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**Report To:** ENVIRONMENT & REGENERATION COMMITTEE      **Date:** 2 May 2019

**Report By:** CORPORATE DIRECTOR,  
ENVIRONMENT, REGENERATION &  
RESOURCES      **Report No:** LP/065/19

**Contact Officer:** LINDSAY CARRICK      **Contact No:** 01475 712114

**Subject:** PROPOSED TRAFFIC REGULATION ORDER – DISABLED PERSONS’ PARKING PLACES (ON STREET) ORDER NO. 2 2019

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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 Shared Head of Service Roads 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 Disabled Persons’ Parking Places (On-Street) Order No. 2 2019.

## 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 enforcement of such restrictions. The proposed Order will also revoke those parking places no longer required in order to maximise street parking capacity.
- 2.2 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.

## 3.0 RECOMMENDATION

- 3.1 That the Committee recommends to the Inverclyde Council the making of the Traffic Regulation Order – Disabled Persons’ Parking Places (On-Street) Order No. 2 2019 and remit it to the Shared Head of Service Roads and the Head of Legal and Property Services to arrange for its implementation.

**Gerard Malone**  
**Head of Legal and Property Services**

## **4.0 BACKGROUND**

- 4.1 There are currently no Traffic Regulation Orders that exist at the locations shown in the schedule which would prohibit the allocation of parking places for Disabled Person's Badge holders.
- 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 Shared Head of Service Roads, the Head of Legal and Property Services and at Central, Port Glasgow, Southwest 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 2019**  
**TRAFFIC REGULATION ORDER**

**THE INVERCLYDE COUNCIL**  
**DISABLED PERSONS' PARKING PLACES (ON-STREET)**  
**ORDER NO. 2 2019**

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 2019" and shall come into operation on ?????????

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 2019" forms the Schedule to this Order.

4. Each area of road which is described in the Schedule Part 1 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, as amended.

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 Part 2 to this Order, partially revokes and amends The Inverclyde Council Disabled Persons' Parking Places (On-Street) Order Nos.01/2001, 01/2004, 01/2010, 02/2008, 02/2010 and 02/2013 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 ????????????

DRAFT

**INVERCLYDE COUNCIL**

**DISABLED PERSONS' PARKING PLACES (ON-STREET)  
ORDER No.2 2019**

**Rev A**

**SCHEDULE (Part 1)**

All and whole that area of ground as described in Column 2 in the table below:

Column 1	Column 2
<b><u>Ref No.</u></b>	<b><u>Address of Disabled Person's Parking Place to be created "ex-adverso"</u></b>
1874	19 West Road, Port Glasgow
1875	4 Binnie Street, Gourock
1877	35 Robertson Street, Greenock
1878	2b Ashburn Gate, Gourock
1879	24 Bute Avenue, Port Glasgow
1883	17 Prospecthill Street, Greenock
1884	5 Lewis Road, Port Glasgow
1885	108 Pennyfern Road, Greenock



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**DISABLED PERSONS' PARKING PLACE**  
**19 WEST ROAD, PORT GLASGOW**  
**PLACE No. 1874**

**Inverclyde council**  
 Environment and Public Protection

Environment, Regeneration & Resources  
 Corporate Director: Scott Allan BSc., C.Eng., M.I.C.E.  
 Municipal Buildings  
 Clyde Square  
 Greenock  
 PA15 1LY  
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 Fax: 01475 712731  
 scott.allan@inverclyde.gov.uk





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**DISABLED PERSONS' PARKING PLACE**  
**4 BINNIE STREET, GOUROCK**  
**PLACE No. 1875**

