

THE KENT COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE KENT COUNTY COUNCIL (VARIOUS ROADS, TUNBRIDGE WELLS) (PROHIBITION OF STOPPING ON VERGE OR FOOTWAY) ORDER 2014

The Kent County Council (hereinafter called “the Council”) in exercise of their powers under Sections 1,2, 4 and 124 of and Part IV of the Schedule to the Road Traffic Regulation Act 1984 (hereinafter called “the Act of 1984”), The Transport Act 2000, the Traffic Management Act 2004 and all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the Act of 1984 hereby make the following Order:-

1. This Order may be cited as “The Kent County Council (Various Roads, Tunbridge Wells)(Prohibition of Stopping on Verge or Footway) Order 2014, it shall come into force on Friday 24th October 2014 and has the effect of making a permanent Order for restrictions previously introduced on an experimental basis.
2. The Interpretation Act of 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

INTERPRETATION

3. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-
 - (i) “carriageway” has the meaning as given in the Highways Act 1980
 - (ii) “verge” means any part of a road not being a carriageway or footway.
 - (iii) “footway” means any paved or hardened area separated from the highway carriageway for use by pedestrians.
 - (iv) “motor vehicle” means a mechanically propelled vehicle intended or adapted for use on the roads as defined in Section 136 of the Road Traffic Regulation Act 1984 (as amended)
 - (v) “road” means the full width of the highway including carriageway, footway and verge.
 - (vi) “Civil Enforcement Officer” means a person employed by Tunbridge Wells Borough Council in pursuance of powers granted by the Traffic Management Act 2004.
 - (vii) “Approved Device” means a device used to enforce parking contraventions and certified by the Secretary of State.
 - (viii) “junction” means the intersection point of the centrelines, or projected centrelines, of any specified roads.
 - (ix) “specified road” means the road or roads specified in the Schedule to this Order.

RESTRICTIONS IMPOSED

4. Save as provided in Article 7 of this Order no person shall cause or permit any vehicle to stop or wait at any time with one or more wheels on any part of the verge or footway in those lengths of road specified in the Schedule to this Order.
5. Enforcement of the restrictions imposed by this Order will be by Civil Enforcement Officer or through use of an Approved Device.
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.

EXEMPTIONS

7. Nothing in Article 4 of this Order applies to the lengths of road restricted by that Article (which said lengths of road are referred to in this Article as “the restricted area”) in relation to:-
 - (i) a vehicle in actual use for Fire and Rescue, Ambulance or Police purposes.
 - (ii) anything done with the permission of or at the direction of a police constable in uniform or with the permission of a Civil Enforcement Officer as defined by the Traffic Management Act 2004 and appointed by Tunbridge Wells Borough Council.
 - (iii) a vehicle which is prevented from proceeding by circumstances beyond the drivers control or which has stopped in order to avoid injury or damage to persons or property or when required to do so by law.
 - (iv) a vehicle being used for the maintenance, improvement or reconstruction of a part or whole of the restricted area.
 - (v) a vehicle being used for the laying, erection, alteration, repair or cleaning of any sewer or of any main pipe or apparatus for the supply of gas, water or electricity, or of any telecommunications apparatus within the restricted area.
 - (vi) a vehicle being used in the service of the local authority in pursuance of statutory powers or duties which cannot reasonably be used for such purpose without stopping in the restricted area.
 - (vii) a vehicle being used for the construction, improvement, maintenance or cleaning of any street furniture which cannot reasonably be used for such purpose without stopping in the restricted area.
 - (viii) a vehicle being used in connection with any operation involving building, demolition or excavation which cannot reasonably be used for such purpose without stopping in the restricted area.
 - (ix) a vehicle being used for the removal of any obstruction to traffic which cannot reasonably be used for such purpose without stopping in the restricted area.

COMMENCEMENT AND CITATION

This Order may be cited as “THE KENT COUNTY COUNCIL (VARIOUS ROADS, TUNBRIDGE WELLS)(PROHIBITION OF STOPPING ON VERGE OR FOOTWAY) ORDER 2014” and shall come into operation on 24 October 2014

Given under the Common Seal of Kent County Council

This th Day of 2014

THE COMMON SEAL of
KENT COUNTY COUNCIL

Was hereunto affixed in the presence of

Authorised Signatory

THE SCHEDULE

No stopping at any time on verge or footway

Road Name	Side	Description
Culverden Down, Tunbridge Wells	Both sides	From a point 30m west of its junction with Culverden Park to its junction with Huntleys Park.
Farmcombe Road, Tunbridge Wells	Both sides	Between its two junctions with Cavendish Drive.
Frant Road, Tunbridge Wells	Both sides	From its junction with Rodmell Road to its junction with Birling Road.
Howard Gardens, Tunbridge Wells	Both sides	For its entire length.
Park Road, Tunbridge Wells	Both sides	For its entire length.
Pembury Road, Tunbridge Wells	Both sides	From a point 62m south-west of its junction with Sandhurst Road to a point 314m north-east of that junction.