

**(ALLOA TOWN CENTRE) WAITING, LOADING AND  
UNLOADING RESTRICTIONS) (AMENDMENT NO. 2) ORDER 2015**

The Clackmannanshire Council hereinafter referred to as "the Council" in exercise of its powers under Sections 1(1) and (2), 2(1) to (3), 4(2) and 32(1) and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (as amended) and all other powers enabling them in that behalf, and after consultation with the Chief Constable in accordance with Part III of Schedule 9 to the said Act of 1984, hereby make the following Order:-

1. This Order may be cited as "The Clackmannanshire Council (Alloa Town Centre) (Waiting, Loading and Unloading Restrictions) (Amendment No. 2) Order 2015, and shall come into operation on the 7th August 2015.
2. This order amends "The Clackmannanshire Council (Alloa Town Centre) (Waiting, Loading and Unloading Restrictions) Order 2011", by adding to Schedule 40 as detailed in the Schedule to this Amendment Order.
3. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of Act of Parliament.
4. In this Order except where the context otherwise requires the following expressions have the meaning hereby respectively assigned to them:-
  - (a) "disabled person" means the disabled driver of or a disabled passenger in a motor vehicle, being such a disabled person as is described in regulation 4 of the Disabled Persons (Badges for Motor Vehicles) Regulations 2000 in respect of whom any Council have issued a disabled person's badge and a valid badge is conspicuously displayed in the "relevant position" on the vehicle;

- (b) "disabled person's badge" has the same meaning as in Regulation 2(1) of the Disabled Persons (Badge for Motor Vehicles) Regulations 2000;
- (c) "disabled person's vehicle" means a vehicle lawfully displaying a disabled person's badge issued, or having effect as if issued under any regulations for the time being in force under Section 21 of the Chronically Sick and Disabled Persons Act 1970(a).
- (d) "relevant position" means:
  - (i) in the case of a vehicle fitted with a front windscreen the disabled person's badge is exhibited thereon with the obverse side facing forwards on the near side of and immediately behind the windscreen; and
  - (ii) in the case of a vehicle not fitted with a front windscreen the disabled person's badge is exhibited in a conspicuous position on the front or nearside of the vehicle.
- (e) "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;
- (f) "goods" include postal packets of any description; and "delivering" and "collecting" in relation to any goods include checking the goods for purpose of their delivery or collection;
- (g) "goods vehicle" has the same meaning as in Section 192(1) of the Road Traffic Act 1988. "heavy goods vehicle" means a goods vehicle exceeding 7.5 tonnes maximum gross weight;
- (h) "owner" in relation to a vehicle, means the registered owner and/or the person by whom such vehicle is kept or used;
- (i) "prescribed hours" means the hours specified in the Schedules to this Order;

- (j) "road" has the same meaning as in Section 151 of the Roads (Scotland) Act 1984 and includes any verge or footway;
  - (k) "taxi" has the same meaning as in Section 23 of the Civic Government (Scotland) Act 1982;
  - (l) "traffic warden" means a traffic warden employed by a Police Authority in pursuance of Section 95 of the Act 1984;
  - (m) "vehicle" means a vehicle of any description and includes a machine or implement of any kind drawn or propelled along road whether by animal or mechanical power;
5. Save as provided in Articles 6 and 7 of this Order no person shall, except upon the direction or with the permission of a Police Constable in uniform or Traffic Warden, cause or permit any vehicle to wait in any road specified in Schedule 40 to this Amendment Order at any time.
6. Nothing in Article 5 of this Order shall prevent any person from causing or permitting a vehicle to wait in any road specified in Schedule 40 to this Order at any time.
- (a) if the vehicle in the service of or employed by the Postmaster General is being used for the purposes of delivering or collecting postal packets as defined in Section 87 of the Post Office Act 1953;
  - (b) for so long as may be necessary to enable a person to board or alight from a vehicle;
  - (c) for so long as may be necessary to enable the vehicle, if it cannot be used for such purpose in any other road, to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance improvement or reconstruction of any of the lengths of roads so referred to, or the laying, erection, alteration or repair in or near to

the said lengths of road of any sewer or main, pipe apparatus for the supply of gas, water or electricity or any telecommunications apparatus as defined in sub-paragraph 1(1) of Schedule 2 to the Telecommunications Act;

