

KNOWSLEY METROPOLITAN BOROUGH COUNCIL

**(PROHIBITION AND RESTRICTION OF WAITING AND LOADING AND
PARKING PLACES)**

(CIVIL ENFORCEMENT AND CONSOLIDATION)

ORDER 2015

KNOWSLEY METROPOLITAN BOROUGH COUNCIL
(PROHIBITION AND RESTRICTION OF WAITING AND LOADING AND PARKING
PLACES) (CIVIL ENFORCEMENT AND CONSOLIDATION) ORDER 2015

Knowsley Metropolitan Borough Council in exercise of its powers under Sections 1(1), 2(1) to (3), 4, 9, 10, 19, 32, 35, 45, 46, 47 and 124 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (“the 1984 Act”) as amended, the Traffic Management Act 2004 (“the 2004 Act”) 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 1984 Act where appropriate, hereby makes the following Order.

SECTION 1 – PRELIMINARY

Citation and commencement

1. This Order shall come into operation on Tuesday 26th of May 2015 and may be cited as the Knowsley Metropolitan Borough Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Civil Enforcement and Consolidation) Order 2015.
2. The Knowsley Metropolitan Borough Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Civil Enforcement and Consolidation) Order 2015 plans including the key (the “plans”) are incorporated into this Order as Schedule 3.

Interpretation

3. In this Order, except where the context otherwise requires, the following expressions have the meaning hereby respectively assigned to them:

“Council” means Knowsley Metropolitan Borough Council and any successor authority and includes any parking services contractors or authorised agent appointed by or acting on behalf of the Council for the purposes of any function under the provisions of this Order;

“alternative approved method of payment” means alternative approved method of payment including cashless payments, park and phone, payment by debit or credit card facilitated by on site or remote verification by, for example, card reader or mobile phone text or phone call or decrementing card;

“blue badge” means a badge issued in accordance with the provisions of The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;

“business permit” means a permit issued by the Council for the leaving of a vehicle belonging to a business user in a parking place designated for vehicles displaying a valid business permit;

“business user” means a person who occupies or is employed at premises the postal address of which is in any street or part of a street described in Schedule 2 and who uses such premises for the business purposes and not for residential purposes;

“business visitor parking permit” means a permit issued by the Council for the leaving of a vehicle belonging to a visitor to a business in a parking place designated for vehicles displaying a valid permit;

“civil enforcement officer” means a person employed or authorised in accordance with Section 76 of the 2004 Act to carry out the functions therein;

“clearway” means the main carriageway of any of the sides or lengths of roads specified in the plans where stopping is prohibited during the restricted hours provided that the expression clearway shall not include any lay-by or parking place;

“disabled person” shall have the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;

“disabled person’s badge” has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;

“driver” in relation to a vehicle waiting or parked in a prohibited or restricted area or restricted road or parking place respectively, means the person driving the vehicle at the time it was left or parked in the prohibited or restricted parking area or restricted road or parking place;

“enactment” means any enactment, whether public , general or local, and includes any order, byelaw rule, regulation, scheme or other instrument having effect by virtue of an enactment;

“goods” means goods of any kind whether animate or inanimate and includes postal packets of any kind or description;

“goods vehicle” means a vehicle which is constructed or adapted for use for the carriage of goods or burden of any description or a trailer so constructed or adapted.

"hackney carriage" means a vehicle licensed under Section 37 of the Town Police Clauses Act 1847;

“household” means a house or flat which has its own postal address and in the case of sub-divided properties the establishment of household as an individual address is subject to any appropriate planning consent having been obtained for the sub-division of the property and the payment of separate Council Tax in respect of the property;

“key” means the key attached to the plans to be read in conjunction with the plans;

“lay-by” in relation to a main carriageway means any area of a highway at the side of the main carriageway but not part of it and marked in accordance with the Traffic Signs and General Directions 2002 intended for the parking of vehicles, provided that no person shall cause or permit any vehicle to park in any lay-by for the purpose of selling goods or services from that vehicle;

“light goods vehicle” means a 4 wheeled vehicle constructed for the transporting of goods with a gross weight of 3.5 tonnes or less including road tractors and curtain sided vehicles (with a gross weight of 3.5 tonnes or less);

“loading area” means any of the sides or lengths of roads specified on the plans where activities other than loading are prohibited;

“main carriageway” means that part of a public highway used primarily for through traffic provided that the expression main carriageway shall not include any lay-by;

“motor car” has the same meaning as that in section 136(2) of the 1984 Act;

“motor-cycle” has the same meaning as that in section 136(4) of the 1984 Act;

“motor vehicle” has the same meaning as that in section 136 (1) of the 1984 Act;

“no loading hours” means in relation to any no loading road the hours specified on the plans during which loading and unloading is restricted;

“no loading road” means any of the sides or lengths of roads specified on the plans where loading is prohibited provided that the expression “no loading road” shall not include any parking place;

“no stopping hours” means in relation to any no stopping road the hours of which are specified on the plans during which stopping is restricted;

