



**The Road Traffic Regulation Act 1984 –  
Sections 1, 2, 3, 4, 9, 19, 32, 35, 38, 45, 46, 47,  
48, 49, 50, 51, 52, 53 and Part IV of Schedule 9**

**The Parking Places and Controlled Parking Zone  
(Liverpool) (Order 2009) (Variation N°78) Order, 2016**

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

**LS Ref N° ex-TRO 9037A  
TM TRO N° TM 3273  
ECM Ref N° 2081.95**

The City Council of Liverpool (hereinafter referred to as "**the Council**") in exercise of its powers under **Sections 1, 2, 3, 4, 9, 19, 32, 35, 38, 45, 46, 47, 48, 49, 50, 51, 52, 53** and **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:-

### **1. Commencement and Citation**

**This Order shall come into operation on the 10<sup>th</sup> day of October 2016 and may be cited as: - The Parking Places And Controlled Parking Zone (Liverpool) (Order 2009) (Variation N°78) Order, 2016.**

### **2. Interpretation**

(1) In this Order except where the context otherwise requires, the several words and expressions for which meanings are assigned by the Order of 2009 shall have the same respective meaning.

(2) Furthermore, in this Order the expression "**Order of 2009**" means **The Parking Places And Controlled Parking Zone (Liverpool) Order 2009**, as amended.

**NOTE:** *Articles 3 to 7 inclusive of this Order are not part of the **Great Newton Street Area Scheme**, and are **various additional article revisions** to the Order of 2009, in respect of the existing **Phone and Pay system** ... Only **Articles 8 and 9** and **Schedules 1 and 2** of this Order, relate to the **Great Newton Street Area Scheme** ...*

### **Variation Of The Order Of 2009 As Respects Arrangement Of Articles**

3. The Order of 2009 shall have effect as though the **Arrangement of Articles** the existing **Article 34 (Amount of Initial Charge – Inner/Outer Zone)** and **Article 35 (Payment of Initial Charge)** were substituted by the new **Article 34 (Amount of Parking Charge – Inner/Outer Zone)** and **Article 35 (Payment of Parking Charge)** as specified below in this Order: -

<b>Article N°</b>	<b>Part III Provisions As To Pay And Display Parking Places And Multi- Use Parking Places</b>	<b>Page(s)</b>
34	Amount of <b>Parking</b> Charge – Inner/Outer Zone	??
35	Payment of <b>Parking</b> Charge	??

### **Variation Of The Order Of 2009 As Respects Article 2 (Interpretation)**

4. The Order of 2009 shall have effect as though in **Article 2 (Interpretation)** the existing interpretations of "**Initial Charge**", "**Initial Period**" and "**Phone-and-Pay**" were substituted by the new interpretations of "**Parking Charge**", "**Initial Period**" and "**Phone-and-Pay**" as specified below/overleaf in this Order: -

**"Initial Period"** means the period of time specified in Column 1 of Article 34.1, 34.2 and 34.3 which corresponds to the amount of the **Parking** Charge specified in Column 2 of Article 34.1, 34.2 and 34.3 respectively.

**"Parking Charge"** means the sum specified in Article 34.



**"Phone-and-Pay"** means a system of payment whereby the **Parking Charge**, levied under Article 34 of this Order, (and any appropriate administration charge) is collected by a City Council appointed service provider in accordance with instructions indicated on signs located at on-street parking places where the system is operational, via an arranged account, with payment being made over a mobile telephone or by other electronic system (including via the internet) by credit or debit card or any other means of secure authorised payment, to facilitate a cashless and ticketless parking transaction.

### **Variation Of The Order Of 2009 As Respects PART II RESTRICTION OF USE OF PARKING PLACES**

5. The Order of 2009 shall have effect as though the existing **Articles 4 to 9 (Pay and Display Parking Places)** and **Articles 10 to 15 (Multi Use Parking Places)** were substituted by the new **Articles 4 to 9 (Pay and Display Parking Places)** and **Articles 10 to 15 (Multi Use Parking Places)** as specified below/overleaf in this Order:-

#### **Pay and Display Parking Places**

4. No person shall leave a vehicle other than a Passenger Vehicle Dual Purpose Vehicle, Light Goods Vehicle, Motor Cycle with a side car fitted or Invalid Carriage at any Pay and Display Parking Place during the Permitted Hours.

