

#### AGENDA ITEM NO. 9

Report To: THE INVERCLYDE COUNCIL Date: 18 FEBRUARY 2016

Report By: CORPORATE DIRECTOR, Report No: ERC/ENV/IM/16.267

> **ENVIRONMENT, REGENERATION & RESOURCES**

Contact Officer: ROBERT GRAHAM Contact No: 01475 714800

PROPOSED TRAFFIC REGULATION ORDERS - VARIOUS Subject:

ROADS INCLUDING RESIDENTS' PARKING PERMIT SCHEME

### 1.0 PURPOSE

1.1 The purpose of this report is to request the Council to consider a remit from the Environment and Regeneration Committee.

### 2.0 SUMMARY

- 2.1 The Environment and Regeneration Committee held on 29 October 2015, after consideration of a report by the Corporate Director Environment, Regeneration and Resources on the proposed Traffic Regulation Orders entitled "Proposed Traffic Regulation Orders - Various Roads Including Residents' Parking Permit Scheme", recommended that the making of the Traffic Regulation Orders (TROs) listed below as 1 - 3 and 5 be put on hold until a decision was made regarding TRO 4 below as they form a package of TROs which together make up the Residents' Parking Permit Scheme.
  - 1. The Inverciyde Council (Various Roads) (Inner Greenock) (Controlled Parking Zone) (Variation No. 4) Order 2015 (hereafter referred to as Inner 4);
  - 2. The Invercive Council (Various Roads) (Inner Greenock) (Controlled Parking Zone) (Variation No. 5) Order 2015 (hereafter referred to as Inner 5);
  - 3. The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 5) Order 2015 (hereafter referred to as Outer 5);
  - 4. The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 6) Order 2015 (hereafter referred to as Outer 6); and
  - 5. The Inverclyde Council (Off-Street Parking Places) (Variation No. 4) Order 2015 (hereafter referred to as Off-Street 4).
- 2.2 A map showing each of the Residents' Parking Permit Scheme Zones is included in Appendix 1 Figure 1 in Appendix 1.
- 2.3 A Special Meeting of the Environment and Regeneration Committee was held on 21 January 2016 to hear the objections against TRO 4 (also known as Outer 6). At that Special Meeting, the Committee agreed that the maintained objections be dismissed and that TRO 4 as detailed in said report be approved and referred to the next meeting of the Inverclyde Council with a recommendation that it approve formally TRO 4 and authorise the Head of Environmental and Commercial Services and the Head of Legal and Property Services to take all necessary action in connection therewith to make formally the TRO in accordance with the statutory procedure. A separate report on the outcome of the Special Meeting held on 21 January 2016 is being presented to this meeting of the Council.
- 2.4 It is now appropriate to consider TROs 1 3 and 5 (also known as Inner 4, Inner 5, Outer 5 and Off-Street 4) which were on hold pending the outcome of the Special Meeting.

### 3.0 RECOMMENDATION

- 3.1 That the Invercive Council approve the making of the Traffic Regulation Orders listed below, all as detailed in the copies of the proposed Orders 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 to make formally the TROs in accordance with the statutory procedure.
  - 1. The Inverclyde Council (Various Roads) (Inner Greenock) (Controlled Parking Zone) (Variation No. 4) Order 2015;
  - 2. The Inverclyde Council (Various Roads) (Inner Greenock) (Controlled Parking Zone) (Variation No. 5) Order 2015;
  - 3. The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 5) Order 2015; and
  - 4. The Inverclyde Council (Off-Street Parking Places) (Variation No. 4) Order 2015.

Ian Moffat
Head of Environmental & Commercial Services

### 4.0 BACKGROUND

- 4.1 The Inverclyde Council introduced its Greenock Town Centre Parking Strategy on 6 October 2014. When they were promoted, the TROs governing the Parking Strategy's waiting and loading restrictions attracted objections from residents who live in the town centre who argued their ability to park free for unlimited periods, close to their homes, had been denied them.
- 4.2 The subsequent Report of the Public Hearing, called to hear these and other objections, recommended that the Strategy be implemented as intended, reviewed a year after implementation and the decision not to introduce a Residents' Parking Permit Scheme be reconsidered as part of that review.
- 4.3 A Decriminalised Parking Enforcement update report was submitted to the Environment and Regeneration Committee on 30 October 2014 subsequent to which the Committee decided that a report should be submitted to the Environment and Regeneration Committee meeting on 5 March 2015 on options for the introduction of a Residents' Parking Permit Scheme for Greenock town centre.
- 4.4 At the Committee meeting on 5 March 2015 approval was granted for the introduction of a Residents' Parking Permit Scheme in Greenock town centre. This was subject to there being no charge per year for the first and second permits per household with a maximum of two permits per household and the scheme being reviewed a year after implementation.
- 4.5 At the same Committee meeting on 5 March 2015 approval was granted to consider the introduction of a Residents' Parking Permit Scheme in the Kelly Street and Sir Michael Street/ Tobago Street/ King Street areas of Greenock.
- 4.6 As a result, the following TROs were drafted:
  - 1. The Inverciyde Council (Various Roads) (Inner Greenock) (Controlled Parking Zone) (Variation No. 4) Order 2015 (Inner 4)
  - 2. The Inverciyde Council (Various Roads) (Inner Greenock) (Controlled Parking Zone) (Variation No. 5) Order 2015 (Inner 5)
  - 3. The Inverciyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 5) Order 2015 (Outer 5)
  - 4. The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 6) Order 2015 (Outer 6)
  - 5. The Inverclyde Council (Off-Street Parking Places) (Variation No. 4) Order 2015 (Off-Street 4)

### Residents' Parking Permits – Limited areas of Outer Greenock

- 4.7 At the 5 March 2015 meeting of the Environment and Regeneration Committee approval was granted for the introduction of a Residents' Parking Permit Scheme in the Kelly Street and Sir Michael Street/ Tobago Street/ King Street areas of Greenock.
- 4.8 As a result, TROs for Outer 5 and Outer 6, listed above, were drafted and put out to public consultation. These propose the introduction of resident only parking Monday to Friday between 8.15am-9.15am and 5pm-6pm on parts of Sir Michael Street, Kelly Street and Houston Street, Jamaica Lane, King Street, Sir Michael Place, Buccleugh Street, Ann Street, Crown Street and Smith Street. These restrictions were proposed to provide residents with the opportunity to gain access to streets near their home at the start and end of the working day whilst allowing other users to park outwith these times. On Tobago Street and part of Sir Michael Street it is proposed to introduce 2 hour waiting with no return within 30 minutes Monday to Friday from 8am to 6pm with an exemption for Residents' Parking Permit Holders. This provision was made to encourage turnover in spaces adjacent to shops and restaurants and to allow their customers to park where otherwise they would not be able to park.

- 4.9 To prevent misuse of Permits in different areas of the town, the two areas have been identified as different Zones for which different Permits will be issued. The Sir Michael Street/ Tobago Street, etc area, will form Zone GR2 which means that only residents from this area with a Permit for this area can park there during the restricted hours. The Kelly Street area will form Zone GR3 and only residents with a GR3 permit may park there during the restricted hours.
- 4.10 These TROs were issued for public consultation on 21 August 2015 with responses invited by 18 September 2015. No objections were received in relation to Outer 5. A total of 9 objections were received in relation to Outer 6. One of the objections related to the proposed restriction in the Kelly Street area of the town. Officers met with the objectors and as a result the objection was withdrawn.
- 4.11 A further objection was raised with regard to the proposed no waiting at any time restrictions on Regent Street and Terrace Road. Officers wrote to and met with the objector on site to detail the extent of the proposals. As a result the objector suggested that the restriction on the east side of the road be reduced by approximately 6m i.e. one car length and that this would allow them to withdraw their objection. However, having considered this proposal, it is not recommended as the proposed restrictions as advertised were developed to improve road safety.
- 4.12 A total of 7 objections were received regarding the proposed restrictions in the Tobago Street area. Officers wrote to and met with the objectors. They maintained their objections.
- 4.13 With regard to Outer 6, there was a requirement for the objections to this TRO to be heard at a public meeting. As a result a Special Meeting of the Environment and Regeneration Committee was held on 21 January 2016 to hear the objectors. At this meeting the Committee agreed that the maintained objections be dismissed and that the proposed TRO as detailed in said report be approved and referred to the next meeting of the Inverclyde Council with a recommendation that it approve formally the proposed TRO and authorise the Head of Environmental and Commercial Services and the Head of Legal and Property Services to take all necessary action in connection therewith to make formally the TRO in accordance with the statutory procedure.
- 4.14 As the Environment and Regeneration Committee has made its recommendation regarding Outer 6, it is now appropriate to seek the Council's permission to make Outer 5 which had been on hold pending the outcome of the Special Meeting.

### Residents' Parking Permits – Inner Greenock Parking Zone

- 4.15 Following the 5 March 2015 Committee TROs Inner 4, Inner 5 and Off-Street 4, listed above, were drafted and issued for public consultation on 21 August 2015 with responses invited by 18 September 2015. There was 1 objection to Inner 5. Officers wrote to the objector clarifying the proposals and as a result the objector withdrew his objection.
- 4.16 To prevent permit holders from the Outer Zone parking in the Inner Zone, the Inner Zone has been named Zone GR1. This means that only residents with a GR1 Permit may park in this area.
- 4.17 There are no maintained objections to these three TROs, however, it is now appropriate to seek the Council's permission to make Inner 4, Inner 5 and Off-Street 4 which had been on hold pending the outcome of the Special Meeting.
- 4.18 The Council is asked to note that, if approved, the four Traffic Regulation Orders referred to in Clause 3.1 of this report may not be implemented until the making of the Orders has been advertised to allow any persons who so wish a period of six weeks to question the validity of the Orders in terms of the Road Traffic Regulation Act 1984.

### 5.0 IMPLICATIONS

### **Finance**

- 5.1 It is unknown how many people will apply for a Residents' Parking Permit, however figures from the Peter Brett report suggest that there could be a total of 142 permits issued in Inner Greenock and 86 issued in Outer Greenock.
- 5.2 The financial implications have been reported to and approved by the Environment and Regeneration Committee on 29 October 2015.

### One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
	Parking capital budget	15/17	£20,000		New signs and lines to extend zone and for resident only car park
02506	Parking revenue budget Additional Fine Income	16/17	£1,600		Initial issue of Residents' Parking Permits by ICES

Annual recurring Cost/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
02506	Parking Revenue	17/18	£1,400		Renewal of Residents' Parking Permits by ICES

### Legal

5.3 There are no legal implications arising from this report. The Head of Legal and Property Services has been consulted on this report.

### **Human Resources**

5.4 There are no HR implications arising from this report.

### **Equalities**

5.5 There are no equalities implications arising from this report.

### Repopulation

5.6 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 Appendix 2 proposals have been made available for public inspection during normal office hours at

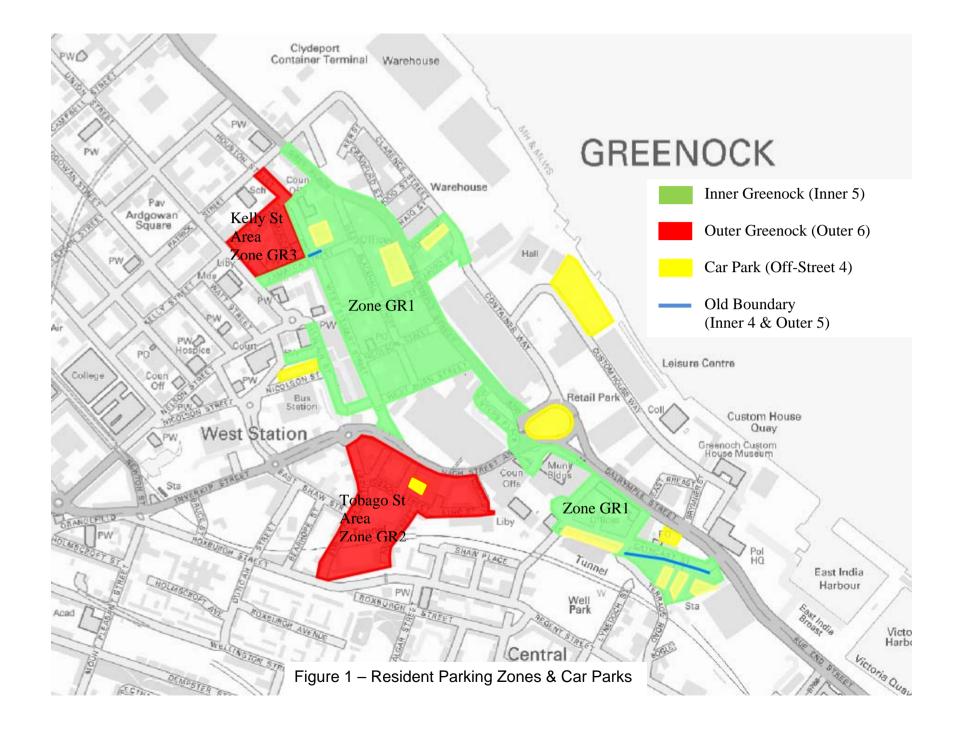
the offices of the Head of Environmental and Commercial Services, the Inverclyde Council Customer Service Centre and at Central Library. A copy of the draft Orders is appended hereto for Members' information.

6.2 The Head of Legal and Property Services, Safer & Inclusive Communities and the Chief Financial Officer have been consulted on this report.

### 7.0 LIST OF BACKGROUND PAPERS

7.1 None.

## Appendix 1



## THE INVERCLYDE COUNCIL

(VARIOUS ROADS) (INNER GREENOCK) (CONTROLLED PARKING ZONE) (VARIATION NO. 4) ORDER 2015

TRAFFIC REGULATION ORDER

# THE INVERCLYDE COUNCIL (VARIOUS ROADS) (INNER GREENOCK) (CONTROLLED PARKING ZONE) (VARIATION NO. 4) ORDER 2015

We, The Inverclyde Council in exercise of the powers conferred on us by Sections 1(1), 2(1) to (3), 4(2), 32(1), 35(1), 45, 46, 49, 53, 101 and 102 of the Road Traffic Regulation Act 1984 (as amended) ("the Act") and of Part IV of Schedule 9 to the Act and of all other enabling powers and after consulting the Chief Constable of the Police Service of Scotland (Seirbheis Phoilis na h-Alba) in accordance with Part III of Schedule 9 to the Act hereby make the following Order:

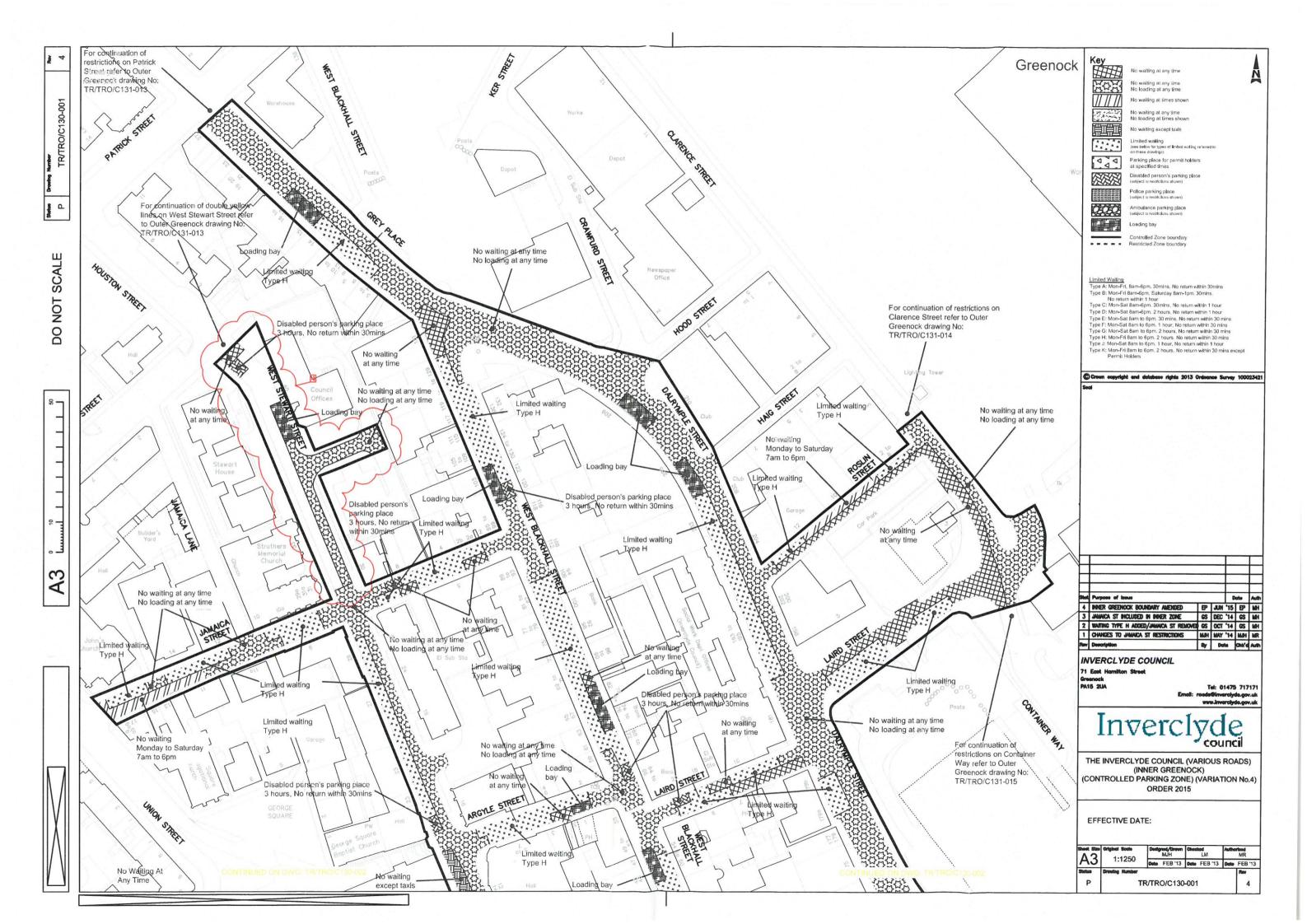
### 1.0 Commencement and citation

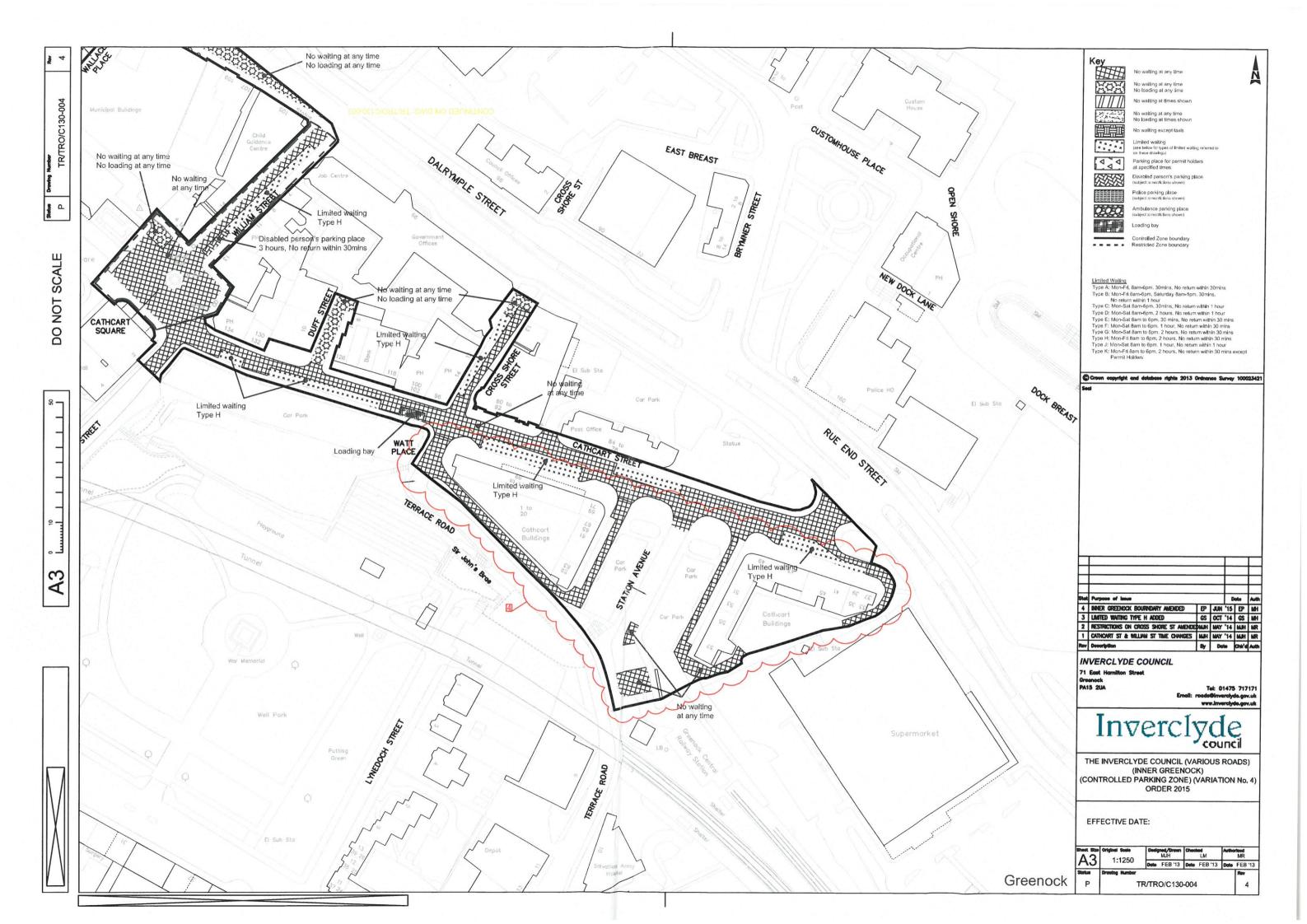
1.1 This Order shall come into operation on the \*\* day of \*\*, Two thousand and \*\* and may be cited as "The Invercited Council (Various Roads) (Inner Greenock) (Controlled Parking Zone) (Variation No. 4) Order 2015".

### 2.0 Interpretation

- 2.1 Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.
- 2.2 Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, modified, re-enacted, replaced or supplemented by any subsequent enactment.
- 2.3 The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulation made or having effect as if made under the Act or by or under any other enactment provided that where a prohibition or restriction which is imposed, varied or revoked by this Order is in conflict with a prohibition or restriction imposed by a previous Order, then the provision of this Order shall prevail.
- 2.4 The On-Street Plans forming Schedule 1 to this Order and titled "The Inverciyde Council (Various Roads) (Inner Greenock) (Controlled Parking Zone) (Variation No. 4) Order 2015 On-Street Plans" are hereby incorporated into The Inverciyde Council (Various Roads) (Inner Greenock) (Controlled Parking Zone) Order 2013 and recorded in "The Inverciyde Council (Various Roads) (Inner Greenock) (Controlled Parking Zone) Order 2013 Plan Index".
- 2.5 The Plan Index forms Schedule 2.
- 2.6 The Interpretation Act 1978 (as amended) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

ECO1383 The Inverclyde Council (Various Roads) (Inner Greenock) (Controlled Parking Zone) (Variation No. 4) Order





SCHEDULE 2

SCHEDULE 3

THE INVERCLYDE COUNCIL (VARIOUS ROADS) (INNER GREENOCK) (CONTROLLED PARKING ZONE) ORDER 2013 PLAN INDEX

Plan	Effective			Effec	Effective Date of Plan Revision	lan Revision			
Ref.	Date of original plan	~	2	ဧ	4	5	9	7	æ
TR/TRO/C130/001	06/10/2014 21/11/2014	21/11/2014	25/05/2015	25/05/2015 26/05/2015	########	6			
TR/TRO/C130/002	06/10/2014 21/11/2014	21/11/2014	25/05/2015			1			
TR/TRO/C130/003	-	06/10/2014 06/10/2014 21/11/2014 25/05/2015	21/11/2014	25/05/2015					
TR/TRO/C130/004   06/10/2014   06/10/2014	06/10/2014	06/10/2014	21/11/2014	4 21/11/2014 25/05/2015	########				

The Inverclyde Council (Various Roads) (Inner Greenock) (Controlled Parking Zone) (Variation No. 4) Order

## THE INVERCLYDE COUNCIL

(VARIOUS ROADS) (INNER GREENOCK) (CONTROLLED PARKING ZONE) (VARIATION NO. 5) ORDER 2015

TRAFFIC REGULATION ORDER

# THE INVERCLYDE COUNCIL (VARIOUS ROADS) (INNER GREENOCK) (CONTROLLED PARKING ZONE) (VARIATION NO. 5) ORDER 2015

We, The Inverclyde Council in exercise of the powers conferred on us by Sections 1(1), 2(1) to (3), 4(2), 32(1), 35(1), 45, 46, 49, 53, 101 and 102 of the Road Traffic Regulation Act 1984 (as amended) ("the Act") and of Part IV of Schedule 9 to the Act and of all other enabling powers and after consulting the Chief Constable of the Police Service of Scotland (Seirbheis Phoilis na h-Alba) in accordance with Part III of Schedule 9 to the Act hereby make the following Order:

### 1.0 Commencement and citation

1.1 This Order shall come into operation on the \*\* day of \*\*, Two thousand and \*\* and may be cited as "The Invercite Council (Various Roads) (Inner Greenock) (Controlled Parking Zone) (Variation No. 5) Order 2015".

### 2.0 Interpretation

2.1 In this Order except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:

"End Date" means the date on which the particulars of a Printed Permit or a Virtual Permit retained on the Telephone Parking System are removed from the Telephone Parking System;

"Hand-held Device" means apparatus used by a Parking Attendant, an Authorised Person or a police constable in uniform which is programmed to interface with the Telephone Parking System;

"Identification Code" means a combination of letters and numerals by which the Council identifies an Inner Greenock Controlled Parking Zone;

"Inner Greenock Controlled Parking Zone, also referred to as Zone GR1" means any road or part of a road within the boundary of the Inner Greenock Controlled Parking Zone, also referred to as Zone GR1, specified in the maps forming Schedule 1 to this Order;

"Permit" means a Printed Permit or a Virtual Permit issued by the Council in accordance with the Permit scheme set out in this Order:

"Printed Permit" means a document specified in Article 4.3 of this Order which may be issued by the Council and if so issued shall be displayed and used in accordance with the particulars stipulated thereon;

"Residents' Parking Permit" means a Printed Permit or a Virtual Permit issued by the Council, in accordance with the provisions of Article 3.0 of this Order, at such a charge and on such terms and conditions as the Council may determine;

"Service Provider" means a person or company providing services to or on behalf of the Council:

"Start Date" means the date on which the particulars of a Printed Permit or a Virtual Permit are entered on the Telephone Parking System;

"Telephone Parking System" means a system to facilitate and monitor any Permits, whether Virtual Permits or Printed Permits, using any telephone or internet enabled device via communication with the Service Provider; and

"Virtual Permit" means a Permit which is not a Printed Permit, which is specified in Article 4.2 of this Order and which may be issued by the Council.

- 2.2 Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.
- 2.3 Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, modified, re-enacted, replaced or supplemented by any subsequent enactment.
- The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulation made or having effect as if made under the Act or by or under any other enactment provided that where a prohibition or restriction which is imposed, varied or revoked by this Order is in conflict with a prohibition or restriction imposed by a previous Order, then the provision of this Order shall prevail.
- 2.4 The On-Street Plans forming Schedule 1 to this Order and titled "The Inverclyde Council (Various Roads) (Inner Greenock) (Controlled Parking Zone) (Variation No. 5) Order 2015 On-Street Plans" are hereby incorporated into The Inverclyde Council (Various Roads) (Inner Greenock) (Controlled Parking Zone) Order 2013 and recorded in "The Inverclyde Council (Various Roads) (Inner Greenock) (Controlled Parking Zone) Order 2013 Plan Index".
- 2.5 The Plan Index forms Schedule 2.
- 2.6 The Interpretation Act 1978 (as amended) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

### 3.0 Residents' Parking Permit

3.1 The Council may issue Residents' Parking Permits, at such a charge and on such terms and conditions as the Council may determine, to a person who ordinarily resides in a dwelling house in any road within the boundary of the Inner Greenock Controlled Parking Zone, also referred to as Zone GR1, specified in the maps forming Schedule 1 to this Order.

### 4.0 Form of Permits

- 4.1 A Permit shall be either a Virtual Permit or a Printed Permit;
- 4.2 The following information shall be retained on the Telephone Parking System as an indication that a Virtual Permit has been granted:-
  - (a) the name and address of the applicant;
  - (b) the name of the Inner Greenock Controlled Parking Zone in which the Virtual Permit is valid;
  - (c) the Identification Code of the Inner Greenock Controlled Parking Zone in which the Virtual Permit is valid;
  - (d) the Virtual Permit number;
  - (e) the registration number of the Motor Vehicle, Motor Cycle or Invalid Carriage in respect of which the Virtual Permit has been issued;
  - (f) the Start Date; and
  - (g) the End Date.
- 4.3 Where a Printed Permit is issued by the Council:-
  - (a) it shall include the particulars listed in sub-paragraphs (b) to (g) of Article 4.2;
  - (b) it is not transferrable; and
  - (c) it shall remain the property of the Council at all times.

### 5.0 Use of Permits

- 5.1 A Permit shall be used only in accordance with the Permit scheme set out in this Article.
- 5.2 Subject to Article 5.1 a Permit may be used:-
  - (a) within the Inner Greenock Controlled Parking Zone, also referred to as Zone GR1;
  - (b) in the case of a Virtual Permit, where the Motor Vehicle, Motor Cycle or Invalid Carriage has been recorded on the Telephone Parking System for that Virtual Permit; and
  - (c) in the case of a Printed Permit, where details of the Motor Vehicle, Motor Cycle or Invalid Carriage are the same as those recorded on the Printed Permit and the Printed Permit is displayed on the Motor Vehicle, Motor Cycle or Invalid Carriage in accordance with Article 6.1 hereof.
- If at any time a Motor Vehicle, Motor Cycle or Invalid Carriage is left in a Limited Waiting Parking Place and an inspection is carried out by a Parking Attendant, an Authorised Person or a police constable in uniform, and no indication that a Permit has been granted in respect of that Motor Vehicle, Motor Cycle or Invalid Carriage for the Inner Greenock Controlled Parking Zone, also referred to as Zone GR1, appears on the Hand-held Device of a Parking Attendant, an Authorised Person or a police constable in uniform, it shall be presumed, unless the contrary is proved, that a Permit has not been granted for that Motor Vehicle, Motor Cycle or Invalid Carriage at the time of inspection.

- 5.4 A person holding a valid Inner Greenock Controlled Parking Zone, also referred to as Zone GR1, Residents' Parking Permit is permitted to wait in any Limited Waiting Parking Place on a road within the boundary of the Inner Greenock Controlled Parking Zone, also referred to as Zone GR1, specified in the maps forming Schedule 1 to this Order, without limit of time.
- An Inner Greenock Controlled Parking Zone, also referred to as Zone GR1, Residents' Parking Permit shall not be valid in any Limited Waiting Parking Place other than on those roads within the boundary of the Inner Greenock Controlled Parking Zone, also referred to as Zone GR1, specified in the maps forming Schedule 1 to this Order.

### 6.0 Display of Printed Permits

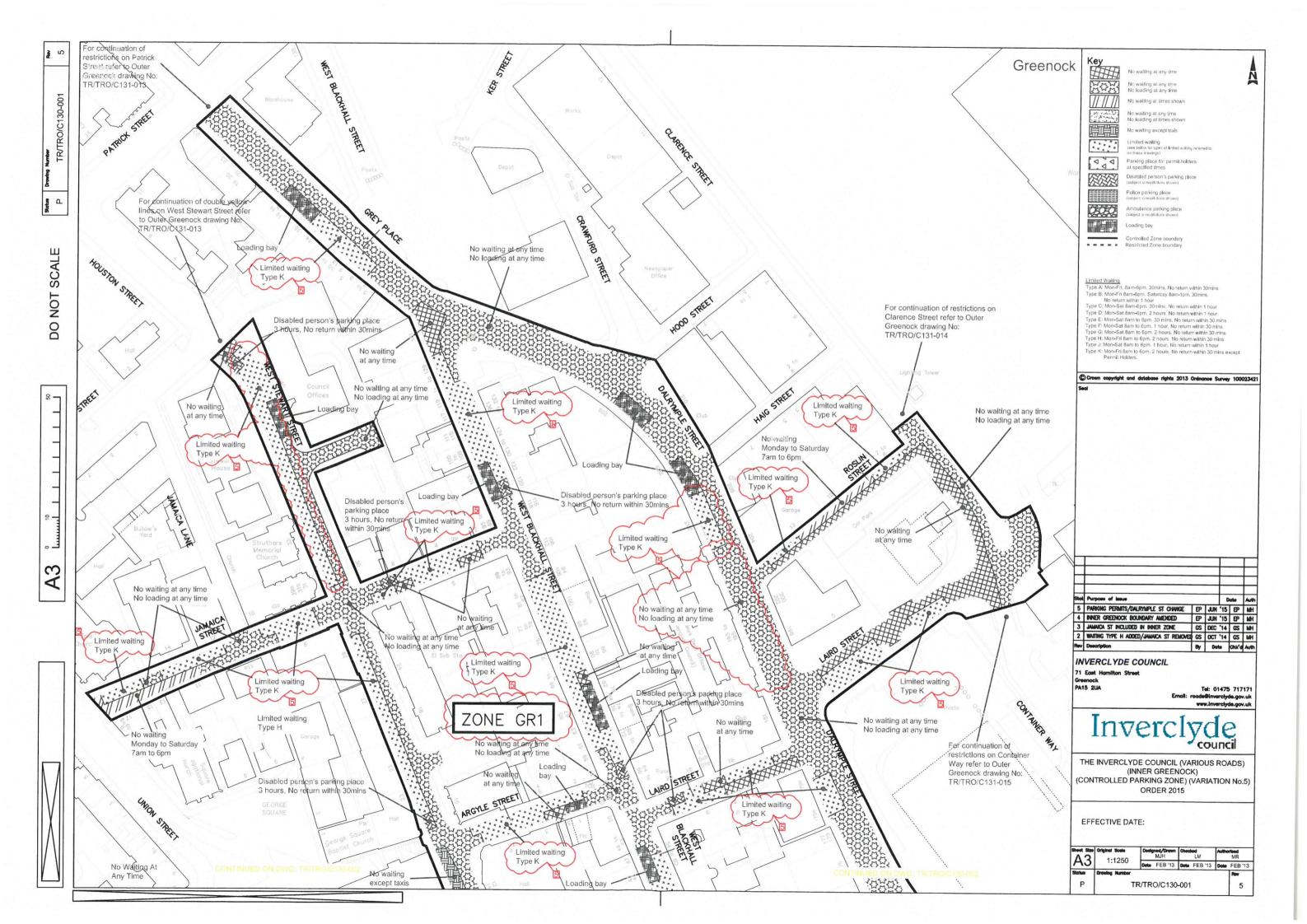
- 6.1 Where a Printed Permit issued by the Council is used:-
  - (a) in the case of a Motor Vehicle, the driver of any Motor Vehicle parked in any Limited Waiting Parking Place who wishes to make use of a Printed Permit shall attach or display the Printed Permit on the Motor Vehicle on the nearside thereof, behind the glass of the windscreen, in such position as to ensure that the front side of the Printed Permit is clearly visible to any person standing at the front nearside of the Motor Vehicle; and
  - (b) in the case of a Motor Cycle or Invalid Carriage, the driver of any Motor Cycle or Invalid Carriage parked in any Limited Waiting Parking Place who wishes to make use of a Printed Permit shall attach or display the Printed Permit on the Motor Cycle or Invalid Carriage in a conspicuous position in front of the driver's seat.
- Where an inspection is carried out by a Parking Attendant, an Authorised Person or a police constable in uniform, and a Printed Permit issued in respect of that Motor Vehicle, Motor Cycle or Invalid Carriage is not displayed in accordance with Article 6.1 or the particulars shown on the Printed Permit indicate it has not yet commenced, it shall be deemed that a Printed Permit has not been issued in respect of that vehicle at the time of inspection.

