

**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES
(VARIOUS ROADS, NEWPORT PAGNELL)
(PROHIBITION AND RESTRICTION OF WAITING) ORDER 2009**

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), 32(1) and 35(1) and (3) 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, DEFINITIONS AND REVOCATIONS

1. This Order shall come into operation on the 20th day of March 2009 and may be cited as "The Council of the Borough of Milton Keynes (Various Roads, Newport Pagnell) (Prohibition and Restriction of Waiting) Order 2009".
2. In this Order, except where the context otherwise requires, the following expressions have the meanings respectively assigned to them:-

"charge certificate" has the meaning given by regulation 10(4) of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

"Civil Enforcement Officer" has the same meaning as in Section 76 of the Traffic Management Act of 2004;

"disabled persons' badge" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"enforcement authority" means the enforcement authority in relation to the alleged contravention in consequence of which the charge was incurred or the vehicle was immobilised;

"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;

"notice to owner" subject to regulations 21(4) and 23(9) has the meaning given by regulation 19 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

"owner" in relation to a vehicle includes any person who falls to be treated as the owner of the vehicle by virtue of regulation 5(3) of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

"payment day" means the date by which payment should be made, as specified in the most recent notice received by the driver or owner of the vehicle;

"penalty charge" means a penalty charge relating to a parking contravention and payable in accordance with regulation 4 of The Civil

Enforcement of Parking Contraventions (England) General Regulations 2007;

"penalty charge notice" means a notice which was served by a Civil Enforcement Officer informing the driver of the vehicle that they are in contravention of a restriction and that a penalty charge is now owed, in accordance with Regulation 9 or 10 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 in relation to a parking contravention, and which complies with the requirements of the Schedule which apply to it as well as to those of Regulation 3 of the Representations and Appeals Regulations which so apply;

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

"regulation 10 penalty charge notice" has the meaning given by regulation 8(1) of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

"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;

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

"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;

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.
5. Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into effect of this Order any provisions of any Orders mentioned in Schedule 4 hereto are hereby revoked to the extent stated in that Schedule.

PART 2

PROHIBITION AND RESTRICTION OF WAITING

6. 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 at any time in any of the lengths of road specified in Schedule 1 hereto.

7. 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 between the hours of 8.00a.m. and 6.00p.m. Monday to Saturday in the lengths of road specified in Schedule 2 hereto.

A vehicle which is present in a length of road specified in Schedule 2 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 length of road at the commencement of that period of operation of the restriction in question.

8. 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 between the hours of 8.00a.m. and 6.00p.m. Monday to Saturday in the lengths of road specified in Schedule 3 hereto:

- (1) for a longer period than 2 hours; or
- (2) if a period less than one hour has elapsed since the termination during the said hour of the last period of waiting (if any) by that vehicle in the same length of road.

A vehicle which is present in a length of road specified in Schedule 3 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 length of road at the commencement of that period of operation of the restriction in question.

9. Nothing in Articles 6, 7 or 8 above shall render it unlawful to cause or permit a vehicle to wait in any of the lengths of road specified in Schedules 1, 2, and 3 for so long as may be necessary to enable goods to be loaded or unloaded from the vehicle.
10. Nothing in Articles 6, 7 or 8 above shall render it unlawful to cause or permit a vehicle to wait in any of the lengths of road specified in Schedules 1, 2 or 3 for so long as may be necessary to enable a person to board or alight from the vehicle.
11. Nothing in Articles 6, 7, or 8 above shall render it unlawful to cause or permit a vehicle to wait in any of the lengths of road specified in Schedules 1, 2 or 3 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 Schedules 1, 2 or 3 to this Order while such gate or other barrier is being opened or closed;

- (3) to enable a taxi to wait upon any hackney carriage stand;
- (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) 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 a bus, to wait in a bus stop area;
 - i) 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.

12. In accordance with the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000, nothing in Article 6 shall render it unlawful to cause or permit a disabled person's vehicle which displays a disabled person's badge and parking disc in the relevant position in accordance with Articles 14 and 15 hereof to wait for a period not exceeding 3 hours in a length of road specified in Schedule 1 hereto (provided the period of exempted waiting does not begin less than one hour after a previous period of exempted waiting by the same vehicle in the same road on the same day).

