
Report To: ENVIRONMENT AND REGENERATION COMMITTEE **Date:** 30 AUGUST, 2012

Report By: CORPORATE DIRECTOR ENVIRONMENT, REGENERATION AND RESOURCES **Report No:** LA/870/12

Contact Officer: CAROLINE SHAW **Contact No:** 01475 712115

Subject: PROPOSED TRAFFIC REGULATION ORDER – DISABLED PERSONS' PARKING PLACES (ON STREET) ORDER NO. 1 2012

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 In order to comply with the Traffic Signs Regulations and General Directions 2002, 7(1) and 7(2), it is proposed to introduce a Traffic Regulation Order to accompany the provision of parking bays for the disabled. This will restrict parking to drivers displaying a Blue Badge only, and will enable the Police to enforce such restrictions.
- 2.2 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 Central, Gourock, Port Glasgow and Kilmacolm Libraries. A copy of the draft Order is appended hereto for Members' information. Appendix
- 2.5 Two objections to the proposals were received but have subsequently been withdrawn, accordingly, the Committee is requested to approve the Order.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 – Disabled Persons' Parking Places (On Street) Order No. 1 2012 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
DISABLED PERSONS' PARKING PLACES
(ON STREET) ORDER NO 1 2012
TRAFFIC REGULATION ORDER

THE INVERCLYDE COUNCIL

DISABLED PERSONS' PARKING PLACES (ON STREET)
ORDER NO 1 2012

The Inverclyde Council in exercise of the powers conferred on them by Sections 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 Strathclyde Police 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 1 2012 and shall come into operation on #####.
2. 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;
 - "parking place" means a place where a vehicle, or vehicles of any class, may wait i.e. the area of land specified in the Schedule for which the use as a parking place has been authorised by the Council under Section 32(1) of the Act;
 - "sign" means a traffic sign;
 - "disabled person's badge" means:
 - (a) a badge issued under Section 21 of the Chronically Sick and Disabled Persons Act 1970;
 - (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;
 - "disabled person's vehicle" means a vehicle lawfully displaying a disabled person's badge;
 - "Council" means The Inverclyde Council;
3. Each area of road which is described in the Schedule and plans relative to this Order is hereby designated as a parking place.
4. The parking places designated in this Order shall only be used for the leaving of disabled persons' vehicles displaying a valid disabled person's badge.

5. The limits of each parking place designated in this Order shall be indicated on the carriageway as prescribed by The Traffic Signs Regulations and General Directions 2002.
6. Every vehicle left in any parking place designated in this Order 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;
 - i. 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
 - ii. the vehicle, or any part thereof, is not within the limits of any adjoining parking place.
7. 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.
8. 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:
 - i. for the purpose of facilitating the movement of traffic or promoting its safety;
 - ii. 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;
 - iii. 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;
 - iv. on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
 - v. for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals or on other special occasions.
9. 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.

10. 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 Disabled Persons' Parking Places (On Street) Order No. 2 2010 and No. 1 2011 respectively.

