



**THE CLACKMANNANSHIRE COUNCIL (OFF-STREET PARKING PLACES)
(REGULATION OF USE) (AMENDMENT NO. 2) ORDER 2020**

The Clackmannanshire Council (herein referred to as "the Council") in exercise of the powers conferred on it by Sections 32(1), 35(1) and 112, and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 and of all other powers enabling it in that behalf, and after consultation with the Chief Constable of Police Scotland in accordance with part III Schedule 9 to the said Act of 1984, hereby make the following Order:-

PART I

GENERAL

1. (1) This Order may be cited as "The Clackmannanshire Council (Off-Street Parking Places) (Regulations of Use) (Amendment No. 2) Order 2020" and shall come into operation on 27 March 2020.
(2) This Order amends "The Clackmannanshire Council (Off-Street Parking Places) (Regulations of Use) Order 2014" and the subsequent "The Clackmannanshire Council (Off-Street Parking Places) (Regulation of Use) (Amendment No. 1) Order 2016 by amending the Schedule to these orders in so far as it relates to King Street Car Park, Alloa as detailed in the Schedule to this Amendment Order.
2. (1) In this Order except where the context otherwise requires the following expressions have the meanings hereby respectively assigned to them:-
 - (a) "Car Park Attendant" means a person employed by the Council for the purpose of control of off-street car park;
 - (b) "Car Share Vehicle" means any vehicle being used to carry one or more passengers and displaying a minimum of two valid permits;

- (c) "Car Share Vehicle Parking Place" means any parking place which is provided for the leaving of a Car Share Vehicle;
- (d) "Chief Constable" means the Chief Constable of Police Scotland;
- (e) "Council" means Clackmannanshire Council;
- (f) "Council Permit Holders Parking Place" means a part of the parking place which is provided for the leaving of a vehicle displaying a valid permit;
- (g) "Cycle Parking Place" means a part of the parking place authorised for use as a parking place for bicycles propelled by mechanical power and not having a sidecar attached thereto;
- (h) "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;
- (i) "Disabled Persons Badge" has the same meaning as in Regulation 11 of the Disabled Persons (Badge for Motor Vehicles) (Scotland) Regulations 2000;
- (j) "Disabled Persons Parking Place" means a part of the parking place which is provided for the leaving of a vehicle displaying a valid Disabled Persons Badge and a valid badge is conspicuously displayed on a vehicle in the prescribed manner described in Article 18 of this Order;
- (k) "Disabled Persons Vehicle" means a vehicle lawfully displaying a Disabled Persons 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 as amended.

- (l) "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;
- (m) "Electric Charging Point" means a part of the parking place which is provided for the leaving and charging of plug in electric vehicles;
- (n) "Electric Vehicle" means any vehicle powered by electricity which requires to be plugged into the national grid;
- (o) "Excess Charge" means the charge applied under either Regulation 28 (1) (a) (currently £40.00) or under Regulation 28 (1) (b) (currently £60.00) or such other sum or sums as may be determined from time to time by the Council. The Council reserves the right to impose different levels of charge for different contraventions of these Regulations
- (p) "Excursion or Tour Carriage" has the same meaning as in Section 137 of the Transport Act 1985
- (q) "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 collections;
- (r) "Goods Vehicle" has the same meaning as in Section 192(1) of the Road Traffic Act 1988: "heavy goods vehicle" or "large goods vehicle" means a goods vehicle exceeding 7.5 tonnes maximum gross weight; "light goods vehicle" means a goods vehicle not exceeding 1.5 tonnes total laden weight;
- (s) "Increased Excess Charge" means such amount of charge as the Council may determine from time to time applied by the Council under Regulation 28 (1) (c) (currently £58.00)

- (t) "Loading Parking Place" means a part of the parking place which is provided for the purpose of loading or unloading a vehicle subject to a maximum limit of stay;
- (u) "Motor Caravan" has the same meaning as in the Road Vehicles (Construction and Use) Regulations 1986;
- (v) "Motorcycle Parking Place" means a part of the parking place authorised for use as a parking place for motorcycles and other powered two wheelers;
- (w) "Owner" in relation to a vehicle, means the registered owner and/or the person by whom such vehicle is kept or used;
- (x) "Parent and Child Parking Place" means any parking place which is provided for the leaving of a vehicle being used for the carriage of a child of 5 years or less, or , in the case of a vehicle displaying a valid Disabled Persons Badge, a child not older than 16 years;
- (y) "Parking Place" means an area outwith a road designed as a parking area by this Order;
- (z) "Passenger Vehicle" means a motor vehicle (other than a motorcycle) constructed solely for the carriage of passengers;
- (aa) "Permit" means a permit issued under the provisions of Articles 33 to 39 of this order;
- (bb) "Permitted Time Period" means the length of time during which and/or the hours between which a vehicle may be parked in a Parking Place
- (cc) "Taxi" has the same meaning as in Section 23 of the Civic Government (Scotland) Act 1982;
- (dd) "Taxi Parking Place" means any parking place for the use of registered taxis for the setting down and picking up of passengers;

