



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

**The City Council of Liverpool
(Lark Lane Area) (Revocation, Prohibition & Restriction of Waiting, Prohibition of Loading and Unloading,
Limited Waiting Loading and Unloading Only Bay & Hackney Carriage Clearway)
(Experimental Order)
Order, 2018**

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

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The City Council of Liverpool (Lark Lane Area) (Revocation, Prohibition & Restriction of Waiting, Prohibition of Loading and Unloading, Limited Waiting Loading and Unloading Only Bay & Hackney Carriage Clearway) (Experimental Order) Order, 2018

The **City Council of Liverpool** (hereinafter referred to as "**the Council**") in exercise of its powers under **Sections 9 & 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 **Experimental Traffic Regulation Order**:-

Section 1: Commencement, Citation, Interpretations and General Articles

1. This **Experimental Traffic Regulation Order** shall come into operation on the **24 day of September 2018** and may be cited as: - **The City Council of Liverpool (Lark Lane Area) (Revocation, Prohibition & Restriction of Waiting, Prohibition of Loading and Unloading, Limited Waiting Loading and Unloading Only Bay & Hackney Carriage Clearway) (Experimental Order) Order, 2018.**

2. This **Experimental Traffic Regulation Order** shall remain in force for a **maximum period** of up to **eighteen months** expiring on the **23 day of March 2020.**

3. As provided by **Section 10(2) (Supplementary Provisions As To Experimental Traffic Orders)** of the Act of 1984 this **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 **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 **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 **Experimental Traffic Regulation Order**, save as otherwise defined within this **Experimental Traffic Regulation Order**, each and every expression shall have the meaning assigned to it by **The Traffic Signs Regulations and General Directions 2016**:-

"**authorised cab rank**" means any area of carriageway which is comprised with and indicated by a road marking complying with **diagram 1028.2** in **Schedule 2 of The Traffic Signs Regulations and General Directions, 2016**;

"**authorised parking place**" means any parking place on a road authorised or designated by an Order made or having effect as if made under the Act of 1984;

"**civil enforcement officer**" means a person authorized by or on behalf of the City of Liverpool under **Section 76 of The Traffic Management Act 2004** to supervise and enforce the restrictions imposed by Traffic Regulation Orders made by the Council.

"**disabled person**" means a disabled person of a description prescribed by **Regulation 2(1) of The Disabled Persons (Badges for Motor Vehicles) (England) Regulations, 2000.**

"**disabled person's badge**" has the same meaning as in **Regulation 2(1) of The Disabled Persons (Badges for Motor Vehicles) (England) Regulations, 2000**, as amended by **Regulation 10 of The Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) Regulations, 2007**, and issued by a local authority for display on a Motor Vehicle driven by a Disabled Person or used for the carriage of a Disabled Person or of several Disabled Persons including a duplicate badge issued pursuant to the above Regulations.

"disabled person's vehicle" means a vehicle lawfully displaying in a conspicuous position a disabled person's badge and which is a vehicle, which, immediately before or after any period of waiting allowed by virtue of a provision of a kind required by **The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000** to be included in an Order under the 1984 Act, has been or is to be driven by a disabled person or, as the case maybe, has been or is to be used for carrying disabled persons as passengers.

"hackney carriage" means a vehicle standing or plying for hire and holding a licence for the same under **The Town Police Clauses Act, 1847**.

"hackney carriage clearway" means any area of highway described in **Article 13** of this Order in which stopping or stopping for the purpose of loading and unloading at any time is prohibited for any vehicle other than a hackney carriage.

"hackney carriage stand" means any area of carriageway designated as such by the Council under **Section 63 of The Local Government (Miscellaneous Provisions) Act, 1976**.

"limited waiting loading and unloading only bay" means any area of highway described in the **Schedule** to this Order.

"loading and unloading" means the transference from (or to) a vehicle to (or from) premises adjacent to where the vehicle is parked of heavy or unmanageable Goods that are not designed to be carried by hand other than over a very short distance.

"penalty charge" and **"reduced penalty charge"** means a charge set by the City of Liverpool under the provisions of **Section 77 of The Traffic Management Act 2004** in accordance with guidance given by the Secretary of State for Transport which is to be paid in the manner described in the penalty charge notice not later than the last day of the period of 28 days beginning with the date on which the Penalty Charge Notice was served or 14 days of the date the notice was served in the case of a reduced penalty charge;

"penalty charge notice" means a notice issued by a civil enforcement officer pursuant to the provisions of **The Traffic Management Act 2004** and any Statutory Instruments made by the Secretary of State there under.

"postal operator" means a person who provides the service of conveying postal packets from one place to another by post or any of the incidental services of receiving, collecting, sorting and delivering such packets.

"postal packet" means a letter, parcel, packet or other article transmissible by post.

