



**(SUNNYSIDE PRIMARY SCHOOL, ALLOA)
(WAITING, LOADING AND UNLOADING
RESTRICTIONS) ORDER 2018**

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 (Sunnyside Primary School, Alloa) (Waiting, Loading and Unloading Restrictions) Order 2018" and shall come into operation on the 11 May 2018.
2. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
3. This Order revokes "The Clackmannanshire Council (Sunnyside Primary School) (Waiting, Loading and Unloading Restrictions) Order 2015".
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, 9 and 10 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 at any time; or to load/unload a vehicle 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 1 of this Order.
6. Save as provided in Articles 8, 9 and 10 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 or load/unload a vehicle 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 2 of this order.
7. Save as provided in Articles 8, 9 and 10 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 stop on the "School Keep Clear" markings 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 3 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 1, 2 and 3 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 sub-paragraph 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 Articles 5, 6 and 7 of this order shall prevent any person from causing or permitting a disabled person's vehicle to wait without restriction on time of stay on the lengths of road referred to in those Articles where any disabled persons' vehicle is not causing an obstruction and displays in the relevant position a disabled badge issued by the local authority in exercise of the powers under Section 21(1) of the Chronically Sick and Disabled Persons Act 1970(a).
10. Nothing in Articles 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.
11. 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.
12. 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.

13. 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 TWENTIETH DAY OF APRIL,
TWO THOUSAND AND EIGHTEEN**

Garry Dallas
Executive Director

THE CLACKMANNANSHIRE COUNCIL
(SUNNYSIDE PRIMARY SCHOOL, ALLOA)
(WAITING, LOADING AND UNLOADING
RESTRICTIONS) ORDER 2015

SCHEDULE 1	
Lists of Roads in Alloa	Side and section of road on which waiting is prohibited at any time and loading/unloading is prohibited 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.
Ashley Terrace	On the north side thereof: From a point 10 metres east of the east kerb line of Forebraes, in a generally westerly direction for a distance of 30 metres or thereby.
Ashley Terrace	On the south side thereof: From a point 20 metres or thereby, east of the east kerb line of Erskine Street, eastwards for a distance of 40 metres or thereby.
Forebraes	On the east side thereof: From the north kerb line of Ashley Terrace, in a generally northerly direction for a distance of 21 metres or thereby.
Forebraes	On the west side thereof: From the north kerb line of Ashley Terrace, in a generally northerly direction for a distance of 15 metres or thereby.
Erskine Street	On both sides thereof: From the south kerb line of Hill Street, in a generally southerly direction for a distance of 10 metres or thereby and from the north kerb line of Hill Street, in a generally northerly direction for a distance of 10 metres or thereby.
Erskine Street	On the west side thereof: From a point 10 metres or thereby, south of the south kerb line of Queen Street, in a generally northerly direction for a distance of 28 metres or thereby and from the projected south kerblines of Ashley Terrace in a generally southerly direction for a distance of 19 metres or thereby.
Erskine Street	On the east side thereof: From the projected south kerb line of Ashley Terrace, in a generally southerly direction for a distance of 15 metres or thereby.
Queen Street	On both sides thereof: From the west kerb line of Erskine Street, in a generally westerly direction for a distance of 10 metres or thereby.
Hill Street	On both sides thereof: From a point 10 metres or thereby west of the west kerb line of Erskine Street, in a generally easterly direction for a distance of 28 metres or thereby.
SCHEDULE 2	
Lists of Roads in Alloa	Side and section of road on which waiting, loading and unloading is prohibited 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.
Ashley Terrace	On the north side thereof: From a point 10 metres or thereby, east of the east kerb line of Forebraes, in a generally easterly direction for a distance of 10 metres or thereby.
SCHEDULE 3	
Lists of Roads in Alloa	Side and section of road on which stopping on SCHOOL KEEP CLEAR markings is prohibited between the hours of 8.30 am and 9.15 am, and 2.45 pm and 3.30 pm, Monday to Friday inclusive.
Erskine Street	On the east side thereof: From a point 60 metres or thereby north of the north kerb line of Hill Street, in a generally northerly direction for a distance of 32 metres or thereby.

