THE EAST RENFREWSHIRE COUNCIL (NETHERLEE & STAMPERLAND) (ON-STREET)(WAITING AND LOADING) ORDER 2023

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Preamble & Definitions

The East Renfrewshire Council in exercise of the powers conferred on them by Sections 1(1), 2(1) to (3) Section 32 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 Police Scotland in accordance with Part III of Schedule 9 to the Act, hereby propose to make the following Order:-

- This Order may be cited as "The East Renfrewshire Council (Netherlee & Stamperland) (On-Street) (Waiting and Loading) Order 2023" and shall come into operation on (Date to be advised).
- 2. In this order the following expressions have the meanings hereby assigned to them:-

"bus service" has the same meaning as in Schedule 1(1) of the Transport Act of 1985;

"bus stop" means a bus service stopping place which is appropriately signed as per Traffic Signs Regulations and General Directions 2016;

"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;

"parking bay" means a space in a parking place which is provided for the leaving of a vehicle and is appropriately signed as per the Traffic Signs Regulations and General Directions 2016;

"Plan" means the plans numbered N&S1 to N&S8 respectively annexed and signed as part of this order:

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

"school days" means East Renfrewshire school term days and excludes school holidays and In-Service days;

"stopping place"-, in relation to a bus service, has the same meaning as in Part VI (Section 137 (1)) of the Transport Act of 1985;

"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 or re-enacted by or under any other enactment for the time being in force. 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.

Section 1: No waiting and No Loading at any time

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

- 1/01 Save as provided in Articles 1/02, 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 or load at any time in any of the lengths of road specified in Schedule 1 to this Order and indicated by double orange lines and double orange blips and marked "Schedule 1" 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 or load 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 postal service provider is in the service of or employed by a universal postal 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.
- (b) apply to an emergency service vehicle.
- (c) apply to a bus stop.

Section 2: No Waiting at Any Time

For the lengths of road listed in Schedule 2 there is no waiting at any time.

2/01 Save as provided in Articles 2/02, 2/03 and 2/04 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 the times prescribed in any of the lengths of road specified in Schedule 2 to this Order and indicated by double orange lines and marked "Schedule2" on the Plan.

2/02 Nothing in Article 2/01 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.
- (b) apply to a licensed taxi waiting in a taxi stance during any period for which that stance has been appointed as a taxi stance by the licensing authority under the Civic Government (Scotland) Act 1982.
- (c) apply to an emergency service vehicle.
- (d) apply to a bus stop.
- 2/03 Nothing in Article 2/01 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.
- 2/04 (a) Nothing in Article 2/01 of this Order shall prevent any person from causing or permitting a vehicle to wait in the roads specified 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:
 - (i) no vehicle shall wait for longer than a period of 10 minutes in the same place without goods being physically loaded onto or unloaded from the vehicle; and
 - (ii) no vehicle engaged in delivering or collecting goods or merchandise or loading or unloading shall wait for a longer period than thirty minutes in the same place;
 - (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.

Section 3 Orders Amended

3/01 Those Orders specified in Schedule 3 to this Order are hereby amended.

IN WITNESS WHEREOF this Order consisting of this and the Eleven preceding pages, together with the Schedules and the plans numbered N&S1 – N&S8, annexed are sealed with the Common Seal of the said The East Renfrewshire Council and subscribed for them for them and on their behalf by Gerard James Mahon, Chief Officer (Legal and Procurement) and duly Authorised Signatory together at Giffnock on (Date to be advised).