“no stopping road” means any of the sides or lengths of roads (including clearways) specified on the plans where stopping is prohibited provided that the expression “no stopping road” shall not include any parking place;

“one-way street” means a highway in which the driving of vehicles otherwise than in one direction is prohibited;

“owner” in relation to a vehicle shall have the same meaning as in the Traffic Management Act 2004;

“park” “parking” and “parked” refer to the stopping of a vehicle and it remaining at rest for some time whether or not the driver is still in the vehicle and includes waiting and a vehicle shall be deemed to be parked for any period in the same parking place or parking bay (as the case may be) if any part of it is below the vehicle or the vehicle’s load (if any) whether or not the vehicle is moved during that period;

“parking device” has the meaning given by sections 35(3)(b) and 51(4) of the 1984 Act;

“parking disc” has the same meaning as in the Local Authorities Orders (Exemptions for Disabled Persons) (England) Regulations 2000 being a disc which is capable of showing the quarter hour period during which a period of parking has begun;

“parking place” means an area of a highway designated by this Order for the parking of vehicles of specific classes;

“passenger vehicle” means a motor vehicle (other than a motor-cycle or invalid carriage) constructed or adapted solely for the carriage of not more than twelve passengers (exclusive of the driver) and their effects and not drawing a trailer;

“penalty charge” has the same meaning as in the Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

“permit” means any valid permit being a resident permit, business permit, business visitor parking permit or visitor parking permit issued by the Council under the provisions of this Order and includes duplicate permits issued by the Council under the provisions of this Order;

“permit holder” means a person business or organisation to whom a permit has been issued under the provisions of this Order;

“permitted hours” means the periods specified on the plans for each parking place during which parking by vehicles of a specific class is permitted;

“permit parking area” means an area comprising the respective roads specified in the schedules or the plans within which the roads are regulated by parking restrictions limiting parking by permit holders as described in this Order;

“plans” means those plans as shown or contained in Schedule 3 to this Order;

“prohibited area” means an area comprising restricted roads specified in the respective schedule or plans in which waiting and or loading is prohibited;

“prohibited hours” means in relation to any prohibited road or prohibited area the hours specified on the plans during which waiting or loading is prohibited;

“prohibited road” means any of the sides or lengths of roads specified on the plans where waiting and or loading is prohibited provided that the expression “prohibited road” shall not include any parking place;

“qualified medical practitioner” or “doctor” means a fully registered person within the meaning of the Medical Act 1983;

“relevant position” in respect of: -

- (a) a disabled person’s badge and parking disc has the same meaning as in the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;
- (b) a permit means exhibited on the windscreen, dashboard or fascia of the vehicle or, where the vehicle does not have a windscreen, dashboard or fascia, in a conspicuous position on the vehicle so that the whole of the information on the front of the permit is clearly legible from outside the vehicle.

“resident” means a person whose usual place of residence is at premises the postal address of which is in any road or part of road specified in Schedule 1;

“resident parking permit” means a permit issued by the Council for the leaving of a vehicle belonging to a resident in a parking place designated for vehicles displaying a valid resident permit;

“restricted area” means an area comprising restricted roads specified in the respective schedule or plans in which waiting and or loading is restricted or specific activities are restricted during the restricted hours;

“restricted hours” means in relation to any restricted road or restricted area the hours specified on the plans during which waiting is restricted or specific activities are restricted;

“restricted road” means any of the sides or lengths of roads specified on the plans where waiting is restricted or specific activities are restricted during the restricted

hours provided that the expression “restricted road” shall not include any parking place;

“taxi rank” means an area of carriageway designated for waiting by hackney carriages and which is indicated by road markings complying with the Traffic Signs Regulations and General Directions 2002;

“telecommunication system” has the same meaning as in the Telecommunications Act 1984;

“virtual parking permit” means an electronic record of parking ticket, permit or dispensation issued and confirmed by the Council to exempt a vehicle from a restriction in the provisions of this order, under the terms applicable at the time of issue.

“visitor parking permit” means a permit issued by the Council for the leaving of a vehicle belonging to a visitor to a resident in a parking place designated for vehicles displaying a valid permit;

“wait” and “waiting” refer to the stopping of a vehicle and it remaining at rest for some time whether or not the driver is still in the vehicle and includes parking;

“vehicle” includes any motor car, motor cycle or other mechanically propelled automobile;

“zone” or “area” means an area comprising the respective roads specified in the respective schedule and plans to this Order;

4. Any reference in this Order to a numbered Article shall, unless the context requires otherwise, be construed as a reference to the Article bearing that number in this Order and any reference to the plans is a reference to the plans incorporated into this Order.

5. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment.
6. The Interpretation Act 1978 shall apply to the interpretation of this Order as it applies for the interpretation of an Act of Parliament and as if for the purposes of Section 21 of that Act this Order were an Act of Parliament and the Orders revoked by this Order were Acts of Parliament thereby repealed.
7. The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirements imposed by any regulations made or having effect as if made under the 1984 Act or by or under any other enactment.
8. If a court, the Department for Transport, the Traffic Penalty Tribunal or the Traffic Enforcement Centre declares any part of this Order to be invalid or un-enforceable, such declaration shall not invalidate the remainder of the Order.

