

Report To:	Safe, Sustainable Communities Committee	Date: 30 August 2011
Report By:	Corporate Director Regeneration & Environment	Report No: LA/711/11
Contact Officer:	Audrey Warmisham	Contact No: 712118
Subject:	Proposed Traffic Regulation Order – Kilblain Court, Greenock (Waiting and Loading Restrictions) Order 2011	

1.0 PURPOSE

1.1 Local Authorities are empowered to make Orders under the Road Traffic Regulation and Roads (Scotland) Acts 1984 and under the Council's Scheme of Administration the Head of Environmental & Commercial Services is responsible for the making, implementation and review of Traffic Management Orders and Traffic Regulation Orders.

2.0 BACKGROUND

2.1 Kilblain Court is a privately maintained road serving the multi-storey residential block, Kilblain Court, its associated car park and the private service road for the Stewart Centre. This area is a cul-de-sac at the southern end of Kilblain Street and is subject to inconsiderate parking which restricts access and turning manoeuvres. There is an existing Traffic Regulation Order, No Waiting/No Loading At Any Time, in force in Kilblain Street.

2.2 There are no Traffic Regulation Orders in force in Kilblain Court.

2.3 The proposed Traffic Regulation Order will extend the No Waiting/No Loading At Any Time restrictions on both sides of Kilblain Court from the extent of the public road within Kilblain Street around the kerb radii of Kilblain Court.

2.4 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 & Commercial Services, the Head of Legal & Democratic Services and the Central Library. A copy of the draft Order is appended hereto for Members' information. Appx

2.5 No objections to the proposals have been received and, accordingly, the Committee is requested to approve the Order.

2.6 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.

3.0 RECOMMENDATION

3.1 That the Committee recommend to The Inverclyde Council the making of the Traffic Regulation Order – Kilblain Court, Greenock (Waiting and Loading Restrictions) Order 2011 and remit it to the Head of Environmental & Commercial Services and Head of Legal & Democratic Services to arrange for its implementation.

Legal & Democratic Services

THE INVERCLYDE COUNCIL

**KILBLAIN COURT, GREENOCK (WAITING AND
LOADING RESTRICTIONS) ORDER 2011**

TRAFFIC REGULATION ORDER

THE INVERCLYDE COUNCIL

**KILBLAIN COURT, GREENOCK
(WAITING AND LOADING RESTRICTIONS) ORDER 2011**

The Inverclyde Council in exercise of the powers conferred on them by Sections 1(1), 2(1) to (3) and Part IV of Section 9 of the Road Traffic Regulation Act 1984 ("the Act") and of all other enabling powers and after consultation with the Chief Constable of Strathclyde Police in accordance with Part III of Schedule 9 to the Act hereby make the following Order.

This Order may be cited as "The Inverclyde Council Kilblain Court, Greenock (Waiting and Loading Restrictions) Order 2011 and shall come into operation on #####.

In this Order the following expressions have the meanings hereby assigned to them:

"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;

"taxi" has the same meaning as in Section 23(1) of the Civic Government (Scotland) Act 1982;

"Council" means The Inverclyde Council;

3. Save as provided in Article 4 of this Order no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any vehicle to wait at any time in any of the lengths of road specified in Schedule 1 and plan annexed to this Order.
4. Nothing in Article 3 of this Order shall:
 - (a) Prevent any person from causing or permitting a vehicle to wait in any of the lengths of road referred to in that Article:-
 - (i) for so long as may be necessary to enable a person to board or alight from the vehicle or to load thereon or unload therefrom his personal luggage;
 - (ii) for so long as may be necessary to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of any of the lengths of the road so referred to, or the laying, erection, alteration or repair in or near to any of the said lengths of the road, of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any telecommunications apparatus as defined in the Telecommunications Act 1984;
 - (iii) to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in pursuance of statutory

powers and duties and in particular, but without prejudice to the generality of the foregoing, to enable the vehicle to be used in connection with police, fire brigade and ambulance purposes;

- (iv) if the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident;
 - (v) if the vehicle is in the service of or employed by the Post Office and is waiting in any of the lengths of the road while postal packets addressed to premises adjacent thereto are being unloaded from the vehicle or having been unloaded therefrom are being delivered or while postal packets are being collected from premises or posting boxes adjacent thereto;
 - (vi) for the purpose of loading or unloading the vehicle while the vehicle is standing at the kerb and is in actual use in connection with the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository;
 - (vii) to enable the vehicle to be used in connection with funeral operations.
- (b) Apply to a licensed taxi waiting in a taxi stance during any period for which that stance has been designated by the Council under the Civic Government (Scotland) Act 1982.

