

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 and 23 to 42 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

"driver", in relation to a vehicle, means the person authorised by the owner to drive the said vehicle and, for the avoidance of doubt, includes the owner of the vehicle;

"electronic communications network" has the same meaning as in Section 32 of the Communications Act 2003;

"electronic payment system" means a system to facilitate and monitor the payment of parking charges using telephone or internet enabled devices via communication with the provider authorised and appointed by the Council to operate, administer and maintain the process for the payment of the parking charge, in accordance with the instructions indicated on signs located at or in the vicinity of each parking place;

"electric vehicle" means a vehicle which is capable of being wholly or partially propelled by electrical power and where said power is derived from an electrical storage battery which can be charged from an electrical source external to the vehicle;

"electric vehicle charging place" means any part of a road that has been designated for the leaving of electric vehicles for the purpose of charging said vehicles, under the provisions of this Order, and which are identified as such on the relevant map tile and referenced within the map schedule legend;

"entrance marking" has the same meaning as in the Traffic Signs Regulations and General Directions 2016;

"essential business use" in relation to a vehicle, means that the vehicle, or vehicles, must be required for use on a daily basis in connection with the primary function of the business;

"garage services permit" means a permit granted by the Council to a qualifying garage services business under the terms of Article 5-29 of this Order;

"garage services permit holder" means a qualifying garage services business to which a permit or permits have been granted by the Council under the terms of Article 5-29 of this Order;

"garage services permit user" means a qualifying garage services business to which a permit or permits have been granted by the Council under the terms of Article 5-29 of this Order;

"goods" means merchandise, produce and corporeal moveable items of a similar nature (excluding money) and "delivering" and "collecting" in relation to any goods includes checking the goods for the purpose of their delivery or collection;

"goods vehicle" means a motor vehicle which is constructed or adapted for use for the carriage of goods of any description;

"hand held device" means a hand held computer or other electronic apparatus used by a parking attendant which is programmed to interface with the electronic payment system;

"healthcare worker" means:

- (1) such persons as having been identified by NHS Lothian as being a GP, doctor, registered nurse or any other nominated medical persons carrying out domiciliary visits to patients residing within the Controlled Parking Zone; or
- (2) such persons as are GP's, doctors, registered nurses employed at qualifying medical practices and carrying out domiciliary visits to patients residing within the Controlled Parking Zone,

"healthcare workers' permit" means a permit granted by the Council under the terms of Article 5-20 of this Order

"household" means persons, whether members of the same family or otherwise, occupying any part of a building, being a part of which is occupied as a separate dwelling, and, in particular, includes a flat;

"invalid carriage" has the same meaning as in Section 136 of the 1984 Act;

"keeper" means:

- (1) the owner of a qualifying vehicle; or
- (2) a qualifying resident identified and authorised by a registered business as being the sole or main user of a qualifying vehicle owned or leased by that business; or
- (3) a qualifying resident identified and authorised by the owner of a qualifying vehicle as being the sole or main user of that vehicle, provided that both the owner of the qualifying vehicle and the qualifying resident are resident at the same address;

“limited waiting place” means any part of a road designated for the leaving of vehicles as are qualifying vehicles or goods vehicles for a specified maximum period and being identified as such by reference to the map schedule or the map tile label;

"liveried vehicle" means a vehicle displaying, at all times when said vehicle is left in accordance with the requirements of this order, 1) the trading name and 2) contact address, telephone number or email address of the business with which the vehicle is associated, where said details are, in the case of a vehicle associated with:

- 1) a qualifying retailer to whom a retailer’s permit has been granted, displayed in lettering and numbers which are permanently affixed to the vehicle specified on said permit;
- 2) a qualifying tradesperson to whom a trades permit has been granted, displayed in lettering and numbers which are temporarily or permanently affixed to the vehicle specified on said permit;
- 3) any other business specified within this Order where there is a requirement to display livery, displayed in lettering and numbers which are permanently affixed to the vehicle for which the permit has been granted;

"loading place" means any part of a road designated for the loading and unloading of vehicles and being identified as such on the map tile relating to that loading place, by reference to the map schedule legend or the map tile label;

"local authority" means a council constituted under Section 2 of the Local Government etc (Scotland) Act 1994;

"local roads authority" means the roads authority for Edinburgh, and the term “roads authority” shall have the same meaning as in Section 121A of the 1984 Act;

“map schedule legend” means the key or keys attached to this Order which, when used in conjunction with a map tile, identifies the type of restriction imposed or the type of parking places designated by this Order;

“map tile” means an individual map with a specific tile reference and map tile reference, being part of the map based schedule attached to this Order;

“map based schedule” means a combination of map tiles and map schedule legends, contained within this Order and identified in Schedule 2, which depict and identify the type and governing provisions of restrictions imposed or parking places designated by this Order.

For the avoidance of doubt, the Council does not accept responsibility for any inaccuracies contained in the Ordnance Survey data relied upon to create the map based schedule.

"map tile label", where shown on a map tile in relation to a parking place, loading place or a waiting, loading or stopping restriction, means a label which indicates the type of parking place, loading place or a waiting, loading or stopping restriction and if appropriate, other applying conditions;

"medical practitioner" means a “fully registered person” as defined in The Medical Act 1983;

“mews parking place” means any road, or as the case may be part of a road shown on a map tile and in a map schedule legend, where said road, or part of road, has a reference prefix “M”;

"mews resident" means a person who is solely or mainly resident at premises having an address within a mews parking place and, for the avoidance of doubt, includes a person who is solely or mainly resident at a premises which have a physical boundary with mews parking place or a medical practitioner with consulting rooms the postal address of which is within a mews parking place;

"mews retailer" means a retailer whose premises have a postal address within a mews parking place and for the avoidance of doubt includes a retailer with an address having a physical boundary with a mews parking place;

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

"motor vehicle" has the same meaning as in Section 136 of the 1984 Act;

"nearside" in relation to a vehicle, means the left side of the vehicle viewed from the perspective of the driver sitting in the vehicle facing forwards;

"no stopping hours", means the specified period or periods during which a vehicle may not stop as specified in 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;

"permit parking area" means any road, or as the case may be part of a road shown on a map tile and in a map schedule legend, where said road, or part of road, has a reference prefix "P";

"permit parking area resident" means a person who is solely or mainly resident at premises having an address within a permit parking area and, for the avoidance of doubt, includes:

- 1) a person who is solely or mainly resident at a premises:
 - a. which have a physical boundary with a permit parking area; or
 - b. detailed in Schedule 9 to this Order;
- 2) a medical practitioner with consulting rooms the postal address of which is within a permit parking area;

"permit parking area retailer" means a retailer whose premises have a postal address within a permit parking area and for the avoidance of doubt includes a retailer with an address having a physical boundary with a permit parking area or whose premises are described in Schedule 9 to this Order;

"permit parking area business" means a business whose premises have a postal address within a permit parking area and for the avoidance of doubt includes a retailer with an address having a physical boundary with a permit parking area or whose premises are described in Schedule 9 to this Order;

"permit parking area garage services business" means a garage services business whose premises have a postal address within a permit parking area and for the avoidance of doubt includes a garage services business with an address having a physical boundary with a permit parking area;

"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 13 to 22 and Sections 43 to 47 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 and Sections 23 to 42 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 garage services business" means the operator of a business undertaking services relating to motor vehicle maintenance such as, but not limited to MOTs, mechanical repairs, electrical repairs, welding or bodywork repairs, valeting or car washing, where the address of the said business is located on a road that is described in Sections 23 to 37 of Schedule 3;

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

"qualifying resident" means:

- (1) a person who is solely or mainly resident at premises the postal address of which is in a road described in Schedule 3; or
- (2) a medical practitioner with consulting rooms the postal address of which is in such a road described in Schedule 3; or
- (3) any person who owns or leases, on a long-term basis, any residential property the postal address of which is in a road described in Schedule 3, where the said property is not the sole or main place of residence and is used as a second home or holiday home;
- (4) a mews or permit parking area resident;
- (5) a resident whose property has a physical boundary with a designated mews parking place or permit parking area;

and for the avoidance of doubt, excludes any person resident in any premises referred to in Schedule 4;

"qualifying retailer" means the operator of a business undertaking Class 1 (Shop) 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 described in Sections 2 to 11 and Sections 23 to 42 of Schedule 3 or for those premises that have a physical boundary with a designated mews address and, for the avoidance of doubt includes a mews retailer;

"qualifying retailer's vehicle" means;

- (1) a liveried vehicle for retailers at premises the postal address of which is in a road described in Section 2 of Schedule 3, or
- (2) a vehicle for retailers at premises the postal address of which is in a road described in Sections 3 to 11 and Sections 23 to 42 of Schedule 3,
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 tradesperson" means a person employed to undertake maintenance or improvement works at an address other than that at which their business is otherwise based, subject to the terms of this Order;

"qualifying tradesperson's vehicle" means a liveried vehicle 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 vehicle" means a passenger vehicle, goods vehicle, motor cycle or invalid carriage which in each case:

- (1) has a height not exceeding 2.5 metres; and
- (2) is not drawing a trailer;

"residents' permit" means a permit granted by the Council under the terms of Article 5-4 of this Order;

"residents' permit holder" means a qualifying resident to whom a permit has been granted by the Council under the terms of Article 5-4 of this Order;

"restricted hours", means, in relation to any restricted road, the period or periods where waiting is restricted, as indicated by means of either the map schedule legend or a map tile label associated with the map tile relevant to that restricted road;

"restricted road" means any road identified by way of either the map schedule legend or a map tile label as having permitted hours, restricted hours, prohibited hours or no stopping hours applying to that road;

For the avoidance of doubt, a restricted road, will for the purposes of this Order apply from the road boundary of the road to the centreline of the road.

"retailers' permit" means a permit granted by the Council in respect of a qualifying retailer's vehicle or vehicles under the terms of Article 5-11;

"retailers' permit holder" means a qualifying retailer to whom a permit has been granted by the Council under the terms of Article 5-11 of this Order;

"RNLI staff" means a person who is either employed by or is a volunteer member of the Royal National Lifeboat Institution based at Queensferry Lifeboat Station;

"RNLI permit" means a permit granted by the Council under the terms of Article 5-23 of this Order

"road" has the same meaning as in Section 151 of the Roads (Scotland) Act 1984 and for the avoidance of doubt, a road includes part of a road;

"road boundary" means the outer extent of the road where the road's carriageway, footway, cycle track or verge adjoins adjacent property;

"Schedule" means a Schedule to this Order;

"school keep clear marking" means an entrance marking within which stopping by vehicles is prohibited under the terms of Article 2-9 of this Order.

"security vehicle" means a liveried vehicle in the service of, or being employed by, a security company;

"street" has the same meaning as a 'road' as herein defined;

"taxi" has the same meaning as in Section 23 of the Civic Government (Scotland) Act 1982;

"taxi stance" means any part of a road appointed as a taxi stance under the provisions of Section 19 of the Civic Government (Scotland) Act 1982;

"ticket" means a ticket issued by a parking meter installed at a pay-and-display parking place, shared-use parking place or a coach parking place;

"trades' permit" means a permit granted by the Council in respect of a qualifying tradesperson's vehicle or vehicles under the terms of Article 5-17;

"trades' permit holder" means a qualifying tradesperson to whom a permit has been granted by the Council under the terms of Article 5-17 of this Order;

"trading name" means the registered name of a qualifying business or qualifying tradesperson, or the name by which the qualifying business or qualifying tradesperson is known by;

"traffic sign" means a sign of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under, Section 64 of the 1984 Act;

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

"universal service provider" has the same meanings as in Part 3 of the Postal Services Act 2011;

"valid application" means an application made in accordance with the prescribed procedure and on the appropriate form for the permit applied for and, for the avoidance of doubt, includes payment of the appropriate charge;

"vehicle" means either a motor vehicle or a motor cycle, in either case with or without a trailer;

"visitors' permit" means a permit granted by the Council under the terms of Article 5-8 of this Order;

"visitors' permit holder" means a person to whom a visitors' permit has been granted by the Council under the terms of Article 5-8 to this Order;

"visitors' permit user" means a person who is authorised by a visitors' permit holder to use a visitors' permit in accordance with Article 5-8 and Part 6 of this Order and, for the avoidance of doubt, may include the visitors' permit holder; and

"zone" means an area comprising the roads and the parking places which are so classified and specified;

- (a) in the map schedule by way of either the map schedule legend or a relevant map tile labels and
- (b) in the Sections 1 to 12 and Sections 23 to 42 or as the case may be sub-Sections of 1 and 2 of Schedule 3;

For the avoidance of doubt, a zone includes a sub-zone.

