

**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES
(VARIOUS ROADS, BROUGHTON GATE)
(PARKING AND WAITING RESTRICTIONS) ORDER 2016**

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 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 the day of 2016 and may be cited as "The Council of the Borough of Milton Keynes (Various Roads, Broughton Gate) (Parking and Waiting Restrictions) Order 2016".
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;
 - "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;
 - "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;

"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 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

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 goods vehicle and is delivering and/or collecting;
 - (4) 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;
 - (5) 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;
 - (6) 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 in any of the lengths of road specified in Schedule 1 hereto.
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

DISABLED PERSONS' PARKING PLACES

10. (1) The lengths of road specified in Schedule 2 to this Order is authorised to be used, subject to the following provision of this Part of the Order, during the prescribed hours as a parking place for the class of vehicle specified in Article 7.
- (2) No vehicle other than the class specified in Article 7 shall park during the prescribed hours in the lengths of road specified in Schedule 4 to this Order.
11. The parking places specified in Schedule 2 to this Order may be used for the leaving of a vehicle displaying a valid disabled person's badge in the relevant position.
12. The limits of the disabled persons' parking places and the limits of any access way in a disabled persons' parking place shall be indicated by the Council on the road by the appropriate traffic signs and any vehicle standing in a disabled persons' parking space shall stand wholly within the limits so marked.
13. The driver of a vehicle using a disabled persons' 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 for loading or unloading or when about to change the position of the vehicle in or to depart from the parking place.
14. No person shall use a disabled persons' vehicle 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 valid disabled persons' badge if the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected.
15. (1) When a vehicle displaying a valid disabled persons' badge is left in a disabled persons' parking place in contravention of any of the provisions contained in Part 3 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 or 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' parking place.
- (3) When a vehicle displaying a valid disabled persons' badge is waiting in a parking place in a position which contravenes the provisions of Article 18 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 valid disabled persons' badge from a disabled persons' 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.
16. (1) Any person authorised by the Council may suspend the use of a disabled persons' parking place or any part thereof whenever and for such duration as he considers such suspension reasonably 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 disabled persons' parking place or the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration, removal, servicing 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 disabled persons' parking place on any occasion of the removal of furniture or household effects to or from a shop, office depository or dwellinghouse;
 - (d) on any occasion on which it is likely by reason of some special attraction that any road will be thronged or obstructed;
 - (e) for the convenience of occupiers of premises adjacent to the disabled persons' 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' 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 persons' 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 information of the public without any charge of any kind being made to the public.

PART 4

ENFORCEMENT OF RESTRICTIONS

17. 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.
18. 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

BALA LAKE CRESCENT AND WATERCRESS WAY, BROUGHTON GATE WEST SIDE AND NORTH SIDE

NW1 From a point on Bala Lake Crescent 16.1 metres north of its junction with Watercress Way, continuing for a distance of 25 metres in a southerly then easterly direction

BALA LAKE CRESCENT, BROUGHTON GATE EAST SIDE AND NORTH SIDE

NW2 From a point on Bala Lake Crescent 14.2 metres north of its junction with Watercress Way, continuing for a distance of 24 metres in a southerly then westerly direction

LAVENDER HILL, BROUGHTON GATE NORTH-WEST SIDE

NW3 From its junction with the south-western kerblines of A1530 Newport Road, continuing for a distance of 33 metres in a southerly-westerly direction

LAVENDER HILL, BROUGHTON GATE SOUTH-EAST SIDE

NW4 From its junction with the south-western kerblines of A1530 Newport Road, continuing for a distance of 9.5 metres in a southerly-westerly direction

POPPY AVENUE, BROUGHTON GATE NORTH-WEST SIDE

NW5 From its junction with the south-western kerblines of A1530 Newport Road, continuing for a distance of 27.6 metres in a southerly-westerly direction

POPPY AVENUE, BROUGHTON GATE

SOUTH-EAST SIDE

NW6 From its junction with the south-western kerblines of A1530 Newport Road, continuing for a distance of 27.6 metres in a southerly-westerly direction

