

Glasgow City Council (Off Road Parking Places) Order 2016

Glasgow City Council in exercise of the powers conferred on them by Sections 32, 33 and 35 of the Road Traffic Regulation Act 1984 ("the Act") as amended 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:-

Citation and Commencement

1. a) This Order may be cited as the "The Glasgow City Council (Off Road Parking Places) Order 2016" and shall come into operation on the 29th Day of October 2016.
- 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:-

"Automatic Number Plate Recognition" (ANPR) or "Automatic Licence Plate Recognition"(ALPR)" means an optical or digital device that recognises the characters on a vehicles licence plate, which then allows a vehicle utilising a pre payment device to enter or exit from a parking place.

"Act" means 'The Road Traffic Regulation Act 1984'

"bus", "local bus" and "local service" have the same meaning as defined in The Traffic Signs Regulations and General Directions 2016;

"Cashless parking" means a method of paying the parking charge by utilising a credit/debit card, or other technology that enables payment to be made

"charging post" means an installation adjacent to a parking place for the purposes of recharging the battery of an electric vehicle by way of a connecting lead;

"Chief Constable" means Chief Constable of Police Scotland;

"Council" means Glasgow City Council;

"Council's representative" means City Parking (Glasgow) LLP

"day" means a period of 24 hours commencing at 00:01 hours and ending at 24:00 hours and any reference to hours shall be construed as referring to consecutive hours within any one day;

"disabled person's badge" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons)(Scotland) Regulations 2002;

"disabled vehicle" means a vehicle displaying a "disabled person's badge" in the "relevant position"

“dual purpose vehicle” has the same meaning as is given to the expression in Regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986;

“electric vehicle” an automobile that is powered entirely or partially by electricity and is capable of being charged from an external source;

“electric vehicle parking space” means an space in a parking place which is provided for the recharging of electric vehicles;

“Goods vehicle” means a motor vehicle or trailer, constructed or adapted for use for the carriage of goods or burden of any description and taxed as one of the following:- Light goods Vehicle, Euro 4 Light Goods Vehicle, Private HGV, Rigid, two and three axled articulated vehicles, Rigid vehicles, Trailers, Two axled tractive unit articulated vehicles and Three axled tractive unit articulated vehicles, but not including a dual-purpose vehicle;

“minibus” a motor vehicle that is constructed or adapted to carry more than 8 but not more than 16 seated passengers in addition to the driver

“motor cycle” has the same meaning as is given to the expression in Regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986;

“parking attendant” means any person authorised by or on behalf of the Council to issue penalty charge notices;

“parking device” means either a card, disk, token, meter, permit, stamp or other similar device

“parking place” means an area designated as a parking place by Article 3 of this Order, within which parking spaces may be indicated;

“parking space” means a space in a parking place which is provided for the leaving of a vehicle

“Parking ticket machine” means an apparatus designed (a) to accept payment (by whatever means) and (b) to issue tickets indicating the payment charged (by whatever means) and time/date of expiry of the parking permitted by the ticket;

“Penalty Charge Notice” means a device containing the information required by the Road Traffic Act 1991 for a penalty charge;

“Passenger vehicle” has the same meaning as is given to the expression in Regulation (3) (2) of the Road Vehicles (Construction and Use) Regulations 1986;

“prepayment device” is a method that allows parking charges to be paid in advance

“Public service vehicle” has the same meaning as defined in Section 1 of the Public Passenger Vehicles Act 1981;

“recharging lead” for the purposes of this Order, means a cable capable of being plugged into an electric vehicle direct from a charging post with the intention of charging the vehicle batteries;

“Relevant position” has the same meaning as in Regulation 12 of the Disabled Person (Badges for Motor Vehicles) (Scotland) Regulations 2000;

“registered keeper” is the person for the time being registered at the Driving and Vehicle Licensing Agency as the person named on the Vehicle Registration Document as the person keeping the vehicle. The registered keeper is not necessarily either the legal owner of the vehicle or the driver or user of the vehicle for the time being

“Solo motorcycle” means a motor cycle without a side car and having two wheels;

“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;

Designation Of Parking Places

3. Each area which is described in Schedule 1 to this Order shall be an Off Road parking place for the purpose of this order.

