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**Report To:** Environment & Regeneration Committee    **Date:** 30 August 2018

**Report By:** Corporate Director, Environment, Regeneration & Resources    **Report No:** LP/077/18

**Contact Officer:** Caroline Ross    **Contact No:** 01475 712115

**Subject:** Proposed Traffic Regulation Order – Disabled Persons’ Parking Places (On Street) Order No. 2 2018

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## 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 Public Protection is responsible for the making, implementation and review of Traffic Management Orders and Traffic Regulation Orders.
- 1.2 The provision of on-street parking places for use by disabled drivers, who are the holders of a Disabled Person’s Badge, is regulated by The Disabled Persons’ Parking Places (Scotland) Act 2009. Inverclyde Council is required to promote a Traffic Regulation Order to regulate the use of such parking places.

## 2.0 SUMMARY

- 2.1 In order to comply with The Disabled Persons’ Parking Places (Scotland) Act 2009, Section 5, it is proposed to introduce a Traffic Regulation Order to accompany the provision of parking places for the disabled. This will restrict parking to drivers displaying a Disabled Person’s Badge only and will enable the Police to enforce such restrictions. The proposed Order will also revoke those parking places no longer required in order to maximise street parking capacity.

## 3.0 RECOMMENDATION

- 3.1 That the Committee recommend to The Inverclyde Council the making of the Traffic Regulation Order – Disabled Persons’ Parking Places (On-Street) Order No. 2 2018 and remit it to the Head of Environmental and Public Protection and the Head of Legal and Property Services to arrange for its implementation.

**Gerard Malone**  
**Legal and Property Services**

## **4.0 BACKGROUND**

- 4.1 Currently no Traffic Regulation Orders exist at the locations shown in the Order which would prohibit the allocation of parking places for Disabled Person's Badge holders.
- 4.2 Two maintained objections to the disabled parking bay at 59 Flax Way were received to the proposed Order. In order not to delay further the other applications for disabled parking bays, 59 Flax Way has now been removed from the proposed Order and will be the subject of a new Traffic Regulation Order in due course.
- 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 Public Protection, the Head of Legal and Property Services and at Central, Port Glasgow, and Gourock Libraries. 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**  
**DISABLED PERSONS' PARKING PLACES**  
**(ON-STREET) ORDER NO. 2 2018**  
**TRAFFIC REGULATION ORDER**

DRAFT

**THE INVERCLYDE COUNCIL**  
**DISABLED PERSONS' PARKING PLACES (ON-STREET)**  
**ORDER NO. 2 2018**

The Inverclyde Council in exercise of the powers conferred on them by Section 32(1) 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 "The Inverclyde Council Disabled Persons' Parking Places (On-Street) Order No. 2 2018" and shall come into operation on ????????????, 2018.
2. In this Order the following expressions have the meanings hereby assigned to them:-
  - "Council" means The Inverclyde Council or its successors as Roads Authority;
  - "disabled person's badge" means:
    - (a) a badge issued under Section 21 of the Chronically Sick and Disabled Persons Act 1970 (as amended);
    - (b) a badge issued under a provision of the law of Northern Ireland corresponding to that section; or
    - (c) a badge issued by any member State other than the United Kingdom for purposes corresponding to the purposes for which badges under that section are issued;and which has not ceased to be in force;
  - "disabled person's vehicle" means a vehicle lawfully displaying a disabled person's badge;
  - "parking attendant" means a person employed in accordance with Section 63A of the Act to carry out the functions therein;
  - "parking place" means an area of land specified by number and name in Columns 1 and 2 in the Schedule to this Order;
  - "traffic sign" means a sign prescribed or authorised under Section 64 of the Act; and
  - "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.
3. The Schedule titled "Disabled Persons' Parking Places (On Street) Order No. 2 2018" forms the Schedule to this Order.
4. Each area of road which is described in the Schedule to this Order and the plans relative to this Order is hereby designated as a parking place.
5. The parking places shall only be used for the leaving of disabled persons' vehicles displaying a valid disabled person's badge.

6. The limits of each parking place shall be indicated on the carriageway as prescribed by The Traffic Signs Regulations and General Directions 2016.
7. Every vehicle left in any parking place shall stand such that no parking place is occupied by more than one vehicle and that every part of the vehicle is within the limits of the parking place provided that, where the length of a vehicle precludes compliance with this paragraph, such vehicle shall be deemed to be within the limits of a parking place if:-  
  
the extreme front portion or, as the case may be, the extreme rear portion of the vehicle is within 300mm of an indication on the carriageway provided under this Order in relation to the parking place; and  
  
the vehicle, or any part thereof, is not within the limits of any adjoining parking place.
8. Any person duly authorised by the Council or a police officer in uniform or a traffic warden or parking attendant may move or cause to be moved in case of any emergency, to any place they think fit, vehicles left in a parking place.
9. Any person duly authorised by the Council may suspend the use of a parking place or any part thereof whenever such suspension is considered reasonably necessary:-  
  
for the purpose of facilitating the movement of traffic or promoting its safety;  
  
for the purpose of any building operation, demolition, or excavation in or adjacent to the parking place or the laying, erection, alteration, removal or repair in or adjacent to the parking place of any sewer or of any main, pipe, apparatus for the supply of gas, water electricity or of any telecommunications apparatus, traffic sign or parking meter;  
  
for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture from one office or dwellinghouse to another or the removal of furniture from such premises to a depository or to such premises from a depository;  
  
on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or  
  
for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals or on other special occasions.
10. A police officer in uniform may suspend for not longer than twenty four hours the use of a parking place or part thereof whenever such suspension is considered reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.

11. This Order insofar as it relates to the parking places to be revoked (R) and amended, as specified in the Schedule to this Order, partially revokes and amends The Inverclyde Council Disabled Persons' Parking Places (On-Street) Order Nos. 01/1997, 01/2002, 01/2004, 02/2008, 01/2013, 03/2016 and 01/2017 respectively.

Sealed with the Common Seal of The Inverclyde Council and subscribed for them and on their behalf by #####, Proper Officer, on the ##### day of #####, Two Thousand and Eighteen.