- (b) References in this Order to a disabled person, to a disabled person's badge, to a disabled person's vehicle and to a vehicle displaying a disabled person's badge in the relevant position shall be construed in accordance with the 1984 Act, The Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000 and The Local Authorities Traffic Orders (Exemptions for Disabled Persons) (Scotland) Regulations 2002;
- (c) Unless the context otherwise requires, a reference in this Order:
 - (1) to a Schedule or Schedules is a reference to a Schedule or Schedules to this Order;
 - (2) to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order;
 - (3) to a numbered paragraph is a reference to the paragraph bearing that number in the Article in which the reference occurs.
- (d) For the purposes of this Order a vehicle shall be deemed to wait, in a restricted road, if the vehicle is stationary; and
 - (1) if any point in that road is directly below any part of either the vehicle or its load (if any); or
 - (2) if the vehicle has been observed to have been stationary and in the same place in that road for a period exceeding any specific permitted period of waiting for that place, whether or not the vehicle has been moved during that period.
- (e) For the purposes of this Order a vehicle shall be deemed to stop, in a school keep clear marking if:
 - a) the vehicle is stationary; and
 - b) any point in that school keep clear marking is directly below any part of either the vehicle or its load (if any); and
 - c) the driver of the vehicle remains within the vehicle whilst it is stationary; and
 - d) the vehicle is stationary for a period no longer than two minutes, after which period the vehicle will be considered to be waiting.
- (f) For the purposes of this Order, the dimensions all parking places or loading places designated by this Order and identified as such by a map schedule legend shall comply with the requirements of Schedule 7 to the Traffic Signs Regulations and General Directions 2016.
- (g) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment.
- (h) The restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulations made or having effect as if made under the 1984 Act as amended as aforesaid or by or under any other enactment.

PART 2

RESTRICTION OF WAITING, LOADING OR UNLOADING AND STOPPING

Section 1 – Restriction of waiting and loading or unloading

Restriction of waiting and loading or unloading applicable to restricted roads

2-1

- (a) Save as provided in the applicable Sections of Articles 2-2, 2-3, 2-4 and 2-5 no person shall, except upon the direction or with the permission of a parking attendant, cause or permit any vehicle to wait during the restricted hours in any restricted road.
- (b) Save as provided in the applicable Sections of Articles 2-2, 2-3 and 2-5 no person shall, except upon the direction or with the permission of a parking attendant, cause or permit any vehicle to wait for the purposes of loading or unloading during the prohibited hours in any restricted road.

Exemptions from restriction of waiting and loading or unloading

2-2

The restrictions imposed by:

- (a) Article 2-1 shall not apply to the following vehicles:
 - (1) vehicles while being used for fire and rescue, ambulance or police force purposes;
 - (2) vehicles, not being passenger vehicles, while being used in the service of the local roads authority in pursuance of statutory powers or duties: provided that in all the circumstances it is reasonably necessary in the exercise of such powers or duties or the performance of such duties for the vehicle to wait at the place in which it is waiting.
- (b) Article 2-1 shall not apply to taxis while:
 - (1) waiting upon a duly authorised taxi stance; and
 - (2) the driver is within the vehicle; and
 - (3) the vehicle is available for immediate hire.
- (c) Article 2-1(a) shall not apply to the following vehicles:
 - (1) invalid carriages or motor vehicles which are being driven or used by disabled persons and which conspicuously display, so as to be clearly visible from the front of the vehicle, a valid disabled person's badge
 - (2) vehicles waiting while goods are being sold or offered for sale by a person who is licensed by the Council to sell goods from a stationary vehicle on an approved pitch and which is waiting for such purpose on a pitch

provided that no vehicle shall wait, by virtue of this paragraph on any restricted road during the prohibited hours;

- (d) Article 2-1(b) shall not prevent any person from causing or permitting a vehicle to wait in any restricted road, for so long as may be necessary during the prohibited hours:
 - (1) to enable a vehicle in actual use or materially necessary for such purposes, provided that the said vehicle cannot conveniently be used for the same purpose either in any other road not being a restricted road or outwith the prohibited hours, to be used, in or adjacent to that or any other restricted road in connection with any:
 - (i) building operation; or
 - (ii) demolition; or
 - (iii) laying, erection, alteration or repair of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any electronic communications network; or
 - (iv) excavation,provided that, in the case of any of the operations described in sub-paragraphs (iii) and (iv), the said operation, or operations, are to be conducted within the extents of the road.

- (2) to enable a vehicle in actual use or materially necessary for such purposes, provided that the said vehicle cannot conveniently be used for the same purpose either in any other road not being a restricted road or outwith the prohibited hours, to be used in connection with any:
 - (i) cleansing or lighting of any restricted road; or
 - (ii) removal of any obstruction to traffic on any restricted road; or
 - (iii) maintenance or improvement or reconstruction of any restricted road; or
 - (iv) placing, maintenance or removal of any traffic sign or parking meter on any restricted road.

Exceptions to restriction of waiting and loading or unloading
2-3

- (a) Nothing in Article 2-1 shall prevent any person from causing or permitting a vehicle to wait in any of the lengths of restricted road for so long as may be necessary during the restricted hours or the prohibited hours, as the case may be:
 - (1) to enable a person to board or alight from the vehicle or to load thereon or unload therefrom his personal luggage: Provided that no vehicle shall so wait in any restricted road during the prohibited hours for longer than two minutes;
 - (2) when the person in control of the vehicle is:
 - (i) required by law to stop; or
 - (ii) is obliged to stop in order to avoid an accident; or
 - (iii) is prevented from proceeding by any circumstances beyond their control, where the said circumstance relates directly to the movement, or otherwise, of traffic on the road;
 - (3) if the vehicle is in actual use in connection with a funeral undertaking;
 - (4) if the vehicle is in the service of, or is being employed by, a security company and is in actual use while currency or other valuables:
 - (i) are being unloaded from the vehicle; or
 - (ii) having been unloaded from the said vehicle, are being delivered; or
 - (iii) are being collected from premises adjacent to that road for loading onto the vehicle; or
 - (iv) having been collected from the said premises, are being loaded onto the vehicle.
- (b) Nothing in Article 2-1 shall prevent any person from causing or permitting a vehicle to wait in a restricted road, for so long as may be necessary during the restricted hours or the prohibited hours, as the case may be:
 - (1) to enable a vehicle in actual use or materially necessary for such purposes, provided that the said vehicle cannot conveniently be used for the same purpose either in any other road not being a restricted road or outwith the restricted hours, to be used in or adjacent to that or any other restricted road in connection with any:
 - (i) building operation; or
 - (ii) demolition; or
 - (iii) laying, erection, alteration or repair of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any electronic communications network; or
 - (iv) excavation,

provided that, in the case of any of the operations described in sub-paragraphs (iii) and (iv) above, the said operation or operations are to be conducted within the extents of the road.
 - (2) to enable a vehicle in actual use or materially necessary for such purposes, provided that the said vehicle cannot conveniently be used for the same purpose either in any other road not being a restricted road or outwith the restricted hours, to be used in connection with any:
 - (i) cleansing or lighting of any restricted street; or
 - (ii) removal of any obstruction to traffic on any restricted road; or
 - (iii) maintenance or improvement or reconstruction of any restricted road; or

- (iv) placing, maintenance or removal of any traffic sign or parking meter on any restricted road
- (3) if the vehicle, being a liveried vehicle, is in the service of, or is being employed by, a universal service provider and is in actual use while postal packets:
 - (i) addressed to premises adjacent to that road are being unloaded from the vehicle; or
 - (ii) addressed to premises adjacent to that road having been unloaded from the said vehicle, are being delivered; or
 - (iii) are being collected from postal boxes or premises adjacent to that road for loading onto the vehicle: or
 - (iv) are being loaded onto the vehicle.
- (c) Nothing in Article 2-1 shall prevent any person from causing or permitting a vehicle to wait in any restricted road, during the restricted hours, in the course of their employment to visit patients in premises on or adjacent to any restricted road: provided that:
 - (1) no such vehicle shall, where applicable, wait by virtue of this paragraph in a restricted road during the prohibited hours;
 - (2) no such vehicle shall wait by virtue of this paragraph in any restricted road for a period longer than two hours
 - (3) and at all times when a healthcare workers permit holders vehicle is left in a restricted road, said vehicle complies, where applicable, with the requirements of Article 6-1.

Loading or unloading of goods

2-4

The restrictions imposed by Article 2-1 shall not apply so as to prevent any person from causing or permitting a vehicle to wait during the restricted hours in any restricted road while the vehicle is in actual use for the purpose of delivering or collecting goods or while loading or unloading the vehicle at premises adjoining the said road: provided that, during the restricted hours:

- (a) no such vehicle so engaged shall wait for a period of more than thirty minutes in the same place; and
- (b) no such vehicle so engaged shall return to the same place, unless a period of more than thirty minutes has elapsed since the termination, during the restricted hours, of the previous waiting period; and
- (c) no vehicle shall wait during the prohibited hours in any restricted road for the purpose of delivering or collecting goods or loading or unloading the vehicle.

Furniture removals and other exceptional loading or unloading

2-5

- (a) Subject to the provisions of paragraphs (b), (c) and (d) of this Article, nothing in this Part of this Order shall apply so as to restrict the loading or unloading of a vehicle while the vehicle is in actual use, in any restricted road, in connection with the removal of furniture to or from one office, dwelling house or depository adjacent to that restricted road from or to another office, dwelling house or depository.
- (b) Paragraph (a) of this Article shall not apply to a vehicle:
 - (1) waiting during the prohibited hours in any restricted road; or
 - (2) waiting between the hours of 6 a.m. and midnight in any length of restricted road or part thereof indicated by way of the map schedule legend or a map tile label as being a restricted road in which waiting, loading and unloading by vehicles is restricted at any time.
- (c) Paragraph (b) of this Article shall not apply where:
 - (1) notice is given twenty-four hours in advance to the Executive Director of Place ; and
 - (2) his consent, either generally or specifically, has been obtained; and
 - (3) such reasonable conditions he may impose are complied with.

- (d) Without prejudice to the foregoing paragraphs, nothing in this Part of this Order shall apply so as to restrict the loading or unloading of a vehicle while the vehicle is in actual use in any restricted road in connection with the collection or delivery of goods from or to premises in or adjacent to that road if the goods cannot reasonably be loaded or unloaded outwith the restricted hours or the prohibited hours, where applicable, or within the time (if any) allowed in relation to that road, provided that:
- (1) notice is given twenty-four hours in advance to the Executive Director of Place; and
 - (2) his consent, either generally or specifically has been obtained; and
 - (3) such reasonable conditions as he may impose are complied with.

Manner of waiting in a restricted road

2-6

Any person in charge of a vehicle waiting in any restricted road shall, except upon the direction or with the permission of a parking attendant, so wait so that the nearest wheels of the vehicle are not more than 0.3 metres from the edge of the carriageway nearest to the vehicle.

Duty to move on

2-7

Notwithstanding any exemption or exception contained in this Part of this Order, the person in control of any vehicle waiting during the restricted hours or during the prohibited hours in a restricted road shall, on the instructions of a parking attendant, move, or cause to be moved, the vehicle whenever such removal is reasonably necessary for the purpose of facilitating the passage of traffic.

2-8

Not used

Section 2 – Restriction of stopping on school keep clear markings

Restriction of stopping on school keep clear markings

2-9

Save as provided in Article 2-10, no person shall cause or permit, except upon the direction or with the permission of a parking attendant, any vehicle to stop or remain at rest during the no stopping hours on any school keep clear marking.

Exemptions from restriction of stopping on school keep clear markings

2-10

Nothing in Article 2-9 shall apply:

- (a) to a person causing a vehicle to stop if that person is:-
 - (i) required by law to do so;
 - (ii) obliged to stop the vehicle so as to avoid an accident;
 - (iii) prevented from proceeding in the vehicle by circumstances beyond their control;
 - (iv) getting or giving help in consequence of an accident or an emergency, or otherwise taking action for public safety;
 - (v) using the vehicle in connection with the removal of any obstruction to traffic; or
 - (vi) using the vehicle in connection with the servicing, maintenance, improvement, reconstruction or operation of a parking place or loading place.; or
- (b) to a vehicle being used for fire brigade, ambulance or police purposes if the observance of the provisions of this Order would hinder the use of the vehicle; or
- (c) where the restriction is located in the vicinity of a school, to a bus authorised by the Council for the provision of school transport services, in the course of providing a school transport service.

PART 3

DESIGNATION AND USE OF PARKING PLACES, LOADING PLACES AND TAXI STANCES

Designation of parking places, loading places and taxi stances

3-1

- (a) Each part of a road identified on the map based schedule and, by way of a map tile label or the map schedule legend, as a:
- (1) parking place, electric vehicle charging place, mews parking place, garage services parking place or permit parking area, is hereby designated as a parking place;
 - (2) loading place is hereby designated as a loading place;
 - (3) taxi stance is hereby designated as a taxi stance.

