

THE BOROUGH OF BLACKBURN WITH DARWEN
(BLACKBURN TOWN CENTRE) (NO 2)
(TRAFFIC MANAGEMENT) ORDER 2012

The Blackburn with Darwen Borough Council in exercise of the powers under Sections 1,2, 4, 45, 46 and 124 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act of 1984, hereby makes the following Order:-

PART 1 - GENERAL

1. This Order shall come into operation on the day of 2012 and may be cited as "The Borough of Blackburn with Darwen (Blackburn Town Centre) (No 2) (Traffic Management) Order 2012"

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

"Civil Enforcement Officer" means a person authorised by or on behalf of the Council in accordance with Section 76 of the Traffic Management Act 2004 ("the 2004 Act");

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

"goods vehicle" means a motor vehicle which is constructed or adapted for use for the carriage of goods or burden of any description and is not drawing a trailer

"passenger vehicle" means a motor vehicle (other than a motor cycle or an invalid carriage) constructed solely for the carriage of passengers and their effects and adapted to carry not more than twelve passengers exclusive of the driver and not drawing a trailer;

"relevant position" means

- (i) in the case of a vehicle fitted with a front windscreen, the badge exhibited thereon with the obverse side facing forwards on the near side of and immediately behind the windscreen;
- (ii) in the case of a vehicle not fitted with a front windscreen, the badge exhibited in a conspicuous position on the front or near side of the vehicle.

"disabled person's vehicle" has the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000, as amended:

"parking disc" means a disc, issued by a local authority, complying with the requirements of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000, as amended.

- 2 (2) A vehicle displays a disabled person's badge in the relevant position if -
- (a) in the case of a vehicle fitted with a dashboard or fascia panel, the badge is exhibited thereon so that Part 1 of the badge is legible from outside the vehicle; or
 - (b) in the case of a vehicle not fitted with a dashboard or fascia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part 1 of the badge is legible from outside the vehicle.
- A vehicle displays a parking disc in the relevant position if -
- (a) in the case of a vehicle fitted with a dashboard or fascia panel, the disc is exhibited thereon so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle; or
 - (b) in the case of a vehicle not so fitted, the disc is exhibited in a conspicuous position on the vehicle so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle.
2. (3) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

PART II

NO LOADING /UNLOADING AT ANY TIME

3. Save as provided in Article 6 and 12 to this Order no person shall, except on the direction or with the permission of a police officer in uniform or of a Civil Enforcement Officer, cause or permit any goods vehicle to wait on the sides of the road or in any lengths of road specified in Schedule 1 for the purposes of loading or unloading goods from the vehicle

DESIGNATED LOADING AREA

4. Save as provided in Articles 6 and 12 of this Order no person shall, except on the direction of or with the permission of a Police Officer in uniform or of a Civil Enforcement Officer, cause or permit any vehicle to wait on the sides of road or in any lengths of road specified in Schedule 2 other than a goods vehicle for the purposes of loading or unloading goods from that vehicle

PART III

PROHIBITION OF DRIVING

5. Save as provided in Articles 6 and 12 of this Order no person shall cause any motor vehicle to enter or leave or travel over the street in either direction specified in Column 1 of Schedule 3 to the extent described in Column 2 of Schedule 3.
6. Nothing in Article 3, 4 or 5 of this Order shall apply so as to prevent any person from causing any vehicle to wait in the road to be used in connection with any of the following operations, namely -
- (i) the maintenance, improvement or reconstruction of the said lengths of road or side of road; or
 - (ii) the laying, erection, alteration or repair in or in land adjacent to the said lengths of

road or side of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in paragraph 1(i) of the Telecommunications Code contained in Schedule 2 to the Telecommunications Act 1984; or

- (iii) the vehicle if it cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority in pursuance of statutory powers or duties; or
- (iv) the vehicle to be used for fire brigade, ambulance police or medical purposes; or
- (v) building maintenance, industrial or demolition operations; or
- (vi) the removal of any obstruction to traffic.

PART IV
NO WAITING AT ANY TIME

- 7(1) Save as provided by Articles 6, 7(2), 7(3), 7(4) and 12 an the provisions of this Order, no person shall, except on the direction of or with the permission of a police officer in uniform or Civil Enforcement Officer, cause or permit any vehicle to wait at any time on the sides of road or in any of the lengths of road specified in Schedule 4.
- 7(2) Nothing in Article 7(1) shall render it unlawful to cause or permit any vehicle to wait in the lengths of road referred to therein for so long as may be necessary to:-
 - (a) enable a person to board or alight from the vehicle
 - (b) if the vehicle is being used for the purpose of collecting or delivering of postal packets as defined by Section 87 of the Post Office Act 1953.
- 7(3) Nothing in Article 7(1) shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge, and a parking disc (on which the driver, or other person in charge of the vehicle, has marked the time at which the period of waiting began) to wait in any of the lengths of road or on the side of the road referred to in the Article for a period not exceeding three hours (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 or on the same side of road on the same day).
- 7(4) Nothing in Article 7(1) shall render it unlawful to cause or permit a hackney carriage vehicle to wait at any place which has been appointed as a stand for hackney carriages during any period for which that stand has been appointed.

