

DOCUMENT FOR *SEALING/SIGNING

*Please delete as appropriate

All of the following section must be completed	
Description of Document	THE COUNCIL OF THE BOROUGH OF MILTON KEYNES (CENTRAL MILTON KEYNES) (ELDER GATE STATION MULTI-STOREY CAR PARK) (OFF-STREET PARKING PLACES) ORDER 2020 (x2)
Special Requirements eg Sign & Seal Plans	Both orders and all maps to be signed and sealed
Officer	Paul Harrison (Senior Traffic Regulations Officer)
Telephone Extension	4604
Date	To be made on: 21 July 2020
Committee Authority/Authority for Sealing	Authorised by: Head of Highways On: 17 July 2020
Chairs Report Book Item	
Standing Order	
Required by Statute	S.I 1992 No. 1215

Seal No:

243351.

**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES
(CENTRAL MILTON KEYNES)
(ELDER GATE STATION MULTI-STOREY CAR PARK)
(OFF-STREET PARKING PLACES) ORDER 2020**

The Council of the Borough of Milton Keynes ("the Council") in exercise of its powers under Sections 1(1), 2(1), 2(2), 32, 35, 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

Citation

1. This Order shall come into operation on the 24th day of July 2020 and may be cited as "The Council of the Borough of Milton Keynes (Central Milton Keynes) (Elder Gate Station Multi-Storey Car Park) (Off-Street Parking Places) Order 2020".

Interpretation

2. In this Order, except where the context otherwise requires, the following expressions have the meanings respectively assigned to them: -

"car park" means The Elder Gate Station Multi Storey Car Park, Central Milton Keynes.

"Central Milton Keynes" means the area bounded by the West Coast Mainline Railway (the north-east side), H5 Portway (the south-east side, between the West Coast Mainline Railway and the south-west side of V8 Marlborough Street), V8 Marlborough Street (the south-west side, between the south-east side of H5 Portway and the north-west side of H6 Childs Way) and H6 Childs Way (the north-west side, between the south-west side of V8 Marlborough Street and the north-east side of the West Coast Mainline Railway);

"Charge Certificate" is a Certificate issued by the Council to the owner of a vehicle if, subject to various conditions, the Council has received no payment in respect of a Penalty Charge. The Certificate will inform the Owner that the Penalty Charge has been increased by 50%.

"charging hours" means the period of time specified in relation to a Parking Place or part thereof.

"Civil Enforcement Officer (CEO)" means an Enforcement Officer appointed by the Council under Section 76 of the Traffic Management Act 2004 for the purpose of enforcing and supervising the provisions of this Order;

"controlled hours" means, in relation to a Parking Place, the period during which parking is free or a charge is payable at that Parking Place;

"The Council" means The Milton Keynes Borough Council;

"disabled persons vehicle" means a vehicle displaying a valid disabled person's badge in a manner prescribed by regulation 12 of The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;

"disabled persons' badge or blue badge" means a badge issued by any Local Authority in accordance with the provisions of The Disabled Persons' (Badges for

Motor Vehicles) (England) Regulations 2000 or a badge having effect under those regulations as if it were a disabled person's badge.

"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" (DVLA) 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 (VED);

"dual purpose vehicle" has the same meaning as in Part 1 Regulation 3 of the Road Vehicles (Construction and Use) Regulations 1986;

"electrically (or mechanically) assisted pedal cycle" (EAPC) means a pedal cycle the propulsion of which can be augmented by an electric or internal combustion motor, of maximum power output not exceeding 250 watts, but is precluded from assisting the propulsion of the pedal cycle when it is travelling at speeds in excess of 25 km per hour.

"electric vehicle" means any vehicle which uses one or more electric motors for propulsion but for the purposes of this Order excludes vehicles that are wholly self charging (or those that do not have a plug-in charging capability);

"Electronic Payment System" means a system facilitating payments for parking at a machine or by mobile phone and electronic equipment enabling a Civil Enforcement Officer to monitor parking;

"enactment" means any enactment, whether public, general or local, and includes any bylaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment.

