

2006 No. 622

ROAD TRAFFIC

**The A702 Trunk Road (Hillend)
(Prohibition of Waiting) Order 2006**

Made 15th December 2006

Coming into force 29th December 2006

The Scottish Ministers, in exercise of the powers conferred by section 1(1) as read with sections 2(1) and 2(2) of the Road Traffic Regulations Act 1984(a), and of all other powers enabling them in that behalf, and having complied with the provisions of Part II of the Secretary of State's Traffic Orders (Procedure) (Scotland) Regulations 1987(b), hereby make the following Order:

Citation and Commencement

1. This Order may be cited as the A702 Trunk Road (Hillend) (Prohibition of Waiting) Order 2006 and shall come into force on 29th December 2006.

Prohibition of Use of Vehicles

2. Subject to the terms of articles 3 and 4 below, no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any vehicle to wait at any time on any of the lengths of road specified in Schedule 1 to this order.
3. Nothing in the above articles of this Order shall apply
 - a. so as to prevent a vehicle, if it cannot conveniently be used for such purpose in any other road, from being 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 referred to or the laying, erection, alteration or repair in 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 telecommunications apparatus as defined in the Telecommunications Act 1984(c).

(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, and modified by the Tramcars and Trolley Vehicles (Modification of Enactments) Regulations 1992 (S.I. 1992/1217), Regulations 3(1)(a) and 5 as read with Regulation 11 thereof. 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) c12. The Advanced Television Services Regulations 1996 (S.I. 1996/3151), Regulation 8 modified the application of the Telecommunications Act 1984.

PRESS NOTICE

**THE A702 TRUNK ROAD (HILLEND) (PROHIBITION OF WAITING) ORDER
2006**

THE SCOTTISH MINISTERS hereby give notice that on 15th December 2006 they made the above Order under section 1(1)(a) as read with sections 2(1) and 2(2) of the Road Traffic Regulation Act 1984.

The effect of the Order is as described in Notice (1501/297) in the Edinburgh Gazette Number 26134 dated 20th October 2006 and in the Midlothian Advertiser and Daily Record dated 19th October 2006. The Order comes into force on 29th December 2006.

A copy of the Order as made, together with the relevant plan, may be inspected free of charge until 31st January 2007 during normal working hours at the offices of Transport Scotland, Trunk Roads Network Management Directorate, 58 Port Dundas Road, Glasgow G4 0HF; and Amey Infrastructure Services, South East Unit, 600 Gilmerton Road, Edinburgh, EH17 8RY.

Any person wishing to question the validity of the Order or any of its provisions on the ground that it is not within the powers of the relevant enabling Act or that a requirement of any such enabling Act or of any relevant regulations made thereunder has not been complied with may, within 6 weeks from the date on which the Order was made, make application for that purpose to the Court of Session.



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A member of the staff of the Scottish Ministers

Transport Scotland
Buchanan House
Glasgow
G4 0HF

- b. to a vehicle being used for the fire brigade, ambulance or police purposes;
 - c. to a vehicle being used for the purpose of collecting postal packets or delivering postal packets as defined in section 87 of the Post Office Act 1953(b)
 - d. to a vehicle stopping in any case where the person in control of the vehicle:-
 - i. if required by law to stop; or
 - ii. if obliged to stop in order to avoid an accident; or
 - iii. if prevented from proceeding by circumstances outwith his control and it is not reasonably practicable for him to drive or move the vehicle to a place not on the carriageway;
 - e. so as to prevent a vehicle being used by or on behalf of a local authority from stopping on the carriageway for so long as may be necessary to enable the vehicle if it cannot be used for the purpose hereinafter described without stopping on the road, to be used for the purpose of the collection of household refuse from premises situated on or adjacent to the said length of road;
4. Nothing in article 2 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 as prescribed by Regulation 12 of the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000 (d)

