



**(VARIOUS STREETS, CLACKMANNAN)
(WAITING, LOADING AND UNLOADING
RESTRICTIONS) ORDER 2020**

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 (Various Streets, Clackmannan) (Waiting, Loading and Unloading Restrictions) Order 2020" and shall come into operation on the 10 July 2020.
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. 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) "parking attendant" means a person authorised by, or on behalf of the Council to supervise any parking space;

(g) "road" has the same meaning as in Section 151 of the Roads (Scotland) Act 1984 and includes any verge or footway;

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

(i) "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.

4. 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, Traffic Warden, or Parking Attendant, cause or permit any vehicle to wait at any time, on the length(s) of road(s) specified in Schedule 1 of this order.

5. Save as provided in Articles 7 and 9 of this Order no person shall, except upon the direction or with the permission of a Police Officer in uniform, Traffic Warden, or Parking Attendant, cause or permit any vehicle to load/unload a vehicle between the hours of 0830 hours and 1600 hours, on the length(s) of road(s) specified in Schedule 2 of this Order.

6. Save as provided in Articles 7 of this Order no person shall, except upon the direction or with the permission of a Police Officer in uniform, Traffic Warden, or Parking Attendant cause or permit any vehicle to stop on the "School Keep Clear" markings between the hours of 0830 hours and 1600 hours, Monday to Friday inclusive, on the length(s) of road(s) specified in Schedule 3 of this Order.

7. Nothing in Articles 4, 5 and 6 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 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.

8. Nothing in Article 4 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 that Article 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).
9. Nothing in Article 5 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 length of road referred to in at Article to enable a vehicle displaying a disabled badge being drive by or carrying a disabled person to uplift or set down that disabled person at premises located on the prohibited roads during the prescribed hours.
10. Nothing in Article 4 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 TWENTY THIRD DAY OF JUNE,
TWO THOUSAND AND TWENTY**

Pete Leonard
Strategic Director

**THE CLACKMANNANSHIRE COUNCIL
(VARIOUS STREETS, CLACKMANNAN)
(WAITING, LOADING AND UNLOADING
RESTRICTIONS) ORDER 2020**

SCHEDULE 1	
List of Roads in Clackmannan	Side and section of road on which waiting is prohibited at any time.
Bruce Street	Both Sides: From its junction with Lochies Road northwards for a distance of 8 metres or thereby.
Craigrie Road	North Side: From its junction with Port Street westwards for a distance of 10 metres or thereby.
	South Side: From its junction with Port Street westwards for a distance of 20 metres or thereby.
Lochies Road	Both Sides: From its junction with Port Street eastwards for a distance of 10 metres or thereby.
	North Side: From its junction with Bruce Street westwards for a distance of 10 metres or thereby.
	North Side: From its junction with Bruce Street eastwards for a distance of 10 metres or thereby.
Port Street	West Side: From its junction with Craigrie Road northwards for a distance of 12 metres or thereby.
	West Side: From its junction with Craigrie Road southwards for a distance of 10 metres or thereby.
	Both Sides: From a point 37 metres or thereby south of its junction with Craigrie Road, southwards for a distance of 38 metres or thereby.
	East Side: From its junction with South Pilmuir Road, northwards for a distance of 10 metres or thereby.
South Pilmuir Road	Both Sides: From its junction with Port Street eastwards for a distance of 10 metres or thereby.
Wellmyre	East Side: From its junction with South Pilmuir Road, northwards for a distance of 10 metres or thereby.
SCHEDULE 2	
Lists of Roads in Clackmannan	Side and section of road on which loading and unloading is prohibited between the hours of 0830 hours and 1600 hours.
Lochies Road	South Side: From a point 10 metres or thereby east of its junction with Port Street, eastwards for a distance of 38 metres or thereby. From a point 80 metres or thereby east of its junction with Port Street eastwards for a distance of 14 metres or thereby.
SCHEDULE 3	
Lists of Roads in Clackmannan	Side and section of road on which stopping on SCHOOL KEEP CLEAR markings is prohibited between 0830 hours and 1600 hours, Monday to Friday inclusive.
Lochies Road	South Side From a point 48 metres or thereby east of its junction with Port street, eastwards for a distance of 32 metres or thereby.

