
Report To:	Inverclyde Council	Date:	3 December 2020
Report By:	Corporate Director, Environment, Regeneration and Resources	Report No:	LP/125/20
Contact Officer:	Lindsay Carrick	Contact No:	01475 712114
Subject:	Proposed Traffic Regulation Order – The Inverclyde Council, Disabled Persons’ Parking Places (On-Street) Order No. 2 2020		

1.0 PURPOSE

- 1.1 The purpose of this report is to request the Council to consider a remit from the Environment & Regeneration Committee.

2.0 SUMMARY

- 2.1 The Environment & Regeneration Committee held on 29 October 2020 after consideration of a report by the Corporate Director Environment, Regeneration & Resources on the proposed Traffic Regulation Order – The Inverclyde Council, Disabled Persons’ Parking Places (On-Street) Order No. 2 2020 recommended that the Inverclyde Council be asked to make the Traffic Regulation Order and to remit it to the Head of Roads and Environmental Shared Services and the Head of Legal and Property Services to arrange for its implementation.

3.0 RECOMMENDATION

- 3.1 That the Inverclyde Council approves the making of the Traffic Regulation Order – The Inverclyde Council, Disabled Persons’ Parking Places (On-Street) Order No. 2 2020 and that the Head of Roads and Environmental Shared Services and the Head of Legal and Property Services be authorised to take all necessary action in connection therewith.

Appendix
1

Gerard Malone
Head of Legal and Property Services

4.0 BACKGROUND

- 4.1 Local Authorities are empowered to make Orders under the Road Traffic Regulation and Roads (Scotland) Act 1984.
- 4.2 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.
- 4.3 The Council 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

5.1 Finance

Financial Implications:

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

5.2 Legal

There are no legal implications arising from this report.

5.3 Human Resources

There are no HR implications arising from this report.

5.4 Equalities

Equalities

- (a) Has an Equality Impact Assessment been carried out?

	YES (see attached appendix)
X	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required

- (b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
X	NO

(c) Data Protection

Has a Data Protection Impact Assessment been carried out?

	YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.
X	NO

5.5 Repopulation

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 on a notice board situated at the entrance are of the Customer Service Centre, Municipal Buildings, Greenock during normal office hours.

7.0 BACKGROUND PAPERS

7.1 None

THE INVERCLYDE COUNCIL
DISABLED PERSONS' PARKING PLACES
(ON-STREET) ORDER No.2 2020
TRAFFIC REGULATION ORDER

THE INVERCLYDE COUNCIL
DISABLED PERSONS' PARKING PLACES (ON-STREET)
ORDER No.2 2020

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 2020" 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 2020" 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. 01/2004 and 01/2006 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 2020**

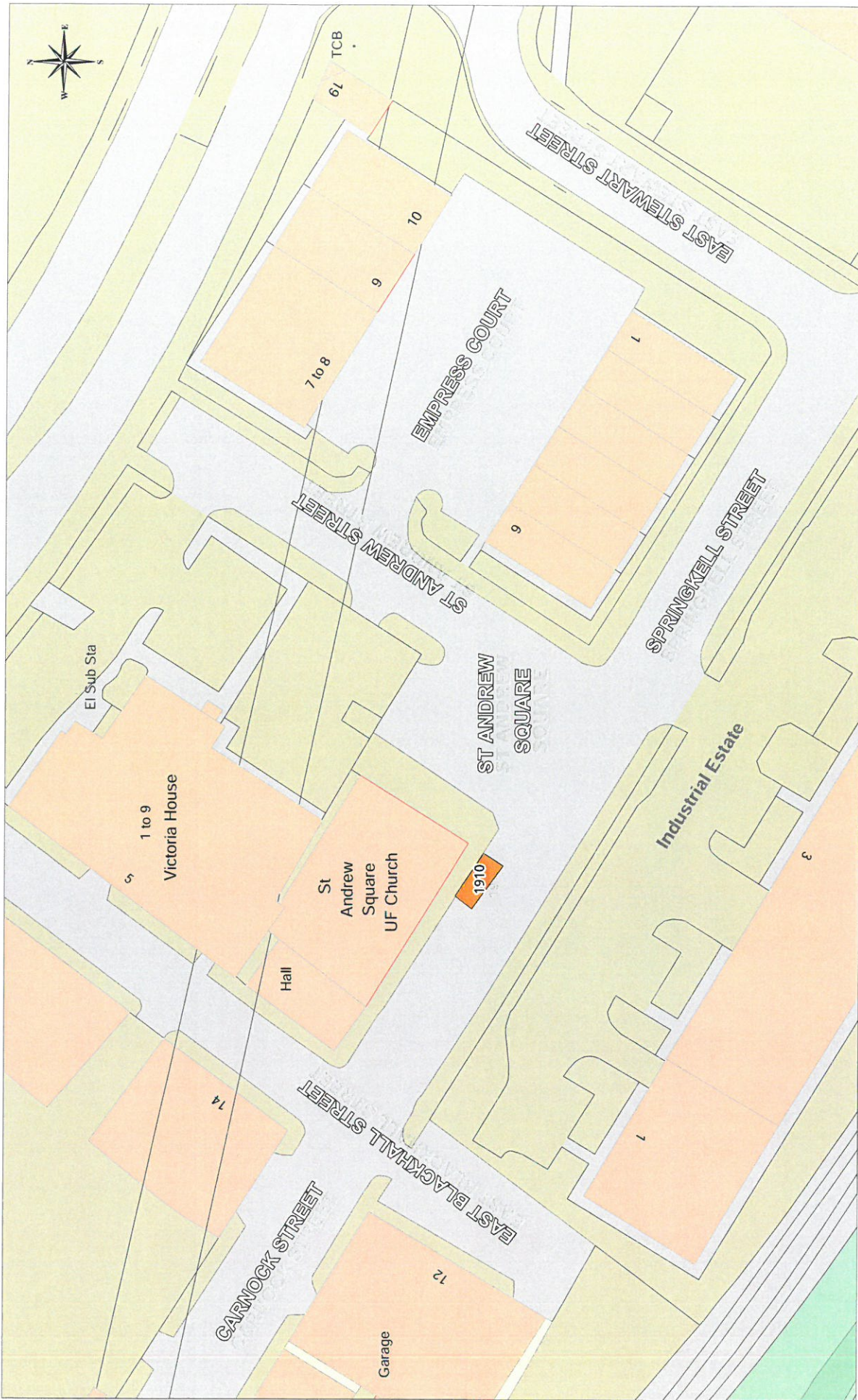
Rev C

SCHEDULE (Part 2)

