

**THE KENT COUNTY COUNCIL  
(VARIOUS ROADS, CITY OF CANTERBURY)  
(PROHIBITION OF STOPPING ON FOOTWAY OR VERGE)  
ORDER 2016**

The Council of the County of Kent in exercise of their powers under sections 1(1), 2(1) to (3), 3(2), 4(1) and 4(2) of the Road Traffic Regulation Act 1984, and of all other enabling powers, and after consultation with the chief officer of police in accordance with Paragraph 20 of Schedule 9 to the Act, hereby make the following Order

**CITATION, COMMENCEMENT and REVOCATIONS**

1 (1) This Order be cited as the the Kent County Council (Various Roads, City of Canterbury) (Prohibition of Stopping on Footway or Verge) Order 2016 and shall come into operation on the 22<sup>nd</sup> July 2016.

(2) The Orders set out in the first column of the Table shall be modified or revoked to the extent specified in the second column of the Table

**Table (Article 1)**

**Orders to be modified or revoked**

<b>Title of Order</b>	<b>Extent to which revoked</b>
THE KENT COUNTY COUNCIL (VARIOUS ROADS, CITY OF CANTERBURY) (PROHIBITION OF STOPPING ON FOOTWAY OR VERGE) ORDER 2014	The whole Order together with any subsequent amendments thereto.

**INTERPRETATION**

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

"the Act of 1984" means the Road Traffic Regulation Act 1984;

"the Council" means the Kent County 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 the parking place;

"footway" has the same meaning as in section 239 of the Highways Act 1980;

"junction" means the junction of the respective kerb lines of the roads referred to and, where appropriate, measurements shall be taken from the point of intersection of the respective kerb lines as projected;

"legally qualified medical practitioner" has the same meaning as 'fully registered medical practitioner' in the Medical Act 1983

"medical practitioner" has the same meaning as "legally qualified medical practitioner";

"parking attendant" has the same meaning as in section 63A of the Road Traffic Regulation Act 1984 and by virtue of Section 76 Traffic Management Act 2004 a parking

attendant appointed under section 63A of the Road Traffic Regulation Act 1984 is a civil enforcement officer in relation to parking contravention;

“provision of a universal postal service” and “universal service provider” have the same meanings as in Sections 4(3) and 4(4) of the Postal Services Act 2000

"road" means the full width - including any footway or verge - of any length of highway or of any other road to which the public has access, and includes bridges over which a road passes;

"traffic sign" means a sign of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under, section 64 of the Act of 1984;

"vehicle" means a motor vehicle or a trailer and "motor vehicle" and "trailer" have the same meaning as in section 136 of the Act of 1984;

"verge" means any land forming part of the road which is neither carriageway nor footway.

(2) In this Order, except where the context otherwise requires:-

- (a) any reference to a numbered Article or a numbered Schedule is a reference to the Article or Schedule bearing that number in this Order;
- (b) any reference to a numbered or lettered paragraph or sub-paragraph is a reference to the paragraph or sub-paragraph bearing that number or letter in the Article or Schedule or (in the case of a sub-paragraph) paragraph in which the reference occurs; and
- (c) any reference to a Table, or to a numbered Table, is a reference to the Table, or to the Table bearing that number, in the Article or Schedule in which that reference occurs.

(3) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment;

(4) The restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulations made under or having effect as if made under the Road Traffic Regulation Act, 1984 or by or under any other enactment;

(5) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

## **PROHIBITION OF STOPPING ON FOOTWAY OR VERGE**

- 3 SAVE as provided this Order no person shall, except upon the direction of or with the permission of a police constable in uniform or of a parking attendant, cause or permit any vehicle to stop or wait at any time on any verge or footway in the lengths of road specified in the Schedule.

## **EXEMPTION FOR EMERGENCY SERVICES**

- 4 Nothing in this Order shall apply to any vehicle on an occasion when it is being used for fire brigade, ambulance or police purposes, if the observance of that provision would be likely to hinder the use of that vehicle for the purpose for which it is being used on that occasion.

