

THE KENT COUNTY COUNCIL (LONDON ROAD, WROTHAM)
(PROHIBITION OF WAITING AND STREET PARKING PLACE) ORDER 1983

The Kent County Council in exercise of its powers under Sections 1(1), (2) and (3), 28(1), 31(1) and 84D(1) of the Road Traffic Regulation Act 1967, as amended by Part IX of the Transport Act 1968 and Schedule 19 to the Local Government Act 1972 and by Schedule 6 to the Road Traffic Act 1974, and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Section 84C(1) of the said Act of 1967, hereby makes the following Order:-

1. "The Kent County Council (London Road, Wrotham) (Prohibition of Waiting) Order 1982" is hereby revoked.
2. Save as provided in Articles 3 and 13 of this Order no person shall, except upon the direction or with the permission of a police constable in uniform or of a traffic warden cause or permit any vehicle to wait-
 - (a) in the part of road specified in the First Schedule to this Order; or
 - (b) between the hours of 7.00 a.m. and 7.00 p.m. daily in either of the parts of road specified in the Second Schedule to this Order;
 - (i) for a longer period than 1 hour; or
 - (ii) if a period of less than 1 hour has lapsed since the termination during the said hours of the last period of waiting (if any) of the vehicle in that part of the road.
3. Nothing in Article 2 of this Order shall prevent any person from causing or permitting a vehicle to wait in any of the parts of road referred to in that Article 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 on to or unloaded from the vehicle;
 - (c) 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, 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
 - (d) to enable the vehicle to be used for police, fire brigade, or ambulance purposes.
4. The part of a road specified in column 1 of the Third Schedule to this Order is authorised to be used, subject to the following provisions of this Order, as a parking place for such classes of vehicles, in such positions and on such days and during such hours as are specified in relation to that part of road in the said Schedule.
5. Where in the Third Schedule to this Order a parking place is described as available for vehicles of a specified class or in a specified position, the driver of a vehicle shall not permit it to wait in that parking place:-
 - (a) unless it is of the specified class; or
 - (b) in a position other than that specified.
6. (1) Save as provided in Article 13(3) of this Order, the driver of a vehicle shall not permit it to wait in a parking place for longer than the maximum period permitted for waiting specified in the Third Schedule to this Order in relation to that parking place.
(2) When a vehicle has left a parking place after waiting thereon the driver thereof shall not within one hour after its leaving permit it to wait again upon that parking place.
7. A driver of a vehicle shall not use a parking place so as unreasonably to prevent access to any premises adjoining the road, or use the road by other persons, or so as to be a nuisance.

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. 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.

10. Subject to the proviso hereto, when a vehicle is left in a parking place in contravention of any of the provisions contained in Articles 5, 6 or 7 of this Order a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from that parking place: Provided that when a vehicle is waiting in a parking place in contravention of the provision of Article 5(b) of this Order, a person authorised in that behalf by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision.

11. Any person removing a vehicle or altering its position 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.

12. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of Article 10 of this Order, he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.

13. (1) Nothing in Article 2 of this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge to wait in either of the parts of road specified in the Second Schedule to this Order.

(2) Nothing in Article 2 of this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's 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 the part of road referred to in the First Schedule to this Order for a period not exceeding 2 hours (not being a period separated by an interval of less than 1 hour from a previous period of waiting by the same vehicle in the same part of road.)

(3) Nothing in Article 6 of this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge to exceed the maximum permitted period of stay specified in column 6 of the Third Schedule to this Order.

14. 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 or having effect as if made under the said Act of 1967, or by or under any other enactment.

15. (1) In this Order:-

"disabled person's vehicle" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) (Amendment) Regulations 1975;

"disabled person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) Regulations 1975;

"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;

"parking disc" means a disc, issued by a local authority, complying with the requirements of the British Standard Specifications for Parking Discs (BS No. 4631: 1970), coloured orange, and capable of showing the quarter hour period during which a period of waiting begins;

"parking place" means any part of a road authorised by this Order to be used as a parking place; and

FIRST SCHEDULE
(Waiting prohibited at all times)

Part of Road in the Parish of Wrotham

London Road (A.20) from a point 5 metres north-west of the north-western boundary of Little Nepicar Service Station for a distance of approximately 310 metres in a south-easterly direction to a point 16 metres north-west of the south-eastern boundary of the property known as "Rosador", including the layby situated on the south-west side of the main carriageway of the said part of London Road except the parts of that layby specified in the Second and Third Schedules to this Order.

SECOND SCHEDULE
(Waiting limited to 1 hour in 2 between 7.00 a.m. and 7.00 p.m. daily)

Parts of Road in the Parish of Wrotham

Those parts of the layby situated on the south-west side of the main carriageway of the part of London Road (A.20) specified in the First Schedule to this Order which extends in a north-westerly direction from a point 2 metres south-east of the south-eastern boundary of Oakdene Cafe:-

- (a) on the north-east side for a distance of 55 metres; and
- (b) on the south-west side for a distance of 47 metres.

THIRD SCHEDULE
(Street Parking Place in the Parish of Wrotham)

1	2	3	4	5	6
Parts of road authorised to be used as a street parking place	Position in which vehicles may wait	Classes of vehicles	Days of operation of parking place	Hours of operation of parking place may wait	Maximum period for which vehicles
That part of the south-west side of the layby specified in the Second Schedule to this Order which extends between points 47 and 55 metres north-west of a point 2 metres south-east of the south east boundary of Oakdene Cafe.	Wholly within the limits of the parking place and at right-angles to the kerb.	Motor car, motor cycle and any vehicle not exceeding 1.5 tons unladen weight.	All days	7 a.m. to 7 p.m.	4 hours

"relevant position" means:-

- (i) in the case of a vehicle fitted with a front windscreen, the badge is exhibited thereon with the obverse side facing forwards on the near side of and immediately behind the windscreen; and
- (ii) in the case of a vehicle not fitted with a front windscreen, the badge is exhibited in a conspicuous position on the front or near side of the vehicle.

(2) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament, and as if for the purposes of Sections 15, 16 and 17 of that Act this Order were an Act of Parliament and the Order revoked by Article 1 of this Order were an Act of Parliament thereby repealed.

16. This Order shall come into operation on the 29th day of June 1983 and may be cited as "The Kent County Council (London Road, Wrotham) (Prohibition of Waiting and Street Parking Place) Order 1983".

GIVEN under the Seal of The Kent County Council this 23rd day of June in the year Nineteen hundred and eighty-three.

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

(Sgd) G. W. Swift

L. S.

pp. County Secretary