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

DRAFT

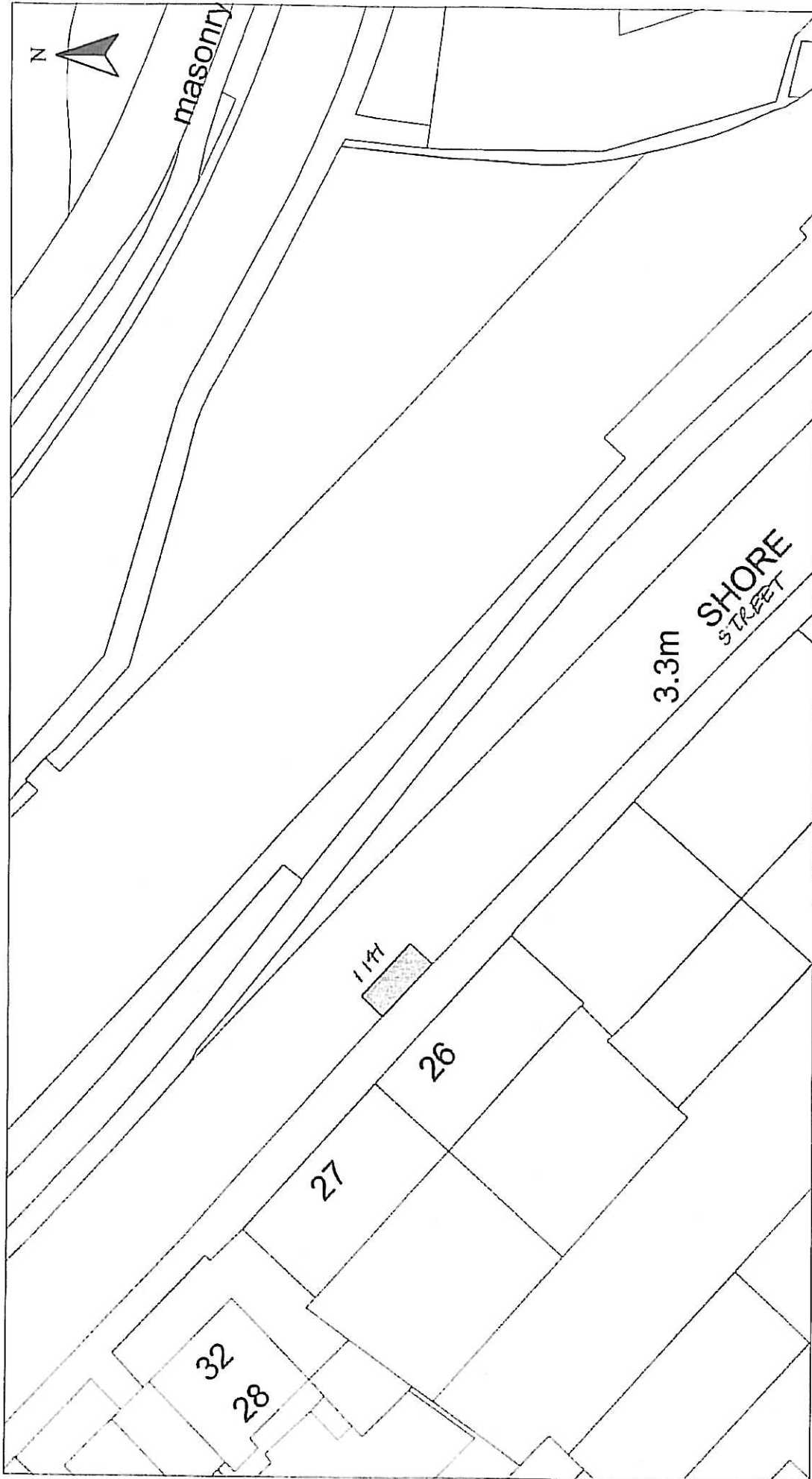
INVERCLYDE COUNCIL


**DISABLED PERSONS' PARKING PLACES (ON STREET)
ORDER NO 1 2012**

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

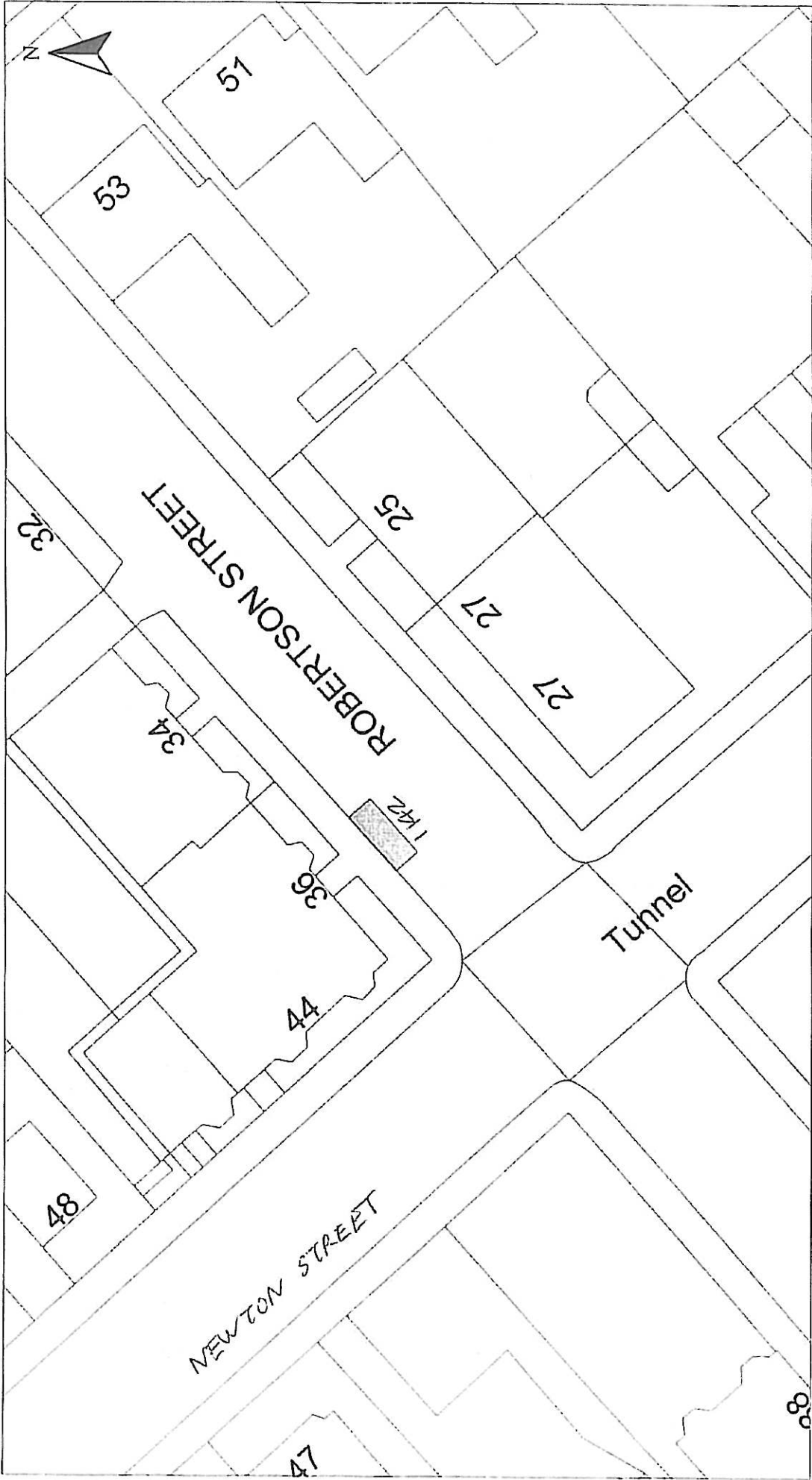
It is considered necessary to make the above Order to provide assistance for disabled persons who hold a badge under the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000 as amended and by revoking those parking places no longer required to maximise street parking capacity.


DRAFT



Disabled Bays HEAD OF SERVICE IAN MOFFAT 71 EAST HAMILTON STREET GREENOCK, PA15 2UA	Disabled PERSONS' PARKING PLACE 26A SHORE STREET, GOUROCK PLACE No. 1141		Scale : 1:500 Prepared by : R. MACKAY Drawn by : R. MACKAY Drawing No. :	Date : NOV 2011 Checked by : Approved by : File No. : 19/12
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			Drawing No. :	File No. : 19/12

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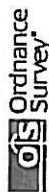


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Disabled Bays

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DISABLED PERSONS' PARKING PLACE

