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## WEST LoTHIAN COUNCIL

### THE WEST LoTHIAN COUNCIL (DISABLED PARKING PLACES) ORDER 1997

T0/96/09

The West Lothian Council in exercise of the powers conferred on them by sections 45,46, 49 and 53 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984, (as amended) (which Act as so amended is hereinafter 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 1984 Act, hereby make the following Order:

#### CITATION AND COMMENCEMENT

- 1 This Order may be cited as "The West Lothian Council (Disabled Parking Places) Order 1997" and shall come into operation on the First day of April Nineteen Hundred and Ninety-seven.

#### INTERPRETATION

2. In this Order, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-

"Article" means an article of this Order;

"Chief Constable" means the Chief Constable of the police authority for the Lothian and Borders Police area;

"Council" means The West Lothian Council;

"disabled parking place" means a length of road provided for the leaving during permitted hours of disabled persons' vehicles and so indicated by appropriate traffic signs or road markings;

"disabled parking space" means one or more lengths of road provided within a disabled parking place for the leaving during permitted hours of disabled persons' vehicles and so indicated by appropriate signs or markings;

"disabled person's badge" means a badge in the form prescribed by > Regulation 11 of the Disabled Persons (Badges for Motor Vehicles)(Scotland)Regulations 2000 > and issued by a local authority for display on a motor vehicle driven by, or used for the carriage of, one or more disabled persons and displayed in the manner specified by Article 16 of this Order;

"disabled person's vehicle" means a vehicle lawfully displaying a disabled person's badge,

"driver" in relation to a vehicle waiting in a disabled parking place means the person driving the vehicle at the time it was left in such a parking place;

- > "limited hours" in relation to a disabled parking place described in column 2 of Part Two of the Schedule means the length of time specified in the heading of the said Part Two subject to the conditions of return specified therein, >

"owner" in relation to a vehicle, means the person by whom such a vehicle is kept and used, and "owned" shall be construed accordingly;

"permitted hours" in relation to a disabled parking place described in column 2 of >Parts One and Two of > the Schedule to this Order means the period specified in relation thereto in column 4 >thereof >;

"Schedule" means the schedule to this Order;

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

"traffic warden" means an officer employed by the police authority as a traffic warden in pursuance of section 9 of the Police (Scotland) Act 1967 and

"vehicle" means a motor vehicle.

#### DESIGNATION OF DISABLED PARKING PLACES

3. Each area of road which is described as a disabled parking place in > Parts One and Two of > the Schedule is designated as a disabled parking place.

#### > LIMITATION ON WAITING BY VEHICLES IN DISABLED PARKING PLACES DURING PERMITTED HOURS

3A No person shall cause or permit a vehicle to wait during the permitted hours in a disabled parking place described in column 2 of Part Two of the Schedule for a period exceeding the limited hours specified in the said Part and subject to the return restrictions also specified therein. >

#### NUMBER AND SITUATION OF PARKING SPACES

4. The number of parking spaces in each disabled parking place described in column 2 of > Parts One and Two of > the Schedule shall not be less than the number specified in relation thereto in column 3 > thereof > and the situation of such parking spaces in each disabled parking place shall be as may be determined by the Council.

#### VEHICLES FOR WHICH DISABLED PARKING PLACES ARE DESIGNATED

5. Each disabled parking place described in > Parts One and Two of > the Schedule may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such disabled persons' vehicles which, immediately before or after the relevant period of leaving, have been or are to be driven by a disabled person or have been or are to be used for carrying disabled persons as passengers and which display a disabled person's badge in accordance with Article 16 of this Order.

#### PLACING OF TRAFFIC SIGNS ETC

6. The Council shall:-

- (a) cause the limits of each disabled parking place and of each parking space to be indicated by appropriate traffic signs or road markings;
- (b) place and maintain on or in the vicinity of each disabled parking place appropriate traffic signs or notices indicating that such disabled parking place may be used during the permitted hours for the leaving only of vehicles specified in Article 5. and
- (c) carry out such other work as is reasonably required for the purposes of this Order and the satisfactory operation of each disabled parking place.

#### MANNER OF STANDING IN DISABLED PARKING PLACES

7. Every vehicle left in a disabled parking place in accordance with the foregoing provisions of this Order shall so stand;-

- (a) in the case of a disabled parking place in relation to which special provisions as to the manner of standing of a vehicle in that place are specified in column 5 of > Parts One and Two of > the Schedule as to be in accordance with those provisions; and
- (b) in the case of a vehicle left in any other disabled parking place that every part of the vehicle is within the limits of a parking space, and the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest the vehicle.

