# THE COUNCIL OF THE BOROUGH OF MILTON KEYNES (VARIOUS ROADS WITHIN BLECTHLEY, GREAT LINFORD, LEADENHALL, SHENLEY LODGE AND WILLEN) (PROHIBITION OF WAITING AND LOADING RESTRICTIONS AND DISABLED PERSONS' PARKING PLACES) ORDER 2016

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

- This Order shall come into operation on the 26<sup>th</sup> day of September 2016 and may be cited as "The Council of the Borough of Milton Keynes (Various Roads within Bletchley, Great Linford, Leadenhall, Shenley Lodge and Willen) (Prohibition of Waiting and Loading Restrictions and Disabled Persons' Parking Places) Order 2016".
- 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;

"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 OF WAITING

- 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. Nothing in Article 5 above shall render it unlawful to cause or permit a vehicle to wait in any of the lengths of road specified in Schedule 1 for so long as may be necessary:
  - (1) when the person in control of the vehicle is required by law to stop or is obliged to stop in order to avoid an accident or is prevented from proceeding by circumstances outside his control;
  - (2) for a vehicle to wait whilst any gate or other barrier at the entrance to premises to which the vehicle requires access or from which it has emerged is being opened or closed, if it is not reasonably practicable for the vehicle to wait outside otherwise than in a length of road specified in Schedule 1 to this Order while such gate or other barrier is being opened or closed;
  - (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;
  - 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;
  - 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.
- 7. 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 Article 8 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).
- 8. 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 facia 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 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.

## PART 3

# PROHIBITION OF LOADING AND UNLOADING

 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 2 hereunto.

#### PART 4

#### **DISABLED PERSONS' PARKING PLACES**

- 10. (1) The lengths of road specified in Schedule 3 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 11.
  - (2) No vehicle other than the class specified in Article 11 shall park during the prescribed hours in the lengths of road specified in Schedule 3 to this Order.
- 11. The parking places specified in Schedule 3 to this Order may be used for the leaving of a vehicle displaying a valid disabled person's badge in the relevant position.
- 12. 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.
- 13. 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.
- 14. 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 affected.
- 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 in Part 3 of this 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 18 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.
- 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.
- 16. (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:-
  - 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 through 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 5

## **ENFORCEMENT OF RESTRICTIONS**

- 17. 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 roadsurface markings;
  - (3) Carry out such other work as is reasonably required for the purpose of the satisfactory operation of a restricted road.
- 18. 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**

#### BEAUFORT DRIVE AND AMHERST COURT, WILLEN

SOUTH-WEST SIDE AND NORTH SIDE

NW1 From a point on Beaufort Drive 4.9 metres north-east of a point in line with the north-eastern kerbline of V10 Brickhill Street, continuing for a distance of 51.4 metres in a north-easterly then north-westerly direction on to Amherst Court

## AMHERST COURT AND BEAUFORT DRIVE, WILLEN

NORTH-WEST SIDE AND SOUTH-WEST SIDE

NW2 From a point on Amherst Court 8.8 metres west of its junction with the south-western kerbline of Beaufort Drive, continuing for a distance of 73.3 metres in an easterly then north-westerly direction on to Beaufort Court

# BEAUFORT DRIVE AND LANDSBOROUGH GATE, WILLEN

EAST SIDE AND NORTH-EAST SIDE

NW3 From a point on Beaufort Drive 4.9 metres north-east of a point in line with the north-eastern kerbline of V10 Brickhill Street, continuing for a distance of 117 metres in a north-easterly then south-easterly direction on to Landsborough Gate

# LANDSBOROUGH GATE AND BEAUFORT DRIVE, WILLEN

SOUTH-WEST SIDE AND SOUTH-EAST SIDE

NW4 From a point on Landsborough Gate 16 metres north-east of its junction with the north-eastern kerbline of Beaufort Drive, continuing for a distance of 52.7 metres in a south-westerly then north-westerly direction on to Beaufort Drive

#### LANDSBOROUGH GATE, WILLEN

NORTH-EAST SIDE AND SOUTH-EAST SIDE

NW5 From a point 53 metres south-east of its junction with the eastern kerbline of Beaufort Drive, continuing for a distance of 99.9 metres in a north-westerly then north-easterly direction