**24 MAVIS ROAD, GREENOCK
PLACE No. 1143**

Scale : 1:500

Prepared by : R. MACKAY

Drawn by : R. MACKAY

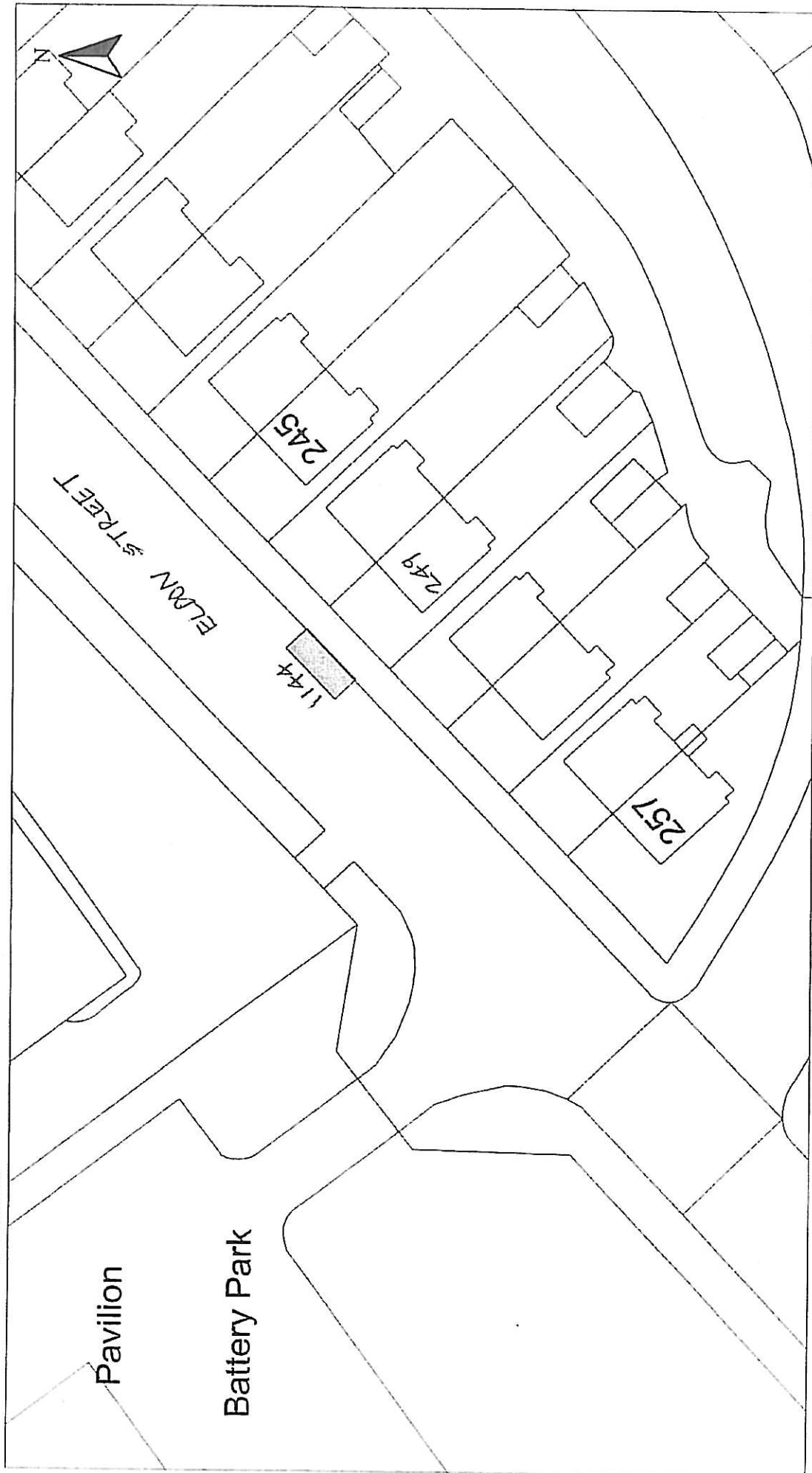
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GREENOCK, PA15 2JA

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DISABLED PERSONS' PARKING PLACE
249 ELDON STREET, GREENOCK
PLACE No. 1144

Scale : 1:500

Prepared by : R. MACKAY

Drawn by : R. MACKAY

Drawing No. :

