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**TRAFFIC REGULATION ORDER**

DATED 6 November 2009

**THE BOROUGH OF TEST VALLEY (VARIOUS ROADS, ANDOVER)  
(PARKING PLACES AND RESTRICTION OF WAITING) (STATION AREA)  
ORDER 2009**

S. Tovey, Borough Solicitor  
Test Valley Borough Council  
Beech Hurst, Weyhill Road  
Andover, Hampshire SP10 3AJ

Ref: LJB 13/3/2/3/16(38)

## **TEST VALLEY BOROUGH COUNCIL**

### **ROAD TRAFFIC REGULATION ACT 1984**

#### **THE BOROUGH OF TEST VALLEY (VARIOUS ROADS, ANDOVER) (PARKING PLACES AND RESTRICTION OF WAITING) (STATION AREA) ORDER 2009**

The Borough Council of Test Valley as agent of Hampshire County Council (being the Traffic Authority) in exercise of its powers under Sections 1, 2, 3, 4, 45, 46, 49 and 51 of the Road Traffic Regulation Act 1984 ("the Act") as amended, 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 makes the following order:-

#### **PART 1 – GENERAL**

1. In this order

"the Council" means Hampshire County Council or, as the case may be, The Borough Council of Test Valley acting as Hampshire County Council's agents.

"Disabled person's vehicle" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000.

"Disabled person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) Regulations 2000.

"Parking Disc" means a disc, issued by a Local Authority, 125 millimetres square, coloured orange or blue and capable of showing the quarter hour period during which a period of waiting begins.

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

"Parking Place" means any part of a road authorised by this order to be used as a parking place.

"Resident" means a person whose usual place of abode is at premises situated within the Permit Zone ("Permit Zone Y") shown coloured pink on the plan numbered T/20/3/7/P/Y attached hereto

2. Regulation 4 of the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 has effect for the purpose of defining the expression "relevant position" in this order.
3. 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.

## **PART II – AUTHORISATION AND USE OF PARKING PLACES**

4.
  - (i) Each of the parts of a road specified in schedule 1 to this order is authorised to be used subject to the following provisions of this order as a parking place for such classes of vehicles, on such days and during such hours as are specified in relation to that part of the road in the said schedule.
  - (ii) Nothing in paragraph (i) of this article shall restrict the power of the Council to close any parking place.
5. Where in schedule 1 to this order a parking place is described as available for vehicles of a specified class, the driver of the vehicle shall not permit it to wait in that parking place:-
  - (a) unless it is of the specified class or a disabled person's vehicle which displays in the relevant position a disabled person's badge issued by any local authority; and
  - (b) unless it is positioned within the parking areas defined by white lines on the surface of the road and the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than twelve inches; and
  - (c) for longer than the maximum permitted time period.
6. A driver of a vehicle shall not use a parking place:-
  - (a) so as unreasonably to prevent access to any premises adjoining the road, or the use of the road by other persons, or so as to be a nuisance;
  - (b) when the Council has closed that parking place.
7. The driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in position in the parking place, and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place.

8. No person shall use a vehicle, while it is in a parking place, in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of his skill or services.
9. A disabled person's vehicle which displays in the relevant position a disabled person's badge shall be exempt from any limitation on time specified in column 5 of part 1 of schedule 1 to this order.
10. Subject to the proviso hereto, when a vehicle is left in a parking place in contravention of any of the provisions contained in article 4, article 5 or article 6 of this order a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from that parking place; provided that when a vehicle is waiting in a parking place in contravention of the provision of article 5(b) of this order, a person authorised in that behalf by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision.
11. Any person removing a vehicle or altering its position by virtue of the last preceding article of this order may do so by towing or driving the vehicle or in such other manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it or alter its position, as the case may be.
12. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of article 10 of this order, he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.

### **PART III – PERMITS**

13. Any person resident within the Permit Zone Y who is the keeper or user of a passenger vehicle or a goods vehicle with an unladen weight of not more than 2524 kg, or a motor cycle, and who has no or one only off-street parking space, may apply to the Council for the issue of respectively two or one permit/s for the leaving of that vehicle at any time in a parking space in any Parking Place specified in schedule 1 to this order **which is situated within the same Permit Zone Y only** (but additional Parking Places may be available to residents by virtue of another Road Traffic Regulation Act order) subject to not more than two permits being issued in respect of any one address and any such application shall be made on a form issued by, or on behalf of, the Council and shall include the particulars and information required by such form to be supplied and the form shall include the terms and conditions upon which the permit/s are issued.

