

05/09

**SOUTH LANARKSHIRE COUNCIL  
(BRANDON STREET, HAMILTON)  
(WAITING AND LOADING RESTRICTIONS AND AMENDMENT)  
ORDER 2005**

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 Strathclyde Police 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 (Brandon Street, Hamilton) (Waiting and Loading Restrictions and Amendment) Order 2005" and shall come into operation on the 1<sup>st</sup> day of July 2005.

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;

"taxi" has the same meaning as in Section 23(1) of the Civic Government (Scotland) Act 1982;

"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 and No Loading at any time

Save as provided in Article 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 Schedule 1 to this Order.

4. No Waiting at any time

Save as provided in Article 6 and 7 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 Schedule 2 to this Order.

5. No Waiting between certain hours

Save as provided in Articles 6 and 7 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 08:00 hours and 18:00 hours in the length of road specified in Schedule 3 to this Order.

6. Exemption to Waiting and Loading Restrictions

Nothing in Article 3, 4 and 5 of this Order shall :-

- (a) prevent any person from causing or permitting a vehicle to wait in the length of the road referred to in those Articles :-
- (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, ambulance and security vehicle 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.

#### 7. Exemptions to Waiting Restrictions

(a) Nothing in Article 4 and 5 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 4 and 5 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) notwithstanding 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.

(c) Nothing in Article 5 of this order shall apply to a licensed taxi waiting in a taxi stance during any period for which that stance has been designated by the Council under the Civic Government (Scotland) Act 1982.

8. Amendments

The Orders specified in Schedule 4 to this Order shall have effect subject to the amendments specified in that Schedule.

9. Signed for and on behalf of South Lanarkshire Council by Mr. Iain Urquhart, Executive Director, Enterprise Resources on the sixteenth day of May, Two Thousand and Five.

A handwritten signature in black ink, appearing to read "Iain Urquhart". The signature is written in a cursive style with a large, sweeping initial "I".

# SCHEDULE 1

## NO WAITING AND NO LOADING AT ANY TIME

<u>Length of road within the boundary of South Lanarkshire.</u>	<u>Length of Road Affected</u>	<u>Side</u>
Brandon Street, Hamilton	From the west kerbline of Quarry Street westwards for a distance of 103 metres or thereby.	South
Brandon Street, Hamilton	From a point 127 metres west of the west kerbline of Quarry Street westwards, to the east kerbline of orchard Street, a distance of 115 metres or thereby.	South
Brandon Street, Hamilton	From the extended west kerbline of Quarry Street, westwards to a point 70 metres east of the east kerbline of Hope Street, a distance of 190 metres or thereby.	North

## SCHEDULE 2

### 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>
Brandon Street, Hamilton	From a point 103 metres west of the west kerbline of Quarry Street, westwards for a distance of 24 metres or thereby.	South

# SCHEDULE 3

NO WAITING  
08:00 HOURS TO 18:00 HOURS (ALLWEEK)

Length of road within the boundary  
of South Lanarkshire.

Length of Road Affected

Side

Brandon Street, Hamilton

From the east kerbline of Hope  
Street, eastwards for a distance of  
70 metres or thereby.

