

2014 No. 269

ROAD TRAFFIC

The A78 Trunk Road (Gallowgate Street, Largs) (Prohibition of Waiting, Loading and Unloading) Order 2014

Made - - - - *16th October 2014*

Coming into force - - *1st November 2014*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 1(1), 2(1) and (2), 124(1)(d), of and paragraph 27 of Schedule 9 to, the Road Traffic Regulation Act 1984(a) and all other powers enabling them to do so.

In accordance with section 1(1) of that Act, they consider it expedient to make this Order to facilitate the passage on the lengths of road specified in the Schedule of vehicular traffic and to avoid danger to persons or other traffic using the lengths of road so specified or for preventing the likelihood of any such danger arising.

They have complied with Parts II and III of the Secretary of State's Traffic Order (Procedure) (Scotland) Regulations 1987(b).

Citation and commencement

1. This Order may be cited as the A78 Trunk Road (Gallowgate Street, Largs) (Prohibition of Waiting, Loading and Unloading) Order 2014 and comes into force on 1st November 2014.

Prohibition of use of vehicles

2. Subject to Articles 5 to 7, no person shall use, or cause or permit the use of any vehicle to wait, at any time, in the length of road specified in Part 1 of the Schedule.

3. Subject to Articles 5 and 7 no person shall use, or cause or permit the use of any vehicle to wait between the hours of 10am to 7pm in the length of road specified in Part 2 of the Schedule;

- (a) for a period of more than one hour; or
- (b) if a period of less than one hour has elapsed since the last period of waiting of the vehicle in that length of road.

(a) 1984 c.27; section 1(1) was amended by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 17(2), sections 2(1) and (2) were amended by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 18, paragraph 27 of Schedule 9 was amended by the Transport (Scotland) Act 2001 (asp 2) Schedule 2, paragraph 3. The Scottish Ministers are the traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (inserted by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 70 and amended by S.I. 2001/1400) as read with section 151(1) of the Roads (Scotland) Act 1984 (c.54) (as amended by S.S.I. 2001/1400). The functions of the Secretary of State were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c.46) and S.I. 1999/1750.

(b) S.I. 1987/2244.

4. Subject to Articles 5 and 7 no person shall use, or cause or permit the use of a vehicle to wait, at any time, for the purpose of loading or unloading in the length of road specified in Part 2 of the Schedule.

Permission or direction of Police Constable

5. Nothing in Articles 2, 3 and 4 of this Order applies to anything done with the permission or upon the direction of a police constable in uniform.

Exemption for certain purposes

6.—(1) Nothing in Article 2 of this Order shall prevent any goods vehicle to wait for as long as may be necessary to enable goods to be loaded on to or unloaded from the vehicle on the length of road specified in Part 1 of the Schedule.

(2) For the purposes of this Order, “goods vehicle” means any vehicle or trailer constructed or adapted for use for the carriage or haulage of goods or burden of any description.

7. Nothing in Articles 2 to 4 of this Order shall apply—

- (a) for as long as may be necessary to enable the vehicle, if it cannot conveniently be used for any of the purposes hereinafter described on 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 said lengths of road specified in the Schedule or the laying, erection, alteration or repair on or near any of the lengths of road so specified, of any sewer, or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any electronic communications apparatus as defined in the Telecommunications Act 1984(a);
- (b) to prevent a vehicle being used in connection with funeral operations;
- (c) if the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his or her control or to such waiting being necessary in order to avoid an accident;
- (d) if the vehicle is being used for the purpose of collecting postal packets or delivering postal packets as defined in section 125 of the Postal Services Act 2000(b);
- (e) to vehicles being used in an emergency for fire brigade, coastguard, ambulance or police purposes.

Variation of the North Ayrshire Council (Largs) (Traffic Management) Order 2010

8. Omit paragraph (4) (Gallowgate Street (A78 Trunk Road) Largs) of Schedule 4a to the North Ayrshire Council (Largs) (Traffic Management) Order 2010(c), (waiting limited to 1 Hour, 10am to 7pm – Trunk Roads).

GRAHAM EDMOND

A member of the staff of the Scottish Ministers

Buchanan House,
Glasgow
16th October 2014

(a) 1984 c.12; Schedule 2, paragraph 1 (inserted by the Communications Act 2003, c.21, Schedule 3, paragraph 2).

(b) 2000 c.26.

(c) Made on 19 February 2010 and in force from 12 April 2010.

SCHEDULE

Articles 2, 3,4 and 6

PART 1

That length of the A78 Greenock- Prestwick Trunk Road from a point 73 metres or thereby north of the extended north kerbline of Fort Street southwards to a point 56 metres or thereby north of the extended north kerbline of Fort Street, a distance of 17 metres or thereby.

PART 2

That length of the A78 Greenock- Prestwick Trunk Road from a point 73 metres or thereby north of the extended north kerbline of Fort Street northwards to a point 91 metres or thereby north of the extended north kerbline of Fort Street, a distance of 18 metres or thereby.