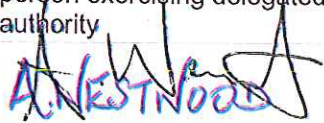


KHS REQUEST FOR SEALING TRAFFIC REGULATION ORDERS

LORNA
DAY

Type of Order	PARKING	Number of Copies to be Sealed	6
Title of Order:	The Kent County Council (Istead Rise, Borough of Gravesham) (Restrictions and Prohibitions of Waiting, Loading and Unloading) Order 2015		
Name of person who drafted Order:	Paul Brand		
Order checked by:		Printed Name and Signature of person exercising delegated authority  A. NESTWOOD	
Authority for sealing/signing	DELEGATED AUTHORITY OF THE DIRECTOR OF KENT HIGHWAY SERVICES DATED 28 MARCH 2011 TO TRANSPORT SCHEME AND MHF MANAGER, SUB-DELEGATED TO PARKING MANAGER/TRAFFIC PLANNER DATED 30 MARCH 2011	Reference number of order P/16/3/2015/G/1302	
Date of Submission for Sealing	02/03/15	Date Order to be sealed* **	16/03/15
Date of Advertisement of Proposal Notice	10/10/2014	Date Statutory Consultation Carried Out	03/10/14
Dates of Proposal on Deposit (from-to)	10/10/14-31/10/14	Date On-Street Notices erected on Site	07/10/14
Date Order to be advertised as 'Made'	20/03/15		
Date Has Made on Deposit (from - to)	20/03/15-01/05/15		
Date Order to come into force	27/03/15		

* PLEASE SUBMIT FORM WITH 14 DAYS NOTICE TO ALLOW CHECKING AND SUBMISSION TO KCC LEGAL

** KCC LEGAL TO DATE THE ORDER AT THE TIME OF SIGNING AND SEALING, UNLESS OTHERWISE SPECIFIED

THE KENT COUNTY COUNCIL (ISTEAD RISE, BOROUGH OF GRAVESHAM)
(RESTRICTIONS AND PROHIBITIONS OF WAITING, LOADING AND UNLOADING)
ORDER 2014 2015 *Cl.*

ROAD TRAFFIC REGULATION ACT 1984

THE KENT COUNTY COUNCIL acting as the local traffic authority and in exercise of its powers under Sections 1, 2, 5, 32, 45, 46 and 124 of and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984, and of all other powers and after consultation with the Chief of Police in accordance with Part III of Schedule 9 to said Act of 1984, hereby makes the following Order:

CITATION AND COMMENCEMENT:

1. This Order may be cited as "The Kent County Council (Istead Rise, Borough of Gravesham) (Restrictions and Prohibitions of Waiting, Loading and Unloading) Order 2015" and shall come into effect on the 27 of March 2015.

INTERPRETATION AND DEFINITIONS:

2. In this Order:-

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

"the Council" means Kent County Council as traffic authority and, where appropriate, Gravesham Borough Council acting on behalf of the traffic authority;

"ambulance" has the same meaning as in Schedule 2 of the Vehicle Excise and Registration Act (VERA) 1994;

parking attendant
Q "~~civil enforcement officer~~" 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 ~~civil enforcement officer~~ *parking attendant* appointed under Section 63A of the Road Traffic Regulation Act 1984 is a civil enforcement officer in relation to parking contraventions;

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

"disabled person" and "disabled person's badge" (DPB) 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" has the meaning that the goods which are being loaded or unloaded must be of such burden of weight or bulk that they cannot reasonably be conveyed otherwise than by means of a vehicle. The goods must be of a type that cannot easily be carried by one person in one trip;

"goods vehicle" means a motor vehicle constructed or adapted for use for the carriage of goods or burden of any description or a trailer so constructed or adapted;

"invalid carriage" means a mechanically propelled vehicle of which the weight unladen does not exceed 254 kilograms and which is specially designed and constructed, and not merely adapted, for the use of a person suffering from some physical default or disability and is used solely by such a person;

"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;

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

"loading and unloading" has the meaning that the loading or unloading of the goods to or from a vehicle is a continuous process and that stopping for any other reason, except an emergency, would mean that the act of loading or unloading has ceased. The vehicle must be parked as close to the building where the goods are being delivered to, or collected from, as possible;

"motor car" and "motor cycle" have the same meaning as in Section 136 of the Act of 1984;

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

"parking disc" means a device which-

- (a) is 125 millimetres square and coloured blue;
- (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;

"passenger vehicle" means a motor vehicle (other than a motor cycle or invalid carriage) constructed solely for the carriage of passengers and their effects and adapted to carry not more than twelve passengers exclusive of the driver and not drawing a trailer;

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

"relevant position" means:-

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.

