

**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES
(VARIOUS ROADS, BROUGHTON)
(PROHIBITION AND RESTRICTION OF WAITING AND DISABLED PERSONS
PARKING PLACES) ORDER 2013**

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 AND DEFINITIONS

1. This Order shall come into operation on the 14th day of January 2013 and may be cited as "The Council of the Borough of Milton Keynes (Various Roads, Broughton) (Prohibition and Restriction of Waiting and Disabled Persons Parking Places) Order 2013".
2. In this Order, except where the context otherwise requires, the following expressions have the meanings respectively assigned to them:-
 - "Civil Enforcement Officer" (CEO), has the same meaning as in Section 76 of the Traffic Management Act of 2004;
 - "disabled persons' badge" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;
 - "delivering" and "collecting" in relation to any goods includes checking the goods for the purpose of their delivery or collection;
 - "postal packets" has the same meaning as in Section 125 of the Postal Services Act 2000;
 - "prescribed days and hours" means on the days stated and between those hours stated in the Schedules to this Order;
 - "restricted road" means a road which is subject to parking and waiting restrictions;
 - "road" means a highway and any other road to which the public has access;
 - "statutory undertaker" has the same meaning as in Section 329 of the Highways Act 1980;
 - "telecommunications apparatus" has the same meaning as in the Telecommunications Act 1984;
 - "traffic sign" means a sign of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under, Section 64 of the Act of 1984;
3. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.
4. The plans annexed to this Order identify the lengths of roads subject to this Order, provided that where there is any inconsistency between the plans and the Schedules it is the wording of the Schedules which shall prevail.

PART 2

PROHIBITION AND RESTRICTION OF WAITING

5. No person shall except with the permission or under the direction of a police officer in uniform, a traffic warden or a civil enforcement officer, cause or permit any vehicle to wait at any time in any of the lengths of road specified in Schedule 1 hereto.
6. No person shall except with the permission or under the direction of a police officer in uniform, a traffic warden or a civil enforcement officer, cause or permit any vehicle to wait during the prescribed days and hours in the lengths of road specified in Schedule 2 hereto.

A vehicle which is present in a length of road specified in Schedule 2 hereto at the commencement of the hours of operation of any restrictions imposed by this Order shall be deemed to have been left in that length of road at the commencement of that period of operation of the restriction in question.

7. Nothing in Articles 5 or 6 above shall render it unlawful to cause or permit a vehicle to wait in any of the lengths of road specified in Schedules 1 or 2 for so long as may be necessary to enable goods to be loaded or unloaded from the vehicle.
8. Nothing in Articles 5 or 6 above shall render it unlawful to cause or permit a vehicle to wait in any of the lengths of road specified in Schedules 1 or 2 for so long as may be necessary to enable a person to board or alight from the vehicle.
9. Nothing in Articles 5 or 6 above shall render it unlawful to cause or permit a vehicle to wait in any of the lengths of road specified in Schedules 1 or 2 for so long as may be necessary:
 - (1) when the person in control of the vehicle is required by law to stop or is obliged to stop in order to avoid an accident or is prevented from proceeding by circumstances outside his control;
 - (2) for a vehicle to wait whilst any gate or other barrier at the entrance to premises to which the vehicle requires access or from which it has emerged is being opened or closed, if it is not reasonably practicable for the vehicle to wait outside otherwise than in a length of road specified in Schedule 1 to this Order while such gate or other barrier is being opened or closed;
 - (3) to enable a taxi to wait upon any hackney carriage stand;
 - (4) to enable the vehicle if it cannot reasonably be used for such purpose in any other road to be used in connection with any of the following:
 - a) building, industrial or demolition operations;

- b) the removal of any obstruction to traffic;
- c) the laying, erection or repair of any sewer, main, pipe or apparatus for the supply of gas, water, electricity or any telecommunication system defined by the Telecommunications Act 1984;
- d) use in the service of any undertaker, the Environment Agency or any public authority in pursuance of statutory powers or duties;
- e) in connection with any wedding or funeral;
- f) use for police, fire brigade or ambulance purposes;
- g) use for the purpose of delivering or collecting postal packets as defined by section 125 of the Postal Services Act 2000;
- h) the vehicle, being a bus, to wait in a bus stop area;
- i) the vehicle being specially constructed or adapted for the delivery or collection of money or valuable securities to be used for those purposes in relation to premises in the vicinity.

