

**THE PERTH AND KINROSS COUNCIL (MILNATHORT TRAFFIC MANAGEMENT) ORDER 1998
(NO 13/98)**

AMENDMENT TO OCTOBER 2002

		AMENDING ORDERS	OPERATIVE FROM
1	[] ¹ words substituted by)	The Perth and Kinross Council (Milnathort Traffic Management) (Variation) Order 2000 (3/00)	1 February 2000
2	[...] ² words indicated by ... were deleted by)	The Perth and Kinross Council (Milnathort Traffic Management) (Variation) (No 1) Order 2000 (19/00)	11 December 2000
3	[] ³ words substituted by) [] ⁴ words added by)	The Perth and Kinross Council (Milnathort Traffic Management) (Variation) (No 2) Order 2001	23 February 2001
4	[] ⁵ 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

THE PERTH AND KINROSS COUNCIL
ROAD TRAFFIC REGULATION ACT 1984

THE PERTH AND KINROSS COUNCIL
(MILNATHORT TRAFFIC MANAGEMENT) ORDER 2000

The 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 1

GENERAL PROVISIONS

Commencement and Citation

1. This Order may be cited as "The Perth and Kinross Council (Milnathort Traffic Management) Order 2000" and shall come into operation on the Twenty-third day of May, Two Thousand.

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'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;

“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 packages 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” unless 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 or 1028.4 of the Traffic Signs Regulation 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;

“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 purposes of Articles 4 and 9 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.
- (iv) In this Order all roads referred to by name lie within the Town or former Burgh of Milnathort unless otherwise specified.

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 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]³, 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 8.30 am and 5.30 pm in any of the lengths of road specified in Part III 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 IV 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.

5. No person shall except upon the direction or with the permission of a [person duly authorised in that behalf by the Council]³, 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 1028.3 and indicated by a sign to diagram 661, both of the Traffic Signs and General Directions 1994, in any of the lengths of roads specified in Parts II, III and IV of 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, III or IV of the Schedule for so long as may be necessary:-
- (a) to enable a person to board or alight from a 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 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 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, III or IV of the Schedule if the vehicle is:-

- (a) left by the driver thereof who is a general medical practitioner, a nurse/midwife or a practising veterinary surgeon, and on which is displayed in the relevant position a badge recognised by the [Council]³, 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 Parts III or IV 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, III or IV 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, III or IV 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 1994 and a sign complying with diagram 970 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; and for the purpose of this Article "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.

PART IV

SAVINGS, VARIATION AND REVOCATION

Revocation

13. The following [Orders are]¹ hereby revoked:-
- (i) The Perth and Kinross Council (Milnathort Traffic Management) Order 1998.
 - [(ii) The Perth and Kinross Council (Milnathort Traffic Management) (Variation) (No. 1) Order 2000 is hereby revoked.]²

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

Sgd "I T Innes"

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Head of Legal Services

SCHEDULE

LENGTHS OF ROAD IN THE TOWN OR FORMER BURGH OF MILNATHORT

PART I

ONE-WAY STREETS

- | Column 1 | Column 2 |
|---|--|
| 1. BACK LOAN from a point 60 metres or thereby east of its junction with Wester Loan westwards to its junction with Wester Loan. | Westwards that is to say towards Wester Loan |
| 2. CHURCH STREET for its entire length. | Westwards, that is to say from South Street towards Stirling Road. |

PART II

NO WAITING AT ANY TIME

1. **BURLEIGH ROAD**

Southwest side thereof for a distance of 5 metres or thereby southeastwards from the intersection of the extended kerbline thereof with the extended south kerbline of New Road.
2. **BACK LOAN**
 - (a) North side thereof from its junction with Wester Loan eastwards to the intersection of the line of the north edge of carriageway of Back Loan with the extended east gable line of No 9 Back Loan.
 - (b) South side thereof for a distance of 30 metres or thereby westwards from a point opposite a point 3 metres or thereby eastwards from the intersection of the line of the north edge of carriageway thereof with the extended east gable line of No 9 Back Loan.
3. **BRIDGEFAULD ROAD**
 - (a) North side thereof for a distance of 45 metres or thereby westwards from the intersection of the extended kerbline thereof with the extended west kerbline of South Street.

