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SCOTTISH STATUTORY INSTRUMENTS

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2008 No. 301

**ROAD TRAFFIC**

The M9/A9 Trunk Road (Olig Street, Traill Street & Sir George's Street, Thurso)  
(Prohibition of Waiting and Loading) Order 2008

*Made*

14<sup>th</sup> May 2008

*Coming into force*

24<sup>th</sup> May 2008

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 1(1), 2(1), 2(2) and 124(1)(d) of the Road Traffic Regulation Act 1984(a) and all other powers enabling them to do so.

They have complied with Part II of the Secretary of State's Traffic Orders (Procedure)(Scotland) Regulations 1987(b).

**Citation and Commencement**

1. This Order may be cited as the M9/A9 Trunk Road (Olig Street, Traill Street & Sir George's Street, Thurso) (Prohibition of Waiting and Loading) Order 2008 and comes into force on 24<sup>th</sup> May 2008.

**Interpretation**

2. In this Order the following expressions have the meanings hereby assigned to them:-

“disabled person's badge” has the meaning given in Regulation 2 of the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000(c);

“disabled person's vehicle”, means a vehicle displaying a disabled person's badge in the manner prescribed by Regulation 12 of the Disabled Persons (Badge for Motor Vehicles) (Scotland) Regulations 2000(d); and

“taxi”, has the meaning given in Section 23(1) of the Civic Government (Scotland) Act 1984 (e).

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(a) 1984 c.27; sections 1 and 2 were amended by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraphs 17 and 18 respectively. Section 1 was further amended by the Environment Act 1995 (c.25) Schedule 22, paragraph 36(1) and by the Transport (Scotland) Act 2001 (asp 2), Schedule 2, paragraph 3. The Scottish Ministers are the traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (c.27) (inserted by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 70 and amended by the Scotland Act 1998 (Consequential Modifications) Order 2001 (S.I. 2001/1400)) as read with section 151(1) of the Roads (Scotland) Act 1984 (c.54). The functions of the Secretary of State were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c.46).

(b) S.I. 1987/2244.

(c) S.S.I. 2000/59, which was amended by the Disabled Persons (Badges for Motor Vehicles) (Scotland) Amendment Regulations 2000 (S.S.I. 2000/170), Regulation 3 and the Disabled Persons (Badges for Motor Vehicles) (Scotland) Amendment Regulations 2002 (S.S.I. 2002/451), Regulation 2.

(d) S.S.I. 2000/59.

(e) 1982 c.45.

### **Prohibition of use of vehicles**

3. Subject to Articles 4 to 10 of this Order-

(a) no person shall use, or cause or permit the use of, any vehicle to wait at any time on any lengths of road specified in Part 1 of the Schedule to this Order;

(b) no person shall use, or cause or permit the use of any vehicle to wait between 0800 and 1800 hours on Monday to Saturday on any of the lengths of road specified in Part 2 of the Schedule to this Order; and

(c) no person shall cause or permit any vehicle to wait on any of the lengths of road specified in Part 3 of the Schedule to this Order -

(i) for a period longer than 1 hour during the period from 0800 to 1800 hours on Monday to Saturday; or

(ii) if a period of less than 1 hour has elapsed since the termination of the last period of waiting (if any) of the vehicle.

### **Permission or Direction of Police Constable**

4. No provision of this Order shall apply to anything done with the permission or upon the direction of a police constable in uniform.

### **Exemption for certain purposes**

5. Nothing in Article 3 of this Order shall prevent any taxi to wait between the hours of 1800 to 0800 hours in the lengths of road specified in Part 4 of the Schedule to this Order.

6. Nothing in Article 3 of this Order shall prevent any disabled person's vehicle which displays in the relevant position a badge issued by a local authority in exercise of its powers under section 21(1) of the Chronically Sick and Disabled Persons Act 1970<sup>(a)</sup>, wait in the lengths of road specified in Part 5 of the Schedule to this Order.

7. Nothing in Article 3 of this Order shall prevent any goods vehicle to wait between the hours of 0800 to 1800 hours on Monday to Saturday for as long as may be necessary to enable goods to be loaded on to or unloaded from the vehicle in the lengths of road specified in Part 6 of the Schedule to this Order.

8. Nothing in Article 3 of this Order shall prevent any person from causing or permitting any vehicle to wait on the lengths of road specified in the Schedule to this Order: -

(a) for as long as may be necessary to enable a person to board or alight from the vehicle, or, to load thereon or unload therefrom his personal luggage; or

(b) for as long as may be necessary to enable goods to be loaded on to or unloaded from the vehicle; or,

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(a) 1970 c.44; section 21(1)(b) was amended by the Road Traffic Regulation Act 1984 (c.27) Schedule 13, paragraph 11(a).

