THE COUNCIL OF THE BOROUGH OF MILTON KEYNES (HIGH STREET (PART), NEWPORT PAGNELL) (DISABLED PERSONS' PARKING PLACES AND PROHIBITION AND RESTRICTION OF WAITING AND LOADING) ORDER 2003

The Council of the Borough of Milton Keynes ("the Council") in exercise of its powers under sections 1(1) and 2(1) and (2), 4(2), 45, 49 and 53 of the Road Traffic Regulation Act 1984 ("the Act"), Part IV of Schedule 9 to the Act 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, hereby makes the following Order:

PART 1

IMPLEMENTATION, CITATION, DEFINITIONS AND REVOCATIONS

- 1. This Order shall come into operation on the 30th of May 2003 and may be cited as "The Council of the Borough of Milton Keynes (High Street (Part), Newport Pagnell) (Disabled Persons' Parking Places and Prohibition and Restriction of Waiting and Loading) Order 2003".
- 2. In this Order, except where the context otherwise requires, the following expressions have the meanings respectively assigned to them:-

"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;

"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:

"disabled persons' vehicle" 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 place means the person driving the vehicle at the time it was left in the parking place;

"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;

"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;

"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 2002;

"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 plan 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 6 hereto are hereby revoked to the extent stated in that Schedule.

PART 2

DISABLED PERSONS' PARKING PLACES

- 6. (1) The lengths of road specified in Schedule 1 to this Order are authorised to be used, subject to the following provisions of this Part of the Order, during the prescribed hours as a parking place for the class of vehicle specified in Article 7.
 - (2) No vehicle other than the class specified in Article 7 shall park in the lengths of road specified in Schedule 1 to this Order.

- 7. The parking places specified in Schedule 1 to this Order may be used for the leaving of a vehicle displaying a disabled person's badge in the relevant position.
- 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
 - 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. The limits of a disabled persons' parking place 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.
- 10. 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:
 - (1) for loading or unloading, or
 - (2) when about to change the position of the vehicle in or to depart from the parking place.

- 11. No person shall use a vehicle displaying a disabled person's badge 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 disabled person's badge if the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected.
- 12. (1) When a vehicle displaying a disabled person's badge is left in a disabled persons' parking place in contravention of any of the provisions contained in Part 2 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 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 disabled person's badge is waiting in a parking place in a position which contravenes the provisions of Article 9 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.
 - When a person authorised in that behalf removes or makes arrangements for the removal of a vehicle displaying a disabled person's 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.
- 13. (1) Any person authorised by the Council may suspend the use of a parking place or any part thereof whenever and for such duration as he considers such suspension reasonable necessary:
 - 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 parking place or the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration, removal 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 parking place on any occasion of the removal of furniture from such premises to a depository or to such premises from a depository;
- (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
- (e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals, or on other special occasions;
- (2) A police constable in uniform or traffic warden may suspend for not longer than twenty-four hours the use of a 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;
- 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 public without any charge of any kind being made to the public.
- On the suspension of the use of a pay and display parking place or any part thereof in accordance with the provisions of Article 13 of this Order, the person authorising or causing such suspension shall, if the use of the whole or of any part of the parking place is suspended, place or cause to be placed in or adjacent to that parking place a traffic sign indicating that the use of the parking place is suspended and that waiting and loading by vehicles is prohibited.

- Save as provided in paragraph (2) of this Article no person shall cause or permit a vehicle to be left in a disabled persons' parking place or part thereof during any period when there is in or adjacent to that parking place or part thereof a traffic sign placed in pursuance of paragraph (1) of Article 14 of this Order that the whole or part of that parking place has been suspended.
 - 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 or traffic warden whenever such moving shall be necessary for the purpose of preventing obstruction, nothing in paragraph (1) of this Article shall render it a contravention of this Order to cause or permit any vehicle being used for fire brigade, ambulance or police purposes or any vehicle being used for any purpose or eventuality specified in paragraph (1) of Article 13 of this Order to be left in the parking place or part thereof during any such period when the use thereof has been suspended, or to any other vehicle so left if that vehicle is left with the permission of a police officer in uniform or a traffic warden.

