

CITY OF EDINBURGH COUNCIL

ROAD TRAFFIC MANAGEMENT

The City of Edinburgh Council (Traffic Regulation; Restrictions on Waiting, Loading and Unloading, Stopping and Parking Places) Designation and Traffic Regulation Order 2018

-TRO/18/09

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The Council of the City of Edinburgh, in exercise of the powers conferred on them by Sections 1(1), 2(1) to (3), 4(2), 32, 35, 45, 46, 49, 63 and 124 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 as amended, and as modified by the Road Traffic (Permitted Parking Area and Special Parking Area) (City of Edinburgh) Designation Order 1998 (SSI 1998/1539), as amended, (which Act as so amended and modified is herewith referred to as "the 1984 Act") and of all other powers enabling them in that behalf, and after consultation with the Chief Constable in accordance with Part III of Schedule 9 to the said Act of 1984, hereby make the following Order:-

PART 1

CITATION AND INTERPRETATION

Citation and commencement

1-1

This Order may be cited as "The City of Edinburgh Council (Traffic Regulation; Restrictions on Waiting, Loading and Unloading, Stopping and Parking Places) Designation and Traffic Regulation Order 2018" and shall come into force on the Fifteenth day of October Two Thousand and eighteen.

Interpretation

1-2

- (a) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:

"Article" means an Article of this Order;

"bridal vehicle" means a vehicle, whether or not mechanically propelled, which is used to convey a person being a party to a marriage (within the meaning of the Marriage and Civil Partnership (Scotland) Act 2014) to or from their marriage ceremony;

"business permit" means a permit granted by the Council in respect of a qualifying business vehicle or vehicles under the terms of Article 5-14;

"business permit holder" means a qualifying business to which a permit has been granted by the Council under the terms of Article 5-14 of this Order;

"calendar year" means the period between 1 January and 31 December inclusive in any given year;

"carriageway" has the same meaning as in Section 151 of the Roads (Scotland) Act 1984 as amended;

"Chief Constable" means the Chief Constable for the Police Scotland area;

"Car Club" means any car sharing scheme approved by the Council;

"Car Club Vehicle" means a vehicle bearing such indications as may be determined by the Council that it is a vehicle available for use by members of a Car Club;

"charging point" means a device designed for the charging of an electric vehicle or vehicles, where said device has been provided by the Council and is associated with an electric vehicle charging place;

"coach" means a public service vehicle provided that the said vehicle or vehicles are not being operated as a Local Service (as the same is defined in the Transport Act 1985);

"Controlled Parking Zone" comprises the roads which are so classified and specified in Sections 1 to 12 of Schedule 3 to this Order;

"Council" means the City of Edinburgh Council incorporated under the Local Government Etc. (Scotland) Act 1994 as local authority for the City of Edinburgh area;

"diplomatic vehicle" means a vehicle displaying a diplomatic plate or bearing such indications as may be determined by the Council that it is being used in connection with the business of a foreign embassy;

"Executive Director of Place " means the Executive Director of Place of the Council;

"Doctor" has the same meaning as medical practitioner

"Doctors' permit" means a permit granted by the Council under the terms of Article 5-25 of this Order

"offside" in relation to a vehicle means the right side of the vehicle viewed from the perspective of the driver sitting in the vehicle facing forwards;

"one-way street" means a road in which the driving of vehicles otherwise than in one direction is prohibited;

"owner", in relation to a vehicle, means the registered keeper of the vehicle;

"parking attendant" has the same meaning as in Section 63A of the 1984 Act.

"parking bay" means an individual, separately marked space provided for the leaving of a single vehicle in a parking place, or part thereof;

"parking charge" means the charge payable by any person leaving a vehicle in a parking place during the permitted hours in accordance with Part 4 of this Order;

"parking charge area" means any parking place, where a parking charge is applicable, identified on the relevant map tile and referenced within the map schedule legend;

"parking holiday" means Christmas Day (25 December), Boxing Day (26 December, unless 26 December falls on a Sunday, in which case 27 December shall be taken to be Boxing Day), New Year's Day (1 January) and Easter Monday;

"parking meter" has the same meaning as in Section 46(2) of the 1984 Act, being apparatus of a type and design approved by the Scottish Ministers for the purposes of this Order;

"parking place" means any part of a road that has been designated for the leaving of vehicles as specified by Article 3.2 and in any other provisions within this Order;

"passenger vehicle" means a motor vehicle (other than a motor cycle or invalid carriage) constructed or adapted solely for the carriage of not more than twelve passengers (exclusive of the driver) ;

"pedal cycle" has the same meaning as in Section 151 of the Roads (Scotland) Act 1984;

"permit" means any permit granted by the Council under the terms of this Order and, for the avoidance of doubt, refers only to the original document as granted;

"permit holder" means any person to whom a permit has been granted by the Council under the terms of this Order;

"permitted hours", means the hours during which a vehicle may wait, load or unload in a parking place or loading place indicated either on the map schedule legend or on the map tile label associated with the map tile related to that road;

"police vehicle" means a vehicle, whether or not mechanically propelled, which is being used by Police Scotland in the pursuance of duties being carried out under the direction of the Chief Constable;

"postal packets" has the same meanings as in Part 3 of the Postal Services Act 2011;

"postal services" has the same meanings as in Part 3 of the Postal Services Act 2011;

"Priority Parking Area" means an area comprising the roads which are so classified and specified in Sections 12 to 22 of Schedule 3 to this Order;

"prohibited hours", means, in relation to any restricted road, the period or periods where said road is subject to a loading prohibition, indicated either on the map schedule legend or on the map tile label associated with the map tile related to that road;

"public service vehicle" has the same meaning as in Section 1 of the Public Passenger Vehicles Act 1981, and, for the purposes of this Order, applies where the said vehicle or vehicles are being operated as a Local Service, as defined in the said Act;

"qualifying business" means the operator of a business undertaking Class 2 (Financial, professional and other services) activities, as defined by The Town and Country Planning (Use Classes) (Scotland) Order 1997, at premises the postal address of which is in a road within Sections 3 to 11 of Schedule 3.

"qualifying business vehicle" means a vehicle, being necessary for essential business use, with an overall height not exceeding 3.2 metres, overall length not exceeding 6.5 metres and gross weight not exceeding 5 tonnes and, for the avoidance of doubt, is not drawing a trailer;

"qualifying medical practice" means a medical practice with consulting rooms the postal address of which is listed in Schedule 3;