

2020 No. 29

ROAD TRAFFIC

**The A77 Trunk Road (Maybole) (Prohibition of Waiting,
Loading and Unloading) Order 2020**

Made - - - - *12th February 2020*

Coming into force - - *21st February 2020*

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 avoid danger to persons or other traffic using the lengths of road specified in the schedule, or for preventing the likelihood of any such danger arising, and to facilitate the passage of vehicular traffic on the lengths of road so specified.

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

Citation and commencement and interpretation

1.—(1) This Order may be cited as the A77 Trunk Road (Maybole) (Prohibition of Waiting, Loading and Unloading) Order 2020 and comes into force on 21 February 2020.

(2) The definitions in schedule 1 have effect.

(3) 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.

Prohibition of waiting, loading and unloading at any time

2. A person must not use, or cause or permit the use of, any vehicle to wait, load or unload, at any time, on the length of road specified in Part 1 of the schedule.

(a) 1984 c.27; section 1(1) was amended by the New Roads and Street Works Act 1991 (c.22 (“the 1991 Act”)), schedule 8, paragraph 17(2), sections 2(1) and (2) were amended by the 1991 Act, schedule 8, paragraph 18, paragraph 27(1) of schedule 9 was amended by the Transport (Scotland) Act 2001 (asp 2) schedule 2, paragraph 3 and the Road Traffic Regulation (Special Events) Act 1994, schedule 1 paragraph 5(2). The Scottish Ministers are the traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (inserted by the 1991 Act 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.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).

(b) S.I. 1987/2244.

Prohibition of waiting, loading and unloading between 9am and 6pm, Monday to Saturday

3. A person must not use, or cause or permit the use of, a vehicle to wait, load or unload, between the hours of 9am and 6pm, Monday to Saturday inclusive, on the length of road specified in Part 2 of the schedule.

Prohibition of waiting at any time

4. A person must not use, or cause or permit the use of, a vehicle to wait, at any time, on the lengths of road specified in Part 3 of the schedule.

Prohibition of waiting between 9am and 6pm, Monday to Saturday

5. A person must not use, or cause or permit the use of, a vehicle to wait, between the hours of 9am and 6pm, Monday to Saturday inclusive, on the lengths of road specified in Part 4 of the schedule.

Prohibition of waiting between 9am and 6pm, Monday to Saturday for longer than 30 minutes and no return within 30 minutes

6. A person must not use, or cause or permit the use of, a vehicle to wait, between the hours of 9am and 6pm, Monday to Saturday inclusive, on the lengths of road specified in Part 5 of the schedule—

- (a) for a period of more than 30 minutes, or
- (b) if a period of less than 30 minutes has elapsed since the last period of waiting of the vehicle in that length of road.

General exemptions

7. The prohibitions in articles 2 to 6 do not apply—

- (a) to anything done with the permission, or on the direction, of a police constable in uniform,
- (b) for as long as may be necessary to enable the vehicle, if it cannot conveniently be used for any of the following purposes on any other road, to be used in connection with—
 - (i) any building operation or demolition,
 - (ii) the removal of any obstruction to traffic,
 - (iii) the maintenance, improvement or reconstruction of any of the lengths of road specified in the schedule or the laying, erection, alteration or repair in, 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 Communications Act 2003(a),
- (c) if the vehicle is prevented from proceeding by circumstances beyond the control of the driver, or because waiting is necessary in order to avoid an accident,
- (d) to vehicles being used in an emergency for fire brigade, coastguard, ambulance or police purposes,
- (e) so as to prevent a public service vehicle from providing a local service as defined in section 2 of the Transport Act 1985(b), from waiting at an authorised stopping place or at a terminal point.

(a) 2003 c.21; schedule 3A, paragraph 5 (inserted by the Digital Economy Act 2017 c.30, schedule 1, paragraph 1).

(b) 1985 c.67.

Exemptions from prohibitions in articles 3 to 6

- 8.** The prohibitions in articles 3 to 6 do not apply—
- (a) so as to prevent a person from boarding or alighting the vehicle,
 - (b) so as to prevent any goods vehicle from waiting for as long as may be necessary to enable goods to be loaded on to, or unloaded from, the vehicle,
 - (c) if the vehicle is being used for the purpose of delivering or collecting postal packets as defined in section 125 of the Postal Services Act 2000(a),
 - (d) to vehicles displaying a disabled person's badge issued in accordance with the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000(b) and which is not causing an obstruction.

