

ROYAL BOROUGH OF KINGSTON UPON THAMES

EXPERIMENTAL ROAD CLOSURE - LOWER HAM ROAD, KINGSTON (REF. TMO-P302)

**THE KINGSTON UPON THAMES (PRESCRIBED ROUTES) (AMENDMENT NO. 16)
EXPERIMENTAL TRAFFIC ORDER 2020**

DOCUMENTS FOR INSPECTION

1. A copy of the notice to appear in the Surrey Comet and the London Gazette on 27th August 2020
2. The Council's statement of reasons for making the Order
3. The made Order
4. Plans to indicate the locations and effect of the Order

Available for inspection until further notice
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The Kingston upon Thames (Prescribed Routes) (Amendment No. 16) Experimental Traffic Order 2020.

1. NOTICE IS HEREBY GIVEN that the Council of the Royal Borough of Kingston upon Thames on 24th August 2020 made the above-mentioned Order under section 9 of the Road Traffic Regulation Act 1984, as amended by the Local Government Act 1985.
2. The general effect of the Order, which will come into force on 7th September 2020, will, on an experimental basis, in Lower Ham Road, Kingston, prohibit motor vehicles from entering the carriageway approximately 10 metres south of its junction with Bank Lane. The prohibition will not apply to pedal cycles.
3. The Order provides that, subject to the provisions of section 10 of the Road Traffic Regulation Act 1984, the Council's Director of Corporate and Communities, or some person authorised in that behalf by them, may, if it appears to them or that person essential in the interest of the expeditious, convenient and safe movement of traffic or for providing suitable and adequate parking facilities on the highway or for preserving or improving the amenities of the area through which any road affected by the Order runs, modify or suspend the Order or any provision contained therein.
4. Due to the current Coronavirus pandemic, the experimental Order and other documents giving more detailed particulars of the Order (consultation documents) cannot currently be inspected at Guildhall 2. However, in line with guidance from the Department for Transport, the following alternative arrangements have been made;
 - a) the consultation documents can be inspected online at www.kingston.gov.uk/downloads/200319/tmos_open_for_statutory_consultation; and
 - b) copies of the consultation documents can also be obtained by calling 020 8547 5000 (between 9 a.m. and 5 p.m. on Mondays to Fridays) or by emailing TMO@kingston.gov.uk (please quote ref. TMO-P302).
5. Any person desiring to question the validity of the Order or of any provision contained therein on the grounds that it is not within the relevant powers of the Road Traffic Regulation Act 1984 or that any relevant requirements thereof or any relevant regulations made thereunder have not been complied with in relation to the Order may, within six weeks from the date on which the Order was made, make application for the purpose to the High Court.
6. The Council will be considering in due course whether the provisions of the experimental Order should be continued in force indefinitely by means of an Order made under sections 6 and 124 of the Road Traffic Regulation Act 1984. Any person may object to the making of an Order for the purpose of such indefinite continuation within a period of six months beginning from the date on which the experimental Order came into force, or if an experimental Order is varied or modified, beginning with the date on which such variation or modification came into force. Any objection must be in writing stating the grounds on which it is made and sent to either the Director of Corporate and Communities, Traffic Order Section, Guildhall 2, Kingston upon Thames, Surrey, KT1 1EU or to TMO@kingston.gov.uk (please quote ref. TMO-P302).

Dated 27th August 2020.

MERVYN BARTLETT

Group Manager – Highways and Transport (Corporate and Communities)

Note: Persons responding to the Order should be aware that the Council may be legally obliged to disclose the information provided to third parties.

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STATEMENT OF REASONS

Kingston Council is working hard to make public spaces safer in order to aid social distancing. We are putting measures in place to reduce/remove through-traffic from residential roads to create Low Traffic Neighbourhoods. This will make it easier for people to walk and cycle locally, to shop on their local high street and to reach their local green spaces, schools and NHS sites, all while maintaining physical distancing.

These measures will be subject to an Experimental Traffic Management Order (ETMO). An ETMO is the legal mechanism the council as traffic authority uses to control aspects of the way that the highway is used. They provide the legal backing to signs and road markings used on the highway and allow them to be enforceable. The ETMOs will be enforceable for a period up to 18 months to allow the assessment of any impact the road closure might have on the area and surrounding roads, and to revise the scheme if necessary within that time. A review will be carried out to assess the initial success of the scheme and whether the road closure should be made permanent after 6 months.

