

A14-4

**TRAFFIC REGULATION ORDER**

DATED 4<sup>th</sup> June 2014

W. Lynds,  
Head of Legal & Democratic Service  
Test Valley Borough Council  
Beech Hurst, Weyhill Road  
Andover, Hampshire SP10 3AJ

Ref: LJB 13/3/2/3/16(65)

**TEST VALLEY BOROUGH COUNCIL**

**ROAD TRAFFIC REGULATION ACT 1984**

**THE BOROUGH OF TEST VALLEY (WESTBROOKE CLOSE, ANDOVER)  
(PARKING PLACE AND PROHIBITION OF WAITING) ORDER 2014**

The Borough Council of Test Valley as agent of Hampshire County Council (being the Traffic Authority) in exercise of its powers under Sections 1-4 and 32-35 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.

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 I 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 I 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 parts 1 of schedule I 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 – PROHIBITION OF WAITING**

- 13 Save as provided in articles 14 and 15 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 the sides of road specified in schedule 2 to this order.
- 14 Nothing in article 13 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.
15. Nothing in article 13 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 IV – REVOCATION

- 16 The Borough of Test Valley (Westbrook Close, South Street, Andover) (Prohibition of Waiting) Order 1987 is hereby revoked
- 17 This order shall come into operation on the 13<sup>th</sup> June 2014 and may be cited as "The Borough Council of Test Valley (Westbrooke Close, Andover) (Parking Place and Prohibition of Waiting) Order 2014".

GIVEN this

4<sup>th</sup>

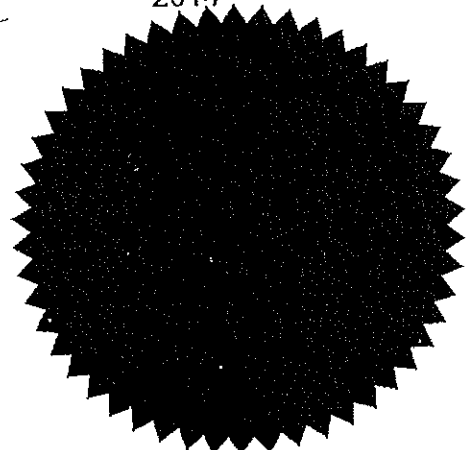
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June

