
Report To:	THE INVERCLYDE COUNCIL	Date: 8 OCTOBER 2015
Report By:	CORPORATE DIRECTOR, ENVIRONMENT, REGENERATION & RESOURCES	Report No: LP/131/15
Contact Officer:	CAROLINE SHAW	Contact No: 01475 712115
Subject:	PROPOSED TRAFFIC REGULATION ORDER – DISABLED PERSONS’ PARKING PLACES (ON-STREET) ORDER NO. 1 2015	

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 3 September 2015 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. 1 2015 recommended that the Inverclyde Council be asked to make the Traffic Regulation Order and remit it to the Head of Environmental and Commercial Services and the Head of Legal and Property Services to arrange for its implementation.

3.0 RECOMMENDATION

- 3.1 That the Inverclyde Council approve the making of the Traffic Regulation Order – The Inverclyde Council, Disabled Persons’ Parking Places (On-Street) Order No. 1 2015, all as detailed in the copy of the proposed Order forming a supplement to the principal Minute hereof, and that the Head of Environmental and Commercial 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) 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 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

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 and Commercial Services, the Head of Legal and Property Services and at Central Library, Port Glasgow Library, Gourock Library and Inverkip & Wemyss Bay Library.

7.0 LIST OF BACKGROUND PAPERS

- 7.1 None.

THE INVERCLYDE COUNCIL
DISABLED PERSONS' PARKING PLACES
(ON-STREET) ORDER NO. 1 2015
TRAFFIC REGULATION ORDER

DRAFT

THE INVERCLYDE COUNCIL
DISABLED PERSONS' PARKING PLACES (ON-STREET)
ORDER NO. 1 2015

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 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. 1 2015" 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 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 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;
 - "traffic sign" means a sign prescribed or authorised under Section 64 of the Act;
 - "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. 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 Inverclyde Council On-Street Parking Places (Without Charges) Order Nos: 02/1999 and 01/2002 and The Inverclyde Council Disabled Persons' Parking Places (On-Street) Order Order No: 02/2011 and 01/2012 respectively.**

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

DRAFT

THE INVERCLYDE COUNCIL
DISABLED PERSONS' PARKING PLACES
(ON-STREET) ORDER NO. 1 2015

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

It is considered necessary in order to comply with The Disabled Persons' Parking Places (Scotland) Act 2009, Section 5, 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.

Ian Moffat
Head of Environmental & Commercial Services
1 Ingleston Park
Cartsburn Street
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PA15 4UE

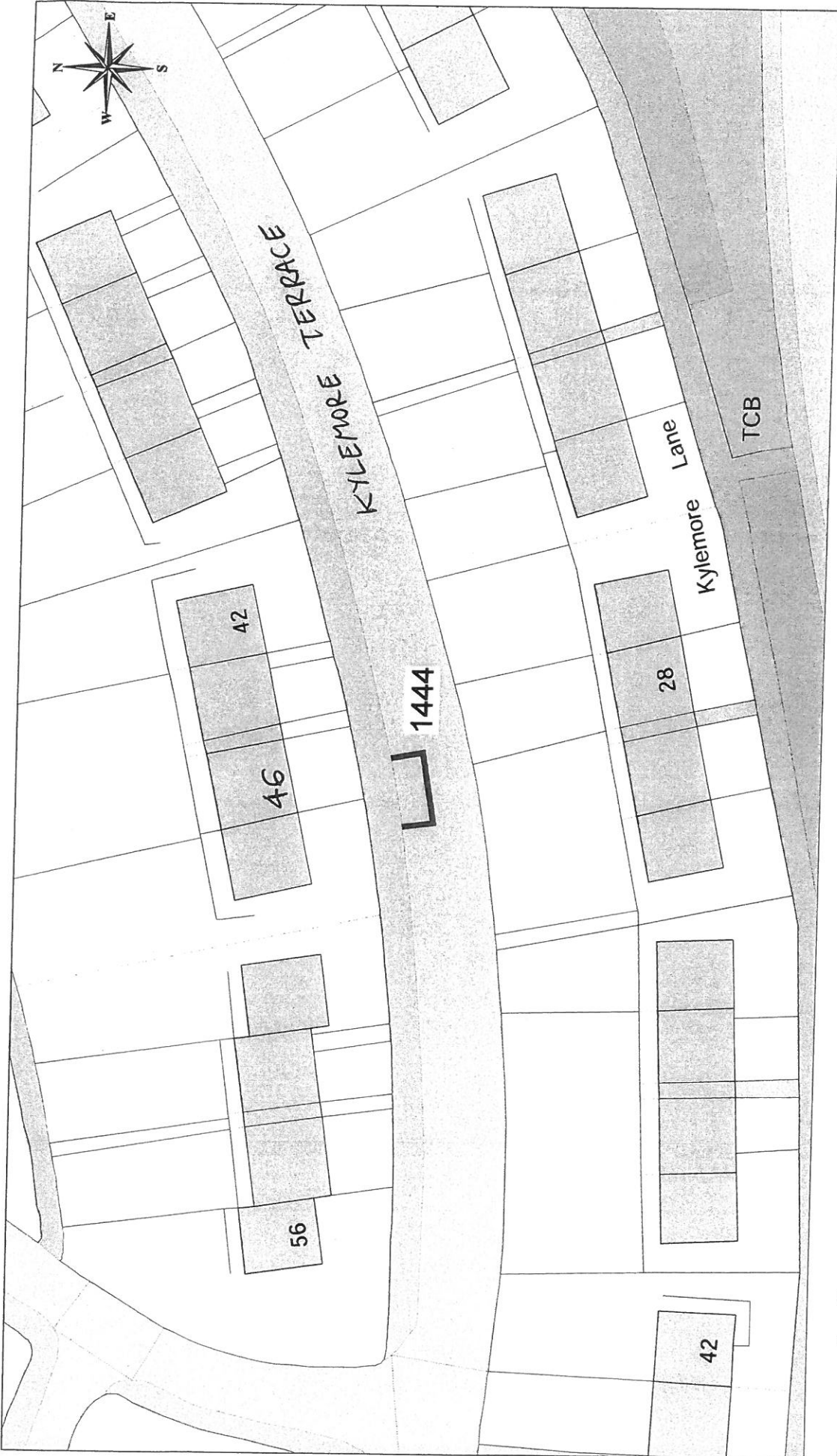
INVERCLYDE COUNCIL

**DISABLED PERSONS' PARKING PLACES (ON-STREET)
ORDER No.1 2015**

SCHEDULE

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

<u>Ref No.</u>	<u>Address of Disabled Person's Parking Place to be created or revoked ® "ex-adverso"</u>
1444	46 Kylemore Terrace, Greenock
1446	26 Kelly Street, Greenock
1447	37 Hillside Avenue, Kilmacolm
1448	2 Eldon Street, Greenock
1452	18 Kylemore Terrace, Greenock
1453	16 East Barmoss Avenue, Port Glasgow
1454	10 Glenhuntly Terrace, Port Glasgow
1458	25 Linnet Road, Greenock
1461	12 Fancy Farm Road, Greenock
1466	91 Albert Road, Gourrock
1467	6 Elphinstone Mews, Kilmacolm
9913	1 Oronsay Avenue, Port Glasgow ®
0132	3 Flatterton Lane, Greenock ®
1063	59 Devon Road, Greenock ®
1144	249 Eldon Street, Greenock ®



