

**Delegated Powers of the Assistant Director (Transportation):- Tuesday 22nd,
December 2010**



**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
(Wavertree Road, Picton Road & High Street)
(Revocation, Prohibition of Waiting, Prohibition of Loading and Unloading and
Reserved Bus Lane)
Order, 2011**

**Paul Evans,
City Solicitor,
Liverpool.**

**LS Ref N° ex-TRO 6365
TM/2020LL TRO N° TM 2994
ECM Ref N° 2052.320**



The City Council of Liverpool (Wavertree Road, Picton Road & High Street) (Revocation, Prohibition of Waiting, Prohibition of Loading and Unloading and Reserved Bus Lane) Order, 2011

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 14th day of February 2011 and may be cited as: - The City Council of Liverpool (Wavertree Road, Picton Road & High Street) (Revocation, Prohibition of Waiting, Prohibition of Loading and Unloading and Reserved Bus Lane) Order, 2011.

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;

"authorised vehicle" means a **coach, hackney carriage, licensed private hire vehicle, pedal cycle, public service vehicle**, a vehicle being used by the **Police, Ambulance, Fire Service or Statutory Services, Postal Operator and Local Authority** in pursuance with their essential duties or any vehicle being used by **Her Majesty's Prison Service or their contractors** for the transportation of prisoners.

"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.

"coach" means a public service vehicle but excluding such a vehicle when it is being used to operate a local service as defined by **The Transport Act 1985;**

"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 stand” means any area of carriageway designated as such by the Council under **Section 63 of 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**;

"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.

“pedal cycle” means a pedal bicycle or pedal tricycle, not being in either case a motor vehicle;

“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.

“public service vehicle” means a motor vehicle (other than a tram car) which is being used to operate a local service as defined by **The Transport Act 1985**, 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;

“reserved bus lane” means any area of the carriageway bounded on the side kerbline of that carriageway as described in **Article 9** to this Order, and, where that side kerbline is broken by the junction of that road with another road, access way or parking layby, by the opposite side by a road marking complying with **diagram 1049** in **Schedule 6** to **The Traffic Signs Regulations and General Directions 2002**, broken only by the gap opposite the junction of that road on the side of length of road with another road or an access way, by a crossing for foot passengers marked on the road in accordance with Regulations made under **Section 25** of the Act of 1984, or by a street refuge.

“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 is a reference to the Article 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 – Revocation of an Existing Traffic Regulation Order In Part Which Is Necessary To Accommodate This Order

4. **The City Council of Liverpool (B5178 O.P.I.U.M. Bus Corridor) (Wavertree Road, Picton Road, High Street and Childwall Valley Road) (Revocation, Reserved Bus Lane, Prohibition and Restriction of Waiting, Prohibition of Loading and Unloading, Bus Stop Clear Way and Prohibition of Right Turn) Order, 1998**, is hereby revoked in so far as it relates to Wavertree Road, Picton Road and High Street.

Section Three – The Prohibition Of Waiting and Prohibition Of Loading and Unloading To This Order

5. 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 the entire lengths of: - **Wavertree Road, Picton Road and High Street**.

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 for the purposes of loading and unloading goods between the hours of **7.00 a.m.** up to and including **7.00 p.m.** on **Mondays to Saturdays** inclusive on **Wavertree Road (south side)** from its junction with Overton Street in a south easterly direction to its junction with Nelson Road.

7. 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 for the purposes of loading and unloading goods between the hours of **7.30 a.m.** up to and including **9.30 a.m.** on and again between the hours of **4.00 p.m.** up to

and including **6.30 p.m.** on **Mondays to Saturdays** inclusive on: - (1) **Wavertree Road - (a) (north side)** for its entirety length; (b) **(south side)** from its junction with Holland Place in a south easterly direction to its junction with Overton Street; (c) **(south side)** from its junction with Nelson Road in a south easterly direction to its junction with Picton Road; (2) **Picton Road** - for its entirety length; and (3) **High Street** - for its entirety length.

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

8. (1) Nothing in **Articles 5 to 7 inclusive** 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 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 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;

8. (3) Nothing in **Article 5 to 7 inclusive** 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 Reserved Bus Lanes To This Order

9. 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, other than a public service vehicle, coach, pedal cycle, hackney carriage, licensed private hire vehicle, a vehicle being used by the Police, Ambulance, Fire Service or Statutory Services, Postal

Operator and Local Authority in pursuance with their essential duties or any vehicle being used by Her Majesty's Prison Service or their contractors for the transportation of prisoners to enter, proceed or wait (**between the hours stated in brackets**) on **Mondays to Fridays inclusive** in the reserved bus lane other than for the purposes of crossing it on:

- (1) **High Street (west bound)** from its junction with Church Road North in a westerly direction to a point 7.5m south east of Glynn Street (**7:30 a.m. to 9.30 a.m.**); (2) **Wavertree Road** – (a) (**south east bound**) from its junction with Martensen Street in a south easterly direction to a point 2.5m north west of the projected western kerbline of Uxbridge Street (**4:00 p.m. to 6.30 p.m.**); and (b) (**south east bound**) from a point 110m north west of its junction with Combermere Street in a south easterly direction to its junction with Picton Road (**4:00 p.m. to 6.30 p.m.**); and (3) **Picton Road** – (a) (**south east bound**) from its junction with Wavertree Road in a south easterly direction to a point 16m north west of Larkfield View (**4:00 p.m. to 6.30 p.m.**); and (b) (**south east bound**) from a point 25m north west of its junction with Tiverton Street in a south easterly direction to a point 10.5m north west of its junction with Stevenson Street (**4:00 p.m. to 6.30 p.m.**).

GIVEN under the Common Seal of the Council of the City of Liverpool this 11th day of February 2011.



ASSISTANT CITY SOLICITOR

