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Argyll and Bute Council **Comhairle Earra Ghaidheal agus Bhoid**

Corporate Services
Director: Nigel Stewart



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12 March 2010

NOTICE OF MEETING

A meeting of the **OBAN LORN & THE ISLES AREA COMMITTEE** will be held in the **THE DRILL HALL, WESTERN ROAD, TOBERMORY, ISLE OF MULL** on **WEDNESDAY, 24 MARCH 2010** at **1:00 PM**, which you are requested to attend.

Nigel Stewart
Director of Corporate Services

BUSINESS

- 1. APOLOGIES FOR ABSENCE**
- 2. PROCEDURE**
- 3. THE ARGYLL AND BUTE COUNCIL (ON-ROAD PARKING PLACES AND CHARGES)(TOBERMORY, ISLE OF MULL) ORDER 2000_**

OBAN, LORN & THE ISLES AREA COMMITTEE

Councillor Gordon Chalmers
Councillor Donald Macdonald
Councillor Neil Mackay
Councillor Donald McIntosh

Councillor Mary-Jean Devon
Councillor Duncan MacIntyre (Chair)
Councillor Roderick McCuish (Vice-Chair)
Councillor Elaine Robertson

Contact: Jane Gillies, Committee Services Assistant - 01631 567901

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**MEETING OF THE OBAN LORN & THE ISLES AREA COMMITTEE TO
CONSIDER OBJECTIONS TO PROPOSED TRAFFIC REGULATION ORDER**

PROCEDURE

1. Introductions
2. Outline the procedure and seek the agreement of the Consultees and Objectors (or representatives)
3. Hear from the Area Roads Manager (or representative) who will outline the proposals
4. Hear from the Consultees (or representative)
5. Hear from the Objectors (or representative)
6. The Area Roads manager (or representative) will be given an opportunity to respond to the points raised by the Objectors
7. The Chief Constable's representative will be invited to comment
8. Questions from Members of the Area Committee
9. Summing up by the Area Roads Manager (or representative)
10. Summing up by the Consultees (or representatives)
11. Summing up by the Objectors (or representatives)
12. Determination by the Area Committee*

* Members can determine to:

- (a) Proceed to make the Order as advertised
- (b) Uphold the objection
- (c) Have the matter referred to a hearing before a Reporter appointed by Scottish Ministers

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The Drill Hall, Western Road, Tobermory, Isle of Mull 24th March 2010

Hearing of proposed Parking Regulation Order in terms of The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999.

Statutory Instruments 1999 No. 614 (S. 38) ROAD TRAFFIC

The Argyll & Bute Council
(On-road Parking Places and Charges)(Tobermory, Isle of Mull)
Order 200_

Introduction

The promotion of the above order was consulted on in accordance with "The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999" Section 5. There were no objections from the Statutory Consultees. Newspaper advertisements were placed in the Oban Times and notices were posted at appropriate locations in Tobermory. Forty letters of objection were received; a petition of some 297 names was also received. Responses were made to the objections 34 objections were Maintained.

Section 8 of the above Regulations requires that a hearing is convened to consider the Order and the objections raised against it.

The Road Traffic Regulation (Act) Sect 45 provides for Road Authorities to designate charging parking bays on the public road.

The order proposes that the Main Street, Ledaig Branch Road, Rockburn Road and Back Brae in Tobermory, Isle of Mull should become subjected to parking control by means of regulation and charging. A related traffic management order is also proposed on the same and adjacent roads.

Background

The Argyll & Bute Council determined that a scheme of charging be introduced in Ledaig Car Park, Tobermory. Following discussions with the Community Council and others it was considered that should such a charging scheme be introduced in Ledaig Car Park it would encourage drivers to seek free parking spaces on Main Street.

There is no alternative means of delivery to the majority of the businesses in Tobermory town centre other than double parking on Main Street. Some shops can receive deliveries via the side streets but this involves reversing manoeuvres onto or off the Main Street. Due to weight and geometry restrictions, Main Street is effectively a dead end, i.e. there is no through route for vehicles larger than

18 tonnes Maximum Gross Weight (MGW). Car parking is both parallel on the shore side of the street and right angled on the seaward side of the street. Sections where the road is narrower are restricted to one side by regulation.

The general congestion caused by drivers looking for parking, pedestrians on the road, delivery vehicles and buses, leads to conflicting concerns in terms of road safety and traffic access to the Main Street.

The proposals contained in this order are intended to encourage drivers to use the off-street parking for longer term stays thus freeing up the Main Street for short term parking. A separate order which introduces restrictions to parking and provides loading and unloading bays has been advertised.

Recommendations

That the order be approved to allow measures to be put in place which will allow improved parking control. This will free up more parking spaces. The charges are designed to encourage long stay parkers to use Ledaig Car Park and free up on road spaces for, elderly, disabled and those who have the greatest need to park close to their destinations.

Objector	Objection	Response
<p>Rachel Wilson 3 Jarvisfield Road Aros Isle of Mull</p>	<p>Failed to produce evidence of need for charging.</p> <p>Charges will disadvantage low waged and elderly.</p>	<p>The Council have received complaints from the Community Council and others about the congestion which takes place along the Main Street would be made worse if charges were introduced in Ledaig Car Park. Officers have witnessed the problems.</p> <p>There is a regular bus service between the main towns on Mull. Bus services operate between the upper part of the town and the main street.</p> <p>The charges are set at a low level in Ledaig Car Park to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items. Those who feel it is necessary to have their cars on Main Street should find space more readily.</p>
<p>Mrs Eliz-Anne MacDonald 16 Bentalla Crescent Salen, Aros, Isle of Mull</p>	<p>Objects to having to pay to park when roads are in poor condition.</p> <p>No alternative to taking car.</p>	<p>Road maintenance budgets are fairly distributed across all areas. Car park charges are used to support the road maintenance budget.</p> <p>There is a regular bus service between the main towns on Mull. Bus services operate between the upper part of the town and the main street.</p>
<p>Pat Morris Arle Lodge, Aros, Isle of Mull</p>	<p>Visits Tobermory most days to buy provisions, would attract substantial cost.</p> <p>Tobermory's unique environment would be lost if charges were introduced.</p>	<p>It is reasonable for the Council to charge for parking facilities, the charge level in Ledaig Car Park has been set at a low level because there is limited alternative free parking and to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items.</p> <p>Many historic towns have parking restrictions, ticket issuing machines can be carefully sited to blend in with the existing infrastructure. Reduced congestion on Main Street will make it a better place.</p>

<p>Andrew Penny Tigh Faire, Erray Road Tobermory, Isle of Mull</p>	<p>The charges will have an adverse effect on the local economy and contradict the Corporate Plan to have vibrant communities.</p> <p>Affect those in upper part of town carrying up hill</p> <p>Have to pay to use shops.</p>	<p>While acknowledging that the Corporate Plan does promote “vibrant communities” it also promotes sustainability, reduced budget provision requires other sources of income to be harnessed. Car parking help to charges support the road maintenance budget.</p> <p>Tobermory is not unique in this respect. Bus services operate between the upper part of the town and the main street.</p> <p>The charges are set at a low level in Ledaig Car Park to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items. Those who feel it is necessary to have their cars on Main Street should find space more readily.</p>
<p>J R Bailey Winterley, Erray Road Tobermory</p>	<p>Tax payers pay enough already pensioners will be affected a car is essential for shopping.</p> <p>Charges will affect everyone on Mull coming to shop.</p> <p>Congestion only occasional,</p> <p>All Mull residents should get permits</p>	<p>It is reasonable for the Council to charge for parking facilities, the income raised is used to help support the roads budget.</p> <p>The charges are set at a low level in Ledaig Car Park to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, additional disabled bays and loading bays are provided to assist with collection of purchased items. Those who feel it is necessary to have their cars on Main Street should find space more readily.</p> <p>There is a regular bus service between the main towns on Mull.</p> <p>Bus services operate between the upper part of the town and the main street.</p> <p>The Council have received complaints from the Community Council and others about the congestion which takes place along the Main Street would be made worse if charges were introduced in Ledaig Car Park. Officers have witnessed the problems.</p> <p>Residents’ permits will be available to purchase for restricted streets and season tickets will be available for Ledaig Car Park.</p>