**Inverclyde**  
**council**  
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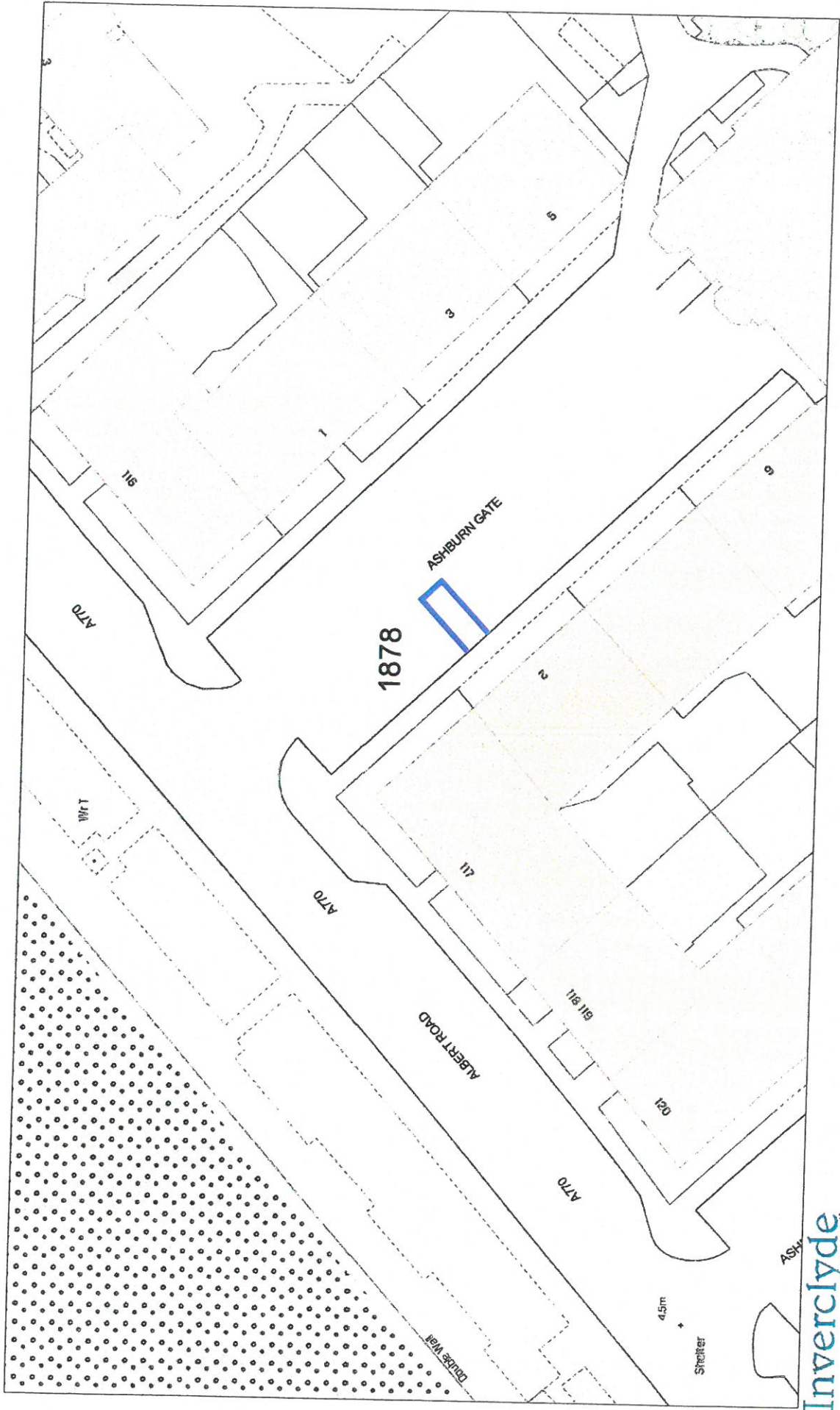


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**DISABLED PERSONS' PARKING PLACE**  
**35 ROBERTSON STREET, GREENOCK**  
**PLACE No. 1877**



