

SCHEDULE 1

Regulations 5(1)(a), 9(3), 17(1)(c) and
19(1)(e)

PARTICULARS TO BE INCLUDED IN PRESS NOTICES

PART I

PARTICULARS TO BE INCLUDED IN THE NOTICE OF PROPOSALS

1. The name of the authority.
2. The title of the order.
3. A statement of the general nature and effect of the order.
4. Where the order relates to any road, the name or other brief description of the road and, in a case where the order is an order under section 83(2) or 84(1) of the Act, a statement of the approximate length of that road to which the order will apply.
5. Where the order relates to an off-street parking place, a brief description of that place and of its location.
6. Where the order relates to a parking place, a statement of all the charges (if any) proposed to be made for the use of the parking place and of the time limits and the classes of vehicle for which the parking place will be available.
7. Each address at which a copy of the order, as drafted, a copy of the relevant map, and a copy of the authority's statement of reasons for proposing to make the order can be inspected, and the times when inspection can take place at each such address.
8. The date of the end of the objection period calculated in accordance with regulation 7(3), the address at which objections to the order can be lodged, and a statement that all objections must be made in writing and must specify the grounds thereof.

PART II

PARTICULARS TO BE INCLUDED IN THE NOTICE OF A
PUBLIC HEARING BEFORE AN INDEPENDENT PERSON

1. The name of the authority.
2. The title of the order.
3. A statement which refers to the published notice of proposals for the order and which indicates that a public hearing will be held in connection with the order.
4. A brief statement of the general nature and effect of the order and of the name or other brief description of any road or other place to which the order will apply.
5. The date, time and place of the hearing and the name of the person appointed to hold the hearing.
6. Each address at which a copy of the order, as drafted, a copy of the relevant map, and a copy of the authority's statement of reasons for proposing to make the order can be inspected, and the time when inspection can take place at each such address.

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PART III

PARTICULARS TO BE INCLUDED IN THE NOTICE OF MAKING THE ORDER

1. The name of the authority.
2. The title of the order.
3. The date of the making of the order and its operative date or dates.
4. The issue number, if any, and date of issue of the newspaper or if applicable of the Edinburgh Gazette containing the relevant notice of proposals previously published pursuant to regulation 5(1) (a) and (b), the reference number of that notice therein (if any) and a statement that the effect of the order is as described in that notice, save for such modifications (if any) as are described in the statement.
5. Each address at which a copy of the order, as made, and a copy of the relevant map can be inspected, and the times when inspection can take place at each such address.
6. In the case of an order under section 1, 9, 19, 32, 37, 38 or 45 of the Act a statement that any person wishing to question the validity of the order or of any of its provisions on the grounds that it is not within the powers of the relevant enabling Act or that a requirement of any such enabling Act or of any relevant regulations made thereunder has not been complied with may, within 6 weeks from the date on which the order was made, make application for the purpose to the Court of Session.

SCHEDULE 2

Regulation 5(1)(b)(ii)

REQUIREMENTS AS TO NOTICES TO BE DISPLAYED IN A ROAD OR OTHER PLACE

PART I

PARTICULARS TO BE INCLUDED IN THE NOTICE

1. The name of the authority.
2. The title of the order.
3. A brief statement of the effect of the order in relation to the road or other place where it is displayed.
4. An address at which a copy of the order, a copy of the relevant map and a copy of the authority's statement of reasons for proposing to make the order can be inspected, and the times when such inspection can take place.
5. Where the notice is a notice of proposals, the address to which, and the date on or before which objections to the order can be made, such date being the date of the end of the objection period mentioned in regulation 7(3), and a statement that all objections must be made in writing and must specify the grounds thereof.
6. Where the notice announces the holding of a public hearing by an independent person, the date, time and place of the hearing and the name of the person appointed to hold the hearing.

PART II

OTHER REQUIREMENTS AS TO THE DISPLAY OF THE NOTICE

1. Where the order relates to any road, the notice shall be displayed in a prominent position at or near each end of the road and in such other positions as the authority think requisite for securing that adequate information about the subject matter of the notice is given to persons using the road.

2. Where the order relates to an off-street parking place, the notice shall be displayed in one or more prominent positions in the road or roads giving access to the parking place, and, where the parking place is in public use, in the parking place itself.

3. The notice shall first be displayed as aforesaid at the same time as the corresponding notice is first published in the local newspaper and the authority shall take all reasonable steps to ensure that it remains in a legible condition and continues to be so displayed—

- (a) in the case of a notice of proposals, until the end of the objection period;
- (b) in the case of a notice announcing the holding of a public hearing before an independent person, until the date on which the hearing begins.

SCHEDULE 3

Regulations 5(1)(c) and 17(1)(e)

REQUIREMENTS AS TO THE AVAILABILITY OF DOCUMENTS FOR INSPECTION

1. There shall be available for inspection at the authority's offices during normal office hours, and (if the authority think fit) at such other places within the authority's area and during such times respectively at those places as the authority may determine, the following documents:—

- (a) a copy of the order as drafted or made, as the case may be;
- (b) a copy of the relevant map;
- (c) in the case of an order which varies or revokes a previous order, a copy of that order and of its relevant map;
- (d) in the case of a proposed order, a copy of a statement setting out the authority's reasons for proposing to make the order, and if it be an experimental order under section 9 of the Act, setting out the authority's reasons for proceeding by way of experiment; and
- (e) in the case of an order made after the holding of a hearing, a copy of the report and the recommendations (if any) of the reporter.

2. The said documents shall be made available as aforesaid not later than the date of the first publication in the local newspaper of the notice in connection with which they are required to be made available, and they shall continue to be so available—

- (a) where the notice is a notice of proposals, until the end of the objection period;
- (b) where the notice is one announcing the holding of a hearing, until the date on which the hearing begins; and
- (c) where the notice is a notice of making the order, until the end of 6 weeks from the date on which the order is made.

