

**EAST AYRSHIRE COUNCIL
(VARIOUS ROADS WITHIN EAST AYRSHIRE) (WAITING AND LOADING
RESTRICTIONS AND DESIGNATED PARKING PLACES)
(AMENDMENTS)
ORDER 2016**

East Ayrshire Council, in exercise of the powers conferred on them by Sections 1(1), 2(1), 2(2), 4, 45, 46, 46A 47, 48, 49, 51, 52, 53, 63A, 99, 101, 102 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984, as amended, the Road Traffic (Permitted Parking Area and Special Parking Area) (East Ayrshire Council) Designation Order 2012 and Sections 66, 69, 70, 71, 72, 73, 74, 79 and Schedule 6 of the Road Traffic Act 1991, as amended, and of all other enabling powers and after consultation with the Chief Constable of Police Scotland in accordance with Part III of Schedule 9 to the 1984 Act hereby make the following Order—

PART I

GENERAL

Citation and commencement

1. This Order may be cited as the “East Ayrshire Council (Various Roads within East Ayrshire) (Waiting and Loading Restrictions and Designated Parking Places) (Amendments) Order 2016” and shall come into operation on the 16th day of May 2016

Interpretation


2. In this Order unless the context otherwise requires—
 - (a) The following expression has this meaning hereby assigned to it—

“the 1984 Act” means the Road Traffic Regulation Act 1984;
 - (b) A reference in this Order to any enactment is a reference to that enactment as amended by any subsequent enactment.
 - (c) A reference in this Order to numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.

Order to be amended—

3. The Order specified in Schedule 1 shall have effect subject to the amendments specified in that Schedule and as shown on Plans 1, 2A, 03, 03A, 4, 6, 7A, 8A, 9, 10, 11A, 12, 15A, 17, 18, 18A 19A, 21A, 22A, 24, 24A, 25A, 27, 27A, 28, 29,29A, 31, 34A, 39, 45, 46 and 47 annexed and executed hereto.

Sealed with the Common Seal of East Ayrshire Council and subscribed for it and on its behalf by Stuart McCall, Legal Officer to the Council at Kilmarnock on the 25th day of April 2016

Signed 

Dated... 25 APRIL 2016

This is the Schedule referred to in the foregoing East Ayrshire Council (Various Roads within East Ayrshire) (Waiting and Loading Restrictions and Designated Parking Places) (Amendments) Order 2016

SCHEDULE 1
ORDER TO BE AMENDED

Title of Order

The East Ayrshire Council (Various Roads within East Ayrshire) (Waiting and Loading Restrictions and Designated Parking Places) (Amendments & Revocations) Order 2012

Extent of Amendments

Substitute interpretation for “eligible premises” with:

“eligible premises” means a business premises with a postal address in a road described in Part IV, V and VI of Schedule 5 or Part I and II of Schedule 10;

Substitute interpretation for “eligible address” with:

“eligible address” means a dwelling or residential unit with a postal address in a road described in Part IV, V and VI of Schedule 5 or Part I and II of Schedule 10;

Under Interpretations insert:

“convenience charge” means a fee payable to the Service Provider in respect of a parking charge paid by means of the Telephone Payment Parking System and indicated on a traffic sign or parking ticket machine associated with the parking place in which the vehicle for which the parking charge has been paid has been left;

“hand held device” means a wireless hand held computer used by a Parking Attendant, which is programmed to interface with the Telephone Payment Parking System;

“mobile phone payment” means a cashless payment made by mobile phone to the number displayed in the parking place allowing the vehicle to be parked for the period of time for which payment has been made, to be used where such facility is advertised and provided for in a parking place and the use of which is specified by notice in the parking place

“service provider” means the company authorised and appointed by the Council to operate, administer and maintain the process for the payment of parking charges on its behalf using the Telephone Payment Parking System;

“Shared Parking Zone D” means the area encompassing the shared parking places described in Column 2 of Part I in Schedule 9;

“Shared Parking Zone E” means the area encompassing the shared parking places described in Column 2 of Part II in Schedule 9;

SCHEDULE 1
ORDER TO BE AMENDED

Title of Order

The East Ayrshire Council (Various Roads within East Ayrshire) (Waiting and Loading Restrictions and Designated Parking Places) (Amendments & Revocations) Order 2012

Extent of Amendments

Under Interpretations insert (continued):

“Telephone Payment Parking System” means an electronic system set up and maintained by the service provider whereby:

a) the driver of a vehicle, or other person authorised by the driver on their behalf, uses a telephone to communicate with the service provider, in accordance with the instructions on signs located in the parking place, and make payment of the parking charge and any additional convenience fee in respect of a specified vehicle, a specified parking place and for a specified parking period by use of a debit or credit card; and b) the service provider, on behalf of the Council, accepts payment of the parking charge by the method referred to in (a) of this definition and records such payment together with the parking period for which payment has been made; the parking place in which the vehicle has been left and the registration mark of the vehicle in respect of which the payment has been made.

Extent of Amendments

Substitute Article 49 with:

Payment of parking charge

49. The parking charge shall be paid by means of such parking meters, parking ticket machines, making a mobile phone payment or other parking devices as may be decided by the Council.

SCHEDULE 1
ORDER TO BE AMENDED

Title of Order

The East Ayrshire Council (Various Roads within East Ayrshire) (Waiting and Loading Restrictions and Designated Parking Places) (Amendments & Revocations) Order 2012

Extent of Amendments

Substitute Article 55 in its entirety with:

Payment of parking charge in parking places controlled by parking ticket machines and mobile phone payment

55. The parking charge as specified in Article 52 shall be payable on the leaving of a permitted vehicle in the parking place during the operational hours by making a mobile telephone payment or by the insertion in a parking ticket machine associated with the parking space in which the vehicle is left of—

- (a) a coin, or more than one coin inserted immediately one after the other of a denomination or denominations accepted by the parking ticket machine; or
- (b) a credit card or debit card of a type accepted by the parking ticket machine; or
- (c) a parking card or other method of payment adopted by the Council for the payment of parking charges.

