

THE HIGHLAND COUNCIL (PROHIBITION AND RESTRICTION OF WAITING AND LOADING AND PARKING PLACES) (DECriminalISED PARKING ENFORCEMENT AND CONSOLIDATION) VARIATION FOR ROSEMARKIE EXPERIMENTAL ORDER 2023

Statement of Reasons

The Council has introduced a traffic management scheme on an experimental basis using two experimental orders in terms of Sections 9 & 10 of the Road Traffic Regulation Act 1984, namely The Highland Council (Prohibition and Restriction of Waiting on Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Variation for Rosemarkie Experimental Order 2023 and The Highland Council (C1218 Mill Road & Marine Terrace, Rosemarkie)(One Way) Experimental Order 2023. The traffic management scheme has been introduced to address road safety issues specifically relating to pedestrian safety on Marine Terrace, High Street and Hawkhill Road, Rosemarkie and to assist with traffic management and coastal protection issues by preventing vehicles damaging the verge adjacent to the shoreline. Together, the experimental orders mentioned above address those issues.

The Highland Council (Prohibition and Restriction of Waiting on Loading and Parking Places)(Decriminalised Parking Enforcement and Consolidation) Variation for Rosemarkie Experimental Order 2023 introduces (i) No Waiting at Any Time and No Waiting 9pm-8am restrictions on certain roads in order to secure the expeditious, convenient and safe movement of vehicular and pedestrian traffic and (ii) Residents Permit & Disabled Persons' Parking Places in order to secure the provision of suitable and adequate parking facilities on the road for residents and disabled persons' vehicles by excluding parked vehicles not validly displaying a residents permit or disabled persons badge.

The reason for making an experimental order rather than a permanent order is to enable the effect of its provisions to be assessed before the Council considers whether the provisions of the traffic management scheme should be continued indefinitely by means of another order under the Road Traffic Regulation Act 1984.

ROSEMARKIE EXPERIMENTAL TRAFFIC MANAGEMENT SCHEME

THE HIGHLAND COUNCIL (PROHIBITION AND RESTRICTION OF WAITING AND LOADING AND PARKING PLACES) (DECRIMINALISED PARKING ENFORCEMENT AND CONSOLIDATION) VARIATION FOR ROSEMARKIE EXPERIMENTAL ORDER 2023

NOTICE IS HEREBY GIVEN that on 24th April 2023 The Highland Council made the above Order (“the Experimental Order”) in exercise of the powers conferred on them under Sections 9 and 10 of the Road Traffic Regulation Act 1984 and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to said Act. The Experimental Order has been made as part of an experimental scheme of traffic control.

The Experimental Order will come into force on the 8th of May 2023 and will remain in operation for a period not exceeding 18 months.

The effect of the Experimental Order is to prohibit/restrict the use of roads in Rosemarkie and Chanonry areas as follows:

(1) No Waiting at Any Time

Vehicles will be prohibited from waiting or parking at any time on certain lengths of the following roads as identified on the maps accompanying the Experimental Order (“the Maps”): Marine Terrace, A832 High Street, Hawkhill Road, Ness Road, Ness Road east

(2) No Waiting 9pm-8am

Vehicles will be prohibited from waiting on certain lengths of Marine Terrace as identified on the Maps between 9pm and 8am every night of the week

Exemptions to (1) & (2) above will apply for disabled persons’ vehicles displaying a valid Blue Badge and vehicles (ii) being used in connection with certain operations including building, shop fitting and Royal Mail deliveries (iii) in respect of which dispensation has been granted by The Highland Council’s Parking Services, (iv) directed by a Parking Enforcement Officer in uniform or a police officer in uniform.

(3) Disabled Persons’ Parking Places (applicable daily, 24 hrs a day)

Parking places for disabled persons’ vehicles only will be introduced on parts of Marine Terrace as identified on the Maps

(4) Residents Permit Parking Places (applicable daily, 24 hrs a day)

Parking places for holders of Residents Permits only will be introduced on parts of Marine Terrace as identified on the Maps

The annual fee payable for a Residents Permit will be £42.00. Further details are available here: <https://www.highland.gov.uk/parkingpermits>

No prohibition or restriction imposed by the Experimental Order will apply to a vehicle being used in an emergency for ambulance, coastguard, fire brigade or police purposes.

The Council will in due course be considering whether the provisions of the Experimental Order should be made permanent.

Any person may object to the making of a future permanent order within a period of 6 months from the date the Experimental Order comes into force or, if the Experimental Order is varied by a subsequent experimental order or modified pursuant to section 10(2) of the Road Traffic Regulation Act 1984, from the date of that variation or modification comes into force. Objections

must be made in writing to Shane Manning, Principal Traffic Officer, Parking Services Office, Farraline Park, Inverness IV1 1NH or emailed to parking@highland.gov.uk and must state the grounds on which they are made. Support for the measures can also be sent to the same postal or email address.

A copy of the Experimental Order; the Maps; the Statement of Reasons for introducing the prohibitions/restrictions; The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places)(Decriminalised Parking Enforcement and Consolidation) Order 2016 containing conditions applicable to the prohibitions/restrictions and exemptions that have been introduced to Rosemarkie by the Experimental Order may be inspected at the Parking Services Office, Farraline Park, Inverness IV1 1NH 09:00 to 17:00 7 days per week. All documents may also be viewed online at <https://www.highland.gov.uk/troconsultations>

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

24/4/2023

Shane Manning

Principal Traffic Officer

ROAD TRAFFIC REGULATION ACT 1984

The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Variation for Rosemarkie Experimental Order 2023

THE HIGHLAND COUNCIL in exercise of its powers under Sections 9 and 10 of the Road Traffic Regulation Act 1984 (“the Act of 1984”) as amended 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 makes the following Order.

1. This Order may be cited as “The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Variation for Rosemarkie Experimental Order 2023” and shall come into operation on x May 2023 and remain in effect for a period not exceeding 18 months.
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 provisions 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. For the duration of this Order, the Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Order 2016 (hereinafter referred to as the “Principal Order”) is hereby varied as follows:
 - (i) the plans specified and attached in Schedule 1 to this Order are hereby added and incorporated into schedule 1 to the Principal Order.
 - (ii) the plan specified and attached in Schedule 2 to this Order is hereby added and incorporated into schedule 2 to the Principal Order.

6. The Principal Traffic Officer of The Highland Council may, if it appears to him essential in the interests for the expeditious, convenient or safe movement of traffic, or of the provision of suitable and adequate parking facilities, or for preserving or improving the amenities of the area, and after such consultation and notice as are required by law, modify or suspend the operation of this Order or any provisions of it in accordance with section 10(2) of the Act of 1984.

This Order and the Schedules annexed hereto are sealed with the Common Seal of The Highland Council

THE COMMON SEAL of **XXXX**)
COUNCIL was hereunto affixed)
This **day of** **2023**)
in the presence of:-)

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 for Rosemarkie Experimental Order 2023

