

**THE KENT COUNTY COUNCIL
(VARIOUS ROADS, DARTFORD) (WAITING RESTRICTIONS and
STREET PARKING PLACES) (DARENTH VILLAGE PARK) ORDER 2013**

The Kent County Council, in exercise of its powers under sections 1(1), 2(1) to (3), 3(2), 4(1) and (2), 32(1), 35(1), 45, 46, 49 and 53 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 Act, hereby make the following Order:-

PART A

General

CITATION, COMMENCEMENT and REVOCATIONS

- 1 (1) This Order may be cited as the Kent County Council (Various Roads, Dartford) (Waiting Restrictions and Street Parking Places) (Darenth Village Park) Order 2013 and shall come into force on 14th June 2013.

(2) The Order 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 suspended
Not applicable	Not applicable

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 as traffic authority and, where appropriate, Dartford Borough Council acting on behalf of the traffic authority.

"buses" has the same meaning as in Regulation 22(2) of the Traffic Signs Regulations and General Directions 2002, and "bus" shall be construed accordingly as long as they operate under licence as a 'Public Service Vehicle' (PSV).

"Business Permit" means a business permit issued under the provisions of Part J of this Order and "business permit holder" means a person to whom such a permit has been issued;

"charged parking place" means a parking place referred to in Schedule 22.07 to this Order;

"chargeable hours" means between the hours and on the days specified in an item in the fifth column of the Table to Article 44 appropriate to the parking place described in the Schedule mentioned in the corresponding item in the second column of that Table;

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GENERAL

"delivering" and "collecting" in relation to any goods include checking the goods for the purpose of their delivery or collection;

"Director of Enforcement and Regulatory Services" means such person as shall be approved by Dartford Borough Council to manage the Parking Service;

"disabled person" and "disabled person's badge" have the same meaning as in the Disabled Persons' (Badges for Motor Vehicles) Regulations 2000;

"disabled person's vehicle" means a vehicle lawfully displaying a disabled person's badge and which is a vehicle which, immediately before or after any period of waiting allowed by virtue of a provision of a kind required by the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 to be included in an Order under the Act of 1984, has been or is to be driven by a disabled person or, as the case may be, has been or is to be used for carrying disabled persons as passengers;

"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;

"goods vehicle" as defined by The Road Traffic Regulation Act 1984 Section 138;

"hackney carriage" has the same meaning as in the Town Police Clauses Act 1847 and The Local Government (Miscellaneous Provisions) Act 1976;

"invalid carriage" as defined by The Road Traffic Regulation Act 1984 Section 136;

"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;

"licenced taxi" has the same meaning as in section 13 (3) (a) of the Transport Act 1985;

"owner", in relation to a vehicle, means the person by whom such vehicle is kept and used;
"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 contraventions;

"parking charge" for a vehicle left in a charged parking place shall be determined by reference to the third and fourth columns of the Table to Article 47;

"parking disc" means a device which-

- (a) is 125 millimetres square and coloured blue, if issued on or after 1st April 2000 or orange, if issued before that date;
- (b) has been issued by a local authority and has not ceased to be valid; and
- (c) is capable of showing the quarter hour period during which a period of waiting has begun.

"parking period" for a vehicle left in a charged parking place shall be determined by reference to the third and fourth columns of the Table to Article 44;

"parking permit" means a permit of the type described in an item in column 2 of the Table to Article 52;

"parking place" means an area on a highway designated or authorised and described as a parking place by any of the various Articles or Schedules of this Order;

"Parking Service" means the service established by Dartford Borough Council to carry out parking activities under the Kent Highways partnership agreement between Kent County Council, as traffic authority, and Dartford Borough Council;

"parking space" means a space in a parking place which is provided for the leaving of a vehicle;

"parking ticket" means a ticket issued by a ticket machine relating to a parking place;

"passenger vehicle" as defined by The Road Traffic Regulation Act 1984 and/or The Traffic Signs Regulations and General Directions 2002;

"public service vehicle" has the same meaning as in the Public Passenger Vehicles Act 1981;

"relevant position" means:-

1 - In the case of a Disabled Person's Badge -

(a) A vehicle displays a disabled person's badge in the relevant position if:-

(i) in the case of a vehicle fitted with a dashboard or fascia panel, the badge is exhibited thereon so that Part 1 of the badge is legible from the outside the vehicle;
or

(ii) in the case of a vehicle not fitted with a dashboard or fascia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part 1 of the badge is legible from outside the vehicle.

(b) A vehicle displays a parking disc in the relevant position if:-

(i) in the case of a vehicle fitted with a dashboard or fascia panel, the disc is exhibited thereon so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle; or

(ii) in the case of a vehicle not so fitted, the disc is exhibited in a conspicuous position on the vehicle so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle.

2 - In the case of any other badge or permit -

A vehicle displays any other badge or permit in the relevant position if:-

(i) in the case of a vehicle fitted with a front windscreen, the item is exhibited thereon with the obverse side facing forwards on the near side of and immediately behind the windscreen;

(ii) in the case of a vehicle not fitted with a front windscreen, the item is exhibited in a conspicuous position on the front or near side of the vehicle.

