

**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES
(VARIOUS ROADS, STRATFORD PARK)
(OFF-STREET PROHIBITION OF WAITING) ORDER 2017**

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) 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 the 1st day of September 2017 and may be cited as "The Council of the Borough of Milton Keynes (Various Roads, Stratford Park) (Off-Street Prohibition of Waiting) Order 2017".
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;
 - "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 Person) (England) Regulations 2000;
 - "driver" in relation to a vehicle waiting in a parking zone, means the person driving the vehicle at the time it was left in the parking zone;
 - "goods" includes postal packets of any description, cash or other valuable securities;
 - "moped" means a two or three wheel vehicle fitted with an engine having a cylinder capacity not exceeding 50 cubic centimetres if of the internal combustion type and a maximum design speed of not more than 45 kilometres per hour;
 - "motor cycle" means a two-wheel vehicle with or without a sidecar, fitted with an engine having a cylinder capacity of more than 50 cubic centimetres if of the internal combustion type and/or having a maximum design speed of more than 45 kilometres per hour;
 - "motor vehicle" has the same meaning as in Section 185 of the Road Traffic Act 1988;
 - "postal packets" has the same meaning as in Section 125 of the Postal Services Act 2000;
 - "prescribed hours" means between those hours stated in Part A of Schedule 1 to this Order;

"prescribed 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;

"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 plan(s) annexed to this Order identifies the lengths of road subject to this Order, provided that where there is any inconsistency between the plan(s) and the Schedules it is the wording of the Schedules that shall prevail.

PART 2

OFF-STREET 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. No person shall except with the permission or under the direction of a police officer in uniform or a traffic warden or a civil enforcement officer, cause or permit any heavy commercial vehicle to wait at any time of the day in any of the lengths of road specified in Schedule 2 hereto
8. Nothing in Article 8 above shall render it a contravention of this Order to cause or permit any heavy commercial vehicle to wait in any of the lengths of roads specified in Schedule 2 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) 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 2 to this Order while such gate or other barrier is being opened or closed;
 - (3) 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, military, fire brigade or ambulance purposes
9. In accordance with the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000, nothing in Articles 6 and 8 shall render it unlawful 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 6 and 8 hereof to wait for a period not exceeding 3 hours in a length of road specified in Schedules 1 and 2 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 road on the same day).
10. 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.
11. 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 4

ENFORCEMENT OF RESTRICTIONS

12. 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.
13. 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

THE JUNCTION OF BUTTER ROW AND MORGAN WAY SOUTH-WEST SIDE AND NORTH-WEST SIDE

- NW1 From a point on Butter Row 4 metres north-west of a point in line with the shared boundary line of numbers 22 and 24 Butter Row, continuing for a distance of 21 metres in a south-easterly then south-westerly direction onto Morgan Way

SOUTH-WEST SIDE AND SOUTH-EAST SIDE

- NW2 From a point on Butter Row 5 metres south-east of a point in line with the shared boundary line of numbers 26 and 28 Butter Row, continuing for a distance of 21.5 metres in a south-easterly then south-westerly direction onto Morgan Way

THE JUNCTION OF BUTTER ROW AND ORCHARD GROVE SOUTH-WEST SIDE AND NORTH-WEST SIDE

- NW3 From a point on Butter Row 0.5 metres north-west of a point in line with the south-eastern boundary line of number 1 Orchard Grove, continuing for a distance of 14.6 metres in a south-easterly then south-westerly direction onto Orchard Grove

SOUTH-WEST SIDE AND SOUTH-EAST SIDE

- NW4 From a point on Butter Row 10 metres north-west of a point in line with the south-eastern boundary line of number 44 Butter Row, continuing for a distance of 24 metres in a south-easterly then south-westerly direction onto Orchard Grove

THE JUNCTION OF BUTTER ROW AND WODELL DRIVE EAST SIDE AND SOUTH SIDE

- NW5 From a point on Butter Row in line with the shared boundary line of numbers 2 and 4 Butter Row, continuing for a distance of 12 metres in a northerly then westerly direction onto Wodell Drive

WEST SIDE AND SOUTH SIDE

- NW6 From a point on Butter Row in line with the shared boundary line of numbers 2 and 4 Butter Row, continuing for a distance of 11.3 metres in a northerly then easterly direction onto Wodell Drive

MAP 1 FOR ORDER



Map referred to in The Council of the Borough of Milton Keynes (Various Roads, Stratford Park) (Off-Street Prohibition of Waiting) Order 2017