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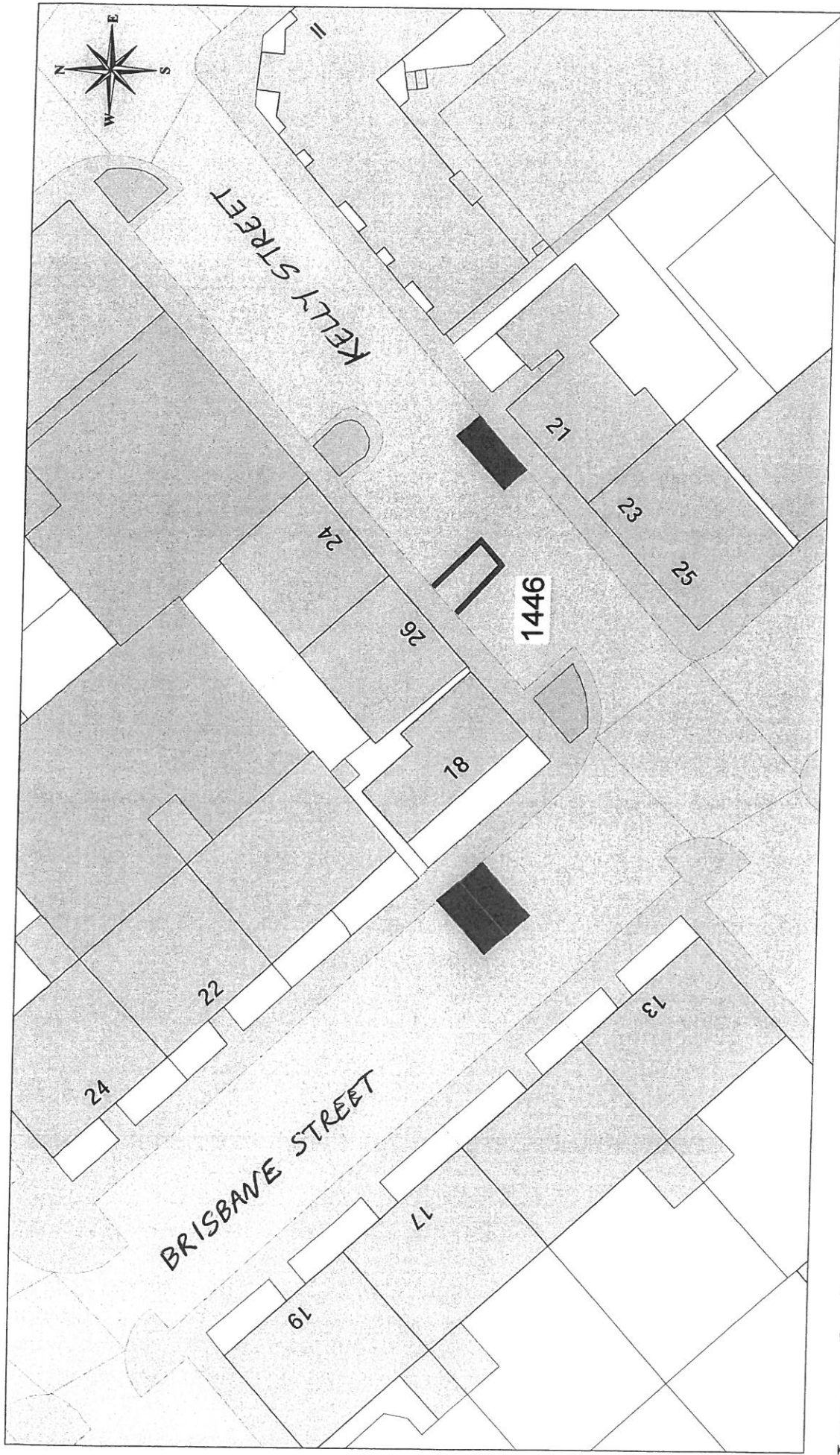
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DISABLED PERSONS' PARKING PLACE
46 KYLEMORE TERRACE, GREENOCK
PLACE No. 1444



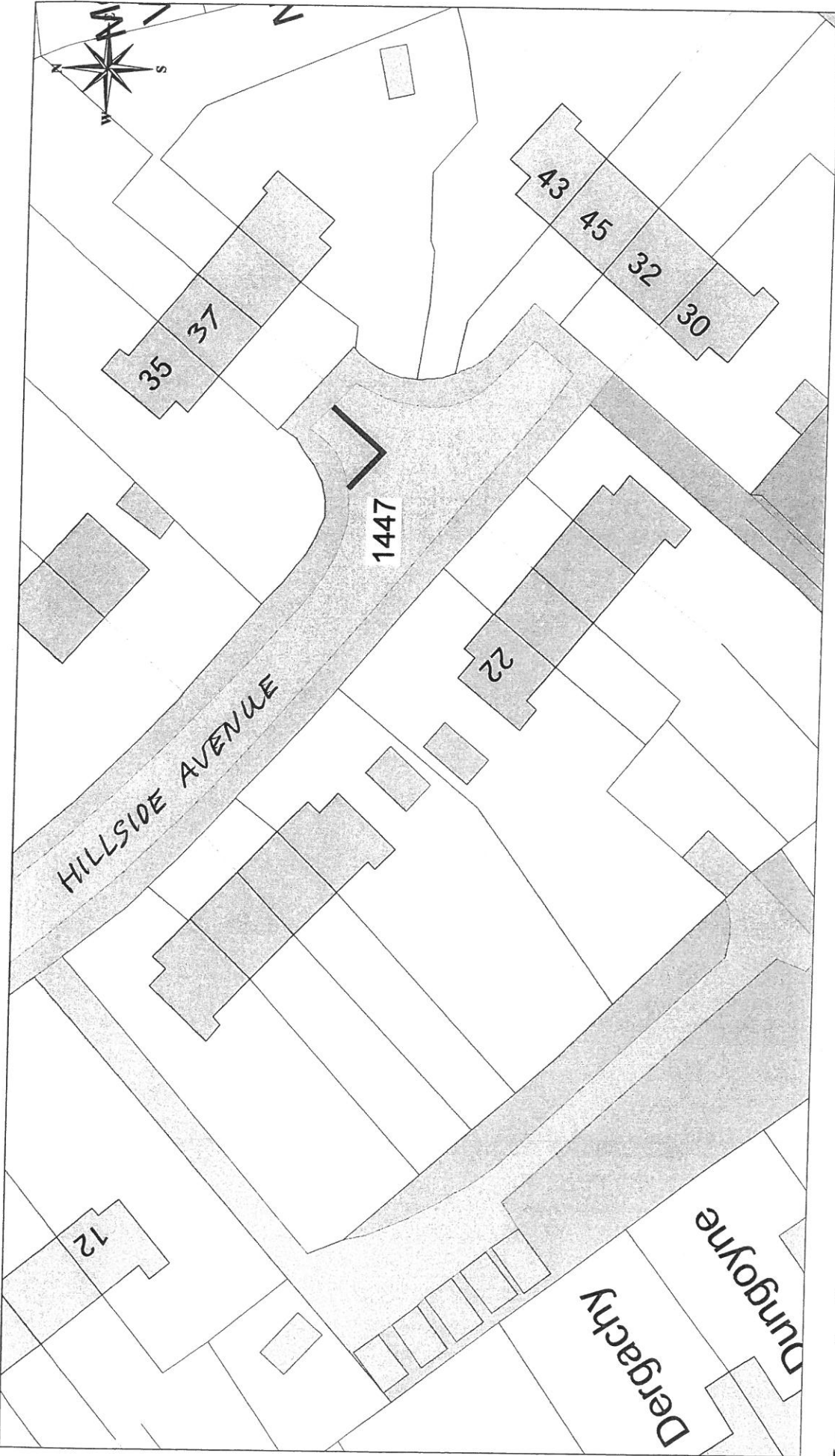
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DISABLED PERSONS' PARKING PLACE
26 KELLY STREET, GREENOCK
PLACE No. 1446