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SCHEDULE 4

Regulation 11

DOCUMENTS TO ACCOMPANY THE APPLICATION FOR THE SECRETARY OF STATE'S CONSENT

1. The order as proposed to be made.
2. The relevant map.
3. The statement of the authority's reasons for proposing to make the order.
4. The issues of each local newspaper and, if applicable, of the Edinburgh Gazette containing the notice of proposals.
5. Each unwithdrawn objection or, in a case where there are no objections or no unwithdrawn objections, a statement to this effect.
6. Copies of the reply or replies sent to each objector.
7. A list of the persons and organisations consulted by the authority and a statement of the views (if any) expressed by each such person or organisation.
8. In a case where a hearing has been held, a copy of the report and recommendations (if any) made by the reporter.
9. In a case where the order relates to a Crown road, the consent of the appropriate Crown authority.
10. In a case where the order relates to a Crown road and will apply to persons or vehicles in the service of the Crown, particulars of the Crown authority or authorities whose persons and vehicles are known to be involved.

SCHEDULE 5

Regulation 15

REQUIREMENTS AS TO THE MAP

- 1.—(1) The map shall clearly indicate by distinctive colours, symbols or markings—
 - (a) each road to which the order relates;
 - (b) in a case where any provision of the order prohibits the use of a road by all vehicles, or by all vehicles of a particular class, the alternative route available for the vehicles to which the provision applies; and
 - (c) in a case where the order does not relate to a road, the location of the site or other place to which the order applies and the relationship of that site or place to adjacent roads and premises.
- (2) Except in the case of an order under section 38 of the Act, it shall not be obligatory for the text of the order to make any specific reference to the relevant map or for that map to be made a part of the order.
- (3) Where the relevant map is neither specifically referred to in the text of the order nor made a part of the order, the map shall be for purposes of illustration only and the matter indicated on it shall not prevail over the actual text of the order in the event of any discrepancy between the map and the text.
- (4) None of the foregoing paragraphs applies to—
 - (a) an order which provides only for the revocation of the provisions of any previous order; or

- (b) an order which relates only to a parking place and provides only for the variation of any one or more of the following matters, namely:–
 - (i) the charges for the use of the parking place,
 - (ii) the time limits applicable to such use,
 - (iii) the classes of vehicle which may use the parking place,
 - (iv) the conditions applicable to the use of the parking place by vehicles.

SCHEDULE 6

Regulation 19

PART I

CONSOLIDATION ORDERS, CERTAIN VARIATION AND OTHER ORDERS SUBJECT TO SIMPLIFIED PROCEDURE

1.—(1) An order the sole effect of which is to vary an order under section 1, 9, 35, 45 or 46 of the Act so as to include in the order being varied an exemption in respect of a disabled person's vehicle of the same kind as is mentioned in regulation 4 of the Local Authorities Traffic Orders (Exemption for Disabled Persons) (Scotland) Regulations 1971 or a provision conferring on a traffic warden functions similar to those conferred by the order on a police constable in uniform, or both such exemption and such provision.

(2) An order the sole effect of which is to substitute a prohibition or restriction on the use of vehicles having a maximum gross weight of 16.5 or 17 tonnes for an identical prohibition or restriction on the use of vehicles having a maximum gross weight of 18 tonnes.

(3) An order the sole effect of which is to substitute, for any reference to a vehicle adapted to carry 12 passengers or to a vehicle adapted to carry more than 12 passengers, a reference to a vehicle adapted to carry more than 8 passengers.

(4) An order the sole effect of which is—

- (a) to prohibit or restrict the waiting or the loading or unloading of vehicles, or
- (b) to authorise the use of any part of a road as a parking place,

in so far as the variation is necessary to make the order compatible with any regulations under section 25 of the Act.

(5) An order the effect of which appears necessary or expedient to the order making authority as a consequence of the coming into force of a designation order under Schedule 3 to the Road Traffic Act 1991⁽¹⁾ (permitted or special parking areas).

(6) An order the sole effect of which is the variation or revocation of an order under section 35(1)(b)(iv) or 46(2)(e) of the Act authorising a person to remove or arrange for the removal of a vehicle from a parking place.

(7) An order the sole effect of which is the variation of an order under section 35 or 46(2) of the Act regulating the method, or requiring the use of apparatus, by which any charges for the use of a parking place are to be paid.

(8) An order the sole effect of which is the prohibition of, or the revocation or variation of a provision in an order whose sole effect is to prohibit, the riding of cycles or mopeds on a footbridge, in a pedestrian subway or on the approaches to such a bridge or subway.

(1) 1991 c. 40; schedule 3 was amended by the [Local Government etc. \(Scotland\) Act \(c.39\)](#), Schedule 13, paragraph 171.

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(9) An order which relates solely to one or more parking places provided by means of stands and racks for bicycles pursuant to section 63 of the Act.

(10) An order the sole effect of which is to postpone for a period of not more than 6 months the coming into force of any provision of an existing order.

(11) An order combining the effects of two or more of any of the foregoing orders.

PART II

INTERPRETATION

2. In this Schedule–

“cycle” means a pedal cycle which is not a motor vehicle;

“maximum gross weight” has the same meaning as in the Traffic Signs Regulations 1994⁽²⁾; and

“moped” has the meaning given by paragraph 5 of Schedule 9 to the Road Vehicles (Construction and Use) Regulations 1986⁽³⁾.

(2) Part I of S.I.1994/1519 to which there are amendments not relevant to these Regulations.

(3) S.I. 1986/1078, to which there are amendments not relevant to these Regulations.