

SOUTH AYRSHIRE COUNCIL

(Various Towns) (Prohibition of Stopping on School Keep Clear Markings) Order 2012

Lesley Bloomer Executive Director of Development and Environment Mike Newall
Head of Planning and Enterprise
Burns House
Burns Statue Square
Ayr
KA7 1UT



SOUTH AYRSHIRE COUNCIL

(Various Towns) (Prohibition of Stopping on School Keep Clear Markings) Order 2012

Statement of Reasons

It is considered necessary to make this Order to enhance road safety in the vicinity of schools.

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SOUTH AYRSHIRE COUNCIL

(Various Towns) (Prohibition of Stopping on School Keep Clear Markings) Order 2012

South Ayrshire Council, in exercise of the powers conferred on it by Sections 1(1), 2(1) to (3), 3, 4, 99, 101, 102, 124 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 as amended, and the Road Traffic Act 1991 and of all other enabling powers, and after consultation with the Chief Constable of Strathclyde Police in accordance with Part III of Schedule 9 to the Act, hereby makes the following Order:-

Citation and commencement

1. This Order may be cited as the "South Ayrshire Council Various Towns (Prohibition of Stopping on School Keep Clear Markings) (Civil Enforcement) Order 2012", and shall come into operation on 23rd November 2012.

Interpretation

2. In this Order the following expressions have the meanings hereby assigned to them:

"the 1984 Act" means the Road Traffic Regulation Act 1984;

"the 1991 Act" means the Road Traffic Act 1991;

"council" means South Ayrshire Council;

"local authority" means the South Ayrshire Council;

"local roads authority" means the South Ayrshire Council;

"motor-cycle" has the same meaning as that in Section 136 of the Act of 1984;

"owner" in relation to a vehicle, means the person by whom such vehicle is kept and used. In determining who was the owner at any time it shall be presumed that the owner was the person named in the vehicle registration document as the registered keeper of the vehicle or the person who has the use of such vehicle in the course of his/her employment and who is entitled to use such vehicle as though he/she were the registered keeper thereof;

"parking attendant" means a person employed in accordance with Section 63A of the Act of 1984 to carry out the functions therein;

"penalty charge" has the same meaning as in Section 82(1) of the Act of 1991;

"penalty charge notice" means a notice issued or served by a parking attendant pursuant to the provisions of Section 66 of the Act of 1991;

"school keep clear" is a road marking to diagram 1027.1 and sign to diagram 642.2A that has been placed on the road in accordance with The Traffic Signs Regulations and General Directions 2002 as amended;

"vehicle", unless the context otherwise requires, means a vehicle of any description and includes a machine or implement of any kind drawn or propelled along roads whether or not by mechanical power;

- 3. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.
- 4. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies to an Act of Parliament.

No Stopping 8.30am to 4:30pm, Monday to Friday.

- 5. Save as provided in Article 6 of this Order no person shall, except upon the direction or with the permission of a police constable in uniform or a parking attendant in uniform, cause or permit any vehicle to wait between the hours of 8.30am and 4:30pm, Monday to Friday, in any of the lengths of roads specified in Schedules 1- 15 to this Order.
 - Nothing in Article 5of this Order shall:
 - a) prevent any person from causing or permitting a vehicle to wait in any of the lengths of road referred to in those Articles -
 - (i) for so long as may be necessary to enable the vehicle, if it cannot conveniently 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 said lengths of the roads referred to, or the laying, erection, alteration or repair in or near to any of the said lengths of roads, of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any telecommunications apparatus as defined in the Telecommunications Act 1984.

- (ii) for so long as may be necessary to enable the vehicle, if it cannot conveniently be used for such purposes in any other road, to be used in pursuance of statutory powers and duties and in particular, but without prejudice to the generality of the foregoing, to enable the vehicle to be used in connection with police, fire brigade and ambulance purposes;
- (iii) if 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;
- (iv) if the vehicle is in the service of, or employed by, a Postal Delivery Service and is waiting in any of the lengths of the roads while the postal packets addressed to premises adjacent thereto are being unloaded from the vehicle or having being unloaded therefrom are being delivered or while postal packets are being collected from premises or posting boxes adjacent thereto;
- (v) for the purposes of loading or unloading the vehicle while the vehicle is standing at the kerb and is in actual use in connection with the removal of furniture from such premises to a depository or to such premises from a depository;
- (vi) to enable the vehicle to be used in connection with funeral operations and weddings.
- b) notwithstanding anything in paragraph (a) of this Article, the driver of a vehicle stopped shall move the said vehicle on the instruction of a police constable in uniform or a parking attendant in uniform whenever such moving may be reasonably necessary for the purpose of preventing an obstruction:

Alteration of Position of a Vehicle.

7. Where any vehicle is standing in contravention of the provisions of Article 5, a police constable in uniform, a parking attendant in uniform, or a person duly authorised by the Council may alter, or cause to be altered, the position of the vehicle in order that the manner of standing of the said vehicle shall comply with the aforementioned provisions.

Removal of a Vehicle.

8. Where a police constable in uniform, a parking attendant in uniform, or a person duly authorised by the Council is of the opinion that any of the provisions contained in Article 5, have been contravened or have not been complied with in respect of a vehicle left in a length of road described by this Order, he or she may remove the vehicle, or cause the vehicle to be removed, from the length of road and, where it is so removed, shall provide for the safe custody of the vehicle.

Movement of a Vehicle in an emergency

9. Any person duly authorised by the Council, or a police constable in uniform or a parking attendant in uniform, may move or cause to be moved, in case of an emergency, to any place they think fit, any vehicles left in any length of road described by this Order.

Contraventions

- 10. If a vehicle is left in a prohibited or restricted road or parking place without complying with the requirements of this Order, a contravention shall have occurred and a penalty charge shall be payable. A penalty Charge Notice showing the information required by the appropriate legislation may then be issued by a parking attendant in accordance with the requirements of the legislation or any subsequent applicable legislation or the vehicle may be removed from the location.
- 11. The particulars given in the penalty charge notice attached to a vehicle in accordance with Article 9 shall be treated as evidence in any proceedings relating to failure to pay such penalty charge.
- 12. Where a penalty charge notice has been attached to a vehicle in accordance with the provisions of Article 9 no person, not being the driver of the vehicle, a parking attendant in uniform, or some other person duly authorised by the Council, shall remove the notice from the vehicle unless authorised to do so by the keeper of the vehicle.
- 13. Where a parking attendant has removed or caused to be removed a vehicle in accordance with Articles 8, 9 or 10 -
 - (a) he/she shall provide for the safe custody of the vehicle;
 - (b) the Council shall be entitled to recover from the person responsible such charges in respect of the removal, storage and disposal of the vehicle as it might prescribe from time to time;
 - (c) the provisions of the Act of 1984 as amended shall apply to the disposal of such vehicles removed by or on behalf of the Council pursuant to this Article.

Abandoned Vehicles

14. Subject to Article 14, the Council may as respects a vehicle which has been removed from a prohibited or restricted road or parking place in pursuance of Articles 8, 9 or 10, if it appears to them to have been abandoned, sell or otherwise dispose of the vehicle after having made reasonable enquiry to ascertain the name and address of the owner of the vehicle and to inform the owner of their intention.