14. The Council may require an applicant for a permit or a permit holder to produce such evidence in respect of the application as they may reasonably require to verify any particulars of information given to them.
15. The Council, upon being satisfied that an applicant is a resident within the Permit Zone Y, has no or one only off-street parking space and is the keeper or user of a vehicle of a class specified in article 13 of this order and on receipt of the appropriate fee as specified in schedule 5 to this order, may issue to that applicant a permit, valid for a period of twelve months, for the leaving of that vehicle at any time in a parking space in any parking place specified in article 13 of this order by the owner or by any person using such vehicle with the consent of the owner (other than a person to whom such vehicle has been let for hire or reward).
16. A permit holder may surrender a permit to the Council at any time and shall surrender a permit to the Council on the occurrence of any of the events set out in article 18 of this order.
17. The Council may, by notice in writing served on the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's residence, withdraw a permit if it appears to the Council that any of the events set out in article 18 of this order has occurred, and the permit holder shall surrender the permit to the Council within 48 hours of the receipt of the said notice.
18. The events referred to in article 16 and 17 of this order are:-
  - (a) the permit holder ceasing to be a resident;
  - (b) the permit holder ceasing to be the keeper or user of the vehicle in respect of which a permit was issued;
  - (c) the vehicle in respect of which such permit was issued being adapted or used in such a manner that it is not a vehicle of a class specified in article 13 of this order;
  - (d) the issue of a duplicate permit by the Council under the provisions of article 20 of this order;
  - (e) the expiry of the period for which the permit was issued;
  - (f) a breach of any condition which may from time to time be determined by the Council and is specified on the permit and/or form referred to in article 13 of this order.
19. A permit shall cease to be valid on the occurrence of any one of the events set out in article 18 of this order.
20. If a permit is mutilated or defaced or the figures or particulars on it have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall surrender it to the Council and may then apply to the Council for the issue of a duplicate permit.

21. If a permit is lost or destroyed, the permit holder may apply to the Council for the issue of a duplicate permit.
22. The provisions of this Order shall apply to a duplicate permit and an application for such a permit as if it were a permit or, as the case may be, an application for a permit.
23. Any permit issued by virtue of the provisions of articles 20 or 21 of this order shall be marked as a duplicate, and upon the issue of a duplicate permit the permit which it duplicates shall become invalid.
24. A permit shall be in writing and shall include the following particulars:-
  - (a) the registration mark of the vehicle in respect of which the permit has been issued;
  - (b) the parking area in respect of which the permit is valid;
  - (c) the period during which, subject to the provisions of article 19 of this order, the permit shall remain valid; and
  - (d) an authentication that the permit has been issued by, or on behalf of, the Council.
25. Whenever a vehicle has been left in a parking space in a Parking Place for longer than the maximum permitted period during any part of any period of restricted waiting in that parking place there shall be displayed on the front of the vehicle a permit valid in respect of that vehicle so that all the particulars referred to in article 24 of this order are readily visible from outside the vehicle.
26. When a permit has been displayed on a vehicle in accordance with the provisions of article 25 of this order, no person shall remove the permit from the vehicle unless authorised to do so by the driver of the vehicle.
27. Any person resident at an address within the Permit Zone Y which address has two or fewer off-street parking spaces may apply to the Council for the issue of one resident's/visitor's permit for the leaving of a vehicle of a class specified in article 13 of this order in a parking space in any Parking Place specified in schedule 1 to this order **which is situated within the same Permit Zone Y only** (but additional parking places may be available to residents within Permit Zone Y by virtue of another Road Traffic Regulation Act order) by any resident/visitor to that address, and any such application shall be made on a form issued by, or on behalf of, the Council and shall include the particulars and information required by such form to be supplied and the form shall include the terms and conditions upon which the resident's/visitor's permit is issued.

