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 Twenty Fifth day of April, Two Thousand and Sixteen and may be cited as "The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 6) Order 2015".

2.0 Interpretation

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 Inverciyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 6) 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) (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.
- 5.6 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.
- 8.6 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.

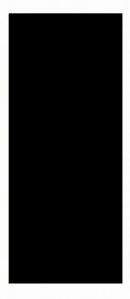
8.9 No person shall:

- (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.
- (c) 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.

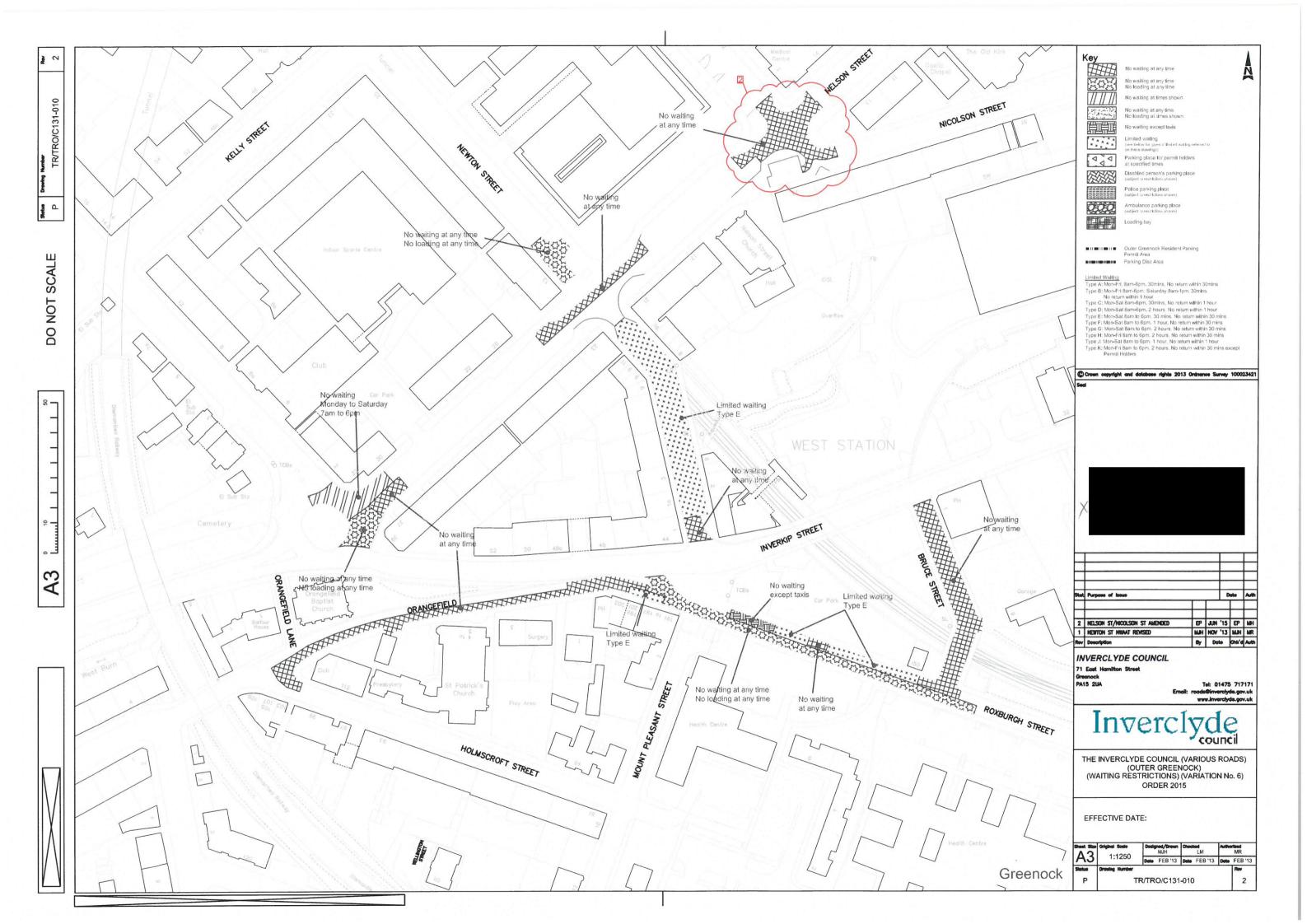
This Order and the two Schedules annexed hereto are sealed with the Common Seal of The Inverclyde Council and subscribed for them and on their behalf by Gerard Joseph Malone, Proper Officer and an authorised signatory at Greenock on the Tenth day of March Two Thousand and Sixteen.

