THE KENT COUNTY COUNCIL
(VARIOUS ROADS, BOROUGH OF ASHFORD)
(GOODS VEHICLE WAITING RESTRICTIONS AND STREET PARKING PLACES)
ORDER 2019

ROAD TRAFFIC REGULATION ACT 1984

The Kent County Council, 'Council', acting as the local traffic authority and in exercise of its powers under Sections 1, 2, 4, 9, 10 and 124 and Part IV of Schedule 9 to, the Road Traffic Regulation Act 1984 (hereinafter referred to as 'the Act'), as amended by the Traffic Management Act 2004 ('2004 Act') Part 6 and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act, hereby make the following Order:-

PART A

General

INTERPRETATION

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

"Chargeable Hours"	means between the hours and on the days specified in an item in column 15 appropriate to the Parking Place described in Schedule 1 to this Order
"Civil Enforcement Area"	means an area where civil enforcement of Parking Restrictions can be undertaken as defined by section 74 of the Traffic Management Act 2004 (Civil Enforcement Area)
"Civil Enforcement Officer"	means a uniformed individual employed by the Ashford Borough Council to enforce road traffic contraventions as in section 76 of the 2004 Act, as amended
"Council A"	means the Ashford Borough Council
"Delivering" and "Collecting"	in relation to the Delivery of any Goods to, or Collection of any Goods from any premises include checking the Goods for the purpose of their Delivery or Collection
"Driver"	means in relation to a vehicle waiting in a street Parking Place, means the person driving the vehicle at the time it was left in the Parking Place
"Enactment"	means any Enactment, whether public general or local, which includes any order, bylaw, rule, regulation, scheme or other instrument having effect by virtue of an Enactment
"Goods"	means Goods or burden of any kind whether animate or inanimate and includes postal packets of any description
"Goods Vehicle"	means a motor vehicle constructed or adapted for use for the carriage of Goods or burden of any description or a trailer so constructed or adapted
"Head of Health, Parking and Community Safety"	means such a person as shall be approved by Ashford Borough Council to manage the implementation and enforcement of parking controls
"Junction"	means the Junction of the respective kerb lines of the roads referred to and, where appropriate, measurements shall be taken from the point of intersection of the respective kerb lines as projected
"Motor Car"	means a mechanically propelled vehicle, not being a motor cycle or an invalid carriage which is constructed itself to carry a load or more than 7

	passengers and of which the weight un-laden does not exceed 3050 kilograms as in section 136 of the Act, as amended
"Penalty Charge"	has the same meaning as set out in Part 1 section 2 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007
"Penalty Charge Notice"	has the same meaning as set out in Regulation 8 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007
"Parking Place"	means an area on the highway designated or authorised by Council A and described as a Parking Place which is provided for the leaving of a vehicle by any of the various Appendices of this Order
"Restricted Road"	means the roads, lengths of road or sides of road (including any footway or verge and the perimeter of any central reservation, roundabout or traffic island) specified in Schedules 1 to this Order:- PROVIDED that the expression "Restricted Road" shall not for the purposes of this Order include any designated Parking Place or any authorised Parking Place described in the various Appendices to this Order and not suspended under the provisions of Part A of this Order
"Schedule"	in reference to this Order, means the numbered schedule which form a part of this Order, and "Schedules" shall be construed accordingly
"Telecommunications System"	Has meaning as in section 4 of the Telecommunications Act 1984, as amended
"Universal Service Provider"	has the same meaning as in section 65 of the Postal Services Act 2011

2 In this Order, except where the context otherwise requires;

(a) any reference to a numbered Article or a numbered Schedule is a reference to the Article or Schedule bearing that number in this Order;

(b) any reference to a numbered or lettered paragraph or sub-paragraph is a reference to the paragraph or sub-paragraph bearing that number or letter in the Article or Schedule or (in the case of a sub-paragraph) paragraph in which the reference occurs;

(c) any reference to a table, or to a numbered table, is a reference to the table, or to the table bearing that number, in the Article or Schedule in which that reference occurs; and

(d) any items in italics are not part of this Order but are for explanation only.

3 Any reference in this Order to any Enactment shall be construed as a reference to that Enactment as amended by any subsequent Enactment.

Restrictions subsidiary to primary legislation

4 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 Act or by or under any other Enactment.