- (ee) "Traffic Sign" means a sign of any size, colour and type prescribed or authorised under or having effect as though prescribed or authorised under the current Traffic Signs Regulations and General Directions made under the Road Traffic Regulation Act 1984;
 - (ff) "Specially Adapted Vehicle" means any vehicle or larger vehicle which has been adapted to allow for roof, side or rear loading for a disabled person or their equipment;
 - (gg) "Specially Adapted Vehicles Parking Place" means a part of the parking place which is provided for the leaving of a specially adapted vehicle displaying a valid Disabled Persons Badge;
 - (hh) "Vehicle" means a vehicle of any description and includes a machine or implement of any kind drawn or propelled along roads whether by animal or mechanical power;
 - (jj) "Visitor Parking Place" means a part of the parking place which is provided for the use of visitors
- (2) For the purpose of this Order a vehicle shall be deemed to wait or stop in a Parking Place:-
- (a) if any point in that parking place is below the vehicle or its load and the vehicle is stationary; or
 - (b) for more than a specified period in the same place if any point in that Parking Place is below the vehicle or its load throughout a period exceeding the specified period whether or not the vehicle is moved during this period.
- (3) The restrictions 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 Act 1984.

- (4) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

PART II

PROVISIONS ON WAITING OF VEHICLE ON PARKING PLACES OUTWITH A ROAD

3. This Part deals with any area, not being part of a road, which is described as a designated parking place in Schedule 1 of this Order and is designed as a Parking Place.
4. (1) The number and situation of parking places in each Parking Place shall be as may be determined by the Council.
- (2) The Council may:-
- (a) install and maintain Parking Places in such positions as they think fit; and
 - (b) cause the limits of Parking Places to be indicated on the carriageway by placing and maintaining thereon appropriate traffic signs and road markings; and
 - (c) place and maintain on or in the vicinity of each Parking Place appropriate traffic signs or other notices indicating that such parking places may be used during the permitted hours for the leaving only of the vehicles of a specified class; and
 - (d) carry out such other work as is reasonably required for the purposes of this Order and the satisfactory operation of a parking place.
5. Each off-street parking place described in Schedule 1 may be used subject to the provisions of this Order, for the leaving during the Permitted Time Period of such vehicles as are private cars and light goods vehicles, specially adapted vehicles, heavy goods vehicles, large goods vehicles, excursion or tour carriages, motor caravans, motorcycles or bicycles.

6. For the purpose of controlling the usage of off-street parking places the Council may from time to time regulate the categories of vehicles permitted to use them and the Permitted Time Period during which any category of vehicle may use such parking places.
7. The use of any off-street parking place may be restricted to one or more of the Categories specified in Schedule 1 of these Regulations, to ensure the efficient use of such parking place.
8. The Council may employ car park attendants or other designated Council officers to ensure the compliance with this Order of vehicles using the off-street parking places and car park attendants shall have powers for the purposes detailed in Articles 11, 12, 24, 25, 26, 28(2) and 30.
9.
 - (1) Where in Schedule 1 of this Order a parking place is described as available for vehicles of a specified class or in a specified position, the driver of a vehicle shall not permit it to wait in that parking place during the Permitted Time Period unless it is of the specified class, and in a specified position.
 - (2) The driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in a position in the parking place and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place.
 - (3) No person shall use a vehicle, while it is in a parking place, in connection with the sale of any article, including said vehicle, to persons in or near the parking place or in connection with the selling or offering for hire of his or her skills or services unless the Council has given prior written consent in connection with a charitable event or as part of a market.

