

**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES
(CENTRAL MILTON KEYNES) (ON-STREET DISABLED PERSONS'
VEHICLE AND ELECTRIC VEHICLE PARKING PLACES) ORDER 2014**

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(1) and (2), 45 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 15 May 2014 and may be cited as "The Council of the Borough of Milton Keynes (Central Milton Keynes) (On-Street Disabled Persons' Vehicle and Electric Vehicle Parking Places) Order 2014".
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;

"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;

"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;

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

"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;

"prescribed hours" means within 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 Specific and Permit Parking Places) Order 2002, (the Principal Order) is varied as provided by the following provisions of this Order:-
 - (1) Item DP77 in Schedule 6 of the Principal Order is revoked and replaced with the following:-

SILBURY BOULEVARD

THE SOUTH-EAST VEHICULAR ACCESSWAY – SOUTH-EAST SIDE

DP77(i) From a point 9.6 metres north-east of the north-eastern side of the porte cochere leading to Crown Walk for a distance of 10.8 metres in a north-easterly direction (3 SPACES)

DP77(ii) From a point 34.8 metres north-east of the north-eastern side of the porte cochere leading to Crown Walk to the south-western side of the porte cochere leading to Deer Walk (10 SPACES)

PART 3

ELECTRIC VEHICLE PARKING PLACES

6. (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.
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 in any of the lengths of road specified in Schedule 1 hereto unless that vehicle is of a class specified in Article 6.
8. 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.
9. (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.
10. 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 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. The charge for parking an electric vehicle in an electric vehicle parking space shall be as specified in Schedule 3 to this Order.
12. No charge for parking in any electric vehicle parking place, the use of which has not been suspended, shall be payable for the parking of a disabled persons' vehicle, if that vehicle is of a class specified in Article 6 of this Order and displays in the relevant position a valid disabled persons' badge.
13. For the purposes of this Order a vehicle of the class specified in Article 6 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.
14.
 - (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.
15. 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;
- 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 electric vehicle parking place.

16. 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 15 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 15.

17. (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:

- a) for the purpose of facilitating the movement of traffic or promoting its safety;
- b) for the purpose of building, industrial or demolition operations;
- c) for the purpose of the maintenance, improvement or reconstruction of the parking place;
- d) for the purpose of the laying, erection or repair of any sewer, main, pipe or apparatus for the supply of gas, water, electricity or any telecommunication system defined by the Telecommunications Act 1984;

- e) for the convenience of occupiers of premises adjacent to the 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.
18. On the suspension of the use of an electric vehicle parking place or any part thereof in accordance with the provisions of Article 17 of this Order:-
- (1) 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;
 - (2) the person authorising or causing such suspension may, if the use of the whole or part 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.
19. (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 18 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, a 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 17 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 4

ELECTRIC VEHICLE CHARGING

20. An electric vehicle may only be left in any electric vehicle or disabled persons' vehicle parking place specified within Schedules 1 & 2 during the prescribed hours:-
- (a) whilst charging; or
 - (b) whilst not charging.

PART 5

DISABLED PERSONS' VEHICLE PARKING PLACES

21. (1) The length of road specified in Schedule 2 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 22.
- (2) No vehicle other than the class specified in Article 22 shall park during the prescribed hours in the length of road specified in Schedule 2 to this Order.
22. The parking place specified in Schedule 2 to this Order may be used for the leaving of disabled persons' vehicles displaying a disabled person's badge in the relevant position.
23. 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.
24. The limits of the disabled persons' vehicle parking place and the limits of any access way in a disabled persons' vehicle parking place shall be indicated by the Council on the road by the appropriate traffic signs and any vehicle standing in a disabled persons' vehicle parking space shall stand wholly within the limits so marked.

25. The driver of a vehicle using a disabled persons' 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:
- (1) for loading or unloading, or
 - (2) when about to change the position of the vehicle in or to depart from the parking place.
26. 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.
27. (1) When a vehicle displaying a disabled person's badge is left in a disabled persons' vehicle parking place in contravention of any of the provisions contained in Part 5 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' vehicle 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 24 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' vehicle 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.
28. (1) Any person authorised by the Council may suspend the use of a disabled persons' vehicle parking place or any part thereof whenever and for such duration as he considers such suspension reasonable as 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 disabled persons' 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 any disabled person's 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.

29. On the suspension of the use of a disabled persons' vehicle parking place or any part thereof in accordance with the provisions of Article 28 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.

30. (1) No person shall cause or permit a vehicle to be left in a disabled person' 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 Article 29 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 28 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.