10. In accordance with the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000, nothing in Article 5 shall render it unlawful to cause or permit a disabled person's vehicle which displays a disabled person's badge and parking disc in the relevant position in accordance with Articles 12 and 13 hereof to wait for a period not exceeding 3 hours in a length of road specified in Schedule 1 hereto (provided the period of exempted waiting does not begin less than one hour after a previous period of exempted waiting by the same vehicle in the same road on the same day).
11. In accordance with the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000, nothing in Article 6 shall render it unlawful to cause or permit a disabled person's vehicle which displays a disabled person's badge in the relevant position in accordance with Article 12 hereof to wait for any period of time in any of the lengths of road specified in Schedule 2 hereto.
12. For the purposes of this Order a vehicle shall be regarded as displaying a disabled person's badge in the relevant position under the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 if:
 - (1) the badge is exhibited on the dashboard or fascia of the vehicle so that the front of the badge is clearly legible from the outside of the vehicle; or

- (2) where the vehicle is not fitted with a dashboard or 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.
13. For the purposes of this Order a vehicle shall be regarded as displaying a parking disc in the relevant position under the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 if:
- (1) the disc is exhibited on the dashboard or facia of the vehicle, so that, when marked to show the quarter-hour period during which a period of waiting began, that period is clearly legible from the outside of the vehicle; or
- (2) where the vehicle does not have a dashboard or facia, the disc is exhibited in a conspicuous position on the vehicle, so that, when marked to show the quarter-hour period during which a period of waiting began, that period is clearly legible from the outside of the vehicle.

PART 3

DISABLED PERSONS PARKING PLACES

14. (1) The length of road specified in Schedule 3 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 15.
- (2) No vehicle other than the class specified in Article 15 shall park in the length of road specified in Schedule 3 to this Order.
15. The parking place specified in Schedule 3 to this Order may be used only for the leaving of a vehicle displaying a valid disabled person's badge in the relevant position.
16. 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.
17. The limits of a 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.
18. 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:
 - (1) for loading or unloading, or
 - (2) when about to change the position of the vehicle in or to depart from the parking place.
19. No person shall use a vehicle displaying a disabled person's badge 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 vehicle displaying a disabled person's badge if the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected.
20.
 - (1) When a vehicle displaying a disabled person's badge is left in a disabled persons' 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 or traffic warden or a CEO, 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 vehicle displaying a disabled person's badge is waiting in a parking place in a position which contravenes the provisions of Article 17 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 vehicle displaying a disabled person's badge 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.
21. (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 he considers such suspension reasonable 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 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 from such premises to a depository or to such premises from a depository;
 - (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
 - (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 police constable in uniform or traffic warden or a CEO, may suspend for not longer than twenty-four hours the use of a 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 public without any charge of any kind being made to the public.

22. On the suspension of the use of a disabled persons' parking place or any part thereof in accordance with the provisions of Article 21 of this Order, the person authorising or causing such suspension shall, if the use of the whole or of any part of the parking place is suspended, place or cause to be placed in or adjacent to that parking place a traffic sign indicating that the use of the parking place is suspended and that waiting and loading by vehicles is prohibited.

23. (1) Save as provided in paragraph (2) of this Article no person shall cause or permit a vehicle to be left in a disabled persons' 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 22 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 traffic warden or a 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 21 of this Order 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 or a traffic warden or a CEO.

PART 4

ENFORCEMENT OF RESTRICTIONS

24. 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.
25. The Council shall appoint Civil Enforcement Officers whose duty it shall be to patrol and enforce the waiting and parking restrictions imposed by the Articles of this Order.

