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24 August 2020**

**THE KENT COUNTY COUNCIL
(VARIOUS ROADS, BOUGHTON & DUNKIRK,
BOROUGH OF SWALE)
(WEIGHT RESTRICTION)
ORDER 2020**

Road Traffic Regulation Act 1984

Please return to:

Schemes Planning and Delivery Team

Kent County Council Highways, Transportation & Waste
Ashford Highway Depot
Javelin Way
Ashford
TN24 8AD

PUBLIC NOTICE



In the Borough of Swale

THE KENT COUNTY COUNCIL (VARIOUS ROAD, BOUGHTON & DUNKIRK, BOROUGH OF SWALE) (WEIGHT RESTRICTION) ORDER 2020

Road Traffic Regulation Act 1984

Kent County Council acting as the Local Traffic Authority and in exercise of its powers under Sections 1, 2 and 3(2) of the Road Traffic Regulation Act 1984 (hereinafter referred to as 'the Act') as amended, 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: -

The general effect of this Order is to prevent any goods vehicles with a maximum permissible laden weight of which exceeds 7.5Tonnes to proceed in those lengths of road specified in the Schedules of this Order. Exemptions are provided in the Order for; access to land & properties, permit holders, vehicles engaged agricultural activities, emergency services, authorities in pursuance of statutory powers and vehicles engaged in such building operations as maintenance, improvement or demolition. Full details of the exemptions are provided in the Articles of the Order.

The length of roads subject to a 7.5Tonne Weight Restriction as stated below

Staple Street - From its junction with Staplestreet Road to a point 172 metres north west of the north west boundary of Fairbrook Bunglow. **Canterbury/London Road** - From its junction with the A2 slip road to its junction with The Street. **The Street, Staplestreet Road and Stockers Hill** - For their entire length.

The Kent County Council (Staplestreet Road, Dunkirk, Borough of Swale) (Weight Restriction) Order 2018 will be revoked.

The Order was made on 2 July 2020 and its provisions will come into effect on 13 July 2020.

A copy of the Order, statement of the Council's reasons for making the Order, a map indicating the location and the effect and a copy of any Orders which will be amended by the Order may be examined on Monday to Friday at The Kent County Council, Sessions House, Maidstone, ME14 1XQ; 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

Anyone may, by application to the High Court within 6 weeks of the date of publication of this Notice, challenge the validity of the Orders or of any provision contained in them on the grounds that it is not within the powers conferred by the Road Traffic Regulation Act 1984, or any instrument made thereunder, or that there has been a failure to comply with any statutory requirement to the Orders.

Simon Jones

Director of Highways, Transportation & Waste

STATEMENT of REASON



In the Borough of Swale

THE KENT COUNTY COUNCIL (VARIOUS ROADS, BOUGHTON & DUNKIRK, BOROUGH OF SWALE) (WEIGHT RESTRICTION) ORDER 2020

Road Traffic Regulation Act 1984

Kent County Council acting as the local Traffic Authority and in exercise of its powers hereby make the proposed Order to prohibit any goods vehicle with a maximum laden weight capable of exceeding 7.5Tonne to proceed in the various roads described in the Order.

The recommendation to make the Order is to avoid the potential of large vehicles attempting to use less suitable routes and to reduce the amount of unnecessary through traffic by large vehicles to prevent danger to persons especially pedestrians, prevent damage to the roads and buildings and preserving the amenities of the area in which the road runs.

The scheme and its objectives meet with one of the central themes in Kent's Local Transport Plan 3 Enjoying Life in Kent (Improve Quality of Life) and Objective 3 of Kent's Freight Action Plan "To effectively manage the routing of HGV traffic to ensure that such movements remain on the Strategic Road Network for as much of their journey as possible" and Objective 4 "To take steps to address problems caused by freight traffic to communities".

Nikola Floodgate

Schemes Planning and Delivery Manager

THE KENT COUNTY COUNCIL
(VARIOUS ROADS, BOUGHTON & DUNKIRK, BOROUGH OF SWALE)
(WEIGHT RESTRICTION) ORDER 2020

ROAD TRAFFIC REGULATION ACT 1984

The Kent County Council, acting as the Local Traffic Authority and in exercise of its powers under Sections 1, 2 and 3(2) of the Road Traffic Regulation Act 1984 (hereinafter referred to as "the Act"), as amended and Part 6 of the Traffic Management Act 2004 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:-

