

**THE PERTH AND KINROSS COUNCIL (DUNKELD TRAFFIC MANAGEMENT) ORDER 1998
(NO 18/98)**

AMENDMENT TO AUGUST 2004

		AMENDING ORDERS	OPERATIVE FROM
1	[...] ¹ words substituted by)	The Perth and Kinross Council (Dunkeld Traffic Management) (Variation) Order 2000 (1/00)	1 February 2000
2	[] ² words substituted by)	The Perth and Kinross Council (Special Parking Area and Permitted Parking Area) (Traffic Regulation) (Variation No 1) Order 2002	1 October 2002
3	[] ³ words substituted by) [] ⁴ words added by)	The Perth and Kinross Council (Perth and Kinross Area) (Waiting and Loading) Order 2003	26 August 2003
4	[] ⁵ words substituted by) [] ⁶ words added by) [] ⁷ words indicated by ...) were deleted by	The Perth and Kinross Council (Dunkeld Traffic Management) (Variation) (No 1) Order	6 August 2004

THE PERTH AND KINROSS COUNCIL
ROAD TRAFFIC REGULATION ACT 1984

THE PERTH AND KINROSS COUNCIL (DUNKELD TRAFFIC MANAGEMENT)
ORDER 1998

The 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 (Dunkeld Traffic Management) Order 1998" and shall come into operation on the Thirty-first day of July Nineteen hundred and ninety-eight.

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;

"cycle" means a vehicle (not being mechanically propelled and not being an invalid carriage) with fewer than 4 wheels;

"disabled person" means a disabled person of a description prescribed by Regulation 5 of the Disabled Persons (Badges for Motor Vehicles) Regulations 1982;

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

"disabled person's 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;

"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"

"large passenger vehicle" means a mechanically propelled vehicle designed and constructed for the carriage of more than 15 persons, inclusive of the driver, whether for hire or reward or not;

"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;

"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;

"school bus" means a contract carriage which is being used to carry persons to or from a school;

"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 1981;

"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 licence 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.

“Works bus” means a contract carriage which has been provided by an employer for the purpose of carrying persons employed by him or on his behalf to or from their place of employment and is being used for such a purpose.

- (ii) For the purposes of Article 4 of this Order a vehicle shall be deemed to wait for more than 30 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 30 minutes whether or not the vehicle is moved during that period.
- (lii) 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

PROHIBITION AND RESTRICTIONS

Driving

- 3. No person shall, except either upon the direction or with the permission of a police constable in uniform, or whilst displaying in the relevant position a disabled person's badge issued by an local authority in exercise of its powers under Section 21(1) of the Chronically Sick and Disabled Persons Act 1970, drive or cause or permit to be driven a large passenger vehicle other than a public service bus, express carriage, school bus or works bus in or upon the length of road specified in Part I of the Schedule.

Waiting

- 4. Save as provided in Articles 6, 7, 8, 9, 10 and 11 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]², cause or permit any vehicle to wait:-
 - (a) at any time in any of the lengths of road specified in Part II of the Schedule;
 - (b) between the hours of [8.00 am and 6.00]⁵ pm in any of the lengths of roads specified in Part III of the Schedule.
 - [(i) for a period longer than one hour, or
 - (ii) if a period of less than one hour has elapsed since the termination during the said hours of the last period of waiting of the vehicle in that length of road.]⁶
- 5. No person shall except upon the direction or with the permission of a [person duly authorised in that behalf by the Council]², cause or permit any vehicle other than a disabled person's vehicle to wait at any time in that area of carriageway contained within a road marking to diagram 1028.1 and indicated by a sign to diagram 661, both of the Traffic Signs regulations and General Directions 1981, in any of the lengths of roads specified in the Schedule.

PART III

EXEMPTIONS

From Waiting Prohibitions and Restrictions

Personal Access, Statutory Undertakings, Funerals

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 road specified in Parts II or III of 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 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 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 subparagraph 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 that length of road or to collect postal packets from premises or post office letter boxes adjacent to that length of road;
 - (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

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 Parts II or III of 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]², while visiting patients on professional calls or, in the case of a general medical practitioner or a practising veterinary surgeon, near his surgery premises while they are being used for consulting purposes;
 - (b) a disabled person's vehicle which is not causing an obstruction and which is displaying in the relevant position a disabled person's badge issued by any local authority in 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.

Sundays

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 specified in Part III of the Schedule on a Sunday.

Goods Delivery and Collection

9. 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 Parts II or III of 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 road specified in Parts II or III of the Schedule for a period of more than thirty minutes at the same place.
10. Nothing in Article 4 of this Order shall prevent any person from causing or permitting a vehicle to wait in any length 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 road.

Furniture Removal

11. 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 premises to a depository or to such premises from a depository.

Public Service Bus

12. 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 1981 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 1981 for a maximum period of 5 minutes, or 10 minutes or 15 minutes as specified on the said sign and relative supplementary plate.

Cycles

13. Notwithstanding the prohibitions and restrictions elsewhere provided in this Order, a cycle may be caused or permitted to wait in any of the lengths of roads specified in the Schedule to this Order at a cycle rack indicated by a sign complying with diagrams 801 and 804.4 of the Traffic Signs Regulations and General Directions 1981.