2020 No. 41

**THE KINGSTON UPON THAMES (PRESCRIBED ROUTES)
(AMENDMENT NO. 16) EXPERIMENTAL TRAFFIC ORDER 2020**

Made :- 24th August 2020

Coming into force :- 7th September 2020

The Council of the Royal Borough of Kingston upon Thames, after consulting the Commissioner of Police of the Metropolis, in exercise of the powers conferred by section 9 of the Road Traffic Regulation Act 1984 **(a)**, as amended, and all other enabling powers, hereby makes the following Order:-

1. This Order shall come into force on 7th September 2020 and may be cited as the Kingston upon Thames (Prescribed Routes) (Amendment No. 16) Experimental Traffic Order 2020.
2. In this Order:
 - (1) “the Order of 2013” means the Kingston upon Thames (Prescribed Routes) (No. 6) Traffic Order 2013 **(b)**;
 - (2) the expression “enactment” means any enactment, whether public general or local, and includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment; and
 - (3) 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.

(a) 1984 c.27 **(b)** RBK 2013/75

Amendment of the Order of 2013

3. (1) Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into force of this Order, the Order of 2013 shall have effect as though there were added to Schedule 2 to that Order the item numbered 246 and set out in the Schedule to this Order.

(2) The relevant provisions of the Order of 2013 shall apply to the items set out in the Schedule to this Order.
4. In pursuance of section 10(2) of the Road Traffic Regulation Act 1984, the Service Director (Planning and Transportation) of the Council of the Royal Borough of Kingston upon Thames, or some person authorised by him, may, if it appears essential in the interests of the expeditious, convenient and safe movement of traffic, or of the provision of suitable and adequate parking facilities on the highway, or for improving the amenities of the area through which any road affected by this Order runs, and after consulting the Commissioner of Police of the Metropolis, modify or suspend any provision of this Order.

Dated this twenty-fourth day of August 2020.

**Group Manager – Highways and Transport
Communities**
(The officer appointed for this purpose)

EXPLANATORY NOTE

(This Note is not part of the Order but is intended to indicate its general purport.)

This Order, on an experimental basis, introduces a road closure in Lower Ham Road, Kingston (south of its junction with Bank Lane).

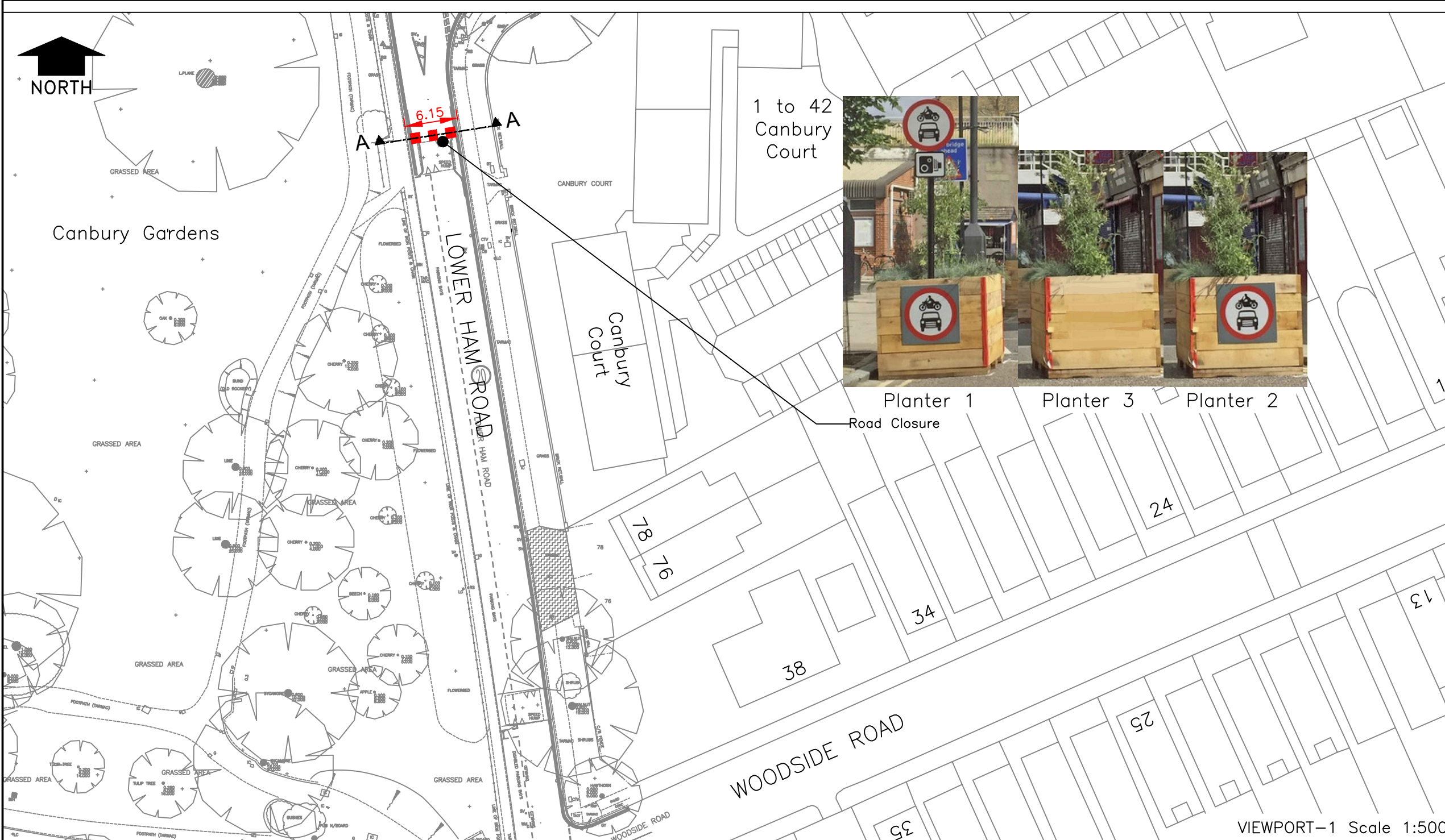
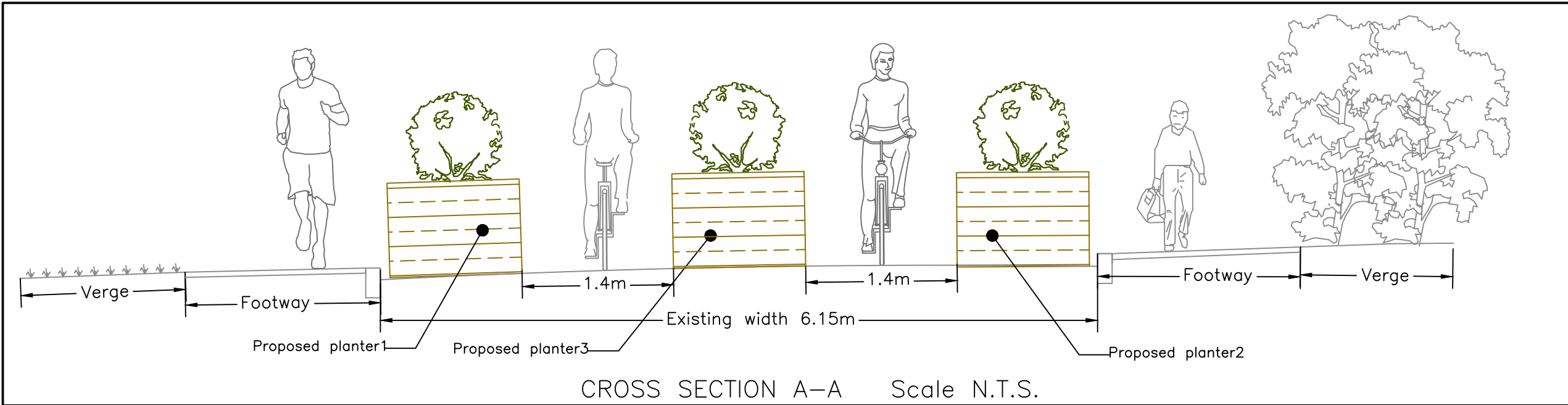
SCHEDULE (see Article 3)