13. In accordance with the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000, nothing in Articles 7 and 8 shall render it unlawful to cause or permit a disabled person's vehicle which displays a disabled person's badge in the relevant position in accordance with Article 14 hereof to wait for any period of time in any of the lengths of road specified in Schedules 2 and 3 hereto.
14. 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.
15. For the purposes of this Order a vehicle shall be regarded as displaying a parking disc in the relevant position under the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 if:
 - (1) the disc is exhibited on the dashboard or fascia of the vehicle, so that, when marked to show the quarter-hour period during which a period of waiting began, that period is clearly legible from the outside of the vehicle; or
 - (2) where the vehicle does not have a dashboard or fascia, the disc is exhibited in a conspicuous position on the vehicle, so that, when marked to show the quarter-hour period during which a period of waiting began, that period is clearly legible from the outside of the vehicle.

PART 3

ENFORCEMENT OF RESTRICTIONS

16. The Council shall, on or in the vicinity of a restricted road:-
 - (1) Highlight each 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.
17. The Council shall appoint Civil Enforcement Officers whose duty it shall be to patrol and enforce the waiting and parking restrictions imposed by the Articles of this Order.
18. Where a Civil Enforcement Officer is of the opinion that any of the provisions contained in this Order have been contravened or not complied with in respect of a civil enforcement area, he or she may attach to the vehicle in a conspicuous position or, at his or her discretion, hand the notice to a person whom he or she has reason to believe has incurred a penalty charge under this Order a Penalty Charge Notice ("PCN") in accordance with Part 6 of the Traffic Management Act 2004.
19. Where a Civil Enforcement Officer is of the opinion that any of the provisions contained in this Order have been contravened or not complied with in respect of a civil enforcement area, an enforcement authority may serve a regulation 10 penalty charge notice ("regulation 10 PCN") by post in accordance with Part 6 of the Traffic Management Act 2004.
20. Upon issue of a PCN or regulation 10 PCN, the procedure by which enforcement will be carried out will be:
 - (1) If payment is made within fourteen days of issue of the PCN or regulation 10 PCN, the fee shall be one half of the amount stated on the PCN or regulation 10 PCN.
 - (2) For fourteen days thereafter, the charge incurred will be the whole of the amount stated on the PCN or regulation 10 PCN.
 - (3) Twenty-eight days after issue of the PCN or regulation 10 PCN, the Council will serve a Notice to Owner stating that the Penalty Charge remains unpaid and that, if payment is not received within a further thirty-five days, it may be increased to one and one half times the amount stated on the PCN or regulation 10 PCN.
 - (4) After the said thirty-five days, the Council will serve on the owner of the vehicle a Charge Certificate, increasing the charge to one and one half times the amount stated on the PCN or regulation 10 PCN.
 - (5) Fourteen days later, the Council will register the debt with the Traffic Enforcement Centre at Northampton County Court, an Order

- for Recovery will be sent to the owner of the vehicle and the charge will be increased to include any fees incurred during registration.
- (6) After a further twenty-one days, the Council will obtain from the Traffic Enforcement Centre a Warrant allowing bailiffs to recover the debt. The warrant will be enforceable for twelve months from issue and any expenses incurred by the bailiffs, as set out in the Enforcement of Road Traffic Debts (Certified Bailiffs) Regulations 1993, will be added to the amount owed.
21. The penalty charge shall be paid to the Council either by cheque or postal order which shall be delivered or sent by post to the Council's authorised agent, by cash, credit or debit card, cheque or postal order in person at the said agent's office, or by credit or debit card over the telephone to the said agent's office so as to reach the agent during office hours on or before the payment day, provided that if the said payment day falls upon a day on which the said agent's office is closed, the period within which payment of the said charge shall be made to the Council shall be extended to the next full day on which the said agent's office is open.
22. The recipient of a PCN or regulation 10 PCN may make representations against the enforcement of the penalty at any time until the registration of the debt at the Traffic Enforcement Centre. Such action may alter the progression of the process set out above.

