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**The Borough of Blackburn with Darwen (Experimental Traffic Regulation)  
(Cathedral Quarter & Blackburn Bus Station) (On Street Parking Places) Order  
2015**

The Council of the Borough of Blackburn with Darwen ("the Council") in exercise of its powers under Sections 1, 2, 4, 5, 9, 10, 45, 46, 49, 51, 53, and 124 of the Road Traffic Regulation Act 1984 and Parts III and IV of Schedule 9 to the Act of 1984 and the Road Traffic Act 1991 and the Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Blackburn with Darwen) Order 2004 and the Traffic Management Act 2004 all other enabling powers, and after consultation with the Chief Constable of Police in accordance with Part III of Schedule 9 to the Act of 1984, hereby makes the following Order:

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## **PART I GENERAL**

### **Commencement and citation**

1. This Order shall come into operation on the 16<sup>th</sup> November 2015 and may be cited as the "The Borough of Blackburn with Darwen (Experimental Traffic Regulation) (Cathedral Quarter & Blackburn Bus Station) (On-Street Parking Places) Order 2015".

### **Interpretation**

2. (1) Any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.

- (2) In this Order:

"the Act of 1984" means the Road Traffic Regulation Act 1984;

"the Act of 1991" means the Road Traffic Act 1991;

"the Act of 2004" means the Traffic Management Act 2004;

"charging hours" means any period specified in the sixth column of the Second or Third Schedules in respect of which a charge is specified in Article 7(1);

"the Council" means Blackburn with Darwen Borough Council;

“delivering” and “collecting” in relation to any goods includes checking the goods for the purpose of their delivery or collection;

“disabled person’s badge” means a badge which –

- (i) was issued, or has effect as if issued to a disabled person or an institution under The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 or under regulations having effect in Scotland or Wales under Section 21 of the Chronically Sick and Disabled Persons Act 1970; and
- (ii) has not ceased to be in force;

“driver” in relation to a vehicle waiting in a parking place specified in this Order means the person driving the vehicle at the time it was left in the parking place aforesaid;

“goods” includes postal packets of any description;

“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 and has an unladen weight not exceeding thirty hundred weight;

“motor car” means a three or four-wheeled mechanically propelled vehicle (not being a motor cycle or an invalid carriage) constructed or adapted for the carriage of not more than eight passengers;

“motor cycle” and “invalid carriage” have the same meaning as in Section 136 of the Act of 1984;

“owner” in relation to a vehicle means the person by whom such vehicle is kept and used;

"civil enforcement officer" has the same meaning as in Section 76 of the Act of 2004;

"parking place" means an area on a highway designated by the Council as a parking place by Article 3(1) of this Order and specified in name in the first column of the Second or Third Schedules to this Order and for identification purposes shown on the plan;

"parking charge" shall be construed in accordance with Article 6

"parking ticket" means a ticket dispensed by a ticket machine on the payment of the parking charge;

"passenger vehicle" means a motor vehicle (other than a motor cycle or 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;

"penalty charge" and "reduced penalty charge" mean a charge set by the Council under the provisions of Section 74 of the Act of 1991 as applied and modified by the Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Blackburn with Darwen) Order 2004 which is to be paid in the manner described in the penalty charge notice within 28 days of the date of the notice or in the case of a reduced penalty charge within 14 days of the date of the notice;

"penalty charge notice" means a notice issued by a civil enforcement officer pursuant to the provisions of Section 66 of the Act of 1991 as applied and modified by the Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Blackburn with Darwen) Order 2004 and the Act of 2004;

"relevant position" means:

- (i) 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 the expiry time is clearly 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 the expiry time is clearly legible from outside the vehicle;
- (ii) A vehicle displays a parking ticket in the relevant position if:
  - (a) in the case of a vehicle fitted with a dashboard or fascia panel the parking ticket is exhibited thereon so that the expiry time is clearly legible from outside the vehicle; or
  - (b) in the case of a vehicle not so fitted the parking ticket is exhibited in a conspicuous position on the vehicle so that the expiry time is clearly legible from outside the vehicle;

"telecommunications apparatus" has the same meaning as in paragraph 1(1) of the Telecommunications Code contained in Schedule 2 to the Telecommunication Act 1984;

"ticket machine" means apparatus designed to indicate the time by a clock and to issue parking tickets indicating the payment of a parking charge and a date and time and location at which the parking charge was paid;

“vehicle” means a passenger vehicle, goods vehicle, a motor car, a motor cycle, an invalid carriage or any other vehicle of any description whether drawn or propelled along a road by animal or mechanical power including a bicycle, a tricycle or a cycle having four or more wheels.