28. The Council, upon being satisfied that an applicant is a resident and on receipt of the appropriate fee as specified in schedule 5 to this order, may issue to that applicant a permit for the leaving of a vehicle as provided in article 27 of this order at any time in any Parking Place referred to in article 27 of this order.
29. Articles 14 to 26 (inclusive) of this order shall have effect in respect of a permit issued in accordance with article 28 of this order as though article 15, sub-paragraphs (b) and (c) of article 18 and sub-paragraph (a) of article 24 were omitted.
30. The total number of permits referred to in Articles 15 or 28 of this Order which may be issued to all residents of any property or properties constructed, converted or extended pursuant to a planning permission granted after the date of this order in respect of any particular site shall not exceed the total permit entitlement of all residents of the property or properties which occupied the same site at the time planning permission was granted.
31. Nothing in this order shall make it unlawful to cause or permit any vehicle to wait at any time in a parking place authorised by virtue of article 4(i) of this Order, other than a parking place or part of a parking place which has been closed by the Council, if the vehicle is being used for fire and rescue service purposes, or is an ambulance or a police car.

#### **PART IV - RESTRICTION OF WAITING**

32. Save as provided in articles 33 and 34 of this order, no person shall, except upon the direction or with the permission of a police constable in uniform or civil enforcement officer, cause or permit any vehicle to wait:-
  - (i) at any time on the sides of road specified in schedule 2 to this order;
  - (ii) between the hours of 10.00 am and 3.00 pm from Monday to Friday (both days inclusive) on the sides of road specified in schedule 3 to this order;
33. Nothing in article 32 of this order shall render it unlawful to cause or permit any vehicle to wait on any of the sides of road referred to in that article for so long as may be necessary:-
  - (a) to enable a person to board or alight from the vehicle;
  - (b) to enable goods to be loaded onto or unloaded from the vehicle;

- (c) to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with the following operations namely:-
    - (i) the removal of any obstruction to traffic;
    - (ii) the maintenance, improvement or reconstruction of the said sides of road;
    - (iii) the laying, erection, alteration or repair in, or in land adjacent to, the said sides of road, of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or telecommunications;
  - (d) to enable 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;
  - (e) to enable the vehicle to be used in the service of the Post Office for the purpose of delivering or collecting postal packets as defined in the Postal Services Act 2000;
  - (f) to enable the vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to the said sides of road;
  - (g) to enable the vehicle to wait at or near to any premises situated on or adjacent to the said sides of road for so long as is reasonably necessary in connection with any wedding or funeral; or
  - (h) to enable the vehicle to be used for fire and rescue service, ambulance or police purposes.
34. Nothing in article 32 of this order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge and a parking disc (on which the driver or other person in charge of the vehicle has marked the time at which the period of waiting began) to wait on any of the sides of road referred to for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle on the same side of road on the same day).

## **PART V - REVOCATIONS**

35. Each of the orders specified in Columns 1 and 3 of Schedule 4 to this order is hereby revoked to the extent specified in relation to that order in column 2 of that Schedule



36. This order shall come into operation on the 4 December 2009 and may be cited as "The Borough of Test Valley (Various Roads, Andover) (Parking Places and Restriction of Waiting) (Station Area) Order 2009".

GIVEN this 6th day of November 2009

### **SCHEDULES**

#### **Schedule 1 Part 1**

#### **Roads in Andover in the Borough of Test Valley, Parking Places**

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Situation of Parking Place</b>	<b>Class of Vehicles</b>	<b>Days of Operation of Parking Place</b>	<b>Hours of Operation of Parking Place</b>	<b>Maximum Period For Which Vehicles May Wait</b>
Those areas of road shown coloured 'lake blue' on the attached plan T/20/3/7/Y/4 (Revision 2) to a width throughout of 1.8 metres measured at right angles from the edge of the carriageway.	Motor cars, motor cycles and invalid carriages as defined in Section 136 of the Act	Mondays to Fridays	(i) Midnight – 10.00am and 3.00pm – midnight  (ii) 10.00 am to 3.00 pm	No limit  2 Hours (return prohibited within 2 hours)
		Saturdays and Sundays	All hours	No limit
	Any vehicle in respect of which a permit has been issued in accordance with Articles 15 20, 21 or 28 of this Order	All days	All hours	No limit