- (b) South side thereof for a distance of 40 metres or thereby westwards from the intersection of the extended kerbline thereof with the extended west kerbline of South Street.

4. CHURCH STREET

- (a) **North side** thereof for a distance of 24 metres or thereby westwards from the intersection of the extended kerbline thereof with the extended west kerbline of South Street.
- (b) **South side** thereof for a distance of 18 metres or thereby westwards from the intersection of the extended kerbline thereof with the extended west kerbline of South Street.

5. NEW ROAD

- (a) **North side** thereof:-
 - (i) from its junction with Victoria Avenue westwards to a point 45 metres or thereby westwards from the intersection of the north kerbline of New Road with the extended east gable line of No 61 New Road;
 - (ii) for a distance of 40 metres or thereby eastwards from the intersection of the extended kerbline thereof with the extended east kerbline of Wester Loan.
- (b) **South side** thereof:-
 - (i) for a distance of 10 metres or thereby westwards from the intersection of the extended kerbline thereof with the extended southwest kerbline of Burleigh Road;
 - (ii) for a distance of 39 metres or thereby eastwards from the intersection of the extended kerbline thereof with the extended east kerbline of South Street.

6. SOUTH 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 New Road.
- (b) **West side** thereof:-
 - (i) from its junction with Stirling Road southwards to its junction with Church Street;
 - (ii) from a point 32 metres or thereby northwards from the intersection of the extended kerbline thereof with the extended

north kerbline of Bridgefauld Road southwards to a point 42 metres or thereby southwards from the intersection of the extended west kerbline of South Street with the extended south kerbline of Bridgefauld Road.

7. STIRLING ROAD

- (a) **North side** thereof for a distance of 40 metres or thereby westwards from the intersection of the extended kerbline thereof with the extended west kerbline of Wester Loan;
- (b) **South side** thereof for a distance of 40 metres or thereby westwards from the intersection of the extended kerbline thereof with the extended west kerbline of South Street.

8. VICTORIA AVENUE

Southwest side thereof from its junction with New Road northwestwards to a point 2 metres or thereby northwestwards from the intersection of the southwest kerbline of Victoria Avenue with the extended east gable line of No 61 New Road.

9. WESTER LOAN

- (a) **East side** thereof from its junction with Back Loan southwards to its junction with New Road;
- (b) **West side** thereof for a distance of 35 metres or thereby northwards from the intersection of the extended kerbline thereof with the extended north kerbline of Stirling Road.

PART III

NO WAITING MONDAY TO SATURDAY 8.30 AM TO 5.30 PM

1. SOUTH STREET

West side thereof for a distance of 110 metres or thereby southwards from the intersection of the extended kerbline thereof with the extended south kerbline of Church Street.

PART IV

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

1. NEW ROAD

- (a) **North side** thereof for a distance of 56 metres or thereby eastwards from a point 40 metres or thereby eastwards from the intersection of the extended kerbline thereof with the extended east kerbline of Wester Loan;
- (b) **South side** thereof for a distance of 60 metres or thereby eastwards from a point 39 metres or thereby eastwards from the intersection of the extended kerbline thereof with the extended east kerbline of South Street.

2. SOUTH STREET

East side thereof for a distance of 115 metres or thereby southwards from a point 16 metres or thereby southwards from the intersection of the kerbline thereof with the extended south kerbline of New Road.

[East side thereof for a distance of 70 metres or thereby southwards from a point 16 metres or thereby southwards from the intersection of the kerbline thereof with the extended south kerbline of New Road.]²

sgd "I T Innes"

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Head of Legal Services