

06/15

**SOUTH LANARKSHIRE COUNCIL  
(MONTROSE CRESCENT, HAMILTON)  
(WAITING RESTRICTION) 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 (Montrose Crescent, Hamilton) (Waiting Restriction) Order 2005" and shall come into operation on the 5<sup>th</sup> June 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 vehicle" has the same meaning as in The Local Authorities Traffic Orders (Exemptions for Disabled Persons) (Scotland) Regulations 1991;

"disabled person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) Regulations 1982 as amended;

"Council" means South Lanarkshire Council;

"residents parking permit" ("permit") means a badge or disc issued by the Council, in accordance with the provisions of this Order, to a person who ordinarily resides in a dwelling house adjacent to the lengths of road specified in the schedule to this order

"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.

3. No Waiting between certain hours

Save as provided in Articles 4, 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, other than those displaying a valid residents parking permit, issued under the terms of Article 7 of this order, to wait between the hours of 08:00 and 18:00, Monday to Friday inclusive, in any of the lengths of roads specified in the Schedule to this Order.

4. Exemptions to Waiting Restrictions

Nothing in Article 3, 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 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 therefrom 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(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 ;
- (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(s) of the road(s) while postal packets addressed to premises adjacent thereto are being unloaded from the vehicle or having been unloaded therefrom 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.

5. Exemptions to Waiting / Loading Restrictions

Nothing in Article 3 of this Order shall prevent any person from causing or permitting a vehicle to wait in the lengths of road referred to in the 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) 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.

6. Disabled Person's Vehicle

Nothing in Article 3 of this Order shall apply to any disabled person's vehicle which is not causing an obstruction and which displays a valid disabled person's badge issued by a local authority in exercise of its powers under Section 21 of the Chronically Sick and Disabled Persons Act 1970.

7. Permit Conditions

- (i) Issue and re-issue of permits shall be by an authorised officer of the Council.
- (ii) The number of permits issued to any one person or body will be at the discretion of an authorised officer of the Council.
- (iii) Permits will be renewed annually or any time period designated by the Council on request by the holder provided he/she has conformed to the conditions as laid down by the Council. The expired permit must be surrendered before a new permit will be issued.
- (iv) The permit is the property of and must be returned to the authorised officer of the Council when the holder vacates his/her premises or on request by the Council. The permit is not transferable and must only be used during bona-fide visits to the property issued with the permit of a social or domestic nature.
- (v) The loss or theft of a permit should immediately be reported to the authorised officer of the Council.
- (vi) The permit is only valid in the Zone or Street named on the permit.

(vii) The residents parking permit shall be displayed on the nearside of the vehicle, behind the glass of the windscreen, in such a position as to ensure that the front side of the permit is clearly visible to any person standing at the front or nearside of the vehicle.

(viii) Vehicles displaying a permit must park on-street in accordance with the contents of the Highway Code.

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.

