

DUNDEE CITY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

DUNDEE CITY COUNCIL (SCHOOL STREETS) (PART TIME PROHIBITION OF DRIVING) ORDER 2022

Dundee City Council in exercise of the powers conferred on them by Sections 1(1), 2(1) to (3), 4(1) and (2) and 121A and Part IV of Schedule 9 and Schedule 10 of the Road Traffic Regulations Act 1984 (which Act of 1984 is hereinafter referred to as "the said 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 PROVISIONS

Commencement and Citation

1. This Order may be cited as "The Dundee City Council (School Streets) (Part Time Prohibition of Driving) Order 2022 and shall come into operation on the Twenty Sixth day of September Two Thousand and Twenty Two.

Interpretation

2. 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 Scotland;

"**Council**" means Dundee City Council;

"**driver**" in relation to a vehicle waiting in a parking place, means the person driving the vehicle at the time it was left in such a parking place;

"**owner**" means, for the purpose of the provisions of the Order, the person by whom a vehicle is kept; and for the purpose of determining, in the course of any proceedings brought by virtue of the provisions referred to in Section 5(1) of the Road Traffic Act 1974, who was the owner of a vehicle at any time, it shall be presumed that the owner was the person in whose name the vehicle was at that time registered under the Vehicles (Excise) Act 1971;

"**School Streets Permit**" means a permit issued in terms of Article 11 of this Order;

"**permit holder**" means a person to whom a School Streets Permit has been issued in terms of this Order;

"**Resident**" means a person whose usual residence is at premises at the postal address of which is in any road or part of a road which is a Restricted Road or at an address specified at Part II of the Schedule;

"**Restricted Roads**" means the lengths of roads specified in Part I of the Schedule;

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

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

"**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.

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

PROHIBITION OF DRIVING

3. Save as provided in Articles 4, 5 and 6 of this Order no person shall except upon direction of a police constable in uniform, drive or cause or permit to be driven any vehicle in or upon a Restricted Road between the hours of 8.30 am and 9.15 am, and 3.00 pm and 3.30 pm Monday to Friday during school days only.

PART III

EXEMPTIONS

4. Nothing in Article 3 of this Order shall prevent any person from driving or causing or permitting to be driven any vehicle in or upon a Restricted Road between the hours referred to in Article 3 provided the vehicle is displaying, in the manner specified in Article 7 of this Order, a valid permit issued in respect of the use of that vehicle under Article 11 of this Order
5. Nothing in Article 3 of this Order shall prevent any person from driving or causing or permitting to be driven any vehicle in or upon a Restricted Road between the hours referred to in Article 3 where the vehicle is a taxi contracted by the local education authority BUT ONLY for the purpose of dropping off or picking up school children
6. Nothing in Article 3 of this Order shall apply to a vehicle being used for Police, Fire Brigade or Ambulance emergency purposes or in the service of a Local Authority and being used in pursuance of statutory powers and duties.

PART IV

PERMITS

Display of Permits

7. At all times during which a vehicle is driven in or upon the Restricted Roads between the hours of 8.30 am and 9.15 am, and 3.00 pm and 3.30 pm Monday to Friday during school days only the driver thereof shall display or cause to be displayed at the front or the nearside of the vehicle and so as to be clearly visible from the front or nearside a valid permit issued in respect of that vehicle showing the particulars referred to in Article 20 of this Order.
8. When a permit has been displayed on a vehicle in accordance with Article 7 of this Order, no person, not being the driver of the vehicle, shall remove the permit from the vehicle unless authorised to do so by the driver.

Applications for and Issue of School Streets Permits

9.
 - (i) Any Resident, and who owns or leases a vehicle or has possession of a vehicle through their employment, may apply to the Council for the issue of a School Streets Permit and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by that form.

