

A10/4

TRAFFIC REGULATION ORDER

TEST VALLEY BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE BOROUGH OF TEST VALLEY (ANDOVER TOWN CENTRE BUS AND
DISABLED PARKING PLACES AND PROHIBITION OF WAITING) ORDER
2010

DATED 14th September 2010

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

Ref: LJB 13/3/2/3/16(40)

TEST VALLEY BOROUGH COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

**THE BOROUGH OF TEST VALLEY (ANDOVER TOWN CENTRE BUS AND
DISABLED PARKING PLACES AND PROHIBITION OF WAITING) ORDER
2010**

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, 4, 32 and 35 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

"Community Bus" means a vehicle adapted to carry more than 8 persons which is being used by a community-based organisation to provide local bus services planned in response to local needs on a non-profit making basis

"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.

"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.

"Hackney Carriage Stand" means the Hackney Carriage Stand in Waterloo Court Andover appointed by the The Borough of Test Valley (Town Centre, Andover) Appointment of Hackney Carriage Stands Order 2010

"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.

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

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 or load/unload in that parking place:-
 - (a) unless it is of the specified class (and if 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 permitted 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. Subject to the proviso hereto, when a vehicle is left in a parking place in contravention of any of the provisions contained in articles 5, 6, 7 or 8 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.
10. 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.
11. 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.

PROHIBITION OF WAITING

12. Save as provided in Article 13 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 at any time on any of the sides of road specified in schedule 2 to this order
13. Nothing in article 12 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) building or demolition;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of the said sides of road;
 - (iv) 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.

- 14. The Hampshire (Various Roads, Andover) (Disabled Persons Parking Places) Order 2001 is hereby revoked in its entirety.
- 15. The Borough Council of Test Valley (Various Roads, Andover) (Prohibition and Restriction of Waiting (No. 1)) Order 1984 is hereby revoked insofar as it relates to any part of Waterloo Court, Andover
- 16. The Borough Council of Test Valley (Various Roads, Andover) (Prohibition and Restriction of Waiting (No. 2)) Order 1977 is hereby revoked insofar as it relates to Black Swan Service Road, George Yard Service Road and Upper High Street, Andover.
- 17. This order shall come into operation on the 18 October 2010 and may be cited as "The Borough of Test Valley (Andover Town Centre Bus and Disabled Parking Places and Prohibition of Waiting) Order 2010".

GIVEN this 14th day of Sept. 2010

SCHEDULE 1 – PARKING PLACES

1	2	3	4	5
Situation of Parking Place	Class of vehicle	Days of operation of parking place	Hours of operation of parking place	Maximum period for which vehicles may wait
Each area of road within Borden Gate, George Yard Service Road, High Street, Kings Yard, Waterloo Court hatched blue on the attached drawing S/34/2/2/66 REV A	Any disabled person's vehicle which displays in the relevant position a disabled person's badge	All days	All hours	No limit
Area of road within Waterloo Court cross hatched red on the attached drawing S/34/2/2/66 REV A	Community Bus	All days	All hours	30 minutes, no return within one hour
Area of road within Black Swan Service Yard shown solid blue on the attached drawing S/34/2/2/66 REV A	All vehicles	All days	All hours	No limit whilst loading/unloading

SCHEDULE 2 – NO WAITING AT ANY TIME

Roads in Andover	Side	Extent
Borden Gate	Both	Whole length except areas described in Schedule 1 as shown on the attached drawing S/34/2/2/66 REV A
Black Swan Yard Service Road	Both	Whole length except areas described in Schedule 1 as shown on the attached drawing S/34/2/2/66 REV A
George Yard Service Road	Both	Whole length except areas described in Schedule 1 as shown on the attached drawing S/34/2/2/66 REV A
High Street	Both	Between a point 6.5 metres south of Newbury Street to its junction with Chantry Street except area described in Schedule 1 as shown on the attached drawing S/34/2/2/66 REV A
Kings Yard	Both	Whole length except areas described in Schedule 1 as shown on the attached drawing S/34/2/2/66 REV A
Waterloo Court	Both	Whole length except areas described in Schedule 1 and the Hackney Carriage Stand as shown on the attached drawing S/34/2/2/66 REV A

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



Member


Authorised Officer Signatory



20436

Revoked
by A15-2

