

**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES (CENTRAL
MILTON KEYNES) (ON-STREET RESIDENTS' AND CAR SHARE PERMIT
PARKING PLACES) ORDER 2005**

The Council of the Borough of Milton Keynes ("the Council") in exercise of its powers under Sections 1(1) and (2), 2(1) to (3), 3(2), 45, 46, 49, 53 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act of 1984") 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 21 January 2005 and may be cited as "The Council of the Borough of Milton Keynes (Central Milton Keynes) (On-Street Residents' and Car Share Permit Parking Places) Order 2005".

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 3E of this Order;

"Carer" means a person who provides care to those in need of medical, nursing or personal assistance and employed either by a public service body or an officially registered company;

"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);

"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;

"moped" means a two or three wheel vehicle fitted with an engine having a cylinder capacity not exceeding 50 cubic centimetres if of the internal combustion type and a maximum design speed of not more than 45 kilometres per hour;

"motor cycle" means a two-wheel vehicle with or without a side-car, fitted with an engine having a cylinder capacity of more than 50 cubic centimetres if of the internal combustion type and/or having a maximum design speed of more than 45 kilometres per hour;

"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;

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

"prescribed hours" means between those hours stated in Schedule 1 to this Order;

"resident" means a person whose usual places of residence is a property with a postal address in any street or part of a street described in Schedule 1 of 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;

"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 the Council 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 plans annexed to this Order identify the lengths of road subject to this Order, provided that where there is any inconsistency between the plans and the Schedule it is the wording of the Schedule which shall prevail.

PART 2

VARIATIONS

5. The Council of the Borough of Milton Keynes (Central Milton Keynes) (On-Street Car Share and Pool Car Parking Places) Order 2004 is modified as provided by the following provisions of this Order:
 - (1) Schedule 1 Item ESP1 is deleted;
 - (2) Schedule 1 Item ESP2 is deleted;
 - (3) Schedule 1 Items ESP22 (i) and (ii) are deleted;
 - (4) Schedule 1 Items ESP23 (i) and (ii) are deleted;
 - (5) Schedule 1 title is substituted as follows:

PARKING PLACES FOR USE ONLY BY VEHICLES WHICH DISPLAY VALID CAR SHARE PERMITS 7 AM TO 6 PM EVERY DAY

- (6) Schedule 2 is deleted in its entirety;
 - (7) Part 1 Implementation, Citation and Definitions Items 2 delete "pool car permit" means a permit issued under the provisions of Part 5 of this Order;
 - (8) Part 5 Pool Car Permits is deleted in its entirety.
- (2) Schedule 1 Part B Item RCS1 is substituted as follows:

NORTH THIRD STREET – SOUTH-WEST SIDE

RCS1 From the north-west vehicular accessway of Silbury Boulevard northwards to the junction with the south-west and north-east arms.

- (3) Schedule 1 Part B Item RCS2 is substituted as follows:

NORTH THIRD STREET – NORTH-EAST SIDE

RCS2 From the north-west vehicular accessway of Silbury Boulevard northwards to the junction with the south-west and north-east arms.

- (4) Schedule 1 Part B Item RCS5a is substituted as follows:

NORTH THIRTEENTH STREET – SOUTH-WEST SIDE

RCS5a From a point 9.4 metres from the north-western kerbline of Silbury Boulevard for a distance of 34.3 metres in a north-westerly direction.

- (5) Schedule 1 Part B Item RCS5b is substituted as follows:

NORTH THIRTEENTH STREET – SOUTH-WEST SIDE

RCS5b From a point 59.4 metres from the north-western kerbline of Silbury Boulevard for a distance of 24.2 metres in a north-westerly direction.

6. The Council of the Borough of Milton Keynes (Central 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 PD38b in Schedule 2 is deleted.

PART 3A

PERMIT PARKING PLACES

7. Each area on a highway which is described in Schedule 1 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, goods vehicles or mopeds and motor cycles which display in the relevant position:
 - (a) a residents' permit;
 - (b) a visitor's permit;
 - (c) a visitor's scratch-card permit;
 - (d) a carer's permit;
 - (e) two or more valid car share permits.
 - (2) For the purposes of this Order a vehicle shall be regarded as displaying a permit in the relevant position if the permit is exhibited in a conspicuous position on the vehicle's front windscreen so that the front of the permit is clearly legible from outside the vehicle.
 - (3) 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.
 - (4) 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.
 - (5) 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.
 - (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.
- 12. 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 Schedule 1 for so long as may be necessary:

- (1) when the person in control of the vehicle is required by law to stop or is obliged to stop in order to avoid an accident or is prevented from proceeding by circumstances outside his control;
- (2) to enable a person to board or alight from the vehicle;
- (3) to enable goods to be loaded or unloaded from the vehicle;
- (4) to enable the vehicle if it cannot reasonably be used for such purpose in any other road to be used in connection with any of the following:
 - (a) building, industrial or demolition operations;
 - (b) the removal of any obstruction to traffic;
 - (c) the laying, erection or repair of any sewer, main, pipe or apparatus for the supply of gas, water, electricity or any telecommunication system defined by the Telecommunications Act 1984;
 - (d) use in the service of any statutory undertaker, the Environment Agency or any public authority in pursuance of statutory powers or duties;
 - (e) use for police, fire brigade or ambulance purposes;
 - (f) use for the purpose of delivering or collecting postal packets as defined by section 125 of the Postal Services Act 2000;
 - (g) the vehicle being specially constructed or adapted for the delivery or collection of money or valuable securities to be used for those purposes in relation to premises in the vicinity;
 - (h) the removal of furniture or household effects to or from a shop, office, depository or dwellinghouse adjacent to the permit parking place.

13. (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.

14. On the suspension of the use of a permit 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 place or cause to be placed in or adjacent to that permit parking place a traffic sign indicating that waiting by vehicles is prohibited.
15. (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 14 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 13 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 3B

RESIDENT'S PERMITS

16. (1) Any resident over the age of 17, who is the user of a passenger vehicle, dual purpose vehicle, goods vehicle, moped or motor cycle, may apply to the Council for the issue of a resident's 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 the Council and shall include the information required by such form and shall be accompanied by a remittance for such charge as is specified in Schedule 2;

- (3) On receipt of an application made under the foregoing provisions of this article the Council upon being satisfied that the applicant meets the requirements of this article, shall issue to that applicant one resident's permit, provided that, subject to the provisions of Article 16 (1) of this Order, such a resident's permit would not be valid for any period during which any other resident's permit issued to that resident would be valid.
 - (4) The Council may at any time require an applicant for a resident's permit to produce to an officer of the Council such evidence in respect of an application for a resident's permit made to them as they may reasonably require to verify any information given to them.
- 17.
- (1) The holder of a resident's permit may surrender a resident's permit to the Council at any time and shall surrender a resident's permit to the Council on the occurrence of any of the events in respect of a resident's permit, as are set out in paragraphs (3) or (5) of this article.
 - (2) The Council may, by notice in writing served on the holder of a resident's permit by sending the same by the recorded delivery service to the address shown by that person on the application for the resident's permit or at any other address believed to be that person's residence, withdraw a resident's permit if it appears to the Council that any one of the events in respect of a resident's permit as set out in paragraph (3) of this article has occurred and the holder of the resident's permit shall surrender the resident's permit to the Council 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 the resident's permit ceasing to be an eligible resident;
 - (b) The holder of the resident's permit ceasing to be the user of the vehicle in respect of which the permit was issued;
 - (c) The vehicle in respect of which a residents' permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 16 (1) of this Order;
 - (d) The issue of a replacement resident's permit by the Council under the provisions of Article 16 (1) of this Order;
 - (e) The resident's permit having been obtained by fraudulent means.

- (4) A resident's 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 resident's permit is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured, the resident's permit shall cease to be valid and the Council shall by notice in writing served on the person to whom such permit was issued by sending the same by the recorded delivery service to the holder of the resident's permit at the address shown by that person on the application for the resident's permit or at any other address believed to be that person's place of residence, require that person to surrender the resident's permit to the Council within 48 hours of the service of the aforementioned notice;
 - (6) The Council may at any time require the holder of a resident's permit to produce to an officer of the Council such evidence in respect of any permit issued by them as they may reasonably require.
- 18.
- (1) If a resident's permit is mutilated or defaced or the figures or particulars on it have become illegible or the colour of the resident's permit has become altered by fading or otherwise, the holder of the resident's permit shall surrender it to the Council and may apply to the Council for the issue to him of a replacement resident's permit and the Council, upon the receipt of the resident's permit if such receipt is accompanied by an application for a replacement resident's permit and by a remittance for such charge as is specified in Schedule 2, shall issue a replacement resident's permit so marked;
 - (2) If a resident's permit is lost or destroyed, the holder of a resident's permit may apply to the Council for the issue to him of a replacement resident's permit and the Council, upon being satisfied as to such loss or destruction, and upon receipt by the Council of an application for a replacement resident's permit accompanied by a remittance for such charge as is specified in Schedule 2 shall issue a replacement resident's permit so marked;
 - (3) The provisions of this Order shall apply to a replacement resident's permit and an application for a replacement resident's permit as if it were a resident's permit or, as the case may be, an application therefor.
19. A resident's permit shall be in writing and shall include the following particulars:

particulars:

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

20. A resident's permit shall only be valid for the duration of the permit period in respect of the year for which it is issued.

