

**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES  
(THE COUNCIL OF THE BOROUGH OF MILTON KEYNES (CENTRAL  
MILTON KEYNES) (ON-STREET PAY AND DISPLAY PARKING PLACES)  
ORDER 1999) VARIATION ORDER 2005**

The Council of the Borough of Milton Keynes ("the Council") in exercise of the powers of the said Council under Sections 45, 46, 49, 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 hereby makes the following Order: -

**PART 1**

**IMPLEMENTATION, CITATION AND DEFINITIONS**

1. This Order shall come into operation on the 25th day of November 2005 and may be cited as "The Council of the Borough of Milton Keynes (The Council of the Borough of Milton Keynes (Central Milton Keynes) (On-Street Pay and Display Parking Places) Order 1999) Variation Order 2005".
2. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

**PART 2**

**VARIATIONS**

3. The Council of the Borough of Milton Keynes (Central Milton Keynes) (On-Street Pay and Display Parking Places) Order 1999 ("The Principal Order") is varied as provided by the following provisions of this Order:-
4. The following item is inserted into Part 1 Article 2 of the principal order as follows;  
  
"Commuter" a person 17 years or over whom resides in the borough of Milton Keynes and whose place of employment is based outside the borough of Milton Keynes
5. The following Part is inserted into the principal order:

**PART III**

**CAR SHARE PERMITS**

23. (1) Any person who displays in the relevant position two or more valid car share permits may leave their vehicle in each of the lengths of road specified in Schedule 1 Part B to this Order;

- (2) 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.
- (3) Where a permit has been displayed on a vehicle in accordance with the provisions of paragraph (2) 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.

- 24.
- (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 4;
  - (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 25 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.
- 25.
- (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 24(1) of this Order;
  - (e) the issue of a replacement Car Share Permit by Milton Keynes Sustainable Transport Limited under the provisions of Article 26 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.

- 26. (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 2 of Schedule 4, 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 2 of Schedule 4, 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.

- 27. 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.
28. A Car Share Permit shall only be valid for the duration of the permit period in respect of which it is issued.
29. 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 4.
30. (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.
6. The following Part is inserted into the principal order:

#### **PART IV**

#### **COMMUTER PARKING PERMITS**

31. (1) Any person who displays in the relevant position a valid commuter parking permit may leave their vehicle in each of the lengths of road specified in Schedule 1 Part B to this Order
- (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 (2) 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.
32. (1) Any person who is 17 years or over whom resides in the borough of Milton Keynes and whose place of work is outside of the borough of Milton Keynes, may apply to the Council for the issue of Commuter Parking Permits who is a user of a

passenger vehicle, a dual purpose vehicle, a goods vehicle, a moped or a motor cycle, 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 should 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 5.
  - (3) On receipt by the Council 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 Commuter Parking Permit or, such a Commuter Parking Permit would not be valid for any period during which any other Commuter Parking Permit issued to that person would be valid.
  - (4) The Council may at any time require an applicant for a Commuter Parking Permit to produce to an Officer of the Council such evidence in respect of an application for a Commuter Parking Permit made to them as they may reasonably require to verify any information given to them
- 33.
- (1) The Holder of a Commuter Parking Permit may surrender a Commuter Parking Permit to the Council at any time and shall surrender a Commuter Parking Permit to the Council on the occurrence of any of the events in respect of a Commuter Parking Permit as set out in paragraphs (3) or (5) of this Article.
  - (2) The Council may, by notice in writing served on the holder of a Commuter Parking Permit by sending the same by the recorded delivery service to the address shown by that person on the application for the Commuter Parking Permit or at any other address believed to be that person's residence, withdraw a Commuter Parking Permit if it appears to the Council that any one of the events in respect of a Commuter Parking Permit as set out in paragraph (3) of this Article has occurred and the holder of the Commuter Parking Permit shall surrender the Commuter Parking 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 Commuter Parking Permit ceasing to be resident in the borough of Milton Keynes.
    - (b) The holder of a Commuter Parking Permit ceasing to be the user of the vehicle in respect of which the Commuter Parking Permit was issued.