Extent of Amendments

After Article 56 insert a new Article 56A with:

Display of parking ticket on a vehicle or indication of payment

56A. In respect of an indication that a payment has been made using the Telephone Payment Parking System for a vehicle left in a parking place and the parking period for which payment has been made shall appear on a hand held device.

Extent of Amendments

After Article 57 insert a new Article 57A with:

Validity of a parking ticket or mobile phone payment

57A. The parking time purchased using the Telephone Payment System shall be valid for a single stay only and shall not be transferred to any other vehicle or from one parking place to another

In Articles 61, 62, 64 and 66 substitute Parts XI, XII and XIII of Schedule 5 with Parts XI, XII, XIII and XIV of Schedule 5:

SCHEDULE 1
ORDER TO BE AMENDED

Title of Order

The East Ayrshire Council (Various Roads within East Ayrshire) (Waiting and Loading Restrictions and Designated Parking Places) (Amendments & Revocations) Order 2012

Extent of Amendment

Insert after Part VII a new Part VIII with:

PART VIII

DESIGNATED SHARED PARKING

Designation of a shared parking place

113. Each shared parking place described in Column 2 of Part I and II of Schedule 9 shall be deemed to be located within the named Shared Parking Zone

Shared parking place – Limited Waiting

114. Save as provided in Articles 115, 116, 117, 118, 142 and 151, and subject to Articles 121, 122, 123, 124 and 125 no person shall, except upon the direction or with the permission of a parking attendant in uniform, cause or permit any vehicle to wait in any of the lengths of roads on the days and during the times specified in Schedule 9 to this Order-

- (a) for a longer waiting period than that stated in Schedule 9

Shared parking place – Limited Waiting, Return Prohibited

115. Save as provided in Articles 114, 116, 117, 118, 142 and 151 and subject to Articles 121, 122, 123, 124 and 125 no person shall, except upon the direction or with the permission of a parking attendant in uniform, cause or permit any vehicle to wait in any of the lengths of roads on the days and during the times specified in Schedule 9 to this Order—

- (a) if the vehicle has previously waited in that length of road and the period specified as the No Return period in Schedule 9 has not elapsed since the last period of waiting of the said vehicle in the said lengths of roads.

Exceptions to application of the Shared parking place – Limited Waiting, Return Prohibited

116. Nothing in Articles 114 or 115 shall—

- (a) prevent any person from causing or permitting a vehicle to wait in any of the lengths of roads referred to in those Articles—
- (i) for so long as is necessary to enable a person to board or alight from the vehicle or to load thereon or unload therefrom their personal luggage;

- (ii) 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 lengths of roads so referred to, or the laying, erection, alteration or repair in or near to any of the said lengths of roads, of any sewer or any main, pipe or apparatus for the supply of gas, water or electricity, or of any electronic communications apparatus;
 - (iii) 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 & rescue and ambulance purposes;
 - (iv) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond their control or to such waiting being necessary in order to avoid injury or damage to persons or property;
 - (v) if the vehicle bearing the livery of a provider of a universal postal service which, whilst used by a universal service provider in the course of the provision of a universal postal service, is stationary only for so long as may be reasonably necessary for postal packets to be collected or delivered to or from adjacent premises or posting boxes;
 - (vi) for the purpose 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 one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository;
 - (vii) to enable the vehicle to be used in connection with wedding or funeral operations;
 - (viii) if the vehicle is displaying a valid permit issued by the Council in accordance with Articles 142 or 151;
 - (ix) the vehicle is left in the parking place on Christmas Day (25th December) or New Year's Day (1st January).
- (b) notwithstanding anything in paragraph (a) of this Article, the driver of a vehicle waiting shall move the said vehicle on the instruction of a police constable in uniform or parking attendant in uniform whenever such moving may be reasonably necessary for the purpose of preventing an obstruction or danger to others.

117. Nothing in Articles 114 and 115 shall apply to any disabled person's vehicle which is not causing an obstruction or danger to others and which displays a valid disabled person's badge.

118. Nothing in Articles 114 and 115 shall prevent any person from causing or permitting a vehicle to wait in any of the lengths of roads on the days and during the times specified in Schedule 9—

- (a) for so long as may be necessary for the purpose of delivering or collecting goods or merchandise or loading or unloading the vehicle at premises adjoining that road provided that no vehicle engaged in delivering or collecting goods or merchandise or being loaded or unloaded shall wait for a longer period than thirty minutes in the same place and no such vehicle shall wait for longer than ten minutes in the same place without goods being loaded onto or unloaded from the vehicle;
- (b) notwithstanding anything in paragraph (a) of this Article, the driver of a vehicle waiting for the purpose of delivering or collecting goods or merchandise or loading or unloading the vehicle shall move the same on the instruction of a police constable in uniform or parking attendant in uniform whenever such moving may be reasonably necessary for the purpose of preventing an obstruction or danger to others;

Numbering of limited waiting bay

119. Each shared parking place shall be given a reference number specified in column 1 of Schedule 9, as a means of identifying the shared parking place described opposite that reference number in column 2 of the said Schedule.

Delineation of shared parking place and shared parking spaces within a shared parking place

120. The limits of each shared parking place and shared parking space within a shared parking place shall be indicated on the carriageway by the use of road markings in accordance with diagram 1028.4 of the Traffic Signs Regulations and General Directions 2016 as amended.

