

North Lanarkshire Council

Various Streets, Shotts Area

(Waiting and Loading Restrictions) (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 (Various Streets, Shotts Area) (Waiting and Loading Restrictions) (Variation Order No 1) Order 2020" and shall come into operation Monday, the twenty-ninth day of June, 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 Legal and Democratic Solutions, at Motherwell on Monday, the fifteenth day of June, Two thousand and twenty.



SCHEDULE

ORDERS TO BE AMENDED

The North Lanarkshire Council (Various Streets, Shotts Area) (Waiting and Loading Restrictions) Order 2018

In Article 2 add the following definitions:

- “blue badge” means the same as “disabled persons’ badge” below;
- “bus” means a motor vehicle constructed or adapted to carry 8 or more passengers (exclusive of the driver);
- “local bus services” has the 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 Act 1984 to carry out the functions therein;
- “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;
- “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.

Add Article 11:

Each length of road which is specified in Schedules III, IV 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.

Add Article 12:

If a vehicle is left in any of the roads specified in Schedules I, II, III, IV 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 as 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.

SCHEDULE II – NO WAITING MONDAY TO SATURDAY 8AM-6PM

SHOTTSKIRK ROAD

Amend From

From the extended south kerbline of Station Road, northwards for a distance of 65 metres or thereby. Both sides

Amend To

From the extended south kerbline of Station Road, northwards to a point 6 metres north of the extended north kerbline of Hunter Street, a distance of 180 metres or thereby. Both sides

Add to schedule

PARK ROAD

From the extended kerbline of Shottskirk Road westwards for a distance of 5 metres. Both sides

HUNTER STREET

From the extended kerbline of Shottskirk Road eastwards for a distance of 5 metres. Both sides

EASTER ROAD

From the extended kerbline of Shottskirk Road eastwards for a distance of 6 metres. Both sides