**THE CLACKMANNANSHIRE COUNCIL
(SUNNYSIDE PRIMARY SCHOOL, ALLOA)
(WAITING, LOADING AND UNLOADING
RESTRICTIONS) ORDER 2018**

Statement of reasons for making the Order

The Order is required to ensure that there is adequate visibility and safety outside the Primary School in the interests of road safety. This order adds extra visibility to the Forebraes junction during school start and end times.

Garry Dallas

Executive Director

Clackmannanshire Council
Kilncraigs
ALLOA
FK10 1EB

THE CLACKMANNANSHIRE COUNCIL (SUNNYSIDE PRIMARY SCHOOL, ALLOA) (WAITING, LOADING AND UNLOADING RESTRICTIONS) ORDER 2018

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 that there is adequate visibility and safety outside the Primary School in the interests of road safety. The order revokes "The Clackmannanshire Council (Sunnyside Primary School) (Waiting, Loading and Unloading Restrictions) Order 2015" which adds extra visibility to the Forebraes junction during school start and end times.. **Schedule 1 - Side and section of road on which waiting is prohibited at any time and loading/unloading is prohibited 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: Ashley Terrace** (On the north side thereof: From a point 10 metres east of the east kerb line of Forebraes, in a generally westerly direction for a distance of 30 metres or thereby; **Ashley Terrace** (On the south side thereof: From a point 20 metres or thereby, east of the east kerb line of Erskine Street, eastwards for a distance of 40 metres or thereby); **Forebraes** (On the east side thereof: From the north kerb line of Ashley Terrace, in a generally northerly direction for a distance of 21 metres or thereby; **Forebraes** (On the west side thereof: From the north kerb line of Ashley Terrace, in a generally northerly direction for a distance of 15 metres or thereby); **Erskine Street** (On both sides thereof: From the south kerb line of Hill Street, in a generally southerly direction for a distance of 10 metres or thereby and from the north kerb line of Hill Street, in a generally northerly direction for a distance of 10 metres or thereby; **Erskine Street** (On the west side thereof: From a point 10 metres or thereby, south of the south kerblines of Queen Street, in a generally northerly direction for a distance of 28 metres or thereby and from the projected south kerblines of Ashley Terrace in a generally southerly direction for a distance of 19 metres or thereby; **Erskine Street** (On the east side thereof: From the projected south kerb line of Ashley Terrace, in a generally southerly direction for a distance of 15 metres or thereby); **Queen Street** (On both sides thereof: from the west kerblines of Erskine Street, in a generally westerly direction for a distance of 10 metres or thereby); **Hill Street** (On both sides thereof: From a point 10 metres or thereby west of the west kerb line of Erskine Street, in a generally easterly direction for a distance of 28 metres or thereby). **Schedule 2 – Side and section of road on which waiting, loading and unloading is prohibited 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: Ashley Terrace** (On the north side thereof: from a point 10 metres or thereby, east of the east kerblines of Forebraes, in a generally easterly direction for a distance of 10 metres or thereby). **Schedule 3 - Side and section of road on which stopping on SCHOOL KEEP CLEAR markings is prohibited between the hours of 8.30 am and 9.15 am, and 2.45 pm and 3.30 pm, Monday to Friday inclusive. Erskine Street** (On the east side thereof: From a point 60 metres or thereby north of the north kerb line of Hill Street, in a generally northerly direction for a distance of 32 metres or thereby). Objectors must state their reasons in writing to Gillian White, Legal and Democracy Services, Kilncraigs, Alloa, FK10 1EB by DATE. Full details are available on www.clacks.gov.uk or may be examined at Clackmannanshire Council's Offices, Kilncraigs, Alloa, FK10 1EB, and any Council Office/Library, during normal office hours between DATE and DATE.