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

Column 1	Column 2
<u>Ref No.</u>	<u>Address of Disabled Person's Parking Place to be revoked ® "ex-adverso"</u>
0430	34 Davaar Road, Greenock ®
0564	13 Darroch Drive, Gourrock ®


DISABLED PERSONS' PARKING PLACE



Address: Carnock Street, GREENOCK

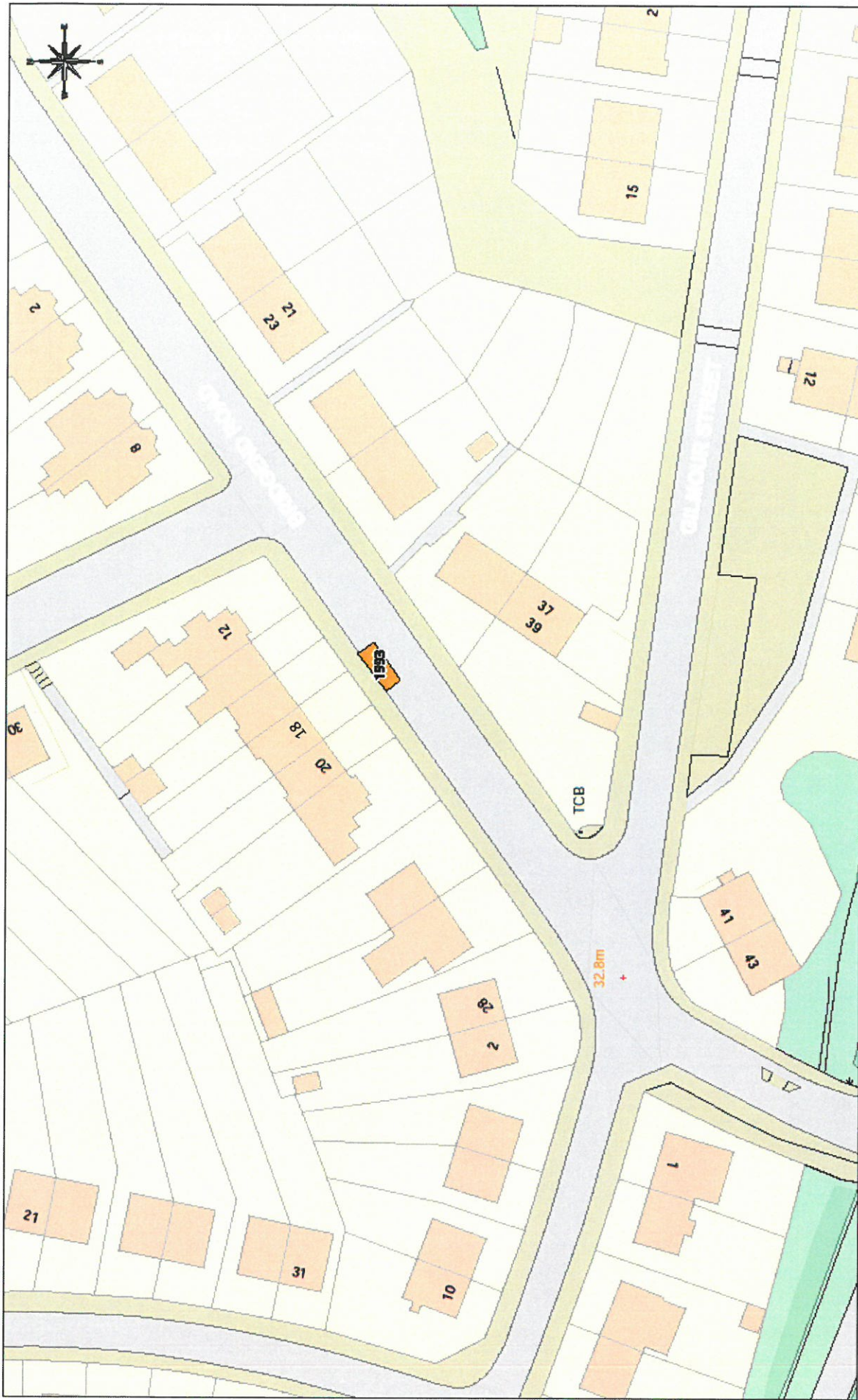
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 Inverclyde Council
Roads & Transportation
Environment, Regeneration & Resources
Corporate Director: Scott Allan BSc, C.Eng., M.I.C.E.
Municipal Buildings
Dyce Square, Glasgow G15 1LY
Tel: 01475 712712
Fax: 01475 712731
local@inverclyde.gov.uk

DISABLED PERSONS' PARKING PLACE



Inverclyde
Central
Roads & Transportation
Professional, Independent & Specialist
Contractor - Road Marking, Signs, C.Deg., M.I.C.E.
Marking Buildings
City Centre
Glasgow, G4 5 1LY
Tel: 01475 710725
inverclyde@inverclyde.gov.uk