- 21.
- (1) The holder of a resident's permit who surrenders a resident's permit to the Council before the resident's permit becomes valid shall be entitled to a refund of the charge paid in respect of the issue thereof;
 - (2) The holder of a resident's permit who surrenders a resident's permit to the Council after the resident's 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 3C

VISITOR'S PERMITS AND VISITOR'S PERMIT SCRATCH-CARDS

22. (1) Any resident may apply to the Council for the issue of:
- (i) one visitor's permit;
 - (ii) up to 50 visitor's permit scratch-cards, or
 - (iii) additional visitor's permit scratch-cards,
- for use by a visitor to the applicant's residence;
- (2) Any such application shall be made on a form issued by the Council and shall include the information required by such form and shall be accompanied by a remittance for such charge as is specified in Schedule 2;
- (3) On receipt of an application made under the foregoing provisions of this article the Council upon being satisfied that the applicant meets the requirements of this article, shall issue to that applicant as appropriate:
- (i) one visitor's permit, provided that, subject to the provisions of Article 21 of this Order, such a permit would not be valid for any period during which any other visitor's permit issued in respect of that residence would be valid;
 - (ii) 50 visitor's permit scratch-cards; or
 - (ii) additional visitor's permit scratch-cards.
- (4) The Council may at any time require an applicant for a visitor's permit or visitor's permit scratch-card to produce to an officer of the Council such evidence in respect of an application for a visitor's permit or visitor's permit scratch-card made to them as they may reasonably require to verify any information given to them.
23. (1) The holder of a visitor's permit or visitor's permit scratch-card may surrender a visitor's permit or visitor's permit scratch-card to the Council at any time and shall surrender a visitor's permit or visitor's permit scratch-card to the Council on the occurrence of any of the events in respect of a visitor's permit or visitor's permit scratch-card, as are set out in paragraphs (3) or (5) of this article.

- (2) The Council may, by notice in writing served on the holder of a visitor's permit or visitor's permit scratch-card by sending the same by the recorded delivery service to the address shown by that person on the application for the visitor's permit or visitor's permit scratch-card or at any other address believed to be that person's residence, withdraw a visitor's permit or visitor's permit scratch-card if it appears to the Council that any one of the events in respect of a visitor's permit or visitor's permit scratch-card as set out in paragraph (3) of this article has occurred and the holder shall surrender the visitor's permit or visitor's permit scratch-card to the Council 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 the visitor's permit or visitor's permit scratch-card ceasing to be a resident;
 - (b) the issue of a replacement visitor's permit by the Council under the provisions of Article 22 of this Order;
 - (c) the visitor's permit or visitor's permit scratch-card having been obtained by fraudulent means.
- (4) A visitor's permit or visitor's permit scratch-card shall cease to be valid at the end of the visitor's permit or visitor scratch-card 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 visitor's permit or visitor's permit scratch-card is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured, the visitor's permit or visitor's permit scratch-card as appropriate shall cease to be valid and the Council shall by notice in writing served on the person to whom a visitor's permit or visitor's permit scratch-card as appropriate was issued by sending the same by the recorded delivery service to the holder of the visitor's permit or visitor's permit scratch-card as appropriate at the address shown by that person on the application for the visitor's permit or visitor's permit scratch-card as appropriate or at any other address believed to be that person's place of residence, require that person to surrender the visitor's permit or visitor's permit scratch-card as appropriate to the Council within 48 hours of the service of the aforementioned notice;
- (6) The Council may at any time require the holder of a visitor's permit or visitor's permit scratch-card to produce to an officer of the Council such evidence in respect of any visitor's permit

or visitor's permit scratch-card issued by them as they may reasonably require.

24. (1) If a visitor's permit is mutilated or defaced or the figures or particulars on it have become illegible or the colour of the visitor's permit has become altered by fading or otherwise, the holder of the visitor's permit shall surrender it to the Council and may apply to the Council for the issue to him of a replacement visitor's permit and the Council, upon the receipt of the permit if such receipt is accompanied by an application for a replacement visitor's permit and by a remittance for such charge as is specified in Schedule 2, shall issue a replacement visitor's permit so marked;
- (2) If a visitor's permit is lost or destroyed, the holder of the visitor's permit may apply to the Council for the issue to him of a replacement visitor's permit and the Council, upon being satisfied as to such loss or destruction, and upon receipt by the Council of an application for a replacement visitor's permit accompanied by a remittance for such charge as is specified in Schedule 2, shall issue a replacement visitor's permit so marked;
- (3) The provisions of this Order shall apply to a replacement visitor's permit and an application for a replacement visitor's permit as if it were a visitor's permit or, as the case may be, an application therefor.
25. A visitor's permit shall be in writing and shall include the following particulars:
- (1) The date of expiry being the last day of the permit period;
- (2) An authentication that the permit has been issued by the Council.
26. A visitor's permit shall only be valid for the duration of the permit period in respect of the year for which it is issued.
27. (1) The holder of a visitor's permit who surrenders a visitor's permit to the Council before the permit becomes valid shall be entitled to a refund of the charge paid in respect of the issue thereof;

- (2) The holder of a visitor's permit who surrenders a visitor's permit to the Council 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.

