

THE COUNCIL OF THE BOROUGH OF MILTON KEYNES (CENTRAL MILTON KEYNES) (CONTROLLED PARKING ZONE) 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), 4(1), 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

1. This Order shall come into operation on the 8th day of May 2017 and may be cited as "The Council of the Borough of Milton Keynes (Central Milton Keynes) (Controlled Parking Zone) Order 2017".
2. In this Order, except where the context otherwise requires, the following expressions have the meanings respectively assigned to them:-

"Central Milton Keynes" means the area bounded by the north-east side of the West Coast Mainline Railway (between Portway and Childs Way), the south-east side of Portway (between the West Coast Mainline Railway and Marlborough Street), the south-west side of Marlborough Street (between Portway and Childs Way) and the north-west side of Childs Way (between Marlborough Street and the West Coast Mainline Railway);

"Civil Enforcement Officer (CEO)" has the same meaning as in Section 76 of the Traffic Management Act of 2004;

"Controlled Parking Zone" means an area where all on-street parking is controlled. This means that parking is only permitted in designated parking bays and that the remainder of the carriageway is no waiting at any time.

"Council" means the Council of the Borough of Milton Keynes;

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

"driver" in relation to a vehicle waiting in a parking zone, means the person driving the vehicle at the time it was left in the parking zone;

"goods" includes postal packets of any description, cash or other valuable securities;

"delivering" and "collecting" in relation to any goods includes checking the goods for the purpose of their delivery or collection;

"motor vehicle" has the same meaning as in Section 185 of the Road Traffic Act 1988;

"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 Part A of Schedule 1 to this Order;

"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

CONTROLLED PARKING ZONE

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 area of Central Milton Keynes specified in Schedule 1 to this Order.
6. Nothing in Article of this Order shall render it a contravention of this Order to cause or permit a vehicle to wait during the prescribed hours in the area specified in Schedule 1 to this Order, 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;
 - (f) 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.

