

BLACKPOOL BOROUGH COUNCIL
THE BOROUGH OF BLACKPOOL (CLIFTON STREET)
(WAITING AND LOADING RESTRICTIONS) AND (REVOCATION) ORDER 2005

The Council of the Borough of Blackpool (hereinafter called "the Council") in exercise of its powers under Sections 1, 2, 3, 4, 45, 46, 46A, 47, 49, 53 and 124 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 -

penalty charge" and "reduced penalty charge" means a charge set by the Council under 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.

"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).

"vehicle" shall not be taken to include non-motor vehicles

2. THE Borough of Blackpool (Various Roads) (Consolidation of Waiting Restrictions, On Street Parking Places, Residents Parking Places and Protection of Bus Stops) Order 2003 shall have effect as though the provisions contained in the First Schedule to this Order were contained in and formed part of Part I of the Second Schedule to the said Order of 2003.

3. THE said Order of 2003 shall be in full force and effect as if the above provisions had originally formed part thereof.

4. SAVE as provided in Article 5 of this Order no person shall cause or permit any vehicle to wait at any time for the purpose of loading or unloading in a length of road referred to in the Second Schedule of this Order.

5. NOTHING in Article 4 of this Order shall render it unlawful for a person to cause or permit a vehicle to wait if

- (a) the waiting is for so long as may be necessary to enable a person to board or alight from the vehicle or load thereon or unload there from their personal luggage;
- (b) it is being used for as long as may be necessary for emergency Fire and Rescue Service, Ambulance or Police purposes;
- (c) 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;
- (d) the vehicle is waiting only for so long as may be necessary to enable it to be used in connection with the removal of obstruction to traffic

6. (1) IF a vehicle is left or abandoned in a length of road to which the provisions of Article 4 of this Order apply, in contravention of any of the provisions of Article 4 of this Order, a penalty charge shall be payable; the vehicle may also 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.

7. NOTWITHSTANDING the provisions of this Order, the Council may at its discretion (including requiring an administration fee) issue a dispensation allowing a specific vehicle to wait in a length of road, to which the provisions of Articles 2 and 4 of this Order apply during the hours of operation of any restriction or prohibition to the contrary.

8. THE provisions relating to disabled parking contained in The Borough of Blackpool (Town Centre) (Various Restrictions) Order 2004 and The Borough of Blackpool (Clifton Street)(Revocation) Order 2005 are hereby revoked so far as the length of road and the times specified in the Schedule 4 to this Order are concerned.

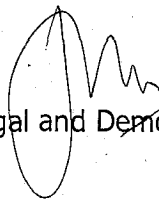
9. THE provisions relating to pay and display parking contained in The Borough of Blackpool (Town Centre) (Various Restrictions) Order 2004 are hereby revoked so far as the length of road and the times specified in the Schedule 3 to this Order are concerned.

10. ANY provisions contained in the said Order of 2003 and inconsistent with the provisions of this Order are hereby revoked.

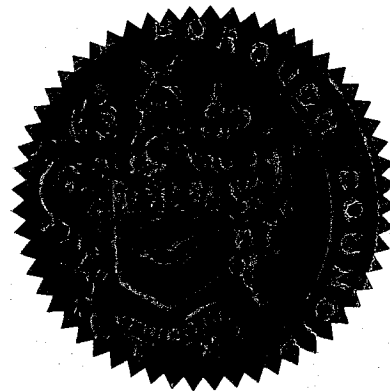
11. THIS Order shall come into operation on the 7th day of February 2006 and may be cited as "THE BOROUGH OF BLACKPOOL (CLIFTON STREET)(WAITING AND LOADING RESTRICTIONS) AND (REVOCATION) ORDER 2005".

Given under the Common Seal of the Council of the Borough of Blackpool on the 19th day of January 2006.

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



Head of Legal and Democratic Services



SCHEDULE 1 - NO WAITING AT ANY TIME

Clifton Street – north side

From a point 71m west of the westerly kerbline of Abingdon Street for a distance of 6m west

Clifton Street – south side

From a point 79m west of the westerly kerbline of Abingdon Street for a distance of 6m west

SCHEDULE 2 - NO LOADING AT ANY TIME

Clifton Street – north side

From a point 71m west of the westerly kerbline of Abingdon Street for a distance of 6m west

Clifton Street – south side

From a point 79m west of the westerly kerbline of Abingdon Street for a distance of 6m west

SCHEDULE 3 - REVOCATION OF ON-STREET PAY AND DISPLAY PARKING PLACES (INNER ZONE) 8am – 6pm WAITING LIMITED TO 20 MINUTES (CHARGE 20 PENCE) OR 30 MINUTES (CHARGE 30 PENCE) OR 40 MINUTES (CHARGE 40 PENCE) OR 50 MINUTES (CHARGE 50 PENCE) OR 60 MINUTES (CHARGE 60 PENCE) AND IN ALL CASES NO RETURN WITHIN 1 HOUR

Clifton Street – north side

From a point 71m west of the westerly kerbline of Abingdon Street for a distance of 6m west

SCHEDULE 4 - REVOCATION OF DISABLED PARKING BAYS 24 HOURS, 6pm – 8am AND 8am – 6pm WAITING LIMITED 3 HOURS (NO RETURN WITHIN 6 HOURS) (3 SPACES)

Clifton Street – south side

From a point 79m west of the westerly kerbline of Abingdon Street for a distance of 6m west