THE COUNCIL OF THE BOROUGH OF MILTON KEYNES (CENTRAL MILTON KEYNES) (WAITING AND LOADING RESTRICTIONS) ORDER 2002

The Council of the Borough of Milton Keynes ("the Council") in exercise of its powers under Sections 1(1), 2(1) and (2), 4(2) 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, DEFINITIONS AND REVOCATIONS

- This Order shall come into operation on the 27th of October 2002 and may be cited as "The Council of the Borough of Milton Keynes (Central Milton Keynes) (Waiting and Loading Restrictions) Order 2002".
- 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;

"bus" means a motor vehicle constructed or adapted to carry more than eight passengers (exclusive of driver);

"bus stop area" means an area of carriageway of a specified road intended for the waiting of buses, which is comprised within and indicated by a road marking of a type prescribed or authorised under, or having effect as though prescribed or authorised under Section 64 of the Act of 1984;

"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;

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

"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;

"local bus" has the same meaning as in Regulation 4 of the Traffic Signs Regulations and General Directions Act 1994;

"owner" in relation to a vehicle, means the person by whom such vehicle is kept and used;

"parking attendant" has the same meaning as in Section 63A of the Road Traffic Regulation Act 1984;

"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;

"payment day" means the date by which payment should be made, as specified in the most recent notice received by the driver or owner of the vehicle;

"penalty charge" has the same meaning as in Section 66(2) of the Road Traffic Act 1991;

"penalty charge notice" means a notice dispensed by a parking attendant informing the driver of the vehicle that they are in contravention of a restriction and that a penalty charge is now owed;

"postal packets" has the same meaning as in Section 125 of the Postal Services Act 2000;

"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;

"taxi" has the same meaning as in Regulation 4 of the Traffic Signs and General Directions Act 1991;

"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.

- 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 annexed to this Order identifies the lengths of road 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.
- 5. Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into effect of this Order, any provisions of any Orders mentioned in Schedule 3 hereto are hereby revoked to the extent stated in that Schedule.

PART 2

PROHIBITION OF WAITING

- 6. 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 in any of the lengths of road specified in Schedule 1 hereto.
- 7. 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 load or unload at any time in the length of road specified in Schedule 2 hereto.
- 8. Nothing in Article 6 above shall render it a contravention of this Order to cause or permit a vehicle to wait in any of the lengths of road specified in Schedule 1 for so long as may be necessary to enable:
 - (1) a person to board or alight from the vehicle;
 - (2) goods to be loaded or unloaded from the vehicle;
 - (3) a vehicle to wait whilst any gate or other barrier at the entrance to premises to which the vehicle requires access or from which it has emerged is being opened or closed, if it is not reasonably practicable for the vehicle to wait outside otherwise while such gate or other barrier is being opened or closed.
- 9. Nothing in Articles 6 and 7 above shall render it a contravention of this Order to cause or permit a vehicle to wait in any of the lengths of road specified in Schedules 1 and 2 for so long as may be necessary:
 - (a) 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;
 - (b) to enable a taxi to wait upon any hackney carriage stand;
 - (c) 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:
 - i) building, industrial or demolition operations;
 - ii) the removal of any obstruction to traffic;
 - iii) 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;

- iv) use in the service of any undertaker, the Environment Agency or any public authority in pursuance of statutory powers or duties;
- v) in connection with any wedding or funeral;
- vi) use for police, fire brigade or ambulance purposes;
- vii) use for the purpose of delivering or collecting postal packets as defined by section 125 of the Postal Services Act 2000;
- viii) the vehicle, being a bus, to wait in a bus stop area;
- ix) 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.
- 10. In accordance with the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000, nothing in Article 6 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 11 and 12 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).
- 11. 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:
 - 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.
- 12. 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

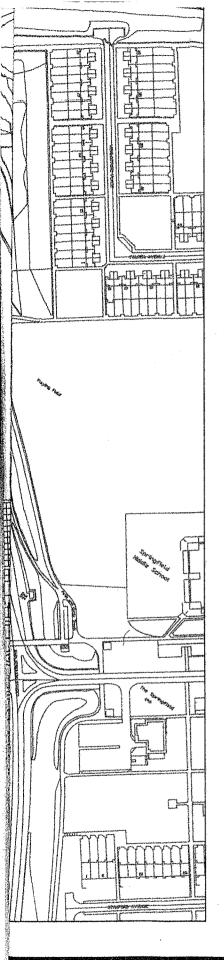
(2) where the vehicle does not have a dashboard or facia, the disc is exhibited in a conspicuous position on the vehicle, so that, when marked to show the quarter-hour period during which a period of waiting began, that period is clearly legible from the outside of the vehicle.

PART 3

ENFORCEMENT OF RESTRICTIONS

13. 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 1994;
- (2) Maintain and from time to time alter the said notices, signs and road-surface markings;
- (3) Carry out such other work as is reasonably required for the purpose of the satisfactory operation of a restricted road.
- 14. The Council shall appoint parking attendants whose duty it shall be to patrol and enforce the waiting and parking restrictions imposed by the Articles of this Order.
- 15. Where a parking attendant is of the opinion that any of the provisions contained in this Order have been contravened or not complied with in respect of a restricted road, he or she may attach to the vehicle in a conspicuous position or, at his or her discretion, hand the notice to a person whom he or she has reason to believe has incurred a penalty charge under this Order a Penalty Charge Notice ("PCN") in accordance with Section 66 of the Road Traffic Act 1991 (as amended).
- 16. Upon issue of a PCN, the procedure by which enforcement will be carried out will be:
 - (1) If payment is made within fourteen days of issue of the PCN, the fee shall be one half of the amount stated on the PCN.
 - (2) For fourteen days thereafter, the charge incurred will be the whole of the amount stated on the PCN.
 - (3) Twenty-eight days after issue of the PCN, the Council will serve a Notice to Owner stating that the Penalty Charge remains



THE COUNCIL OF THE BOROUGH OF MILTON KEYNES (CENTRAL MILTON KEYNES) (WAITING AND LOADING RESTRICTIONS) ORDER 2002

Map referred to in the Council of the Borough of Milton Keynes (Central Milton Keynes) (Waiting and Loading Restrictions) Order 2002