DRAFT

**THE INVERCLYDE COUNCIL**  
**DISABLED PERSONS' PARKING PLACES**  
**(ON-STREET) ORDER NO. 2 2018**

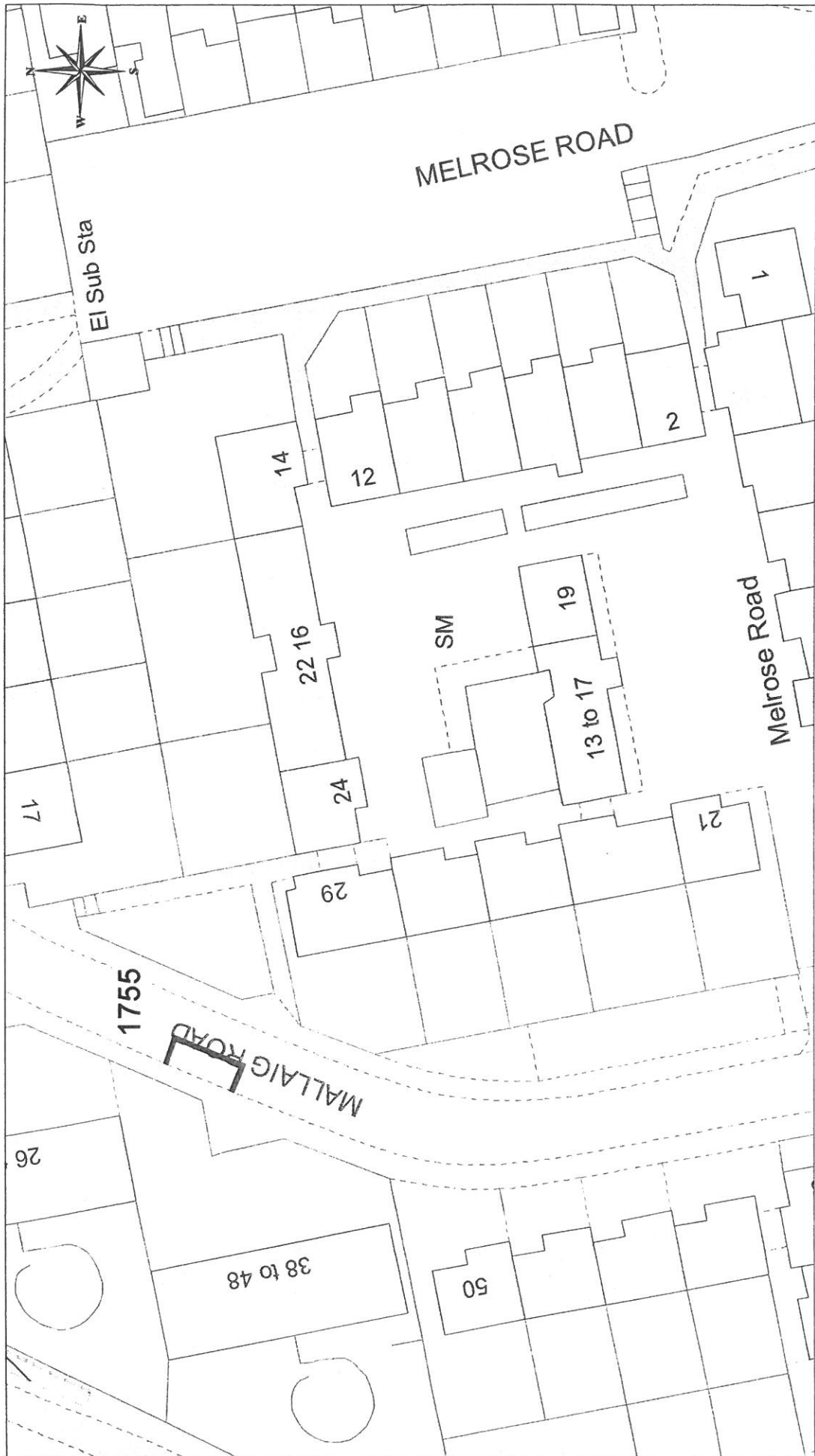
**Statement of Reasons for Proposing to Make  
the above Order**

It is considered necessary in order to comply with The Disabled Persons' Parking Places (Scotland) Act 2009, Section 5, to make the above Order to provide assistance for disabled persons who hold a badge under the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000 as amended and by revoking those parking places no longer required to maximise street parking capacity.

Willie Rennie  
Head of Environmental & Commercial Services  
1 Ingleston Park  
Cartsburn Street  
GREENOCK  
PA15 4UE








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**DISABLED PERSONS' PARKING PLACE**  
**38 MALLAIG ROAD, PORT GLASGOW**  
**PLACE No. 1755**

**Inverclyde**  
 council  
**Environmental Services**

Regeneration & Environment  
 Corporate Director: Aubrey Fawcett  
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 aubrey.fawcett@inverclyde.gov.uk

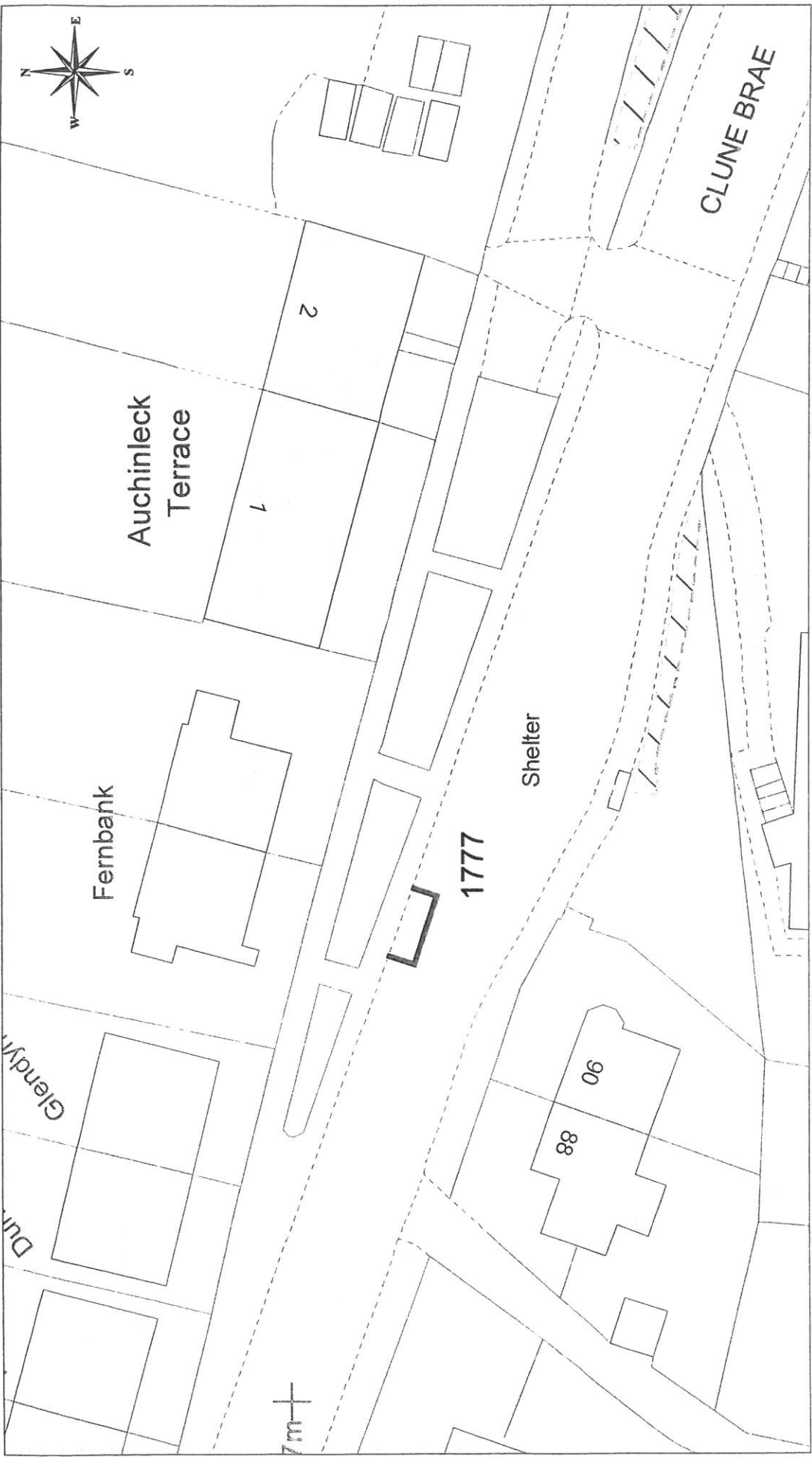


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**DISABLED PERSONS' PARKING PLACE**  
 17 LEWIS ROAD, PORT GLASGOW  
 PLACE No. 1776