Map not to scale

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

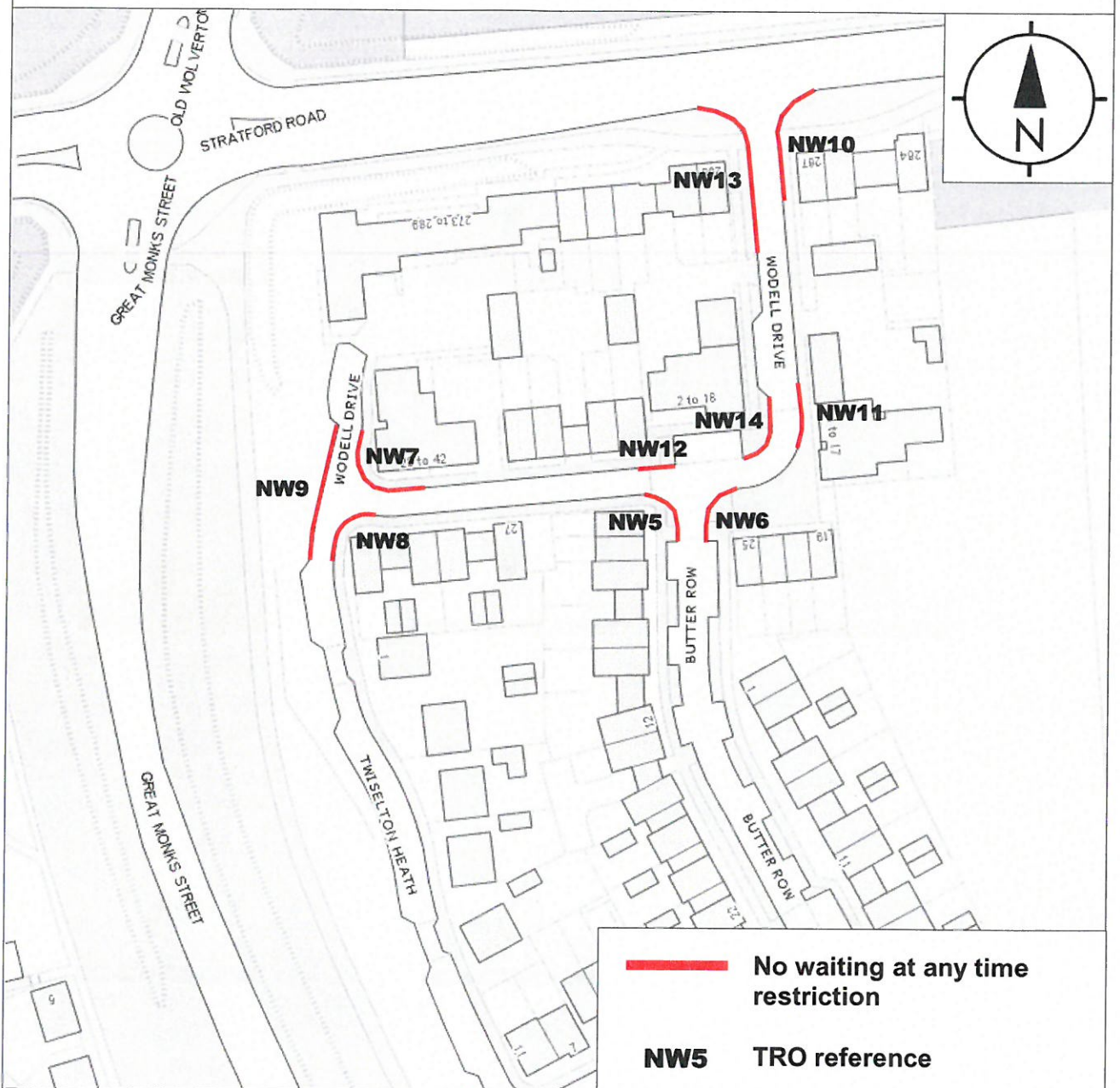
PA C



HEAD OF LEGAL SERVICES – LITIGATION & CHILD PROTECTION

DEPUTY MONITORING OFFICER

MAP 2 FOR ORDER



Map referred to in The Council of the Borough of Milton Keynes (Various Roads, Stratford Park) (Off-Street Prohibition of Waiting) Order 2017

Map not to scale

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

Paul Cammins

PA

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HEAD OF LEGAL SERVICES – LITIGATION & CHILD PROTECTION

DEPUTY MONITORING OFFICER



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THE JUNCTION OF WODELL DRIVE AND TWISELTON HEATH

NORTH SIDE AND EAST SIDE

NW7 From a point on Wodell Drive 16 metres west of a point in line with the south-western boundary line of number 26 Wodell Drive, continuing for a distance of 21 metres in a westerly then northerly direction onto Twiselton Heath

SOUTH SIDE AND EAST SIDE

NW8 From a point on Wodell Drive 10.8 metres west of a point in line with the shared boundary line of numbers 29 and 31 Wodell Drive, continuing for a distance of 12.7 metres in a westerly then southerly direction onto Twiselton Heath

TWISELTON HEATH

WEST SIDE

NW9 From a point 17 metres north of a point in line with the northern boundary line of number 1 Twiselton Heath, continuing for a distance of 25 metres in a north-easterly direction

WODELL DRIVE

EAST SIDE

NW10 From its junction with the southern kerblin of Stratford Road, for a distance of 23 metres in a southerly direction

NW11 From a point 56.5 metres south of its junction with the southern kerblin of Stratford Road, for a distance of 12.5 metres in a southerly direction

NORTH SIDE

NW12 From a point 3.5 metres east of a point in line with the shared boundary line of numbers 20 and 22 Wodell Drive, continuing for a distance of 6.5 metres in an easterly direction

WEST SIDE

NW13 From its junction with the southern kerblin of Stratford Road, for a distance of 29 metres in a southerly direction

NW14 From a point 55.6 metres south of its junction with the southern kerblin of Stratford Road, for a distance of 14.5 metres in a southerly then westerly direction

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THE COMMON SEAL of the **COUNCIL OF THE BOROUGH OF MILTON KEYNES** as hereunto affixed this 29th day of August 2017 in the presence of:-

Paul Cummins

PA *L*



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HEAD OF LEGAL SERVICES – LITIGATION AND CHILD PROTECTION –
& DEPUTY MONITORING OFFICER