

**THE BOROUGH OF BLACKBURN WITH DARWEN
(FURTHERGATE, BLACKBURN) (RED ROUTE)
EXPERIMENTAL TRAFFIC MANAGEMENT ORDER 2017**

The Blackburn with Darwen Borough Council in exercise of the powers conferred by Sections 9 and 10 of the Road Traffic Regulation Act 1984 (as amended) and the provisions of sections 1, 2, 4, 45, 46 and 124 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984, the Road Traffic Act 1991, The Traffic Management Act 2004 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 I - GENERAL

1.1 This Order shall come into operation on the **19th October 2017** and may be cited as "The Borough of Blackburn with Darwen (Furthergate, Blackburn) (Red Route) Experimental Traffic Management Order 2017".

1.2 This Order will remain in force for a period of eighteen months

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

"a bus stop area" means any area of carriageway in any of the lengths of road or on the sides of road specified in the Schedules to this Order intended for the waiting of buses, which is comprised within and indicated by a road marking complying with either diagram 1025.1 or diagram 1025.3 in Schedule 6 to The Traffic Signs Regulations and General Directions 1994

"disabled person's badge" has the same meaning as in The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000, as amended:

"carriageway" has the same meaning as in section 329(1) of the Highways Act 1980

"Civil Enforcement Officer" means a person authorised by or on behalf of Blackburn with Darwen Borough Council in accordance with Section 76 of The Traffic Management Act 2004

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

- "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
- "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.
- "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.

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 -

- (c) 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
- (d) 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.

3.

3A. Save as provided in Article 4 of this Order, no person shall, except on the direction of or with the permission of a police officer in uniform or a Civil Enforcement Officer, cause or permit any vehicle to stop at any time in the Red Route described in Schedule 1 to this Order.

Miscellaneous exemptions for parking

The controls specified in Article 3A do not apply in respect of a person causing a vehicle to stop if that person is –

- (a) Required by law to cause the vehicle to stop or not to proceed
- (b) Obligated to stop the vehicle so as to avoid an accident
- (c) Prevented from proceeding in the vehicle by circumstances beyond the person's control
- (d) Getting or giving help in consequence of an accident or an emergency, or otherwise taking action for public safety
- (e) Opening or closing a gate or other barrier at the entrance to premises to which the vehicle is being driven or from which it has emerged if it is not reasonably practicable to cause the vehicle to stop elsewhere for the purpose
- (f) Using for police, ambulance, fire brigade, local authority, parking attendant/civil enforcement officers or water authority, sewage authority and national rivers authority purposes, when used in pursuance of their statutory powers or duties
- (g) Using the vehicle in connection with the removal of any obstruction to traffic
- (h) Using the vehicle in connection with the maintenance, improvement or reconstruction of any length of road specified in schedule 1
- (i) Using the vehicle under a licence under section 37 of the Town Police Clauses Act 1847 to stop for so long only as may be required to enable a passenger to board or alight from the vehicle
- (j) Using a vehicle displaying a Disabled Person's Badge in the relevant position to stop for so long only as may be required to enable a disabled person to board or alight from the vehicle
- (k) Using the vehicle for the purpose of collecting refuse by or on behalf of a local authority
- (l) Using a vehicle which bears the livery of a universal service provider which is waiting at the edge of a carriageway for so long as may be necessary for the purposes of the provision of a universal postal service (as defined by Section 4 of the Postal Services Act 2000)

The controls specified in Article 3A of this Order do not apply to anything done with the permission of an authorised person or with the permission or at the direction of a police officer in uniform or of a Civil Enforcement Officer.

The controls specified in Article 3A of this Order do not apply in respect of a person causing a pedal cycle to be parked at a facility specifically provided for the purpose of pedal cycle parking by, or with the consent of the highway authority.