Sealed with the Common Seal of The Inverclyde Council and subscribed for them and on their behalf by

THE INVERCLYDE COUNCIL

**KILBLAIN COURT, GREENOCK
(WAITING AND LOADING RESTRICTIONS) ORDER 2011**

SCHEDULE

No Waiting/No Loading at any Time

Length of Road In Inverclyde
within the Town of Gourock

Side of Road to which
Restriction Applies

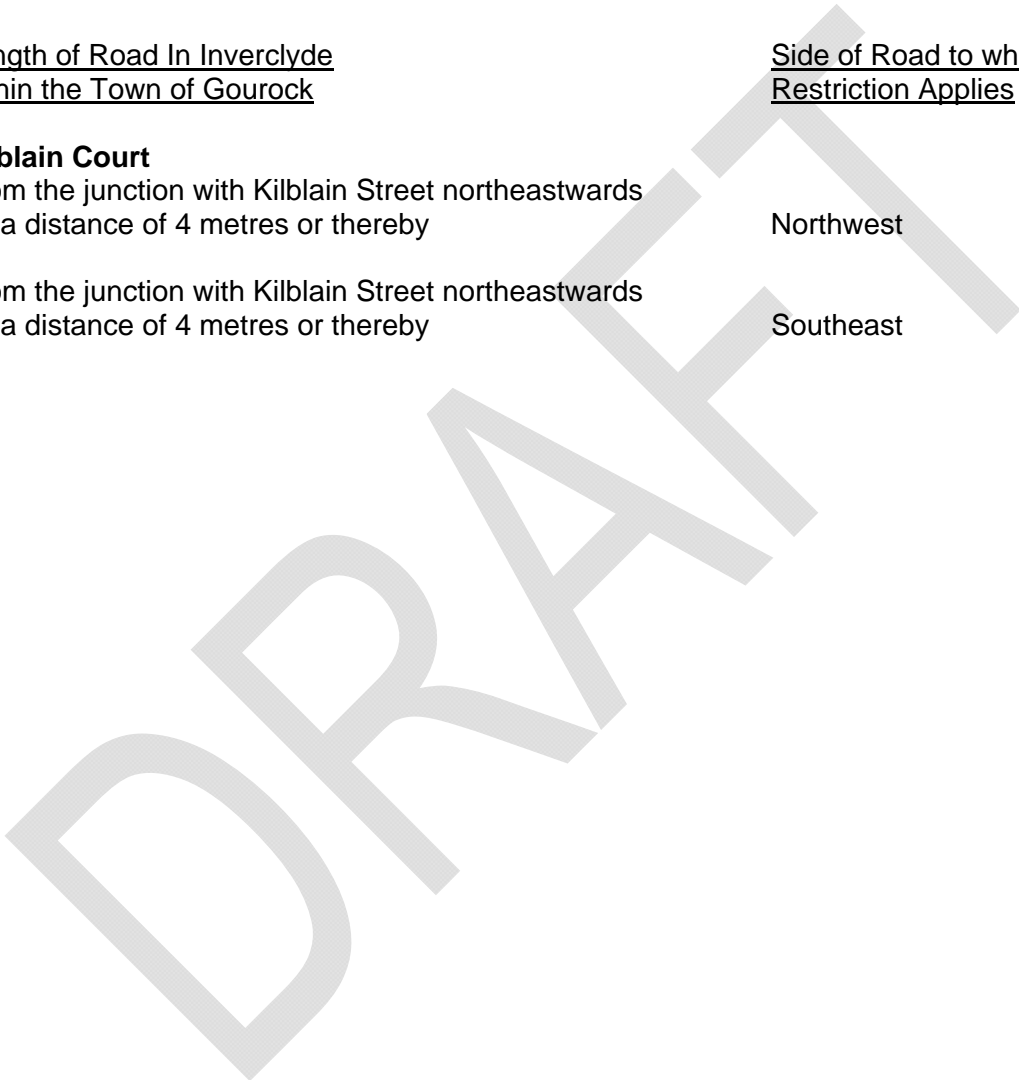
Kilblain Court

From the junction with Kilblain Street northeastwards
for a distance of 4 metres or thereby

Northwest

From the junction with Kilblain Street northeastwards
for a distance of 4 metres or thereby