- (c) The vehicle in respect of which a Commuter Parking Permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 32 of this Order;
  - (d) This issue of a replacement Commuter Parking Permit by the Council under the provisions of Article 34 of this Order;
  - (e) The Commuter Parking Permit having been obtained by fraudulent means.
  - (f) The holder of a Commuter Parking Permit ceasing employment outside of the borough of Milton Keynes.
- (4) A Commuter Parking 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 Commuter Parking Permit is issued to any person upon receipt by the Council of a cheque and the cheque is subsequently dishonoured, the Commuter Parking Permit shall cease to be valid and the Council shall by notice in writing served on the person to whom such a Commuter Parking Permit was issued by sending the same by the recorded delivery service to the holder of the Commuter Parking Permit at the address shown by that person on the application for the Commuter Parking Permit or at any other address believed to be that person's place of residence, require that person to surrender the 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 Commuter Parking Permit to produce to an Officer of the Council such evidence in respect of any Commuter Parking Permit issued by them as they may reasonably require.
34. (1) If a Commuter Parking Permit is mutilated or defaced or the figures or particulars on it have become illegible or the colour of the Commuter Parking Permit has become altered by fading or otherwise, the holder of the Commuter Parking Permit shall surrender it to the Council and may apply to the Council for the issue to him of a replacement Commuter Parking Permit and the Council, upon the receipt by the Council of the Commuter Parking Permit if such receipt is accompanied by an application for a replacement Commuter Parking Permit and by a remittance for such charge as is specified in item 2 of Schedule 5, shall issue a replacement Commuter Parking Permit so marked;

- (2) If a Commuter Parking Permit is lost or destroyed, the holder of the Commuter Parking Permit may apply to the Council for the issue to him of a replacement Commuter Parking 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 Commuter Parking Permit accompanied by a remittance for such charge as specified in item 2 of Schedule 5, shall issue a replacement Commuter Parking Permit so marked;
  - (3) The provision of this Order shall apply to a replacement Commuter Parking Permit and an application for a replacement Commuter Parking Permit as if it were a Commuter Parking Permit or, as the case may be, an application therefore.
35. A Commuter Parking 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 Commuter Parking Permit has been issued by the Council.
36. A Commuter Parking Permit shall only be valid for the duration of the Permit period in respect of which it is issued.
37. The charge in respect of the issue of a Commuter Parking Permit shall be specified in item 1 of Schedule 5.
38. (1) The holder of a Commuter Parking Permit who surrenders a Commuter Parking Permit to the Council before the Commuter Parking Permit becomes valid shall be entitled to a refund of the charge paid in respect of the issue thereof;
- (2) The holder of a Commuter Parking Permit who surrenders a Commuter Parking 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.

7. The following Schedule is inserted into the principal order:

#### **SCHEDULE 4**

#### **CAR SHARE PERMIT CHARGES**



<u>PERMIT</u>	<u>PERIOD</u>	<u>CHARGE</u>
1. Car Share Permit	12 months	FREE
2. Replacement Permits	For the unused amount of the permit being replaced.	£5.00

8. The following Schedule is inserted into the principal order:

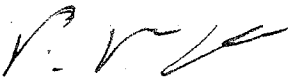
### SCHEDULE 5

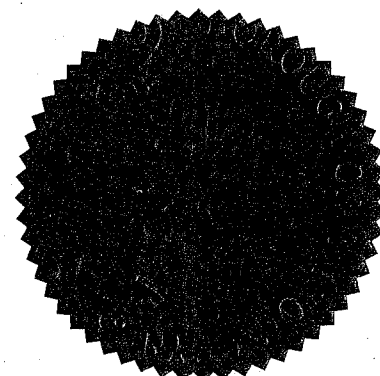
#### COMMUTER PARKING PERMIT CHARGES

<u>PERMIT</u>	<u>PERIOD</u>	<u>CHARGE</u>
1. Commuter Parking Permit	1 month	£46.50
	2 months	£93.00
	3 months	£139.50
	4 months	£186.00
	5 months	£232.50
	6 months	£279.00
	7 months	£325.50
	8 months	£372.00
	9 months	£418.50
	10 months	£465.00
	11 months	£511.50
	12 months	£560.00
2. Replacement Permits	For the 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 24th day of November 2005

in the presence of :-

  
.....  
HEAD OF LEGAL SERVICES AND MONITORING OFFICER



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