PART IV
REVOCAION

Revocation:-

14. The Tayside Regional Council (Dunkeld Traffic Management) Order 1993 is hereby revoked.

SIGNED at PERTH on the Seventeenth day of July, NINETEEN HUNDRED AND NINETY-EIGHT.

(sgd) JOHN ANGUS
Head of Committee and Administrative Services

SCHEDULE
LENGTHS OF ROAD IN DUNKELD

PART I

PROHIBITION OF COACHES

HIGH STREET for its entire length.

PART II

NO WAITING AT ANY TIME

1. ATHOLL STREET

(a) **East side thereof:-**

- (i) for a distance of 40 metres or thereby southwards from the intersection of the extended kerbline thereof with the extended line of southeast edge of carriageway of Spoutwells;
- (ii) for a distance of 15 metres or thereby northwards from the intersection of the extended kerbline thereof with the extended north kerbline of Brae Street:

- (b) **[West side thereof from its junction with the access road to Atholl Street Car Park southwards to its junction with High Street a distance of 205 metres or thereby.]⁵**

2. BRAE STREET

- (a) **North side thereof** for a distance of 40 metres or thereby eastwards from the intersection of the extended kerbline thereof with the extended east kerbline of Atholl Street:

(b) **South side thereof:-**

- (i) for a distance of 15 metres or thereby eastwards from the intersection of the extended kerbline thereof with the extended east kerbline of Bridge Street;
- (ii) for a distance of [64 metres]¹ or thereby eastwards from a point 25 metres or thereby eastwards from the intersection of the extended kerbline thereof with the extended east kerbline of Bridge Street.

3. BRIDGE STREET

(a) **East side thereof:-**

- (i) for a distance of 20 metres or thereby southwards from the intersection of the extended kerbline thereof with the extended south kerbline of Brae Street;

- (ii) for a distance of 13 metres or thereby northwards from the intersection of the extended kerbline thereof with the extended north kerbline of Tay Terrace;
 - (iii) from its junction with Tay Terrace southwards to the north end of the east parapet of Dunkeld Bridge:
- (b) **West side thereof:-**
- (i) for a distance of [15]³ metres or thereby southwards from the intersection of the extended kerbline thereof with the extended south kerbline of High Street;
 - (ii) for a distance of 2 metres or thereby northwards from its junction with Dunkeld Bridge at the north end of the west parapet of Dunkeld Bridge.

4. CATHEDRAL STREET

- [(a) **North side** thereof for a distance of [38]⁵ metres or thereby westwards from its junction with High Street at the intersection of the kerbline thereof with the extended west kerbline of High Street.]⁴
- [(b)]⁴ **South side** thereof for a distance of [10]³ metres or thereby westwards from its junction with High Street at the intersection of the south kerbline of Cathedral Street with the extended west kerbline of High Street.

5. DUNKELD BRIDGE

- (a) **East side** thereof from its junction with Bridge Street at the north end of the east parapet southwards to a point 28 metres or thereby south of the south end of the east parapet:
- (b) **West side** thereof from its junction with Bridge Street at the north end of the west parapet southwards to a point 28 metres or thereby south of the south end of the west parapet:

6. HIGH STREET

- (a) **North side** thereof for a distance of 25 metres or thereby westwards from the intersection of the extended kerbline thereof with the extended west kerbline of Atholl Street:
- (b) **South side** thereof:-
 - (i) for a distance of 20 metres or thereby westwards from the intersection of the extended kerbline thereof with the extended west kerbline of Bridge Street;
 - (ii) for a distance of 8 metres or thereby westwards from a point 55 metres or thereby westwards from the intersection of the extended kerbline thereof with the extended west kerbline of Bridge Street;
 - (iii) from a point 75 metres or thereby westwards from the intersection of the extended kerbline thereof with the extended west kerbline of Bridge Street westwards to its junction with Cathedral Street:

- (c) **West side** thereof for a distance of 15 metres or thereby northwards from a point 20 metres or thereby northwards from the intersection of the extended kerbline hereof with the extended northwest kerbline of Cathedral Street:
- (d) **Atholl Fountain - south, west and north sides** thereof delineated and bounded by the block paving area, a distance of [39]³ metres or thereby.

7. **TAY TERRACE**

- (a) **North side** thereof for a distance of [87]⁵ metres or thereby eastwards from the intersection of the extended kerbline thereof with the extended east kerbline of Bridge Street:
- (b) **South side** thereof for a distance of 85 metres or thereby eastwards from the intersection of the extended kerbline thereof with the extended east kerbline of Bridge Street.

PART III

**[WAITING LIMITED TO ONE HOUR (MONDAY TO SATURDAY)
(8:00 AM TO 6:00 PM)]⁵**

[...]⁷

2. BRIDGE STREET

East side thereof from a point 20 metres or thereby southwards from the intersection of the extended kerbline thereof with the extended south kerbline of Brae Street southwards to a point 13 metres or thereby northwards from the intersection of the extended east kerbline of Bridge Street with the extended north kerbline of Tay Terrace.

(sgd) JOHN ANGUS
Head of Committee and Administrative Services