

## FALKIRK COUNCIL

### THE FALKIRK COUNCIL (STIRLING STREET & BARNEGO ROAD, DUNIPACE) (PROHIBITION OF WAITING) (TRO/20/012) ORDER 2020

Falkirk Council, in exercise of the powers conferred upon them by Section 1(1) and (2), 2(1) to (3), 4(1) and (2), 32(1), 35(1) and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 and all other powers enabling them in that behalf, and having satisfied themselves in accordance with Section 3 of the said Act of 1984, and after consultation with the Chief Constable in accordance with Part III of Schedule 9 to the said Act of 1984, hereby make the following Order:-

1. This Order may be cited as “The Falkirk Council (Stirling Street & Barnego Road, Dunipace)(Prohibition of Waiting) Order 2020” and shall come into operation on the 10 day of December, Two thousand and Twenty.
  
2. (1) In this Order, except where the context otherwise requires, the following expressions have the meaning hereby respectively assigned to them:-
  - (a) “disabled person’s badge” has the same meaning as in regulation 2(1) of the Disabled Persons (Badges for Motor Vehicles)(Scotland) Regulations 2000, as amended;
  - (b) “relevant position” means
    - (i) in the case of a vehicle fitted with a dashboard or facia panel, so that Part 1 of the badge is legible from outside the vehicle;
    - or
    - (ii) in the case of a vehicle not fitted with a dashboard or facia panel in a conspicuous position on the vehicle so that Part 1 of the badge is legible from outside the vehicle;
  - (c) “road” has the same meaning as in Section 151 of the Roads (Scotland) Act 1984 and includes any verge or footway.

- (2) The restrictions imposed by this Order shall be in addition to and not in derogation of any restrictions or requirements imposed by any regulations made or having effect as if made under the Act of 1984 or by any other enactment.
  - (3) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
3. Save as provided in Articles 4 and 5 of this Order, no person shall, except upon the direction or with the permission of a police constable in uniform or a traffic warden, cause or permit any vehicle to wait at any time on the lengths of roads specified in Schedule 1 to this Order.
4. Nothing in Article 3 of this Order shall prevent any person from causing or permitting a vehicle to wait on the lengths of roads referred to in that Article for so long as it may be necessary:-
  - (a) to enable persons to board or alight from the vehicle; or
  - (b) to enable goods to be loaded onto or unloaded from the vehicle; or
  - (c) 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 lengths of road so referred to or the laying, erection, alteration, or repair in or near to the said lengths of road, of any sewer or any main, pipe or apparatus for the supply of gas, water or electricity, or of any telecommunication apparatus as defined in sub-paragraph 1(1) of Schedule 2 to the Telecommunications Act 1984, or cleansing, ambulance, fire brigade or police purposes; or
  - (d) 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 or duties;
  - (e) if the vehicle is in actual use in connection with a funeral undertaking.

5. Nothing in Article 3 shall apply to:-
- (a) any vehicle which is not causing an obstruction and lawfully displays in the relevant position a disabled person's badge issued by a local authority in exercise of the powers under Section 21(1) of the Chronically Sick and Disabled Persons Act 1970;
  - (b) any vehicle being used by a medical practitioner visiting patients on professional calls when such a vehicle bears, in a conspicuous position, the appropriate identification badge.

**Dated this 21 day of October, 2020.**

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**Head of Design, Roads and Transport**  
Falkirk Council  
Abbotsford House  
Davids Loan  
FALKIRK  
FK2 7YZ

## **SCHEDULE 1**

### **Roads in Dunipace**

#### **Side and section of road on which Waiting is Prohibited at Any Time**

#### **A872 Stirling Street**

##### **On the east side thereof:**

from the projected south building line of 186 Stirling Street in a southerly direction for a distance of 62 metres or thereby.

##### **On the west side thereof:**

from the projected southwest kerbline of Barnego Road in a southerly direction for a distance of 31 metres or thereby.

from the projected northeast kerbline of Barnego Road in a northerly direction for a distance of 30 metres or thereby.

#### **Barnego Road**

##### **On the northeast side thereof:**

from the projected west kerbline of Stirling Street in a northwesterly direction for a distance of 40 metres or thereby.

##### **On the southwest side thereof:**

from the projected west kerbline of Stirling Street in a northwesterly direction for a distance of 41 metres or thereby.

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(PROHIBITION OF WAITING) (TRO/20/012)  
ORDER 2020**

