



TRAFFIC REGULATION ORDER

**ARGYLL AND BUTE COUNCIL
(MAIN STREET, CAMPBELTOWN)
(NO STOPPING EXCEPT TAXIS) ORDER 2018**

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Argyll and Bute Council in exercise of their powers conferred on it by Sections 1(1), 2(1) to (3), 4, and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984, as amended, and 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:-

Citation and commencement

1. This Order may be cited as the “Argyll and Bute Council (Main Street, Campbeltown) (No Stopping except Taxis) Order 2018” and shall come into operation on the Seventh day of May Two Thousand and Eighteen.

Interpretation

- (a) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

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

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

“**the 1991 Act**” means the Road Traffic Act 1991;

“**Council**” means Argyll and Bute Council;

“**driver**” means the person driving or having control or charge of the vehicle at any given time and in particular in relation to a vehicle waiting in a parking place the person driving at the time it was left in that parking place;

“**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;

“**parking attendant**” has the same meaning as in section 63A of the 1984 Act;

“**penalty charge**” has the same meaning as in Section 66 of the 1991 Act;

“**penalty charge notice**” means a notice issued by a parking attendant pursuant to the provisions of Section 43 and Section 66 of the 1991 Act;

“**registered keeper**” is the person for the time being registered at the Driving and Vehicle Licensing Agency as the person recorded as keeping the vehicle and the person named on the Vehicle Registration Certificate. The registered

keeper is not necessarily the legal owner of the vehicle or the driver of the vehicle for the time being;

“**schedule**” means the Schedule annexed to this Order and which forms part of this Order;

“**taxi**” has the same meaning as in Section 23(1) of the Civic Government (Scotland) Act 1982;

- (b) In so far as any provision of this Order conflicts with any provision which is contained in an Order made or having effect as if made under the Act or by or under any other enactment, then the provisions of this Order shall prevail.

No Stopping at any time

3. Save as provided in Article 4 and 5 of this Order, no person shall cause or permit any vehicle to stop or wait at any time on either of the lengths of road specified within the schedule.
4. The restrictions imposed by Article 3 to this Order shall not apply to:-
 - (a) a taxi which is stopped for as long as is reasonably necessary for the purpose of picking up or setting down passengers and their luggage;
 - (b) a taxi, occupied by its driver, which is waiting for the purpose of plying for hire.
5. Nothing in Article 3 of this Order applies to the lengths of road specified in the schedule in relation to:-
 - (a) a vehicle being used for fire brigade, ambulance, coastguard or police purposes;
 - (b) anything done at the direction of a Police Officer in uniform; or with the permission of a Parking Attendant;
 - (c) any vehicle waiting with the prior written permission of the Council for so long as may be necessary to enable the vehicle, if it cannot be used for such purpose without so waiting, to be used in connection with any building operation or demolition being carried on adjacent thereto, the removal of any obstruction or potential obstruction to traffic, the maintenance, testing, alteration, repair or removal of any structure, works or apparatus in, on, under or over the road;
 - (d) a vehicle being used in the service of the Council or with the prior written permission of the Council in exercise of statutory powers and duties; or
 - (e) a vehicle being used in the service of the Post Office for the purpose of delivering or collecting postal packets as defined in the Postal Services Act 2000.
 - (f) a vehicle waiting in any case where the driver of the vehicle:-

- (i) is required by law to stop;
- (ii) is obliged to do so in order to avoid an accident; or
- (iii) is prevented from proceeding by circumstances out-with their control and it is not reasonably practicable for them to drive or move the vehicle to a place not within the lengths of road specified in the schedule.

Responsibility of Registered Keeper

6. The responsibility for payment of any penalty charge rests with the registered keeper. If the registered keeper was not the driver at the time when it was left within either of the lengths of road specified in the schedule in contravention of any of the provisions of this Order it remains her/his responsibility to pay the penalty charge.

Contravention of this Order

7. (a) If a vehicle is parked in contravention of any of the Articles, provisions and requirements of this Order then a contravention shall have occurred, and a penalty charge shall be payable. A penalty charge notice may then be issued by a parking attendant.
- (b) Where a vehicle remains in a position so as to incur a penalty charge on the issue of a penalty charge notice, a further penalty charge notice may be issued on each calendar day thereafter.

Sealed with the Common Seal of Argyll and Bute Council and subscribed for them and on their behalf by Charles Reppke, Head of Governance and Law at Lochgilphead on Monday Nineteenth Day of March Two Thousand and Eighteen.

Signed.....

Date.....

This is the Schedule referred to in the foregoing Order the “Argyll and Bute Council (Main Street, Campbeltown) (No Stopping Except Taxis) Order 2018”

SCHEDULE

No Stopping except Taxis at any time

Length of Road within Campbeltown

Side of road to which restriction applies

Main Street

- | | |
|---|-----------|
| 1. From a point 25 metres or thereby northeast of the extended northeast kerbline of Lorne Street extending in a north-easterly direction for a distance of 30 metres or thereby. | Northwest |
| 2. From a point 5 metres or thereby northeast of the extended northeast kerbline of Shore Street extending in a north-easterly direction for a distance of 22 metres or thereby. | Southeast |

Authorised Signature_____