

**GLASGOW CITY COUNCIL  
(HYNDLAND ROAD / NOVAR DRIVE LOADING RESTRICTION)  
TRAFFIC REGULATION ORDER 2015**

Glasgow City Council in exercise of the powers conferred upon it under sections 1, 2, 3, 4, 5, 32, 35, 36, 37, 63A, 64, 65, 66, 68 of the Road Traffic Regulation Act 1984 as amended ("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 make the following Order:-

**Citation and Commencement**

This Order may be cited as the "Glasgow City Council (Hyndland Road / Novar Drive Loading Restriction) Traffic Regulation Order 2015" and shall come into operation on 13 September 2015.

The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies to an Act of Parliament.

Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

**Definitions**

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

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

**"Council"** means Glasgow City Council;

**"Disabled person's badge"** has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (Scotland) Regulations 2002;

**"Disabled vehicle"** means a vehicle displaying a Disabled person's badge in the "relevant position";

**"Dual-purpose vehicle"** has the same meaning as is given to the expression in Regulation 3 (2) of the Road Vehicles (Construction and Use) Regulations 1986;

**"Emergency services vehicle"** means a vehicle being used by Police, Fire Brigade, Ambulance Services or Civil Defence Organisation;

**"Emergency services purposes"** means the saving of life or extinguishing fire or meeting any other like emergency;

**"Goods vehicle"** means a motor vehicle constructed or adapted for use for the carriage of goods or burden of any description, or a trailer so constructed or adapted, but not including a dual-purpose vehicle;

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**“Parking attendant”** means any person authorised by or on behalf of the Council to issue penalty charge notices;

**“Parking place”** means an area on a road designated as a parking place;

**“Parking space”** means a space in a parking place which is provided for the leaving of a vehicle;

**“Penalty Charge Notice”** means a document containing the information required by the Road Traffic Act 1991, as amended, for a penalty charge notice;

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

**“Universal postal service”** has the same meaning as in Section 4 of the Postal Services Act 2000;

**“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 by animal or mechanical power;

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**NO WAITING  
Monday to Saturday, 7am – 8.30pm  
NO LOADING OR UNLOADING  
Monday to Saturday, 7am – 8.30pm  
Except Goods Vehicles**

**Waiting restrictions**

1. No person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any vehicle to wait during Monday to Saturday 7am to 8.30pm in the lengths of road specified in Schedule 1.

**Loading or unloading restrictions**

2. No person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any vehicle, except goods vehicles, to load or unload, during Monday to Saturday 7am to 8.30pm, in the lengths of roads specified in Schedule 1.

**Exemptions from waiting restrictions**

3. Nothing in Article 1 hereof shall:-
  - (i) Prevent any person from causing or permitting a vehicle to wait in the lengths of roads referred to in this Article:-
    - (a) to enable a person to board or alight from the vehicle or to load or unload his or her personal luggage;
    - (b) if the vehicle is an emergency services vehicle being used for emergency services purposes;
    - (c) if the vehicle is prevented from proceeding by circumstances beyond the driver's control or which has to be stopped in order to avoid injury or damage to persons or property;
    - (d) if the vehicle is a marked vehicle which, whilst used by a universal postal service provider in the course of the provision of a universal postal service, is stationary only for the delivery or collection of postal packets;
    - (e) outwith Monday to Saturday 7am to 8.30pm.
  - (ii) apply to a pedal cycle attached to a stand which displays the sign corresponding to The Traffic Signs Regulations and General Directions 2002 diagram number 968 or 968.1;

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**Exemptions from loading or unloading restrictions**

4. Nothing in Article 2 hereof shall prevent any person from causing or permitting a goods vehicle to load or unload at any time in the lengths of road referred to in that Article for the delivery or collection of goods or merchandise or loading or unloading the vehicle at premises adjoining that road. The vehicle must stand on the carriageway such that its front and rear wheels nearest to the edge of the carriageway are not more than 300mm from the edge of the carriageway. The vehicle shall not load or unload for longer than 30 minutes in the same place in total and shall not wait for longer than 10 minutes in the same place without goods or merchandise being loaded or unloaded from the vehicle.