<b>Situation of Parking Place</b>	<b>Class of Vehicles</b>	<b>Days of Operation of Parking Place</b>	<b>Hours of Operation of Parking Place</b>	<b>Maximum Period For Which Vehicles May Wait</b>
That side of the road specified in part 2 of this Schedule to a width throughout of 1.8 metres measured at right angles from the edge of the carriageway.	Vehicles displaying a disabled person's badge	All days	All hours	No limit
Those areas of road as shown coloured 'magenta' on the attached plan T/20/3/7/Y/5 (Revision 1) to a width throughout of 1.8 m measured at right angles from the edge of the carriageway	Motor cars, motor cycles and invalid carriages as defined in Section 136 of the Act	Mondays to Saturdays	Midnight to 8 am and 6pm to midnight	No limit
		Sundays	All hours	No limit
	Any vehicle in respect of which a permit has been issued in accordance with Articles 15 20, 21 or 28 of this Order	All days	All hours	No limit

<b>SCHEDULE 1</b>		
<b>PART 2</b>		
<b>Parking place for permit holders for disabled persons only</b>		
<b>Road</b>	<b>Side</b>	<b>Extent</b>
Wessex Gardens	South	From a point 30 metres west of its junction with Junction Road to a point 37 metres west of that junction
Wessex Gardens	South	From a point 91 metres west of its junction with Junction Road to a point 98 metres west of that junction

<b>SCHEDULE 2</b>		
<b>No waiting at any time</b>		
<b>Road in Andover</b>	<b>Side</b>	<b>Extent</b>
Dell Road	North	From a point 10 metres west of its junction with Nestor Close to a point 7 metres east of that junction
Dell Road	North	From a point 4 metres west of its junction with Lancaster Close to a point 10 metres east of that junction
Dell Road	Both	From its junction with Manor Road to a point 12 metres west of that junction
Dell Road	South	From a point 7 metres west of its junction with Halifax Close to a point 10 metres east of that junction
Nestor Close	Both	From its junction with Dell Road to a point 3 metres north on both sides
Lancaster Close	West	From its junction with Dell Road to a point 15 metres north of that junction
Lancaster Close	East	From its junction with Dell Road to a point 3 metres north of that junction
Halifax Close	Both	From its junction with Dell Road to a point 10 metres south of that junction on both sides
Manor Road	West	From its junction with Dell Road to a point 10 metres south of that junction
Manor Road	Both	From its junction with Charlton Road to a point 25 metres north of that junction
Old Down Road	West	From a point at its junction with Dell Road to a point 10 metres north of that junction
Old Down Road	Both	From a point at its junction with Wellington Road to a point 10 metres east of that junction
Old Down Road	East	From its junction with Wellington Road to a point 14 metres north of that junction
Wellington Road	East	From its junction with Old Down Road to a point 10 metres south of that junction
Wellington Road	West	From its junction with Charlton Road to a point 15 metres north of that junction
Wellington Road	East	From its junction with Charlton Road to a point 35 metres north of that junction
Wessex Gardens	North	From its junction with Junction Road west to its terminus
Wessex Gardens	South	From its junction with Junction Road to a point 15 metres west of that junction

Road in Andover	Side	Extent
Denning Mead	East	From a point 13 metres east of its northern spur road junction to a point 56 metres west and south of that junction measured on the centreline of that road
Denning Mead	East	From a point 75 metres west and south of its northern spur road junction to its roundabout junction with Weyhill Road measured on the centreline of that road
Denning Mead	West	From a point 13 metres east of its northern spur road junction to its roundabout junction with Weyhill Road measured on the centreline of that road
Denning Mead	Both	From a point 27 metres east of its southern spur road junction to its terminus including its turning head
Denning Mead (northern spur)	Both	From its junction with the spine road to a point 10 metres north of that junction
Junction Road	West	From a point 11 metres north of its junction with Wessex Gardens to a point 12 metres south of that junction
Charlton Road	Both	From a point 30 metres south of its junction with Wellington Road to a point at the Churchill Way West over bridge
Jenson Gardens	West	From its junction with Weyhill Road to a point 20 metres south of that junction
Jenson Gardens	East	From its junction with Weyhill Road to a point 15 metres south of that junction
Harrow Way	Both	From its junction with Charlton Road to a point 15 metres west of that junction
Tollgate Road	Both	From its junction with Charlton Road to a point 20 metres west of that junction
Thistledown Close	Both	From its junction with Charlton Road to a point 15 metres west of that junction
Junction Road	West	From a point 36 metres north of its junction with Bishops Way to a point 12 metres further north
Junction Road	East	From a point 1.5 metres north of a line coincident with the southern property boundary of 92 Junction Road to a point 8 metres south of this point

