

**THE BOROUGH OF BLACKBURN WITH DARWEN  
(QUEEN ELIZABETH GRAMMAR SCHOOL AREA, BLACKBURN)  
(EXPERIMENTAL WAITING AND LOADING/UNLOADING) ORDER 2019**

The Blackburn with Darwen Borough Council in exercise of the powers under Sections 1, 2, 4, 9, 10, 45, 46 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 20<sup>th</sup> day of June 2019 and may be cited as "The Borough of Blackburn with Darwen (Queen Elizabeth Grammar School Area, Blackburn) (Experimental Waiting and Loading/Unloading) Order 2019".

1.2 This Order will remain in force for a period of eighteen months

2.1 In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-

"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

"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.

"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.

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.

## **PART II**

### **NO WAITING AT ANY TIME**

3. 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 road or in any of the lengths of road specified in Schedule 1.

4.1 Nothing in Article 3 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 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:-

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

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.

### **PART III**

#### **NO WAITING MONDAY TO FRIDAY 8.00AM – 5.00PM SCHOOL TERM TIME ONLY**

5. Save as provided in Article 6 of this Order no person shall, except on the direction of or with the permission of a Police Officer in uniform or of a Civil Enforcement Officer, cause or permit any vehicle to wait between the hours of 8.00am and 5.00pm on any day during school term times on the sides of road or in any of the lengths of road specified in Schedule 2:-

6.1 Nothing in Article 5 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 a 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 5 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:-

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

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

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

(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 5 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).

6.4 Nothing in Article 5 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.

## **PART IV**

### **NO LOADING/UNLOADING AT ANY TIME**

7. Save as provided in Article 8 of this Order no person shall, except on the direction of or with the permission of a Police Officer in uniform or of a Civil Enforcement Officer, cause or permit any vehicle to wait, load or unload goods on the sides of road or in any lengths of road specified in Schedule 3:-

7.1 Nothing in Article 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 person to board or alight from the vehicle.

7.2 Nothing in Article 6 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:-

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

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

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

(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.

## **PART V**

### **NO LOADING/UNLAODING MONDAY TO FRIDAY 8.00AM – 5.00PM SCHOOL TERM TIME ONLY**

8. Save as provided in Article 9 of this Order no person shall, except on the direction of or with the permission of a Police Officer in uniform or of a Civil Enforcement Officer, cause or permit any vehicle to wait, load or unload goods between the hours of 8.00am and 5.00pm on any day during school term times on the sides of road or in any of the lengths of road specified in Schedule 4:-

9.1 Nothing in Article 8 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 person to board or alight from the vehicle.

9.2 Nothing in Article 8 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:-

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

9.2 (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.

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

## **PART VI**

### **REVOCATIONS**

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

## **PART VII**

### **GENERAL**

11. 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.

12. 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 the Blackburn with Darwen Borough Council this 12<sup>th</sup> day of June 2019

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**

Street	Side	Location
ADELAIDE TERRACE BLACKBURN,	west	from a point 55 metres north west of its junction with the centreline of Preston New Road for a distance of 55 metres in a north westerly direction

**SCHEDULE 2**  
**NO WAITING MON-FRI 8AM-5PM SCHOOL TERM TIME ONLY**

Street	Side	Location
DUKES BROW,	south-west	from the centre line of Hope Terrace to the centre line of Adelaide Terrace
WEST PARK ROAD,	north	from a point approx 50m east of the centre line of Park Crescent for a distance of approx 130m in an easterly direction

**SCHEDULE 3**  
**NO LOADING /UNLOADING AT ANY TIME**

Street	Side	Location
WEST PARK ROAD,	east	from the centre line of Preston New Road for a distance of approximately 55 metres in a northerly direction
WEST PARK ROAD,	west	from the centre line of Preston New Rd for a distance of approx 238m in a northerly direction