Manner of standing within a shared parking place and shared parking spaces within a shared parking place

121. Notwithstanding anything in Articles 114, 115, 116, 117 and 118 and subject to Articles 122, 123 and 124 the manner of standing of a vehicle that is waiting shall be—

- (a) as specified in column 3 of Schedule 9 opposite the description of the shared parking place in column 2 of the said Schedule
- (b) such that no shared parking space within a shared parking place is occupied by more than one vehicle and that every part of the vehicle is within the limits of a shared parking space provided that, where the length of a vehicle precludes compliance with this paragraph, such vehicle shall be deemed to be within the limits of a shared parking space if—

- (i) the extreme front portion or, as the case may be, the extreme rear portion of the vehicle is within 300 mm of an indication on the carriageway provided under Article 120 in relation to the shared parking space within a shared parking place; and
 - (ii) the vehicle, or any part thereof, is not within the limits of any adjoining shared parking space.
- (a) such that every part of the vehicle is within the limits of a shared parking place provided that, where the length of a vehicle precludes compliance with this paragraph, such vehicle shall be deemed to be within the limits of a shared parking place if—
- (i) the extreme front portion or, as the case may be, the extreme rear portion of the vehicle is within 300 mm of an indication on the carriageway provided under Article 120 in relation to the shared parking place.

Alteration of position of a vehicle

122. Where any vehicle is standing in contravention of the provisions of Articles 114, 115, 117, 118, 121, 125, 126 and 127 a parking attendant in uniform or any 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

123. Where a parking attendant in uniform or any person duly authorised by the Council is of the opinion that any of the provisions contained in Articles , 114, 115, 116, 117, 118, 121, 125, 126 and 127 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

124. A parking attendant in uniform or any person duly authorised by the Council may move, or cause to be moved, in case of an emergency to any place they think fit, any vehicle left in any length of road described by this Order.

Power to suspend a shared parking place

125. Save as provided in Articles 114, 115, 126 and 127 and subject to Articles 122, 123 and 124—
- (a) Any person duly authorised by the Council may suspend the use of a shared parking place or any part thereof whenever such suspension is considered reasonably necessary—

- (i) for the purpose of facilitating the movement of traffic or promoting its safety;
 - (ii) for the purpose of any building operation or demolition, the removal of any obstruction to traffic, or excavation in or adjacent to the shared parking place or the maintenance, improvement or reconstruction of the shared parking place or the laying, erection, alteration, removal or repair in or adjacent to the limited waiting bay of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any electronic communications apparatus;
 - (iii) for the purpose 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 one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository;
- (i) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
 - (ii) to enable the vehicle to be used in connection with wedding or funeral operations.
- (b) A police constable in uniform may suspend for not longer than twenty four hours the use of a shared parking place or part thereof whenever such suspension is considered reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- (c) Any person suspending the use of a shared parking place or any part thereof in accordance with paragraphs (a) or (b) of this Article shall thereupon place, or cause to be placed, in or adjacent to any part of that shared parking place the use of which is suspended, a traffic sign in accordance with diagram 636 or 640.1 of the Traffic Signs Regulations and General Directions 2016 as amended, and remove or cover the shared parking signs that relates to that shared parking place that is suspended to indicating that waiting by vehicles is prohibited.
- (d) No person shall cause or permit a vehicle to be left in a shared parking place during such period as there is in or adjacent to that shared parking place a traffic sign placed and shared parking sign removed or covered in pursuance of paragraph (c) of this Article.

Exception to the suspension of a shared parking place

126. Nothing in Article 125 shall prevent any person from causing or permitting a vehicle to be used in any suspended shared parking place, or part thereof—
- (a) for so long as is necessary to enable a person to board or alight from the vehicle or to load thereon or unload therefrom their personal luggage;

- (b) 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 lengths of roads so referred to, or the laying, erection, alteration or repair in or near to any of the said lengths of roads, of any sewer or any main, pipe or apparatus for the supply of gas, water or electricity, or of any electronic communications apparatus;
- (c) 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 & rescue and
- (d) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond their control or to such waiting being necessary in order to avoid injury or damage to persons or property;
- (e) if the vehicle bearing the livery of a provider of a universal postal service which, whilst used by a universal service provider in the course of the provision of a universal postal service, is stationary only for so long as may be reasonably necessary for postal packets to be collected or delivered to or from adjacent premises or posting boxes;
- (f) for the purpose 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 one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository;
- (g) to enable the vehicle to be used in connection with wedding or funeral operations.
- (h) notwithstanding anything in paragraphs (a), (b), (c), (d), (e), (f) and (g) of this Article, the driver of a vehicle waiting for the purposes as stated therein shall move the said vehicle on the instruction of a police constable in uniform or parking attendant in uniform whenever such moving may be reasonably necessary for the purpose of preventing an obstruction or danger to others;

127. Nothing in Article 125 shall prevent any person from causing or permitting a vehicle to wait in the shared parking place which is temporarily suspended—

- (a) for so long as may be necessary for the purpose of delivering or collecting goods or merchandise or loading or unloading the vehicle at premises adjoining that road provided that no vehicle engaged in delivering or collecting goods or merchandise or being loaded or unloaded shall wait for a longer period than thirty minutes in the same place and no such vehicle shall wait for longer than ten minutes in the same place without goods being loaded onto or unloaded from the vehicle;
- (b) notwithstanding anything in paragraph (a) of this Article, the driver of a vehicle waiting for the purpose of delivering or collecting goods or merchandise or loading or unloading the vehicle shall move the same on the instruction of a

police constable in uniform or parking attendant in uniform whenever such moving may be reasonably necessary for the purpose of preventing an obstruction or danger to others;

Power to dispose of abandoned vehicles

128. Subject to Article 129, the Council may as respects a vehicle which has been removed from a parking place in pursuance of Article 123, 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.

Definition of reasonable enquiry

129. 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 128 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.

Designation of a shared parking place

Permit Holders

130. Each area on a road described in Column 2 of Parts I and II of Schedule 9 is hereby designated as a shared parking place.

