

South Lanarkshire Council (Hyndford Place and Bernards Wynd Area, Lanark) (Waiting Restriction) Order 2015

South Lanarkshire Council in exercise of the powers conferred on them by Sections 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 "South Lanarkshire Council (Hyndford Place and Bernards Wynd Area, Lanark) (Waiting Restriction) Order 2015" and shall come into operation on the 19th day of September 2016.

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

"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;

"disabled person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2002;

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

"Council" means South Lanarkshire Council;

3. No waiting at any time

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 in uniform, cause or permit any vehicle to wait at any time in the length of road specified in the Schedule 1 to this Order.

4. Limited Waiting

Save as provided in Article 5 and 6 of this Order no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any vehicle to wait between the hours of 8.00am and 6.00pm inclusive, on the days shown in Column 8 and in the area of road specified in Columns 2, 3 and 4 of Schedule 2 to this Order:-

- (a) for a longer period than that shown in column 6, expressed in minutes; or
- (b) if a period of less than that shown in column 7, expressed in minutes, has elapsed since the last period of waiting of the vehicle in any of the said area of road.

5. Exemptions to Waiting and Loading

Nothing in Article 3 and 4 of this Order shall prevent any person from causing or permitting a vehicle to wait in the length of the road referred to in that Article :-

- (i) for so long as may be necessary to enable a person to board or alight from the vehicle or to load thereon or unload there from his personal luggage;
- (ii) for so long as may be necessary to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of any of the length of the road so referred to, or the laying, erection, alteration or repair in or near to any of the said length of the road, of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any telecommunications apparatus as defined in the Telecommunications Act 1984 ;
- (iii) to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in pursuance of statutory powers and duties and in particular, but without prejudice to the generality of the foregoing, to enable the vehicle to be used in connection with police, fire brigade and ambulance purposes ;
- (iv) if the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident ;
- (v) if the vehicle is in the service of or employed by a universal postal service provider and is waiting in any of the length of the road while postal packets addressed to premises adjacent thereto are being unloaded from the vehicle or having been unloaded there from are being delivered or while postal packets are being collected from premises or posting boxes adjacent thereto ;
- (vi) for the purpose of loading or unloading the vehicle while the vehicle is standing at the kerb and is in actual use in connection with the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository ;
- (vii) to enable the vehicle to be used in connection with funeral or bridal operations.

6. Exemptions to Waiting Restrictions

- (a) Nothing in Article 3 and 4 of this Order shall apply to any disabled person's vehicle which is not causing an obstruction and which displays a disabled person's badge.
- (b) Nothing in Article 3 and 4 of this Order shall prevent any person from causing or permitting a vehicle to wait in the length of road referred to in that Article for so long as may be necessary for the purpose of delivering or collecting goods or merchandise or loading or unloading the vehicle at premises adjoining that road provided that:-

(i) no vehicle engaged in delivering or collecting goods or merchandise or being loaded or unloaded shall wait for a longer period than 30 minutes in the same place and no such vehicle shall wait for a longer period than ten minutes in the same place without goods being loaded onto or unloaded from the vehicle ;

(ii) not withstanding the above, the driver waiting for the purpose of delivering or collecting goods or merchandise or loading or unloading the vehicle shall move the same on the instruction of a police constable in uniform whenever such moving may be reasonably necessary for the purpose of preventing an obstruction.

7. Signed for and on behalf of South Lanarkshire Council by Michael McGlynn, Executive Director, Community and Enterprise Resources on the Second day of August, Two Thousand and Sixteen.



Schedule 1

No waiting at any time

<u>Length of road within the Boundary of South Lanarkshire</u>	<u>Length of road affected</u>	<u>Side</u>
Bernards Court, Lanark	From the extended south-west kerbline of Bernards Wynd, south-westwards for a distance of 5 metres or thereby.	North-west
Bernards Court, Lanark	From the extended south-west kerbline of Bernards Wynd, south-westwards for a distance of 11 metres or thereby.	South
Bernards Wynd, Lanark	From the extended north-west kerbline of South Vennel, north-westwards then south-westwards to the extended north-east kerbline of Wellgate, a distance of 93 metres or thereby.	South-west and south-east
Bernards Wynd, Lanark	From the extended north-west kerbline of South Vennel, north-westwards for a distance of 16 metres or thereby.	North-east
Bernards Wynd, Lanark	From a point 44 metres north-east of the extended north-east kerbline of Wellgate, north-westwards for a distance of 12 metres or thereby.	West
Broomgate, Lanark	From the extended south-west kerbline of Hyndford Place, south-westwards for a distance of 5 metres or thereby.	South-east
Hyndford Place, Lanark	From the west kerbline of Castlegate, westwards for a distance of 4 metres or thereby.	North
Hyndford Place, Lanark	From a point 3 metres east of the extended east kerbline of broomgate, eastwards for a distance of 18 metres or thereby.	North

Hyndford Place, Lanark	From the extended south-east kerbline of Broomgate, south-eastwards for a distance of 14 metres or thereby.	South-west
Hyndford Place, Lanark	From the extended north-west kerbline of Castlegate, north-westwards for a distance of 2 metres or thereby.	South-west
Broomgate, Lanark	From the extended south-west kerbline of Hyndford Place, south-westwards for a distance of 5 metres or thereby.	South-east

Schedule 2

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8
Item No.	Length of Road within the boundary of South Lanarkshire	Length Affected	Side Affected	Total length	Waiting limited to	Return prohibited within	Days of the week on which the restrictions apply
1	HyndfordPlace, Lanark	From a point 21 metres east of the extended east kerbline of Broomgate eastwards to a point 33 metres east of the extended east kerbline of Broomgate, a distance of 12 metres or thereby.	north	12	60	120	Monday to Saturday (inclusive)
2	Hyndford Place, Lanark	From a point 14 metres east of the extended east kerbline of Broomgate eastwards to a point 30 metres east of the extended east kerbline of Broomgate, a distance of 16 metres or thereby.	South-west	16	60	120	Monday to Saturday (inclusive)

SCALE	1 : 1250
DATE	10/02/2016
DRAWING NO.	PU/TRO/S108/01
DRAWN BY	S.H.

South Lanarkshire Council (Hyndford Place and Bernards Wynd Area, Lanark)
 (Waiting Restriction) Order 2015
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Key to Restriction Types Displayed

- No Waiting at any time (all week)
- Waiting limited to 1 hour, no return within 2 hours, Mon-Sat 8am-6p