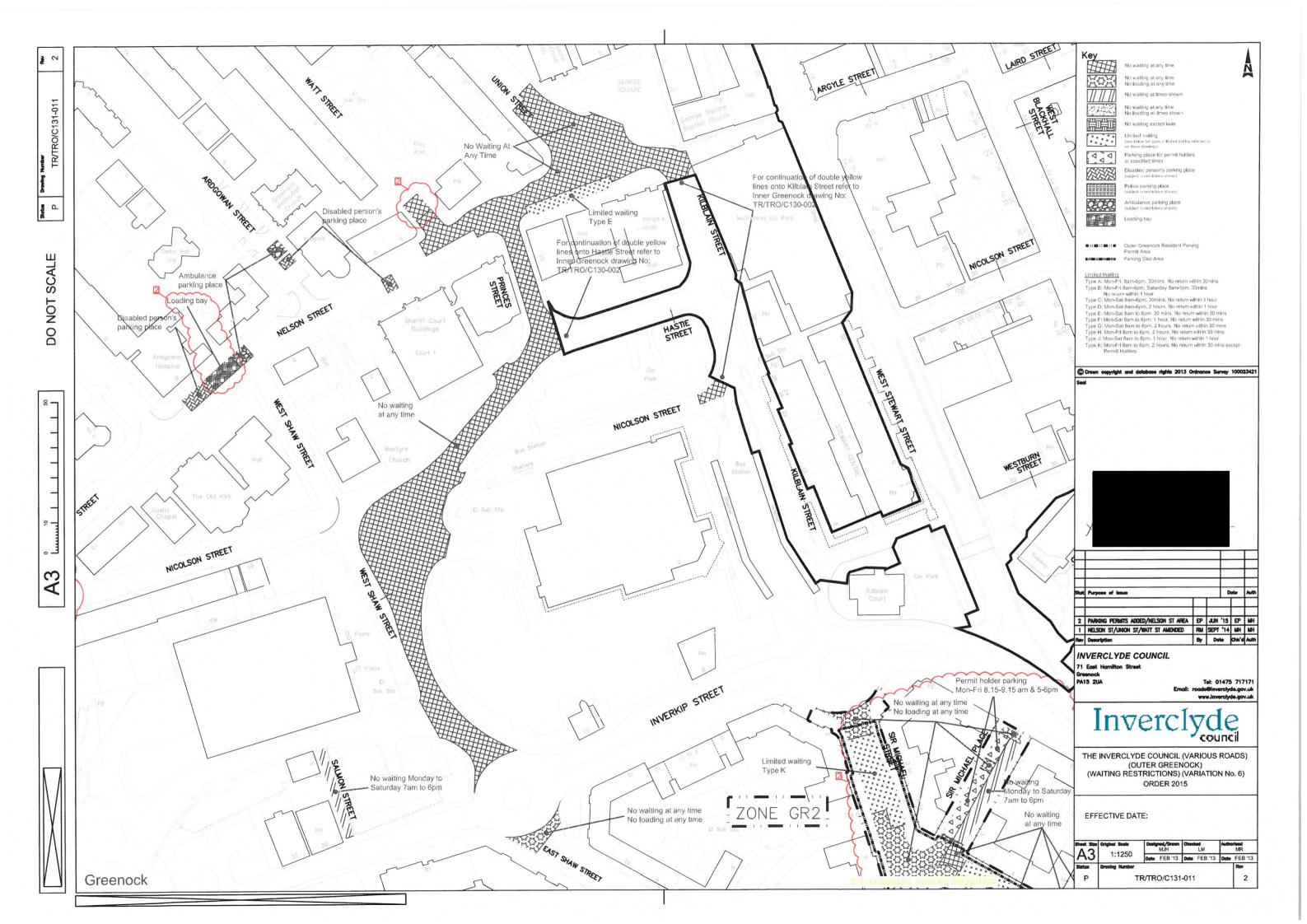
SCHEDULE 1

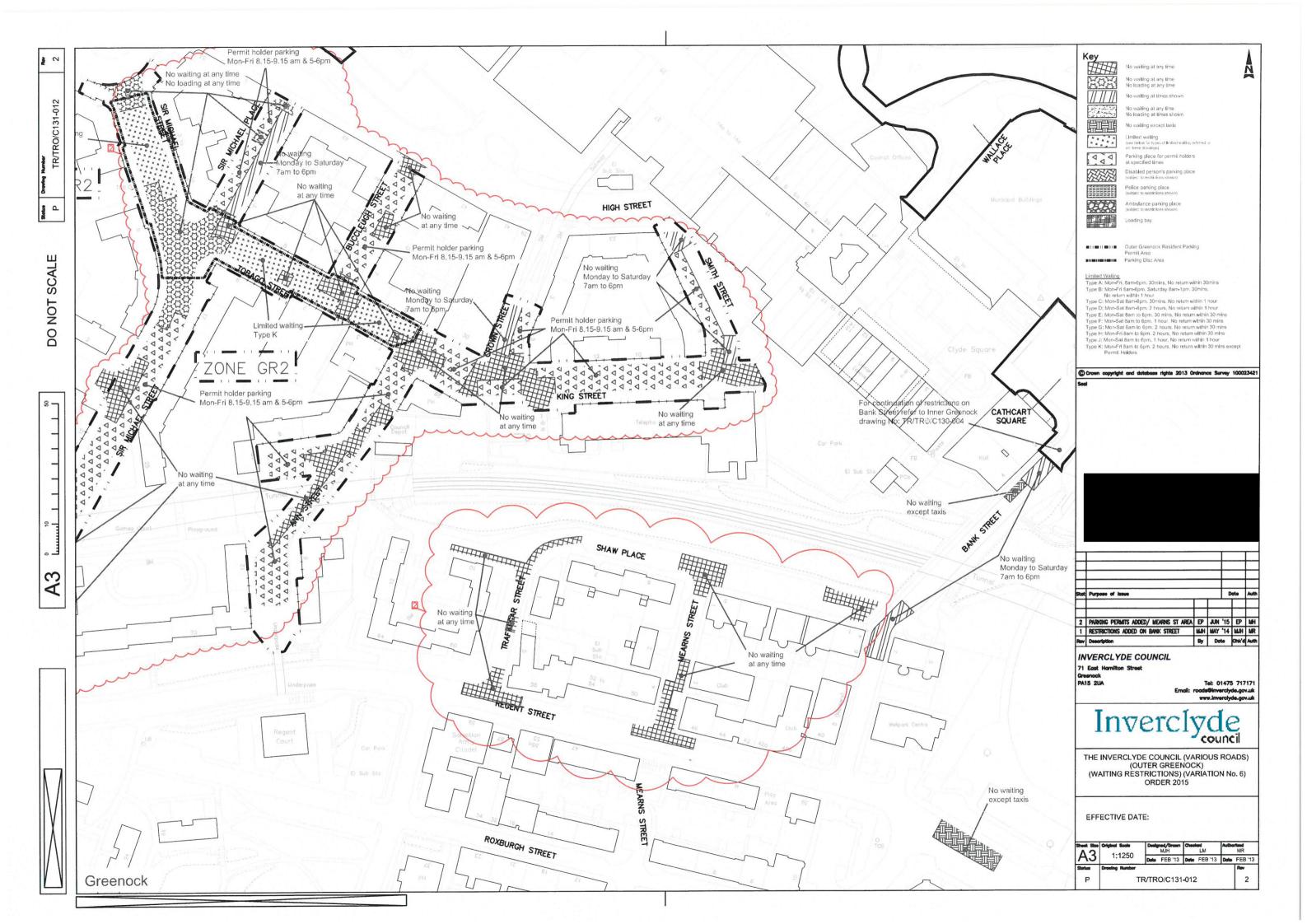
The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 6) Order 2015 On-Street Plans