# GIBBWIN (NORTH-WESTERN ENTRANCE) AND ST LEGER DRIVE, GREAT LINFORD

WEST SIDE AND SOUTH-WEST SIDE

NW6 From a point on Gibbwin (north-western entrance) 9.9 metres south-west of its junction with the south-western kerbline of St Leger Drive, continuing for a distance of 15.7 metres in a north-westerly direction on to St Leger Drive

# GIBBWIN (NORTH-WESTERN ENTRANCE), ST LEGER DRIVE AND GIBBWIN (SOUTH-EASTERN ENTRANCE), GREAT LINFORD

SOUTH-EAST SIDE, SOUTH-WEST SIDE AND NORTH-WEST SIDE

NW7 From a point on Gibbwin (north-western entrance) 9.9 metres south-west of its junction with the south-western kerbline of St Leger Drive, continuing for a distance of 124 metres in a north-easterly then south-easterly, then south-westerly direction on to St Leger Drive and Gibbwin (south-eastern entrance)

# GIBBWIN (SOUTH-EASTERN ENTRANCE), ST LEGER DRIVE AND MALINS GATE, GREAT LINFORD

SOUTH-EAST SIDE, WEST SIDE AND NORTH SIDE

NW8 From a point on Gibbwin (south-eastern entrance) 12.3 metres south-west of its junction with the south-western kerbline of St Leger Drive, continuing for a distance of 180.2 metres in a north-easterly then south-easterly then westerly direction on to St Leger Drive and Malins Gate

# MALINS GATE AND ST LEGER DRIVE, GREAT LINFORD

SOUTH SIDE AND WEST SIDE

NW9 From a point on Malins Gate 21 metres west of its junction with the western kerbline of St Leger Drive, continuing for a distance of 46.6 metres in an easterly then southerly direction on to St Leger Drive

#### HEALS CLOSE, BLETCHLEY

WEST SIDE

NW10 From its junction with the southern kerbline of St Georges Road, continuing for a distance of 63.1 metres in a southerly direction

#### HEALS CLOSE, BLETCHLEY

EAST SIDE

NW11 From its junction with the southern kerbline of St Georges Road, continuing for a distance of 50.3 metres in a southerly direction

#### FULWOODS DRIVE, LEADENHALL

NORTH-WEST AND NORTH-EAST SIDE

NW12 From the south-western kerbline of V7 Saxon Street, continuing for a distance of 95.2 metres in a south-westerly then north-easterly direction

# FULWOODS DRIVE AND THE ACCESS ROAD LEADING TO THE MILTON KEYNES ACADEMY CAR PARK, LEADENHALL

SOUTH-EAST SIDE

NW13 From a point 3 metres south-east of the south-eastern boundary wall of number 1 Fulwoods Drive, continuing for a distance of 66.8 metres in a south-easterly then south-westerly direction

# FULWOODS DRIVE AND THE ACCESS ROAD LEADING TO THE MILTON KEYNES ACADEMY CAR PARK, LEADENHALL

SOUTH-WEST AND NORTH-WEST SIDE

NW14 From the south-western kerbline of V7 Saxon Street, continuing for a distance of 107.8 metres in a south-westerly direction

#### **SCHEDULE 2**

# NO LOADING OR UNLOADING AT ANY TIME

#### BEAUFORT DRIVE AND AMHERST COURT, WILLEN

SOUTH-WEST SIDE AND NORTH SIDE

NL1 From a point on Beaufort Drive 4.9 metres north-east of a point in line with the north-eastern kerbline of V10 Brickhill Street, continuing for a distance of 51.4 metres in a north-easterly then north-westerly direction on to Amherst Court

## AMHERST COURT AND BEAUFORT DRIVE, WILLEN

NORTH-WEST SIDE AND SOUTH-WEST SIDE

NL2 From a point on Amherst Court 8.3 metres west of its junction with the south-western kerbline of Beaufort Drive, continuing for a distance of 73.3 metres in an easterly then north-westerly direction on to Beaufort Court

# BEAUFORT DRIVE AND LANDSBOROUGH GATE, WILLEN

EAST SIDE AND NORTH-EAST SIDE

NL3 From a point on Beaufort Drive 4.9 metres north-east of a point in line with the north-eastern kerbline of V10 Brickhill Street, continuing for a distance of 117 metres in a north-easterly then south-easterly direction on to Landsborough Gate

