

**THE FIFE COUNCIL (WAITING AND LOADING RESTRICTIONS AND
ON-STREET PARKING PLACES) CONSOLIDATION ORDER 2013**

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**THE FIFE COUNCIL (WAITING AND LOADING RESTRICTIONS AND
ON-STREET PARKING PLACES) CONSOLIDATION ORDER 2013**

The Fife Council (hereinafter referred to as "the Council"), in exercise of the powers conferred on them by sections 1, 2, 4, 32, 35, 45, 46, 49, 53 and 124 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (hereinafter referred to as "the 1984 Act") and of all other enabling powers, and after consultation with the chief officer of police for the Council's area in accordance with Part III of Schedule 9 to the 1984 Act, hereby make the following Order:-

Part 1 – Citation, Commencement and Interpretation

1. This Order may be cited as "The Fife Council (Waiting and Loading Restrictions and On-Street Parking Places) Consolidation Order 2013" and shall come into operation on the 29th day of April, 2013.

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

- (2) References in this Order to a disabled person, to a disabled person's badge and to a vehicle displaying a disabled person's badge in the relevant position shall be construed in accordance with the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000 and the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (Scotland) Regulations 2002.

- (3) 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;

"charging hours", in relation to a metered parking place, means such hours on such days as are specified in columns 6 and 7 of Schedule 9 to this Order;

"charging period", in relation to a metered parking place, means any period specified in column 13 of Schedule 9 to this Order;

“coach” means a public service vehicle provided that it is not being operated as a Local Service as defined in the Transport Act 1985;

“driver”, in relation to a vehicle, means the person authorised by the owner to drive the 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;

“Fife Demand Responsive Transport vehicle” means a vehicle used for the schemes operated by the Council under the Transport Act 1985 providing wheelchair accessible transport to individuals in the community who have difficulty accessing mainstream public transport;

“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 wireless hand-held computer used by a parking attendant which is programmed to interface with the remote payment parking system;

“loading bay” means an area of road described in Schedule 15 to this Order;

“metered parking place” means an area on a road described in Schedule 9 to this Order;

“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;

“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”, in relation to a metered parking place, means any charge specified in column 14 of Schedule 9 to this Order;

“parking meter” has the same meaning as in section 46(2) of the 1984 Act, being apparatus of a type approved by the Scottish Ministers for the purposes of this Order;

“parking place” means an area of road described in Schedules 8, 9, 10, 11, 12, 13 or 14 to this Order, the limits of which are indicated by means of markings in accordance with the Traffic Signs Regulations and General Directions 2002;

“passenger vehicle” means a motor vehicle constructed or adapted solely for the carriage of not more than 12 passengers (exclusive of the driver);

“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 is being operated as a Local Service;

“qualifying premises” means any premises situated in the sections of road specified in Parts 1 to 7 of Schedule 17 to this Order;

“remote payment parking system” means a system to facilitate and monitor the payment of parking charges using telephone or internet enabled devices via communication with the service provider, in accordance with the instructions indicated on signs located at or in the vicinity of parking places;

“resident” means a person who solely or mainly resides at any qualifying premises;

“residents’ parking permit” means a permit issued by the Council under Part 5 of this Order;

“road” has the same meaning as in section 151 of the Roads (Scotland) Act 1984;

“Schedule” means a schedule to this Order;

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

“service provider” means the company authorised and appointed by the Council to operate, administer and maintain the process for payment of the parking charge using the remote payment parking system;

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

“taxi rank” means an area of road described in Schedule 16 to this Order;

“ticket” means a ticket issued by a parking meter installed at a parking place described in Schedule 9 of 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

“universal service provider” has the same meaning as in section 4 of the Postal Services Act 2000.