28. A visitor's permit scratch-card shall display the following particulars:

- (1) day numbers from 1 to 31 inclusive;
- (2) the months from January to December inclusive;
- (3) the date of expiry being the last day by which the visitor's permit scratch-card may be used;
- (4) an authentication that the visitor's permit scratch-card has been issued by the Council.

29. A visitor's permit scratch-card shall only be valid for the duration of a single day commencing at 00:01 hours and concluding at 24:00 hours.

30. A visitor's permit scratch-card shall only be valid when the date of use is indicated by the scratching off of:

- (1) one day number; and
- (2) one month;

31. A visitor's permit scratch-card shall become invalid:

- (1) if more than one day number is deleted from the permit scratch-card;
- (2) if more than one month is deleted from the permit scratch-card.

PART 3D

CARER PERMITS

32. (1) Any public service body or an officially registered company employing carers who are required to make house calls as a part of their normal duty may apply to the Council for the issue of carer permits to be held or used by carers for the purpose of making visits to properties within the area defined in Schedule 1;
- (2) Any such application shall be made on a form issued by the Council and shall include the information required by such form and shall be accompanied by a remittance for such charge as is specified in Schedule 2;
- (3) Any person employed as a carer by a public service body or an officially registered company who is the user of passenger vehicle, dual purpose vehicle, goods vehicle, moped or motor cycle may validly obtain from the said public service body or officially registered company a carer permit for the leaving of the said vehicle in a parking place specified in Schedule 1 during the prescribed hours whilst making a house call as a part of their normal duty.
- (4) On receipt of an application made under the foregoing provisions of this article by a public service body or officially registered company the Council upon being satisfied that the application meets the requirements of this article, shall issue to that applicant sufficient carer permits, provided that, subject to the provisions of Article 32 of this Order, any such permit would not be valid for any period during which any other carer permit issued to an individual vehicle would be valid.
- (5) The Council may at any time require an applicant for a carer permit to produce to an officer of the Council such evidence in respect of an application for a carer permit made to them as they may reasonably require to verify any information given to them.
33. (1) The applicant for a carer permit, may surrender a carer permit to the Council at any time and shall surrender a carer permit to the Council on the occurrence of any of the events in respect of a carer permit, as are set out in paragraphs (3) or (5) of this article.
- (2) The Council may, by notice in writing served on the applicant for a carer permit, by sending the same by the recorded delivery service to the address shown by that applicant on the

application for the carer permits or at any other address believed to be that applicant's place of business or registered office, withdraw a carer permit if it appears to the Council that any one of the events in respect of a carer permit as set out in paragraph (3) of this article has occurred and the applicant for the carer permits shall surrender the carer permit to the Council 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 carer permit ceasing to be an eligible employee of a public service body or officially registered company by which they were employed at the time the application was made;
 - (b) the holder of a carer permit ceasing to be required to make house calls to properties within the area defined in Schedule 1 as a part of their normal duty;
 - (c) the holder of a carer permit ceasing to be the user of the vehicle in respect of which the carers permit was issued;
 - (d) the vehicle in respect of which a carer permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 32 (3) of this Order;
 - (e) the issue of a replacement carer permit by the Council under the provisions of Article 32 of this Order;
 - (f) the permit having been obtained by fraudulent means.
- (4) A carer 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 carer permit is issued to any applicant upon receipt of a cheque and the cheque is subsequently dishonoured, the permit shall cease to be valid and the Council shall by notice in writing served on the applicant to whom such a permit was issued by sending the same by the recorded delivery service to the applicant for the carer permit at the address shown by that applicant on the application for the permit or at any other address believed to be that applicant's place of business or registered office, require the surrender of the permit to the Council within 48 hours of the service of the aforementioned notice;

- (6) The Council may at any time require the applicant for, holder or user of a carer permit to produce to an officer of the Council such evidence in respect of any permit issued by them as they may reasonably require.
34. (1) If a carer permit is mutilated or defaced or the figures or particulars on it have become illegible or the colour of the permit has become altered by fading or otherwise, the applicant for the carer permit shall surrender it to the Council and may apply to the Council for the issue to them of a replacement permit and the Council, upon the receipt of the carer permit if such receipt is accompanied by an application for a replacement carer permit and by a remittance for such charge as is specified in Schedule 2, shall issue a replacement permit so marked;
- (2) If a carer permit is lost or destroyed, the applicant for the permit may apply to the Council for the issue to him of a replacement carer permit and the Council, upon being satisfied as to such loss or destruction, and upon receipt by the Council of an application for a replacement carer permit accompanied by a remittance for such charge as is specified in Schedule 2, shall issue a replacement permit so marked;
- (3) The provisions of this Order shall apply to a replacement carer permit and an application for a replacement carer permit as if it were a carer permit or, as the case may be, an application therefor.
35. A carer 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 month of expiry being the last day of the permit period;
- (3) An authentication that the carer permit has been issued by the Council.
36. A carer permit shall only be valid for the duration of the permit period in respect of the year for which it is issued.
- (1) The applicant for a carer permit who surrenders a carer permit to the Council before the permit becomes valid shall be entitled to a refund of the charge paid in respect of the issue thereof;
- (2) The applicant for a carer permit who surrenders a carers permit to the Council 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 3E

