

MORAY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984, AS AMENDED

MORAY COUNCIL (BLANTYRE PLACE, BRACO PLACE, FORTEATH STREET AND HAWTHORN ROAD, ELGIN – PROHIBITION OF WAITING) ORDER 2021

Moray Council in exercise of its powers conferred upon it by 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 " Moray Council (Blantyre Place, Braco Place, Forteach Street and Hawthorn Road, Elgin - Prohibition of Waiting) Order 2021 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.

PROHIBITION OF WAITING

3. Save as provided for in Article 4 & 5 of this Order, no person, except upon the direction of or with the permission of a Police Constable in uniform, cause or permit any vehicle to wait in any of the lengths of road as listed in the Schedule to this Order, during the prohibited hours.

EXEMPTION FROM WAITING RESTRICTIONS

4. 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 as may be necessary to;
 - a) enable a person to board or alight from their vehicle;
 - b) enable goods to be loaded or unloaded from the vehicle;
 - c) 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
 - d) enable (on any one occasion) a maximum of three vehicles 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 the vehicle or vehicles could not be used conveniently be used for such purpose on any other road; or
 - e) enable (on any one occasion) a maximum of two vehicles to be used for a purpose connected with a wedding, but only on occasion when the vehicle or vehicles could not be used conveniently for such purpose on any other road.

5. Nothing in Article 3 of this order shall prevent any disabled person's vehicle, which is not causing an obstruction and which displays in a relevant position, a disabled person's badge issued by a Local Authority in exercise of its powers under Section 21(1) of the Chronically Sick and Disabled Persons Act 1970 from waiting for a period not exceeding three hours, subject to the conditions that the period of exempted waiting does not begin less than one hour after a previous period of exempting waiting by the same vehicle on the same road, on the same day, all in line with Local Authorities (Traffic Orders) exemptions for Disabled Person (Scotland) Regulations 2002.

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 any of the lengths of road specified in the Schedule to this Order, in so far as that enactment so refers are hereby revoked. In particular this Order will revoke The Grampian Regional Council (Various Streets, Elgin) (Prohibition of Waiting) Order 1982 in so far as it relates to Hawthorn Road and The Moray Council (Waiting Restrictions, Elgin) Order 2001 in so far as it relates to Forteach Street in Schedule 1 and Blantyre Place in Schedule 5 and replaces them with the provisions contained in the Schedule to this Order.

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

Legal Services Manager

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(BLANTYRE PLACE, BRACO PLACE, FORTEATH STREET AND HAWTHORN
ROAD, ELGIN – PROHIBITION OF WAITING) ORDER 2021**

SCHEDULE

“NO WAITING AT ANY TIME”

<u>Location</u>	<u>Description</u>
Braco Place, Elgin (South west side)	From its junction with Hawthorn Road in a north-westerly direction for a distance of 10 metres or thereby.
Braco Place, Elgin (North east side)	From its junction with Hawthorn Road in a north-westerly direction for a distance of 12 metres or thereby.
Forteach Street, Elgin (Both sides)	From its junction with Hawthorn Road in a north-westerly direction for a distance of 10 metres or thereby.
Forteach Street, Elgin (Both sides)	From its junction with Pluscarden Road in a south-easterly direction for a distance of 10 metres or thereby.
Hawthorn Road, Elgin (North west side)	From its intersection with the projected south-western kerblines of Braco Place in a south-westerly direction for a distance of 13 metres or thereby.
Hawthorn Road, Elgin (North west side)	From its intersection with the projected north-eastern kerblines of Braco Place in a north-easterly direction for a distance of 10 metres or thereby.
Hawthorn Road, Elgin (North west side)	From its intersection with the projected south-western kerblines of Forteach Street in a south-westerly direction for a distance of 10 metres or thereby.
Hawthorn Road, Elgin (North west side)	From its intersection with the projected north-eastern kerblines of Forteach Street in a north-easterly direction for a distance of 10 metres or thereby.
Hawthorn Road, Elgin (North west side)	From its junction with South Street in a south-westerly direction for a distance of 19 metres or thereby.
Hawthorn Road, Elgin (South east side)	From its junction with South Street in a south-westerly direction for a distance of 22 metres or thereby.
Blantyre Place, Elgin (Both sides)	From its junction with North Street (A 941) in a westerly direction for a distance of 34 metres or thereby.

Orders to be Revoked	<p>The Grampian Regional Council (Various Streets, Elgin)(Prohibition of Waiting) Order 1982 in so far as it relates to Hawthorn Road.</p> <p>The Moray Council (Waiting Restrictions, Elgin) Order 2001 in so far as it relates to Forteach Street in Schedule 1 and Blantyre Place in Schedule 5.</p>
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Legal Services Manager