

# **THE COUNCIL OF THE BOROUGH OF MILTON KEYNES (VARIOUS ROADS, LEADENHALL) (PROHIBITION OF WAITING) ORDER 2010**

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"), Part IV of Schedule 9 to the Act and of all other enabling powers, and after consultation with the chief officer of police in accordance with Part III of Schedule 9 to the Act, hereby makes the following Order:

## **PART 1**

### **IMPLEMENTATION CITATION, DEFINITIONS AND REVOCATIONS**

1. This Order shall come into operation on 4 November 2010 and may be cited as "The Council of the Borough of Milton Keynes (Various Roads, Leadenhall) (Prohibition of Waiting) Order 2010".

2. In this Order, except where the context otherwise requires, the following expressions have the meanings respectively assigned to them:-

"bus" means a motor vehicle constructed or adapted to carry more than eight passengers (exclusive of driver);

"Council" means The Council of the Borough of Milton Keynes;

"delivering" and "collecting" in relation to any goods includes checking the goods for the purpose of their delivery or collection;

"disabled persons' badge" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"disabled persons' vehicle" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"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;

"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;

"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;

"school vehicle or community transport vehicle" means a vehicle belonging to the Council or to a company who is under contract to the Council to provide transport services within the borough of Milton Keynes;

"statutory undertaker" has the same meaning as in Section 329 of the Highways Act 1980;

"telecommunications apparatus" has the same meaning as in the Telecommunications Act 1984;

"traffic sign" means a sign of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under, Section 64 of the Act of 1984.

3. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.
4. The plan annexed to this Order identify the areas 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 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 the Schedule hereto.
6. Nothing in Article 5. above shall render it a contravention of this Order to cause or permit any vehicle to wait in any of the lengths of roads specified in the Schedule for so long as may be necessary
  - (1) to enable goods to be loaded or unloaded from the vehicle.
  - (2) to enable a person to board or alight from the vehicle;
  - (3) when the person in control of the vehicle is required by law to stop or is obliged to stop in order to avoid an accident or is prevented from proceeding by circumstances outside his control;
  - (4) for a vehicle to wait whilst any gate or other barrier at the entrance to premises to which the vehicle requires access or from which it has emerged is being

opened or closed, if it is not reasonably practicable for the vehicle to wait outside otherwise than in a length of road specified in the Schedule to this Order while such gate or other barrier is being opened or closed;

(5) to enable the vehicle if it cannot reasonably be used for such purpose in any other road to be used in connection with any of the following:

- a) building, industrial or demolition operations;
- b) the removal of any obstruction to traffic;
- c) the laying, erection or repair of any sewer, main, pipe or apparatus for the supply of gas, water, electricity or any telecommunication system defined by the Telecommunications Act 1984;
- d) use in the service of any undertaker, the Environment Agency or any public authority in pursuance of statutory powers or duties;
- e) 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 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;
- i) to carry out the removal of furniture or household effects to or from a shop, office, depository or dwelling house in the vicinity;

8. Nothing in Article 5. above shall render it a contravention of this Order to cause or permit any vehicle to wait in any of the lengths of roads specified in the Schedule if:

- a) The vehicle is a school vehicle or community transport vehicle;
- b) The vehicle is a goods vehicle;
- c) The vehicle is a bus or passenger vehicle.

9. In accordance with the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000, nothing in Article 5. shall render it a contravention of this Order to cause or permit a disabled person's vehicle which displays a disabled person's badge and parking disc in the relevant position in accordance with Articles 10. and 11. hereof to wait for a period not exceeding 3 hours in any of the lengths of road specified in the Schedule 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 length of road on the same day).

10. 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.
11. 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**

12. 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.

### **SCHEDULE**

#### **NO WAITING FOR ALL VEHICLES 24 HOURS OF EVERY DAY**

##### **MOORGATE**

##### **SOUTH-WEST SIDE**

- NW1 From a point approximately 24 metres south-west of the centre line of its junction with Chaffron Way (H7) continuing for a distance of approximately 141 metres in

a generally south-east then south-westerly direction into Phoenix Drive and then into Devereux Place.