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3 - In the case of a parking ticket -

A vehicle displays a parking ticket in the relevant position if the item is exhibited in a conspicuous position on the front or near side of the vehicle.

"resident" means a person whose usual residence is at premises the postal address of which is in any street or part of a street described in Article 50 of this Order;

"Residents' Parking Permit" means a residents' permit issued under the provisions of Part J of this Order and "residents' permit holder" means a person to whom such a permit has been issued;

"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;

"restricted road" means any of the roads, lengths of road or sides of road specified in Schedules 5.01; 6.13 and 6.14 to this Order:-

PROVIDED ALWAYS that the expression "restricted road" shall not for the purposes of this Order include any designated parking place or any authorised parking place described in the various Schedules to this Order and not suspended under the provisions of Article 36;

"Dartford" means the administrative area of the Dartford Borough Council;

"ticket machine" means apparatus designed to indicate the time and to issue parking tickets indicating the payment of a charge and the period in respect of which it has been paid;

"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;

"vehicle of the permitted class" means a motor car, a motor cycle or an invalid carriage and "motor car", "motor cycle" and "invalid carriage" have the same meaning as in section 136 of the Act of 1984;

"Visitors' Parking Permit" means a permit issued under the provisions of Part K of this Order and "visitors' permit holder" means a person to or for whom such permit has been issued.

(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.

PART B
PROHIBITIONS ON WAITING

PART B

**Prohibitions and Restrictions on the waiting of vehicles
or the loading or unloading of vehicles**

NO WAITING AT ANY TIME

- 3 SAVE as provided in Part G of this Order no person shall, except upon the direction or with the permission of a police officer on duty or of a parking attendant in uniform, cause or permit any vehicle to wait at any time in any restricted road specified in the Schedule 5.01 to this Order.

NO WAITING (OTHER)

- 4 SAVE as provided in Part G of this Order no person shall, except upon the direction or with the permission of a police officer on duty or of a parking attendant in uniform, cause or permit any vehicle to wait between the hours of 11.00 a.m. and 12 noon on Mondays to Fridays, in any restricted road specified in the Schedule 6.13 to this Order
- 5 SAVE as provided in Part G of this Order no person shall, except upon the direction or with the permission of a police officer on duty or of a parking attendant in uniform, cause or permit any vehicle to wait between the hours of 8.00 a.m. and 6.00 pm on Mondays to Saturdays, in any restricted road specified in the Schedule 6.14 to this Order.

PROHIBITION ON LOADING AND UNLOADING

- 6 (1) Nothing in Article 32 (Exemption for loading and unloading of goods) shall apply so as to render it lawful to cause or permit a vehicle to wait for the purposes of loading or unloading in any of the lengths of restricted road described in columns 2 and 3 of an item in the Table at the times specified in the corresponding column 4.

TABLE
(Article 6)

1	2	3	4
Item	Name of Road	Specified length	Specified times
1	No items currently Scheduled		

PART C

Prohibition of Stopping Outside Schools

PROHIBITION OF STOPPING OUTSIDE SCHOOLS

- 7 Save as provided in Article 9 of this Order, no person shall, except upon the direction or with the permission of a police officer on duty or of a parking attendant in uniform, cause or permit any vehicle to stop or remain at rest during the specified hours on a school entrance marking.
- 8 Except as otherwise provided in Article 9 of this Order, if any provision of Article 7 of this Order conflicts with a provision of any other Article in this Order which grants an exemption from the provision, the provision of Article 7 shall apply.
- 9 Nothing in Article 7 of this Order shall render it unlawful for a person to cause or permit a vehicle to wait on a school entrance marking -
- (a) if the vehicle is being used for the removal of any obstruction to traffic;
 - (b) to enable the vehicle to be used for any of the following purposes and whilst being so used it is necessary for the vehicle to wait on the school entrance marking -
 - (i) in the service of a local authority or a water authority in pursuance of statutory powers or duties;
 - (ii) for the maintenance, improvement or reconstruction of the road, of any of the said lengths of road; or
 - (iii) for 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.
 - (c) in any case where the person in control of the vehicle
 - (i) is required by law to stop;
 - (ii) is obliged to stop so as to prevent an accident;
 - (iii) is prevented from proceeding by circumstances outside his control.
 - (iv) causes the vehicle to proceed in accordance with any restriction or requirement indicated by traffic signs placed pursuant to section 66 or section 67 of the Road Traffic Regulation Act 1984.

INTERPRETATION

- 10 In this Part of the Order,

"specified hours" means between 8.00am and 9.30am or between 2.30pm and 4pm on Mondays to Fridays during school term time;

PART C
PROHIBITION OF STOPPING OUTSIDE SCHOOLS

"school term time" means those days of the year which have been determined as school days by the Kent County Council, the Education Authority, in accordance with section 21 of the Education (No. 2) Act 1986;

"school day" has the same meaning as in section 65 of the Education (No. 2) Act 1986.