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council
Environmental Services

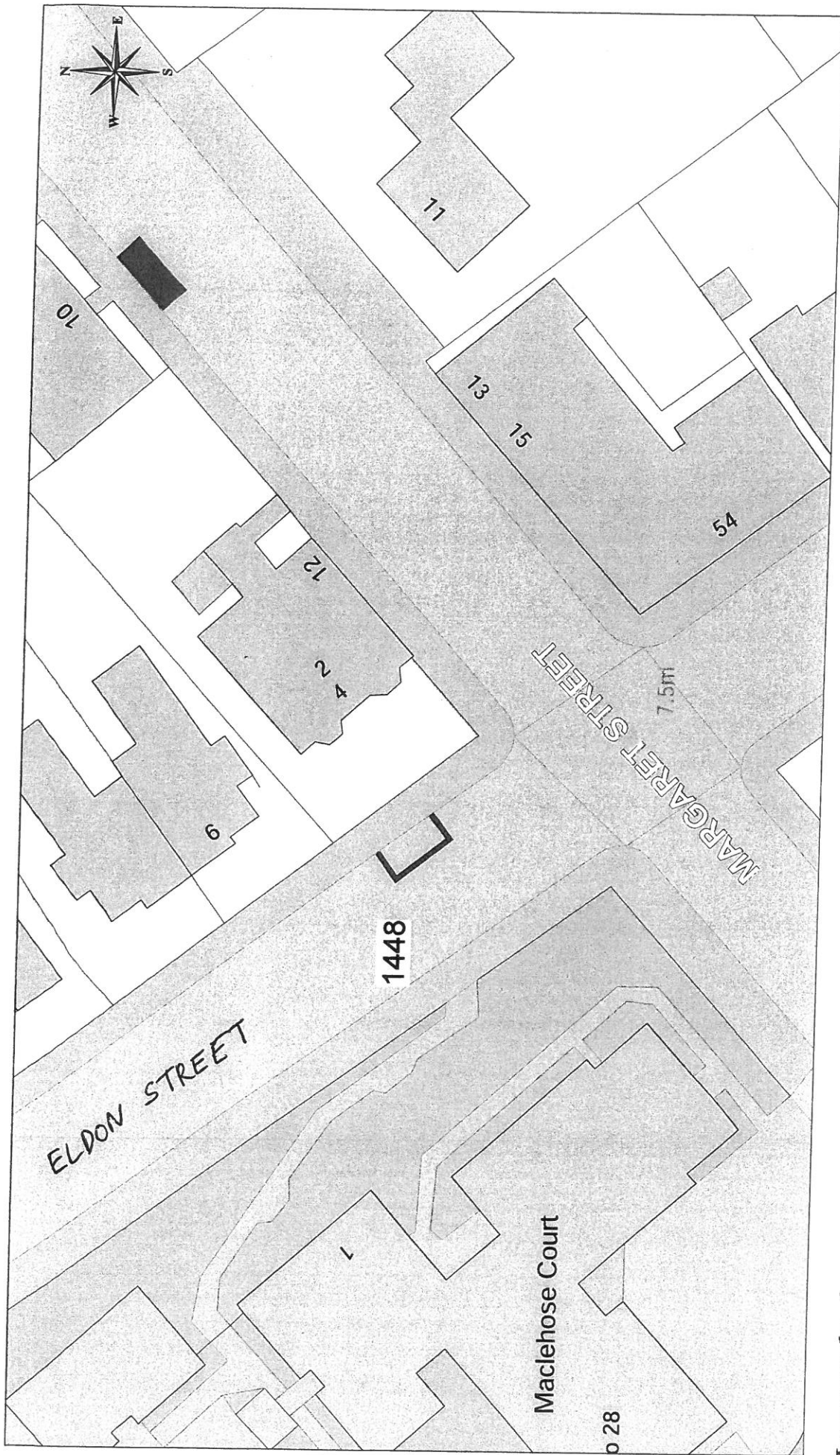
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DISABLED PERSONS' PARKING PLACE
37 HILLSIDE AVENUE, KILMACOLM
PLACE No. 1447

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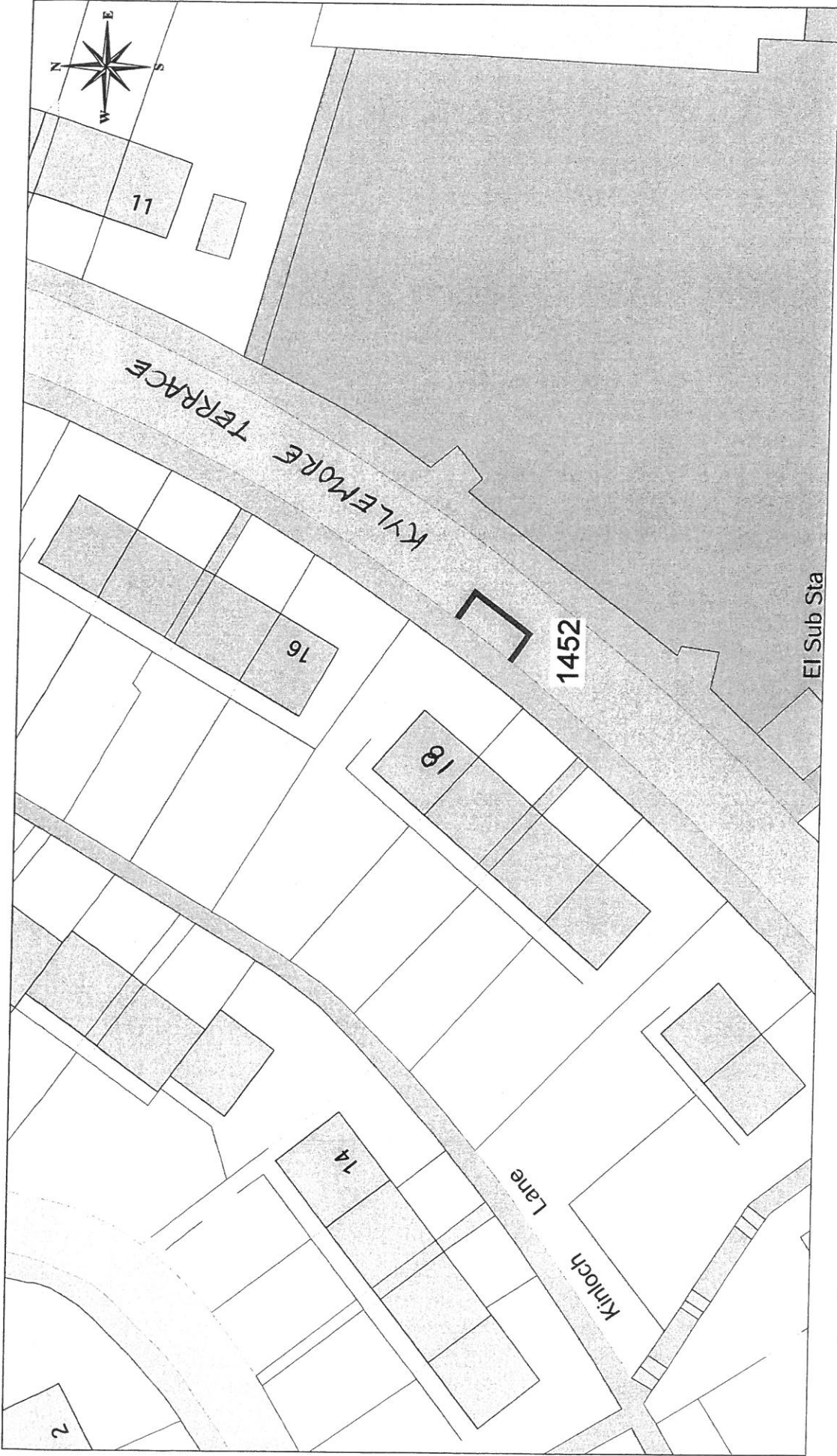