<p>Bruce Blackadder 5 Creagan Park Tobermory, Isle of Mull</p>	<p>Parking charges will reduce available cash for businesses</p> <p>Not cost effective.</p> <p>Disc schemes work elsewhere.</p>	<p>It is reasonable for the Council to charge for parking facilities, the charge level has been set at a low level because there is limited alternative free parking, car park charges are used to support the road maintenance budget.</p> <p>The balance of charges over cost is a positive one.</p> <p>Disc parking schemes are known to disadvantage visitors. They are prone to abuse and difficult to enforce effectively.</p>
<p>F H MacInnes 16 Argyll Terrace Tobermory, Isle of Mull</p>	<p>Parking meters will ruin our beautiful town.</p>	<p>There is no intention of erecting parking meters. Many historic towns have parking restrictions, ticket issuing machines can be carefully sited to blend in with the existing infrastructure.</p>
<p>Louise & Robin Harrowsmith Harbour Guesthouse Tobermory</p>	<p>The proposals will drive away shoppers and tourists</p> <p>Will not address the issues</p> <p>It is a further tax on residents, businesses and is unfair to elderly.</p> <p>It will disadvantage carers and good neighbours.</p>	<p>The charges are set at a low level in Ledaig Car Park to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items. Those who feel it is necessary to have their cars on Main Street should find space more readily.</p> <p>The issues are that too many vehicles park all day on Main Street, leaving inadequate turn over of spaces. It also restricts the provision of disabled parking and loading bays. By having a structured charging scheme and enforcement of the restrictions there will be better turnover of spaces and room to provide loading bays and disabled parking and it will ensure the provision of spaces for those most in need.</p> <p>It is reasonable for the Council to charge for parking facilities, the charge level has been set at a low level because there is limited alternative free parking and to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items.</p> <p>Health visitors, district nurses and the like will be able to reclaim the charge from their employers; good neighbours will be no more affected than anyone else.</p>

<p>P A Siddall Inniveigh, Breadalbane Street Tobermory, Mull</p>	<p>Proposals are unnecessary will have no effect, problem is double parked delivery lorries.</p> <p>Not possible to have lunch in time permitted and not possible to find space.</p> <p>Tobermory doesn't have supermarket car parks.</p> <p>Not cost effective.</p>	<p>The Council have received complaints from the Community Council and others about the congestion which takes place along the Main Street would be made worse if charges were introduced in Ledaig Car Park. Officers have witnessed the problems.</p> <p>The issues are that too many vehicles park all day on Main Street, leaving inadequate turn over of spaces. It also restricts the provision of disabled parking and loading bays. By having a structured charging scheme and enforcement of the restrictions there will be better turnover of spaces and room to provide loading bays and disabled parking and it will ensure the provision of spaces for those most in need.</p> <p>The charges are set at a low level in Ledaig Car Park to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items. Those who feel it is necessary to have their cars on Main Street should find space more readily.</p> <p>It is reasonable for the Council to charge for parking facilities, the charge level has been set at a low level because there is limited alternative free parking.</p> <p>The balance of charges over cost is a positive one.</p>
<p>Susan Penny Tigh Faire, Erray Road Tobermory, Isle of Mull</p>	<p>Deterring visitors from parking near the shops will be detrimental.</p> <p>Considers this is not best way to address congestion. Elderly and less able will suffer because of distance to Ledaig Car Park.</p>	<p>The charges are set at a low level in Ledaig Car Park to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items. Those who feel it is necessary to have their cars on Main Street should find space more readily.</p> <p>The issues are that too many vehicles park all day on Main Street, leaving inadequate turn over of spaces. It also restricts the provision of disabled parking and loading bays. By having a structured charging scheme and enforcement of the restrictions there will be better turnover of spaces and room to provide loading bays and disabled parking and it will ensure the provision of spaces for those most in need.</p>

	<p>Charges not wanted by community.</p>	<p>It is reasonable for the Council to charge for parking facilities, the charge level has been set at a low level because there is limited alternative free parking, car park charges are used to support the road maintenance budget.</p>
<p>Mrs Mary H Macgregor 6 Victoria Street Tobermory, Isle of Mull</p>	<p>Additional tax on shopping bills</p> <p>Hills in town preclude walking with bags,</p> <p>40 mins not long enough for weekly shop and social intercourse</p>	<p>It is reasonable for the Council to charge for parking facilities, the charge level has been set at a low level because there is limited alternative free parking, car park charges are used to support the road maintenance budget.</p> <p>Tobermory is not unique in this respect. Bus services operate between the upper part of the town and the main street.</p> <p>The charges are set at a low level in Ledaig Car Park to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items. Those who feel it is necessary to have their cars on Main Street should find space more readily.</p> <p>Vehicles will be able to park for up to two hours on Main Street.</p>
<p>James Bailey 5 The Paddock, Cross Lane, Wrexham</p>	<p>Charging will affect decision to stay on Main Street and shop on Main Street, will not help trade.</p> <p>No alternative parking, businesses unable to provide any due to topography.</p> <p>Will not deal with the problems caused by minority, transfer problem to other streets instead.</p> <p>Reduced services in town as well as increased charges.</p>	<p>Many residents and the Community Council have complained about congestion. These are measures intended to address the problems. Limiting the charging period to 10 to 4 will minimise the effect on people staying in Hotels and B&Bs.</p> <p>The charges are set at a low level in Ledaig Car Park to encourage the car park to be used for longer stay vehicles and in recognition of the fact that there is limited alternative free parking. By releasing car parking spaces along the Main Street for short stay vehicles, loading bays can be provided to assist with collection of purchased items. Those who feel it is necessary to have their cars on Main Street should find space more readily.</p> <p>Residents of Mull receive the same, if not better, service as the rest of the inhabitants in Argyll.</p>

<p>Mrs J Walker Rona Cottage, Prison Brae, Tobermory, Mull</p>	<p>Hills in Tobermory make it difficult to walk to shops</p> <p>Main Street residents will take up all the available spaces, not possible to push trolley to Ledaig Car park therefore loss of trade and jobs. Two hours not long enough to shop, socialise etc.</p> <p>Charges unfair on top of island prices.</p> <p>Tourist will be unhappy to have to pay.</p> <p>Tobermory is unique</p>	<p>Tobermory is not unique in this respect. Bus services operate between the upper part of the town and the main street. Main Street residents will have no greater influence than they do at present. The charges are set at a low level in Ledaig Car Park to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items. Those who feel it is necessary to have their cars on Main Street should find space more readily.</p> <p>It is reasonable for the Council to charge for parking facilities, the charge level has been set at a low level because there is limited alternative free parking, car park charges are used to support the road maintenance budget.</p> <p>It is extremely unlikely that tourists who have paid for ferry tickets, fuel and other motoring costs will be deterred by paying the very low charges set for Ledaig Car Park.</p> <p>Many historic towns have parking restrictions, ticket issuing machines can be carefully sited to blend in with the existing infrastructure. Reduced congestion on Main Street will make it a better place.</p>
<p>James Craig Heggie Tobermory Pharmacy 46 Main Street, Tobermory</p>	<p>Will cause a loss of business, will prevent him delivering drugs etc to customers. 2 hours will not provide enough time to do shopping.</p> <p>Shop keepers should have permits to park outside their shops.</p>	<p>Many residents and the Community Council have highlighted congestion problems caused by drivers looking for spaces and have stated, if charges are introduced in Ledaig Car Park, without a street charge, this will get worse. Charging period limited to 10 to 4 to assist tourism. The charges are set at a low level in Ledaig Car Park to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items. Those who feel it is necessary to have their cars on Main Street should find space more readily.</p> <p>It is often the shop keepers parking all day that make it difficult to find a space.</p>

