

2021 No. 500

ROADS AND BRIDGES

**The Glasgow City Council Govan Partick Opening Bridge
Scheme 2020 Confirmation Instrument 2021**

Made - - - - *11th November 2021*

Coming into force in accordance with article 1

The Scottish Ministers make the following Instrument in exercise of the powers conferred by section 75(3)(a) of the Roads (Scotland) Act 1984(a) and of all other powers enabling them to do so.

In accordance with section 76(1) of that Act, they have considered the reasonable requirements of navigation in the waters affected by the Scheme before confirming the Scheme.

They have complied with the requirements of Part II of schedule I of that Act(b) before making the Instrument.

Citation, commencement and interpretation

1. This Instrument may be cited as the Glasgow City Council Govan Partick Opening Bridge Scheme 2020 Confirmation Instrument 2021 and becomes operative on the date on which notice that it has been confirmed is first published in accordance with paragraph 1 of schedule 2 of the Roads (Scotland) Act 1984.

2. In this Instrument “the Scheme” means the Glasgow City Council Govan Partick Opening Bridge Scheme 2020.

Confirmation of the Scheme

3. The Scheme is confirmed with modifications.

(a) 1984 c. 54. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(b) Part II of schedule 1 was amended by the Local Government etc (Scotland) Act 1994 (c. 39), schedule 13, paragraph 135, S.S.I. 1999/1, the Water Industry (Scotland) Act 2002 (asp 3), schedule 7, paragraph 14, S.S.I. 2006/614, the Transport and Works (Scotland) Act 2007 (asp 8), section 24(4)(b), schedule 2, paragraph 3(b) and schedule 3, S.S.I. 2011/396, S.S.I. 2017/137 and S.S.I. 2019/415.

4. The Scheme as modified and confirmed is set out in the schedule.

Buchanan House,
Glasgow
11th November 2021

FRED O'HARA
A member of the staff of the Scottish Ministers

SCHEDULE

Article 4

ROADS (SCOTLAND) ACT 1984

THE GLASGOW CITY COUNCIL GOVAN PARTICK OPENING BRIDGE SCHEME 2020

Glasgow City Council, in exercise of the powers conferred on them by section 75(3)(a) of the Roads (Scotland) Act 1984, and of all other powers enabling them in that behalf, and having complied with the provisions of Parts II and III of Schedule 1 to the said Act, hereby makes the following Scheme:

1. This Scheme may be cited as “the Glasgow City Council Govan Partick Opening Bridge Scheme 2020” and shall come into force on the date on which notice that it has been confirmed is first published in accordance with Paragraph 1 of Schedule 2 to the Roads (Scotland) Act 1984.

2. Glasgow City Council as roads authority is, by means of this Scheme, hereby authorised to construct, along the route described in Schedule 1 to this Scheme, as a public road, an opening bridge over the navigable waters of the River Clyde between Govan and Partick, in accordance with Schedule 2 to this Scheme, and such road shall become a public road on the date of the coming into operation of this Scheme.

3. Schedule 3 to this Scheme shall have effect for the purposes of regulating the operation of the opening bridge for the passage of vessels.

Given under the Seal of Glasgow City Council at Glasgow this

Name
Legal Manager
Glasgow City Council

Glasgow City Council
City Chambers
George Square
GLASGOW G2 1DU

SCHEDULE 1 TO THE SCHEME

THE ROUTE OF THE PUBLIC ROAD

From a point on the south bank of River Clyde in a generally north-easterly direction across the River Clyde between Water Row, Govan, Glasgow and the Riverside Museum, Partick, Glasgow for a distance of 115 metres or thereby to a point on the north bank of the River as shown by the heavy black line between the points marked “A” and “B” on the plan numbered 691301-JAC-DR-REF-001 entitled the “Glasgow City Council Govan Partick Opening Bridge Scheme 2020 – Line of Road” signed with reference to this Scheme and available to view at <https://www.glasgow.gov.uk/CHttpHandler.ashx?id=48855&p=0>.

