

**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES  
(QUEENSWAY AND FINDLAY WAY, BLETCHLEY)  
(MARKET TRADERS' PERMIT PARKING PLACES) ORDER 2012**

The Council of the Borough of Milton Keynes ("the Council") in exercise of its powers under Sections 1(1), 2(1) and (4), 4(2), 45, 46 and 49 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 16 February 2012 and may be cited as "The Council of the Borough of Milton Keynes (Queensway and Findlay Way, Bletchley) (Market Traders' Permit Parking Places) Order 2012".
2. In this Order, except where the context otherwise requires, the following expressions have the meanings respectively assigned to them:-

"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;

"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;

"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;

"parking place" means a length of road authorised to be used as a parking place by Part 2 of this Order;

"parking space" means a space in a parking place which is provided for the leaving of a vehicle of the class and maximum permissible gross weight specified in paragraphs (1) and (2) of Article 5 of this Order;

"permit period" means such period as is purchased by the permit holder (where a fee is charged), ranging from 1 calendar month to 12 calendar months;

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

"prescribed hours" means the hours during which parking is permitted in the lengths of road specified in Schedules 2 & 3 only if a vehicle displays a valid market traders' parking permit;

"relevant position" means the position where a parking permit or disabled persons' badge, is readily visible and legible from the front nearside of the vehicle;

"market trader" means a person who has applied to trade on a market site and has satisfied the Council that they have complied with all set criteria laid down by the Council in order to trade;

"market trader's parking permit" means a permit issued to a market trader for the leaving of a specified class and weight of vehicle registered to that trader in a parking place during the prescribed hours and issued under the provisions of Article 7 of this Order;

"market trader's parking permit holder" means a person to whom a permit has been issued under the provisions of Article 7 of 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;

"street trading vendor's vehicle" means a vehicle constructed or adapted so as to enable hot or cold food to be prepared in and sold from the vehicle;

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

"traffic sign" means a sign or marking 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;

"traffic warden" means a traffic warden employed by a Police Authority pursuant to Section 95 of the Act of 1984;

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

3. (1) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.
  - (2) The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any other regulations.
  - (3) Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into effect of this Order any provisions of any Orders mentioned in Schedule 4 hereto are hereby revoked to the extent stated in that Schedule.
4. The plan(s) annexed to this Order identifies the parking places described in Schedules 2 & 3 to this Order, provided that where there is any inconsistency between the plan(s) and the Schedules it is the wording of the Schedules which shall prevail.

## PART 2

### MARKET TRADERS' PARKING PLACES

5. (1) Each of the lengths of road specified in Schedules 2 & 3 to this Order is authorised to be used, subject to the following provisions of this Order, during the prescribed hours as a parking place for vehicles which are being used solely for business purposes by market traders.
- (2) Only vehicles up to a maximum permissible gross weight of 3.5 tonnes are eligible to use the parking places specified in Schedules 2 & 3 to this Order, during the prescribed hours.
- (3) Subject to Articles 13 and 16 of this Order no person shall leave a vehicle in a parking place during the prescribed hours unless it displays in the relevant position:
  - (i) a valid market traders' parking permit issued by the Council in accordance with Article 7.
- (4) Any vehicle permitted to park in a parking place by paragraph (1) and (2) of this Article shall park in position so that every part of the vehicle is within the parking space.
- (5) Nothing in paragraphs (1) and (2) of this Article shall apply so as to permit a trailer, whether or not attached to a vehicle, to park during the prescribed hours in any parking place specified in Schedules 2 & 3 to this Order.
- (6) No person shall park any street trading vendors vehicle in a parking place or use any 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 that nothing in this Article:-
  - (a) shall prevent the sale of goods from a vehicle if the vehicle is of a class specified in paragraphs (1) and (2) 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. (1) The charge for each parking permit shall be as specified in item 1 of Part B of Schedule 1 to this Order.
- (2) Subject to the provisions of Article 9 of this Order a market traders' parking permit shall only be valid for the duration of the permit period in respect of which it is issued.
- (3) A parking permit holder who surrenders a parking permit to the Council after it has become valid shall be entitled to a refund of the amount referred to in item 2 in Part B of Schedule 1 to this Order.
7. (1) Any market trader who is the user of a vehicle of a class specified in paragraphs (1) and (2) of Article 5 of this Order may apply to the Council for the issue of a market traders' parking permit.

