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THE DUMFRIES AND GALLOWAY COUNCIL
(VARIOUS VEHICLE PARKING PLACES) (USE AND WAITING RESTRICTIONS)
PARKING PLACES ORDER 2023

The Dumfries and Galloway Council (hereinafter referred to as “the Council”) in exercise of their powers under Sections 32, 33 and 35 of the Road Traffic Regulation Act 1984 and of all other powers and after consultation with the Chief Constable in accordance with Section 124(c) of that Act hereby make the following Order to make provisions as to the vehicles permitted to use the Vehicle Parking Places, the conditions of use and the charges to be paid in connection with the use: -

- 1. Order
This Order may be cited as the Dumfries and Galloway Council (Various Vehicle Parking Places) (Use and Waiting Restrictions) Traffic Regulation Order 2023 and will commence on [REDACTED], but shall only be enforced when accompanied by the provision of appropriate signage at relevant Vehicle Parking Place.
- 2. Interpretation and Definitions
 - 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.
 - 2.2 In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:

“**Approved**” means in conformance with the appropriate British Standard;

“**Car Club Bay**” means any Parking Bay which is signed or marked in accordance with the Traffic Signs Regulations and Directions 2016 as amended, or such other legislation as may be in force as being reserved for use by a Car Club Vehicle;

“**Car Club Vehicle**” means a Vehicle with the appropriate livery and displaying a car club parking sign owned or operated by a body approved by the Council for that purpose;

“**Charging Day**” means the period from 08.00 to 18.00 on any day which is not a Sunday or a Scottish Public Holiday or any other day where charging and the requirement to display a Parking Disc has been suspended in terms of Article 11 of this Order;

“**Coach(es)**” means a Vehicle designed or adapted solely for the carriage of twelve or more passengers and their effects;

“**Driver**” means the person driving the Vehicle at the time it was left in the Vehicle Parking Place, who shall be presumed to be the Owner, unless shown to the contrary;

“**Electric Vehicle Bay**” means any Parking Bay which is signed or marked in accordance with the Traffic Signs Regulations and Directions 2016 as amended or such other legislation in force at the time as being reserved for use by an Electric Vehicle;

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“**Electric Vehicle**” means a Vehicle that is powered entirely or partially by electricity and is capable of being charged from an external source;

“**Goods**” means articles of any kind and includes postal packets of any description and “Delivering” and “Collecting” in relation to any Goods Vehicle includes checking the Goods for their delivery or collection;

“**Large Goods Vehicle**” means Vehicles constructed or adapted to carry or haul Goods and the permissible weight of which exceeds 3.5 tonnes;

“**Light Goods Vehicle**” means Vehicles constructed or adapted to carry or haul Goods and the permissible weight of which does not exceed 3.5 tonnes;

“**Local Authority**” means a local authority constituted under the Local Government etc. (Scotland) Act 1994 or equivalent legislation.

“**Motorcycle**” has the same meaning as in Section 136(4) of the Road Traffic Regulation Act 1984;

“**Owner**” means the person in whose name the Vehicle is due to be registered under the Vehicle Excise and Registration Act 1994 or if the Vehicle is not due to be registered, the keeper of the Vehicle;

“**Order**” means The Dumfries and Galloway Council Order (Various Vehicle Parking Places) (Use and Waiting Restrictions) Traffic Regulation Order 2022 with the schedule and the Plan;

“**Parking Attendant**” means an employee of the Council or the Council’s agents or contractors authorised in terms of Section 63A of the Road Traffic Regulation Act 1984 to supervise Vehicle Parking Places,

“**Parking Bay**” means a space in a Vehicle Parking Place which is provided for the leaving of a Vehicle;

“**Parking Disc**” means an Approved device which can show the Quarter Hour Period during which a Vehicle arrived at a Vehicle Parking Place;

“**Passenger Vehicle**” means a Vehicle constructed or adapted solely for the carriage of passengers and their Goods and adapted to carry not more than twelve persons inclusive of the Driver, Vehicle and Goods;

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“Plan” means the plans for each Vehicle Parking Place (with the name of the Vehicle Parking Place stated on the plan) annexed and identified as relative to this Order which show the land covered by the Order shaded and outlined in red and identified by the phrase “car park” and areas within that Vehicle Parking Place as stated in Schedule part 2 Column 2 and Schedule part 3 Column 1 by broken black line and relevant number.