- (4) The driver of a motor vehicle using a parking place shall not sound any horn or other similar instrument except when about to change the position of the vehicle in or to depart from the parking place.
- (5) No person shall use any part of a parking place or any vehicle left in a parking place;-
- (a) for sleeping or camping purposes, or
 - (b) for the purpose of servicing or washing any vehicle or part thereof other than as is reasonably necessary to enable that vehicle to depart from the parking place.
- (6) Where, in a parking place, signs are erected or surface markings are laid for the purpose of:-
- (a) indicating the entrance to or the exit from the parking place; or
 - (b) indicating that a vehicle using the parking place shall proceed in a specified direction within the parking place; or
 - (c) identifying the vehicles permitted to use designated parking places
 - (d) no person shall drive or cause or permit to be driven any vehicle
 - (i) so that it enters the parking place otherwise than by an entrance or leaves otherwise than by an exit so indicated; or
 - (ii) in a direction other than specified, as the case may be.
- (7) In a parking place no person shall:-
- (a) erect or cause or permit to be erected any tent, stand, building, market stall or other structure without the prior written consent of the Council; or
 - (b) light or cause or permit to be lit any fire; or
 - (c) play games.

Manner of Standing in Parking Places

10. Every vehicle left in a parking place designated in Schedule 1 shall so stand:-
- (a) in the case of a parking place in relation to which special provisions as to the manner of standing of vehicles in that parking place are specified as to be in accordance with those provisions;
 - (b) such that every part of the vehicle is within the limits of a marked parking place: provided that, in the case of any parking place where the length of any vehicle, being a passenger vehicle, precludes it from standing wholly within the limits of that parking place such vehicle may so stand in that parking place and shall be deemed to be wholly the limits of a parking place if:-
 - (i) the extreme front portion or the extreme rear position, as the case may be, of the vehicle is within 0.3 metre of the limits of that parking place, as provided in Article 4 (b) of this Order; or
 - (ii) the vehicle overhangs an adjacent hatched area; and
 - (iii) no part of the vehicle is within the limits of any other parking place.

Movement of Vehicles in Parking Places in Emergencies

11. A police constable in uniform or a car park attendant authorised by the Council, may move or cause to be moved, in case of emergency, to any place he thinks fit, any vehicle left in a parking place.

Power to Suspend Use of Parking Place

12. (1) Any person duly authorised by the Council may suspend the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary:-

- (a) for the purpose of facilitating the movement of traffic or promoting its safety; or
 - (b) for the purpose of any building operation, demolition or excavation in or adjacent to the parking place or the maintenance, improvement or reconstruction of the parking place or the laying, erecting, alteration, removal or repair in or adjacent to the parking place of any sewer or of any 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 1984, or traffic sign; or
 - (c) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from elsewhere; or
 - (d) on any occasion on which it is likely by reason of some special event that any street will be thronged or obstructed; or
 - (e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals, or on other special occasions; or
 - (f) for the operation of a traders market at times and locations which have received prior written approval from the Council; or
 - (g) for any other purpose which the Council may from time to time see fit and which has received its prior approval.
- (2) A police constable in uniform may suspend for not longer than twenty-four hours the use of a parking place or any part thereof whenever he 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 parking place or any part thereof in accordance with the provisions of paragraphs (1) or (2) of this Article shall thereupon place or cause to be placed in or adjacent to any part of that parking place the use of which is suspended a traffic sign indicating that waiting by vehicles is prohibited.
- (4) No person shall cause or permit a vehicle to be left in any part of a parking place during such period as there is in or adjacent to that part of the parking place a traffic sign placed in pursuance of paragraph (3) of this Article: provided that nothing in this paragraph shall render it unlawful to cause or permit any vehicle being used for fire service, ambulance or police emergency purposes or any vehicle being used for any purpose specified in Article 13(1) of this Order to be left in the parking place during such period as is referred to, or to any other vehicle so left if that vehicle is left with the permission;
- (a) of the person suspending the use of the parking place or that part thereof in pursuance of paragraph (1) of this Article;
 - (b) or a police constable in uniform; or
 - (c) of a car park attendant, authorised by the Council.

