

**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES
(THE COUNCIL OF THE BOROUGH OF MILTON KEYNES)
(CENTRAL MILTON KEYNES) (OFF-STREET PAY AND DISPLAY AND
PAY BY MOBILE PHONE PARKING PLACES AND DISABLED
PERSONS PARKING PLACES AND VARIOUS PERMITS) ORDER 2013)
VARIATION ORDER 2015**

The Council of the Borough of Milton Keynes ("the Council") in exercise of its powers under sections 1(1), 2(1) and (2), 32, 35, 44 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 AND CITATION

1. This Order shall come into operation on the 15th day of January 2015 and may be cited as "The Council of the Borough of Milton Keynes (The Council of the Borough of Milton Keynes) (Central Milton Keynes) (Off-Street Pay and Display and Pay by Mobile Phone Parking Places and Disabled Persons Parking Places and Various Permits) Order 2013) Variation Order 2015".
2. The plans annexed to this Order identifies the lengths of road subject to this Order, provided that where there is any inconsistency between the plan and Schedules it is the wording of the Schedules which shall prevail.
3. The plans annexed to this Order is hereby annexed to the Council of the Borough of Milton Keynes (Central Milton Keynes) (Off-Street Pay and Display and Pay by Mobile Phone Parking Places and Disabled Persons Parking Places and Various Permits) Order 2013 and form part of that Order.
4. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

PART 2
VARIATIONS

5. The Council of the Borough of Milton Keynes (Central Milton Keynes) (Off-Street Pay and Display and Pay by Mobile Phone Parking Places and Disabled Persons Parking Places and Various Permits) Order 2013 ("The Principal Order") is varied as provided by the following provisions of this Order:-
6. Article 5 (1) of the Principal Order is revoked and replaced with the following:-
 5. (1) Each of the lengths of road and car parking areas specified in Schedules 1, 1A, 2, 2A and 3 to this Order is authorised to be used during the prescribed hours, subject to provisions to this Part of this Order, as an off-street parking place for passenger vehicles, dual purpose vehicles and goods vehicles
 - (2) A vehicle which is present in an off-street parking space specified in Schedules 1, 1A, 2, 2A and 3 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 off-street parking place at the commencement of that period of operation of that off-street parking space
7. Articles 9 (1) and (2) of the Principal Order is revoked and replaced with the following:-
 9. (1) A vehicle which is present in an off-street parking space specified in Schedules 1, 1A, 2, 2A and 3 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 off-street parking place at the commencement of that period of operation of that off-street parking space.
 - (2) No charge for parking in any off-street parking space specified in Schedules 1, 1A, 2, 2A and 3 to this Order, the use of which has not been suspended, shall be payable by any moped or motorcycle.
8. Article 10 of the Principal Order is revoked and replaced with the following:-
 10. No charge for parking in any off-street parking space specified in Schedules 1, 1A, 2, 2A and 3 to this Order, the use of which has not been suspended, shall be payable by any vehicle which displays in the relevant position a disabled persons' badge.

9. Article 12 (1) of the Principal Order is revoked and replaced with the following:-
12. (1) The charge for a vehicle parked in an off-street parking space specified in Schedules 1, 1A, 2, 2A and 3 to this Order shall be as specified in item 1 Schedule 5 to this Order.
10. Articles 17, 17 (1) and 17 (3) of the Principal Order is revoked and replaced with the following:-
17. In addition to the provisions of articles 5, 6, 7, 8, 9, and 12 (1), (2) and (3) each of the lengths of road specified in Schedules 1, 1A, 2, 2A and 3 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 an off street Pay by Mobile Phone parking space within a Pay by Mobile Phone Parking Place as specified in Schedules 1, 1A, 2, 2A and 3 to this Order shall be as specified in item 1 of Schedule 5.
- (3) In addition to the provisions of article 12 (3) the parking charge may also be payable on the leaving of a vehicle in a parking space as referred to in Schedules 1, 1A, 2, 2A and 3 via the Pay by Mobile Phone parking system, and the provisions of Articles 12 (4) to (8) and 13 shall not apply to that vehicle
11. Articles 18 (1) and (2) of the Principal Order is revoked and replaced with the following:-
18. (1) Where a vehicle has been left in a parking space referred to in Schedules 1, 1A, 2, 2A and 3 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 Schedules 1, 1A, 2, 2A and 3 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 in accordance with the provisions of Part 6 of the Traffic Management Act 2004.

12. Article 20 of the Principal Order is revoked and replaced with the following:-

20. 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 off-street parking place specified in Schedules 1, 1A, 2, 2A and 3 for so long as may be necessary:

13. Article 37 of the Principal Order is revoked and replaced with the following:-

37. Each of the parking places specified in specified in Schedules 1, 1A, 2 and 2A to this Order, the use of which has not been suspended, is authorised to be used during the prescribed hours, subject to provisions to this Part of this Order, as a parking place for a passenger vehicle, dual purpose vehicle, goods vehicle, moped or motor cycle which displays in the relevant position, one of the following, a valid:-

- a) Employee Permit,
- b) Employee Permit Scratch-Card
- c) Hotel Guest and Conference Attendee Permit Scratch-Card,
- d) Low Emission Vehicle Permit or;
- e) Car Share Permit

14. The following new title SCHEDULE 1A is inserted into the Principal Order:-

SCHEDULE 1A

OFF-STREET PAY AND DISPLAY AND PAY BY MOBILE PHONE PARKING PLACES

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

BETWEEN THE HOURS OF 7.00 AM AND 6.00 PM EVERY DAY OF THE WEEK EXCEPT ON BANK HOLIDAYS

15. Item PS2 is revoked from Schedule 1 and inserted into Schedule 1A of the Principal Order.

16. Schedule 5 of the Principal Order is revoked and replaced with the following:-

SCHEDULE 5

PARKING CHARGES

	<u>COLUMN 1</u>	<u>COLUMN 2</u>
1.	<u>CHARGE FOR PAY AND DISPLAY AND PAY BY MOBILE PHONE PLACES SPECIFIED IN SCHEDULE 1</u>	<u>PERIOD</u>
	£0.40p £0.80p £1.20p £1.60p	1 hour 2 hours 3 hours 4 hours+
2.	<u>CHARGE FOR PAY AND DISPLAY AND PAY BY MOBILE PHONE PLACES SPECIFIED IN SCHEDULE 1A</u>	<u>PERIOD</u>
	£0.40p	1 hour and £0.40p for each successive period of 1 hour between 7.00am and 6.00pm every day of the week except on bank holidays
3.	<u>CHARGE FOR LONG STAY PAY AND DISPLAY PLACES SPECIFIED IN SCHEDULE 3</u>	<u>PERIOD</u>
	£8.00	For the maximum permitted period of 24 hours and £8.00 for each successive period of 24 hours.
4.	<u>CHARGE FOR LONG STAY PAY BY MOBILE PHONE PLACES SPECIFIED IN SCHEDULE 3</u>	<u>PERIOD</u>
	£4.00	For the maximum permitted period of 24 hours and £4.00 for each successive period of 24 hours.

THE COMMON SEAL of the COUNCIL
OF THE BOROUGH OF MILTON
KEYNES was hereunto affixed this
13th day of January 2014 in the presence
of:-

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HEAD OF LEGAL SERVICES

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