5. No person shall leave a vehicle in a Pay and Display Parking Place at any time during the Permitted Hours unless he:-

5.1. has paid the **Parking Charge**, relevant for that parking place, as specified in Article 34 in accordance with Article 35 and displays the valid Parking Ticket on that vehicle in accordance with Article 36; or

5.2. is the holder of a valid Disabled Persons Badge which has been issued to him and he displays such Badge on that vehicle in accordance with Article 62.

6. In the event that a person leaves a vehicle in a Pay and Display Parking Place at any time outside the Permitted Hours and that vehicle remains at that Pay and Display Parking Place at the commencement of the next Permitted Hours that person shall then:-

6.1. pay the **Parking Charge** specified in Article 34 in accordance with the provisions of Article 35 and displays the Parking Ticket on that vehicle in accordance with Article 36; or

6.2. display a valid Disabled Persons Badge on that vehicle in accordance with Article 62.

7. Subject to the exceptions set out in Article 9 no person shall leave a vehicle at a Pay and Display Parking Place during the Permitted Hours for a period exceeding: - (a) 4 hours in respect of a Pay and Display Parking Place specified in Part I of Schedule 1; and (b) 4 hours in respect of a Long Stay Pay and Display Parking Place specified in Part III of Schedule 1.

8. Subject to the exceptions set out in Article 9 where a vehicle has been left at a Pay and Display Parking Place during the Permitted Hours and is then taken away from that Parking Place, the vehicle shall not be left at that Parking Place again until one hour has elapsed from the time at which the vehicle was taken away from that Parking Place or the Permitted Hours have expired whichever is the earlier.

9. The restrictions as to the maximum length of time for which a vehicle may be left in a Pay and Display Parking Place specified in Article 7 and the restrictions on returning to a Pay and Display Parking Place specified in Article 8 shall not apply to vehicles on which a valid Disabled Persons Badge is displayed in accordance with Article 62.



### Multi Use Parking Places

10. No person shall leave a vehicle other than a Passenger Vehicle, Light Goods Vehicle, Motor Cycle with a side car fitted or Invalid Carriage at any Multi Use Parking Place.

11. No person shall leave a vehicle in a Multi Use Parking Place at any time during the Permitted Hours unless he:-

11.1 has paid the **Parking** Charge specified in Article 34 in accordance with the provisions of Article 35 and displays the Parking Ticket on that vehicle in accordance with Article 36; or

11.2 is the holder of a valid Disabled Persons Badge and he displays such Badge on that vehicle in accordance with Article 62; or

11.3 is the holder of a valid Residents Parking Permit or a valid Business Parking Permit or a valid Carers Parking Permit or a valid Visitors Parking Permit in respect of the Parking Place at which the vehicle is left and he displays such Permit on that vehicle in accordance with Article 61.

11.4. is the holder of a valid Visitors Parking Voucher or a valid Business Visitor Parking Voucher (in the Baltic Triangle and the Prescott Street Areas only) in respect of the Parking Place at which the vehicle is left and he has validated and displays such Voucher in accordance with Article 63.

12. In the event that a person leaves a vehicle in a Multi Use Parking Place at any time outside the Permitted Hours and that vehicle remains at that Parking Place at the commencement of the next Permitted Hours that person shall then:-

12.1 pay the **Parking** Charge specified in Article 34 in accordance with the provisions of Article 35 and display the Parking Ticket on that vehicle in accordance with Article 36; or

12.2 display a valid Disabled Persons Badge on that vehicle in accordance with Article 62; or

12.3 display a valid Residents Parking Permit or a valid Business Parking Permit or a valid Carers Parking Permit or a valid Visitors Parking Permit which has been issued to him in respect of the Parking Place at which the permit is left on that vehicle in accordance with Article 61; or

12.4 validate and display a Visitors Parking Voucher or Business Visitor Parking Voucher (in the Baltic Triangle and the Prescott Street Areas only) which has been issued to him in respect of the parking place at which the voucher is left on that vehicle in accordance with Article 63.

13. Subject to the exceptions set out in Article 15 no person shall leave a vehicle at a Multi Use Parking Place during the Permitted Hours for a period exceeding 2 hours.

14. Subject to the exceptions set out in Article 15 where a vehicle has been left in a Multi Use Parking Place during the Permitted Hours and is then taken away from that Parking Place the vehicle shall not be left at that Parking Place again until one hour has elapsed from the time at which the vehicle was taken away from that Parking Place or the Permitted Hours have expired whichever is the earlier.