# LANDSBOROUGH GATE AND BEAUFORT DRIVE, WILLEN

SOUTH-WEST SIDE AND SOUTH-EAST SIDE

NL4 From a point on Landsborough Gate 16 metres north-east of its junction with the north-eastern kerbline of Beaufort Drive, continuing for a distance of 52.7 metres in a south-westerly then north-westerly direction on to Beaufort Drive

#### LANDSBOROUGH GATE, WILLEN

NORTH-EAST SIDE AND SOUTH-EAST SIDE

NL5 From a point 53 metres south-east of its junction with the eastern kerbline of Beaufort Drive, continuing for a distance of 99.9 metres in a north-westerly then north-easterly direction

## ST LEGER DRIVE AND GIBBWIN (NORTH-WESTERN ENTRANCE), GREAT LINFORD

SOUTH-WEST SIDE AND WEST SIDE

From a point on Gibbwin (north-western entrance) 9.9 metres south-west of NL6 its junction with the south-western kerbline of St Leger Drive, continuing for a distance of 15.7 metres in a north-westerly direction on to St Leger Drive

# GIBBWIN (NORTH-WESTERN ENTRANCE), ST LEGER DRIVE AND GIBBWIN (SOUTH-EASTERN ENTRANCE), GREAT LINFORD

SOUTH-EAST SIDE, SOUTH-WEST SIDE AND NORTH-WEST SIDE

From a point on Gibbwin (north-western entrance) 9.9 metres south-west of NL7 its junction with the south-western kerbline of St Leger Drive, continuing for a distance of 124 metres in a north-easterly then south-easterly, then southwesterly direction on to St Leger Drive and Gibbwin (south-eastern entrance)

# GIBBWIN (SOUTH-EASTERN ENTRANCE), ST LEGER DRIVE AND MALINS **GATE, GREAT LINFORD**

SOUTH-EAST SIDE, WEST SIDE AND NORTH SIDE

NL8 From a point on Gibbwin (south-eastern entrance) 12.3 metres south-west of its junction with the south-western kerbline of St Leger Drive, continuing for a distance of 180.2 metres in a north-easterly then south-easterly then westerly direction on to St Leger Drive and Malins Gate

## MALINS GATE AND ST LEGER DRIVE, GREAT LINFORD SOUTH SIDE AND WEST SIDE

NL9 From a point on Malins Gate 21 metres west of its junction with the western kerbline of St Leger Drive, continuing for a distance of 46.6 metres in an easterly then southerly direction on to St Leger Drive