Part 2 – Restrictions on Stopping, Waiting and Loading/Unloading

3. (1) Save as provided in the following paragraph of this Article, no person shall, except upon the direction or with the permission of a parking attendant, cause or permit any vehicle to stop at any time in any of the lengths of road specified in columns 2 to 5 of Schedule 1.
- (2) The foregoing paragraph of this Article shall not apply to:-
- (a) any vehicle where the driver:-
 - (i) is required by law to stop;
 - (ii) is obliged to stop in order to avoid an accident; or
 - (iii) is prevented from proceeding by circumstances outside the driver's control and it is not reasonably practicable for the vehicle to be driven or moved to a place not on the length of road;
 - (b) any vehicle while being used for fire and rescue, ambulance or police purposes, if the observance of any restriction in those Articles would be likely to hinder the use of the vehicle for such purposes;
 - (c) any vehicle, not being a passenger vehicle, while being used in the service of the Council in pursuance of statutory powers or duties, if it cannot conveniently be used for such purposes in any other length of road;
 - (d) any vehicle, if it cannot conveniently be used for such purposes in any other length of road, while being used in connection with any building operation, demolition or excavation, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of the road, or the laying, erection, alteration, removal or repair in or near to the road, of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any apparatus comprised in an electronic communications network;
 - (e) any liveried vehicle in the service of, or employed by, a universal service provider and in actual use in a length of road while postal packets;

- (i) addressed to premises adjacent to the length of road are being unloaded from the vehicle or, having been unloaded, are being delivered to those premises; or
 - (ii) are being collected from postal boxes or premises adjacent to the length of road for loading onto the vehicle or are being so loaded.
- 4. Save as provided in Articles 7 and 8, no person shall, except upon the direction or with the permission of a parking attendant, cause or permit any vehicle to wait at any time in any of the lengths of road specified in columns 2 to 5 of Schedules 2 and 3.
- 5. Save as provided in Articles 7 and 8, no person shall, except upon the direction or with the permission of a parking attendant, cause or permit any vehicle to wait in any of the lengths of road specified in columns 2 to 5 of Schedules 4, 5 and 6 during such hours and on such days as are specified in columns 6 and 7 of those Schedules.
- 6. Save as provided in Articles 7 and 8, no person shall, except upon the direction or with the permission of a parking attendant, cause or permit any vehicle to wait in any of the lengths of road specified in columns 2 to 5 of Schedule 7 during such hours and on such days as are specified in columns 6 and 7 of that Schedule:-
 - (i) for a period longer than that specified in column 10 of that Schedule; or
 - (ii) if a period less than that specified in column 11 of that Schedule has elapsed since the termination of the last period of waiting (if any) of the vehicle in the relevant length of road.
- 7. Nothing in Articles 4, 5 and 6 shall prevent any person from causing or permitting a vehicle to wait in any of the lengths of road specified in Schedules 3, 4, 5, 6 and 7 while the vehicle is in actual use for the purpose of loading goods onto or unloading goods from the vehicle at premises adjoining the length of road, provided that:-
 - (i) no vehicle shall wait in any length of road specified in Schedule 4 for that purpose during such hours and on such days as are specified in columns 8 and 9 of that Schedule; and

- (ii) no vehicle shall wait in any length of road specified in Schedule 5 for that purpose except for such periods during such hours and on such days as are specified in columns 8 and 9 of that Schedule.
8. (1) Articles 4, 5 and 6 shall not apply to:-
- (a) any vehicle while being used for fire and rescue, ambulance or police purposes, if the observance of any restriction in those Articles would be likely to hinder the use of the vehicle for such purposes;
 - (b) any vehicle, not being a passenger vehicle, while being used in the service of the Council in pursuance of statutory powers or duties, if it cannot conveniently be used for such purposes in any other length of road;
 - (c) any public service vehicle while waiting at an authorised stopping place;
 - (d) any vehicle, if it cannot conveniently be used for such purposes in any other length of road, while being used in connection with any building operation, demolition or excavation, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of the road, or the laying, erection, alteration, removal or repair in or near to the road, of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any apparatus comprised in an electronic communications network;
 - (e) any liveried vehicle in the service of, or employed by, a universal service provider and in actual use in a length of road while postal packets:-
 - (i) addressed to premises adjacent to the length of road are being unloaded from the vehicle or, having been unloaded, are being delivered to those premises; or