Restriction of Waiting of Vehicles in Parking Places

13. (1) Without prejudice to the foregoing provisions of this Order with respect to vehicles left in a parking place in accordance with those provisions, any vehicle may wait during the Permitted Hours anywhere on the carriageway in a parking place, other than a parking place the use of which has been suspended, if:-

- (a) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident; or
- (b) the vehicle is a vehicle used for police, fire service or ambulance emergency purposes or a vehicle, other than a passenger vehicle, in the service of a local authority being used in pursuance of statutory powers or duties; or
- (c) the vehicle is waiting only for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic; or
- (d) the vehicle is a postal vehicle being used for the purposes of delivering or collecting postal packets as defined in Section 87 of the Post Office Act 1953; or
- (e) the vehicle not being a passenger vehicle is waiting only for so long as may be reasonably necessary to enable it to be used for the purposes of any building operation, demolition or excavation in or adjacent to the parking place or the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration, removal or repair in or adjacent to the parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or any telecommunication apparatus as defined in sub-paragraph (1) of Schedule 2 to the Telecommunications Act 1984 or traffic sign; or
- (f) the vehicle not being a passenger vehicle is in actual use in connection with the removal of furniture from one office or dwelling house adjacent to the parking place to another or the removal of furniture from such premises to a depository or to such premises from elsewhere; or

- (g) goods are being sold or offered for sale from the vehicle by a person who is licensed by the Council to sell goods from a stationary pitch situated in the parking place; or
 - (h) the vehicle is waiting only for so long as is necessary to enable it to be used in connection with posting or removing advertising material on or from, or cleaning windows or chimneys in, premises adjacent to the parking place in which the vehicle is waiting; or
 - (i) the vehicle is waiting for the purpose of delivering or collecting goods or merchandise, including in so far as a Bank is concerned, cash or other valuables or valuable securities, or loading or unloading the vehicle at premises adjacent to the parking place in which the vehicle is waiting and the vehicle does not wait for such purpose for more than thirty minutes or such longer period as a police constable in uniform or a car park attendant may authorise, or
 - (j) the vehicle is in actual use in connection with a funeral undertaking.
- (2) No charge specified in Articles 28, 39 and 30 of this Order shall be payable in respect of any vehicle waiting in a parking place in accordance with the foregoing provisions of this Article.

Disabled Persons Parking Places

14. No person shall cause or permit a vehicle to wait on a parking place indicated by the use of signs or other markings as being for use by disabled persons unless a valid Disabled Persons Badge is conspicuously displayed on that vehicle in the manner prescribed in Article 17.

Council Permit Holders Parking Places

15. No person shall cause or permit a vehicle to wait on a Council Permit Holders Parking Place indicated by the use of signs or other markings unless a valid Council permit is conspicuously displayed on that vehicle in the manner prescribed in Article 17.

Car Share Vehicle Parking Places

16. No person shall cause or permit a vehicle to wait on a car share vehicle parking place indicated by the use of signs or other markings unless a minimum of two valid Car Share Parking Permits are conspicuously displayed on that vehicle in the manner prescribed in Articles 17 and 32(1)(b).

Display of Badge or Permit

17. A Disabled Persons Badge or Permit is displayed on a vehicle in the prescribed manner if -
- (a) the badge or permit is exhibited on the dashboard or fascia of the vehicle; or
 - (b) where the vehicle is not fitted with a dashboard or fascia, the badge or permit is exhibited in a conspicuous position on the vehicle, so that the front of the badge is clearly legible from the outside of the vehicle.

Loading Parking Place

18. No person shall cause or permit any vehicle to wait on a Loading Parking Place , unless it is being used for the delivery and collection of goods or merchandise or loading and unloading that vehicle at premises adjoining the Loading Parking Place.
19. No person shall cause or permit any vehicle to remain in a Loading Parking Place for a period exceeding 20 minutes. When a vehicle has left a Loading Parking Place after waiting thereon the driver thereof shall not within one hour permit it to wait again upon that Loading Parking Place.

Visitor Parking Place

20. No person whose workplace is within Kilncraigs shall cause or permit any vehicles to wait in a Visitor Parking Place.

Electric Charging Point

21. No person shall cause or permit a vehicle, other than a vehicle designated and constructed to be propelled by electricity supplied by a battery or other form of electrical cell or reservoir, contained within said vehicle and rechargeable from a power point connected to the national grid, to be left in a parking place designated "Electric Vehicles Only".

Parent and Child Parking Places

22. No person shall cause or permit a vehicle to wait on a Parent and Child Parking Place indicated by the use of signs or other markings unless such vehicle is being used by a parent with a child of five years or less, or such vehicle displaying a valid Disabled Persons Badge and is being used a parent with a child not older than 16 years.

PART III

CHARGES

23. The driver of a vehicle shall not permit it to wait in a parking place for longer than the maximum period specified in Schedule 1 to this Order in relation to that parking place.
24. Subject to the proviso hereto, when a vehicle is left in a parking place in contravention of any of the provisions contained in Articles 9(1), (3) or (5) of this Order a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from that parking place. Provided that when a vehicle is waiting in a parking place in a position other than that specified in contravention of the provision of Article 9(1) of this Order, a person authorised in that behalf by the

Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision.

