ABERDEEN CITY COUNCIL

ROAD TRAFFIC REGULATION ACT, 1984

THE ABERDEEN CITY COUNCIL (CHARLESTON ROAD NORTH, COVE, ABERDEEN) (LOADING BAY / TIME RESTRICTED PARKING) ORDER 202X

Aberdeen City Council, in exercise of its powers under the Road Traffic Regulation Act 1984 (hereinafter referred to as "the 1984 Act"), and of all other enabling powers, and after consultation with the Chief Constable of Police Scotland in accordance with Part III of Schedule 9 to the 1984 Act, and having complied with the requirements of The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999, hereby makes the following order:-

Citation

1. This order may be cited as "The Aberdeen City Council (Charleston Road North, Cove, Aberdeen) (Loading Bay / Time Restricted Parking) Order 2016" and shall come into operation on __ ____, 202_.

Definitions in relation to subsequent articles

2. In Article 8 the expression "goods vehicle" has the same meaning as in S192 (1) of the Road Traffic Act 1988.

Time Restricted Parking

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, cause or permit any vehicle to wait on the length of road specified in the schedule hereto on any day between 1.00pm and 11.00pm:

   (i) for a period longer than 45 minutes, or

   (ii) if a period of less than 15 minutes has elapsed since the termination of the last period of waiting (if any) of the vehicle in that length of road.

4. Nothing in Article 3 of this order shall prevent any person from causing or permitting a vehicle to wait on any of the length of road referred to in that article for so long as may be necessary:

   (a) when the person in control of the vehicle is:
      (i) required by law to stop; or
      (ii) obliged to stop in order to avoid an accident; or
      (iii) prevented from proceeding by any circumstances beyond their control, where the said circumstances relate directly to the movement or otherwise of traffic on the road;

   (b) if the vehicle is in material use in connection with a funeral undertaking;

   (c) If the vehicle is in the service of, or is being employed by, a security company and is in actual use while currency or other valuables:

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(i) are being unloaded from the vehicle; or
(ii) having been unloaded from the vehicle, are being delivered; or
(iii) are being collected from premises adjacent to that road for loading onto the vehicle; or
(iv) having been collected from such premises, are being loaded onto the vehicle.

5. Nothing in Article 3 of this order shall prevent any person from causing or permitting a vehicle to wait in any of the length of road referred to in that article for so long a may be necessary:

(a) to enable a vehicle in actual use or materially necessary for such purpose (provided that the vehicle cannot conveniently be used for the same purpose in any other road) to be used in or adjacent to that road in connection with any:
(i) building operation;
(ii) demolition;
(iii) laying, erection, alteration or repair of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any electronic communications apparatus; or
(iv) excavation, provided that, in the case of any of the operations described in sub-paragraphs (iii) and (iv) above, the said operation or operations are to be conducted within the extents of the road.

(b) to enable a vehicle in actual use or materially necessary for such purpose (provided that the vehicle cannot conveniently be used for the same purpose in any other road) to be used in connection with the:
(i) cleansing or lighting of any road;
(ii) removal of any obstruction to traffic on any road;
(iii) maintenance or improvement or reconstruction of any road; or
(iv) placing, maintenance or removal of any traffic sign or parking meter on any road.

(c) if the vehicle, being a liveried vehicle, is in the service of, or is being employed by, a universal service provider, and is in actual use while postal packets:
(i) addressed to premises adjacent to that road are being unloaded from the vehicle;
(ii) addressed to premises adjacent to that road and having been unloaded from the vehicle, are being delivered;
(iii) are being collected from postal boxes or premises adjacent to that road for loading onto the vehicle; or
(iv) having been so collected, are then being loaded onto the vehicle.

6. Nothing in Article 3 of this order shall apply to any invalid carriage or disabled person's vehicle which displays in the relevant position a valid disabled person's badge.

Loading Bay

7. Save as provided in Articles 8, 9 and 10 of this order, no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any vehicle to wait on the length of road specified in the second schedule hereto between 7.00am and 1.pm on any day.

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8. Nothing in Article 7 shall apply to any goods vehicle being used to load or unload goods at premises accessible only by use of that length of road.

9. Nothing in Article 7 of this order shall prevent any person from causing or permitting a vehicle to wait on any of the length of road referred to in that article for so long as may be necessary:

(a) to enable a person to board or alight from the vehicle;

(b) when the person in control of the vehicle is:
- (i) required by law to stop; or
- (ii) obliged to stop in order to avoid an accident; or
- (iii) prevented from proceeding by any circumstances beyond their control, where the said circumstances relate directly to the movement or otherwise of traffic on the road;

(c) if the vehicle is in material use in connection with a funeral undertaking.

10. Nothing in Article 7 of this order shall prevent any person from causing or permitting a vehicle to wait in any of the length of road referred to in that article for so long as may be necessary:

(a) to enable a vehicle in actual use or materially necessary for such purpose (provided that the vehicle cannot conveniently be used for the same purpose in any other road) to be used in or adjacent to that road in connection with any:
- (i) building operation;
- (ii) demolition;
- (iii) laying, erection, alteration or repair of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any electronic communications apparatus; or
- (iv) excavation, provided that, in the case of any of the operations described in sub-paragraphs (iii) and (iv) above, the said operation or operations are to be conducted within the extents of the road.

(b) to enable a vehicle in actual use or materially necessary for such purpose (provided that the vehicle cannot conveniently be used for the same purpose in any other road) to be used in connection with the:
- (i) cleansing or lighting of any road;
- (ii) removal of any obstruction to traffic on any road;
- (iii) maintenance or improvement or reconstruction of any road; or
- (iv) placing, maintenance or removal of any traffic sign or parking meter on any road.

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Revocation

11. Upon the coming into effect of this order, any provision of any other order, with the exception of the Grampian Regional Council (Heavy Vehicles) (Overnight Parking Places, Aberdeen) Order 1987, made or having effect as if made under the Road Traffic Regulation Act, 1984, and existing at the time when this order comes into effect, which provision imposes a prohibition of waiting on any parts of the lengths of road specified in the schedules to this order, is hereby revoked.

Given by Aberdeen City Council on this _____ day of ____, in the year Two Thousand and Twenty-_____.

……..
Roads Infrastructure Manager

……...
Witness

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Schedule

Charleston Road North, Cove

North side, from a point 20m or thereby east of its junction with the A956 Wellington Road, eastwards for a distance of 23m or thereby.

……..
Roads Infrastructure Manager

……...
Witness

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