

THE EAST RENFREWSHIRE COUNCIL
(GREENLAW ROAD, NEWTON MEARNES)

(ON-STREET)(WAITING)

ORDER 20[]**

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<u>Contents</u>		<u>Page</u>
Preamble and Definitions		1
Section	1 No Waiting at Any Time	3
Schedule	1 No Waiting at Any Time	5

**THE EAST RENFREWSHIRE COUNCIL
(GREENLAW ROAD, NEWTON MEARNES)
(WAITING RESTRICTION)
ORDER 20[**]**

The East Renfrewshire Council in exercise of the powers conferred on them by Sections 1(1) and 2(1) to (3) 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 propose to make the following Order:-

1. This Order may be cited as “The East Renfrewshire Council (Greenlaw Road, Newton Mearns) (Waiting Restriction) Order 20[**]” and shall come into operation on ***(date to be advised)***.

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

“ambulance” means an emergency vehicle which is used by the ambulance services and is constructed or adapted for the purpose of the carriage of the sick, injured or disabled people to and from welfare centres or places where medical or dental treatment is given and is readily identifiable as a vehicle used for the carriage of such people by being marked “ambulance”;

“Council” means the East Renfrewshire Council;

“disabled person’s badge” has the same meaning as in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (Scotland) Regulations 2002;

“disabled person’s vehicle” means a vehicle lawfully displaying a disabled person’s badge in the relevant position;

“emergency service vehicle” means a vehicle being used by the police, fire brigade or ambulance services;

“load” means to wait for the purpose of placing or removing any object of any description into or from a vehicle;

“local authority” means East Renfrewshire Council;

“parking attendant” has the same meaning as in Section 63A of the Road Traffic Regulation Act 1984;

“relevant position” has the same meaning as in Regulation 3 of the Local Authorities Traffic Orders (Exemptions for Disabled Person’s) (Scotland) Regulations 2002;

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

“universal postal service provider” has the same meaning as in Part 3 of the Postal Services Act 2011;

“universal postal service” shall be construed in accordance with Part 3 of the Postal Services Act 2011;

“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;

Note:

(i) All words importing the singular also include the plural and vice versa where the context requires.

(ii) Except where the context otherwise requires, references to any enactment include any such enactment as amended, extended or applied by or under any other enactment. Enactment means orders, rules, regulations, directions, bylaws and other instruments made or to be made, issued or given under any Act or deriving validity therefrom.

(iii) All signs, carriageway markings etc. shall comply with the Traffic Signs Regulations and General Directions 2016.

(iv) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament

Section 1: No Waiting at Any Time

For the lengths of road listed in Schedule 1 there is no waiting at any time.

1/01 Save as provided in Articles 1/02, 1/03 and 1/04 of this Order no person shall, except upon the direction or with the permission of a police constable in uniform or a parking attendant 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 and indicated by double orange lines and marked "Schedule1" on the Plan.

1/02 Nothing in Article 1/01 of this Order shall:

(a) prevent any person from causing or permitting a vehicle to wait in any of the lengths of road referred to in these Articles :-

- (i) for so long as may be necessary to enable a person together with his/her personal luggage to board or alight from the vehicle;
- (ii) for so long as may be necessary to enable the vehicle if it cannot be conveniently used for such purposes 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/her control or to such waiting being necessary in order to avoid an accident;
- (v) If the vehicle bearing the livery of a universal service provider is in the service of or employed by a universal service provider in the course of the provision of a universal postal service and is stationary only for so long as may be reasonably necessary for postal packets to be collected or delivered to or from adjacent premises or posting boxes;
- (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 wholly and necessarily by the principal participants in connection with funeral operations and weddings.

(c) apply to an emergency service vehicle.

1/03 Nothing in Article 1/01 of this Order shall apply to any disabled person's vehicle which is not causing an obstruction and which displays in the relevant position a disabled person's badge.

1/04 Nothing in Articles 1/01 of this Order shall prevent any person from causing or permitting a vehicle to wait in the roads specified:

(a) for as 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 no vehicle engaged in delivering or collecting goods or merchandise or loading or unloading shall wait:

(i) for longer than a period of 10 minutes in the same place without goods being physically loaded onto or unloaded from the vehicle;

(ii) for a longer period than thirty minutes in the same place; and

(b) notwithstanding anything in paragraph (a) of this Article 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 or a parking attendant in uniform whenever such moving may be reasonably necessary for the purpose of preventing an obstruction.

Given under the seal of The East Renfrewshire Council and signed for them and on their behalf by Gerard Mahon, Chief Officer, Legal and Procurement and duly Authorised Signatory together at Giffnock on the **(date to be advised)**.

SCHEDULE 1
No Waiting at Any Time

Roads in East Renfrewshire				
	Principal Reference Road	Secondary Reference	Lengths of Road in East Renfrewshire	Side of Road to which Restrictions Apply
1	Greenlaw Road			
1/1		Crookfur Road	From a point 17 metres or thereby south east of the extended southern kerbline of Crookfur Road, south eastwards for a distance of 43 metres or thereby.	Both