- (ii) are being collected from postal boxes or premises adjacent to the length of road for loading onto the vehicle or are being so loaded.
- (f) any security vehicle in actual use in a length of road while currency or other valuables;
 - (i) are being unloaded from the vehicle for delivery to premises adjacent to the length of road or, having been unloaded, are being so delivered; or
 - (ii) are being collected from premises adjacent to the length of road for loading onto the vehicle or, having been collected, are being so loaded.
- (2) Nothing in Articles 4, 5 and 6 shall prevent any person from causing or permitting a vehicle to wait in any of the lengths of road specified in Schedules 2 to 7 for so long as may be necessary:-
 - (a) to enable a person to board or alight from the vehicle;
 - (b) if the vehicle is in actual use in connection with the removal of furniture to or from any residential or commercial premises adjoining the length of road in question;
 - (c) if the vehicle is in actual use in connection with a funeral undertaking.
- (3) Articles 4, 5 and 6 shall not apply to any vehicle waiting in any of the lengths of road specified in Schedules 3, 4, 6 and 7 which is not causing an obstruction and:-
 - (a) on which is displayed, in the relevant position, a disabled person's badge; or

- (b) on which is displayed, at the front or nearside of the vehicle so as to be clearly visible from the front or nearside of the vehicle, the appropriate badge approved by the General Medical Council, such vehicle having been left by the driver thereof who is a general medical practitioner while visiting patients on professional calls;

provided that no vehicle shall wait by virtue of this paragraph in any of the lengths of road specified in Schedule 4 during such hours and on such days as are specified in columns 8 and 9 of that Schedule.

- (4) Article 6 shall not apply to any vehicle left in any length of road specified in Schedule 7 on which is displayed, at the front or nearside of the vehicle so as to be clearly visible from the front or nearside of the vehicle, a valid residents' parking permit issued under Part 5 of this Order, where exemption for such vehicles is indicated in column 12 of that Schedule.

- 9. Notwithstanding any exemption or exception contained in this Part of this Order, the person in control of any vehicle waiting in any length of road specified in Schedules 1 to 7 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.

Part 3 – Designation and Use of Parking Places, Loading Bays and Taxi Ranks

- 10. Each area of road described in columns 2 to 5 of:-
 - (a) Schedules 8 to 14 inclusive is hereby designated as a parking place;
 - (b) Schedule 15 is hereby designated as a loading bay;
 - (c) Schedule 16 is hereby designated as a taxi rank.

- 11. (1) Each parking place described in Schedules 8, 9 and 10 may be used during such hours and on such days as are specified in columns 6 and 7 of those Schedules only for the leaving of such vehicles as are passenger vehicles and goods vehicles, so however that no person shall, except upon the direction or with the permission of a parking attendant, cause or permit any such vehicle to wait in any such parking place:-

- (a) for a period longer than that specified in column 10 of those Schedules; or
 - (b) if a period less than that specified in column 11 of those Schedules has elapsed since the termination of the last period of waiting (if any) of the vehicle in the said parking place.
- (2) Each parking place described in Schedule 11 may be used during such hours and on such days as are specified in columns 6 and 7 of that Schedule only for the leaving of such vehicles as are passenger vehicles.
- (3) Each parking place described in Schedule 12 may be used only for the leaving of such vehicles as display a disabled person's badge in the relevant position.
- (4) Each parking place described in Schedule 13 may be used during such hours and on such days as are specified in columns 6 and 7 of that Schedule only for the leaving of such vehicles as are coaches, provided that no person shall, except upon the direction or with the permission of a parking attendant, cause or permit any coach to wait in any such parking place:-
 - (a) for a period longer than that specified in column 10 of that Schedule; or
 - (b) if a period less than that specified in column 11 of that Schedule has elapsed since the termination of the last period of waiting (if any) of the vehicle in the said parking place.
- (5) Each parking place described in Schedule 14 may be used during such hours and on such days as are specified in columns 6 and 7 of that Schedule only for the leaving of Fire Demand Responsive Transport vehicles.
- (6) A vehicle waiting in any parking place described in Schedules 8 to 14 shall stand so that every part of the vehicle is within the limits of a parking bay or, if none, within the limits of that parking place.

