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<b>Report To:</b>	<b>ENVIRONMENT &amp; REGENERATION COMMITTEE</b>	<b>Date:</b>	<b>31 OCTOBER 2019</b>
<b>Report By:</b>	<b>CORPORATE DIRECTOR, ENVIRONMENT, REGENERATION &amp; RESOURCES</b>	<b>Report No:</b>	<b>LP/118/19</b>
<b>Contact Officer:</b>	<b>LINDSAY CARRICK</b>	<b>Contact No:</b>	<b>01475 712114</b>
<b>Subject:</b>	<b>PROPOSED TRAFFIC REGULATION ORDER – DISABLED PERSONS’ PARKING PLACES (ON-STREET) ORDER NO. 3 2019</b>		

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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 Shared Head of Roads Service is responsible for the making, implementation and review of Traffic Management Orders and Traffic Regulation Orders.
- 1.2 The purpose of the report is to introduce the proposed Traffic Regulation Order – The Inverclyde Council Disabled Persons’ Parking Places (On-Street) Order No. 3 2019.

## **2.0 SUMMARY**

- 2.1 In order to comply with The Disabled Persons’ Parking Places (Scotland) Act 2009, Section 5, it is proposed to introduce a Traffic Regulation Order to accompany the provision of parking places for the disabled. This will restrict parking to drivers displaying a Disabled Person’s Badge only and will enable enforcement of such restrictions. The proposed Order will also revoke those parking places no longer required in order to maximise street parking capacity.
- 2.2 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.

## **3.0 RECOMMENDATIONS**

- 3.1 That the Committee recommends to the Inverclyde Council the making of the Traffic Regulation Order – Disabled Persons’ Parking Places (On-Street) Order No. 3 2019 and remits it to the Shared Head of Service Roads and the Head of Legal and Property Services to arrange for its implementation.

#### 4.0 BACKGROUND

- 4.1 There are currently no Traffic Regulation Orders that exist at the locations shown in the schedule which would prohibit the allocation of parking places for Disabled Person's Badge holders.
- 4.2 Objections in relation to the disabled parking place for 23 Larkfield Grove, Greenock were received to the proposed Order. The disabled parking place for 23 Larkfield Grove has now been removed from the proposed Order to avoid delay for the other applications for disabled parking places.
- 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

##### 5.1 Finance

###### Financial Implications:

###### One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

###### Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

##### 5.2 Legal

There are no legal implications arising from this report.

##### 5.3 Human Resources

There are no HR implications arising from this report.

##### 5.4 Equalities

###### Equalities

- (a) Has an Equality Impact Assessment been carried out?

	YES (see attached appendix)
X	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required

(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
X	NO

(c) Data Protection

Has a Data Protection Impact Assessment been carried out?

	YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.
X	NO

**5.5 Repopulation**

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 Shared Head of Service Roads, the Head of Legal and Property Services and at Central, Port Glasgow, Kilmacolm, Southwest and Gourrock Libraries. A copy of the draft Order forms appendix 1.

Appendix 1

**7.0 BACKGROUND PAPERS**

7.1 None

**THE INVERCLYDE COUNCIL**  
**DISABLED PERSONS' PARKING PLACES**  
**(ON-STREET) ORDER NO. 3 2019**  
**TRAFFIC REGULATION ORDER**

**THE INVERCLYDE COUNCIL**  
**DISABLED PERSONS' PARKING PLACES (ON-STREET)**  
**ORDER NO. 3 2019**

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 2019" 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 which 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 an area of land specified by number and name in Columns 1 and 2 in the Schedule to this Order;

"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 2019" forms the Schedule to this Order.

4. Each area of road which is described in the Schedule Part 1 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, as amended.
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 Part 2 to this Order, partially revokes and amends The Inverclyde Council Disabled Persons' Parking Places (On-Street) Order Nos.03/2010, 03/2011, 01/2015, 04/2015, 01/2017 and 02/2019 respectively.

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

DRAFT

# INVERCLYDE COUNCIL

## DISABLED PERSONS' PARKING PLACES (ON-STREET) ORDER No.3 2019

Rev C

### SCHEDULE (Part 1)

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

Column 1	Column 2
<b><u>Ref No.</u></b>	<b><u>Address of Disabled Person's Parking Place to be created "ex-adverso"</u></b>
1804	7 Smithston Cottages, Greenock
1859	20 Roxburgh Way, Greenock
1881	3 Glenhuntly Road, Port Glasgow
1902	72 Clynder Road, Greenock
1903	10 Lyle Street, Greenock
1904	11 Hillside Avenue, Kilmacolm
1907	24 Davaar Road, Greenock
1912	51 Forfar Road, Greenock
1915	39 Grosvenor Road, Greenock
1918	117a Albert Road, Gourock
1919	61 Forfar Road, Greenock
1920	14 Jacobs Drive, Gourock
1928	10 Oldhall Drive, Kilmacolm
1929	33 Trafalgar Street, Greenock
1996	110 Lynedoch Street, Greenock
1997	50 Newton Street, Greenock
1999	Knockbuckle Road, Kilmacolm



**INVERCLYDE COUNCIL**

**DISABLED PERSONS' PARKING PLACES (ON-STREET)  
ORDER No.3 2019**

**Rev C**

**SCHEDULE (Part 2)**

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

Column 1	Column 2
<b><u>Ref No.</u></b>	<b><u>Address of Disabled Person's Parking Place to be revoked ® "ex-adverso"</u></b>
1018	0 Thomas Muir Street, Greenock ®
1103	72 South Street, Greenock ®
1454	10 Glenhuntly Terrace, Port Glasgow ®
1532	44 Strone Crescent, Greenock ®
1652	38 Mathie Crescent, Gourock ®
1878	2b Ashburn Gate, Gourock ®



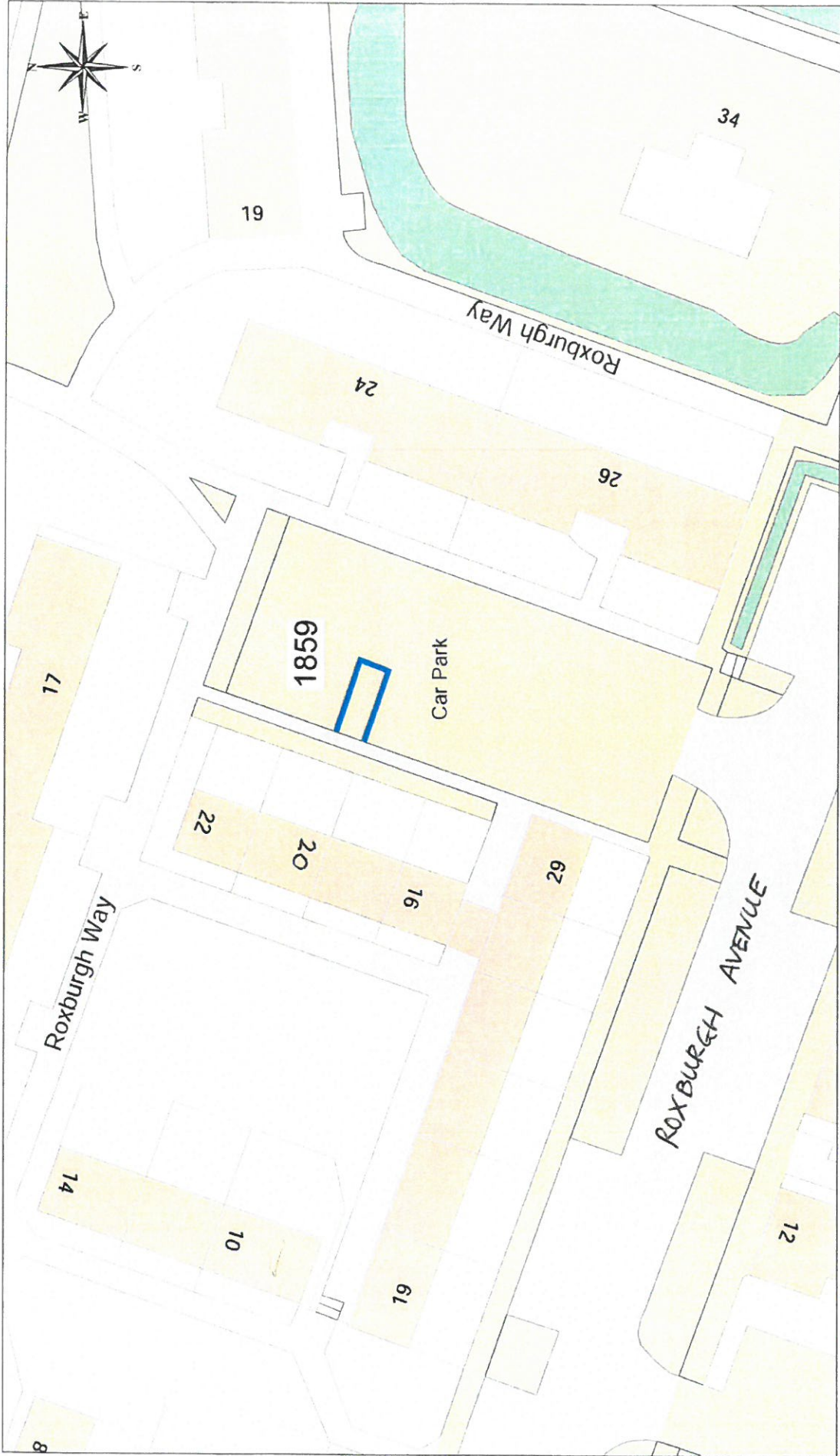
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[scott.allan@inverclyde.gov.uk](mailto:scott.allan@inverclyde.gov.uk)