<p>Gillian King & Charlie Laverty Clearwater Torlochan Isle of Mull</p>	<p>Objects to parking meters, makes lives of tourists and locals unpleasant</p> <p>Toilet closed</p>	<p>It is not the intention to erect parking meters. The charges are set at a low level in Ledaig Car Park to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items. Those who feel it is necessary to have their cars on Main Street should find space more readily.</p> <p>The new toilets at Ledaig receive financial support from the Council parking account.</p>
<p>Mrs Carol O'Donnell Westwood Erray Road Tobermory</p>	<p>Objects to raising money for use in Dumbarton, Oban & Helensburgh</p> <p>No large supermarket car parks</p> <p>Bus timetable not suitable</p> <p>State of road not good</p> <p>Cannot shop in 40 mins.</p>	<p>Road maintenance budgets are fairly distributed across all areas. Car park charges are used to support the road maintenance budget. Revenue raised elsewhere has been spent on Mull.</p> <p>It is reasonable for the Council to charge for parking facilities, the charge level has been set at a low level because there is limited alternative free parking and to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items.</p> <p>There is a regular bus service between the main towns on Mull. Bus services operate between the upper part of the town and the main street.</p> <p>Road maintenance budgets are fairly distributed across all areas. Car park charges are used to support the road maintenance budget.</p> <p>The charges are set at a low level in Ledaig Car Park to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items. Those who feel it is necessary to have their cars on Main Street should find space more readily.</p> <p>Vehicles will be able to park for up to two hours on Main Street.</p>

<p>Rory Forrester Ardnacross Aros Isle of Mull</p>	<p>Islanders will shop elsewhere if additional tax levied</p> <p>Not needed space nearly always available tourists come to escape the regulation elsewhere.</p>	<p>Cost of going shopping in Oban not comparable with low level of proposed charges.</p> <p>Many residents and the Community Council have highlighted congestion problems caused by drivers looking for spaces and have stated, if charges are introduced in Ledaig Car Park, without a street charge, this will get worse. Charging period limited to 10 to 4 to assist tourism. The charges are set at a low level in Ledaig Car Park to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items. Those who feel it is necessary to have their cars on Main Street should find space more readily.</p>
<p>Mr E O'Donnell Westwood Erray Road Tobermory</p>	<p>Does not consider there to be a problem of congestion, proposal is purely a revenue raising exercise increasing burden on residents.</p> <p>Spoil the image of Tobermory.</p>	<p>It is reasonable for the Council to charge for parking facilities, the charge level has been set at a low level because there is limited alternative free parking and to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items.</p> <p>Many historic towns have parking restrictions, ticket issuing machines can be carefully sited to blend in with the existing infrastructure.</p>
<p>Sarah & Mike Darling Sunart View Eas Brae Tobermory</p>	<p>No large supermarkets, shoppers have to come to Main Street</p> <p>Island prices already high, charges will be detrimental to tourist trade, businesses will fail</p> <p>Poor state of roads</p>	<p>It is reasonable for the Council to charge for parking facilities, the charge level in Ledaig Car Park has been set at a low level because there is limited alternative free parking and to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items.</p> <p>It is extremely unlikely that tourists who have paid for ferry tickets, fuel and other motoring costs will be deterred by paying the very low charges set for Ledaig Car Park.</p> <p>Road maintenance budgets are fairly distributed across all areas. Car park charges are used to support the road maintenance budget.</p>

	lack of services	Residents of Mull receive the same, if not better, service as the rest of the inhabitants in Argyll.
A P Proud Old Druimfionnghail Dervaig Isle of Mull	Asks for a survey, a police report, an accident report and a public meeting.	There is no requirement for the requested reports. There have been meetings in Tobermory to discuss the issues; the correct process of consultation is being followed.
Mrs J A Reddaway Rockfield Road Tobermory	<p>Council has not provided economic impact study, produced no evidence that community will benefit from improved traffic management, Council assumes there is a traffic congestion problem.</p> <p>No provision for trades people carry out work in Main Street properties.</p> <p>Does not deal with delivery vehicle problem,</p> <p>Shop queues take up a lot of time, more people walking to Ledaig means more walking on road.</p> <p>Disadvantages carers etc,</p> <p>No provision for emergency services personnel</p> <p>Will damage tourism, will spoil social interaction.</p>	<p>Many residents and the Community Council have highlighted congestion problems caused by drivers looking for spaces and have stated, if charges are introduced in Ledaig Car Park, without a street charge, this will get worse. Charging period limited to 10 to 4 to assist tourism. The charges are set at a low level in Ledaig Car Park to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items. Those who feel it is necessary to have their cars on Main Street should find space more readily.</p> <p>It is not normal for there to be dispensation.</p> <p>Better provision will be available for loading bays.</p> <p>Charges in Ledaig car park are proposed at a low level due to limited alternative free parking. By reducing the conflicts created by people driving up and down it will be safer for people who are walking from Ledaig. District nurses and the like can reclaim parking charges from their employers; they are more likely to be able to park near their destination.</p> <p>Consideration will be given to providing permits for emergency service volunteers.</p> <p>The charges are set at a low level in Ledaig Car Park to encourage the car park to be used for longer stay vehicles,</p>

	Disadvantages low paid and shift workers and volunteers at museum and RNLI.	releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items. Those who feel it is necessary to have their cars on Main Street should find space more readily.
Phil Campbell & Shona Finlayson Isle of Mull Silver and Goldsmiths Main Street Tobermory	No benefit to the town, Drive away tourists Further tax.	Reduced congestion on Main Street will make it a better place. The charges are set at a low level in Ledaig Car Park to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items. Those who feel it is necessary to have their cars on Main Street should find space more readily. It is extremely unlikely that tourists who have paid for ferry tickets, fuel and other motoring costs will be deterred by paying the very low charges set for Ledaig Car Park. It is reasonable for the Council to charge for parking facilities, the charge level in Ledaig Car Park has been set at a low level because there is limited alternative free parking and to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items.
Nic Davies Flat 2/1 Portmor Place Main Street Tobermory	No evidence that charges will improve traffic situation, just a tax raising measure Poor state of the roads.	It is reasonable for the Council to charge for parking facilities, the charge level in Ledaig Car Park has been set at a low level because there is limited alternative free parking and to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items. Road maintenance budgets are fairly distributed across all areas. Car park charges are used to support the road maintenance budget.
Lynne Noble 21 Main Street Tobermory	Pays road tax and Council tax why should she pay more to park Not guaranteed to get a space, charges will discourage visitors and disadvantage businesses.	It is reasonable for the Council to charge for parking facilities, the charge level in Ledaig Car Park has been set at a low level because there is limited alternative free parking and to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with

		collection of purchased items. It is extremely unlikely that tourists who have paid for ferry tickets, fuel and other motoring costs will be deterred by paying the very low charges set for Ledaig Car Park.
Mr & Mrs MacLeod Springbank Tobermory	<p>There are plenty available parking spaces</p> <p>Charges will damage tourism, damage local businesses,</p> <p>Streets do not exist,</p> <p>Charges are excessive, number of proposed spaces is excessive</p> <p>People don't want it, no consultation.</p>	<p>Many residents and the Community Council have highlighted congestion problems caused by drivers looking for spaces and have stated, if charges are introduced in Ledaig Car Park, without a street charge, this will get worse. Charging period limited to 10 to 4 to assist tourism. The charges are set at a low level in Ledaig Car Park to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items. Those who feel it is necessary to have their cars on Main Street should find space more readily.</p> <p>It is extremely unlikely that tourists who have paid for ferry tickets, fuel and other motoring costs will be deterred by paying the very low charges set for Ledaig Car Park.</p> <p>Road names are those that are used in the List of Roads.</p> <p>The charges are set at a low level in Ledaig Car Park to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items. Those who feel it is necessary to have their cars on Main Street should find space more readily.</p> <p>Reduced congestion on Main Street will make it a better place.</p> <p>There have been meetings in Tobermory to discuss the issues; the correct process of consultation is being followed.</p>
Lucy Mackenzie Panizzon Lip na Cloiche Ballygowan Isle of Mull	<p>No consultation</p> <p>Shoppers will desert Tobermory for Oban</p>	<p>There have been meetings in Tobermory to discuss the issues; the correct process of consultation is being followed.</p> <p>Cost of going shopping in Oban not comparable with low level of proposed charges.</p>