"school entrance marking" means an area of carriageway of a specified road which is comprised within the road marking prescribed in The Traffic Signs Regulations and General Directions 2002, and indicated by the sign prescribed in The Traffic Signs Regulations and General Directions 2002.

"specified road" means any road or length of road or side of road specified in the Table to this Article.

TABLE

1	2	3
Item	Name of Road	Specified length
1		No items currently Scheduled

PART D

Prohibition of Stopping on Taxi Ranks

PROHIBITION OF STOPPING ON TAXI RANKS

- 11 Save as provided in Article 13 of this Order, no person shall, except upon the direction or with the permission of a police officer on duty or of a parking attendant in uniform, cause or permit any vehicle other than a taxi to stop or remain at rest during the period indicated on a taxi rank.
- 12 Except as otherwise provided in Article 13 of this Order, if any provision of Article 11 of this Order conflicts with a provision of any other Article in this Order which grants an exemption from the provision, the provision of Article 11 shall apply.
- 13 Nothing in Article 11 of this Order shall render it unlawful for a person to cause or permit a vehicle to wait on a taxi rank -
 - (a) if the vehicle is being used for the removal of any obstruction to traffic;
 - (b) to enable the vehicle to be used for any of the following purposes and whilst being so used it is necessary for the vehicle to wait on the taxi rank -
 - (i) in the service of a local authority or a water authority in pursuance of statutory powers or duties;
 - (ii) for the maintenance, improvement or reconstruction of the road, of any of the said lengths of road; or
 - (iii) for 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.
 - (c) in any case where the person in control of the vehicle
 - (i) is required by law to stop;
 - (ii) is obliged to stop so as to prevent an accident;
 - (iii) is prevented from proceeding by circumstances outside his control.
 - (iv) causes the vehicle to proceed in accordance with any restriction or requirement indicated by traffic signs placed pursuant to section 66 or section 67 of the Road Traffic Regulation Act 1984.

INTERPRETATION

- 14 In this Part of the Order,

"period indicated" means between the times indicated on the sign prescribed by The Traffic Signs Directions and General Regulations 2002 placed in conjunction with the prescribed taxi rank road marking;

PART D

TAXI RANKS

"taxi rank" means any road or length of road or side of road appointed as a stand for hackney carriages by Dartford Borough Council in local legislation made under section 63 of the Local Government (Miscellaneous Provisions) Act 1976.

"taxi rank road marking" means an area of carriageway of a specified road which is comprised within the road marking prescribed in The Traffic Signs Regulations and General Directions 2002.

PART E

Designation and Use of Parking Places

DESIGNATION OF PARKING PLACES

- 15 Each area on a highway comprising the lengths of carriageway described in Schedule 21.14 to this Order is designated as a parking place.
- 16 The limits of each parking place and the limits of any parking space may be indicated by a road marking appropriate to the position in which a vehicle may park.
- 17 Nothing in Article 15 of this Order shall restrict the power of a police constable or of the Council to suspend any parking place or any part thereof in accordance with the provisions of Article 36.

PARKING PLACES WITH TICKET MACHINES

- 18 (1) SAVE as provided in Part G of this Order, except Article 34, no person shall, except upon the direction or with the permission of a police officer on duty or of a parking attendant in uniform, cause or permit any vehicle to wait during the chargeable hours in a charged parking place unless it is a vehicle of the permitted class and unless the parking charge has been paid

PROVIDED ALWAYS the payment of the parking charge shall be indicated by the vehicle displaying in the relevant position a parking ticket issued by the ticket machine relating to the parking place in which the vehicle has been left.

(2) SAVE as provided in Part G of this Order, except Article 34, no person shall, except upon the direction or with the permission of a police officer on duty or of a parking attendant in uniform, cause or permit any vehicle to wait during the chargeable hours in a charged parking place for longer than the parking period paid for on payment of the parking charge.

(3) Nothing in this Article shall apply in respect of

(a) any vehicle which is waiting in a charged parking place in accordance with a provision of Part G of this Order, save as excepted by this Article; or

(b) any vehicle which is waiting in a charged parking place which is also a residents' parking place and is displaying in the relevant position a valid Parking Permit issued, or a valid Visitors' Parking Permit validated in respect of that vehicle for the Residents Parking Zone in which that charged parking place is included.

PERMIT HOLDERS EXCLUSIVE PARKING PLACES

- 19 SAVE as provided in Part G of this Order, except Article 34, no person shall, except upon the direction or with the permission of a police constable in uniform or of a parking attendant, cause or permit any vehicle, other than a vehicle which is displaying in the relevant position

(i) a valid Residents' Parking Permit issued, or

PART E
DESIGNATED PARKING PLACES

(ii) a valid Visitors' Parking Permit validated in respect of that vehicle for the Zone in which that Parking Place is situated,

to wait between the hours of 9.30 a.m. and 4.00 p.m. on Mondays to Sundays, in any of the parking places described in Schedule 21.14 to this Order.

