THE COUNCIL OF THE BOROUGH OF MILTON KEYNES (OFF-STREET CAR PARKS, CAMPBELL PARK) (PROHIBITION AND RESTRICTION OF WAITING AND DISABLED PERSONS PARKING PLACES) ORDER 2018

The Council of the Borough of Milton Keynes ("the Council") in exercise of its powers under Sections 1(1), 2(1) and (2), 4(1) and (2), 32(1), 35, 35A and 53 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

- This Order shall come into operation on the 16th day of April 2018 and may be cited as "The Council of the Borough of Milton Keynes (Off-Street Car Parks, Campbell Park) (Prohibition and Restriction of Waiting and Disabled Persons Parking Places) Order 2018".
- 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 said 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;

"disabled persons' badge" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"disabled persons' vehicle" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"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;

"off-street" means un-adopted highway;

"passenger vehicle" means a motor vehicle (other than a motor cycle or invalid carriage) constructed solely for the carriage of passengers and their effects and adapted to carry not more than twelve passengers exclusive of the driver, and not drawing a trailer;

"parking area" means an area of carriageway authorised by and subject to the conditions of this Order for the leaving of a 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 Schedule 2 to this Order:

"prescribed 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 plans annexed to this Order identify the roads and areas subject to this Order, provided that where there is any inconsistency between the plans and the Schedules it is the wording of the Schedules which shall prevail.

PART 2

PROHIBITION OF WAITING EXCEPT WITHIN MARKED BAYS

- 5. No person shall except with the permission or under the direction of a police officer in uniform or a traffic warden cause or permit any vehicle to wait at any time outside a marked parking bay within the off-street car parks specified in Schedule 1 to this Order.
- 6. Nothing in Article 5 above shall render it a contravention of this Order to cause or permit any vehicle to wait in any of off-street car parks specified in Schedule 1, outside a marked bay for so long as may be necessary:
 - (1) when the person in control of the vehicle is required by law to stop or is obliged to stop in order to avoid an accident or is prevented from proceeding by circumstances outside his control;
 - (2) to enable a person to board or alight from the vehicle;
 - (3) to enable goods to be loaded or unloaded from the vehicle;
 - (4) to enable the vehicle if it cannot reasonably be used for such purpose in any other road to be used in connection with any of the following:
 - (a) building, industrial or demolition operations;
 - (b) the removal of any obstruction to traffic;

- (c) the laying, erection or repair of any sewer, main, pipe or apparatus for the supply of gas, water, electricity or any telecommunication system defined by the Telecommunications Act 1984;
- (d) use in the service of any statutory undertaker, the Environment Agency or any public authority in pursuance of statutory powers or duties;
- (e) use for police, fire brigade or ambulance purposes;
- use for the purpose of delivering or collecting postal packets as defined by Section 125 of the Postal Services Act 2000;
- (g) the vehicle being specially constructed or adapted for the delivery or collection of money or valuable securities to be used for those purposes in relation to premises in the vicinity;
- (h) the removal of furniture or household effects to or from a shop, office, depository or dwellinghouse adjacent to the permit parking area.
- 7. In accordance with the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000, nothing in Article 5 shall render it a contravention of this Order to cause or permit a disabled person's vehicle which displays a disabled person's badge and parking disc in the relevant position in accordance with Articles 8 and 9 hereof to wait in any of the car parks specified in Schedule 1 hereto.
- 8. For the purposes of this Order a vehicle shall be regarded as displaying a disabled person's badge in the relevant position under the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 if:-
 - (1) the badge is exhibited on the dashboard or facia of the vehicle so that the front of the badge is clearly legible from the outside of the vehicle; or
 - (2) where the vehicle is not fitted with a dashboard or facia, the badge is exhibited in a conspicuous position on the vehicle so that the front of the badge is clearly legible from the outside of the vehicle.
- 9. For the purposes of this Order a vehicle shall be regarded as displaying a parking disc in the relevant position under the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 if:-
 - (1) the disc is exhibited on the dashboard or facia of the vehicle so that when marked to show the quarter hour period during which a period of waiting began, that period is clearly legible from the outside of the vehicle; or

(2) where the vehicle does not have a dashboard or facia, the disc is exhibited in a conspicuous position on the vehicle so that, when marked to show the quarter hour period during which a period of waiting began, that period is clearly legible from the outside of the vehicle.