Address: 18 Bridgend Road, GREENOCK

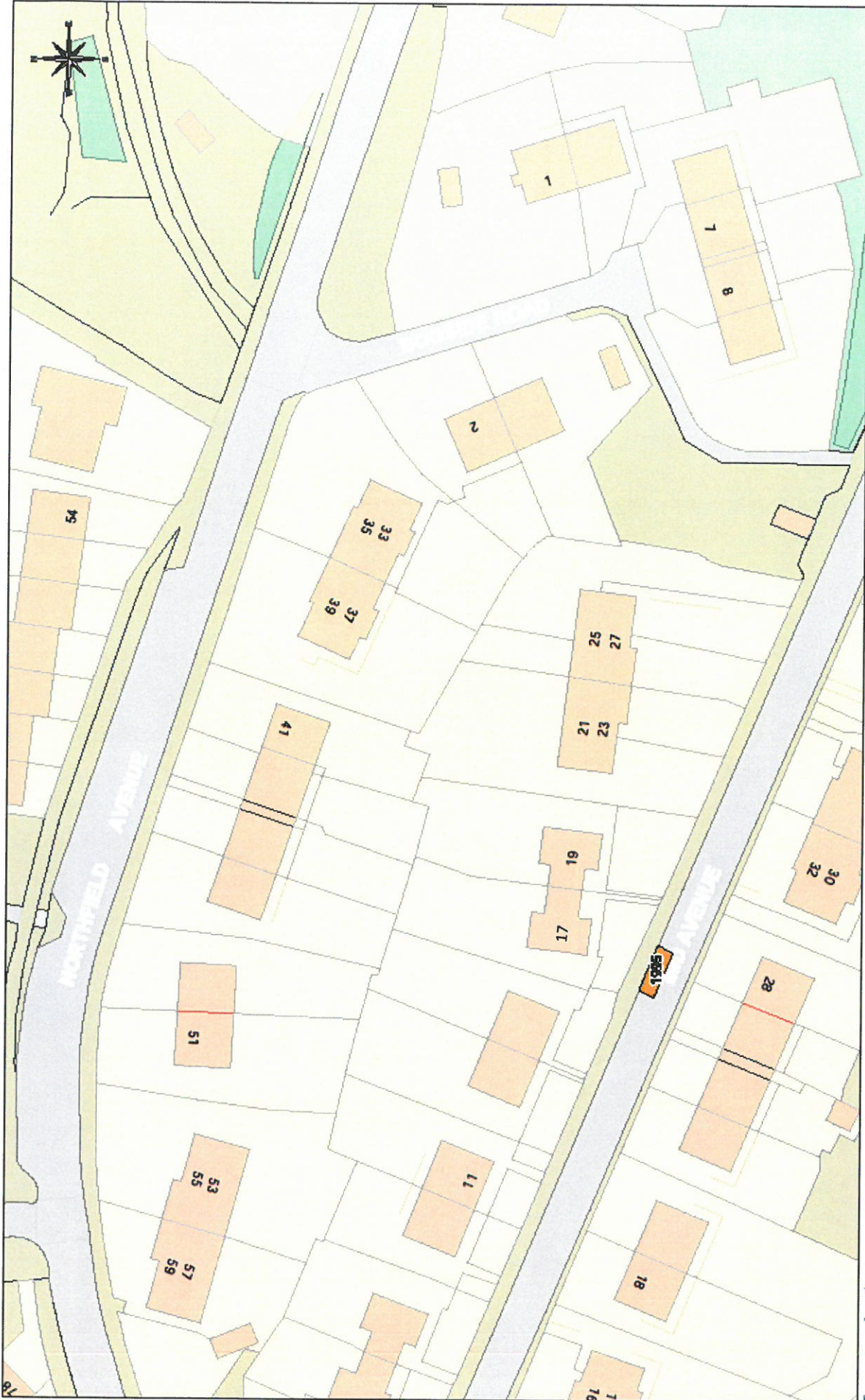
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DISABLED PERSONS' PARKING PLACE



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Roads & Transportation
Engineering, Inspection & Maintenance
Concrete Division, East Aisle Mill, C.C. Eng., M.I.C.E.
Municipal Buildings
Clyde Square
Dunoon, PA15 1LY
Tel: 01475 727271
Email: roads@inverclyde.gov.uk

