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**Report To:** Environment & Regeneration Committ Date: 1 September 2016

**Report By:** Corporate Director, Environment, Regeneration & Resources **Report No:** LP/099/16

**Contact Officer:** Joanna Dalgleish **Contact No:** 01475 712123

**Subject:** Proposed Traffic Regulation Order – The Inverclyde Council, Disabled Persons’ Parking Places (On-Street) Order No. 3 2016

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## 1.0 PURPOSE

- 1.1 Local Authorities are empowered to make Orders under the Road Traffic Regulation Act 1984 as amended and under the Council’s Scheme of Administration, the Head of Environmental & Commercial Services is responsible for the making, implementation and review of Traffic Management Orders and Traffic Regulation Orders.
- 1.2 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.

## 2.0 SUMMARY

- 2.1 It is 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 places for the disabled. This will restrict parking to drivers displaying a Disabled Person’s Badge only and will enable the enforcement of such restrictions. The proposed Order will also revoke those parking places no longer required in order to maximise street parking capacity.

## 3.0 RECOMMENDATION

- 3.1 That the Committee recommend to The Inverclyde Council the making of the Traffic Regulation Order – The Inverclyde Council, Disabled Persons’ Parking Places (On-Street) Order No. 3 2016 and remit it to the Head of Environmental and Commercial Services and the Head of Legal and Property Services to arrange for its implementation.

**Gerard Malone**  
**Legal & Property Services**

#### **4.0 BACKGROUND**

- 4.1 Currently, no Traffic Regulation Orders exist at the locations shown in the Order which would prohibit the allocation of parking places for Disabled Person's Badge holders.
- 4.2 One objection to the proposed Order was received but this has been withdrawn.
- 4.3 The Committee is asked to note that, if approved, the Order may not be implemented until the making of the Order has been advertised to allow any persons who so wish a period of six weeks to question the validity of the Order in terms of the Road Traffic Regulation Act 1984.

#### **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, Gourock and Port Glasgow Libraries. A copy of the draft Order is appended hereto for Members' information. Appendix 1

#### **7.0 LIST OF BACKGROUND PAPERS**

- 7.1 None.

**THE INVERCLYDE COUNCIL**  
**DISABLED PERSONS' PARKING PLACES**  
**(ON-STREET) ORDER NO. 3 2016**  
**TRAFFIC REGULATION ORDER**

**THE INVERCLYDE COUNCIL**  
**DISABLED PERSONS' PARKING PLACES (ON-STREET)**  
**ORDER NO. 3 2016**

The Inverclyde Council in exercise of the powers conferred on them by Section 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. 3 2016" and shall come into operation on the \*\*\* day of \*\*\*.

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 which has not ceased to be in force;

"Disabled Person's Vehicle" means a Vehicle which is displaying a Disabled Person's Badge in a Relevant Position as prescribed by the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (Scotland) Regulations 2002;

"Parking Attendant" means a person employed in accordance with Section 63A of the Act to carry out the functions therein;

"Parking Place" means an area of land specified by number and name in Columns 1 and 2 in the Schedule to this Order;

"Relevant Position" means, 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); and

"Traffic Sign" means a sign prescribed or authorised under Section 64 of the Act; and

"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. The Schedule titled "Disabled Persons' Parking Places (On-Street) Order No. 3 2016" forms the Schedule to this Order.

4. Each area of road which is described in the Schedule to this Order and the plans relative to this Order is hereby designated as a Parking Place.
5. The Parking Places shall only be used for the leaving of Disabled Persons' Vehicles displaying a valid Disabled Person's Badge.
6. The limits of each Parking Place shall be indicated on the carriageway as prescribed by The Traffic Signs Regulations and General Directions 2016.
7. Every Vehicle left in any Parking Place 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:-
  - 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
  - the Vehicle, or any part thereof, is not within the limits of any adjoining parking place.
8. 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.
9. 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:-
  - for the purpose of facilitating the movement of traffic or promoting its safety;
  - 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;
  - 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;
  - on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
  - for the convenience of occupiers of premises adjacent to the Parking Place at times of weddings or funerals or on other special occasions.
10. 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.

11. 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: 01/1999, 01/2003, 01/2004, 02/2005, 02/2008, 01/2009, 03/2009 and The Inverclyde Council Disabled Persons' Parking Places (On-Street) Order Nos: 03/2010 and 01/2014 respectively.

*Sealed with the Common Seal of The Inverclyde Council and subscribed for them and on their behalf by \*\*, Proper Officer, at Greenock on the \*\* day of \*\*, Two Thousand and \*\*.*

DRAFT

## INVERCLYDE COUNCIL

### DISABLED PERSONS' PARKING PLACES (ON-STREET) ORDER No.3 2016

#### SCHEDULE

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

Column 1	Column 2
<u>Ref No.</u>	<u>Address of Disabled Person's Parking Place to be created or revoked ® "ex-adverso"</u>
1603	24 Oxford Road, Greenock
1610	96A Belville Street, Greenock
1611	115 Kirn Drive, Gourock
1614	46 Regent Street, Greenock
1615	29 Glen Fruin Road, Greenock
1616	17 Lismore Avenue, Port Glasgow
1619	35 Robertson Street, Greenock
1620	24 Mallaig Road, Port Glasgow
1621	1C Denholm Terrace, Greenock
9811	33 Iona Crescent, Gourock ®
0238	35 Highholm Street, Port Glasgow ®
0327	81 South Street, Greenock ®
0429	16 Canmore Crescent, Greenock ®
0511	53 Glamis Drive, Greenock ®
0813	6B Lemmon Street, Greenock ®
0837	16 Moffat Street, Greenock ®
0926	14 Cove Road, Gourock ®
1010	204 Cumberland Road, Greenock ®
1339	2B Adam Street, Gourock ®

