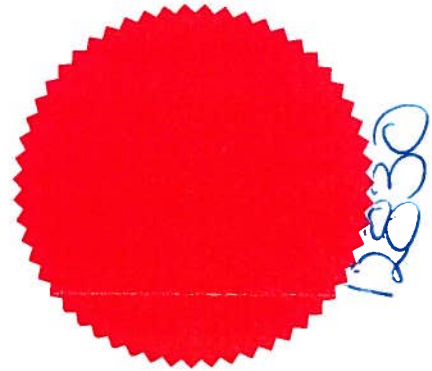
Lengths of road in Emsworth

Queen Street

North-west side:-

- from a point 89 metres north-east from the centreline of its junction with Frankland Terrace, north-eastwards for a distance of 10 metres.
- from a point 60 metres north-east from the centreline of its junction with Frankland Terrace, north-eastwards for a distance of 10 metres.

THE COMMON SEAL OF THE)
COUNCIL OF THE BOROUGH)
OF HAVANT was Hereunto)
affixed this)
1st day of August 2013)
In the presence of)
)
Authorised Signatory)



AS/TRO/229
Plan No's 2013EMS1A, 2013EMS1B and 2013EMS1C

