

## LYTHAM ST. ANNES BOROUGH COUNCIL

*The Borough of Lytham St. Annes (Street Parking Places) Order, 19*

Notice is hereby given that the Council of the Borough of Lytham St. Annes in exercise of the powers conferred upon them by subsection (1) of Section 28, subsection (1) of Section 31 and subsection (1) of Section 53 of the Road Traffic Regulation Act 1967 and of all other powers them enabling in that behalf propose to make the following Order:—

## PART I

*General*

1. The Orders with respect to the parking places specified in the first column of the Second Schedule to this Order and made by the Council on the dates specified in the second column of the said Schedule are hereby revoked.

2. (1) In this Order, except where the context otherwise requires the following expressions have the meanings hereby assigned to them:

“ Council ” means the Mayor Aldermen and Burgesses of the Borough of Lytham St. Annes.

“ Driver ”, in relation to a vehicle waiting in a parking place, means the person driving the vehicle at the time it was left in the parking place.

“ Owner ” has the same meaning as in the Road Traffic Regulation Act, 1967.

“ Parking Place ” means any part of a road authorised by this Order to be used as a parking place.

(2) The Interpretation Act 1889, shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament, and as if for the purposes of Section 38 of that Act this Order were an Act of Parliament and the Orders revoked by Article 1 of this Order were Acts of Parliament thereby repealed.

## PART II

*Authorisation and use of parking places*

3. Each of the parts of a road specified in column 1 of the First Schedule to this Order is authorised to be used, subject to the following provisions of this Order, as a parking place for such vehicles or classes of vehicles, in such positions and on such days and during such hours as are specified in relation to that part in the said Schedule.

4. Nothing in Article 3 of this Order—

(a) shall restrict the power of the Council, for preventing obstruction of the streets, by order on the occasion of any public procession, rejoicing or illumination, or where the streets are thronged or liable to be obstructed, to close any parking place, or

(b) shall authorise the use of any part of a road so as unreasonably to prevent access to any premises adjoining the road or the use of the road by any person entitled to the use thereof, or so as to be a nuisance.

5. Where in the First Schedule to this Order a parking place is described as available for vehicles of a specified class or in a specified position the driver of a vehicle shall not permit it to wait in that parking place—

(a) unless it is of the specified class; or

(b) in a position other than that specified.

6. The driver of a vehicle shall not permit it to wait in a parking place for longer than the maximum period permitted for waiting specified in the First Schedule to this Order in relation to that parking place.

7. When a vehicle has left a parking place after waiting thereon the driver thereof shall not within one hour after its leaving permit it to wait again upon that parking place.

8. A driver of a vehicle shall not use a parking place—

(a) so as unreasonably to prevent access to any premises adjoining the road, or the use of the road by other persons, or so as to be a nuisance;

(b) when for preventing obstruction of the streets the Council shall by order made on the occasion of any public procession, rejoicing or illumination or when the streets are thronged or liable to be obstructed have closed that parking place and exhibited notice of such closing on or near the parking place.

9. The driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in position in the parking place, and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place.

10. No person shall use a vehicle, while it is in a parking place, in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of his skill or services.

11. When a vehicle is left in a parking place in contravention of any of the provisions contained in paragraph (a) of Article 5, Article 6, 7 or 8 of this Order a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from that parking place.

12. Any person removing a vehicle by virtue of the last preceding Article of this Order may do so by towing or driving the vehicle or in such other manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it as aforesaid.

13. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of Article 11 of this Order, he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.

## PART III

*Disposal of vehicles abandoned on parking places*

14. The Council may as respects a vehicle which has been, or could at any time be, removed from a parking place in pursuance of Article 11 of this Order if it appears to them to have been abandoned, sell or otherwise dispose of the vehicle;

Provided that the power of disposal conferred by this Article shall not be exercisable in the case of a vehicle unless there have been taken by the Council such of the following steps as are applicable to the vehicle and there has elapsed a period of six weeks beginning with the taking of the first of those steps.

15. (1) Subject to the provisions of Article 21 of this Order, where a vehicle carries a registration mark issued under the Vehicles (Excise) Act 1962—

(a) in a case where the Council are the Council with which that vehicle is registered under that Act, they shall ascertain from their records the name and address of the person who it appears is the owner of that vehicle;

(b) in any other case the Council shall apply in writing to the Council with whom they have reason to believe the vehicle was last registered inquiring who it appears may be the owner of the vehicle and the address of that person.

(2) Where the Council act under this Article the first step for the purposes of the last and next succeeding Article shall be taken to be the sending of the notice mentioned in Article 16.