SECTION 2 – PROHIBITION AND RESTRICTION OF WAITING AND LOADING

Prohibition of waiting

9. Save as provided in Articles 15 to 21 no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait at any time on any prohibited road as specified on the plans.

Restriction of waiting

10. Save as provided in Articles 15 to 21 no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle or a vehicle of a specific class to wait on any restricted road during the restricted hours as specified on the plans.

Loading areas

11. Save as provided in Articles 15 to 17 no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait during the restricted hours in any loading area specified on the plans unless it is of the specified class and except for the loading or unloading of goods in connection with nearby trade or business premises.

12. Where there is specified in the plans a maximum period during the restricted hours for which loading or unloading is permitted no person shall except upon the direction or with the permission of a police officer in uniform cause or permit any vehicle to wait on any loading area,
 - (a) for longer than is necessary for goods to be loaded onto or unloaded from the vehicle
 - (b) for a period longer than specified on the plans, or
 - (c) if a period less than that specified on the plans as being the period in which the vehicle shall not return has elapsed since a previous period of waiting by the same vehicle on the same side of length of road.

Restriction on loading and unloading

13. Save as provided in Articles 15,,16, 18 and 19 no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle or a vehicle of a specific class to for the purpose of enabling goods to be loaded to or unloaded from the vehicle on any no loading road during the no loading hours as specified on the plans.

Restriction on stopping

14. Save as provided in Articles 15, 16, 20 and 22 no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any

vehicle to stop on any no stopping road or clearway during the no stopping hours as specified on the plans.

Emergencies

15. Nothing in Articles 9 to 14 shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of road or on the sides of road or loading areas specified therein for so long as may be necessary to enable the vehicle to be used in an emergency for fire and rescue, ambulance or police purposes:

General exemptions

16. Nothing in Articles 9 to 14 shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of road or on the sides of road or loading areas specified therein for so long as may be necessary to enable:
- (a) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations, namely:-
 - (i) building, shop fitting, industrial or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of the said lengths or sides of road; and
 - (iv) the laying, erection, alteration or repair in or on land adjacent to the said lengths or sides of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications system,
 - (b) the vehicle, not being a passenger vehicle, if it cannot conveniently be used for such purposes in any other road, to be used in the service of a local authority or its contractors in pursuance of that authority's statutory powers or duties;

- (c) the vehicle of the Royal Mail or other universal service provider (as defined in section 4(3) and (4) of the Postal Services Act 2000) to be used for the purpose of delivering and/or collecting mail; or
- (d) in any case where the person in control of the vehicle,
 - (i) is required by law to stop;
 - (ii) is obliged to stop so as to prevent an accident, or
 - (iii) is prevented from proceeding by circumstances outside his/her control.

Loading and unloading

17. Nothing in Articles 9 to 12 shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of road or on the sides of road or loading areas specified therein for so long as may be necessary to enable goods to be loaded to or unloaded from a vehicle (or goods or merchandise to be delivered or collected).

Board and alight from a vehicle

18. Nothing in Articles 9,10 and 13 shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of road or on the sides of road specified therein for so long as may be necessary to enable a person to board or alight from the vehicle.

Funerals and weddings

19. Nothing in Articles 9,10 and 13 shall render it unlawful to cause or permit any vehicle to wait, if it cannot safely and conveniently do so elsewhere, in any of the roads, lengths of road or on the sides of road specified therein if it is the principal vehicle being used for a funeral or wedding so long as waiting by that vehicle is reasonably necessary in connection with the wedding or funeral.

Parking places

20. Nothing in Articles 9 to 14 shall render it unlawful to cause or permit any vehicle to park upon a designated parking place.

Waiting / parking by disabled persons' vehicle

21. Nothing in Articles 9 and 10 shall render it unlawful to cause or permit a vehicle which displays in the relevant position a disabled person's badge and a parking disc, on which the driver or other person in charge of the vehicle has marked the time at which the period of waiting began, to wait in a prohibited road or a restricted road for a period not exceeding 3 hours (not being a period separated by an interval of less than that specified on the plans from a previous period of waiting or parking by the same vehicle in the same length of road or on the same side of road on the same day) provided that the vehicle immediately before or after the act of waiting or parking has been or is about to be driven or used by the person to whom the disabled person's badge has been issued or, as the case may be, used for the carrying of a disabled person as a passenger.

Taxi ranks

22. Nothing in Articles 9, 10 and 14 shall prevent any person from causing or permitting a licensed hackney carriage to stop or wait in any duly authorised taxi rank during the period of operation specified on the plans.
23. No person shall cause or permit any vehicle other than a hackney carriage to stop or wait on a taxi rank during the period of operation specified on the plans.
24. No person shall cause or permit a hackney carriage to stop or wait on a taxi rank during the period of operation specified on the plans other than for the purpose of plying for hire.