SCHEDULE 1

NO WAITING AT ANY TIME

ACCESS ROAD TO ST PETER AND ST PAUL CHURCH – NORTH SIDE

NW1 From a point 7 metres south of a point in line with the southern kerbline of High Street for a distance of 39 metres in a southerly and westerly direction.

ACCESS ROAD TO ST JOHN STREET CAR PARK – NORTH SIDE

NW2 From a point in line with the eastern kerbline of Silver Street for a distance of 31 metres in an easterly direction.

SOUTH SIDE

NW3 From a point in line with the eastern kerbline of Silver Street for a distance of 34 metres in an easterly direction.

ACCESS ROAD TO THE BT YARD (OFF SILVER STREET) – BOTH SIDES

NW4 From a point in line with the western kerbline of Silver Street for a distance of 5.5 metres in a westerly direction.

ACCESS ROAD TO BASSETT COURT – BOTH SIDES

NW5 From a point in line with the northern kerbline of The Green for a distance of 4.8 metres in a northerly direction.

ALEXANDRA DRIVE – WEST SIDE

NW6 From a point in line with the southern kerblines of Green Park Drive for a distance of 21 metres in a southerly direction.

ANNESLEY ROAD – SOUTH SIDE

NW7 From a point in line with the western kerblines of Purcell Drive for a distance of 16 metres in a south-westerly direction.

NW8 From a point in line with the eastern kerblines of Purcell Drive for a distance of 35 metres in a north-easterly direction.

BURY STREET – BOTH SIDES

NW9 From a point in line with the western kerblines of Silver Street for a distance of 13 metres in a westerly direction.

SOUTH SIDE

NW10 From a point in line with the eastern boundary wall of No.21 Bury Street for a distance of 27 metres in a westerly direction

NW11 From a point in line with the eastern boundary wall of No.21 Bury Street for a distance of 25 metres in an easterly direction.

THE CANONS - BOTH SIDES

NW12 From a point in line with the north-eastern kerblines of Tickford Street for a distance of 12 metres in a north-easterly direction.

THE CANONS (ENTRANCE INTO THE PETROL STATION) – NORTH SIDE

NW13 From a point in line with the southern kerblines of The Canons for a distance of 12.7 metres in a south-easterly and a north-easterly direction.

CARRINGTON ROAD - BOTH SIDES

NW14 From a point in line with the northern kerblines of The Grove for a distance of 14 metres in a north-westerly direction.

NW15 From a point in line with the southern kerblines of The Grove for a distance of 13 metres in a south-easterly direction.

DOVECOTE – BOTH SIDES

NW16 From a point in line with the eastern kerblines of Lakes Lane for a distance of 21 metres in an easterly direction.

GOLDSMITH DRIVE – NORTH SIDE

NW17 From a point in line with the eastern boundary wall of No.8 Goldsmith Drive for a distance of 2 metres in a south-westerly direction.

NW18 From a point in line with the eastern boundary wall of No.8 Goldsmith Drive for a distance of 11 metres in a north-easterly direction.

NW19 From a point in line with the western boundary wall of No.11 Goldsmith Drive for a distance of 4 metres in a south-westerly direction.

NW20 From a point in line with the western boundary wall of No.11 Goldsmith Drive for a distance of 8 metres in a north-easterly direction.

EAST AND WEST SIDES

NW21 From a point in line with the southern boundary wall of No.8 Goldsmith Drive for a distance of 4 metres in a south-easterly direction.

NW22 From a point in line with the southern boundary wall of No.8 Goldsmith Drive for a distance of 30 metres in a north-westerly direction.

THE GREEN – SOUTH SIDE

NW23 From a point in line with the western kerblines of Marsh End Road for a distance of 100 metres in a westerly direction.

NORTH SIDE

NW24 From a point in line with the western kerblines of Marsh End Road for a distance of 15 metres in a westerly direction.

NW25 From a point in line with the western kerblines of the access road into Bassett Court for a distance of 21 metres in an easterly direction.

NW26 From a point in line with the western kerblines of the access road into Bassett Court for a distance of 12 metres in a westerly direction.