CAR SHARE PERMITS

37. (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 Schedule 2;
- (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 18 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.
38. (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 37(1) of this Order;
 - (e) the issue of a replacement Car Share Permit by Milton Keynes Sustainable Transport Limited under the provisions of Article 39 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;

- (5) 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.
39. (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 Schedule 2, 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 Schedule 2, 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.
40. 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;
- (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.

41. A Car Share Permit shall only be valid for the duration of the permit period in respect of which it is issued.
42. 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 Schedule 2.
43. (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 4

ENFORCEMENT OF RESTRICTIONS

44. 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.
45. 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.

46. 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).
47. 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.
 - (7) 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.

- (8) 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

PART A

PERMIT SCHEME

1. ROADS OR PARTS OF ROADS FROM WHICH RESIDENTS ARE ELIGIBLE TO APPLY FOR PERMITS
2. ROADS OR PARTS OF ROADS TO WHICH CARERS MAKING HOUSE CALLS ARE ELIGIBLE TO APPLY FOR PERMITS

That whole area within Central Milton Keynes.

PART B

**PARKING PLACES FOR USE ONLY BY VEHICLES WHICH DISPLAY A
RESIDENT'S PERMIT, VISITOR'S PERMIT, VISITOR'S PERMIT SCRATCH-
CARD, CARER'S PERMIT OR CAR SHARE PERMITS THE WHOLE 24 HOURS
OF EVERY DAY EXCEPT WITHIN THE MARKED DISABLED PARKING BAYS,
AND MOPED AND MOTOR CYCLE BAYS**

NORTH THIRD STREET – SOUTH-WEST SIDE

RCS1 From the north-west vehicular accessway of Silbury Boulevard in a northerly direction for its entire length.

NORTH THIRD STREET – NORTH-EAST SIDE

RCS2 From the north-west vehicular accessway of Silbury Boulevard in a northerly direction for its entire length.

AVEBURY BOULEVARD – NORTH-WEST SIDE

RCS3 From the porte cochere south-west of South Ninth Street to the porte cochere south-west of South Tenth Street.

NORTH THIRTEENTH STREET – NORTH-EAST SIDE

RCS4a From Silbury Boulevard to the access road alongside Henshaw House.

NORTH THIRTEENTH STREET – NORTH-EAST SIDE

RCS4b From the access road alongside Henshaw House to the road linking North Thirteenth Street and North Fourteenth Street.

NORTH THIRTEENTH STREET – SOUTH-WEST SIDE

RCS5a From Silbury Boulevard to the access road alongside the Job Centre.

NORTH THIRTEENTH STREET – SOUTH-WEST SIDE


RCS5b From the access road alongside the Job Centre to North Row.

