

**THE KENT COUNTY COUNCIL
WOOD STREET (PERMIT PARKING)
(TUNBRIDGE WELLS)
ORDER 2023**

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 given to them under sections 1, 2, 3, 4, 32, 35, 45, 46, 47, 49, 53 and 124 of the Road Traffic Regulation Act, 1984, (hereinafter referred to as "the Act"), as amended by section 1 of the Road Traffic Regulation (Parking) Act, 1986 and as amended by the Traffic Management Act 2004 Part 6 and all other powers enabling them in that behalf, after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the Act, hereby make the following Order:-

PART I

GENERAL

Commencement and Citation

1. This Order shall come into operation on the 27th day of November 2023 and may be cited as "The Kent County Council Wood Street (Permit Parking) (Tunbridge Wells) Order 2023" ("this Order")

Interpretation and Definitions

2. (1) In this Order:-

Term	Meaning
"the Borough Council"	means Tunbridge Wells Borough Council
"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
"Driver"	where this relates to a Vehicle waiting in a Parking Place, means the person driving the Vehicle at the time it was left in the Parking Place
"Emergency Services Vehicle"	means a Vehicle operated by the police, fire & rescue service or ambulance service

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Term	Meaning
"Junction"	means the intersection point of the centrelines, or projected centrelines, of the Roads specified
"Motorcycle"	has the same meaning as in the Act
"Owner"	in relation to a Vehicle, means the person by whom such Vehicle is kept and used
"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 Permit" and "Permit"	means a Permit, either actual or virtual, issued either by Tunbridge Wells Borough Council or Age UK.
"Parking Place"	means the area designated as a Parking Place under Article 3 of this Order.
"Permit Holder"	means a person to whom a Permit has been issued under the provisions of Article 5 of this Order
"Permitted Hours"	means the days and hours of operation of the parking spaces as specified in the Schedule to this Order
"Relevant Position"	<p>means:-</p> <ol style="list-style-type: none"> 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 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 outside of the Vehicle. 3) in respect of a Parking Permit or Parking Exemption Certificate and where the Vehicle is fitted with a dashboard or fascia panel, the Permit or certificate is exhibited thereon so that all the particulars of the Permit or certificate are visible in full and legible from outside of the Vehicle. 4) in respect of a Parking Permit or parking exemption certificate and where the Vehicle is not fitted with a dashboard or fascia panel, the Permit or certificate is exhibited in a conspicuous position on the Vehicle so that all the particulars of the Permit or certificate are visible in full and legible from outside of 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
"Vehicle"	has the same meaning as that assigned to "motor vehicle" in s.136(1) of the Act

(2) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

Designation of Parking Place

3. The areas described as Parking Places in the Schedule to this Order are designated as Parking Places for use by motor cars and Motorcycles as defined in S136 of the Act when parked wholly within the limits of the Parking Place and, except Motorcycles, parallel to the adjacent building.

Vehicles for which Parking Place is Designated

4. (1) Save as provided in this article 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 the Schedule to this Order.

(2) Nothing in this Article shall apply to such Vehicles as display, in the manner specified in either Article 5 of this Order, a valid Permit issued by the Council or Age UK.

(3) Nothing in this Article shall prevent any person from causing or permitting a Vehicle to wait in any of the lengths of Road referred to in this Article for so long as may be necessary:-
 - (a) to enable the Vehicle to be used for police, ambulance or fire brigade purposes.
5. Nothing in Article 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 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 or 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..

Display of Parking Permits

6. At all times during which a Vehicle is left in a Parking Place during the Permitted Hours and where written Permits are in use there shall be displayed a valid Permit issued in respect of that Vehicle. In the case of a Vehicle without a fixed windscreen or a Motorcycle, the Permit shall be displayed on the near side of the Vehicle or Motorcycle. In the case of any other Vehicle, the Permit shall be displayed on or adjacent to the near side of the windscreen.

Restriction on the Removal of Permits and Notices

7. Where a Permit has been displayed on a Vehicle in accordance with the provisions of Article 6 of this Order, no person, not being the driver of the Vehicle, shall remove the Permit from the Vehicle unless authorised to do so by the driver of the Vehicle.

Manner of Standing in Parking Place

8. Every Vehicle left in the Parking Place in accordance with the foregoing provisions of this Order shall stand so that the whole Vehicle is within the marked bounds of the Parking Place.

Alteration of Position of Vehicle in an On-Street Parking Place

9. Where any Vehicle is standing in the on-street Parking Place in contravention of the provision of Article 8 of this Order, a Civil Enforcement Officer may alter or cause to be altered the position of the Vehicle in order that its position shall comply with those provisions.

Removal of Vehicles from Parking Place

10. Where a Civil Enforcement Officer is of the opinion that the provisions contained in Article 4 of this Order have been contravened or not complied with in respect of a Vehicle left in the Parking Place, he may remove or cause to be removed the Vehicle from the Parking Place, and where it is so removed, shall provide for the safe custody of the Vehicle.

Movement of Vehicles in Parking Place in Emergencies

11. A police officer in uniform or a Civil Enforcement Officer may in case of emergency move or cause to be moved any Vehicle left in the Parking Place to any place he thinks fit.

Restriction of Use of Vehicle at Parking Place

13. Whilst any Vehicle is in the Parking Place during the permitted hours, no person shall use the Vehicle in connection with the sale of any article to any person in or near the Parking Place or in connection with the selling or offering for sale of his or her skill or services.

Contraventions of this Order

14. 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 Article 4 of this Order, a Penalty Charge Notice may be issued by a Civil Enforcement Officer and a Penalty Charge may be payable

General

15. 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 except where such provisions are contained within an existing Disabled Persons Parking Places Order.

Given under the Common Seal of Kent County Council

This 2nd day of November 2023

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


AUTHORISED SIGNATORY



1030-2023

THE SCHEDULE

Permit Holders Only At Any Time

Location	Side	Definition
Access Road between the rear of 70 to 102 Camden Road and the Age Concern Building	East side	Between a point 24 metres south-west of its Junction with Wood Street and a point 38 metres south-west of that Junction