

**THE KENT COUNTY COUNCIL
(VARIOUS ROADS, BOROUGH OF GRAVESHAM)
(PROHIBITION OF STOPPING OUTSIDE SCHOOLS) ORDER 2004**

The Kent County Council, in exercise of their powers under sections 1(1), 2(1) to (3), 3(2), and 4(1) and (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 Part III of Schedule 9 to the Act, hereby make the following Order:-

CITATION, COMMENCEMENT and REVOCATION

- 1 (1) This Order may be cited as the Kent County Council (Various Roads, Borough of Gravesham) (Prohibition of Stopping Outside Schools) Order 2004 and shall come into force on 1st day of May, 2004.
- (2) The Kent County Council (Prohibition of Stopping Outside Schools) (Gravesham, Kent) Order 1996 is hereby revoked.

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;

"highway manager" means such person as shall be approved by Gravesham District Council to manage the Highway Unit;

"Highway Unit" means the Highway Unit established by Gravesham Borough Council to carry out highway activities under the Kent Highways partnership agreement between Kent County Council, as traffic authority, and Gravesham Borough Council;

"junction" means the junction of the marked, or if not so marked, the imaginary centre lines of the roads referred to and, where appropriate, measurements shall be taken from the point of intersection of the respective centre lines as projected;

"parking attendant" has the same meaning as in section 63A of the Road Traffic Regulation Act 1984;

"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;

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

"relevant position" means

in the case of a 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.

"specified hours" means

(a) between 8.00am and 9.30am or between 2.30pm and 4.00pm on Mondays to Fridays during school term time in any "specified road" mentioned in the First Schedule; and

(b) between 8.30am and 9.30am or between 11.00am and 1.30pm or between 3.00pm and 4.00pm on Mondays to Fridays during school term time in any "specified road" mentioned in the Second Schedule;

"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 Diagram 1027.1 in Schedule 6 of the Traffic Signs Regulations and General Directions 2002, and indicated by the sign prescribed in diagram 642.2A in Schedule 2 of the Traffic Signs Regulations and General Directions 2002, or any corresponding subsequent legislation.

"specified road" means any road or length of road or side of road specified in the Schedule;

"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;

(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 OUTSIDE SCHOOLS

3 Save as provided in Article 5 of this Order, 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 to stop or remain at rest during the specified hours on a school entrance marking.

4 Except as otherwise provided in Article 5 of this Order, if any provision of Article 3 of this Order conflicts with a provision of any other Order which would otherwise grant an exemption from the provision, the provision of Article 3 shall apply.

- 5 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.
- 6 Nothing in Article 3 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.
 - (iv) for a purpose authorised and described on a permit issued by the Highway Manager on behalf of the Council provided such permit is displayed on the vehicle in the relevant position.
 - (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.

This 23rd day of April, 2004

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

Authorised signatory .

First Schedule

PROHIBITION OF STOPPING OUTSIDE SCHOOLS

Road, length of road and side of road where stopping is prohibited between 8.00am and 9.30am or between 2.30pm and 4.00pm on Mondays to Fridays during school term time.

