

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

**THE PERTH AND KINROSS COUNCIL**  
**(ERROL WAITING RESTRICTIONS) ORDER 2006**

**(07/06)**

The Perth and Kinross Council in exercise of the powers conferred on them by Sections 1, 2 and 4 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 (Errol Waiting Restrictions) Order 2006" and shall come into operation on Twenty-seventh day of May Two thousand and six with the exception of Article 1.(a)(iv) of Part I of the Schedule and Article 2.(a)(ii) and (iii) of Part II of the Schedule which are deferred.

**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 Tayside;

**"Council"** means the Perth and Kinross Council;

**"disabled persons badge"** has the meaning assigned to it by Regulation 4 of the Disabled Persons (Badges for Motor Vehicles) Regulations 1982;

**"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 1982) 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 (as defined in section 1 of the public passenger vehicles act 1981), 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 1971 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;

**“post office letter box”** includes any pillar box, wall 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;

**“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 1016.1, 1017 or 1018 of the Traffic Signs Regulations and General Directions 2002;

**“taxi”** has the meaning applied to it by section 23 of the Civic Government (Scotland) Act 1982 and **“licensed”** in relation to a taxi means operating under a taxi license as described in Section 10 of the said Act of 1982;

**“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;

**“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. For the purpose of Articles 3 and 7 of this Order a vehicle shall be deemed to wait for more than thirty minutes in a length of road if any point in that length of road is below the vehicle and its load (if any) throughout a period exceeding thirty minutes whether or not the vehicle is moved during that period.
- iii. 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

#### Waiting

3. Save as provided in Articles 4, 5, 6, 7, 8 and 9 of this Order no person shall, except upon the direction or with the permission of a person duly authorised in that behalf by the Council, cause or permit any vehicle to wait:-
  - a) At any time in any of the lengths of road specified in Part I of the Schedule;
  - b) At any time between the hours of 8.30 am and 5.30 pm in any of the lengths of road specified in Part IA of the Schedule;
  - c) Between the hours of 8.30 am and 5.30 pm in any of the lengths of road specified in Part II of the Schedule:-
    - i. For a period longer than 30 minutes, or
    - ii. If a period of less than 30 minutes has elapsed since the termination during the said hours of the last period of waiting of the vehicle in that length of road.
- 3A. No person shall except upon the direction or with the permission of a person duly authorised in that behalf by the Council cause or permit any vehicle other than a disabled persons vehicle to wait at any time in that area of carriageway contained within a road marking to diagram 1032 and indicated by a sign to diagram 661A, both of the Traffic Signs Regulations and General Directions 2002 in any of the lengths of roads specified in the Schedule.

## **PART III**

### **EXEMPTIONS**

#### **From Waiting Prohibitions and Restrictions**

#### **Personal Access, Statutory Undertakings, Funerals**

4. Nothing in Article 3 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 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 thereon 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**

5. Nothing in Article 3 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) Left by the driver thereof who is a general medical practitioner or a nurse / midwife or a practising veterinary surgeon, 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 or a practising

veterinary surgeon, near his surgery premises while they are being used for consulting purposes.

- b) 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 the exercise of its powers under Section 21(1) of the Chronically Sick and Disabled Persons Act 1970.
- c) A licensed taxi waiting upon a duly appointed stance for taxis;
- d) 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.

### **Goods Delivery and Collection**

- 6. Nothing in Article 3 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.
- 7. Nothing in Article 3 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**

- 8. Nothing in Article 3 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**

- 9. 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, 1025.1, 1025.2, or 1025.3 shown in the Traffic Signs Regulations and General Directions 2002 and a sign complying with either diagram 845, 846, 847 or 848 and relative supplementary plate all in terms of the said regulations and General Directions 2002 for a maximum period of 5 minutes, or 10 minutes or 15 minutes as specified on the said sign and relative supplementary plate; And

## SCHEDULE

### PART I

#### LENGTHS OF ROAD IN ERROL

#### NO WAITING AT ANY TIME

#### 1. HIGH STREET / STATION ROAD

##### a) North side thereof

- (i) from its junction with North Bank westwards to its junction with Church Avenue;
- (ii) for a distance of 28 metres or thereby westwards from the intersection of the extended kerbline thereof with the extended west kerbline of Church Avenue;
- (iii) for a distance of 46 metres or thereby westwards from a point 46 metres or thereby westwards from the intersection of the extended kerbline thereof with the extended west kerbline of Church Avenue;
- (iv) for a distance of 6 metres or thereby westwards from a point 33 metres or thereby west of the intersection of the extended west kerbline of Hall Wynd;
- (v) for a distance of 38 metres or thereby westwards from a point 6 metres or thereby westwards from the intersection of the kerbline thereof with the extended east kerbline of The Cross.

