



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

**The City Council of Liverpool  
(Half-tide Wharf, Keel Wharf, Monarchs Quay & Queens Wharf)  
(Prohibition of Waiting, Prohibition of Loading and Unloading & Limited Waiting Bay)  
(Experimental) Order, 2018**

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City Solicitor,  
Liverpool.**

**LS Ref N° ETRO 10026A  
TM TRO N° TM 3519  
Civica Ref N° 2081.395**



**The City Council of Liverpool (Half-tide Wharf, Keel Wharf, Monarchs Quay & Queens Wharf) (Prohibition of Waiting, Prohibition of Loading and Unloading & Limited Waiting Bay) (Experimental) 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 **12 day of November 2018** and may be cited as: - **The City Council of Liverpool (Half-tide Wharf, Keel Wharf, Monarchs Quay & Queens Wharf) (Prohibition of Waiting, Prohibition of Loading and Unloading & Limited Waiting Bay) (Experimental) Order, 2018.**

2. This **Experimental Traffic Regulation Order** shall remain in force for a **maximum period** of up to **eighteen months** expiring on the **11 day of May 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 bay"** means any area of highway described in the **Article 9(a)** 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: Prohibition of Waiting & Prohibition of Loading and Unloading To This Order**

6. Save as provided in **Article 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 at any time** on: - (a) **Half-tide Wharf**, for its entirety; (b) **Keel Wharf**, for its entirety; (c) **Monarchs Quay**, the section that runs - (i) **north west to south east, both sides**, for the full extent; (ii) **north east to south west, north west side**, from its junction with the section of Monarchs Quay that runs from north west to south east in a south westerly direction to its south western extremity, including turning circle; (iii) **north east to south west, south east side**, from its junction with the section of



Monarchs Quay that runs from north west to south east in a south westerly direction for a distance of 26m; & (iv) **north east to south west, south east side**, from a point 68m south west from its junction with the section of Monarchs Quay that runs north west to south east in a south westerly direction to its south westerly extremity; & (d) Queens Wharf, for its entirety.

7. 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) **Half-tide Wharf**, for its entirety; (b) **Keel Wharf**, for its entirety; (c) **Monarchs Quay**, the section that runs - (i) **north west to south east, both sides**, for the full extent; (ii) **north east to south west, north west side**, from its junction with the section of Monarchs Quay that runs from north west to south east in a south westerly direction to its south western extremity, including turning circle; (iii) **north east to south west, south east side**, from its junction with the section of Monarchs Quay that runs from north west to south east in a south westerly direction for a distance of 26m; & (iv) **north east to south west, south east side**, from a point 68m south west from its junction with the section of Monarchs Quay that runs north west to south east in a south westerly direction to its south westerly extremity; & (d) Queens Wharf, for its entirety.

### **Section 3: The Exemptions From The Waiting Restrictions To This Order**

8. (1) Nothing in **Article 6** 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**";

8. (2) Nothing in **Article 6** 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 4: Parking Bays For Limited Waiting**

9(a) 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 specified in **Column 4** of the **Schedule** of this Order on the days specified in **Column 3** of the said **Schedule**, in the lengths of roads or sides of lengths of



roads specified in **Column 1** of the said **Schedule**: - (a) for a longer period than that specified in **Column 5** of the said Schedule; or (b) if a period of less than that specified in **Column 6** of the said Schedule has elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle on the same length of road or side of length of road.

9(b) Nothing in **Article 9(a)** of this Order shall prevent any person from causing or permitting a vehicle to wait in any parking bay for limited waiting, if the vehicle is displaying a valid disabled person's badge and that same vehicle is being used by a disabled person whose badge is correctly on display in accordance with the **Department for Transport's guidebook, "The Blue Badge Scheme: Rights And Responsibilities In England"**.

#### **Section 5: Contravention Of The Order, Penalty Charge And Penalty Charge Notice**

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

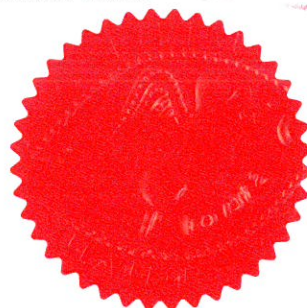
11. In the case of a vehicle in respect of which a penalty charge is payable, a penalty charge notice showing the information required by **The Traffic Management Act 2004** may then be issued by a civil enforcement officer in accordance with the requirements of that Act and any Statutory Instruments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

GIVEN under the Common Seal of the Council of the City of Liverpool this 30 day of October 2018.



PRINCIPAL ~~ASSISTANT CITY~~ SOLICITOR

Seal No.  
123 15



<b>Schedule</b> <b>Areas Of Highway Designated As Parking Bays For Limited Waiting</b> Each area described below in Column 1 being an area forming part of the carriageway of a specified highway is a Limited Waiting Parking Bay					
Part Of Road Authorised To Be Used As Limited Waiting 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 Wait	No Return For A Period Of
Col.1	Col.2	Col.3	Col.4	Col.5	Col.6
<b>Monarchs Quay, the section that runs north east to south west, south east side</b> , from a point 38m south west from its junction with the section of Monarchs Quay that runs north west to south east in a south westerly direction for a distance of 30m	Wholly within the limits of the bay and parallel to the edge of the carriageway	Monday to Sunday	24 hours	15 Minutes	2 hours