SCOTTISH STATUTORY INSTRUMENTS

2009 No. 79

ROAD TRAFFIC

The A835/A893 Trunk Road (Shore Street, Ullapool) (Prohibition of Waiting) Order 2009

Made	*26th February 2009*
Coming into force	*9th March 2009*

The Scottish Ministers make the following Order in exercise of the powers conferred on them by sections 1(1), 2(1), 2(2) and 124(1)(d) of the Road Traffic Regulation Act 1984**(a)**, and of all other powers enabling them to do so.

They have complied with Part II of the Secretary of State's Traffic Orders (Procedure)(Scotland) Regulations 1987**(b)**.

Citation and Commencement

1. This Order may be cited as the A835/A893 Trunk Road (Shore Street, Ullapool) (Prohibition of Waiting) Order 2009 and shall come into force on 9th March 2009.

Interpretation

2. In this Order the following expressions have the meanings hereby assigned to them:-

"disabled person's badge", has the meaning given in the Regulation 2 of the Disabled Persons (Badge for Motor Vehicles) (Scotland) Regulations 2000(**c**);

"disabled person's vehicle", means a vehicle displaying a disabled person's badge in the manner prescribed by Regulation 12 of the Disabled Persons (Badge for Motor Vehicles) (Scotland) Regulations 2000; and

"taxi", has the meaning given in Section 23(1) of the Civic Government (Scotland) Act 1982 (**d**)

(a) 1984 c.27; sections 1 and 2 were amended by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraphs 17 and 18 respectively. Section 1 was further amended by the Environment Act 1995 (c.25), Schedule 22, paragraph 36(1) and by the Transport (Scotland) Act 2001 (asp 2), Schedule 2, paragraph 3, and modified by the Tramcars and Trolley Vehicles (Modification of Enactments) Regulations (S.I 1992/1217), Regulations 3(1)(a) and 5 as read with Regulation 11 thereof. The Scottish Ministers are the traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (c.27), as inserted by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 70 and amended by the Scotland Act 1998 (Consequential Modifications) Order 200 (S.I. 2001/1400), as read with S151(1) of the Roads (Scotland) Act 1984 (c.54). The functions of the Secretary of State were transferred to the Scottish Ministers by section 33 of the Scotland Act 1998 (c.46).

(b) S.I. 1987/2244

(c) S.I. 2000/59

(d) 1982 c.45

Prohibition of use of vehicles

3. Subject to Articles 5, 6, 7, 8 and 9 of this Order, no person shall cause or permit any vehicle to wait at any time on any lengths of road specified in the Part 1 of the Schedule.

4. Subject to Articles 5, 6, 7, 8 and 9 of this Order, no person shall from cause or permit any vehicle to wait on any of the lengths of road specified in Part 2 of the Schedule:

(a) for a period longer than 30 minutes from 8am to 6pm between the dates 1st June and 30th September in each year; or

(b) if a period of less than 1 hour has elapsed since the termination of the last period of waiting (if any) of the vehicle.

Permission or direction of Police Constable

5. No provision of this Order shall apply to anything done with the permission or upon the direction of a police constable in uniform.

Exemption for certain purposes

6. Nothing in Articles 3 and 4 of this Order shall prevent any person from causing or permitting any vehicle to wait on the lengths of road for so long as specified in the Schedule:

(a) for as long as may be necessary to enable a person to board or alight from the vehicle, or, to load thereon or unload therefrom his personal luggage;

(b) for as long as may be necessary to enable goods to be loaded on to or unloaded from the vehicle;

(c) for as long as may be necessary to enable the vehicle, if it cannot conveniently be used for any of the purposes hereinafter described on any other road, to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of any of the said lengths of road so specified or the laying, erection, alteration or repair on or near to any of the said lengths of road, of any sewer, or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any telegraphic line as defined in the Telecommunications Act 1984(**a**);

(d) to enable the vehicle, if it cannot conveniently be used for such purposes on any other road, to be used in pursuance of statutory powers and duties and in particular, but not without prejudice to the generality of the foregoing, to enable the vehicle to be used in connection with police, fire brigade and ambulance purposes;

(a) 1984 c.12 which was amended by the Advanced Television Services Regulations 1996 (S.I. 1996/3151), Regulation 8.

(e) to a vehicle being used for the purpose of collecting postal packets or delivering postal packets as defined in section 87 of the Post Office Act 1953(**a**);

(f) for the purposes of loading or unloading the vehicle while the vehicle is standing at the kerb and is in actual use in connection with the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository;

(g) to enable the vehicle to be used in connection with funeral operations.

7. Nothing in Articles 3 and 4 of this Order shall apply to any disabled person's vehicle which is not causing an obstruction and which displays a disabled person's badge issued by a local authority in exercise of its powers under Section 21 of the Chronically Sick and Disabled Persons Act 1970(**b**).

8. Nothing in Articles 3 and 4 of this Order shall apply to any disabled person's vehicle which displays a disabled person's badge issued by a local authority in exercise of its powers under Section 21 of the Chronically Sick and Disabled Persons Act 1970(**b**) and is waiting on any of the lengths of road specified in the Schedule.

9. Nothing in Articles 3 and 4 of this Order shall apply to any vehicle on police business waiting on any of the lengths of road specified in the Schedule.

Revocation of previous Order

10. The following Order is revoked.

a. The Dingwall-Ullapool Trunk Road (A893) (Shore Street, Ullapool) (Prohibition of Waiting) Order 1990**(c)**.

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A member of the staff of the Scottish Ministers

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26th February 2009

(a) 1953 c. 36

(b) 1970 c.44; section 21(1)(b) was amended by the Road Traffic Regulation Act 1984 (c.27) Schedule 13, paragraph 11(a).

(c) S.I 1990/1271

SCHEDULE

NO WAITING AT ANY TIME

1. On the south side of Shore Street, Ullapool:

From a point 18 metres or thereby east of the extended western kerbline of Mill Street extending westwards to a point 9 metres or thereby east of the western gable of No2 West Shore Street, a distance of 400 metres or thereby.

2. On the north side of Shore Street, Ullapool:

1. From its junction with the extended western kerbline of Mill Street extending westwards for a distance of 8 metres or thereby;

2. From its junction with the extended eastern kerbline of Quay Street extending eastwards for a distance of 62 metres or thereby; and

3. From its junction with the extended western kerbline of Quay Street extending westwards for a distance of 35 metres or thereby.

NO WAITING FOR MORE THAN 30 MINUTES 8AM TO 6PM MONDAY TO SATURDAY NO RETURN WITHIN ONE HOUR BETWEEN 1ST JUNE AND 30TH SEPTEMBER IN EACH YEAR

On the north side of Shore Street, Ullapool:

From a point 8 metres or thereby west of the extended west kerbline of Mill Street to a point 62 metres or thereby east of the extended east kerbline of Quay Street, a distance of 240 metres or thereby.