

**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES
(CENTRAL MILTON KEYNES) (ON-STREET CAR SHARE AND POOL CAR
PARKING PLACES) ORDER 2004**

The Council of the Borough of Milton Keynes ("the Council") in exercise of its powers under Sections 45, 46, 49 and 53 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 AND DEFINITIONS

1. This Order shall come into operation on the 28th of April 2004 and may be cited as "The Council of the Borough of Milton Keynes (Central Milton Keynes) (On-Street Car Share and Pool Car Parking Places) Order 2004".

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;

"car share permit" means a permit issued under the provisions of Part 4 of this Order;

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

"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 place, means the person driving the vehicle at the time it was left in the parking place;

"dual purpose vehicle" has the same meaning as in the Road Vehicles (Construction and Use) Regulations 1986;

"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;

"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;

"permit period" means 12 calendar months from issue of the permit;

"pool car permit" means a permit issued under the provisions of Part 5 of this Order;

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

"prescribed hours" means between those hours stated in Schedules 1 and 2 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;

"street trading vendor's vehicle" means a vehicle constructed or adapted so as to enable hot or cold food to be prepared in and sold from the vehicle;

"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;

"unused amount" in relation to a permit means that part of the permit period that remains unused at the time of receipt by Milton Keynes Sustainable Transport Limited of an application or request for a replacement permit;

"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 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.

PART 2

VARIATIONS

5. The Council of the Borough of Milton Keynes (Central Milton Keynes) (On-Street Standard Rate Pay and Display Parking Places and Various Permits) Order 2002 is varied as provided by the following provisions of this Order:

- (1) Article 11 is substituted as follows:
"11. No charge for parking in any pay and display parking space specified in Schedules 1, 2 and 3 to this Order, the use of which has not been suspended, shall be payable by any vehicle which displays in the relevant position a valid Alternative Fuel Vehicle Permit, Employee Permit, Employee Permit Scratch-Card or Hotel Guest and Conference Attendee Permit Scratch-Card or two or more Car Share Permits."
- (2) Item PS3a in Schedule 1 is deleted.
- (3) Item PS3b in Schedule 1 is deleted.
- (4) Item PS4a in Schedule 1 is deleted.
- (5) Item PS4b in Schedule 1 is deleted.
- (6) Item PS4c in Schedule 1 is deleted.
- (7) Item PS11a in Schedule 1 is deleted.
- (8) Item PS11b in Schedule 1 is deleted.
- (9) Item PS11c in Schedule 1 is deleted.
- (10) Item PS11d in Schedule 1 is deleted.
- (11) Item PS11e in Schedule 1 is deleted.
- (12) Item PS11f in Schedule 1 is deleted.

- (13) Item PS11g in Schedule 1 is deleted.
- (14) Item PS11h in Schedule 1 is deleted.
- (15) Item PS13a in Schedule 1 is substituted as follows:
 - PS13a (i) From Witan Gate to a point 5 metres south-west of the porte cochere south-west of Upper Fifth Street.
 - (ii) From a point 2.5 metres south-west of the porte cochere south-west of Upper Fifth Street to the south-west kerblane of that porte cochere.
- (16) Item PS21a in Schedule 1 is deleted.
- (17) Item PS21b in Schedule 1 is deleted.
- (18) Item PS21c in Schedule 1 is deleted.
- (19) Item PS24a in Schedule 1 is deleted.
- (20) Item PS24b in Schedule 1 is deleted.
- (21) Item PS25 in Schedule 1 is deleted.
- (22) Item PS29a in Schedule 1 is deleted.
- (23) Item PS29b in Schedule 1 is deleted.
- (24) Item PS30 in Schedule 1 is deleted.
- (25) Item PS34a in Schedule 1 is deleted.
- (26) Item PS34b in Schedule 1 is deleted.
- (27) Item PS35a in Schedule 1 is deleted.
- (28) Item PS35b in Schedule 1 is deleted.
- (29) Item PS46a in Schedule 2 is deleted.
- (30) Item PS46b in Schedule 2 is deleted.
- (31) Item PS53a in Schedule 2 is deleted.
- (32) Item PS53c in Schedule 2 is deleted.
- (33) Item PS54c in Schedule 2 is deleted.
- (34) Item PS54d in Schedule 2 is deleted.