PART 6

ENFORCEMENT OF RESTRICTIONS

31. 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.
32. 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

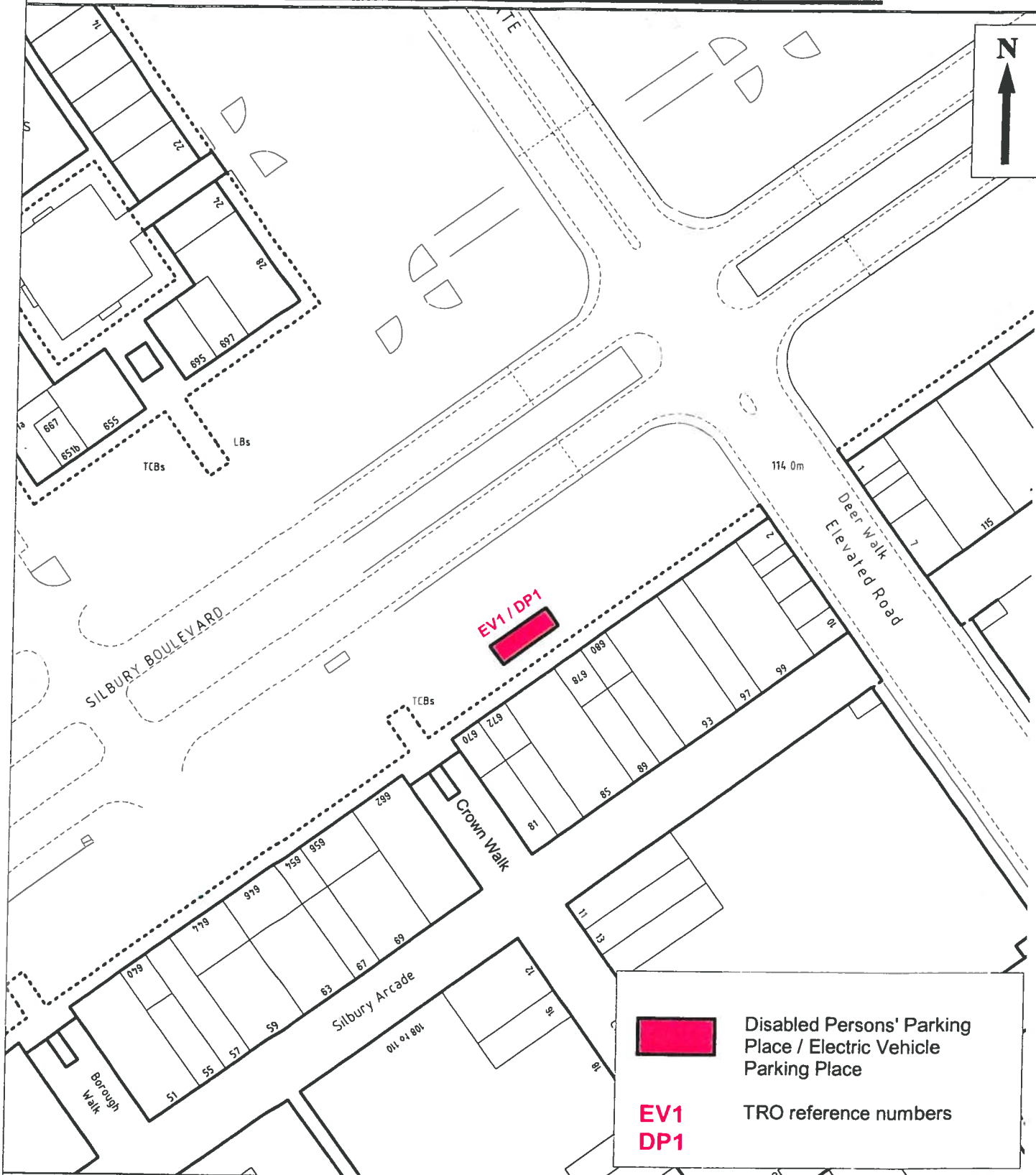
THE WHOLE 24 HOURS OF EVERY DAY OF THE WEEK

SILBURY BOULEVARD

THE SOUTH-EAST VEHICULAR ACCESSWAY – SOUTH-EAST SIDE

EV1 From a point 20.4 metres north-east of the north-eastern side of the porte cochere (leading to Crown Walk) for a distance of 14.4 metres in a north-easterly direction (4 SPACES)

MAP FOR TRAFFIC REGULATION ORDER



Map referred to in the Council of the Borough of Milton Keynes (Various Roads, Central Milton Keynes) (On-Street Disabled Persons' and Electric Vehicle Parking Places) Order 2014

Map 1

Map not to scale

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



SCHEDULE 2

DISABLED PERSONS' VEHICLE PARKING PLACES

**THE WHOLE 24 HOURS OF
EVERY DAY OF THE WEEK**

SILBURY BOULEVARD

THE SOUTH-EAST VEHICULAR ACCESSWAY – SOUTH-EAST SIDE

DP1 From a point 20.4 metres north-east of the north-eastern side of the porte cochere (leading to Crown Walk) for a distance of 14.4 metres in a north-easterly direction (4 SPACES)

SCHEDULE 3

**ELECTRIC VEHICLE AND DISABLED PERSONS' VEHICLE
PARKING CHARGES**

COLUMN 1

**CHARGES FOR PARKING ELECTRIC VEHICLES
AND DISABLED PERSONS' VEHICLES IN PLACES
SPECIFIED IN SCHEDULES 1 & 2**

Nil

COLUMN 2

PERIOD

The whole 24 hours of every day
of the week

THE COMMON SEAL OF the **COUNCIL OF
THE BOROUGH OF MILTON KEYNES** was
hereunto affixed this 14th day of May 2014
in the presence of:-

21822



A handwritten signature in black ink, appearing to read 'Sleet', written over a dotted line.

HEAD OF LEGAL SERVICES