

MILTON KEYNES CITY COUNCIL
(UNITY PLACE, CENTRAL MILTON KEYNES)
(OFF-STREET PARKING PLACES) ORDER 2023

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

1. This Order shall come into operation on the day of 2023 and may be cited as "Milton Keynes City Council (Unity Place, Central Milton Keynes) (Off-Street Parking Places) Order 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;
 - "**Civil Enforcement Officer**" ("CEO") has the same meaning as in Section 76 of the Traffic Management Act of 2004;
 - "**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);
 - "**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;
 - "**Driver and Vehicle Licencing Agency**" 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 (car tax);
 - "**dual purpose vehicle**" has the same meaning as in the Road Vehicles (Construction and Use) Regulations 1986;
 - "**electric vehicle**" means any vehicle which uses one or more electric motors for propulsion;
 - "**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" 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 Phone parking system and virtual parking permit system and is used by a CEO to assist in carrying out parking enforcement within the Central Milton Keynes Area;

"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 wheel vehicle fitted with an engine having a cylinder capacity not exceeding 50 cm³ if of the internal combustion type and a maximum design speed of not more than 45 kilometres per hour;

"motor cycle" has the same meaning as in Section 136 of the Act of 1984;

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

"parking place" means an area marked out on the highway 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 or electric vehicle;

"parking area" means an area provided for the parking of motor vehicles and electric vehicles and may include parking spaces, pedestrian walkways, and related ingress and carriageway.

"off-street" means a private road or carriageway that is not adopted highway;

"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;

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

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

"Penalty Charge Notice" means a notice informing the driver of a vehicle that they are in contravention of a restriction and that a penalty charge is now owed;

"prepaid card" means a parking device in which is stored electronically an amount of credit and which, when inserted into a ticket parking meter adapted for that purpose, is debited with the amount of the charge;

"prescribed hours" means between those hours stated in Schedules 1 to 6 inclusive, to this Order;

“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;

"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 City 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;

"unused amount" in relation to a permit means that part of the permit period that remains unused at the time of receipt by Milton Keynes Sustainable Transport Limited of an application or request for a replacement permit;

"user" in relation to a vehicle, means the person by whom such vehicle is owned, kept or used.

"unused amount" in relation to a permit means that part of the permit period that remains unused at the time of receipt by Milton Keynes Sustainable Transport Limited of an application or request for a replacement permit;

"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 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

OFF-STREET PREMIUM TARIFF PARKING PLACES

5. Each of the lengths of road specified in Schedule 1 of this Order is designated as a parking place for any motor vehicle or electric vehicle and is authorised to be used during the hours of 7.00 am and 6.00 pm by any vehicle which has either paid the relevant charge at a payment machine or by the mobile phone parking system.
6. Any vehicle that has been left in a parking place specified in Schedule 1 of this Order, during the prescribed hours, shall pay the charge specified in Part 7 to this Order:
 - a) at a payment machine; or

- b) by using the Pay by Mobile Phone Parking System.
7. The charge for each parking space referred to in Schedule 1 of this Order shall be payable at a payment machine:-
- (a) by any combination of coins of appropriate denominations to the amount of the charge;
 - (b) by a prepaid card of which the remaining credit is not less than the amount of the charge.
8. Upon using a payment machine to park a vehicle in any parking place referred to in Schedule 1 of this Order, during the prescribed hours, the driver of the said vehicle shall be required to:
- a) enter the vehicle registration mark of the vehicle that has been left in the parking place;
 - b) select the time duration required to park;
 - c) pay the relevant charge.

It is the onus of the driver to provide the correct information as prescribed in paragraphs (a) to (c) of this Article. Any incorrect information may result in the driver of the vehicle being issued with a Penalty Charge Notice.

9. Upon using the Councils pay by mobile phone parking system to park a vehicle in any parking place referred to in Schedule 1 of this Order, during the prescribed hours, the driver of the said vehicle shall be required to provide the following information:
- a) the vehicle make of the vehicle that has been left in the parking place;
 - b) the vehicle colour of the vehicle that has been left in the parking place;
 - c) the vehicle registration mark of the vehicle that has been left in the parking place;
 - d) the location code of the parking place which is identified on the traffic signs within the parking place;
 - e) the time duration required to park.