**THE JUNCTION OF WARWICK AVENUE AND EATON HALL CRESCENT,
BROUGHTON GATE**

SOUTH-WEST SIDE AND NORTH-WEST SIDE

NW7 From a point on Warwick Avenue 19.5 metres north-west of its junction with the north-western kerblines of Eaton Hall Crescent, continuing for a distance of 26 metres in a south-easterly then south-westerly direction

**THE JUNCTION OF WARWICK AVENUE AND EATON HALL CRESCENT,
BROUGHTON GATE**

SOUTH-WEST SIDE AND SOUTH-EAST SIDE

NW8 From a point on Warwick Avenue 16 metres south-east of its junction with the south-eastern kerblines of Eaton Hall Crescent, continuing for a distance of 24.2 metres in a north-westerly then south-westerly direction

THE JUNCTION OF WARWICK AVENUE AND WENFORD, BROUGHTON GATE

NORTH-EAST SIDE AND NORTH-WEST SIDE

NW9 From a point on Warwick Avenue 26.4 metres north-west of its junction with the north-western kerblines of Wenford, continuing for a distance of 33.3 metres in a south-easterly then north-easterly direction

THE JUNCTION OF WARWICK AVENUE AND WENFORD, BROUGHTON GATE

NORTH-EAST SIDE AND SOUTH-EAST SIDE

NW10 From a point on Warwick Avenue 19 metres south-east of its junction with the south-eastern kerblines of Wenford, continuing for a distance of 26 metres in a north-westerly then north-easterly direction

WARWICK AVENUE, BROUGHTON GATE

SOUTH-EAST SIDE

NW11 From a point 3.3 metres south-east of the south-eastern kerblines of Blythebridge, continuing for a distance of 27.5 metres in a southerly-easterly direction

WATERCRESS WAY, BROUGHTON GATE

NORTH-EAST SIDE

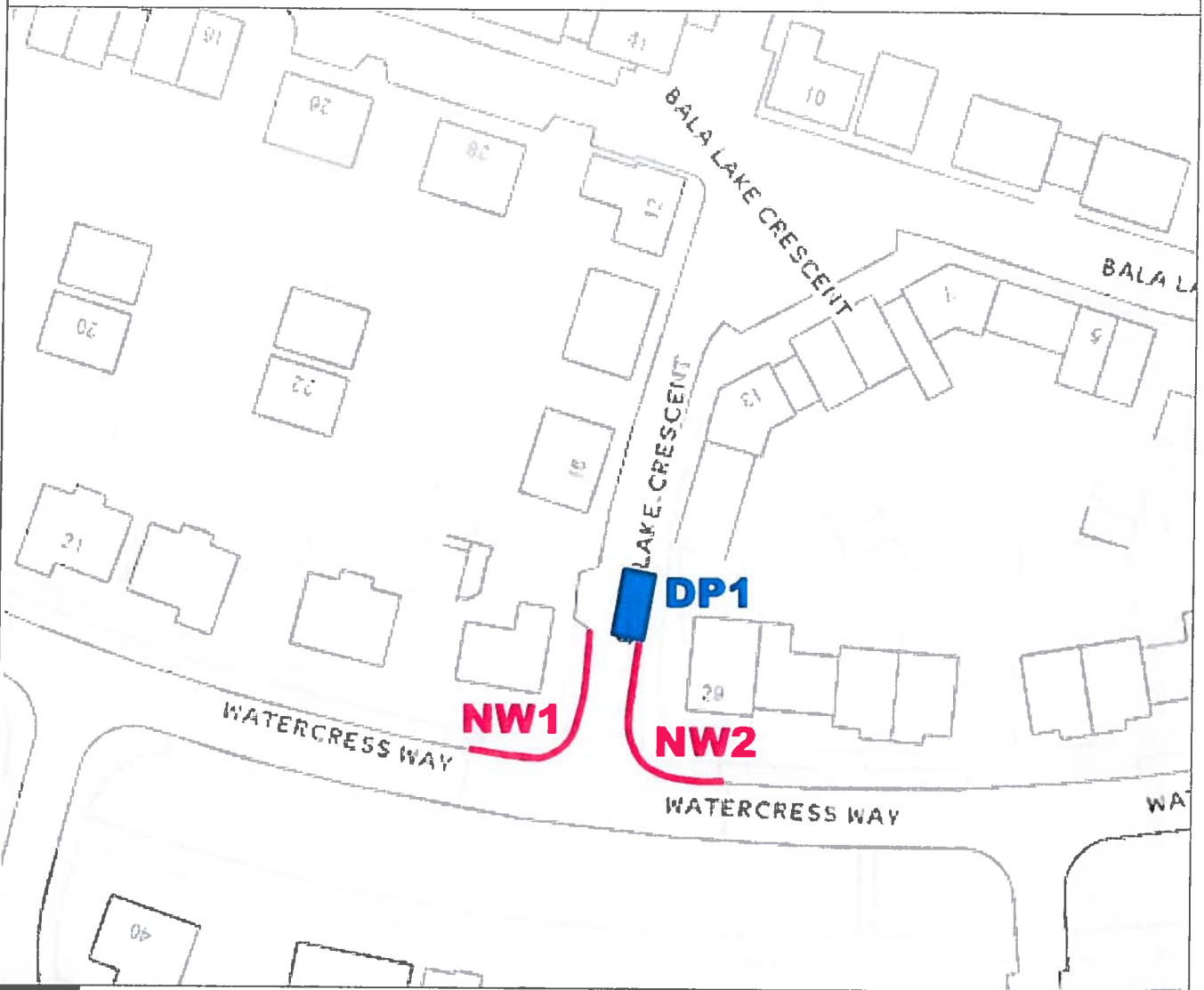
NW12 From a point 15.3 metres north-east of a point in line with the north-western kerblines of Dalegarth Way, continuing for a distance of 39.2 metres in a north-westerly direction

