

## **THE PORTSMOUTH CITY COUNCIL (ABBEYDORE ROAD) (VERGE PARKING PLACES) (NO.28) ORDER 2016**

The Portsmouth City Council (hereinafter referred to as “the Council”), in exercise of its powers under section 45 of the Road Traffic Regulation Act 1984 (“the Act”), as amended by the Road Traffic Act 1991 (“the 1991 Act”), the Traffic Management Act 2004 (“the 2004 Act”), the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (“the 2007 Regulations”), and of all other enabling powers, and after consultation with the Chief Officer of Police for the County of Hampshire in accordance with Part III of Schedule 9 to the 1984 Act, hereby makes the following Order:

1. (1) In this Order:

‘civil enforcement officer’ means any person authorised by or on behalf of the council to supervise and control parking in the City of Portsmouth and to carry out such other functions as may be conferred by or under any enactment;

‘council’ means Portsmouth City Council;

‘driver’, in relation to a vehicle waiting in a parking place means the person driving the vehicle at the time it was left in a parking place;

‘owner’ for the purpose of this order means, in relation to a vehicle, the person who is the registered keeper of the vehicle or who is authorised by the registered keeper to keep and use the vehicle;

‘parking place’ means any part of a road, verge or footway authorised by this Order to be used as a parking place;

‘penalty charge’ means an additional parking charge set by the council under the provisions of Section 78 of the 2004 Act and has the same meaning as Section 2 of Part 1 of the 2007 Regulations;

‘penalty charge notice’ means a notice issued by a civil enforcement officer in accordance with the provisions of Section 78 of the 2004 Act and Section 2 of Part 1 of the 2007 Regulations;

‘traffic sign’ means a sign or marking prescribed or authorised under the Traffic Signs Regulations and General Directions Order 2016 or any amendment or revision to that Order made in accordance with Section 134(2) of the Act or Section 195(2) of the Road Traffic Act 1988;

- (2) 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.

2. Designation and Use of Parking Places

- (a) Each part of the highway described in Column 1 of the Schedule is authorised to be used as a parking place for vehicles, in such positions as are specified in Column 2 of the said Schedule
- (b) The limits of each Parking Place shall be indicated by the Council on the highway and/or by appropriate traffic signs.

- (c) Any person leaving a vehicle in a Parking Place shall ensure that the whole of the vehicle is contained within the limits of the Parking Place.
- (d) No person shall cause or permit a vehicle to wait in a Parking Place described in the Schedule in such a position so as to obstruct or prevent any other vehicle from entering or departing from a Parking Place or Parking Bay or if the use of the Parking Place has been suspended.
- (e) No person shall use a vehicle whilst it is in a Parking Place described in the Schedule in connection with the sale of any article to persons in or near the Parking Place or otherwise or in connection with the selling or offering for hire of his skill or services without the prior written consent of the Council.
- (f) No person shall use any part of a Parking Place or any vehicle left in a Parking Place described in the Schedule for:
  - (i) camping or cooking or overnight sleeping, or
  - (ii) for the purposes of servicing, dismantling or washing any vehicle or part thereof other than is reasonably necessary to enable that vehicle to depart from the Parking Place.
- (g) No person shall cause or permit a vehicle to be used in a Parking Place described in the Schedule so as to unreasonably prevent access to any premises adjoining the road or the use of the road by other persons.

### 3. Suspension of Parking Places

- (a) Any person authorised by the Council or a police constable in uniform may suspend the use of or any part of a Parking Place described in the Schedule whenever s/he considers such suspension reasonably necessary.
- (b) Any person authorised by the Council may suspend the use of or any part of a Parking Place described in the Schedule for any civic event or similar occasion.
- (c) Any person suspending the use of or any part of a Parking Place as described in the Schedule in accordance with the provisions of this Article shall where reasonably practicable:
  - (i) Place or cause to be placed in or adjacent to that Parking Place a traffic sign or signs indicating that waiting is prohibited.
- (d) On any suspension of the use of or any part of a Parking Place as described in the Schedule in accordance with the provisions of this Article any person authorised by the Council may temporarily remove any post, bracket or other support relating to that Parking Place.
- (e) No person shall cause or permit a vehicle to be left in any part of a Parking Place described in the Schedule during such period as there is in or adjacent to that part of the Parking Place a traffic sign placed under paragraph (c) (i) of this Article.
- (f) Nothing in this Article shall render it unlawful to cause or permit a vehicle being used for Police, Fire and Rescue or Ambulance purposes or any vehicle so left in a Parking Place subject to a suspension if that vehicle is left with the permission of the person suspending the use of the or part of the Parking Place.

