

THE CLACKMANNANSHIRE COUNCIL
(CLACKMANNAN PRIMARY SCHOOL, CLACKMANNAN)
(WAITING, LOADING AND UNLOADING RESTRICTIONS) (AMENDMENT NO.1)
ORDER 2013

The CLACKMANNANSHIRE COUNCIL in exercise of the powers conferred on them by 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 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 (Clackmannan Primary School, Clackmannan) (Waiting, Loading and Unloading Restrictions) (Amendment No.1) Order 2013" and shall come into operation on the 9th September 2013.
2. This Order amends "The Clackmannanshire Council (Clackmannan Primary School, Clackmannan) (Waiting, Loading and Unloading Restrictions) Order 2008 by adding and amending Schedules to that Order, as detailed in schedule to the Amendment Order.
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) "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) (Scotland) 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 the Disabled Persons (Badges for Motor Vehicles) (Scotland) 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 the 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) "road" has the same meaning as in Section 151 of the Roads (Scotland) Act 1984 and includes any verge or footway;

- (j) "taxi" has the same meaning as in Section 23 of the Civic Government (Scotland) Act 1982;

- (k) "traffic warden" means a traffic warden employed by a police authority in pursuance of Section 95 of the Act of 1984;

(l) "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;

(m) "prescribed hours" means the hours specified in the Schedules to this Order;

5. Save as provided in Articles 8 and 9 of this Order no person shall, except upon the direction or with the permission of a Police Officer in uniform or Traffic Warden, cause or permit any vehicle to wait, load or unload at any time on the length(s) of road(s) specified in Schedule A of this Order.
6. Save as provided in Articles 7 and 8 of this Order no person shall, except upon the direction or with the permission of a Police Officer in uniform or Traffic Warden, cause or permit any vehicle to wait, load or unload between the hours of 8.30 am and 9.15 am and between the hours of 2.45 pm and 3.30 pm, Monday to Friday inclusive, on the length(s) of road(s) specified in Schedule B of this Order.
7. Save as provided in Articles 7 and 8 of this Order no person shall, except upon the direction or with the permission of a Police Officer in uniform or Traffic Warden, cause or permit any vehicle to wait, load or unload between the hours of 8.30 am and 9.15 am and between the hours of 11.15 am and 1.30 pm and between the hours of 2.45 pm and 3.30 pm, Monday to Friday inclusive, on the length(s) of road(s) specified in Schedule C of this Order.
8. Nothing in Articles 5, 6 and 7 of this Order shall prevent any person from causing or permitting a vehicle to wait in any length of road specified in Schedules A, B and C of this order:
 - (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 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 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 subparagraph 1(1) of Schedule 2 to the Telecommunications Act;

- (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) where the vehicle is being used by a medical practitioner visiting patients on professional calls when such a vehicle bears, in a conspicuous position, the appropriate identification badge;
- (e) 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;
- (f) where the person in control of the vehicle is required by law to stop.

9. Nothing in Article 5, 6 and 7 of this Order shall prevent any person from causing a pedal cycle not propelled by mechanical power to wait in any of the said lengths of roads.
10. For the purpose 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.
11. 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.
12. 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 NINTH DAY OF SEPTEMBER, TWO THOUSAND AND THIRTEEN

Garry Dallas
Director of Services to Communities

THE CLACKMANNANSHIRE COUNCIL
(CLACKMANNAN PRIMARY SCHOOL, CLACKMANNAN)
(WAITING, LOADING AND UNLOADING RESTRICTIONS) (AMENDMENT NO.1)
ORDER 2013

SCHEDULE B

List of Roads

Side and section of road on which stopping on SCHOOL KEEP CLEAR markings is prohibited between the hours of 8.30am and 9.15am, and 2.45pm and 3.30pm, Monday to Friday inclusive.

Castle Terrace, Clackmannan

On the north side from a point 93 metres or thereby southwest of its junction with Castle Street for a distance of 10 metres or thereby. Then southwards for a distance of 5 metres or thereby then on the south side, north eastwards for a distance of 10 metres or thereby. A total distance of 25 metres or thereby.