- (ii) Any other person who owns or leases a vehicle or has possession of a vehicle through their employment may apply to the Council for the issue of a School Streets Permit on the grounds that there are exceptional circumstances that would justify issuing that person with a School Streets Permit and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by that form.
10. The Council may require an applicant for a School Streets Permit to produce to an officer of the Council such evidence in respect of the application as they may require to verify any particulars or information given to them which may include evidence of residency in the form of Council Tax documentation and evidence of vehicle ownership in the form of a Vehicle Registration document (V5 Form). Where a person seeking a Schools Street Permit in terms of Article 9 for a vehicle which is a company car or a lease vehicle, either a signed letter from the relevant company confirming the applicant's sole use of the vehicle or in respect of a lease vehicle, a signed agreement between the leasing company and the applicant will require to be produced.
11. The Council, upon being satisfied that the applicant
- (a) is a Resident and owns or leases a vehicle or has possession of a vehicle through their employment, in accordance with Article 9 (i); or
 - (b) owns or leases a vehicle or has possession of a vehicle through their employment and has demonstrated that there are exceptional circumstances as required by Article 9 (ii),
- may at their discretion issue to that applicant a School Streets Permit.

Surrender, Withdrawal and Validity of School Streets Permit

12. A permit holder may surrender a School Streets Permit to the Council at any time and shall so surrender it on the occurrence of any of the circumstances set out in Article 15.
13. The Council may by notice in writing sent by recorded delivery post to a permit holder at the address provided by the permit holder on the application for the School Streets Permit or at any other address believed to be that person's residence intimate cancellation of a School Streets Permit if it appears to the Council that any of the circumstances set out in Article 15 hereof has occurred; and in that event the permit holder shall surrender the School Streets Permit to the Council within forty eight hours of receipt of the said notice.
14. A School Streets Permit shall cease to be valid on the occurrence of any of the circumstances set out in Article 15.
15. The circumstances referred to in the foregoing provisions of this Article are:-
- a) a permit holder ceasing to be a Resident;
 - b) a permit holder ceasing to be the owner of a vehicle in respect of which a School Streets Permit has been issued;
 - c) the issue of a duplicate School Streets Permit by the Council in terms of Article 19 of this Order;
 - d) the use of a School Streets Permit other than in accordance with the provisions of this Order, and
 - e) the Council or their authorised representative becoming reasonably satisfied that false information has been deliberately provided by a permit holder when applying for a School Streets Permit in terms of Article 9 of this Order.

Applications for and Issue of Duplicate School Streets Permits

16. If a School Streets Permit is mutilated or defaced or the figures or other particulars on it have become illegible or the colour of the School Streets Permit has altered by fading or otherwise the permit holder shall surrender it to the Council and may then apply to the Council for the issue of a duplicate School Streets Permit.

17. If a School Streets Permit is lost or destroyed the permit holder may apply to the Council for the issue to him of a duplicate School Streets Permit.
18. The provisions of this Order shall apply to a duplicate School Streets Permit as if it were a School Streets Permit, and to an application for a duplicate School Streets Permit as if it were an application for a School Streets Permit.
19. Any duplicate School Streets Permit issued by the Council shall be marked as a duplicate, and upon the issue thereof the School Streets Permit which it duplicates shall become invalid.

Form of Permit

20. A School Streets Permit shall be in writing and shall include an authentication that the School Streets Permit has been issued by the Council.
21. A valid School Streets Permit shall be displayed upon the vehicle in respect of which it has been issued in the following manner, that is to say, in the relevant position, and in such manner that the whole of the obverse side of the permit is readily visible from outside the vehicle.

Revocation of Traffic Order

22. The Dundee City Council (Fintry Primary School) (Part Time Prohibition Of Driving) Order 2021 is revoked.

SIGNED at DUNDEE on the NINETEENTH day of SEPTEMBER, TWO THOUSAND AND TWENTY TWO.