**Inverclyde**  
 council  
 Environmental Services

Regeneration & Environment  
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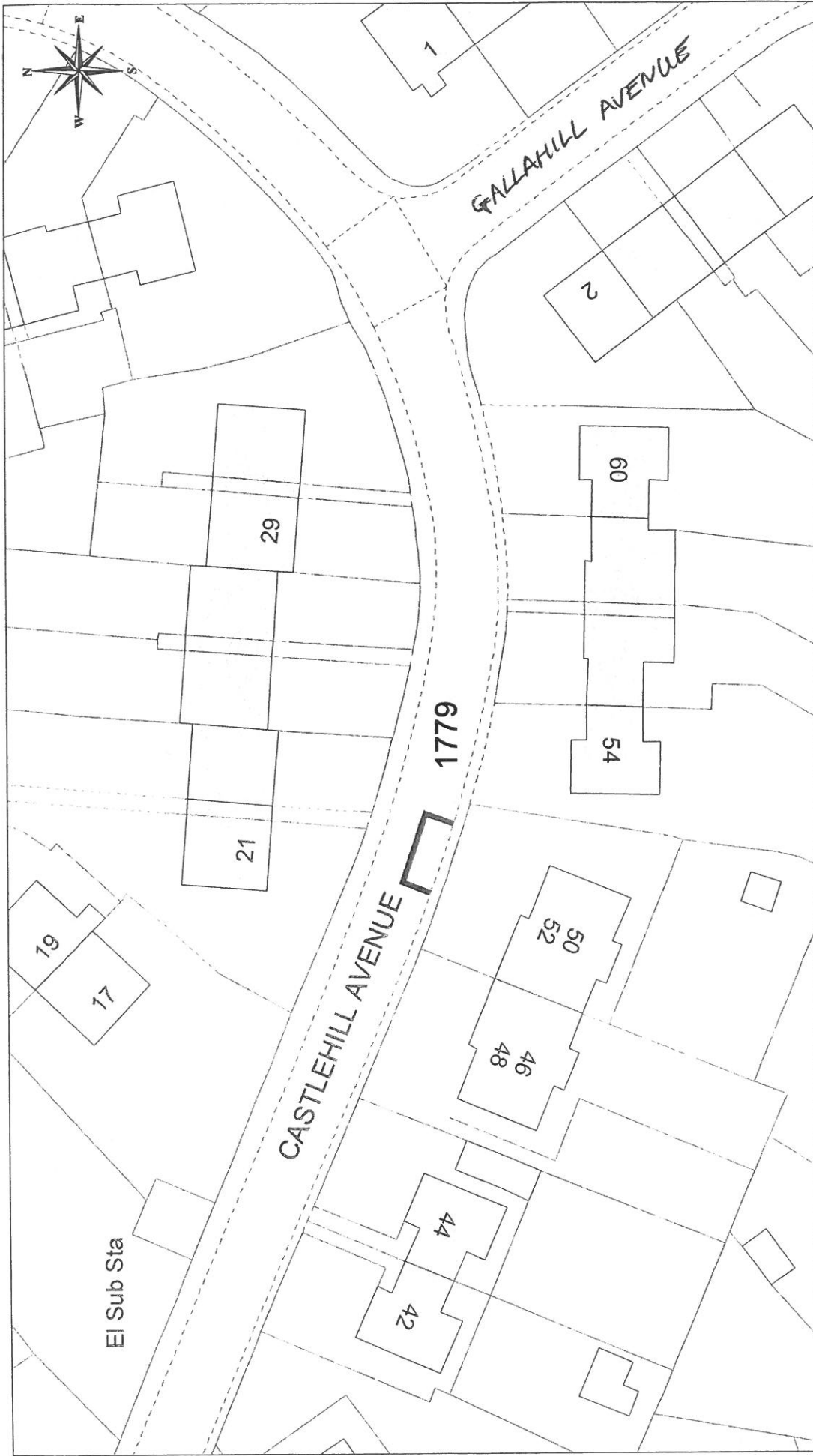
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**DISABLED PERSONS' PARKING PLACE**  
**CLUNEBRAEHAD, PORT GLASGOW**  
**PLACE No. 1777**