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(b) S.I. 1987/2244

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

SCHEDULE

No Waiting at Any Time

1. Biggar Road

East side

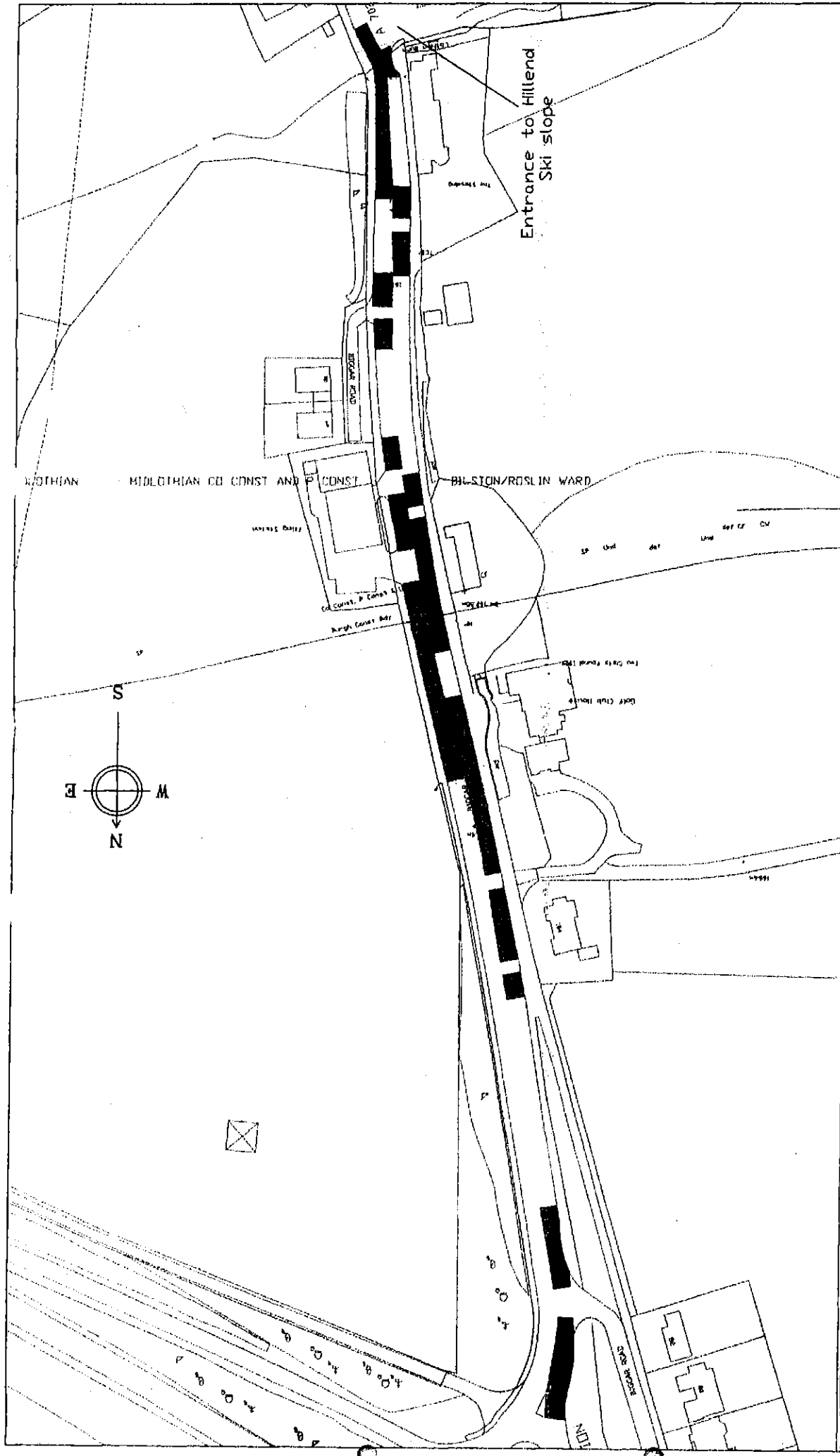
From a point 2500 metres or thereby south of the southernmost roundabout of the Lothianburn Junction on the A702 Edinburgh City Bypass, southwards to a point 19 metres past the private access to Calderstones for a distance of 280 metres or thereby.

West side

From a point 2700 metres or thereby south of the southernmost roundabout of the Lothianburn Junction on the A702 Edinburgh City Bypass, southwards to a point opposite Goldburn farm for a distance of 243 metres or thereby.

**STATEMENT OF THE SCOTTISH MINISTERS' REASONS FOR PROPOSING TO
PROHIBIT WAITING ON THE A702 TRUNK ROAD AT HILLEN, EDINBURGH**

The Scottish Ministers are satisfied that the prohibition of waiting is necessary in the interests of road safety.



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Scale: 1:1000
 Order: A702/AIP/01/01/REVA

Drawn: YCS Scale: N/A
 Checked: DD Date: 04/09/04
 Approved: GE

**A702 TRUNK ROAD
 HILLEND AIP SCHEME
 TRAFFIC REGULATION ORDER
 PARKING RESTRICTIONS**

Project: A702 TRUNK ROAD
 Hillend AIP Scheme
 Drawing Title: TRAFFIC REGULATION ORDER
 PARKING RESTRICTIONS

Area: Infrastructure Services
 Scottish Trunk Roads
 South East Unit
 600 Calderston Road
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