

**PERTH AND KINROSS COUNCIL
ROAD TRAFFIC REGULATION ACT 1984**

**PERTH AND KINROSS COUNCIL (BANKFOOT TRAFFIC MANAGEMENT)
ORDER 2013**

(NO/05/13)

Perth and Kinross Council in exercise of the powers conferred on them by Sections 1(1) and (2), 2(1) to (3) and 4(2) of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (which Act of 1984 is hereinafter referred to as "the Act") and of all other powers enabling them in that behalf and after consultation with the Chief Constable in accordance with Part III of Schedule 9 to the Act hereby make the following Order:-

**PART I
GENERAL PROVISIONS**

Commencement and Citation

1. This Order may be cited as the "Perth and Kinross Council (Bankfoot Traffic Management) Order 2013" and shall come into operation on the Twenty-eighth day of March Two thousand and thirteen.

Interpretation

2.
 - (i) In this Order except where the context otherwise requires, the following expressions shall have the meanings hereby assigned to them:-

~~"Chief Constable" means the Chief Constable of Fife;~~

"Council" means Perth and Kinross Council;

"disabled person" means a disabled person of a description prescribed by Regulation 4 of the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000;

"disabled persons badge" has the meaning assigned to it by Regulation 11 of the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000;

"disabled persons vehicle" means a motor vehicle which:-

- (a) is driven by a disabled person, or
- (b) is used by an institution (as defined in the said Regulations of 2000) for carrying disabled persons as passengers, or
- (c) is otherwise used for carrying disabled persons as passengers and is either:-
 - (i) a vehicle which is constructed or adapted for the carriage of not more than twelve passengers (exclusive of the driver) and is not a public service vehicle, or
 - (ii) a dual purpose vehicle as defined in Regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986 and is, in each case a vehicle, which immediately before or after any period of waiting

allowed by virtue of a provision of a kind required by regulation 4 of the Local Authorities Traffic Orders (Exemptions for Disabled Persons)(Scotland) Regulations 2000 to be included in an Order under the Act of 1984, has been or is to be driven by a disabled person or as the case may be has been or is to be used for carrying disabled persons as passengers.

“driver” in relation to a vehicle left in a parking place means the person driving the vehicle at the time it was left in the parking place;

“goods” includes postal packets of any description and in so far as a bank is concerned cash or other valuables or valuable securities and “delivering” and “collecting” in relation to any goods includes checking the goods for the purpose of their delivery and collection and loading the goods on to or unloading the goods from a vehicle;

“goods vehicle” means a motor vehicle constructed or adapted for use for the carriage of goods or a trailer so constructed or adapted;

“motor vehicle” means a mechanically propelled vehicle intended or adapted for use on roads;

“one-way street” means a road in which vehicles are prohibited at all times from proceeding in any other than one direction;

“passenger vehicle” means a motor vehicle constructed solely for the carriage of passengers and their effects and adapted to carry not more than fifteen persons inclusive of the driver and not drawing a trailer as defined in Section 136 of the Act or a caravan and includes an invalid carriage and a motor cycle (but not a solo motor cycle as defined below) as defined in the said section of the Act;

“post office letter box” includes any pillar box, or other box or receptacle provided by the permission or under the authority of the Postmaster General for the purpose of receiving postal packets for transmission by or under the authority of the Postmaster General;

“postal packet” means a letter, postcard, reply postcard, newspaper, printed packet, sample packet, or parcel, and every packet or article transmissible by post, and includes a telegram;

“public service bus” means a public service vehicle being used in the provision of a local service within the meaning of the Transport Act 1985;

“Schedule” means the schedule to this Order;

“side” when used to describe a length of road means that part of the road (including any verge or footway) ex adverso the centre line of the carriageway, in which is laid down appropriate markings in accordance with diagrams 1017, 1018.1, 1019 or 1020.1 of the Traffic Signs Regulations and General Directions 2002;

“small goods vehicle” means a motor vehicle which is constructed or adapted to carry or haul goods and the maximum gross weight of which does not exceed 3.5 tonnes;

“**solo motor cycle**” means a mechanically propelled vehicle not being an invalid carriage with not more than two wheels and the weight of which unladen does not exceed 410 kilograms;

“**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 Act;

“**trailer**” means a vehicle drawn by a motor vehicle;

“**vehicle**” means a vehicle of any description and includes a machine or implement of any kind drawn or propelled along roads whether by animal or mechanical power.