**Inverclyde**  
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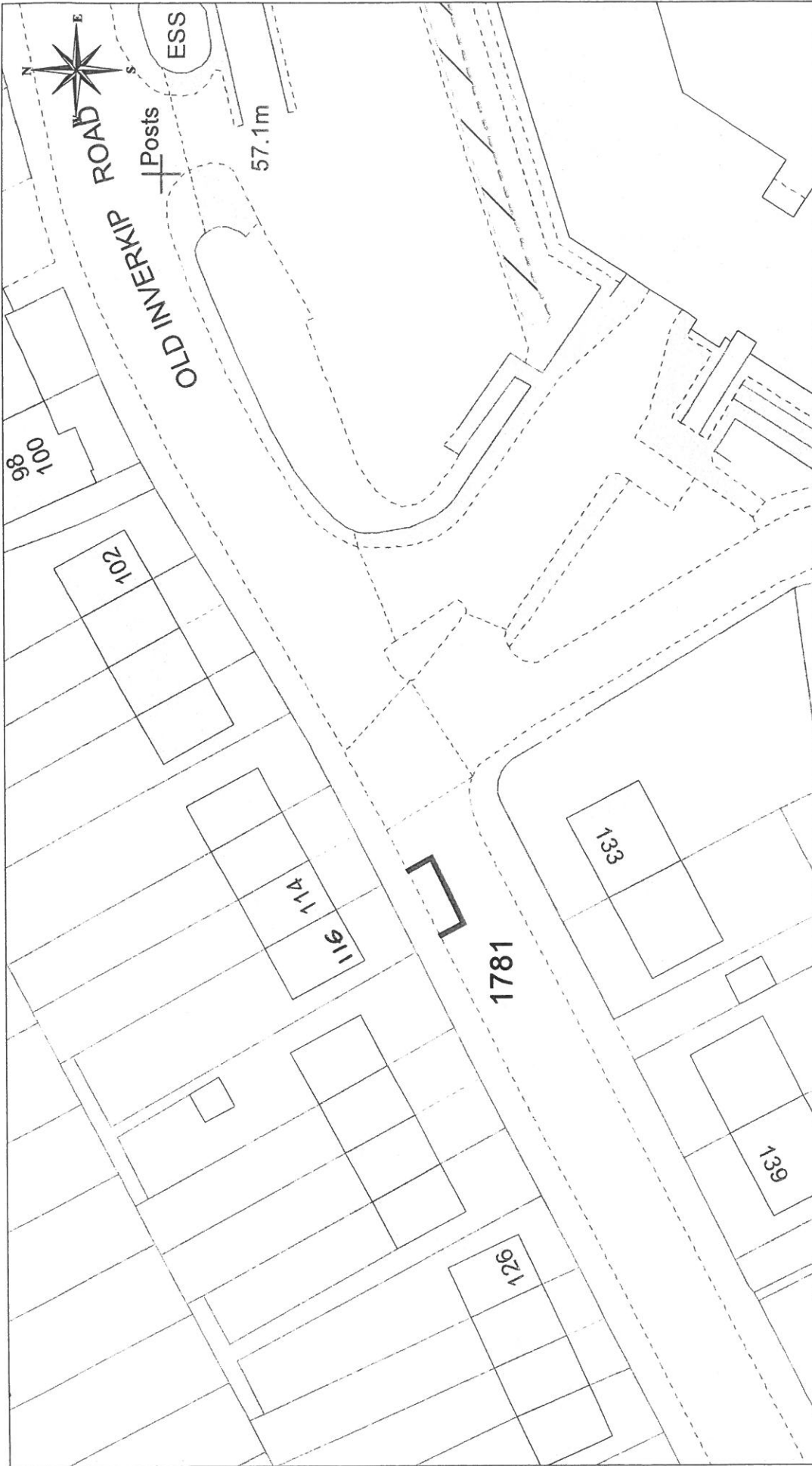
**DISABLED PERSONS' PARKING PLACE**  
52 CASTLEHILL AVENUE, PORT GLASGOW  
PLACE No. 1779




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**DISABLED PERSONS' PARKING PLACE**  
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**PLACE No. 1780**

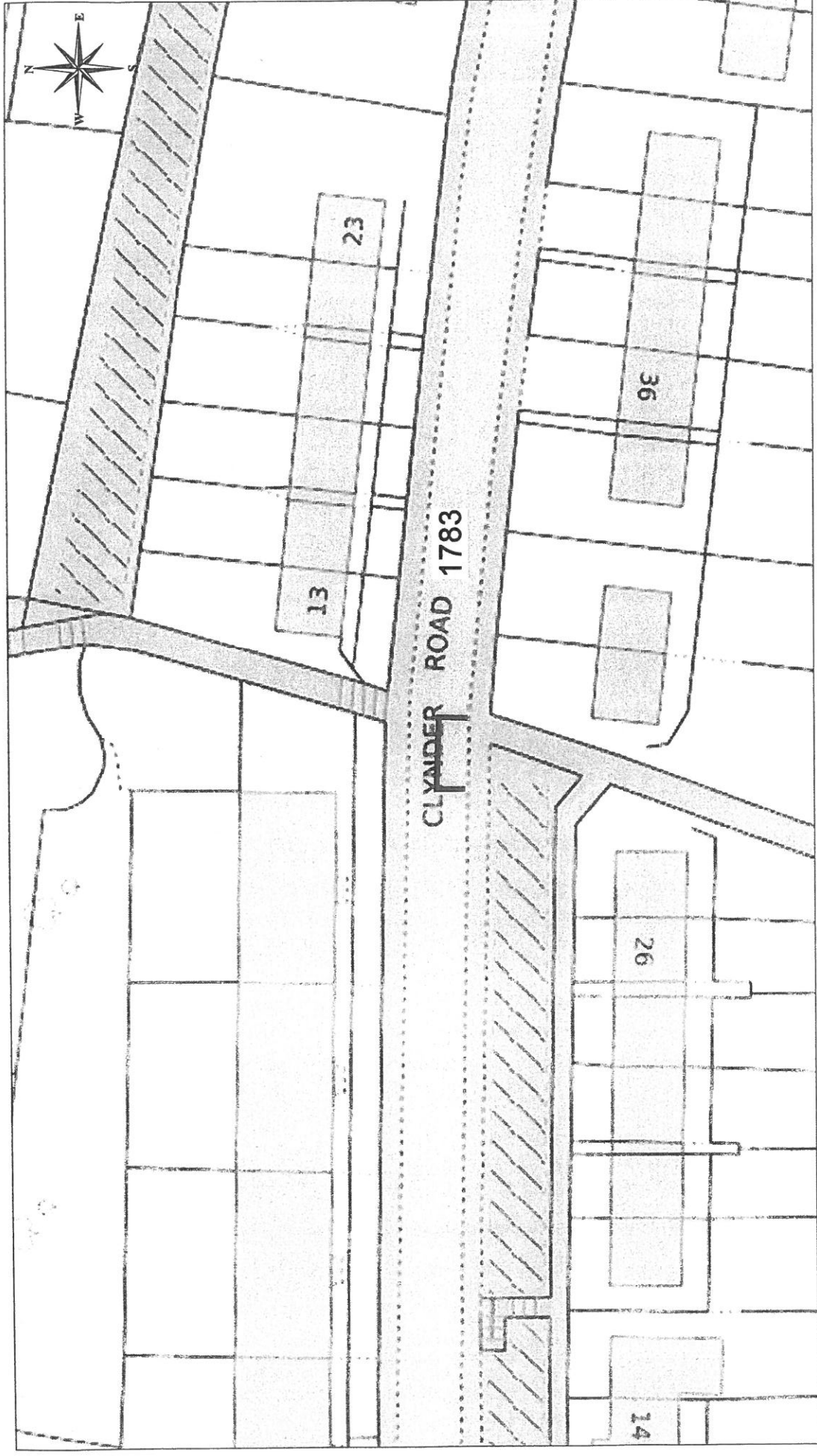
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**DISABLED PERSONS' PARKING PLACE**  
**116 OLD INVERKIP ROAD, GREENOCK**  
**PLACE No. 1781**

