

THE BOROUGH OF BLACKPOOL (SPEN CORNER)
(NO WAITING AT ANY TIME) ORDER 2008

The Council of the Borough of Blackpool (hereinafter called "the Council") in exercise of its powers under Sections 1, 2, 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 under the Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Blackpool) Order 2003 (Statutory Instrument No. 2677) and under 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, respectfully, that is to say:-

"delivering" and "collecting" in relation to any goods include checking the goods for the purpose of their delivery or collection;

"disabled driver" means:-

- a) any persons driving an invalid carriage;
- b) any persons driving an authorised vehicle fitted with a badge issued in accordance with 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 that has not ceased to be in force;

"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 that has not ceased to be in force.

"disabled persons parking disc" means a device which:-

- a) is 125 millimetres square and coloured blue;
- 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 has begun

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;

- (e) 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;
- (f) if the vehicle is waiting only for so long as may be reasonably necessary while a gate or barrier is opened or closed to allow access or departure to or from adjacent premises;
- (g) if the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control, or the driver has been told to wait by a police constable in uniform, or such waiting is necessary in order to avoid an accident;

4. NOTHING in Article 2 of this Order shall render it unlawful to cause or permit any vehicle to wait in any of the lengths of road referred to in the First Schedule of this Order if it is a disabled persons vehicle which displays in the Relevant Position a disabled persons badge and a disabled persons parking disc which said disc is (a) exhibited on the dashboard or fascia of the vehicle or (b) where the vehicle is not fitted with a dashboard or fascia, the disc is exhibited in a conspicuous position on the vehicle, so that in either case, when marked to show the quarter hour period during which the period of waiting began, that period is clearly legible from outside the vehicle, on which the driver or other person in charge of the vehicle has marked the quarter hour period during which the period of waiting began, for a period not exceeding **three hours** and not being a period separated by an interval of less than **one hour** from a previous period of waiting by the same vehicle in the same length of road on the same day.

5. THE provisions relating to No Waiting At Any Time contained in the 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 length of road and the times specified in the Second Schedule to this Order is concerned.

6. IF a vehicle is left or abandoned in a length of road or in any other location whatsoever 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.

7. NOTWITHSTANDING any of the foregoing 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 or any other location whatsoever to which any provision of this Order applies during the hours of operation of any restriction or prohibition to the contrary.

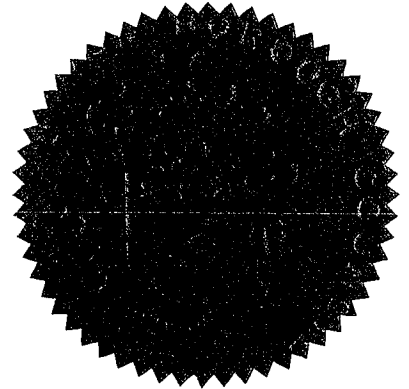
8. THIS Order shall come into operation on the 4th day of July 2008 and may be cited as

“THE BOROUGH OF BLACKPOOL (SPEN CORNER) (NO WAITING AT ANY TIME) ORDER 2008”

Given under the Common Seal of the Council of the Borough of Blackpool on the 3rd day of July 2008.

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

Head of Legal and Democratic Services



FIRST SCHEDULE

NO WAITING AT ANY TIME

Waterloo Road - the north side - from the westerly kerb line of Ansdell Road for a distance of 52.5m in a westerly direction

Waterloo Road -the north side - from the easterly kerb line of Ansdell Road for a distance of 33.5m in an easterly direction

SECOND SCHEDULE

REVOCACTION OF NO WAITING AT ANY TIME

Waterloo Road -the north side - from 37m west of Marton Drive to property No 314
Waterloo Road

“disabled persons vehicle” means a vehicle which displays in the Relevant Position a disabled person’s badge in accordance with the circumstances prescribed in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 as amended;

“front of the badge” means the side of the disabled person’s badge that contains the wheelchair user symbol and expiry date;

"goods" includes postal packets of any description;

“penalty charge” means the charge imposed under legislation in respect of parking contraventions that are subject to civil enforcement;

“Relevant Position” shall have the following meanings:-

- (a) on the dashboard or facia of the vehicle so that the front of the badge is clearly legible from the outside of the vehicle; or
- (b) where the vehicle is not fitted with a dashboard or facia 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. SAVE as provided in Articles 3 and 4 of this Order no person shall cause or permit any vehicle to wait at any time in a length of road referred to in the First Schedule of this Order

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

- (a) If the waiting is only for so long as may be reasonably necessary to enable a person to board or alight from the vehicle or load thereon or unload therefrom their personal luggage;
- (b) If the vehicle is being used for emergency Fire and Rescue Service, Ambulance or Police purposes;
- (c) If the vehicle, not being a passenger carrying vehicle, is being used in the service of a local authority in pursuance of statutory powers or duties provided that it is reasonably necessary in the exercise of such powers or in the performance of such duties for the vehicle to wait in the place in which it is waiting;
- (d) 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