These documents should remain available for public inspection until 12th September 2016

THE KENT COUNTY COUNCIL
(SMALLPOX HILL,
THE DISTRICT OF SHEPWAY)
(PROHIBITION OF DRIVING) ORDER 2016

Please return to:

Traffic Schemes Manager
Kent County Council Highways and Transportation
Ashford Highway Depot
Javelin Way
Ashford
TN24 8AD
THE KENT COUNTY COUNCIL
(SMALLPOX HILL, THE DISTRICT OF SHEPWAY)
(PROHIBITION OF MOTOR VEHICLES) ORDER 2016

THE KENT COUNTY COUNCIL, acting as the local traffic authority and in exercise of its powers under Sections 1, 2, 3, 4, 5 and 124 and Schedule 9 to the Road Traffic Regulation Act 1984 (hereinafter referred to as the Act of 1984) 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 said Act of 1984, hereby makes the following Order.

PART A
GENERAL

1. CITATION AND COMMENCEMENT

   a. This Order may be cited as "The Kent County Council (Smallpox Hill, The District of Shepway) (Prohibition of Motor Vehicles) Order 2016 and shall come into operation on the 1st August 2016

2. INTERPRETATION

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

   b. “the Act of 1984” means the Road Traffic Regulation Act 1984;

   c. “the Council” means the Kent County Council, as Traffic Authority;

3. GENERAL EXEMPTIONS

   a. Nothing in this Order shall apply to prevent any person from causing any vehicle to proceed if the vehicle is being used for fire brigade, ambulance, police or Civil Defence purposes, and the observance of that provision would be likely to hinder the use of that vehicle for the purpose for which it is being used on that occasion.

   b. Nothing in Article 5 of this Order shall apply so as to prevent any person from causing any motor vehicle to proceed in the length of road referred to in that Article if the vehicle is being used:-

      i. For the conveyance of persons, goods or merchandise to or from any premises situated on or adjacent to that road or length of road;

      ii. For the purposes of agriculture or horticulture in connection with land adjacent to that length of road or for the conveyance or haulage of timber felled upon that land;
iii. To enable the vehicle, if it cannot conveniently be used for such purpose elsewhere, to be used in connection with;
   (i) any building operation or demolition in or adjacent to that length of road,
   (ii) the removal of any obstruction to traffic in that length of road,
   (iii) the carrying out of any roadwork’s in that length of road,
   (iv) the laying, erection and/or alteration or repair of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any telegraph or telephone wires, cables, posts or supports

c. to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority or a water authority in pursuance of statutory powers or duties;

d. for a purpose authorised by and described on an access permit issued by the Traffic Authority provided such permit is clearly displayed on the windscreen of the vehicle.

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 Road Traffic Regulation Act 1984 or by or under any other enactment.

   **Prohibition of Motor Vehicles**

5. 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 motor vehicle to proceed in the road specified in column 2 in the said Schedule between the points specified in the column 3 to the said Schedule and between the times specified in column 4.
## Schedule 1
### Prohibition of Motor Vehicles

<table>
<thead>
<tr>
<th>Item No</th>
<th>Road Name</th>
<th>Specified Points</th>
<th>Specified Times</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>SMALLPOX HILL</td>
<td>ENTIRE LENGTH</td>
<td>AT ALL TIMES</td>
</tr>
</tbody>
</table>

Given under the Seal of the Kent County Council

This **28th** day of **July**, 2016.

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

Authorised signatory
In the District of Shepway

THE KENT COUNTY COUNCIL
(SMALLPOX HILL, THE DISTRICT OF SHEPWAY)
(PROHIBITION OF MOTOR VEHICLES) ORDER 2016

Notice is hereby given that KENT COUNTY COUNCIL has made the above named Order under sections 1(1), 2(1) to (3), 3(2), 4(1) and (2), 32(1), 35(1), 45, 46, 49 and 53 of the Road Traffic Regulation Act 1984, and of all other enabling powers, and after consultation with the Chief Officer of Police in accordance with Paragraph 20 of Schedule 9 to the Act:

The effect of the Order prohibits access for motor vehicles.

<table>
<thead>
<tr>
<th>Street</th>
<th>Prohibition</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Smallpox Hill</td>
<td>Prohibition of motor vehicles</td>
<td>Smallpox Hill, Folkestone: Entire length</td>
</tr>
</tbody>
</table>

Full details are contained in the Order which, together with the relevant plans, any Orders amended by this Order and a statement of reasons for making the Order may be examined during normal office hours at Kent County Council Highway Depot, Javelin Way, Ashford, Kent, TN24 8AD, at Sessions House, Maidstone, Kent, ME14 1XQ and online at www.consultations.kent.gov.uk.

Any person wishing to question the validity of the Order or any of the provisions contained therein on the grounds that it is not within the powers of the relevant enabling Act or that any requirement of any such enabling Act or of any regulations made thereunder have not been complied with may within 6 weeks from the date on which the Order was made make application to the High Court for this purpose.

Roger Wilkin
Director of Highways, Transportation and Waste
Kent County Council
Kent County Council has made the above named Traffic Regulation Order in the interests of preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road of adjoining property.

Dated 28 July 2016

Andy Corcoran
Traffic Schemes and MHF Manager
THE KENT COUNTY COUNCIL
(SMALLPOX HILL, THE DISTRICT OF SHEPWAY)
(PROHIBITION OF MOTOR VEHICLES) ORDER 2016

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This Order is in the interests of preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road of adjoining property.

A copy of the Order, the relevant map and statement of reasons can be inspected during normal office hours at Kent County Council Highway Depot, Javelin Way, Ashford, Kent, TN24 8AD, at Sessions House, Maidstone, Kent, ME14 1XQ and online at www.consultations.kent.gov.uk

ANY PERSON WISHING TO QUESTION THE VALIDITY OF THE ORDER OR ANY OF THE PROVISIONS CONTAINED THEREIN ON THE GROUNDS THAT IT IS NOT WITHIN THE POWERS OF THE RELEVANT ENABLING ACT OR THAT ANY REQUIREMENT OF ANY SUCH ENABLING ACT OR OF ANY REGULATIONS MADE THEREUNDER HAVE NOT BEEN COMPLIED WITH MAY WITHIN 6 WEEKS FROM THE DATE ON WHICH THE ORDER WAS MADE MAKE APPLICATION TO THE HIGH COURT FOR THIS PURPOSE.