CONDUCT OF PARKING PLACES

20 PROVIDED ALWAYS that the provisions of Part I of this Order shall apply to any designated parking place and, in the event of any contravention of, or non-compliance with, a provision of Part I of this Order, the person responsible shall be guilty of the contravention.

ADMINISTRATION OF PARKING SCHEMES

21 (1) The administration of any Residents' or Business or Commuter Parking Scheme shall be in accordance with the provisions of Part J of this Order.

(2) The administration of any Residents' Visitors' Parking Scheme shall be in accordance with the provisions of Part K of this Order.

PART F

Authorisation and Use of Parking Places

AUTHORISATION OF PARKING PLACES

- 22 (1) Each area on a highway comprising the lengths of carriageway described in Schedule 20.15 to this Order is authorised as a parking place.
- (2) Each area on a highway comprising the length of carriageway described in Schedule 26.06 to this Order is authorised as a parking place for disabled persons vehicles.
- (3) Each area on a highway comprising the length of carriageway described in the Table to this Article is authorised as a loading place for goods vehicles.

**TABLE
(Article 22 (3))**

1	2	3	4	5
Item	Name of Road	Length of road	Days on which restriction applies	Times at which restriction applies
		No items currently scheduled		

- 23 The limits of each parking place and the limits of any parking space shall be indicated by a road marking appropriate to the position in which a vehicle may park.
- 24 Nothing in Article 22 of this Order shall restrict the power of a police constable or of the Council to suspend any parking place or any part thereof in accordance with the provisions of Article 36 of this Order.

USE OF AUTHORISED PARKING PLACES

Parking places limited to 4 hours waiting time

- 25 SAVE as provided in Part G of this Order no person shall, except upon the direction or with the permission of a police officer on duty or of a parking attendant in uniform, cause or permit any vehicle to wait between the hours of 8.00 a.m. and 6.00 p.m. on Mondays to Fridays, in any of the parking places specified in Schedule 20.15 to this Order:-

(i) for a longer period than four hours, or

(ii) if a period of less than four hours has elapsed since the termination during the said hours of the last period of waiting (if any) of the vehicle in that length of road.

Parking places limited to 20 minutes waiting time

- 26 SAVE as provided in Part G of this Order no person shall, except upon the direction or with the permission of a police officer on duty or of a parking attendant in uniform, cause or

PART F
AUTHORISED PARKING PLACES

permit any vehicle to wait between the hours of 8.00 a.m. and 6.00 p.m. on Mondays to Saturdays, in any of the parking places specified in Schedule 20.14 to this Order:-

(i) for a longer period than twenty minutes, or

(ii) if a period of less than two hours has elapsed since the termination during the said hours of the last period of waiting (if any) of the vehicle in that length of road.

DISABLED PERSONS VEHICLE PARKING PLACES

27 SAVE as provided in Part G of this Order no person shall, except upon the direction or with the permission of a police officer on duty or of a parking attendant in uniform, cause or permit any vehicle to wait in any of the parking places described in the Schedule 26.06 to this Order unless it is a disabled persons vehicle which displays in the relevant position a disabled person's badge.

USE OF GOODS VEHICLE LOADING BAYS

28 SAVE as provided in Paragraphs (g), (h) and (i) of Article 33 of this Order no person shall, except upon the direction or with the permission of a police officer on duty or of a parking attendant in uniform, cause or permit any vehicle to wait in any of the loading places described in columns 2 and 3 of an item in the Table to Article 22 (3) of this Order on the days and between the times specified in the corresponding columns 4 and 5 of that item unless it is a goods vehicle and loading or unloading is taking place.

CONDUCT OF PARKING PLACES

29 PROVIDED ALWAYS that the provisions of Part H of this Order shall apply to any authorised parking place and, in the event of any contravention of, or non-compliance with, a provision of Part H of this Order, the person responsible shall be guilty of the contravention.

PART G

Exemptions from prohibitions and restrictions

EXEMPTION FOR EMERGENCY SERVICES

- 30 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.

EXEMPTION FOR HACKNEY CARRIAGES

- 31 Nothing in Part B of this Order shall apply to a licensed taxi, whilst plying for hire upon a duly authorised cab rank appointed by the Dartford Borough Council in accordance with the provisions of section 63(1) of the Local Government (Miscellaneous Provisions) Act 1976 or any modification or re-enactment of the same for the time being in force and standing wholly within the limits of the marking prescribed in the Traffic Signs Regulations and General Directions 2002 as amended.

EXEMPTION FOR LOADING AND UNLOADING OF GOODS

- 32 (1) SAVE as provided in Article 6 nothing in Parts B or E, or in Articles 25 or 26 in Part F, of this Order shall render it unlawful to cause or permit a vehicle to wait in any restricted road or in any parking place for so long as may be necessary to enable goods to be loaded onto or unloaded from the vehicle.
- (2) Notwithstanding anything paragraph (1), the driver of a vehicle waiting for the purposes of delivering or collecting goods or merchandise or loading or unloading the vehicle shall move the vehicle on the instruction of a police officer on duty or of a parking attendant in uniform whenever such moving may be reasonably necessary for the purpose of preventing obstruction.

