
Report To: ENVIRONMENT & REGENERATION COMMITTEE **Date:** 7 MARCH 2013

Report By: CORPORATE DIRECTOR,
ENVIRONMENT, REGENERATION &
RESOURCES **Report No:** LA/954/13

Contact Officer: JOANNA DALGLEISH **Contact No:** 01475712123

Subject: PROPOSED TRAFFIC REGULATION ORDER – CARTSBURN STREET, GREENOCK (WAITING RESTRICTIONS) ORDER 2013

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 Cartsburn Street links an industrial/commercial area with the A8 Main Street Trunk Road in Greenock and passes under the Glasgow-Gourock rail line via a restricted height bridge. Indiscriminate parking takes place on Cartsburn Street under and adjacent to the rail bridge. This parking impedes the progress of taller vehicles which require to align their approach to the centre of the masonry arches due to the restricted height clearance.
- 2.2 There are no existing Traffic Regulation Orders in force in this section of Cartsburn Street, Greenock.
- 2.3 The proposed Traffic Regulation Order will introduce "No Waiting at Any Time" restrictions on Cartsburn Street at the rail bridge.
- 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 Central Library. A copy of the draft Order is appended hereto for Members' information.
- 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.

Appendix

3.0 RECOMMENDATION

- 3.1 That the Committee recommend to The Inverclyde Council the making of the Traffic Regulation Order – Cartsburn Street, Greenock (Waiting Restrictions) Order 2013 and remit it to the Head of Environmental & Commercial Services and Head of Legal & Democratic Services to arrange for its implementation.

THE INVERCLYDE COUNCIL
CARTSBURN STREET, GREENOCK
(WAITING RESTRICTIONS)
ORDER 2013

TRAFFIC REGULATION ORDER

THE INVERCLYDE COUNCIL
CARTSBURN STREET, GREENOCK
(WAITING RESTRICTIONS) ORDER 2013

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.

1. This Order may be cited as "The Inverclyde Council Cartsburn Street, Greenock (Waiting Restrictions) Order 2013 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;
 - "taxi" has the same meaning as in Section 23(1) of the Civic Government (Scotland) Act 1982;
 - "disabled person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000 as amended;
 - "disabled person's vehicle" means a vehicle which is displaying a disabled person's badge in the relevant position as prescribed by the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000;
 - "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 the Schedule 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.
5. Nothing in Article 3 of this Order shall prevent any person from causing or permitting a vehicle to wait in the lengths of roads referred to in those Articles for so long as may be necessary for the purpose of delivering or collecting goods or merchandise or loading or unloading the vehicle at premises adjoining that road provided that:-
- (a) no vehicle engaged in delivering or collecting goods or merchandise or being loaded or unloaded shall wait for a longer period than thirty minutes in the same place and no such vehicle shall wait for a longer period than ten minutes in the same place without goods being loaded or unloaded from the vehicle;
 - (b) a driver waiting for the purpose of delivering or collecting goods or merchandise or loading or unloading the vehicle shall move the same on the instruction of a police constable in uniform whenever such moving may be reasonably necessary for the purpose of preventing an obstruction.
6. Nothing in Article 3 of this Order shall apply to any disabled person's vehicle which is not causing an obstruction and which displays a disabled person's badge.

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

DRAFT

THE INVERCLYDE COUNCIL

**CARTSBURN STREET, GREENOCK
(WAITING RESTRICTIONS) ORDER 2013**

**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

SCHEDULE

CARTSBURN STREET, GREENOCK

WAITING RESTRICTIONS

NO WAITING AT ANY TIME

Length of Road in Inverclyde
within the Town of Greenock

Side of Road to which
Restriction applies

Cartsburn Street

From the northeast kerbline of Stanners Lane
norththeastwards for a distance of 24 metres or thereby.