DISABLED PERSONS' PARKING PLACE  
 7 SMITHSTON COTTAGES, GREENOCK  
 PLACE No. 1804



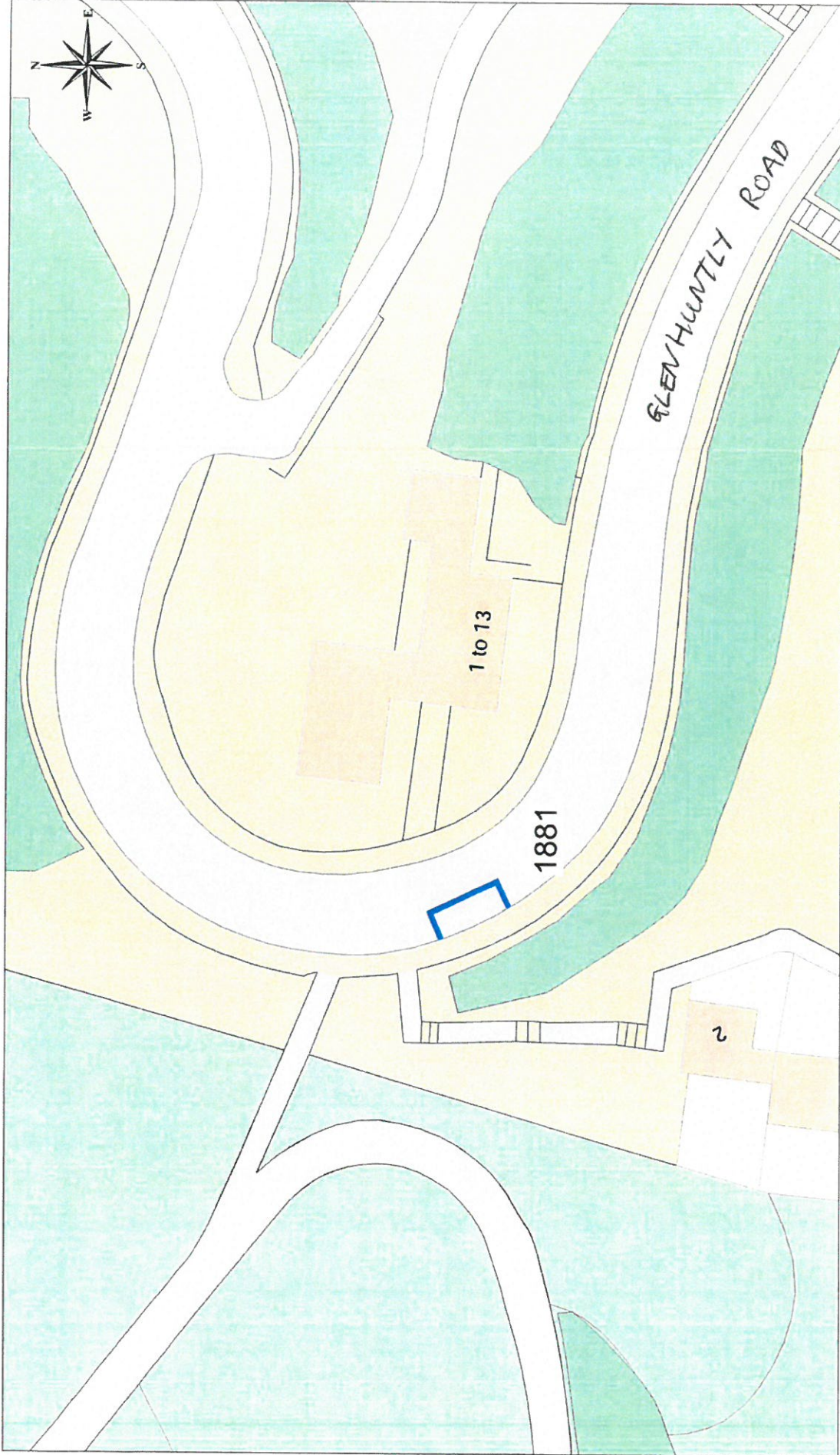
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**DISABLED PERSONS' PARKING PLACE**  
**20 ROXBURGH WAY, GREENOCK**  
**PLACE NO. 1859**

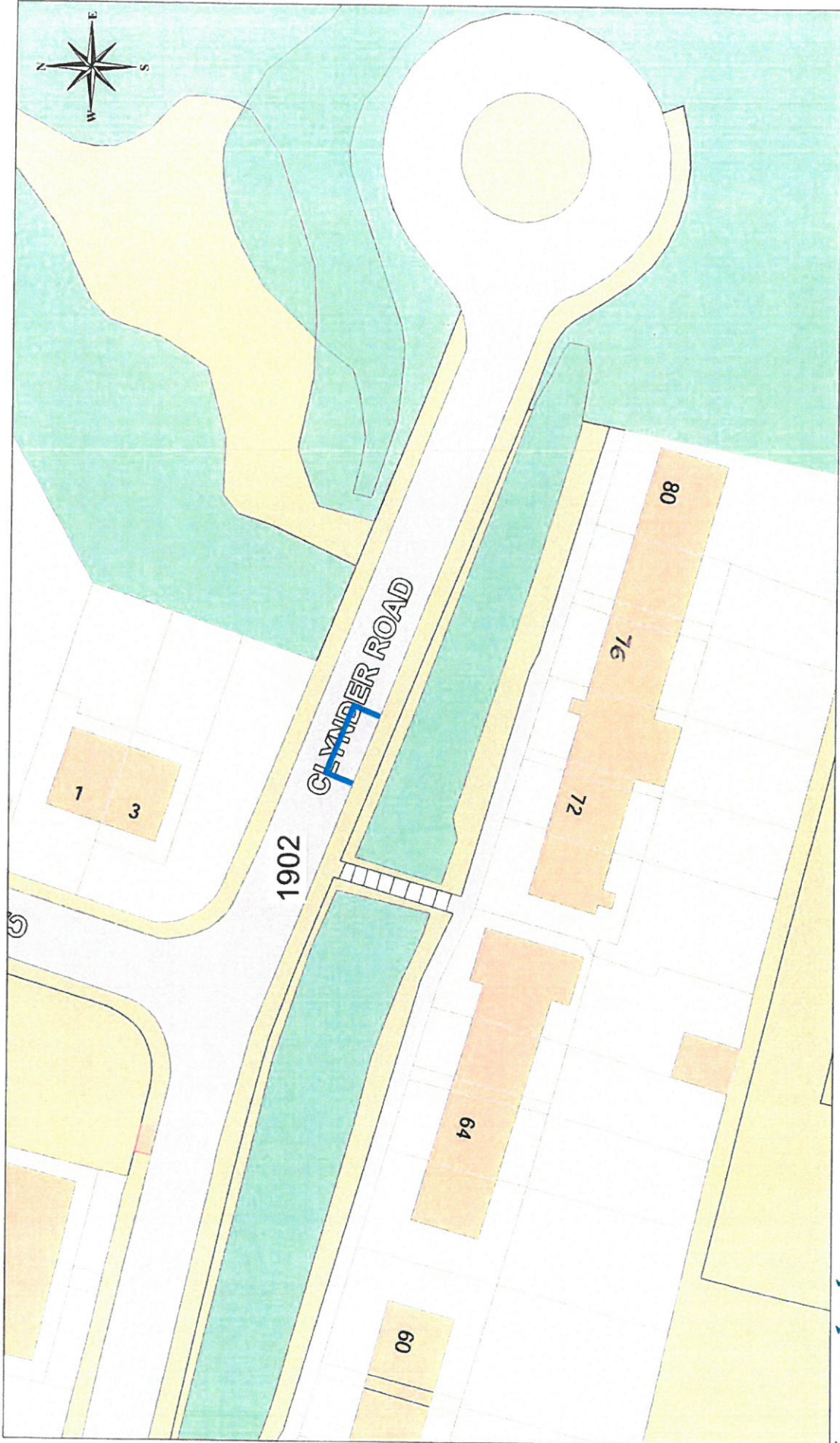


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**DISABLED PERSONS' PARKING PLACE**  
**3 GLENHUNTLY ROAD, PORT GLASGOW**  
**PLACE No. 1881**



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DISABLED PERSONS' PARKING PLACE  
72 CLYNDER ROAD, GREENOCK  
PLACE No. 1902



