

**North Lanarkshire Council**

**Cumbernauld & Condorrat**

**(Traffic Regulation) (Variation Order No 1) Order 2020**

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 (Cumbernauld and Condorrat) (Traffic Regulation) (Variation Order No 1) Order 2020" and shall come into operation on Monday, the thirteenth day of April, Two thousand and twenty.
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 thirtieth day of March, Two thousand and twenty.



## **Schedule**

### **Order to be Amended**

The North Lanarkshire Council (Cumbernauld and Condorrat) (Traffic Regulation) (Consolidation) Order 2018 should be amended as detailed below:

In Article 2 add the following definitions:

- “parking place” means an area on a road designated as a parking space
- “parking space” means a space in parking place which is provided for the leaving of a vehicle.

Delete Articles 3 to 30 in their entirety.

Add in the undernoted Articles:

Article 3: Save as provided in Articles 8, 9, 10 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 at any time in any of the lengths of road specified in Schedules I, II, V, VI, IX, X, XI, XII, XIII and XV.

Article 4: Save as provided in Articles 7, 8, 9, 10 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 Schedules VII.

Article 5: Save as provided in Articles 7, 8, 9, 10 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 Schedules III, VIII, XIV; (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. Each length of road which is specified in Schedules III, VIII, XIV 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.

Article 6: 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 other than a bus to wait or stop in any of the lengths of road, and during such times and days as specified in Schedule IV.

Article 7: Nothing in Articles 3, 4, 5, 6 of this Order shall prevent any person from causing or permitting a vehicle to wait in any of the lengths of road specified in Schedules II, III, VII, VIII, XI, XIII 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 and permitted in that Schedule.

Article 8: Nothing in Articles 3, 4, 5, 6 of this Order, 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, and (f) if 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 to (ii) are being collected from premises adjacent to the length of road for loading onto the vehicle or, having been collected, are being so loaded.

Article 9: Nothing in Articles 3, 4, 5, 6 of this Order shall prevent any person from causing or permitting a vehicle to wait in any of lengths of road specified in Schedules I, II, III, VI, VII, VIII, X, XI, XII, XIII, XIV, XV 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, and (c) if the vehicle is in actual use in connection with a funeral undertaking.

Article 10: Nothing in Articles 3, 4, 5 of this Order shall apply to any vehicle waiting in any lengths of road specified in Schedules II, III, V, VII, VIII, IX, XI, XIII, XIV which is not causing an obstruction and on which is displayed, in the relevant position, a valid disabled persons' badge.

Article 11: If a vehicle is left on any of the roads specified in Schedules I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV or any parking place 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 the failure to pay such penalty charge. Where a Penalty Charge Notice has been attached to a person duly authorised by the Council, shall remove the notice from the vehicle unless authorised to do so by the owner of the vehicle.

Amend Schedule XIII – No Waiting at Any Time

North Carbrain Road

Add the following description

From its junction with Yule Way, westwards to its junction with McIntosh Way, a distance of 573 metres or thereby, on both sides of the road.