

30/08/2012  
2012 STARR GATE

**BLACKPOOL BOROUGH COUNCIL**  
**THE BOROUGH OF BLACKPOOL (STARR GATE – UN-NAMED ACCESS ROAD)**  
**(PART) (VARIOUS RESTRICTIONS) AND (REVOCATIONS) ORDER 2012**

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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 the Road Traffic Regulation Act 1984, the Traffic Management Act 2004 and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the said Act of 1984 hereby make the following Order:-

1. THIS Order shall come into operation on the 30<sup>th</sup> day of August 2012 and may be cited as 'THE BOROUGH OF BLACKPOOL (STARR GATE – UN-NAMED ACCESS ROAD) (PART) (VARIOUS RESTRICTIONS) AND (REVOCATIONS) ORDER 2012'.

2. (a THE provisions contained in The Borough Of Blackpool (Various Roads) (Various Restrictions) And (Revocation) Order No. 8 2005 and any other Order which is inconsistent with the provisions of this Order are hereby revoked so far only as the length of Highway described in this Order.

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

"Emergency Services"

means a vehicle in the service of the Police, Fire and Rescue, Ambulance, Coastguard and the Royal National Lifeboat Institute.

"Highway"

means an area of land described in the Schedule of this Order

"loading or unloading"

means the transport of goods or services to a premise accessible from that length of road.

"valid permit"	means an annual permit issued by a Civil Enforcement Officer authorising the holder to enter the area subject to a restriction in this Order
"person authorised by the Council"	means a Civil Enforcement Officer or a Police Constable in uniform.
"special event"	means any gathering of people for any public processions, rejoicings, illuminations, sporting, social or entertainment which is approved by Blackpool Borough Council and a valid permit has been issued for each vehicle.
"temporary dispensation"	means a valid permit which is valid for no longer than seven days and is issued by a Civil Enforcement Officer authorising the holder to enter the area subject to a restriction in this Order.
"the Council"	means Blackpool Borough Council.
"vehicle"	means a motorised or mechanically propelled vehicle and shall not be taken to include non-motorised or non-mechanically propelled vehicles.

4. SAVE as provided in Article 5 of this Order no person except under the direction or with the permission of a person authorised by the Council shall cause or otherwise permit a vehicle to wait at any time in the length of Highway described in the First Schedule to this Order.

5. NOTHING in Article 4 of this Order shall render it unlawful for a person to cause or otherwise permit a vehicle to wait at any time in the length of road described in the First Schedule of this Order if :-

(a) 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) the vehicle is being used for emergency Fire and Rescue Service, Ambulance or Police purposes;

(c) 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 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) the vehicle is bearing a livery which is used by a Universal Service Provider and the vehicle is engaged in the collection and/or delivery of letters in accordance with statutory duty for the provision of services for the conveyance of letters;

(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.

6. NO person shall cause or otherwise permit any vehicle to wait at any time in the length of highway described in the Second Schedule to this Order for the purpose of loading or unloading.


7. 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.

8. NOTWITHSTANDING any of the forgoing provisions of this Order the Council may at its discretion (including requiring an administration fee) issue a temporary dispensation or valid permit allowing a specific vehicle to wait in an area of Highway 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.

Given under the Common Seal of the Council of the Borough of Blackpool on the 28<sup>th</sup> August 2012.

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

  
Senior Solicitor

Head of Legal and Democratic Services



#### First Schedule

##### **No Waiting at Any Time**

The unnamed road leading from Starr Gate to the beach slipway for its full length (both sides)

#### Second Schedule

##### **No Loading or Unloading at Any Time**

The unnamed road leading from Starr Gate to the beach slipway for its full length (both sides)