


**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES  
(WOUBURN SANDS) (OFF-STREET PARKING PLACES)  
ORDER 2011**

The Council of the Borough of Milton Keynes ("the Council") in exercise of its powers under Sections 1(1), 2(1) and (2), 32(1), 35(1), 53 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act of 1984") and of all other enabling powers, and after consultation with the chief officer of police in accordance with Part III of Schedule 9 to the Act of 1984, hereby makes the following Order:

**PART 1**

**IMPLEMENTATION, CITATION AND DEFINITIONS**

1. This Order shall come into operation on  March 2011 and may be cited as "The Council of the Borough of Milton Keynes (Woburn Sands) (Off-Street Parking Places) Order 2011".
2. In this Order, except where the context otherwise requires, the following expressions have the meanings respectively assigned to them:-

"Civil Enforcement Officer (CEO)" 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;

"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;

"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;

"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 cm<sup>3</sup> if of the internal combustion type and a maximum design speed of not more than 45 kilometres per hour;

"motor cycle" has the same meaning as in Section 136 of the Act of 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;

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

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

"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;

"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 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**

### **FREE OFF-STREET PARKING PLACES**

5.
  - (1) Each area which is specified in Schedule 1 in this Order is designated as a free off-street parking place during the prescribed hours detailed in those Schedules and subject to the provisions to this Part of this Order as off-street parking places for passenger vehicles, dual purpose vehicles, goods vehicles, mopeds and motor cycles.
  - (2) 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 off-street parking place.
  - (3) No person shall park any street trading vendors vehicle in a free off-street 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 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) 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.
6. The driver of a vehicle shall not permit that vehicle to wait in a free off-street parking place unless the vehicle is licensed in pursuance of the provisions of the Vehicle Excise and Registration Act 1994, and unless there is in relation to the use of the vehicle by the driver such a policy of insurance as complies with the requirements of Part VI of the Road Traffic Act 1988.
7. Where in a free off-street parking place signs are erected or surface markings are laid for the purpose of indicating the entrance or exit from the parking place, or indicating that a vehicle using the parking place shall proceed in a specified direction within the parking place, no vehicle shall be driven so as to enter the

parking place otherwise than by an entrance, or leave the parking place otherwise than by an exit, so indicated or in a direction other than so specified.

8. The driver of a vehicle using a free off-street parking place shall not sound any horn or other similar instrument except when about to change position of the vehicle in or to depart from the parking place.
9. When a notice has been attached to a vehicle in accordance with any provisions of this Order no person other than a person authorised by the Council in that behalf or the driver or a person authorised by the driver in that behalf shall remove the notice from the vehicle.
10. A vehicle, which is present in a free off-street parking space specified in Schedule 1 hereto at the commencement of the prescribed hours of operation of any restrictions imposed by this Order shall be deemed to have been left in that off-street parking place at the commencement of that period of operation of that off-street parking space.
11.
  - (1) The limits of each free off-street parking place and of every free off-street parking space within a free off-street parking place and the limits of any access way shall be indicated by the appropriate traffic signs.
  - (2) Any vehicle standing in a free off-street parking space shall stand wholly within the limits so marked or, if the length of the vehicle precludes the vehicle being positioned in that manner, so that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle;
  - (3) Any vehicle standing in a free off-street parking space shall stand wholly within the limits so marked so that no part of the vehicle obstructs any access way other than from or to the premises referred to in paragraph (4)(h) of Article 17.
12. The driver of a vehicle using a free off-street parking place shall stop the engine as soon as the vehicle is in position and in the parking space, and shall not start the engine of the vehicle except when about to change position of the vehicle in or to depart from the parking space.
13. Nothing in Article 5 of the Order shall render it a contravention of this Order to cause or permit a disabled person's vehicle which displays a disabled person's badge in the relevant position in accordance with Article 14 hereof to park in a free off-street parking place outside of the prescribed hours.
14. 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.

15. (1) A police officer in uniform, a traffic warden or a Civil Enforcement Officer may in case of emergency move or cause to be moved any vehicle left in a free off-street 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 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.
16. 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 free off-street 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 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 Post 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 dwelling house adjacent to the free off-street parking place.

