

THE KENT COUNTY COUNCIL
(VARIOUS ROADS, TUNBRIDGE WELLS BOROUGH)
(PROVISION OF PARKING PLACES) 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:-

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|---------------------------------|---|
| "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 Persons Badge" | has the same meaning as in s.2 of the Disabled Person's (Badges for Motor Vehicles) Regulations 2000; |
| "Driver" | 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 |
| "Motor Car" | means any vehicle which is classified as private light goods for road fund licensing purposes or has the same meaning as in section 136 of the Act; |
| "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 Exemption Certificate" | a certificate or other means of identification which has been issued by the local traffic authority or its 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 |
| "Parking Place" | means any length of road specified in the Schedule to this Order provided by the Council under Section 32 of the Act 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 the Schedule to this Order. |

"Weekday" means any day of the week except Sunday.

Street Parking Places

- (2) Each length of land or length of road specified in the Schedule to this Order is authorised for use as a Parking Place for such classes of vehicles as are specified in Article (3) (a) subject to being parked in the manner described in Article (3) (b).
- (3) Where in the Schedule to this Order a Parking Place is described, the Driver of a vehicle shall not permit it to wait in that Parking Place unless it is:-
 - (a) a Motor Car, invalid carriage or motorcycle; and
 - (b) wholly within the limits of the marked bay and, except for motorcycles, parked parallel to the kerbline.
- (4) Save as provided in Articles (5), (6) and (7) of this Order, the Driver of a vehicle shall not permit it to wait for longer than one hour in any Parking Place specified in the Schedule to this Order on any Weekday between 8am and 6pm and shall not permit it to wait again upon that Parking Place within 2 hour after its leaving the said Parking Place.
- (5) Nothing in Articles (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 Articles 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;
 - (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 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) if the vehicle is prevented from proceeding by circumstances beyond the Drivers control;
 - (f) 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
 - (g) to enable the vehicle to be used for police, ambulance or fire brigade purposes.
- (6) Nothing in Articles (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 the Schedules 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.
- (7) Nothing in Articles (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.

General Provisions relating to Street Parking Places

- (8) The Driver of a Motor Car 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.

- (9) A Driver of a vehicle shall not use a Parking Place so as unreasonably to prevent access to any premises adjoining the road or so as to be a nuisance.
- (10) 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.
- (11) Subject to the proviso hereto, when a vehicle is left in a Parking Place in contravention of any of the provisions in Articles (3) or (4) 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 (3) (b) 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.
- (12) Any person removing a vehicle by virtue of Article (11) 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.
- (13) 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 (11) of this Order he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
- (14) 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.
- (15) 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 Act, or by or under any other enactment.

Revocations

- (16) The Kent County Council (Various Roads, Tunbridge Wells) (Provision of Parking Places) Order 2006 shall be revoked in its entirety with effect from 26th day of August 2019.
- (17) The parts of Orders listed in Part 2 of the schedule to this Order are hereby revoked and will cease to have effect from 26th day of August 2019.

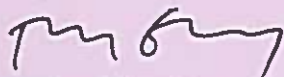
Citation and Commencement

- (18) This Order may be cited as "The Kent County Council (Various Roads, Tunbridge Wells) (provision of Parking Places) Order 2018" ('this Order') and shall come into operation on the 26th day 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



811-2019

THE SCHEDULE

Part One

One hour limited waiting Monday to Saturday 8am – 6pm, no return within two hours.

Calverley Road – South-west side – from a point 14 metres north-west of its junction with Garden St to a point 42 metres north-west of that junction.

Calverley Road – South-west side – from a point 66 metres north-west of its junction with Garden St to a point 84 metres north-west of that junction.

Part Two

Orders and parts of Orders to be revoked

Limited Waiting to 30 Minutes – 8.00 am to 6.00 pm Monday to Saturday

From the Schedule to THE TUNBRIDGE WELLS BOROUGH COUNCIL (TRAFFIC RESTRICTIONS – CIVIC WAY) ORDER 1995

To be removed from Part Two of the Order

Civic Way-North to South Spur

West and South Side - From a point 42m south of its junction with Monson Road to a point 84m south of that junction.