General conditions of waiting

25. No person shall cause or permit any vehicle to wait unless all wheels are on the carriageway and, if conditions dictate that the vehicle should wait parallel to the kerb, so that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 50cms.
26. No person shall cause or permit any vehicle to wait so that any part of the vehicle obstructs any dropped kerb or any vehicular means of ingress to or egress from premises adjacent to the side of the road on which the vehicle is waiting. No person shall cause or permit any vehicle to wait in any lay-by for the purpose of selling goods or services from that vehicle unless licensed to do so.

SECTION 3 – PERMITTED PARKING PLACES

Limited waiting parking places

Designation of limited waiting parking places

27. The parts of roads identified as limited waiting parking places on the plans are hereby designated to be used subject to the following provisions of this Order as limited waiting parking places and may be used subject to the provisions of this Order for waiting on such days and during such hours as are specified on the plans.
28. No person shall cause or permit any vehicle to park in a limited waiting parking place during the permitted hours unless it is of the class specified in Article 29.

Classes of vehicles for which limited waiting parking places are designated

29. Subject to the provisions of this Order, limited waiting parking places may be used during the permitted hours for the parking of passenger vehicles, light goods vehicles, motor cycles and vehicles displaying a disabled persons' badge.

Restriction on waiting

30. No person shall (except upon the direction or with the permission of a police officer in uniform) cause or permit any vehicle to remain during the permitted hours in a limited waiting parking place for longer than the maximum period specified for that parking place in the plans.

No return

31. Where a period within which a vehicle must not be parked again in a limited waiting parking place is specified in the plans no person shall permit or cause the vehicle to park again in that parking place until the expiry of that specified period.

Doctor's parking places

Designation of doctor's parking places

32. The parts of roads identified as such on the plans are hereby designated to be used subject to the following provisions of this Order as doctor's parking places and may be used subject to the provisions of this Order on such days and during such hours as are specified on the plans for the parking of a vehicle by a qualified medical practitioner or doctor.

Disabled person's parking places

Designation of disabled person's parking places

33. The parts of roads identified as such on the plans are hereby designated to be used subject to the following provisions of this Order as parking places for vehicles displaying a valid disabled person's badge and may be used subject to the provisions of this Order on such days and during such hours as are specified on the plans.

Display of disabled person's badge

34. No person shall cause or permit any vehicle to park in a disabled person's parking place during the permitted hours unless there is displayed on that vehicle in the relevant position a valid disabled person's badge provided that the vehicle displaying such a badge immediately before or after the act of parking has been or is about to be driven or used by the person to whom the badge has been issued or, as the case may be, used for the carrying of a disabled person as a passenger.

Maximum period of waiting in a disabled person's parking place

35. Save as in an emergency, no person shall cause or permit any vehicle to remain in a disabled person's parking place for longer than the maximum period specified for that parking place on the plans.
36. Where as indicated on the plans there is a maximum period specified for a stay on a disabled person's parking place, the driver of a vehicle shall upon leaving the vehicle in the parking place, display in the relevant position a disabled person's badge and a parking disc, on which has been marked the time at which the period of parking began and shall remove that vehicle from the said parking place within the maximum time specified.
37. Where a period within which a vehicle must not be parked again in the disabled person's parking place is specified in the plans, no person shall permit or cause the vehicle to park again in that parking place until the expiry of that specified period.

Permit only parking places

Designation of permit holders only parking places

38. The parking places identified in the plans as permit holders only parking places are restricted to use during the permitted hours by vehicles displaying a valid permit for that vehicle in the relevant position.
39. Where a virtual parking permit has been obtained as an alternative to a permit and remains valid, any requirement in this Order for the permit to be displayed on the vehicle to which it relates shall not apply.
40. A virtual parking permit may be obtained by any of the methods provided from time to time by the Council and to be valid must be registered on an account in an electronic database approved by the Council with an indication that the permit has been issued and validated by the Council.

Classes of vehicles for which permits are applicable

41. Subject to the provisions of this Order, permits may be issued in respect of classes of vehicles being passenger vehicles, light goods vehicles, motor-cycles and disabled persons vehicles.

Permits to be displayed on vehicles

42. Save as provided for Article 40 no person shall cause or permit any vehicle to park in a permit holders only parking place during the periods specified in the plans unless there is on display in the relevant position on that vehicle a permit valid for that vehicle and that parking place.
43. Where a permit has been displayed on a vehicle in accordance with the preceding Article, no person other than the driver of the vehicle shall remove the permit from the vehicle unless authorised to do so by the driver of the vehicle.

