

ANGUS COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

ANGUS COUNCIL (ARBROATH TRAFFIC MANAGEMENT) ORDER 2004

Angus Council in exercise of the powers conferred on them by Section 1(1) and (2), 2(1) to (3) and 4(1) and 32 of the Road Traffic Regulation Act 1984 as amended (which Act of 1984 is hereinafter referred to as "the Act") and of all other powers enabling them in that behalf and after consultation with the Chief Constable in accordance with Part III of Schedule 9 to the Act hereby make the following Order:-

PART I

GENERAL

Commencement and Citation

1. This Order may be cited as "Angus Council (Arbroath Traffic Management) Order 2004" and shall come into operation on the Fifth day of April Two thousand and four.

Interpretation

2. (i) In this Order except where the context otherwise requires the following expressions shall have the meanings hereby assigned to them:-

"Chief Constable" means the Chief Constable of Tayside;

"Council" means the Angus Council;

"cycle" means a vehicle (not being mechanically propelled and not being an invalid carriage) with fewer than 4 wheels;

"disabled person" means a disabled person of a description prescribed by Regulation 4 of the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000;

"disabled person's badge" has the meaning assigned to it by Regulation 11 of the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000;

"disabled person's vehicle" means a motor vehicle which:-

- (a) is driven by a disabled person
- (b) is used by an institution (as defined in the said Regulations of 2000) for carrying disabled persons as passengers, or
- (c) is otherwise used for carrying disabled persons as passengers and is either:-
 - (i) a vehicle is constructed or adapted for the carriage of not more than twelve passengers (exclusive of the driver) and is not a public service vehicle (as defined in Section 1 of the Public Passenger Vehicles Act 1981), or
 - (ii) a dual purpose vehicle as defined in Regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986, and is, in each case, a vehicle which, immediately before or after any period of waiting allowed by virtue of a provision of a kind required by Regulation 5, 6 and 7 of the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (Scotland) Regulations 2000 be included in an Order under the Act of 1984, has been or is to be driven by a disabled person or, as the case may be, has been or is to be used for carrying disabled persons as passengers;

"**goods**" includes postal packets or any description and in so far as a bank is concerned cash or other valuables or valuable securities and "**delivering**" and "**collecting**" in relation to any goods includes checking the goods for the purpose of their delivery and collection and loading the goods on to or unloading the goods from a vehicle;

"**goods vehicle**" means a motor vehicle constructed or adapted for use for the carriage of goods or a trailer so constructed or adapted;

"**heavy commercial vehicle**" means any vehicle whether mechanically propelled or not which is constructed or adapted for the carriage of goods and has a maximum gross weight exceeding 7.5 tonnes;

"**post office letter box**" includes any pillar box, wall box or other box or receptacle provided by the permission or under the authority of the Postmaster General for the purpose of receiving postal packets for transmission by or under the authority of the Postmaster General;

"**postal packet**" means a letter, postcard, reply postcard, newspaper, printed packet, sample packet or parcel and every packet or article transmissible by post, and includes a telegram;

"**public service bus**" means a public service vehicle being used in the provision of a local service within the meaning of the Transport Act 1985;

"**Schedule**" means the Schedule to this Order;

"**school bus**" means a vehicle which is used to carry persons to or from a school and described by one of the following definitions:- a school conveyance under contract to the local authority, a taxi or private hire vehicle under contract to the local authority, a registered local bus service or a vehicle owned by the local authority and operated under Section 19 of the Transport Act 1985.

"**side**" when used to describe a length of road means that part of the road (including any verge or footway) *ex adverso* the centre line of the carriageway, in which is laid down appropriate markings in accordance with diagrams 1028.4, 1017 or 1018.1 of the Traffic Signs Regulations and General Directions 2002;

"**taxi**" has the meaning applied to it by Section 23 of the Civic Government (Scotland) Act 1982 and "**licensed**" in relation to a taxi means operating under a taxi licence as described in Section 10 of the said Act of 1982;

"**traffic sign**" means a sign of any size, colour and type, prescribed or authorised under or having effect as though prescribed or authorised under Section 64 of the Act;

"**vehicle**" means a vehicle of any description and includes a machine or implement of any kind drawn or propelled along roads whether by animal or mechanical power.

- (ii) For the purposes of Article 8 and 15 of this order a vehicle shall be deemed to wait for more than 30 minutes in a length of road if any point in that length of road is below the vehicle and its load (if any) throughout a period exceeding 30 minutes as the case may be whether or not the vehicle is moved during that period;
- (iii) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

PART II

PROHIBITIONS AND RESTRICTIONS

Prohibition of Driving

3. (i) Subject to Article 10(i) of this Order no person shall drive or cause or permit to be driven any motor vehicle in or upon the lengths of roads specified in Part I of the Schedule.
- (ii) Subject to Article 10(ii) of this Order no person shall drive or cause or permit to be driven any motor vehicle in or upon the lengths of roads specified in Part II of the Schedule.

