

**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES  
(CENTRAL MILTON KEYNES) (ON-STREET ELECTRIC VEHICLE CAR  
CLUB PERMIT PARKING PLACES) ORDER 2015**

The Council of the Borough of Milton Keynes (hereinafter referred to as "the Council") in exercise of their powers under Sections 1(1), 2(1) and (2), 4(2) and (3), 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                    2015 and may be cited as "The Council of the Borough of Milton Keynes (Central Milton Keynes) (On-Street Electric Vehicle Car Club Parking Places) Order 2015".

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 said road;

"Central Milton Keynes" 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 side, 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;

"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;

"driver" in relation to a vehicle waiting 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 car club permit” means a permit issued under the provisions of Part 3;

“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;

“electric vehicle parking place” means a parking place within which electric vehicles displaying an electric vehicle car club permit may park;

“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;

“parking place” means an area marked out on the highway under the provisions of the Traffic Signs Regulations and General Directions 2002, with which the limits of a parking space (bay) is marked out for the parking of a single 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;

“penalty charge” has the same meaning as in Section 66(2) of the Road Traffic Act 1991;

“penalty charge notice” means a notice dispensed by a CEO informing the driver of the vehicle that they are in contravention of a restriction and that a penalty charge is now owed;

“permit period” means such period as is purchased by the permit holder, ranging from 1 calendar month to 12 calendar months;

“postal packets” has the same meaning as in Section 125 of the Postal Services Act 2000;

“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;

“single day” means a twenty-four hour period commencing at 00:01 hours and conducting at 24:00 hours;

“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.

“unused amount” in relation to a permit means that part of the permit period that remains unused at the time of receipt by the Council of an application for a replacement permit;

“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 roads and 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**

### **ELECTRIC VEHICLE CAR CLUB PERMIT PARKING PLACES**

5. (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 which display a valid electric vehicle car club permit in the relevant position.
- (2) For the purposes of this Order a vehicle shall be regarded as displaying a permit in the relevant position if the permit is exhibited in a conspicuous position on the vehicle’s front windscreen so that the front of the permit is clearly legible from outside the vehicle; or
- (3) Where a permit has been displayed on a vehicle in accordance with the provisions of paragraph (2) above, no person, not being the driver of the

vehicle, shall remove any permit from the vehicle unless authorised to do so by the driver of the vehicle.

6.
  - (1) The limits of each electric vehicle car club permit parking place shall be indicated by the appropriate traffic signs along each length of road as described in Schedule 1 of this Order.
  - (2) Any vehicle standing in an electric vehicle car club permit 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.
7. The driver of a vehicle parking within the said 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.
8.
  - (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 a 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.
9. 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 the roads within the permit parking place as 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 statutory 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 permit parking place.
- (5) to enable the vehicle to wait at or near to any premises situated within the said parking place for so long as such waiting by that vehicle is reasonably necessary in connection with a wedding or funeral, or on any other special occasion.
10. No person shall cause or permit a vehicle to wait in a parking place by virtue of the provisions of paragraph (4) of Article 9 above otherwise than:
- (1) 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 9.
11. (1) Any person authorised by the Council may suspend the use of a permit 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 area;
  - (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 permit parking area 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 within the permit parking area at times of weddings or funeral, or on any other special occasions
- (2) A traffic warden, police officer in uniform or CEO may suspend for not longer than twenty-four hours the use of a permit 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 permit parking place for the purpose of enabling such parking area 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.
12. On the suspension of the use of a permit parking place or any part thereof in accordance with the provisions of Article 11 of this Order the person authorising or causing such suspension shall, place or cause to be placed in or adjacent to that permit parking place a traffic sign indicating that the use of the permit parking place is suspended and that waiting by vehicles is prohibited.
13. (1) Save as provided in paragraph (2) of this Article no person shall cause or permit a vehicle to be left in a parking place or part thereof during any period when there is in or adjacent to that parking place or part thereof a traffic sign placed in pursuance of Article 11 of this Order, that the whole or part of that parking area 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 or a

traffic warden 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 11 of this Order to be left in the permit parking area 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, a traffic warden or CEO.

**PART 3**

**ELECTRIC VEHICLE CAR CLUB PERMIT**

14. (1) Any resident over the age of 17, who is the user of an electric vehicle, may apply to the Council for the issue of an electric vehicle car club permit for use by the user of such vehicle other than a person to whom such vehicle has been let for hire or reward;
- (2) Any such application shall be made on a form issued by the Council and shall include the information required by such form and shall be accompanied by a remittance, if applicable, for such charge as is specified in item 1 of Schedule 2.
- (3) On receipt of an application made under the foregoing provisions of this Article the Council upon being satisfied that the applicant meets the requirements of this Article, shall issue to that applicant an electric vehicle car club permit provided that subject to the provisions of Article 97 this Order, such an electric vehicle car club permit would not be valid for any period during which any other electric vehicle car club permit issued to that applicant would be valid.
- (4) The Council may at any time require an applicant for an electric vehicle car club permit to produce to an officer of the Council such evidence in respect of an application for an electric vehicle car club permit made to them as they may reasonably require to verify any information given to them.
15. (1) The holder of an electric vehicle car club permit may surrender an electric vehicle car club permit to the Council at any time and shall surrender an electric vehicle car club permit to the Council on the occurrence of any of the events in respect of an electric vehicle car club permit, as are set out in paragraph (3) of this Article.
- (2) The Council may, by notice in writing served on the holder of an electric vehicle car club permit by sending the same by the recorded delivery service to the address shown by that person on the application for the electric vehicle car club permit or at any other address believed to be

that persons residence, withdraw an electric vehicle car club permit if it appears to the Council that any of the events in respect of an electric vehicle car club permit as set out in paragraph (3) of this Article has occurred and the holder of the electric vehicle car club permit shall surrender the electric vehicle car club permit to the Council within 48 hours of the service of such notice.