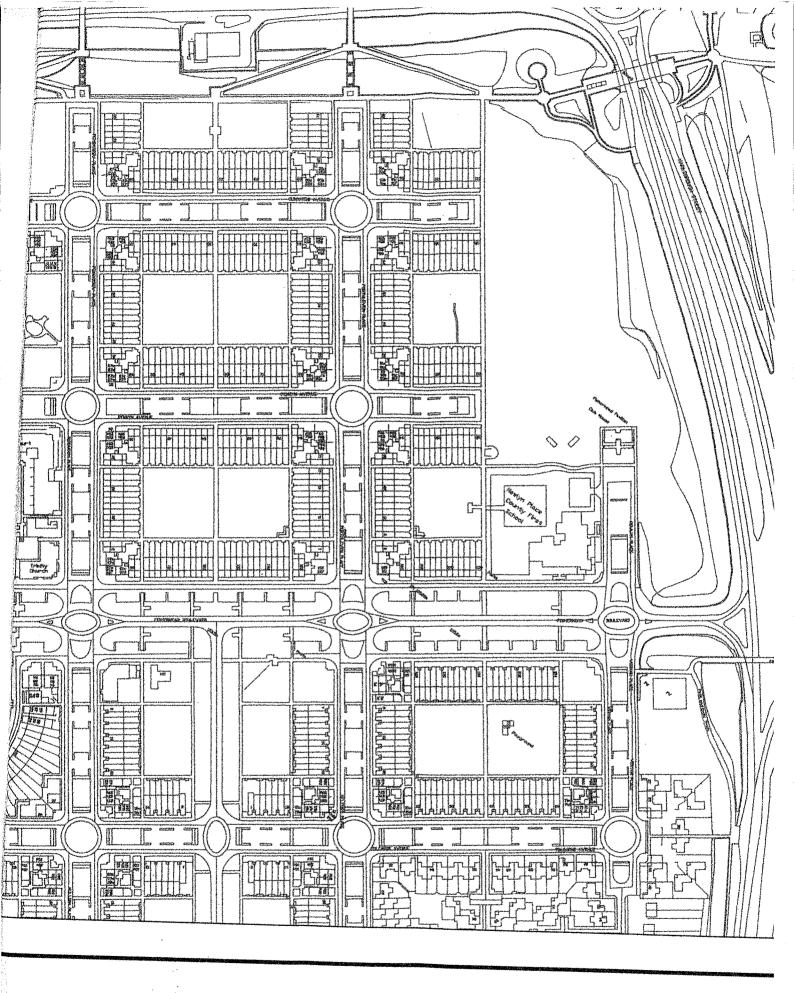
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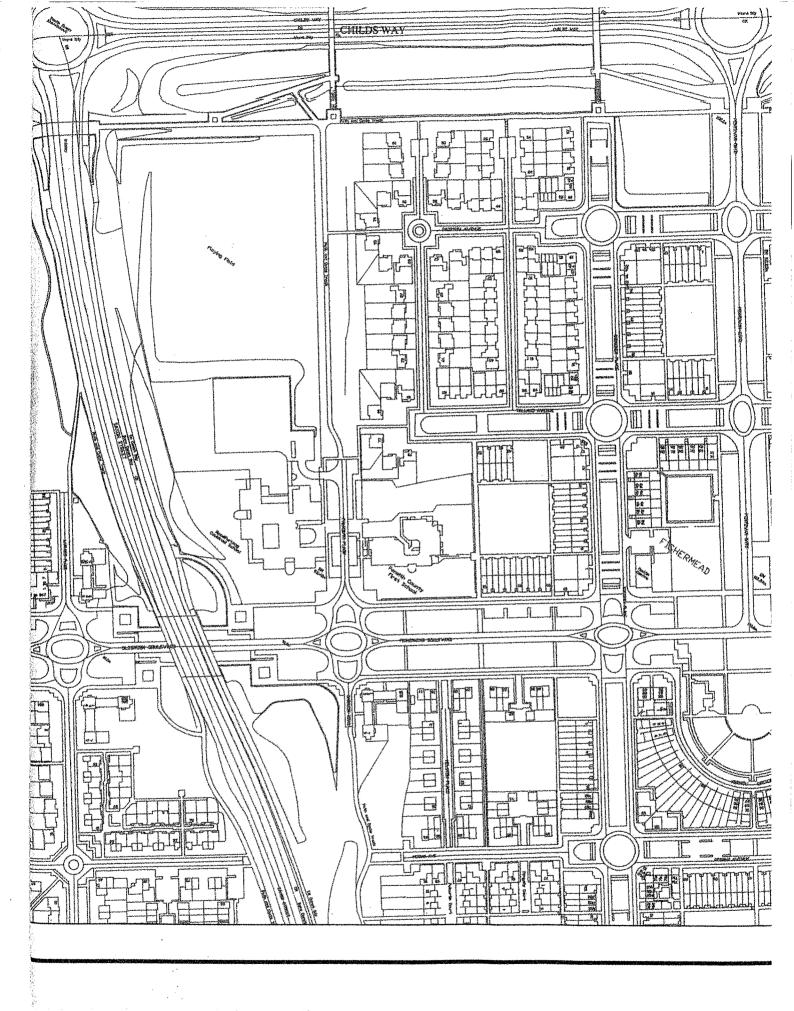
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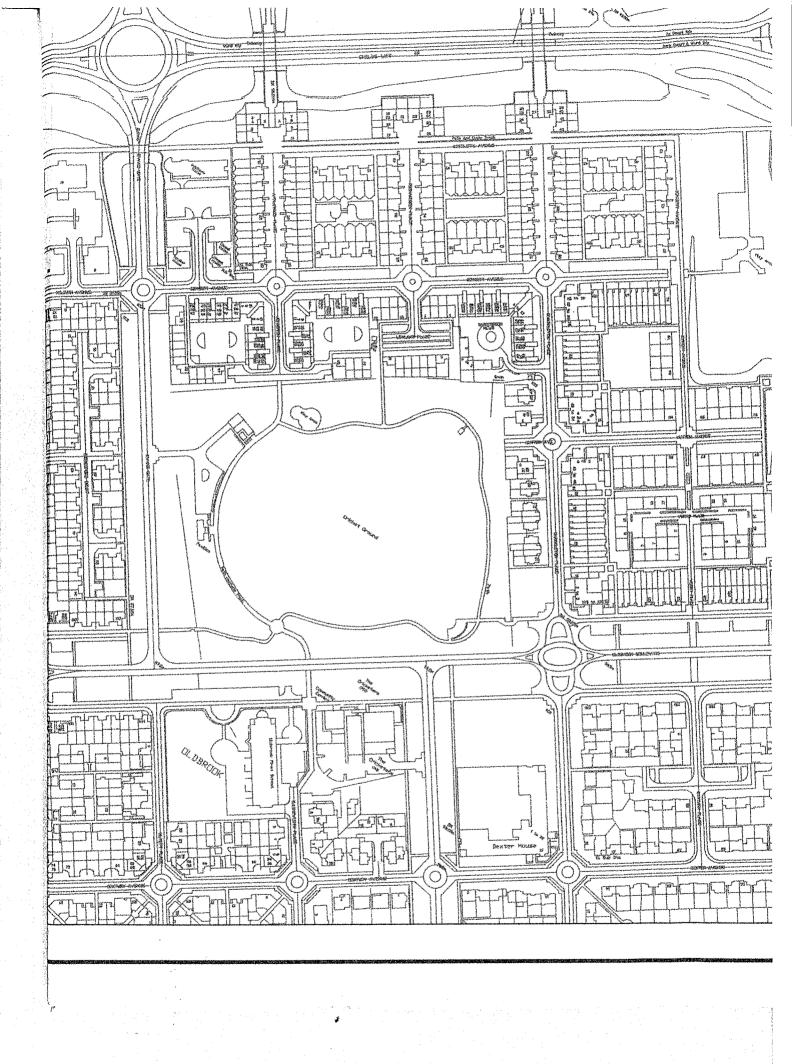
