

**THE BOROUGH OF BLACKBURN WITH DARWEN
(VARIOUS ROADS) (RED ROUTE)
TRAFFIC REGULATION ORDER 2019**

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 *28th September* 2019 and may be cited as "The Borough of Blackburn with Darwen (Various Roads) (Red Route) Traffic Regulation Order 2019".

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

- (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;
- (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.

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.

3.

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 stop at any time in the Red Route described in Schedule 1 to this Order.

Miscellaneous exemptions for parking

The controls specified in Article 3A do not apply in respect of a person causing a vehicle to stop if that person is –

- (a) Required by law to cause the vehicle to stop or not to proceed
- (b) Obligated to stop the vehicle so as to avoid an accident
- (c) Prevented from proceeding in the vehicle by circumstances beyond the person's control
- (d) Getting or giving help in consequence of an accident or an emergency, or otherwise taking action for public safety
- (e) Opening or closing a gate or other barrier at the entrance to premises to which the vehicle is being driven or from which it has emerged if it is not reasonably practicable to cause the vehicle to stop elsewhere for the purpose
- (f) Using the vehicle for police, ambulance, fire brigade, local authority, parking attendant/civil enforcement officers or water authority, sewage authority and national rivers authority purposes, when used in pursuance of their statutory powers or duties
- (g) Using the vehicle in connection with the removal of any obstruction to traffic
- (h) Using the vehicle in connection with the maintenance, improvement or reconstruction of any length of road specified in schedule 1
- (i) Using the vehicle under a licence under section 37 of the Town Police Clauses Act 1847 to stop for so long only as may be required to enable a passenger to board or alight from the vehicle
- (j) Using a vehicle displaying a Disabled Person's Badge in the relevant position to stop for so long only as may be required to enable a disabled person to board or alight from the vehicle
- (k) Using the vehicle for the purpose of collecting refuse by or on behalf of a local authority
- (l) Using a vehicle which bears the livery of a universal service provider which is waiting at the edge of a carriageway for so long as may be necessary for the purposes of the provision of a universal postal service (as defined by Section 4 of the Postal Services Act 2000)

The controls specified in Article 3A of this Order do not apply to anything done with the permission of an authorised person or with the permission or at the direction of a police officer in uniform or of a Civil Enforcement Officer.

The controls specified in Article 3A of this Order do not apply in respect of a person causing a pedal cycle to be parked at a facility specifically provided for the purpose of pedal cycle parking by, or with the consent of the highway authority.

Exemptions at bus stops and stands

- 1 The controls specified in 3A do not apply in respect of a person causing:

- (a) A bus to stop within a red route bus stop clearway for as long as may be required to enable passengers to board or alight; or
- (b) A bus in the provision of a local service to stop within a red route bus stop or bus stand clearway if being used for operational reasons or training drivers to allow such a service to be provided.

2 In this article "operational reasons" means:

- (a) To enable passengers to board or alight;
- (b) To enable crew changes to take place;
- (c) To maintain the scheduled timetable subject, in the case of a red route bus stop clearway, to a maximum wait of two minutes

4(1) Nothing in Articles 3(A) 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.

5. The Order referred to in column 2 of Schedule 2 to this Order is hereby revoked

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 25th day of September 2019

THE COMMON SEAL of Blackburn
with Darwen Borough Council was
hereunto affixed in pursuance of a
resolution of the Council held on the
15th November 2001

Sian Roxborough
Authorised Officer



SCHEDULE 1

PART A :RED ROUTE CLEARWAYS

Streets (both sides all Blackburn)	Location
BURNLEY ROAD	from a point 138m north east of its junction with Furthergate for a distance of 112m north easterly
CARL FOGARTY WAY	for its entire length
GORSE STREET	from the CL of Carl Fogarty Way for a distance of 29m in a north westerly direction
HOLEHOUSE ST	from the CL of Carl Fogarty Way for a distance of 14m in a north westerly direction from the CL of Carl Fogarty Way for a distance of 14m in a south easterly direction
THORNLEY AVE	from the CL of Carl Fogarty Way for a distance of 16m in a southerly direction

