

**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES
(VARIOUS ROADS, FISHERMEAD)
(PROHIBITION AND RESTRICTION OF WAITING) ORDER 2009**

The Council of the Borough of Milton Keynes ("the Council") in exercise of its powers under Sections 1(1), 2(1) and (2) and 4(2) 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 18th day of December 2009 and may be cited as "The Council of the Borough of Milton Keynes (Various Roads, Fishermead) (Prohibition and Restriction of Waiting) Order 2009".
2. In this Order, except where the context otherwise requires, the following expressions have the meanings respectively assigned to them:-

"Civil Enforcement Officer" has the same meaning as in Section 76 of the Traffic Management Act of 2004;
"disabled persons' badge" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;
"delivering" and "collecting" in relation to any goods includes checking the goods for the purpose of their delivery or collection;
"postal packets" has the same meaning as in Section 125 of the Postal Services Act 2000;
"restricted road" means a road which is subject to parking and waiting restrictions;
"road" means a highway and any other road to which the public has access;
"statutory undertaker" has the same meaning as in Section 329 of the Highways Act 1980;
"telecommunications apparatus" has the same meaning as in the Telecommunications Act 1984;
"traffic sign" means a sign of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under, Section 64 of the Act of 1984;
3. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.
4. The plans annexed to this Order identify the lengths of roads 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

PROHIBITION AND RESTRICTION OF WAITING

5. No person shall except with the permission or under the direction of a police officer in uniform, a traffic warden or a civil enforcement officer, cause or permit any vehicle to wait at any time in any of the lengths of road specified in Schedule 1 hereto.
6. No person shall except with the permission or under the direction of a police officer in uniform, a traffic warden or a civil enforcement officer, cause or permit any vehicle to wait between the hours of 8.30a.m and 9.30am and between 2.30pm and 3.30pm Monday to Friday in the lengths of road specified in Schedule 2 hereto.

A vehicle which is present in a length of road specified in Schedule 2 hereto at the commencement of the hours of operation of any restrictions imposed by this Order shall be deemed to have been left in that length of road at the commencement of that period of operation of the restriction in question.

7. Nothing in Articles 5 or 6 above shall render it unlawful to cause or permit a vehicle to wait in any of the lengths of road specified in Schedules 1 or 2 for so long as may be necessary to enable goods to be loaded or unloaded from the vehicle.
8. Nothing in Articles 5 or 6 above shall render it unlawful to cause or permit a vehicle to wait in any of the lengths of road specified in Schedules 1 or 2 for so long as may be necessary to enable a person to board or alight from the vehicle.
9. Nothing in Articles 5 or 6 above shall render it unlawful to cause or permit a vehicle to wait in any of the lengths of road specified in Schedules 1 or 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) for a vehicle to wait whilst any gate or other barrier at the entrance to premises to which the vehicle requires access or from which it has emerged is being opened or closed, if it is not reasonably practicable for the vehicle to wait outside otherwise than in a length of road specified in Schedules 1 or 2 to this Order while such gate or other barrier is being opened or closed;

- (3) to enable a taxi to wait upon any hackney carriage stand;
- (4) to enable the vehicle if it cannot reasonably be used for such purpose in any other road to be used in connection with any of the following:
 - a) building, industrial or demolition operations;
 - b) the removal of any obstruction to traffic;
 - c) the laying, erection or repair of any sewer, main, pipe or apparatus for the supply of gas, water, electricity or any telecommunication system defined by the Telecommunications Act 1984;
 - d) use in the service of any undertaker, the Environment Agency or any public authority in pursuance of statutory powers or duties;
 - e) in connection with any wedding or funeral;
 - f) use for police, fire brigade or ambulance purposes;
 - g) use for the purpose of delivering or collecting postal packets as defined by section 125 of the Postal Services Act 2000;
 - h) the vehicle, being a bus, to wait in a bus stop area;
 - i) the vehicle being specially constructed or adapted for the delivery or collection of money or valuable securities to be used for those purposes in relation to premises in the vicinity.
- 10. In accordance with the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000, nothing in Article 5 shall render it unlawful to cause or permit a disabled person's vehicle which displays a disabled person's badge and parking disc in the relevant position in accordance with Articles 12 and 13 hereof to wait for a period not exceeding 3 hours in a length of road specified in Schedule 1 hereto (provided the period of exempted waiting does not begin less than one hour after a previous period of exempted waiting by the same vehicle in the same road on the same day).
- 11. In accordance with the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000, nothing in Article 6 shall render it unlawful to cause or permit a disabled person's vehicle which displays a disabled person's badge in the relevant position in accordance with Article 12 hereof to wait for any period of time in any of the lengths of road specified in Schedule 2 hereto.