Vehicles for which parking places, loading places and taxi stances are designated

3-2

Subject to the provisions of this Order:

- (a) Each pay and display parking place depicted in a map tile:
- (1) may be used, during the permitted hours as stated in either the map schedule legend or a map tile label relating to that parking place, for:
 - (i) the leaving of such vehicles as are qualifying vehicles or goods vehicles; or
 - (ii) the leaving of such qualifying tradespersons' vehicles as have been granted a trades permit and comply, where applicable, with the requirements of Article 6-1.
 - (2) identified by way of the map schedule legend or a map tile label as being located within a zone or sub-zone not described in Section 1 of Schedule 3 may be used, during the permitted hours as stated in either the map schedule legend or a map tile label relating to that parking place, for the leaving of such vehicles as are qualifying vehicles and that comply, where applicable, with the requirements of Article 6-1 for the leaving of a vehicle associated with, a valid healthcare workers' permit.
- (b) Each resident permit parking place depicted in a map tile:
- (1) may only be used, during the permitted hours as stated in either the map schedule legend or a map tile label relating to that parking place, for the leaving of such vehicles as are qualifying vehicles or qualifying tradesperson's vehicles and that comply, where applicable, with the requirements of Article 6-1 for vehicles which have been granted:
 - (i) a valid residents' permit; or
 - (ii) a valid trades' permit, provided that no trades persons vehicle may be left by virtue of this Article in a resident permit parking place during the restricted hours, before 9.00am and after 4.30pm.
 - (2) and identified by way of the map schedule legend or a map tile label as being located within a zone described in Sections 3 to 11 and Sections 23 to 42 of Schedule 3, in addition to the instances described in paragraph (1) of this Article, may also be used, during the permitted hours as stated in either the map schedule legend or a map tile label relating to that parking place, for the leaving of such vehicles as are qualifying business vehicles and for which a valid business permit has been granted and that comply, where applicable, with the requirements of Article 6-1, a valid business permit, provided that use by such vehicles of mews parking places and permit parking areas is restricted in accordance with paragraphs (h) and (i) of this Article;
 - (3) and identified by way of the map schedule legend or a map tile label as being located within a zone described in Sections 1 to 11 and Sections 13 to 47 of Schedule 3, in addition to the instances described in paragraph (1) of this Article, may also be used, during the permitted hours as stated in either the map schedule legend or a map tile label relating to that parking place, for the leaving of such vehicles as are qualifying vehicles and that comply, where applicable, with the requirements of Article 6-1 for the display of a valid visitors' permit, provided that use by such vehicles of mews parking places and permit parking areas is restricted in accordance with paragraphs (h) and (i) of this Article;

- (4) and identified by way of the map schedule legend or a map tile label as being located within a zone or a sub-zone described in Sections 2 to 11 and Sections 23 to 42 of Schedule 3, in addition to the instances described in paragraph (1) of this Article, may also be used, during the permitted hours as stated in either the map schedule legend or a map tile label relating to that parking place, for the leaving of such vehicles as are qualifying retailer's vehicles for which a valid retailers' permit has been granted and which comply, where applicable, with the requirements of Article 6-1; provided that the use by such vehicles of mews parking places and permit parking areas is restricted in accordance with paragraphs (h) and (i) of this Article;
 - (5) and identified by way of the map schedule legend or a map tile label as being located within an area described in Sections 13 to 28 of Schedule 3, in addition to the instances described in paragraph (1) of this Article, may also be used, during the permitted hours as stated in either the map schedule legend or a map tile label relating to that parking place, for the leaving of such vehicles as are associated with a valid Healthcare Workers Permit and comply, where applicable, with the requirements of Article 6-1;
- (c) Each 'shared-use' parking place depicted in a map tile may only be used, during the permitted hours as stated in either the map schedule legend or a map tile label relating to that parking place, for the leaving of such vehicles as are:
- (1) qualifying vehicles or goods vehicles; or
 - (2) qualifying vehicles or qualifying tradesperson's vehicles which comply, where applicable, with the requirements of Article 6-1 and which have been granted, one of the following:
 - (i) a valid residents' permit; or
 - (ii) a valid trades' permit, or
 - (3) qualifying vehicles using a valid visitors' permit and which comply, where applicable, with the requirements of Article 6-1, where the parking place is identified by way of the map schedule legend or a map tile label as being located within a zone described in Sections 1 to 11 and Sections 23 to 42 of Schedule 3; or
 - (4) qualifying retailer's vehicles for which a valid retailers permit has been granted and which comply, where applicable, with the requirements of Article 6-1 where the parking place is identified by way of the map schedule legend or a map tile label as being located within a zone or sub-zone described in Sections 2 to 11 and Sections 23 to 42 of Schedule 3; or
 - (5) qualifying vehicles using a valid Healthcare Workers Permit and which comply with the requirements of Article 6-1, where the parking place is identified by way of the map schedule legend or a map tile label as being located within a zone or sub-zone described in Sections 2 to 11 and Sections 23 to 42 of Schedule 3;
 - (6) qualifying vehicles for which a valid business permit has been granted and which comply, where applicable, with the requirements of Article 6-1, where the parking place is identified by way of the map schedule legend or a map tile label as being located within a zone described in Sections 3 to 11 and Sections 23 to 42 of Schedule 3;
 - (7) qualifying vehicles using a valid garage services permit and which comply, where applicable, with the requirements of Article 6-1, where the parking place is identified by way of the map schedule legend or a map tile label as being located within a zone described in Sections 23 to 47 of Schedule 3.
- (d) Each parking place depicted in a map tile as being designated for the use by one of the following types of qualifying vehicle, may be used, during the relevant permitted hours as stated in either the map schedule legend or a map tile label relating to that parking place, for the leaving of such vehicles as are:
- (1) in the case of a Bridal vehicle parking place, being used by a person being a party to a marriage for so long as may be reasonably necessary to enable that person to participate in their marriage ceremony;
 - (2) in the case of a Car Club parking place, a Car Club vehicle;
 - (3) in the case of a Diplomatic vehicle parking place, a diplomatic vehicle;
 - (4) in the case of a Disabled Person's parking place, displaying a valid disabled person's badge;
 - (5) in the case of a Doctors parking place, displaying such indications as determined by the Council that it is the vehicle of a medical practitioner;

- (6) in the case of a Police vehicle parking place, being used by Police Scotland;
 - (7) in the case of an RNLI permit parking place, for a qualifying vehicle for which an RNLI permit has been granted, where said vehicle complies, where applicable, with the requirements of Article 6-1; and
 - (8) in the case of an Electric vehicle parking place, an electric vehicle.
- (e) Each parking place depicted in a map tile:
- (1) as a coach parking place may be used for the leaving, during the permitted hours as stated in either the map schedule legend or a map tile label relating to that parking place, of such vehicles as are coaches;
 - (2) as a Motor Cycle parking place may be used for the leaving, during the permitted hours as stated in either the map schedule legend or a map tile label relating to that parking place, of such vehicles as are motor cycles to which no sidecar is attached;
 - (3) as a Pedal Cycle parking place may be used for the leaving, during the permitted hours as stated in either the map schedule legend or a map tile label relating to that parking place, of such vehicles as are pedal cycles;
 - (4) as a limited waiting place may be used for the leaving of such vehicles as are qualifying vehicles or goods vehicles during the permitted hours and for a period no longer than the maximum period in either the map schedule legend or a map tile label relating to that parking place.
- (f) Each loading place depicted in a map tile:
- (1) as a loading place may be used, during the permitted hours as stated in either the map schedule legend or a map tile label relating to that loading place, for the loading and unloading of such vehicles as are either qualifying vehicles or goods vehicles; and
 - (2) as a goods vehicle loading place may be used, during the permitted hours as stated in either the map schedule legend or a map tile label relating to that goods vehicle loading place, for the loading and unloading of such vehicles as are goods vehicles.
- (g) Each garage services parking place depicted in a map tile may be used, during the permitted hours as stated in either the map schedule legend or in a map tile label relating to that parking place, of such vehicles as are qualifying vehicles and which display, in accordance with the requirements of Article 6-1, a valid garage services permit which bears the same garage service permit reference as the parking place in which the vehicle is left.
- (h) Each mews parking place depicted in a map tile may be used, during the permitted hours as stated in either the map schedule legend relating to the zone or, as the case may be, sub-zone in which the mews parking place is located, or in a map tile label relating to that parking place, for such vehicles as are qualifying vehicles and which display, in accordance with the requirements of Article 6-1, a valid:
- (1) residents parking permit issued in respect of that mews parking place;
 - (2) trades parking permit, provided that no vehicle shall wait by virtue of this article in any mews parking place on a road described in Sections 1 to 22 of Schedule 3
 - (3) business parking permit, provided that no vehicle shall wait by virtue of this article in any mews parking place:
 - (i) on a road described in Sections 1 or 2 of Schedule 3; and
 - (ii) other than the mews parking place for which the permit was issued.
 - (4) retailers parking permit, provided that no vehicle shall wait by virtue of this article in any mews parking place:
 - (i) on a road described in Section 1 of Schedule 3; and
 - (ii) other than the mews parking place for which the permit was issued.
- (i) Each permit parking area depicted in a map tile may be used, during the permitted hours as stated in either the map schedule legend relating to the zone or, as the case may be, sub-zone in which the permit parking area is located, or in a map tile label relating to that parking place, for such vehicles as are qualifying vehicles and which display, in accordance with the requirements of Article 6-1, a valid:
- (1) residents parking permit issued in respect of that permit parking area;

- (2) trades parking permit, provided that no vehicle shall wait by virtue of this article in any permit parking area on a road described in Sections 1 to 22 of Schedule 3
- (3) visitor parking permit, provided that no vehicle shall wait by virtue of this article in any permit parking area on a road described in Sections 1 to 22 of Schedule 3
- (4) business parking permit, issued to a qualifying business the address of which is located within the permit parking area; provided that no vehicle shall wait by virtue of this article in any permit parking area:
 - (i) on a road described in Sections 1 to 22 of Schedule 3
 - (ii) other than the permit parking area for which the permit was issued.
- (5) retailers parking permit, issued to a qualifying retailer the address of which is located within the permit parking area; provided that no vehicle shall wait by virtue of this article in any permit parking area:
 - (i) on a road described in Sections 1 to 22 of Schedule 3
 - (ii) other than the permit parking area for which the permit was issued.
- (6) garage services parking permit, issued to a garage services business the address of which is located within the permit parking area; provided that no vehicle shall wait by virtue of this article in any permit parking area:
 - (i) on a road described in Sections 1 to 22 of Schedule 3
 - (ii) other than the permit parking area for which the permit was issued.
- (j) Each electric vehicle charging place depicted in a map tile may be used, during the permitted hours as stated in either the map schedule legend or in a map tile label relating to that charging place, for the leaving of such vehicles as are electric vehicles, where said electric vehicles are connected to and drawing an electric charge from a charging point placed in relation to and directly adjacent to that electric vehicle charging place.

Restriction on use of vehicles in parking places, loading places and taxi stances

3-3

- (a) No person shall use any vehicle while it is left in a parking place or loading place, during the permitted hours, in connection with the sale of any Article to any person in or near the parking place, or loading place or in connection with the selling or offering for sale of goods or services in any other capacity: provided that nothing in this Article shall prevent the sale of goods from a vehicle if the vehicle is one to which the provisions of Article 3-4(a)(10) of this Order apply.
- (b) The driver of a vehicle using a parking place or loading place during the permitted hours shall not cause or permit the carrying out of any work of construction or repair to any vehicle except such as may be necessary to enable the vehicle to be removed from the parking place or loading place.
- (c) The use of loading places depicted in a map tile is restricted to qualifying vehicles or goods vehicles in actual use for the purpose of loading or unloading goods to or from the said vehicle at premises adjoining the road in which the loading place is located: provided that no such vehicle so engaged shall so wait:
 - (1) for a period of more than that shown on the map tile in the same place; or
 - (2) if a period of less than that shown on the map tile has elapsed since the termination of the last period of waiting (if any) of the vehicle in that place.
- (d) The use of taxi stances created under the terms of the Civic Government (Scotland) Act 1982 is restricted to taxis whilst:
 - (1) the driver is within the vehicle; and
 - (2) the vehicle is available for immediate hire.