<p>Ian and Andi Stevens The Tobermory Hotel Main Street Tobermory</p>	<p>Damage tourism and jobs in Tobermory</p> <p>Town will lose its character, tourist like informal air of town,</p> <p>No evidence of a problem with traffic.</p> <p>Not listening to the residents.</p>	<p>The charges are set at a low level in Ledaig Car Park to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items. Those who feel it is necessary to have their cars on Main Street should find space more readily. Charging is limited to 10am till 4pm, minimising the effect on tourist staying on Main Street.</p> <p>Many historic towns have parking restrictions, ticket issuing machines can be carefully sited to blend in with the existing infrastructure. Reduced congestion on Main Street will make it a better place.</p> <p>The Council have received complaints from the Community Council and others about the congestion which takes place along the Main Street would be made worse if charges were introduced in Ledaig Car Park. Officers have witnessed the problems.</p> <p>The issues are that too many vehicles park all day on Main Street, leaving inadequate turn over of spaces. It also restricts the provision of disabled parking and loading bays. By having a structured charging scheme and enforcement of the restrictions there will be better turnover of spaces and room to provide loading bays and disabled parking and it will ensure the provision of spaces for those most in need. There have been meetings in Tobermory to discuss the issues; the correct process of consultation is being followed.</p>
<p>Susannah Calderan 1 Forestry Aros</p>	<p>Perceives that traffic congestion is not a problem</p>	<p>The Council have received complaints from the Community Council and others about the congestion which takes place along the Main Street would be made worse if charges were introduced in Ledaig Car Park. Officers have witnessed the problems.</p> <p>The issues are that too many vehicles park all day on Main Street, leaving inadequate turn over of spaces. It also restricts the provision of disabled parking and loading bays. By having a structured charging scheme and enforcement of the restrictions there will be better turnover of spaces and room to provide loading bays and disabled parking and it will ensure the provision of spaces for those most in need.</p>

	<p>High prices already this is another tax, will not reduce numbers of cars parked on Main Street.</p> <p>Charges will not stop people coming to Isle of Mull & Tobermory it will just make it less convenient.</p> <p>Parking meters will make town more urban and spoil it.</p>	<p>Many residents and the Community Council have highlighted congestion problems caused by drivers looking for spaces and have stated, if charges are introduced in Ledaig Car Park, without a street charge, this will get worse. Charging period limited to 10 to 4 to assist tourism. The charges are set at a low level in Ledaig Car Park to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items. Those who feel it is necessary to have their cars on Main Street should find space more readily.</p> <p>It is not intended to stop people coming to Mull only to manage the traffic in Tobermory and make the Main Street a better place.</p> <p>It is not intended to erect parking meters.</p>
<p>Ian Hepburn NW Community Woodland Co Ltd., Tobermory</p>	<p>Not cost effective</p> <p>Disc parking scheme better.</p>	<p>The balance of charges over cost is a positive one.</p> <p>Disc parking schemes are known to disadvantage visitors, are open to abuse and are difficult to enforce.</p>
<p>Joan Hepburn Geat Nan Croisean Calgary Isle of Mull</p>	<p>Not cost effective</p> <p>Disc parking better.</p>	<p>The balance of charges over cost is a positive one.</p> <p>Disc parking schemes are known to disadvantage visitors, are open to abuse and are difficult to enforce.</p>
<p>Caroline & Alan Bingham Pipers Hill Cottage Dodderhill Common Hanbury Bromsgrove</p>	<p>Charges will deter visitors</p> <p>The income will not benefit the island, charges will destroy the getting away from it all feel of the island.</p>	<p>It is extremely unlikely that tourists who have paid for ferry tickets, fuel and other motoring costs will be deterred by paying the very low charges set for Ledaig Car Park.</p> <p>Income from car park charges is used to help support the road maintenance budget. The charges in Ledaig Car Park are proposed to be set at a very low level due to the limited alternative free parking. The charge for parking all day is £2.</p>

<p>Nicola Cannon 8 Argyll Terrace Tobermory</p>	<p>Proposals will discourage tourists</p> <p>There is not a congestion problem local businesses will suffer</p> <p>Tobermory is unique and will be spoiled, it is a conservation area and many buildings are listed, Historic Scotland has not been consulted. Ticket machines will detract from the area.</p> <p>Roads do not exist</p>	<p>It is extremely unlikely that tourists who have paid for ferry tickets, fuel and other motoring costs will be deterred by paying the very low charges set for Ledaig Car Park.</p> <p>Many residents and the Community Council have highlighted congestion problems caused by drivers looking for spaces and have stated, if charges are introduced in Ledaig Car Park, without a street charge, this will get worse. Charging period limited to 10 to 4 to assist tourism. The charges are set at a low level in Ledaig Car Park to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items. Those who feel it is necessary to have their cars on Main Street should find space more readily.</p> <p>Many historic towns have parking restrictions, ticket issuing machines can be carefully sited to blend in with the existing infrastructure.</p> <p>Road names are those in the List of Roads</p>
<p>Ian Stevens Tobermory Hotel Main Street Tobermory</p>	<p>Submitted a petition, and objected, no evidence that there is a need for parking restrictions</p> <p>Seeks public enquiry.</p>	<p>Many residents and the Community Council have highlighted congestion problems caused by drivers looking for spaces and have stated, if charges are introduced in Ledaig Car Park, without a street charge, this will get worse. Charging period limited to 10 to 4 to assist tourism. The charges are set at a low level in Ledaig Car Park to encourage the car park to be used for longer stay vehicles, releasing car parking spaces along the Main Street for short stay vehicles, loading bays are provided to assist with collection of purchased items. Those who feel it is necessary to have their cars on Main Street should find space more readily.</p> <p>There have been meetings in Tobermory to discuss the issues; the correct process of consultation is being followed.</p>

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**THE ARGYLL AND BUTE COUNCIL
(ON-ROAD PARKING PLACES AND CHARGES)
(TOBERMORY, ISLE OF MULL)
ORDER 200_**

STATEMENT OF REASONS FOR PROPOSING TO MAKE THE ORDER

The Order is required to improve the availability and turnover of parking within Tobermory.

Andrew R Law
Director of Operational Services
Manse Brae
Lochgilphead
Argyll
PA31 8RD

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**THE ARGYLL AND BUTE COUNCIL
(ON-ROAD PARKING PLACES AND CHARGES)
(TOBERMORY, ISLE OF MULL) ORDER 200_**

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**THE ARGYLL AND BUTE COUNCIL
(ON-ROAD PARKING PLACES AND CHARGES)
(TOBERMORY, ISLE OF MULL) ORDER 200_**

Argyll and Bute Council (hereinafter referred to as “Council”) in exercise of the powers conferred on them by Sections 1(1) and (2), 2(1) to (3) and 4(2), 45, 46, 47, 49, 52 & 53 of the Road Traffic Regulation Act 1984 (as amended), and of all other enabling powers and after consultation with the Chief Constable of Strathclyde Police in accordance with Part III of Schedule 9 of the said Act hereby make the following order:-

**PART 1
GENERAL**

1. Citation and commencement

This Order may be cited as “The Argyll and Bute Council (On-Road Parking Places and Charges) (Tobermory, Isle of Mull) Order 200_” and shall come into operation on Monday the ____ day of _____, Two Thousand and ____.