SCHEDULE 1

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

**LV482
LV483
LV484
LV486
LV487
LW484
LW486**

**LW487
LW488
LX488
LX489
LX490
LY490**

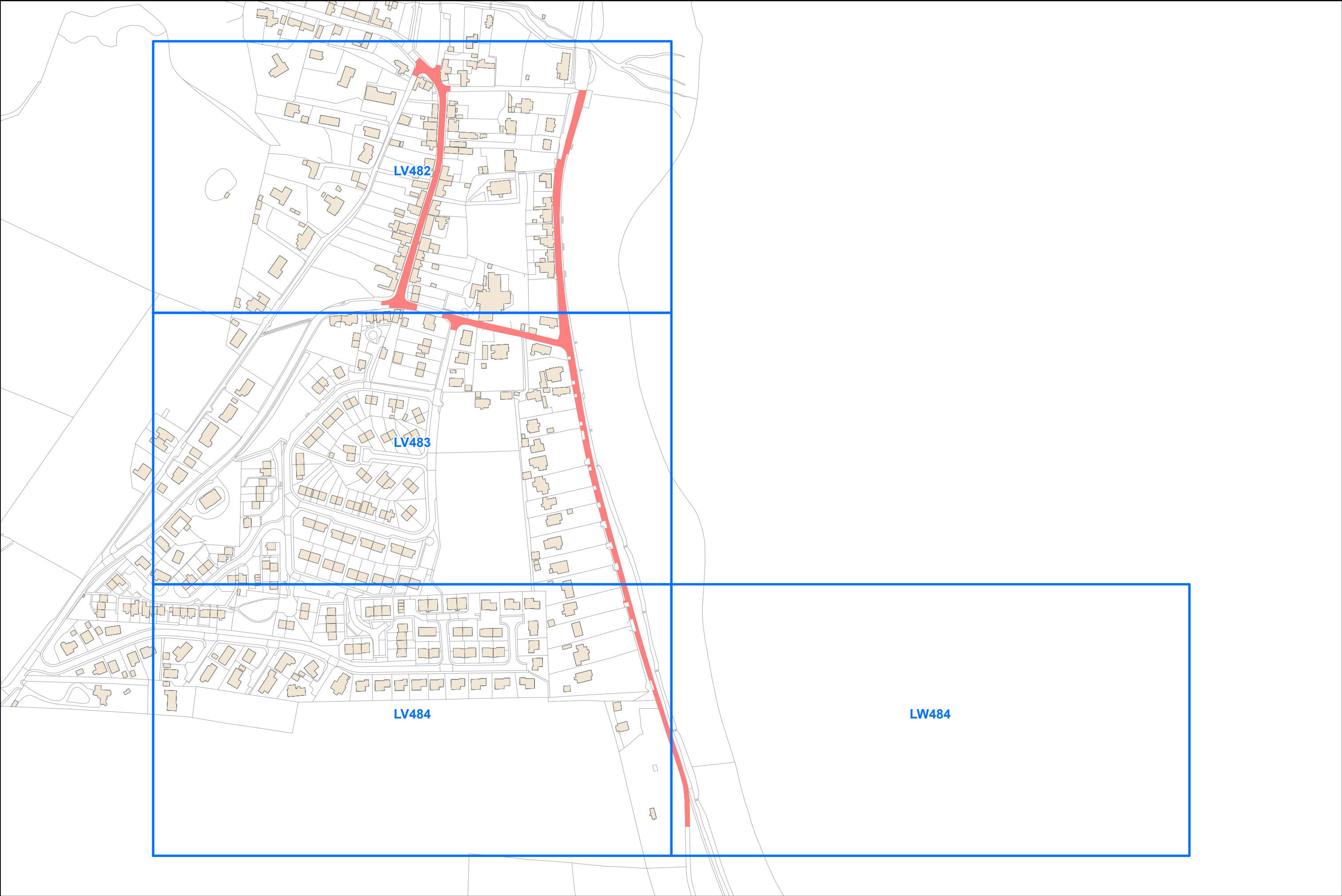
This is the Schedule 2 referred to in the foregoing The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Variation for Rosemarkie Experimental Order 2023

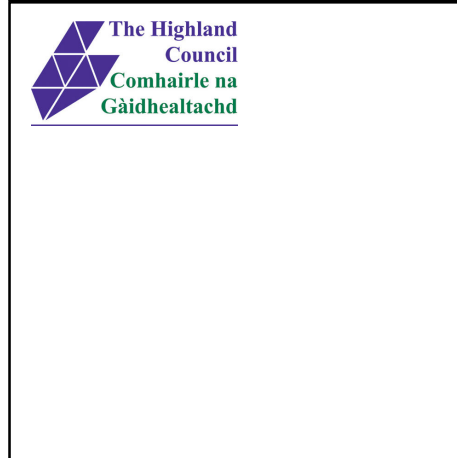
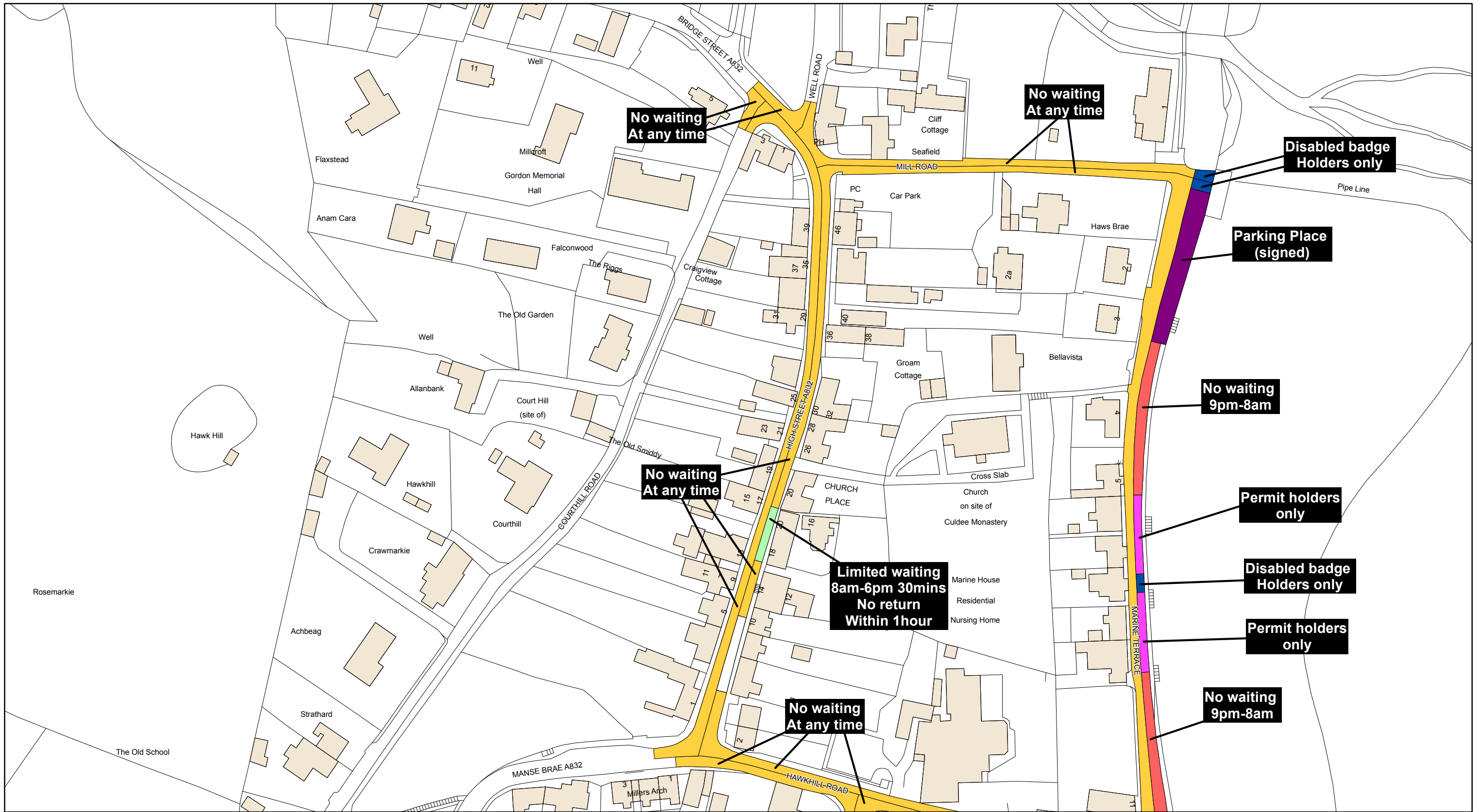
SCHEDULE 2

Index Plan attached with the following title thereon is added and incorporated into schedule 2 to The Highland Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Order 2016

