

**THE COUNCIL OF THE BOROUGH OF MILTON KEYNES  
(RUSLAND CIRCUS, EMERSON VALLEY) (PROHIBITION OF  
WAITING AND LOADING RESTRICTIONS) ORDER 2015**

The Council of the Borough of Milton Keynes ("the Council") in exercise of its powers under Sections 1(1), 2(1) and (2) to (3), 4(2), 32(1), 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 14<sup>th</sup> day of December 2015 and may be cited as "The Council of the Borough of Milton Keynes (Rusland Circus, Emerson Valley) (Parking, Waiting and Loading Restrictions) Order 2015".
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;
  - "bank holiday" means a day which is, or is appointed to be, a bank holiday under the Banking and Financial Dealings Act 1971 in England;
  - "bus" means a motor vehicle constructed or adapted to carry more than eight passengers (exclusive of driver);
  - "bus stop area" means an area of carriageway of a specified road intended for the waiting of buses, which is comprised within and indicated by a road marking of a type prescribed or authorised under, or having effect as though prescribed or authorised under Section 64 of the Act of 1984;
  - "Civil Enforcement Officer" ("CEO") has the same meaning as in Section 76 of the Traffic Management Act of 2004;
  - "Council" means The Council of the Borough of Milton Keynes;
  - "disabled persons' vehicle" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;
  - "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 constructed or adapted for use for the carriage of goods, or a trailer so constructed or adapted and having a gross vehicle weight or an operating weight exceeding 5 tonnes;

"local bus" has the same meaning as in Regulation 4 of the Traffic Signs Regulations and General Directions Act 1994;

"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;

"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" has the same meaning as in Section 66(2) of the Road Traffic Act 1991;

"penalty charge notice" means a notice dispensed by a parking attendant informing the driver of the vehicle that they are in contravention of a restriction and that a penalty charge is now owed;

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

"prescribed hours" means between those hours stated in Schedules 3 and 4 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;

"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 road 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**

### **PROHIBITION AND RESTRICTION OF WAITING**

5. No person shall except with the permission or under the direction of a police officer in uniform or a traffic warden cause or permit any vehicle to wait at any time in any of the lengths of road specified in Schedule 1 hereto.
6. No person shall except with the permission or under the direction of a police officer in uniform or a traffic warden cause or permit any vehicle to wait between the hours of 8.00am and 9.00am and 2.30pm and 3.30pm, Monday to Friday in the lengths of road specified in Schedule 2 hereto:
  - (1) for a longer period than 15 minutes; or
  - (2) if a period less than one hour has elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle in the same length of road.

A vehicle which is present in the 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.

7. Nothing in Articles 5 and 6 above shall render it unlawful to cause or permit a vehicle to wait in any of the lengths of road specified in Schedules 1 and 2 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 and 2 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 a person to board or alight from the vehicle;
  - (5) to enable goods to be loaded or unloaded from the vehicle;
  - (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) 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.
8. In accordance with the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000, nothing in Articles 8 and 9 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 13 hereof to wait for any period of time in any of the lengths of road specified in Schedules 3 and 4 hereto.
9. 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 11 and 12 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).
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. 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**

#### **PROHIBITION OF LOADING AND UNLOADING**

12. 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 be loaded or unloaded at any time in any of the lengths of roads specified in Schedule 3 hereunto.

### **PART 4**

#### **ENFORCEMENT OF RESTRICTIONS**

13. 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 1994;
  - (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.
14. The Council shall appoint Civil Enforcement Officers (CEOs) whose duty it shall be to patrol and enforce the waiting and parking restrictions imposed by the articles of this Order.