Butts Street, Annan; Murray Street, Annan; The Green, Eastriggs; Central Avenue / Union Road, Gretna; Charles Street, Langholm; Kilngreen, Langholm; Parliament Square, Langholm; Princes Street / Castle Street, Lochmaben; McJerrow Park, Lockerbie; Station Square, Lockerbie; Well Road / Union Street, Lockerbie; Well Road, Lockerbie; Glebe, Moffat; High Street, Moffat; Rae Street / Henderson Street, Moffat; Bane Loaning, Dumfries; Brooms Road, Dumfries; Burns Street; Dumfries; Charlotte Street, Dumfries; College Street, Dumfries; David Street, Dumfries; Dock Park, Dumfries; Dockhead, Dumfries; English Street, Dumfries; Garroch Business Park, Dumfries; George Street (Former Art School), Dumfries; George Street, Dumfries; Gordon Street, Dumfries; Irish Street, Dumfries; King Street (Opposite Ice Bowl), Dumfries; King Street, Dumfries; Lochside Road, Dumfries; Loreburn Lesser Hall, Dumfries; Loreburn Street, Dumfries; Market Square / Market Street, Dumfries; Mill Road, Dumfries; Munches Street, Dumfries; Newall Terrace (Council Offices), Dumfries; Newall Terrace (North), Dumfries; St Michael Street, Dumfries; Wallace Street, Dumfries; Whitesands (East), Dumfries; Whitesands (West), Dumfries; Dunscore; Duke Street, Kirkconnel; Holmhead Main Street, Kirkconnel; Dunreggan Brae, Moniaive; Sweetheart Abbey, New Abbey; Marrburn Road, Penpont; Harveys Wynd, Sanquhar; Simpson Road, Sanquhar; Shawhead; Linns Road, Torthorwald; Post Office, Balmaclellan; Market Hill, Castle Douglas; Alpine Street, Dalbeattie; Mill Street, Dalbeattie; Munches Park, Dalbeattie; Town Hall, Dalbeattie; Fleet Vale, Gatehouse of Fleet; Nun Mill Bay, Kirkcudbright; Harbour Square, Kirkcudbright; St David Street, Kirkpatrick Durham; Archie Bridge, New Galloway; Mill Burn, New Galloway; Village Green, Rhonehouse; Glenluffin, Rockcliffe; Adamson Square, Creetown; North Street, Glenluce; Harbour, Isle of Whithorn; Main Street, Isle of Whithorn; Church Road, Kirkcolm; Main Street, Kirkcolm; Church Lane, Newton Stewart; Clocktower, Newton Stewart; Goods Lane, Newton Stewart; Princes Terrace, Newton Stewart; Queen Street, Newton Stewart; Riverside Road, Newton Stewart; Windsor Road, Newton Stewart; Dasher’s Den, Portpatrick; Lagwinnan, Portpatrick; Lighthouse, Portpatrick; North Crescent, Portpatrick; Balyett Picnic Area, Stranraer; Breastworks, Stranraer; Fisher Street, Stranraer; Hanover Square, Stranraer; Harbour Street, Stranraer; Marine Lake, Stranraer; Port Rodie, Stranraer; St John Street, Stranraer; Behind South Main Street, Wigtown.

“Public Service Vehicle” has the same meaning as in Section 1 of the Public Passenger Vehicle Act 1981;

“Quarter Hour Period” means a period of quarter of an hour starting at any hour or fifteen, thirty or forty-five minutes past the hour;

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“Relevant Position” means: -

- a) Where the Vehicle is fitted with a dashboard or facia panel, in a conspicuous position thereon.
- b) In the case of a Vehicle not fitted with a dashboard or facia panel, in a conspicuous position on the Vehicle;

“Residents Exemption Certificate” means a certificate issued by the Council in accordance with the Dumfries and Galloway Council (Dumfries Town Centre) (Prohibition and Restriction on Stopping, Waiting, Loading and Unloading etc, Disc Parking Scheme and Residents Exemptions) Order 2017 (as amended);

“Schedule” means the schedule in 5 parts annexed and executed as relative to the Order;

“Taxi” has the same meaning as in the Civic Government (Scotland) Act 1982;

“Trailer” means a carrier designed to be pulled by a Vehicle and for the purposes of this Order shall include a caravan;

“Vehicle” means a mechanically propelled Vehicle, with three or more wheels intended or adapted for use on roads and includes, but is not limited to, Vehicles propelled by internal combustion, electricity, steam and pedals and includes any Trailer attached or designed to be attached to the Vehicle whether or not it is so attached at the time,

“Vehicle Parking Place” means the area of land specified in Column 1 of Schedule part 2 as shown on the Plan which is provided by the Council for use as a parking place for Vehicles in terms of Sections 32 of the Road Traffic Regulation Act 1984.

“Waiting Restriction” means, in Schedule part 3, the time stated in column 3 in respect of the class of Vehicle stated in column 2 at the Vehicle Parking Places, stated in column 1 as shown in the relevant part of the Plan.

“Works” means building operation, demolition, removal of any obstruction; maintenance, improvement or reconstruction; laying, erection, alteration or repair of any sewer or of any main pipe or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus; or the placing, maintenance or removal of any traffic sign.

“Zone” has the same meaning as stated in the Dumfries and Galloway Council (Dumfries Town Centre) (Prohibition and Restriction on Stopping, Waiting, Loading and Unloading etc, Disc Parking Scheme and Residents Exemptions) Order 2017 (as amended);

3. Vehicle Parking Places covered by Order
Each Vehicle Parking Place specified by name in column 1 of the Schedule part 2 may be used, as a Vehicle Parking Place provided it is used in accordance with the provisions of this Order.

4. Classes of Vehicle
4.1 Each Vehicle Parking Place specified by name in column 1 of the Schedule part 2 may be used, as a parking place for the classes of Vehicle specified in column 2 of the Schedule part 2 during the hours specified in column 3 of the Schedule part 2.

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4.2 Where there are Parking Bays reserved within a Vehicle Parking Place for a specific class of Vehicle then Vehicles of that class shall only be left in that Vehicle Parking Place within the reserved Parking Bay, and in accordance with the stipulations designated by surface markings and signing relevant to those Parking Bays.