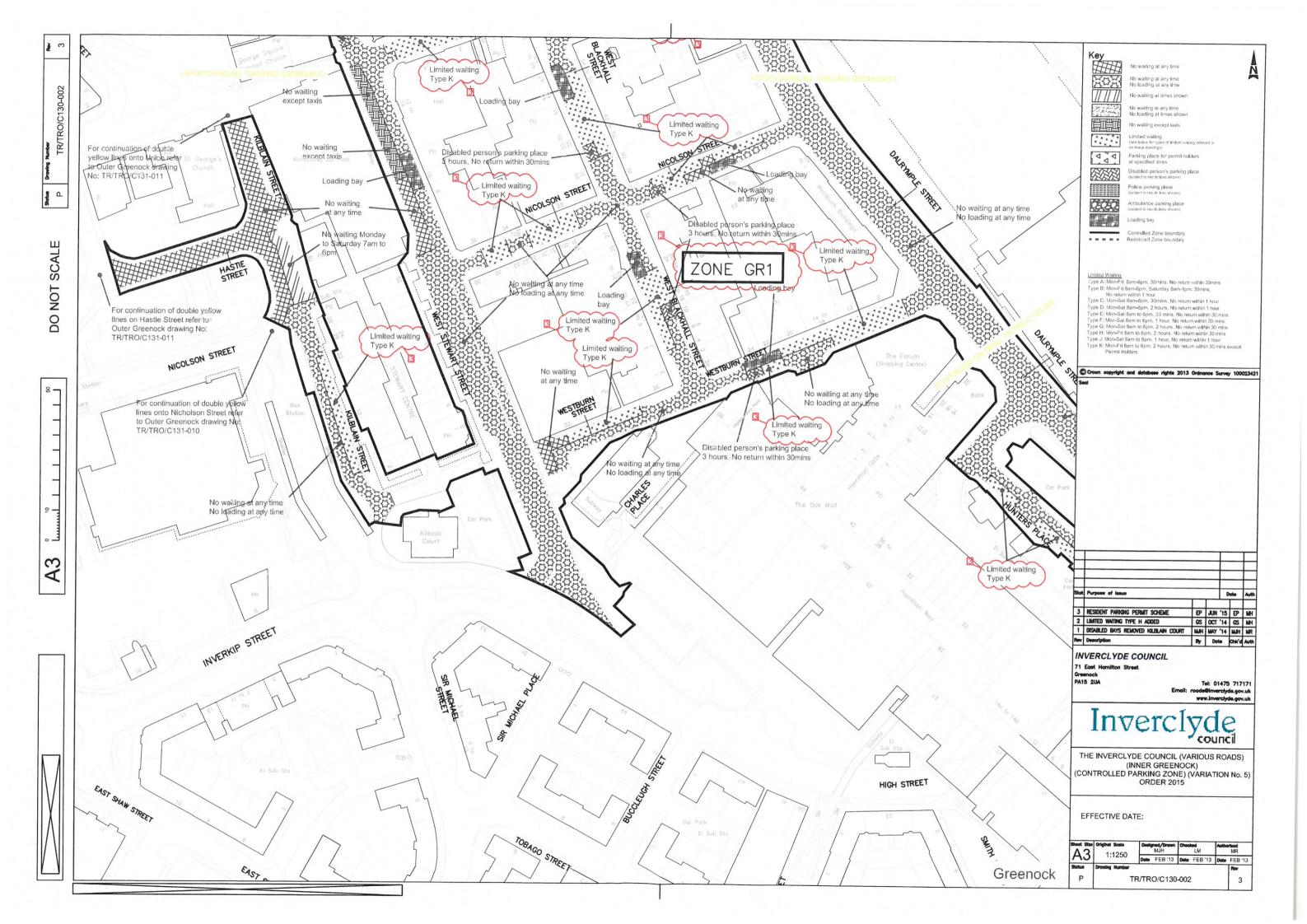
### 7.0 Duration of Permits

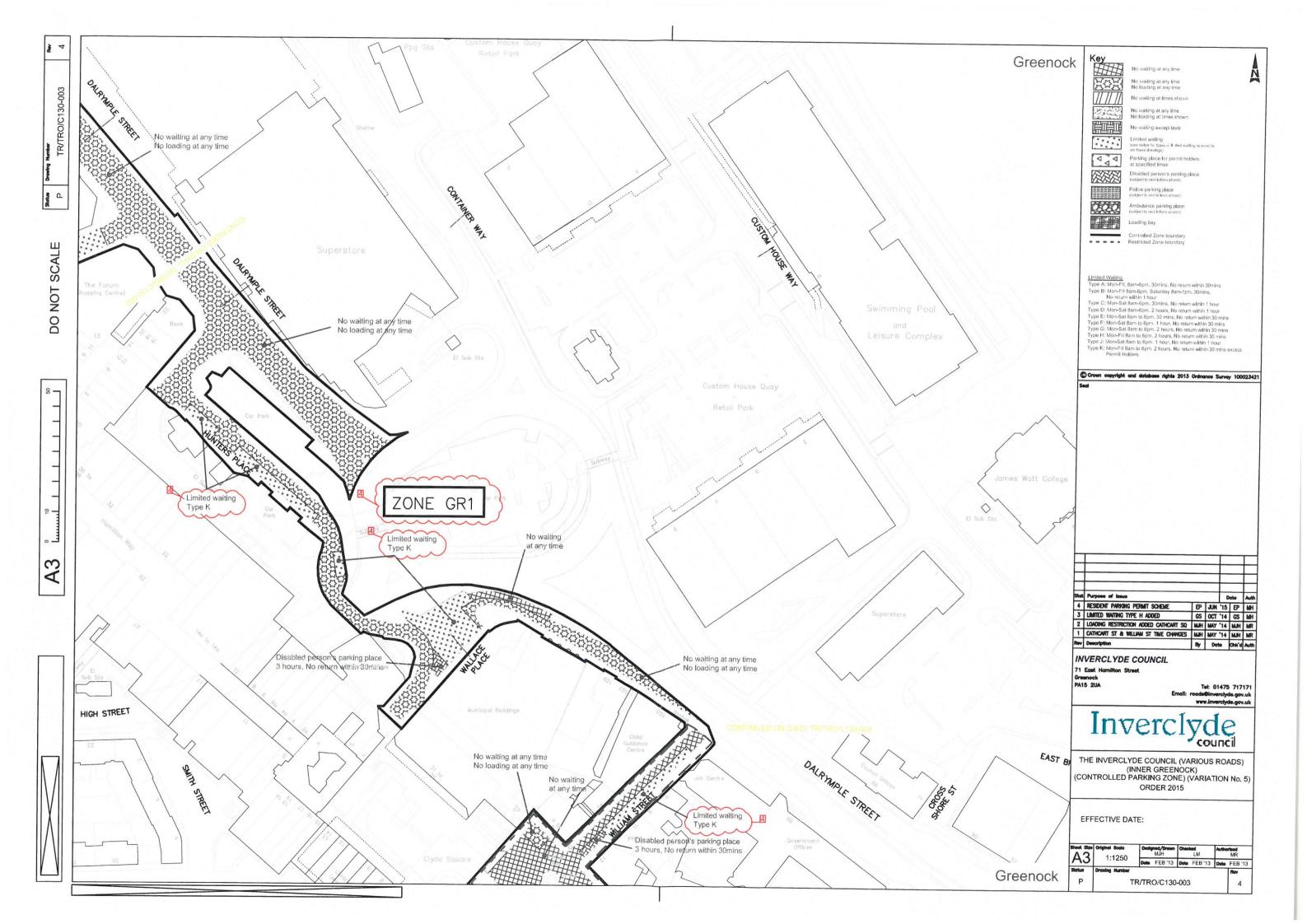
7.1 A Permit shall be valid from the Start Date retained on the Telephone Parking System for one calendar year or, if earlier, until such time as it is revoked or cancelled by the Council.

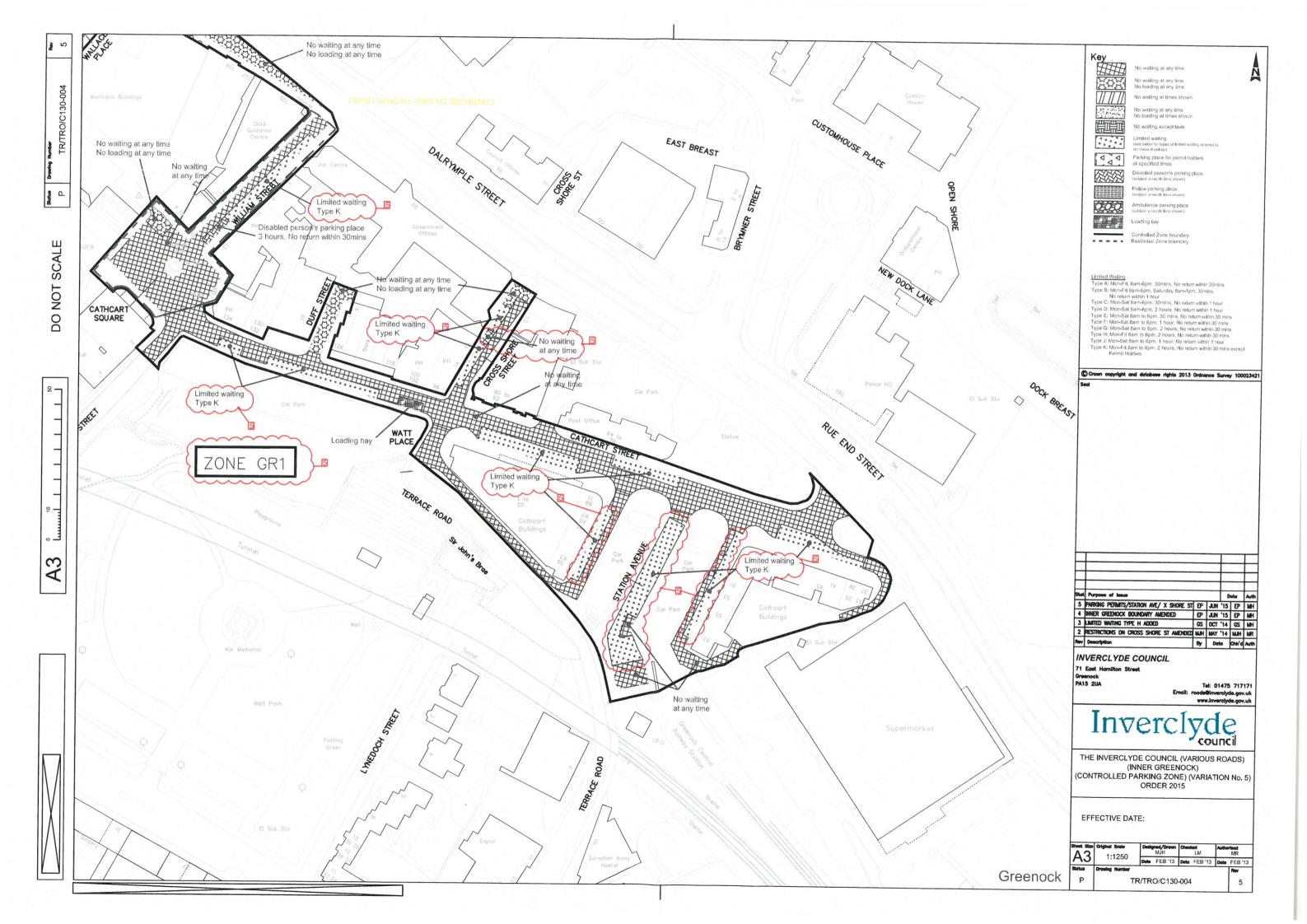
This Order and the ### Schedules annexed hereto are sealed with the Common Seal of The Inverclyde Council and subscribed for them and on their behalf by

ECO1392 The Inverclyde Council (Various Roads) (Inner Greenock) (Controlled Parking Zone) (Variation No. 5) Order 2015









SCHEDULE 2

# SCHEDULE 3

THE INVERCLYDE COUNCIL (VARIOUS ROADS) (INNER GREENOCK) (CONTROLLED PARKING ZONE) ORDER 2013 PLAN INDEX

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	-	21/11/2014	1	06/10/2014	4
Effective	Date of original Plan	06/10/2014 21/11/2014	06/10/2014 21/11/2014	06/10/2014 06/10/2014	06/10/2014 06/10/201
Plan	Ref.	TR/TRO/C130/001	TR/TRO/C130/002	TR/TRO/C130/003	TR/TRO/C130/004

## THE INVERCLYDE COUNCIL

# (VARIOUS ROADS) (OUTER GREENOCK) (WAITING RESTRICTIONS) (VARIATION NO. 5) ORDER 2015

TRAFFIC REGULATION ORDER

### THE INVERCLYDE COUNCIL (VARIOUS ROADS) (OUTER GREENOCK) (WAITING RESTRICTIONS) (VARIATION NO. 5) ORDER 2015

We, The Inverclyde Council in exercise of the powers conferred on us by Sections 1(1), 2(1) to (3), 4(2), 32(1), 35(1), 45, 46, 49, 53, 101 and 102 of the Road Traffic Regulation Act 1984 (as amended) ("the Act") and of Part IV of Schedule 9 to the Act and of all other enabling powers and after consulting the Chief Constable of the Police Service of Scotland (Seirbheis Phoilis na h-Alba) in accordance with Part III of Schedule 9 to the Act hereby make the following Order:

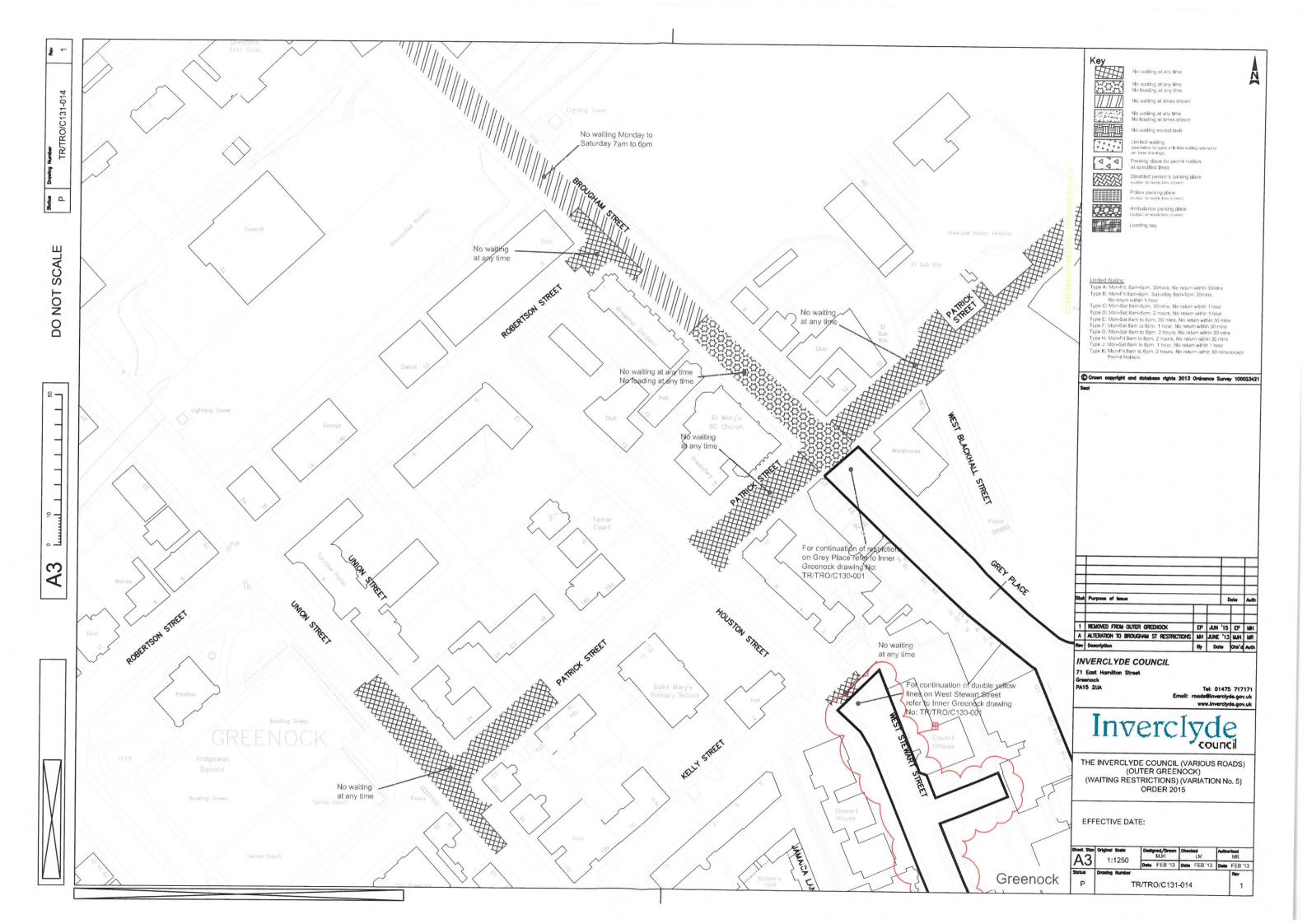
### 1.0 Commencement and citation

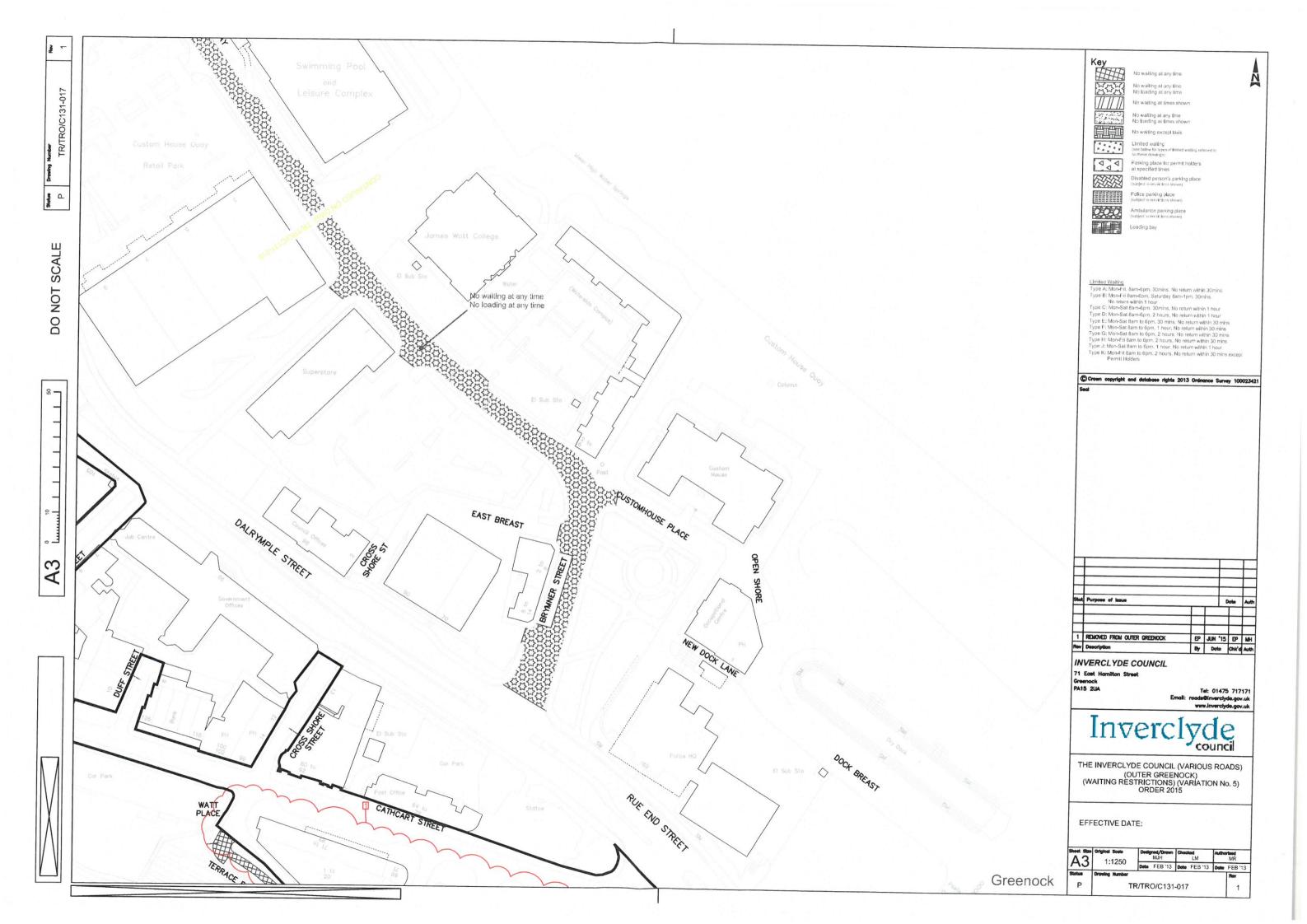
1.1 This Order shall come into operation on the \*\* day of \*\*, Two thousand and \*\* and may be cited as "The Invercited Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 5) Order 2015".

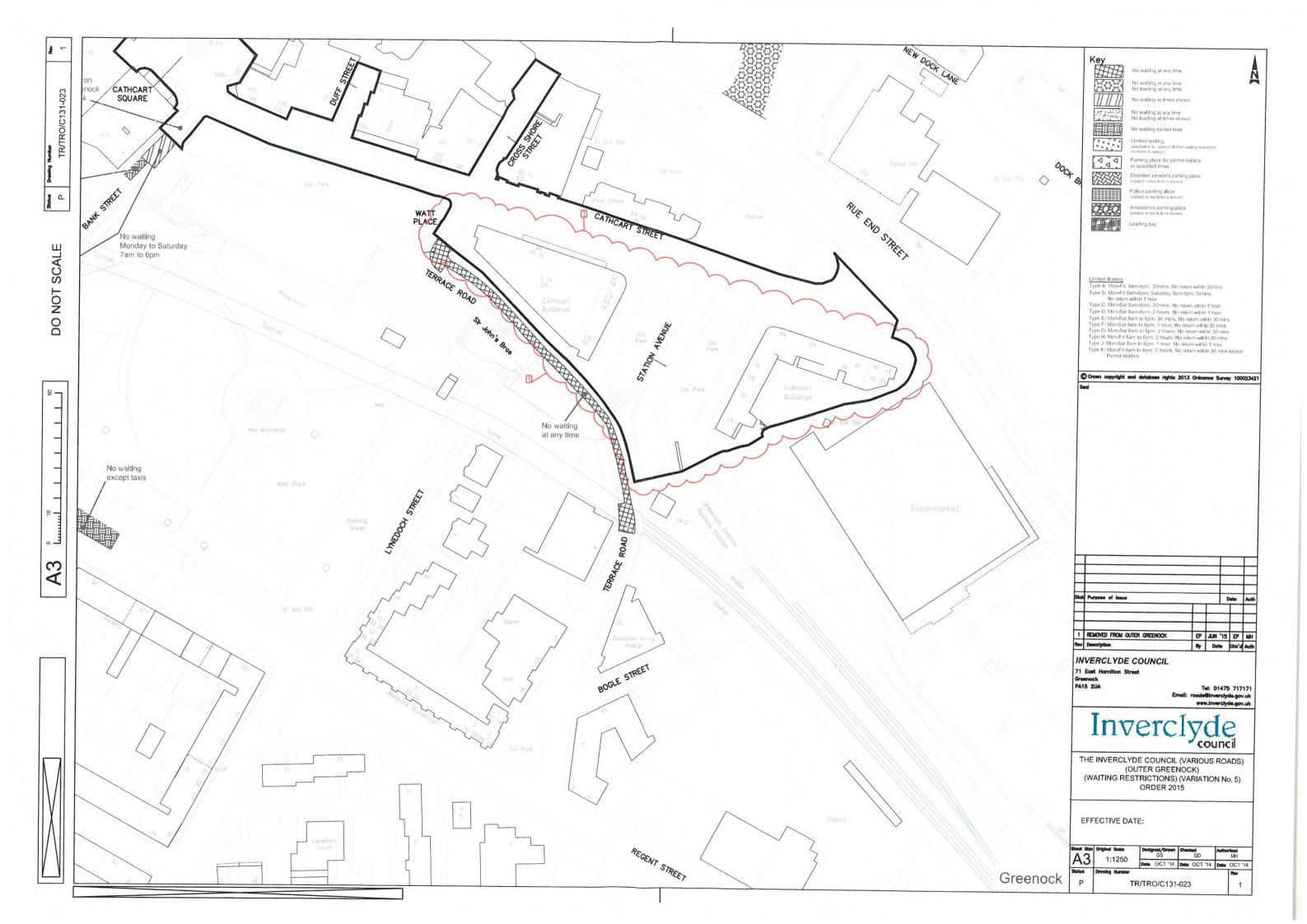
### 2.0 Interpretation

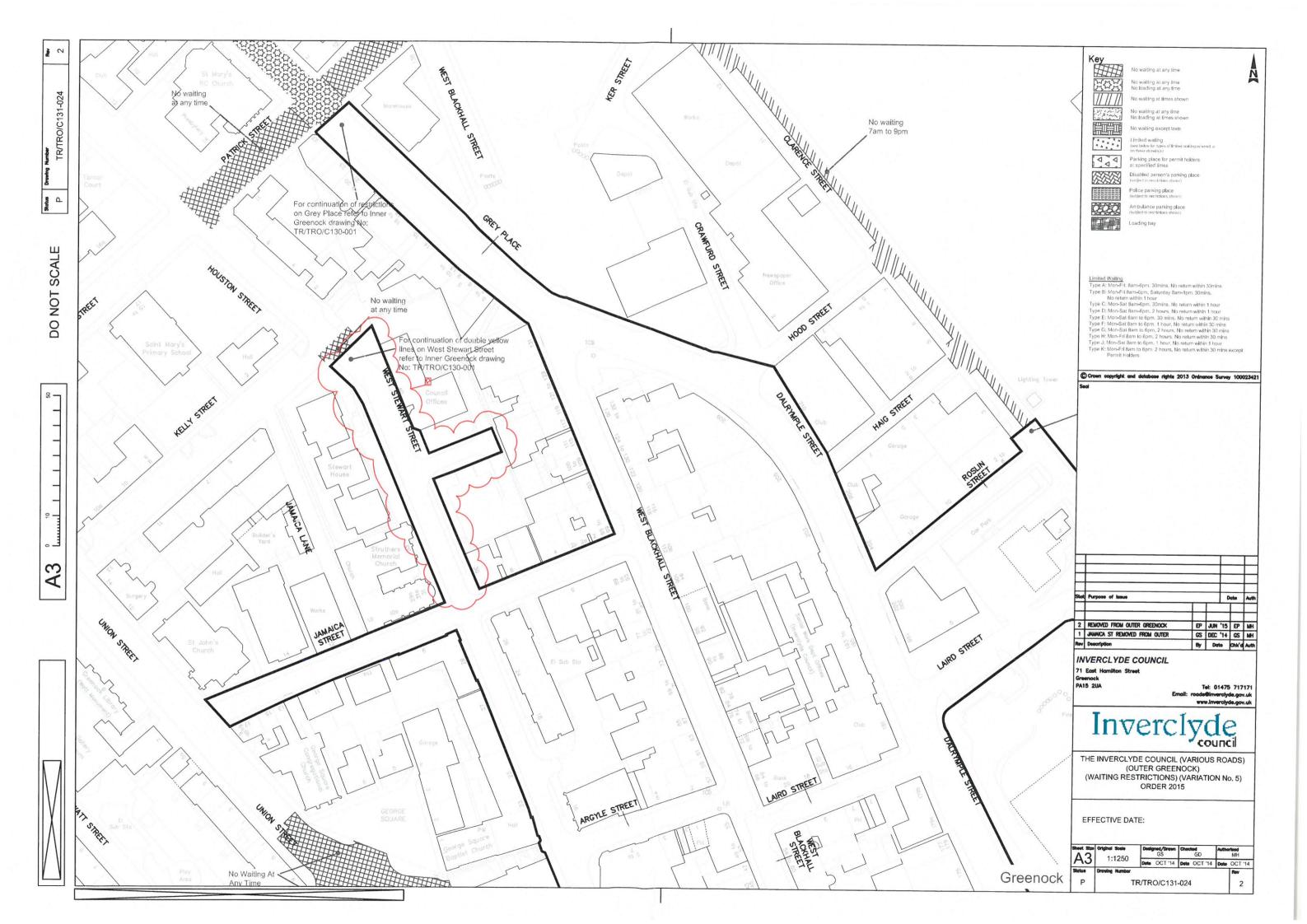
- 2.1 Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.
- 2.2 Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, modified, re-enacted, replaced or supplemented by any subsequent enactment.
- 2.3 The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulation made or having effect as if made under the Act or by or under any other enactment provided that where a prohibition or restriction which is imposed, varied or revoked by this Order is in conflict with a prohibition or restriction imposed by a previous Order, then the provision of this Order shall prevail.
- 2.4 The On-Street Plans forming Schedule 1 to this Order and titled "The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 5) Order 2015 On-Street Plans" are hereby incorporated into The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) Order 2013 and recorded in "The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) Order 2013 Plan Index".
- 2.5 The Plan Index forms Schedule 2.
- 2.6 The Interpretation Act 1978 (as amended) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

ECO1384 The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 5) Order 2015









SCHEDULE 2

# SCHEDULE 3

THE INVERCLYDE COUNCIL (VARIOUS ROADS) (OUTER GREENOCK) (WAITING RESTRICTIONS) ORDER 2013 PLAN INDEX

Plan Reference	Effective					Effective	Date of F	Effective Date of Plan Revision	u			
	date of	_	2	3	4	2	9	7	80	6	10	11
	original plan											
TR/TRO/131-001	06/10/2014											
TR/TRO/131-002	06/10/2014				7							
TR/TRO/131-003	06/10/2014								<u></u>			6
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TR/TRO/131-024	25/05/2015	26/05/2015	#########									

ECO1384 The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 5) Order 2015

### THE INVERCLYDE COUNCIL

(VARIOUS ROADS) (OUTER GREENOCK) (WAITING RESTRICTIONS) (VARIATION NO. 6) ORDER 2015

TRAFFIC REGULATION ORDER

# THE INVERCLYDE COUNCIL (VARIOUS ROADS) (OUTER GREENOCK) (WAITING RESTRICTIONS) (VARIATION NO. 6) ORDER 2015

We, The Inverclyde Council in exercise of the powers conferred on us by Sections 1(1), 2(1) to (3), 4(2), 32(1), 35(1), 45, 46, 49, 53, 101 and 102 of the Road Traffic Regulation Act 1984 (as amended) ("the Act") and of Part IV of Schedule 9 to the Act and of all other enabling powers and after consulting the Chief Constable of the Police Service of Scotland (Seirbheis Phoilis na h-Alba) in accordance with Part III of Schedule 9 to the Act hereby make the following Order:

### 1.0 Commencement and citation

1.1 This Order shall come into operation on the \*\* day of \*\*, Two thousand and \*\* and may be cited as "The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 6) Order 2015".

### 2.0 Interpretation

2.1 In this Order except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:

"End Date" means the date on which the particulars of a Printed Permit or a Virtual Permit retained on the Telephone Parking System are removed from the Telephone Parking System;

"Hand-held Device" means apparatus used by a Parking Attendant, an Authorised Person or a police constable in uniform which is programmed to interface with the Telephone Parking System;

"Identification Code" means a combination of letters and numerals by which the Council identifies an Outer Greenock Residents' Parking Permit Area;

"Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR2" means any road or part of a road contained within the boundary of the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR2, specified in the maps forming Schedule 1 to this Order;

"Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR3" means any road or part of a road contained within the boundary of the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR3, specified in the maps forming Schedule 1 to this Order;

"Parking Disc" means a Council approved device which is capable of showing the Quarter Hour Period during which a Motor Vehicle arrived at a Limited Waiting Parking Place;

"Parking Disc Area" means any road or part of a road contained within the Parking Disc Area boundary, specified in the maps forming Schedule 1 to this Order;

"Permit" means a Printed Permit or a Virtual Permit issued by the Council in accordance with the Permit scheme set out in this Order;

"Printed Permit" means a document specified in Article 4.3 of this Order which may be issued by the Council and if so issued shall be displayed and used in accordance with the particulars stipulated thereon;

"Quarter Hour Period" means a period of a quarter of an hour starting at any hour or fifteen, thirty or forty-five minutes past the hour which can be shown on a Parking Disc;

### "Relevant Position" means:

- (a) for the display of a Parking Disc, that the Parking Disc is displayed either on the inside of the front windscreen of the Motor Vehicle, where the Motor Vehicle is fitted with a front windscreen, or in a conspicuous position on the Motor Vehicle so that, in either case, all the information recorded on the front of the Parking Disc is legible and clearly visible to a person standing at the front or nearside of the Motor Vehicle and the Parking Disc shall be displayed for the whole time that the Motor Vehicle remains in the Parking Place;
- (b) for the display of a Disabled Person's Badge, that the Disabled Person's Badge is displayed as prescribed by Regulation 12 of the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000 (as amended);

"Residents' Parking Permit" means a Printed Permit or a Virtual Permit issued by the Council, in accordance with the provisions of Article 3.0 of this Order, at such a charge and on such terms and conditions as the Council may determine;

"Service Provider" means a person or company providing services to or on behalf of the Council:

"Start Date" means the date on which the particulars of a Printed Permit or a Virtual Permit are entered on the Telephone Parking System;

"Telephone Parking System" means a system to facilitate and monitor any Permits, whether Virtual Permits or Printed Permits, using any telephone or internet enabled device via communication with the Service Provider; and

"Virtual Permit" means a Permit which is not a Printed Permit, which is specified in Article 4.2 of this Order and which may be issued by the Council.

- 2.2 Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.
- 2.3 Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, modified, re-enacted, replaced or supplemented by any subsequent enactment.
- 2.4 The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulation made or having effect as if made under the Act or by or under any

other enactment provided that where a prohibition or restriction which is imposed, varied or revoked by this Order is in conflict with a prohibition or restriction imposed by a previous Order, then the provision of this Order shall prevail.

- 2.5 The On-Street Plans forming Schedule 1 to this Order and titled "The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 6) Order 2015 On-Street Plans" are hereby incorporated into The Inverclyde Council (Various Roads) (Inner Greenock) (Controlled Parking Zone) Order 2013 and recorded in "The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) Order 2013 Plan Index".
- 2.6 The Plan Index forms Schedule 2.
- 2.7 The Interpretation Act 1978 (as amended) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

### 3.0 Residents' Parking Permit

- 3.1 The Council may issue Residents' Parking Permits, at such a charge and on such terms and conditions as the Council may determine:-
  - (a) to any person who ordinarily resides in a dwelling house on any road within the boundary of the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR2; and
  - (b) to any person who ordinarily resides in a dwelling house on any road within the boundary of the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR3

both of which said Areas or Zones are specified in the maps forming Schedule 1 to this Order.

