

THE BOROUGH OF HAVANT
(WATERLOOVILLE: FAIRBOURNE CLOSE, FIRS AVENUE, HART PLAIN
AVENUE, HARTWOOD GARDENS AND LAWSWOOD CLOSE)
(PROHIBITION AND RESTRICTION OF WAITING AND NO STOPPING)
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 twentieth day of December 2013 and may be cited as "The Borough of Havant (Waterlooville: Fairbourne Close, Firs Avenue, Hart Plain Avenue, Hartwood Gardens and Lawnswood Close) (Prohibition and Restriction of Waiting) and No Stopping) Order 2013".
2. The parts of Order specified in the First Schedule to this Order are hereby revoked.
3. (1) In this Order -
 - "**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 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.

4. Save as provided in Article 6 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 6 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 8.00am and 9.30am and 2.00pm and 4.00pm from Mondays to Fridays inclusive in the lengths of roads specified in the Third Schedule to this Order.
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 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 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 roads 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. No person shall stop any vehicle, between the hours of 8.00am and 9.30am and 2.00pm and 4.00pm from Mondays to Fridays inclusive in the lengths of road specified in the Fourth Schedule to this Order unless that vehicle 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.
9. No person shall stop any vehicle, at any time, on the lengths of road specified in the Fifth Schedule to this Order unless that vehicle 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.
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

EXTENT OF REVOCATION

The Borough of Havant (Cowplain:
Hart Plain Avenue and Side Roads)
(Prohibition and Restriction of
Waiting) and (Stopping) Order 2007

Waiting prohibited between 8.00am –
9.30am and 3.00pm – 4.30pm, Monday to
Friday inclusive – Third Schedule in its
entirety

SECOND SCHEDULE
(Waiting prohibited at all times)

Length of roads in Waterlooville

Firs Avenue

North-west side:-

- From the centreline of its junction with Lawnswood Close, south-westwards and north-eastwards for distances of 19.5 metres and 15 metres respectively
- From its junction with Hart Plain Avenue, south-westwards for a distance of 30.5 metres

Firs Avenue

South-east side:-

- From its junction with Hart Plain Avenue, south-westwards for a distance of 51.5 metres

Hart Plain Avenue

North side:-

- From a point 101 metres east of the centreline of its junction with Hartwood Gardens, eastwards for a distance of 97 metres
- From a point 295.5 metres east of the centreline of its junction with Hartwood Gardens, eastwards thence south-eastwards for a distance of 135 metres

South side:-

- From a point 110.5 metres west of the centreline of its junction with Firs Avenue, westwards for a distance of 68 metres
- From a point 216 metres west of the centreline of its junction with Firs Avenue, westwards for a distance of 89 metres

South-west side:-

- From the centreline of its junction with Firs Avenue, south-eastwards and north-westwards for distances of 40.5 metres and 24 metres respectively
- From a point 64 metres north-west of the centreline of its junction with Firs Avenue, north-westwards for a distance of 15 metres

Lawnswood Close

North side:-

- From its junction with Firs Avenue, westwards for a distance of 10 metres

South side:-

- From its junction with Firs Avenue, westwards for a distance of 10.5 metres

THIRD SCHEDULE
(Waiting prohibited between 8.00am and 9.30am
and 2.00pm and 4.00pm, Monday to Friday inclusive)

Length of roads in Waterlooville

Fairbourne Close

East side:-

- From its junction with Hart Plain Avenue, northwards for a distance of 30 metres

West side:-

- From its junction with Hart Plain Avenue, northwards for a distance of 37 metres

Firs Avenue

South-east side:-

- From a point 51.5 metres south of its junction with Hart Plain Avenue, south-westwards for a distance of 72.5 metres

Hart Plain Avenue

North side:-

- From a point 198 metres east of the centreline of its junction with Hartwood Gardens, eastwards for a distance of 97.5 metres
- From its junction with Fairbourne Close, eastwards for a distance of 55.5 metres
- From a point 2 metres east of the boundary between Nos. 74B and 76 Hart Plain Avenue, eastwards for a distance of 20.5 metres

South side:-

- From a point 79 metres east of the centreline of the western access to Hart Plain Infant School, eastwards for a distance of 74 metres
- From a point 21 metres east of the centreline of the western access to Hart Plain Infant School, eastwards for a distance of 20.5 metres

South-west side:-

- From a point 24 metres north-west of the centreline of its junction with Firs Avenue, north-westwards for a distance of 40 metres

Hartwood Gardens

Both sides:-

- From its junction with Hart Plain Avenue, northwards for a distance of 20 metres

FOURTH SCHEDULE

(No Stopping on the School Entrance Markings, between 8.00am and 9.30am and 2.00pm and 4.00pm Mondays to Fridays inclusive)

Lengths of road in Waterlooville

Hart Plain Avenue

North side:-

- From a point 22.5 metres east of the boundary between Nos. 74B and 76 Hart Plain Avenue, to its junction with Fairbourne Close

South side:-

- From a point 41.5 metres east of the centreline to the western access to Hart Plain Infant School, eastwards for a distance of 37.56 metres

FIFTH SCHEDULE

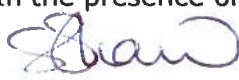
(No Stopping on the School Entrance Markings)

Lengths of road in Waterlooville

Hart Plain Avenue

South side:-

- From a point 79 metres north-west of the centreline of its junction with Firs Avenue, westwards for a distance of 31.56 metres
- From a point 178.5 metres west of its junction with Firs Avenue, westwards for a distance of 37.56 metres

THE COMMON SEAL OF THE)
 COUNCIL OF THE BOROUGH)
 OF HAVANT was hereunto)
 affixed this)
 12th day of Dec 2013)
 In the presence of)
)
 Authorised signatory)