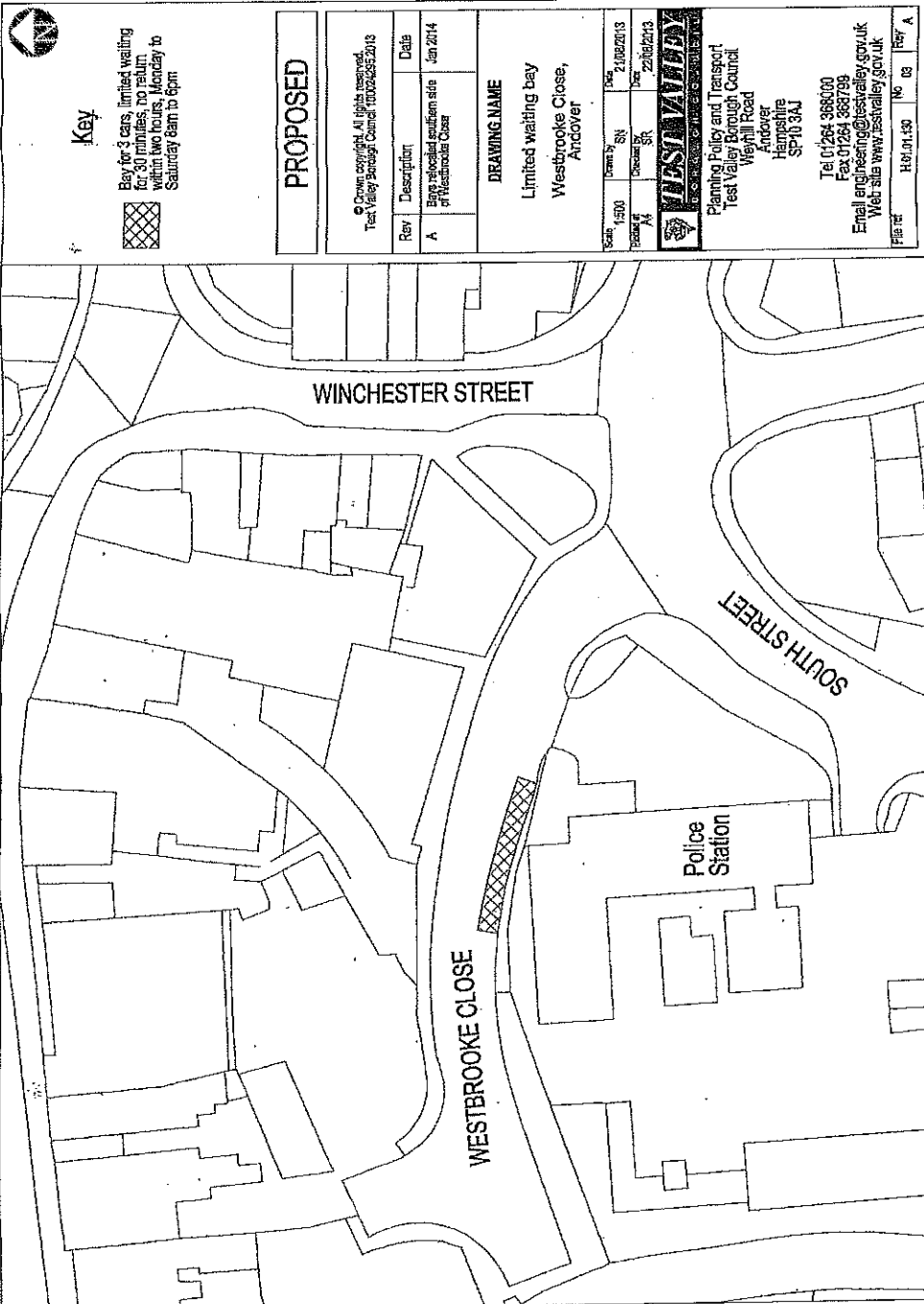
2014

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


Authorised Officer Signatory



21906



**Key**

 Bay for 3 cars, limited waiting for 30 minutes, no return within two hours, Monday to Saturday 6am to 6pm

**PROPOSED**

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Test Valley Borough Council 10002495.2013

Rev	Description	Date
A	Bay proposed southern side of Westbrooke Close	Jan 2014

**DRAWING NAME**  
Limited waiting bay  
Westbrooke Close,  
Andover

Scale	1:500	Drawn by	SN	Date	21/06/2013
Checked by	AJ	Checked by	SR	Date	22/06/2013

**TEST VALLEY**

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## SCHEDULES

<b>SCHEDULE 1</b>				
<b>PART 1</b>				
<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 sides of road specified in Part 2 of this Schedule to a width throughout of 2.6 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 Saturdays	08.00am to 6.00pm	30 minutes (return prohibited within 2 hours)
		Sundays	All hours	No limit

<b>SCHEDULE 1 PART 2 - Restricted Parking Bay – Limited Waiting 30 Minutes No Return Within 2 hours Monday to Friday 08:00am- 6:00pm</b>		
<b>Road Name</b>	<b>Side</b>	<b>Length of Road</b>
Westbrooke Close	Southern	From a point <b>25m</b> west of its junction with South Street to a point <b>16m</b> south thereof.

<b>SCHEDULE 2</b>		
<b>No waiting at any time</b>		
<b>Road in Andover</b>	<b>Side</b>	<b>Extent</b>
Westbrooke Close	Both	Whole length including hammerhead except area described in Schedule 1Part 2

