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THE KENT COUNTY COUNCIL
(A228 CASTLE WAY LEYBOURNE)
(DISABLED PERSONS' PARKING PLACE) ORDER 1998

THE ROAD TRAFFIC REGULATION ACT 1984

THE KENT COUNTY COUNCIL (hereinafter referred to as "the Council"), acting as the local highway authority and in exercise of its powers under Sections 32 and 35 of the Road Traffic Regulation Act 1984 (hereinafter referred to as "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 of the said Act of 1984, hereby makes the following Order:-

1. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-

- "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 place" means any area of land specified in Article 2 hereto, provided by the Council under Section 32 of the Act of 1984 for use as a parking place;
- "disabled persons vehicle" has the same meaning as in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England and Wales) (Amendment) Regulations 1991;
- relevant position" means: i) in the case of a vehicle fitted with a dashboard or facia panel, the badge is exhibited thereon so that Part 1 of the badge is legible from outside of the vehicle;
- ii) in the case of a vehicle not fitted with a dashboard or facia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part 1 of the badge is legible from outside of the vehicle.

2. Subject to the following provisions of this Order, an area of land forming part of the layby on the west side of the A228 Castle Way outside of St. Peter and Paul's Church, Leybourne is authorised to be used, without charge on all days and at all times, within the white line markings, as a street parking place for disabled persons vehicles which display a disabled person's badge in the relevant position.

3. Nothing in Article 2 shall restrict the Council from closing the parking place by Order to prevent obstruction of the street on the occasion of any public procession, rejoicing or illumination or where the streets are thronged or liable to be obstructed.

4. The driver of a vehicle shall not permit it to wait in a parking place unless it is of the specified class and is in a specified position.

5. Nothing in Articles 3 or 4 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 this Articles for as long as may be necessary to:-

- a) enable goods to be loaded onto or unloaded from a vehicle;
- b) enable the vehicle, if it cannot conveniently be used for such purposes 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, apparatus for the supply of gas, water or electricity, or of any telegraph or telephone wires, cables, posts or supports; or
- c) enable the vehicle to be used for police, fire brigade or ambulance purposes.

6. A driver shall not use the parking place:-

- a) so as to unreasonably prevent access to any premises adjoining the road or to prevent the use of the road by other persons, or so as to be a nuisance: or
- b) when the Council has made an Order by virtue of Article 3 above.

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7. 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.

8. No person shall use a vehicle whilst 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 or services.

9. When a vehicle is left in a parking place in contravention of any of the provisions of Articles 3, 4 or 6 of this Order, a person authorised in that behalf by the Council may remove the vehicle or arrange for the removal of the vehicle from the parking place or when a vehicle is not waiting wholly within the white line markings referred to in Article 2 hereto, to alter or cause to be altered, the position of the vehicle in order that its position shall comply with that provision.

10. Any person removing a vehicle by virtue of Article 9 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.

11. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a street parking place by virtue of Article 9 of this Order, he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.

12. 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 1984.

13. This Order may be cited as "The Kent County Council (A228 Castle Way Leybourne) (Disabled Persons' Parking Place) Order 1998" and shall come into operation on 3rd August 1998.

GIVEN under the Common Seal of The Kent County Council this the 27th day of July in the year one thousand nine hundred and ninety eight.

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

[Handwritten signature]

Authorised signatory