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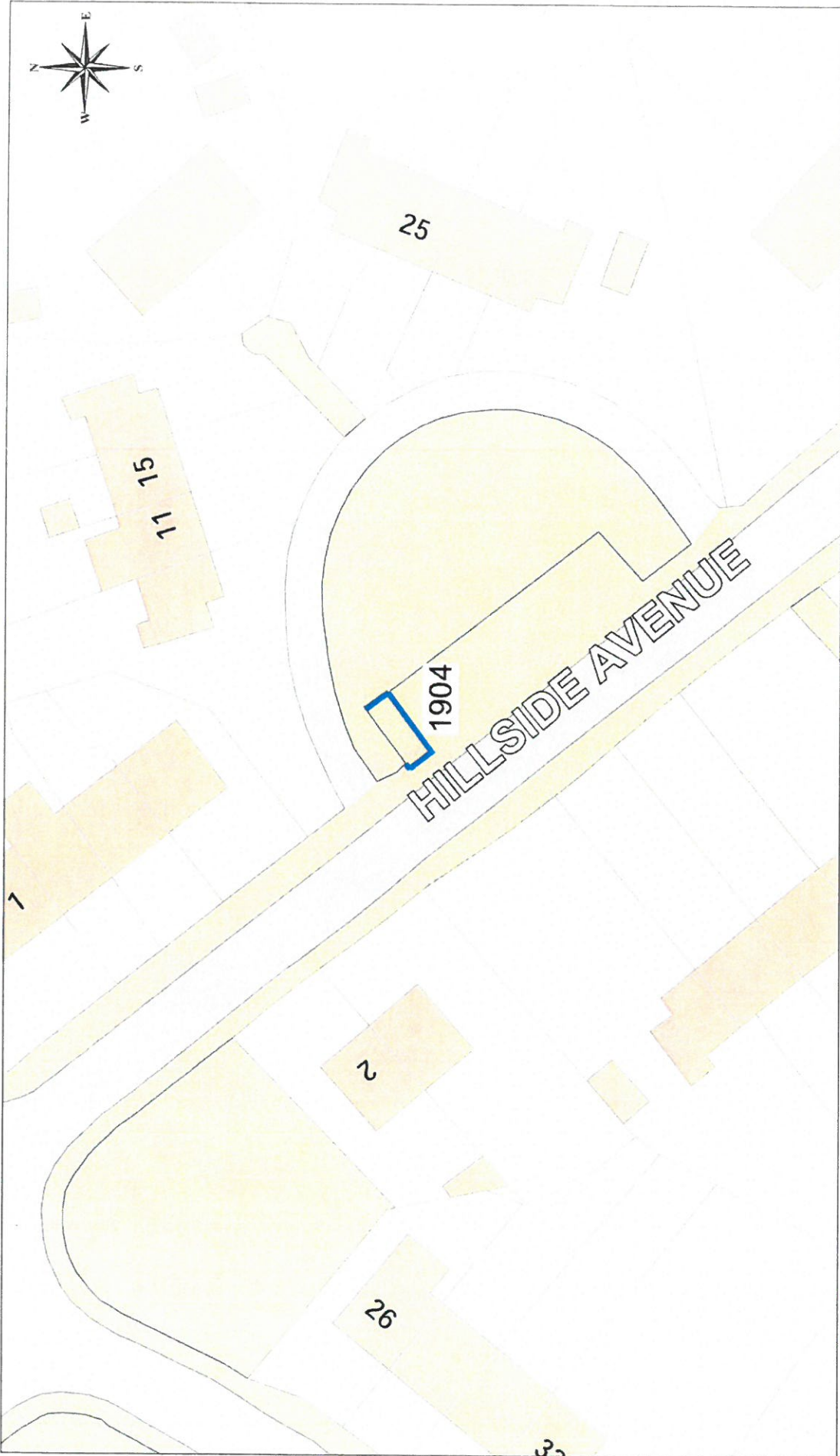
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**DISABLED PERSONS' PARKING PLACE**  
**10 LYLE STREET, GREENOCK**  
**PLACE No. 1903**



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**DISABLED PERSONS' PARKING PLACE**  
**11 HILLSIDE AVENUE, KILMACOLM**  
**PLACE No. 1904**



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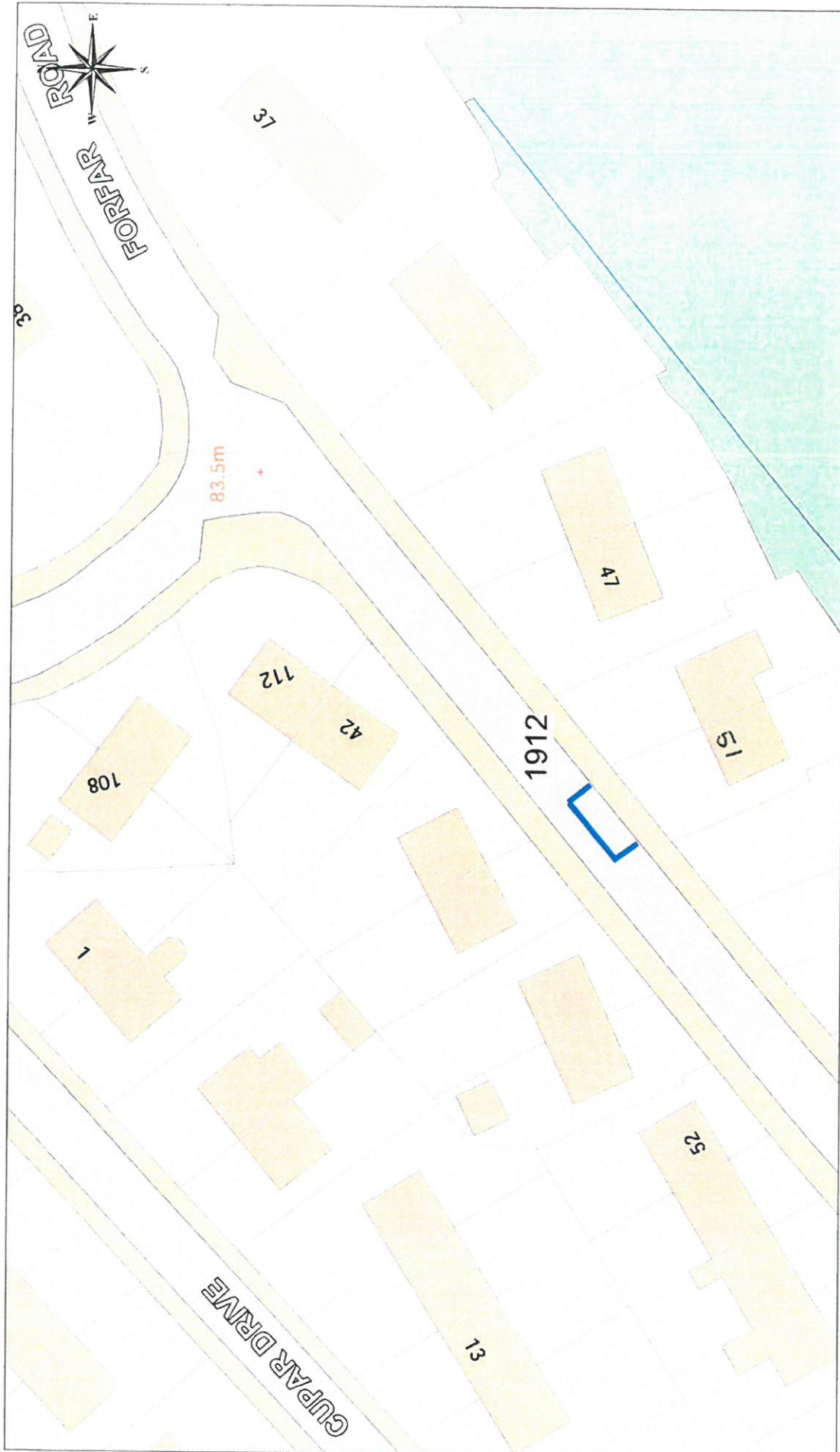
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**DISABLED PERSONS' PARKING PLACE**  
 24 DAVAAR ROAD, GREENOCK  
 PLACE No. 1907



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**DISABLED PERSONS' PARKING PLACE**  
**51 FORFAR ROAD, GREENOCK**  
**PLACE No. 1912**



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**DISABLED PERSONS' PARKING PLACE**  
**39 GROSVENOR ROAD, GREENOCK**  
**PLACE No. 1915**