It is the onus of the driver to provide the correct information as prescribed in paragraphs (a) to (c) of this Article. Any incorrect information may result in the driver of the vehicle being issued with a Penalty Charge Notice.

10. Where a vehicle has been left in a parking place referred to in Schedule 1 of this Order, during the prescribed hours, and has paid the parking charge at a payment machine, an indication that payment has been made and the parking period for which payment has been made shall appear on the CEO's hand-held device.
11. Subject to the provisions of Articles 14, 15 and 16, any vehicle that has been left in any parking place referred to in Schedule 1 of this Order, during the prescribed hours, that has not paid the premium tariff charge at the payment machine or by mobile phone, may be issued a penalty charge notice.
12. Any vehicle that has been left in a parking place referred to in Schedule 1 of this Order, during the prescribed hours, that has purchased time by a payment machine or via the pay by mobile phone system, then on the expiry of the time purchased,

the driver of a vehicle must either purchase additional time to park or remove the vehicle from the parking place.

13. If any time while a vehicle is left in a parking space referred to in Schedule 1 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 at a payment machine or via the pay by mobile phone system or an indication that the parking period for which payment was made has expired, 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 may be issued with a Penalty Charge Notice.
14. Provided that where only one of the methods of payment referred to in article 7 is available, that method shall be used for payment of the parking charge.
15. No charge for parking in a parking place specified in Schedule 1 of this Order, during the prescribed hours, shall be payable at a payment machine or by the mobile phone parking system by any moped or motorcycle.
16. No charge for parking in a parking place specified in Schedule 1 of this Order, during the prescribed hours, shall be payable at a payment machine or by the mobile phone parking system by any vehicle which displays a valid disabled persons' badge "blue badge" under the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000, 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.
17. A vehicle which is present in a parking place specified in Schedule 1 of 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 that parking place.
18. For the purpose of this Order any vehicle standing in a parking space within a parking place specified in Schedule 1 of this Order, shall stand wholly within the limits so marked, or if the length of the vehicle precludes the vehicle being positioned in that manner, so that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle.
19. The limits of each parking place specified in Schedule 1 of this Order shall be indicated on the road by the appropriate traffic sign.
20. The traffic signs within each parking place specified in Schedule 1 of this Order will indicate the restriction and the times of operation.
21. The limits of each parking space within a parking place specified in Schedule 1 of this Order, will be marked out in accordance with the current 'Traffic Signs Regulations and General Directions'.
22. The Council shall install and maintain in proper working order at least one payment machine in such position as it thinks fit in the vicinity of the parking place.

23. Nothing in this Order shall apply so as to permit a trailer whether or not attached to a vehicle, to park at any time in any parking places specified in Schedule 1 of this Order.
24. No person shall park any street trading vendors vehicle in a parking place specified in Schedule 1 of this Order, or use by any such vehicle while it is in such a parking place, in the 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 Article 5 of this Order 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.
25. The driver of a vehicle using a parking place specified in Schedule 1 of this Order shall stop the engine as soon as the vehicle is in a 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 order to depart from the parking space.
26. (1) A police officer in uniform, traffic warden or CEO may in the case of an emergency move or cause to be moved any vehicle left in a 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.
27. Nothing in this Order shall render it a contravention of this Order to cause or permit a vehicle to park during the prescribed hours in a parking place specified in Schedule 1 of 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, ambulance or military 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 dwellinghouse adjacent to the pay and display parking place.
28. No person shall cause or permit a vehicle to wait in a parking place specified in Schedule 1 of this Order by virtue of the provisions of paragraph (4) of Article 27 above otherwise than:-
- (1) (a) unless the length of the vehicle precludes compliance with this paragraph, so that every part of the vehicle is within the limits of a parking space; or
 - (b) if the length of the vehicle precludes compliance with the preceding paragraph, so that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle; and
 - (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 27.
29. (1) Any person authorised by the Council may suspend the use of a 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;
 - b) for the purpose of the maintenance, improvement or reconstruction of the parking place;
 - c) 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;
 - d) for the convenience of occupiers of premises adjacent to the pay and display parking place on any occasion of the removal of furniture or household effects to or from a shop, office depository or dwellinghouse;
 - e) on any occasion on which it is likely by reason of some special attraction that any road will be thronged or obstructed;
 - f) for the convenience of occupiers of premises adjacent to the parking place at times of special occasions.
- (2) A police officer in uniform, traffic warden or CEO may suspend for not longer than twenty-four hours the use of a parking place specified in Schedule 1 of 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.

