

North Lanarkshire Council

Various Streets, Gartcosh

Proposed (Traffic Regulation) (Consolidation) Order 202*

The North Lanarkshire Council, in exercise of the powers conferred on them by Section 1(1), 2(1) to (3), 4, 32, 35, 99, 101, 102 and 124 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (“the 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, hereby make the following Order.

1. This Order may be cited as “The North Lanarkshire Council (Various Streets, Gartcosh) (Traffic Regulation) (Consolidation) Order 202*” and shall come into operation on ****, Two thousand and ****.

2. In this Order the following expressions have the meanings hereby assigned to them:-

“blue badge” means the same as “disabled person’s badge” below;

“bus” means a motor vehicle constructed or adapted to carry 8 or more passengers (exclusive of the driver);

“Council” means North Lanarkshire Council;

“disabled person’s badge” has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000, as amended;

“dual purpose vehicle” has the same meaning as in Regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 2000, as amended;

“goods vehicle” means a vehicle constructed or adapted for the use for the conveyance of goods or burden of any description, but not including a dual-purpose vehicle;

“local bus services” has the same meaning as “local services” as defined in the Transport Act 1985;

“owner” in relation to a vehicle, means the person by whom such vehicle is kept and used. In determining who the owner at any time it shall be presumed that the owner was the person named in the vehicle registration document as the registered keeper of the vehicle or the person who has use of such vehicle and who is entitled to use such vehicle though they were the registered keeper thereof;

“parking attendant” means a person employed in accordance with Section 63A of the Road Traffic Regulation 1984 Act to carry out the functions therein;

“parking bay” means a space in a parking place which is provided for the leaving of a vehicle;

“parking place” means an area on a road designated as a parking place in the Articles to this Order;

“penalty charge” has the same meaning as in Section 82(1) of the Road Traffic Act 1991;

“Penalty Charge Notice” means a notice issued or served by a parking attendant pursuant to the provisions of Section 66 of the Road Traffic Act 1991;

“private hire” *means a hire car other than a taxi* as in Section 23(1) of the Civic Government (Scotland) Act 1982;

“taxi” has the same meaning as in Section 23(1) of the Civic Government (Scotland) Act 1982;

“universal service provider” has the same meaning as in the Postal Services Act 2000, and

“vehicle” unless the context otherwise requires, means a vehicle of any description and includes a machine or implement of any kind drawn or propelled along roads whether or not by mechanical power;

3. Save as provided in Article 8, no person shall, except upon the direction, or with the permission of a police constable, or parking attendant, in uniform, cause or permit any vehicle to wait or stop at any time on the running carriageway of any of the lengths of road specified in Schedule I
- 4(a) Save as provided in Article 8 of this order, no person shall, except upon the direction, or with the permission of, a police constable, or parking attendant, in uniform, cause or permit any vehicle to wait in any of the lengths of road, during such times and days as specified in Schedules II & VI (i) for a period longer than that specified in that Schedule, or (ii) if a period less than that specified in the Schedule has elapsed since the termination of the last period of waiting (if any) of the vehicle in the relevant length of road.
- (b) Each length of road which is specified in Schedules II & VI to this order is hereby designated as a parking place. The limits of each parking place designated in this order shall be indicated on the carriageway as prescribed by the Traffic Sign Regulations and General Directions 2016. Every vehicle left in any parking place designated in this order shall so stand such that every part of the vehicle is within the limits of a parking place. Where the size of the vehicle shall be deemed to be within the limits of a parking place, or parking space, if the extreme point of either the front, side or rear of the vehicle is no more than 300 millimetres outside the marked parking place, or parking space.
5. Save as provided in Article 8, no person shall, except upon the direction or with the permission of a police constable in uniform or parking attendant, cause or permit any vehicle to wait at any time in any of the lengths of road specified in Schedule III.
6. Save as provided in Article 8, no person shall, except upon the direction, or with the permission of, a police constable, or parking attendant, in uniform cause or permit any vehicle to stop at any time on any of the lengths of road specified in Schedule IV unless it is a licenced taxi.
7. Save as provided in Article 8 of this order, no person shall, except upon the direction, or with the permission of, a police constable, or parking attendant, in uniform, cause or permit any vehicle to wait in any of the lengths of road, during such times and days as specified in Schedules V.