- (3) Section 46A of the Act of 1984 and Section 74 of the Act of 1991 as applied and modified by the Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Blackburn with Darwen) Order 2004 apply to this Order and all charges specified in this Order may be varied at any time by Notice published in accordance with the relevant Act.
- (4) Any reference in this Order to any enactment shall be construed as a reference to that enactment as applied and modified by the Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Blackburn with Darwen) Order 2004 and as amended by any other enactment and to include successor legislation and regulations and guidance thereunder.
- (5) The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

## **PART II**

### **ON-STREET PARKING PLACES FOR PAYMENT**

#### **Designation and use of parking places on the highway for payment**

- 3. (1) The areas of highway in the Borough of Blackburn with Darwen which are described in the first, second and third columns of the Second, or Third Schedules to this Order are hereby designated as parking places.
- (2) Subject to Article 5 each of the parts of the highway specified in the first, second and third columns of the Second or Third Schedules to this

Order is authorised to be used subject to the following provisions of this Order as a parking place for such classes of vehicles in such positions and on such days and during such hours as are specified in relation to that part of the highway in the said Second or Third Schedules to this Order.

- (3) The limits of each parking place shall be indicated on the carriageway in accordance with diagram 1028.4 in Schedule 6 of the Traffic Signs Regulations and General Directions 2002.

#### **Maximum period of waiting**

4. Subject to Articles 5 and 19(6) the driver of a vehicle shall not permit the said vehicle to remain in the parking place for a longer period than that specified in the fifth column of the Second or Third Schedules to this Order.

#### **Restriction on class of vehicle using parking place and on manner of parking**

5. No vehicle other than a vehicle specified in the eighth column of the Second, or Third Schedules to this Order shall be left in a parking place and no vehicle shall be left in a position other than that specified in the fourth column of the said Schedules.

#### **Amount and method of payment of charges at parking places**

6. (1) The parking charge for a vehicle in a parking place during the charging hours shall subject as hereinafter provided be as set out in the seventh column of the Second or Third Schedules to this Order against the name of the parking place in the said Schedules provided that where in a parking place it is indicated by notice that in respect of any day or any specified part of a day no charge will be made or such lesser charge than that specified in the seventh column of the said Schedules will be made then the charge (if any) shall be such lesser charge.

- (2) The charge referred to in paragraph (1) of this Article shall be payable on the leaving of the vehicle in a parking place by the insertion in a ticket machine of coins of the denomination marked on the ticket machine to the value of the relevant parking charge or, if the ticket machine so allows, by the insertion of a smartcard, credit card or debit card which will be debited to the value of the relevant parking charge indicated by the person making payment via the automated process instructions described on the ticket machine.
- (3) Save as provided in this Order during the charging hours no person shall leave any vehicle in a parking place without having displayed a parking ticket in accordance with the provisions of Article 7 of this Order.

#### **Display of ticket issued by ticket machine in respect of ticket parking places**

7.
  - (1) Upon payment of the parking charge for a vehicle left in a parking place the parking ticket issued in accordance with the provisions of Article 6 (2) shall be displayed on the inside of the vehicle in accordance with the provisions of paragraph (2) of this Article.
  - (2) The ticket referred to in Article 7(1) shall be displayed in the relevant position on the vehicle in respect of which it was issued at all times during which the vehicle is left during the charging hours in the parking place.
  - (3) No person shall display on a vehicle left in a parking place during the charging hours any ticket issued by a ticket machine other than the working ticket machine nearest to that space.

#### **Amount and manner of payment of penalty charges at parking places**

8.
  - (1) A 'penalty charge' shall be payable where:

- (a) a vehicle is left in a parking place otherwise than as authorised under this Order; or where
  - (b) any charge payable under Article 6 has not been duly paid in accordance with that Article; or where
  - (c) there has been a contravention or failure to comply with any part of this Order relating to the manner in which vehicles shall stand in or be driven out of the parking place.
- (2) In the case of a vehicle in respect of which a penalty charge is payable, a penalty charge notice containing the information required by Section 66 of the Act of 1991 as applied and modified by the Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Blackburn with Darwen) Order 2004 and the Act of 2004 may be issued by a civil enforcement officer by fixing it to the vehicle, or by giving it to the person appearing to him to be in charge of the vehicle, or may be served by the Council by post as prescribed by regulations
- (3) **The Penalty Charge shall be £70 or such other amount as may be fixed by the Council.**
- (4) If the Penalty Charge is paid before the end of the period of 14 days beginning with the date of the penalty charge notice the amount of the Penalty Charge will be reduced by one half

### **Restriction on removal of notices and tickets**

9. Where a notice or notices have been attached to a vehicle by a civil enforcement officer no person not being the owner or person in charge of the vehicle or person duly authorised by the Council shall remove the notice or notices from the vehicle unless authorised to do so by the owner or person in charge of the vehicle.

