

PORTSMOUTH CITY COUNCIL (VARIOUS ROADS) (CAR CLUB PARKING PLACES) (PART 2) ORDER 2025

Portsmouth City Council in exercise of its powers under Sections 1(1) and (2), 2(1) to (3), 4(2), 32(1) and 35(1) and (3), and Part IV of Schedule 9 to the Road traffic Regulation Act 1984 ("the Act") and all other enabling powers, 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. CITATION

This Order shall come into operation on 2 April 2025 and may be cited as the Portsmouth City Council (Various Roads) (Car Club Parking Places) (Part 2) Order 2025.

2. INTERPRETATION

2(A) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:

"Car club" means a community car club or similar organisation (including any person or organisation acting on behalf of such a club or organisation) approved in writing and acting in partnership with the Council for the purposes of this Order;

"Car club parking place" means an area on the highway designated as a car club parking place by Article 3

"Car club permit" means a permit issued by the Council for the purposes of Article 3 ;

"Car club permit holder" means a person or organisation to which a car club permit has been issued under the provisions of Article 3 ;

"Car club vehicle" means a vehicle of a type approved by the Council and provided by a car club or by the Council for the use of persons, who have paid any relevant membership or other car club fee and who, by means of a real-time or advance booking system, may have use of the vehicle for a specified period;

"Civil enforcement officer" means a person authorised by or on behalf of the council in accordance with the provision of Part 6 of the Traffic Management Act 2004 to enforce the restrictions imposed by this Order;

"Parking place" means an area on a highway authorised as a parking place by Article 3;

"Parking bay" means a space in a parking place, which is provided for the leaving of a vehicle.

"Penalty charge" means the charge set by the Council under the provisions of Part 6 of the Traffic Management Act 2004, which is to be paid to the Council following the issue of a Penalty Charge Notice and within 28 days of the issue of that Notice.

"Relevant Position" means:

- (a) Where the vehicle is fitted with a front windscreen, in a position immediately behind the windscreen on the near side so that the front of the item displayed is clearly and entirely visible; or
- (b) In the case of a vehicle not fitted with a front windscreen, in a conspicuous position on the front or near side of the vehicle so that the front of the item displayed is clearly and entirely visible.

"Principal Order No 1" means the Portsmouth City Council (Consolidation) (On-Street Parking Places and Restrictions on Waiting and Loading) (No.1) Order 2022

"Principal Order No 2" means the Portsmouth City Council (Residents' Parking Places) (Consolidation) (No.1) Order 2022

2(B) 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(C) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

2(D) the prohibitions, restrictions and requirements imposed by this Order are in addition to and not in derogation of any restriction, prohibition or requirement imposed by any other enactment and any exception or exemption from the provisions of this Order is without prejudice to the provision of any other enactment:

2(E) In the event that the public right of way over any length of road or parking place specified in the Schedules to this Order is extinguished, this Order shall cease to have effect with respect to that length of road or parking place.

3. PARKING PLACES

3(A) Designation of Parking Places

- (i) Each area of the carriageway of a road named in column 1 of Schedule 1 which is bounded on the side shown in column 2 of the said schedule by the edge of the said carriageway and which extends over a length of road as described in column 3 of the said schedules and has a width throughout of 2 metres (or as otherwise specified in the said schedule) is designated as a parking place.

4. Car Club Parking Places

- (i) Each car club parking place may be used subject to the provision of this Order for the leaving at any time of car club vehicles; and
- (ii) Save as provided in Article 6(i) and (ii), no person shall, except upon the direction or with the permission of a Police Constable in uniform, cause or permit any vehicle other than a car club vehicle to wait at any time in any car club parking place.

5. Permit to be displayed on vehicle left in parking place

- (i) At all times during which a car club vehicle is left in a parking place specified in Schedule 5.13 to this Order, the driver shall cause to be displayed on the front or nearside of the vehicle a valid car club permit in respect of that vehicle, so that all the particulars on that permit are readily visible from the front or nearside of that vehicle; and
- (ii) Any car club vehicle shall be deemed to be displaying a permit in the relevant position for the purposes of paragraph (i) above.

6. EXEMPTIONS

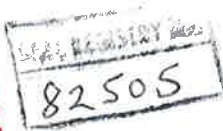
- (i) Nothing in Articles 3, 4 and 5 shall render it a contravention to cause or permit a vehicle to wait in the lengths of road or parking places referred to therein, if the vehicle is being used:
 - a. For a person to board or alight from the vehicle;
 - b. In connection with any building, industrial or demolition operations in or adjacent to those lengths of road or side of roads, the removal of any obstruction of traffic in those lengths of roads or side of road, the maintenance, improvement or reconstruction of the said lengths of road or side of roads, or the laying, erection, alteration or repair in or on any land adjacent to the said lengths of road or side of roads of any sewer, or of any main, pipe or apparatus, for the supply of gas, water or electricity or of any telecommunications apparatus;
 - c. In the service of a local authority or of a water authority in pursuance of statutory powers or duties, if it cannot conveniently be used for such purposes in any other road;
 - d. For police, fire brigade or ambulance services;
 - e. In connection with a wedding or funeral provided that the vehicle can be reasonably used for that purpose only from the road;
 - f. To enable any gate or other barrier at the entrance to premises to which the vehicle requires access of from which it has emerged to be opened or closed.
- (ii) Nothing in Articles 3, 4 or 5 shall render it a contravention to cause or permit a vehicle displaying in a prominent position behind the windscreen so that it is facing forwards and can be entirely and easily seen from the front of the vehicle a valid waiver certificate issued by a person duly authorised by the Council to wait in accordance with the terms and conditions prescribe by the said certificate.

7. AMENDMENTS

- (i) The contents of Schedule 3 shall be revoked from Schedule 9 to Principal Order No 2
- (ii) The contents of Schedule 13 shall be inserted into Schedule 9 to Principal Order No 2

Given under the Common Seal
of the City of Portsmouth this day of 31 March 2025.

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




.....
Authorised Signatory

Schedule 1

Car club parking bays

Road	Side	Description
High Street, Old Portsmouth	North	From a point 5 metres east of Oyster Street eastwards for 5.5 metres.

Schedule 2

Item to be revoked from Schedule 9 to Principal Order No 2

Road	Side	Description
High Street, Old Portsmouth	North	(a)(i) from a point 5 metres east of its junction with Oyster Street in an easterly direction for a distance of 42 metres.

Schedule 3

Item to be inserted into Schedule 9 to Principal Order No 2

Road	Side	Description
High Street, Old Portsmouth	North	3 (a)(i) from a point 10.5 metres east of its junction with Oyster Street in an easterly direction for a distance of 36.5 metres.

