

THE EAST DUNBARTONSHIRE COUNCIL

(HIGH STREET, KIRKINTILLOCH)

(NO WAITING AT ANY TIME RESTRICTIONS) ORDER 2019

On 4 February 2019 the East Dunbartonshire Council made an Order under the Road Traffic Regulations Act 1984 which comes into operation on Monday, 6 May 2019

The proposed Order was advertised in the Kirkintilloch Herald which was published on 2 May 2018. The effect of the order is to introduce no waiting at any time restrictions on High Street, Kirkintilloch from the extended east kerbline of Broadcroft Road westwards for a distance of 70 metres or thereby.

A copy of the Order and plans may be examined during normal office hours and without payment of fee at the offices of:-

1. Roads & Transportation, Broomhill Industrial Estate, Kilsyth Road, Kirkintilloch, G66 1TF (Telephone Enquiries to: 0300-123-4510;
2. Legal Services, 12 Strathkelvin Place, Kirkintilloch, G66 1TJ (Telephone Enquiries to: 0300-123-4510);

and also at the following library during their normal opening hours

3. William Partick Library, 2-4 West High Street, Kirkintilloch, G66 1AD.

Any person wishing to question the validity of the Order or any provision therein on grounds that the Order is not within the powers conferred by the Road Traffic Regulations Act 1984, or on the grounds that any requirement of that Act or of any relevant Regulation made thereunder has not been complied with in relation to the Order may, within 6 weeks from 4 February 2019 make application to the Court of Session for this purpose.

Karen Donnelly
Chief Solicitor & Monitoring Officer
Legal Services
East Dunbartonshire Council Headquarters
Southbank Marina
12 Strathkelvin Place
Kirkintilloch.
G66 ITJ

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(NO WAITING AT ANY TIME RESTRICTIONS) ORDER 2019

The East Dunbartonshire Council in exercise of the powers conferred on them by Sections 1(1), 2(1) to (3) and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (“the Act”) and of all other enabling powers and after consultation with the Chief Constable of Police Service of Scotland in accordance with Part III of Schedule 9 to the Act hereby make the following Order.

1 This Order may be cited as “The East Dunbartonshire Council, (High Street, Kirkintilloch) (No Waiting at Any Time Restrictions) Order 2019” and shall come into operation on 6 May 2019.

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

“**vehicle**” unless the context otherwise requires, means a vehicle of any description and includes a machine or implement of any kind drawn or propelled along roads whether or not by mechanical power;

“**taxi**” has the same meaning as in Section 23(1) of the Civic Government (Scotland) Act 1982;

“**disabled person’s badge**” has the same meaning as in the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (Scotland) Regulations 2002 as amended;

“**local authority**” means a Council constituted by Section 2 of the Local Government etc. (Scotland) Act 1994;

“**Council**” means the East Dunbartonshire Council.

3 Save as provided in Articles 4, 5 and 6 of this Order no person shall, except upon the direction or with the permission of a police constable in uniform or a parking attendant in uniform, cause or permit any vehicle to wait at any time in the length of road specified in the Schedule to this Order.

4 Nothing in Article 3 of this Order shall :-

(a) prevent any person from causing or permitting a vehicle to wait in the length of road referred to in that Article:-

- (i) for so long as may be necessary to enable a person to board or alight from the vehicle or to load thereon or unload there from their personal luggage;
 - (ii) for so long as may be necessary 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 or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of the length of the road so referred to, or the laying, erection, alteration or repair in or near to the said length of the road, of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any telecommunications apparatus as defined in the Telecommunications Act 1984;
 - (iii) to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in pursuance of statutory powers and duties and in particular, but without prejudice to the generality of the foregoing, to enable the vehicle to be used in connection with police, fire brigade and ambulance purposes;
 - (iv) if the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or such waiting being necessary in order to avoid an accident;
 - (v) if the vehicle is in the service of or employed by the Post Office and is waiting in the length of the road while postal packets addressed to premises adjacent thereto are being unloaded from the vehicle or having been unloaded there from are being delivered or while postal packets are being collected from premises or posting boxes adjacent thereto;
 - (vi) for the purpose 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;
 - (vii) to enable the vehicle to be used in connection with wedding or funeral operations.
- (b) apply to a licensed taxi waiting in a taxi stance during any period for which that stance has been designated by the Council under the Civic Government (Scotland) Act 1982.

- 5 Nothing in Article 3 of this Order shall apply to any vehicle which is not causing an obstruction and which displays a disabled person's badge.
- 6 Nothing in Article 3 of this Order shall prevent any person from causing or permitting a vehicle to wait in the length of road referred to in the Article for so long as may be necessary for the purpose of delivering or collecting goods or

merchandise or loading or unloading the vehicle at premises adjoining that road provided that:-

- (a) no vehicle engaged in delivering or collecting goods or merchandise or being loaded or unloaded shall wait for a longer period than 30 minutes in the same place and no such vehicle shall wait for a longer period than 10 minutes in the same place without goods being loaded onto or unloaded from the vehicle;
- (b) notwithstanding anything in paragraph (a) of this Article the driver waiting for the purpose of delivering or collecting goods or merchandise or loading or unloading the vehicle shall move the same on the instruction of a police constable in uniform whenever such moving may be reasonably necessary for the purpose of preventing an obstruction.

Sealed with the Common Seal of the Council and subscribed for them and on their behalf by Karen M Donnelly, Chief Solicitor and Monitoring Officer at 12 Strathkelvin Place, Kirkintilloch on the 4 February 2019.



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Karen M Donnelly
Chief Solicitor & Monitoring Officer

SCHEDULE

NO WAITING AT ANY TIME RESTRICTIONS


Length of Road in Kirkintilloch
within East Dunbartonshire

Side of Road to which
Restriction Applies

High Street, Kirkintilloch

1. That length of High Street which extends from the east kerbline of Broadcroft Road westwards for a distance of 70 metres or thereby.

South



Karen M Donnelly
Chief Solicitor & Monitoring Officer

**HIGH STREET, KIRKINTILLOCH
NO WAITING AT ANY TIME RESTRICTIONS**

KEY

 **EXTENT OF NO WAITING AT ANY TIME RESTRICTIONS**

Widdowson