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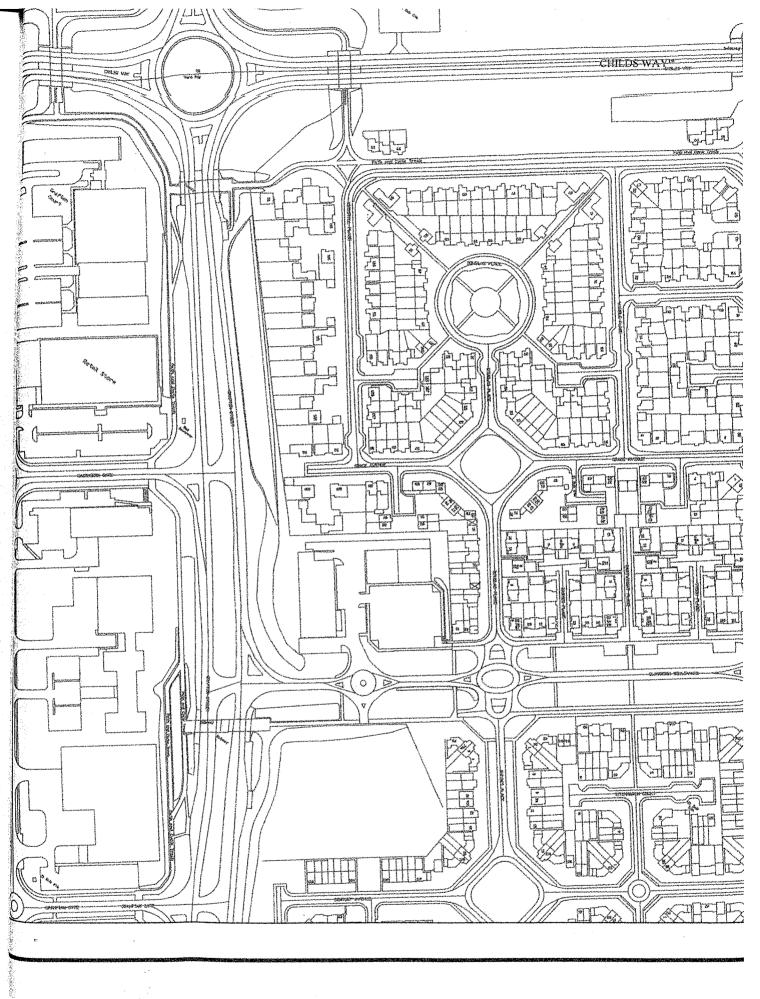
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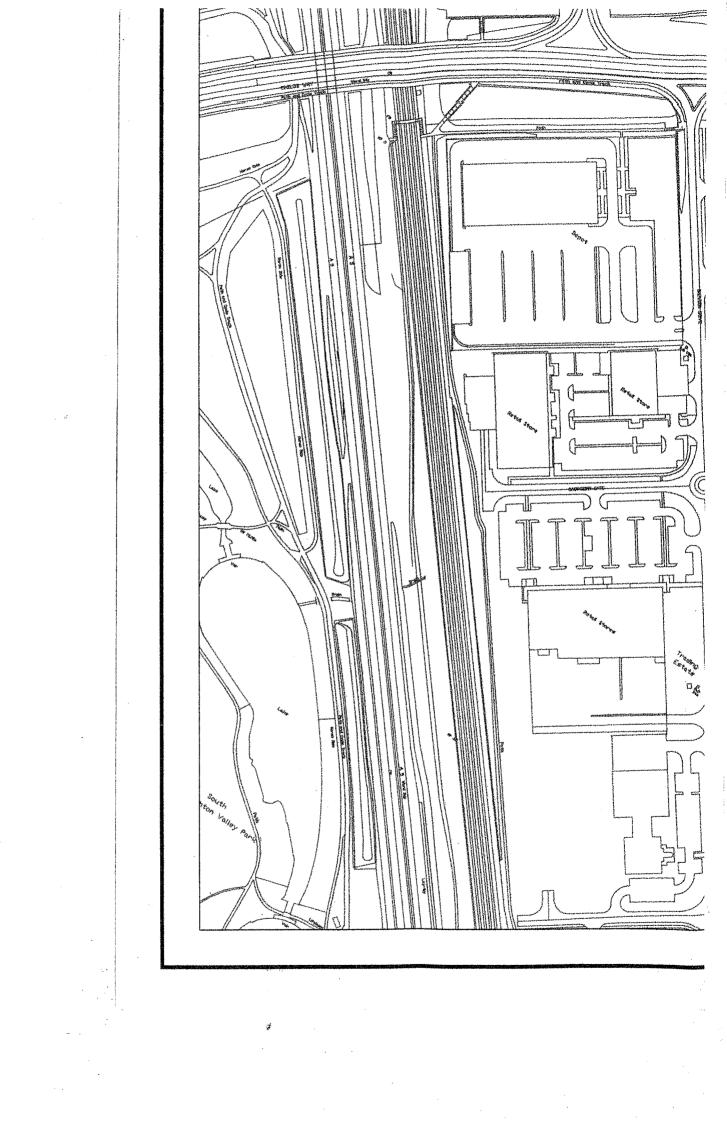
HEAD OF LEGAL AND PROPERTY SERVICES