Vehicles for which the use of shared parking places is permitted

131. Subject to Article 134 and Articles 143 to 154 inclusive, each shared parking place designated in this Order may be used for the leaving of permitted vehicles on the days and during the times specified in Schedule 9 to this Order—

Numbering of shared parking places

132. Each shared parking place shall be given a reference number specified in column 1 of Parts I and II of Schedule 9, as a means of identifying the parking place described opposite that reference number in column 2 of the said Schedule.

Delineation of shared parking spaces within a shared parking place

133. The limits of each shared parking space within a shared parking place shall be indicated on the carriageway by the use of—
- (a) road markings in accordance with diagram 1028.4 of the Traffic Signs Regulations and General Directions 2016 as amended; or

Manner of standing in shared parking spaces

134. Subject to Article 135, the manner of standing of a permitted vehicle in a shared parking place shall be—

- (a) as specified in column 3 of Parts I and II of Schedule 9, opposite the description of the shared parking place in column 2 of the said Schedule; and
- (b) such that no shared parking space is occupied by more than one vehicle and that every part of the vehicle is within the limits of a shared parking space provided that, where the length of a vehicle precludes compliance with this paragraph, such vehicle shall be deemed to be within the limits of a shared parking space if—
 - (i) the extreme front portion or, as the case may be, the extreme rear portion of the vehicle is within 300 mm of an indication on the carriageway provided under Article 133 in relation to the shared parking space; and
 - (ii) the vehicle, or any part thereof, is not within the limits of any adjoining shared parking space.

Alteration of position of a vehicle in a shared parking place

135. Where any vehicle is standing in a shared parking place in contravention of the provisions of Article 134, 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 from a shared parking place

136. 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 Articles 131, 134, 138, 139, 140, 145 and 146 have been contravened or have not been complied with in respect of a vehicle left in a shared parking place designated by this Order, he or she may remove the vehicle, or cause the vehicle to be removed from the shared parking place and, where it is so removed, shall provide for the safe custody of the vehicle.

Movement of a vehicle in a shared parking place in an emergency

137. A police constable in uniform or a parking attendant in uniform or any person duly authorised by the Council may move, or cause to be moved, in case of an emergency to any place they think fit, any vehicle left in a shared parking place.

Power to suspend shared parking places

138. Save as provided in Article 139—

- (a) Any person duly authorised by the Council may suspend the use of a shared parking place or any part thereof whenever such suspension is considered reasonably necessary—
- (i) for the purpose of facilitating the movement of traffic or promoting its safety;
 - (ii) for the purpose of any building operation or demolition, the removal of any obstruction to traffic, 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 of any electronic communications apparatus, traffic sign or parking meter;
 - (iii) for the convenience of occupiers of premises adjacent to the shared 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 a depository;
 - (iv) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
 - (v) for the convenience of occupiers of premises adjacent to the shared parking place at times of weddings or funerals or on other special occasions.
- (b) A police constable in uniform may suspend for not longer than twenty four hours the use of a shared parking place or part thereof whenever such suspension is considered reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- (c) Any person suspending the use of a shared parking place or any part thereof in accordance with paragraphs (a) or (b) of this Article shall thereupon place, or cause to be placed, in or adjacent to any part of that shared parking place the use of which is suspended, a traffic sign in accordance with diagram 636 or 640.1 of the Traffic Signs Regulations and General Directions 2016, as amended, and remove or cover the sign that relates to that shared parking place, indicating that waiting by vehicles is prohibited.
- (d) No person shall cause or permit a vehicle to be left in a shared parking space during such period as there is in or adjacent to that space a traffic sign placed in pursuance of paragraph (c) of this Article.

Exception to the suspension of a shared parking place

139. Nothing in Article 138 shall prevent any person from causing or permitting a vehicle to be used in any suspended shared parking place, or part thereof, so long as—

- (a) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond their control or to such waiting being necessary in order to avoid injury or damage to persons or property;
- (b) 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;
- (c) the vehicle is being used in connection with any building operation or demolition, the maintenance, improvement or reconstruction of any part of the road in which the shared parking place referred to is located, or the laying, erection, alteration or repair in or near to the said shared parking place, of any sewer or any main, pipe or apparatus for the supply of gas, water or electricity, or of any electronic communications apparatus, and the vehicle cannot conveniently be used for such purpose in any other road;
- (d) the vehicle bearing the livery of a provider of a universal postal service which, whilst used by a universal service provider in the course of the provision of a universal postal service, is stationary only for so long as may be reasonably necessary for postal packets to be collected or delivered to or from adjacent premises or posting boxes;
- (e) the vehicle is in actual use in connection with 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 a depository;

provided that in paragraphs (a) and (b) of this Article, the vehicle is left with the permission of the person suspending the use of the shared parking place or part thereof, a police constable in uniform, or a parking attendant in uniform; or

- (f) the vehicle is an emergency service vehicle being used in pursuance of statutory powers and duties.

Power to dispose of abandoned vehicles

140. Subject to Article 141, the Council may as respects a vehicle which has been removed from a shared parking place in pursuance of Article 136, 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.

Definition of reasonable enquiry

141. 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 140 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 and 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.

Residents Shared Parking Permits

Provision of residents shared parking permits for eligible vehicles for a shared parking place

142. Subject to Articles 114, 115, 143 to 150 inclusive, the Council shall issue a residents parking permit for a shared parking place to an eligible resident who makes application, subject to the following conditions—
- (a) the applicant shall keep and use an eligible vehicle;
 - (b) the applicant shall have as their main place of residence an eligible address;
 - (c) a maximum of one residents parking permit for a shared parking place shall be issued per eligible address;
 - (d) the applicant shall pay a charge specified in Part I and II of Schedule 11 for the associated period of validity specified in that Schedule;
 - (e) the applicant shall apply in writing in a manner determined by the Council and shall provide such information as the Council may require in order to verify that the application is valid.
 - (f) the applicant shall provide documentation to prove to the Council's satisfaction that the requirements of the foregoing parts of this Article have been met.