**THE CLACKMANNANSHIRE COUNCIL
(VARIOUS STREETS, CLACKMANNAN)
(WAITING, LOADING AND UNLOADING
RESTRICTIONS) ORDER 2020**

Statement of reasons for making the Order

The Order is required to ensure visibility at junctions is maintained.

Pete Leonard
Strategic Director

Clackmannanshire Council
Kilncraigs
ALLOA
FK10 1EB

**THE CLACKMANNANSHIRE COUNCIL (VARIOUS STREETS, CLACKMANNAN)
(WAITING, LOADING AND UNLOADING RESTRICTIONS) ORDER 2020**

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 visibility at junctions is maintained..

Schedule 1 – Side and section of road on which waiting is prohibited at any time: Bruce Street, Clackmannan (Both sides – from its junction with Lochies Road northwards for a distance of 8 metres or thereby); **Craigrie Road, Clackmannan** (North side – from its junction with Port Street westwards for a distance of 10 metres or thereby and on the South side – from its junction with Port Street westwards for a distance of 20 metres or thereby); **Lochies Road, Clackmannan** (Both sides – from its junction with Port Street westwards for a distance of 10 metres or thereby, North side – from its junction with Bruce Street westwards for a distance of 10 metres or thereby and on the North side – from its junction with Bruce Street eastwards for a distance of 10 metres or thereby); **Port Street** (West side – from its junction with Craigrie Road northwards for a distance of 12 metres or thereby; West side – from its junction with Craigrie Road southwards for a distance of 10 metres or thereby and on the East side – from its junction with South Pilmuir Road, northwards for a distance of 10 metres or thereby); **South Pilmuir Road** (Both sides – from its junction with Port Street eastwards for a distance of 10 metres or thereby; and **Wellmyre** (East side – from its junction with South Pilmuir Road, northwards for a distance of 10 metres or thereby. **Schedule 2 - Side and section of road on which loading and unloading is prohibited between 0830 hours and 1600 hours: Lochies Road, Clackmannan** (South side – from appoint 10 metres or thereby east of its junction with Port Street, eastwards for a distance of 14 metres or thereby). **Schedule 3 - Side and section of road on which stopping on SCHOOL KEEP CLEAR markings is prohibited between 0830 hours and 1600 hours, Monday to Friday inclusive. Lochies Road, Clackmannan** (South side - From a point 48 metres or thereby east of its junction with Port street, eastwards for a distance of 32 metres or thereby). Objectors must state their reasons in writing to Gillian White, Legal and Governance, Kilncraigs, Alloa, FK10 1EB by 13/03/20. 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 19/02/20 and 13/03/20.

THE CLACKMANNANSHIRE COUNCIL (VARIOUS STREETS, CLACKMANNAN) (WAITING, LOADING AND UNLOADING RESTRICTIONS) ORDER 2020

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 visibility at junctions is maintained..

