# THE COUNCIL OF THE BOROUGH OF MILTON KEYNES (CENTRAL MILTON KEYNES) (ON-STREET PREMIUM RATE AND LONG STAY PAY AND DISPLAY, PAY BY MOBILE PHONE AND ELECTRIC VEHICLE PARKING PLACES) ORDER 2013

The Council of the Borough of Milton Keynes ("the Council") in the exercise of its powers under sections 1(1), 2(1) and (2), 4(2), 45, 46, 49 and 53 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 4<sup>th</sup> April 2013 and may be cited as "The Council of the Borough of Milton Keynes (Central Milton Keynes) (On-Street Premium Rate and Long Stay Pay and Display, Pay by Mobile Phone and Electric Vehicle Parking Places) Order 2013".
- 2. In this Order, except where the context otherwise requires, the following expressions have the meanings respectively assigned to them:-

"Central Milton Keynes Area" 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;

"delivering" and "collecting" in relation to any goods includes checking the goods for the purpose of their delivery or collection;

"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 parking in a parking place, means the person driving the vehicle at the time it was left in the parking place;

"Driver and Vehicle Licencing Agency" means the Executive Agency of the Department for Transport charged with facilitating road safety and general law enforcement by maintaining registers of drivers and vehicles and the collection of vehicle excise duty (car tax).

"dual purpose vehicle" has the same meaning as in the Road Vehicles (Construction and Use) Regulations 1986;

"Electric vehicle" means any vehicle which uses one or more electric motors for propulsion;

"Electric vehicle charging post" means apparatus which supplies electricity for the charging of electric vehicles;

"Electric vehicle charging point" means the location at which an electric vehicle charging post is situated for the purpose of the charging of electric vehicles;

"goods" includes postal packets of any description, cash or other valuable securities;

"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;

"Hybrid Petroleum Electric Vehicle" (HEV) means a vehicle that uses an internal combustion engine and one or more electric motors to power it.

"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;

"parking place" means an area marked out on the highway under the provisions of the Traffic Signs Regulations and General Directions 2002, within which the limits of a parking space (bay) is marked out for the parking of a single motor or electric vehicle;

"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 Mobile 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 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;

"prescribed hours" means between those hours stated in the Schedules of this Order;

"relevant tax disc" means a valid current Electric Vehicle tax disc issued by the Driver and Vehicle Licencing Agency;

"restricted road" means a road which is subject to parking 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;

"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

#### **VARIATIONS**

- 5. The Council of the Borough of Milton Keynes (Central Milton Keynes) (On-Street Premium Rate and Long Stay Pay and Display and Pay by Mobile Phone Parking Places) Order 2002, (the Principal Order) is varied as provided by the following provisions of this Order:-
  - (1) Item PD21b in Schedule 1 of the Principal Order is revoked and replaced with the following:-

SILBURY BOULEVARD

THE NORTH-WEST VEHICULAR ACCESSWAY – NORTH-WEST SIDE PD21b From the north-eastern side of the porte cochere leading to Crown Walk for a distance of approximately 21.2 metres in a north-easterly direction.

(2) Item PD22a in Schedule 1, Part A of the Principal Order is revoked and replaced with the following:-

SILBURY BOULEVARD
THE NORTH-WEST VEHICULAR ACCESSWAY – NORTH-WEST SIDE

- PD22a From the south-western side of the porte cochere (between Saxon Gate and North Eighth Street) for a distance of approximately 27.2 metres in a south-westerly direction.
- (3) Item PD25b in Schedule 1, Part A of the Principal Order is revoked and replaced with the following:-

#### SILBURY BOULEVARD

THE SOUTH-EAST VEHICULAR ACCESSWAY – SOUTH-EAST SIDE PD25b From the north-eastern side of the porte cochere (leading to Sunset Walk) for a distance of approximately 52.9 metres in a north-easterly direction.

(4) Item PD26c in Schedule 1, Part A of the Principal Order is revoked and replaced with the following:-

#### SILBURY BOULEVARD

THE SOUTH-EAST VEHICULAR ACCESSWAY – SOUTH-EAST SIDE PD26c (i) From the north-eastern side of the porte cochere leading to Acorn Walk for a distance of approximately 20.7 metres in a north-easterly direction.

- PD26c (ii)From a point approximately 30 metres north east of the northeastern side of the porte cochere leading to Acorn Walk to the south-west side of the porte cochere leading to Borough Walk.
- (5) Item PD27c in Schedule 1, Part A of the Principal Order is revoked and replaced with the following:-

#### SILBURY BOULEVARD

THE SOUTH-EAST VEHICULAR ACCESSWAY – SOUTH-EAST SIDE PD27c From the north-eastern side of the porte cochere leading to Borough Walk for a distance of approximately 52 metres in a north-easterly direction.

(6) Item PD28a in Schedule 1, Part A of the Principal Order is revoked and replaced with the following:-

#### SILBURY BOULEVARD

THE SOUTH-EAST VEHICULAR ACCESSWAY – NORTH-WEST SIDE PD28a From the north-eastern side of the porte cochere leading to Crown Walk for a distance of approximately 61.8 metres in a north-easterly direction.

(7) Item PD29b in Schedule 1, Part A of the Principal Order is revoked and replaced with the following:-

SAXON GATE (EAST SIDE)

THE SOUTH-WEST VEHICULAR ACCESSWAY – NORTH-EAST SIDE PD29b From its junction with the access road leading onto Saxon Gate between Silbury Boulevard and Midsummer Boulevard for a

distance of approximately 38.6 metres in a north-westerly direction.

(8) Item PD31a in Schedule 1 of the Principal Order is revoked and replaced with the following:-

#### **AVEBURY BOULEVARD**

THE NORTH-WEST VEHICULAR ACCESSWAY – NORTH-WEST SIDE PD31a From a point approximately 17.3 metres south-west of the porte cochere south-west of Lower Eighth Street to Saxon Gate.

(9) Item PD31c in Schedule 1 of the Principal Order is revoked and replaced with the following:-

#### **AVEBURY BOULEVARD**

THE NORTH-WEST VEHICULAR ACCESSWAY – NORTH-WEST SIDE PD31c From the south-western side of the porte cochere south-west of Lower Ninth Street for a distance of approximately 24.1 metres in a south-westerly direction.

(10) Item PD44i in Schedule 1 of the Principal Order is revoked and replaced with the following:-

#### SILBURY BOULEVARD

THE SOUTH-EAST VEHICULAR ACCESSWAY – SOUTH-EAST SIDE PD44i(i) From the south-western side of the porte cochere leading to Eagle Walk for a distance of approximately 37.4 metres in a south-westerly direction.

- PD44i(ii) From a point approximately 52.3 metres south-west of the south-western side of the porte cochere leading to Eagle Walk to Secklow Gate.
- (11) Item PD46e in Schedule 1 of the Principal Order is revoked and replaced with the following:-

#### MIDSUMMER BOULEVARD

THE NORTH-WEST VEHICULAR ACCESSWAY – NORTH-WEST SIDE
PD46e From the north-western side of the porte cochere leading to Gold
Oak Walk for a distance of approximately 19 metres in a northeasterly direction.

(12) Item PD48a in Schedule 1 of the Principal Order is revoked and replaced with the following:-

#### MIDSUMMER BOULEVARD

THE SOUTH-EAST VEHICULAR ACCESSWAY – SOUTH-EAST SIDE PD48a(i) From the north-eastern kerbline of Lower Twelfth Street to a point approximately 23.5 metres in a north-easterly direction.

PD48a(ii) From a point approximately 32.4 metres north-east of the north-eastern kerbline of Lower Twelfth Street for a distance of approximately 7.2 metres in a south-westerly direction.

(13) Item PD80f in Schedule 1 of the Principal Order is revoked and replaced with the following:-

#### SILBURY BOULEVARD

THE SOUTH-EAST VEHICULAR ACCESSWAY – SOUTH-EAST SIDE PD80f(i) From the north-east side of the porte cochere situated north-east of Upper Second Street for a distance of approximately 17.5 metres in a north-easterly direction.