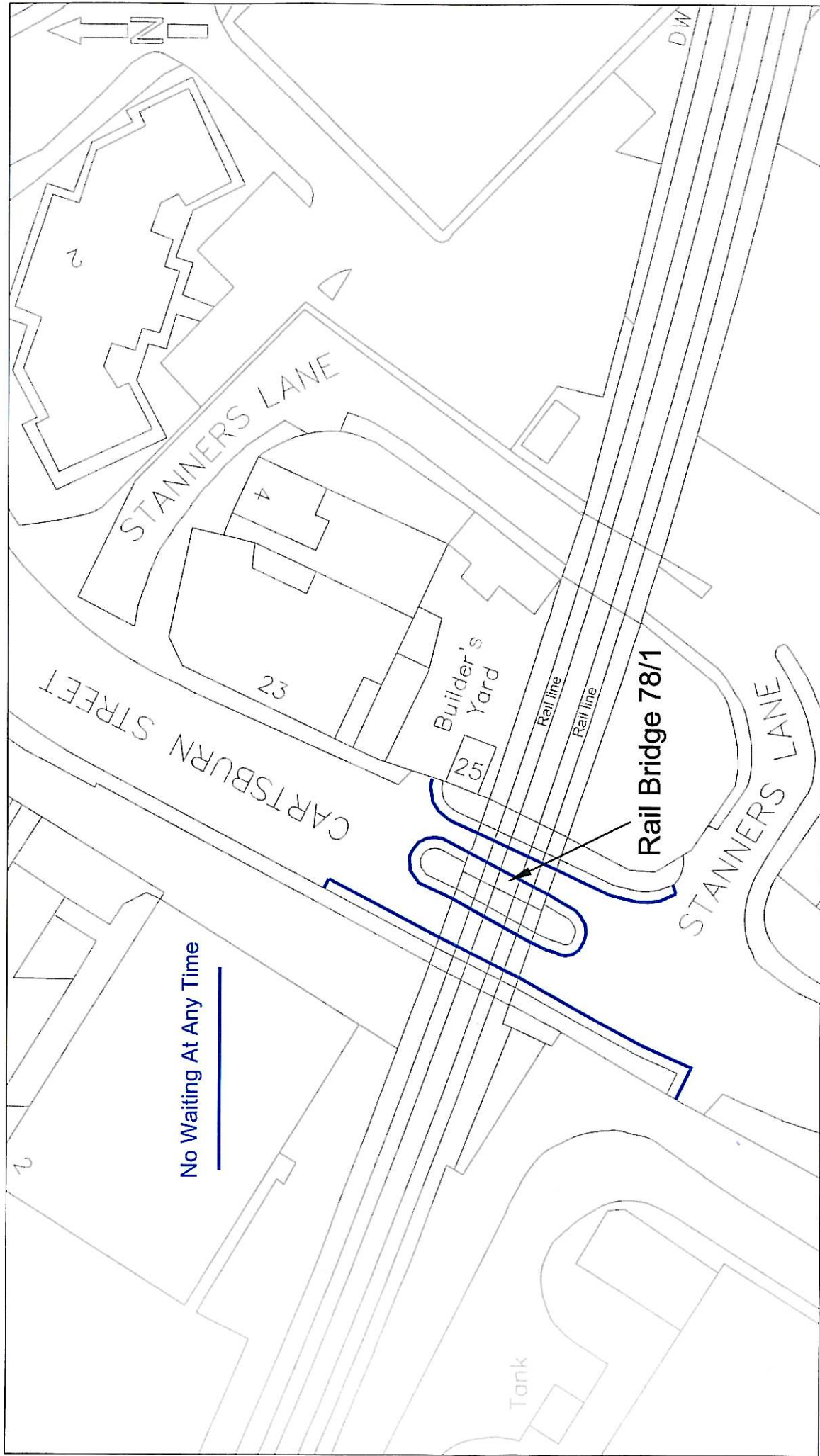
Southeast

Wholly around the central island of Cartsburn Street, at
Rail Bridge 78/1, for a distance of 35 metres or thereby.

Centre

From a point 4 metres southwest of the extended southwest
kerbline of Stanners Lane northeastwards for a distance of
37 metres or thereby.

Northwest



Design Section Original Drawing Size 257 x 210 (A4)	HEAD OF SERVICE Ian Moffat	71 EAST HAMILTON STREET GREENOCK, PA15 2UA	<p>This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. Crown copyright and any other rights reserved. COPYRIGHT LICENCE No. (10003411) (2007)</p>	TRAFFIC REGULATION ORDER C125 CARTSBURN STREET, GREENOCK WAITING RESTRICTIONS	Scale : 1:500	Date : Sept 2012
	Prepared by : R.Mackay	Checked by :		Drawing No. : TR/TRO/119	Approved by :	File No. : 19/38