

**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES
(CENTRAL MILTON KEYNES) (ON-STREET LONG STAY PAY AND DISPLAY,
PAY BY MOBILE PHONE AND SPECIFIC PERMIT PARKING PLACES) ORDER 2012**

The Council of the Borough of Milton Keynes ("the Council") in the exercise of its powers under sections 1(1), 2(1) and (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 may be cited as the Council of the Borough of Milton Keynes (Central Milton Keynes) (On-Street Long Stay Pay and Display, Pay by Mobile Phone and Specific Permit Parking Places) Order 2012 and shall come into force on 4 April 2012.
2. In this Order, except where the context otherwise requires, the following expressions have the meanings respectively assigned to them:-

"car share permit" means a permit issued under the provisions of Part 5 of this Order;
"Central Milton Keynes" means the area bounded by the West Coast Mainline Railway (the south-west side), Portway (the north-west side, between the said West Coast Mainline Railway and the north-east side of Marlborough Street), Marlborough Street (the north-east side, between Portway and Childs Way) and Childs Way (the south-east, between the north-east side of Marlborough Street and the said West Coast Mainline Railway);

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

"commuter" means a person aged 17 years or above who resides within the borough of Milton Keynes and whose place of employment is based outside the borough of Milton Keynes;

"commuter permit" means a permit issued under the provisions of Part 6 of this Order;

"disabled persons' badge" 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;

"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;

"handheld device" means an electronic device which is programmed to interface with the Pay by Phone parking system and used by a CEO to assist in carrying out parking enforcement within the Central Milton Keynes Area;

"mobile phone" means wireless telegraphy apparatus (as defined in the Wireless Telegraphy Act 1949) designed or adapted for the purpose of transmitting and

receiving spoken messages so as to provide a telephone which is connected to a public electronic communications network (within the meaning of the Communications Act 2003) and is not physically connected to a land line;

"moped" means a two or three wheel vehicle fitted with an engine having a cylinder capacity not exceeding 50 cm³ 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;

"Pay by Phone parking system" means a method of payment for parking within the Central Milton Keynes Area by electronic means via the use of a mobile phone or other such device;

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

"Penalty Charge Notice" means a notice issued under the provisions of Part 6 of Traffic Management Act 2004, informing the driver of a vehicle that they are in contravention of a restriction and that a penalty charge is now owed;

"permit holder" means a person to whom a permit has been issued under the provisions of Parts 5 and 6 of this Order;

"permit period" means 12 calendar months from issue of the permit;

"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;

"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;

"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 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 Milton Keynes 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 lengths of road 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

PAY AND DISPLAY PARKING PLACES

5.
 - (1) Each of the lengths of road specified in Schedule 1 to this Order is authorised to be used during the prescribed hours, subject to provisions to this Part of this Order, as a pay and display parking place for passenger vehicles, dual purpose vehicles and goods vehicles.
 - (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 pay and display parking place.
 - (3) No person shall park any street trading vendors vehicle in a pay and display 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 that 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. A vehicle which is present in a pay and display parking space specified in Schedule 1 at the commencement of the hours of operation of any restrictions imposed by this Order shall be deemed to have been left in that pay and display parking place at the commencement of that period of operation of that pay and display parking place.
7.
 - (1) The limits of each pay and display parking place and of every pay and display parking space within a pay and display parking place and of any access way in a pay and display parking place shall be indicated on the road by the appropriate traffic signs;
 - (2) Any vehicle standing in a pay and display parking space shall stand wholly within the limits so marked or, if the length of that 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) The Council shall install and maintain in proper working order at least one ticket parking meter in such position as it thinks fit in the vicinity of a pay and display parking space.
8. The driver of a vehicle using a pay and display 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 when about to change the position of the vehicle in or to depart from the parking space.