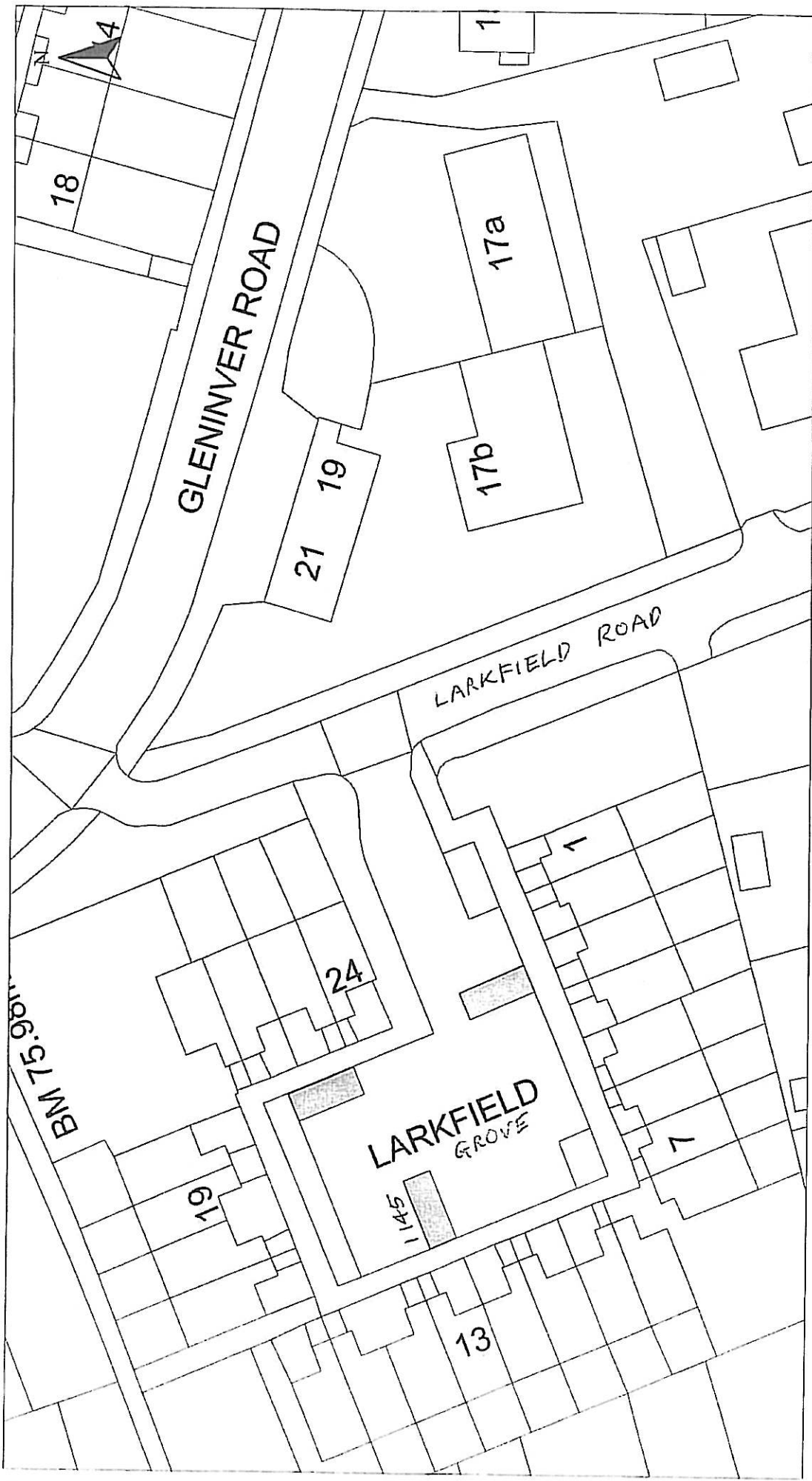
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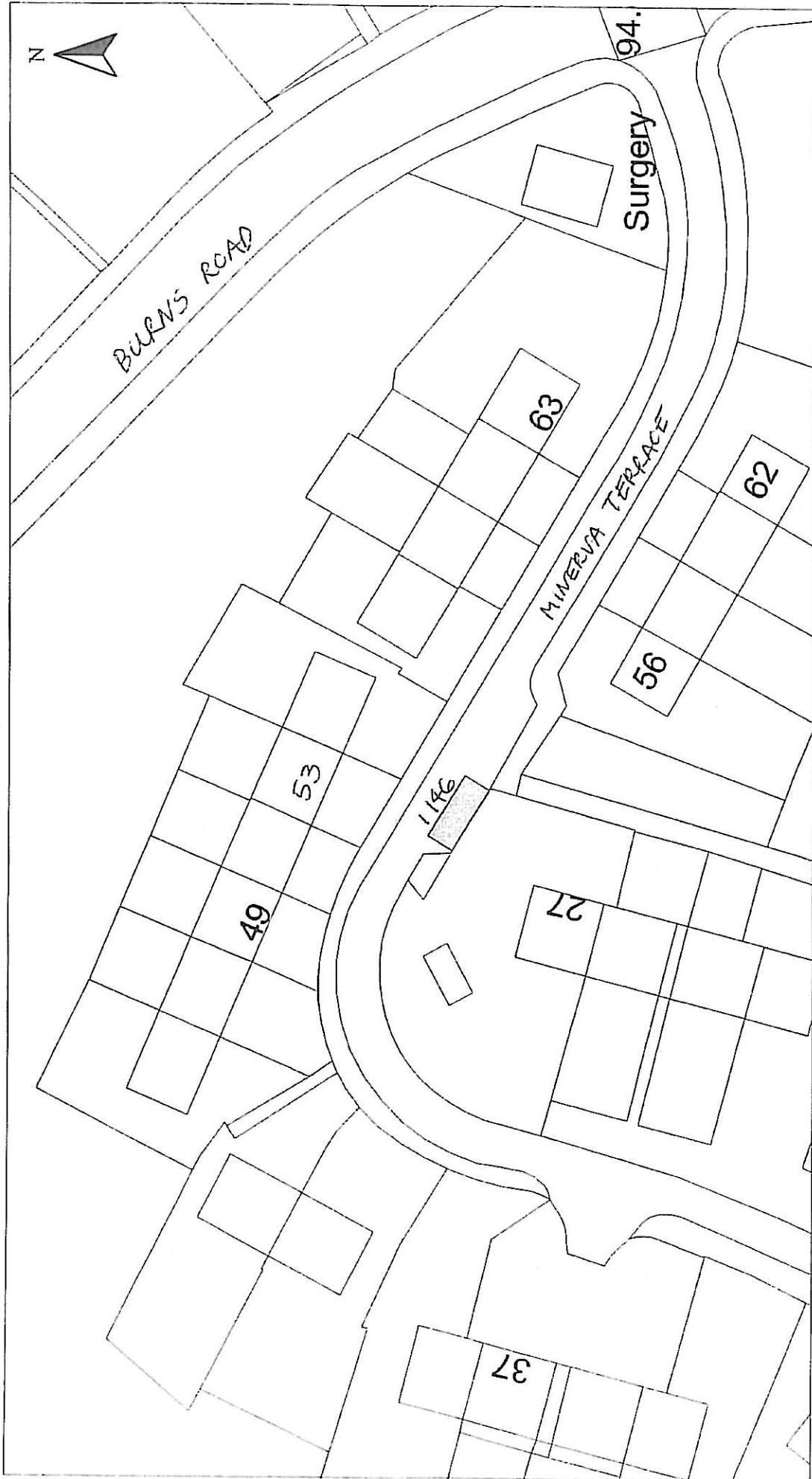
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DISABLED PERSONS' PARKING PLACE
53 MINERVA TERRACE, GREENOCK
PLACE No. 1146

Scale : 1:500

Prepared by : R. MACKAY

Drawn by : R. MACKAY

Drawing No. :

