

**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES
(GIFFARD PARK LOCAL CENTRE) (ON-STREET DISABLED
PERSONS' 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 (2) and 4(1) and (2) of the Road Traffic Regulation Act 1984 ("the Act of 1984") of the Road Traffic Regulation Act 1984 ("the Act") 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, hereby makes the following Order:-

PART 1

IMPLEMENTATION CITATION AND DEFINITIONS

1. This Order shall come into operation on 10 December 2012 and may be cited as "The Council of the Borough of Milton Keynes (Giffard Park Local Centre) (On-Street Disabled Persons' Parking Places) Order 2012".
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;

"Council" means The Council of the Borough of Milton Keynes;

"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;

"Prescribed hours" means between those hours stated in Schedule 1 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;

"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 plan annexed to this Order identifies the area subject to this Order, provided that where there is any inconsistency between the plan and the Schedule it is the wording of the Schedule which shall prevail.

PART 2

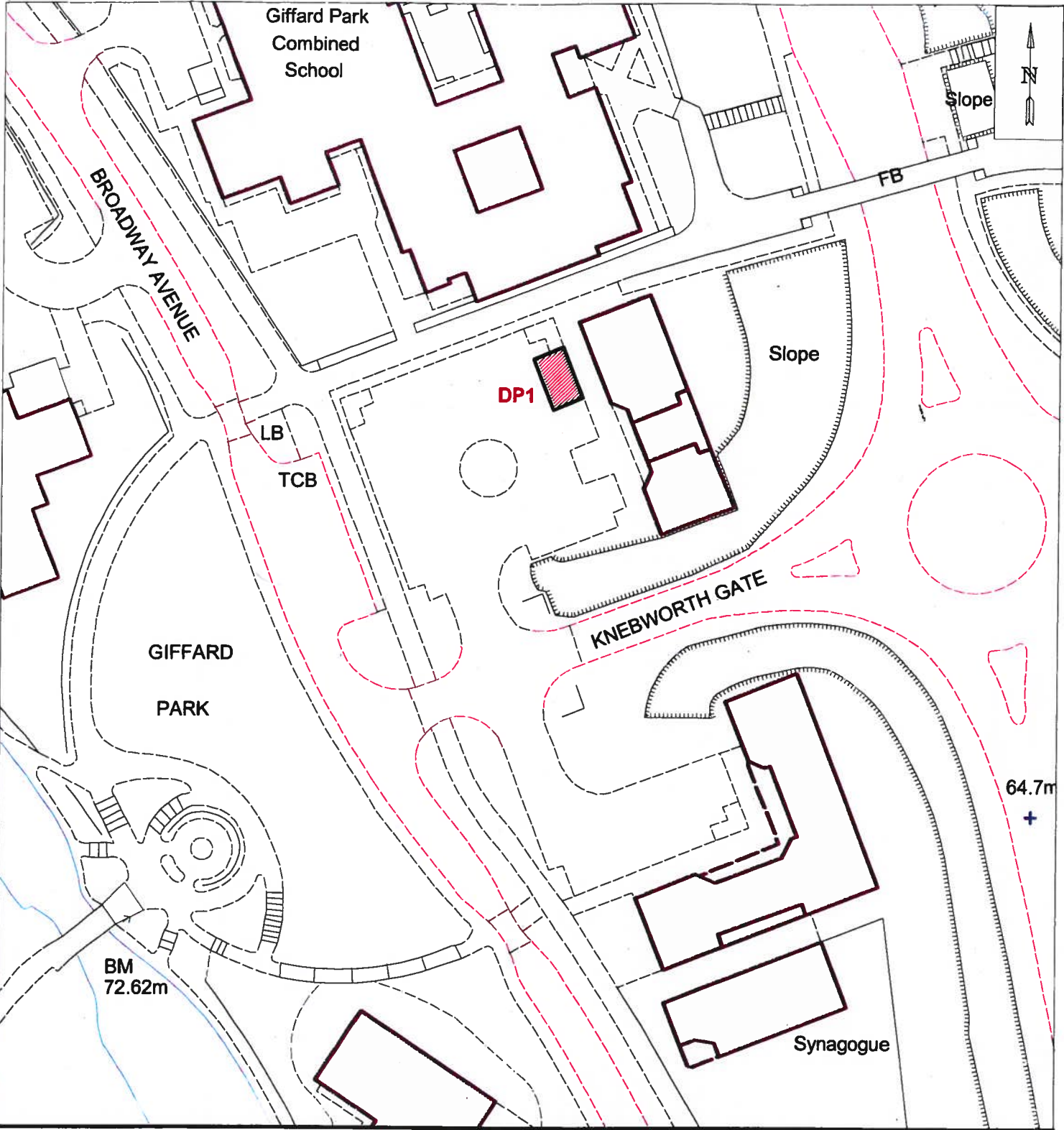
DISABLED PERSONS' PARKING PLACES

5.
 - (1) The length of road specified in Schedule 1 to this Order is authorised to be used, subject to the following provisions of this Part of the Order, during the prescribed hours as a parking place for the class of vehicle specified in Article 6.
 - (2) No vehicle other than the class specified in Article 6 shall park during the prescribed hours in the length of road specified in Schedule 1 to this Order.
6. The parking place specified in Schedule 1 to this Order may be used for the leaving of vehicles displaying a disabled person's badge in the relevant position.
7. For the purposes of this Order a vehicle shall be regarded as displaying a disabled person's badge in the relevant position under the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 if:
 - (1) the badge is exhibited on the dashboard or 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.
8. The limits of the disabled persons' parking place and the limits of any access way in a disabled persons' parking place shall be indicated by the Council on the road by the appropriate traffic signs and any vehicle standing in a disabled persons' parking space shall stand wholly within the limits so marked.
9. The driver of a vehicle using a disabled persons' parking place shall stop the engine as soon as the vehicle is in position in the parking space, and shall not start the engine of the vehicle except:
 - (1) for loading or unloading, or
 - (2) when about to change the position of the vehicle in or to depart from the parking place.

10. 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.