5. Conditions of Use

- 5.1 Every Vehicle left in a Vehicle Parking Place shall, where the extent of the Parking Bays is indicated, stand so that every part of the Vehicle is within the limits of the same Parking Bay.
- 5.2 No person shall, unless permitted or instructed to by a Parking Attendant, any person duly authorised by or on behalf of the Council, or a Police Officer in uniform;
 - 5.2.1 drive any Vehicle in any Vehicle Parking Place other than for the purpose of leaving that Vehicle in the Vehicle Parking Place, or departing from the Vehicle Parking Place; or
 - 5.2.2 where in any Vehicle Parking Place signs are erected or surface markings are laid for the purpose of indicate:
 - 5.2.2.1 the entrance to or exit from the Vehicle Parking Place, no person shall drive, or cause or permit to be driven any Vehicle so that it enters or leaves the Vehicle Parking Place otherwise than by the entrance or exit so indicated; and , or
 - 5.2.2.2 that a Vehicle using the Vehicle Parking Place shall proceed in a specified direction within the Vehicle Parking Place, no person shall drive, or cause or permit to be driven any Vehicle in a direction other than specified.
- 5.3 The Driver of a Vehicle using a Vehicle Parking Place shall stop the engine as soon as the Vehicle is in a Parking Bay and shall not start the engine except when about to change the position of the Vehicle or depart from the Vehicle Parking Place.
- 5.4 The Driver of any Vehicle shall not permit the said Vehicle to wait in any Vehicle Parking Place so as to obstruct the entry, exit or movement of any other Vehicle.
- 5.5 No person shall, without the permission of the Council in writing, use any Vehicle, or Trailer when it is in a Vehicle Parking Place, to:
 - 5.5.1 vend any article to any person or persons;
 - 5.5.2 promote their organisation; and or
 - 5.5.3 collect contributions for their organisation in or near the Vehicle Parking Place.
- 5.6 No person shall use any part of a Vehicle Parking Place for the purposes of sleeping overnight (between the hours of 18:00 and 08:00 the following day).
- 5.7 No person shall use any part of a Vehicle Parking Place for the purposes of cooking.
- 5.8 No person shall cause or permit any Vehicle to wait in any Vehicle Parking Place unless it is licensed in accordance with Section 1(1) and 1(1A) of the Vehicle Excise and Registration Act 1994 and unless there is, in relation to the use of it by the Driver, a policy of insurance which complies with the requirements of Part VI of the Road Traffic Act 1988 .
- 5.9 No person shall cause or permit a diesel or petrol driven refrigeration unit on a Vehicle to be operated within the Vehicle Parking Places.

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- 5.10 No person shall repair or service any Vehicle, or part thereof, in a Vehicle Parking Place, other than is reasonably necessary to enable that Vehicle to move within or depart from the Vehicle Parking Place.
- 5.11 No person shall wash any Vehicle or part thereof, in a Vehicle Parking Place, other than is reasonably necessary to enable that Vehicle to move within or depart from the Vehicle Parking Place.
- 5.12 No person shall, without the permission of the Council in writing: : -
 - 5.12.1 Erect or cause or permit to be erected any tent, booth, stand, building or other structure; or
 - 5.12.2 Light or cause or permit to be lit any fire, stove, barbecue or other such device; or
 - 5.12.3 Dump or dispose of household or commercial Goods, building materials, rubbish, litter or any other item other than in a suitable litter bin or skip provided.
- in a Vehicle Parking Place.
- 5.13 No person shall use any Vehicle to ply for hire or accept passengers for reward from a Vehicle Parking Place, except from a designated Taxi stance or an area designated for a Public Service Vehicle.
- 5.14 Trailer units in excess of 3.5 tonnes, not attached to a Vehicle, shall not be parked in any Vehicle Parking Place for a continuous period in excess of 24 hours
- 5.15 No person shall permit any Vehicle to wait in any Parking Bay designated for use by disabled Drivers unless the Vehicle validly displays in the Relevant Position a disabled persons badge issued by a Local Authority in exercise of its powers under Disabled Person's (Badges for Motor Vehicles) (Scotland) Regulations 2000 as amended or the equivalent legislation for the area where the disabled persons badge was issued.
- 5.16 No person shall permit any Vehicle to wait within a designated Electric Vehicle Bay except an Electric Vehicle which is in the process of being charged from the charge point at that Electric Vehicle Bay..
- 5.17 No person shall permit any Vehicle except a Car Club Vehicle to wait in any designated Car Club Bay.
- 5.18 No Vehicle shall be left in a Parking Bay in such a manner that it shall not cause damage to the surface of the Vehicle Parking Place.

6 Display of Parking Disc

Save as provided in Articles 7.10, 9 or 11 of this Order, on the arrival of the Vehicle at a Vehicle Parking Place where there is a Waiting Restriction the Driver of the Vehicle shall set and exhibit on the Vehicle a Parking Disc in accordance with the following provisions of this Article:

- 6.1 If a Vehicle arrives at a Vehicle Parking Place where there is a Waiting Restriction during a Charging Day, the Driver shall set the Parking Disc so that it indicates the Quarter Hour Period during which the Vehicle arrived at the Vehicle Parking Place, or if a Vehicle is left in a Vehicle Parking Place before the beginning of the Charging Day the Driver shall set the Parking Disc so that it indicates the first Quarter Hour Period of the Charging Day.
- 6.2 The Parking Disc shall be displayed in the Relevant Position in such a way that the numerals in the rotating dial of the Parking Disc are clearly visible to a person standing outside the Vehicle.

