

**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES
(VARIOUS ROADS, MIDDLETON)
(PROHIBITION AND RESTRICTION OF WAITING) 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) 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 5th day of September 2011 and may be cited as "The Council of the Borough of Milton Keynes (Various Roads, Middleton) (Prohibition and Restriction of Waiting) 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" 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;

"prescribed days and hours" means on the days stated and between those hours stated in the Schedules 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;

"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 during the prescribed days and hours 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 Schedule 1 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

NOONLAYER DRIVE, MIDDLETON – NORTH-WEST SIDE

NW1 From a point approximately 47.5 metres south-west of the eastern boundary wall of numbers 1 to 3 Woodall Close for a distance of approximately 33 metres in a south-westerly direction.

NORTH-EAST SIDE

NW2 From a point approximately 80 metres north-west of its junction with Ladymeadow Court for a distance of approximately 30.5 metres in a north-westerly direction.

SOUTH-EAST SIDE

NW3 From its junction with Brickhill Street for a distance of approximately 203 metres in a north-easterly direction.

NW4 From a point approximately 55 metres north-west of a point in line with its junction with Ladymeadow Court for a distance of approximately 16 metres in a north-westerly then south-westerly direction.

NOON LAYER DRIVE AND WOODALL CLOSE, MIDDLETON NORTH-WEST SIDE

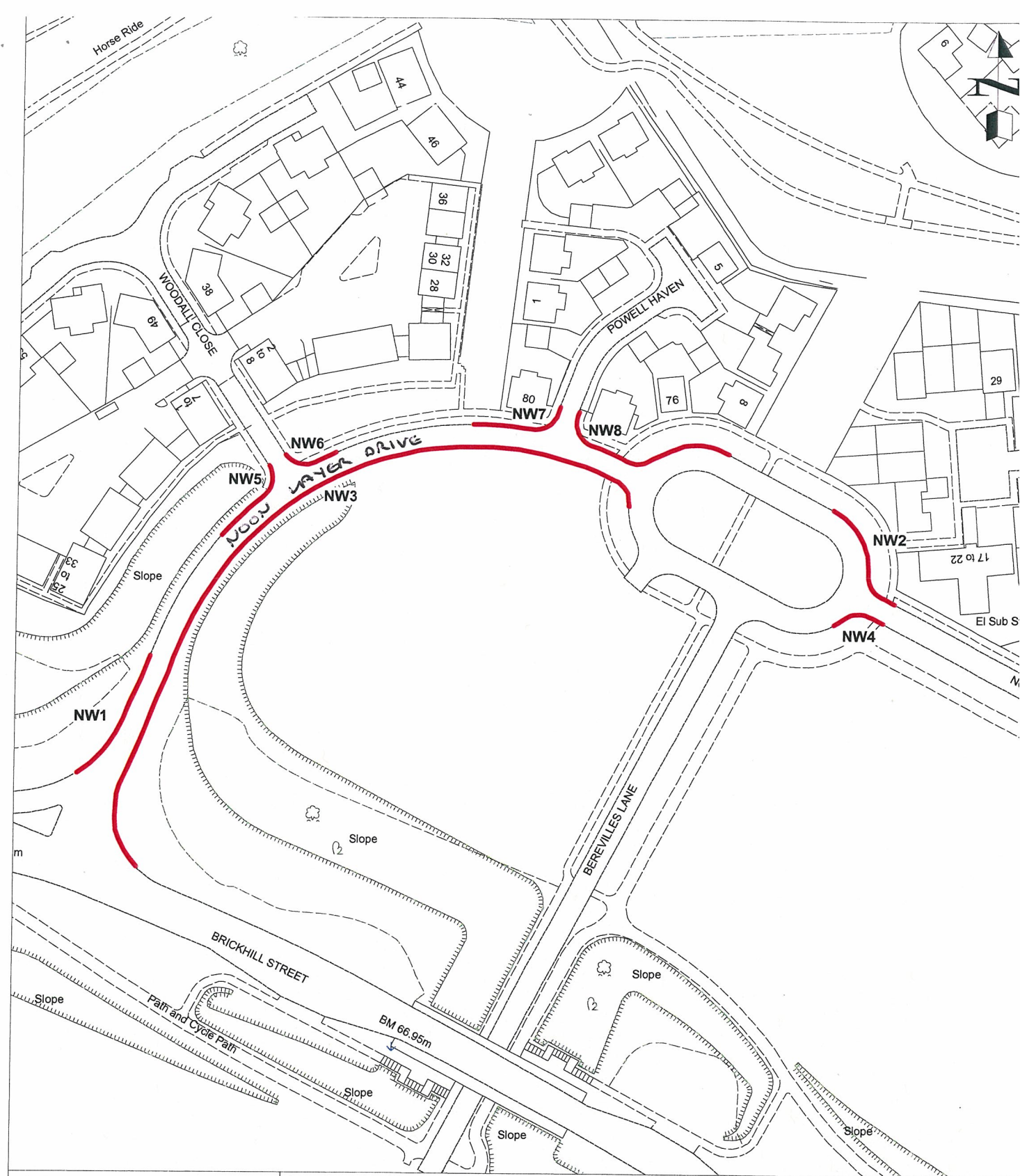
NW5 From a point on Woodall Close approximately 5.5 metres north-west of its junction with Noon Layer Drive for a distance of approximately 23 metres in a south-easterly then south-westerly direction onto Noon Layer Drive.