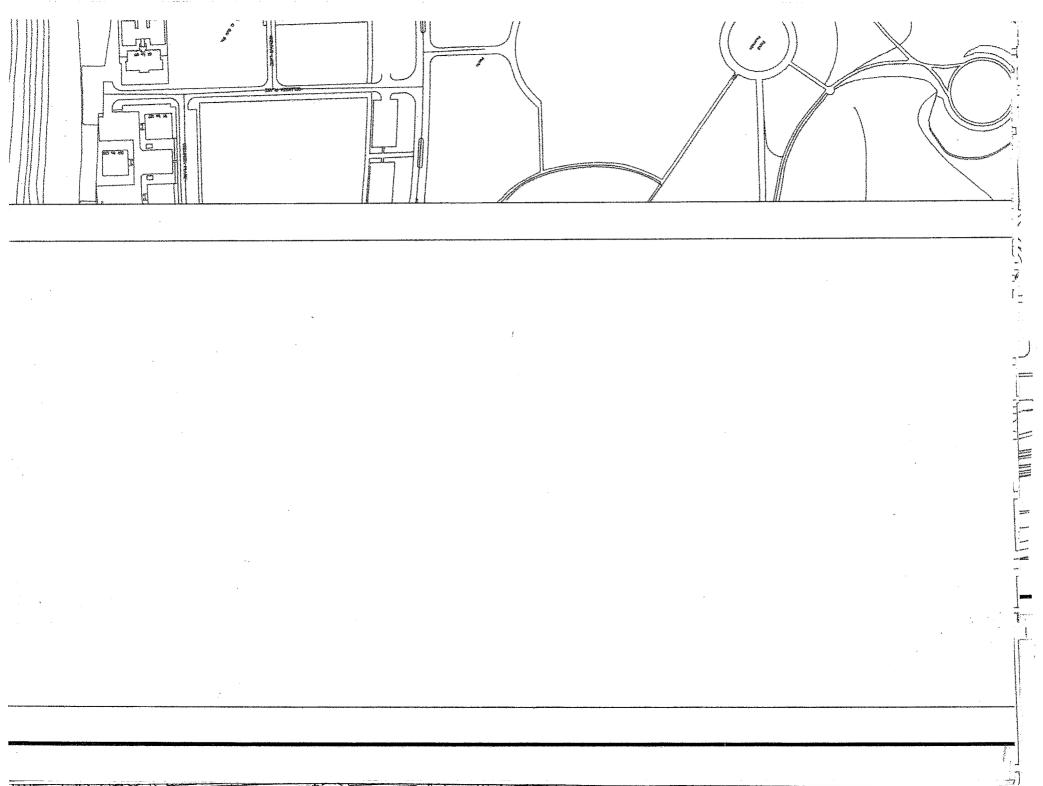




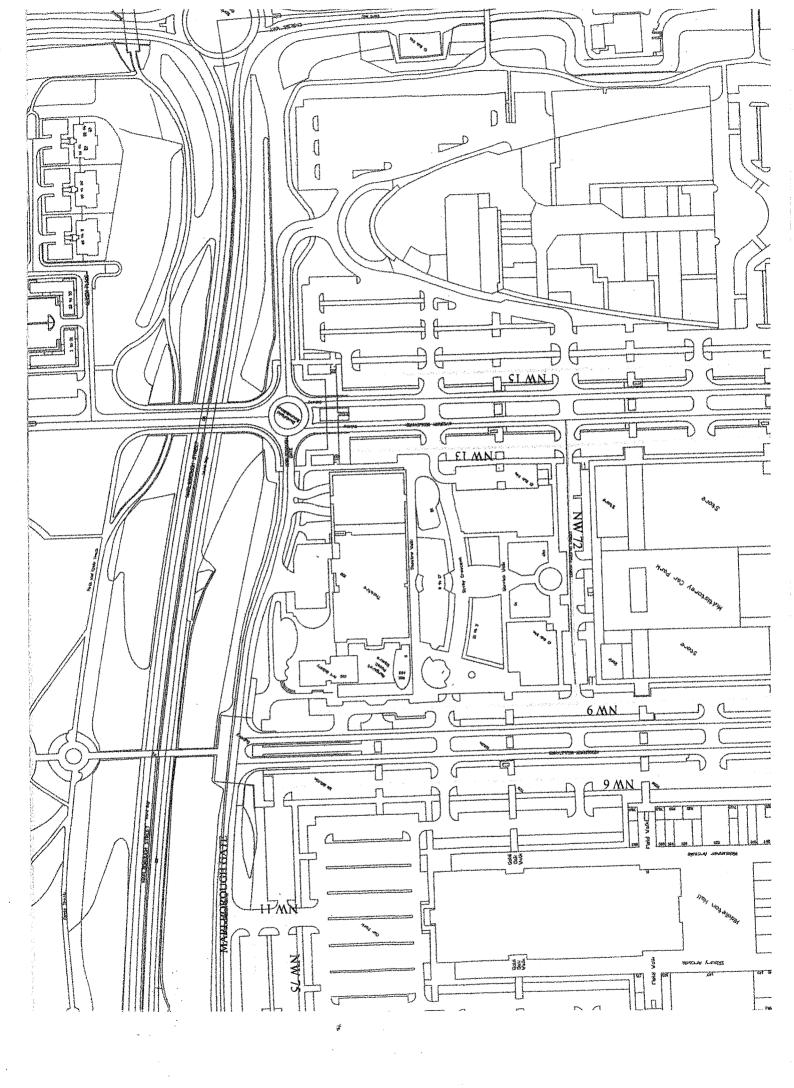


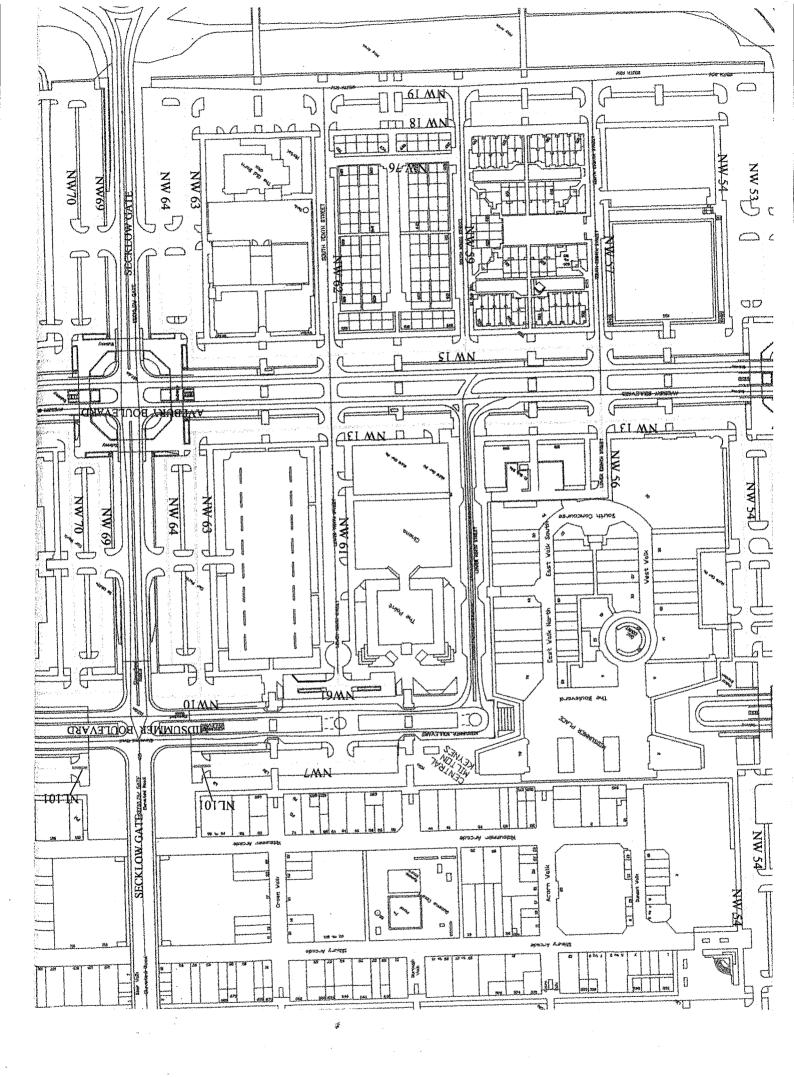


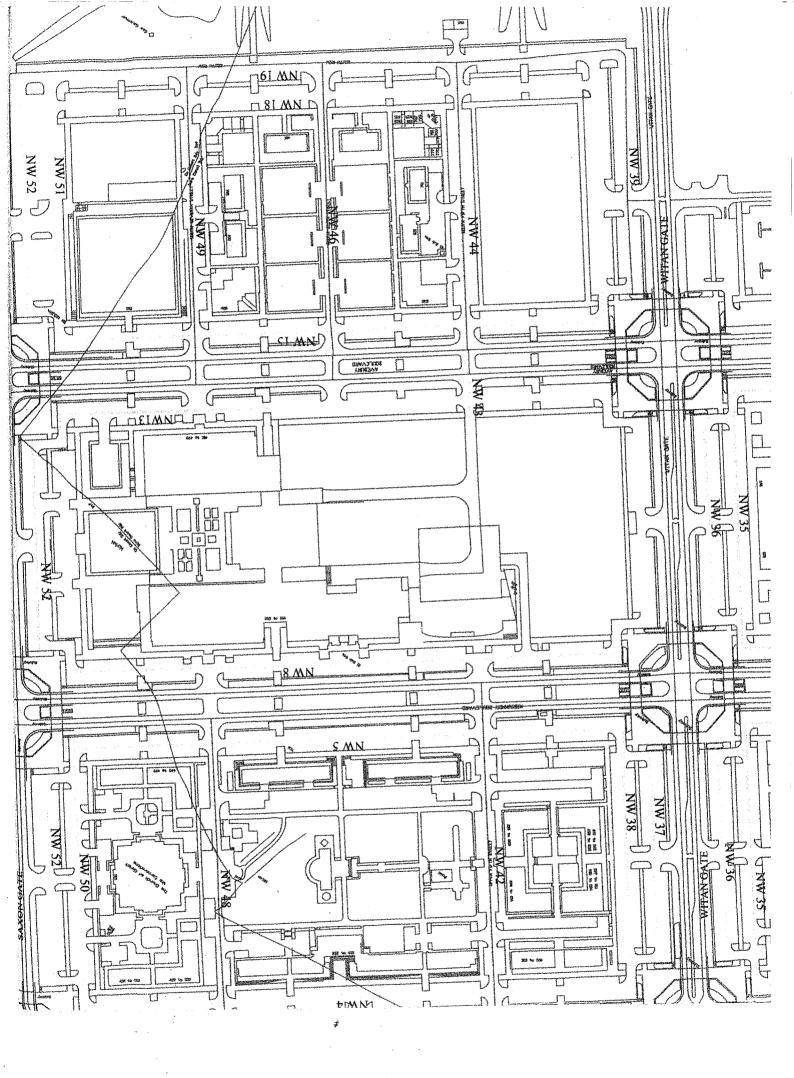