#### **NORTH-EAST SIDE**

- NW2 From a point approximately 51 metres north-east of the centre line of its junction with Chaffron Way (H7) continuing for a distance of approximately 173 metres in a generally south-east then north-easterly direction into Phoenix Drive and then the entrance to Milton Keynes College car park.
- NW3 From a point approximately 10 metres north-east of the centre line of its junction with Phoenix Drive continuing for a distance of approximately 16 metres in a generally south-easterly direction.
- NW4 From a point approximately 16 metres south-east of the centre line of its junction with Phoenix Drive continuing for a distance of approximately 21 metres in a generally south-easterly direction.
- NW5 From a point approximately 35 metres south-east of the centre line of its junction with Phoenix Drive continuing for a distance of approximately 24 metres in a generally south-easterly direction.
- NW6 From a point approximately 57 metres south-east of the centre line of its junction with Phoenix Drive continuing for a distance of approximately 11 metres in a generally north-easterly direction.

#### **SOUTH-WEST SIDE**

- NW7 From a point approximately 57 metres south-east of its junction with Phoenix Drive continuing for a distance of approximately 32 metres in a generally north-westerly direction.

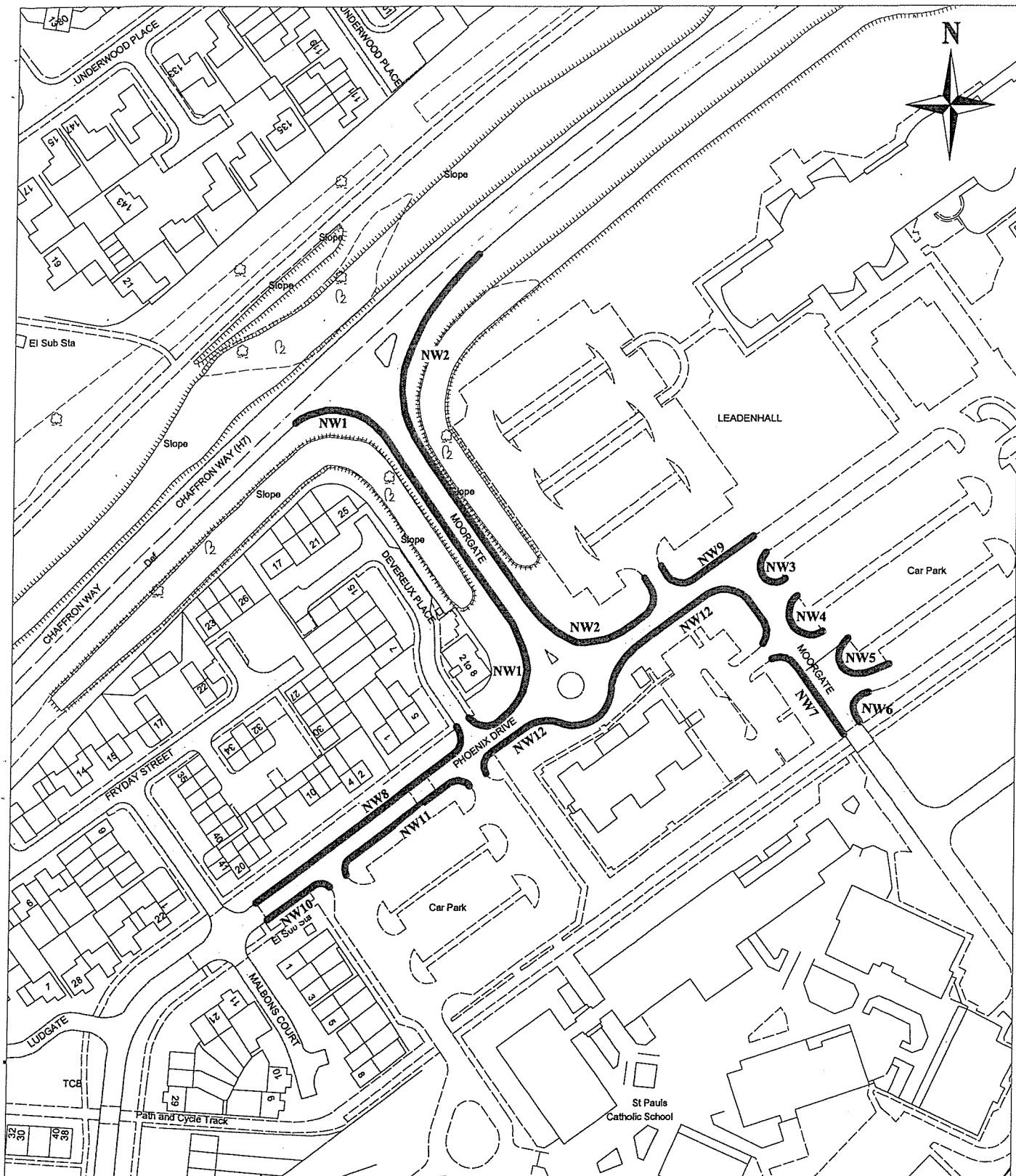
#### **PHOENIX DRIVE**

##### **NORTH-WEST SIDE**

- NW8 From a point at its junction with Devereux Place continuing for a distance of approximately 83 metres in a generally south-westerly direction.
