

BLACKPOOL BOROUGH COUNCIL
THE BOROUGH OF BLACKPOOL (VARIOUS ROADS) (VARIOUS RESTRICTIONS) AND
(REVOCATION) No.2 ORDER 2005

The Council of the Borough of Blackpool (hereinafter called "the Council") in exercise of its powers under sections 1, 2, 4 and 124 of Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the said Act of 1984 and in exercise of its powers under the Road Traffic Act 1991 and the Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Blackpool) Order 2003 (Statutory Instrument No.2677) and of all other enabling powers hereby make the following Order:-

1. IN this Order, except where the context otherwise requires, the following expressions shall have the meanings hereby assigned to them respectively, that is to say:-

"goods" includes postal packets of any description

"licensed hackney carriage vehicle" means a horse drawn or mechanically propelled hackney carriage licensed under the provisions of the Town Police Clauses Act 1847

"parking attendant" means a parking attendant as defined in section 63A of the Act of 1984 (which is inserted by section 44(1) of the 1991 Act)

"penalty charge" and "reduced penalty charge" means a charge set by the Council following the provisions of section 66 of the 1991 Act and with the approval of the Secretary of State for Transport which is to be paid to the Council within 28 days beginning with the date of the notice or 14 days in the case of a reduced penalty charge following the issue of a penalty charge notice

"penalty charge notice" means a notice issued or served by a parking attendant pursuant to the provisions of section 66 of the 1991 Act containing the particulars therein required

"vehicle" shall not be taken to include non-motor vehicles (other than in the term "licensed hackney carriage vehicle")

2. SAVE as provided in Article 4 of this Order no person shall cause or permit any vehicle to wait at any time in the lengths of road described in the First Schedule to this Order except for a licensed Hackney Carriage Vehicle whilst operating as such

3. SAVE as provided in Article 4 of this Order no person shall cause or permit any vehicle to wait after 9pm on any day and/or before 8am on any day in the length of road described in the Second Schedule to this Order except for a licensed Hackney Carriage Vehicle whilst operating as such

4. NOTHING in Articles 2 and 3 of this Order shall render it unlawful to cause or permit any vehicle to wait in the road or in the lengths of road referred to in the First and Second Schedule hereto for so long as may be necessary:-

- a) 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 of road so referred to or the laying, erection or alteration or repair in, or in land adjacent to, any of the said lengths of road, or any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus as defined in the Second Schedule to the Telecommunication Act 1984

- b) 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
- c) 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; and
- d) if the vehicle is in the service of or employed by the Post Office and is waiting in any affected length of road whilst postal packets, as defined in section 87 of the Post Office Act 1953, addressed to premises adjacent to that length of 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 of road, or is in use in connection with the cleaning of telephone kiosks adjacent to that length of road

5. (1) IF a vehicle is left or abandoned in a length of road to which any provision of this Order applies in contravention of any of the provisions of this Order a penalty charge shall be payable and/or the vehicle may be removed from that location

(2) In the case of a vehicle in respect of which a penalty charge is payable a penalty charge notice showing the information required by Section 66(3) of the 1991 Act may then be issued by a parking attendant in accordance with section 66(1) of the 1991 Act

(3) Where a parking attendant has removed or caused to be removed a vehicle in accordance with paragraph (1) of this Article

- a) he 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 Road Traffic Regulation Act 1984 as amended shall apply to the disposal of any such vehicle removed by or on behalf of the Council pursuant to this Article

6. THE provisions of Article 33 of the Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Blackpool) Order 2003 ("the said Order of 2003") are hereby revoked so far as the lengths of road referred to in the Third Schedule to this Order are concerned

7. ANY provisions contained in the Borough of Blackpool (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

8. SAVE as are expressly hereby revoked the provisions of the said Order of 2003 remain in full force and effect

9. THIS Order shall come into operation on the 1st day of August 2005 and may be cited as "THE BOROUGH OF BLACKPOOL (VARIOUS ROADS) (VARIOUS RESTRICTIONS) AND (REVOCATION) No.2 ORDER 2005"

Given under the Common Seal of the Council of the Borough of Blackpool on the 7th day of July 2005

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



[Handwritten signature]

CHIEF SOLICITOR

FIRST SCHEDULE

NO WAITING AT ANY TIME – EXCEPT FOR HACKNEY CARRIAGES HORSE-DRAWN OR PROPELLED BY MECHANICAL POWER

New South Promenade – For a distance of 12m north of Harrow Place – East side

Queens Promenade – From a point 45m north of Norbreck Road for a distance of 12m north – East side

SECOND SCHEDULE

NO WAITING 9pm TO 8am – EXCEPT FOR HACKNEY CARRIAGES HORSE-DRAWN OR PROPELLED BY MECHANICAL POWER

Springfield Road – Promenade to Abingdon Street (Save for a distance of 15m west of back street adjacent to property No.29 Springfield Road) – South side

THIRD SCHEDULE

REVOCATION OF NO WAITING AT ANY TIME

Burlington Road - North side – 23m west of Lytham Road (Taxi stand)

Eastpines Drive - South side – Adjacent to shops, embayment (Taxi stand)