NORTH SIDE

NW6 From a point on Woodall Close approximately 5.5 metres north-west of its junction with Noon Layer Drive for a distance of approximately 15 metres in a south-easterly then north-easterly direction onto Noon Layer Drive.

NOON LAYER DRIVE AND POWELL HAVEN, MIDDLETON NORTH-WEST SIDE

NW7 From a point on Powell Haven approximately 7 metres north of its junction with Noon Layer Drive for a distance of approximately 25 metres in a southerly then westerly direction onto Noon Layer Drive.



KEY:

 No Waiting at Any Time Restriction

NW1
NW2
NW3
NW4
NW5
NW6
NW7
NW8

TRO Reference numbers

Map referred to in the Council of the Borough of Milton Keynes (Various Roads, Middleton) (Prohibition and Restriction of Waiting) Order 2011

Map 1

Not to scale

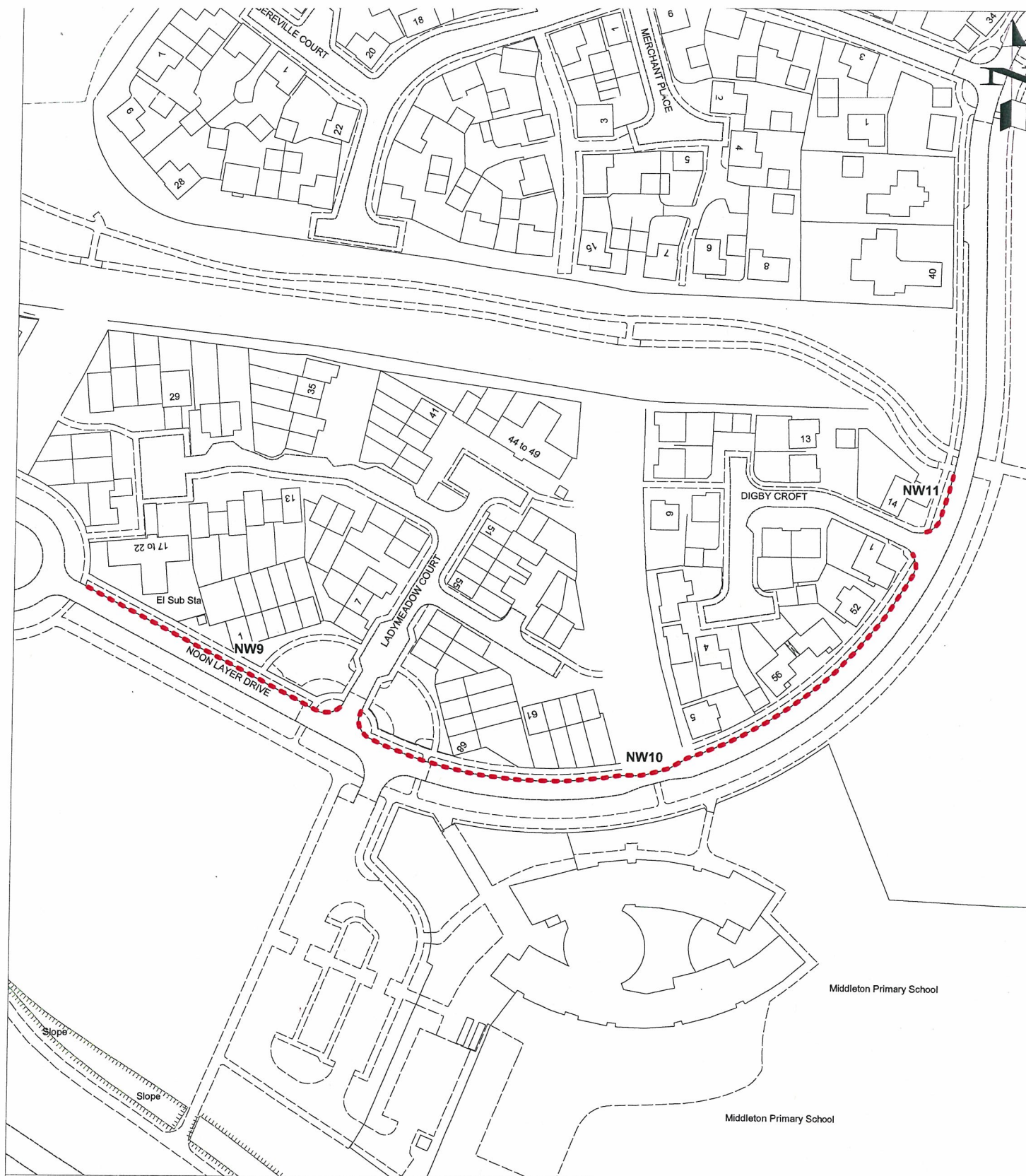
The Common Seal of the Council of the Borough of Milton Keynes was hereunto affixed in the presence of:



THE ASSISTANT DIRECTOR - LAW AND GOVERNANCE
 PRINCIPAL SPECTOR



19715



KEY:

----- No Waiting
Monday to Friday
8.15am & 9.15am
3.00pm & 4.00pm

NW9 TRO Reference
NW10 numbers
NW11

Map referred to in the Council of the Borough