- (ii) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

PART II PROHIBITIONS AND RESTRICTIONS

One Way Traffic

3. No person shall drive or cause or permit to be driven any vehicle in or upon any road or length of road specified in Column 1 of Part I of the Schedule otherwise than in the direction specified opposite to that length of road in Column 2 of the said Part of the Schedule.

Waiting

4. Save as provided in Articles 5, 6, 7, 8, 9 and 10 of this Order no person shall, except upon the direction or with the permission of a Police Constable in uniform or a person duly authorised in that behalf by the Council, cause or permit any vehicle to wait at any time in any of the lengths of road specified in Part II of the Schedule.

PART III EXEMPTIONS

From Waiting Prohibitions and Restrictions

Personal Access, Statutory Undertakings, Funerals

5. Nothing in Article 4 of this Order shall prevent any person from causing or permitting a vehicle to wait in any of the lengths of road specified in the Schedule hereto for so long as may be necessary:-
- (a) to enable a person to board or alight from the vehicle or to load thereon or unload therefrom his personal luggage;
 - (b) to enable the vehicle if it cannot conveniently be used for such purpose in any other road to be used in connection with any building operation, demolition or excavation, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of any of the lengths of road so specified, or the laying, erection, alteration or repair in any or near to any of the said lengths of road so specified of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or any

telecommunication apparatus as defined in Sub – paragraph 1(1) of schedule 2 to the telecommunications Act 1984;

- (c) to enable the vehicle to be used for Police, Fire Brigade or Ambulance purposes or to enable any vehicle in the service of a local authority to be used in pursuance of statutory powers and duties;
- (d) to enable a vehicle (being a vehicle in the service of the Post Office) to deliver postal packets to premises adjacent to any of the lengths of road or to collect postal packets from premises or Post Office letter boxes adjacent to any of the lengths of roads;
- (e) to enable a vehicle in the service of a funeral undertaker to be used in connection with a funeral.

Doctors, Disabled Persons, Taxis, Accidents Etc

6. Nothing in Article 4 of this Order shall prevent any person from causing or permitting a vehicle to wait in any of the lengths of roads specified in the Schedule if the vehicle is:-

A disabled persons vehicle which is not causing an obstruction and which is displaying in the relevant position a disabled persons badge issued by any local authority in accordance with the National Blue Badge scheme.

- (a) Waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident.
- (b) Left by the driver thereof who is a general medical practitioner or a nurse/midwife, and on which is displayed in the relevant position a badge recognised by the Council, while visiting patients on professional calls or, in the case of a general practitioner, near his surgery premises while they are being used for consulting purposes.

Goods Delivery and Collection

7. Nothing in Article 4 of this Order shall prevent any person from causing or permitting a vehicle to wait in any of the lengths of road specified in the schedule to enable the vehicle to be used for the purpose of delivering goods to or collecting goods from premises adjoining these lengths of road; PROVIDED that a vehicle engaged in delivering or collecting goods shall not wait in any of the lengths of roads specified in the schedule for a period of more than thirty minutes at the same place.
8. Nothing in Article 4 of this Order shall prevent any person from causing or permitting a vehicle to wait in any of the lengths of road referred to in that article if the vehicle is in the service of the Post Office and is being used for the purpose of delivering postal packets to or collecting postal packets from any premises or post office letter boxes situated on or adjacent to any of the said lengths of roads.