15. The restrictions as to the maximum length of time for which a vehicle may be left in a Multi Use Parking Place as specified in Article 13 and the restrictions on returning to a



Multi Use Parking Place specified in Article 14 shall not apply to vehicles on which there is displayed:-

15.1 a valid Disabled Persons Badge in accordance with Article 62;

15.2 a valid Residents Parking Permit or Carers Parking Permit or Business Parking Permit or a valid Visitors Parking Permit authorising that vehicle to park at the parking place at which the vehicle has been left in accordance with Article 61; and

15.3 a valid Visitors Parking Voucher or Business Visitors Parking Voucher (in the Baltic Triangle and the Prescott Street Areas only) authorising that vehicle to park at the Parking Place during the period for which the vehicle has been left there in accordance with Article 63.

**Variation Of The Order Of 2009 As Respects PART III PROVISIONS AS TO PAY AND DISPLAY PARKING PLACES AND MULTI-USE PARKING PLACES**

6. The Order of 2009 shall have effect as though the existing **Article 34 (Amount of Initial Charge etc. ...)**, **Article 35 (Payment Of Initial Charge)**, **Article 36 (Display of Parking Ticket)**, **Article 37 (Not to insert further coins)** and **Article 38 (Penalty Charge)** were substituted by the new **Article 34 (Amount of Parking Charge etc. ...)**, **Article 35 (Payment Of Parking Charge)**, **Article 36 (Display of Parking Ticket)**, **Article 37 (Not to insert further coins)** and **Article 38 (Penalty Charge)** as specified below/overleaf in this Order:-

**34. Amount of Parking Charge – For Pay and Display Parking Places In The Inner Zone - Mondays to Sundays**

34.1 The **Parking** Charge payable for a vehicle to be left at a Pay and Display Parking Place specified in Part I of Schedule 1 to this Order, during the permitted hours, for a period not exceeding that specified in Column 1 below shall be the sum specified in the corresponding part of Column 2 overleaf:-

<b>Column 1 – Initial Period</b>	<b>Column 2 – Parking Charge</b>
30 minutes	£1.00
1 hour	£2.00
1 hour and 30 minutes	£3.00
2 hours	£4.00
4 hours	£5.00

**34. Amount of Parking Charge – For Multi-Use Parking Places In The Outer Zone - Mondays to Sundays**

34.2. The **Parking** Charge payable for a vehicle to be left at a Pay and Display Parking Machine in a Multi-Use Parking Place specified in Part II of Schedule 1 to this Order, during the permitted hours, for a period not exceeding that specified in Column 1 below shall be the sum specified in the corresponding part of Column 2 below:-

<b>Column 1 – Initial Period</b>	<b>Column 2 – Parking Charge</b>
30 minutes	£1.10
1 hour	£2.20
1 hour and 30 minutes	£3.30
2 hours	£4.40



**34. Amount of Parking Charge – For Long Stay Pay And Display Parking Places (Up To A Maximum Of Four Hours) In The Outer Zone - Mondays to Sundays**

34.3. The **Parking** Charge payable for a vehicle to be left at a Long Stay Pay and Display Parking Place specified in Part III of Schedule 1 to this Order, during the permitted hours, for a period not exceeding that specified in Column 1 below shall be the sum specified in the corresponding part of Column 2 below:-

<b>Column 1 – Initial Period</b>	<b>Column 2 – Parking Charge</b>
30 minutes	£1.10
1 hour	£2.20
1 hour and 30 minutes	£3.30
2 hours	£4.40
2 hours and 30 minutes	£5.50
3 hours	£6.60
3 hours and 30 minutes	£7.70
4 hours	£8.80

**Payment Of Parking Charge**

35. The **Parking** Charge shall be paid:

35.1 by insertion of the appropriate coin or coins, or Credit or Debit Card in the Pay and Display Machine situated at the Pay and Display Parking Place or Multi Use Parking Place at which the vehicle is left provided that if there is no Pay and Display Machine situated at that Parking Place or such machine is not operating properly the **Parking** Charge shall be paid by inserting the appropriate coin or coins, or Credit or Debit Card in a Pay and Display Machine which is operating properly and which is nearest to the Parking Place at which the vehicle is left, subject to that machine having the same tariffs as the machine that was not operating properly; or,

35.2 by Phone-and-Pay method, in addition to any Administration Charge.