##### b) South side thereof

- (i) for a distance of 98 metres or thereby westwards from a point 15 metres or thereby eastwards from the intersection of the extended kerbline thereof with the extended east kerbline of Southbank;
- (ii) from its junction with Church Lane westwards to a point 36 metres or thereby eastwards from the intersection of the extended south kerbline of High Street with the extended east kerbline of The Cross;
- (iii) for a distance of 5 metres or thereby eastwards from the intersection of the extended kerbline thereof with the extended east kerbline of The Cross.

#### 2. SOUTHBANK

##### a) Northwest side thereof

- (i) for a distance of 45 metres or thereby northeastwards from the intersection of the extended kerbline thereof with the extended northeast kerbline of Church Lane;
- (ii) for a distance of 45 metres or thereby northeastwards from the intersection of the extended kerbline thereof with the extended northeast kerbline of Gas Brae;
- (iii) For a distance of 15 metres or thereby southward from the intersection of the extended kerbline thereof with the extended south kerbline of station Road.

b) **Southeast side** thereof

- (i) from its junction with Gas Brae northeastwards to a point 39 metres or thereby northeastwards from the intersection of the southeast kerbline of Southbank with the extended northeast kerbline of Church Lane;
- (ii) For a distance of 15 metres or thereby southward from the intersection of the extended kerbline thereof with the extended south kerbline of Station Road.

**3. THE CROSS**

- a) **East side** thereof for a distance of 5 metres or thereby southwards from the intersection of the extended kerbline thereof with the extended south kerbline of High Street.

**PART IA**

**NO DAYTIME WAITING (MONDAY TO SATURDAY) (8.30 AM TO 5.30 PM)**

**1. SOUTHBANK**

- a) **Northwest side** thereof for a distance of 50 metres or thereby northeastwards from a point 45 metres or thereby northeast of the intersection of the extended kerbline thereof with the extended northeast side of Gas Brae.

**PART II**

**WAITING LIMITED TO 30 MINUTES RETURN PROHIBITED WITHIN 30 MINUTES  
(MONDAY TO SATURDAY) (8.30 AM TO 5.30 PM)**

**2. HIGH STREET**

a) **North side** thereof

- (i) for a distance of 18 metres or thereby westwards from a point 28 metres or thereby westwards from the intersection of the extended kerbline thereof with the extended west kerbline of Church Avenue;
- (ii) For a distance of 13 metres or thereby westwards from a point 20 metres or thereby westwards from the intersection of the extended kerbline thereof with the extended west kerbline of Hall Wynd;
- (iii) For a distance of 13 metres or thereby westwards from a point 39 metres or thereby westwards from the intersection of the extended kerbline thereof with the extended west kerbline of Hall Wynd.

for the purpose of this Article "public service bus" means a public service bus being used in the provision of a local service within the meaning of the Transport Act 1985.

#### **PART IV**

#### **REVOCATION**

##### Revocation

10. The Tayside Regional Council (Errol Waiting Restrictions) Order 1987 is hereby revoked.

SIGNED and the COMMON SEAL of the COUNCIL hereto AFFIXED at PERTH on the SEVENTEENTH day of MAY TWO THOUSAND AND SIX.