9. No charge for parking in any pay and display parking space, the use of which has not been suspended, shall be payable by any disabled persons' vehicle which displays in the relevant position a disabled persons' badge.
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.
 - (1) The charge for a vehicle parked in a pay and display parking space shall be as specified in Schedule 2 to this Order.
 - (2) Subject to the provisions of Article 15 of this Order, the charge shall be payable on the leaving of the vehicle in a pay and display parking space:-
 - (a) by any combination of coins of appropriate denominations to the amount of the charge;
 - (b) if the ticket parking meter is so constructed or adapted, by a prepaid card of which the remaining credit is not less than the amount of the charge.
 - (3) Upon payment of the charge for any vehicle left in a pay and display parking place the driver of any such vehicle shall display or cause to be displayed on the vehicle, in accordance with the provisions of paragraph (5) of this Article, the ticket issued by the ticket parking meter on payment of the charge in accordance with paragraph (2) of this Article.
 - (4) Payment of the charge for a vehicle left in the pay and display parking place shall be indicated by the issue by a ticket parking meter relating to that parking place of a ticket indicating that a charge has been paid for that occasion, and by the display of that ticket in the manner specified in paragraph (5) of this Article.
 - (5) The ticket referred to in paragraph (3) of this Article shall be displayed on the vehicle in respect of which it was issued at all times during which the vehicle is left during the prescribed hours in the pay and display parking place in the relevant position on the vehicle, provided that for the purposes of this Article, if a vehicle when first left in the parking place is exempt from payment of any charge by virtue of the provisions of Article 15 of this Order and continues to wait in that parking place otherwise than in accordance with those provisions, the charge shall be treated as having been incurred and shall be payable at the time when the vehicle ceased to wait by virtue of those provisions and all the provisions of this Part of this Order shall then apply accordingly.
 - (6) For the purposes of this Order a vehicle shall be regarded as displaying a ticket indicating that a charge has been paid in the relevant position if the ticket is exhibited in a conspicuous position on the dashboard of the vehicle so that the

particulars on that side of that ticket which bears the indication that a charge has been paid are clearly legible from the outside of the vehicle.

- (7) When a ticket has been displayed on a vehicle in accordance with the provisions of paragraphs (5) and (6) of this Article no person, not being the driver of the vehicle, shall remove the ticket from the vehicle unless authorised to do so by the driver of the vehicle.
12. No person shall display on a vehicle left in a pay and display parking place during the prescribed hours any ticket issued by a ticket parking meter relating to that parking place other than the ticket issued by such a ticket parking meter upon payment of the charge in respect of that vehicle and which is valid for the period during which the vehicle is parked in the parking place.
13. If a vehicle is left in a pay and display parking place during the prescribed hours for longer than the period for which payment was made by the charge, a Penalty Charge Notice may be issued.
14. (1) If at any time while a vehicle is left in a pay and display parking place during the prescribed hours no ticket issued by a ticket parking meter relating to that parking place is displayed on that vehicle in accordance with the provisions of paragraphs (5) and (6) of Article 11 it shall be presumed unless the contrary is proved that the charge has not been paid and the driver of the vehicle may be issued with a Penalty Charge Notice.
(2) Any ticket issued by a ticket parking meter relating to a parking place shall be presumed, unless the contrary is proved, to have been issued on the day shown on the ticket.
15. If on the leaving of the vehicle during the prescribed hours in a pay and display parking place there is on every ticket parking meter relating to that parking place a notice placed by a person authorised by the Council or by the Chief Officer of Police indicating that the ticket parking meter is out of order that vehicle shall be exempt from any charge.
16. (1) A police officer in uniform, traffic warden, or CEO may in case of emergency move or cause to be moved any vehicle left in a 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 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.
17. 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 pay and display 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, military or ambulance purposes;
 - f) use for the purpose of delivering or collecting postal packets as defined by Section 125 of the Postal 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 dwellinghouse adjacent to the pay and display parking place.

18. No person shall cause or permit a vehicle to wait in a pay and display parking place by virtue of the provisions of paragraph (4) of Article 17 above otherwise than:

- (1)
 - (a) unless the length of the vehicle precludes compliance with this paragraph, so that every part of the vehicle is within the limits of a pay and display parking space; or
 - (b) if the length of the vehicle precludes compliance with the preceding paragraph, so that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle; and
- (2) 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.

19.(1) Any person authorised by the Council may suspend the use of a 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 pay and display parking place on any occasion of the removal of furniture or household effects to or from a shop, office depository or dwellinghouse;
 - 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 pay and display parking place at times of weddings or funerals, or on other special occasions.
- (2) A police officer in uniform, traffic warden or CEO may suspend for not longer than twenty-four hours the use of a pay and display 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 pay and display 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.

20. On the suspension of the use of a pay and display parking place or any part thereof in accordance with the provisions of Article 19 of this Order:

- (1) 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 and loading by vehicles is prohibited;
- (2) the person authorising or causing such suspension may, if the use of the whole of the parking place is suspended, place or cause to be placed over or on all of the ticket parking meters which relate to that parking place a hood or other cover indicating that the use of a parking place is suspended.

