

BLACKPOOL BOROUGH COUNCIL
THE BOROUGH OF BLACKPOOL (LAYTON & PARK WARDS) (NO WAITING
RESTRICTIONS) ORDER 2013

The Council of the Borough of Blackpool (hereafter referred to as 'the Council') I in exercise of its powers under Sections 1, 2,4 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. THIS Order shall come into operation on the 18th April 2013 and may be cited as 'THE BOROUGH OF BLACKPOOL (LAYTON & PARK WARDS) (NO WAITING RESTRICTIONS) ORDER 2013'.

2. IN this order, except where the content otherwise requires, the following expression shall have the meaning hereby assigned to it, respectively, that is to say:-

"a person authorised by the Council" means a police constable in uniform or a civil enforcement officer.

"Civil Enforcement Officer" means a person authorised by the Council to supervise any parking place.

"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 as described in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000.

"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.

"goods" includes postal packets of any description.

"invalid carriage" means the same as in Section 136 (5) of the Road Traffic Regulation Act 1984.

"penalty charge notice" means a notice issued or served by a Civil Enforcement Officer pursuant to the provisions Part 6 of the Traffic Management Act 2004 containing the provisions therein required.

"relevant position" shall have the following meanings:-

- (a) on the dashboard or fascia 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 fascia in a conspicuous position on the vehicle so that the front of the badge is clearly legible from the outside of the vehicle; or
- (c) on the windscreen so that the front of the badge is clearly legible from the outside of the vehicle; and
- (d) in each case for the avoidance of doubt so that no letter, numeral or symbol on the front of the badge is obscured.

'servicing' means the conveyance of equipment, goods or merchandise to or from a premise or for carrying out maintenance works to a premise.

"Universal Service Provider" shall have the same meaning as in the Postal Services Act 2000.

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

3. SAVE as provided in Article 4 and 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 any of the lengths of road described in the First Schedule of this Order.

4. NOTHING in Article 3 of this Order shall render it unlawful for a person to cause or otherwise permit a vehicle to wait at any time in any of the lengths of road described

therein 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.

5. NOTHING in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait at any time in any of the lengths of road described in 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 facia of the vehicle or (b) where the vehicle is not fitted with a dashboard or facia, 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.

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 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 Land 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 16th day of April 2013.

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

Effaines

Head of Legal Services



FIRST SCHEDULE

No Waiting at Any Time

BIDEFORD AVENUE from the road centreline of Dauntesey Avenue for 12m in a north-easterly direction (both sides)

DAUNTESEY AVENUE from a point 12m southeast of the road centreline of Bideford Avenue for 23m in a north-westerly direction (north-east side)

DAUNTESEY AVENUE from a point 15m southeast of the road centreline of Charnwood Avenue for 35m in a north-westerly direction (north-east side)

CHARNWOOD AVENUE from the road centreline of Dauntesey Avenue for 12m in a north-easterly direction (both sides)

GRANGE ROAD From the road centre line of Torsway Avenue for a distance of 20m in an easterly direction (south side)

GRANGE ROAD From the road centre line of Torsway Avenue for a distance of 20m in a westerly direction (south side)

TORSWAY AVENUE From the road centre line of Grange Road for a distance of 20m in a southerly direction (east side)

TORSWAY AVENUE From the road centre line of Grange Road for a distance of 20m in a southerly direction (west side)

BLAIRWAY AVENUE from a point 12m east of the road centreline of Torsway Avenue for 24m in a westerly direction (both sides)

TORSWAY AVENUE from a point 10m north of the road centreline of Blairway Avenue for 20m in a southerly direction (both sides)

INGLEWAY AVENUE from a point 12m east of the road centreline of Deneway Avenue for 24m in a westerly direction (both sides)

DENEWAY AVENUE from a point 10m north of the road centreline of Ingleway Avenue for 20m in a southerly direction (both sides)

FORDWAY AVENUE from a point 12m east of the road centreline of Deneway Avenue for 24m in a westerly direction (both sides)

DENEWAY AVENUE from a point 10m north of the road centreline of Fordway Avenue for 20m in a southerly direction (both sides)

BARDSWAY AVENUE from a point 12m east of the road centreline of Deneway Avenue for 24m in a westerly direction (both sides)

DENEWAY AVENUE from a point 10m north of the road centreline of Bardsway Avenue for 20m in a southerly direction (both sides)