7.5 TONNE WEIGHT RESTRICTION

1. The maximum permissible laden weight of a motor vehicle is the gross weight indicated on the plate displayed on that motor vehicle as required by Regulation 70 and Schedule 10, Road Vehicles (Construction and Use) Regulations 1986 (SI/1986/1078) or in the event such a plate is not displayed the gross weight for Great Britain, displayed on the vehicle as required by Regulation 66 and Schedule 8, the Road Vehicles (Construction and Use) Regulations 1986.
2. Save as provided for in Article 3 of this Order, no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any heavy commercial vehicle in excess of 7.5 tonnes maximum gross weight to proceed along the length of roads specified in the Schedule to this Order.
3. Nothing in Article 2 of this Order shall make it unlawful for any person to cause or permit a heavy commercial vehicle to proceed along the length of road specified in the Schedule of this Order (hereinafter referred to as "the road") if the said vehicle is being used:-
 - (a) as a public service vehicle within the meaning at Section 1 of the Public Passenger Vehicles Act 1981;
 - (b) for or in connection with the conveyance of persons, goods or merchandise to or from any premises situated on or adjacent to the road,
 - (c) in connection with any building operation or demolition on or adjacent to the road or the removal of any obstruction to traffic in the road,
 - (d) in connection with the maintenance, improvement, or reconstruction of the road,
 - (e) in connection with the laying, erection, alteration or repair in on or adjacent to the road of any sewer or of any main pipe or apparatus for the supply of gas, water or electricity or of telecommunications apparatus;
 - (f) in the service of the Kent County Council in pursuance of their statutory powers or duties;
 - (g) for police, fire brigade, ambulance, coast guard or civil defence purpose;
 - (h) for delivery to properties within the prohibition.

THE KENT COUNTY COUNCIL
(STAPLESTREET ROAD, DUNKIRK, BOROUGH OF SWALE)
(WEIGHT RESTRICTION) ORDER 2018

ROAD TRAFFIC REGULATION ACT 1984

The Kent County Council, acting as the local Traffic Authority and in exercise of its powers under Sections 1, 2, 3, 4, 5, 10(2) and 124 to the Road Traffic Regulation Act 1984 (hereinafter referred to as 'the Act'), as amended, 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:-

7.5 TONNE WEIGHT RESTRICTION

1. Save as provided in Article 3 of this Order, no person shall, except upon the direction or with the permission of a police constable in uniform cause any goods vehicle with a maximum permissible laden weight which exceeds 7.5Tonnes to proceed in Staplestreet Road, Dunkirk from its junction with Dawes Road, southwards, then in a north-westerly direction to its junction with The Street.
2. The maximum permissible laden weight of a motor vehicle is the gross weight indicated on the plate displayed on that motor vehicle as required by Regulation 70 and Schedule 10, of 'The Road Vehicles (Construction and Use) Regulations 1986' (Ministry Plate) or in the event such a plate is not displayed the gross weight for Great Britain, displayed on the vehicle as required by Regulation 66 and Schedule 8, of The Road Vehicles (Construction and Use) Regulations 1986.
3. Nothing in Article 1 of this Order shall apply so as to prevent any person from causing or permitting a vehicle to proceed in the length of roads referred to in that Article if the vehicle: -
 - (a) is being used in connection with any building operation; any maintenance, improvement or demolition in or adjacent to that length of road, the removal of any obstruction to traffic in the road or reconstruction of the length of road; or the laying, erection, or alteration or repair in or adjacent to that length of road of any sewer, or of any main pipe or apparatus for the supply of gas, water or electricity or of electronic communications apparatus as defined in Schedule 3 of the Communications Act 2003;
 - (b) is being used in connection with police, fire brigade, ambulance or civil defence purposes.
 - (c) is being used as a public service vehicle within the meaning of Section 1 of the Public Passenger Vehicles Act 1981;
 - (d) is being used in the service of the Council in pursuance of their statutory powers or duties;
 - (e) is being used in connection with the conveyance of persons, goods or merchandise to or from any premises situated on or adjacent to the road specified in Article 1;
 - (f) is being used for the purposes of agriculture or for the conveyance or haulage of timber;
 - (g) is displaying in a conspicuous position on the vehicle a certificate issued by the Council stating that the vehicle is exempt from the restriction contained in Article 1.

T/2011/2018/SW/761

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

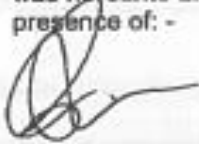
CITATION AND COMMENCEMENT

5. This Order may be cited as "The Kent County Council (Staplestreet Road, Dunkirk, Borough of Swale) (Weight Restriction) Order 2018" ("this Order") and shall come into operation on the 12th day of February 2019.

GIVEN under the Common Seal of the Kent County Council

This 7th day of February 2019

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



Authorised signatory



Proposed 7.5 tonne TRO's for Boughton and Dunkirk.