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DISABLED PERSONS' PARKING PLACE
2 ELDON STREET, GREENOCK
PLACE No. 1448

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DISABLED PERSONS' PARKING PLACE
18 KYLEMORE TERRACE, GREENOCK
PLACE No. 1452

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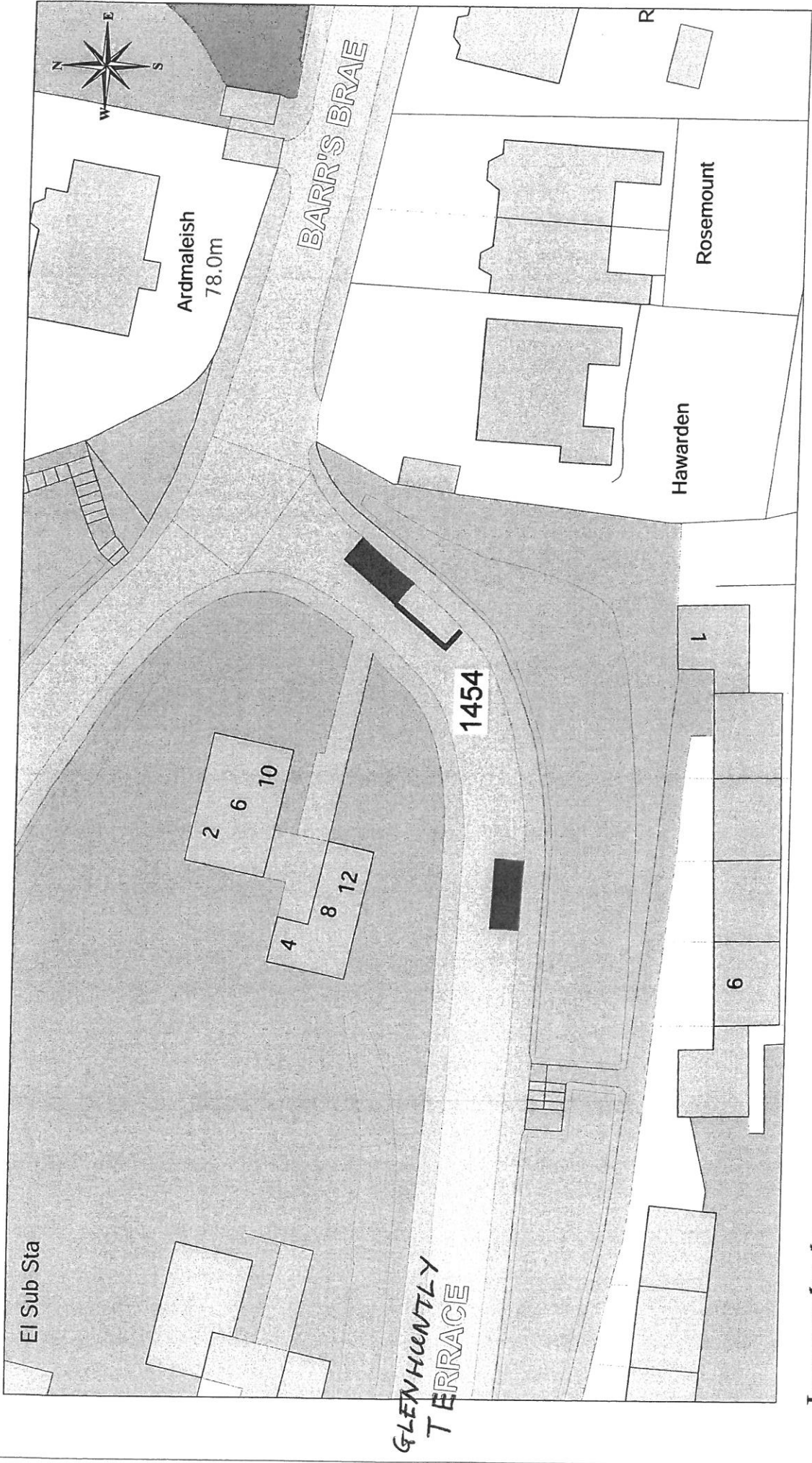


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DISABLED PERSONS' PARKING PLACE
 16 EAST BARMOSS AVENUE, PORT GLASGOW
 PLACE No. 1453



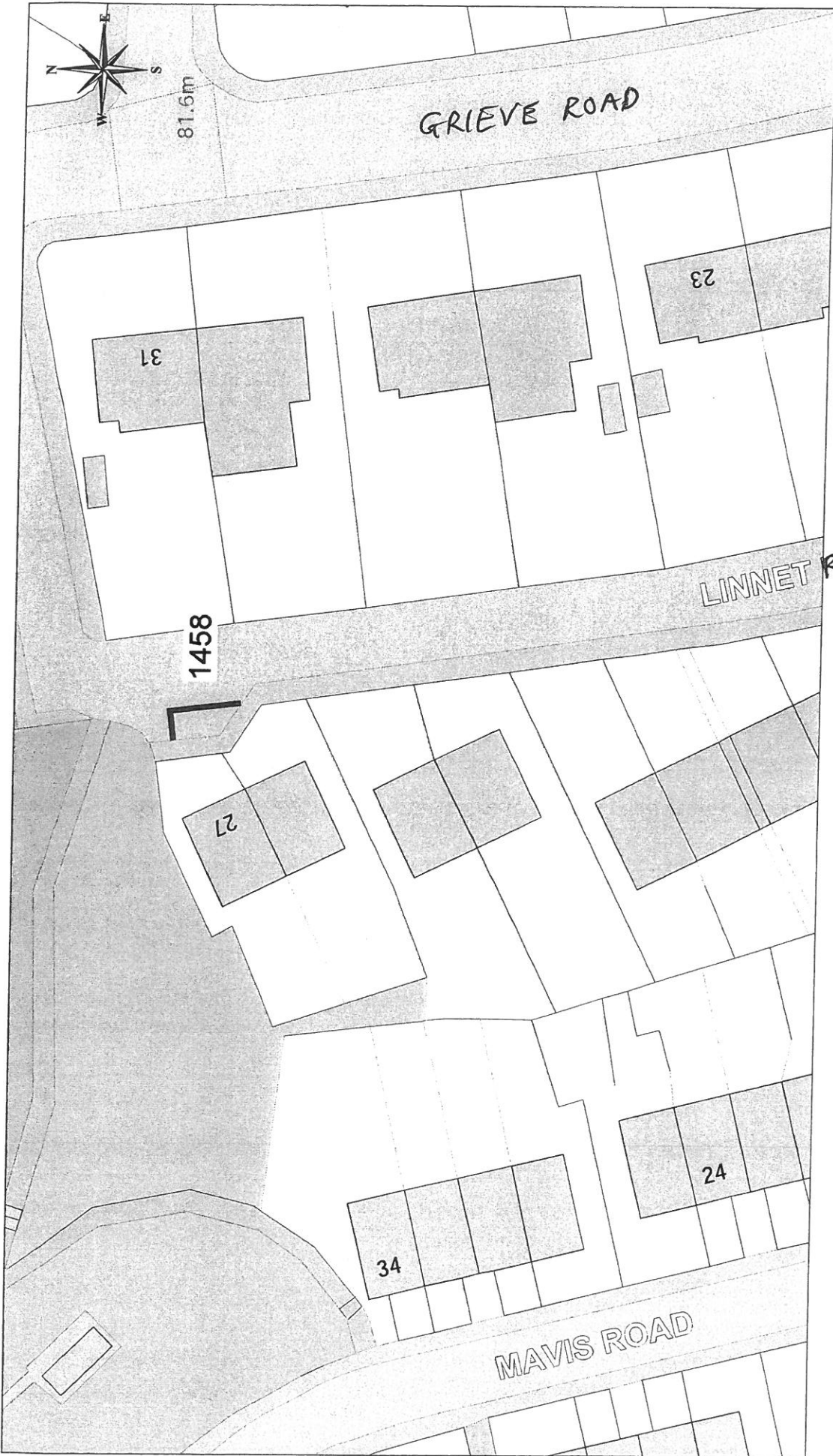
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DISABLED PERSONS' PARKING PLACE
 10 GLENHUNTLY TERRACE, PORT GLASGOW
 PLACE No. 1454