GENERAL EXEMPTION FROM PROHIBITIONS AND RESTRICTIONS

- 33 Nothing in Articles 3 to 5 of Part B, or in Part E, or in Articles 25 or 26 in Part F, of this Order shall render it unlawful to cause or permit a vehicle to wait in any restricted road, or in any part of a parking place if the use of that parking place has not been suspended, 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 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;
 - (c) 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

PART G
EXEMPTIONS FROM PROHIBITIONS AND RESTRICTIONS

- (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.
- (d) 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;
- (e) to enable the vehicle to be used for the purpose of delivering or collecting postal packets as defined in Section 87 of the Post Office Act, 1953;
- (f) 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.
- (g) to enable the vehicle to wait for so long as that vehicle is the lead or secondary vehicle in connection with any wedding or funeral procession from the adjacent church or registry office;
- (h) 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.
- (i) to enable the vehicle to be used for a purpose authorised and described on a permit issued by the Parking Manager on behalf of the Council provided such permit is displayed on the vehicle in the appropriate position.

DISABLED PERSONS' VEHICLES

- 34 Nothing in Articles 3 to 5 of Part B 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 and a parking disc (on which the driver, or other person in charge of the vehicle, has marked the time at which the period of waiting began) to wait in any of the roads, lengths of road or sides of road referred to in any of the said Articles for a period not exceeding 3 hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle that length of road)

PROVIDED ALWAYS that no such vehicle shall so wait in any of the lengths of restricted road described in columns 2, and 3 of an item in the Table to Article 6 at the times specified in the corresponding column 5 of that Table.

- 35 Nothing in Part E of this Order, or in Article 25 or 26 of Part F of this Order, unless specified otherwise, shall render it unlawful to cause or permit a disabled persons' vehicle which displays in the relevant position a disabled persons' badge to wait without limit of time in any of the parking places referred to in the said Part E, or Article 25 or 26 of Part F.

PART H

Conduct of Parking Places

SUSPENSION OF PARKING PLACES

36 (1) The Council may, by Notice or by Order, suspend the use of any parking place or any part thereof

- (a) if it is satisfied that use of that parking place should be restricted or prohibited by reason that works are being or are proposed to be executed on or near the road, or by reason of the likelihood of danger to the public or of serious damage to the highway, or
- (b) in order to prevent or mitigate congestion or obstruction of traffic, or danger to or from traffic, in consequence of extraordinary circumstances; or
- (c) for preventing obstruction of the streets on the occasion of any public procession, rejoicing or illumination or when the streets are thronged or liable to be obstructed.

subject to such conditions or exceptions as they consider necessary.

(2) A constable, or a person acting under the instructions (whether general or specific) of the chief officer of police, may suspend the use of a parking place or any part thereof for not more than seven days in order to prevent or mitigate congestion or obstruction of traffic, or danger to or from traffic, in consequence of extraordinary circumstances.

PROVIDED ALWAYS that any person suspending the use of a parking place in accordance with the provisions of this Article shall place or cause to be placed in or adjacent to that parking place or the part thereof the use of which is suspended such traffic signs as are necessary to indicate that waiting by vehicles is prohibited.

MISCELLANEOUS CONDITIONS

37 A driver of a vehicle shall not use a parking place

- (a) so as unreasonably to prevent access to any premises adjoining a road or the use of a road by other persons or so as to be a nuisance;
- (b) when such parking place has been closed in accordance with the provisions of the preceding Article of this Order.

38 A driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in position in the parking place and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place.

39 No person shall

- (a) sell, offer or exhibit for sale or hire any vehicle while it is in a parking place, or
- (b) use a vehicle, while it is in a parking place, in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of his skills in handicraft or services in any capacity.

PART H
CONDUCT OF PARKING PLACES

PROVIDED ALWAYS that this Article shall not be deemed to prohibit persons employed in connection with a licensed public service vehicle or a licensed taxi operation from plying for hire or accepting passengers for hire in accordance with any regulation or condition under which the service is required by law to operate.

- 40 While it is in a parking place no vehicle shall receive any work of construction, cleaning, maintenance or repair except such as may be necessary to enable the vehicle to be moved from the parking place.

MOVEMENT AND REMOVAL OF VEHICLES

- 41 (1) When a vehicle is left in a parking place in contravention of or non-compliance with any of the provisions of this Order a police constable or a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from that parking place.

(2) In case of an emergency a police constable or a person authorised in that behalf by the Council may alter the position of that vehicle in the parking place; or remove the vehicle or arrange for it to be removed from that parking place to any place he thinks fit.