- (35) Item PS54f in Schedule 2 is deleted.
- (36) Item PS62b in Schedule 2 is deleted.
- (37) Item PS62c in Schedule 2 is deleted.
- (38) Item LP9a in Schedule 4 is deleted.
- (39) Item LP9b in Schedule 4 is deleted.
- (40) Item LP16a in Schedule 4 is deleted.
- (41) Item LP16c in Schedule 4 is deleted.
- (42) Item LP17c in Schedule 4 is deleted.
- (43) Item LP17d in Schedule 4 is deleted.
- (44) Item LP17f in Schedule 4 is deleted.
- (45) Item LP25b in Schedule 4 is deleted.
- (46) Item LP25c in Schedule 4 is deleted.

6. The Council of the Borough of Milton Keynes (On-Street Premium Rate and Long Stay Pay and Display Parking Places) Order 2002 is varied as provided by the following provisions of this Order:

- (1) Item PD22a in Schedule 1 is substituted as follows:
 - PD22a (i) From Saxon Gate to a point 15 metres south-west of the porte cochere south-west of North Eighth Street.
 - (ii) From a point 10 metres south-west of the porte cochere south-west of North Eighth Street to the south-west kerblineline of that porte cochere.
- (2) Item PD42b in Schedule 1 is substituted as follows:
 - PD42b From the access road into Secklow Gate East to a point 2.5 metres south-west of the porte cochere south-west of North Eleventh Street.

PART 3

PERMIT PARKING PLACES

7. Each area on a highway which is described in Schedule 1 and 2 to this Order is designated as a parking place.
8.
 - (1) Each of the lengths of road specified in Schedule 1 to this Order is authorised to be used during the prescribed hours, subject to provisions to this Part of this Order, as a parking place for passenger vehicles, dual purpose vehicles or goods vehicles which display in the relevant position two or more valid car share permits.
 - (2) Each of the lengths of road specified in Schedule 2 to this Order is authorised to be used during the prescribed hours, subject to provisions to this Part of this Order, as a parking place for passenger vehicles which display in the relevant position a valid pool car permit.
 - (3) For the purposes of this Order a vehicle shall be regarded as displaying a permit in the relevant position if the permit(s) is/are exhibited in a conspicuous position on the vehicle's front windscreen so that the front of the permit(s) is/are clearly legible from outside the vehicle.
 - (4) Where a permit has been displayed on a vehicle in accordance with the provisions of paragraph (3) above, no person, not being the driver of the vehicle, shall remove any permit from the vehicle unless authorised to do so by the driver of the vehicle.
 - (5) Nothing in paragraph (1) of this Article shall apply so as to permit a trailer, whether or not attached to a vehicle, to park at any time in any permit parking place.
 - (6) No person shall park any street trading vendor's vehicle in a permit parking place or use any such vehicle while it is in such a parking place, in connection with the sale of any article to any person in or near the parking place or in connection with the selling or offering for hire of his skill or services, provided that nothing in this Article :-
 - (a) shall prevent the sale of goods from a vehicle if the vehicle is of a class specified in paragraph (1) or (2) of this Article and if the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected; or

- (b) shall apply if the person has obtained the written consent of the Council before doing so.

9. (1) The limits of each permit parking place and of every permit parking space within a permit parking place and of any access way in a permit parking place shall be indicated on the road by the appropriate traffic signs.
- (2) Any vehicle standing in a permit parking space shall stand wholly within the limits so marked.
10. The driver of a vehicle using a permit 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 when about to change the position of the vehicle in or to depart from the parking space.
11. Nothing in Article 8 shall render it a contravention of this Order to cause or permit a vehicle displaying a disabled person's badge which displays a disabled person's badge in the relevant position in accordance with Article 12 hereof to park in a permit parking place.
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. (1) A police officer in uniform or traffic warden may in case of emergency move or cause to be moved any vehicle left in a parking place to any place he thinks fit.

