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**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES  
(PARTS OF HIGH STREET, ST JOHN STREET AND TICKFORD STREET,  
NEWPORT PAGNELL) (PROHIBITION AND RESTRICTION OF WAITING)  
ORDER 2003**

The Council of the Borough of Milton Keynes ("the Council") in exercise of its powers under sections 1(1), 2(1) to (3) and 4(2) 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 5<sup>th</sup> December 2003 and may be cited as "The Council of the Borough of Milton Keynes (Parts of High Street, St John Street and Tickford Street, Newport Pagnell) (Prohibition and Restriction of Waiting) 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;

"penalty charge" has the same meaning as in Section 66(2) of the Road Traffic Act 1991; payment should be made, as specified in the most recent notice received by the driver or owner of the vehicle;

"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;

"prescribed days and hours" means those days and hours stated in Schedules 2, 3 and 4 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.

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 4 hereto are hereby revoked to the extent stated in that Schedule.

## **PART 2**

### **WAITING RESTRICTION**

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 wait between the hours of 8.00am and 6.00pm Monday to Saturday in the lengths of roads specified in Schedule 2 hereto:
  - (1) for a longer period than 1 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 a length of road specified in Schedule 2 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.

8. 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 am and 6 pm Monday to Friday in any of the lengths of road specified in Schedule 3 hereto.

9. Nothing in Articles 6, 7 and 8 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, 2 and 3 for so long as may be necessary:

- (1) to enable goods to be loaded or unloaded from the vehicle.
- (2) to enable a person to board or alight from the vehicle.
- (3) 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;
- (4) 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 1, 2 and 3 to this Order while such gate or other barrier is being opened or closed;
- (5) 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 bay or bus stand;
  - 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.

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 12 and 13 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 being less than one hour after a previous period of exempted waiting by the same vehicle in the same road on the same day).

11. In accordance with the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000, nothing in Articles 7 and 8 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 12 hereof to wait for any period of time in the length of road specified in Schedules 2 or 3 hereto.
12. 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.
13. 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**

#### **DISABLED PERSONS' PARKING PLACES**

14. (1) The lengths of road specified in Schedule 4 to this Order are 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 15.

- (2) No vehicle other than the class specified in Article 15 shall park during the prescribed hours in the lengths of road specified in Schedule 4 to this Order.
15. The parking places specified in Schedule 4 to this Order may be used for the leaving of a vehicle displaying a disabled person's badge in the relevant position.
16. 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 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.
17. The limits of the 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' shall stand wholly within the limits so marked.
18. 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 place, 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.
19. No person shall use a vehicle displaying a disabled persons' 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 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 disabled persons' badge is left in a disabled persons' parking place in contravention of any of the provisions contained in Part 3 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 persons' badge is waiting in a parking place in a position which contravenes the provisions of Article 17 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 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. 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 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 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, 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.

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;