"Enforcement Officer" means a Civil Enforcement Officer appointed by the Council under Section 76 of the Traffic Management Act 2004, or a Parking Attendant appointed under Section 63A of The Road Traffic Regulation Act 1984, for the purpose of enforcing and supervising the provisions of this Order;

"goods" includes postal packets of any description, cash or other valuable securities;

"delivering" and **"collecting"** in relation to any goods includes checking the goods for the purpose of their delivery or collection;

"goods vehicle" and **"light goods vehicle"** means a motor vehicle which is constructed or adapted for the carriage of goods of any description and, for the purposes of this Order, does not exceed 2.5 tonnes gross laden weight;

"handheld device" means an electronic device which is programmed to interface with a parking charge payment machine and is used by an Enforcement Officer to assist in carrying out parking enforcement within the Central Milton Keynes Area;

"Hybrid Petroleum Electric Vehicle" (HEV) means a vehicle that uses an internal combustion engine and one or more electric motors to power it but for the purposes of this Order excludes vehicles that are wholly self charging (that is to say those that do not have a plug-in charging capability);

"Mobile Phone" means wireless telegraphy apparatus (as defined in the Wireless Telegraphy Act 1949) designed or adapted for the purpose of transmitting and receiving spoken messages so as to provide a telephone which is connected to a public electronic communications network (within the meaning of the Communications Act 2003) and is not physically connected to a land line;

"moped" means a two or three wheeled vehicle that, if of the internal combustion type, is fitted with an engine having a cylinder capacity not exceeding 50 cm³ or if electrically propelled a power output not exceeding 4 kW and in either case a maximum design speed not exceeding 45 kilometres per hour. For the purposes of

this Order the aforementioned "moped" shall be classified as a "motor cycle" and shall not include any vehicle that can be propelled manually by pedals.

"motor vehicle" has the same meaning as in Section 136(1) of the Road Traffic Regulation Act 1984;

"motor car" has the same meaning as in Section 136(2) of the Road Traffic Regulation Act 1984;

"motor cycle" has the same meaning as in Section 136(4) of the Road Traffic Regulation Act 1984 and for the purposes of this Order includes any two or three wheeled petroleum or electrically powered vehicle but excludes any such vehicle that, in addition, can be propelled manually by pedals.

"operational time", in relation to a Parking Place, means the time, in relation to that Parking Place when controls are in place.

"owner" has the same meaning as in Section 111(3) of the Road Traffic Regulation Act 1984;

"parking attendant" has the same meaning as in Section 63A(3) of the Road Traffic Regulation Act 1984;

"parking bay" (parking space) means an area within a 'Parking Place' which, subject to the provisions of this Order, is provided for the leaving of one vehicle and is indicated by 'parking bay markings';

"parking bay markings" (parking space markings) means white or yellow lines marked out on the surface of a 'Parking Place' to indicate the limits of each 'Parking Bay' or 'Parking Space';

"parking charge" means a fee payable to the Council to enable a vehicle, subject to the provisions of this Order, to be left in a parking place;

"parking place" means an area marked out in the car park under the provisions of the Traffic Signs Regulations and General Directions 2016, within which the limits of each **parking space (or parking bay)** is marked out for the parking of a single 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 for the purposes of this Order is not drawing a trailer and has a weight not exceeding 2.5 tonnes;

"Pay by Phone Parking App." Means a mobile phone based application which has been made available by a Company, which facilitates the Council's Pay by Mobile Phone system.

"Pay by Phone Parking system" means a method of payment for parking within the Central Milton Keynes Area by electronic means utilising a mobile phone or other such device.

"payment machine" means an apparatus of a type and design approved by the Secretary of State for Transport for the purpose of receiving payment for parking.

"Penalty Charge" means a charge amended from time to time in compliance with the provisions of Part 6 of the Traffic Management Act 2004;

"pedal cycle" means a two or three wheeled vehicle that is propelled by pedals and for the purpose of this Order shall include an electrically or mechanically assisted pedal cycle (EAPC) which has a motor of maximum power output not exceeding 250 watts and in addition is not able to assist the propulsion of the pedal cycle whilst travelling at speeds in excess of 15.5 miles per hour.