PART 3

PROHIBITION AND RESTRICTION OF WAITING

- 16. 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 2 hereto.
- 17. (1) 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 8.00 a.m. and 6.00 p.m. Monday to Saturday in the lengths of road specified in Schedule 3 hereto
 - (2) A vehicle which is present in a length of road specified in Schedule 3 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.
- 18. 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 8.00 a.m. and 6.00 p.m. Monday to Saturday in the lengths of road specified in Schedule 4 hereto:

- (1) for a longer period than 30 minutes; 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 a 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.

- 19. 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 between the hours of 8:15 a.m. and 9:00 a.m. Monday to Saturday in any of the lengths of road specified in Schedule 5 to this Order.
- 20. Nothing in Articles 16, 17 and 18 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 2, 3 and 4 for so long as may be necessary to enable goods to be loaded or unloaded from the vehicle.
- 21. Nothing in Articles 16, 17 and 18 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 2, 3 and 4 for so long as may be necessary to enable a person to board or alight from the vehicle.
- 22. Nothing in Articles 16, 17, 18 and 19 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 2, 3, 4 and 5 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) for 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 than in a length of road specified in Schedules 2, 3, 4 and 5 to this Order while such gate or other barrier is being opened or closed;
 - (3) to enable a taxi to wait upon any hackney carriage stand;

- (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 undertaker, the Environment Agency or any public authority in pursuance of statutory powers or duties;
 - e) in connection with any wedding or funeral;
 - f) use for police, fire brigade or ambulance purposes;
 - g) use for the purpose of delivering or collecting postal packets as defined by section 125 of the Postal Services Act 2000;
 - h) the vehicle, being a bus, to wait in a bus stop area;
 - i) 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.
- 23. In accordance with the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000, nothing in Article 16 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 25 and 26 hereof to wait for a period not exceeding 3 hours in a length of road specified in Schedule 2 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).
- 24. In accordance with the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000, nothing in Articles 17 and 18 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 Article 25 hereof to wait for any period of time in any of the lengths of road specified in Schedules 3 and 4 hereto.

- 25. 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.
- 26. 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

ENFORCEMENT OF RESTRICTIONS

- 27. 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 roadsurface markings;
 - (3) Carry out such other work as is reasonably required for the purpose of the satisfactory operation of a restricted road.
- 28. The Council shall appoint parking attendants whose duty it shall be to patrol and enforce the restrictions imposed by the Articles of this Order.

- 29. 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).
- 30. 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 unpaid and that, if payment is not received within a further thirty-five 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.
- 31. 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.

32. 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

DISABLED PERSONS' PARKING PLACES

HIGH STREET - SOUTH-EAST SIDE

- DP1 From a point 47.6 metres south of the southern kerbline of Ousebank Street in a south-westerly direction for 6.6 metres.
- DP2 From a point 110.4 metres east of the eastern kerbline of St John Street in a north-easterly direction for 6.6 metres.

SCHEDULE 2

NO WAITING AT ANY TIME

HIGH STREET - NORTH AND WEST SIDE

- NW1 From a point in line with the western kerbline of St. John Street in an easterly direction for a distance of 114 metres.
- NW2 From a point 32 metres south of the southern kerbline of North Square in a southerly direction for a distance of 18 metres.
- NW3 From a point 16 metres north of the northern kerbline of North Square in a southerly direction to a point 13 metres south of the southern kerbline of North Square.

HIGH STREET - SOUTH AND EAST SIDE

- NW4 From a point 20 metres east of the eastern kerbline of St John Street in an easterly direction for 18 metres.
- NW5 From a point 70 metres east of the eastern kerbline of St John Street in an easterly direction for 22 metres.
- NW6 From a point 117 metres east of the eastern kerbline of St John Street in an easterly direction for 4.4 metres.
- NW7 From the southern kerbline of Ousebank Street in a southerly direction for a distance of 29.6 metres.
- NW8 From a point 22 metres north of the southern kerbline of Ousebank Street in a northerly direction for a distance of 24 metres.