GREENFIELD ROAD – BOTH SIDES

NW27 From a point in line with the northern kerblines of Wolverton Road for a distance of 13 metres in a north-westerly direction.

GREEN PARK DRIVE - SOUTH SIDE

NW28 From a point in line with the western kerblines of Alexandra Drive for a distance of 20 metres in a westerly direction.

NORTH SIDE

NW29 From a point in line with the western kerblines of Purcell Drive for a distance of 13 metres in a south-westerly direction.

NW30 From a point in line with the eastern kerblines of Purcell Drive for a distance of 12 metres in an easterly direction.

THE GROVE – NORTH SIDE

NW31 From a point in line with the western kerblines of Purcell Drive for a distance of 10 metres in a south-westerly direction.

BOTH SIDES

NW32 From a point in line with the western kerblines of Carrington Road for a distance of 13 metres in a south-westerly direction.

NW33 From a point in line with the eastern kerblines of Carrington Road for a distance of 14 metres in a north-easterly direction.

IVY CLOSE – BOTH SIDES

NW34 From a point in line with the northern kerblines of Tickford Street for a distance of 10 metres in a north-easterly direction.

LAKES LANE – BOTH SIDES

NW35 From a point 15 metres north of a point in line with the northern kerblines of Wolverton Road for a distance of 82 metres in a northerly direction.

MANOR ROAD – BOTH SIDES

NW36 From a point in line with the northern kerblines of Wolverton Road for a distance of 13 metres in a north-westerly direction.

PURCELL DRIVE – WEST SIDE

NW37 From a point in line with the southern kerblines of Annesley Road for a distance of 58 metres to a point in line with the northern kerblines of The Grove.

EAST SIDE

NW38 From a point in line with the southern kerblines of Annesley Road for a distance of 76 metres in a southerly direction.

BOTH SIDES

NW39 From a point in line with the northern kerblines of Green Park Drive for a distance of 8 metres in a northerly direction.

RICHMOND WAY – EAST SIDE

NW40 From a point in line with the north-western boundary wall of No.55 Richmond Way for a distance of 27 metres in a northerly direction.

NW41 From a point in line with the north-western boundary wall of No.55 Richmond Way for a distance of 9 metres in a southerly direction.

WEST SIDE

NW42 From a position 11 metres east of a point in line with the western boundary wall of No.49 Richmond Way for a distance of 32 metres in an easterly direction.

SEVERN DRIVE (EASTERN ARM) – NORTH SIDE

NW43 From a point in line with the southern kerblines of Tickford Street for a distance of 16 metres in a south-westerly direction.

NW44 From a point 3.5 metres east of the western boundary wall of No.62 Severn Drive for a distance of 40 metres in an easterly direction.

SOUTH SIDE

NW45 From a point in line with the southern kerblines of Tickford Street for a distance of 99 metres in a south-westerly direction.

NW46 From a point in line with the eastern kerblines of Thames Drive for a distance of 8 metres in an easterly direction.

NW47 From a point in line with the western kerblines of Thames Drive for a distance of 9 metres in a westerly direction.

SEVERN DRIVE (WESTERN ARM) – WEST SIDE

NW48 From a point in line with the southern kerblines of Tickford Street for a distance of 42 metres in a southerly direction.

EAST SIDE

NW49 From a point in line with the southern kerblines of Tickford Street for a distance of 36 metres in a southerly direction.

SILVER STREET – EAST SIDE

NW50 From a point in line with the western kerblines of St John Street for a distance of 72 metres in a southerly direction.

WEST SIDE

NW51 From a point in line with the western kerblines of St John Street for a distance of 89 metres in a southerly direction.

NW52 From a point in line with the northern kerblines of Bury Street for a distance of 12 metres in a northerly direction.

NW53 From a point in line with the northern kerblines of Bury Street for a distance of 8 metres in a southerly direction.

THAMES DRIVE – EAST SIDE

NW54 From a point in line with the southern kerblines of Severn Drive for a distance of 5 metres in a northerly direction.

NW55 From a point in line with the southern kerblines of Severn Drive for a distance of 6 metres in a southerly direction.

WEST SIDE

NW56 From a point in line with the southern kerblines of Severn Drive for a distance of 2 metres in a northerly direction.