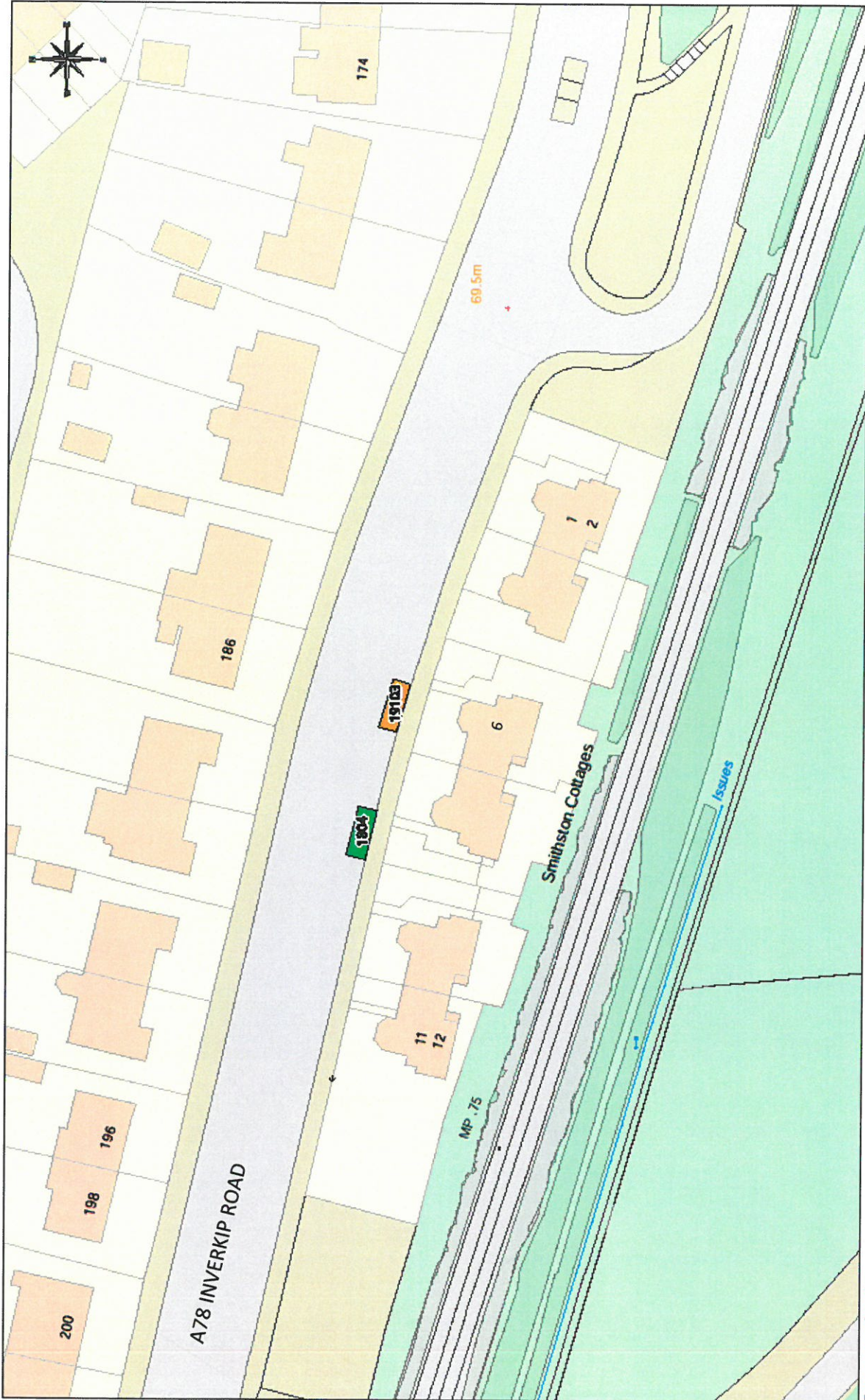
Address: 17 Mid Avenue, PORT GLASGOW

Place No.: 1995

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Roads & Transportation
Environment, Regeneration & Resources
Corporate Director: Scott Alan Bell, C.Eng., M.I.C.E.
Municipal Buildings
Civic Square, Glasgow G4 0 1YV
Tel: 01475 712750
Fax: 01475 712751
Email: roads@inverclyde.gov.uk

Address: 6 Smithston Cottages, GREENOCK

Place No.: 19103

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Address: 89 Wren Road, GREENOCK

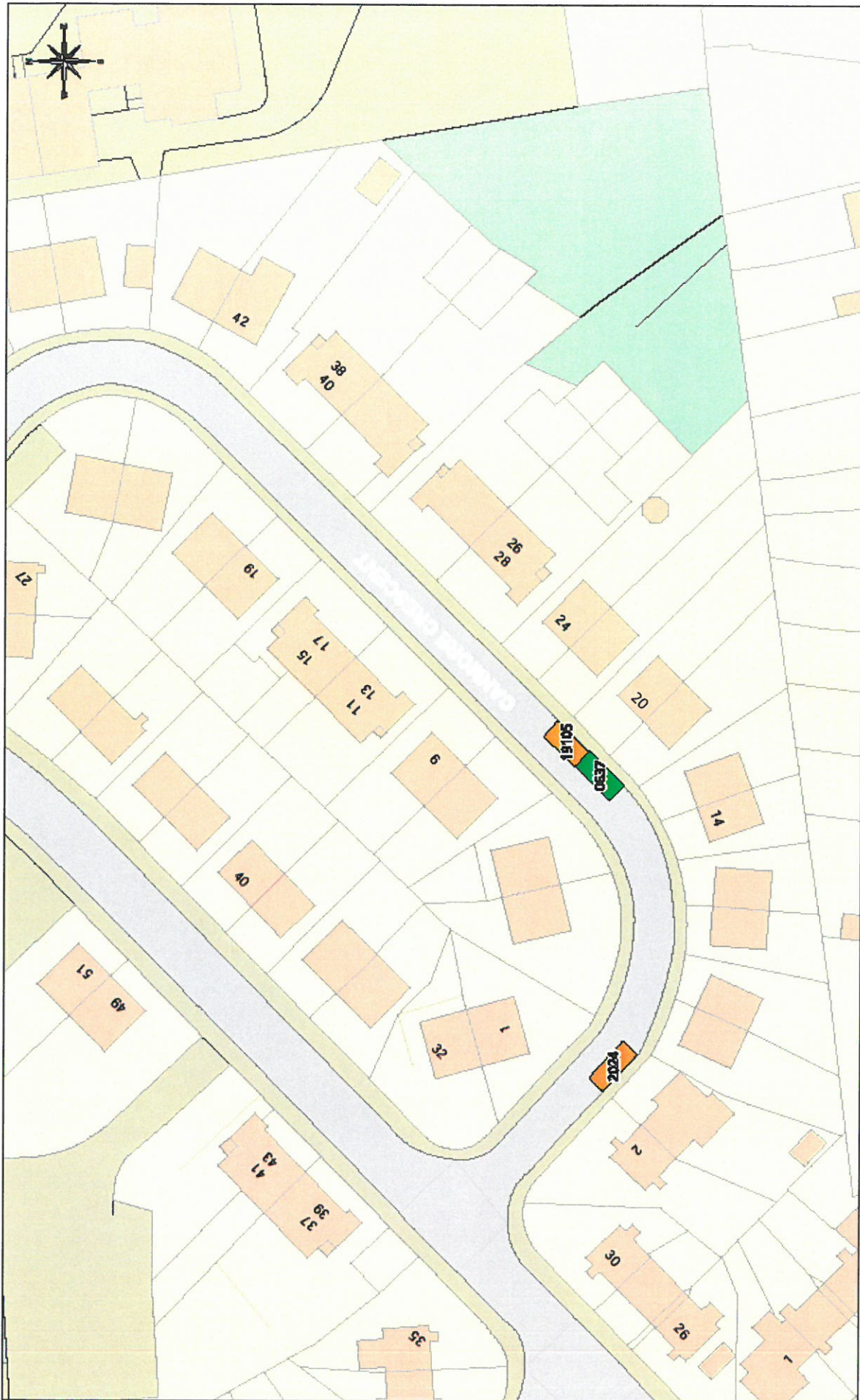
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Inverclyde
Roads & Transportation
Council
Environment, Regeneration & Resources
Corporate Director: Scott Allan BSc., C.Eng., M.I.C.E.
Managerial Buildings
One Ingram
76-78 St. Andrew's Street
Glasgow G2 3JZ
Tel: 01425 712752
Fax: 01425 712753
inverclyde@inverclyde.gov.uk