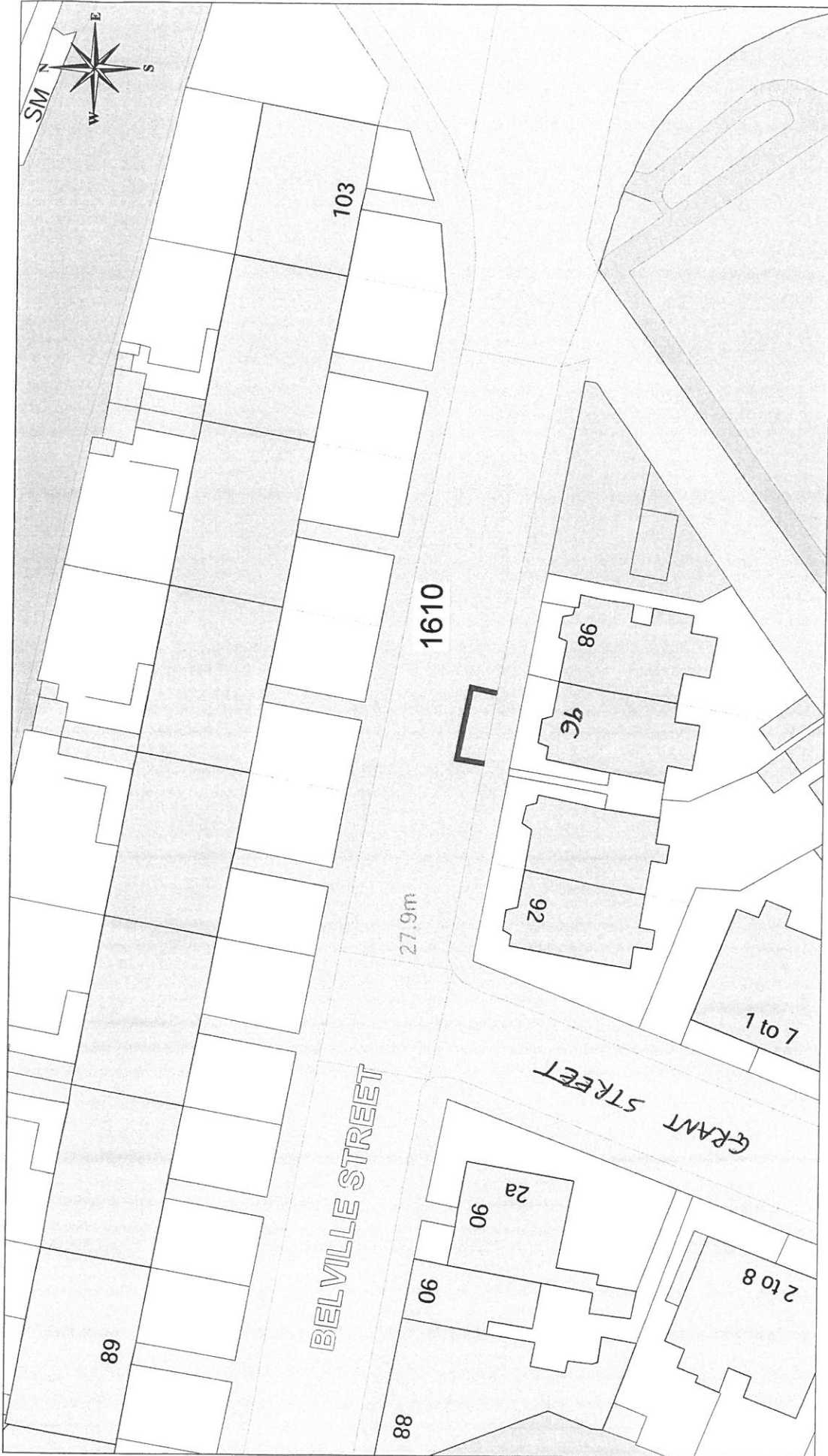



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DISABLED PERSONS' PARKING PLACE  
 24 OXFORD ROAD, GREENOCK  
 PLACE No. 1603

**Inverclyde**  
 council  
 Environmental Services  
 Regeneration & Environment  
 Corporate Director: Aubrey Fawcett  
 Municipal Buildings  
 Clyde Square  
 PA45 0JY  
 PA45 0JY  
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Environmental Services

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**DISABLED PERSONS' PARKING PLACE**  
96A BELVILLE STREET, GREENOCK  
PLACE No. 1610



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**DISABLED PERSONS' PARKING PLACE**  
**115 KIRN DRIVE, GOUROCK**  
**PLACE No. 1611**

