

MILTON KEYNES CITY COUNCIL
(MANOR ROAD CEMETARY CAR PARK, BLETCHLEY)
(OFF-STREET LIMITED WAITING PARKING PLACE) ORDER 2023

The Council of the Borough of Milton Keynes ("the Council") in exercise of its powers under Sections 1(1), 2(1), 2(2), 4(1) 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 may be cited as Milton Keynes City Council (Manor Road Cemetery Car Park, Bletchley) (Off-Street Limited Waiting Parking Place) Order 2023 and shall come into operation on the day of 2023.
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;
 - "**car park**" means an area for parking which the public has access;
 - "**Civil Enforcement Officer**" has the same meaning as in Section 76 of the Traffic Management Act of 2004;
 - "**Council**" means Milton Keynes City Council;
 - "**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;
 - "**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;
 - "**dual purpose vehicle**" has the same meaning as in the Road Vehicles (Construction and Use) Regulations 1986;
 - "**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;

“limited waiting parking place” means a parking area which is restricted to allow the public to park their vehicle up to the maximum duration as specified in Schedule 1 to this Order;

"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;

“off-street” means a road which is not adopted highway;

“parking place” means an area within the Manor Road Cemetery car park which has been marked out under the provisions of the Traffic Signs Regulations and General Directions 2002, within which the limits of a parking space (bay) is marked out for the parking of a single motor 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;

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

"prescribed hours" means between those hours stated in Schedule 1 of this Order;

"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;

"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;

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

PART 2

OFF-STREET LIMITED WAITING PARKING PLACE

5. (1) The off-street limited waiting parking specified in Schedule 1 to this Order is authorised to be used during the prescribed hours, as a free limited parking place for passenger vehicles, dual purpose vehicles, goods vehicles, mopeds and motor cycles.
- (2) Nothing in paragraph (1) of this Article shall apply so as to permit a trailer, whether or not attached to a vehicle, to park during the hours of 7:00am and 6:00pm every day of the week in the limited waiting parking place specified in Schedule 1 to this Order.
- (3) No person shall park any street trading vendors vehicle in a free parking place or use any such vehicle while it is in such a parking place, 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:
 - (a) shall prevent the sale of goods from a vehicle if the vehicle is of a class specified in paragraph (1) of this Article and if the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected; or
 - (b) shall apply if the person has obtained the written consent of the Council before doing so.
6. (1) The limits of the limited waiting parking place specified in Schedule 1 to this Order and of every free limited parking space within a free limited parking place, the hours of operation of the limited waiting parking place and the limits of any access way in a limited waiting parking place shall be indicated in the off-street car park by the appropriate traffic signs.
- (2) Any vehicle standing in a limited waiting parking space shall stand wholly within the limits so marked so that no part of the vehicle obstructs any access way other than from or to the premises referred to in paragraph (4)(h) of Article 12.
7. The driver of a vehicle using a free limited 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 when about to change the position of the vehicle in or to depart from the parking space.
8. A vehicle which is present in the limited waiting parking place specified in Schedule 1 to this Order at the commencement of the hours of operation of any restrictions imposed by this Order shall be deemed to have been left in that parking place at the commencement of that period of operation of the restriction in question.

9. Nothing in Articles 17 and 18 shall render it a contravention of this Order to cause or permit a disabled person's vehicle which displays a valid disabled person's badge in the relevant position in accordance with Article 10 hereof to park in a free limited waiting parking place outside of the prescribed hours.
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.
 - (1) A police officer in uniform or traffic warden may in case of emergency move or cause to be moved any vehicle left in the limited waiting parking place to any place he thinks fit.
 - (2) Any person authorised to remove a vehicle or alter its position by virtue of paragraph (1) of this Article may do so by towing or driving the vehicle or in such other manner as he may think necessary 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.
12. Nothing in this Part of this Order shall render it a contravention of this Order to cause or permit a vehicle to park during the prescribed hours in the limited waiting parking place specified in Schedule 1 to this Order 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) to enable a person to board or alight from the vehicle;
 - (3) to enable goods to be loaded or unloaded from the vehicle;
 - (4) 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, fire brigade or ambulance purposes;

- f) use for the purpose of delivering or collecting postal packets as defined by section 125 of the Postal Services Act 2000;
 - g) 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;
 - h) the removal of furniture or household effects to or from a shop, office, depository or dwelling house adjacent to the limited waiting parking place.
13. No person shall cause or permit a vehicle to park in the limited waiting parking place specified in Schedule 1 to this Order by virtue of the provisions of paragraph (4) of Article 12 above otherwise than:
- (1) unless the length of the vehicle precludes compliance with this paragraph, so that every part of the vehicle is within the limits of a limited waiting parking space.
 - (2) so that no part of the vehicle obstructs any access way other than from or to the premises referred to in paragraph (4)(h) of Article 12.
14. (1) Any person authorised by the Council may suspend the use of a free limited waiting parking place or any part thereof whenever and for such duration as the Council considers such suspension reasonably necessary:
- a) for the purpose of facilitating the movement of traffic or promoting its safety;
 - b) for the purpose of building, industrial or demolition operations;
 - c) for the purpose of the maintenance, improvement or reconstruction of the parking place;
 - 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 free or limited parking place on any occasion of the removal of furniture or household effects to or from a shop, office depository or dwelling house;
 - f) on any occasion on which it is likely by reason of some special attraction that any road will be thronged or obstructed;
 - g) for the convenience of occupiers of premises adjacent to the limited waiting parking place at times of weddings or funerals, or on other special occasions.
- (2) A police officer in uniform, traffic warden or civil enforcement officer may suspend for not longer than twenty-four hours the use of the limited waiting parking place specified in Schedule 1 to this Order 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 the limited waiting parking place

specified in Schedule 1 to this Order 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 public without any charge of any kind being made to the public.

