
Report To: ENVIRONMENT & REGENERATION COMMITTEE **Date:** 18 JANUARY 2018

Report By: CORPORATE DIRECTOR, ENVIRONMENT, REGENERATION & RESOURCES **Report No:** LP/002/18

Contact Officer: JOANNA DALGLEISH **Contact No:** 01475 712123

Subject: PROPOSED TRAFFIC REGULATION ORDER – THE INVERCLYDE COUNCIL (VARIOUS ROADS) (OUTER GREENOCK) (WAITING RESTRICTIONS) (VARIATION NO. 7) ORDER 2017

1.0 PURPOSE

- 1.1 Local Authorities are empowered to make Orders under the Road Traffic Regulation Act 1984 as amended and under the Council's Scheme of Administration the Head of Environmental and Commercial Services is responsible for the making, implementation and review of Traffic Management Orders and Traffic Regulation Orders.
- 1.2 The purpose of the report is to introduce the proposed Traffic Regulation Order – The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No.7) Order 2017.

2.0 SUMMARY

2.1 The proposed Traffic Regulation Order will:-

- Extend the Zone GR2 Outer Greenock Residents' Parking Permit Area and introduce a new Zone GR4 Outer Greenock Residents' Parking Permit Area.
- Introduce parking for Zone GR2 Permit holders only Monday – Friday, 8.15am – 9.15am and 5pm – 6pm in parts of East Shaw Street, Bearhope Street and Duncan Street (between East Shaw Street and Roxburgh Street). This will form an extension to Zone GR2. Residents of 70, 72, 74 and 76 Regent Street, 23, 47, 49, 51 and 53 High Street and 1, 3, 7, 10, 11, 15 and 17 Inverkip Street will also be eligible to apply for Zone GR2 permits.
- Introduce parking for Zone GR4 Permit holders only Monday – Friday, 8.15am – 9.15am and 5pm – 6pm in parts of Shaw Place, Mearns Street (between Shaw Place and Regent Street) and Trafalgar Street (between Shaw Place and Regent Street). This will form a new Zone, GR4. Residents of 4, 6 and 6A Bank Street and 42, 42A, 44, 44A, 46, 58, 60, 62 and 64 Regent Street will also be eligible to apply for Zone GR4 permits.
- Introduce a small length of on-street limited waiting on the west side of Bearhope Street between Roxburgh Street and Royal Court "Monday to Saturday 8am-6pm 30 minute waiting no return within 30 minutes" except for Zone GR2 Permit holders.
- Introduce "No waiting at any time" restrictions at junctions on Roxburgh Street, East Shaw Street, Bearhope Street, Duncan Street, Regent Street and Bank Street.

- Vary the existing restriction at the junction of Sir Michael Street and East Shaw Street from “No waiting at any time” to “No waiting at any time, no loading at any time”.
- Introduce a Disabled Persons’ Parking Place at King Street, adjacent to No. 29.
- Introduce a Loading Bay on Duncan Street.

3.0 RECOMMENDATION

- 3.1 That the Committee recommend to The Inverclyde Council the making of the Traffic Regulation Order – The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No.7) Order 2017 and remit it to the Head of Environmental and Commercial Services and the Head of Legal and Property Services to arrange for its implementation.

Gerard Malone
Legal and Property Services

4.0 BACKGROUND

- 4.1 Inverclyde Council introduced its Greenock Town Centre Parking Strategy on 6 October 2014. When they were promoted, the Traffic Regulation Orders (TROs) governing the Parking Strategy's waiting and loading restrictions attracted objections from residents who lived outside Greenock Town Centre who argued their ability to park close to their homes had been denied them by overspill commuter parking from the town centre. The residents submitted that a Residents' Parking Permit (RPP) Scheme should be introduced for parts of Outer Greenock; that Scheme commenced in April 2016.

Following a review of parking in surrounding streets it is proposed to extend the RPP Scheme to include East Shaw Street, Bearhope Street and Duncan Street (between East Shaw Street and Roxburgh Street) to form part of Zone GR2 and the creation of Zone GR4 which will include Shaw Place, Mearns Street (between Shaw Place and Regent Street) and Trafalgar Street (between Shaw Place and Regent Street). Residents on the north side of Regent Street (between Bank Street and Sir Michael Street) and on the north section of Bank Street (between Regent Street and Cathcart Street) will also be eligible to apply for a parking permit to park in the RPP Zone adjacent to their property. However, Regent Street and Bank Street will not form part of any RPP Zone.