### 4.0 Form of Permits

- 4.1 A Permit shall be either a Virtual Permit or a Printed Permit;
- 4.2 The following information shall be retained on the Telephone Parking System as an indication that a Virtual Permit has been granted:-
  - (a) the name and address of the applicant;
  - (b) the name of any Outer Greenock Residents' Parking Permit Area in which the Virtual Permit is valid;
  - (c) the Identification Code of any Outer Greenock Residents' Parking Permit Area in which the Virtual Permit is valid;
  - (d) the Virtual Permit number:
  - (e) the registration number of the Motor Vehicle, Motor Cycle or Invalid Carriage in respect of which the Virtual Permit has been issued:
  - (f) the Start Date; and
  - (g) the End Date.

- 4.3 Where a Printed Permit is issued by the Council:-
  - (a) it shall include the particulars listed in sub-paragraphs (b) to (g) of Article 4.2:
  - (b) it is not transferrable; and
  - (c) it shall remain the property of the Council at all times.

### 5.0 Use of Permits

- 5.1 A Permit shall be used only in accordance with the Permit scheme set out in this Article.
- 5.2 Subject to Article 5.1 a Permit issued with an Identification Code relating to the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR2, may be used:-
  - (a) within the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR2:
  - (b) in the case of a Virtual Permit, where the Motor Vehicle, Motor Cycle or Invalid Carriage has been recorded on the Telephone Parking System for that Virtual Permit; and
  - (c) in the case of a Printed Permit, where details of the Motor Vehicle, Motor Cycle or Invalid Carriage are the same as those recorded on the Printed Permit and the Printed Permit is displayed on the Motor Vehicle, Motor Cycle or Invalid Carriage in accordance with Article 6.1 hereof.
- 5.3 Subject to Article 5.1 a Permit issued with an Identification Code relating to the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR3, may be used:-
  - (a) within the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR3:
  - (b) in the case of a Virtual Permit, where the Motor Vehicle, Motor Cycle or Invalid Carriage has been recorded on the Telephone Parking System for that Virtual Permit; and
  - (c) in the case of a Printed Permit, where details of the Motor Vehicle, Motor Cycle or Invalid Carriage are the same as those recorded on the Printed Permit and the Printed Permit is displayed on the Motor Vehicle, Motor Cycle or Invalid Carriage in accordance with Article 6.1 hereof
- If at any time a Motor Vehicle, Motor Cycle or Invalid Carriage is left in a Limited Waiting Parking Place on any road within the boundary of the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR2 and an inspection is carried out by a Parking Attendant, an Authorised Person or a police constable in uniform, and no indication that a Permit has been granted in respect of that Motor Vehicle, Motor Cycle or Invalid Carriage for the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR2, appears on the Hand-held Device of a Parking Attendant, an Authorised Person or a police constable in uniform, it shall be presumed, unless the contrary is proved, that a Permit has not been granted for that Motor Vehicle, Motor Cycle or Invalid Carriage at the time of inspection.

- If at any time a Motor Vehicle, Motor Cycle or Invalid Carriage is left in a Limited Waiting Parking Place on any road within the boundary of the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR3 and an inspection is carried out by a Parking Attendant, an Authorised Person or a police constable in uniform, and no indication that a Permit has been granted in respect of that Motor Vehicle, Motor Cycle or Invalid Carriage for the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR3, appears on the Hand-held Device of a Parking Attendant, an Authorised Person or a police constable in uniform, it shall be presumed, unless the contrary is proved, that a Permit has not been granted for that Motor Vehicle, Motor Cycle or Invalid Carriage at the time of inspection.
- A person holding a valid Outer Greenock Residents' Parking Permit Area, Zone GR2, Residents' Parking Permit is permitted to wait in any Limited Waiting Parking Place on any road within the boundary of the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR2, specified in the maps forming Schedule 1 to this Order, without limit of time.
- 5.7 An Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR2, Residents' Parking Permit shall not be valid in any Limited Waiting Parking Place other than on those roads within the boundary of the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR2, specified in the maps forming Schedule 1 to this Order.
- 5.8 A person holding a valid Outer Greenock Residents' Parking Permit Area, Zone GR3, Residents' Parking Permit is permitted to wait in any Limited Waiting Parking Place on any road within the boundary of the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR3, specified in the maps forming Schedule 1 to this Order, without limit of time
- An Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR3, Residents' Parking Permit shall not be valid in any Limited Waiting Parking Place other than on those roads within the boundary of the Outer Greenock Residents' Parking Permit Area, also referred to as Zone GR3, specified in the maps forming Schedule 1 to this Order.
- 5.10 When a Motor Vehicle is left in a Road in contravention of any of the provisions of this Order, the Registered Keeper will become liable for a penalty charge and a police constable in uniform, a Parking Attendant or an Authorised Person may affix a Penalty Charge Notice to the Motor Vehicle and, subsequently, may remove or arrange for the removal of the Motor Vehicle from that Road.

### 6.0 Display of Printed Permits

- 6.1 Where a Printed Permit issued by the Council is used:-
  - (a) in the case of a Motor Vehicle, the driver of any Motor Vehicle parked in any Limited Waiting Parking Place who wishes to make use of a Printed Permit shall attach or display the Printed Permit on the Motor Vehicle on the nearside thereof, behind the glass of the windscreen, in such position as to ensure that the front side of the Printed Permit is clearly visible to any person standing at the front nearside of the Motor Vehicle; and

- (b) in the case of a Motor Cycle or Invalid Carriage, the driver of any Motor Cycle or Invalid Carriage parked in any Limited Waiting Parking Place who wishes to make use of a Printed Permit shall attach or display the Printed Permit on the Motor Cycle or Invalid Carriage in a conspicuous position in front of the driver's seat.
- Where an inspection is carried out by a Parking Attendant, an Authorised Person or a police constable in uniform, and a Printed Permit issued in respect of that Motor Vehicle, Motor Cycle or Invalid Carriage is not displayed in accordance with Article 6.1 or the particulars shown on the Printed Permit indicate it has not yet commenced, it shall be deemed that a Printed Permit has not been issued in respect of that vehicle at the time of inspection

### 7.0 Duration of Permits

7.1 A Permit shall be valid from the Start Date retained on the Telephone Parking System for one calendar year or, if earlier, until such time as it is revoked or cancelled by the Council.

### 8.0 Limited waiting

- 8.1 Save as provided in Article 8.8 of this Order the Driver of a Motor Vehicle, shall on the arrival, and throughout the period of waiting at a Limited Waiting Parking Place within the Parking Disc Area, exhibit on the Motor Vehicle a Parking Disc in accordance with the provisions of Articles 8.2 and 8.3.
- 8.1.1. No person shall, except upon the direction of a police constable in uniform, a Parking Attendant or an Authorised Person, cause or permit any Motor Vehicle to wait during that period in that part of the Road:
  - (a) for longer than the maximum period of waiting specified for that part of the Road; or
  - (b) if a period of less than the no return interval specified for that part of the Road has elapsed since the termination during the said hours of the last period of waiting (if any) of the Motor Vehicle in that part of the Road.
- 8.2 Save as provided in Article 8.8 the Parking Disc shall be exhibited on the Motor Vehicle in a Relevant Position.
- 8.3 Save as provided in Article 8.8 the Parking Disc while exhibited on the Motor Vehicle shall be so placed that the Quarter Hour Period during which the Motor Vehicle arrived at a Limited Waiting Parking Place within the Parking Disc Area shown on the front of the Parking Disc is clearly visible to a person standing on the nearside of the Motor Vehicle.
- When a Parking Disc has been displayed on a Motor Vehicle in accordance with the provisions of Articles 8.1, 8.2 and 8.3 of this Order, no person shall remove the Parking Disc from the Motor Vehicle unless authorised to do so by the Driver of the Motor Vehicle.

- 8.5 The Driver of a Motor Vehicle shall, on exhibiting the Parking Disc on the Motor Vehicle in accordance with Articles 8.1, 8.2 and 8.3 of this Order, set the Parking Disc so that it indicates the Quarter Hour Period during which the Motor Vehicle arrived at a Limited Waiting Parking Place within the Parking Disc Area.
- Subject to the provisions of Article 8.8 of this Order, the Driver of a Motor Vehicle shall not permit it to wait continuously in a Limited Waiting Parking Place within the Parking Disc Area for a period longer than the waiting period permitted as shown in the On-Street Plans and such period of parking shall be calculated as commencing from the later time indicated on the Parking Disc, set in accordance with the provisions of Article 8.5 hereof.
- 8.7 When a Parking Disc exhibited in pursuance of Articles 8.1, 8.2 and 8.3 of this Order on a Motor Vehicle waiting in a Limited Waiting Parking Place within the Parking Disc Area is showing a Quarter Hour Period, the later time indicated by the Parking Disc showing the end of that period shall be treated as sufficient evidence that the Motor Vehicle has been waiting in that Limited Waiting Parking Place within the Parking Disc Area since that later time in any proceedings for an offence under Article 8.6 of this Order and Section 5 of the Road Traffic Regulation Act 1984 (as amended).
- 8.8 Nothing in Articles 8.1, 8.2 and 8.3 of this Order shall apply to:-
  - (a) a Disabled Persons' Vehicle which is not causing an obstruction;
  - (b) any two wheeled Motor Cycle not having a sidecar attached thereto.
  - (b) any Motor Vehicle from which Goods are being Loaded.
  - (c) any Motor Vehicle from which a person is boarding or alighting.
  - (d) any Motor Vehicle being used in connection with;
    - (i) building, industrial or demolition operations;
    - (ii) the removal of any obstruction to traffic;
    - (iii) the maintenance, improvement or reconstruction of the said parts of the Road; or
    - (iv) the laying, erection, alteration, removal or repair in or adjacent to any Road, of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any Electronic Communications Apparatus or Traffic Sign;

if it cannot conveniently be used for such purpose in any other Road.

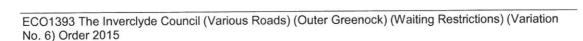
- (e) any Motor Vehicle being used in pursuance of statutory powers and duties if it cannot conveniently be used for such purpose in any other Road.
- (f) any Motor Vehicle which is being used for fire and rescue service, police, ambulance or other emergency service purposes.

(g) a maximum of three Motor Vehicles involved in a funeral or a wedding ceremony waiting at or near to any premises situated on or adjacent to the said parts of the Road so long as the waiting by these Motor Vehicles is reasonably necessary.

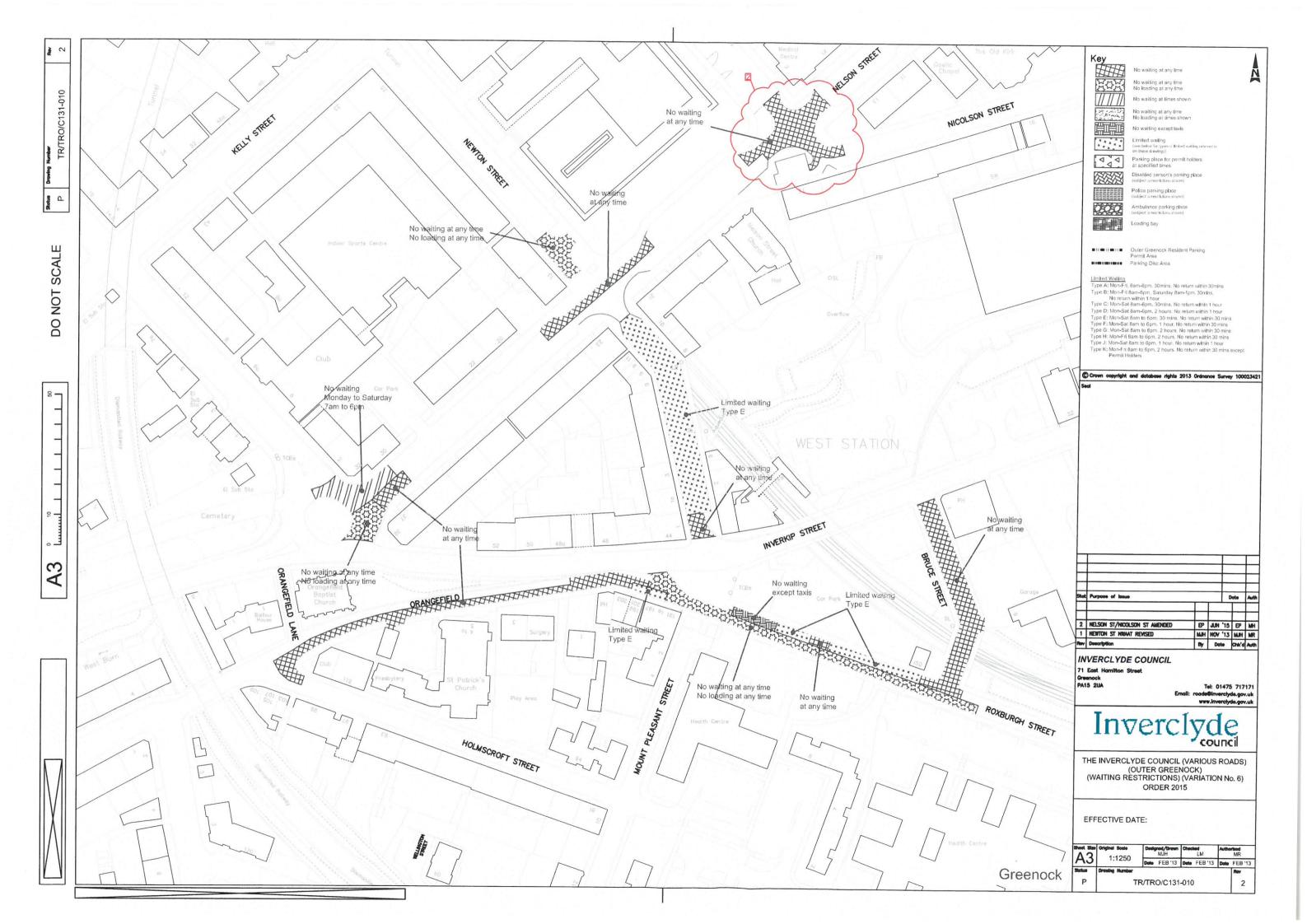
### 8.9 No person shall:

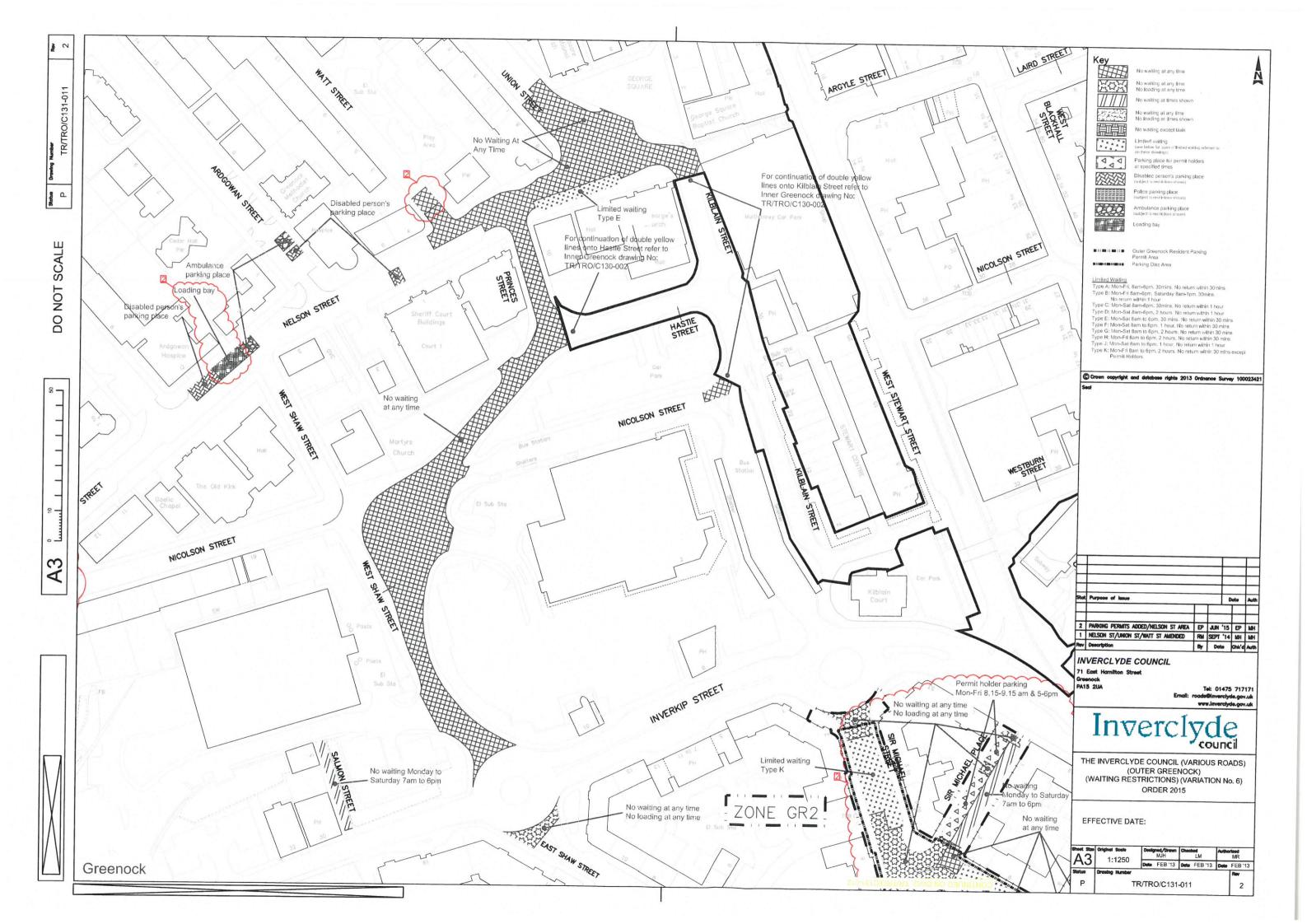
- (a) after the Parking Disc exhibited on the Motor Vehicle has been set in accordance with Article 8.5, alter the indications given by that Parking Disc whilst the said Motor Vehicle remains in the Limited Waiting Parking Place within the Parking Disc Area.
- (b) knowingly exhibit on any Motor Vehicle any Parking Disc which has been altered, defaced, mutilated or added to or upon which the figures or particulars have become illegible.

