

THE COUNCIL OF THE BOROUGH OF MILTON KEYNES (ADA WALK, OAKGROVE) (LOADING ONLY PARKING PLACE) ORDER 2017

The Council of the Borough of Milton Keynes ("the Council") in exercise of its powers under Sections 1(1), 2(1) and (2), 32(1) and 35(1) and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act of 1984") 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 of 1984, hereby makes the following Order:

PART 1

IMPLEMENTATION, CITATION, AND DEFINITIONS

1. This Order shall come into operation on the 16th day of October 2017 and may be cited as "The Council of the Borough of Milton Keynes (Ada Walk, Oakgrove) (Loading Only Parking Place) Order 2017".
2. In this Order, except where the context otherwise requires, the following expressions have the meanings respectively assigned to them:-
 - "access way" means a length of road sufficient to enable a vehicle to have access to and egress from land or premises in or adjacent to the road;
 - "Civil Enforcement Officer (CEO)" has the same meaning as in Section 76 of the Traffic Management Act of 2004;
 - "Council" means the Council of the Borough of Milton Keynes;
 - "delivering" and "collecting" in relation to any goods includes checking the goods for the purpose of their delivery or collection;
 - "goods" includes postal packets of any description, cash or other valuable securities;
 - "goods vehicle" means a motor vehicle which is constructed or adapted for the carriage of goods of any description and which does not exceed 3.5 tonnes gross laden weight;
 - "loading place" means a place within which a goods vehicle may load or unload a goods vehicle;
 - "postal packets" has the same meaning as in Section 125 of the Postal Services Act 2000;
 - "prescribed hours" means between those hours stated in Part A of Schedule 1 to this Order;
 - "restricted road" means a road which is subject to parking and waiting restrictions;
 - "road" means a highway and any other road to which the public has access;

"statutory undertaker" has the same meaning as in Section 329 of the Highways Act 1980;

"telecommunications apparatus" has the same meaning as in the Telecommunications Act 1984;

"traffic sign" means a sign of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under, Section 64 of the Act of 1984;

"user" in relation to a vehicle, means the person by whom such vehicle is owned, kept or used.

3. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.
4. The plan(s) annexed to this Order identifies the lengths of road subject to this Order, provided that where there is any inconsistency between the plan(s) and the Schedules it is the wording of the Schedules that shall prevail.

PART 2

LOADING ONLY PARKING PLACE

5. (1) Each of the lengths of road specified in schedule 1 to this order is authorised to be used, subject to the following provisions of this part of this order, as a loading or unloading place solely for the class of vehicle specified in Article 6.
(2) No vehicle other than the class specified in Article 6 shall park in the length(s) of road specified in schedule 1 to this order.
6. Each loading place specified in schedule 1 to this order shall be used solely by any goods vehicle to enable the delivery and collection of goods.
7. The limits of each loading place and the limits of any access way in a loading place shall be indicated by the council on the road by the appropriate traffic signs and any vehicle standing in a loading space shall stand wholly within the limits so marked.
8. No person shall use a vehicle whilst it is in a loading place in connection with sale of any article to persons in or near that loading place or in connection with the selling or offering for hire of his skill or services, provided that nothing in this Article shall prevent the sale of goods from a vehicle if the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected.
9. (1) When a vehicle is left in a loading place in contravention of any of the provisions contained in this Part of this order a person authorised in that behalf may remove the vehicle or arrange for it to be removed from the loading place.