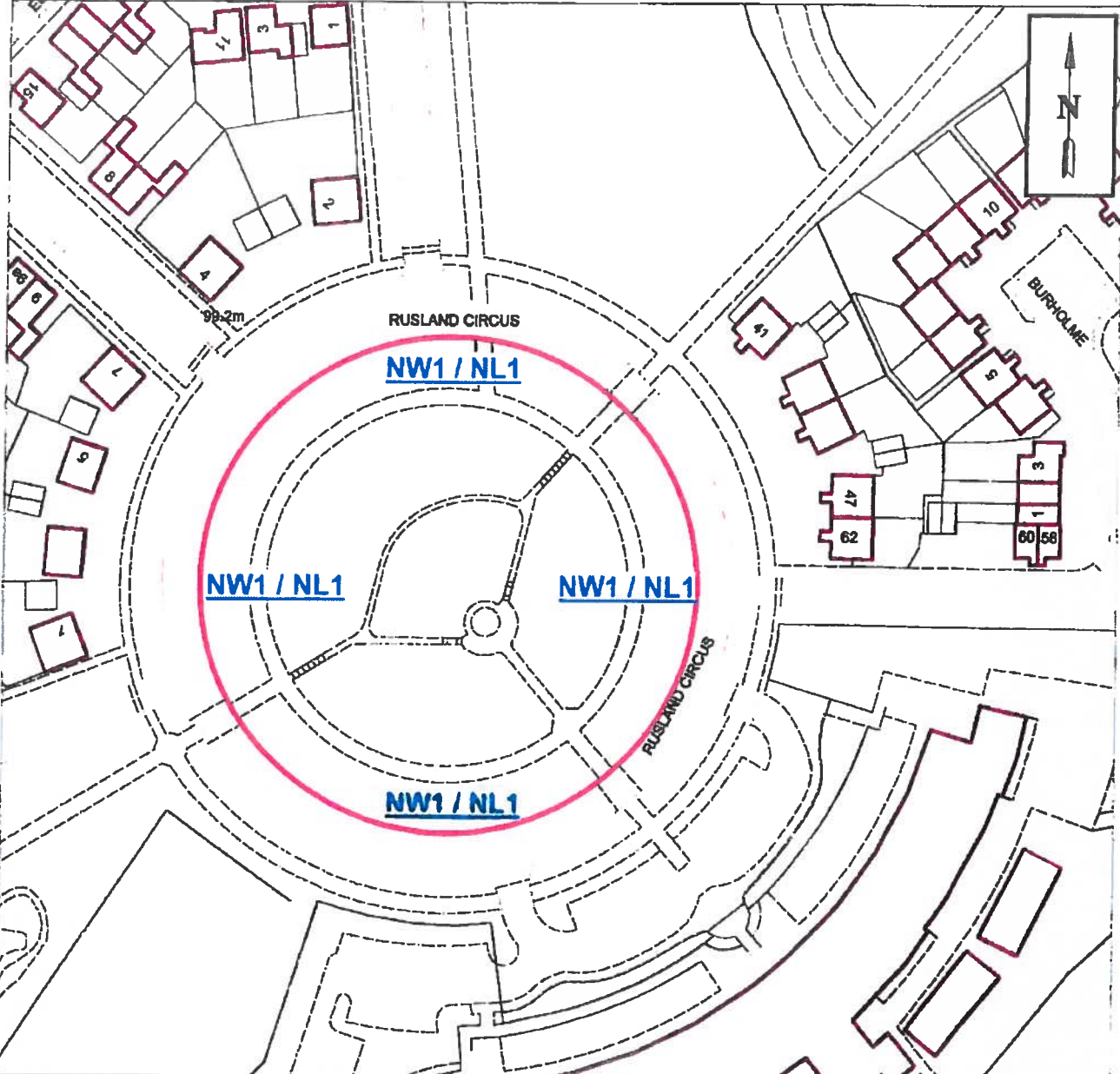
### **SCHEDULE 1**


#### **NO WAITING AT ANY TIME**

##### **RUSLAND CIRCUS, EMERSON VALLEY**

NW1 The circumference of Rusland Circus roundabout

# MAP FOR ORDER



 **No waiting restriction**  
**No loading/Un-loading restriction**

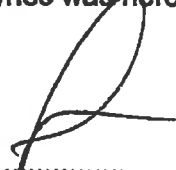
NW1 / NL1 **TRO references**

0 45.35  
meters  
Scale: 1:1,512

Map referred to in Council of the Borough of Milton Keynes  
(Rusland Circus, Emerson Valley) (Prohibition of Waiting and  
Loading Restrictions) Order 2015

