

THE BOROUGH COUNCIL OF TEST VALLEY
ROAD TRAFFIC REGULATION ACT 1984

THE BOROUGH OF TEST VALLEY (DENE ROAD, ANDOVER)
(PARKING PLACES, PROHIBITION AND RESTRICTION OF WAITING)
ORDER 2006

The Borough Council of Test Valley as agent for Hampshire County Council in exercise of its powers under Sections 1, 2, 4, 45, 46, 49 and 51 of the Road Traffic Regulation Act 1984 ("the Act") as amended by the Road Traffic Regulation (Parking) Act, 1986, 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 shaded area shown on the map 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.
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 delineated by a thick black line on the attached plan T/20/3/13/Dene Road/A 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 inadequate off-street parking facilities, may apply to the Council for the issue of a permit for the leaving of that vehicle at any time in a parking space in any parking place specified in schedule 1 to this 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.
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 resident within the permit zone, has inadequate off-street parking facilities 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 two hours 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 within the permit zone delineated by a thick black line on the attached plan T/20/3/13/Dene Road/A may apply to the Council for the issue of a 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 by any visitor to that resident, or any other person resident at the same address, during any such visit, subject to not more than one permit 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.
28. The total number of permits referred to in Articles 15, 20 or 27 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 8 May 2006 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.

PART IV - RESTRICTION OF WAITING

29. Save as provided in articles 30 and 31 of this order, no person shall, except upon the direction or with the permission of a police constable in uniform or traffic warden, cause or permit any vehicle to wait:-
- (i) at any time on any of the sides of road specified in schedule 2 to this order;
 - (ii) between the hours of 8.00am and 6.00pm from Monday to Saturday (both days inclusive) on the sides of road specified in schedule 3 to this order.
30. Nothing in article 29 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:-
- (b) to enable a person to board or alight from the vehicle;
 - (c) to enable goods to be loaded onto or unloaded from the vehicle;
 - (d) 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;
 - (e) 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;

- (f) 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;
- (g) 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;
- (h) 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
- (i) to enable the vehicle to be used for fire and rescue service, ambulance or police purposes.

31. Nothing in article 29 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

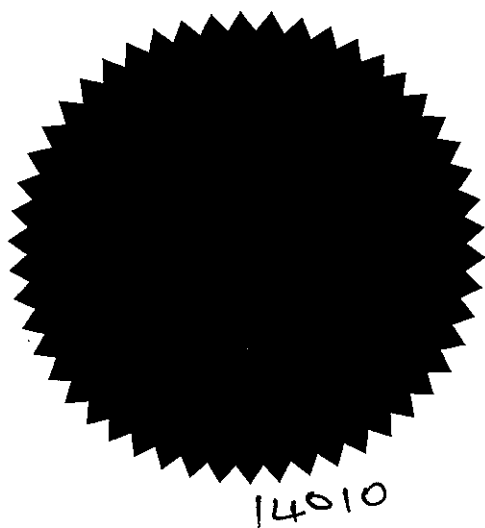
- 31. Each of the orders specified in Column 1 of Schedule 4 to this order is hereby revoked to the extent specified in relation to that order in column 2 of that Schedule
- 32. This order shall come into operation on the 8 May 2006 and may be cited as "The Borough of Test Valley (Dene Road, Andover) (Parking Places, Prohibition and Restriction of Waiting) Order 2006".

GIVEN this 30th day of March 2006

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

Member Alman

Authorised Signatory J. Tacey



SCHEDULES

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 space	Maximum period for which vehicle may wait
Those areas of Dene Road, Andover shown hatched on drawing T20/3/13/Dene Road	Motor cars, Motor cycles and invalid carriages as defined in Section 136 of the Act of 1984	(a) Mondays to Saturdays	(i) Midnight to 8am and 6pm to Midnight	No limit
			(ii) 8am to 6pm	2 hours (return prohibited within 2 hours)
		(b) Sundays	All hours	No limit
	Any vehicle in respect of which a permit has been issued in accordance with articles 15 or 27 of this order	All Days	All hours	No limit

SCHEDULE 2		
No waiting at anytime		
Road	Side	Extent
Dene Road, Andover	Both	From a point at its junction with Eastern Avenue measured along the centre line to a point 20 metres south

SCHEDULE 3

No waiting 8am to 6pm Monday to Saturday except length designated as parking places in Schedule 1

Road in Andover	Side	Extent
Dene Road	East	From a point 20 metres south from its junction with Eastern Avenue measured along the centre line to a point at its southern end including the turning area

SCHEDULE 4**Revocations**

Title of Order	Extent to be revoked
The Borough of Test Valley (Various Roads Andover) (Prohibition and Restriction of Waiting) (No. 1) Order 1990	Insofar as it relates to Dene Road, Andover
The Hampshire (Various Roads Andover) (Parking Places and Restriction of Waiting) Order 2003	Insofar as it relates to Dene Road, Andover