#### ALTERATION OF POSITION OF VEHICLE IN A DISABLED PARKING PLACE

- 8. Where any vehicle is standing in a disabled parking place in contravention of the provisions of Article 7. a police constable in uniform or a traffic warden may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

#### REMOVAL OF VEHICLE FROM A DISABLED PARKING PLACE

- 9. Where a police constable in uniform or a traffic warden is of the opinion that any of the provisions contained in > Parts One and Two of > Article 3, > Article 3A, > Article 7, Article 12(4), Article 14(2) or Article 16 have been contravened or not complied with in respect of a vehicle left in a disabled parking place, he may remove or cause to be removed, he vehicle from the disabled parking place and, where it is so removed, shall provide for the safe custody of the vehicle.

#### MOVEMENT OF VEHICLE IN DISABLED PARKING PLACE IN EMERGENCY

- 10. A police constable in uniform or a traffic warden may move or cause to be moved, in case of emergency, to any place he thinks fit, any vehicle left in a disabled parking place.

#### MANNER OF MOVING VEHICLES

- 11. Any person removing or altering the position of a vehicle by virtue of Article 8, Article 9 or Article 10 may do so by towing or driving the vehicle or in such other manner as he may think necessary to enable him to remove it or alter its position, as the case may be.

#### POWER TO SUSPEND USE OF DISABLED PARKING PLACES

- 12. (1) Any person duly authorised by the Council may suspend the use of a disabled parking place or any part thereof whenever he considers such suspension reasonably necessary:-
  - (a) for the purpose of facilitating the movement of traffic or promoting its safety;
  - (b) for the purpose of any building operation, demolition or excavation in or adjacent to the disabled parking place, the maintenance, improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the disabled parking place, the laying, erection, alteration,, removal or repair in or adjacent to the disabled parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line, traffic sign or parking meter;
  - (c) for the convenience of occupiers of premises adjacent to the disabled parking place on any occasion of the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository;

- (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed or
  - (e) or the convenience of occupiers of premises adjacent to the disabled parking place at times of funerals or on other special occasions;
- (2) A police constable in uniform may suspend for not longer than twenty-four hours the use of a disabled parking place or any part thereof whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety;
  - (3) Any person or a police constable suspending the use of a disabled parking place or any part thereof in accordance with the provisions of paragraph (1) or paragraph (2) of this Article shall thereupon place or cause to be placed in or adjacent to that or any part of that disabled parking place the use of which is suspended, a traffic sign or signs indicating that the use of that parking place or that part thereof is suspended and that waiting by vehicles is prohibited;
  - (4) No person shall cause or permit a vehicle to wait in any disabled parking place or part thereof during such period as there is in, or adjacent to, that disabled parking place, or part thereof, a traffic sign placed in pursuance of paragraph (3) of this Article: Provided that nothing in this paragraph shall render it unlawful to cause or permit any vehicle being used for fire brigade, ambulance or police purpose or any vehicle being used for any purpose specified in paragraph (1)(a) or (1)(d) of Article 14 to wait in that disabled parking place, or that part thereof, during such period referred to in this paragraph, or any other vehicle so to wait if that vehicle is waiting with the permission (i) of the person suspending the use of the disabled parking place or part thereof in pursuance of paragraph (1) of this Article, (ii) of a police constable in uniform or (iii) of a traffic warden.

#### RESTRICTIONS ON USE OF VEHICLES IN DISABLED PARKING PLACES

- 13. (1) No person shall use any vehicle while it is in a disabled parking place during the permitted hours in connection with the sale of, or otherwise in such a place during the permitted hours attempt to sell, any article whatsoever to any person in or near the disabled parking place, or in a disabled parking place during the permitted hours sell or offer for hire his skill or services;
- (2) The driver of a vehicle using a disabled parking place during the permitted hours shall not cause or permit the carrying out of any work of construction or repair except such as may be necessary to enable the vehicle to be removed from the disabled parking place.

#### RESTRICTIONS ON WAITING BY VEHICLES IN DISABLED PARKING PLACES

- 14. (1) Without prejudice to the foregoing provisions of this Order with respect to vehicles which are left in a disabled parking place in accordance with those provisions, any other vehicle may wait during the permitted hours anywhere in a disabled parking place, other than a disabled parking place or part of a disabled parking place the use of which has been suspended if:-
  - (a) the vehicle is waiting for a period not exceeding two minutes, or such longer period as a police constable in uniform or a traffic warden may approve, to enable a person to board or alight from the vehicle;
  - (b) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident;

- (c) the vehicle is being used for fire brigade, ambulance or police purposes;
  - (d) 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;
  - (e) the vehicle, not being a passenger vehicle, is waiting only for so long as may be reasonably necessary to enable it to be used for the purposes of any building operation, demolition or excavation or adjacent to the disabled parking place, the maintenance, improvement or reconstruction of the disabled parking place or the laying, erection, alteration, removal or repair in or adjacent to the disabled parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line, or the placing, maintenance or removal of any traffic sign or parking meter;
  - (f) 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 disabled parking place from or to another office or dwelling house or a depository;
  - (g) the vehicle is in actual use in connection with a funeral undertaking;
- (2) Except as provided in the foregoing provisions of this Order, the driver or person in charge of a vehicle shall not cause or permit the vehicle to wait in a disabled parking place during the permitted hours.

