

30/9/02

D104

**THE KENT COUNTY COUNCIL**

**(DISABLED DRIVERS PARKING PLACES)  
ORDER 2002**

**ROAD TRAFFIC REGULATION ACT 1984**

THE KENT COUNTY COUNCIL (hereinafter referred to as "the Council") acting as the local traffic authority and in exercise of its powers under Sections 32, 35, 45, 46, 47 and 48 and Part IV of Schedule 9 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 Part III of Schedule 9 to the said Act, hereby makes the following Order:-

1. In this Order:

"the 2000 Regulations" means the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;

"the 1982 Regulations" means the Disabled Persons (Badges for Motor Vehicles) Regulations 1982;

"the 1970 Act" means the Chronically Sick and Disabled Persons Act 1970;

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

"disabled person" means a person more than 2 years old and falling within at least one of the prescribed descriptions in regulation 4 of the 2000 Regulations.

"disabled person's badge" means a badge subject to paragraph (1A) of regulation 2 of the 2000 Regulations, in the form prescribed by regulation 11 of the 2000 Regulations, issued by a local authority for display on a motor vehicle driven by a disabled person, or used for the carriage of a disabled person, and includes a replacement badge issued in accordance with regulation 11 of the 2000 Regulations.

"disabled person's concession" has the meaning given by Section 117(3) of the 1984 Act;

"disabled persons vehicle" has the same meaning as in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1991;

"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;

"holder"	in relation to a disabled person's badge, means the individual or institution to whom a disabled person's badge was issued;
"institution"	means an institution concerned with the care of disabled persons to which a disabled person's badge may be issued in accordance with Section 21(4) of the 1970 Act;
"individual's badge"	means a disabled person's badge issued to an individual disabled person;
"institutional badge"	means a disabled person's badge issued to an institution;
"issuing authority"	in relation to a disabled person's badge, means the local authority which issued the badge; and
"local authority"	means a County Council, District Council, the Council of the Isles of Scilly, a London Borough Council or the Common Council of the City of London
"motor car" and "vehicle"	have the same meaning as in Section 136 of the 1984 Act.
"owner" and "traffic sign"	have the same meaning as in Section 142 of the 1984 Act;
"Parking Attendant"	means a person employed by the Council to supervise any parking place;
"parking disc"	means a disc, issued by a Local Authority, 125 mm square and capable of showing the quarter hour period during which a period of waiting begins;
"parking permit"	means the certificate issued by the Council from time to time that authorises a vehicle left in a Parking Place subject to the provisions of this Order.
"parking place"	means any area of land or highway designated in the Schedules to this Order provided by the Council under the 1984 Act for use as parking spaces and marked as such in accordance with the Traffic Signs Regulations and General Directions 1994.
"permitted hours"	means the hours specified in each of the Schedules to this Order.

"relevant position" means:

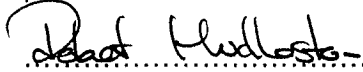
- i. in the case of a vehicle fitted with dashboard or fascia panel, the badge or ticket is exhibited thereon so that it is legible from outside the vehicle;
  - ii. in the case of a vehicle not fitted with a dashboard or fascia panel, the badge or ticket is exhibited in a conspicuous position on the vehicle so that it is legible from outside the vehicle.
2. Save as provided for in the following provisions of this Order, no person shall cause or permit a vehicle to wait in any parking place in Schedule 1 to this Order during the permitted hours.
3. Nothing in Article 2 of this Order shall render it unlawful to cause or permit a disabled persons vehicle which displays in the relevant position a disabled persons badge to wait in the lengths of road on such days and during such hours as specified in Schedule 1 to this Order.
4. Exemptions from Restrictions
  - (1) Nothing in Articles 2 or 3 of this Order shall apply to any vehicle that:
    - (a) Is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid accident;
    - (b) Is being used for fire brigade purposes or an ambulance, or a vehicle (other than a passenger vehicle) in the service of a local authority or a vehicle in the service of a police force in either case being used in pursuance of statutory powers or duties;
    - (c) Is waiting only for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic; or
    - (d) Is left with the permission of the person closing or suspending the parking space under Article 5 of this Order.
    - (e) Is being used for the collection or delivery of postal packets.
5. Power to close or suspend use of Parking places
  - (1) The Council may at any time without notice close the parking places or any part thereof.
  - (2) A parking attendant or any other person duly authorised by the Council may suspend the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary -
    - (a) for the purpose of any building operation, demolition or excavation in or adjacent to the parking place or the maintenance, improvement or reconstruction of the parking place or the laying erection, alteration, removal or repair in or adjacent to the parking place of any sewer or of any main, pipe or apparatus for the