2. Interpretation

The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

- (i) In this Order, except where the context otherwise requires, the following expressions have the meanings assigned to them –

“Chief Constable” means the Chief Constable of Strathclyde Police;

“Council” means Argyll and Bute Council;

“disabled person” means the disabled driver of or a disabled passenger in a motor vehicle, being such a disabled person as is described in Regulation 4 of the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000 in respect of whom any Council have issued a disabled person’s badge and a valid badge is conspicuously displayed in the manner specified in Article 22(2) of this Order;

“disabled person’s badge”, has the same meaning as in Disabled Persons (Badges for Motor Vehicles) Regulations 2002;

“disabled person’s vehicle” has the same meaning as in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (Scotland) Regulations 2002;

“emergency service vehicle”, means a vehicle being used by the Police, Fire Brigade or Ambulance Service;

“goods vehicle”, means a motor vehicle constructed or adapted for use for the carriage of goods or burden of any description, or a trailer so constructed or adapted,;

“motor cycle”, has the same meaning as is given to the expression in Regulation (3) (2) of the Road Vehicles (Construction and Use) Regulations 1986;

“parking attendant” means any person authorised by or on behalf of the Council to supervise any parking place;

“parking bay” means a space in a parking place which is provided for the leaving of a vehicle;

“parking place”, means an area of road designated as a parking place in Article 3 of this order;

“parking ticket machine”, means an apparatus designed (a) to accept payment by drivers (b) to indicate the time externally and (c) to issue tickets indicating the payment of a charge, the period in respect of which it had been paid and the day and time at which it was paid;

“parking voucher” means a parking device of a type and design as approved by the Secretary of State;

“passenger vehicle”, has the same meaning as is given to the expression in Regulation (3) (2) of the Motor vehicles (Construction and use) Regulations 1986;

“permitted hours”, in relation to parking vouchers or parking tickets machines means the period between 10.00am and 4.00pm on Monday to Saturdays inclusive, any such day not being a public holiday;

“public holiday” means Christmas day and New year’s day (or the Monday following when Christmas day and New Year’s day fall on a Sunday).

“registered keeper” is the person for the time being registered at the Driving and Vehicle licensing Centre as the person recorded as keeping the vehicle and the person named on the Vehicle Registration Document. The registered keeper is not necessarily either the legal owner of the vehicle or the driver or user of the vehicle for the time being.

“relevant position”, has the same meaning as in Section 4 of the Local Authorities Traffic Orders (Exemptions for Disabled persons) (Scotland) Regulations 1971;

“telecommunication apparatus” has the same meaning as in the Telecommunications Act 1984;

“valid parking voucher” means a parking voucher to identify for the purposes of this Order the commencement of the period when the vehicle, on which the voucher is displayed, was left in the parking place by means of clear and appropriate indications made by or on behalf of the driver, of

(a) the month;

(b) the date in the month;

- (c) the day of the week;
- (d) the hour of the day; and
- (e) the next succeeding five minute index within the hour of the day at which the vehicle was first left in the parking place and to identify that initial charge has been paid in respect of or in part respect of an initial period.

“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 by animal or mechanical power.

“traffic warden” means a traffic warden employed by a police authority in pursuance of Section 95 of the Act of 1984;

“residents parking permit” (“permit”) means a badge or disc issued by the Council, in accordance with the provisions of this Order, to a person who ordinarily resides in a dwellinghouse in the area within Tobermory that falls within the designated on street parking places;

“permit holder” means a person to whom a permit has been issued under the provisions of Article 30 of this Order;

“resident” means a person whose usual residence is at premises the postal address of which frontages onto a road as specified in Schedule 1 to this Order.

(ii) For the purposes of this Order a vehicle shall be deemed to wait or stop:-

(a) if any point in that road is below the vehicle or its load and the vehicle is stationary;

(b) for more than a specified period in the same place if any point in that road is below the vehicle or its load throughout a period exceeding the specified period whether or not the vehicle is moved during that period.

The restrictions imposed by this Order shall be in addition to and not in derogation of any restrictions or requirements imposed by any regulations made or having effect as if made under the Act of 1984 or by any other enactment.

Insofar as any provision of this Order conflicts with a provision which is contained in an Order made or having effect as if made under the Act of 1984 and which imposes a restriction or prohibition on waiting by vehicles or grants an exemption from such restriction or prohibition then the provision of this Order shall prevail.

PART II

PARKING PLACES

3. Designation of parking places

- (i) Each area on a road which is described as a designated parking place in Schedule 1 to this Order is designated as a parking place for the purposes of this Order.
- (ii) No person shall, except upon the direction or with the permission of a Police Officer in uniform or Traffic Warden, cause or permit any vehicle to wait for a period exceeding two hours between the hours of 10.00am and 4.00pm, Monday to Saturday inclusive, on the lengths of roads specified in Schedule 1 to this Order.

4. Number and situation of parking places

The number of parking bays in each parking place shall not exceed the number specification in Column 3 of Schedule 1 to this Order in relation to that parking place and the number and situation of such parking bays in each parking place shall be as may be determined by the Council.

5. Marking on the carriageway of parking places and parking bays

The limits of each parking place and limits of each parking bay in the parking place shall be indicated on the carriageway in such a manner as the Council may determine by lines or other indications.

6. Vehicles for which parking places are designated

Each parking place designated in Schedule 1 to this Order may be used, subject to the provisions of this order, for the leaving, during the permitted hours, of such vehicles as are passenger vehicles, light good vehicles not exceeding 3.5 tonnes maximum gross weight, dual-purpose vehicles, motor cycles or disabled person's vehicles.

7. Amount of initial charges at parking places

The initial charge for a vehicle left in a parking place designated in Schedule 1 to this Order, during the permitted hours, shall, subject as hereinafter provided, be in accordance with the rates provided in Schedule 2 to this Order.

8. Amount of excess charge at parking places

- (i) If a vehicle is left in a parking place designated in Schedules 1 to this Order, during the permitted hours, for longer than the initial period for which payment was made by the initial charge an additional amount as detailed in Schedule 2 (which additional amount hereinafter referred to as the "excess charge") shall be payable; and
- (ii) In the case of a vehicle in respect of which an excess charge has been incurred it shall be the duty of a traffic warden or parking attendant to

attach to the vehicle in a conspicuous position a notice which shall include the following particulars:-

- (a) the registration mark of the vehicle or, where the vehicle is being used under a trade licence the number of the trade plate carried by the vehicle; and
- (b) the date, time and location at which it is first noticed that the parking voucher or parking ticket indicated, in the manner specified in Articles 25 or 29 to this order, that the initial period for which payment was made by the initial charge had expired: and
- (c) a statement that an excess charge of the amount detailed in Schedule 2 is required to be paid: and
- (d) the manner in which, and the time within which, the excess charge should be paid; and
- (e) a statement that is an offence under Section 47 of the Road Traffic Regulation Act, 1984, for the driver of a vehicle who has left the vehicle in a parking place designated in Schedule 1 to this Order to fail duly to pay the excess charge.

9. Period for which a vehicle may be left after excess charge incurred

The period for which a vehicle may be left in a parking place during the permitted hours after the excess charge has been incurred shall not exceed the time specified in Schedule 2.

10. Restriction on the removal of notices

Where a notice has been attached to a vehicle in accordance with the provision of articles 8(ii) of this Order, no person, not being the driver of the vehicle or a person duly authorised by the Council, shall remove the notice from the vehicle unless authorised to do so by the driver.

11. Method of payment of the excess charge

The excess charge shall be paid in accordance with the instructions on the fixed penalty notice.

12. Installation of parking ticket machines

For each parking place designated in Schedule 1 to this order there may be a parking ticket machine at or near each parking place.

13. Interval before vehicle may again be left

No vehicle which has been taken away from a parking bay in a parking place, after the initial charge has been incurred, shall until the expiration of one hour from the time it was taken away again be left in that parking place during the permitted hours.

