

THE KENT COUNTY COUNCIL  
(HIGH STREET & STONE STREET, CRANBROOK) (TUNBRIDGE WELLS BOROUGH)  
(TRAFFIC RESTRICTIONS) ORDER 2020  
ROAD TRAFFIC REGULATION ACT 1984

The Kent County Council (hereinafter referred to as "the Council") in exercise of its powers under Sections 1, 2, 4, 32, 35 and 124 of the Road Traffic Regulation Act 1984 (hereinafter called "the Act of 1984") and Part IV of Schedule 9 of the Act of 1984 and as amended by the Traffic Management Act 2004 (hereinafter called "the Act of 2004") and all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the Act of 1984 hereby make the following Order:-

**Citation and Commencement**

This Order shall be cited as "THE KENT COUNTY COUNCIL (HIGH STREET & STONE STREET, CRANBROOK) (TUNBRIDGE WELLS BOROUGH) (TRAFFIC RESTRICTIONS) ORDER 2020" ("this Order"), it shall come into force on 20<sup>th</sup> August 2020 and has the effect of making permanent restrictions previously introduced on an experimental basis.

**Interpretation**

(1) In this Order:-

| Term                            | Meaning  |
|---------------------------------|--|
| "Civil Enforcement Area"        | means an area where civil enforcement of parking restrictions can be undertaken as defined by the Traffic Management Act 2004  |
| "Civil Enforcement Officer"     | means a person employed by Tunbridge Wells Borough Council in pursuance of powers granted by the Traffic Management Act 2004 (civil enforcement area)  |
| "Contravention"                 | means a failure to comply with restrictions set out in this Order that may result in the issue of a Penalty Charge Notice and contravenes shall be construed accordingly   |
| "Disabled Person's Badge"       | has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000   |
| "Disabled Person's Vehicle"     | means a vehicle lawfully displaying a Disabled Person's Badge  |
| "Emergency Services Vehicle"    | means a vehicle operated by the police, fire & rescue service or ambulance service   |
| "Goods"                         | includes postal packets of any description   |
| "Goods Vehicle"                 | means a Vehicle constructed or adapted for use for the carriage of Goods or burden   |
| "Junction"                      | means the intersection point of the centrelines, or projected centrelines, of the roads specified  |
| "Owner"                         | the person who is registered at the Driver and Vehicle Licensing Agency as the registered keeper of the Vehicle  |
| "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 Exemption Certificate" | means a certificate or other means of identification which has been issued by the local traffic authority or its appointed agents permitting a specified Vehicle to wait in specified circumstances on a length or lengths of Road where the |

|                              |   |
|------------------------------|---|
|                              | waiting of that Vehicle would otherwise be restricted or prohibited.  |
| "Parking Place"              | means the area of carriageway, unless otherwise so described, bounded on one side of that length of Road specified in the Schedule to this Order by the edge of the carriageway and as indicated by a road marking appropriate to the position in which a Vehicle may park  |
| "Penalty Charge"             | has the same meaning as set out in Part 1 Regulation 2 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007.   |
| "Penalty Charge Notice"      | has the same meaning as set out in Regulation 8 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007   |
| "Relevant Position"          | means:-<br>1) in respect of a Disabled Person's Badge and where the Vehicle is fitted with a dashboard or fascia panel, the badge is exhibited thereon so that Part 1 of the badge is legible from the outside of the Vehicle<br>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 1 of the badge is legible from the outside of the Vehicle.<br>3) in the case of a Parking Exemption Certificate, in a conspicuous position inside the Vehicle so that the certificate is visible in full and legible from outside the Vehicle. |
| "Road"                       | means the full width, including any footway or verge, of any length of highway or of any other Road to which the public have access, and includes bridges over which a Road passes  |
| "Traffic Sign"               | has the same meaning as in Section 142 of the Act of 1984   |
| "Universal Service Provider" | has the same meaning as in the Postal Services Act 2011   |
| "Vehicle"                    | has the same meaning as that assigned to "motor vehicle" in s.136(1) of the Act of 1984   |