- (2) Any person authorised to remove a vehicle or alter its position by virtue of paragraph (1) of this Article may do so by towing or driving the vehicle or in such other manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it or alter its position as the case may be.

14. Nothing in this Part of this Order shall render it a contravention of this Order to cause or permit a vehicle to park during the prescribed hours in a permit parking place specified in Schedules 1 and 2 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 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 place.

15. (1) Any person authorised by the Council may suspend the use of a permit parking place or any part thereof whenever and for such duration as the Council considers such suspension reasonably necessary:

- (a) for the purpose of facilitating the movement of traffic or promoting its safety;
- (b) for the purpose of building, industrial or demolition operations;
- (c) for the purpose of the maintenance, improvement or reconstruction of the parking place;
- (d) for the purpose of 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;
- (e) for the convenience of occupiers of premises adjacent to the permit parking place on any occasion of the removal of furniture or household effects to or from a shop, office, depository or dwellinghouse;
- (f) on any occasion on which it is likely by reason of some special attraction that any road will be thronged or obstructed;
- (g) for the convenience of occupiers of premises adjacent to the permit parking place at times of weddings or funerals, or on other special occasions.

(2) A traffic warden or police officer in uniform may suspend for not longer than twenty-four hours the use of a permit 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 permit 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.
16. On the suspension of the use of a permit parking place or any part thereof in accordance with the provisions of Article 15 of this Order, the person authorising or causing such suspension shall place or cause to be placed in or adjacent to that permit parking place a traffic sign indicating that waiting by vehicles is prohibited.
17. (1) No person shall cause or permit a vehicle to be left in a permit 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 16 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 15 of this Order to be left in the permit 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

CAR SHARE PERMITS

18. (1) Any person who is employed by a business located within Central Milton Keynes, who is the user of a passenger vehicle, dual purpose vehicle or goods vehicle and who is a member of the Milton Keynes Car Share Club administered by Milton Keynes Sustainable Transport Limited may apply to Milton Keynes Sustainable Transport Limited for the issue of a Car Share Permit for use by the user of such vehicle other than a person to whom such vehicle has been let for hire or reward;
- (2) Any such application shall be made on a form issued by and obtainable from Milton Keynes Sustainable Transport Limited and shall include the information required by such form and shall be accompanied by a remittance for such charge as is specified in item 1 of Schedule 3;
- (3) On receipt by Milton Keynes Sustainable Transport Limited of an application made under the foregoing provisions of this Article Milton Keynes Sustainable Transport Limited, upon being satisfied that the applicant meets the requirements of this Article, shall issue to that applicant one Car Share Permit provided that, subject to the provisions of Article 19 of this Order, such a Car Share Permit would not be valid for any period during which any other Car Share Permit issued to that person would be valid.
- (4) Milton Keynes Sustainable Transport Limited may at any time require an applicant for a Car Share Permit to produce to an officer of Milton Keynes Sustainable Transport Limited such evidence in respect of an application for a Car Share Permit made to them as they may reasonably require to verify any information given to them.
19. (1) The holder of a Car Share Permit may surrender a Car Share Permit to Milton Keynes Sustainable Transport Limited at any time and shall surrender a Car Share Permit to Milton Keynes Sustainable Transport Limited on the occurrence of any of the events in respect of a Car Share Permit, as are set out in paragraphs (3) or (5) of this Article.
- (2) Milton Keynes Sustainable Transport Limited may, by notice in writing served on the holder of a Car Share Permit by sending the same by the recorded delivery service to the address shown by that person on the application for the Car

Share Permit or at any other address believed to be that person's residence, withdraw a Car Share Permit if it appears to Milton Keynes Sustainable Transport Limited that any one of the events in respect of a Car Share Permit as set out in paragraph (3) of this Article has occurred and the holder of the Car Share Permit shall surrender the Car Share Permit to Milton Keynes Sustainable Transport Limited within 48 hours of the service of such notice.