WATERCRESS WAY, BROUGHTON GATE

SOUTH-WEST SIDE

NW13 From a point 14.3 metres north-east of a point in line with the north-western kerblines of Dalegarth Way, continuing for a distance of 34.8 metres in a north-westerly direction

MAP FOR ORDER



No waiting at any time restriction



Disabled persons' parking place

NW1 DP1

TRO reference numbers

Map referred to in The Council of the Borough of Milton Keynes (Various Roads, Broughton Gate) (Prohibition of Waiting) Order 2016.

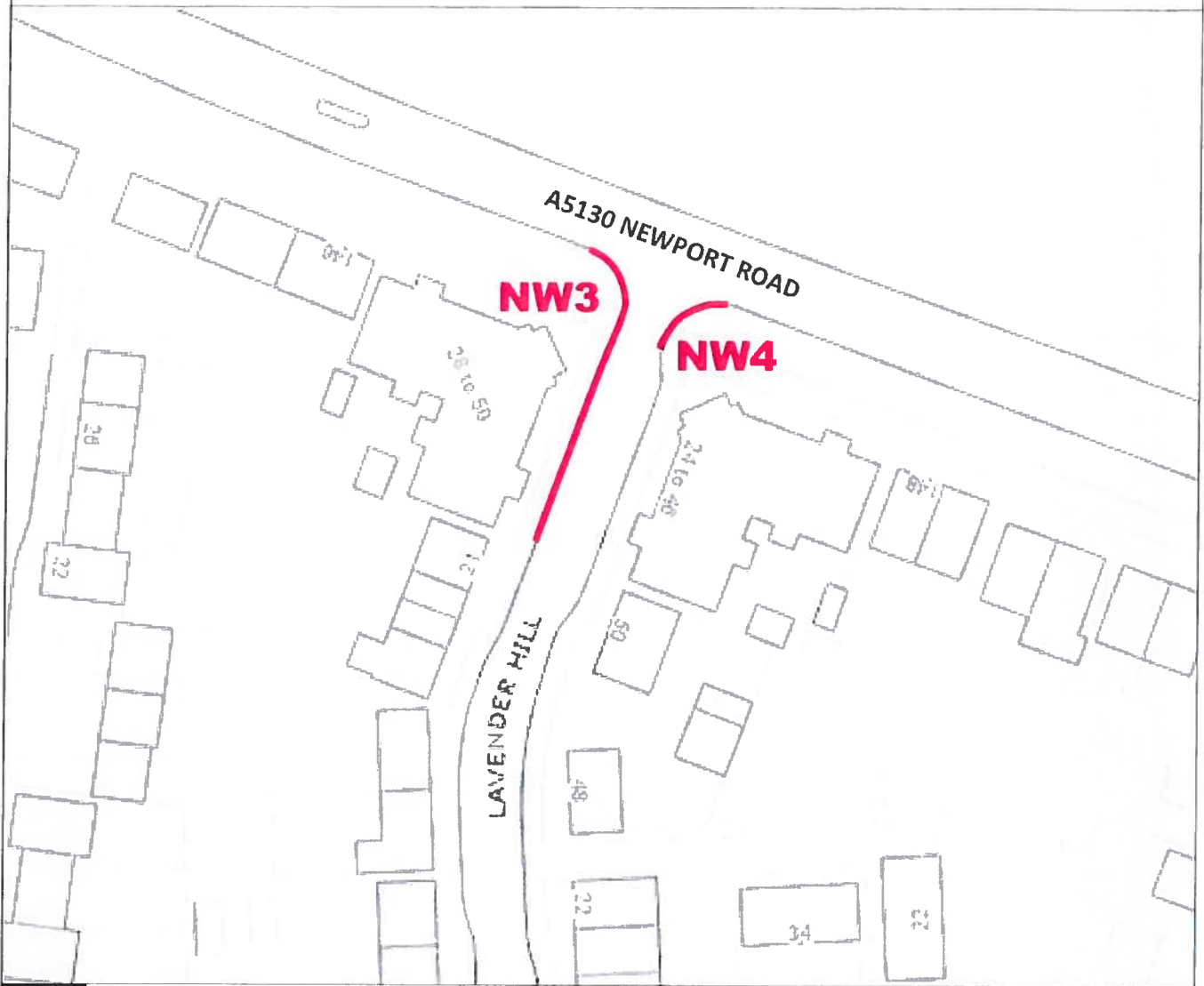
This map is not to scale

Map 1

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

.....
HEAD OF LEGAL SERVICES

MAP FOR ORDER



No waiting at any time restriction

NW3

TRO reference numbers

Map referred to in The Council of the Borough of Milton Keynes (Various Roads, Broughton Gate) (Prohibition of Waiting) Order 2016.