Display of residents parking permits for a shared parking place

143. A residents parking permit for a shared parking place issued by the Council in accordance with Article 142 shall be displayed on the vehicle in a conspicuous position so that the indications on the front of the permit are clearly visible to a person standing outside the vehicle and at its front nearside.

Validity of residents parking permits for a shared parking place

144. Residents parking permits for a shared parking place shall be valid as follows—
- (a) a residents parking permit for a shared parking place issued to an eligible address within Shared Parking Zone D, having a postal address within a road or part thereof described in Part I of Schedule 10, shall be valid only—
 - (i) when used in a shared parking place described in Part I of Schedule 9 and deemed as being within Shared Parking Zone D;
 - (ii) during the operational hours pertaining to Shared Parking Zone D;
 - (b) a residents parking permit for a shared parking place issued to an eligible address within Shared Parking Zone E, having a postal address within a road or part thereof described in Part II of Schedule 10, shall be valid only—

- (i) when used in a shared parking place described in Part II of Schedule 9 and deemed as being within Shared Parking Zone E;
- (ii) during the operational hours pertaining to Shared Parking Zone E;

A vehicle displaying a valid residents parking permit for a shared parking place which is left in any shared parking place within the Shared Parking Zone for which the permit is valid shall be exempt from the waiting and prohibited return period in that shared parking place.

Information to be included on a residents parking permit for a shared parking place

145. A residents parking permit for a shared parking place issued by the Council shall carry the following information—

- (a) the Parking Zone in which the permit is valid;
- (b) registration mark of the vehicle to which it applies;
- (c) a unique number or other such identifying mark;
- (d) the date upon which the permit shall expire;
- (e) any other information deemed to be necessary by the Council.

Restrictions on the use of residents permits for a shared parking place

146. A residents parking permit for a shared parking place issued under Article 142 shall—

- (a) be used only on the vehicle for which it was issued and which bears the same registration mark as the permit;
- (b) be used only in designated shared parking places within the Shared Parking Zone stated on the permit;
- (c) not be altered or defaced in any way;
- (d) remain the property of East Ayrshire Council;

Surrender of residents parking permits for a shared parking place

147. An eligible resident who is in receipt of a residents parking permit for a shared parking place may surrender their permit to the Council at any time and shall receive a refund for the unused complete months on a pro-rata basis, less an administration charge of an amount to be decided by the Council from time to time.

Withdrawal of residents parking permits for a shared parking place

148. The Council may, by giving 28 days notice in writing served on the permit holder at the address shown on the application for the permit, or at such other address believed to be the permit holder's residence at the time, withdraw a permit if—
- (a) the resident parking permit holder ceases to be a resident at the address for which the permit is issued upon which the appropriate refund as referred to in Article 147 shall be made by the Council to the permit holder;
 - (b) the Council issues a duplicate or replacement permit under the provisions of Article 149.

Applications for duplicate or replacement permits for a shared parking place

149. An eligible resident may make an application for a duplicate or replacement residents parking permit for a shared parking place if—
- (a) the original residents parking permit for a shared parking place is mutilated or defaced or faded so that the identifying mark as referred to in Article 145 is illegible; or
 - (b) the eligible vehicle for which the permit was issued is no longer kept and used by the permit holder and has been replaced by another eligible vehicle;

In both the aforementioned cases the residents permit for a shared parking place shall be surrendered to the Council at which time it shall be rendered invalid,

- (c) a permit for a shared parking place is lost, stolen or destroyed.

In all cases the duplicate or replacement permit for a shared parking place shall be issued only where the conditions stated in Article 142 (a), (b), (c), (e) and (f) are met and upon the payment of an administration fee of an amount to be decided by the Council from time to time.

Application of Order equally to original and replacement permits

150. The provisions contained in Articles 143 to 149 as they pertain to residents parking permits for a shared parking place shall apply equally to duplicate or replacement permits as to the residents parking permit for a shared parking place originally issued.

Business Shared Parking Permits

Provision of business shared parking permits for eligible business vehicles for a shared parking place

151. Subject to Article 114, 115, 152 to 159 inclusive, the Council shall issue a business parking permit for use on an eligible business vehicle for use in connection with an eligible business, subject to the following conditions—

- (a) the vehicle for which the permit is intended shall be used regularly in direct connection with the business;
- (b) the business shall operate from eligible premises;
- (c) the number of business parking permits issued to an eligible business shall be at the discretion of the Head of Roads – Ayrshire Roads Alliance;
- (d) the application shall be submitted by the eligible business in writing in a manner determined by the Council and shall provide such information as the Council may require in order to verify that the application is valid;
- (e) for each permit issued the applicant shall pay a charge as specified in Part I and II of Schedule 12 for the associated period of validity specified in that Schedule;
- (f) the applicant shall provide documentation to prove to the Council’s satisfaction that the requirements of the foregoing parts of this Article have been met.

Display of business parking permits for a shared parking place

152. A business parking permit issued by the Council in accordance with Article 151 shall be displayed on the vehicle in a conspicuous position so that the indications on the front of the permit are clearly visible to a person standing outside the vehicle and at its front nearside.