List of Schedules

Schedule 1

No Waiting and No Loading at Any Time

Schedule 2

No Waiting at Any Time

Schedule 3

Orders to be amended

SCHEDULE 1 NO WAITING AND NO LOADING AT ANY TIME

Roads In East Renfrewshire

Secondary

Reference

Principal

Reference Road

Lengths of road in East Renfrewshire

Side of road to which restriction applies

| 1 | Linnpark Avenue | | | |
|-----|----------------------|----------------|--|-------|
| 1/1 | | Clarkston Road | From a point 177 metres or thereby from the extended eastern kerbline of Clarkston Road generally northwards for a distance of 115 metres or thereby to the end of the road. | Both |
| 2 | Netherburn Avenue | | | |
| 2/1 | | Clarkston Road | From a point 10 metres east of the extended eastern kerbline of Clarkston Road eastwards for a further distance of 10 metres or thereby. | North |
| 3 | Nethercliffe | | | |
| | Avenue | | | |
| 3/1 | | Clarkston Road | From a point 10 metres east of the extended eastern kerbline of Clarkston Road eastwards for a further distance of 10 metres or thereby. | Both |

Ref

Roads In East Renfrewshire

Secondary

Reference

Lengths of road in East Renfrewshire

Side of road to which restriction applies

| 4 | Crathes Court | | | |
|-----|------------------|--|---|-----------|
| 4/1 | | Hazelden Gardens | From the extended north-kerbline of Hazelden Gardens northwards a distance of 21 metres or thereby. | Both |
| 5 | Hazelden Gardens | | | |
| 5/1 | | Crathes Court | From the extended western kerbline of Crathes Court westwards for a distance of 22 metres or thereby. | North |
| 5/2 | | Pavilion Access Road | From the extended southern kerbline of the main carriageway of Hazelden Gardens south for a distance of 46 metres or thereby. | West |
| 6 | Linnpark Avenue | | | |
| 6/1 | | Service road to west side of Linnpark Court Sheltered Housing complex Service road to east side of | From the extended north eastern kerbline of the main carriageway of Linnpark Avenue north-eastwards for a distance of 18 metres or thereby. | Both |
| 6/2 | | Linnpark Court Sheltered Housing complex | From the extended north eastern kerbline of the main carriageway of Linnpark Avenue north-eastwards for a distance of 15 metres or thereby. | Both |
| 7 | Monteith Drive | | | |
| 7/1 | | Stamperland Gardens | From the extended eastern kerbline of Stamperland Gardens eastwards for a distance of 10 metres or thereby. | Both |
| 8 | Moray Drive | | | |
| 8/1 | | Stamperland Drive | From the extended southern kerbline of Stamperland Drive south-eastwards for a distance of 20 metres or thereby. | Northeast |

Ref

Principal

Reference Road

Roads In East Renfrewshire

Lengths of road in East Renfrewshire

Side of road to which restriction applies

| Ref | Principal Reference Road | Secondary Reference | Lengths of road in East Renfrewshire | restriction applies |
|------|-----------------------------|---------------------------------|--|------------------------|
| 8/2 | | Stamperland Drive | From the southern extended kerbline of Stamperland Drive south-eastwards for a distance of 9 metres or thereby. | Southwest |
| 8/3 | | Stamperland Gardens | From a point 15 metres or thereby south-east of the extended eastern kerbline of Stamperland Gardens (at its southern junction) generally eastwards then north-eastwards for a distance of 136 meters or thereby to the extended feu line between 78 and 80 Moray Drive. | Both |
| 8/4 | | Moray Gardens | From a point 10 metres or thereby north of the extended northern kerbline of Moray Gardens to a point 10 metres or thereby south of the extended southern kerbline of Moray Gardens. | Both |
| 8/5 | | Stamperland Gardens | From the extended western kerbline of Stamperland Gardens (at its northern junction) eastwards for a point 10 metres or thereby | East |
| 9 | Moray Gardens | | | |
| 9/1 | | Moray Drive | From the extended eastern kerbline of Moray Drive eastwards for a distance of 10 metres or thereby. | Both |
| 9/2 | | Property No 68 Moray Gardens | From the extended northern boundary line of property No. 68 Moray Gardens north for a distance of 14 metres or thereby, to a point approximately 5 metres north of the turning head. | Both |
| 10 | Nethervale Avenue | | | |
| 10/1 | | Clarkston Road | From a point 10 metres or thereby east of the extended eastern kerbline of Clarkston Road to a point 20 metres or thereby east of the extended eastern kerbline of Clarkston Road. | North |
| 10/2 | | Clarkston Road | From a point 10 metres or thereby east of the extended eastern kerbline of Clarkston Road to a point 20 metres or thereby east of the extended eastern kerbline of Stamperland Hill. | South |
| 11 | Orchy Avenue | | | |
| 11/1 | | Stamperland Gardens | From the extended north eastern kerbline of Stamperland Gardens north eastwards for a distance of 10 metres or thereby. | Both |