25. Any person removing a vehicle or altering its position by virtue of Article 24 of this Order may do so by towing or driving the vehicle or in such other manner as he or she may think necessary.
26. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of Article 24 of this Order he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
27. The Council may make a charge for such removal and custody as specified in the Regulations made under the Road Traffic Regulation Act 1984 and may, after the period referred to in the said Regulations, dispose of the vehicle in the manner prescribed in the Regulations.

Notice of Excess Charge at Parking Places

28. (1) (a) Any driver not parking his vehicle in the manner prescribed in Article 10 in any of the off-street parking places designated in Schedule 1 to this Order, shall incur an Excess Charge.
- (b) Any driver parking in a Disabled Persons Parking Space in any of the off-street parking places designated in Schedule 1 to this Order and not displaying a Disabled Persons Badge on his vehicle in accordance with the provisions of Article 14, shall incur an Excess Charge.
- (c) The Excess Charge shall increase to Increased Excess Charge if payment is not made within 21 days of the date of issue of the notice referred to in Article 28(2) of this Order.

- (2) In the case of a vehicle in respect of which an Excess Charge has been incurred, it shall be the duty of a car park attendant or other officer authorised by the Council, to attach to the vehicle in a conspicuous position a notice which shall include the following particulars: -
- (a) the registration mark of the vehicle or, where the vehicle is being used under a trade licence, the number of the trade plate carried by the vehicle;
 - (b) the time at which he/she first noticed the vehicle was left in a parking place in contravention of Articles 11 or 15 of this Order;
 - (c) a statement that an Excess Charge of £40.00 or £60.00 or such other sum as may be determined from time to time by the Council is required to be paid;
 - (d) the manner in which and the time within which the Excess Charge should be paid; and
 - (e) a statement that it is an offence under Section 35(4) of the Act of 1984 for the driver of a vehicle who has left the vehicle in a parking place to fail duly to pay the Excess Charge.
 - (f) a statement that the Excess Charge shall increase to such other sum as may be determined from time to time by the Council if payment of the Excess Charge is not made with 21 days of the date of issue of the notice referred to in Article 29(2) to this Order.

Period for which Vehicle may be Left after Excess Charge Incurred

29. The period for which a vehicle may be left in a parking place specified in Schedule 1 after the Excess Charge has been incurred shall not exceed twenty four hours.

30. The Excess Charge shall be paid by or on behalf of the driver to the Council either by cheque, bankers draft, money order or postal order which shall be delivered or sent by post so as to reach the Clackmannanshire Council, Finance Services, Kilncraigs, Alloa, FK10 1EB, not later than 4.30pm on the Twenty-first day following that day on which the excess charge was incurred or in cash in person at the said Finance Services not later than as aforesaid. Provided that, if the said Twenty-first day falls upon a day which the said Finance Services is closed, the period within which payment of the said charge shall be made to the Council shall be extended until 4.30pm on the next full day on which the said Finance Services is open. If the excess charge of £40.00 is not paid within the aforementioned 21 days, the increased excess charge of £58.00, or such other sum as may be determined from time to time by the Council, shall be paid by or on behalf of the driver to the Council at the address as aforementioned. Failure to pay the excess charge or the increased excess charge will result in proceedings being taken against the keeper or owner of the vehicle or any other person, who, in terms of section 112 of the Act of 1984 is required to give information as to the identity of the driver of the vehicle at the time of the offence. Failure to supply the required information will result in enforcement proceedings being taken under Section 112(4) of the Act of 1984.

Restriction on Removal of Notices

31. Where a notice has been attached to a vehicle in accordance with the provisions of Article 28 of this Order, no person, other than the driver or owner of the vehicle, a police constable in uniform, or a car park attendant shall remove the notice from the vehicle unless authorised to do so by the driver.