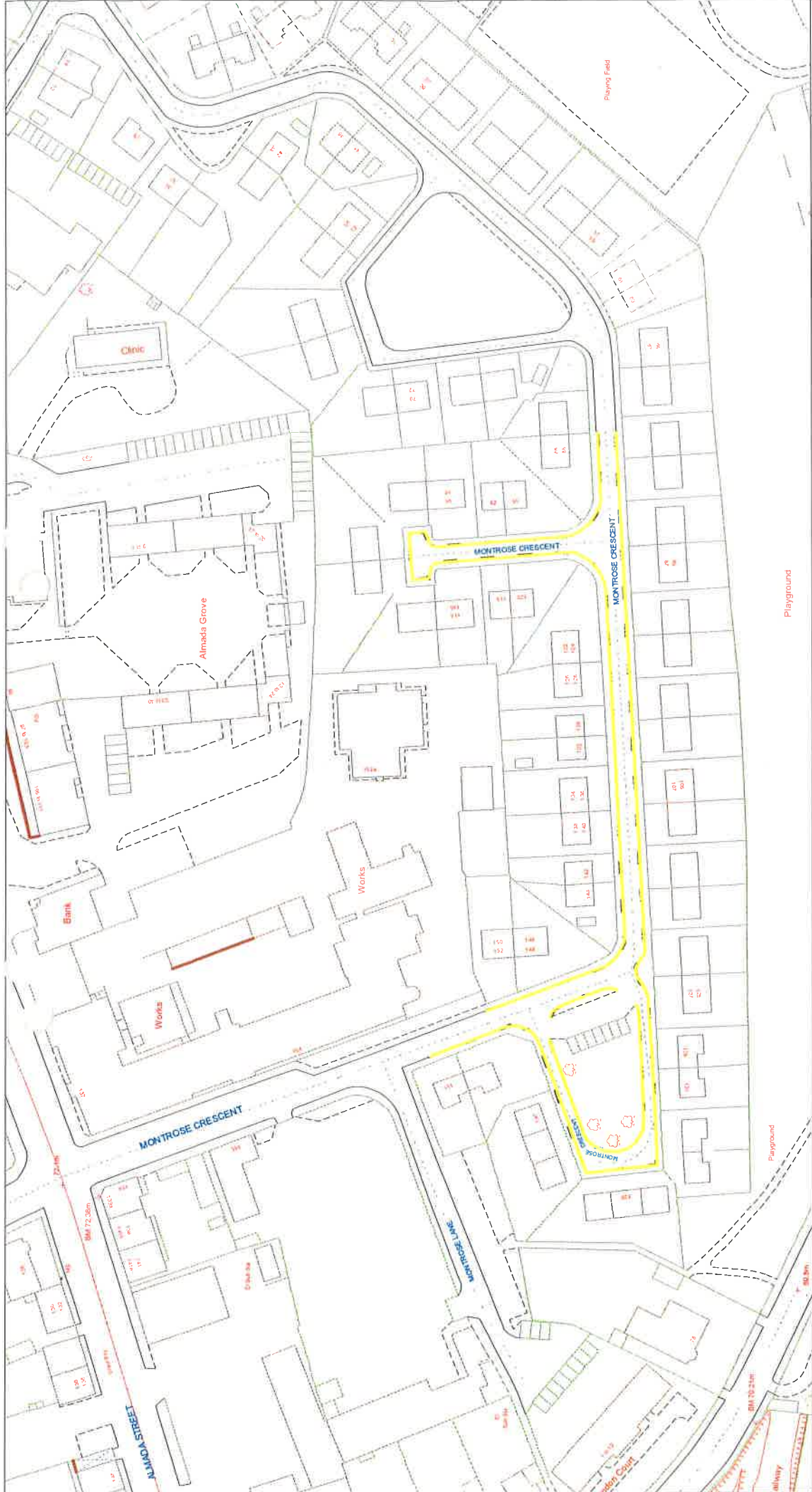
8. Signed for and on behalf of South Lanarkshire Council by The Executive Director Enterprise Resources on the Seventh day of April, Two Thousand and Six.

A handwritten signature in black ink, appearing to be 'G. M. Smith', written over the signature line of the text above.

# SCHEDULE

## Permit Parking Only 8am to 6pm Monday to Friday, inclusive

<u>Length of Road within the boundary of South Lanarkshire</u>	<u>Length Affected</u>	<u>Side Affected</u>
Montrose Crescent, Hamilton	From a point 2 metres south of the extended north gable of 151 Montrose Crescent on its west side and from the extended north boundary line of number 150/152 Montrose Crescent on its east side, southwards and eastwards to the extended boundary line between no's 86/88 and 90/92 Montrose Crescent, a distance of 326 metres or thereby (measured along the centre line)	Both



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## South Lanarkshire Council (Montrose Crescent, Hamilton) (Waiting Restriction) Order 2005

Key to Restriction Types Displayed	
—	No Waiting
---	Waiting permitted for Resident Permit Holders

SCALE	1 : 1500
DATE	27/10/2005
DRAWING No.	TEM/PU/TRO/C122/01
DRAWN BY	S.H.