12. (1) Each loading bay described in Schedule 15 may be used during such hours and on such days as are specified in columns 6 and 7 of that Schedule only for the leaving of such vehicles as are goods vehicles.
- (2) A goods vehicle may wait in a loading bay described in Schedule 15 only while in actual use for the purpose of loading or unloading goods to or from premises adjoining the road in which the loading bay is situated.
- (3) A goods vehicle waiting in a loading bay described in Schedule 15 shall stand so that every part of the vehicle is within the limits of the loading bay.
13. (1) Each taxi rank described in Schedule 16 may be used during such hours and on such days as are specified in columns 6 and 7 of that Schedule only for the leaving of such vehicles as are taxis.
- (2) A taxi may wait in a taxi rank described in Schedule 16 only while the driver is within the vehicle and the vehicle is available for immediate hire.
- (3) A taxi waiting in a taxi rank described in Schedule 16 shall stand so that every part of the vehicle is within the limits of the taxi rank.
14. (1) Articles 11, 12 and 13 shall not apply to:-
 - (a) any vehicle while it is being used for fire and rescue, ambulance or police purposes, if the observance of those Articles would be likely to hinder the use of the vehicle for such purposes;
 - (b) any vehicle, not being a passenger vehicle, while being used in the service of the Council in pursuance of statutory powers or duties, if it cannot conveniently be used for such purposes in any other area of road;

- (c) any vehicle, if it cannot conveniently be used for such purposes in any other area of road, while being used in connection with any building operation, demolition or excavation, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of the road, or the laying, erection, alteration, removal or repair in or near to the road, of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any apparatus comprised in an electronic communications network;
 - (d) any liveried vehicle in the service of, or employed by, a universal service provider and in actual use while postal packets
 - (i) addressed to premises adjacent to the parking place, loading bay or taxi rank are being unloaded from the vehicle or, having been unloaded, are being delivered to those premises; or
 - (ii) are being collected from postal boxes or premises adjacent to the parking place, loading bay or taxi rank for loading onto the vehicle or are being so loaded;
 - (e) any service vehicle in actual use in a parking place, loading bay or taxi rank while currency or other valuables;
 - (i) are being unloaded from the vehicle for delivery to premises adjacent to the parking place, loading bay or taxi rank or, having been unloaded, are being so delivered; or
 - (ii) are being collected from premises adjacent to the parking place, loading bay or taxi rank for loading onto the vehicle or, having been collected, are being so loaded.
- (2) Nothing in Articles 11, 12 and 13 shall prevent any person from causing or permitting a vehicle to wait in any parking place, loading bay or taxi rank for so long as may be necessary:-
- (a) to enable a person to board or alight from the vehicle;

- (b) if the vehicle is in actual use in connection with the removal of furniture to or from any residential or commercial premises adjoining the parking place, loading bay or taxi stance;
 - (c) if the vehicle is in actual use in connection with a funeral undertaking.
- (3) The limitation on waiting contained in paragraph (1) of Article 11 shall not apply to any vehicle waiting in any parking place described in Schedules 8, 9 or 10:-
 - (a) on which is displayed, in the relevant position, a disabled person's badge; or
 - (b) on which is displayed, at the front or nearside of the vehicle so as to be clearly visible from the front or nearside of the vehicle, the appropriate badge approved by the General Medical Council, such vehicle having been left by the driver thereof who is a general medical practitioner while visiting patients on professional calls.
- (4) The limitation on waiting contained in paragraph (1) of Article 11 shall not apply to any vehicle waiting in any parking place described in Schedules 8, 9 or 10 on which is displayed, at the front or nearside of the vehicle so as to be clearly visible from the front or nearside of the vehicle, a valid residents' parking permit issued under Part 5 of this Order, where exemption for such vehicles is indicated in column 12 of those Schedules.
- (5) Nothing in paragraph (1) of Article 11 shall prevent any person from causing or permitting a vehicle to wait in any parking place described in Schedule 8 while the vehicle is in actual use for the purpose of loading goods onto or unloading goods from the vehicle at premises adjoining the parking place.
- (6) No person shall cause or permit a vehicle, other than a passenger vehicle, to wait at any time in any parking place described in Schedule 11 for the purpose of loading goods onto or unloading goods from the vehicle.