4. A failure by any person to comply with any requirement of this Order shall be a contravention of this Order and a penalty charge shall be payable by the owner.
5. 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.
6. This Order may be cited as The Portsmouth City Council (Abbeydore Road) (Verge Parking Places) (No.28) Order 2016 and shall come into operation on the 20 September 2016.

**SCHEDULE**

(See Article 2)

**WHOLE OR PARTIAL VERGE PARKING PLACES**

Lengths of Verge and Sides of Lengths of Verge Authorised for Use as a Parking Place

AREA DESIGNATED FOR USE AS A PARKING PLACE 1	POSITION IN WHICH VEHICLE MAY WAIT 2
<p><b>1. ABBEYDORE ROAD</b></p> <p>(a) The north side;</p> <p>(i) from a point 3 metres west of its junction with Credenhill Road in a westerly direction for a distance of 22 metres</p> <p>(ii) from a point 35 metres west of its junction with Credenhill Road in a westerly direction for a distance of 34 metres</p> <p>(iii) from a point 5 metres east of its junction with Kingsland Close in an easterly direction for a distance of 11 metres</p> <p>(iv) from a point 3 metres west of its junction with Kingsland Close in a westerly direction for a distance of 11 metres</p> <p>(v) from a point 35 metres east of its junction with Walford Road in an easterly direction for a distance of 26 metres</p> <p>(vi) from a point 7 metres east of its junction with Walford Road in an easterly direction for a distance of 23 metres</p> <p>(b) The south side;</p> <p>(i) from a point 13 metres west of its junction with Credenhill Road in a westerly direction for a distance of 6 metres</p> <p>(ii) from a point 24 metres west of its junction with Credenhill Road in a westerly direction for a distance of 18 metres</p> <p>(iii) from a point 50 metres west of its junction with Credenhill Road in a westerly direction for a distance of 26 metres</p> <p>(iv) from a point 6 metres east of the projected east side of Kingsland Close in a westerly direction for a distance of 17 metres</p> <p>(v) from a point 19 metres east of its junction with Walford Road in an easterly direction for a distance of 7 metres</p> <p>(vi) from a point 44 metres east of its junction with Walford Road in an easterly direction for a distance of 15 metres</p> <p>(vii) from a point 64 metres east of its junction with Walford Road in an easterly direction for a distance of 7 metres</p>	<p>Parallel: Partially on verge</p> <p>Parallel: Partially on verge</p> <p>Parallel: Wholly on verge</p> <p>Parallel: Wholly on verge</p> <p>Parallel: Partially on verge</p> <p>Parallel: Partially on verge</p> <p>Parallel: Wholly on verge</p> <p>Parallel: Wholly on verge</p> <p>Parallel: Wholly on verge</p> <p>Parallel: Wholly on verge</p> <p>Parallel: Wholly on verge</p> <p>Parallel: Wholly on verge</p> <p>Parallel: Wholly on verge</p> <p>Parallel: Wholly on verge</p>

**CITY COUNCIL'S REASONS FOR THE ORDER**

Abbeydore Road consists of a limited amount of off- road parking, causing the majority of residents to park their vehicles on the highway. This often leaves insufficient space for larger vehicles, and potentially emergency vehicles, to use the remaining narrow carriageway. Alternatively, vehicles frequently park completely on the north footway creating problems for pedestrians. The measures within this order aim to ensure that traffic management, parking and pedestrian needs are accommodated.

Given under the Common Seal  
of the Portsmouth City Council this

6<sup>th</sup>

day of September 2016.

**THE COMMON SEAL of THE PORTSMOUTH )**  
**CITY COUNCIL** was hereunto affixed in )  
the presence of )



Authorised Signatory