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25 LINNET ROAD, GREENOCK
PLACE No. 1458

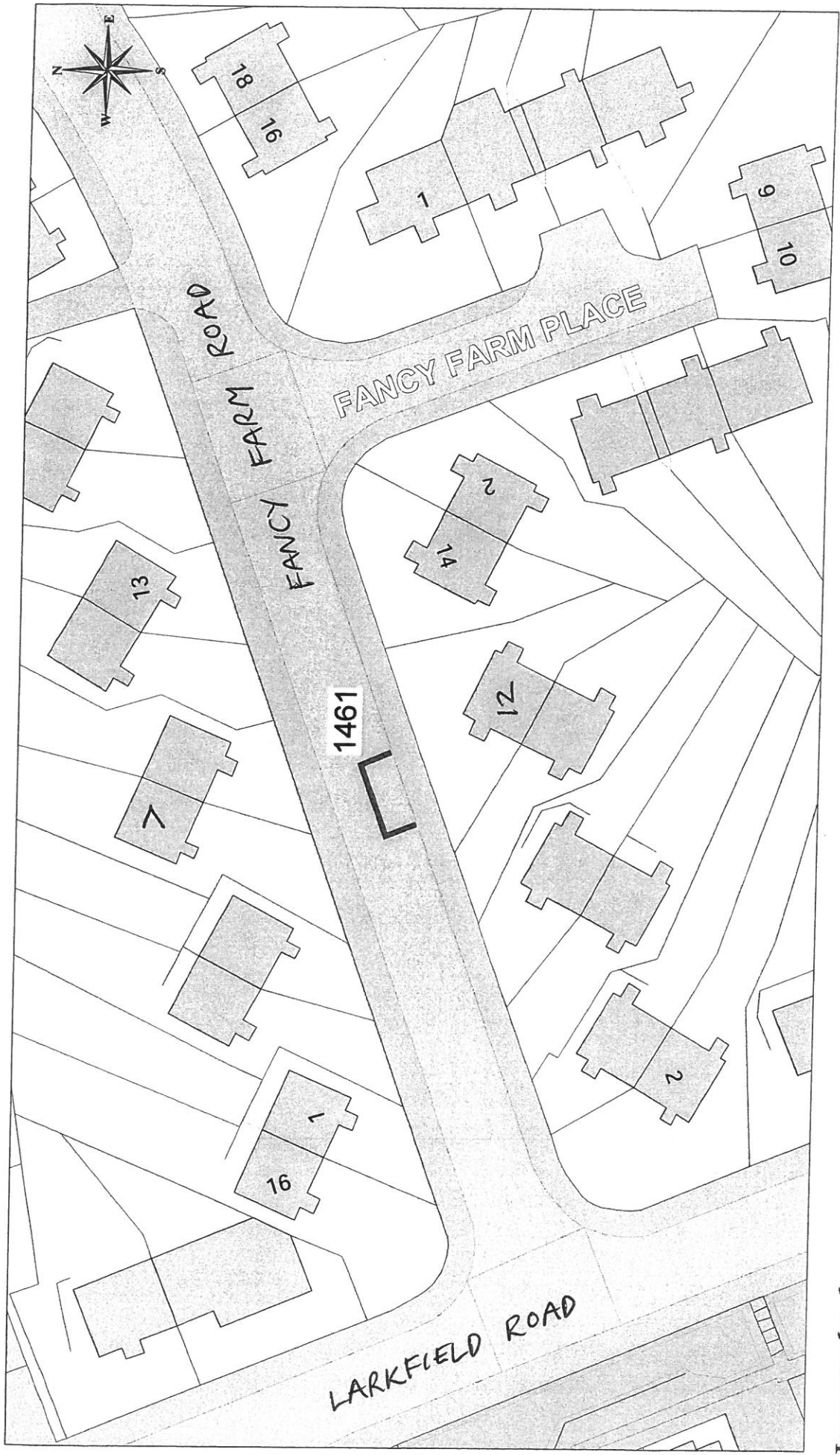
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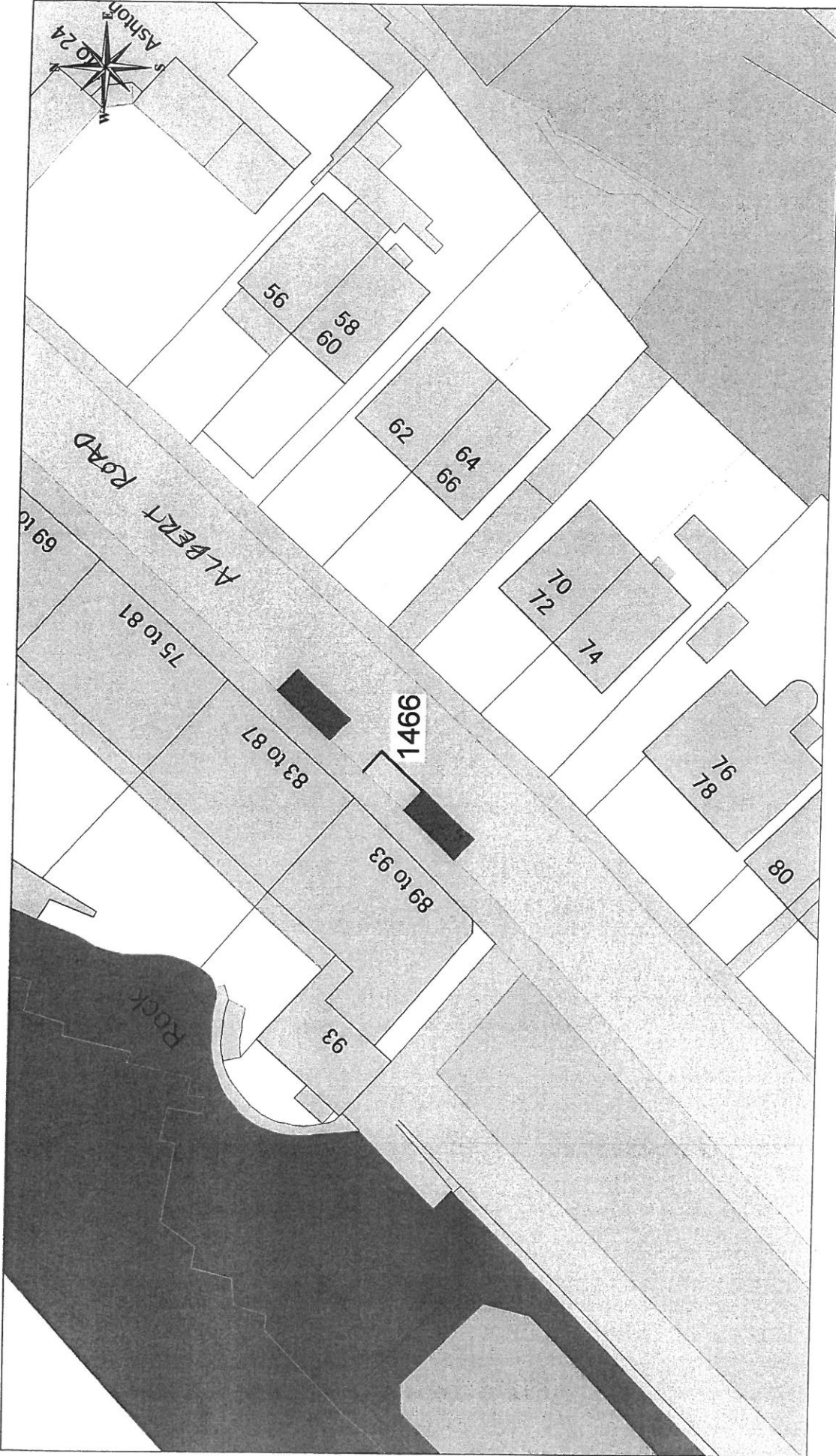



