

THE KENT COUNTY COUNCIL  
(CALVERLEY ROAD) (TUNBRIDGE WELLS)  
(TAXI BAY AND DISABLED PERSON'S PARKING PLACE) ORDER 2003  
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 4, 32, 35 and 124 of and Part IV of Schedule 9 to 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 to the Act of 1984, hereby makes the following Order.

Interpretation

(1) In this Order:-

"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 taxi rank, means the person driving the vehicle at the time it was left in the taxi rank;
"junction"	means the intersection point of the centrelines, or projected centrelines, of the roads specified
"owner" and "traffic sign"	have the same meanings as in Section 142 of the Act of 1984
"parking attendant"	means a parking attendant employed by Tunbridge Wells Borough Council in pursuance of powers granted by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Kent) (Borough of Tunbridge Wells) Order 1999;
"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 place"	means any length of road specified in the Schedule to this Order provided by the Council under Section 32 of the Act of 1984 for use as a parking place;
"parking exemption certificate"	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 <ol style="list-style-type: none"><li>1) a commencement date and time or</li><li>2) an expiry date and time</li><li>3) or both and</li><li>4) may specify those roads or parts thereof in which the certificate is valid</li></ol>
"relevant position"	means; <ol style="list-style-type: none"><li>1) in the case of a vehicle fitted with a dashboard or facia panel, the disabled persons badge is exhibited thereon so that Part I of the badge is legible from outside the vehicle;</li><li>2) in the case of a vehicle not fitted with a dashboard or facia 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;</li><li>3) in the case of a parking exemption certificate, in a conspicuous position</li></ol>



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.
"taxi"	means any vehicle licensed under section 37 of the Town Police Clauses Act 1847 or section 6 of the Metropolitan Public Carriage Act 1869 or under any similar enactment;
"taxi rank"	means any area of carriageway specified the Schedule to this Order reserved for use by taxis waiting to pick up passengers;
"weekday"	means any day of the week except Sunday

#### **Taxi Ranks**

- (2) Each length of road specified in PART ONE of the Schedule to this Order is authorised for use as a taxi rank for use by taxis as specified in Article (3) subject to said taxis being parked wholly within the limits of the marked rank and parallel to the kerbline.
- (3) Save as provided in Articles (16) and (17) 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 or of a parking attendant cause or permit any vehicle to wait at any time in any of the lengths of road specified in the Schedule to this Order unless such vehicle is a taxi licensed by Tunbridge Wells Borough Council and waiting to pick up passengers

#### **General Provisions relating to Taxi Ranks**

- (4) The driver of a taxi using a taxi rank shall stop the engine as soon as the taxi is in position in the taxi rank, and shall not start the engine except when about to change the position of the taxi in or to depart from the taxi rank.
- (5) No person shall use a vehicle, while it is in a taxi rank, in connection with the sale of any article to persons in or near the taxi rank or, with the exception of a taxi plying for hire, in connection with the selling or offering for hire of his skill or services.
- (6) Subject to the proviso hereto, when a vehicle is left in a taxi rank in contravention of any of the provisions in Articles (2) or (3) of this Order a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from the taxi rank provided that when a taxi is waiting in a taxi rank in contravention of the provision of Article (2) of this Order, a person authorised in that behalf by the Council may alter or cause to be altered the position of the taxi in order that its position shall comply with that provision.
- (7) Any person removing a vehicle by virtue of Article (6) 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.
- (8) When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a taxi rank by virtue of Article (6) of this Order he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.

#### **Disabled Persons Parking Places**

- (9) Each length of road specified in PART TWO of the Schedule to this Order is authorised for use as a parking place for such vehicles as are specified in Article (10) subject to said vehicles being parked wholly within the limits of the marked bay and parallel to the kerbline.
- (10) Save as provided in Articles (16) and (17) 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 or of a parking attendant cause or permit any vehicle to wait at any time in any of the lengths of road specified in PART TWO of the Schedule to this Order unless such vehicle is a disabled persons vehicle displaying a disabled persons badge in the relevant position.



#### **General Provisions relating to Disabled Persons Parking Places**

- (11) The driver of a motor vehicle using a disabled persons 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.
- (12) 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.
- (13) Subject to the proviso hereto, when a vehicle is left in a parking place in contravention of any of the provisions in Articles (9) or (10) of this Order a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from the parking place provided that when a vehicle is waiting in a parking place in contravention of the provision of Article (9) 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.
- (14) Any person removing a vehicle by virtue of Article (13) 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.
- (15) 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 (13) of this Order he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.

#### **General**

- (16) Nothing in Articles (3) or (10) 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 that Article for so long as may be necessary to:-
  - (a) 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 roadwork 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
  - (b) 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
  - (c) enable the vehicle, if it is the service of or employed by the Post Office Corporation, to be used for the purpose of delivering or collecting postal packets as defined in Section 87 of the Post Office Act 1953
  - (d) enable the vehicle to be used for police, ambulance or fire brigade purposes
- (17) Nothing in Articles (3) or (10) 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 lengths of road 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.
- (18) In so far as any provision of this Order conflicts with a provision which is contained in an Order made or having effect as if made under the Road Traffic Regulation Act 1984, and existing at the time when this Order comes into operation, and which imposes a restriction or prohibition on waiting by vehicles or grants an exemption from such restriction or provision, the provisions of this Order shall prevail.

**Citation and Commencement**

- (19) This Order may be cited as "The Kent County Council (Calverley Road) (Tunbridge Wells) (Taxi Bay And Disabled Person's Parking Place) Order 2003" and shall come into operation on the sixth day of October 2003.

GIVEN under the Common Seal of the Kent County Council this Nineteenth day of September in the year two thousand and three

THE COMMON SEAL OF THE  
KENT COUNTY COUNCIL

was hereunto affixed  
in the presence of:-



A handwritten signature in blue ink, reading "Robert Huddleston".

Authorised signatory

**THE SCHEDULE**

**PART ONE**

**Taxi Bay**

Calverley Road – Southwest side; from a point 54 metres northwest of its junction with Garden Street to a point 66 metres northwest of that junction

TW-2014-8-TAXI BAY

**PART TWO**

**Disabled Persons Parking Place**

Calverley Road – Southwest side; from a point 42 metres northwest of its junction with Garden Street to a point 54 metres northwest of that junction