PART 3

OFF-STREET LIMITED WAITING PARKING PLACES

- 10. No person shall except with the permission or under the direction of a police officer in uniform or a traffic warden cause or permit any vehicle to wait between the hours of 7:00 a.m. and 6:00 p.m. in the lengths of road specified in Schedule 2 hereto:
 - (1) for a longer period than 3 hour; or
 - (2) if a period less than one hour has elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle in the same length of road.

A vehicle which is present in the length of road specified in Schedule 4 hereto at the commencement of the hours of operation of any restrictions imposed by this Order shall be deemed to have been left in that length of road at the commencement of that period of operation of the restriction in question.

- 11. Nothing in Article 10 above shall render it a contravention of this Order to cause or permit any vehicle to wait in any of off-street car parks specified in Schedule 2, outside a marked bay for so long as may be necessary:
 - (1) when the person in control of the vehicle is required by law to stop or is obliged to stop in order to avoid an accident or is prevented from proceeding by circumstances outside his control;
 - (2) to enable a person to board or alight from the vehicle;
 - (3) to enable goods to be loaded or unloaded from the vehicle;
 - (4) to enable the vehicle if it cannot reasonably be used for such purpose in any other road to be used in connection with any of the following:
 - (a) building, industrial or demolition operations;
 - (b) the removal of any obstruction to traffic;
 - (c) the laying, erection or repair of any sewer, main, pipe or apparatus for the supply of gas, water, electricity or any telecommunication system defined by the Telecommunications Act 1984;

- use in the service of any statutory undertaker, the Environment Agency or any public authority in pursuance of statutory powers or duties;
- (e) use for police, fire brigade or ambulance purposes;
- use for the purpose of delivering or collecting postal packets as defined by Section 125 of the Postal Services Act 2000;
- (g) the vehicle being specially constructed or adapted for the delivery or collection of money or valuable securities to be used for those purposes in relation to premises in the vicinity;
- (h) the removal of furniture or household effects to or from a shop, office, depository or dwellinghouse adjacent to the permit parking area.
- 12. In accordance with the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000, nothing in Article 10 shall render it unlawful to cause or permit a disabled person's vehicle which displays a disabled person's badge in the relevant position in accordance with Articles 13 and 14 hereof to wait for any period of time in any of the lengths of road specified in Schedule 1 hereto.
- 13. For the purposes of this Order a vehicle shall be regarded as displaying a disabled person's badge in the relevant position under the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 if:-
 - (1) the badge is exhibited on the dashboard or facia of the vehicle so that the front of the badge is clearly legible from the outside of the vehicle; or
 - (2) where the vehicle is not fitted with a dashboard or facia, the badge is exhibited in a conspicuous position on the vehicle so that the front of the badge is clearly legible from the outside of the vehicle.
- 14. For the purposes of this Order a vehicle shall be regarded as displaying a parking disc in the relevant position under the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 if:-
 - (1) the disc is exhibited on the dashboard or facia of the vehicle so that when marked to show the quarter hour period during which a period of waiting began, that period is clearly legible from the outside of the vehicle; or
 - (2) where the vehicle does not have a dashboard or facia, the disc is exhibited in a conspicuous position on the vehicle so that, when marked to show the quarter hour period during which a period of waiting began, that period is clearly legible from the outside of the vehicle.