- (d) where the vehicle is used for Police, Fire Brigade or Ambulance purposes or any vehicle in the service of the local authority in either case being used in pursuance of statutory power or duties;
  - (e) where any disabled person's vehicle is not causing an obstruction and displays in the relevant position a disabled person's badge issued by the local authority in exercise of the powers under Section 21 of the Chronically Sick and Disabled Persons Act 1970;
  - (f) where the vehicle is being used by a medical practitioner visiting patients on professional calls when such a vehicle bears, in conspicuous position, the appropriate identification badge;
  - (g) for the purpose of loading and unloading goods from a vehicle;
  - (h) if the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or in order to avoid an accident;
  - (i) where the person in control of the vehicle is required by law to stop.
7. Nothing in Article 5 of this Order shall prevent any person from causing a pedal cycle not propelled by mechanical power to wait in any of the said roads.
8. For the purposes of this Order a vehicle shall be deemed to wait or stop:
- (a) if any point in that road is below the vehicle or its load and the vehicle is stationary;

- (b) for more than a specified period in the same place if any point in that road is below the vehicle or its load throughout a period exceeding the specified period whether or not the vehicle is moved during that period.
- 9. The restriction imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulations made or having effect as if made under the Road Traffic Regulation Acts.
- 10. Insofar as any provision of this Order conflicts with a Provision which is contained in an Order made or having effect as if made under the Act of 1984 and which imposes a restriction or prohibition on waiting by vehicles or grants an exemption from such restriction or prohibition then the provision of this Order shall prevail.

**DATED THIS TWENTIETH DAY OF JULY, TWO THOUSAND AND FIFTEEN**

**Garry Dallas**  
Executive Director

**THE CLACKMANNANSHIRE COUNCIL  
(ALLOA TOWN CENTRE) WAITING, LOADING AND  
UNLOADING RESTRICTIONS) (AMENDMENT NO. 2) ORDER 2015**

**SCHEDULE 40**

**Roads in Alloa  
Town Centre**

**Side and section of road on which no waiting at any time**

Kirkgate, Alloa

On both sides thereof:

1. From its junction with Broad Street in an easterly direction for a distance of 10 metres or thereby.

On the south side thereof:

1. From a point 99 metres or thereby east of its junction with Broad Street eastwards for a distance of 6 metres, then northwards for 4 metres, westwards for 12 metres and northwards for 12 metres or thereby.

**THE CLACKMANNANSHIRE COUNCIL  
(ALLOA TOWN CENTRE) WAITING, LOADING AND  
UNLOADING RESTRICTIONS) (AMENDMENT NO. 2) ORDER 2015**

<b>LIST OF SCHEDULES</b>	
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Schedule 40	No waiting at any time
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**THE CLACKMANNANSHIRE COUNCIL  
(ALLOA TOWN CENTRE) WAITING, LOADING AND  
UNLOADING RESTRICTIONS) (AMENDMENT NO. 2) ORDER 2015**

**Statement of Reasons for Making the Order**

The Order is to be amended:

1. To amend waiting restrictions in Kirkgate, Alloa;
2. To prevent parking which may cause obstruction to vehicles and other road users; and
3. To prevent parking to ensure visibility for road users, particularly at junctions.

Garry Dallas  
**Executive Director**



**THE CLACKMANNANSHIRE COUNCIL (ALLOA TOWN CENTRE) WAITING, LOADING AND UNLOADING RESTRICTIONS) (AMENDMENT NO. 2) ORDER 2015**

The Council proposes to make the above Amendment Order under Sections 1(1) and (2), 2(1) to (3), 4(2), 32(1) and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 which will amend "The Clackmannanshire Council (Alloa Town Centre) (Waiting, Loading and Unloading Restrictions) Order 2011", by adding to Schedule 40 to amend waiting restrictions in Kirkgate, Alloa; to prevent parking which may cause obstruction to vehicles and other road users; and to prevent parking to ensure visibility for road users, particularly at junctions. **Addition to Schedule 40 - side and section of road on which there is no waiting at any time: Kirkgate, Alloa** (On Both Sides: from its junction with Broad Street in an easterly direction for a distance of 10 metres or thereby); and (On the south side thereof: from a point 99 metres or thereby east of its junction with Broad Street eastwards for a distance of 6 metres, then northwards for 4 metres, westwards for 12 metres and northwards for 12 metres or thereby. Objectors must state their reasons in writing to Gillian White, Strategy and Customer Services, Kilncraigs, Alloa, FK10 1EB by 22/05/15. Full details are available on [www.clacksweb.org.uk](http://www.clacksweb.org.uk) or may be examined at Clackmannanshire Council's Offices, Kilncraigs, Alloa, FK10 1EB, and any Council Office/Library, during normal office hours between 29/04/15 and 22/05/15.

