

**BLACKPOOL BOROUGH COUNCIL**  
**(MARKET STREET) (VARIOUS RESTRICTIONS) AND (REVOCATIONS) ORDER 2006**

---

The Council of the Borough of Blackpool (hereinafter called "the Council") in exercise of its powers under Sections 1, 2, 3, 4, 32, 35 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 content otherwise requires, the following expressions shall have the meanings hereby assigned to them, respectively, that is to say:-

"disabled persons 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) (Amendments) Regulations 2000 and which additionally has not ceased to be in force.

"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.

"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 Road Traffic Act 1991 ('the 1991Act')).

"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.

"relevant position" shall have the following meaning:-

- (a) the badge is exhibited on the dashboard or facia of the vehicle, and
- (b) where the vehicle is not fitted with a dashboard or facia, 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.

"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 1 of the Second Schedule to the said order of 2003.

3. SAVE as provided in Article 5 of this Order no person shall cause or permit any vehicle to wait

- (i) at any time in the length of road described in the Second Schedule to this Order, or
- (ii) between the hours of 8.00 am and 6 pm inclusive in the length of road described in the Third Schedule to this Order

other than a disabled person's vehicle which displays in the relevant position a disabled person's badge.

4. SAVE as provided in Article 5 of this Order no person shall cause or permit any vehicle to wait in the length of road referred to in the Fourth Schedule of this Order during the times specified therein other than for the purpose of loading or unloading.

5. NOTHING in Articles 3 and 4 of this Order shall render it unlawful to cause or permit any vehicle to wait in any of the sides of road or in any of the lengths of road referred to in the Second, Third and Fourth Schedules of this Order 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 near to any of the said lengths of roads or 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 the Second Schedule to the Telecommunications Act 1984;

(b) for the purpose of loading and unloading the vehicle while the vehicle is in actual use in connection with the removal of furniture from one office or dwelling-house to another or the removal of furniture from such premises to a depository or to such premises from a depository;

(c) 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; or

(d) 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.

6. THE provisions relating to loading only contained in the said Order of 2003 are hereby revoked so far as the length of road and the times specified in the Fifth Schedule to this Order is concerned.

7. THE provisions relating to disabled parking contained in the said Order of 2003 are hereby revoked so far as the lengths of road and the times specified in the Sixth Schedule to this Order are concerned.

8. (a) IF a vehicle is left or abandoned in a length of road to which the provisions of Articles 2, 3 or 4 of this Order apply, in contravention of any of the provisions of this Order, a penalty charge shall be payable and the vehicle may also be removed from that location.

(b) 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.

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

(i) he shall provide for the safe custody of the vehicle;(ii) 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; (iii)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.

9. 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 this Order applies during the hours of operation of any restriction or prohibition to the contrary

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

11. THIS Order shall come into operation on the 31<sup>st</sup> day of August 2006 and may be cited as

"THE BLACKPOOL BOROUGH COUNCIL (MARKET STREET) (VARIOUS RESTRICTIONS) AND (REVOCATIONS) ORDER 2006".

Given under the Common Seal of the Council of the Borough of Blackpool on the 24<sup>th</sup> day of August 2006.

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



for Head of Legal and Democratic Services



### **FIRST SCHEDULE**

#### **NO WAITING AT ANY TIME**

**MARKET STREET** – For a distance of 8.7m south of southern kerbline of Talbot Square – West side

**MARKET STREET** – From a point 33.6m south of southern kerbline of Talbot Square for a distance of 6.8m south – West side

### **SECOND SCHEDULE**

#### **DISABLED PARKING BAY – 24 HOURS**

**MARKET STREET** – From a point 8.7m south of southern kerbline of Talbot Square for a distance of 15.6m south – West side

### **THIRD SCHEDULE**

#### **DISABLED PARKING BAY – 8:00 am to 6:00 pm**

**MARKET STREET** – From a point 40.4m south of southern kerbline of Talbot Square for a distance of 29.5m south – West side

### **FOURTH SCHEDULE**

#### **LOADING ONLY BAY - 4:00 am to 6:00 pm**

**MARKET STREET** – From a point 24.3m south of southern kerbline of Talbot Square for a distance of 9.3m south – West side

### **FIFTH SCHEDULE**

#### **REVOCAION OF LOADING ONLY BAY – 4:00 am to 10:30 am and 5:00 pm to 7:00 pm**

**MARKET STREET** - From a point 32m south of Talbot Square for a distance of 31m in a southerly direction) – West side

### **SIXTH SCHEDULE**

#### **REVOCAION OF DISABLED PARKING BAY – 10:30 am to 5:00 pm**

**MARKET STREET** - From a point 3m south of Talbot Square for a distance of 26m in a southerly direction) – West side

**MARKET STREET** - From a point 32m south of Talbot Square for a distance of 31m in a southerly direction) – West side