Witness



Legal Manager

SCHEDULE

PART I

RESTRICTED ROADS

COLDSIDE CAMPUS

1. **Ann Street** from its junction with Hilltown eastwards to its junction with William Street
2. **Annan Terrace** for its entire length
3. **Kidd Street** for its entire length
4. **Nelson Street** from its junction with Ann Street southwards for a distance of 98 metres or thereby
5. **Powrie Place** from its junction with Ann Street to its junction with Whistlers Way.
6. **Whistlers Way** for its entire length

CRAIGIEBARNES PRIMARY SCHOOL

1. **Brington Place (all sections north of the bollards ex adverso No 17 Brington Place)** for their entire lengths
2. **Brington Road** for its entire length
3. **Craigiebarnes Road** for its entire length
4. **Dalcraig Crescent** for its entire length
5. **Gardyne Place** for its entire length
6. **Scotston Gardens (all sections)** for their entire lengths

DOWNFIELD PRIMARY SCHOOL

1. **Haldane Crescent** from its junction with Haldane Crescent/Haldane Avenue to its junction with Haldane Street/Haldane Terrace
2. **Haldane Place** for its entire length
3. **Haldane Street** for its entire length
4. **Haldane Terrace** from its junction with Haldane Crescent/Haldane Street northwards for a distance of 100 metres or thereby.

FINTRY PRIMARY SCHOOL

1. **Finavon Terrace** between its junctions with Fintry Drive and Fintry Road.
2. **Findcastle Place** between its junctions with Fintry Drive and Fintry Road.
3. **Findcastle Street** between its junctions with Finavon Terrace and Findcastle Place.
4. **Findcastle Terrace** between its junctions with Finavon Terrace and Findcastle Place.

NORTH EAST CAMPUS

1. **Lothian Crescent** from a point 47 metres or thereby northwards from its junction with Whitfield Drive/Fintry Terrace northwards, northeastwards and then eastwards to its junction with Salton Crescent

ST ANDREWS PRIMARY SCHOOL

1. **St Leonard Place** from its junction with Cox Street westwards for a distance of 485 metres or thereby
2. **St Leonard Road** from its junction with St Marys Road to its junction with St Leonard Place
3. **St Leonard Terrace** for its entire length
4. **St Leonard Way** for its entire length
5. **St. Marys Road** from its junction with Macalpine Road to its junction with St Leonard Road

PART II

Forebank Road
Bonnybank Road
Forebank Street
Forebank Terrace
Powrie Place
Eadies Road
76A-76J; 78, 80-84, 82A-82E and 86 Victoria Road



Witness




Legal Manager

Plan

Craigiebarns
Primary School
Zone

Legend

 Proposed 'Prohibition of Driving' Area

Drawn	Checked	Org.No.	Project No.	Scale	Date
S.S.	E.M.	S1		1:1250@A3	20.12.21.

