

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

**PERTH AND KINROSS COUNCIL (COMRIE) (WAITING AND LOADING
RESTRICTIONS) ORDER 2011**

(NO/11/11)

Perth and Kinross Council in exercise of the powers conferred on them by Sections 1, 2, 3, 4, 32, 35, 44, 45, 46, 49, and 53, and Part IV of Schedule 9 and Schedule 10 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 (Comrie) (Waiting and Loading Restrictions) Order 2011" and shall come into operation on the Fifteenth day of October Two thousand and eleven.

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 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 is displaying a disabled persons badge being used in accordance with the 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;

"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 is 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;

"pedal cycle" means a cycle whose motive power is provided solely by the legs of its rider or riders or which complies with the requirements specified in Regulation 4 of the Electrically Assisted Pedal Cycle Regulations;

"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 1994;

"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;

- (i) For the purposes of Articles 5 and 18 of this Order a vehicle shall be deemed to wait for more than 30 minutes, more than one hour or more than two hours, as the case may be, 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 one hour or two

hours as the case may be whether or not the vehicle is moved during that period.

- (ii) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.
- (iii) All roads and streets referred to in this Order are situated in the Town and Burgh of Comrie.

“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.

Suspension of Bays

A person duly authorised in that behalf by the Council may suspend the use of a parking place or any part thereof whenever and for such period as he may consider reasonably necessary

PART II

PROHIBITIONS AND RESTRICTIONS

Waiting

3. Save as provided in Articles 5, 6, 7 8 or 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 roads specified in Part I of the Schedule;
 - (b) between the hours of 8.00 am and 6.00 pm in any day during the period from the First day of April to the Thirty-first day of October (both dates inclusive) each year in any of the lengths of road specified in Part II of the Schedule;
 - (c) between the hours of 8.30 am and 5.30 pm in any of the lengths of roads specified in Part VII 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.

Loading and Unloading

4. Save as provided in Article 8 or 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 at any time for the purpose of loading or unloading goods or furniture in any of the lengths of road specified in Part IV of the Schedule.

Disabled Persons' Parking Places

- 4B. 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 any length of road specified in Section V of the Schedule.

PART III

EXEMPTIONS

From Waiting Prohibitions and Restrictions Personal Access, Statutory Undertakings, Funerals

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 road specified in Parts I, II, III or IV 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, 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 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 undertake to be used in connection with a funeral.

Doctors, Disabled persons', Taxis, Accidents, Etc

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 Parts I, II, III or IV 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 Chief Constable, 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 persons' 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; PROVIDED that no disabled person's vehicle shall wait in any of the lengths of road specified in Part VIII of the Schedule at any time;
 - (c) a licensed taxi waiting upon a duly appointed stance for taxis;
 - (d) waiting owing to the driver prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident.

Goods Delivery and Collection

7. Nothing in Article 3 of this Order shall prevent any person from causing or permitting a vehicle to wait in any length of road specified in Part I 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) A vehicle engaged in delivering or collecting goods shall not wait in any of the lengths of road referred to in this Article for a period of more than thirty minutes at the same place; and

- (b) No person shall cause or permit a vehicle to wait at any time in terms of this Article in any of the lengths of road specified in Part IV of the Schedule.

Postal Delivery and Collection

8. Nothing in Article 3 or 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 from any premises or post office letter boxes situated on or adjacent to any of the said lengths of road.

Furniture Removal

9. Nothing in Article 3 or 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.

SCHEDULE**LENGTHS OF ROAD IN THE TOWN OR BURGH OF COMRIE****PART I****NO WAITING AT ANY TIME****1. BRIDGE STREET****(a) East side** thereof

- (i) For a distance of 16 metres or thereby southwards from the intersection of the extended kerbline thereof with the extended southeast kerbline of Drummond Street;
- (ii) From a point 25 metres or thereby south of the intersection of the extended kerbline thereof with the extended southeast kerbline of Drummond Street southwards to the junction of Bridge Street with Dalginross Bridge.

