



## **THE CITY OF SOUTHAMPTON (HOLLYBROOK CEMETERY) ORDER 2015**

Southampton City Council in exercise of its powers under Sections 1, 2, 4, 35, 45, 46, 49 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 and of all other enabling powers, after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to that Act hereby makes the following Order:

### **PART ONE – INTRODUCTION**

#### **CITATION**

- 1.1 This order shall come into operation on the 28<sup>th</sup> March 2016 and may be cited as The City of Southampton (Hollybrook Cemetery) Order 2015.

#### **INTERPRETATION**

- 1.2 In this Order, except where otherwise stated, any reference to an Article or Schedule shall be construed as a reference to that article or schedule in this order.
- 1.3 In this Order any reference to an Act, Statutory Instrument or Order shall be construed as a reference to that Act, Statutory Instrument or Order as amended.
- 1.4 In this Order the following expressions shall have the respective meanings assigned to them:
- “Chapel” mean the Hollybrook Cemetery Mortuary Chapel
- “Council” means Southampton City Council
- “Disabled Persons Vehicle” means a vehicle displaying a valid disabled persons badge in accordance with The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000
- “Hollybrook Cemetery” means Hollybrook Cemetery, Tremona Road, Southampton SO16 6HW
- “Motor Vehicle” means a mechanically propelled vehicle intended or adapted for use on roads
- “Parking Permit” means a document issued by the Council under part 4 of this Order which exempts a vehicle from certain parking restrictions
- “Zone 24” means the Permit Parking Zone which consists of Hollybrook Cemetery.

### **PART TWO – PROHIBITION OF WAITING**

#### **NO WAITING AT ANY TIME**

- 2.1 No person shall cause or permit any vehicle to wait in the lengths of road specified in Schedule 1.

## **PART THREE – PARKING PLACES**

### **DESIGNATION OF PARKING PLACES**

- 3.1 The lengths of road specified in columns 1, 2 and 3 of schedule 2 having a width as indicated by road markings, are designated as parking places.

### **USE OF PARKING PLACES**

- 3.2 A vehicle left in a parking place must be parked wholly within the road markings.
- 3.3 No vehicle left in a parking place shall be in a position which prevents access to any premises or which obstructs other road users.
- 3.4 The driver of a Motor Vehicle using a parking place must stop the engine as soon as the vehicle is in position and must not start the engine except to change the position of the vehicle or depart from the parking place.
- 3.5 Unless the prior written consent of the Council is obtained no vehicle left in a parking place shall be used in connection with the sale of any goods or services except where goods (including postal parcels) are being delivered to any premises in the immediate area.

### **SUSPENSION OF PARKING PLACES**

- 3.6 The Council or any person so authorised by the Council may suspend use of any parking place or part of a parking place.
- 3.7 No person shall cause or permit any vehicle to wait in parking place which has been suspended.

### **REMOVAL OF VEHICLES**

- 3.8 Where a vehicle is in contravention of Article 3.3 or Article 3.7 or has been abandoned the Council or any person so authorised by the Council or a Police Officer or Civil Enforcement Officer may remove the vehicle or arrange for the vehicle to be removed from the parking place in any manner as they consider necessary.
- 3.9 Any person removing or arranging for a vehicle to be removed under Article 3.8 must make such arrangement as reasonably necessary for the reasonable safe custody of that vehicle.

### **PERMIT PARKING WITH LIMITED WAITING**

- 3.10 No person shall cause or permit any vehicle, other than a vehicle displaying a valid Parking Permit, to wait in a parking place specified in columns 1, 2 and 3 of Schedule 2 during the hours specified in column 4 of Schedule 2, for longer than the period of time specified in column 5 of Schedule 2.
- 3.11 No person shall cause or permit any vehicle, other than a vehicle displaying a valid Parking Permit, waiting in a parking place specified in columns 1, 2 and 3 of Schedule 2 during the hours specified in column 4 of Schedule 2 to return to that parking place within the period of time specified in column 6 of Schedule 2.

## **PART FOUR – PERMITS**

### **APPLICATION FOR PARKING PERMITS**

- 4.1 Any person or company who regularly undertakes work in connection with the operation or maintenance of Hollybrook Cemetery (including the construction or maintenance of graves and memorials) may apply for a Parking Permit.