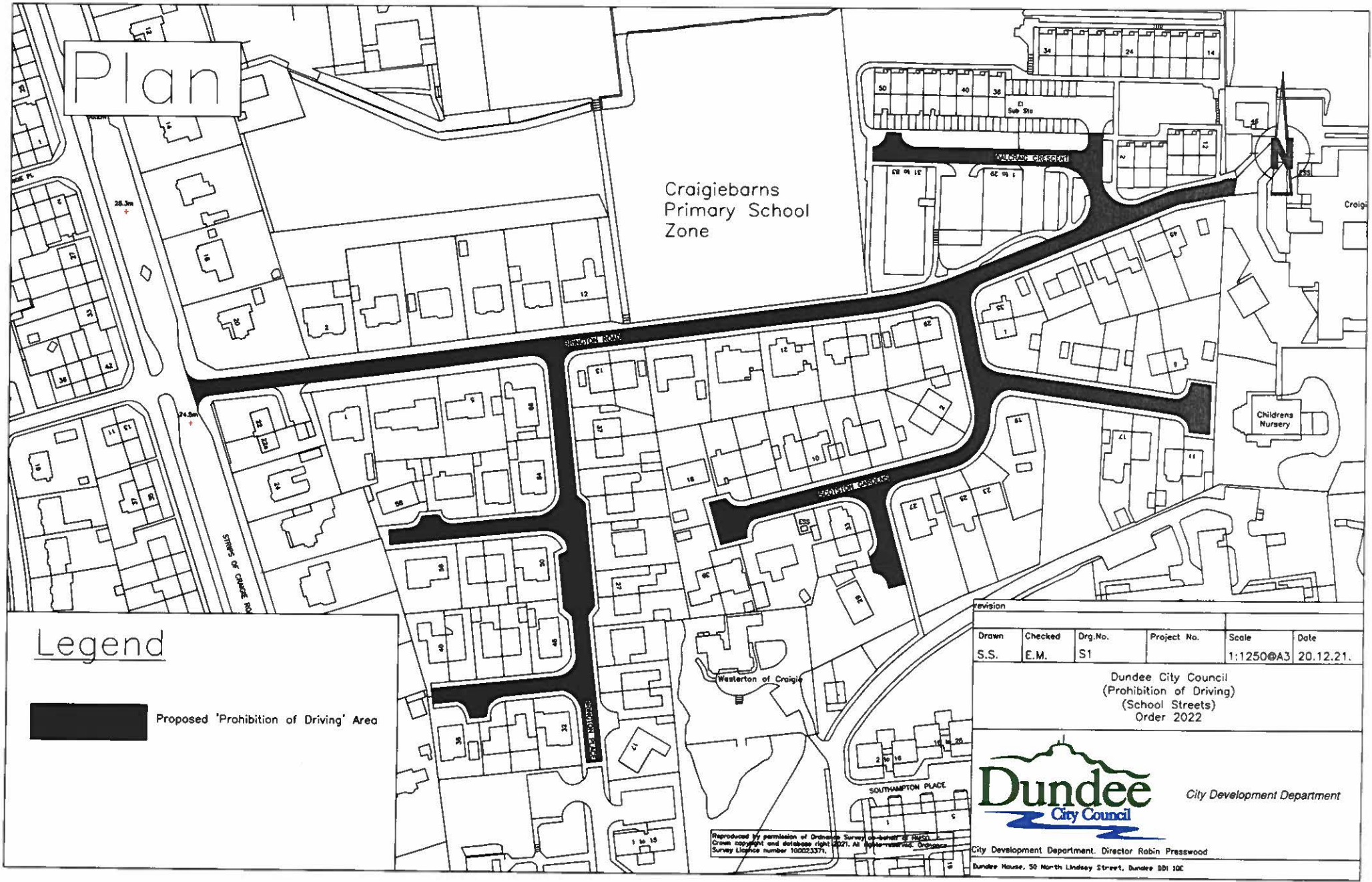
Dundee City Council
(Prohibition of Driving)
(School Streets)
Order 2022