Exemptions at bus stops and stands

- 1 The controls specified in 3A do not apply in respect of a person causing:
 - (a) A bus to stop within a red route bus stop clearway for as long as may be required to enable passengers to board or alight; or
 - (b) A bus in the provision of a local service to stop within a red route bus stop or bus stand clearway if being used for operational reasons or training drivers to allow such a service to be provided.
- 2 In this article "operational reasons" means:
 - (a) To enable passengers to board or alight;
 - (b) To enable crew changes to take place;
 - (c) To maintain the scheduled timetable subject, in the case of a red route bus stop clearway, to a maximum wait of two minutes

3B. Save as provided in Article 4 of this Order no person shall, except on the direction or with the permission of a police officer in uniform or a Civil Enforcement Officer cause or permit any vehicle to stop between the hours of 8.00am and 6.00pm on Monday to Sunday on the sides or in any length of road specified in Schedule 2 to this Order;

- (a) for a longer period than 1 hour; 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

3C. Save as provided in Article 4 of this Order no person shall, except on the direction or with the permission of a police officer in uniform or a Civil Enforcement Officer cause or permit any vehicle to stop between the hours of 8.00am and 6.00pm on Monday to Sunday on the sides or in any length of road specified in Schedule 3 to this Order;

- (a) for a longer period than 2 hour; or
- (b) if a period of less than 4 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

3D. Save as provided in Article 4 of this Order no person shall, except on the direction or with the permission of a police officer in uniform or a Civil Enforcement Officer cause or permit any vehicle to stop between the hours of 8.00am and 6.00pm on Monday to Sunday on the sides or in any length of road specified in Schedule 4 to this Order;

4(1) Nothing in Articles 3(A-D) 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.

4(2) (a) Nothing in Article 3 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.

4(2) (b) 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.

4(2) (c) the vehicle to be used for fire brigade, ambulance or police purposes.

4(3) Nothing in Article 3 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).

4(4) Nothing in Article 3 of this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge to wait on the side of the roads or in the length of roads referred to in that Article.

4(5) Nothing in Article 3 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.

5. The Order(s) referred to in column 1 of Schedule 5 to this Order are hereby revoked to extent mentioned in column 2 of Schedule 5

GENERAL

6. 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.

7. 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.

Given under the Common Seal of Blackburn with Darwen Borough Council

this day of2017

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

The Red Route (Main road items)

Street	Side	Extent
Burnley Road, Blackburn	Both sides	From a point approximately 10m north of its junction with Gorse Street to its junction with Furthergate
Accrington Road, Blackburn	Both sides	From the centre line of Didsbury Street to its end-on junction with Furthergate
Furthergate, Blackburn	Both sides	From its end-on junction with Accrington Road for its whole length.
Back Higher Audley Street, Blackburn	Both sides	For its entire length
Bottomgate, Blackburn	Both sides	From its end-on junction with Furthergate to its end-on junction with Copy Nook for its whole length
Copy Nook, Blackburn	South side	From its end-on junction with Bottomgate for its whole length
Copy Nook, Blackburn	North side	From its end-on junction with Bottomgate to a point approximately 3m west of its junction with Gate Street.
Copy Nook, Blackburn	North side	From its end-on junction with Higher Eanam for a distance of approximately 25m in an easterly direction.
Higher Eanam, Blackburn	North side	From its end-on junction with Copy Nook to its end-on junction with Eanam
Higher Eanam, Blackburn	South side	From its end-on junction with Copy Nook to a point approximately 3m west of its junction with Culshaw Street
Higher Eanam, Blackburn	South side	From a point approximately 15m east of its junction with Higher Barn St to its end-on junction with Eanam.
Eanam, Blackburn	Both sides	From its end-on junction with Higher Eanam for its whole length.
Higher Audley St, Blackburn	South side	From its end-on junction with Copy Nook to a point approximately 20m west of its junction with Higher Barn St.
Higher Audley St, Blackburn	North side	From a point approximately 2m east of its junction with Eden St (New) to a point approximately 20m west of its junction with Higher Barn St
Higher Barn St, Blackburn	East side	From the centre line of Higher Audley Street for a distance of 40 metres in a northerly direction
Higher Barn St, Blackburn	East side	From its junction with Higher Eanam for a distance of approximately 25m in a southerly direction.
Higher Barn St, Blackburn	West side	From its junction with Higher Eanam to a point approximately 10m south of its junction with Wharf St

Higher Barn St, Blackburn	West side	From its junction with Higher Audley St for approximately 35m in a northerly direction
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The Red Route (Side road items)