Southeast



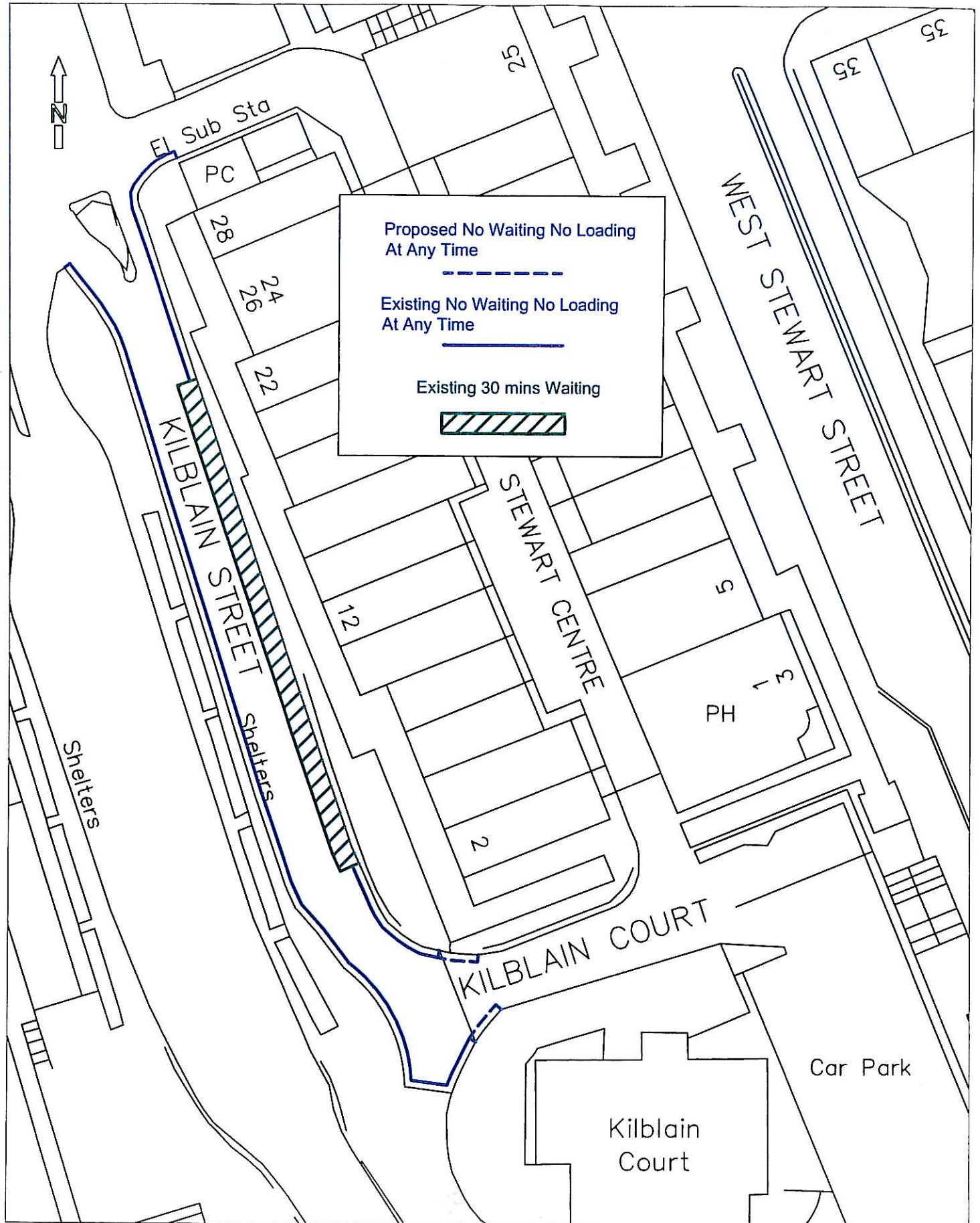
THE INVERCLYDE COUNCIL

**KILBLAIN COURT, GREENOCK
(WAITING AND LOADING RESTRICTIONS) ORDER 2011**

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

It is considered necessary to make the above Order to avoid danger to persons and other traffic using the road.

DRAFT



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Transportation
Section

HEAD OF SERVICE
Ian Moffat

TRAFFIC REGULATION ORDER C105
WAITING & LOADING RESTRICTIONS
KILBLAIN COURT, GREENOCK

Scale : 1:500
Prepared by : R Mackay
Drawn by : R Mackay
Drawing No. : TR/TRO/105

Date : Mar 2011
Checked by :
Approved by :
File No. : 19/38

Original Drawing Size
297x210 (A4)

71 EAST HAMILTON STREET
GREENOCK, PA15 2UA