EXPLANATORY MEMORANDUM TO

THE DARTFORD – THURROCK CROSSING (AMENDMENT) REGULATIONS 2006

2006 No. 585

1. This explanatory memorandum has been prepared by the Department for Transport and is laid before Parliament by Command of Her Majesty.

2. Description

These Regulations amend the Dartford – Thurrock Crossing Regulations 1998 (SI 1998/1908) by updating a reference to the 12th Edition of the booklet entitled "Dangerous Traffic", issued in July 2003 to the 13th Edition of that booklet, issued in 2005.

3. Matters of special interest to the Joint Committee on Statutory Instruments

None.

4. Legislative background

4.1 The Dartford – Thurrock Crossing Act 1988 allows the Secretary of State to make provision for the management of the Dartford-Thurrock Crossing, including, at s.25(1), the making of regulations for the prohibition or regulation by the crossing operator of the conveyance through the tunnels of any goods, substances or other things capable of being conveyed which are dangerous. This includes provision for searching vehicles suspected of conveying any such things.

4.2 Regulation 5 of the Dartford – Thurrock Crossing Regulations 1998 provides that the permission of the crossing operator has to be obtained before dangerous goods are taken into the tunnels at the crossing. Dangerous goods are any article or substance listed in the table headed "List of Restrictions on Dangerous Goods" set out in the booklet entitled "Dangerous Traffic" issued by and on behalf of the Mersey, Tyne and Dartford tunnel authorities.

4.3 The 1998 regulations originally referred to the 9th Edition of that booklet issued in 1997. The booklet has since been updated and reissued. Previous amending regulations (the Dartford – Thurrock Crossing (Amendment) Regulations 2003 (SI 2003/496)) updated the reference to the 11th Edition issued in 2001 and the Dartford – Thurrock Crossing (Amendment) Regulations 2004 (SI 2004/1441) updated the reference to the 12th Edition.

5 Extent

These Regulations apply to England and Wales .

6. European Convention on Human Rights

As the Regulations are subject to negative resolution procedure and do not amend primary legislation, no statement is required.

7. Policy background

7.1 Part III of the Dartford-Thurrock Crossing Act is aimed at providing for the effective and safe management of traffic using the Dartford-Thurrock Crossing. The change introduced by these Regulations ensures that the list of dangerous goods, which are subject to control if they are carried through the Crossing, is kept up to date.

7.2 The basis for this list is the restructured ADR 2005 European Agreement concerning the International Carriage of Dangerous Goods by Road as amended by the Report of the Committee of Experts meeting in December 2004. following a consultation process the GB Regulations were published in November 2004.

8. Impact

8.1 A Regulatory Impact Assessment has not been produced for these Regulations, as they have no impact on business, charities or voluntary bodies.

8.2 There is no impact on the public sector.

9. Contact

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