15. No person shall use any vehicle while it is left in a parking place, loading bay or taxi rank:-
- (a) in connection with the sale of the vehicle;
 - (b) in connection with the sale of any article;
 - (c) in connection with the selling or offering for hire or reward of any skill or service, except taxis waiting in a taxi rank;
 - (d) for the purpose of being cleaned or washed; or
 - (e) for the carrying out of repairs thereto, except to secure its immediate removal.
16. (1) Any person duly authorised by the Council may suspend the use of a parking place, loading bay or taxi rank in whole or in part whenever such suspension is considered reasonably necessary:-
- (a) for the purpose of facilitating the movement of traffic or promoting its safety;
 - (b) for the purpose of facilitating any building operation, demolition or excavation in or adjacent to the parking place, loading bay or taxi rank or the maintenance, improvement or reconstruction of the road in which the parking place, loading bay or taxi rank is situated or the laying, erection, alteration, removal or repair in or adjacent thereto of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any apparatus comprised in an electronic communications network or of any traffic sign or parking meter;
 - (c) on any occasion when there is a removal of furniture to or from any adjacent premises;
 - (d) for the convenience of occupiers of adjacent premises at times of funerals or other special occasions; or

- (e) for the provision of special parking facilities at times of exhibitions, conferences or other special occasions.
- (2) Any person suspending the use of a parking place, loading bay or taxi rank or any part thereof in accordance with the provisions of the foregoing paragraph shall place or cause to be placed in or adjacent to that parking place, loading bay or taxi rank or the relevant part thereof a traffic sign or traffic signs indicating that such use is prohibited.
- (3) No person shall cause or permit a vehicle to be left in any parking place, loading bay or taxi rank or part thereof the use of which is suspended, 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 to be so left, or any other vehicle to be so left if that vehicle is left with the permission of:-
 - (a) the person suspending the use of the parking place, loading bay or taxi rank or part thereof; or
 - (b) a police constable in uniform.
- 17. (1) Where a person duly authorised in that behalf by the Council is of the opinion that any of the provisions contained in Part 3 or Part 4 of this Order have been contravened or not complied with in respect of a vehicle left in a parking place, he may remove the vehicle from that parking place or cause it to be so removed and when it is so removed shall provide for the safe custody of the vehicle.
- (2) A person duly authorised in that behalf by the Council may move or cause to be moved, in case of emergency or urgency, to any place he thinks fit any vehicle left in a parking place.

Part 4 – Metered Parking

18. (1) A parking charge will be payable for a vehicle left in any metered parking place described in Schedule 9 during the charging hours relating to that parking place.
 - (2) The charging hours relating to each metered parking place shall be as specified in columns 6 and 7 of Schedule 9.
 - (3) The charging periods for each metered parking place, for which payment of a parking charge must be made, shall be as specified in column 13 of Schedule 9.
 - (4) The parking charges in respect of the charging periods for each metered parking place shall be as specified in column 14 of Schedule 9.
 - (5) The parking charges payable in relation to any metered parking place may be varied from time to time by the Council.
19. (1) On leaving a vehicle in a metered parking place during the charging hours the driver of the vehicle shall make payment of the appropriate parking charge by:
 - (a) inserting in a parking meter relating to that parking place a coin or coins of the denominations listed on the parking meter as valid for use in that parking place to the value required to meet the parking charge and displaying on the vehicle in the manner provided in the following Article the ticket issued by the parking meter; or
 - (b) using the remote payment parking system (where available) to register such payment; or
 - (c) using any other method of payment as may be authorised by the Council and indicated by instructions on a parking meter relating to that parking place and displaying in the manner provided in the following Article any ticket issued by the parking meter.

