



Renfrewshire  
Council

THE RENFREWSHIRE COUNCIL  
(RENFREWSHIRE, SCHOOL STREETS)  
(PART TIME PROHIBITION OF MOTOR VEHICLES)  
EXPERIMENTAL ORDER 2021

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Arrangement of Articles

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The Renfrewshire Council in exercise of the powers conferred on them by the Road Traffic Regulation Act 1984 ("the Act"), and of all other enabling powers and after consultation with the Chief Constable of Police Service of Scotland in accordance with Parts I to III of Schedule 9 to the Act hereby make the following Order.

## **1 Citation and Commencement**

- (a) This Order may be cited as "The Renfrewshire Council, (Renfrewshire, School Streets)(Part time prohibition of motor vehicles) Experimental Order 2021" and shall come into operation on the 19th day of April 2021.

## **2 Interpretation**

- (a) In this Order the following expressions have the meanings hereby assigned to them:-

"**bus**" means either a motor vehicle constructed or adapted to carry more than 8 passengers (exclusive of the driver) or a local bus not so constructed or adapted;

"**Chief Constable**" means the Chief Constable of Police Service of Scotland;

"**Council**" means The Renfrewshire Council;

"**Contractual vehicle**" means

- (i) a bus, or taxi, or private hire car or passenger carrying vehicle contracted by the Renfrewshire Council to take children to or from a school, specified in the Schedules to this Order;

"**disabled person's badge**" has the same meaning as in regulation 2(1) of the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000;

"**disabled person's vehicle**" means a vehicle lawfully displaying in the relevant position in terms of regulations for the time being in force under the Chronically Sick and Disabled Persons Act 1970 ("the 1970 Act") a disabled person's badge issued in terms of such regulations by a local authority in exercise of its powers under Section 21 of the 1970 Act;

"**emergency permit**" means a discretionary and transferable permit that may be made available by the Head Teacher of a School, the postal address of which is in a road described in column 4 of Schedule 1 to this Order where circumstances require emergency access/egress on roads described in column 2 of Schedule 1 to this Order by non "permit holders" at short notice.

"**emergency service vehicle**" means a vehicle being used by the Police, Fire and Rescue Service, Ambulance Services or Special Services in response to an incident;

"**funeral vehicle**" means a vehicle which is in actual use in connection with a funeral undertaking;

"**goods vehicle**" means a vehicle constructed or adapted for use for the carriage or haulage of goods or burden of any description;

"**Healthcare Worker**" means:

- (i) Such person as having been identified by the NHS Greater Glasgow and Clyde as being a GP, doctor, registered nurse or any nominated medical persons carrying out domiciliary visits to patients residing within a School Streets area; or
- (ii) Such person as are GP's, doctors, registered nurses employed at qualifying medical practices and carrying out domiciliary visits to patients residing within a School Streets area;

"**passenger carrying vehicle**" means a vehicle carrying eight or more passengers;

"**Permit**" means any permit issued by the Council as determined by them;

**“Permit Holder”** means any person to whom a permit has been issued by the Council;

**“Private Hire Car”** has the same meaning as in Section 23 of the Civic Government (Scotland) Act 1982:

**“prohibited Hours”** means the period specified in column 3 of Schedule 1 to this Order;

**“prohibited Road”** means the roads listed and specified in column 4 of Schedule 1 and the lengths of road coloured red in Schedules 2, 3 , 4 & 5 to this Order;

**“qualifying person”** means;

- (i) A person who is solely or mainly resident at premises the postal address of which is in a road described in column 4 of schedule 1 to this Order; or
- (ii) A medical practitioner with consulting rooms the postal area of which is in such a road described in Column 4 of Schedule 1 to this Order; or
- (iii) Any person who owns leases on a long term basis, any residential property the postal address of which is in a road described in column 4 of Schedule 1 to this Order where the said property is not the sole or main residence and is used as a second home or holiday home; or
- (iv) Any person who owns leases on a long term basis, any business property the postal address of which is in a road described in column 4 of Schedule 1 to this Order
- (v) Any healthcare worker identified by NHS Greater Glasgow and Clyde and not provided with a healthcare workers permit, or any carer employed or contracted by the Renfrewshire Council who requires access, as part of their duties, to premises the postal address of which is in a road described in column 4 of Schedule 1 to this Order; or
- (vi) Any employee, visitor or parent who is working, visiting or uplifting children from within a school and who is unexpectedly involved in an emergency occurrence, may at the discretion of the Head Teacher, be issued with an “emergency permit”, to the school the postal address of which is in a road described in column 4 of Schedule 1 to this Order; or
- (vii) Any person, being a family member or non-contractual carer, who requires access to premises the postal address of which is in a road described in column 4 of Schedule 1 to this Order and once Article 8 to this Order has been satisfied; or
- (viii) Any person being a lease holder or owner of lock up garages contained and accessed within said areas coloured red within Schedule 4 to this Order once Article 8 to this Order has been satisfied ; or
- (ix) Any person who requires access to premises the postal address of which is in a road described in column 4 of Schedule 1 to this Order who does not fall within the above qualifying persons criteria, but whom the Councils Head of Operations & Infrastructure determines upon merit on application, should be issued with a permit for accessibility to premises the postal address of which is in a road described in column 4 of Schedule 1 to this Order.

