



**DECISION NOTICE**

Rule 29(2) of the Upper Tribunal for Scotland Rules of Procedure 2016

**Decision Of**

SHERIFF GEORGE JAMIESON

**ON AN APPEAL AGAINST A DECISION OF THE FIRST-TIER TRIBUNAL FOR  
SCOTLAND GENERAL REGULATORY CHAMBER  
IN THE CASE OF**

Mr John Hazard

Appellant

- and -

Glasgow City Council

Respondent

FTS Case reference: GP00321-2010

Paisley 4 November 2024

The Upper Tribunal for Scotland hereby gives written notice to the parties of its final decision in this case in terms of rule 29 (2) of the Upper Tribunal for Scotland Rules of Procedure 2016.

**Decision**

At the hearing in Glasgow on 30 October 2024, the Upper Tribunal by way of oral decision:

1. Remade the Decision of the FTS in this case;
2. Adhered to that Decision;



3. Refused the Appellant's appeal against the decision of the Respondent to reject his representations against a charge notice issued by the Respondent in respect of an alleged bus lane contravention by the Appellant on 9 March 2020 at Dumbarton Road/Burnham Road, Glasgow; and
4. Upheld that decision.

Reasons

[1] The Appellant considered there had to be strict compliance with the bus lane road markings. The issue however was one of substantial compliance with the relevant regulations in that regard. After various procedure, I ordered a rehearing of the appeal before the UTS after quashing the Decision of the FTS for error of law in the manner in which it had reached and reasoned its Decision.

[2] At the oral re-hearing of the appeal by the UTS in Glasgow on 30 October 2024, I dismissed the appeal as I found on the facts there had been substantial compliance with the road traffic regulations relating to maintenance of bus lanes at the locus in this case. I dismissed the appeal under rule 141 of the Highway Code as I considered the Appellant had not taken reasonable steps to exit the parking bay via the bus lane in sufficient time.

Rights of Appeal against the foregoing Decisions

[3] A party to this case who is aggrieved by the foregoing decisions may seek permission to appeal to the Court of Session on a point of law only from the UTS within the period of 30 days of the date beginning on the date on which the UTS gave its oral decisions in this case.



[4] Any such request must be in writing and must: (a) identify the decision of the UTS to which it refers; (b) identify the alleged error or errors of law in the decision; and (c) state what important point of principle or practice would be raised in that appeal, or specify any other compelling reason for allowing a further appeal to proceed (see section 50(4), Tribunals (Scotland) Act 2014).

[5] Further guidance on time limits for appeals to the Court of Session is found in regulation 2 of the Scottish Tribunals (Time Limits) Regulations 2016.

George Jamieson

Sheriff of North Strathclyde

Judicial Member of the Upper Tribunal for Scotland