

**THE GLASGOW CITY COUNCIL
(HAWTHORN STREET)
(TRAFFIC REGULATION) Order 202_**

Glasgow City 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 Scotland hereby make the following Order:-

Citation and Commencement

This Order may be cited as "The Glasgow City Council (Hawthorn Street) Order 20__" and shall come into operation on

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;

"Cycle lane" has the same meaning as in the Traffic Signs Regulations and General Directions 2016;

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

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

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

"Goods vehicle" means a motor vehicle or trailer, constructed or adapted for use for the carriage of goods or burden of any description and taxed as one of the following:- Light goods Vehicle, Euro 4 Light Goods Vehicle, Private HGV, Rigid, two and three axled articulated vehicles, Rigid vehicles, Trailers, Two axled tractive unit articulated vehicles and Three axled tractive unit articulated vehicles, but not including a dual-purpose vehicle;

"Marked police vehicle" means a police vehicle marked with Police livery;

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

"Nearside" means, in relation to the position on a vehicle windscreen for the displaying of a

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permit, the side which is nearest to the edge of the carriageway when said vehicle is parked in a parking place;

“Passenger vehicle” has the same meaning as is given to the expression in Regulation (3) (2) of the Road Vehicles (Construction and Use) Regulations 1986;

“Pedal cycle” means a unicycle, bicycle, tricycle or cycle having four or more wheels, not being in any case mechanically propelled unless it is an electrically assisted pedal cycle of such class as is to be treated as not being a motor vehicle for the purposes of the Road Traffic Regulation Act 1984;

“Penalty Charge Notice” means a device containing the information required by the Road Traffic Act 1991 for a penalty charge;

“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;

“With-flow lane” has the same meaning given in the Traffic Signs Regulations and General Directions 2016;

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Format of the Order

In the following Schedules of this Order there are Articles pertaining to each particular Schedule outlining the restrictions, permissions and conditions relevant to each particular Schedule. Each Schedule shall precede the Articles pertaining to that Schedule.

Sealed with the Common Seal of Glasgow City Council and subscribed for it, and on its behalf by GEORGE GILLESPIE, EXECUTIVE DIRECTOR OF NEIGHBOURHOODS, REGENERATION AND SUSTAINABILITY, AT GLASGOW ON

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SCHEDULE LIST.

1. No waiting at any time No loading or unloading at any time.
2. Prohibition of being in a with flow mandatory cycle lane.

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Schedule 1

No waiting at any time No loading or unloading at any time

Hawthorn Street

1. On the south side (westbound Carriageway), from the extended east kerbline of Balmore Road, Eastwards to the extended west kerbline of Memel Street.
2. On the North side (eastbound carriageway), from the extended east kerbline of Balmore Road, Eastwards to the extended West kerbline of Ashfield Street.
3. On the North side (eastbound carriageway), from the extended east kerbline of Finlas Street, Eastwards to the extended west kerbline of Memel Street.

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Articles pertaining to Schedule 1

No waiting at any time No loading or unloading at any time

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 at any time in the lengths of roads 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 to load or unload at any time in the lengths of roads specified in Schedule 1.

Exemptions from waiting and loading or unloading restrictions

3. Nothing in Articles 1 and 2 hereof shall:-
 - (i) prevent any person from causing or permitting a vehicle to wait, load or unload 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;
 - (ii) apply to a pedal cycle attached to a stand which displays the sign corresponding to The Traffic Signs Regulations and General Directions 2016 diagram number 968 or 968.1;

Penalty Charge

4. (i) A penalty charge, as permitted by the Road Traffic Act 1991, shall be payable, with respect to a vehicle, if that vehicle is waiting, loading or unloading 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.

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- (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.
- 5. Where a penalty charge notice has been attached to a vehicle in accordance with Article 4 (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.
- 6. If a penalty charge notice has been issued in accordance with Article 4 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

- 7. Subject to the Road Traffic Regulation Act 1984 the Council may, as respects a vehicle which has been removed in pursuance with Article 6 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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Schedule 2

Prohibition of being in a Mandatory with flow cycle lane

Hawthorn Street

1. On the south side (westbound Carriageway), from the extended east kerbline of Balmore Road, Eastwards to the extended west kerbline of Memel Street.
2. On the North side (eastbound carriageway), from the extended east kerbline of Balmore Road, Eastwards to the extended West kerbline of Ashfield Street.
3. On the North side (eastbound carriageway), from the extended east kerbline of Finlas Street, Eastwards to the extended west kerbline of Memel Street.

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Articles pertaining to Schedule 2

Prohibition of being in a with flow mandatory cycle lane.

Prohibition of being in a with flow mandatory cycle lane.

1. No person shall, except upon the direction of / or with permission of a police constable in uniform permit any vehicle to be within in a with flow mandatory cycle lane on any of the lengths of roads listed in Schedule 2 other than a pedal cycle.

Exemptions from Prohibition of being in a with flow mandatory cycle lane.

Nothing in Article 1 hereof shall apply if the vehicle is:

- (i) an emergency services vehicle being used for emergency services purposes.
- (ii) to be used in connection with 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.
- (iii) crossing the cycle lane in order to gain access to or egress from a vehicular access point or loading area or parking area adjacent to or accessible only by crossing the cycle lane.