(3) The events referred to in the foregoing provisions of this Article are:

- (a) the holder of a Car Share Permit ceasing to be an employee of a business located in Central Milton Keynes;
- (b) the holder of a Car Share Permit ceasing to be a member of Milton Keynes Car Share Club;
- (c) the holder of a Car Share Permit ceasing to be the user of the vehicle in respect of which the Car Share Permit was issued;
- (d) the vehicle in respect of which a Car Share Permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 8(1) of this Order;
- (e) the issue of a replacement Car Share Permit by Milton Keynes Sustainable Transport Limited under the provisions of Article 20 of this Order;
- (f) the holder of a Car Share Permit being in breach of the membership rules of Milton Keynes Car Share Club;
- (g) the Car Share Permit having been obtained by fraudulent means.

(4) A Car Share Permit shall cease to be valid at the end of the permit period specified thereon or on the occurrence of any one of the events set out in paragraph (3) of this Article, whichever is the earlier;

(5) Where a Car Share Permit is issued to any person upon receipt by Milton Keynes Sustainable Transport Limited of a cheque and the cheque is subsequently dishonoured, the Car Share Permit shall cease to be valid and Milton Keynes Sustainable Transport Limited shall by notice in writing served on the person to whom such a Car Share Permit was issued by sending the same by the recorded delivery

service to the holder of the Car Share Permit at the address shown by that person on the application for the Car Share Permit or at any other address believed to be that person's place of residence, require that person to surrender the Permit to Milton Keynes Sustainable Transport Limited within 48 hours of the service of the aforementioned notice;

- (6) Milton Keynes Sustainable Transport Limited may at any time require the holder of a Car Share Permit to produce to an officer of Milton Keynes Sustainable Transport Limited such evidence in respect of any Car Share Permit issued by them as they may reasonably require.

- 20. (1) If a Car Share Permit is mutilated or defaced or the figures or particulars on it have become illegible or the colour of the Car Share Permit has become altered by fading or otherwise, the holder of the Car Share Permit shall surrender it to Milton Keynes Sustainable Transport Limited and may apply to Milton Keynes Sustainable Transport Limited for the issue of a replacement Car Share Permit and Milton Keynes Sustainable Transport Limited, upon the receipt by Milton Keynes Sustainable Transport Limited of the Car Share Permit if such receipt is accompanied by an application for a replacement Car Share Permit and by a remittance for such charge as is specified in item 3 of Schedule 3, shall issue a replacement Car Share Permit so marked;

- (2) If a Car Share Permit is lost or destroyed, the holder of the Car Share Permit may apply to Milton Keynes Sustainable Transport Limited for the issue to him of a replacement Car Share Permit and Milton Keynes Sustainable Transport Limited, upon being satisfied as to such loss or destruction, and upon receipt by Milton Keynes Sustainable Transport Limited of an application for a replacement Car Share Permit accompanied by a remittance for such charge as is specified in item 3 of Schedule 3, shall issue a replacement Car Share Permit so marked;

- (3) The provisions of this Order shall apply to a replacement Car Share Permit and an application for a replacement Car Share Permit as if it were a Car Share Permit or, as the case may be, an application therefor.

- 21. A Car Share Permit shall be in writing and shall include the following particulars:

- (1) The registration mark of the vehicle in respect of which the Permit has been issued;

Permit has been issued;

- (2) The date of expiry being the last day of the permit period;
 - (3) An authentication that the Car Share Permit has been issued by Milton Keynes Sustainable Transport Limited.
22. A Car Share Permit shall only be valid for the duration of the permit period in respect of which it is issued.
23. The charge in respect of the issue of a Car Share Permit (other than an application for a replacement Car Share Permit) shall be as specified in item 1 of Schedule 3.
24.
 - (1) The holder of a Car Share Permit who surrenders a Car Share Permit to Milton Keynes Sustainable Transport Limited before the Car Share Permit becomes valid shall be entitled to a refund of the charge paid in respect of the issue thereof;
 - (2) The holder of a Car Share Permit who surrenders a Car Share Permit to Milton Keynes Sustainable Transport Limited after the Permit has become valid shall be entitled to a refund of the charge paid in respect of each full calendar month remaining unused before the end of the permit period calculated from the time of receipt by Milton Keynes Sustainable Transport Limited of the surrendered Permit.