Marking Of Parking Places And Parking Spaces

4. The limits of each parking place and the limits of each parking space in a parking place, either for general use or for use by vehicles of a particular class, shall be indicated in such a manner as the Council or the Council's representative may determine by lines, studs, signs or other indications.

Vehicles For Which Parking Places Are Designated

5. Each parking place described in Schedule 1 to this Order may be used, subject to the provisions of Article 7 & 8 of this Order, for the leaving of such vehicles as are passenger vehicles, goods vehicles, dual purpose vehicles, electric vehicles, motor cycles, solo motorcycles, public service vehicles (not being a local bus or local service) or disabled person's vehicles and such other class of vehicles as the Council, or Council's representative, may determine from time to time in relation to any particular parking place.

Disabled Parking Spaces

6. Where within a parking place, a parking space is marked in accordance with Article 4 to indicate that it is available for the use of a disabled person, the driver of a vehicle shall not permit the vehicle to wait in that parking space unless it is carrying a disabled person and displays in the relevant position a disabled person's badge issued by a local authority in exercise of its powers under section 21(1) of the Chronically Sick and Disabled Persons Act 1970

Manner Of Standing In Parking Places

7. Every vehicle left in a parking place shall so stand such that every part of the vehicle is within the limits of one parking space, indicated in the manner described in Article 4. Provided that,

- (a) where the length of a vehicle precludes compliance with this paragraph, such vehicle will be deemed to be within the limits of a parking space if: -
 - (i) the extreme front portion, or, as the case may be, the extreme rear portion of the vehicle is within 300mm of an indication on the ground provided under Article 4 of this Order in relation to the parking space; and
 - (ii) the vehicle, or any part thereof, is not within the limits of any adjoining parking space.
- (b) where a parking space is marked for use by a particular class of vehicle in accordance with Article 4, only vehicles of that particular class may use that parking space.
- (c) At all times when an Electric Vehicle is waiting in an Electric Vehicle Parking Space the driver shall cause that vehicle to be connected via a recharging lead to the charging post installed in respect of the Electric Vehicle Parking Space.

Restriction Of Use Of Parking Places

- 8. Except with the written consent of the Council, or Councils representative, and having obtained any planning or licensing consents and complied with all health and safety requirements:
 - (a) No person shall use any parking place or any vehicle, while it is in a parking place, in connection with the sale or offering for sale of any article to any person in or near the parking place or in connection with the selling or offering for sale of their skill in handicraft or their services in any other capacity or for the purpose of advertising, unless the vehicle has been licensed to trade at that location by the Council or the Council's Representative
 - (b) No person shall wash, clean or overhaul any vehicle or execute any mechanical or other alterations or repairs to the vehicle while it is in a parking place, except such repairs as may be essential for the purpose of enabling the vehicle to be towed or driven away from the parking place.
 - (c) Where at or near the entrance to a parking place there is a sign, surface marking or other indication that the parking place is only available to vehicles under a specified height, width, length or weight no person shall cause or permit to enter the parking place any vehicle which exceeds that height, width, length or weight.