- 4.2 One objection was received to the proposed TRO but this has been withdrawn.
- 4.3 The Committee is asked to note that, if approved, the Order may not be implemented until the making of the Order has been advertised to allow any persons who so wish a period of six weeks to question the validity of the Order in terms of the Road Traffic Regulation Act 1984.

5.0 IMPLICATIONS

Finance

- 5.1 There are no financial implications arising from this report.

Legal

- 5.2 There are no legal implications arising from this report.

Human Resources

- 5.3 There are no HR implications arising from this report.

Equalities

- 5.4 There are no equalities implications arising from this report.

Repopulation

- 5.5 There are no repopulation implications arising from this report.

6.0 CONSULTATIONS

- 6.1 The proposals have been advertised in the Greenock Telegraph and full details of the proposals have been made available for public inspection during normal office hours at the offices of the Head of Environmental and Commercial Services, the Head of Legal and Property Services and at Central Library. A copy of the draft Order is appended hereto for Members' information.

Appendix 1

7.0 LIST OF BACKGROUND PAPERS

7.1 None

THE INVERCLYDE COUNCIL
(VARIOUS ROADS) (OUTER GREENOCK)
(WAITING RESTRICTIONS)
(VARIATION NO. 7) ORDER 2017
TRAFFIC REGULATION ORDER

**THE INVERCLYDE COUNCIL
(VARIOUS ROADS) (OUTER GREENOCK)
(WAITING RESTRICTIONS) (VARIATION NO. 7) ORDER 2017**

We, The Inverclyde Council in exercise of the powers conferred on us by Sections 1(1), 2(1) to (3), 4(2), 32(1), 35(1), 45, 46, 49, 53, 101 and 102 of the Road Traffic Regulation Act 1984 (as amended) ("the Act") and of Part IV of Schedule 9 to the Act and of all other enabling powers and after consulting the Chief Constable of the Police Service of Scotland (Seirbheis Phoilis na h-Alba) in accordance with Part III of Schedule 9 to the Act hereby make the following Order:

1.0 Commencement and citation

- 1.1 This Order shall come into operation on the ## day of ##, Two Thousand and ## and may be cited as "The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 7) Order 2017".

2.0 Interpretation

- 2.1 In this Order except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:

"No Return" in relation to a Limited Waiting Parking Place, where waiting is limited by time and day of the week, means no return within the stated time and day of the week to a Limited Waiting Parking Place in the same road as the Limited Waiting Parking Place vacated;

"Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR2" means any road or part of a road contained within the boundary of the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR2, specified in the maps forming Schedule 1 to this Order; and

"Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR4" means any road or part of a road contained within the boundary of the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR4, specified in the maps forming Schedule 1 to this Order.

- 2.2 Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.
- 2.3 Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, modified, re-enacted, replaced or supplemented by any subsequent enactment.
- 2.4 The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulation made or having effect as if made under the Act or by or under any other enactment provided that where a prohibition or restriction which is imposed, varied or revoked by this Order is in conflict with a prohibition or restriction imposed by a previous Order, then the provision of this Order shall prevail.

- 2.5 The On-Street Plans forming Schedule 1 to this Order and titled "The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 7) Order 2017 On-Street Plans" are hereby incorporated into The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) Order 2013 and recorded in "The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) Order 2013 Plan Index".
- 2.6 The Plan Index forms Schedule 2.
- 2.7 The Interpretation Act 1978 (as amended) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3.0 Residents' Parking Permits

- 3.1 The Council may issue Residents' Parking Permits, at such a charge and on such terms and conditions as the Council may determine:-

- (a) to any person who (i) ordinarily resides in a dwelling house on any road within the boundary of the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR2, or (ii) who ordinarily resides in one of the following dwelling houses:-

1,3,7,10,11,15,17 and 19 Inverkip Street;
23, 47, 49, 51 and 53 High Street; and
70, 72, 74 and 76 Regent Street, Greenock;

- (b) to any person who (i) ordinarily resides in a dwelling house on any road within the boundary of the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR4, or (ii) who ordinarily resides in one of the following dwelling houses:-

4, 6 and 6a Bank Street; and
42, 42a, 44, 44a, 46, 58, 60, 62 and 64 Regent Street, Greenock;

both of which said Areas or Zones are specified in the maps forming Schedule 1 to this Order.