**Inverclyde**  
 council  
**Environmental Services**  
 Regeneration & Environment  
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**DISABLED PERSONS' PARKING PLACE**  
**46 REGENT STREET, GREENOCK**  
**PLACE No. 1614**



**Inverclyde**  
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 Environmental Services

Regeneration & Environment  
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**DISABLED PERSONS' PARKING PLACE**  
 29 GLEN FRUIN ROAD, GREENOCK  
 PLACE No. 1615

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**DISABLED PERSONS' PARKING PLACE**  
**17 LISMORE AVENUE, PORT GLASGOW**  
**PLACE No. 1616**

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 Tel: 01475 712712  
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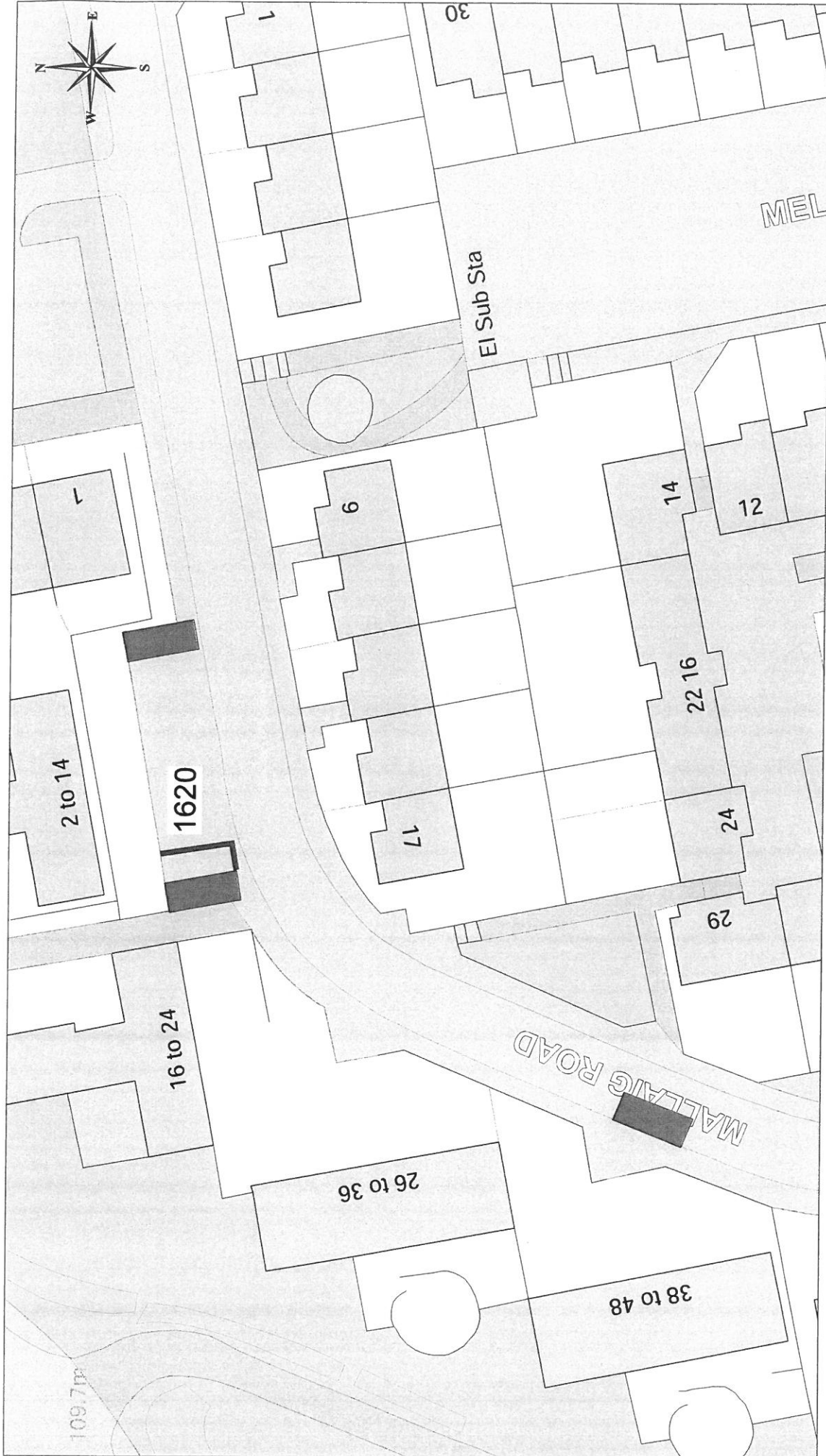


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**DISABLED PERSONS' PARKING PLACE**  
**35 ROBERTSON STREET, GREENOCK**  
**PLACE No. 1619**