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Inverclyde
council
Roads & Transportation
Environment, Regeneration & Resilience
Corporate Director: Scott Alan Wils, C.Eng. M.I.C.E.
Municipal Buildings
Cycle Square
Greenock, Inverclyde G83 7JY
Tel: 01475 710751
Fax: 01475 710751
inverclyde@inverclyde.gov.uk

Address: 20 Canmore Crescent, GREENOCK

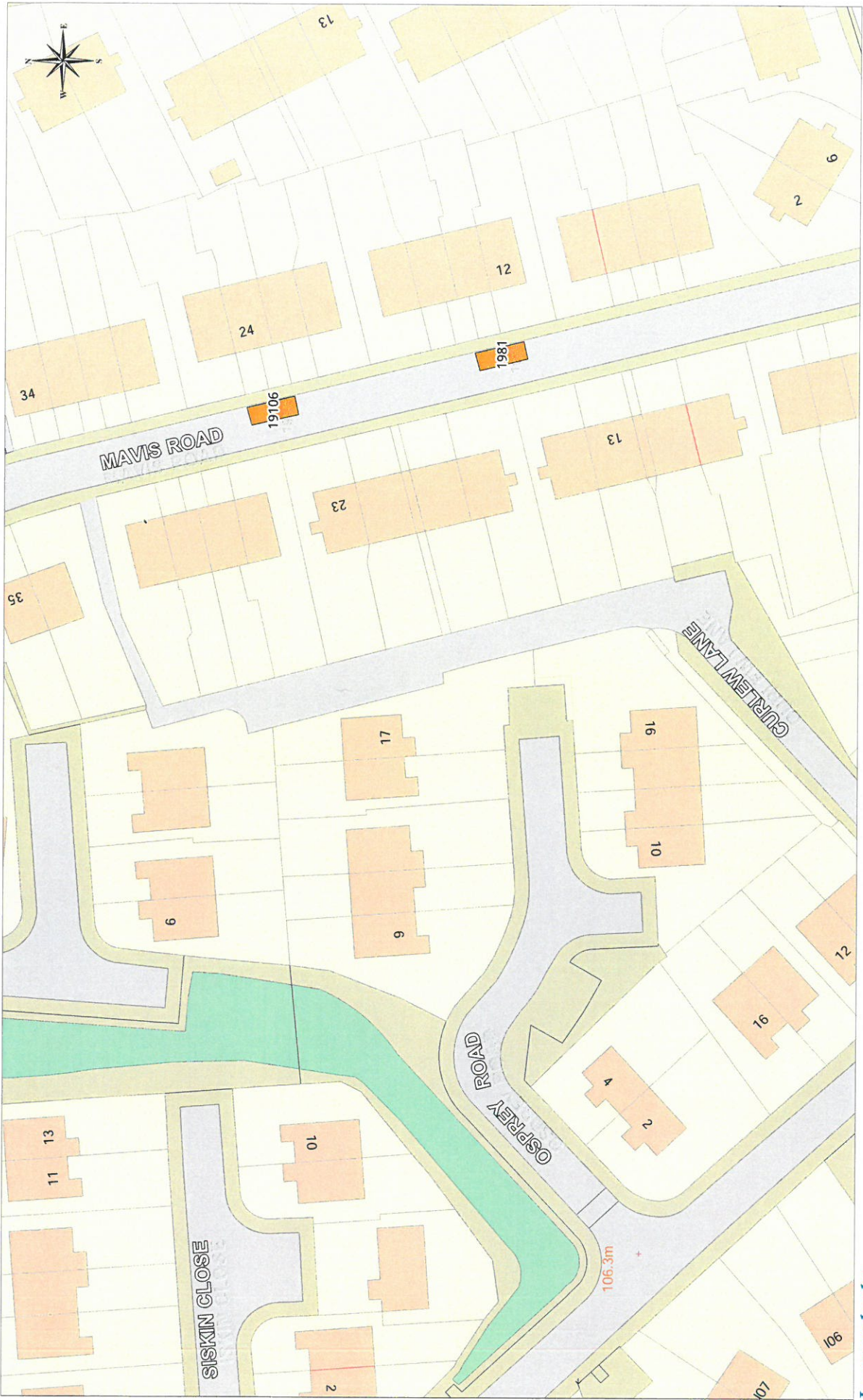
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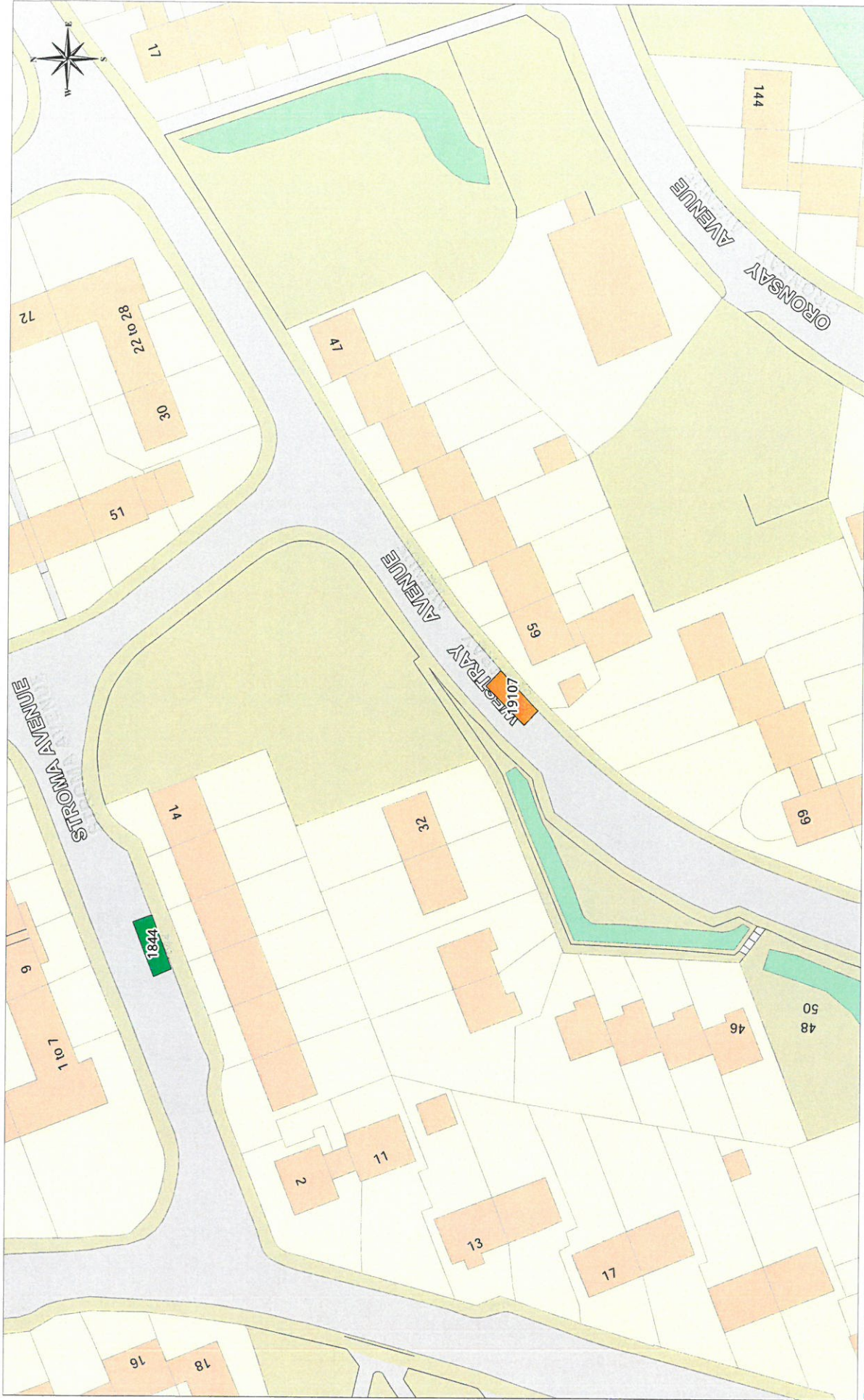
Address: 24 Mavis Road, GREENOCK

