

THE KENT COUNTY COUNCIL
(VARIOUS ROADS, TUNBRIDGE WELLS BOROUGH)
(PROHIBITION OF WAITING) ORDER 2011
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 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 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 of 1984, hereby makes the following Order.

Interpretation

(1) In this Order:-

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|---------------------------------|---|
| civil enforcement area” | means an area where Civil Enforcement of parking restrictions can be enforced 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 Traffic Management Act 2004 (Civil Enforcement Area) |
| “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; |
| “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 roads specified |
| “owner” and “traffic sign” | have the same meanings as in Section 142 of the Act of 1984 |
| “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” | 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.

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 civil enforcement officer cause or permit:-
 - (a) any vehicle to wait at any time in any of the lengths of road specified in PART ONE of the Schedule to this Order or
 - (b) any vehicle to wait on any day except Sunday between the hours of 8am and 10am in any of the lengths of road specified in PART TWO of the Schedule to this Order.
- (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) The restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulations made or having effect as if made under the said Act of 1984.
- (7) The provisions of this order shall prevail over the provisions of any previous order.

Commencement and citation

This Order may be cited as "THE KENT COUNTY COUNCIL (VARIOUS ROADS, TUNBRIDGE WELLS BOROUGH) (PROHIBITION OF WAITING) ORDER 2011" and shall come into operation on the 29th April 2011

Given under the Seal of the Kent County Council

This 8th day of April 2011

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

Authorised Signatory

THE SCHEDULE

Part One

No waiting at any time

Calverley Court – West side – from its junction with Calverley Park Gardens to a point 68 metres south-west of that junction.

Calverley Court – East side – from its junction with Calverley Park Gardens to a point 10 metres south of that junction.

Calverley Court – East side – from a point 22 metres south of its junction with Calverley Park Gardens to a point 36 metres south of that junction.

Calverley Court – South side – from a point 46 metres south-west of its junction with Calverley Park Gardens to a point 60 metres south-west of that junction.

Calverley Court – West side – from a point 70 metres south-west of its junction with Calverley Park Gardens to a point 78 metres south-west & north of that junction.

Claremont Road – North side – from its junction with Norfolk Road to a point 9 metres east of that junction.

Hastings Road, Pembury – South side – from a point 6 metres west of its junction with Belfield Road to a point 16 metres east of that junction.

The Ferns (East/West Spur) – North side – from a point 10 metres west of its junction with Carlton Road to a point 39 metres west of that junction.

The Ferns (East/West Spur) – South side – from a point 9 metres west of its junction with The Ferns (North/South Spur) to a point 12 metres east of that junction.

The Ferns (North/South Spur) – Both sides – from its junction with The Ferns (East/West Spur) to a point 9 metres south of that junction.

The Ferns (North/South Spur) – West side – from a point 19 metres south its junction with The Ferns (East/West Spur) to a point 52 metres south & west of that junction.

Yew Tree Road – South side – from a point 60 metres east of its junction with London Road to a point 12 metres west of its junction with Crendon Park.

Part Two

No waiting Monday to Saturday 8am – 10am

The Ferns (East/West Spur) – North side – from a point 39 metres west of its junction with Carlton Road to a point 67 metres west & south of that junction.

The Ferns (East/West Spur) – South side – from a point 9 metres west of its junction with The Ferns (North/South Spur) to a point 21 metres west of that junction.

The Ferns (North/South Spur) – East side – from a point 9 metres south of its junction with The Ferns (East/West Spur) to a point 75 metres south & west of that junction.