

The Portsmouth City Council (Pembroke Park) Residents Parking Scheme (No.35) Order 2022

The Portsmouth City Council (hereinafter referred to as “the Council”), in exercise of the powers under Sections 1, 2, 45 and 46 of the Road Traffic Regulation Act 1984 (“the 1984 Act”), of all other enabling powers, and in accordance with Parts III and IV of Schedule 9 to the 1984 Act, hereby makes the following Order:

CITATION

1. This Order may be cited as The Portsmouth City Council (Pembroke Park) Residents Parking Scheme (No.35) Order 2022 and shall come into operation on the DATE.

INTERPRETATION

2. In this Order:
 - (I) "Principal Order" means The Portsmouth City Council (Consolidation) (On-Street Parking Places and Restrictions on Waiting and Loading) (No.1) Order 2021
 - (II) Except where otherwise stated, any reference to an Article or Schedule shall be construed as a reference to that Article or Schedule in this Order.
 - (III) Any reference to an enactment shall be construed as a reference to that enactment as amended by any subsequent enactments.
 - (IV) the following expressions shall have the respective meanings assigned to them

“Council” means Portsmouth City Council.

“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.

“Disabled Persons Vehicle” means a vehicle Displaying a valid disabled person's badge in accordance with The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000.

“Display” in the case of a vehicle fitted with a transparent windscreen, means on the inside surface of the windscreen on the nearside so that it is facing upwards and can be entirely and easily seen from outside the vehicle; or in the case of a vehicle which is not fitted with a transparent windscreen, in a conspicuous position on the vehicle.

“Motorcycle” means a Vehicle with fewer than 3 wheels, of which the weight unladen does not exceed 410 kilograms.

“Permit” means a document issued by the Council under the provisions of this Order which exempts a vehicle from certain parking restrictions. The different types of Permits are specified in Column 1 of Schedule 1.

“Residents Parking Zone” means the area shown in Schedule A.

“Vehicle” means a mechanically propelled vehicle, intended or adapted for use on roads.

PART ONE – PARKING PLACES

DESIGNATION OF PARKING PLACES

- 1** Each of the lengths of road identified in columns 1, 2 and 3 of Schedule 2 having a width as indicated by the road markings, or in the case of signed only areas a width that extends from the centre of the carriageway to the back of the highway, are designated as a parking place.

USE OF PARKING PLACES

- 2** A Vehicle left in a parking place must be parked wholly within the boundaries of the parking place.
- 3** Unless prior consent from the Council is obtained, no vehicle must be left in a parking place used in connection with the sale of any goods or services, except where goods are being delivered to any premises in the area.
- 4** No Vehicle left in a parking place shall be left in a position which prevents access to any premises or obstructs other road users.

SUSPENSION OF PARKING PLACES

- 5** The Council or any person so authorised by the Council may suspend use of a parking place or part of a parking place as considered necessary.
- 6** No person shall cause or permit any vehicle to wait in a parking place which has been suspended.

PERMIT PARKING OR LIMITED WAITING

- 7** No Vehicle shall be left in a parking place to which a Permit parking with limited waiting restriction applies, during the restricted hours specified in Column 4 of Schedule 2, for longer than the maximum stay as specified in Column 5, Schedule 2, unless there is a valid Permit.
- 8** No Vehicle left in a parking place to which a Permit parking with limited waiting restriction applies, during the restricted hours shall return to any parking place in the same street within the no return period, as specified in Column 6, Schedule 2, unless there is a valid Permit.

PART TWO – PERMITS

APPLICATION FOR AND ISSUE OF PERMITS

- 9** An application for a Permit must be made in a manner specified by the Council.
- 10** The Council may require an applicant to produce such evidence as considered necessary to verify any information submitted.
- 11** A Permit may only be issued by the Council to an applicant who meets the eligibility criteria specified in column 6 of Schedule 1.
- 12** The charge for issuing a Permit shall be as specified in Column 2, Column 3 and Column 4 of Schedule 1.
- 13** A duplicate of a Permit may be issued by the Council if the original Permit has been lost, stolen or becomes mutilated, defaced, faded, discoloured or otherwise illegible.

- 14 The charge for issuing a duplicate Permit shall be £10
- 15 The Council reserves the right to vary the policy, charges and terms for the issue of a Permit as it considers appropriate and may provide written notice of any such variation as it considers appropriate
- 16 Notwithstanding the preceding Articles, the issuing of Permits is at the complete discretion of the Council. Exceptional issues of Permits may be undertaken and limits on the number of Permits issued may be set as considered appropriate.