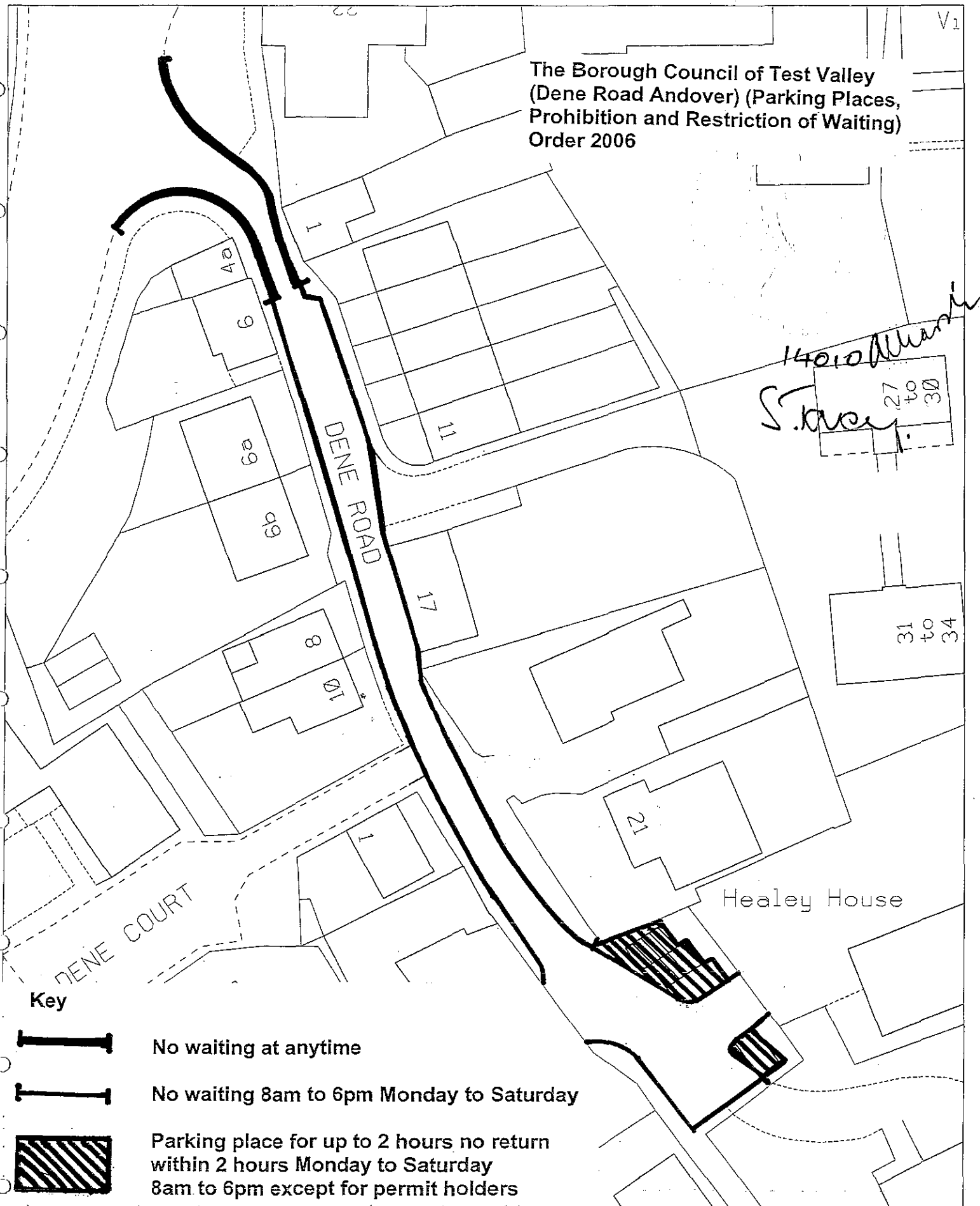
SCHEDULE 5**Fees**

The fees for permits referred to in Articles 15 and 27 of this order shall be:-

Type of Permit	Fee per annum
Residents (Article 15)	£15.00
Visitors (Article 27)	£15.00

The Borough Council of Test Valley
 (Dene Road Andover) (Parking Places,
 Prohibition and Restriction of Waiting)
 Order 2006

V1



Key



No waiting at anytime



No waiting 8am to 6pm Monday to Saturday



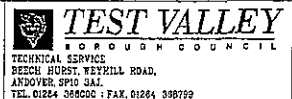
Parking place for up to 2 hours no return
 within 2 hours Monday to Saturday
 8am to 6pm except for permit holders



