

THE BOROUGH OF HAVANT
(WATERLOOVILLE: CHERRY TREE AVENUE, GOODWOOD CLOSE, HOLMAN CLOSE,
PADNELL AVENUE, WINSCOMBE AVENUE AND YEW TREE AVENUE) (PROHIBITION
AND RESTRICTION OF WAITING) AND (NO STOPPING) ORDER 2015

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), (2), 4 (2) and Part IV of Schedule 9 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 twenty-eighth day of August 2015 and may be cited as "The Borough of Havant (Waterlooville: Cherry Tree Avenue, Goodwood Close, Holman Close, Padnell Avenue, Winscombe Avenue and Yew Tree Avenue) (Prohibition and Restriction of Waiting) And (No Stopping) Order 2015".

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 cause or permit any vehicle to wait between the hours of 8.30 a.m. and 9.30am and 2.30pm and 4.00 p.m. Monday to Friday 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;

(b) they only stop and wait for so long as is necessary.

8. No person shall stop any vehicle, between the hours of 8.30am and 9.30am and 2.30pm and 4.00pm, Monday to Friday inclusive on the length 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. 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 (Various Roads)
Prohibition and Restriction Of Waiting
(Consolidation) Order 2005

Schedule 22 – in its entirety

SECOND SCHEDULE
(Waiting prohibited at all times)

Lengths of roads in Waterlooville

Cherry Tree Avenue

East side:-

- From its junction with Park Lane, northwards for a distance of 30 metres
- From its junction with Padnell Road, southwards for a distance of 14 metres
- From the centreline of the access road to Waterlooville Golf Club, northwards for a distance of 38 metres
- From the centreline of the access road to Waterlooville Golf Club, southwards for a distance of 17 metres

West side:-

- From its junction with Park Lane, northwards for a distance of 14 metres
- From its junction with Padnell Road, southwards for a distance of 24 metres
- From the centreline of its junction with Dudleston Heath Drive, southwards for a distance of 45.5 metres

Goodwood Close

North-west side:-

- From its junction with Park Lane, southwards for a distance of 38 metres

South-east side:-

- From its junction with Park Lane, southwards for a distance of 14.5 metres

Holman Close

Both sides:-

- From its junction with Winscombe Avenue, westwards for a distance of 14.5 metres

Yew Tree Avenue

Both sides:-

- from its junction with Park Lane, northwards for a distance of 10 metres

THIRD SCHEDULE

(Prohibition of waiting between the hours of 8.30am and 9.30am and 2.30pm and 4.00pm Monday to Friday, inclusive)

Lengths of roads in Waterlooville

Padnell Avenue

South-west side:-

- From the centreline of its junction with Winscombe Avenue, north-westwards for a distance of 38 metres

Winscombe Avenue

North-west side:-

- From its junction with Padnell Avenue, south-westwards for a distance of 26.5 metres

South-east side:-

- From its junction with Padnell Avenue, south-westwards for a distance of 17 metres

FOURTH SCHEDULE

(No Stopping on School Entrance Markings between the hours of 8.30am and 9.30am and 2.30pm and 4.00pm Monday to Friday, inclusive)

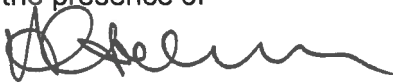
Length of road in Waterlooville

Padnell Avenue

North side:-

- From a point 3 metres west of the boundary between property numbers 39 and 41, westwards for a distance of 37.56 metres

THE COMMON SEAL OF THE)
COUNCIL OF THE BOROUGH)
OF HAVANT was hereunto)
affixed this)
nineteenth day of August 2015)

In the presence of)
)
Authorised signatory)



