

**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES
(FINGLE DRIVE (PARTS), STONEBRIDGE)
(PROHIBITION OF WAITING) ORDER 2014**

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(2) 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 15th May 2014 and may be cited as "The Council of the Borough of Milton Keynes (Fingle Drive (Parts), Stonebridge) (Prohibition of Waiting) Order 2014".
2. In this Order, except where the context otherwise requires, the following expressions have the meanings respectively assigned to them:-

"access way" means a length of road sufficient to enable a vehicle to have access to and egress from land or premises in or adjacent to the road;

"bus" means a motor vehicle constructed or adapted to carry more than eight passengers (exclusive of driver);

"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;

"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;

"disabled persons' vehicle" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"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;

"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;

"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 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;

"school vehicle or community transport vehicle" means a vehicle belonging to the Council or to a company who is under contract to the Council to provide transport services within the borough of Milton Keynes;

"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 areas 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 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 (CEO) cause or permit any vehicle to wait at any time in any of the lengths of roads specified in Schedule 1 hereto.
6. Nothing in Article 5 above shall render it a contravention of this Order to cause or permit any vehicle to wait in any of the lengths of roads specified in Schedule 1 for so long as may be necessary:-

(1) to enable goods to be loaded or unloaded from the vehicle.

(2) to enable a person to board or alight from the vehicle;

(3) if the vehicle is a bus or passenger vehicle;

(4) If the vehicle is a goods vehicle and is delivering and /or collecting.

(5) 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;

- (6) 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;
- (7) 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) any wedding or funeral;
 - f) use for police, military, 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 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;
 - i) to carry out the removal of furniture or household effects to or from a shop, office, depository or dwelling house in the vicinity.

7. In accordance with the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000, nothing in Article 5. shall render it a contravention of this Order 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 8. and 9. hereof to wait for a period not exceeding 3 hours in any of the lengths 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 length of road on the same day.
8. 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.
9. 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 fascia 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 fascia, 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
ENFORCEMENT OF RESTRICTIONS

10. 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.
11. 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

FINGLE DRIVE (NORTH-WEST ARM), STONEBRIDGE - NORTH-WEST SIDE

- NW1 From a point 54.2 metres south-west of its junction with V6 Grafton Street for a distance of 15.6 metres in a south-westerly direction
- NW2 From a point 117 metres south-west of its junction with V6 Grafton Street for a distance of 37 metres in a north-easterly direction

FINGLE DRIVE (NORTH-WEST ARM), STONEBRIDGE - SOUTH-EAST SIDE

NW3 From a point 54.8 metres south-west of its junction with V6 Grafton Street for a distance of 55.6 metres in a south-westerly then south-easterly direction

NW4 From a point 153.8 metres south-west of its junction with V6 Grafton Street for a distance of 50 metres in a north-easterly then south-easterly direction

FINGLE DRIVE (SOUTH-EAST ARM), STONEBRIDGE - NORTH-EAST SIDE

NW5 From a point 26 metres south-east of the south-eastern kerbline of the north-western arm of Fingle Drive for a distance of 15.2 metres in a south-easterly direction

NW6 From a point 52.5 metres south-east of the south-eastern kerbline of the north-western arm of Fingle Drive for a distance of 15.5 metres in a north-westerly direction