SCHEDULE 3

NO WAITING MONDAY TO SATURDAY 8 AM TO 6PM

HIGH STREET - EAST SIDE

NW9 From a point in line with the northern kerbline of Ousebank Street in a northerly direction for a distance of 17 metres.

SCHEDULE 4

WAITING LIMITED TO 30 MINUTES MONDAY TO SATURDAY 8 AM TO 6 PM NO RETURN WITHIN 1 HOUR

HIGH STREET - NORTH AND WEST SIDE

- LW1 From a point 114 metres east of the westerly kerbline of St John Street in a north-easterly direction to a point 50 metres south of the southern kerbline of North Square.
- LW2 From a point 13 metres south of the southern kerbline of North Square in a southerly direction for a distance of 19 metres.

HIGH STREET - SOUTH AND EAST SIDE

- LW3 From a point 38 metres east of the eastern kerbline of St John Street in an easterly direction for a distance of 32 metres.
- LW4 From a point 92 metres east of the eastern kerbline of St John Street in a north-easterly direction for a distance of 18.4 metres.
- LW5 From a point 29.6 metres south of the southern kerbline of Ousebank Street in a southerly direction for a distance of 18 metres.

SCHEDULE 5

NO LOADING / UNLOADING MONDAY TO SATURDAY 8.15 AM TO 9 AM

HIGH STREET - NORTH AND WEST SIDE

- NL1 From a point in line with the western kerbline of St John Street in an easterly direction for a distance of 114 metres.
- NL2 From a point 32 metres south of the southern kerbline of North Square in a southerly direction for a distance of 18 metres.
- NL3 From a point 16 metres north of the northern kerbline of North Square in a southerly direction to a point 13 metres south of the southern kerbline of North Square.

HIGH STREET - SOUTH AND EAST SIDE

- NL4 From a point 20 metres east of the eastern kerbline of St John Street in an easterly direction for 18 metres.
- NL5 From a point 70 metres east of the eastern kerbline of St John Street in an easterly direction for 22 metres.
- NL6 From a point 117 metres east of the eastern kerbline of St John Street in an easterly direction for 4.4 metres.
- NL7 From the southern kerbline of Ousebank Street in a southern kerbline of Ousebank Street in a northerly direction for a distance of 29.6 metres.
- NL8 From a point 22 metres north of the southern kerbline of Ousebank Street in a northerly direction for a distance of 24 metres.

SCHEDULE 6

REVOCATIONS

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

THE COUNCIL OF THE BOROUGH OF MILTON KEYNES (VARIOUS ROADS, NEWPORT PAGNELL) (CONSOLIDATION OF PARKING AND WAITING RESTRICTIONS) ORDER 2002

SCHEDULE 1

NO WAITING AT ANY TIME

Items NW21, NW30, NW31, NW32, NW33, NW34 and NW39

ARE HEREBY REVOKED.

SCHEDULE 2

NO WAITING MONDAY TO SATURDAY 8 AM TO 6 PM

Item NW84

IS HEREBY REVOKED.

SCHEDULE 4

WAITING LIMITED TO 1 HOUR, MONDAY TO SATURDAY 8 AM TO 6 PM NO RETURN WITHIN 1 HOUR

Items LW5, LW6, LW7, LW8 and LW9

ARE HEREBY REVOKED.

SCHEDULE 11

NO LOADING / UNLOADING MONDAY TO SATURDAY 8.15 AM TO 9.00 AM

Items NL1 and NL5

ARE HEREBY REVOKED.

SCHEDULE 12

DISABLED PERSONS' PARKING PLACES

Item DP2

IS HEREBY REVOKED.

THE COMMON SEAL of the **COUNCIL OF THE BOROUGH OF MILTON KEYNES** was hereunto affixed this | & day of May 2003 in the presence of:

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HEAD OF LEGAL AND PROPERTY SERVICES

114919.

