

THE KENT COUNTY COUNCIL
(VARIOUS ROADS, ROYAL TUNBRIDGE WELLS)
(PROVISION OF POLICE BAYS) ORDER 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, 35 and 124 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:-

"Civil Enforcement Area"	means an area where civil enforcement of parking restrictions can be undertaken as defined by s.74 of the Traffic Management Act 2004;
"Civil Enforcement Officer"	means a person employed by Tunbridge Wells Borough Council in pursuance of powers granted by s.76 of the Traffic Management Act 2004;
"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;
"Specified Road"	means the road or roads specified in the Schedule to this Order;
"Marked Police Vehicle"	means any vehicle clearly identified on the exterior as a Kent Police vehicle;
"Police Bay"	means any area of carriageway specified in the Schedule to this Order reserved for use by Marked Police Vehicles;
"Universal Service Provider"	has the same meaning as in s.65 of the Postal Services Act 2011

Police Bays

- (2) The lengths of the Specified Roads are authorised for use as Police Bays.
- (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 Civil Enforcement Officer or of a parking attendant cause or permit any vehicle to stop at any time in any of the lengths Specified Roads unless such vehicle is a Marked Police Vehicle
- (4) Nothing in Article (3) of this Order shall prevent any person from causing or permitting a vehicle to stop in any of the lengths of the Specified 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

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- (c) for a 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
- (5) Subject to the proviso hereto, when a vehicle is left in a Police Bay 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 Police Bay.
- (6) Any person removing a vehicle by virtue of Article (5) 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.
- (7) When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a Police Bay by virtue of Article (5) of this Order he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
- (8) 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.

Revocation

- (9) The Kent County Council (Various Roads, Royal Tunbridge Wells) (Provision of Police Bays) Order 2008 is hereby revoked.

Citation and Commencement

- (10) This Order may be cited as the "Kent County Council (Various Roads, Royal Tunbridge Wells) (Provision of Police Bays) Order 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

THE SCHEDULE

No stopping at any time except Marked Police Vehicles

Civic Way – West side access road to the rear of the Police Station; from a point 5.5 metres north of the East /West spur Civic Way to a point 13 metres north of that Junction.

Civic Way – North side; from its Junction with the entrance to Calverley Terrace Car Park to its Junction with the access road to the rear of the Police Station.

Crescent Road – North side; from a point 92 metres east of its Junction with Mount Pleasant Road to a point 104 metres east of that Junction.

Mount Pleasant Avenue – South side; from a point 25 metres east of its southerly Junction with Mount Pleasant Road to a point 33 metres east of that Junction.