Glasgow City Council
City Chambers
George Square
GLASGOW
G2 1DU

SCHEDULE 2 TO THE SCHEME
SPECIFICATION OF OPENING BRIDGE OVER THE RIVER CLYDE
BETWEEN GOVAN AND PARTICK

Points of Commencement and Termination

In the City of Glasgow from a point on the south bank of the River Clyde at the north termination of Water Row, Govan, Glasgow or thereby to a point on the north bank of the River Clyde 46 metres or thereby south west from the south west corner of the Riverside Museum, Pointhouse Quay, Partick, Glasgow and at the confluence of the River Kelvin and the River Clyde, as shown on drawing 691301-JAC-DR-REF-002 entitled “Glasgow City Council Govan Partick Opening Bridge Scheme 2020 – General Arrangement – Bridge Closed” signed with reference to this Scheme and available to view at <https://www.glasgow.gov.uk/CHttpHandler.ashx?id=48856&p=0>.

Span

A support on each shore with a main pier 30.8 metres or thereby from the south shore at Water Row and second pier 15.7 metres or thereby from the north shore at the new Pointhouse Quay Extension. A fixed north end span of 15.7 metres, a central rotating span of 68.2 m and a south rotating end span of 30.8m as shown on drawing 691301-JAC-DR-REF-002 entitled “Glasgow City Council Govan Partick Opening Bridge Scheme 2020 – General Arrangement – Bridge Closed” signed with reference to this Scheme and available to view at <https://www.glasgow.gov.uk/CHttpHandler.ashx?id=48856&p=0>.

Headway

4.7 metres minimum above mean high water springs (MHWS) and 1.6 metres minimum clearance above 1 in 200 year flood event level in the central span within a Navigational Channel of clear width 50 metres when closed, measured along the centre-line of the bridge. As shown on drawing 691301-JAC-DR-REF-002 entitled “Glasgow City Council Govan Partick Opening Bridge Scheme 2020 – General Arrangement – Bridge Closed” signed with reference to this Scheme and available to view at <https://www.glasgow.gov.uk/CHttpHandler.ashx?id=48856&p=0>.

Unrestricted headroom over a clear width of 50 metres when open. As shown on drawing 691301-JAC-DR-REF-003 entitled “Glasgow City Council Govan Partick Opening Bridge Scheme 2020 – General Arrangement – Bridge Open” signed with reference to this Scheme and available to view at <https://www.glasgow.gov.uk/CHttpHandler.ashx?id=48857&p=0>.

Waterway

Skew crossing, Navigational Channel minimum width of 50 metres when the bridge is in a fully open position for the passage of vessels as shown on drawing 691301-JAC-DR-REF-003 entitled “Glasgow City Council Govan Partick Opening Bridge Scheme 2020 – General Arrangement – Bridge Open” signed with reference to this Scheme and available to view at <https://www.glasgow.gov.uk/CHttpHandler.ashx?id=48857&p=0>.

Glasgow City Council
City Chambers
George Square
GLASGOW
G2 1DU

SCHEDULE 3 TO THE SCHEME

OPERATIONAL PROVISIONS

For the purposes of this Schedule, the following definitions shall have effect:

“Advance Notification” means a notification to the effect that an Opening Notification is likely to be issued in respect of the Relevant Vessel.

“Bridge” means the Glasgow City Council Govan Partick Opening Bridge as further described in Schedule Part 1 to the Scheme.

“Category 1 Vessel” means a vessel with a length overall greater than 160 metres or a beam greater than 23 metres.

“Category 2 Vessel” means a vessel with a length overall of 160 metres or less and a beam of 23 metres or less other than a Category 3 or Category 4 Vessel and includes a tug with a tow.

“Category 3 Vessel” means any leisure vessel (which shall not include a passenger vessel for which passengers pay a fare).

“Category 4 Vessel” means a tug without a tow.

