

THE BOROUGH OF BLACKBURN WITH DARWEN
(SCHOOL ENTRANCE CLEARWAY) ORDER 2018

The Blackburn with Darwen Borough Council, in exercise of the powers of the said Council under Sections 1, 2, 4 and 124 of the Road Traffic Regulation Act 1984 ("the 1984 Act") as amended and in pursuance of powers granted by the Secretary of State under Section 74 and Part 2 of Schedule 8 and under Paragraph 8 of Schedule 9 of 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 of the 1984 Act, hereby makes the following Order:-

1. This Order shall come into operation on the 21st May 2018 and may be cited as the Borough of Blackburn with Darwen (School Entrance Clearway) Order 2018.

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 10217.1 or diagram 10217.3 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

"school keep clear means" any area of carriageway of a road which is specified and intended to be kept clear of stationary vehicles being in close proximity to a school pedestrian access and indicated by road markings complying with diagram 1027.1 in Schedule 6 to the Traffic Signs Regulations and General Directions 2002 ("the 2002 Regulations") and as indicated by Traffic Signs complying with diagram 642.2A in Schedule 2 to the 2002 Regulations

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.

2.3 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.

3. Save as provided in Articles 5 and 6, no person shall, except upon 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 8.00 a.m. and 4.00 p.m. on any day except Saturday and Sunday, in the area marked as a School Entrance on the length of road specified in Schedule 1 to this Order.

4. Nothing in Article 4 of this Order shall apply as to prevent a vehicle from stopping in the length of road specified in the Schedule to this Order, when the person in control of the vehicle

- (i) is required by law to stop;
- (ii) is obliged to stop in order to avoid an accident, or
- (iii) is prevented from proceeding by circumstances outside his control.

5. (a) Nothing in Article 4 shall render it unlawful to cause or permit any vehicle to wait in the length of road referred to 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.

5. (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.

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

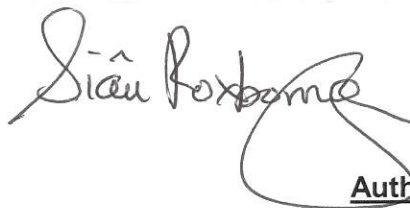
6. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.

7. The Council are satisfied that, for facilitating the passage of vehicular traffic on the specified road, it is requisite that Section 3(1) of the Act of 1984 should not apply in relation to this Order.

Given under the Common Seal of the Blackburn with Darwen Borough Council
this 17th day of May 2018.

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 November 2001)
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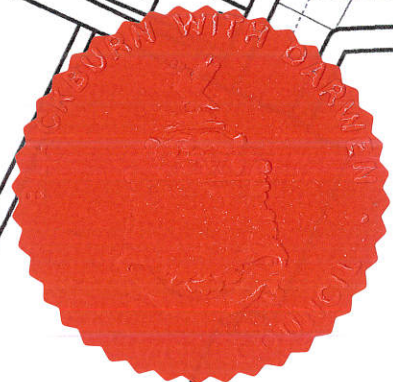
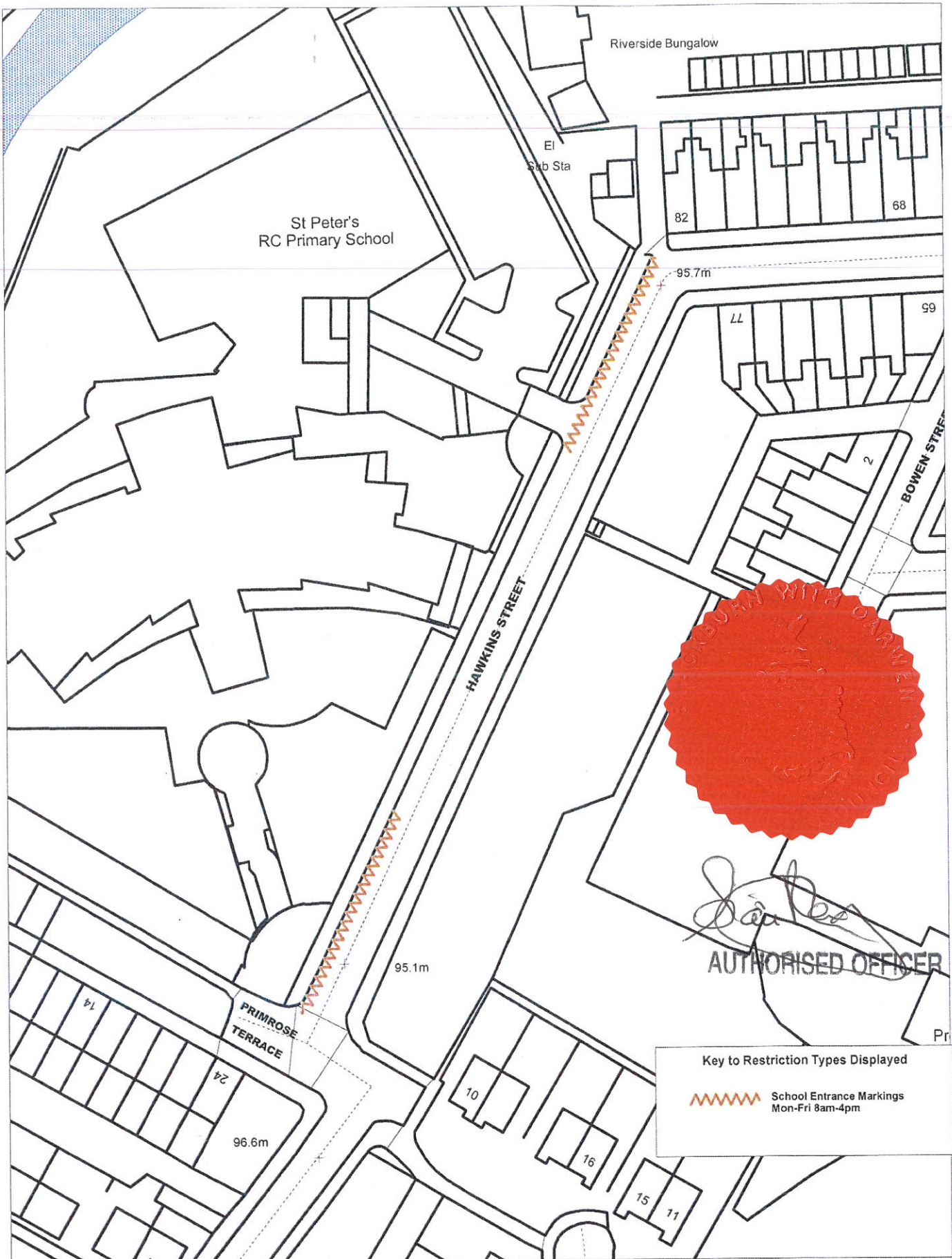


Authorised Officer

SCHEDULE 1

SCHOOL KEEP CLEAR MONDAY – FRIDAY 8AM – 4PM

Street	Side	Location
Hawkins Street, Blackburn	North West	From a point 96 metres north east of the centre line of Primrose Terrace for a distance of 33 metres in a north easterly direction
Hawkins Street, Blackburn	North West	From a point 5 metres north east of the centre line of Primrose Terrace for a distance of 34 metres in a north easterly direction



[Signature]
 AUTHORISED OFFICER

Key to Restriction Types Displayed

 School Entrance Markings
 Mon-Fri 8am-4pm