

**Delegated Powers of the Assistant Director (Transportation):- Tuesday 7<sup>th</sup> October 2014 (Experimental) & Monday 21<sup>st</sup> March 2016 (Permanent)**



**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 (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, 2016**

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

**LS Ref N° TRO 8594  
TM TRO N° TM 3201  
ECM Ref N° 2052.1823**



**(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, 2016**

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

**Commencement, Citation & General Articles**

1. This Order shall come into operation on the **2<sup>nd</sup> day of May 2016** and may be cited as: - **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, 2016.**
2. This Order shall make permanent the effect of **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) (Experimental) Order, 2014**, that was initially made under **Section 9** of the Act of 1984 and came into operation on the **3<sup>rd</sup> day of November 2014** for a maximum period of up to eighteen months and which would have expired on the **2<sup>nd</sup> day of May 2016**.
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.
4. In this Order, the "**Order of 1995**" means **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**, as amended.

**Variation Of The Order Of 1995 As Respects Article 3 (Interpretations)**

5. The **Order of 1995** shall have effect as though in **Article 3 (Interpretations)**: -

(a) The existing interpretation of "**Disabled Person**" and "**Disabled Person's Badge**" and were substituted by the new interpretation of "**Disabled Person**" and "**Disabled Person's Badge**" as specified below/overleaf in this Order: -

*"Disabled Person" means a disabled person of a description prescribed by **Regulation 5 of The Disabled Persons (Badges for Motor Vehicles) Regulations 1982** as amended by **Regulation 6 of The Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations 1991**.*

*"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.*

(b) The new interpretation of "**Goods Vehicle**", "**Goods Vehicle Loading and Unloading Only Bay**" and "**Loading and Unloading**" were included as specified below in this Order: -

*"Goods Vehicle" means a motor vehicle or trailer constructed or adapted for use for the carriage or haulage of goods or burden of any description.*

**"Goods Vehicle Loading and Unloading Only Bay"** means any area of highway described in **Schedule 10** 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.

6. Except where otherwise stated, any reference in this **Traffic Regulation Order** to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this **Traffic Regulation Order**.

**Variation Of The Order Of 1995 As Respects The New Article 12A (Parking Places For Goods Vehicles For Loading And Unloading Only)**

7. The **Order of 1995** shall have effect as though the new **Article 12A (Parking Places For Goods Vehicles For Loading And Unloading Only)** was included as specified below in this Order: -

**Parking Places For Goods Vehicles For Loading and Unloading Only**

12A. No person shall leave a vehicle at any time at a Goods Vehicle Loading and Unloading Only Bay:- (i) Other than a Goods Vehicle which is left at such a Goods Vehicle Loading and Unloading Only Bay 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 Bay specified in **Column 1** of **Schedule 10** of this Order during the hours specified in the corresponding part of **Column 4** of **Schedule 10** of this Order during the days specified in the corresponding part of **Column 3** of **Schedule 10** of this Order, for a maximum period not exceeding that specified in **Column 5** of **Schedule 10** of this Order, and if a period of time less than that specified in **Column 6** of **Schedule 10** 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; and (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 loading bay, 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.

**Variation Of The Order Of 1995 As Respects Article 13 (Exemptions)**

8. The **Order of 1995** shall have effect as though the existing **Article 13 (Exemptions)** was substituted by the new **Article 13 (Exemptions)** as specified below/overleaf in this Order:-

13. (1) Nothing in **Articles 5 to 11** inclusive shall render it unlawful to cause or permit any vehicle to wait in the said lengths of roads or sides lengths of roads referred to 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 lengths of roads or sides lengths of roads; (iv) the laying, erection, alteration or repair in, or in land adjacent to, the said lengths of roads or 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 or a water 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 lengths of roads or sides 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 purpose; (g) the vehicle which, for a period not exceeding three hours (no return within one hour), displays a

valid disabled person's badge and parking disc/clock and that same vehicle is to be used by a disabled person as defined in **The Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 2000** 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**"(excluding **Articles 10 and 11**);

13. (2) Nothing in **Articles 5 to 9** shall render it unlawful to cause or permit any vehicle to wait in the said lengths of roads or sides 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.

13. (3) Nothing in **Articles 5 to 11** 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.

**Variation Of The Order Of 1995 As Respects Roads And Parts Of Roads In Which Waiting Is Prohibited For The Purpose Of Loading And Unloading For Twenty Four Hours Each Day**

9. The **Order of 1995** shall have effect as though in **Schedule 8: -**

(a) The existing loading and unloading restriction was omitted from the Order as specified in **Schedule 1** to this Order.

(b) The new loading and unloading restriction was included as specified in **Schedule 2** to this Order.

**Variation The Order Of 1995 As Respects Areas Of Highway Designated As Parking Places For Goods Vehicles For Loading And Unloading Only**

10. The **Order of 1995** shall have effect as though in the new **Schedule 10** the new parking place for goods vehicles for loading and unloading only was included as specified in **Schedule 3** to this Order.

**Contravention Of The Order, Penalty Charge And Penalty Charge Notice**

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

12. 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 19<sup>th</sup> day of April 2016.**

  
PRINCIPAL  
ASSISTANT CITY SOLICITOR



<b>Schedule 1</b> <b>Roads And Parts Of Roads In Which Waiting Is Prohibited For The Purpose Of Loading And Unloading For Twenty Four Hours Each Day</b>	
<b>OMISSION from Schedule 8 of the Order of 1995</b>	
Allerton Road (north east side)	from a point 5m southeast of its junction with Plattsville Road, in a north westerly direction, to a point 42.7m north west of that junction

<b>Schedule 2</b> <b>Roads And Parts Of Roads In Which Waiting Is Prohibited For The Purpose Of Loading And Unloading For Twenty Four Hours Each Day</b>	
<b>INCLUSION into Schedule 8 of the Order of 1995</b>	
Allerton Road (north east side)	from a point 5m south east of its junction with Plattsville Road, to a point of 3.4m north west of that junction

<b>Schedule 3</b> <b>Areas Of Highway Designated As Parking Places For Goods Vehicles For Loading And Unloading Only</b>					
<b>Each area described below in Column 1 being an area forming part of the carriageway of a specified highway is a Parking Place For Goods Vehicles For Loading And Unloading Only</b>					
<b>INCLUSIONS into the new Schedule 10 of the Order of 1995</b>					
<b>Part Of Road Authorised To Be Used As Parking Places For Goods Vehicles For Loading And Unloading Only</b>	<b>Position In Which Vehicles May Wait</b>	<b>Days Of Operation Of Parking Place</b>	<b>Hours Of Operation Of Parking Place</b>	<b>Maximum Period For Which Vehicles May Load And/Or Unload</b>	<b>No Return For A Period Of</b>
Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6
Allerton Road (north east side) from a point 3.4m north west of its junction with Plattsville Road for a distance of 15m in a north westerly direction and having a width throughout of 2.4m	Parallel To kerb	Monday to Sunday	24 Hours	30 Minutes	1 Hour