

HAMPSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT, 1984

THE HAMPSHIRE (BRACHER CLOSE, ANDOVER)
(PARKING PLACE) ORDER 1998

Hampshire County Council ("the Council") in exercise of its powers under Sections 32, 35 and 36 of the Road Traffic Regulation Act 1984 ("the Act"), 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:-

1. In this Order,

"Disabled person's vehicle" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) (Amendment) Regulations 1986;

"Disabled Person's Badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) Regulations 1982;

"Parking Disc" means a disc, issued by a Local Authority, 125 millimetres square, coloured orange 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 2A(2), (3) and (4) of the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986, as amended by the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England and Wales) (Amendment) Regulations 1991, 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.
4. (i) Each of the parts of a road specified in the Schedule 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 the Schedule 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;
 - (b) unless it is positioned within the parking areas defined by white lines on the surface of the road.
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 parking badge shall be exempt from any limitation on time specified in column 5 of the Schedule 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 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.

13. The Borough of Test Valley (Various Roads, Andover) (Prohibition and Restriction of Waiting) Order 1985 is hereby revoked insofar as it relates to Bracher Close.
14. This Order shall come into operation on the 16th day of March 1998 and may be cited as "The Hampshire (Bracher Close, Andover) (Parking Place) Order 1998".

GIVEN this 2nd day of March 1998

THE COMMON SEAL of HAMPSHIRE)
COUNTY COUNCIL was hereunto)
affixed in the presence of:-)

LS

E.W. MASON

Authorised Signatory

SCHEDULE

Road at Andover in the Borough of Test Valley
Parking Place

OK

1 Situation of parking place	2 Class of Vehicles	3 Days of operation of parking place	4 Hours of operation of parking place	5 Maximum period for which vehicles may wait
That part of Bracher Close shown hatched on the plan attached to this Order	Motor cars, motor cycles and invalid carriages as defined in Section 136 of the Act	(a) Mondays to Saturdays	(i) Midnight - 9.00 am and 6.00 pm - Midnight (ii) 9.00 am - 6.00 pm	No limit
		(b) Sundays	All hours	No limit

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