

**THE KENT COUNTY COUNCIL
(VARIOUS ROADS, CITY OF CANTERBURY)
(PROHIBITION OF STOPPING ON FOOTWAY OR VERGE)
(CONSOLIDATION) ORDER 2013**

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 may be cited as The Kent County Council (Various Roads, City Of Canterbury) (Prohibition Of Stopping On Footway Or Verge) (Consolidation) Order 2012 and shall come into operation on the 14th January 2013.
- (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

Title of Order	Extent to which revoked
Kent County Council (Various Roads, City Of Canterbury) (Prohibition Of Stopping On Footway Or Verge) Order 2010	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 329 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;
 - “fully registered person” has the same meaning as in section 55 of the Medical Act 1983;
 - “medical practitioner” has the same meaning as “fully registered person”;
 - “parking attendant” has the same meaning as in section 63A of the Road Traffic Regulation Act 1984 and by virtue of Section 76 of the 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 contraventions;

“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 amendment;
- (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 in 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 under the Nurses, Midwives and Health Visitors Act 1997, 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 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 the 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.

Given under the Seal of the Kent County Council

This 14th Day of December, 2012

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

Authorised Signatory

Schedule

Item	Name of Road	Length of Road
1	Beaconsfield Road, Canterbury	On both sides for the entire length
2	Bramshaw Road, Canterbury	On both sides for the entire length
3	Brockenhurst Close, Canterbury	On both sides for the entire length
4	Cadnam Close, Canterbury	On both sides for the entire length
5	Damerham Close, Canterbury	On both sides for the entire length
6	Dover Street, Canterbury	On both sides for the entire length
7	Durnford Close, Canterbury	On both sides for the entire length
8	Hanover Place, Canterbury	On both sides for the entire length
9	Havelock Street, Canterbury	On both sides for the entire length
10	Hollow Lane, Canterbury	On both sides, from the junction with Wincheap to the junction with Homersham
11	Littlebourne Road, Canterbury	On the southern side, from the junction with St Martin's Hill to the junction with Warwick Road.
12	Lyndhurst Close, Canterbury	On both sides for the entire length
13	Mandeville Road, Canterbury	On both sides, from the junction Forty Acres Road to from the junction with Beverley Road
14	Manwood Avenue, Canterbury	On both sides for the entire length
15	Northgate, Canterbury	Between the junctions with Kingsmead Road and St Radigund's Street
16	Orchard Street, Canterbury	On both sides, from the junction with St Dunstan's Street to the junction with Church Street.
17	Palace Street, Canterbury	On both sides for the entire length
18	Ringwood Close, Canterbury	On both sides for the entire length
19	St Dunstan's Street, Canterbury	(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.
20	St Michael's Place, Canterbury	On both sides for the entire length
21	St Michael's Road, Canterbury	On both sides for the entire length
22	Salisbury Road, Canterbury	On both sides for the entire length
23	Turnagain Lane, Canterbury	On both sides for the entire length
24	Verwood Close, Canterbury	On both sides for the entire length
25	Wincheap, Canterbury	On both sides from the junction with Simmonds Road to the junction with Ten Perch Road
26	High Street, Herne Bay	On both sides from the junction with Canterbury Road to the junction with Station Road.
27	Mickleburgh Hill, Herne Bay	(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
28	Station Road, Herne Bay	Between the junction with Spenser Road and Herne Bay Railway Station
29	Clare Road, Whitstable	On both sides for the entire length
30	Harbour Street, Whitstable	On both sides for the entire length
31	High Street, Whitstable	On both sides for the entire length
32	Gladstone Road, Whitstable	On both sides for the entire length
33	Glebe Way, Whitstable	On both sides for the entire length
34	Oxford Street, Whitstable	On both sides for the entire length
35	Tankerton Road, Whitstable	On both sides from the junction with Graystone Road to the junction with St Anne's Road.
36	Rough Common Road, Rough Common	On both sides for the entire length