

**BLACKPOOL BOROUGH COUNCIL**  
**THE BOROUGH OF BLACKPOOL (VARIOUS ROADS) (VARIOUS RESTRICTIONS) AND**  
**(REVOCATIONS) No2 ORDER 2016**

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THE COUNCIL OF THE BOROUGH OF BLACKPOOL (hereafter referred to as 'the Council') under Section 1, 2, 3, 4, 5, 32 and 124 of the Road Traffic Regulation Act 1984 (hereafter referred to as the 'Act of 1984'), the Traffic Management Act 2004 and The Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Blackpool) Order 2003 (Statutory Instrument No 2677) and after consultation with the Chief Officer of Police pursuant to Part III of Schedule 9 of the Act of 1984 and all other enabling powers hereby propose to make the following Order.

**COMMENCEMENT AND CITATION**

1. THIS Order shall come into operation on the **XX<sup>xx</sup> Xxxxxx 2017** and may be cited as "THE BOROUGH OF BLACKPOOL (VARIOUS ROADS) (VARIOUS RESTRICTIONS) AND (REVOCATIONS) No 2 ORDER 2016"

**INTERPRETATIONS**

2. IN this Order except where the content otherwise expressly requires the following words or expressions shall have these meanings assigned to them;-

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

"**Civil Enforcement Officer**" means a person in uniform 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.

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

**“passenger carrying vehicle”** means a motor vehicle (other than a motor cycle or invalid carriage) constructed solely for the carriage of passengers or their effects and adapted to carry not more than 12 passengers exclusive of the driver and not drawing a trailer.

**“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 font 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.

**“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.

The restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulations made or having effect as if made under the Road Traffic Regulations Act 1984 as amended or by or under any other enactment.

The masculine includes the feminine and vice versa.

Any reference in this Order to a statute or regulation shall be construed to such statute or regulation as the same may have been or may from time to time be amended or re-enacted.

### **PROHIBITIONS**

3. SAVE as provided in Article **13** or Article **14** 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 any vehicle to wait at any time in any of the lengths of road described in Schedule 1 to this Order.

4. SAVE as provided in Article **15** 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 any vehicle to wait at any time in any of the lengths of road described in Schedule 2 to this Order for the purpose of loading and/or unloading.

5. (a) SAVE as provided in Article **16** and Article **17** of this Order and paragraph (b) of this Article no person except under the direction or with the permission of a person authorised by the Council shall cause or otherwise permit any vehicle to wait in any of the lengths of road described in column (i) of the table in Schedule 3 to this Order on the days specified in column (ii) and during the times specified in column (iii) therein.

(b) NOTHING in paragraph (a) of this Article shall render it unlawful for a vehicle to wait in a length of road described therein between the hours and on the days referred to in Schedule 3 hereto if that period of waiting does not exceed the length of time specified in column (iv) and that vehicle does not return to the same length of road until the minimum time specified in column (v) of the table in Schedule 3 has elapsed.

6. (a) SAVE as provided in Article **18** and Article **19** of this Order and paragraph (b) of this Article no person except under the direction or with the permission of a person authorised by the Council shall cause or otherwise permit any vehicle to wait in any of the lengths of road described in column (i) of the table in Schedule 4 to this Order on the days specified in column (ii) and during the times specified in column (iii) therein.

(b) NOTHING in paragraph (a) of this Article shall render it unlawful for a vehicle to wait in the lengths of road described therein between the hours and on the days referred to in Schedule 4 hereto if the vehicle is being used for the purpose only of loading and / or unloading goods to an adjoining premises and that period of waiting does not exceed the length of time specified in column (iv) and that vehicle does not return to the same length of road until the minimum time specified in column (v) of the table in Schedule 4 has elapsed.

7. THE Borough of Blackpool (Various Locations) (Taxi Stands) Order 2012 shall have effect as though the provisions contained in Schedule 5 to this Order were contained in and formed part of the First Schedule to the said Order of 2012.

8. THE said Order of 2012 shall be in full force and effect as if the provisions of Article 9 and Schedule 5 hereto had originally formed part of the said Order of 2012.

9. THE Borough Of Blackpool (Town Centre) (On-Street Pay And Display Parking Places) Order 2006 shall have effect as though the provisions contained in Schedule 6 to this Order were contained in and formed part of the Fifth Schedule to the 2006 Order.

10. THE said Order of 2006 shall be in full force and effect as if the provisions of Article 9 and Schedule 6 hereto had originally formed part of the said Order of 2006.

11. THE Borough of Blackpool (Various Roads) (Various Restrictions) and (Revocations) Order 2013 shall have effect as though the provisions contained in Schedule 7 to this Order were contained in and formed part of Schedule 11 to the 2013 Order.

12. THE said Order of 2013 shall be in full force and effect as if the provisions of Article 11 and Schedule 7 hereto had originally formed part of the said Order of 2013.

## **EXEMPTIONS**

13. NOTHING in Article 3 of this Order shall render it unlawful to cause or permit a vehicle to wait in any of the lengths of road described in Schedule 1 to this Order for so long as may be reasonably necessary:-

- (a) to enable a person to board or alight from the vehicle or load thereon or unload there from their personal luggage;
- (b) if the vehicle is being used by the Fire and Rescue Service, Ambulance Service or Police Service in pursuance of statutory powers or duties and in an emergency;

- (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 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 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 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.

14. NOTHING in Article 3 of this Order shall render it unlawful to cause or permit a vehicle to wait in any of the lengths of road described in Schedule 1 to this Order for so long as may be reasonably necessary:-

- (a) if the vehicle 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 (i) exhibited on the dashboard or fascia of the vehicle or (ii) 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.
- (b) if the vehicle is an invalid carriage.