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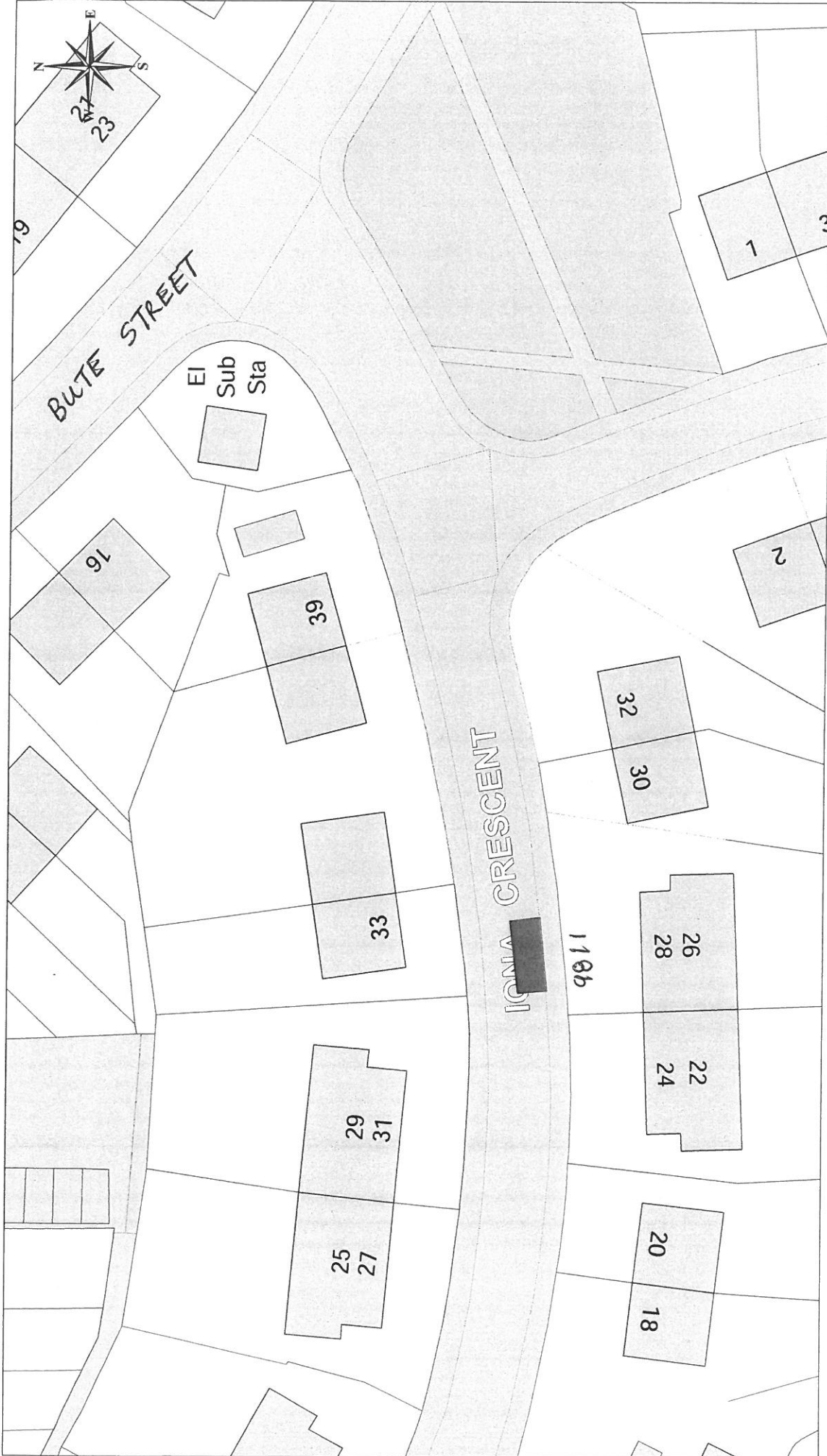
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**24 MALLAIG ROAD, PORT GLASGOW**  
**PLACE No. 1620**

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**DISABLED PERSONS' PARKING PLACE**  
**1C DENHOLM TERRACE, GREENOCK**  
**PLACE No. 1621**