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- 6.3 The Parking Disc shall be exhibited throughout any period within a Charging Day during which the Vehicle is left in a Vehicle Parking Place with a Waiting Restriction.
- 6.4 The Driver shall not exhibit on any Vehicle any Parking Disc which has been altered, defaced, mutilated or added to or upon which the figures or markings on the rotating dial have become illegible.
- 6.5 After the Parking Disc has been set in accordance with Article 6 of this Order and has been exhibited on a Vehicle no person shall alter the indications given by that Parking Disc whilst the Vehicle remains in the Vehicle Parking Place.
- 6.6 In any civil proceedings for the recovery of charges under Article 7 of this Order or any criminal proceedings for any contravention of or non-compliance with any provision of this Order, the Quarter Hour Period indicated by a Parking Disc exhibited on a Vehicle left in a Vehicle Parking Place with a Waiting Restriction shall be sufficient evidence of the arrival of a Vehicle at the Vehicle Parking Place with a Waiting Restriction during that Quarter Hour Period.
- 6.7 Between the hours 08:00 and 11:00 on any Charging Day, any Vehicle which is displaying a valid Residents Exemption Certificate provided for the Zone within which the Vehicle Parking Place is situated shall be entitled to park there, and for the purposes of this Order any such Vehicle present in a Vehicle Parking Place at 11:00 hours on any Charging Day shall be treated as if it arrived at the Vehicle Parking Place at 11:00 hours. For the avoidance of doubt, any such Vehicle should display a Parking Disc for such a Vehicle between the hours of 11:00 and 18:00 for the permitted waiting time.

7 Charges

7.1 The Driver shall be the person responsible for any charges due under the provisions of this Order.

Charges in Areas with Waiting Restrictions

7.2 Subject to the provisions of Articles 7.10, 9 or 11 to this Order when a Vehicle is standing in a Vehicle Parking Place with a Waiting Restriction at the start of a Charging Day or when a Vehicle is left in a Vehicle Parking Place with a Waiting Restriction during the Charging Day and in either case a Parking Disc is set and exhibited on the Vehicle in accordance with Article 6 of this Order, the Vehicle may remain in the Vehicle Parking Place with a Waiting Restriction free of charge for the period of the Waiting Restriction ,which period shall commence from the end of the Quarter Hour Period indicated on the Parking Disc.

7.3 After exiting, Vehicles are not permitted to return to the Vehicle Parking Place during a Charging Day within 2 hours of the exiting from the last period of parking the Vehicle in that Vehicle Parking Place.

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- 7.4 Subject to the provisions of Articles 7.10, 9 or 11 of this Order the Driver of a Vehicle which is left in a Vehicle Parking Place with a Waiting Restriction shall be liable to the charge specified in Schedule part 4 to this Order relative to the Vehicle Parking Place in any and all of the following circumstances:
 - 7.4.1 Failure to exhibit a Parking Disc on the Vehicle in accordance with Article 6.1, 6.2, 6.3, 6.4 (Schedule part 4 column 2)
 - 7.4.2 Exceeding Waiting Restriction stated in Article 7.2 of this Order (Schedule part 4 column 2).
 - 7.4.3 During the Charging Day, return of the Vehicle to the Vehicle Parking Place with a Waiting Restriction to park within 2 hours of the last period of parking of the Vehicle in that Vehicle Parking Place contrary to Article 7.3 (Schedule part 4 column 3)
 - 7.4.4 Altering the Parking Disc contrary to Article 6.5 (Schedule part 4 column 2)

Charges in Electric Vehicle Bays

- 7.5 Subject to the provisions of Articles 7.10, 9 or 11 of this Order the Driver of a Vehicle or Electric Vehicle which is left in an Electric Vehicle Bay shall be liable to the charge specified in Schedule part 5 to this Order relative to the Vehicle Parking Place in any and all of the following circumstances:
 - 7.5.1 permitting a Vehicle which is not an Electric Vehicle to wait within a designated Electric Vehicle Bay (Schedule part 5 column 2)
 - 7.5.2 permitting an Electric Vehicle to wait in an Electric Vehicle Bay where the Electric Vehicle is not being actively charged from the charge point at that Electric Vehicle Bay (Schedule part 5 column 3).

An Electric Vehicle is deemed to be in the process of being actively charged if the blue indicator light on the charge point at the Electric Vehicle Bay where the Electric Vehicle is waiting is lit.
- 7.6 Where a Vehicle is observed by a Parking Attendant, or any person duly authorised by or on behalf of the Council within a Vehicle Parking Place in any of the circumstances giving rise to a charge specified in Article 7.4.1 to 7.4.4 or 7.5.1 to 7.5.2 they shall affix to the outside of the windscreen, or any prominent part of the Vehicle a notice (“Notice of Charge”), which will specify the following:
 - 7.6.1 The date and time of the observation and the date and time of the issuing of the notice.
 - 7.6.2 The Vehicle Parking Place and (if appropriate) the Parking Bay number in which the Vehicle is parked.
 - 7.6.3 The make, model, colour and registration of the Vehicle.
 - 7.6.4 Which of the circumstances in Article 7.4.1 to 7.4.4 or 7.5.1 to 7.5.2 of this Order give rise to the charge.
 - 7.6.5 The amount of the charge.
 - 7.6.6 A statement that:
 - 7.6.6.1 the charge is payable by the Driver of the Vehicle.
 - 7.6.6.2 The time within which payment of the charge is to be made; the time within which payment of the reduced charge (in accordance with Article 7.6 below) may be made, and the address at which payment is to be made.
 - 7.6.6.3 Failure to pay the charge is an offence in terms of section 35A (1) of The Road Traffic Regulation Act 1984.