30. On the suspension of the use of a parking place specified in Schedule 1 of this Order or any part thereof in accordance with the provisions of Article 29 of this Order:-
 - (1) 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 and loading by vehicles is prohibited;
 - (2) the person authorising or causing such suspension may, if the use of the whole of the parking place is suspended, place or cause to be placed over or on all of the payment machines which relate to that parking place a hood or other cover indicating that the use of a parking place is suspended.
31.
 - (1) Save as provided in paragraph (2) of this Article no person shall cause or permit a vehicle to be left in a 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 in pursuance of paragraph (1) of Article 30 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 CEO 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, police or military purposes or any vehicle being used for any purpose or eventuality specified in paragraph (1) of Article 29 of this Order 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, traffic warden or CEO.

PART 3

OFF-STREET DISABLED PERSONS' PARKING PLACES

32. The lengths of road specified in Schedule 2 to this Order is authorised to be used, subject to the following provision of this Part of the Order, during the prescribed hours as a parking place for the class of vehicle specified in Article
33. The parking places specified in Schedule 2 to this Order may be used for the leaving of a vehicle displaying a valid disabled person's badge in the relevant position.
34. The limits of the disabled persons' parking places and the limits of any access way in a disabled persons' parking place shall be indicated by the Council on the road by the appropriate traffic signs and any vehicle standing in a disabled persons' parking space shall stand wholly within the limits so marked.

35. The driver of a vehicle using a disabled persons' 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 for loading or unloading or when about to change the position of the vehicle in or to depart from the parking place.
36. No person shall use a disabled persons' vehicle whilst it is in a disabled persons' parking place in connection with the sale of any article to persons in or near that parking place or in connection with the selling or offering for hire of his skill or services, provided that nothing in this Article shall prevent the sale of goods from a vehicle displaying a valid disabled persons' badge if the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected.
37.
 - (1) When a vehicle displaying a valid disabled persons' badge is left in a disabled persons' parking place in contravention of any of the provisions contained within this Part of the Order, a person authorised in that behalf may remove the vehicle or arrange for it to be removed from the parking place.
 - (2) A police officer in uniform or traffic warden or CEO may, in cases of emergency, move or cause to be moved, to any place he sees fit, any vehicle left in a disabled persons' parking place.
 - (3) When a vehicle displaying a valid disabled persons' badge is waiting in a parking place in a position which contravenes the provisions of Article 14 a person authorised in that behalf may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision.
 - (4) Any person removing a vehicle or altering its position by virtue of paragraphs (1), (2) and (3) of this Article may do so by towing or driving the vehicle or in such manner as he may think necessary to enable him to remove it or to alter its position as the case may be.
 - (5) When a person authorised in that behalf removes or makes arrangements for the removal of a vehicle displaying a valid disabled persons' badge from a disabled persons' parking place by virtue of paragraphs (1) and (2) of this Article he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
38.
 - (1) Any person authorised by the Council may suspend the use of a disabled persons' parking place or any part thereof whenever and for such duration as he considers such suspension reasonably necessary:
 - (a) for the purpose of facilitating the movement of traffic or promoting its safety;
 - (b) for the purpose of any building operation, demolition or excavation in or adjacent to the disabled persons' parking place or the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration, removal, servicing or repair in or adjacent to the parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus or traffic sign;

- (c) for the convenience of occupiers of premises adjacent to the disabled persons' parking place on any occasion of the removal of furniture or household effects to or from a shop, office depository or dwellinghouse;
 - (d) on any occasion on which it is likely by reason of some special attraction that any road will be thronged or obstructed;
 - (e) for the convenience of occupiers of premises adjacent to the disabled persons' parking place at times of weddings or funerals, or on other special occasions.
- (2) A police constable in uniform, traffic warden or CEO may suspend for not longer than twenty-four hours the use of a disabled persons' parking place 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 any disabled persons' parking place 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 information of the public without any charge of any kind being made to the public.