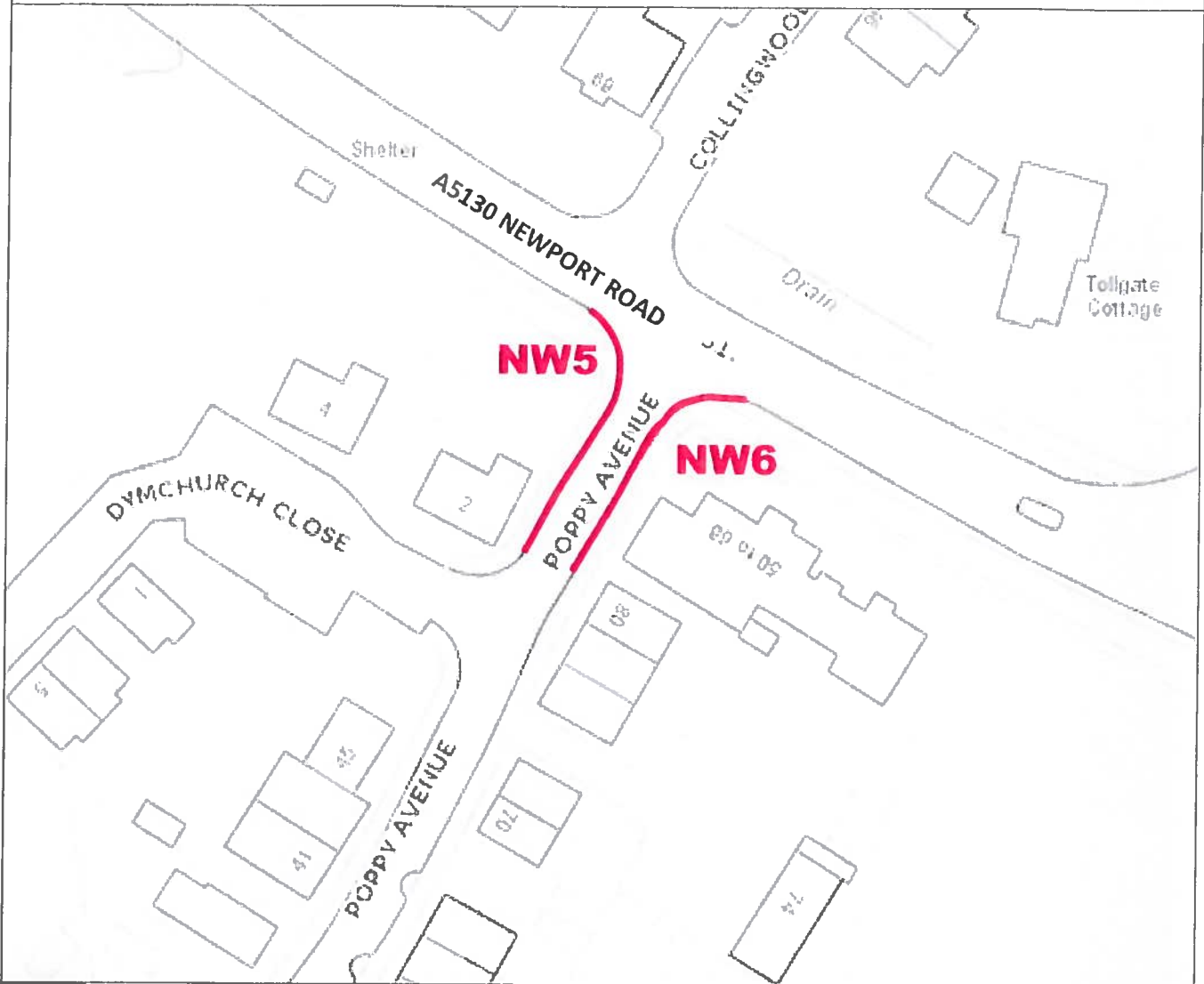
This map is not to scale

Map 2

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

.....
HEAD OF LEGAL SERVICES

MAP FOR ORDER



— No waiting at any time restriction
NW5 TRO reference numbers

Map referred to in The Council of the Borough of Milton Keynes (Various Roads, Broughton Gate) (Prohibition of Waiting) Order 2016.