21.(1) Save as provided in paragraph (2) of this Article no person shall cause or permit a vehicle to be left in a pay and display 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 paragraph (1) of Article 20 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 or a traffic warden 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, police or military purposes or any vehicle being used for any purpose or eventuality specified in paragraph (1) of Article 19 of this Order to be left in the pay and display 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, traffic warden or CEO.

PART 3

PAY BY MOBILE PHONE PARKING PLACES

- 22.(i) In addition to the provisions of Article 5 each of the lengths of road specified in Schedule 1 of this Order are authorised to be used during the prescribed hours, subject to provisions to this Part of this Order, as a Pay by Mobile Phone parking space for passenger vehicles, dual purpose vehicles and goods vehicles.
- (1) The charge for a vehicle parked in a Pay by Mobile Phone parking space shall be as specified in Schedule 2A.
- (2) In addition to the provisions of Article 11(2), the parking charge may also be payable on the leaving of a vehicle in a parking space as referred to in Schedule 1 via the Pay by Mobile Phone parking system and the provisions of Articles 11(3) to (7) and 12 shall not apply to that vehicle.
- (3) Provided that where only one of the methods of payment referred to in Article 11(2) is available, that method shall be used for payment of the parking charge.
- 22.(ii) (1) Where a vehicle has been left in a parking space referred to in Schedule 1 using the Pay by Mobile Phone parking system an indication that payment has been made and the parking period for which payment has been made shall appear on a hand held device.
- (2) If any time while a vehicle is left in a parking space referred to in Schedule 1 and no indication appears on a hand held device that payment of the parking charge has been made using the Pay by Phone system or an indication that the parking period for which payment was made has expired, it shall be presumed unless the contrary is proved, that either:-
- (a) The parking charge has not been duly paid in respect of that vehicle or
- (b) The parking period for which payment was made has expired
- and the driver of the vehicle may be issued with a Penalty Charge Notice.

PART 4

PERMIT PARKING PLACES

23. Each area on a highway which is described in Schedule 1 to this Order is designated as a permit parking place.
24. (1) Each of the lengths of road specified in Schedule 1 to this Order is authorised to be used during the prescribed hours, subject to provisions to this Part of this Order, as a parking place for passenger vehicles, dual purpose vehicles and goods vehicles which display in the relevant position:-
- (a) a commuter permit or;
 - (b) a car share permit.
- (2) For the purposes of this Order a vehicle shall be regarded as displaying a permit in the relevant position if:
- (a) the permit is exhibited in a conspicuous position on the vehicle's front windscreen so that the front of the permit is clearly legible from outside the vehicle; or
 - (b) the permit is exhibited in a conspicuous position on the dashboard of the vehicle so that the front of the permit is clearly legible from the outside of the vehicle.
- (3) Where a permit has been displayed on a vehicle in accordance with the provisions of parts (a) and (b) of paragraph (2) above, 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.
- (4) Nothing in paragraph (1), (2) or (3) 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 permit parking place.
- (5) No person shall park any street trading vendor's vehicle in a permit 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 that 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.

25.
 - (1) The limits of each permit parking place and of every limited parking space within a permit parking place and of any access way in a permit parking place shall be indicated on the road by the appropriate traffic signs.
 - (2) Any vehicle standing in a permit parking space in a length of road specified in Schedule 1 to this Order 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.
26. The driver of a vehicle using a permit 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 when about to change the position of the vehicle in or to depart from the parking space.
27. Nothing in Article 24 shall render it a contravention of this Order to cause or permit a vehicle which displays a disabled person's badge in the relevant position in accordance with Article 28 hereof to park in a permit parking place.
28. 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.
29.
 - (1) A police officer in uniform, traffic warden or CEO may in case of emergency move or cause to be moved any vehicle left in a 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 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.

30. 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 permit 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 Postal 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 dwellinghouse adjacent to the pay and display parking place.

31. No person shall cause or permit a vehicle to wait in a permit parking place by virtue of the provisions of paragraph (4) of Article 30 above otherwise than:

- (1) (a) unless the length of the vehicle precludes compliance with this paragraph, so that every part of the vehicle is within the limits of a limited parking space; or
- (b) 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 carriageway nearest to the vehicle; and

- (2) 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 30.