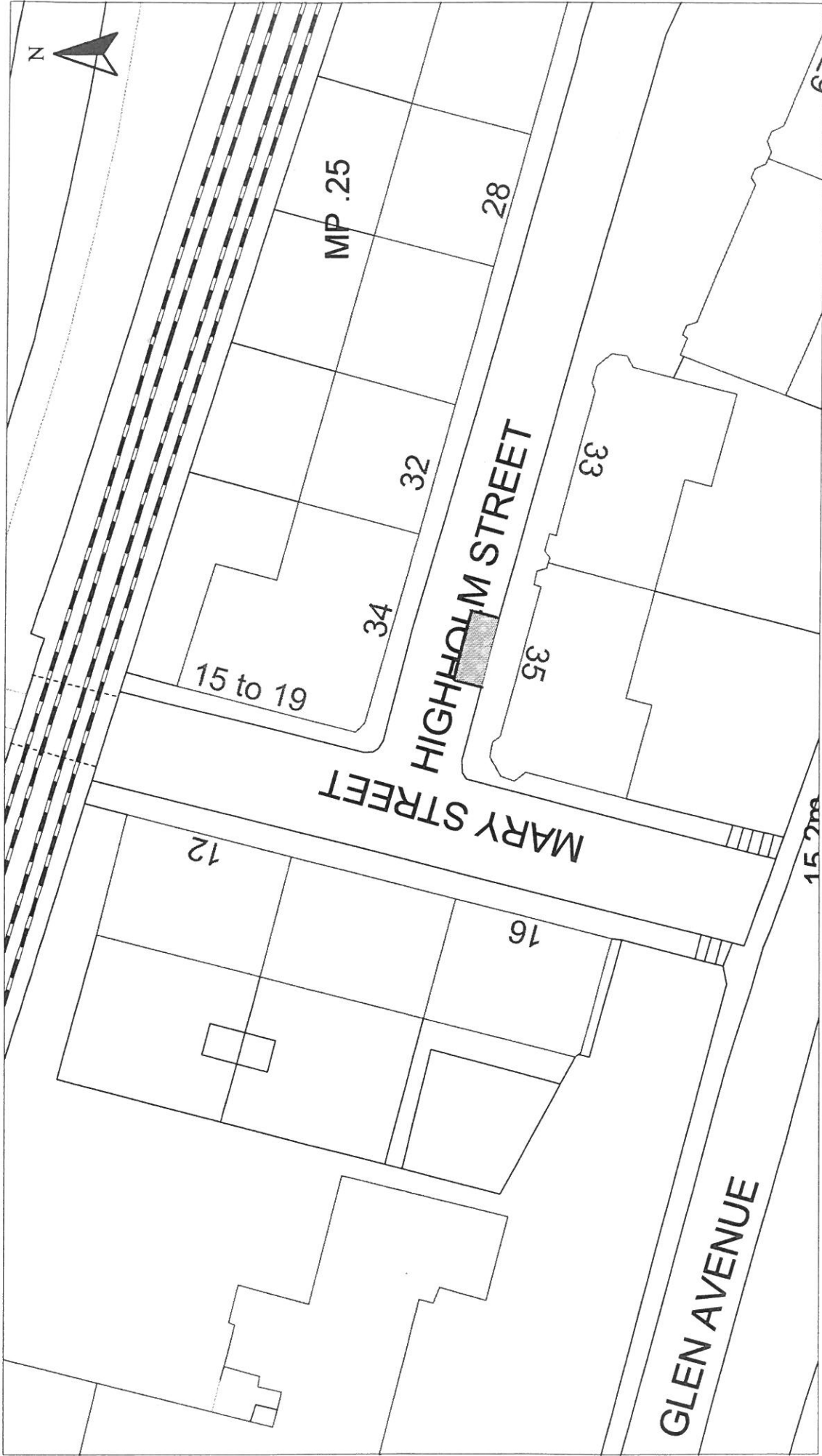
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 33 IONA CRESCENT, GOUROCK  
 PLACE No. 9811 REVOCATION

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**Inverclyde**  
 council  
 Environmental Services

