

2013 No. 1147

HIGHWAYS, ENGLAND

**The Street Works (Charges for Occupation of the Highway)
(Kent County Council) Order 2013**

Made - - - - *15th May 2013*

Coming into force - - *28th May 2013*

The Secretary of State for Transport makes this Order in exercise of the powers conferred by section 74A(2) of the New Roads and Street Works Act 1991(a).

Citation and commencement

1. This Order may be cited as the Street Works (Charges for Occupation of the Highway) (Kent County Council) Order 2013 and comes into force on 28th May 2013.

Approval of local highway authority

2. The Secretary of State approves Kent County Council for the purpose of requiring charges to be paid under the Street Works (Charges for Occupation of the Highway) (England) Regulations 2012(b) in accordance with the Kent Lane Rental Scheme which was submitted to the Secretary of State on 17th October 2012 and approved.

Signed by authority of the Secretary of State for Transport

15th May 2013

Norman Baker
Parliamentary Under Secretary of State
Department for Transport

(a) 1991 c.22. Section 74A was inserted by the Transport Act 2000 (c.38), section 255 and amended by the Traffic Management Act 2004 (c.18), section 40. The functions of the Secretary of State under section 74A and 104 are, so far as exercisable in relation to Wales, vested in the Welsh Ministers. Those functions were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), article 2, Schedule 1. By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c.32), they were transferred to the Welsh Ministers.

(b) S.I. 2012/425.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides approval for Kent County Council to enable it to require payment of charges in accordance with the Kent Lane Rental Scheme (“the Scheme”) for certain works carried out in the highway.

The requirement to pay charges to an Approved Authority is set out in the Street Works (Charges for Occupation of the Highway) (England) Regulations 2012 (“the 2012 Regulations”).

The Scheme, which has been submitted to and approved by the Secretary of State, is designed to control the carrying out of works in specified traffic sensitive locations at traffic sensitive times. This will be achieved by requiring the payment of a charge, in accordance with the 2012 Regulations for each day that the street is occupied by the works. Kent County Council may reduce or waive the daily charge, particularly if the works take place outside traffic sensitive times and the Scheme contains guidance as to the exercise of this discretion.

A copy of the Scheme can be inspected at the offices of Kent County Council, Invicta House, County Hall, Maidstone, Kent ME14 1XX. It is also available on the Kent County Council website at www.kent.gov.uk/lanerentalscheme.

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