PD80f(ii) From a point approximately 31.8 metres north-east of the north-eastern side of the porte cochere situated north-east of Upper Second Street to Upper Third Street.

#### PART 3

### PREMIUM RATE PAY AND DISPLAY PARKING PLACES

- 6. (1) Each of the lengths of road specified in Schedule 2 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, goods vehicles and mopeds and motorcycles.
  - (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 premium rate pay and display parking place.
  - (3) No person shall park any street trading vendors vehicle in a premium rate 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.
- 7. No person shall except with the permission or under the direction of a police officer in uniform, a traffic warden or CEO cause or permit any vehicle to park during the prescribed hours every day of the week except Bank Holidays in any of the lengths of road specified in Schedule 2 hereto unless that vehicle is of a class specified in Article 6 of this Order.
- 8. A vehicle which is present in a premium rate pay and display parking place specified in Schedule 2 at the commencement of the hours of operation of any restrictions imposed by this Order shall be deemed to have been left in that parking place at the commencement of that period of operation of that parking place.

- 9. (1) The limits of each premium rate pay and display parking place and of every parking space within a premium rate pay and display parking place and of any access way in a premium rate pay and display parking place shall be indicated on the road by the appropriate traffic signs;
  - (2) Any vehicle standing in a premium rate pay and display parking place 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 premium rate pay and display parking place.
- 10. The driver of a vehicle using a premium rate pay and display 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.
- 11. No charge for parking in any premium rate pay and display parking place during the prescribed hours in Schedule 2 of this Order, the use of which has not been suspended, shall be payable by any disabled persons' vehicle which displays in the relevant position a valid disabled persons' badge.
- 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 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.
- 13. (1) The charge for a vehicle parked in a premium rate pay and display parking place shall be as specified in Schedule 3 to this Order.
  - (2) Subject to the provisions of Article 17 of this Order, the charge shall be payable on the leaving of the vehicle in a premium rate pay and display parking place:-
    - (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 premium rate 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 premium rate 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 premium rate 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 11 of this Order and continues to park 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 park 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.
- 14. No person shall display on a vehicle left in a premium rate 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.
- 15. If a vehicle is left in a premium rate 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.
- 16. (1) If at any time while a vehicle is left in a premium rate 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 13 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 premium rate pay and display parking place shall be presumed, unless the contrary is proved, to have been issued on the day shown on the ticket.
- 17. If on the leaving of the vehicle during the prescribed hours in a premium rate 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.

- 18. (1) A police officer in uniform or traffic warden, or CEO may in case of emergency move or cause to be moved any vehicle left in a premium rate pay and display 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.
- 19. 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 premium rate pay and display parking place specified in Schedule 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) 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 premium rate pay and display parking place.

- 20. No person shall cause or permit a vehicle to park in a premium rate pay and display parking place by virtue of the provisions of paragraph (4) of Article 19 above otherwise than:
  - (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 premium rate pay and display parking place; 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
  - (c) 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 19.
- 21. (1) Any person authorised by the Council may suspend the use of a pay and display premium rate parking place or any part thereof whenever and for such duration as the Council considers such suspension reasonably necessary:
  - (2) for the purpose of facilitating the movement of traffic or promoting its safety;
    - a) for the purpose of building, industrial or demolition operations;
    - b) for the purpose of the maintenance, improvement or reconstruction of the parking place;
    - c) 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;
    - d) 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;
    - e) on any occasion on which it is likely by reason of some special attraction that any road will be thronged or obstructed;
    - f) 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.
  - (3) A police officer in uniform, traffic warden or CEO may suspend for not longer than twenty-four hours the use of a premium rate 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.
  - (4) 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 a premium rate 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.

- 22. On the suspension of the use of a premium rate pay and display place or any part thereof in accordance with the provisions of Article 21 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 parking, waiting and loading by vehicles is prohibited;
  - (2) the person authorising or causing such suspension may, if the use of the whole of the premium rate pay and display 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 premium rate pay and display parking place is suspended.
- 23. (1) Save as provided in paragraph (2) of this Article no person shall cause or permit a vehicle to park in a premium rate 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 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, 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 (2) of Article 21 of this Order to be left in the premium rate 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 4

#### PAY BY MOBILE PHONE PARKING PLACES

- 24. In addition to the provisions of Articles 6, 7, 8, 9, (1) & (2), 10, 11, 12, 15, 18 19, 20, 21, 22 and 23 each of the lengths of road specified in Schedule 2 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 place 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 3.
  - (2) In addition to the provisions of Article 13(2), the parking charge may also be payable on the leaving of a vehicle in a Pay by Mobile Phone parking place as referred to in Schedule 2 via the Pay by Mobile Phone parking system and the

provisions of Articles 13(4) to (7) and Articles 14 and 16 shall not apply to that vehicle.

- (3) Provided that where only one of the methods of payment referred to in Article 13(2) is available, that method shall be used for payment of the parking charge.
- 25. (1) Where a vehicle has been left in a parking space referred to in Schedule 2 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 2 and no indication appears on a hand held device that payment of the parking charge has been made using the Pay by Mobile Phone parking 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.
- No person shall except with the permission or under the direction of a police officer in uniform, a traffic warden or CEO cause or permit any vehicle to park during the prescribed hours every day of the week in any of the lengths of road specified in Schedule 2 hereto unless that vehicle is of a class specified in Article 24 of this Order.
- A vehicle which is present in a Pay by Mobile Phone parking place 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 parking place at the commencement of that period of operation of that parking place.

#### PART 5

#### **ELECTRIC VEHICLE PARKING PLACES**

- 28. (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 electric vehicles and hybrid petroleum electric vehicles displaying a relevant tax disc.
  - (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 an electric vehicle parking place.
  - (3) No person shall park any street trading vendor's vehicle in an electric vehicle 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.
- 29. No person shall except with the permission or under the direction of a police officer in uniform, a traffic warden or CEO cause or permit any vehicle to park during the prescribed hours every day of the week in any of the lengths of road specified in Schedule 1 hereto unless that vehicle is of the class specified in Article 28.
- 30. A vehicle which is present in an electric vehicle parking place 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 parking place at the commencement of that period of operation of that parking place.
- 31. (1) The limits of each electric vehicle parking place and of every parking space within an electric vehicle parking place and of any access way in an electric vehicle parking place shall be indicated on the road by the appropriate traffic signs;
  - (2) Any vehicle standing in an electric vehicle parking place 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 electric vehicle charging post in such position as it thinks fit in the vicinity of an electric vehicle parking space.
- 32. The driver of a vehicle using an electric vehicle 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.
- 33. The charge for a vehicle parked in an electric vehicle parking space shall be as specified in Schedule 4 to this Order.
- 34. No charge for parking in any electric vehicle parking place, the use of which has not been suspended, shall be payable by a disabled persons' vehicle, if that vehicle is of a class specified in Article 28 of this Order, which displays in the relevant position a valid disabled persons' badge.
- 35. 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.
- 36. (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 an electric vehicle 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.
- 37. 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 an electric vehicle 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;
    - 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;
    - 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 electric vehicle parking place.

- 38. No person shall cause or permit a vehicle to park in an electric vehicle parking place by virtue of the provisions of paragraph (4) of Article 37 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 an electric vehicle 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 37.
- 39. (1) Any person authorised by the Council may suspend the use of an electric vehicle parking place or any part thereof whenever and for such duration as the Council considers such suspension reasonably necessary:
  - 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 electric vehicle 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 electric vehicle 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 an electric vehicle 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 an electric vehicle 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.