Parking Charges

- 9. (a) Save as provided in Article 11 of this Order the parking charge for a vehicle left in a parking place designated in Schedule 1 to this Order, shall

be in accordance with the tariffs in Schedule 2 to this Order or as varied from time to time by a Notice under Section 35C of the Act

- (b) In relation to any particular parking place the Council, or Council's representative may determine from time to time the method of payment and type of equipment or parking device used to pay the parking charge,

Method of Payment of Parking Charges

10. (a) Parking Ticket Machine

- (i) The parking charge as specified in Schedule 2 shall be payable on the leaving of the vehicle in the parking place by payment by any means accepted by the parking ticket machine and;
- (ii) The driver or person authorised thereof shall exhibit on the vehicle, in accordance with the provisions of paragraphs (iii), (iv) and (v) of this Article, the parking ticket issued by the parking ticket machine at the time of payment;
- (iii) A ticket shall be valid for a single stay only and no other ticket issued by a parking ticket machine shall be displayed;
- (iv) The parking ticket shall be exhibited on the vehicle:-
- I in the case of a two-wheeled motor cycle having a sidecar attached thereto, or any other vehicle not having a windscreen, in a conspicuous position on the near side of the vehicle in front of the driving seat;
- II in the case of any other vehicle, in a conspicuous position facing forward on the inside of the glass of the windscreen.
- (v) The parking ticket shall be so exhibited on the vehicle that the time and other details indicated on the front thereof are clearly visible to a person standing at the near side of the vehicle.

Payment of parking charge by other methods

- (b) (i) The parking charge as specified in Schedule 2 hereof shall be payable on the leaving of the vehicle in the parking place;
- (ii) The driver, or person authorised by the driver must be able to demonstrate that payment of the parking charge has been made;
- (iii) Payment shall be made by using any method accepted by the Council or the Council's Representative

Exemption from Charges

11. (a) The Council, or Council's representative, may determine from time to time any class of vehicle which may be left at any particular parking place free of the parking charge as listed in Schedule 2 to this Order or as varied from time to time by a notice under section of 35C of the Act
- (b) any vehicle left in a parking place free of charge shall not be exempt from the Penalty Charge, as determined by Article 19, or any of the other provisions of this Order.

Indications Of Parking Charge By Parking Ticket

12. Where the method of payment is Pay and Display:

(i) payment of the parking charge for a vehicle left in a parking place designated in Schedule 1 shall be indicated by a parking ticket issued from a parking ticket machine at or near the parking place. This parking ticket shall be numbered to indicate the identity of the issuing machine. It will identify the amount of charge that has been paid and the date and time of payment or the amount of parking charge that has been paid and the date and time when the permitted parking, in terms of the parking ticket, will expire. Exhibition of any parking ticket shall be in accordance with the provisions of Article 10 hereof;

(ii) The expiry of the period for which the parking charge has been paid shall take place when the time shown on the clock on the parking ticket machine is later than the expiry time shown on the parking ticket.

(iii) If the parking ticket machine, at the parking place at which the vehicle is left, is out of order, an alternative machine or alternative method of payment, as designated in Article 13 hereof, must be used. The alternative machine shall display the same parking charge tariffs and maximum parking time as the machine nearest the parking place in which the vehicle is left

Indication of parking charge by other methods

13. (i) Payment of the parking charge, for a vehicle left in a parking place designated in Schedule 1, shall be indicated on the device held by the parking attendant or by some other evidence as approved by the Council or the Council's Representative. The device will identify the amount of parking charge that has been paid and the date and time of payment or the amount of parking charge that has been paid and the date and time when the permitted parking, in terms of the device held by the parking attendant or by some other evidence, will expire;

(ii) The expiry of the period for which the parking charge has been paid shall take place when the time shown on the device held by the parking attendant, or by some other evidence, is later than the period paid for.

Evidence of permitted parking by parking ticket

14. (i) If a vehicle is left in a parking place and no parking ticket or parking permit is exhibited on that vehicle in accordance with the provisions of Articles 12 and 13 hereof it shall be presumed that the parking charge has not been duly paid;
- (ii) If a vehicle is left in a parking place and the clock on the parking ticket machine relating to the parking place in which the vehicle is left and the parking ticket exhibited on the vehicle and issued from the parking ticket machine gives the indication mentioned in Article 12 (ii) hereof, it shall be presumed that the parking charge has been duly paid and that the period for which payment was made by the parking charge has already expired.