35.3 If during the permitted hours a vehicle is left in a parking place and payment of the **Parking** Charge has been made using the 'Phone-and-Pay' method, payment evidence shall be provided by/obtained from, the City Council's appointed Service Provider.

**Display of Parking Ticket**

36.1 The Parking Ticket issued by the Pay and Display machine shall be displayed in the vehicle in respect of which the **Parking** Charge has been paid, in a conspicuous position on the vehicle dashboard or fascia so that the date and time recorded on the Parking Ticket are clearly visible to a person standing at the front, or nearside of such vehicle, for the whole of the time during which such vehicle is left at the Pay and Display Parking Place or Multi Use Parking Place.

36.2 Where notices are displayed at a Parking Place advising of the option of making payment of the **Parking** Charge by Mobile Telephone (Phone-and-Pay) or by other electronic system (including via the internet) by Credit or Debit card or any other means of secure authorised payment, to facilitate a cashless and ticketless parking transaction and the **Parking** Charge is duly paid either by Credit Card or Debit Card, in accordance with the instructions indicated on the said notices, then Article 36. 1 of this Order shall not apply.

36.3 If during the permitted hours a vehicle is left in a parking place and the **Parking** Charge has been paid using the 'Phone-and-Pay' method, evidence shall be provided by/obtained from the City Council's appointed Service Provider as to whether the Initial



Period has expired for which the **Parking** Charge shown on the mobile telephone was paid.

### **Not to insert further coins**

37. No person shall insert in any Pay and Display Machine any coin or coins additional to the coin or coins inserted in a Pay and Display Machine by way of payment of the **Parking** Charge in respect of that vehicle.

### **Penalty Charge**

38. Subject to Article 39 a Penalty Charge of £70.00 or £50.00 shall be incurred if a vehicle is left at any time during the Permitted Hours in a Pay and Display Parking Place or a Multi-Use Parking Place and:-

38.1. the **Parking** Charge has not been paid in respect of that vehicle; or

38.2. the **Parking** Charge has been paid in respect of that vehicle but the Initial Period in respect of which the **Parking** Charge has been paid has expired; or

38.3. the Parking Ticket is not displayed, in accordance with Article 36, for the whole of the time during which such vehicle is left at the Pay and Display Parking Place or Multi Use Parking Place; or

38.4. where notices are displayed near a Parking Place advising of the option of making payment by Mobile Telephone (Phone-and-Pay) or by other electronic system (including via the internet) by Credit or Debit card or any other means of secure authorised payment to facilitate a cashless and ticketless parking transaction and the **Parking** Charge is duly paid either by Credit Card or Debit Card in accordance with the instructions indicated on the said notices, then Article 38.3 of this Order shall not apply.

### **Variation Of The Order Of 2009 As Respects PART IV PROVISIONS AS TO PERMITS, VOUCHERS AND BADGES**

7. The Order of 2009 shall have effect as though the existing **Article 75 (Circumstances in which Waiting of Vehicles in Parking Places is permissible)** and **Article 79 (Evidential Matters – Pay and Display Parking)** were substituted by the new **Article 75 (Circumstances in which Waiting of Vehicles in Parking Places is permissible)** and **Article 79 (Evidential Matters – Pay and Display Parking)** as specified below/over in this Order:-

#### **75. Circumstances in which Waiting of Vehicles in Parking Places is permissible**

75.1. Without prejudice to the foregoing provisions of this Order any vehicle may wait during the Permitted Hours anywhere on the carriageway in a Parking Place or part of a Parking Place (other than a Parking Place or part of a Parking Place the use of which has been suspended) if:-

75.1:1. the vehicle is waiting only for so long as is necessary to enable a person to board or alight from the vehicle; or

75.1:2. the vehicle is waiting owing to the Driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in Order to avoid an accident; or

75.1:3. the vehicle is a vehicle used for fire brigade purposes or an ambulance, or a vehicle (other than a passenger vehicle) in the service of a local authority or a vehicle in



the service of a police force in either case being used in pursuance of statutory powers or duties; or

75.1:4. the vehicle is waiting only for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic; or

75.1:5. the vehicle is in the service of or employed by a Postal Operator, British Telecommunications plc or Mercury Communications Limited and is waiting while postal packets addressed to premises adjacent to the parking place in which the vehicle is waiting are being unloaded from the vehicle, or, having been unloaded therefrom, are being delivered or while postal packets are being collected from premises or posting boxes adjacent to the parking place in which the vehicle is waiting, or is in use in connection with the servicing of telephone kiosks adjacent to the Parking Place.