NW57 From a point in line with the southern kerblines of Severn Drive for a distance of 8 metres in a southerly direction.

TICKFORD STREET – NORTH SIDE

NW58 From a point in line with the western kerblines of Priory Street for a distance of 15 metres in a westerly direction.

NW59 From a point in line with the eastern kerblines of Priory Street for a distance of 58 metres in an easterly direction.

NORTH-EAST SIDE

NW60 From a point in line with the western kerblines of Ivy Close for a distance of 10 metres in a north-westerly direction.

NW61 From a point in line with the western kerblines of Ivy Close for a distance of 19 metres in a south-easterly direction.

NW62 From a point in line with the northern kerblines of The Canons for a distance of 15 metres in a north-westerly direction.

SOUTH-WEST SIDE

NW63 From a point in line with the northern kerblines of Severn Drive for a distance of 25.5 metres in a north-westerly direction.

NW64 From a point in line with the northern kerblines of Severn Drive for a distance of 19 metres in a south-easterly direction.

WOLVERTON ROAD – NORTH SIDE

NW65 From a point in line with the eastern kerblines of Manor Road for a distance of 14 metres in an easterly direction.

NW66 From a point in line with the western kerblines of Manor Road for a distance of 10 metres in a westerly direction.

NW67 From a point in line with the western kerblines of Greenfield Road for a distance of 5 metres in a westerly direction.

NW68 From a point in line with the eastern kerblines of Greenfield Road for a distance of 10 metres in an easterly direction.

SCHEDULE 2

NO WAITING

MONDAY TO SATURDAY 8.00 AM TO 6.00 PM

SILVER STREET – WEST SIDE

NW69 From a point 12 metres north of a point in line with the northern kerblines of Bury Street to a point 89 metres south of a point in line with the western kerblines of St John Street.

SCHEDULE 3

WAITING LIMITED TO 2 HOURS
MONDAY TO SATURDAY 8.00 AM TO 6.00 PM
NO RETURN WITHIN 1 HOUR

THE GREEN – NORTH SIDE

LW1 From a point 15 metres west of a point in line with the western kerbline of Marsh End Road for a distance of 56 metres in a westerly direction.

SCHEDULE 4

REVOCATIONS

The following Order IS HEREBY REVOKED to the extent stated below:

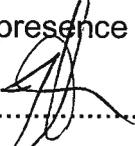
The Council of the Borough of Milton Keynes (Various Roads, Newport Pagnell) (Consolidation of Parking and Waiting Restrictions) Order 2002

Items NW52, NW53, NW54, NW71 and NW72 in Schedule 1 are revoked in their entirety.

Items NW85 and NW86 in Schedule 2 are revoked in their entirety.

Item NL10 in Schedule 11 is revoked in its entirety.