Rosemarkie Overview

Rosemarkie - Overview





**THE HIGHLAND COUNCIL
(ROSEMARKIE)
(TRAFFIC MANAGEMENT SCHEME)
(EXPERIMENTAL)
ORDER 2023**

Signed by Proper Officer

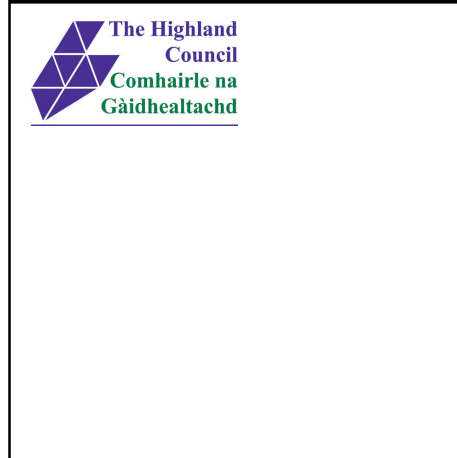
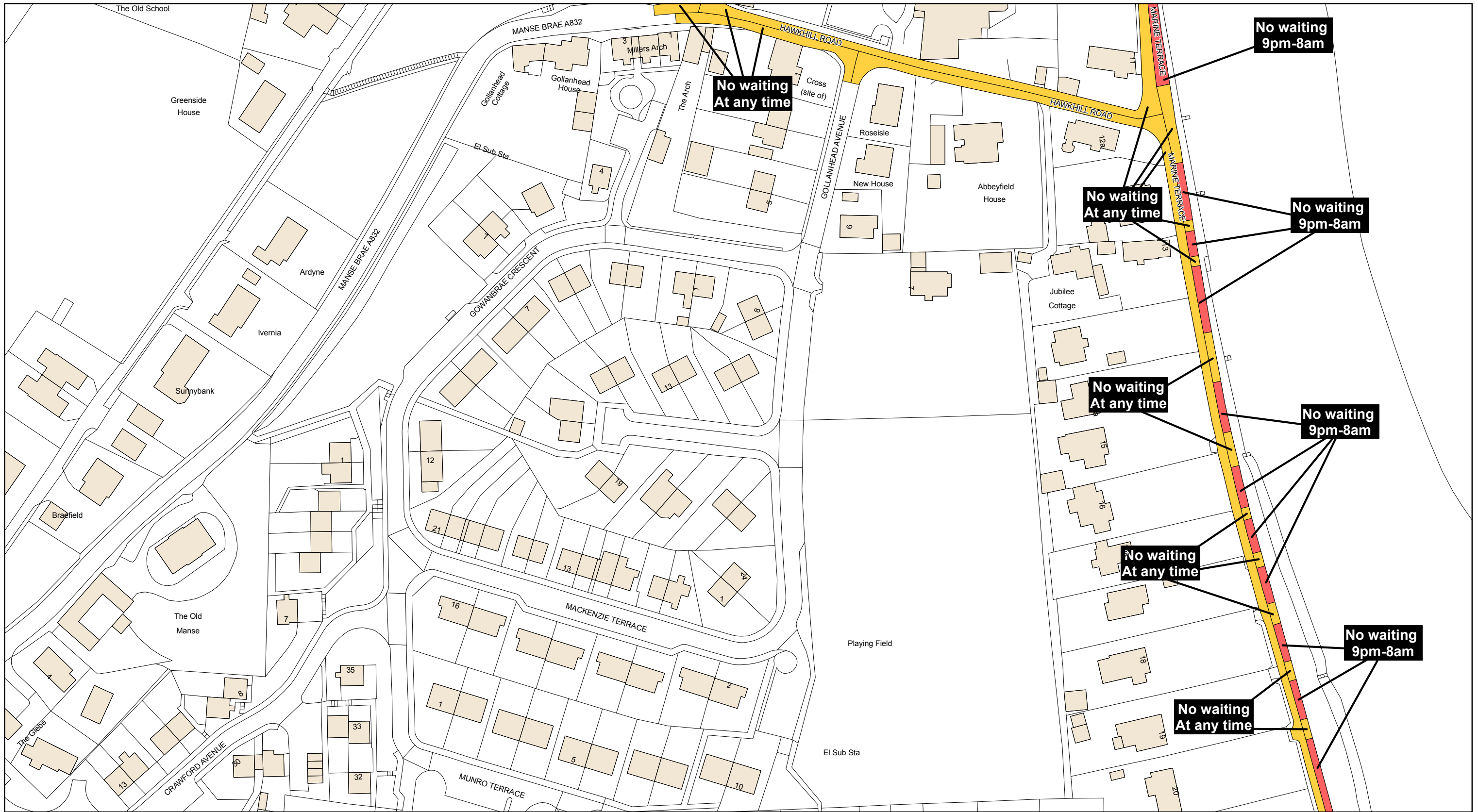
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Key		Shade Restriction		Shade Restriction		Shade Restriction	
	No Waiting At Any Time		No Waiting At Any Time / No Loading		No Waiting At Any Time / No Loading At Any Time		No Waiting / No Loading
	No Waiting		Loading Restrictions		Taxi Ranks		Pay 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
	No Stopping At Any Time						

SCALE
1:1,250

DATE
12/12/2022

MAP NUMBER
LV482



**THE HIGHLAND COUNCIL
(ROSEMARKIE)
(TRAFFIC MANAGEMENT SCHEME)
(EXPERIMENTAL)
ORDER 2023**

Signed by Proper Officer

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	No Stopping At Any Time						

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DATE
12/12/2022

MAP NUMBER
LV483



The Highland Council
Comhairle na Gàidhealtachd

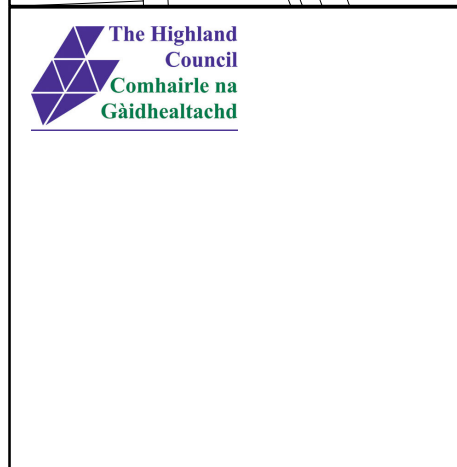
THE HIGHLAND COUNCIL (ROSEMARKIE) (TRAFFIC MANAGEMENT SCHEME) (EXPERIMENTAL) ORDER 2023

Signed by Proper Officer

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	No Stopping At Any Time						

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DATE 12/12/2022
MAP NUMBER LV484