"restricted road" means any of the roads, lengths of road or sides of road specified in the Schedules 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 13;

"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;

"Transportation Manager" means such person as shall be approved by Gravesham Borough Council to manage the Transportation Department and;

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

"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.

PART B

RESTRICTIONS ON THE WAITING OF VEHICLES

3. PROHIBITIONS OF LOADING, UNLOADING AND WAITING

a) Save as in Part C of this Order no person shall, except upon the direction of a police officer in uniform, a civil enforcement officer or any person authorised by the Council, cause or permit a vehicle to **wait** on any length of road and during the times specified in Schedules 1 and 2 of this Order.

PART C

EXEMPTIONS TO THE ORDER

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 EXEMPTIONS TO THE ORDER

5. Nothing in Part B 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 for any of the following purposes -

(a) to enable a person to board or alight from the vehicle or to load thereon or to unload there from personal luggage;

(b) for so long as may be necessary to enable goods to be loaded onto or unloaded from the vehicle except for those lengths of road included in Schedule 3;

(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 to be used in connection with any of the following operations, namely -

(i) any building operation, or demolition, in the case of an emergency where the structure of the building has become dangerously unsound and the building presents an immediate risk to the public or property on the highway to which the building fronts; or

(ii) the removal of any obstruction to traffic; or

(iii) the maintenance, improvement or reconstruction of that length of road; or

(iv) the laying, erection, alteration or repair in or near that length of road of any sewer or of any main, pipe, or apparatus for the supply of gas, water, electricity or of any telecommunications apparatus as defined in paragraph 1(1) of Schedule 2 to the Telecommunications Act 1984; or

(v) to enable the vehicle to be used in the service of a local authority or a water authority in pursuance of statutory powers or duties if the vehicle cannot be used for such a purpose without stopping on the length of road.

(e) to enable the vehicle to be used for a purpose authorised and described on a permit issued by the Transportation Manager on behalf of the Council provided such permit is displayed on the vehicle in the appropriate position.

(f) to enable the vehicle to be used by the highways engineer for highway works being undertaken on behalf of the Council;

(g) to enable the vehicle to be used for the purpose of delivering or collecting postal packets as defined in Section 125 of the Postal Services Act 2000;

(h) 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;

(i) if the vehicle is waiting in any case where the person in control of the vehicle is-

(i) required by law to stop; or

(ii) obliged to do so in order to avoid an accident; or

(iii) prevented from proceeding by circumstances beyond his control

DISABLED PERSON'S VEHICLES

6. Nothing in 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 Schedules 1 and 2 of this Order 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) except for those lengths of road included in Schedule 3.

Given under the Seal of the Kent County Council

This *16th* day of *March* 2015

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



290-2015

[Signature]
Authorised Signatory

SCHEDULE 1

PROHIBITION OF WAITING AT ANY TIME

ROADS IN GRAVESHAM

Rosegarth, Istead Rise

On the northwest side of the road, from its junction with Downs Road in a south-westerly direction for a distance of 44 metres.

On the southeast side of the road, from its junction with Downs Road in a south-westerly direction for a distance of 30 metres.

SCHEDULE 2

PROHIBITION OF WAITING 8-9AM AND 3-4PM MONDAY TO FRIDAY

ROADS IN GRAVESHAM

Downs Road, Istead Rise

On the east side of the road, from a point 18 metres south of its junction with Arcadia Road to a point 130 metres south of its junction with Arcadia Road.

SCHEDULE 3

PROHIBITION OF LOADING 8-9AM AND 3-4PM MONDAY TO FRIDAY

ROADS IN GRAVESHAM

Downs Road, Istead Rise

On the east side of the road, from a point 18 metres south of its junction with Arcadia Road to a point 130 metres south of its junction with Arcadia Road.

**THE KENT COUNTY COUNCIL (ISTEAD RISE, BOROUGH OF GRAVESHAM)
(RESTRICTIONS AND PROHIBITIONS OF WAITING, LOADING AND UNLOADING)
ORDER ~~2014~~ 2015**

ROAD TRAFFIC REGULATION ACT 1984

THE KENT COUNTY COUNCIL acting as the local traffic authority and in exercise of its powers under Sections 1, 2, 5, 32, 45, 46 and 124 of and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984, and of all other powers and after consultation with the Chief of Police in accordance with Part III of Schedule 9 to said Act of 1984, hereby makes the following Order:

CITATION AND COMMENCEMENT:

1. This Order may be cited as "The Kent County Council (Istead Rise, Borough of Gravesham) (Restrictions and Prohibitions of Waiting, Loading and Unloading) Order 2015" and shall come into effect on the 27 of March 2015.