Evidence of permitted parking by other methods

15. (i) If a vehicle is left in a parking place and there is no verification of payment then it shall be presumed that the parking charge has not been duly paid;
- (ii) If a vehicle is left in a parking place and the time paid for gives the indication mentioned in Article 13(ii) hereof, it shall be presumed that the parking charge has been duly paid and that the period for which payment was made by the parking charge has already expired.

Extension of parking charge by other methods

16. If a vehicle is left in a parking place and the period paid for is approaching, then where available, the driver or person authorised to pay the parking charge by ticketless means will be given the option to receive a notification reminder of the expiration time approaching;

At the time of the notification reminder, the driver or authorised person will be given the option to extend the paid for period when appropriate.

Alteration Of Position Of Vehicle In Parking Place

17. Where any vehicle is standing in a parking place in contravention of the provisions of Article 7 (Manner Of Standing in Parking Places) of this Order, a Parking Attendant may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

Power to Suspend Parking Places

18. (i) Any person duly authorised by the Council or Council's representative, may suspend the use of a parking place or any part thereof whenever such suspension is considered reasonably necessary:-
- (ii) Any person suspending the use of a parking place or any part thereof in accordance with paragraph (i) of this Article should thereupon place or cause to

be placed in or adjacent to any part of that parking place, the use of which is suspended, a traffic sign or other suitable means indicating that waiting by vehicles is prohibited;

(iii) No person shall cause or permit a vehicle to be left in a parking place suspended in accordance with paragraph (ii) of this Article provided that nothing in this Article shall render it unlawful to cause or permit any vehicle being used for emergency services purposes to be left in the parking place, or if that vehicle is left with the permission of the person suspending the use of the parking place or the part thereof in pursuance of paragraph (i) of this Article or a police constable in uniform.

Penalty Charge At Parking Places

19. (a) A penalty charge as permitted by the Road Traffic Act 1991 shall be payable, with respect to a vehicle, if that vehicle is left in a parking place designated in Schedule 1 otherwise than in accordance with the provisions of Articles 1 to 18 inclusive hereof.
- (b) The amount of 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.
- (c) 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.
20. Where a penalty charge notice has been attached to a vehicle in accordance with Article 19(c) 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 or the Councils Representative, 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 the Road Traffic Act 1991.
21. If a penalty charge notice has been issued in accordance with Article 19 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. If a penalty charge notice has been issued in accordance with Article 19 hereof a period of 15 minutes shall elapse before the vehicle is removed.

Power To Dispose Of Abandoned Vehicles

22. Subject to the Road Traffic Regulation Act 1984 the Council may, as respects a vehicle which has been removed from a parking place in pursuance with Article 21 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.

Responsibility of Driver

23. The person who was driving the vehicle at the time it is left in the parking place shall be responsible for complying with the provisions of this Order and unless otherwise proved to the contrary the registered keeper of the vehicle shall be deemed to be the driver of that vehicle.

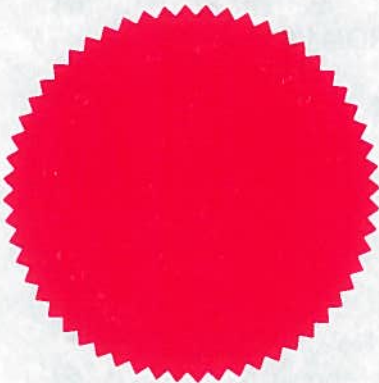
Responsibility of Registered Keeper

24. The registered keeper of the vehicle at the time it was left in the parking place shall be responsible for the payment of any penalty charges due to the Council in respect of that vehicle.

Revocation of made orders

25. The Orders specified in Schedule 3 are revoked.

Sealed with the Common Seal of Glasgow City Council and subscribed for them and on their behalf by GEORGE GILLESPIE, ASSISTANT DIRECTOR OF LAND AND ENVIRONMENTAL SERVICES AT GLASGOW ON THE 15th SEPTEMBER 2016.