#### MANNER OF WAITING IN DISABLED PARKING PLACES


15. (1) No person shall cause or permit a vehicle to wait by virtue of the provisions of sub-paragraphs (e), (f) or (g) of paragraph (1) Article 14 otherwise than:-
- (a) in the case of a disabled parking place in relation to which special provision as to the manner of standing of vehicles in that place are specified in column 5 of > Parts One and Two of > the Schedule so that the vehicle shall stand in accordance with those provisions and so that every part of the vehicle is within the limits of the disabled parking place,
  - (b) in the case of any other disabled parking place so that the vehicle shall stand so that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle and the distance between the said edge and the nearest wheel of the vehicle is not more than 0.3 metres;
- 2) No person causing or permitting a vehicle to wait by virtue of Article 14 shall leave it so unreasonably as to prevent access to any premises adjacent to the side of the road on which the vehicle is waiting, or the use of that road by other persons.

#### DISPLAY OF PERMITS

16. (1) At all times during which a vehicle is left in a disabled parking place during the permitted hours in accordance with Article 5 the driver thereof shall display or cause to be displayed a valid disabled person's badge in the following manner:-
- (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 the windscreen; or
  - (b) where the vehicle is not fitted with the front windscreen referred to in subparagraph (a) above, on the nearside of the front of the vehicle and not less than 70 centimetres and not more than 230 centimetres above the surface of the carriageway in the immediate vicinity;

- (2) The permit referred to in this Article shall be so attached to or displayed on the vehicle that the particulars recorded on the permit are clearly visible to a person standing at the front or the nearside of the vehicle.

Given under the Seal of The West Lothian Council this Fourth day of March Nineteen Hundred and Ninety-seven.

 Signed James Watters for Administration and Legal Manager

## SCHEDULE

### AREAS ON ROADS DESIGNATED AS DISABLED PARKING PLACES

In relation to a parking place described in this Schedule the expressions:-

^ "R" in column 5 means at right angles to the kerb ; ^

"P" ^delete in column 5 means in single line parallel to the kerb,

"m" means metre.

#### > PART ONE

Number of disabled parking place	Area on roads designated as disabled parking places	Number of spaces	Permitted Hours	Special Manner of Standing of Vehicles
1	2	3	4	5
1	<i>Whitten Lane, Linlithgow:</i> West side from a point 65m or thereby north of the north kerbline of High Street northwards for a distance of 20m or thereby.	3	At all times	P
< 2	<i>ITEM DELETED</i>			
+ 3	<i>East Main Street, Whitburn (north side)</i> From a point 33m or thereby east of the eastern kerbline of the A706, Armadale Road eastwards for a distance of 11 m or thereby.	2	8am to 6pm, Monday to Saturday	P
4	<i>Jubilee Road, Whitburn (north west side)</i> From a point 10m or thereby southwest of the western kerbline of Union Road south-westwards for a distance of 11 m or thereby.	2	8am to 6pm, Monday to Saturday	P
5	<i>Murray Court, Armadale (west side)</i> From a point 6m or thereby south of the southern kerbline of East Main Street southwards for a distance of 6m or thereby.	2	8am to 6pm, Monday to Saturday	At right angles to the kerb  +
# 5A	<i>North Street Armadale (east side)</i> From a point 96 metres or thereby north of the north kerb line of East Main Street for a distance of 6 metres or thereby northwards	1	8am to 6pm, Monday to Saturday	P  # -

