

PUBLIC NOTICE

THE BOROUGH OF HAVANT **(WATERLOOVILLE: FERNDALE & HULBERT ROAD) (PROHIBITION OF** **WAITING) ORDER 2023**

Notice is hereby given that Havant Borough Council pursuant to an arrangement entered into under Section 19 of the Local Government Act 2000, with the Council of the County of Hampshire, propose to make a permanent Order under the provisions of the Road Traffic Regulation Act 1984, the effect of which will be to introduce a prohibition of waiting on lengths of Ferndale and Hulbert Road, WaterlooVille.

These documents are available to view on the Havant Borough Council website at www.havant.gov.uk/tro. A copy of the proposed Order, the plans showing the location and effect of the proposed order, a statement setting out the reasons why the authority proposes to make the order and any other related documents can also be viewed at the Havant Borough Council, Public Service Plaza, Civic Centre Road, Havant during normal office hours. Any comments supporting or objecting to the proposal, together with the grounds on which they are made, or any other comments must be received by 16th December 2022, please quote Ref No. JT/HBC/TRO/465. These may be sent:-

- by using the online response form at the above web address
- by email to tro@havant.gov.uk
- in writing to the undersigned below

Please note that objections or comments to this proposal will be kept on a file open to the public.

Dated this 25th day of November 2022.

Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant PO9 2AX



Havant
BOROUGH COUNCIL

Scan using QR Reader App
on a Smartphone to view
TRO Proposal website



THE BOROUGH OF HAVANT
(WATERLOOVILLE: FERNDALE & HULBERT ROAD) (PROHIBITION OF WAITING)
ORDER 2023

STATEMENT OF REASONS FOR
PROPOSING TO MAKE THIS ORDER

Notice is hereby given that The Council of the Borough of Havant ("the Council") pursuant to an arrangement entered into under Section 19 of the Local Government Act 2000, with the Council of the County of Hampshire, propose to make a permanent Order under the provisions of the Road Traffic Regulation Act 1984, the effect of which will be to introduce a prohibition of waiting on lengths of Ferndale and Hulbert Road, Waterlooville.

The Council has a duty under section 122 of the Road Traffic Regulation Act 1984 when making traffic regulation orders to consider the expeditious, convenient and safe movement of traffic and other traffic (including pedestrians).

These proposals are being promoted under the provisions of the Road Traffic Regulation Act 1984 which allows the Council to take measures under Section 1, in this case for the following reasons:

1(1)(a) Avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising;