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7.6.6.4 When a Parking Attendant has affixed a Notice of Charge to a Vehicle it shall be an offence to fail to remove the Vehicle from the Vehicle Parking Place by midnight on the date of issue of the said notice of charge.

7.6.6.5 The Council may, after midnight on the date of issue of the said notice of charge remove the Vehicle from the Vehicle Parking Place and recover the cost of so doing from the Owner.

7.7 Where a charge is incurred in any of the circumstances specified in Articles 7.4.1 to 7.4.4 or 7.5.1 to 7.5.2 it shall be payable within 21 days to the Council, or its agents or contractors as specified in the Notice of Charge. Notwithstanding the foregoing where payment is made within seven days following the date of issue of the Notice of Charge referred to in Article 7.6 above a reduced charge as specified in column 4 of Schedule part 4 or column 4 of Schedule part 5 as appropriate shall be accepted by the Council. The Council may recover by civil proceedings any charges not paid in accordance with this Article.

7.8 The Driver shall remove the Vehicle to which the Notice of Charge has been affixed the Vehicle from the Vehicle Parking Place before midnight on the date of issue of the Notice of Charge. Notwithstanding the foregoing if the Driver fails so to remove the Vehicle the provisions of this Order will continue to apply to the Driver and the Vehicle.

7.9 Where a Vehicle remains within the Vehicle Parking Place after midnight on the date of issue of a Notice of Charge which has been affixed to the Vehicle, the Council or its agents or contractors may remove the Vehicle from the Vehicle Parking Place to a safe place and recover as a civil debt from its Owner the cost of doing so. The Council or its agents or contractors may refuse to return the Vehicle to its Owner without first receiving payment of such costs.

7.10 The provisions of Articles 6 and 7.4 shall not apply to:

7.10.1 Any two-wheeled Motorcycle not having a sidecar attached.

7.10.2 Any person to whom Article 5.15 and 5.16 applies

7.10.3 Any Vehicle which is stopped for the purposes of enabling a person to board or alight from that Vehicle

7.10.4 Any Vehicle used in connection with the provision of services by the Council

8 Removal of Vehicles

8.1 Where a Vehicle, Trailer or Goods is left in a Vehicle Parking Place in contravention of any of the provisions of this Order, including suspension of use in term of Article 10 or 11 below, a Parking Attendant or a person duly authorised by, or on behalf of the Council, may remove or arrange to have removed, the said Vehicle, Trailer or Goods from the Vehicle Parking Place to a place of safe custody. The Council may, thereafter, dispose of any such Vehicle, Trailer or Goods in whichever manner they see fit and with respect to Vehicles and or Trailers in accordance with the provisions of Section 101 of the Road Traffic Regulation Act 1984 and subject to the regulations made thereafter,

8.2 Without prejudice to the foregoing paragraph, where a Vehicle, Trailer or Goods is left in a Vehicle Parking Place in contravention of this Order, a Parking Attendant or such other person duly authorised by, or on behalf of the Council, may alter or cause to be altered the position of that Vehicle, Trailer or Goods.

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- 8.3 Any person authorised to remove or alter the position of any Vehicle, Trailer or Goods under this Order may do so by towing or driving the Vehicle, Trailer or Goods or moving it in such a manner as they may think necessary; and they may take such measures in relation to the Vehicle, Trailer or Goods as they may think necessary to enable them to remove it or alter its position, as the case may be; provided that in the event of any Vehicle, Trailer or Goods being removed from and Vehicle Parking Place, such person shall make arrangements as may reasonably necessary for the safe custody of the Vehicle, Trailer or Goods.
- 8.4 Any person authorised to remove or alter the position of any Vehicle, Trailer or Goods under this Order shall not be responsible for unavoidable damage caused to the Vehicle, Trailer or Goods as a result.
- 8.5 A police officer in uniform, a Parking Attendant or any person duly authorised by or on behalf of the Council, may move or cause to be moved, in case of emergency, to any place they thinks fit, any Vehicle, Trailer or Goods left in a Vehicle Parking Place even if that Vehicle, Trailer or Goods was not left in contravention of one of the Articles of this Order.