- (2) Where a driver has made payment through the remote payment parking system, an indication that payment of the parking charge has been made shall appear on a hand-held device.
20. (1) Tickets shall be displayed on vehicles left in metered parking places as follows:-
- (a) in the case of a vehicle fitted with a front windscreen the ticket shall be displayed facing forwards on the glass of such windscreen or on the side windows of the vehicle behind the glass so that the time shown on the front of said ticket is clearly visible to a person standing at the nearside of the vehicle;
 - (b) in the case of a vehicle not fitted with a front windscreen the ticket shall be displayed on the nearside of the vehicle and not less than 850 millimetres and not more than two metres above the surface of the ground in the immediate vicinity so that the time shown on the front of said ticket is clearly visible to a person standing at the nearside of the vehicle;
 - (c) in the case of a non-adhesive ticket, the ticket shall be displayed facing upwards on the dashboard of the vehicle in a conspicuous position so that the time and date of issue shown on the front of said ticket is clearly visible to a person standing at the nearside of the vehicle.
- (2) Where a ticket has been displayed on a vehicle in accordance with paragraph (1) of this Article, no person not being the driver of the vehicle shall remove the ticket unless authorised to do so by the driver.

21. (1) If at any time while a vehicle is left in a metered parking place during the charging hours no ticket is displayed on the vehicle in accordance with the provisions of the foregoing Article and no indication appears on a hand-held device that the parking charge has been paid, it shall be presumed unless the contrary is proved that the parking charge has not been duly paid in respect of that vehicle.
- (2) The date and time recorded on a ticket displayed on a vehicle left in a metered 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.
- (3) The expiry of the charging period for which the parking charge has been paid at a parking meter shall be indicated by the time indicated on a ticket displayed on the vehicle for which the charge has been paid.
- (4) The period for which the parking charge has been paid at a parking meter shall be deemed to have expired when the time on the clock on the parking meter relating to the parking place in which the vehicle has been left exceeds the time indicated on the ticket displayed on said vehicle.

22. In respect of a vehicle for which payment of a parking charge has been made, additional payment may be made:-

- (a) by means of coins inserted into a parking meter when the original payment was made in that way;
- (b) by means of the remote payment parking system when the original payment was made in that way; or
- (c) by means of any other authorised method of payment used for making the original payment;

provided that the maximum length of stay for the parking place in question, as specified in column 10 of Schedule 9, is not exceeded.

23. No vehicle which has been taken away from a metered parking place during the charging hours shall, until the expiration of the period specified in column 11 of Schedule 9, be left again in the same parking place during the charging hours.
24. (1) The provisions of Article 18 shall not apply if at the time when a vehicle is first left in a metered parking place during the charging hours there are on all of the parking meters relating to that parking place notices placed by any person duly authorised by the Council indicating that the parking meters are out of order. 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.
- (2) The provisions of Article 18 shall not apply in respect of any vehicle which is exempt by virtue of Article 14 from the limitation on waiting contained in paragraph (1) of Article 11.
- (3) The provisions of Article 18 shall not apply in respect of a motor cycle provided that the motor cycle is left in a bay which has been designated by the lettering "M/C" as intended for the exclusive use of motor cycles.

Part 5 – Residents' Parking Permits

25. (1) The Council may issue residents' parking permits in respect of the towns in its area specified in Parts 1 to 7 of Schedule 17.
- (2) Residents' parking permits shall be issued for use in such roads and/or parking places as the Council may from time to time determine and the Council may provide by this or any other Order for the exemption of vehicles displaying residents' parking permits from relevant waiting restrictions and parking charges.

- (3) Residents of qualifying premises, being premises situated in the sections of road specified in Parts 1 to 7 of Schedule 17, shall be entitled to apply for residents' parking permits; provided however that the maximum number of permits which may be issued in respect of any one of the qualifying premises shall be as specified in Parts 1 to 7 of that Schedule.
- (4)
 - (a) The annual charge (if any) payable for a residents' parking permit shall be as specified in Parts 1 to 7 of Schedule 17.
 - (b) The annual charge payable for a residents' parking permit may be varied from time to time by the Council.
26.
 - (1) Application for a residents' parking permit shall be made on a form supplied by the Council for the purpose and shall be submitted to the Council at the address specified on the form accompanied by payment of the appropriate charge (if any).
 - (2) An applicant for a residents' parking permit shall produce to the Council such evidence as it may reasonably require in order to verify the information given in the application.
 - (3) On being satisfied that an applicant solely or mainly resides in one of the qualifying premises and, where appropriate, that the maximum number of residents' parking permits has not been issued in respect of those premises, the Council may grant the application and issue a residents' parking permit which shall be valid for a period of one year with effect from the first day of the following month.
 - (4) The Council shall be entitled to refuse to issue a residents' parking permit to an applicant who has previously been in possession of a residents' parking permit which has been altered in any way.
 - (5) A residents' parking permit shall be in such form as the Council may from time to time determine and may include the following particulars -

