

# **THE COUNCIL OF THE BOROUGH OF MILTON KEYNES (VARIOUS ROADS, TWO MILE ASH) (SPECIFIC 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), 4(2), 45, 49 and 53 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, DEFINITIONS**

1. This Order shall come into operation on 10<sup>th</sup> November 2011 and may be cited as "The Council of the Borough of Milton Keynes (Various Roads, Two Mile Ash) (Specific Parking Places) Order 2011".
2. In this Order, except where the context otherwise requires, the following expressions have the meanings respectively assigned to them:-

"ambulance" has the same meaning as defined in Schedule 2 of the Vehicle Excise and Registration Act (VERA) 1994 as a vehicle which is constructed or adapted for no purpose other than the carriage of sick, injured or disabled people to and from welfare centres or places where medical or dental treatment is given and is readily identifiable as a vehicle used for the carriage of such people by being marked "Ambulance" on both sides.

"access way" means a length of road sufficient to enable a vehicle to have access to and egress from land or premises in or adjacent to the road;

"Civil Enforcement Officer" has the same meaning as in Section 76 of the Traffic Management Act of 2004"

"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;

"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;

"moped" means a two or three wheel vehicle fitted with an engine having a cylinder capacity not exceeding 50 cubic centimetres if of the

internal combustion type and a maximum design speed of not more than 45 kilometres per hour;

"motor cycle" means a two-wheel vehicle with or without a side-car, fitted with an engine having a cylinder capacity of more than 50 cubic centimetres if of the internal combustion type and/or having a maximum design speed of more than 45 kilometres per hour;

"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;

"payment day" means the date by which payment should be made, as specified in the most recent notice received by the driver or owner of the vehicle;

"penalty charge" has the same meaning as in Section 66(2) of the Road Traffic Act 1991;

"penalty charge notice" means a notice dispensed by a parking attendant informing the driver of the vehicle that they are in contravention of a restriction and that a penalty charge is now owed;

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

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

"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;

"unused amount" in relation to a permit means that part of the permit period that remains unused at the time of receipt by the Council of an application or request for a replacement permit;

"user" in relation to a vehicle, means the person by whom such vehicle is owned, kept or used.

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 roads or lengths of roads subject to this Order, provided that where there is any inconsistency between the plans and the Schedule it is the wording of the Schedule which shall prevail.

## PART 2

### DISABLED PERSONS' PARKING PLACES

5. (1) The length of road specified in Schedule 1, to this Order is authorised to be used, subject to the following provisions of this Part of the Order, during the prescribed hours as a parking place for the class of vehicle specified in Article 6.
  - (2) No vehicle other than the class specified in Article 6 shall park during the prescribed hours in the length of road specified in Schedule 1, to this Order.
6. The parking places specified in Schedule 1 to this Order may be used for the leaving of a disabled person's vehicle displaying a disabled person's badge in the relevant position.
7. 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 facia 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 facia, 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.
8. The limits of the disabled persons' parking place and the limits of any access way in a disabled persons' parking place shall be indicated by the Council on the road by the appropriate traffic signs and any vehicle standing in a disabled persons' parking space shall stand wholly within the limits so marked.
9. The driver of a vehicle using a disabled persons' parking place shall stop the engine as soon as the vehicle is in position in the parking space, and shall not start the engine of the vehicle except for loading or unloading or when about to change the position of the vehicle in or to depart from the parking place.
10. No person shall use a disabled persons' vehicle whilst it is in a disabled persons' parking place in connection with the sale of any article to persons in or near that parking place or in connection with the selling or offering for hire of his skill or services, provided that nothing in this Article shall prevent the sale of goods from a disabled persons' vehicle if the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected.
11. (1) When a disabled persons' vehicle is left in a disabled persons' parking place in contravention of any of the provisions contained in Part 2 of this Order a person authorised in that behalf may remove the vehicle or arrange for it to be removed from the parking place.