**Penalty Charge**

5. (i) A penalty charge, as permitted by the Road Traffic Act 1991, as amended, shall be payable, with respect to a vehicle, if that vehicle is waiting on any length of road specified in Schedule 1 otherwise than in accordance with the provisions of Articles 1 to 4 hereof.
- (ii) The penalty charge shall be £60, discounted to £30 if paid within 14 days and £90 if unpaid after 56 days, as amended from time to time.
- (iii) A penalty charge notice shall be attached to the vehicle, or handed to the owner or person who appears to be in charge of the vehicle, incurring the penalty charge.
6. Where a penalty charge notice has been attached to a vehicle in accordance with Article 5 (iii) hereof, no person, other than the owner or person who appears to be in charge of the vehicle or a person duly authorised by the Council, shall remove the penalty charge notice from the vehicle unless authorised to do so by the owner or person who appears to be in charge of the vehicle. Any person who removes a penalty charge notice without the proper authority shall be guilty of an offence in terms of Section 66(6) of the Road Traffic Act 1991 as amended.
7. If a penalty charge notice has been issued in accordance with Article 6 hereof, a parking attendant may remove the vehicle, or cause the vehicle to be removed. If it is removed the Council shall provide for the safe custody of the vehicle.

**Power to dispose of abandoned vehicles**

8. Subject to the Road Traffic Regulation Act 1984 the Council may, as respects a vehicle which has been removed in pursuance with Article 7 hereof, sell or otherwise dispose of the vehicle if it appears to have been abandoned, provided they have made reasonable enquiry to ascertain the name and address of the owner of the vehicle and to inform the owner of their intention.

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**DISABLED PARKING PLACES**

**Designation of disabled vehicles parking places**

9. Each area on a road which is described in Schedule 2 is designated as a disabled vehicles parking place at all times.

**Marking on the carriageway of disabled vehicles parking places**

10. (i) The limits of each parking space in a parking place shall be indicated on the carriageway in accordance with The Traffic Signs Regulations and General Directions 2002, or as specially authorised by The Scottish Ministers.
- (ii) The lengths of parking places described in Schedule 2 are the maximum lengths. The on-road markings may show disabled vehicles parking places reduced in length such as the Council may determine.

**Vehicles for which disabled vehicles parking places are designated**

11. Each disabled vehicles parking place designated in Schedule 2 may be used, subject to the provisions of Articles 9 to 20, for the leaving of disabled vehicles only.

**Manner of standing in disabled vehicles parking places**

12. Every vehicle left in a disabled vehicles parking place shall stand such that the whole vehicle is within the limits of that disabled vehicles parking place and each single parking space shall be occupied by a single vehicle only. A vehicle shall park such that the extreme front portion, or, as the case may be, the extreme rear portion of the vehicle is within 300mm of the indication on the carriageway provided under Article 10 hereof.

**Alteration of position of vehicle in disabled vehicles parking places**

13. Where any vehicle is standing in a disabled vehicles parking place in contravention of the provisions of Article 12 hereof a parking attendant may alter or cause to be altered the position of the vehicle in order that its position complies with those provisions.

**Movement of vehicle from disabled vehicles parking place in an emergency**

14. Any person duly authorised by the Council or a police constable in uniform may move or cause to be moved in case of emergency, to any place they think fit, vehicles left in a disabled vehicles parking place.



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**Power to suspend disabled vehicles parking places**

15. (i) Any person duly authorised by the Council may suspend the use of a disabled vehicles parking place or any part thereof whenever such suspension is considered reasonably necessary for the:-
- a) purpose of facilitating the movement of vehicular or pedestrian traffic, or for promoting its safety or where the Council deems it necessary to facilitate a particular operation or event; or
  - b) purpose of any building or roadworks operations, or works associated with the provision or maintenance of public utilities, provided that prior permission has been granted by the Council, including works being done by the Council or on the Council's behalf; or
- (ii) Any person suspending the use of a disabled vehicles parking place or any part thereof in accordance with paragraph (i) of this Article shall indicate that the use of the disabled vehicles parking place is suspended and that waiting by vehicles is prohibited by erecting notices or a traffic sign indicating that the use of the disabled vehicles parking place is suspended and that waiting by vehicles is prohibited.

No person shall cause or permit a vehicle to be left in a disabled vehicles parking place suspended in accordance with paragraph (ii) of this Article provided that nothing in this Article shall render it unlawful to cause or permit any vehicle being used for emergency services purposes to be left in the disabled vehicles parking place, or if that vehicle is left with the permission of the person suspending the use of the disabled vehicles parking place or the part thereof in pursuance of paragraph (i) of this Article or a police constable in uniform.

