

THE BOROUGH OF HAVANT
(HAVANT: B2150 HULBERT ROAD) (PROHIBITION OF WAITING, LOADING AND UNLOADING), (RESTRICTION OF WAITING), (PROHIBITION OF RIGHT TURN) AND (ONE-WAY TRAFFIC) 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 sixth day of February 2016 and may be cited as "The Borough of Havant (Havant: B2150 Hulbert Road) (Prohibition of Waiting, Loading and Unloading), (Restriction of Waiting), (Prohibition of Right Turn) and (One-Way Traffic) 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 Persons' Parking Place**" means a area on a highway which is designated as a disabled persons' parking place and is comprised within and indicated by a road marking complying with diagram 1028.3 or diagram 1033 of the Traffic Signs Regulations and General Directions 2002;

"**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. 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, load or unload in the length of road 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 cause or permit any vehicle to wait between the hours of 8.00am and 6.00pm, seven days a week, in the length of road specified in the Third 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.
6. Save as provided in Article 8 no person shall cause any vehicle travelling southbound to make a right hand turn into the length of road specified in the Fourth Schedule to this Order.
7. Save as provided in Article 8, no person shall cause or permit any vehicle to proceed along the length of road specified in the Fifth Schedule to this Order in a direction other than that specified in column 2 of the said Schedule.
8. Nothing in Articles 6 and 7 shall apply:
 - (a) to any vehicle being driven upon the direction of a police constable in uniform.
 - (b) to any vehicle being used for police, ambulance or fire brigade purposes in an emergency.
9. (1) Subject to the provisions in Article 10 nothing in Article 5 shall render it unlawful to cause or permit any vehicle to wait in the lengths of road 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 Article 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.
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 Order to be Revoked)

ORDER

The Borough of Havant (Havant & Waterlooville: Hulbert Road)
(Prohibition and Restriction of Waiting)
Order 2012

EXTENT OF REVOCATION

First Schedule – Prohibition of Waiting – East and West sides

Second Schedule – Waiting limited to 2 hours, return prohibited within 2 hours, 8.am to 6pm, seven days a week – East & West sides

SECOND SCHEDULE
(Waiting, Loading & Unloading Prohibited at all Times)

Length of Road in Havant

B2150 Hulbert Road (Parking Area) Both sides:-

- In its entirety, excluding the parking provision as described in the Third Schedule to this Order

THIRD SCHEDULE
(Waiting Limited to 2 hours, return prohibited within 2 hours 8am to 6pm, seven days a week)

Length of Road in Havant

B2150 Hulbert Road (Parking Area) North- west side:

- From a point 62.5 metres north-west of the entrance to the parking area (following the outer kerb-line), south-westwards for a distance of 76 metres.

South-east side:

- From a point 33.5 metres north-west of the entrance to the parking area (following the inner kerb-line), south-westwards for a distance of 93 metres.

FOURTH SCHEDULE
(Prohibition of Right Turn)

Length of Road in Havant

B2150 Hulbert Road (Southbound)

- Entrance road to B2150 Hulbert Road (Parking Area)

FIFTH SCHEDULE
(One-Way Traffic)

Length of Road in Havant

B2150 Hulbert Road Parking Area (to include entry and exit roads)

Direction of Traffic

- Commencing at the entrance to the B2150 Hulbert Road Parking Area at its north-eastern junction with B2150 Hulbert Road, north-eastwards, thence north-westwards, thence south-westwards and thence southwards to the exit at its roundabout junction with the B2150 Hulbert Road.