Interpretation

5 The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

PART B

MODIFICATIONS AND AMENDMENTS

The "Kent County Council (Various Roads, Borough of Ashford) (Waiting Restrictions and Street Parking Places) Consolidation Order 2017" ("the Order of 2017") be amended as follows

1. In the Order of 2017, the following where specified in columns 1,3,4,5 and 6 of the Appendix to this Order (Parish, Road, Sub location, Side, Definition) during the times and days specified in columns 8 and 9 of the Appendix to this Order (i) 8pm to 7am Mondays to Sundays, (ii) 8pm to Midnight and Midnight to 7am Monday to Friday, (iii) At any time Saturdays and Sundays and types of vehicle specified in column 14 of the Appendix of this Order (vehicles with a gross weight in excess of 5 tonnes) shall be added.

PART C

Prohibitions and restrictions on the waiting of vehicles

PROHIBITION OF WAITING

Definition of No Waiting restrictions as Schedule 1

1 SAVE as provided in Part D, Article 3 (*general exemptions*) of this Order no person shall, except upon the direction or with the permission of a police constable in uniform or of a Civil Enforcement Officer, cause or permit any vehicle the maximum gross weight of which exceeds five tonnes to wait in any Restricted Road specified in columns 1,3,4,5 & 6 of the Appendix to this Order (*Parish, Road, Sub Location, Side, Definition)* during the times and days specified in the Appendices to this Order.

PART D

Exemptions from prohibitions and restrictions

EXEMPTION FOR EMERGENCY SERVICES

1 Nothing in this Order shall apply to any vehicle on an occasion when it is being used for fire brigade, ambulance or police purposes, if the observance of that provision would be likely to hinder the use of that vehicle for the purpose for which it is being used on that occasion.

EXEMPTION FOR LOADING AND UNLOADING OF GOODS

2 Notwithstanding anything in paragraph (1), the Driver of a vehicle waiting for the purposes of Delivering or Collecting Goods or merchandise or loading or unloading the driver shall move the vehicle on the instruction of a police constable in uniform whenever such moving may be reasonably necessary for the purpose of preventing obstruction.

GENERAL EXEMPTION FROM PROHIBITIONS AND RESTRICTIONS

3. Nothing in Parts C (*prohibition of waiting*) of this Order shall render it unlawful to cause or permit any vehicle to wait or permit a vehicle to wait in any Restricted Road or in any Parking Place for so long as maybe necessary:-

   (a) to enable a person to board or alight from the vehicle or to load thereon or to unload there from personal luggage

(b) to enable the vehicle if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following, operations, namely

(i) the removal of any obstruction to traffic in the road;
(ii) the maintenance, improvement, reconstruction of the road;
(iii) the laying, erection, or alteration or repair of any sewer or any main pipe or apparatus for the supply of gas, water, electricity or of any telecommunications apparatus; or
(iv) to be used in connection with any building operation or demolition

(c) to enable the vehicle, if it cannot be used for such purpose in any other road, to be used in the service of a local authority in pursuance of statutory powers or duties

(d) to enable the vehicle to be used for the purpose authorised and described on a permit issued by the Head of Health, Parking and Community Safety on behalf of the Council A provided such permit is displayed on the vehicle in the appropriate position

(e) to enable the vehicle if it is in the service of a Universal Service Provider and marked as such, to be used for the purpose of delivering or collecting postal packets as defined in Section 27 of the Postal Services Act 2011

(f) if the vehicle is waiting owing to the Driver being required by law to stop, or being prevented from proceeding by circumstances beyond his control or in order to avoid an accident

(g) to be used by a local authority or water authority in exercise of statutory powers

(h) if the vehicle is waiting owing to the Driver being required by law to stop for a break as specified by regulation (EC) No 561/2006 of the European Parliament and of the Council, also known as the 'EU Driver's hours regulation'

4. The Head of Highways and Transport or any other person authorised by him may modify or suspend the operation of this Order or any provision of it if it appears to him essential:-

(a) in the interest of the expeditious, convenient and safe movement of traffic;

(b) in the interest of providing suitable and adequate on-street parking facilities; or

(c) for preserving or improving the amenities of the area through which any road affected by this Order runs.

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

CONTRAVENTIONS OF THE ORDER

6. If a "Parking Contravention" (as defined in Schedule 7 of the Traffic Management Act 2004) is committed in respect of any of the provisions of this Order a Penalty Charge will be payable.

7. In the case of a vehicle in respect of which a Penalty Charge is payable a Penalty Charge Notice may be issued by a Civil Enforcement Officer.