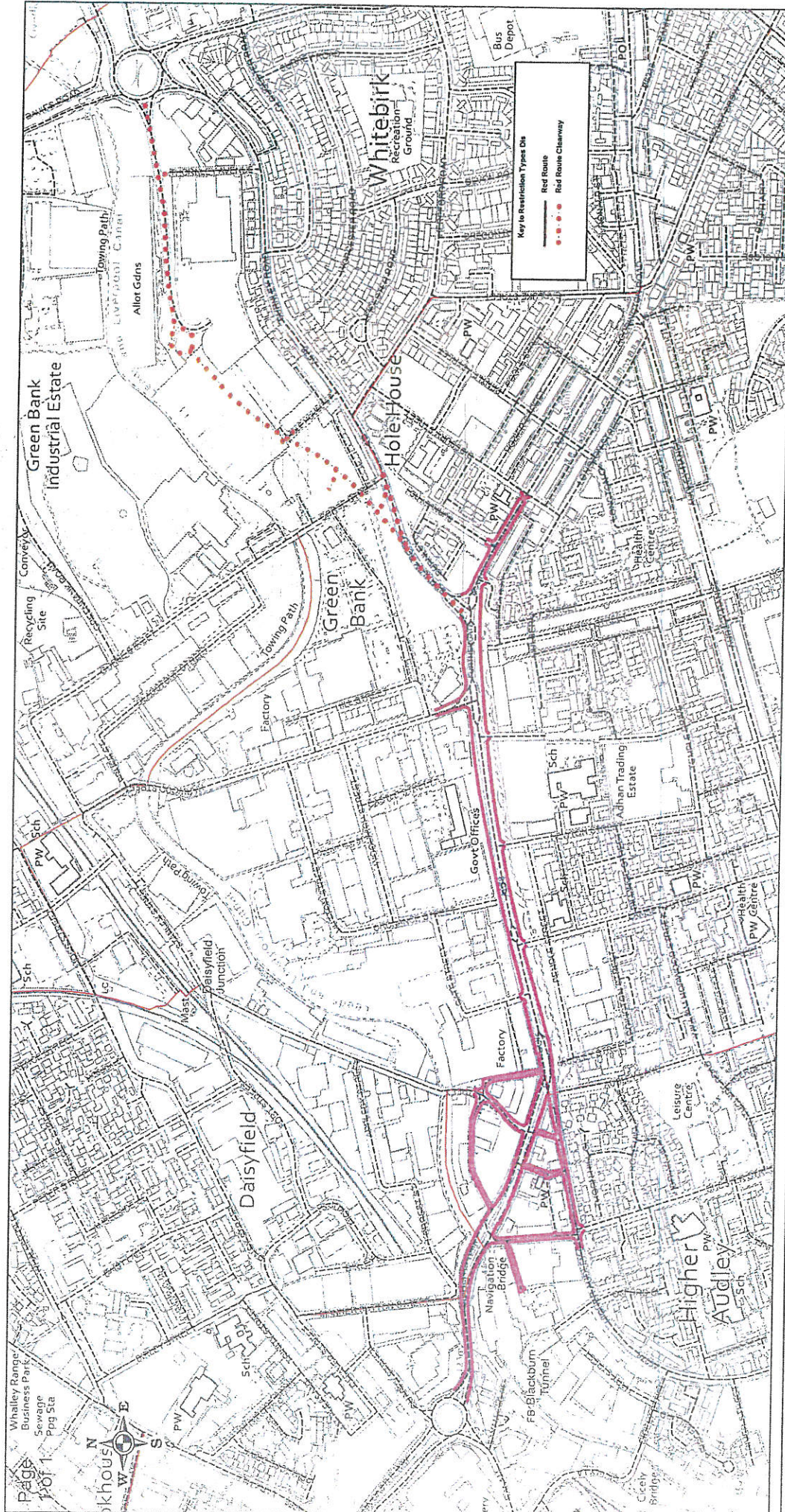
PART B: RED ROUTE

Streets (all Blackburn)	Location
HIGHER EANAM, COPY NOOK, BOTTOMGATE, FURTHERGATE, HIGHER BARN ST, CULSHAW ST, DOCK ST, WHARF ST	For its entire length
EANAM	From a point approx. 70m west of the CL of Eanam Old Rd to its junction with Higher Eanam
HIGHER AUDLEY ST	From its junction with Copy Nook to a point approx. 15m west of the CL of Higher Barn St
ACCRINGTON RD	From its junction with Furthergate to the CL of Didsbury St and Croston St
HARWOOD ST	From the CL of Bottomgate and Furthergate to a point approx. 55m north of the CL of Bottomgate and Furthergate
EDEN ST	From the CL of Higher Audley St to a point approx. 11m north of the CL of Dock St
BURNLEY RD	From the CL of Accrington Rd to a point approx. 15m north east of the CL of Accrington Rd
GATE ST	From the CL of Copy Nook to a point approx. 15m north of the CL of Copy Nook
LAMBETH ST	From the CL of Copy Nook to a point approx. 15m south of the CL of Copy Nook
NEWTON ST	From the CL of Bottomgate to a point approx. 15m south of the CL of Bottomgate
ST CLEMENTS ST	From the CL of Bottomgate to a point approx. 15m south of the CL of Bottomgate

SCHEDULE 2

Schedule of Revocation

Order	Reference
THE BOROUGH OF BLACKBURN WITH DARWEN (FURTHERGATE, BLACKBURN) (RED ROUTE) TRAFFIC MANAGEMENT ORDER 2019	The entire Order



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Borough Red Route Order

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Checked by