



**The Road Traffic Regulation Act 1984
Sections 1(1) and (2), 2(1) to (3), 4(2), 32(1), 35(1) and Part IV of Schedule 9**

**The City Council of Liverpool
(Allerton Road Shops Area)
(Revocation, Prohibition and Restriction of Waiting, Prohibition of Loading and Unloading and Disabled
Persons Parking Place)
Order, 2010**

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The City Council of Liverpool
(Allerton Road Shops Area) (Revocation, Prohibition and Restriction of Waiting, Prohibition of Loading and Unloading and Disabled Persons Parking Place) Order, 2010

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), 32(1), 35(1) 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 **15th day of November 2010** and may be cited as: - **The City Council of Liverpool (Allerton Road Shops Area) (Revocation, Prohibition and Restriction of Waiting, Prohibition of Loading and Unloading and Disabled Persons Parking Place) Order, 2010.**

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;

"**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.

"**driver**" in relation to a vehicle left at or waiting in a Parking Place means the person who was: - (a) driving the vehicle at the time it was left at; (b) is waiting at the Parking Place; or (c) by legal presumption may be regarded as the driver at such time.

"**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 place**" means any part of a road authorised by this Order to be used as a parking place.

"**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**.

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 prohibitions 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 Revocation In Part Of Existing Traffic Regulation Orders Which Are Necessary To Accommodate This Order

4. The Orders specified in **Column One** of **Schedule One** to this Order are hereby revoked to the extent specified in **Column Two** of the said Schedule.

Section Three – The Prohibitions And Restrictions Of Waiting And Prohibitions Of Loading And Unloading To This 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 civil enforcement officer, cause or permit any vehicle to wait: -

(a) **At any time** in the side of length of road specified in **Column One** of **Schedule Two** to this Order to the extent specified in **Column Two** of the said Schedule.

(b) **Between the hours of 7.00 a.m. and 7.00 p.m. on Mondays to Saturdays inclusive**, in the side of length of road specified in **Column One** of **Schedule Three** to this Order, to the extent specified in **Column Two** of the said Schedule: - for a longer period than **2 hours**; or (ii) if a period of less than **1 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.

(c) **Between the hours of 9.30 a.m. and 6.00 p.m. on Mondays to Saturdays inclusive**, in the side of lengths of road specified in **Column One** of **Schedule Four** to this Order, to the extent specified in **Column Two** of the said Schedule: - for a longer period than **2 hours**; or (ii) if a period of less than **1 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.

(d) **For the purpose of loading and unloading goods between the hours of 7.00 a.m. and 9.30 a.m. on Mondays to Saturdays inclusive**, in the side of lengths of road specified in **Column One** of **Schedule Five** to this Order, to the extents specified in **Column Two** of the said Schedule.

Section Four – The Exemptions From The Waiting & Loading and Unloading Restrictions To This Order

6. (1) Nothing in **Article 5(a), 5(b), 5(c) or 5(d)** shall render it unlawful to cause or permit any vehicle to wait in **the said sides 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 lengths of roads**; (iv) the laying, erection, alteration or repair in, or in land adjacent to, **the said sides 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 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 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 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**";

6. (2) Nothing in **Article 5(a), 5(b) or 5(c)** shall render it unlawful to cause or permit any vehicle to wait in **the said road or length of road** referred to in that Article, 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 5(a), 5(b), 5(c) or 5(d)** 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 Five – The Disabled Persons Parking Place To This Order

7. (1) The part of the road specified in **Column One** of the **Schedule Six** to this Order: - (a) is authorised to be used, subject to the following provisions of this Order, as a parking place for such classes of vehicles, in such positions and on such days and during such hours as are specified in relation to that part of road in the said **Schedule**; and (b) is designated as a parking place for disabled persons' vehicles which display, for a period not exceeding three hours, a valid disabled person's badge and parking disc/clock in the form prescribed in accordance with **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 that same vehicle is to be used by a disabled person whose badge and parking disc/clock is correctly on display in the manner prescribed in the **Department for Transport's** guidebook, "**The Blue Badge Scheme: Rights And Responsibilities In England**"; and

7.(2) Nothing in **paragraph (1)** of this **Article** shall restrict the power of the Council, for preventing obstruction of the streets, by Order on the occasion of any public procession, rejoicing or illumination, or where the streets are thronged or liable to be obstructed, to close any parking place.