One-Way Traffic

4. No person shall drive or cause or permit to be driven any vehicle in or upon any road or length of road specified in Column 1 of Part III of the Schedule otherwise than in the direction specified opposite to that length of road in Column 2 of the said Part of the Schedule.

Prohibition of Entry

5. Subject to Article 11 of this Order no person shall drive or cause or permit to be driven any vehicle proceeding in any road or length of road specified in Column 1 of Part IV of the Schedule so as to enter the road specified in relation thereto in the same line of Column 2 of the said Part of the Schedule.

Prohibition of Right Hand Turn

6. No person shall drive or cause or permit to be driven any vehicle proceeding in any length of road specified in Column 1 of Part V of the Schedule so as to make a right hand turn into the length of road specified opposite thereto in Column 2 of the said Part of said Schedule.

Prohibition of Left Hand Turn

7. No person shall drive or cause or permit to be driven any vehicle proceeding in any length of road specified in Column 1 of Part VI of the Schedule so as to make a left hand turn into the length of road specified opposite thereto in Column 2 of the said Part of said Schedule.

Prohibition and Restriction of Waiting

8. Save as provided in Articles 12, 13, 14, 15, 16 and 17 of this Order a person shall not except upon the direction or with the permission of a Police Constable in uniform:-
 - (a) cause or permit any vehicle to wait at any time in any of the lengths of road specified in Part VII of the Schedule.
 - (b) cause or permit any vehicle to wait at any time between the hours of 8.30 am and 5.30 pm in any of the lengths of road specified in Part VIII of the Schedule.
 - (c) cause or permit any vehicle to wait between the hours of 8.30 am and 5.30 pm in any of the lengths of road specified in Part IX of the Schedule:-
 - (i) for a period longer than thirty minutes; or
 - (ii) if a period of less than thirty minutes has elapsed since the termination during the said hours of the last period of waiting of the vehicle in that length of road.
9. [...] ¹⁵
 - (ii) No person shall except upon the direction or with the permission of a Police Constable in uniform, cause or permit any vehicle other than an ambulance to wait at any time in that area of carriageway contained within a road marking to diagram 1028.2 of the Traffic Signs and General Directions 2002 in any of the road length specified in Part VII, VIII and IX of the Schedule to the Order.

- (iii) No person shall, except upon the direction or with the permission of a Police Constable in uniform, cause or permit any heavy commercial vehicle to wait at any time except for the purpose of loading or unloading goods or furniture, in any of the lengths of road specified in Part X of the Schedule.

PART III

EXEMPTIONS

From Driving Prohibition

10. (i) Nothing in Article 3(i) of this Order shall apply so as to prevent any person from causing or permitting any motor vehicle to be driven in any length of road specified in Parts I and II of the Schedule:-
- (a) 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, demolition or excavation, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of any of the lengths of road so specified, or the laying, erection, alteration or repair in or near to any of the said lengths of road so specified of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or any telecommunication apparatus as defined in Sub-paragraph 1(1) of Schedule 2 to the Telecommunications Act 1984;
 - (b) to enable the vehicle to be used for Police, Fire Brigade or Ambulance purposes or to enable any vehicle in the service of a local authority to be used in pursuance of statutory powers and duties.
- (ii) Nothing in Article 3(ii) of this Order shall apply so as to prevent any person from causing or permitting any motor vehicle to be driven in the lengths of road specified in Part II of the Schedule if the vehicle is:-
- (a) being used for the purpose of delivering goods to or collecting goods;
 - (b) being used to convey a general medical practitioner or a nurse/midwife or a practising veterinary surgeon while visiting patients on professional calls and on which is displayed a badge recognised by the Chief Constable.
 - (c) a disabled person's vehicle which is not causing an obstruction and which is displaying in the relevant position a disabled person's badge issued by any local authority in exercise of its powers under Section 21(1) of the Chronically Sick and Disabled Persons' Act 1970;
 - (d) being used in the service of a funeral undertaker in connection with a funeral;
 - (e) being used in connection with a removal of furniture;
 - (f) being used in the transportation of ice to and from the Fish Market.

From Entry Prohibition

11. Nothing in Article 5 of this Order shall apply to the driving upon the lengths of road specified in Items 5 and 6 of Column 1 of Part IV of the Schedule so as to enter the road specified in Column 2 of the said Part of the Schedule of:-
- (a) public service bus;
 - (b) any other vehicle being used for Police, Fire Brigade or Ambulance emergency purposes or a motor vehicle in the service of a Local Authority being used in pursuance of statutory powers and duties; and
 - (c) cycles.

