



**Clackmannanshire  
Council**

www.clacksweb.org.uk

**(HIGH STREET, TILlicOUNTRY)  
(WAITING, LOADING AND UNLOADING RESTRICTIONS) ORDER 2013**

The Clackmannanshire Council hereinafter referred to as "the Council" in exercise of its powers under Sections 1(1) and (2), 2(1) to (3), 4(2) and 32(1) and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (as amended) 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 (High Street, Tillicoultry) (Waiting, Loading and Unloading Restrictions) Order 2013 and shall come into operation on the 18th September 2013.
2. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of 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) 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 Regulation 2(1) of the Disabled Persons (Badge for Motor Vehicles) 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 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) "prescribed hours" means the hours specified in the Schedules to this Order;
- (j) "road" has the same meaning as in Section 151 of the Roads (Scotland) Act 1984 and includes any verge or footway;

- (k) "traffic warden" means a traffic warden employed by a Police Authority in pursuance of Section 95 of the Act 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;
4. Save as provided in Articles 5, 6, 7 and 8 of this Order no person shall, except upon the direction or with the permission of a Police Constable in uniform or Traffic Warden, cause or permit any vehicle to wait in any road specified in the Schedule to this Order during the prescribed hours.
5. Nothing in Article 4 of this Order shall prevent any person from causing or permitting a vehicle to wait in any road specified in the Schedule to this Order at any time.
- (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 a person to board or alight from a vehicle;
  - (c) 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 roads 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 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;

- (d) 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;
  - (e) where any disabled person's vehicle is not causing an obstruction and displays in the relevant position a disabled person's badge issued by the local authority in exercise of the powers under Section 21 of the Chronically Sick and Disabled Persons Act 1970;
  - (f) where the vehicle is being used by a medical practitioner visiting patients on professional calls when such a vehicle bears, in conspicuous position, the appropriate identification badge;
  - (g) for the purpose of loading and unloading goods from a vehicle;
  - (h) 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;
  - (i) where the person in control of the vehicle is required by law to stop.
6. 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 roads.
7. Nothing in Article 4 and 5 shall prevent any person from causing or permitting a vehicle to wait in any of the said roads for so long as may be necessary for the purpose of delivering or collecting goods or merchandise or loading or unloading a vehicle at premises adjoining that road provided that no vehicle shall wait outwith the hours of 9.00a.m. and 5.00p.m, Monday to Saturday inclusive, on any part of a road specified in the Schedule to this Order for the purpose of delivering or collecting goods or merchandise or loading or unloading the vehicle.
8. Notwithstanding anything in Articles 5 and 7 the driver of a vehicle waiting for the purpose of delivering or collecting goods or merchandise or loading or unloading the vehicles shall move the vehicle on the instruction of a Police

Constable in uniform whenever such moving may be reasonably necessary for the purpose of preventing obstruction.

9. For the purposes 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.
10. The restriction 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 Acts.
11. 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 provision of this Order shall prevail.

**DATED THIS FOURTH DAY OF SEPTEMBER, TWO THOUSAND AND THIRTEEN**

**Garry Dallas**  
Director of Services to Communities

**THE CLACKMANNANSHIRE COUNCIL  
(HIGH STREET, TILlicOUNTRY)  
(WAITING, LOADING AND UNLOADING RESTRICTIONS) ORDER 2013**

**SCHEDULE**

<b>Roads in Tillicoultry</b>	<b>Side and section of road where waiting is prohibited and loading/unloading is permitted between the hours of 9.00 am until 5.00pm, Monday to Saturday inclusive.</b>
High Street	On the south-east side thereof:  From a point 36 metres or thereby west of its junction with Institution Place, for a distance of 15 metres or thereby.

**THE CLACKMANNANSHIRE COUNCIL  
(HIGH STREET, TILlicOUNTRY)  
(WAITING, LOADING AND UNLOADING RESTRICTIONS) ORDER 2013**

**Statement of Reasons for Making the Order**

The order is required to allow easier access for unloading/loading deliveries to the adjacent shops.

### **THE CLACKMANNANSHIRE COUNCIL (HIGH STREET, TILlicouLTRY) (WAITING, LOADING AND UNLOADING RESTRICTIONS) 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 where waiting, loading and unloading restrictions will apply to allow easier access for unloading/loading deliveries to the adjacent shops. Schedule: Side and section of road which waiting is prohibited at any time and loading/unloading is permitted between the hours of 9.00 am until 5.00pm, Monday to Saturday inclusive - **High Street, Tillicoultry** - On the south-east side thereof: From a point 36 metres or thereby west of its junction with Institution Place, for a distance of 15 metres or thereby. Objectors must state their reasons in writing to Gillian White, Strategy and Customer Services, Greenfield, Alloa, FK10 2AD by 12 April 2013. Full details are available on [www.clacksweb.org.uk](http://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 20 March 2013 and 12 April 2013.

### **THE CLACKMANNANSHIRE COUNCIL (HIGH STREET, TILlicouLTRY) (WAITING, LOADING AND UNLOADING RESTRICTIONS) ORDER 2013**

The Council has made the above Amendment 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 where waiting, loading and unloading restrictions will apply to allow easier access for unloading/loading deliveries to the adjacent shops. Schedule: Side and section of road which waiting is prohibited and loading/unloading is permitted between the hours of 9.00 am until 5.00pm, Monday to Saturday inclusive - **High Street, Tillicoultry** - On the south-east side thereof: From a point 36 metres or thereby west of its junction with Institution Place, for a distance of 15 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 18th September 2013. Full details are available on [www.clacksweb.org.uk](http://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  
(HIGH STREET, TILlicOUNTRY)  
(WAITING, LOADING AND UNLOADING RESTRICTIONS) 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 4th September 2013.