INTERPRETATION AND DEFINITIONS:

2. In this Order:-

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

"the Council" means Kent County Council as traffic authority and, where appropriate, Gravesham Borough Council acting on behalf of the traffic authority;

"ambulance" has the same meaning as in Schedule 2 of the Vehicle Excise and Registration Act (VERA) 1994;

parking attendant

Q "~~civil enforcement officer~~" 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* ~~civil enforcement officer~~ appointed under Section 63A of the Road Traffic Regulation Act 1984 is a civil enforcement officer in relation to parking contraventions;

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

"disabled person" and "disabled person's badge" (DPB) 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" has the meaning that the goods which are being loaded or unloaded must be of such burden of weight or bulk that they cannot reasonably be conveyed otherwise than by means of a vehicle. The goods must be of a type that cannot easily be carried by one person in one trip;

"goods vehicle" means a motor vehicle constructed or adapted for use for the carriage of goods or burden of any description or a trailer so constructed or adapted;

"invalid carriage" means a mechanically propelled vehicle of which the weight unladen does not exceed 254 kilograms and which is specially designed and constructed, and not merely adapted, for the use of a person suffering from some physical default or disability and is used solely by such a person;

"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;

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

"loading and unloading" has the meaning that the loading or unloading of the goods to or from a vehicle is a continuous process and that stopping for any other reason, except an emergency, would mean that the act of loading or unloading has ceased. The vehicle must be parked as close to the building where the goods are being delivered to, or collected from, as possible;

"motor car" and "motor cycle" have the same meaning as in Section 136 of the Act of 1984;

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

"parking disc" means a device which-

- (a) is 125 millimetres square and coloured blue;
- (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;

"passenger vehicle" means a motor vehicle (other than a motor cycle or invalid carriage) constructed solely for the carriage of passengers and their effects and adapted to carry not more than twelve passengers exclusive of the driver and not drawing a trailer;

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

"relevant position" means:-

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.

"restricted road" means any of the roads, lengths of road or sides of road specified in the Schedules 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 13;

"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;

"Transportation Manager" means such person as shall be approved by Gravesham Borough Council to manage the Transportation Department and;

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

"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.

PART B

RESTRICTIONS ON THE WAITING OF VEHICLES

3. PROHIBITIONS OF LOADING, UNLOADING AND WAITING

a) Save as in Part C of this Order no person shall, except upon the direction of a police officer in uniform, a civil enforcement officer or any person authorised by the Council, cause or permit a vehicle to **wait** on any length of road and during the times specified in Schedules 1 and 2 of this Order.

PART C

EXEMPTIONS TO THE ORDER

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 EXEMPTIONS TO THE ORDER

5. Nothing in Part B 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 for any of the following purposes -

(a) to enable a person to board or alight from the vehicle or to load thereon or to unload there from personal luggage;

(b) for so long as may be necessary to enable goods to be loaded onto or unloaded from the vehicle except for those lengths of road included in Schedule 3;

(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 to be used in connection with any of the following operations, namely -

(i) any building operation, or demolition, in the case of an emergency where the structure of the building has become dangerously unsound and the building presents an immediate risk to the public or property on the highway to which the building fronts; or

(ii) the removal of any obstruction to traffic; or

(iii) the maintenance, improvement or reconstruction of that length of road; or

(iv) the laying, erection, alteration or repair in or near that length of road of any sewer or of any main, pipe, or apparatus for the supply of gas, water, electricity or of any telecommunications apparatus as defined in paragraph 1(1) of Schedule 2 to the Telecommunications Act 1984; or

(v) to enable the vehicle to be used in the service of a local authority or a water authority in pursuance of statutory powers or duties if the vehicle cannot be used for such a purpose without stopping on the length of road.

(e) to enable the vehicle to be used for a purpose authorised and described on a permit issued by the Transportation Manager on behalf of the Council provided such permit is displayed on the vehicle in the appropriate position.

- (f) to enable the vehicle to be used by the highways engineer for highway works being undertaken on behalf of the Council;
- (g) to enable the vehicle to be used for the purpose of delivering or collecting postal packets as defined in Section 125 of the Postal Services Act 2000;
- (h) 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;
- (i) if the vehicle is waiting in any case where the person in control of the vehicle is-
 - (i) required by law to stop; or
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DISABLED PERSON'S VEHICLES

6. Nothing in 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 Schedules 1 and 2 of this Order 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) except for those lengths of road included in Schedule 3.