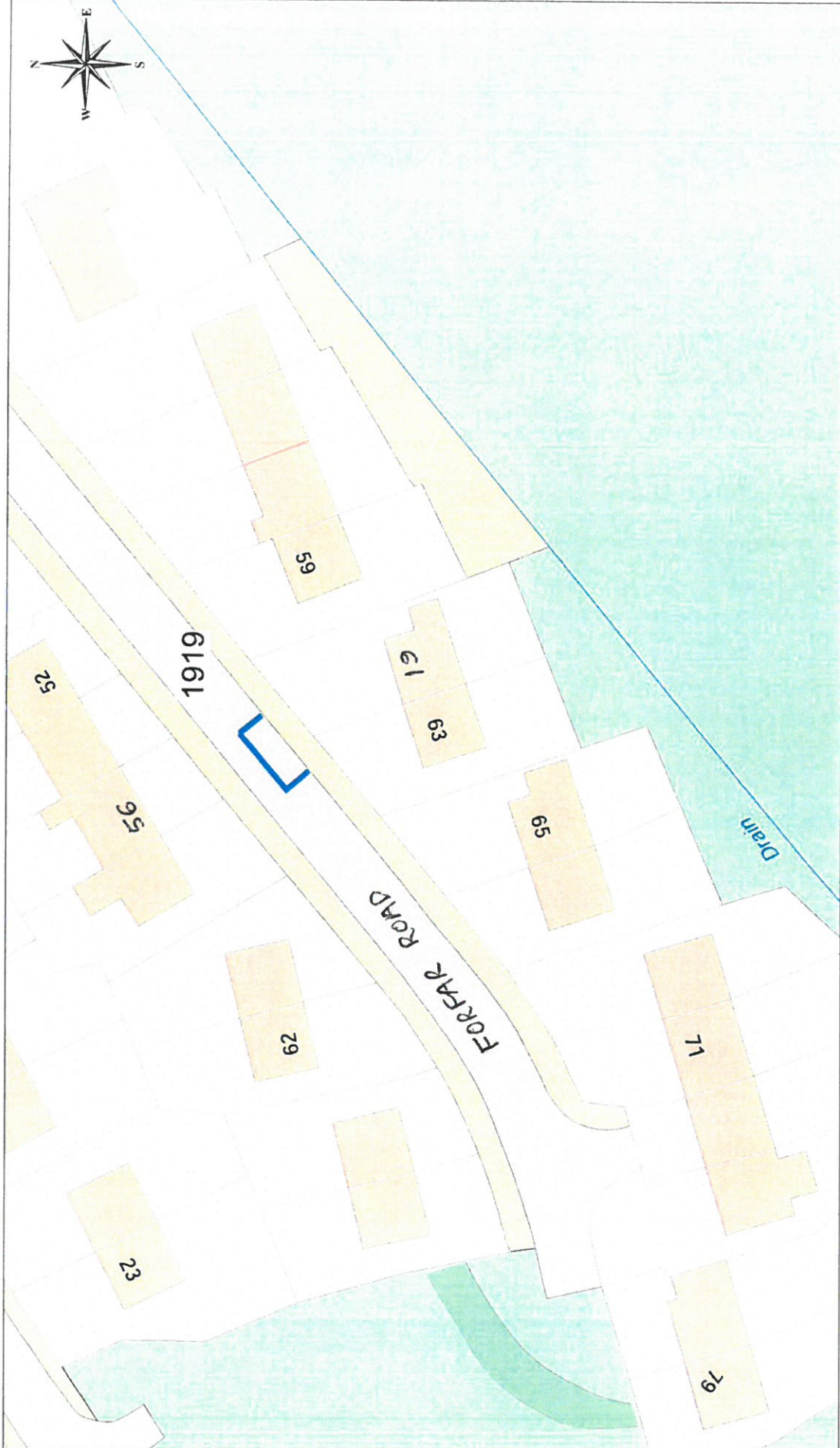


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**DISABLED PERSONS' PARKING PLACE**  
 117a ALBERT ROAD, GOUROCK  
 PLACE No. 1918



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DISABLED PERSONS' PARKING PLACE  
 61 FORFAR ROAD, GREENOCK  
 PLACE No. 1919

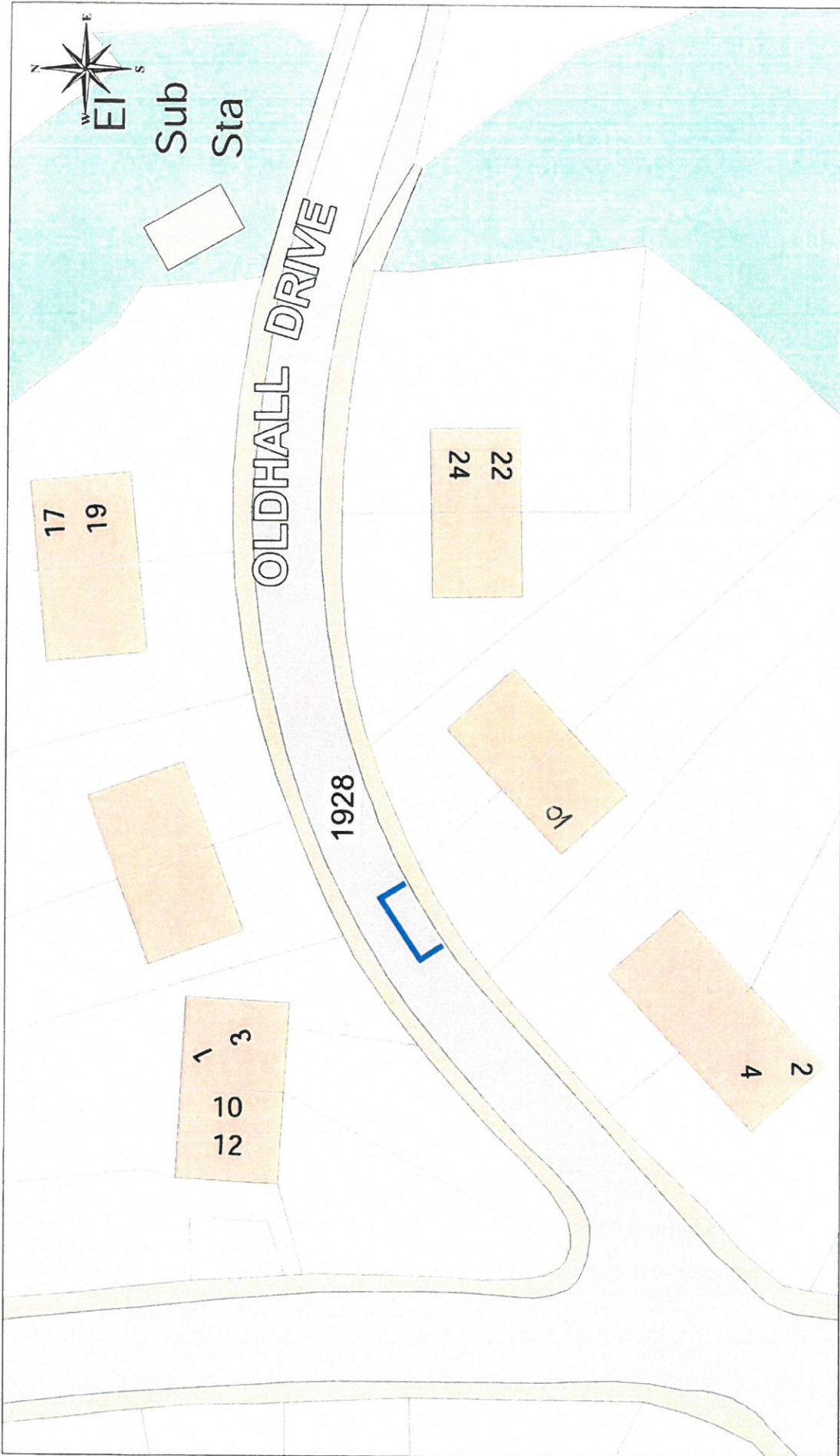


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**DISABLED PERSONS' PARKING PLACE**  
**14 JACOBS DRIVE, GOUROCK**  
**PLACE No. 1920**