- (a) the name of the Council;
 - (b) words signifying that it is a permit for the town in which the qualifying premises are situated or for particular roads and/or parking places in that town,
 - (c) an identifying number;
 - (d) the expiry date of the permit; and
 - (e) the registration mark of the vehicle or vehicles to which the permit relates.
27. (1) The Council shall maintain a register of all residents' parking permits issued by them under this Part of this Order and the terms of such register shall be conclusive as to the validity of any residents' parking permit.
- (2) Any vehicle to which a valid residents' parking permit relates may be left at any time in any length of road or parking place for which the permit has been issued, as indicated on the permit, provided that the permit is displayed at the front or nearside of the vehicle so as to be clearly visible from the front or nearside of the vehicle.
- (3) Where a vehicle to which a valid residents' parking permit relates is left in any length of road or parking place for which the permit has been issued, only the display of the original, unaltered permit shall indicate that the vehicle may be left in that length of road or parking place.
28. (1) A residents' parking permit shall cease to be valid following its expiry date or on the occurrence of any of the following events:-
- (a) the holder ceasing to be a resident of the qualifying premises for which the permit was issued;
 - (b) the holder ceasing to be the keeper of any vehicle to which the permit relates;
 - (c) the issue of a duplicate permit by the Council in terms of this Article; and
 - (d) should the permit be altered, defaced or damaged to the extent that any of the information or details thereon has become illegible.

- (2) The Council may, by notice in writing sent by Recorded Delivery post to the holder of a residents' parking permit at the address provided on the relevant application form or at any other address believed to be the holder's residence, intimate cancellation of the permit if it appears to the Council that any of the events specified in the foregoing paragraph has occurred and the holder shall surrender the permit to the Council within 48 hours of receipt of the notice.
- (3) A residents' parking permit may be surrendered at any time before its expiry by or on behalf of the resident to whom it was issued and in such event the Council shall refund a sum equal to the annual charge (if any) in respect of each full month from the date of surrender of the permit to the date of its expiry.
- (4) The Council may at its discretion issue a duplicate of any residents' parking permit which has become illegible or has been lost or accidentally destroyed. Any request for a duplicate residents' parking permit must be made in writing by the resident to whom the original was issued who shall supply the Council with such evidence as they may reasonably require in connection with that request.

Part 6 – General


29. 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;
 - (b) cause the limits of each parking place, loading bay or taxi rank and, as the case may be, any parking bay to be indicated on the road by placing and maintaining thereon appropriate traffic signs;

- (c) place and maintain in the vicinity of each parking place, loading bay or taxi rank appropriate traffic signs indicating that such parking place, loading bay or taxi rank may be used only during such hours and for the leaving of such vehicles as are permitted by Part 3 of this Order; 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, loading bay or taxi rank.
30. For the avoidance of doubt, anything done with the permission or at the direction of a police constable in uniform shall not constitute a contravention of this Order.

Part 7 – Amendments and Revocations

31. (1) The Fife Regional Council (Central Area, Leven) (Pedestrian Favoured Precinct and Waiting Restrictions) Order 1983 is hereby amended as follows:-
Articles (7), (8), (9), (10) and (12) shall be deleted.
- (2) The Fife Regional Council (Central Area, Kirkcaldy) (Pedestrian Favoured Precinct and Waiting Restrictions) Order 1989 is hereby amended as follows:-
Articles (7), (8), (9), (10), (11) and (13) shall be deleted; and
the Third, Fourth and Fifth Schedules shall be deleted.
- (3) The Fife Regional Council (Dunfermline Town Centre) (Pedestrian Priority, One-Way Traffic, Prohibition of Driving and Restriction of Waiting) Order 1991 is hereby amended as follows:-
Articles (8), (9), (10), (11) and (13) shall be deleted.
32. The Orders listed in Schedule 18 are hereby revoked.

Dated this 8th day of April 2013.

 Proper Officer of the Council