### **Installation of ticket machines**

10. The Council may:
- (a) install in such positions on or in the vicinity of a parking place as they may think fit such ticket machines as are required for the purpose of that parking place; and
  - (b) carry out other such work as is reasonably required for the purpose of the satisfactory operation of a parking place.

#### **Vehicles to leave parking places after expiry of parking charge**

11. No person shall display on a vehicle left in a parking place a parking ticket for a period other than one commencing when the vehicle was first left in that parking place unless the vehicle has first been taken away from that parking place in accordance with Article 12 below.

#### **Interval before vehicle again to be left**

12. No vehicle which has been taken away from a parking place shall until the expiration of the period specified in the fifth column to the Second or Third Schedules to this Order from the time it was taken away again be left in that parking place during the charging hours, provided that nothing in this Article shall apply to a vehicle which displays a disabled person's badge in the relevant position.

### **PART III**

#### **CONDUCT OF PARKING PLACES FOR PAYMENT**

##### **Suspension of parking places**

13. (1) Any person duly authorised by the Council may suspend the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary:
- (a) for the purpose of facilitating the movement of traffic or promoting its safety;

- (b) for the purpose of any building operation, demolition or excavation in or adjacent to the parking place or the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration, removal or repair in or adjacent to the parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus or of any traffic sign or ticket machine;
  - (c) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture from one office or the property of a resident to another or the removal of furniture from such premises to a depository or to such premises from a depository;
  - (d) on any such occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed.
- (2) A police constable in uniform may suspend for not longer than twenty-four hours the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- (3) At the discretion of the Chief Officer of Police a parking place or any part thereof shall be suspended whenever he considers such suspension reasonably necessary to enable the police to discharge their duties.
- (4) Any person suspending the use of a parking place or any part thereof in accordance with the provisions of paragraph (1), (2), or (3) of this Article shall thereupon:
  - (a) place or cause to be placed on the ticket machine relating to the parking place a cover or notice indicating that the use of the parking place is suspended and that waiting by vehicles is prohibited; or

- (b) place or cause to be placed upon the relevant part of the parking place traffic cones as described in Diagram 7101 of Part II of Schedule 12 to the Traffic Signs Regulations and General Directions 2002 or such other traffic signs or lights as are appropriate.
- (5) Any person duly authorised by the Council may temporarily remove any ticket machine within that parking place or as the case may be any part thereof and any post bracket or other support on which such ticket machine is fitted and shall thereupon place or cause to be placed in or adjacent to that metered parking place a traffic sign giving the indication referred to in Article 13(4).
- (6) Subject to the provision of Article 13(4) if the use of a parking place or any part thereof is suspended during the charging hours for any of the purposes of Article 13(1) except sub-paragraph (a) a charge shall be payable per day in respect of each five metres of the parking place affected (or part thereof if the length is not divisible by five) by such persons at whose request the suspension has been implemented the amount of such charge to be at the absolute discretion of the Council.
- (7) Subject to the proviso contained herein no person shall cause or permit a vehicle to be left in any part of a parking place during such period as there is a cover notice or traffic sign within the parking place placed in pursuance of Article 13(4) or 13(5).

Provided that nothing in this paragraph shall apply to:

  - (i) any vehicle being used for fire brigade, ambulance, police or local authority purposes or for any purpose specified in Article 13(1) (a);
  - (ii) any other vehicle if that vehicle is so left with the permission of the person who authorised suspension of use of the parking place or part thereof in accordance with the foregoing provisions of this Article or a police constable in uniform or other person duly authorised by the Council.

## **Restriction of waiting of other vehicles in parking places**

- 14.** (1) Without prejudice to the foregoing provisions of this Order with respect to vehicles which are left in a parking place in accordance with those provisions any other vehicle may wait during the permitted hours for so long as may be necessary if:
- (a) the vehicle is waiting to enable a person to board or alight from the vehicle;
  - (b) the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid accident;
  - (c) the vehicle is a vehicle used for fire brigade purposes or an ambulance or a vehicle (other than a passenger vehicle) in the service of a local authority or a vehicle in the service of a police force in either case being used in pursuance of statutory powers or duties;
  - (d) the vehicle is waiting to enable it to be used in connection with the removal of any obstruction to traffic;
  - (e) the vehicle is in the service of or employed by the Post Office and is waiting while postal packets addressed to premises adjacent to the parking place in which the vehicle is waiting and being unloaded from the vehicle or having been unloaded therefrom are being delivered or while postal packets are being collected from premises or posting boxes adjacent to the parking place in which the vehicle is waiting or is in use in connection with the servicing of telephone kiosks adjacent to the parking place;
  - (f) the vehicle not being a passenger vehicle is waiting to enable it to be used for any purpose specified in Article 13(1) (b);
  - (g) in any other case the vehicle is waiting for the purpose of delivering or collecting goods or merchandise or loading or unloading the vehicle at premises adjacent to the parking place;

