**East Ayrshire Council**

**(Prestwick Place and Muirfield Drive, Kilmarnock)**

**(Prohibition of Motor Vehicles)**

**Experimental Order 2023**

East Ayrshire Council in exercise of the powers conferred on them by Sections 9 and 10 of the Road Traffic Regulation Act 1984, as amended, and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to said Act and having complied with the statutory requirements of The Local Authorities’ Traffic Orders (Procedure) (Scotland) Regulations 1999, as amended, hereby make the following Order :-

**Part I**

**General**

*Citation and commencement*

1. This Order may be cited as “East Ayrshire Council (Prestwick Place and Muirfield Drive, Kilmarnock) (Prohibition of Motor Vehicles) Experimental Order 2022 and shall come into operation on xxx for a period not exceeding 18 months.

*Interpretation*

1. a) In this Order the following expressions have the meanings hereby assigned

 to them—

“the 1984 Act” means the Road Traffic Regulation Act 1984;

“Council” means East Ayrshire Council;

“motor vehicle” unless the context otherwise requires means a mechanically propelled vehicle intended or adapted for use on roads;

"pedal cycle" means a unicycle, bicycle, tricycle or cycle, not being mechanically propelled unless it is an electrically assisted pedal cycle that is not treated as a motor vehicle;

“road” has the same meaning as in Section 151(1) of the Roads (Scotland) Act 1984;

“Schedule” means Schedule 1 annexed and signed as relative hereto;

1. A reference in this Order to any enactment is a reference to that enactment as amended by any subsequent enactment or order.
2. A reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.

**Part II**

**Prohibition of Motor Vehicles**

*Prohibition of motor vehicles*

3 Save as provided in Articles 4 and 5 no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any motor vehicle to be driven so as to enter or pass through the lengths of road as specified in Schedule 1.

4. Nothing in Article 3 shall apply as to prevent a person from causing or permitting a motor vehicles to be so driven;

(a) to enable the motor 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;

5. Nothing in Article 3 shall apply to a pedal cycle

*Power to modify or suspend the Order*

6. Any person duly authorised by the Council may modify or suspend the operation of the Order or any provision of it if it appears to him or her essential—

(a) in the interests of the expeditious, convenient and safe movement of traffic,

(b) in the interests of providing suitable and adequate on-street parking facilities, or

(c) for preserving or improving the amenities of the area through which any road affected by the Order runs. The power conferred by such a provision shall be exercised only after consulting the appropriate chief officer of police and giving such public notice as the Secretary of State may direct.

Sealed with the Common Seal of East Ayrshire Council and subscribed for it and on its behalf by David John Mitchell, Proper Officer and Solicitor to the Council at Kilmarnock on the xxx

 Signed ..............................................

 Dated.................................................

*This is Schedule 1 referred to in the foregoing* *East Ayrshire Council (Prestwick Place and Muirfield Drive, Kilmarnock) (Prohibition of Motor Vehicles) Experimental Order 2022.*

**SCHEDULE 1**

POINT RESTRICTIONS

MOTOR VEHICLES PROHIBITED

AT ALL TIMES

**Lengths of Road in the Area**

**of East Ayrshire within the**

**Town of Kilmarnock**

|  |  |  |
| --- | --- | --- |
| Column 1 |  |  |
|  |  |  |
| Muirfield DriveFrom a point 55 metres southwest of the extended southwest kerb line of Castle Stuart Walk, northeastwards for a distance of 1 metre.  |  |  |
|  |  |  |
| Prestwick PlaceFrom a point 11 metres northwest of the extended northwest kerbline of Castle Stuart Walk, southeastwards for a distance of 1 metre.  |  |  |