- 42 Any person altering the position of a vehicle in, or removing a vehicle from, a parking place by virtue of the last preceding Article of this Order may do so by towing or driving the vehicle or in such other manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it or alter its position, as the case may be.

SAFE CUSTODY OF VEHICLES REMOVED FROM PARKING PLACES

- 43 When a police constable or a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of Article 41 of this Order he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle

PART I

Parking Charges and Method of Payment

PARKING CHARGES

- 44 (1) The parking charge and the parking period for a vehicle left in a designated parking place referred to in the Schedule or Part of the Schedule referred to in an item in the second column of the Table shall be determined by reference to the corresponding items in the third and fourth columns of the Table.

TABLE
(Article 44)

1	2	3	4	5
Item	Schedule	Parking Charge	Parking Period	Chargeable hours
1	Schedule 22.07	£1.00	up to 2 hours	8.00am to 6.00pm Mondays to Fridays inclusive
		£2.00	2 hours to 4 hours	
		£4.00	over 4 hours	
		£60.00	one calendar month	

(2) No parking period for a designated parking place referred to in an item in the second column of the Table above shall exceed the maximum length of time mentioned in the corresponding item in the fourth column.

(3) Parking charges may change from time to time and the relevant information will be advertised accordingly prior to a change taking effect.

TICKET MACHINES TO BE INSTALLED AT PARKING PLACES

- 45 (1) There shall be a ticket machine on or in the vicinity of each parking place referred to in Schedule 22.07.

(2) No parking charge shall be payable in respect of any vehicle waiting in a designated parking place during the chargeable hours if

(a) at the time the vehicle was left in that parking place there was on the ticket machine relating to that parking place a notice placed by any person duly authorised by the Council indicating that the ticket machine relating to that parking place is out of order; and

(b) there is no other ticket machine available to be used for that parking place; and

(c) the vehicle is removed within one hour of the ticket machine defect being rectified.

PART I
PARKING CHARGES

PROVIDED ALWAYS that if any such vehicle is not removed within that period the parking charge shall be treated as having been incurred and paid at the time when the vehicle was left in the parking place and all the provisions of this Order shall apply accordingly.

PAYMENT OF PARKING CHARGE

46 (1) The parking charge shall be payable on the leaving of the vehicle in a parking place referred to in Schedule 22.07 by the insertion in the ticket machine relating to the parking place in which the vehicle is left of coins to the value of the parking charge.

(2) Payment of the parking charge for any vehicle left during the chargeable hours in a parking place referred to in the Schedule 22.07 shall be indicated by the issue by the ticket machine relating to that parking place of a numbered parking ticket indicating the amount of parking charge which has been paid, and by the exhibition of that parking ticket on the vehicle in the relevant position.

(3) No parking charge shall be payable in respect of any vehicle waiting in a designated parking place during the chargeable hours in accordance with the provisions of Part G of this Order.

INDICATION OF EXPIRY OF PARKING PERIOD

47 The expiry of the parking period for which the parking charge has been paid for a vehicle left in a parking place referred to in the Schedule 22.07 shall be indicated when there is exhibited on the vehicle a parking ticket issued by the ticket machine relating to the parking place in which the vehicle is left showing the day and time of payment of the charge, and the time shown on the clock on the said ticket machine is more than the duration of the parking period later than the time shown on that parking ticket.

INDICATIONS BY TICKET MACHINES AND PARKING TICKETS AS EVIDENCE

48 If at any time when a vehicle is left in a parking place during the permitted hours the clock on the ticket machine relating to the parking place in which the vehicle is left and on the parking ticket exhibited on the vehicle give the indication given in the preceding Article, it shall be presumed unless the contrary is proved that the parking charge has been duly paid, and the parking period for which payment was made by the parking charge has already expired.

INSERTION OF ADDITIONAL COINS

49 (1) No person shall insert in the ticket machine relating to the parking place in which the vehicle is left any coins additional to those inserted by way of payment of the parking charge in respect of that vehicle.

(2) No person shall display on any vehicle left in a parking place referred to in the Schedule 22.07 during the chargeable hours any parking ticket subsequent to the parking ticket that was displayed at the time the vehicle was first left in the parking place unless the provisions of Article 18(3) have first been complied with.

PART J

Provisions Relating to Parking Permits

PARKING ZONES

50 (1) for the purposes of administering parking schemes the Council shall define by name and unique reference code such parking zones as are necessary.

(2) the names, unique reference codes and addresses of premises which comprise each parking zone shall be as detailed in the Tables below

Zone : Darenth Village Park **Zone Code :** DV1

Residents having an address described in this column	may purchase a Residents' Parking Permit to park without limit of time in a residents' parking place in any of these roads.
Powell Avenue	Powell Avenue

TYPES OF PERMIT AND ELIGIBILITY

51 The Council may issue parking permits of the types described in an item in column 2 of the Table to Article 50.

52 (1) Any person, business partnership or company owning a class of vehicle as described in an item in column 4 of the Table and meeting the qualification requirement described in column 3 of the corresponding item may make application to the Council for the issue of a permit of a type described in column 2 of that item.