32. (1) Any person authorised by the Council may suspend the use of a 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 pay and display parking place on any occasion of the removal of furniture or household effects to or from a shop, office, depository or dwellinghouse;
- (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 pay and display parking place at times of weddings or funerals, or on other special occasions.

- (2) A police officer in uniform, traffic warden or CEO may suspend for not longer than twenty-four hours the use of a permit 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 permit 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.
33. On the suspension of the use of a permit parking place or any part thereof in accordance with the provisions of Article 32 of this Order, the person authorising or causing such suspension shall place or cause to be placed in or adjacent to that permit parking place a traffic sign indicating that waiting by vehicles is prohibited.
34. (1) No person shall cause or permit a vehicle to be left in a permit parking place or part thereof of a parking place during any period when there is in or adjacent to that that parking place or part thereof a traffic sign placed in pursuance of Article 33 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 CEO 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 32 of this Order to be left in the permit 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 CEO.

PART 5

CAR SHARE PERMITS

35. (1) Any person who displays in the relevant position two or more valid car share permits may leave their vehicle in each of the lengths of road specified in Schedule 1 to this Order;
- (2) For the purposes of this Order a vehicle shall be regarded as displaying a permit in the relevant position if the permit(s) is/are exhibited in a conspicuous position on the vehicle's front windscreen so that the front of the permit(s) is/are clearly legible from outside the vehicle.

- (3) Where a permit has been displayed on a vehicle in accordance with the provisions of paragraph (2) above, no person, not being the driver of the vehicle, shall remove any permit from the vehicle unless authorised to do so by the driver of the vehicle.
36. (1) Any person who is employed by a business located within Central Milton Keynes, who is the user of a passenger vehicle, dual purpose vehicle or goods vehicle may apply to Milton Keynes Council for the issue of a Car Share Permit for use by the user of such vehicle other than a person to whom such vehicle has been let for hire or reward;
- (2) Any such application shall be made on a form issued by and obtainable from Milton Keynes Council and shall include the information required by such form and shall be accompanied by a remittance for such charge as is specified in item 2 of Schedule 3;
- (3) On receipt by Milton Keynes Council of an application made under the foregoing provisions of this Article Milton Keynes Council, upon being satisfied that the applicant meets the requirements of this Article, shall issue to that applicant one Car Share Permit provided that, subject to the provisions of Article 37 of this Order, such a Car Share Permit would not be valid for any period during which any other Car Share Permit issued to that person would be valid.
- (4) Milton Keynes Council may at any time require an applicant for a Car Share Permit to produce to an officer of Milton Keynes Council such evidence in respect of an application for a Car Share Permit made to them as they may reasonably require to verify any information given to them.
37. (1) The holder of a Car Share Permit may surrender a Car Share Permit to Milton Keynes Council at any time and shall surrender a Car Share Permit to Milton Keynes Council on the occurrence of any of the events in respect of a Car Share Permit, as are set out in paragraphs (3) or (5) of this Article.
- (2) Milton Keynes Council may, by notice in writing served on the holder of a Car Share Permit by sending the same by the recorded delivery service to the address shown by that person on the application for the Car Share Permit or at any other address believed to be that person's residence, withdraw a Car Share Permit if it appears to Milton Keynes Council that any one of the events in respect of a Car Share Permit as set out in paragraph (3) of this Article has occurred and the holder of the Car Share Permit shall surrender the Car Share Permit to Milton Keynes Council within 48 hours of the service of such notice.
- (3) The events referred to in the foregoing provisions of this Article are:
- (a) the holder of a Car Share Permit ceasing to be an employee of a business located in Central Milton Keynes;
- (b) the holder of a Car Share Permit ceasing to be the user of the

vehicle in respect of which the Car Share Permit was issued;

- (c) the vehicle in respect of which a Car Share Permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 36(1) of this Order;
- (d) the issue of a replacement Car Share Permit by Milton Keynes Council under the provisions of Article 38 of this Order;
- (e) the Car Share Permit having been obtained by fraudulent means.