12. For the purposes of this Order a vehicle shall be regarded as displaying a disabled person's badge in the relevant position under the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 if:
- (1) the badge is exhibited on the dashboard or fascia of the vehicle so that the front of the badge is clearly legible from the outside of the vehicle; or
 - (2) where the vehicle is not fitted with a dashboard or fascia, the badge is exhibited in a conspicuous position on the vehicle so that the front of the badge is clearly legible from the outside of the vehicle.
13. For the purposes of this Order a vehicle shall be regarded as displaying a parking disc in the relevant position under the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 if:
- (1) the disc is exhibited on the dashboard or fascia of the vehicle, so that, when marked to show the quarter-hour period during which a period of waiting began, that period is clearly legible from the outside of the vehicle; or
 - (2) where the vehicle does not have a dashboard or fascia, the disc is exhibited in a conspicuous position on the vehicle, so that, when marked to show the quarter-hour period during which a period of waiting began, that period is clearly legible from the outside of the vehicle.

PART 3

ENFORCEMENT OF RESTRICTIONS

14. The Council shall, on or in the vicinity of a restricted road;-
- (1) Highlight each restricted area with notices, signs and road surface markings in accordance with the Traffic Signs Regulations and General Directions Act 2002;
 - (2) Maintain and from time to time alter the said notices, signs and road-surface markings;
 - (3) Carry out such other work as is reasonably required for the purpose of the satisfactory operation of a restricted road.
15. The Council shall appoint Civil Enforcement Officers whose duty it shall be to patrol and enforce the waiting and parking restrictions imposed by the Articles of this Order.

SCHEDULE 1

NO WAITING AT ANY TIME

FALMOUTH PLACE - SOUTH-WEST SIDE

- NW1 From a point approximately 16.0 metres north-west of its junction with Fishermead Boulevard for a distance of approximately 10.5 metres in a north-westerly direction

NORTH-WEST SIDE

- NW2 From a point approximately 16.3 metres north-west of its junction with Fishermead Boulevard for a distance of approximately 10.0 metres in a north-westerly direction

FISHERMEAD BOULEVARD – THE NORTH-WEST VEHICULAR ACCESSWAY - NORTH-WEST SIDE

- NW3 From a point approximately 17.0 metres north-east of its junction with Falmouth Place for a distance of approximately 23.0 metres in a north-easterly direction

SOUTH-EAST SIDE

- NW4 From a point approximately 40.0 metres north-east of its junction with Falmouth Place for a distance of approximately 55.0 metres in a south-west then south-east then north-easterly direction

SOUTH-WEST SIDE

- NW5 From a point approximately 17.6 metres south-west of its junction with Falmouth Place for a distance of approximately 33.8 metres in a north-east then south-east then south-westerly direction