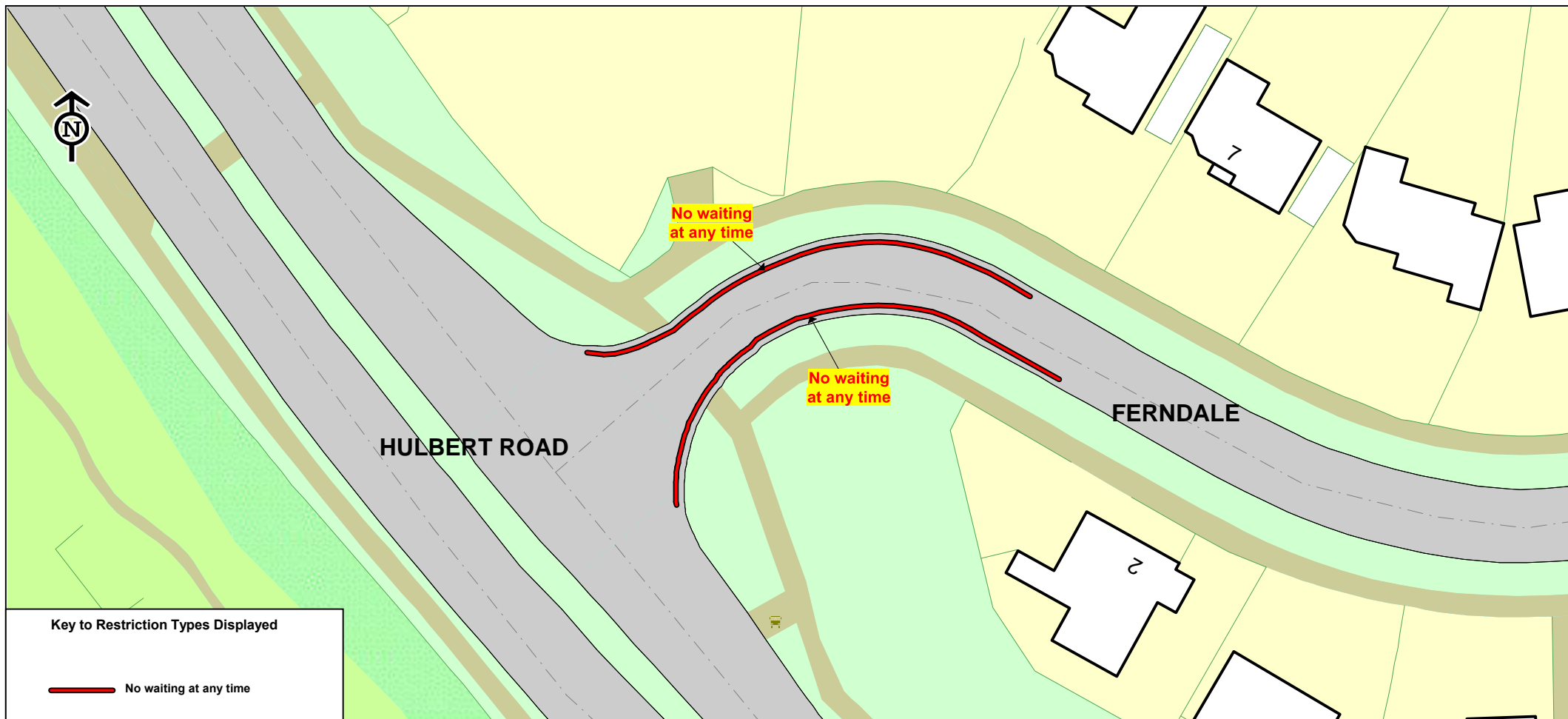
1(1)(c) Facilitating the passage on the road or any other road of any class of traffic (including pedestrians);

For the reasons stated above, the traffic regulation order is proposed to improve the safe passage of vehicles at the Ferndale junction with Hulbert Road and either side of the junction with Warfield Avenue, Waterlooville.

Plan Numbers: 2022WAT01 Ferndale and 2022WAT02 show the lengths of roads subject to the proposals.

