

**THE RUSHMOOR BOROUGH COUNCIL
(FARNBOROUGH ROAD, FARNBOROUGH) (REVOCATION OF BUS LANE AND
PROHIBITION OF WAITING AND LOADING)
ORDER, 2016**

The Rushmoor Borough Council, pursuant to arrangements made under Section 101 of the Local Government Act 1972 with Hampshire County Council in exercise of the powers conferred on that County Council under Section 9 of the Road Traffic Regulation Act 1984 ("the Act"); Part IV of Schedule 9 to 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 may be cited as The Rushmoor Borough Council (Farnborough Road, Farnborough) (Revocation Of Bus Lane and Prohibition of Waiting and Loading) Order, 2016 and shall come into operation on the **16th May 2016**.

2. (1) In this Order -

"disabled person's badge" means a badge which was issued, or has affect as if issued, to a disabled person or an institution under the Disabled Persons (Badges for Motor Vehicles)(England) Regulations, 2000;

"disabled person's vehicle" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons)(England and Wales) Regulations, 1986 and the Local Authorities' Traffic Orders (Exemptions for Disabled Persons)(England and Wales) (Amendment) Regulations, 1991;

"parking disc" means a device which-

(a) is 125 millimetres square and coloured blue

(b) has been issued by a local authority and has not ceased to be valid;
and

(c) is capable of showing the quarter hour period during which a period of waiting has begun.

(2) For the purpose of the Order a vehicle shall be regarded as displaying a disabled person's badge and a parking disc in the relevant position when:-

(i) a legible badge and disc are exhibited on the dashboard or fascia of the vehicle; or

(ii) where the vehicle does not have a dashboard or fascia, the badge and disc are exhibited in a conspicuous position on the vehicle,

so that, in respect of the badge, the front of the badge (showing the wheelchair symbol) is clearly legible from the outside of the vehicle and, in respect of the disc when marked to show the quarter hour period during which a period of waiting began, that period is clearly legible from outside of the vehicle. The disc must be displayed every time the vehicle is parked and set to show the time of arrival.

"Civil Enforcement Officer" shall have the same meaning as defined in Section 76 of the 2004 Act

"Driver" means in relation to a vehicle waiting in a parking place, the person driving the vehicle at the time it was left in the parking place.

"Motor car, heavy motor car, motor cycle trailer and invalid carriage" shall have the same meanings as defined in Section 136 of the 1984 Act.

"Vehicle" means a motor car, heavy motor car, etc as previously defined in this Article.

3. For the purposes of this order the Borough of Rushmoor (A325 Farnborough Road and Adjoining Roads, Farnborough) (With-Flow Bus Lane, Restriction of Waiting and Revocation) Order, 2002, shall hereby be revoked insofar as it relates to the bus lane described in Schedule 1 of this Order.

4. Save as provided in Article 5 of this Order, no person shall, except upon the direction of or with the permission of the Police or a Civil Enforcement Officer, cause or permit any vehicle to wait at any time on any day in the length of road specified in Schedule 2 to this Order ("the roads in Schedule 2").

5. Nothing in Article 4 of this Order shall render it unlawful to cause or permit any vehicle to wait in the road in Schedule 2 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, maintenance/repair works, industrial or demolition operations where proximity to the site is essential;
 - (ii) the removal of any obstruction to traffic;
 - (iii) The maintenance, improvement or reconstruction of the said lengths of road or sides of road; or
 - (iv) The laying, erection, alteration or repair in, or in land adjacent to, the said lengths of road or sides of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus as defined in paragraph 1(1) of the Telecommunications Code contained in Schedule 2 to the Telecommunications Act, 1984.
- (c) The vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority or a water authority in pursuance of statutory powers or duties; or
- (d) The vehicle of a universal service provider, as defined in by the Postal Services Act, 2000 and any regulations made thereunder, for the purpose of delivering or collecting postal packets,
- (e) The vehicle to be used for fire brigade, police or ambulance purposes specifically engaged on emergency work and, in particular, BMA badge holders.
- (f) The vehicle to be used for the purpose of a stage carriage.

(g) The vehicle to be used as a hearse and chief mourners' vehicle at funerals.

6. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended applied, consolidated or re-enacted by, or having effect by virtue of any subsequent enactment.

7. The Council in exercise of its powers under the Local Authorities (Transport Charges) Regulations 1998 (SI 1998 No. 948) and the Order may make a reasonable charge for any dispensation issued in contravention of any traffic regulation order contained in this Order to cover the cost of administration.

Given under the Common Seal of the Rushmoor Borough Council the ^{18th} day of May, 2016.

SCHEDULE 1
Length of Bus Lane to be Revoked

Farnborough Road - Southbound

From a point 230.5 metres north of the northern boundary of No. 155 Ship Lane in a southerly direction for a distance of 287.6 metres.

SCHEDULE 2
Prohibition of Waiting and Loading At Any Time

Farnborough Road - Southbound

From a point 230.5 metres north of the northern boundary of No. 155 Ship Lane in a southerly direction for a distance of 287.6 metres.

The **COMMON SEAL** of the)
RUSHMOOR BOROUGH COUNCIL)
was hereunto affixed in the)
presence of)



SOLICITOR TO THE COUNCIL

72/16

Dated 18th May, 2016

The Rushmoor Borough Council
(Farnborough Road, Farnborough)
(Revocation of Bus Lane and Prohibition of Waiting and Loading)
Order, 2016