## **GENERAL EXEMPTION FROM PROHIBITIONS AND RESTRICTIONS**

- 5 Nothing in this Order shall render it unlawful to cause or permit a vehicle to stop or wait in any footway or verge for so long as may be necessary -

(a) to enable a person to board or alight from the vehicle or to load thereon or to unload therefrom personal luggage;

(b) to enable a medical practitioner, or to enable a Midwife, a District Nurse or a Health Visitor registered with the Nursing and Midwifery Council or a carer to make a house call on a patient;

(c) to enable the vehicle to be used in connection with the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository;

(d) to enable 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) the removal of any obstruction to traffic;

(ii) the maintenance, improvement or reconstruction of the road, of any of the said lengths of road; or

(iii) the laying, erection, alteration or repair in or near any of the said lengths or sides of road of any sewer or any main, pipe, or apparatus for the supply of gas, water, electricity or telecommunications.

(e) to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority or a water authority in pursuance of statutory powers or duties;

(f) to enable the vehicle to be used for a purpose authorised and described on a permit issued by the Council provided such permit is displayed on the vehicle in the appropriate position;

(g) to enable a vehicle to be used by a universal service provider in the course of the provision of a universal postal service for the purpose of delivering or collecting postal packets;

(h) to enable the vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to any of the said lengths of road;

(i) to enable the vehicle to wait at or near to any premises situated on or adjacent to any of the said lengths or sides of road for so long as waiting by that vehicle is reasonably necessary in connection with any wedding or funeral;

(j) if the vehicle is waiting owing to the driver being required by law to stop; or being prevented from proceeding by circumstances beyond his control or in order to avoid an accident.

### Schedule

Name of Road	Length of Road
<b>Beaconsfield Road, Canterbury</b>	On both sides for the entire length
<b>Bramshaw Road, Canterbury</b>	On both sides for the entire length
<b>Brockenhurst Close, Canterbury</b>	On both sides for the entire length
<b>Cadnam Close, Canterbury</b>	On both sides for the entire length
<b>Church Street St Paul's, Canterbury</b>	On both sides for the entire length
<b>Damerham Close, Canterbury</b>	On both sides for the entire length
<b>Dover Street, Canterbury</b>	On both sides for the entire length
<b>Durnford Close, Canterbury</b>	On both sides for the entire length
<b>Elham Road, Canterbury</b>	On both sides for the entire length
<b>Hales Drive, Canterbury</b>	On both sides for the entire length
<b>Hanover Place, Canterbury</b>	On both sides for the entire length
<b>Havelock Street, Canterbury</b>	On both sides for the entire length
<b>Hollow Lane, Canterbury</b>	On both sides, from the junction with Wincheap to the junction with Homersham
<b>Hollowmede, Canterbury</b>	On both sides for the entire length
<b>Knight Avenue, Canterbury</b>	Between the junctions with Rheims Way and Miller Avenue
<b>Leycroft Close, Canterbury</b>	On both sides for the entire length
<b>Long Meadow Way, Canterbury</b>	On both sides for the entire length
<b>Lyndhurst Close</b>	On both sides for the entire length
<b>Mandeville Road, Canterbury</b>	On both sides, from the junction Forty Acres Road to from the junction with Beverley Road
<b>Manwood Avenue, Canterbury</b>	On both sides for the entire length
<b>North Lane, Canterbury</b>	On both sides for the entire length
<b>Northgate, Canterbury</b>	Between the junctions with Kingsmead Road and St Radigund's Street
<b>Orchard Street, Canterbury</b>	On both sides, from the junction with St Dunstan's Street to the junction with Church Street.
<b>Ringwood Close, Canterbury</b>	On both sides for the entire length
<b>Roseacre Close, Canterbury</b>	On both sides for the entire length
<b>St Dunstan's Street, Canterbury</b>	(1) On the north-eastern side for the entire length (2) On the south-western side from the junction with Westgate Grove to a point in line with the north-western boundary of 38a St Dunstan's Street.
<b>St Michael's Place, Canterbury</b>	On both sides for the entire length
<b>St Michael's Road, Canterbury</b>	On both sides for the entire length
<b>St Stephen's Green, Canterbury</b>	On both sides for the entire length
<b>St Stephen's Hill, Canterbury</b>	On both sides for the entire length