8. Nothing in Articles 3, 4, 5, 6 or 7 of this order shall prevent any person from causing or permitting a vehicle to wait in the lengths of road referred to in this Article:
- (a) For so long as may be necessary to enable the vehicle, if it cannot conveniently be used for such purposes on any other road, to be 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 lengths of roads so referred to, or the laying, erection, alteration or repair in or near to any of the said lengths of roads, of any main, pipe or apparatus for the supply of gas, water, electricity, or of any telegraphic line as defined in the Telegraph Act 1978;
 - (b) To enable the vehicle, if it cannot conveniently be used for such purposes on any other road, to be used in pursuance of statutory powers and duties and, in particular, but without prejudice to the generality of the foregoing, to enable the vehicle to be used in connection with Police, Fire Service and Ambulance purposes;
 - (c) If the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond their control or to such waiting being necessary in order to avoid an accident;
 - (d) If the vehicle is in the service of, or employed by Postal Services and is waiting in any of the lengths of the roads while postal packets, addressed to the premises adjacent thereto are being unloaded from the vehicle, or having being unloaded therefrom, are being delivered, or whilst postal packets are being collected from premises or postal boxes adjacent thereto;
 - (e) For the purposes of loading, or unloading, the vehicle, while the vehicle is standing at the kerb and is in actual use in conjunction with the removal of furniture from one office, or dwelling house, to another, or the removal of furniture from such premises, to a depository, or to such premises from a depository;
 - (f) To enable the vehicle to be used in connection with funeral operations.
9. If a vehicle is left on any of the roads specified in Schedules I, II, III, IV, V or VI without complying with the requirements of this Order, a contravention shall have occurred, and a penalty charge shall be payable. A Penalty Charge Notice showing the information required by the appropriate legislation may then be issued by a parking attendant in accordance with the requirements of the legislation or any subsequent applicable legislation or the vehicle may be removed from the location. The particulars given in the Penalty Charge Notice attached to a vehicle shall be treated as evidence in any proceedings relating to failure to pay such penalty charge. Where a Penalty Charge Notice has been attached to a vehicle no person, not being the driver of the vehicle, a parking attendant in uniform, or some other person duly authorised by the Council, shall remove the notice from the vehicle unless authorised to do so by the owner of the vehicle.

Given under the Seal of the North Lanarkshire Council and subscribed for them and on their behalf by Rachel Blair, Chief Officer (Legal, Democratic and Strategy), at Motherwell on ***, the *** day of ***, Two thousand and twenty-***.

SCHEDULE I

CLEARWAY - NO STOPPING AT ANY TIME

Length(s) of Road in the region of
North Lanarkshire

Side of road
to which
restriction
applies

Auldyards Road, Gartcosh

From a point 144 metres north-west of the centreline of the M73 south-eastwards to a point 16 metres south of the extended south kerbline of Craignethan Drive, a distance of 590 metres or thereby.

Both

Craignethan Drive

From its junction with Auldyards Road, Gartcosh, north-eastwards to the junction of B804 Glenboig Road, a distance of 863 metres or thereby

Both

SCHEDULE II

3 HOURS LIMITED WAITING RETURN PROHIBITED WITHIN 1 HOUR

Length(s) of Road in the region of
North Lanarkshire

Side of road
to which
restriction
applies

Auldyards Road, Gartcosh

The layby situated approximately 123 metres northwest of the extended
north kerbline of Craginethan Drive, north-westwards, for a distance of
31 metres or thereby.