Exceptions from restriction of waiting by vehicles in parking places, loading places and taxi stances

3-4

- (a) Without prejudice to Article 3-2, any other vehicle may wait during the permitted hours anywhere in a parking place or loading place (hereinafter together referred to in this Article as a "place"), other than a place or part of a place the use of which has been suspended, if:
- (1) the vehicle is waiting for a period not exceeding two minutes, or such longer period as a parking attendant may approve, to enable a person to board or alight from the vehicle;
 - (2) the vehicle is waiting owing to the driver being:
 - (i) obliged to stop in order to avoid an accident; or
 - (ii) prevented from proceeding by any circumstances beyond their control, where the said circumstance relates directly to the movement, or otherwise, of traffic on the road;
 - (3) the vehicle is being used for fire and rescue, ambulance, or police purposes;
 - (4) the vehicle, not being a passenger vehicle, is being used in the service of a local authority in pursuance of statutory powers or duties: Provided that in all the circumstances it is reasonably necessary in the exercise of such powers or in the performance of such duties for the vehicle to wait at the place in which it is waiting;
 - (5) 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;
 - (6) if the vehicle, being a liveried vehicle, is in the service of, or is being employed by, a universal service provider and is in actual use, in the place within which the vehicle is waiting, while postal packets:
 - (i) addressed to premises adjacent to the said place are being unloaded from the vehicle; or
 - (ii) addressed to premises adjacent to the said place having been unloaded from the said vehicle, are being delivered; or
 - (iii) are being collected from postal boxes or premises adjacent to the said place for loading onto the vehicle; or
 - (iv) are being loaded onto the vehicle.
 - (7) the vehicle, not being a passenger vehicle, and where the said vehicle is integral to the work being undertaken, is waiting only for so long as may be reasonably necessary to enable it to be used for the purpose of:
 - (i) any building operation, demolition or excavation in or adjacent to the parking place;
 - (ii) the maintenance, improvement or reconstruction of the parking place; or
 - (iii) 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 telecommunication apparatus; or
 - (iv) the placing, maintenance or removal of any traffic sign or parking meter.

provided that, in all cases, the vehicle or vehicles are in actual use in connection with the work being undertaken and that, in the case of any of the operations described in sub-paragraphs (iii) and (iv) above, the said operation or operations are to be conducted within the extents of the road.
 - (8) the vehicle, not being a passenger vehicle, is in actual use in connection with the removal of furniture to or from one office or dwelling house adjacent to the place from or to another office or dwelling house;
 - (9) the vehicle is in actual use in connection with a funeral undertaking;
 - (10) the vehicle is waiting if goods are being sold or offered for sale from the vehicle by a person who is licensed by the Council to sell goods from a stationary vehicle situated in the place;
 - (11) if the vehicle, being a security vehicle, is in actual use while currency, or other valuables:
 - (i) are being unloaded from the vehicle; or
 - (ii) having been unloaded from the said vehicle, are being delivered; or
 - (iii) are being collected from premises adjacent to that road for loading onto the vehicle; or
 - (iv) having been collected from the said premises, are being loaded onto the vehicle.

- (12) in the case of a resident permit parking place or a shared-use parking place, where the vehicle is a goods vehicle in actual use for the purpose of delivering or collecting goods or merchandise or while loading or unloading the goods vehicle at premises adjoining the road in which the place is located: Provided that no such goods vehicle engaged in delivering or collecting goods or merchandise or being loaded or unloaded shall so wait for a period of more than thirty minutes in the same place or, if a period of less than thirty minutes has elapsed since the termination of the last period of waiting (if any) of the vehicle outside the same premises.
- (b) Notwithstanding the foregoing, paragraphs (6), (7), (8), (9), (11) and (12) of Article 3-4(a) shall not apply to taxi stances.

Manner of standing in parking places, loading places and taxi stances
3-5

Except as provided in Article 3-4(a) paragraphs (1) to (5) and (12) and subject to the provisions of Article 3-4(b), every vehicle waiting in a parking place or loading place (hereinafter together referred to in this Article as a "place"), in accordance with the foregoing provisions of this Order shall so stand:

- (a) in the case of a parking place in relation to which special provisions as to the manner standing are identified on the road by means of appropriate road markings and as indicated on the relevant map tile, unless the said vehicle is waiting in a place by virtue of the provisions of paragraphs (6), (7), (8), (9), (10) and (11) of paragraph (a) of Article 3-4 and the size of the said vehicle would prevent it from complying with paragraph (c) of this Article, in which case the said vehicle shall wait in accordance with paragraph (b) of this Article;
- (b) in the case of any other place, except in the case of a motorcycle with or without a sidecar:
 - (1) if the place is not in a one-way street, that the left or nearside of the vehicle is adjacent to the left-hand edge of the carriageway,
 - (2) if the place is in a one-way street, that the left or nearside of the vehicle is adjacent to the left-hand edge of the carriageway or the right or offside of the vehicle is adjacent to the right-hand edge of the carriageway, and
 - (3) that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle and that the distance between the said edge and the nearest wheel of the vehicle is not more than 0.3 metres; and
- (c) notwithstanding the provisions of paragraph (d) of this Article, in the case of any vehicle left in any place, so that every part of the vehicle is within the limits of that place or, where applicable, parking bay; and
- (d) in the case of a vehicle left in a bridal vehicle parking place or a pedal cycle parking place, that every part of the vehicle is within the limits of the parking place insofar as is reasonably practicable.

Power to suspend use of parking places, loading places and taxi stances
3-6

- (a) Any person duly authorised by the Executive Director of Place may suspend the use of any parking place or loading place (hereinafter together referred to in this Article as a "place") or any part thereof whenever it is considered that such suspension is reasonably necessary-
 - (1) for the purpose of facilitating the movement of traffic or promoting its safety;
 - (2) for the purpose of:
 - (i) any building operation, demolition or excavation in or adjacent to the place;
 - (ii) the maintenance, improvement or reconstruction of the road in or adjacent to the place; or
 - (iii) the maintenance or cleansing of gullies in or adjacent to the place;
 - (iv) the laying, erection, alteration, removal or repair in or adjacent to the place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any tele-communication apparatus; or
 - (v) the placing, maintenance or removal of any traffic sign or parking meter;
 - (3) for the convenience of occupiers of premises adjacent to the place on the 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;

- (4) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
 - (5) for the convenience of occupiers of premises adjacent to the place at times of funerals or on other special occasions.
- (b) Any person suspending the use of a parking place or loading place or any part thereof in accordance with the provisions of paragraph (a) of this Article, shall place or cause to be placed, in or adjacent to that or any part of that parking place or loading place which is suspended, a traffic sign or signs indicating that waiting by vehicles is prohibited.
 - (c) On any suspension of the use of a parking place or part of a parking place in accordance with the provisions of paragraph (a) of this Article any person duly authorised by the Council may temporarily remove, or cause to be removed, any parking meter relating to such parking place or part thereof and any post or other support to which such parking meter is fitted and shall thereupon place or cause to be placed in or adjacent to that parking place or part thereof a traffic sign indicating that waiting by vehicles is prohibited.
 - (d) No person shall cause or permit a vehicle to wait:
 - (1) in a parking place or part thereof during such period as there is on the parking meter relating to that parking place a notice indicating that the use of the parking place or part thereof is suspended; or
 - (2) in any parking place or loading place or taxi stance or part thereof during such period as there is in or adjacent to that parking place or loading place or taxi stance or part thereof a traffic sign placed in pursuance of paragraph (b) or (c) of this Article provided that nothing in this paragraph shall render it unlawful to cause or permit any vehicle being used for fire and rescue, ambulance or police purposes or any vehicle being used for any purpose specified in paragraph (2), (5) or (6) of Article 3-4(a) to wait in that part of the parking place or loading place during such period referred to in this paragraph, or to any other vehicle so waiting if that vehicle is waiting with the permission of any person duly authorised by the Executive Director of Place to suspend the use of the parking place or loading place or taxi stance or part thereof in pursuance of paragraph (a) of this Article.

PART 4

Pay and display parking, Limited Waiting and Electric Vehicle Charging

Section 1 – Pay and Display Parking

Amount of parking charge at pay and display, shared-use and coach parking places

4-1

- (a) There will be a parking charge for a vehicle left during the permitted hours in any pay and display parking place, shared-use parking place or coach parking place unless, in the case of a shared-use parking place; provided that, where applicable, said vehicles comply with the requirements of Article 6-1:
 - a) the vehicle is displaying a valid permit as specified in Article 3-2(c)(2), Article 3-2(c)(3), Article 3-2(c)(4) or Article 3-2(c)(5); or
 - b) there is evidence on a hand-held device that a valid permit has been granted for that vehicle

Payment of parking charge in respect of pay and display, shared-use and coach parking places

4-2

- (a) Subject to the provisions of this Order, the parking charge for a vehicle left during the permitted hours in a pay and display parking place, shared-use parking place or coach parking place shall be payable on the leaving of the vehicle either by:
 - (1) the insertion in the parking meter associated with the parking place in which the vehicle is left of a coin or coins of the denominations listed on the associated parking meter as valid for use in that parking place; or
 - (2) the driver using the electronic payment system to register such payment, or
 - (3) any other means of payment as may be authorised by the Council and indicated by instructions displayed on the associated parking meter.

Indications of payment of charges at pay and display, shared-use and coach parking places as evidence
4-3

- (a) Without prejudice to the provisions of Article 7-3 and, where applicable, Article 6-2, if at any time while a vehicle is left, during the permitted hours, in a pay and display parking place, shared-use parking place or coach parking place, the parking charge shall be deemed to have been paid, if:
- (1) a valid ticket is displayed on the vehicle in accordance with the provisions of Article 4-4; or
 - (2) an indication appears on a hand-held device that the parking charge has been paid in respect of that vehicle, provided that:
 - (i) the registration mark of that vehicle exactly matches the registration mark held on the electronic payment system; and
 - (ii) the electronic payment system and the information shown on the hand-held device confirm that the parking charge has been paid for that vehicle and for the location in which that vehicle has been left.
- (b) The date and time recorded on:
- (1) the electronic payment system for a vehicle left in a pay and display parking place, shared-use parking place or coach parking place, and where the registration mark of the vehicle exactly matches the details on the electronic payment system; or
 - (2) or on a ticket displayed on a vehicle left in a pay and display parking place, shared-use parking place or coach parking place;

shall be presumed, unless the contrary is proved, to be the date and time in respect of which the parking charge was paid.

- (c) The expiry of the period for which the parking charge:
- (1) has been paid by means of coins inserted in a parking meter shall be indicated by the time indicated on a ticket displayed on the vehicle for which the charge has been paid.
 - (2) has been paid by means of electronic payment shall be indicated within the electronic payment system and linked to the particular vehicle for which the charge has been paid.

Display of evidence of payment for vehicles in pay and display, shared-use and coach parking places
4-4

- (a) Upon payment of the parking charge as referred to in Article 4-1:
- (1) by means of coins inserted in a parking meter, the driver of the vehicle shall display or cause to be displayed on the vehicle while it is left in the parking place the ticket as issued by the parking meter relating to that parking place:
 - (i) in the case of a two-wheeled motor cycle having a sidecar attached thereto, in a conspicuous position on the nearside of the vehicle in front of the driving seat; and
 - (ii) in the case of any other vehicle:-
 - (A) where the vehicle is fitted with a front windscreen extending across the vehicle to the nearside, on the nearside of the inside surface of such windscreen;
 - (B) where the vehicle is not fitted with a front windscreen, in a conspicuous position on the nearside of the vehicle.
 - (2) by means of the electronic payment system, an indication that payment of the parking charge has been made shall appear on a hand held device and within the electronic payment system.
- (b) The ticket referred to in this Article shall be so displayed that the day and time recorded on the front thereof are clearly visible to a person standing at the front or the nearside of the vehicle.

Additional payment
4-5

Additional payment may be made:

- (a) by means of coins inserted into a parking meter when the original payment was made in that way, or

(b) by means of the electronic payment system provided that the original payment was made in that way, provided that the maximum length of stay for the relevant pay and display parking place, shared-use parking place, electric vehicle parking place or coach parking place, is not exceeded.

Interval before a vehicle may again be left in a pay and display, shared-use, electric vehicle or coach parking place

4-6

No vehicle which has been taken away from a pay and display parking place, shared-use parking place, electric vehicle parking place or coach parking place during the permitted hours, after payment of the parking charge has been made, shall again be left in that parking place during the permitted hours until the expiry of one hour from the time it was taken away from the said parking place.

Exemptions from restrictions on the use of pay and display, shared-use and electric vehicle parking places

4-7

The minimum and maximum lengths of stay as specified in either the map schedule legend or a map tile label relating to a pay and display parking place, shared-use parking place or electric vehicle parking place shall not apply to any of the following vehicles whilst waiting during the permitted hours in a pay and display parking place, shared-use parking place or electric vehicle parking place:

- (a) an invalid carriage or motor vehicle displaying a valid disabled person's badge; and
- (b) a vehicle which has been granted a valid trades' permit in accordance with the requirements of Article 6-1, in a pay and display parking place or a shared use parking place only;
- (c) a vehicle which displays a valid garage services permit in accordance with the requirements of Article 6-1, in a shared use parking place depicted in a map tile and where said shared use parking place bears the reference relating to the garage services business to which the garage services permit was issued.

Section 2 – Limited Waiting

Amount of parking charge at limited waiting parking places

4-8

- (a) There will be no parking charge for a vehicle left during the permitted hours in any limited waiting place.
- (b) The maximum length of stay permitted for each limited waiting place shall be specified in either the map schedule legend or the map tile label relating to that parking place.

Indications of entitlement of a vehicle to be left in a limited waiting place

4-9

The Council may gather such evidence as is necessary to ascertain whether a vehicle left in any limited waiting place has

- (a) exceeded the maximum length of stay for that place, or
- (b) not complied with the requirements of article 4-10.

Interval before a vehicle may again be left in a limited waiting place

4-10

No vehicle which has been taken away from a limited waiting place shall again be left in that parking place during the permitted hours until the expiry of one hour from the time it was taken away from the said parking place.