**THE HIGHLAND COUNCIL
(ROSEMARKIE)
(TRAFFIC MANAGEMENT SCHEME)
(EXPERIMENTAL)
ORDER 2023**

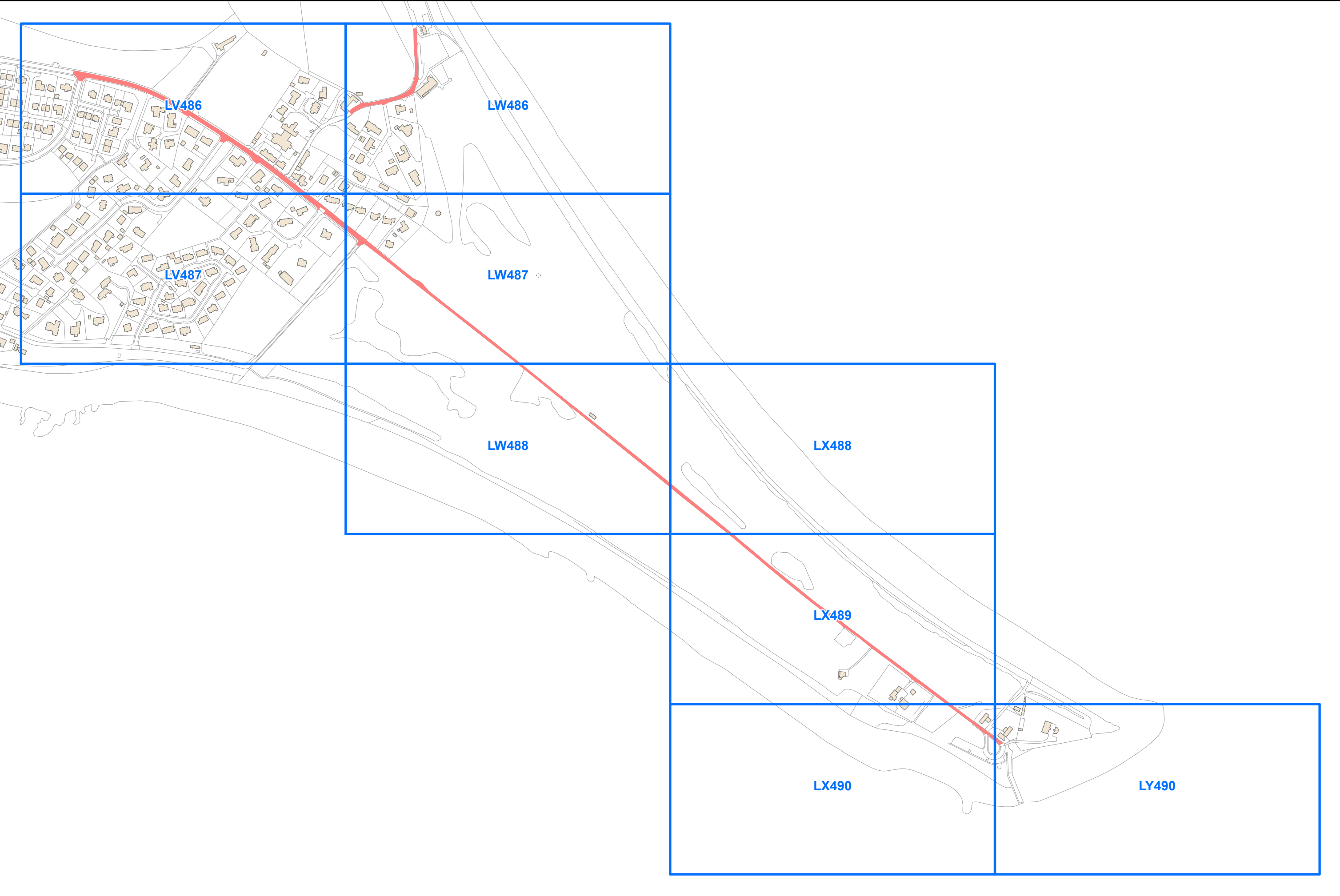
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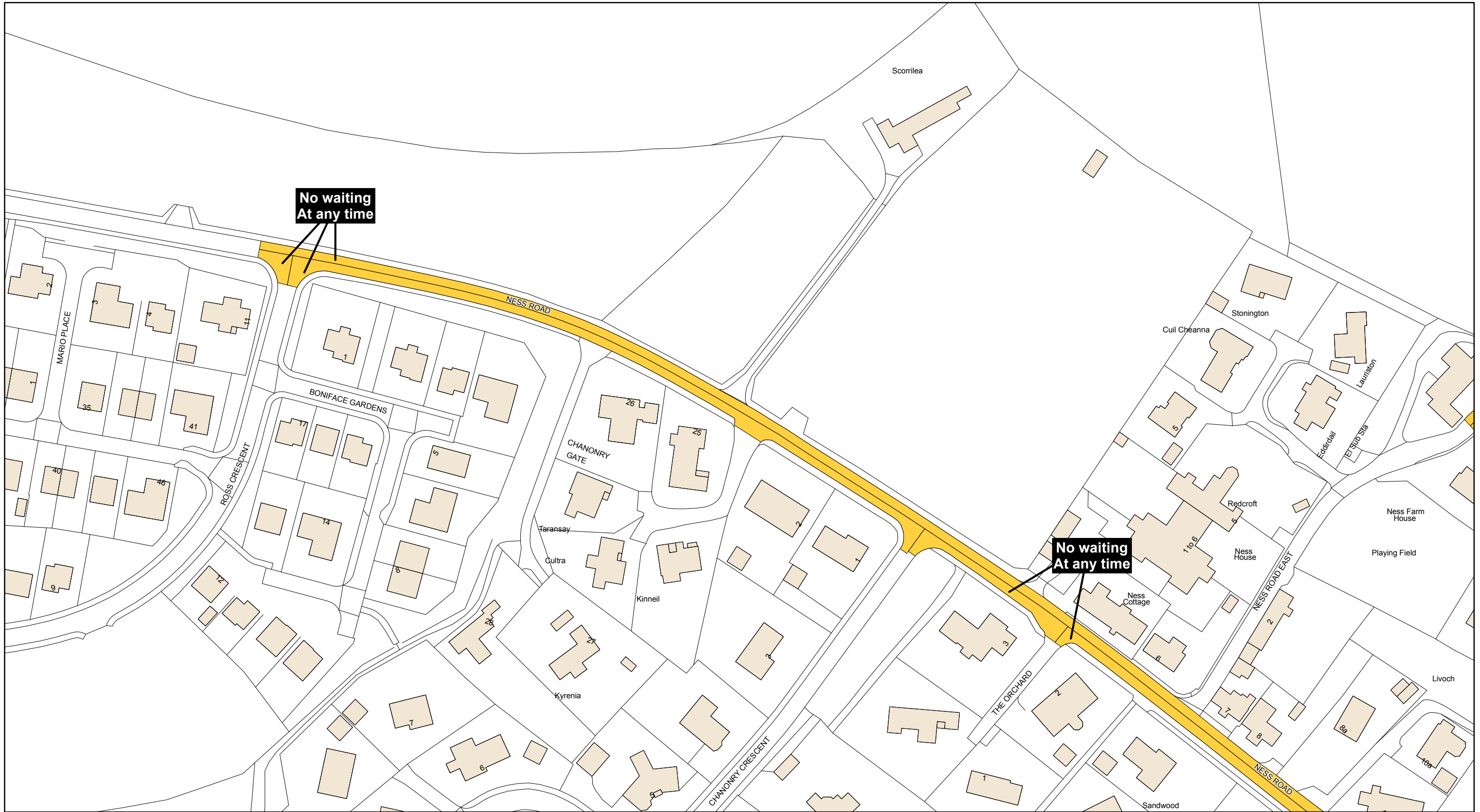
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SCALE 1:1,250
DATE 12/12/2022
MAP NUMBER LW484

Fortrose - Overview





No waiting
At any time

No waiting
At any time




**THE HIGHLAND COUNCIL
(ROSEMARKIE)
(TRAFFIC MANAGEMENT SCHEME)
(EXPERIMENTAL)
ORDER 2023**

Signed by Proper Officer





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Key

Shade Restriction

-  No Waiting At Any Time
-  No Waiting
-  Permit Holders Only
-  No Stopping On Main Carriageway
-  No Stopping At Any Time





Shade Restriction

-  No Waiting At Any Time / No Loading
-  Loading Restrictions
-  Limited Waiting
-  No Stopping At Any time On Verge Or Footway

Shade Restriction

-  No Waiting At Any Time / No Loading At Any Time
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-  Zonal Restrictions (Excluding Pedestrian Zones)

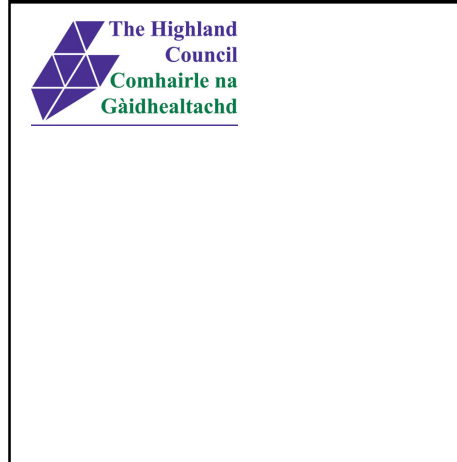
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-  No Waiting / No Loading
-  Pay And Display
-  Disabled Badge Holders Only
-  Pedestrian Zones

SCALE
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DATE
12/12/2022

MAP NUMBER
LV486



**THE HIGHLAND COUNCIL
(ROSEMARKIE)
(TRAFFIC MANAGEMENT SCHEME)
(EXPERIMENTAL)
ORDER 2023**

Signed by Proper Officer

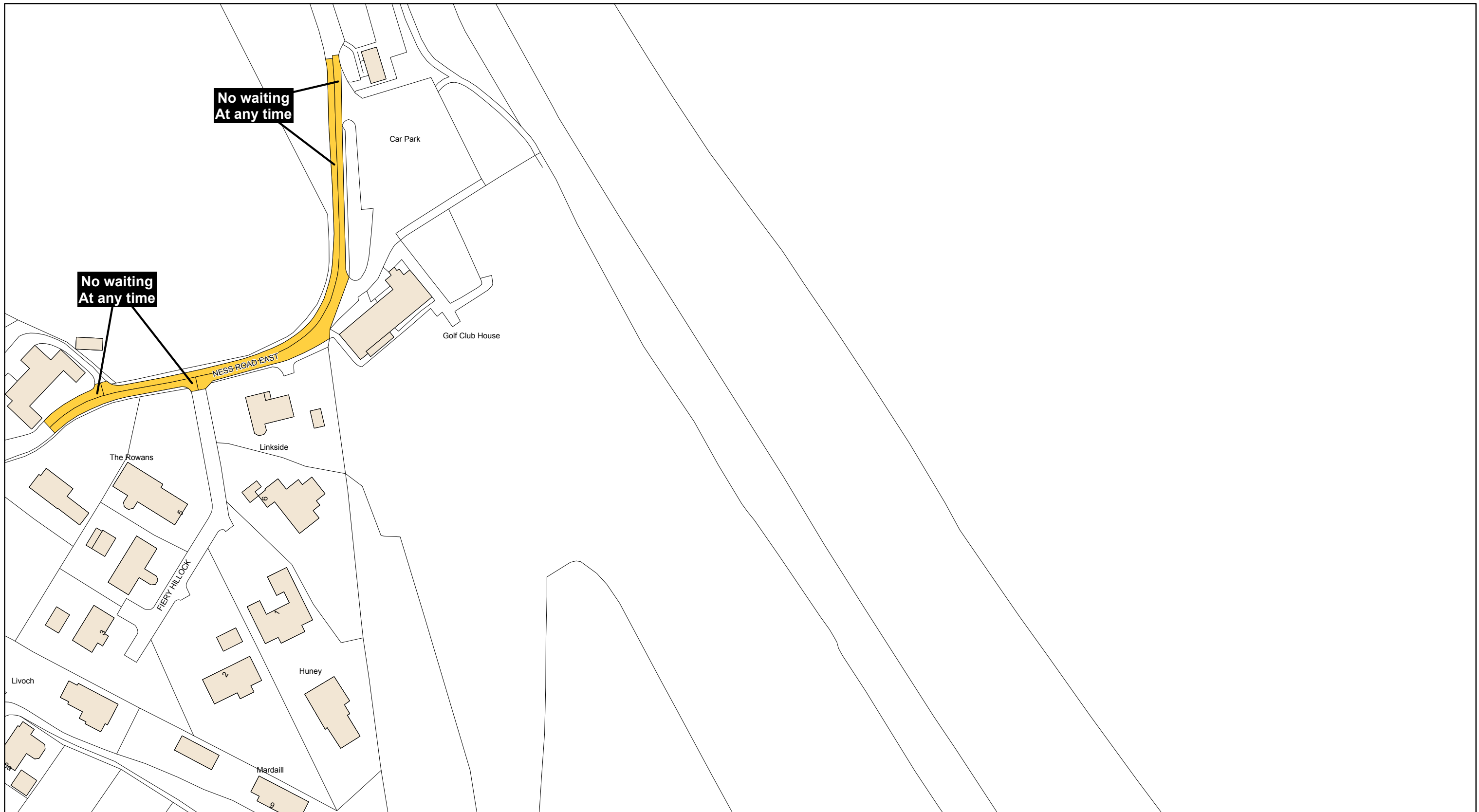
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DATE
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LV487