Date : NOV 2011

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DISABLED PERSONS' PARKING PLACE
15 SLAEMUIR AVENUE, PORT GLASGOW
PLACE No. 1147

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DISABLED PERSONS' PARKING PLACE
54 MALLAIG ROAD, PORT GLASGOW
PLACE No. 1149

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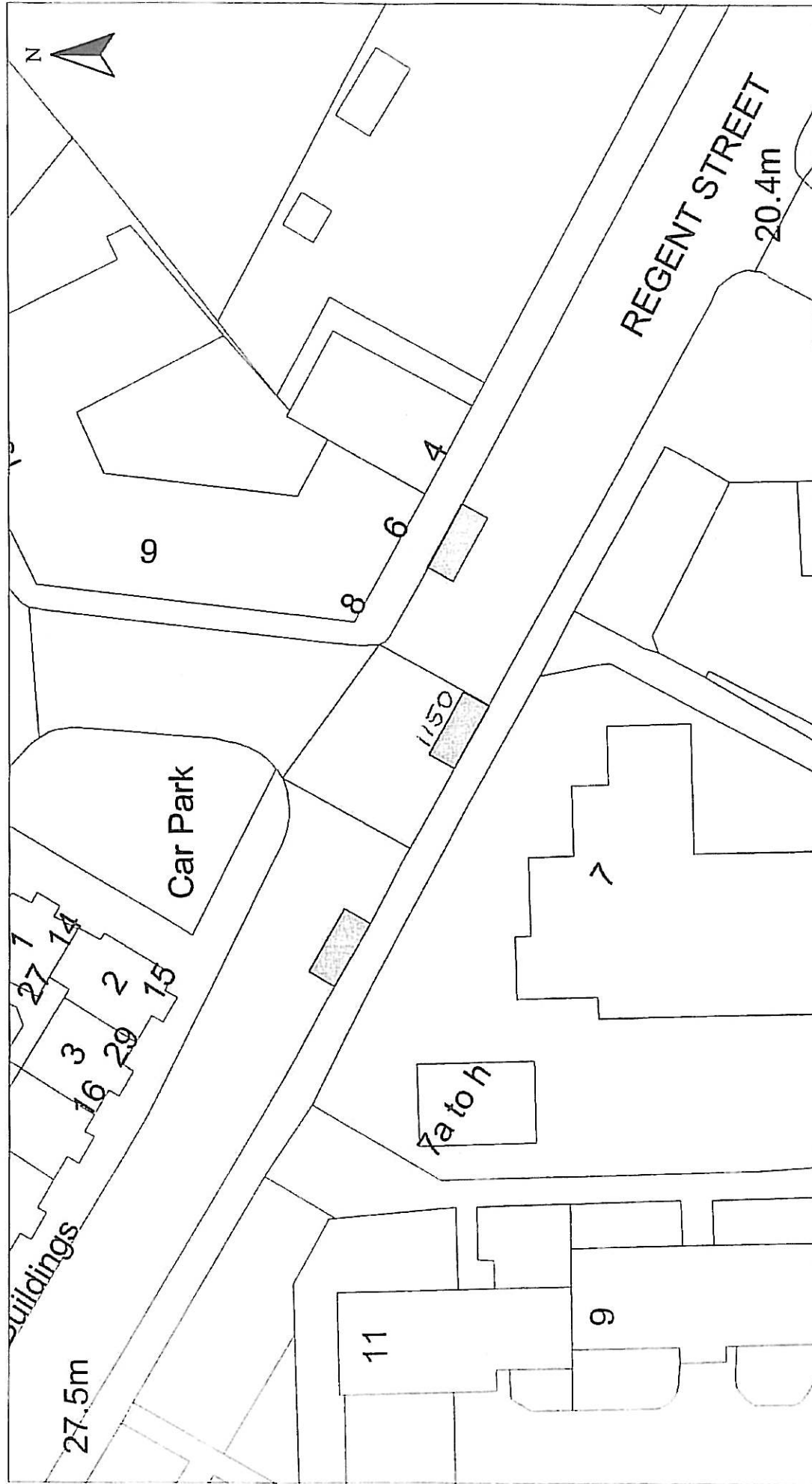
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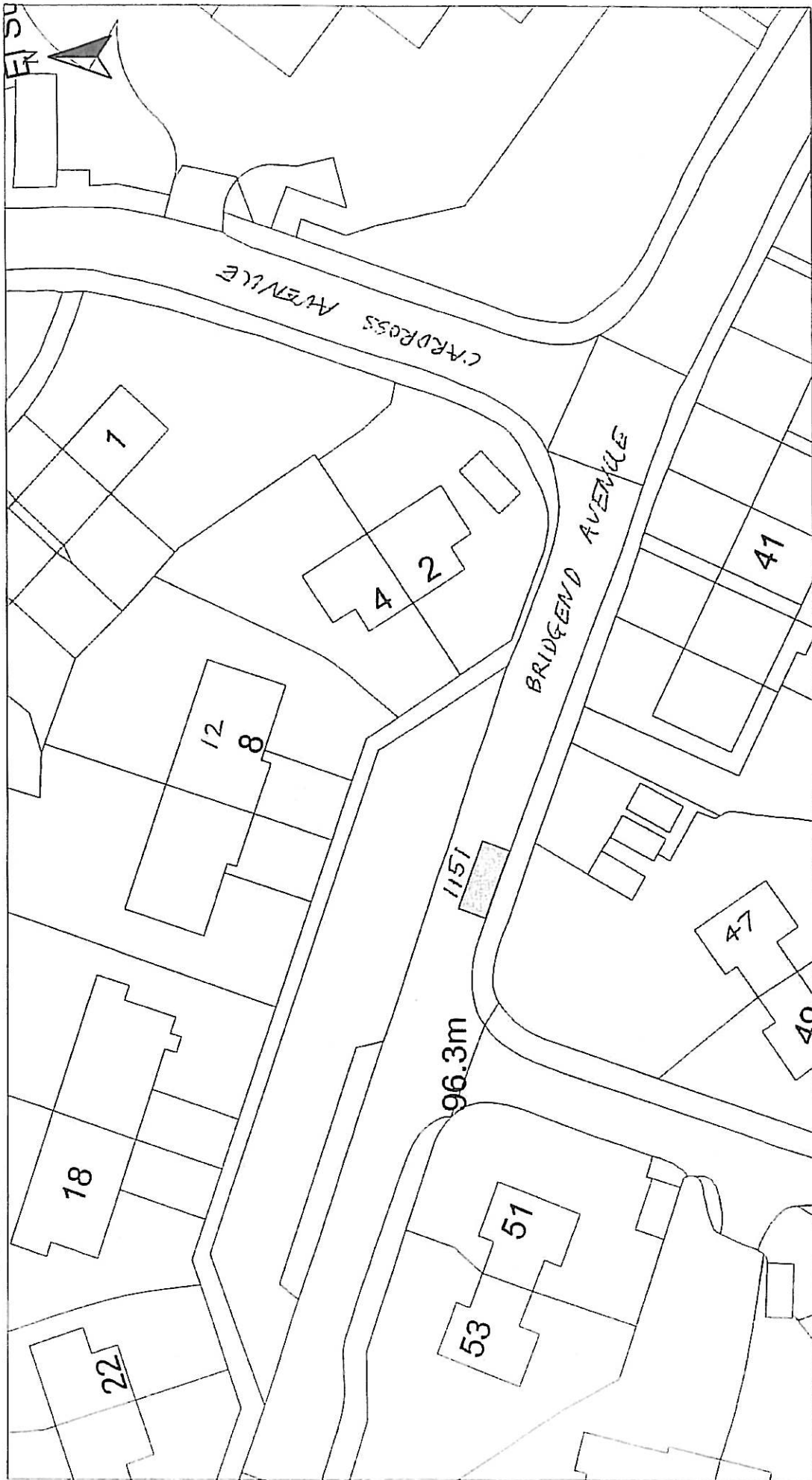
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DISABLED PERSONS' PARKING PLACE
12 BRIDGEND AVENUE, PORT GLASGOW
PLACE No. 1151