75.2. The Driver shall not be liable to pay or display a **Parking** Charge hold or display a valid Permit while waiting in a Parking Place in accordance with the foregoing provisions of this Article

75.3. Except as provided in the foregoing provisions of this Article, the Driver of a vehicle shall not cause or permit the vehicle to wait in a Parking Place during the Permitted Hours.

75.4. Nothing in the foregoing provisions of this Article shall be taken as authorising anything which would be a contravention of any Regulations made or having effect as if made under Section 25 of the Act of 1984.

#### **79. *Evidential Matters – Pay and Display Parking***

**79.1 The absence of a Parking Ticket on a vehicle left at a Pay and Display Parking Place shall be treated as evidence that the Parking Charge may not have been paid in respect of that vehicle, except in circumstances in which a successful transaction for parking has been made using the Phone and Pay system.**

79.2. An indication on a Parking Ticket of a date shall be treated as evidence of the date on which the **Parking** Charge was paid.

79.3. An indication on a Parking Ticket of a sum of money shall be treated as evidence that that sum (and only that sum) was paid as a **Parking** Charge.

79.4. An indication on a Parking Ticket of a time shall be treated as evidence of the time of expiry of the Period for which the **Parking** Charge has been paid.

79.5 If during the permitted hours a vehicle is left in a parking place and the **Parking** Charge has been paid using the 'Phone and Pay' method, evidence shall be provided by/obtained from the City Council's appointed Service Provider as to whether the **Parking** Charge has been paid and whether the period for which that charge has been paid has expired.

#### **Variation Of The Order Of 2009 As Respects Areas Of Highways Designated As Parking Places For Vehicles For Loading And Unloading**

8. The Order of 2009 shall have effect as though in **Schedule 3** the new outer zone road numbered **18C** was included as specified in **Schedule 1** to this Order.

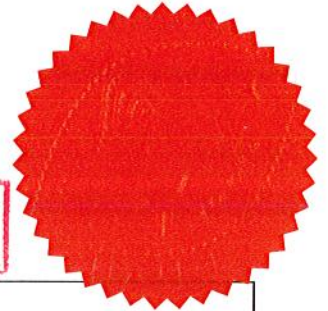
#### **Variation Of The Order Of 2009 As Respects Limited Waiting Parking Bays**

9. The Order of 2009 shall have effect as though in **Schedule 37** the new outer zone road numbered 229 was included as specified in **Schedule 2** to this Order.



GIVEN under the Common Seal of the Council of the City of Liverpool this 4<sup>th</sup> day of October 2016.

*Principal*  
**ASSISTANT CITY SOLICITOR**



Schedule 1 INCLUSION into Schedule 3 to the Order of 2009 Areas of highway designated as Parking Places for vehicles for loading and unloading (Outer Zone)					
Number Of Parking Place	Part of road authorised to be used as street parking place	Position in which vehicles may wait	Days of Operation of Parking Place	Hours of Operation of Parking Place	Maximum period for which vehicles may load and/or unload
238	Pembroke Street, west side, from a point 78.5m north of its junction with Dansie Street in a northerly direction for a distance of 22m with a width throughout of 2.7m  <b><u>(THIS PARTICULAR LOADING &amp; UNLOADING BAY IS FOR THE EXCLUSIVE USE OF GOODS VEHICLES ONLY)</u></b>	Wholly within the limits of the loading bay	Monday to Sunday	8.00 a.m. to 6.00 p.m.	30 minutes No return within 1 hour

Schedule 2 Areas Of Highway Designated As Parking Bays For Limited Waiting (Outer Zone) INCLUSIONS into Schedule 37 of the Order of 2009						
Number Of Parking Place	Part Of Road Authorised To Be Used As Street Parking Place	Position In Which Vehicles May Wait	Days Of Operation Of Parking Place	Hours Of Operation Of Parking Place	Maximum Period For Which Vehicles May Wait	No Return For A Period Of
229	Great Newton Street, east side, from a point 77.5m north of its junction with Dansie Street in a northerly direction for a distance of 20.5m with a width throughout of 2m.	Wholly within the limits of the loading bay	Monday to Sunday	8.00 a.m. to 6.00 p.m.	20 minutes	1 hour