- (2) On receipt of an application for a market traders' parking permit made under this Article, the Council, upon being satisfied that the applicant is a market trader and is the user of a vehicle of a class specified in paragraphs (1) and (2) of Article 5 and upon receipt of the charge for the parking permit as provided for in paragraph (1) of Article 6 shall issue to the applicant therefor one market traders' parking permit for the leaving by the user (other than a person to whom such vehicle has been let for hire or reward) during the prescribed hours of the vehicle to which such permit relates in a parking space in any parking place specified in Schedules 2 & 3 to this Order. Provided that, subject to the provisions of Article 9 of this Order, the Council shall not issue any more than two market traders' parking permits to any trader which would be valid for any period during which any other such market traders' parking permit issued to a trader is or would be valid.
- (3) Any application for a market traders' parking permit shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.
8. The Council may at any time require an applicant for a market traders' parking permit or a market traders' parking permit holder to produce to an officer of the Council such evidence in respect of an application for a market traders' parking permit made to it as it may reasonably require to verify any particulars or information given to it or in respect of any such permit issued by it as it may reasonably require to verify that the permit is valid.
9. (1) A market traders' parking permit holder may surrender a market traders' parking permit to the Council at any time and shall surrender a permit to the Council on the occurrence of any one of the events in respect of a market traders' parking permit, as are set out in sub-paragraphs (a), (b), (c), (d) or (e) of paragraph (3) of this Article, or in accordance with the provisions of paragraph (5) of this Article
- (2) The Council may, by notice in writing served on the market traders' parking permit holder by sending the same by the recorded delivery service to the market traders' parking permit holder at the address shown by that person on the application for the market traders' parking permit or at any other address believed to that person's place of abode, withdraw a market traders' parking permit if it appears to the Council that any one of the events in respect of a market traders' parking permit, as are set out in sub-paragraphs (a), (b), (c), (d) or (e) of paragraph (3) of this Article has occurred and the market traders' permit holder shall surrender the market traders' permit to the Council within 48 hours of the deemed receipt of the notice.
- (3) The events referred to in the foregoing provisions of this Article are:
- (a) The market traders' parking permit holder ceasing to be a market trader;
- (b) The market traders' parking permit holder ceasing to be the user of the vehicle in respect of which the market traders' parking permit was issued;
- (c) the vehicle in respect of which the market traders' parking permit was issued being adapted or used in such a manner that it is not a vehicle of a class specified in paragraph (2) of Article 5 of this Order;