Havant Borough Council

25th November 2022

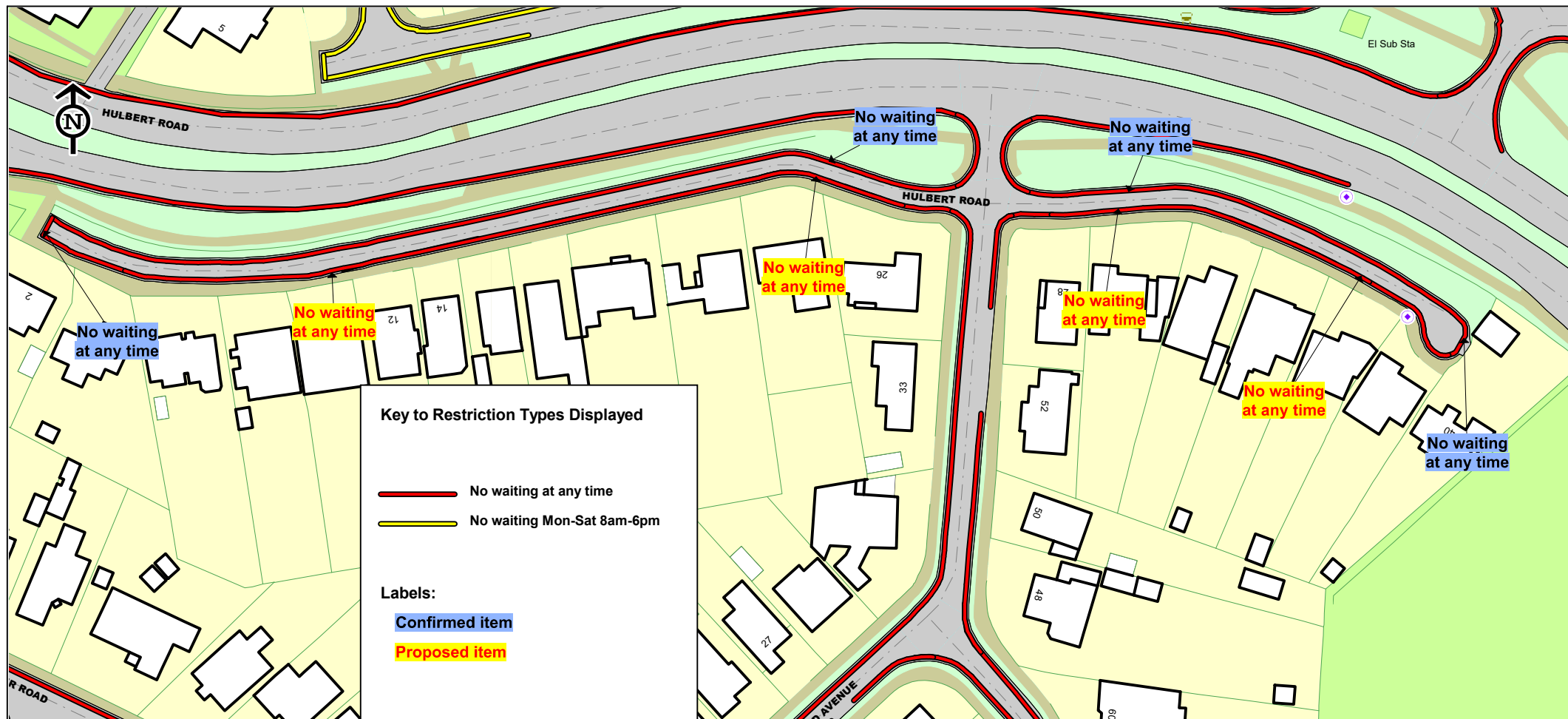


Havant
BOROUGH COUNCIL

2022WAT01 Ferndale

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HAVANT DISTRICT

SCALE	1 : 500
DATE	22/04/2022
DRAWING No.	2022WAT01
DRAWN BY	AJ
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Havant
BOROUGH COUNCIL

2022WAT02

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HAVANT DISTRICT

SCALE	1 : 1000
DATE	22/04/2022
DRAWING No.	2022WAT02
DRAWN BY	AJ

THE BOROUGH OF HAVANT
(WATERLOOVILLE: FERNDAL & HULBERT ROAD) (PROHIBITION OF WAITING) ORDER 2023

The Council of the Borough of Havant hereby gives notice that pursuant to arrangements made under Section 19 of the Local Government Act 2000 with the Council of the County of Hampshire in exercise of the powers conferred on that County Council under Sections 1 (1), 2 (1), (2), 4 (2) and part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the 1984 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 make the following Order:-

1. This Order shall come into operation on the **** day of ***** 2023 and may be cited as "The Borough of Havant (Waterlooville: Ferndale & Hulbert Road) (Prohibition of Waiting) Order 2023³²".
2. The part of Orders specified in the First Schedule to this Order is hereby revoked.
3. (1) In this Order -

 "Civil Enforcement Officer" means a person (being a person appointed under Section 76 of the Traffic Management Act 2004 and/or under Section 63A of the 1984 Act) authorised by or on behalf of the Council to supervise any parking place and act as indicated by the use of the expression in any of the Articles in this Order;

 "Council" means the Council of the Borough of Havant;

 "Delivering" and **"Collecting"** in relation to any goods includes checking the goods for the purpose of their delivery or collection;

 "Disabled Person's Badge" or **"Blue Badge"** has the same meaning as in The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 SI 682;

 "Disabled Persons' Parking Place" means an area on a highway which is designated as a disabled persons' parking place and is comprised within and indicated by a road marking complying with the Traffic Signs Regulations and General Directions 2016;

 "Disabled Person's Vehicle" has the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 2000;

 "Light Goods Vehicle" means a vehicle, not exceeding 3.5 tonnes gross vehicle weight, which is constructed or adapted for use for the carriage of goods or burden of any description;

 "Loading" means the loading or unloading of goods to or from a vehicle;

 (2) For the purpose of this Order a vehicle shall be regarded as displaying a Disabled Person's Badge or a parking disc in the relevant position when and only when they are displayed in accordance with Regulation 4 of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