(4) A Car Share Permit shall cease to be valid at the end of the permit period specified thereon or on the occurrence of any one of the events set out in paragraph (3) of this Article, whichever is the earlier;

(5) Where a Car Share Permit is issued to any person upon receipt by Milton Keynes Council of a cheque and the cheque is subsequently dishonoured, the Car Share Permit shall cease to be valid and Milton Keynes Council shall by notice in writing served on the person to whom such a Car Share Permit was issued by sending the same by the recorded delivery service to the holder of the Car Share Permit at the address shown by that person on the application for the Car Share Permit or at any other address believed to be that person's place of residence, require that person to surrender the Permit to Milton Keynes Council within 48 hours of the service of the aforementioned notice;

(6) Milton Keynes Council may at any time require the holder of a Car Share Permit to produce to an officer of Milton Keynes Council such evidence in respect of any Car Share Permit issued by them as they may reasonably require.

38. (1) If a Car Share Permit is mutilated or defaced or the figures or particulars on it have become illegible or the colour of the Car Share Permit has become altered by fading or otherwise, the holder of the Car Share Permit shall surrender it to Milton Keynes Council and may apply to Milton Keynes Council for the issue of a replacement Car Share Permit and Milton Keynes Council, upon the receipt by Milton Keynes Council of the Car Share Permit if such receipt is accompanied by an application for a replacement Car Share Permit and by a remittance for such charge as is specified in item 3 of Schedule 3, shall issue a replacement Car Share Permit so marked;

(2) If a Car Share Permit is lost or destroyed, the holder of the Car Share Permit may apply to Milton Keynes Council for the issue to him of a replacement Car Share Permit and Milton Keynes Council, upon being satisfied as to such loss or destruction, and upon receipt by Milton Keynes Council of an application for a replacement Car Share Permit accompanied by a remittance for such charge as is specified in item 3 of Schedule 3, shall issue a replacement Car Share Permit so marked;

(3) The provisions of this Order shall apply to a replacement Car Share Permit and an application for a replacement Car Share Permit as if it were a Car

Share Permit or, as the case may be, an application therefor.

39. A Car Share Permit shall be in writing and shall include the following particulars:
- (1) The registration mark of the vehicle in respect of which the Permit has been issued;
 - (2) The date of expiry being the last day of the permit period;
 - (3) An authentication that the Car Share Permit has been issued by Milton Keynes Council.
40. A Car Share Permit shall only be valid for the duration of the permit period in respect of which it is issued.
41. The charge in respect of the issue of a Car Share Permit (other than an application for a replacement Car Share Permit) shall be as specified in item 2 of Schedule 3.
42. (1) The holder of a Car Share Permit who surrenders a Car Share Permit to Milton Keynes Council before the Car Share Permit becomes valid shall be entitled to a refund of the charge paid in respect of the issue thereof;
- (2) The holder of a Car Share Permit who surrenders a Car Share Permit to Milton Keynes Council after the Permit has become valid shall be entitled to a refund of the charge paid in respect of each full calendar month remaining unused before the end of the permit period calculated from the time of receipt by Milton Keynes Council of the surrendered Permit.

PART 6

COMMUTER PARKING PERMITS

43. (1) Any person who displays in the relevant position a valid commuter parking permit may leave their vehicle in each of the lengths of road specified in Schedule 1 to this Order.
- (2) For the purposes of this Order a vehicle shall be regarded as displaying a permit in the relevant position if the permit is exhibited in a conspicuous position on the vehicle's front windscreen so that the front of the permit is clearly legible from outside the vehicle.
- (3) Where a permit has been displayed on a vehicle in accordance with the provisions of paragraph (2) above, no person, not being the driver of the vehicle, shall remove any permit from the vehicle unless authorised to do so by the driver of the vehicle.
44. (1) Any person who is 17 years or above who resides within the borough of Milton

Keynes and whose place of work is outside the borough of Milton Keynes, being a user of a passenger vehicle, a dual purpose vehicle or a goods vehicle, other than a person to whom such vehicle has been let for hire or reward, may apply to the Council for the issue of a Commuter Parking Permit.