(b) West side thereof from its junction with Dunira Street southwards to its junction with Dalginross at the middle point of Dalginross Bridge.**2. BURRELL STREET****(a) Northwest side** thereof for a distance of 16 metres or thereby southwestwards from the intersection of the extended kerbline thereof with the extended southwest kerbline of Monument Road.**(b) Southwest side** thereof from its junction with Dundas Street southwestwards to a point opposite a point 16 metres or thereby southwest of the intersection of the extended northwest kerbline of Burrell Street with the extended southwest kerbline of Monument Road.**3. DALGINROSS****(a) East side** thereof from its junction with Bridge Street at the middle point of Dalginross Bridge southwards to a point 15 metres or thereby south of the intersection of the extended east kerbline of Dalginross with the extended south kerbline of Strowan Road.**(b) West side** thereof from its junction with Bridge Street at the middle point of Dalginross Bridge southwards to a point opposite the intersection of the extended east kerbline of Dalginross with the extended south kerbline of Strowan Road.**4. DRUMMOND STREET**

- (a) **Northwest side** thereof from a point 17 metres or thereby east of the east end of Lednock Bridge westwards and southwestwards to its junction with Melville Square.
- (b) **Southeast side** thereof:-
- (i) From a point 17 metres or thereby east of the east end of Lednock Bridge westwards and southwestwards to the intersection of the extended southeast kerbline of Drummond Street with the extended west heel of Nurses Lane;
 - (ii) From a point 5 metres or thereby northeast of the intersection of the extended southeast kerbline thereof with the extended line of the east side of Manse Lane southwestwards to a point 14 metres or thereby southwest of the intersection of the extended southeast kerbline of Drummond Street with the extended line of the southwest side of Manse Lane;
 - (iii) From a point 5 metres or thereby northeast of the intersection of the extended southeast kerbline thereof with the extended line of the northeast side of Ancaster Lane southwestwards to a point 5 metres or thereby southwest of the intersection of the extended southeast kerbline of Drummond Street with the extended line of the southwest side of Ancaster Lane;
 - (iv) From a point 5 metres or thereby northeast of the intersection of the extended southeast kerbline thereof with the extended line of the northeast side of Commercial Lane southwestwards to a point 5 metres or thereby southwest of the intersection of the extended southeast kerbline of Drummond Street with the extended line of the southwest side of Commercial Lane;
 - (v) For a distance of 15 metres or thereby northeastwards from the intersection of the extended kerbline thereof with the extended east kerbline of Bridge Street.

5. DUNDAS STREET

- (a) **Northeast side** thereof:-
- (i) For a distance of 27 metres or thereby southeastwards from the intersection of the extended kerbline thereof with the extended southeast kerbline of Burrell Street;
 - (ii) From a point 57 metres or thereby northwest of the intersection of the extended kerbline thereof with the extended northwest kerbline of School Road southeastwards to a point 40 metres or thereby northwest of the said intersection;

- (iii) From a point 15 metres or thereby northwest of the intersection of the extended kerbline thereof with the extended northwest kerbline of School Road southeastwards to a point 15 metres or thereby southeast of the intersection of the extended northeast kerbline of Dundas Street with the extended southeast kerbline of School Road;
- (iv) From a point 40 metres or thereby southeast of the intersection of the extended kerbline thereof with the extended southeast kerbline of School Road southeastwards to the intersection of the extended northeast kerbline of Dundas Street with the extended northwest kerbline of Dunira Street.
- (b) **Southeast side** thereof from its junction with Burrell Street southeastwards to the intersection of the southwest kerbline of Dundas Street with the southwest kerbline of Dunira Street.

6. DUNIRA STREET

- (a) **Northwest side** thereof:-
 - (i) For a distance of 15 metres or thereby westwards from the intersection of the extended kerbline thereof with the extended west kerbline of Melville Square;
 - (ii) For a distance of 15 metres or thereby eastwards from the intersection of the extended kerbline thereof with the extended east kerbline of Dundas Street.
- (b) **Southeast side** thereof from its junction with Bridge Street southwestwards to the intersection of the southeast kerbline of Dunira Street with the southwest kerbline of Dundas Street.

7. SCHOOL ROAD

Both sides thereof for a distance of 50 metres or thereby northeastwards from the intersections of the extended kerbline thereof with the extended northeast kerbline of Dundas Street.

PART II

**LIMITED WAITING (TWO HOURS) (8.00 AM TO 6.00 PM)
(APRIL TO OCTOBER)**

1. DRUMMOND STREET

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

- (i) From the intersection of the kerbline thereof with the extended southwest kerbline of Nurses Lane southwestwards to a point 5 metres or thereby northeast of the intersection of the extended southeast kerbline of Drummond Street with the extended line of the northeast side of Manse Lane;
- (ii) From a point 14 metres or thereby southwest of the intersection of the kerbline thereof with the extended line of the southwest side of Manse Lane southwestwards to a point 12 metres or thereby northeast of the intersection of the extended southeast kerbline of Drummond Street with the extended line of the northeast side of Ancaster Lane.

