

08/01

**SOUTH LANARKSHIRE COUNCIL
(CASTLE STREET AND QUARRY STREET, HAMILTON)
(PEDESTRIAN PRIORITY, AMENDMENT AND CONSOLIDATION)
ORDER 2007**

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 (Castle Street and Quarry Street, Hamilton) (Pedestrian Priority, Amendment and Consolidation) Order 2007" and shall come into operation on the 1st day of January 2008.

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;

"emergency service vehicle" means a vehicle being used by the Police, Fire Brigade or Ambulance Services;

"authority" means a council as constituted under section 2 of the Local Government etc. (Scotland) Act 1994;

"Council" means South Lanarkshire Council;

"pedestrian" being a person proceeding on foot ;

"telecommunications apparatus" is as defined in the telecommunications Act 1984.

"goods" includes postal packets of any description. Delivering and collecting in relation to any goods includes checking the goods for the purpose of their delivery or collection.

"restricted road" means that length of Quarry Street, Hamilton extending from the south kerbline of Cadzow Street / Townhead Street to the north kerbline of Brandon Street / Duke Street, Hamilton.

"permit" means an access permit issued by an authorised officer of the Council for the sole purpose of accessing Castle Street, Townhead Street or Quarry Street, Hamilton;

"heavy commercial vehicle" has the same meaning as in Section 138 paragraph (1) of the Road Traffic Regulation Act 1984.

"lay-by" means that area of Quarry Street, Hamilton, located on the north west side of the road and enclosed by road studs and bollards ;

3. No Waiting and No Loading at any time

Save as provided in Articles 14 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 roads specified in Schedule 1 to this Order.

4. No Waiting and No Loading at any time (except vehicles over 7.5t and Access permit holders)

Save as provided in Articles 12 and 14 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 roads specified in Schedule 2 to this Order.

5. No waiting at any time

Save as provided in Article 13 and 14 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 roads specified in Schedule 3 to this Order.

6. Limited Waiting

(i) Save as provided in 6(ii) below and in Article 14 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 other than a heavy commercial vehicle, or a vehicle displaying a permit, to wait at any time in the area of road specified in Columns 2, 3 and 4 of Schedule 4 to this Order.

(ii) 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 4 to this Order a vehicle will not be permitted to wait:-

- (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.

7. Prohibition of Entry

No person shall drive or cause or permit to be driven any vehicle from any of the road specified in Column 1 of Schedule 5 to this Order so as to enter the road "opposite to such road" in the same line of Column 2 of the said Schedule.

8. One Way Operation

No person shall drive or cause or permit to be driven any vehicle on the lengths of roads specified in Column 1 of Schedule 6 to this Order otherwise than in the directions specified in Column 2 of the said Schedule.

9. Driving

Save as provided in Article 10 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 drive or be driven on any of the lengths of roads specified in Schedule 7 to this Order.

10. Exemptions to driving

Nothing in Article 9 of this Order shall prevent any vehicle from driving or being driven in any of the lengths of the roads referred to in that Article :-

- (i) 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 lengths of the roads so referred to, or the laying, erection, alteration or repair in or near to any of the said lengths of the roads, 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 ; or
- (ii) 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 ; or

- (iii) if the vehicle is in the service of or employed by a universal postal service provider and is waiting in any of the lengths of the roads 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 ; or
- (iv) for the purpose of loading or unloading the vehicle while the vehicle 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 ; or
- (v) the vehicle is displaying a valid permit provided for in Article 12 of this Order ; or
- (vi) the vehicle is a heavy commercial vehicle delivering or collection goods or merchandise or loading or unloading the vehicle at premises adjoining the restricted road or accessible from and only from that road ; or
- (vii) to enable the vehicle to be used in connection with funeral or bridal operations.

11. Permits

- (i) The issue and reissue of permits shall be by an authorised officer of the Council.
- (ii) Each permit will relate to one vehicle or company or resident and permits will only be issued to occupiers of businesses or residents of Castle Street, Quarry Street or Lamb Street or any other person or body who can give justification for requiring entry to that street.
- (iii) The number of permits issued to one person or body will be at the discretion of an authorised officer of the Council.
- (iv) Permits will be renewable annually or on request by the holder provided they have conformed to the conditions as laid down by the Council. The expired permit must be surrendered before a new permit will be issued.
- (v) The permit must be prominently displayed on the windscreen of the vehicle in respect of which it was issued. Any alteration to the company name or vehicle registration covered by the permit must be reported as soon as possible by letter or in person to an authorised officer of the Council in order that satisfactory arrangements can be made.