Exemptions from restrictions on the use of limited waiting places

4-11

The maximum length of stay as specified in either the map schedule legend or a map tile label relating to a limited waiting place shall not apply to an invalid carriage or motor vehicle displaying a valid disabled person's badge whilst said vehicle is waiting during the permitted hours in limited waiting place.

Section 3 – Electric Vehicle Charging

Amount of parking charge and maximum stay at electric vehicle charging places

4-12

- (a) There will be no parking charge for a vehicle left during the permitted hours in any electric vehicle charging place.
- (b) The maximum length of stay permitted for each electric vehicle charging place shall be specified in either the map schedule legend or the map tile label relating to that parking place.

Indications of entitlement of a vehicle to be left in an electric vehicle charging place

4-13

The Council may gather such evidence as is necessary to ascertain whether a vehicle left in an electric vehicle charging place:-

- (a) is an electric vehicle and is connected to and actively drawing an electric charge from a charging point placed in relation to and directly adjacent to that parking place; or
- (b) has exceeded the maximum length of stay for that parking place; or
- (c) has not complied with the requirements of Article 4-14.

Interval before a vehicle may again be left in an electric vehicle charging place

4-14

No vehicle which has been taken away from an electric vehicle charging place shall again be left in that charging place during the permitted hours until the expiry of one hour from the time it was taken away from the said charging place.

PART 5

PERMITS: SPECIFIC PROVISIONS

Section 1 – General

Permits for the use of resident permit parking places, pay and display parking places, shared-use parking places, RNLI parking places and garage services parking places

5-1

- (a) Any qualifying tradesperson's vehicle that displays a valid permit granted under the terms of this Part of the Order shall be entitled to be left in any resident permit parking place, pay and display or shared-use parking place, during the permitted hours for such vehicles: provided that no qualifying tradesperson's vehicle displaying a valid trades' permit shall, by virtue of this paragraph, be entitled to be left in any numbered permit mews parking place unless the leaving of the said vehicle has been specifically permitted by a person duly authorised by the Executive Director of Place.
- (b) Any qualifying vehicle that displays a valid residents' permit granted under the terms of this Part of the Order shall be entitled to be left in any resident permit parking place or shared-use parking place, during the permitted hours and within the zone, sub-zone or, as the case may be, Priority Parking Area for which the permit has been granted;
- (c) Any qualifying retailer's vehicle that displays a valid retailers' permit granted under the terms of this Part of the Order shall be entitled to be left in any resident permit parking place or shared-use parking place, during the permitted hours and within the zone or sub-zone on a road described in Sections 2 to 11 of Schedule 3, for which the permit has been granted, the zone or sub-zone for each resident permit parking place or shared-use parking place being specified in the either the map schedule legend or a map tile label relating to that resident permit parking place or shared-use parking place;
- (d) Any qualifying vehicle that displays a valid healthcare workers' permit granted under the terms of this Part of the Order shall be entitled to be left in any pay and display or shared-use parking place, during the permitted hours, provided that:
 - (1) No vehicle shall wait by virtue of this paragraph in any pay and display or shared-use parking place located on a road specified in Section 1 of Schedule 3;
 - (2) Upon arrival at the parking place, the healthcare workers' permit holder must set the time of arrival on the healthcare workers' permit in accordance with the instructions provided therein;
 - (3) No vehicle shall wait by virtue of this paragraph in any parking place for which the permit is valid for a period longer than two hours;
 - (4) No vehicle, having been taken away from a parking place under the requirements specified in subparagraph (3), above, shall again be left in that parking place during the permitted hours until the expiry of one hour from the time the vehicle was taken away from the parking place.
- (e) Any qualifying vehicle that displays a valid RNLI permit granted under the terms of this Part of the Order shall be entitled to be left in any RNLI parking place, during the permitted hours for which the permit has been granted;
- (f) Any qualifying vehicle that displays a valid Doctors' permit granted under the terms of this Part of the Order shall be entitled to be left in the Doctors' parking place, during the permitted hours for which the permit has been granted.
- (g) Any qualifying vehicle that displays a valid garage services permit granted under the terms of this Part of the Order shall be entitled to be left in a garage services parking place, during the permitted hours for which the permit has been granted; provided that use of a garage services permit is limited to those garage services parking places which bear the same garage services permit reference shown on a map tile or in a map tile label relating to that place.

Charges for permits for use at resident permit parking places, pay and display parking places and shared-use parking places

5-2

- (a) There will be a charge for:
 - (1) a residents' permit granted in respect of a qualifying vehicle for that vehicle to be left during the permitted hours in any resident permit parking place or shared-use parking place;

- (2) a qualifying vehicle for which an application has been received for a residents' permit, where said vehicle is powered using a diesel engine, with said charge being payable in addition to the permit charge referred to in para (1) of this article;
 - (3) a visitors' permit granted in respect of a qualifying resident for the use, by a visitor permit user, of such a permit on a qualifying vehicle left during the permitted hours in any resident permit parking place or shared-use parking place within a zone, on a road described in Sections 1 to 11 and Sections 13 to 47 of Schedule 3;
 - (4) a retailers' permit granted in respect of a qualifying retailer's vehicle for that vehicle to be left during the permitted hours, as applicable, in any resident permit parking place or shared-use parking place on a road described in Sections 2 to 11 and Sections 23 to 42 of Schedule 3;
 - (5) a business permit granted in respect of a qualifying business vehicle for that vehicle to be left during the permitted hours, as applicable, in any resident permit parking place or shared-use parking place within a zone, on a road described in Sections 3 to 11 and Sections 23 to 42 of Schedule 3;
 - (6) a trades' permit granted in respect of a qualifying tradesperson's vehicle for that vehicle to be left during the permitted hours in any pay and display parking place, resident permit parking place or shared-use parking place within a zone or sub-zone, on a road described in Sections 1 to 47 of Schedule 3;
 - (7) a healthcare workers' permit granted in respect of a qualifying vehicle for that vehicle to be left during the permitted hours in any pay and display parking place or shared use parking place within a zone or sub-zone, on a road described in Section 2 to 47 of Schedule 3;
 - (8) a RNLI permit granted in respect of a qualifying vehicle for that vehicle to be left during the permitted hours in a RNLI parking place;
 - (9) a Doctors' permit granted in respect of a qualifying vehicle for that vehicle to be left during the permitted hours in a Doctors' parking place;
 - (10) a duplicate permit granted in respect of a qualifying vehicle, a qualifying retailer's vehicle or a qualifying tradesperson's vehicle in accordance with the terms of Article 6-5;
 - (11) a qualifying vehicle for which an application is received for a retailers permit or, as the case may be, a business permit, where said vehicle is powered using a diesel engine, with said charge being payable in addition to the permit charges referred to in item (4) or, as the case may be, item (5) of this article;
 - (12) a garage services permit granted in respect of a qualifying garage services business for the use, by a garage services permit user, of such a permit on a qualifying vehicle left during the permitted hours in a garage services parking place or a shared-use parking place as depicted on a map tile or on a map tile label, within a zone, on a road described in Sections 23 to 47 of Schedule 3.
- (b) The permit charges referred to in paragraph (a) of this Article shall be as set out in Schedule 6 to this Order.
- (c) The aforementioned permit charges may be varied from time to time by the Council. Charges relating to resident, trades, retailers, business and visitor permits will be varied in accordance with the applicable process for each permit type as described in Schedule 7.

Section 2 – Residents' Permits

Applications for residents' permits for the use of resident permit parking places and shared-use parking places

5-3

- (a) Except as provided in paragraphs (c) and (d) of this Article, any qualifying resident who is the keeper of a qualifying vehicle may individually apply to the Council for the grant of a residents' permit in respect of that vehicle and for the zone, sub-zone, or, as the case may be, Priority Parking Area in which the qualifying resident resides, and any such application shall:
- (1) be made on a form issued by, and obtainable from, the Council;
 - (2) include the information or particulars as specified on the aforementioned form;

- (3) be accompanied by means of payment of the appropriate charge for the said permit as is specified in Schedule 6.
- (b) The Council may at any time require a qualifying resident applying for a residents' permit or a residents' permit holder to produce to an officer of the Council:
 - (1) in respect of an application for a permit, such evidence as they may reasonably require to verify any particulars or information given to them: or
 - (2) in respect of any previously granted permit, such evidence as they may reasonably require to verify that the permit is valid and that the residents' permit holder remains entitled to the said permit.
- (c) Nothing contained within this Part of this Order shall oblige the Council, for the reasons stated in Schedule 4, to grant a permit where the sole or main place of residence of the applicant is specified within the Residents' Permit Restrictions file referenced in that Schedule.
- (d) In the case of:
 - (1) applications for residents' permits where the address of the qualifying resident is their sole or main residence only two qualifying residents in each household shall be entitled to be granted with a permit and no qualifying resident shall be entitled to be granted with more than one permit; each permit may, at the discretion of the Council, relate to one additional qualifying vehicle in which case the said permit shall display the registration marks of both vehicles.
 - (2) applications for residents' permits where the address of the qualifying resident is a second or holiday home, only one qualifying resident in each household shall be entitled to be granted with a permit and no qualifying resident shall be entitled to be granted with more than one permit; each permit may, at the discretion of the Council, relate to one additional qualifying vehicle in which case the said permit shall display the registration marks of both vehicles;
 - (3) any permit bearing the registration marks of more than one vehicle, the keeper of each vehicle so recorded must be a qualifying resident at the same address as the permit holder to whom the permit was granted;
 - (4) a situation where multiple applications in accordance with Paragraph (a) of this Article are received from qualifying residents within the same household, the applications shall be processed by the Council in order of receipt.

Grant of residents' permits for the use of resident permit parking places and shared-use parking places
5-4

Except as provided for in this Part of the Order, on receipt of a valid application the Council shall grant to the qualifying resident, one residents' permit for the leaving, during the permitted hours, of the qualifying vehicle or vehicles to which the permit relates, in a resident permit parking place or shared-use parking place or, as the case may be, mews parking place or permit parking area, in the zone, sub-zone or Priority Parking Area for which the permit has been granted (being, for the avoidance of doubt, the zone, sub-zone or, as the case may be, Priority Parking Area in which the qualifying resident resides), where said zones, sub-zones and Priority Parking Areas are as defined in sections 1 to 47 of Schedule 3 or are as shown in the map schedule by way of either the map schedule legend or on the relevant map tile label.

Form of residents' permits
5-5

A residents' permit shall be in one of the following forms:

- (a) in writing and shall include the following particulars:
 - (1) the registration mark of the qualifying vehicle or, as the case may be, qualifying vehicles in respect of which the permit has been granted;
 - (2) the period during which, subject to the provisions of Article 6-3 of this Order, the permit shall remain valid and, as the case may be, the holder is exempt from payment of any charges by virtue of an endorsement "Exempted" by the Council;
 - (3) the specified zone, sub-zone or, as the case may be, Priority Parking Area and, where applicable, the mews parking place or a permit parking area reference in accordance with the provisions of Article 3-2, in respect of which the use of the permit is valid;

- (4) an indication that the permit was granted by the Council.
- (5) an indication that the appropriate charge, for the period during which the permit shall remain valid, has been paid to the Council, or:
- (b) in electronic format, with the permit details listed in paragraph (a) of this article held centrally by, or on behalf of, the Council and accessible via a hand-held device.
- (c) in any other form as may be determined from time to time by the Council.

Additional validity of residents' permits

5-6

Not used.

Section 3 – Visitors' Permits

Applications for visitors' permits

5-7

- (a) Except as provided in this Part of the Order, any qualifying resident whose sole or main place of residence is at premises the postal address of which is in a road referred to in Sections 1 to 11 and Sections 13 to 47 of Schedule 3, may apply to the Council for the grant of visitors' permits relating to resident permit parking places or shared-use parking places for use by the qualifying resident or their visitors in relation to a qualifying vehicle and any such application shall:
 - (1) be made on a form issued by, and obtainable from, the Council;
 - (2) include the information or particulars as specified on the aforementioned form;
 - (3) be accompanied by means of payment of the appropriate charge for the said permits as is specified in Schedule 6.

For the avoidance of doubt, medical practitioners with consulting rooms, or any person who owns or leases residential property used as a second home or holiday home, or any property the addresses of which are described in Schedule 4, are not eligible to receive visitors' permits.

- (b) The Council may at any time require a qualifying resident applying for a visitors' permits, or a visitors' permit holder, to produce to an officer of the Council:
 - (1) in respect of an application for a visitors' permits, such evidence as they may reasonably require to verify any particulars or information given to them: or
 - (2) in respect of any previously granted visitors' permits, such evidence as they may reasonably require to verify that the visitors' permit is valid and that the permit holder remains entitled to the said permit.