Validity of business parking permits for a shared parking place

153. Business parking permits shall be valid as follows—

- (a) a business parking permit issued to an eligible business within Shared Parking Zone D, having a postal address within a road or part thereof described in Part I, II and III of Schedule 10, shall be valid only—
 - (i) when used in a shared parking place described in Part I of Schedule 9 and deemed as being within Shared Parking Zone D;
 - (ii) during the operational hours pertaining to Shared Parking Zone D;
- (b) a business parking permit issued to an eligible business within Shared Parking Zone E, having a postal address within a road or part thereof described in Part II of Schedule 10, shall be valid only—
 - (i) when used in a shared parking place described in Part II of Schedule 9 and deemed as being within Shared Parking Zone E;
 - (ii) during the operational hours pertaining to Shared Parking Zone E;

A vehicle displaying a valid business parking permit which is left in any shared parking place within the Shared Parking Zone for which the permit is valid shall be exempt from the waiting and prohibited return period in that shared parking place.

Information to be included on a business parking permit for a shared parking place

154. A business parking permit issued by the Council shall carry the following information—

- (a) the Shared Parking Zone in which the permit is valid;
- (b) registration mark of the vehicle to which it applies;
- (c) a unique number or other such identifying mark;
- (d) the date upon which the permit shall expire;
- (e) any other information deemed to be necessary by the Council.

Restrictions on the use of business permits for a shared parking place

155. A business parking permit issued under Article 151 shall—

- (a) be used only on the vehicle for which it was issued and which bears the same registration mark as the permit;
- (b) be used only in designated parking places within the Shared Parking Zone stated on the permit;
- (c) not be altered or defaced in any way;
- (d) remain the property of East Ayrshire Council;

Surrender of business parking permits for a shared parking place

156. An eligible business that is in receipt of a business parking permit may surrender its permit to the Council at any time and shall receive a refund for the unused complete months on a pro-rata basis, less an administration charge of an amount to be decided by the Council from time to time.

Withdrawal of business parking permits for a shared parking place

157. The Council may, by giving 28 days notice in writing served on the permit holder at the address shown on the application for the permit, or at such other address believed to be the business's address at the time, withdraw a permit if—

- (a) the business ceases to have eligible premises at the address for which the permit is issued upon which the appropriate refund as referred to in Article 156 shall be made by the Council to the permit holder;
- (b) the Council issues a duplicate or replacement permit under the provisions of Article 158.

Applications for duplicate or replacement permits for a shared parking place

158. An eligible business may make an application for a duplicate or replacement business parking permit if—

- (a) the original business parking permit is mutilated or defaced or faded so that the identifying mark as referred to in Article 154 is illegible; or
- (b) the eligible vehicle for which the permit was issued is no longer kept and used by the business and is replaced by another eligible business vehicle;

In both the aforementioned cases the business permit shall be surrendered to the Council at which time it shall be rendered invalid,

- (c) a permit for a shared parking place is lost, stolen or destroyed.

In all cases the duplicate or replacement permit shall be issued only where the conditions stated in Article 151 (a), (b), (c), (e) and (f) are met and upon the payment of an administration fee of an amount to be decided by the Council from time to time.

Application of Order equally to original and replacement permits for a shared parking place

159. The provisions contained in Articles 151 to 158 as they pertain to business parking permits shall apply equally to duplicate or replacement permits as to the business parking permit originally issued.

SCHEDULE 1
ORDER TO BE AMENDED

Title of Order

The East Ayrshire Council (Various Roads within East Ayrshire) (Waiting and Loading Restrictions and Designated Parking Places) (Amendments & Revocations) Order 2012

Extent of Amendment

In Schedule 1 Part I delete from Brewery Road, Kilmarnock items 5 and 6 and in Schedule 3 Part I insert into Brewery Road, Kilmarnock new items 3 and 4:

Schedule 3 Part I add:

NO WAITING AT ANY TIME

**Lengths of Road in the Area
of East Ayrshire within the
Town of Kilmarnock**

**Side of Road to which
Restriction applies**

Plan Ref

Brewery Road

- | | | | |
|----|--|-----------|---|
| 3. | From a point 22 metres southeast of the extended southeast kerb line of Lawson Street northwestwards to its junction with Lawson Street. | Northeast | 1 |
| 4. | From a point 25 metres southeast of the extended southeast kerb line of Lawson Street northwestwards to its junction with Lawson Street. | Southwest | 1 |

Extent of Amendment

In Schedule 1 Part I Douglas Street, Kilmarnock substitute items 1 and 2 with:

NO WAITING AT ANY TIME & NO LOADING AT ANY TIME

**Lengths of Road in the Area
of East Ayrshire within the
Town of Kilmarnock**

**Side of Road to which
Restriction applies**

Plan Ref

Douglas Street

- | | | | |
|----|---|-----------|----|
| 1. | From a point 17 metres northwest of the extended west kerb line of Titchfield Street southeastwards to its junction with Titchfield Street. | Northeast | 04 |
| 2. | From a point 15 metres northwest of the extended west kerb line of Titchfield Street southeast to its junction with Titchfield Street. | Southwest | 04 |

SCHEDULE 1
ORDER TO BE AMENDED

Title of Order

The East Ayrshire Council (Various Roads within East Ayrshire) (Waiting and Loading Restrictions and Designated Parking Places) (Amendments & Revocations) Order 2012

Extent of Amendment

In Schedule 1 Part I East Netherton Street, Kilmarnock substitute items 1, 2, 3 and 4 with:

NO WAITING AT ANY TIME & NO LOADING AT ANY TIME

**Lengths of Road in the Area
of East Ayrshire within the
Town of Kilmarnock**

**Side of Road to which
Restriction applies**

Plan Ref

East Netherton Street

- | | | | |
|----|---|-------|----|
| 1. | From a point 18 metres west of the extended west kerb line of St Andrew's Street eastwards to its junction with St Andrew's Street. | North | 01 |
| 2. | From a point 103 metres west of the extended west kerb line of St Andrew's Street westwards to the westernmost end of East Netherton Street including the turning head. | North | 01 |
| 3. | From a point 12 metres west of the extended west kerb line of Bentinck Street eastwards to its junction with Bentinck Street. | South | 01 |
| 4. | From a point 103 metres west of the extended west kerb line of Bentinck Street westwards to the west end of East Netherton Street including the turning head. | South | 01 |