15. The Council will be deemed to have made reasonable enquiry to ascertain the name and address of the owner of any vehicle to which Article 13 applies provided that they have taken such steps in relation to that vehicle that may be prescribed by any Regulations for the time being in force under Section 99 or 101 of the 1984 Act, for authorising the Council to sell or otherwise dispose of the vehicle if it had been left on a road and if it appeared to the Council that it had been abandoned.

Revocations

16. The Order specified in Schedule 16 to this Order shall have effect subject to the amendments in that Schedule.

This Order together with the Schedules and Plans annexed and signed as relative hereto is subscribed for and on behalf of South Ayrshire Council by Wynne Stewart Carlaw, our Legal and Democratic Manager one of our officers authorised in that respect at Ayr on the Tenth day of October, Two thousand and twelve before this witness Deborah Anne McVey, Legal Services Officer with South Ayrshire Council at County Buildings, Wellington Square, Ayr.

Deborah A. Morley (witness) x Wyme S Coulaw

Table of Schedules.

Schedule	Prohibition	Town
<u>1</u>	Prohibition of Stopping on School Keep Clear Markings between 8:30 am and 4:30pm	Ayr
<u>2</u>	Prohibition of Stopping on School Keep Clear Markings between 8:30 am and 4:30pm	Barr
<u>3</u>	Prohibition of Stopping on School Keep Clear Markings between 8:30 am and 4:30pm	Barrhill
4	Prohibition of Stopping on School Keep Clear Markings between 8:30 am and 4:30pm	Colmonell
<u>5</u>	Prohibition of Stopping on School Keep Clear Markings between 8:30 am and 4:30pm	Coylton
<u>6</u>	Prohibition of Stopping on School Keep Clear Markings between 8:30 am and 4:30pm	Dailly
7_	Prohibition of Stopping on School Keep Clear Markings between 8:30 am and 4:30pm	Girvan
8	Prohibition of Stopping on School Keep Clear Markings between 8:30 am and 4:30pm	Maidens
9	Prohibition of Stopping on School Keep Clear Markings between 8:30 am and 4:30pm	Maybole
<u>10</u>	Prohibition of Stopping on School Keep Clear Markings between 8:30 am and 4:30pm	Minishant
11	Prohibition of Stopping on School Keep Clear Markings between 8:30 am and 4:30pm	Mossblown
<u>12</u>	Prohibition of Stopping on School Keep Clear Markings between 8:30 am and 4:30pm	Prestwick
<u>13</u>	Prohibition of Stopping on School Keep Clear Markings between 8:30 am and 4:30pm	Straiton
<u>14</u>	Prohibition of Stopping on School Keep Clear Markings between 8:30 am and 4:30pm	Symington
<u>15</u>	Prohibition of Stopping on School Keep Clear Markings between 8:30 am and 4:30pm	Troon
<u>16</u>	Order to be amended	

PROHIBITION OF STOPPING ON SCHOOL KEEP CLEAR MARKINGS IN AYR BETWEEN 8:30 AM & 4:30 PM MONDAY TO FRIDAY

Length of Road within South Ayrshire Council in the Town of Ayr Side of Road to which the Restriction Applies

Abbots Way

 From a point 37 metres southwest of Earls Way southwestwards for a distance of 43.5 metres. North

Ashgrove Street

1. From a point 92 metres east of the extended east kerbline of Castlehill Road eastwards for a distance of 28 metres.

North

Belmont Road

1. From a point 7 metres east of the extended east kerbline of Belmont Avenue eastwards for a distance of 43 metres.

South

2. From a point 7 metres west of the extended west kerbline of Belmont Avenue westwards for a distance of 43 metres.

South

Dalmilling Road

1. From a point 9 metres west of the extended west kerbline of Harthall westwards for a distance of 26 metres.

South

2. From a point 18 metres east of the extended east kerbline of Dalmilling Drive eastwards for a distance of 43.5 metres.

South

SCHEDULE 1(Continued)

PROHIBITION OF STOPPING ON SCHOOL KEEP CLEAR MARKINGS IN AYR BETWEEN 8:30 AM & 4:30 PM MONDAY TO FRIDAY

Heathfield Road

 From a point 112 metres west of the west kerbline of Hunters Avenue, westwards a distance of 43.5 metres. North

Gould Street

1. From a point 6 metres northeast of the extended east kerbline of Ross Street northeastwards for a distance of 26 metres.

Southeast

2. From a point 11metres southwest of the extended west kerbline of Ross Street for a distance of 26 metres.

Southeast

Russell Drive

 36 metres north of the extended north kerbline of King Street, northwards then westwards for a distance of 42 metres. West & South

Upper Crofts

1. From a point 23 metres south of the extended south kerbline of Doonholm Road southwards for 36 metres.

West

Westfield Road

1. From a point 36 metres south of the extended south kerbline of Blackburn Road southwards for a distance of 26 metres.

West

X Wyme S Carlan

PROHIBITION OF STOPPING ON SCHOOL KEEP CLEAR MARKINGS IN BARR BETWEEN 8:30 AM & 4:30 PM MONDAY TO FRIDAY

Length of Road within South Ayrshire Council in the Town of Barr Side of Road to which the Restriction Applies

Changue Road

1. From a point 50 metres east of the east kerbline of Glenginnet Road, eastwards a distance of 26 metres.

South



PROHIBITION OF STOPPING ON SCHOOL KEEP CLEAR MARKINGS IN BARRHILL BETWEEN 8:30 AM & 4:30 PM MONDAY TO FRIDAY

Length of Road within South Ayrshire Council in the Town of Barrhill Side of Road to which the Restriction Applies

Main Street(A714)

1. From a point 75 metres north of the north kerbline of Gowlands Terrace northwards a distance of 36 metres.

West



PROHIBITION OF STOPPING ON SCHOOL KEEP CLEAR MARKINGS IN COLMONELL BETWEEN 8:30 AM & 4:30 PM MONDAY TO FRIDAY

Length of Road within South Ayrshire Council in the Town of Colmonell Side of Road to which the Restriction Applies

Main Street

1. From a point 12metres east of the extended east kerbline of Hyslop Crescent eastwards a distance of 36 metres.

North



PROHIBITION OF STOPPING ON SCHOOL KEEP CLEAR MARKINGS IN COYLTON BETWEEN 8:30 AM & 4:30 PM MONDAY TO FRIDAY

Length of Road within South Ayrshire Council in the Town of Coylton Side of Road to which the Restriction Applies

<u>Joppa</u>

1. From a point 370 metres west of the west kerbline of B742 Coylton to Dalrymple road, westwards a distance of 43.5 metres.

South

2. From a point 430 metres west of the west kerbline of B742 Coylton to Dalrymple road, westwards a distance of 26 metres.

South

3. From a point 466 metres west of the west kerbline of B742 Coylton to Dalrymple road, westwards a distance of 26 metres.