- (h) if goods are sold from the vehicle by any person who is licensed by the Council to sell goods from a stationary pitch situated in the parking place;
  - (i) for the convenience of occupiers of premises adjacent to the parking place for the parking of principal vehicles at times of weddings or funerals.
- (2) No parking charge shall be payable in respect of any vehicle waiting in a parking place in accordance with the foregoing provisions of this Article.
- (3) Without prejudice to the generality of this Article a vehicle to which Article 14(1) applies shall so far as is reasonably practicable stand in the parking place in accordance with the provisions specified in column 4 of the Second or Third Schedules.
- (4) Nothing in the foregoing provisions of this Article shall be taken as authorising anything which would be a contravention of any Regulations made under or having effect under Section 25 of the Act of 1984 or "The Road Vehicles Lighting Regulations 1989".

### **Restriction of use of vehicles at parking places**

- 15.** Unless prior written consent has been granted by the Council no person shall:
- (a) use a vehicle while it is in the parking place in connection with the sale or advertisement of any thing to any person in or near the parking place or in connection with the selling or offering for hire of his skill or his services or the skill or services of any person; nor
  - (b) use any part of the parking place or any building structure mechanical device or other physical feature therein or any vehicle left therein to display advertising material nor to place upon or attach to any vehicle in the parking place any advertising material to induce the public to participate in or frequent any place function or gathering for the purpose of demonstration or entertainment or to buy or hire or otherwise obtain

any thing or skill or services of any person and nothing shall be displayed to induce the public to engage for gain in any lottery, sweepstake, raffle or competition.

### **Movement and removal of vehicle in parking places**

16. Where a vehicle is abandoned or left in a parking place in contravention of or non-compliance with any of the provisions of this Order a civil enforcement officer may remove the vehicle or arrange for it to be removed from that parking place provided that:
- (a) Where a vehicle is left in the parking place in contravention of Article 6 any person duly authorised by the Council may alter or cause to be altered the position of the vehicle in order that the vehicle position shall comply therewith; or
  - (b) In case of an emergency any person duly authorised by the Council or a police constable in uniform may remove the vehicle or arrange for it to be removed from that parking place to any place he thinks fit.

### **Manner of removal of vehicle from parking places**

17. Any person altering the position of a vehicle in or removing a vehicle from a parking place by virtue of Article 16 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 or alter its position as the case may be.

### **Safe custody of vehicles removed from parking places**

18. When a person duly authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of Article 16 he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle. Following such removal Sections 101 and 102 of the Act of 1984 shall be applicable by the Council in respect of the vehicle insofar as the Council shall desire.

## Exemption from charges

19. (1) If there is displayed within any parking place a notice placed by a civil enforcement officer to indicate that the ticket machine relating to that parking place is out of order that notice shall state the maximum length of time (defined in Article 19(2)) during charging hours for which a vehicle may be left in the parking place without payment of any charge and if any vehicle is left for longer than that time then a Penalty Charge shall become payable and the provisions of Articles 8 and 9 shall apply.
- (2) The "maximum length of time" for the purposes of Article 19 (1) shall be the maximum stay for the parking place stated in the fifth column of the Second or Third Schedule to this Order.
- (3) If a ticket machine which was out of order is repaired during the charging hours then any vehicle left before the repair shall be exempt from charge so long as it is not left for longer than the maximum length of time defined in Article 19 (2).
- (4) If a ticket machine is out of order then a civil enforcement officer may instead of placing a notice in accordance with Article 19 (1) place a notice nominating another ticket machine or machines in the locality at which a parking ticket may be obtained and that parking ticket shall be valid for the purposes of Article 7.
- (5) No parking charge shall be payable and no limitation on time shall apply in respect of any vehicle left in a parking place during the charging hours if that vehicle displays a disabled person's badge in the relevant position.
- (6) No parking charge shall be payable and no limitation on time shall apply to the following classes of vehicles:
- (a) pedal cycles;

- (b) motorcycles having two wheels  
provided that in either case the vehicle is not parked so as to occupy a parking place or obstruct a parking place or an access aisle.
- (7) Without prejudice to the generality of the foregoing provisions of this Article nothing in this Article shall be taken to exempt the vehicle or the driver of any vehicle left in any parking place from any other provisions of this Order.

#### **PART IV REPEALED ORDERS**

##### **Derogation and precedence over other orders**

20. (1) The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation of any restrictions or requirements imposed by any Regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.
- (2) Where a provision of this Order conflicts with a provision of any other Order which imposes any prohibition or restriction on waiting by vehicles or grants any exemptions from such prohibitions or restrictions in relation to any length of road designated as a parking place in this Order, the provision of this Order shall prevail.