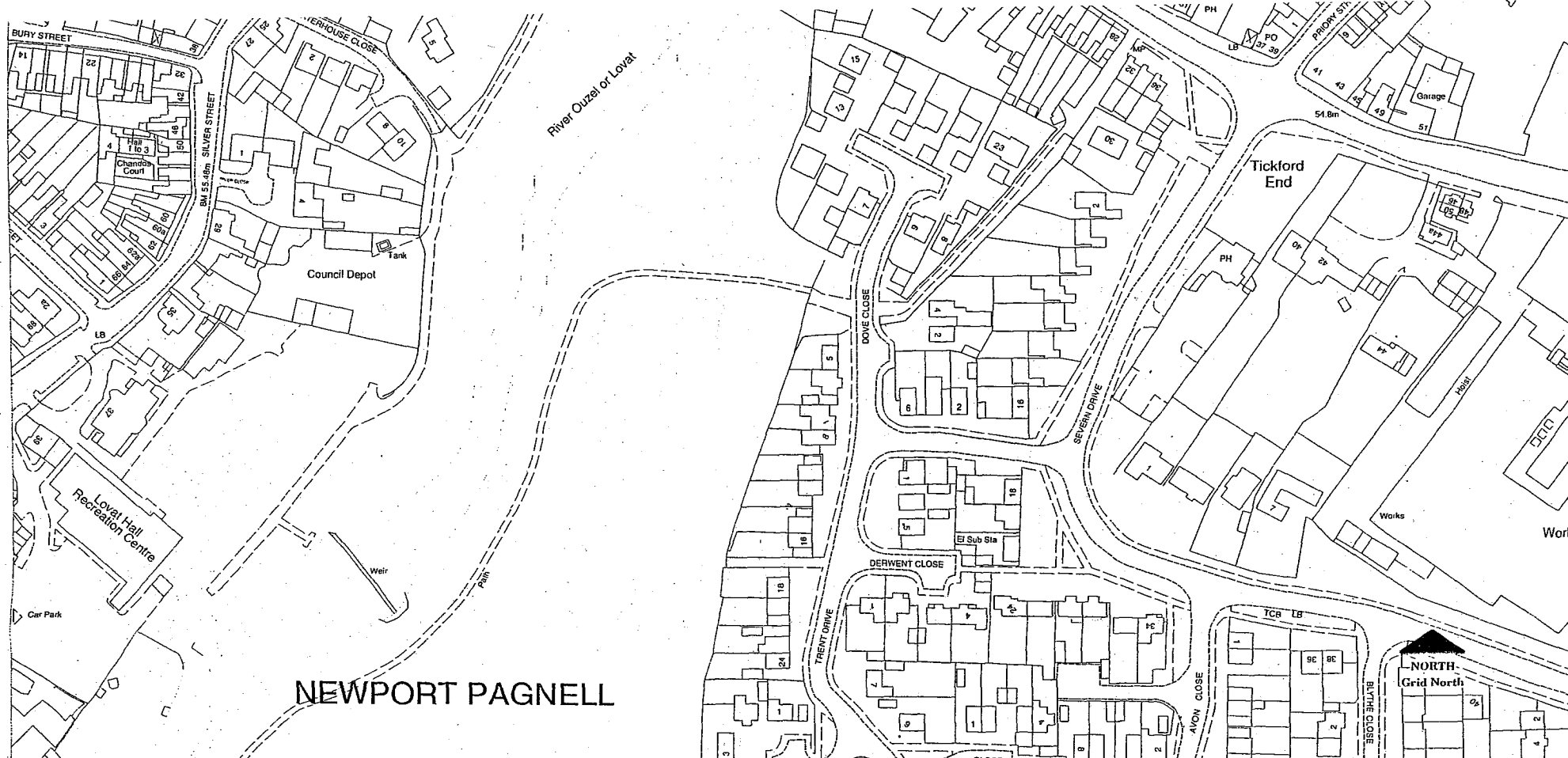
Without prejudice and in addition to all other enabling powers the Council shall have the power from time to time as it deems appropriate to close or suspend for as long as it considers necessary the use of any limited parking place for the purpose of enabling such parking place to be used by exhibition or public information vehicles or 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.

22. On the suspension of the use of a limited parking place or any part thereof in accordance with the provisions of Article 21 of this Order, the person authorising or causing such suspension shall 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.
23.
  - (1) No person shall cause or permit a vehicle to be left in a 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 Article 21 of this Order that the whole or part of that parking place has been suspended.
  - (2) 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 21 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 4**

#### **ENFORCEMENT OF RESTRICTIONS**

24. 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;



Scale 1:2000

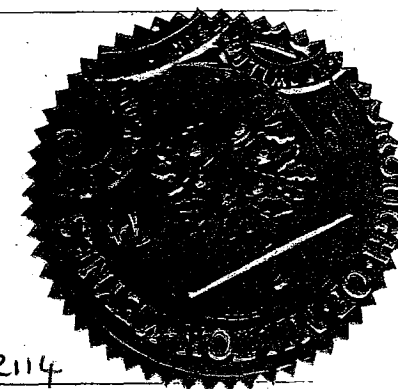
Map referred to in the Council of the Borough of Milton Keynes  
(Parts of High Street, St John Street and Tickford Street, Newport  
Pagnell) (Prohibition and Restriction of Waiting) Order 2003

