

MERSEY GATEWAY BRIDGE BYELAWS 2016

BYELAWS MADE BY HALTON BOROUGH COUNCIL IN PURSUANCE OF THE TRANSPORT AND WORKS ACT 1992 AND THE RIVER MERSEY (MERSEY GATEWAY BRIDGE) ORDER 2011. THESE BYELAWS MAY BE CITED AS THE MERSEY GATEWAY BRIDGE BYELAWS 2016

I. INTERPRETATION

1. In these byelaws

‘authorised person’ means any uniformed person or servant or agent or contractor or PCSOs appointed by or authorised by the Council to carry out duties in relation to the regulation, direction and control of traffic and for the purposes of the byelaws set out in Part II (Regulation of traffic in the Bridge Area) and Part VII (Prevention of Damage and Nuisance Generally) of the byelaws additionally means any police constable;

‘the Council’ means Halton Borough Council;

‘the bridge’ the new river bridge, approach viaducts and canal bridges between Widnes Loops junction and Bridgewater junction shown edged green and shaded red on the attached plans;

‘the bridge approaches’ means the approach roads and new streets constructed pursuant to the River Mersey (Mersey Gateway Bridge) Order 2011 except the portions thereof which are included in and form part of the bridge; as shown edged green and shaded grey on the attached plans;

‘the bridge area’ means the bridge and the bridge approaches;

‘trailer’ means any vehicle designed or adapted to be towed by another;

‘vehicle’ means a mechanically propelled vehicle intended or adapted for use on roads including a trailer.

2. Unless the context otherwise requires:

- (a) words importing the singular number shall include the plural and vice versa

- (b) words importing any particular gender shall include the other gender; and
 - (c) any reference in the byelaws to any statute or statutory provision shall be construed as referring to that statute or statutory provision as it may from time to time be amended modified extended re-enacted or replaced (whether before or after the date of this byelaw) and including all subordinate legislation from time to time made under it.
4. The Interpretation Act 1978 shall apply to the interpretation of these byelaws as it applies to the interpretation of an Act of Parliament
 5. Nothing in these byelaws shall apply so as to restrict the execution of duties or the carrying out of works or services on the bridge and on the bridge approaches by authorised persons or by any police officer or fire officer.

II. REGULATION OF TRAFFIC IN THE BRIDGE AREA

6. No person shall use the bridge area except for the purpose of travelling on or in a vehicle from the south to the north side of the River Mersey or vice versa.
7. The driver of a vehicle in the bridge area shall comply with all traffic signals and instructions given by an authorised person and with all notices road markings and traffic signals displayed in the bridge area.
8. (a) The maximum speed for a vehicle in the bridge area will be that which is indicated by the displayed road signs, and subject to paragraph (b) hereof, the minimum speed shall be 20mph except where prevented by other vehicles or at places where stops or a lower speed are unavoidable or are permitted or directed by an authorised person or displayed temporary road signs (whether advisory or mandatory).

(b) No person shall drive into the bridge area except in accordance with such directions as shall be given to him by an authorised person, any vehicle which is incapable of maintaining a speed of 20 mph.
9. (a) The procedures for imposing or exceeding mandatory speed limits for emergency vehicles prescribed under the relevant legislation and the penalties for contravening local speed limits are prescribed in the Road Traffic Regulation Act 1984, the Road Traffic Act 1988 and the Road Traffic Offenders Act 1988.

(b) Exceeding any temporary advisory speed limit may lead to prosecution for negligence in the event of an accident occurring through it.
10. The driver of a vehicle using the bridge shall except in compliance with traffic signals or directions given by an authorised person , or unless prevented by traffic or other unavoidable cause:

(a) if approaching the bridge from the north, proceed without stopping to the A533 Central Expressway or to the exit slip road for the A558 at the Bridgewater Junction

(b) if approaching the bridge from the south, proceed to the A562 or to the exit slip road for the A557 at Widnes Loops Junction or to the exit slip road for the B5149 at Ditton Junction.

11. A person driving a vehicle in the bridge area shall not stop the vehicle unless directed by an authorised person, notice or traffic signal or compelled by traffic, or unless it is necessary for the vehicle to do so:-
 - (a) by reason of a breakdown of the vehicle; or
 - (b) by reason of an accident with another vehicle in the bridge area; or
 - (c) by reason of illness of the driver of the vehicle or other emergency which causes the driver to be unable to continue to drive his vehicle; or
 - (d) to permit any person carried in or on the vehicle to recover or move any object that has fallen; or
 - (e) to permit any person carried in or on the vehicle to give help which is required by any person in any of the circumstances specified in para. (a), (b) (c) or (d) above; or
 - (f) for the discharge of functions contained in legislation relating to fires and emergencies.
12. The driver of a vehicle in the bridge area shall maintain a safe and prudent distance between his own vehicle and the one immediately in front of it.
13. A vehicle may be towed into the bridge area provided it is secured by means of towing equipment which is appropriate for the purpose and provided that, if directed by an authorised person, the vehicle and towing equipment have been examined by an authorised person.
14. No person shall drive into the bridge area any vehicle which is not provided with sufficient petrol or other fuel and mechanical power to ensure that it maintains the minimum speed specified in these byelaws and is able to traverse the bridge area.
15. No person shall except with the permission of an authorised person refuel any vehicle or undertake any repairs to a vehicle or change a tyre or wheel of a vehicle in the bridge area.
16. If the driver of a vehicle in the bridge area refuses to move the vehicle when ordered to do so by an authorised person or if a vehicle in the bridge area is unable to proceed because of a breakdown it shall be lawful for it to be removed by an authorised person at the cost and expense of the owner or person in charge of the vehicle and no person shall obstruct any such authorised person in carrying out such removal. The vehicle will be removed to a location which will be either:-
 - (1) the operational premises of the recovery company employed for this service, or
 - (2) other designated area as specified by the Council or an authorised person;details of which will be available at www.merseygateway.co.uk/byelaws.