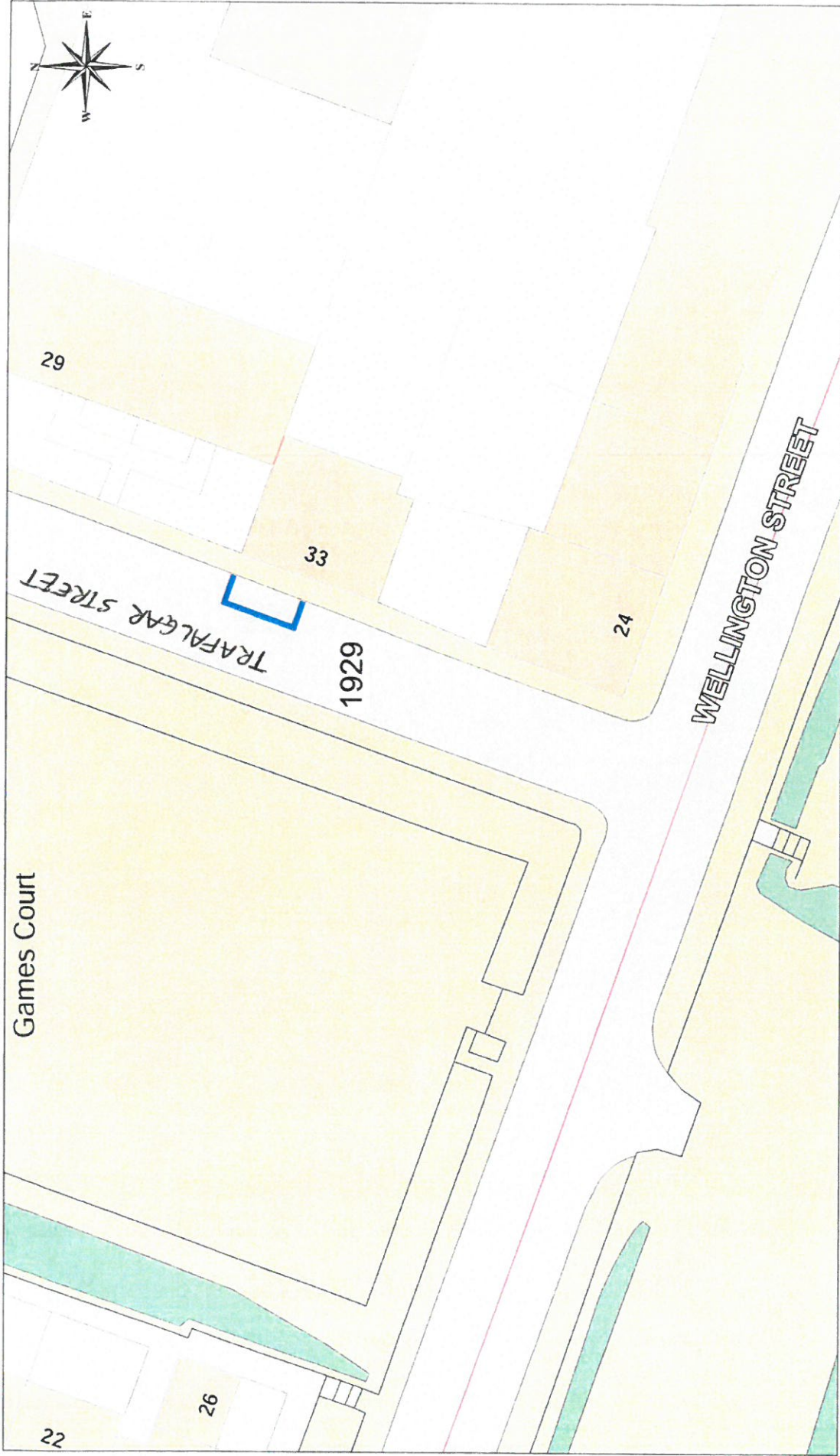


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DISABLED PERSONS' PARKING PLACE  
10 OLDHALL DRIVE, KILMACOLM  
PLACE No. 1928



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DISABLED PERSONS' PARKING PLACE  
33 TRAFALGAR STREET, GREENOCK  
PLACE No. 1929



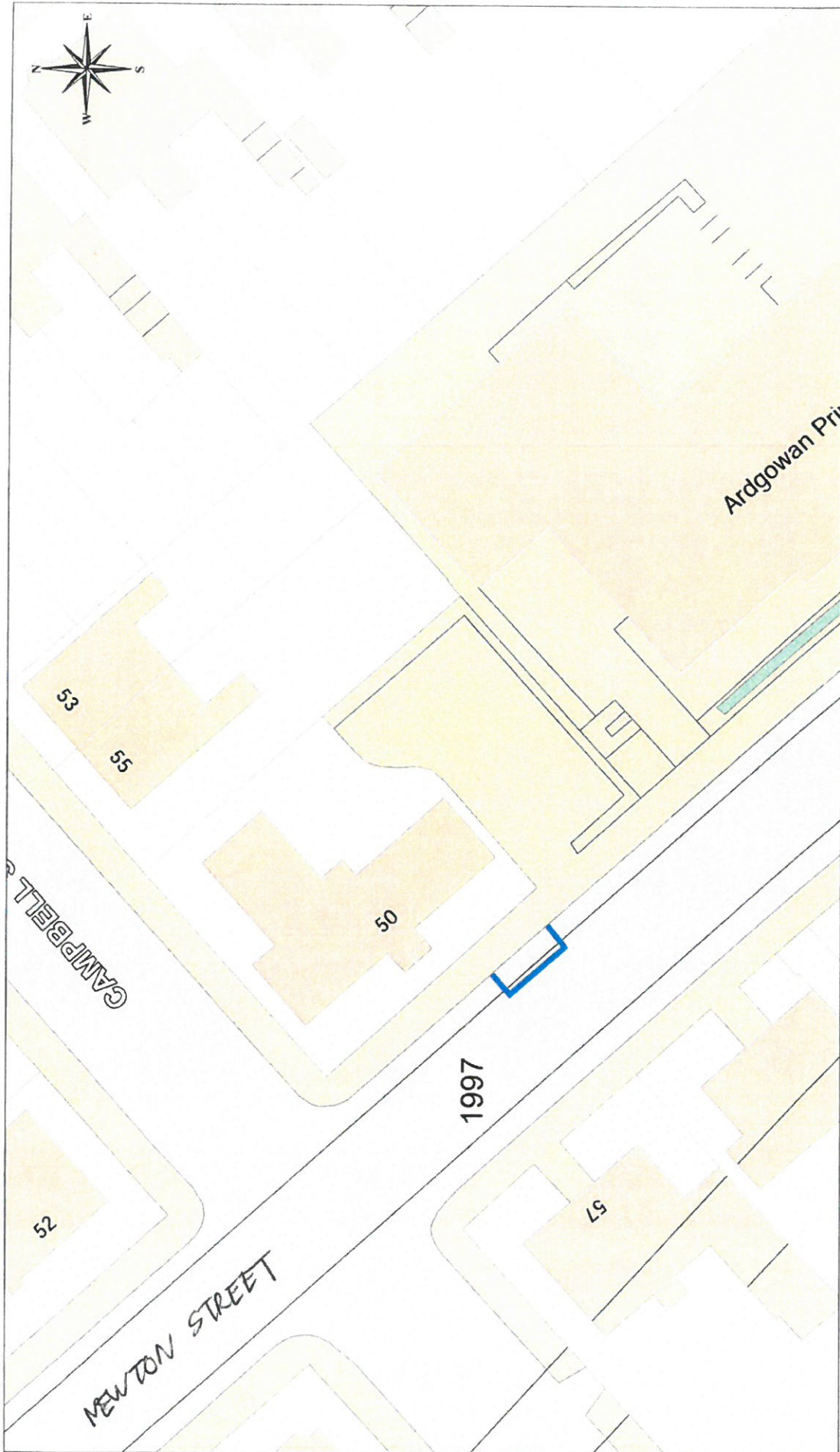
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**DISABLED PERSONS' PARKING PLACE**  
**110 LYNEDOCH STREET, GREENOCK**  
**PLACE No. 1996**