**SCHEDULE 4**  
**NO LOADING/UNLOADING MON-FRI 8AM-5PM SCHOOL TERM TIME ONLY**

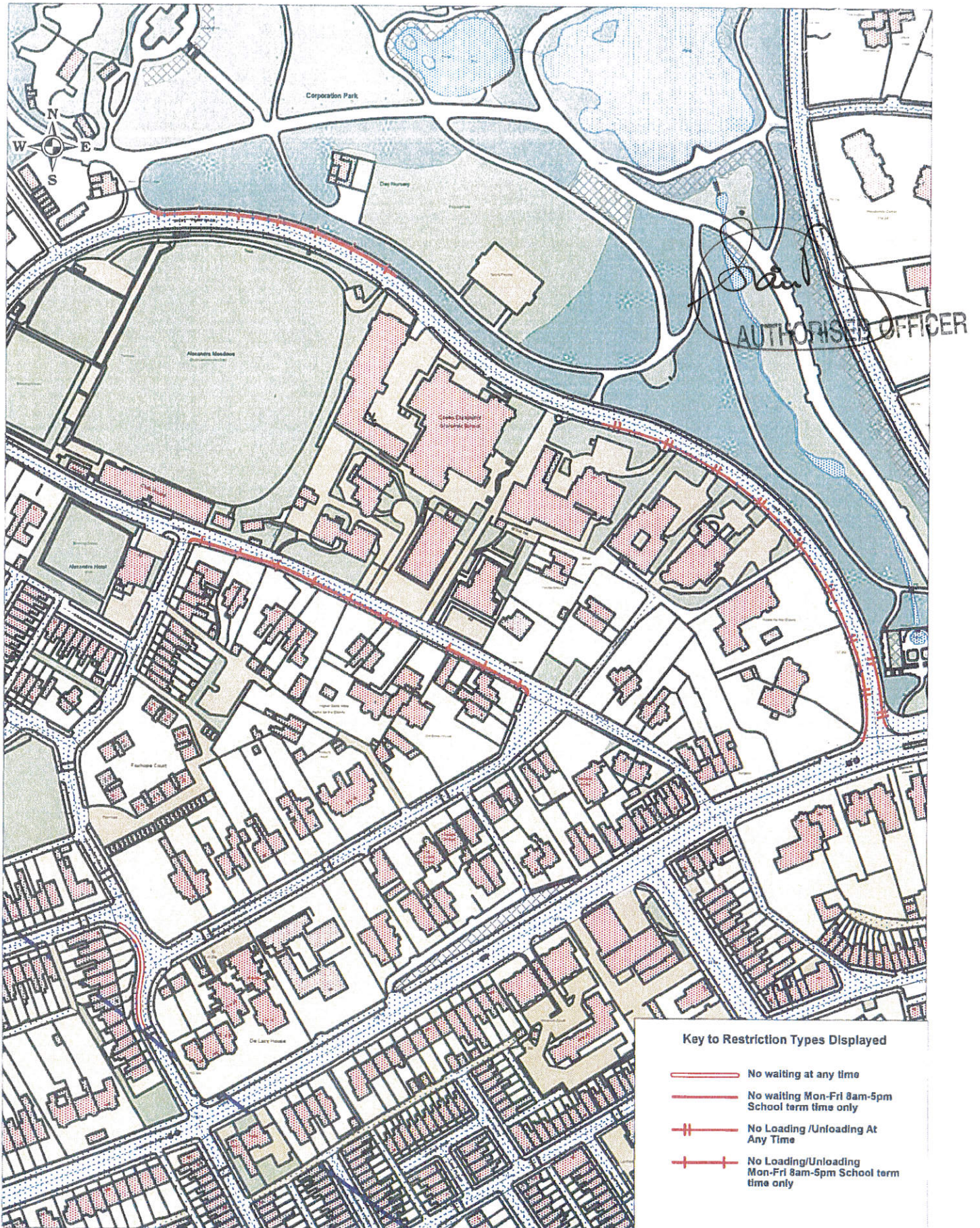
Street	Side	Location
DUKES BROW,	south-west	from the centre line of Hope Terr to the centre line of Adelaide Terr
WEST PARK RD,	north	from a point approx 50m east of the centre line of Park Crescent for a distance of approx 130m in an easterly direction



## SCHEDULE 5 REVOCATIONS

Item No.	Road Name	Side of Road	Extents
<b>Items to be removed from:</b>			
<b>THE BOROUGH OF BLACKBURN (VARIOUS STREETS) (NO.1) (PROHIBITION OF WAITING) ORDER 1977</b>			
<b>No waiting at any time</b>			
	ADELAIDE TERRACE	west	from a point 48 metres north-west of its junction with Preston New Road to its junction with Burlington Street
	BURLINGTON STREET	south	from its junction with Adelaide Terrace for a distance of 9 metres in a south-westerly direction
<b>Items to be removed from:</b>			
<b>THE BOROUGH OF BLACKBURN WITH DARWEN (BLACKBURN TOWN CENTRE) (TRAFIC MANAGEMENT) ORDER 2012</b>			
<b>Limited Waiting 3 hours, No return within 4 hours Mon-Sat 8am-6pm</b>			
	WEST PARK ROAD	north-east	From a point 49.5 metres north west of its junction with Preston New Road For a distance of 178 metres in a north westerly direction
<b>Items to be removed from:</b>			
<b>THE BOROUGH OF BLACKBURN WITH DARWEN (VARIOUS STREETS) (no 2) (PROHIBITION AND RESTRICTION OF WAITING AND REVOCATION) ORDER 2017</b>			
<b>No waiting at any time</b>			
	EAST PARK ROAD	west	From a point 15 metres north of its junction with Lilford Road for a distance of 58 metres in a southerly direction
<b>Limited Waiting 2 hours, No return within 3 hours Mon-Sat 8am-6pm</b>			
	EAST PARK ROAD	west	From a point 53 metres north west of its junction with Preston new Road for a distance of 237 metres in a north westerly direction





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SCALE	1 : 2470
DATE	25/04/2019
DRAWING No	
DRAWN BY	
CHECKED BY	