"Penalty Charge Notice" (PCN) means a formal notice informing the driver of a vehicle that he is in contravention of a restriction and that a penalty charge is now owed;

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

“relevant position” means, in relation to the display by a vehicle of a Disabled Persons Badge, the same as in Regulation 4(1) of the Local Authorities’ Traffic Orders (Exemption for Disabled Persons) (England) Regulations 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 and, for the purposes of this Order, includes the roads and vehicular ramps within the car park;

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

“statutory undertaker” has the same meaning as in Section 329 of the Highways Act 1980;

“street trading vendor’s vehicle” means a vehicle constructed or adapted so as to enable hot or cold food to be prepared in and sold from the vehicle;

“telecommunications apparatus” has the same meaning as in the Telecommunications Act 1984;

“the Council” means Milton Keynes Borough Council;

“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;

“weight of vehicle” in respect of vehicles permitted to use the car park shall be the “maximum gross weight in tonnes (t) and the weight of any vehicle entering the car park shall not exceed 2.5 tonnes.

3. Except where the context requires otherwise, any reference in this Order to a numbered Article is a reference to the Article bearing that number in this Order and any reference in this Order to a Schedule or Part is a reference to the Schedule or a Part of this Order.
4. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment.
5. The car park layout plans annexed to this Order are for information only and form no part of this Order.

PART 2

DESIGNATION AND USE OF PARKING PLACES

Designation

6. Each of the parking places specified in the Schedule of this Order is designated, subject to the provisions of this Order, as a parking place for the leaving of vehicles of such classes, on such days, and on payment of such charges, as specified in the Schedule of this Order.

Entry permitted only for parking

7. No person shall, except with the permission of the Council or a person authorised by the Council drive or permit to be driven in the car park any vehicle for any

purpose other than the purpose of leaving that vehicle in the car park or for the purpose of setting down or picking up a person, persons, luggage or goods in accordance with the provisions of this Order or for the purpose of departing from the car park.

Maximum weight and height of vehicles

8. No driver shall cause a vehicle to enter or be left in the car park if its maximum gross weight exceeds 2.5 tonnes or if its height exceeds 2.1 metres.

Hours of operation and maximum period of stay

9. The operational time of the car park shall be every hour of every day and the maximum period of stay in a parking place will be as specified at Column 5 of the Schedule of this Order.

Period of no return

10. Where, at Column 5 of the Schedule of this Order, a parking place is described as having a period within which a vehicle may not return, no person shall cause or permit a vehicle that has departed from the car park, following any period within which the vehicle had been left in the car park, to re-enter the car park until the said period, within which the vehicle may not return, has expired.

Manner of driving in the car park.

11. No person shall drive, or permit to be driven, any vehicle so that; -
 - a) it enters the car park otherwise than by the entrance indicated by signs or leaves the car park otherwise than by the exit indicated by signs;
 - b) when circulating within the car park in no direction or in excess of any speed limit other than that indicated by signs.

Manner of waiting in the car park

12. When waiting in the car park: -
 - a) Except with the written permission of the Council, no vehicle shall be left in the car park in any position other than wholly within the limits of a bay so marked, and
 - b) No vehicle shall wait in the car park in any position so as to cause an obstruction to any other vehicle or person using the car park, and
 - c) The driver of a vehicle using a parking place specified in the Schedule of this Order shall stop the engine as soon as the vehicle is in position in the parking space, and shall not restart the engine of the vehicle except when about to change the position of the vehicle in order to depart from the parking space.

Not permitted to trade from vehicles

13. No person shall leave any street trading vendors vehicle in any part of the car park, or use any such vehicle in the car park, in connection with the sale of any article to any person in or near the car park or in connection with the selling or offering for hire of his skill or services, provided that nothing in this Article shall apply if the person has obtained the written consent of the Council before doing so.

Trailers prohibited

14. Nothing in this Order shall apply so as to permit a trailer, whether or not attached to a vehicle, to be left or loaded or unloaded at any time in any part of the car park.