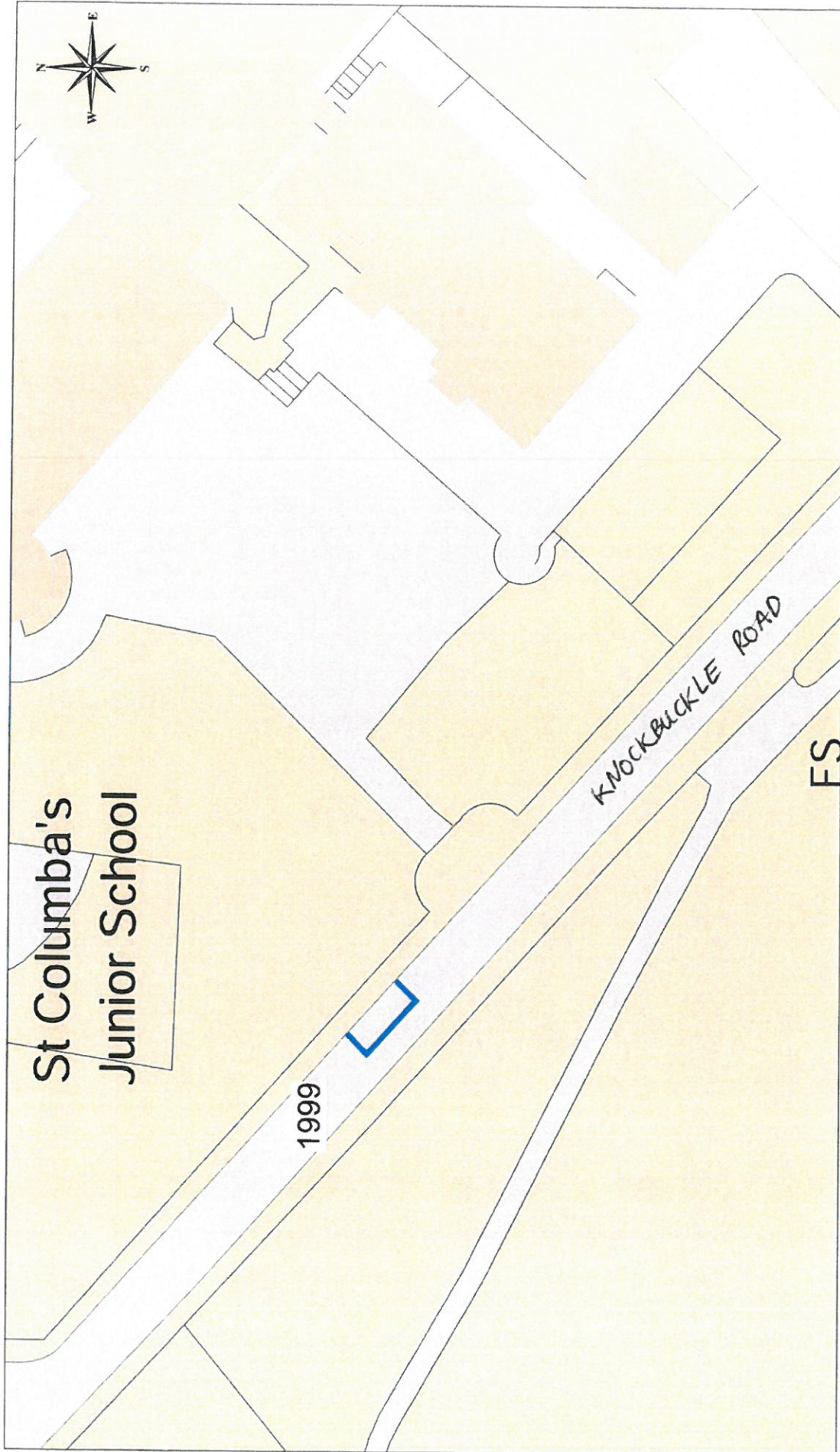




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**DISABLED PERSONS' PARKING PLACE**  
**50 NEWTON STREET, GREENOCK**  
**PLACE No. 1997**

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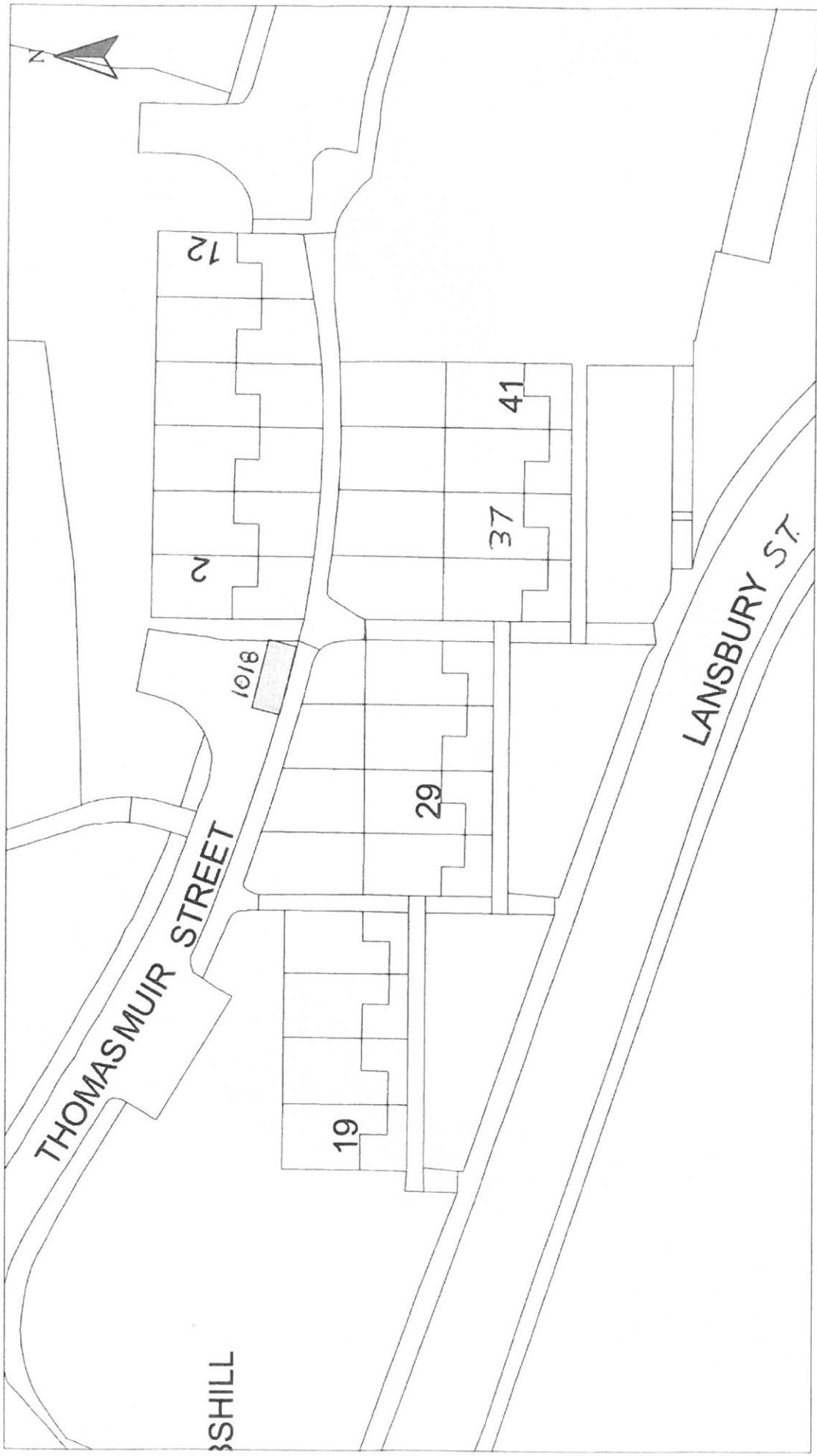



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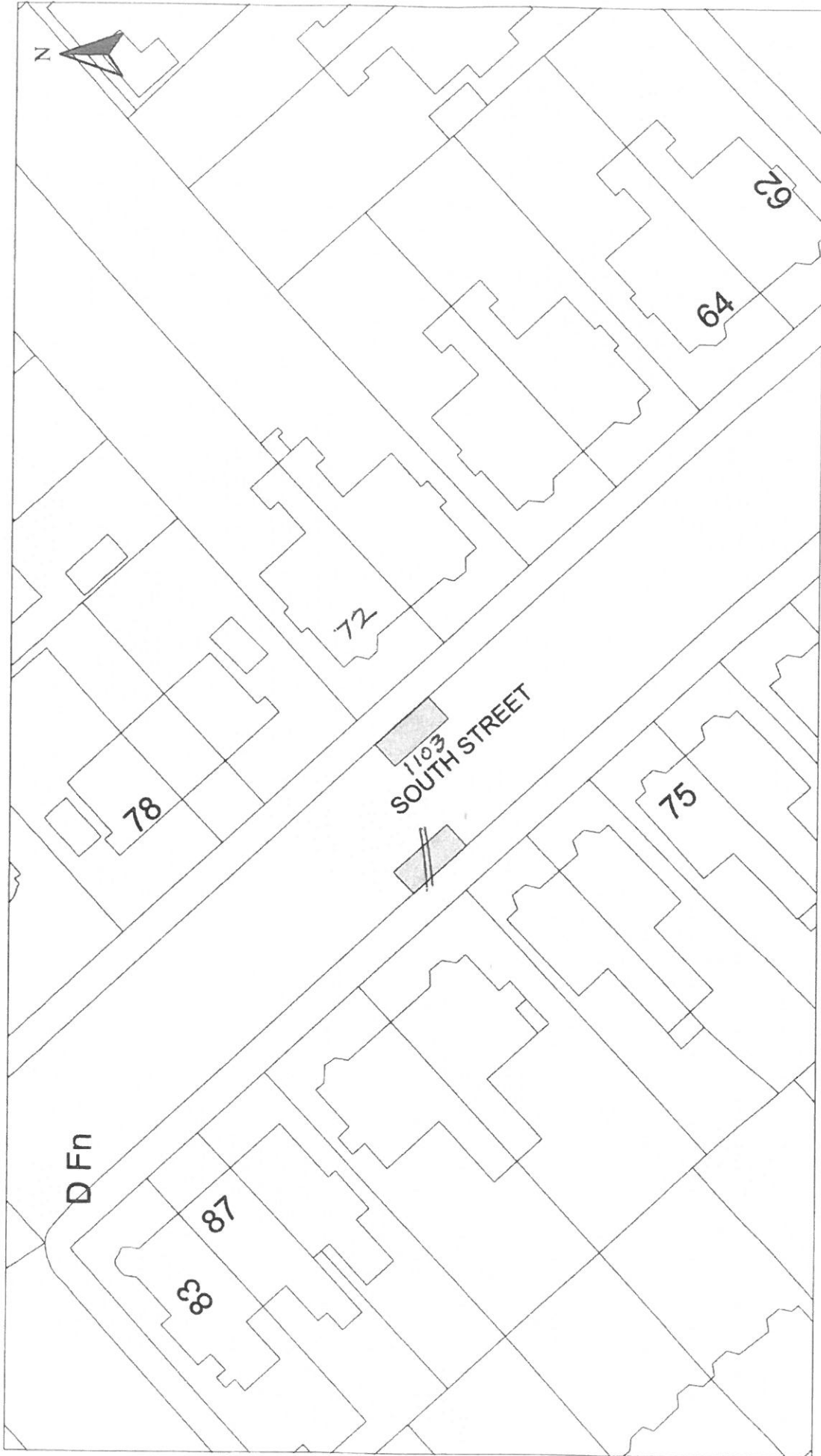
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DISABLED PERSONS' PARKING PLACE  
KNOCKBUCKLE ROAD, KILMACOLM  
PLACE No. 1999