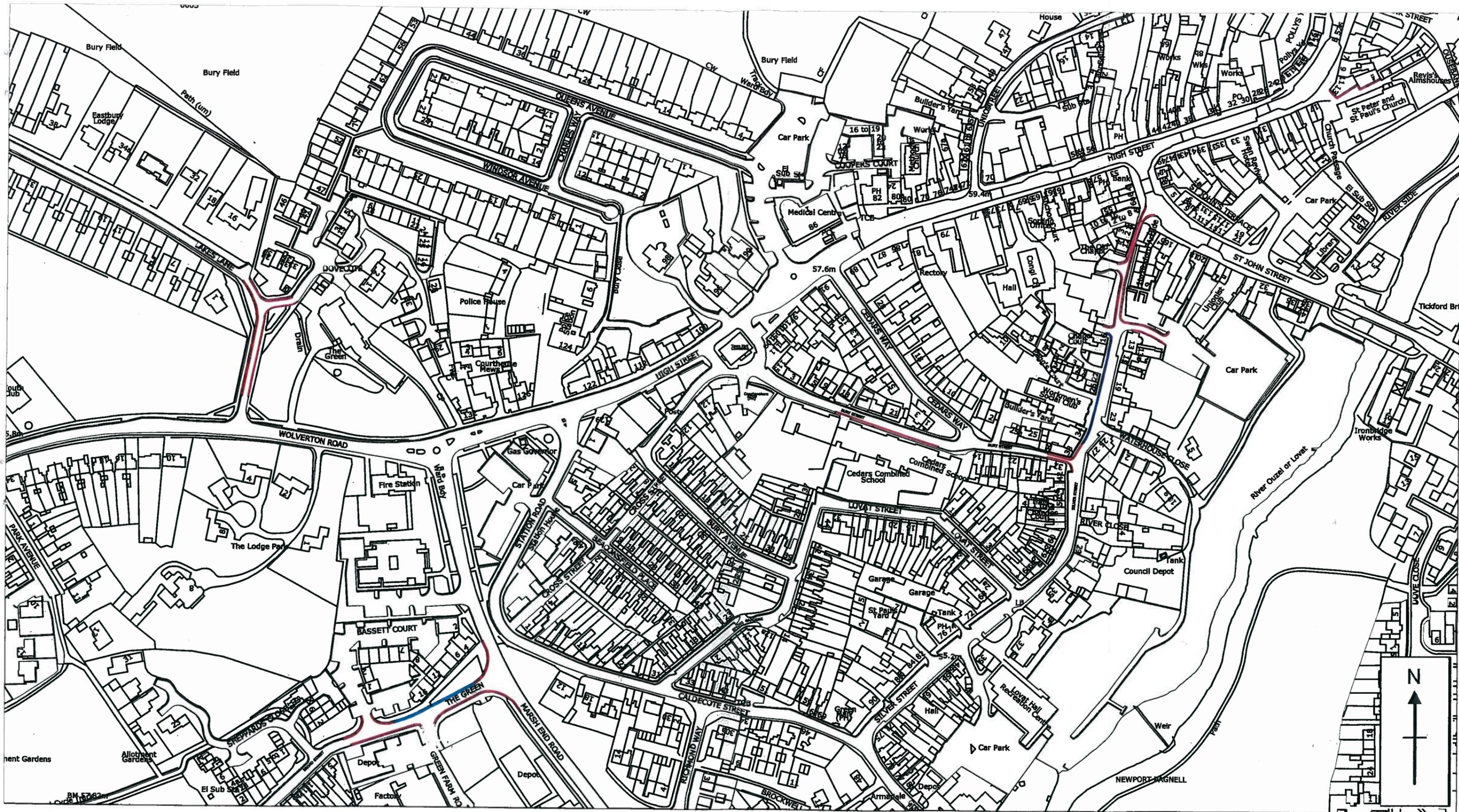
THE COMMON SEAL of the **COUNCIL OF
THE BOROUGH OF MILTON KEYNES** was
hereunto affixed this 17th day of March 2009
in the presence of:-


.....
~~HEAD OF LEGAL SERVICES AND MONITORING OFFICER~~

Principal Solicitor



18445



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Milton Keynes Council - 10019593 - 2008

Key

-  No Waiting at any Time
-  2 Hour Limited Waiting with no return within 1 hour
Mon - Sat
8am - 6pm
-  No Waiting
Mon - Sat
8am - 6pm

Map referred to in The Council of The Borough of Milton Keynes (Various Roads, Newport Pagnell) (Prohibition and Restriction of Waiting) Order 2009

The common seal of the Council of the Borough of Milton Keynes was hereunto affixed in the presence of:

HEAD OF LEGAL SERVICES AND MONITORING OFFICER
PRINCIPAL SOLICITOR

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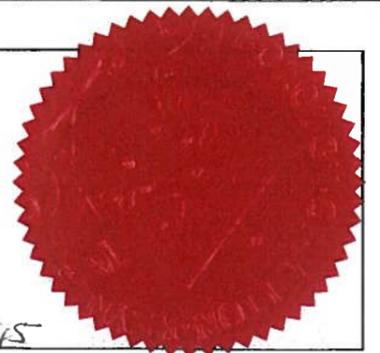
 No Waiting at any time

Map referred to in The Council of The Borough of Milton Keynes (Various Roads, Newport Pagnell) (Prohibition and Restriction of Waiting) Order 2009