South

Wyme S Cowlaw

PROHIBITION OF STOPPING ON SCHOOL KEEP CLEAR MARKINGS IN DAILLY BETWEEN 8:30 AM & 4:30 PM MONDAY TO FRIDAY

Length of Road within South Ayrshire Council in the Town of Dailly Side of Road to which the Restriction Applies

Main Street

1. From a point 20 metres west of the extended west kerbline of Sturgeons Brae westwards a distance of 33 metres.

South



PROHIBITION OF STOPPING ON SCHOOL KEEP CLEAR MARKINGS IN GIRVAN BETWEEN 8:30 AM & 4:30 PM MONDAY TO FRIDAY

Length of Road within South Ayrshire Council in the Town of Girvan

Side of Road to which the Restriction Applies

The Avenue

1. From a point 66 metres east of the extended east kerbline of Queens Drive eastwards a distance of 43.5 metres.

South

Wesley Road

1. From a point 47 metres west of the extended west kerbline of Victory Park Road westwards a distance of 37.5 metres.

South

2. From a point 96 metres west of the extended west kerbline of Victory Park Road westwards a distance of 39.5 metres.

South

Wreck Road

1. From a point 19.8 metres west of the extended west kerbline of Victory Park Road westwards a distance of 43.5 metres.

North

2. From a point 40 metres west of the extended west kerbline of Park Road eastwards a distance of 43.5 metres

North

Wyme S Carlan

PROHIBITION OF STOPPING ON SCHOOL KEEP CLEAR MARKINGS IN MAIDENS BETWEEN 8:30 AM & 4:30 PM MONDAY TO FRIDAY

Length of Road within South Ayrshire Council in the Town of Maidens Side of Road to which the Restriction Applies

Turnberry Road

1. From a point 88 metres north of the extended north kerbline of Baineshill Drive northwards a distance of 27.2 metres.

East



PROHIBITION OF STOPPING ON SCHOOL KEEP CLEAR MARKINGS IN MAYBOLE BETWEEN 8:30 AM & 4:30 PM MONDAY TO FRIDAY

Length of Road within South Ayrshire Council in the Town of Maybole Side of Road to which the Restriction Applies

Kirkland Street

1. From a point 16 metres southeast of the east kerbline of Cassillis Road southeastwards a distance of 43.5 metres.

Southeast

2. From the extended south kerbline of Cairnfield Avenue south-eastwards for a distance of 32.5 metres.

South

Cairnfield Avenue

1. From the extended southeast kerbline of Kirkland Street eastwards for a distance of 11 metres.

Southeast

Gardenrose Path

1. From a point 20 metres west of the extended west kerbline of Minnoch Crescent westwards for a distance of 43.5 metres.

North



PROHIBITION OF STOPPING ON SCHOOL KEEP CLEAR MARKINGS IN MINISHANT BETWEEN 8:30 AM & 4:30 PM MONDAY TO FRIDAY

Length of Road within South Ayrshire Council in the Town of Minishant Side of Road to which the Restriction Applies

Merrick Crescent

1. From a point 34 metres north of the south kerbline of Merrick Crescent northwards a distance of 28 metres.

East

Womes Carlan

PROHIBITION OF STOPPING ON SCHOOL KEEP CLEAR MARKINGS IN MOSSBLOWN BETWEEN 8:30 AM & 4:30 PM MONDAY TO FRIDAY

Length of Road within South Ayrshire Council in the Town of Mossblown Side of Road to which the Restriction Applies

Annbank Road

1. From a point 300 metres southeast of the extended east kerbline of Station Road southeastwards a distance of 43.5 metres.

North

Wyme S Centan

PROHIBITION OF STOPPING ON SCHOOL KEEP CLEAR MARKINGS IN PRESTWICK BETWEEN 8:30 AM & 4:30 PM MONDAY TO FRIDAY

Length of Road within South Ayrshire Council in the Town of Prestwick

Side of Road to which the Restriction Applies

Adamton Road North

1. From a point 58 metres south of the south kerbline of Sherwood Road southwards a distance of 33 metres.

East

Newdykes Road

1. From a point 25 metres west of the extended west kerbline of Weir Avenue eastwards a distance of 43.5metres.

North

Nursery Avenue

 From a point 38 metres west of the west kerbline of Adamton Road South, westwards a distance of 34 metres.

South

Outdale Avenue

1. From a point 41 metres south of the south kerbline of Sherwood Road southwards a distance of 28 metres.

West

Sherwood Road

1. From a point 63 metres west of the extended west kerbline of Outdale Avenue westwards a distance of 43 metres.

North

Wynne S Carlan

PROHIBITION OF STOPPING ON SCHOOL KEEP CLEAR MARKINGS IN STRAITON BETWEEN 8:30 AM & 4:30 PM MONDAY TO FRIDAY

Length of Road within South Ayrshire Council in the Town of Straiton

Side of Road to which the Restriction Applies

Newton Stewart Road(A714)

1. From a point 7metres south of the boundary line of Straiton Primary School southwards a distance of 26 metres.

East

Lyne S Cadaw

PROHIBITION OF STOPPING ON SCHOOL KEEP CLEAR MARKINGS IN SYMINGTON BETWEEN 8:30 AM & 4:30 PM MONDAY TO FRIDAY

Length of Road within South Ayrshire Council in the Town of Symington Side of Road to which the Restriction Applies

Brewlands Road

1. From a point 67 metres northeast of the northeast kerbline of Brewlands Drive northeastwards a distance of 40 metres.

Northeast

Wyne S Carlaw

PROHIBITION OF STOPPING ON SCHOOL KEEP CLEAR MARKINGS IN TROON BETWEEN 8:30 AM & 4:30 PM MONDAY TO FRIDAY

Length of Road within South Ayrshire Council in the Town of Troon Side of Road to which the Restriction Applies

Academy Street

1. From a point 53 metres west of the west kerbline of Church Street westwards a distance of 26 metres.

South

Barassie Street

1. From a point 7 metres northwest of the northwest kerbline of Burnside Place westwards a distance of 43 metres.

Northeast

Barassiebank Lane

1. From the extended north kerbline of Burnfoot Avenue northwards for a distance of 17 metres or thereby.

Fast

Burnside Place

1. From a point 30 metres northeast of the northeast kerbline of Barassie Street northeastwards a distance of 38 metres.

Northwest

Buchan Road

1. From a point 26 metres north of the north kerbline of Burns Road northwards a distance of 40 metres.

West

Burnfoot Avenue

1. From the west kerbline of Barassiebank
Lane eastwards then southwards a distance
of 13 metres.

North and East

Whene S Coulan

ORDERS TO BE AMENDED

Name of Order

Extent of Amendment

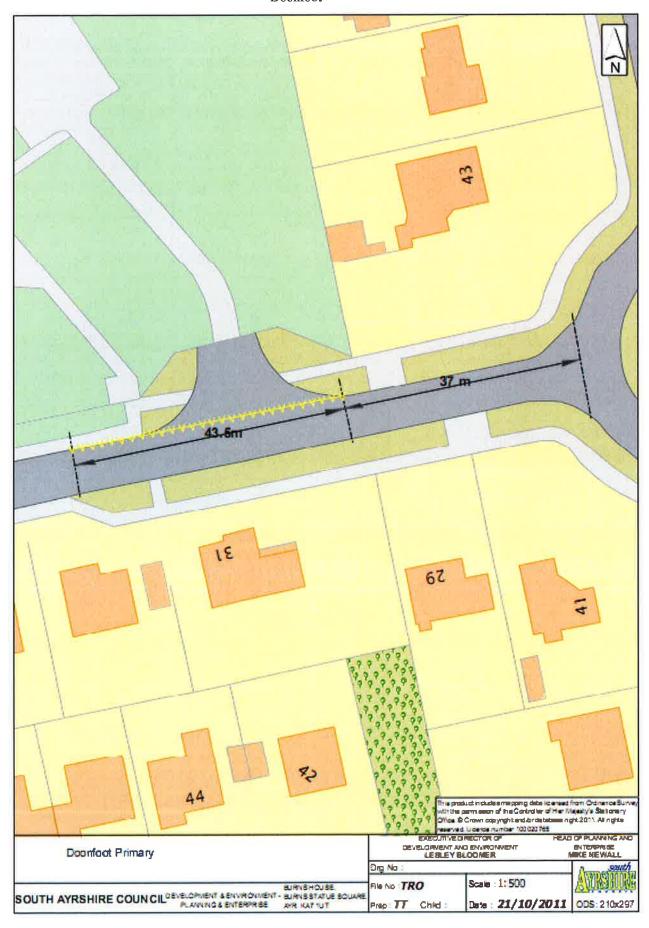
South Ayrshire Council (Town of Prestwick) (Waiting Restrictions) (Civil Enforcement) Order 2012

"Schedule 1" and all reference to it shall be deleted.