Pedestrians

15. Pedestrians using the car park shall, so far as it is reasonable to do so, use the marked pedestrian routes and, save as directed by official signs, a Police Officer in uniform, Civil Enforcement Officer, Parking Attendant or such other person authorised by the Council, shall not use the vehicular ramps between floors or the car park's vehicular egress and ingress roads.

Pay at machine and pay by mobile phone parking places for passenger and light goods vehicles

16. Where, within a parking place, there is a sign or surface marking which indicates that a parking space is available only for a passenger or light goods vehicle or a motor cycle for which the relevant charge has been paid at a payment machine or through the mobile phone payment system then a vehicle shall not be left in that parking space, other than a passenger or light goods vehicle or a motor cycle for which the relevant parking charge, as set out at Column 6 of Row A of the Schedule of this Order, has been paid, and, the charge having been paid, the vehicle shall not be left for a period greater than that for which payment has been made.

Exemption for blue badge holders

17. Subject to the provisions of Column 5 of Row A of the Schedule nothing in Article 16 shall apply to a vehicle which displays a valid disabled persons' badge "blue badge" under the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000, in the relevant position on the dashboard or fascia or in a conspicuous position on the vehicle so that the front of the badge is clearly legible from outside the vehicle and immediately before or immediately after the vehicle has been left in the car park it has been driven by the holder of the blue badge, or has been used to carry the holder of the blue badge, to or from the parking place.

Parking Places reserved for specific vehicles, drivers or organisations.

18. Where, within the car park there is a sign or surface marking which indicates that any parking place, albeit a single space, a block of spaces a whole floor, or any other part of the car park, is reserved for a specific vehicle, or vehicles, no person shall leave or cause to be left a vehicle in that parking place, unless it is authorised by the Council to do so.

Set down and pick up parking places

19. Where, within a parking place, there is a sign or surface marking which indicates that a parking space, is available only for a vehicle which is setting down or picking up a person, persons, luggage or goods, as set out at Row B of the Schedule of this Order, a vehicle shall wait in that parking space only for so long as is necessary to enable a person or persons to board or alight from the vehicle and to enable luggage or goods to be loaded or unloaded to or from the vehicle and in no case for a period greater than 30 minutes, and the vehicle having left the car park shall not return, to any part of the car park, within 30 minutes of leaving the car park

Disabled persons' parking places

20. Where, within a parking place, there is a sign or surface marking which indicates that a parking space, is limited for waiting only by a disabled person's vehicle then, subject to the provisions of Column 5 of Row C of the Schedule of this Order, no person shall cause or permit a vehicle to be left in that parking space unless it displays a valid disabled persons' badge ("blue badge") under the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000, in the relevant position on the dashboard or fascia or in a conspicuous position on the vehicle, so that the front of the badge is clearly legible from outside of the vehicle, and immediately before or immediately after the vehicle has been left in the car park it has been driven by the holder of the blue badge, or has been used to carry the holder of the blue badge, to or from the parking place.

Disabled persons' electric vehicle charging bays

21. Where, within a parking place, there is a sign or surface marking which indicates that a parking space is only available for the charging of a disabled person's electric vehicle, as set out at Row D of the Schedule of this Order then a vehicle shall not be left in that parking space unless it is an electric vehicle, including a plug-in hybrid vehicle, but not including a self-charging hybrid vehicle, and is charging and is displaying a valid disabled persons' badge ("blue badge") under the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000, in the relevant position on the dashboard or fascia or in a conspicuous position on the vehicle, so that the front of the badge is clearly legible from outside of the vehicle, and immediately before or immediately after the vehicle has been left in the car park it has been driven by the holder of the blue badge, or has been used to carry the holder of the blue badge, to or from the parking place.

Electric vehicle charging bays

22. Where, within a parking place, there is a sign or surface marking which indicates that a parking space, is limited for waiting only by an electric vehicle, a vehicle shall not be left in that parking space unless it is an electric vehicle, including a plug-in hybrid vehicle but not including a self-charging hybrid vehicle, and is charging.