Item No. (1)	Prescribed Street (2)	Instruction (3)	Direction (4)	Location (5)	Exception Reference (see Schedule 3) (6)
246	Lower Ham Road, Kingston, between a point 14 metres south of the south-eastern kerb-line of Bank Lane and a point 16 metres south of that kerb-line	No person shall cause or permit any vehicle to enter the carriageway specified in column 2	-	-	Ex1, Ex2, Ex4 or Ex6.

Footnote:-

The exceptions referred to in the Schedule above have the following meanings:

Exception Reference (1)	Exception (2)
Ex1	anything done with the permission or at the direction of a police constable in uniform.
Ex2	any person who causes any vehicle to proceed in accordance with any restriction or requirement indicated by traffic signs placed pursuant to Section 66 or Section 67 of the Road Traffic Regulation Act 1984.
Ex4	a pedal cycle
Ex6	a vehicle being used for ambulance, fire brigade or police purposes



A	Closure point re-located.	Jul20	TK
No.	Amendment	Date	Int'l
KINGSTON AND SUTTON SHARED ENVIRONMENT SERVICE			
Scheme C19 LOW TRAFFIC NEIGHBOURHOOD AREA PROJECTS			
Drawing Title EXPERIMENTAL ROAD CLOSURE LOWER HAM ROAD PROPOSED LAYOUT			
MATTHEW HILL ASSISTANT DIRECTOR OF TRANSPORTATION HIGHWAYS AND REGULATORY SERVICES KINGSTON AND SUTTON ROYAL BOROUGH OF KINGSTON UPON THAMES GUILDHALL 2, HIGH STREET KINGSTON UPON THAMES KT1 1EU			
Date	JUL 2020	Designed	MG
Scale	AS SHOWN	Drawn	TK
CAD No.	128902	Chk'd	App'd
DRG.NO. DD/1289/02A			