PART 5

POOL CAR PERMITS

25. The Council will issue to Milton Keynes Sustainable Transport Limited Pool Car permits to be held or used by Milton Keynes Sustainable Transport Limited for the purpose of the Pool Car Scheme;
26.
 - (1) The user of a Pool Car Permit may surrender a Pool Car Permit to Milton Keynes Sustainable Transport Limited at any time and shall surrender a Pool Car Permit to Milton Keynes Sustainable Transport Limited on the occurrence of any of the events in respect of a Pool Car Permit, as are set out in paragraphs (3) or (5) of this Article.
 - (2) Milton Keynes Sustainable Transport Limited may, by notice in writing served on the user of a Pool Car Permit by

sending the same by the recorded delivery service to the business address or registered office of that user, withdraw a Pool Car Permit if it appears to Milton Keynes Sustainable Transport Limited that any one of the events in respect of a Pool Car Permit as set out in paragraph (3) of this Article has occurred and the user of the Pool Car Permit shall surrender the Pool Car Permit to Milton Keynes Sustainable Transport Limited within 48 hours of the service of such notice.

(3) The events referred to in the foregoing provisions of this Article are:

- (a) the user of a Pool Car Permit ceasing to be the provider of a Pool Car;
- (b) the user of a Pool Car Permit ceasing to be the user of the vehicle in respect of which the Pool Car permit was issued;
- (c) the vehicle in respect of which a Pool Car Permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 8 (2) of this Order;
- (d) the issue by the Council of a replacement Pool Car Permit to Milton Keynes Sustainable Transport Limited under the provisions of Article 27 of this Order;
- (e) the Permit having been obtained by fraudulent means.

(4) A Pool Car Permit shall cease to be valid at the end of the permit period specified thereon or on the occurrence of any one of the events set out in paragraph (3) of this Article, whichever is the earlier;

(5) Milton Keynes Sustainable Transport Limited may at any time require the user of a Pool Car Permit to produce to an officer of Milton Keynes Sustainable Transport Limited such evidence in respect of any Pool Car Permit issued by them as they may reasonably require.

27. (1) If a Pool Car Permit is mutilated or defaced or the figures or particulars on it have become illegible or the colour of the Pool Car Permit has become altered by fading or otherwise, Milton Keynes Sustainable Transport Limited shall surrender it to the Council and the Council may issue to Milton Keynes

Sustainable Transport Limited, upon the receipt by the Council of the Pool Car Permit if such receipt is accompanied by a request for a replacement Pool Car Permit and by a remittance for such charge as is specified in item 3 of Schedule 3, a replacement Pool Car Permit so marked.

- (2) If a Pool Car Permit is lost or destroyed, Milton Keynes Sustainable Transport Limited may apply to the Council for the issue of a replacement Pool Car Permit and the Council may, upon being satisfied as to such loss or destruction, and upon receipt by the Council of a request for a replacement Pool Car Permit accompanied by a remittance for such charge as is specified in item 3 of Schedule 3, issue a replacement Pool Car Permit so marked.
- (3) The provisions of this Order shall apply to a replacement Pool Car Permit and a request for a replacement Pool Car Permit as if it were a Pool Car Permit or, as the case may be, a request therefor.

28. A Pool Car Permit shall be in writing and shall include the following particulars:

- (1) The registration mark of the vehicle in respect of which the Permit has been issued;
- (2) The date of expiry being the last day of the permit period;
- (3) An authentication that the Pool Car Permit has been issued by the Council.

29. A Pool Car Permit shall only be valid for the duration of the permit period in respect of which it is issued.

30. The charge in respect of the issue of a Pool Car Permit (other than an application for a replacement Pool Car Permit) shall be as specified in item 2 of Schedule 3.