The Highland Council
Comhairle na Gàidhealtachd

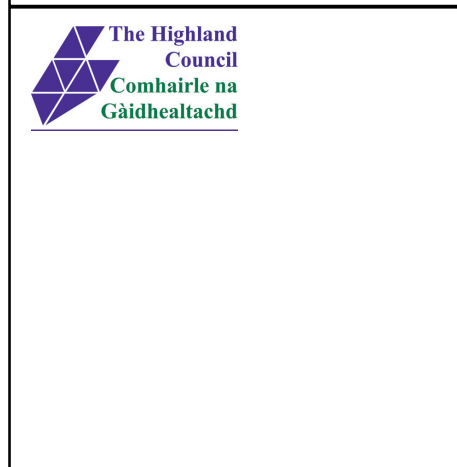
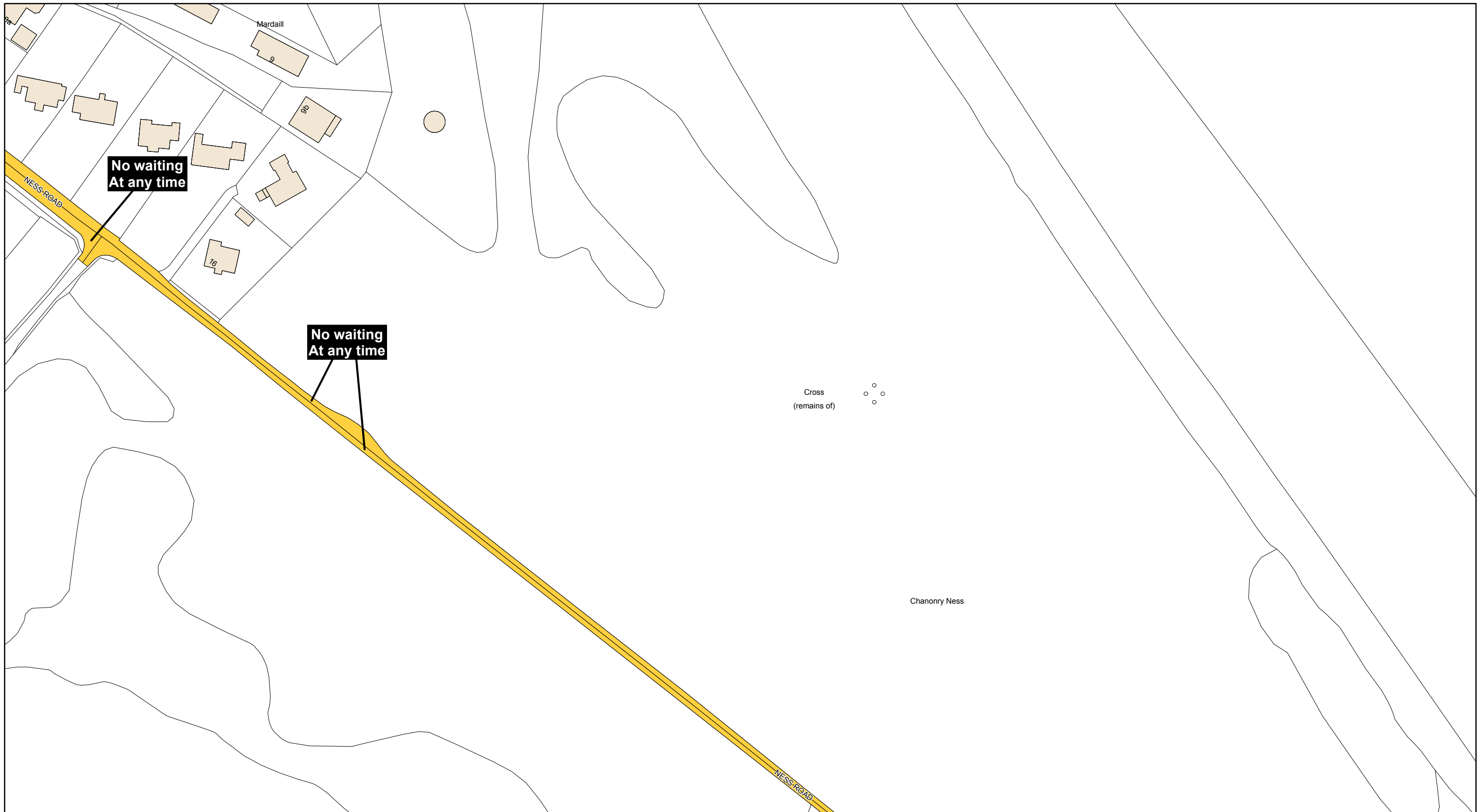
THE HIGHLAND COUNCIL (ROSEMARKIE) (TRAFFIC MANAGEMENT SCHEME) (EXPERIMENTAL) ORDER 2023

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SCALE 1:1,250
DATE 12/12/2022
MAP NUMBER LW486



**THE HIGHLAND COUNCIL
(ROSEMARKIE)
(TRAFFIC MANAGEMENT SCHEME)
(EXPERIMENTAL)
ORDER 2023**

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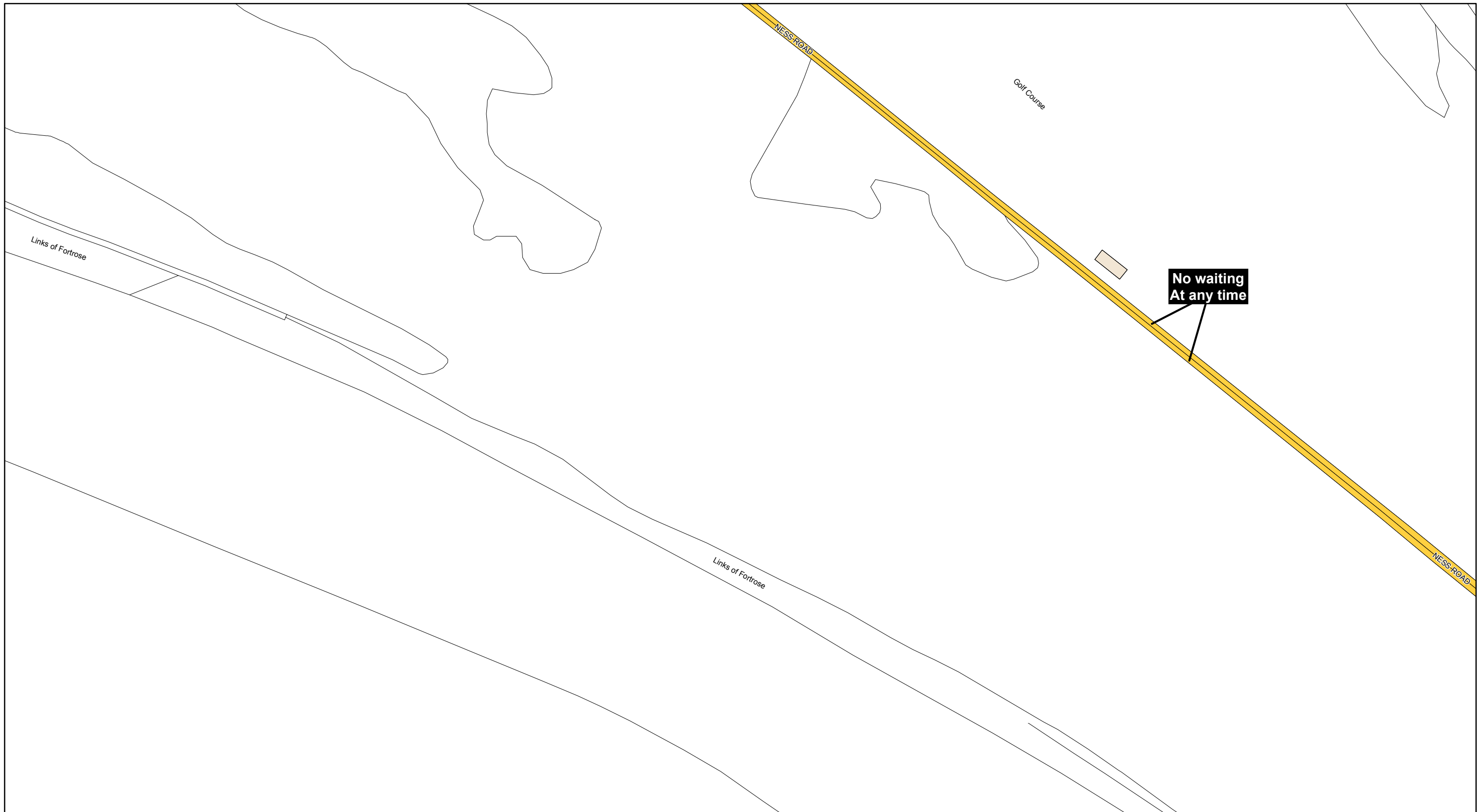
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SCALE
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DATE
12/12/2022