15. NOTHING in Article 4 of this Order shall render it unlawful to cause or permit a vehicle to wait in any of the lengths of road described in Schedule 2 to this Order for so long as may be reasonably necessary:-

- (a) 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 by the Fire and Rescue Service, Ambulance Service or Police Service in pursuance of statutory powers or duties and in an emergency;
- (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 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 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 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.

16. NOTHING in Article 5 of this Order shall render it unlawful to cause or permit a vehicle to wait in any of the lengths of road described in Schedule 3 to this Order for so long as may be reasonably necessary:-

- (a) 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 by the Fire and Rescue Service, Ambulance Service or Police Service in pursuance of statutory powers or duties and in an emergency;
- (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 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 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 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.

**17.** NOTHING in Article 5 of this Order shall render it unlawful to cause or permit a vehicle to wait in any of the lengths of road described in Schedule 3 to this Order for so long as may be reasonably necessary:-

- (a) if the vehicle 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 (i) exhibited on the dashboard or facia of the vehicle or (ii) 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.
- (b) if the vehicle is an invalid carriage.

**18.** NOTHING in Article 6 of this Order shall render it unlawful to cause or permit a vehicle to wait in any of the lengths of road described in Schedule 4 to this Order for so long as may be reasonably necessary:-

- (a) to enable a person to board or alight from the vehicle or load thereon or unload there from their personal luggage;
- (b) if the vehicle is being used by the Fire and Rescue Service, Ambulance Service or Police Service in pursuance of statutory powers or duties and in an emergency;
- (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 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 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 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.

19. NOTHING in Article 6 of this Order shall render it unlawful to cause or permit a vehicle to wait in any of the lengths of road described in Schedule 4 to this Order for so long as may be reasonably necessary:-

- (a) if the vehicle 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 (i) exhibited on the dashboard or fascia of the vehicle or (ii) 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 **thirty minutes**



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.

(b) if the vehicle is an invalid carriage.

20. THE prohibitions imposed by this Order are in addition to and not in derogation of any restriction, prohibition or requirement imposed by any other enactment and any exception from the provisions of this Order is without prejudice to the provisions of any other enactment.

## **CONTROLS**

21. IF a vehicle is left or abandoned in a length of road or in any location whatsoever to which any provision of this Order applies and in contravention of any of the controls imposed by this Order a penalty charge notice shall be issued to the vehicle and / or the vehicle may be removed therefrom.

22. NOTWITHSTANDING any of the foregoing 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 a length of road or in any location whatsoever to which any provision of this Order applies during the hours of operation of any restrictions or prohibition to the contrary.

23. THE controls specified in this Order do not apply in respect of anything done:-  
(a) with the permission or at the direction of a constable in uniform , or  
(b) in accordance with any indication given by a traffic sign which has been placed pursuant to section 66 or 67 of the Road Traffic Regulation act 1984.

## **REVOCATIONS AND AMENDMENTS**

24. THE No Waiting At Any Time restrictions contained within the Second Schedule Part 1 of The Borough Of Blackpool (Various Roads) (Consolidation Of Waiting Restrictions, On Street Parking Places, Residents' Parking Places, And Protection Of Bus Stops) Order 2003, and the Disabled Parking restrictions contained within Article 34 of the last said Order of 2003 are revoked insofar only as the lengths of road specified in Schedule 8 hereto are concerned.

25. THE Pay & Display 9am-6pm Waiting Limited To 20, 30, 40, 50, 60, 90 Or 120 Mins And In All Cases restrictions contained within the Fifth Schedule of The Borough Of Blackpool

(Town Centre) (On-Street Pay And Display Parking Places) Order 2006 are revoked insofar only as the length of road specified in Schedule 9 hereto are concerned.

26. THE No Waiting At Any Time restrictions contained within the First Schedule of The Borough Of Blackpool (Various Roads) (Various Restrictions) And (Revocation) Order 2007 are revoked insofar only as the length of road specified in Schedule 10 hereto are concerned.

27. THE No Waiting At Any Time restrictions contained within the First Schedule of The Borough Of Blackpool (Various Roads) (Various Restrictions) And (Revocation) No2 Order 2011 are revoked insofar only as the length of road specified in Schedule 11 hereto are concerned.

28. THE No Stopping Except Taxi restrictions contained within the First Schedule of The Borough Of Blackpool (Various Locations) (Taxi Stands) Order 2012 are revoked insofar only as the lengths of road specified in Schedule 12 hereto are concerned.

29. THE No Waiting At Any Time restrictions contained within the First Schedule of The Borough Of Blackpool (Various Roads) (Various Restrictions) And (Revocations) No.2 Order 2012 are revoked insofar only as the lengths of road specified in Schedule 13 hereto are concerned.

30. THE No Waiting At Any Time restrictions contained within Schedule 1 of The Borough Of Blackpool (Bank Hey Street) (Contra-Flow Bus Lane) And (Central Drive) (With Flow Bus Lane) Order 2013, and the Loading Only restrictions contained within Schedule 4 of the last said Order of 2013 are revoked insofar only as the lengths of road specified in Schedule 14 hereto are concerned.

31. THE No Waiting At Any Time restrictions contained within Schedule 1 of The Borough Of Blackpool (Various Roads) (Various Restrictions) And (Revocations) Order 2016 are revoked insofar only as the lengths of road specified in Schedule 15 are concerned.

Given under the Common Seal of the Council of the Borough of Blackpool on the **XX<sup>xx</sup>** **Xxxxxxx 2017.**

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

Authorised Signatory (\_\_\_\_\_ \_\_\_\_\_  
Chief Corporate Solicitor)