



**The Road Traffic Regulation Act 1984
Sections 1(1) and (2), 2(1) to (3), 4(2), 45 to 53 and Part IV of Schedule 9**

**The City Council of Liverpool
(Rose Lane & Pitville Avenue)
(Revocation & Variation, Prohibition of Waiting, Parking Place for Goods Vehicle
Loading/Unloading Only & Limited Waiting Parking Places)
Order, 2015**

**Jeanette McLoughlin,
City Solicitor,
Liverpool.**

**LS Ref N° ex-TRO 8969
TM TRO N° TM 3230
ECM Ref N° 2052.2226**



(Rose Lane & Pitville Avenue) (Revocation & Variation, Prohibition of Waiting, Parking Place for Goods Vehicle Loading/Unloading Only & Limited Waiting Parking Places) Order, 2015

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), 45 to 53 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 7th day of December 2015 and may be cited as: - The City Council of Liverpool (Rose Lane & Pitville Avenue) (Revocation & Variation, Prohibition of Waiting, Parking Place for Goods Vehicle Loading/Unloading Only & Limited Waiting Parking Places) Order, 2015.

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.

"goods" includes a postal packet of any description.

"goods vehicle" means a motor vehicle constructed or adapted for use for the carriage of goods or burden of any description or a trailer so constructed or adapted.

"goods vehicle loading and unloading only parking place" means any area of highway described in **Schedule 1** of this Order.

"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**.

"limited waiting parking place" means any area of highway described in **Schedule 2** of this Order.

"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.

"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**.

"trailer" means a vehicle other than a motor vehicle.

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 Revocations Or Variation Of Existing Traffic Regulation Orders, In Full Or In Part, That Are Necessary To Accommodate This Order

4. **The City of Liverpool (Bridge Road/Rose Lane) (Prohibition of Waiting and Restriction of Waiting) Order, 1973**, is hereby revoked insofar as it relates to the prohibition of waiting on **Rose Lane, north side**, from its junction with Bridge Road to a point 18m east of that junction.

5. **The City Council of Liverpool (Rose Lane) (No Waiting) Order, 1967**, is hereby revoked in its entirety.

6. **The City Council of Liverpool (Pitville Avenue) (Prohibition of Waiting) Order, 1986**, is hereby revoked in its entirety.

7. Furthermore, and **in isolation** to **Articles 4, 5 and 6** above, **The City Council of Liverpool (Rose Lane Area) (Prohibition of Waiting) Order, 2009**, is hereby varied by: - (1) the omission of the existing prohibition of waiting at any time on **Rose Lane**: - (a) **north west side**, from a point 10m south west of its junction with Palmerston Road; & (b) **south east side**, from a point 8m north easterly of its junction with Avonmore Road to a point 8m south westerly of its junction with Avonmore Road; & (2) the inclusion of the new prohibition of waiting at any time on **Rose Lane**: - (a) **north west side**, from its junction with Palmerston Road to a point 10m south west of that junction; & (b) **south east side**, from a point 8m north easterly of its junction with Avonmore Avenue to a point 8m south westerly of its junction with Avonmore Avenue.

Section Three – The Prohibition Of Waiting Restrictions To This Order

8. Save as provided in **Article 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 to wait at any time on: - (1) **Pitville Avenue** - (a) **north east side**, from its junction with Rose Lane for a distance of 23m in a south easterly direction; & (b) **south west side**, from its junction with Rose Lane for a distance of 5m in a south easterly direction; & (2) **Rose Lane** - (a) **north west side**, (i) from a point 18m north east of its junction with Bridge Road for a distance of 33.8m in a north easterly direction; (ii) from its junction with Bridge Road for a distance of 44.2m in a south westerly direction; & (b) **south east side**, from a point 42.7m south west of its junction with Pitville Avenue for a distance of 142.2m in a north easterly direction.