- (d) the issue of a replacement market traders' parking permit by the Council under the provisions of Article 7 of this Order;
  - (e) the market traders' parking permit having been obtained by fraudulent means.
- (4) Without prejudice to the foregoing provisions of this Article a market traders' parking permit shall cease to be valid at the expiration of the period specified thereon or on the occurrence of any one of the events set out in paragraphs (a), (b), (c), (d) or (e) of paragraph (3) of this Article, whichever is the earlier.
- (5) Where a market traders' parking permit is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured, the market traders' parking permit shall cease to be valid and the Council shall by notice in writing served on the person to whom such market traders' parking permit was issued by sending the same by the recorded delivery service to the address shown by that person on the application for the market traders' parking permit or at any other address believed to be that person's place of abode, require that person to surrender the market traders' parking permit to the Council within 48 hours of the deemed receipt of the notice.
10. (1) If a market trader's parking permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the permit has become altered by fading or otherwise, the market trader's parking permit holder shall either surrender it to the Council or apply to the Council for the issue to him of a replacement market trader's parking permit and the Council, upon receipt of the surrendered market trader's parking permit, shall issue a replacement permit and upon such issue the surrendered market trader's parking permit shall become invalid.
- (2) If a market trader's parking permit is lost or destroyed, the market trader's parking permit holder may apply to the Council for the issue to him of a replacement market trader's parking permit and the Council, upon being satisfied as to such loss or destruction, and upon receipt of the charge for the market trader's parking permit as provided for in paragraph (1) of Article 6 shall issue a replacement market trader's parking permit and upon such issue the lost or destroyed market trader's parking permit shall become invalid.
- (3) The provisions of this Order shall apply to a replacement market traders' parking permit or an application therefor as if it were a market traders' parking permit or as the case may be an application therefor.
11. (1) A market traders' parking permit shall be in writing and shall include the following particulars:
- (a) the period during which, subject to the provisions of Article 6(2) of this Order, the market traders' parking permit shall remain valid;
  - (b) an indication that the market traders' parking permit has been issued by the Council and bears a permit number.
- (2) A market traders' parking permit shall also include the registration mark of the vehicle in respect of which the market traders' parking permit has been issued.

12. (1) At all times during which a vehicle is left in a parking place during the prescribed hours a valid market traders' parking permit shall be displayed in the relevant position.
- (2) Where a market traders' parking permit has been displayed on a vehicle in the relevant position, no person, not being the driver of the vehicle, shall remove the permit from the vehicle unless authorised to do so by the driver of the vehicle.
13. (1) Nothing in this Part of this Order which requires a market traders' parking permit to be displayed during the prescribed hours on a vehicle parked in a parking place specified in Schedules 2 & 3 to this Order shall apply to a disabled persons' vehicle which bears in the relevant position a disabled persons badge.
- (2) Nothing in paragraph (1) of this Article shall apply so as to permit a disabled persons' vehicle to park in a parking place the use of which has been suspended.
14. The driver of a vehicle using a parking place shall stop the engine as soon as the vehicle is in position in the parking place, and shall not start the engine of the vehicle except when about to change the position of the vehicle in or to depart from the parking place.
15. (1) Where a traffic warden, civil enforcement officer or police officer in uniform is of the opinion that any of the provisions contained in this Part of this Order have been contravened or not complied with in respect of a vehicle left in a market traders' parking place he may remove or cause to be removed the vehicle from the parking place and, where it is so removed, he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
- (2) Where a vehicle is waiting in a parking place in a position contravening the provisions of this Part of this Order a traffic warden, civil enforcement officer or police officer in uniform may alter or cause to be altered the position of the vehicle in order that its position shall comply with the provisions.
- (3) A traffic warden, civil enforcement officer or police officer in uniform may, in case of emergency, move or cause to be moved to any place he thinks fit, any vehicle left in a market traders' parking place.
- (4) Any person authorised to remove a vehicle or alter 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 other 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. (1) A police officer in uniform, civil enforcement officer or person authorised by the Council may suspend the use of a market traders' parking place or any part thereof whenever he considers such suspension reasonably necessary:
  - (a) for the purpose of facilitating the movement of traffic or promoting its safety;