Self-charging electric vehicles

23. For the removal of doubt and for the purpose of this Order an electric vehicle shall mean a vehicle that uses one or more electric motors to power it. This shall include a plug-in hybrid vehicle but for the purposes of this Order shall not include a vehicle that is wholly self charging, that is to say a vehicle that does not have a plug-in charging facility;

Parking places for motor cycles

24. Where, within a parking place, there is a sign or surface marking which indicates that a parking space is available only for a motor cycle, as set out at Row F of the Schedule of this Order, then a vehicle shall not be left in that parking space, unless it is a motor cycle as defined by this Order.

Pedal cycle parking places

25. Where, within a parking place, there is a sign or surface marking which indicates that a parking place, as set out at Row G of the Schedule of this Order, is limited for waiting only by a pedal cycle, then a vehicle shall not be left in that parking place unless it is a pedal cycle, including an electrically or mechanically assisted pedal cycle, as defined by this Order.

Exemptions from prohibition of stopping or waiting of vehicles in the car park.

26. Nothing in this Order shall render it a contravention of the provisions of the Order to cause or permit a vehicle to stop or be left in the car park, or any part thereof, during the prescribed hours, for so long as may be necessary: -
- a) in an emergency;
 - b) by law;
 - c) in order to avoid an accident;
 - d) because it is prevented from proceeding by circumstances outside his control;
 - e) to enable the vehicle if it cannot reasonably be used for such purpose in any other location to be used in connection with any of the following: -
 - i. the removal of any obstruction to traffic;
 - ii. use for police, fire brigade, ambulance or military purposes;
 - iii. use for the purpose of delivering or collecting postal packets as defined by Section 125 of the Postal Services Act 2000;
 - iv. 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;
 - v. to enable a person to board or alight from the vehicle;
 - vi. to enable goods to be loaded or unloaded from the vehicle;

Further exemptions from prohibition of stopping or waiting of vehicles in the car park.

27. Nothing in this Order shall render it a contravention of the provisions of the Order to cause or permit a vehicle to park during the prescribed hours in any parking place specified in the Schedule of this Order, or elsewhere in the car park, for so long as may be required or necessary to enable the vehicle if it cannot reasonably be used for such purpose in any other location to be used in connection with any of the following works or operations within or in the vicinity of the car park:
- a) 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;
 - b) use in the service of any undertaker, the Environment Agency or any public authority in pursuance of statutory powers or duties;
 - c) and, following the written permission of the Council, in connection with:
 - i. building, industrial or demolition operations;
 - ii. the removal of furniture or household effects to or from a shop, office, depository or place of residence adjacent to the car park.

PART 3

PAYMENT FOR PARKING

Parking charges

28. Each of the parking places referred to in Row A and Row E of the Schedule of this Order is authorised to be used for the leaving of a vehicle when the driver of the said vehicle has made the required payment, as set out at Column 6 of the said Schedule, at a payment machine or by using the Council's Pay by Mobile Phone payment system.

Payment of a parking charge

29. Before leaving a vehicle in the car park, the driver shall enter, at a payment machine or using the Council's Pay by Mobile Phone system, the particulars of the vehicle to be left, including its registration number and the period of time for which it is to be left, and make the required payment either:
- a) by inserting any combination of coins of appropriate denominations at a payment machine to the full amount of the charge, or by credit or debit card, or
 - b) by making a payment using the Council's Pay by Mobile Phone system.

Payment systems officially signed "Out of order"

30. If, at the time of leaving the vehicle during the prescribed hours in a parking place referred to in Row A and Row E of the Schedule of this Order, there is at every parking machine relating to that parking place, a notice placed by a person authorised by the Council indicating that the payment machine is out of order and that the pay by mobile phone system is not available, then that vehicle shall be exempt from any charge for the initial 24-hour period or any part of the initial 24-hour period.

Pay by mobile phone system unavailable

31. If, at the time of leaving the vehicle during the prescribed hours in a parking place referred to in Row A and Row E of the Schedule of this Order, the pay by mobile phone system is unavailable to pay the relevant charge, then the driver of the vehicle shall make every effort pay the relevant charge at a payment machine. If the driver of the vehicle is unable to pay the relevant charge at a payment machine then then the driver shall be required to contact the Council's Parking Helpline which will be clearly displayed within the car park.