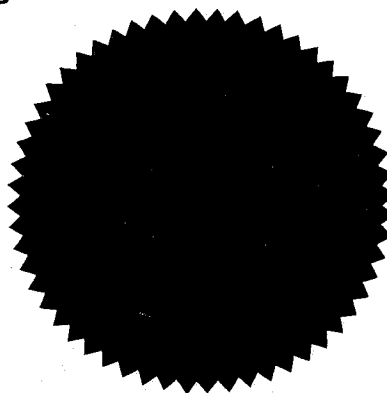
SCHEDULE 2

PERMIT AND PERMIT SCRATCH-CARD CHARGES

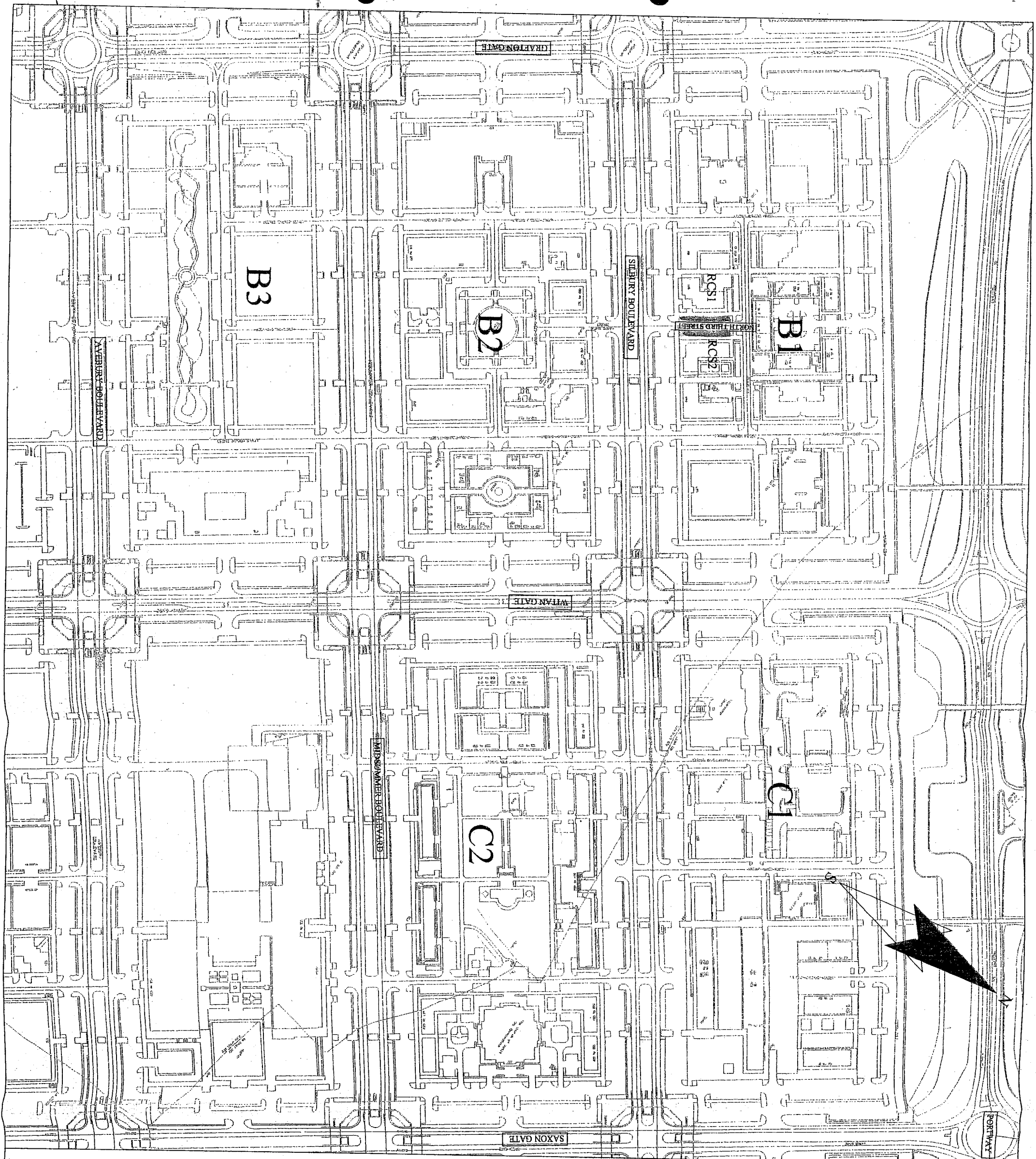
<u>PERMIT/PERMIT SCRATCH-CARD</u>	<u>PERIOD</u>	<u>CHARGE</u>
1. Residents' Permit	12 months	FREE
2. Visitors Permit	12 months	FREE
3. Visitor's Permit Scratch-Card (Up to 50 individual Permit Scratch-Cards)	1 day	FREE
4. Visitor's Permit Scratch-Card (For each individual Permit Scratch-Card above 50)	1 day	£2.00
5. Carer Permit	12 months	FREE
6. Car Share Permit	12 months	FREE
7. 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 20th day of January 2005
in the presence of:-


.....
HEAD OF LEGAL SERVICES



15982

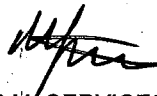


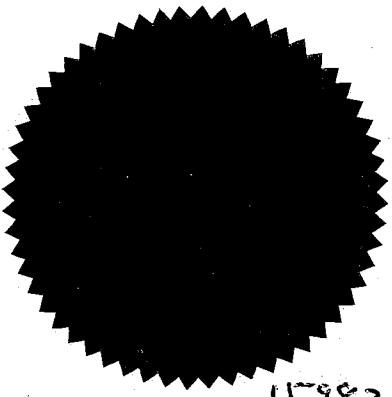
Map referred to in :-
 Borough of Milton Keynes (Central Milton Keynes)(On Street Residents' and Car Share Permit
 Parking Places) Order 2005