Date : MAY 2010 Checked by :	Scale : 1:500 Prepared by : R. MACKAY	DISABLED PERSONS' PARKING PLACE THOMAS MUIR STREET, GREENOCK PLACE No. 1018 REVOCATION
Approved by :	Drawn by : R. MACKAY Drawing No. : 19/12	
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# Inverclyde council ENVIRONMENTAL & COMMERCIAL SERVICES



Disabled Bays

HEAD OF SERVICE  
IAN MOFFAT

71 EAST HAMILTON STREET  
GREENOCK, PA15 2UA

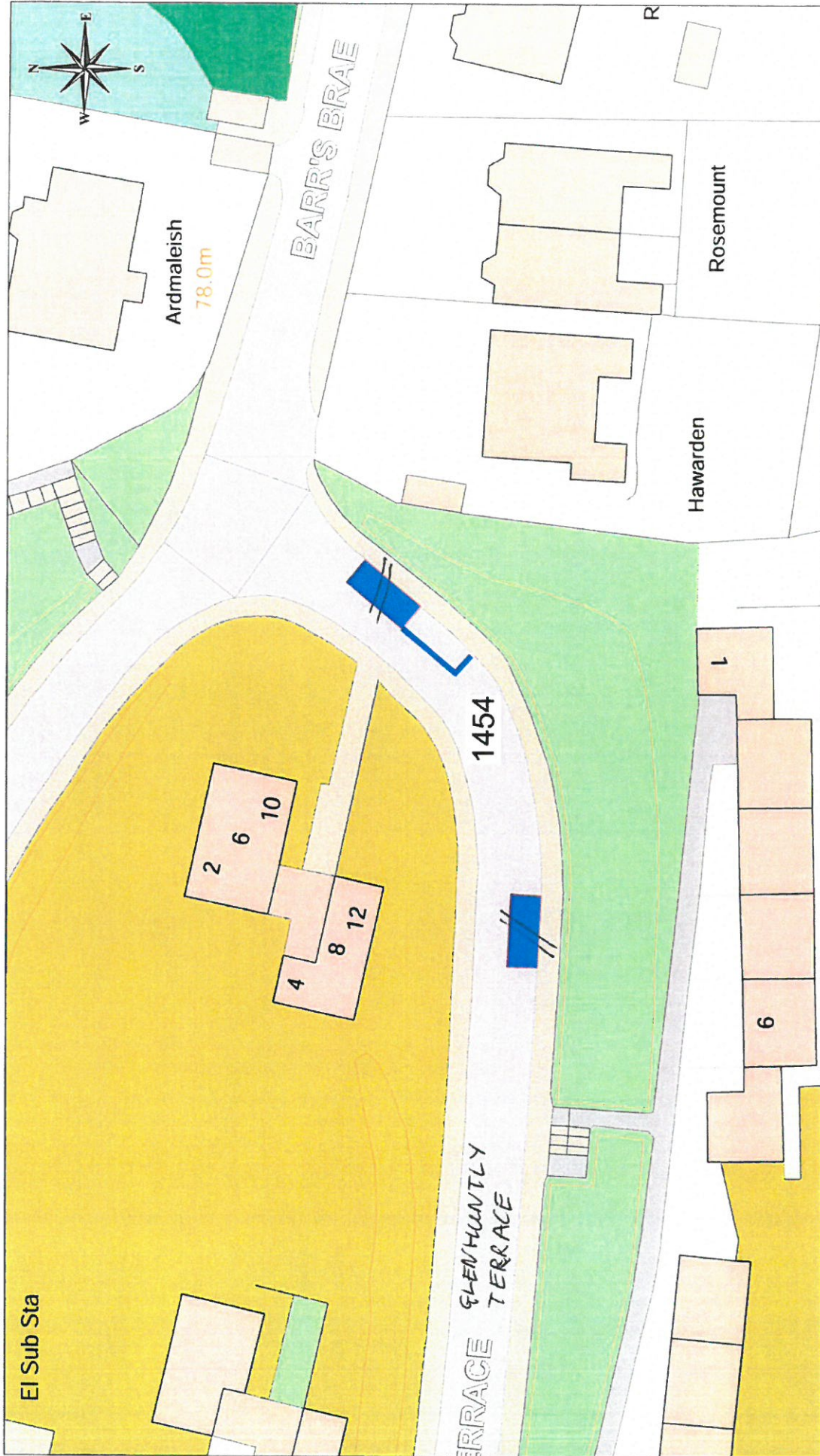
DISABLED PERSONS' PARKING PLACE  
72 SOUTH STREET, GREENOCK  
PLACE No. 1103 REVOCATION

Scale :	1:500	Date :	APR 2011
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Drawn by :	R. MACKAY	Approved by :	
Drawing No. :		File No. :	19/12

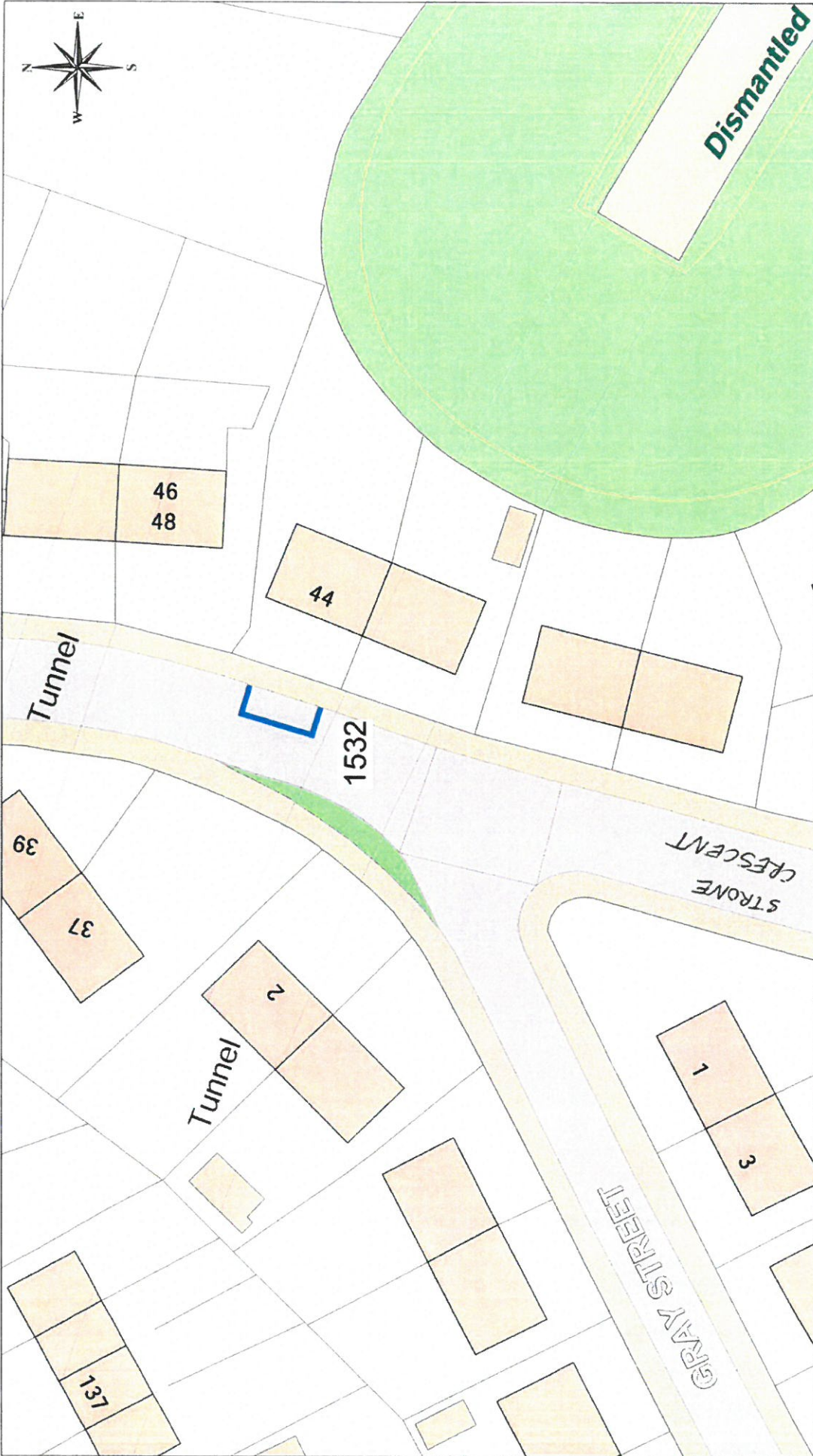
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**10 GLENHUNTLY TERR, PORT GLASGOW**  
**PLACE NO. 1454 REVOCATION**