Arrangements for longer term parking when all methods of payment are unavailable

32. In the event that all payment machines are out of service and the pay by mobile phone system is unavailable and the driver of the vehicle requires periods of parking beyond the initial 24 hours and the driver is unable to return to the car park to make the required additional payment then the driver shall be required to contact the Council's Parking Helpline which will be clearly displayed within the car park.

Hand held device

33. When a vehicle has been left in a parking space and payment has been made at a payment machine or by using the Council's Pay by Mobile Phone system an indication that payment has been made and the parking period for which payment has been made shall appear on the Council's Civil Enforcement Officer's hand-held device.

Driver responsible for correct entry

34. Upon using the Council's "Pay at Machine" or "Pay by Mobile Phone" system, it is the onus of the driver to provide the correct information. Any incorrect information provided may result in the driver of the vehicle being liable for the payment of a Penalty Charge.

Non-payment of parking charge or parking after expiry of time paid for

35. If at any time while a vehicle is left in a parking space referred to at Rows A and E of the Schedule of this Order, during the prescribed hours, and no indication appears on a hand held device that payment of the parking charge has been made or an indication that the parking period for which payment was made has expired and the driver has not purchased additional time, 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 shall be liable for the payment of a Penalty Charge.

Exemption for disabled persons' vehicles

36. Subject to the provisions of Column 5 of Row A of the Schedule no charge for waiting, during the prescribed hours, in any parking place referred to at Rows A and E of the Schedule of this Order, shall be payable by a driver of a vehicle that displays a valid disabled persons' badge ("blue badge") under the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000, in the relevant position on the dashboard or fascia or in a conspicuous position on the vehicle so that the front of the badge is clearly legible from outside of the vehicle. and immediately before or immediately after the vehicle has been left in the car park it has been driven by the holder of the blue badge, or has been used to carry the holder of the blue badge, to or from the parking place.

PART 4

SUSPENSIONS OF PARKING PLACES OR CLOSURE OF CAR PARK

Suspension of parking places or closure of car park

37. The Council, or any person authorised by the Council, may suspend the normal use of a parking space, a parking place, the car park as a whole or any part thereof whenever and for such duration as the Council considers necessary to accommodate any eventuality or occasion, within or in the vicinity of the car park, that in the Council's view makes such action necessary, including:

a) for the purpose of facilitating the movement of pedestrians and traffic or promoting its safety;

and, in the case where significant closures are necessary and subject to reasonable notice:

b) for the purpose of building, industrial or demolition operations;

c) for the purpose of the maintenance, improvement or repair of the car park, parking place or its surrounding infrastructure;

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 car park on any occasion of the removal of furniture or household effects to or from a shop, office depository or place of residence;

f) on any occasion on which it is likely by reason of some special event or attraction that the car park will be thronged or obstructed;

- g) for the convenience of occupiers of premises adjacent to the car park at times of weddings or funerals, or on other special occasions;

38. Without prejudice and in addition to all other enabling powers and in the case of significant closures, subject to the giving of reasonable notice the Council shall have the power to close or suspend, for as long as it considers necessary, the use of the car park or any parking place or parking space within the car park, from time to time for the purpose of enabling its use for 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.

Suspension of parking places or closure of car park by a Police Officer

39. A police officer in uniform may, without notice, suspend for not longer than twenty-four hours, may suspend the normal use of a parking space, a parking place, the car park as a whole or any part thereof whenever and for such duration as whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.

Signing of closures of car park or suspension of parking places

40. Upon the suspension or closure of the car park or any part thereof in accordance with the provisions of Articles 37, 38 and 39 of this Order, the person authorising or causing such action shall: -
- a) Place or cause to be placed in appropriate positions, traffic signs indicating their full effect, and
 - b) place or cause to be placed covers or hoods on any payment machines made superfluous by the aforementioned suspensions or closures with signs indicating that the use of the parking places is suspended.

Not permitted to leave a vehicle in suspended parking spaces

41. No person shall cause or permit a vehicle to wait or 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, indicating that the whole or part of that parking place has been suspended.

Vehicles permitted to use suspended parking places during emergencies.