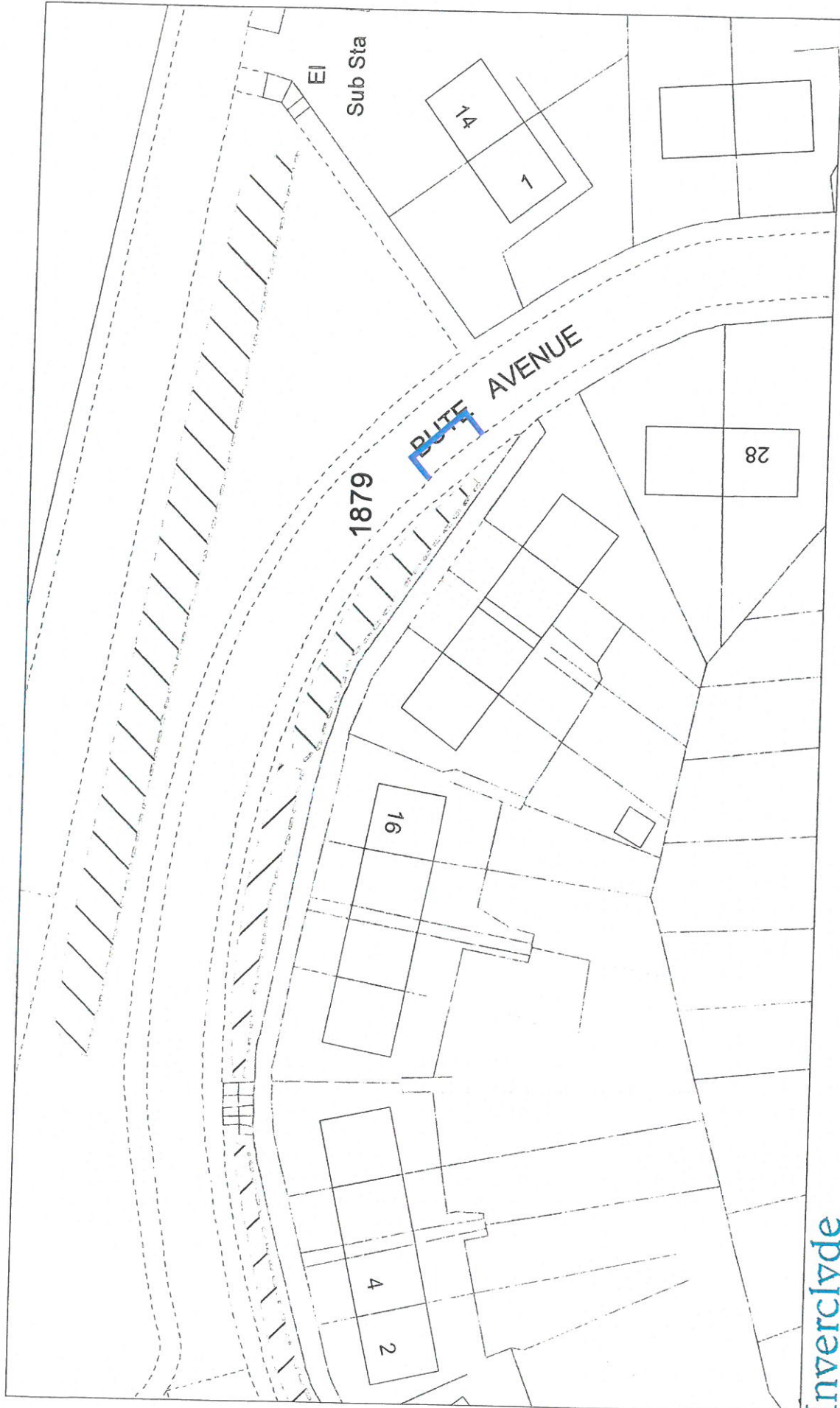
**DISABLED PERSONS' PARKING PLACE**  
**2b ASHBURN GATE, GOUROCK**  
**PLACE No. 1878**