Scale 1:2000

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

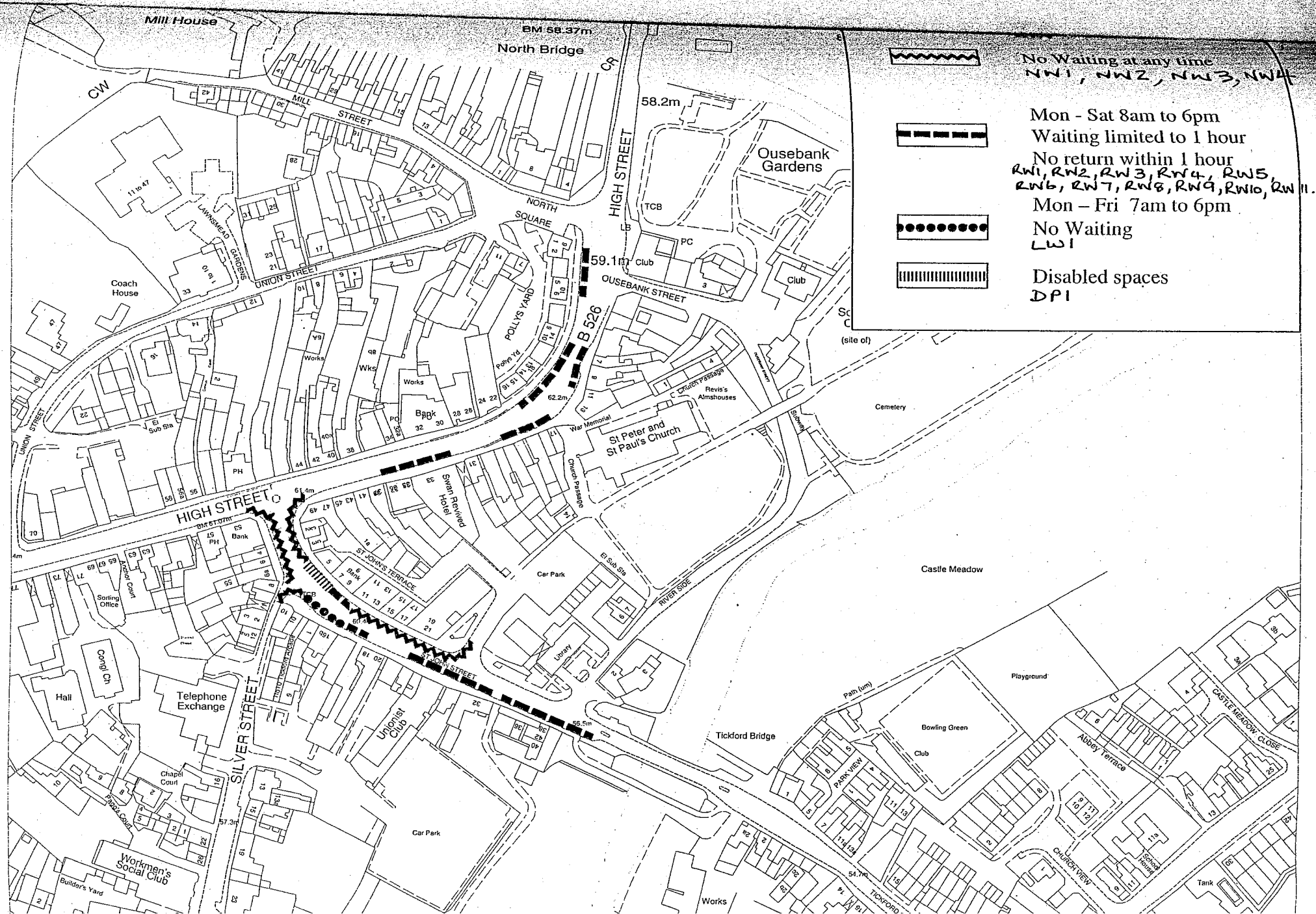
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- (2) Maintain and from time to time alter the said notices, signs and road-surface markings;
  - (3) Carry out such other work as is reasonably required for the purpose of the satisfactory operation of a restricted road.
25. The Council shall appoint parking attendants whose duty it shall be to patrol and enforce the waiting restrictions imposed by the Articles of this Order.
26. 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).
27. 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.