42. Subject to the overriding requirement that the person in control of a vehicle shall move it on the instruction of a Police Officer in uniform, an Enforcement Officer or such other authorised person that may be in attendance whenever such moving shall be considered, at the time, to be necessary, nothing in this Order shall render it a contravention of the Order to cause or permit any vehicle being used for fire brigade, ambulance, police or military purposes to be left in the parking place, 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 Civil Enforcement Officer or such other authorised person.

PART 5

RELOCATION, REMOVAL AND DISPOSAL OF VEHICLES

Authority to move or remove vehicles

43. A Police Officer in uniform, an Enforcement Officer or such other authorised person that may be in attendance, at the time, shall have the power, in the case of an emergency or for reasons of safety or any other reason considered necessary move or cause to be moved any vehicle left in a parking place to any other place that he considers suitable. Any person so authorised to remove a vehicle or alter its position by virtue of this Article may do so by towing or driving the vehicle or in such other manner as may be available 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.

Authority to remove a vehicle from a suspended parking place

44. A person authorised by the Council or a Police Officer in uniform may, using such measures as are appropriate, move or cause to be moved to any place he/she thinks fit, any vehicle parked in a parking place which has been closed or suspended in whole or in part by the Council and the cost of movement or removal and safe keeping shall be the liability of the owner of the vehicle.

Arrangements for the safe keeping of removed vehicles

45. Any person removing a vehicle from a parking place under the provisions of this Order shall make such arrangements as may be reasonably necessary to provide for the safe keeping of the vehicle.

Abandoned Vehicles

46. The Council may relocate, sell or otherwise dispose of, in accordance with current legislation, any motor vehicle or pedal cycle which has been, or could at any time be, removed from a parking place if the vehicle appears to have been abandoned
47. The Council may relocate or remove any vehicle that has been standing within a parking place referred to in Rows A or E of the Schedule to this Order for a period of seven consecutive days without paying the relevant charge.

PART 6

CONTRAVENTIONS AND ENFORCEMENT

Contravention of this Order in general

48. If a driver causes or permits a vehicle to enter the car park or causes or permits a vehicle to be left in a Parking Place without complying with any provision of this Order, then a contravention of, or non-compliance with, this Order shall be deemed to have taken place and a Penalty Charge shall be payable, for each day of the said contravention or non-compliance, and a Penalty Charge Notice(s) may be issued.

Enforcement

49. The civil enforcement of traffic contraventions is governed by Part 6 of the Traffic Management Act 2004 and by regulations made thereunder from time to time being in force for and in connection with imposition of Penalty Charges in respect of road traffic contraventions and the payment of such Penalty Charges including the immobilisation of vehicles where a Penalty Charge is payable.

PART 7

MANAGEMENT OF THE CAR PARK, THE COUNCIL'S LIABILITIES AND OTHER PROVISIONS AND PROHIBITIONS

Traffic signs in general

50. The Council shall, in general:
- a) install traffic signs and surface markings in accordance with The Traffic Signs Regulations and General Directions 2016;
 - b) maintain and from time to time alter the said traffic signs as may be required and where traffic signs are road markings are replaced, they may be replaced with signs and surface markings in accordance with The Traffic Signs Regulations and General Directions that are current at the date of their replacement;
 - c) carry out such other work as is reasonably required for the purpose of maintaining the satisfactory operation of the car park.

Traffic signs in particular

51. The Council shall, in accordance with the Traffic Signs and General Directions 2016:
- a) mark the limits of each parking place specified in the Schedule of this Order, and
 - b) install and maintain traffic signs in each Parking Place specified in the Schedule of this Order indicating the restrictions and their times of operation
 - c) install and maintain such other signs and road markings as it considers necessary to ensure the safe and expedient circulation of vehicular and pedestrian traffic in the car park.

Payment machines

52. The Council shall install and maintain in proper working order at least one payment machine in the vicinity of each pedestrian exit from the car park in a position it considers to be convenient for their intended use.

The Council shall appoint Civil Enforcement Officers

53. The Council shall appoint Civil Enforcement Officers whose duty it shall be to patrol and enforce the parking restrictions imposed by this Order.

