



Croftbank Crescent, Hamilton Road and Silverwells Crescent, Bothwell) (Waiting and Loading Restriction and Amendment) Order 2024

On the 21 May 2024, South Lanarkshire Council made the above named Order, under the terms of the Road Traffic Act 1984, thereby introducing waiting and loading restrictions at the junctions of Croftbank Crescent with Hamilton Road, and Silverwells Crescent with Hamilton Road, Bothwell.

The Order which comes into operation on the 8 July 2024, was advertised in the Hamilton Advertiser in the week beginning the 26 February 2024. The effect of the order is as previously stated.

A copy of the Order and a map relative thereto are available for inspection on the council's website.

Any person who wishes to question the validity of the order or of any provision contained in it on the grounds that it is not within the powers conferred by the Road Traffic Regulation Act 1984, or on the grounds that any requirement of that Act, or of any instrument made under it, has not been complied with in relation to the Order may, by the 2 July 2024, apply to the Court of Session for this purpose.

Council Offices
Almada Street
Hamilton
ML3 0AA

Paul Manning
Chief Executive

Preliminary Report

For the introduction of waiting and loading restrictions

Location: Croftbank Crescent, Bothwell
Hamilton Road, Bothwell
Silverwells Crescent, Bothwell

Proposal: Introduction of waiting and loading restrictions

1. Croftbank Crescent, Bothwell is situated to the south-east of Bothwell main street. Located off Hamilton Road it gives access to residential and commercial properties.

Hamilton Road, Bothwell is a local distributor road that connects the town of Hamilton with the village of Bothwell. Situated to the south-east of Bothwell main street it gives access to residential and commercial properties.

Silverwells Crescent, Bothwell is situated to the south-east of Bothwell main street. Located off Hamilton Road it gives access to residential and commercial properties.

2. The current restrictions on Croftbank Crescent are no waiting at any time.

The current restrictions on Hamilton Road are no waiting at any time and no waiting Monday to Saturday, 8am to 6pm.

The current restrictions on Silverwells Crescent are no waiting and no loading at any time and no waiting at any time.

3. Indiscriminate parking at the junctions of Croftbank Crescent with Hamilton Road, and Silverwells Crescent with Hamilton Road is creating problems with visibility for vehicles exiting and entering the junctions, and reduces the carriageway width creating problems with the flow of vehicular traffic, which is detrimental to road safety.
4. It is therefore proposed to prohibit waiting and loading at any time at the junctions of Croftbank Crescent with Hamilton Road, and Silverwells Crescent with Hamilton Road.

The length of the existing waiting restriction on Hamilton Road is being amended to link in with the new proposals at the junctions.

5. The Chief Constable, Strathclyde Partnership for Transport and the Local Members have been consulted and have no objections to the proposals.
6. It is recommended, therefore that South Lanarkshire Council advertises its intention to make a Traffic Regulation Order introducing waiting and loading restrictions at the junctions of Croftbank Crescent with Hamilton Road, and Silverwells Crescent with Hamilton Road, Bothwell.

**South Lanarkshire Council
(Croftbank Crescent, Hamilton Road and Silverwells Crescent, Bothwell) (Waiting and
Loading Restriction and Amendment)
Order 2024**

South Lanarkshire Council in exercise of the powers conferred on them by Sections 1(1), 2(1) to (3) 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 make the following Order.

1. This Order may be cited as "South Lanarkshire Council (Croftbank Crescent, Hamilton Road and Silverwells Crescent, Bothwell) (Waiting and Loading Restriction and Amendment) Order 2024" and shall come into operation on the 8th day of July 2024.
2. In this Order the following expressions have the meanings hereby assigned to them:-

"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;

"disabled person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2002;

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

"Council" means South Lanarkshire Council;

3. No waiting and no loading at any time

Save as provided in Article 5 of this Order 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 length of road specified in Schedule 1 to this Order.

4. No waiting between certain hours

Save as provided in Articles 5 and 6 of this Order no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any vehicle to wait between the hours of 8am to 6pm, Monday to Saturday, in any of the lengths of roads specified in Schedule 2 to this Order.

5. Exemptions to waiting and loading

Nothing in Articles 3 and 4 of this Order shall prevent any person from causing or permitting a vehicle to wait in the length of the road referred to in that Article:-

- (i) for so long as may be necessary to enable a person to board or alight from the vehicle or to load thereon or unload there from his personal luggage;
- (ii) for so long as may be necessary to enable the vehicle, if it cannot conveniently be used for such purpose 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 control or to such waiting being necessary in order to avoid an accident;
- (v) if the vehicle is in the service of or employed by a universal postal service provider and is waiting in any of the length of the road while postal packets addressed to premises adjacent thereto are being unloaded from the vehicle or having been unloaded there from are being delivered or while postal packets are being collected from premises or posting boxes adjacent thereto;
- (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 in connection with funeral or bridal operations.