West

SCHEDULE III

NO WAITING NO LOADING AT ANY TIME

Length(s) of Road in the region of North Lanarkshire	Side of road to which restriction applies
<u>Craignethan Drive</u>	
From the junction with Auldyards Road south-westwards for a distance of 74 metres or thereby, including 7 metres into access.	Northwest
From the junction with Auldyards Road south-westwards for a distance of 28 metres or thereby.	Southeast
From a point 146 metres south-west of the Auldyards Road junction south-westwards for a distance of 33 metres or thereby, including 6 metres into access.	Southeast
From a point 173 metres south-west of the Auldyards Road junction south-westwards for a distance of 29 metres or thereby, including 7 metres into access.	Northwest
From a point 257 metres south-west of the Auldyards Road junction south-westwards for a distance of 28 metres or thereby, including 9 metres into access.	Northwest
From a point 409 metres south-west of the Auldyards Road junction south-westwards for a distance of 27 metres or thereby, including 8 metres into access.	Southeast
From a point 445 metres south-west of the Auldyards Road junction south-westwards for a distance of 27 metres or thereby, including 6 metres into access.	Southeast
From a point 509 metres south-west of the Auldyards Road junction south-westwards for a distance of 30 metres or thereby, including 5 metres into access.	North
From a point 558 metres south-west of the Auldyards Road junction south-westwards for a distance of 28 metres or thereby, including 5 metres into access.	South
From a point 640 metres south-west of the Auldyards Road junction north-westwards, then south-westwards for a distance of 51 metres or thereby.	North
From a point 648 metres south-west of the Auldyards Road junction south-westwards for a distance of 20 metres or thereby.	South

Auldyards Road (Woodneuk Avenue)

From a point 144 metres north-west of the centreline of the M73 north-westwards to the junction with Lochend Road, a distance of 307 metres or thereby.	Both
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Mowbray Avenue

From the junction with Lochend Road southwards for a distance of 60 metres or thereby.	Both
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Woodneuk Terrace

From the junction with Mowbray Avenue eastwards to the eastern end of Woodneuk Terrace, a distance of 95 metres or thereby.	North
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From the junction with Mowbray Avenue eastwards for a distance of 15 metres or thereby	South
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From a point 85 metres east of Mowbray Avenue eastwards to the eastern end of Woodneuk Terrace, a distance of 7 metres or thereby.	South
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Johnston Road

From a point 15 metres west of the projected western kerblines of Lochside to a point 15 metres east of the projected eastern kerblines of Lochside.	Both
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From a point 15 metres west of the projected western kerblines of Blades Court to a point 4 metres east of the projected eastern kerblines of Whittington Place.	North
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From a point 15 metres west of the projected western kerblines of Blades Court to a point 26 metres east of the projected eastern kerblines of Whittington Place.	South
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Lochside

From the extended south kerblines of Johnston Road southwards, then westwards for a distance of 33 metres or thereby.	West
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From the extended south kerblines of Johnston Road southwards for a distance of 12 metres or thereby.	East
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Blades Court

From the extended south kerblines of Johnston Road southwards, then westwards for a distance of 58 metres or thereby.	Both
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Whittington Place

From the extended north kerblin of Johnston Road northwards for a distance of 19 metres or thereby. Both

SCHEDULE IV
NO STOPPING EXCEPT TAXIS

Length(s) of Road in the region of
North Lanarkshire

Side of road to
which restriction
applies

Craignethan Drive

From the western extent of Craignethan Drive eastwards for a distance
of 43 metres or thereby.

South

SCHEDULE V

NO WAITING MONDAY TO FRIDAY 8:30 to 9:30 am AND 2:30 to 4:00 pm

Length(s) of Road in the region of
North Lanarkshire

Side of road to
which restriction
applies

Woodneuk Terrace

From a point 15 metres east of the extended eastern kerbline of
Mowbray Avenue, eastwards, for a distance of 72 metres or
thereby.

South

SCHEDULE VI

30 MINUTES LIMITED WAITING MONDAY TO SUNDAY RETURN PROHIBITED WITHIN 1 HOUR

Length(s) of Road in the region of
North Lanarkshire

Side of road to which
restriction applies

Craignethan Drive

From a point 607 metres south-west of the Auldyards Road
junction south-westwards for a distance of 41 metres or
thereby.

South

SCHEDULE VII

ORDER TO BE REVOKED

- The North Lanarkshire Council, Various Streets, Gartcosh and Glenboig (Waiting Restrictions) Order 2020