Roads In East Renfrewshire

Secondary

Reference

Principal Reference Road

Ref

Lengths of road in East Renfrewshire

Side of road to which restriction applies

| 12 | Randolph Drive | | | |
|------|-----------------------|------------------------|--|----------------------|
| 12/1 | | Stamperland Gardens | From the extended north eastern kerbline of Stamperland Gardens north eastwards for a distance of 10 metres or thereby. | Both |
| 13 | Stamperland Avenue | | | |
| 13/1 | | Stamperland Gardens | From the extended south western kerbline of Stamperland Gardens south westwards for a distance of 10 metres or thereby. | Both |
| 13/2 | | Stamperland Way | From a point 10 metres or thereby north of the extended north eastern kerbline of Stamperland Way to a point 10 metres or thereby south of the extended south western kerbline of Stamperland Way. | Both |
| 13/3 | | Stamperland Hill | From a point 10 metres or thereby north of the extended northern kerbline of Stamperland Hill to a point 10 metres or thereby north of the extended northern kerbline of Stamperland Drive. | East |
| 13/4 | | Stamperland Hill | From a point 10 metres or thereby south of the extended southern kerbline of Stamperland Hill south for a distance of 6 metres or thereby. | West |
| 13/5 | | Stamperland Drive | From the extended north kerbline of Stamperland Drive north for a distance of 15 metres or thereby. | West |
| 14 | Stamperland Drive | | | |
| 14/1 | | Stamperland Gardens | From the extended south western kerbline of Stamperland Gardens south westwards for a distance of 10 metres or thereby. | Both |
| 14/2 | | Stamperland Way | From a point 10 metres or thereby north of the extended north eastern kerbline of Stamperland Way to a point 10 metres or thereby south of the extended south western kerbline of Stamperland Way. | Both |
| 14/3 | | Stamperland Avenue | From the extended eastern kerbline of Stamperland Avenue eastwards for a distance of 52 metres or thereby and then north-eastwards a further 61m or thereby. | North / Northeast |

Roads In East Renfrewshire

Lengths of road in East Renfrewshire

Side of road to which restriction

| Ref | Principal Reference Road | Secondary Reference | Lengths of road in East Renfrewshire | restriction applies |
|------|-----------------------------|---------------------------------------|---|------------------------|
| 14/4 | | Stamperland Avenue | From the extended eastern kerbline of Stamperland Avenue eastwards to a point 45 metres or thereby east of the extended eastern kerbline of Stamperland Avenue. | South |
| 15 | Stamperland Gardens | | | |
| 15/1 | | Stamperland Avenue | From a point 10 metres or thereby north west of the extended north western kerbline of Stamperland Avenue to a point 10 meters or thereby southeast of the extended south eastern kerbline of Stamperland Avenue. | Southwest |
| 15/2 | | Orchy Avenue | From a point 10 metres or thereby north west of the extended north western kerbline of Orchy Avenue to a point 10 meters or thereby southeast of the extended south eastern kerbline of Orchy Avenue. | Northeast |
| 15/3 | | Stamperland Drive | From a point 10 metres or thereby north west of the extended north western kerbline of Stamperland Drive to a point 10 meters or thereby southeast of the extended south eastern kerbline of Stamperland Drive. | Southwest |
| 15/4 | | Randolph Drive | From a point 10 metres or thereby north west of the extended north western kerbline of Randolph Drive to a point 10 meters or thereby southeast of the extended south eastern kerbline of Randolph Drive. | Northeast |
| 15/5 | | Monteith Drive | From a point 10 metres or thereby north west of the extended north western kerbline of Monteith Drive to a point 10 meters or thereby southeast of the extended south eastern kerbline of Monteith Drive. | East |
| 15/6 | | Moray Drive (northern junction) | From a point 10 metres or thereby north west of the extended north eastern kerbline of Moray Drive to a point 10 meters or thereby southeast of the extended south western kerbline of Moray Drive. | East |
| 15/7 | | Moray Drive (southern junction) | From a point 15 metres or thereby northeast of the extended north eastern kerbline of Moray Drive north-eastwards to for a distance of 64 meters or thereby. | Northwest |