FISHERMEAD BOULEVARD – THE CENTRAL RESERVATION – SOUTH-EAST SIDE

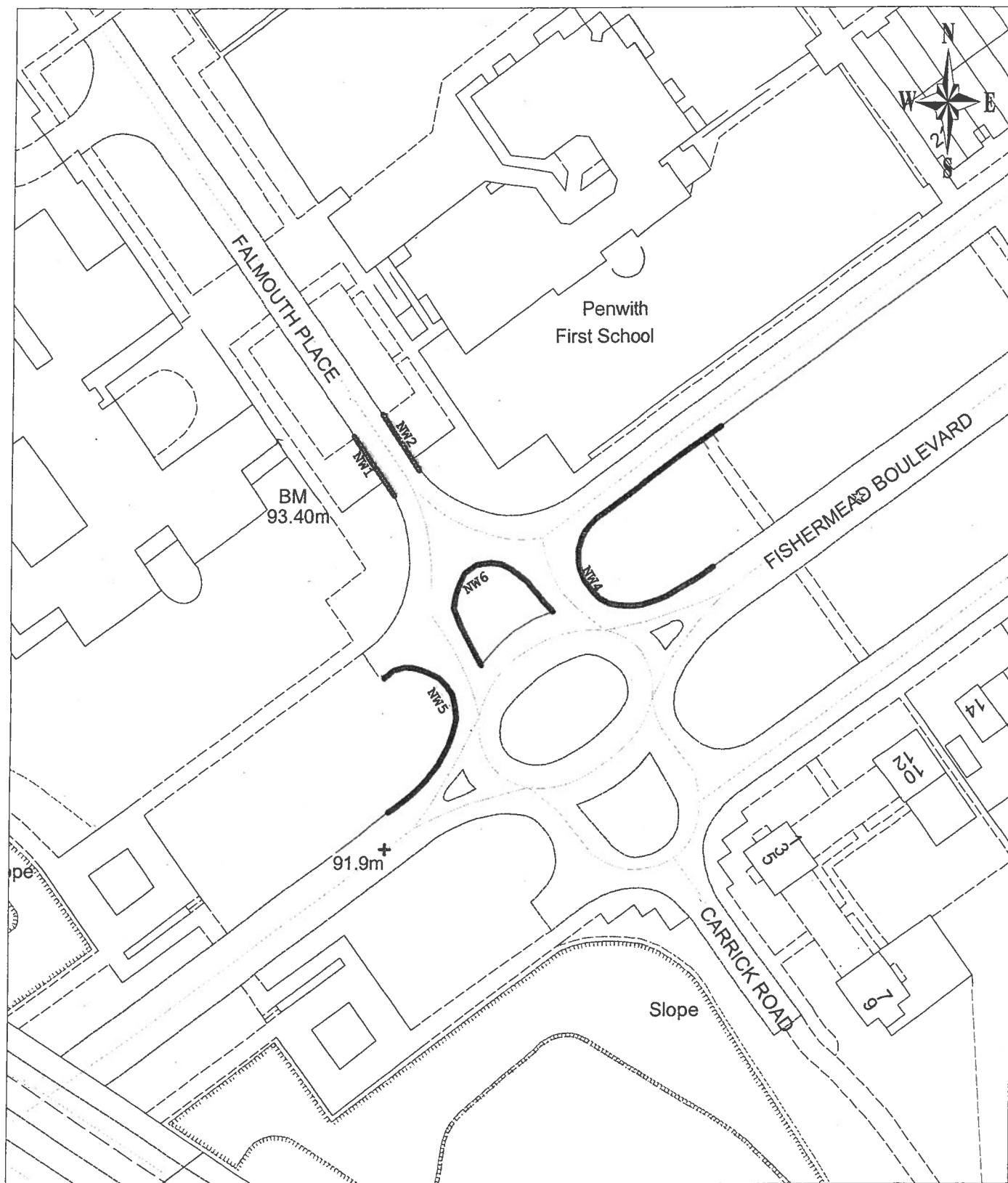
- NW6 From a point approximately 13.5 metres south of its junction with Falmouth Place for a distance of approximately 31.2 metres in a north-west then north-east then south-easterly direction

FISHERMEAD BOULEVARD – THE NORTH-WEST VEHICULAR ACCESSWAY - SOUTH-WEST SIDE

- NW7 From its junction with the main carriageway of Fishermead Boulevard for a distance of approximately 13.6 metres in a north-westerly direction

NORTH-WEST SIDE

- NW8 From a point in line with the south-east boundary wall of 189 Fishermead Boulevard for a distance of approximately 7.2 metres in a north-easterly direction



KEY:

— No waiting at any time

NW1 TRO reference number

Map referred to in the Council of the Borough of Milton Keynes (Various Roads, Fishermead) (Prohibition and Restriction of Waiting) Order 2009