- 40. On the suspension of the use of an electric vehicle parking place or any part thereof in accordance with the provisions of Article 39 of this Order:
  - the person authorising or causing such suspension shall, if the use of the whole or of any part of the electric vehicle 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;
  - the person authorising or causing such suspension may, if the use of the whole of the electric vehicle parking place is suspended, place or cause to be placed over or on the electric vehicle charging post which relates to that parking place a hood or other cover indicating that the use of the electric vehicle parking place is suspended.
- 41. (1) Save as provided in paragraph (2) of this Article no person shall cause or permit a vehicle to be left in an electric vehicle 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 40 of this Order that the whole or part of that parking place has been suspended.
  - Subject to the overriding requirement that the person in control of the vehicle s 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 39 of this Order to be left in the electric vehicle 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 6

#### **ELECTRIC VEHICLE CHARGING**

- 42. An electric vehicle may be left in an electric vehicle parking place specified within Schedule 1 during the prescribed hours:-
  - (a) whilst charging; or
  - (b) whilst not charging.

#### PART 7

#### **ENFORCEMENT OF RESTRICTIONS**

- 43. 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.
- 44. 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.

#### **SCHEDULE 1**

#### **ELECTRIC VEHICLE PARKING PLACES**

#### BETWEEN 7.00 AM AND 6.00 PM EVERY DAY OF THE WEEK

AVEBURY BOULEVARD, CENTRAL MILTON KEYNES -THE NORTH-WEST VEHICULAR ACCESSWAY - NORTH-WEST SIDE

- EV1 From a point approximately 7.7 metres south-west of the porte cochere between Saxon Gate and Lower Eighth Street for a distance of approximately 9.7 metres in a south-westerly direction (4 SPACES).
- EV2 From its junction with Lower Eighth Street for a distance of approximately 9.9 metres in a north-easterly direction (4 SPACES).

MIDSUMMER BOULEVARD, CENTRAL MILTON KEYNES -THE NORTH-WEST VEHICULAR ACCESSWAY - NORTH-WEST SIDE

EV3 From a point approximately 19 metres north-east of the porte cochere leading to Gold Oak Walk for a distance of approximately 14.8 metres in a north-easterly direction (6 SPACES).

THE SOUTH-EAST VEHICULAR ACCESSWAY -SOUTH-EAST SIDE

- From a point in line with the junction of Upper Fifth Street to the access road leading to the multi-storey car park (6 SPACES).
- EV5 From a point approximately 23.5 metres north-east of the north-eastern kerbline of Lower Twelfth Street for a distance of approximately 8.9 metres in a north-easterly direction (4 SPACES).

SAXON GATE, CENTRAL MILTON KEYNES - EAST SIDE - THE SOUTH-WEST VEHICULAR ACCESSWAY - NORTH-EAST SIDE

From a point approximately 38.6 metres north-west of its junction with the access road leading to Saxon Gate between Silbury Boulevard and Midsummer Boulevard for a distance of approximately 14 metres in a north-westerly direction (6 SPACES).

## SILBURY BOULEVARD, CENTRAL MILTON KEYNES -

THE NORTH-WEST VEHICULAR ACCESSWAY - NORTH-WEST SIDE

- From the access road that leads on to the north-eastern accessway of Saxon Gate East for a distance of approximately 10 metres in a north-easterly direction (4 SPACES).
- EV8 From a point approximately 21.1 metres north-east of the porte cochere between North Tenth Street and Secklow Gate for a distance of approximately 4.8 metres in a north-easterly direction (2 SPACES).

# THE SOUTH-EAST VEHICULAR ACCESSWAY - NORTH-WEST SIDE

EV9 From a point approximately 61.8 metres north-east of the porte cochere leading to Crown Walk to its junction with Secklow Gate (6 SPACES).

# THE SOUTH-EAST VEHICULAR ACCESSWAY - SOUTH-EAST SIDE

- EV10 From a point approximately 21.8 metres south-west of the south-western side of the porte cochere leading to Acorn Walk for a distance of approximately 10.3 metres in a south-westerly direction (4 SPACES).
- EV11 From a point approximately 37.5 metres south-west of the porte cochere leading to Eagle Walk for a distance of approximately 14.8 metres in a south-westerly direction (6 SPACES).
- EV12 From a point approximately 20.7 metres north-east of the north-eastern side of the porte cochere leading to Acorn Walk for a distance of approximately 10 metres in a north-easterly direction (4 SPACES).
- EV13 From a point approximately 24 metres south-west of the south-western side of the porte cochere leading to Crown Walk for a distance of approximately 9.3 metres in a north-easterly direction (4 SPACES).
- EV14 From a point approximately 17.5 metres north-east of the north-eastern side of the porte cochere situated north-east of Upper Second Street for a distance of approximately 14.5 metres in a north-easterly direction (6 SPACES).

# **SCHEDULE 2**

PREMIUM RATE PAY AND DISPLAYAND PAY BY MOBILE PHONE PARKING PLACES

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

BETWEEN 10.00 AM AND 4.00 PM EVERY DAY OF THE WEEK
EXCEPT ON BANK HOLIDAYS

#### AVEBURY BOULEVARD, CENTRAL MILTON KEYNES -

THE NORTH-WEST VEHICULAR ACCESSWAY - NORTH-WEST SIDE

PD1 From its junction with Lower Eighth Street for a distance of approximately 9.9 metres in a north-easterly direction (4 SPACES).

#### MIDSUMMER BOULEVARD, CENTRAL MILTON KEYNES -

THE NORTH-WEST VEHICULAR ACCESSWAY - NORTH-WEST SIDE

PD2 From a point approximately 19 metres north-east of the porte cochere leading to Gold Oak Walk for a distance of approximately 14.8 metres in a north-easterly direction (6 SPACES).

#### THE SOUTH-EAST VEHICULAR ACCESSWAY -SOUTH-EAST SIDE

- PD3 From a point in line with the junction of Upper Fifth Street to the access road leading to the multi-storey car park (6 SPACES).
- PD4 From a point approximately 23.5 metres north-east of the north-eastern kerbline of Lower Twelfth Street for a distance of approximately 8.9 metres in a north-easterly direction (4 SPACES).

# SAXON GATE, CENTRAL MILTON KEYNES - EAST SIDE - THE SOUTH-WEST VEHICULAR ACCESSWAY - NORTH-EAST SIDE

PD5 From a point approximately 38.6 metres north-west of its junction with the access road leading to Saxon Gate between Silbury Boulevard and Midsummer Boulevard for a distance of approximately 14 metres in a north-westerly direction (6 SPACES).

#### SILBURY BOULEVARD, CENTRAL MILTON KEYNES -

THE NORTH-WEST VEHICULAR ACCESSWAY - NORTH-WEST SIDE

PD6 From a point approximately 21.1 metres north-east of the porte cochere between North Tenth Street and Secklow Gate for a distance of approximately 4.8 metres in a north-easterly direction (2 SPACES).

#### THE SOUTH-EAST VEHICULAR ACCESSWAY - NORTH-WEST SIDE

PD7 From a point approximately 61.8 metres north-east of the porte cochere leading to Crown Walk to its junction with Secklow Gate (6 SPACES).

#### THE SOUTH-EAST VEHICULAR ACCESSWAY - SOUTH-EAST SIDE

- PD8 From a point approximately 21.8 metres south-west of the south-western side of the porte cochere leading to Acorn Walk for a distance of approximately 10.3 metres in a south-westerly direction (4 SPACES).
- PD9 From a point approximately 37.5 metres south-west of the porte cochere leading to Eagle Walk for a distance of approximately 14.8 metres in a south-westerly direction (6 SPACES).
- PD10 From a point approximately 20.7 metres north-east of the north-eastern side of the porte cochere leading to Acorn Walk for a distance of approximately 10 metres in a north-easterly direction (4 SPACES).
- PD11 From a point approximately 24 metres south-west of the south-western side of the porte cochere leading to Crown Walk for a distance of approximately 9.3 metres in a north-easterly direction (4 SPACES).

PD12 From a point approximately 17.5 metres north-east of the north-eastern side of the porte cochere situated north-east of Upper Second Street for a distance of approximately 14.5 metres in a north-easterly direction (6 SPACES).