(2) Any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied and shall be accompanied by the appropriate remittance.

(3) For the purposes of this Part of the Order "owner" means a person in whose name the vehicle is registered, or in the case of leased or company owned vehicles, the person who is entitled to use that vehicle.

**Table
(Article 52)**

1	2	3	4	5
Item	Type of Permit	Qualification	Class of vehicle	Appropriate remittance
1	Residents (Valid for 12 calendar months)	Residents as defined in Article 2	a motor vehicle being either a passenger vehicle or a goods vehicle having a gross weight not exceeding 3500 kilograms, or a motor cycle with a sidecar	£50 p.a.

PART J

PROVISIONS RELATING TO PARKING PERMITS

3.	Business (Valid for 12 calendar months)	Occupiers of business premises and employees of occupiers of those business premises	a motor vehicle being either a passenger vehicle or a goods vehicle having a gross weight not exceeding 3500 kilograms, or a motor cycle with a sidecar	£300 p.a.
4	Season. (Valid for 3, 6, 9 or 12 months)	Any driver of a vehicle	a motor vehicle being either a passenger vehicle or a goods vehicle having a gross weight not exceeding 3500 kilograms, or a motor cycle with a sidecar	£60 p.c.m.

APPLICATIONS FOR PERMITS

53 On receipt of any application duly made under the foregoing provisions of this part of the Order and of the appropriate remittance the Council, upon being satisfied that the applicant is the owner of a permitted class of vehicle as described in an item in column 4 of the Table to Article 52 and meets the qualification requirement described in column 3 of the corresponding item may issue to the applicant a Parking Permit for the leaving in a parking place in the Zone indicated on the permit of the vehicle to which such Parking Permit relates by the owner of such vehicle or by any person using such vehicle with the consent of the owner other than a person to whom such vehicle has been let for hire or reward.

CHARGES FOR PERMITS

54 "appropriate remittance" means a remittance of the sum indicated in an item in column 5 of the Table to Article 52 appropriate to the type of permit for which application is being made and shall be for a period commencing on the first day the permit period for a Permit in respect of Designated Parking Places referred to in Schedules 21.14 to this Order; and

"permit period" means a period of defined calendar months commencing on the day of the month of issue.

Permit charges may change from time to time and the relevant information will be advertised accordingly prior to a change taking effect.

PROVIDED ALSO that for any permit surrendered a sum equal to the fraction of the remittance less an administration charge of £15 shall be refunded for each complete month of that permit period which is remaining and Residents Permits older than eight months are deemed to have no refund value.

VERIFICATION OF PARTICULARS

55 The Council may at any time require an applicant for a Parking Permit or a permit holder to produce to an Officer of the Council such evidence in respect of that application or any Parking Permit issued by them as they may reasonably require to verify any particulars or information given to them or that the permit is valid.

NUMBERS OF PERMITS TO BE ISSUED

PART J

PROVISIONS RELATING TO PARKING PERMITS

- 56 The Council shall not be required to issue for any zone a greater number of Parking Permits than the number of designated parking spaces available in that zone;

PROVIDED ALWAYS, however, that it shall be entirely within the Council's discretion in such circumstances whether or not additional Parking Permits beyond the number of designated parking spaces available may be issued;

PROVIDED ALSO that it shall be entirely within the Council's discretion to restrict such additional Parking Permits to be issued on a non-renewable basis.

TRANSFER OF PERMIT ON CHANGE OF VEHICLE

- 57 A Parking Permit shall be available for use only on the vehicle in respect of which it is issued but in the event of the permit holder disposing of such vehicle he shall be entitled to have the Parking Permit issued for the remainder of the permit period in respect of any substitute vehicle and the Council, upon being satisfied as to the change of vehicles shall upon the surrender of the current permit issue a replacement permit free of charge and upon such issue the current permit shall become invalid.

RESTRICTION ON NUMBER OF RESIDENTS' PERMITS TO BE HELD

- 58 No Resident or household shall be entitled to more than one Residents' Parking Permit. PROVIDED ALWAYS that it shall be entirely within the Council's discretion to issue on an annual and non-renewable basis additional Residents' Parking Permits beyond the number referred to in this Article if it appears to the Council that all persons likely to require a Residents' Parking Permit have had sufficient opportunity of making application under the terms of Article 52, and that the total number of Parking Permits which may be issued for the parking zone in question has not been exceeded.

TERMINATION OF RIGHTS

- 59 The Council shall be entitled to terminate all rights granted by the Parking Permit if at any time there is any contravention of any of the provisions concerning Parking Permits contained in this Order and in such circumstances the permit holder shall not be entitled to any refund whatsoever of any amount paid in respect of such Parking Permit WITHOUT PREJUDICE to any other rights of the Council against the permit holder in respect of the breach of condition giving rise to the termination of the rights granted by that Parking Permit.