III. DANGEROUS TRAFFIC

17. No person shall, except with the consent of an authorised person, take or cause or permit to be taken in to the bridge area any vehicle carrying any goods, substances or articles of a dangerous nature.

IV. EXCLUDED TRAFFIC

18. No person shall take or cause or permit to be taken into the bridge area:
- (a) any horse drawn vehicle;
 - (b) any pedal cycle or tricycle or quadcycles,
except if conveyed as the load or part of the load of any vehicle; or
 - (c) any animals or livestock except domestic animals, unless transported in special containers or adapted vehicles and approved by an authorised person.
19. No person shall take or cause or permit to be taken into the bridge area any of the following vehicles:
- (a) vehicles which emit grit, sparks, ashes, cinders, or oily substances in a manner which contravenes any regulations for the time being in force under the Road Traffic Act 1988 or any amendment thereof relating to the construction and use of motor vehicles;
 - (b) vehicles which, in the opinion of an authorised person, are in such a condition or are so loaded, built or equipped as to be likely to retard traffic, injure persons or damage property.

V. SPECIAL TYPE VEHICLES

20. (a) No person shall take or permit to be taken into the bridge area, without the prior permission of an authorised person and subject to such conditions as he may direct (which may include an escort, for which a reasonable charge may be made), any vehicle whose height, width, length or weight (including load in each case) exceeds the following:

Height: 4.95m
Width: 2.6 metres (excluding mirrors)
Length: 18.75 metres

Weight: 44,000 kilograms for vehicles with 6 or more axles and drive axle load of 10,500 kilograms if fitted with road friendly suspension or 8,500 kilograms if not so fitted;

40,000 kilograms for vehicles with 5 or less axles and drive axle load of 11,500 kilograms.

(b) Application for permission of an authorised person under this byelaw shall be made in writing at least 6 clear days before the proposed arrival at the bridge area of the vehicle the subject of the application.

VI. TOLLS AND CHARGES

21. A person driving a vehicle into the bridge area in compliance with byelaw 10 is liable to pay a toll/charge before it finishes its passage through the bridge area at a level displayed at all entry points into the bridge area.

VII. PREVENTION OF DAMAGE OR NUISANCE GENERALLY

21. No person in the bridge area shall climb upon, damage or remove any part of the structures of the bridge area, equipment, fittings or appurtenances thereof or any other property of the Council, or post any bill, placard or notice, or write or stamp, cut, print, draw or make marks in any manner on any part thereof.
22. No person shall move, alter, or deface or otherwise interfere with any notice or sign belonging to the Council and exhibited or placed in the bridge area.
23. No person shall operate any machinery, switches or other mechanism forming part of the bridge or required in connection with the operation of the bridge area other than to use a telephone provided by the Council for use in case of emergency.
24. No person shall throw or drop in any part of the bridge area anything whatsoever capable of injuring or damaging the bridge or any person or property.
25. No person shall place or deposit or leave on or in the bridge area any vehicle or any glass, china, earthenware, plastic, tin, paper, debris, oils, waste or other material so as to create an obstruction or litter or fire risk.
26. No person shall wilfully obstruct or impede an authorised person in the execution of his duty in or about the bridge area.
27. No person shall offer for sale or sell any articles or produce of any description in the bridge area without the express written permission of the Council.
28. No person shall loiter or remain in the bridge area or in any vehicle therein after having been requested by an authorised person to move therefrom.
29. No person in the bridge area whether on his own or against another person shall:

- (a) use threatening, abusive or insulting words or behaviour or
- (b) distribute or display any writing, sign or visible representation which is threatening, abusive or insulting or which in the opinion of an authorised person is likely to cause annoyance or offence.

VIII. CLOSURE OF THE BRIDGE AND BRIDGE APPROACHES

- 30. During any period of closure of the bridge and or the bridge approaches pursuant to Article 37 of the River Mersey (Mersey Gateway Bridge) Order 2011 the passage of any vehicle through the bridge area shall only be with the consent of the Council whose decision shall be final.

IX. POWER TO EXCLUDE

- 31. It shall be lawful for an authorised person to prevent from gaining access to the bridge area the driver of any vehicle or any other person who an authorised person has reasonable cause to believe is contravening, or will so if he proceeds, any of these byelaws.

X. PENALTY FOR OFFENCES

- 32. Any person who shall contravene or fail to comply with a provision of these byelaws shall be liable on summary conviction to a fine not exceeding Level 3 on the standard scale.
- 33. The Council wherever applicable in monitoring infringements of these byelaws and in the prosecution of offenders shall be entitled to rely where appropriate:
 - (a) on the evidence of a device adapted for measuring by radar, laser or automatic number plate recognition or any other means the speed of vehicles as shall be approved by the Secretary of State; and
 - (b) to make admissible recorded images from the flow of traffic in the bridge area.

The COMMON SEAL of)
 HALTON BOROUGH COUNCIL)
 Was hereunto affixed in the)
 Presence of:)

Authorised Signatory

The foregoing byelaws are hereby confirmed by the secretary of State for Transport and shall come into force on

Signed by the Authority of the Secretary of State

Signed by a Senior Principal in the Department for Transport