- 4.2 An application for a Parking Permit must be made in the manner specified by the Council.
- 4.3 The Council may require an applicant to produce such evidence as considered necessary to verify the information provided as part of the application for a Parking Permit.

#### **ISSUE OF PARKING PERMITS**

- 4.4 On receipt of an application made under the provisions of this Order the Council, upon being satisfied that the applicant is eligible and meets all relevant requirements may issue a Parking Permit.
- 4.5 There will be no charge for the issue of a Parking Permit, which will be valid for the period specified on it.
- 4.6 A duplicate Parking Permit may be issued by the Council if the original Parking Permit has been lost, stolen, or becomes mutilated, defaced, faded discoloured or otherwise illegible.
- 4.7 The Council reserves the right to vary the policy, charges and terms for the issue of a Parking Permit as it considers appropriate and will provide written notice of any such variation as it considers appropriate.
- 4.8 Notwithstanding the preceding articles, the issuing of Parking Permits is at the complete discretion of the Council and exceptional issues of Parking Permits may be undertaken as the Council considers appropriate.

#### **VALIDITY OF PARKING PERMITS**

- 4.9 A Parking Permit shall only be valid for use within Zone 24.
- 4.10 A Parking Permit shall cease to be valid in the following circumstances:
- (a) After the expiry date specified on it
  - (b) The Parking Permit holder ceases to be eligible for the Parking Permit
  - (c) The withdrawal of the Parking Permit by the Council
  - (d) A duplicate Parking Permit is issued by the Council

#### **WITHDRAWAL AND SURRENDER OF PARKING PERMITS**

- 4.11 A Parking Permit holder may surrender a Parking Permit to the Council at any time.
- 4.12 A Parking Permit holder must surrender a Parking Permit to the Council in the circumstances specified in article 4.10.
- 4.13 The Council may serve notice of the withdrawal of a Parking Permit in writing to the Parking Permit holder at the address given on the application or at any other address believed to be the Parking Permit holders residence or place of business; on receipt of this notice the Parking Permit holder shall surrender the Parking Permit to the Council within 14 days.

#### **FORM OF PARKING PERMITS**

- 4.14 A Parking Permit shall be in writing and shall include the following particulars:
- (a) An indication of the location or locations where the Parking Permit is valid for use
  - (b) The expiry date of the Parking Permit
  - (c) An indication that the Parking Permit was issued by the Council

#### **DISPLAY OF PARKING PERMITS**

- 4.15 A Parking Permit must be displayed in the case of a vehicle fitted with a transparent windscreen on the inside surface of the windscreen so that it is facing upwards and can be entirely and easily seen from outside the vehicle or in the case of a vehicle not fitted with a transparent windscreen, in a conspicuous position on the vehicle.



## **PART FIVE – EXEMPTIONS**

### **EXEMPTIONS**

**5.1** Nothing in this Order shall prohibit any vehicle from waiting or stopping for as long as necessary in the following circumstances:

- (a) The vehicle is directed to wait or stop by or with the permission of a Police Officer or Civil Enforcement Officer
- (b) The vehicle is being used for fire and rescue authority (within the meaning of the Fire and Rescue Services Act 2004), ambulance (including providing a response to an emergency at the request of an NHS ambulance service), bomb or explosive disposal, special forces, police or National Crime Agency purposes and the observance of a provision of this order would be likely to hinder the use of that vehicle for the purpose for which it is being used
- (c) Where the vehicle is prevented from proceeding by circumstances beyond the drivers control or in order to prevent an accident
- (d) The vehicle cannot be moved due to an unavoidable breakdown.
- (e) To allow the picking up or setting down of passengers
- (f) To allow the opening or closing of a gate or barrier at an entrance which the vehicle requires access to or has just exited
- (g) The vehicle is being used in connection with any building, industrial or demolition operations, the removal of any obstruction of traffic, the maintenance improvement or reconstruction of the road, the laying, erection, alteration or repair of any sewer, or of any main, pipe or apparatus, for the supply of gas, water or electricity or of any telecommunications apparatus where the vehicle cannot be conveniently used for this purpose in any other place
- (h) The vehicle is being used by or on behalf of the Council in pursuance of a statutory power or duty where the vehicle cannot be conveniently used for this purpose in any other place
- (i) The vehicle is being used by or on behalf of a Statutory Undertaker in pursuance of a statutory power or duty where the vehicle cannot be conveniently used for this purpose in any other place
- (j) The vehicle is being used in connection with a wedding or funeral where the vehicle cannot be conveniently used for this purpose in any other place
- (k) the vehicle is waiting for the purposes of loading or unloading, provided the loading/unloading is continuous, being undertaken in a timely manner and the vehicle does not wait for a period of more than 30 minutes

**5.2** Nothing in Article 2.1 shall prohibit a Disabled Persons Vehicle from waiting, provided the vehicle does not wait for longer than three hours and at least one hour has elapsed following a previous period of waiting by the vehicle in the same road or part of a road.