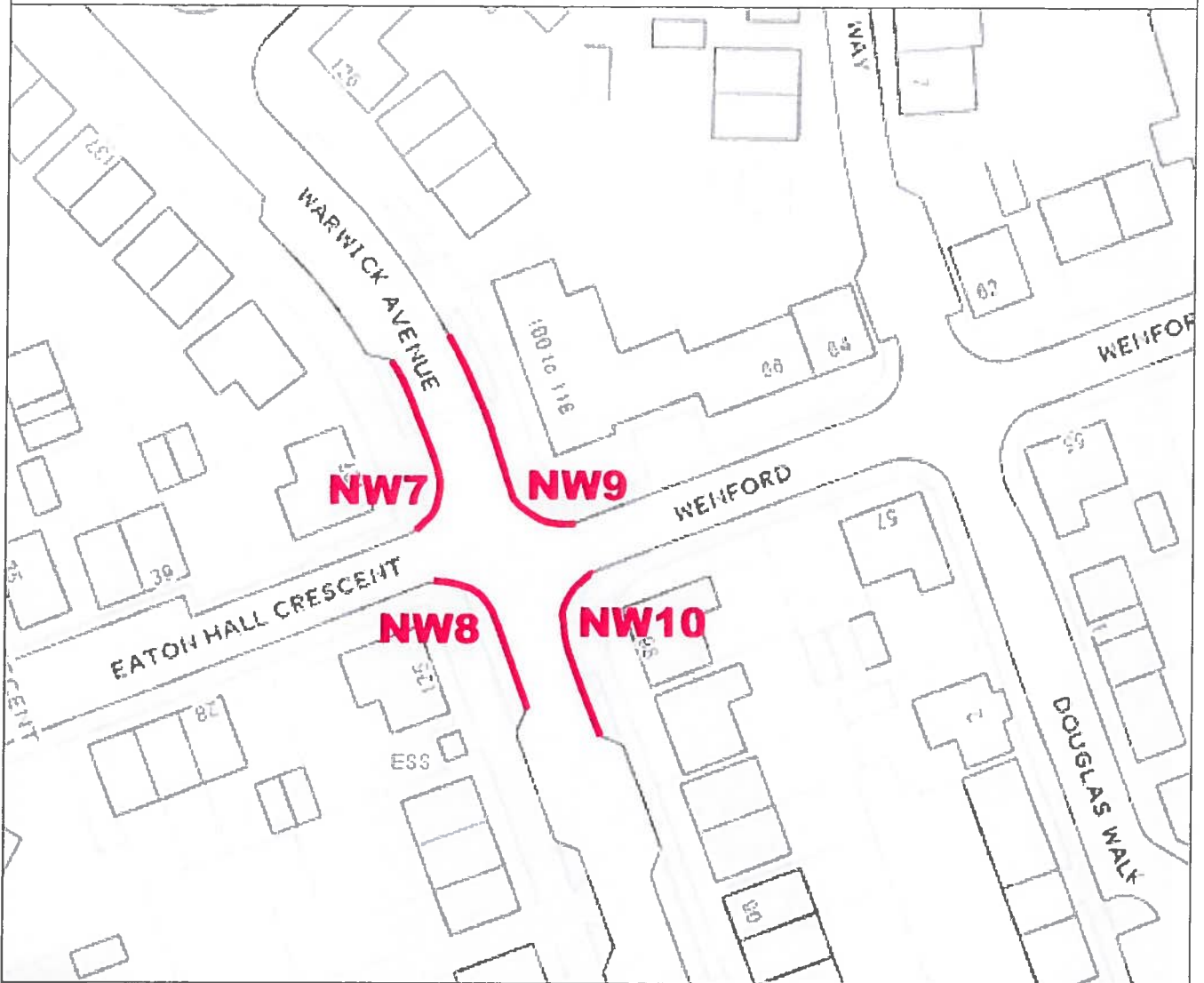
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Map 3

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

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HEAD OF LEGAL SERVICES

MAP FOR ORDER



No waiting at any time restriction

NW7

TRO reference numbers

Map referred to in The Council of the Borough of Milton Keynes (Various Roads, Broughton Gate) (Prohibition of Waiting) Order 2016.