THE CLACKMANNANSHIRE COUNCIL (SUNNYSIDE PRIMARY SCHOOL, ALLOA) (WAITING, LOADING AND UNLOADING RESTRICTIONS) ORDER 2018

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 that there is adequate visibility and safety outside the Primary School in the interests of road safety. The order revokes "The Clackmannanshire Council (Sunnyside Primary School) (Waiting, Loading and Unloading Restrictions) Order 2015" which adds extra visibility to the Forebraes junction during school start and end times.. **Schedule 1 - Side and section of road on which waiting is prohibited at any time and loading/unloading is prohibited 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: Ashley Terrace** (On the north side thereof: From a point 10 metres east of the east kerb line of Forebraes, in a generally westerly direction for a distance of 30 metres or thereby; **Ashley Terrace** (On the south side thereof: From a point 20 metres or thereby, east of the east kerb line of Erskine Street, eastwards for a distance of 40 metres or thereby); **Forebraes** (On the east side thereof: From the north kerb line of Ashley Terrace, in a generally northerly direction for a distance of 21 metres or thereby; **Forebraes** (On the west side thereof: From the north kerb line of Ashley Terrace, in a generally northerly direction for a distance of 15 metres or thereby); **Erskine Street** (On both sides thereof: From the south kerb line of Hill Street, in a generally southerly direction for a distance of 10 metres or thereby and from the north kerb line of Hill Street, in a generally northerly direction for a distance of 10 metres or thereby; **Erskine Street** (On the west side thereof: From a point 10 metres or thereby, south of the south kerblines of Queen Street, in a generally northerly direction for a distance of 28 metres or thereby and from the projected south kerblines of Ashley Terrace in a generally southerly direction for a distance of 19 metres or thereby; **Erskine Street** (On the east side thereof: From the projected south kerb line of Ashley Terrace, in a generally southerly direction for a distance of 15 metres or thereby); **Queen Street** (On both sides thereof: from the west kerblines of Erskine Street, in a generally westerly direction for a distance of 10 metres or thereby); **Hill Street** (On both sides thereof: From a point 10 metres or thereby west of the west kerb line of Erskine Street, in a generally easterly direction for a distance of 28 metres or thereby). **Schedule 2 – Side and section of road on which waiting, loading and unloading is prohibited 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: Ashley Terrace** (On the north side thereof: from a point 10 metres or thereby, east of the east kerblines of Forebraes, in a generally easterly direction for a distance of 10 metres or thereby). **Schedule 3 - Side and section of road on which stopping on SCHOOL KEEP CLEAR markings is prohibited between the hours of 8.30 am and 9.15 am, and 2.45 pm and 3.30 pm, Monday to Friday inclusive. Erskine Street** (On the east side thereof: From a point 60 metres or thereby north of the north kerb line of Hill Street, in a generally northerly direction for a distance of 32 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 11/05/18. Full details are available on www.clacks.gov.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
(SUNNYSIDE PRIMARY SCHOOL, ALLOA)
(WAITING, LOADING AND UNLOADING
RESTRICTIONS) ORDER 2018**

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 20 April 2018.

FULL DETAILS of this Order are as published in the Alloa Advertiser on 21 March 2018, and will designate the section(s) of road(s) described in the Schedule where waiting, loading and unloading restrictions will apply to ensure that there is adequate visibility and safety outside the Primary School in the interests of road safety. The order revokes "The Clackmannanshire Council (Sunnyside Primary School) (Waiting, Loading and Unloading Restrictions) Order 2015" which adds extra visibility to the Forebraes junction during school start and end times.

A copy of the Order, together with a copy of the relative plan, is available at www.clacks.gov.uk or may be examined at the Clackmannanshire Council's Offices, Kilncraigs, Alloa, FK10 1EB 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 11 May 2018 apply to the Court of Session for this purpose.

