

BLACKPOOL BOROUGH COUNCIL
THE BOROUGH OF BLACKPOOL (VARIOUS ROADS)
(PROHIBITION OF WAITING) NO.2 ORDER 2004

The Council of the Borough of Blackpool (hereinafter called "the Council") in exercise of its powers under Sections 1, 2(1) to (3), 4(2) and 124 of the Road Traffic Regulation Act 1984 (which said Act is hereinafter referred to as the "Act of 1984") and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the said Act of 1984 hereby make the following Order:-

1. IN this Order the following expressions shall have the meanings hereby assigned to them respectively, that is to say -

any reference to "vehicle" within this Order shall not be taken to include non-motor vehicles.

"disabled person's badge" shall have the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 as amended by the Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) Regulations 2000 and has not ceased to be in force.

'Parking disc' means a device which -

- (a) is 125 millimetres square and coloured blue, if issued on or after 1st April 2000 or orange if issued before that date;
- (b) has been issued by a local authority and has not ceased to be valid; and
- (c) is capable of showing the quarter hour period during which a period of waiting has begun.

"disabled person's vehicle" means a vehicle displaying a disabled persons badge in accordance with the circumstances prescribed in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000.

"relevant position" for the purposes of Article 3(k) shall have the following meanings:-

- (a) the badge is exhibited on the dashboard or fascia of the vehicle; or
- (b) where the vehicle is not fitted with a dashboard or fascia, the badge is exhibited in a conspicuous position on the vehicle, so that the front of the badge is clearly legible from the outside of the vehicle.

"specified road" means any road or length of road specified in this Order;

"coach" means a passenger vehicle adapted to carry more than 13 persons exclusive of the driver, operating as a coach service; and

"bus" means a passenger vehicle adapted to carry more than 13 persons exclusive of the driver, operation as a local bus service.

2. SAVE as provided in Article 3 of this Order no person shall except upon the direction or with the permission of a Police Constable in uniform cause or permit any vehicle to wait throughout the year in any road specified in the first column of the Schedule hereto on the sides or lengths and for the periods specified in the second column of the said Schedule.

3. NOTHING in Article 2 of this Order shall render it unlawful to cause or permit any vehicle to wait in the road on any of the sides of road or in any of the lengths of road referred to in the Schedule to this Order for so long as may be necessary:-

- (a) to enable a person to board or alight from the vehicle;
- (b) to enable goods to be loaded onto or unloaded from the vehicle;
- (c) To enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any building or demolition operations, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of any of the lengths or road so referred to or the laying, erection or alteration or repair in or near to any of the said lengths or road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraph apparatus as defined in paragraph 1(1) of the Telecommunications Code contained in Schedule 2 to the Telecommunications Act 1984;
- (d) to enable the vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to any of the said lengths or road;
- (e) in the case of any vehicle owned by a funeral director or owner of the funeral vehicles when in use as part of a funeral cortege;
- (f) for the purpose of loading or unloading the vehicle while the vehicle is in actual use in connection with the removal of furniture from one office or dwellinghouse to another or the removal of furniture from such premises to a depository or to such premises from a depository;
- (g) if the vehicle is a fire engine or ambulance or any vehicle in the service of a local authority or Police force and the vehicle is being used in pursuance of statutory powers or duties and for the avoidance of doubt this Article shall be deemed to include the official car used by the Mayor for the time being of the Blackpool Borough Council waiting in Talbot Square outside the Town Hall;
- (h) if the vehicle is a duly authorised licensed hackney carriage waiting upon any duly authorised hackney carriage stand;
- (i) if the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or owing to such waiting being necessary in order to avoid accident;
- (j) if the vehicle is in the service of or employed by the Post Office and is waiting in any affected length or road whilst postal packets, as defined in Section 87 of the Post Office Act 1953, addressed to premises adjacent to that length or road are being unloaded from any vehicle or having been unloaded therefrom are being delivered or while postal packets are being collected from premises or posting boxes adjacent to that length or road, or is in use in connection with the cleaning of telephone kiosks adjacent to that length or road;
- (k) if the vehicle is:-
 - (i) an invalid carriage;
 - (ii) a vehicle issued to a disabled person by a Government Department;
 - (iii) a vehicle left by the driver thereof who is a person who on account of his severe physical disability has been given notice in writing by the Council that he is exempt from the restrictions contained in the Schedule to this Order, if the notice is displayed on the vehicle in a conspicuous position;

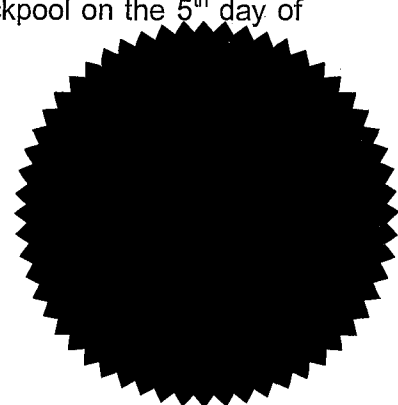
- (iv) a disabled person's vehicle which displays in the relevant position a disabled person's badge issued by any local authority in accordance with the provisions of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000, as amended.

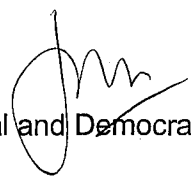
4. ANY provisions contained in the Borough of Blackpool (Various Roads) (Consolidation of Waiting Restrictions, On Street Parking Places, Residents' Parking Places and Protection of Bus Stops) Order 2003 and inconsistent with the provisions of this Order are hereby revoked.

5. THIS Order shall come into operation on the 1st day of March 2004 and may be cited as "THE BOROUGH OF BLACKPOOL (VARIOUS ROADS) (PROHIBITION OF WAITING) NO.2 ORDER 2004".

Given under the Common Seal of the Council of the Borough of Blackpool on the 5th day of February 2004.

THE COMMON SEAL of The Blackpool)
Borough Council was hereunto affixed in)
the presence of:-)





Head of Legal and Democratic Services

SCHEDULE

| STREET | NO WAITING AT ANY TIME | SIDE |
|---------------|--|-------|
| GRASMERE ROAD | From a point 15m south of Condor Grove roundabout to a point 10m east of Sharow Grove. | North |
| GRASMERE ROAD | For a distance 10m east and 10m west of Rose Avenue. | South |
| ROSE AVENUE | From Grasmere Road for a distance of 5m south. | Both |
| SHAROW GROVE | From Grasmere Road for a distance of 5m north. | Both |