4.0 Form of Permits

- 4.1 A Permit shall be either a Virtual Permit or a Printed Permit.
- 4.2 The following information shall be retained on the Telephone Parking System as an indication that a Virtual Permit has been granted:-
- (a) the name and address of the applicant;
 - (b) the name of any Outer Greenock Residents' Parking Permit Area in which the Virtual Permit is valid;
 - (c) the Identification Code of any Outer Greenock Residents' Parking Permit Area in which the Virtual Permit is valid;
 - (d) the Virtual Permit number;

- (e) the registration number of the Motor Vehicle, Motor Cycle or Invalid Carriage in respect of which the Virtual Permit has been issued;
- (f) the Start Date; and
- (g) the End Date.

4.3 Where a Printed Permit is issued by the Council:-

- (a) it shall include the particulars listed in sub-paragraphs (b) to (g) of Article 4.2;
- (b) it is not transferrable; and
- (c) it shall remain the property of the Council at all times.

5.0 Use of Permits

5.1 A Permit shall be used only in accordance with the Permit scheme set out in this Article.

5.2 Subject to Article 5.1 a Permit issued with an Identification Code relating to the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR2, may be used:-

- (a) within the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR2;
- (b) in the case of a Virtual Permit, where the Motor Vehicle, Motor Cycle or Invalid Carriage has been recorded on the Telephone Parking System for that Virtual Permit; and
- (c) in the case of a Printed Permit, where details of the Motor Vehicle, Motor Cycle or Invalid Carriage are the same as those recorded on the Printed Permit and the Printed Permit is displayed on the Motor Vehicle, Motor Cycle or Invalid Carriage in accordance with Article 6.1 hereof.

5.3 Subject to Article 5.1 a Permit issued with an Identification Code relating to the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR4, may be used:-

- (a) within the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR4;
- (b) in the case of a Virtual Permit, where the Motor Vehicle, Motor Cycle or Invalid Carriage has been recorded on the Telephone Parking System for that Virtual Permit; and
- (c) in the case of a Printed Permit, where details of the Motor Vehicle, Motor Cycle or Invalid Carriage are the same as those recorded on the Printed Permit and the Printed Permit is displayed on the Motor Vehicle, Motor Cycle or Invalid Carriage in accordance with Article 6.1 hereof

5.4 If at any time a Motor Vehicle, Motor Cycle or Invalid Carriage is left on any road within the boundary of the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR2 during periods of Zone GR2 Permit holder only parking specified in the maps forming Schedule 1 to this Order and an inspection is carried out by a Parking Attendant, an Authorised Person or a police constable in uniform, and no indication that a Permit has been granted in respect of that Motor Vehicle, Motor Cycle or Invalid Carriage for the Outer

Greenock Residents' Parking Permit Area, also referred to as Zone GR2, appears on the Hand-held Device of a Parking Attendant, an Authorised Person or a police constable in uniform, it shall be presumed, unless the contrary is proved, that a Permit has not been granted for that Motor Vehicle, Motor Cycle or Invalid Carriage at the time of inspection.

- 5.5 If at any time a Motor Vehicle, Motor Cycle or Invalid Carriage is left on any road within the boundary of the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR4 during periods of Zone GR4 Permit holder only parking specified in the maps forming Schedule 1 to this Order and an inspection is carried out by a Parking Attendant, an Authorised Person or a police constable in uniform, and no indication that a Permit has been granted in respect of that Motor Vehicle, Motor Cycle or Invalid Carriage for the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR4, appears on the Hand-held Device of a Parking Attendant, an Authorised Person or a police constable in uniform, it shall be presumed, unless the contrary is proved, that a Permit has not been granted for that Motor Vehicle, Motor Cycle or Invalid Carriage at the time of inspection.
- 5.6 A person holding a valid Outer Greenock Residents' Parking Permit Area, Zone GR2, Residents' Parking Permit is permitted to wait in any Limited Waiting Parking Place on any road within the boundary of the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR2, specified in the maps forming Schedule 1 to this Order, without limit of time.
- 5.7 An Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR2, Residents' Parking Permit shall not be valid in any Limited Waiting Parking Place other than on those roads within the boundary of the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR2, specified in the maps forming Schedule 1 to this Order.
- 5.8 A person holding a valid Outer Greenock Residents' Parking Permit Area, Zone GR4, Residents' Parking Permit is permitted to wait in any Limited Waiting Parking Place on any road within the boundary of the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR4, specified in the maps forming Schedule 1 to this Order, without limit of time
- 5.9 An Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR4, Residents' Parking Permit shall not be valid in any Limited Waiting Parking Place other than on those roads within the boundary of the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR4, specified in the maps forming Schedule 1 to this Order.
- 5.10 When a Motor Vehicle is left in a Road in contravention of any of the provisions of this Order, the owner will become liable for a penalty charge and a police constable in uniform, a Parking Attendant or an Authorised Person may affix a Penalty Charge Notice to the Motor Vehicle and, subsequently, may remove or arrange for the removal of the Motor Vehicle from that Road.