9 Exemptions to Order

Articles 3 to 8 of this Order do not apply in the following circumstances:

- 9.1 where the Vehicle and or Trailer
 - 9.1.1 Is being used: -
 - 9.1.1.1 for police purposes, including for the purposes of the National Crime Agency, or
 - 9.1.1.2 for ambulance purposes or for the purpose of providing a response to an emergency at the request of the Scottish Ambulance Service Board, or
 - 9.1.1.3 for or in connection with the exercise of any function of the Scottish Fire and Rescue Service or Her Majesty’s Coastguard, or
 - 9.1.1.4 for naval, military or air force purposes, and
 - 9.1.2 for the achievement of the purposes, or the exercise of the function, would be likely to be hindered if the Vehicle were not parked in contravention of the parking prohibitions.
- 9.2 where the Vehicle and or Trailer: -
 - 9.2.1 is being used for or in connection with:
 - 9.2.1.1 the undertaking of Works in or near to the Vehicle Parking Place, or
 - 9.2.1.2 the removal of an obstruction to traffic, or
 - 9.2.1.3 the collection of waste by or on behalf of a Local Authority, or
 - 9.2.1.4 postal services (within the meaning of section 125(1) of the Postal Services Act 2000), and
 - 9.2.2 cannot reasonably be so used without being parked in contravention of the parking prohibitions and is so parked for no longer than is necessary for that use.
- 9.3 where: -
 - 9.3.1 the Vehicle and or Trailer is being used by a registered medical practitioner, registered nurse or registered midwife for or in connection with the provision of urgent or emergency health care, and
 - 9.3.2 the provision of the care would be likely to be hindered if the Vehicle were not parked in contravention of the parking prohibitions, and
 - 9.3.3 the Vehicle and or Trailer is so parked for no longer than is reasonable in connection with the provision of the care.

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- 9.4 where: -
 - 9.4.1 the Vehicle or Trailer is, in the course of Business:
 - 9.4.1.1 being used for the purpose of delivering Goods to, or collecting Goods from, any premises, or
 - 9.4.1.2 being loaded from or unloaded to any premises, and
 - 9.4.2 the delivery, collection, loading or unloading cannot reasonably be carried out without the Vehicle or Trailer being parked in contravention of the parking prohibitions, and
 - 9.4.3 the Vehicle or Trailer is so parked for no longer than is necessary for the delivery, collection, loading or unloading and in any event for no more than a continuous period of 20 minutes.
- 9.5 where: -
 - 9.5.1 the person has parked the Vehicle or Trailer for the purpose of saving life or responding to another similar emergency, and
 - 9.5.2 the achievement of that purpose would be likely to be hindered if the Vehicle or Trailer were not parked in contravention of the parking prohibitions and
 - 9.5.3 the Vehicle or Trailer is so parked for no longer than is necessary for that purpose.
- 9.6 where: -
 - 9.6.1 the person has parked the Vehicle or Trailer for the purpose of providing assistance at an accident or breakdown, and
 - 9.6.2 the assistance could not be safely or reasonably provided if the Vehicle or Trailer were not in contravention of the parking prohibitions, and
 - 9.6.3 the Vehicle or Trailer is so parked for no longer than is necessary for that purpose.
- 9.7 where: -
 - 9.7.1 the person has parked the Vehicle or Trailer for the purpose of use in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of the Vehicle Parking Place or the lane, erection, alteration or repair in or near to the Vehicle Parking Place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus as defined in sub paragraph 1 of schedule 2 to the Telecommunications Act 1984 and
 - 9.7.2 the achievement of that purpose would be likely to be hindered if the Vehicle or Trailer were not parked in contravention of the parking prohibitions and (c) the Vehicle or Trailer is so parked for no longer than is necessary for that purpose.

10. Suspension of Use of Vehicle Parking Place

- 10.1 Any police officer, Parking Attendant, or person duly authorised by or on behalf of the Council may suspend the use of a Vehicle Parking Place or any part thereof, whenever and for such period as they may consider reasonably necessary.
- 10.2 Any person suspending the use of a Vehicle Parking Place or any part thereof in accordance with the provisions of this article shall place or cause to be placed in or adjacent to that Vehicle Parking Place or the relevant part thereof a sign or signs indicating that waiting is prohibited.

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- 10.3 No person shall cause or permit a Vehicle or Trailer to be left in any part of a Vehicle Parking Place which has been suspended in accordance with the provisions of this article. Provided that nothing in this paragraph shall render it unlawful to cause or permit any Vehicle or Trailer being used in the Vehicle Parking Place for one of the exceptions in Article 9, or any other Vehicle to be so left if that Vehicle or Trailer is left with the permission of: -
 - 10.3.1 The person duly authorised by or on behalf of the Council to suspend the use of the Vehicle Parking Place or part thereof or
 - 10.3.2 A police officer in uniform or
 - 10.3.3 A Parking Attendant.

- 11. Suspension of Order
 - 11.1 The Council may suspend the operation of this Order in whole or in part in respect of all or selected Vehicle Parking Places during such period or periods as it may determine, by displaying appropriate signs, notices, road markings etc in the Vehicle Parking Place.
 - 11.2 A Parking Attendant or any person duly authorised by or on behalf of the Council may suspend temporarily the charge and the requirement to exhibit Parking Discs in any Vehicle Parking Place or part of any Vehicle Parking Place to which this Order applies.

- 12. Effect of this Order

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 Road Traffic Regulation Act 1984 as amended as aforesaid or by or under any other enactment.

- 13. Revocation of Orders

The Orders listed in Schedule part 1 are hereby revoked along with any other such Orders which may regulate the use of parking places for vehicles supplied by the Council but are not included in the schedule.