SCHEDULE C

List of Roads

Side and section of road on which stopping on SCHOOL KEEP CLEAR markings is prohibited between the hours of 8.30am and 9.15am, 11.15am and 1.30pm and 2.45pm and 3.30pm, Monday to Friday inclusive.

Lochies Road, Clackmannan

South Side

From a point 42 metres or thereby east of its junction with Port Street, in an eastwards direction for a distance of 26 metres or thereby.

THE CLACKMANNANSHIRE COUNCIL
(CLACKMANNAN PRIMARY SCHOOL, CLACKMANNAN)
(WAITING, LOADING AND UNLOADING RESTRICTIONS) (AMENDMENT NO.1)
ORDER 2013

Statement of reasons for making the Order

To ensure vehicles are parked clear of the entrance to Clackmannan Primary School on Lochies Road, and that adequate visibility is available at all times in the interest of road safety.

Garry Dallas
Director of Services to Communities

Clackmannanshire Council
Greenfield
ALLOA
FK10 2AD

**THE CLACKMANNANSHIRE COUNCIL (CLACKMANNAN PRIMARY SCHOOL, CLACKMANNAN)
(WAITING, LOADING AND UNLOADING RESTRICTIONS) (AMENDMENT NO. 1) ORDER 2013**

The Council proposes to make the above 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 to ensure vehicles are parked clear of the entrance to Clackmannan Primary School on Lochies Road and that adequate visibility at all times in the interest of road safety. **Schedule B - side and section of road on which stopping on SCHOOL KEEP CLEAR markings is prohibited between the hours of 8.30am and 9.15am, and 2.45pm and 3.30pm, Monday to Friday inclusive: Castle Terrace, Clackmannan (North Side:** from a point 93 metres or thereby southwest of its junction with Castle Street for a distance of 10 metres or thereby. Then southwards for a distance of 5 metres or thereby then on the south side, north eastwards for a distance of 10 metres or thereby. A total distance of 25 metres or thereby. **Schedule C - side and section of road on which stopping on SCHOOL KEEP CLEAR markings is prohibited between the hours of 8.30am and 9.15am, 11.15am and 1.30pm and 2.45pm and 3.30pm, Monday to Friday inclusive: Lochies Road, Clackmannan (South Side:** from a point 42 metres or thereby east of its junction with Port Street, in an eastwards direction for a distance of 26 metres or thereby. Objectors must state their reasons in writing to Delia Couper, Strategy and Customer Services, Greenfield, Alloa, FK10 2AD by 9th August 2013. Full details are available on www.clacksweb.org.uk or may be examined at Clackmannanshire Council's Offices, Greenfield, Alloa, FK10 2AD, and any Council Office/Library, during normal office hours between 17th July 2013 and 9th August 2013.

**THE CLACKMANNANSHIRE COUNCIL (CLACKMANNAN PRIMARY SCHOOL, CLACKMANNAN)
(WAITING, LOADING AND UNLOADING RESTRICTIONS) (AMENDMENT NO. 1) ORDER 2013**

The Council has made the above 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 to ensure vehicles are parked clear of the entrance to Clackmannan Primary School on Lochies Road and that adequate visibility at all times in the interest of road safety. **Schedule B - side and section of road on which stopping on SCHOOL KEEP CLEAR markings is prohibited between the hours of 8.30am and 9.15am, and 2.45pm and 3.30pm, Monday to Friday inclusive: Castle Terrace, Clackmannan (North Side):** from a point 93 metres or thereby southwest of its junction with Castle Street for a distance of 10 metres or thereby. Then southwards for a distance of 5 metres or thereby then on the south side, north eastwards for a distance of 10 metres or thereby. A total distance of 25 metres or thereby. **Schedule C - side and section of road on which stopping on SCHOOL KEEP CLEAR markings is prohibited between the hours of 8.30am and 9.15am, 11.15am and 1.30pm and 2.45pm and 3.30pm, Monday to Friday inclusive: Lochies Road, Clackmannan (South Side)** from a point 42 metres or thereby east of its junction with Port Street, in an eastwards direction for a distance of 26 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 9th September 2013. Full details are available on www.clacksweb.org.uk or may be examined at Clackmannanshire Council's Offices, Greenfield, Alloa, FK10 2AD, and any Council Office/Library, during normal office hours.