Given under the Common Seal of the Blackburn with Darwen Borough Council this  
11<sup>th</sup> day of November 2015

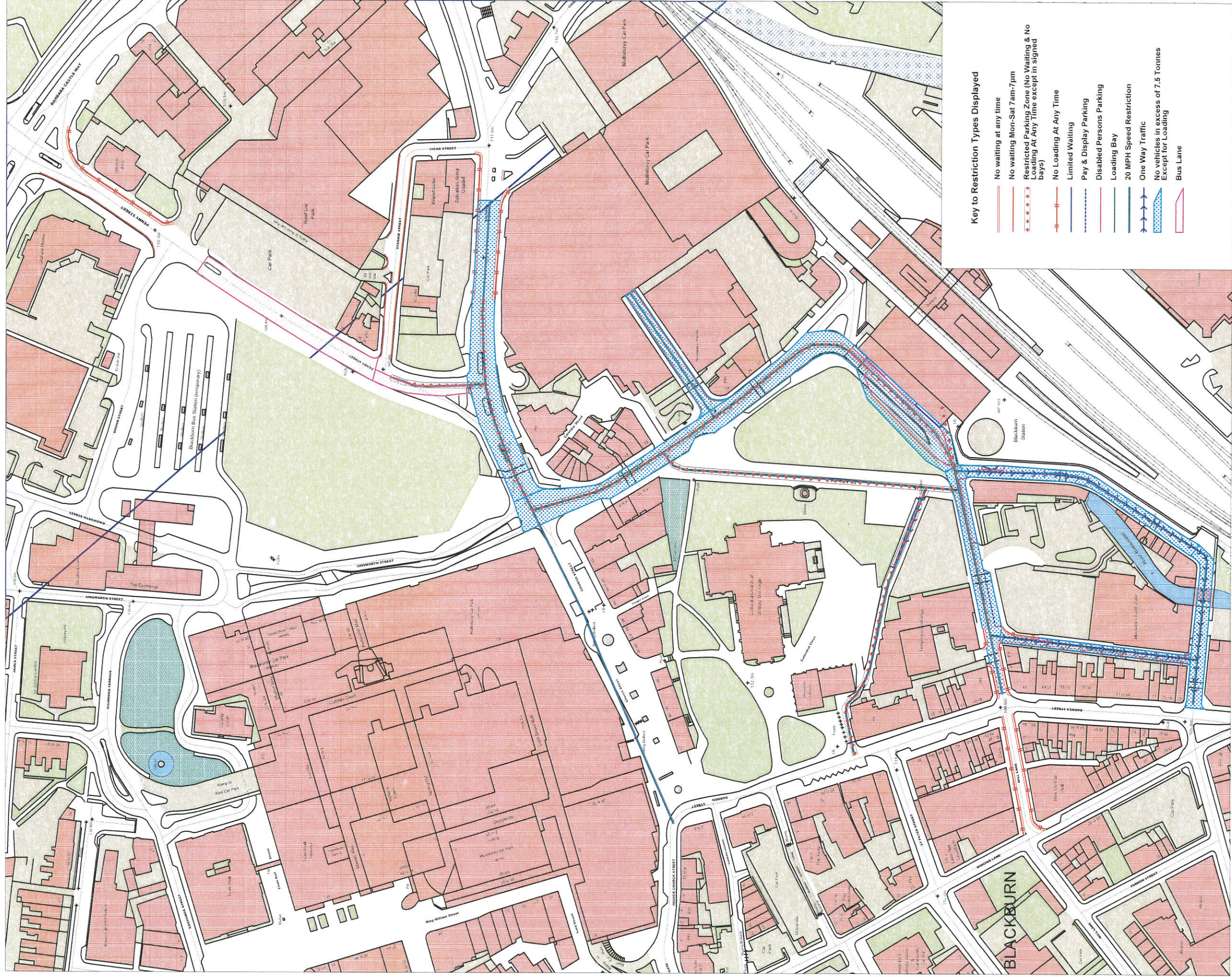
The COMMON SEAL of the Blackburn )  
with Darwen Borough Council was )  
hereunto affixed in pursuance of a )  
resolution of the Council held on the 15<sup>th</sup> )  
November 2001 )



