

**THE BOROUGH OF BLACKBURN WITH DARWEN  
(MONTAGUE STREET, BLACKBURN)  
(PROHIBITION OF WAITING, LOADING AND UNLOADING) ORDER 2010**

The Blackburn with Darwen Borough Council in exercise of the powers under Sections 1, 2, 4 and 124 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 of the Act, hereby makes the following Order:-

1. This Order shall come into operation on the 16th day of August 2010 and may be cited as the Borough of Blackburn with Darwen (Montague Street, Blackburn) (Prohibition of Waiting, Loading and Unloading) Order 2010

2.1 In this Order -

“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:

“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.

“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

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 facia 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.
- 3. Except where otherwise stated, 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.
- 4. Save as provided in Articles 5.1, 5.2, 5.3, 5.4, 5.5 and 7 to 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 wait or load or unload goods at any time on the sides of road or in any lengths of road specified in the Schedule

#### EXEMPTIONS

- 5.1 Nothing in Article 4 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.
- 5.2 (a) Nothing in Article 4 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(l) of the Telecommunications Code contained in Schedule 2 to the Telecommunications Act 1984.
- (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.

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

- 5.3 Nothing in Article 4 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).
- 5.4 Nothing in Article 4 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.
- 5.5 Nothing in Article 4 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.
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 or 1984 or by or under any other enactment.

GIVEN under the Common Seal of the Blackburn with Darwen Borough Council  
this 10th day of August 2010

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

  
Authorised Officer





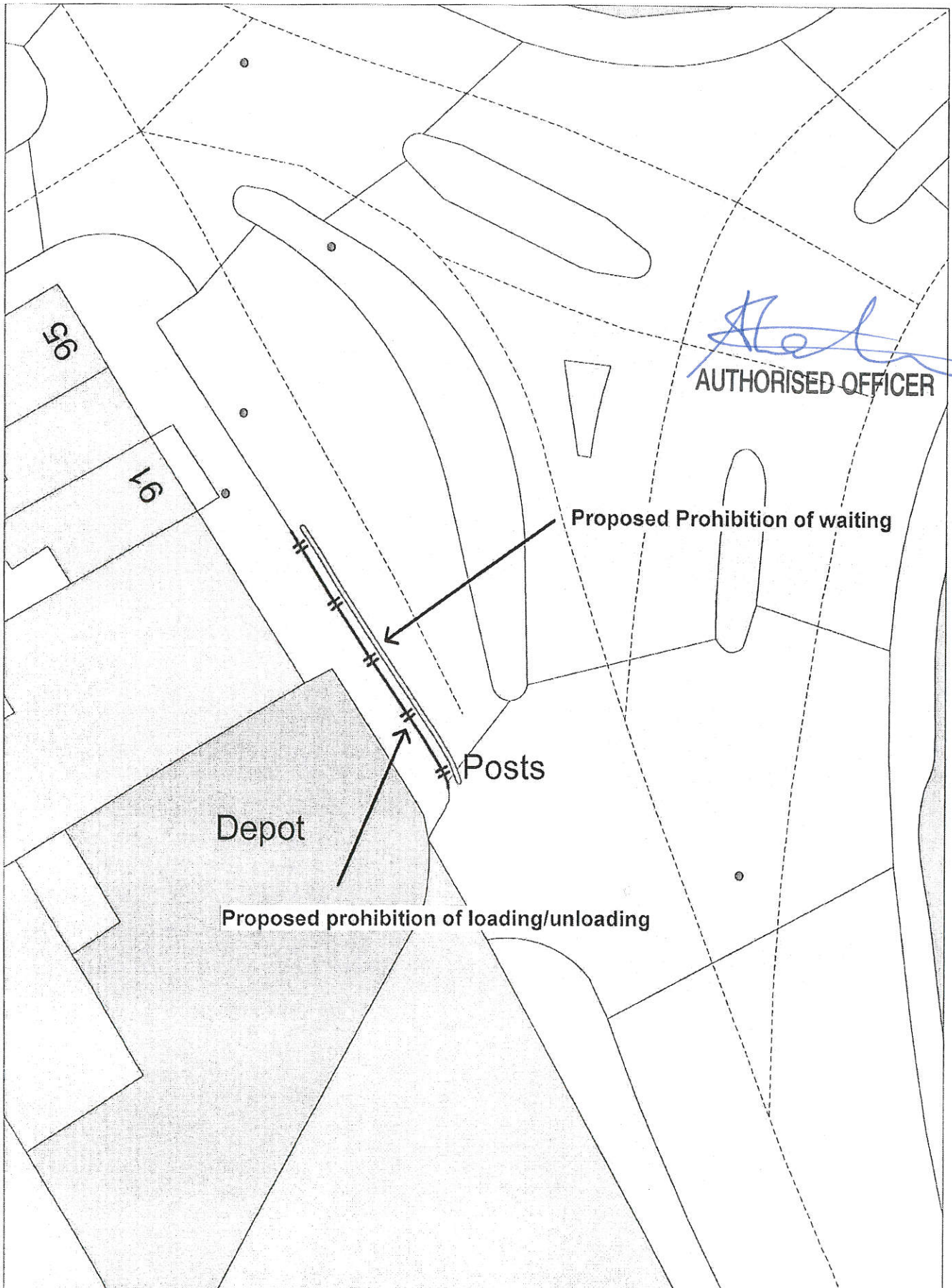
**SCHEDULE**  
**NO WAITING, LOADING OR UNLOADING AT ANY TIME**

Street	Side	Description
Montague Street	South west	From a point 41 metres south east of its junction with Johnston Street for a distance of 18 metres in a north westerly direction

P69-10  
P15-10







*[Signature]*  
AUTHORISED OFFICER

Proposed Prohibition of waiting

Posts

Depot

Proposed prohibition of loading/unloading



Montague Street

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SCALE	1 : 300
DATE	14/05/2010
DRAWING No.	
DRAWN BY	

