

THE BOROUGH OF BLACKBURN WITH DARWEN
(POLICE STREET, DARWEN) (PROHIBITION OF WAITING AND
LOADING/UNLOADING AND REVOCATION) ORDER 2017

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 17th day of April 2017 and may be cited as the Borough of Blackburn with Darwen (Police Street, Darwen)(Prohibition of Waiting, Prohibition of Loading/Unloading and Revocation) Order 2017.

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

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 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 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 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 7.1, 7.2, 7.4, 7.5, 7.6 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 load, or unload goods at any time on the sides of road or in any length of road specified in Schedule 2 to this Order.

5. Save as provided in Articles 7.1, 7.2 and 8 to this Order no person shall, except on the direction or with the permission of a police officer in uniform or 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 3 other than a delivery vehicle for the purposes of loading or unloading goods from that vehicle.

6. Save as provided in Articles 7.1, 7.2, 7.4 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 between the hours of 8:00am and 6:00pm Monday to Saturday on the sides of the road or in any lengths of road specified in Schedule 4 to this Order;

- (a) for a longer period than one hour; or
- (b) if a period of less than 1 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.

7.1 Nothing in Article 3, 4, 5 or 6 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.

7.2 Nothing in Article 3, 4, 5 or 6 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 -

- 7.2 (a)(i) building maintenance, industrial or demolition operations;
- 7.2 (a)(ii) the removal of any obstruction to traffic;
- 7.2 (a)(iii) the maintenance, improvement or reconstruction of the said lengths of road or side of road; or

7.2 (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;

7.2 (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;

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

7.3 Nothing in Article 3, 5, or 6 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 Schedule 1.

7.4 Nothing in Article 3, 4, 5, or 6 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).

7.5 Nothing in Article 3, 4, 5 or 6 of this Order shall render it unlawful to cause or permit a disabled persons vehicle which displays in the relevant position a disabled persons badge to wait on the side of the roads or in the length of roads referred to in that Article.

7.6 Nothing in Article 3, 4, 5 or 6 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.

8. 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.

9. Nothing in Articles 3, 4, 5 or 6 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.

10. 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.

11. The Orders referred to in column 1 of Schedule 5 to this Order are hereby revoked to the extent mentioned in column 2 of Schedule 5.

Given under the Common Seal of the Blackburn with Darwen Borough Council
this 12th day of April 2017

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	Extent
Police Street, Darwen	North west	From its junction with Green Street for a distance of 41 metres in a south westerly direction

SCHEDULE 2
NO LOADING/UNLOADING AT ANY TIME

Street	Side	Extent
Police Street, Darwen	North west	From a point 64 metres south west of its junction with Green Street for a distance of 22 metres in a south westerly direction
	South East	From its junction with Green Street for a distance of 93 metres in a south westerly direction