PART IV

PERMITS

32. Any owner of a motor vehicle (excluding heavy goods vehicles and vehicles exceeding seven feet six inches in height) may apply to the Council for the issue of a Car Share Parking Permit or Council Permit for the parking of that vehicle. Any such application shall be made on a form obtainable from the Council and shall include the particulars and information required by such form. Permits will be issued in the following conditions;

(1) **Car Share Parking Permit,**

(a) The Council upon being satisfied that an applicant is an employee of the Council or another occupier of Kilncraigs is a member of a Car Share Group registered by Tripshare Clacks may issue one Car Share Parking Permit to that person to park one vehicle in a parking place indicated by the use of signs or other markings as being for the use of car share vehicles in Kilncraigs parking place on the days where active car sharing is undertaken;

(b) Car Share Parking Permits can only be used on the days when active car sharing is being undertaken. A minimum of two Car Share Parking Permits must be displayed on the dashboard or other prominent place.

(2) **Council Parking Permit,**

The Council upon being satisfied that an applicant is an Elected Member of Clackmannanshire Council and is the user of the vehicle may issue to that Elected Member a permit to park that vehicle in a designated parking place indicated by the use of road signs or other markings as being for the use of Council Parking Permit Holders in Kilncraigs parking place for the duration of their elected term.

33. (1) The Council may, by notice of writing served on the permit holder, withdraw a permit issued under Article 32 if it appears to the Council that any of the events set out in paragraph (2) of this Article have occurred. The permit holder shall surrender the permit to the Council within forty-eight hours of the receipt of said notice.
- (2) The events referred to in the foregoing provision of this Article are:
- (a) the permit holder ceasing to be a participating member of a Car Share Group; or
 - (b) the permit holder ceasing to be an elected member of Clackmannanshire Council during their elected term; or
 - (c) the permit holder concludes their elected term as an elected member of Clackmannanshire Council; or
 - (c) the permit holder ceasing to be the owner of the vehicle in respect of which the permit was issued;
 - (d) the issue of a duplicate permit by the Council; or
 - (e) the expiry of the period for which the permit was issued.
- (3) A permit shall cease to be valid on the occurrence of any one of the events set out in paragraph (2).
34. (1) If a permit is mutilated or defaced or the figures or particulars on it have become illegible the permit holder shall surrender it to the Council and may then have to apply to the Council for the issue to the permit holder of a duplicate permit.
- (2) If a permit is lost or destroyed, the permit holder may apply to the Council for the issue to a permit holder of a duplicate permit so marked. A charge may be applied. Upon the issue of a duplicate permit the original permit shall cease to be valid.

35. A permit shall be in writing and shall include the following particulars:
- (a) the registration mark of the vehicle in respect for which the permit has been issued;
 - (b) the period during which, subject to the provisions of Article 33 of this Order, the permit shall remain valid;
 - (c) an authentication that the permit has been issued by the Council; and
 - (d) the parking place to which the permit relates, if appropriate.
36. At all times during which a vehicle is left in a parking place during the permitted hours there shall be displayed in the front of the vehicle a valid permit issued in respect of that vehicle so that all the particulars referred to in Article 35 of this Order are readily visible from outside the vehicle. The permit should be displayed in the manner prescribed in Article 17.
37. When a permit has been displayed on a vehicle in accordance with the provisions in Article 36 of this Order, no person shall remove the permit from the vehicle unless authorised to do so by the driver/owner of the vehicle.
38. If at any time during which a vehicle is left in a Parking Place during the Permitted Time Period the vehicle does not display, in the manner specified in Article 36 of this Order, a valid permit, of the type appropriate to that Parking Place, such failure to display will be sufficient evidence that a valid permit of the type appropriate to that Parking Place does not exist.

DATED THIS NINTH DAY OF MARCH, TWO THOUSAND AND TWENTY

Pete Leonard
Strategic Director

Clackmannanshire Council, Kilncraigs , Greenside Street, ALLOA, FK10 1EB

SCHEDULE 1

Class of Vehicle

Category A - Private cars, specially adapted vehicles and light goods vehicles;

Category B - Heavy goods vehicles, large good vehicles and excursion or tour carriages;

Category C - Motorcycles and bicycles;

Category D - Motor Caravans.

Permitted Time Period

Time Code 1 - Maximum permitted waiting two hours, return prohibited within one hour.

Time Code 2 - Waiting permitted without limit of time, except in parking places indicated by signs or road markings for loading and unloading.

Permitted waiting in Parking Places restricted to permitted categories of vehicles and to specified times.