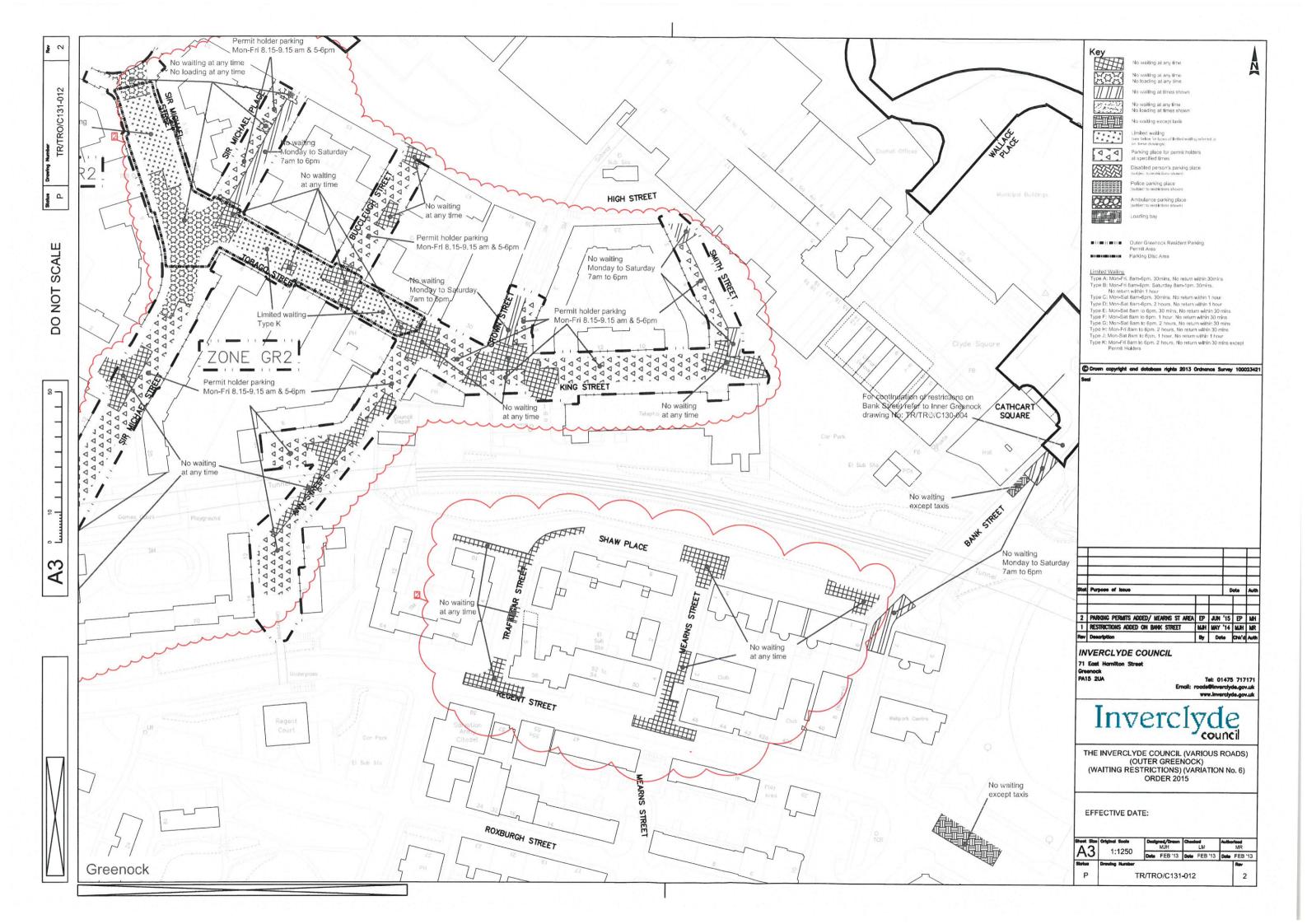
This Order and the two Schedules annexed hereto are sealed with the Common Seal of The Inverclyde Council and subscribed for them and on their behalf by ##

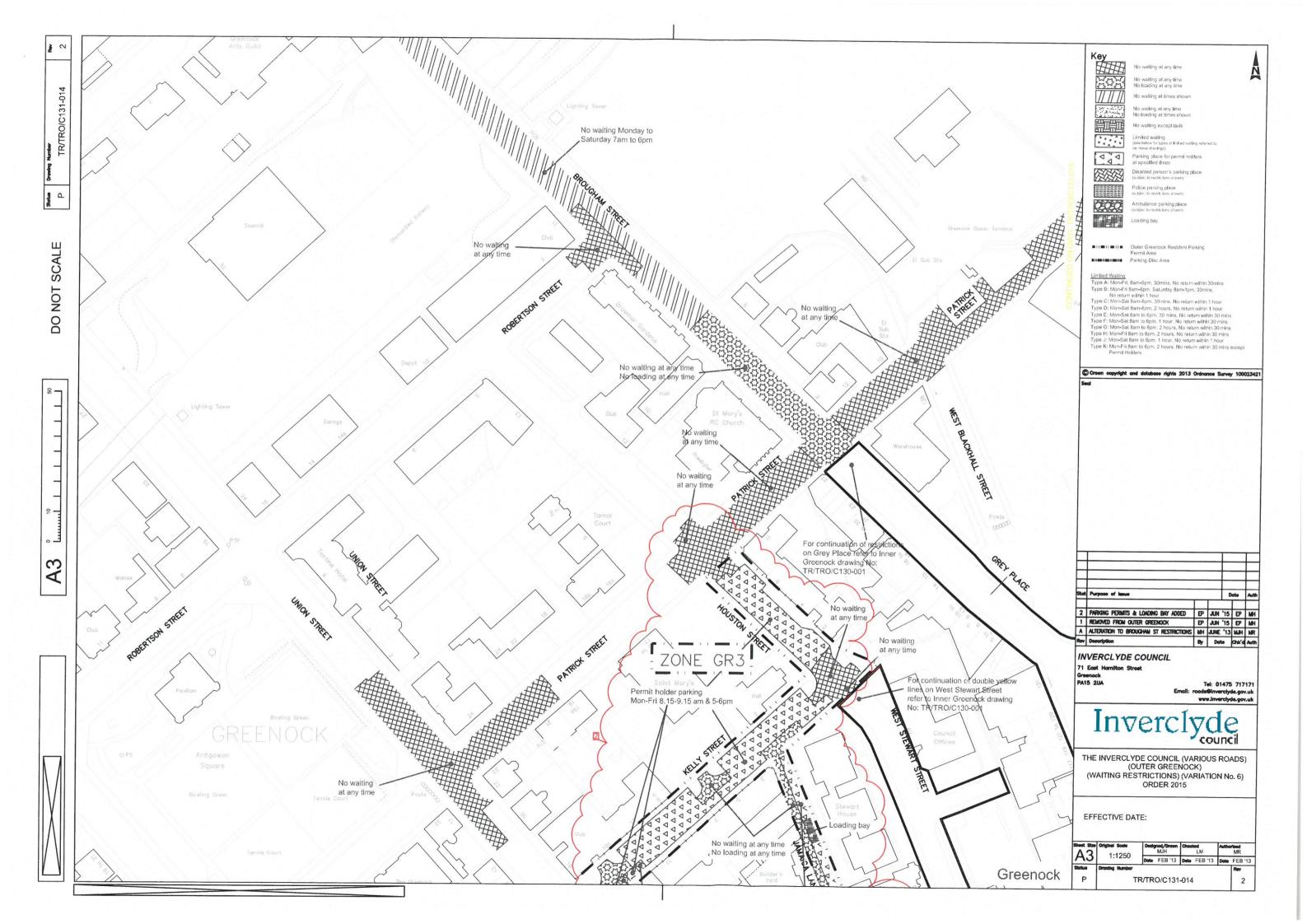


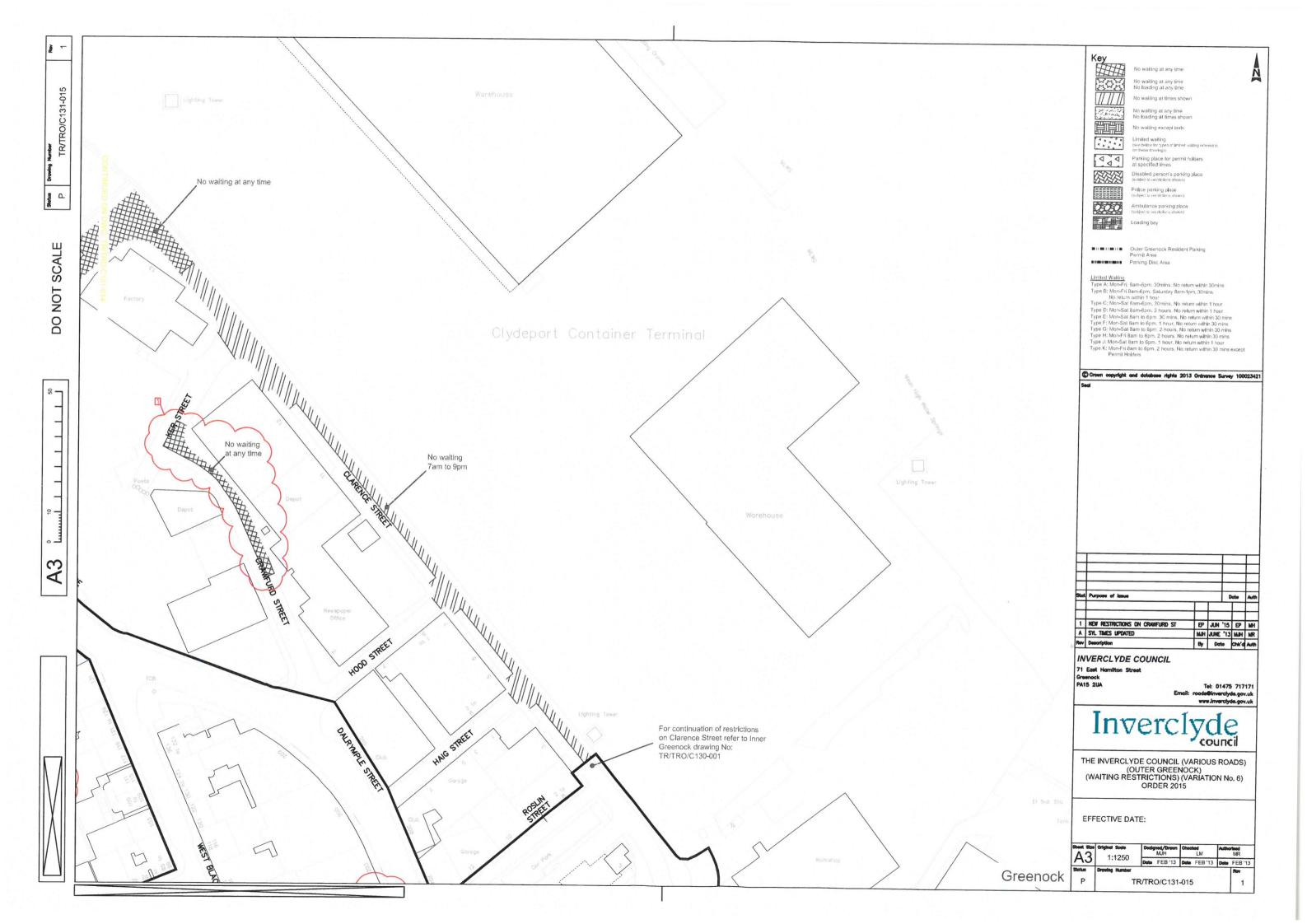
ECO 1393 The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 6) Order 2015