- (vi) The permit is the property of and must be returned to an authorised officer of the Council when the holder vacates their premises. The permit is not transferable.
- (vii) The permit allows access to those sections of Castle Street and Quarry Street referred to in this order.
- (viii) The permit must be prominently displayed on the windscreen of the vehicle in respect of which it was issued when the vehicle is stationary within any part of Quarry Street or Castle Street referred to in this Order.
- (ix) Parking and/or waiting by permit holders is only permitted in the areas provided by, and subject to the conditions of, this Order. In Quarry Street these areas are delineated by road studs and bollards. In Castle Street, the designated area is located along the east side of the road, 2 metres east of the west building line. Parking out-with these areas is not permitted at any time under any circumstances. If there is no space available vehicles must leave the street immediately.
- (x) The loss or theft of a permit should immediately be reported to the authorised officer of the Council.
- (xi) In the event of any breach of any of the aforementioned conditions the permit relating to the offending vehicle or company or resident may be withdrawn.

12. Exemptions from loading and waiting (Quarry Street lay-bys)

Nothing in Article 4 of this Order shall prevent any person from causing or permitting a vehicle to wait in the lengths of roads 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; and
- (ii) the vehicle displays a valid permit or is a heavy commercial vehicle.
- (iii) notwithstanding the above, the driver of a vehicle 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.

13. Exemptions from loading and waiting

Nothing in Article 5 of this Order shall prevent any person from causing or permitting a vehicle to wait in the lengths of roads 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 of a vehicle 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.

14 Exemptions to Waiting and Loading Restrictions

Nothing in Article 3, 4, 5 and 6 of this Order shall prevent any person from causing or permitting a vehicle to wait in any of the lengths of the roads 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;
- (vii) 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(s) of the road(s) so referred to, or the laying, erection, alteration or repair in or near to any of the said length(s) of the road(s), 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 ;
- (viii) 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 ;

- (ix) 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 ;
- (x) if the vehicle is in the service of or employed by a universal postal service provider and is waiting in any of the length(s) of the road(s) 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 ;
- (xi) 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.

15. Amendments

The Orders specified in Schedule 8 to this Order shall have effect subject to the amendments specified in that Schedule.

16. Revocations

The Orders specified in Schedule 9 to this Order are hereby revoked.

Signed for and on behalf of South Lanarkshire Council by Mr. Iain Urquhart,
Executive Director, Enterprise Resources on the Nineteenth day of November, Two
Thousand and Seven.



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>
Castle Street, Hamilton	From the roundabout at the junction of Muir Street and Palace Grounds Road southwards to a point 20 metres north of the projected centre line of Postgate, a distance of 180 metres or thereby.	East
Castle Street, Hamilton	From the roundabout at the junction of Muir Street and Palace Grounds Road southwards for a distance of 55 metres or thereby.	West
Castle Street, Hamilton	From a point 20 metres north of the projected centre line of Postgate northwards for a distance of 75 metres or thereby.	West
Lamb Street, Hamilton	From the southeast kerbline of Leechlee Road, south-eastwards for a distance of 27 metres or thereby.	South West
Lamb Street, Hamilton	From a point 42 metres southeast of the southeast kerbline of Leechlee Road, south-eastwards to the boundary between numbers 7 and 9 Lamb Street, a distance of 26 metres or thereby.	South West
Lamb Street, Hamilton	From the southeast kerbline of Leechlee Road, south-eastwards to the boundary between numbers 7 and 9 Lamb Street, a distance of 68 metres or thereby.	North east
Lamb Street, Hamilton	From the northwest kerbline of Quarry Street north-westwards to the boundary between numbers 7 and 9 Lamb Street, a distance of 25 metres or thereby.	Both

