

## THE CITY OF EDINBURGH COUNCIL

### **THE CITY OF EDINBURGH COUNCIL (CITY CENTRE WEST CYCLE LINK, HAYMARKET TO QUEENSFERRY STREET, EDINBURGH) (PROHIBITION OF MOTOR VEHICLES AND TURNING, ONE-WAY ROADS AND WEIGHT LIMIT) TRAFFIC REGULATION ORDER 201- TRO/18/92B**

The City of Edinburgh Council in exercise of their powers under sections 1(1), 2(1) to (3) and 4(2) 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 enabling powers, taking into account Section 122 of the Road Traffic Regulation Act 1984, and after consultation with the Chief Constable in accordance with Part III of Schedule 9 to the 1984 Act, hereby make the following Order:-

1. This Order may be cited as “The City of Edinburgh Council (City Centre West Cycle Link, Haymarket to Queensferry Street, Edinburgh) (Prohibition of Motor Vehicles and Turning, One-Way Roads and Weight Limit) Traffic Regulation Order 201-” and shall come into operation on -- ----- 201-.

The Council is satisfied that, for facilitating the passage of vehicular traffic on the road, it is requisite that Section 3 (1) of the 1984 Act should not apply to this Order.

2. 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;

“Chief Constable” means the Chief Constable of the Police Scotland area;

“Council” means The City of Edinburgh Council as the local authority for The City of Edinburgh area;

“electronic communications apparatus” has the same meaning as in Schedule 2 to the Communications Act 2003;

“Executive Director of Place” means the Executive Director of Place of the local authority;

“driver” in relation to a motor vehicle waiting in any of the areas of road described in Schedule 1 hereto means the person driving the motor vehicle at the time it was left in such an area of road;

“goods” includes postal packets of any description; and “delivering” and “collecting” in relation to any goods include checking the goods for the purpose of their delivery or collection;

“local authority” means a council constituted under Section 2 of the Local Government etc.

“motor vehicle” has the same meaning as Section 136 of the 1984 Act;

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

“pedal cycle” shall have the meaning assigned to that phrase by Section 151 of the Roads (Scotland) Act 1984;

“prohibited hours” means the period specified in Schedule 1 hereto;

“road” includes part of a road;

“restricted hours” means the period specified in Schedule 1 hereto;

“restricted road” means any one of the lengths of Road described in Schedule 1 hereto;

“Schedule” means a 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 Section 64 of the 1984 Act and includes any line or mark on a road for conveying warning, information, requirements, restrictions or prohibitions;

“universal service provider” has the same meaning as that assigned to that phrase by Section 4(3) and (4) of the Postal Services Act 2000; and

- (1) Unless the context otherwise requires, a reference in this Order:-
  - a. to a Schedule or Schedules is a reference to a Schedule or the Schedules to this Order;
  - b. to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order; and
  - c. to a numbered paragraph is a reference to the paragraph bearing that number in the Article in which the reference occurs.
- (2) 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.
- (3) 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.
- (4) The Interpretation Act 1889 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament and as if, for the purposes of section 38 of that Act, this Order were an Act of Parliament and the Regulations and Orders revoked by this Order were Acts of Parliament thereby repealed.

## **PROHIBITION OF MOTOR VEHICLES**

### **3. Use of restricted road during prohibited hours**

Save as proved in Articles 4, 5 and 10 no person shall:-

- a) except upon the direction or with the permission of a police constable in uniform, cause or permit any motor vehicle to enter or proceed on any restricted road during the prohibited hours.
- b) except upon the direction or with the permission of a parking attendant cause or permit any motor vehicle to wait, load or unload in or on any restricted road during the prohibited hours.