Map 1

Not to scale

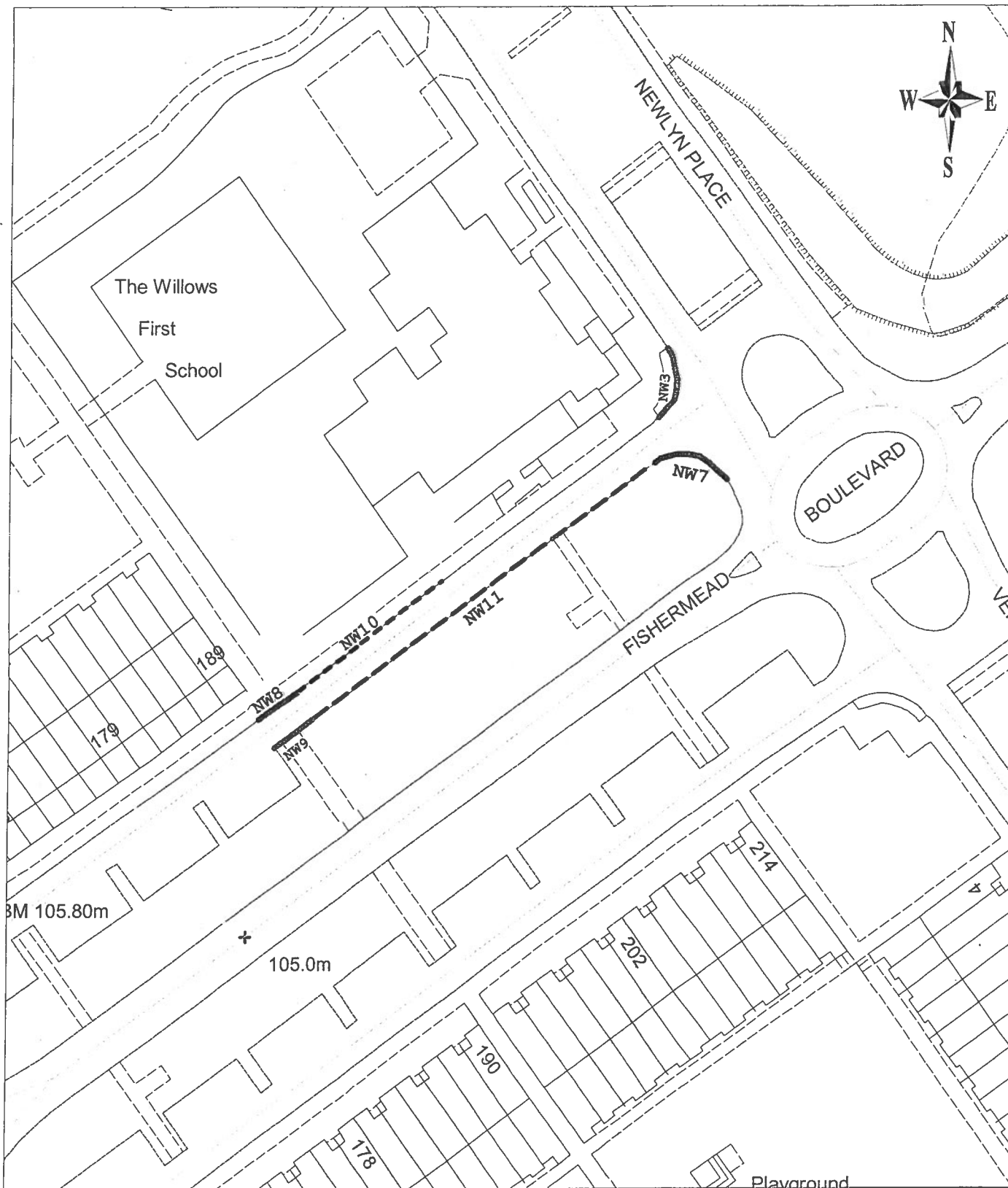
The Common Seal of the Council of the Borough of Milton Keynes was hereunto affixed in the presence of:

[Signature]



HEAD OF LEGAL SERVICES AND MONITORING OFFICER
ASSISTANT DIRECTOR - LAW & GOVERNANCE



18809



KEY:

-  No waiting at any time
-  No waiting
(Monday to Friday)
(Between 8:30am & 9:30pm)
(Between 2:30pm & 3:30pm)


NW7 TRO reference number

Map referred to in the Council of the Borough
of Milton Keynes (Various Roads, Fishermead)
(Prohibition and Restriction of Waiting) Order 2009

Map 2

Not to scale

The Common Seal of the Council of the Borough
of Milton Keynes was hereunto affixed in the
presence of:


HEAD OF LEGAL SERVICES AND MONITORING OFFICER
ASSISTANT DIRECTOR - LAW + GOVERNANCE



18809

SOUTH-EAST SIDE

NW9 From a point in line with the south-east boundary wall of 189 Fishermead Boulevard for a distance of approximately 7.2 metres in a north-easterly direction

SCHEDULE 2

NO WAITING

MONDAY TO FRIDAY

BETWEEN 8.30AM AND 9.30AM AND BETWEEN 2.30PM AND 3.30PM

FISHERMEAD BOULEVARD – THE NORTH-WEST VEHICULAR ACCESSWAY - NORTH-WEST SIDE

NW10 From a point approximately 7.2 metres north-east of a point in line with the south-east boundary wall of 189 Fishermead Boulevard for a distance of approximately 28.0 metres in a north-easterly direction

SOUTH-EAST SIDE

NW11 From a point approximately 7.2 metres north-east of a point in line with the south-east boundary wall of 189 Fishermead Boulevard for a distance of approximately 63.0 metres in a north-easterly direction

THE COMMON SEAL of the **COUNCIL OF
THE BOROUGH OF MILTON KEYNES** was
hereunto affixed this 15th day of December 2009
in the presence of:-

.....
.....

ASSISTANT DIRECTOR – LAW & GOVERNANCE



18809