

**THE KENT COUNTY COUNCIL
(A226 THAMES WAY, A2260 (PART) AND A2 (PART) DARTFORD)
(24 HOUR CLEARWAY) ORDER 2010**

The Council of the County of Kent in exercise of their powers under Section sections 1(1), 2(1) and 4(1) of the Traffic Regulation Act, 1984 and of all other enabling powers, and after consultation with the chief officer of police in accordance with Schedule 9 to the Act, hereby make the following Order:-

CITATION and COMMENCEMENT

1. This Order may be cited as The Kent County Council (A226 Thames Way, A2260 (Part) and A2 (Part) Dartford) (24 Hour Clearway) Order 2010 and shall come into force on 2 August 2010.

INTERPRETATION

2. (1) In this Order:

“the clearway” means

(a) the A266 Thames Way from the roundabout junction with Stonebridge Road and Grove Road, south west and south east to the junction with A266 Stonebridge Road.

(b) A2660 from the junction with A266 Thames Way south west, south and south east to the junction with A2.

“carriageway” means a way constituting or comprising in a road being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles and a surface suitable for the exercise of the right;

“layby” means any area of the carriageway intended for the waiting of vehicles bounded partly by a traffic sign of the type shown in diagram 1010 in Schedule 6 to the Traffic Signs Regulations and General Direction Signs 2002, and partly by the outer edge of that carriageway on the same side of the road as that on which the sign is placed;

“local service” has the same meaning as in section 2 of the Transport Act 1985;

“main carriageway” means any carriageway used primarily by through traffic but excludes any lay-by;

“public service vehicle” has the meaning given in section 1 of the Public Passenger Vehicle Act 1981;

“verge” means any part of the clearway which is not carriageway.

(2) The restrictions imposed by this Order shall be in addition to and not in derogation to any restriction or requirement imposed by any regulations made under or having effect as if made under the Road Traffic Regulation Act, 1984 or by or under any other enactment;

(3) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

PROHIBITION OF WAITING ON CLEARWAY

3. Save as provided in Article 5 of this Order no person shall, except upon the direction or with the permission of a police constable in uniform or of a civil enforcement officer, cause or permit any vehicle to wait on the main carriageway of the clearway.

PROHIBITION OF SELLING GOODS

4. No person shall cause or permit any vehicle to wait on any verge or lay-by immediately adjacent to any of the main carriageways comprised in the clearway for the purpose of selling goods from that vehicle unless the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is affected.
5. Nothing in Article 3 of this Order shall apply
- (a) so as to prevent a vehicle waiting on any main carriageway referred to in that Article for so long as may be necessary to enable the vehicle to be used in connection with
- (i) any building operation or demolition;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of the road comprising or including that carriageway; or
 - (iv) the laying, erection, alteration or repair in or near such road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or any telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act, 1984;
- (b) in relation to the vehicle being used
- (i) for fire brigade, ambulance or police purposes;
 - (ii) to provide a local or other service, and being a public service vehicle;
 - (ii) in the service of a local authority or of a water authority in pursuance of statutory powers or duties;
 - (iii) for the purpose of delivering or collection postal packets as defined in section 87 of the Post Office Act 1953;
- (c) in relation to a vehicle waiting on any main carriageway referred to in that Article while any gate or other barrier at the entrance to premises to which the vehicle requires access or from which it has emerged is opened or closed, if it is not reasonably practicable for the vehicle to wait otherwise than on that carriageway; or
- (d) in relation to a vehicle waiting when the person in control of it is
- (i) required by law to stop;
 - (ii) obliged to stop in order to avoid an accident; or

(iii) prevented

Given under the Seal

This 26

THE CLERK
KENNEDY

upon the direction
of the Council
Management Officer,
1 May

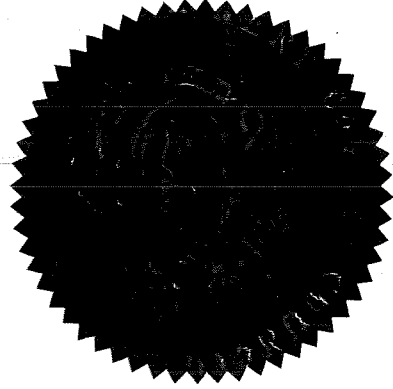
(iii) prevented from proceeding by circumstances outside their control.

Given under the Seal of the Kent County Council

This 26 day of JULY

2010

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



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Authorised Signatory