SCALE :-
 1:500

TITLE :-
 T20/3/13/ DENE ROAD

DRAWN:-
 ANDY
 BRADLEY

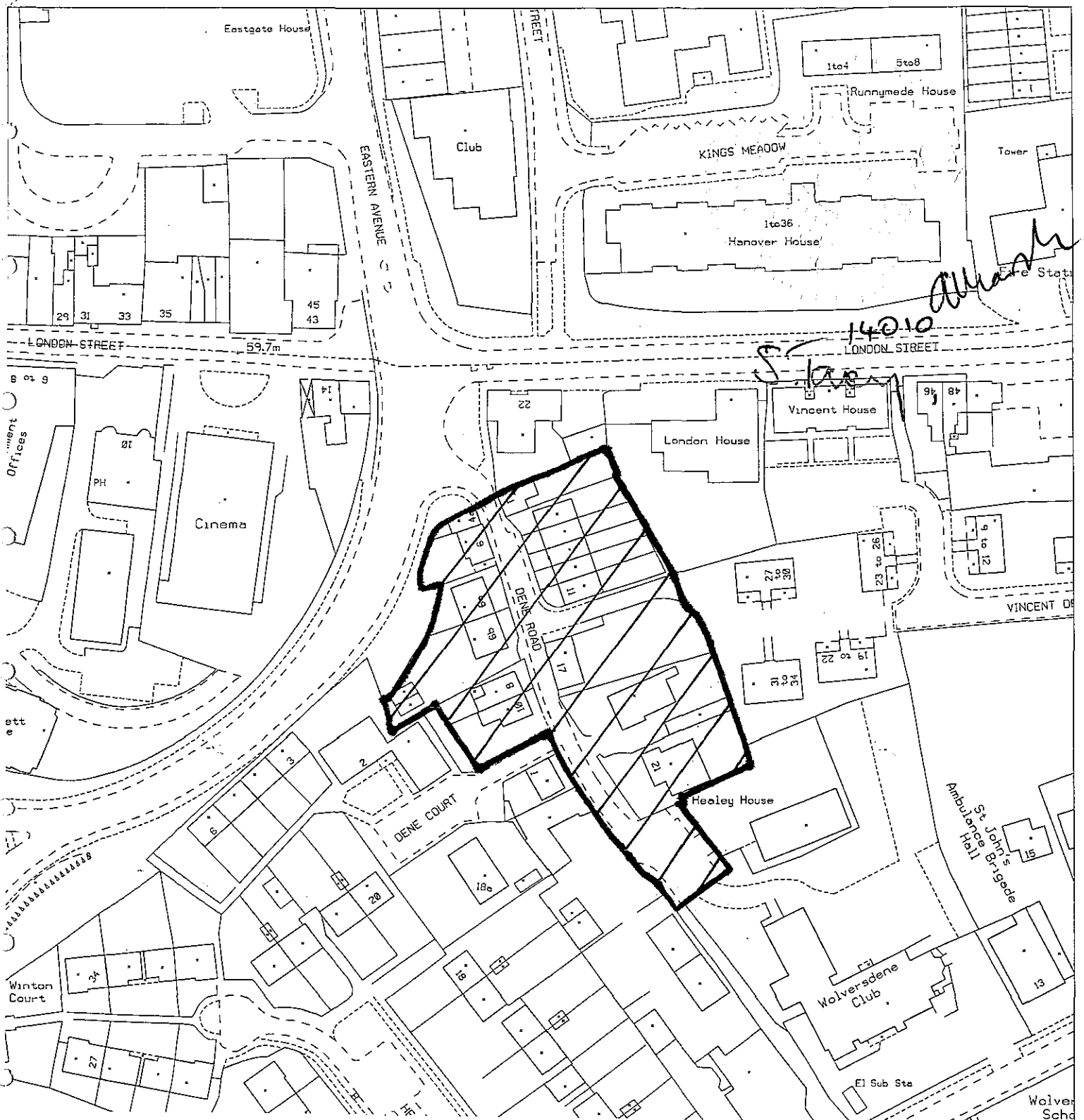


DATE :-
 18/1/06

DRAWING NUMBER



OS SHEET:-

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**The Borough of Test Valley
 (Dene Road Andover) (Parking Places,
 Prohibition and Restriction of Waiting)
 Order 2006**

**Shaded area shows limit of properties whose residents may be eligible to apply
 for permit(s) subject to conditions**

	<p>MAP REF :- SU366452 SCALE :- 1:1250 DATE :- 31 JAN 2006</p>	<p>TITLE :- T/20/3/13/Dene Road/A</p> <p>31/01/2006</p>	 <p>TEST VALLEY BOROUGH COUNCIL</p> <p>TECHNICAL SERVICES BEECH HURST : WEYHILL ROAD ANDOVER : HAMPSHIRE : SP10 3AJ Tel:- 01264 368000 Fax:- 01264 368799</p>
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