16443

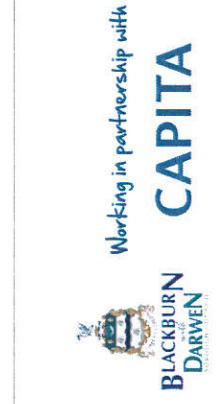
Authorised Officer  
Council 15/11/01





- Key to Restriction Types Displayed**
- No waiting at any time
  - No waiting Mon-Sat 7am-7pm
  - Restricted Parking Zone (No Waiting & No Loading At Any Time except in signed bays)
  - No Loading At Any Time
  - Limited Waiting
  - Pay & Display Parking
  - Disabled Persons Parking
  - Loading Bay
  - 20 MPH Speed Restriction
  - One Way Traffic
  - No vehicles in excess of 7.5 Tonnes Except for Loading
  - Bus Lane

Cathedral Quarter ETRC



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**AUTHORISED OFFICER**



## **The Borough of Blackburn with Darwen (Experimental Traffic Regulation) (Cathedral Quarter & Blackburn Bus Station) Order 2015**

The Blackburn with Darwen Borough Council in exercise of the powers under Sections 1, 2, 4, 9, 10, 45, 46, 49, 51, 53, 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 16<sup>th</sup> day of November 2015 and may be cited as "The Borough of Blackburn with Darwen (Experimental Traffic Regulation) (Cathedral Quarter & Blackburn Bus Station) Order 2015"

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.

"pedal cycle" has the meaning given in regulation 4 of the Traffic Signs Regulations and General Directions 1994

"cycle lane" means an area of the carriageway of a length of road specified in a schedule to this Order and marked with traffic signs shown in diagram 1049 in schedule 6 to the Traffic Signs Regulations and General Directions 1994

"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

### RESTRICTED ZONE DESIGNATION AND NO WAITING OR STOPPING DURING SPECIFIED HOURS

3. Save as provided in Article 5 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 vehicle to stop, wait, load or unload on any day on the sides of the road or in any lengths of road specified in Schedule 1, the said Schedule describing the "Restricted Zone". This Article shall be subservient to any other Article in this Order or any other order which makes specific provision to the contrary.

4. Save as provided in Article 5 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 vehicle to wait between the hours of 7.00am and 7.00pm on any day other than a Sunday on the sides of the road or in any lengths of road specified in Schedule 2

5. Nothing in Article 3 or 4 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 is 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 III  
NO WAITING AND NO LOADING/UNLOADING AT ANY TIME

- 6 Save as provided by 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 or a delivery vehicle for the purposes of loading or unloading goods from that vehicle on the sides of road or in any of the lengths of road specified in Schedule 3.
- 7.1 Nothing in Article 6 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.
- 7.2 (a) Nothing in Article 6 shall render it unlawful to cause or permit any vehicle to wait in the lengths of road referred therein if it cannot be conveniently used for such purpose in any other road, to be used in connection with any of the following operations, namely -
- (i) building maintenance, industrial or demolition operations;
  - (ii) the removal of any obstruction to traffic;
  - (iii) the maintenance, improvement or reconstruction of the said lengths of road or side of road; or
  - (iv) 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.
- 7.3 the vehicle if 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.
- 7.4 the vehicle is to be used for fire brigade, ambulance or police purposes.
- 7.5 Nothing in Article 6 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).

PART IV – LIMITED WAITING  
WAITING LIMITED TO 10 MINUTES NO RETURN WITHIN 1 HOUR  
AT ALL TIMES

8. Save as provided by the provisions 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 at any time on the sides of road or in any of the lengths of road specified in Schedule 4 other than a vehicle engaged in the provision of a local service as defined in Section 2 of the Transport Act 1985:-
- (a) for a longer period than 10 minutes; or
  - (b) if a period of less than 1 hour has elapsed since the termination of the last period of waiting (if any) by that vehicle on the same side of road or length of road

PART V  
DISABLED BADGE HOLDERS ONLY MAXIMUM STAY OF 3 HOURS

- 9 The length of road specified in Schedule 5 to this Order is authorized to be used as a parking place for disabled persons' vehicles which display in the relevant position a disabled person's badge for a maximum stay of 3 hours per visit.
- 10 Save as provided in Article 11 and 12 of this Order no vehicle other than that specified in Article 9 of this Order may wait at any time on the sides of road or in any length of road specified in Schedule 5 to this Order.
- 11 Nothing in Articles 9 and 10, 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.
- 12.1 Nothing in Article 9 and 10 of this Order shall render it unlawful to cause or permit any vehicle to wait in the lengths of road referred therein if it cannot be conveniently used for such purpose in any other 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,

- (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.
- (iv) the vehicle is to be used for fire brigade, ambulance or police purposes.
- (v) building maintenance, industrial or demolition operations;
- (vi) the removal of any obstruction to traffic;
- (vii) used by the local authority in connection with street cleansing; or
- (viii) proceeding at the direction or with the permission of a police officer in uniform.