FULL DETAILS of this Order are as published in the Alloa Advertiser on 20th March 2013, and will designate the section(s) of road(s) described in the Schedule where waiting, loading and unloading restrictions will apply to allow easier access for unloading/loading deliveries to the adjacent shops.

A copy of the Order, together with a copy of the relative plan, is available at [www.clacksweb.org.uk/transport/roadorders/](http://www.clacksweb.org.uk/transport/roadorders/) or may be examined on request at the Council's Offices at Greenfield, Alloa 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 18th September apply to the Court of Session for this purpose.

Garry Dallas  
**Director of Services to Communities**

**SCHEDULE**

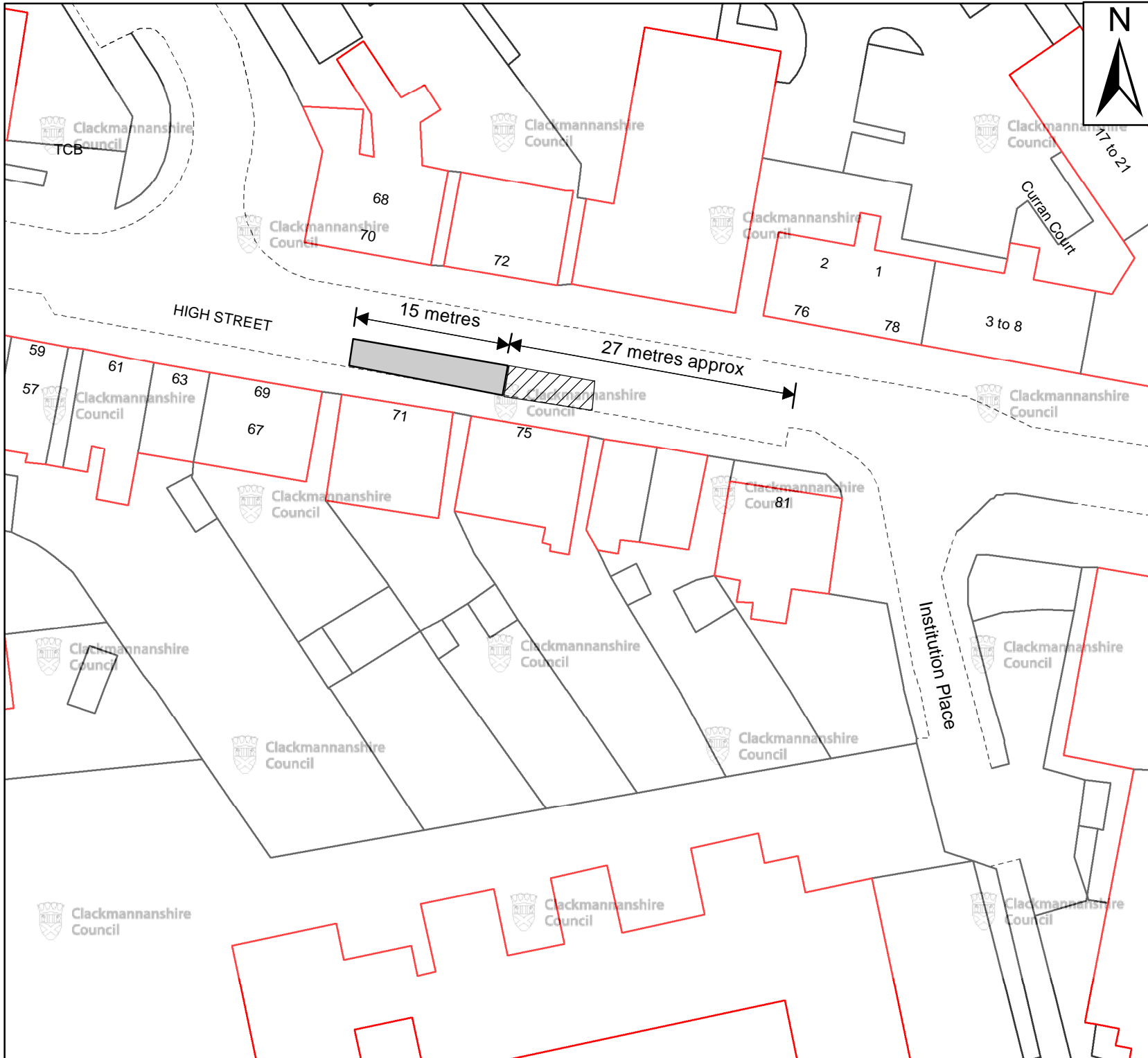
<b>Roads in Tillicoultry</b>	<b>Side and section of road where waiting is prohibited and loading/unloading is permitted between the hours of 9.00 am until 5.00pm, Monday to Saturday inclusive.</b>
High Street	On the south-east side thereof:  From a point 36 metres or thereby west of its junction with Institution Place, for a distance of 15 metres or thereby.



**THE CLACKMANNANSHIRE COUNCIL  
(HIGH STREET, TILlicouLTRY)  
(WAITING, LOADING AND UNLOADING RESTRICTIONS) ORDER 2013**

This is the plan referred to in The Clackmannanshire Council (High Street, Tillicoultry) (Waiting, Loading and Unloading Restrictions) Order 2013 made by Clackmannanshire Council on 4th September 2013.

Garry Dallas  
**Director of Services to Communities**

Clackmannanshire Council  
Greenfield  
ALLOA  
FK10 2AD



-  New Loading Bay
-  Existing Disabled Bay

DRG13-005  
 Loading bay  
 High Street, Tillicoultry

Scale : NTS  
 Paper Size : A4

Date : Jan 2013

 **Clackmannanshire Council**  
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