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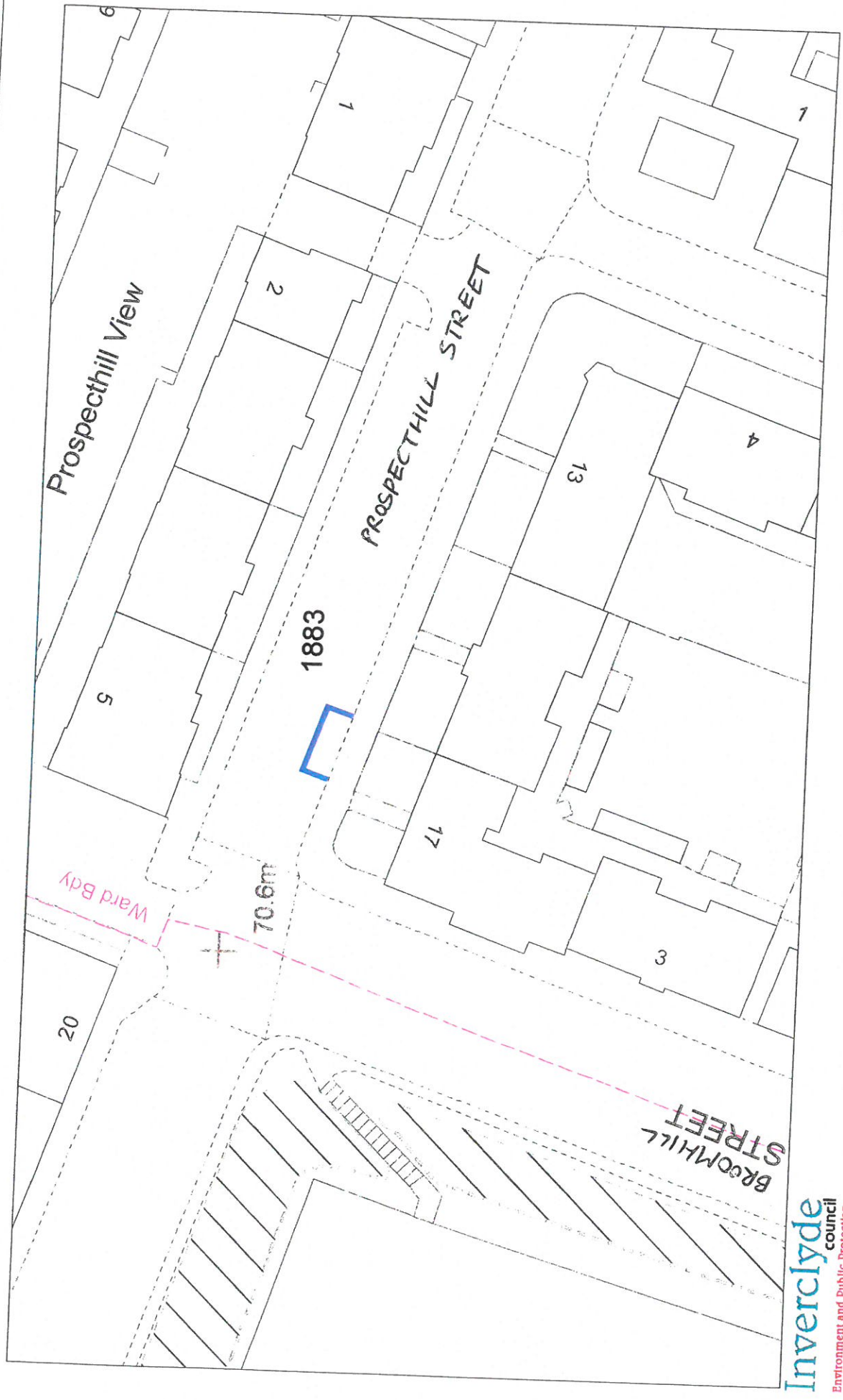
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**DISABLED PERSONS' PARKING PLACE**  
**24 BUTE AVENUE, PORT GLASGOW**  
**PLACE No. 1879**

**Inverclyde** council  
 Environment and Public Protection

Environment, Regeneration & Resources  
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**DISABLED PERSONS' PARKING PLACE**  
**17 PROSPECTHILL STREET, GREENOCK**  
**PLACE No. 1883**