MAP NUMBER
LW487








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(EXPERIMENTAL)
ORDER 2023**

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Key

Shade Restriction

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-  No Stopping At Any Time





Shade Restriction

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-  Loading Restrictions
-  Limited Waiting
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SCALE
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12/12/2022

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**THE HIGHLAND COUNCIL
(ROSEMARKIE)
(TRAFFIC MANAGEMENT SCHEME)
(EXPERIMENTAL)
ORDER 2023**

Signed by Proper Officer





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Shade Restriction

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-  Limited Waiting
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Shade Restriction

-  No Waiting At Any Time / No Loading At Any Time
-  Taxi Ranks
-  Miscellaneous Restrictions
-  Zonal Restrictions (Excluding Pedestrian Zones)

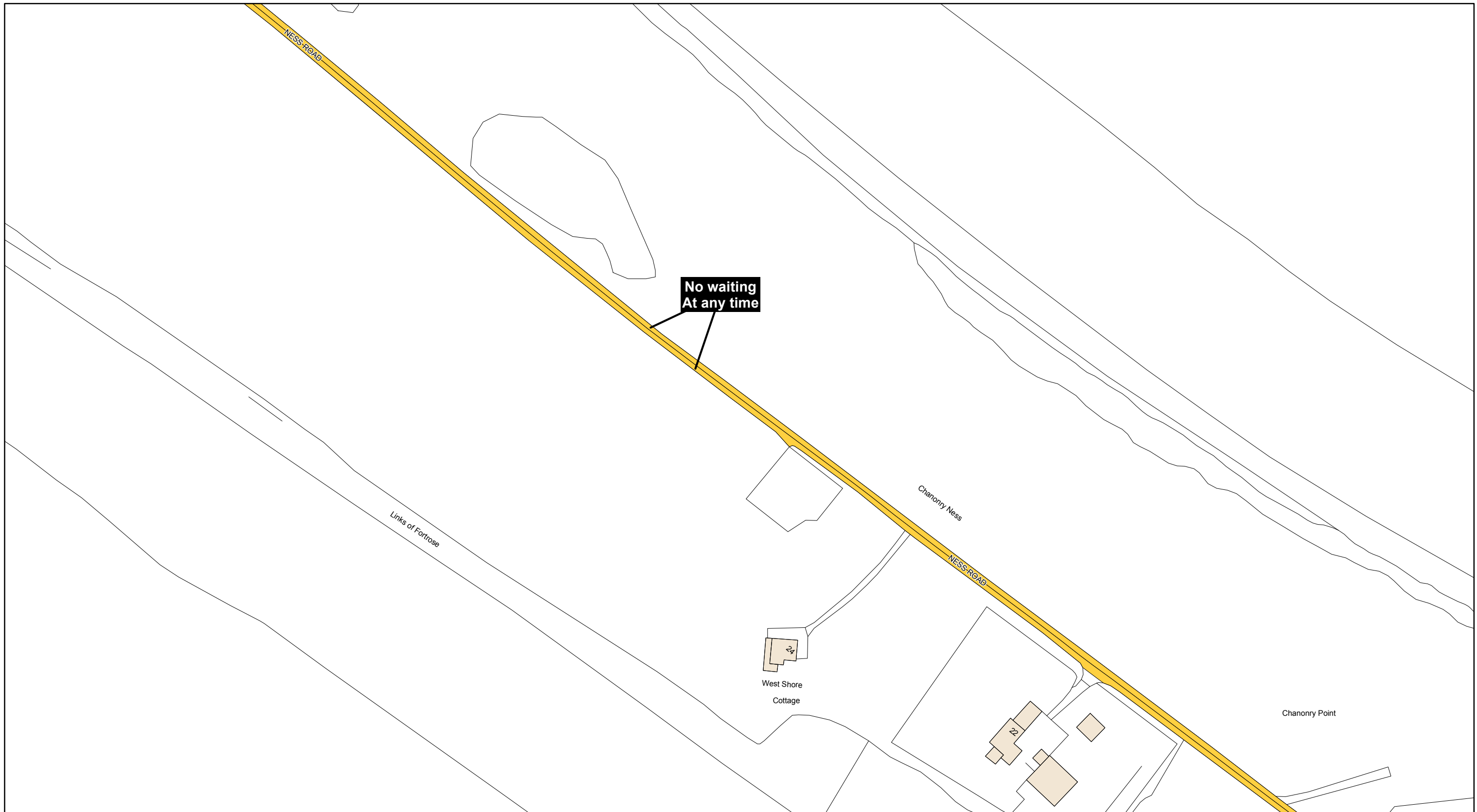
Shade Restriction

-  No Waiting / No Loading
-  Pay And Display
-  Disabled Badge Holders Only
-  Pedestrian Zones

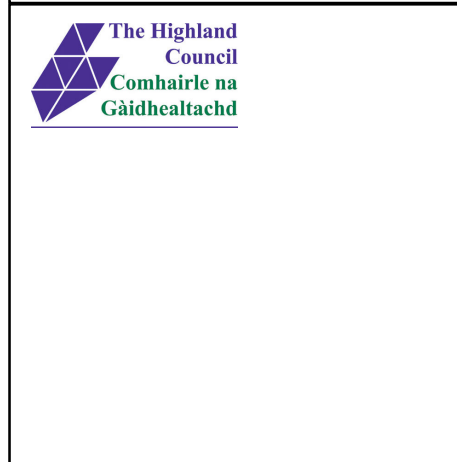
SCALE
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DATE
12/12/2022

