

**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES
(THE COUNCIL OF THE BOROUGH OF MILTON KEYNES)
(CENTRAL MILTON KEYNES) (ON-STREET STANDARD RATE
PAY AND DISPLAY AND PAY BY MOBILE PHONE PARKING
PLACES AND VARIOUS PERMITS) ORDER 2002) VARIATION
ORDER 2017 (No.2)**

The Council of the Borough of Milton Keynes (hereinafter referred to as "the Council") in exercise of their powers under Sections 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 AND CITATION

1. This Order shall come into operation on the 9th day of June 2017 and may be cited as "The Council of the Borough of Milton Keynes (The Council of the Borough of Milton Keynes) (Central Milton Keynes) (On-Street Standard Rate Pay and Display and Pay by Mobile Phone Parking Places and Various Permits) Order 2002) Variation Order 2017 (No.2)".
2. 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

3. The Council of the Borough of Milton Keynes (Central Milton Keynes) (On-Street Standard Rate Pay and Display and Pay by Mobile Phone Parking Places and Various Permits) Order 2002 ("The Principal Order") is varied as provided by the following provisions of this Order:-
4. The following articles are inserted into Part ?? of the of the principal Order:-
 - 26(iv). (1) Where a vehicle has been left in a parking space referred to in Schedules 1, 2 and 3 of this Order and payment for parking has been made via the Pay by Mobile Phone parking system, it is the onus of the driver of that vehicle to check that all details in paragraphs (a) to (e) of this article are correct before submitting confirmation and payment.

- a) The Vehicle Registration Mark (VRM) is the same as the vehicle being left in a parking space referred to in Schedules 1, 2 and 3 of this Order;
- b) The colour of the vehicle is the same as the vehicle being left in a parking space referred to in Schedules 1, 2 and 3 of this Order;
- c) The vehicle make is the same as the vehicle being left in a parking space referred to in Schedules 1, 2 and 3 of this Order;
- d) The location is the same as identified on the parking signs and pay and display machine within the parking place referred to in Schedules 1, 2 and 3 of this Order;
- e) The parking period for which payment is being made is correct.

(2) Failure to check the details in paragraphs (a) to (e) of this article are correct before confirming payment may result in the driver of the vehicle being issued with a Penalty Charge Notice.

26(v). Where a penalty charge notice has been issued to a vehicle that has been left in a parking space referred to in Schedules 1, 2 and 3 of this Order, and payment has been made via the Pay by Mobile Phone parking system, and the driver of the said vehicle has submitted the details incorrectly, the Council will not refund any payment for the period purchased.

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THE COMMON SEAL of the **COUNCIL OF THE BOROUGH OF MILTON KEYNES** as hereunto affixed this 6th day of June 2017 in the presence of:-




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~~HEAD OF LEGAL SERVICES – LITIGATION & CHILD PROTECTION~~

Service Director
Legal & Democratic Services
& Monitoring Officer