8. Where in **Schedule Eight** to this Order, a parking place is described as available for vehicles of a specified class or in a specified position, the driver of a vehicle shall not permit it to wait in that parking place: - (a) unless it is of the specified class; or (b) in a position other than specified.

9. A driver of a vehicle shall not use a parking place: - (a) so as unreasonably to prevent access to any premises adjoining the road, or the use of the road by other persons or so as to be a nuisance; or (b) when for preventing obstruction of the streets, the Council shall by Order made on the occasion of any public procession, rejoicing or illumination, or when the streets are thronged or liable to be obstructed have closed that parking place and exhibited notice of such closing on or near the parking place.

10. The driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in position in the parking place, and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place.

11. No person shall use a vehicle, while it is in a parking place, in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of his or her skill or services.

12. Subject to the proviso hereto, when a vehicle is left in a parking place in contravention of any of the provisions contained in **Article 8** or in **Article 9** of this Order a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from that parking place; provided that when a vehicle is waiting in a parking place in contravention of the provision of **Article 8.(b)** of this Order, a person authorised in that behalf by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with that permission.

13. Any person removing a vehicle or altering its position by virtue of the last preceding **Article** of this Order may do so by towing or driving the vehicle or in such other manner as he or she may think necessary to enable him or her to remove it or alter its position, as the case may be.

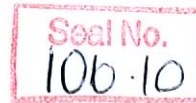
14. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of **Article 12** of this Order, he or she shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.

Section Six – Contravention Of The Order, Penalty Charge And Penalty Charge Notice

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

16. 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 12th day of November 2010.



ASSISTANT CITY SOLICITOR

Schedule One

Revocations

Column One	Column Two
The City Council of Liverpool (Allerton Road District Shopping Centre) (Revocation, One-Way Traffic, Prohibition and Restriction of Waiting, Prohibition and Restriction of Loading and Unloading and Prohibition Of 'U' Turn) Order, 1995.	In so far as it relates to: - (1) the Prohibition of Waiting at any time on Allerton Road Shops Service Road, southwest side, from its junction with Garthdale Road, for a distance of 5m either side; (2) the Prohibition of Waiting between 8.00 a.m.-9.30 a.m. & 4.30 p.m. - 6.00 p.m. on Mondays-Saturdays inclusive on Allerton Road, southwest side: - (i) from a point 5m southeast of its junction with Limesdale Road, in a southeasterly direction, to a point 5m northwest of its junction with Mapledale Road; (ii) from a point 5m southeast of its junction with Mapledale Road, in a southeasterly direction, to a point 5m northwest of its junction with Garthdale Road; and (iii) from a point 5m southeast of its junction with Garthdale Road, in a southeasterly direction, to a point 5m northwest of its junction with the southeast end of Allerton Road Shops Service Road; and (3) the Prohibition of Waiting for the purpose of Loading and Unloading between 8.00 a.m. - 9.30 a.m. & 4.30 p.m. - 6.00 p.m. on Mondays-Saturdays inclusive on Allerton Road, southeast side: - (i) from a point 5m southeast of its junction with Limesdale Road, in a southeasterly direction, to a point 5m northwest of its junction with Mapledale Road; (ii) from a point 5m southeast of its junction with Mapledale Road, in a southeasterly direction, to a point 5m northwest of its junction with Garthdale Road; and (iii) from a point 5m southeast of its junction with Garthdale Road, in a southeasterly direction, to a point 5m northwest of its junction with Mather Avenue.

