

North Lanarkshire Council

Various Streets, Gartcosh and Glenboig

(Waiting Restrictions) Order 2020

The North Lanarkshire Council, in exercise of the powers conferred on them by Section 1(1), 2(1) to (3) 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 and Glenboig) (Waiting Restrictions) Order 2020” and shall come into operation on Monday, the tenth day of February, Two thousand and twenty.
2. In this Order the following expressions have the meanings hereby assigned to them:-
 - “Council” means the North Lanarkshire Council.
 - “parking place” means an area on a road designated as a parking place by Article 4;
 - “parking space” means a space in parking place which is provided for the leaving of a vehicle.
 - “parking attendant” means a person employed in accordance with Section 63A of the Road Traffic Regulation 1984 Act to carry out the functions therein;
 - “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;
 - “taxi” has the same meaning as in Section 23(1) of the Civic Government (Scotland) Act 1982;
 - “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 5, 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 Articles 5 and 6 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, and during such times and days, as specified in Schedule II 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 Schedule II 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 Signs 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 a vehicle precludes compliance with this paragraph, such 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. Nothing in Articles 3 & 4 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 out with 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.

6. Nothing in Article 4 of this Order shall apply to: (a) 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, and (b) 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.
7. If a vehicle is left on any of the roads specified in Schedules I or II 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 Archie Aitken, Head of Democratic and Legal Services, at Motherwell on Monday, the twenty-seventh day of January, 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 138 metres south east of the centreline of the M73 south-eastwards to a point 16 metres south of the extended south kerb of Cragneithan Drive, a distance of 312 metres or thereby. Both

Unnamed Road (Glenboig Link Road)

From its junction with Cragneithan Drive, Gartcosh, generally 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 from a point 123 metres north west of the extended north kerbline of Cragneithan Drive north westwards for a distance of 31 metres or thereby.

West