

THE KENT COUNTY COUNCIL
(VARIOUS ROADS, TUNBRIDGE WELLS BOROUGH)
(DISABLED PERSONS PARKING PLACES) ORDER No.1, 2018
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 1, 2, 4, 32 and 35 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (hereinafter referred to as 'the Act') as amended by The Traffic Management Act 2004 Part 6 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, hereby make the following Order.

Interpretation

(1) In this Order:-

"Disabled Person's Vehicle"	means a vehicle lawfully displaying a Disabled Person's Badge in relation to a vehicle waiting in a street Parking Place;
"Disabled Person's Badge"	has the same meaning as in regulation 2 of the Disabled Person's (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;
"Junction"	means the intersection point of the centrelines, or projected centrelines, of the specified Road;
"Owner" and "Traffic Sign"	have the same meanings as in section 142 of the Act;
"Parking Disc"	means a disc, issued by a Local Authority, 125mm in diameter coloured blue, and capable of showing the quarter hour period during which a period of waiting begins;
"Parking Place"	means any length of Specified Road provided by the Council under Section 32 of the Act of 1984 for use as a Parking Place;
"Relevant Position"	means; <ol style="list-style-type: none">1) in the case of a vehicle fitted with a dashboard or fascia panel, the Disabled Person's 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 fascia panel, the Disabled Person's Badge is exhibited in a conspicuous position on the vehicle so that Part I of the badge is legible from outside the vehicle;
"Specified Road"	means the road or roads specified in Part One of the Schedule to this Order.

Disabled Persons Parking Places

- (2) Each length of Specified Road is authorised for use as a Parking Place for such vehicles as are specified in Article (3) subject to said vehicles being parked wholly within the limits of the marked bay.

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- (3) Save as provided in Article (4) 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 Specified Road unless such vehicle is a Disabled Person's Vehicle displaying in the Relevant Position a Disabled Person's Badge.
- (4) Nothing in Article (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 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 in the service of a universal service provider and marked as such, to be used for the purpose of delivering or collecting postal packets as defined in Section 27 of the Postal Services Act 2011; and
 - (d) enable the vehicle to be used for police, ambulance or fire brigade purposes.

General Provisions relating to Disabled Persons Parking Places

- (5) 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.
- (6) 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.
- (7) Subject to the proviso hereto, when a vehicle is left in a Parking Place 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 Parking Place provided that when a vehicle is waiting in a Parking Place 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 vehicle in order that its position shall comply with that provision.
- (8) Any person removing a vehicle by virtue of Article (7) 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.
- (9) 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 (7) of this Order he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
- (10) 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 Act, 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.
- (11) The parts of orders listed in PART TWO of the Schedule to this Order are hereby revoked and will cease to have effect from 26th day August 2019.

Citation and Commencement

- (12) This Order may be cited as "The Kent County Council (Various Roads, Tunbridge Wells Borough) (Disabled Person's Parking Places) Order No.1 2018" ('this Order') and shall come into operation on the 26th day of August 2019.

GIVEN under the Common Seal of The Kent County Council

This 19th day of August 2019

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




Authorised signatory

814-2099

THE SCHEDULE

PART ONE

Disabled Person's Parking Places

Civic Way - West side - from a point 13 metres south of its Junction with Monson Way for a distance of 40 metres in a southerly direction.

PART TWO

Orders and parts of Orders to be revoked

From The Schedule to THE KENT COUNTY COUNCIL (VARIOUS ROADS, TUNBRIDGE WELLS BOROUGH) (DISABLED PERSONS PARKING PLACES) ORDER No.2, 2007 the following shall be revoked

Civic Way – West side – from a point 10 metres south of its Junction with Monson Road to a point 20 metres south of that Junction.