**Restriction of waiting of vehicles in disabled vehicles parking places**

16. (i) Any vehicle may wait anywhere in a disabled vehicles parking place if:-
- a) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond the driver's control or to such waiting being necessary in order to avoid an accident; or
  - b) the vehicle is an emergency services vehicle being used for emergency services purposes; or
  - c) the vehicle is waiting only for as long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic; or
  - d) the vehicle is waiting only for so long as may be reasonably necessary to enable it to be used for any purpose specified in Article 15 (i) (b) hereof; or

Provided that a person causing or permitting a vehicle to wait in a disabled vehicles parking place by virtue of this Article hereof shall take all such steps as are necessary to ensure

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that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle and the distance between the said edge and the nearest wheel of the vehicle is not more than 300mm.

Nothing in the foregoing provisions of this Article shall be taken as authorising anything which would be a contravention of any Regulations made or having effect as if made under Section 25 of the Road Traffic Regulation Act, 1984.

**Penalty Charge**

17. (i) A penalty charge, as permitted by the Road Traffic Act 1991, as amended, shall be payable, with respect to a vehicle, if that vehicle is left in a disabled vehicles parking place designated in Schedule 2 otherwise than in accordance with the provisions of Articles 13, 14, 15 and 16 inclusive hereof;
  - (ii) The amount of the penalty charge shall be £60, discounted to £30 if paid within 14 days and £90 if unpaid after 56 days, as amended from time to time.
  - (iii) A penalty charge notice shall be attached to the vehicle, or handed to the owner or person who appears to be in charge of the vehicle, incurring the penalty charge.
18. Where a penalty charge notice has been attached to a vehicle in accordance with Article 17 (iii) hereof, no person, other than the owner or person who appears to be in charge of the vehicle, or a person duly authorised by the Council, shall remove the penalty charge notice from the vehicle unless authorised to do so by the owner or person who appears to be in charge of the vehicle. Any person who removes a penalty charge notice without the proper authority shall be guilty of an offence in terms of the Road Traffic Act 1991 as amended.
19. If a penalty charge notice has been issued in accordance with Article 17 hereof a parking attendant may remove the vehicle or cause the vehicle to be removed. If it is removed, the Council shall provide for the safe custody of the vehicle. If a penalty charge notice has been issued in accordance with Article 17 hereof a period of 15 minutes shall elapse before the vehicle is removed.

**Power to dispose of abandoned vehicles**

20. Subject to the Road Traffic Regulation Act 1984, as amended, the Council may as respects a vehicle which has been removed from a disabled vehicles parking place in pursuance with Article 19 hereof, if it appears to them to have been abandoned, sell or otherwise dispose of the vehicle after having made reasonable enquiry to ascertain the name and address of the owner of the vehicle and to inform the owner of their intention.

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Sealed with the Common Seal of Glasgow City Council and subscribed for it, and on its behalf by BRIAN DEVLIN, EXECUTIVE DIRECTOR OF LAND AND ENVIRONMENTAL SERVICES, at GLASGOW on the TWENTY SEVENTH DAY OF JULY, TWO THOUSAND AND FIFTEEN.



Brian Devlin



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**Schedule 1**

**No waiting 7am-8.30pm, Mon-Sat  
No loading or unloading 7am-8.30pm, Mon-Sat  
Except by goods vehicles**

**Hyndland Road**

1. On the west side, from a point 5 metres north of the north kerbline of Novar Drive northwards for a distance of 16 metres.

