

## **MORAY COUNCIL**

### **ROAD TRAFFIC REGULATION ACT, AS AMENDED**

#### **MORAY COUNCIL (PROHIBITION OF WAITING, ASHGROVE ROAD, ELGIN) ORDER 2021**

The Moray Council in exercise of the 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 (Prohibition of Waiting, Ashgrove Road, Elgin) 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 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 be 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 lying, 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 defines 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 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; or
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 3 hours, subject to the conditions that the period of exempted waiting does not begin less than one hour after a previous period of exempted waiting by the same vehicle on the same road, on the same day. All in line with the Local Authorities (Traffic Orders) exemptions for Disabled Person (Scotland) Regulations 2002.

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

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Legal Services Manager

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**“NO WAITING AT ANY TIME**

**SCHEDULE**

<b><u>Location</u></b>	<b><u>Description</u></b>
Ashgrove Road, Elgin (West Side)	From a point 47 metres or thereby south of the extended southern kerblines of Ashgrove Square for a distance of 142 metres or thereby in a northerly direction.

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Legal Services Manager