



The Highland Council **NOTICE**

The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Variation Six Ballifeary Order 2021

NOTICE IS HEREBY GIVEN that The Highland Council on 27 April 2022 made, in terms of sections 1(1), 2(1) to (3), 4, 19, 32, 35, 45, 46, 47 and 124 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984, the above Order which will come into operation on 16 May 2022

The effect of the Order will be as previously advertised by Notice in the Press and Journal Newspaper dated 6th July 2021 and amended by the City of Inverness Area Committee on the 18th November 2021.

https://www.highland.gov.uk/download/meetings/id/79080/9_ballifeary_residents_permit_scheme

- i. Reduce the Permit Scheme to only cover that length of Ballifeary Road between its junction with Bishops Road and its junction with Ballifeary Lane.
- ii. Reduce the restricted hours to Monday – Friday 10am to 5pm.
- iii. Abandon the Permit Scheme proposed for Ballifeary Lane.
- iv. Abandon the waiting and loading restrictions from a point in line with the boundary of number 28/30 Ballifeary Road Southwards to its junction with Glenurquhart Road.

Copies of the made Order, together with a copy of the relevant maps can be inspected at The Highland Council, Parking Services Office, Rose Street Multi Storey Car Park, Farraline Park, Inverness, IV11NH on weekdays during normal office hours. The order may also be viewed online at

www.highland.gov.uk/troconsultations

Any person wishing to question the validity of the Order or of any of its provisions on the grounds that it is not within the powers of the Road Traffic Regulation Act 1984, or that a requirement of that Act or of any relevant regulations made thereunder has not been complied with may, within six weeks from the date on which the Order was made, make application for the purpose to the Court of Session.

6/5/22, Shane Manning, Highland Council HQ, Glenurquhart Rd, Inverness

OFFICIAL

The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Variation Six Ballifeary Order 2021

Statement of Reasons

Under the Road Traffic Act 1991 the Highland Area has been designated as “a permitted parking area and a special parking area”. This designation and the variation order enable the Highland Council and its authorised officers to enforce parking, waiting and loading prohibitions and traffic restrictions within the Highland Area. Highland Council parking enforcement officers issue Penalty Charge Notices in respect of contraventions of this Order.

The above-named order will assist with traffic management in general and specifically relating to congestion experienced on the residential streets Ballifeary Road and Ballifeary Lane, Inverness

- This order will: Introduce on-street parking, waiting and loading prohibitions and restrictions and a resident permit parking scheme with permit holder bays will be introduced.

OFFICIAL

ROAD TRAFFIC REGULATION ACT 1984

The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Variation Six Ballifeary Order 2021

THE HIGHLAND COUNCIL in exercise of its powers under Sections 1(1), 2(1) to (3), 4, 19, 32, 35, 45, 46,47 and 124 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (“the Act of 1984”) as amended and of the Road Traffic Act 1991 (“the 1991 Act”) and of all other enabling powers, and after consultation with the Chief Constable of Police Scotland in accordance with Part III of Schedule 9 to the Act of 1984, hereby proposes the following Order.

1. This Order shall come into operation on the 16 May 2022 and may be cited as “The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Variation Six Ballifeary Order 2021”
2. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the Interpretation of an Act of Parliament.
3. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulation made or having effect as if made under the Act of 1984 or by or under any other enactment provided that where a prohibition or restriction which is imposed, varied or revoked by this Order is in conflict with a prohibition or restriction imposed by a previous Order, then the provision of this Order shall prevail.
4. If a court, Transport Scotland or the Parking and Bus Lane Tribunal Service for Scotland, declares any part of this Order to be invalid or un-enforceable, such declaration shall not invalidate the remainder of this Order.

5. The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Order 2016 as amended (hereinafter referred to as the “Principal Order”) is hereby varied as follows: (i) the plans specified in Schedule 1 to this Order are deleted from the Principal Order and the plans annexed and signed as relative to this Order and listed Schedule 2 to this Order are substituted therefor and hereby added and incorporated into schedule 1 to the Principal Order; (ii) the following wording is added to Table 3.1 of schedule 3 to the Principal Order: “Ballifeary Road, Inverness”, “Ballifeary Lane, Inverness”.

This Order and the 2 schedules annexed hereto are sealed with the Common Seal of The Highland Council and signed for them and on their behalf at Dingwall on 27 April 2022 by Shona Ann Pottinger, Solicitor and Proper Officer.