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12 FANCY FARM ROAD, GREENOCK
PLACE No. 1461

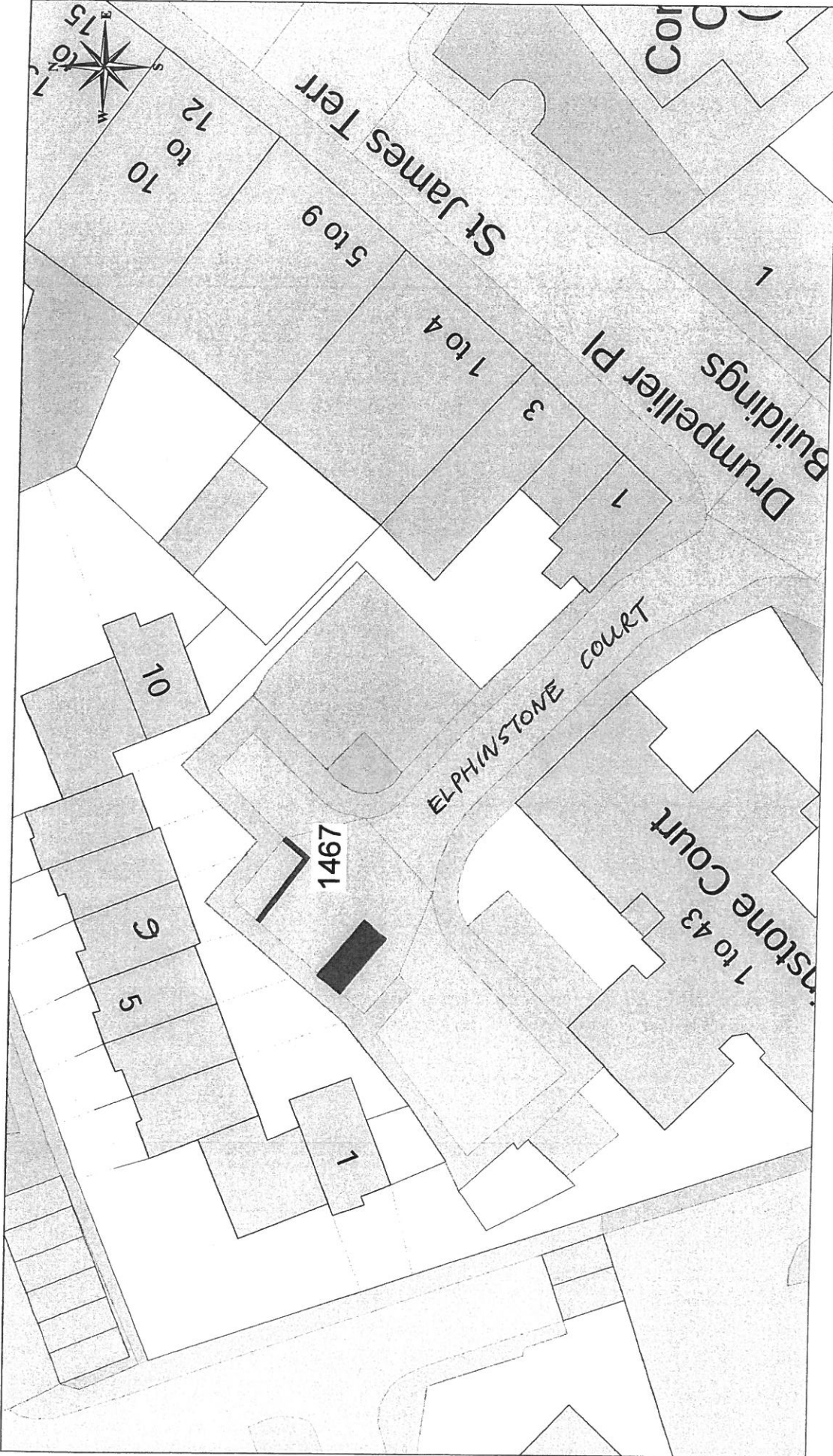
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91 ALBERT ROAD, GOUROCK
PLACE No. 1466