THE CLACKMANNANSHIRE COUNCIL
(CLACKMANNAN PRIMARY SCHOOL, CLACKMANNAN)
(WAITING, LOADING AND UNLOADING RESTRICTIONS) (AMENDMENT NO.1)
ORDER 2013

The Clackmannanshire Council has made an 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 9th September 2013.

FULL DETAILS of this Order are as published in the Alloa Advertiser on 17th July 2013, and will designate the section(s) of road(s) described in the Schedule where waiting, loading and unloading restrictions will apply to ensure vehicles are parked clear of the entrance to Clackmannan Primary School on Lochies Road, and that adequate visibility is available at all times in the interest of road safety.

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 Council's Offices, Greenfield, Alloa; Lime Tree House, Castle Street, Alloa, or any Council Library/CAP 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 9th September 2013 apply to the Court of Session for this purpose.

Garry Dallas

Director of Services to Communities

SCHEDULE B

List of Roads	Side and section of road on which stopping on SCHOOL KEEP CLEAR markings is prohibited between the hours of 8.30am and 9.15am, and 2.45pm and 3.30pm, Monday to Friday inclusive.
Castle Terrace, Clackmannan	On the north side from a point 93 metres or thereby southwest of its junction with Castle Street for a distance of 10 metres or thereby. Then southwards for a distance of 5 metres or thereby then on the south side, north eastwards for a distance of 10 metres or thereby. A total distance of 25 metres or thereby.

SCHEDULE C

List of Roads

Side and section of road on which stopping on SCHOOL KEEP CLEAR markings is prohibited between the hours of 8.30am and 9.15am, and 11.15am and 1.30pm, and 2.45pm and 3.30pm, Monday to Friday inclusive.

Lochies Road,
Clackmannan

South Side

From a point 42 metres or thereby east of its junction with Port Street, in an eastwards direction for a distance of 26 metres or thereby.

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This is the plan referred to in The Clackmannanshire Council (Clackmannan Primary School, Clackmannan) (Waiting, Loading and Unloading Restrictions) (Amendment No.1) Order 2013 made by Clackmannanshire Council on 9th September 2013.

Garry Dallas
Director of Services to Communities

Clackmannanshire Council
Greenfield
ALLOA
FK10 2AD

THE CLACKMANNANSHIRE COUNCIL
(CLACKMANNAN PRIMARY SCHOOL, CLACKMANNAN)
(WAITING, LOADING AND UNLOADING RESTRICTIONS) (AMENDMENT NO.1)
ORDER 2013

Clackmannanshire Council propose to make an 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, which will designate the section(s) of road(s) described in the Schedule(s) where Waiting Restrictions will apply to ensure vehicles are parked clear of the entrance to Clackmannan Primary School on Lochies Road, and that adequate visibility is available at all times in the interest of road safety.

FULL DETAILS of this proposal are in the draft Order which, together with a copy of the relative plan and a Statement of the Council's reasons for promoting the Order is available at www.clacksweb.org.uk/transport/roadorders/ or may be examined at the Clackmannanshire Council's Offices, Greenfield, Alloa, FK10 2AD; Lime Tree House, Castle Street, Alloa, FK10 2EX or any council Library/CAP, during normal office hours free of charge for three weeks from 17th July 2013.

Any person wishing to object to the proposals should send details of the grounds for objection, in writing, to Delia Couper, Chief Executive's Services, Greenfield, Alloa FK10 2AD by 9th August 2013, quoting the reference WR072DC 5-6-931.