### **4. Exemptions from restrictions on entering, proceeding or waiting, loading and unloading**

The restrictions imposed by Article 3 shall not apply to the following motor vehicles:-

- a) a motor vehicle while being used for fire brigade, ambulance or police purposes;
- b) a motor vehicle, not being a passenger vehicle, while 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 duties or the performance of such duties for the motor vehicle to enter, proceed or wait;

5. Exceptions from restrictions on entering, proceeding or waiting, loading and unloading  
Nothing in Article 3 shall prevent any person from causing or permitting a motor vehicle to enter, proceed or wait in or on any restricted road during the prohibited hours for so long as may be necessary:-
- a) to enable the motor vehicle, if it cannot conveniently be used for such purpose in any other road or outwith the prohibited hours, to be used in connection with any building operation, demolition or excavation in or adjacent to that restricted road, the cleansing or lighting of that restricted road, the removal of any obstruction to traffic in that restricted road, the maintenance, improvement or reconstruction of that restricted road or street furniture therein or thereon, the laying, erection, alteration or repair in or adjacent to that restricted road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any electronic communications apparatus or the pacing, maintenance or removal of any traffic sign; or
  - b) if the motor vehicle is in actual use in connection with a funeral undertaking.
6. Use of restricted road during the restricted hours  
Save as provided in Article 7, 8, 9 and 10 no person shall:-
- (a) except upon the direction or with the permission of a police constable in uniform, cause or permit any motor vehicle to enter or proceed on any restricted road during the restricted hours.
  - (b) except upon the direction or with the permission of a parking attendant cause or permit any motor vehicle to wait in or on any restricted road during the restricted hours.
7. Exemptions from restriction on entering, proceeding or waiting  
The restrictions imposed by Article 6 shall not apply to the following motor vehicles:-
- (a) a motor vehicle while being used for fire brigade, ambulance or police purposes;
  - (b) a motor vehicle, not being a passenger vehicle, while 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 duties or the performance of such duties for the vehicle so to enter, proceed or wait.
8. Exemptions from restriction on entering, proceeding or waiting  
Nothing in Article 6 shall prevent any person from causing or permitting a motor vehicle to enter, proceed or wait in or on any restricted road during the restricted hours for so long as may be necessary:-
- (a) for the sole purpose of enabling a person to board or alight from the motor vehicle in that restricted road or to load thereon or unload thereon in that restricted road his personal luggage; Provided that said boarding or alighting and loading or unloading is directly referable to premises situated on that said restricted road.
  - (b) to enable the motor vehicle, if it cannot conveniently be used for such purposes in any other road to be used in connection with any building operation, demolition or excavation in or adjacent to that restricted road, the cleansing or lighting of that restricted road, the maintenance, improvement or reconstruction of that restricted road or street furniture therein or thereon, the laying, erection, alteration or repair in or adjacent to that restricted road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any

electronic communications apparatus or the placing, maintenance or removal of any traffic sign;

(c) if the motor vehicle is being used by a medical practitioner visiting patients on professional calls or by a uniformed nurse/midwife making professional domiciliary visits where the patients being called upon reside in premises situated on that restricted road provided that the vehicle bears a badge/card approved by the Council conspicuously displayed on the motor vehicle;

(d) if the motor vehicle, being a motor vehicle in the service of or employed by a universal service provider is waiting while postal packets addressed to premises situated on that restricted road are being unloaded from the motor vehicle or, having been unloaded therefrom are being delivered, or while postal packets are being collected from postal boxes or premises situated on that road for loading onto the motor vehicle; or

(e) if the motor vehicle is in actual use in connection with a funeral undertaking.

9. Loading or unloading goods

Nothing in Article 6 shall apply so as to prevent any person from causing or permitting a motor vehicle to enter, proceed or wait in or on any restricted road during the restricted hours while the motor vehicle is in actual use for the purpose of delivering or collecting goods or merchandise or while loading or unloading the motor vehicle at premises situated on that restricted road: Provided that no motor vehicle engaged in delivering or collected goods or merchandise or being loaded or unloaded shall wait during the restricted hours in any such restricted road 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 motor vehicle outside the same premises.

10. Furniture removals and other exceptional loading and unloading

(1) Nothing in Article 6 shall apply so as to restrict during the restricted hours the entry into, progression along or waiting on a restricted road and the loading or unloading thereon of a motor vehicle while the motor vehicle is in actual use in that restricted road in connection with the removal of furniture to or from one office, dwelling house or depository situated on said restricted road from or to another office, dwelling house or depository.