of Milton Keynes (Various Roads, Middleton)
(Prohibition and Restriction of Waiting) Order 2011

Map 2

Not to scale

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

THE ASSISTANT DIRECTOR - LAW AND GOVERNANCE
PRINCIPAL SOLICITOR



19715

NORTH-EAST SIDE

NW8 From a point on Powell Haven approximately 7 metres north of its junction with Noon Layer Drive for a distance of approximately 47 metres in a southerly then easterly direction onto Noon Layer Drive.

SCHEDULE 2

NO WAITING

MONDAY TO FRIDAY

8.15AM TO 9.15AM AND 3.00PM TO 4.00PM

NOON LAYER DRIVE, MIDDLETON – NORTH-EAST SIDE

NW9 From its junction with Ladymeadow Court for a distance of approximately 80 metres in a north-westerly direction.

NORTH-WEST SIDE

NW10 From its junction with Ladymeadow Court to its junction with Digby Croft.

NW11 From its junction with Digby Croft for a distance of approximately 19.5 metres in a north-easterly direction.

THE COMMON SEAL of the **COUNCIL OF
THE BOROUGH OF MILTON KEYNES** was
hereunto affixed this 30th day of August 2011
in the presence of:-

.....
~~ASSISTANT DIRECTOR – LAW & GOVERNANCE~~
PRINCIPAL SOLICITOR



19715