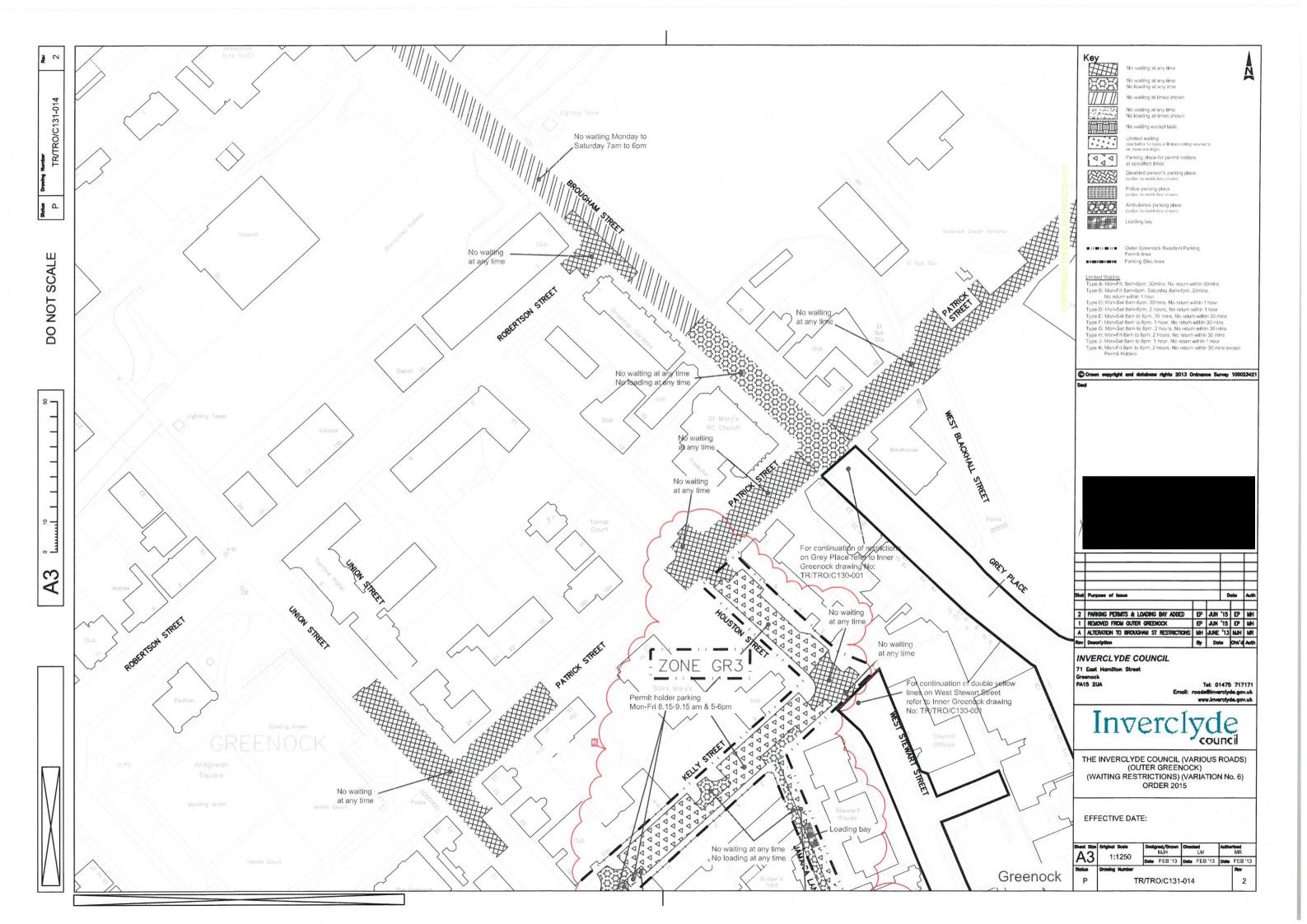


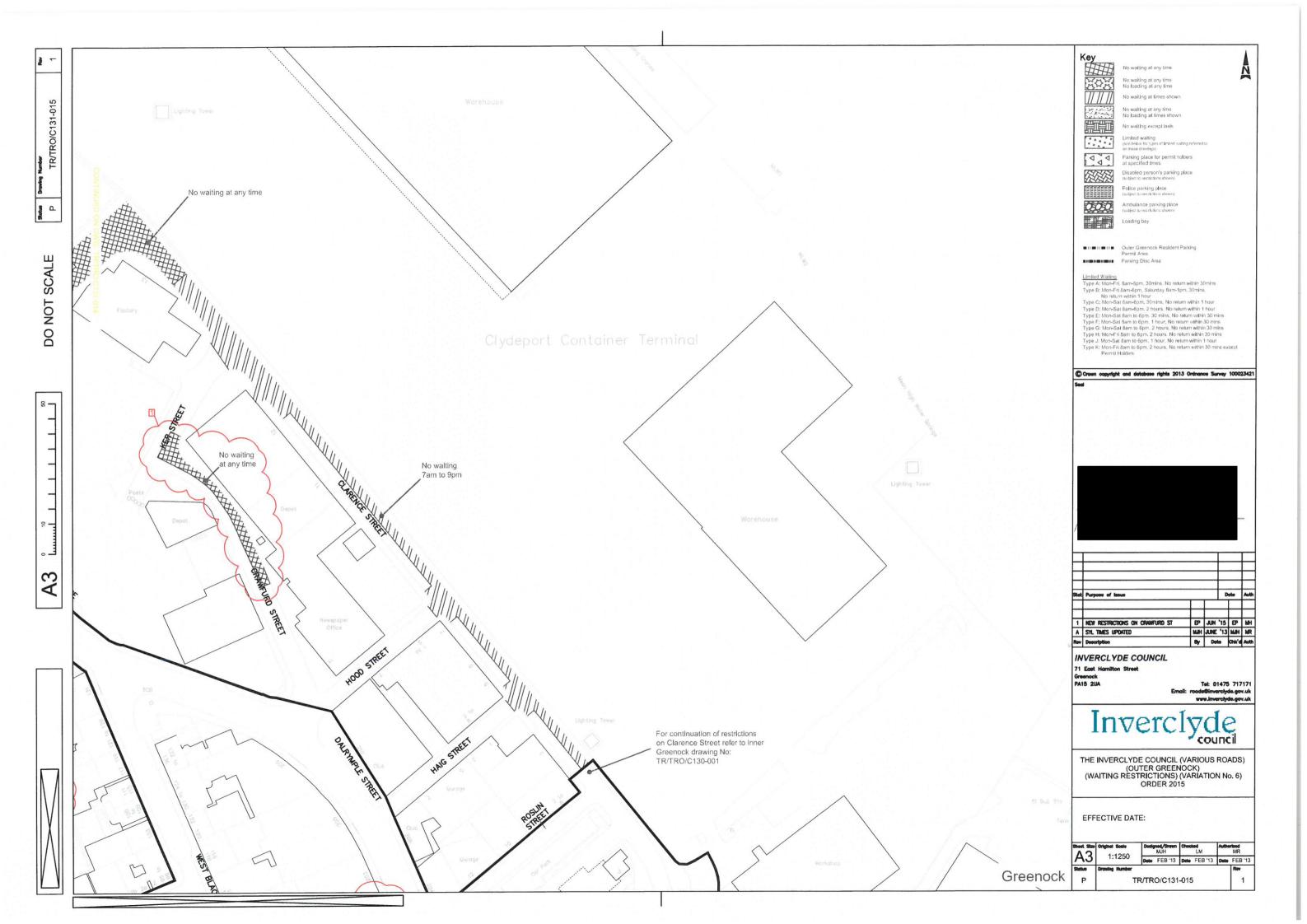
ECO 1393 The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 6) Order 2015