This is the Schedule 1 referred to in the foregoing The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Variation Six Ballifeary Order 2021

SCHEDULE 1

On-Street Plans with the following Map Numbers thereon are deleted from The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Order 2016:

LF533

LG534a

This is the Schedule 2 referred to in the foregoing The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Variation Six Ballifeary Order 2021

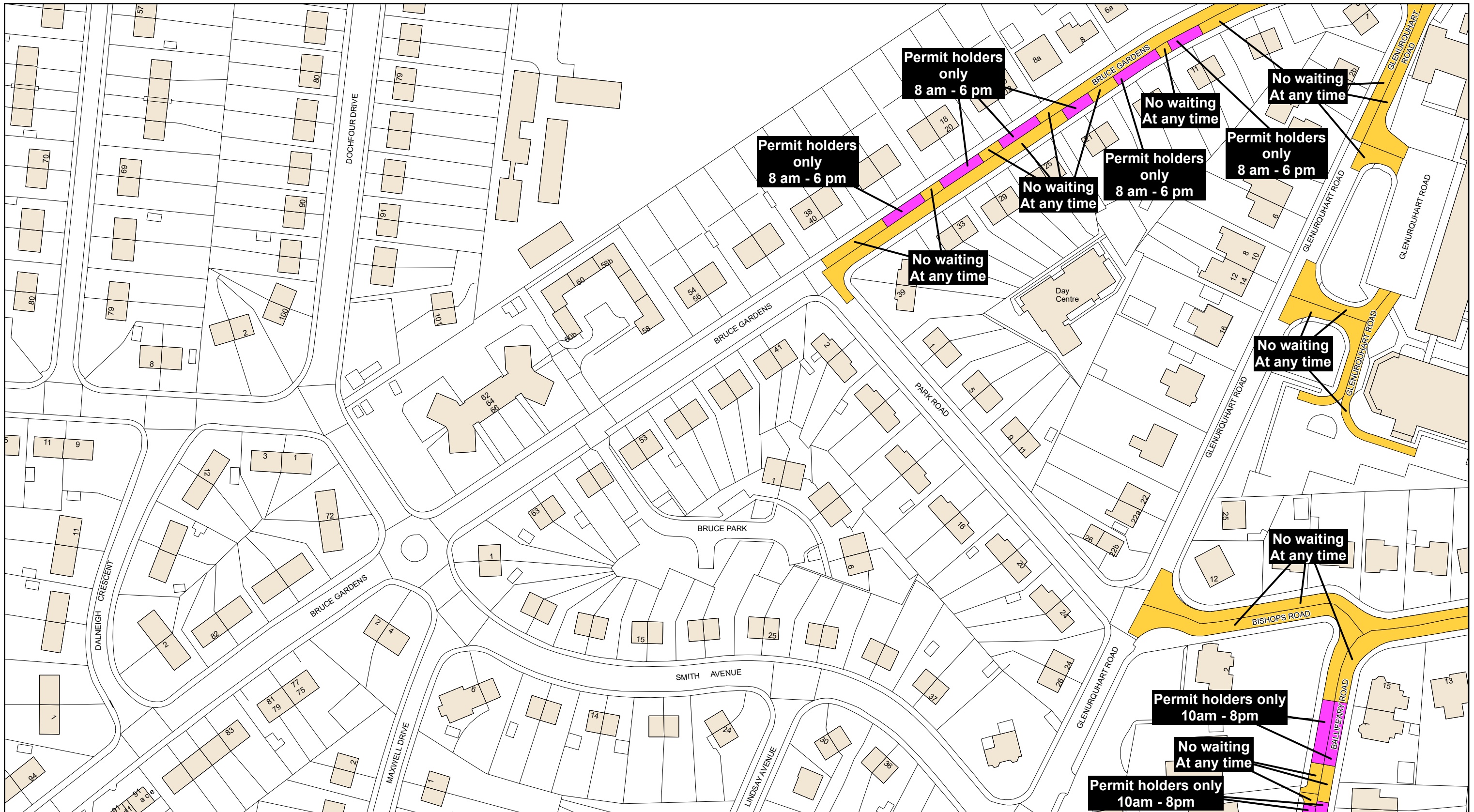
SCHEDULE 2

The substitute On-Street Plans attached with the following Map Numbers thereon are added and incorporated into schedule 1 to The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Order 2016