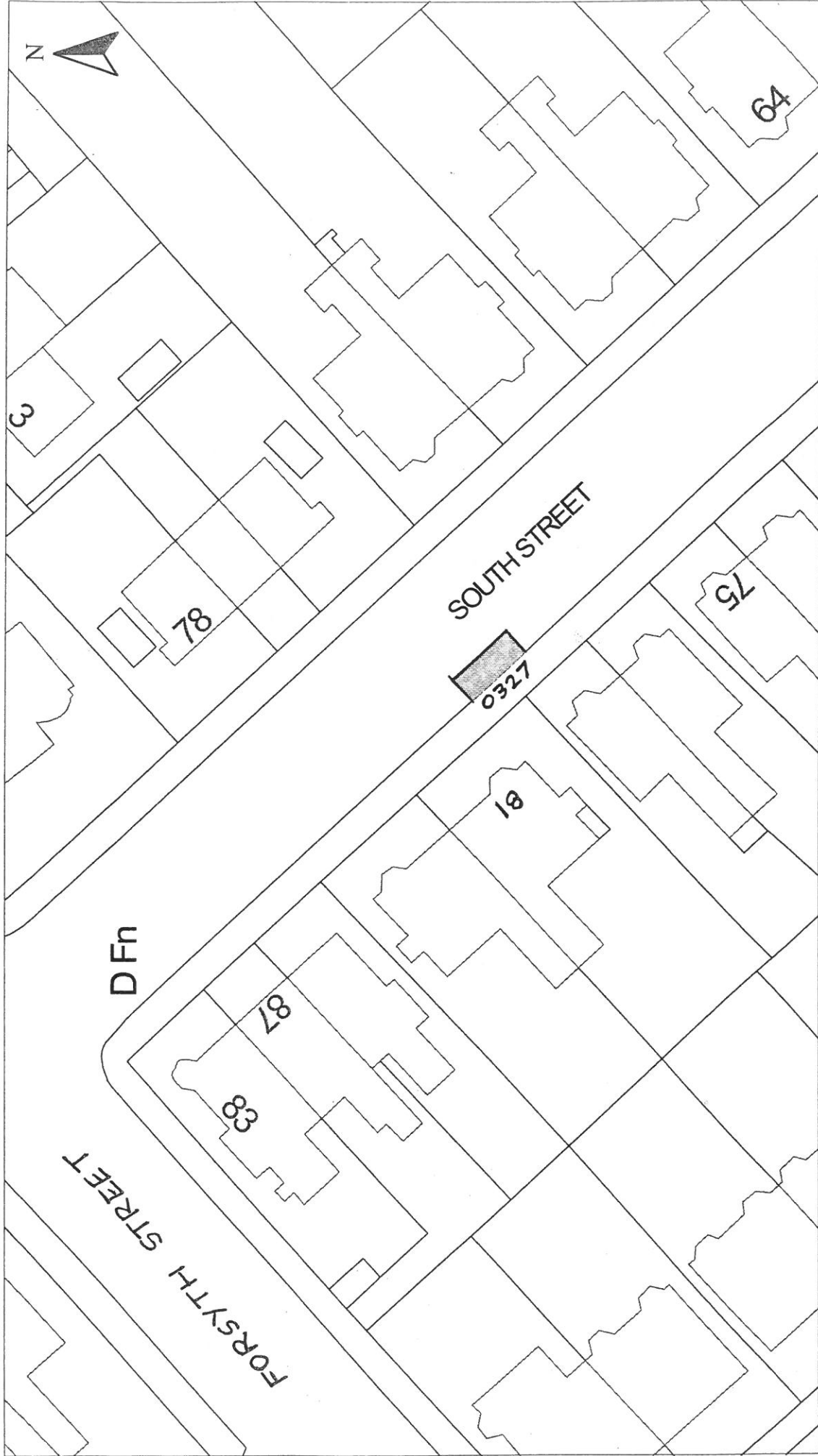
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<p>HEAD OF TRANSPORTATION AND ROADS R.J. SMALL B.Sc., C.Eng., M.I.C.E.</p>		<p>Scale : 1:500</p>	<p>Date : MAY 2003</p>
<p>71 EAST HAMILTON STREET GREENOCK, PA15 2UA</p>		<p>Prepared by : R. MACKAY</p>	<p>Checked by :</p>
<p>Disabled Bays</p>	<p>DISABLED PERSONS' PARKING PLACE 35 HIGHHOLM STREET, PORT GLASGOW PLACE No. 0238 REVOCATION</p>	<p>Drawn by : R. MACKAY</p>	<p>Approved by :</p>
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Disabled Bays  
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81 SOUTH STREET, GREENOCK  
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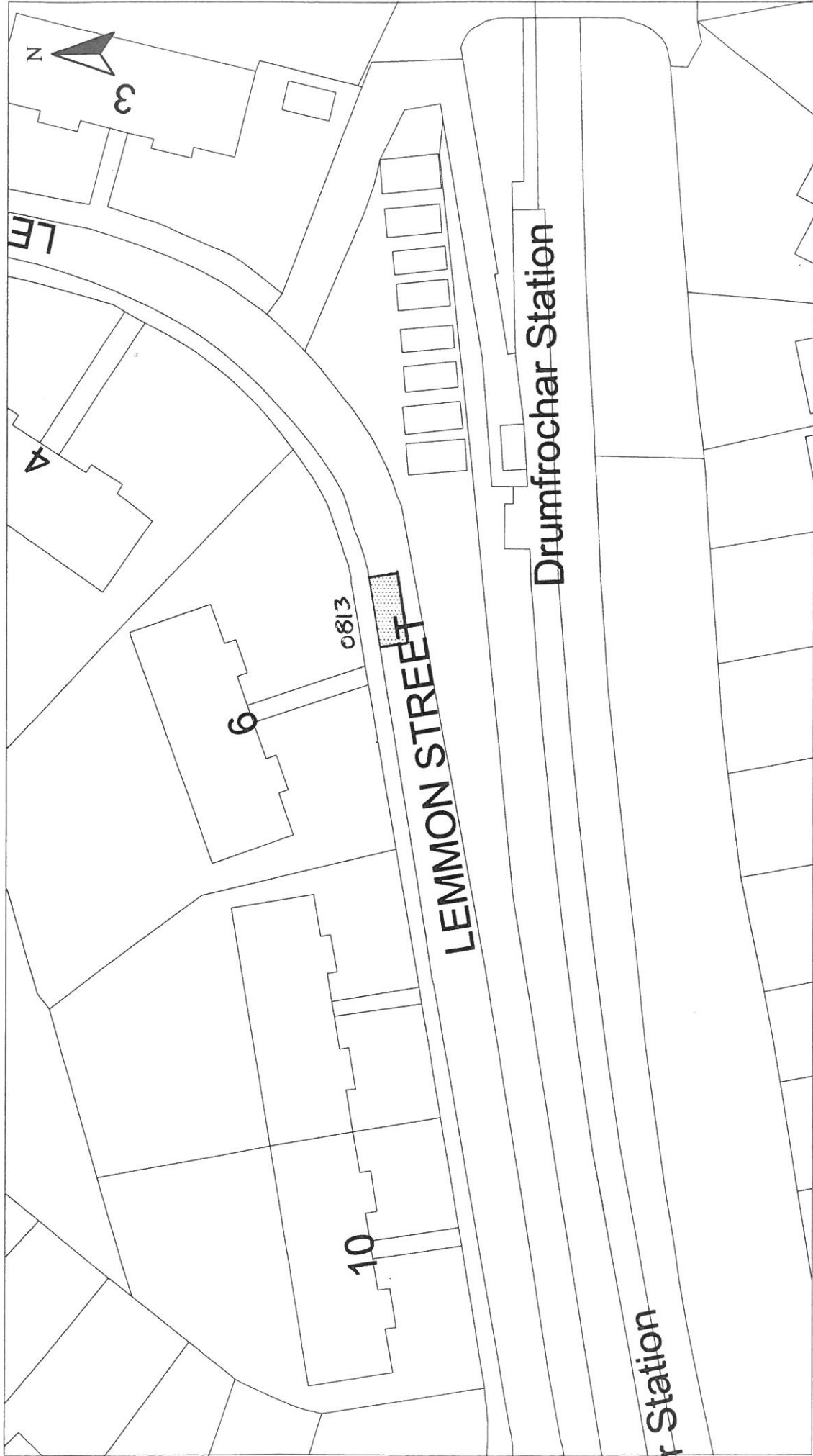