**THE CLACKMANNANSHIRE COUNCIL (ALLOA TOWN CENTRE) WAITING, LOADING AND UNLOADING RESTRICTIONS) (AMENDMENT NO. 2) ORDER 2015**

The Council has made the above Amendment Order under Sections 1(1) and (2), 2(1) to (3), 4(2), 32(1) and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 which will which will amend "The Clackmannanshire Council (Alloa Town Centre) (Waiting, Loading and Unloading Restrictions) Order 2011", by adding to Schedule 40 to amend waiting restrictions in Kirkgate, Alloa; to prevent parking which may cause obstruction to vehicles and other road users; and to prevent parking to ensure visibility for road users, particularly at junctions. **Addition to Schedule 40 - side and section of road on which there is no waiting at any time: Kirkgate, Alloa** (On Both Sides: from its junction with Broad Street in an easterly direction for a distance of 10 metres or thereby); and (On the south side thereof: from a point 99 metres or thereby east of its junction with Broad Street eastwards for a distance of 6 metres, then northwards for 4 metres, westwards for 12 metres and northwards for 12 metres or thereby. Anyone wishing to question the validity of any of the provisions within this order should write to the Court of session within six weeks of 07/08/15. Full details are available on [www.clacksweb.org.uk](http://www.clacksweb.org.uk) or may be examined at Clackmannanshire Council's Offices, Kilncraigs, Alloa, FK10 1EB, and any Council Office/Library, during normal office hours.

**THE CLACKMANNANSHIRE COUNCIL  
(ALLOA TOWN CENTRE) WAITING, LOADING AND  
UNLOADING RESTRICTIONS) (AMENDMENT NO. 2) ORDER 2015**

The Clackmannanshire Council has made an Amendment Order under Sections 1(1) and (2), 2(1) to (3), 4(2), 32(1) and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (as amended) and all other powers enabling them in that behalf on 20th July 2015.

FULL DETAILS of this Amendment Order are as published in the Alloa Advertiser on 29th April 2015, which will amend "The Clackmannanshire Council (Alloa Town Centre) (Waiting, Loading and Unloading Restrictions) Order 2011", by adding to Schedule 40 to amend waiting restrictions in Kirkgate, Alloa; to prevent parking which may cause obstruction to vehicles and other road users; and to prevent parking to ensure visibility for road users, particularly at junctions.

A copy of the Order, together with a copy of the relative plan, is available at [www.clacksweb.org.uk/transport/roadorders/](http://www.clacksweb.org.uk/transport/roadorders/) or may be examined on request at the Council's Offices at Kilncraigs, Alloa or at any Council office, library or community access point during normal office hours free of charge.

Any person wishing to question the validity of the Order or of any provision contained therein on the grounds that it is not within the powers conferred by the aforesaid Act or that if any requirement therein has not been complied with, may, within six weeks from 7th August 2015 apply to the Court of Session for this purpose.

Garry Dallas  
**Executive Director**

**SCHEDULE 40**

**Roads in Alloa  
Town Centre  
Kirkgate, Alloa**

**Side and section of road on which no waiting at any time**

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1. From a point 99 metres or thereby east of its junction with Broad Street eastwards for a distance of 6 metres, then northwards for 4 metres, westwards for 12 metres and northwards for 12 metres or thereby.

**HE CLACKMANNANSHIRE COUNCIL  
(ALLOA TOWN CENTRE) WAITING, LOADING AND  
UNLOADING RESTRICTIONS) (AMENDMENT NO. 2) ORDER 2014**

This is the plan referred to in The Clackmannanshire Council (Alloa Town Centre) (Waiting, Loading and Unloading Restrictions) (Amendment No. 2) Order 2015 made by Clackmannanshire Council on 20th July 2015.

Garry Dallas  
**Executive Director**

Clackmannanshire Council  
Kilncraigs  
ALLOA  
FK10 1EB

STREET



GREENSIDE ST

1 to 11

13

25

27  
29

33 to 43

45 to

31

13.1m

KIRKGATE

1 to 7

2

10

Church  
(remains of)

Mausoleum

Services to Communities  
Kilncraigs  
Greenside Street  
Alloa  
FK10 1EB




Kirkgate, Alloa

Date : Feb 2015

Scale : NTS

Tel: 01259 450 000 Fax: 01259 727 452  
development\_services@clacks.gov.uk

 Proposed Double Yellow Restriction

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