Certified to be a true copy of the original:

D. IRVING 0

LEGAL ASSISTANT

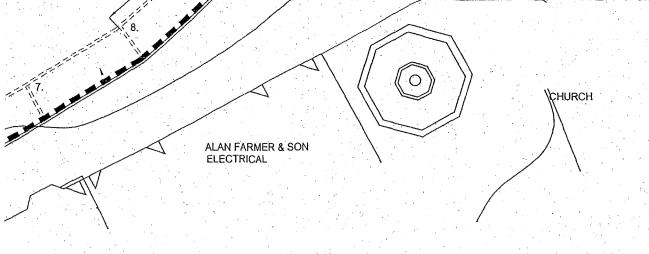
Milton Keynes Council

Civic Offices

1 Saxon Gate East

Milton Keynes

MK9 3HG



Newport Pagnell architecture Partnership Newport Pagnell High Street Improvements Phase 2 Proposed prohibition & restriction of waiting & loading & disabled persons parking places Feb 2003 1:200 DATE NS KBS CHECKED 1119/2/L201

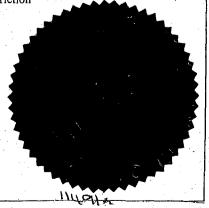
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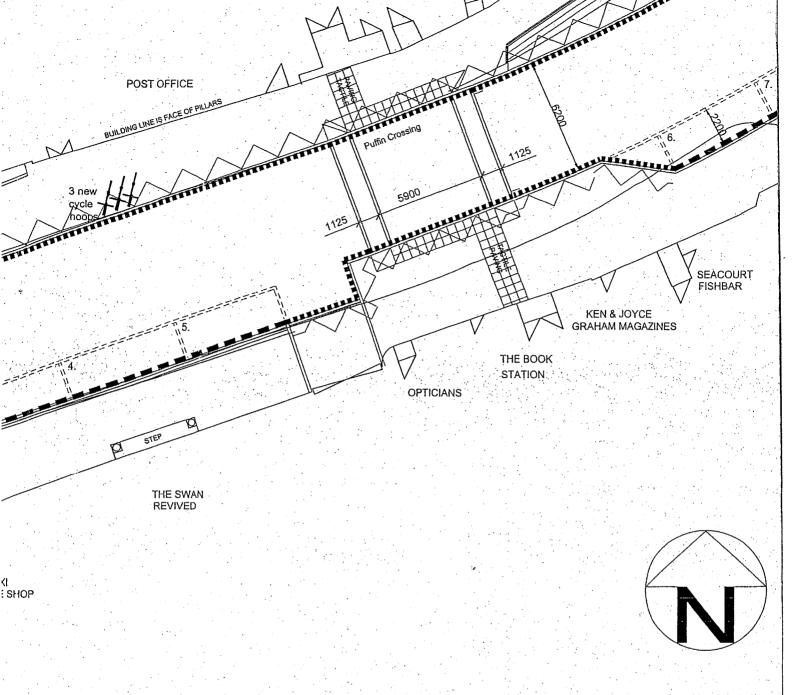
Map referred to in the Council of the Borough of Milton Keynes (High Street (Part), Newport Pagnell) (Disabled Persons' Parking Places and Prohibition and Restriction of Waiting and Loading) Order 2003