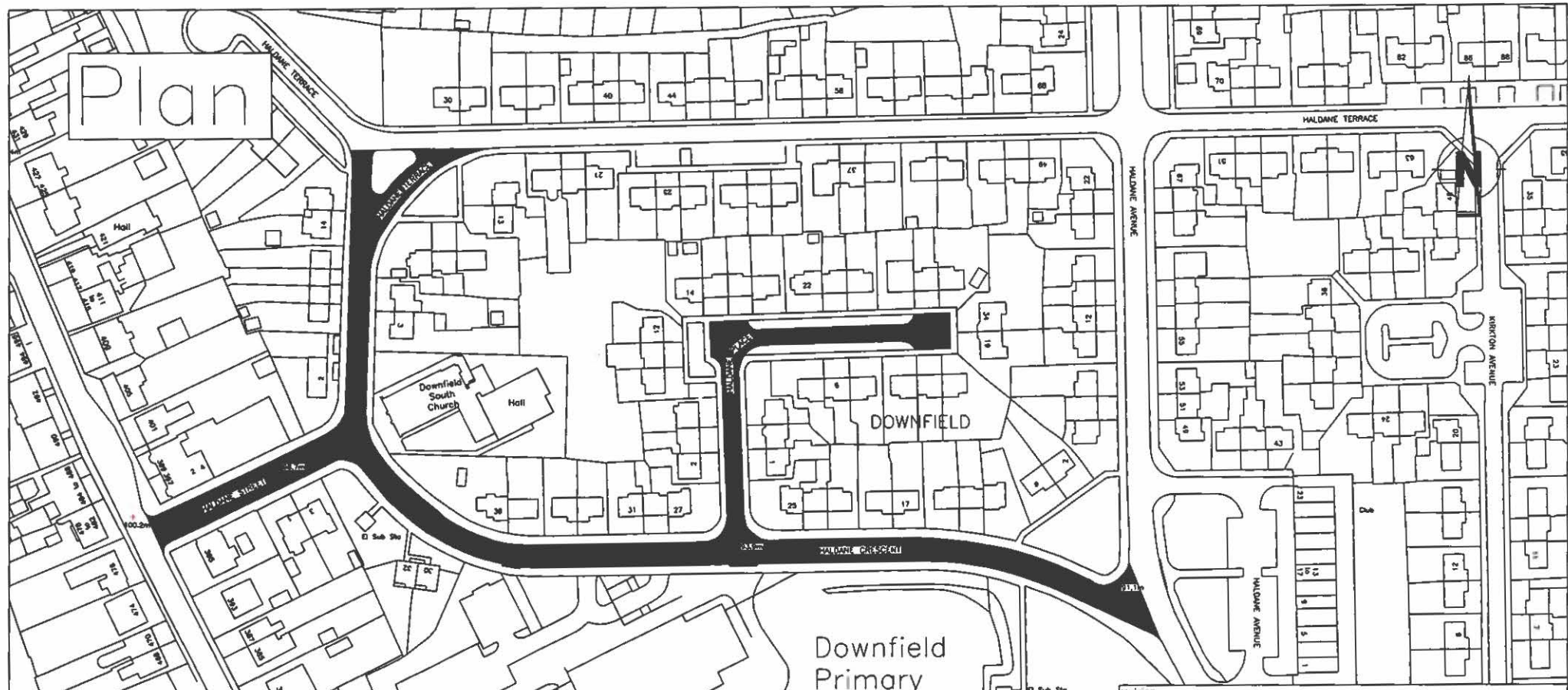
City Development Department

City Development Department, Director Robin Presswood
Dundee House, 50 North Lindsey Street, Dundee DD1 3DE

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Plan



Legend

 Proposed 'Prohibition of Driving' Area

revision					
Drawn	Checked	Org.No.	Project No.	Scale	Date
S.S.	E.M.	S3		1:1250@A3	20.12.21