Grant of visitors' permits

5-8

- (a) On receipt of a valid application, the Council shall grant to the applicant visitors' permits, subject to the provisions of paragraph (b) of this Article, for the leaving of a qualifying vehicle during the permitted hours in:
 - (1) a resident permit parking place, within a zone, on a road described in Sections 1 to 11 and Sections 13 to 47 of Schedule 3; or
 - (2) a shared-use parking place, within a zone, on a road described in Sections 1 to 11 and Sections 23 to 42 of Schedule 3; or
 - (3) a permit parking area, within a zone, on a road described in Sections 23 to 47 of Schedule 3;
 the zone or sub-zone for each resident permit parking place or shared-use parking place or permit parking area being specified in either the map schedule legend or a map tile label relating to that permit parking place or shared-use parking place or permit parking area.
- (b) Except in the circumstances detailed in paragraph (d) of this Article the Council shall not grant more than
 - (1) 200 visitors' permits to any household in a road described in Sections 1 or 2 of Schedule 3, or

- (2) 150 visitors' permits to any household in a road described in Sections 3 to 11 and Sections 23 to 42 of Schedule 3, or
 - (3) 30 visitors' permits to any household in a road described in Sections 13 to 22 and Sections 43 to 47 of Schedule 3.
- (c) Each visitors' permit may be used for any single, continuous 90 minute period during the permitted hours on the day on which the permit is validated.
 - (d) A visitors' permit shall be valid for, and may be used only within, the zone, or as the case may be, Priority Parking Area in which the qualifying resident applying for said permits resides.
 - (e) Any qualifying resident who, having made a valid application, can provide sufficient evidence to the Council to demonstrate that they are:
 - (1) registered blind/partially sighted; or
 - (2) unable to walk without considerable and permanent difficulty; or
 - (3) without the use of both arms,

will be entitled to apply for up to double the standard allocation of visitors' permits in any one calendar year at a discounted rate as detailed in Schedule 6, which discounted permits will, for the avoidance of doubt, be subject to the provisions of this Article and Articles 5-7, 6-3, 6-4, 6-5 and 6-6.

Form of visitors' permits

5-9

A visitors' permit shall be in one of the following forms:

- (a) in writing and shall include the following particulars:
 - (1) the time and the date on which the vehicle was first left in the parking place, as validated by the visitors' permit user in accordance with the instructions printed thereon;
 - (2) the zone or, as the case may be, Priority Parking Area for which the permit is valid;
 - (3) the calendar years in which the permit remains valid for use; and
 - (4) an indication that the permit has been granted by the Council
- (b) in electronic format, with the permit details listed in paragraph (a) of this article held centrally by, or on behalf of, the Council and accessible via a hand-held device.
- (c) in any other form as may be determined from time to time by the Council.

Section 4 – Retailers' Permits

Applications for retailers' permits for the use of resident permit parking places and shared-use parking places

5-10

- (a) Except as provided in paragraphs (c) and (d) of this Article a qualifying retailer, being the keeper of a qualifying retailer's vehicle, may apply to the Council for the grant of a permit in respect of that vehicle and for the zone or sub-zone in which the qualifying retailer's business is located, and any such application shall:
 - (1) be made on a form issued by, and obtainable from, the Council;
 - (2) be made in the trading name of the business for which the permit is intended;
 - (3) include the information or particulars as specified on the aforementioned form;
 - (4) be accompanied by means of payment of the appropriate charge for the said permit as is specified in Schedule 6.

- (b) The Council may at any time require a qualifying retailer applying for a permit or a retailers' permit holder to produce to an officer of the Council:
 - (1) in respect of an application for a permit, such evidence as they may reasonably require to verify any particulars or information given to them: or
 - (2) in respect of any previously granted permit, such evidence as they may reasonably require to verify that the permit is valid and/or that the retail permit holder remains entitled to the said permit.
- (c) The Council shall not grant permits, under the terms of this Section where the trading address of the retailer's place of business is referred to in:
 - (1) Schedule 4, List of roads and properties where permit grant is restricted, for the reasons described in that Schedule; or
 - (2) Section 1 of Schedule 3; or
 - (3) Sections 13 to 22 and Sections 43 to 47 of Schedule 3.
- (d) (i) Each qualifying retailer, at premises the postal address of which is in a road described in Section 2 of Schedule 3, shall be entitled to the grant of one permit. In the case of a physical permit, said permit may, at the discretion of the Council, relate to additional qualifying retailer's vehicles in which case the said permit shall display the registration marks of all vehicles.
- (ii) Each qualifying retailer, at premises the postal address of which is in a road described in Sections 3 to 11 and Sections 23 to 42 inclusive of Schedule 3, shall be entitled to the grant of up to two permits. In the case of a physical permit, said permits may relate to one additional qualifying retailer's vehicle in which case the said permit shall display the registration marks of both vehicles.

Grant of retailers' permits for the use of resident permit parking places and shared-use parking places
5-11

Except as provided for in this Part of the Order, on receipt of a valid application the Council shall grant to the qualifying retailer:

- (a) one permit for the leaving, during the permitted hours, of the qualifying retailer's vehicle or, as the case may be, vehicles, to which the permit relates, in resident permit parking places, shared-use parking places and, as the case may be, mews parking place referenced with a prefix "M" in the zone or sub-zone for which the permit has been granted (being, for the avoidance of doubt, the zone in which the qualifying retailer's business is located) and as are described in Section 2 of Schedule 3.
- (b) up to two permits for the leaving, during the permitted hours, of the qualifying retailer's vehicle or vehicles, to which the permit relates, in resident permit parking places, shared use parking places and, as the case may be, mews parking place referenced with a prefix "M" in the zone for which the permit has been granted (being, for the avoidance of doubt, the zone in which the qualifying retailer's business is located) and as are described in the case of:
 - (1) A mews parking place, in Sections 2 to 11 and Sections 23 to 42 of Schedule 3;
 - (2) A permit parking area, in Sections 23 to 42 of Schedule 3.

Form of retailers' permits
5-12

A retailers' permit shall be in one of the following forms:

- (a) in writing and shall include the following particulars:-
 - (1) the registration mark of the qualifying retailer's vehicle or, as the case may be, qualifying retailer's vehicles in respect of which the permit has been granted;
 - (2) the period during which, subject to the provisions of Article 6-3 of this Order, the permit shall remain valid;
 - (3) the specified zone or sub-zone and, where applicable, the mews parking place or a permit parking area reference in accordance with the provisions of Article 3-2, in respect of which the use of the permit is valid;
 - (4) an indication that the permit was granted by the Council.

- (5) an indication that the appropriate charge, for the period during which the permit shall remain valid, has been paid to the Council.
- (b) in electronic format, with the permit details listed in paragraph (a) of this article held centrally by, or on behalf of, the Council and accessible via a hand-held device.
- (c) in any other form as may be determined from time to time by the Council.

Section 5 – Business Permits

Applications for business permits for the use of resident permit parking places and shared-use parking places
5-13

- (a) Except as provided in paragraphs (c) and (d) of this Article a qualifying business, being the keeper of a qualifying business vehicle, may apply to the Council for the grant of a permit in respect of that vehicle and for the zone in which the qualifying retailer’s business is located, and any such application shall:
 - (1) be made on a form issued by, and obtainable from, the Council;
 - (2) be made in the trading name of the business for which the permit is intended;
 - (3) include the information or particulars as specified on the aforementioned form;
 - (4) be accompanied by means of payment of the appropriate charge for the said permit as is specified in Schedule 6.
- (b) The Council may at any time require a qualifying business applying for a permit or a business permit holder to produce to an officer of the Council:
 - (1) in respect of an application for a permit, such evidence as they may reasonably require to verify any particulars or information given to them: or
 - (2) in respect of any previously granted permit, such evidence as they may reasonably require to verify that the permit is valid or that the retail permit holder remains entitled to the said permit.
- (c) The Council shall not grant permits, under the terms of this Section where the trading address of the business’s place of business is referred to in:
 - (1) Schedule 4, List of roads and properties where the grant of permits is restricted, for the reasons as described in that Schedule; or
 - (2) Sections 1, 2, 13 to 22 and Sections 43 to 47 of Schedule 3.
- (d) In the case of a physical permit, any qualifying business shall be entitled to the grant of a maximum of two permits. In the case of a physical permit, any such permit may relate to a maximum of two qualifying vehicles, the registration mark(s) of which shall be displayed on the permit.

Grant of business permits for the use of resident permit parking places and shared-use parking places
5-14

Except as provided for in this Part of the Order, on receipt of a valid application the Council shall grant to the qualifying business a maximum of two permits for the leaving, during the permitted hours, of the qualifying business vehicle or, as the case may be, vehicles, to which the permit relates, in resident permit parking places, shared-use parking places and, as the case may be, mews parking place referenced with a prefix “M” or a permit parking area referenced with a prefix “P” in the zone for which the permit has been granted (being, for the avoidance of doubt, the zone in which the qualifying business is located) and as are described in the case of:

- (1) A mews parking place, in Sections 3 to 11 and Sections 23 to 42 of Schedule 3;
- (2) A permit parking area, in Sections 23 to 42 of Schedule 3.

Form of business permits
5-15

A business permit shall be in one of the following forms:

- (a) in writing and shall include the following particulars:-
 - (1) the registration mark of the qualifying business vehicle or, as the case may be, vehicles in respect of which the permit has been granted;

- (2) the period during which, subject to the provisions of Article 6-3 of this Order, the permit shall remain valid;
 - (3) the specified zone and, where applicable, the mews parking place or a permit parking area reference in accordance with the provisions of Article 3-2, in respect of which the use of the permit is valid;
 - (4) an indication that the permit was granted by the Council.
 - (5) an indication that the appropriate charge, for the period during which the permit shall remain valid, has been paid to the Council.
- (b) in electronic format, with the permit details listed in paragraph (a) of this article held centrally by, or on behalf of, the Council and accessible via a hand-held device.
 - (c) in any other form as may be determined from time to time by the Council.

Section 6 – Trades’ Permits

Applications for trades’ permits for the use of pay and display parking places, resident permit parking places and shared-used parking places

5-16

- (a) Any qualifying tradesperson who is the keeper of a qualifying tradesperson’s vehicle, or vehicles, may apply to the Council for the grant of a permit in respect of that vehicle, or vehicles, and any such application shall
 - (1) be made on a form issued by, and obtainable from, the Council;
 - (2) be made in the trading name of the business for which the permit is intended;
 - (3) include the information or particulars as specified on the aforementioned form;
 - (4) be accompanied by means of payment of the appropriate charge for the said permit as is specified in Schedule 6.
- (b) The Council may at any time require a qualifying tradesperson applying for a permit, or permits, or a trades’ permit holder to produce to an officer of the Council:
 - (1) in respect of an application for a permit, such evidence as they may reasonably require to verify any particulars or information given to them: or
 - (2) in respect of any previously granted permit, such evidence as they may reasonably require to verify that the permit is valid or that the trades’ permit holder remains entitled to the said permit.

Grant of trades’ permits for the use of pay and display parking places, resident permit parking places and shared-used parking places

5-17

Except as provided for in this Part of the Order, on receipt of a valid application the Council shall grant to the qualifying tradesperson one permit for the leaving, during the permitted hours, of the qualifying tradesperson’s vehicle to which the permit relates, in pay and display parking places, “resident permit parking places, shared-use parking places or permit parking areas and as are described in Sections 1 to 47 of Schedule 3.

Form of trades’ permit

5-18

A trades’ permit shall be in one of the following forms:

- (a) in writing and shall include the following particulars:
 - (1) the registration mark of the qualifying tradesperson’s vehicle in respect of which the permit has been granted;
 - (2) the period during which, subject to the provisions of Article 6-3 of this Order, the permit shall remain valid;
 - (3) an indication that the permit was granted by the Council;

- (4) an indication that the appropriate charge, for the period during which the permit shall remain valid, has been paid to the Council., or
- (b) in electronic format, with the permit details listed in paragraph (a) of this article held centrally by, or on behalf of, the Council and accessible via a hand-held device.
- (c) in any other form as may be determined from time to time by the Council.

Section 7 – Healthcare Workers’ Permits

Applications for healthcare workers’ permits

5-19

- (a) NHS Lothian may apply to the Council for the grant of permits for use on qualifying vehicles, the keepers of which are healthcare workers employed by NHS Lothian, and any such application shall be made in accordance with the procedure prescribed by the Council, which procedure may be varied from time to time by the Council.
- (b) Any qualifying medical practice may apply to the Council for the grant of permits for use on a qualifying vehicle, and any such application shall be made in accordance with the procedure prescribed by the Council, which procedure may be varied from time to time by the Council.
- (c) The Council may at any time require NHS Lothian or any medical practice applying for a permit, or permits, or a healthcare workers’ permit holder to produce to an officer of the Council:
 - (1) in respect of an application for a permit, such evidence as they may reasonably require to verify any particulars or information given to them: or
 - (2) in respect of any previously granted permit, such evidence as they may reasonably require to verify that the permit is valid or that the healthcare workers permit holder remains entitled to the said permit.