#### **SCHEDULE 3**

# PREMIUM RATE PAY AND DISPLAY AND PAY BY MOBILE PHONE PARKING CHARGES

COLUMN 1

**COLUMN 2** 

CHARGES FOR VEHICLES PARKING IN PLACES SPECIFIED IN SCHEDULE 2

**PERIOD** 

£0.30

15 minutes, and £0.30 for each successive period of 15 minutes between the hours of 10.00 am and 4.00 pm every day of the week

except Bank Holidays

#### **SCHEDULE 4**

# **ELECTRIC VEHICLE PARKING PLACES CHARGES**

COLUMN 1

**COLUMN 2** 

CHARGES FOR ELECTRIC VEHICLES
PARKING IN PLACES SPECIFIED IN
SCHEDULE 1

PERIOD

Nil

Between 7.00 am and 6.00 pm every day of the week

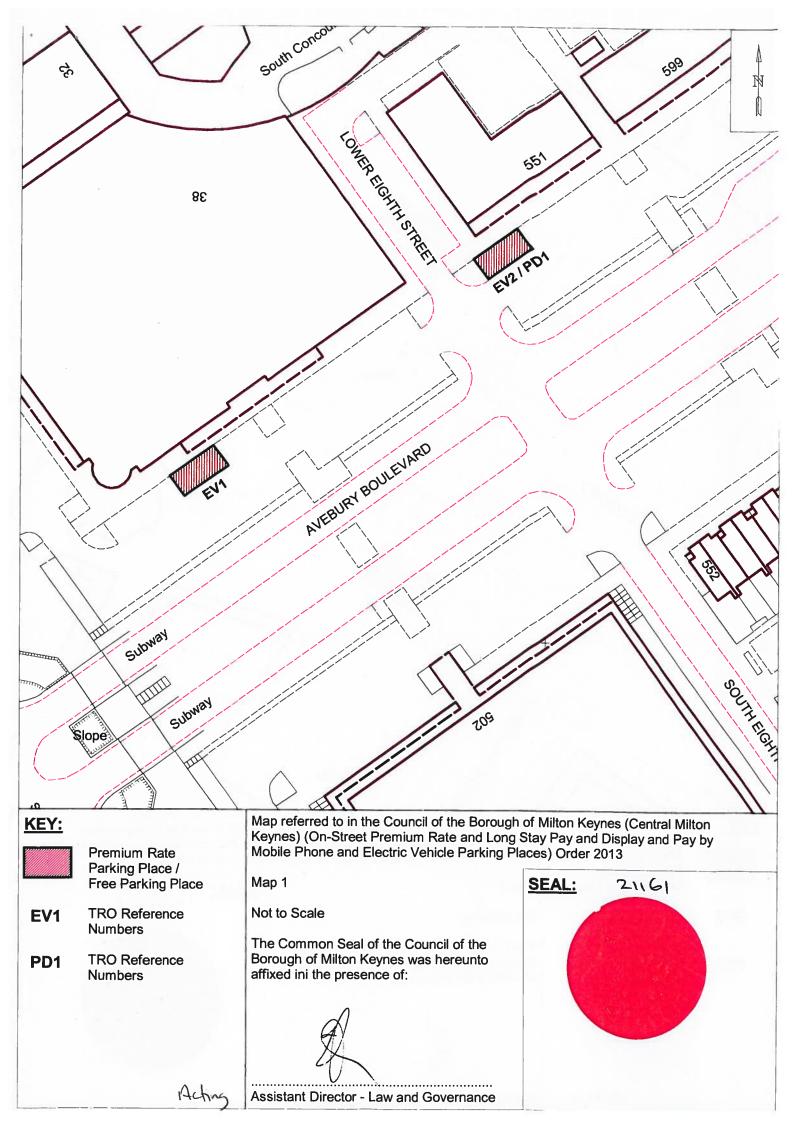
# **SCHEDULE 5**

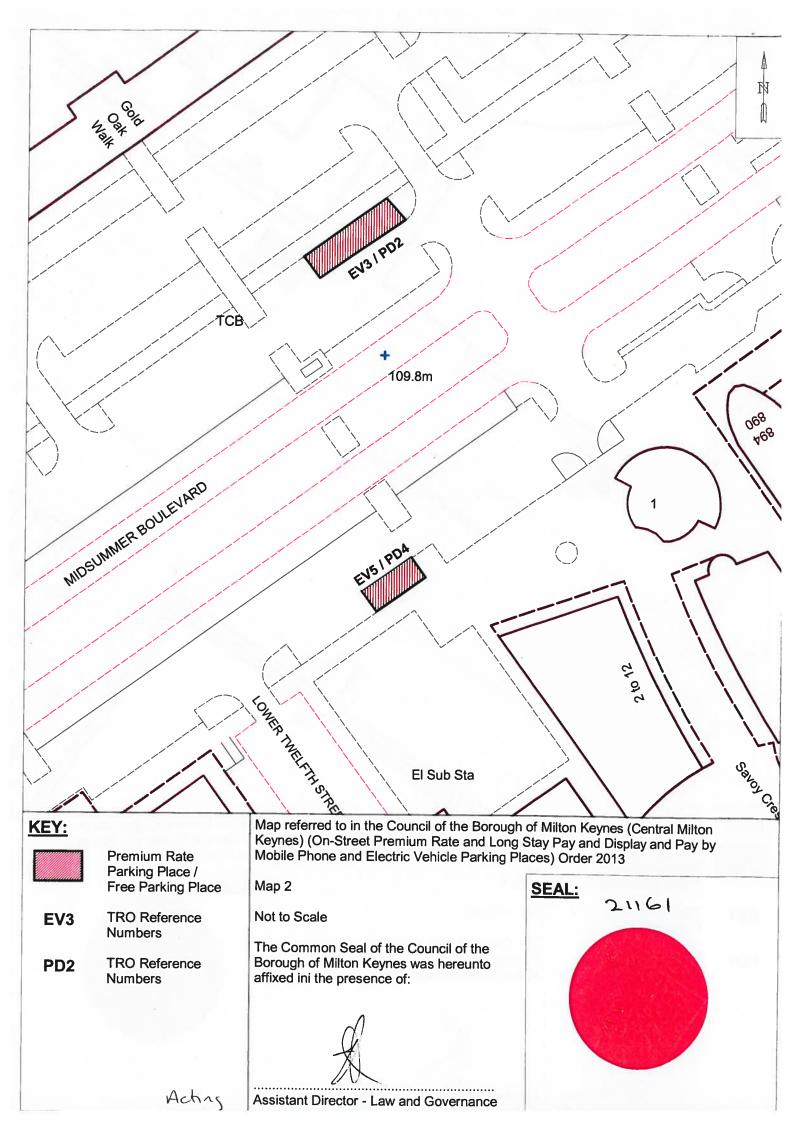
### **REVOCATIONS**

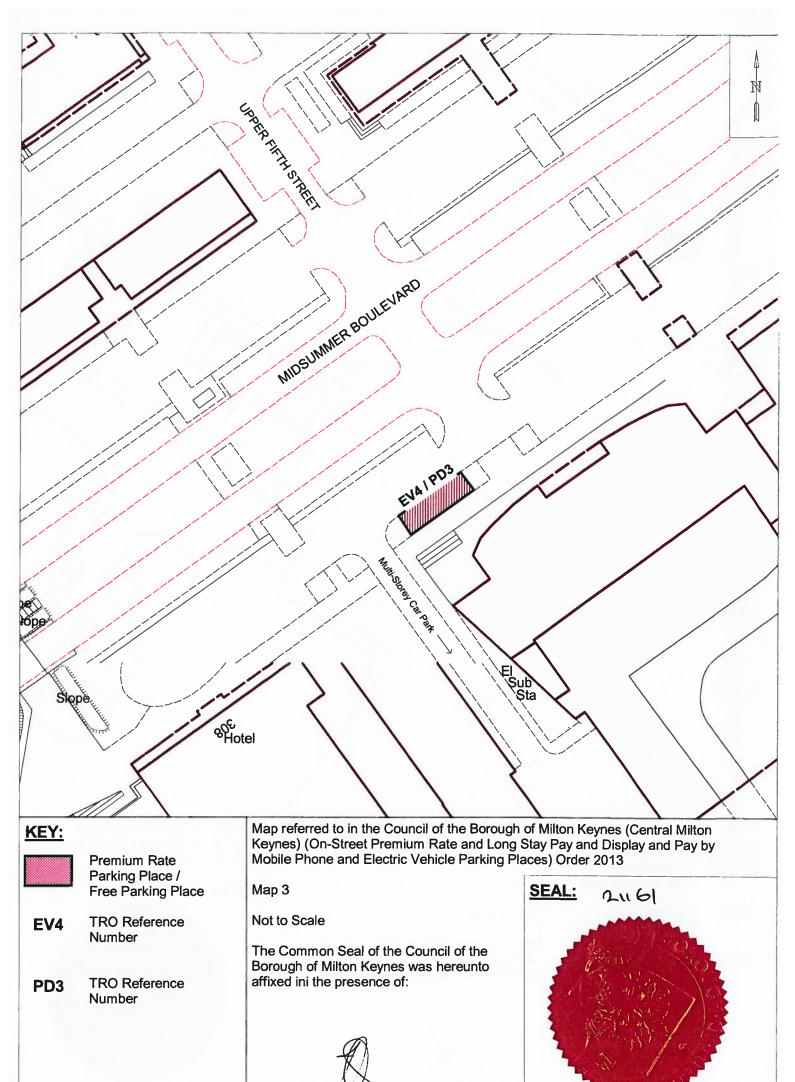
The following Order is **HEREBY REVOKED** to the extent stated below:-

The Council of the Borough of Milton Keynes (Central Milton Keynes) (On-Street Premium Rate and Long Stay Pay and Display and Pay by Mobile Phone Parking Places) Order 2002

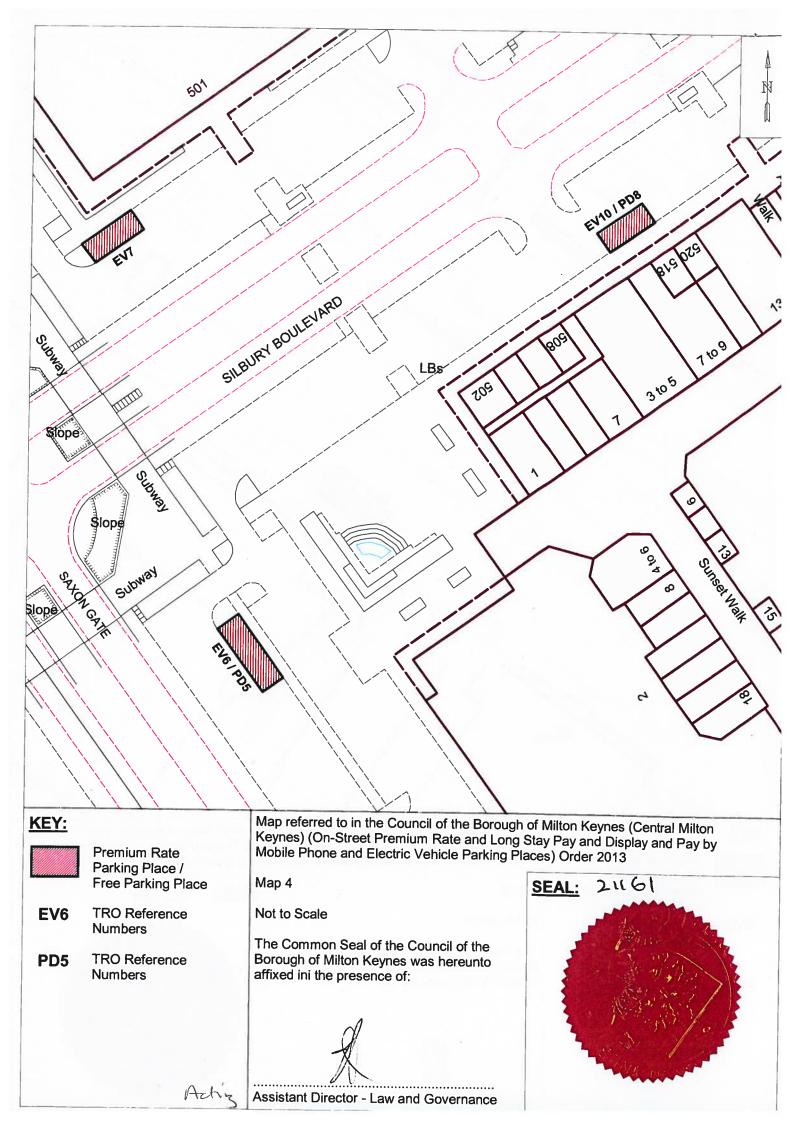
Item PD82d in Schedule 1 is REVOKED IN ITS ENTIRETY

