

**THE CLACKMANNANSHIRE COUNCIL
(STATION CAR PARK, ALLOA)
(DESIGNATED TAXI RANK) ORDER 2011**

The CLACKMANNANSHIRE COUNCIL in exercise of the powers conferred on them by Sections 32 and 35 of the Road Traffic Regulation Act 1984 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 (Station Car Park, Alloa) (Designated Taxi Rank) Order 2011" and shall come into operation on the 26th August 2011.
2. The following Order is hereby revoked:-
"The Clackmannanshire Council (Station Car Park, Alloa) (Designated Taxi Rank) Order 2010"
3. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an 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) "driver" in relation to a vehicle waiting in a taxi rank, means the person driving the vehicle at the time it was left in the taxi rank;
 - (b) "licensed taxi" has the same meaning as in section 13(3) of the Transport Act 1985;
 - (c) "road" has the same meaning as in Section 151 of the Roads (Scotland) Act 1984 and includes any verge or footway;
 - (d) "traffic warden" means a traffic warden employed by a police authority in pursuance of Section 95 of the Act of 1984;

- (e) "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;
- (f) "permitted hours" means the whole twenty four hours of every day; and
- (g) "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.

Designation of Taxi Rank

- 5. The area on a road on a highway comprising the length of a road specified in the Schedule to this order and, unless otherwise so specified, bounded on one side by the edge of the carriageway is designated as a taxi rank.
- 6. The limits of the taxi rank shall be indicated on the carriageway by appropriate traffic signs and road markings.

Vehicles for which Taxi Ranks are designated

- 7. The taxi rank may be used, subject to the provisions of this order, for the waiting for hire during the permitted hours of any licensed taxi.

Manner of standing in taxi ranks

- 8. The driver of a vehicle referred to in Article 7 of this order using a taxi rank shall stop the engine as soon as the vehicle is in position in the taxi rank and shall not start the engine except when about to change the position of the vehicle or to depart from the taxi rank.
- 9. The driver of a vehicle waiting in a taxi rank shall cause it to so stand:-
 - a) in the case of a taxi rank in relation to which special provisions as to the manner of standing of vehicles in that place are specified in the Schedule to this order so as to be in accordance with those provisions;

- b) in the case of any other taxi rank on a road in a single line parallel to the edge of the carriageway and so that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 300 millimetres; and
- c) so that every part of the vehicle is within the limits of the taxi rank.

10. No person shall leave a vehicle in a taxi rank:-

- a) unless it is a licensed taxi specified in Article 4(b) of this order; and
- b) in a position other than that specified in Article 8 of this order.

11. No person shall use a vehicle while it is in a taxi rank either for the purpose of selling it or in connection with the sale of any article to any person in or near the taxi rank or in connection with the selling or offering for sale of his/her skill in handicraft or his/her services in any other capacity or carry out or permit the carrying out of any work of maintenance or repair other than that as may be necessary to enable the vehicle to be removed from the taxi rank.

12. (1) Any person generally or specifically authorised by the Council may suspend the use of any taxi rank or any part thereof whenever that person considers such suspension reasonably necessary:-

- a) for the purposes of facilitating the movement of traffic or promoting its safety;
- b) 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 in connection with any building operation, demolition, the removal of any obstruction to traffic, the maintenance improvement or reconstruction of any lengths of road 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 or 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, or traffic sign.
- c) 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.

- d) 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;
 - e) where the person in control of the vehicle is required by law to stop.
- (2) A Police Officer in uniform or Traffic Warden may suspend for not longer than twenty-four hours the use of a taxi rank or any part thereof whenever that Police Officer or Traffic Warden considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- (3) Any person suspending the use of a taxi rank or any part thereof in accordance with paragraph (1) or paragraph (2) of this Article shall thereupon place or cause to be placed in or adjacent to that taxi rank or part thereof the use of which is suspended, a traffic sign indicating that waiting by licensed taxis is prohibited.
- (4) No person shall cause or permit a vehicle to be left in any part of a taxi rank during such period as there is in or adjacent to that part of the taxi rank a traffic sign placed in pursuance of paragraph (3) of this Article:-
- a) Provided that nothing in this paragraph shall render it unlawful to cause or permit any vehicle being used for fire brigade, ambulance or police purposes to be left in any part of the taxi rank during such period as it is referred to therein, or to any other vehicle so left if that vehicle is left with the permission (i) of the person suspending the use of the taxi rank or the part thereof in pursuance of paragraph (1) of this Article, (ii) of a police officer in uniform or (iii) of a traffic warden.

