

THE BOROUGH OF HAVANT
(WATERLOOVILLE: BYRD CLOSE, DURHAM GARDENS, ELGAR WALK,
KHANDALA GARDENS, LOMBARDY RISE, PLACE CRESCENT, SHAFTESBURY
AVENUE, STAKES HILL ROAD AND WESTLAND DRIVE)
(PROHIBITION AND RESTRICTION OF WAITING AND NO STOPPING)
ORDER 2014

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) 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 twenty-eighth day of March 2014 and may be cited as "The Borough of Havant (Waterlooville: Byrd Close, Durham Gardens, Elgar Walk, Khandala Gardens, Lombardy Rise, Place Crescent, Shaftesbury Avenue, Stakes Hill Road and Westland Drive) (Prohibition and Restriction of Waiting and No Stopping) Order 2014".

2. (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.
3. Save as provided in Article 5 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 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 or a Civil Enforcement Officer cause or permit any vehicle to wait between the hours of 8.00am and 9.30am and 2.30pm and 4.00pm from Mondays to Fridays inclusive in the lengths 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 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 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 roads 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. No person shall stop any vehicle, at any time, on the lengths of road specified in the Third 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.
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
(Waiting prohibited at all times)

Lengths of roads in Waterlooville

Byrd Close

East side:-

- From its junction with Shaftesbury Avenue, northwards for a distance of 7.5 metres.

West side:-

- From its junction with Shaftesbury Avenue, northwards for a distance of 13 metres.

Durham Gardens

South side:-

- From the projected western kerbline of Stakes Hill Road (Cul de Sac), westwards for a distance of 26.5 metres.

Elgar Walk

Both sides (east-west section):-

- From its junction with Elgar Walk (north-south section), eastwards for a distance of 10.5 metres.

East side (north-south section):-

- From its junction with Shaftesbury Avenue, southwards for a distance of 50 metres.

Elgar Walk

West side (north-south section):-

- From its junction with Shaftesbury Avenue, southwards for a distance of 15 metres.

Khandala Gardens

Both sides:-

- From its junction with Stakes Hill Road, south-eastwards for a distance of 14 metres.

Lombardy Rise

East and south side:-

- From its junction with Frenstaple Road, southwards, thence westwards for a distance of 76.5 metres.

North and east side:-

- From a point 205.5 metres west of its junction with Frenstaple Road, westwards, thence northwards for a distance of 9 metres.

North side:-

- From its termination, eastwards, thence northwards for a distance of 13 metres.

West and north side:-

- From its junction with Frenstaple Road, southwards thence westwards for a distance of 182 metres (excluding the lay-bys and entrances to the private parking areas).

West side:-

- Along its entire length.

Place Crescent

West side:-

- From its junction with Shaftesbury Avenue, northwards for a distance of 11 metres.

Shaftesbury Avenue

North side:-

- From its junction with Place Crescent, westwards to its junction with Byrd Close.
- From the centreline of its junction with Byrd Close, westwards for a distance of 14.5 metres.

Shaftesbury Avenue

South side:-

- From the centreline of its junction with Elgar Walk, westwards and eastwards for distances of 19 and 26.5 metres respectively.

Stakes Hill Road

North-west side:-

- From the centreline of its junction with Westland Drive, south-westwards for a distance of 19.5 metres.
- From the centreline of its junction with Westland Drive, north-westwards for a distance of 34 metres.

South-east side:-

- From the centreline of its junction with Khandala Gardens, northwards for a distance of 59 metres.

West side:-

- From a point 5.5 metres north of the boundary between No's 172 and 174 Stakes Hill Road, northwards to its junction with Durham Gardens.

Westland Drive

North-west side:-

- From its junction with Stakes Hill Road, north-westwards for a distance of 15.5 metres.

South side:-

- From its junction with Stakes Hill Road, westwards for a distance of 21.5 metres.

SECOND SCHEDULE
(Waiting prohibited between 8.00am and 9.30am
and 2.30pm and 4.00pm, Monday to Friday inclusive)

Lengths of road in Waterlooville

Durham Gardens

North-east side:-

- From a point 13.5 metres north-west of the boundary between No's 8 and 9 Durham Gardens, north-westwards thence northwards for a distance of 18.5 metres.

North-west side:-

- From a point 2.5 metres south-west of the boundary between No's 24 and 25 Durham Gardens, south-westwards, westwards thence north-westwards for a distance of 25.5 metres.

THIRD SCHEDULE
(No Stopping on the School Entrance Markings)

Lengths of road in Waterlooville

Stakes Hill Road

South-east side:-

- From a point 33 metres north of the centreline of its junction with Westland Drive, northwards, following the kerblines to include the school access for a distance of 37.56 metres.
- From a point 56 metres north-east of the centreline of its junction with Shaftesbury Avenue, north-eastwards and eastwards following the kerblines for a distance of 21.56 metres.
- From a point 103 metres north-east of the centreline of its junction with Shaftesbury Avenue, southwards and eastwards following the kerblines for a distance of 31.56 metres.
- From a point 80 metres north of the centreline of its junction with Khandala Gardens, northwards following the kerblines to include the school access for a distance of 43.56 metres.

