

**North Lanarkshire Council**

**Ravenscraig Area, Motherwell**

**(Waiting and Loading Restrictions) (Traffic Regulation) (Variation) Order 2018**

The North Lanarkshire Council, in exercise of the powers conferred on them by Sections 1(1), 2(1), 2(2) and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (“the Act”) and of all other powers enabling them to do so, and after consultation with the Chief Constable of Police Scotland, in accordance with Part III of Schedule 9 to the said Act, and having complied with Part II of the Local Authorities’ Traffic Orders (Procedure) (Scotland) Regulations 1999, hereby make the following Order:-.

1. This Order may be cited as “The North Lanarkshire Council (Ravenscraig Area, Motherwell) (Waiting and Loading Restrictions) (Traffic Regulation) (Variation) Order 2018” and shall come into operation on Saturday, the thirty-first day of March, Two thousand and eighteen.
2. Upon the coming into effect of this Order, the Orders specified in the Schedule to this Order shall have effect, subject to amendments specified in that Schedule.

Given under the Seal of the North Lanarkshire Council and subscribed for them and on their behalf by Archie Aitken, Head of Business for Legal and Democratic Solutions, at Motherwell on Monday, the nineteenth day of March, Two thousand and eighteen.

## SCHEDULE

### ORDERS TO BE AMENDED

#### **THE NORTH LANARKSHIRE COUNCIL (VARIOUS STREETS, RAVENSCRAIG AREA, MOTHERWELL) (WAITING AND LOADING RESTRICTIONS) ORDER 2015**

##### **AMEND FROM**

##### **ARTICLE 3**

Save as provided in Article 4 of this Order no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any vehicle to stop at any time in the lengths of road specified in Schedule I of this Order or wait at any time in the lengths of road specified in Schedule II of this Order, or wait or load at any time in the length of road specified in Schedule III of this Order.

##### **ARTICLE 4**

Nothing in Article 3 of this Order shall:-

- a) prevent any person from causing or permitting a vehicle to wait in the length of road referred to in that Article:- A) for so long as may be necessary to enable the vehicle, if it cannot conveniently be used for such purpose in 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 the roads so referred to, or the laying, erection, alteration or repair in or near to any of the said lengths of the roads, of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any telecommunications apparatus as defined in the Telecommunications Act 1984; B) to enable the vehicle, if it cannot conveniently be used for such purpose in 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 brigade and ambulance purposes; C) if the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident; D) if the vehicle is waiting in any of the lengths of the roads while postal packets addressed to premises adjacent thereto are being unloaded from the vehicle or having been unloaded therefrom are being delivered or while postal packets are being collected from premises or posting boxes adjacent thereto;
- b) apply to a licensed taxi waiting in a taxi stance during any period for which that stance has been designated by the Council under the Civic Government (Scotland) Act 1982.

##### **ADD ARTICLE 6**

Save as provided in Articles 7, 8, 9, 10 no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any vehicle to wait at any time in any of the lengths of road specified in Schedules II and III.

##### **ADD ARTICLE 7**

##### **AMEND TO**

Save as provided in Article 4, no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any vehicle to stop at any time in any of the lengths of road specified in Schedule I.

Nothing in Article 3 shall apply to:-

- (a) any vehicle where the driver; (i) is required by law to stop, (ii) is obliged to stop in order to avoid an accident, (iii) is prevented from proceeding by circumstances outwith the driver's control and it is not reasonably practicable for the vehicle to be driven or moved to a place not on the length of road; (b) any vehicle while being used for fire and rescue, ambulance or police purposes, if the observance of any restriction in these articles would likely to hinder the use of the vehicle for such purposes; (c) any vehicle, not being a passenger vehicle, while being used in the service of the Council in pursuance of statutory powers or duties, if it cannot conveniently be used for such purposes in any other length of road; (d) any vehicle, if it cannot conveniently be used for such purposes in any other length of road, while being used in connection with any building operation, demolition or excavation, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of the road, or the laying erection, alteration, removal or repair in or near the road of any sewer or main, pipe or apparatus for the supply of gas, water or electricity, or any apparatus comprised in any electronic communications network.

Nothing in Article 6 shall prevent any person from causing or permitting a vehicle to wait in any of the lengths of road specified in Schedules II while the vehicle is in actual use for the purposes of loading goods onto or unloading goods from the vehicle at premises adjacent to the length of road, during such hours and on such days as are specified in that Schedule.

#### **ADD ARTICLE 8**

Nothing in Article 6 shall apply to: (a) any vehicle while being used for fire and rescue, ambulance or police purposes, if the observance of any restriction in these articles would likely to hinder the use of the vehicle for such purposes; (b) any vehicle, not being a passenger vehicle, while being used in the service of the Council in pursuance of statutory powers or duties, if it cannot conveniently be used for such purposes in any other length of road; (c) any public service vehicle while waiting at any authorised stopping place; (d) any vehicle, if it cannot conveniently be used for such purposes in any other length of road, while being used in connection with any building operation, demolition or excavation, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of the road or the laying erection, alteration, removal or repair in or near the road of any sewer or main, pipe or apparatus for the supply of gas, water or electricity, or any apparatus comprised in any electronic communications network; (e) any liveried vehicle in the service of, or employed by, a universal service provider and in actual use in a length of road while postal packets: (i) addressed to premises adjacent to the length of road are being unloaded from the vehicle or, having being unloaded, are being delivered to those premises; or (ii) are being collected from postal boxes or premises adjacent to the length of road for loading on to the vehicle or are being so loaded; (f) any security vehicle in actual use in a length of road while currency or other valuables; (i) are being unloaded from the vehicle for delivery to premises adjacent to the length of road or, having been unloaded, are being so delivered; or (ii) are being collected from premises adjacent to the length of road for loading on to the vehicle or, having been collected, are being so loaded.

#### **ADD ARTICLE 9**

Nothing in Article 6 shall prevent any person from causing or permitting a vehicle to wait in any of lengths of road specified in Schedules II & III for as long as may be necessary: (a) to enable a person to board or alight a vehicle; (b) if the vehicle is in actual use in connection with the removal of furniture to or from any residential or commercial premises adjacent to the road in question; (c) if the vehicle is in actual use in connection with a funeral undertaking.

#### **ADD ARTICLE 10**

Nothing in Article 6 shall apply to any vehicle waiting in any lengths of road specified in Schedule II which is not causing an obstruction and on which is displayed, in the relevant position, a valid disabled persons' badge.