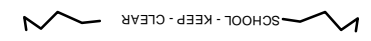
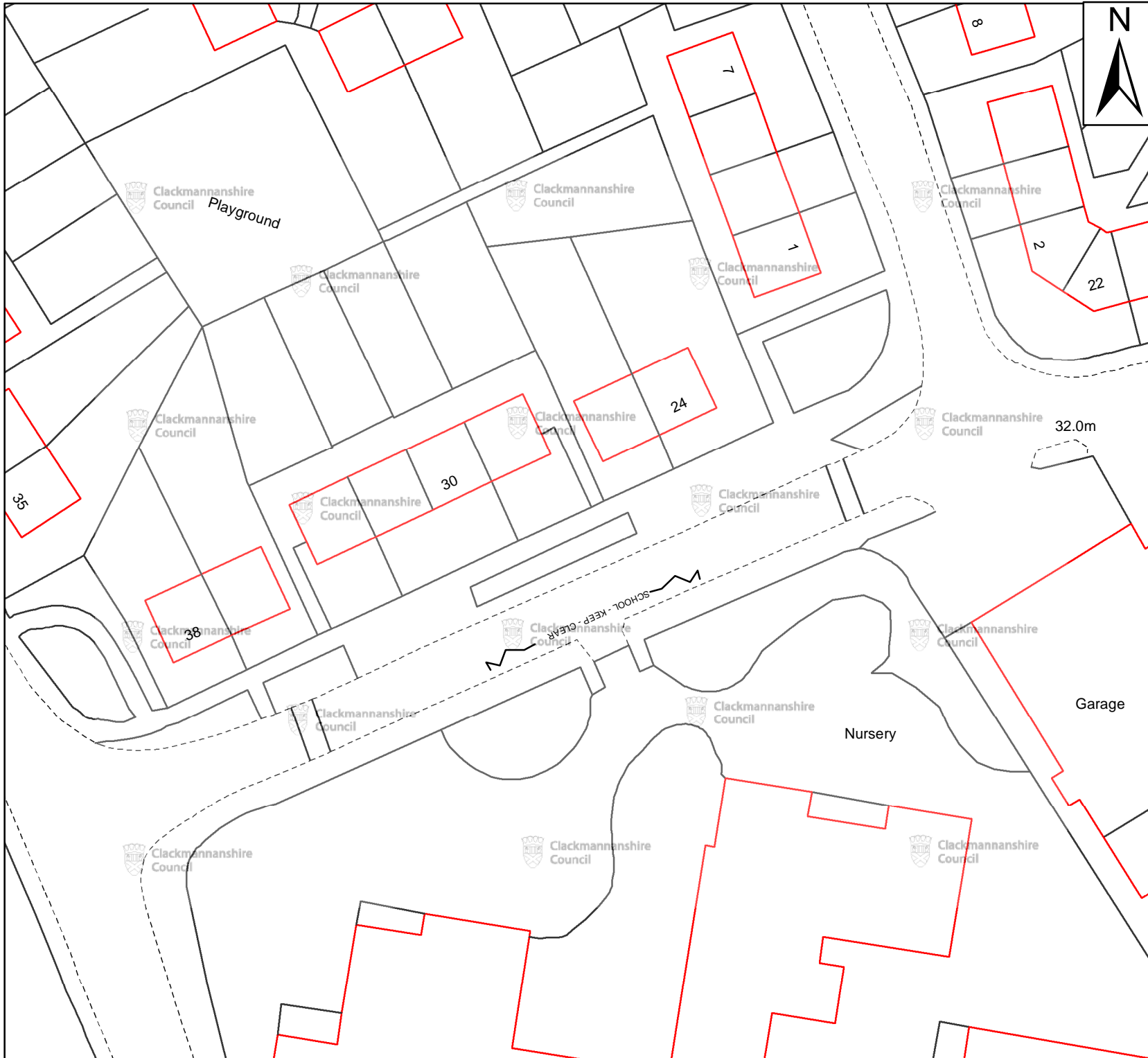
Garry Dallas
Director of Services to Communities

SCHEDULE B

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SCHEDULE C

List of Roads	Side and section of road on which stopping on SCHOOL KEEP CLEAR markings is prohibited between the hours of 8.30am and 9.15am, and 11.15am and 1.30pm, and 2.45pm and 3.30pm, Monday to Friday inclusive.
Lochies Road, Clackmannan	South Side From a point 42 metres or thereby east of its junction with Port Street, in an eastwards direction for a distance of 26 metres or thereby.



School Keep Clear restriction
 No Stopping between the hours of
 8.30am and 9.15am, 11.15am and
 1.30pm, and 2.45am and 3.30pm,
 Monday to Friday inclusive

(Other road markings and restrictions
 are as per previous 2008 Order)

DRG13-048
Clackmannan Primary School

Scale : NTS
 Paper Size : A4

Date : Apr 2013

 **Clackmannanshire Council**
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