SCHEDULE 1

NO WAITING AT ANY TIME

THE UN-NAMED ACCESS ROAD LEADING TO BROUGHTON FIELDS PRIMARY SCHOOL, BROUGHTON - WEST SIDE

NW1 From the gated entrance to the school, for a distance of approximately 23.2 metres in a southerly direction

THE UN-NAMED ACCESS ROAD LEADING TO BROUGHTON FIELDS PRIMARY SCHOOL, BROUGHTON - EAST SIDE AND NORTH SIDE

NW2 From the gated entrance to the school, for a distance of approximately 34.7 metres in a southerly then easterly direction

MILTON ROAD AND SHACKERSTONE CLOSE, BROUGHTON - WEST SIDE AND NORTH SIDE

NW3 From a point on Milton Road approximately 30 metres north of its junction with Shackerstone Close, for a distance of approximately 51 metres in a southerly then westerly direction onto Shackerstone Close

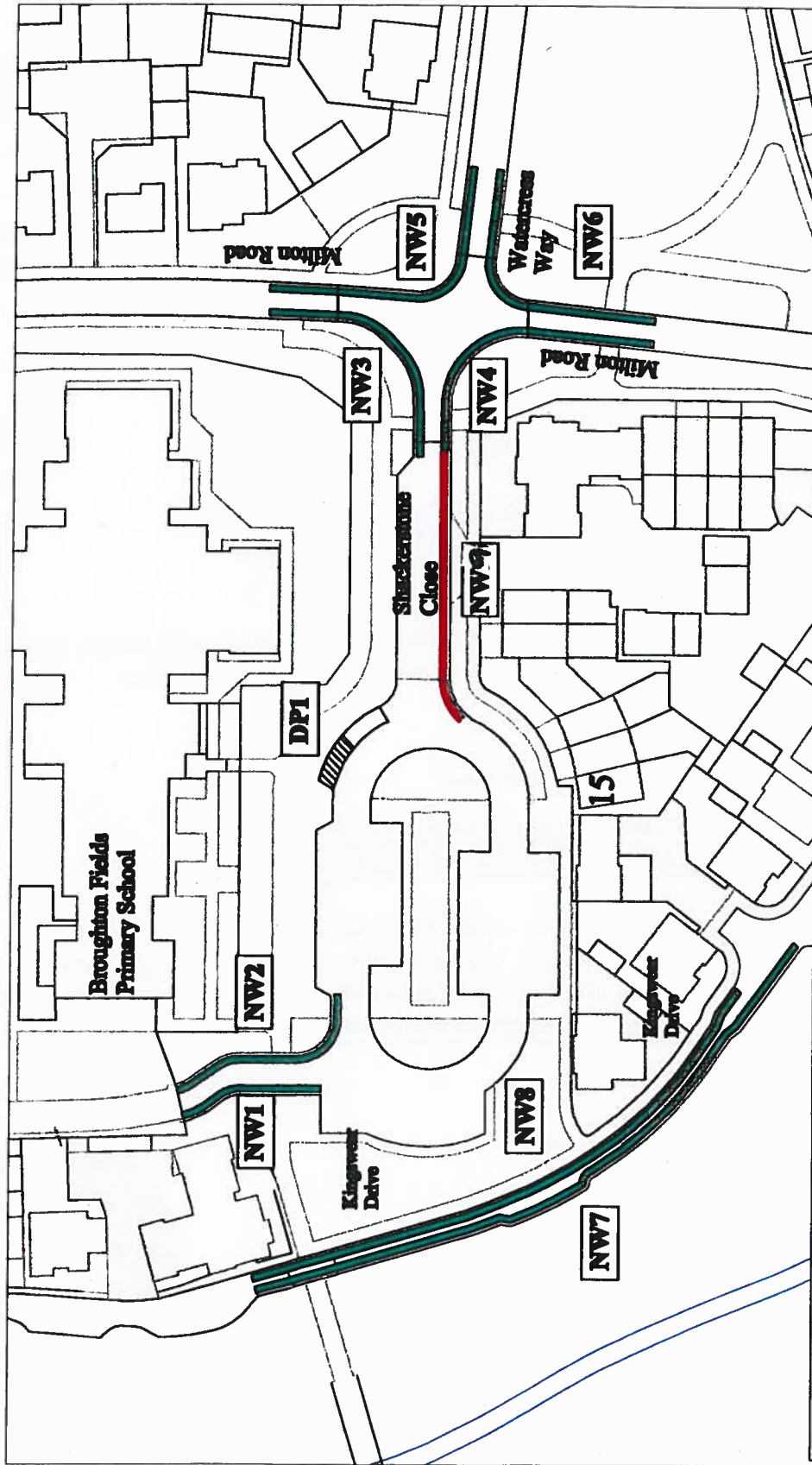
MILTON ROAD AND SHACKERSTONE CLOSE, BROUGHTON - WEST SIDE AND SOUTH SIDE

NW4 From a point on Milton Road approximately 33 metres south of its junction with Shackerstone Close, for a distance of approximately 52 metres in a northerly then westerly direction onto Shackerstone Close




MILTON ROAD AND WATERCRESS WAY, BROUGHTON - EAST SIDE AND NORTH SIDE

NW5 From a point on Milton Road approximately 29 metres north of its junction with Watercress Way, for a distance of approximately 49 metres in a southerly then easterly direction onto Watercress Way

MILTON ROAD AND WATERCRESS WAY, BROUGHTON - EAST SIDE AND SOUTH SIDE



KEY

	No Waiting at any time
	No Waiting, 8.15am to 9.15am, 2.30pm to 3.30pm, Disabled persons parking place
	TRO reference number
NW1	TRO reference number
DP1	

Map referred to in The Council of the Borough of Milton Keynes (Various Roads, Broughton) (Prohibition and Restriction of Waiting and Disabled Persons Parking Places) Order 2013