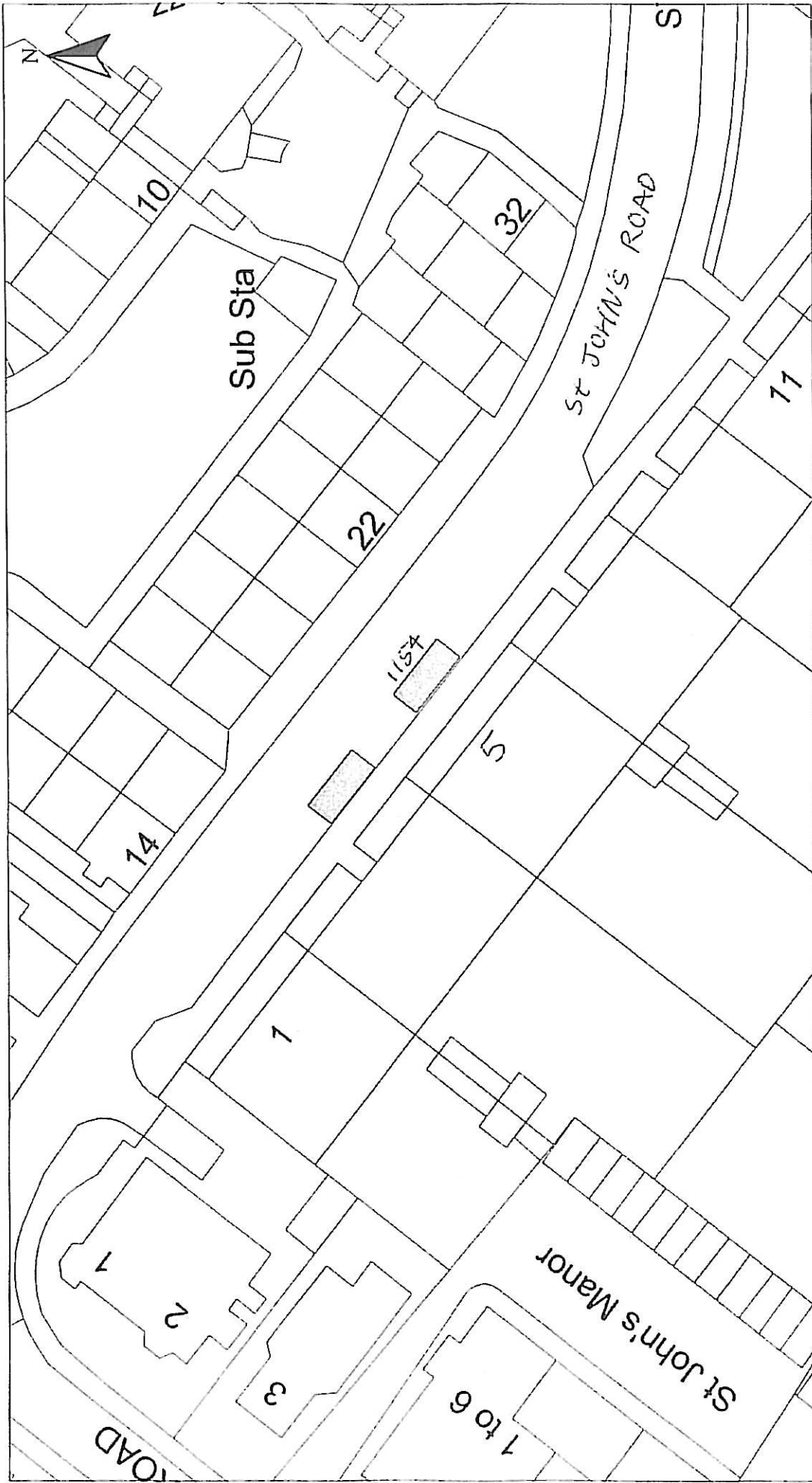
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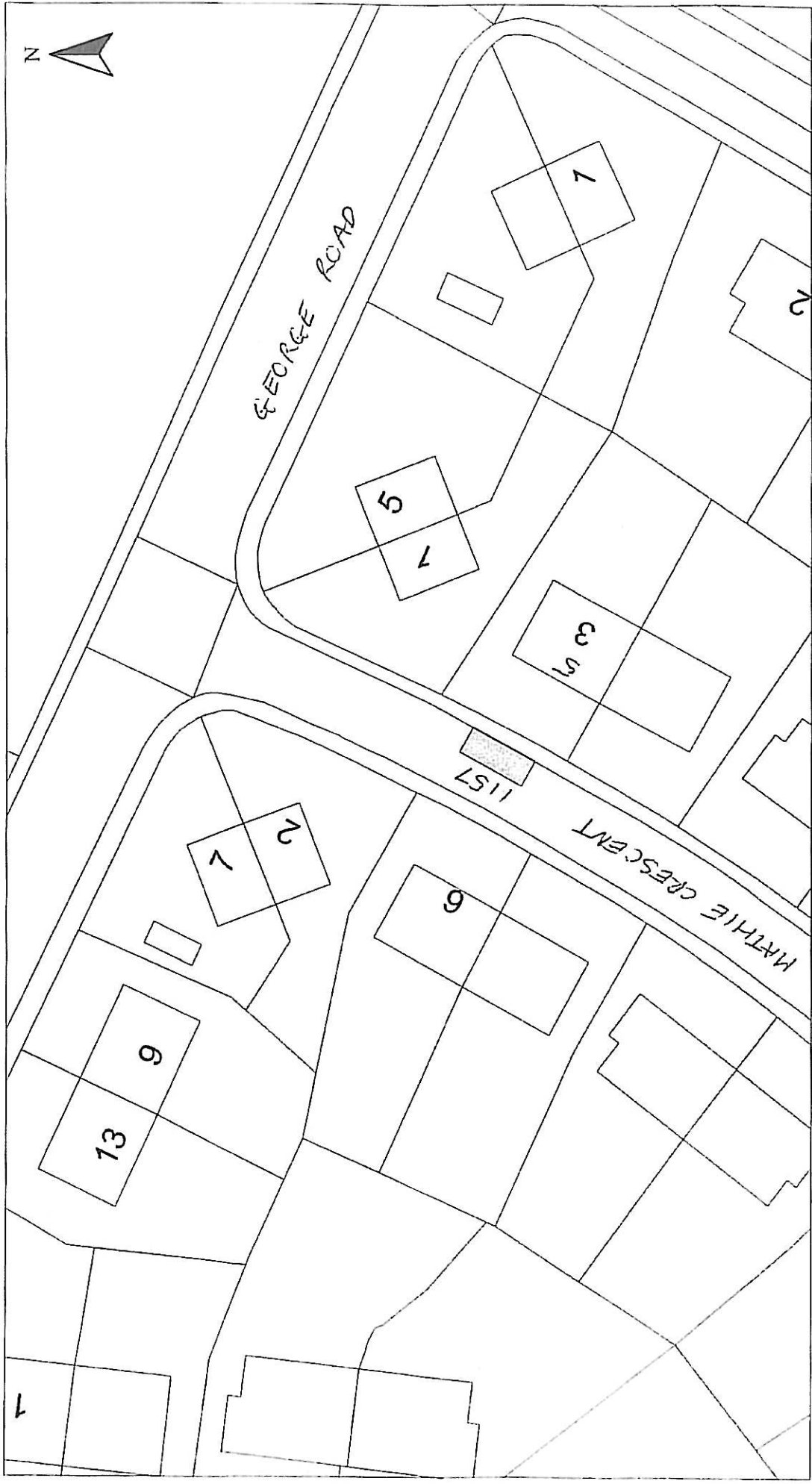