- (2) A police officer in uniform, Civil Enforcement officer or traffic warden may, in cases of emergency, move or cause to be moved, to any place he sees fit, any vehicle left in a loading place.
 - (3) When a goods vehicle is delivering and collecting goods in a loading place in a position which contravenes the provisions of Article 7 a person authorised in that behalf may alter or cause to be altered the position of the vehicle in order that its position shall comply with the provision.
 - (4) Any person removing a vehicle or altering its position by virtue of paragraphs (1), (2) and (3) of this Article may do so by towing or driving the vehicle or in such other manner as he may think necessary to enable him to remove it or to alter its position as the case may be.
 - (5) When a person authorised in that behalf removes or makes arrangements for the removal of a vehicle from a loading place by virtue of paragraphs (1) and (2) of this Article he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
10. (1) A police officer in uniform or person authorised by the council may suspend the use of a loading place or any part thereof whenever they consider such suspension reasonably necessary:-
- (a) for the purpose of facilitating the movement of traffic or promoting its safety;
 - (b) for the purpose of any building operation, demolition or excavation in or adjacent to the loading place or the maintenance, improvement or reconstruction of the loading place or the laying, erection, alteration, removal, servicing or repair in or adjacent to the loading place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus or traffic sign;
 - (c) for the convenience of occupiers of premises adjacent to the loading place on any occasion of the removal of furniture or household effects to or from a shop, office depository or dwellinghouse;
 - (d) on any occasion on which it is likely by reason of some special attraction that any road will be thronged or obstructed;
 - (e) for the convenience of occupiers of premises adjacent to the loading place at times of weddings or funerals, or on other special occasions.
- (2) A police officer in uniform, Civil Enforcement Officer or traffic warden may suspend for not longer than twenty-four hours the use of loading

place or any part thereof whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.

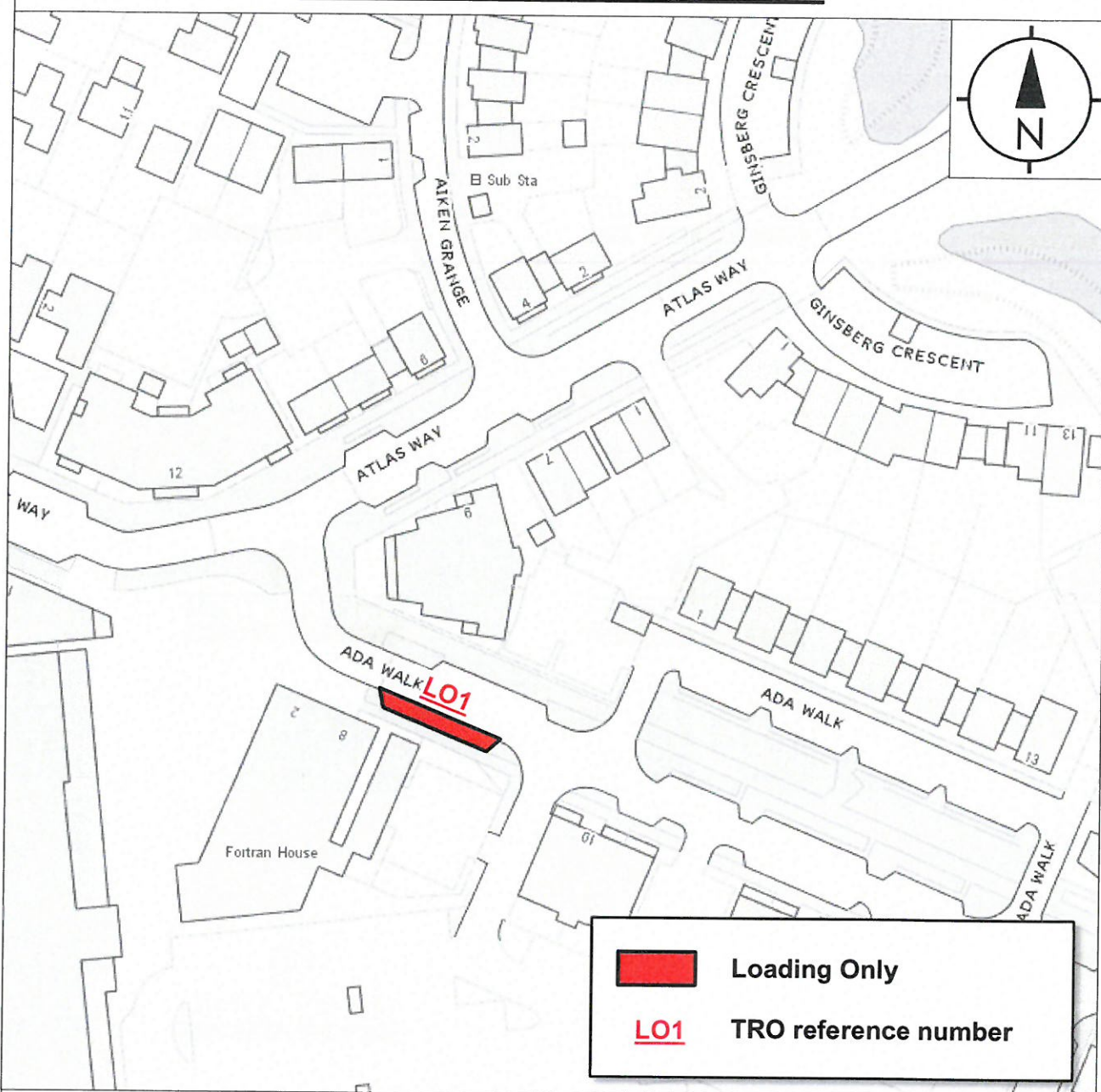
- (3) Without prejudice and in addition to all other enabling powers the council shall have the power from time to time as it deems appropriate to close or suspend for as long as it considers necessary the use of any loading place for the purpose of enabling such loading place to be used by exhibition or public information vehicles of official or quasi official authorities or bodies whose contents are intended to be and are made available for inspection by and for the information of the public without any charge of any kind being made to the public.
11. (1) Any person suspending the use of a loading place or any part thereof in accordance with the provisions of Article 10 shall thereupon place or cause to be placed in or adjacent to that loading place or the part thereof the use of which is suspended a traffic sign indicating that parking by vehicles is prohibited.
- (2) Save as provided in paragraph (3) of this Article no person shall cause or permit a vehicle to be left in any loading place or part of a loading place during any period when there is in or adjacent to that loading place or part thereof a traffic sign placed in pursuance of paragraph (1) of this article.
- (3) Subject to the overriding requirement that the person in control of the vehicle shall move it on the instruction of a police officer in uniform whenever such moving shall be necessary for the purpose of preventing obstruction, nothing in this Article shall render it unlawful to cause or permit any vehicle being used for fire brigade, military, ambulance or police purposes or any vehicle being used for any purpose or eventually specified in Article 10 to be left in the loading place or part thereof during any such period when the use thereof has been suspended, or to any other vehicle so left in that vehicle is left with the permission of a police officer in uniform, Civil Enforcement Officer, or a traffic warden

