

ON Deposit 6 Wks
from 21st July
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THE BOROUGH OF BLACKBURN (VARIOUS STREETS) (NO.2)
(PROHIBITION AND RESTRICTION OF WAITING) ORDER 1978

The Council of the Borough of Blackburn (hereinafter referred to as "the Council") pursuant to arrangements made under Section 101 of the Local Government Act 1972 with the Council of the County of Lancashire, in exercise of the powers of the said County Council under Section 1(1), (2) and (3) and 84D(i) of the Road Traffic Regulation Act 1967, as amended by Part IX of the Transport Act 1968, Schedule 19 of the Local Government Act 1972 and Schedule 6 to the Road Traffic Act 1974 (which said Act of 1967 as so amended is hereinafter referred to as "the Act of 1967"), and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Section 84C(1) of the Act of 1967 hereby make the following Order:-

1. This Order shall come into operation on the 7th August, 1978 and may be cited as the Borough of Blackburn (Various Streets) (No.2) (Prohibition and Restriction of Waiting) Order 1978.

2. (i) In this Order -

"bus stop area" means any area of carriageway in any of the lengths of road or on the side of road specified in Schedules 1 and 2, 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 2 to The Traffic Signs Regulations and General Directions 1975;

"disabled person's badge" has the same meaning as in The Disabled Persons (Badges for Motor Vehicles) Regulations 1975;

"disabled person's vehicle" has the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) (Amendment) Regulations 1975;

"parking disc" means a disc, issued by a local authority, complying with the requirements of the British Standard Specification for Parking Discs (BS No 4631: 1970), but coloured orange, and capable of showing the quarter hour period during which a period of waiting begins.

(ii) For the purpose of this Order a vehicle shall be regarded as displaying -

(a) a disabled person's badge in the relevant position, when -

(i) in the case of a vehicle fitted with a front windscreen, the badge is exhibited thereon with the obverse side facing forwards on the near side of and immediately behind the windscreen, and

(ii) in the case of a vehicle not fitted with a front windscreen, the badge is exhibited in a conspicuous position on the front or near side of the vehicle, and

(b) a parking disc in the relevant position, when the disc is exhibited thereon with the side which shows the time facing forwards or outwards and immediately behind the windscreen or side window nearest to the kerb.

(iii) 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.

(iv) The Interpretation Act 1889 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament

3. Save as provided in Articles 7 and 8 no person shall, except upon the direction or with the permission of a police constable in uniform or of a traffic warden, cause or permit any vehicle to wait in the lengths of road specified in Schedule 1.

4. Save as provided in Articles 7 and 8 no person shall, except upon the direction or with the permission of a police constable or of a traffic warden, cause or permit any vehicle to wait between the hours of 7 a.m. and 7 p.m. on the side of road or in any of the lengths of road specified in Schedule 2.

5. Save as provided in Articles 7 and 8 no person shall, except upon the direction or with the permission of a police constable or of a traffic warden, cause or permit any vehicle to wait between the hours of 7 a.m. and 7 p.m. on any day other than a Sunday on the side of road or in any of the lengths of road specified in Schedule 3.

6. Save as provided in Articles 7 and 8 no person shall, except upon the direction or with the permission of a police constable or of a traffic warden, cause or permit any vehicle to wait between the hours of 7 a.m. and 7 p.m. on any day other than a Saturday or a Sunday on the side of road or in any of the lengths of road specified in Schedule 4.

7. (i) Nothing in Articles 3, 4, 5 and 6 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 enable -

(a) a person to board or alight from the vehicle;

(b) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations, namely -

(i) building, 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 telegraphic line as defined in the Telegraph Act 1878;

(c) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority or a water authority in pursuance of statutory powers or duties;

(d) the vehicle to be used for the purpose of delivering or collecting postal packets as defined in section 87 of the Post Office Act 1953;

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

(ii) Nothing in Articles 3, 4, 5 and 6 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 on or unloaded from the vehicle in the lengths of road specified in Schedules 1, 2, 3 and 4.

- (iii) Nothing in Articles 3, 4, 5 and 6 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 road referred to in those Articles for a period not exceeding two hours (not 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).

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 1967, and existing at the time when this Order comes into operation, and which imposes a restriction or prohibition on waiting by vehicles other than stage carriages or express carriages in a bus stop area or grants an exemption from such restriction or prohibition, that provision of that Order shall prevail.

9. 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 1967 or by or under any other enactment.

GIVEN under the Common Seal)
of the Blackburn Borough)
Council this 19th day of)
July, 1978 in the)
presence of:-)

FRANK HULME

Mayor

MICHAEL J. HARDING

Director of Administration
and Legal Services

SCHEDULE 1

<u>Name of Street</u>	<u>Side</u>	<u>Description</u>
St. Silas' Road	Both	From its junction with Preston New Road for a distance of 30 metres in a north-easterly direction.
Stonyhurst Road	South-west	From its junction with King Street for a distance of 20 metres in a north-westerly direction.
Wensley Road	South	From its junction with Buncer Lane to its junction with St. Mark's Road.
Wensley Road	South	From a point 100 metres east of its junction with St. Mark's Road to its junction with Lawrence Street.
Fecitt Brow	North-east	From its junction with Bank Lane to a point 80 metres south east of its junction with Rothesay Road.
Bank Lane	Both	From a point 200 metres south east of its junction with Shadsworth Road to its junction with Fecitt Brow.
Bank Lane	North-east	From its junction with Fecitt Brow to the Borough Boundary.

SCHEDULE 2

<u>Name of Street</u>	<u>Side</u>	<u>Description</u>
Preston New Road	Both	From a point 70 metres north west of its junction with Beardwood Brow for a distance of 220 metres in a north-westerly direction.

SCHEDULE 3

<u>Name of Street</u>	<u>Side</u>	<u>Description</u>
Fecitt Brow	South-west	From its junction with Bank Lane to a point 80 metres south east of its junction with Rothesay Road.
Bank Lane	South-west	From its junction with Fecitt Brow to the Borough Boundary.

SCHEDULE 4

<u>Name of Street</u>	<u>Side</u>	<u>Description</u>
Preston New Road	West	From its junction with Scar Lane for a distance of 60 metres in a southerly direction.