ABERDEEN CITY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE ABERDEEN CITY COUNCIL (HADDEN STREET, ABERDEEN) (TRAFFIC MANAGEMENT) ORDER, 201X

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 (Hadden Street, Aberdeen) (Traffic Management) Order 202X” and shall come into effect on __ _____ 202X..

DEFINITIONS IN RELATION TO SUBSEQUENT ARTICLES

2. In this order, unless the context requires otherwise, the following interpretations shall apply.

   "taxi" - shall have the same meaning as in section 23(1) of the Civic Government (Scotland) Act 1982;

   “goods vehicle” shall have the same meaning as in Schedule 1 “Definitions” of the Statutory Instrument 2016 No.365 Road Traffic “The Traffic Signs Regulations and General Directions 2016”;

DISABLED PARKING BAY

3. Upon the coming into effect of this order, the length of road in Aberdeen specified in the first schedule hereto shall be added to the second schedule of “The Aberdeen City Council (Disabled Persons’ Parking Places in Aberdeen City Centre) (Regulatory Parking Places) Order 2015”.

GOODS VEHICLE LOADING BAY

4. Save as provided in Articles 5, 6, and 7 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 in Aberdeen specified in the second schedule at any time on any day.

5. Nothing in Article 4 of this order shall apply to any goods vehicle being used to load or unload goods or burden at premises accessible only by use of that length of road.

6. Nothing in Article 4 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

DRAFT

(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;

(d) 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:
(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.

7. Nothing in Article 4 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.

(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.

TAXI STANCE

8. Save, as provided in Articles 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

DRAFT

vehicle to wait at any time on any day on the lengths of road in Aberdeen specified in the third schedule hereto, except that this shall not apply to any taxi between the hours of 5.00am and midnight.

9. Nothing in Article 8 of this order shall prevent any person from causing or permitting a vehicle to wait on any of the lengths 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) to enable goods or burden to be loaded onto, or unloaded, from the vehicle;

(c) 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.

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

(e) 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:

(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.

10. Nothing in Article 8 of this order shall prevent any person from causing or permitting a vehicle to wait in any of the lengths 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.

(c) if the vehicle, being a liveried vehicle, is in the service of, or is being employed by, a

DRAFT

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

.

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 restriction on waiting or loading 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

DRAFT

First Schedule

(Disabled Parking Bay – 8am to 8pm, max stay 3 hours, no return within 1 hour; 8pm to 8am, no limit on stay)

Hadden Street

North side, from 4.0m or thereby east of its junction with Exchange Street, eastwards for 6.6m or thereby.

……..
Roads Infrastructure Manager

……..
Witness

DRAFT

Second Schedule
('Goods Vehicle' Loading Bay)

Hadden Street

North side, from 10.6m or thereby east of its junction with Exchange Street, eastwards for 22.0m or thereby.

……..
Roads Infrastructure Manager

……..
Witness

DRAFT

Third Schedule

(Taxi Stance - Prohibition of waiting at any time, except Taxis 5am to Midnight)

Hadden Street

South side, from 3m or thereby east of its junction with Exchange Street, eastwards for 11m or thereby.

South side, from 20m or thereby east of its junction with Exchange Street, eastwards for 11m or thereby.

……..
Roads Infrastructure Manager

……..
Witness

DRAFT