31. (1) Milton Keynes Sustainable Transport Limited, upon surrender to the Council of a Pool Car Permit before the Permit becomes valid, shall be entitled to a refund of the charge paid in respect of the issue thereof;

- (2) Milton Keynes Sustainable Transport Limited, upon surrender to the Council of a Pool Car Permit after the Permit has become valid, shall be entitled to a refund of the charge paid in respect of each full calendar month remaining unused before the end of the permit period calculated from the time of receipt by the Council of the surrendered Permit.

PART 6

ENFORCEMENT OF RESTRICTIONS

32. 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.
33. 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.
34. 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).
35. 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.
36. 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.
37. 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

PARKING PLACES FOR USE ONLY BY VEHICLES WHICH DISPLAY VALID CAR SHARE PERMITS THE WHOLE 24 HOURS OF EVERY DAY

NORTH THIRD STREET – SOUTH-WEST SIDE

ESP1 From the north-west vehicular accessway of Silbury Boulevard northwards to the junction with the south west and north east arms.

NORTH THIRD STREET – NORTH-EAST SIDE

ESP2 From the north-west vehicular accessway of Silbury Boulevard northwards for its entire length.

UPPER SECOND STREET – SOUTH-WEST SIDE

ESP3 From Midsummer Boulevard to a point opposite the access road to Bouverie Square.

UPPER SECOND STREET – NORTH-EAST SIDE

ESP4 From Midsummer Boulevard to the access the access road to Bouverie Square.

UPPER FOURTH STREET – SOUTH-WEST SIDE

ESP5 From the access road to Bouverie Square to Silbury Boulevard.

UPPER FOURTH STREET – NORTH-EAST SIDE

ESP6 i From a point opposite the access road to Bouverie Square to the access road adjacent to Witan Court.

ESP6 ii From the access road adjacent to Witan Court to Silbury Boulevard.

LOWER FOURTH STREET – SOUTH-WEST SIDE

ESP7 From the pedestrian walkway into the park area (between Avebury Boulevard and Grafton Park) to Grafton Park.

LOWER FOURTH STREET – NORTH-EAST SIDE

ESP8 From the access road to Witan Gate House to Midsummer Boulevard.

NORTH FIFTH STREET – SOUTH-WEST SIDE

ESP9 From Silbury Boulevard for its entire length.

NORTH FIFTH STREET – NORTH-EAST SIDE

ESP10 From Silbury Boulevard for its entire length.

NORTH SIXTH STREET – SOUTH-WEST SIDE

ESP11 From Silbury Boulevard to the access road alongside to no. 395 Silbury Boulevard.

NORTH SIXTH STREET – NORTH-EAST SIDE

ESP12 i From Silbury Boulevard to the access road alongside Ashton house.

- ii From the access road alongside Ashton House to the access road to the Health Centre.

UPPER FIFTH STREET – SOUTH-WEST SIDE

ESP13 i From Midsummer Boulevard to the access road alongside Acorn House.

- ii From the access road alongside Acorn House to the porte cochere leading to Regency Court.
- iii From the porte cochere leading to Regency Court to the access road alongside Silbury Court.
- iv From the access road alongside Silbury Court to Silbury Boulevard.

UPPER FIFTH STREET – NORTH-EAST SIDE

ESP14 i From Midsummer Boulevard to the access road alongside Genesis House.

- ii From the access road alongside Genesis House to the porte cochere leading to Regency Court.
- iii From the porte cochere leading to Regency Court to the access road alongside Medina House.
- iv From the access road alongside Medina House to Silbury Boulevard.

SOUTH SEVENTH STREET – SOUTH-WEST SIDE

ESP15 From South Row to the access road leading to no's 602 to 702 South Seventh Street.

SOUTH SEVENTH STREET – NORTH-EAST SIDE

ESP16 i From South Row to the build out north-west of South Row.

- li From the build out opposite the access road leading to numbers 602 to 702 South Seventh Street to Avebury Boulevard.

NORTH EIGHTH STREET – SOUTH-WEST SIDE

ESP17 From the north-west vehicular accessway of Silbury Boulevard to North Row.

NORTH EIGHTH STREET – NORTH-EAST SIDE

ESP18 From the north-west vehicular accessway of Silbury Boulevard to North Row.