2. DUNDAS STREET

(a) Northeast side thereof:-

- (i) From a point 27 metres or thereby southeast of the intersection of the kerbline thereof with the extended south kerbline of Burrell Street southeastwards to a point 57 metres or thereby northwest of the intersection of the extended northeast kerbline of Dundas Street with the extended northwest kerbline of School Road;
- (ii) From a point 40 metres or thereby northwest of the intersection of the extended northeast kerbline thereof with the extended northwest kerbline of School Road southeastwards to a point 15 metres or thereby northwest of the said intersection;
- (iii) From a point 15 metres or thereby southeast of the intersection of the extended northeast kerbline thereof with the extended southeast kerbline of School Road southeastwards to a point 40 metres or thereby southeast of the said intersection.

PART III

LIMITED WAITING (8.00 AM TO 6.00 PM) (ONE HOUR APRIL TO OCTOBER) (TWO HOURS NOVEMBER TO MARCH)

1. BRIDGE STREET

East side thereof from a point 16 metres or thereby south of the intersection of the extended kerbline thereof with the extended southeast kerbline of Drummond Street southwards to a point 25 metres or thereby south of the said intersection.

2. DRUMMOND STREET

Southeast side thereof:-

- (i) From a point 5 metres or thereby southwest of the intersection of the kerbline thereof with the extended line of the southwest side of Ancaster Lane southwestwards to a point 5 metres or thereby northeast of the intersection of the extended southeast kerbline of Drummond Street with the extended line of the northeast side of Commercial Lane;
- (ii) From a point 5 metres or thereby southwest of the intersection of the kerbline thereof with the extended line of the southwest side of Commercial Lane southwestwards to a point 15 metres or thereby northeast of the intersection of the extended southeast kerbline of Drummond Street with the extended east kerbline of Bridge Street.

3. DUNIRA STREET

Northwest side thereof from a point 15 metres or thereby southwest of the intersection of the extended kerbline thereof with the extended west kerbline of Melville Street southwestwards to a point 15 metres or thereby northeast of the intersection of the extended northeast kerbline of Dunira Street with the extended northeast kerbline of Dundas Street.

PART IV**NO LOADING OR UNLOADING AT ANY TIME****1. BRIDGE STREET**

- (a) **East side** thereof for a distance of 16 metres or thereby southwards from the intersection of the extended kerbline thereof with the extended south kerbline of Drummond Street;
- (b) **West side** thereof for a distance of 16 metres or thereby southwards from the intersection of the extended kerbline thereof with the extended south kerbline of Dunira Street.

2. DRUMMOND STREET

- (a) **North side** thereof for a distance of 15 metres or thereby eastwards from the intersection of the extended kerbline thereof with the extended east kerbline of Melville Square;
- (b) **South side** thereof 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;

3. DUNDAS STREET

- (a) **Northeast side** thereof for a distance of 20 metres or thereby northwestwards from the intersection of the extended kerbline thereof with the extended northwest kerbline of Dunira Street;
- (b) **Southwest side** thereof from its junction with the southeast kerbline of Dunira Street northwestwards to a point 20 metres or thereby northwest of the intersection of the extended northwest kerbline of Dunira Street with the southwest kerbline of Dundas Street.

4. **DUNIRA STREET**

- (a) **Northeast side** thereof:-
 - (i) For a distance of 15 metres or thereby southwestwards from the intersection of the kerbline thereof with the extended southwest kerbline of Melville Square;
 - (ii) For a distance of 15 metres or thereby northeastwards from the intersection of the extended kerbline thereof with the extended northeast kerbline of Dundas Street.
- (b) **Southeast side** thereof:-
 - (i) From its junction with the west kerbline of Bridge Street westwards to a point 15 metres or thereby west of the intersection of the extended west kerbline of Melville Square with the southeast kerbline of Dunira Street;
 - (ii) From its junction with the southwest kerbline of Dundas Street northeastwards to a point 15 metres or thereby east of the intersection of the extended northeast kerbline of Dundas Street with the southwest kerbline of Dunira Street.

PART V

DISABLED PERSONS' PARKING PLACE

1. **DRUMMOND STREET**

- (a) From a point 12 metres or thereby northeast of the intersection of the extended southeast kerbline of Drummond Street with the extended line of the northeast side of Ancaster Lane northeastwards for a distance of 7 metres or thereby.

PART VI

TRAFFIC REGULATION ORDERS REVOKED

The Tayside Region (Comrie) (Restrictions on Waiting and Loading) Order 1984 is hereby revoked.

SIGNED and the COMMON SEAL of the COUNCIL hereto AFFIXED at PERTH on the SEVENTH day of OCTOBER TWO THOUSAND AND ELEVEN.



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Head of Legal Services

Council Reasons

The Disabled Persons' Parking Places (Scotland) Act 2009 requires Perth and Kinross Council to promote or vary their existing Road Traffic Orders for waiting restrictions to allow the enforcement of all Disabled Persons Parking Places.