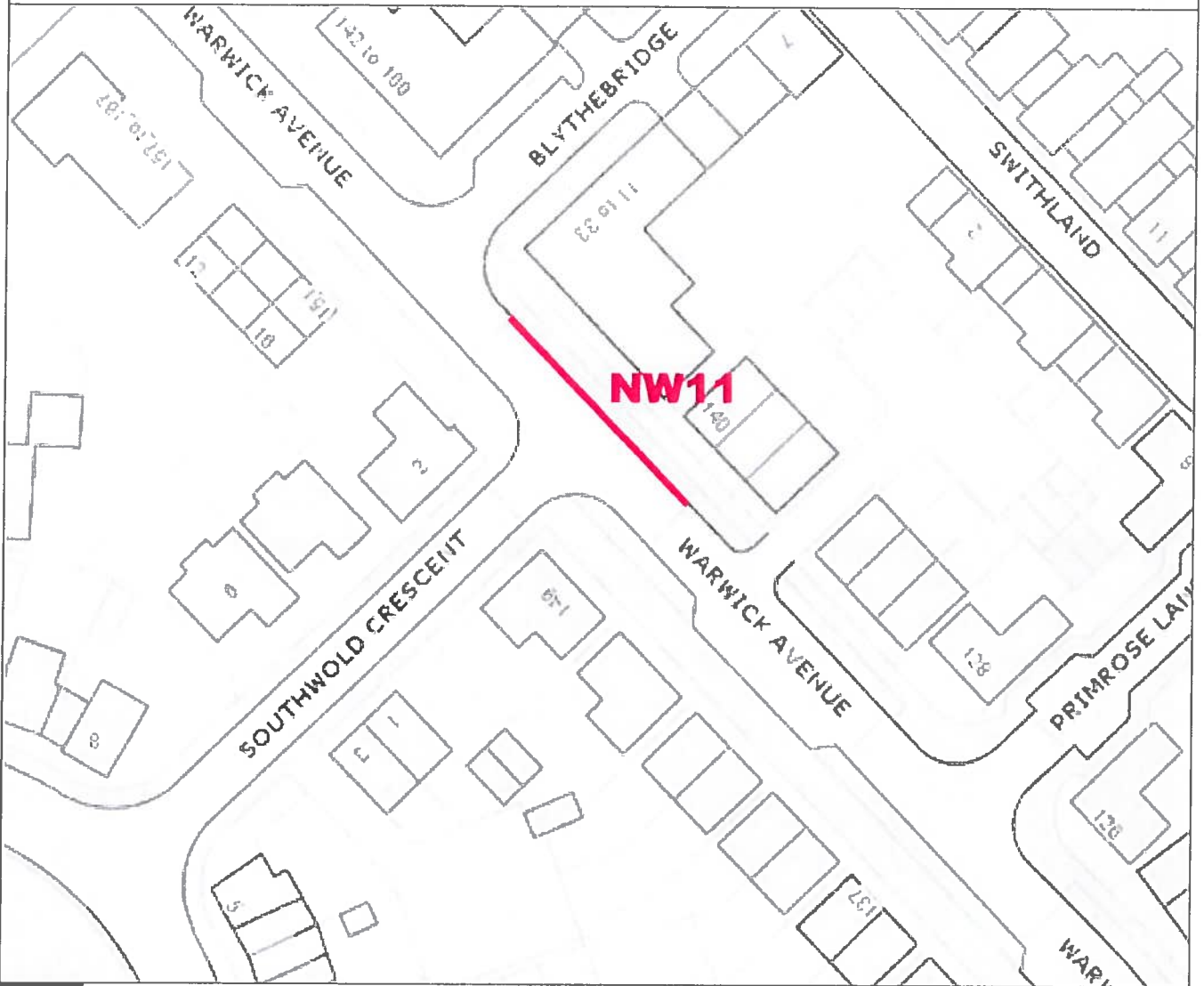
This map is not to scale



Map 4

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

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HEAD OF LEGAL SERVICES

MAP FOR ORDER



  **No waiting at any time restriction**
NW11 **TRO reference numbers**

Map referred to in The Council of the Borough of Milton Keynes (Various Roads, Broughton Gate) (Prohibition of Waiting) Order 2016.

