

**Delegated Powers of the Assistant Executive Director (Highways):- Thursday 9th,
November 2006**



The City of Liverpool

**The Road Traffic Regulation Act 1984
Sections 1(1) and (2), 2(1) to (3), 4(2) and Part IV of Schedule 9**

**The City Council of Liverpool
(Rosemary Close and Crown Street)
(Prohibition of Waiting)
Order, 2007**

TRO 2602
PLUS
AMENDMENT TRO 2602

**M. B. Kenworthy,
Acting City Solicitor,
Liverpool.**

**LS Ref N° ex-TRO 4607
HM TRO N° TM 2602
ECM Ref N° 1104.1298**



**The City Council of Liverpool
(Rosemary Close and Crown Street)
(Prohibition of Waiting)
Order, 2007**

The **City Council of Liverpool** (hereinafter referred to as "**the Council**") in exercise of its powers under **Sections 1(1) and (2), 2(1) to (3), 4(2) and Part IV of Schedule 9 to 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 Order:-

Section One – Commencement, Citation, Interpretations and General Articles

1. This Order shall come into operation on the 1st day of **January 2007** and may be cited as: - **The City Council of Liverpool (Rosemary Close and Crown Street) (Prohibition of Waiting) Order, 2007.**

2. (1) In this Order, save as otherwise defined within this Order, each and every expression shall have the meaning assigned to it by **The Traffic Signs Regulations and General Directions 2002**: -

"**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, 2002**;

"**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;

"**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.**

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

"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.

"parking attendant" means a person authorized by or on behalf of the City of Liverpool under **Section 63A** of the Act of 1984 to supervise and enforce the restrictions imposed by this Order.

"penalty charge" and **"reduced penalty charge"** means a charge set by the City of Liverpool under the provisions of **Section 74 of The Road Traffic Act 1991** 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 within **28 days** of the date of the notice or **14 days** of the date of the notice in the case of a reduced penalty charge.

"penalty charge notice" means a notice issued by a parking attendant pursuant to the provisions of **Section 66 of The Road Traffic Act 1991**.

"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**.

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

3. The prohibition and restrictions imposed by this 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 Two – The Prohibitions And Restrictions To This Order

4. Save as provided in **Article 6** no person shall, except upon the direction or with the permission of a police officer in uniform or of a parking attendant, cause or permit any vehicle to wait between the hours of 8.00 a.m. up to and including 4.00 p.m. on Mondays to Fridays inclusive on both sides of Rosemary Close from a point 10 metres north west of its junction with Crown Street for its remaining length.

see Amendment
Order

5. Save as provided in **Article 6** no person shall, except upon the direction or with the permission of a police officer in uniform or of a parking attendant, cause or permit any vehicle to wait at any time on: - (a) the north east side of Crown Street from a point 20 metres north west of its junction with Rosemary Close to a point 13.7 metres south east of its junction with Rosemary Close; and (b) both sides of Rosemary Close from its junction with Crown Street for a distance of 10 metres in a north westerly direction.

Section Three – The Exemptions From The Waiting Restrictions To This Order

6. (1) Nothing in **Article 4** or in **Article 5** 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 take in petrol, oil, water or air from any garage situated in or adjacent to **the said sides of lengths of roads**; (f) the vehicle to be used in connection with any wedding or funeral; (g) the vehicle to be used for fire brigade, ambulance or police purposes; or (h) the vehicle being a disabled person's vehicle displaying a disabled person's badge to be used by a disabled person.

