

**KETTERING BOROUGH COUNCIL**  
**(OFF-STREET PARKING PLACES)**  
**(AMENDMENT) ORDER 2015**

Kettering Borough Council (“the Council”) in exercise of their powers under section 32 and 35 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (“the Act”) and after obtaining the consent of the Northamptonshire County Council pursuant to section 39 of the Act 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:

1. This Order shall come into operation on the xx xxx 2015 and may be cited as the “Kettering Borough Council (Off-Street Parking Places) (Amendment) Order 2015”.
2. The Interpretation Act of 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
3. In this Order “the Consolidation Order” means the Borough of Kettering (Off-Street Parking Places) Consolidation Order 1987 as amended.
4. Except where the context otherwise requires, where an expression is used in this Order which has a meaning assigned to it by virtue of the Consolidation Order the expression has the same meaning as that assigned to it by the Consolidation Order.
5. By this Order:
6. the Schedule to the Consolidation Order shall be amended by the addition of the parking place named in column 1 of schedule 1 and as shown in the plan in schedule 3 which shall be available for the time period specified in column 2 of schedule 1.
7. Parking charges, Parking tickets, Disabled Person’ badges and Season tickets will not be valid for the parking places specified in column 1 to schedule 1 and as shown in the plan at schedule 3.
8. Permits as specified in column 3 of schedule 1 which may be issued at the discretion of the Kettering Borough Council specifically for the parking places named in column 1 to schedule 1 will be valid in those parking places. Where a vehicle is left in either parking place in column 1 to schedule 1 at any time without displaying a valid parking permit issued by the Kettering Borough Council then an excess charge of £70.00 shall be payable provided that if within seven days following the date notice of such

excess charge is issued as provided in the Consolidation Order the driver tenders the sum of £50.00 then such sum may be accepted by the Council in satisfaction of the excess charge.

9. Articles 4, 5, 6 (1) (a) (i) (ii) and (iii), 7, 10, 17, 19, 21 and 22 of the Consolidation Order as amended do not apply to the parking place named in column 1 of schedule 1. All the remaining provisions of the Consolidation Order shall remain in force and shall apply to the parking place named in column 1 of schedule 1 as if the same had been included in the original Consolidation Order.

10. Non-compliance by the driver of any vehicle in any of the parking places named in schedules 1 and 2 of this Order as shown in the plans in schedules 3 and 4, to this Order with any requirements imposed by Articles 3 (2), 3 (3), 18, 20 (a) and (b), 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32 of the Consolidation Order will result in an excess charge of £70.00 being payable by the driver –

- i) provided that if within seven days following the date notice of such excess charge is issued as provided in this Article the Driver tenders the sum of £50.00 then such latter sum may be accepted by the Council in satisfaction of the excess charge.
- ii) The said sum of £50.00 shall be payable to Kettering Borough Council within seven days of the issue of the excess charge notice to Kettering Borough Council (as provided in Article 9 of the Consolidation Order for the payment of the excess charge) provided that if the said seventh day falls upon a day on which the Council is closed, the period within which payment of the said charge shall be made to the Council shall be extended until 4.30pm on the next day on which the Council is open.

11. Where a vehicle in respect of which an excess charge has been incurred under Articles 9 and 10 of this Order, it shall be the duty of a parking attendant to attach to the vehicle in a conspicuous position a notice which shall include the following particulars;

- i) the registration mark of the vehicle or, where the vehicle is being used under a trade licence, the number of the trade plate carried by the vehicle;
- ii) a statement that the excess charge of £70.00 is required to be paid;
- iii) the manner in which and the time within which the excess charge should be paid or the lesser sum of £50.00 may be tendered as provided in Article 11 (i) and (ii) above.

12. Articles 8 and 9 of the Consolidation Order apply to the parking places identified in schedules 1 and 3 and 2 and 4.

13. The following shall be added to Article 2 (1) of the Consolidation Order;

““Loading bay” means a defined area within an off-street car park set aside solely for the loading and unloading of vehicles and in which Parking charges, Parking tickets, Disabled Person’ badges, Season tickets and Parking Permits are not valid.”

14. The Schedule to the Consolidation Order shall be amended by the replacement of the plan in the Schedule of Wadcroft off-street car park with the plan at Schedule 4.
15. The area of Wadcroft off street car park outlined in blue on the plan at Schedule 4 shall be used solely as a loading bay as set out in column 3 of Schedule 2. Parking charges, Parking tickets, Disabled Person’ badges, Season tickets and Parking Permits will not be valid in the area outlined in blue as shown in the plan at Schedule 4 and as described at schedule 2.
16. Articles 9, 10, 11 and 12 of this Order shall apply to the area outlined in blue on the plan at Schedule 4 and as identified in Article 15 above. The provisions of the Consolidation Order and Articles 10, 11 and 12 of this Order shall remain in force in respect of the area outlined in red as identified in the plan at Schedule 4.

IN WITNESS WHEREOF the Common Seal of Kettering Borough Council was hereunto affixed this xx day of xxxx 2015.

THE COMMON SEAL of KETTERING )  
BOROUGH COUNCIL was hereunto )  
affixed in the presence of:- )

Head of Democratic and Legal Services  
(Proper Officer for this Purpose)

## SCHEDULE 1

Column 1	Column 2	Column 3
Ebenezer Place (rear of Silver Street) car park, Kettering	Maximum stay – unlimited	Permit issued at the discretion of Kettering Borough Council.

## SCHEDULE 2

Column 1	Column 2	Column 3
Wadcroft off street car park, Kettering.	<p>Area outlined in red = The provisions of the Borough of Kettering (Off-Street Parking Places) Consolidation Order 1987 as amended shall remain in force.</p> <p>Area outlined in blue = Maximum stay – 20 minutes</p>	<p>Area outlined in red = The provisions of the Borough of Kettering (Off-Street Parking Places) Consolidation Order 1987 as amended shall remain in force.</p> <p>Area outlined in blue = No parking charges provided loading or unloading from a motor vehicle is taking place.</p>

# SCHEDULE 3

Plan of Ebenezer Place (rear of Silver Street buildings) off street car park, Kettering



Title: Schedule 3: Ebenezer Place, Kettering

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# SCHEDULE 4

## Plan of Wadcroft off street car park, Kettering



Title: Schedule 4: Wadcroft

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**Kettering**  
Borough Council