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In the Borough of Tunbridge Wells

THE KENT COUNTY COUNCIL
(The Borough of Tunbridge Wells)
(Prohibition of Waiting) No.02 Order 2018

Road Traffic Regulation Act 1984
In the Borough of Tunbridge Wells

THE KENT COUNTY COUNCIL
( THE BOROUGH OF TUNBRIDGE WELLS)
(PROHIBITION OF WAITING) No.02 ORDER 2018

Road Traffic Regulation Act 1984

THE KENT COUNTY COUNCIL, (herein 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 of all other enabling powers, and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the said Act, hereby makes the following Order:-

To introduce or amend the double yellow lines (DYL’s) (No waiting at any time) restrictions in the following roads

Highgate Hill, Hawkhurst, both sides From the southern boundary of number 2 Highgate hill to the southern boundary of 4 Highgate Hill

Herschel Place, Hawkhurst, both sides from its junction with Highgate Hill in a westerly direction for 15 metres

A copy of the proposed Order, statement of the Council's reasons for making the proposed Order, a map indicating the location and the effect and a copy of any other Orders which will be amended by the proposed Order may be examined on Mondays to Friday at The Kent County Council, Sessions House, Maidstone, ME14 1XQ and at The Kent County Council, Highway, Transportation & Waste, Ashford Highway Depot, Henwood Industrial Estate, Unit 4 Javelin Way, Ashford, Kent TN24 8AD during normal office hours or viewed online at www.kent.gov.uk/highwaysconsultations

If you wish to offer support or object to the proposed Order you should send the grounds in writing to The TRO Co-ordinator, Schemes Planning & Delivery Team, Highways, Transportation & Waste, Kent County Council, Ashford Highway Depot, Henwood Industrial Estate, Javelin Way, Ashford, TN24 8AD or by email to TRO@kent.gov.uk by 12 noon Monday 2nd April 2018

Roger Wilkin
Director
Highways Transportation & Waste
In the Borough of Tunbridge Wells

THE KENT COUNTY COUNCIL
( THE BOROUGH OF TUNBRIDGE WELLS)
(PROHIBITION OF WAITING) No.02 ORDER 2018

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STATEMENT OF REASONS

The Kent County Council as traffic authority intends to make the Order referred to above and as shown on the drawing accompanying this document for the following reasons:-

Due to the construction of the development on the western side of Highgate Hill it has become necessary to introduce the waiting restrictions in Highgate Hill to avoid the danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising.

Roger Wilkin
Director of Highways, Transportation and Waste
County Hall
Maidstone
THE KENT COUNTY COUNCIL
(THE BOROUGH OF TUNBRIDGE WELLS)
(PROHIBITION OF WAITING) No.02 ORDER 2018

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Interpretation

1. In this Order:

"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" has the same meaning 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, 125 mm 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" means 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

1) a commencement date and time
2) an expiry date and time
3) or both and
4) may specify those roads or parts thereof in which the certificate is valid
“relevant position” means;

1) in the case of a vehicle fitted with a dashboard or facia panel, the disabled persons badge is exhibited therein so that Part 1 of the badge is legible from outside the vehicle;

2) in the case of a vehicle fitted with a dashboard or facia 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 the vehicle;

3) in 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.

“specified road” means the road or roads specified in the Schedules 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 permission of a police constable in uniform or of a traffic warden or of a parking attendant cause or permit any vehicle to wait at any time in any of the lengths of road specified in 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 purposes 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 purposes 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 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 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 day and time when the vehicle is waiting.
General Provisions

2. In so far 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.

3. The restrictions imposed by this Order shall be in addition to and not in derogation of any restrictions or requirement imposed by regulations made or having effect as if made under the Act of 1984, or by or under any other enactment.

4. The parts of Orders listed in the Schedule to this Order are hereby revoked and will cease to have any effect from **day ********** 201**

Schedule

No waiting at any time

<table>
<thead>
<tr>
<th>Road</th>
<th>Side</th>
<th>Definition</th>
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