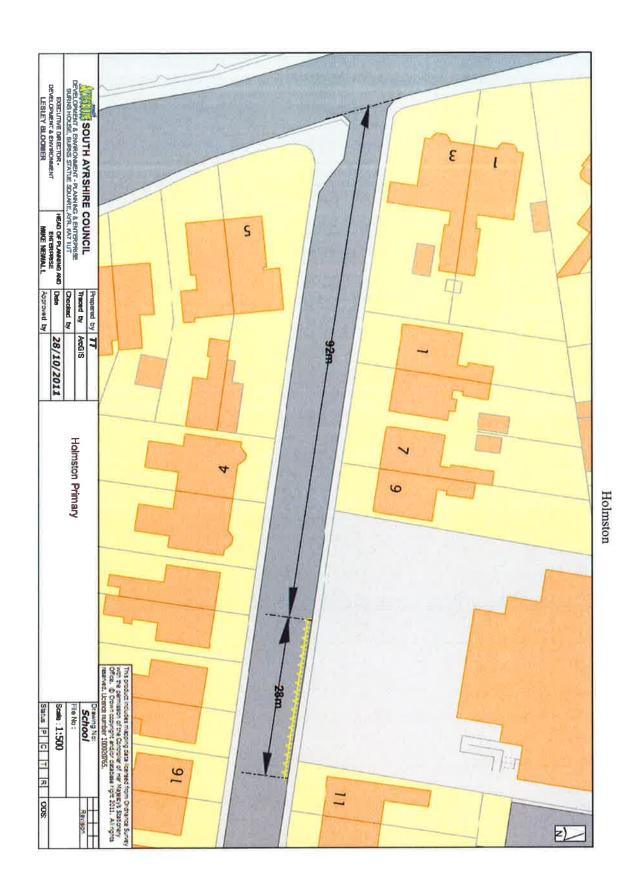
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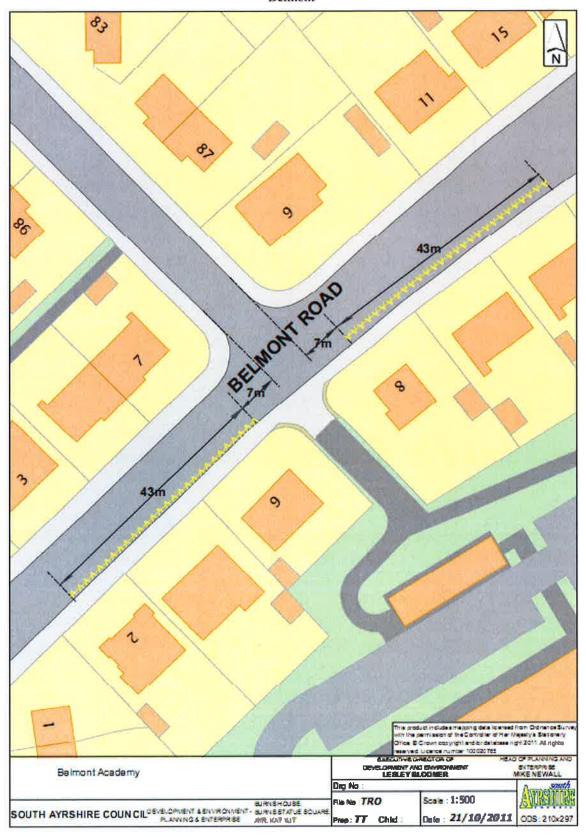


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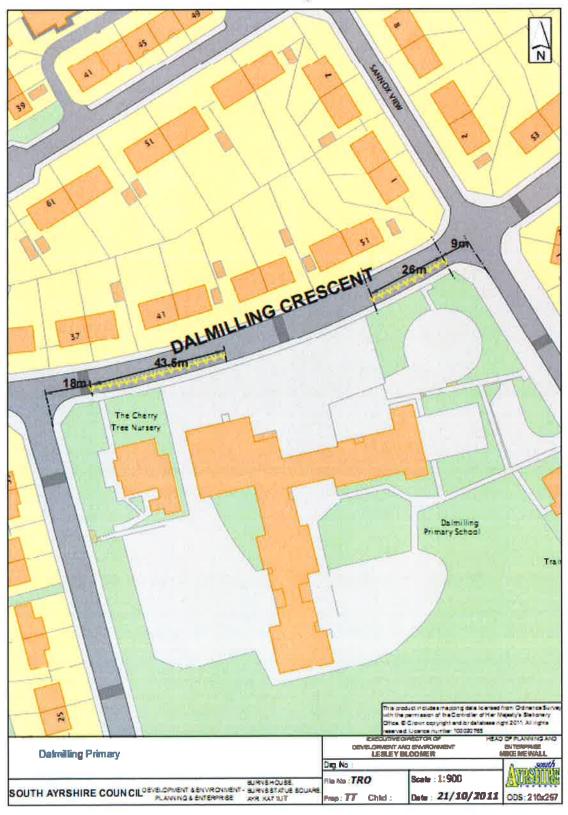