- (c) for as long as may be necessary to enable the vehicle, if it cannot conveniently be used for any of the purposes hereinafter described on 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 any of the said lengths of road so specified or the laying, erection, alteration or repair on or near to any of the said lengths of road, of any sewer, or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any telegraphic line as defined in the Telecommunications Act 1984(a), or,
- (d) to enable the vehicle, if it cannot conveniently be used for such purposes on any other road, to be used in pursuance of statutory powers and duties and in particular, but not without prejudice to the generality of the foregoing, to enable the vehicle to be used in connection with police, fire brigade and ambulance purposes, or,
- (e) if the vehicle is in the service of or employed by the Post Office and is waiting while postal packets addressed to premises adjacent thereto are being unloaded from the vehicle or having been unloaded therefrom are being delivered or while postal packets are being collected from premises or posting boxes adjacent thereto, or,
- (f) for the purposes of loading or unloading the vehicle while the vehicle is standing at the kerb and is in actual use in connection with the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository, or,
- (g) to enable the vehicle to be used in connection with funeral operations.

9. Nothing in Article 3 of this Order shall apply to any disabled person's vehicle which is not causing an obstruction and which displays 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(b).

10. Nothing in Article 3 of this Order shall apply to any disabled person's vehicle which displays 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(b) and is waiting on any of the lengths of road specified in Part 3 of the Schedule to this Order.

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(a) 1984 c.12 which was amended by the Advanced Television Services Regulations 1996 (S.I. 1996/3151), regulation 8.

(b) 1970 c.44; section 21(1)(b) was amended by the Road Traffic Regulation Act 1984 (c.27) Schedule 13, paragraph 11(a).

## **Revocation of Previous Orders**

11. The following Orders are revoked -

- (a) The Trunk Roads (Thurso) (Restriction of Waiting) (Consolidation) Order 1974**(a)**;  
and
- (b) The Edinburgh – Thurso Trunk Road (A9) (Olig Street, Thurso) (Prohibition of Waiting) Order 1992**(b)**.

**J G BARTON**

A member of the staff of the Scottish Ministers

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14<sup>th</sup> May 2008

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(a) S.I. 1974/1818.  
(b) S.I. 1992/2411.

SCHEDULE

PART 1

**NO WAITING AT ANY TIME**

1. Traill Street (Southeast side)

From the extended northeast kerbline of Orlig Street southwestwards to its junction with the extended northeast kerbline of Sir George's Street, a distance of 170 metres or thereby.

2. Traill Street (Northwest side)

- (a) From the extended southwest kerbline of Orlig Street southwestwards to a point 15 metres or thereby southwest of the extended southwest kerbline of Orlig Street, a distance of 15 metres or thereby;
- (b) From a point 9 metres or thereby northeast of the extended northeast kerbline of Cowie Lane southwestwards to a point 9 metres or thereby southwest of the extended southwest kerbline of Cowie Lane, a distance of 25.5 metres or thereby;
- (c) From the extended northeast kerbline of Sir John's Square East northeastwards to a point 13.5 metres or thereby northeast of the extended northeast kerbline of Sir John's Square East, a distance of 13.5 metres or thereby; and
- (d) From the extended southwest kerbline of Sir John's Square East southwestwards to the extended northeast kerbline of Sir John's Square West, a distance of 26 metres or thereby.

3. Sir George's Street (Northeast side)

From its junction with the extended southeast kerbline of Traill Street, southeastwards to a point 23 metres or thereby southeast of the extended southeast kerbline of Traill Street, a distance of 23 metres or thereby.

4. Sir George's Street (Southwest side)

From its junction with the extended southeast kerbline of Sinclair Street, southeastwards to its junction with the extended northwest kerbline of Bradster Street, a distance of 57 metres or thereby.

5. Orlig Street (Northeast side)

- (a) From its junction with the southeast kerbline of Traill Street northwestwards for a distance of 63 metres or thereby to its junction with the extended northeast kerbline of Beach Road;

- (b) From the extended northwest kerbline of Beach Road northwestwards to a point 15 metres or thereby northwest of the extended northwest kerbline of Beach Road, a distance of 15 metres or thereby; and
- (c) From a point 67 metres or thereby northwest of the northwest kerbline of Beach Road northwestwards to a point 15 metres or thereby northwest of the extended northwest side of Gerry Square, a distance of 48 metres or thereby.