Place No.: 19106

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 Inverclyde council
Roads & Transportation
Environment, Regeneration & Resources
Corporate Director: Scott Allan BSc., C.Eng., M.I.C.E.
Municipal Buildings
Greenock, PA15 1LY
Tel: 01475 712712
Fax: 01475 712713
scott.allan@inverclyde.gov.uk

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Inverclyde
council
Roads & Transportation
Environment, Regeneration & Resources
Corporate Director: Scott Allan BSc., C.Eng., M.I.C.E.
Municipal Buildings
Glenbank, PA15 1LY
Tel: 01475 712712
Fax: 01475 712725
scott.allan@inverclyde.gov.uk

Address: 59 Westray Avenue, PORT GLASGOW

Place No.: 19107

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Address: 79 Branchton Road, GREENOCK

Place No.: 19108

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Roads & Transportation
Environment, Regeneration & Resources
Corporate Director: Scott Allan BSc., C.Eng., M.I.C.E.
Municipal Buildings
Greenock, PA15 1LY
Tel: 01475 722712
scott.allan@inverclyde.gov.uk

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Inverclyde
Council
Roads & Transport
Environment, Regeneration & Resilience
Corporate Director: David Allan BSc., C.Eng., M.I.C.E.
Chris Bon Mathys
Glenhead, Paisley
Tel: 01463 723721
Email: roads@inverclyde.gov.uk