MAP NUMBER
LX488



No waiting
At any time



**THE HIGHLAND COUNCIL
(ROSEMARKIE)
(TRAFFIC MANAGEMENT SCHEME)
(EXPERIMENTAL)
ORDER 2023**

Signed by Proper Officer

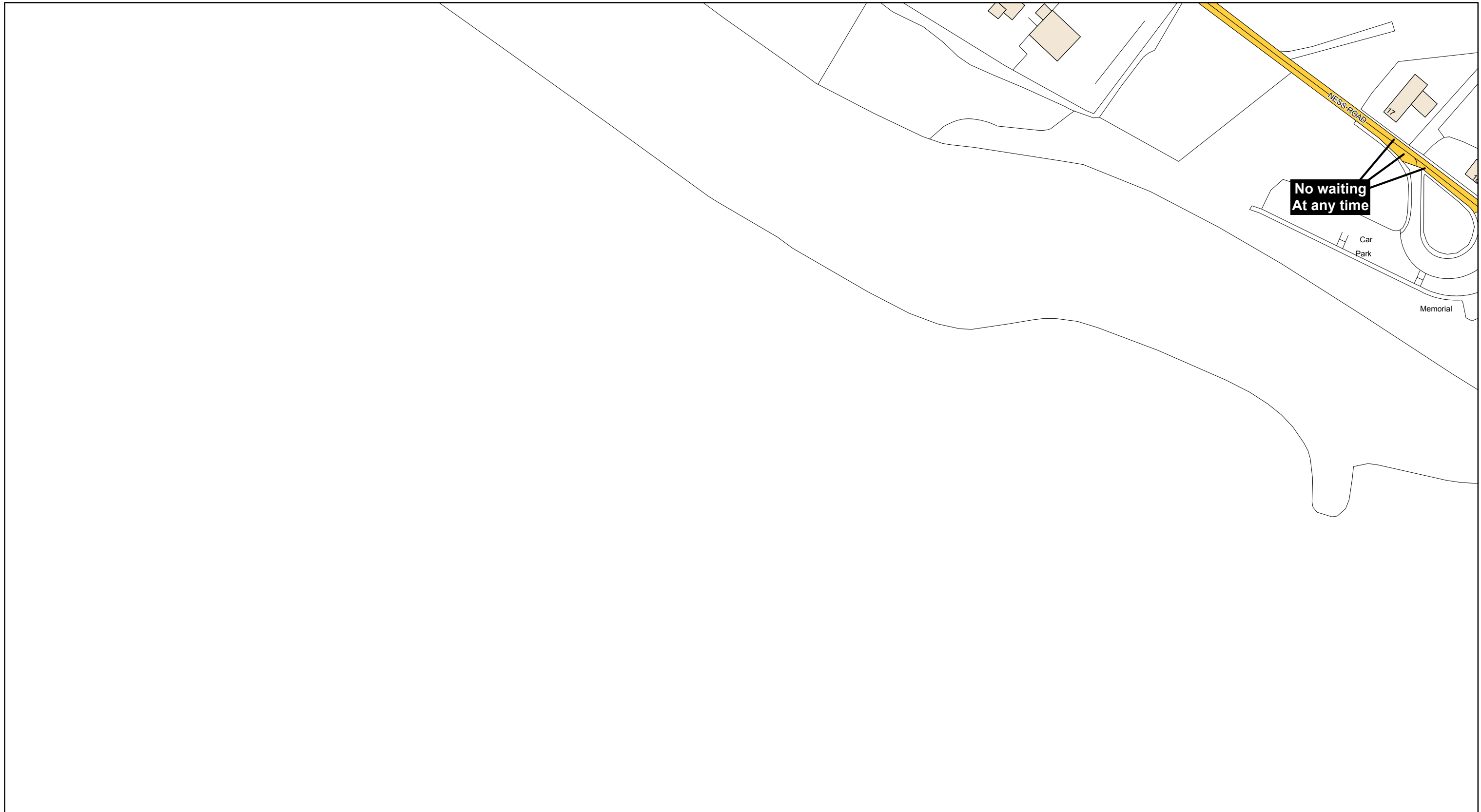
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	No Stopping At Any Time						

SCALE
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DATE
12/12/2022

MAP NUMBER
LX489







**THE HIGHLAND COUNCIL
(ROSEMARKIE)
(TRAFFIC MANAGEMENT SCHEME)
(EXPERIMENTAL)
ORDER 2023**

Signed by Proper Officer





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Key

Shade Restriction

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-  No Stopping On Main Carriageway
-  No Stopping At Any Time



Shade Restriction

-  No Waiting At Any Time / No Loading
-  Loading Restrictions
-  Limited Waiting
-  No Stopping At Any time On Verge Or Footway

Shade Restriction

-  No Waiting At Any Time / No Loading At Any Time
-  Taxi Ranks
-  Miscellaneous Restrictions
-  Zonal Restrictions (Excluding Pedestrian Zones)

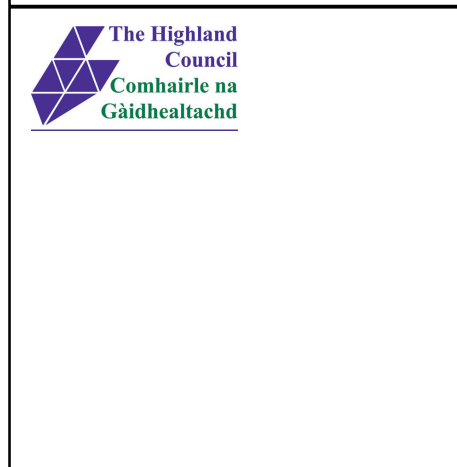
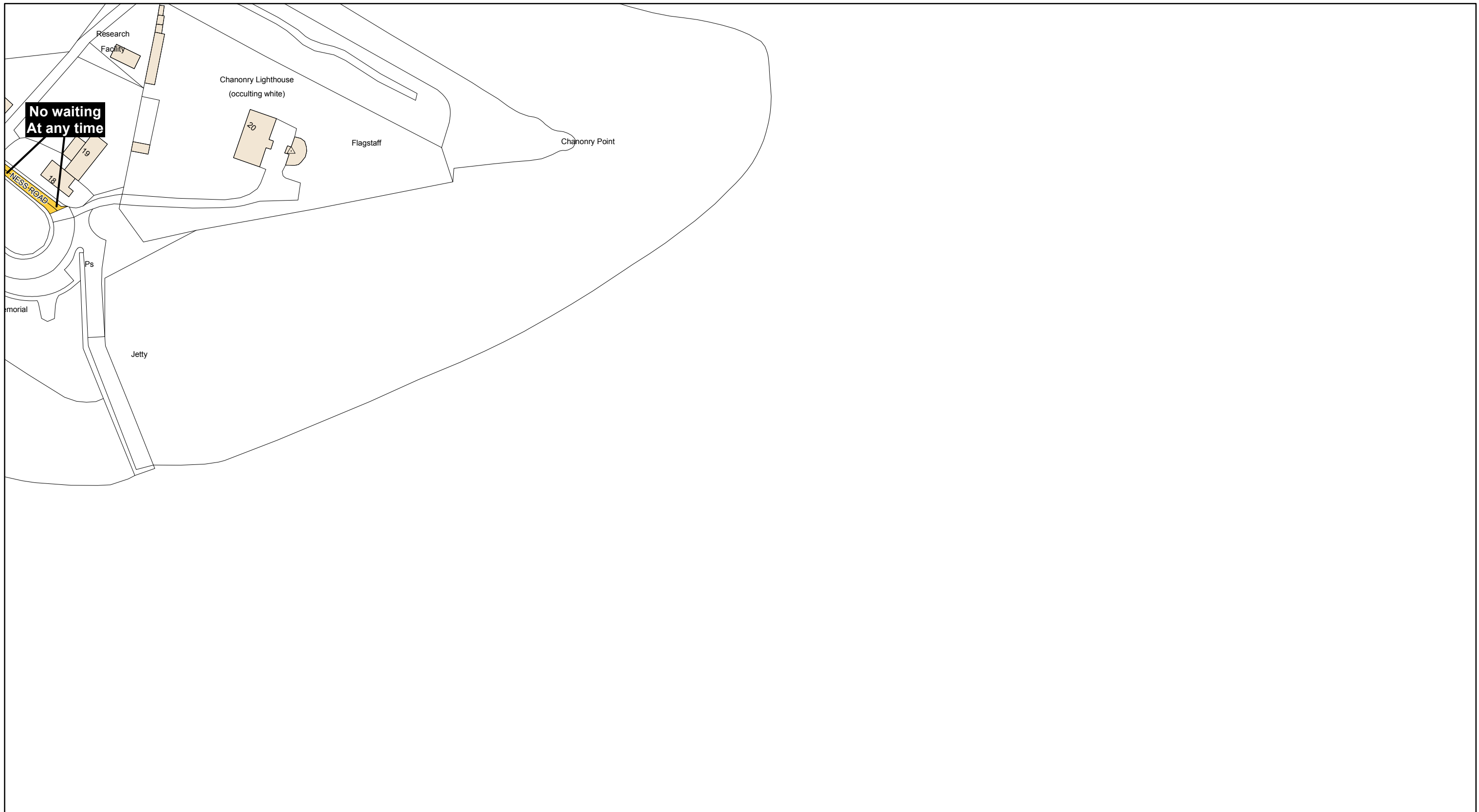
Shade Restriction

-  No Waiting / No Loading
-  Pay And Display
-  Disabled Badge Holders Only
-  Pedestrian Zones

SCALE
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DATE
12/12/2022

MAP NUMBER
LX490



**THE HIGHLAND COUNCIL
(ROSEMARKIE)
(TRAFFIC MANAGEMENT SCHEME)
(EXPERIMENTAL)
ORDER 2023**

Signed by Proper Officer

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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
	No Stopping At Any Time						

SCALE
1:1,250

DATE
12/12/2022

MAP NUMBER
LY490

**THE HIGHLAND COUNCIL (C1218 MILL ROAD & MARINE TERRACE,
ROSEMARKIE) (ONE WAY) EXPERIMENTAL ORDER 2023**

Statement of Reasons

The Council has introduced a traffic management scheme on an experimental basis using two experimental orders in terms of Sections 9 & 10 of the Road Traffic Regulation Act 1984, namely The Highland Council (Prohibition and Restriction of Waiting on Loading and Parking Places) (Decriminalised Parking Enforcement and Consolidation) Variation for Rosemarkie Experimental Order 2023 and The Highland Council (C1218 Mill Road & Marine Terrace, Rosemarkie) (One Way) Experimental Order 2023. The traffic management scheme has been introduced to address road safety issues specifically relating to pedestrian safety on Marine Terrace, High Street and Hawkhill Road, Rosemarkie and to assist with traffic management and coastal protection issues by preventing vehicles damaging the verge adjacent to the shoreline. Together, the experimental orders mentioned above address those issues.

