

THE KENT COUNTY COUNCIL
(VARIOUS ROAD, TUNBRIDGE WELLS)
(PROHIBITION OF WAITING) ORDER 2007
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 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:-

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| “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; |
| “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; |
| “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 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">1) a commencement date and time2) an expiry date and time3) or both and4) may specify those roads or parts thereof in which the certificate is valid |
| “relevant position” | means; <ol style="list-style-type: none">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;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;3) in the case of a parking exemption certificate, in a conspicuous position 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. |
| “weekday” | means any day of the week except Sunday |

Prohibition of Waiting

- (2) Save as provided in Articles (3), (4) and (5) 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
 - (a) at any time in any of the lengths of road specified in PART ONE of the Schedule to this Order or
 - (b) on any day except Saturday or Sunday between the hours of 10am and 11am in any of the lengths of road specified in PART TWO of the Schedule to this Order or
- (3) Nothing in Article (2) 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) to enable goods to be loaded onto or unloaded from the vehicle provided such loading or unloading is continuous;
 - (c) to enable the vehicle to be used as part of a funeral cortege or a wedding procession;
 - (d) 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;
 - (e) 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 roadworks 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
 - (f) to enable the vehicle to be used for police, ambulance or fire brigade purposes.
- (4) Nothing in Article (2) of this Order shall render it unlawful to cause or permit a disabled persons vehicle which displays in the relevant position a disabled persons 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 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.
- (5) Nothing in Article (2) 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.
- (6) 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.

Commencement and citation

(8) This Order may be cited as “The Kent County Council (Various Road, Tunbridge Wells) (Prohibition of Waiting) Order 2007 and shall come into operation on the 30th November 2007.

SIGNED FOR AND ON BEHALF OF PETER GILROY, CHIEF EXECUTIVE, KENT COUNTY COUNCIL OR BY HIS AUTHORISED SIGNATORY	<p style="text-align: center;">B Haratbar</p> <p style="text-align: center;">HEAD OF TRANSPORT PLANNING</p>
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Dated the 21st November 2007

THE SCHEDULE

PART ONE

No waiting at any time

Castle Road - West side - from a point 252 metres north of its junction with London Road to a point 264 metres north of that junction.

Molyneux Park Road - Northeast side - from its junction with Oakdale Road to a point 15 metres north-west of that junction.

Molyneux Park Road - Southwest side - from a point 15 metres south-east of its junction with Regina Court to a point 32 metres south-east of that junction.

Oakdale Road - Both sides - from its junction with Molyneux Park Road to a point 10 metres north-east of that junction.

St John's Road - East side - from a point 16 metres north of its junction with Newcomen Road to a point 40 metres north of its junction with Culverden Down.

PART TWO

No waiting Monday to Friday 10am - 11am

Connaught Way - East side - Internal D from a point 62 metres north of its junction with Knightsbridge Close to a point 115 metres north of that junction.