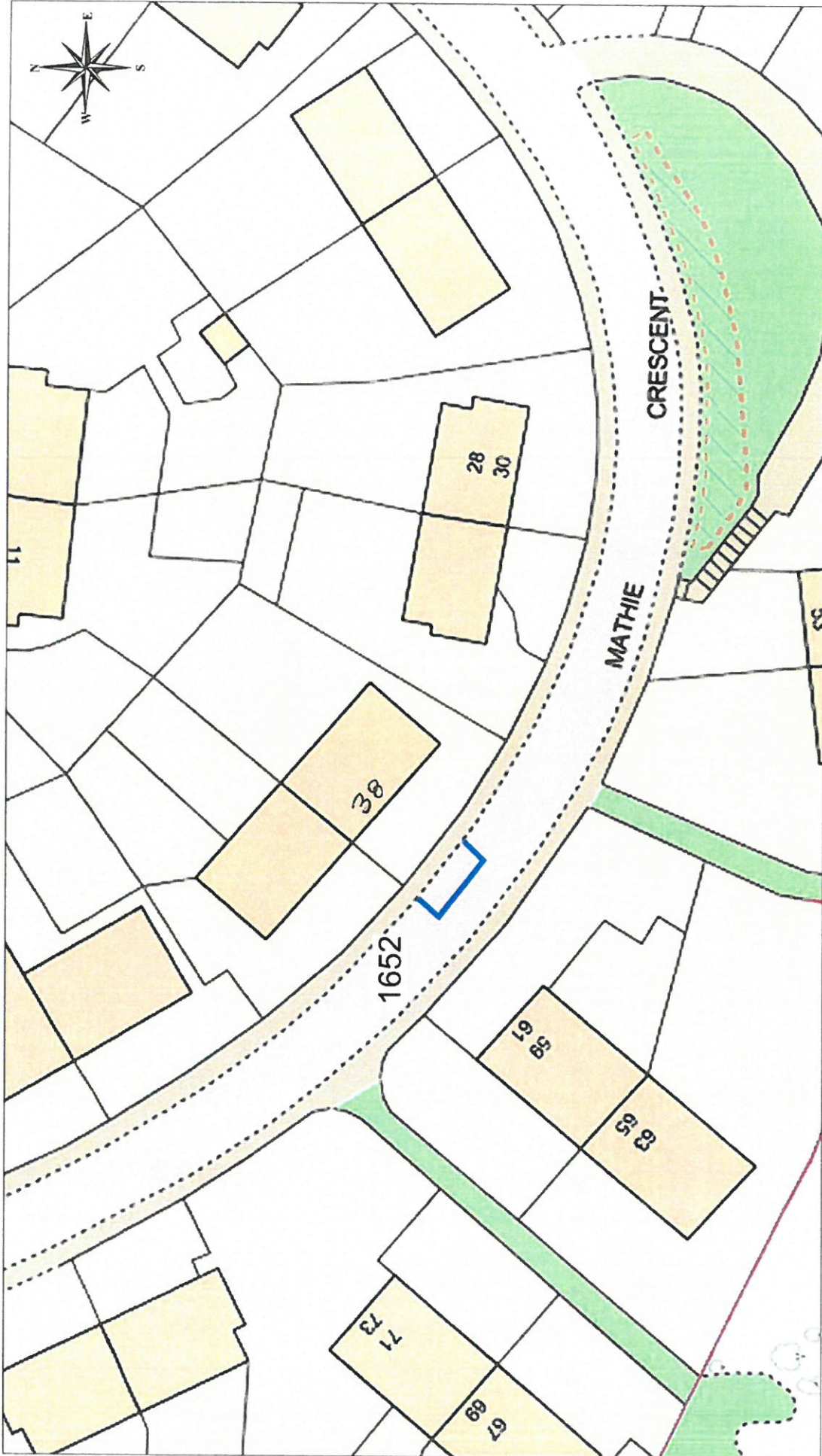


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DISABLED PERSONS' PARKING PLACE  
 44 STONE CRESCENT, GREENOCK  
 PLACE No. 1532 REVOCATION

**Inverclyde**  
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**Environmental Services**

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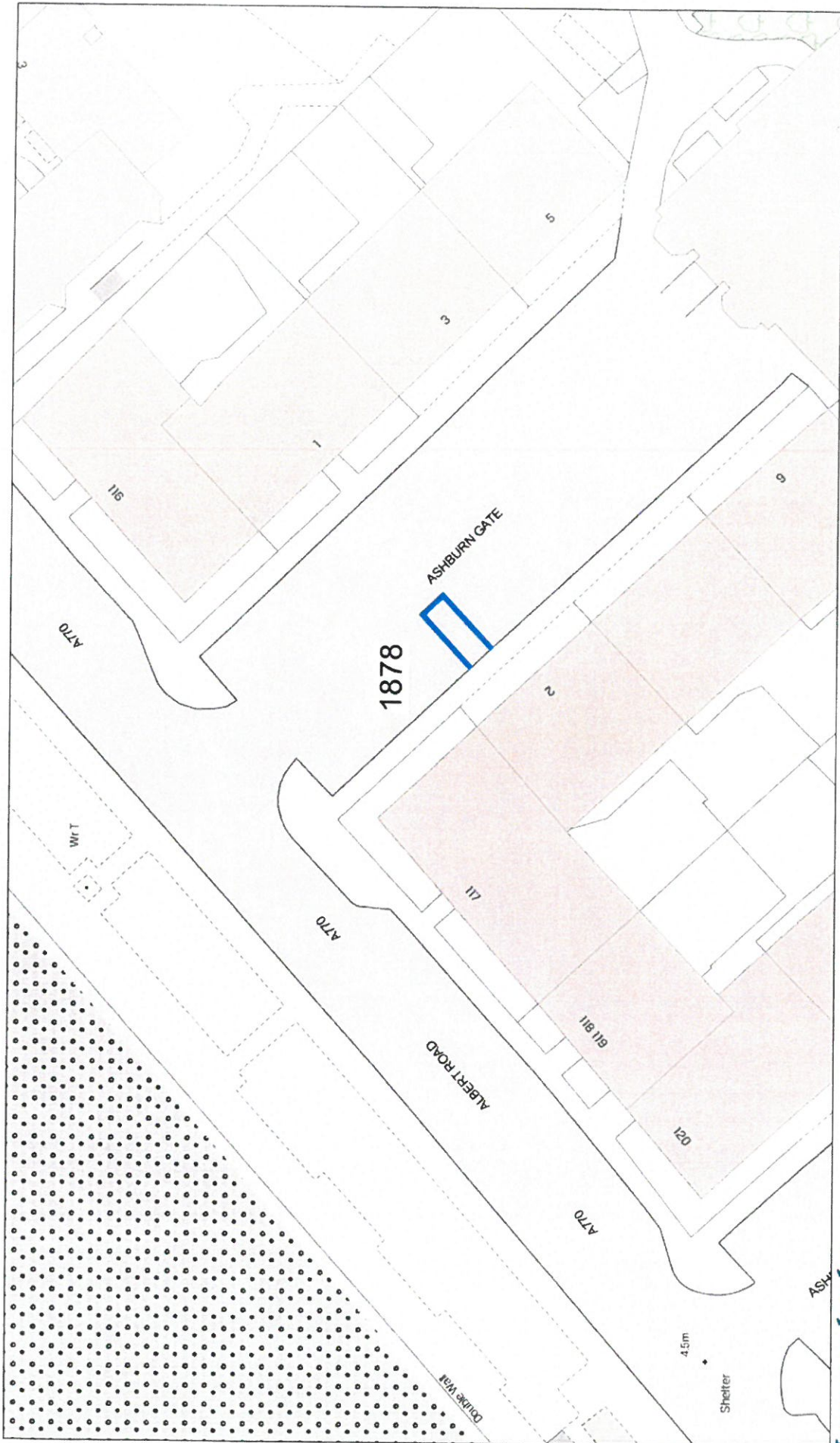


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**DISABLED PERSONS' PARKING PLACE  
38 MATHIE CRESCENT, GOUROCK  
PLACE No. 1652 REVOCATION**

**Inverclyde**  
council  
**Environmental Services**

Regeneration & Environment  
Corporate Director: Aubrey Fawcett  
Municipal Buildings  
Clyde Square  
Gourock  
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**DISABLED PERSONS' PARKING PLACE**  
**2b ASHBURN GATE, GOUROCK**  
**PLACE No. 1878 REVOCATION**

**Inverclyde council**  
 Environment and Public Protection

Environment, Regeneration & Resources  
 Corporate Director: Scott Allan BSc., C.Eng., M.I.C.E.  
 Municipal Buildings  
 Cycle Square  
 Greenock  
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 scott.allan@inverclyde.gov.uk



**THE INVERCLYDE COUNCIL**

**DISABLED PERSONS' PARKING PLACES  
(ON-STREET) ORDER NO. 3 2019**

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

It is considered necessary, in order to comply with Section 5 of The Disabled Persons' Parking Places (Scotland) Act 2009, 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 to revoke those parking places no longer required to maximise street parking capacity.

Gail MacFarlane  
Shared Head of Service Roads  
8 Pottery Street  
GREENOCK  
PA15 2UH