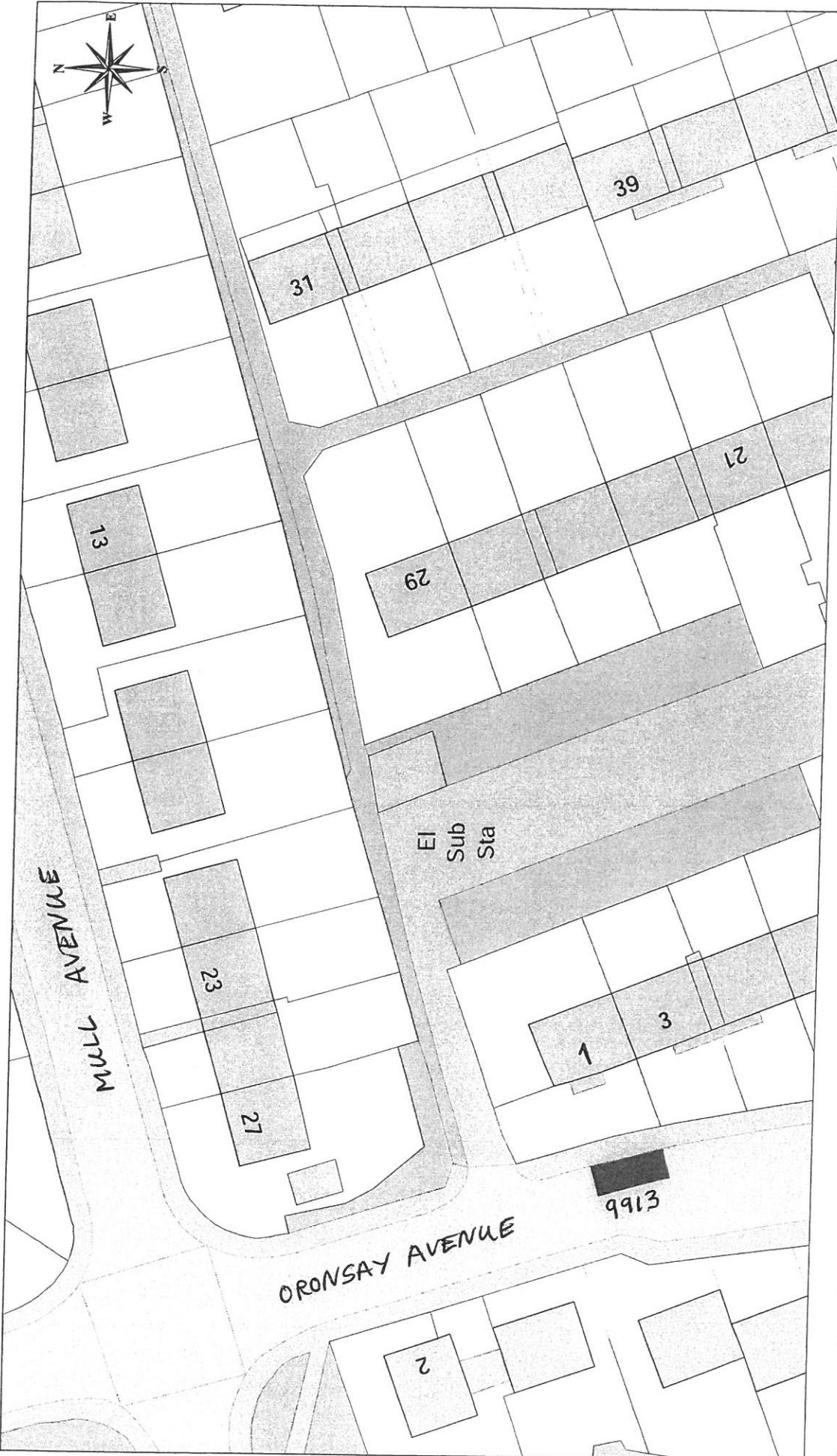
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DISABLED PERSONS' PARKING PLACE
6 ELPHINSTONE MEWS, KILMACOLM
PLACE No. 1467

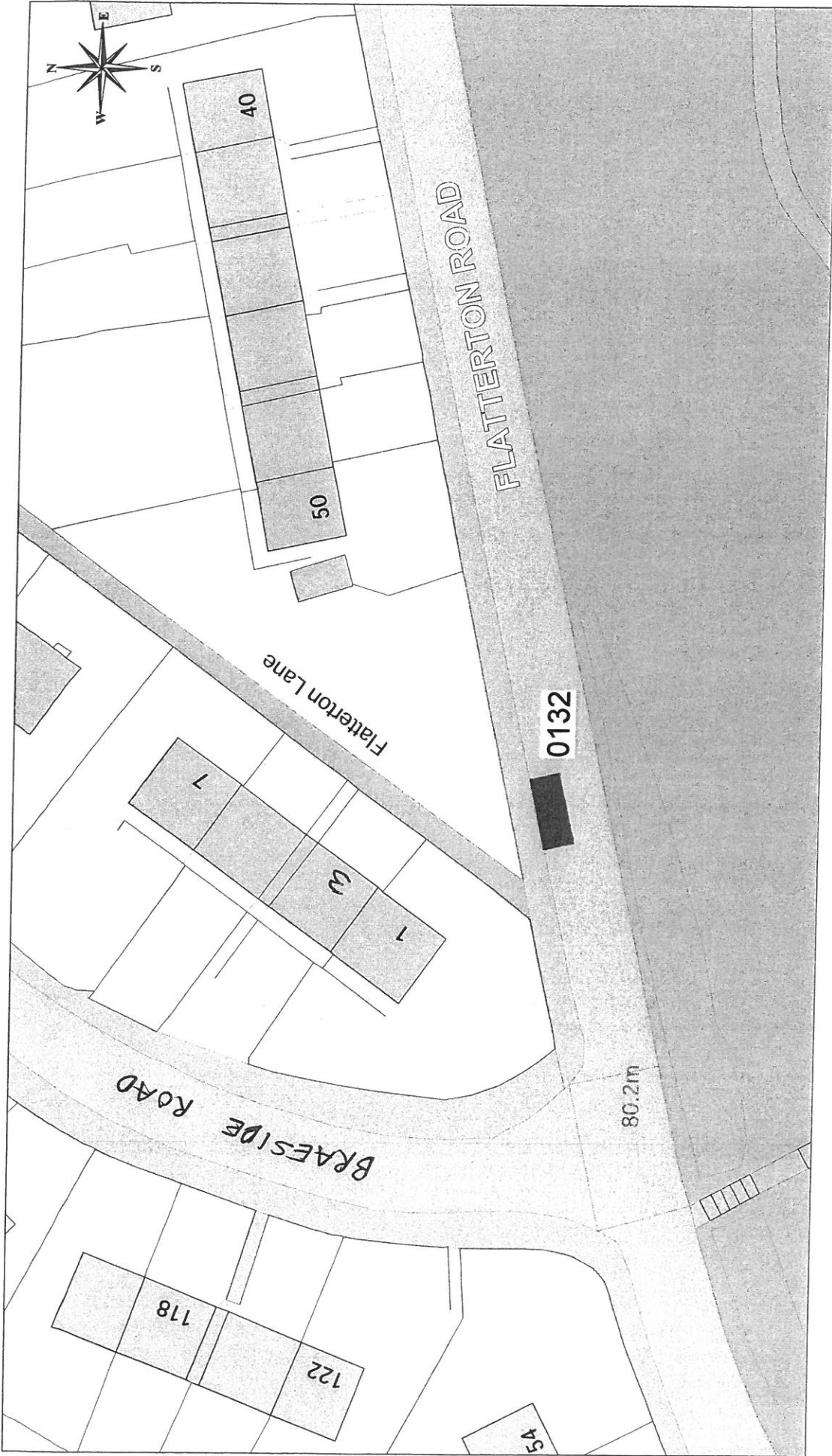


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**DISABLED PERSONS' PARKING PLACE
 1 ORONSAY AVENUE, PORT GLASGOW
 PLACE No. 9913 REVOCATION**