15. On the suspension of the use of the limited waiting parking place specified in Schedule 1 to this Order or any part thereof in accordance with the provisions of Article 14 of this Order the person authorising or causing such suspension shall, if the use of the whole or of any part of the parking place is suspended, place or cause to be placed in or adjacent to that parking place a traffic sign indicating that the use of the parking place is suspended and that waiting, or waiting and loading by vehicles is prohibited.
16. (1) Save as in paragraph (2) of this Article no person shall cause or permit a vehicle to be left in the limited waiting parking place specified in Schedule 1 to 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 in pursuance of Article 15 of this Order that the whole or part of that parking place has been suspended.

(2) Subject to the overriding requirement that the person in control of the vehicle shall move it on the instruction of a police officer in uniform, traffic warden or civil enforcement officer whenever such moving shall be necessary for the purpose of preventing obstruction, nothing in paragraph (1) of this Article shall render it a contravention of this Order to cause or permit any vehicle being used for fire brigade, ambulance or police purposes or any vehicle being used for any purpose or eventuality specified in paragraph (1) of Article 12 of this Order to be left in the limited waiting parking place specified in Schedule 1 to this Order 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, traffic warden or civil enforcement officer.

PART 3

LIMITED WAITING RESTRICTION

17. 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, cause or permit any vehicle to wait in any of the limited waiting parking place specified in Schedule 1 hereto between the hours of 7.00 a.m. and 6.00 p.m. on any day of the week:
 - (1) for a longer period than 2 hours; or
 - (2) if a period less than 1 hour has elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle in the same parking place in the same length of road.

A vehicle which is present in the limited waiting parking place specified in Schedule 1 hereto at the commencement of the hours of operation of any restrictions imposed by

this Order shall be deemed to have been left in that parking place in that length of road at the commencement of that period of operation of the restriction in question.

18. The driver of a vehicle shall not permit it to wait in the limited waiting parking place:
 - (a) unless it is a vehicle of class specified in Article 5 of this Order; and
 - (b) unless it is in a position specified in Article 6 of this Order.

19.
 - (1) Where a police officer in uniform, traffic warden or civil enforcement officer is of the opinion that any of the provisions contained in this Part of this Order have been contravened or not complied with in respect of a vehicle left in the limited waiting parking place he may remove or cause to be removed the vehicle from the limited waiting parking place specified in Schedule 1 to this Order and, where it is so removed, he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
 - (2) Where a vehicle is waiting in a parking place in a position contravening the provisions of this Order a police officer in uniform, traffic warden or civil enforcement officer may alter or cause to be altered the position of the vehicle in order that its position shall comply with the provisions.
 - (3) A police officer in uniform, traffic warden or civil enforcement officer may, in case of emergency, move or cause to be moved to any place he thinks fit, any vehicle left in the limited waiting parking place.
 - (4) Any person authorised to remove a vehicle or alter its position by virtue of paragraphs (1), (2) or (3) of this Article may do so by towing or driving the vehicle or in such other manner as he may think necessary 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.

20. Nothing in Articles 17 and 18 above shall render it a contravention of this Order to cause or permit a vehicle to wait in the limited waiting parking place specified in Schedule 1 to this Order for so long as may be necessary:
 - (1) 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 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) in connection with any wedding or funeral;
 - f) use for police, 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.
21. Nothing in Articles 17 and 18 above shall render it unlawful to cause or permit a vehicle to wait in any of the lengths of road or any of the limited waiting parking place specified in Schedule 1 to this Order, for so long as may be necessary to enable goods to be loaded or unloaded from the vehicle.
 22. Nothing in Articles 17 and 18 above shall render it unlawful to cause or permit a vehicle to wait in the limited waiting parking place specified in Schedule 1 to this Order, for so long as may be necessary to enable a person to board or alight from the vehicle.
 23. Nothing in Articles 17 and 18 above shall render it unlawful to cause or permit a vehicle to wait in the limited waiting parking place specified in Schedule 1 to this Order, 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 1 to this Order while such gate or other barrier is being opened or closed.

PART 4

ENFORCEMENT OF RESTRICTIONS

24. The Council shall, on or in the vicinity of the limited waiting parking place specified in Schedule 1 to this Order:
 - (1) Highlight the 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.
25. The Council shall appoint Civil Enforcement Officers (CEOs) whose duty it shall be to patrol and enforce the limited waiting restriction imposed by the Articles of this Order.