+ 6	<i>Whitburn Road, Bathgate (west side)</i> From a point 72m or thereby south west of the southern kerbline of South Bridge Street south-westwards for a distance of 11m or thereby.	2	8am to 6pm, Monday to Saturday	P +
# 7	<i>Railway Station Car Park, King Street, Bathgate. (south east side)</i> From a point 32 metres or thereby south-west of the south west kerb line of King Street for a distance of 7 metres or thereby southwestwards.	2	8am to 6pm, Monday to Saturday	At right angles to the kerb #
<sup>3/</sup> 7A	<i>Railway Station Car Park, King Street, Bathgate. (southern &amp; western boundaries)</i> From a point 31 metres or thereby west of the west kerbline of King Street for a distance of 7metres or thereby westwards then 22 metres or thereby northwards.	3	At all times	At right angles to the kerb  <sup>3/</sup>
↑ 8	<i>Livingston North Station Car Park:</i> from a point 63m or thereby east of the western kerbline of Carmondean Centre South in the south eastern corner of the car park eastwards for a distance of 8m or thereby	3	At all times	R
9	<i>Livingston South Railway Station — Access Loop</i> 1 From a point 65m or thereby south of the eastern tangent point of the roundabout on the south side of Murieston East Road westwards for a distance of 1 4m or thereby. 2 From a point 91 m or thereby south of the eastern tangent point of the roundabout on the south side of Murieston East Road westwards for a distance of 15m or thereby	2	At all times	P  ↑
<sup>2/</sup> 10	<i>Power Station Road (South side)</i> 1. From a point 76 metres or thereby west of the west kerbline of Power Station Road westwards for a distance of 12 metres or thereby.  2. From a point 128 metres or thereby west of the west kerbline of Power Station Road westwards for a	4  6	At all times  At all times	R  R

	distance of 18 metres or thereby.			2/
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> PART TWO  
WAITING LIMITED TO NINETY MINUTES IN ONE PERIOD OF WAITING  
NO RETURN WITHIN TWO HOURS OF THAT PERIOD

> Number of disabled parking place	Area on roads designated as disabled parking places	Number of spaces	Permitted Hours	Special Manner of Standing of Vehicles
1	<i>West Main Street, Armadale (south side)</i> From a point 86m or thereby west of the western kerbline of South Street westwards for a distance of 11m or thereby.	2	8am to 6pm, Monday to Saturday	P
2	<i>Gardners Lane, Bathgate (north side)</i> From a point 42m or thereby south of the southern kerbline of South Bridge Street southwards for a distance of 5m or thereby.	1	8am to 6pm, Monday to Saturday	P
3	<i>Hopetoun Street, Bathgate (north side)</i> From a point 38 metres or thereby east of the east kerbline of Jarvey Street eastwards for a distance of 5 metres or thereby.	1	8am to 6pm, Monday to Saturday	P

<sup>1/</sup> PTO/04/10

3A	<i>Hopetoun Street, Bathgate (north side)</i> From a point 35 metres or thereby east of the east kerbline of Livery Street eastwards for a distance of 6 metres or thereby.	1	8am to 6pm, Monday to Saturday	P
3B	<i>Mansefield Street, Bathgate (east side)</i> from a point 14 metres or thereby north of the north kerbline of North Bridge Street for a distance of 6 metres or thereby	1	8am to 6pm, Monday to Saturday	P
3C	<i>North Bridge Street, Bathgate (south side)</i> from a point 3 metres or thereby east of the projected east kerbline of Mansefield Street for a distance of 6 metres or thereby westwards.	1	8am to 6pm, Monday to Saturday	P

4	<i>South Bridge Street, Bathgate (north side)</i> From a point 19 metres or thereby west of the extended west kerbline of Gardners Lane westwards for a distance of 5 metres or	1	8am to 6pm, Monday to Saturday	P
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	thereby.			
5	<i>High Street, Linlithgow (North side)</i> From a point 58 metres or thereby west of the west kerbline of the western section of The Cross for a distance of 5 metres or thereby westwards	1	8am to 6pm, Monday to Saturday	P -
6	<i>County Buildings / Police Station Access Road (East side)</i> From a point 30 metres or thereby south of the south kerbline of High Street for a distance of 6.5 metres or thereby southwards.	1	8am to 6pm, Monday to Saturday	P
< 6A	High Street, Linlithgow (North Side) From a point 114 metres or thereby east of the east kerbline of the eastern section of The Cross eastwards for a distance of 11 metres or thereby.	2	8am to 6pm, Monday to Saturday	P <
7	<i>A899, West Main Street, Broxburn (north side)</i> 1) From a point 25m or thereby east of the east kerbline of Buchan Lane, eastwards for a distance of 6.6m or thereby, 2) From a point 20m or thereby west of the west kerbline of Greendykes Road, westwards for a distance of 6.6m or thereby.	1	8am to 6pm, Monday to Saturday	P
< 7A	Main Street, West Calder (south side, in lay-by) From a point opposite the extended east kerbline of Gloag Place eastwards for a distance of 6 metres or thereby.	1	8am to 6pm, Monday to Saturday	P <
8	<i>A899 West Main Street (south side)</i> From a point 50m or thereby west of the western kerbline of Station Road westwards for a distance of 6.6m or thereby.	1	8am to 6pm, Monday to Saturday	P
9	<i>A899 East Main Street (south side)</i> From a point 52m or thereby west of the west kerbline of Easter Road, westwards for a distance of 6.6m or thereby.	1	8am to 6pm, Monday to Saturday	P >