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Key

— No Waiting
at any time

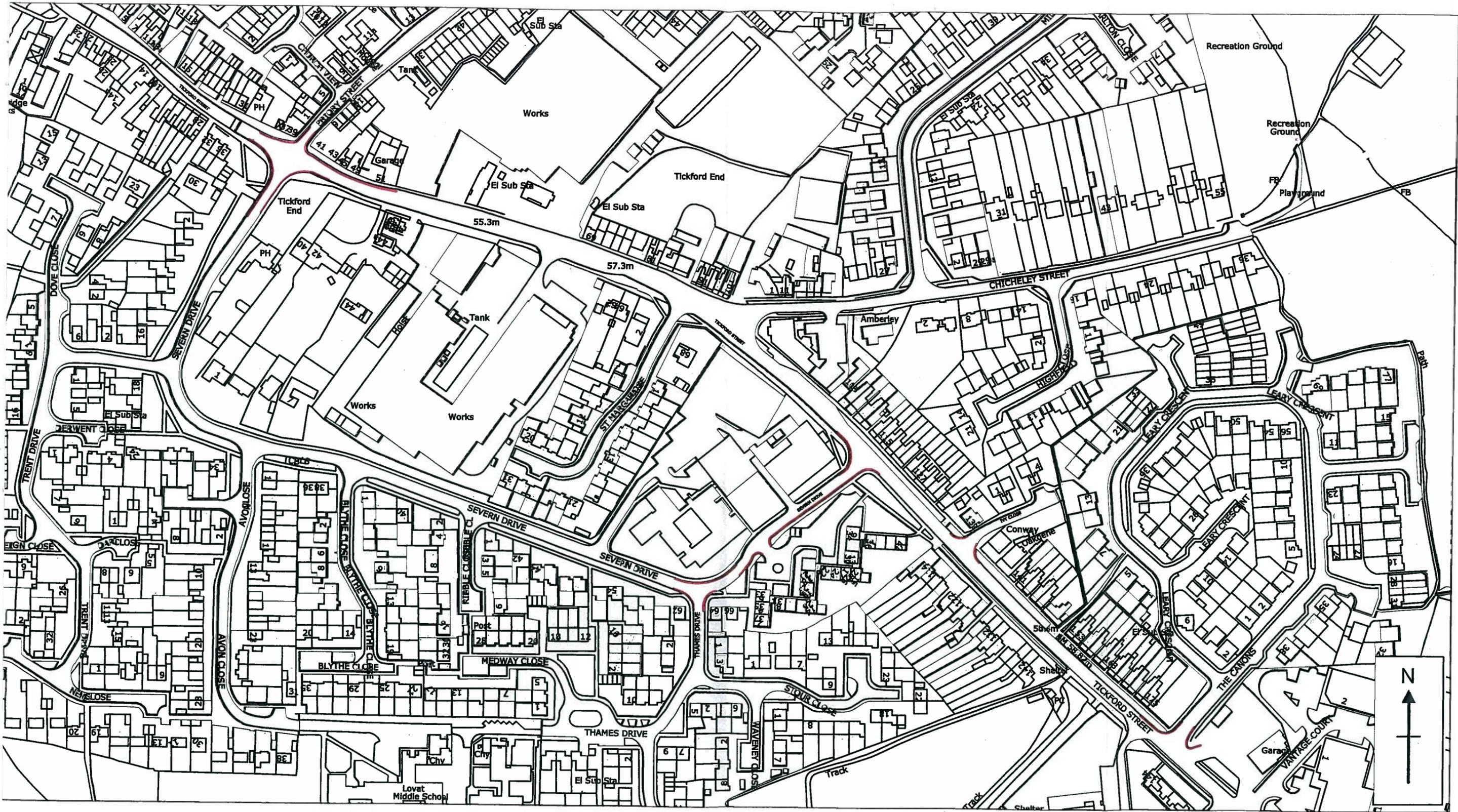
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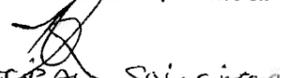
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 Milton Keynes Council - 10019593 - 2008

Key

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 HEAD OF LEGAL SERVICES AND MONITORING OFFICER

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