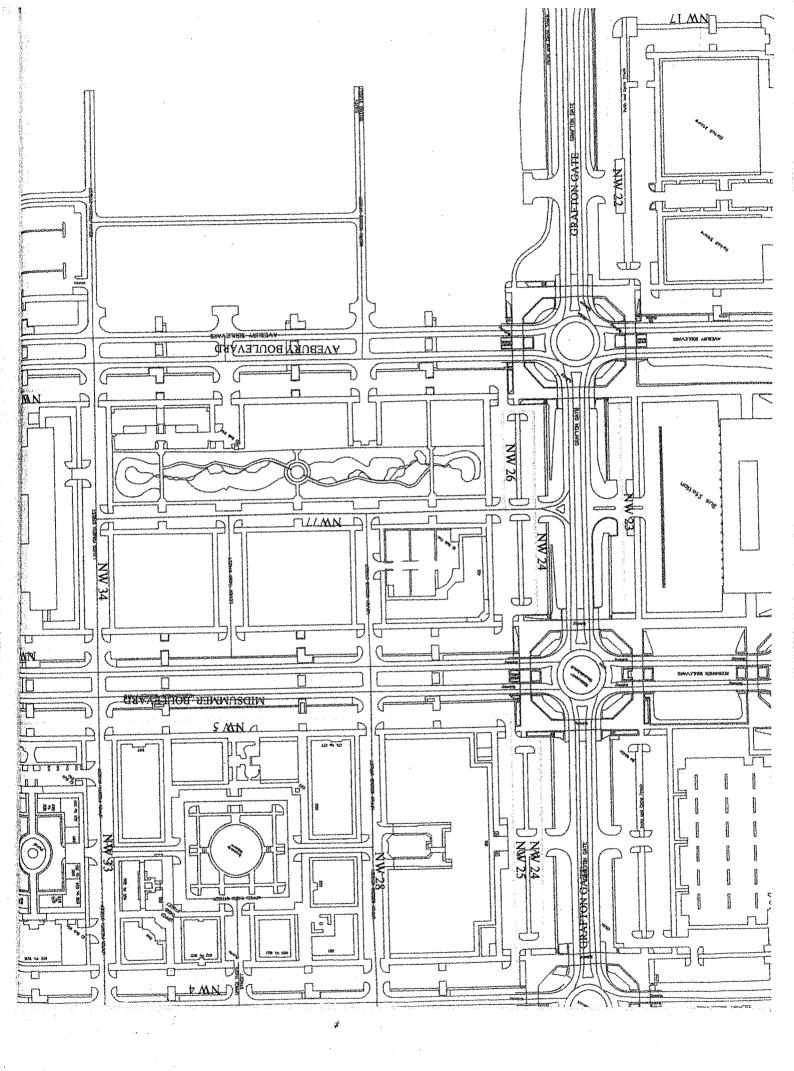


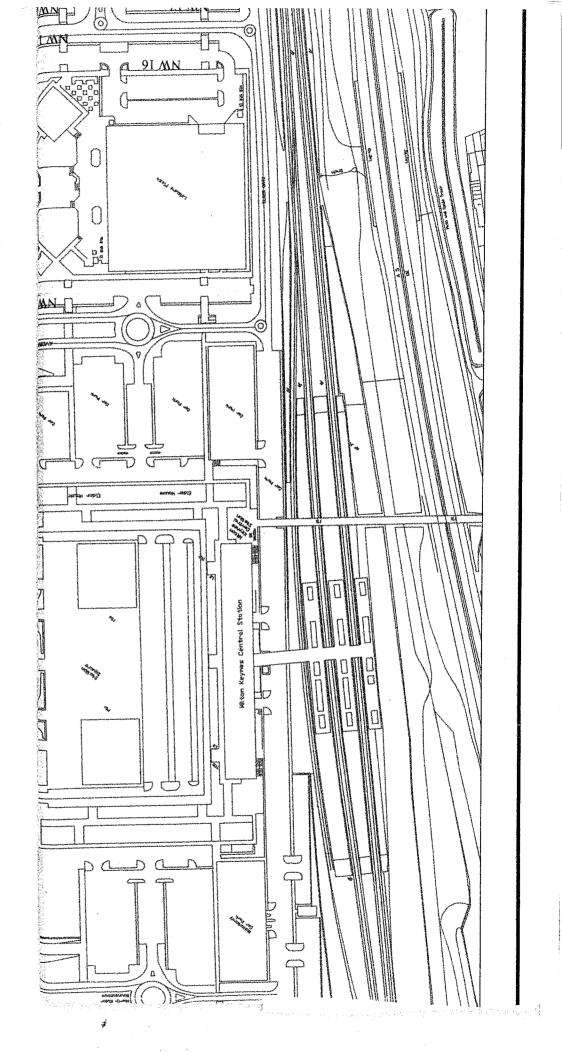
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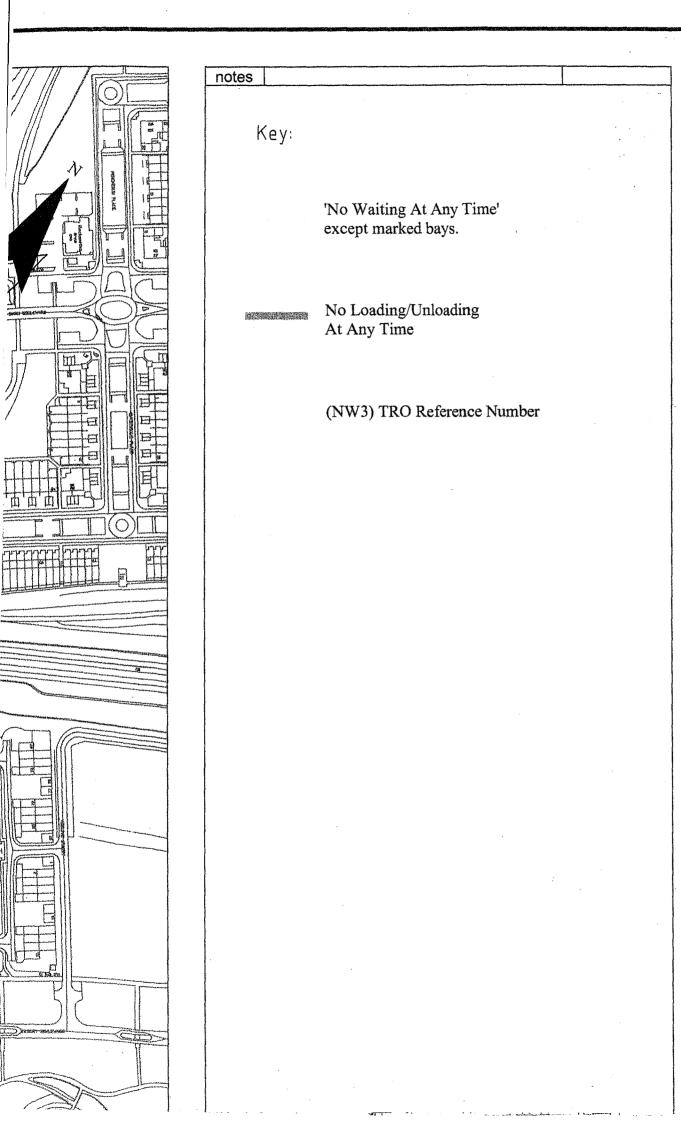








