

**THE EAST RENFREWSHIRE COUNCIL
(SCHOOLS STREETS) (GIFFNOCK PRIMARY SCHOOL)
(PROHIBITION OF VEHICLES)
(TRAFFIC REGULATION) ORDER 2023**

The East Renfrewshire Council in exercise of the powers conferred on them by Section 1 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 hereby make the following Order:-

Citation and Commencement

This Order may be cited as “The East Renfrewshire Council (Schools Streets) (Giffnock Primary School) (Prohibition of Vehicles) (Traffic Regulation) Order 2023” and shall come into effect on 19 June 2023.

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.

The restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any enactment or by any regulations made under the Act or by or under any enactment.

Definitions

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

“**Article**” means an article of this Order;

“**Bus**” has the same meaning as in the Traffic Signs Regulations and General Directions 2016;

“**Chief Constable**” means the Chief Constable of the Scottish Police Authority (Police Scotland);

“**Council**” means East Renfrewshire Council incorporated under the Local Government etc. (Scotland) Act 1994;

“**Contractual Vehicle**” means a Bus or Taxi or Private Hire Car in each case contracted by the East Renfrewshire Council to take children to or from a school, specified in the Schedule;

“**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”

“**Emergency Services vehicle**” means a Vehicle being used by Police, Fire & Rescue Service, Ambulance Services;

“**Emergency Services Purposes**” means the saving of life or extinguishing fire or meeting any other like emergency;

“Healthcare Worker” means:

- a) such persons as having been identified by NHS Greater Glasgow and Clyde as being a GP, doctor, registered nurse or any other nominated medical persons carrying out domiciliary visits to patients residing within a School Streets area; or
- b) such persons 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,

“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 the Schedule;

“Prohibited Road” means the length of road described in column 2 of the Schedule;

“Qualifying Person” means, in relation only to the Prohibited Road:

- a) a person who is solely or mainly resident at a property the postal address of which is in a road described in column 4 of the Schedule ; or
- b) any person who owns or leases, on a long term basis, any business property the postal address of which is in a road described in column 4 of the Schedule ,
- c) 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 East Renfrewshire Council or by a person residing at a property the postal address of which is in a road described in column 4 of the Schedule , who requires access as part of their duties, or
- d) any teacher or person working within the school and nominated by the Head Teacher, who requires access, in emergency situations, to or from the school, the postal address of which is in a road described in column 4 of the Schedule ;

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

“Road” has the same meaning as in Section 151 of the Roads (Scotland) Act 1984;

“Schedule” means the schedule to this Order;

“School Streets Area” means the Prohibited Road;

“School Streets Permit”, means a valid permit issued by the Council to a Qualifying Person and, for the avoidance of doubt, refers only to the original document as issued;

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

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

“Universal Postal Service” has the same meaning as in 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 by animal or mechanical power;

Use of Prohibited Road during the Prohibited Hours

1. 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 vehicle to enter or proceed in a Prohibited Road during the Prohibited Hours;.

Exemptions from prohibition on entering or proceeding

2. The prohibitions imposed by Article 1 shall not apply to the following vehicles:
 - (a) an Emergency Services Vehicle being used for Emergency Services Purposes; or
 - (b) a 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 the performance of such duties for the Vehicle so to enter or proceed.
3. Nothing in Article 1 shall prevent any person from causing or permitting a Vehicle to enter or proceed in the Prohibited Road during the Prohibited Hours for so long as may be necessary:
 - (a) to enable the 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 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, pipe, telecommunications apparatus or the placing, maintenance or removal of any traffic sign; or
 - (b) to enable a Disabled Vehicle, 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
 - (c) where the Vehicle is displaying a School Streets Permit issued for the School Streets Area in which the Vehicle is being driven; or
 - (d) to enable the Vehicle to be used as a Contractual Vehicle to uplift or set down a passenger or passengers; or
 - (e) to enable the removal of more than one item of furniture to or from one office, dwelling house or depository situated on the Prohibited Road from or to another office, dwelling house or depository. or

- (f) to allow a funeral undertaking; or
- (g) 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 and collection of postal packets to a postal address which is in a road described in column 4 of the Schedule ; or
- (h) if the Vehicle is, whilst used by a delivery firm in the course of their business delivering parcels, stationary only for the delivery and collection of parcels to a postal address which is in column 4 of the Schedule ; or
- (i) 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 in column 4 of the Schedule and the Vehicle bears a healthcare workers' permit displayed at the front or nearside of the Vehicle and so as to be clearly visible from the front or nearside.

Duty to move on

- 4. 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 vehicular and/or pedestrian traffic.

Placing of traffic signs, etc.

- 5. The Order will only be in effect when indicated by the display of appropriate traffic signs as authorised for use by the Traffic Signs Regulations and General Direction and which have been placed and maintained by the Council to give effect to the provisions of this Order.

Suspension of Provisions

- 6. The East Renfrewshire Council shall be entitled to suspend the operation of any provisions of this Order at any time where they consider it expedient in the exercise of their functions as a local authority.

