

2015/07

## **Glasgow City Council (Mavisbank Gardens) (Traffic Regulation) Order 2015**

Glasgow City Council in exercise of the powers conferred on them by the Road Traffic Regulation Act 1984 ("the Act") and of all other enabling powers and after consultation with the Chief Constable of Strathclyde Police in accordance with Part III of Schedule 9 to the Act hereby make the following Order:-

### **Citation and Commencement**

1. a) This Order may be cited as "The Glasgow City Council (Mavisbank Gardens) (Traffic Regulation) Order 2015" and shall come into operation on 1<sup>st</sup> May 2015.
- b) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies to an Act of Parliament.
- c) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

### **Definitions**

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

**"Chief Constable"** means Chief Constable of Police Scotland;

**"Council"** means Glasgow City Council;

**"Emergency services vehicle"** means a vehicle being used by Police, Fire & Rescue Service, Ambulance Services or Civil Defence Organisation;

**"Emergency services purposes"** means the saving of life or extinguishing fire or meeting any other like emergency;

**"Parking attendant"** means any person authorised by or on behalf of the Council to issue penalty charge notices;

**"Penalty Charge Notice"** means a device containing the information required by the Road Traffic Act 1991, as amended, for a penalty charge notice;

**"Universal postal service"** has the same meaning as in the Section 4 Postal Services Act 2000;

**"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 by animal or mechanical power;

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**Articles pertaining to Schedule 1**  
**No waiting at any time**

**Waiting restrictions**

1. 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 the lengths of roads specified in Schedule 1.

**Exemptions from waiting restrictions**

2. Nothing in Article 1 hereof shall:-
  - (i) prevent any person from causing or permitting a vehicle to wait, load or unload in the lengths of roads referred to in this Article:-
    - (a) to enable a person to board or alight from the vehicle or to load or unload his or her personal luggage;
    - (b) if the vehicle is an emergency services vehicle being used for emergency services purposes;
    - (c) if the vehicle is prevented from proceeding by circumstances beyond the driver's control or which has to be stopped in order to avoid injury or damage to persons or property;
    - (d) if the vehicle is a marked vehicle which, whilst used by a universal postal service provider in the course of the provision of a universal postal service, is stationary only for the delivery or collection of postal packets;
  - (ii) apply to a pedal cycle attached to a stand which displays the sign corresponding to The Traffic Signs Regulations and General Directions 1992 diagram number 968 or 968.1;

**Penalty Charge**

3.
  - (i) A penalty charge, as permitted by the Road Traffic Act 1991, as amended, shall be payable, with respect to a vehicle, if that vehicle is waiting on any length of road specified in Schedule 1 otherwise than in accordance with the provisions of Articles 1 and 2 hereof.
  - (ii) The penalty charge shall be £60, discounted to £30 if paid within 14 days and £90 if unpaid after 56 days, as amended from time to time.
  - (iii) A penalty charge notice shall be attached to the vehicle, or handed to the owner or person who appears to be in charge of the vehicle, incurring the penalty charge.

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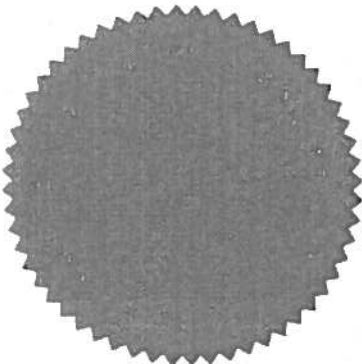
**Articles pertaining to Schedule 1**  
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4. Where a penalty charge notice has been attached to a vehicle in accordance with Article 3 (iii) hereof, no person, other than the owner or person who appears to be in charge of the vehicle or a person duly authorised by the Council, shall remove the penalty charge notice from the vehicle unless authorised to do so by the owner or person who appears to be in charge of the vehicle. Any person who removes a penalty charge notice without the proper authority shall be guilty of an offence in terms of Section 66(6) of the Road Traffic Act 1991 as amended.
5. If a penalty charge notice has been issued in accordance with Article 3 hereof, a parking attendant may remove the vehicle, or cause the vehicle to be removed. If it is removed the Council shall provide for the safe custody of the vehicle.

**Power to dispose of abandoned vehicles**

6. Subject to the Road Traffic Regulation Act 1984 the Council may, as respects a vehicle which has been removed in pursuance with Article 5 hereof, sell or otherwise dispose of the vehicle if it appears to have been abandoned, provided they have made reasonable enquiry to ascertain the name and address of the owner of the vehicle and to inform the owner of their intention.

Sealed with the Common Seal of Glasgow City Council and subscribed for it, and on its behalf by GEORGE GILLESPIE, ASSISTANT DIRECTOR OF LAND AND ENVIRONMENTAL SERVICES, AT GLASGOW, ON THE TWENTY FOURTH DAY OF MARCH TWO THOUSAND AND FIFTEEN.



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**Schedule 1**  
**No waiting at any time**

**Mavisbank Gardens**

1. On the south side, from a point, 170 metres, northwest of Paisley Road, westwards to its western extremity, including turning head.
2. On the north side, from a point, 176 metres, northwest of Paisley Road, westwards to its western extremity, including turning head.
3. Across the carriageway, at its western extremity, including turning head.
4. On both sides, from the extended north kerblines of Govan Road northwards to the south kerblines of Mavisbank Gardens, including roundabout.