NORTH NINTH STREET - SOUTH-WEST SIDE

ESP19 From the north-west vehicular accessway of Silbury Boulevard to North Row.

SOUTH EIGHTH STREET - SOUTH-WEST SIDE

ESP20 i From South Row to the access road adjacent to Saxon Court.

ii From the access road adjacent to Saxon Court to Avebury Boulevard.

SOUTH TENTH STREET - NORTH-EAST SIDE

ESP21 From the south-east vehicular accessway of Avebury Boulevard to South Row.

NORTH THIRTEENTH STREET - SOUTH-WEST SIDE

ESP22 i From Silbury Boulevard to the access road alongside the Job Centre.

ii From the access road alongside the Job Centre to North Row.

NORTH THIRTEENTH STREET - NORTH-EAST SIDE

ESP23 i From Silbury Boulevard to the access road alongside Henshaw House.

ii From the access road alongside Henshaw House to the road linking North Thirteenth Street and North Fourteenth Street.

SCHEDULE 2

**PARKING PLACES FOR USE ONLY BY VEHICLES WHICH DISPLAY A
VALID POOL CAR PERMIT THE WHOLE 24 HOURS OF EVERY DAY**

**SILBURY BOULEVARD - (THE NORTH-WEST VEHICULAR ACCESSWAY)
NORTH-WEST SIDE**

EHP1 From the south-west side of the porte cochere south-west of North Eleventh Street south-westwards for a distance of 2.5 metres. (1 space).

**SILBURY BOULEVARD - (THE NORTH-WEST VEHICULAR ACCESSWAY)
NORTH-WEST SIDE**

EHP2 From a point 10 metres south-west of the porte cochere south-west of North Eighth Street south-westwards for a distance of 5 metres. (2 spaces).

**MIDSUMMER BOULEVARD - (THE NORTH WEST VEHICULAR ACCESSWAY)
NORTH-WEST SIDE**

EHP3 From a point 2.5 metres south-west of the porte cochere south-west of Upper Fifth Street and a point 2.5 metres south-west of that point. (1 space).