28. 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.
29. 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**

##### **ST JOHN STREET – EASTERN AND NORTHERN SIDE**

- NW1 From a point in line with the southern kerbline of High Street for a distance of 27 metres in a southerly direction.
- NW2 From a point in line with the south-eastern kerbline of the car park access road (adjacent to the Library) for a distance of 54 metres in a north-westerly direction.

##### **ST JOHN STREET – WESTERN AND SOUTHERN SIDE**

- NW3 From a point in line with the eastern kerbline of Silver Street for a distance of 12 metres in an easterly direction.
- NW4 From a point in line with the southern kerbline of High Street to a point in line with the western kerbline of Silver Street.

### **SCHEDULE 2**

#### **WAITING LIMITED TO 1 HOUR**

#### **MONDAY TO SATURDAY, 8AM TO 6 PM**

#### **NO RETURN WITHIN 1 HOUR**

##### **HIGH STREET – NORTHERN AND WESTERN SIDE**

- RW1 From a point in line with the southern kerbline of Ousebank Street for a distance of 7 metres in a northerly direction.
- RW2 From a point in line with the southern kerbline of Ousebank Street for a distance of 12 metres in a southerly direction.
- RW3 From a point 31 metres south of a point in line with the southern kerbline of Ousebank Street for a distance of 31 metres in a southerly direction.

**HIGH STREET – SOUTHERN AND EASTERN SIDE**

RW4 From a point 30 metres south of a point in line with the southern kerbline of Ousebank Street for a distance of 18 metres in a southerly direction.

RW5 From a point 67 metres south of a point in line with the southern kerbline of Ousebank Street for a distance of 19 metres in a southerly direction.

RW6 From a point 107 metres south of a point in line with the southern kerbline of Ousebank Street for a distance of 32 metres in a south-westerly direction.

**ST JOHN STREET – EASTERN AND NORTHERN SIDE**

RW7 From a point 54 metres north-west of a point in line with the south-eastern kerbline of the access road into the car park (adjacent to the Library) for a distance of 11 metres in a north-westerly direction.

**ST JOHN STREET – SOUTHERN AND WESTERN SIDE**

RW8 From a point 42 metres north-west of a point in line with the south-eastern kerbline of the access road into the car park (adjacent to the Library) for a distance of 8 metres in a north-westerly direction.

RW9 From a point in line with the south-eastern kerbline of the access road into the car park (adjacent to the Library) for a distance of 22 metres in a north-westerly direction.

RW10 From a point in line with the south-eastern kerbline of the access road into the car park (adjacent to the Library) for a distance of 16 metres in a south-easterly direction.

RW11 From a point 19 metres south-east of a point in line with the south-eastern kerbline of the access road into the car park (adjacent to the Library) for a distance of 52 metres in a south-easterly direction.

**SCHEDULE 3**

**NO WAITING**

**MONDAY TO FRIDAY 7 AM TO 6 PM**

**ST JOHN STREET – SOUTH-WESTERN SIDE**

LW1 From a point 50 metres north-west of a point in line with the south-eastern kerbline of the access road into the car park (adjacent to the Library) to a point 12 metres east of a point in line with the eastern kerbline of Silver Street.

**SCHEDULE 4**

**DISABLED PERSONS' PARKING PLACES – THE WHOLE 24 HOURS OF EVERY DAY**

**ST JOHN STREET – NORTH-EASTERN SIDE**

DP1 From a point 27 metres south-east of a point in line with the southern kerbline of High Street for a distance of 13.2 metres in a south-easterly direction.

**SCHEDULE 4**

**REVOCATIONS**

The following Order IS 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 NW57 and NW58 are hereby revoked;

ST JOHN STREET – SOUTH WEST SIDE

Items NW61 and NW62 are hereby revoked.

**SCHEDULE 4**

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

ST JOHN STREET – NORTH EAST SIDE

Item LW11 is hereby revoked.

**SCHEDULE 7**

is hereby revoked in its entirety.

**SCHEDULE 12**

**DISABLED PERSONS' PARKING PLACES**

ST JOHN STREET – SOUTH-WEST SIDE

Item DP5 is hereby revoked.

THE COMMON SEAL of the COUNCIL OF THE  
BOROUGH OF MILTON KEYNES was hereunto  
affixed this 27<sup>th</sup> day of November 2003  
in the presence of:

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HEAD OF LEGAL AND PROPERTY SERVICES



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