### **Restrictions Imposed**

- (2) Save as provided in Articles (8), (9), (10) and (11) 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, cause or permit any Vehicle to wait at any time in any of the lengths of road specified in PART ONE of the Schedule to this Order;
- (3) Save as provided in Article (8) 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, cause or permit any Vehicle to wait from Monday to Saturday between 8am and 6pm in any of the lengths of Road specified in PART TWO of the Schedule to this Order unless such Vehicle is (a) parked wholly within the limits of the marked bay and, (b) is being used for the loading or unloading of Goods in connection with nearby trade or business premises and, (c) is a Goods Vehicle.
- (4) Save as provided in this Articles (8), (10) and (11) the driver of a Vehicle shall not except upon the direction or with the permission of a police officer in uniform or of a Civil Enforcement Officer cause or permit any Vehicle to wait in any Parking Place specified in PART THREE of the Schedule to this Order from Monday to Saturday between the hours of 8am and 6pm for longer than one hour.
- (5) When a Vehicle has left a Parking Place specified in PART THREE of the Schedule to this Order after waiting thereon, the driver thereof shall not be permitted to return and wait again upon that Parking Place within two hours after leaving



- (6) Each length of Road specified in PART FOUR of the Schedule to this Order is authorised for use as a Parking Place for such Vehicles as are specified in Article (7) subject to said Vehicles being parked wholly within the limits of the marked bay.
- (7) Save as provided in Article (8) 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 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 Disabled Persons Vehicle displaying in the relevant position a Disabled Person's Badge.

#### **Exemptions from Waiting Restrictions**

- (8) Nothing in Articles (2),(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 that Article for so long as may be necessary:-
- (a) to enable a person to board or alight from the Vehicle;
  - (b) 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 125 (1) of the Postal Services Act 2000;
  - (c) to 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;
  - (d) 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 road works 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; or
  - (e) to enable the vehicle to be used for police, ambulance or fire brigade purposes.
- (9) Nothing in Articles (2) 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 that Article for so long as may be necessary to enable Goods to be loaded onto or unloaded from the Vehicle provided such loading or unloading is continuous.
- (10) Nothing in Articles (2), (3) or (4) 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 any of the lengths of Road referred to in Parts One, Two and Three of the Schedule to this Order for a period not exceeding 3 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 length of Road) provided always that where the period of the prohibition of waiting does not exceed 3 hours the Parking Disc need not be displayed.
- (11) Nothing in Articles (2), (3) or (4) 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 Roads 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.

#### **Power to Suspend the Use of Parking Bays**

- (12) Any person duly authorised by the issuing authority may by Order, notice or the erection of a suitable barrier suspend the use of any part of a Parking Place as defined in PARTS TWO, THREE and FOUR of the Schedule to this Order whenever he considers such suspension is necessary:
- a) for facilitating the movement of traffic or promoting its safety, or
  - b) for facilitating any building operation, demolition or excavation in or adjacent to any part or the whole of a Parking Place, or

- c) for maintaining, improving or reconstructing any part or the whole of a Parking Place or any part of the adjacent carriageway, or
  - d) for laying, erecting, altering, removing or repairing any sewer pipe or apparatus for the supply of gas, water, electricity or telecommunications, or
  - e) for placing, maintaining or removal of any Traffic Sign in or adjacent to a Parking Place, or
  - f) for the convenience of occupiers or premises adjacent to a Parking Place to facilitate the removal or delivery of furniture from or to those premises, or
  - g) for the convenience of occupiers of premises adjacent to a Parking Place on the occasion of weddings or funerals, or on other special occasions, or
  - h) if, due to a public procession, rejoicing or illumination or when the streets are thronged or liable to be obstructed.
- (13) Upon receipt of any request to suspend the use of any parking place or any part thereof, the Council may charge such amount in respect of the implementation of that suspension as is set out in the current "On Street Parking Charges" Order, where applicable
- (14) Any person suspending the use of any part or the whole of a Parking Place in accordance with the provisions of Article 12 of this Order shall place or cause to be placed in or as close as possible to that Parking Place or part thereof the use of which is to be suspended, a Traffic Sign or signs and road markings indicating the period during which waiting by Vehicles is prohibited.
- (15) No person shall cause or permit a Vehicle to be left in any part of a suspended Parking Place or adjacent to it where a Traffic Sign has been placed in pursuance of Article 14 of this Order unless the Vehicle is being used for any purpose specified in Article 12 of this Order or the Vehicle is left with the permission of the person suspending the use of the Parking Place.
- (16) A police officer in uniform may suspend a parking place or any part thereof for a period no longer than 7 days for the purpose of promoting traffic movement or in the interests of public safety.
- (17) Nothing in this Part shall prevent any ambulance, police or fire service vehicle from waiting in any suspended parking place or part thereof if the vehicle is being used for emergency purposes

#### **Contraventions and Penalty Charges**

- (18) Where a person contravenes the prohibitions and requirements set out in this Order, the Owner of the Vehicle in question may incur a Penalty Charge.
- (19) The Penalty Charge shall be payable to Tunbridge Wells Borough Council in accordance with the instructions contained on the Penalty Charge Notice.