Given under the Seal of the Kent County Council

This *16th* day of *March* 2015

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



290-2015

[Signature]
Authorised Signatory

SCHEDULE 1

PROHIBITION OF WAITING AT ANY TIME

ROADS IN GRAVESHAM

Rosegarth, Istead Rise

On the northwest side of the road, from its junction with Downs Road in a south-westerly direction for a distance of 44 metres.

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PROHIBITION OF WAITING 8-9AM AND 3-4PM MONDAY TO FRIDAY

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(RESTRICTIONS AND PROHIBITIONS OF WAITING, LOADING AND UNLOADING)
ORDER 2014 2015 *Q*

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parking attendant
Q. ~~"civil enforcement officer"~~ 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* ~~civil enforcement officer~~ appointed under Section 63A of the Road Traffic Regulation Act 1984 is a civil enforcement officer in relation to parking contraventions;

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"disabled person" and "disabled person's badge" (DPB) 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;

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"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;

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"Transportation Manager" means such person as shall be approved by Gravesham Borough Council to manage the Transportation Department and;

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

"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.

PART B

RESTRICTIONS ON THE WAITING OF VEHICLES

3. PROHIBITIONS OF LOADING, UNLOADING AND WAITING

a) Save as in Part C of this Order no person shall, except upon the direction of a police officer in uniform, a civil enforcement officer or any person authorised by the Council, cause or permit a vehicle to **wait** on any length of road and during the times specified in Schedules 1 and 2 of this Order.

PART C

EXEMPTIONS TO THE ORDER

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 EXEMPTIONS TO THE ORDER

5. Nothing in Part B 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 for any of the following purposes -

(a) to enable a person to board or alight from the vehicle or to load thereon or to unload there from personal luggage;

(b) for so long as may be necessary to enable goods to be loaded onto or unloaded from the vehicle except for those lengths of road included in Schedule 3;

(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 to be used in connection with any of the following operations, namely -

(i) any building operation, or demolition, in the case of an emergency where the structure of the building has become dangerously unsound and the building presents an immediate risk to the public or property on the highway to which the building fronts; or

(ii) the removal of any obstruction to traffic; or

(iii) the maintenance, improvement or reconstruction of that length of road; or

(iv) the laying, erection, alteration or repair in or near that length of road of any sewer or of any main, pipe, or apparatus for the supply of gas, water, electricity or of any telecommunications apparatus as defined in paragraph 1(1) of Schedule 2 to the Telecommunications Act 1984; or

(v) to enable the vehicle to be used in the service of a local authority or a water authority in pursuance of statutory powers or duties if the vehicle cannot be used for such a purpose without stopping on the length of road.

(e) to enable the vehicle to be used for a purpose authorised and described on a permit issued by the Transportation Manager on behalf of the Council provided such permit is displayed on the vehicle in the appropriate position.

(f) to enable the vehicle to be used by the highways engineer for highway works being undertaken on behalf of the Council;

(g) to enable the vehicle to be used for the purpose of delivering or collecting postal packets as defined in Section 125 of the Postal Services Act 2000;

(h) 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;

(i) if the vehicle is waiting in any case where the person in control of the vehicle is-

(i) required by law to stop; or

(ii) obliged to do so in order to avoid an accident; or

(iii) prevented from proceeding by circumstances beyond his control

DISABLED PERSON'S VEHICLES

6. Nothing in 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 Schedules 1 and 2 of this Order 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) except for those lengths of road included in Schedule 3.

Given under the Seal of the Kent County Council

This *16th* day of *March* 2015

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



[Signature]
Authorised Signatory

290-2015

SCHEDULE 1

PROHIBITION OF WAITING AT ANY TIME

ROADS IN GRAVESHAM

Rosegarth, Istead Rise

On the northwest side of the road, from its junction with Downs Road in a south-westerly direction for a distance of 44 metres.

On the southeast side of the road, from its junction with Downs Road in a south-westerly direction for a distance of 30 metres.

SCHEDULE 2

PROHIBITION OF WAITING 8-9AM AND 3-4PM MONDAY TO FRIDAY

ROADS IN GRAVESHAM

Downs Road, Istead Rise

On the east side of the road, from a point 18 metres south of its junction with Arcadia Road to a point 130 metres south of its junction with Arcadia Road.

SCHEDULE 3

PROHIBITION OF LOADING 8-9AM AND 3-4PM MONDAY TO FRIDAY

ROADS IN GRAVESHAM

Downs Road, Istead Rise

On the east side of the road, from a point 18 metres south of its junction with Arcadia Road to a point 130 metres south of its junction with Arcadia Road.