
STATUTORY INSTRUMENTS

2013 No. 2249

The A282 Trunk Road (Dartford-Thurrock Crossing Charging Scheme) Order 2013

PART 1

PRELIMINARY

Citation, commencement and period in force

1.—(1) This Order may be cited as the A282 Trunk Road (Dartford-Thurrock Crossing Charging Scheme) Order 2013 and comes into force on 1st October 2013.

(2) This Order ceases to have effect at the end of the period of seven years from 1st October 2013.

Interpretation

2.—(1) In this Order—

“crossing” means the length of road set out in Schedule 1 and as indicated on the plan;

“custodian” means a person authorised in writing by the Secretary of State to perform the functions of a custodian described in Part 6 of the Enforcement Regulations;

“Enforcement Regulations” means the Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013⁽¹⁾;

“first charging regime” means the charging regime set out in columns 1, 2 and 3 of Schedule 2;

“free-flow charging” means the collection of charges other than through causing vehicles to stop and pay at fixed barriers at the crossing;

“local resident” means a person who permanently resides in the borough of Dartford or Thurrock;

“plan” means the plan marked “The A282 Trunk Road (Dartford-Thurrock Crossing Charging Scheme) Order 2013 Plan”, signed by authority of the Secretary of State for Transport and deposited at DfT Records Management Branch, Room F13, Ashdown House, Hastings, East Sussex TN37 7GA;

“postal address” means The Highways Agency, Federated House, Dorking, Surrey RH4 1SZ;

“second charging regime” means the charging regime set out in columns 1, 2 and 4 of Schedule 2; and

“website” means the website operated by or on behalf of the Secretary of State containing information about the operation of the Dartford-Thurrock Crossing charging scheme⁽²⁾.

(2) All measurements of distance are measured along the route of the crossing.

(1) S.I. 2013/1783.

(2) The website is at <http://www.highways.gov.uk/>

PART 2

DESIGNATION OF THE CROSSING AND CHARGES

Designation of the crossing

3. The crossing is the road designated by this charging scheme in respect of which charges are imposed by the first or second charging regime as the case may be.

Charging regimes

4.—(1) From 1st October 2013 until free-flow charging commences motor vehicles used or kept on the crossing are subject to the first charging regime.

(2) From the commencement of free-flow charging motor vehicles used or kept on the crossing are subject to the second charging regime.

(3) Reference to the class of a motor vehicle in column 2 of Schedule 2 is to the class determined by reference to regulation 2 of, and the Schedule to, the Road User Charging and Workplace Parking Levy (Classes of Motor Vehicles) (England) Regulations 2001(3).

(4) For the purposes of this Order the classes of motor vehicles in column 2 of Schedule 2 include such vehicles when drawing a trailer.

(5) There is no charge under the first charging regime or the second charging regime for any motor vehicle used or kept on the crossing after 2200 hours up to, but not including, 0600 hours the following morning.

(6) Those motor vehicles described in Schedule 3 of this Order are exempt from a charge under the first charging regime or the second charging regime.

Imposition and payment of charges

5.—(1) The use or keeping of a motor vehicle on the crossing causes a charge to be imposed under the first charging regime or the second charging regime as the case may be.

(2) The charge imposed by the first charging regime is determined with reference to column 3 of Schedule 2.

(3) The charge imposed by the second charging regime is determined with reference to column 4 of Schedule 2.

(4) The charge imposed by the first charging regime or the second charging regime (as the case may be) must be paid by such methods or means as may be specified by or on behalf of the Secretary of State on the website or in a document available on application from the postal address.

(5) To enable the collection of charges by a particular method or means of payment the Secretary of State (or a person on the Secretary of State's behalf) may specify on the website or in a document available on application from the postal address—

(a) documents required to be displayed by; or

(b) equipment required to be carried on board,

any motor vehicle in respect of which the charge is to be paid using that method or means of payment.

Advance payments

6.—(1) Subject to paragraph (3), the Secretary of State may enter into an agreement with persons (an “advance payment agreement”) under which, on such terms as may be provided by the agreement, charges for a motor vehicle to be used or kept on the crossing may be paid in advance.

(2) An advance payment agreement may relate to such use or keeping on such number of occasions, or during such period, as may be provided by it, and may provide for a reduction in the charges set out in the applicable charging regime.

(3) An advance payment agreement offered by the Secretary of State must be offered on the same terms to all persons seeking to enter into such an agreement.