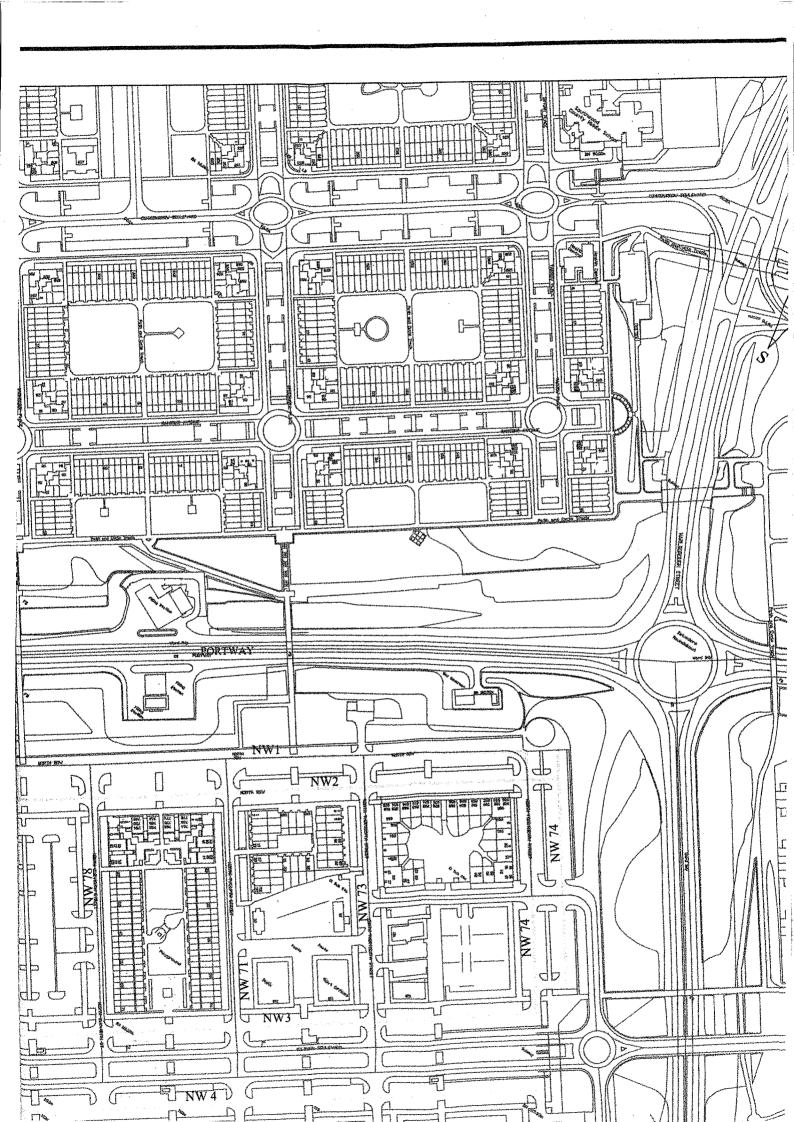
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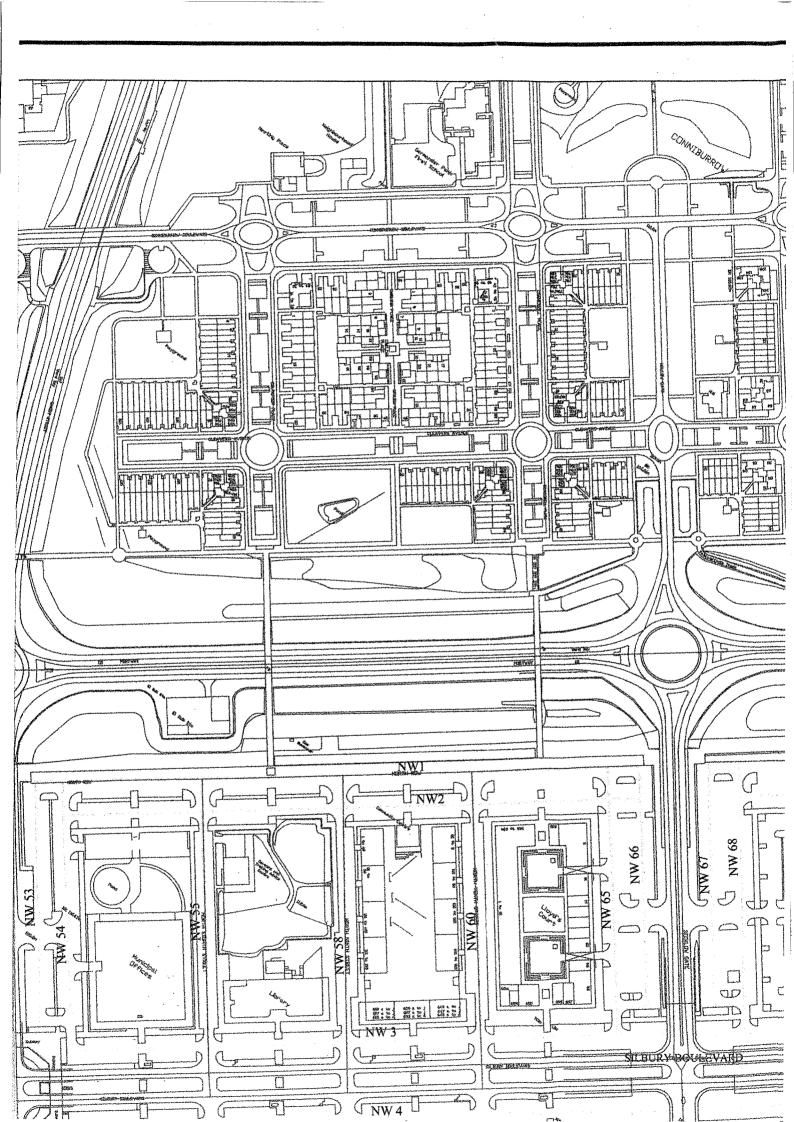


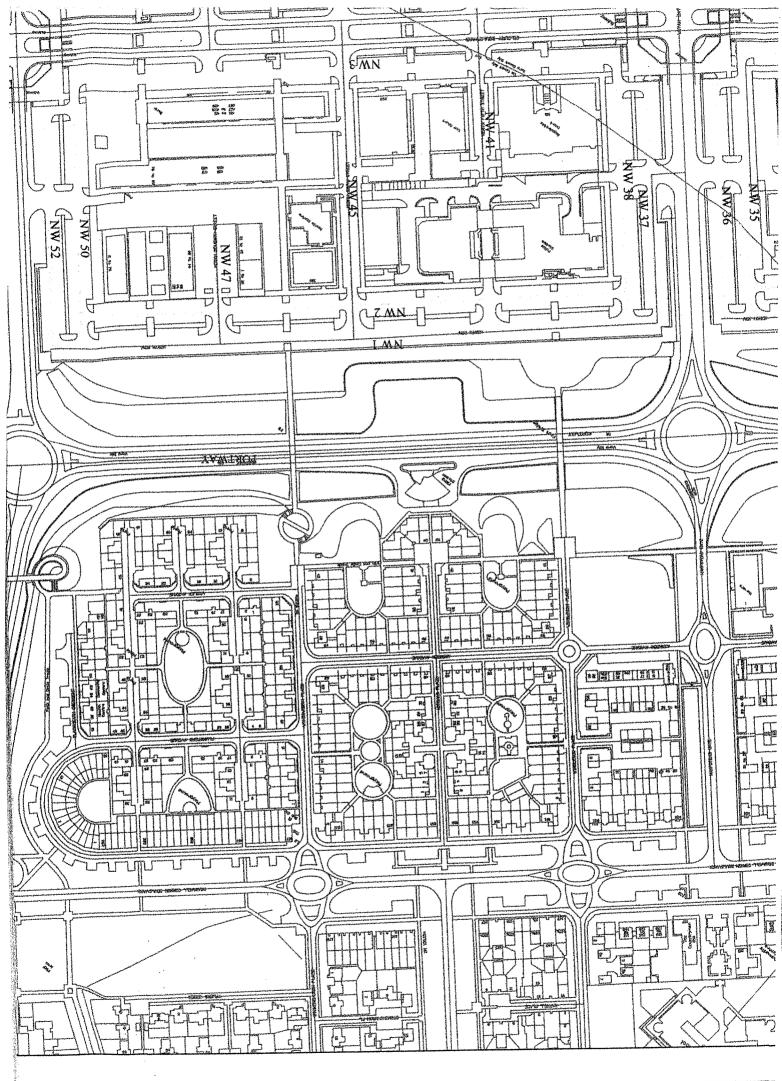
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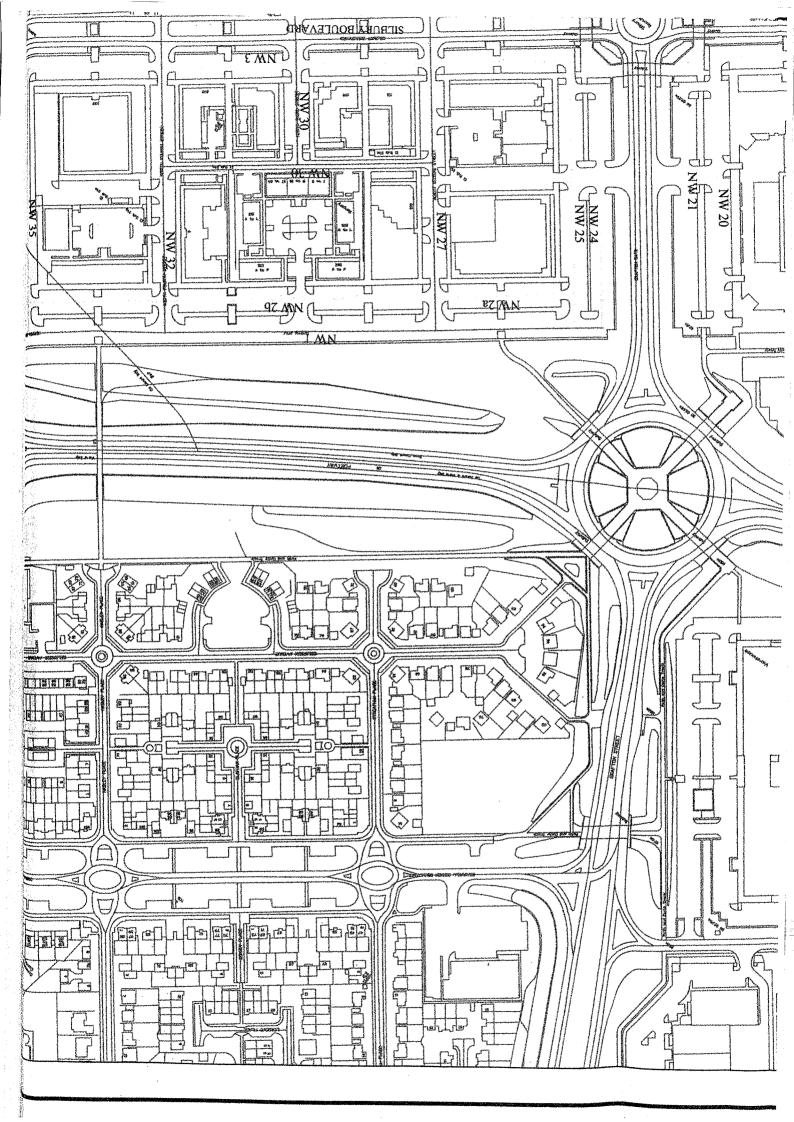
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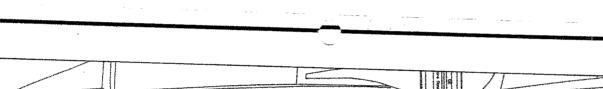