- (2) A police officer in uniform, traffic warden or civil enforcement officer may, in cases of emergency, move or cause to be moved, to any place he sees fit, any vehicle left in a disabled persons' parking place.
  - (3) When a disabled persons' vehicle is waiting in a parking place in a position which contravenes the provisions of Article 8 a person authorised in that behalf may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision.
  - (4) Any person removing a vehicle or altering its position by virtue of paragraphs (1), (2) and (3) of this Article may do so by towing or driving the vehicle or in such manner as he may think necessary to enable him to remove it or to alter its position as the case may be.
  - (5) When a person authorised in that behalf removes or makes arrangements for the removal of a disabled persons' vehicle from a disabled persons' parking place by virtue of paragraphs (1) and (2) of this Article he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
12. (1) A police officer in uniform, traffic warden, civil enforcement officer or person authorised by the Council may suspend the use of a disabled persons' parking place or any part thereof whenever they consider such suspension reasonably necessary:-
- (a) for the purpose of facilitating the movement of traffic or promoting its safety;
  - (b) for the purpose of any building operation, demolition or excavation in or adjacent to the disabled persons' parking place or the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration, removal, servicing or repair in or adjacent to the parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus or traffic sign;
  - (c) for the convenience of occupiers of premises adjacent to the disabled persons' parking place on any occasion of the removal of furniture or household effects to or from a shop, office depository or dwellinghouse;
  - (d) on any occasion on which it is likely by reason of some special attraction that any road will be thronged or obstructed;
  - (e) for the convenience of occupiers of premises adjacent to the disabled persons' parking place at times of weddings or funerals, or on other special occasions.

- (2) A traffic warden, police officer in uniform or civil enforcement officer may suspend for not longer than twenty-four hours the use of a disabled persons' 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 disabled persons' 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 information of the public without any charge of any kind being made to the public.
13. (1) Any person suspending the use of a disabled persons' parking place or any part thereof in accordance with the provisions of Article 12 shall thereupon place or cause to be placed in or adjacent to that parking place or the part thereof the use of which is suspended a traffic sign indicating that parking by vehicles is prohibited.
- (2) Save as provided in paragraph (3) of this Article no person shall cause or permit a vehicle to be left in any disabled persons' parking place or part of a parking place during any period when there is in or adjacent to that parking place or part thereof a traffic sign placed in pursuance of paragraph (1) of this Article.
  - (3) 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 whenever such moving shall be necessary for the purpose of preventing obstruction, nothing in this Article shall render it unlawful 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 Article 12 to be left in the disabled persons' 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.

**PART 3**  
**AMBULANCE PARKING PLACES**

14. (1) The length of road specified in Schedule 2, to this Order is authorised to be used, subject to the following provision of this Part of the Order, during the prescribed hours as a parking place for the class of vehicle specified in Article 15.
- (3) No vehicle other than the class specified in Article 15 shall park during the prescribed hours in the length of road specified in Schedule 2, to this Order.
15. The parking places specified in Schedule 2 to this Order may be used for the leaving of an ambulance vehicle.
16. The limits of the ambulance parking place and the limits of any access way in an ambulance parking place shall be indicated by the Council on the road by the appropriate traffic signs and any vehicle standing in a ambulance parking space shall stand wholly within the limits so marked.
17. The driver of a vehicle using an ambulance parking place shall stop the engine as soon as the vehicle is in position in the parking space, and shall not start the engine of the vehicle except for loading or unloading or when about to change the position of the vehicle in or to depart from the parking place.
18. No person shall use a ambulance vehicle whilst it is in a ambulance parking place in connection with the sale of any article to persons in or near that parking place or in connection with the selling or offering for hire of his skill or services, provided that nothing in this Article shall prevent the sale of goods from a ambulance vehicle if the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected.
19. (1) When an ambulance vehicle is left in an ambulance parking place in contravention of any of the provisions contained in Part 3 of this Order a person authorised in that behalf may remove the vehicle or arrange for it to be removed from the parking place.
- (2) A police officer in uniform, traffic warden or civil enforcement officer may, in cases of emergency, move or cause to be moved, to any place he sees fit, any vehicle left in an ambulance parking place.
- (3) Any person removing a vehicle or ambulance vehicle altering its position by virtue of paragraphs (1) and (2) of this Article may do so by towing or driving the vehicle or in such manner as he may think necessary to enable him to remove it or to alter its position as the case may be.
- (4) When a person authorised in that behalf removes or makes arrangements for the removal of a vehicle or ambulance vehicle from an ambulance parking place by virtue of paragraphs (1) and