- (2) Any such application shall be made on a form issued by the Council and should include the information required by such form and shall be accompanied by a remittance for such charge as is specified in item 1 of Schedule 3.
 - (3) On receipt by the Council of an application made under the foregoing provisions of this Article the Council upon being satisfied that the applicant meets the requirements of this Article, shall issue to that applicant one Commuter Parking Permit or, such a Commuter Parking Permit would not be valid for any period during which any other Commuter Parking Permit issued to that person would be valid.
 - (4) The Council may at any time require an applicant for a Commuter Parking Permit to produce to an Officer of the Council such evidence in respect of an application for a Commuter Parking Permit made to them as they may reasonably require to verify any information given to them
45. (1) The Holder of a Commuter Parking Permit may surrender a Commuter Parking Permit to the Council at any time and shall surrender a Commuter Parking Permit to the Council on the occurrence of any of the events in respect of a Commuter Parking Permit as set out in paragraphs (3) or (5) of this Article.
- (2) The Council may, by notice in writing served on the holder of a Commuter Parking Permit by sending the same by the recorded delivery service to the address shown by that person on the application for the Commuter Parking Permit or at any other address believed to be that person's residence, withdraw a Commuter Parking Permit if it appears to the Council that any one of the events in respect of a Commuter Parking Permit as set out in paragraph (3) of this Article has occurred and the holder of the Commuter Parking Permit shall surrender the Commuter Parking Permit to the Council within 48 hours of the service of such notice.
 - (3) The events referred to in the foregoing provisions of this Article are:
 - (a) The holder of a Commuter Parking Permit ceasing to be resident in the borough of Milton Keynes;
 - (b) The holder of a Commuter Parking Permit ceasing to be the user of the vehicle in respect of which the Commuter Parking Permit was issued;
 - (c) The vehicle in respect of which a Commuter Parking Permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 44 of this Order;
 - (d) This issue of a replacement Commuter Parking Permit by the Council under the provisions of Article 46 of this Order;
 - (e) The Commuter Parking Permit having been obtained by fraudulent means;