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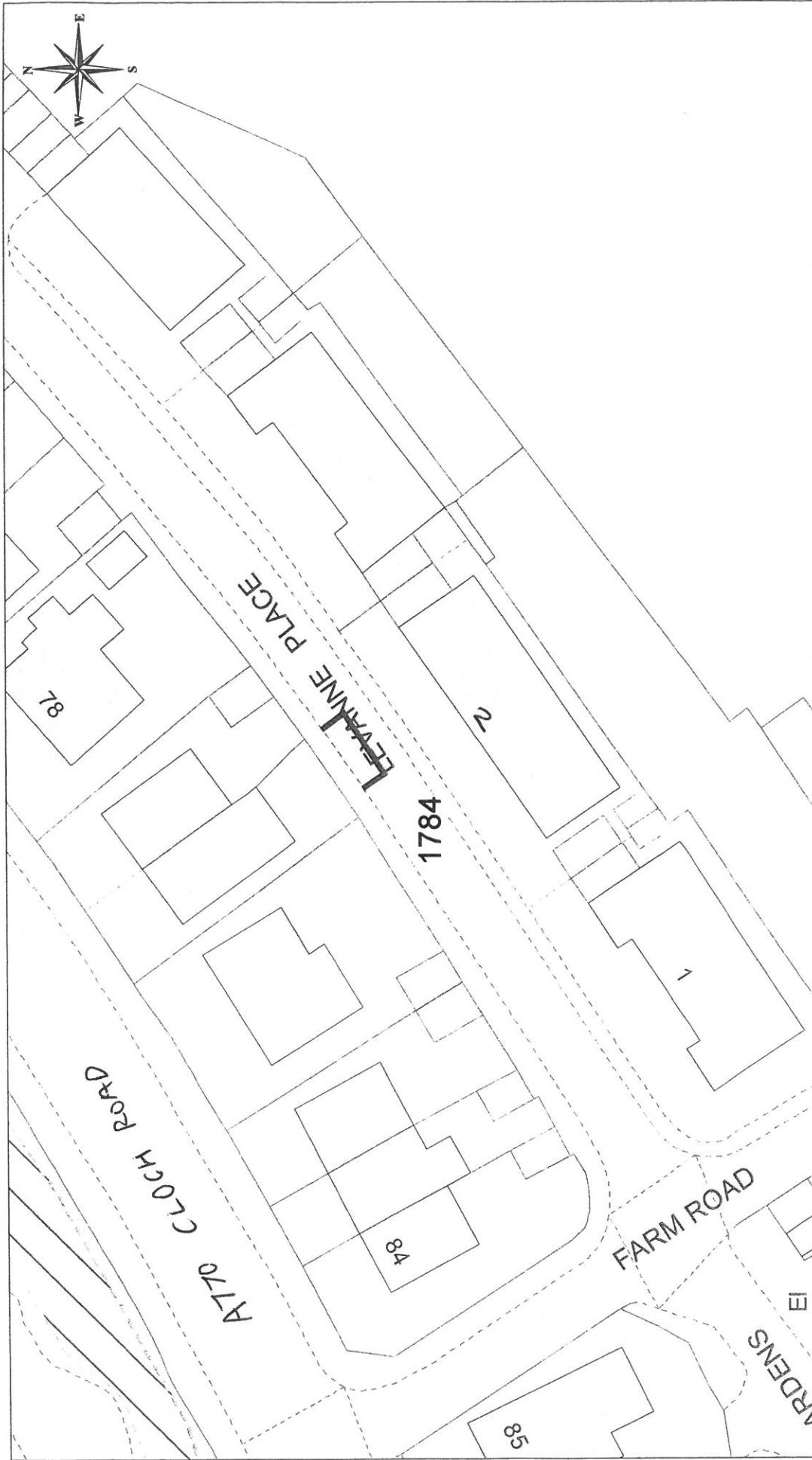
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DISABLED PERSONS' PARKING PLACE  
28 CLYNDER ROAD, GREENOCK  
PLACE No. 1783





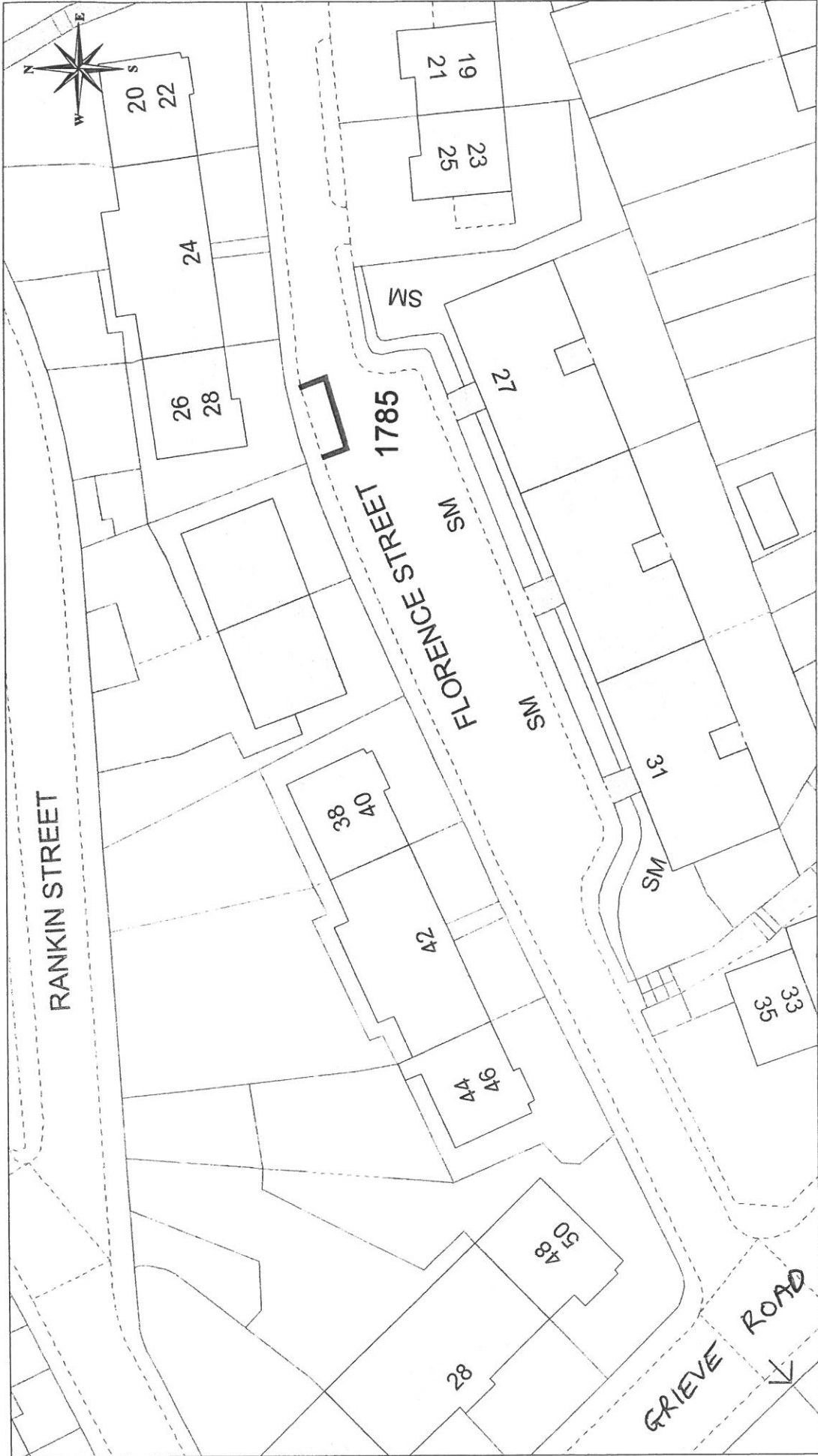

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**2 LEVANNE PLACE, GOUROCK**  
**PLACE No. 1784**