<b>Salisbury Road, Canterbury</b>	On both sides for the entire length
<b>Shaftesbury Road, Canterbury</b>	On both sides for the entire length
<b>Station Road West, Canterbury</b>	On both sides for the entire length
<b>Stephenson Road, Canterbury</b>	On both sides for the entire length
<b>Valley Road, Canterbury</b>	On both sides for the entire length
<b>Verwood Close, Canterbury</b>	On both sides for the entire length
<b>Whitstable Road, Canterbury</b>	On both sides for the entire length
<b>Wincheap, Canterbury</b>	On both sides from the junction with Simmonds Road to the junction with Ten Perch Road
<b>Turnagain Lane, Canterbury</b>	On both sides for the entire length
<b>Canterbury Road, Herne Bay</b>	On the western side, between the junctions with King's Road and Gosfield Road
<b>Blackburn Road, Herne Bay</b>	On both sides, between the junctions with Greenhill Road and Coulter Road
<b>Brunswick Square, Herne Bay</b>	On all sides for the entire length
<b>Canterbury Road, Herne Bay</b>	On the northern side between the junctions with St Augustine's Court and Wye Green
<b>Coulter Road, Herne Bay</b>	On both sides for the entire length
<b>High Street, Herne Bay</b>	On both sides from the junction with Canterbury Road to the junction with Station Road.
<b>King's Road, Herne Bay</b>	On both sides, between the junctions with William Street and Canterbury Road
<b>Mickleburgh Hill, Herne Bay</b>	(1) On the northern side, from the junction with Downs Park to the junction with Dence Park; (2) On the southern side, from the junction with Herne Avenue to the junction with Herneville Gardens
<b>Mortimer Street, Herne Bay</b>	On both sides between the junctions with William Street and North Street
<b>William Street, Herne Bay</b>	On both sides between the junctions with High Street and Queen Street
<b>Clare Road, Whitstable</b>	On both sides for the entire length
<b>Cromwell Road, Whitstable</b>	On both sides between the junctions with Harbour Street and Railway Avenue
<b>Harbour Street, Whitstable</b>	On both sides for the entire length
<b>High Street, Whitstable</b>	On both sides for the entire length
<b>Gladstone Road, Whitstable</b>	On both sides for the entire length
<b>Glebe Way, Whitstable</b>	On both sides for the entire length
<b>Gosselin Street, Whitstable</b>	On both sides for the entire length
<b>Oxford Street, Whitstable</b>	On both sides for the entire length
<b>Regent Street, Whitstable</b>	On both sides for the entire length
<b>Tankerton Road, Whitstable</b>	On both sides from the junction with Graystone Road to the junction with St Anne's Road.
<b>The Sidings, Whitstable</b>	On both sides for the entire length
<b>Valkyrie Avenue, Whitstable</b>	On both sides between the junctions with Joy Lane and Britannia Avenue

<b>Victoria Street, Whitstable</b>	On both sides between the junction with Harbour Street and the car park entrance
<b>Westmeads Road, Whitstable</b>	On both sides between the junctions with Railway Avenue and Wheatley Road
<b>Wheatley Road, Whitstable</b>	On both sides for the entire length
<b>Highfield Close, Harbledown &amp; Rough Common</b>	On both sides for the entire length
<b>Rough Common Road, Harbledown &amp; Rough Common</b>	On both sides for the entire length

Given under the Seal of the Kent County Council

This      Day of

THE COMMON SEAL OF THE  
KENT COUNTY COUNCIL was  
hereunto affixed in the presence of

Authorised Signatory