Table of Schedules

1. Schedule 1 set out in the following table applies in any Restricted Road specified in column 3 in the Appendix to this Order

Schedule 1	Street or length of Street where waiting is prohibited during the times and days specified in columns 8 & 9 to this Order specified as Schedule 1 in column 2 of any of the Appendices to this Order.

CITATION AND COMMENCEMENT

This Order may be cited as "The Kent County Council (Various Roads, Borough of Ashford) (Goods Vehicle Waiting Restrictions and Street Parking Places) Order 2019" ("this Order") and shall come into operation on the 15th day of July 2019.

GIVEN under the Common Seal of the Kent County Council

This 8th day of July 2019

THE COMMON SEAL OF THE KENT COUNTY COUNCIL was hereunto affixed in the presence of: -

Authorised Signatory

G11/2019

APPENDIX – BOROUGH OF ASHFORD

Parish / Local area (1)	Sch. (2)	Road (3)	Sub location (4)	Side (where relevant) (5)	Definition (6)	Type of restriction (7)	Time of restriction (8)	Day (9)	Max period which vehicles may wait (10)	No return period (11)	Scale of charges (12)	Area (13)	Types of vehicle (14)	Chargeable hours (15)	Unique Ref (16)
Ashford	1	Austin Road	Wotton Industrial Estate	Both sides	For its entire length	No waiting	Monday to Friday, 8pm to Midnight and Midnight to 7am and At any time Saturday and Sunday	As specified in Column 8	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Ashford	1	Barrey Road	Sevington Industrial Estate	Both sides	For its entire length	No waiting	Monday to Friday, 8pm to Midnight and Midnight to 7am and At any time Saturday and Sunday	As specified in Column 8	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Ashford	1	Church Road	Sevington) (link road between Barrey Road and Church Road)	Both sides	For its entire length	No waiting	Monday to Friday, 8pm to Midnight and Midnight to 7am and At any time Saturday and Sunday	As specified in Column 8	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017

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Ashford	1	Crowbridge Link	Orbital Industrial Estate	Both sides	For its entire length	No waiting	Monday to Friday, 8pm to Midnight and Midnight to 7am and At any time Saturday and Sunday	As specified in Column 8	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Ashford	1	Crowbridge Road	Orbital Industrial Estate	Both sides	For its entire length	No waiting	Monday to Friday, 8pm to Midnight and Midnight to 7am and At any time Saturday and Sunday	As specified in Column 8	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Ashford	1	Ellingham Way	Ellingham Industrial Estate	Both sides	For its entire length	No waiting	Monday to Friday, 8pm to Midnight and Midnight to 7am and At any time Saturday and Sunday	As specified in Column 8	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017

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Ashford	1	Foster Road	Sevington Industrial Estate	Both sides	For its entire length	No waiting	Monday to Friday, 8pm to Midnight and Midnight to 7am and At any time Saturday and Sunday	As specified in Column 8	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Ashford	1	Hall Avenue	Orbital Industrial Estate	Both sides	For its entire length	No waiting	Monday to Friday, 8pm to Midnight and Midnight to 7am and At any time Saturday and Sunday	As specified in Column 8	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Ashford	1	Maidstone Road (A20)		Both sides	From its junction with Simone Weil roundabout (Drovers Roundabout) to its junction with Ashford Road (Westwell) (including laybys)	No waiting	8pm to 7am	Mondays to Sundays	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Ashford	1	Monument Way	Orbital Industrial Estate	Both sides	For its entire length	No waiting	Monday to Friday, 8pm to Midnight and Midnight to 7am and At any time Saturday and Sunday	As specified in Column 8	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017

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Ashford	1	Orchard Heights		Both sides	From its junction with Maidstone Road in a south-westerly direction for a distance of 116 metres.	No waiting	8pm to 7am	Mondays to Sunday	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Ashford	1	Sandyhurst Lane		Both sides	From its junction with Maidstone Road in a north-easterly direction for a distance of 16 metres.	No waiting	8pm to 7am	Mondays to Sunday	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Ashford	1	Sir John Fogge Avenue		Both sides	From its junction with Maidstone Road in a westerly direction for 16 metres	No waiting	8pm to 7am	Mondays to Sundays	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Ashford	1	The Boulevard	Orbital Industrial Estate	Both sides	For its entire length	No waiting	Monday to Friday, 8pm to Midnight and Midnight to 7am and At any time Saturday and Sunday	As specified in Column 8	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017