Belmont



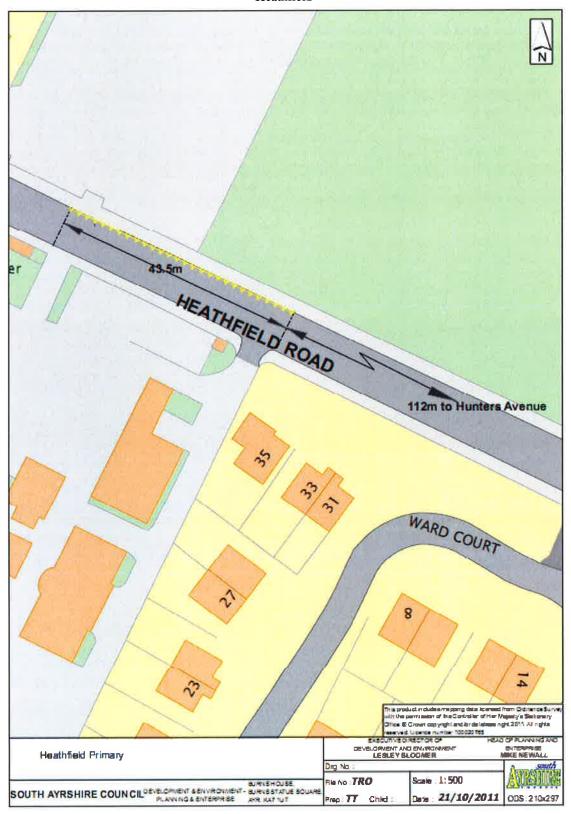


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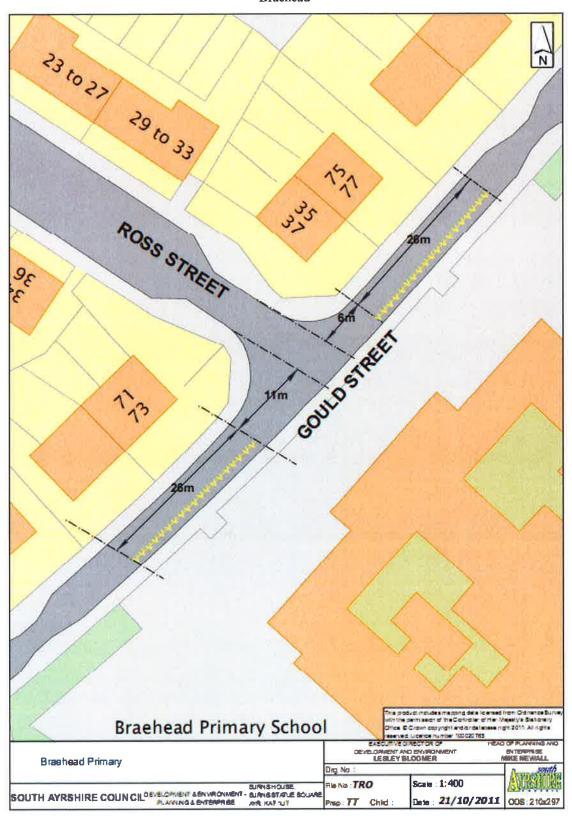


Heathfield



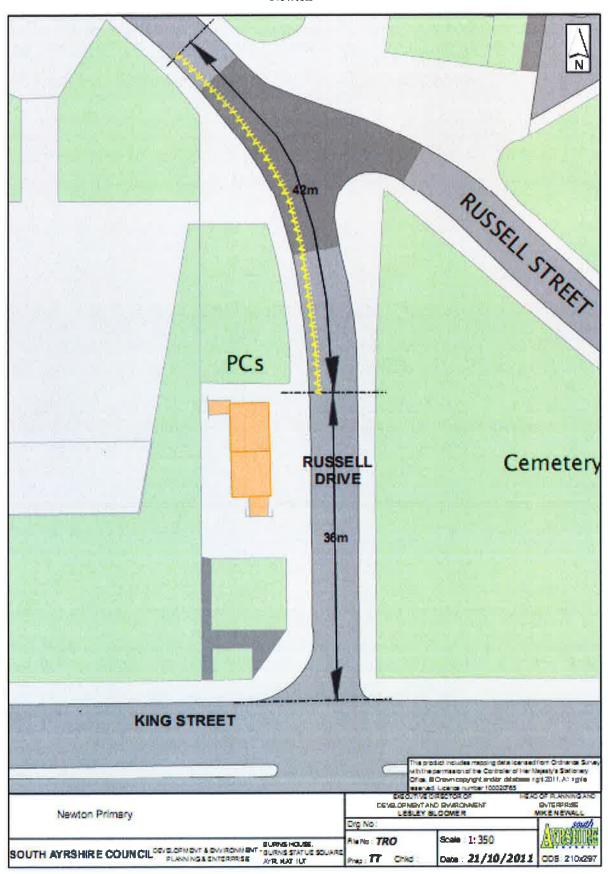
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Braehead