PART 4

DISABLED PERSONS' PARKING PLACES

- 15. (1) The lengths of road specified in Schedule 3 to this Order is authorised to be used, subject to the following provision of this Part of the Order, during the prescribed hours as a parking place for the class of vehicle specified in Article 16.
 - (2) No vehicle other than the class specified in Article 16 shall park during the prescribed hours in the lengths of road specified in Schedule 6 to this Order.
- 16. The parking places specified in Schedule 3 to this Order may be used for the leaving of a vehicle displaying a valid disabled person's badge in the relevant position.
- 17. The limits of the disabled persons' parking places and the limits of any access way in a disabled persons' parking place shall be indicated by the Council on the road by the appropriate traffic signs and any vehicle standing in a disabled persons' parking space shall stand wholly within the limits so marked.
- The driver of a vehicle using a disabled persons' parking place shall stop the engine as soon as the vehicle is in position in the parking space, and shall not start the engine of the vehicle except for loading or unloading or when about to change the position of the vehicle in or to depart from the parking place.
- 19. No person shall use a disabled persons' vehicle whilst it is in a disabled persons' parking place in connection with the sale of any article to persons in or near that parking 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 displaying a valid disabled persons' badge if the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected.
- 20. (1) When a vehicle displaying a valid disabled persons' badge is left in a disabled persons' parking place in contravention of any of the provisions contained in Part 4 of this Order a person authorised in that behalf may remove the vehicle or arrange for it to be removed from the parking place.
 - (2) A police officer in uniform or traffic warden or CEO may, in cases of emergency, move or cause to be moved, to any place he sees fit, any vehicle left in a disabled persons' parking place.
 - (3) When a vehicle displaying a valid disabled persons' badge is waiting in a parking place in a position which contravenes the provisions of Article 18 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 that 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 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 displaying a valid disabled persons' badge from a disabled persons' parking 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.
- 21. (1) Any person authorised by the Council may suspend the use of a disabled persons' parking place or any part thereof whenever and for such duration as he considers 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 disabled persons' parking place or the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration, removal, servicing or repair in or adjacent to the parking 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 disabled persons' parking 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 disabled persons' parking place at times of weddings or funerals, or on other special occasions.
 - (2) A police constable in uniform, traffic warden or CEO may suspend for not longer than twenty-four hours the use of a disabled persons' parking 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 disabled persons' parking place for the purpose of enabling such parking 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.

PART 5

ENFORCEMENT OF RESTRICTIONS

- 22. The Council shall, on or in the vicinity of a restricted road:-
 - 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 roadsurface markings;
 - (3) Carry out such other work as is reasonably required for the purpose of the satisfactory operation of a restricted road.
- 23. 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

NO WAITING AT ANY TIME EXCEPT WITHIN MARKED BAYS

ADLEPHI STREET, CAMPBELL PARK SOUTH-WEST OFF-STREET CAR PARK

NW1 That whole car park area south-west of its junction with the south-west side of Adelphi Street

ADLEPHI STREET, CAMPBELL PARK NORTH-EAST OFF-STREET CAR PARK

NW2 That whole car park area north-east of its junction with the north-east side of Adelphi Street

BLAIRMONT STREET, CAMPBELL PARK SOUTH-WEST OFF-STREET CAR PARK

NW3 That whole car park area south-west of its junction with the south-west side of Blairmont Street

BLAIRMONT STREET, CAMPBELL PARK NORTH-EAST OFF-STREET CAR PARK

NW4 That whole car park area north-east of its junction with the north-east side of Blairmont Street

COLGRAIN STREET, CAMPBELL PARK SOUTH-WEST OFF-STREET CAR PARK

NW5 That whole car park area south-west of its junction with the south-west side of Colgrain Street

COLGRAIN STREET, CAMPBELL PARK NORTH-EAST OFF-STREET CAR PARK

NW6 That whole car park area north-east of its junction with the north-east side of Colgrain Street

MELVILLE STREET, CAMPBELL PARK SOUTH-WEST OFF-STREET CAR PARK

NW7 That whole car park area south-west of its junction with the south-west side of Melville Street

MELVILLE STREET, CAMPBELL PARK NORTH-EAST OFF-STREET CAR PARK

NW8 That whole car park area north-east of its junction with the north-east side of Melville Street

MONTROSE STREET, CAMPBELL PARK SOUTH-WEST OFF-STREET CAR PARK

NW9 That whole car park area south-west of its junction with the south-west side of Montrose Street

MONTROSE STREET, CAMPBELL PARK NORTH-EAST OFF-STREET CAR PARK

NW10 That whole car park area north-east of its junction with the north-east side of Montrose Street

PILGRIM STREET, CAMPBELL PARK SOUTH-WEST OFF-STREET CAR PARK

NW11 That whole car park area south-west of its junction with the south-west side of Pilgrim Street

PILGRIM STREET, CAMPBELL PARK NORTH-EAST OFF-STREET CAR PARK

NW12 That whole car park area north-east of its junction with the north-east side of Pilgrim Street

SCHEDULE 2

OFF-STREET LIMITED WAITING PARKING PLACES

WAITING LIMITED TO 3 HOURS, NO RETURN WITHIN 1 HOUR 7.00 AM TO 6.00 PM

ADLEPHI STREET, CAMPBELL PARK SOUTH-WEST SIDE OFF-STREET CAR PARK

NORTH-WEST SIDE

LW1 From a point 6 metres south-west of the south-western kerbline of Adelphi Street, for a distance of 32 metres in a south-westerly direction