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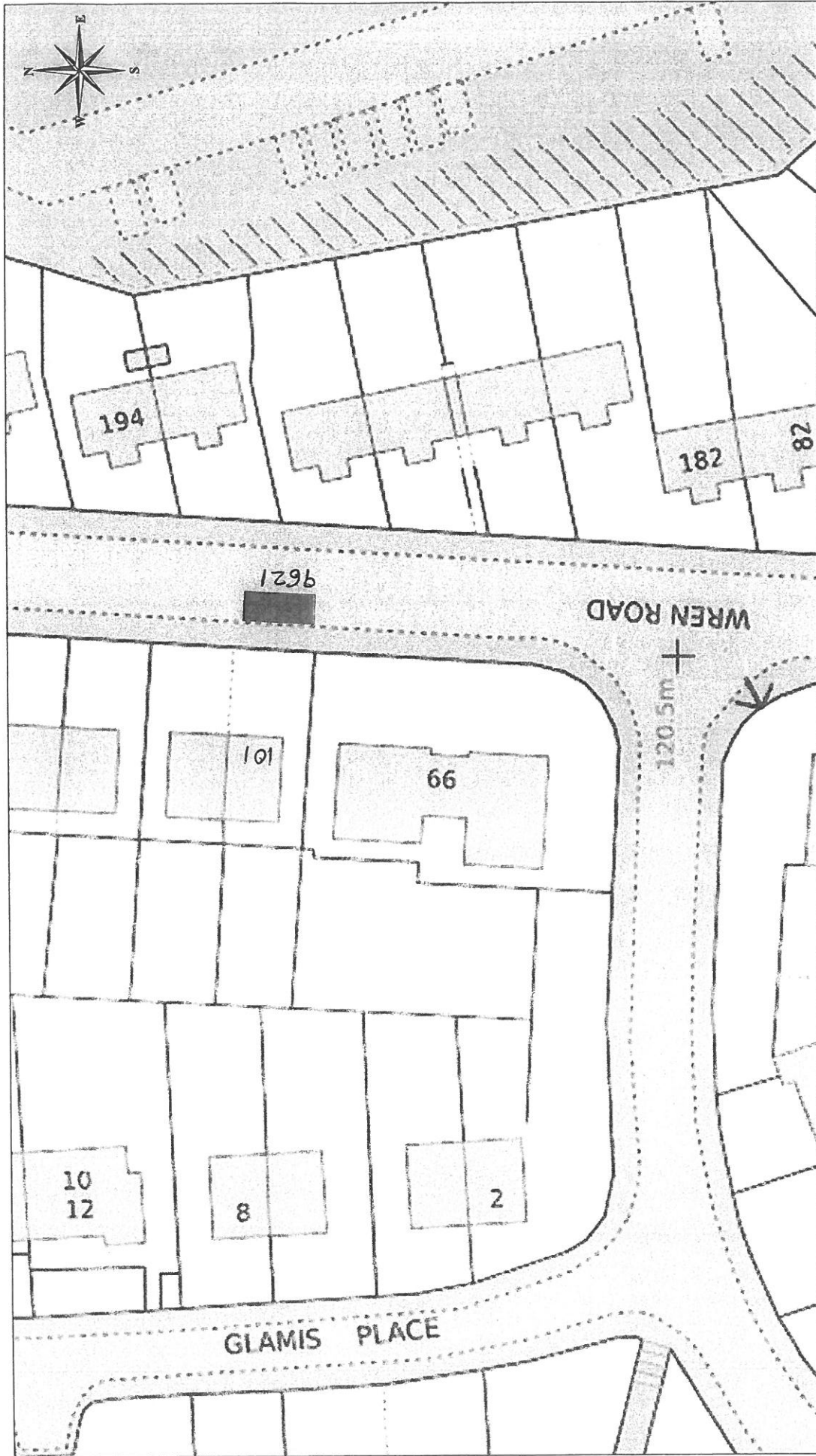
**DISABLED PERSONS' PARKING PLACE**  
 26 FLORENCE STREET, GREENOCK  
 PLACE No. 1785

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 Corporate Director: Aubrey Fawcett