PART V – PEDESTRIAN ZONE EXCEPT FOR LOADING/UNLOADING
BETWEEN 4.00PM – 10.00AM

- 8 Save as provided in Articles 6 and 12 of this Order no person shall, except on the direction or with the permission of a police officer in uniform or of a Civil Enforcement Officer, cause or permit any motor vehicle to enter, drive through or wait in either direction on the streets specified in Column 1 of Schedule 3 to the extent described in Column 2 of Schedule 3.
- 9 Nothing in Article 8 shall render it unlawful to cause or permit any goods vehicle to enter, drive through or wait in the lengths of road referred to therein for the purposes of loading or unloading goods from that vehicle between the hours of 4.00pm to 10.00am.

PART VI
ONE-WAY TRAFFIC

10. Save as provided in Article 11 of this Order no person shall cause or permit any vehicle to proceed in the lengths of road specified in Column 1 of Schedule 6 to this Order in a direction or distance other than that specified in Columns 2 and 3 of that Schedule.
11. Nothing in Article 11 of this Order shall apply to vehicles:
- (a) used by the local authority in connection with street cleansing; or
 - (b) proceeding at the direction or with the permission of a police officer in uniform or Civil Enforcement Officer.

PARTVII
GENERAL

12. In so far as any provision of this Order conflicts with a provision which is contained in an Order made or having effect as if made under the Act of 1984, and existing at the time when this Order comes into operation, and which imposes a restriction or prohibition on waiting by vehicles other than those engaged in the provision of a local service, as defined in Section 2 of the Transport Act, 1985 in a bus stop area or grants an exemption from such restriction or prohibition, that provision of that Order shall prevail.
13. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.
14. The Orders specified in Column 1 of Schedule 7 to this Order are hereby revoked to the extent specified in Column 2

Given under the Common Seal of the Blackburn with Darwen Borough Council
this day of 2012

THE COMMON SEAL of Blackburn)
with Darwen Borough Council was)
hereunto affixed in pursuance of a)
resolution of the Council held on the)
15th November 2001)

Authorised Officer

SCHEDULE 1
NO LOADING/UNLOADING AT ANY TIME

STREET	SIDE	LOCATION
Northgate	Both	From its junction with Blakey Moor to its junction with Higher Cockcroft. Including the road around "Gladstone Statue"

SCHEDULE 2
DESIGNATED LOADING AREA

STREET	SIDE	LOCATION
Corporation Street	west	From a point 3 metres south of its junction with Lord Street West for a distance of 15 metres in a southerly direction

SCHEDULE 3
PROHIBITION OF DRIVING

STREET	LOCATION
Unnamed link road connecting Barton Street to Lower Cockcroft	From a point 18 metres east of its junction with Barton Street for a distance of 1 metre in a westerly direction
King William Street	From a point 95 metres north west of its junction with Lord Street for a distance of 36 metres in a north westerly direction

SCHEDULE 4
Prohibition of Waiting

STREET	SIDE	LOCATION
Northgate	Both	From its junction with Blakey Moor to its junction with Lord Street including the road around "Gladstone Statue"
Lord Street	Both	From its junction with Northgate to its junction with King William Street
Lord Street West	Both	From its junction with Corporation Street to its junction with Northgate
Lower Cockcroft	Both	For its entire length
New Market Street	Both	For its entire length
King William Street	Both	From its junction with Lord Street to its junction Exchange Street
Town Hall Street	Both	From its junction with Tackett Street to its junction with Northgate

SCHEDULE 5
PEDESTRIAN ZONE EXCEPT FOR LOADING/UNLOADING

BETWEEN MIDNIGHT – 10.00AM AND 4.00PM - MIDNIGHT

STREET	LOCATION
Northgate	From its junction with Higher Cockcroft to its junction with Lord Street
Lord Street	From its junction with Northgate to its junction with King William Street
New Market Street	For its entire length
Lower Cockcroft	For its entire length
King William Street	From its junction with Lord Street for a distance of 94 metres in a north westerly direction
King William Street	From its junction with Exchange Street for a distance of 68 metres in a south easterly direction
Town Hall Street	From its junction with Tackett Street to its junction with Northgate

**SCHEDULE 6
ONE WAY TRAFFIC**

STREET	EXTENT	DIRECTION
Northgate	From its junction with Higher Cockcroft to its junction with Lord Street	North to South
Lord Street	From its junction with Northgate to its junction with King William Street	West to East
Lord Street West	From its junction with Northgate to its junction with Barton Street	East to West
New Market Street	From its junction with King William street to its junction with Northgate	East to West
King William Street	From its junction with Lord Street to its junction with New Market Street	South to North
King William Street	From its junction with Town Hall Street to its junction with Exchange Street	South to North
Town Hall Street	From its junction with Northgate to its junction with King William Street	West to East

**SCHEDULE 7
REVOCATIONS**

NAME OF ORDER	EXTENT OF REVOCATION
THE BOROUGH OF BLACKBURN WITH DARWEN (BLACKBURN TOWN CENTRE)(TRAFFIC MANAGEMENT AND REVOCATION) ORDER 1997	The whole of
THE BOROUGH OF BLACKBURN (VARIOUS STREETS)(NO7) (PROHIBITION OF DRIVING) ORDER 1987	Reference to New Link Road connecting Barton Street to Lower Cockcroft in schedule 3
THE COUNTY BOROUGH OF BLACKBURN (VARIOUS CENTRAL STREETS)(NO WAITING) ORDER NO 1 1969	Reference to Lower Cockcroft in the second schedule