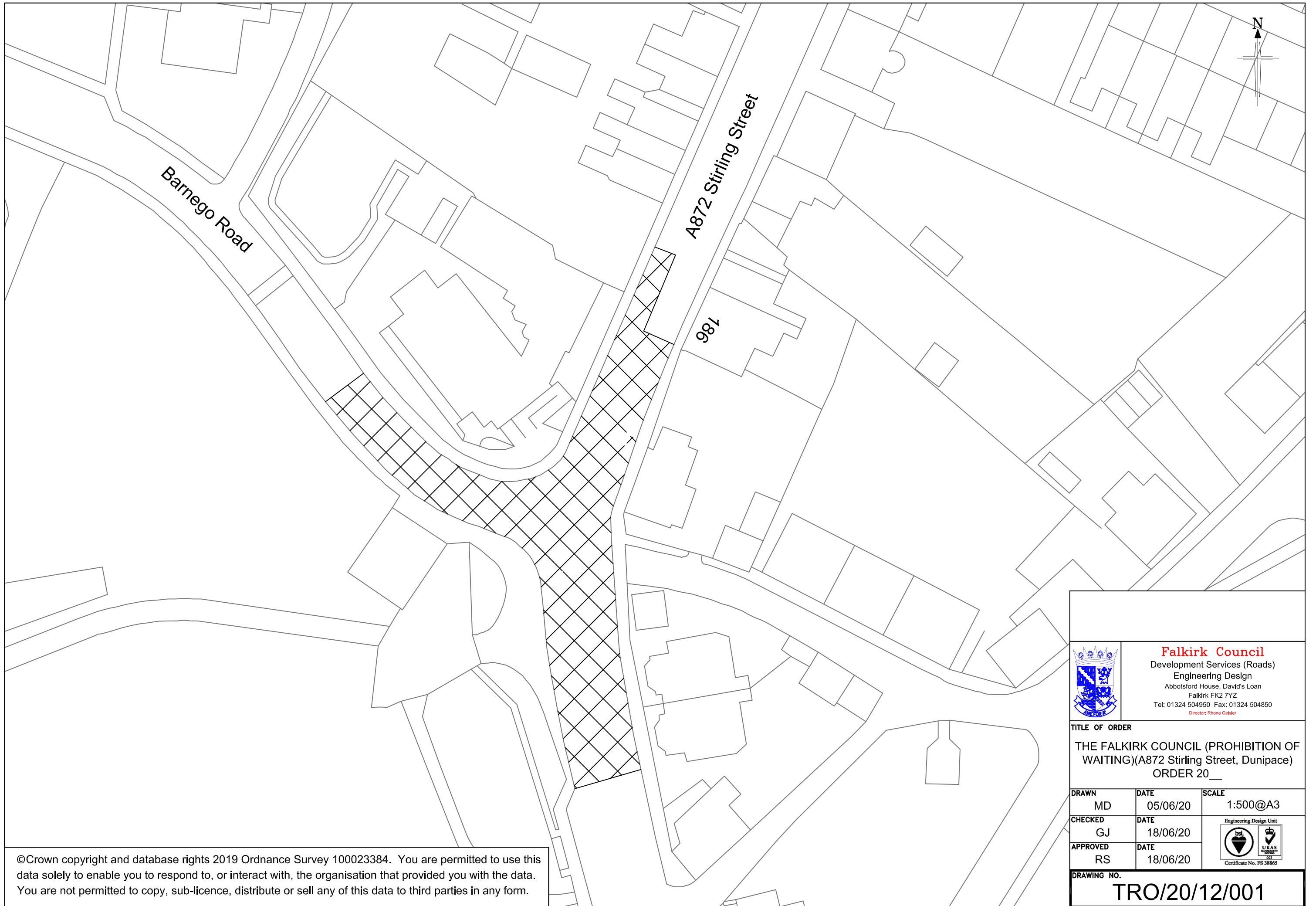
**Statement of Reasons for Making the Order**

In the interests of road safety parking in the vicinity of the junction of A872 Stirling Street and Barnego Road will be prohibited. This will assist in maintaining adequate visibility for both pedestrians and drivers at the traffic signal controlled junction.

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**Head of Design, Roads and Transport**

Falkirk Council  
Abbotsford House  
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**Falkirk Council**  
 Development Services (Roads)  
 Engineering Design  
 Abbotsford House, David's Loan  
 Falkirk FK2 7YZ  
 Tel: 01324 504950 Fax: 01324 504850  
 Director: Rhona Geisler

**TITLE OF ORDER**  
 THE FALKIRK COUNCIL (PROHIBITION OF WAITING)(A872 Stirling Street, Dunipace)  
 ORDER 20\_\_

DRAWN	DATE	SCALE
MD	05/06/20	1:500@A3
CHECKED	DATE	Engineering Design Unit  Certificate No. PS 38865
GJ	18/06/20	
APPROVED	DATE	
RS	18/06/20	

**DRAWING NO.**  
**TRO/20/12/001**

## **FALKIRK COUNCIL**

The Council has made the below named Order under the Road Traffic Regulation Act 1984 as described in the Falkirk Herald of 30<sup>th</sup> July, 2020.

1. Full details may be inspected online at <http://www.tellmesotland.gov.uk/> or from Abbotsford House, Davids Loan, Falkirk by contacting [adteam3.ds@falkirk.gov.uk](mailto:adteam3.ds@falkirk.gov.uk).
2. Any person wishing to question the validity of the order or any of its provisions on the grounds that it is not within the powers of the relevant Act or that a requirement of any such enabling Act or of any relevant regulations made thereunder has not been complied with may, within 6 weeks from 29/10/20, make application for the purpose to the Court of Session.

### **THE FALKIRK COUNCIL (STIRLING STREET & BARNEGO ROAD, DUNIPACE) (PROHIBITION OF WAITING) (TRO/20/012) ORDER 2020**

#### **Head of Design, Roads and Transport**

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