The Highland Council (C1218 Mill Road & Marine Terrace, Rosemarkie) (One Way) Experimental Order 2023 introduces one-way restrictions to secure the expeditious, convenient, and safe movement of vehicular and pedestrian traffic on Mill Road and Marine Terrace and roads adjoining them.

The reason for making an experimental order rather than a permanent order is to enable the effect of its provisions to be assessed before the Council considers whether the provisions of the traffic management scheme should be continued indefinitely by means of another order under the Road Traffic Regulation Act 1984.

ROSEMARKIE EXPERIMENTAL TRAFFIC MANAGEMENT SCHEME

THE HIGHLAND COUNCIL (C1218 MILL ROAD & MARINE TERRACE, ROSEMARKIE) (ONE WAY) EXPERIMENTAL ORDER 2023

NOTICE IS HEREBY GIVEN that on 24th April 2023 The Highland Council made the above Order (“the Experimental Order”) in exercise of the powers conferred on them under Sections 9 and 10 of the Road Traffic Regulation Act 1984 and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to said Act. The Experimental Order has been made as part of an experimental scheme of traffic control.

The Experimental Order will come into force on x of May 2023 and will remain in operation for a period not exceeding 18 months.

The effect of the Experimental Order is as follows:

No person shall drive or cause or permit any vehicle to be driven on the lengths of road specified in Column 1 of the table below other than in the direction specified opposite in Column 2 of the table.

Column 1	Column 2
C1218 Mill Road, Rosemarkie For its entire length	From West to East
C1218 Marine Terrace, Rosemarkie From its junction with the C1218 Mill Road to its junction with the U456 Hawkhill Road.	From North to South.

The Council will in due course be considering whether the provisions of the Experimental Order should be made permanent.

Any person may object to the making of a future permanent order within a period of 6 months from the date the Experimental Order comes into force or, if the Experimental Order is varied by a subsequent experimental order or modified pursuant to section 10(2) of the Road Traffic Regulation Act 1984, from the date of that variation or modification comes into force. Objections must be made in writing to Shane Manning, Principal Traffic Officer, Parking Services Office, Farraline Park, Inverness IV1 1NH or emailed to parking@highland.gov.uk and must state the grounds on which they are made. Support for the measures can also be sent to the same postal or email address.

A copy of the Experimental Order together with a plan of the measures and the Statement of Reasons for introducing the restrictions may be inspected at the

Parking Services Office, Farraline Park, Inverness IV1 1NH 09:00 to 17:00 7 days per week. All documents may also be viewed online at <https://www.highland.gov.uk/troconsultations>

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

24/4/2023

Shane Manning

Principal Traffic Officer

THE HIGHLAND COUNCIL

**THE HIGHLAND COUNCIL (C1218 MILL ROAD & MARINE TERRACE,
ROSEMARKIE) (ONE WAY) EXPERIMENTAL ORDER 2023**

The Highland Council in exercise of their powers under Sections 9 & 10 of the Road Traffic Regulation Act 1984 as amended (which Act as so amended is hereinafter referred to as “the 1984 Act”), and of all the other enabling powers and after consultation with the Chief Constable in accordance with Part III of Schedule 9 to the 1984 Act hereby make the following order:-

1. This Order may be cited as “The Highland Council (C1218 Mill Road & Marine Terrace, Rosemarkie)(One Way) Experimental Order 2023” and shall come into operation on x May 2023 and remain in effect for a period not exceeding 18 months.
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. All provisions contained in any Order, Enactments or Others in so far as the same repeat or are inconsistent with the provisions of this Order and true intent and meaning hereof shall cease to have effect for the duration of this Order.
4. No person shall drive or cause or permit any vehicle to be driven on the lengths of road specified in Column 1 of the Schedule hereto other than in the direction specified opposite in Column 2 of the said Schedule.
5. The Principal Traffic Officer of The Highland Council may, if it appears to him essential in the interests for the expeditious, convenient or safe movement of traffic, or of the provision of suitable and adequate parking facilities, or for preserving or improving the amenities of the area, and after such consultation and notice as are required by law, modify or suspend the operation of this Order or any provisions of it in accordance with section 10(2) of the 1984 Act.

Sealed with the Common Seal of The Highland Council and signed for them and on their behalf at Inverness on by Shona Ann Pottinger, Solicitor and Proper Officer.

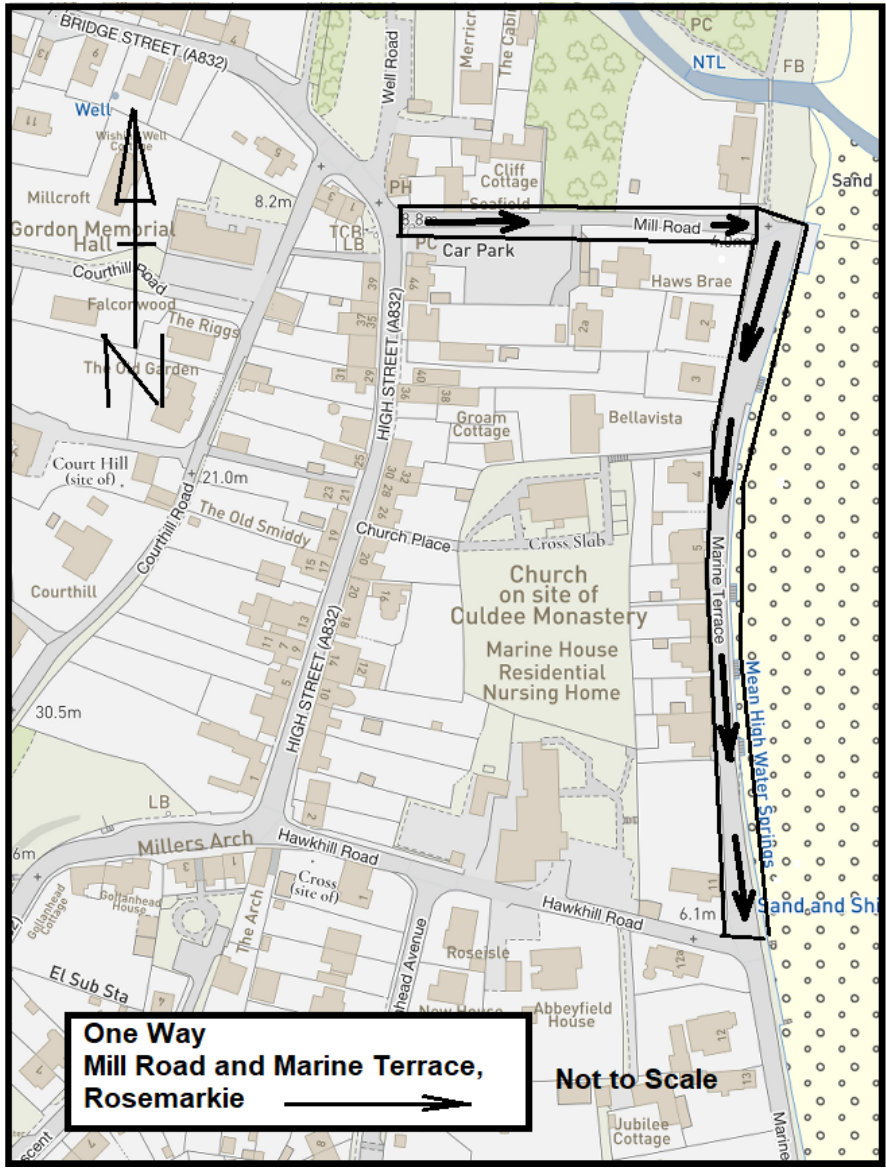
..... Proper Officer

This is the Schedule referred to in the foregoing order entitled ‘The Highland Council (C1218 Marine Terrace, Rosemarkie)(One Way) Experimental Order 2023’

Schedule

ONE WAY STREETS

Column 1	Column 2
C1218 Mill Road, Rosemarkie For its entire length	From West to East
C1218 Marine Terrace, Rosemarkie From its junction with the C1218 Mill Road to its junction with the U456 Hawkhill Road.	From North to South.



..... Proper Officer

