

06/37

**SOUTH LANARKSHIRE COUNCIL
(QUARRY STREET/GATESIDE STREET, HAMILTON)
(WAITING RESTRICTION AND AMENDMENT)
ORDER 2006**

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 (Quarry Street and Gateside Street, Hamilton) (Waiting Restriction and Amendment) Order 2006" and shall come into operation on the 9th day of October 2006.

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 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 any of the lengths of road specified in Schedule 1 to this Order.

4. No Loading between certain hours

Save as provided in Articles 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 7:30am and 9:30am and the hours of 4:00pm and 6:00pm, Monday to Saturday inclusive, in any of the lengths of road specified in Schedule 1 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 8:00am and 9:00pm, all week in any of the lengths of road specified in Schedule 2 to this Order.

6. Exemptions to Waiting Restrictions

Nothing in Articles 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 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 the length of the road so referred to, or the laying, erection, alteration or repair in or near to 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;

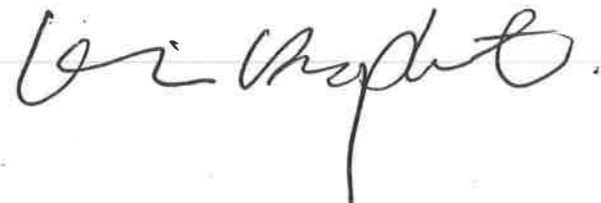
- (v) if the vehicle is in the service of or employed by a universal postal service provider and is waiting in the length of the road while postal packets addressed to premises adjacent thereto are being unloaded from the vehicle or having been unloaded there from are being delivered or while postal 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 to allow Loading

- (a) Nothing in Articles 3 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 Articles 3 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.

8. The Order specified in Schedule 3 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 Twenty Second day of August,
Two Thousand and Six.

A handwritten signature in black ink, appearing to read 'Iain Urquhart', is written over a horizontal line.

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>
Quarry Street, Hamilton	From the south kerbline of John Street to the north kerbline of Avon Street, a distance of 65 metres or thereby.	East
Gateside Street, Hamilton	From the south kerbline of Avon Street southwards for a distance of 10 metres or thereby.	East

SCHEDULE 2

NO WAITING 8:00am to 9:00pm

<u>Length of road within the boundary of South Lanarkshire.</u>	<u>Length of Road Affected</u>	<u>Side</u>
Quarry Street, Hamilton	From the north kerbline of John Street northwards for a distance of 55 metres or thereby.	East
Gateside Street, Hamilton	From the extended south kerbline of Woodside Walk southwards to the north kerbline of Burnside Lane, a distance of 122 metres or thereby.	West
Gateside Street, Hamilton	From a point 10 metres south of the south kerbline of Avon Street southwards to the extended north kerbline of Burnside Lane, a distance of 197 metres or thereby.	East

SCHEDULE 3

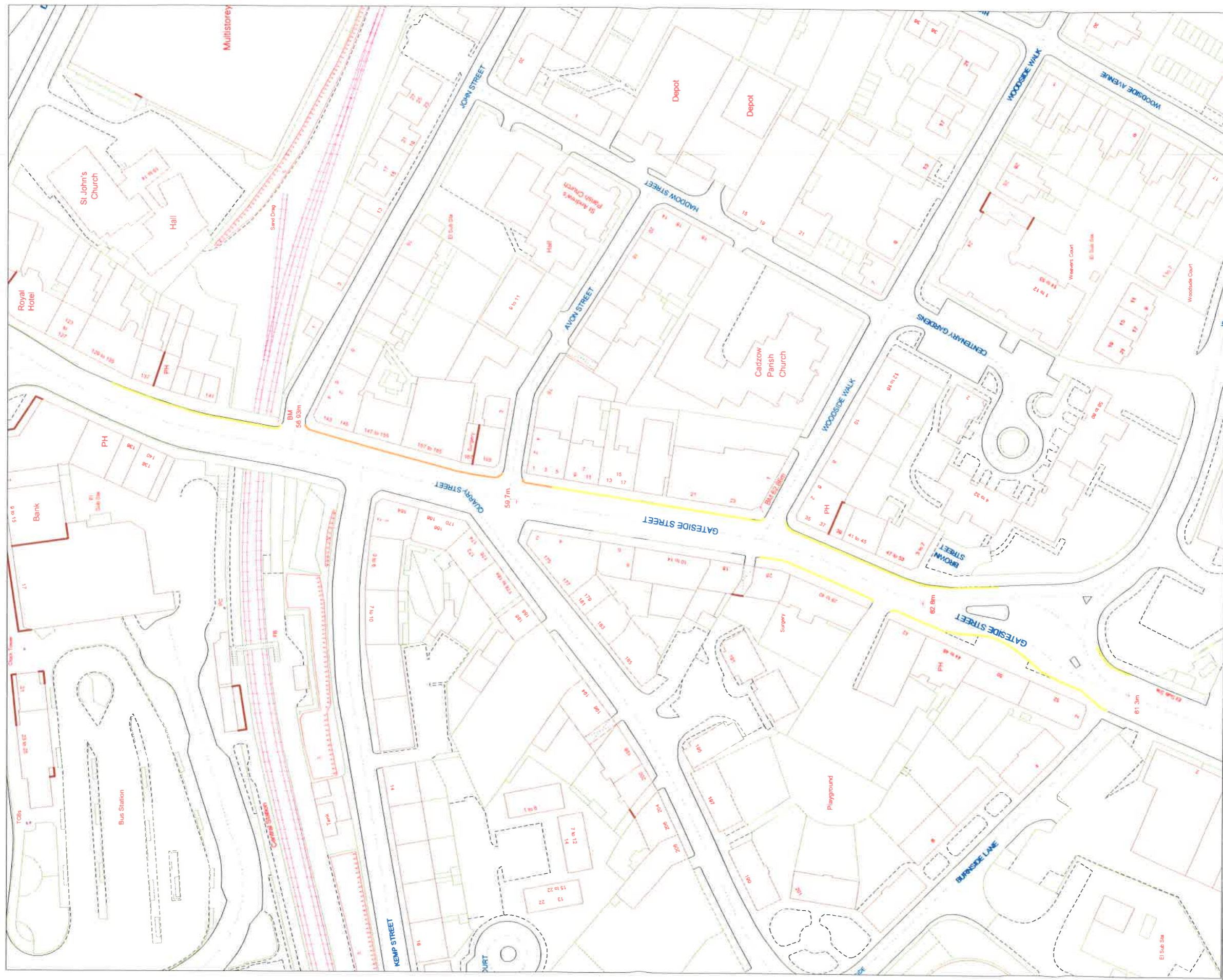
Order to be amended

Name of Order

Extent of Revocation

The Strathclyde Regional Council
(Hamilton Town Centre) (Traffic
Regulation and Revocation) Order
1978

Delete all reference to:-
Quarry Street, and
Gateside Street
within Schedule 1



Key to Restriction Types Displayed

- No Waiting at any time
- No Waiting

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SCALE	1 : 1250
DATE	24/05/2006
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DRAWN BY	S.H.

**South Lanarkshire Council (Quarry Street/Gateside Street, Hamilton)
(Waiting Restriction and Amendment) Order 2006**