(2) of this Article he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.

20. (1) A police officer in uniform, traffic warden, civil enforcement officer or person authorised by the Council may suspend the use of a ambulance parking place or any part thereof whenever they consider such suspension reasonably necessary:-
- (f) for the purpose of facilitating the movement of traffic or promoting its safety;
  - (g) for the purpose of any building operation, demolition or excavation in or adjacent to the ambulance parking place or the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration, removal, servicing or repair in or adjacent to the parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus or traffic sign;
  - (h) for the convenience of occupiers of premises adjacent to the ambulance parking place on any occasion of the removal of furniture or household effects to or from a shop, office depository or dwellinghouse;
  - (i) on any occasion on which it is likely by reason of some special attraction that any road will be thronged or obstructed;
  - (j) for the convenience of occupiers of premises adjacent to the ambulance parking place at times of weddings or funerals, or on other special occasions.
- (4) A traffic warden, police officer in uniform or a civil enforcement officer may suspend for not longer than twenty-four hours the use of an ambulance 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.
- (5) 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 ambulance 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 information of the public without any charge of any kind being made to the public.
21. (1) Any person suspending the use of a ambulance parking place or any part thereof in accordance with the provisions of Article 19 shall thereupon place or cause to be placed in or adjacent to that

parking place or the part thereof the use of which is suspended a traffic sign indicating that parking by vehicles is prohibited.