SOUTH-EAST SIDE

LW2 From a point 5 metres south-west of the south-western kerbline of Adelphi Street, for a distance of 32 metres in a south-westerly direction

ADLEPHI STREET, CAMPBELL PARK NORTH-EAST SIDE OFF-STREET CAR PARK

NORTH-WEST SIDE

LW3 From a point 6.5 metres north of the north-eastern kerbline of Adelphi Street, for a distance of 30 metres in a north-easterly direction

SOUTH-EAST SIDE

LW4 From a point 4.5 metres north of the north-eastern kerbline of Adelphi Street, for a distance of 30 metres in a north-easterly direction

BLAIRMONT STREET, CAMPBELL PARK SOUTH-WEST SIDE OFF-STREET CAR PARK

NORTH-WEST SIDE

LW5 From a point 6 metres south-west of the south-western kerbline of Blairmont Street, for a distance of 30 metres in a south-westerly direction

SOUTH-EAST SIDE

LW6 From a point 5 metres south-west of the south-western kerbline of Blairmont Street, for a distance of 30 metres in a south-westerly direction

BLAIRMONT STREET, CAMPBELL PARK NORTH-EAST SIDE OFF-STREET CAR PARK

NORTH-WEST SIDE

LW7 From a point 7.5 metres north of the north-eastern kerbline of Blairmont Street, for a distance of 30 metres in a north-easterly direction

SOUTH-EAST SIDE

LW8 From a point 5 metres north of the north-eastern kerbline of Blairmont Street, for a distance of 30 metres in a north-easterly direction

COLGRAIN STREET, CAMPBELL PARK SOUTH-WEST SIDE OFF-STREET CAR PARK

NORTH-WEST SIDE

LW9 From a point 6 metres south-west of the south-western kerbline of Colgrain Street, for a distance of 30 metres in a south-westerly direction

SOUTH-EAST SIDE

LW10 From a point 5 metres south-west of the south-western kerbline of Colgrain Street, for a distance of 30 metres in a south-westerly direction

COLGRAIN STREET, CAMPBELL PARK NORTH-EAST SIDE OFF-STREET CAR PARK

NORTH-WEST SIDE

LW11 From a point 7 metres north of the north-eastern kerbline of Colgrain Street, for a distance of 30 metres in a north-easterly direction

SOUTH-EAST SIDE

LW12 From a point 5 metres north of the north-eastern kerbline of Colgrain Street, for a distance of 30 metres in a north-easterly direct

MELVILLE STREET, CAMPBELL PARK SOUTH-WEST SIDE OFF-STREET CAR PARK

NORTH-WEST SIDE

LW13 From a point 5 metres south-west of the south-western kerbline of Melville Street, for a distance of 30 metres in a south-westerly direction

SOUTH-EAST SIDE

LW14 From a point 3.5 metres south-west of the south-western kerbline of Melville Street, for a distance of 30 metres in a south-westerly direction

MELVILLE STREET, CAMPBELL PARK NORTH-EAST SIDE OFF-STREET CAR PARK

NORTH-WEST SIDE

LW15 From a point 6 metres north of the north-eastern kerbline of Melville Street, for a distance of 33 metres in a north-easterly direction

SOUTH-EAST SIDE

LW16 From a point 4.5 metres north of the north-eastern kerbline of Melville Street, for a distance of 33 metres in a north-easterly direct

MONTROSE STREET, CAMPBELL PARK SOUTH-WEST SIDE OFF-STREET CAR PARK

NORTH-WEST SIDE

LW17 From a point 24 metres south-west of the south-western kerbline of Montrose Street, for a distance of 10.5 metres in a south-westerly direction

SOUTH-EAST SIDE

LW18 From a point 3 metres south-west of the south-western kerbline of Montrose Street, for a distance of 30 metres in a south-westerly direction

MONTROSE STREET, CAMPBELL PARK NORTH-EAST SIDE OFF-STREET CAR PARK

NORTH-WEST SIDE

LW19 From a point 6.5 metres north of the north-eastern kerbline of Montrose Street, for a distance of 30 metres in a north-easterly direction