Schedule 1 – Side and section of road on which waiting is prohibited at any time: Bruce Street, Clackmannan (Both sides – from its junction with Lochies Road northwards for a distance of 8 metres or thereby); **Craigrie Road, Clackmannan** (North side – from its junction with Port Street westwards for a distance of 10 metres or thereby and on the South side – from its junction with Port Street westwards for a distance of 20 metres or thereby); **Lochies Road, Clackmannan** (Both sides – from its junction with Port Street westwards for a distance of 10 metres or thereby, North side – from its junction with Bruce Street westwards for a distance of 10 metres or thereby and on the North side – from its junction with Bruce Street eastwards for a distance of 10 metres or thereby); **Port Street** (West side – from its junction with Craigrie Road northwards for a distance of 12 metres or thereby; West side – from its junction with Craigrie Road southwards for a distance of 10 metres or thereby and on the East side – from its junction with South Pilmuir Road, northwards for a distance of 10 metres or thereby); **South Pilmuir Road** (Both sides – from its junction with Port Street eastwards for a distance of 10 metres or thereby; and **Wellmyre** (East side – from its junction with South Pilmuir Road, northwards for a distance of 10 metres or thereby). **Schedule 2 - Side and section of road on which loading and unloading is prohibited between 0830 hours and 1600 hours: Lochies Road, Clackmannan** (South side – from appoint 10 metres or thereby east of its junction with Port Street, eastwards for a distance of 14 metres or thereby). **Schedule 3 - Side and section of road on which stopping on SCHOOL KEEP CLEAR markings is prohibited between 0830 hours and 1600 hours, Monday to Friday inclusive. Lochies Road, Clackmannan** (South side - From a point 48 metres or thereby east of its junction with Port street, eastwards 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 23/06/20. Full details are available on www.clacks.gov.uk

**THE CLACKMANNANSHIRE COUNCIL
(VARIOUS STREETS, CLACKMANNAN)
(WAITING, LOADING AND
UNLOADING RESTRICTIONS) ORDER 2020**

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 23 June 2020.

FULL DETAILS of this Order are as published in the Alloa Advertiser on 19 February 2020, and will designate the section(s) of road(s) described in the Schedule where waiting, loading and unloading restrictions will apply to ensure that visibility at junctions is maintained. A copy of the Order, together with a copy of the relative plan, is available at www.clacks.gov.uk

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 23 June 2020 apply to the Court of Session for this purpose.

Pete Leonard
Strategic Director

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	South Side: From its junction with Port Street westwards for a distance of 20 metres or thereby.
Lochies Road	Both Sides: From its junction with Port Street eastwards for a distance of 10 metres or thereby.
	North Side: From its junction with Bruce Street westwards for a distance of 10 metres or thereby.
	North Side: From its junction with Bruce Street eastwards for a distance of 10 metres or thereby.
Port Street	West Side: From its junction with Craigrie Road northwards for a distance of 12 metres or thereby.
	West Side: From its junction with Craigrie Road southwards for a distance of 10 metres or thereby.
	Both Sides: From a point 37 metres or thereby south of its junction with Craigrie Road, southwards for a distance of 38 metres or thereby.
	East Side: From its junction with South Pilmuir Road, northwards for a distance of 10 metres or thereby.
South Pilmuir Road	Both Sides: From its junction with Port Street eastwards for a distance of 10 metres or thereby.