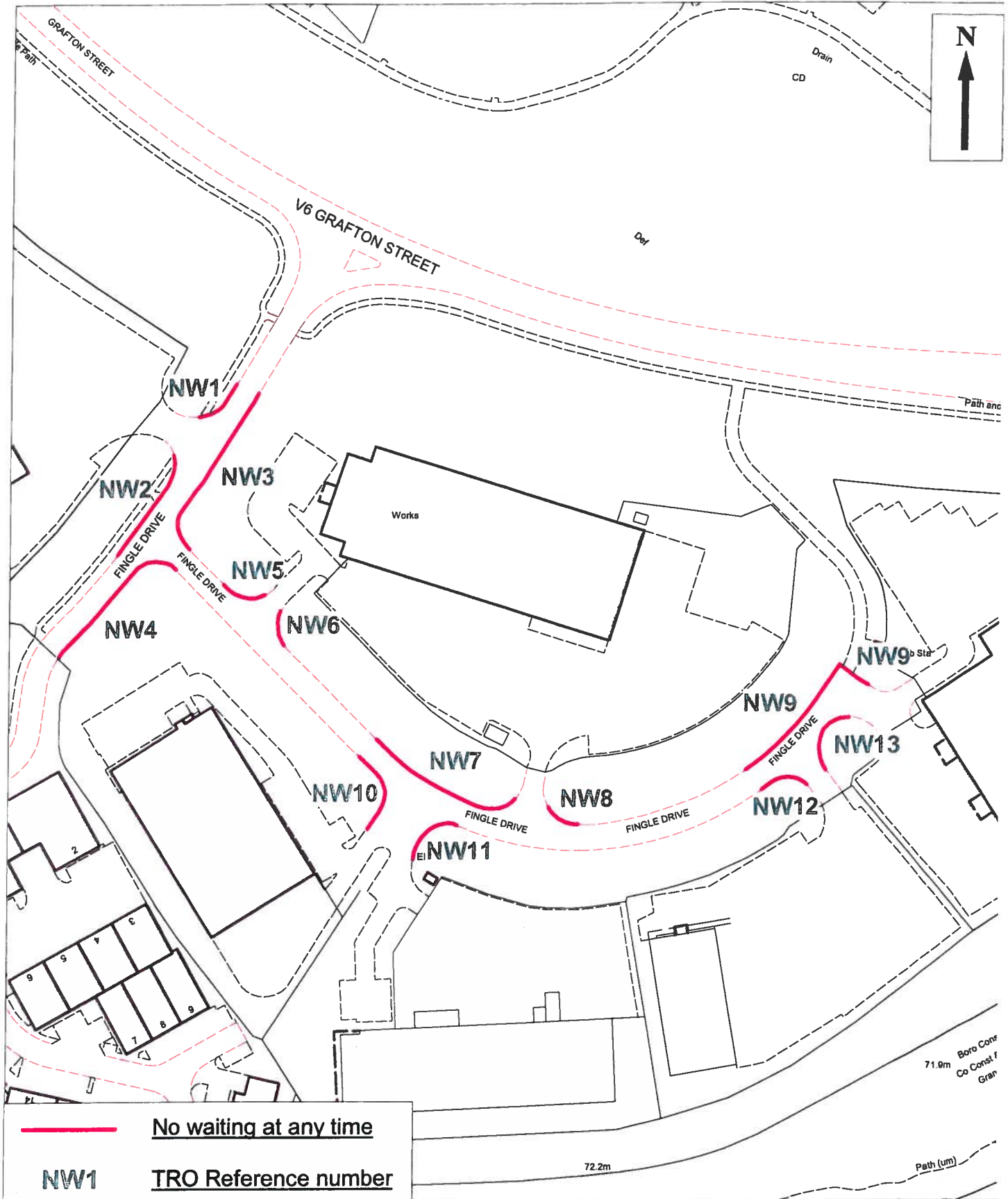
NW7 From a point 92 metres south-east of the south-eastern kerbline of the north-western arm of Fingle Drive for a distance of 49.8 metres in a south-easterly then north-easterly direction

FINGLE DRIVE (SOUTH-EAST ARM), STONEBRIDGE - NORTH SIDE

NW8 From a point 92 metres south-east of the south-eastern kerbline of the north-western arm of Fingle Drive for a distance of 13.4 metres in a westerly then north-westerly direction

**FINGLE DRIVE (SOUTH-EAST ARM), STONEBRIDGE –
NORTH-WEST AND NORTH-WEST SIDE**

NW9 From a point 127.5 metres south-east then north-east of the south-eastern kerbline of the north-western arm of Fingle Drive for a distance of 50.4 metres in a north-easterly then south-easterly direction



Map referred to in the Council of the Borough of Milton Keynes (Fingle Drive (Parts), Stonebridge) (Prohibition of Waiting) Order 2014

Not to Scale

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

21827



[Signature]
HEAD OF LEGAL SERVICES

SEAL

FINGLE DRIVE (SOUTH-EAST ARM), STONEBRIDGE - SOUTH-WEST SIDE

NW10 From a point 165.8 metres south-east of the south-eastern kerbline of the north-western arm of Fingle Drive for a distance of 21.8 metres in a south-easterly then south-westerly direction

NW11 From a point 224.8 metres south-east of the south-eastern kerbline of the north-western arm of Fingle Drive for a distance of 13.8 metres in a south-westerly direction

FINGLE DRIVE (SOUTH-EAST ARM), STONEBRIDGE - SOUTH-EAST SIDE

NW12 From a point 225 metres south-east then north-east of the south-eastern kerbline of the north-western arm of Fingle Drive, continuing for a distance of 20 metres in a north-easterly then south-easterly direction

NW13 From a point 257.8 metres south-east then north-east of the south-eastern kerbline of the north-western arm of Fingle Drive for a distance of 27.6 metres in a south-westerly then south-easterly direction

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

affixed this 13th day of May 2014
in the presence of:


.....
HEAD OF LEGAL SERVICES