This Order and the Schedule in 5 parts and the Plan is executed on behalf of and as authorised by Dumfries and Galloway Council by: [REDACTED], Solicitor and Proper Officer at Dumfries on the [REDACTED], day of [REDACTED] Two Thousand and Twenty Three.

..... Proper Officer

Schedule Part 1

Traffic Regulations Orders to be revoked:

Order	Extent to be revoked
Dumfries and Galloway Council (Brooms Road Car Park, Dumfries) (Car Club and Electric Vehicle Parking Spaces) Order 2015	Fully revoked.
Dumfries and Galloway Council (Rose Street and Hanover Square, Stranraer) (Off-Street Car Parks) Order 2000	Fully revoked.
Dumfries and Galloway Council (Various Orders Dumfries Town Centre) Amendment Order 1998	Schedule Item 15 in its entirety.
Dumfries and Galloway Council (Harvey's Wynd Car Park, Sanquhar) (Waiting Restrictions) Order 2002	Fully revoked.

..... Proper Officer

Schedule Part 2

ANNANDALE & ESKDALE

	Column 1 Vehicle Parking Place	Column 2 Classes of Vehicles	Column 3 Hours of Use
Annan	Butts Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Murray Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
Eastriggs	The Green	Passenger Vehicle/ Light Goods Vehicle	24 Hours
Gretna	Central Avenue / Union Road	Passenger Vehicle/ Light Goods Vehicle	24 Hours
Langholm	Charles Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Kilngreen	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Parliament Square	Passenger Vehicle/ Light Goods Vehicle	24 Hours
Lochmaben	Princes Street / Castle Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
Lockerbie	McJerrrow Park	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Station Square	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Well Road/Union Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Well Road	Passenger Vehicle/ Light Goods Vehicle	24 Hours
Moffat	Glebe (Station Park)	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	High Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Rae Street / Henderson Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours

..... Proper Officer

NITHSDALE

	Column 1 Vehicle Parking Place	Column 2 Classes of Vehicles	Column 3 Hours of Use
Dumfries	Bane Loaning	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Brooms Road		
	Area 1	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Area 2	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Area 3a	Large Goods Vehicles	18:00 to 08:00 Hours
		Coaches	08:00 to 18:00 Hours
	Area 3b	Large Goods Vehicles	18:00 to 08:00 Hours
		Passenger Vehicle /	08:00 to 18:00 Hours
	Area 3c	Light Goods Vehicle	18:00 to 08:00 Hours
		Large Goods Vehicles	08:00 to 18:00 Hours
		Coaches	April to September
			08:00 to 18:00 Hours
		Passenger Vehicle/ Light Goods Vehicle	October to March
	Area 4	Large Goods Vehicles	18:00 to 08:00 Hours
		Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Area 5	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Burns Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Charlotte Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	College Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	David Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Dock Park	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Dockhead	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	English Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Garroch Business Park	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	George Street (former Art School)	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	George Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Gordon Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Irish Street	Passenger Vehicle / Light Goods Vehicle	24 Hours

..... Proper Officer

NITHSDALE (continued)

	Column 1 Vehicle Parking Place	Column 2 Classes of Vehicles	Column 3 Hours of Use
Dumfries	King Street (opposite Ice Bowl)	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	King Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Lochside Road	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Loreburn Lesser Hall	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Loreburn Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Market Square / Market Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Mill Road	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Munches Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Newall Terrace (Council Offices)	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Newall Terrace (North)	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	St Michael Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Wallace Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Whitesands (East)	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Whitesands (West)	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Dunscore	Dunscore	Passenger Vehicle/ Light Goods Vehicle
Kirkconnel	Duke Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Holmhead, Main Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
Moniaive	Dunreggan Brae	Passenger Vehicle/ Light Goods Vehicle	24 Hours
New Abbey	Sweetheart Abbey	Passenger Vehicle/ Light Goods Vehicle	24 Hours
Penpont	Marrburn Road	Passenger Vehicle/ Light Goods Vehicle	24 Hours

..... Proper Officer

NITHSDALE (continued)

	Column 1 Vehicle Parking Place	Column 2 Classes of Vehicles	Column 3 Hours of Use
Sanquhar	Harveys Wynd	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Simpson Road	Passenger Vehicle/ Light Goods Vehicle/ Coaches	24 Hours
Shawhead	Old Primary School	Passenger Vehicle/ Light Goods Vehicle	24 Hours
Tothorwald	Linns Road	Passenger Vehicle/ Light Goods Vehicle	24 Hours

..... Proper Officer

STEWARTRY

	Column 1 Vehicle Parking Place	Column 2 Classes of Vehicles	Column 3 Hours of Use
Balmaclellan	Post Office	Passenger Vehicle/ Light Goods Vehicle	24 Hours
Castle Douglas	Market Hill	Passenger Vehicle/ Light Goods Vehicle	24 Hours
Dalbeattie	Alpine Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Mill Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Munches Park	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Town Hall	Passenger Vehicle/ Light Goods Vehicle	24 Hours
Gatehouse of Fleet	Fleet Vale	Passenger Vehicle/ Light Goods Vehicle	24 Hours
B727	Nun Mill Bay, Kirkcudbright	Passenger Vehicle/ Light Goods Vehicle	24 Hours
Kirkcudbright	Harbour Square	Passenger Vehicle/ Light Goods Vehicle	24 Hours
Kirkpatrick Durham	St David Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
New Galloway	Achie Bridge	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Mill Burn	Passenger Vehicle/ Light Goods Vehicle	24 Hours
Rhonehouse	Village Green	Passenger Vehicle/ Light Goods Vehicle	24 Hours
Rockcliffe	Glenluffin	Passenger Vehicle/ Light Goods Vehicle	24 Hours
		Light Goods Vehicle	