- (3) The events referred to in the foregoing provisions of this Article are:
    - (a) The holder of the electric vehicle car club permit ceasing to be the user of the vehicle in respect of which the permit was issued;
    - (b) The vehicle in respect of which an electric vehicle car club permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 95 of this Order;
    - (c) The issue of a replacement electric vehicle car club permit by the Council under the provisions of Article 97 of this Order;
    - (d) The resident's permit having been obtained by fraudulent means.
  - (4) An electric vehicle car club permit shall cease to be valid at the end of the permit period specified thereon or on the occurrence of any one of the events set out in paragraph (3) of this Article, whichever is the earlier;
  - (5) Where a resident's permit is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured, the electric vehicle car club permit shall cease to be valid and the Council shall by notice in writing served on the person to whom such a permit was issued by sending the same by the recorded delivery service to the holder of the electric vehicle car club permit at the address shown by that person on the application for the electric vehicle car club permit or at any other address believed to be that person's place of residence, require that person to surrender the electric vehicle car club permit to the Council within 48 hours of the service of the aforementioned notice;
  - (6) The Council may at any time require the holder of an electric vehicle car club permit to produce to an officer of the Council such evidence in respect of any permit issued by them as they may reasonably require.
16. (1) If an electric vehicle car club permit is mutilated or defaced or the figures or particulars on it have become illegible or the colour of the electric vehicle car club permit has become altered by fading or otherwise, the holder of the electric vehicle car club permit shall surrender it to the Council and may apply to the Council for the issue to him of a



replacement electric vehicle car club permit and the Council, upon receipt of the electric vehicle car club permit if such receipt is accompanied by an application for a replacement electric vehicle car club permit and by a remittance, if applicable, for such charge as is specified in item 2 of Schedule 2, shall issue a replacement electric vehicle car club permit so marked;

- (2) If an electric vehicle car club permit is lost or destroyed, the holder of an electric vehicle car club permit may apply to the Council for the issue to him of a replacement electric vehicle car club permit and the Council; upon being satisfied as to such loss or destruction, and upon receipt by the Council of an application for a replacement electric vehicle car club permit and by a remittance, if applicable, for such charge as is specified in item 2 of Schedule 2 shall issue a replacement electric vehicle car club permit so marked;
  - (3) The provisions of this Order shall apply to a replacement electric vehicle car club permit and an application for a replacement electric vehicle car club permit as if it were an electric vehicle car club permit or, as the case may be, an application therefor.
17. An electric vehicle car club permit shall be in writing and shall include the following particulars:
- (1) The registration mark of the vehicle in respect of which the electric vehicle car club permit has been issued;
  - (2) The date of expiry being the last day of the permit period;
  - (3) An authentication that the electric vehicle car club permit has been issued by the Council.
18. An electric vehicle car club permit shall only be valid for the duration of the permit period in respect of the year for which it is issued.
19. (1) The holder of an electric vehicle car club permit who surrenders such permit to the Council before the permit becomes valid shall be entitled to a refund of the charge paid in respect of the issue thereof;
- (2) The holder of an electric vehicle car club permit who surrenders such permit to the Council after the permit becomes valid shall, once a period of 6 consecutive months' duration of the permit has elapsed from the date of receipt of the permit by the applicant, be entitled to a refund of the charge paid in respect of each full calendar month remaining unused before the end of the permit period calculated from the time of receipt by the Council of the surrendered permit.

**PART 4**

**ENFORCEMENT OF RESTRICTIONS**

20. The Council shall, on or in the vicinity of any road provided for in this Order:
- (1) provide traffic signs in accordance with the Traffic Signs Regulations and General Directions 2002;
  - (2) maintain and from time to time alter the said traffic signs;
  - (3) carry out such other work as is reasonably required for the purpose of the satisfactory operation of a road.
21. The Council shall appoint CEO's 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 CAR CLUB PERMIT PLACES**

**24 HOURS OF EVERY DAY**

SAXON GATE (EAST SIDE)

THE NORTH-EAST VEHICULAR ACCESSWAY – NORTH-EAST SIDE

EVC1 From a point 20.8 metres north-east of its junction with the north-west vehicular accessway of Silbury Boulevard for a distance of 9.6 metres in a north-westerly direction (4 SPACES)

**SCHEDULE 2**

**PERMIT CHARGES**

	<b><u>PERMIT</u></b>	<b><u>PERIOD</u></b>	<b><u>CHARGE</u></b>	<b><u>CODE</u></b>
1	Electric Vehicle Car Club Permit PERMIT FOR PLACES SPECIFIED IN SCHEDULE 1A	12 months	FREE	ECC-1
2	Replacement Permit	For the unused amount of the permit being replaced	£5.00	ECC-1

**SCHEDULE 3**

**REVOCATIONS**

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

**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES) (CENTRAL MILTON KEYNES) (ON-STREET STANDARD RATE PAY AND DISPLAY AND PAY BY MOBILE PHONE AND ELECTRIC VEHICLE PARKING PLACES AND VARIOUS PERMITS) ORDER 2013**

Item EV13 from Schedule 1 IS HEREBY REVOKED IN ITS ENTIRETY;

**THE COMMON SEAL of the COUNCIL OF THE BOROUGH OF MILTON KEYNES** was hereunto affixed this        day of        2015 in the presence of:-

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**HEAD OF LEGAL SERVICES**