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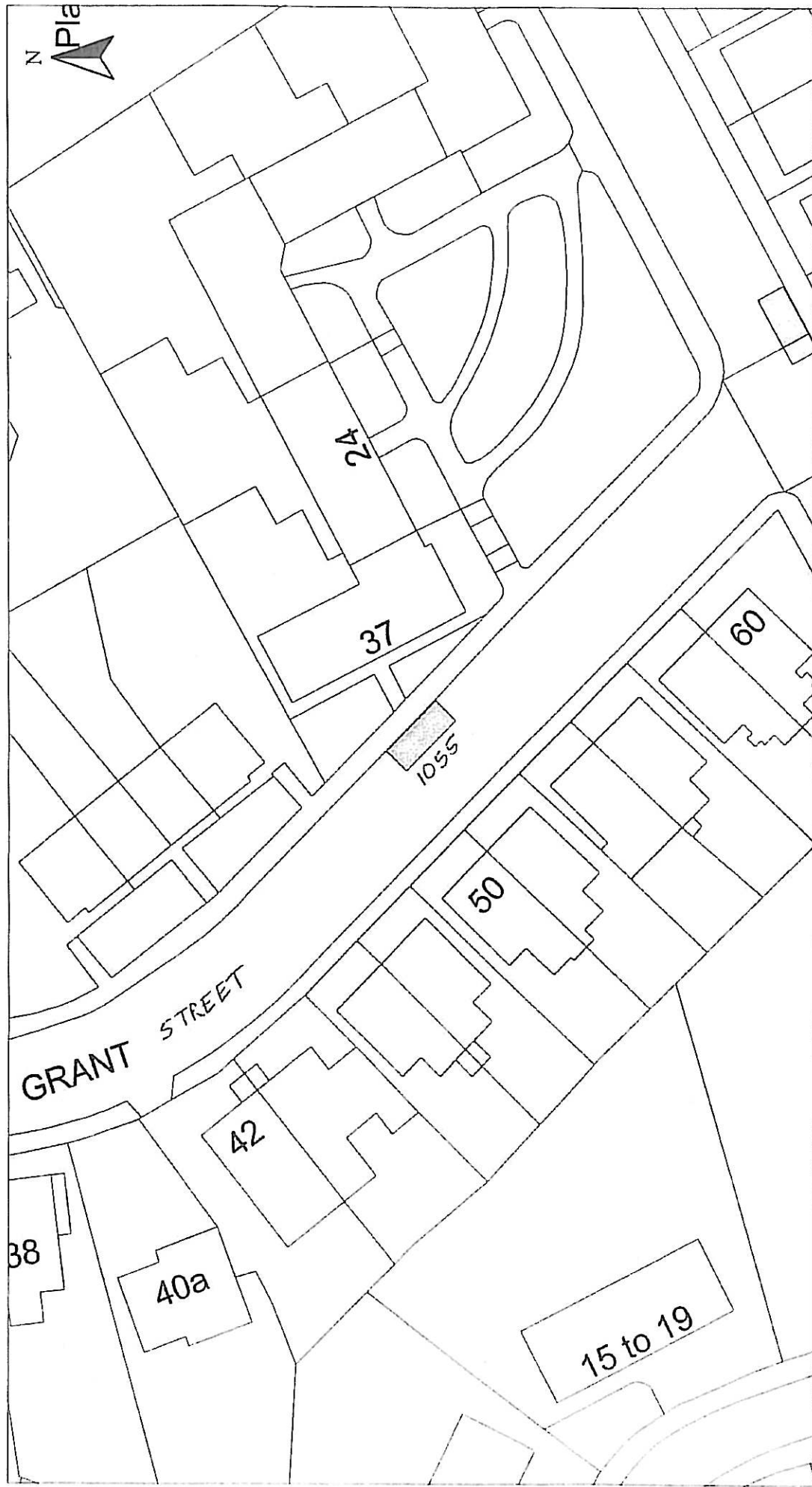