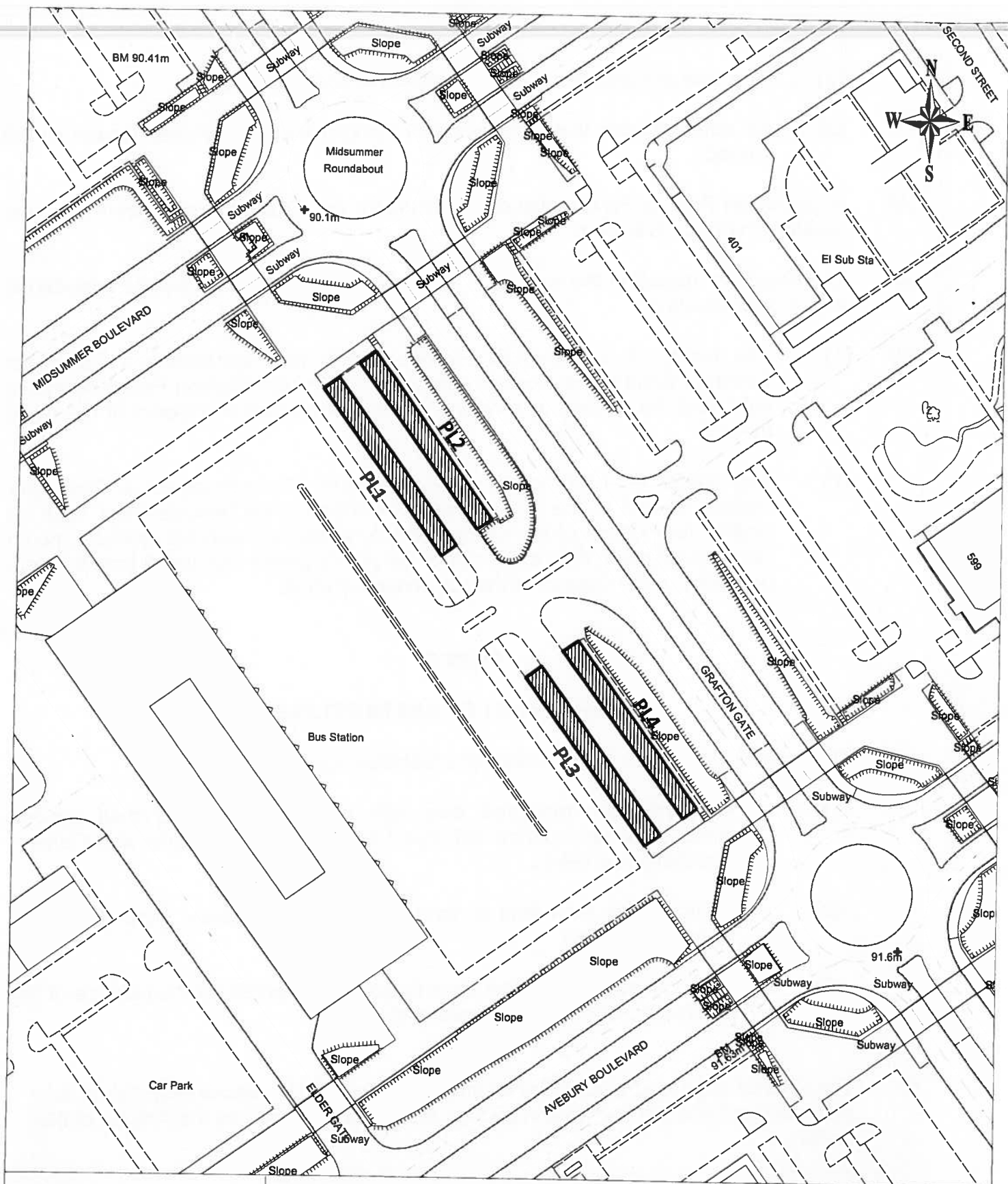
- (f) The holder of a Commuter Parking Permit ceasing employment outside of the borough of Milton Keynes.
 - (4) A Commuter Parking Permit shall cease to be valid at the end of the permit period specified thereon or on the occurrence of any one of the events set out in Paragraph (3) of this Article, whichever is the earlier;
 - (5) Where a Commuter Parking Permit is issued to any person upon receipt by the Council of a cheque and the cheque is subsequently dishonoured, the Commuter Parking Permit shall cease to be valid and the Council shall by notice in writing served on the person to whom such a Commuter Parking Permit was issued by sending the same by the recorded delivery service to the holder of the Commuter Parking Permit at the address shown by that person on the application for the Commuter Parking Permit or at any other address believed to be that person's place of residence, require that person to surrender the Permit to the Council within 48 hours of the service of the aforementioned notice;
 - (6) The Council may at any time require the holder of a Commuter Parking Permit to produce to an Officer of the Council such evidence in respect of any Commuter Parking Permit issued by them as they may reasonably require.
46. (1) If a Commuter Parking Permit is mutilated or defaced or the figures or particulars on it have become illegible or the colour of the Commuter Parking Permit has become altered by fading or otherwise, the holder of the Commuter Parking Permit shall surrender it to the Council and may apply to the Council for the issue to him of a replacement Commuter Parking Permit and the Council, upon the receipt by the Council of the Commuter Parking Permit if such receipt is accompanied by an application for a replacement Commuter Parking Permit and by a remittance for such charge as is specified in item 3 of Schedule 3, shall issue a replacement Commuter Parking Permit so marked;
- (2) If a Commuter Parking Permit is lost or destroyed, the holder of the Commuter Parking Permit may apply to the Council for the issue to him of a replacement Commuter Parking Permit and the Council, upon being satisfied as to such loss or destruction, and upon receipt by the Council of an application for a replacement Commuter Parking Permit accompanied by a remittance for such charge as specified in item 3 of Schedule 3, shall issue a replacement Commuter Parking Permit so marked;
- (3) The provision of this Order shall apply to a replacement Commuter Parking Permit and an application for a replacement Commuter Parking Permit as if it were a Commuter Parking Permit or, as the case may be, an application therefore.
47. A Commuter Parking Permit shall be in writing and shall include the following particulars:
- (1) The registration mark of the vehicle in respect of which the Permit has been issued;

- (2) The date of expiry being the last day of the permit period;
 - (3) An authentication that the Commuter Parking Permit has been issued by the Council.
48. A Commuter Parking Permit shall only be valid for the duration of the permit period in respect of which it is issued.
49. The charge in respect of the issue of a Commuter Parking Permit shall be specified in item 1 of Schedule 3.
50. (1) The holder of a Commuter Parking Permit who surrenders a Commuter Parking Permit to the Council before the Commuter Parking Permit becomes valid shall be entitled to a refund of the charge paid in respect of the issue thereof;
- (2) The holder of a Commuter Parking Permit who surrenders a Commuter Parking Permit to the Council after the Permit has become valid shall be entitled to a refund of the charge paid in respect of each full calendar month remaining unused before the end of the permit period calculated from the time of receipt by the Council of the surrendered Permit.

PART 7

ENFORCEMENT OF RESTRICTIONS

51. 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 1994;
 - (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.
52. The Council shall appoint Civil Enforcement Officers (CEOs) whose duty it shall be to patrol and enforce the waiting and parking restrictions imposed by the Articles of this Order.