Street	Side	Extent
Harwood St, Blackburn	Both sides	From its junction with Furthergate for a distance of approximately 50m in a northerly direction
Eden St (New) , Blackburn	Both sides	From its junction with Higher Audley St to a point approximately 10m north of its junction with Dock St
Eden St (Old) , Blackburn	East side	From its junction with Dock St for its entire length.
Eden St (Old) , Blackburn	West side	From its junction with Dock St for a distance of approximately 10m in a southerly direction
Dock St, Blackburn	North side	From its junction with Higher Eanam for a distance of approximately 10m in a north easterly direction.
Dock St, Blackburn	North side	From its junction with Eden St for a distance of approximately 10m in a westerly direction
Dock St, Blackburn	South side	From its junction with Higher Eanam to its junction with Eden St
Culshaw St, Blackburn	East side	From its junction with Higher Audley St to its junction with junction with Higher Eanam
Culshaw St, Blackburn	West side	From its junction with Higher Audley St for a distance of approx. 5m in a northerly direction
Culshaw St, Blackburn	West side	From its junction with Higher Eanam for a distance of approx. 5m in a southerly direction
Wharf St, Blackburn	North side	For its entire length
Wharf St, Blackburn	South side	From its junction with Higher Barn St for a distance of approx. 5m in a westerly direction.

SCHEDULE 2

Limited Waiting 8am to 6pm, 1 hour, No Return within 1 hour

Street	Side	Extent
Copy Nook, Blackburn	North side	From a point approximately 3m west of its junction with Gate St, to a point approximately 25m east of its end-on junction with Higher Eanam
Higher Audley St, Blackburn	North side	From a point approximately 2m east of its junction with Eden St (New) to its junction with Higher Eanam
Eden St (Old), Blackburn	West side	From a point approximately 10m south of its junction with Dock St in a southerly direction for its remaining

		length.
Wharf St, Blackburn	South side	From a point approximately 5m west of its junction with Higher Barn St in a westerly direction for its remaining length.
Higher Barn St, Blackburn	Both sides	From a point approximately 5m south of its junction with Wharf St to a point approximately 35m north of its junction with Higher Audley St

SCHEDULE 3

Limited Waiting 8am to 6pm, 2 hours, No Return within 2 hours

Street	Side	Extent
Culshaw St, Blackburn	West side	From a point approximately 5m north of its junction with Higher Audley St, to a point approx. 5m south of its junction with Higher Eanam
Higher Eanam, Blackburn	South side	From a point approximately 3m west of its junction with Culshaw St for a distance of 45m in a westerly direction
Higher Audley Street, Blackburn	North side	From a point 12 metres east of the centre line of Culshaw Street for 10 metres in a easterly direction
Higher Audley Street, Blackburn	North side	From a point 12 metres west of the centre line of Culshaw Street for 10 metres in a westerly direction

SCHEDULE 4

No Waiting 8am to 6pm

Street	Side	Extent
Ordnance Street, Blackburn	Both sides	From a point 77 metres south of the centre line of Gate Street for 37 metres including the turning head

SCHEDULE 5

Schedule of Revocations

Order	Reference
THE BOROUGH OF BLACKBURN WITH DARWEN (EANAM AREA, BLACKBURN) (TRAFFIC MANAGEMENT AND REVOCATION) ORDER 2009	The entire Order
THE BOROUGH OF BLACKBURN (VARIOUS STREETS) (NO. 2) (PROHIBITION OF WAITING) ORDER 1984	Reference to Accrington Road both sides in schedule 1
THE BOROUGH OF BLACKBURN (BURNLEY ROAD, BLACKBURN) (BUS STOPS CLEARWAY) ORDER 1995	Reference to Bus Stop clearway Burnley Road in the schedule
THE BOROUGH OF BLACKBURN (VARIOUS STREETS NO. 5) (PROHIBITION AND RESTRICTION OF WAITING) ORDER 1982	Reference to Eden Street both sides in schedule 1
THE BOROUGH OF BLACKBURN WITH DARWEN (VARIOUS STREETS) (NO 1) (PROHIBITION AND RESTRICTION OF WAITING AND REVOCATION) ORDER 2008	Reference to Back Higher Audley Street both sides in schedule 1
THE BOROUGH OF BLACKBURN WITH DARWEN (VARIOUS STREETS) (NO.9) (PROHIBITION AND RESTRICTION OF WAITING AND REVOCATION) ORDER 2005	Reference to Culshaw Street in schedule 6 Reference to Culshaw Street in Schedule 1