A handwritten signature in blue ink, appearing to be 'G. Gillespie', written over a faint horizontal line.

Schedule 1

Designated Off Road Parking Areas

<u>Name of Parking Place</u>	<u>Location</u>
Anderston Centre	Situated south of Bishop Lane and west of Douglas Street as shown in the drawing...TRO/44/024
Ashton Road	Situated north east of University Avenue and south west of Ashton Road as shown in the drawing Ashton Road Car Park -TRO/44/025
Bunhouse Road	Situated to the west of Bunhouse Road between Dumbarton Road and Old Dumbarton Road as shown hatched on the attached plan TRO/44/0002
Burnside Street	Situated below the M8 Woodside Viaduct and taking access from Burnside Street to the south as shown hatched on the attached plan TRO/44/0003
Cathedral 1	Situated north of Rottenrow, east of Collins Street and to the south of Macleod Street, as shown on the attached plan TRO/44/0006
Cathedral 2	Situated north of Macleod Street, east of Collins Street and South of Cathedral Street, as shown on the attached plan TRO/44/0006
Cathedral 4	Situated north of St James Road, south east of Stirling Road and southwest of Glebe Street, as shown hatched on the attached plan TRO/44/0006

Schedule 1

Designated Off Road Parking Areas

<u>Name of Parking Place</u>	<u>Location</u>
Dunlop Street	Situated east of Dunlop Street, north of Stockwell Place, west of Stockwell Street and south of Osborne Street, as shown hatched on the attached plan TRO/44/0011
Great Dovehill	Situated south of Bell Street and west of Great Dovehill, as shown hatched on the attached plan TRO/44/0012
High Street	Situated east of High street and south of Duke Street as shown hatched on the attached plan TRO/44/0013
Kelvingrove	Situated to the west of Kelvin Way at the Kelvingrove Art Gallery and Museum, as shown hatched on the attached plan TRO/44/0014
Lilybank Gardens	Situated west of Lilybank Gardens, south of Great George Street and east of Great George Lane, as shown hatched on the attached plan TRO/44/0015
Newton Street 1	Situated south of Stobcross Street below the elevated M8, as shown hatched on the attached plan TRO/44/0018
Newton Street 2	Situated East of Newton Street to the north of Anderston Quay as shown hatched on the attached plan TRO/44/0018
Riverside Museum	Situated south of the Clydeside Expressway (A814), east of the River Kelvin as shown hatched on the attached plan TRO/44/0021
Spoutmouth A	Situated west of Spoutmouth, south of Molendinar Street, and north of Gallowgate, as shown hatched on the attached plan TRO/44/0019
Spoutmouth B	Situated east of Spoutmouth, south of Molendinar Street, and north of Gallowgate, as shown hatched on the attached plan TRO/44/0020

Schedule 1

Designated Off Road Parking Areas

Schedule 2

Parking Charges

Anderston Centre Car Park (Mon – Sat)	0 - 1 hour	£1.00
	1 hour - 2 hours	£2.00
	2 hours - 3 hours	£3.00
	3 hours - 4 hours	£6.00
	4 hours - 5 hours	£7.00
	5 hours - 6 hours	£8.00
	6 hours - 7 hours	£9.00
	7 hours - 8 hours	£10.00
	8 hours - 9 hours	£11.00
	9 hours - 10 hours	£12.00
Disabled Vehicle		£0.00
Electric Vehicle (In Electric Vehicle Parking Space)		£0.00
Overnight flat rate	6pm - 8am	£1.50
Sunday flat rate	8am - 6pm	£1.50
Newton Street (Mon - Sun)	0-1 hour	£0.80
	1 hour - 2 hours	£1.60
	2 hours - 4 hours	£2.00
	4 hours - 12 hours	£3.50
Disabled Vehicle		£0.00
Electric Vehicle (In Electric Vehicle Parking Space)		£0.00
Overnight flat rate	6pm - 8am	£1.50
Burnside Street, Cathedral Square, Spoutmouth A & B, Great Dovehill and Lilybank (Mon - Sat)	0 - 1 hour	£1.20
	1 hour - 2 hours	£2.40
	2 hours - 3 hours	£3.40
	3 hours - 4 hours	£4.40
	4 hours - 5 hours	£5.40
	5 hours - 6 hours	£6.40
	6 hours - 7 hours	£7.40
	7 hours - 8 hours	£8.40
	8 hours - 9 hours	£9.00
	9 hours - 10 hours	£10.00
	Disabled Vehicle	
Electric Vehicle (In Electric Vehicle Parking Space)		£0.00
Overnight flat rate	6pm - 8am	£2.50
Sunday flat rate	8am - 6pm	£2.50