- NW9 From its junction with the south-eastern entrance of Milton Keynes College car park continuing for a distance of approximately 34 metres in a generally north-easterly direction.

##### **SOUTH-EAST SIDE**

- NW10 From a point approximately 11 metres north-east of the centre line its junction with Malbons Court continuing for a distance of approximately 22 metres in a generally north-easterly direction into the south-western entrance to St Paul's Catholic School car park.
- NW11 From its junction with the north-eastern kerbline of the south-western entrance to St Paul's Catholic School car park continuing for a distance of approximately 50 metres in a generally north-easterly direction to the north-eastern entrance to St Paul's Catholic School car park.



**Notes:**

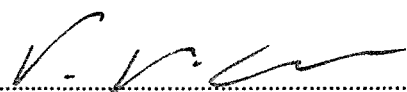
 No waiting at any time

**NW1** TRO reference number

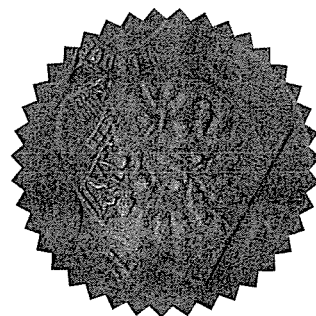
Map referred to in the Council of the Borough of Milton Keynes (Various Roads, Leadenhall) (Prohibition of Waiting) Order 2010

Not to scale

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

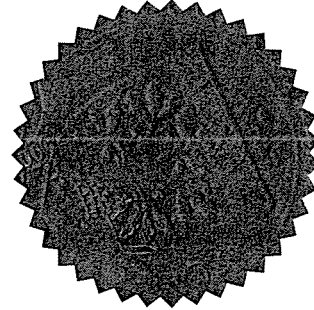
  
 ASSISTANT DIRECTOR - LAW AND GOVERNANCE

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NW12 From its junction with the north-eastern entrance to St Paul's Catholic School car park continuing for a distance of approximately 120 metres in a generally north-east then south-easterly direction into Moorgate.

**THE COMMON SEAL** of the **COUNCIL OF THE  
BOROUGH OF MILTON KEYNES** was hereunto  
affixed this 4<sup>th</sup> day of November 2010  
in the presence of:



19260

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**ASSISTANT DIRECTOR – LAW AND GOVERNANCE**