Alteration of position of vehicle in taxi ranks

13. Where a vehicle is standing in a taxi rank in contravention of the provisions of Article 9 of this order, a traffic warden, or a Police Officer in uniform, may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

Removal of vehicles from taxi ranks

14. Where a vehicle is left in a taxi rank in contravention of any of the provisions contained in Article 12(4) of this order or when a vehicle other than a vehicle specified in Article 7 is left in a taxi rank in contravention of the provisions of Article 9 of this order, a traffic warden, or a Police Officer in uniform, may remove or arrange for the removal of the vehicle from that taxi rank.
15. A traffic warden, or a Police Officer in uniform, removing a vehicle by virtue of Article 14 of this order may do so by towing or driving the vehicle or in such other manner as that the traffic warden may think necessary and may take such measures in relation to that vehicle as may be thought necessary to enable the removal as aforesaid.

Safe custody of vehicles removed from taxi ranks

16. When a traffic warden, or a Police Officer in uniform, removes or makes arrangements for the removal of a vehicle from a taxi rank by virtue of Article 15 of this order, that traffic warden, or Police Officer in uniform, shall make such arrangements as may be reasonably necessary for the safe custody of that vehicle.

Movement of vehicles in a taxi rank in an emergency

17. Any person generally or specifically authorised by the Council, a Police Officer or a traffic warden, may move or cause to be moved, in case of emergency, to any place he thinks fit any vehicle left in a taxi rank.
18. The restrictions imposed by this Order shall be in addition to and not in derogation of any restrictions or requirements imposed by any regulations made or having effect as if made under the Act of 1984 or by any other enactment.

19. 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 effect of this Order shall prevail.

DATED THIS ELEVENTH DAY OF AUGUST, TWO THOUSAND AND ELEVEN

Garry Dallas

Director of Services to Communities

**THE CLACKMANNANSHIRE COUNCIL
(STATION CAR PARK, ALLOA)
(DESIGNATED TAXI RANK) ORDER 2011**

SCHEDULE

**Location of Taxi Rank
Station Car Park, Alloa**

Designated Taxi Rank

From a point 93 metres or thereby north-east of its junction with A907 Ring Road, eastwards for a distance of 30 metres or thereby.

Statement of reasons for making the Order

The order is required to allow for a Taxi Rank within the Station Car Park, Alloa.

Garry Dallas

Director of Services to Communities

Clackmannanshire Council
Greenfield
ALLOA
FK10 2AD

THE CLACKMANNANSHIRE COUNCIL
(STATION CAR PARK, ALLOA)
(DESIGNATED TAXI RANK) ORDER 2011

The Clackmannanshire Council has made an Order under Sections 32 and 35 of the Road Traffic Regulation Act 1984 and Part III of Schedule 9 to the said Act of 1984 and all other powers enabling them in that behalf on 11th August 2011.

FULL DETAILS of this Order are as published in the Alloa Advertiser on 1st June 2011, and will designate the section of road described in the Schedule as a taxi rank within the Station Car Park, Alloa.

A copy of the Order, together with a copy of the relative plan, is available at www.clacksweb.org.uk/transport/roadorders/ or may be examined at the Clackmannanshire Council's Offices, Greenfield, Alloa, FK10 2AD 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 26th August 2011 apply to the Court of Session for this purpose.

Garry Dallas

Director of Services to Communities

SCHEDULE

Location of Taxi Rank

Station Car Park, Alloa

Designated Taxi Rank

From a point 93 metres or thereby north-east of its junction with A907 Ring Road, eastwards for a distance of 30 metres or thereby.