(2) Without prejudice to the foregoing paragraph of this Article nothing in this Order shall apply so as to restrict entry into, progression along or waiting on a restricted road and the loading or unloading thereon of a motor vehicle during the prohibited or restricted hours while the motor vehicle is in actual use in that restricted road in connection with the collection or delivery of good from or to premises situated on that restricted road if the goods cannot reasonably be loaded or unloaded outwith the prohibited hours or within the time allowed during the restricted house in relation to that restricted road, if notice is given twenty-four hours in advance to the Executive Director of Place, his consent (either generally or specifically) is obtained and such reasonable condition as he may impose are complied with.

11. Restrictions on methods of loading and unloading motor vehicles

No person in charge of a motor vehicle delivering or collecting goods who is engaged in the course of or in connection with the loading or unloading of any goods on or from any such motor vehicle in any restricted road shall cause or permit any such goods to be deposited on the carriageway except immediately at the rear of the motor vehicle or allow any goods to remain on the carriageway before the arrival or after the departure of the motor vehicle.

12. Duty to move on

Notwithstanding any exemption or exception contained in this Order, the person in control of any motor vehicle waiting during the restricted hours or the prohibited hours in any restricted road shall move the motor vehicle on the instructions of a parking attendant or a police constable in uniform whenever such removal is reasonably necessary for the purpose of a facilitating the passage of traffic (including foot passengers).

**PROHIBITION OF TURNING**

13. Save as provided in Article 14 of this Order, no person shall, except with the permission of a police constable in uniform, drive or cause or permit to be driven any vehicle, the maximum gross weight of which exceeds 7.5 tonnes, on the road specified in column 1 so as to make the prohibited turn specified in column 2, into the road specified in column 3 of Schedule 2.
14. Nothing in Article 13 of this Order, shall prevent any person from causing or permitting any vehicle which exceeds the said weight restriction from using the road if the vehicle is being used for fire brigade, ambulance or police purposes if it is reasonably necessary.

**ONE-WAY ROADS**

15. Save as provided in Article 16 of this Order, no person shall, except with the permission of a police constable in uniform, drive or cause or permit to be driven any vehicle on the lengths of road specified in column 1 otherwise than in the direction specified opposite to such road in column 2 of Schedule 3.
16. Nothing in Article 15 of this Order, shall apply to any vehicle which is of one or more of the categories specified in column 3 of Schedule 3.

**WEIGHT LIMIT**

17. Save as provided in Article 18 of this Order no person shall drive or cause or permit to be driven any vehicle, the maximum gross weight of which exceeds 7.5 tonnes, on that part of the road specified in Schedule 4.
18. Nothing in Article 17 of this Order shall prevent any person from causing or permitting any vehicle which exceeds the said weight restriction from using the road if the vehicle is being used for fire brigade, ambulance or police purposes if it is reasonably necessary.

**REVOCATION OR AMENDMENT OF ORDERS**

19. Any provision in an Order specified below which is inconsistent with any provision of this Order shall cease to have effect for the purposes of this Order on the operative date but without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before that date. The operative date shall be the date on which the relevant provision of this Order comes into operation.
- 1) The Edinburgh Corporation (Queensferry Street Lane, Charlotte Lane, Alva Street and William Streets) (One-Way) Order 1964

20. Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order, The City of Edinburgh Council (Edinburgh Tram) (Prohibition of Entry, Motor Vehicles and Turning, One-Way Roads, Bus/Tram Priority Lanes and Weight Limit) Traffic Regulation Order 2010 shall have effect subject to the variations, insertions, substitutions and additions thereto specified in Schedule 5 to this Order.

Executed by the City of Edinburgh Council this --- day of ---- Two Thousand and ---.

(witness)

(Executive Director of Place)

## **SCHEDULE 1.**

### **Lengths of Road in Edinburgh from which Motor Vehicles are Prohibited**

For the purposes of the application of this Order to the areas of road specified in this Schedule the expressions –

“prohibited hours” means the period between 12.00 pm and 5.00 am the following day on Mondays to Sundays inclusive; and

“restricted hours” means the period between 5.00 am and 12.00 pm on Mondays to Sundays inclusive.