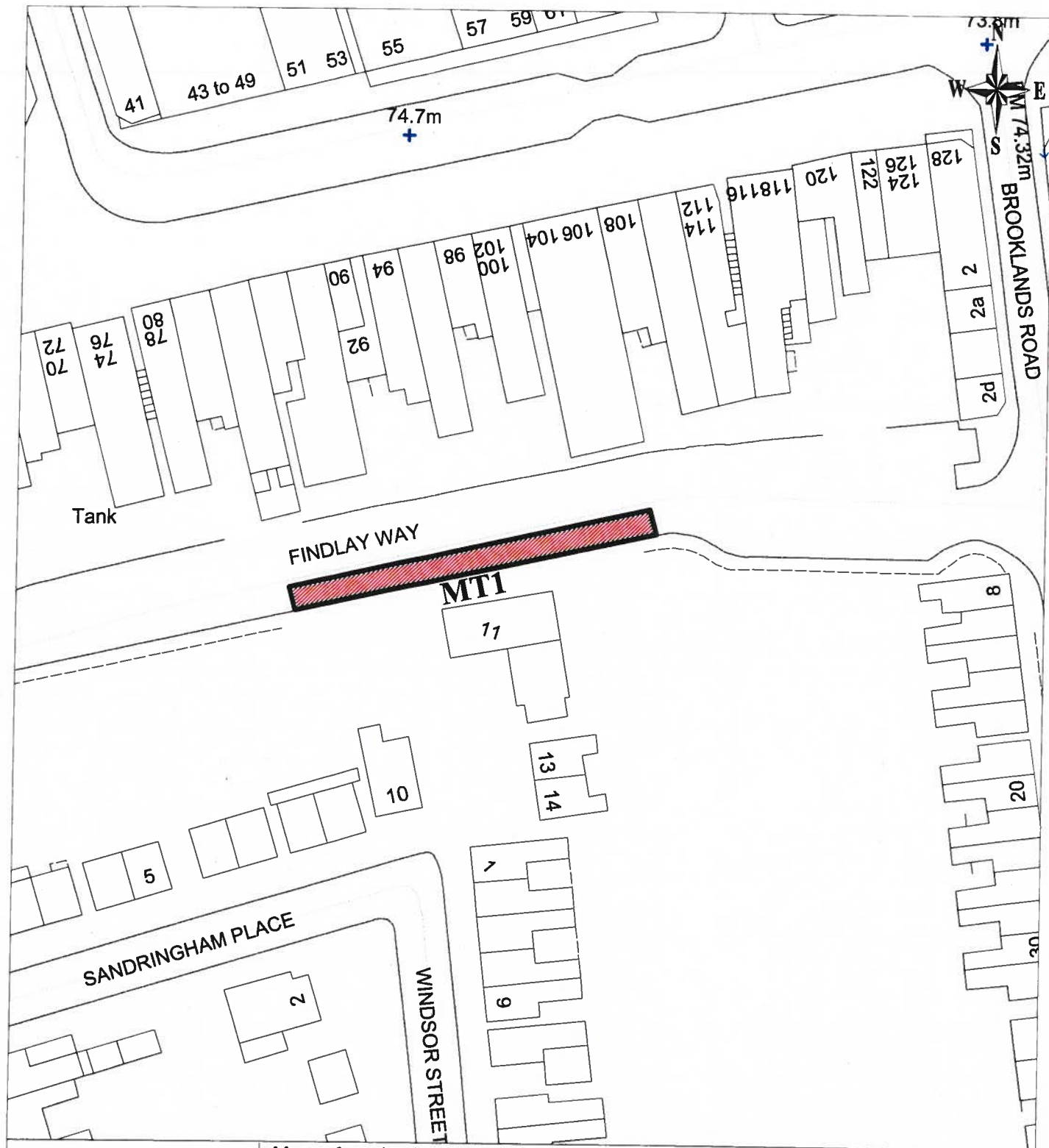
- (b) for the purpose of any building operation, demolition or excavation in or adjacent to the parking place or the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration, removal, servicing or repair in or adjacent to the parking place of any sewer or of 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 parking place on any occasion of the removal of furniture or household effects to or from a shop, office, depository or dwelling house;
  - (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 parking place at times of weddings or funerals, or on other special occasions.
- (2) A traffic warden, civil enforcement officer or police officer in uniform may suspend for not longer than twenty-four hours the use of a market traders' 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 market traders' 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.
17. (1) Any person suspending the use of a market traders' parking place or any part thereof in accordance with the provisions of Article 16 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) No person shall cause or permit a vehicle to be left in a market traders' 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 or civil enforcement officer, 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 16 to be left in the 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, civil enforcement officer or a traffic warden.
18. Without prejudice to the foregoing provisions of this Part of this Order with respect to vehicles left in a market traders' parking place in accordance with those



provisions, and save as provided for in respect of vehicles waiting in a parking place the use of which has been suspended, any vehicle may wait during the prescribed hours anywhere on the road in a market traders' parking place if:

- (a) the vehicle is waiting for a period not exceeding two minutes or such longer period as a police officer in uniform, civil enforcement officer or traffic warden may approve, to enable a person to board or alight from the vehicle or load thereon or unload therefrom his personal luggage, provided that if the said person is suffering from any disability or injury which seriously impairs his ability to walk, or who is blind, the vehicle may wait for as long as may be necessary to enable that person to board or alight from the vehicle or load thereon or unload therefrom his personal luggage;
  - (b) the vehicle is waiting in any case where the person in control of the vehicle is required by law to stop or is obliged to do so in order to avoid an accident or is prevented from proceeding by circumstances outside his control;
  - (c) the vehicle is being used for fire brigade, ambulance or police purposes, or, not being a passenger vehicle, is being used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary in the exercise of such powers or in the performance of such duties for the vehicle to wait in the parking place;
  - (d) the vehicle is waiting only for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;
  - (e) to any vehicle in the service of or employed by the Post Office whilst in the use for the purpose of loading, unloading, delivering or collecting postal packets at premises or posting boxes adjacent to the parking place;
  - (f) the vehicle, not being a passenger vehicle, is being used for the purpose of any building operation, demolition or excavation in or adjacent to the parking place, the removal of any obstruction to traffic in the parking place, the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration, removal, repair or servicing 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;
  - (g) the vehicle is in actual use in connection with the removal of furniture or household effects to or from a shop, office, depository or dwelling house adjacent to the parking place;
  - (h) the vehicle is waiting for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the parking place in which the vehicle is waiting and the vehicle does not wait for such purpose for more than two hours or for such longer period as a police officer in uniform, civil enforcement officer or a traffic warden may approve.
19. (1) No person shall cause or permit a vehicle to wait in a market traders' parking place by virtue of the provisions of paragraphs (c), (e), (f), (g) or (h) of Article 18 otherwise than:
- (a) (i) unless the length of the vehicle precludes compliance with this paragraph, so that every part of the vehicle is within the limits of a parking space, or





**Notes:**



Market Traders  
Permit Parking  
Places  
(Mon to Sat)  
(6am to 6pm)

**MT1**

TRO reference  
number

Map referred to in the Council of the Borough of Milton  
Keynes (Queensway and Findlay Way, Bletchley)  
(Market Traders' Permit Parking Places) Order 2011

20005

Map 1

Not to scale

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

ASSISTANT DIRECTOR FOR LAW  
~~AND GOVERNANCE~~

Democratic Services





**Notes:**



Market Traders  
Permit Parking  
Places  
(Mon to Sat)  
(6am to 6pm)

**MT2**

TRO reference  
number

Map referred to in the Council of the Borough of Milton  
Keynes (Queensway and Findlay Way, Bletchley)  
(Market Traders' Permit Parking Places) Order 2011