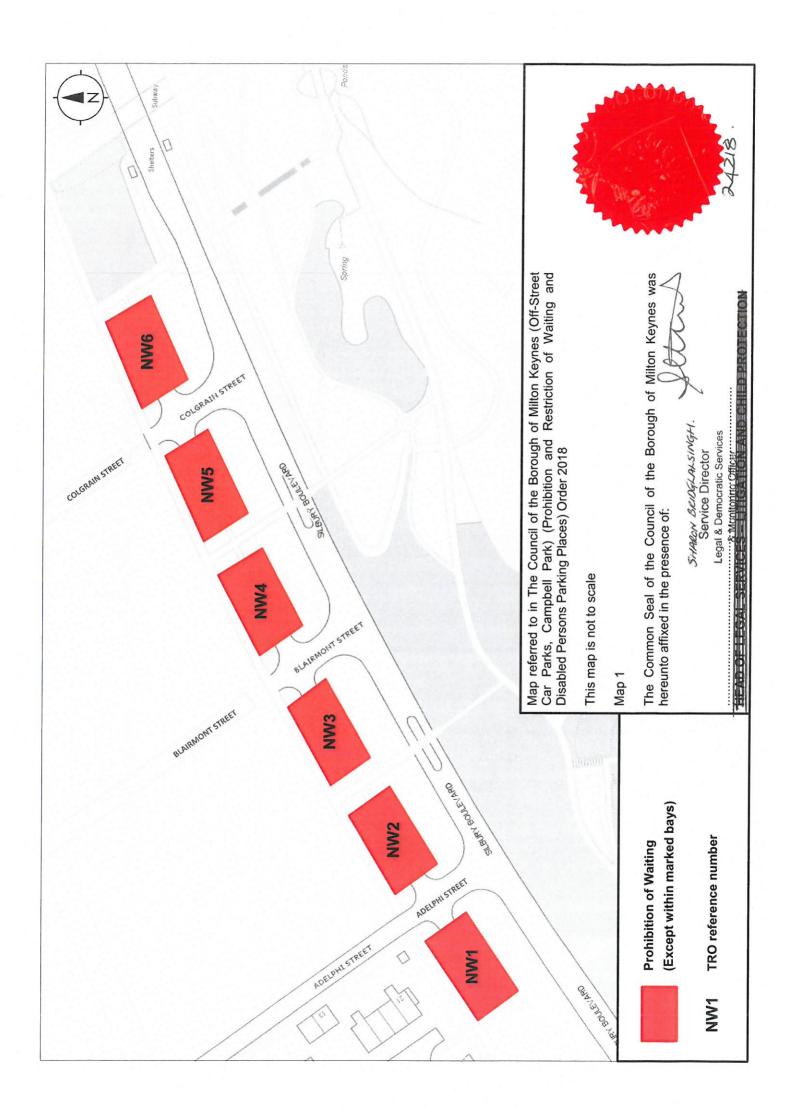
SOUTH-EAST SIDE

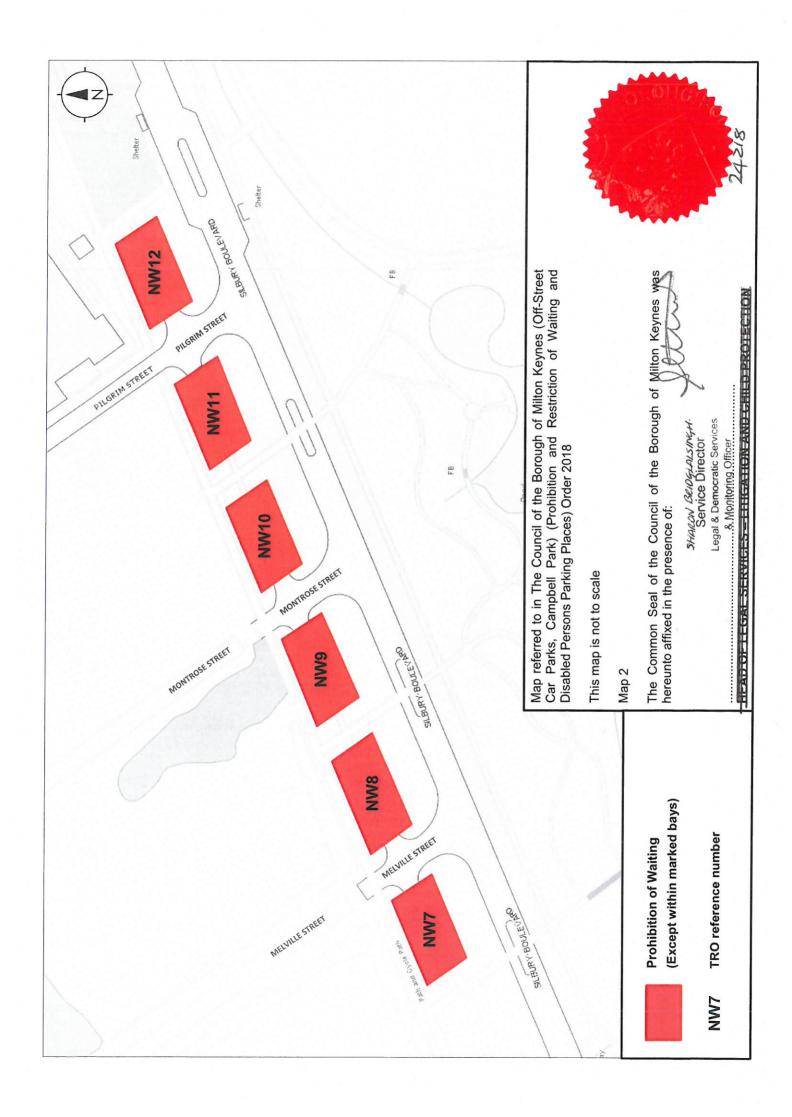
LW20 From a point 4 metres north of the north-eastern kerbline of Montrose Street, for a distance of 30 metres in a north-easterly direct

