

#### **AGENDA ITEM NO. 8**

Report No: LA/1170/14

Report To: THE INVERCLYDE COUNCIL Date: 5 JUNE 2014

Report By: **ACTING CORPORATE DIRECTOR** 

**ENVIRONMENT, REGENERATION &** 

**RESOURCES** 

Contact Officer: CAROLINE SHAW Contact No: 01475 712115

Subject: PROPOSED TRAFFIC REGULATION ORDER -

**DISABLED PERSONS' PARKING PLACES** 

(ON STREET) ORDER NO. 1 2014

#### 1.0 **PURPOSE**

1.1 The purpose of the report is to introduce Traffic Regulation Order – Disabled Persons' Parking Places (On Street) Order No. 1 2014.

#### 2.0 **SUMMARY**

2.1 In order to comply with the Disabled Persons' Parking Places (Scotland) Act 2009, Section 5 and to provide assistance to disabled persons who hold a badge under the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000 as amended, the Environment and Regeneration Committee at the meeting held on 1 May 2014 agreed that the Inverclyde Council be asked to make the Traffic Regulation Order – Disabled Persons' Parking Places (On Street) Order No. 1 2014 in terms of the Road Traffic Regulation Act 1984 and associated Regulations.

#### 3.0 **RECOMMENDATIONS**

- 3.1 That a Resolution is made in the following terms.
- 3.2 THE INVERCLYDE COUNCIL, incorporated under the Local Government etc. (Scotland) Act 1994, RESOLVE TO MAKE as they HEREBY MAKE a Resolution under Section 32(1) and Part III of Schedule 9 of the Road Traffic Regulation Act 1984 to permit the provision of parking places for disabled persons who hold a badge under the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000 as amended all as detailed in a copy of the Order forming a supplement to the principal minute hereof, and that the Head of Environmental and Commercial Services and Head of Legal and Property Services be Appendix authorised to take all necessary action in connection therewith.

#### **Legal and Property Services**

#### 4.0 BACKGROUND

- 4.1 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 and Commercial Services is responsible for the making, implementation and review of Traffic Management Orders and Traffic Regulation Orders.
- 4.2 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 bays for the disabled. This will restrict parking to drivers displaying a Blue Badge only, and will enable the Police to enforce such restrictions.

#### 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 Head of Environmental & Commercial Services, the Head of Legal & Property Services and at Central, Port Glasgow, Greenock South West and Gourock Libraries.
- 6.2 One objection to the proposals was received. This related to the proposed revocation of a Disabled Person's Parking Place. The Head of Environmental and Commercial Services agrees with the objector that the Disabled Person's Parking Place should be retained and so the objection should be sustained.

#### 7.0 LIST OF BACKGROUND PAPERS

7.1 None

# THE INVERCLYDE COUNCIL DISABLED PERSONS' PARKING PLACES (ON STREET) ORDER NO. 1 2014

TRAFFIC REGULATION ORDER

#### THE INVERCLYDE COUNCIL

# DISABLED PERSONS' PARKING PLACES (ON STREET) ORDER NO. 1 2014

The Inverciyde 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.

- 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 Inverciyde 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.
- 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 300 mm 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), as specified in the Schedule to this Order, partially revokes The Inverciyde Council Disabled Persons' (On Street) Orders No.2 1997, No.1 1999, No.1 2001, No.1 2002, No.2 2002, No.1 2003, No.1 2004, No.1 2005, No.2 2005, No.1 2006, No.2 2008, No.3 2009, No.1 2010, No.2 2010, No.4 2010, No.1 2011, No.2 2011, No.3 2011, and No.4 2011.

## DISABLED PERSONS' PARKING PLACES (ON STREET) ORDER NO.1 2014

# Statement of Reasons for Proposing to Make the Above Order

It is considered necessary to make the above Order to provide assistance for disabled drivers, who hold a Disabled Driver's Badge under the Disabled Persons' Parking Places (Scotland) Act 2009 and by revoking those parking places no longer required to maximise street parking capacity.

# DISABLED PERSONS' PARKING PLACES (ON-STREET) ORDER No.1 2014

## **SCHEDULE**

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

, and whole that area of ground as described in Column 2 in the table		
Ref No.	Address of Disabled Person's Parking Place to be created or revoked ® "ex-adverso"	
1304	14 Ashton Road, Gourock	
1339	2B Adam Street, Gourock	
1343	28 Braeside Road, Greenock	
1345	68 Kelly Street, Greenock	
1350	24 Victoria Road, Gourock	
1351	47 Marloch Avenue, Port Glasgow	
1352	15 Ashton Road, Gourock	
1353	4c Lemmon Street, Greenock	
1355	4 Glenside Road, Port Glasgow	
1356	43 Brachelston Street, Greenock	
1358	21 Berwick Road, Port Glasgow	
1359	23 Berwick Road, Port Glasgow	
1360	2 Lyle Road, Greenock	
1361	5 Berwick Road, Port Glasgow	
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# DISABLED PERSONS' PARKING PLACES (ON-STREET) ORDER No.1 2014

## **SCHEDULE**

Rev B

Ref No.	Address of Disabled Person's Parking Place to be created or revoked ® "ex-adverso"	
9712	23 Highholm Street, Port Glasgow ®	
9724	106 Wellington Street, Greenock ®	
9744	77 Berwick Road, Greenock ®	
9817	Birkmyre Avenue, Port Glasgow®	
0004	15 Regent Street, Greenock ®	
0050	13 Lyle Street, Greenock ®	
0204	48 Finlaystone Road, Kilmacolm ®	
0224	72 Nelson Road, Gourock ®	
0243	64 Rose Street, Greenock ®	
0365	16 Cardwell Road, Gourock ®	
0423	2 Binnie Street, Gourock ®	
0440	30 Ardgowan Square, Greenock ®	
0458	68 Bannockburn Street, Greenock ®	
0503	8 Juno Lane, Greenock ®	
0525	60 Finlaystone Road, Kilmacolm ®	
0548	30 Glenhuntly Road, Port Glasgow®	
0641	14 Barnhill Street, Greenock ®	
0812	140 Old Inverkip Road, Greenock ®	
0907	24 Rothesay Road, Greenock ®	
0912	2 Lemmon Street, Greenock ®	
0942	84 Union Street, Greenock ®	
0952	17 Fife Road, Greenock ®	
0972	19 Mavis Road, Greenock ®	
0986	11 Nelson Street, Greenock ®	
1026	37a Albert Road, Gourock ®	

# DISABLED PERSONS' PARKING PLACES (ON-STREET) ORDER No.1 2014

## **SCHEDULE**

Rev B

Ref No.	Address of Disabled Person's Parking Place to be created or revoked ® "ex-adverso"
1038	199 Grieve Road, Greenock ®
1047	42 Quarry Drive, Kilmacolm ®
1049	46 Maple Road, Greenock ®
1062	11 Forsyth Street, Greenock ®
1106	10 Lynedoch Street, Greenock ®
1132	70 Islay Avenue, Port Glasgow®
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