For the avoidance of doubt, the qualifying person that has an address, or in the case of sub-section (v) and (vii) of above, is visiting an address, or in the case of sub-section (vi) above works within a school listed in column 4 of Schedule 1 to this Order, or requires access/ egress to or from property which has no other access or egress as in the case of sub-sections (viii) above as listed in column 4 of Schedule 1 to this Order

**“Relevant position”** has the same meaning as in regulation 12 of the Disabled Person (Badges for Motor Vehicles) (Scotland) Regulations 2002;

**“School Streets area”** means the prohibited roads described in column 2 of Schedule 1 to this Order;

**“School Streets permit”** means any permit issued by the Council under the terms of this Order to a qualifying person and for the avoidance of doubt, refers only to the original document as issued;

**“School Streets permit holder”** means a qualifying person to whom a permit has been issued under the provisions of Article 8 of this Order;

“**Street**” has the same meaning as “road” as herein defined;

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

“**telecommunication apparatus**” is as defined in Schedule 2 of the Telecommunications Act 1984;

“**Valid Application**” means an application made as determined by the Council;

“**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.

- (b) Please note;
- (i) All words importing the singular also include the plural and vice versa where the context requires; and
  - (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.
  - (iii) The prohibitions imposed by Article 1 of this Order shall only be enforceable when the prohibition is displayed by signs which accord with the Traffic Signs Regulations and General Directions 2016.

### **3 Use of prohibited road during the prohibited hours**

- (a) Save as provided in Articles 2, 3 and 4 no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any motor vehicle to enter or proceed in a prohibited road during the prohibited hours as indicated by the traffic sign that indicates the start of the School Streets area as specified in Schedule 1 of this Order

### **4 Exemptions from prohibition on entering or proceeding**

- (a) The prohibitions imposed by Article 1 of this Order shall not apply to the following motor vehicles;
- (i) An emergency services vehicle being used for emergency services purposes; or
  - (ii) A motor vehicle, not being a passenger vehicle, while being used in the service of a local authority in pursuance of statutory powers or duties: provided that in all the circumstances it is reasonably necessary in the exercise of such powers or duties or performance of such duties for the motor vehicle to so enter or proceed.
- (b) Nothing in Article 1 of this Order shall prevent any person from causing or permitting a motor vehicle to enter or proceed in the prohibited road during the prohibited hours for so long as may be necessary;
- (i) To enable a goods vehicle, if it cannot conveniently be used for such purpose in any other road or out with the prohibited hours, to be used in connection with any building operation, demolition or excavation in or adjacent to the prohibited road, the cleansing or lighting of the prohibited road, the removal of any obstruction to the road traffic, the maintenance, improvement or reconstruction of the prohibited road or street furniture therein or thereon, the laying, erection, alteration or repair in or adjacent to the prohibited road of any sewer or of any main, pip, telecommunication apparatus or the placing , maintaining or removal of any traffic sign; or
  - (ii) To enable a vehicle displaying a disabled badge, being driven by or carrying a disabled person to uplift or set down passengers or to wait at premises located on the prohibited road, during the prohibited hours; or
  - (iii) Where the vehicle is displaying a School Streets permit issued for the School Streets area in which the vehicle is being driven; or
  - (iv) To enable the vehicle to be used as a contractual vehicle to uplift or set down a passenger or passengers; or
  - (v) To enable the removal of furniture from one office or dwelling house to another office or dwelling house or the removal of furniture from such premises to a depository or to such premises from a

depository. Provided notice is given 10 working days in advance for a dispensation from the Council;