**5.3** Nothing in Articles 3.10 or 3.11 shall apply to a Disabled Persons Vehicle.

## **PART SIX – CONTRAVENTION**

### **CONTRAVENTION**

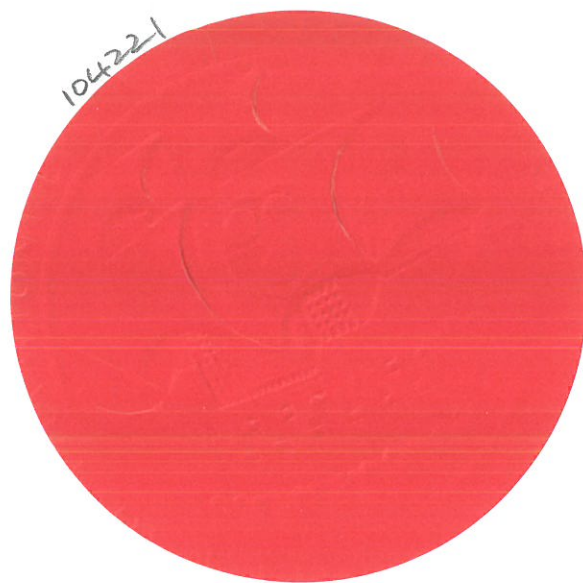
**6.1** Any person or vehicle failing to comply with the provisions of this Order shall be in contravention of it and a penalty charge shall be payable.

THE COMMON SEAL of  
SOUTHAMPTON CITY COUNCIL  
was hereunto affixed this 16<sup>th</sup> day  
of March 2016

In the presence of:

*S Beal*

Authorised Signatory



<b>Schedule 1 - No waiting at any time</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Road</b>	<b>Side</b>	<b>Description</b>
Hollybrook Cemetery	All	All sections of road within Hollybrook Cemetery which are not designated as parking places by Article 3.1 and are accessible to the public

<b>Schedule 2 – Permit Parking with Limited Waiting</b>					
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>	<b>Column 5</b>	<b>Column 6</b>
<b>Road</b>	<b>Side</b>	<b>Description</b>	<b>Restricted Hours</b>	<b>Max Stay</b>	<b>No Return</b>
Hollybrook Cemetery (main north-east/south-west road) (section south-west of the Chapel)	North-west	From 22.5m north-east of the boundary between Tremona Road and Hollybrook Cemetery north-eastwards for 73m	8am – 6pm Monday to Friday	90 Minutes	90 Minutes
Hollybrook Cemetery (main north-east/south-west road) (section north-east of the Chapel)	North-west	From 10m north-east of the north-east boundary of the circular road around the Chapel north-eastwards for 57m	8am – 6pm Monday to Friday	90 Minutes	90 Minutes
Hollybrook Cemetery (main north-east/south-west road) (section north-east of the Chapel)	North-west	From 96m north-east of the north-east boundary of the circular road around the Chapel north-eastwards for 64m	8am – 6pm Monday to Friday	90 Minutes	90 Minutes
Hollybrook Cemetery (main north-east/south-west road) (section north-east of the Chapel)	North-west	From 183m north-east of the north-east boundary of the circular road around the Chapel north-eastwards for 79m	8am – 6pm Monday to Friday	90 Minutes	90 Minutes
Hollybrook Cemetery (main north-east/south-west road) (section north-east of the Chapel)	North-west	From 285m north-east of the north-east boundary of the circular road around the Chapel north-eastwards for 51m	8am – 6pm Monday to Friday	90 Minutes	90 Minutes
Hollybrook Cemetery (main north-east/south-west road) (section north-east of the Chapel)	North-west	From 358m north-east of the north-east boundary of the circular road around the Chapel north-eastwards for 72m	8am – 6pm Monday to Friday	90 Minutes	90 Minutes

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