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<p>Disabled Bays</p>	<p>71 EAST HAMILTON STREET GREENOCK, PA15 2UA</p>		



<p>HEAD OF TRANSPORTATION AND ROADS E. McCARRON C.Eng., M.I.C.E.</p>	<p>Scale : 1:500 Prepared by : R. MACKAY Checked by :</p>	<p>Date : DEC 2005</p>
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HEAD OF PLANNING, HOUSING AND  
TRANSPORTATION :- F. K. WILLIAMSON

Disabled Bays  
6 CATHCART SQUARE  
GREENOCK, PA15 1LS

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6B LEMMON STREET, GREENOCK  
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HEAD OF PLANNING, HOUSING AND  
TRANSPORTATION :- F. K. WILLIAMSON

Disabled Bays  
6 CATHCART SQUARE  
GREENOCK, PA15 1LS

DISABLED PERSONS' PARKING PLACE  
16 MOFFAT STREET, GREENOCK  
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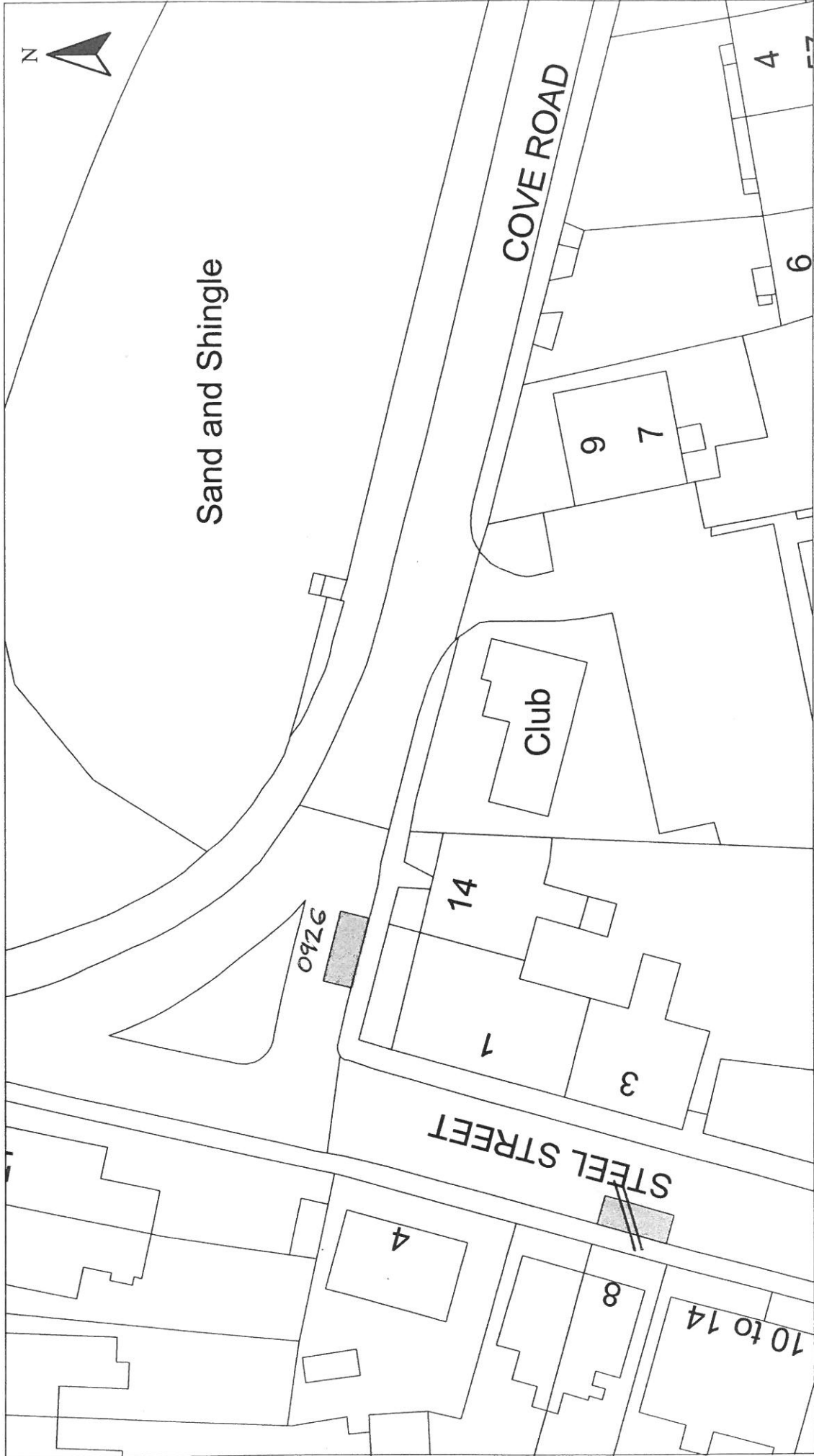
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Date : SEPT 2008