Grant of healthcare workers’ permits

5-20

Except as provided for in this Part of the Order, on receipt of a valid application the Council shall grant to:

- (a) NHS Lothian, a maximum of 500 permits;
- (b) qualifying medical practices, a maximum of one permit for every five Medical Practitioners registered as operating from within the applying practice.

Form of healthcare workers’ permit

5-21

A healthcare workers’ permit shall be in one of the following forms:

- (a) in writing and shall include the following particulars:-
 - (1) the period during which, subject to the provisions of Article 6-3 of this Order, the permit shall remain valid;
 - (2) a numerical reference that indicates to whom the permit has been granted;
 - (3) an indication that the permit was granted by the Council;
 - (4) an indication that the appropriate charge, for the period during which the permit shall remain valid, has been paid to the Council;
 - (5) the time on which the vehicle first arrived in the parking place as validated by the healthcare workers’ permit holder in accordance with the instructions provided therein, or
- (b) in electronic format, with the permit details listed in paragraph (a) of this article held centrally by, or on behalf of, the Council and accessible via a hand-held device.
- (c) in any other form as may be determined from time to time by the Council.

Section 8 – RNLI Permits

Applications for RNLI permits

5-22

- (a) RNLI staff may apply to the Council for the grant of permits for use on qualifying vehicles, the keepers of which are RNLI staff based at Queensferry Lifeboat Station, and any such application shall be made in accordance with the procedure prescribed by the Council, which procedure may be varied from time to time by the Council.
- (b) The Council may at any time require RNLI staff applying for a permit, or permits, or a RNLI permit holder to produce to an officer of the Council:
 - (1) in respect of an application for a permit, such evidence as they may reasonably require to verify any particulars or information given to them: or
 - (2) in respect of any previously granted permit, such evidence as they may reasonably require to verify that the permit is valid or that the RNLI permit holder remains entitled to the said permit.

Grant of RNLI permits

5-23

Except as provided for in this Part of the Order, on receipt of a valid application the Council shall grant to RNLI staff, a permit for the leaving, during the permitted hours, of RNLI staff's qualifying vehicles, in permit holders parking places identified as being for the use of RNLI permit holders only.

Form of RNLI permit

5-24

A RNLI permit shall be in one of the following forms:

- (a) in writing and shall include the following particulars:-
 - (1) the period during which, subject to the provisions of Article 6-3 of this Order, the permit shall remain valid;
 - (2) a numerical reference that indicates to whom the permit has been granted;
 - (3) an indication that the permit was granted by the Council;
 - (4) an indication that the appropriate charge, for the period during which the permit shall remain valid, has been paid to the Council.
- (b) in electronic format, with the permit details listed in paragraph (a) of this article held centrally by, or on behalf of, the Council and accessible via a hand-held device.
- (c) in any other form as may be determined from time to time by the Council.

Section 9 – Doctors' Permits

Applications for Doctors' permits

5-25

- (a) A doctor, being the keeper of a qualifying vehicle and in employment at consulting rooms with which there is associated a doctor's parking place, may apply to the Council for the grant of a permit for use on said vehicle, and any such application shall be made in accordance with the procedure prescribed by the Council, which procedure may be varied from time to time by the Council.
- (b) The Council may at any time require a doctor applying for a permit, or a doctors' permit holder to produce to an officer of the Council:
 - (1) in respect of an application for a permit, such evidence as they may reasonably require to verify any particulars or information given to them: or
 - (2) in respect of any previously granted permit, such evidence as they may reasonably require to verify that the permit is valid or that the doctors' permit holder remains entitled to the said permit.

Grant of Doctors' permits

5-26

Except as provided for in this Part of the Order, on receipt of a valid application the Council shall grant a permit for the leaving, during the permitted hours, of a qualifying vehicle, in the doctors' parking place identified as being for the use that doctors' permit holders only.

Form of Doctors' permit

5-27

A Doctors' permit shall be in one of the following forms:

- (a) in writing and shall include the following particulars:-
 - (1) the period during which, subject to the provisions of Article 6-3 of this Order, the permit shall remain valid;
 - (2) a numerical reference that indicates to whom the permit has been granted;
 - (3) an indication that the permit was granted by the Council;
 - (4) an indication that the appropriate charge, for the period during which the permit shall remain valid, has been paid to the Council.
- (b) in electronic format, with the permit details listed in paragraph (a) of this article held centrally by, or on behalf of, the Council and accessible via a hand-held device.
- (c) in any other form as may be determined from time to time by the Council.

Section 10 – Garage Services Permits

Applications for garage services permits for the use of garage services parking places and shared use parking places

5-28

- (a) Except as provided in paragraph (c) of this Article a:
 - (1) qualifying garage services business the address of which is listed in Schedule 8, may apply to the Council for the grant of permits in respect of customer vehicles and for the associated garage services parking place so prefixed with a reference number beginning with a “G” with which the qualifying garage services business is associated, and any such application shall:
 - (i) be made on a form issued by, and obtainable from, the Council;
 - (ii) be made in the trading name of the garage services business for which the permit is intended;
 - (iii) include the information or particulars as specified on the aforementioned form;
 - (iv) be accompanied by means of payment of the appropriate charge for the said permit or permits as is specified in Schedule 6.
 - (2) qualifying garage services business the address of which is not listed in Schedule 8, may apply to the Council, in accordance with the requirements detailed in para (a)(1) of this article, for the grant of permits in respect of customer vehicles for use in shared use parking places in the vicinity of their place of business, until such time as their address is added to the aforementioned Schedule 8.
- (b) The Council may at any time require a qualifying garage services business applying for garage services permits to produce to an officer of the Council:
 - (1) in respect of an application for a permit, such evidence as they may reasonably require to verify any particulars or information given to them: or
 - (2) in respect of any previously granted permit, such evidence as they may reasonably require to verify that the permit is valid or that the garage services business permit holder remains entitled to the said permit.
- (c) The Council shall not grant permits, under the terms of this Section where the trading address of the garage services business is referred to in:
 - (1) Schedule 4, List of roads and properties where the grant of permits is restricted, for the reasons as described in that Schedule; or
 - (2) Sections 1 to 22 of Schedule 3.

Grant of garage services permits for the use of garage services parking places

5-29

Except as provided for in this Part of the Order, on receipt of a valid application the Council shall grant to the qualifying garage services business no more than the maximum number of garage services permits specified in Schedule 8, or in the case of an application to which paragraph (a)(2) of Article 5-28 applies, no more than 8 permits, for the leaving, during the permitted hours, of the qualifying vehicles of garage service business users, in a garage services parking place or as the case may be, a shared use parking place or a permit parking area, in all cases referenced with a prefix "G" provided that the use of a garage services permit is limited to those garage services parking places and shared use parking places which bear the same garage services permit reference as said permit.

Form of garage services business permits

5-30

A garage service permit shall be in one of the following forms:

- (a) in writing and shall include the following particulars:-
 - (1) the garage services reference with a prefix "G";
 - (2) the period during which, subject to the provisions of Article 6-3 of this Order, the permit shall remain valid;
 - (3) the specified zone and, where applicable, the mews parking place or a permit parking area reference in accordance with the provisions of Article 3-2, in respect of which the use of the permit is valid;
 - (4) an indication that the permit was granted by the Council;
 - (5) an indication that the appropriate charge, for the period during which the permit shall remain valid, has been paid to the Council.
- (b) in electronic format, with the:-
 - (1) permit details listed in paragraph (a) of this article; and
 - (2) registration mark of the qualifying vehicle of the garage services permit user, held centrally by, or on behalf of, the Council and accessible via a hand-held device;
- (c) in any other form as may be determined from time to time by the Council.

Additional validity of garage services business permits

5-31

In accordance with the provisions of Article 5-28(a)(2) a garage services permit business not listed in Schedule 8 to whom permits have been issued by virtue of said Article shall be entitled to use shared use parking places in the vicinity of their place of business, until such time as their address is added to Schedule 8, provided that any vehicle left in any parking place by virtue of this Article must comply with the requirements of Article 6-1.

Use of Garage Services permits

5-32

The use of a garage services permit;

- (a) is restricted to qualifying vehicles of customers of the qualifying garage services business to whom the permit has been issued and for the avoidance of doubt cannot be used by employees of the garage services business;
- (b) on any individual vehicle is restricted to a period no longer than 5 consecutive days on which the permit is valid for use.

PART 6

PERMITS: GENERAL PROVISIONS

Requirement to display permits on vehicles left in parking places

6-1

- (a) Where a permit holders' vehicle has been granted a physical permit, at all times during which said vehicle is left in accordance with the requirements of that permit by Article 2-3, in the case of:
- (1) a residents' permit holder's vehicle left in a resident permit parking place or a shared-use parking place during the permitted hours, the driver thereof shall display or cause to be displayed the valid residents' permit issued in respect of that vehicle showing the particulars referred to in Article 5-5,
 - (2) a visitors' permit users vehicle left in a resident permit parking place or a shared-use parking place during the permitted hours, the driver thereof shall display or cause to be displayed a valid visitors' permit, or as the case may be, permits, showing the particulars referred to in Article 5-9.
 - (3) a retailers' permit holder's vehicle left in a resident permit parking place or a shared-use parking place during the permitted hours, the driver thereof shall display or cause to be displayed a valid retailers' permit showing the particulars referred to in Article 5-12.
 - (4) a business permit holder's vehicle left in a resident permit parking place or a shared-use parking place during the permitted hours, the driver thereof shall display or cause to be displayed a valid business permit showing the particulars referred to in Article 5-15.
 - (5) a trades' permit holder's vehicle left in a pay and display parking place, a resident permit parking place or a shared-use parking place or a permit parking area during the permitted hours, the driver thereof shall display or cause to be displayed a valid trades' permit showing the particulars referred to in Article 5-18.
 - (6) a healthcare workers' permit holder's vehicle left in a pay and display or shared-use parking places located either within a zone or sub-zone on a road described in Sections 2 to 47 of Schedule 3 or in accordance with Article 2-3(c), the driver thereof shall display or cause to be displayed a valid healthcare workers' permit showing the particulars referred to in Article 5-21.
 - (7) an RNLI permit holder's vehicle left in a parking place designated as being for the use of RNLI permit holders, the driver thereof shall display or cause to be displayed a valid RNLI permit showing the particulars referred to in Article 5-24.
 - (8) a Doctors' permit holder's vehicle is left in a parking place designated as being for the use of doctor permit holders, the driver thereof shall display or cause to be displayed a valid Doctors' permit showing the particulars referred to in Article 5-27.
 - (9) a garage services permit users vehicle left in a garage services parking place or a shared-use parking place during the permitted hours, the driver thereof shall display or cause to be displayed a valid garage services permit, showing the particulars referred to in Article 5-30.
- (b) In all instances described in paragraph (a) of this Article the permit referred to should be displayed at the front or nearside of the vehicle so as to be clearly visible from the front or nearside of the vehicle.
- (c) For the avoidance of doubt, in all cases where a permit holders' vehicle is left in a parking place designated by Article 2-3 for such use:
- (1) only the display of the original, unaltered permit shall indicate that the holder or user of the said permit is entitled, under the terms of this Order, to leave the vehicle or vehicles for which the permit has been granted, or in the case of a visitors permit, the vehicle on which the permit is to be used, in that parking place; and
 - (2) in all cases the permit displayed must be valid for use at the time that the vehicle was parked and may not have expired or have been withdrawn by the Council under the terms of Article 6-4(c).

Indications by permits as evidence

6-2

Without prejudice to the provisions of Articles 4-3 and 7-3, if at any time while:

- (1) A vehicle for which a permit has been granted; or
- (2) A qualifying vehicle, qualifying business vehicle, qualifying retailers vehicle or qualifying tradesperson's vehicle;

is left, during the permitted hours, in any parking place designated in Article 2-3 for use by permit holders and:

- (i) said vehicle does not display, in the manner specified in Article 6-1, a valid permit for the use of the parking place in which the vehicle was left; or
- (ii) there is no indication on a hand-held device that a valid permit has been granted for said vehicle for the use of the parking place in which the vehicle was left;

this will be considered sufficient evidence, unless the contrary is proved, that the appropriate charge as referred to in Article 5-2 and specified in Schedule 6 has not been paid and that said vehicle is not entitled to be left in that parking place.