#### PART V

#### LOADING BAY 30 MINUTES NO RETURN WITHIN 1 HOUR

13. Save as provided in Article 14 of this Order no person shall, except on the direction of a police officer in uniform, cause or permit any vehicle to wait at any time on the sides of road or in any length of road specified in Schedule 6 to this Order other than a delivery vehicle for the purposes of loading or unloading goods from that vehicle:
- (a) for a longer period than 30 minutes; or
  - (b) if a period of less than 1 hour has elapsed since the termination of the last period of loading or unloading (if any) by that vehicle on the same side of road or length of road.
- 14.1 Nothing in Article 13 of this Order shall apply so as to prevent any person from causing any vehicle to proceed in the street 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.
  - (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.
  - (iv) the vehicle is to be used for fire brigade, ambulance police or medical purposes.
  - (v) building maintenance, industrial or demolition operations;
  - (ix) the removal of any obstruction to traffic;

- (x) used by the local authority in connection with street cleansing; or
- (xi) proceeding at the direction or with the permission of a police officer in uniform.

PART V  
ONE-WAY TRAFFIC

15. Save as provided in Article 16 of this Order no person shall cause or permit any vehicle to proceed in the lengths of road specified in Column 1 of Schedule 7 to this Order in a direction or distance other than that specified in Columns 2 and 3 of that Schedule.
16. Nothing in Article 15 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.

PART VI  
20 MPH SPEED LIMIT

17. Save as provided in Article 18 of this Order no person shall cause or drive any vehicle or pedal cycle shall proceed at a speed exceeding 20 miles per hour in the lengths of street specified in Schedule 8 to this Order.
18. Nothing in Article 17 shall apply to designated vehicles used by the fire brigade, ambulance, police or medical purposes in an emergency.

PART VII  
7.5 TONNE WEIGHT RESTRICTION EXCEPT FOR LOADING/UNLOADING

19. Save as provided in Article 20 of this Order, no person shall cause any motor vehicle, the laden weight of which exceeds 7.5 tonnes gross vehicle weight, to proceed in the lengths of road specified in Schedule 9 to this Order, with the exception of:
- (a) any passenger vehicle as defined in Section 2 of the Transport Act 1985; or
  - (b) any vehicle being used in connection with the delivery or removal of goods to or from premises situated in or adjacent to the length of road.
20. Nothing in Article 19 of this Order shall apply so as to prevent any person from causing any vehicle to proceed in the length of road referred to in the Article if it cannot conveniently be used for such purpose in any other road, if the vehicle is being used -
- (a) in connection with any building operation or demolition in or adjacent to that length of road, the removal of any obstruction to traffic in that length of road, the maintenance, improvement or reconstruction of that length of road, or the laying erection alteration or repair in or adjacent to that length of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus as defined in paragraph 1(1) of the Telecommunications Code contained in Schedule 2 to the Telecommunications Act 1984.
  - (b) in the service of a local authority or a water authority in pursuance of statutory powers or duties;


- (c) for fire brigade, ambulance or police purposes; or
- (d) for the purpose of delivering or collecting postal packets as defined in Section 87 of the Post Office Act 1953.

PARTVIII  
GENERAL

- 21. 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.
- 22. 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.
- 23. The Orders specified in Column 1 of Schedule 10 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 11<sup>th</sup> day of November 2015

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

  
Authorised Officer  
Council 15/11/01



**First Schedule**  
**Restricted Parking Zone (No Waiting & No Loading At Any Time except in**  
**Marked and Signed Bays)**

| Road           | Side | Extent  |
|----------------|------|---|
| The Boulevard  | Both | Entire length except those lengths of carriageway marked and signed otherwise   |
| Dandy Walk     | Both | Entire length except those lengths of carriageway marked and signed otherwise   |
| Jubilee Street | Both | From its junction with Pilkington Street to its junction with Bridge Street except those lengths of carriageway marked and signed otherwise |
| Penny Street   | Both | From its junction with Salford to its junction with Starkie Street except those lengths of carriageway marked and signed otherwise          |
| Railway Road   | Both | Entire length except those lengths of carriageway marked and signed otherwise   |
| Salford        | Both | From a point 80 metres west of its junction with Vicar Street in a westerly direction for the remainder of its entire                       |

|  |  |  |
|--|--|--|
|  |  | length except those lengths of carriageway marked and signed otherwise |
|--|--|--|

**Second Schedule**  
**No Waiting Mon-Sat 7am-7pm**

| Road           | Side | Extent  |
|----------------|------|---|
| High Street    | Both | From a point 8 metres east of its junction with Railway Road for its remaining length |
| Penny Street   | West | From its junction with Brown Street to its junction with Barbara Castle Way           |
| Starkie Street | Both | Entire length   |

