

**THE ASHFORD BOROUGH COUNCIL
(COUNTY SQUARE LOADING AREAS)
(PROHIBITION OF PARKING) ORDER 2025**

THE ASHFORD BOROUGH COUNCIL (“Council A”) pursuant to arrangements made under section 101 of the Local Government Act 1972 with KENT COUNTY COUNCIL (“Council K”) in exercise of the powers of Council K under section 61 of the Road Traffic Regulation Act 1984 (“the 1984 Act”), the Traffic Management Act (“the 2004 Act”), the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (“the 2007 Regulations”) and with consent of the owners and occupiers mentioned below, hereby make the following order.

Citation, Commencement

This order may be cited as “The Ashford Borough Council (County Square Loading Areas) (Prohibition of Parking) Order 2025” and shall come into force on the 17th day of February 2025.

Interpretation

1) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:

“the 1984 Act”	means the Road Traffic Regulation Act 1984
“the 2004 Act”	means the Traffic Management Act 2004
“the 2007 Regulations”	means the Civil Enforcement of Parking Contraventions (England) General Regulations 2007)
“authorised vehicle”	means a vehicle which is permitted to be within one or more of the loading areas designated by this Order for the purpose of being loaded or unloaded in connection with business or trade operating within County Square Shopping Centre, or whilst displaying a valid permit issued by the occupier.
“Council A”	means Ashford Borough Council
“Council K”	means Kent County Council
“vehicle”	has the same meanings as described in subsections 1-8 in section 136 of the 1984 Act
“loading area”	means an area of land designated by Schedule 1 to this Order and specified as such in the Appendix to this Order
“the owner”	in relation to any land on which any loading area designated by Schedule 1 to this Order and specified as such in the Appendix to this Order lies, means the person, company or other body specified in paragraph 2 of Schedule 1 to this Order who is receiving the rackrent of the land or would be entitled to receive it if the land were let at a rackrent as in section 61 (8) of the 1984 Act; and their successors in title from time to time
“the occupier”	in relation to any loading area designated by Schedule 1 to this Order and specified as such in the Appendix to this Order means the person, company or other body specified in Paragraph 2 or such other person, company

	or body as is with the consent of the Owner entitled to occupy the land in question
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- 1) In this Order, except where the context otherwise requires;
 - a. any reference to a numbered Schedule or Appendix is a reference to the Schedule or Appendix bearing that number in this Order;
 - b. any reference to a numbered or lettered section or subsection is a reference to the section or subsection bearing that number or letter in the Part or Schedule or (in the case of a subsection) section in which the reference occurs;
 - c. any reference to a Table, or a numbered Table, is a reference to the Table or the Table bearing that number, in the Part or Schedule in which that reference occurs;
 - d. any items in italics are not part of this order but are for explanation only.

Restrictions subsidiary to primary legislation

The restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulations made under or having effect as if made under the 1984 Act or by under any other enactment.

Interpretation

- 2) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament

Schedule 1

- 1) The areas of land specified in the Appendix to this Order which have been set apart by the owner and the occupiers for use for the purpose of being loaded or unloaded in connection with any business or trade operating within the County Square Shopping Centre are hereby designated as Loading Areas within this Order
- 2) The owner being County Square Capital Ltd, whose registered office is at 45 Stamford Hill, London, England, N16 5SR.
- 3) The Occupier being Landswood de Coy LLP.

Prohibition of parking within designated Loading Areas

SAVE as provided in paragraph 7 (exemptions), any person who, without reasonable excuse, causes any vehicle to be in any part of any Loading Area specified in the Appendix to this Order during the times when the parking of it there is prohibited shall be guilty of an offence.

- 4) The limits of the Loading Areas designated by this Order shall be determined by reference to columns 1 and 2 of the table within the Appendix to this Order any by reference to the plan attached to this Order.
- 5) The days and times during which a prohibition on parking is in force within a Loading Area designated by this Order shall be determined by reference to columns 3 and 4 of the table within the Appendix to this order.

Exemptions

- 6) Nothing in paragraph 4 (Prohibition of parking within designated Loading Areas) shall affect the parking of:
 - a. Any authorised vehicle displaying a permit issued by the occupier;
 - b. Any vehicle belonging to the owner or the occupier, or to any servant of the owner or the occupier whose vehicle in parking in a Loading Area with the consent of the owner or the occupier;
 - c. Any vehicle on an occasion when it is being used for fire brigade, ambulance, or police purposes, if the observance of the provision of paragraph 4 would be likely to hinder the use of that vehicle for the purpose of which it is being used on that occasion;
 - d. Any vehicle being used in connection with any of the following operations:
 - i. the carrying out of building, maintenance or demolition operations affecting premises maintained by the owner;
 - ii. the maintenance, improvement or reconstruction of the Loading Area;
 - iii. the removal of any obstruction to traffic;
 - iv. the laying, erection, alteration or repair of any sewer, gas, water, electricity, or any telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act 1984;
 - v. in the service of Council A or Council K in the pursuance of statutory powers or duties;

- vi. any refuse collection vehicle engaged in the collection of refuse.

PROVIDED ALWAYS that the vehicle cannot conveniently be used for such purpose in any road or land not forming part of the Loading Area AND the consent of the owner, the occupier and Council A has been given.

Revocations

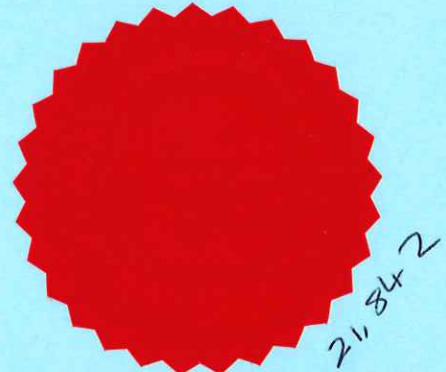
The Orders set out in the following table shall be modified or revoked to the extent specified

Table of orders to be revoked

Title of Order or Amendment	Extent of modification or revocation
The Ashford Borough Council (County Square Loading Areas) (Prohibition of Parking) Order 2015	To be completely revoked

GIVEN under the COMMON SEAL of)
 the ASHFORD BOROUGH COUNCIL)
 which was hereunto affixed this)
 5th day of February 2025)

Mayor _____
 Solicitor _____



Appendix

Loading Area (1)	Description (2)	Days of restriction (3)	Times of restriction (4)
County Square Loading Area A	The land forming part of the County Square Shopping Centre accessed from Apsley Street indicated by "A" on the plan attached to this Order.	All days	All times
County Square Loading Area B	The land forming part of the County Square Shopping Centre accessed from Middle Street indicated by "B" on the plan attached to this Order.	All days	All times
County Square Loading Area C	The land forming part of the County Square Shopping Centre accessed from Drum Lane indicated by "C" on the plan attached to this Order.	All days	All times
County Square Loading Area D	The land forming part of the County Square Shopping Centre accessed from Bank Steet indicated by "D" on the plan attached to this Order.	All days	All times

Appendix



THE COMMON SEAL OF ASHFORD
BOROUGH COUNCIL WAS HEREUNTO
AFFIXED IN THE PRESENCE OF

SOLICITOR

ASHFORD BOROUGH COUNCIL
21842