Wyme S Carlaw

Newton



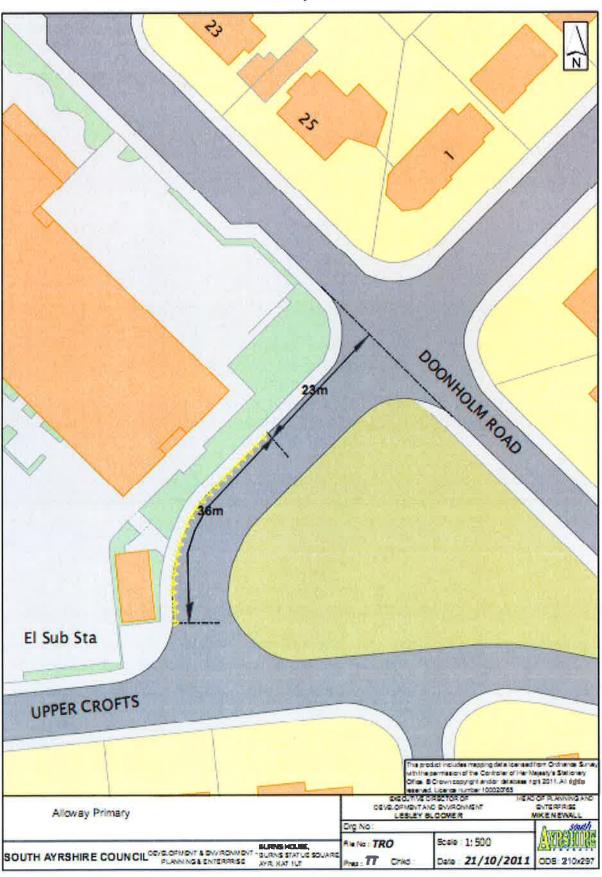


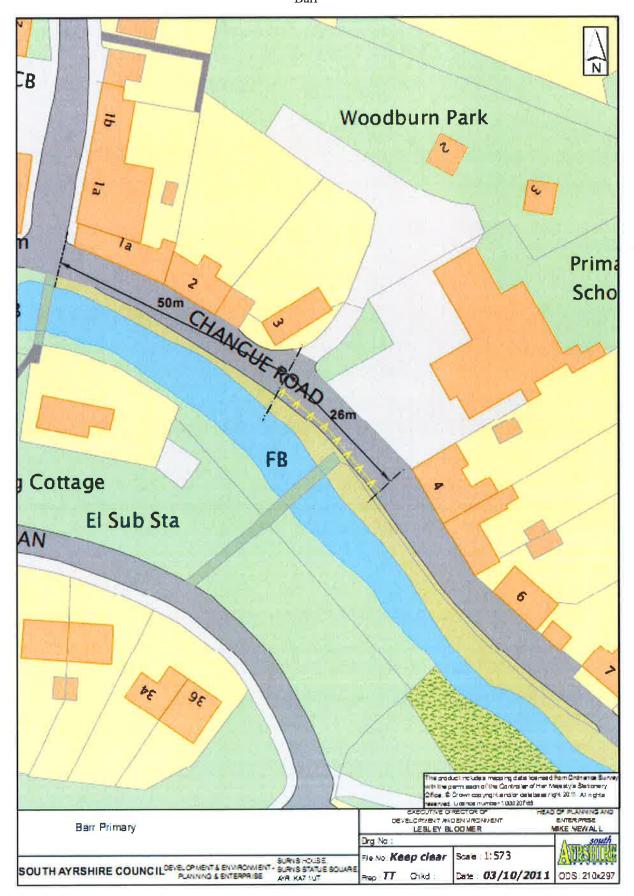
Wellington Primary

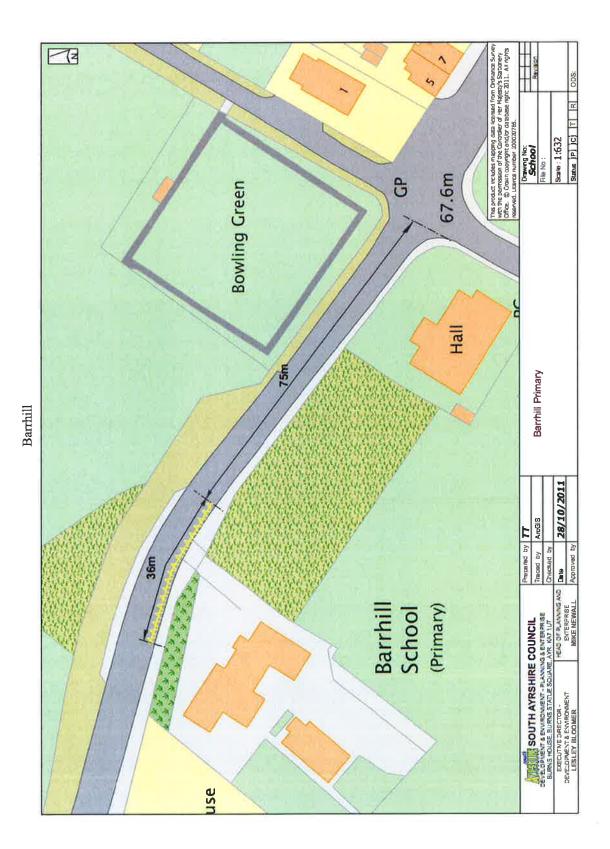


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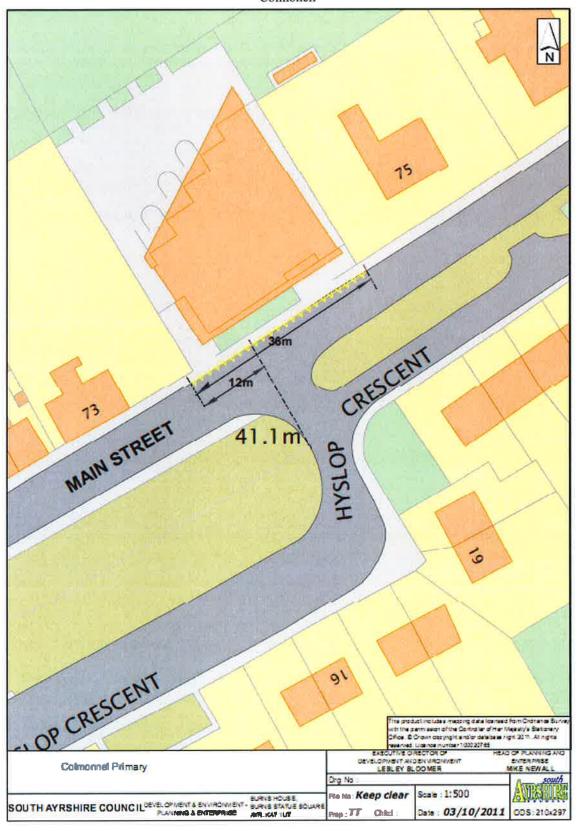






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Colmonell



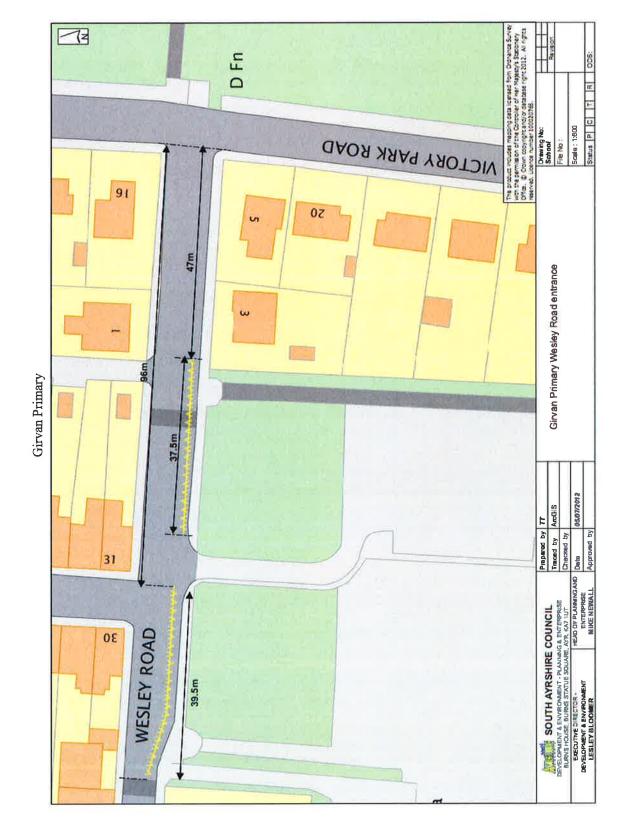
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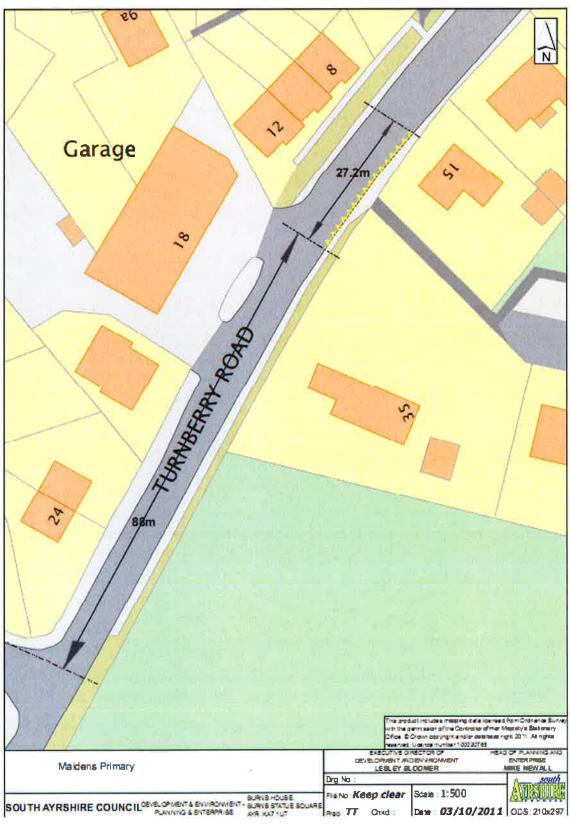
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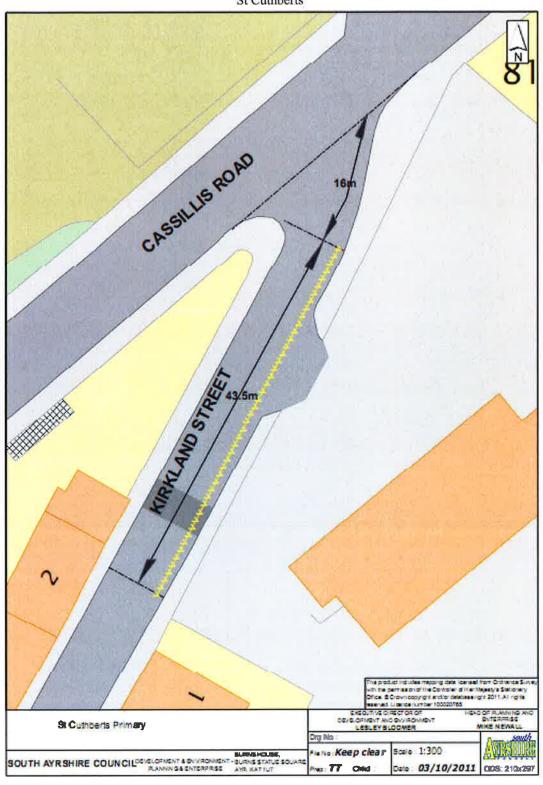