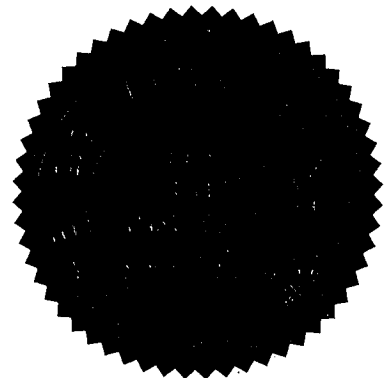
supply of gas, water or electricity or of any telegraphic apparatus defined in paragraph 1(1) of the Telecommunications Act 1984, traffic sign or ticket parking meter; or

- (b) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed.
- (3) The Council or any person closing or suspending the use of a parking place shall place or cause to be placed in or adjacent to the suspended parking space(s) a traffic sign or traffic signs, in accordance with the Traffic Signs Regulations and General Directions 1994, indicating that waiting is prohibited.
- (4) No person shall cause or permit a vehicle to be left in any part of a parking place during such period as there is in or adjacent to that part of the parking place a traffic sign placed in pursuance of paragraph (3) above.
- 6. Those Orders or sections of Orders named in Schedule 2 are hereby revoked.
- 7. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulation made or having effect as if made under the 1984 Act or any other enactment.
- 8. This Order shall come into effect on 28 October 2002 and may be cited as the Kent County Council (Disabled Drivers Parking Bay) Order 2002.

Given under the Common Seal of the Kent County Council this 30<sup>th</sup> day of September in the year two thousand and two. \*

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

  
.....  
Authorised Signatory



### Schedule 1

<u>Location</u>			<u>Permitted Hours</u>	<u>Max Hours</u>
6	Broomfield Road	Swanscombe	At any time	No limit
35	Carlisle Road	Dartford	At any time	No limit
57	Carrington Road	Dartford	At any time	No limit
	Anne of Cleves Road (Adj. Priory Court)	Dartford	At any time	No limit
21	Craylands Square	Swanscombe	At any time	No limit
26	Essex Road	Longfield	At any time	No limit
30	Fawkham Road	Longfield	At any time	No limit
45	Gloucester Road	Dartford	At any time	No limit
48	Henderson Drive	Dartford	At any time	No limit
86	High Road	Wilmington	At any time	No limit
128	High Road	Wilmington	At any time	No limit
134	Highfield Road	Dartford	At any time	No limit
11	Hillhouse Road	Stone	At any time	No limit
9	Kirby Road	Stone	At any time	No limit
74	Keyes Road	Dartford	At any time	No limit
36	Mayfair Road	Dartford	At any time	No limit
9	Patterdale Road	Dartford	At any time	No limit
60	Princes Avenue	Dartford	08.00 – 20.00	No limit
7	Shepherds Lane	Dartford	At any time	No limit
60	St Albans Road	Dartford	At any time	No limit
25	Spring Vale North	Dartford	At any time	No limit
	Adjoining Orchards Shopping Centre – Suffolk Road (5 No. bays)	Dartford	Mon – Sat 08.00- 18.30 Mon – Sat 00.00 – 08.00 and 18.30 – 00.00 Sun – At any time	3 hrs No limit No limit
102	Swaisland Road	Dartford	At any time	No limit
27	Willow Road	Dartford	At any time	No limit

**Schedule 2**

**THE KENT COUNTY COUNCIL (VARIOUS ROADS, DARTFORD)  
(ON-STREET AND OFF-STREET PARKING PLACES)  
CONSOLIDATION ORDER 2001**

**Schedule 4**

30 Blenheim Road	Dartford
5 Bronte Grove	Dartford
81 Broomfield Road	Swanscombe
68 Colney Road	Dartford
50 Fulwich Road	Dartford
Ingram Road	
(Adj. 186 Lowfield Street)	Dartford
25 Keyes Road	Dartford
16 Maiden Lane	Dartford
188 Milton Road	Dartford
153 Milton Street	Swanscombe
14 Osterberg Road	Dartford
23 Willow Road	Dartford

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68 Berkeley Crescent	Dartford
17 Orchard Road	Swanscombe