“Council” means Glasgow City Council constituted under the Local Government etc. (Scotland) Act 1994 and having its Principal Office at City Chambers, Glasgow City Council, George Square, Glasgow G2 1DU as roads authority for the area of Glasgow in terms of the Roads (Scotland) Act 1984 and its successors as roads authority for the Bridge.

“Excessive Wind Condition” means where wind speed (as measured at the anemometer owned and operated by Port Authority at KGV Dock) has recorded an average speed (excluding gusts) in excess of 24MPH over the preceding 30 minutes and a gust speed exceeding 35MPH.

“Layby Berth” means the layby berth at Merklands Quay in the River Clyde as shown indicatively on drawing 691301-JAC-DR-REF-004 entitled “Glasgow City Council Govan Partick Opening Bridge Scheme 2020 – Location of Layby Berth” signed with reference to this Scheme and available to view at <https://glasgow.gov.uk/CHttpHandler.ashx?id=48858&p=0>.

“Navigation Channel” means the buoyed channel of the River Clyde marked by lateral buoys and having its western (seaward) terminus at the starboard hand lateral buoy Number 1 lying off Greenock Ocean Terminal.

“Opening Notification” means a Notification given in respect of a Relevant Vessel specifying the Opening Time that it requires the Bridge to be open (and excluding any Advance Notification or Second Advance Notification where such notification is required).

“Opening Time” means the time when the Relevant Vessel requires the Bridge to be open as specified in an Opening Notification.

“Open Position” means the Bridge locked open to allow passage of vessels.

“Operating Company” means any company appointed by the Council to operate the opening and closing of the Bridge from time to time.

“Port Authority” means Clydeport Operations Limited incorporated under the Companies Acts(a) and having its Registered Office at 16 Robertson Street, Glasgow as harbour authority and pilotage authority for the River Clyde in terms of the Clyde Port Authority Order Confirmation Act 1965(b) and the Harbours Act 1964(c).

“Relevant Vessel” means either a Category 1, Category 2, Category 3 or Category 4 Vessel as the context requires.

(a) Registered company number SC134759.

(b) 1965 c. xlv.

(c) 1964 c. 40.

“Scheme” means the Glasgow City Council Govan Partick Opening Bridge Scheme 2020 of which this Schedule 3 forms part.

“Second Advance Notification” means a second notification to the effect that an Opening Notification is likely to be issued in respect of the Relevant Vessel; and

“Third Advance Notification” means a third notification to the effect that the Relevant Vessel is at a specified reporting point.

1. Category 1 Vessels (inbound and outbound)

Category 1 Vessels shall not form part of this schedule given that it is extremely unlikely due to their size and draught that such a vessel would navigate in this area of the Navigation Channel. Should such a vessel ever require passage then arrangements out-with this agreement would be made.

2. Category 2 Vessels (inbound and outbound)

The following provisions shall apply in respect of Category 2 Vessels inbound and outbound:

a. The Council or its delegated Operating Company shall cause the Bridge to be open at such time as is specified in an Opening Notification so as to enable the Relevant Vessel to transit the Bridge at any time after the Opening Time without having to stop, delay or use the Layby Berth and the Bridge shall remain open until the Relevant Vessel has completed its transit of the Bridge and it is safe to close the Bridge provided that:

i. an Advance Notification (inbound & outbound) shall have been given to the Council or its delegated Operating Company not less than 6 hours prior to the Opening Time;

ii. a Second Advance Notification shall be given to the Council or its delegated Operating Company when the Relevant Vessel either 1. Inbound - passes Custom House Quay, Greenock (inbound), provided not less than 60 minutes notification is provided prior to the Opening Time; or 2. Outbound – not less than 60 minutes prior to letting go;

iii. a Third Advance Notification (inbound only) shall be given to the Council or its delegated Operating Company when the Relevant Vessel passes the reporting point at Dunglass; and

iv. an Opening Notification shall have been given to the Council or its delegated Operating Company by the Relevant Vessel when the Relevant Vessel is around Renfrew/Yoker Bridge/Rothesey Dock (inbound), and commencement of unmooring (outbound).

b. The Opening Time stated in the Opening Notification will be the anticipated time when the Relevant Vessel will be around Rothesey Dock (inbound) and prior to letting go (outbound).

c. If there is any change to the passage plan of the Relevant Vessel which would change the Opening Time already indicated in an Advance Notification, Second Advance Notification or Opening Notification, this information will be relayed to the Council or its delegated Operating Company. The responsibility for relaying such information shall rest with the party issuing the Opening Notification.