#### SCHEDULE 3

# **DISABLED PERSONS' PARKING PLACES**

#### BEAUFORT DRIVE WILLEN

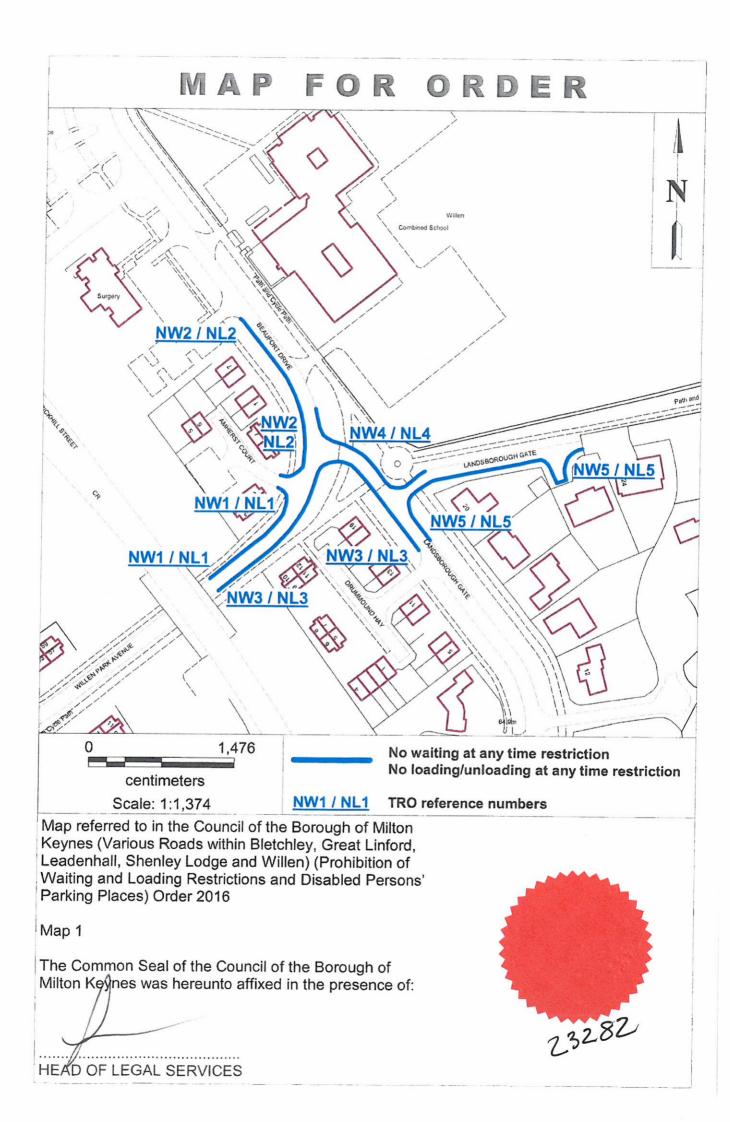
NORTH-EAST SIDE

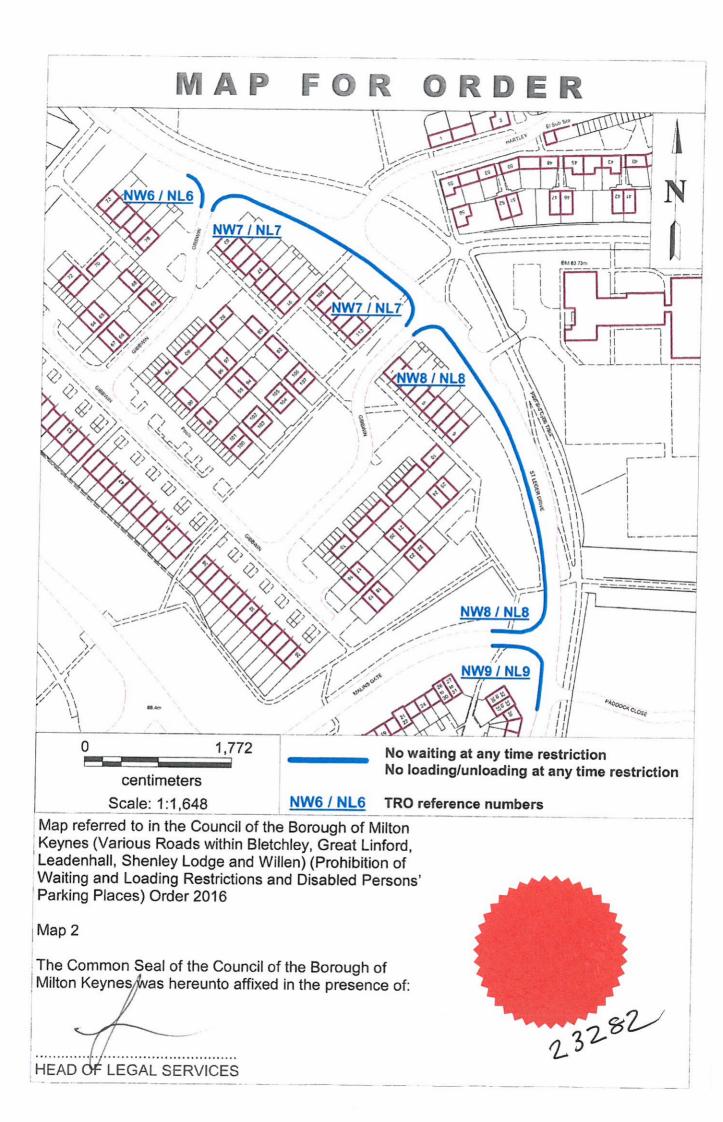
DP1 From a point 135.7 metres north-west of its junction with the north-eastern kerbline of Landsborough Gate, continuing for a distance of 10.7 metres in a north-westerly direction (2 SPACES)