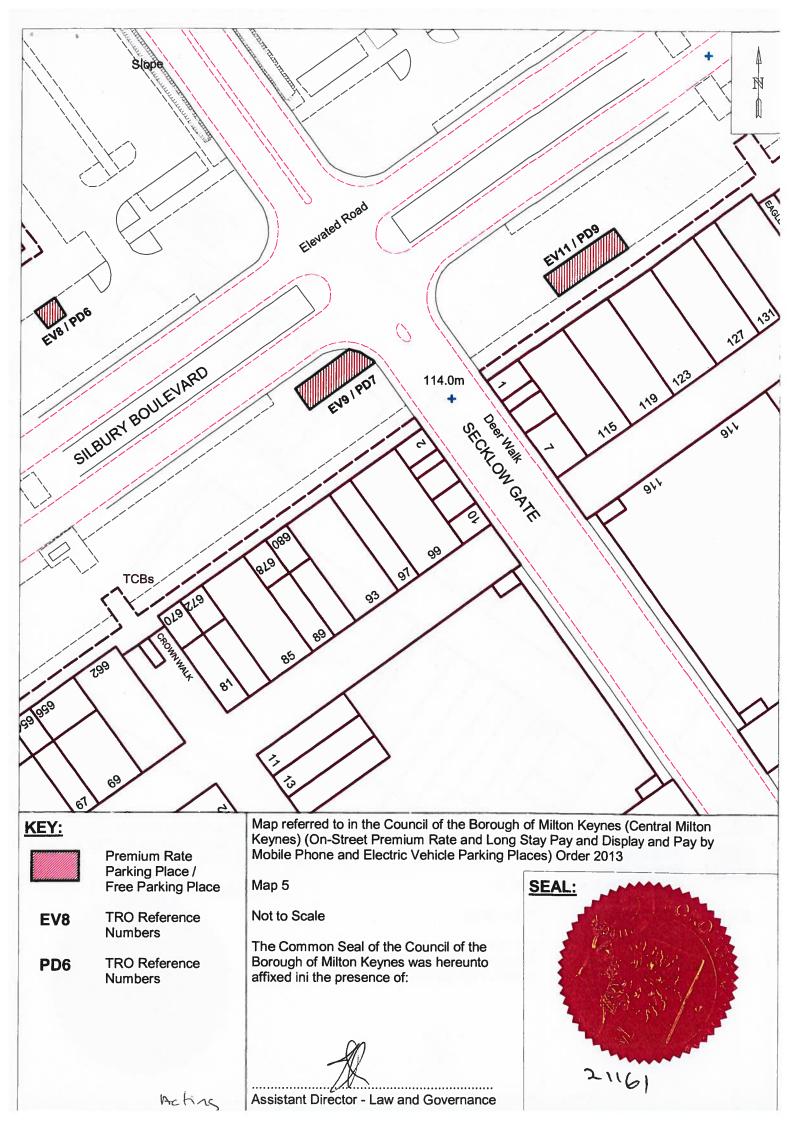


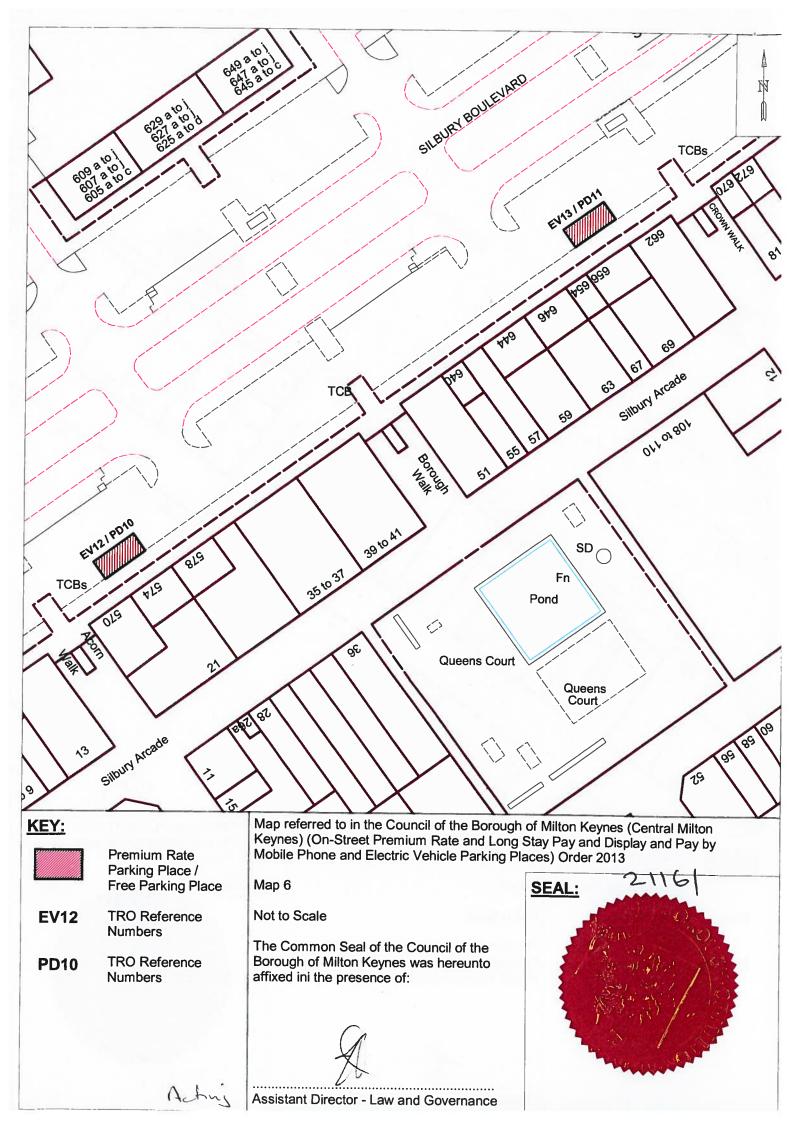


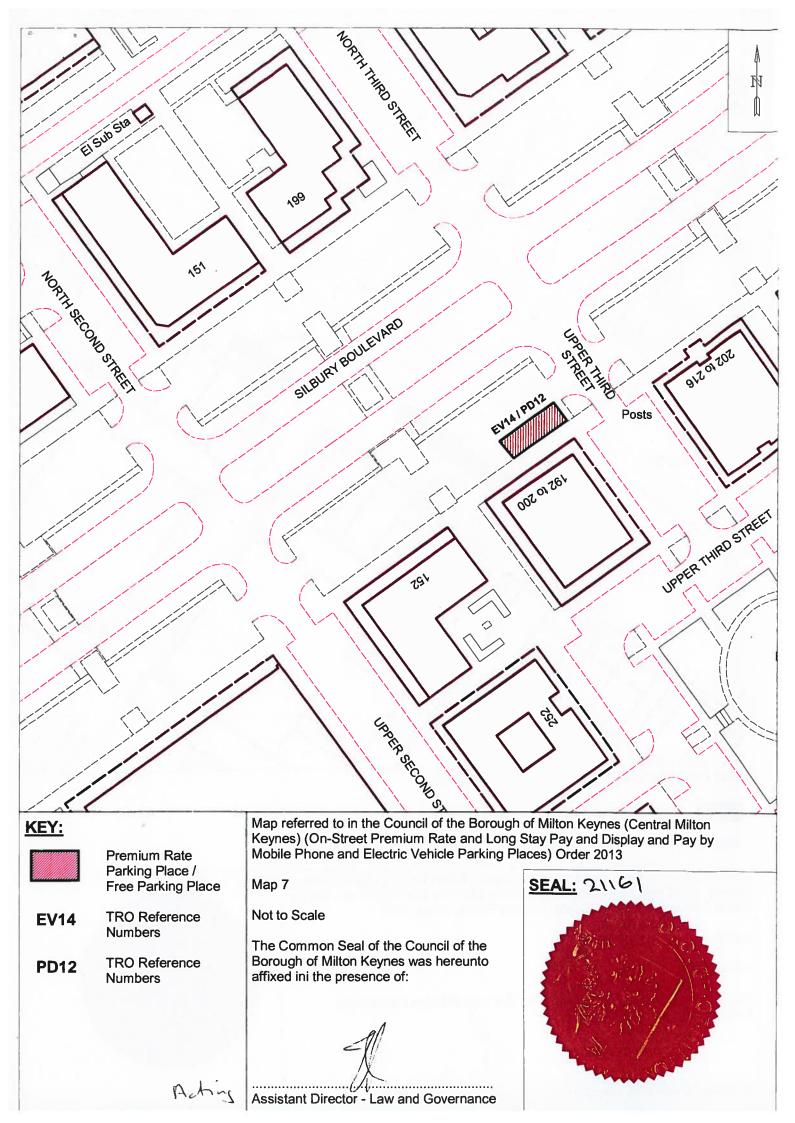


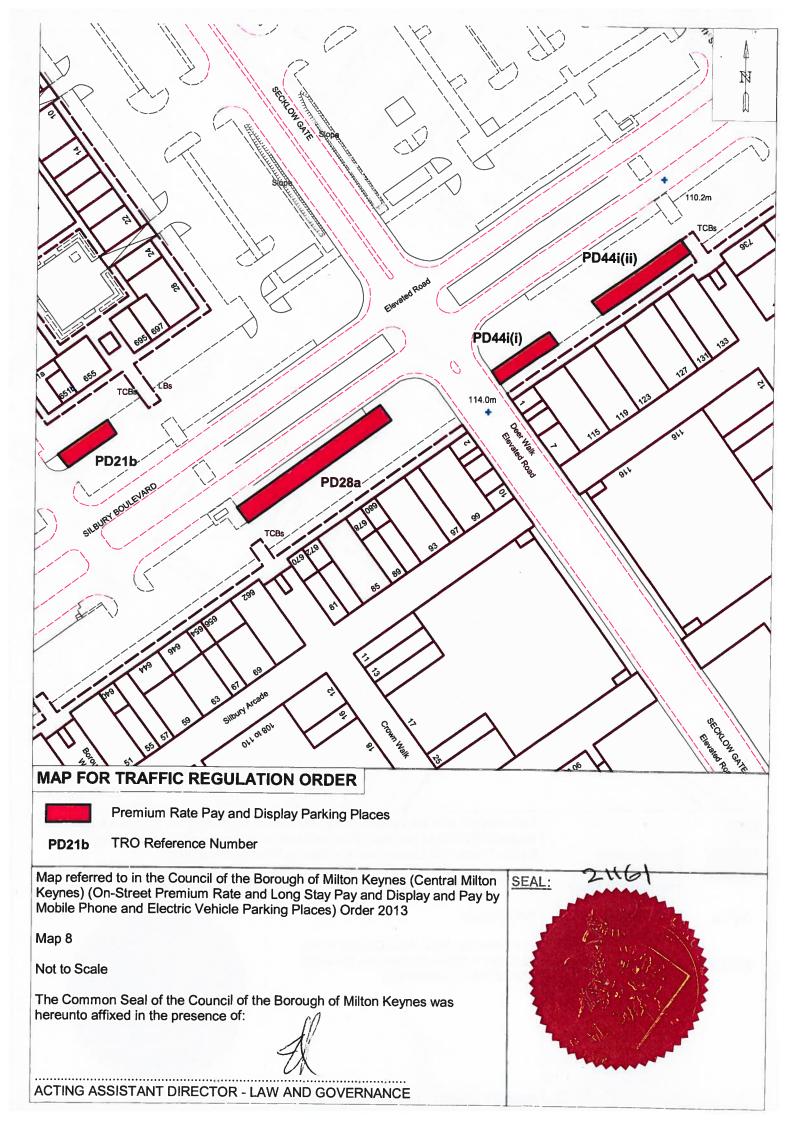
Active | Assistant Director - Law and Governance