Other parking places

Special classes of vehicles

44. The parts of roads identified as such on the plans are hereby designated to be used subject to the following provisions of this Order as parking places for specific classes of vehicles and may be used subject to the provisions of this Order on such days and during such hours as are specified on the plans.
45. Where parking places are provided for the leaving of specific classes of vehicle with or without charge or time limit, no person shall cause or permit any vehicle to park in that parking place during the periods specified in the plans unless it is of the class specified and
 - (a) no person shall cause or permit the vehicle to park in that parking place for a period longer than that specified, and
 - (b) where a period within which a vehicle must not be parked again in the parking place is specified in the plans, no person shall permit or cause the vehicle to park again in that parking place until the expiry of that specified period.

General conditions in respect of parking places

Manner of standing in a parking place

46. Unless indicated otherwise by markings on the carriageway, each vehicle parked in a parking place which is subject to limited waiting, a disabled person's parking place, a doctor's parking place or permit parking place in accordance with the foregoing provisions of this Order shall stand:
 - (i) if the parking place is in a one-way street, so that the vehicle is facing according to the direction of the traffic flow and adjacent to the edge of the carriageway;

- (ii) if the parking place is not in a one-way street, so that the left or near side of the vehicle is adjacent to the left-hand edge of the carriageway;
- (iii) so that the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 50cms;
- (iv) so that no part of the vehicle obstructs any vehicular means of ingress to or egress from premises adjacent to the side of the road on which the vehicle is parked; and
- (v) so that every part of the vehicle is within the limits of the parking place as marked on the carriageway.

Alteration of position of a vehicle in a parking place

47. Where any vehicle is standing in a parking place in contravention of the provisions of the preceding Article, a civil enforcement officer or other person duly authorised by the Council or a police officer in uniform may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

Movement of a vehicle in a parking place in an emergency

48. A police officer in uniform may move or cause to be moved or remove or cause to be removed, in case of emergency, to any place they think fit, any vehicle parked in a parking place and shall provide for and be responsible for the safe movement and custody of the vehicle and the Council shall not be responsible for any damage to the vehicle caused by such removal.

Suspension of use of a parking place

49. Any person duly authorised by the Council including a civil enforcement officer may suspend the use of a parking place or any part thereof whenever they consider such suspension reasonably necessary:
- (a) for the purpose of facilitating the movement of traffic or promoting its safety;

- (b) for the purpose of any building operation, demolition or excavation adjacent to the parking place, the maintenance, improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the parking place, the laying, erection, alteration or repair in or adjacent to the parking place or any sewer or of any main, pipe , or apparatus for the supply of gas, water or electricity or of any telecommunications system or the placing, maintenance or removal of any traffic sign;
- (c) for the convenience or occupiers of premises adjacent to the parking place on any occasion of the removal of furniture to or from one office or dwelling-house adjacent to the parking place from or to a depository, another office or dwelling-house;
- (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed;
- (e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals, or on other special occasions;
and
- (f) on any occasion in the interests of traffic or pedestrian movement and safety when a special event is taking place in the vicinity.

50. A police officer in uniform may suspend for not longer than 24 hours at a time the use of a parking place or any part thereof whenever they consider such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.

51. Any person or police officer suspending the use of a parking place or any part thereof in accordance with the provisions of this Order shall thereupon place or cause to be placed in or adjacent to that parking place or part thereof a traffic sign indicating that waiting or parking by vehicles is prohibited.

No parking in a suspended parking place

52. No person shall cause or permit a vehicle to wait or park in a parking place or any part thereof during which such period as the Council or a police officer has suspended that parking place or part thereof and exhibits notice of such suspension on or near that parking place.

Restrictions on the use of vehicles in a parking place

53. During the permitted hours no person shall use any parking place or any vehicle whilst it is in a parking place
- a. to carry out any trade or profession,
 - b. in connection with the sale advertisement exhibition or offering or exposing for sale or inducement to purchase at a later date any goods to any person in or near the parking place, or
 - c. in connection with the selling advertisement exhibition or offering for sale or inducement to purchase at a later date of their skill in handicraft or their services or the skill or services of any other person or organisation in any other capacity:

provided that nothing in this Article shall prevent the sale of goods from a vehicle if there is on display in the vehicle a certificate of Street Trading Consent issued by the Council valid for that parking place and the vehicle is being operated in accordance with any conditions of that certificate.

Exemptions to restriction on parking by a vehicle in a parking place

54. Notwithstanding the foregoing provisions of this Order any vehicle may be parked during the permitted hours in any part of a parking place if the use of that part has not been suspended and if:

- (a) the vehicle is parked for so long as may be necessary for the purpose of enabling any person to board or alight from a vehicle or load thereon or unload there from their personal luggage;
- (b) the vehicle is parked owing to the driver being prevented from proceeding by circumstances beyond their control or to such parking being necessary in order to avoid an accident;
- (c) the vehicle is being used for fire and rescue, ambulance or police purposes or, not being a passenger vehicle, is being used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary in the exercise of such powers or in the performance of such duties for the vehicle to park in the place in which it is parked;
- (d) the vehicle is parked for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;
- (e) the vehicle of the Royal Mail or other universal postal service provider (as defined in Section 4(3) and (4) of the Postal Services Act 2000) is parked for the purpose of delivering and/or collecting mail; or
- (f) in any other case the vehicle is parked for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the parking place in which the vehicle is parked and the vehicle does not park for a period exceeding 20 minutes or for such longer period as a civil enforcement officer or other person duly authorised by the Council may approve.