Dundee City Council
 (Prohibition of Driving)
 (School Streets)
 Order 2022

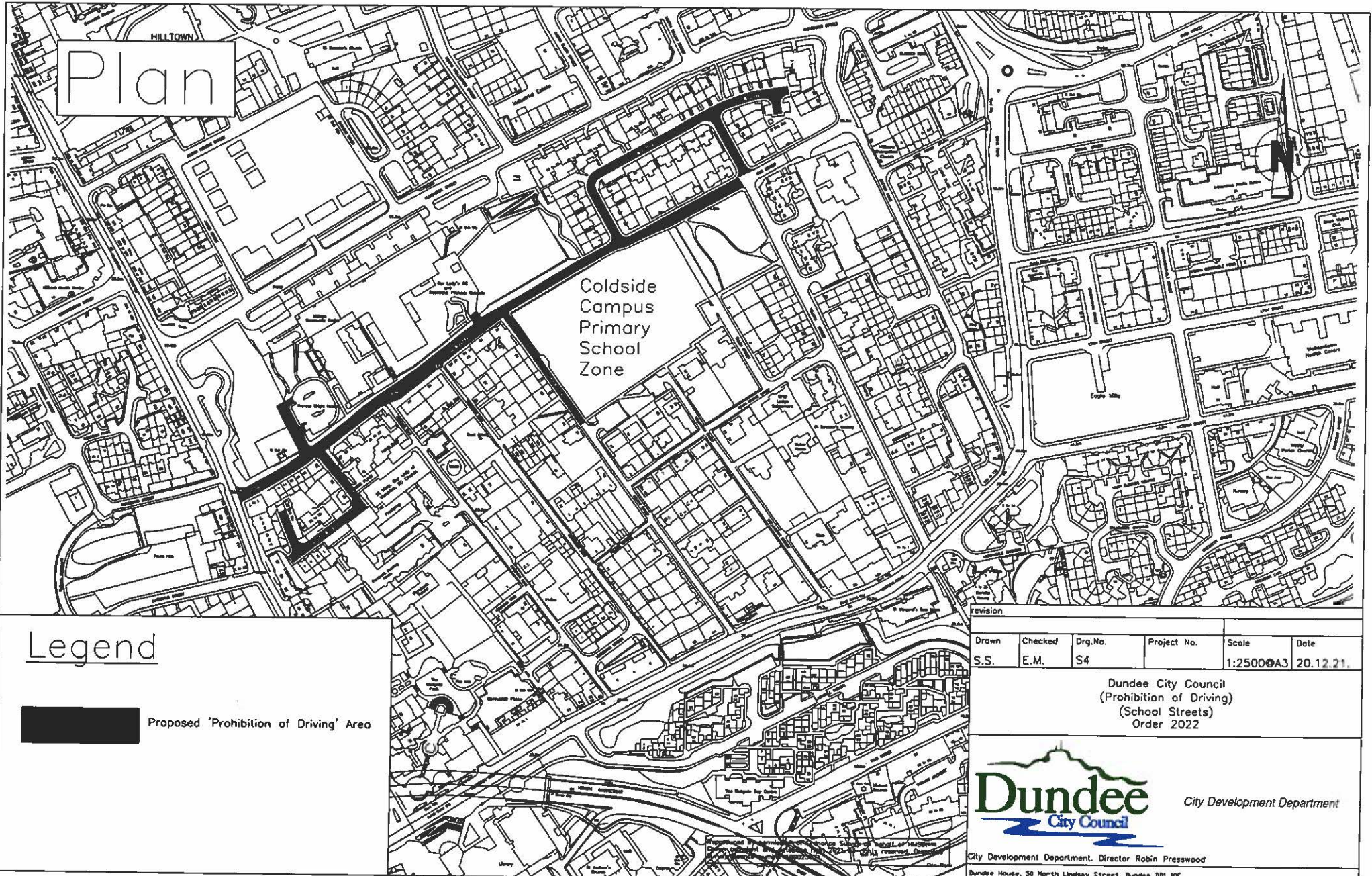


City Development Department

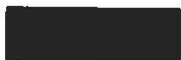
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City Development Department, Director Robin Presswood
 Dundee House, 50 North Lindsay Street, Dundee DD1 1DC

Plan



Legend



Proposed 'Prohibition of Driving' Area

revision	Drawn	Checked	Org.No.	Project No.	Scale	Date
	S.S.	E.M.	S4		1:2500@A3	20.12.21

