

THE BOROUGH OF BLACKBURN WITH DARWEN
(BOLTON ROAD, DARWEN)
(PROHIBITION AND RESITRICTION OF WAITING AND REVOCATION) 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 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 **21st** day of **December** 2018 and may be cited as the Borough of Blackburn with Darwen (Bolton Road, Darwen)(Prohibition and Restriction of Waiting and Revocation) 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;

“road” means any length of highway or other road to which the public has access and includes bridges over which a road passes.

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, 6, 7 and 8 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 at any time on the sides of the road or in any lengths of road specified in Schedule 1 to this Order.

4. Save as provided in Articles 5, 6, 7 and 8 to 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 wait between the hours of 8.00am and 6.00pm on the sides or in any length of road specified in Schedule 2 to this Order.

5. Save as provided in Articles 5, 6, 7 and 8 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 motor vehicle to wait between the hours of 8:00am and 6:00pm on any day other than a Sunday on the sides or any length of road specified in Schedule 3 to this Order;

(a) for a longer period than one hour; or

(b) if a period of less than one hour has elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle on the same side of road or length of road.

6.1. Nothing in Article 3, 4 or 5 of this Order 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.

6.2. Nothing in Article 3, 4 or 5 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 -

6.2. (a)(i) building maintenance, industrial or demolition operations;

6.2. (a)(ii) the removal of any obstruction to traffic;

6.2. (a)(iii) the maintenance, improvement or reconstruction of the said lengths of road or side of road; or

6.2. (a)(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;

6.2. (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;

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

6.3. Nothing in Article 3, 4 or 5 of this Order shall render it unlawful to cause or permit any vehicle to wait for so long as may be necessary for the purpose of enabling goods to be loaded or unloaded from the vehicle in the lengths of road specified in Schedules 2 and 3.

6.4. Nothing in Article 3, 4 or 5 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, 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).

6.5. Nothing in Article 3, 4 or 5 of this Order 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.

7. 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.

8. Nothing in Articles 3, 4 or 5 to 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.

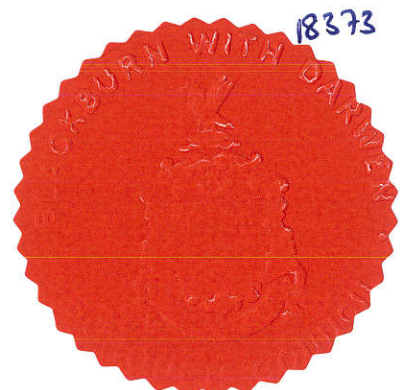
11. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.

12. The Orders referred to in column 1 of Schedule 4 to this Order are hereby revoked to the extent mentioned in column 2 of Schedule 4.

Given under the Common Seal of the Blackburn with Darwen Borough Council
This 19th day of December 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)


Authorised Officer



SCHEDULE 1
NO WAITING AT ANY TIME

Street	Side	Location
BOLTON ROAD, DARWEN,	east	from its junction with Watery Lane for a distance of 31 metres in a north westerly direction from its junction with Grimshaw Street for a distance of 26 metres in a south easterly direction
CEMETERY ROAD, DARWEN,	east	from its junction with Watery Lane for a distance of 15 metres in a south easterly direction
CEMETERY ROAD, DARWEN,	west	from the centreline of Queens Road for a distance of 29 metres in a south easterly direction
WATERY LANE, DARWEN,	both	from its junction with Bolton Road for a distance of 20 metres in a north easterly direction

SCHEDULE 2
NO WAITING 8AM-6PM

Street	Side	Location
BOLTON ROAD, DARWEN,	west	from a point 9 metres south east of its junction with Bowling Green Close for a distance of 59 metres in a south easterly direction

SCHEDULE 3
LIMITED WAITING MON-SAT 8AM-6PM
LIMITED WAITING 1 HOUR, NO RETURN WITHIN 2 HOURS

Street	Side	Location
BOLTON ROAD, DARWEN,	east	from a point 26 metres south east of its junction with Grimshaw Street for a distance of 34 metres in a south easterly direction

SCHEDULE 4
REVOCATIONS

Item No.	Road Name	Side of Road	Extents
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Items to be removed from:

THE BOROUGH OF BLACKBURN (VARIOUS STREETS) (NO. 3) (DARWEN) (PROHIBITION AND RESTRICTION OF WAITING) ORDER 1981

No waiting at any time

1	CEMETERY ROAD	east	from its junction with Watery Lane for a distance of 15 metres in a southerly direction
3	WATERY LANE	both	from its junction with Bolton Road for a distance of 20 metres in an easterly direction

Items to be removed from:

THE BOROUGH OF BLACKBURN (VARIOUS STREETS) (PROHIBITION AND RESTRICTION OF WAITING AND REVOCATION) (NO. 2) ORDER 1995

No waiting at any time

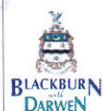
1	CEMETERY ROAD	west	from its junction with Queens Road for a distance of 25 metres in a southerly direction
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Items to be removed from:

THE BOROUGH OF BLACKBURN (VARIOUS STREETS) (PROHIBITION AND RESTRICTION OF WAITING AND REVOCATION) ORDER 1993

No waiting at any time

1	BOLTON ROAD	east	from its junction with Watery Lane for a distance of 30 metres in a northerly direction
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**Proposed Traffic Regulation Order
Cemetery Road/Grimshaw Street, Darwen**

SCALE	1 : 500
DATE	21/05/2018
DRAWING No.	
DRAWN BY	
CHECKED BY	