

ROAD TRAFFIC REGULATION ACT 1984
THE KENT COUNTY COUNCIL
(VARIOUS ROADS) (TUNBRIDGE WELLS BOROUGH)
(PROHIBITION OF WAITING) No.1 ORDER 2017

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") 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

Commencement and Citation

This Order shall come into operation on the 5th day of February 2018 and may be cited as "THE KENT COUNTY COUNCIL (VARIOUS ROADS)(TUNBRIDGE WELLS BOROUGH)(PROHIBITION OF WAITING) No. 1 ORDER 2017" ("this Order")

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
"disabled persons badge"	has the same meaning as in the Disabled Persons (Badges for Motor Vehicles)(England) Regulations 2000
"disabled persons vehicle"	means a vehicle lawfully displaying a disabled persons 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
"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.

Term	Meaning
"relevant position"	means:- 1) in respect of a disabled persons 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 2) in the case of a vehicle not fitted with a dashboard or fascia panel, the disabled persons 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. 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
"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 (5), (6) and (7) of this Order no person shall, 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 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 Articles (5), (6) and (7) of this Order no person shall, 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 between the hours of 10am and 11am or 2pm and 3pm on Monday to Friday in any of the lengths of road specified in PART TWO of the Schedule to this Order.
- (4) Save as provided in Articles (5), (6) and (7) of this Order no person shall, 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 between the hours of 10am and 12 noon or 2pm and 4pm on Monday to Friday in any of the lengths of road specified in PART THREE of the Schedule to this Order.

Exemptions from Waiting Restrictions

- (5) 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 those 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 provided such loading or unloading is continuous;
 - (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;
 - (d) to enable the vehicle to be used as part of a funeral cortege or a wedding procession;

- (e) 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;
 - (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 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
 - (g) to enable the vehicle to be used for police, ambulance or fire brigade purposes.
- (6) Nothing in Articles (2), (3) or (4) 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 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 (2), (3) or (4) of this Order shall render it unlawful to cause or permit a vehicle which displays in the relevant position a valid parking exemption certificate to wait in any of the roads specified in the Schedules 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

- (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 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.
- (9) 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.

Contraventions of this Order

- (10) Where a person contravenes any of the provisions of this Order, and the vehicle does not fall into any one of the exemptions contained within Articles 5, 6 or 7 of this Order, a penalty charge notice may be issued by a civil enforcement officer and a penalty charge may be payable.

Revocations

- (11) From the Kent County Council (Various Roads)(Tunbridge Wells Borough)(Prohibition of Waiting) No.3 Order 2012 that part of Part Two of the Schedule to the Order applicable to the south and west side of Linden Park Road between points 60 metres south-east and 127 metres south-east and south of its junction with The Pantiles (Lower Walk) shall be revoked and cease to have effect as of the date of this Order.
- (12) From the Kent County Council (Various Roads, Borough of Tunbridge Wells)(Provision of Parking Places) Order 2010 that part of Part One of the Schedule to the Order applicable to the north side of Rye Road, Hawkhurst between points 69 metres east and 82 metres east of its junction with Cranbrook Road shall be revoked and cease to have effect as of the date of this Order

The provisions of this Order shall prevail over the provisions of any previous Order.

DJB
Given under the ^{Common} Seal of the Kent County Council

This *5th* day of *JANUARY* 2018

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

D J Burring *RENICE J BURRING*
Authorised Signatory



THE SCHEDULE

PART ONE

No waiting at any time

Road	Side	Definition
Boundary Road, Tunbridge Wells	North side	From its junction with Hawkenbury Road to a point 15 metres south-west of that junction
	North side	From its junction with Forest Road to a point 15 metres south-east of that junction
	South side	For its entire length except within the lay-by outside Nos 14 & 16 Boundary Road
Crescent Road, Tunbridge Wells (Multi-storey car park access roads and forecourt areas)	Both sides	All hard surfaced areas between Crescent Road and car park structure including entry and exit roadways but excluding marked bays to rear of Numbers 30 and 31 Crescent Road
Dorset Road, Tunbridge Wells	East side	From its junction with Forest Road to a point 15 metres south of that junction
	West side	Between a point 10 metres north-west of its junction with Napier Road and a point 10 metres south-east of that junction
Farmcombe Road, Tunbridge Wells	North-east side	Between its junction with Forest Road and a point 35 metres north-west of that junction
	South-west side	Between its junction with Forest Road and a point 25 metres north-west of that junction

Road	Side	Definition
Forest Road, Tunbridge Wells	South-east side	Between its junction with Dorset Road and a point 23 metres north-east of that junction
	South side	From its junction with Nelson Road to a point 10 metres north-west of that junction
	East side	Between a point 17 metres north of its junction with Napier Road and its junction with Hawkenbury Road
	South-east side	From its junction with Hawkenbury Road to a point 35 metres south-west of that junction
	South-east side	From a point 15 metres north-east of its junction with Boundary Road and a point 15 metres south-west of that junction
	North-west side	Between a point 15 metres north-east of its junction with Beech Close and a point 40 metres south-west of its junction with Farmcombe Road
	South-east side	From a point 40 metres south-west of its junction with Farmcombe Road to a point 20 metres north-east of its junction with Whybourne Crest
	South-east side	Between a point 15 metres north-east of its junction with Forest Way and a point 70 metres south-west of that junction
	North-west side	From a point 15 metres south-west of its junction with Forest Way to a point 70 metres south-west of that junction
	North-west side	Between points 25 metres south-west of its junction with Warwick Park and 80 metres north-east of that junction.
Forest Way, Tunbridge Wells	Both sides	Between its junction with Forest Road and a point 15 metres south-east of its junction with the north-south spur of Whybourne Crest
	Both sides	Between its junction with Maryland Road and a point 15 metres west of that junction
	South side	Between points 15 metres west of its junction with Lambourn Way and 15 metres east of that junction.
Halls Hole Road, Tunbridge wells	Both sides	Between its junction with High Woods Lane and a point 20 metres north-east of that junction

