

The Portsmouth City Council (Various Roads) (Waiting Restriction Amendments) (No.24) Order 2022

The Portsmouth City Council (hereinafter referred to as “the Council”), in exercise of the powers under Sections 1, 2, 32, 35, 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:

PART ONE - INTRODUCTION

CITATION

- 1. This Order may be cited as The Portsmouth City Council (Various Roads) (Waiting Restriction Amendments) (No.24) Order 2022 and shall come into operation on the DATE.

INTERPRETATION

- 2. In this Order:
 - (I) "Principal Order 1" shall mean The Portsmouth City Council (Consolidation) (On-street Parking Places and Restrictions on Waiting and Loading) (No.1) Order 2022
 - (II) "Principal Order 2" shall mean The Portsmouth City Council (Residents' Parking Places) (Consolidation) (No.1) Order 2022
 - (III) "Principal Order 3" shall mean The Portsmouth City Council (MB Zone: Orchard Road Area) (Residents' Parking Places) (No.84) Order 2018
 - (IV) 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.
 - (V) Any reference to an enactment shall be construed as a reference to that enactment as amended by an subsequent enactments.
 - (VI) the following expressions shall have the respective meanings assigned to them:
 - 'Council' means Portsmouth City Council;
 - 'Electric Vehicle' means a motor vehicle partly or wholly propelled by electricity, which requires recharging via connection to an external electricity supply;
 - 'Electricity Supply Unit' means any apparatus procured or permitted by the Council for the recharging of Electric Vehicles by members of the public;
 - 'Motor Vehicle' has the same meaning as in Section 136(1) of the 1984 Act;
 - “Penalty Charge” means an additional parking charge set by the Council under the provisions of Section 78 the 2004 Act;
 - “Penalty Charge Notice” means a notice issued by a Civil Enforcement Officer in accordance with the provisions of Section 78 of the 2004 Act;
 - “TSRGD” means the Traffic Signs Regulations and General Directions 2016

PART TWO - ELECTRIC VEHICLES

DESIGNATION OF PARKING PLACES

- 2.1** The lengths of road indicated by the road marking to Schedule 7, Part 4, Item 6 of the TSRGD, and/or a sign to Schedule 4, Part 5, Item 6 of the TSRGD as being reserved for use by electric vehicles are designated as parking places (hereinafter referred to as “on-street parking places”).

USE OF PARKING PLACES

- 2.2** A vehicle left in an on-street parking place must be parked wholly within a marked bay, where provided, or wholly within the boundary of the on-street parking place.
- 2.3** No vehicle left in an on-street parking place shall be in a position which prevents access to any premises or which obstructs other road users.
- 2.4** The driver of an Electric Vehicle using an on-street parking place must stop the engine as soon as the vehicle is in position and must not start the engine except to change the position of the vehicle or depart from the on-street parking place.
- 2.5** Unless the prior written consent of the Council is obtained no vehicle left in an on-street parking place shall be used in connection with the sale of any goods or services except where goods (including postal parcels) are being delivered to any premises in the immediate area.

SUSPENSION OF PARKING PLACES

- 2.6** The Council or any person so authorised by the Council may suspend the use of any on-street parking place or part of an on-street parking place.
- 2.7** No person shall cause or permit any vehicle to wait in an on-street parking place which has been suspended.

REMOVAL OF VEHICLES

- 2.8** Where a vehicle is in contravention of article 2.3 or article 2.7 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 on-street parking place in any manner as they consider necessary.
- 2.9** Any person removing or arranging for a vehicle to be removed under article 2.8 must make such arrangement as reasonably necessary for the reasonable safe custody of that vehicle.

ELECTRIC VEHICLE PARKING

2.10 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 a Parking Bay within a Parking Place specified in Schedule 1, unless that vehicle is an Electric Vehicle that is connected to an Electricity Supply Unit.

2.11 Nothing in article 2.10 shall apply to a vehicle waiting or left in the following circumstances:

- (a) to allow the picking up or setting down of passengers.
- (b) to allow the opening or closing of a gate or barrier at an entrance which the vehicle requires access to or has just exited.
- (c) the vehicle is 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 where the vehicle cannot be conveniently used for this purpose in any other place.
- (d) the vehicle is being used by or on behalf of the Council in pursuance of a statutory power or duty where the vehicle cannot be conveniently used for this purpose in any other place.
- (e) the vehicle is being used by or on behalf of a Statutory Undertaker in pursuance of a statutory power or duty where the vehicle cannot be conveniently used for this purpose in any other place
- (f) The vehicle is directed to wait or stop by or with the permission of a Police Officer in uniform or a Civil Enforcement Officer, or where written permission has been provided by the Council.
- (g) The vehicle is 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
- (h) Where the vehicle is prevented from proceeding by circumstances beyond the drivers control or in order to prevent an accident
- (i) The vehicle cannot be moved due to an unavoidable breakdown.