MAP 1

Scale: NTS

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


 HEAD OF LEGAL SERVICES



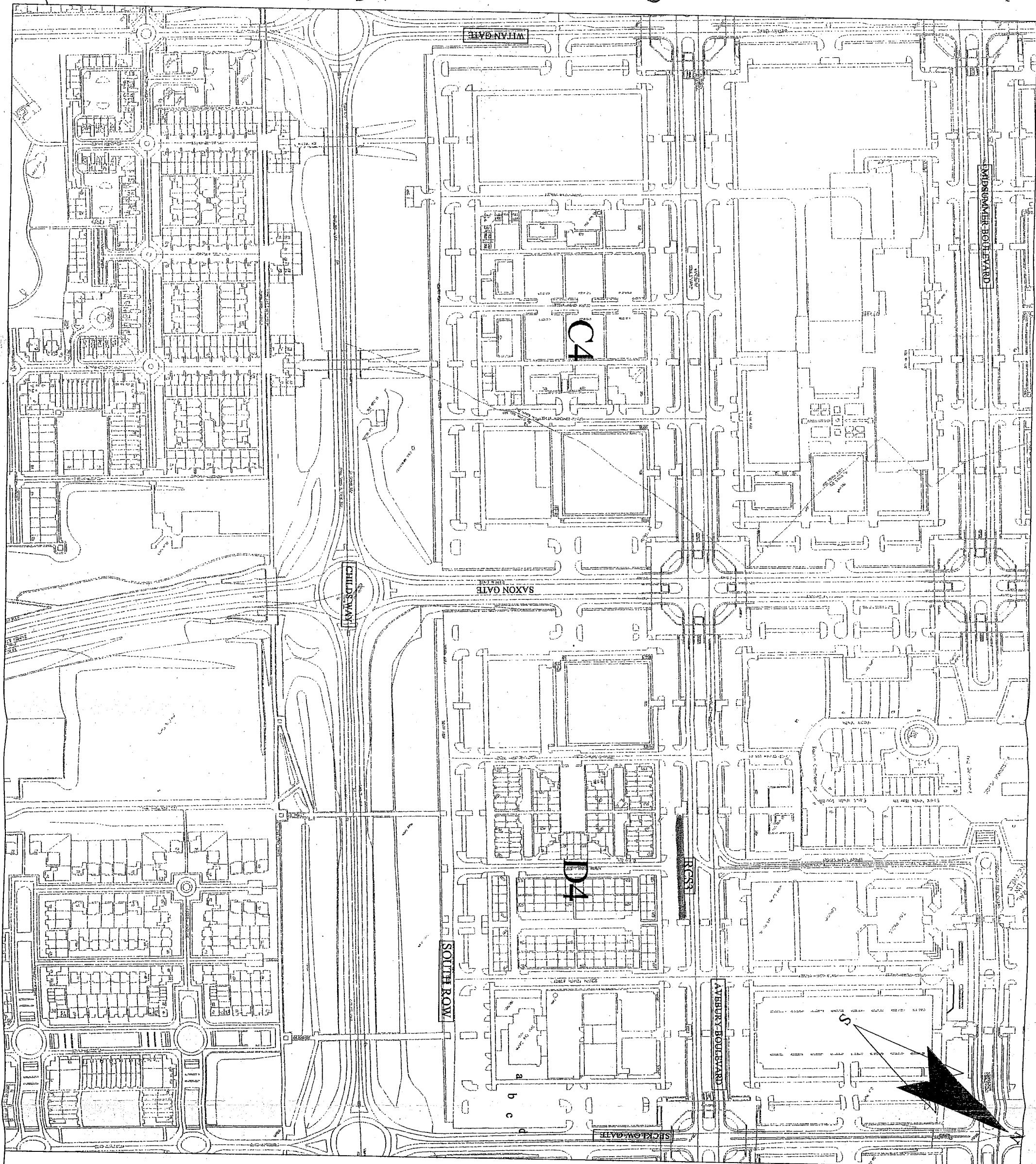
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Shared Residents
 and Car Share Spaces
 RCS1 - TRO Reference Number

Notes

Drawing Number

ORDER 2005



Drawing Number

ORDER 2005

Notes

Shared Residents and Car Share Spaces
RCS3 - TRO Reference Number

Do not scale this drawing

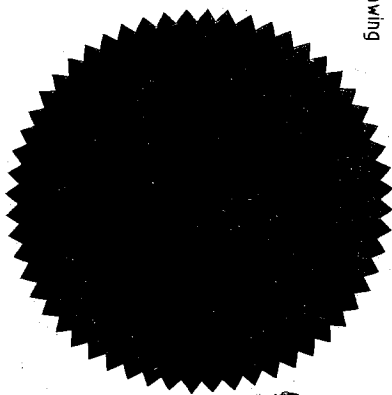
Map referred to in :- The Council of the
Borough of Milton Keynes (Central Milton Keynes) (On Street Residents' and Car Share Permit
Parking Places) Order 2005