Theft of or theft from vehicles left in car park

54. The Council shall not be liable for any theft of a vehicle, or any of its parts or contents, while a vehicle is left in the car park;

Personal injury, loss or damage to vehicles or their contents

55. The Council shall not accept any responsibility for injury, loss or damage in the car park to which this Order applies unless caused by the negligence of the Council;

Camping and washing and repair of vehicles prohibited

56. No person shall use any part of the car park or any vehicle left in a Parking Place in the car park: -
- a) for sleeping or camping or cooking or eating; or
 - b) for the purpose of washing any vehicle or part thereof; or
 - c) for servicing or repairing any vehicle other than is reasonably necessary to enable the vehicle to leave the car park;

Tents and fires etc prohibited

57. In the car park no person shall: -
- a) erect or cause or permit to be erected any tent, booth, stand, building or any other structure without the written consent of the Council; or
 - b) light or cause or permit to be lit any fire;

Noise and anti-social behaviour

58. In the car park no person shall: -
- a) sound any horn or similar instrument except when as deemed necessary while driving or manoeuvring a vehicle;

- b) wantonly shout or otherwise make any loud noise likely to disturb or annoy other users of the car park or the occupants of nearby premises;
- c) use any threatening, abusive or insulting language, gesture or conduct with intent to put another person in fear so as to cause a breach of the peace or whereby a breach of the peace is likely to be occasioned;
- d) loiter or social gatherings;
- e) urinate or defecate;
- f) expose themselves or display scenes of nudity;
- g) perform a sexual act;
- h) dispose of litter or waste;
- i) illicit drug use or the sale of drugs;
- j) wilfully cause damage to, vandalise or graffiti any structure, furniture or apparatus within confines of the car park;

59. Any of the anti-social behaviour mentioned in article 58 shall be reported to the Police.

THE COMMON SEAL OF the **COUNCIL**
OF THE BOROUGH OF MILTON
KEYNES was hereunto affixed this 21st
 day of July 2020 in the presence of:-



~~HEAD OF LEGAL SERVICES~~

Service Director
 Legal & Democratic Services
 & Monitoring Officer



SCHEDULE

The Council of Milton Keynes (Central Milton Keynes) (Elder Gate Station Multi-Storey Car Park) (Off-street Parking Places) Order 2020

BAY TYPE	Parking places signed as designated only for waiting by:	Manner of standing in any parking place; column (2)	Classes of vehicle in any parking place; column (3)	Operational times of any parking place; column (4)	Maximum period for which a vehicle may wait in the parking places defined at column 1; column (5)	Parking charges; column (6)
ROW	column (1)	column (2)	column (3)	column (4)	column (5)	column (6)
A	Any petroleum or electrically powered passenger vehicle, light goods vehicle or motor cycle, when the driver has paid at a payment machine; A vehicle displaying a blue badge;		Any passenger or light goods vehicle provided that its weight does not exceed 2.5 tonnes and its height does not exceed 2.1 metres;		For an unlimited number of hours or days;	For each rolling 24-hour period or any part of a 24-hour period: A petroleum or electrically powered passenger vehicle, light goods vehicle or motor cycle: £10 Free;
B	A vehicle setting down or picking up passengers, luggage or goods;	Wholly within a parking space (bay) (unless otherwise authorised by the Council);		all hours of all days;	For 72 hours with no return within 3 hours of leaving the car park; Only for so long as it takes for passengers to board or alight and/or pick up or set down luggage/goods with no single visit for a period greater than 30 minutes and with no return within 30 minutes of leaving the car park;	Free;
C	A vehicle displaying a blue badge;				For 72 hours with no return within 3 hours of leaving the car park;	Free;
D	An electric powered vehicle displaying a blue badge;				Only for so long as it takes to fully charge the vehicle;	Free;
E	An electric powered vehicle				Unlimited	£5 per visit;
H	Reserved Spaces					Not applicable
F	A motor cycle;		Motor cycle (as defined)		For an unlimited number of hours or days;	Free;
G	A pedal cycle;	In racks	Pedal cycle; (as defined)		For an unlimited number of hours/days;	Free;