 (3) Except where otherwise stated any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.
4. Save as provided in Article 5 no person shall except upon the direction or with the permission of a police constable in uniform or a Civil Enforcement Officer cause or permit any vehicle to wait in the lengths of roads specified in the Second Schedule to this Order.
5. (1) Subject to the provisions in Article 6 nothing in Article 4 shall render it unlawful to cause or permit any vehicle to wait in the lengths of roads referred to therein for so long as may be necessary to enable -
 - (a) a person to board or alight from the vehicle;
 - (b) the vehicle if it cannot conveniently be used for such purpose in any other road to be used in connection with any of the following operations namely -

- (i) building industrial or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance improvement or reconstruction of the said lengths of roads; or
 - (iv) the laying erection alteration or repair in or in land adjacent to the said lengths of roads of any sewer or of any main pipe or cable or other apparatus for the provision of gas water electricity or telecommunications by a utility organization attending their apparatus in pursuance of their statutory powers or duties; or
 - (v) in pursuance of a local authority's highways management, works, maintenance, waste collection or street cleansing.
- (c) the vehicle if it is a Universal Service Provider as defined in Section 4(3) of the Postal Services Act 2000 used for the delivering or collecting of postal packets;
 - (d) the vehicle to take in petrol oil water or air from any garage situated on or adjacent to the said lengths of roads;
 - (e) the vehicle to wait at or near to any premises situated on or adjacent to the said lengths of roads for so long as such waiting by that vehicle is reasonably necessary in connection with any wedding or funeral; or
 - (f) the vehicle if it is being used by the emergency services in pursuance of their statutory powers or duties; or
 - (g) the vehicle if it is required by law to stop or obliged to stop so as to prevent an accident or prevented from proceeding by circumstances beyond its control.
 - (h) the vehicle to wait for the purpose of enabling goods to be loaded on or unloaded from the vehicle.
- (2) Nothing in Article 4 shall render it unlawful to cause or permit a Disabled Person's Vehicle which validly displays in the relevant position a Disabled Person's Badge in the circumstances prescribed in Regulations 7, 8 or 9 and subject to the limitation set out in Regulation 6(2) of the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 SI 683 to wait in the lengths of roads referred to therein.

6. Those vehicles described in Article 5 (1) (a) to (h) are subject to the provision that:-

- (a) there is no reasonable alternative place to stop or wait; and
- (b) they only stop and wait for so long as is necessary.

7. 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.

FIRST SCHEDULE
(Parts of Order to be Revoked)

ORDER

The Borough of Havant (Various Roads) Prohibition and Restriction of Waiting (Consolidation) Order 2005

EXTENT OF REVOCATION

Schedule – No waiting at any time: -

Hulbert Road Cul-de-sac (south of Hulbert Road Dual Carriageway) Eastern Arm

- (i) The southern side from a point 28.5 metres from its junction with Warfield Avenue eastwards for a distance of 6.5 metres.
- (ii) The southern side from a point 41.5 metres from its junction with Warfield Avenue eastwards for a distance of 5.5 metres.
- (iii) The southern side from a point 54.5 metres from its junction with Warfield Avenue eastwards for a distance of 8 metres.

Hulbert Road Cul-de-sac (south of Hulbert Road Dual Carriageway) Western Arm

- (i) The southern side from a point 130 metres from its western end eastwards for a distance of 13 metres.
- (ii) The southern side from a point 94 metres from its western end eastwards for a distance of 26 metres.
- (iii) The southern side from a point 68 metres from its western end eastwards for a distance of 14 metres.
- (iv) The southern side from a point 57.5 metres from its western end eastwards for a distance of 6.5 metres.
- (v) The southern side from a point 150 metres from its western end eastwards for a distance of 5.5 metres.

SECOND SCHEDULE
(Waiting prohibited at all times)

Lengths of roads in Waterlooville

Ferndale

North side:-

(i) From its junction with Hulbert Road for a distance of 46 metres in an easterly direction.

South-east side:-

(i) From its junction with Hulbert Road for a distance of 45 metres in an easterly direction.

Hulbert Road

South side:-

(i) From a point 8 metres from its junction with Warfield Avenue for a distance of 60 metres in an easterly direction.

(ii) From a point 11 metres from its junction with Warfield Avenue for a distance of 143 metres in a westerly direction.

THE COMMON SEAL OF THE
COUNCIL OF THE BOROUGH
OF HAVANT was hereunto
affixed this
***** day of ***** 2023

In the presence of

Authorised signatory

File Ref: JT/HBC/TRO/465
Plan No: 2022STA01v2