**Inverclyde**  
**council**  
 Environment and Public Protection

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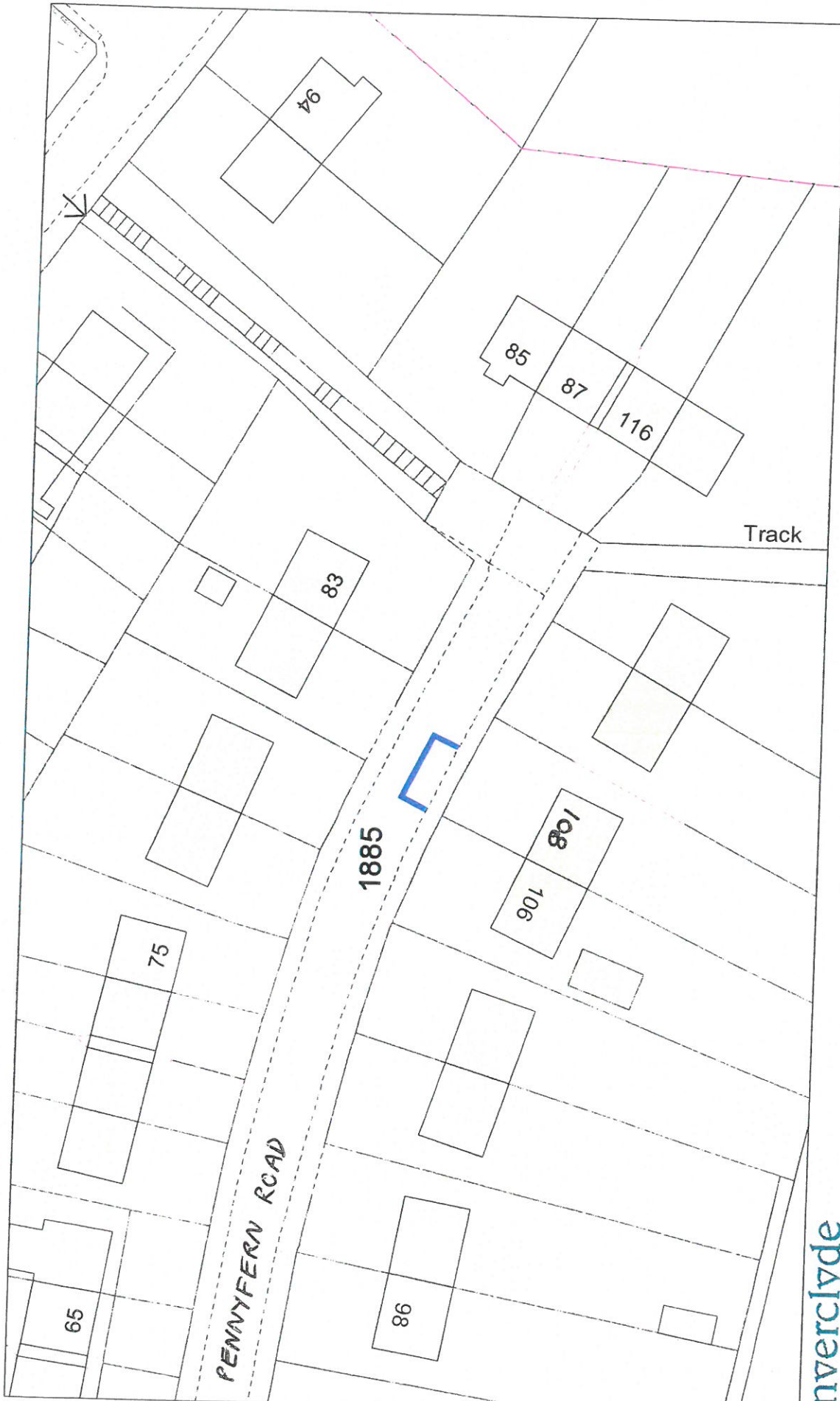
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**DISABLED PERSONS' PARKING PLACE**  
**5 LEWIS ROAD, PORT GLASGOW**  
**PLACE No. 1884**

AVENUE

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**council**  
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DISABLED PERSONS' PARKING PLACE  
 108 PENNYFERN ROAD, GREENOCK  
 PLACE No. 1885







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**DISABLED PERSONS' PARKING PLACE**  
**6 DYKENEUK ROAD, PORT GLASGOW**  
**PLACE No. 0033 REVOCATION**

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HEAD OF SERVICE  
ALAN G BARNES MCIWM CEMV