Cessation of validity of permits

6-3

Subject to the provisions of Article 6-4, any permit granted under the terms of this Order, shall cease to be valid:

- (1) in the case of a residents' permit, at the expiry of the period specified thereon (which period shall not exceed a period of twelve months from the date on which it is granted) or on the occurrence of any one of the events set out in sub-paragraphs (1), (6), (7) or (8) of paragraph (d) of Article 6-4, whichever is the earlier.
- (2) in the case of a visitors' permit, at 11:59 pm on the thirty-first day of December in the year following the date of grant by the Council, or on the occurrence of the event set out in paragraph (b) of Article 6-4, whichever is the earlier.
- (3) in the case of a retailers' permit, at the expiry of the period specified thereon (which period shall not exceed a period of twelve months from the date on which it is granted) or on the occurrence of any one of the events set out in sub-paragraphs (3), (6), (7) or (8) of paragraph (d) of Article 6-4, whichever is the earlier.
- (4) in the case of a business permit, at the expiry of the period specified thereon (which period shall not exceed a period of twelve months from the date on which it was granted) or on the occurrence of any of the events set out in sub-paragraphs (4), (6), (7) or (8) of paragraph (d) of Article 6-4, whichever is the earlier.
- (5) in the case of a trades' permit, at the expiry of the period specified thereon (which period shall not exceed a period of twelve months from the date on which it is granted) or on the occurrence of any one of the events set out in sub-paragraphs (5), (6), (7) or (8) of paragraph (d) of Article 6-4, whichever is the earlier.
- (6) in the case of a healthcare workers' permit, at 11:59 pm on the thirty-first day of December in the year of grant by the Council, or on the occurrence of any one of the events set out in sub-paragraphs (7), (8), (9) or (10) of paragraph (d) of Article 6-4, whichever is the earlier.
- (7) in the case of a RNLI permit, at 11:59 pm on the thirty-first day of December in the year of grant by the Council, or on the occurrence of any one of the events set out in sub-paragraphs (6), (7), (8), (9) or (11) of paragraph (d) of Article 6-4, whichever is the earlier.
- (8) in the case of a Doctors' permit, at 11:59 pm on the thirty-first day of December in the year of grant by the Council, or on the occurrence of any one of the events set out in sub-paragraphs (6), (7), (8), (9) or (12) of paragraph (d) of Article 6-4, whichever is the earlier.
- (9) in the case of a garage services permit, at the expiry of the period specified thereon (which period shall not exceed a period of twelve months from the date on which it was granted) or on the occurrence of any of the events set out in sub-paragraph (13) of paragraph (d) of Article 6-4, whichever is the earlier.
- (10) should the permit be altered, defaced or damaged to the extent that any of the information or details thereon become unreadable.

Surrender and withdrawal of permits

6-4

- (a) A permit holder may surrender any permit to the Council at any time and shall surrender such permit to the Council on the occurrence of any of the events set out in sub-paragraphs (1), (2), (3), (4), (5), (6), (7), (10), (11), (12) or (13) of paragraph (d) of this Article;

- (b) Without prejudice to the generality of paragraph (a) above, a visitors' permit holder may surrender any unused visitors' permits to the Council at any time and shall surrender any unused visitors' permits to the Council on the occurrence of the event as set out in paragraph (d) (2) of this Article.
- (c) The Council may, by notice in writing delivered to or served on the permit holder by sending the same, by recorded delivery service, to the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's place of residence or business:
 - (1) withdraw any permit if it appears to the Council that any one of the events set out in subparagraphs (1), (2), (3), (4), (5), (6), (7), (10), (11), (12) or (13) of paragraph (d) of this Article has occurred and the permit holder shall surrender such permit or permits (as the case may be) to the Council within 48 hours of the receipt of the aforementioned notice;
 - (2) request the return of all unused visitors' permits if it appears to the Council that the visitors' permit holder has ceased to be a qualifying resident and the visitors' permit holder shall surrender such unused permits within 48 hours of receipt of the aforementioned notice.
- (d) The events referred to in the foregoing provisions of this Article are:
 - (1) the residents' permit holder ceasing to be a qualifying resident;
 - (2) the visitors' permit holder ceasing to be a qualifying resident;
 - (3) the retailers' permit holder ceasing to be a qualifying retailer;
 - (4) the business permit holder ceasing to be a qualifying business;
 - (5) the trades' permit holder ceasing to be a qualifying tradesperson;
 - (6) the permit holder ceasing to be the keeper of the vehicle or, as the case may be, vehicles, for which the permit was granted;
 - (7) the vehicle in respect of which such permit was granted being adapted or being used in such a manner that it is no longer a qualifying vehicle, a qualifying business vehicle or a qualifying tradesperson's vehicle;
 - (8) the grant of a duplicate permit by the Council under the provisions of Article 6-5;
 - (9) the permit ceasing to be valid pursuant to the provisions of Article 6-3;
 - (10) the healthcare workers' permit holder ceasing to be employed by NHS Lothian or by a qualifying medical practice;
 - (11) the RNLI permit holder ceasing to be RNLI staff.
 - (12) the Doctors' permit holder ceasing to be doctor at the adjacent surgery or health centre.
 - (13) the garage services permit holder ceasing to be a qualifying garage services business.
- (e) Where a permit is granted to any person on receipt of a cheque and the cheque is subsequently dishonoured, the permit shall cease to be valid and the Council shall, by notice in writing served on the person to whom such permit was granted by delivering or sending the same by recorded delivery service to the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's place of abode, require that person to surrender the permit to the Council within 48 hours of the receipt of the aforementioned notice.

Application for and grant of replacement permits

6-5

- (a) If a permit is mutilated or accidentally defaced or the particulars or figures thereon have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall surrender the permit to, and may apply to, the Council for the grant to them of a replacement permit and the Council, upon receipt of the permit, shall grant a replacement permit on payment to the Council of the charge specified in Schedule 6, and upon such grant the mutilated or defaced permit shall become invalid.
- (b) If a permit is lost or destroyed, the permit holder may apply to the Council for the grant to him of a duplicate permit and the Council, upon being satisfied as to such loss or destruction, may grant a duplicate permit on payment to the Council of the charge specified in Schedule 6, and upon such grant the lost or destroyed permit shall become invalid.
- (c) The provisions of this Order shall apply to a replacement permit and an application therefor as if it were a permit or, as the case may be, an application therefor.

Refund of charge paid in respect of a permit and exchange of permits

6-6

- (a) A permit holder who surrenders a residents', doctors', retailers', business, trades' or garage services permit to the Council before the permit becomes valid shall be entitled to a full refund of the charge paid in respect thereof.
- (b) A permit holder who surrenders a residents', doctors', retailers', business, trades' or garage services permit to the Council after the permit has become valid shall be entitled to a part refund of the charge paid in respect thereof calculated in accordance with the provisions of Schedule 6.
- (c) A visitors' permit holder who surrenders any unused visitors' permits on the occurrence of ceasing to be a qualifying resident shall be entitled to a full refund, for each unused permit surrendered, of the charge paid in respect thereof.
- (d) A visitors' permit holder will be entitled to exchange any expired visitors' permits for an equal number of visitors' permits valid in the current and following calendar year at no cost subject to the provisions of Article 5-8.

**PART 7
GENERAL**

Installation of parking meters, placing of traffic signs, etc.

7-1

The Council shall place and maintain such traffic signs as are required to give effect to the provisions of this Order and, without prejudice to the generality of the foregoing, shall:

- (a) install and maintain in such positions as they think fit in the vicinity of a parking place such parking meters as may be required for the purposes of this Order; and
- (b) cause the limits of each parking place or loading place and, as the case may be, any parking bay to be indicated on the road by placing and maintaining thereon appropriate traffic signs; and
- (c) place and maintain in the vicinity of each parking place or loading place appropriate traffic signs indicating that such parking place or loading place may be used during the permitted hours for the leaving only of the vehicles specified in Article 3-2; and
- (d) carry out such other work as is reasonably required for the purposes of this Order and the satisfactory operation of any parking place or loading place.

Restrictions on the removal of tickets and permits

7-2

When a ticket or permit has been displayed on a vehicle in accordance with Article 4-4 or Article 6-1, no person, not being the driver of the vehicle, shall remove the said ticket or permit from the vehicle unless authorised to do so by the driver.

Exemptions from charges

7-3

- (a) If, at the time when a vehicle is first left in a pay and display parking place, shared-use parking place or coach parking place, during the permitted hours, any parking meter relating to that parking place:
 - (1) bears a notice, placed by either a parking attendant or by any person duly authorised by the Council, indicating that the parking meter relating to that parking place is out of order, or
 - (2) is found to be out of order,the vehicle shall be exempt from the parking charge, provided that all reasonable endeavours have been made to pay the parking charge at the nearest available working parking meter and the vehicle is left no longer than the maximum length of stay permitted within that parking place. If the vehicle is left for longer than the maximum length of stay permitted within that parking place the parking charge shall be deemed to have been incurred and paid at the time when the vehicle was first left in the parking place and all the provisions of this Order shall apply accordingly.
- (b) An invalid carriage or motor vehicle, while displaying a valid disabled person's badge shall be exempt from the payment of the parking charge specified in Schedule 5 while waiting during the permitted hours in a pay and display parking place or shared-use parking place.
- (c) Subject to the provisions of Article 5-3, the keeper of a qualifying vehicle shall be exempt from the payment of any charges specified in Schedule 6 for a residents' permit, provided that:
 - (1) either the driver of, or a passenger in, said vehicle is the holder of a valid disabled persons badge; and
 - (2) said driver or passenger is a qualifying resident, provided that in a situation where the disabled badge holder is to be a passenger in the vehicle, the disabled badge holder must be the keeper of the vehicle; and
 - (3) at all times when the vehicle for which the permit is issued is left in a resident permit parking place or shared-use parking place for which the said permit is valid, the said vehicle shall display, in accordance with the provisions of this Order;
 - (i) a valid disabled person's badge; and
 - (ii) a permit that bears an indication that it is "Exempted".

- (d) A motorcycle, not having a side-car attached thereto, shall be exempt from the payment of the parking charge specified in Schedule 5 while waiting during the permitted hours in a pay and display parking place on a road described in Sections 3 to 47 of Schedule 3 or in a shared-use parking place, within a zone or sub-zone, on a road described in Section 2 to 47 of Schedule 3.
- (e) Subject to the provisions of Article 5-3, the keeper of a motorcycle shall be exempt from the payment of any charges specified in Schedule 6 for a residents' permit, provided that said keeper is a qualifying resident and that at all times when the vehicle for which the permit is issued is within a resident permit parking place or a shared-use parking place and for which the said permit is valid, the said vehicle shall display, in accordance with the provisions of this Order, a permit that bears an indication that it is "Exempted".
- (f) A vehicle which is being used by a healthcare workers' permit holder making professional domiciliary visits or professional calls to patients in premises the address of which is referred to in either Schedule 3 or 4 shall be exempt from the payment of the parking charge specified in Schedule 5 for the leaving of a vehicle in a pay and display parking place, within a zone, on a road described in Sections 2 to 11 and Sections 23 to 42 of Schedule 3 or in any shared-use parking place within a zone or sub-zone, on a road described in Sections 2 to 11 and Sections 23 to 42 of Schedule 3 provided that the vehicle displays the said healthcare workers' permit in accordance with the provisions of Article 6-1.
- (g) Not Used.
- (h) A qualifying vehicle displaying a valid residents' permit shall be exempt from the payment of the parking charge while waiting during the permitted hours in a shared-use parking place.
- (i) A qualifying vehicle displaying a valid visitors' permit shall be exempt from the payment of the parking charge while waiting during the permitted hours in a shared-use parking place, within a zone, on a road described in Sections 3 to 47 of Schedule 3 or a road described in Schedule 4.
- (j) No parking charge shall be payable in respect of any vehicle waiting in a pay and display parking place, resident permit parking place, shared-use parking place or coach parking place in accordance with the provisions of Article 3-4.
- (k) A qualifying retailer's vehicle displaying a valid retailers' permit shall be exempt from the payment of any parking charge while waiting during the permitted hours in a shared-use parking place, within a zone, on a road described in Sections 2 to 47 of Schedule 3. For the avoidance of doubt the exemption enacted by this Article only applies within the zone or sub-zone for which the retailers' permit was issued.
- (l) A qualifying business vehicle displaying a valid business permit shall be exempt from the payment of any parking charges while waiting during the permitted hours in a shared-use parking place, within a zone, on a road described in Sections 3 to 47 of Schedule 3. For the avoidance of doubt the exemption enacted by this Article only applies within the zone for which the business permit was issued.
- (m) A qualifying tradesperson's vehicle displaying a valid trades' permit shall be exempt from the payment of any parking charge while waiting in a pay and display parking place or shared-use parking place, during the applicable permitted hours for that pay and display parking place or shared-use parking place.
- (n) A qualifying vehicle displaying a valid garage services permit shall be exempt from the payment of any parking charges while waiting during the permitted hours in a shared-use parking place, provided that said shared use parking place is referenced in a map tile or on a map tile label with the same garage service permit reference as the displayed permit.
- (o) Without prejudice to the generality of this Article, a vehicle to which this Article applies shall stand in the associated parking place in accordance with the provisions of Article 3-5.

PART 8

REVOCATION OR AMENDMENT OF ORDERS

Revocation or amendment

8-1

Any provision in an Order specified in Schedule 1 which is inconsistent with any provision of this Order shall cease to have effect for the purposes of this Order on the operative date of this Order but without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the said operative date. The operative date shall be the date on which the relevant provision of this Order comes into operation.

Executed by The City of Edinburgh Council this Tenth day of October Two Thousand and eighteen.

(Witness)

Executive Director of Place