SURRENDER, WITHDRAWAL AND VALIDITY OF PARKING PERMITS

- 60 (1) A Parking Permit shall not be assigned or transferred to any other person except as hereinafter provided but a permit holder may surrender a permit to the Council at any time and shall surrender a permit on the occurrence of any one of the events set out in paragraph (3) of this Article.

(2) The Council may, by notice in writing served on the permit holder by sending the same by the recorded delivery service to the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's place of abode, withdraw a permit if it appears to the Council that any one of the events set out in paragraphs (3) (a), (b) or (c) of this Article has occurred and the permit holder shall surrender the permit to the Council within 48 hours of the receipt to the aforementioned notice.

(3) The events referred to in the foregoing provisions of this Article are:-

PART J
PROVISIONS RELATING TO PARKING PERMITS

(a) the parking permit holder

(i) being a Residents' Parking Permit holder ceasing to be a resident in the Parking Zone as described in Article 50 of this Order for which the Residents' Parking Permit in question was issued;

(ii) being a Business Parking Permit holder ceasing to meet the qualification requirement appropriate to that type of permit as described in column 3 of the Table to Article 52 for which the Business Parking Permit in question was issued;

(b) the parking permit holder ceasing to be the owner of the vehicle in respect of which the parking permit was issued;

(c) the vehicle in respect of which the parking permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in an item in column 4 of the Table to Article 52 appropriate to the type of permit held.

(d) the issue of a revised permit or a duplicate permit by the council under the provisions of the next following Article of this Order;

(e) the permit ceasing to be valid pursuant to the provisions of paragraph (4) of this Article.

(f) the withdrawal of such permit by the Council under paragraph (2) of this Article;

(4) Without prejudice to the foregoing provisions of this Article, a permit shall cease to be valid at the expiration of the period specified thereon or on the occurrence of any one of the events set out in paragraph (3) of this Article, whichever is earlier.

(5) Nothing in the foregoing provisions of this Article shall affect the validity of or require the surrender of or enable the Council to withdraw the permit or not renew it on the grounds that the event set out in paragraph (3) (b) of this Article has occurred if the permit holder has duly applied to the Council for the permit to be amended pursuant to Article 57 of this Order.

ISSUE OF DUPLICATE PERMITS

61 (1) If a permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall either surrender it to the Council or apply to the Council for the issue to him of a duplicate permit and the Council, upon the receipt of the permit, shall issue a duplicate permit so marked and upon such issue the permit which it duplicates shall become invalid.

(2) If a permit is lost or destroyed the permit holder may apply to the Council for the issue of a duplicate and the Council, upon being satisfied as to the loss or destruction shall upon payment of a fee of £15 issue a duplicate permit so marked and upon such issue the permit which it duplicates shall become invalid.

(3) The provisions of this Order shall apply to a duplicate permit and an application therefore as if it were a permit or as the case may be an application therefore.

PART K

Visitors Parking Permits

62 Any resident may apply to the Council for the issue of one or more books of Visitors' Parking Permits (subject to a limit of five books per month) for a vehicle or vehicles of the classes described in the Table to Article 52 of this Order and belonging to a person or persons visiting that resident and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied and shall be accompanied by the appropriate remittance.

63 "appropriate remittance" means a remittance for the sum of £5.00 for each book of 5 permits applied for

64 On receipt of any application duly made under the foregoing provisions of this part of the Order and of the remittance specified the previous Article the Council, upon being satisfied that the applicant is a resident shall issue to the applicant one or more Visitors' Parking Permits for the leaving of a vehicle belonging to or being used by a person visiting that resident in a parking space in any parking place in the Parking Zone to which such Visitors' Parking Permit relates.

PROVIDED ALWAYS that the Council shall limit to 25 the number of Visitors' Parking Permits that are issued at any one time in respect of a particular household.

65 The Council may at any time require an applicant for a Visitors' Parking Permit to produce to an officer of the Council such evidence in respect of that application as they may reasonably require to verify any particulars or information given to them.

66 A Visitors' Parking Permit shall be valid on a particular day as if it were a Residents' Parking Permit issued by the Council pursuant to Part J of this Order if and only if on the face of the permit there is indicated as required the day, date and month of the occasion upon which the permit is being used and the face of the permit has been inscribed with the registration mark of the vehicle and no other writing or remark.

Given under the Seal of the Kent County Council

This *11* day of *JUNE*, 2013

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



[Signature]
Authorised Signatory

LIST OF SCHEDULES

- 5.01 No waiting at any time
- 21.14 Permit Holders Only 9.30am-4pm

SCHEDULE 5.01
NO WAITING AT ANY TIME

SCHEDULE No .5.01
NO WAITING AT ANY TIME

Powell Avenue, Darenth

both sides from its junction with Darenth Wood Road in a westerly direction for a distance of 20 metres.

SCHEDULE No. 21.14
Permit Holders Only 9.30am-4pm

Powell Avenue, Darent

both sides from a point 20 metres west of its junction with Darent Wood Road in a north-westerly direction for its entire length.