Name of Road		Side of Road/Specified Length
The Street	Cobham,	On the northern side across the frontage to Cobham. C.P. School.
Albion Terrace	Gravesend	On the south-eastern side across the frontage of Chantry C.P. School.
Cedar Avenue	Gravesend	On the south-western and south-eastern sides of Cedar Avenue across the frontages of Kings Farm C.P. School and Ifield School
Cerne Road	Gravesend	On the northern side between points 25 metres west and 25 metres east of the centre of the school entrance.
Cimba Wood	Gravesend	On both sides from the school entrance for 25 metres in a northerly direction
Jellicoe Avenue West	Gravesend	On the northern side between points 25 metres west and 25 metres east of the centre of School Road.
Jubilee Crescent	Gravesend	On the south-eastern side fronting 57-59 Jubilee Crescent and on the south-western side fronting 61-63 Jubilee Crescent.
Lennox Road East	Gravesend	On the southern side between the junction with Pelham Road and a point in line with the western boundary of 2 Lennox Road East.
Mackenzie Way	Gravesend	On the western side between points 25 metres north and 25 metres south of the centre of the school entrance.
Marling Way	Gravesend	On the northern side between points 34 metres west and 21 metres east of the junction with Frobisher Way
Milton Hall Road	Gravesend	On the northern side across the frontage to Gravesend Boys Grammar School.
New House Lane	Gravesend	On the southern side between the boundary of 43/45 New House Lane and the boundary of 51/53 New House Lane
Northcote Road	Gravesend	On the south-western side across the frontage of Cecil Road C.P. School.
Old Road East	Gravesend	(a) On the southern side across the frontage of St. Joseph's Convent Preparatory School. (b) On the northern side across the southern frontage of St. John's R. C. Primary School.
Ordnance Road	Gravesend	On the south-eastern side between the junction with Albion Terrace and the junction with Park Place
Pelham Road	Gravesend	On the north-western side between a point in line with the north-eastern boundary of Bronte School and the junction with Grange Road.

Name of Road		Side of Road/Specified Length
Pine Avenue	Gravesend	On the northern side from the junction with Milton Hall Road to a point 17 metres east of the eastern boundary of Gravesend Boys Grammar School.
Rochester Road, Denton	Gravesend	On the western side across the north-eastern frontage of St. John's R-C Primary School.
Salisbury Road	Gravesend	On the north-eastern side across the frontage of Cecil Road C.P. School.
Sun Lane	Gravesend	On the south-western side between points 30 metres north-west and 30 metres south-east of the centre of School Road
Thong Lane	Gravesend	On the western side across the frontage to Thamesview School
Trinity Road	Gravesend	On the northern side across the frontage to Holy Trinity C. E Primary School
Windmill Street	Gravesend	On the eastern side between the junction with Clarence Row and the junction with Clarence Place
School Lane	Higham	On the western side across the frontage to Higham county Primary School
Longfield Road	Meopham	On the southern side across the frontage of Helen Allison School.
Longfield Road	Meopham	On the southern side across the frontage of Meopham. C.P. School
Colyer Road	Northfleet	On the north-western side across the frontage to Northfleet School for Boys.
Dover Road	Northfleet	On the northern side between points 30 metres west and 30 metres east of the centre of St Botholphs Primary School entrance.
Dover Road East	Northfleet	On the south-western side across the frontage of Dover Road C.P. School
Downs Road, Istead Rise	Northfleet	On the south-western and western sides across the frontage to Istead Rise School
Factory Road	Northfleet	On the southern side from the western corner of 1 Factory Road to the eastern boundary of the grounds of Lawn C.P. School
High Street	Northfleet	On the northern side between the eastern boundary of 20 High Street and the western boundary of 12 High Street.
Masefield Road	Northfleet	On the south-western side across the frontage of Painters Ash C.P. School
Packham Road	Northfleet	On the south-western side across the frontage of Shears Green C.P. School
Park Avenue	Northfleet	On the north-western side across the frontage of Dover Road C.P. School
Springhead Road	Northfleet	On the eastern side between points 30 metres north and 30 metres south of the centre of the school entrance.
White Avenue	Northfleet	On the north-western side across the frontage of Shears Green C.P. School

Name of Road	Side of Road/Specified Length
Cob Drive, Shorne	On both sides for a distance of 25 metres from the school entrance.

Second Schedule

PROHIBITION OF STOPPING OUTSIDE SCHOOLS

Road, length of road and side of road where stopping is prohibited between 8.30am and 9.30am or between 11.00am and 1.30pm or between 3.00pm and 4.00pm on Mondays to Fridays during school term time

Name of Road	Side of Road/Specified Length
London Road Northfleet	Between points 25 metres west and 25 metres east of the western boundary of 139 London Road.