VALIDITY OF PERMITS

- 17 A Permit shall not be valid when used in contravention of the conditions of use specified in column 7 of Schedule 1, or in contravention of any other terms or conditions of use set out by the Council.
- 18 A Permit shall only be valid for use in the Residents Parking Zone.
- 19 A Permit shall permanently cease to be valid in the following circumstances:
 - a) After the expiry date specified on it.
 - b) The Permit holder ceases to be eligible.
 - c) The withdrawal of the Permit by the Council.
 - d) The issue of a duplicate Permit by the Council.
 - e) The Council believes the Permit is being used in a dishonest or fraudulent manner, or intentionally used in contravention of the conditions of use set out by the Council.

WITHDRAWAL AND SURRENDER OF PERMITS

- 20 A Permit holder may surrender the Permit to the Council at any time.
- 21 A Permit holder must surrender a Permit to the Council in the circumstances specified in Article 19.
- 22 The Council may serve notice to withdraw a Permit; on receipt of this notice the Permit holder shall surrender the Permit within 48 hours.
- 23 The notice specified in Article 21 shall be served to the Permit holder at the address given on their application or at any other address believed to be the Permit holder's residence or place of business.

MISHANDLING OF PARKING DOCUMENTS

- 24 The Parking Team Manager or any employee of the Council working on his behalf, and all Civil Enforcement Officers are authorised to act in accordance with Section 116 of the Road Traffic Regulation Act 1984.

REMOVAL OF VEHICLES

- 25 Where a person is in contravention of Article 4 or Article 6 of this Order, the Council or any person so authorised by the Council or a Police Officer in uniform or a Civil Enforcement Officer may remove the vehicle or arrange for the vehicle to be removed from the parking place in any manner as they consider necessary.

- 26** Any person removing or arranging a vehicle to be removed under Article 25 must take such arrangements as reasonably necessary for the safe custody of that vehicle.

EXEMPTIONS

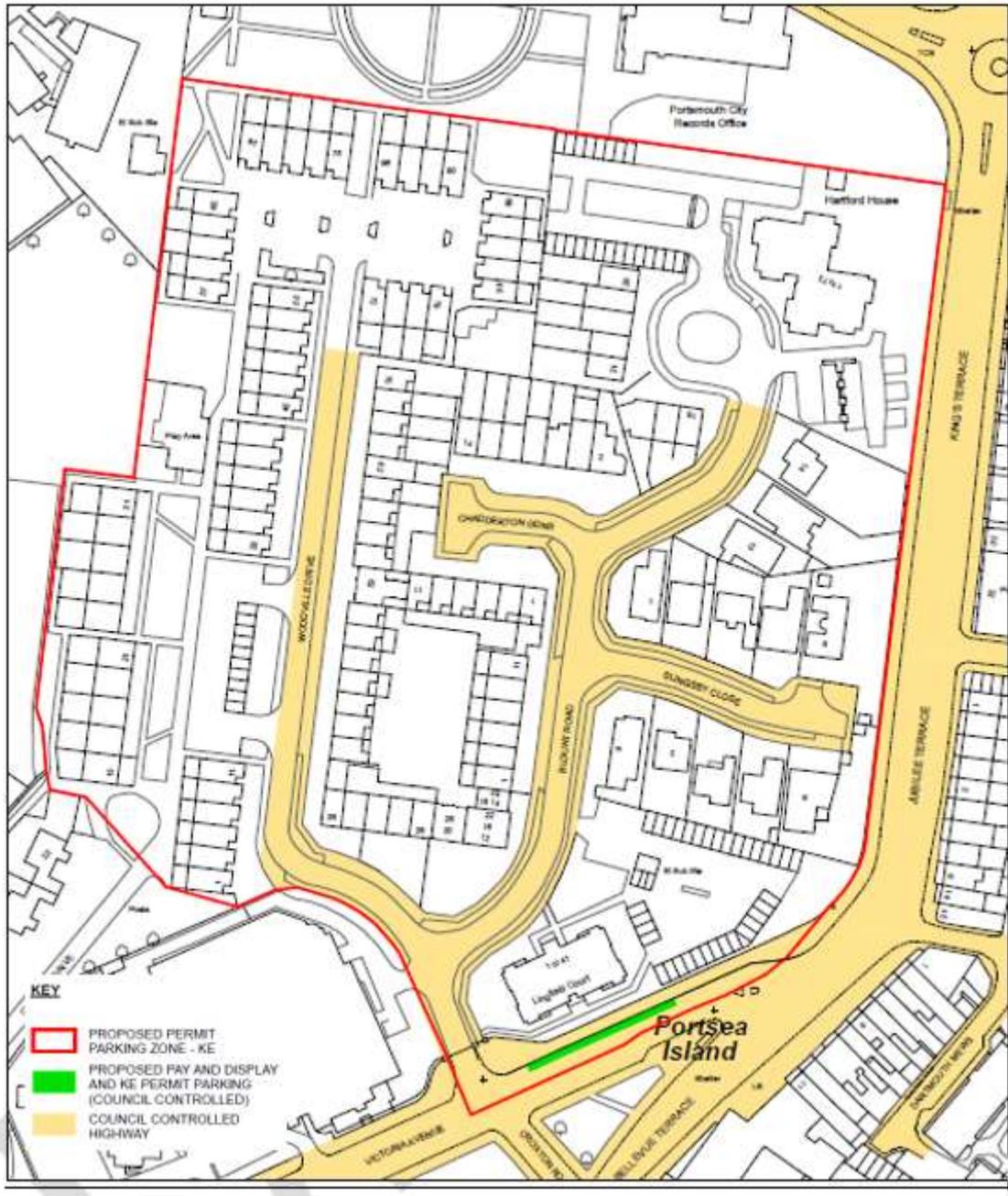
27 Nothing in this Order shall apply to:

- (a) A vehicle entering or travelling along a section of road at the direction of, or with the permission of a Police Officer in uniform, or a Civil Enforcement Officer.
- (b) A vehicle being used for fire and rescue (within the meaning of the Fire and Rescue Services Act 2004), ambulance (including providing a response to an emergency at the request of an NHS ambulance service), bomb or explosive disposal, special forces, police or National Crime Agency purposes and the observance of a provision of this Order would be likely to hinder the use of that vehicle for the purpose for which it is being used.
- (c) A vehicle entering or travelling along a section of road in order to prevent an accident.
- (d) A vehicle being used in connection with any building, industrial or demolition operations, the removal of any obstruction of traffic, the maintenance improvement or reconstruction of the road, the laying, erection, alteration or repair of any sewer, or of any main, pipe or apparatus, for the supply of gas, water or electricity or of any telecommunications apparatus and the observance of a provision of this Order would be likely to hinder the use of that vehicle for the purpose for which it is being used
- (e) A vehicle is being used by or on behalf of the Council in pursuance of a statutory power or duty and the observance of a provision of this Order would be likely to hinder the use of that vehicle for the purpose for which it is being used
- (f) A vehicle is being used by or on behalf of a Statutory Undertaker in pursuance of a statutory power or duty and the observance of a provision of this Order would be likely to hinder the use of that vehicle for the purpose for which it is being used
- (g) A Disabled Persons Vehicle displaying a Disabled Persons Badge

CONTRAVENTION

- 28** Any person or vehicle failing to comply with the provisions of this Order shall be in contravention of it and a penalty charge shall be payable.