6. Exemptions to Waiting Restrictions

- (a) Nothing in Article 4 this Order shall apply to any disabled person's vehicle which is not causing an obstruction and which displays a disabled person's badge.
- (b) Nothing in Article 4 of this Order shall prevent any person from causing or permitting a vehicle to wait in the length of road referred to in that Article for so 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 engaged in delivering or collecting goods or merchandise or

being loaded or unloaded shall wait for a longer period than 30 minutes in the same place and no such vehicle shall wait for a longer period than ten minutes in the same place without goods being loaded onto or unloaded from the vehicle;

(ii) not withstanding the above, the driver 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 whenever such moving may be reasonably necessary for the purpose of preventing an obstruction.

6. Amendments

The Order specified in Schedule 3 to this Order shall have effect subject to the amendments specified in that Schedule.

7. Signed for and on behalf of South Lanarkshire Council by Colin Park, Head of Roads, Transportation and Fleet Services on the Twenty First day of May, Two Thousand and Twenty Four.

Schedule 1
No waiting and loading at any time

Length of road within the boundary of South Lanarkshire	Length of road affected	Side
Croftbank Crescent, Bothwell	From the extended north-east kerbline of Hamilton Road north-eastwards, for a distance of 49 metres or thereby.	Both
Hamilton Road, Bothwell	From a point 12 metres north-west of the extended north-west kerbline of Croftbank Crescent, south-eastwards to a point 16 metres south-east of the extended south-east kerbline of Croftbank Crescent, a distance of 34 metres or thereby.	North-east
Silverwells Crescent, Bothwell	From the extended south-west kerbline of Hamilton Road westwards for a distance of 17 metres or thereby.	Both

Schedule 2
No waiting 8am to 6pm Monday to Saturday

Length of road within the boundary of South Lanarkshire	Length of road affected	Side
Hamilton Road, Bothwell	From a point 3 metres north-west of the extended north kerbline of Silverwells Crescent north-westwards for a distance of 20 metres or thereby.	North-east
Hamilton Road, Bothwell	From a point 12 metres north-west of the extended north-west kerbline of Croftbank Crescent, north- westwards to a point 64 metres north-west of the extended north- west kerbline of Hamilton Drive a distance of 96 metres	North-east

Length of road within the boundary of South Lanarkshire

Length of road affected

Side

or thereby.

Hamilton Road, Bothwell

From a point 56 metres north-west of the extended north kerbline of Silverwells Crescent, north-westwards to the extended south kerbline of Ferry Road, a distance of 92 metres or thereby.

South-west

**Schedule 3
Orders to be amended**

Name of Order

Extent of amendment

The Strathclyde Regional Council (Various Streets, Bothwell) (Prohibition of Waiting and Loading) Order 1975

In **schedule 1, delete:-**

"Croftbank Crescent, Bothwell"

"From its junction with the carriageway of Hamilton Road, eastwards for a distance of 13.7 metres."

"Both sides"

and

In **schedule 1, delete:-**

"Hamilton Road, Bothwell"

"(a) From the north kerbline of Silverwells Crescent, northwards to its junction with the carriageway of Ferry Road, a distance of 152.6 metres or thereby."

"West Side."

and

"(b) From a point 35.5 metres south of the south kerbline of Croftbank Crescent northwards to a point 63.7 metres north of the north kerbline of Hamilton Drive, a distance of 152.6 metres or thereby."

"East Side."

South Lanarkshire Council (Various Streets, Bothwell) (Traffic Management) Order 1999

In **schedule 1, within column 1, delete:-**

"Croftbank Avenue, Bothwell"

and within column 2, **delete:-**

From the extended east kerbline of Hamilton Road north eastwards, for a distance of 23 metres or thereby."

and within column 3, **delete:-**

Name of Order**Extent of amendment**

“Both”

and

In **schedule 1**, within column 1, **delete:-**

“Silverwells Crescent, Bothwell”

and within column 2, **delete:-**

“From the extended west kerbline of Hamilton Road westwards for a distance of 15 metres or thereby.”

and within column 3, **delete:-**

“North”

and

In **schedule 1**, within column 1, **delete:-**

“Silverwells Crescent, Bothwell”

and within column 2, **delete:-**

“From the extended west kerbline of Hamilton Road westwards for a distance of 17 metres or thereby.”