**SCHEDULE 3****No waiting Monday to Friday, 10.00am to 3.00 pm**

Road	Side	Extent
Junction Road	West	From a point 11 metres north of its junction with Wessex Gardens to a point 24 metres north of that junction

**SCHEDULE 4****Traffic Regulation Orders to be revoked**

The Borough of Test Valley (Various Roads, Andover) (Parking Places and Restriction of Waiting) (Station Area) Order 2009	In its entirety
The Borough of Test Valley (Station Zone and Suffolk Road, Andover) (Parking Places and Restriction of Waiting and Stopping) Variation Order 2008	In its entirety

**SCHEDULE 5 - FEES**

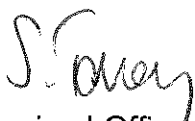
The fees for permits referred to in Articles 15 and 28 of this order shall be:-

Type of Permit	Fee per annum
Residents (Article 15)	£15.00
Resident's/Visitors (Article 28)	£15.00

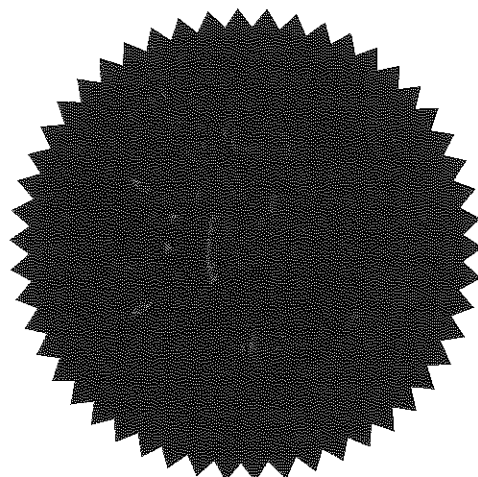
THE COMMON SEAL of THE BOROUGH )  
COUNCIL of TEST VALLEY was hereunto )  
Affixed in the presence of:- )



Member



Authorised Officer Signatory



20085



# Legend

- Eligible for Zone Y permits
- Limited 2hrs, No return 2hrs, Mon-Fri, 10am-3pm Except permit holders Y
- Bus
- Disabled
- Limited Waiting
- Mon-Sat 9am-6pm Permit Holders only
- Taxi



Scale: 1:2,000 @ A3  
 Oct 2006  
 Drawing Ref: T/20/3/7/P/Y

**Area of Eligibility for  
 Zone Y Permits**  
**Heather Drive, Charlton Road, Cross Lane, Station Approach  
 Junction Road (north end)**