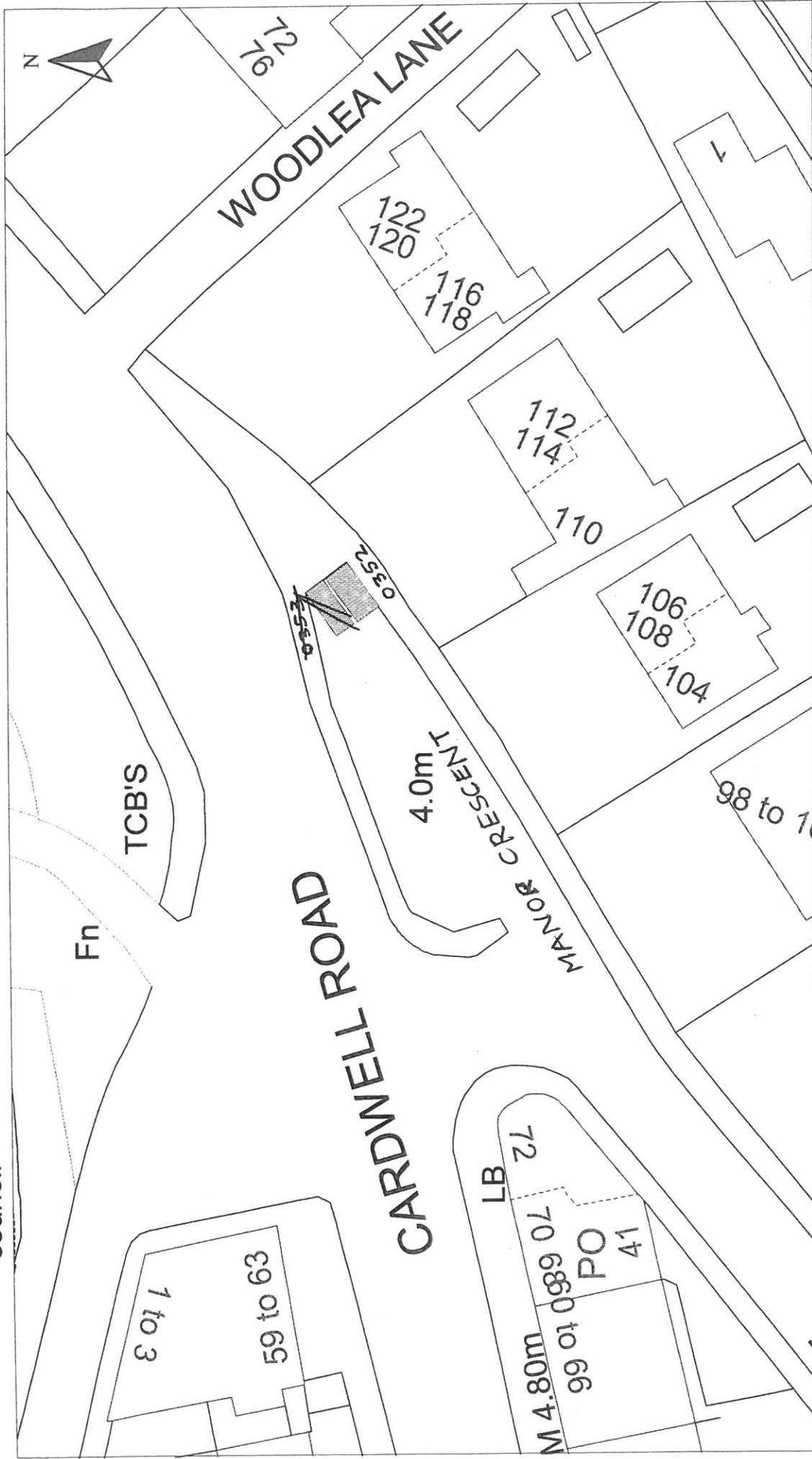
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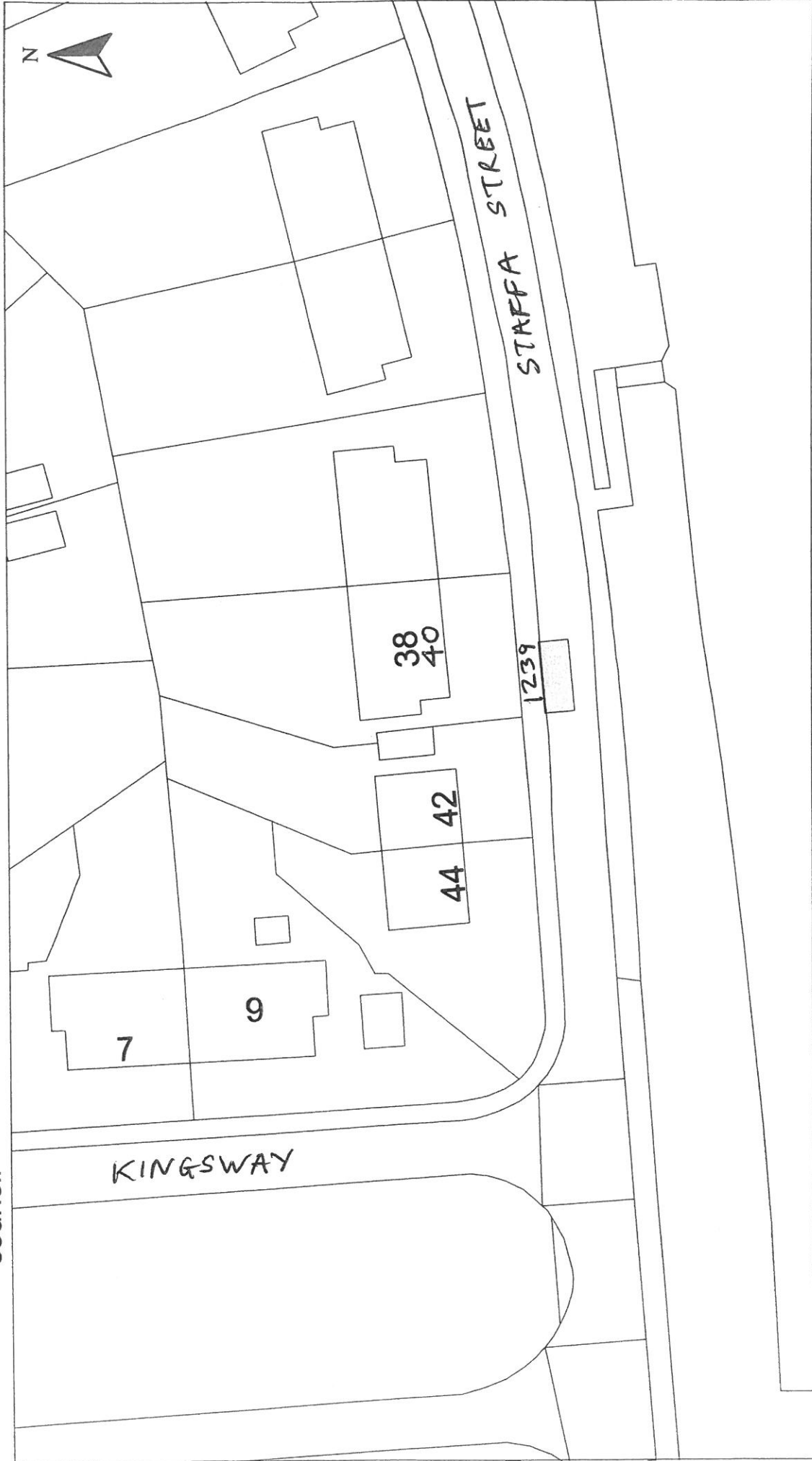
**DISABLED PERSONS' PARKING PLACE**  
**101 WREN ROAD, GREENOCK**  
**PLACE No. 9621 REVOCATION**

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<p>HEAD OF TRANSPORTATION AND ROADS R.J. SMALL B.Sc., C.Eng., M.I.C.E.</p>		<p>DISABLED PERSONS' PARKING PLACE 108 MANOR CRESCENT, GOUROCK PLACE No. 0352 REVOCATION</p>		<p>Scale : 1:500</p>	<p>Date : JULY 2004</p>
<p>71 EAST HAMILTON STREET GREENOCK, PA15 2UA</p>		<p>Prepared by : R. MACKAY</p>		<p>Checked by :</p>	
<p>Disabled Bays</p>		<p>Drawn by : R. MACKAY</p>		<p>Approved by :</p>	
		<p>Drawing No. :</p>		<p>File No. : 19/12</p>	

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HEAD OF SERVICE  
IAN MOFFAT

71 EAST HAMILTON STREET  
GREENOCK, PA15 2UA

Disabled Bays

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DISABLED PERSONS' PARKING PLACE  
40 STAFFA STREET, GOUROCK  
PLACE No. 1239 REVOCATION