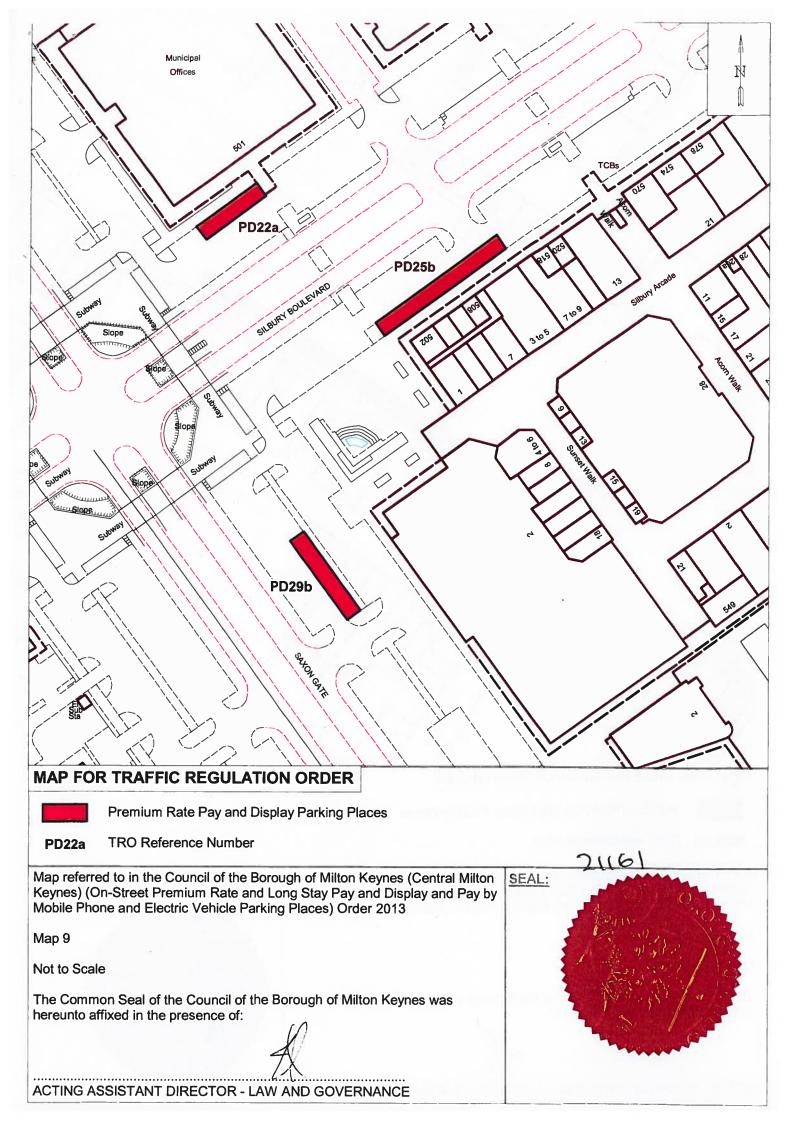


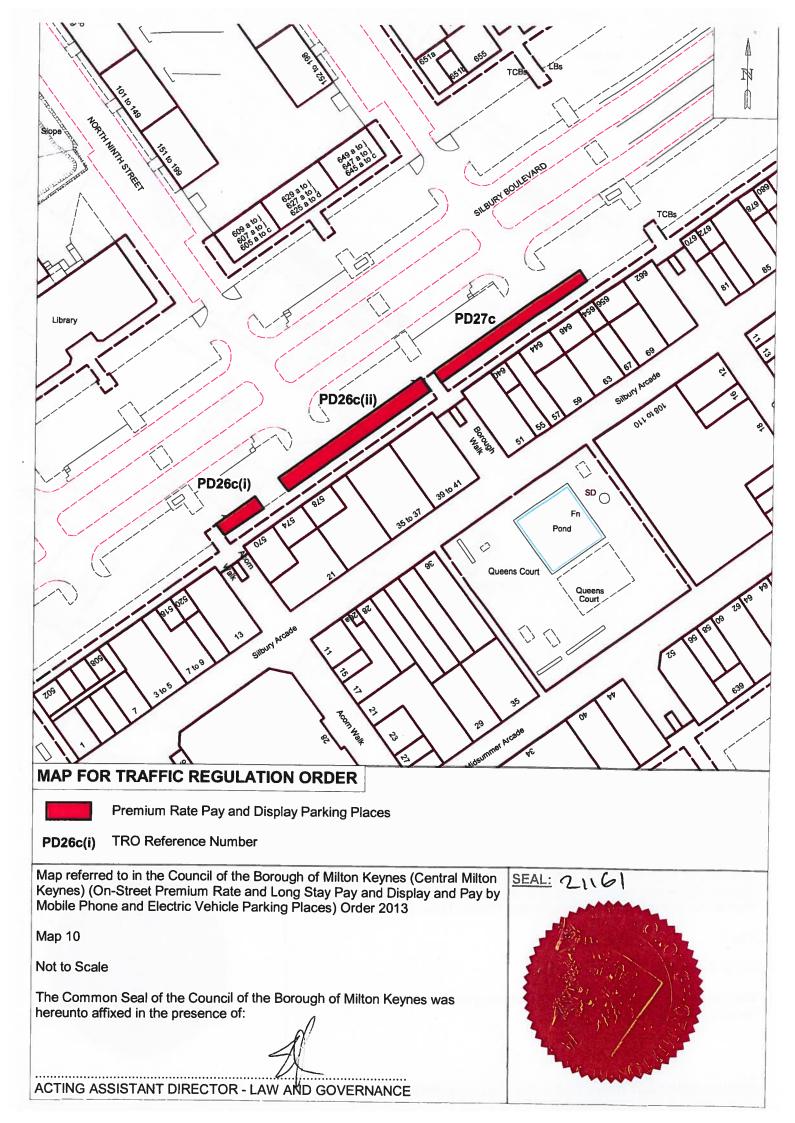


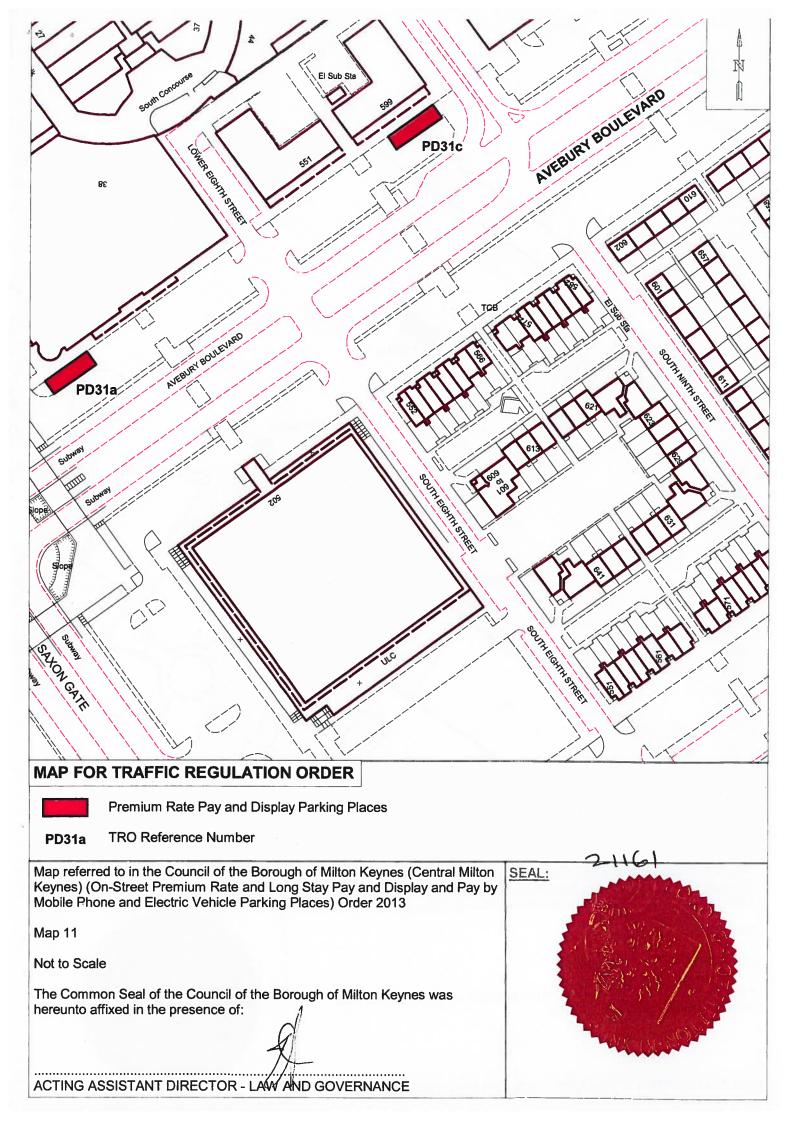


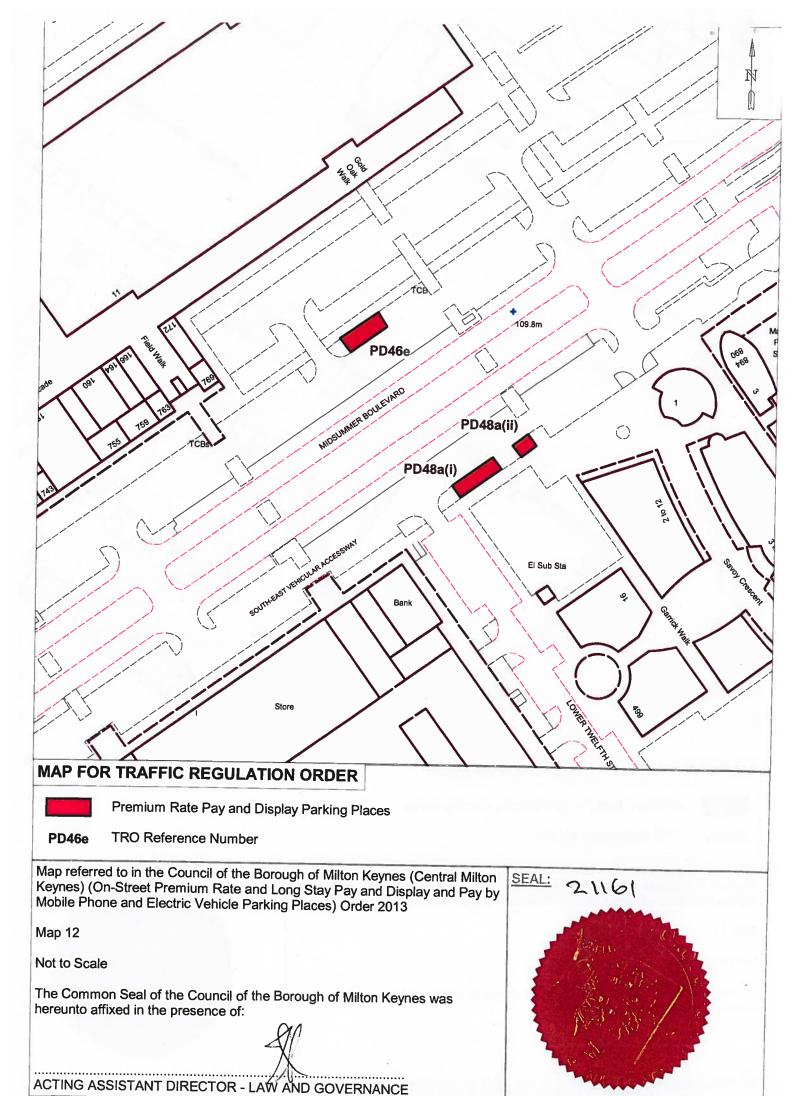