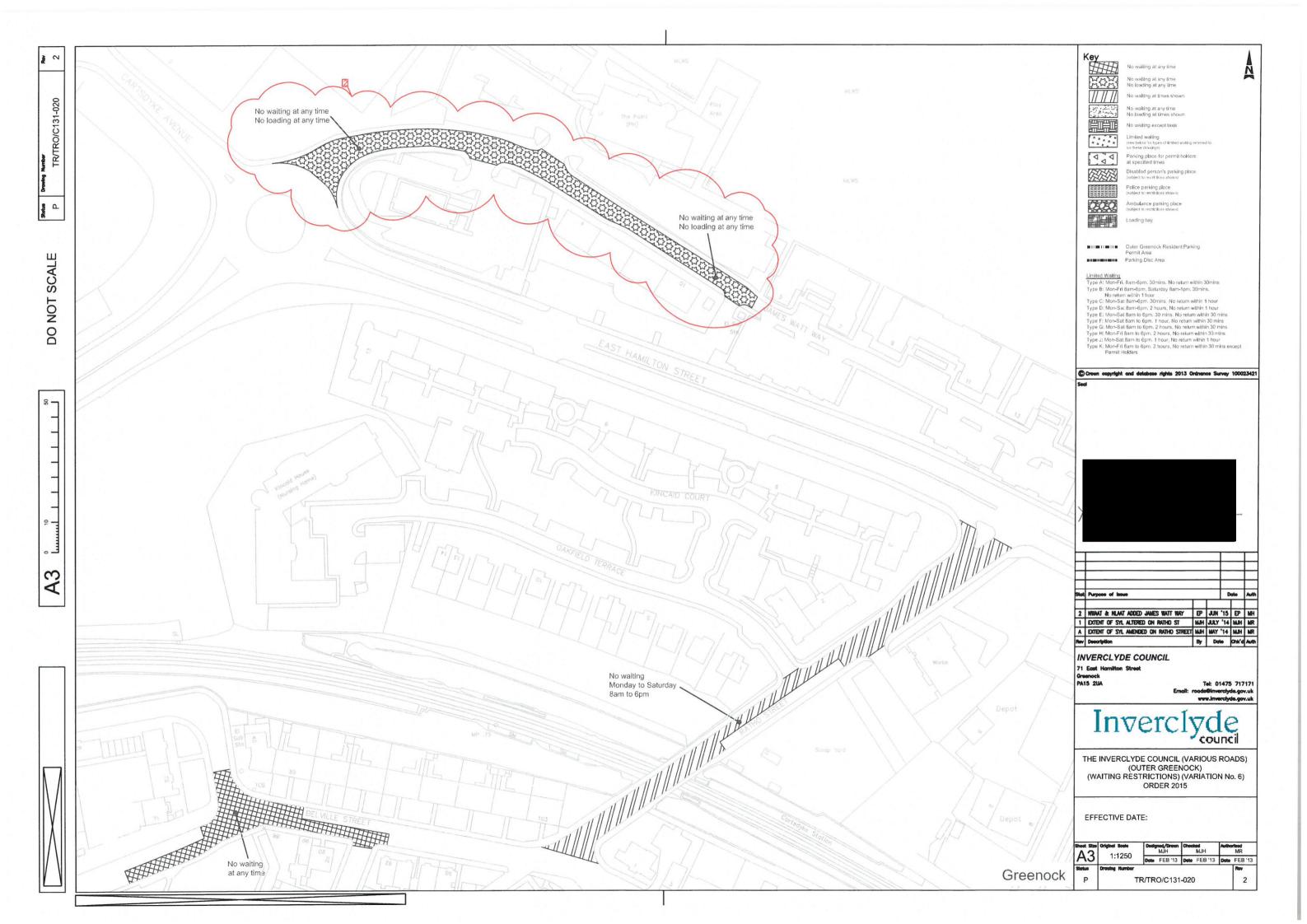


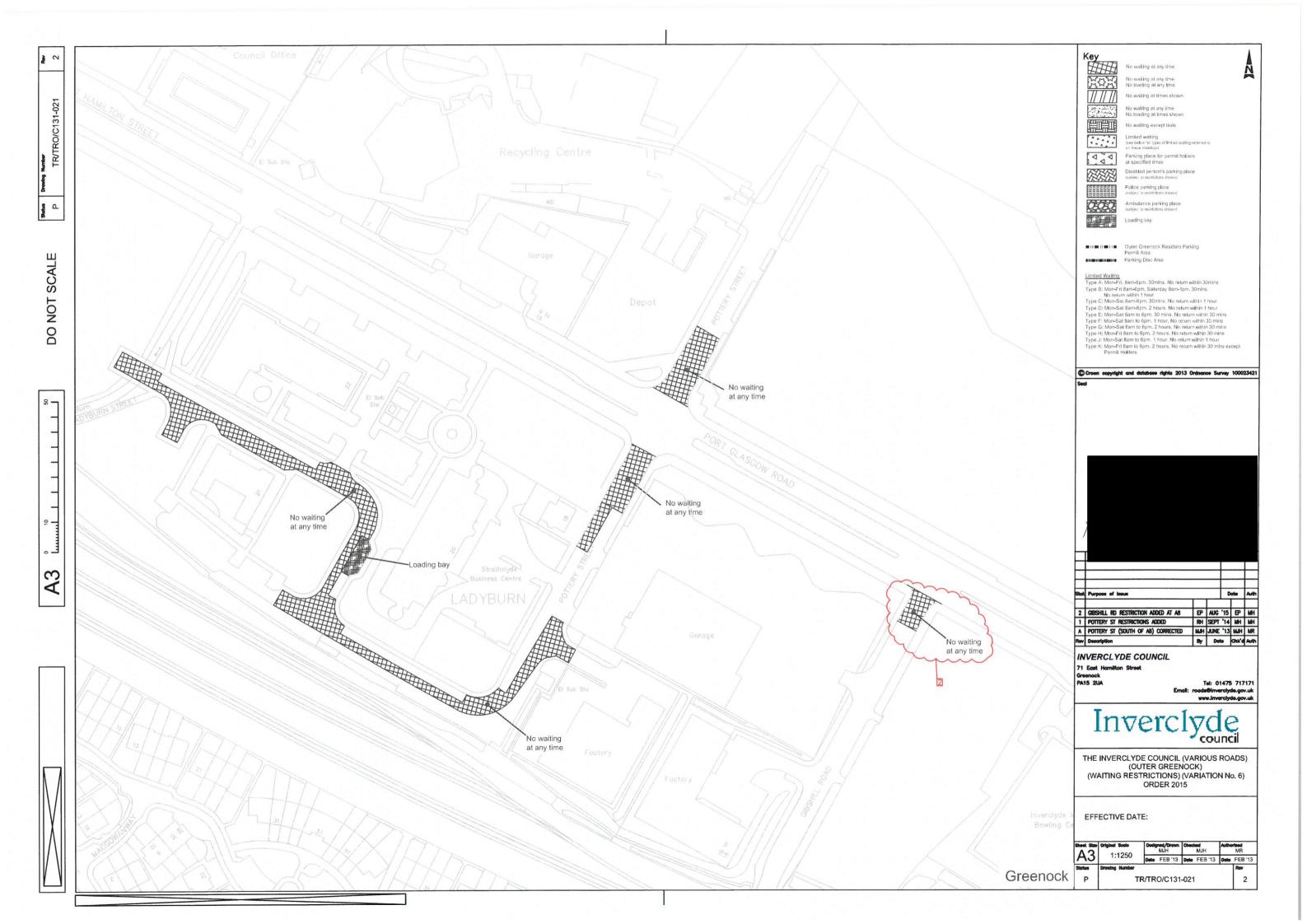


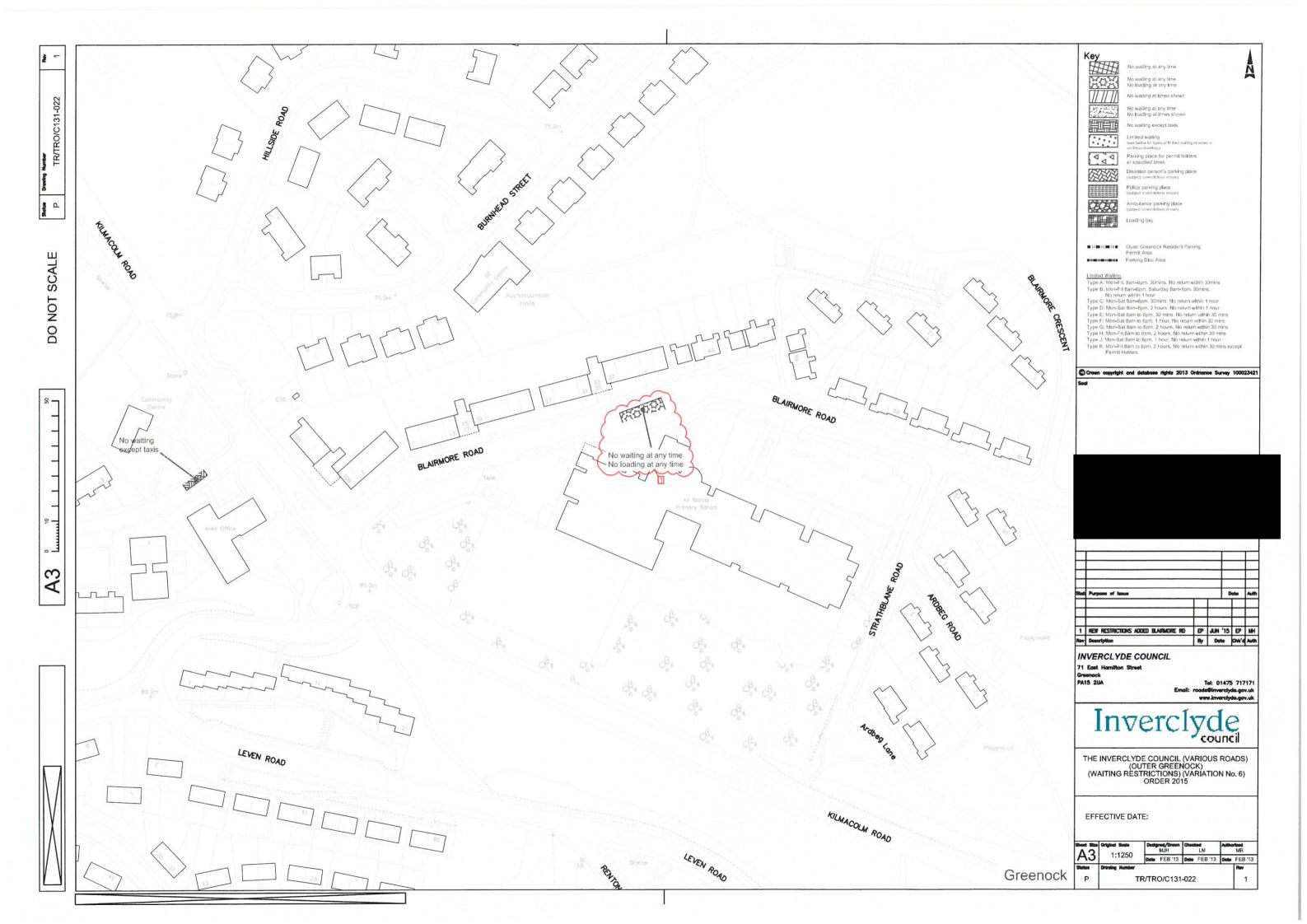


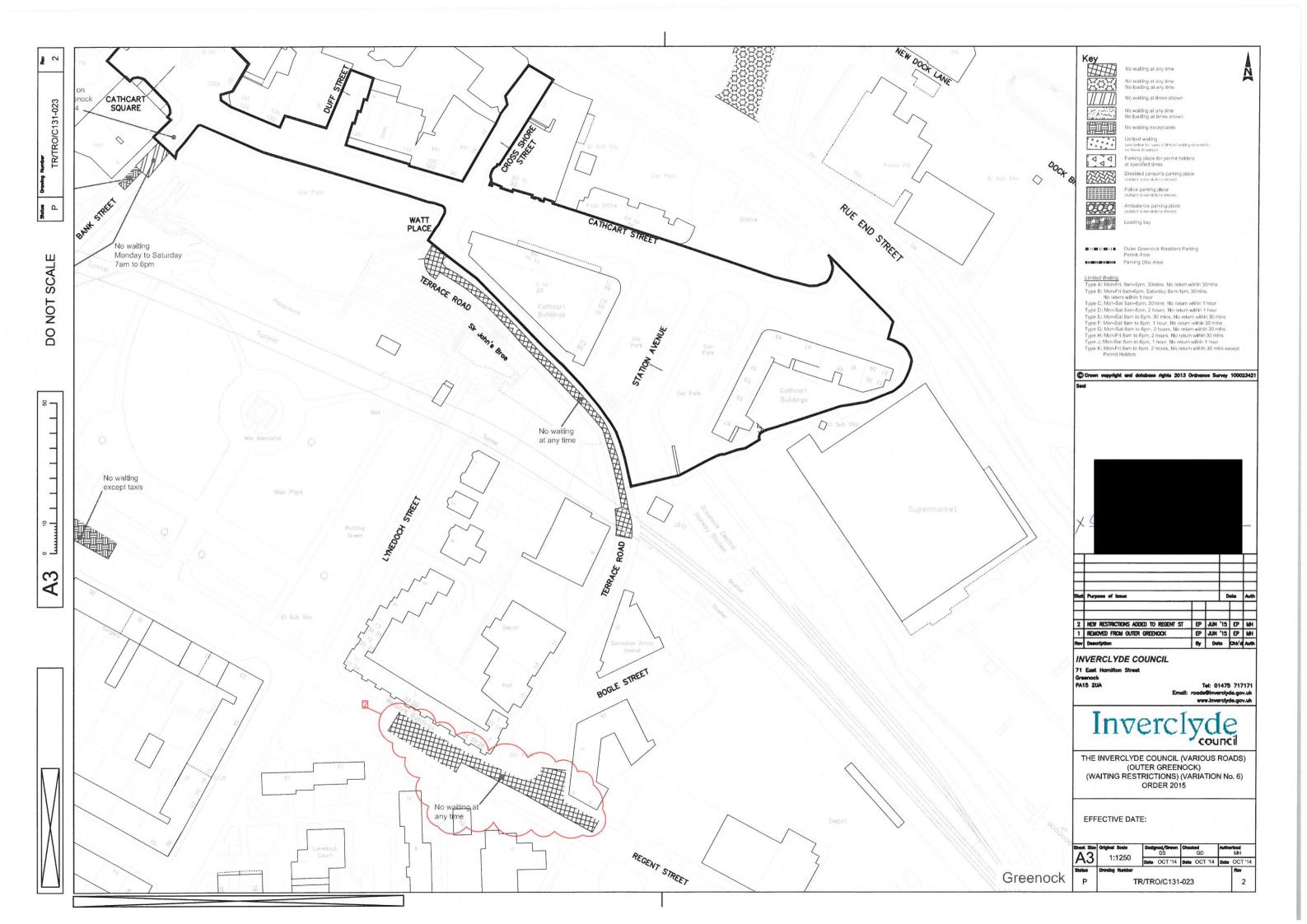


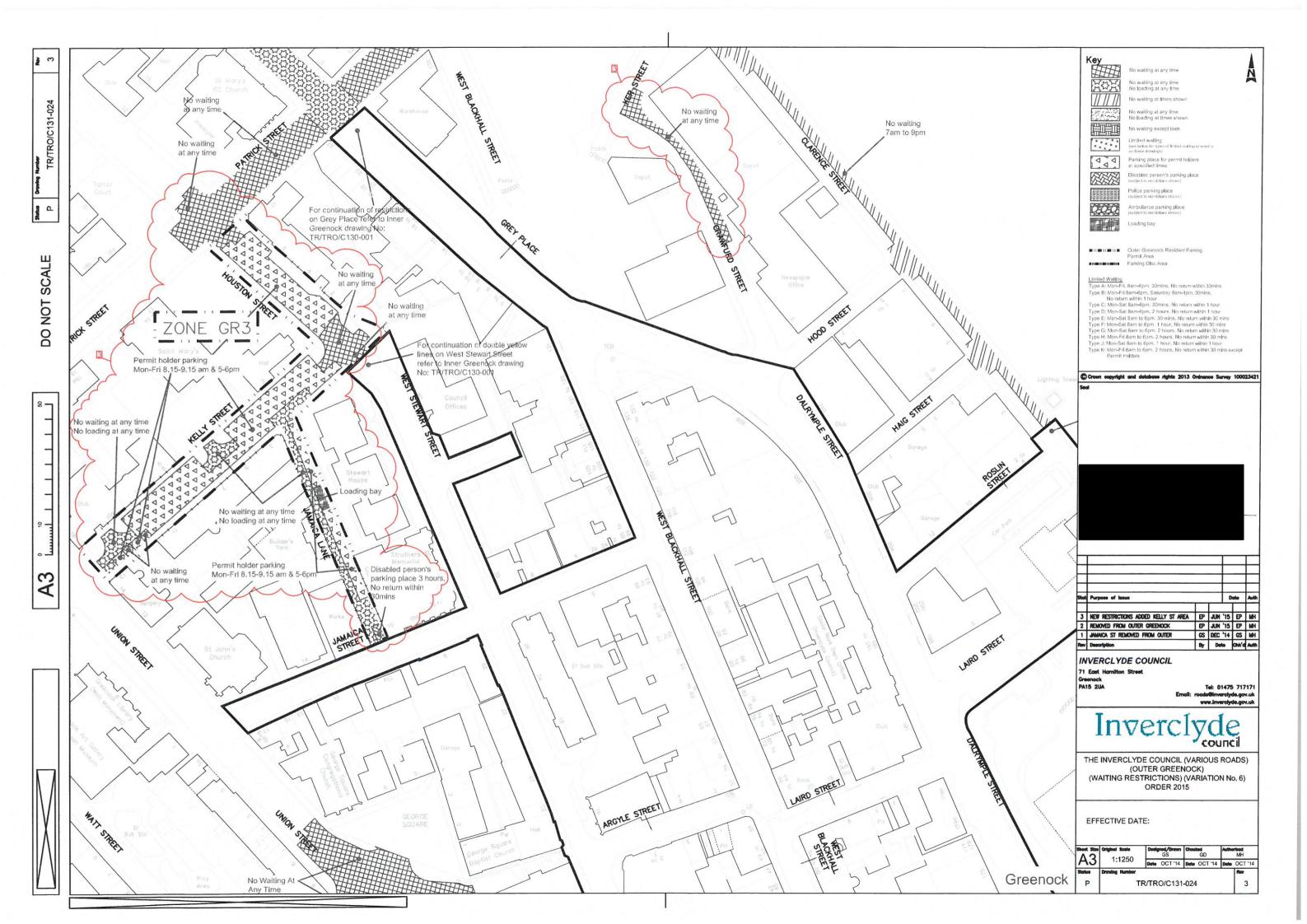


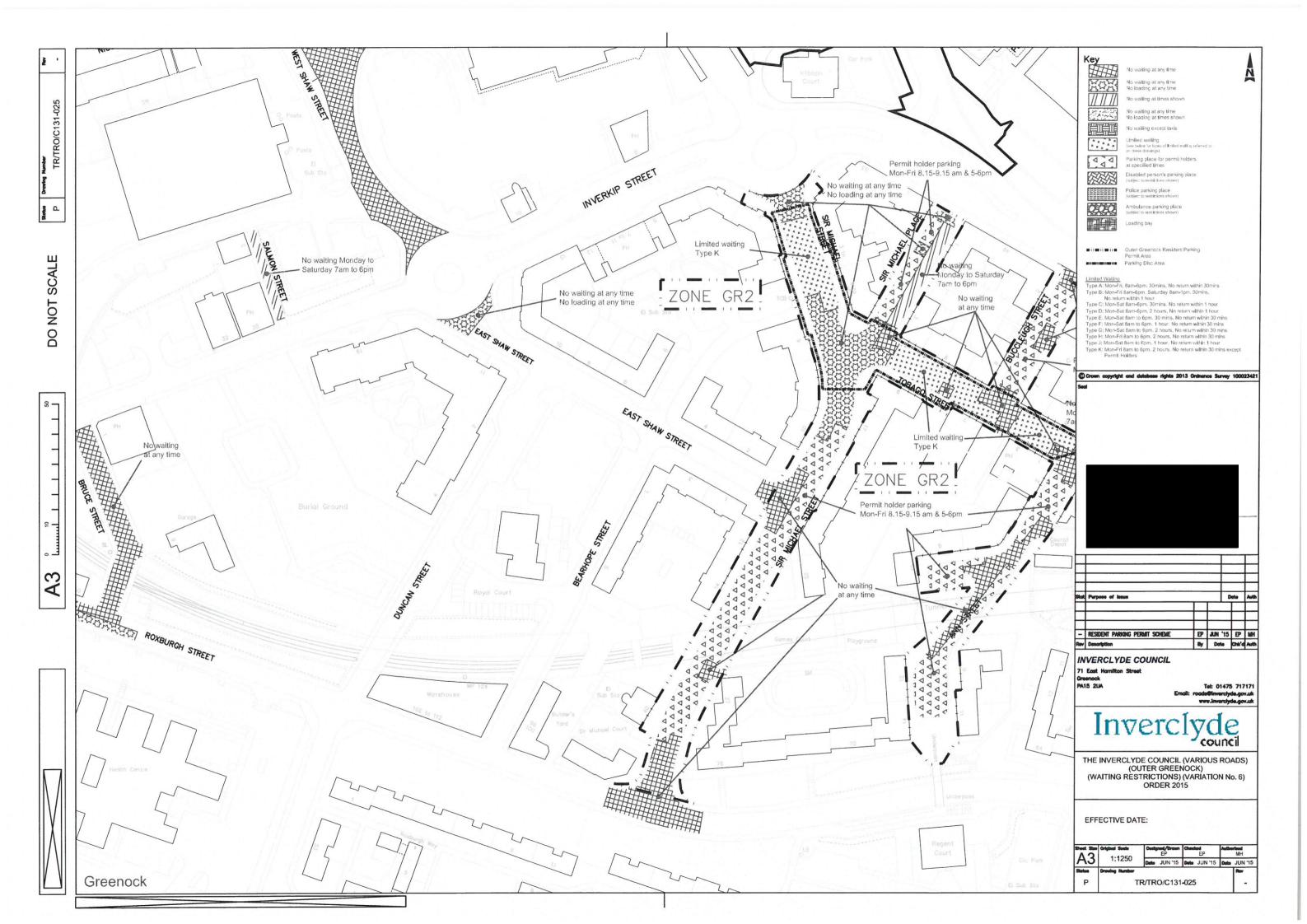












SCHEDULE 2

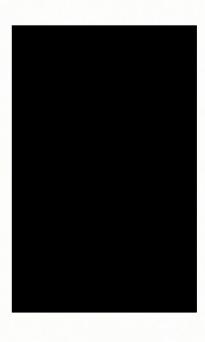
SCHEDULE 3