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**DISABLED PERSONS' PARKING PLACE**  
**14 COVE ROAD, GOUROCK**  
**PLACE No. 0926 REVOCATION**

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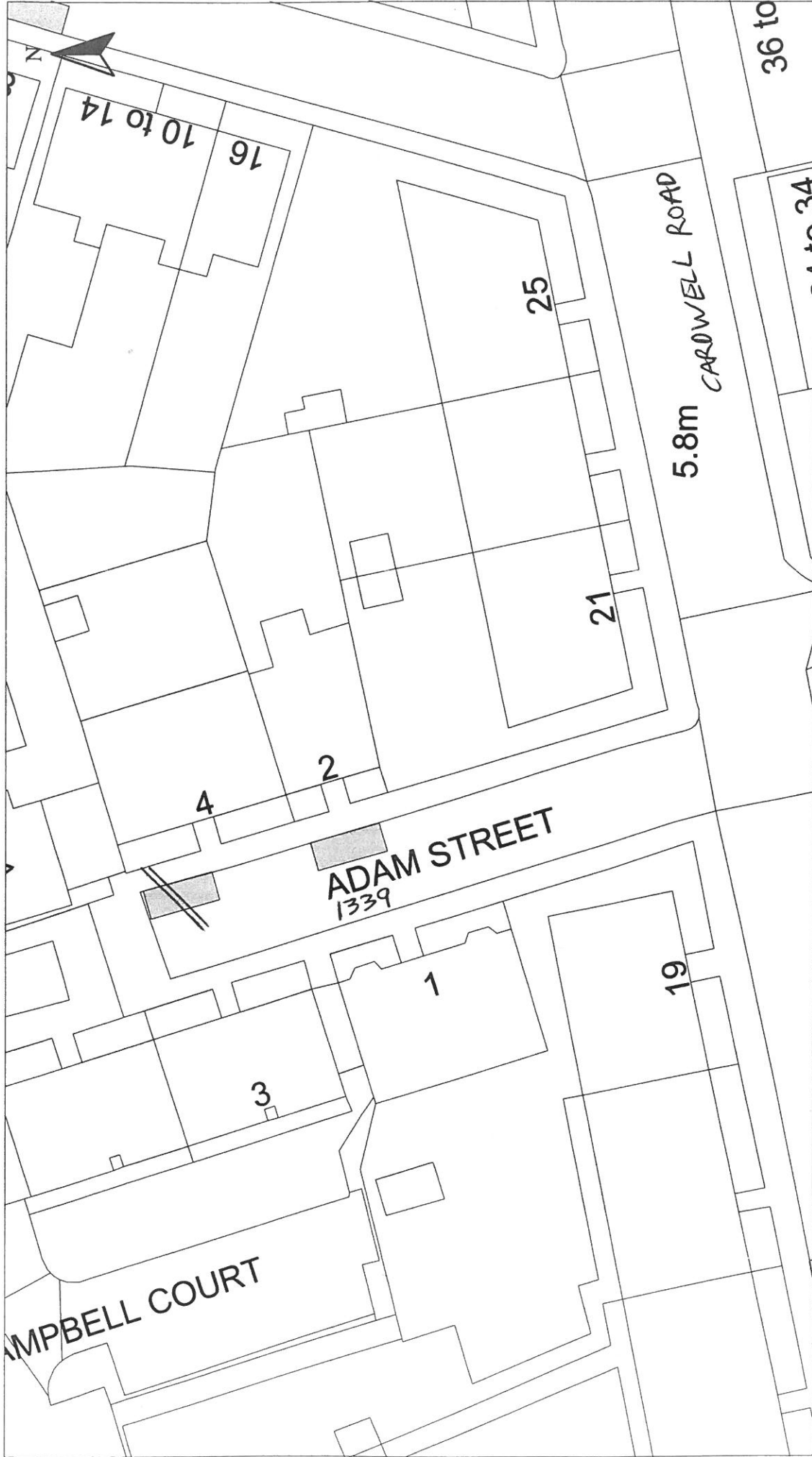
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HEAD OF SERVICE ALAN G BARNES MCIWM CEnv	71 EAST HAMILTON STREET GREENOCK, PA15 2UA
Disabled Bays	





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<p>Disabled Bays</p>	<p>71 EAST HAMILTON STREET GREENOCK, PA15 2JA</p>				



HEAD OF SERVICE  
IAN MOFFAT

Disabled Bays  
71 EAST HAMILTON STREET  
GREENOCK, PA15 2UA

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DISABLED PERSONS' PARKING PLACE  
2B ADAM STREET, GOUROCK  
PLACE No. 1339 REVOCATION

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Date : NOV 2013

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