Furniture Removal

9. Nothing in Article 4 of this Order shall apply so as to restrict the loading or unloading of a vehicle while the vehicle is in actual use in connection with a removal of furniture for so long as may be necessary to conduct such removal

from one office or dwellinghouse to another or from any premise to a depository or to such premises from a depository.

Public Service Bus

10. Notwithstanding the prohibitions and restrictions elsewhere provided in this Order, the driver of a public service bus may cause or permit that bus to wait in any length of road specified in the Schedule or Schedules to this Order at a bus stop indicated by a road marking complying with either diagram 1025.1, 1025.3, or 1025.4 shown in the Traffic Signs Regulations and General Directions 2002 and a sign complying with either diagram 974, or 975 all in terms of the said regulations and General Directions 2002 for any maximum as specified on the said sign.

PART IV REVOCATION

11. The County Council of the County of Perth (Church Lane, Bankfoot) (Prohibition of Waiting) Order, 1973 is hereby revoked.

SIGNED and the COMMON SEAL of the COUNCIL hereto AFFIXED at PERTH on the TWENTIETH day of MARCH TWO THOUSAND AND THIRTEEN.



Walter M. Shirliford

Legal Manager

SCHEDULE
LENGTHS OF ROAD IN BANKFOOT

PART I
ONE WAY STREETS

COLUMN 1

- (a) that length of Newhall Street, Bankfoot from its junction with the Bankfoot/Tulliebelton (Unclassified) Road northwards for a distance of 130 metres or thereby to its junction with Cross Street.
- (b) the complete length of Cross Street, Bankfoot from its junction with Newhall Street to its junction with Church Lane.
- (c) that length of Church Lane, Bankfoot extending for a distance of 120 metres or thereby from its junction with Cross Street to its junction with the Bankfoot/Tulliebelton (Unclassified) Road

COLUMN 2

From South to North

From West to East

From North to South

PART II
NO WAITING AT ANY TIME

1. CAIRNEYHILL ROAD

- (a) **West side** thereof from a point 10 metres or thereby south of its junction with the extended south kerbline of Highfield Place northwards for a distance of 30 metres or thereby
- (b) **East side** thereof
 - (i) from its junction with the extended south kerbline of Highfield Place southwards for a distance of 10 metres or thereby;
 - (ii) from its junction with the extended north kerbline of Highfield Place northwards for a distance of 10 metres or thereby.

2. CHURCH LANE

Both sides thereof for their entire lengths.

3. HIGHFIELD PLACE

Both sides from its junction with the extended east kerbline of Cairneyhill Road eastwards for a distance of 45 metres or thereby.