Advance payments for local residents

7.—(1) Subject to paragraph (3), the Secretary of State may enter into an agreement with a local resident (a “local resident’s agreement”) under which, on such terms as may be provided by the agreement, charges for a motor vehicle to be used or kept on the crossing may be paid in advance.

(2) A local resident’s agreement may relate to such use or keeping on such number of occasions, or during such period, as may be provided by it, and may provide for a reduction in the charges set out in the applicable charging regime.

(3) A local resident’s agreement offered by the Secretary of State must be offered on the same terms to all local residents seeking to enter into such an agreement.

PART 3

PENALTY CHARGES

Penalty charge for non-payment of charge under the second charging regime

8.—(1) A penalty charge of the amount shown in Part 1 of Schedule 4 is payable in respect of a motor vehicle upon which a charge under the second charging regime has been imposed and where such charge has not been paid in full before midnight on the day immediately following the day on which that charge was imposed.

(2) A penalty charge payable under paragraph (1) is—

- (a) payable in addition to the charge imposed by the second charging regime;
- (b) to be paid in full within the period of 28 days beginning with the date on which a penalty charge notice relating to the charge that has not been paid in full is served;
- (c) reduced by one half provided it is paid in full prior to the end of the fourteenth day of the period referred to in paragraph (2);
- (d) increased by one half if not paid in full before a charge certificate to which it relates is served by the Secretary of State (as the charging authority) in accordance with regulation 17 of the Enforcement Regulations.

Additional penalty charges where powers exercised in respect of vehicles

9.—(1) An additional penalty charge of the amount shown in Part 2 of Schedule 4 will be payable under the second charging regime for the—

- (a) release of a motor vehicle immobilised in accordance with article 14;
- (b) return of a motor vehicle removed in accordance with article 15(1);
- (c) storage of a motor vehicle removed in accordance with article 15(1); and

(d) disposal of a motor vehicle (in the event that the motor vehicle has been disposed of) in accordance with article 15(2).

(2) Any penalty charge payable under paragraph (1) is payable in addition to the penalty charge imposed by article 8(1).

PART 4

POWERS IN RESPECT OF MOTOR VEHICLES

Exercise of powers and authorised persons

10.—(1) The Secretary of State may authorise in writing a person to exercise any one or more of the powers in articles 11 to 15.

(2) Any person authorised by the Secretary of State in accordance with paragraph (1) is an authorised person within the meaning of regulation 21 of the Enforcement Regulations.

Examination of motor vehicles

11. An authorised person may examine a motor vehicle whilst it is on a road to ascertain if any of the circumstances described in regulation 22 of the Enforcement Regulations exists.

Entering motor vehicles

12. An authorised person may enter a motor vehicle whilst it is on a road where the authorised person has reasonable grounds for suspecting that any of the circumstances described in regulation 23(1) of the Enforcement Regulations exists.

Seizure

13. An authorised person may seize anything (if necessary by detaching it from a motor vehicle) as provided for in regulation 24 of the Enforcement Regulations.

Immobilisation of motor vehicles

14. Provided—

(a) none of the circumstances in paragraph (2) of regulation 25 of the Enforcement Regulations apply; and

(b) the conditions in paragraph (3) of that regulation do apply,

an authorised person may immobilise a motor vehicle in accordance with paragraphs (4) and (5) of that regulation.

Removal, storage and disposal of motor vehicles

15.—(1) Provided regulation 27(1)(a) or (b) of the Enforcement Regulations is satisfied, an authorised person may remove a motor vehicle and deliver it to a custodian for storage.

(2) The custodian may dispose of the vehicle and its contents in the circumstances described in regulation 28 of the Enforcement Regulations.

PART 5

REVIEW AND REVOCATION

Review

- 16.**—(1) Before the end of the review period, the Secretary of State must—
- (a) carry out a review of this Order,
 - (b) set out the conclusions of the review in a report, and
 - (c) publish the report.
- (2) The report must in particular—
- (a) set out the objectives intended to be achieved by the regulatory system established by this Order,
 - (b) assess the extent to which those objectives are achieved, and
 - (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.
- (3) “review period” means the period of five years from 1st October 2013.

Revocation

17. The A282 Trunk Road (Dartford-Thurrock Crossing Charging Scheme) Order 2012(4) is revoked.

Signed by authority of the Secretary of State for Transport

5th September 2013

Fiona C Wilson
Divisional Manager Strategic Roads Division
Department for Transport

(4) [S.I. 2012/2387](#).