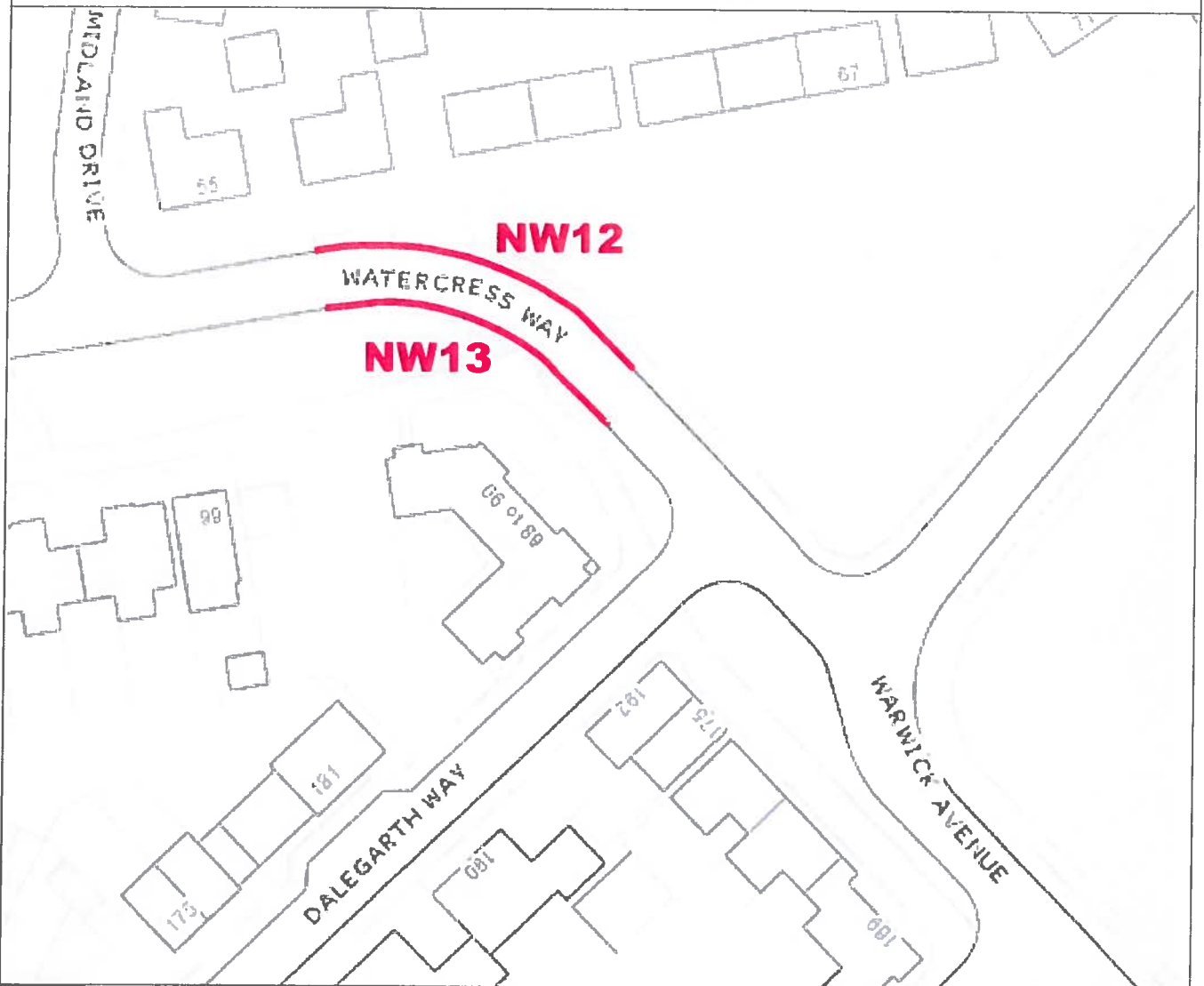
This map is not to scale

Map 5

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

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MAP FOR ORDER



No waiting at any time restriction

NW12

TRO reference numbers

Map referred to in The Council of the Borough of Milton Keynes (Various Roads, Broughton Gate) (Prohibition of Waiting) Order 2016.

This map is not to scale

Map 6

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

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HEAD OF LEGAL SERVICES

SCHEDULE 2

DISABLED PERSONS' PARKING PLACES

BALA LAKE CRESCENT, BROUGHTON GATE
EAST SIDE

DP1 From a point 16.1 metres north of its junction with Watercress Way,
continuing for a distance of 5.5 metres in a northerly direction (1
SPACE)

THE COMMON SEAL of the **COUNCIL OF
THE BOROUGH OF MILTON KEYNES** as
hereunto affixed this day of 2016 in the
presence of:-

.....
HEAD OF LEGAL SERVICES