PART 4

OFF-STREET FREE AND LIMITED WAITING PARKING PLACES

39. Each of the lengths of road specified in Schedules 3 and 4 to this Order is authorised to be used during the prescribed hours detailed in those Schedules, subject to the provisions to this Part of this Order, as a free limited parking place for passenger vehicles, dual purpose vehicles, goods vehicles, mopeds and motor cycles.
40. 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 parking places in those lengths of road specified in Schedule 3 hereto between the hours of 7.00 a.m. and 6.00 p.m. on any day of the week:
- a) for a longer period than 2 hours; or
 - b) 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.
41. 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 parking places in those lengths of road specified in Schedule 3 hereto between the hours of 7.00 a.m. and 6.00 p.m. on any day of the week:
- a) for a longer period than 5 minutes; or

- b) if a period less than 30 minutes 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.
42. A vehicle which is present in any parking place in any length of road specified in Schedules 3 and 4 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.
43. Nothing in Articles 40 and 41 of this Order shall render it a contravention of this Order to cause or permit a vehicle to wait in any of the lengths of road or any of the parking places in those lengths of road specified in Schedules 3 and 4 for so long as may be necessary 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.
44. Nothing in Articles 40 and 41 of this Order shall render it unlawful to cause or permit a vehicle to wait in any of the lengths of road or any of the parking places in those lengths of road specified in Schedules 3 and 4, for so long as may be necessary to enable goods to be loaded or unloaded from the vehicle.
45. Nothing in Articles 40 and 41 of this Order shall render it unlawful to cause or permit a vehicle to wait in any of the lengths of road or any of the parking places in those lengths of road specified in Schedules 3 and 4, for so long as may be necessary to enable a person to board or alight from the vehicle.
46. Nothing in Articles 40 and 41 of this Order shall render it unlawful to cause or permit a vehicle to wait in any of the lengths of road or any of the parking places in those lengths of road specified in Schedules 3 and 4 for so long as may be necessary:
- a) 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;
 - b) 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 3 to this Order while such gate or other barrier is being opened or closed.

47. Nothing in Articles 40 and 41 of this Order shall apply so as to permit a trailer, whether or not attached to a vehicle, to park at any time in any free limited parking place.
48. 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 Article 39 of this Order 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.
49.
 - (1) The limits of each free limited parking place and of every free limited parking space within a free limited parking place, the hours of operation of the free limited parking place and the limits of any access way in a free limited parking place shall be indicated on the road by the appropriate traffic signs.
 - (2) Any vehicle standing in a free limited 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 56.
50. 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.
51. A vehicle which is present in any parking place in any length of road specified in Schedules 3 and 4 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.
52. Nothing in Articles 40 and 41 of this Order 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 53 hereof to park in a free limited parking place outside of the prescribed hours.
53. 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:
 - a) the badge is exhibited on the dashboard or facia of the vehicle so that the front of the badge is clearly legible from the outside of the vehicle; or
 - b) where the vehicle is not fitted with a dashboard or facia, 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.

54. (1) A police officer in uniform or traffic warden may in case of emergency move or cause to be moved any vehicle left in a free limited 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.
55. (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 a free limited parking place he may remove or cause to be removed the vehicle from the parking place 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 a free limited 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
56. 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 a free limited parking place specified in Schedules 3 and 4 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 free parking place.
57. No person shall cause or permit a vehicle to park in a free limited parking place by virtue of the provisions of paragraph (4) of Article 56 above otherwise than:
- (1) a) 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 parking space; or
 - (b) if the length of the vehicle precludes compliance with the preceding paragraph, so that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle; and
 - (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 56.
58. (1) Any person authorised by the Council may suspend the use of a free limited 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 free or limited 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 a free limited parking place 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 any free parking place 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.
59. On the suspension of the use of a free limited parking place or any part thereof in accordance with the provisions of Article 58 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.
60. Save as in Article 61 of this Order, no person shall cause or permit a vehicle to be left in a free limited 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 in pursuance of Article 59 of this Order that the whole or part of that parking place has been suspended.
61. 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 56 of this Order to be left in the free 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, traffic warden or civil enforcement officer.