Revocations

- 9.** The following Orders are revoked—
- (a) The A77 Trunk Road (Maybole) (Prohibition of Waiting and Loading/Unloading) Order 2006(c),
 - (b) The Trunk Roads (Route A77) (Maybole) (Prohibition of Waiting and Loading) (Variation) Order 1992(d),
 - (c) The Trunk Roads (Route A77) (Maybole) (Prohibition of Waiting and Loading) Order 1987(e).

D LAIRD

A member of the staff of the Scottish Ministers

Buchanan House,
Glasgow
12th February 2020

(a) 2000 c.26.
(b) S.S.I. 2000/59, amended by S.S.I. 2000/170, S.S.I. 2002/451, S.S.I. 2007/162, S.S.I. 2011/410, S.S.I. 2011/89, S.S.I. 2013/65, S.S.I. 2014/145, S.S.I. 2015/9, S.S.I. 2016/72, S.S.I. 2017/118, S.S.I. 2018/44.
(c) S.S.I. 2006/160.
(d) S.I. 1992/1176.
(e) S.I. 1987/536, amended by S.I. 1992/1176, article 2.

SCHEDULE

Articles 1 to 8

In this schedule the following definitions apply:—

“distance” means the distance as measured following the kerbline,

“the A77” means the M77/A77 Glasgow – Stranraer Trunk Road.

PART 1

NO WAITING, LOADING AND UNLOADING AT ANY TIME

1. On the northwest side of the A77 known as Whitehall, Maybole, from a point 18 metres southwest of the southwest kerbline of Carrick Street to a point 12 metres northeast of the northeast kerbline of Carrick Street, a distance of 20 metres or thereby.

PART 2

NO WAITING, LOADING AND UNLOADING BETWEEN THE HOURS OF 9AM AND 6PM MONDAY TO SATURDAY INCLUSIVE

2. On the northwest side of the A77 known as High Street, Maybole, from the north kerbline of School Vennel, north-eastwards to the south kerbline of Castle Street, a distance of 82 metres or thereby.

PART 3

NO WAITING AT ANY TIME

3. On the northwest side of the A77 known as Cassillis Road, Maybole, from its junction with Culzean Road (Route B7023) north-eastwards to a point 74 Metres or thereby north-eastwards of it junction with the B7023 a distance of 74 metres or thereby.

4. On the southeast side of the A77 known as Cassillis Road, from the extended north-east kerb line of St Cuthbert’s Road north eastwards (to a point at the extended north east building line of number 10 Cassillis Road) a distance of 185 metres or thereby.

PART 4

NO WAITING BETWEEN THE HOURS OF 9AM AND 6PM MONDAY TO SATURDAY INCLUSIVE

5. On the northwest side of the A77 known as Whitehall, High Street and Cassillis Road, Maybole, from a point 12 metres or thereby northeast of the north kerbline of Carrick Street north-eastwards to the south kerbline of School Vennel, a distance of 98 metres or thereby.

6. On the northwest side of the A77 known as Whitehall, High Street and Cassillis Road, Maybole, from the north kerbline of Castle Street north-eastwards to the south kerbline of Culzean Road (Route B7023), a distance of 93 metres or thereby.

7. On southeast side of the A77 known as Whitehall, High Street and Cassillis Road, Maybole From a point 45 metres or thereby east of the extended east kerbline of Whitehall Court north-eastwards to the south kerbline of St. Cuthbert’s Road (Route B7023), excluding the mouths of Welltrees Street, John Knox Street and Kirk Wynd, a distance of 365 metres or thereby.

PART 5

NO WAITING BETWEEN THE HOURS OF 9AM AND 6PM MONDAY TO
SATURDAY INCLUSIVE FOR PERIODS LONGER THAN 30 MINUTES AND
NO RETURN WITHIN 30 MINUTES

8. On the northwest side of the A77 known as Whitehall, Maybole from a point 12 metres northeast of the northeast kerbline of Miller Street north-eastwards to a point 18 metres or thereby southwest of the southwest kerbline of Carrick Street, a distance of 75 metres or thereby.