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

9. (1) Nothing in **Article 8** shall render it unlawful to cause or permit any vehicle to wait in **the said sides of lengths of roads** referred to in that Article, 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 be used in connection with any wedding or funeral; (f) the vehicle to be used for fire brigade, ambulance or police purposes; or (g) 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**";

9. (2) Nothing in **Article 8** shall render it unlawful to cause or permit any vehicle to wait in **the said sides of lengths of roads** 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;

9. (3) Nothing in **Article 8** 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 – Parking Place For Goods Vehicles For Loading And Unloading Only

10. No person shall leave a vehicle at any time at a Goods Vehicle Loading and Unloading Only Parking Place:-

(i) Other than a Goods Vehicle which is left at such a Goods Vehicle Loading and Unloading Only Parking Place for the purpose of loading and/or unloading goods; and

(ii) Unless the Goods Vehicle is left at the Goods Vehicle Loading and Unloading Only Parking Place specified in **Column 1** of **Schedule 1** of this Order during the hours specified in the corresponding part of **Column 4** of **Schedule 1** of this Order during the days specified in the corresponding part of **Column 3** of **Schedule 1** of this Order, for a maximum period not exceeding that specified in **Column 5** of **Schedule 1** of this Order, and if a period of time less than that specified in **Column 6** of **Schedule 1** of this Order has elapsed since the termination during the said hours of the last period of loading and/or unloading (if any) by that vehicle on the same side of length of road.

(iii) During the maximum period for which goods vehicles may load and/or unload goods the driver, or other person in charge of a vehicle using a Goods Vehicle Loading and Unloading Only Parking Place, shall not cause such vehicle to wait thereon during the hours of operation other than whilst goods are being continuously loaded or unloaded from the vehicle.

Section Six – Limited Waiting Parking Places

11. Any person may leave a vehicle at any designated limited waiting parking place in **Schedule 2** to this Order in the roads or lengths of roads, special manner of standing, during the permitted days and hours and for the maximum duration of stay contained in **Columns 1, 2, 3, 4 & 5** of the said Schedule.

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

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

13. 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 1st day of December 2015.

Principal
ASSISTANT CITY SOLICITOR



Seal No.
125-15

Schedule 1

Areas Of Highway Designated As Parking Place For Goods Vehicles For Loading and Unloading Only.

Each area described below in Column 1 being an area forming part of a specific highway is designated as a Parking Place For Goods Vehicles For Loading and Unloading Only

Part Of Road Authorised To Be Used As Parking Place For Goods Vehicles For Loading And Unloading Only	Special Manner of Standing of Vehicles in Parking Place	Days Of Operation Of Parking Place	Hours Of Operation Of Parking Place	Maximum Period For Which Vehicles May Load And/Or Unload	No Return For A Period Of
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Rose Lane, south east side , from a point 35m north east of its junction with Pitville Avenue for a distance of 10m in a north easterly direction and having a width throughout of 2.4m.	Parallel to kerb	Monday to Sunday	24 Hours	30 Minutes	No return within 1 hour

Schedule 2

Areas of Highway Designated as Limited Waiting Parking Places
Areas of Highway Designated as Parking Places, each area described below in this column being an area forming part of the carriageway of a specified highway, is a Limited Waiting Parking Place

Column 1	Column 2	Column 3	Column 4	Column 5
Road/ Part Of Road Forming Part Of A Specific Highway Designated As A Limited Waiting Parking Place	Special Manner of Standing of Vehicles in Parking Place	Permitted Days	Permitted Hours	Maximum Duration Of Stay
Rose Lane, north west side , from its junction with Bridge Road to a point 18m north east of that junction and having a width throughout of 2m.	Parallel to kerb	Monday to Sunday	8am – 6pm	30 Minutes. No return within 1 hour

Schedule 2 (CONTINUED)

Areas of Highway Designated as Limited Waiting Parking Places
Areas of Highway Designated as Parking Places, each area described below in this column being an area forming part of the carriageway of a specified highway, is a Limited Waiting Parking Place

Column 1	Column 2	Column 3	Column 4	Column 5
Road/ Part Of Road Forming Part Of A Specific Highway Designated As A Limited Waiting Parking Place	Special Manner of Standing of Vehicles in Parking Place	Permitted Days	Permitted Hours	Maximum Duration Of Stay
Pitville Avenue, south west side, from a point 5m south east of its junction with Rose Lane for a distance of 12m and having a width throughout of 2m	Parallel to kerb	Monday to Sunday	8am – 6pm	30 Minutes. No return within 1 hour