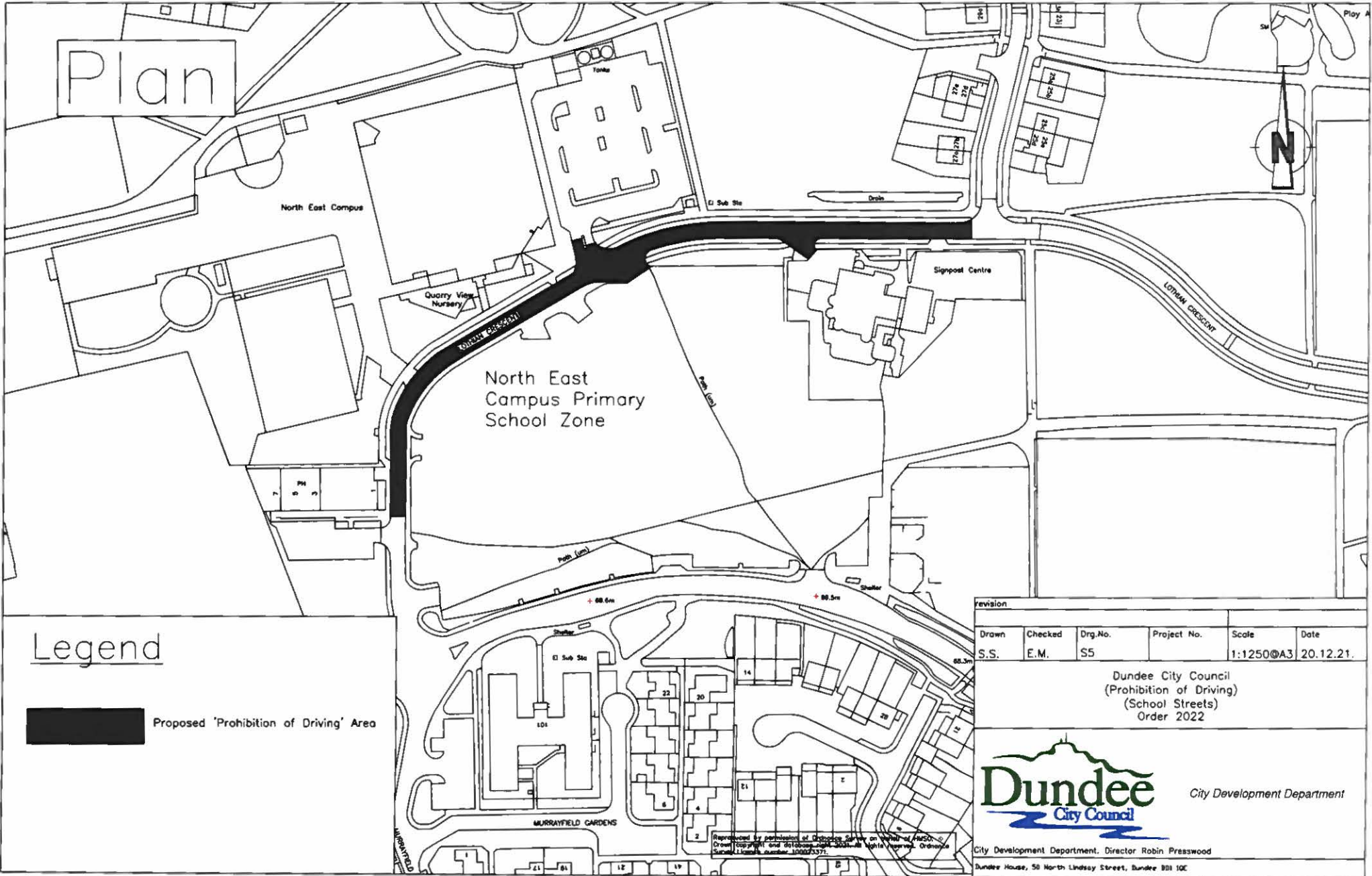
Dundee City Council
(Prohibition of Driving)
(School Streets)
Order 2022




City Development Department

City Development Department, Director Robin Presswood
Dundee House, 58 North Lindsay Street, Dundee DD1 1DC

Plan



Legend

 Proposed 'Prohibition of Driving' Area

Revision					
Drawn	Checked	Drw.No.	Project No.	Scale	Date
S.S.	E.M.	S5		1:1250@A3	20.12.21.

Dundee City Council
(Prohibition of Driving)
(School Streets)
Order 2022



City Development Department

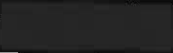
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Plan

St. Andrews Primary School Zone

Legend



Proposed 'Prohibition of Driving' Area

revision	Drawn	Checked	Drg.No.	Project No.	Scale	Date
	S.S.	E.M.	S6		1:2500@A3	20.12.21.

Dundee City Council
(Prohibition of Driving)
(School Streets)
Order 2022



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ROAD TRAFFIC REGULATION ACT 1984

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STREETS) (PART TIME PROHIBITION OF
DRIVING) ORDER 2022**

2022

Head of Democratic and Legal Services
City Square
DUNDEE