**Third Schedule**  
**No Waiting and No Loading at Any Time**

| Road              | Side | Extent   |
|-------------------|------|--|
| Bridge Street     | West | Entire length  |
| George Street     | Both | Entire length  |
| Jubilee Street    | Both | From its junction with Darwen Street to its junction with Pilkington Street  |
| Mill Lane         | Both | Entire length  |
| Penny Street      | East | From its junction with Brown Street to its junction with Barbara Castle Way  |
| Pilkington Street | West | Entire length  |
| Pilkington Street | East | From its junction with Jubilee Street in a southerly direction for 27 metres   |
| Pilkington Street | East | From a point 98 metres south of its junction with Jubilee Street in a southerly direction for a distance of 8 metres |
| Salford           | Both | From its junction with Vicar Street in a westerly direction for a distance of 80 metres                              |

**Fourth Schedule**  
**Waiting Limited to 10 Minutes, No Return within 1 Hour**

| Road         | Side       | Extent  |
|--------------|------------|---|
| Dandy Walk   | North      | From its junction with The Boulevard in a westerly direction for a distance of 40 metres  |
| Railway Road | South East | That length of the south-eastern carriageway from a point 23 metres north-east of its junction with the projected eastern kerbline of Bridge Street in a north-easterly direction |

**Fifth Schedule**  
**Disabled Badge Holders Only, Max Stay 3 Hours**

| Road         | Side       | Extent  |
|--------------|------------|---|
| Railway Road | South East | That length of the south-eastern carriageway from a point 53 metres north-east of its junction with the projected eastern kerbline of Bridge Street in a north-easterly direction |

**Sixth Schedule**  
**Loading Bay 30 Minutes, No Return within 1 Hour**

| Road | Side | Extent |
|------|------|--------|
|------|------|--------|

|              |      |  |
|--------------|------|--|
| Railway Road | West | From a point 5 metres south of its junction with the projected southern kerblineline of High Street in a southerly direction for a distance of 32 metres |
|--------------|------|--|

### Seventh Schedule One Way Traffic

| Road          | Direction of Traffic | Extent   |
|---------------|----------------------|--|
| Bridge Street | North to South       | Entire length  |
| Dandy Walk    | East to West         | From its junction with The Boulevard in a westerly direction for a distance of 30 metres |
| George Street | East to West         | Entire length  |

### Eight Schedule 20 mph Speed Limit

| Road              | Extent   |
|-------------------|--|
| The Boulevard     | Entire length  |
| Bridge Street     | Entire length  |
| Church Street     | Entire length  |
| Dandy Walk        | Entire length  |
| George Street     | Entire length  |
| High Street       | Entire length  |
| Penny Street      | From its junction with Salford to its junction with Starkie Street |
| Pilkington Street | Entire length  |
| Railway Road      | Entire length  |
| Salford           | Entire length  |

### Ninth Schedule Goods Vehicle Weight Limit 7.5 Tonnes, Except for Loading

| Road              | Extent        |
|-------------------|---------------|
| Bridge Street     | Entire length |
| George Street     | Entire length |
| High Street       | Entire length |
| Pilkington Street | Entire length |
| Railway Road      | Entire length |
| Salford           | Entire length |

### Tenth Schedule Orders to be Revoked

| Order   | Extent  |
|---|---|
| The Borough of Blackburn (Blackburn and Darwen Town Centres) (Prohibition and Restriction of Waiting and Revocation) Order 2004 | Schedule 2, Items 3 and 6 (references to Starkie Street and Penny Street) |
| The Borough of Blackburn (The Boulevard Area, Blackburn) (Traffic Management & Revocation Order) 1996                           | In its entirety   |
| The Borough of Blackburn (Various Streets) (No. 1) (Prohibition of Waiting) Order 1983  | Schedule 1, Item 1 (reference to Penny Street)                            |
| The Borough of Blackburn (Various Streets) (Prohibition of Driving) (No. 2) Order 1993  | Schedule 1 in its entirety (reference to                                  |

|   |  |
|---|--|
|   | Ainsworth Street)  |
| ✓ The Borough of Blackburn with Darwen (Railway Road Area, Blackburn) (Traffic Management and Revocation) Order 2001                | In its entirety  |
| ✓ The Borough of Blackburn with Darwen (Various Streets) (20 mph Speed Restriction Order) 2001                                      | In its entirety  |
| ✓ The Borough of Blackburn with Darwen (Various Streets) (No. 5) (Prohibition and Restriction of Waiting and Revocation) Order 1999 | Schedule 5 in its entirety (reference to Starkie Street) |
| ✓ The Borough of Blackburn (Various Streets) (No. 1) (Prohibition and Restriction of Waiting) Order 1989                            | Schedule 2 in its entirety (reference to High Street)    |