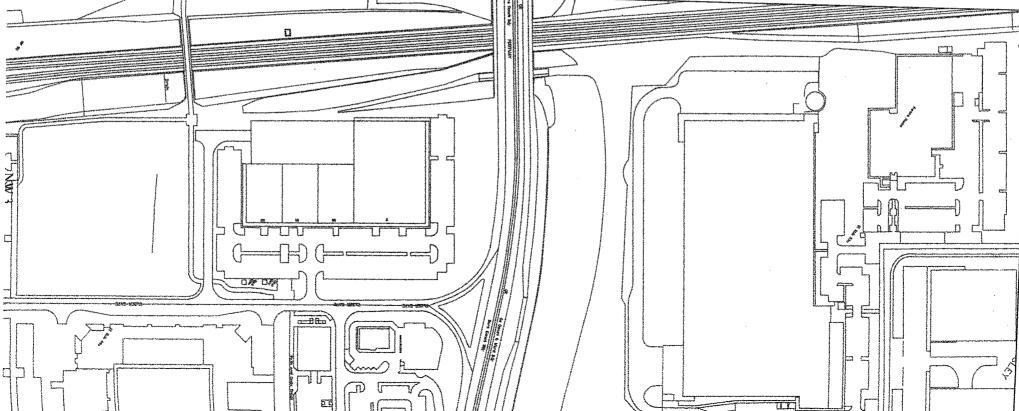






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unpaid and that, if payment is not received within a further thirtyfive days, it may be increased to one and one half times the amount stated on the PCN.

- (4) After the said thirty-five days, the Council will serve on the owner of the vehicle a Charge Certificate, increasing the charge to one and one half times the amount stated on the PCN.
- (5) Fourteen days later, the Council will register the debt with the Traffic Enforcement Centre at Northampton County Court, an Order for Recovery will be sent to the owner of the vehicle and the charge will be increased to include any fees incurred during registration.
- (6) After a further twenty-one days, the Council will obtain from the Traffic Enforcement Centre a Warrant allowing bailiffs to recover the debt. The warrant will be enforceable for twelve months from issue and any expenses incurred by the bailiffs, as set out in the Enforcement of Road Traffic Debts (Certified Bailiffs) Regulations 1993, will be added to the amount owed.
- 17. The penalty charge shall be paid to the Council either by cheque or postal order which shall be delivered or sent by post to the Council's authorised agent, by cash, credit or debit card, cheque or postal order in person at the said agent's office, or by credit or debit card over the telephone to the said agent's office so as to reach the agent during office hours on or before the payment day, provided that if the said payment day falls upon a day on which the said agent's office is closed, the period within which payment of the said charge shall be made to the Council shall be extended to the next full day on which the said agent's office is open.
- 18. The recipient of a Penalty Charge Notice may make representations against the enforcement of the penalty at any time until the registration of the debt at the Traffic Enforcement Centre. Such action may alter the progression of the process set out above.

SCHEDULE 1

NO WAITING AT ANY TIME

NORTH ROW – NORTH-WEST ACCESS WAY - BOTH SIDES NW1 Whole length except marked parking places.

NORTH ROW – SOUTH-EAST ACCESS WAY - BOTH SIDES NW2a From Grafton Gate to North Second Street except marked parking places. NW2b Between Witan Gate and the north-east side of the porte cochere north-east of North Second Street, except marked parking places.

SILBURY BOULEVARD – NORTH-WEST ACCESS WAY - BOTH SIDES NW3 Whole length except marked parking places.

SILBURY BOULEVARD – SOUTH-EAST ACCESS WAY - BOTH SIDES NW4 Grafton Gate to Marlborough Gate except marked parking places.

MIDSUMMER BOULEVARD -- NORTH-WEST ACCESS WAY

- NW5 Both sides, Grafton Gate to Saxon Gate except marked parking places.
- NW6 From the turning area serving Market Square north-eastwards to Marlborough Gate except marked parking places.
- NW7 From the turning area serving Market Square westwards to the portecochere serving Borough Walk.

MIDSUMMER BOULEVARD – SOUTH-EAST ACCESS WAY - BOTH SIDES NW8 Lower Fourth Street to Saxon Gate except marked parking places.

- NW9 Secklow Gate to Marlborough Gate except marked parking places.
- NW10 From Secklow Gate south-westwards to the porte-cochere serving Crown Walk.

MARLBOROUGH GATE - CENTRAL SHOPPING BUILDING ACCESS ROAD - BOTH SIDES

NW11 Between the central islands.

AVEBURY BOULEVARD – NORTH-WEST ACCESS WAY - BOTH SIDES NW12 Lower Fourth Street to Witan Gate except marked parking places.

NW13 From a point 171 metres south-west of Saxon Gate to Marlborough Gate, except marked parking places.

AVEBURY BOULEVARD - SOUTH-EAST ACCESS WAY - BOTH SIDES

- NW14 Elder Gate south-westernmost arm to Grafton Gate except marked parking places.
- NW15 Witan Gate to Marlborough Gate except marked parking places.

SOUTH ROW – NORTH-WEST AND SOUTH-EAST VEHICULAR ACCESS WAYS - BOTH SIDES

NW16 Elder Gate south-western arm to the north-eastern side of the rear service access road to the warehouse situated at 800 Grafton Gate West, except marked parking places and private parking areas.

SOUTH ROW – SOUTH-EAST AND SOUTH-EASTERNMOST ACCESS WAYS - BOTH SIDES

NW17 Elder Gate south-westernmost arm to Grafton Gate except marked parking places and private parking areas.

SOUTH ROW – NORTH-WEST ACCESS WAY - BOTH SIDES NW18 Lower Fifth Street to Secklow Gate, except marked parking places.

SOUTH ROW – SOUTH-EAST ACCESS WAY - BOTH SIDES NW19 Witan Gate to Secklow Gate except marked parking places.

GRAFTON GATE WEST – SOUTH-WEST ACCESS WAY - BOTH SIDES NW20 Silbury Boulevard north-westwards except marked parking places.

GRAFTON GATE WEST – NORTH-EAST ACCESS WAY - BOTH SIDES NW21 Silbury Boulevard north-westwards except marked parking places.

NW22 Avebury Boulevard to South Row except marked parking places.

NW23 Avebury Boulevard to Midsummer Boulevard.

GRAFTON GATE EAST – SOUTH-WEST ACCESS WAY - BOTH SIDES NW24 North Row to Avebury Boulevard except marked parking places.