14. Alteration of position of vehicles in parking places

Where any vehicle is standing in a parking place in contravention of the provisions of Articles 20, 21 or 34 of this Order, a traffic warden or parking attendant may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

15. Removal of vehicle from parking place

Where a traffic warden or parking attendant is of the opinion that any of the provisions contained in Articles 6, 9, 13, 17, 21, 24, 26, 27, and 34 of this Order have been contravened or have not been complied with in respect of the vehicle left in a parking place, he or she may remove or cause to be removed the vehicle from the parking place and, where it is so removed, shall provide for the safe custody of the vehicle.

16. Movement of vehicles in parking places in an emergency

Any person duly authorised by the Council or a police constable in uniform or a traffic warden or parking attendant may move or cause to be moved in the case of an emergency, to take place they think fit, vehicles left in a parking place.

17. Power to suspend parking places

- (i) 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:-
 - (a) for the purpose of facilitating the movement of traffic or promoting its safety; or
 - (b) for the purpose of any building operation, demolition or excavation in or adjacent to the parking place or the maintenance, improvement or reconstruction of 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 or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus, or traffic sign, or parking ticket meter; or
 - (c) for the convenience of the occupiers of premises adjacent to the parking place on any occasion of the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository; or
 - (d) on any occasion on which it is likely be reason of some special attraction that any street will be thronged or obstructed; or
- (e) for the convenience of occupiers of premises adjacent to the parking place at a time of weddings or funerals, or on other special occasions;

- (ii) A police constable in uniform may suspend for not longer than twenty-four hours 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;
- (iii) Any person suspending the use of a parking place or any part thereof in accordance with the provisions of paragraph (ii) of this article shall thereupon place or cause to be placed in or adjacent to any part of that parking place, the use of which is suspended, a traffic sign indicating that waiting by vehicles is prohibited;
- (iv) No person shall cause or permit a vehicle to be left:-
 - (a) in a parking bay during such a period as there is in or adjacent to that bay a traffic sign placed in pursuance of paragraph (iii) of this Article;
 - (b) in any part of a parking place not being a parking bay during such a period as there is in or adjacent to that part of the parking place a traffic sign placed in pursuance of paragraph (iii) of this Article;

Provided that nothing in this Article shall render it unlawful to cause or permit any vehicle being used for fire brigade, ambulance or police purposes or any vehicle being used for any purpose specified in Article 19(i) (b), (d), (f) and (g) of this Order to be left in parking place if that vehicle is left with the permission (i) of the person suspending the use of the parking place or the part thereof in pursuance of paragraph (i) of this Article, (ii) of a police constable in uniform or (iii) of a traffic warden.

18. Restriction of use of vehicles at parking places

- (a) No person shall use any vehicle, while it is in a parking place during the permitted hours, in connection of the sale of any article to any person in or near the parking place or in connection with the selling or offering for sale of their skill in handicraft or their services in any other capacity;
- (b) Provided that nothing in this Article shall prevent the sale of goods from a vehicle if the vehicle is one which may be left in a parking place in accordance with Article 19 of this order and the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is affected.

19. Restriction of waiting of vehicles in parking places

- (i) Without prejudice to the foregoing provisions of this Order with respect to vehicles which are left in a parking place in accordance with those provisions, any other vehicle may wait during the permitted hours anywhere in a parking place if:-
 - (a) the vehicle is waiting only for so long as is necessary to enable a person to board or alight from the vehicle; or

- (b) a vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond the driver's control or to such waiting being necessary in order to avoid an accident; or
 - (c) the vehicle is used for fire brigade purposes or is an ambulance or a vehicle (other than a passenger vehicle) in the service of a local authority or police force, in either case being used in pursuance of statutory powers or duties; or
 - (d) the vehicle is waiting only for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic; or
 - (e) the vehicle, not being a passenger vehicle, is waiting only for so long as may be reasonably necessary to enable it to be used for any purpose specified in Article 17(i) (b) or (e) of this order; or
 - (f) the vehicle is a vehicle in the service of or employed by the Post Office and is waiting while postal packets addressed to premises adjacent to the parking place in which the vehicle is waiting are being unloaded there from, are being delivered or while postal packets are being collected from premises or posting boxes adjacent to the parking place in which the vehicle is waiting; or
 - (g) the vehicle is in actual use in connection with the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository;
- (ii) No charge specified in the foregoing provisions of this Order shall be payable in respect of any vehicle waiting in a parking place in accordance with the foregoing provisions of this Article;
 - (ii) Except as provided in the foregoing provisions of this Article, the driver of a vehicle shall not cause or permit the vehicle to wait in a parking place during the permitted hours
 - (v) Nothing in the foregoing provisions of this Article shall be taken as authorising anything which would be a contravention of any Regulations made or having effect as if made under the Road Traffic Regulation Act, 1984 or by or under other enactment.

20. Manner of waiting in parking places

A person causing or permitting a vehicle to wait in a parking place by Virtue of Article 19(i) (e), (f) or (g) shall take all such steps as are necessary to ensure that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle and the distance between the said edge and the nearest wheel of the vehicle is not more than 300mm.

21. Manner of standing in parking places

Every vehicle left in a parking place shall so stand such that no bay is occupied by more than one vehicle and that every part of the vehicle is within the limits of the parking bay, 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 bay if:-

- (i) the extreme front portion, or , as the case may be, the extreme rear portion of the vehicle is within 300mm of an indication on the carriageway provided under Article 5 of this Order in relation to the parking bay;
- (ii) the vehicle, or any part thereof, is not within the limits of any adjoining parking bay.

22. Exemption from Charges

- (i) a vehicle left during the permitted hours in a parking bay by the driver thereof, which is driven by or carrying a disabled person, and which displays in the relevant position a disabled persons badge issued by a Local Authority shall be exempt from the charges specified in this order;
- (ii) without prejudice to the generality of paragraph (i) of this Article, a vehicle which paragraph (i) applies shall stand in the parking bay in accordance with Article 21 of this Order.

23. Power to dispose of abandoned vehicles

- (i) the Council may as respects of a vehicle which has been removed from a parking place in pursuance of Article 15 of this Order, if it appears to them to have been abandoned, sell or otherwise dispose of the vehicle after having made reasonable enquiry to ascertain the name and address of the owner of the vehicle and to inform the owner of their intention;
- (ii) the Council shall be deemed not to have made reasonable enquiry to ascertain the name and address of the owner of any vehicle to which this Article applies unless they have taken, in relation to that vehicle, such steps that may be prescribed by any Regulations for the time being in force under Section 99 of the Road Traffic Regulation Act, 1984, for authorising the Council to sell or otherwise dispose of the vehicle if it had been left on a road and if it appeared to the Council that it had been abandoned.

PART III

PARKING PLACES CONTROLLED BY VOUCHER PARKING

24. Method of payment of initial charge

- (i) the initial charge as specified in Schedule 2 shall be the purchase of a single parking voucher or vouchers from approved persons, bodies or agents appointed on behalf of Argyll and Bute Council and the validation and display of said voucher(s).
- (ii) the driver thereof shall exhibit on the vehicle, in accordance with the provisions of paragraphs (iii), (iv) and (v) of this Article, the parking voucher and vouchers.
- (iii) a voucher or two vouchers shall be valid for a single stay only and no other voucher(s) shall be displayed;
- (iv) the parking voucher(s) shall be so exhibited on the vehicle in a conspicuous position facing outward on the inside of the glass of the windscreen; and
- (v) the voucher(s) shall be so exhibited on the vehicle such that the time and other details indicated on the front thereof are clearly visible to a person standing adjacent to the kerbside of the vehicle as detailed in paragraph (iv).

25. Indications by parking vouchers

- (i) the expiry of the period for which the initial charge has been paid shall be indicated where there is exhibited on the vehicle a voucher(s) relating to a parking bay where the vehicle is left and the indication on the voucher(s) is that the initial period has expired.

