

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

**PERTH AND KINROSS COUNCIL  
(INVERGOWRIE WAITING RESTRICTIONS) ORDER 2012  
(12/12)**

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 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 (Invergowrie Waiting Restrictions) Order 2012" and shall come into operation on the Twenty-fourth November Two thousand and twelve.

**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 person"** means a disabled person of a description prescribed by Regulation 4 of the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000;
    - "disabled person's badge"** has the meaning assigned to it by Regulation 11 of the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000;
    - "disabled person's vehicle"** means a motor vehicle which is displaying a disabled persons badge in accordance with Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000;

**“disabled persons’ parking place”** means an area of a road designated solely for the parking of disabled persons vehicles as may be indicated in column 1, of Part 1 of the Schedule

**“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;

**“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;

**“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 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 Article 7 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.
- 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 of 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) between the hours of 8.00 am and 6.00 pm in any of the lengths or 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.

## **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) 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.
  - b) A licensed taxi waiting upon a duly appointed stance for taxis;
  - c) 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.
  - d) 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.

#### **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 1994 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 1994 for a maximum period of 5 minutes, or 10 minutes or 15 minutes as specified on the said sign and relative supplementary plate.

**PART IV**

**10. Revocation**

The Tayside Region (Western Area, Dundee) (Waiting Restrictions) (Consolidation) Order 1997 in so far as the areas of Invergowrie which are now within Perth and Kinross.

SIGNED and the COMMON SEAL of the COUNCIL hereto AFFIXED at PERTH on the SIXTEENTH day of NOVEMBER TWO THOUSAND and TWELVE.

  
.....  
Head of Legal Services



## SCHEDULE

### LENGTHS OF ROAD IN INVERGOWRIE

#### PART I

#### NO WAITING AT ANY TIME

##### 1. BAYVIEW ROAD

**Both sides** thereof for a distance of 20 metres or thereby southwards from the intersection of the extended kerblines thereof with the extended south kerblines of Main Street.

##### 2. CARSELEA ROAD

**Both sides** thereof for a distance of 20 metres or thereby southwards from the intersections of the extended kerblines thereof with the extended south kerblines of Main Street.

##### 3. ERROL ROAD

- a) **East side** thereof for a distance of 110 metres or thereby southwards from the intersection of the extended kerblines thereof with the extended south kerblines of Main Street;
- b) **West side** thereof for a distance of 165 metres or thereby southwards from the intersection of the extended kerblines thereof with the extended south kerblines of Main Street.

##### 4. MAIN STREET

###### a) **North side** thereof:-

- (i) for a distance of 45 metres or thereby eastwards from a point 20 metres or thereby west of the intersection of the north kerblines thereof with the extended west kerblines of Errol Road;
- (ii) for a distance of 50 metres or thereby eastwards from a point 25 metres or thereby west of the intersection of the north kerblines thereof with the extended west kerblines of Carselea Road;
- (iii) for a distance of 43 metres or thereby eastwards from a point 15 metres or thereby west of the intersection of the north kerblines thereof with the extended west kerblines of Mylnefield Road;
- (iv) for a distance of 40 metres or thereby eastwards from a point 15 metres or thereby west of the intersection of the north kerblines thereof with the extended west kerblines of Bayview Road;

- b) **South side** thereof from a point 140 metres or thereby westwards from the intersection of the extended kerbline thereof with the extended west kerbline of Errol Road eastwards to a point 80 metres or thereby east of the intersection of the extended south kerbline of Main Street with the extended east kerbline of Bayview Road.

**5. MYLNEFIELD ROAD**

**Both sides** thereof for a distance of 20 metres or thereby southwards from the intersections of the extended kerblines thereof with the extended south kerbline of Main Street.

