

THE KENT COUNTY COUNCIL
(FORGE LANE, HIGHAM)
(PROVISION OF PARKING PLACES) ORDER 2008
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 and 35 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (the "Act of 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 of 1984, hereby makes the following Order.

Interpretation

(1) In this Order:-

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| "disabled persons vehicle" | has the same meaning as in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1991 or the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000; |
| "disabled persons badge" | has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) Regulations 1991 or the Disabled Persons (Badges for Motor Vehicles) Regulations 2000; |
| "driver" | in relation to a vehicle waiting in a street parking place, means the person driving the vehicle at the time it was left in the parking place; |
| "parking disc" | means a disc, issued by a Local Authority, 125mm in diameter coloured either blue or orange, and capable of showing the quarter hour period during which a period of waiting begins; |
| "parking exemption certificate" | <p>a certificate or other means of identification which has been issued by the local traffic authority or its appointed agents on which is shown the index number of the vehicle to which it has been issued and</p> <ol style="list-style-type: none">1) a commencement date and time2) an expiry date and time3) or both and4) may specify those roads or parts thereof in which the certificate is valid |
| "relevant position" | <p>means;</p> <ol style="list-style-type: none">1) in the case of a vehicle fitted with a dashboard or face panel, the disabled persons badge is exhibited thereon so that Part I of the badge is legible from outside the vehicle;2) in the case of a vehicle not fitted with a dashboard or face panel, the disabled persons badge is exhibited in a conspicuous position on the vehicle so that Part I of the badge is legible from outside the vehicle;3) in the case of a parking exemption certificate, in a conspicuous position inside the vehicle so as the certificate is visible in full and legible from outside the vehicle. |
| "specified road" | means the road or roads specified in the Schedule to this Order. |

Street Parking Places

- (2) The length of road specified in Article (4) of this Order is authorised for use as a parking place for such classes of vehicles as are specified in Article (3) (a) subject to being parked in the manner described in Article (3) (b).

- (3) Where in the Schedule to this Order a parking place is described, the driver of a vehicle shall not permit it to wait in that parking place unless it is:-
 - (a) a motor car, invalid carriage or motorcycle; and
 - (b) wholly within the limits of the marked bay.
- (4) Save as provided in Articles (5), (6) and (7) of this Order, the driver of a vehicle shall not permit it to wait for longer than thirty minutes in the parking place outside 18 Forge Lane, Higham between 5am and 9pm on any day except Saturday and Sunday and to wait again upon that parking place within one hour after its leaving the parking place.
- (5) Nothing in Articles (3) of this Order shall prevent any person from causing or permitting a vehicle to wait in any of the lengths of road referred to in those Articles for so long as may be necessary:-
 - (a) to enable a person to board or alight from the vehicle;
 - (b) to enable goods to be loaded onto or unloaded from the vehicle;
 - (c) to enable the vehicle to be used as part of a funeral cortege or a wedding procession;
 - (d) to enable the vehicle, if it cannot conveniently be used for such a purpose in any other road, to be used in the service of any local authority or with the permission of any such authority in pursuance of statutory powers and duties;
 - (e) if the vehicle is prevented from proceeding by circumstances beyond the drivers control;
 - (f) to enable the vehicle, if it cannot conveniently be used for such purpose elsewhere, to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the carrying out of any roadworks or the laying, erection and alteration or repair of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any telegraph or telephone wires, cables, posts or supports; or
 - (g) to enable the vehicle to be used for police, ambulance or fire brigade purposes.
- (6) Nothing in Article (4) 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 exceed the maximum permitted period of stay specified in Article (4) of this Order.
- (7) Nothing in Articles (3) or (4) of this Order shall render it unlawful to cause or permit a vehicle which displays in the relevant position a parking exemption certificate to wait in any of the roads specified in the Schedule to the Order provided the certificate has been issued for the vehicle displaying it and is valid for the place where the vehicle is waiting and for both the day and time when the vehicle is waiting.

General Provisions relating to Street Parking Places

- (8) The 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.
- (9) A driver of a vehicle shall not use a parking place so as unreasonably to prevent access to any premises adjoining the road or so as to be a nuisance.
- (10) No person shall 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 skill or services.
- (11) Where the provisions of this Order conflict with any restriction or requirement imposed by any regulations made or having effect as if made under the Road Traffic Regulation Act of 1984 and being in effect on the date this order is made, the provisions of this order shall prevail except that any order for the provision of a disabled person's parking bay shall prevail over any provisions made under this order in so far as they affect the provision of the said disabled person's parking bay. No provision of this order shall be in derogation of a bus stop clearway marked in accordance with diagram 1025.1, 1025.3 or 1025.4 of the Traffic Signs Regulations and General Directions 2002.

Citation and Commencement

- (12) This Order may be cited as "The Kent County Council (Forge Lane, Higham) (Provision of Parking Places) Order 2008" and shall come into operation on 24th November 2008.

Authorised Signatory:

SIGNED FOR AND ON BEHALF OF THE
KENT COUNTY COUNCIL BY PETER
GILROY, CHIEF EXECUTIVE OR BY HIS
AUTHORISED SIGNATORY



NETWORK PERFORMANCE MANAGER

DATED THE THIRD DAY OF NOVEMBER 2008