

REF NO.: 2317

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**Delegated Powers Of The Head Of Planning, Transportation and
Building Surveying:- Monday 28th, February 2000**



The City of Liverpool

**ROAD TRAFFIC REGULATION ACT 1984
SECTIONS 1(1) AND (2), 2(1) TO (3), 32(1) AND 35(1)**

**THE CITY COUNCIL OF LIVERPOOL
(WELLINGTON ROAD)
(DISABLED PERSONS' PARKING PLACES)
ORDER, 2001.**

**GRAEME CREER,
CITY SOLICITOR,
LIVERPOOL.**

**LSA REF N° 3152
DC TRO N° TM 2317
ECM REF N° 1109.52**

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The City of Liverpool

**THE CITY COUNCIL OF LIVERPOOL
(WELLINGTON ROAD)
(DISABLED PERSONS' PARKING PLACES)
ORDER, 2001.**

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), 32(1) and 35(1)** 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:-

1. This Order shall come into operation on the **18th day of July 2001** and may be cited as:-

**THE CITY COUNCIL OF LIVERPOOL
(WELLINGTON ROAD)
(DISABLED PERSONS' PARKING PLACES)
ORDER, 2001.**

2.(1) In this Order:-

"**authorised cab rank**" means any area of carriageway which is comprised with and indicated by a road marking complying with **diagram 1028.1 in Schedule 2 of The Traffic Signs Regulations and General Directions, 1981**;

"**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 5 of The Disabled Persons (Badges for Motor Vehicles) Regulations, 1982**; **Regulation 6 of The**

Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations 1991; and Regulation 2(1) of the The Disabled Persons (Badges for Motor Vehicles) (England) Regulations, 2000;

"disabled person's badge" has the same meaning as in **Regulation 3(1) of The Disabled Persons (Badges for Motor Vehicles) Regulations 1982; Regulation 6 of The Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations 1991; and Regulation 2(1) of the The Disabled Persons (Badges for Motor Vehicles) (England) Regulations, 2000;**

"disabled person's vehicle" means a vehicle lawfully displaying 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 **Regulation 3 of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England & Wales) Regulations 1986** 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 waiting in a parking place, means the person driving the vehicle at the time it was left in the parking place;

"hackney carriage" has the same meaning as in **Section 38(1) of the Vehicles (Excise) Act 1971; and**

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

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.(1) Each of the parts of roads specified in **Column One** of the **Schedule** 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

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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 and may be used by any person who holds a disabled driver's or passenger's badge issued in accordance with **The Disabled Persons (Badges for Motor Vehicles) Regulations 1982**; **Regulation 6 of The Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations 1991**; and **Regulation 2(1) of the The Disabled Persons (Badges for Motor Vehicles) (England) Regulations, 2000**.

3.(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.

Schedule			
Area of Highway designated as Disabled Persons' Parking Places, each 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			
Location Of Parking Place	Special Manner Of Standing Of Vehicles In Parking Places	Hours Of Operation Of Lay-by	Maximum Period of Waiting within Parking Lay-by
Column One	Column Two	Column Three	Column Four
All that part of the <u>north west side of Wellington Road</u> , bounded on its north west side by so much of the edge of that highway as extends from a point 9.6 metres south west of its junction with Park Road, in a south westerly direction, for a distance of 16.8 metres, and has a width throughout of 3.6 metres.	Parallel to the kerb.	Twenty-four hours a day.	One hour within any two hour period.

4. Where in the **Schedule** 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.

5. A driver of a vehicle shall not use a parking place: -

(a) so as unreasonably to prevent access to ant 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.

6. 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.

7. 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.

8. Subject to the proviso hereto, when a vehicle is left in a parking place in contravention of any of the provisions contained in **Article 4** or in **Article 5** 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 4.(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.

9. Any person removing a vehicle or altering its position by virtue of the last preceeding **Article** of this Order may do so by towing or driving the vehicle or in such other manner as he or she may think

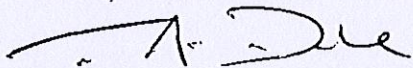
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necessary to enable him or her to remove it or alter its position, as the case may be.

10. 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 8** of this Order, he or she shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.

11. 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.

GIVEN under the Common Seal of the Council
of the City of Liverpool this 17th day of July 2001.



for **GRAEME CREER**
CITY SOLICITOR

Seal No.
171-01