.....  
Head of Legal Services



M STREET

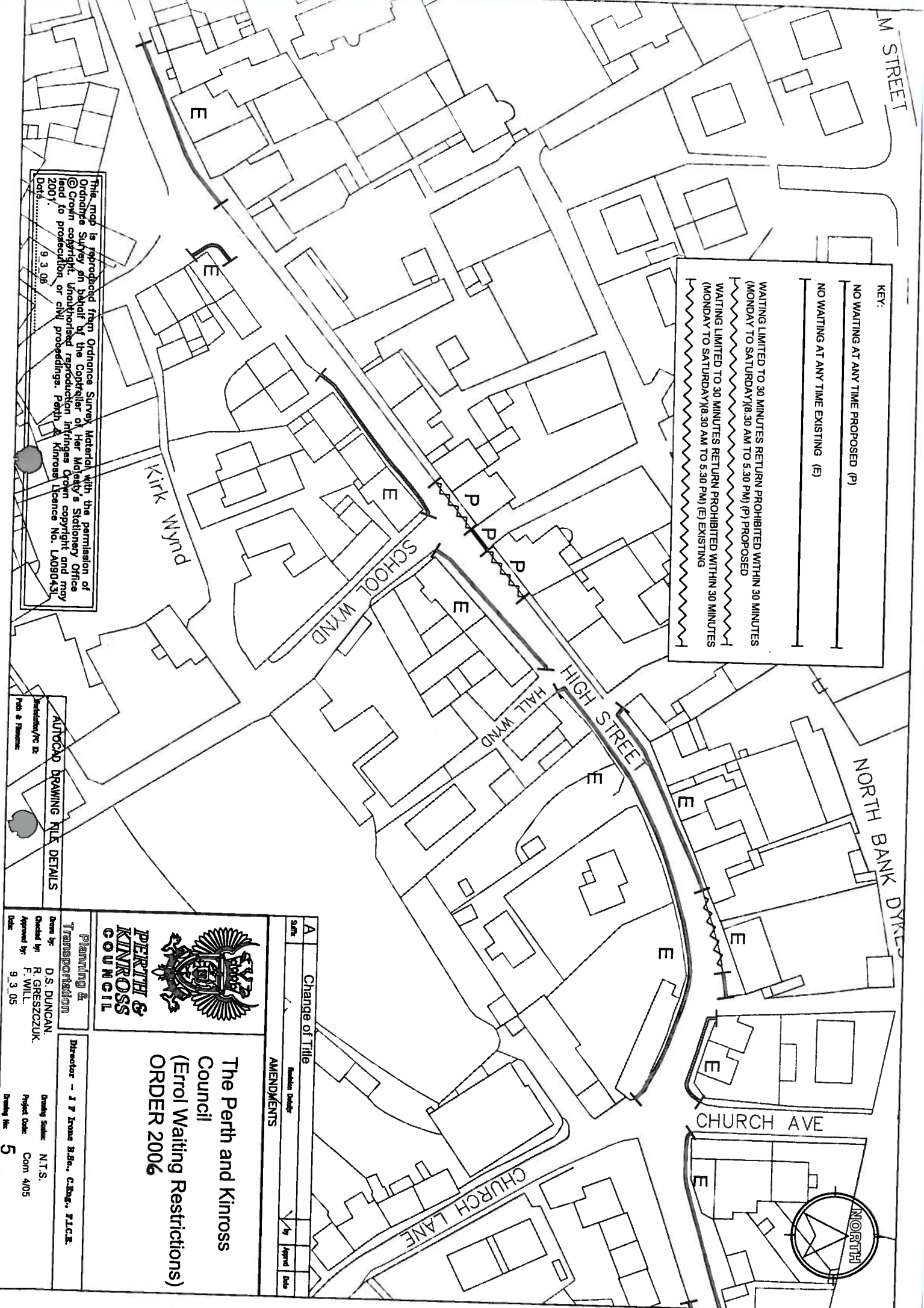
**KEY:**

NO WAITING AT ANY TIME PROPOSED (P)

NO WAITING AT ANY TIME EXISTING (E)


WAITING LIMITED TO 30 MINUTES RETURN PROHIBITED WITHIN 30 MINUTES (MONDAY TO SATURDAY) 8.30 AM TO 5.30 PM (P) PROPOSED

WAITING LIMITED TO 30 MINUTES RETURN PROHIBITED WITHIN 30 MINUTES (MONDAY TO SATURDAY) 8.30 AM TO 5.30 PM (E) EXISTING



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