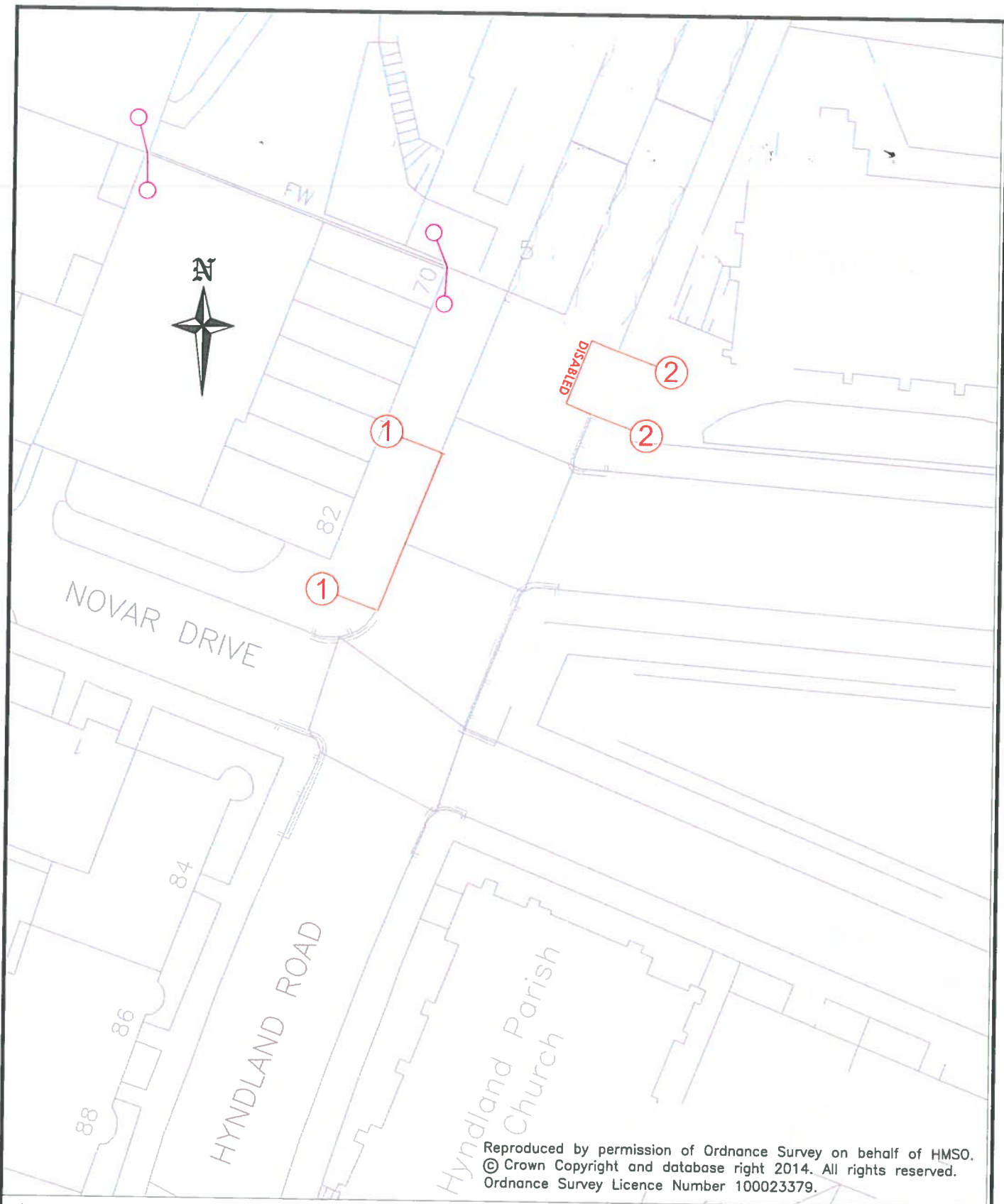
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**Schedule 2  
Disabled vehicles parking places**




**Hyndland Road**

1. On the east side, from a point 5 metres north of the extended north kerbline of the north Kingsburgh Gardens northwards for a distance of 7 metres.



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**Legend:**

-  Existing Regulations Unchanged
-  Proposed No waiting 7am to 8:30pm Monday to Saturday, No loading 7am to 8:30pm Monday to Saturday Except by Goods Vehicles
-  Proposed Disabled Vehicles Parking Place

The Glasgow City Council  
 (Hyndland Road / Novar Drive Loading Restriction)  
 Traffic Regulation Order

Glasgow City Council  
 Executive Director Land and Environmental Services:  
 Brian Devlin

Drg No: 4W-7100-TRO-04

File No: 4W7100 Glasgow Cycle Route Upgrade  
 Corner-Pullin Cors DRG

Scale : 1 : 500



Exchange House, 231 George St, Glasgow, G1 1RX.