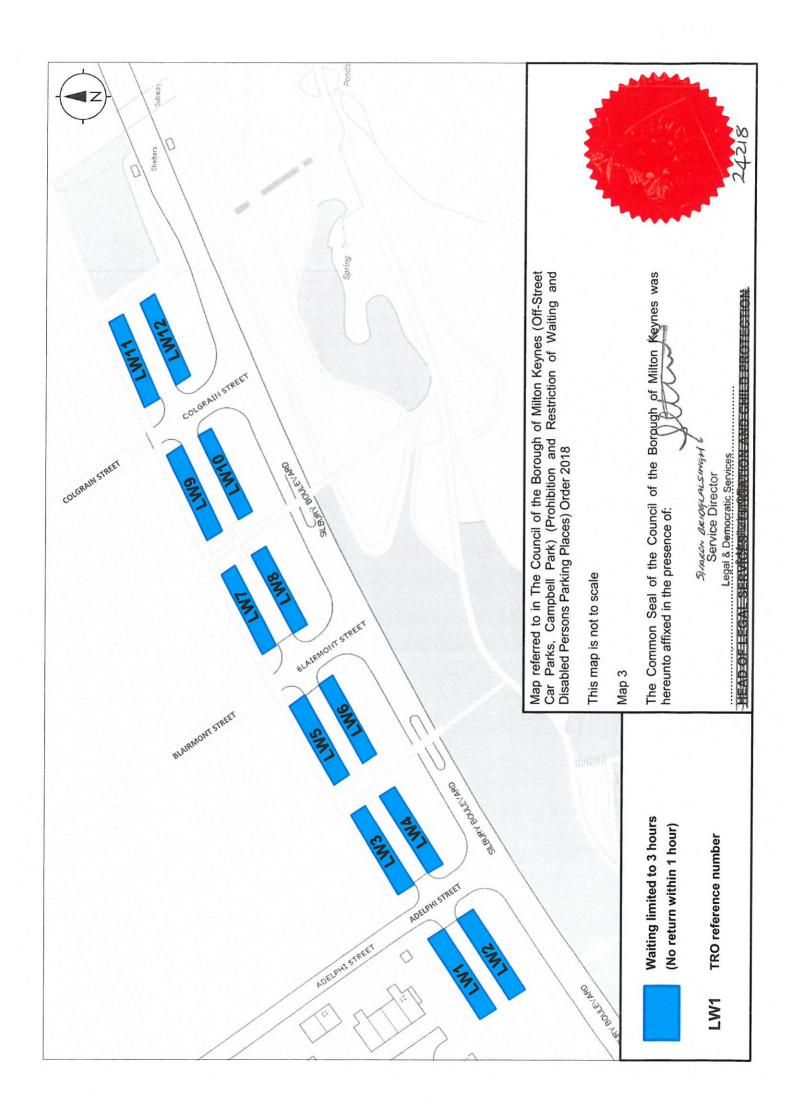
PILGRIM STREET, CAMPBELL PARK SOUTH-WEST SIDE OFF-STREET CAR PARK

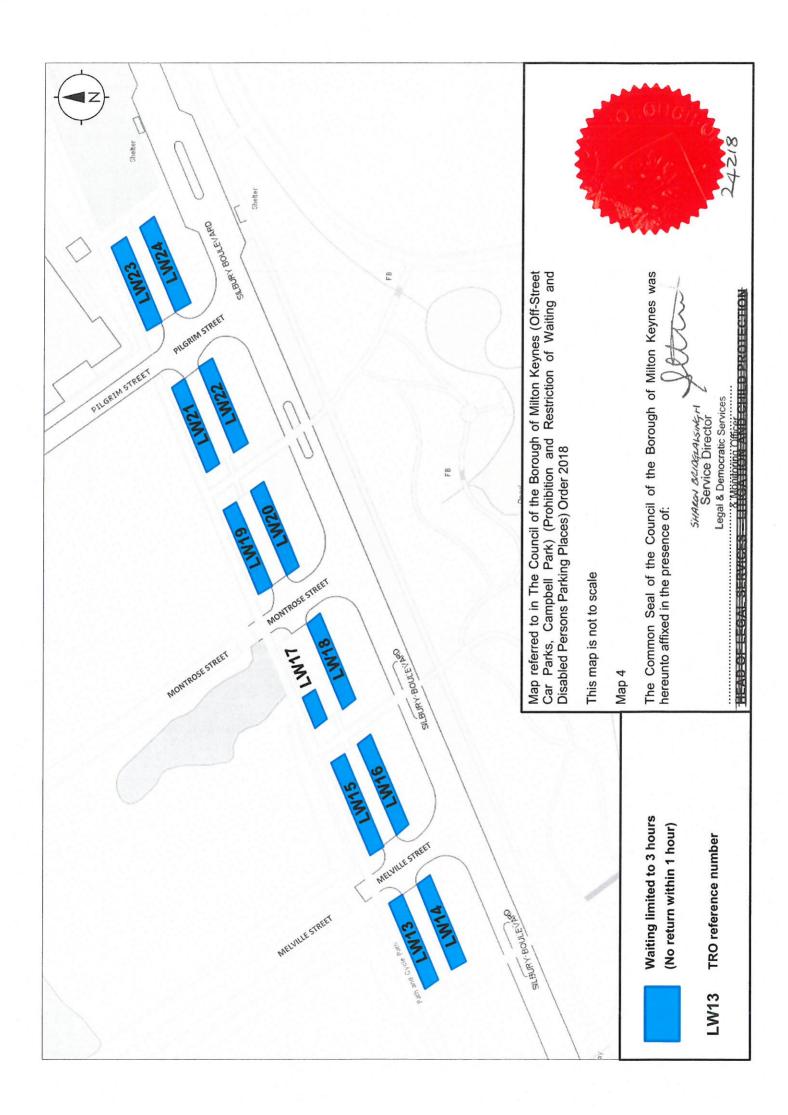
NORTH-WEST SIDE

LW21 From a point 6 metres south-west of the south-western kerbline of Pilgram Street, for a distance of 31 metres in a south-westerly direction











SOUTH-EAST SIDE

LW22 From a point 5 metres south-west of the south-western kerbline of Pilgram Street, for a distance of 31 metres in a south-westerly direction

PILGRIM STREET, CAMPBELL PARK NORTH-EAST SIDE OFF-STREET CAR PARK

NORTH-WEST SIDE

LW23 From a point 7 metres north of the north-eastern kerbline of Pilgram Street, for a distance of 27.5 metres in a north-easterly direction

SOUTH-EAST SIDE

LW24 From a point 5.5 metres north of the north-eastern kerbline of Pilgram Street, for a distance of 30 metres in a north-easterly direct

SCHEDULE 3

DISABLED PERSONS PARKING PLACES

MONTROSE STREET, CAMPBELL SOUTH-WEST SIDE OFF-STREET CAR PARK

NORTH-WEST SIDE

DP1 From a point 4.5 metres south-west of the south-western kerbline of Montrose Street, for a distance of 19.5 metres in a south-westerly direction (4 SPACES)

---- END ----

THE COMMON SEAL of the COUNCIL OF THE BOROUGH OF MILTON KEYNES as hereunto affixed this 10th day of April 2018 in the presence of:-

SHAKON BRIDGLALSINGH .
Service Director

Service Director

Legal & Democratic Services

& Monitoring Officer

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HEAD OF EGAL SERVICES LITICATION AND CHIED PROTECTION