New Town Square	From the east kerbline of Castle Street eastwards to the pedestrian steps leading to the lower section of the new town square, a distance of 30 metres or thereby.	All
Postgate, Hamilton	From the west kerbline of Castle Street westwards for a distance of 16 metres of thereby.	Both
Quarry Street, Hamilton	From the extended south kerbline of Cadzow Street south-westwards to the extended north kerbline of Brandon Street (excluding lay-bys), a distance of 262 metres or thereby.	Both

SCHEDULE 2

NO WAITING AND NO LOADING AT ANY TIME
(EXCEPT BY VEHICLES OVER 7.5 TONNES OR ACCESS PERMIT)

<u>Length of road within the boundary</u> <u>of South Lanarkshire.</u>	<u>Length of Road Affected</u>	<u>Side</u>
Castle Street, Hamilton	From a point 20 metres north of the projected centre line of Postgate southwards to the north kerbline of Cadzow Street a distance of 156 metres or thereby	Both ✓

SCHEDULE 3

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>
Lamb Street, Hamilton	From a point 27 metres southeast of the southeast kerbline of Leechlee road south-eastwards for a distance of 15 metres or thereby.	South west.
Castle Street, Hamilton	From a point 55 metres south of the roundabout at the junction of Muir Street and Palace Grounds Road southwards to a point 95 metres north of the projected centre line of Postgate, a distance of 54 metres or thereby.	West

SCHEDULE 4

Limited waiting

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>	<u>Column 5</u>	<u>Column 6</u>	<u>Column 7</u>	<u>Column 8</u>
<u>Item No.</u>	<u>Length of Road within the boundary of South Lanarkshire</u>	<u>Length Affected</u>	<u>Side Affected</u>	<u>Total length</u>	<u>Waiting limited to</u>	<u>Return prohibited within</u>	<u>Days of the week on which the restrictions apply</u>
1	Quarry Street, Hamilton	The lay-bys within the restricted road	North west	220	30	60	Monday to Saturday (inclusive)

SCHEDULE 5

PROHIBITION OF ENTRY

Column 1

Postgate, Hamilton, 16 metres west of the extended west kerbline of Castle Street.

Postgate, Hamilton, 17 metres west of the extended west kerbline of Castle Street

Column 2

Postgate, Hamilton, 17 metres west of the extended west kerbline of Castle Street

Postgate, Hamilton, 16 metres west of the extended west kerbline of Castle Street

SCHEDULE 6

One way

Column 1

Castle Street, Hamilton, from a point 20 metres north of the projected centre line of Postgate southwards to the north kerbline of Cadzow Street

Column 2

Southerly

SCHEDULE 7

Restricted driving

<u>Length of road within the boundary of South Lanarkshire.</u>	<u>Length of Road Affected</u>
Castle Street, Hamilton	From a point 20 metres north of the projected centre line of Postgate southwards to the north kerbline of Cadzow Street a distance of 156 metres or thereby.
Lamb Street, Hamilton	From the northwest kerbline of Quarry Street north westwards to the boundary between numbers 7 and 9 Lamb Street, a distance of 25 metres or thereby.
New Town Square, Hamilton.	Whole length
Postgate, Hamilton	From the west kerbline of Castle Street westward for a distance of 16 metres or thereby.
Quarry Street, Hamilton	From the extended south kerbline of Cadzow Street south westwards to the extended north kerbline of Brandon Street a distance of 262 metres or thereby.

SCHEDULE 8

Order to be amended

Title of Order

Extend of amendment

The South Lanarkshire Council (Use of off-road parking places) Consolidation Order 2006.

Delete all items in Schedule 2

The Burgh of Hamilton (Various Streets) (One Way) Order 1964.

Delete all reference to Castle Street in the Schedule

SCHEDULE 9

Order to be revoked

<u>Title of Order</u>	<u>Extend of revocation</u>
The South Lanarkshire Council (Castle Street, Hamilton) (Pedestrian Priority and Amendment) Order 1997.	Delete full Order
The Strathclyde Regional Council (Quarry Street, Hamilton) (Pedestrian Priority) Order 1984	Delete full Order
The Strathclyde Regional Council (Quarry Street and Lamb Street, Hamilton) (Amendment to Pedestrian and Provision of Disabled Car Park and Service Area) Order 1995	Delete full Order