26. Indications by parking vouchers as evidence

- (i) if at any time while a vehicle is left in a parking place no parking voucher(s) are exhibited on that vehicle in accordance with the provisions of Article 24 it shall be presumed unless the contrary is proved that the initial charge has not been duly paid;
- (ii) If at any time while a vehicle is left in a parking place and exhibits parking voucher(s) which gives the indication mentioned in Article 25, it shall be presumed unless the contrary is proved that the charge has been duly paid and that the period for which payment was made by the charge has already expired.

PART IV

PARKING PLACES WITH PARKING TICKET MACHINES

27. Method of payment of initial charge

- (i) The initial charge as specified in Schedule 2 shall be payable on the leaving of the vehicle in the parking place by the insertion in a parking ticket machine relating to the parking bay in which the vehicle is left of a coin, or more than one coin, inserted immediately one after the other, of a denomination or denominations accepted by the parking ticket machine and;
- (ii) the driver thereof shall exhibit on the vehicle, in accordance with the provisions of paragraphs (iii), (iv) and (v) of this Article, the parking ticket issued by the parking ticket machine at the time of payment;
- (iii) a ticket shall be valid for a single stay only and no other ticket issued by a parking ticket machine shall be displayed;
- (iv) the parking ticket shall be exhibited on the vehicle in a conspicuous position facing forward on the inside of the glass of the windscreen;
- (v) the parking ticket shall be so exhibited on the vehicle that the time and other details indicated on the front thereof are clearly visible to a person standing at the near side of the vehicle.

28. Indications by parking tickets

- (i) Payment of the initial charge for a vehicle left in a parking place shall be indicated by the issue from a parking ticket machine at or near the parking place of a numbered ticket indicating the issuing machine identity, what charge has been paid and the date and time of departure due and by the exhibition of the ticket in accordance with the provisions of the last preceding Article;
- (ii) the expiry of the period for which the initial charge has been paid shall be indicated when there is exhibited on the vehicle a ticket issued by a parking ticket machine relating to the parking bay in which the vehicle is left indicating the expiry time in respect of the period for which payment has been made and where the time shown on the clock on the parking ticket machine is no later than the expiry time shown on the ticket.

29. Indications by parking ticket machines and tickets as evidence

- (i) If at any time while a vehicle is left in a parking place no parking ticket is exhibited on that vehicle in accordance with the provisions of Article 27 it shall be presumed unless the contrary is proved that the initial charge has not been duly paid;

- (ii) If at any time while a vehicle is left in a parking place the clock on the parking ticket machine relating to the parking place in which the vehicle is left and the parking ticket exhibited on the vehicle and issued from the parking ticket machine gives one of the indications mentioned in paragraph (ii) of the last preceding Article, it shall be presumed unless the contrary is proved that the charge has been duly paid and that the period for which payment was made by the charge has already expired.

PART V

RESIDENTS PERMITS

30. Issue of Permits

- (i) Any resident who is the owner of a motor vehicle (excluding heavy goods vehicles and vehicles exceeding seven feet six inches in height) may apply to the Council for the issue of a permit for the parking of that vehicle in any parking place designated in Schedule 1 of this Order and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form and shall be accompanied by a remittance for the charge specified in Schedule 3 to this Order.
- (ii) The Council may require an applicant for a permit or a permit holder to produce to an officer of the Council such evidence in respect of an application for a permit as they may reasonably require to verify any particulars or information given to them or in respect of any permit issued by them as they may reasonably require to verify that the permit is valid.
- (iii) The Council, upon being satisfied that an applicant is a resident and is the owner of a vehicle may issue to that applicant one permit for the vehicle to enable the owner (or a person who has the owner's consent) to park during the permitted hours in any parking place designated in Schedule 1 of this Order.
- (iv) Provided that, subject to the provisions of Article 32 of this Order, the Council shall not issue a permit to any resident which would be valid for any period to which any other permit issued to that resident extends.

31. Withdrawal of Permit

- (i) The Council may, by notice in writing served on the permit holder, withdraw a permit if it appears to the Council that any of the events set out in paragraph (ii) of this Article has occurred, and the permit holder shall surrender the permit to the Council within forty-eight hours of the receipt of the said notice.
- (ii) The events referred to in the foregoing provisions of this Article are;
 - (a) the permit holder ceasing to be a resident;

- (b) the permit holder ceasing to be the owner of the vehicle in respect of which the permit was issued;
 - (c) the issue of a duplicate permit by the Council under the provisions of Article 32 of this Order; and
 - (d) the expiry of the period for which the permit was issued.
- (iii) A permit shall cease to be valid on the occurrence of any one of the events set out in paragraph (ii) of this Article.

32. Duplicate Permit

- (i) If a permit is mutilated or defaced or the figures or particulars on it have become illegible the permit holder shall surrender it to the Council and may then apply to the Council for the issue to the permit holder of a duplicate permit.
- (ii) If a permit is lost or destroyed, the permit holder may apply to the Council for the issue to the permit holder of a duplicate permit so marked, on payment to the Council of a sum as the Council may from time to time determine and upon such issue the original permit shall become invalid.

33. A permit shall be in writing and shall include the following particulars;

- (a) the registration mark of the vehicle in respect of which the permit has been issued;
- (b) the period during which, subject to the provisions of Article 31 of this Order, the permit shall remain valid;
- (c) an authentication that the permit has been issued by the Council; and
- (d) the parking places to which the permit relates, if appropriate.

34. At all times during which a vehicle is left in a parking place during the permitted hours there shall be displayed in the front of the vehicle a valid permit issued in respect of that vehicle so that all the particulars referred to in Article 33 of this Order are readily visible from outside the vehicle.

35. When a permit has been displayed on a vehicle in accordance with the provisions in Article 34 of this Order, no person shall remove the permit from the vehicle unless authorised to do so by the owner of the vehicle.

36. The annual charge payable to the Council for a resident's parking permit shall be a sum indicated in Schedule 3 to this Order or such other sum as the Council may from time to time determine.

37. If at any time during which a vehicle is left in a parking place during the permitted hours the vehicle does not display, in the manner specified in Articles 24, 33 and 34 of this Order, a valid permit, of the type appropriate to that parking place, such failure to display shall be sufficient evidence

that a valid permit of the type appropriate to that parking place does not exist.

Sealed with the Common Seal of Argyll and Bute Council and signed for them and on their behalf by Susan Mair their Head of Legal and Protective Services, at Lochgilphead on the _____ day _____, Two Thousand and _____.

SCHEDULE 1

**DESIGNATED CONTROLLED PARKING PLACES
10AM TO 4PM
MONDAY TO SATURDAY**

1	2	3
Parking Place Number	Areas of Road Designated as Parking Places	Max No. of parking Places
1	That part of the west side of Back Brae which is bounded on the west by the edge of the carriageway which has a width throughout of 2.5 metres or thereby and extends from a point 5 metres or thereby north of the extended northwest kerbline of Main Street northwards for a distance of 5.5 metres or thereby.	1
2	That part of the west side of Ledaig Branch Road which is bounded on the west by the edge of the carriageway, which has a width throughout of 2.5 metres or thereby and extends from a point 47.5 metres or thereby southeast of the extended southeast kerbline of Main Street southwards for a distance of 16.5 metres or thereby.	3
3	That part of the northwest side of Main Street which is bounded on the northwest side by the edge of the carriageway, which has a width throughout of 2.5 metres or thereby and which extends from a point 47 metres or thereby northeast of the extended northeast kerbline of the unclassified Ledaig Branch Road northeastwards for a distance of 88 metres or thereby.	16
4	That part of the northwest side of Main Street which is bounded on the northwest side by the edge of the carriageway, which has a width throughout of 2.5 metres or thereby and which extends from a point 148 metres or thereby northeast of the extended northeast kerbline of Ledaig Branch Road northeastwards for a distance of 44 metres or thereby.	8
5	That part of the north side of Main Street which is bounded on the north side by the edge of the carriageway, which has a width throughout of 2.5 metres or thereby and which extends from a point 5 metres or thereby east of the extended northeast channel line of Rockburn Road in a generally easterly direction to a point 9 metres or thereby west of the extended northwest channel line of Back Brae a distance of 126.5 metres or thereby.	23