From Waiting Prohibitions and Restrictions

Personal Access, Statutory Undertakings, Funerals

12. Nothing in Article 8 of this Order shall prevent any person from causing or permitting a vehicle to wait in any of the lengths of road specified in Parts VII, VIII and IX of the Schedule for so long as may be necessary:-
- (a) to enable a person to board or alight from the vehicle or to load thereon or unload therefrom his personal luggage;
 - (b) 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, demolition or excavation, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of any of the lengths of road so specified or the laying, erection, alteration or repair in or near to any of the said lengths of road so specified of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or any telegraphic line as defined in the Telegraph Act 1878;
 - (c) to enable the vehicle to be used for Police, Fire Brigade or Ambulance purposes or to enable any vehicle in the service of a local authority to be used in pursuance of statutory powers and duties;
 - (d) to enable a vehicle (being a vehicle in the service of the Post Office) to deliver postal packets to premises adjacent to that length of road or to collect postal packets from premises or posting boxes adjacent to that length of road;
 - (e) to enable a vehicle in the service of a funeral undertaker to be used in connection with a funeral.

Doctors, Disabled Persons, Taxis, Accidents

13. Nothing in Article 8 of this Order shall prevent any person from causing or permitting a vehicle to wait in any of the lengths of road specified in Parts VII, VIII and IX of the Schedule:-
- (a) if the vehicle is a disabled person's vehicle which is not causing an obstruction and which is displaying in the relevant position a disabled person's badge issued by any local authority in exercise of its powers under Section 21(1) of the Chronically Sick and Disabled Persons' Act 1970;
 - (b) if the vehicle is a licensed taxi waiting upon a duly appointed stance for taxis;
 - (c) if the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident;
 - (d) if the vehicle is not causing an obstruction and is left by the driver thereof who is a general medical practitioner or a nurse/midwife, or a practising veterinary surgeon and on which is displayed in the relevant position a badge recognised by the Chief Constable, while visiting patients on professional calls or, in the case of a general medical practitioner, or a practising veterinary surgeon near his surgery premises while they are being used for consulting purposes.

Sundays

14. Nothing in Article 8 of this Order shall prevent any person from causing or permitting a vehicle to wait in any of the lengths of road specified in Parts VIII and IX of the Schedule on a Sunday.

Goods Vehicles

15. Nothing in Article 8 of this Order shall prevent any person from causing or permitting a vehicle to wait in any of the lengths of road specified in Parts VII and VIII of the Schedule to enable the vehicle to be used for the purpose of delivering goods to or collecting goods from premises adjoining these lengths of road: PROVIDED that a vehicle so engaged in delivering or collecting

goods shall not wait in the said lengths of road for a period of more than thirty minutes at the same place.

Furniture Removals

16. Nothing in Article 8 of this Order shall apply so as to restrict the loading or unloading of a vehicle while the vehicle is in actual use in connection with a removal of furniture for so long as may be necessary to conduct such removal from one office or dwellinghouse to another or from any premises to a depository or to such premises from a depository.

Cycles

17. Notwithstanding the prohibitions and restrictions elsewhere provided in this Order, a cycle may be caused or permitted to wait in any length of road specified in the Schedule to this Order at a cycle rack indicated by a sign complying with diagram 968 or 968.1 of the Traffic Signs Regulations and General Directions 2002.

Revocation

18. The Order(s) specified in Part XI of this Order are hereby revoked.

IN WITNESS WHEREOF these presents together with the Schedule annexed hereto are subscribed on behalf of Angus Council by Sheona Craig Hunter, Head of Legal Services at Forfar, Angus on the Eighth day of March Two thousand and four, in the presence of Isabelle Marshall Stewart, Licensing and Court Officer of St James House, St James Road, Forfar.

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SCHEDULE

LENGTHS OF ROAD IN THE TOWN OR BURGH OF ARBROATH

PART I

PROHIBITION OF MOTOR VEHICLES

1. **MARKET PLACE** for its entire length.

PART II

PROHIBITION OF MOTOR VEHICLES EXCEPT FOR LOADING ETC.

1. **MARKET PLACE** for a distance of 35 metres or thereby eastwards from its junction with Gravesend.
2. **SHORE** from its junction with Harbour Access Road eastwards for a distance of 3 metres or thereby.