- (vi) if the vehicle is an appropriately liveried vehicle, which, whilst used by a universal postal service and is waiting in any of the lengths of the prohibited road during the prohibited times only for the delivery and collection of postal packets addressed to premises within the prohibited road premises or pillar boxes adjacent thereto;
- (vii) to enable the vehicle to be used wholly and necessarily by the principal participants in connection with funeral operations and weddings;
- (viii) to enable the vehicle to be used by a healthcare workers' permit holder when, in the course of their employment, the said healthcare workers' permit holder is visiting patients in premises situated on any prohibited road and the vehicle bears the healthcare workers' permit displayed at the front nearside of the vehicle so as to be clearly visible from the front or nearside.
- (ix) To enable a vehicle, where said vehicle has been issued and displays a permit sanctioned by the Councils "Head of Operations & Infrastructure" being appropriate to enable home care to be provided to a resident of a prohibited road by a family member or non-contractual carer, once Article 8 to this Order has been satisfied

## **5. Duty to move on**

Notwithstanding any exemption or exception contained in this Order, the person in control of any motor vehicle waiting during the prohibited hours in the prohibited road shall move the motor vehicle on the instructions of a police constable in uniform whenever such removal is reasonably necessary for the purpose of facilitating the passage of traffic (including those on foot).

## **6. Permits for use in the prohibited roads**

Any vehicle that displays a valid School Streets permit shall be entitled to enter or proceed in any prohibited road, during the prohibited hours for which the permit has been issued, as described in Schedule 1 of this Order.

## **7. Applications for School Streets permits for use in prohibited roads**

Any qualifying person who is the keeper of a vehicle will be issued with a permit by the Council and may individually apply to the Council for the issue of an additional School Streets permit in respect of that vehicle, and any such application shall:

- (a) Be made in a manner as determined by the Council
- (b) Include the address of the applicant
- (c) In the case of a qualifying person identified by NHS Greater Glasgow and Clyde, the applicant must include a letter from NHS Greater Glasgow and Clyde stating that in order to carry out domiciliary visits to patients access is required to a School Streets area.
- (d) In the case of qualifying persons employed or contracted by the Renfrewshire Council, the application must include a letter from the Renfrewshire Council stating that in order to carry out domiciliary visits to patients access is required to a School Streets area.
- (e) In the case of a qualifying persons nominated by a Head Teacher, the application must include a letter from the school stating that in emergency situations access is required to a School Streets area. Only one permit will be issued to the school, the postal address of which is in a prohibited road described in column 2 of Schedule 1 to this Order.
- (f) In the case of qualifying persons providing family or non-contractual care, not being employed or contracted by the Renfrewshire Council, the application must include a letter from the resident and their doctor or social worker, stating that in order to carry out home care visits to family

members or friends or private patients, access is required to a School Streets area, in accordance with Article 8 to this Order.

## **8. Evidence in support of an application of a School Streets permit**

The Council may at any time require a qualifying person, applying for a School Streets permit to an officer of the Council to;

- (a) Provide such evidence as they may reasonably require to verify any particulars or information given to them for a permit application;
- (b) Provide such evidence as they may reasonably require to verify.

## **9. Issue of a School Streets permit for the use in prohibited roads**

Except as provided for in this part of the Order, on receipt of a valid application the Council shall issue to the qualifying person one School Streets permit for the School Street area in which the qualifying person is;

- (a) A resident or business owner or leaseholder, or
- (b) A healthcare worker identified by NHS Greater Glasgow and Clyde, who requires access, as part of their duties, to premises the postal address of which is in a road described in Schedule 1 to this order, or
- (c) A carer employed or contracted by the Renfrewshire Council, who requires access, as part of their duties, to premises the postal address of which is in a road described in Schedule 1 of this Order, or
- (d) A carer employed or contracted by the Renfrewshire Council, who requires access, in emergency situations, to the school the postal address of which is in a road described in Schedule 1 of this Order.
- (e) A carer not employed or contracted by the Renfrewshire Council, who requires access to provide essential home care to a family member or friend, the residence of whom is contained within a prohibited road the postal address of which is in a road described in Schedule 1 of this Order.

## **10. Requirement on School Street permit holders to display permits on vehicles left in the prohibited roads**

- (a) The driver of a School Streets permit holders' vehicle entering or proceeding in a School Streets area during the prohibited hours must, at all times, display a valid School streets permit, or
- (b) As described in paragraph (a) of this Article to this Order the permit referred to should be displayed at the front nearside of the vehicle so as to be clearly visible from the nearside or front of the vehicle.