6. (2) Nothing in **Article 4** or in **Article 5** 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 goods to be loaded on to or unloaded from the vehicle;

6. (3) Nothing in **Article 4** or in **Article 5** 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 Four – Contravention Of The Order, Penalty Charge And Penalty Charge Notice

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

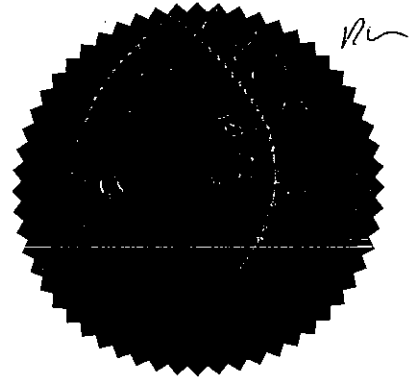
7. In the case of a vehicle in respect of which a penalty charge is payable, a penalty charge notice showing the information required by **Section 66** of **The Road Traffic Act 1991** may then be issued by a parking attendant in accordance with the requirements of **Section 66** of that Act.

GIVEN under the **Common Seal** of the **Council** of the **City of Liverpool** this 29th day of **December 2006**.



M. B. KENWORTHY
ACTING CITY SOLICITOR

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TRO NUMBER: 4686

**Delegated Powers of the Assistant Executive Director (Highways):- Thursday 9th,
November 2006 and Wednesday 7th, February 2007**



The City of Liverpool

**The Road Traffic Regulation Act 1984
Sections 1(1) and (2), 2(1) to (3), 4(2) and Part IV of Schedule 9**

**The City Council of Liverpool
(Rosemary Close and Crown Street)
(Prohibition of Waiting) (Amendment)
Order, 2007**

**M. B. Kenworthy,
Acting City Solicitor,
Liverpool.**

**LS Ref N° ex-TRO 4686 (Amends ex-TRO 4607)
HM TRO N° TM 2602
ECM Ref N° 1104.1298 as amended by 1104.1406**



The City of Liverpool

**The City Council of Liverpool
(Rosemary Close and Crown Street)
(Prohibition of Waiting)
(Amendment) Order, 2007**

The **City Council of Liverpool** (hereinafter referred to as "**the Council**") in exercise of its powers under **Sections 1(1) and (2), 2(1) to (3), 4(2) and Part IV of Schedule 9 to 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 Amendment Order:-

Section One

Commencement, Citation, Interpretations and General Articles

1. This Amendment Order shall come into operation on the **26th day of March 2007** and may be cited as: - **The City Council of Liverpool (Rosemary Close and Crown Street) (Prohibition of Waiting) (Amendment) Order, 2007.**

2. (1) In this Amendment Order, save as otherwise defined within the Order of 2007, each and every expression shall have the meaning assigned to it by **The Traffic Signs Regulations and General Directions 2002**: -

"**Order of 2007**" means **The City Council of Liverpool (Rosemary Close and Crown Street) (Prohibition of Waiting) Order, 2007.**

2. (2) Except where otherwise stated, any reference in this Amendment Order to a numbered Article is a reference to the Article bearing that number in this Amendment Order.

Section Two

Revocation From The Order Of 2007 To Accommodate This Amendment Order

3. To revoke **The City Council of Liverpool (Rosemary Close and Crown Street) (Prohibition of Waiting) Order, 2007**, insofar as it relates to **Article 5.**

Section Three

The Amendment To The Order Of 2007 As Contained Within This Order

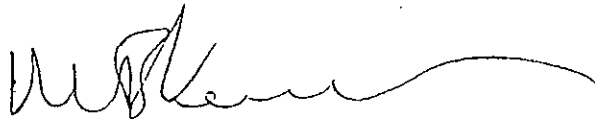
4. The Order of 2007 shall have effect as though the new **Article 5** were included as contained within this Amendment Order.

"5. Save as provided in **Article 6** no person shall, except upon the direction or with the permission of a police officer in uniform or of a parking attendant, cause or permit any vehicle to wait at any time on: - (a) the north east side of Crown Street from a point 20

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metres north west of its junction with Rosemary Close to a point 13.7 metres south east of its junction with Rosemary Close; and (b) both sides of Rosemary Close from its junction with Crown Street for a distance of 10 metres in a north easterly direction."

GIVEN under the Common Seal of the Council of the City of Liverpool this 23rd day of March 2007.



M. B. KENWORTHY
ACTING CITY SOLICITOR