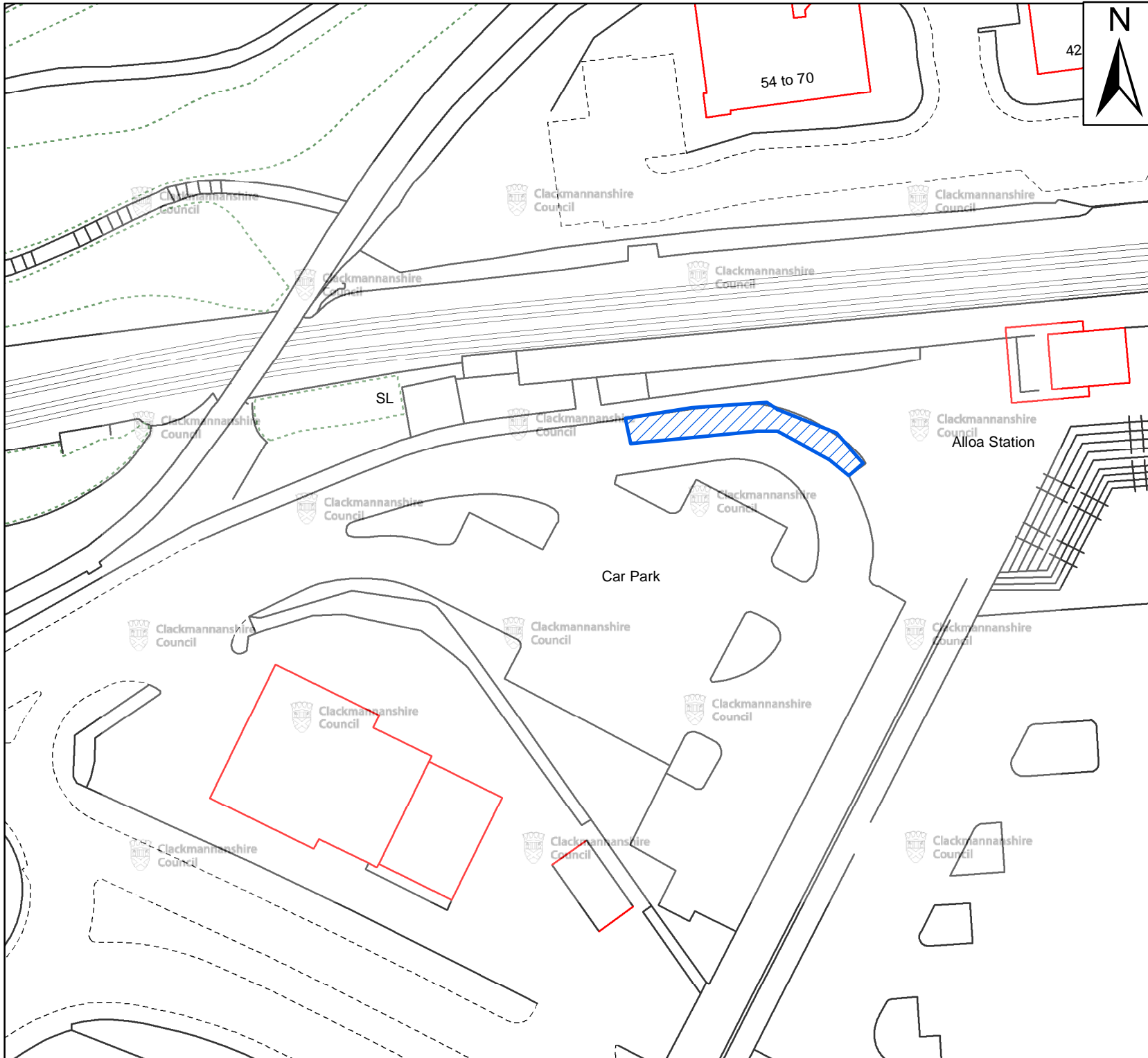
**THE CLACKMANNANSHIRE COUNCIL
(STATION CAR PARK, ALLOA)
(DESIGNATED TAXI RANK) ORDER 2010**

This is the plan referred to in The Clackmannanshire Council (Station Car Park, Alloa) (Designated Taxi Rank) Order 2011 made by Clackmannanshire Council on 11th August 2011.

Garry Dallas

Director of Services to Communities

Clackmannanshire Council
Greenfield
ALLOA
FK10 2AD



Taxi Rank Location

DRG11-066
 Station Car Park, Alloa
 Taxi Rank

Scale : NTS
 Paper Size : A4

Date : May 2011

 **Clackmannanshire Council**
www.clacksweb.org.uk
 Services to Communities
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