SCHEDULE 1

OFF-STREET LIMITED WAITING PARKING PLACE

BETWEEN 7.00 A.M. AND 6.00 P.M. EVERY DAY OF THE WEEK
FOR A MAXIMUM PERIOD OF 2 HOURS
RETURN PROHIBITED WITHIN 1 HOUR

EXCEPT WITHIN THE MARKED BICYCLE/MOTOR CYCLE AND DISABLED PERSONS'
PARKING BAYS

THE MONOR ROAD CEMETARY CAR PARK

EAST SIDE

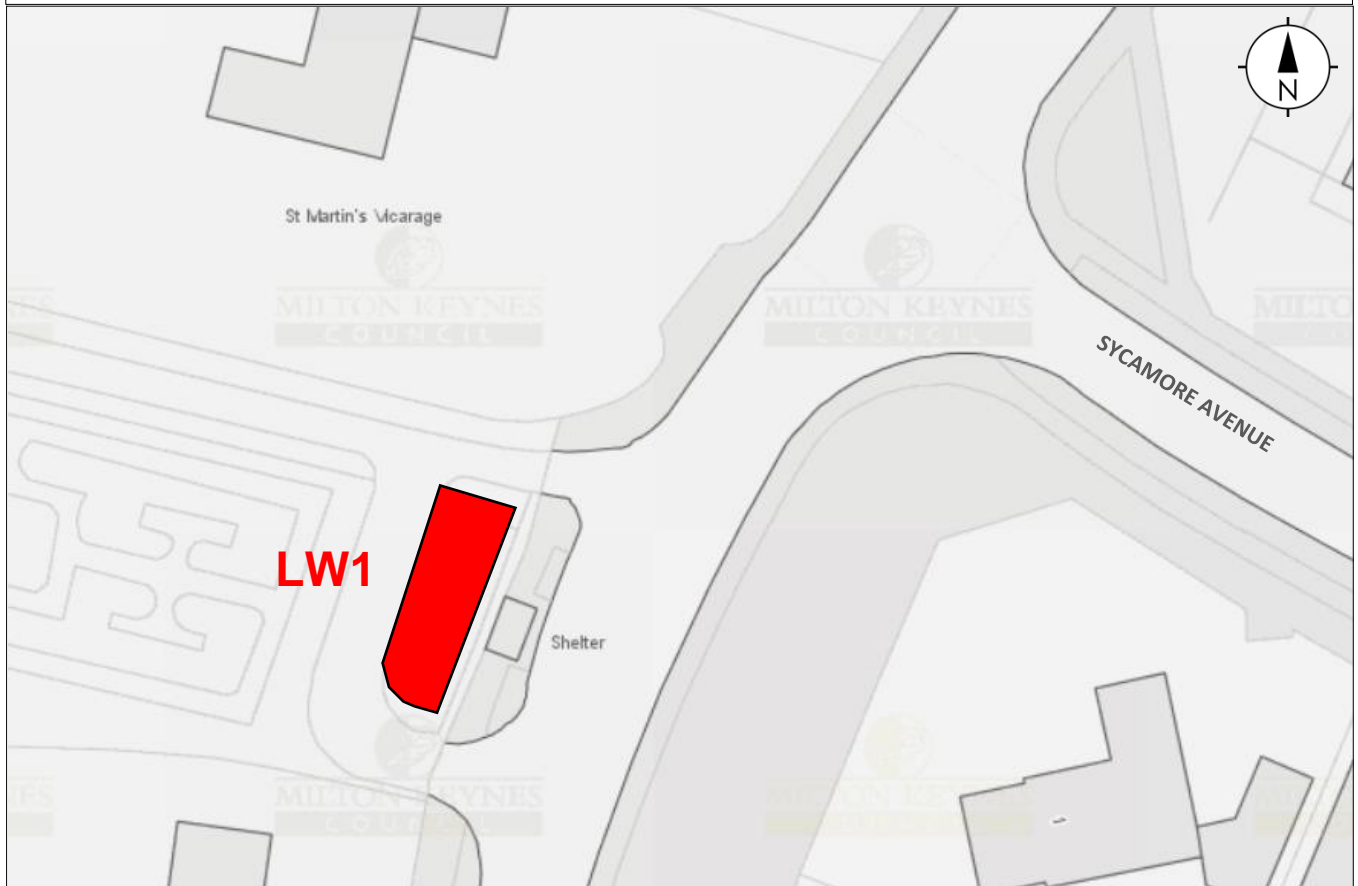
LW1 Between the two vehicular access roads leading onto Manor Road.

--- END ---

THE COMMON SEAL OF the **COUNCIL OF**
THE BOROUGH OF MILTON KEYNES was
hereunto affixed this day of 2019 in the
presence of:-

.....
HEAD OF LEGAL SERVICES

MAP FOR ORDER



2-hours limited waiting parking place

No return within 1 hour

Between 7am and 6pm, every day of the week

LW1 TRO Reference

Map referred to in Milton Keynes City Council (Manor Road Cemetery Car Park, Bletchley) (Off-Street Limited Waiting Parking Place) Order 2023

This map is not to scale

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