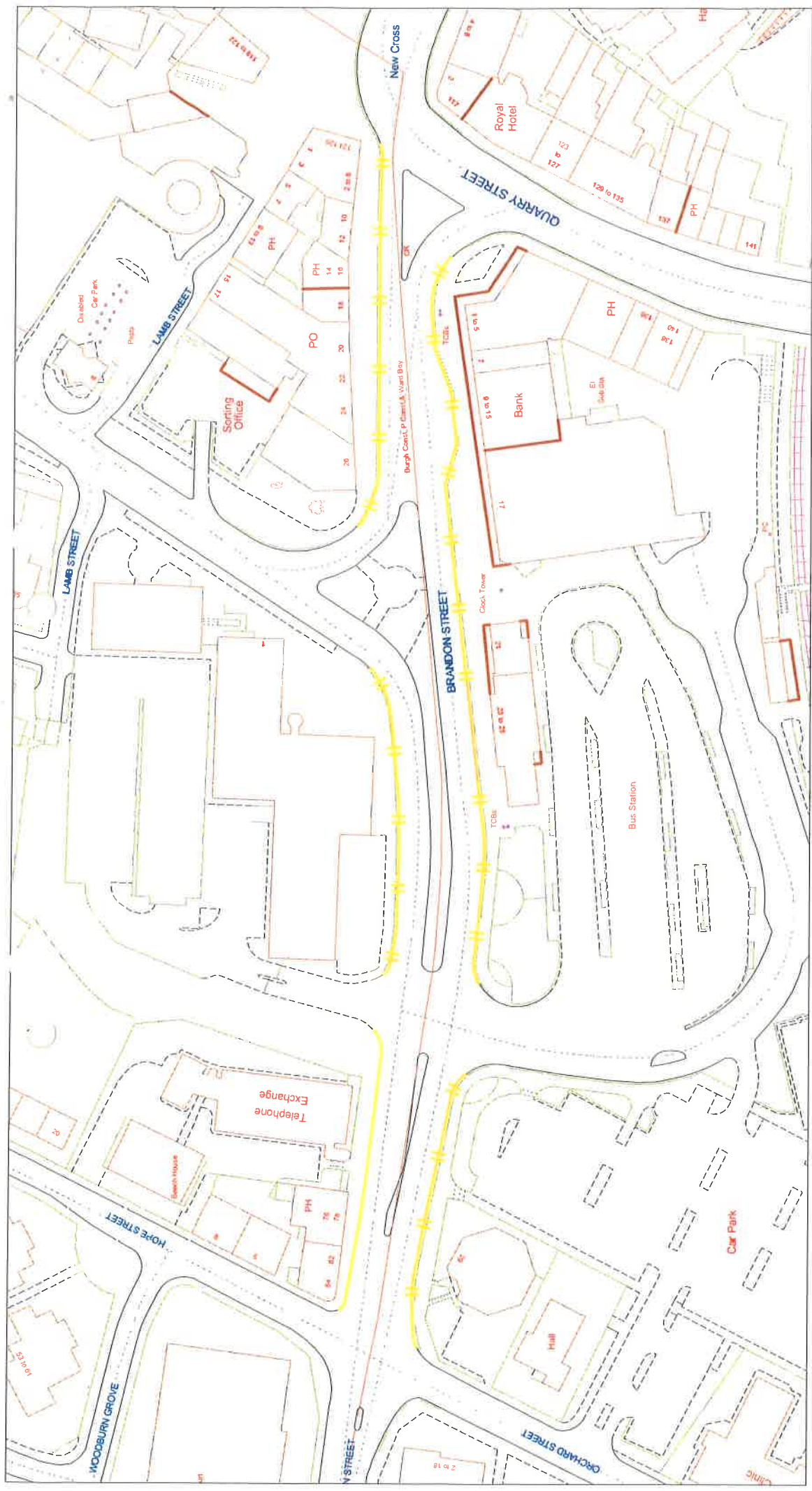
North

# SCHEDULE 4

## ORDERS TO BE AMENDED

<u>Name of Order</u>	<u>Extent of Amendment</u>
"Strathclyde Regional Council (Hamilton Town Centre) (Traffic Regulations and Revocations) Order 1978"	In Schedule 1 <b>delete</b> all reference to "Brandon Street"
"South Lanarkshire Council (Hamilton Town Centre) (Traffic Management) Order 1998"	In Schedule 10 <b>delete</b> all reference to "Brandon Street"





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SCALE	1 : 1250
DATE	23/02/2005
DRAWING No.	TEM/PU/TRO/C102/01
DRAWN BY	S.H.

**South Lanarkshire Council (Brandon Street, Hamilton) (Waiting and Loading Restrictions and Amendment) Order 2005**

Key to Restriction Types Displayed	
	No Waiting or loading at any time
	No Waiting at any time
	No Waiting