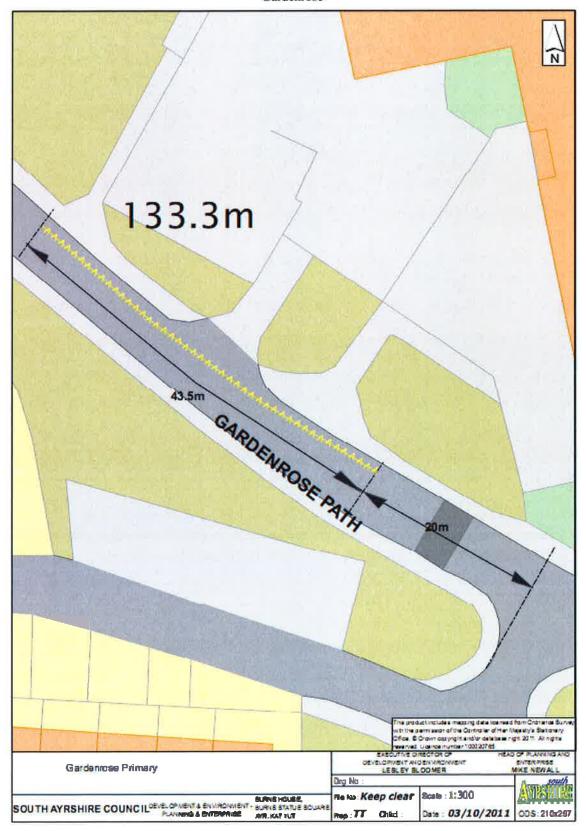
St Cuthberts





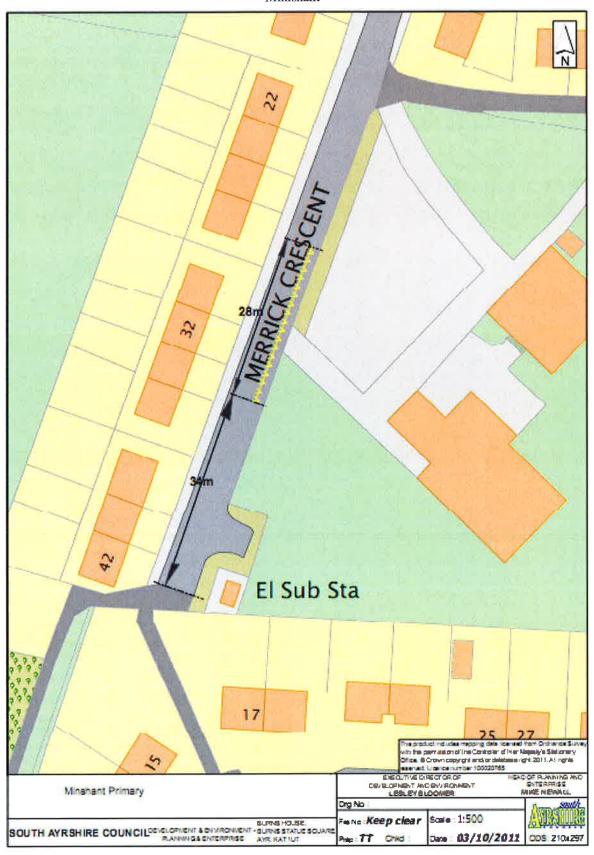






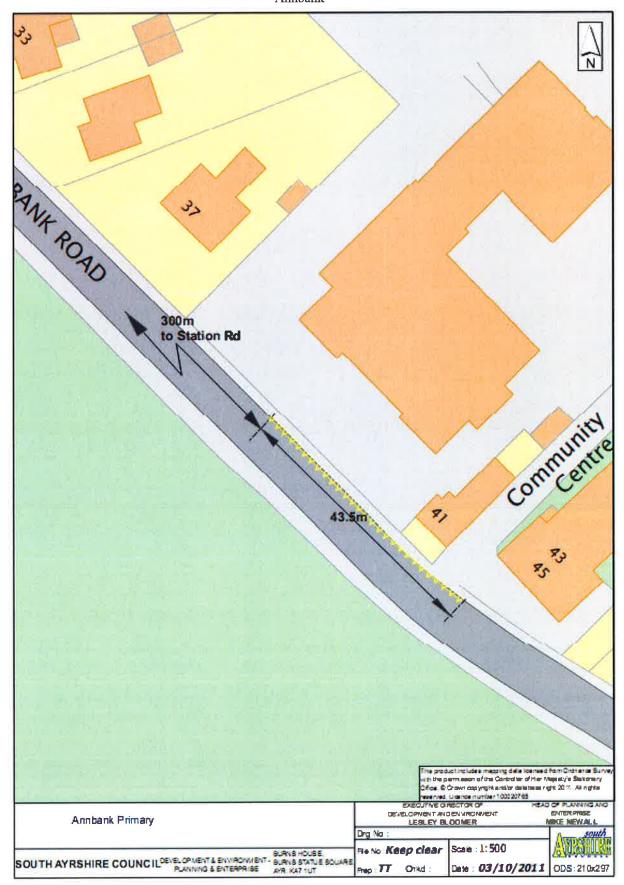


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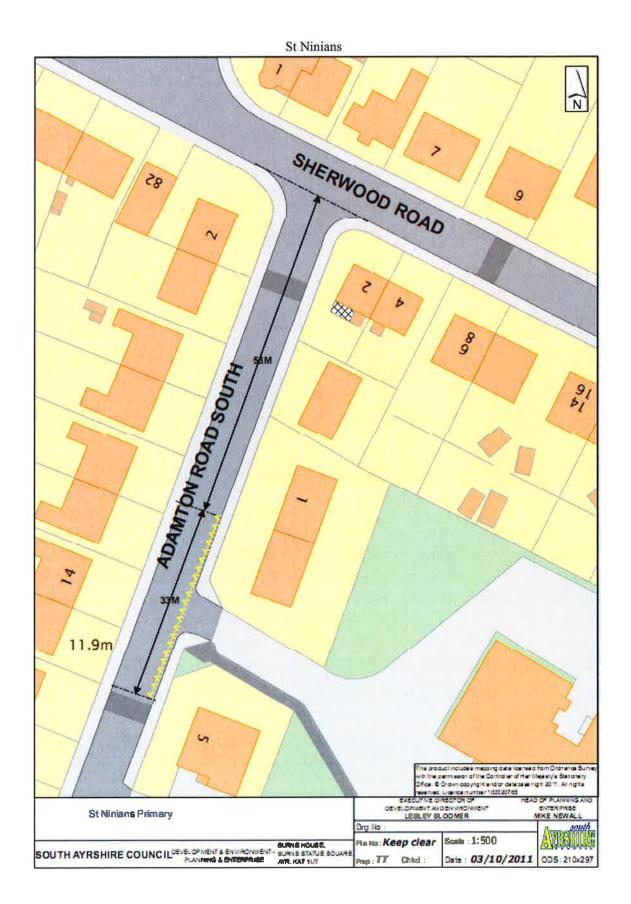


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Kingcase VAD 34 98 45 13.5m El Sub Sta 166 9 11 172 14 ADAMTON ROAD SOUTH NURSERY AVENUE Kingcase Primary School Kingcase Primary Drg No Scale : 1:500 Re No: Keep clear SOUTH AYRSHIRE COUNCILDED SO MENT & ENVIRONMENT - BURNS HOUSE.