LF533a

LF534

LG534b



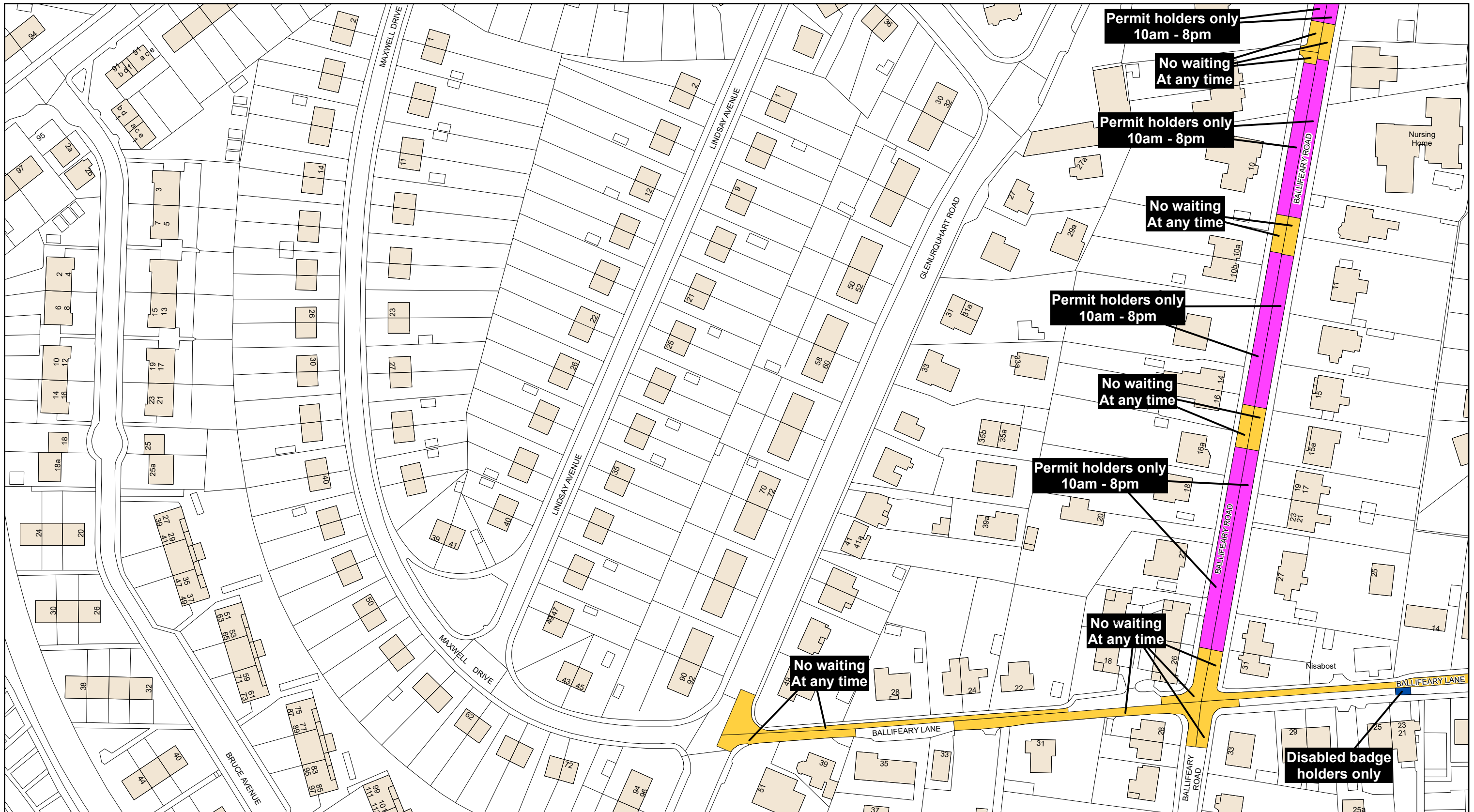
This is the map (LF533a) referred in the foregoing
 The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Variation Six Ballifeary Order 2021
Proper Officer

The Highland Council
 Headquarters
 Glenurquhart Rd
 Inverness
 IV35NX

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Key			
Shade	Restriction	Shade	Restriction
	No Waiting At Any Time		No Waiting At Any Time / No Loading
	No Waiting		Loading Restrictions
	Permit Holders Only		Limited Waiting
	No Stopping On Main Carriageway		No Stopping At Any time On Verge Or Footway
	No Waiting At Any Time / No Loading At Any Time		Miscellaneous Restrictions
	Taxi Ranks		Zonal Restrictions (Excluding Pedestrian Zones)
	No Waiting / No Loading		Pedestrian Zones
	Pay And Display		
	Disabled Badge Holders Only		

SCALE 1:1,250
DATE 01/04/2022
MAP NUMBER LF533a



This is the map (LF534) referred in the foregoing
 The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Variation Six Ballifeary Order 2021
Proper Officer