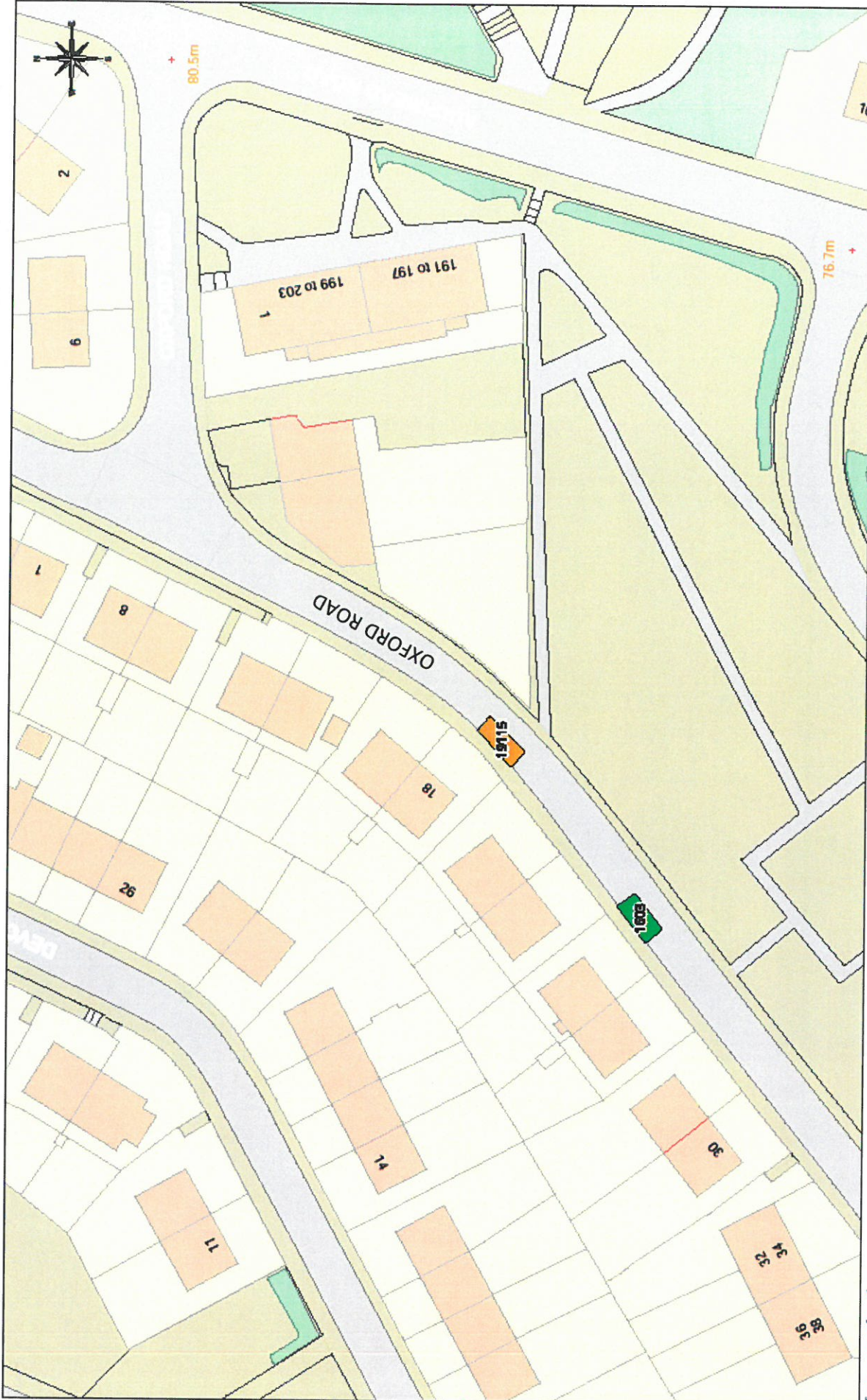
Address: 12 Station Avenue, INVERKIP

Place No.: 19113

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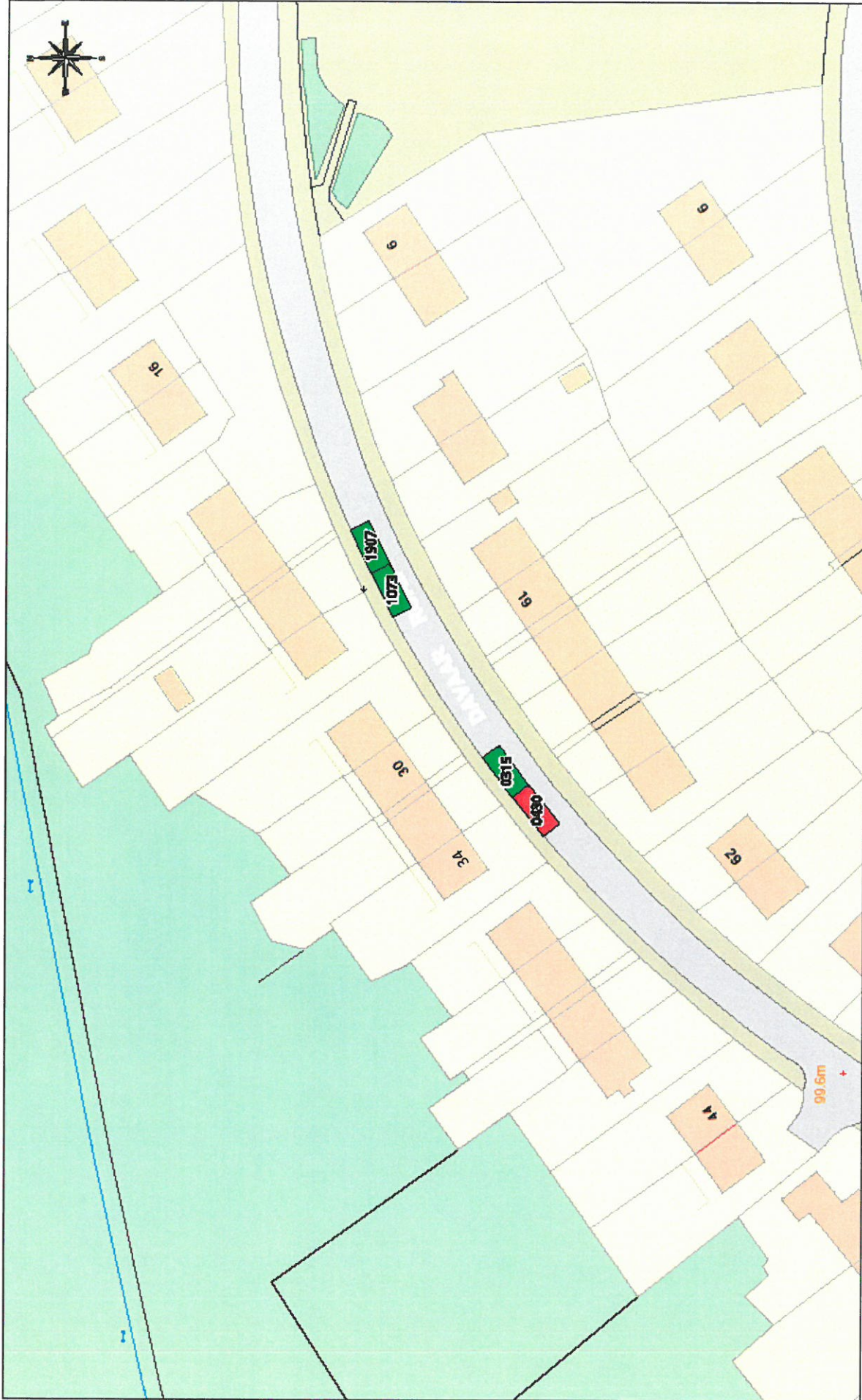
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Corporate Director: Scott Allan BSc., C.Eng., M.I.C.E.
Nursing Building
Civic Square
Greenock, PA16 5LY
Tel: 01475 727271
scot.allan@inverclyde.gov.uk