"telecommunications apparatus" has the same meaning as in **The Telecommunications Act 1984**.

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

5. The prohibition and restrictions imposed by this **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: Revocations

6. The following Orders are hereby revoked in their entirety: - (a) **The City Council of Liverpool (Lark Lane) (Revocation of Waiting Restrictions) Order, 1983**; (b) **The City Council of Liverpool (Sefton Grove & Lark Lane) (Revocation and Prohibition of Waiting Restrictions) Order, 1989**; (c) **The City Council of Liverpool (Linnet Lane & Ivanhoe Road) (Revocation and Prohibition of Waiting Restrictions) Order, 1972**; (d) **The City**

Section 3: Prohibition and Restriction of Waiting & Prohibition of Loading and Unloading To This Order

7. Save as provided in **Article 11**, 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 at any time** on: - (a) **Aigburth Drive, both sides**, from: - (i) a point 33m north east of its junction with Linnet Lane for a distance of 10m; & (ii) its junction with Linnet Lane in a north easterly direction for 10m; (b) **Lark Lane, north west side**, from: - (i) its junction with Linnet Lane in a south easterly direction for 10m; (ii) a point 22.5m south west of its junction with Linnet Lane in a south westerly direction for 10m; (iii) a point 5m north east of its junction with Waverley Road to a point 5m south west of its junction with Waverley Road; (iv) a point 5m north east of its junction with Little Parkfield Road to a point 5m south west of its junction with Little Parkfield Road; & (v) a point 10.2m north east of its junction with Lark Way to a point 9.5m south west of its junction with Lark Way; (c) **Lark Lane, south east side**, from: - (i) its junction with Livingston Avenue to a point 10m south west of its junction with Livingston Avenue; (ii) a point 5m north east of its junction with Sefton Grove to a point 5m south west of its junction with Sefton Grove; (iii) a point 5m north east of its junction with Pelham Grove to a point 5m south west of its junction with Pelham Grove; (iv) a point 5m north east of its junction with Hadassah Grove to a point 5m south west of its junction with Hadassah Grove; (v) a point 19m south west of its junction with Hadassah Grove for a distance of 5m; (vi) a point 5m north east of its junction with Hesketh Street to a point 5m south west of its junction with Hesketh Street; (vii) a point 3m north east of its junction with Forge Cottages to a point 3m south west of its junction with Forge Cottages; (viii) a point 5m north east of its junction with Bickerton Street to a point 5m south west of its junction with Bickerton Street; (ix) a point 5m north east of its junction with Lucerne Street to a point 5m south west of its junction with Lucerne Street; (x) a point 5m north east of its junction with Siddeley Street to a point 5m south west of its junction with Siddeley Street; & (xi) a point 10m north east of its junction with Hargreaves Road to a point 10m south west of its junction with Hargreaves Road; (d) **Livingston Avenue, both sides**, from its junction with Lark Lane in a south easterly direction for 10m; (e) **Sefton Grove, north east side**, from its junction with Lark Lane to its end; (f) **Sefton Grove, south west side**, from its junction with Lark Lane in a south easterly direction for 10m; (g) **Pelham Grove, both sides**, from its junction with Lark Lane in a south easterly direction for 10m; (h) **Hesketh Street, both sides**, from its junction with Lark Lane in a south easterly direction for 10m; (i) **Bickerton Street, both sides**, from its junction with Lark Lane in a south easterly direction for 10m; (j) **Lucerne Street, both sides**, from its junction with Lark Lane in a south easterly direction for 10m; (k) **Siddeley Street, both sides**, from its junction with Lark Lane in a south easterly direction for 10m; (l) **Hargreaves Road, both sides**, from its junction with Lark Lane in a south easterly direction for 10m; (m) **Lark Way, both sides**, from its junction with Lark Lane in a north westerly direction for 14.2m; (n) **Little Parkfield Road, both sides**, from its junction with Lark Lane in a north westerly direction for 10m; (o) **Waverley Road, both sides**, from its junction with Lark Lane in a north westerly direction for 10m; (p) **Linnet Lane, both sides**, from its junction with Lark Lane in a north westerly direction for 48m; (q) **Ivanhoe Road, both sides**, from its junction with Linnet Lane in a westerly direction for 20m; (r) **Bickerton Street, north east side**, from a point 5m north west of its junction with Newlands Court to a point 5m south east of its junction with Newlands Court; & (s) **Newlands Court, both sides**, from its junction with Bickerton Street in a north easterly direction for 5m.