**PART II**

**WAITING LIMITED TO 30 MINUTES RETURN PROHIBITED WITHIN 30 MINUTES MONDAY TO SATURDAY 8AM TO 6PM.**

**1. MAIN STREET**

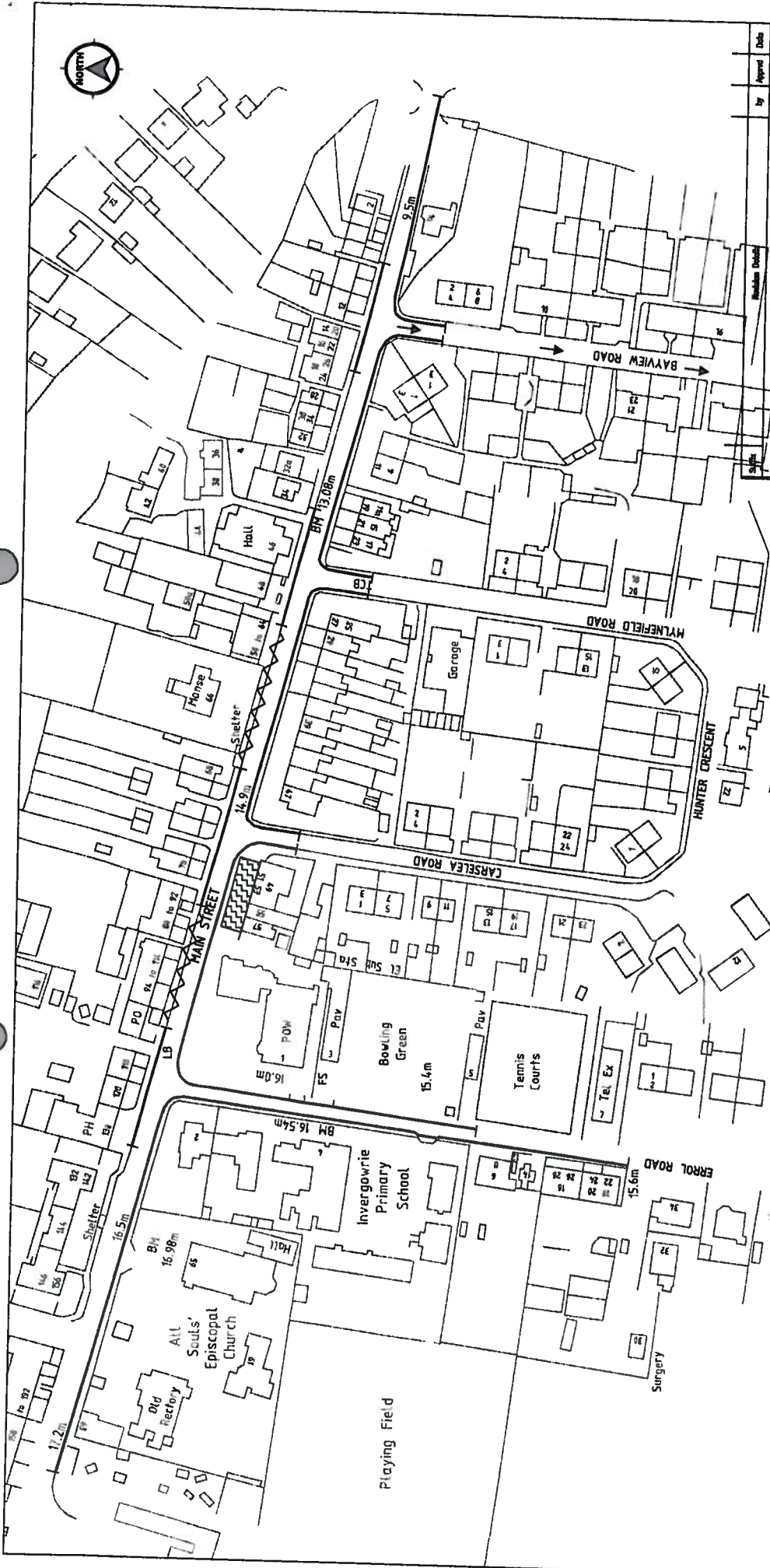
a) **North side** thereof

- (i) from a point 25 metres or thereby east of the intersection of the north kerbline thereof with the extended west kerbline of Errol Road to a point 25 metres or thereby west of the intersection of the north kerbline of Main Street with the extended west kerbline of Carselea Road;
- (ii) from a point 25 metres or thereby east of the intersection of the north kerbline thereof with the extended west kerbline of Carselea Road to a point 15 metres or thereby west of the intersection of the north kerbline of Main Street with the extended west kerbline of Mylnefield Road.

b) **South side** thereof

from a point 6 metres or thereby west of the intersection of the kerbline thereof with the extended west kerbline of Carselea Road westwards for a distance of 26 metres or thereby.





AMENDMENTS

Executive Director	J Valentine CEng., CEnv., F.I.C.E., F.C.I.H.T.
Drawing Scale	A3:2
Project Code	EM 0028
Drawing No.	1 / 1
Drawn by	D BROWN
Checked by	B OWELL
Approved by	J INGLETON
Date	25. 09. 2012



KEY:

NO WAITING AT ANY TIME

WAITING LIMITED TO 30 MINUTES RETURN PROHIBITED WITHIN 30 MINUTES MONDAY TO SATURDAY 8.00 AM TO 6.00 PM

WAITING LIMITED TO 30 MINUTES RETURN PROHIBITED WITHIN 30 MINUTES MONDAY TO SATURDAY 8.00 AM TO 6.00 PM



## **Council Reasons**

Due to resurfacing and lining work carried out in front of the business properties on Main Street Invergowrie the Council wish to install 30 minute limited waiting restrictions at to allow for a greater turnover of vehicles visiting the premises, and also to improve road safety.