These documents should remain available for public inspection until 16th April 2015

THE KENT COUNTY COUNCIL (BOROUGH OF MAIDSTONE) (GOODS VEHICLE LOADING BAY) ORDER 2015

Road Traffic Regulation Act 1984
In the Borough of Maidstone

THE KENT COUNTY COUNCIL
(BOROUGH OF MAIDSTONE) (GOODS VEHICLE LOADING BAY) ORDER 2015

Road Traffic Regulation Act 1984

THE KENT COUNTY COUNCIL, acting as the local traffic authority and in exercise of their powers under section 1, 2, 4, 32, 35, 45, 46, 124 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 as amended, the Traffic Management Act 2004, the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 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 effect of the proposed named Order (Goods Vehicle Loading Bay) will implement new restrictions in the following lengths of road, in that no person shall cause or permit any vehicle to wait during the restricted hours in any loading area specified unless it is of the specified class and being used for the loading or unloading of goods in connection with nearby trade or business premises.

TONBRIDGE ROAD

South side, from a point 122 metres northeast of its junction with Farleigh Lane for a distance of 20 metres in north-easterly direction

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 Mondays to Friday at Maidstone Borough Council Offices, The Gateway, Maidstone, Kent, ME15 6JQ and at Kent County Council, Sessions House, Maidstone, ME14 1XQ.

Anyone wishing to support the new proposal or object to the proposed Order should write to: The Traffic Schemes and Member Highway Fund Manager, Kent County Council Highways, Javelin Way, Ashford, TN24 8AD or by email to TRO@kent.gov.uk quoting the name of the Order and stating their reasons, by no later than noon on Monday 16th day April 2015.

John Burr, Director of Highways
Transportation & Waste
County Hall
Maidstone
Kent
In the Borough of Maidstone

THE KENT COUNTY COUNCIL
(BOROUGH OF MAIDSTONE) (GOODS VEHICLE LOADING BAY)
ORDER 2015

Road Traffic Regulation Act 1984

The Kent County Council acting as the Local Traffic Authority proposes to make the Order referred to above and as shown on the drawing accompanying this document.

TONBRIDGE ROAD

- The proposed ‘Goods Loading Bay’ layby for the proposed new retail store development is to allow the loading and unloading of goods by avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising

Dated: 5th January 2015

Andy Corcoran
Traffic Schemes and MHF Manager
THE KENT COUNTY COUNCIL
(BOROUGH OF MAIDSTONE) (GOODS VEHICLE LOADING BAY)
ORDER 2015

ROAD TRAFFIC REGULATION ACT 1984

THE KENT COUNTY COUNCIL, acting as the local traffic authority and in exercise of their powers under section 1, 2, 4, 32, 35, 45, 46, 124 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 as amended, the Traffic Management Act 2004, the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 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:-

SECTION 1 – PRELIMINARY

Citation and Commencement

1. This Order shall come into operation the ** day of ********* 2015 and may be cited as The Kent County Council (Borough of Maidstone) (Goods Vehicle Loading Bay) Order 2015

Interpretation

2. In this Order, except where the context otherwise requires, the following expressions have the meaning hereby respectively assigned to them:

“Council” means Kent County Council or, as the case may be, the Council’s agents

“disabled person’s badge” has the same meaning as in the Disabled Person’s (Badges for Motor Vehicles) (England) Regulations 2000;

“driver” in relation to a vehicle waiting in a restricted area, means the person driving the vehicle at the time it was left in the restricted waiting area or parking place;

“goods” means goods of any kind whether animate or inanimate and includes postal packages of any description and “delivering” and “collecting” in relation to any goods includes checking the goods for the purpose of delivery or collection;

“goods vehicle” means a motor vehicle over 1500kg in weight which is constructed or adapted for use for the carriage of goods or burden of any description the overall height of which exceeds 2.3 metres and the overall length which exceeds 5.0 metres and is not drawing a trailer;

“lay-by” in relation to a main carriageway means any area of a highway at the side of the main carriageway but not of it and marked in accordance with the Traffic Signs and General Directions 2002 intended for the waiting of vehicles

“loading area” means any of the sides or lengths of road specified in Schedule 3 where activities other than loading are prohibited;

“passenger vehicle” means a motor vehicle (other than a motor-cycle) constructed or adapted solely for the carriage of not more than twelve passengers (exclusive of the driver) and their
effects and not drawing a trailer;

“penalty charge” has the same meaning as in the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 or any subsequent legislation so enabling;

“penalty charge notice” has the same meaning as in the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 or any subsequent legislation so enabling;

3. Any reference in this Order to a numbered Article shall, unless the context requires otherwise, be construed as a reference to the Article bearing that number in this Order and any reference to a Schedule is a reference to a Schedule incorporated into this Order.

4. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment.

5. The Interpretation Act 1978 shall apply to the interpretation of this Order as it applies for the interpretation of an Act of Parliament and the Orders revoked were Acts of Parliament thereby repealed.

Section 2 – PROHIBITION AND RESTRICTION OF WAITING AND LOADING

Loading Areas

6. Save as provided in Articles 7 to 8 no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait during the restricted hours in any loading area specified in Schedule 3 of this Order unless it is of the specified class and being used for the loading or unloading of goods in connection with nearby trade or business premises.

Emergency Services

7. Nothing in Article 6 shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of road or on the sides of road or loading areas specified therein for so long as may be necessary to enable the vehicle to be used for fire and rescue, ambulance or police purposes:

General Exemptions

8. Nothing in Article 6 shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of road or on the sides of road or loading areas specified therein for so long as may be necessary to enable:

a) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations, namely:-
(i) building, shop fitting, industrial or demolition operations;

(ii) the removal of any obstruction to traffic;

(iii) the maintenance, improvement or reconstruction of the said lengths or sides of road; and

(iv) the laying, erection, alteration or repair in or on land adjacent to the said lengths or sides of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications system,

b) the vehicle, not being a passenger vehicle, if it cannot conveniently be used for such purposes any any other road, to be used in the service of a local authority or its contractors in pursuance of that authority’s statuaty powers or duties;

c) the vehicle of the Royal Mail or other universal service provider (as defined in section 4(3) and (4) of the Postal Services Act 2000) to be used for the purpose of delivering and or collecting mail; or

d) in any case where the person in control of the vehicle,

(i) is required by law to stop;
(ii) is obliged to stop so as to prevent an accident, or
(iii) is prevented from proceeding by circumstances outside his/her control

SECTION 3 – CONTRAVENTION OF ORDER

Contravention

9. If a vehicle is left in a prohibited or restricted road or parking place without complying with the requirements of this Order, a contravention shall have occurred and a penalty charge shall be payable.

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

SECTION 4 – VALIDITY

11. If a court, the Department for Transport, the Traffic Penalty Tribunal or the Traffic Enforcement Centre declares any part of this Order to be invalid or unenforceable; such declaration shall not invalidate the remainder of the Order.
GIVEN under the Common Seal of The Kent County Council this day _ of __________2015

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

Authorised Signatory

In the Schedule to this Order

**SCHEDULE**

Goods Vehicle loading bay

All hours, all days, No maximum waiting period

<table>
<thead>
<tr>
<th>Road</th>
<th>Side of Road</th>
<th>Length restricted</th>
<th>Specified class of vehicle</th>
<th>Times of restriction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tonbridge Road</td>
<td>South</td>
<td>From a point 125 metres northeast of its junction with Farleigh Lane for a distance of 20 metres in north-easterly direction</td>
<td>Goods vehicles</td>
<td>All</td>
</tr>
</tbody>
</table>