

THE CITY OF EDINBURGH COUNCIL

THE CITY OF EDINBURGH COUNCIL (BRUNSTANE PRIMARY SCHOOL, EDINBURGH)
(TEMPORARY ROAD RESTRICTION AND TRAFFIC REGULATION) ORDER 2022 -
TEMP/22/31

THE CITY OF EDINBURGH COUNCIL in exercise of the powers conferred on them by Section 14 (1) (b) of the Road Traffic Regulation Act 1984, as amended, and of all other powers enabling them in that behalf hereby make the following Order: -

1. This Order may be cited as "The City of Edinburgh Council (Brunstane Primary School, Edinburgh) (Temporary Road Restriction and Traffic Regulation) Order 2022" and shall come into operation on the Second day of February Two thousand and twenty-two and shall remain in force up to and including the First day of February Two thousand and twenty-three. The circumstances necessitating the restrictions within this Order, as stated in Article 3, will be subject to ongoing review and should it be determined that the restrictions are no longer required, then at that time the temporary restrictions shall be revoked by a separate Order.
2. (a) In this Order the following phrases have the meanings respectively assigned to them:
 - "Article" means an Article of this Order;
 - "emergency service vehicles" means a vehicle being used for police, fire or ambulance purposes;
 - "exemption" means the circumstances described in Schedule 2 to this Order;
 - "invalid carriage" has the same meaning as in Section 136 of the 1984 Act;
 - "local authority" means The City of Edinburgh Council;
 - "motor vehicle" has the same meaning as in Section 136 of the 1984 Act;
 - "pedal cycle" shall have the meaning assigned to that phrase by section 151 of the Roads (Scotland) Act 1984;
 - "road" has the same meaning as in Section 151 of the Roads (Scotland) act 1984 and, for the avoidance of doubt, for the purposes of this order, includes part of a road; and
 - "Schedule" means a Schedule to this Order; and
 - "waste service vehicle" means a vehicle specifically designed or adapted to collect and/or transport household or business waste, including recyclable materials.

(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.
3. Save as provided in Article 4 of this Order, to facilitate improved safety for pedestrians and cyclists during the current Covid-19 pandemic, supporting social distancing so that people can safely walk, wheel or cycle, no person shall drive or cause or permit any motor to enter or proceed in or on any part of the lengths or areas of road described in column 1 of Schedule 1 to this Order, between the hours of 08:00 to 10:00 Monday to Friday, 14:00 to 16:00 Monday to Thursday and 11:00 to 13:00 Friday.
4. Nothing in Article 3 shall apply to any
 - (i) any vehicle described or specified in Schedule 2 to this Order, subject to the conditions imposed within that Schedule, where the corresponding reference in column 1 of that Schedule is contained within column 3 of Schedule 1;
 - (ii) pedal cycles; or
 - (iii) emergency service vehicles.

5. Pedestrian access will be maintained.
6. The alternative route for motor vehicles will be by way of Magdalene Avenue.

Executed by The City of Edinburgh Council this Twenty-sixth day of January Two thousand and twenty-two.



(witness)



signed on behalf of Executive Director of Place

**SCHEDULE 1
PROHIBITION OF MOTOR VEHICLES**

Roads where motor vehicles are prohibited:

1.	2.	3.
Roads in Edinburgh	Description	Exemptions (Refer to Schedule 2)
Magdalene Drive	From the junction with Magdalene Avenue to the property boundary of number 35 Magdalene Drive.	1, 2, 3, 4, 5, 6, 7 & 8

SCHEDULE 2
EXEMPTIONS FROM SCHEDULE 1

For the purposes of the application of this Order, where reference is made in column 3 of Schedule 1 to an exemption relating to a corresponding road named and described in columns 1 and 2 of Schedule 1, the expression:

1	Means an invalid carriage or a motor vehicle being driven by the holder of a valid disabled person's badge, or where the holder of a valid disabled person's badge is a passenger in said motor vehicle, provided that said vehicle has conspicuously on display, so as to be clearly visible from the front of the vehicle, a valid disabled person's badge.
2	Means a goods vehicle bearing livery detailing the name of the company or organisation to which the vehicle is registered, hired or leased, provided that said vehicle is actively engaged in delivering or collecting goods to or from premises adjacent to a length of road described in Schedule 1 to this Order.
3	Means a liveried waste service vehicle being used by, or in the service of, a local authority for the purpose of collecting household or business waste from premises within a length of road described in Schedule 1 to this Order.
4	Means a vehicle being used by a person or persons engaged in activities related to the provision of teaching, servicing, maintenance, or construction within Brunstane Primary School.
5	Means a vehicle bearing a valid permit issued by the Council, provided that said permit is otherwise valid for use in the road specified in Schedule 1 by virtue of the terms and conditions of use of that permit as specified in The City of Edinburgh Council (Traffic Regulation; Restrictions on Waiting, Loading and Unloading, Stopping and Parking Places) Designation and Traffic Regulation Order 2018 and that: <ul style="list-style-type: none"> a) said vehicle requires to be used in said road for the purposes of gaining access to premises in or adjacent to said road, and b) said permit is conspicuously displayed on the vehicle at all times during which it is within said road.
6	Means a vehicle registered to a person whose main place of residence is at premises the postal address of which is within a length of road described in Schedule 1 to this Order.
7	Means any vehicle being used in the course of a funeral, including a hearse carrying a deceased person and any other such vehicle forming part of the funeral procession for the purpose of transporting mourners to/from a funeral service, provided that notice is given twenty-four hours in advance to the Executive Director of Place and his consent, either generally or specifically, has been obtained and such reasonable conditions he may impose are complied with.
8	Means an events vehicle being used in actual connection for the purpose of an authorised event by the local authority, provided that notice is given twenty-four hours in advance to the Executive Director of Place and his consent, either generally or specifically, has been obtained and such reasonable conditions he may impose are complied with.