8. 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 for the purposes of loading and unloading at any time** on: - (a) **Aigburth Drive, both sides**, from: - (i) a point 33m north east of its junction with Linnet Lane for a distance of 10m; & (ii) its junction with Linnet Lane in a north easterly direction for 10m; (b) **Lark Lane, north west side**, from: - (i) its junction with Aigburth Drive in a south westerly direction for 10m; (ii) a point 10m north east of its junction with Linnet Lane to a point 10m south west of its junction with Linnet Lane; (iii) a point 5m north east of its junction with Waverley Road to a point 5m south west of its junction with Waverley Road; (iv) a point 5m north east of its junction with Little Parkfield Road to a point 5m south west of its junction with Little Parkfield Road; & (v) a point 10.2m north east of its junction with Lark Way to a point 9.5m south west of its junction with Lark Way; (c) **Lark Lane, south east side**: - from (i) its junction with Aigburth Drive in a south westerly direction for 10m; (ii) a point 10m north east of its junction with Livingston Avenue to a point 10m south west of its junction with Livingston Avenue; (iii) a point 5m north east of its junction with Sefton Grove to a point 5m south west of its junction with Sefton Grove; (iv) a point 5m north east of its junction with Pelham Grove to a point 5m south west of its junction with Pelham Grove; (v) a point 5m

north east of its junction with Hesketh Street to a point 5m south west of its junction with Hesketh Street; (vi) a point 3m north east of its junction with Forge Cottages to a point 3m south west of its junction with Forge Cottages; (vii) a point 5m north east of its junction with Bickerton Street to a point 5m south west of its junction with Bickerton Street; (viii) a point 5m north east of its junction with Lucerne Street to a point 5m south west of its junction with Lucerne Street; (ix) a point 5m north east of its junction with Siddeley Street to a point 5m south west of its junction with Siddeley Street; & (x) a point 10m north east of its junction with Hargreaves Road to a point 10m south west of its junction with Hargreaves Road; (d) **Livingston Avenue, both sides**, from its junction with Lark Lane in a south easterly direction for 10m; (e) **Sefton Grove, both sides**, from its junction with Lark Lane in a south easterly direction for 10m; (f) **Pelham Grove, both sides**, from its junction with Lark Lane in a south easterly direction for 10m; (g) **Hesketh Street, both sides**, from its junction with Lark Lane in a south easterly direction for 10m; (h) **Bickerton Street, both sides**, from its junction with Lark Lane in a south easterly direction for 10m; (i) **Lucerne Street, both sides**, from its junction with Lark Lane in a south easterly direction for 10m; (j) **Siddeley Street, both sides**, from its junction with Lark Lane in a south easterly direction for 10m; (k) **Hargreaves Road, both sides**, from its junction with Lark Lane in a south easterly direction for 10m; (l) **Lark Way, both sides**, from its junction with Lark Lane in a north westerly direction for 14.2m; (m) **Little Parkfield Road, both sides**, from its junction with Lark Lane in a north westerly direction for 10m; (n) **Waverley Road, both sides**, from its junction with Lark Lane in a north westerly direction for 10m; & (o) **Linnet Lane, both sides**, from its junction with Lark Lane in a north westerly direction for 16m.

9. Save as provided in **Article 11** 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 Mondays to Sundays inclusive on Lark Lane, south east side**, from a point: - (a) 5m south west of its junction with Livingston Avenue to a point 5m north east of its junction with Sefton Grove; (b) 5m south west of its junction with Sefton Grove to a point 5m north east of its junction with Pelham Grove; (c) 5m south west of its junction with Pelham Grove to a point 5m north east of its junction with Hadassah Grove; (d) 5m south west of its junction with Hadassah Grove to a point 14m south west of its junction with of Hadassah Grove; (e) 5m south west of its junction with Hadassah Grove for a distance of 14m; (f) 19m south west of its junction with Hadassah Grove for a distance of 11.5m; (g) 5m south west of its junction with Hesketh Street to a point 3m north east of its junction with Forge Cottages; (h) 3m south west of its junction with Forge Cottages to a point 5m north east of its junction with Bickerton Street; (i) 5m south west of its junction with Bickerton Street to a point 5m north east of its junction with Lucerne Street; (j) 5m south west of its junction with Lucerne Street to a point 5m north east of its junction with Siddeley Street; & (k) 5m south west of its junction with Siddeley Street to a point 10m north east of its junction with Hargreaves Road.

10. Save as provided in **Article 11** 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 9.00 a.m. and 7.00 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 Lark Lane, north west side**, from a point: - (a) 10m south west of its junction with Linnet Lane in a south westerly direction for 13m, with a width throughout of 2m; (b) 32m south west of its junction with Linnet Lane in a south westerly direction for 34m, with a width throughout of 2m; (c) 83m south west of its junction with Linnet Lane in a south westerly to a point 5m north east of its junction with Waverley Road, with a width throughout of 2m; (d) 5m south west of its junction with Waverley Road in a south westerly to a point 5m north east of its junction with Little Parkfield Road, with a width throughout of 2m; & (e) 5m south west of its junction with Little Parkfield Road in a south westerly to a point 10m north east of its junction with Lark Way, with a width throughout of 2m.