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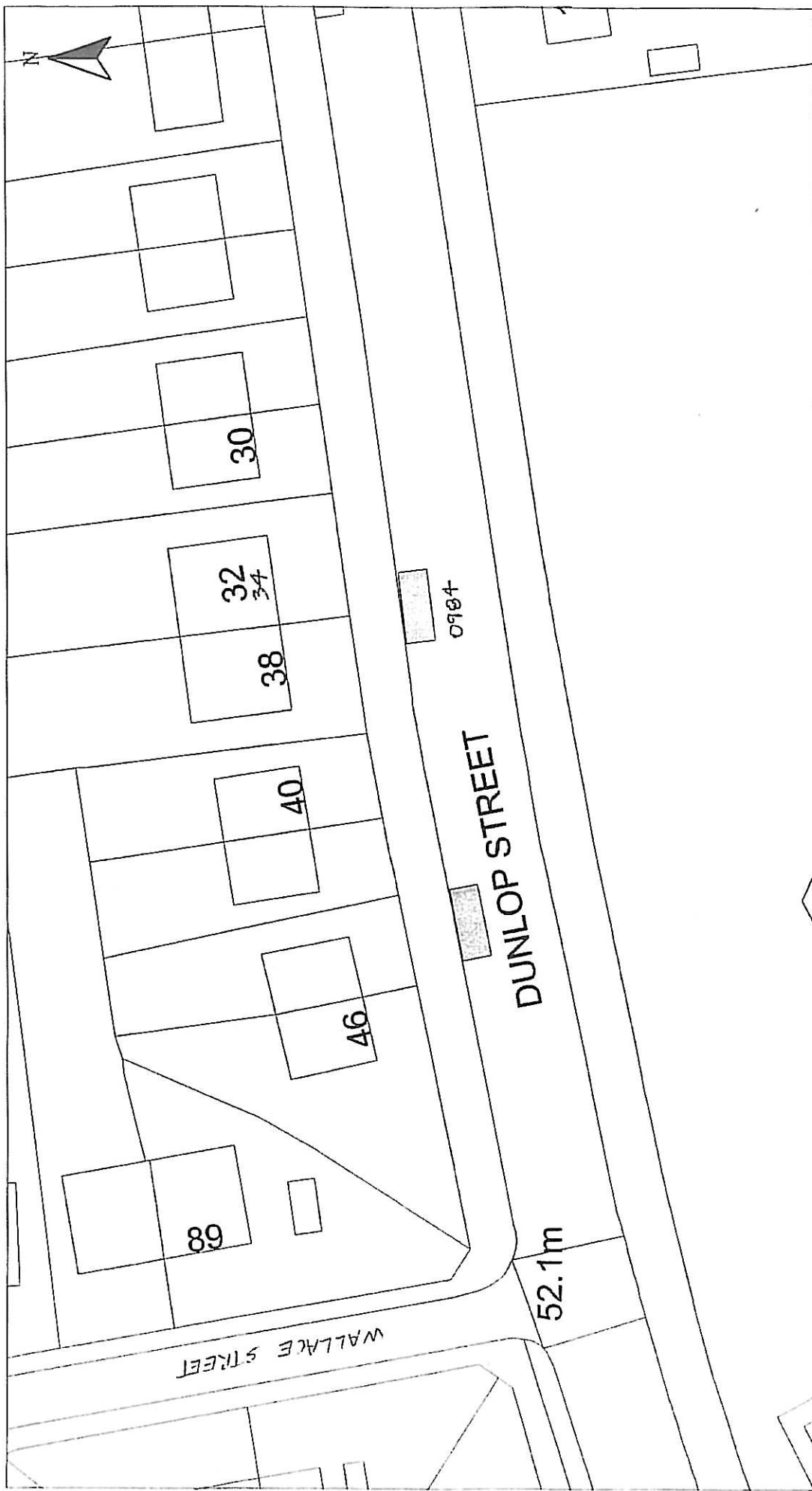
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Disabled Bays

DISABLED PERSONS' PARKING PLACE
34 DUNLOP STREET, GREENOCK
PLACE No. 0984 REVOCATION

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