17. (1) Any person authorised by the Council may suspend the use of a free off-street 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 free off-street parking place on any occasion of the removal of furniture or household effects to or from a shop, office, depository or dwelling house;
    - (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 free off-street parking place as times of wedding or funerals, or on other special occasions;
    - (h) for the placing of recycling bins.
  - (2) A police officer in uniform, traffic warden or Civil Enforcement Officer may suspend for not longer than twenty-four hours the use of a free off-street 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 free off-street 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.
18. On the suspension of use of a free off-street parking place or any part thereof in accordance with the provisions of Article 17 of this Order the person authorising or causing such suspension shall, if the use of the whole or of any part of the parking place is suspended, place or cause to be placed in or adjacent to that parking

place a traffic sign indicating that the use of the parking place is suspended and that waiting, or waiting and loading by vehicles is prohibited.

19. (1) Save as in paragraph (2) of this Article no person shall cause or permit a vehicle to be left in a free off-street 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 18 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, traffic warden or Civil Enforcement Officer 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 17 of this Order to be left in the free off-street 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, a traffic warden or a Civil Enforcement Officer.
20. (1) No person shall use a vehicle, whilst it is in a free off-street parking place, in connection with the selling or offering for hire of his skill or services.
  - (2) No person shall use any part of a parking place or any vehicle left in a parking place:
    - (a) for sleeping, camping or cooking;
    - (b) for the erection of any tent, booth, stand, building or other structure without express permission from the Council;
    - (c) for lighting of a fire;
    - (d) for distributing leaflets/pamphlets/fliers or literature by hand or by leaving on a vehicle without express permission from the Council;
    - (e) for selling or trading without express permission from the Council;
    - (f) for behaviour of a threatening, abusive or annoying nature including the playing of ball games.

### **PART 3**

#### **PROHIBITION OF WAITING EXCEPT WITHIN MARKED BAYS**

21. 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 outside a marked bay within the area specified in Schedule 1 of this Order.

22. Nothing in Article 21 of the Order shall render it a contravention of this Order to cause or permit a vehicle to wait during the prescribed hours in the area specified in Schedule 1 to this Order, outside of a marked bay for so long as may be necessary:
- (1) when the person in control of the vehicle is required by law to stop or is obliged to stop in order to avoid an accident or is prevented from proceeding by circumstances outside his control;
  - (2) to enable a person to board or alight from the vehicle;
  - (3) to enable goods to be loaded or unloaded from the vehicle;
  - (4) to enable the vehicle if it cannot reasonably be used for such purpose in any other road to be used in connection with any of the following:
    - (a) building, industrial or demolition operations;
    - (b) the removal of any obstruction to traffic;
    - (c) the laying, erection or repair of any sewer, main, pipe or apparatus for the supply of gas, water, electricity, or any telecommunication system defined by the Telecommunications Act 1984;
    - (d) use in the service of any undertaker, the Environment Agency or any public authority in pursuance of statutory powers or duties;
    - (e) use for police, fire brigade or ambulance purposes;
    - (f) use for the purpose of delivering or collecting postal packets as defined by section 125 of the Post 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 dwelling house adjacent to the free off-street parking place.



**Notes:**



No waiting at any time except within marked bays

**NW1**

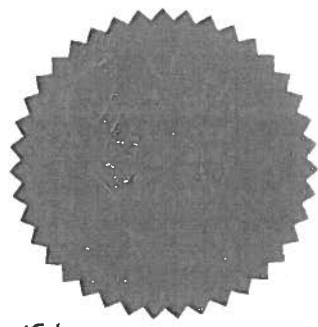
TRO reference number

Map referred to in the Council of the Borough of Milton Keynes (Woburn Sands) (Off-Street Parking Places) Order 2011

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



19440



**PART 4**

**ENFORCEMENT OF RESTRICTIONS**

23. 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.
24. 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 EXCEPT WITHIN MARKED BAYS**

**24 HOURS OF EVERY DAY**

THE ACCESS ROAD LEADING TO RUSSELL STREET CAR PARK

NW1 From its junction with Russell Street to a point approximately 46.6 metres south-east of that point, that whole area.

THE COMMON SEAL OF the **COUNCIL OF  
THE BOROUGH OF MILTON KEYNES** was  
hereunto affixed this 17<sup>th</sup> day of March 2011  
in the presence of:-



.....  
ASSISTANT DIRECTOR – LAW AND GOVERNANCE



19440