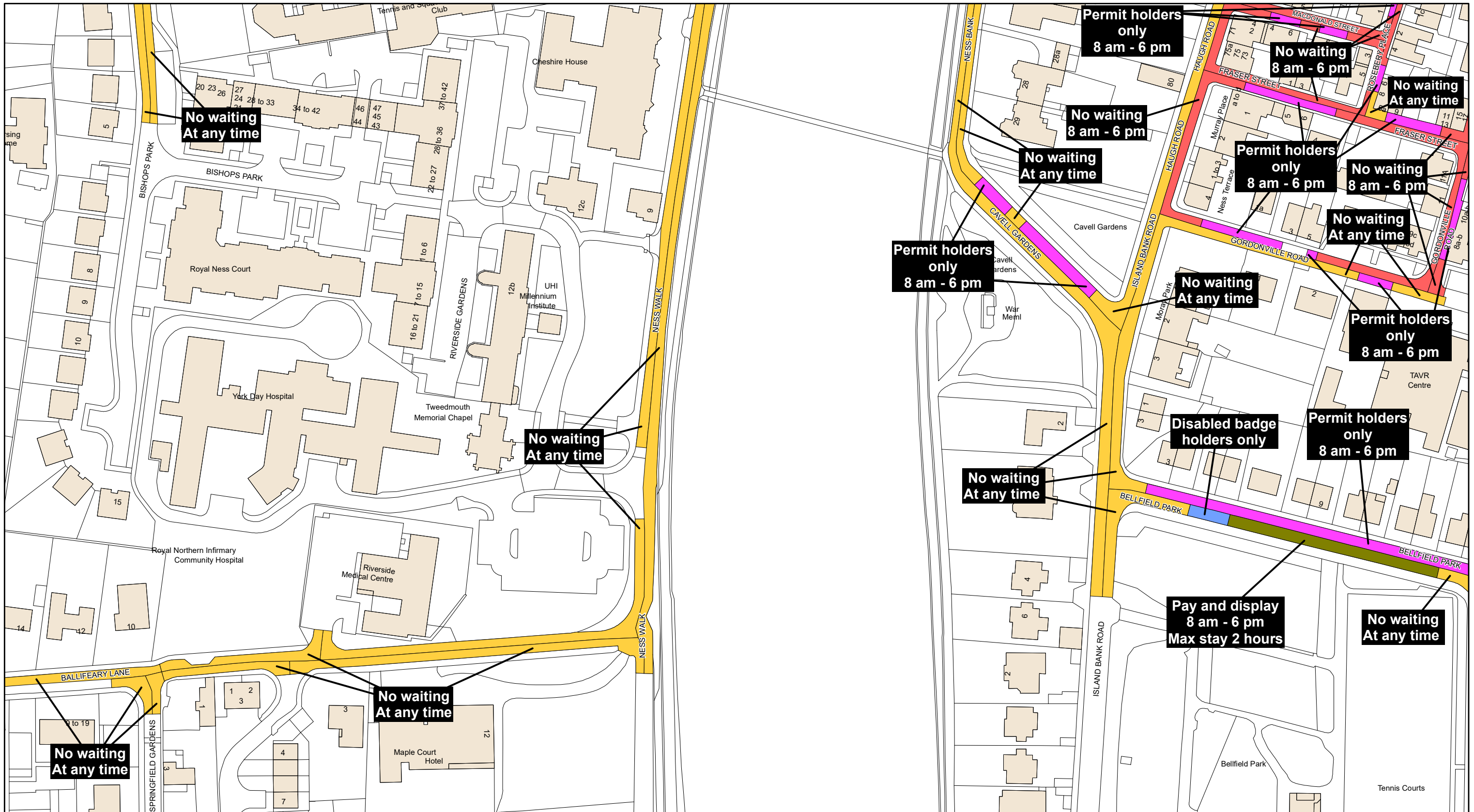
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Key

Shade	Restriction	Shade	Restriction	Shade	Restriction	Shade	Restriction
	No Waiting At Any Time		No Waiting At Any Time / No Loading		No Waiting At Any Time / No Loading At Any Time		No Waiting / No Loading
	No Waiting		Loading Restrictions		Taxi Ranks		Pay And Display
	Permit Holders Only		Limited Waiting		Miscellaneous Restrictions		Disabled Badge Holders Only
	No Stopping On Main Carriageway		No Stopping At Any time On Verge Or Footway		Zonal Restrictions (Excluding Pedestrian Zones)		Pedestrian Zones

SCALE	1:1,250
DATE	01/04/2022
MAP NUMBER	LF534



This is themap (LG534b) referred In the foregoing

The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Variation Six Ballifeary Order 2021

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Key		Shade Restriction		Shade Restriction		Shade Restriction	
	No Waiting At Any Time		No Waiting At Any Time / No Loading		No Waiting At Any Time / No Loading At Any Time		No Waiting / No Loading
	No Waiting		Loading Restrictions		Taxi Ranks		Pay And Display
	Permit Holders Only		Limited Waiting		Miscellaneous Restrictions		Disabled Badge Holders Only
	No Stopping On Main Carriageway		No Stopping At Any time On Verge Or Footway		Zonal Restrictions (Excluding Pedestrian Zones)		Pedestrian Zones

SCALE
1:1,250

DATE
01/04/2022

MAP NUMBER
LG534b