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Ashford	1	The Courtyard	Orbital Industrial Estate	Both sides	For its entire length	No waiting	Monday to Friday, 8pm to Midnight and Midnight to 7am and At any time Saturday and Sunday	As specified in Column 8	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Ashford	1	The Crescent	Orbital Industrial Estate	Both sides	For its entire length	No waiting	Monday to Friday, 8pm to Midnight and Midnight to 7am and At any time Saturday and Sunday	As specified in Column 8	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Ashford	1	The Long Barrow	Orbital Industrial Estate	Both sides	For its entire length	No waiting	Monday to Friday, 8pm to Midnight and Midnight to 7am and At any time Saturday and Sunday	As specified in Column 8	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017

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Ashford	1	The Parade	Orbital Industrial Estate	Both sides	For its entire length	No waiting	Monday to Friday, 8pm to Midnight and Midnight to 7am and At any time Saturday and Sunday	As specified in Column 8	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Ashford	1	Wotton Road	Wotton Industrial Estate	Both sides	For its entire length	No waiting	Monday to Friday, 8pm to Midnight and Midnight to 7am and At any time Saturday and Sunday	As specified in Column 8	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Charing	1	Ashford Road (A20)		Both sides	From its junction with Maidstone Road to its junction with Maidstone Road (Westwell) (including laybys).	No waiting	8pm to 7am	Mondays to Sundays	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Charing	1	Charing Hill	northern by-pass	Both sides	From its roundabout junction with Maidstone Road to a point 32 metres northeast of its junction with The Hill	No waiting	8pm to 7am	Mondays to Sundays	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017

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Charing	1	Maidstone Road (A20)	northern by-pass	Both sides	From its roundabout junction with Charing Hill south-eastwards to its junction with Ashford Road (including laybys)	No waiting	8pm to 7am	Mondays to Sundays	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Charing	1	Old Ashford Road		Both sides	From its junction with The High Street to its junction with Ashford Road	No waiting	8pm to 7am	Mondays to Sundays	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Charing	1	Pluckley Road		Both sides	From its junction with Station Road to a point 30 metres southwest of its junction with Charing Heath Road.	No waiting	8pm to 7am	Mondays to Sundays	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Charing	1	Station Road		Both sides	From its junction with Maidstone Road to its junction with Pluckley Road	No waiting	8pm to 7am	Mondays to Sundays	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Charing	1	The High Street		Both sides	From its junction with Ashford Road to its junction with The Hill.	No waiting	8pm to 7am	Mondays to Sundays	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017

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Charing	1	The Hill		Both sides	From its junction with The High Street to its junction with Charing Hill.	No waiting	8pm to 7am	Mondays to Sundays	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Charing	1	Wootton Lane		Both sides	From its junction with Ashford Road in an easterly direction for a distance of 12 metres.	No waiting	8pm to 7am	Mondays to Sundays	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Hothfield	1	Cades Road		Both sides	From its junction with Maidstone Road (Westwell) to its junction with Station Road	No waiting	8pm to 7am	Mondays to Sundays	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Hothfield	1	Chapel Road		Both sides	From its junction with Maidstone Road (Westwell) in a south-westerly direction for a distance of 175 metres.	No waiting	8pm to 7am	Mondays to Sundays	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Hothfield	1	Station Road		Both sides	From its junction with Maidstone Road (Westwell) in a south-westerly direction to its junction with Cades Road.	No waiting	8pm to 7am	Mondays to Sundays	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonne	n/a	Cons 2017

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Westwell	1	Ashford Road (A20)		Both sides	from its junction with Maidstone Road to its junction with Maidstone Road, (Charing)	No waiting	8pm to 7am	Mondays to Sundays	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Westwell	1	Ram Lane	north to south arm	Both sides	from its northern junction with Maidstone Road to its southern junction with Maidstone Road	No waiting	8pm to 7am	Mondays to Sundays	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Westwell	1	Watery Lane		Both sides	From its junction with Maidstone Road in a south-easterly direction for a distance of 100 metres.	No waiting	8pm to 7am	Mondays to Sundays	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Westwell	1	Westwell Lane	north to south arm	Both sides	From its northern junction with Maidstone Road to its southern junction with Maidstone Road.	No waiting	8pm to 7am	Mondays to Sundays	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017
Westwell	1	Westwell Lane		Both sides	From its junction with its north to south arm in a north-easterly direction for a distance of 345 metres	No waiting	8pm to 7am	Mondays to Sundays	n/a	n/a	n/a	n/a	vehicles with a gross weight in excess of 5 tonnes	n/a	Cons 2017