Map 2

Not to scale

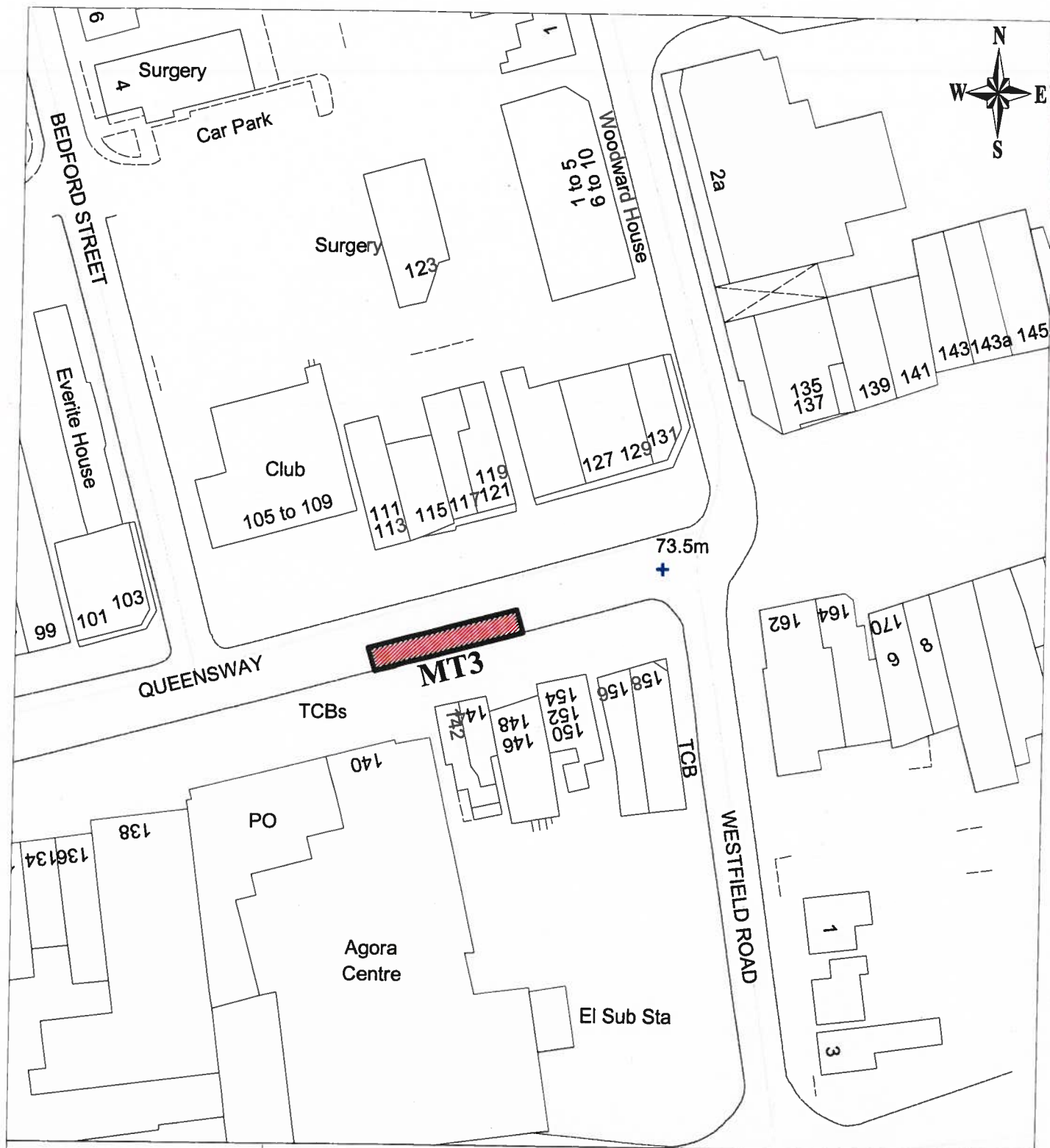
The Common Seal of the Council of the  
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ASSISTANT DIRECTOR FOR LAW  
AND GOVERNANCE

*Democratic Services*



20005



**Notes:**



Market Traders  
Permit Parking  
Places  
(Mon to Sat)  
(6am to 6pm)

**MT3**

TRO reference  
number

Map referred to in the Council of the Borough of Milton  
Keynes (Queensway and Findlay Way, Bletchley)  
(Market Traders' Permit Parking Places) Order 2011

Map 3

Not to scale

The Common Seal of the Council of the  
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affixed in the presence of:

  
.....  
ASSISTANT DIRECTOR FOR LAW  
AND GOVERNANCE

Democratic Services

20005



- (ii) if the length of the vehicle precludes compliance with the last preceding paragraph, so that the longitudinal axis of the vehicle is parallel to the edge of the road nearest to the vehicle, and
- (b) so that no part of the vehicle obstructs any access way (other than from or to the premises referred to in paragraph (g) of Article 18).