SCHEDULE 3
LOADING ONLY

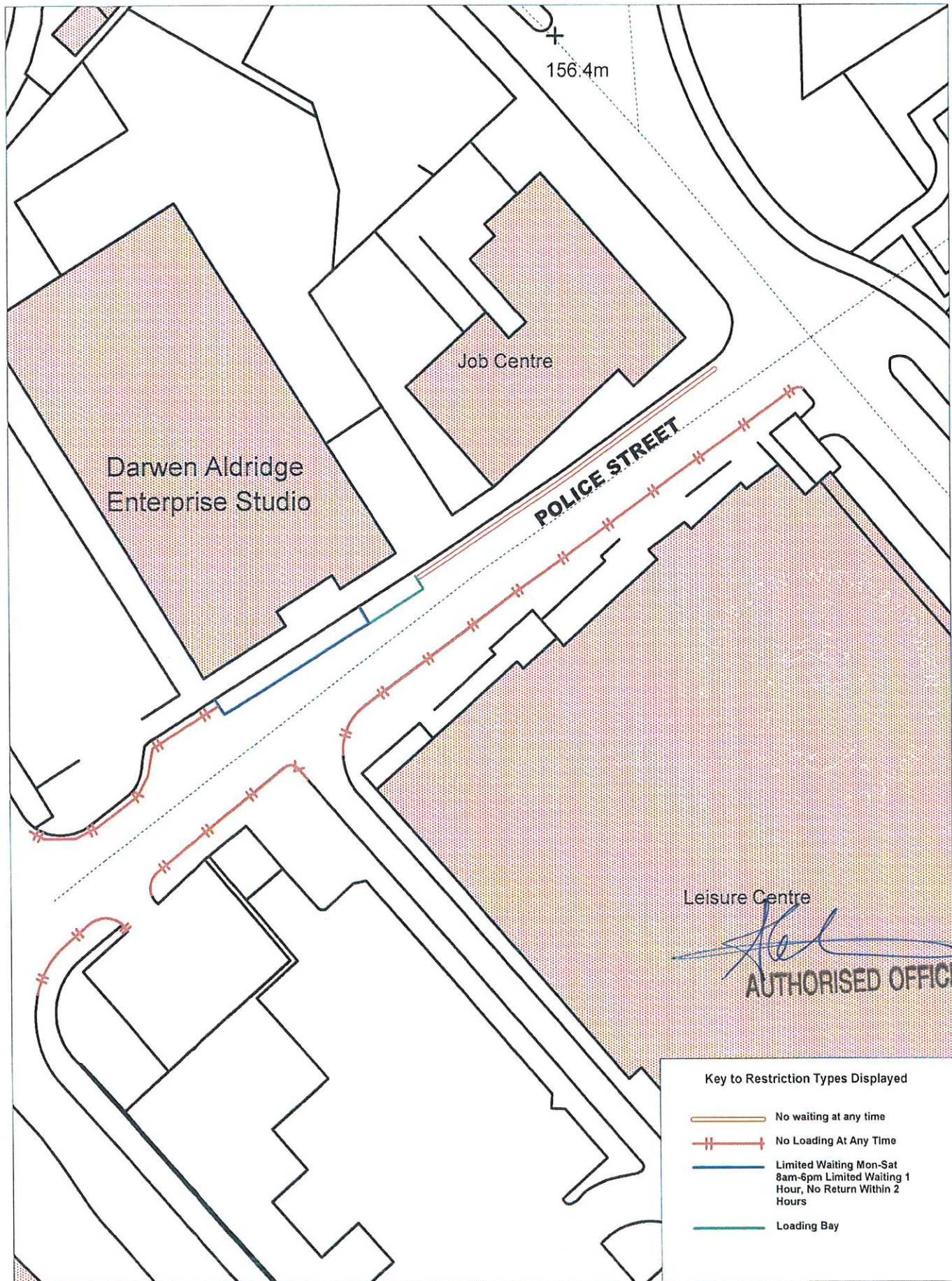
Street	Side	Extent
Police Street, Darwen	North west	From a point 41 metres south west of its junction with Green Street for a distance of 6 metres in a south westerly direction

SCHEDULE 4
LIMITED WAITING
MON-SAT 8AM – 6PM 1 HOUR NO RETURN WITHIN 2 HOURS

Street	Side	Extent
Police Street, Darwen	North west	From a point 47 metres south west of its junction with Green Street for a distance of 17 metres in a south westerly direction

SCHEDULE 5
SCHEDULE OF REVOCATIONS

Order	Reference
THE BOROUGH OF BLACKBURN WITH DARWEN (DARWEN LEISURE CENTRE AREA) (TRAFFIC MANAGEMENT) ORDER 2009	Ref to disabled bay in schedule 1
THE BOROUGH OF BLACKBURN WITH DARWEN (DARWEN LEISURE CENTRE AREA) (TRAFFIC MANAGEMENT) ORDER 2009	Ref to Limited waiting north west side
THE BOROUGH OF BLACKBURN WITH DARWEN (DARWEN TOWN CENTRE)(TRAFFIC MANAGEMENT AND REVOCATION)(NO.3) ORDER 2007	Ref to No Loading At Any Time south side in schedule 4



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Proposed TROs Police Street Darwen

SCALE	1 : 500
DATE	29/06/2016
DRAWING No.	
DRAWN BY	