

**THE BOROUGH OF BLACKBURN WITH DARWEN**  
**(WHALLEY NEW ROAD, BLACKBURN)**  
**(PROHIBITION OF WAITING AND LOADING/UNLOADING AND REVOCATION)**  
**ORDER 2018**

The Blackburn with Darwen Borough Council in exercise of the powers conferred by sections 1, 2, 4, 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 **12 July 2018** and may be cited as "The Borough of Blackburn with Darwen (Whalley New Road, Blackburn) (Prohibition of Waiting and Loading/Unloading and Revocation) Order 2018

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	<ul style="list-style-type: none"> <li>(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;</li> <li>(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.</li> </ul>

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.

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 wait at any time on the sides of the road or in any of the lengths of road specified in Schedule 1 to this Order.

3B. 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 load or unload at any time on the sides of the road or in any of the lengths of road specified in Schedule 2 to this Order.

3C. 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 load or unload between the hours of on Monday to Saturday 8am to 6pm on the sides of the road or in any of the lengths of road specified in Schedule 3 to this Order.

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 Saturday on the sides or in any length of road specified in Schedule 4;

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

3E. 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 Saturday on the sides or in any length of road specified in Schedule 5;

- (a) for a longer period than 30 minutes; 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

4(1) Nothing in Articles 3(A-E) 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 6 to this Order are hereby revoked to extent mentioned in column 2 of Schedule 6

## **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.

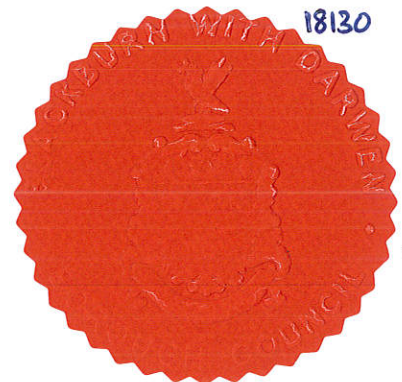
7. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.

Given under the Common Seal of Blackburn with Darwen Borough Council

this 12<sup>th</sup> day of July 2018

THE COMMON SEAL of 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 1**  
**No Waiting at Any Time**

<b>Street</b>	<b>Side</b>	<b>Extent</b>
Whalley New Road Blackburn	west	From its junction with Knowsley Road for a distance of 108 metres in a south westerly direction
Whalley New Road Blackburn	west	From a point 32 metres south west of its junction with Ramsgreave Road for a distance of 10.5 metres in a south westerly direction
Whalley New Road Blackburn	east	From a point 61 metres north of its junction with Parsonage Road for a distance of 134 metres in a southerly direction
Whalley New Road Blackburn	east	From a point 95 metres south of its junction with Parsonage Road for a distance of 23 metres in a southerly direction

**SCHEDULE 2**  
**No loading/unloading at any time**

<b>Street</b>	<b>Side</b>	<b>Extent</b>
Whalley New Road Blackburn	west	From its junction with Knowsley Road for a distance of 108 metres in a south westerly direction
Whalley New Road Blackburn	west	From a point 32 metres south west of its junction with Ramsgreave Road for a distance of 10.5 metres in a south westerly direction
Whalley New Road Blackburn	east	From a point 61 metres north of its junction with Parsonage Road for a distance of 134 metres in a southerly direction
Whalley New Road Blackburn	east	From a point 95 metres south of its junction with Parsonage Road for a



		distance of 23 metres in a southerly direction
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### **SCHEDULE 3**

#### **No Loading/unloading** **Monday to Saturday 8am to 6pm**

<b>Street</b>	<b>Side</b>	<b>Extent</b>
Whalley New Road, Blackburn	west	From a point 15 metres north of the entrance to Kemp Court for a distance of 35 metres in a northerly direction

### **SCHEDULE 4**

#### **Limited Waiting** **Mon-Sat 8am – 6pm 2 hours no return within 4 hours**

<b>Street</b>	<b>Side</b>	<b>Extent</b>
Whalley New Road, Blackburn	west	From a point 12 metres south west of its junction with Ramsgreave Road for a distance of 18.5 metres in a south westerly direction
Whalley New Road, Blackburn	west	From a point 68 metres south west of its junction with Ramgreave Road for a distance of 35.5 metres in a south westerly direction
Whalley New Road, Blackburn	east	From a point 72 metres south of its junction with Parsonage Road for a distance of 23 meters in a southerly direction metres in a south westerly direction

## **SCHEDULE 5**

### **Limited Waiting**

**Mon-Sat 8am – 6pm 30 minutes no return within 1 hour**

<b>Street</b>	<b>Side</b>	<b>Extent</b>
Whalley New Road, Blackburn	west	From a point 40.5 metres south west of its junction with Ramsgreave Road for a distance of 20 metres in a south westerly direction