PART 5

PROHIBITION OF WAITING EXCEPT WITHIN MARKED BAYS

62. 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 outside of a marked bay within the parking area specified in Schedule 5 of this Order.
63. Nothing in Article 62 shall render it a contravention of this Order to cause or permit any vehicle to wait in any of the parking area specified in Schedule 5, outside of a marked bay 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 4 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.

PART 6

CONTRAVENTIONS AND ENFORCEMENT

64. Any vehicle that has been left in a parking place specified in Schedules 1, 3 and 4 to this Order, during the prescribed hours, that is not positioned within the markings of a bay, then that vehicle shall be in contravention of “not parking correctly within the markings of the bay”, subject to the provisions of Articles 27 and 56 to this Order and may be issued a Penalty Charge Notice.
65. Any vehicle that has been left in a parking place specified in Schedule 1 to this Order, during the prescribed hours, that has not purchased time at a premium tariff parking machine or by mobile phone parking system, shall be presumed unless the contrary is proved, then that vehicle shall be in contravention of “parking without payment of the parking charge”, subject to the provisions of Article 27 to this Order and may be issued a Penalty Charge Notice.
66. Any vehicle that has been left in a parking place specified in Schedule 1 to this Order, during the prescribed hours, that has purchased time using a premium tariff

payment machine or the mobile phone parking system and the time purchased has expired, then that vehicle shall be in contravention of “parking after the expiry of paid time”, subject to the provisions of Article 27 to this Order and may be issued a Penalty Charge Notice.

67. Any vehicle that has been left in a parking place specified in Schedules 1, 3 and 4 to this Order, during the prescribed hours, where the parking place has been suspended and the vehicle is not exempt from parking there then that vehicle shall be in contravention of “parking wholly or partly in a suspended bay or space” subject to the provisions of Articles 27 and 56 to this Order and may be issued a Penalty Charge Notice.
68. Any vehicle that has been left in a parking place specified in Schedules 1, 3 and 4 to this Order, during the prescribed hours, in connection with the sale of any article to any person or the sale or offering for hire of his skill or services, then that vehicle shall be in contravention of “using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited” and may be issued a Penalty Charge Notice.
69. Any vehicle that has been left in a parking place specified in Schedule 2 to this Order, during the prescribed hours, that does not display a valid blue badge, then that vehicle shall be in contravention of “parking in a designated disabled person’s parking place without displaying a valid disabled person’s badge in the prescribed manner” and may be issued a Penalty Charge Notice.
70. Any vehicle that has been left in a parking place specified in Schedules 3 and 4 to this Order, during the prescribed hours, that has exceeded the maximum period of stay, shall be in contravention of “parking for longer than permitted”, subject to the provisions of Articles 27 and 56 to this Order and may be issued a Penalty Charge Notice
71. Any vehicle that has been left in a parking place specified in Schedules 3 and 4 to this Order, during the prescribed hours, that has returned within 1 hour of vacating the parking place, shall be in contravention of “re-parking in the same car park within one hour after leaving”, subject to the provisions of Articles 27 and 56 to this Order and may be issued a Penalty Charge Notice
72. Any vehicle that has been left or is waiting with the parking area specified in Schedule 5 to this Order, outside a marked bay, during the prescribed hours, subject to the provisions of Article 63, shall be in contravention of “parking in a restricted area in an off-street car park” to this Order and may be issued a Penalty Charge Notice.
73. The Council shall, on or in the vicinity of any road provided for in this Order:
 - (1) provide traffic signs in accordance with the current ‘Traffic Signs Regulations and General Directions’;
 - (2) maintain and from time to time alter the said traffic signs;
 - (3) carry out such other work as is reasonably required for the purpose of the satisfactory operation of a road.

74. The Council shall appoint CEO's whose duty it shall be to patrol and enforce the parking restrictions imposed by the Articles of this Order.