Scale : 1:500

Prepared by : R. MACKAY

Drawn by : R. MACKAY

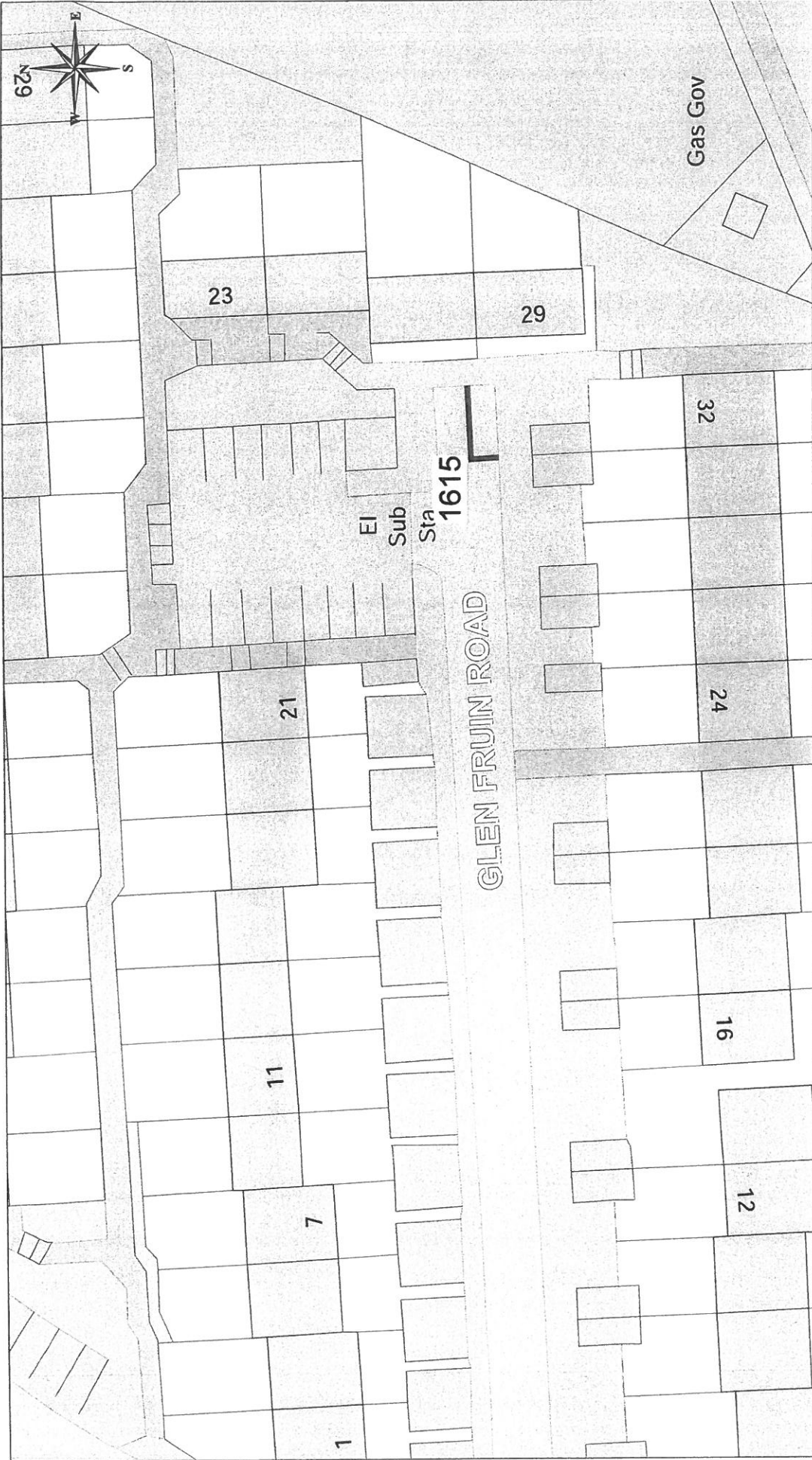
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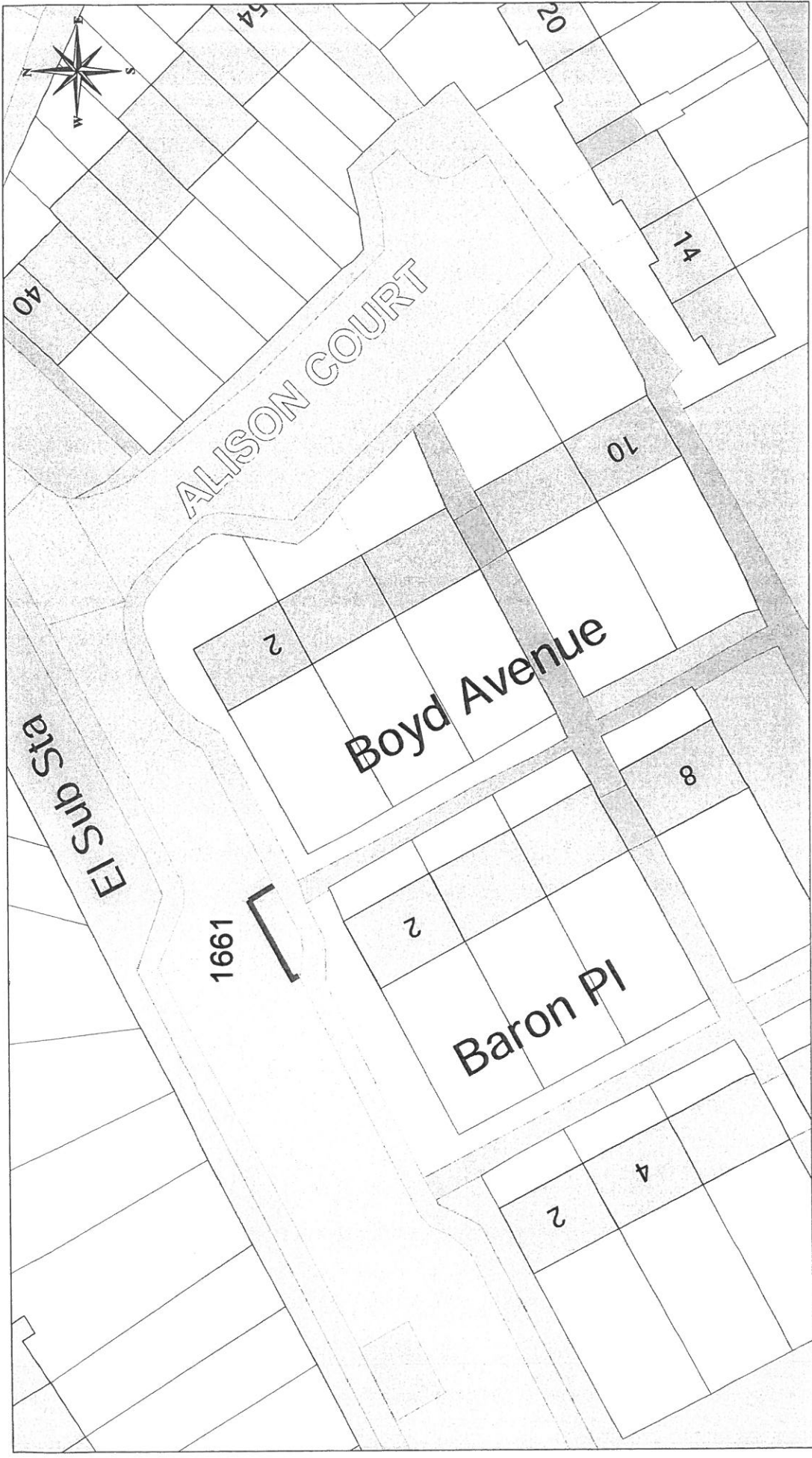


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**DISABLED PERSONS' PARKING PLACE**  
 29 GLEN FRUIN ROAD, GREENOCK  
 PLACE NO. 1615 REVOCATION

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**DISABLED PERSONS' PARKING PLACE**  
**8 BOYD AVENUE, INVERKIP**  
**PLACE No. 1661 REVOCATION**

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