Name of Parking Place	Description	Permitted Category of Vehicle	Permitted Time Code
Alloa			
King Street	Ground bounded on the northeast by King Street, on the west side by Access Road and on the east by the access lane to rear of shop. (Grid Ref: 288749, 693004)	A & C	2

**THE CLACKMANNANSHIRE COUNCIL (OFF-STREET PARKING PLACES)
(REGULATION OF USE) (AMENDMENT NO. 2) ORDER 2020**

Statement of Reasons for Making the Order

This Order amends "The Clackmannanshire Council (Off-Street Parking Places) (Regulations of Use) Order 2014" and "The Clackmannanshire Council (Off Street Parking Places (Regulation of Use) (Amendment No. 1) Order 2016" as the off-street parking on the west side of the King Street Car Park has been removed and the King Street Car Park reduced in size due to land ownership changes.

Pete Leonard
Strategic Director

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Kilncraigs
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FK10 1EB

THE CLACKMANNANSHIRE COUNCIL (OFF-STREET PARKING PLACES) (REGULATION OF USE) (AMENDMENT NO. 2) ORDER 2020

The Council proposes to make the above Amendment Order under Sections 32(1), 35(1) and 112, and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 to regulate off-street parking spaces within Clackmannanshire. This Order amends "The Clackmannanshire Council (Off-Street Parking Places) (Regulation of Use) Order 2014" and "The Clackmannanshire Council (Off-Street Parking Places) (Amendment No. 1) Order 2016 by amending the off-street parking on the west side of King Street Car Park, Alloa, as that section has been removed and the King Street Car Park reduced in size due to land ownership changes. Objectors must state their reasons in writing to Gillian White, Legal and Governance, Kilncraigs Greenside Street, Alloa, FK10 1EB by 06/03/20. Full details together with the schedule and plans are available on www.clacks.gov.uk and may be examined at the Council's Offices, Kilncraigs, Alloa, FK10 1EB or at any Council Library or local office, during normal office hours free of charge between 12/02/20 and 06/03/20.

THE CLACKMANNANSHIRE COUNCIL (OFF-STREET PARKING PLACES) (REGULATION OF USE) (AMENDMENT NO. 2) ORDER 2020

The Council has made the above Order under Sections 32(1), 35(1) and 112, and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 to regulate off-street parking spaces within Clackmannanshire. This Order amends "The Clackmannanshire Council (Off-Street Parking Places) (Regulation of Use) Order 2014" and "The Clackmannanshire Council (Off-Street Parking Places) (Amendment No. 1) Order 2016 by amending the off-street parking on the west side of King Street Car Park, Alloa, as that section has been removed and the King Street Car Park reduced in size due to land ownership changes. 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 09/03/20. Full details together with the schedule and plans are available on www.clacks.gov.uk and may be examined at the Council's Offices, Kilncraigs, Greenside Street, Alloa, FK10 1EB or at any Council Library or local office, during normal office hours.

**THE CLACKMANNANSHIRE COUNCIL (OFF-STREET PARKING PLACES)
(REGULATION OF USE) (AMENDMENT NO. 2) ORDER 2020**

Clackmannanshire Council has made the above named Order under Sections 32(1), 35(1) and 112, and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (as amended), on 31 March 2016 to regulate off-street parking places within Clackmannanshire. This Order amends "The Clackmannanshire Council (Off-Street Parking Places) (Regulation of Use) Order 2014" and "The Clackmannanshire Council (Off-Street Parking Places) (Regulation of Use) (Amendment No. 1) Order 2016 by amending the off-street parking on the west side of King Street Car Park, Alloa, as that section has been removed and the King Street Car Park reduced in size due to land ownership changes. The Order is as advertised in the Alloa Advertiser on 12 February 2020.

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, Greenside Street, Alloa, FK10 1EB or at any council office or library, 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 any requirement therein has not been complied with, may, within six weeks from 9 March 2020, apply to the Court of Session for this purpose.