Not to scale

The company seal of the Council of the Borough of Milton Keynes was hereunto affixed in the presence of:

ASSISTANT DIRECTOR - LAW & GOVERNANCE (ACTING)

20990

NW6 From a point on Milton Road approximately 28 metres south of its junction with Watercress Way, for a distance of approximately 48 metres in a northerly then easterly direction onto Watercress Way

KINGSWEAR DRIVE, BROUGHTON - SOUTH-WEST SIDE

NW7 From a point approximately 28 metres south of a point in line with the southern boundary wall of No.23 Kingswear Drive for a distance of 104.3 metres in a south-easterly direction

KINGSWEAR DRIVE, BROUGHTON - NORTH-EAST SIDE

NW8 From a point approximately 28 metres south of a point in line with the southern boundary wall of No.23 Kingswear Drive for a distance of 92.9 metres in a south-easterly direction

SCHEDULE 2

NO WAITING

MONDAY TO FRIDAY

8.15AM TO 9.15AM AND 2.30PM TO 3.30PM

SHACKERSTONE CLOSE, BROUGHTON - SOUTH SIDE

NW9 From a point approximately 19 metres west of its junction with Milton Road, for a distance of approximately 43.2 metres in a westerly direction

SCHEDULE 3

DISABLED PERSONS' PARKING PLACES
THE WHOLE 24 HOURS OF EVERYDAY

SHACKERSTONE CLOSE, BROUGHTON - NORTH-EAST SIDE

DP1 From a point approximately 7.6 metres east of a point in line with the western boundary wall of number 15 Shackerstone Close, for a distance of approximately 7.7 metres in a south-easterly direction

THE COMMON SEAL of the **COUNCIL OF
THE BOROUGH OF MILTON KEYNES** was
hereunto affixed this 9th day of January 2013
in the presence of:-

.....

ACTING ASSISTANT DIRECTOR – LAW & GOVERNANCE