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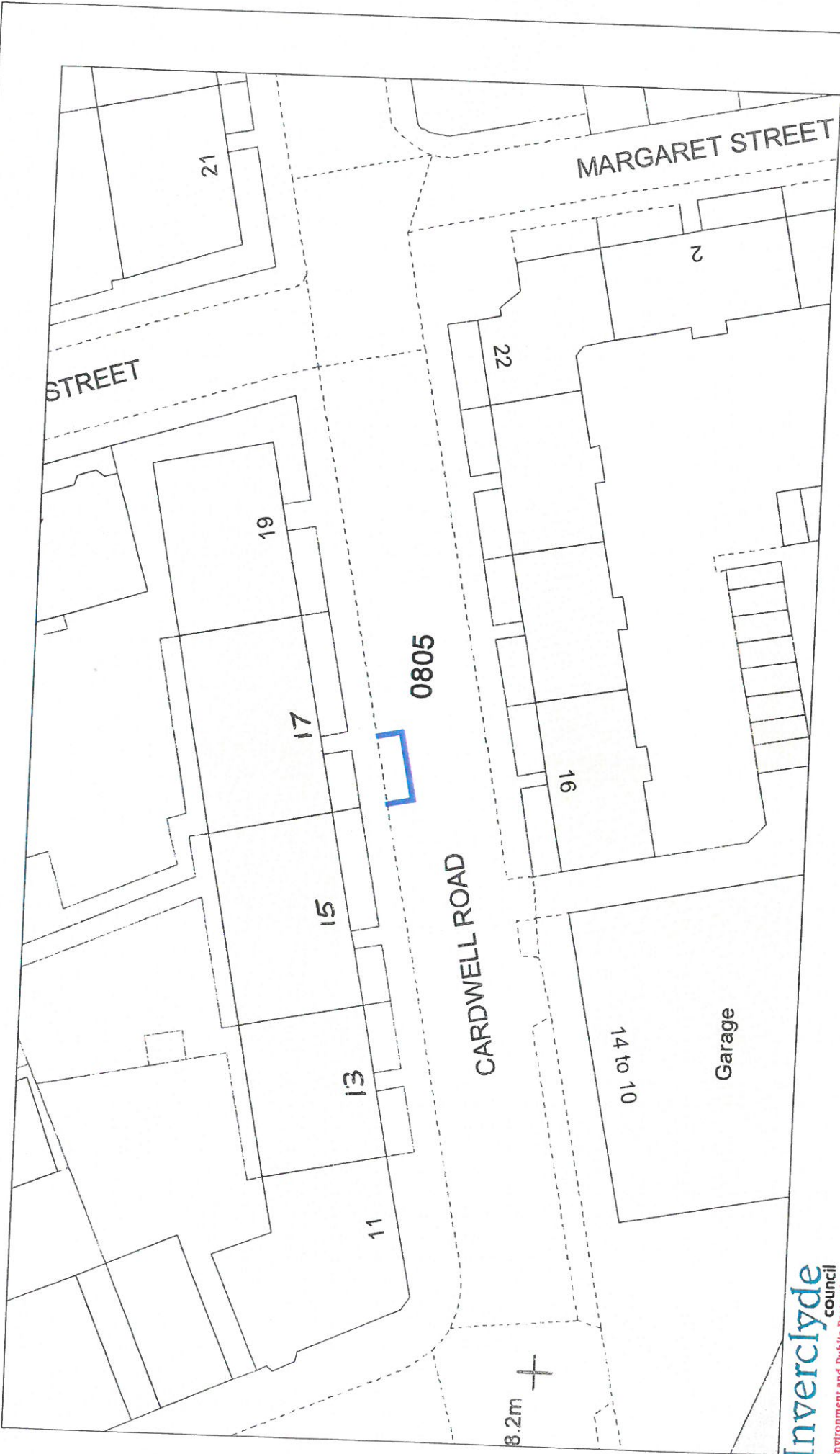
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DISABLED PERSONS' PARKING PLACE  
11 GLEN AVENUE, PORT GLASGOW  
PLACES Nos. 0410 & 0941 REVOCATION

Scale : 1:500  
Prepared by : R. MACKAY  
Drawn by : R. MACKAY  
Drawing No. :

Date : NOV 2009  
Checked by :  
Approved by :  
File No. : 19/12

Disabled Bays



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**DISABLED PERSONS' PARKING PLACE**  
**15 CARDWELL ROAD, GOUROCK**  
**PLACE No. 0805 REVOCATION**