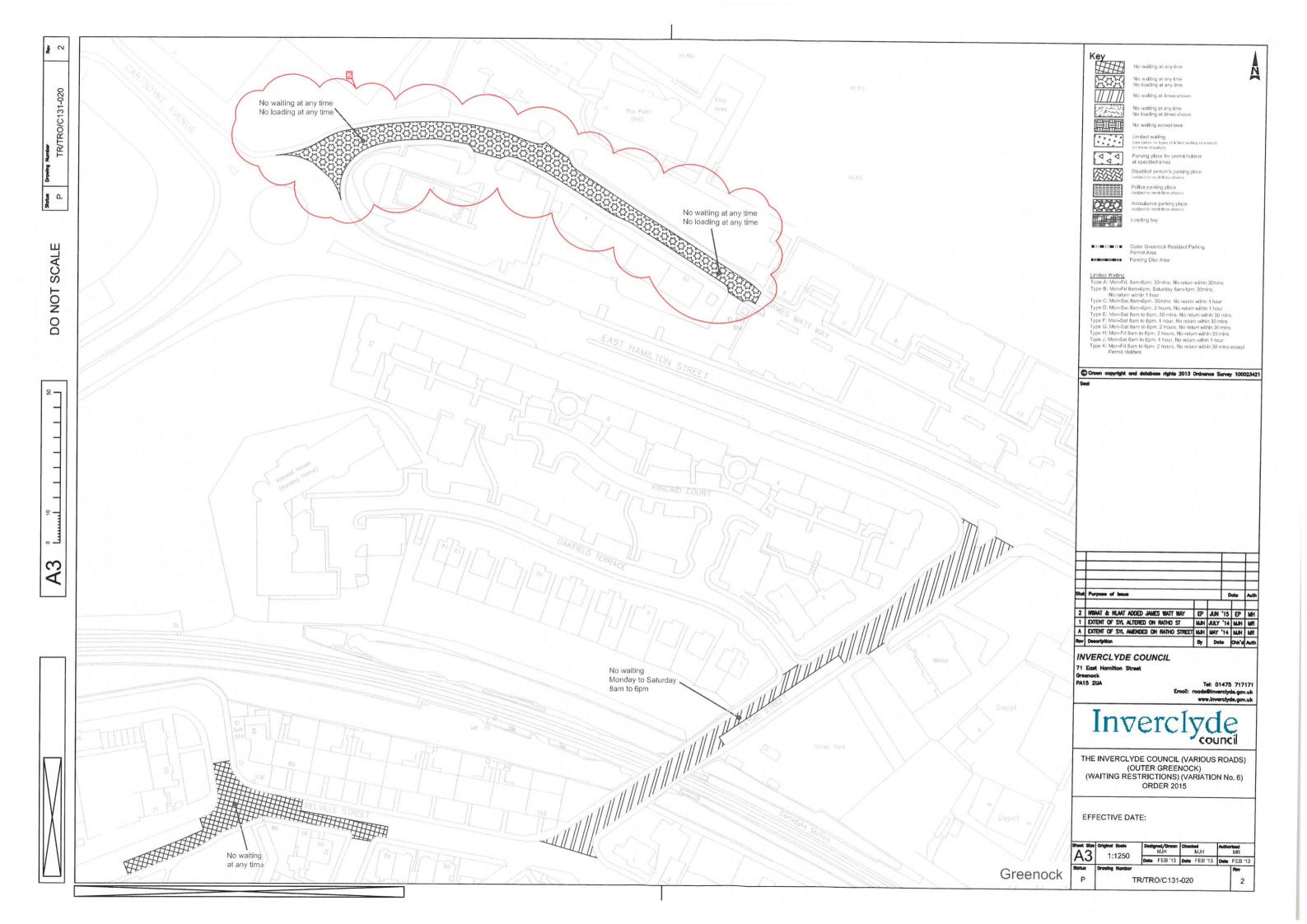


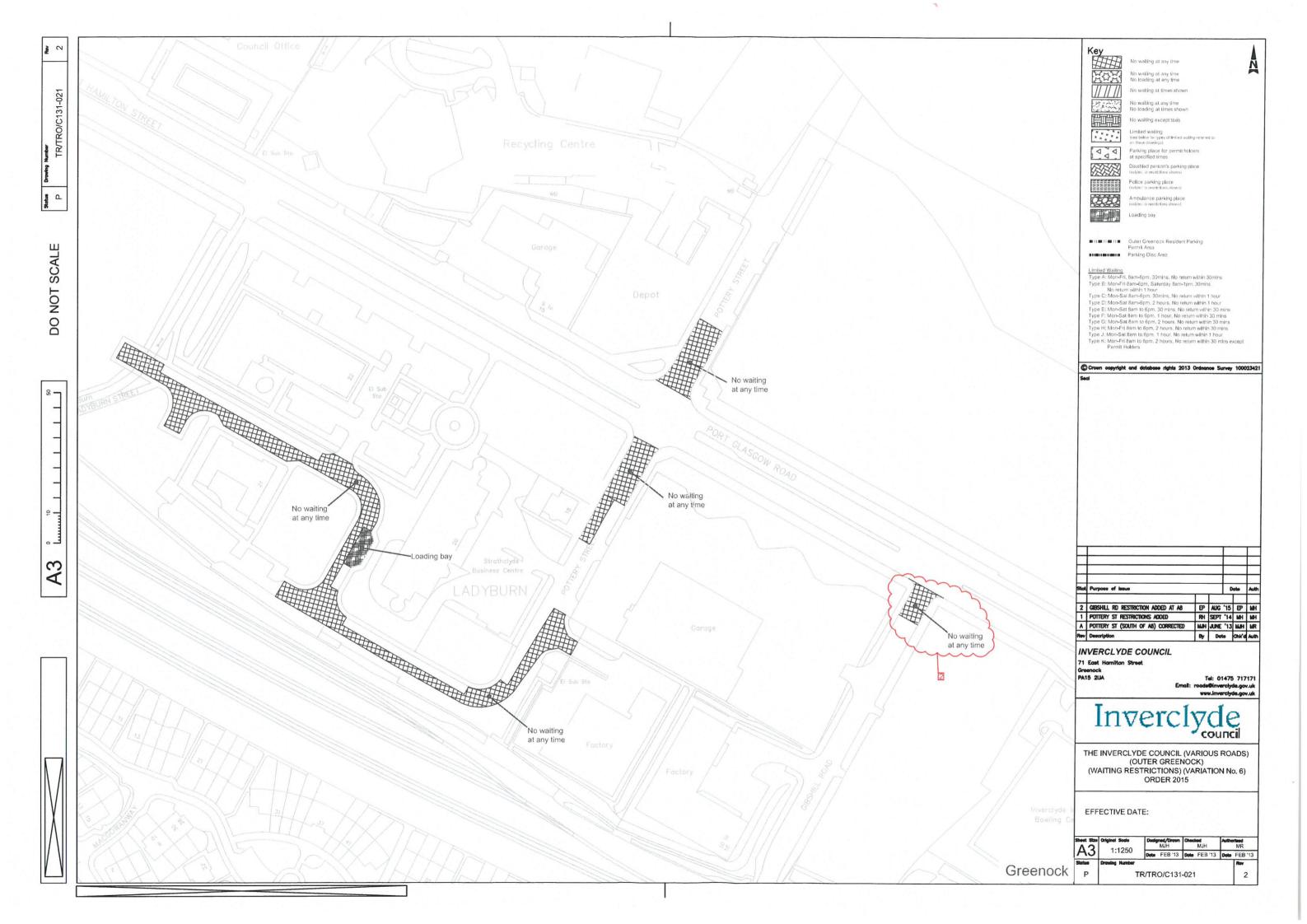


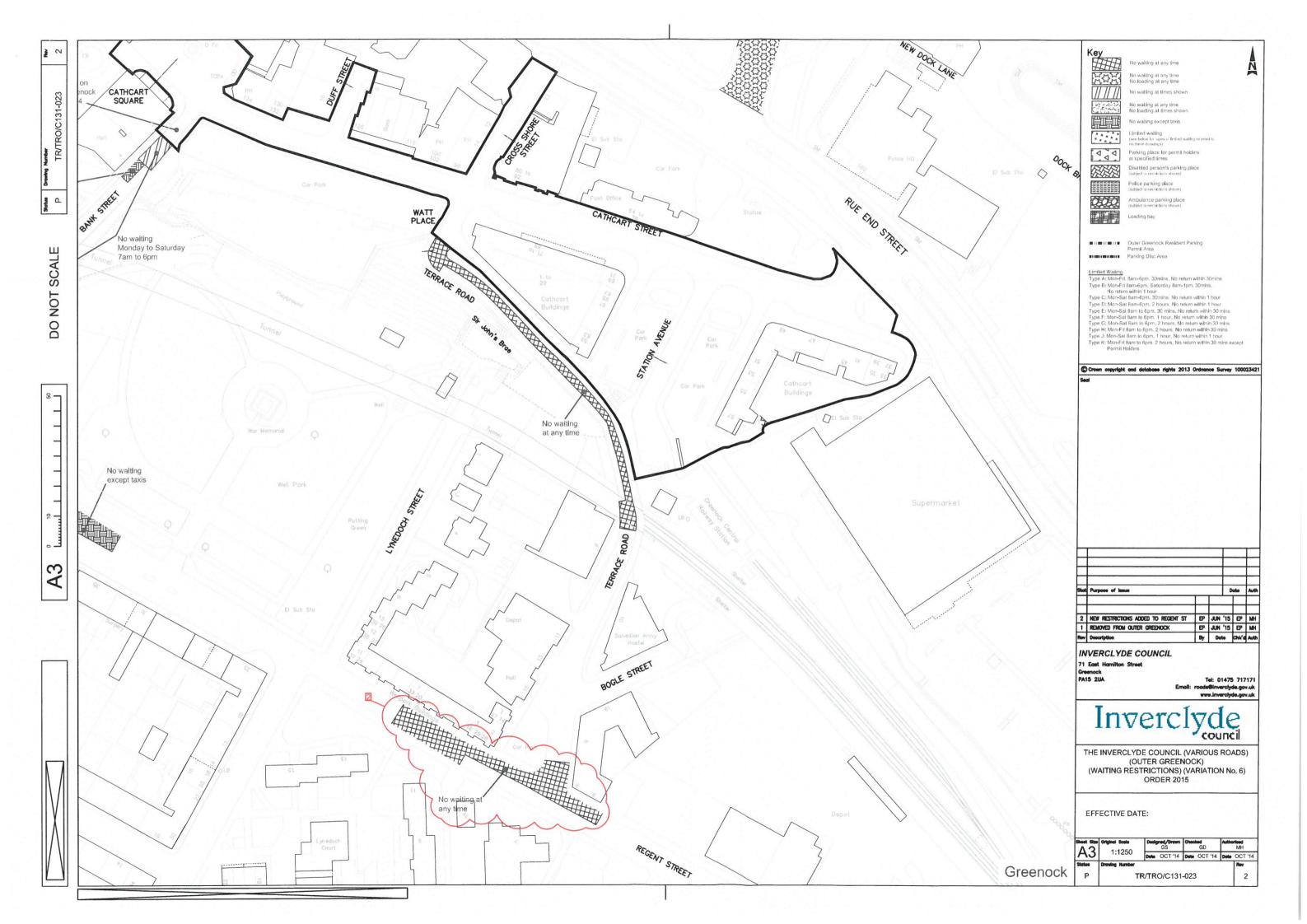


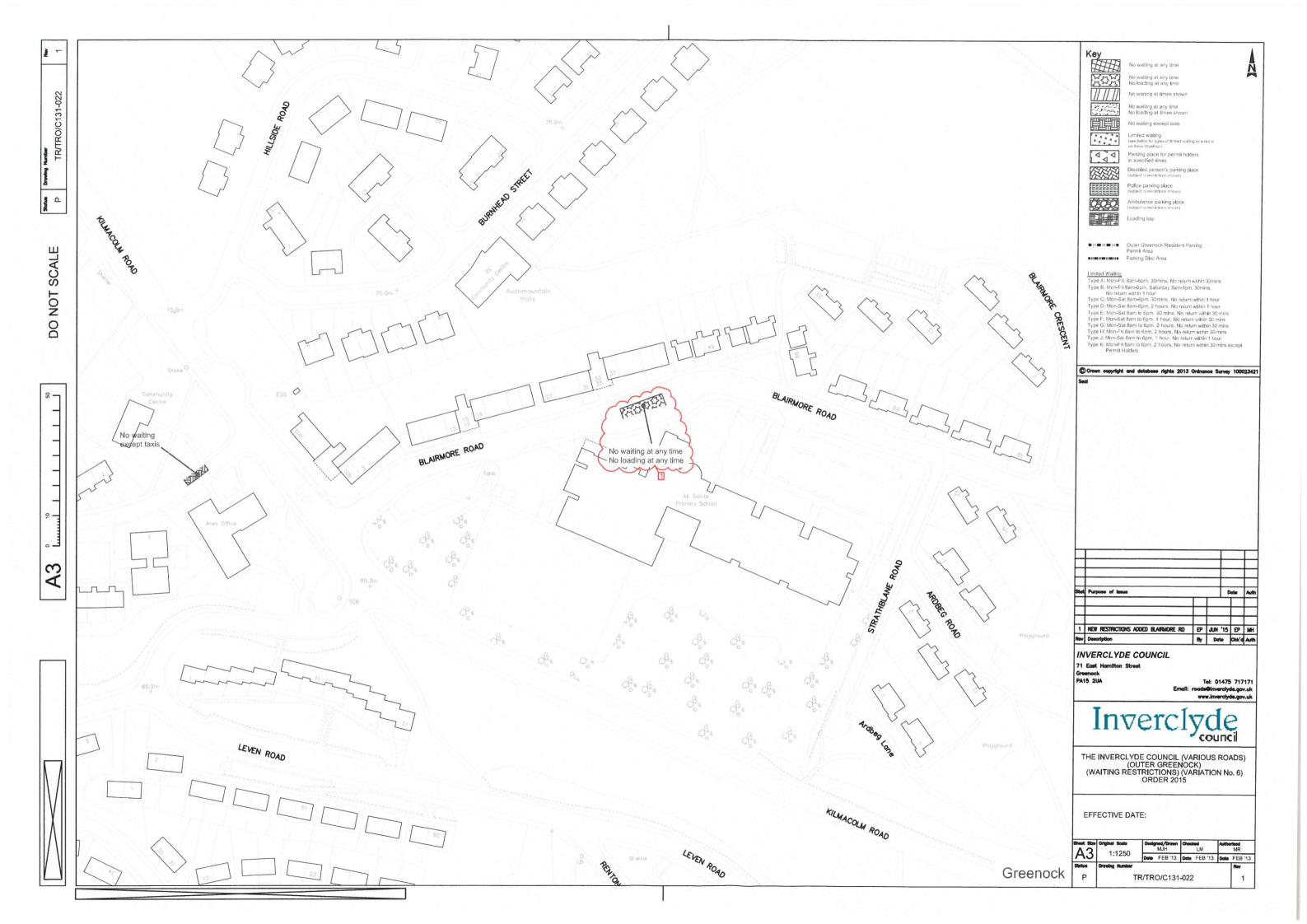


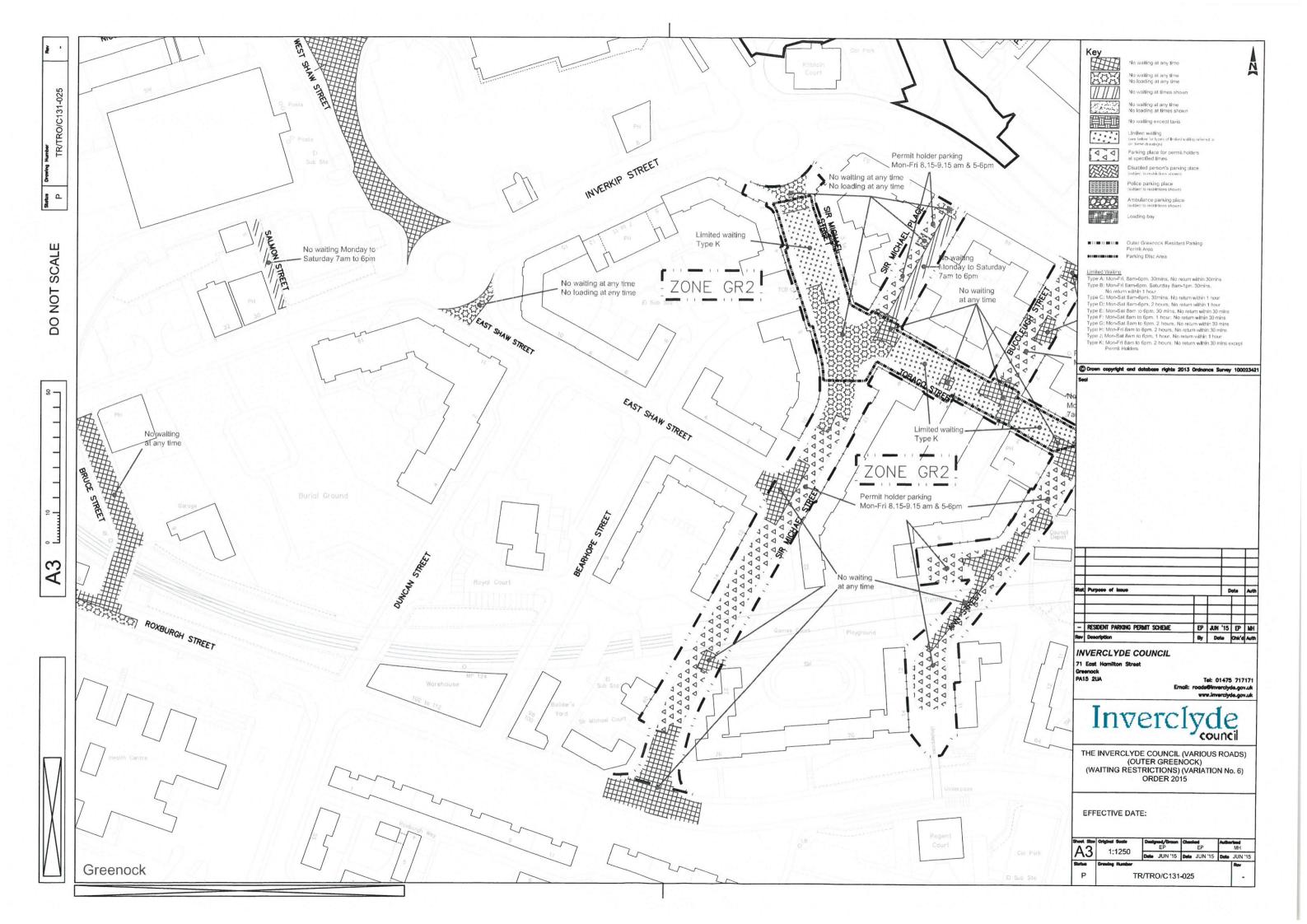


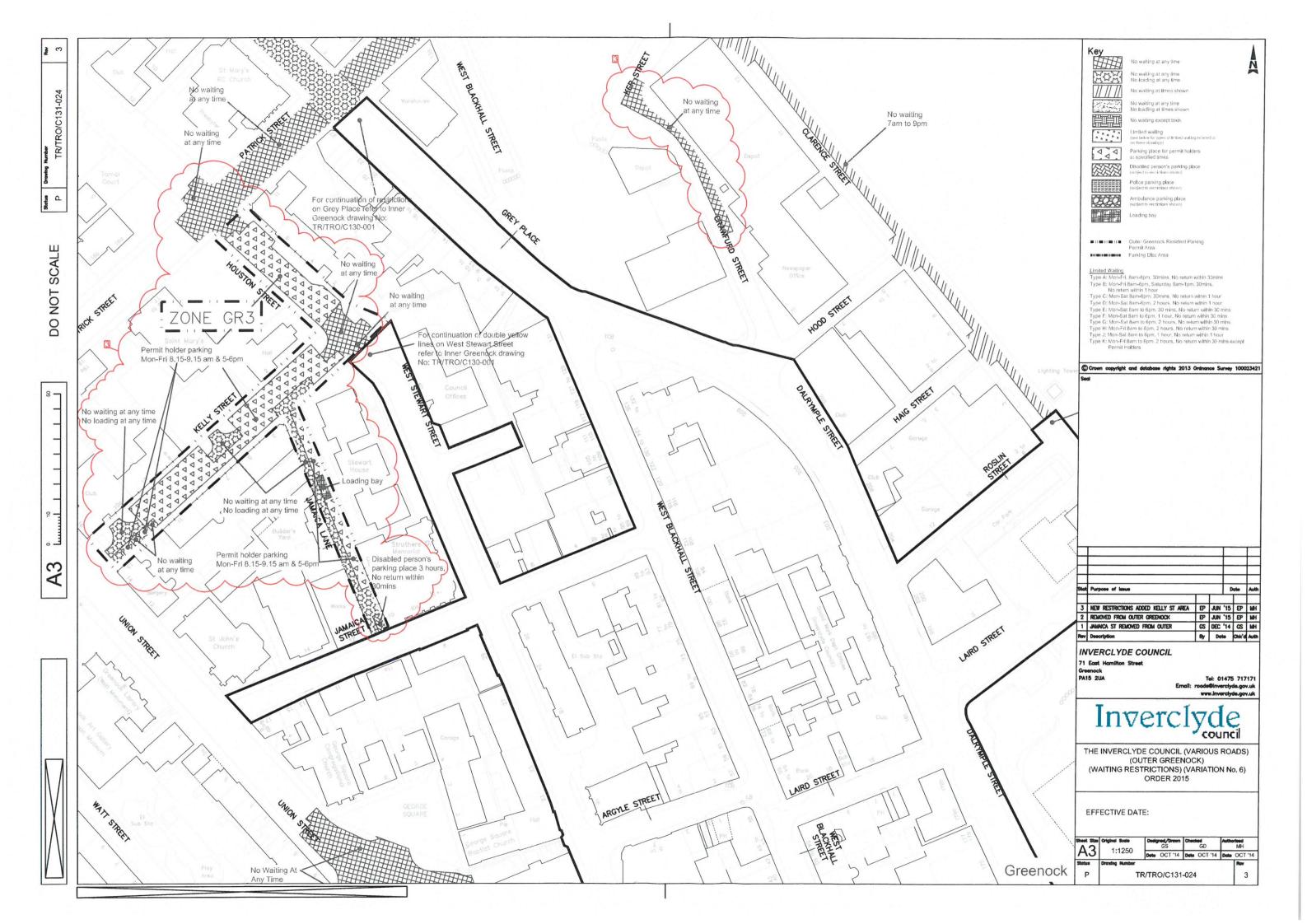












SCHEDULE 2

SCHEDULE 3

THE INVERCLYDE COUNCIL (VARIOUS ROADS) (OUTER GREENOCK) (WAITING RESTRICTIONS) ORDER 2013 PLAN INDEX

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ECO 1393 The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 6) Order 2015

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ECO1393 The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 6) Order 2015

### THE INVERCLYDE COUNCIL

(OFF-STREET PARKING PLACES) (VARIATION NO. 4) ORDER 2015

TRAFFIC REGULATION ORDER

### THE INVERCLYDE COUNCIL (OFF-STREET PARKING PLACES) (VARIATION NO. 4) ORDER 2015

We, The Inverclyde Council in exercise of the powers conferred on us by Sections 1(1), 2(1) to (3), 32(1), 35(1), 35(3), 35(3A), 35(3B), 46, 49, 101 and 102 of the Road Traffic Regulation Act 1984 (as amended) ("the Act") and of Part IV of Schedule 9 to the Act and of all other enabling powers and after consulting the Chief Constable of the Police Service of Scotland (Seirbheis Phoilis na h-Alba) in accordance with Part III of Schedule 9 to the Act hereby make the following Order:

### 1.0 Commencement and citation

1.1 This Order shall come into operation on the \*\* day of \*\*, Two thousand and \*\* and may be cited as "The Inverclyde Council (Off-Street Parking Places) (Variation No. 4) Order 2015".