Exemptions for vehicles displaying a valid disabled person's badge

55. Notwithstanding for foregoing provisions of this Order any vehicle displaying in the relevant position a valid disabled person's badge may be parked without time limit during the permitted hours in any part of a parking place if the use of that part has not been suspended provided that the vehicle is parked in accordance with the terms and conditions of the disabled person's badge and provided that the vehicle immediately before or after the act of waiting or parking has been or is about to be driven or used by the person to whom the disabled person's badge has been issued or, as the case may be, used for the carrying of a disabled person as a passenger.

Placing of traffic signs etc.

56. The Council shall:
- (a) place and maintain traffic signs indicating the limits of each parking place,
 - (b) place and maintain traffic signs of a design approved by the Secretary of State for the Department for Transport indicating that such parking places may be used during the permitted hours for the leaving only of the vehicles of the specified classes; and
 - (c) carry out such other work as it reasonably required for the purposes of the satisfactory operation of a parking place.

SECTION 4 - CONDITIONS AS TO PERMITS

Classes of vehicles for which permits are applicable

57. Subject to the provisions of this Order, permits may be issued to classes of vehicles being passenger vehicles, light goods vehicles, motor-cycles and disabled persons vehicles.

Use of permits

58. A permit shall only be valid for use in a parking place on a road or within the zone or area identified on the permit and specified on the plans.

Entitlement to and application for permits

Residents permits

59. Any resident who is eligible by virtue of the Orders consolidated by this Order or within Schedule 1 of this Order who is the owner of a vehicle of the class specified in Article 57 may apply to the Council for the issue of a residents permit in respect of the relevant road or zone and that vehicle and/or the issue of a visitors permit for use by visitors to the resident and any such application shall be made in the manner specified by the Council from time to time and shall include the particulars and information required to be supplied.

Residents visitor permit

60. Any resident may apply to the Council for the issue of a residents visitor permit for use by visitors to the resident and any such application shall be made in the manner specified by the Council from time to time and shall include the particulars and information required to be supplied.

Business permits

61. Any business user operating from premises with a postal address in the roads or parts of road as specified who is eligible by virtue of the Orders consolidated by this Order or within Schedule 2 of this Order and who is the operator of a vehicle of the class specified in Article 57 and use of the vehicle is integral to the daily operation of the business may apply to the Council for the issue of a business permit in respect of the relevant road or zone and that vehicle and any such application shall be made in the manner specified by the Council from time to time and shall include the particulars and information required to be supplied. Any business user may

apply to the Council for the issue of a business visitor permit for use by visitors to the business and any such application shall be made in the manner specified by the Council from time to time and shall include the particulars and information required to be supplied.

Evidence in respect of application

62. The Council may at any time require an applicant for a residents parking permit , business parking permit or visitor permit or the holder of a residents, business or visitor permit to produce to an officer of the Council or authorised agent such evidence in respect of an application for a permit made to them as they may reasonably require to verify any particulars or information given to them or in respect of any permit issued by them as they may reasonably require to verify that the application or the permit as the case may be is valid.

Issue of permits

Residents permits

63. Upon receipt of an application under the provisions of this Order, the Council upon being satisfied that the applicant is a resident who is the owner of a vehicle of the class specified in Article 57 may issue to the applicant a resident's permit for the leaving during the permitted hours in a parking place of the vehicle to which such residents permit relates provided that if a limit on the number of permits per resident or per household applies in accordance with Schedule 1 the limit is not exceeded.

Residents visitor permits

64. Upon receipt of an application duly made under the provisions of this Order, the Council upon being satisfied that the applicant satisfies the requirements may issue to the applicant a residents visitor permit for the parking during the permitted hours in a parking place to which such residents visitor permit relates of a vehicle to which

a permit relates by the owner of such vehicle provided that, the Council may impose such conditions on the use of the permit as it considers appropriate and if a limit on the number of residents visitor permits per resident or per household applies in accordance with Schedule 1 the limit is not exceeded.

Business permits

65. Upon receipt of an application duly made under the provisions of this Order, the Council upon being satisfied that the applicant satisfies the requirements may issue to the applicant business or business visitors permits for the leaving during the permitted hours in a parking place of the vehicle to which a permit relates provided that the Council may impose such conditions on the use of the permit as it considers appropriate and that if a limit on the number of permits applies in accordance with Schedule 2 the limit is not exceeded.

Surrender of permits

66. A permit holder may surrender such permit to the Council or authorised agent at any time and shall surrender such permit to the Council or authorised agent on the occurrence of any one of the surrender events listed in Article 68 below.