Notes:



Long Stay Pay and Display and Pay by Mobile Phone Parking Places

PL1-4

TRO reference number

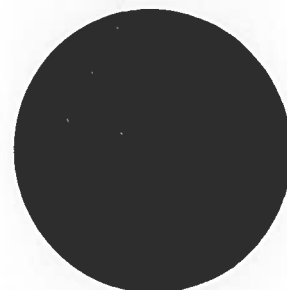
Map referred to in the Council of the Borough of Milton Keynes (Central Milton Keynes) (On-Street Long Stay Pay and Display, Pay by Mobile Phone and Specific Permit Parking Places) Order 2012

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

20062



SCHEDULE 1

LONG STAY PAY AND DISPLAY PARKING PLACES, PAY BY MOBILE PHONE PARKING PLACES AND SPECIFIC PERMIT PARKING PLACES

**EXCEPT WITHIN THE MARKED BICYCLE/MOTOR CYCLE
AND DISABLED PERSONS' PARKING PLACES**

**BETWEEN 7.00 AM AND 6.00 PM ON EVERY DAY OF THE WEEK
EXCEPT ON BANK HOLIDAYS**

GRAFTON GATE WEST

THE NORTH-EAST VEHICULAR ACCESSWAY – SOUTH-WEST SIDE

- PL1 Between the access road from Grafton Gate (between Midsummer Boulevard and Avebury Boulevard) and Midsummer Boulevard.
- PL2 Between the access road from Grafton Gate (between Midsummer Boulevard and Avebury Boulevard) and Avebury Boulevard.

GRAFTON GATE WEST

THE NORTH-EAST VEHICULAR ACCESSWAY - NORTH-EAST SIDE

- PL3 Between the access road from Grafton Gate (between Midsummer Boulevard and Avebury Boulevard) and Midsummer Boulevard.
- PL4 Between the access road from Grafton Gate (between Midsummer Boulevard and Avebury Boulevard) and Avebury Boulevard.

SCHEDULE 2

PAY AND DISPLAY PARKING CHARGES

<u>COLUMN 1</u>	<u>COLUMN 2</u>
1. <u>CHARGES FOR PARKING PLACES SPECIFIED IN SCHEDULE 1</u>	<u>PERIOD</u>
£8.00	Up to the maximum permitted period for parking of 24 hours

SCHEDULE 2A

MOBILE PHONE PARKING CHARGES

<u>COLUMN 1</u>	<u>COLUMN 2</u>
2. <u>CHARGES FOR PARKING PLACES SPECIFIED IN SCHEDULE 1</u>	<u>PERIOD</u>
£8.00	Up to the maximum permitted period for parking of 24 hours

SCHEDULE 3

PERMIT CHARGES

<u>PERMIT</u>	<u>PERIOD</u>	<u>CHARGE</u>
1. Commuter Parking Permit	1 month	£74.00
	2 months	£148.00
	3 months	£222.00
	4 months	£296.00
	5 months	£370.00
	6 months	£444.00
	7 months	£518.00
	8 months	£592.00
	9 months	£666.00
	10 months	£740.00
	11 months	£814.00
	12 months	£888.00
2. Car Share Permits	12 months	FREE
3. Replacement Permits	For the unused amount of the permit being replaced.	£5.00

SCHEDULE 4

REVOCATIONS

The following Order is HEREBY REVOKED to the extent below:-

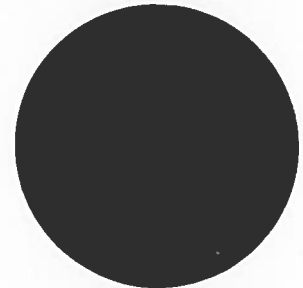
**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES (CENTRAL MILTON KEYNES)
(ON-STREET STANDARD RATE PAY AND DISPLAY AND PAY BY MOBILE PHONE
PARKING PLACES AND VARIOUS PERMITS) ORDER 2002**

The following items within Schedule 2 are HEREBY REVOKED IN THEIR ENTIRETY:-
PS66a, PS66b, PS66c and PS66d.

The following items within Schedule 4 are HEREBY REVOKED IN THEIR ENTIRETY:-
LP29a, LP29b, LP29c and LP20d.

20062

THE COMMON SEAL OF the **COUNCIL OF
THE BOROUGH OF MILTON KEYNES** was
hereunto affixed this 28th day of March 2012
in the presence of:-



.....
PRINCIPAL SOLICITOR - CORPORATE LAW AND LITIGATION