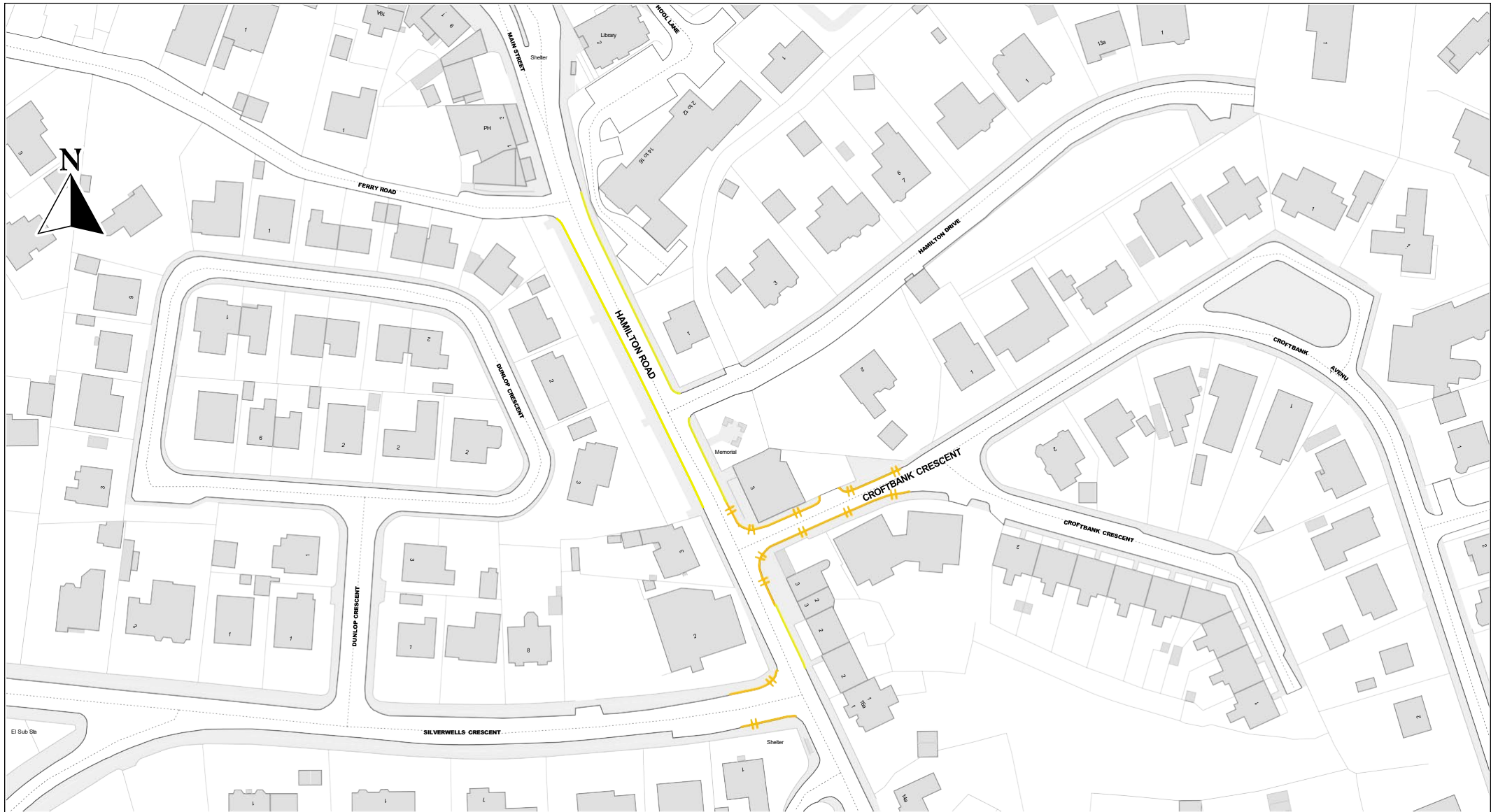
and within column 3, **delete:-**

“South”



Statement of Reasons

It is considered necessary to make the above Order to improve the amenity of the area.

If you need this information in another language or format, please contact us to discuss how we can best meet your needs. Phone 0303 123 1015 or email equalities@southlanarkshire.gov.uk



Key to Restriction Types Displayed

-  No Waiting or Loading
-  No Waiting Mon-Sat 8am-6pm

**South Lanarkshire Council (Croftbank Crescent, Hamilton Road and Silverwells Crescent, Bothwell)
(Waiting and Loading Restriction and Amendment) Order 2024**

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SCALE	1 : 1500
DATE	01/11/2023
DRAWING No.	PU/TRO/C289/01
DRAWN BY	S.H.