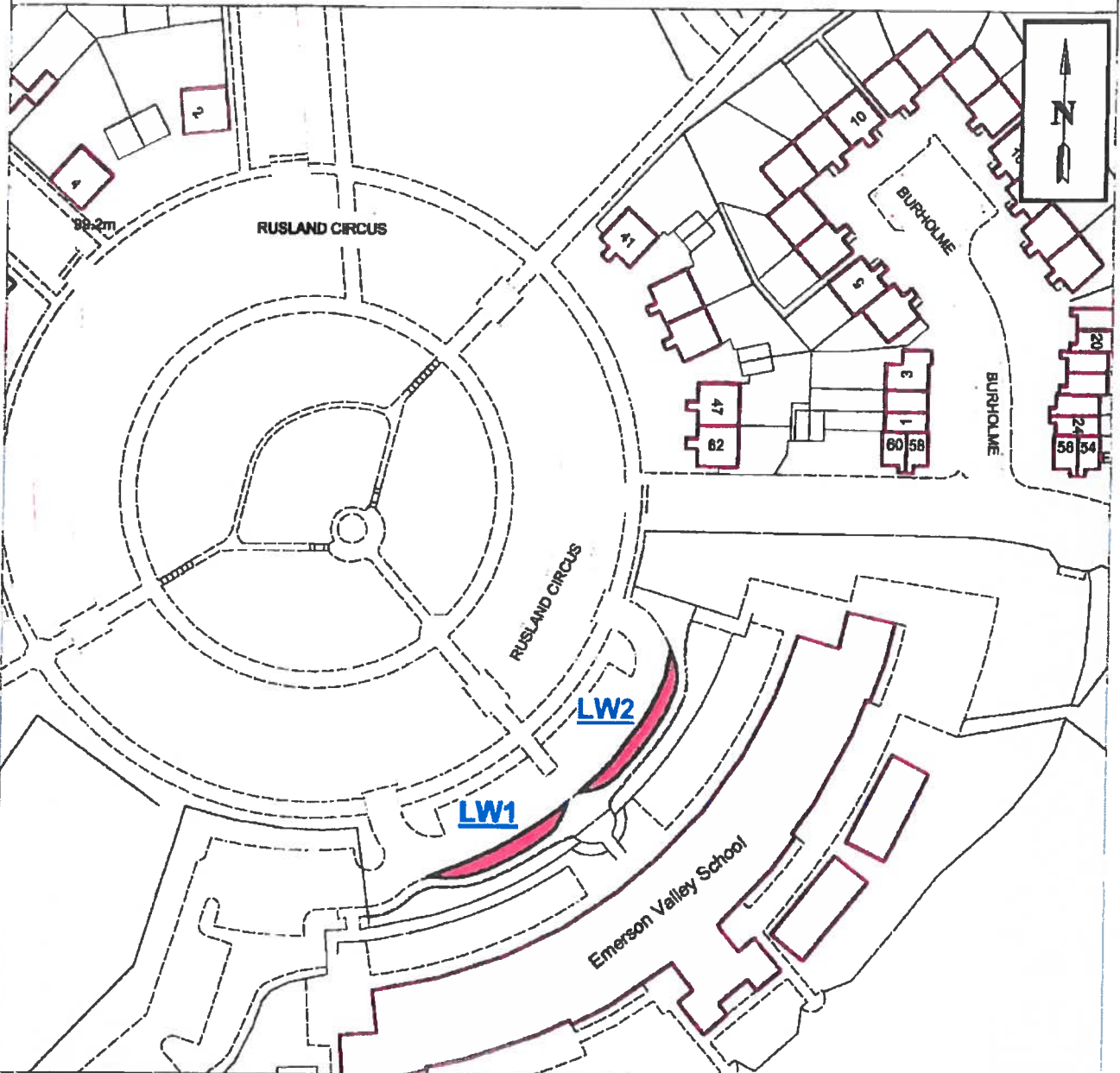
Map 1

The Common Seal of the Council of the Borough of Milton  
Keynes was hereunto affixed in the presence of:

  
.....  
HEAD OF LEGAL SERVICES



# MAP FOR ORDER



**Waiting limited to 15 minutes**  
**No return within 1 hour**

**LW1 / LW2**

**TRO references**

0 45.35



meters

Scale: 1:1,512

Map referred to in Council of the Borough of Milton Keynes  
(Rusland Circus, Emerson Valley) (Prohibition of Waiting and  
Loading Restrictions) Order 2015

Map 2

The Common Seal of the Council of the Borough of Milton  
Keynes was hereunto affixed in the presence of:

.....  
HEAD OF LEGAL SERVICES



22732

**SCHEDULE 2**

**WAITING LIMITED TO 15 MINUTES,**  
**MONDAY TO FRIDAY, 8.00 AM TO 9.00 AM AND 2.30 PM TO 3.30 PM,**  
**NO RETURN WITHIN 1 HOUR**

**EMERSON VALLEY SCHOOL CAR PARK, RUSLAND CIRCUS  
THE SOUTH-EAST SIDE**

LW1 From a point 26 metres south-east of a point where the southern kerbline of Rusland Circus meets the western kerbline of the southern entrance to the car park, continuing for a distance of 27.5 metres in a north-easterly direction

**EMERSON VALLEY SCHOOL CAR PARK, RUSLAND CIRCUS  
THE SOUTH-EAST SIDE**

LW2 From a point 21.5 metres south-east of a point where the eastern kerbline of Rusland Circus meets the northern kerbline of the northern entrance to the car park, continuing for a distance of 32 metres in a south-westerly direction

**SCHEDULE 3**

**NO LOADING OR UNLOADING**  
**24 HOURS OF EVERY DAY**

**RUSLAND CIRCUS, EMERSON VALLEY**

NL1 The circumference of Rusland Circus roundabout

THE COMMON SEAL of the  
COUNCIL OF THE BOROUGH OF  
MILTON KEYNES was hereunto  
affixed this 8<sup>th</sup> day of December  
2015 in the presence of:-

  
.....  
**HEAD OF LEGAL SERVICES**