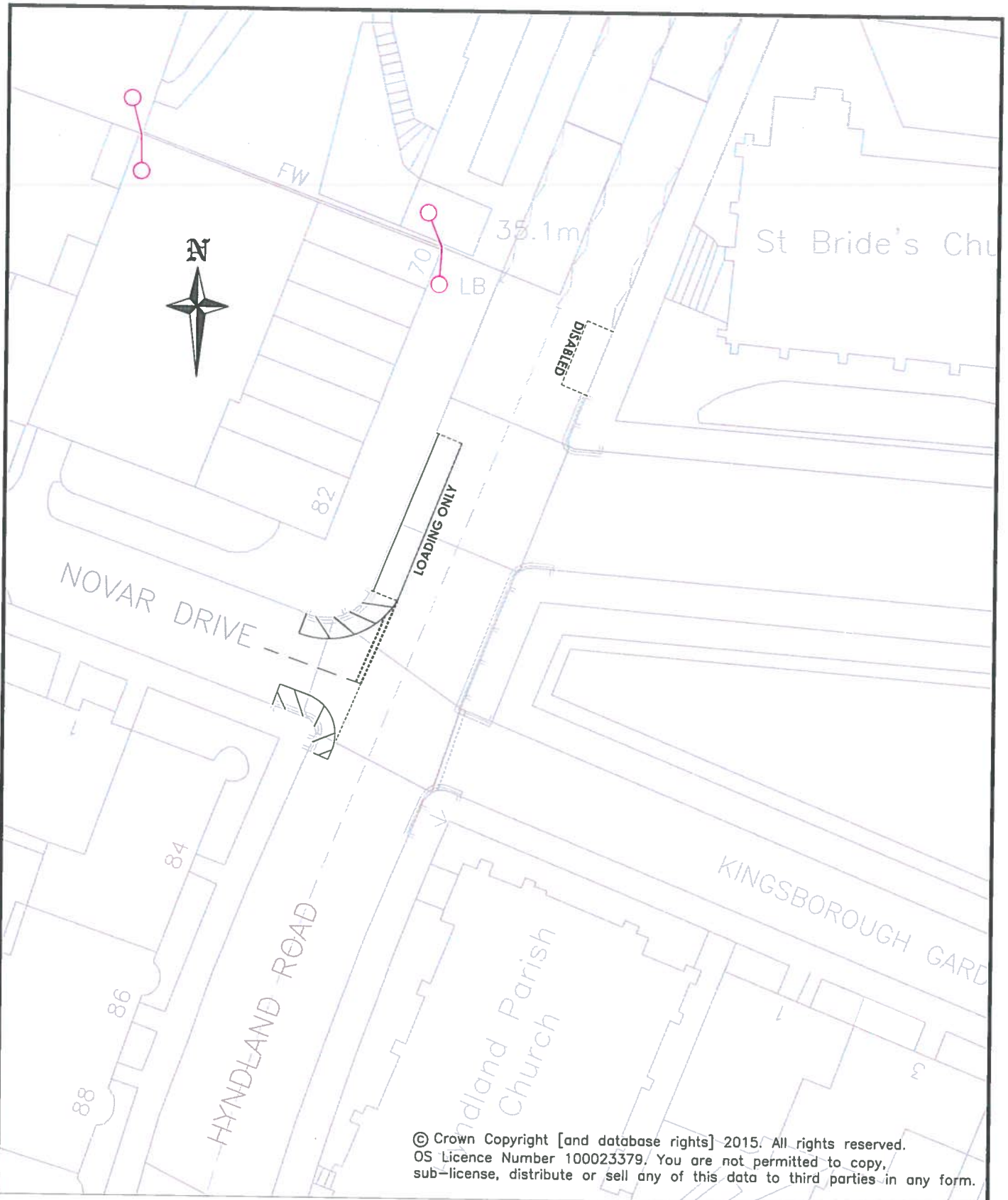
Prep: GJD

Chkd: AB

Date : March 2015



ODS: 210\*297






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**Legend:**

-  Existing Markings Unchanged
-  Proposed Markings

Hyndland Road / Novar Drive Loading Restriction Proposed layout	<b>Glasgow City Council</b> Executive Director Land and Environmental Services: <b>Brian Devlin</b>		
	Drg No: 4W-7100-TRO-05		
	File No: 4W7100 Collaps Cycle Route Upgrade <small>Canal Pathway Const DMS</small>	Scale : 1 : 500	
	Prep: GJD    Chkd: AB    Date : June 2015	ODS: 210*297	
Exchange House, 231 George St, Glasgow, G1 1RX.			