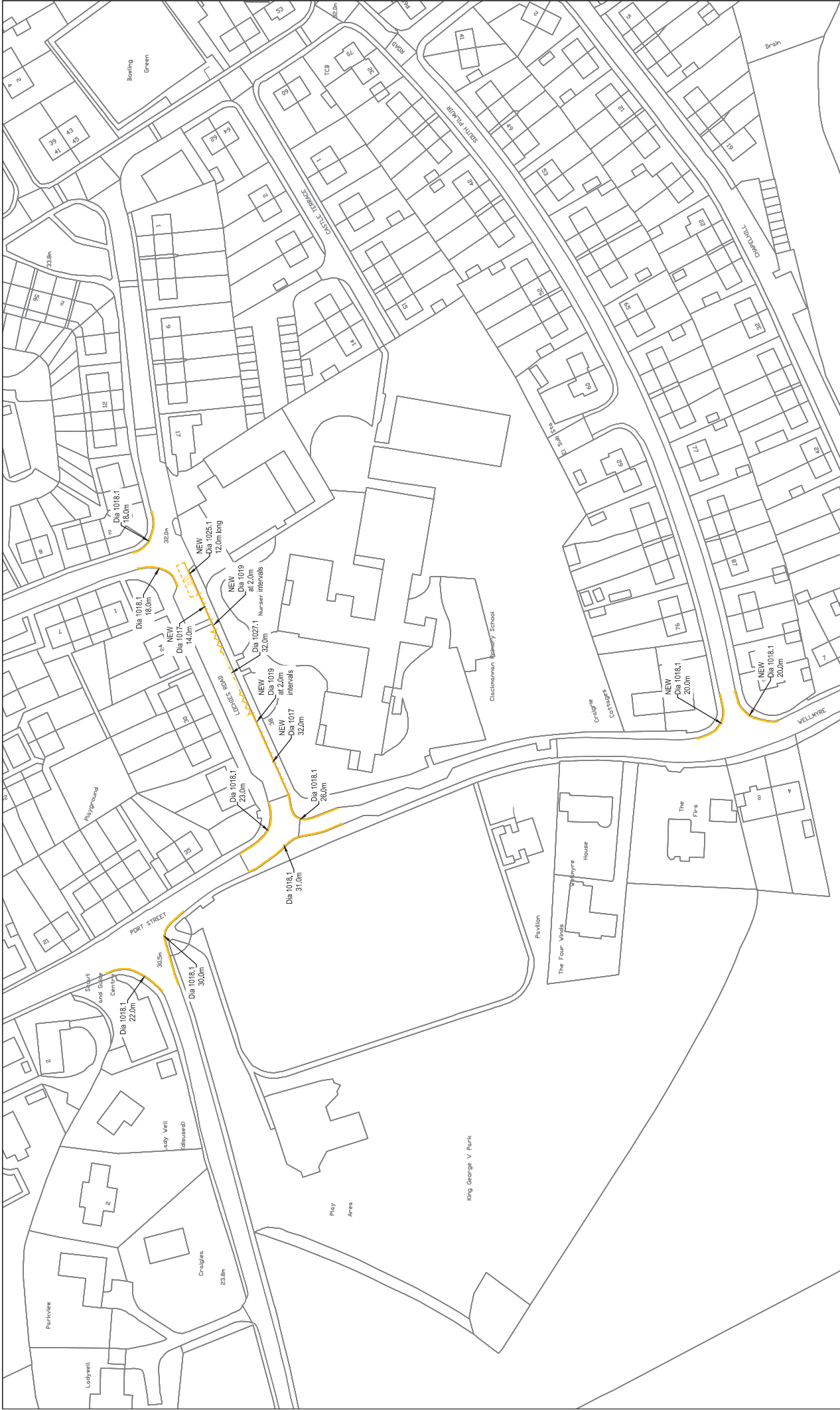
Wellmyre	East Side: From its junction with South Pilmuir Road, northwards for a distance of 10 metres or thereby.
SCHEDULE 2	
Lists of Roads in Clackmannan	Side and section of road on which loading and unloading is prohibited between the hours of 0830 hours and 1600 hours.
Lochies Road	South Side: From a point 10 metres or thereby east of its junction with Port Street, eastwards for a distance of 38 metres or thereby. From a point 80 metres or thereby east of its junction with Port Street eastwards for a distance of 14 metres or thereby.
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RESTRICTIONS) ORDER 2020**

This is the plan referred to in The Clackmannanshire Council (Various Streets, Clackmannan) (Waiting, Loading and Unloading Restrictions) Order 2020 made by Clackmannanshire Council on 23 June 2020.

Pete Leonard
Strategic Director

Clackmannanshire Council
Kilncraigs
ALLOA
FK10 1EB



 Clackmannanshire Council www.clacks.gov.uk	ROADS & TRANSPORTATION DEVELOPMENT SERVICES Kinross Greenside Street Alton FK10 1EB Tel: 01259 490000 Fax: 01259 727451 email: roads@clacks.gov.uk		PROJECT Clackmannan Primary School Roadmarkings		DRAWING Existing and Proposed Roadmarkings		scale	draw	ch'd	date
	DRG NO.		REV		JOB NO.					