

BLACKPOOL BOROUGH COUNCIL
THE BOROUGH OF BLACKPOOL (PROHIBITION OF WAITING AND LOADING) AND
(REVOCATION) ORDER 2006

The Council of the Borough of Blackpool (hereinafter called "the Council") in exercise of its powers under Sections 1, 2, 3, 4 and 124 and 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 –

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 6 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 SAVE as provided in Article 6 of this Order no person shall cause or permit any vehicle to wait for the purpose of loading or unloading in the length of road referred to in the Third Schedule of this Order at any time during the hours and on the days shown in the said Third Schedule.

6 NOTHING in Articles 4 and 5 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

7 (1) IF a vehicle is left or abandoned in a length of road to which the provisions of Article 4 or 5 of this Order apply, in contravention of any of the provisions of Article 4 or 5 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.

8. 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 4 or 5 of this Order apply during the hours of operation of any restriction or prohibition to the contrary.

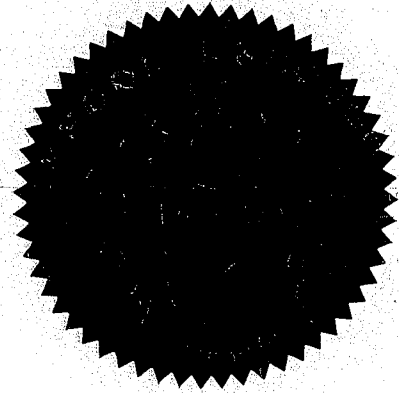
9. THE provisions relating to no waiting at any time contained in Part I of the Second Schedule the Borough of Blackpool (Various Roads) (Consolidation of Waiting Restrictions, On Street Parking Places, Residents Parking Places and Protection of Bus Stops) Order 2003 are hereby revoked so far as the lengths of road specified in the Fourth Schedule to this Order are concerned.

10. ANY other 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 1st day of May 2007 and may be cited as "THE BOROUGH OF BLACKPOOL (PROHIBITION OF WAITING AND LOADING) AND (REVOCATION) ORDER 2006".

Given under the Common Seal of the Council of the Borough of Blackpool on the 8th day of March 2007.

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



M. Pickney

~~Head of Legal and Democratic Services~~
Principal Solicitor

SCHEDULE 1 - NO WAITING AT ANY TIME

Warley Road – for a distance of 17m west of the westerly kerb line of Westminster Road - North side
Warley Road– for a distance of 16m east of the easterly kerb lines of Westminster Road - Both sides
Westminster Road– for a distance of 29m south of the southerly kerb line of Warley Road- West side
Westminster Road – for a distance of 17m north of the northerly kerb line of Claremont Road - West side
Westminster Road –from Warley Road to Leckhampton Road - West side
Claremont Road– for a distance of 80m east of the easterly kerb line of Sherbourne Road South side
Claremont Road– from a point 128m east of the easterly kerb line of Sherbourne Road for a distance of 9m in an easterly direction - South side
Claremont Road– for a distance of 188m east of the easterly kerb line of Westminster Road - North side
Claremont Road– for a distance of 7m west of the westerly kerb line of Cromwell Road - South side
Claremont Road– for a distance of 21m east of the easterly kerb line of Cromwell Road - South side
Cromwell Road – full length - West side
Claremont Court – for a distance of 9m west of the westerly kerb line of Cromwell road - Both sides
Cromwell Road– for a distance of 10m north of the northerly kerb line of Handsworth Road - East side
Cromwell Road– for a distance of 7m south of the southerly kerb line of Claremont Road - East side

SCHEDULE 2 - NO LOADING OR UNLOADING AT ANY TIME

Westminster Road– from Warley Road to Claremont Road - East side
Claremont Road - for a distance of 188m east of the easterly kerb line of Westminster Road - North side

SCHEDULE 3 - NO LOADING OR UNLOADING 8.00AM TO 9.15AM AND 3.00PM TO 4.00PM, MONDAY TO FRIDAY

Warley Road– for a distance of 16m east of the easterly kerb lines of Westminster Road - Both sides

SCHEDULE 4 - REVOCATION OF NO WAITING AT ANY TIME

Claremont Road– 9m east and west of its junction with Westminster Road - North side
Claremont Road– 9m east and west of Cromwell Road - South side
Claremont Road– Sherbourne Road to 14m east of Westminster Road - South side
Claremont Road– Fronting properties Nos 59-63 inclusive - South side
Claremont Road– from a point 80m west of Cromwell Road for a distance of 15m in a westerly direction - South side
Cromwell Road– for a distance of 18m south of Claremont Road - Both sides
Cromwell Road– for a distance of 18m north of Handsworth Road - Both sides
Westminster Road– for a distance of 27m north of Claremont Road - West side
Warley Road– for a distance of 9m west and 32m east of Sherbourne Road - North side
Westminster Road – Leckhampton Road to property No. 27 Westminster Road – West side