SCHEDULE A



SCHEDULE 1 - Permits

1 - Permit	2 - Charge	3 - Charge for duplicate	4 - Charge for third	5 - Valid for	6 - Eligibility criteria	7 - Conditions of use	8 - Zone
Residents Permit	£30	£120	£300	1 year	<ul style="list-style-type: none"> The applicant must reside in a property that the Council considers is within the Residents Parking Zone to which the Residents Permit will apply. The applicant must be the owner of the vehicle to which the Residents Permit will apply or must use it with the permission of the owner on a regular basis during the course of their employment. The vehicle to which the Residents Permit will apply must be registered and insured in the UK. The vehicle to which the Residents Permit will apply must not exceed 3.5 t in weight or seat more than 8 passengers. Maximum of 1 Residents Permit per person. The maximum per property is at the discretion of the Council. 	<ul style="list-style-type: none"> Only valid for use in the vehicle in respect of which it was issued. Only valid for use in the zone in respect of the zone of which it was issued 	KE
Business Permit	£150	£300	£630	1 year	<ul style="list-style-type: none"> The applicant must have a business registered in a property that the Council considers is within the Residents Parking Zone to which the Business Permit will apply. The applicant must carry out business regularly at one or more property that the Council considers is within the zone to which the Business Permit will apply 	<ul style="list-style-type: none"> Only valid for use in the vehicle in respect of which it was issued. Only valid for use in the zone in respect of the zone of which it was issued 	KE
Visitor Permit 12	£1.15	-	-	12 hours	<ul style="list-style-type: none"> The applicant must reside in a property that the Council considers is within the Residents Parking Zone to which the Visitors Permits will apply. 	<ul style="list-style-type: none"> Only valid for use by a visitor to the property to which the Visitors Permit was issued. Only valid when validated in accordance with the instructions shown on the Permit. Only valid for vehicles not exceeding 5m in length. 3.5 t in weight or seat more than 8 passengers. 	KE
Visitor Permit 24	£2.20	-	-	24 hours	<ul style="list-style-type: none"> The applicant must reside in a property that the Council considers is within the Residents Parking Zone to which the Visitors Permits will apply. 	<ul style="list-style-type: none"> Only valid for use by a visitor to the property to which the Visitors Permit was issued. Only valid when validated in accordance with the instructions shown on the Permit. Only valid for vehicles not exceeding 5m in length. 3.5 t in weight or seat more than 8 passengers. 	KE

SCHEDULE 2 - Permit Parking

1 - Road	2 - Side	3 - Description	4 - Restricted Hours	5 - Max Stay	6 - No Return
Blount Road	East	From 17 metres north-east of the north-eastern kerbline of Woodville Drive, northwards to 8 metres south of the southern kerbline of Slingsby Close	8am - 8pm, All Days	N/A	N/A
Blount Road	West	From 55 metres north-east of the north-eastern kerbline of Woodville Drive, northwards to 9 metres south of the southern kerbline of Chadderton Gardens	8am - 8pm, All Days	N/A	N/A
Blount Road	North-west	From the northern kerline of Chadderton Gardens, north-eastwards to the highway boundary (northern boundary of 14 Blount Road)	8am - 8pm, All Days	N/A	N/A
Chadderton Gardens	North	For its entire length	8am - 8pm, All Days	N/A	N/A
Chadderton Gardens	Western closed end	For its entire length	8am - 8pm, All Days	N/A	N/A
Chadderton Gardens	South	From 6 metres west of the western kerbline of Blount Road, westwards to the western closed end	8am - 8pm, All Days	N/A	N/A
Slingsby Close	North	For its entire length	8am - 8pm, All Days	N/A	N/A
Slingsby Close	Eastern closed end	For its entire length	8am - 8pm, All Days	N/A	N/A
Slingsby Close	South	From 50 metres east of the eastern kerbline of Blount Road, eastwards to the eastern closed end	8am - 8pm, All Days	N/A	N/A
Woodville Drive	Both	From 110 metres north of the northern kerbline of Victoria Avenue, northwards to the highway boundary (northern boundary of 70 Woodville Drive)	8am - 8pm, All Days	N/A	N/A

AMENDMENTS TO PRINCIPAL ORDER

1. Amend Item 119(a) Schedule 1 relating to No Waiting at Any Time restrictions to read:
The northwest side, From the eastern kerbline of Woodville Drive, eastwards for 55 metres
2. Amend Item 119(b), Schedule 1 relating to No Waiting at Any Time restrictions to read:
'The southeast side, From the eastern kerbline of Woodville Drive, eastwards for 17 metres
3. Amend Item 119(c), Schedule 1 relating to No Waiting at Any Time restrictions to read:
'The east side, From 8 metres south of the southern kerbline of Slingsby Close, northwards to the Highway Boundary (northern property boundary of 14 Blount Road)
4. Amend Item 119(d), Schedule 1 relating to No Waiting at Any Time restrictions to read:
'The west side, From the southern kerbline of Chadderton Gardens, southwards for 9 metres.
5. Amend Item 210, Schedule 1 relating to No Waiting at Any Time restrictions to read:
"The South side, From the western kerbline of Blount Road, westwards for 6 metres'
6. Amend Item 1141, Schedule 1 relating to No Waiting at Any Time restrictions to read:
'The south side, From the eastern kerbline of Blount Road, eastwards for 50 metres'