Withdrawal of permit

67. The Council or authorised agent may, by notice in writing served on the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's residence or place of business, withdraw any permit including a residents visitors permit and a business visitors permit if it appears to the Council or authorised agent that any one of the surrender events has occurred and the permit holder shall surrender the permit to the Council or authorised agent within 48 hours of the receipt of this notice.

Surrender events

68. Each of the following is a surrender event:
- (i) the permit holder ceasing to be eligible for the permit;
 - (ii) the permit holder ceasing to be the owner of the vehicle in respect of which the resident's permit was issued;
 - (iii) the vehicle in respect of which such permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 57;
 - (iv) the issue of a duplicate permit or visitor permit by the Council under the provisions of this Order; or
 - (v) the permit being defaced, mutilated or altered.

Validity of permit

69. A permit shall cease to be valid at the expiration of the period specified thereon or on the occurrence of any of the surrender events, whichever is the earlier.
70. A permit shall also cease to be valid if:
- (i) the details have been altered or defaced;
 - (ii) any additional details required as a condition of the permit are not exhibited;
 - (iii) the details cannot be easily read from outside the vehicle; or
 - (iv) a duplicate permit is issued.

Duplicate permits

71. If a permit is accidentally mutilated or defaced or the figures or particulars thereon have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall surrender it to the Council and apply to the Council for the issue of a replacement permit.

72. If a permit is lost or destroyed, the permit holder may apply to the Council for the issue of a duplicate permit.
73. On an application under the provisions of this Order if the Council is satisfied that the circumstances are as stated it shall issue a replacement or duplicate permit so marked and upon such issue the original permit shall become invalid.
74. All the provisions of this Order shall apply to a replacement or duplicate permit to the same extent as they applied to the original permit.

Form of permit

75. A permit shall be in writing and shall include the following particulars:-
- (i) the registration mark of the vehicle in respect of which the permit has been issued;
 - (ii) the period during which, subject to the provisions pertaining to surrender or withdrawal, the permit shall remain valid;
 - (iii) an indication that the permit has been issued by the Council; and
 - (iv) a code or identification indicating the parking area for which the permit is valid.

SECTION 5 - GENERAL

Pedestrian crossings and bus stops

76. Nothing in the provisions of this Order shall be taken as authorising anything which would be a contravention of any regulations made or having effect as if made under sections 23 and 25 of the 1984 Act. Nothing in the provisions of this Order shall be taken as authorising anything which would be a contravention of any regulations or any Order and which imposes a restriction on waiting by vehicles other than public service vehicles.

SECTION 6 - CONTRAVENTION AND PENALTY CHARGE

Contravention

77. If a vehicle is waiting or parked in a prohibited or restricted road or parking place or permit parking area respectively without complying with the requirements of this Order or is waiting or parked in contravention of any other provisions of this Order then a contravention shall have occurred and a penalty charge shall be payable by the owner of the vehicle. A penalty charge notice conforming to the relevant statutory requirements may then be issued and/or the vehicle may be removed from the location.

Indications as evidence

78. The particulars given in any notice served on a vehicle in contravention of any provision of this Order shall be treated as evidence in any proceedings relating to failure to pay such penalty charge.

Restriction on removal of notices

79. Where a penalty charge notice has been attached to a vehicle in accordance with the provisions of this Order no person other than the driver of the vehicle, a police officer in uniform, a civil enforcement officer or some other person duly authorised by the Council shall remove the notice from the vehicle unless authorised to do so by the owner of the vehicle.

Immobilisation

80. If a vehicle is left or parked after a penalty charge has been incurred, a civil enforcement officer or other person duly authorised by the Council or a person acting under his/her direction may attach to the vehicle an immobilisation device and a notice in accordance with the provisions of the 2004 Act and that vehicle shall only be released from the device on payment of the penalty charge along with such release fee as may be required by the Council.

Removal of vehicle

81. Where a civil enforcement officer or other person duly authorised by the Council has removed or caused to be removed a vehicle in accordance with the provisions of this Order,
- (a) he / she shall provide for the safe custody of the vehicle;
 - (b) the Council shall be entitled to recover from the person responsible such charges in respect of the removal, storage and disposal of the vehicle as it might prescribe from time to time;
 - (c) the provisions of the 1984 Act as amended shall apply to the disposal of such vehicles removed by or on behalf of the Council.
82. Nothing in respect of immobilisation or removal of a vehicle shall apply in respect of a vehicle displaying in a relevant position a valid disabled person's badge.
83. The restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirements imposed by any regulations made or having effect as if made under the 1984 Act or by or under any other enactment.

SECTION 7 - REVOCATIONS

84. All the traffic regulation orders or parts of traffic regulation orders imposing the following restrictions:
- (a) Prohibition and restrictions of waiting, parking and loading and unloading;
 - (b) Prohibition of stopping,
 - (c) Loading areas,
 - (d) Restrictions on parking places,
 - (d) Restrictions on disabled parking places, and
 - (e) Restrictions on motor cycle parking places

as they relate to roads in the Knowsley Metropolitan Borough Council area as shown on the plans made prior to this Order are hereby revoked except for all and any such experimental traffic regulation orders made pursuant to Sections 9 and 10 of the 1984 Act which are currently in force in so far as they relate to the roads in the Knowsley Metropolitan Borough Council area.