PART 3

ENFORCEMENT OF RESTRICTIONS

12. The Council shall, on or in the vicinity of a restricted road:-
- (1) Highlight each restricted area with notices, signs and road surface markings in accordance with the Traffic Signs Regulations and General Directions Act 2002;
 - (2) Maintain and from time to time alter the said notices, signs and road-surface markings;

MAP FOR ORDER



Map referred to in the Council of the Borough of Milton Keynes (Ada Walk, Oakgrove) (Loading Only Parking Place) Order 2017.

This map is not to scale

The common seal of the Council of the Borough of Milton Keynes was hereunto affixed in the presence of:



23891

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HEAD OF LEGAL SERVICES – LITIGATION & CHILD PROTECTION

2 DEPUTY MONITORING OFFICER

- (3) Carry out such other work as is reasonably required for the purpose of the satisfactory operation of a restricted road.
13. The Council shall appoint Civil Enforcement Officers whose duty it shall be to patrol and enforce the waiting and parking restrictions imposed by the Articles of this Order.

SCHEDULE 1

LOADING ONLY PARKING PLACE
24 HOURS OF EVERY DAY

ADA WALK, OAKGROVE
SOUTH-WEST SIDE

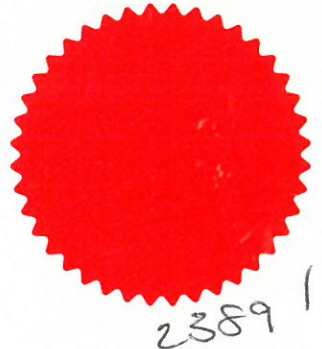
NW1 From a point 32 metres south-east of its junction with the south-eastern kerbline of Atlas Way, continuing for a distance of 21 metres in a south-easterly direction

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**THE COMMON SEAL of the COUNCIL
OF THE BOROUGH OF MILTON
KEYNES** as hereunto affixed this 10th
day of October 2017 in the presence of:-

Paul Cummins

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HEAD OF LEGAL SERVICES – LITIGATION & CHILD PROTECTION
& DEPUTY MONITORING OFFICER