6. Olrig Street (Southwest side)

- (a) From the extended northwest kerbline of Traill Street northwestwards to a point 15 metres or thereby northwest of the extended northwest kerbline of Traill Street, a distance of 15 metres or thereby;
- (b) From the extended southeast kerbline of Princes Street southeastwards to a point 10 metres or thereby southeast of the extended southeast kerbline of Princes Street, a distance of 10 metres or thereby;
- (c) From the extended northwest kerbline of Princes Street northwestwards to a point 10 metres or thereby northwest of the extended northwest kerbline of Princes Street, a distance of 10 metres or thereby;
- (d) From the extended southeast kerbline of Campbell Street southeastwards to a point 10 metres or thereby southeast of the extended southeast kerbline of Campbell Street, a distance of 10 metres or thereby;
- (e) From the extended northwest kerbline of Campbell Street northwestwards to a point 10 metres or thereby northwest of the extended northwest kerbline of Campbell Street, a distance of 10 metres or thereby;
- (f) From the extended southeast kerbline of Rose Street southeastwards to a point 15 metres or thereby southeast of the extended southeast kerbline of Rose Street, a distance of 15 metres or thereby;
- (g) From the extended northwest kerbline of Rose Street northwestwards to a point 15 metres or thereby northwest of the extended northwest kerbline of Rose Street, a distance of 15 metres or thereby;
- (h) From the extended southeast kerbline of Duncan Street southeastwards to a point 15 metres or thereby southeast of the extended southeast kerbline of Duncan Street, a distance of 15 metres or thereby; and
- (i) From the extended northwest kerbline of Duncan Street northwestwards to a point 15 metres or thereby northwest of the extended northwest kerbline of Duncan Street, a distance of 15 metres or thereby.

PART 2

**NO WAITING BETWEEN 0800 AND 1800 HOURS  
MONDAY TO SATURDAY**

1. Olrig Street (Northeast side)

From a point 15 metres or thereby northwest of the extended northwest side of Gerry Square northwestwards to a point 74 metres or thereby northwest of the extended northwest side of Gerry Square, a distance of 59 metres or thereby.

2. Olrig Street (Southwest side)

(b) From a point 10 metres or thereby northwest of the extended northwest kerbline of Princes Street to a point 10 metres or thereby southeast of the extended southeast kerbline of Campbell Street, a distance of 26.5 metres or thereby;

(c) From a point 10 metres or thereby northwest of the extended northwest kerbline of Campbell Street to a point 15 metres or thereby southeast of the extended southeast kerbline of Rose Street, a distance of 21 metres or thereby; and

(d) From a point 15 metres or thereby northwest of the extended northwest kerbline of Rose Street to a point 15 metres or thereby southeast of the extended southeast kerbline of Duncan Street, a distance of 17 metres or thereby.

### PART 3

#### **WAITING LIMITED TO 1 HOUR NO RETURN WITHIN 1 HOUR BETWEEN 0800 AND 1800 HOURS MONDAY TO SATURDAY**

1. Olrig Street (Northeast side)

From a point 15 metres or thereby northwest of the extended northwest kerbline of Beach Road northwestwards to a point 67 metres or thereby northwest of the extended northwest kerbline of Beach Road, a distance of 52 metres or thereby.

2. Olrig Street (Southwest side)

From a point 15 metres or thereby northwest of the extended northwest kerbline of Traill Street northwestwards to a point 10 metres or thereby southeast of the extended southeast kerbline of Princes Street, a distance of 22 metres or thereby.

3. Traill Street (Northwest side)

(b) From a point 22 metres or thereby northeast of the extended northeast kerbline of Cowie Lane, northeastwards to a point 37 metres or thereby northeast of the extended northeast kerbline of Cowie Lane, a distance of 15 metres or thereby; and

(c) From a point 9 metres or thereby southwest of the extended southwest kerbline of Cowie Lane, southwestwards to a point 13.5 metres or thereby northeast of the extended northeast kerbline of Sir John's Square East, a distance of 48 metres or thereby.

PART 4

**TAXI WAITING  
1800 TO 0800 HOURS**

Olrig Street (Southwest side)

From a point 15 metres or thereby northwest of the extended northwest kerbline of Traill Street northwestwards to a point 10 metres or thereby southeast of the extended southeast kerbline of Princes Street, a distance of 22 metres or thereby.

Traill Street (Northwest side)

From a point 15 metres or thereby southwest of the extended southwest kerbline of Olrig Street, southwestwards for a distance of 10 metres or thereby, a distance of 10 metres or thereby.

PART 5

**DISABLED PARKING**

Traill Street (Northwest side)

From a point 9 metres or thereby northeast of the extended northeast kerbline of Cowie Lane, northeastwards to a point 22 metres or thereby northeast of the extended northeast kerbline of Cowie Lane, a distance of 13 metres or thereby.

PART 6

**LOADING BAY  
0800 AND 1800 HOURS  
MONDAY TO SATURDAY**

Trail Street (Northwest side)

From a point 15 metres or thereby southwest of the extended southwest kerbline of Odrig Street southwestwards to a point 25 metres or thereby southwest of the extended southwest kerbline of Odrig Street, a distance of 10 metres or thereby.