### 2.0 Interpretation

2.1 In this Order except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-

"Hand-held Device" means apparatus used by a Parking Attendant, an Authorised Person or a police constable in uniform which is programmed to interface with the Telephone Parking System;

"Identification Code" means a combination of letters and numerals by which the Council identifies a Parking Place;

"Permit" means a Printed Permit or a Virtual Permit issued by the Council;

"Printed Permit" means a document issued by the Council which shall be displayed and used in accordance with the particulars stipulated thereon;

"Residents' Parking Permit" means a Printed Permit or a Virtual Permit issued by the Council, at such a charge and on such terms and conditions as the Council may determine;

"Telephone Parking System" means a system to facilitate and monitor any Permits, whether Virtual Permits or Printed Permits, using any telephone or internet enabled device via communication with the Service Provider; and

"Virtual Permit" means a Permit which is not a Printed Permit issued by the Council.

- 2.2 Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.
- 2.3 Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, modified, re-enacted, replaced or supplemented by any subsequent enactment.
- 2.4 The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any

regulation made or having effect as if made under the Act or by or under any other enactment provided that where a prohibition or restriction which is imposed, varied or revoked by this Order is in conflict with a prohibition or restriction imposed by a previous Order, then the provision of this Order shall prevail.

- 2.5 The Off-Street Plans means the plans titled "The Inverclyde Council (Off-Street Parking Places) (Variation No. 4) Order 2014 Off-Street Plans" forming Schedule 1 to this Order which are hereby incorporated into "The Inverclyde Council (Off-Street Parking Places) Order 2013" and which are recorded as current for the purposes of interpretation of this Order in the Plan Index.
- 2.6 The Plan Index forms Schedule 2 to this Order.
- 2.7 The Schedule titled "Parking Places, Number and Name, Charging Hours, Days and Hours of Parking Place Operation, Maximum period for which vehicles may wait, Tariff and Disabled Persons' Parking Places" forming Schedule 3 to this Order is hereby incorporated into "The Inverclyde Council (Off-Street Parking Places) Order 2013."
- 2.8 The Schedule titled "Scale of Parking Charges applicable during the hours of operation for Parking Places specified in Schedule 3" forming Schedule 4 to this Order is hereby incorporated into "The Inverclyde Council (Off-Street Parking Places) Order 2013".
- 2.9 The Interpretation Act 1978 (as amended) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

### 3.0 Use of Permits in Parking Places

- 3.1 A Permit shall be used only in accordance with this Article.
- 3.2 Subject to Article 3.1, a Permit issued with an Identification Code shown in Schedule 3, Column 8, may be used:-
  - (a) in a Parking Place bearing that Identification Code, shown in Schedule 3, Column 8;
  - (b) in the case of a Virtual Permit, where the Motor Vehicle, Motor Cycle or Invalid Carriage has been recorded on the Telephone Parking System for that Virtual Permit: and
  - (c) in the case of a Printed Permit, where details of the Motor Vehicle, Motor Cycle or Invalid Carriage are the same as those recorded on the Printed Permit and the Printed Permit is displayed on the Motor Vehicle, Motor Cycle or Invalid Carriage in accordance with Article 4.1 hereof.
- 3.3 If at any time a Motor Vehicle, Motor Cycle or Invalid Carriage is left in a Parking Place and an inspection is carried out by a Parking Attendant, an Authorised Person or a police constable in uniform, and no indication that a Permit has been granted in respect of that Motor Vehicle, Motor Cycle or Invalid Carriage bearing the Identification Code for that Parking Place appears on the Hand-held Device of a Parking Attendant, an Authorised Person or a police constable in uniform, it shall be presumed, unless the

- contrary is proved, that a Permit has not been granted for that Motor Vehicle, Motor Cycle or Invalid Carriage at the time of inspection.
- 3.4 A Permit shall not be valid in a Parking Place other than a Parking Place which bears the same Identification Code, as shown in Schedule 3, Column 8.
- When a Motor Vehicle is left in a Parking Place in contravention of any of the provisions of this Order, the Registered Keeper will become liable for a penalty charge and a police constable in uniform, a Parking Attendant or an Authorised Person may affix a Penalty Charge Notice to the Motor Vehicle and, subsequently, may remove or arrange for the removal of the Motor Vehicle from that Parking Place.

### 4.0 Display of Printed Permits

- 4.1 Where a Printed Permit issued by the Council is used:-
  - (a) in the case of a Motor Vehicle, the driver of any Motor Vehicle parked in any Parking Place who wishes to make use of a Printed Permit shall attach or display the Printed Permit on the Motor Vehicle on the nearside thereof, behind the glass of the windscreen, in such position as to ensure that the front side of the Printed Permit is clearly visible to any person standing at the front nearside of the Motor Vehicle; and
  - (b) in the case of a Motor Cycle or Invalid Carriage, the driver of any Motor Cycle or Invalid Carriage parked in any Parking Place who wishes to make use of a Printed Permit shall attach or display the Printed Permit on the Motor Cycle or Invalid Carriage in a conspicuous position in front of the driver's seat.
- 4.2 Where an inspection is carried out by a Parking Attendant, an Authorised Person or a police constable in uniform, and a Printed Permit issued in respect of that Motor Vehicle, Motor Cycle or Invalid Carriage is not displayed in accordance with Article 4.1 or the particulars shown on the Printed Permit indicate it has not yet commenced, it shall be deemed that a Printed Permit has not been issued in respect of that vehicle at the time of inspection.

### 5.0 Exemptions to Restrictions

- 5.1 The maximum duration of stay for the parking of Motor Vehicles in any Parking Place shall be as set out in Column 3 of Schedule 4 to this Order.
- The charges for the parking of Motor Vehicles during the Charging Hours in any Parking Place specified in Schedule 3 shall be as set out in Column 2 of Schedule 4 to this Order provided that where in the Parking Place it is indicated for the time being that a charge lower than the scale of charges in Column 2 of Schedule 4 shall be payable, or that no charge shall be payable, then that lower charge shall be payable, or no charge shall be payable as the case may be.
- 5.3 Notwithstanding Article 5.1 of this Order, a Motor Vehicle, Motor Cycle or Invalid Carriage in respect of which there is a valid Residents' Parking

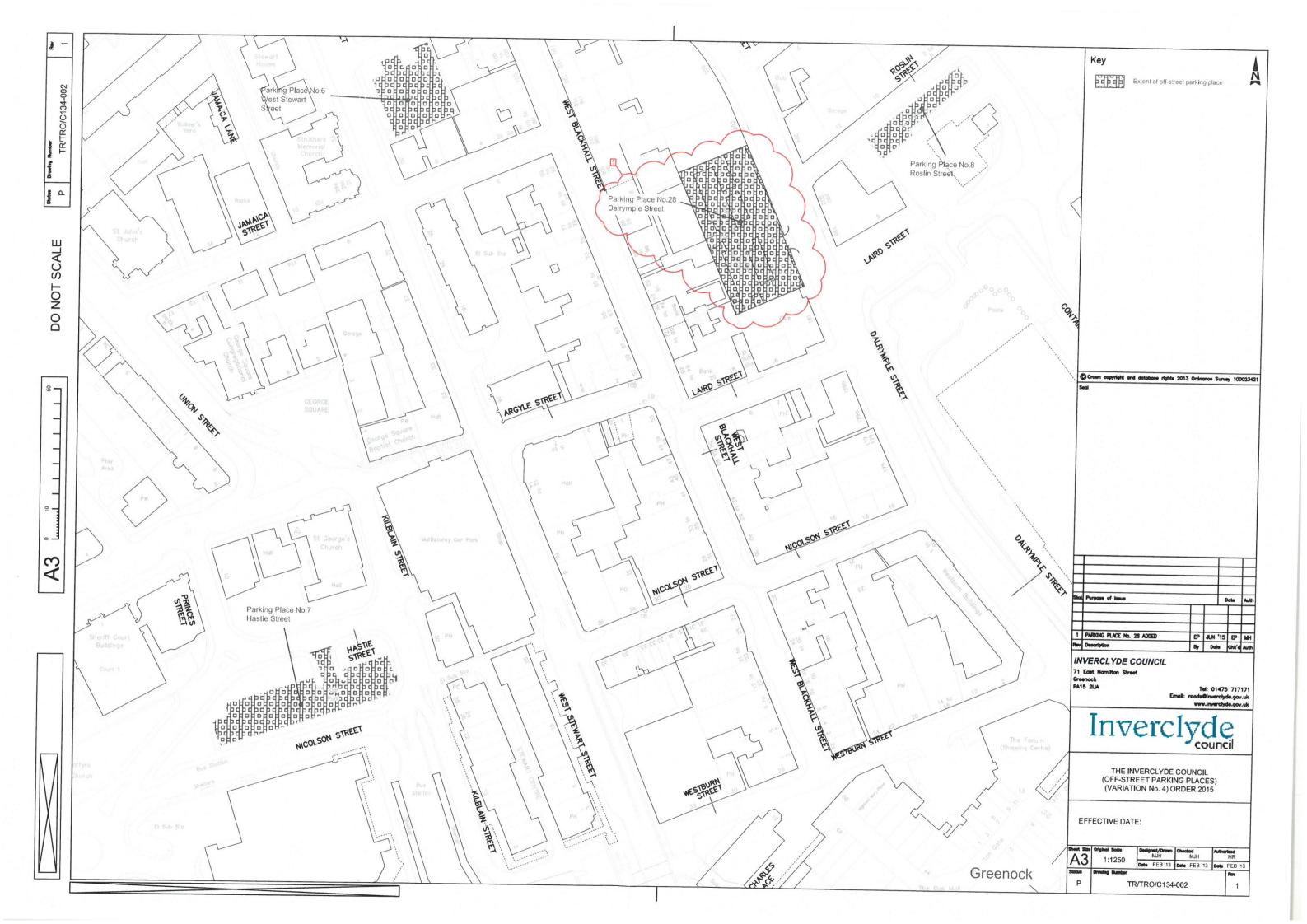
Permit, and in the case of a Printed Permit, displayed in accordance with Article 4.1, waiting in a Parking Place and bearing the same Identification Code shown in Schedule 3, Column 8 shall be exempt from:-

(a) the maximum duration of stay specified in Column 3 of Schedule 4; and

(b) the charges specified in Column 2 of Schedule 4.

This Order and the four Schedules annexed hereto are sealed with the Common Seal of The Inverclyde Council and subscribed for them and on their behalf by ###

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SCHEDULE 2

### SCHEDULE 5

## THE INVERCLYDE COUNCIL (OFF-STREET PARKING PLACES) ORDER 2013 PLAN INDEX

Effective date of Plan Revision	3 4 5 6 7 8								
	7				- Contraction				
	~	#######	########		########		1		
Effective	date of original plan	06/10/2014	06/10/2014	06/10/2014	06/10/2014	06/10/2014	06/10/2014	21/11/2014	#######################################
Plan	אפו.	TR/TRO/C134/001	TR/TRO/C134/002	TR/TRO/C134/003	TR/TRO/C134/004	TR/TRO/C134/005	TR/TRO/C134/006	TR/TRO/C134/007	TR/TRO/C134/008

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SCHEDULE 3

### SCHEDULE 3

# PARKING PLACES, NUMBER AND NAME, CHARGING HOURS, DAYS AND HOURS OF PARKING PLACE OPERATION, MAXIMUM PERIOD FOR WHICH VEHICLES MAY WAIT, TARIFF AND DISABLED PERSONS' PARKING PLACES

### Parking Places Operational at all times

PARKING PLACE IDENTIFICATION CODE	0 1 1	o Lilling		GR2	1	2 2	20 2	5			
ELECTRIC VEHICLE PARKING SPACES	(No.)					2	1				
DISABLED PERSONS' PARKING PLACES (No.)	Column 6	-	n	-	4	4	-	0	0	0	
TARIFF	Column 5	A	A	I	Ш	L	Ш	4	4	∢	
OPENING HOURS OF PARKING PLACE	Column 4	24 hours	24 hours	24 hours	24 hours	24 hours					
CHARGING HOURS OF PARKING PLACE	Column 3	08:00-18:00 Mon-Sat	08:00-18:00 Mon-Sat	08:00-18:00 Mon-Sat	08:00-18:00 Mon-Fri	08:00-18:00 Mon- Fri	08:00-18:00 Mon- Fri	08:00-18:00 Mon-Sat	08:00-18:00 Mon-Sat	08:00-18:00 Mon-Sat	
NAME OF PARKING PLACE	Column 2	Barr's Brae	Bruce Street	Buccleugh Street	Bullring	Cathcart Street West	Cathcart Street East	Cloch Road	Cove Road	East Road	
PARKING PLACE REFERENCE NUMBER	Column 1	25	6	12	11	13	14	2	4	22	

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								-						
PARKING PLACE IDENTIFICATION CODE	Column 8			GR1						GR1			GR1	GR1
ELECTRIC VEHICLE PARKING SPACES	(No.) Column 7	2					2							
DISABLED PERSONS' PARKING PLACES (No.)	Column 6	∞	0	2	80	2	9	0	9	0	2	11	2	2
TARIFF	Column 5	A	A	Ш	4	A	A	A	В	Ш	A	4	ш	ш
OPENING HOURS OF PARKING PLACE	Column 4	24 hours	24 hours	24 hours	24 hours	24 hours	24 hours	24 hours	24 hours	24 hours	24 hours	24 hours	24 hours	24 hours
CHARGING HOURS OF PARKING PLACE	Column 3	08:00-18:00 Mon-Sat	08:00-18:00 Mon-Sat	08:00-18:00 Mon- Fri	08:00-18:00 Mon-Sat	08:00-18:00 Mon- Fri	08:00-18:00 Mon-Sat	08:00-18:00 Mon-Sat	08:00-18:00 Mon- Fri	08:00-18:00 Mon- Fri				
NAME OF PARKING PLACE	Column 2	Fore Street	Fran Terrace	Hastie Street	Highholm Avenue	Kempock Street	Lochwinnoch Road	Manor Crescent	Princes Street	Roslin Street	Roxburgh Street	Shore Street	Station Avenue East	Station Avenue West
PARKING PLACE REFERENCE NUMBER	Column 1	19	-	7	21	က	24	Ŋ	20	∞	10	18	16	15

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				_				
PARKING PLACE IDENTIFICATION CODE	Column 8		GR1				GR1	GR1
ELECTRIC VEHICLE PARKING SPACES	(No.) Column 7							
DISABLED PERSONS' PARKING PLACES (No.)	Column 6	-	2	~	2	2	4	0
TARIFF	Column 5	A	ш	A	<	O	Ш	g
OPENING HOURS OF PARKING PLACE	Column 4	24 hours	24 hours	24 hours	24 hours	24 hours	24 hours	24 hours
CHARGING HOURS OF PARKING PLACE	Column 3	08:00-18:00 Mon-Sat	08:00-18:00 Mon- Fri	08:00-18:00 Mon-Sat	08:00-18:00 Mon- Fri	08:00-18:00 Mon- Fri	08:00-18:00 Mon- Fri	08:00-18:00 Mon- Fri
NAME OF PARKING PLACE	Column 2	Station Road	West Stewart Street	William Street	Waterfront	Cinema	Dalrymple Street	Cathcart Buildings
PARKING PLACE REFERENCE NUMBER	Column 1	23	9	17	26	27	28	29

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SCHEDULE 4

### SCHEDULE 4

SCALE OF PARKING CHARGES APPLICABLE DURING THE HOURS OF OPERATION FOR PARKING PLACES SPECIFIED IN SCHEDULE 3

COMMENTS	1	n/a	n/a	n/a	Multiple stays in one calendar day are permitted if space is available on return	Multiple stays in one calendar day are permitted if space is available on return	n/a	n/a	n/a
DISPLAY TICKET/PARKING DISC/NONE	Column 5	None	None or Disabled Person's Badge	Parking Disc or Disabled Person's	Ticket or Disabled Person's Badge	Ticket or Residents' Parking Permit or Disabled Person's Badge	Parking Disc or Residents' Parking Permit or Disabled Person's Badne	Residents' Parking Permit or Disabled Person's Badge	Residents' Parking Permit
NO RETURN WITHIN	Column 4	n/a	1 hour	1 hour	n/a	n/a	1 hour	n/a	n/a
MAXIMUM DURATION OF STAY	Column 3	24 hours	2 hours (3 hours for Disabled Person's Badge holders)	3 hours (3 hours for Disabled Person's Badge holders)		One calendar day	3 hours (3 hours for Disabled Person's Badge holders)	Unlimited	Unlimited
CHARGES	Column 2	Free	Free	Free	£1.00 per calendar day (Free for Disabled Person's Badge holders)	£1.00 per calendar day (Free for Disabled Person's Badge holders)	Free	Free	Free
TARIFF	Column 1	А	В	O	Q	Ш	LL.	O	I