Scale 1:200

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

HEAD OF LEGAL AND PROPERTY SERVICES





No waiting at any time

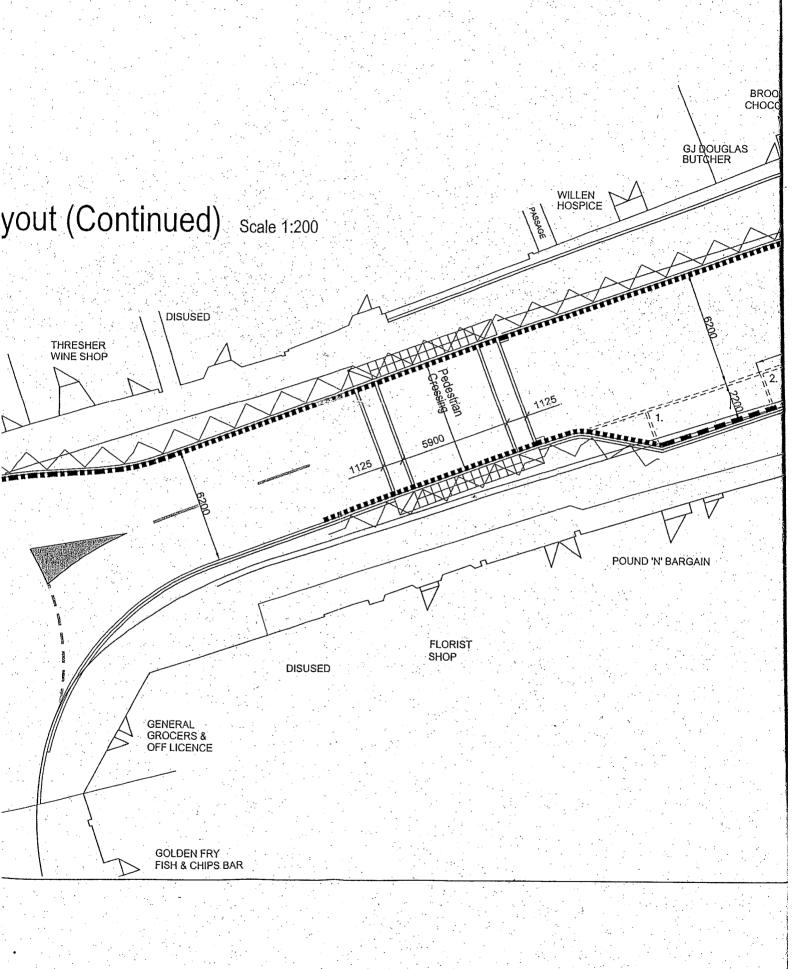
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No waiting Mon-Sat 8am-6pm

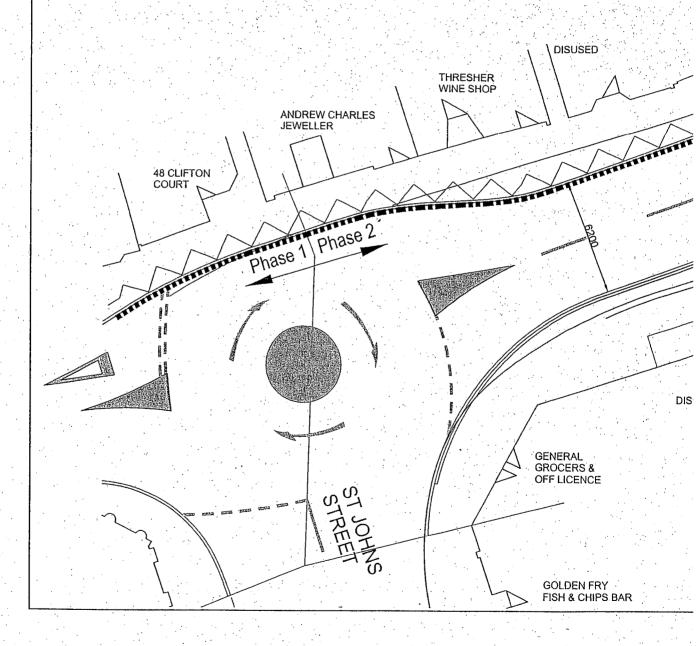
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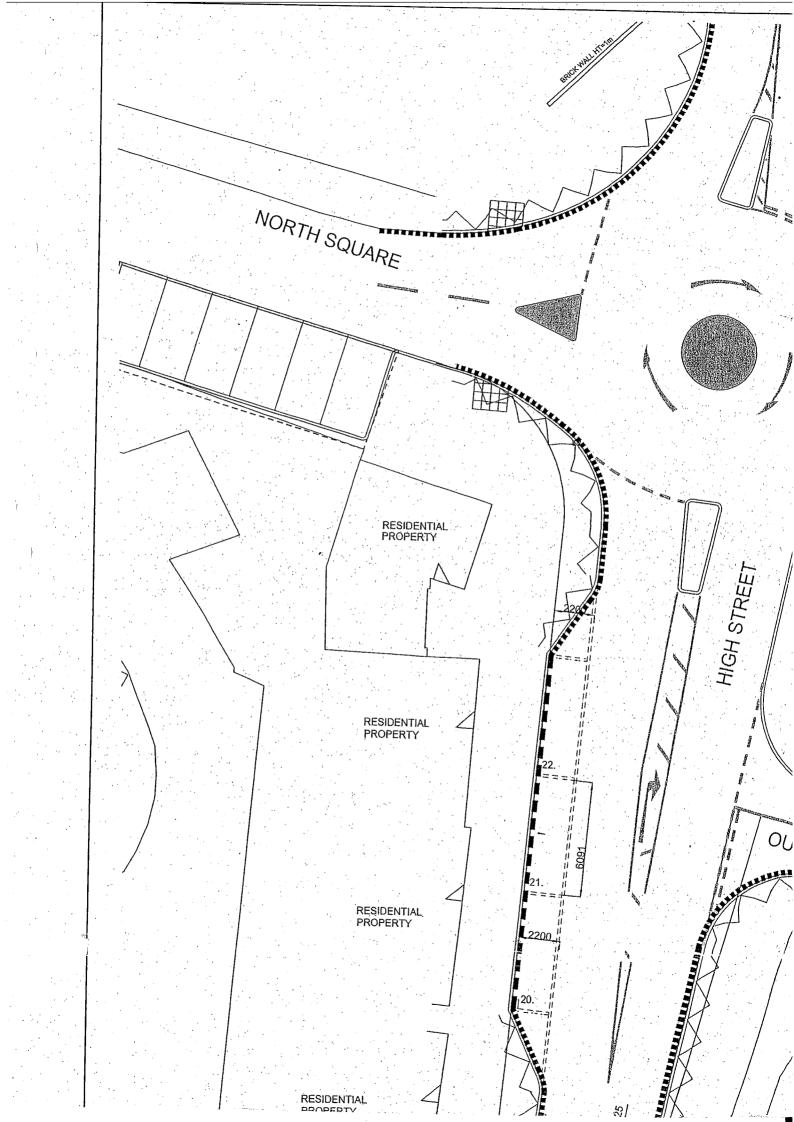
Disabled persons parking places