## **11. Cessation of validity of permits**

Subject to the provisions of Article 12, (Surrender & withdrawal of permits) any permit issued under the terms of this Order shall cease to be valid;

- (a) In the case of a School Streets permit, at the expiry of the period specified thereon ( which period shall not exceed a period of eighteen months from the date on which it is issued) or on the occurrence of any one of the events set out in (iii)(a), (b), (c) or (d) of Article 12 to this Order, whichever is earlier.
- (b) Should the permit be altered, defaced or damaged to the extent that any of the information or details thereon becomes unreadable.

**12. Surrender and withdrawal of permits**

- (a) A School Streets permit holder may surrender any permit to the Council at any time and shall surrender such permit to the Council on the occurrence of any of the events set out in (c)(i), (ii), (c) or (iv) of this Article to this Order;
- (b) The Council may, by notice in writing delivered to or served on the School Streets permit holder by sending the same, to the School Streets permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's place of residence or business, withdraw any permit if it appears to the Council that any one of the events set out in (c) (i) or (ii) of this Article of this Order has occurred, and the School streets permit holder shall surrender such permit(s) to the Council within 48 hours of the receipt of the aforementioned notice.
- (c) The events referred to in the foregoing provisions of this Article to this Order are:
  - (i) the School Streets permit holder ceasing to be School Streets qualifying person;
  - (ii) the School Streets permit holder ceasing to be the keeper of the vehicle(s) for which the permit was issued;
  - (iii) the issue of a duplicate permit by the Council under the provisions of Article 13 of this Order;
  - (iv) the permit ceasing to be valid in pursuant to the provisions of Article 11 of this Order;
  - (v) The School streets permit holder ceases to be a resident or care provider to a resident be it family member, non- contracted or otherwise
  - (vi) The School Street permit holder ceases to require access to lock-up premises.

**13. Applications for and issue of replacement permits**

If a permit is mutilated or accidentally defaced or the particulars or figures thereon have become illegible or the colour of the permit has become altered by fading or otherwise, the School Streets permit holder shall surrender the permit to, and may apply to, the Council for the issue to them of a replacement permit and the Council, upon receipt of the permit, shall issue a replacement permit so marked, and upon such issue the mutilated or defaced permit shall become invalid.

**14. Placing of traffic signs, etc**

The Council shall place and maintain such traffic signs as are required to give effect to the provisions of this Order.

**15. Restrictions on removal of permits**

When a permit has been displayed on a vehicle in accordance with Article 10 of this Order, no person , not being the driver of the vehicle, shall remove the said permit from the vehicle unless authorised to do so by the driver.

Signed for and on behalf of The Renfrewshire Council by Gavin Hutton, Head of Operations & Infrastructure at Paisley on the 26<sup>th</sup> day of March Two Thousand and Twenty One.



.....Signature

Authorised Signatory



This is Schedule 1 referred to in the foregoing " The Renfrewshire Council, (Renfrewshire, School Streets),  
(Part time prohibition of motor vehicles) Experimental Order 201\*

<b>Prohibition of Motor Vehicles During Monday to Friday 8.30am to 9.15am and 2.30pm to 3.15pm</b>			
<b>1.</b>	<b>2.</b>	<b>3.</b>	<b>4.</b>
<b>School Streets Area</b>	<b>Prohibited Roads</b>	<b>Prohibited Hours</b>	<b>List of Roads and Properties where Permits will be Issued</b>
St Charles Primary School	Rowan Street, Paisley	08.30am to 09.15am and 2.30pm to 3.15pm	Only properties with Postal Address within areas coloured red within Schedule 2
	Thrushcraig Crescent, Paisley	08.30am to 09.15am and 2.30pm to 3.15pm	Only properties with Postal Address within areas coloured red within Schedule 2
Lochfield Primary School	Quarry Road, Paisley	08.30am to 09.15am and 2.30pm to 3.15pm	Only properties with Postal Address within areas coloured red within Schedule 3
St Catherines Primary School	Brabloch Crescent, Paisley	08.30am to 09.15am and 2.30pm to 3.15pm	Only properties with Postal Address within areas coloured red within Schedule 4; or leasees'/ owners of lock up garages contained and only accessed via areas areas coloured red within Schedule 4
	Netherhill Road, Paisley	08.30am to 09.15am and 2.30pm to 3.15pm	Only properties with Postal Address within areas coloured red within Schedule 4
Barsail Primary School	Park Moor, Erskine	08.30am to 09.15am and 2.45pm to 3.30pm	Only properties with Postal Address within areas coloured red within Schedule 5 or properties that can only be accessed via areas coloured red within Schedule 5



.....Signature

Authorised Signatory