Address: 34 Davaar Road, GREENOCK

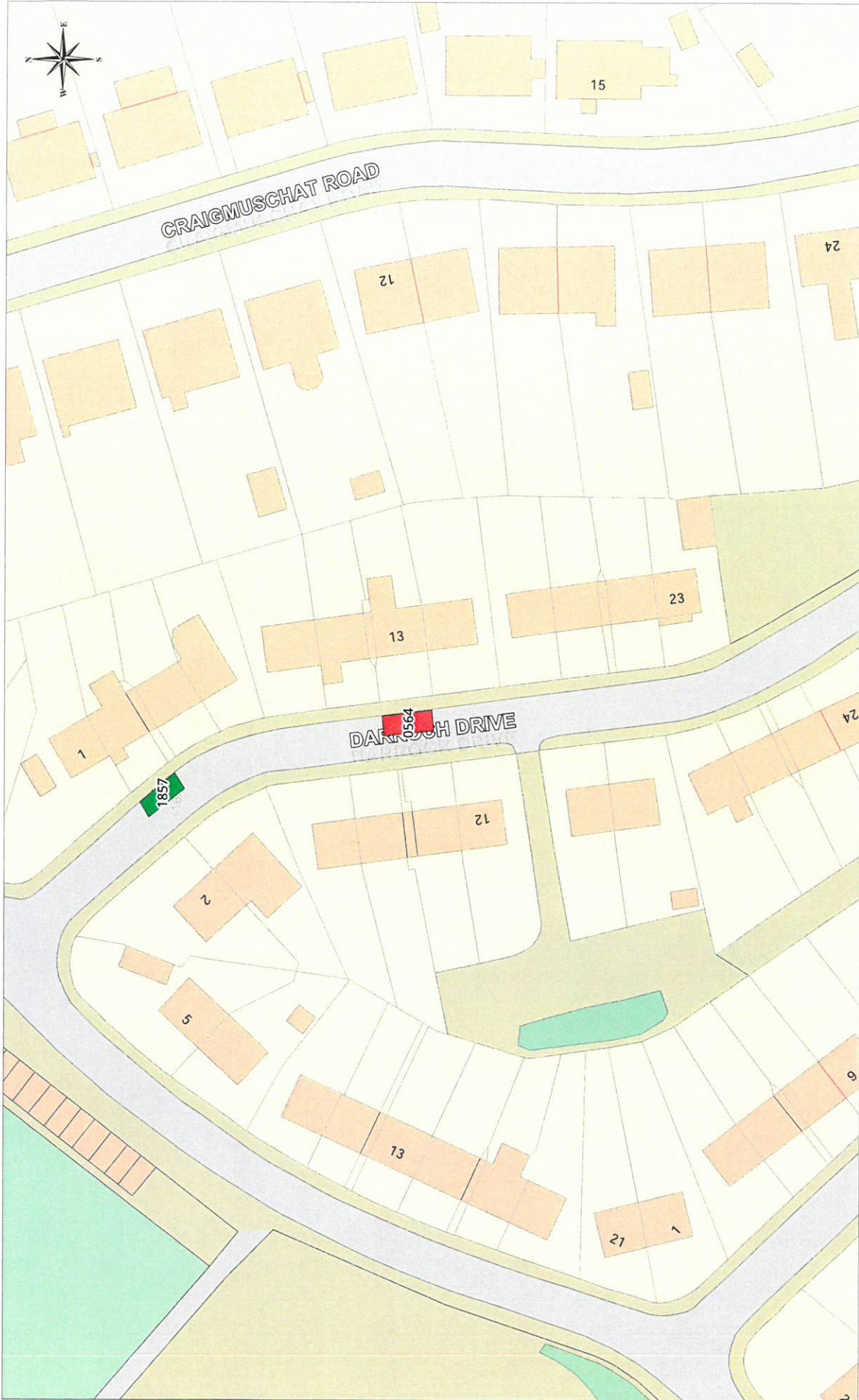
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Environment, Regeneration & Resources
Corporate Director: Scott Alan BSc., C.Eng., M.I.C.E.
Municipal Buildings
Clyde Square, G77 1LY
Tel: 01475 712712
Fax: 01475 712731
scott.alar@inverclyde.gov.uk

THE INVERCLYDE COUNCIL

**DISABLED PERSONS' PARKING PLACES
(ON-STREET) ORDER No. 2 2020**

**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
Shared Head of Service Roads
8 Pottery Street
GREENOCK
PA15 2UH