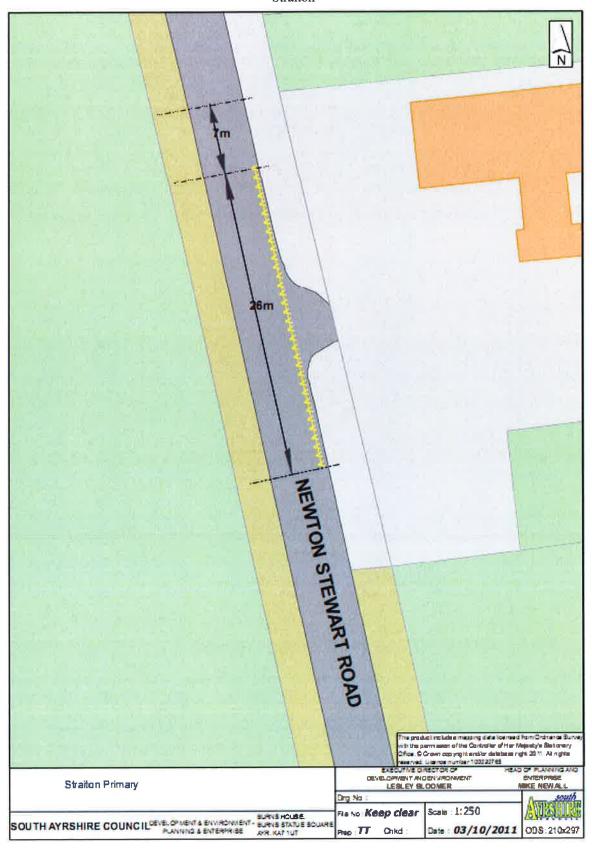
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Wyme S Coulow

Straiton



Lynes Carlow

Symington 40m Play Area 88.4m **Pavilion** Sł GP

Drg No

FIN NO TRO

Orkd

Prep TT

Hyme S Carlow

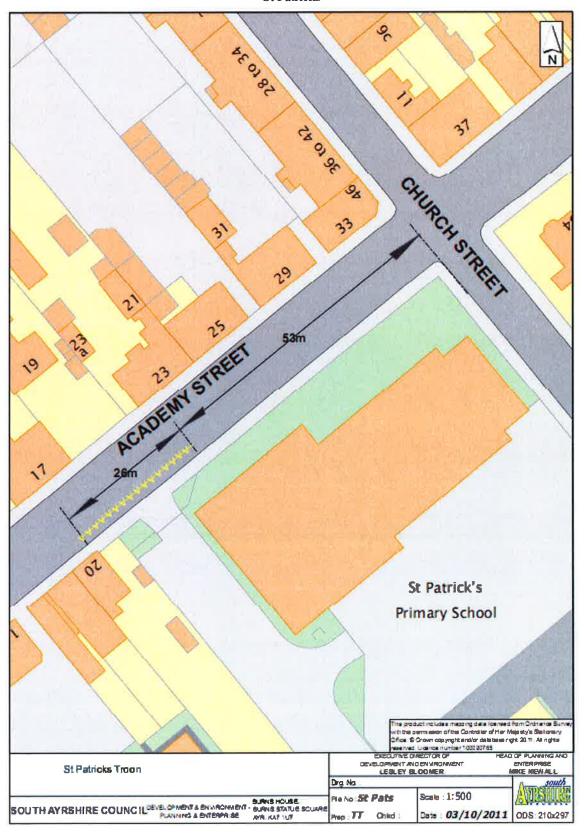
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Scale : 1:500

Symington Primary

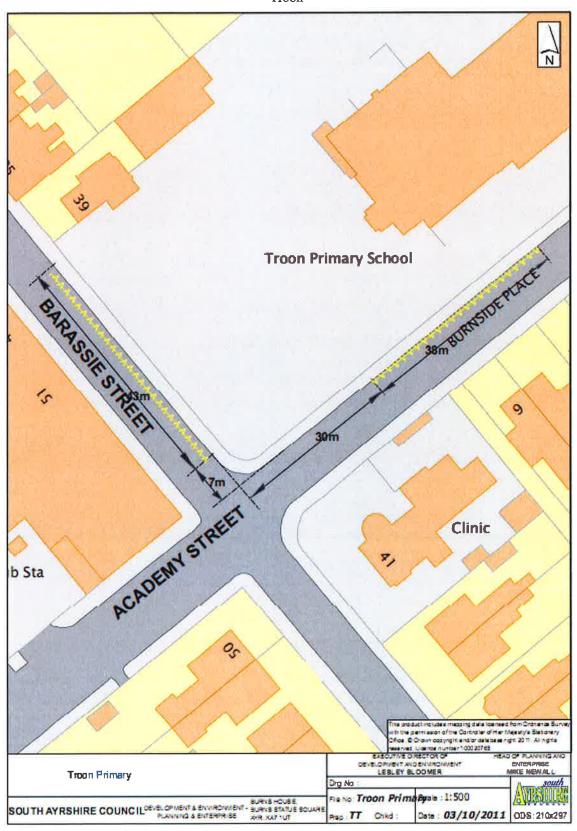
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St Patricks



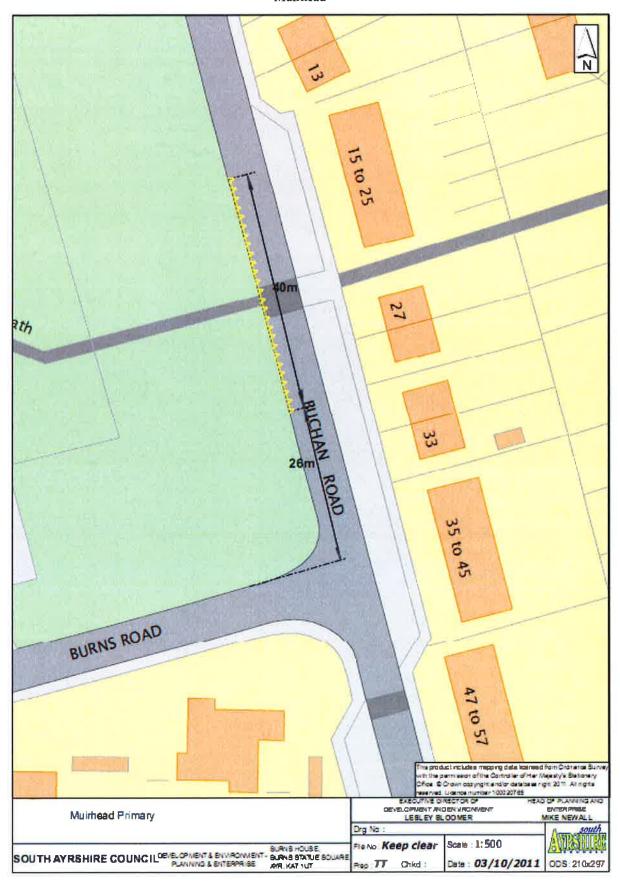
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Troon



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Muirhead



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Barassie

