

Delegated Powers of the Assistant Director (Transportation):- Wednesday 4th January 2017 (Original Experiment) & Friday 17th March 2017 (Modification Order)



**The Road Traffic Regulation Act 1984
Sections 9 and 10(2)**

The City Council of Liverpool (Smithdown Road Corridor Area) (Revocation, Prohibition & Restriction of Waiting, Prohibition of Loading & Unloading and Parking Places For Goods Vehicles For Loading And Unloading Only) (Experimental Order 2017) (Modification) Order, 2017

**Jeanette McLoughlin,
City Solicitor,
Liverpool.**

**LS Ref N° ETRO 9430A (ETRO 9430)
TM TRO N° TM 3438 (TM 3404)
Civica Ref N° 2052.2743 (2052.2663)**

The **City Council of Liverpool** (hereinafter referred to as "**the Council**") in exercise of its powers under **Sections 9 and 10(2) of The Road Traffic Regulation Act 1984** (which said Act of 1984 is hereinafter referred to as "**the Act of 1984**") and of all other enabling powers and after consultation with the chief officer of police in accordance with **Part III of Schedule 9** to the Act of 1984, hereby makes the following **Modification Order** to an existing **Experimental Traffic Regulation Order**:-

Section 1: Commencement, Citation, Interpretations and General Articles

1. This **Modification Order** to an existing **Experimental Traffic Regulation Order** shall come into operation on the **17th day of April 2017** and may be cited as: - **The City Council of Liverpool (Smithdown Road Corridor Area) (Revocation, Prohibition & Restriction of Waiting, Prohibition of Loading & Unloading and Parking Places For Goods Vehicles For Loading And Unloading Only) (Experimental Order 2017) (Modification) Order, 2017.**

2. This **Modification Order** to the existing **Experimental Traffic Regulation Order** cited as **The City Council of Liverpool (Smithdown Road Corridor Area) (Revocation, Prohibition & Restriction of Waiting, Prohibition of Loading & Unloading and Parking Places For Goods Vehicles For Loading And Unloading Only) (Experimental) Order, 2017** (and hereinafter referred to as "**the Experimental Order of 2017**") shall continue in force for the remaining operational period of the **Experimental Order of 2017** which is to say up to the **original maximum period of eighteen months** expiring on the **23rd day of July 2018**.

3. As provided by **Section 10(2) (Supplementary Provisions As To Experimental Traffic Orders)** of the Act of 1984 this **Modification Order** to the existing **Experimental Traffic Regulation Order** includes the provision to empower the **Divisional Manager (Highways & Transportation)** of the Council, or a person authorised by the **Divisional Manager**, to modify or suspend the operation of this **Modification Order** to the existing **Experimental Traffic Regulation Order** or any provision of it if it appears to him essential: - (a) in the interests of the expeditious, convenient and safe movement of traffic; (b) in the interests of providing suitable and adequate on-street parking facilities; or (c) for preserving or improving the amenities of the area through which any road affected by the **Modification Order** to the existing **Experimental Traffic Regulation Order** runs. The power conferred by such this provision shall be exercised only after consulting the appropriate **Chief Officer of Police** and giving such public notice as the **Secretary of State** may direct.

4. (1) In this **Modification Order** to an existing **Experimental Traffic Regulation Order** except where the context otherwise requires, the several words and expressions for which meanings are assigned by the **Experimental Order of 2017** shall have the same respective meaning.

4. (2) Except where otherwise stated, any reference in this **Modification Order** to an existing **Experimental Traffic Regulation Order** to a numbered Article is a reference to the Article bearing that number in this **Modification Order** to an existing **Experimental Traffic Regulation Order**.

5. The prohibitions and restrictions imposed by this **Modification Order** to an existing **Experimental Traffic Regulation Order** shall be in addition to and not in derogation from any restriction or requirement imposed by any regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.

Section 2: The Modifications To The Existing Experimental Traffic Regulation Order

6. The **Experimental Order of 2017**, is subsequently varied by the following modifications within its **Section 3 (The Prohibitions Of Waiting & Waiting For The Purposes Of Loading & Unloading To This Experimental Traffic Regulation Order)**: -

(a) From **Article 10** of that section, the words, "**on any other day than Sunday**" were substituted by, "**on Mondays to Sundays inclusive**", so that it now reads as follows ...

10. Save as provided in **Article 12** no person shall, except upon the direction or with the permission of a police officer in uniform or of a civil enforcement officer, cause or permit any vehicle **to wait between the hours of 9:30 a.m. and 4.00 p.m. on Mondays to Sundays inclusive - (i) for a longer period than two hours; or (ii) if a period of less than one hour has elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle on the same side of length of road on:** - (1) **Allerton Road** - (a) **north side**, from a point 5m southeast of its junction with Plattsville Road, in an easterly direction, to a point 5m west of its junction with Hallville Road; & (b) **south side**, from a point 5m southeast of its junction with Queensdale Road, in an easterly direction, to a point 5m west of its junction with Kingsdale Road; & (2) **Smithdown Road** - (a) **north side**, from a point 10m east of its junction with Earlsfield Road in an easterly direction for a distance of 28m; (b) **north side**, from a point 10m east of its junction with Fallowfield Road in an easterly direction for a distance of 34m; (c) **south side**, from a point 10m east of its junction with Russell Road in an easterly direction for 40m; & (d) **south side**, from a point 10m east of its junction with Ramilies Road in an easterly direction for a distance of 36m.

(a) From **Article 11** of that section, "**Mayville Road, east side**, from a point 5m north east of its junction with Allerton Road in a north easterly direction for a distance of 12m" was deleted, so that it now reads as follows ...

11. Save as provided in **Article 12** no person shall, except upon the direction or with the permission of a police officer in uniform or of a civil enforcement officer, cause or permit any vehicle **to wait between the hours of 7.00 a.m. and 7.00 p.m. on any other day than Sunday - (i) for a longer period than two hours; or (ii) if a period of less than one hour has elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle on the same side of length of road on Allerton Road Shops Service Road between No's 18-54** - (a) **south side**, from a point 5m southeast of its junction with Carsdale Road, in an easterly direction, to a point 5m west of its junction with Devondale Road; (b) **south side**, from a point 5m east of its junction with Devondale Road, in an easterly direction, to a point 5m west of its junction with Elmsdale Road; & (c) **north side**, from a point 5m east of its junction with Carsdale Road, in an easterly direction, to a point 5m west of its junction with Elmsdale Road.

All the other Articles and the Schedule, detailing the extent of the revocations; the prohibitions & restrictions, the exemptions from the same; and the parking places, within the **Experimental Order of 2017**, remain unchanged.

GIVEN under the Common Seal of the Council of the City of Liverpool this 4th day of April 2017.

 R. C. Mann

PRINCIPAL ASSISTANT CITY SOLICITOR