Schedule 2

Parking Charges

Kelvingrove and Riverside Museum (Mon - Sun) 4 hour maximum stay	0-4 hours	£1.00
Disabled Vehicle		£0.00
Electric Vehicle (In Electric Vehicle Parking Space)		£0.00
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Bunhouse (Mon - Sun)	0-4 hours 4 hours - 10 hours	£1.00 £2.50
Disabled Vehicle		£0.00
Electric Vehicle (In Electric Vehicle Parking Space)		£0.00
Overnight flat rate	6pm - 8am	£1.50
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High Street (Mon - Sat)	0 - 1 hour 1 hour - 2 hours 2 hours - 3 hours 3 hours - 4 hours 4 hours - 5 hours 5 hours - 6 hours 6 hours - 7 hours 7 hours - 8 hours 8 hours - 9 hours 9 hours - 10 hours	£1.40 £2.80 £4.20 £5.60 £7.00 £8.40 £9.80 £11.20 £12.60 £14.00
Disabled Vehicle		£0.00
Electric Vehicle (In Electric Vehicle Parking Space)		£0.00
Van Parking	24hr	£15.00
Bus/Coach Parking	24hr	£25.00
Overnight flat rate	6pm - 8am	£1.50
Sunday flat rate	8am - 6pm	£2.00
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Dunlop Street (Mon - Sun)	0-1hour 1 hour - 2 hours 2 hours - 3 hours 3 hours - 4 hours 4 hours - 5 hours 5 hours - 24 hours	£1.40 £2.80 £4.20 £6.00 £8.40 £10.00
Disabled Vehicle		£0.00
Electric Vehicle (In Electric Vehicle Parking Space)		£0.00
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Ashton Road Mon-Fri 0845-1715 hours 4 hour max stay no return within 30 minutes	0 - 4 hours	£0.30 per hour
Disabled Vehicle		£0.00
Electric Vehicle (In Electric Vehicle Parking Space)		£0.00
Saturday and Sunday		£0.00

Schedule 2

Parking Charges

Season Tickets

Cathedral 1, 2 & 4

	5 day Mon – Fri	6 day	7 day
1 week	£21.00	n/a	n/a
4 week	£84.00	n/a	n/a
quarterly	£273.00	n/a	n/a
Calendar Month			n/a
Annual			n/a

Spoutmouth A & B, Great Dovehill

	5 day Mon – Fri	6 day	7 day
1 week	£12.50	£15.00	£16.00
4 week	£50.00	£60.00	£64.00
quarterly	£162.50	£195.00	£208.00
Calendar Month			£69.00
Annual			£760.00

Schedule 2

Parking Charges

2 Other Class of vehicles

Where in accordance with Article 4, in any of the parking places listed in Schedule 1, there are parking spaces marked for the exclusive use of a particular class of vehicle, the parking charge for that class of vehicle shall be the same as for a vehicle unless stated otherwise.

Schedule 3
Orders to be Revoked

1. The Glasgow City Council (Off Road Parking Places) Order 2011