Roads In East Renfrewshire

Secondary

Reference

Principal Reference Road

Ref

Lengths of road in East Renfrewshire

Side of road to which restriction applies

| 16 | Stamperland Hill | | | |
|------|--------------------|----------------------------------|--|---------------------|
| 16/1 | | Stamperland Avenue | From a point 10 metres or thereby west of the extended western kerbline of Stamperland Avenue north-westwards to for a distance of approximately 160 meters to a point 10 metres or thereby north of the extended northern kerbline of The Quadrant. | Southwest / West |
| 16/2 | | Stamperland Avenue | From a point 30 metres or thereby west of the extended western kerbline of Stamperland Avenue north-westwards to for a distance of approximately 27 metres or thereby. | Northeast |
| 16/3 | | Stamperland Avenue | From a point 85 metres or thereby west of the extended western kerbline of Stamperland Avenue north-westwards to for a distance of approximately 29 metres or thereby. | Northeast |
| 16/4 | | The Quadrant (northern junction) | From a point 10 metres or thereby south west of the extended south western kerbline of The Quadrant to a point 10 meters or thereby northeast of the extended north-eastern kerbline of The Quadrant. | Southeast |
| 17 | Stamperland Way | | | |
| 17/1 | | Stamperland Avenue | From the extended eastern kerbline of Stamperland Avenue south-eastwards for a distance of 10 metres or thereby. | Both |
| 17/2 | | Stamperland Drive | From the extended north western kerbline of Stamperland Drive northwestwards for a distance of 10 metres or thereby. | Both |
| 18 | Strawhill Road | | | |
| 18/1 | | Stamperland Drive | From the extended northern kerbline of Stamperland Drive south-westwards for a distance of 46 metres or thereby. | Both |
| 19 | The Quadrant | | | |
| 19/1 | | Stamperland Hill | From the extended south-eastern kerbline of Stamperland Hill south-eastwards for a distance of 10 metres or thereby. | Both |

SCHEDULE 3 ORDERS AMENDED

The following Orders are hereby amended by the revocation of the Reference No's listed:

1 The East Renfrewshire Council (Netherlee)(Waiting and Loading)(Consolidation) Order 2017

Schedule 5, Reference No: 1/2

The East Renfrewshire Council (Clarkston and Busby Area) (On-Street) (Waiting and Loading) Order 2014

Schedule 1, Reference No: 26/1 Schedule 1, Reference No: 26/2 Schedule 1, Reference No: 35/1 Schedule 1, Reference No: 36/1

Schedule 1, Reference No: 36/2

Schedule 1, Reference No: 39/2

Schedule 1, Reference No: 39/3 (partial revocation only – from a point 46 metres or thereby southwest of the extended northern kerbline of Stamperland Drive, north-eastwards to the extended northern kerbline of Stamperland Drive),

Schedule 2: Reference No: 5/1 Schedule 2: Reference No: 6/1

