### **PART 3**

#### **ENFORCEMENT OF RESTRICTIONS**

20. 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.
21. 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**

#### **PART A**

#### **MARKET TRADERS' PERMIT SCHEME**

#### **ROADS OR PARTS OF ROADS FOR WHICH MARKET TRADERS ARE ELIGIBLE TO APPLY FOR PERMITS**

**FINDLAY WAY, BLETCHLEY  
SOUTH SIDE**

**Those parts as defined in Schedule 2**

**QUEENSWAY, BLETCHLEY  
SOUTH SIDE**

**Those parts as defined in Schedule 3**

## PART B

### MARKET TRADERS' PERMIT SCHEME

#### CHARGE FOR MARKET TRADERS' PARKING PERMIT

<u>PERMIT</u>	<u>PERIOD</u>	<u>CHARGE</u>	<u>PERMIT CODE</u>
1. Bletchley Market Trader Permit	12 months	FREE	BMT
3. Replacement Permits	For the unused amount of the permit being replaced	£5.00	

#### 2. REFUND OF CHARGE FOR PARKING PERMIT

The refund for surrendering a valid permit which has more than six months left to run shall be £0.00, as provided for under paragraph (3) of Article 6, there will be no refund for any unexpired period of less than six months.

### SCHEDULE 2

#### PARKING PLACES FOR USE ONLY BY VEHICLES WHICH DISPLAY A MARKET TRADERS' PARKING PERMIT BETWEEN 6.00 AM AND 6.00 PM MONDAY TO SATURDAY

##### **FINDLAY WAY SOUTH SIDE**

**MT1** From a point approximately 65.7 metres east of a point in line with the eastern kerbline of Oliver Road, Bletchley for a distance of approximately 55.3 metres in an easterly direction

### SCHEDULE 3

#### PARKING PLACES FOR USE ONLY BY VEHICLES WHICH DISPLAY A MARKET TRADERS' PARKING PERMIT BETWEEN 6.00 AM AND 6.00 PM MONDAY TO SATURDAY

##### **QUEENSWAY SOUTH SIDE**

**MT2** From a point approximately 15 metres east of a point in line with the eastern kerbline of Albert Street for a distance of approximately 62 metres in an easterly direction

- MT3** From a point approximately 24 metres west of a point in line with the western kerbline of Westfield Road for a distance of approximately 18 metres in a westerly direction

**SCHEDULE 4**

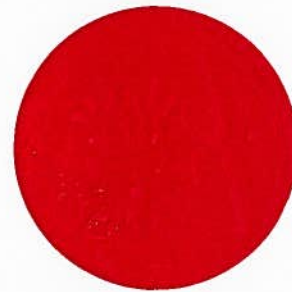
**REVOCATIONS**

The following Order **IS HEREBY REVOKED IN ITS ENTIRETY:-**

**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES  
(QUEENSWAY AND FINDLAY WAY, BLETCHLEY)  
(MARKET TRADERS' PERMIT PARKING PLACES) ORDER 2011**

20005

THE COMMON SEAL OF the **COUNCIL OF  
THE BOROUGH OF MILTON KEYNES** was  
hereunto affixed this 1<sup>st</sup> day of February 2012  
in the presence of :-



.....  
ASSISTANT DIRECTOR ~~LAW & GOVERNANCE~~  
Democratic Services