#### **Revocations**

- (20) The following Orders are hereby revoked to the extent specified with effect from 20<sup>th</sup> August 2020.
- (21) The Kent County Council (High Street & Stone Street, Cranbrook) (Tunbridge Wells Borough) (Traffic Restrictions) (Experimental) Order 2019 in its entirety.
- (22) In so far as they relate to the lengths and sides of Road specified in the Schedule to this Order, those parts of "The Kent County Council (Various Roads, Cranbrook)(Prohibition of Waiting and Restriction of Loading and Unloading) Consolidating Order 1997"

#### **General Provisions**

- (23) 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 prohibition, the provisions of this Order shall prevail.



- (24) The restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by regulations made or having effect as if made under the Act of 1984, or by or under any other enactment

Given under the Common Seal of the Kent County Council

This 20<sup>th</sup> day of August 2020

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



Authorised Signatory



563-2020

# THE SCHEDULE

## PART ONE

### No waiting At Any Time

| Road                    | Side            | Definition  |
|-------------------------|-----------------|---|
| Carriers Road           | Both sides      | from its Junction with High Street to a point 35 metres north of that Junction  |
| High Street, Cranbrook  | North-west side | from a point 10 metres south-west of its Junction with Bank Street to a point 42 metres north-east of that Junction                 |
|                         |                 | from its Junction with Carriers Road to a point 37 metres south-west of that Junction   |
|                         |                 | from a point 58 metres south-west of its Junction with Carriers Road to a point 61 metres south-west of that Junction               |
|                         | South-east side | from a point 24 metres south-west of its Junction with Crane Lane to a point 53 metres south-west of its Junction with Stone Street |
| Stone Street, Cranbrook | North-east side | from its Junction with Carriers Road to a point 7 metres south-east of that Junction  |
|                         |                 | from a point 19 metres south-east of its Junction with Carriers Road to its Junction with Waterloo Road                             |
|                         | South-west side | from its Junction with High Street to a point 12 metres south of that Junction  |
|                         |                 | from a point 40 metres south-east of its Junction with High Street to its Junction with Waterloo Road                               |

## PART TWO

### No Waiting Monday to Saturday 8am to 6pm Except for Goods Vehicle Loading

| Road                    | Side            | Definition  |
|-------------------------|-----------------|---|
| High Street, Cranbrook  | North-west side | from a point 10 metres south-west of its Junction with Bank Street to a point 23 metres south-west of that Junction   |
| Stone Street, Cranbrook | South-west side | from a point 27 metres south-east of its Junction with Carriers Road to a point 40 metres south-east of that Junction |

### PART THREE

**Waiting limited to 1 hour Monday to Saturday 8am to 6pm with No Return within 2 hours**

| Road                    | Side            | Definition  |
|-------------------------|-----------------|---|
| High Street, Cranbrook  | North-west side | from a point 23 metres south-west of its Junction with Bank Street to a point 44 metres south-west of that Junction                   |
|                         |                 | from a point 42 metres north-east of its Junction with Bank Street to a point 61 metres south-west of its Junction with Carriers Road |
|                         | South-east side | from a point 37 metres south-west of its Junction with Carriers Road to a point 58 metres south-west of that Junction                 |
|                         |                 | from a point 44 metres south-west of its Junction with Bank Street to a point 24 metres south-west of its Junction with Crane Lane    |
| Stone Street, Cranbrook | North-east side | from a point 7 metres south-east of its Junction with Carriers Road to a point 12 metres south-east of that Junction                  |
|                         | South-west side | from a point 12 metres south-east of its Junction with High Street to a point 27 metres south-east of that Junction                   |

### PART FOUR

#### Disabled Persons Parking Bay

| Road                    | Side            | Definition  |
|-------------------------|-----------------|---|
| High Street, Cranbrook  | South-east side | from a point 36 metres south-west of its Junction with Stone Street to a point 43 metres south-west of that Junction  |
| Stone Street, Cranbrook | North-east side | from a point 12 metres south-east of its Junction with Carriers Road to a point 19 metres south-east of that Junction |