Pete Leonard
Strategic Director

Clackmannanshire Council, Kilncraigs, Greenside Street, ALLOA, FK10 1EB

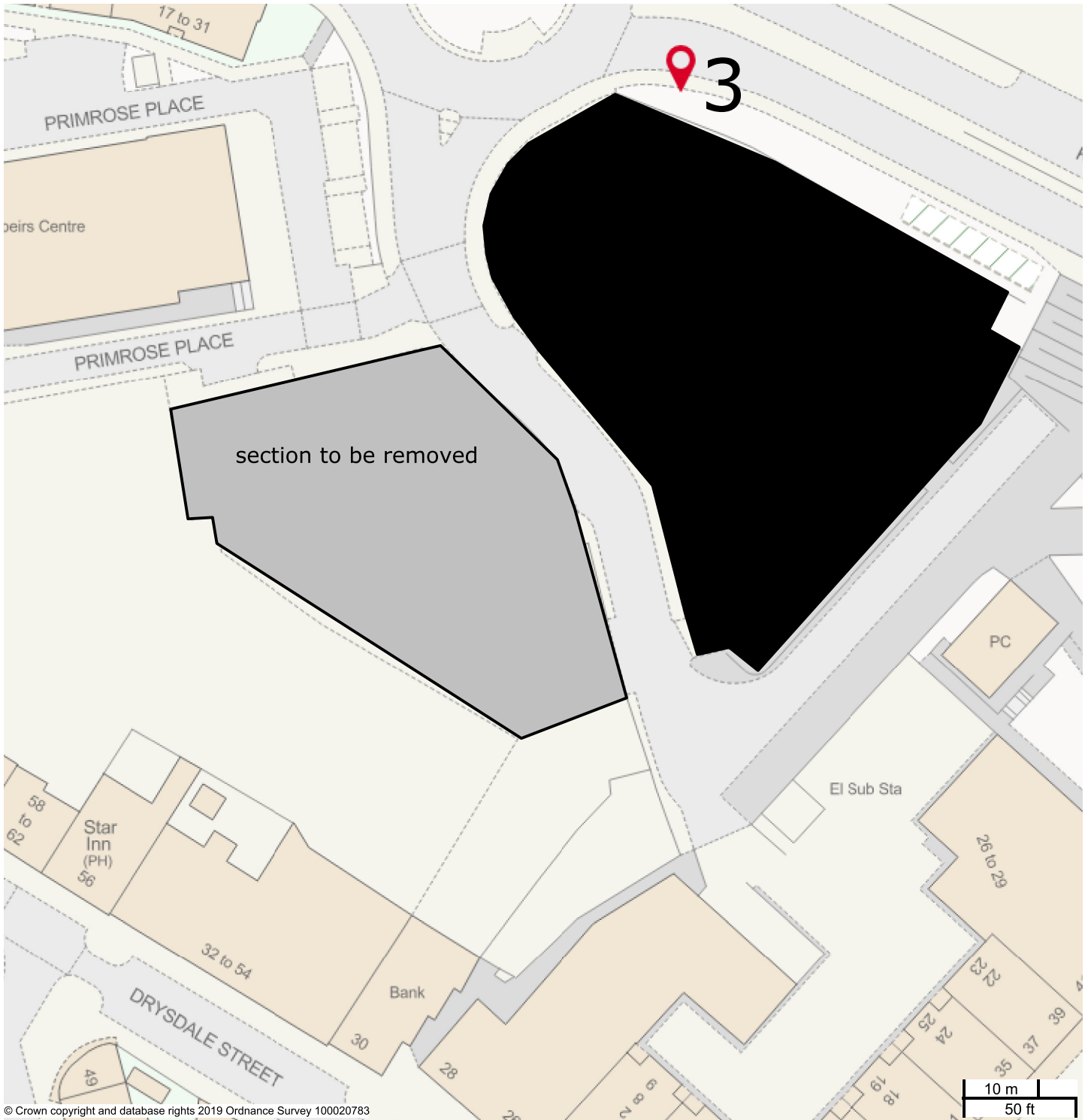
Schedule			
Name of Parking Place	Description	Permitted Category of Vehicle	Permitted Time Code
Alloa			
King Street	Ground bounded on the northeast by King Street, on the west side by Access Road and on the east by the access lane to rear of shop. (Grid Ref: 288749, 693004)	Category A - Private cars, specially adapted vehicles and light goods vehicles Category B - Heavy goods vehicles, large good vehicles and excursion or tour carriages	2 - Waiting permitted without limit of time, except in parking places indicated by signs or road markings for loading and unloading.
Permitted waiting in Parking Places restricted to permitted categories of vehicles and to specified times.			

**THE CLACKMANNANSHIRE COUNCIL (OFF-STREET PARKING PLACES)
(REGULATION OF USE) (AMENDMENT NO. 2) ORDER 2020**

This is the plan referred to in the Clackmannanshire Council (Off-Street Parking Places) (Regulation of Use) (Amendment No. 2) Order 2020 made by Clackmannanshire Council on 9 March 2020.

Pete Leonard
Strategic Director

Clackmannanshire Council
Kilncraigs
Greenside Street
ALLOA
FK10 2AD



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King Street Car Park - Removal of section due to land ownership
Off Street Parking Order