**THE COMMON SEAL of KNOWSLEY
METROPOLITAN BOROUGH
COUNCIL was hereunto affixed on
the 21st day of May 2015
in the presence of**

AUTHORISED SIGNATORY

SCHEDULE 1

Schedule 1 - Residents parking eligibility, zones and maximum numbers of permits

Scheme Name	Roads Affected	Eligible Properties	Maximum Number of Resident Permits	Maximum Number of Visitor Permits
Holt Lane/Council Street	Holt Lane	1-37 (inc 35a & 37a, odds) 2-16, 26-52, 56-82 (evens) Lifestream Church, Bethal Chapel	One permit per vehicle registered at the affected property address	One permit per eligible household
	Council Street	1 & 3		
Wycherley Street	Wycherley Street	1-7 (inc 1a, odds) 2-12 (evens)	One permit per vehicle registered at the affected property address	One permit per eligible household
Scothbarn Lane	Scothbarn Lane	29-79 (inc 37GF flat, 37FF flat, 37, flat 1 39, flat 2 39, 39, odds)	One permit per vehicle	One permit per eligible

			registered at the affected property address	household
Tarbock Road	Tarbock Road	1-19 (inc 3a,5a,9a,11a,13a,15a,17a, & 19a, odds)	One permit per vehicle registered at the affected property address	One permit per eligible household
Albany Road	Albany Road	1-65 (odds)	One permit per vehicle registered at the affected property address	One permit per eligible household
Cumber Lane	Cumber Lane	50-88 (evens)	One permit per vehicle registered at the affected property address	One permit per eligible household
Brook/Cook Street/Shaw	Brook Street,	6-72 (evens), 45-101(odds) Robert Foulkes Community Centre	One permit per	One permit per

Lane	Cook Street	2-78 (inc 64a,64b, 66a,66b, 70a,70b, 72a,72b, 76a,76b, 78a,78b, evens) 35-49 (odds)	vehicle registered at the affected property address	eligible household
	Shaw Lane	178		
Park Brow Drive	Park Brow Drive	1-9 (odds)	One permit per vehicle registered at the affected property address	One permit per eligible household
Cyprus Street	Cyprus Street	10-62 (evens)	One permit per vehicle registered at the affected property address	One permit per eligible household
Hope Street	Hope Street	1-33 (odds) 2-34 (evens)	One permit per vehicle registered at the affected property address	One permit per eligible household
Queens Road	Queens Road	1-33 (odds)	One	One

		2-42 (evens)	permit per vehicle registered at the affected property address	permit per eligible household
Station Road / Kemble Street	Station Road	1-21 (inc 3a,3b,9a, Flat 1,2,3(11), 15a,15b,15c, 21a,21b,21c,21d,21e,21f, odds) 12-18 (inc Flat 1,2,3(12) 16GF flat & 16FF flat, evens)	One permit per vehicle registered at the affected property address	One permit per eligible household
	Kemble Street	43-59, 63-71 (inc 43a Flat 1, 43a Flat 2 & 59a, odds)16-44 (inc 32a,34a,34b,36a,38a Flat 1, 38a Flat 2,40a,60,62a,62b,64,66,66a,basement Flat 68, GF Flat 68, FF Flat 68, evens)		
Sewell Street	Sewell Street	30-58 (inc express brakes & clutches at rear of 36, evens)	One permit per vehicle registered at the affected property address	One permit per eligible household
Chester/Williams	Chester Street,	1-23 (odds) 2-24 (evens)	One permit per vehicle registered at the affected	One permit per eligible household
	Williams Street	1-21 (odds) 2-26 (evens)		

			property address	
Market Place/Greenall Court	Market Place,	50a Market Place	One permit per vehicle registered at the affected property address	One permit per eligible household
	Greenall Court	1-51 (odds) 2-52 (evens)		
Cyprus Street	Cyprus Street	10-62 (evens)	One permit per vehicle registered at the affected property address	One permit per eligible household
Tarbock Road	Tarbock Road (shops)	1-19 (inc 15a,19a,19b, odds)	One permit per vehicle registered at the affected property address	One permit per eligible household
	Tarbock Road (flats)	3a-17a (odds)		

Schedule 2 -Business permits eligibility, zones and maximum numbers, etc

Scheme Name	Roads Affected	Eligible Properties	Maximum Number of Business Permits	Maximum Number of Visitor Permits
Tarbock Road	Tarbock Road (shops)	1-19 (inc 15a,19a,19b, odds)	N/a	Three

Schedule 3 - The Knowsley Metropolitan Borough Council (Prohibition and Restriction of Waiting and Loading and Parking Places) (Civil Enforcement and Consolidation) Order 2015 plans including the key