Charlotte Lane	Between a point 36 metres or thereby south of the south building line of Randolph Place to its junction with Queensferry Street.
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## **SCHEDULE 2**

### **PROHIBITION OF TURNING**

<b>1.</b>	<b>2.</b>	<b>3.</b>
<b>Road in Edinburgh</b>	<b>Prohibited Turn</b>	<b>Road into which turn is banned for Heavy Goods Vehicles</b>
Stafford Street	Left	Melville Street

## **SCHEDULE 3**

### **ONE-WAY ROADS**

<b>1.</b>	<b>2.</b>	<b>3.</b>
<b>Length of Road in Edinburgh</b>	<b>Direction</b>	<b>Exemptions</b>
<b>Alva Street</b> Between its junction with Queensferry Street and its junction with Stafford Street.	North-east to South-west	Pedal cycles
<b>William Street (Eastern Limb)</b> Between its junction with Stafford Street and its junction with Walker Street.	North-east to South-west	Pedal cycles
<b>William Street (Western Limb)</b> Between its junction with Walker Street and its junction with Manor Place.	North-east to South-west	Pedal cycles
<b>Melville Crescent (Northern Limb)</b> Between its junction with Walker Street and its junction with Melville Street.	West to East	Pedal cycles
<b>Melville Crescent (Eastern Limb)</b> Between its junction with Melville Street and its junction with Walker Street.	North to South	Pedal cycles
<b>Melville Crescent (Southern Limb)</b> Between its junction with Walker Street and its junction with Melville Street.	East to West	Pedal cycles
<b>Melville Crescent (Western Limb)</b> Between its junction with Melville Street and its junction with Walker Street.	South to North	Pedal cycles
<b>Charlotte Lane</b> Between a point 36 metres or thereby south of the south	North to South	Pedal cycles

building line of Randolph Place to its junction with Queensferry Street.		
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**SCHEDULE 4**  
**WEIGHT LIMIT**

<b>Length of Road</b>	<b>Description of Sections of Road covered by the 7.5 T Weight Limit</b>	<b>Length of Section of Road</b>
Rosebery Crescent Lane	From its junction with Rosebery Crescent to the end of the cul-de-sac.	The whole road.

**SCHEDULE 5**  
**VARIATIONS ETC TO THE CITY OF EDINBURGH COUNCIL (EDINBURGH TRAM)**  
**(PROHIBITION OF ENTRY, MOTOR VEHICLES AND TURNING, ONE-WAY ROADS,**  
**BUS/TRAM PRIORITY LANES AND WEIGHT LIMIT)**  
**TRAFFIC REGULATION ORDER 2010**

In SCHEDULE 3 - PROHIBITION OF TURNING

In item Canning Street in column 4 there was inserted the word “1”.

In SCHEDULE 4 – ONE-WAY ROADS

After item 4 there were inserted the words:-  
“5” and “means a pedal cycle” respectively.

In item Coates Crescent in column 3 there was inserted the word “5”.

In item Canning Street for all the words in column 3 there were substituted the word:-

“Canning Street (North-west to South-east Section) Between its junction with Rutland Square and its junction with Shandwick Place.	South-east to North-west.	5”
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After item Canning Street there were inserted in columns 1, 2 and 3 the words:-

“Canning Street (North-west to South-east Section) Between its junction with Rutland Square and its junction with Canning Street (North-east to South-west Section).	North-west to South-east.	5”
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In item Stafford Street in column 3 there was inserted the word “5”.

After item Hope Street there were inserted in columns 1, 2 and 3 the words:-

“Rutland Square (Western Limb) Between its junction with Rutland Square and its junction with Canning Street (North-east to South-west Section).	South-east to North-west.	5”
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In item Rutland Street (including the section in front of the Caledonian Hotel, 4 Princes Street) in column 3 there was inserted the word “5”.