

2023 No. 106

ROAD TRAFFIC

**The A83 Trunk Road (Arrochar) (Temporary Prohibition on
Waiting, Loading and Unloading) (No. 2) Order 2023**

Made - - - - *23rd March 2023*

Coming into force - - *5th April 2023*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 2(1) and (2), 4(1) and 14(1)(b) and (4) of the Road Traffic Regulation Act 1984(a) and all other powers enabling them to do so.

In accordance with section 14(1)(b) of that Act, they are satisfied that traffic on the length of road specified in the schedule should be restricted or prohibited because of the likelihood of danger to the public, or of serious damage to the road, which is not attributable to works.

In accordance with section 14(3) of that Act, they have had regard to the existence of alternative routes suitable for the traffic which will be affected by this Order.

Citation, commencement and cessation

1. This Order may be cited as the A83 Trunk Road (Arrochar) (Temporary Prohibition on Waiting, Loading and Unloading) (No. 2) Order 2023, comes into force on 5 April 2023 and ceases to have effect on 5 April 2024.

Prohibition on waiting, loading and unloading

2. No person may use, or permit the use of, any vehicle to—

- (a) wait at any time on the length of road, or a part or parts of the length of road, specified in Part 1 of the schedule when a prohibition is identified as applying to that length of road, or a part or parts of that length of road, by means of the traffic sign of the type described in item 1 (diagram 1018.1 – (a) waiting of vehicles prohibited at all times or (b) stopping of vehicles in a lay-by prohibited except in emergency) of the sign table in Part 4 of schedule 7 of the Traffic Signs Regulations and General Directions 2016(b).
- (b) load or unload at any time on the length of road, or a part or parts of the length of road, specified in Part 1 of the schedule when a prohibition is identified as applying to that

(a) 1984 c. 27; section 2(1) and (2) were amended by the New Roads and Street Works Act 1991 (c. 22) (“the 1991 Act”), schedule 8, paragraph 18, and section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c. 26), schedule 1. The Scottish Ministers are the traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (inserted by the 1991 Act, schedule 8, paragraph 70 and amended by S.I. 2001/1400) as read with section 151(1) of the Roads (Scotland) Act 1984 (c. 54) (relevantly amended by S.I. 2001/1400). 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. 2016/362.

length of road, or a part or parts of that length of road, by means of the traffic sign of the type described in item 3 (diagram 1020.1 - loading and unloading of vehicles prohibited at all times) of the sign table in Part 4 of schedule 7 of the Traffic Signs Regulations and General Directions 2016.

Prohibition on waiting between 8 a.m. and 6 p.m.

3. No person may use, or permit the use of, any vehicle to wait between the hours of 8 a.m. and 6 p.m. on the length of road, or a part or parts of that length of road, specified in Part 2 of the schedule when a prohibition is identified as applying to that length or road, or a part or parts of that length of road, by means of the traffic sign of the type described in item 2 (diagram 1017 – waiting of vehicles prohibited for a time that is not continuous throughout the year) of the sign table in Part 4 of schedule 7 of the Traffic Signs Regulations and General Directions 2016.

General Exemptions

4. The prohibitions imposed by this Order do not apply—

- (a) to anything done with the permission, or on the direction, of a police constable in uniform,
- (b) for as long as may be necessary to enable the vehicle, if it cannot conveniently be used for any of the following purposes on any other road, to be used in connection with—
 - (i) any building operation or demolition,
 - (ii) the removal of any obstruction to traffic,
 - (iii) the maintenance, improvement or reconstruction of any of the lengths of road specified in the schedule or the laying, erection, alteration or repair in, on, or near any of the lengths of road so specified, of any sewer, or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any electronic communications apparatus as defined in the Communications Act 2003(a).
- (c) if the vehicle is prevented from proceeding by circumstances beyond the control of the driver, or because waiting is necessary in order to avoid accident,
- (d) to vehicles being used in an emergency for fire brigade, ambulance, police or coastguard purposes,
- (e) so as to prevent a public service vehicle from providing a local service as defined in section 2 of the Transport Act 1985(b) from waiting at an authorised stopping place or at terminal point.

Exemptions from prohibition on waiting between 8 a.m. and 6 p.m.

5. The prohibition in article 3 does not apply—

- (a) so as to prevent a person from boarding or alighting the vehicle,
- (b) so as to prevent any goods vehicle from waiting for as long as may be necessary to enable goods to be loaded on to, or unloaded from, the vehicle,

(a) 2003 c. 21; schedule 3A, paragraph 5 was inserted by the Digital Economy Act 2017 (c. 30), schedule 1, paragraph 1.
(b) 1985 c. 67.

- (c) if the vehicle is being used for the purpose of delivering or collecting postal packets as defined in section 125 of the Postal Services Act 2000^(a),
- (d) to vehicles displaying a disabled person's badge issued in accordance with the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000^(b) and which is not causing an obstruction.

M POLLAND

A member of the staff of the Scottish Ministers

Atlantic Quay,
Glasgow
23rd March 2023

(a) 2000 c. 26.

(b) S.S.I. 2000/59, amended by S.S.I. 2000/170, S.S.I. 2002/451, S.S.I. 2007/162, S.S.I. 2011/410, S.S.I. 2011/89, S.S.I. 2013/65, S.S.I. 2014/145, S.S.I. 2015/9, S.S.I. 2016/72, S.S.I. 2017/118, S.S.I. 2018/44, S.S.I. 2019/128, S.S.I. 2021/73, S.S.I. 2022/31.

SCHEDULE

Articles 2 and 3

SPECIFIED LENGTH OF ROAD

PART 1

NO WAITING, LOADING OR UNLOADING AT ANY TIME

That length of the A83 Tarbet – Lochgilphead – Campbeltown Trunk Road being the northbound carriageway from a point 73 metres or thereby south of the extended centreline of its northern most junction with the A814 Arrochar to a point 22 metres or thereby north of the extended centreline of said junction, a distance of 95 metres or thereby.

PART 2

NO WAITING BETWEEN THE HOURS OF 8 A.M. AND 6 P.M.

That length of the A83 Tarbet – Lochgilphead – Campbeltown Trunk Road being the northbound carriageway from a point 22 metres or thereby north of the extended centreline of its northern most junction with the A814 Arrochar to a point 135 metres or thereby south of its junction with the entrance to the Loch Long car park, a distance of 423 metres or thereby.