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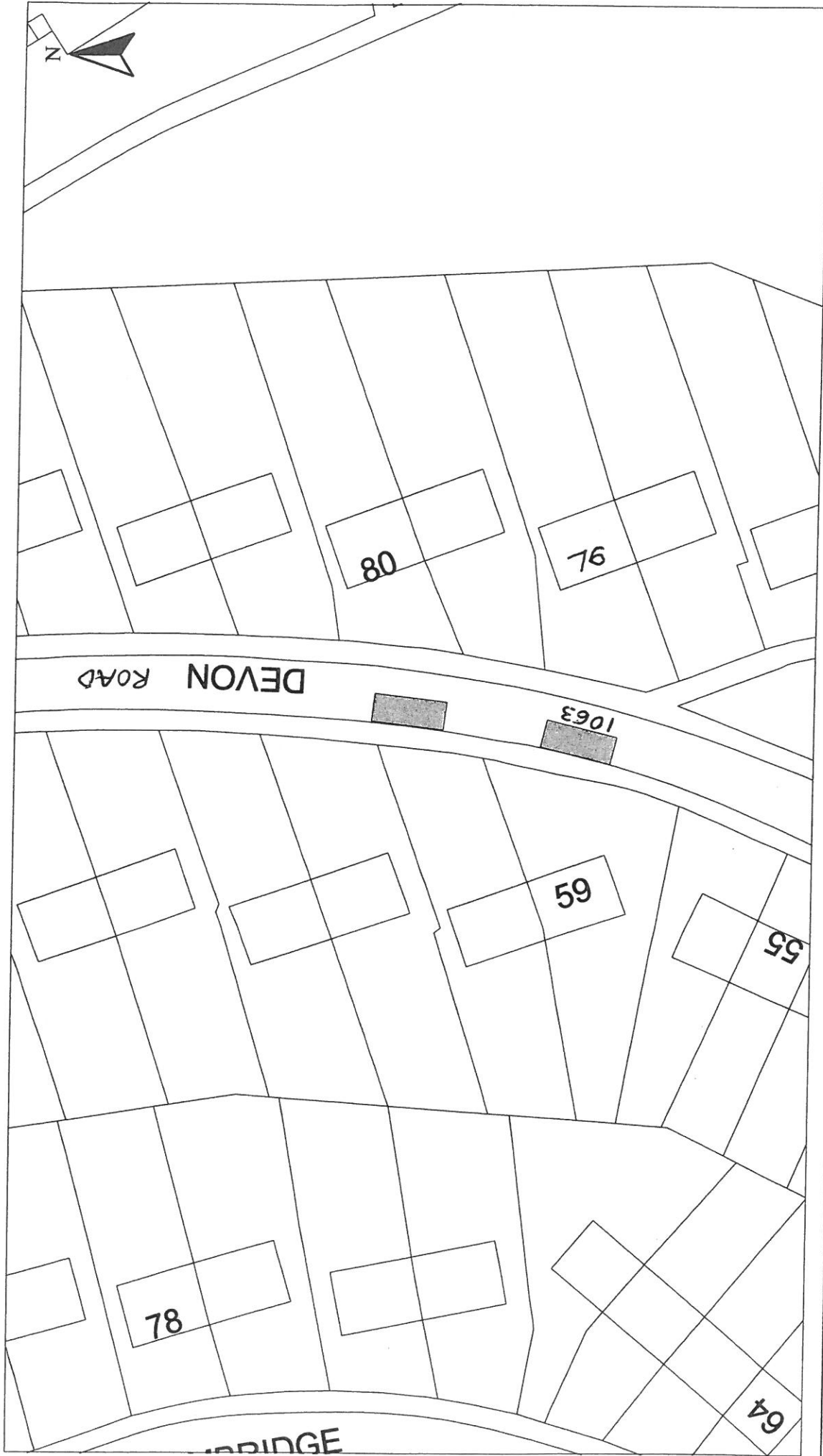
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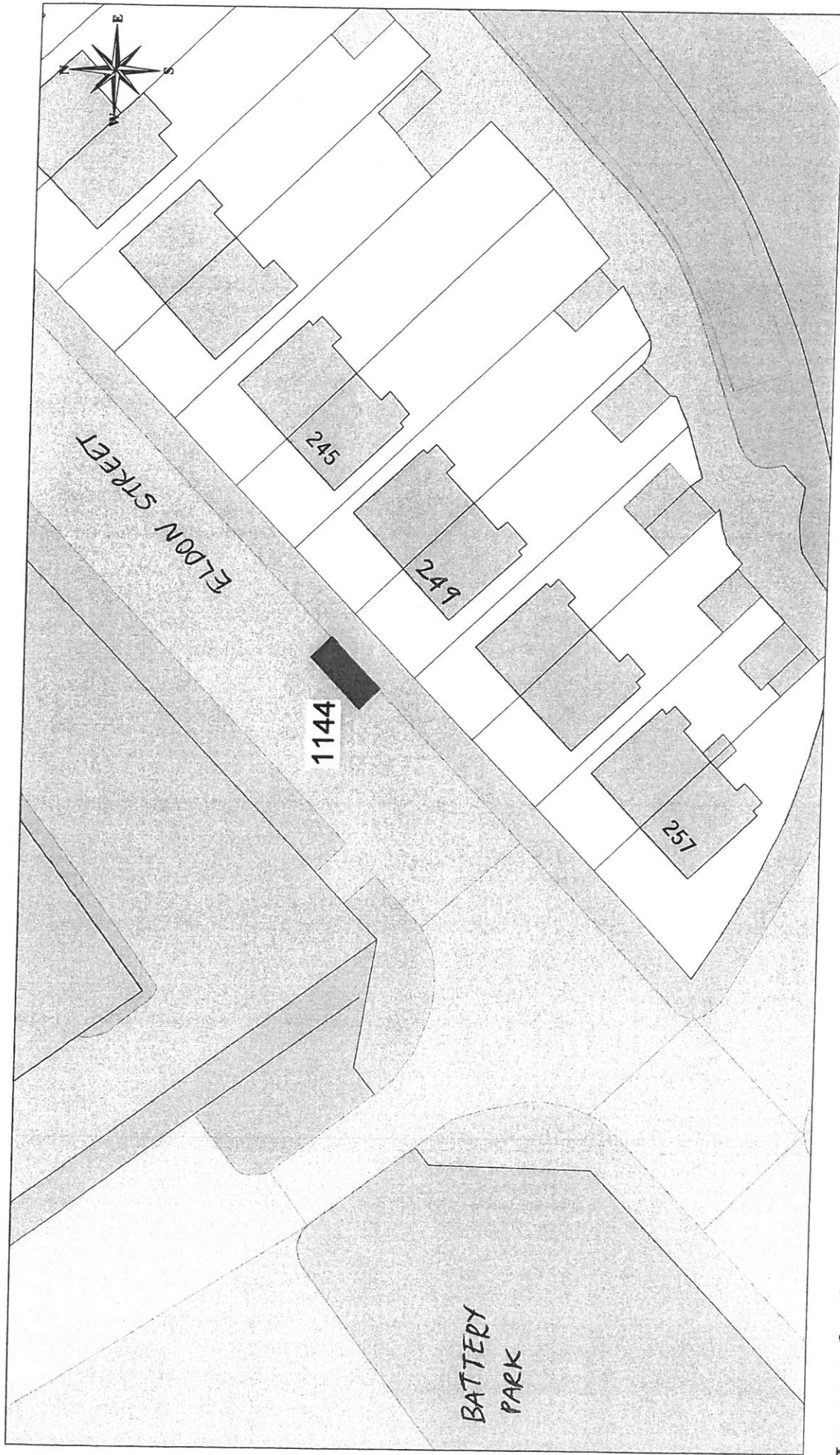
DISABLED PERSONS' PARKING PLACE
3 FLATTERTON LANE, GREENOCK
PLACE No. 0132 REVOCATION



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<p>HEAD OF SERVICE IAN MOFFAT</p>		<p>Prepared by : R. MACKAY</p>		<p>Checked by :</p>	
<p>71 EAST HAMILTON STREET GREENOCK, PA15 2UA</p>		<p>Drawn by : R. MACKAY</p>		<p>Approved by :</p>	
<p>Disabled Bays</p>	<p>File No. : 19/12</p>				




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

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