Section 4: The Exemptions From The Waiting Restrictions To This Order

11. (1) Nothing in **Article 7**, **Article 9** or in **Article 10** shall render it unlawful to cause or permit any vehicle to wait in **the said sides of lengths of roads** referred to in those Articles, for so long as may be necessary to enable: -

(a) a person to board or alight from the vehicle;

(b) the vehicle, if it cannot conveniently be used for such purposes in any other road, to be used in connection with any of the following operations, namely: -

- (i) building, industrial or demolition operations;
- (ii) the removal of any obstruction to traffic;
- (iii) the maintenance, improvement or reconstruction of **the said sides of lengths of roads**;
- (iv) the laying, erection, alteration or repair in, or in land adjacent to, **the said sides of lengths of roads** of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in **Section 4 of The Telecommunications Act, 1984**, including telephone kiosks;

(c) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority in pursuance of statutory powers or duties;

(d) the vehicle to be used by a postal operator for the purpose of delivering or collecting postal packets from premises or postal boxes adjacent to **the said sides of lengths of roads**;

(e) the vehicle to be used in connection with any wedding or funeral;

(f) the vehicle to be used for fire brigade, ambulance or police purposes; or

(g) the vehicle which, for a period not exceeding three hours, displays a valid disabled person's badge and parking disc/clock and that same vehicle is to be used by a disabled person whose badge and parking disc/clock is correctly on display in accordance with the **Department for Transport's** guidebook, **"The Blue Badge Scheme: Rights And Responsibilities In England"**;

11. (2) Nothing in **Article 7**, **Article 9** or in **Article 10** shall render it unlawful to cause or permit any vehicle: -

(a) to wait upon an authorised parking place; or

(b) being a hackney carriage, to wait upon a hackney carriage stand.

Section 5: Limited Waiting Loading and Unloading Only Bay

12. No person shall leave a vehicle at any time at a **Limited Waiting Loading and Unloading Only Bay**: -

12.1 Other than a motor vehicle which is left at such **Limited Waiting Loading and Unloading Only Bay** for the purpose of loading and/or unloading heavy or unmanageable goods that are not designed to be carried by hand other than over a very short distance; and

12.2 Unless the vehicle is left at the **Limited Waiting Loading and Unloading Only Bay** specified in **Column 1** of the **Schedule** to this Order during the hours specified in the corresponding part of **Column 4** of the said **Schedule** during the days specified in the corresponding part of **Column 3** of the said **Schedule**, for a maximum period not exceeding that specified in **Column 5** of the said **Schedule** for the purpose of loading and/or unloading heavy or unmanageable goods that are not designed to be carried by hand other than over a very short distance; and

12.3 During the maximum period for which vehicles may load and/or unload goods the driver, or other person in charge of a vehicle using a loading bay, shall not cause such vehicle to wait thereon during the hours of operation other than whilst goods, that are not designed to be carried by hand other than over a very short distance, are being loaded or unloaded from the vehicle.

Section 6: Hackney Carriage Clearway

13. No person shall cause or permit any vehicle to stop or stop for the purpose of loading or unloading at any time at a Hackney Carriage Clearway **between the hours of 7.00 p.m. and 7.00 a.m. on any day**, other than a Hackney Carriage on **Lark Lane, south east side**.

Section 7: Contravention Of The Order, Penalty Charge And Penalty Charge Notice

14. If a vehicle is left at any time in contravention of a provision of this Order a penalty charge shall be payable.

15. In the case of a vehicle in respect of which a penalty charge is payable, a penalty charge notice showing the information required by **The Traffic Management Act 2004** may then be issued by a civil enforcement officer in accordance with the requirements of that Act and any Statutory Instruments made by the Secretary of State there under.

GIVEN under the Common Seal of the Council of the City of Liverpool this 11 day of September 2018.



PRINCIPAL ASSISTANT CITY SOLICITOR



Seal No.
10018

Schedule: Limited Waiting Loading and Unloading Only Bay				
Areas of highway designated as a Limited Waiting Loading and Unloading Only Bay				
Part of road authorised to be used as a limited waiting loading and unloading only bay	Position in which vehicles may wait	Days of Operation of Parking Place	Hours of Operation of Parking Place	Maximum period for which vehicles may load and/or unload
Col.1	Col.2	Col.3	Col.4	Col.5
Lark Lane, north west side , from a point 71m south west of its junction with Linnet Lane in a south westerly direction for 12m and which has a width throughout of 2m.	Wholly within the limits of the loading bay and parallel to the edge of the carriageway	Monday to Sunday	7.00 a.m. to 9.00 a.m.	Two hours