Given under the seal of The East Renfrewshire Council and signed for them and on their behalf by Gerard James Mahon, Chief Officer (Legal and Procurement) and duly Authorised Signatory together at Giffnock on 13 June 2023

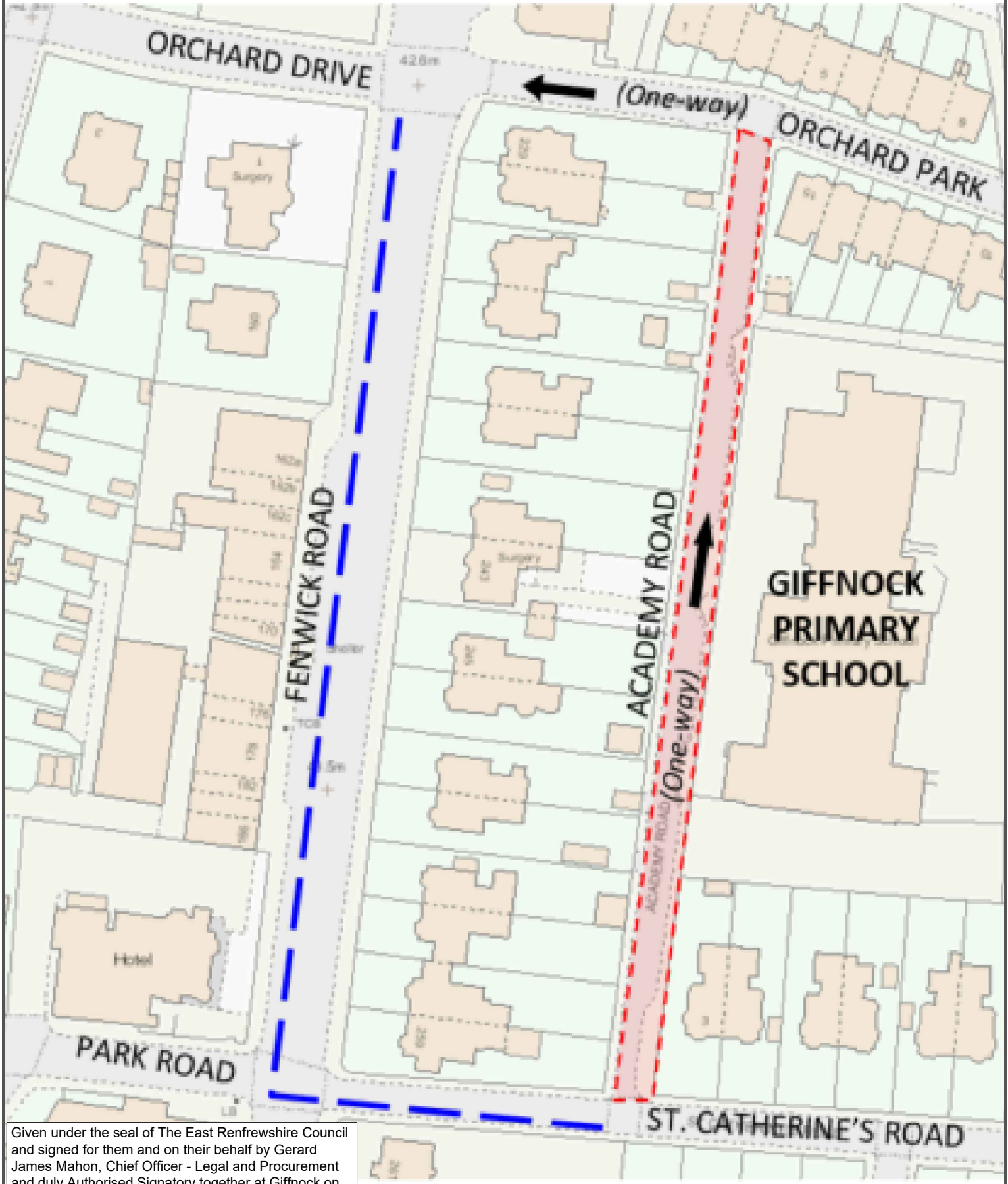
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**The East Renfrewshire Council
(Schools Streets) (Giffnock Primary School)
(Prohibition of Vehicles)
(Traffic Regulation) Order 2023**

SCHEDULE

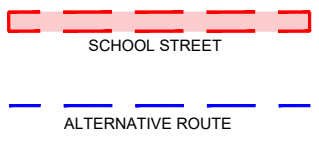
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School Streets Area	Prohibited Roads	Prohibited Hours	List of Roads and Properties where Permits will be issued	
Giffnock Primary School	Academy Road (Full length)	Monday to Friday 8:30am to 09:30am and 2:30pm to 3:30pm (During School Term Only)	Academy Road	Giffnock Primary School
			Fenwick Road (East side only)	No's 229 to 253
			St. Catherine's Road	No. 3
			Orchard Park	No's. 1 to 15

GIFFNOCK



Given under the seal of The East Renfrewshire Council and signed for them and on their behalf by Gerard James Mahon, Chief Officer - Legal and Procurement and duly Authorised Signatory together at Giffnock on the 13 JUN 2023

Drawing Info.



**SCHOOL STREET ORDER
TIMES OF OPERATION**
8-30am - 9:30am & 2:30pm - 3:30pm
MONDAY TO FRIDAY
DURING SCHOOL TERMS ONLY

EAST RENFREWSHIRE COUNCIL - ENVIRONMENT DEPARTMENT
Roads Service - 2 Spiersbridge Way, Spiersbridge Business Park,
Thornliebank, G46 8NG
Head of Service - G. McCARNEY

Drawing Title
**THE EAST RENFREWSHIRE COUNCIL
(SCHOOLS STREETS) (GIFFNOCK PRIMARY SCHOOL)
(PROHIBITION OF VEHICLES)
(TRAFFIC REGULATION) ORDER 2023**

Date JUN 2023
Scale Not to scale

Dwg No. 1
Rev. -
Dwg By PAD
File Ref. EN-58-40-351
Checked By