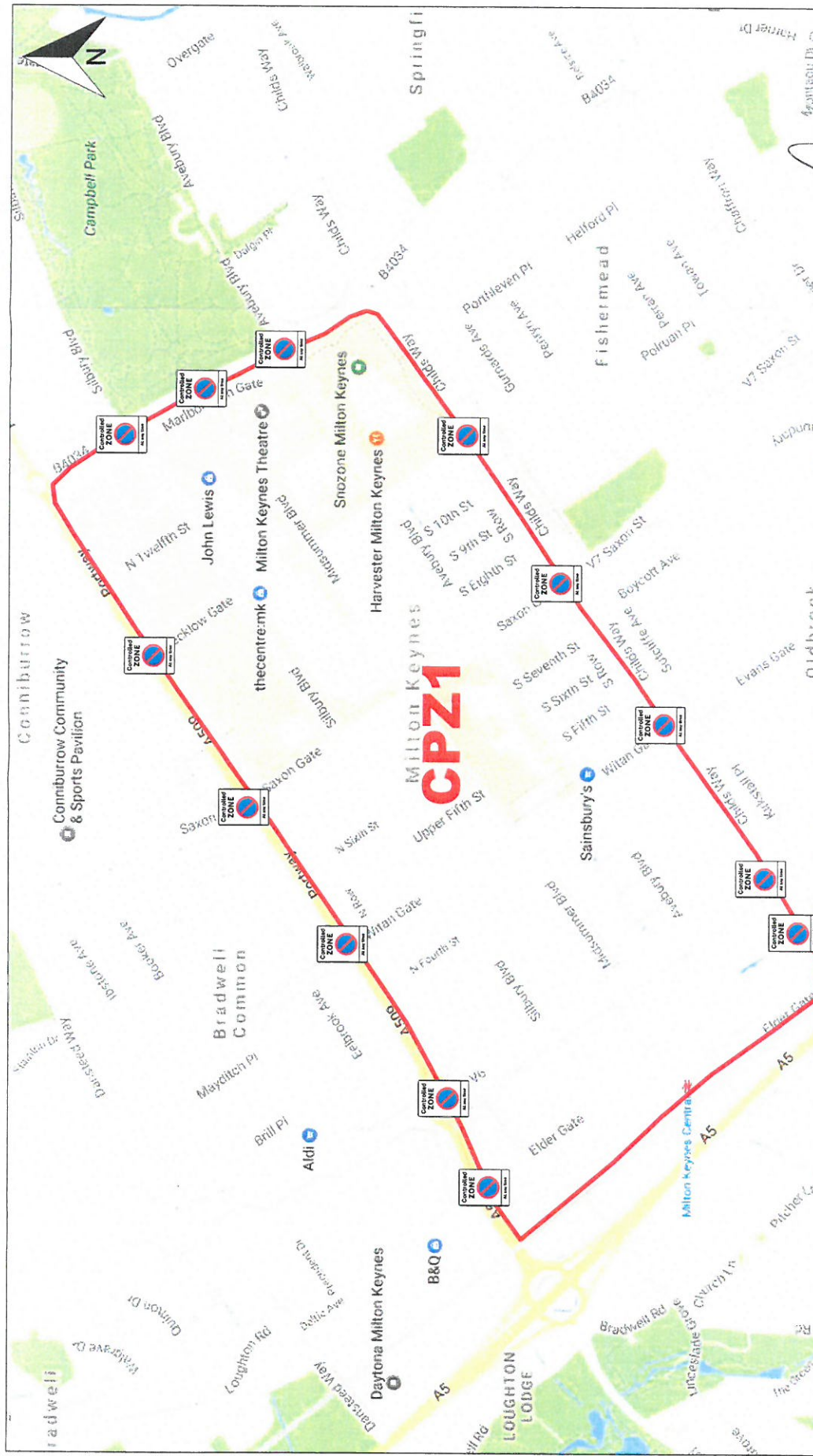
7. In accordance with the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000, nothing in Article 5 shall render it unlawful to cause or permit a disabled person's vehicle which displays a disabled person's badge and parking disc in the relevant position in accordance with Articles 8 and 9 hereof to wait for a period not exceeding 3 hours in a length of road specified in Schedule 1 hereto (provided the period of exempted waiting does not begin less than one hour after a previous period of exempted waiting by the same vehicle in the same road on the same day).
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 fascia 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 fascia, 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 fascia 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 fascia, 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

ENFORCEMENT OF RESTRICTIONS

10. The Council shall, on or in the vicinity of any road provided for in this Order:
 - (1) provide traffic signs in accordance with the Traffic Signs Regulations and General Directions 2002;
 - (2) maintain and from time to time alter the said traffic signs;
 - (3) carry out such other work as is reasonably required for the purpose of the satisfactory operation of a road.
11. The Council shall appoint CEO's whose duty it shall be to patrol and enforce the waiting and parking restrictions imposed by the Articles of this Order.



Controlled Parking Zone sign

KEY:

Controlled Parking Zone

CPZ1

TRO Reference number

Map referred to in the Council of The Borough of Milton Keynes (Central Milton Keynes) (Controlled Parking Zone) 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:

23557

HEAD OF LEGAL SERVICES – LITIGATION & CHILD PROTECTION

SCHEDULE 1

CONTROLLED PARKING ZONE

THE WHOLE 24 HOURS OF EVERY DAY

CENTRAL MILTON KEYNES

CPZ1 All roads in the area bounded by the north-east side of the West Coast Mainline Railway (between Portway and Childs Way), the south-east side of Portway (between the West Coast Mainline Railway and Marlborough Street), the south-west side of Marlborough Street (between Portway and Childs Way) and the north-west side of Childs Way (between Marlborough Street and the West Coast Mainline Railway).

---- END ----

THE COMMON SEAL of the **COUNCIL OF THE BOROUGH OF MILTON KEYNES** as hereunto affixed this 2nd day of May 2017 in the presence of:-



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HEAD OF LEGAL SERVICE – LITIGATION & CHILD PROTECTION



23557