Garry Dallas
Executive Director

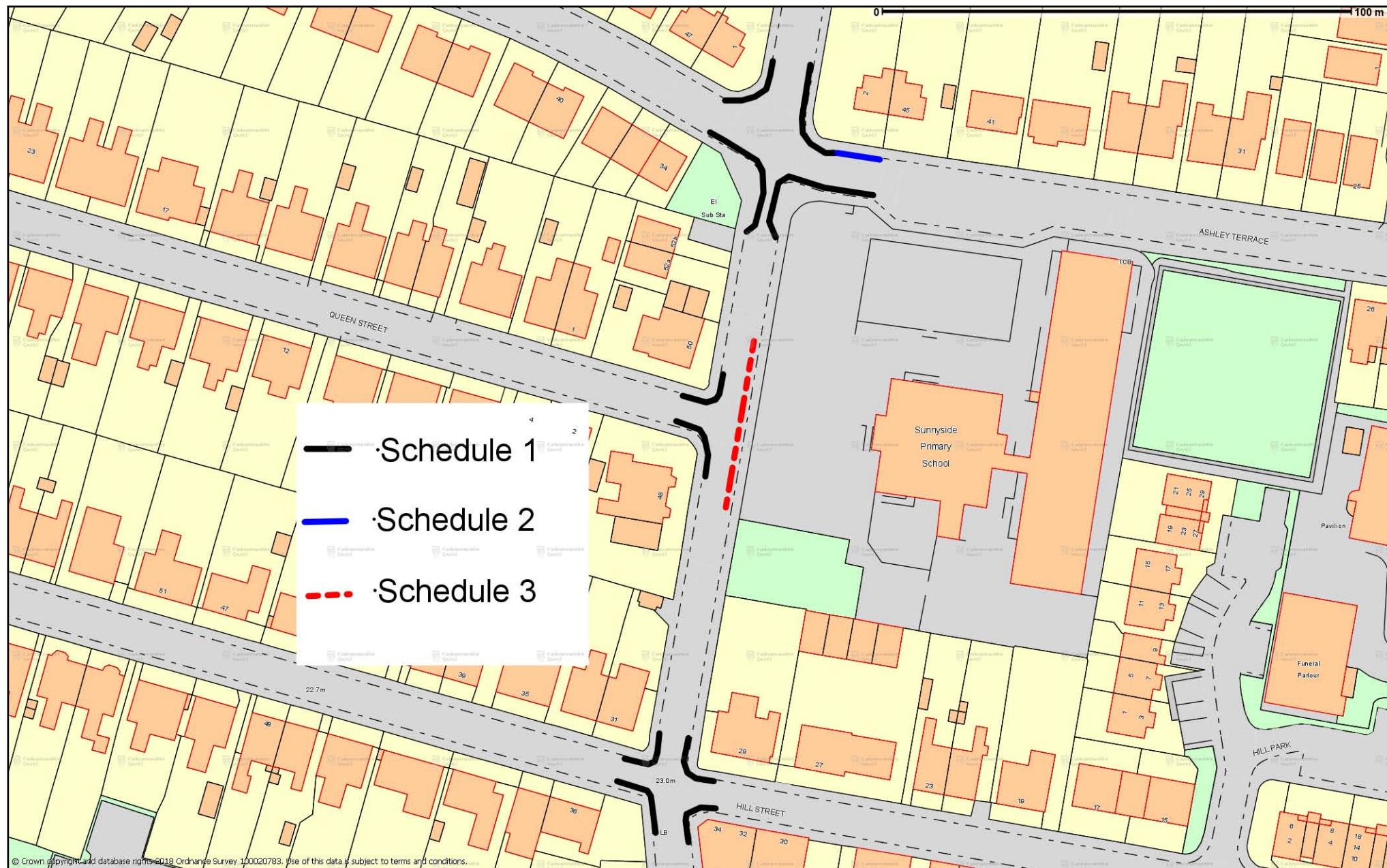
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**THE CLACKMANNANSHIRE COUNCIL
(SUNNYSIDE PRIMARY SCHOOL, ALLOA)
(WAITING, LOADING AND UNLOADING
RESTRICTIONS) ORDER 2018**

This is the plan referred to in The Clackmannanshire Council (Sunnyside Primary School, Alloa) (Waiting, Loading and Unloading Restrictions) Order 2018 made by Clackmannanshire Council on 20 April 2018.

Garry Dallas
Executive Director

Clackmannanshire Council
Kilncraigs
ALLOA
FK10 1EB



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Scale 1:1100



Sunnyside Primary School

Waiting, Loading and unloading



Clackmannanshire Council