*Technical Services  
 Produced By: Robert Drew*

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 LICENCE No. 100006096 2006

**TEST VALLEY**  
 BOROUGH COUNCIL



**Legend**


 Limited Waiting 2hrs, no return 2hrs, Mon-Fri 10am-3pm, except permit holders

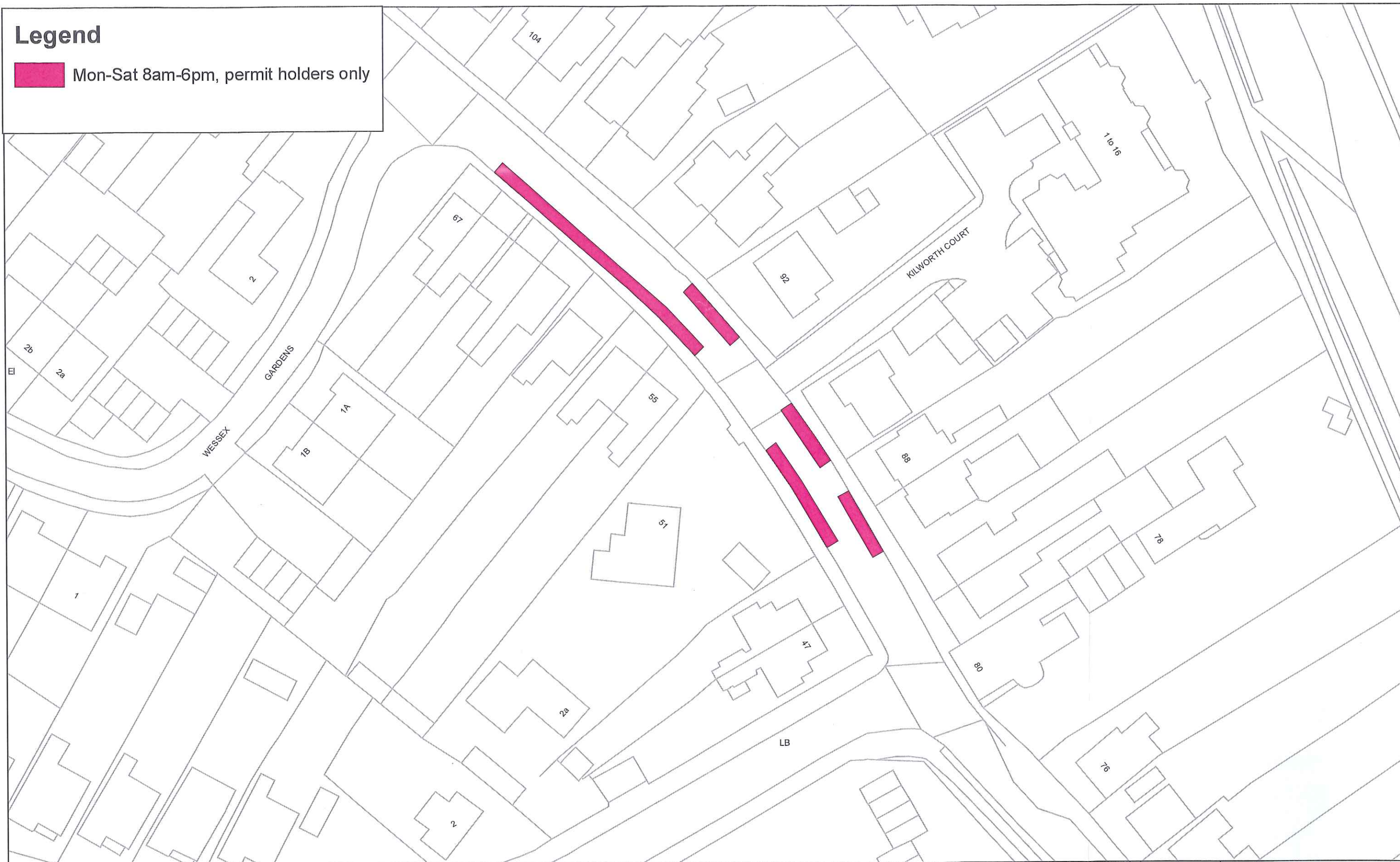


<b>Scale:1:500</b>  <b>June 2006</b>	British National Grid  Top:145,992 Bottem:145,868 Left:435,769 Right:435,970	<b>Junction Road (part)</b>	<b>Drawing ref: T/20/3/7/Y/4</b> Revision 2  <i>Technical Services</i> <i>Produced By: Robert Drew</i>	<small>           THIS PLOT IS REPRODUCED FROM ORDNANCE SURVEY MATERIAL WITH THE PERMISSION OF ORDNANCE SURVEY ON BEHALF OF THE CONTROLLER OF HER MAJESTY'S STATIONARY OFFICE. © CROWN COPYRIGHT. UNAUTHORISED REPRODUCTION INFRINGES CROWN COPYRIGHT AND MAY LEAD TO PROSECUTION OR CIVIL PROCEEDINGS. TEST VALLEY BOROUGH COUNCIL LICENCE No. 100/006/096 2006         </small>   <b>TEST VALLEY</b> <small>BOROUGH COUNCIL</small>
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## Legend

 Mon-Sat 8am-6pm, permit holders only



Scale:1:500  
October 2009

British National Grid

Top:145,881  
Bottom:145,757  
Left:435,876  
Right:436,077

Junction Road (part)

Drawing ref: T/20/3/7/Y/5  
Revision 1

Technical Services  
Produced By: Robert Drew

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BOROUGH COUNCIL