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

Plan Reference	Effective				ш	Effective Date of Plan Revision	te of Plan F	Revision				
	date of	_	2	3	4	5	9	7	8	6	10	11
	original plan											
TR/TRO/131-001	06/10/2014											
TR/TRO/131-002	06/10/2014											
TR/TRO/131-003	06/10/2014											
TR/TRO/131-004	06/10/2014											
TR/TRO/131-005	06/10/2014											
TR/TRO/131-006	06/10/2014											
TR/TRO/131-007	06/10/2014											
TR/TRO/131-008	06/10/2014											
TR/TRO/131-009	06/10/2014											
TR/TRO/131-010	06/10/2014	21/11/2014	25/04/2016									
TR/TRO/131-011	06/10/2014	25/01/2015	25/04/2016									
TR/TRO/131-012	06/10/2014	21/11/2014	25/04/2016									
TR/TRO/131-013	06/10/2014											
TR/TRO/131-014	06/10/2014	23/04/2016	25/04/2016									
TR/TRO/131-015	06/10/2014	25/04/2016										
TR/TRO/131-016	06/10/2014											
TR/TRO/131-017	06/10/2014	23/04/2016										
TR/TRO/131-018	06/10/2014											
TR/TRO/131-019	06/10/2014											
TR/TRO/131-020	06/10/2014	21/11/2014	25/04/2016									
TR/TRO/131-021	06/10/2014	25/01/2015	25/04/2016									
TR/TRO/131-022	06/10/2014	25/04/016										

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

TR/TRO/131-023 25/05/2015	25/05/2015	23/04/2016 2	25/04/2016		
TR/TRO/131-024	25/05/2015	26/05/2015 23/04/2016	23/04/2016	25/04/2016	
TR/TRO/131-025	25/04/2016				



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