3. Category 3 Vessels (Leisure Vessels)

The following provisions shall apply in respect of Category 3 Vessels inbound and outbound:

a. The Council or its delegated Operating Company shall cause the Bridge to be open at such time as is specified in an Opening Notification so as to enable the Relevant Vessel to transit the Bridge at any time after the Opening Time and the Bridge shall remain open until the Relevant Vessel shall have completed its transit of the Bridge and it is safe to close the Bridge provided that:

i. the Relevant Vessel shall have given an Advance Notification to the Council or its delegated Operating Company not less than 6 hours prior to the Opening Time;

ii. the Relevant Vessel shall have given a Second Advance Notification to the Council or its delegated Operating Company not less than 1 hour prior to the Opening Time; and

iii. the Relevant Vessel shall have given an Opening Notification to the Council or its delegated Operating Company when the Relevant Vessel is around Glasgow Harbour (inbound) or when ready to depart her berth or pontoon upstream of the bridge (outbound).

b. The Opening Time stated in the Opening Notification will be the anticipated time when the Relevant Vessel will be around Glasgow Harbour (inbound) and prior to letting go from Ferry Pontoon at Yorkhill Quay or Ferry Pontoon at Govan (outbound) or when the Relevant Vessel is around Princess Dock (outbound).

c. If there is any change to the passage plan of the Relevant Vessel which would change the Opening Time already indicated in an Advanced Notification or Opening Notification, this information will be relayed to the Council or its delegated Operating Company. The responsibility for relaying such information shall rest with the party issuing the Opening Notification.

4. Category 4 Vessels (inbound and outbound)

The following provisions shall apply in respect of Category 4 Vessels inbound and outbound:

a. The Council or its delegated Operating Company shall cause the Bridge to be open at the time specified in an Opening Notification so as to enable the Relevant Vessel to transit the Bridge at any time after the Opening Time without having to stop, delay or use the Layby Berth and the Bridge shall remain open until the Relevant Vessel shall have completed its transit of the Bridge and it is safe to close the Bridge provided that:

i. the Relevant Vessel shall have given an Advance Notification to the Council or its delegated Operating Company not less than 6 hours prior to the Opening Time; and

ii. a Second Advance Notification shall have been given to the Council or its delegated Operating Company not later than 1 hour prior to the Opening Time;

iii. the Relevant Vessel shall have given an Opening Notification to the Council or its delegated Operating Company when the Relevant Vessel is around King George V Dock (inbound) or when commencing to “single-up” (outbound).

b. The Opening Time stated in the Opening Notification will be the anticipated time when the Relevant Vessel will be around BAE Govan (inbound) or when ready to depart her berth or pontoon upstream of the bridge (outbound).

c. If there is any change to the passage plan of the Relevant Vessel which would change the Opening Time already indicated in an Advanced Notification or Opening Notification, this information will be relayed to the Council or its delegated Operating Company. The responsibility for relaying such information shall rest with the party issuing the Opening Notification.