Schedule 1 - PARKING PLACES FOR ELECTRIC VEHICLES

Location	Description
Hartley Road	North side, opposite number 80

AMENDMENTS

3. A new Article into Principal Order 1, Part II, Section B - Loading Restrictions to read:

"No person shall cause or permit any vehicle to wait or to be loaded or unloaded between the hours of 7am to 7pm Monday to Friday, including public holidays, in the roads or sides of lengths of roads specified in **Schedule 47A**"

4. **Insert into Principal Order 1:**

- a) Schedule 1, Item 476 relating to Frensham Road, west side to read:
'From the northern closed end, southwards for 17 metres'
- b) Schedule 1, Item 476 relating to Frensham Road, northern closed end, to read:
'From the western kerblines, eastwards for 12 metres'
- c) Schedule 1, Item 129 relating to Bourne Road, north side, to read:
'From the western kerblines of Marsden Road, westwards for 75 metres'
- d) Schedule 1, Item 517(b) relating to Green Lane, south side, to read:
'From 6 metres west of the eastern closed end, westwards for 8 metres'
- e) Schedule 1, Item 67(a) in Baffins Road, east side, to read:
'From the northern kerblines of Langstone Road, northwards for 46 metres'
- f) Schedule 1, Item 67(a) in Baffins Road, east side, to read:
'From 49 metres north of the northern kerblines of Langstone Road, northwards for 3 metres'
- g) Schedule 74, relating to Bourne Road to read:
'Bourne Road
The centrally marked bays on the north-eastern and south-western kerblines opposite the entrance to St Paul's school'
- h) A new schedule 47A to read as follows:
'Schedule 47A
No Loading, Monday to Friday, 7am to 7pm
Length of road and side of length of road
 1. Cosham Park Avenue
 - (a) Eastern Closed End, For its entire length
 - (b) Both sides, From 92 metres east of the eastern kerblines of High Street, eastwards to the eastern closed end'

- i) Schedule 1, Item 836(a) relating to Moorings Way, south side, to read:
'From 105 metres west of the western kerbline of Warren Avenue, westwards for 10 metres'

5. Amendments to Principal Order 1:

- a) Schedule 101, Item 15(a)(ii) relating Pay and Display Parking, 8am - 6pm, in Fratton Road, west side, to read:
'From 67 metres north of the northern kerbline of Lucknow Street, northwards for 40 metres'
- b) Schedule 1, Item 476(b)(i) in Frensham Road, east side to read:
'From 3 metres south of the northern closed end, southwards to 35 metres north of the northern kerbline of Grayshott Road'
- c) Schedule 1, Item 437(a)(vi), in Fawcett Road, west side, to read:
'From the northern kerbline of Albert Road, northwards for 20 metres'
- d) Schedule 70, Item 9(b)(i), in Fawcett Road, west side, to read:
'From 20 metres north of the northern kerbline of Albert Road, northwards for 14 metres'
- e) Schedule 1, Item 318(b)(ii), in Crofton Road (North End), east side, to read:
'From 63 metres north of the northern kerbline of Stubbington Avenue, northwards for 40 metres'
- f) Schedule 1, Item 318(b)(i), in Crofton Road (North End), east side, to read:
'From 140 metres north of the northern kerbline of Stubbington Avenue, northwards for 20 metres'
- g) Schedule 1, Item 836(c)(ii), in Moorings Way, north side, to read:
'From 15 metres west of the extended western kerbline of Warren Avenue, westwards for 103 metres'
- h) Schedule 1, Item 129(c)(iii), in Bourne Road, south side, to read:
'From the western kerbline of Marsden Road, westwards for 102 metres'

6. Delete from Principal Order 1:

- a) Schedule 1, Item 476(b)(ii) in Frensham Road, east side
- b) Schedule 1, Item 129(c)(ii) in Bourne Road, south side
- c) Schedule 1, Item 67(a) in Baffins Road, east side
- d) Schedule 83, Item 1 in Bourne Road

7. Deletions to Principal Order 2:

- a) Schedule 37, Item 5(b)(vii) in Cranborne Road, south side

8. **Deletion from Principal Order 3:**
 - a) Schedule 2, Item 1(a) in Francis Avenue, north-east side

9. **Insert into Principal Order 3:**
 - a) Schedule 2, Item 1 in Francis Avenue, north-east side to read:
'From 10 metres northwest of the boundary between property 1 and 2 Heidelberg Road, north-westwards for 10 metres'

 - b) Schedule 2, Item 1 in Francis Avenue, north-east side to read:
'From 25 metres northwest of the boundary between property 1 and 2 Heidelberg Road, north-westwards for 82 metres'

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