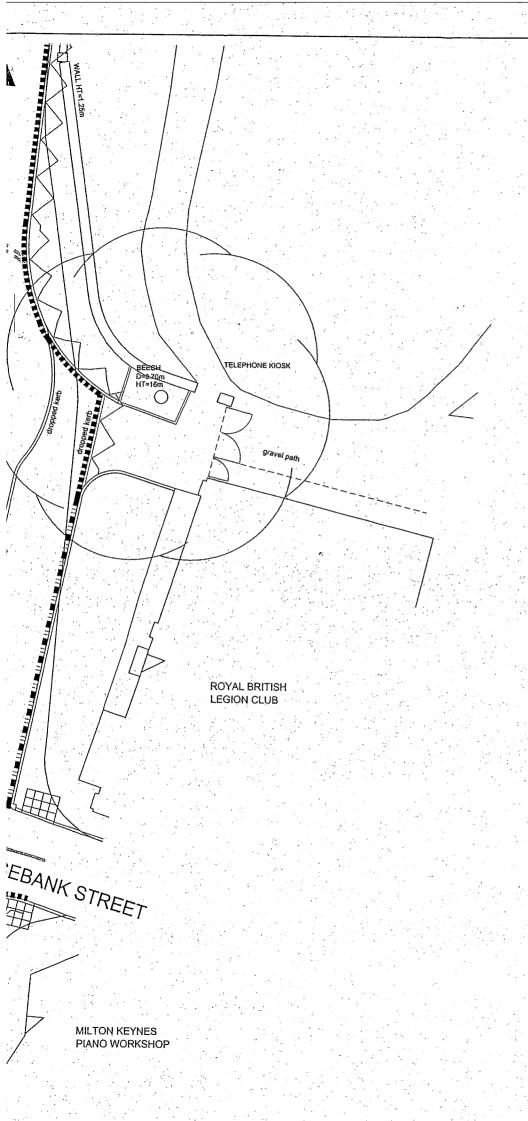
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General Layout (Continued) Scale 1:20







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RESIDENTIAL PROPERTY

WOOLWORTHS 14.