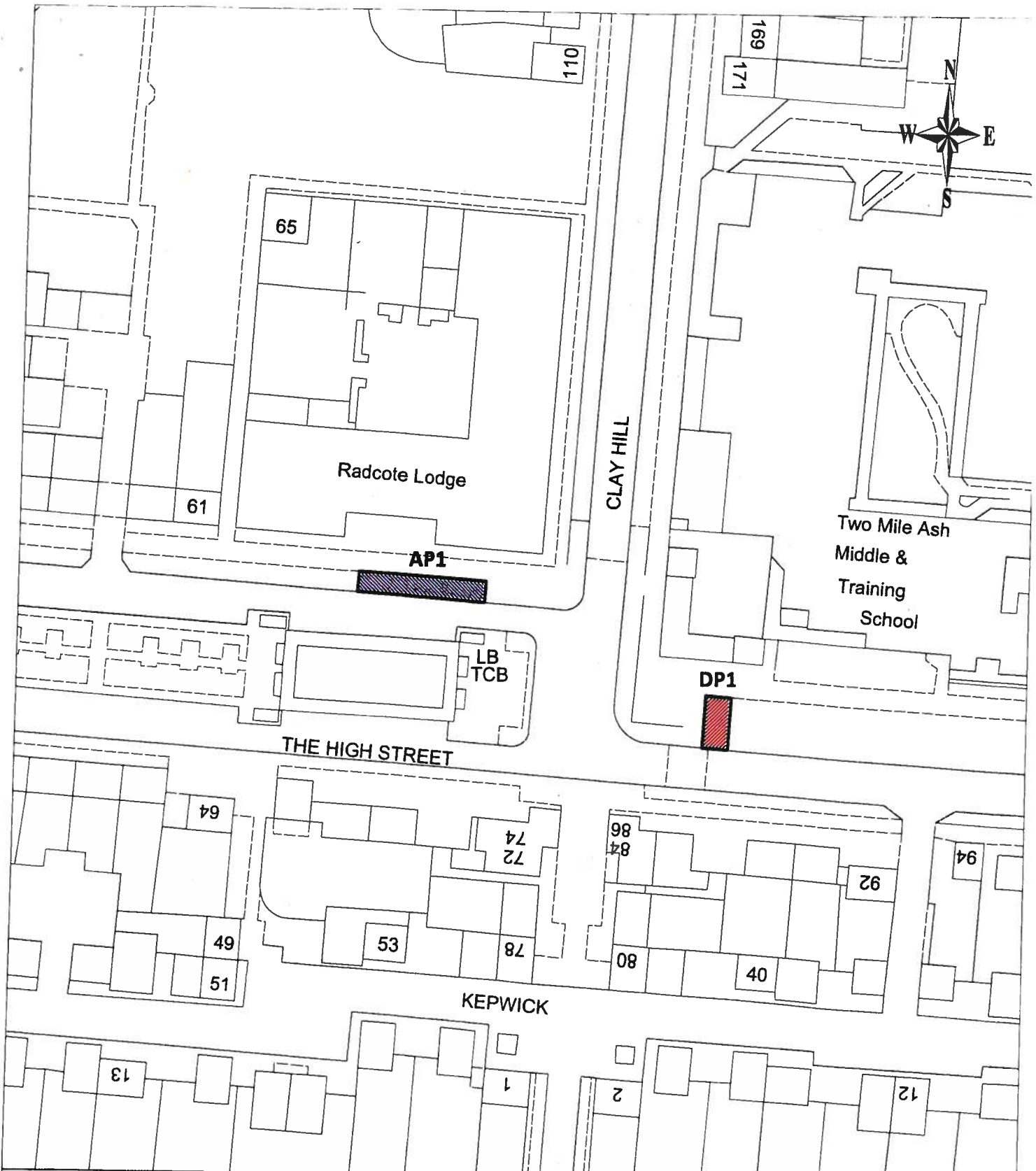
- (2) Save as provided in paragraph (3) of this Article no person shall cause or permit a vehicle to be left in any ambulance parking place or part of a parking place during any period when there is in or adjacent to that parking place or part thereof a traffic sign placed in pursuance of paragraph (1) of this Article.
- (4) 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 whenever such moving shall be necessary for the purpose of preventing obstruction, nothing in this Article shall render it unlawful to cause or permit any vehicle being used for fire brigade or police purposes or any vehicle being used for any purpose or eventuality specified in Article 19 to be left in the ambulance 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.

#### **PART 4**

##### **ENFORCEMENT OF RESTRICTIONS**

22. 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 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.
23. 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.





**KEY:**



Disabled Persons' Parking Place



Ambulance Parking Place

**DP1**

TRO reference numbers

**AP1**

Map referred to in the Council of the Borough of Milton Keynes (Various Roads, Two Mile Ash) (Specific 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:



14843

ASSISTANT DIRECTOR - LAW AND GOVERNANCE

**SCHEDULE 1**

**DISABLED PERSONS' PARKING PLACES**  
**24 HOURS OF EVERY DAY**

HIGH STREET – NORTH SIDE

- DP1 From a point approximately 14.2 metres east of its junction with Clay Hill, continuing for a distance of approximately 3.6 metres in an easterly direction.


**SCHEDULE 2**

**AMBULANCE PARKING PLACES**  
**24 HOURS OF EVERY DAY**

HIGH STREET (THE NORTHERN ACCESSWAY)  
NORTH SIDE

- AP1 From a point approximately 7.5 metres west of its junction with Clay Hill continuing for a distance of approximately 19 metres in a westerly direction.

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

  
.....  
ASSISTANT DIRECTOR – LAW & GOVERNANCE

19843

