

THE MORAY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984, AS AMENDED

THE MORAY COUNCIL (ST. ANDREWS ROAD, LHANBRYDE (NORTH SIDE) (HEAVY GOODS VEHICLE LOADING BAY) ORDER 2018

The Moray Council in exercise of its powers conferred upon it under Sections 32, 35 and Part IV of Schedule 9 of the Road Traffic Regulation Act, 1984, as amended and all other enabling powers, and after consultation with the Chief Constable in accordance with Part III of Schedule 9 to the 1984 Act, hereby makes the following order:-

GENERAL

1. This Order may be cited as "The Moray Council (St. Andrews Road, Lhanbryde (North Side) (Heavy Goods Vehicle Loading Bay) Order 2018" and will come into operation on (date to be inserted).
2. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies to the interpretation of an Act of Parliament.
3. In this Order;
 - (i) "goods vehicle" has the same meaning as in Section 192(1) of the Road Traffic Act 1988;
 - (ii) "heavy goods vehicle" means a goods vehicle which has an operating weight exceeding 7.5 tonnes;
 - (ii) "loading bay" means an area of ground designated as a loading and unloading area by this Order.

LOADING BAY WAITING RESTRICTIONS

4. Save as provided for in Article 6 of this Order, that length of ground at St. Andrews Road, Lhanbryde (north side) specified in the Schedule to this Order, is authorised for use as a loading bay for heavy goods vehicles only, operating 24 hours.
5. Save as provided for in Article 6 of this Order, except upon the direction of or with the permission of a Police Constable in uniform, the driver of a vehicle shall not permit it to wait in the loading bay area specified in the Schedule to this Order except if the said vehicle is a heavy goods vehicle and it is being used for the delivery or collection of goods or merchandise or loading or unloading that vehicle at premises within the retail outlet adjacent to the loading bay.

EXEMPTION FROM WAITING RESTRICTIONS

6. Nothing in Article 5 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;
- (a) if the vehicle is a vehicle used for Police, Fire and Rescue or Ambulance purposes or any vehicle in the service of a local authority in either case being used in pursuance of statutory powers or duties;
 - (b) for so long as may be necessary to enable the vehicle if it cannot be conveniently used for such purpose on any other road to be used in connection with any building operation or demolition, removal of any obstruction to traffic, the maintenance, improvement or reconstruction of any of the said length of road or parts thereof of the laying, erection, alteration or repair of any sewer or any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic lines as defined in the Telegraphic Act 1878; or enable a vehicle owned by a funeral undertaker or owner of funeral vehicles, to be used for a purpose connected with a funeral but only on occasion when it cannot conveniently be used for such purpose on any other road.

GENERAL

Upon the coming into effect of this Order any orders made or having effect as if made under the Road Traffic Regulation Act, 1984 and existing at the time when this Order comes into operation which impose a restriction or prohibition of waiting on the area specified in the Schedule to this Order, in so far as that enactment so refers is hereby revoked.

Given under the Seal of The Moray Council on (date to be inserted)

Legal Services Manager (Property and Contracts)

**THE MORAY COUNCIL
(ST. ANDREWS ROAD, LHANBRYDE (NORTH SIDE) (HEAVY GOODS VEHICLE
LOADING BAY) ORDER 2018**

SCHEDULE 1

“HEAVY GOODS VEHICLE LOADING ONLY AT ANY TIME”

LHANBRYDE

St Andrews Road On the north side thereof

From a point 134 metres of thereby east of the projected eastern kerblines of Burnside Road for a distance of 32 metres or thereby in an easterly direction.

Legal Services Manager (Property and Contracts)