SCHEDULE 1 (continued)**DESIGNATED CONTROLLED PARKING PLACES
10AM TO 4PM
MONDAY TO SATURDAY**

1	2	3
Parking Place Number	Areas of Road Designated as Parking Places	Max No. of parking Places
6	That part of the north side of Main Street which is bounded on the north side by the edge of the carriageway, which has a width throughout of 2.5 metres or thereby and extends from a point 5 metres or thereby east of the extended northeast channel line of Back Brae eastwards for a distance of 55 metres or thereby.	10
7	That part of the southeast side of Main Street which is bounded on the northwest side by the southeast edge of the carriageway, which has a width throughout of 4.8 metres or thereby and extends from a point 7 metres or thereby southwest of the extended southwest channel line of Springbank Brae southwestwards for a distance of 13 metres or thereby at an angle of 90 degrees to the nearest edge of the carriageway.	3
8	That part of the southeast side of Main Street which is bounded on the northwest side by the southeast edge of the carriageway, which has a width throughout of 4.8 metres or thereby and extends from a point 53 metres or thereby southwest of the extended southwest channel line of Springbank Brae southwestwards for a distance of 125 metres or thereby at an angle of 90 degrees to the nearest edge of the carriageway.	45
9	That part of the northwest side of Rockburn Road which is bounded on the northwest by the edge of the carriageway, which has a width throughout of 2.5 metres or thereby and extends from a point 20 metres or thereby northwestwards of the extended northwest kerbline of Main Street northwestwards for a distance of 5.5 metres or thereby.	1
10	That part of the southeast side of Rockburn Road which is bounded on the southeast side by the edge of the carriageway, which has a width throughout of 2.5 metres or thereby and extends from a point 29 metres or thereby northwestwards and northeastwards of the extended northwest kerbline of Main Street northeastwards for a distance of 5.5 metres or thereby.	1

SCHEDULE 1 (continued)

**DESIGNATED CONTROLLED PARKING PLACES
10AM TO 4PM
MONDAY TO SATURDAY**

1	2	3
Parking Place Number	Areas of Road Designated as Parking Places	Max No. of parking Places
11	That part of the southeast side of Rockburn Road which is bounded on the southeast by the edge of the carriageway, which has a width throughout of 2.5 metres or thereby and extends from a point 43.5 metres or thereby northwestwards and northeastwards of the extended northwest kerblines of Main Street in a northeasterly direction for a distance of 5.5 metres or thereby.	1

Lochgilphead: _____

This is Schedule 1 referred to in the foregoing Order "The Argyll and Bute Council (On-Road Parking Places and Charges) (Tobermory, Isle of Mull) Order 200_"

SCHEDULE 2

PARKING CHARGES

Amount of Initial Charge

**Time purchased in bay, controlled
by voucher parking or ticket
machine**

70 pence

40 minutes

Excess Charge

£20

The maximum period for which a vehicle may be left in a parking place after the excess charge has been incurred shall not exceed 2 hours.

Lochgilphead: _____

This is Schedule 2 referred to in the foregoing Order “The Argyll and Bute Council (On-Road Parking Places and Charges) (Tobermory, Isle of Mull) Order 200_”

SCHEDULE 3

RESIDENTS PARKING CHARGES

Amount of Resident Permit Charge

1st April-30 September

Seasonal charge - £37.50

3 monthly charge- £18.75

Replacement Permit (if lost or stolen)

£ 5.00

Lochgilphead: _____

This is Schedule 3 referred to in the foregoing Order “The Argyll and Bute Council (On-Road Parking Places and Charges) (Tobermory, Isle of Mull) Order 200_”

SCHEDULE 7

**DESIGNATED CONTROLLED PARKING PLACES
10AM TO 4PM
MONDAY TO SATURDAY**

1	2	3
Parking Place Number	Areas of Road Designated as Parking Places	Max No. of parking Places
1	That part of the west side of Back Brae which is bounded on the west by the edge of the carriageway which has a width throughout of 2.5 metres or thereby and extends from a point 5 metres or thereby north of the extended northwest kerblines of Main Street northwards for a distance of 5.5 metres or thereby.	1
2	That part of the west side of Ledaig Branch Road which is bounded on the west by the edge of the carriageway, which has a width throughout of 2.5 metres or thereby and extends from a point 47.5 metres or thereby southeast of the extended southeast kerblines of Main Street southwards for a distance of ___ metres or thereby.	3
3	That part of the northwest side of Main Street which is bounded on the northwest by the edge of the carriageway, which has a width throughout of 2.5 metres or thereby and which extends from a point 47 metres or thereby northeast of the extended northeast kerblines of the unclassified Ledaig Branch Road northeastwards for a distance of ___ metres or thereby.	___
4	That part of the northwest side of Main Street which is bounded on the northwest by the edge of the carriageway, has a width throughout of 2.5 metres or thereby and which extends from a point 148 metres or thereby northeast of the extended northeast kerblines of Ledaig Branch Road northeastwards for a distance of 44 metres or thereby.	8
5	That part of the north side of Main Street which is bounded on the north by the edge of the carriageway, has a width throughout of 2.5 metres or thereby and which extends from a point 5 metres or thereby east of the extended northeast kerblines of Rockburn Road in a generally easterly direction to a point 9 metres or thereby west of the extended northwest kerblines of Back Brae a distance of ___ metres or thereby.	___

SCHEDULE 8 (continued)

**DESIGNATED CONTROLLED PARKING PLACES
10AM TO 4PM
MONDAY TO SATURDAY**

1 Parking Place Number	2 Areas of Road Designated as Parking Places	3 Max No. of parking Places
6	That part of the north side of Main Street which is bounded on the north by the edge of the carriageway, has a width throughout of 2.5 metres or thereby and extends from a point 5 metres or thereby east of the extended northeast kerblines of Back Brae eastwards for a distance of 55 metres or thereby.	10
7	That part of the southeast side of Main Street which is bounded on the southeast by the edge of the carriageway, has a width throughout of 4.8 metres or thereby and extends from the extended southwest kerblines of Springbank Brae southwestwards for a distance of 10.5 metres or thereby.	3
8	That part of the southeast side of Main Street which is bounded on the southeast by the edge of the carriageway, has a width throughout of 4.8 metres or thereby and extends from a point 45 metres or thereby southwest of the extended southwest kerblines of Springbank Brae southwestwards for a distance of 130.5 metres or thereby.	45
9	That part of the northwest side of Rockburn Road which is bounded on the northwest by the edge of the carriageway, which has a width throughout of 2.5 metres and extends from a point 20 metres northwestwards of the extended northwest kerblines of Main Street northwestwards for a distance of 5.5 metres	1
10	That part of the southeast side of Rockburn Road which is bounded on the southeast by the edge of the carriageway, which has a width throughout of 2.5 metres and extends from a point 29 metres northeastwards and southeastwards of the extended northwest kerblines of Main Street northeastwards for a distance of 5.5 metres	1

SCHEDULE 8 (continued)

**DESIGNATED CONTROLLED PARKING PLACES
10AM TO 4PM
MONDAY TO SATURDAY**

1 Parking Place Number	2 Areas of Road Designated as Parking Places	3 Max No. of parking Places
11	That part of the southeastside of Rockburn Road which is bounded on the southeast by the edge of the carriageway,which has a width throughoutof 2.5 metres and extends from a point 43.5 metres northeastwards and southeastwards of the extended northwest kerbline of Main Street northwestwards for a distance of 5.5 metres.	1

Lochgilphead: _____

This is Schedule 8 referred to in the foregoing Order “The Argyll and Bute Council (Tobermory, Isle of Mull) (Traffic Management) Order 200_”

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