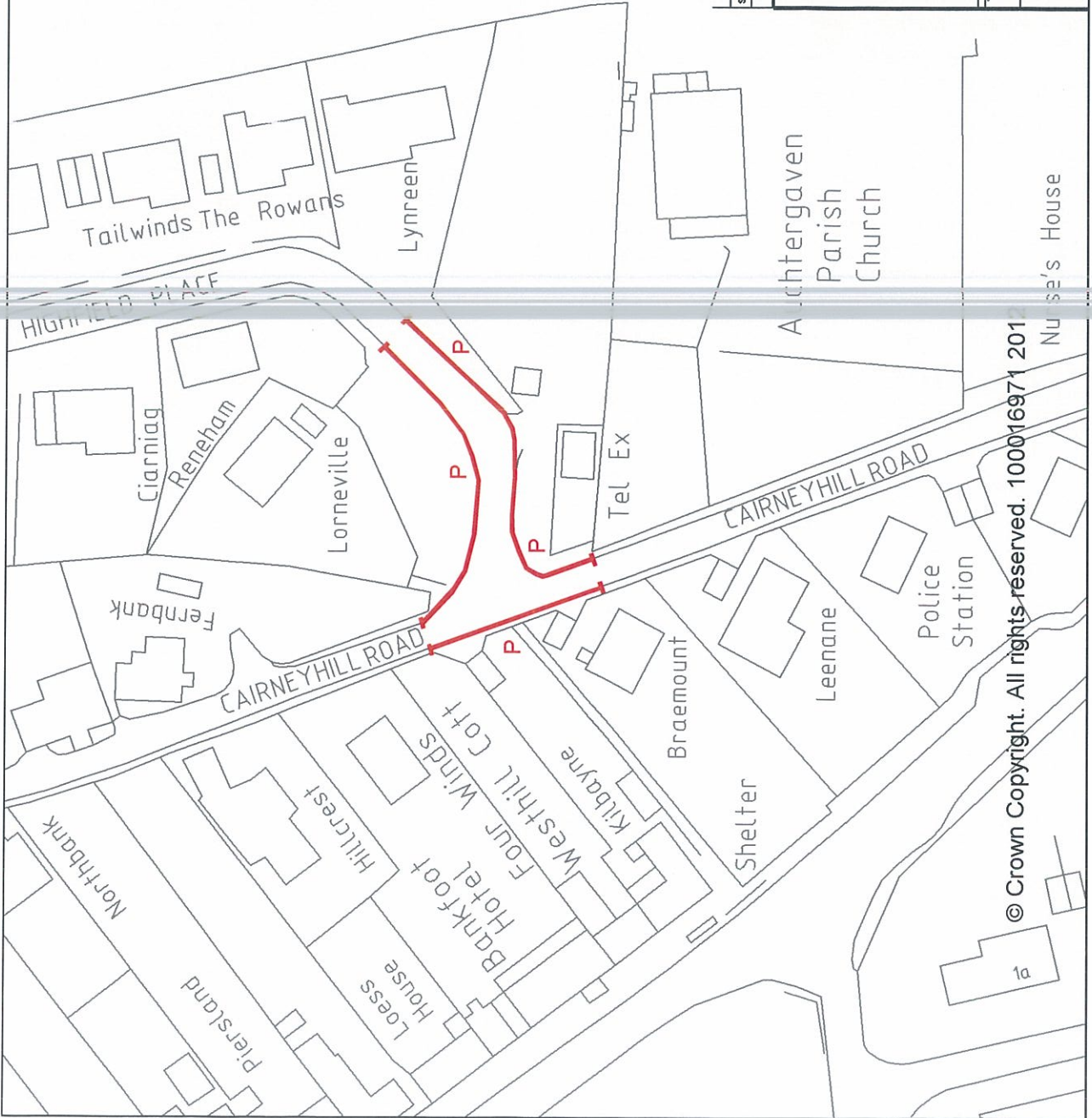
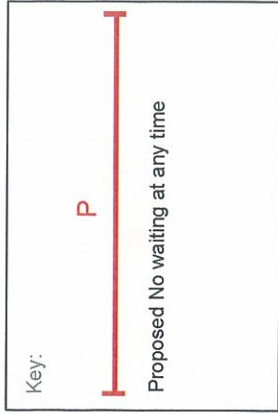
SIGNED and the COMMON SEAL of the COUNCIL hereto AFFIXED at PERTH on the TWENTIETH day of MARCH TWO THOUSAND AND THIRTEEN.



Linda L. Shireford
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Legal Manager

Council Reasons

Due to the concerns of local residents the Council wish to install No Waiting at Any Time restrictions at Cairneyhill Road and Highfield Avenue, Bankfoot to alleviate indiscriminate parking and to improve road safety of all road users in the area.



Staff	Revision Details	By	App'd	Date
	AMENDMENTS			



PERTH & KINROSS COUNCIL
The Environment Service

Perth and Kinross Council
(Bankfoot Traffic Management)
Order 2013

Executive Director - J Valentine C.Eng. C.Bav.
F.I.C.E. F.I.C.H.T.

Drawing Scale: NOT TO SCALE
Project Code: Bankfoot Waiting Restrictions 2013
Drawing No: Plan 1a

Drawn by: D Duran
Checked by: D McKinnon
Approved by: B Cagill
Date: 20/05/2012

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