MAP 2

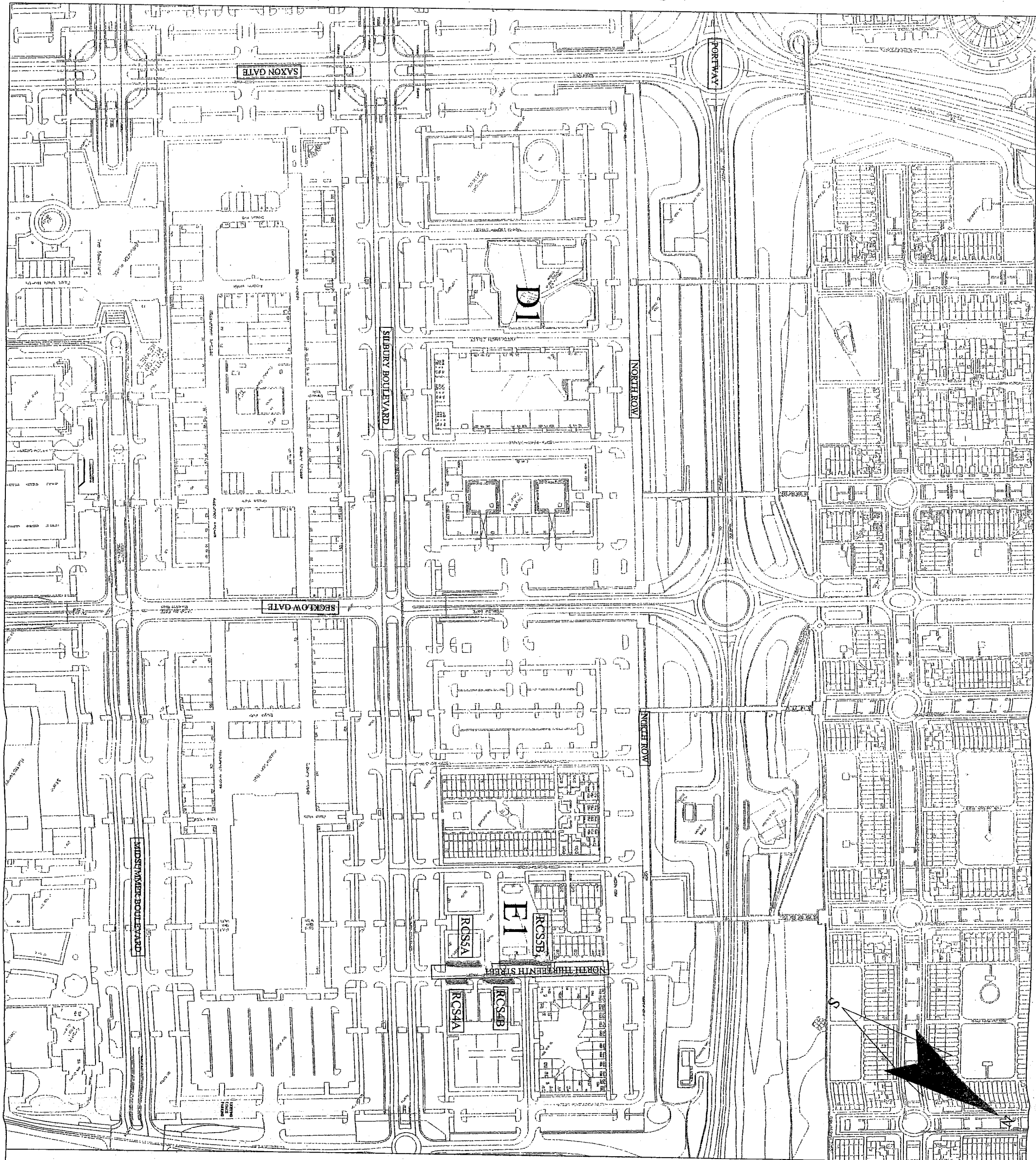
Scale: NTS

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

HEAD OF LEGAL SERVICES



28982



Map referred to in --
Borough of Milton Keynes (Central Milton Keynes)(On Street Residents' and Car Share Permit
Parking Places) Order 2005

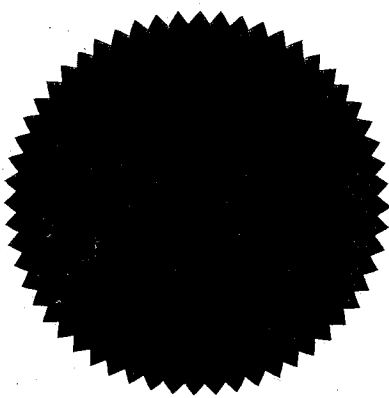
MAP 3

Scale: NTS

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

HEAD OF LEGAL SERVICES

The Council of the



Do not scale this drawing

RCS4A - TRO Reference Number

Shared Residents
and Car Share Spaces

Notes

Drawing Number

ORDER 2005