**Inverclyde** council  
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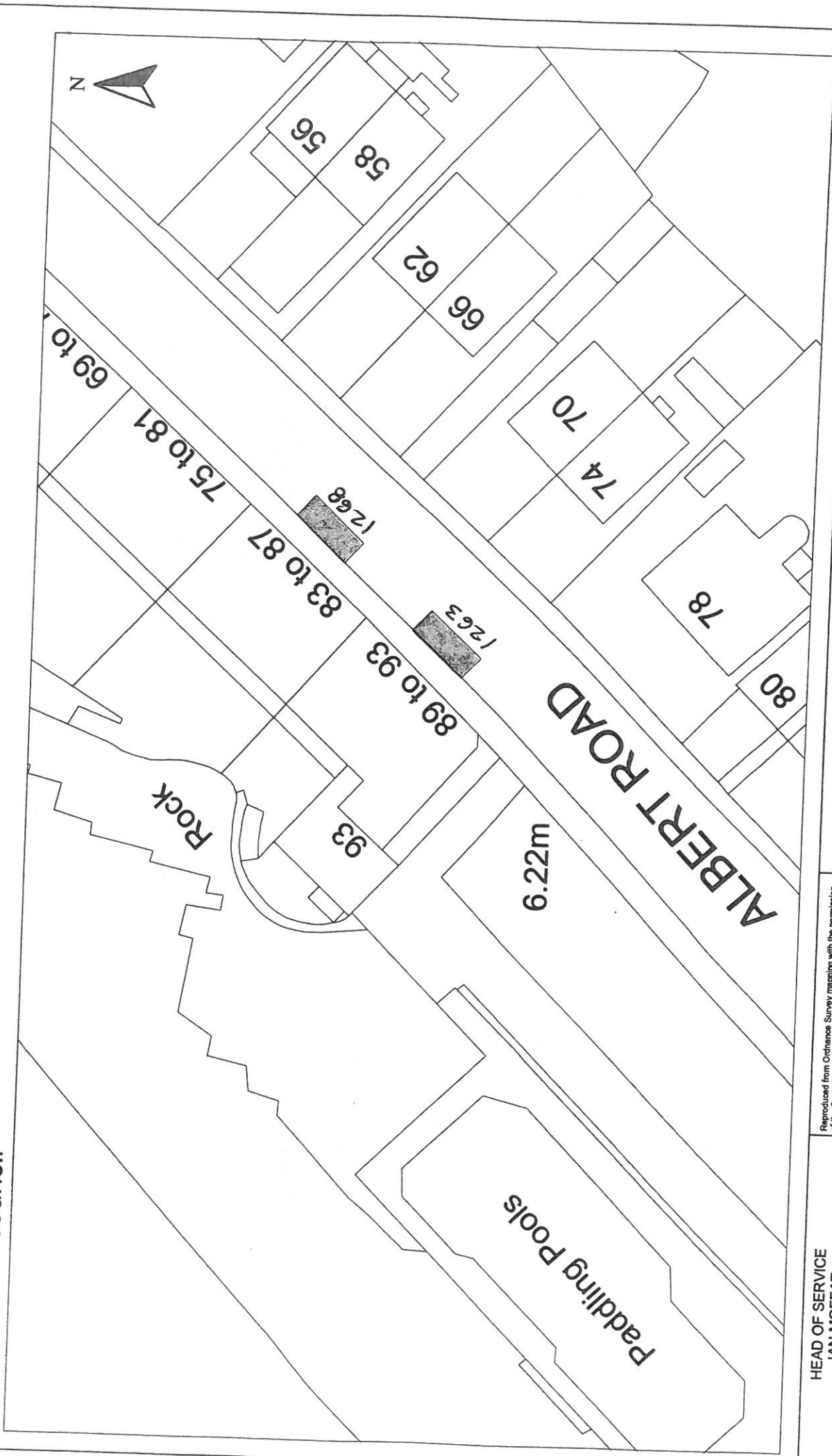
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GREENOCK, PA15 2UA

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DISABLED PERSONS' PARKING PLACE  
73 BAWHIRLEY ROAD, GREENOCK  
PLACE No. 0977 REVOCATION

Scale :	1:500	Date :	MAR 2010
Prepared by :	R. MACKAY	Checked by :	
Drawn by :	R. MACKAY	Approved by :	
Drawing No. :		File No. :	19/12



HEAD OF SERVICE  
IAN MOFFAT

Disabled Bays  
71 EAST HAMILTON STREET  
GREENOCK, PA15 2UA

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DISABLED PERSONS' PARKING PLACE  
85 & 91 ALBERT ROAD, GOUROCK  
PLACES Nos. 1263 & 1268 REVOCATION

Scale :	1:500	Date :	JAN 2013
Prepared by :	R. MACKAY	Checked by :	
Drawn by :	R. MACKAY	Approved by :	
Drawing No. :		File No. :	19/12

**THE INVERCLYDE COUNCIL**

**DISABLED PERSONS' PARKING PLACES  
(ON-STREET) ORDER NO. 2 2019**

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

It is considered necessary, in order to comply with Section 5 of The Disabled Persons' Parking Places (Scotland) Act 2009, 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 to revoke those parking places no longer required to maximise street parking capacity.

Gail MacFarlane  
Head of Service – Roads and Transportation  
8 Pottery Street  
GREENOCK  
PA15 4UE