PART III

ONE WAY STREETS

Column 1	Column 2
	Direction
1. BRIDGE STREET a length thereof extending for a distance of 60 metres or thereby northwards from West Port.	Northwards that is to say from West Port towards Catherine Street.
2. BROTHOCK BRIDGE for its entire length.	Northwards and westwards that is to say from Commerce Street towards Burnside Drive.
3. COMMERCE STREET for its entire length.	Westwards that is to say from High Street towards Brothock Bridge.
4. EAST NEWGATE STREET for its entire length.	Northwards that is to say from South Street towards Hill Road.
5. ELLIOT PLACE for its entire length	Eastwards that is to say from Russell Street towards Elliot Street.
6. HIGH STREET between its junctions with Hill Street and Guthrie Port.	Northwards that is to say from Hill Street towards Guthrie Port.
7. HILL PLACE for its entire length.	Southeastwards that is to say from Academy Street towards Hill Street.
8. HILL ROAD for its entire length.	Northwards and westwards that is to say from Union Street East towards West Newgate Street.
9. HILL STREET for its entire length.	Westwards that is to say from Hill Place towards High Street.
10. JOHN STREET for its entire length.	Eastwards that is to say from High Street towards West Newgate Street.
11. KEPTIE STREET between Dishlandtown Street and Bridge Street.	Eastwards that is to say from Dishlandtown Street towards Bridge Street.

	Column 1	Column 2 Direction
12.	KIRK SQUARE for its entire length.	Eastwards that is to say from High Street towards Hill Place.
13.	LADYBRIDGE STREET between Marketgate and High Street.	Eastwards that is to say from Marketgate towards High Street.
14.	MARKETGATE between its junctions with Old Shore Head and Ladybridge Street.	Northwards that is to say from Old Shore Head towards Ladybridge Street.
15.	MILLGATE for its entire length.	Northeastwards that is to say from West Port towards Burnside Drive.
16.	SEAGATE for its entire length.	Westwards that is to say from West Newgate Street towards High Street.
17.	SOUTH STREET for its entire length.	Southwards and westwards that is to say from King's Drive towards West Newgate Street.
18.	ST THOMAS CRESCENT between its junction with Culloden Terrace (A92) and Noran Avenue.	Westwards, that is to say from Culloden Terrace towards Noran Avenue.
19.	UNION STREET EAST between its junctions with West Newgate Street and King's Drive.	Eastwards that is to say from West Newgate Street towards King's Drive.
20.	WEST NEWGATE STREET between its junctions with Hill Road and John Street.	Southwards that is to say from Hill Road towards John Street.
21.	WEST PORT between its junctions with Bridge Street and Millgate.	Southeastwards that is to say from Bridge Street towards Millgate.

PART IV

PROHIBITION OF ENTRY

	Column 1	Column 2
1.	ALLAN STREET	High Street
2.	HIGH STREET	Allan Street
3.	APPLEGATE	High Street
4.	HIGH STREET	Applegate
5.	ABBAY STREET	Abbey Path
6.	ABBAY PARK	Abbey Path
7.	ORCHARD STREET	Hume Street
8.	WEST JOHN STREET	Hume Street

	Column 1	Column 2
9.	MARKETGATE north of Ladybridge Street	Marketgate south of Ladybridge Street
10.	MARKETGATE north of Ladybridge Street	Ladybridge Street.

PART V

PROHIBITION OF RIGHT HAND TURN

	Column 1	Column 2
1.	HIGH STREET	Abbey Path
[2.	GUTHRIE PORT	Ogilvie Place
3.	OGILVIE PLACE	Guthrie Port] ⁶

PART VI

PROHIBITION OF LEFT HAND TURN

	Column 1	Column 2
1.	HIGH STREET	Lordburn

PART VII

NO WAITING AT ANY TIME

1. **ABBEY PARK**
 - (a) **North side** thereof for a distance of 5 metres or thereby west of the intersection of the kerbline thereof with the east kerbline of East Abbey Street;
 - (b) **South side** thereof from its junction with East Abbey Street to its junction with West Abbey Street.
2. **ABBEY PATH**
 - (a) **North side** thereof from its junction with Abbey Street to its junction with High Street;
 - (b) **South side** thereof from its junction with West Abbey Street to its junction with High Street.
3. **ABBEY STREET**
 - (a) **East side** thereof:-
 - (i) for a distance of 25 metres or thereby southwards from the south face of the southmost Abbey Arch;
 - (ii) for a distance of 15 metres or thereby northwestwards following the curve from the intersection of the kerbline thereof with the extended east kerbline of West Abbey Street;
 - (b) **[West side** thereof:-
 - (i) for a distance of 15 metres or thereby southwards from the south face of the southmost Abbey Arch.
 - (ii) for a distance of 45 metres or thereby north of the intersection of the extended kerbline thereof with the extended north kerbline of Abbey Path]⁹

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