11. (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 2 of this Order a person authorised in that behalf may remove the vehicle or arrange for it to be removed from the parking place.
- (2) A police officer in uniform, traffic warden or 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 8 a person authorised in that behalf may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision.
- (4) Any person removing a vehicle or altering its position by virtue of paragraphs (1), (2) and (3) of this article may do so by towing or driving the vehicle or in such manner as he may think necessary to enable him to remove it or to alter its position as the case may be.
- (5) When a person authorised in that behalf removes or makes arrangements for the removal of a 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.
12. (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, traffic warden or 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 limited 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.
13. On the suspension of the use of a limited parking place or any part thereof in accordance with the provisions of Article 12 of this Order, the person authorising or causing such suspension shall 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.
14. (1) No person shall cause or permit a vehicle to be left in a 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 Article 13 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, police or military purposes or any vehicle being used for any purpose or eventuality specified in paragraph (1) of Article 12 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, traffic warden or CEO.



MAP FOR TRAFFIC REGULATION ORDER

Map referred to in the Council of the Borough of Milton Keynes (Giffard Park Local Centre) (On-Street Disabled Persons' Parking Places) Order 2012

Map 1

Not to Scale

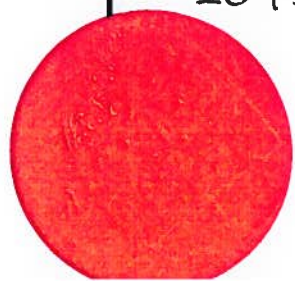
The Common Seal of the Council of the Borough of Milton Keynes was hereunto affixed in the presence of:

KEY:

- Disabled Persons' Parking Places
- DP1** TRO Reference Number

SEAL:

20937



PART 3

ENFORCEMENT OF RESTRICTIONS

15. 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.
16. 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

DISABLED PERSONS' PARKING PLACES

24 HOURS EVERY DAY OF THE WEEK

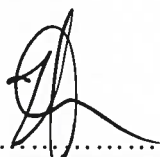
KNEBORTH GATE NORTHERN CAR PARK
NORTH-EAST SIDE

DP1 From a point approximately 10.8 metres south of a point in line with the southern boundary wall of Giffard Park Primary School for a distance of approximately 7.2 metres in a southerly direction (2 SPACES).

THE COMMON SEAL of the **COUNCIL OF THE
BOROUGH OF MILTON KEYNES** was hereunto

affixed this  day of December 2012

in the presence of:



~~ASSISTANT DIRECTOR – LAW AND GOVERNANCE~~

**Principal
Solicitor**