Road	Side	Definition
Hawkenbury Road, Tunbridge Wells	North-east side	From a point 20 metres south-east of its junction with Forest Road to a point 15 metres north-west of its junction with Hawkenbury Close
	South-west side	From a point 20 metres south-east of its junction with Forest Road to a point 30 metres south-east of that junction
	North-east side	Between points 20 metres north-west of its junction with Boundary Road and 10 metres south-east of that junction
	South-west side	Between points 15 metres north-west of its junction with Boundary Road and 10 metres south-east of that junction
	North-east and north side	Between points 10 metres north-west of its junction with Hawkenbury Mead and 100 metres east of its junction with Maryland Road
	South-west side	Between points 40 metres north-west of its junction with Maryland Road and 30 metres east of that junction
	South side	Between points 50 metres east and 85 metres east of its junction with Maryland Road
High Woods Lane, Tunbridge Wells	Both sides	Between its junction with Halls Hole Road and a point 15 metres south-east of that junction
Hilbert Road, Tunbridge Wells	Both sides	Between points 18 metres north of its junction with Albany Hill and 15 metres south of its junction with Hilbert Close
Lambourn Way, Tunbridge Wells	Both sides	Between its junction with Forest Way and a point 10 metres south of that junction
Linden Park Road, Tunbridge Wells	South and west side	Between a point 60 metres south-east of its junction with The Pantiles (Lower Walk) and a point 127 metres south-east and south of that junction
Maryland Road, Tunbridge Wells	Both sides	From its junction with Hawkenbury Road to a point 35 metres south-east of that junction
	West side	Between a point 15 metres north of its junction with Forest Way and a point 15 metres south of that junction
Napier Road, Tunbridge Wells	North side	Between its junction with Forest Road and a point 12 metres east of that junction
	South side	Between its junction with Forest Road and a point 20 metres west of its junction with Nelson Road
	North side	From its junction with Nelson Road to a point 69 metres east of that junction

Road	Side	Definition
Nelson Road, Tunbridge Wells	North-west side	From a point 10 metres north of its junction with Napier Road to its junction with Forest Road
Park Road, Southborough	Both sides	Between its junction with Pennington Road and a point 10 metres south of that junction
Pennington Road, Southborough	South side	Between a point 15 metres west of its junction with Park Road and a point 15 metres east of that junction
Rye Road, Hawkhurst	North side	Between a point 69 metres east of its junction with Cranbrook Road and a point 82 metres east of that junction
Warwick Park, Tunbridge Wells	North side	Between its junction with Forest Road and a point 17 metres west of that junction
	South side	Between its junction with Forest Road and a point 25 metres west of that junction
Whybourne Crest (east-west spur) Tunbridge Wells	Both sides	Between its junction with Forest Road and a point 30 metres east of that junction
	South side	From a point 10 metres east of its junction with Whybourne Crest (north-south spur) to a point 10 metres west of that junction
Whybourne Crest (north-south spur)	Both sides	From its junction with Whybourne Crest (east-west spur) to a point 15 metres south-west of that junction
	Both sides	From its junction with Forest Way to a point 15 metres north-east of that junction

PART TWO

No waiting Monday to Friday 10am – 11am and 2pm – 3pm

Road	Side	Definition
Richmond Place, Tunbridge Wells	Both sides	From a point 10 metres south of its junction with Warwick Park to a point 126 metres south of that junction

PART THREE

No waiting Monday to Friday 10am – 12noon and 2pm – 4pm

Road	Side	Definition
Chester Avenue, Tunbridge Wells	Both sides	From its junction with High Woods Lane for its entire length

Road	Side	Definition
Forest Road, Tunbridge Wells	North-west side	From a point 33 metres south of its junction with Camden Park to a point 15 metres north-east of its junction with Beech Close
	South-east side	From a point 20 metres north-east of its junction with Whybourne Crest to a point 15 metres south-west of its junction with Boundary Road
	North-west side	from a point 15 metres south-west of its junction with Forest Way to a point 40 metres south-east of its junction with Farmcombe Road
	South-east side	from a point 40 metres south-west of its junction with Farmcombe Road to a point 15 metres north-east of its junction with Forest Way
	South-east side	From a point 70 metres south-west of its junction with Forest Way to a point 25 metres south-west of its junction with Warwick Park
	North-west side	From a point 70 metres south-west of its junction with Forest Way to a point 80 metres north-east of its junction with Warwick Park
Hawkenbury Road, Tunbridge Wells	South-west side	From a point 15 metres north-west of its junction with Boundary Road to a point 75 metres south-east of its junction with Forest Road
	South-west side	From a point 10 metres south-east of its junction with Boundary Road to a point 40 metres north-west of its junction with Maryland Road
High Woods Lane, Tunbridge Wells	South side	From a point 15 metres south-east of its junction with Halls Hole Road to a point 12 metres south-east of its junction with Cleeve Avenue
Whybourne Crest (east-west spur), Tunbridge Wells	North side	From a point 30 metres east of its junction with Forest Road to its eastern most extent (including turning head).
	South side	From a point 30 metres east of its junction with Forest Road to a point 10 metres west of its junction with Whybourne Crest (north-south spur)
	South side	From a point 10 metres east of its junction with Whybourne Crest (north south spur) to its eastern most extent (including turning head).
Whybourne Crest (north-south spur), Tunbridge Wells	Both sides	Between a point 15 metres south-west of its junction with Whybourne Crest (east-west spur) and a point 15 metres north-east of its junction Forest Way