GRAFTON GATE EAST – NORTH-EAST ACCESS WAY - BOTH SIDES NW25 North Row to Midsummer Boulevard except marked parking places.

NW26 Grafton Park to Avebury Boulevard except marked parking places.

NORTH SECOND STREET - BOTH SIDES NW27 Whole length except marked parking places.

UPPER SECOND STREET - BOTH SIDES NW28 Whole length except marked parking places.

NW29 Item not used.

NORTH THIRD STREET - BOTH SIDES NW30 Whole length including the section linking North Second Street and North Fourth Street, except marked parking places.

NW31 Item not used.

NORTH FOURTH STREET - BOTH SIDES NW32 Whole length except marked parking places.

UPPER FOURTH STREET - BOTH SIDES NW33 Whole length except marked parking places. LOWER FOURTH STREET - BOTH SIDES NW34 Whole length except marked parking places.

WITAN GATE WEST – SOUTH-WEST ACCESS WAY - BOTH SIDES NW35 North Row to Avebury Boulevard except marked parking places.

WITAN GATE WEST – NORTH-EAST ACCESS WAY - BOTH SIDES NW36 North Row to Avebury Boulevard except marked parking places.

WITAN GATE EAST – SOUTH-WEST ACCESS WAY - BOTH SIDES NW37 North Row to Midsummer Boulevard except marked parking places.

WITAN GATE EAST – NORTH-EAST ACCESS WAY – BOTH SIDES NW38 North Row to Midsummer Boulevard except marked parking places.

WITAN GATE EAST – SOUTH-WEST ACCESS WAY - BOTH SIDES NW39 Avebury Boulevard to South Row except marked parking places.

NW40 Item not used.

NORTH FIFTH STREET - BOTH SIDES NW41 Whole length except marked parking places.

UPPER FIFTH STREET - BOTH SIDES NW42 Whole length except marked parking places.

LOWER FIFTH STREET - BOTH SIDES NW43 From Avebury Boulevard to the north-west side of the north-west accessway.

SOUTH FIFTH STREET - BOTH SIDES NW44 Whole length except marked parking places.

NORTH SIXTH STREET - BOTH SIDES NW45 Whole length except marked parking places.

SOUTH SIXTH STREET - BOTH SIDES NW46 Whole length except marked parking places.

NORTH SEVENTH STREET - BOTH SIDES NW47 Whole length except marked parking places.

UPPER SEVENTH STREET - BOTH SIDES NW48 Whole length except marked parking places.

SOUTH SEVENTH STREET - BOTH SIDES NW49 Whole length except marked parking places.

SAXON GATE WEST – SOUTH-WEST ACCESS WAY - BOTH SIDES NW50 Between North Row and Midsummer Boulevard except marked parking places.

NW51 Between Avebury Boulevard and South Row.

SAXON GATE WEST – NORTH-EAST ACCESS WAY - BOTH SIDES NW52 Whole length except marked parking places.

SAXON GATE EAST – SOUTH-WEST ACCESS WAY - BOTH SIDES NW53 Whole length except marked parking places.

SAXON GATE EAST - NORTH-EAST ACCESS WAY - BOTH SIDES NW54 Whole length except marked parking places.

NORTH EIGHTH STREET - BOTH SIDES NW55 Whole length except marked parking places.

LOWER EIGHTH STREET - BOTH SIDES NW56 Whole length except marked parking places.

SOUTH EIGHTH STREET - BOTH SIDES NW57 Whole length except marked parking places.

NORTH NINTH STREET - BOTH SIDES NW58 Whole length except marked parking places.

SOUTH NINTH STREET - BOTH SIDES NW59 Whole length except marked parking places.

NORTH TENTH STREET - BOTH SIDES NW60 Whole length except marked parking places.

LOWER TENTH STREET - BOTH SIDES

NW61 Whole length, including the turning area at the north-west end, except marked parking places.

SOUTH TENTH STREET - BOTH SIDES NW62 Whole length except marked parking places.

SECKLOW GATE WEST – SOUTH-WEST ACCESS WAY - BOTH SIDES NW63 Midsummer Boulevard to South Row except marked parking places.

SECKLOW GATE WEST – NORTH-EAST ACCESS WAY – BOTH SIDES NW64 Midsummer Boulevard to South Row except marked parking places.

SECKLOW GATE WEST – SOUTH-WEST ACCESS WAY - BOTH SIDES NW65 North Row to Silbury Boulevard except marked parking places.

SECKLOW GATE WEST – NORTH-EAST ACCESS WAY - BOTH SIDES NW66 North Row to Silbury Boulevard except marked parking places.

SECKLOW GATE EAST – SOUTH-WEST ACCESS WAY - BOTH SIDES NW67 North Row to Silbury Boulevard except marked parking places.

SECKLOW GATE EAST – NORTH-EAST ACCESS WAY - BOTH SIDES NW68 North Row to Silbury Boulevard except marked parking places.

SECKLOW GATE EAST – SOUTH-WEST ACCESS WAY - BOTH SIDES NW69 Midsummer Boulevard to South Row except marked parking places.

SECKLOW GATE EAST – NORTH-EAST ACCESS WAY - BOTH SIDES NW70 Midsummer Boulevard to South Row except marked parking places.

NORTH TWELFTH STREET - BOTH SIDES NW71 Whole length except marked parking places.

LOWER TWELFTH STREET - BOTH SIDES NW72 Whole length except marked parking places.

NORTH THIRTEENTH STREET - BOTH SIDES NW73 Whole length except marked parking places.

NORTH FOURTEENTH STREET - SOUTH-WEST AND NORTH-EAST ACCESS WAYS - BOTH SIDES NW74 Whole length except marked parking places.

MARLBOROUGH GATE – SOUTH-WEST AND NORTH-EAST ACCESS WAYS - BOTH SIDES

NW75 From the access way to the Car and Coach parks off Marlborough Gate, to Silbury Boulevard.

ACCESS ROAD LINKING SOUTH NINTH STREET AND SOUTH TENTH STREET – BOTH SIDES NW76 Whole length except marked parking places.

GRAFTON PARK - BOTH SIDES NW77 Whole length except marked parking places.

NORTH ELEVENTH STREET - BOTH SIDES NW78 Whole length except marked parking places.

SCHEDULE 2

NO LOADING OR UNLOADING AT ANY TIME

MIDSUMMER BOULEVARD

NL101 Northerly access road, in turning areas either side of Market Square.

SCHEDULE 3

REVOCATIONS

The following Orders ARE HEREBY REVOKED to the extent stated below:

THE BUCKINGHAMSHIRE COUNTY COUNCIL (CENTRAL MILTON KEYNES AND LOUGHTON) (PROHIBITION AND RESTRICTION OF WAITING) ORDER 1995

SCHEDULE 2

No waiting at any time

Lengths of road at Central Milton Keynes in the County of Buckinghamshire

IS HEREBY REVOKED IN ITS ENTIRETY.

SCHEDULE 4

No waiting at any time No loading or unloading

Length of road at Central Milton Keynes in the County of Buckinghamshire

IS HEREBY REVOKED IN ITS ENTIRETY.

THE COUNCIL OF THE BOROUGH OF MILTON KEYNES (CENTRAL MILTON KEYNES) (WAITING AND LOADING RESTRICTIONS) ORDER 1999

SCHEDULE 1

SECTION A

NO WAITING AT ANY TIME

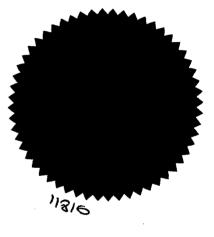
Items: NW1 – NW19 inclusive and NW21 to NW73 inclusive

ARE HEREBY REVOKED.

THE COMMON SEAL OF the **COUNCIL OF THE BOROUGH OF MILTON KEYNES** was hereunto affixed this had of October 2002 in the presence of:-

144 FAAR

HEAD OF LEGAL AND PROPERTY SERVICES



Certified to be a true copy of the original:
K.L.Holmes
LEGAL ASSISTANT
Milton Keynes Council
Civic Offices
1 Saxon Gate East
Milton Keynes

MK9 3HG