PART 7

OFF-STREET PARKING CHARGES

	<u>METHOD</u>	<u>TARIFF</u>	<u>PERIOD</u>	<u>APPLIED TO</u>
1.	Payment Machine	£2.00	1 hour and £2.00 for each successive period of 1 hour	For parking places specified in Schedule 1 of this Order
2.	Pay by Mobile Phone	£2.00 An additional service charge will apply for each transaction	1 hour and £2.00 for each successive period of 1 hour	For parking places specified in Schedule 1 of this Order

SCHEDULE 1

OFF-STREET PREMIUM TARIFF PARKING PLACES

FOR USE BY VEHICLES THAT
PAY THE PREMIUM TARIFF AT A MACHINE OR BY MOBILE PHONE
BETWEEN 7.00AM AND 6.00PM, EVERY DAY OF THE WEEK

UNITY PLACE CAR PARK, CENTRAL MILTON KEYNES

GRAFTON GATE VEHICULAR ACCESSWAY

THE NORTH-EAST SIDE

PD1 From the south-eastern kerbline to the access road leading onto Grafton Gate

UNITY PLACE CAR PARK, CENTRAL MILTON KEYNES

GRAFTON GATE VEHICULAR ACCESSWAY

THE NORTH-EAST SIDE

PD2 From the north-western kerbline to the access road leading onto Grafton Gate

UNITY PLACE CAR PARK, CENTRAL MILTON KEYNES

SILBURY BOULEVARD VEHICULAR ACCESSWAY

THE SOUTH-EAST SIDE

PD3 From the south-western kerbline to the access road leading to the Grafton Gate vehicular accessway

UNITY PLACE CAR PARK, CENTRAL MILTON KEYNES

SILBURY BOULEVARD VEHICULAR ACCESSWAY

THE NORTH-WEST SIDE

PD4 From the north-eastern kerbline to the access road leading onto Silbury Boulevard

**UNITY PLACE CAR PARK, CENTRAL MILTON KEYNES
SILBURY BOULEVARD VEHICULAR ACCESSWAY
THE NORTH-WEST SIDE**

PD5 From the south-western kerbline to the access road leading onto Silbury Boulevard

SCHEDULE 2

OFF-STREET DISABLED PERSONS' PARKING PLACES

FOR USE BY VEHICLES THAT
HAVE BEEN ISSUED A BLUE BADGE
24 HOURS OF EVERY DAY

**UNITY PLACE CAR PARK, CENTRAL MILTON KEYNES
GRAFTON GATE VEHICULAR ACCESSWAY
THE SOUTH-WEST SIDE**

DP1 From a point 22 metres south-east of the centreline of the access road leading to Grafton Gate, for a distance of 31 metres in a south-easterly direction (10 SPACES)

SCHEDULE 3

OFF-STREET LIMITED WAITING PARKING PLACES

FOR A MAXIMUM PERIOD OF 2 HOURS
RETURN PROHIBITED WITHIN 1 HOUR
BETWEEN 7.00AM AND 6.00PM, EVERY DAY OF THE WEEK

**UNITY PLACE CAR PARK, CENTRAL MILTON KEYNES
GRAFTON GATE VEHICULAR ACCESSWAY
THE SOUTH-WEST SIDE**

FP1 From a point 7 metres north-west of a point in line with the centreline of the access road leading to Grafton Gate, to the access road leading to the Silbury Boulevard vehicular accessway

SCHEDULE 4

OFF-STREET LIMITED WAITING PARKING PLACES

FOR A MAXIMUM PERIOD OF 5 MINUTES
RETURN PROHIBITED WITHIN 30 MINUTES
BETWEEN 7.00AM AND 6.00PM, EVERY DAY OF THE WEEK

**UNITY PLACE CAR PARK, CENTRAL MILTON KEYNES
GRAFTON GATE VEHICULAR ACCESSWAY
THE SOUTH-WEST SIDE OF THE SERVICE ROAD, SOUTH-WEST OF THE SOUTH-**

WEST SIDE

FP2 Its entire length

SCHEDULE 5

OFF-STREET PROHIBITION OF WAITING EXCEPT WITHIN MARKED BAYS

THE WHOLE 24 HOURS OF EVERY DAY

UNITY PLACE CAR PARK, CENTRAL MILTON KEYNES

NW1 The whole parking area from its junction with the south-western kerblines of Grafton Gate (between Silbury Boulevard and Midsummer Boulevard) and its junction with the south-eastern kerblines of Silbury Boulevard (between Grafton Gate and Elder Gate).

--- END ---

THE COMMON SEAL OF the **MILTON KEYNES CITY COUNCIL** was hereunto affixed this day of 2023 in the presence of:-

.....
HEAD OF LEGAL SERVICES

GRAFTON GATE





