South Lanarkshire Council
(Fairyknowe Gardens and Fairyknowe Court, Bothwell)
(Waiting Restriction)
Order 2026

On the 6 October 2026, South Lanarkshire Council made the above named Order, thereby introducing waiting restrictions on part of Fairyknowe Gardens and Fairyknowe Court, both Bothwell.

The Order which comes into operation on the 30 November 2026, was advertised in the Hamilton Advertiser in the week beginning the 10 August 2026. 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 17 November 2026, 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 Restrictions

Location: Fairyknowe Gardens, Bothwell
Fairyknowe Court, Bothwell

Proposal: No Waiting at any Time

1. Fairyknowe Gardens, Bothwell is located to the north-east of Bothwell Main Street and is situated off Green Street, and gives access to residential properties.

   Fairyknowe Court, Bothwell is located to the north-east of Bothwell Main Street and is situated off Fairyknowe Gardens and gives access to residential properties.

2. The current restrictions on Fairyknowe Gardens are no waiting at any time and no waiting Monday to Saturday 8am to 6pm.

   There are currently no restrictions on Fairyknowe Court.

3. Indiscriminate parking on Fairyknowe Gardens and Fairyknowe Court, reduces the carriageway width and causes difficulty for emergency vehicles accessing the residential properties, and is detrimental to road safety.

4. It is proposed to prohibit waiting at all times on parts of Fairyknowe Gardens and Fairyknowe Court.

5. The Chief Constable, Strathclyde Partnership for Transport and the Local Members have been consulted and have no objections to the proposals.

6. I recommend, therefore that South Lanarkshire Council advertises its intention to make a Traffic Regulation Order introducing waiting restrictions on part of Fairyknowe Gardens and Fairyknowe Court, both Bothwell.

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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 (Fairyknowe Gardens and Fairyknowe Court, Bothwell) (Waiting Restriction) Order 2026" and shall come into operation on the 30th day of November 2026.

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 at any time

   Save as provided in Articles 4 and 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 the Schedule to this Order.

4. Exemptions to Waiting and Loading

   Nothing in Articles 3 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.

5. Exemptions to Waiting Restrictions

(a) Nothing in Articles 3 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 Articles 3 and 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. Signed for and on behalf of South Lanarkshire Council by Colin Park, Head of Roads, Transportation and Fleet Services on the Sixth day of October, Two Thousand and Twenty Six.

Schedule

No waiting at any time

Length of road within the boundary of South Lanarkshire	**Length of Road Affected**	**Side**
Fairyknowe Gardens, Bothwell	From a point 15 metres south of the extended south kerbline of Fairyknowe Court, northwards to a point 17 metres	West

No waiting at any time

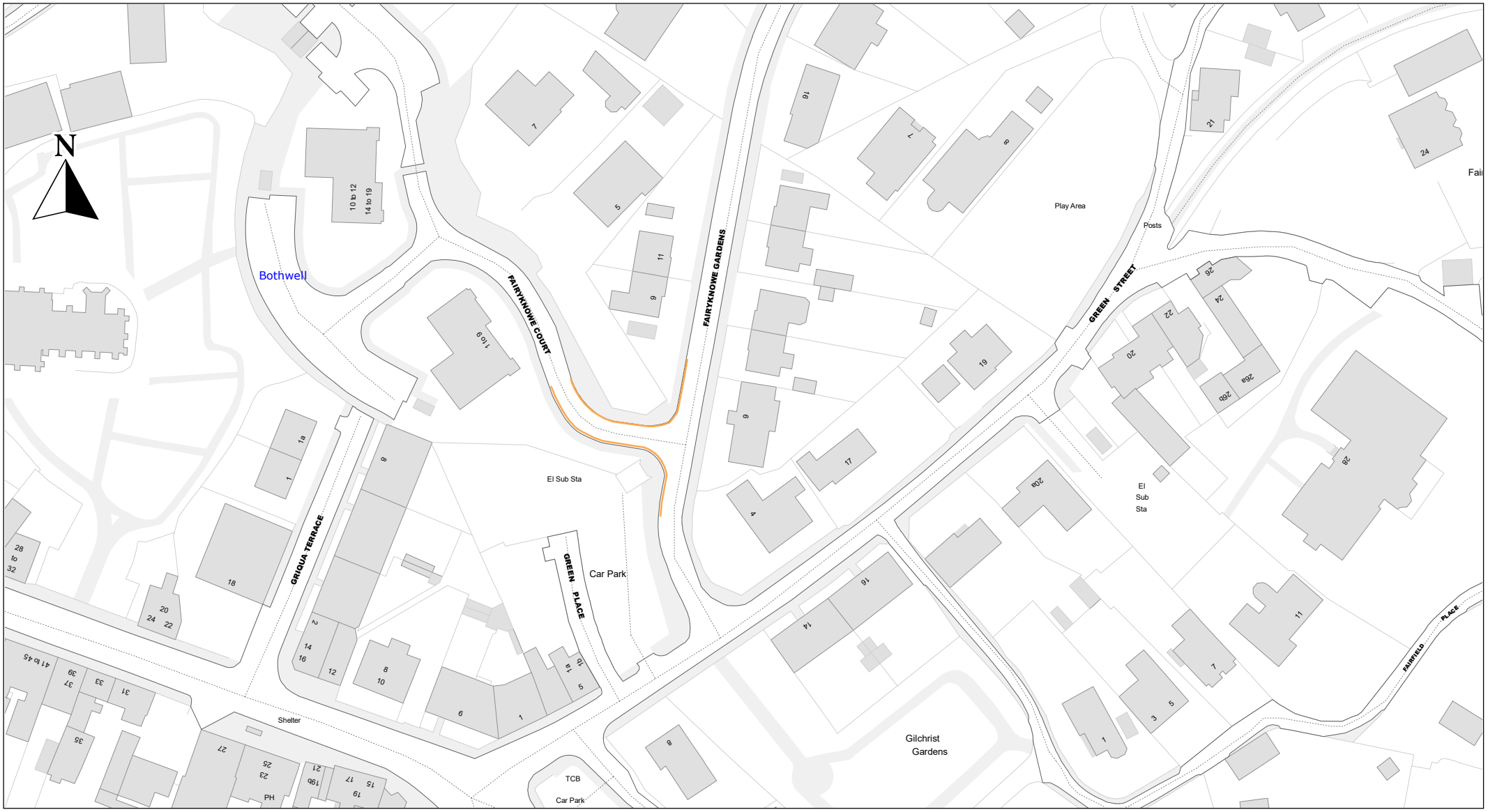
Length of road within the boundary of South Lanarkshire	Length of Road Affected	Side
	north of the extended north kerbline of Fairyknowe Court, a distance of 38 metres or thereby.	
Fairyknowe Court, Bothwell	From the extended west kerbline of Fairyknowe Gardens, westwards, then north-westwards for a distance of 30 metres or thereby.	North and north-east
Fairyknowe Court, Bothwell	From the extended west kerbline of Fairyknowe Gardens, westwards, then north-westwards for a distance of 34 metres or thereby.	South and south-west

Statement of Reasons

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

Indiscriminate parking on Fairyknowe Gardens and Fairyknowe Court, reduces the carriageway width and causes difficulty for emergency vehicles accessing the residential properties and is detrimental to road safety.

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 at any time

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South Lanarkshire Council
(Fairyknowe Gardens and Fairyknowe Court, Bothwell (Waiting Restriction) Order 2026

SCALE	1 : 1250
DATE	20/05/2026
DRAWING No.	PU/TRO/C308/01
DRAWN BY	S.H.