..... Proper Officer

WIGTOWN

	Column 1 Vehicle Parking Place	Column 2 Classes of Vehicles	Column 3 Hours of Use
Creetown	Adamson Square	Passenger Vehicle/ Light Goods Vehicle	24 Hours
Glenluce	North Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
Isle of Whithorn	Harbour	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Main Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
Kirkcolm	Church Road	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Main Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
Newton Stewart	Church Lane	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Clocktower	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Goods Lane	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Princes Terrace	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Queen Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Riverside Road	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Windsor Road	Passenger Vehicle/ Light Goods Vehicle	24 Hours
Portpatrick	Dasher's Den	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Lagwinnan	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	Lighthouse	Passenger Vehicle/ Light Goods Vehicle	24 Hours
	North Crescent	Passenger Vehicle/ Light Goods Vehicle	24 Hours

..... Proper Officer

WIGTOWN (continued)

	Column 1 Vehicle Parking Place	Column 2 Classes of Vehicles	Column 3 Hours of Use	
Stranraer	Balyett Picnic Area	Passenger Vehicle/ Light Goods Vehicle	24 Hours	
	Breastworks	Passenger Vehicle/ Light Goods Vehicle	24 Hours	
	Fisher Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours	
	Hanover Square	Passenger Vehicle/ Light Goods Vehicle	24 Hours	
	Harbour Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours	
	Marine Lake	Passenger Vehicle/ Light Goods Vehicle	24 Hours	
	Port Rodie		Passenger Vehicle/ Light Goods Vehicle	08:00 to 19:00 Hours – Monday to Sunday inclusive 18:00 to 08:00
			Large Goods Vehicles	Hours – Monday to Saturday and All Day Sunday
Coaches			24 Hours	
	St John Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours	
Wigtown	Behind South Main Street	Passenger Vehicle/ Light Goods Vehicle	24 Hours	

..... Proper Officer

Schedule Part 3

	Column 1 Vehicle Parking Place	Column 2 Class of Vehicle	Column 3 Waiting Restriction
Dumfries	Brooms Road (Area 5)	Passenger Vehicle/ Light Goods Vehicle	2 Hours
	Charlotte Street	“	“
	Loreburn Lesser Hall (Area 1)	“	“
	Loreburn Street	“	“
	Munches Street	“	“
	Whitesands (East)	“	“
	Whitesands (West) (Area 1)	“	“
Stranraer	Hanover Square (Area 1)	“	“
	St John Street	“	“

..... Proper Officer

Schedule Part 4

Column 1 Vehicle Parking Place		Column 2 Failure to display disc in accordance with Articles 6.1-6.4, Altering Disc 6.5 and/ or exceeding Waiting Restriction stated in Article 7.2. 7.4.1, 7.4.2 and 7.4.4	Column 3 Returning within 2 hours of departure from Vehicle Parking Space, contrary to Article 7.3. 7.4.3	Column 4 Reduced Charge if payment received in 7 days
Dumfries	Brooms Road (Area 5)	£74	£74	£37
	Charlotte Street	"	"	"
	Loreburn Lesser Hall (Area 1)	"	"	"
	Loreburn Street	"	"	"
	Munches Street	"	"	"
	Whitesands (East)	"	"	"
	Whitesands (West) (Area 1)	"	"	"
Stranraer	Hanover Square (Area 1)	"	"	"
	St John Street	"	"	"

..... Proper Officer

Schedule Part 5

	Column 1 Vehicle Parking Place	Column 2 permitting a Vehicle which is not an Electric Vehicle to wait within a designated Electric Vehicle Bay 7.5.1	Column 3 Permitting an Electric Vehicle to wait in an Electric Vehicle Bay where the Electric Vehicle is not being actively charged from the charge point at that Electric Vehicle Bay 7.5.2	Column 4 Reduced Charge if payment received in 7 days
		£74	£74	£37
Gretna	Central Avenue / Union Road	“	“	“
Langholm	Kilngreen	“	“	“
Lockerbie	McJerrow Park	“	“	“
Moffat	Glebe (Station Park)	“	“	“
Dumfries	Brooms Road	“	“	“
	English Street	“	“	“
	Garroch Business Park	“	“	“
	Irish Street	“	“	“
	Loreburn Lesser Hall	“	“	“
	Loreburn Street	“	“	“
	Newall Terrace (Council Offices)	“	“	“
	Newall Terrace (North)	“	“	“
Moniaive	Dunreggan Brae	“	“	“
Sanquhar	Simpson Road	“	“	“
Castle Douglas	Market Hill	“	“	“
Dalbeattie	Mill Street	“	“	“
Gatehouse of Fleet	Fleet Vale	“	“	“
Kirkcudbright	Harbour Square	“	“	“
New Galloway	Mill Burn	“	“	“
Creetown	Adamson Square	“	“	“
Stranraer	Breastworks	“	“	“
	Fisher Street	“	“	“
	Hanover Square	“	“	“
Wigtown	Behind South Main Street	“	“	“

..... Proper Officer