SCHEDULE 1
ORDER TO BE AMENDED

Title of Order

The East Ayrshire Council (Various Roads within East Ayrshire) (Waiting and Loading Restrictions and Designated Parking Places) (Amendments & Revocations) Order 2012

Extent of Amendment

In Schedule 1 Part I insert Fullarton Street, Kilmarnock and items 1, 2, 3 and 4:

NO WAITING AT ANY TIME & NO LOADING AT ANY TIME

**Lengths of Road in the Area
of East Ayrshire within the
Town of Kilmarnock**

**Side of Road to which
Restriction applies**

Plan Ref

Fullarton Street

- | | | | |
|----|--|------|-----|
| 1. | From a point 10 meters north of the extended north kerb line of West Woodstock Street southwards to its junction with West Woodstock Street. | East | 15A |
| 2. | From a point 10 meters south of the extended south kerb line of West Woodstock Street northwards to its junction with West Woodstock Street. | East | 15A |
| 3. | From a point 10 meters north of the extended north kerb line of West Fullarton Street southwards to its junction with West Fullarton Street. | West | 15A |
| 4. | From a point 10 meters south of the extended south kerb line of West Fullarton Street northwards to its junction with West Fullarton Street. | West | 15A |

SCHEDULE 1
ORDER TO BE AMENDED

Title of Order

The East Ayrshire Council (Various Roads within East Ayrshire) (Waiting and Loading Restrictions and Designated Parking Places) (Amendments & Revocations) Order 2012

Extent of Amendment

In Schedule 1 Part I insert Grange Terrace, Kilmarnock and items 1, 2, 3, 4 and 5:

NO WAITING AT ANY TIME & NO LOADING AT ANY TIME

**Lengths of Road in the Area
of East Ayrshire within the
Town of Kilmarnock**

**Side of Road to which
Restriction applies**

Plan Ref

Grange Terrace

- | | | | |
|----|--|----------------------------|-----|
| 1. | From a point 30 metres southwest of the extended southwest kerb line of Irvine Road northeast to its junction with Irvine Road. | Northwest | 25A |
| 2. | From a point 45 metres southwest of the extended southwest kerb line of Irvine Road northeastwards to its junction with Irvine Road. | Southeast | 25A |
| 3. | From a point 6 metres southeast of the extended northwest kerb line of Olive Road northwestwards and northeastwards for a distance of 52 metres. | Northeast and
Southeast | 25A |
| 4. | From a point 15 metres northwest of the extended northwest kerb line of Olive Road southeastwards to its junction with Olive Road. | Southwest | 25A |
| 5. | From a point 15 metres southeast of the extended southeast kerb line of Olive Road northwestwards to its junction with Olive Road. | Southeast | 25A |

SCHEDULE 1
ORDER TO BE AMENDED

Title of Order

The East Ayrshire Council (Various Roads within East Ayrshire) (Waiting and Loading Restrictions and Designated Parking Places) (Amendments & Revocations) Order 2012

Extent of Amendment

In Schedule 1 Part I insert James Shaw Crescent, Kilmarnock and item 1 and James Shaw Lane and items 1 and 2:

NO WAITING AT ANY TIME & NO LOADING AT ANY TIME

Lengths of Road in the Area of East Ayrshire within the Town of Kilmarnock

Side of Road to which Restriction applies

Plan Ref

James Shaw Crescent

- | | | | |
|----|---|------|-----|
| 1. | From its northern junction with Green Street to its eastern junction with Green Street. | Both | 21A |
|----|---|------|-----|

James Shaw Lane

- | | | | |
|----|---|------|-----|
| 1. | From a point 24 metres south of the extended south kerb line of James Shaw Crescent northward to its junction with James Shaw Crescent. | West | 21A |
| 2. | From a point 8 metres south of the extended south kerb line of James Shaw Crescent northwards to its junction with James Shaw Crescent. | East | 21A |

Extent of Amendment

In Schedule 1 Part I John Finnie Street, Kilmarnock substitute item 22 with:

NO WAITING AT ANY TIME & NO LOADING AT ANY TIME

Lengths of Road in the Area of East Ayrshire within the Town of Kilmarnock

Side of Road to which Restriction applies

Plan Ref

John Finnie Street

- | | | | |
|-----|--|------|-----|
| 22. | From a point 28 metres south of the extended south kerb line of West George Street northwards to its junction with West George Street. | East | 21A |
|-----|--|------|-----|

SCHEDULE 1
ORDER TO BE AMENDED

Title of Order

The East Ayrshire Council (Various Roads within East Ayrshire) (Waiting and Loading Restrictions and Designated Parking Places) (Amendments & Revocations) Order 2012

Extent of Amendment

In Schedule 1 Part I North Hamilton Street, Kilmarnock substitute items 6 and 8 with:

NO WAITING AT ANY TIME & NO LOADING AT ANY TIME

**Lengths of Road in the Area
of East Ayrshire within the
Town of Kilmarnock**

**Side of Road to which
Restriction applies**

Plan Ref

North Hamilton Street

- | | | | |
|----|--|------|-----|
| 6. | From a point 10 metres north of the extended north kerb line of West Woodstock Street southwards to its junction with West Woodstock Street. | West | 15A |
| 8. | From a point 10 metres north of the extended north kerb line of Woodstock Street southwards to its junction with Woodstock Street. | East | 15A |

Extent of Amendment

In Schedule 1 Part I insert Olive Road, Kilmarnock and items 1 and 2:

NO WAITING AT ANY TIME & NO LOADING AT ANY TIME

**Lengths of Road in the Area
of East Ayrshire within the
Town of Kilmarnock**

**Side of Road to which
Restriction applies**

Plan Ref

Olive Road

- | | | | |
|----|--|-------|-----|
| 1. | From a point 15 metres southwest of the extended southwest kerb line of Grange Terrace northeastwards to its junction with Grange Terrace. | North | 25A |
| 2. | From a point 16 metres southwest of the extended southwest kerb line of Grange Terrace northeastwards to its junction with Grange Terrace. | South | 25A |

SCHEDULE 1
ORDER TO BE AMENDED

Title of Order

The East Ayrshire Council (Various Roads within East Ayrshire) (Waiting and Loading Restrictions and Designated Parking Places) (Amendments & Revocations) Order 2012

Extent of Amendment

In Schedule 1 Part I Park Street, Kilmarnock substitute items 1, 2, 3 and 4 with:

NO WAITING AT ANY TIME & NO LOADING AT ANY TIME

**Lengths of Road in the Area
of East Ayrshire within the
Town of Kilmarnock**

**Side of Road to which
Restriction applies**

Plan Ref

Park Street

- | | | | |
|----|---|-------|-----|
| 1. | From a point 16 metres east of the extended east kerb line of North Hamilton Street westwards to its junction with North Hamilton Street. | North | 19A |
| 2. | From a point 30 metres east of the extended east kerb line of North Hamilton Street westwards to its junction with North Hamilton Street. | South | 19A |
| 3. | From a point 35 metres west of the extended northwest kerb line of Langlands Street eastwards to its junction with Langlands Street. | North | 19A |
| 4. | From a point 33 metres west of the extended northwest kerb line of Morton Place eastwards to its junction with Morton Place. | South | 19A |

SCHEDULE 1
ORDER TO BE AMENDED

Title of Order

The East Ayrshire Council (Various Roads within East Ayrshire) (Waiting and Loading Restrictions and Designated Parking Places) (Amendments & Revocations) Order 2012

Extent of Amendment

In Schedule 1 Part I Portland Street, Kilmarnock substitute items 4, 5, 6, 7 and 8 with:

NO WAITING AT ANY TIME & NO LOADING AT ANY TIME

**Lengths of Road in the Area
of East Ayrshire within the
Town of Kilmarnock**

**Side of Road to which
Restriction applies**

Plan Ref

Portland Street

- | | | | |
|----|--|-----------|-----|
| 4. | From a point 14.5 metres northeast of the extended northeast kerb line of Hill Street southwestwards to its junction with Green Street. | Southeast | 22A |
| 5. | From a point 19 metres northeast of the extended northeast kerb line of Hill Street southwestwards to its junction with Hill Street. | Northwest | 22A |
| 6. | From a point 85.5 metres northeast of the extended northeast kerb line of Hill Street northeastwards to its junction with Garden Street. | Northwest | 22A |
| 7. | From its junction with Garden Street to its intersection with Wellington Street. | Northwest | 22A |
| 8. | From a point 18 metres southwest of the extended southwest kerb line of Union Street northeastwards to its junction with Union Street. | Southeast | 22A |

SCHEDULE 1
ORDER TO BE AMENDED

Title of Order

The East Ayrshire Council (Various Roads within East Ayrshire) (Waiting and Loading Restrictions and Designated Parking Places) (Amendments & Revocations) Order 2012

Extent of Amendment

In Schedule 1 Part I substitute Seaford Street, Kilmarnock in its entirety with:

NO WAITING AT ANY TIME & NO LOADING AT ANY TIME

**Lengths of Road in the Area
of East Ayrshire within the
Town of Kilmarnock**

**Side of Road to which
Restriction applies**

Plan Ref

Seaford Street

- | | | | |
|----|--|--------------------|----|
| 1. | From a point 12 metres northwest of the extended northwest kerb line of Dundonald Road southeastwards to its junction with Dundonald Road. | Southwest | 09 |
| 2. | From a point 12 metres northwest of the extended northwest kerb line of Dundonald Road southeastwards to its junction with Dundonald Road. | Northeast | 09 |
| 3. | From a point 14 metres south of the extended south kerb line of Charles Street northwards to its junction with Charles Street. | West | 09 |
| 4. | From a point 60 metres northwest of the extended northwest kerb line of Dundonald Road northwestwards and northwards for a distance of 13 metres. | Northeast and East | 09 |
| 5. | From a point 21 metres north of the extended south kerb line of Charles Street southwards to a point 2 metres north of the extended north kerb line of Charles Street. | East | 09 |
| 6. | From a point 7 metres north of the extended north kerb line of Charles Street southwards to its junction with Charles Street. | West | 09 |

Lengths of Road in the Area
of East Ayrshire within the
Town of **Kilmarnock**

Side of Road to which
Restriction applies

Plan Ref

Seaford Street (continued)

7.	From a point 10 metres north of the extended north kerb line of Ellis Street southwards to its junction with Ellis Street.	West	10
8.	From a point 14 metres south of the extended south kerb line of Howard Street northwards to its junction with Howard Street.	East	10
9.	From a point 32 metres north of the extended north kerb line of Howard Street southwards to its junction with Howard Street.	East	10
10.	From a point 30 metres north of the extended north kerb line of Ellis Street northwards to its junction with the unnamed service road at the rear of 1 to 25 Ellis Street.	West	10
11.	From a point 52 metres north of the extended north kerb line of Howard Street northwards for a distance of 29 metres.	East	10
12.	From a point 58 metres south of the extended south kerb line of Portland Road southwards to its junction with the unnamed service road at the rear of 1 to 25 Ellis Street.	West	10
13.	From a point 10 metres south of the extended south kerb line Portland Road northwards to its junction with Portland Road.	West	10
14.	From a point 10 metres south of the extended south kerb line Portland Road northwards to its junction with Portland Road.	East	10
15.	From a point 26 metres south of the extended south kerb line Ellis Street northwards to its junction with Ellis Street.	West	10