Schedule One (CONTINUED)**Revocations**

Column One	Column Two
The City Council of Liverpool (Allerton Road District Shopping Centre) (Revocation, One-Way Traffic, Prohibition and Restriction of Waiting, Prohibition of Loading and Unloading and Prohibition of 'U' Turn) (Order 1995) (Amendment) Order, 1998.	In so far as it relates the Restriction of Waiting between 7.00 a.m. – 7.00 p.m. on Mondays-Saturdays inclusive for more than 2 hours (no return 1 hour) on: - (a) Allerton Road Shops Service Road, from a point 5m south east of its junction with Garthdale Road, in a south easterly direction, to its junction with Mather Avenue; (b) Allerton Road, southwest side – (i) from a point 5m southeast of its junction with Limesdale Road, in a southeasterly direction, to a point 5m northwest of its junction with Mapledale Road; (ii) from a point 5m southeast of its junction with Mapledale Road, in a southeasterly direction to a point 5m northwest of its junction with Garthdale Road; and (iii) from a point 5m southeast of its junction with Garthdale Road, in a southeasterly direction, to a point 5m northwest of its junction with the southeastern end of the Allerton Road Shops Service Road.

Schedule Two**Prohibition of Waiting at any time**

Column One	Column Two
Allerton Road Shops Service Road	south west side, from a point 2m north west of a point coincident with the gable end of N°180 Allerton Road Shops Service Road in a north westerly direction for a distance of 20m.

Schedule Three**Prohibition of Waiting between the hours of 7.00 a.m. and 7.00 p.m. on Mondays to Saturdays inclusive for a longer period than 2 hours (no return for 1 hour)**

Column One	Column Two
Allerton Road Shops Service Road	south west side, from a point 11m south east of a point coincident with the gable end of N°180 Allerton Road Shops Service Road, in a south easterly direction, for a distance of 58.5m, which has a width throughout of 1.4m

Schedule Four**Prohibition of Waiting between the hours of 9.30 a.m. and 6.00 p.m. on Mondays to Saturdays inclusive for a longer period than 2 hours (no return for 1 hour)**

Column One	Column Two
Allerton Road	south west side, from a point 5m south east of its junction with the following: - (a) Limesdale Road, in a south easterly direction, to a point 5m north west of its junction with Mapledale Road; (b) Mapledale Road, in a south easterly direction, to a point 5m north west of its junction with Garthdale Road; and (c) Garthdale Road, in a south easterly direction, to a point 5m north west of its junction with Mather Avenue

Schedule Five**Prohibition of Waiting for the purpose of loading and unloading goods between the hours of 7.00 a.m. and 9.30 a.m. on Mondays to Saturdays inclusive**

Column One	Column Two
Allerton Road	south west side, from a point 5m south east of its junction with the following: - (a) Limesdale Road, in a south easterly direction, to a point 5m north west of its junction with Mapledale Road; (b) Mapledale Road, in a south easterly direction, to a point 5m north west of its junction with Garthdale Road; and (c) Garthdale Road, in a south easterly direction, to a point 5m north west of its junction with Mather Avenue.

Schedule Six**Area of Highway designated as Disabled Persons' Parking Place**

The area described below in Column One being an area forming part of the carriageway of a specified highway, is a Designated Disabled Persons' Parking Place for the parking of a Disabled Person's Vehicle, displaying a Disabled Persons Badge by a Disabled Person

Location Of Parking Place	Number Of Parking Places	Special Manner Of Standing Of Vehicles In Parking Places	Hours Of Operation Of Parking Place	Maximum Period of Waiting Within Parking Place
Column One	Column Two	Column Three	Column Four	Column Five
Allerton Road Shops Service Road, south west side, from a point 11m south east of a point coincident with the gable end of N°180 Allerton Road Shops Service Road in a north westerly direction for a distance of 13m, which has a width throughout of 2.3m	Two	Parallel To Kerb	Twenty Four Hours A Day	Three Hours. Return prohibited within one hour.