

**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES  
(VARIOUS ROADS AND OFF-STREET CAR PARKS, MILTON  
KEYNES) (ELECTRIC VEHICLE 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) and (2), 4(2) and (3), 45, 46, 49, 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        day of        2020 and may be cited as "The Council of the Borough of Milton Keynes (Various Roads and Off-Street Car Parks, Milton Keynes) (Electric Vehicle 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: -

"**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;

"**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.

**"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" (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);

**"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);

**"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 or hybrid electric vehicles;

**"Electric vehicle parking place"** means a parking place within which electric or hybrid electric vehicles displaying a relevant tax disc 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;

**"Handheld device"** means an electronic device which is programmed to interface with the Pay by Mobile Phone parking system and used by a CEO 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.

**"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;

**"On-Street"** means an area of land that has been adopted as highway;

**"Off-Street"** means an area of land that is privately owned and not part of the highway whereby permission has been granted by the land owner for the highway authority to restrict and enforce;

**"operational time"**, in relation to a Parking Place, means the time, in which any restriction applies;

**"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 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 motor or 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"** means a charge amended from time to time in compliance with the provisions of Part 6 of the Traffic Management Act 2004:

**"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;

**"prescribed hours"** means between those hours stated in the Schedules to this Order;

**"relevant tax disc"** means a valid current tax disc issued by the Driver and Vehicle Licensing Agency, and which relates to an electric or hybrid electric vehicle;

**"restricted road"** means a road which is subject to parking 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 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 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.

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 plans annexed to this Order identify the lengths of roads 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**

### **DESIGNATION AND USE OF PARKING PLACES**

#### **Designation**

6. Each of the parking places 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 or Plug-in hybrid electric vehicles displaying a relevant tax disc.

#### **Hours of operation and maximum period of stay**

7. The operational time for each of the parking places specified in Schedule 1 to this Order shall be every hour of every day.
8. The maximum period of stay in a parking place shall be for the period of time required to charge a vehicle.

#### **Manner of waiting in the parking place**

9. When waiting in the parking place:-

- a) Except with the written permission of the Council, no vehicle shall be left in the parking place in any position other than wholly within the limits of a parking bay so marked, and
- b) No vehicle shall wait in the parking place in any position so as to cause an obstruction to any other vehicle or person using the road or car park, and
- c) The driver of a vehicle using a parking place specified in Schedules 1 and 2 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

- 10. No person shall leave any street trading vendors vehicle in any parking place, or use any such vehicle in a parking space specified in Schedules 1 and 2 of this Order in connection with the sale of any article to any person in or near the parking place 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

- 11. 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 parking place specified in Schedules 1 and 2 of this Order.

#### Electric vehicle parking places

- 12. 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 or a plug-in hybrid vehicle but not including a self-charging hybrid vehicle, and is charging.

### Exemptions.

13. 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 any parking place specified in Schedules 1 and 2 of this Order, 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;
14. 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 Schedules 1 and 2 of this Order, 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**

### **SUSPENSIONS OF PARKING PLACES**

#### Suspension of parking places

15. The Council, or any person authorised by the Council, may suspend the normal use of a parking space or a parking place specified in Schedule 1 of this order, whenever and for such duration as the Council considers necessary to accommodate any eventuality or occasion, within or in the vicinity of the parking place, 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;
16. 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 suspend, for as long as it considers necessary, any parking place or parking space specified in Schedule 1 of this order, 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.
17. A police officer in uniform may, without notice, suspend for not longer than twenty-four hours, the normal use of a parking space or a parking place specified in Schedule 1 of this order 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 suspension of parking spaces or parking places

18. Upon the suspension of the parking place any part thereof in accordance with the provisions of Articles 15, 16 and 17 of this Order, the person authorising or causing such action shall place or cause to be placed in appropriate positions, traffic signs indicating their full effect, and

#### Not permitted to leave a vehicle in suspended parking spaces or parking places

19. No person shall cause or permit a vehicle to wait or be left in a parking space or parking place specified in Schedule 1 of this Order 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 spaces or parking places during emergencies.