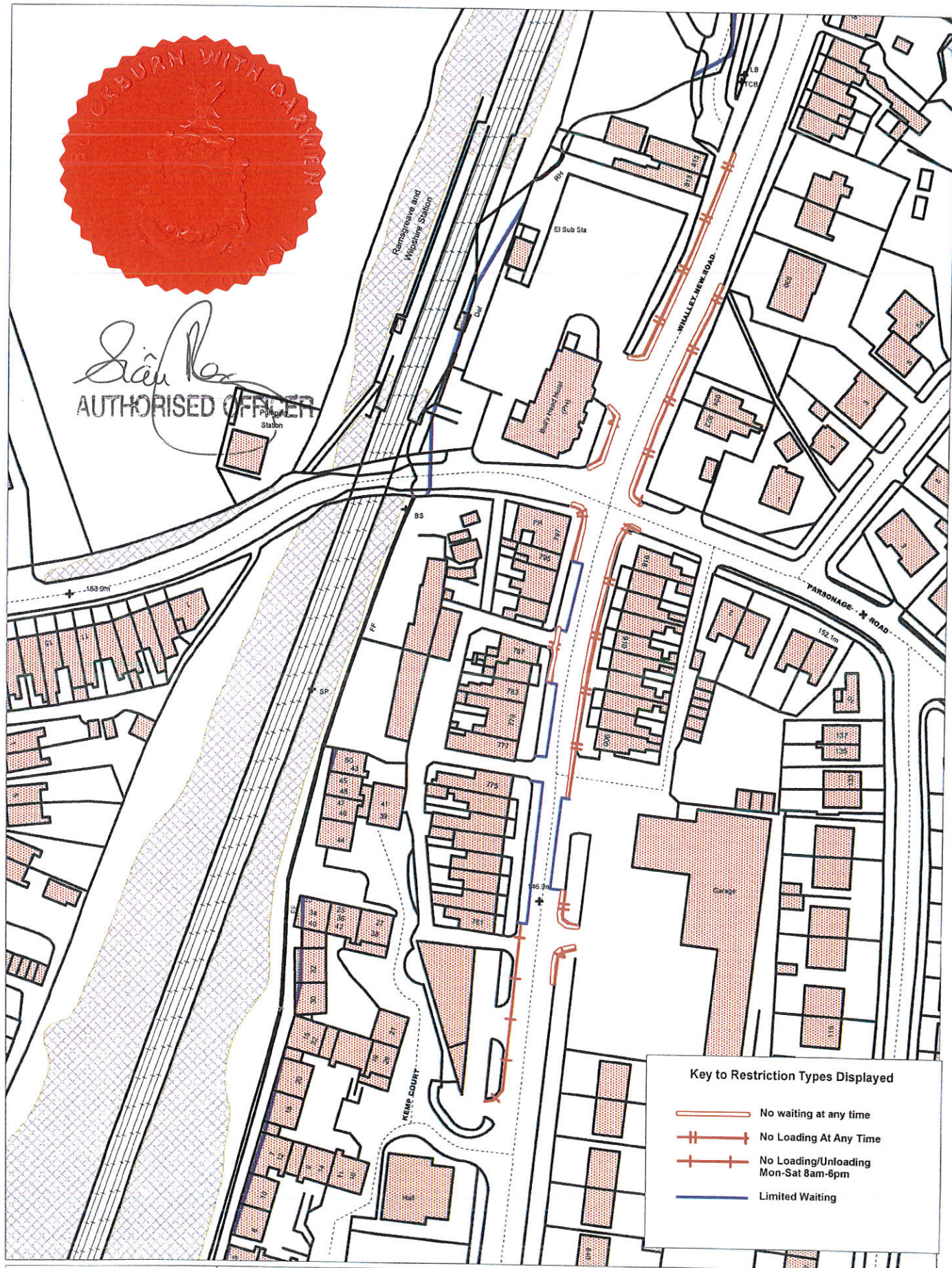
## **SCHEDULE 6** **Revocations**

<b>Order</b>	<b>Reference</b>
THE BOROUGH OF BLACKBURN (VARIOUS STREETS) (NO1) (BLACKBURN) (PROHIBITION AND RESTRICTION OF WAITING) ORDER 1985	Reference to no Waiting At Any Time in schedule 1
THE BOROUGH OF BLACKBURN (VARIOUS STREETS) (NO1) (BLACKBURN) (PROHIBITION AND RESTRICTION OF WAITING) ORDER 1985	Reference to No Waiting At Any Time east side in schedule 1





*Sian R*  
AUTHORISED OFFICER



Key to Restriction Types Displayed

- No waiting at any time
- No Loading At Any Time
- No Loading/Unloading Mon-Sat 8am-6pm
- Limited Waiting

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**Proposed Waiting and Loading Restrictions  
and Limited Waiting - Whalley New Road, Blackburn**



Working in partnership with

**CAPITA**

SCALE

1 : 1250

DATE

09/08/2016

DRAWING No.

DRAWN BY