6.0 Display of Printed Permits

- 6.1 Where a Printed Permit issued by the Council is used:-

- (a) in the case of a Motor Vehicle, the driver of any Motor Vehicle parked in any Limited Waiting Parking Place who wishes to make use of a Printed Permit shall attach or display the Printed Permit on the Motor Vehicle on the nearside thereof, behind the glass of the windscreen, in such position as to ensure that the front side of the Printed Permit is clearly visible to any person standing at the front nearside of the Motor Vehicle; and
- (b) in the case of a Motor Cycle or Invalid Carriage, the driver of any Motor Cycle or Invalid Carriage parked in any Limited Waiting Parking Place who wishes to make use of a Printed Permit shall attach or display the Printed Permit on the Motor Cycle or Invalid Carriage in a conspicuous position in front of the driver's seat.

- 6.2 Where an inspection is carried out by a Parking Attendant, an Authorised Person or a police constable in uniform, and a Printed Permit issued in respect of that Motor Vehicle, Motor Cycle or Invalid Carriage is not displayed in accordance with Article 6.1 or the particulars shown on the Printed Permit indicate it has not yet commenced, it shall be deemed that a Printed Permit has not been issued in respect of that vehicle at the time of inspection

7.0 Duration of Permits

- 7.1 A Permit shall be valid from the Start Date retained on the Telephone Parking System for one calendar year or, if earlier, until such time as it is revoked or cancelled by the Council.

8.0 Limited Waiting

- 8.1 Where, in relation to any part of a Road shown on the On-Street Plans, a period of 'limited waiting' is indicated then, subject to the provisions of Article 8.2, no person shall, except upon the direction of a police constable in uniform, a Parking Attendant or an Authorised Person, cause or permit any Motor Vehicle to wait during that period in that part of the Road:

- (a) for longer than the maximum period of waiting specified for that part of the Road; or
- (b) if a period of less than the No Return interval specified for that part of the Road has elapsed since the termination of the last period of waiting of the Motor Vehicle in that part of the Road.

- 8.2 Nothing in Article 8.1 of this Order shall apply to:

- (a) any two wheeled Motor Cycle not having a sidecar attached thereto.
- (b) any Disabled Person's Vehicle which is not causing an obstruction and which displays in the Relevant Position a Disabled Person's Badge.
- (c) any Motor Vehicle from which Goods are being Loaded.
- (d) any Motor Vehicle from which a person is boarding or alighting.

- (e) any Motor Vehicle being used in connection with;
 - (i) building, industrial or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of the said parts of the Road; or
 - (iv) the laying, erection, alteration, removal or repair in or adjacent to any Road, of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any Electronic Communications Apparatus or Traffic Sign

if it cannot conveniently be used for such purpose in any other Road.

- (f) any Motor Vehicle being used in pursuance of statutory powers and duties if it cannot conveniently be used for such purpose in any other Road.
- (g) any Motor Vehicle which is being used for fire and rescue service, police, ambulance or other emergency service purposes.
- (h) a maximum of three Motor Vehicles involved in a funeral or a wedding ceremony waiting at or near to any premises situated on or adjacent to the said parts of the Road so long as the waiting by these Motor Vehicles is reasonably necessary.

This Order and the two Schedules annexed hereto are sealed with the Common Seal of The Inverclyde Council and subscribed for them and on their behalf by ##, Proper Officer and an authorised signatory at ## on the ## day of ## Two Thousand and ##.

SCHEDULE 1

The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 7) Order 2017 On-Street Plans

FORWARDED