20. 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 space or 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 4**

**CONTRAVENTIONS AND ENFORCEMENT**

Contravention of this Order in general

21. If a driver 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

22. 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.

**SCHEDULE 1**  
**ON-STREET ELECTRIC VEHICLE PARKING PLACES**  
**24 HOURS, EVERY DAY OF THE WEEK**  
**ONLY WHEN CHARGING**

**AVEBURY BOULEVARD, CENTRAL MILTON KEYNES**

THE SOUTH-EAST VEHICULAR ACCESSWAY – SOUTH-EAST SIDE

EV1 From a point 61.5 metres south-west of the centreline of the access road leading onto Avebury Boulevard, for a distance of 10 metres in a south-westerly direction (4 Parking Spaces)

**BLACKBERRY COURT, WALNUT TREE**

WEST SIDE

EV2a From a point 23 metres north of its junction with Hindhead Knoll, for a distance of 5 metres in a northerly direction (2 Parking Spaces)

EV2b From a point 13 metres north of its junction with Hindhead Knoll, for a distance of 5 metres in a northerly direction (2 Parking Spaces)

**WOUGHTON LEISURE CENTRE CAR PARK**

THE NORTH-WEST VEHICULAR ACCESSWAY – NORTH-WEST SIDE

EV3 From a point 6 metres south-west of its junction with Rainbow Drive, for a distance of 20 metres in a south-westerly direction (8 Parking Spaces)

**SELWYN GROVE, BLETCHLEY**

NORTH-WEST SIDE

EV4 From a point 8.9 metres south-west of the centre line of Fitzwilliam Street, for a distance of 13.6 metres in a south-westerly direction (2 Parking Spaces)

**SCHEDULE 2**  
**OFF-STREET ELECTRIC VEHICLE PARKING PLACES**  
**24 HOURS, EVERY DAY OF THE WEEK**  
**ONLY WHEN CHARGING**

**HAWKINS CLOSE OFF-STREET CAR PARK, STONY STRATFORD**

THE SOUTH-EAST SIDE OF THE ACCESS ROAD LEADING TO LONDON ROAD

EV5 From the north-eastern extremity of the parking space, for a distance of 20 metres in a south-westerly direction (8 Parking Spaces)

**CLUB LANE OFF-STREET CAR PARK, WOBURN SANDS**

THE SOUTH-EAST VEHICULAR ACCESSWAY – NORTH-WEST SIDE

EV6 From the north-eastern extremity of the parking space, for a distance of 15 metres in a south-westerly direction (6 Parking Spaces)

**ASHLAND LAKE OFF-STREET CAR PARK, ASHLAND**

NORTH SIDE

EV7 From a point 6 metres west of the western extremity of the parking space, for a distance of 12.5 metres in an easterly direction (5 Parking Spaces)

**FURZTON LAKE OFF-STREET CAR PARK, FURZTON**

THE SOUTH-WEST VEHICULAR ACCESSWAY – NORTH-EAST SIDE

EV8 The entire length of parking (5 Parking Spaces)

**PATTISON LANE OFF-STREET CAR PARK, WOOLSTONE**

EAST SIDE

EV8 From a point 5 metres south of the entrance to the car park, for a distance of 12 metres in a southerly direction (5 Parking Spaces)

**BURY FIELD OFF-STREET CAR PARK, NEWPORT PAGNELL**

THE SOUTH-EAST VEHICULAR ACCESSWAY – NORTH-WEST SIDE

EV10 From a point 12 metres north-east of the south-western extremity of the car park, for a distance of 15 metres in a north-easterly direction (6 Parking Spaces)

**TREE CATHEDRAL OFF-STREET CAR PARK, NEWLANDS**

THE EAST VEHICULAR ACCESSWAY – EAST SIDE

EV11 From a point 5 metres north of the southern extremity of the car park, for a distance of 10 metres in a northerly direction (4 Parking Spaces)

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

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**HEAD OF LEGAL SERVICES**