5. Notice Procedure

a. An Opening Notification or an Advance Notification may be given by the master or skipper or pilot of any Relevant Vessel or by the Port Authority on behalf of any master, skipper or pilot;

b. A notice may be validly given by verbal communication on VHF Channel 12 or by email to an email address which shall be constantly monitored by the Council or its delegated operating Company, failing which by mobile telephone to a number specified by the Council which mobile telephone will be constantly monitored by the Council or its delegated Operating Company: such email address and mobile telephone number (and any change to such and the effective time and date of any change) shall at all times be published on the Council’s website in a manner which can be readily identified and found by a party navigating the Navigation Channel; in addition the Council shall notify such email address, mobile telephone number and any change of such to the Port Authority in writing not less than 7 days before the effective time of any change (save where it is not possible to give such notice in which case the Council shall do so as soon as reasonably practicable) so that the Port Authority may publish such information by means of a Port Information 6

Notice or a Notice to Mariners as the Port Authority may see fit. Any such Notice shall be supplied by the Council.

c. The Council or its delegated Operating Company will promptly acknowledge receipt of any Advance Notification, Second Advance Notification, Third Advance Notification or Opening Notification following receipt by the Council or its delegated Operating Company, such acknowledgement to be issued by the same means of communication as was used by the person issuing the relevant notification, failing which by one of the other permitted methods of communication.

6. Communications Protocol and Emergency Procedures

The Council shall establish a communications protocol and emergency procedures to be adopted in the event that the Bridge may fail to open in consultation with the Port Authority; when such protocol and procedures (hereinafter “the protocol”) shall have been established, the Council shall procure that the protocol shall at all times be published on the Council’s website in a manner which can be readily identified and found by a party navigating the Navigation Channel; in addition the Council shall where reasonably practicable to do so notify the protocol and any change to the protocol to the Port Authority in writing not less than 14 days before the effective time of any change so that the Port Authority may publish such change by means of a Port Information Notice or a Notice to Mariners as the Port Authority may see fit. Any such Notice shall be supplied by the Council.

7. Excessive Wind

The Council shall be exempt from any requirement to comply with paragraphs 1 to 5 of this Schedule during the period of any Excessive Wind Condition.

8. Signage

The Council shall publish and maintain in a prominent position at each end of the Bridge, and such other positions as reasonably necessary to attract the attention of vessel operators and users of the Bridge, notices setting out the arrangements for the opening of the Bridge.

9. Shipping traffic to have priority to pedestrian and cycle traffic

The passage of Relevant Vessels through the Navigation Channel shall have priority over the demands of pedestrian and cycle traffic using the Bridge and it is not intended that Relevant Vessels on passage shall require to use the Layby Berth or otherwise alter their passage plans to accommodate the requirements of pedestrian and cycle traffic.

10. No charges to shipping

The Council will levy no charge in respect of the opening of the Bridge to either the Port Authority or to any vessel owner or operator, cargo owner or master or crew of any Relevant Vessel transiting the Bridge.

11. Council to operate bridge at all times

The Council or its delegated Operating Company shall operate the Bridge on a continuous basis at all times of the day and night, every day of the year; and shall allow and provide access to the Glasgow Boatmen for Category 2 Vessels on the Layby Berth to take the lines in the event of the Bridge not opening as required by paragraphs 1 to 5.

12. Maintenance

a. Paragraph 11 shall not apply in periods of maintenance either planned or in an emergency. The Council will give the Port Authority twenty-eight days’ notice of any planned maintenance that may be required and will enter into discussions with the Port Authority.

b. Where planned maintenance will affect the operation of the bridge this will generally be carried out with the bridge in the Open Position.

Glasgow City Council
City Chambers
George Square
GLASGOW
G2 1DU

EXPLANATORY NOTE

(This note is not part of the Regulations)

This Instrument confirms the Glasgow City Council Govan Partick Opening Bridge Scheme 2020.

The Scottish Ministers have modified schedule 3 of the Bridge Scheme as follows—

1. In the definition of “Port Authority, “Clyde Port Authority Order 1965” has been changed to “Clyde Port Authority Order Confirmation Act 1965”.

2.—(1) In paragraph 11—

(2) In the heading, “on a 24/7/365 basis” has been changed to “at all times”,

(3) “24/7/365 basis at all times of the day and night” has been changed to “continuous basis at all times of the day and night, every day of the year”.