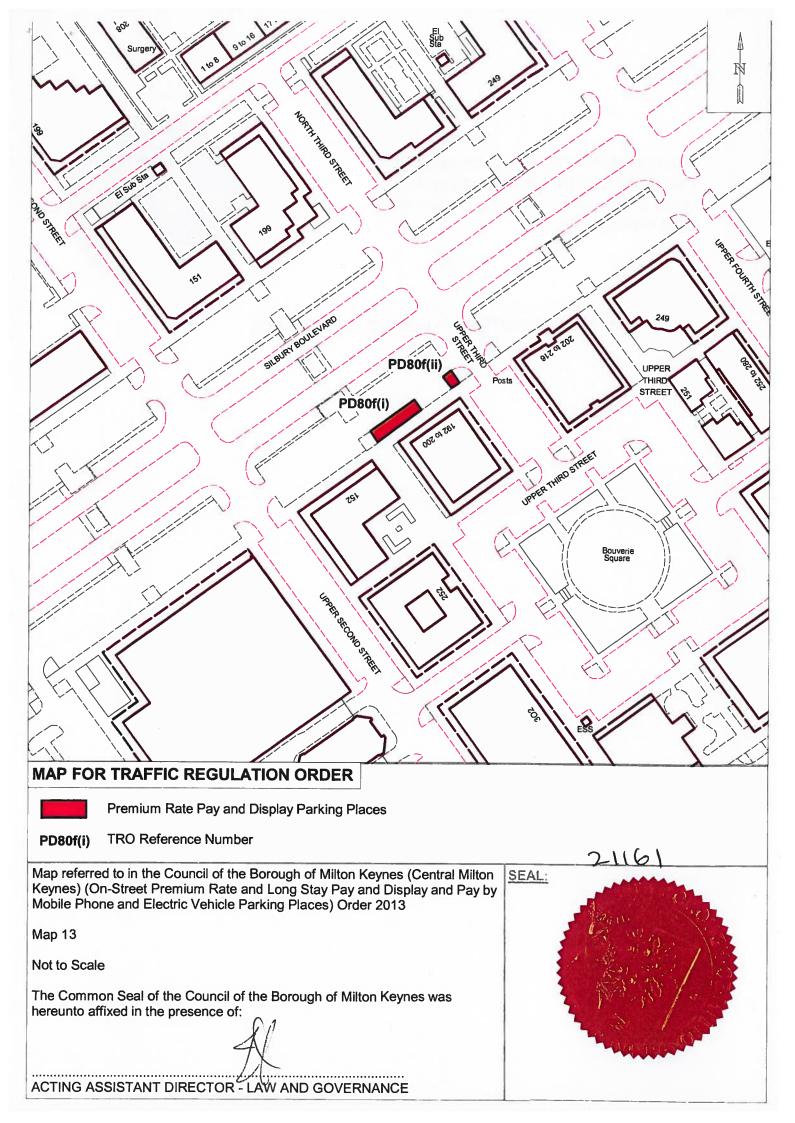












THE COMMON SEAL OF the COUNCIL OF THE BOROUGH OF MILTON KEYNES was hereunto affixed this the presence of:-

21161

ACTING ASSISTANT DIRECTOR Y LAW AND GOVERNANCE