



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

**The City Council of Liverpool
(Ranelagh Street & Fairclough Street) (Revocation, Prohibition of Driving, Prohibition of Entry & Bus Gate)
(Experimental) Order, 2020**

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City Solicitor,
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**LS Ref N° ex-TRO 10227B
TM TRO N° TM 3600
ECM Ref N° 2052.3447**



The City Council of Liverpool (Ranelagh Street &, Fairclough Street) (Revocation, Prohibition of Driving, Prohibition of Entry & Bus Gate) (Experimental) Order, 2020

The City Council of Liverpool (hereinafter referred to as "**the Council**") in exercise of its powers under **Sections 9 & 10(2) of Schedule 9 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 **30 day of November 2020** and may be cited as: - **The City Council of Liverpool (Ranelagh Street, Fairclough Street) (Revocation, Prohibition of Driving, Prohibition of Entry & Bus Gate) (Experimental) Order, 2020**.

2. This **Experimental Traffic Regulation Order** shall remain in force for a **maximum period** of up to **eighteen months** expiring on the **30 day of May 2022**.

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 vehicle**" means a **licensed hackney carriage**, **licensed private hire vehicle** displaying door signs (decals) in addition to a license plate, **pedal cycle**, **public service vehicle** operating as local bus on a local service, a **National Express Coach** operating from or terminating at a scheduled bus stop within the Liverpool One Bus Terminus, a vehicle being used by the **Police**, **Ambulance**, **Fire Service** (in the process of attending an emergency call and whilst displaying blue flashing lights), or **Statutory Services**, **Postal Operator** and **Local Authority** in pursuance with their essential duties being undertaken within the confines of the bus gate itself, or any vehicle being used by **Her Majesty's Prison Service or their contractors** for the transportation of prisoners whilst escorted by marked police vehicles.

"**bus gate**" has the same meaning as a bus lane in accordance with **The Transport Act 2000**.

"**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.

"**excursion or tour**" has the meaning given in **Section 137(1) of The Transport Act 1985** and refers to a service for the carriage of passengers by road at separate fares on which the passengers travel together on a journey, with or without breaks, from one or more places to one or more other places and back.

"**licensed hackney carriage**" means a vehicle standing or plying for hire and holding a licence for the same **Section 37 of The Town Police Clauses Act, 1847** and **The Local Government (Miscellaneous Provisions) Act 1976**;

"**licensed private hire vehicle**" has the same meaning as in **Section 80(1) of The Local Government (Miscellaneous Provisions) Act, 1976**, in addition, for the purpose of this Order, such a licensed private hire vehicle must be being used for hire and display bona fide door signs (decals) on each side of the vehicle, clearly stipulating that the vehicle is a private hire taxi and providing the private hire licence plate number/private hire telephone

number. Such door signs are in addition to the requirement for a valid license plate, identifying the vehicle and as a private hire vehicle, to be secured to the rear of the vehicle enabling all of its details to easily be seen;

"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;

"local bus" has the same meaning as in **The Traffic Signs Regulations and General Directions 2002** and for the avoidance of doubt is a public service vehicle operating as a local bus used for the provision of a local service not being an excursion or tour

"local service" has the meaning given in **Section 2 of The Transport Act, 1985**.

"motor vehicle" has the same meaning as in **Section 185 of The Road Traffic Act 1988**;

"pedal cycle" means a cycle whose motive power is provided solely by the legs of its rider or riders or which complies with the requirements specified in **Regulation 4 of The Electrically Assisted Pedal Cycle Regulations, 1983**, as amended by **Regulation 2(4)(b) of The Electrically Assisted Pedal (Amendment) Cycle Regulations, 2015**;

"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. (This interpretation replaces all previous references to a **"Post Office"** vehicle.)

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

"public service vehicle" means a motor vehicle (other than a tram car) which is being used as a local bus to operate a local service, and - (a) being a vehicle adapted to carry more than eight passengers, is being used for carrying passengers for hire or reward; or (b) being a vehicle not so adapted, is being used for carrying passengers for hire or reward at separate fares in the course of a business of carrying passengers;

"premises" shall include land and building;

"road" means any length of highway or any other road to which the public has access and includes bridges over which a road passes;

"vehicle" means a vehicle of any description and includes a machine or implement of any kind drawn or propelled along roads (whether or not by mechanical power);

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

6. **The Interpretation Act 1978** shall apply for the interpretation of this **Experimental Traffic Regulation Order** as it applies for the interpretation of an Act of Parliament.

Section 2: Revocations

7. To revoke any Traffic Regulation Order made by the Council in so far as it relates to: - (a) The existing **prescribed left-turn manoeuvre** from **Fairclough Street** into **Ranelagh Street**; & (b) The existing **prohibition of driving** on **Ranelagh Street** between the hours of **6.00 a.m.** and **6.00 p.m.**, other than a public service vehicle operating as a local bus on a local service, a licensed hackney carriage, a vehicle loading and unloading between the hours of 6.00 a.m. and 10.00 a.m.

Section 3: Prohibition of Entry (Bus Gate)

8. Save as provided in **Article 9** of this **Experimental Traffic Regulation Order** no person shall, except upon the direction or with the permission of a police officer in uniform, a civil enforcement officer, cause or permit any vehicle, other than an authorised vehicle, to be in the bus gate and/or proceed in a south westerly direction along **Ranelagh Street** at a point 1m north east of the projected back of footway on Great Charlotte Street between the hours of **7.00 a.m.** and **12.00 midnight**.

9. Nothing in **Article 8** of this **Experimental Traffic Regulation Order** shall prevent any person to cause or permit any motor vehicle to be on the lengths of road referred to in that article for so long as may be necessary to enable the motor vehicle to be used for the following purposes: - (a) police, fire brigade or ambulance purposes, if the vehicle is clearly marked as such, whilst performing its statutory duties, whilst in use as such; (b) in the service of the local authority or water undertaking in pursuance of statutory powers or duties, the maintenance, cleansing, improvement or reconstruction of the said length of road or the laying, erection, alteration or repair in or adjacent to the said length of road 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 **The Telecommunications Act, 1984**; or (c) any demolition or building operation; or (d) a National Express coach service which commences from or terminates at a scheduled bus stop within the Liverpool One Bus Terminus.

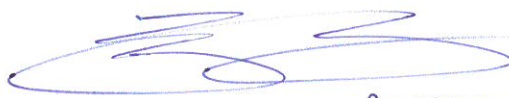
Section 4: Contravention Of The Order, Penalty Charge And Penalty Charge Notice

10. If a vehicle is left at any time in contravention of a provision of this **Experimental Traffic Regulation 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.

12. Any person who contravenes **Article 8** of this **Experimental Traffic Regulation Order**, or who uses a vehicle, or causes or permits a vehicle to be used in contravention of **Article 8** of this **Experimental Traffic Regulation Order**, shall be guilty of an offence.

GIVEN under the Common Seal of the Council of the
City of Liverpool this 17 day of November 2020.



Roger Mann

PRINCIPAL SOLICITOR

Seal No. 2
93.20