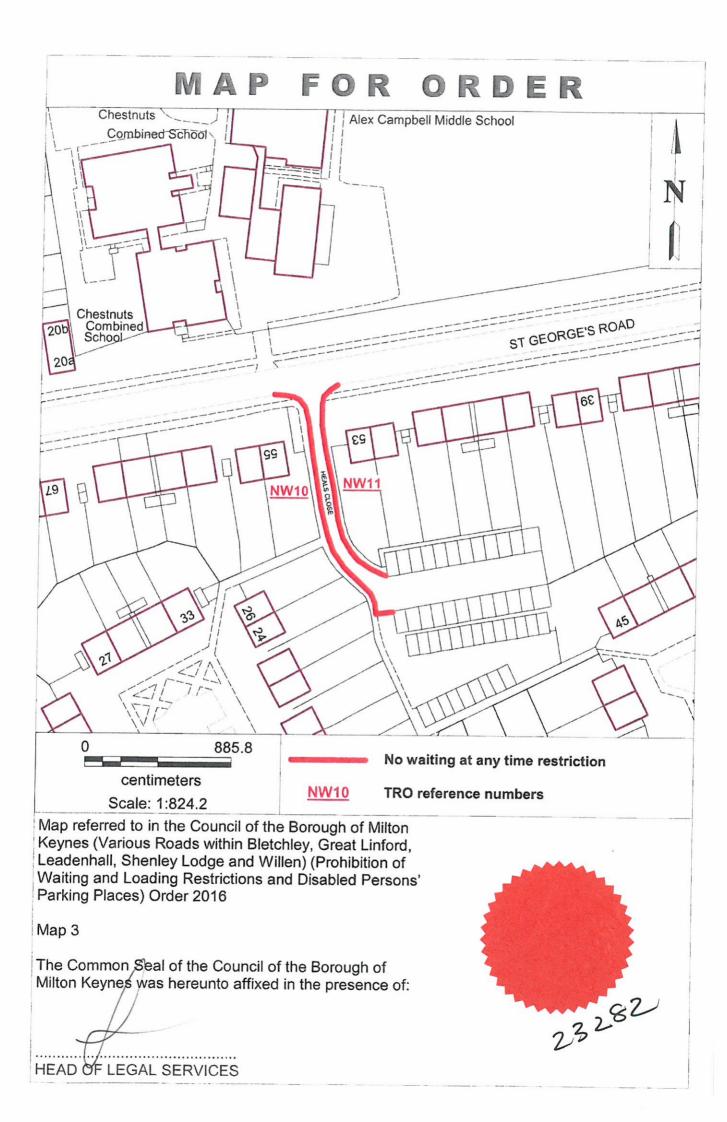
# THE CAROLINE HASLETT SCHOOL CAR PARK

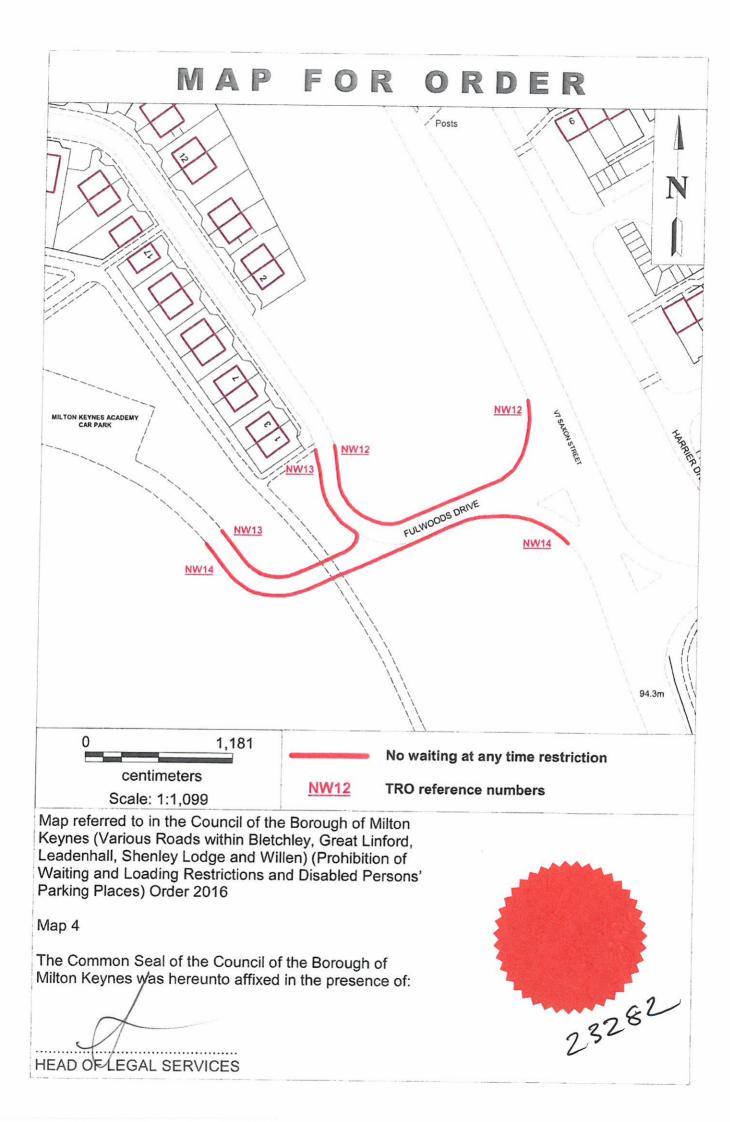
SOUTH SIDE

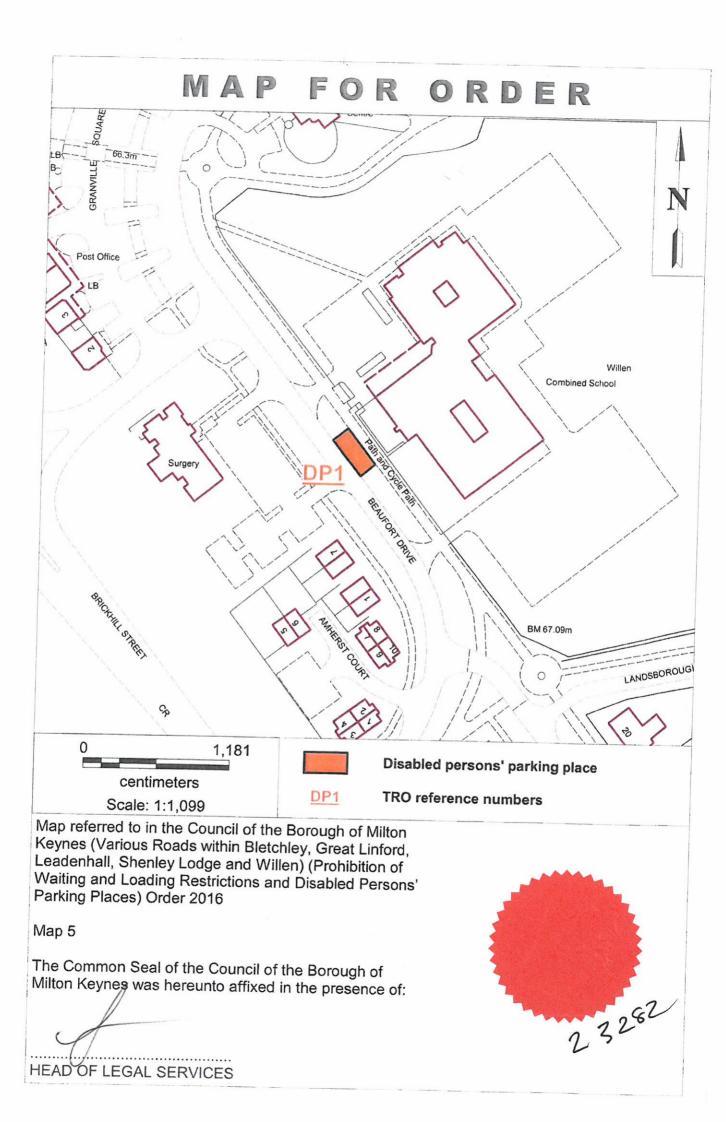
DP2 From a point 47.2 metres south-west (following the eastern kebline) of the junction of the eastern entrance to the car park and the southern kerbline of Faraday Drive and continuing for a distance of 7.2 metres in a westerly direction (2 SPACES)













#### **SCHEDULE 4**

#### **REVOCATIONS**

19. The following Order is HEREBY REVOKED to the extent stated below:-

THE COUNCIL OF THE BOROUGH OF MILTON KEYNES (VARIOUS ROADS, BLETCHLEY) (CONSOLIDATION OF PARKING AND WAITING RESTRICTIONS AND PROHIBITION OF LOADING) ORDER 2002

Item NW144 in Schedule 1 of the above Order IS HEREBY REVOKED IN ITS ENTIRETY

THE COMMON SEAL OF the COUNCIL OF THE BOROUGH OF MILTON KEYNES was hereunto affixed this 20<sup>th</sup> day of September 2016 in the presence of:-

ACTING SERVICE DIRECTOR --LEGAL & DEOCRATIC SERVICES &-MONITORING OFFICER

Head of Service Legal Department