Notes

— Car Share Bays

Block B1 - North Third Street = 31 spaces

Block B2 - Upper Second Street = 36 spaces

- Upper Fourth Street = 45 spaces

Block B3 - Lower Fourth Street = 55 spaces

Block C1 - North Fifth Street = 16 spaces

- North Sixth Street = 16 spaces

Block C2 - Upper Fifth Street = 50 spaces

Block C4 - South Seventh Street = 26 spaces

Block D1 - North Eighth Street = 41 spaces

- North Ninth Street = 8 spaces

Block D4 - South Eighth Street = 10 spaces

- South Tenth Street = 24 spaces

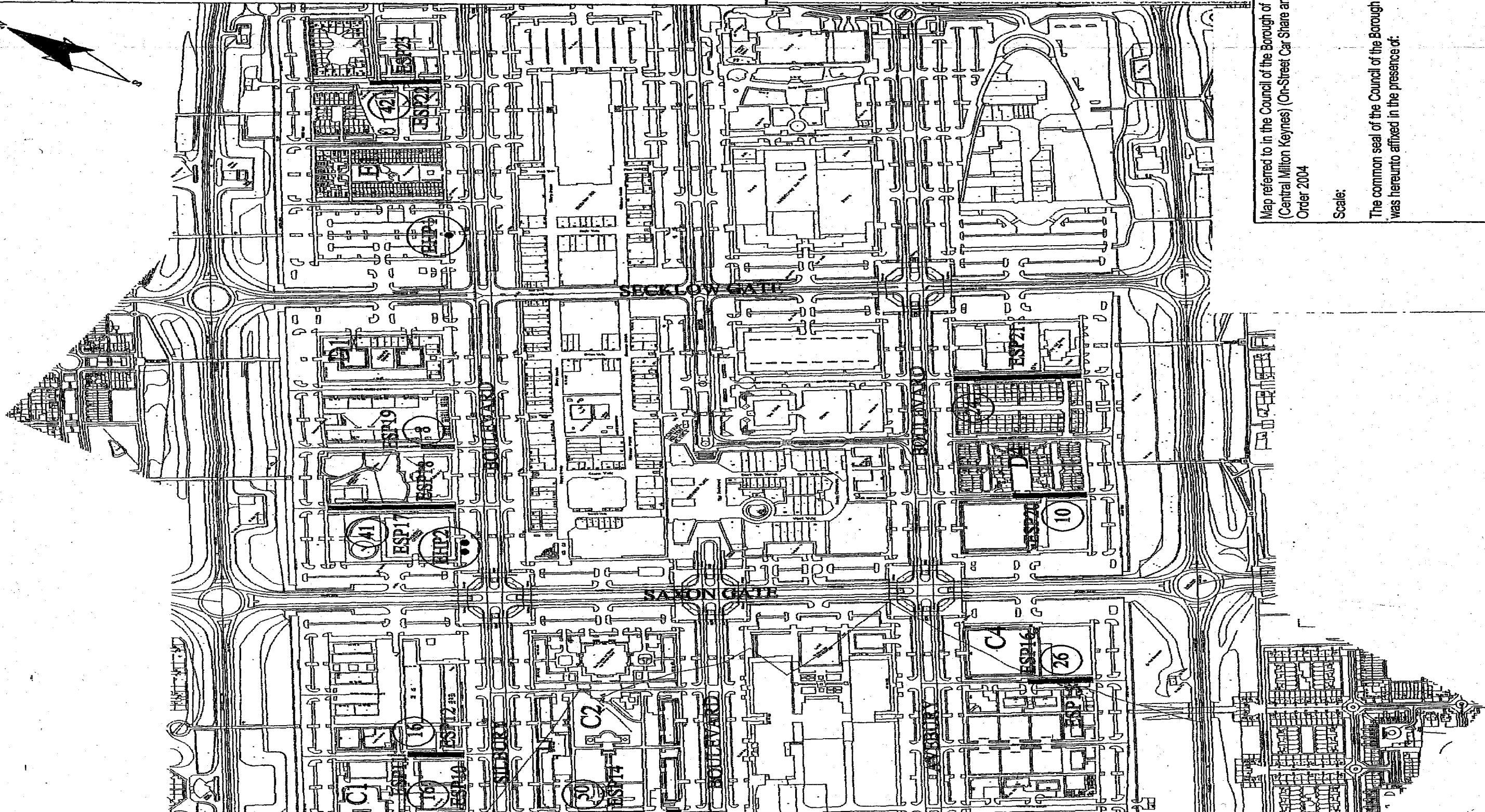
Block E1 - North Thirteenth Street = 42 spaces

Total Spaces = 400

(31) = Approximate number of spaces

EHP = Pool Vehicle Parking Bay & TRO Ref

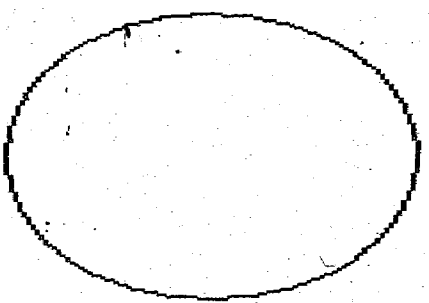
ESP = Car Share Parking Area & TRO Ref



Map referred to in the Council of the Borough of Milton Keynes
(Central Milton Keynes) (On-Street Car Share and Pool Car Parking Places)
Order 2004

Scale:

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

SCHEDULE 3
PERMIT CHARGES

<u>PERMIT CARD</u>	<u>PERIOD</u>	<u>CHARGE</u>
1. Car Share Permit	12 months	FREE
2. Pool Car Permit	12 months	FREE
3. Replacement Permits	for the whole month of any unused amount of the permit being replaced.	£5.00

THE COMMON SEAL OF the **COUNCIL OF
THE BOROUGH OF MILTON KEYNES** was
hereunto affixed this *22nd* day of April 2004
in the presence of:-

[Signature]

.....
HEAD OF LEGAL AND PROPERTY SERVICES



12411